



"W2369662"

E# 2369662 PG 1 OF 2
ERNEST D ROWLEY, WEBER COUNTY RECORDER
10-OCT-08 412 PM FEE \$1.00 DEP JPM
REC FOR: OGDEN CITY

Nonconforming Use & Noncomplying Structure Certificate

Re: **Land Serial #:** 01-014-0014 *dh*
Property Description: PART OF LOT 3, BLOCK 16, PLAT A, OGDEN CITY SURVEY, WEBER COUNTY, UTAH: BEGINNING AT A POINT 8.25 FEET WEST AND 166.5 FEET NORTH OF THE SOUTHEAST CORNER OF SAID LOT 3, AND RUNNING THENCE NORTH 48 FEET, THENCE WEST 107.25 FEET, THENCE SOUTH 12 FEET, THENCE EAST 4 FEET, THENCE SOUTH 36 FEET, THENCE EAST 103.25 FEET TO THE PLACE OF BEGINNING. EXCEPTING THEREFROM ANY PORTION LYING WITHIN PORTER AVENUE.

This is to certify that Ogden City acknowledges the **nonconforming use and non-complying structure** at **2560/2562/2564 Porter Avenue**. The property is located in the **R-3EC zone**. This zone allows for multi-family dwellings. However, the use of the property as a **triplex** is subject to the following:

The nonconforming use is limited to:

- A three-family dwelling on a 4,763 sq. ft. parcel where 9,500 sq. ft. are required.

The non-complying structure is limited to:


- Two (2) side-by-side parking spaces where 6 side-by-side spaces are required.
- A 15' front yard setback where a 20' setback is required.
- Side yard setbacks of 5.5' and 6.5' where minimum setbacks of 6' and 10' are required.
- Rear yard coverage of 32% where a maximum of 25% coverage is allowed.

THE RIGHT OF THE NONCONFORMING USE SHALL BE LOST IF:

1. The building is allowed to deteriorate to a condition that renders it uninhabitable;
2. The owner voluntarily demolishes a majority of the building;
3. The use of the property is discontinued for a continuous period of one year; or
4. The building with the nonconforming use remains vacant for a continuous period of one year.

In the event that the structure is involuntarily damaged or destroyed by natural disaster or calamity, it may be rebuilt, provided the restoration is started within a period of one year from the damage and is diligently pursued to completion, and the non-complying conditions are not increased.

This nonconforming use or non-complying structure shall not be added to, nor enlarged in any manner, except by permit of the Ogden City Planning Commission.



Greg Montgomery
Manager, Planning Division

State of Utah)
 :SS
County of Weber)

On this, the 17th day of September, 2006, personally appeared before me, Greg Montgomery, Manager of the Planning Division of the Community and Economic Development Department of Ogden City, Utah who acknowledged that he signed the above certificate on behalf of said City and that the statements contained therein are true




Notary Public