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SALT LAKE CITY CORPORATION
BOARD OF ADJUSTMENT
451 SOUTH STATE STREET, ROOM 406
SALT LAKE CITY, UTAH 84111

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07/21/2004 10:31 AM NO FEE
Book - 9016 Pg - 3730
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
SL CITY PLANNING
BY: ZJM, DEPUTY - MA 1 P.

Parcel Number: 15-13-226-003

ABSTRACT OF FINDINGS AND ORDER

I, Deborah Martin, being duly sworn, deposed and say that I am the Secretary for the Salt Lake City Board of Adjustment, and that on the 21st day of June 2004, case number 2737-B by Sattar N. Tabriz (Applicant) was heard by the Board. The Applicant requested for the property at 126 West Albermarle Avenue a variance to allow a structure that would not maintain the required rear yard setback and landscape buffer in a CG Zone. (Sections 21A.26.070D and 21A.48.080)

The legal description of the property being as follows:

E 66 FT OF LOT 2 BLK 1 HOLLAND SUB

It was moved, seconded and passed to grant the variance pursuant to plans submitted for the property located at 126 West Albermarle Avenue to allow a structure that will not maintain the required rear yard setback and the landscape buffer in a CG Zone because:

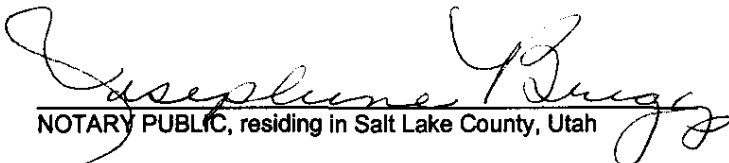
1. Holding the Petitioner to the Ordinance will cause an unreasonable hardship of requiring setbacks that are based on a minimum lot size of 10,000 square feet to a lot that is 2,536.4 square feet in size. Literal enforcement of the Zoning Ordinance in this case is not necessary in carrying out the general intent of the Zoning Ordinance.
2. Special circumstances are attached to the property in that the parcel is 38 feet 11 inches deep, 2,536.4 square feet in size, and has a side yard that abuts a residential district. These special circumstances are not general to other properties in a CG zoning district.
3. Granting the variance is essential to the enjoyment of a substantial property right of allowing the construction of a commercial building of usable size, which is enjoyed by other property owners in the same district.
4. The request will not affect the general plan and will not be contrary to the public interest.
5. The proposed plan meets the spirit and intent of the Zoning Ordinance.

IF REQUIRED PERMITS ARE NOT OBTAINED WITHIN 6 MONTHS OF June 21, 2004, THIS ORDER SHALL BE NULL AND VOID.


Deborah Martin, Secretary

State of Utah)
)SS
County of Salt Lake)

The foregoing instrument was acknowledged before me this 20th day of July 2004, by Deborah Martin, Secretary to the Board of Adjustment.


NOTARY PUBLIC, residing in Salt Lake County, Utah

