

The City of
Provo, Utah



Lewis K. Billings
Mayor

RESIDENTIAL DWELLING SUPPLEMENTARY APARTMENT PERMIT For eligible properties in the S-Overlay Zone

All current, prospective, and future owners, and heirs to the property identified below, are hereby notified that this residence has been approved for an Owner Occupied Supplementary Apartment, so long as its use complies with the conditions specified in Section 14.30. S - Supplementary Residential Overlay Zone of the Provo City Ordinance.

Address: 417 East 2100 North, Provo City, Utah, or as otherwise described legally as follows:

COM SW COR LOT 3, PLAT A, MOUNT VIEW CIR SUB; N 33°20'W 128.6 FT; S 70-22'47"E 29.51 FT; S 60-32'06"E 76.96 FT; E 55 FT; S 38-35'17"E 34.56 FT; 30.61 FT ALONG A 71 FT RAD ARC (CHD S 39-03'34"W 30.38 FT); S 78-40'40"W 153.96 FT M OR L TO BEG. AREA .23 ACRE.

with .23 acres. Parcel ID: 46:156:0003. The property is located in the R1.8(S) zone.

Owner(s) Name: Mary Lee Smoot

Phone: 801-377-7924

Primary Unit Address: 417 East 2100 North

Building Permit #: N/A

Accessory Apartment Address: 415 East 2100 North

Location of Accessory Apartment



Apartment is in a basement or second level; the parking in the garage has not been converted to living space; An internal connection to the primary unit is maintained



Apartment is an addition to the house, maintaining an internal connection between dwelling units; apartment does not alter the appearance of the structure as a one family residence

Occupancy Restrictions

(a) One of the dwelling units within the structure shall be occupied by:

(i) One (1) person living alone; or

(ii) The head of household and all persons related to the head of household by marriage or adoption as a parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, great-grandparent or great-grandchild. For purposes of this paragraph, two (2) or more of these persons must share the legal relationship of husband and wife, or parent and child or grandparent and child. Such parent or grandparent must actually reside in the subject dwelling.

(b) The remaining dwelling unit within the structure shall be occupied by no more than four (4) related or unrelated persons.

(c) One of the dwelling units within the structure shall be **occupied by the owner of the property**. Owner occupancy shall not be required when:

(i) The owner has a bona fide, temporary absence of three (3) years or less for activities such as temporary job assignments, sabbaticals, or voluntary service. Indefinite periods of absence from the home shall not qualify for this exception.

(ii) The owner is placed in a hospital, nursing home, assisted living facility or other similar facility.

(d) Owner occupancy as defined in this section shall mean:

Office of
Community Development
www.provo.org/comdev
351 West Center Street
P.O. Box 1849
Provo, Utah 84603

(801) 852-6400
FAX: (801) 852-6417

(i) a human being who possesses more than fifty (50) percent ownership in the dwelling and said dwelling is the primary residence of the owner; or
 (ii) a family trust whose primary purpose is for estate planning by one or more trustors who create the trust, place the dwelling in such trust and whose primary residence is such dwelling. (Provo City Code 14.30.030(2))

I/We, MARY LEE Smart, as owner(s) of the subject property, declare under penalty of perjury this 19 day of April, 2007, that I/We understand the requirements for the creation and existence of a Supplementary Apartment in the residence identified above. In accordance with these requirements, I/We declare that I/We will in no way attempt to modify the existing residence in order to create that which is not approved and covenant to that I/We will not rent to tenants having a total number of vehicles in excess of the total number of supplementary parking spaces (over and above the two spaces required for the resident family) provided, without the prior written consent of Provo City. Further, I/We agree that I/We shall allow Provo City staff to make an inspection of the subject home within reasonable hours and with reasonable prior notification, in order to determine compliance with the Provo City Ordinance regarding Supplementary Apartments in single family residences.

I/We certify that this property is and will be maintained as my/our primary residence so long as the Supplementary Apartment is in use.

Signed: Mary Lee Smart Date Signed: 19 Apr 2007

Signed: _____ Date Signed: _____

Department Approvals

Planning/Zoning

Apr. 19 2007
Date

Building Inspection

Date

STATE OF UTAH)
COUNTY OF UTAH) SS.

On this 19 day of April, 2007, personally appeared before me, Mary Lee Smart, the signer of the foregoing instrument, who duly acknowledged to me that he/she executed the same.

NOTARY PUBLIC: Karen Saloune

Residing in Utah County

