



**Application for Legal Conforming Certificate
for a two-family dwelling
Ogden City Planning Division
2549 Washington Blvd. Suite 240
Ogden, UT 84401
Phone: 801-629-8930**

Property Address:

Applicant Name:

Address: _____ City: _____ State: _____ Zip: _____

Email: _____ Phone: _____

Owner's Name:

Address: _____ City: _____ State: _____ Zip: _____

Email: _____ Phone: _____

If applicant is different from owner, has consent been given to make this application? YES NO

In accordance with 15-13-28 of the Development Code, an application for a Legal Conforming Certificate for a two-family dwelling shall be considered **if**:

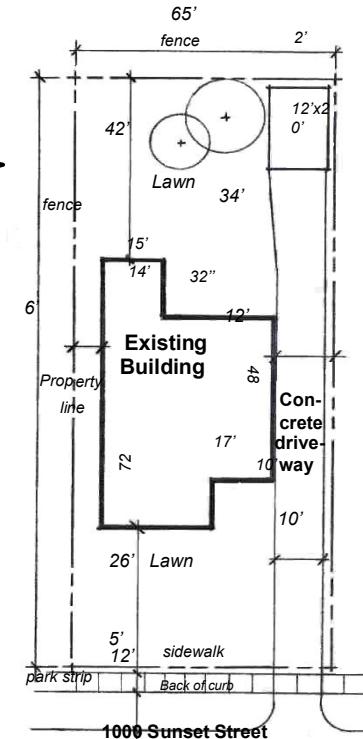
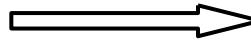
- The property met the zoning requirements of lot area and parking at the time it was built as a duplex or converted to duplex use, and if such use has continued to the present time.

OR

- The structure was built as a duplex or converted to duplex use prior to 1951 (before the adoption of Ogden's first zoning ordinance) and if such use has continued to the present time.

Submittal Checklist

- Written description** of the nature and character of the structure.
- Site plan drawing** of the existing conditions of the site to include:
 - Property lines with dimensions
 - Building location with dimensions
 - Parking location and access (attached or detached garages, carport, concrete slab), with dimensions and type of surface: concrete, asphalt, gravel, dirt, etc.
 - Distances between buildings (if applicable)
 - Distances between property lines and buildings
 - Sidewalks, park strips and curbs and gutters, with dimensions
 - Mature landscaping (trees, shrubs etc.)



(continued on back)

(Checklist continued from page one)

Documentation of Use: Submit any evidence that is available to justify the claim of being built as or converted into a legal duplex and having continued such use to the present:

- Polk Directory** (required documentation) These publications are available at the nonfiction desk at Weber County Library, 2424 Jefferson, the WSU Library, or the Family History Center. Polk Directories show a record of the occupants at an address for a given year. This information is critical to establishing previous use. Property addresses are listed in the green and pink sections. When submitting *Polk Directory* evidence, please include the following:
 - Photocopies of all relevant entries
 - Directories showing proposed use on average every five years from 1951 to present Write the date on each copy
- Any additional evidence that is available to justify the claim.** This may include:
 - **Date** that building was constructed
 - **Building permit** records
 - **Letters** from neighbors stating how long the building has been used as such
- Current ownership plat** and a copy of the **legal description**, both available here: <http://www3.co.weber.ut.us/psearch/summary.php> or at 2380 Washington Boulevard, in the Weber County Recorder's office.

Please note as a general rule:

- If the lot area is **less than 7,500 square feet**, you must provide evidence of uninterrupted use to the present day.
- If the lot **exceeds 7,500 square feet**, then earliest evidence of use is dependent upon the number of existing **legal*** parking spaces found on the site as follows:
 - a) Less than 2 parking spaces: provide evidence prior to 1951 to the present
 - b) Less than 4 parking spaces: provide evidence prior to 1969 to present
 - c) Four or more **tandem** parking spaces (stacked end to end): provide evidence prior to 1977 to the present.
 - d) Four or more **side-by-side** parking spaces: provide evidence prior to 2001 to present.

*a legal parking space is defined as one measuring a minimum of 8.5 feet x 18 feet (minimum) on hard-surface pavement and is located behind the required front yard setback. *

Note: *It is up to the person requesting the certificate to prove beyond doubt that there is a legal right. Any combination of the options listed above can be considered as evidence by the Planning Staff.*

Review Process

Staff Review

Once the complete application has been submitted, the Community Development department will review the request. The Planning Division may conduct its own investigation to insure the information is accurate, and there are no questions about the duplex. The department may require further information from the applicant if there are questions about the duplex, or if there is conflicting or missing information.

Determination

After the request has been reviewed and all information provided to make a decision, the Planning Division shall either issue a Non-complying Certificate or deny the request and give written reasons for the denial.

Appeal

The applicant may request a further administrative hearing within 15 days of the mailing of the decision to deny the application. The request for a hearing shall be made in writing to the Director of Planning, who shall then establish a date, time and place to hold the hearing.

Staff Use Only

Date: _____

Zone: _____

Applic # _____