

No Fee

4733211
06 FEBRUARY 89 11:59 AM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
SL CITY CORP-DEVELOPMENT SERVICES
REC BY: REBECCA GRAY , DEPUTY

ABSTRACT OF FINDINGS AND ORDER

4733211

I, Georgina DuFour, being first duly sworn, depose and say that I am the Secretary of the Salt Lake City Board of Adjustment (324 South State Street, Room 110), and that on the 27th day of December, 1988, Case No. 960-B by Kent M. Foote was heard by the Board. The applicant requested on the property at 935 West North Temple Street, (the southeast corner of North Temple and Chicago Streets), a permit to construct a drive-in restaurant (Arby's) which would not maintain the required setback from Chicago Street and a portion of the required 10 foot landscaped rear yard would be used to house the trash area, contrary to the provisions of the Zoning Ordinance in a Commercial "C-1" District abutting a Residential "R-5" District, a legal description of the property being as follows:

BEGINNING AT A POINT 1 FOOT WEST OF THE NORTHWEST CORNER OF LOT 7, BLOCK 57, PLAT "C", SLC SURVEY, THENCE SOUTH 127.5 FEET; THENCE EAST 124 FEET; THENCE NORTH 127.5 FEET; THENCE WEST 124 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH A RIGHT-OF-WAY OVER THE FOLLOWING: BEGINNING AT A POINT 123 FEET EAST FROM THE NORTHWEST CORNER OF SAID LOT 7, AND RUNNING THENCE EAST 9 FEET; THENCE SOUTH 245 FEET; THENCE WEST 9 FEET; THENCE NORTH 245 FEET TO THE POINT OF BEGINNING.

It was moved, seconded and passed to grant the variance for a permit to construct a drive-in restaurant (Arby's) which would not maintain the required setback from Chicago Street and a portion of the required 10 foot landscaped rear yard would be used to house the trash area, contrary to the provisions of the Zoning Ordinance in a Commercial "C-1" District abutting a Residential "R-5" District provided:

1. The Traffic Engineer sign off on the final plan;
2. The landscaping plan be subject to the staff landscape architect approval;
3. The landscaped area be defined by concrete control curbs;
4. The signs meet the setback requirements.
5. The applicant obtain a letter of consent from the neighbor to the south.
6. The drainage plan be reviewed and approved by the City Engineer;
7. That the final plan be subject to a Committee of the Board's approval and a copy of the finally approved plan be filed in the case.

BOOK 6102 PAGE 409

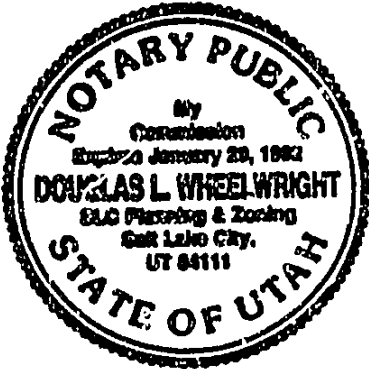
If a permit is not taken out within 6 months this variance will become null and void.

Georgina DuFour

State of Utah)
)ss
County of Salt Lake)

The foregoing instrument was acknowledged before me this 3rd day of

Feb, 1989, by Georgina DuFour, Secretary of the Board of Adjustment.



Douglas L. Wheelwright
Notary Public

My commission expires:

Residing at:
