

FILE NAME: Ocotah-Utah LLC FILE NO: 9368



PRELIMINARY ZONE CLEARANCE REQUEST

Utah County Community Development • Planning Division
 51 South University Avenue, Suite 117, Provo, Utah 84601
 Telephone: (801) 851-8343 • Facsimile: (801) 851-8359

App. Fee: \$25.00
 Receipt No. 1118
 Date Rec'd: 11/24/14

Tax Serial Number 46:516:0029
 Applicant's Name Julie Nielson 24 NOV 2014 AM 9:50
 Applicant's Mailing Address 788 S 500 E City Payson St UT Zip 84651
 Home Phone _____ Cell Phone 801-830-5033 Fax _____
 Email julie.nielson823@gmail.com
 Specific type of structure or land use requested: Status of property/prior to 1995

Applicant's Certification: I certify that the information I have provided is true and accurate. Should preliminary zoning approval be granted, I understand that any permits for a building or use issued on the basis of this clearance authorizes only the use, arrangement, and construction set forth herein, and only in accordance with applicable state and county regulations. I acknowledge that any appeal to this decision must be made in accordance with the requirements found in Section 7-18, Utah County Land Use Ordinance, which include, but are not limited to, a written claim of error within 20 days, and an application for appeal within 45 days.

Julie A Nielson
 Applicant's Signature

STAFF USE ONLY					
Section <u>NW 20</u>	Township <u>9S</u>	Range <u>2E</u>	Subdivision <u>Maples at Brookside Plat "A"</u>	Lot <u>29</u>	
Zone _____	Overlay Zone/Covenant _____	Area <u>.31 ac</u>	Public Road Frontage (Yes) No	Property Address <u>1406 S HWY 198 - Payson</u>	

Applicant has requested a Preliminary Zone Clearance for parcel (46:516:0029) requesting *status of parcel and its use prior to it being annexed into Payson City (1995)*. See entry #10239-1995 at the Utah County Recorder's Office. Subject parcel currently lies is the City of Payson and is approximately .31 acres. Please refer to Payson City Planning and Zoning for current zoning requirements (801 465-5204).

Prior to annexation in 1995, subject parcel was approximately four (4) acres and resided in the Transitional Residential (TR-5) Zone. In the TR-5 Zone, a zoning lot must have an area of five (5) acres and the minimum width of the lot, at any point between the frontage and the structure, shall be two hundred fifty (250) feet. A zoning lot cannot be part of an illegal division of land (see Sections 2-2-B-61-c and 3-44 of the Utah County Land Use Ordinance or UCLUO). Although the area and configuration of the parcel was legal non-conforming, the use of an accessory dwelling or apartment was not. No records, permits or research notes indicate that a accessory dwelling or apartment was allowed or permitted prior to annexation in 1995.

A permit was issued from this office in 1954 for a single-family dwelling (#A1527-1954). Permit was issued as one (1) single-family home with five bedrooms. No evidence was found specifying that structure was a two-family dwelling or duplex. Another permit was issued from this office in 1972 for an addition (#521-1972) to the existing dwelling. Permit did not specify that addition or existing dwelling was recognized as a two-family dwelling or duplex.

The Utah County Land Use Ordinance (UCLUO) can be found online at utahcounty.gov (choose: Department Directory; choose: Community Development; choose: Planning Division; Land Use Ordinance and code.

STATUS <u>"Status"</u>	DATE <u>11/25/2014</u>	ZONING OFFICIAL <u>Robert May</u>
---------------------------	---------------------------	--------------------------------------