

Appeal  
Parcel 2

2248132

BOOK 2664 PAGE 373

Recorded JUN 6 1968 at 4:32 p.m.  
Request of Donald T. Sonntag  
Fee Paid HAZEL TAGGART CHASE  
Recorder, Salt Lake County, Utah  
\$ 3.00 By Deputy  
Ref.

BEFORE THE BOARD OF ADJUSTMENT, SALT LAKE CITY, UTAH  
FINDINGS AND ORDER, CASE NO. 5578

371 South West Tempel  
City 84101

REPORT OF THE COMMISSION:

This is an appeal by George, Donald and Douglas Sonntag for a variance to construct a parking lot for an apartment house at 518 East 6th South Street, said parking to be on the rear of an adjoining lot in a Residential "R-6" District which requires Planning Commission and Board of Adjustment approval. This property is described more particularly as follows:

Beginning at the northeast corner of Lot 5, Block 19, Plat "B", Salt Lake City Survey; and running thence South 12.4 rods; thence West 55 feet; thence North 12.4 rods; thence East 55 feet to the point of beginning. Also beginning at a point 12.4 rods south of the northeast corner of Lot 5, Block 19, Plat "B", Salt Lake City Survey; thence South 63.7 feet; thence West 55 feet; thence North 63.7 feet; thence East 55 feet to the point of beginning.

Douglas and Donald Sonntag were present. F. Erle Bond of 603 South 5th East was also present. Mr. Barney reported the Planning Commission suggested that if this parking lot meets all of the requirements under the ordinance for parking lots in residential districts it be approved but they would recommend that the property be purchased rather than leased. The Sonntags reported the property is leased for four years with an option for renewal for another four years. If the lease were not renewed, they would come before the Board again. They will purchase whatever property becomes available. They reminded the Board they bought one piece of property for a parking lot but their request was denied. They can buy some property half a block away but the staff was of the opinion that their tenants would not walk that far. The applicants reported the parking area would be blacktopped, the entire area fenced and there would be proper drainage. Mr. Bond reported he does not protest this proposal, although he did on the property next to him which was previously before the Board. He did ask that the fence on the property south of his be put back up, so cars cannot be parked there. The applicants assured him that area would be fenced. The Chairman ordered the matter taken under advisement. In the executive session the various aspects of the case were reviewed. The circumstances under which this 17-unit apartment was built on a permit for an 11-unit apartment house were then reviewed.

From the evidence before it, the Board is of the opinion that the petitioner would suffer an unnecessary hardship from a denial of the variance; that the spirit and intent of the Zoning Ordinance will be upheld and substantial justice done in the granting of the variance.

IT IS THEREFORE ORDERED that a variance be granted to permit a parking lot as proposed bringing the total number of parking spaces to seventeen with the following provisions:

1. that the parking lot be drained and hardsurfaced under permit from and to meet the requirements of the City Engineer's office
2. that there be a light-proof fence on all sides of the entire parking lot and completely along the west property line
3. that poured concrete control curbs be installed to prevent cars from hitting the fence
4. that the fence along the west side of the driveway be replaced

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5. that the driveway down the side of the apartment house to the parking area be properly hardsurfaced
6. that this matter come back to this Board at the expiration of the land lease
7. that if at the expiration of the lease for the parking the lease is not renewed or the property acquired, the building will be in violation and the apartments must be reduced to the number of parking stalls then provided
8. that all this work must be completed within thirty days
9. these restrictions, along with a copy of the lease, to be recorded in the office of the County Recorder to be made a part of the abstract of the property.

Provided these restrictions are complied with, a permit shall be issued in accordance with the order and decision of the Board provided the construction plans show conformity to the requirements of the Uniform Building Code and all other City ordinances applicable thereto; and provided such reduction or addition does not conflict with any private covenants or easements which may be attached to or apply to the property, all conditions of the Board to be fully complied with before the Building Inspector can give a certificate of occupancy or final inspection, all work to be completed within thirty days.

THE FAILURE OF THE APPLICANT TO ABIDE BY THE CONDITIONS OF THIS VARIANCE SHALL CAUSE IT TO BECOME NULL AND VOID, WHICH IN EFFECT IS THE SAME AS THE VARIANCE HAVING BEEN DENIED.

Action taken by the Board of Adjustment at its meeting held Monday, May 20, 1968.

Dated at Salt Lake City, Utah, this 3rd day of June, 1968.

*Edwin J. [Signature]*  
Chairman

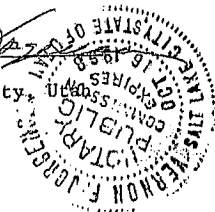
*Mildred G. Snider*  
Secretary

I, Mildred G. Snider, being first duly sworn, depose and say that these are the Findings and Order in Case No. 5578 before the Board of Adjustment on May 20, 1968.

*Mildred G. Snider*

Subscribed and sworn to before me this 3rd day of June, 1968.

*Cherish F. [Signature]*  
Notary Public  
Residing at Salt Lake City, Utah



My commission expires Oct 16 1968