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EN 2500357 PG 1 OF 2  
ERNEST D ROWLEY, WEBER COUNTY RECORDER  
03-NOV-10 936 AM FEE \$1.00 DEP JKC  
REC FOR: OGDEN CITY

## Nonconforming Use & Noncomplying Structure Certificate

**Land Serial #:** 01-007-0019  
**Property Description:** Part of Lot 4, Block 9, Plat A, Ogden City Survey: Beginning 10 rods east and 1 rod south of the northwest corner of Lot 4, thence east 66.5 feet, thence south 7 rods, thence west 66.5 feet, thence north 7 rods to beginning. Excepting the north approximately 4 feet lying within Binford Street.

This is to certify that Ogden City acknowledges the **nonconforming use and non-complying structure** at **123 Binford**. The property is located in the **CBD zone**. This zone allows for a business community, including office and retail uses. However, the use of the property as a duplex is subject to the following:

**The nonconforming use is limited to:**

- A two-family dwelling (duplex)

**The non-complying structure is limited to:**

- One legal parking space where four (4) side-by-side parking spaces are required;
- The building is set back 11 feet from the front property line, where a 20' setback for residential uses is required.

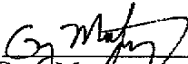
**THE RIGHT OF THE NONCONFORMING USE SHALL BE LOST IF:**

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.

- > Nonconforming Certificate issued February 2, 1996
- > Updated and Recorded September 2010

  
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Greg Montgomery  
Manager, Planning Division

State of Utah )  
                          :SS  
County of Weber )

On this, the 24<sup>th</sup> day of September, 2010, 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



*Jannette Borklund*  
Notary Public