

KATIE L. DIXON
RECORDER
SALT LAKE COUNTY,
UTAH

FEB 27 3 58 PM '79

3242737

ABSTRACT OF FINDINGS AND ORDER

REG. OF SALT LAKE CITY *Board of adj*
\$300 Fee *Quint*
REF *Done*

I, Mildred G. Snider, being first duly sworn, depose and say that I am the Secretary of the Salt Lake City Board of Adjustment, and that on the 15th day of January, 1979, Case No. 7898 by Clark Leaming Investment Company by Howard Clark, general partner, was heard by the Board. The applicant requested a variance on the property at approximately 1500 Foothill Drive (the northwest corner of Emerson Avenue and Foothill Drive) to construct a bank building, a portion of the underground parking for which would not maintain the required setback from Emerson Avenue in a Business "B-3" District and for a special exception to the ordinance to permit a parking lot in a Residential "R-2" District which requires Board of Adjustment approval, the legal description of said property being as follows:

Beginning at the Southwest corner of Lot 5, Block 4, Wasatch Heights, a subdivision of part of the South $\frac{1}{2}$ Block 16, Five Acre Plat "C", Big Field Survey, running thence South 89°49'34" East along the north line of Emerson Avenue 214.1 feet to the west line of Foothill Drive and running thence North 33°15'34" West along said west line 108.52 feet; thence North 89°49'34" West 154.66 feet to the west boundary of said Lot 5; thence South 0°03' East 90.55 feet to the point of beginning.

Together with a right-of-way over the following described property:

Beginning at a point North 0°03' East 90.55 feet from the Southwest corner of said Lot 5 and running thence North 89°49'34" West 154.66 feet to the West line of Foothill Drive; thence North 33°15'34" East along said West line 17.98 feet; thence South 89°49'34" East to the West boundary line of said Lot 5; thence South 0°03' East 15.0 feet to the point of beginning.

It was moved, seconded and unanimously passed that a variance be granted to allow the underground parking, a portion of which would not maintain the required setback from Emerson Avenue and that a special exception to the ordinance be granted permitting a parking lot in an "R-2" District, subject to the following provisions:

1. that the underground parking structure and parking lot meet all requirements under the ordinance for parking lots in residential districts including a 10' landscaped side yard to the west and a setback from Emerson Avenue of 25' or in line with the house to the west whichever is greater and that there be no drive onto Emerson from the parking lot
2. that the setback areas, driveways, etc., be defined by 6" poured concrete control curbs
3. that all open required yard areas, the setbacks, the areas between property line and sidewalk and between sidewalk and the curb be completely landscaped with sprinkling systems installed to insure proper maintenance, the landscaping plan to include large trees and evergreens to help screen the adjoining activities
4. that adequate landscaping be provided above the extended portion of the under-

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5. ground parking into the required setback that 6' high walls be constructed of the same brick material as the building and large trees and shrubbery be installed on both of the setback lines on Emerson Avenue and along the west property line to screen the view of the residents from the parking and commercial activity
6. that there be no signs on or around the building except on the Foothill Drive side and that this sign be letter-style flat on the building and that there be no freestanding signs
7. that the setback and landscaped area on Foothill on both sides of the driveway and the driveway be worked out with the Planning staff to conform with the Board's wishes which are that the driveway be as small as possible, that there be as much landscaping along there as possible and that the landscaping extend out to what is really the roadway
8. that the underground parking facility be closed off and locked in such a way as to prevent vandalism and entrance into it at night
9. that the parking lot be hardsurfaced and drained to meet all requirements of the City Engineer's office
10. that all drainage be handled on the applicant's own property
11. that all dead drives along Emerson Avenue be removed and new curb and gutter installed
12. that American Savings and Loan Association maintain the parking lot and landscaped areas
13. that all turns onto Emerson from the drive-in facility be left-hand turns only and a sign to this effect be installed by the developer
14. that the final plans showing detail of the Foothill Drive area including detailed landscaping plans be subject to approval by a Committee of the Board, a copy of the finally approved plans to be filed with the case.

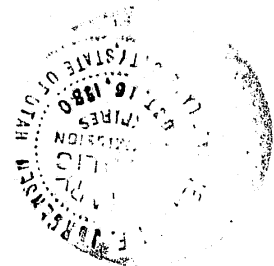
If a permit has not been taken out in six months the variance will expire.

Mildred G. Linder

Subscribed and sworn to before me this 20th day of February, 1979.

Samuel J. Ferguson
Notary Public
Residing at Salt Lake City, Utah

My commission expires Oct. 16, 1980.



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