



## Application for Nonconforming Structure Certificate

Ogden City Development Services  
2549 Washington Blvd. Suite 240  
Ogden, UT 84401  
Phone: 801-629-8930

Ogden City is an older community, which has some structures that do not comply to the present set-back, height restrictions, landscaping requirements, parking regulations, lot area or other regulations excluding the use of land. Such structures are called "**noncomplying**." These noncomplying situations, if they occurred legally before the current land use regulations were implemented, have a right to remain as they were constructed.

A Noncomplying Certificate is the City's acknowledgment that the structure was legal at its time of construction and is allowed to remain. If the structure deteriorates to a condition that the building is rendered uninhabitable or is removed, it shall not be rebuilt or restored. Any future expansion or change of use will require additional permits.

<b>Property Address:</b>		
<b>Applicant Name:</b>		Phone:
<b>Address:</b>		Email:
City:	State:	Zip:
<b>Owner's Name</b>		Phone:
<b>Address:</b>		Email:
City:	State:	Zip:
Type of structure that is nonconforming:		
Submit a complete application to <a href="mailto:planning@ogdencity.com">planning@ogdencity.com</a>		
<b>FEES: \$281.20</b>		
<b>I have read the application and hereby certify that the information is correct to the best of my knowledge</b>		
<b>Signature</b>	<b>Date</b>	
<b>Submittal Checklist</b>		
<ul style="list-style-type: none"><li>• <b>Written description</b> of the nature and character of the nonconforming structure.</li><li>• <b>Site plan drawing</b> of the existing conditions of the site to include:<ul style="list-style-type: none"><li>○ Property lines with dimensions</li><li>○ Building location with dimensions</li><li>○ Parking location (attached or detached garages, carport, slab of concrete) with dimensions.</li><li>○ Distances between buildings (if applicable).</li><li>○ Distances between property lines and buildings.</li><li>○ Sidewalks, park strips and curbs and gutters.</li><li>○ Mature landscaping (trees, shrubs, etc.)</li></ul></li></ul>		

(Checklist continued from page one)

**Polk Directory** (required documentation) These publications are available at the nonfiction desk at Weber County Library – Southwest Branch, 2039 W 4000 S, Roy, 84067, 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
- **Newspaper Listings**

**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.

***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 noncompliance. The department may require further information from the applicant if there are questions about the noncompliance, 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: \_\_\_\_\_

App #