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E# 2442904 PG 1 OF 2  
ERNEST D ROWLEY, WEBER COUNTY RECORDER  
03-NOV-09 425 PM FEE \$.00 DEP LF  
REC FOR: OGDEN CITY

## Nonconforming Use & Noncomplying Structure Certificate

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Re: Land Serial #: 05-044-0057 *11*

**Property Description:** LOTS 13, 14, 15 & 16, BLOCK 15 NELSON PARK ADDITION TO OGDEN CITY, UTAH ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE WEBER COUNTY RECORDER. TOGETHER WITH HALF OF THE VACATED ALLEY ABUTTING THEREON.

This is to certify that Ogden City acknowledges the **nonconforming use and non-complying structures** at 3444 & 3452 Eccles Avenue. The property is located in the **R-1-6 zone**. This zone allows for single-family dwellings. However, the use of the property as a small lot group dwelling (containing two single-family homes on one lot) is subject to the following:

**The nonconforming use is limited to:**

- A small lot group dwelling (containing two single-family homes on one lot) where only one single-family dwelling is permitted on an individual lot
- Three parking spaces where four side-by-side spaces are required

**The non-complying structures are limited to:**

- The front yard setback for the single-family dwellings identified as 3444 & 3452 Eccles Avenue being 22.5' where 25' is required
- The side yard setback for the single-family dwelling identified as 3452 Eccles Avenue being 5' where a minimum 8' setback is required
- The rear yard setbacks for the sheds located along the east end of the site being 0' where 1' is required


*This nonconforming use certificate requires the illegally stored unregistered vehicles, trailers, and junk and debris on the site to be removed.*

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

1. The building is allowed to deteriorate to a condition that renders it uninhabitable;
2. The owner voluntarily demolishes a majority of the building;
3. The use of the property is discontinued for a continuous period of one year; or
4. 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.

This 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.

  
Rick V. Grover  
Acting Manager, Planning Division

State of Utah            )  
                                  :SS  
County of Weber        )

On this, the 13<sup>th</sup> day of August, 2009, personally appeared before me, Rick V. Grover, Acting 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., Ste 140  
OGDEN, UT 84401  
COMM. EXP. 08-21-2011

  
Notary Public