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E# 2251502 PG 1 OF 1  
ERNEST D ROWLEY, WEBER COUNTY RECORDER  
26-MAR-07 440 PM FEE \$1.00 DEP SGC  
REC FOR: OGDEN CITY

# Nonconforming Use & Noncomplying Structure Certificate

Re: Land Serial #: 01-035-0050, 0066

**Property Description:** PART OF LOT 9, BLOCK 41, PLAT A, OGDEN CITY SURVEY: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 9; RUNNING THENCE SOUTH 89D02' EAST 212.21 FEET ALONG THE LOT LINE TO A POINT WHICH IS NORTH 89D02' WEST 119.00 FEET FROM THE NORTHEAST CORNER OF SAID LOT 9, THENCE SOUTH 3 RODS, THENCE SOUTH 89D92' EAST 119.00 FEET TO THE WEST LINE OF JEFFERSON AVENUE; THENCE SOUTH 0D58' WEST 49.71 FEET ALONG SAID WEST LINE TO A POINT WHICH IS NORTH 0D58' EAST 33.14 FEET FROM THE SOUTHEAST CORNER OF SAID LOT 9; THENCE NORTH 89D02' WEST 151.11 FEET; THENCE SOUTH 0D58' WEST 33.14 FEET TO THE SOUTHLINE OF SAID LOT 9, THENCE NORTH 89D02' WEST 181.34 FEET ALONG SAID SOUTH LINE TO THE SOUTHWEST CORNER OF SAID LOT 9; THENCE NORTH 0D58' EAST 132.56 FEET ALONG THE WEST LINE OF SAID LOT 9 TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THE FOLLOWING; PART OF LOT 9, BLOCK 41, PLAT A, OGDEN CITY SURVEY, BEGINNING AT A POINT 119 FEET WEST OF THE NORTHEAST CORNER OF SAID LOT 9, RUNNING THENCE WEST 46 FEET, THENCE SOUTH 3 RODS, THENCE EAST 46 FEET, THENCE NORTH 3 RODS TO THE POINT OF BEGINNING. ALSO: INCLUDING A 2.5 FOOT STRIP (VACATED JEFFERSON AVENUE E# 2020544) ABUTTING ALONG THE EAST SIDE OF SAID DESCRIBED PROPERTY.

This is to certify that Ogden City acknowledges the **nonconforming use and non-complying structures at 2245 Jefferson Avenue**. The property is located in the **R-3EC zone**. This zone allows for group dwellings. However, the use of the property as a group dwelling (two 12-plex structures on the same parcel) is subject to the following:

**The nonconforming use is limited to:**

- Two (2) 12-plex structures on the same parcel (24 dwelling units total).

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

- A total lot area of 31,771 sq. ft. where 75,000 sq. ft. is required.
- Twenty-seven (27) parking spaces where 48 side-by-side spaces are required.
- Side yard setbacks of 10' and 20' where a setback of 30' is required.

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

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

In the event that the structures are involuntarily damaged or destroyed by natural disaster or calamity, they 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.

These nonconforming use or non-complying structures 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 20th day of March, 2007, 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

Jannette Borklund  
Notary Public