Non Conforming Certificate

Re:

Land Serial #:

Property Description:

02-069-0019

ALL OF LOTS 16, 17 AND 18, BLOCK 1, ROBINSON'S SUBDIVISIONOF OGDEN CITY, WEBER COUNTY, UTAH.

This is to certify that Ogden City acknowledges the nonconforming use, site and building at <u>2445</u>
<u>Custer Ayenue</u>. The property is located in the <u>R-1-6 zone</u>. This zone does not allow for a Small Lot Group Dwelling. However, the use of the property, as a Small Lot Group Dwelling is subject to the following:

The nonconforming use is limited to:

A Small Lot Group dwelling, with ten (10) living units. Consisting of eight (8) single-family dwelling units and one (1) two-family dwelling unit, where only a single-family dwelling unit is allowed.

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The nonconforming site is limited to:

Eight- (8) parking spaces, where twenty (20) side-by-side, on a hard surface, are required.



The nonconforming building is limited to:

- A front yard setback, for the main building(s), of twelve feet five inches (12' 5"), where twenty-five feet (25') is required.
- A side yard setback, facing a street, for the main building(s), of twelve feet (12'), where twenty feet (20') is required.
- A side yard setback, facing a street, for the accessory building, of zero feet (0'), where twenty feet (20') is required.
- A side yard setback for the accessory building of zero feet (0'), where six feet (6') is required.
- A rear yard setback, for the main building(s), of eighteen feet (18'), where thirty feet (30') is required.
- A rear yard setback for the accessory building of zero feet (0'), where one foot (1') is required.

THE RIGHT OF THE NON CONFORMING USE SHALL, BE LOST IF IT HAS NOT BEEN USED AS SUCH FOR A CONTINUOUS PERIOD OF ONE (1) YEAR OR THE BUILDING (S) IS/ARE REMOVED OR DEMOLISHED.

In the event that 50% or less of the total floor area of the structure is damaged or destroyed, 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 nonconformity is not increased. If the building is damaged or destroyed and the destruction exceeds 50% of the total floor area, it may be restored upon approval by the Planning Commission.

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

The nonconforming site development shall not be expanded unless expansion complies with current development code.

The nonconforming building(s) may be maintained or repaired so long as such work does not increase the nonconformities of the building(s).

Gree Monkgomery Manager, Planning Division

State of Utah

County of Weber)

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DOUG CROFTS, WEBER COUNTY RECORDER
05-MAR-04 912 AM FEE \$.00 DEP SGC
REC FOR: 06DEN.CITY

On this day of February, 2004, 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 - STATE OF UTAH

2549 WASHINGTON BLVD.

SUITE 140

OGDEN, UT 84401

COMM. EXP. 04-02-2007

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