

ORDINANCE NO. 2023-7

**AN ORDINANCE OF OGDEN CITY, UTAH, AMENDING THE OGDEN MUNICIPAL CODE BY AMENDING SECTION 15-2-3 TO AMEND DEFINITIONS OF A BOARDING HOUSE; BY AMENDING SECTION 15-2-13 TO DEFINE LODGING HOUSE; BY AMENDING SECTION 15-2-20 TO REVISE DEFINITIONS FOR SINGLE ROOM OCCUPANCY AND SLEEPING UNIT; BY REPEALING SECTION 15-13-22 REGARDING SINGLE ROOM OCCUPANCY DEVELOPMENT CRITERIA; BY READOPTING SECTION 15-13-22 REGARDING CONVERSION OF HOTEL OR MOTEL TO A MULTIPLE FAMILY DWELLING; ; BY AMENDING SECTION 15-13-32 REGARDING LENGTH OF STAY IN A MOTEL OR HOTEL IF NO PERMANENT RESIDENCE; AND BY PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON POSTING AFTER FINAL PASSAGE.**

**The Council of Ogden City hereby ordains:**

**SECTION 1. Section amended. Section 15-2-3 of the Ogden Municipal Code is hereby amended to read and provide as follows:**

**15-2-3: ["B" DEFINITIONS:]**

**BANK, LIMITED FUNCTION:** A branch banking facility limited in use to accepting deposits and withdrawals, with drive-in window and/or automated teller machine (ATM) station, operated either directly or indirectly by staff personnel or automated equipment. The building shall not exceed one thousand (1,000) square feet.

**BASEMENT:** A story partly underground and having at least one-half (1/2) its height above the average level of the adjoining ground. A basement shall be counted as a story, for purposes of height measurement.

**BED AND BREAKFAST INN:** An owner occupied dwelling of historic significance (listed on the Ogden register of historic resources) in which eight (8) or fewer rooms are rented out by the day, offering overnight lodgings to travelers, and where one or more meals are provided by the host family, the price of which may be included in the room rate.

**BOARD OF ZONING ADJUSTMENT:** The Ogden City board of zoning adjustment as established in title 3, chapter 4 of this code.

**BOARDER:** A person living in a rented room in a boarding house. The boarding house operator, or a member of his or her immediate family who resides on the premises with the operator, shall not be considered to be a boarder.

**BOARDING HOUSE:** A building or portion thereof where, for compensation, rooms are rented together with meals for not more than fifteen (15) boarders who generally do not directly utilize kitchen facilities. The operator of a boarding house must reside on the premises of a boarding house. The word "compensation" shall include compensation in

money, services, or other things of value. A boarding house does not include a single room occupancy, a residential facility for disabled persons or a residential facility for the elderly. A boarding house does not include a nonresidential facility, such as a rehabilitation/treatment facility, where the primary purpose of the facility is to deliver rehabilitation, treatment, counseling, medical, protective or other similar services to the occupants.

**BUILDING:** Any structure other than a boundary wall or fence.

**BUILDING, ACCESSORY:** A subordinate building or a portion of the main building on a lot, the use of which is customarily incidental to that of the main or principal building.

**BUILDING, DETACHED:** A building surrounded by open space on the same lot.

**BUILDING, ENCLOSED:** A building or structure having enclosing walls and roof.

**BUILDING, HEIGHT OF:** The vertical distance from the grade elevation to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to a point midway between the lowest part of the eaves or cornice and ridge of a pitch or hip roof.

**BUILDING, MAIN:** A building in which is conducted the principal use of the lot on which it is located.

**BUILDING OFFICIAL:** The manager of the building services division, community and economic development department of the city, or the manager's duly authorized representative.

**BUILDING, PUBLIC:** A building owned and operated, or owned and intended to be operated, by the city, a public agency of the United States Of America, the state of Utah, or any of its political subdivisions. The use of a public building, with immunity, is nontransferable and terminates if the structure is devoted to a use other than as a public building with immunity. A public building referred to as with immunity under the provisions of this title includes:

- A. "Properties owned by the state of Utah or the United States government" which are outside of the jurisdiction of the city's zoning authority as provided under section 10-9a-304, Utah Code Annotated, 1953, as amended, or its successor provision; and
- B. The ownership or use of a building which is immune from the city's zoning authority under the supremacy clause of the United States constitution.

**SECTION 2. Section amended.** Section 15-2-13 of the Ogden Municipal Code is hereby amended to read and provide as follows:

**15-2-13: ["L" DEFINITIONS:]**

<b>LAND USE ORDINANCE:</b>	Any planning, zoning, development or subdivision ordinance of the city, including, but not limited to, the provisions of title 14 of this code, commonly referred to as the subdivision ordinance of Ogden City, and this title, commonly referred to as the zoning ordinances of Ogden City, Utah. It is not intended to refer to the Ogden City general plan.
<b>LAND USE PERMIT:</b>	A permit, approval or authorization under the provisions of this title for the erection, construction, reconstruction or alteration of any building or structure, or the use of any building, structure or land.
<b>LANDSCAPE OR LANDSCAPING:</b>	The installation of a combination of living plant materials (i.e., turf grasses or turf type fescues, ground cover, annual and perennial flowering plants, vegetables, vines, shrubs, and trees) planted on the property and may include: <ol style="list-style-type: none"> <li>1. Natural features such as rock, stone, or existing tree and shrubs;</li> <li>2. Structural features such as patios, decks, fountains, reflecting pools, gazebos, trellises.</li> </ol>
<b>LAUNDROMAT OR LAUNDERETTE:</b>	A self-service laundry establishment where clothes are cleansed in a coin operated machine. Laundromats or launderettes may include individual dry cleaning machines.
<b>LINEAR BLOCK:</b>	Both sides of that portion of any street that has street numbers ranging between any two (2) consecutive multiples of 100, such as 100 and 200, or between 2200 and 2300, etc. Except within the CBD Intensive District, a corner drinking establishment shall be included in the particular linear block indicated by the street address of such establishment.
<b>LIVE-WORK SPACE:</b>	A dwelling unit in which a significant portion of the space includes a nonresidential work use that is operated by the occupant and that is internally connected to the living space.
<b>LODGE:</b>	A building used by a local chapter of a national fraternal beneficiary society or domestic fraternal society for meetings and activities associated with the organization and its programs.
<b>LODGING HOUSE:</b>	A residential facility that includes sleeping units and common sanitation facilities, kitchen facilities, or both, that houses up to fifteen residents for compensation. "Lodging house" excludes a dwelling, a boarding house, a residential facility for persons with a disability, a residential facility for elderly persons, a protective housing facility, a shelter for the homeless, a single-room occupancy, a transitional housing facility, a rehabilitation/treatment facility, or any type of correctional institution.

LOT:	A parcel of land occupied or to be occupied by a main building or group of buildings (main or accessory), together with such yards, open spaces, lot width and lot areas as are required by this title and having frontage upon a street; provided, that frontage upon a street shall not be required for lots in PRUD subdivisions as permitted in the subdivision title. Except for group dwellings and a guesthouse, not more than one dwelling structure shall occupy one lot.
LOT, CORNER:	A lot abutting on two (2) intersecting streets where the interior angle of intersection or interception does not exceed one hundred thirty five degrees (135°).
LOT, INTERIOR:	A lot other than a corner lot.

**SECTION 3. Section amended. Section 15-2-20 of the Ogden Municipal Code is hereby amended to read and provide as follows:**

**15-2-20: ["S" DEFINITIONS:]**

**SENSITIVE AREA:** Lands containing environmentally and geologically sensitive elements which, if encroached upon by unsuspecting urban land development such as utilities, housing, streets, and/or public facilities, could be damaged beyond reparability or could cause severe damage to such urban development or cause complete destruction thereof or cause the loss of life or bodily harm. Such sensitive areas could include active earthquake faults, potential landslide areas, steep unstable terrain, or areas of potential rockfall.

**SENSITIVE VEGETATION:** Vegetative cover which can be harmed by compaction from overuse, urban development or altering of the hydrologic cycle in such a manner as to create an environmental imbalance causing a severe retardation of growth or elimination of a particular variety of vegetative species.

**SENSITIVE WILDLIFE HABITAT:** Wildlife habitat which provides an environmental biosphere critical to the well being and perpetuation of certain species of wildlife, particularly if encroached upon by urban related development. It is specifically related to the elimination of a limited habitat and its related wildlife.

**SEXUALLY ORIENTED BUSINESSES:** An inclusive term used to describe collectively those businesses for which a sexually oriented business license is required, pursuant to the sexually oriented business license chapter, set out in title 5, chapter 15 of this Code, which types of businesses include for purposes of this title the following: outcall services, adult entertainment dancing agencies, adult businesses (an inclusive term including adult motion picture theaters, adult bookstores or adult video stores), and

adult live entertainment businesses. This collective term does not describe a specific land use and shall not be considered a single use category for purposes of this title.

**SHELTER FOR THE HOMELESS:** Charitable lodgings or sleeping rooms provided on a temporary basis (usually on a daily basis), to those members of society lacking other safe, sanitary or affordable shelter. May also include kitchen and cafeteria.

**SHELTERED WORKSHOP:** An on site supervised educational or vocational training facility for persons with a disability that does not provide any residential facilities.

**SHORT TERM LOAN BUSINESS:**

- A. An establishment engaged in extending credit to individuals (regardless of whether the debt is secured or unsecured or in the form of a loan, advance or other credit intermediation service) that:
  - 1. Generally charges an annual percentage rate of thirty percent (30%) or higher as calculated under the federal truth in lending act (15 USC 1601 et seq.) or the rules or regulations adopted pursuant to the truth in lending act; or
  - 2. Extends credit in amounts generally less than ten thousand dollars (\$10,000.00).
- B. This definition specifically includes businesses such as check cashers, deferred deposit lenders and title lenders, but does not include establishments whose primary activity is:
  - 1. Selling real estate or financing real estate transactions;
  - 2. Making retail or food sales or financing retail or food sales made on the installment plan;
  - 3. Selling vehicles or financing purchase money vehicle loans;
  - 4. Making repairs or improvements to real or personal property;
  - 5. Acting as a pawnbroker under the provisions of title 5, chapter 12, article A of this code;
  - 6. Providing professional, medical, dental, insurance or educational services;
  - 7. Acting as a charitable organization under section 501(c)(3) of the internal revenue code or as a community development entity that has been certified by the U.S. department of the treasury's community development financial institutions fund; or

8. Providing deposit banking as a depository institution or depository institution holding company as defined in Utah code section 7-1-103.
- C. In determining the primary activity of a business, the value of any goods sold or services rendered compared with the amount of credit extended shall be taken into account.
- D. A short term loan business may offer more than one type of credit intermediation service if it meets the licensing requirements for each service and operates from a single storefront.

**SIDEWALK VENDOR:** Any person or persons licensed under title 5, chapter 13, article B of this code as a sidewalk vendor who sells, or offers to sell at retail, food, nonalcoholic beverages, balloons, or cut flowers on a public sidewalk.

**SINGLE ROOM OCCUPANCY:** ~~[A residential facility with six (6) or more living units which are leased generally on a monthly basis with no more than two (2) persons per unit and may or may not provide complete and independent living facilities; provided, that bathroom facilities shall be available either in common or on an individual basis. Twenty four (24) hour on site management shall also be provided.]~~A residential facility with six or more sleeping units created from a building that was formerly used as a hotel or motel, where the facility has common sanitation facilities, kitchen facilities, or both, and where the majority of sleeping units have only one sleeping room.

**SITE DEVELOPMENT STANDARDS:** Established regulations concerning lot areas, yard setbacks, building height, lot coverage, open green space and any other special regulations deemed necessary to accomplish the purpose of this title.

**SLEEPING UNIT:** A single unit that provides rooms or spaces for one or more persons, includes permanent provisions for sleeping and can include provisions for living, eating and either sanitation or kitchen facilities but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

**SOCIAL HALL:** A for profit privately owned, multiuse indoor space that provides for a variety of private and public functions such as banquets, parties, games, social gatherings, entertainment, lectures and receptions.

**SOUP KITCHEN, CHARITABLE:** A not for profit establishment devoted exclusively to feeding the poor. Such establishment may provide one or more meals per day, at no monetary charge to the hungered.

**STABLE, PRIVATE:** A detached, accessory building for the keeping of horses owned by the occupants of the premises, and not kept for remuneration, hire or sale.

**STABLE, PUBLIC:** A stable other than a private stable.

**STORY:** The space within a building, other than a cellar, included between the surface of any floor area and the surface of the ceiling next above.

**STORY, HALF:** A story with at least two (2) of its sides situated in a sloping roof, the floor area of which does not exceed two-thirds (2/3) of the floor immediately below it.

**STREET:** A public thoroughfare, dedicated, abandoned or condemned for public use prior to the initial enactment of the zoning ordinance, which affords the principal means of access of abutting property and is more than twenty six feet (26') wide, and any public thoroughfare dedicated to the public and accepted by proper public authority or condemned for public use after said date.

**STRUCTURAL ALTERATIONS:** Any change in supporting members of a building, such as bearing walls, columns, beams or girders.

**STRUCTURE:** Anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground.

**SWAP MEET:** A business operated entirely within an enclosed building where, under direction of a swap meet proprietor, individual sellers occupy a designated area where goods are sold or exchanged.

**SWIMMING POOL:** Any artificial or semiartificial container, whether indoors or outdoors, and whether above or below the surface of the ground, or both, used or intended to be used to contain a body of water for swimming by any person or persons, together with all permanent structures, equipment, appliances and other facilities used or intended for use in and about the operation, maintenance and use of such pool.

**SWIMMING POOL, FAMILY:** A swimming pool used and intended to be used solely by the owner, operator or lessee thereof and his family and by friends invited to use it without payment of any fee or consideration.

**SECTION 4. Section amended.** Section 15-13-22 of the Ogden Municipal Code is hereby repealed and readopted to read and provide as follows:

**[15-13-22: [SINGLE ROOM OCCUPANCY DEVELOPMENT CRITERIA:]]**

**No single room occupancy (SRO) will be allowed unless the following criteria are met:**

**A. Square Footage: Excluding the closet, storage space and bathroom space, a living unit must be at least seventy (70) square feet in floor area for a one person living unit and one hundred twenty five (125) square feet in floor area for a two (2) person living unit.**

- ~~B. Bath Facilities: If individual bath facilities are not provided, common bathroom facilities must be provided for every eight (8) units and must be located in a central and convenient location for the units being served.~~
- ~~C. Separate Outside Entry: Individual living units shall not have separate outside entries.~~
- ~~D. Storage Space: A closet or designated storage space is required in every living unit.~~
- ~~E. Storeroom: A cleaning supply storeroom and/or utility closet with at least one laundry tub with hot and cold running water must be available for use of the living units on each floor of the SRO.~~
- ~~F. Common Area: Each SRO shall provide a minimum of two hundred (200) square feet of interior common area.~~
- ~~G. Distance Between SRO: No SRO shall be established within a six hundred sixty foot (660') radius of another SRO measured from front door to front door.~~
- ~~H. CBD District: No SRO in the CBD intensive district shall have living units located at the ground level of the building, fronting on a public street.~~
- ~~I. Parking: One parking space is required for each ten (10) units in an SRO development.]~~

**15-13-22: [CONVERSION OF HOTEL OR MOTEL TO A MULTIPLE-FAMILY DWELLING:]**

In addition to any other requirements applicable to multiple-family dwellings, any building that was originally constructed as or converted to a hotel or motel that is proposed to be converted to a multiple-family dwelling shall comply with all of the following standards:

- A. A minimum of fifteen percent (15%) of the dwelling units shall have a bedroom of at least one hundred (100) square feet, a living area of at least one hundred (100) square feet, and a total floor area of at least three hundred (300) square feet.
- B. An additional ten percent (10%) of the dwelling units shall have two or more bedrooms of at least one hundred (100) square feet each, and a total floor area of at least four hundred fifty (450) square feet.
- C. Each dwelling unit shall have a kitchen or kitchen area that includes all of the following:

1. A range, or separate wall oven and stove, with gas or a minimum two-phase, 240 volt electric connection in a separate circuit, in addition to any microwave oven.
  2. A kitchen sink with hot and cold water separate from any washroom sink.
  3. A refrigerator with freezer, with a separate electric circuit.
  4. A separate storage cabinet or cabinet for food and food preparation equipment with at least twelve (12) cubic feet of storage area, and
  5. A permanent food preparation counter of at least five (5) square feet.
- D. The facility shall provide either laundry hookups within each dwelling unit or an on-site common laundry facility.
- E. A facility with sixteen (16) or more dwelling units shall have a twenty-four (24) hour on-site manager.
- F. The facility shall comply with all other requirements applicable to a new multiple-family dwelling, including density, parking, amenities, landscaping, open space, and architectural features, except that an existing building that does not meet setbacks or maximum lot coverage standards may remain.

**SECTION 5. Section amended.** Section 15-13-32 of the Ogden Municipal Code is hereby amended to read and provide as follows:

**15-13-32: [LENGTH OF STAY IN A MOTEL OR HOTEL IF NO PERMANENT RESIDENCE:]**

No owner or operator of a hotel or motel shall allow any individual or family without a primary residence at another location to stay ~~[a maximum of]~~ for more than ninety (90) days in any twelve (12) month period.

**SECTION 6. Effective date.** This ordinance shall be effective immediately upon posting after final passage.

**PASSED, ADOPTED AND ORDERED POSTED** by the Council of Ogden City,  
Utah this 7th day of February 2022.

*AK*  
Angela Choberka (Feb 10, 2023 11 06 MST)

CHAIR

ATTEST:

*Tracy Hansen*

CITY RECORDER

TRANSMITTED TO THE MAYOR ON: \_\_\_\_\_

MAYOR'S ACTION:  Approved  Vetoed

*Michael P Caldwell*

Michael P Caldwell (Feb 10, 2023 13 17 MST)

MAYOR

ATTEST:

*Tracy Hansen*

CITY RECORDER



POSTING DATE: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_

APPROVED AS TO FORM: JAT 11/9/22   
Legal Date

James Tanner (Feb 10, 2023 10 59 MST)

- \* The headings, catchlines or catchwords suggested for use in the Ogden Municipal Code and which are bracketed at the beginning of sections or subsections, shall not be considered to be a part of the ordinance adopted herein.

# Ordinance 2023-7 regarding hotel/motel conversions

Final Audit Report

2023-02-13

Created	2023-02-10
By	Lee Ann Peterson (leeannp@ogdencity.com)
Status	Signed
Transaction ID	CBJCHBCAABAA7mYzl-a7qYoB4urmfZYE9ZoVraNfaiAK

## "Ordinance 2023-7 regarding hotel/motel conversions" History

- 📄 Document created by Lee Ann Peterson (leeannp@ogdencity.com)  
2023-02-10 - 5 53 09 PM GMT- IP address 205 189 200 5
- ✉️ Document emailed to James Tanner (jamest@ogdencity.com) for signature  
2023-02-10 - 5 56 01 PM GMT
- 📄 Email viewed by James Tanner (jamest@ogdencity.com)  
2023-02-10 - 5 58 41 PM GMT- IP address 104.47 64 254
- ✍️ Document e-signed by James Tanner (jamest@ogdencity.com)  
Signature Date 2023-02-10 - 5 59 02 PM GMT - Time Source server- IP address 205 189 200 5
- ✉️ Document emailed to angelachoberka@ogdencity.com for signature  
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- 📄 Email viewed by angelachoberka@ogdencity.com  
2023-02-10 - 6 06 13 PM GMT- IP address 104 28 32 97
- ✍️ Signer angelachoberka@ogdencity.com entered name at signing as Angela Choberka  
2023-02-10 - 6 06 31 PM GMT- IP address 174 52.162 146
- ✍️ Document e-signed by Angela Choberka (angelachoberka@ogdencity.com)  
Signature Date 2023-02-10 - 6 06 33 PM GMT - Time Source server- IP address 174 52 162 146
- ✉️ Document emailed to mikec@ogdencity.com for signature  
2023-02-10 - 6 06 34 PM GMT
- 📄 Email viewed by mikec@ogdencity.com  
2023-02-10 - 7 17 56 PM GMT- IP address 172 226 137 20

⑥ Signer mikec@ogdencity.com entered name at signing as Michael P Caldwell

2023-02-10 - 8 17 29 PM GMT- IP address 205 189 200 5

⑥ Document e-signed by Michael P Caldwell (mikec@ogdencity.com)

Signature Date 2023-02-10 - 8 17 31 PM GMT - Time Source server- IP address 205 189 200.5

✉ Document emailed to Tracy Hansen (tracyh@ogdencity.com) for signature

2023-02-10 - 8 17 32 PM GMT

✉ Email viewed by Tracy Hansen (tracyh@ogdencity.com)

2023-02-11 - 7 21 27 AM GMT- IP address 104.28 123 139

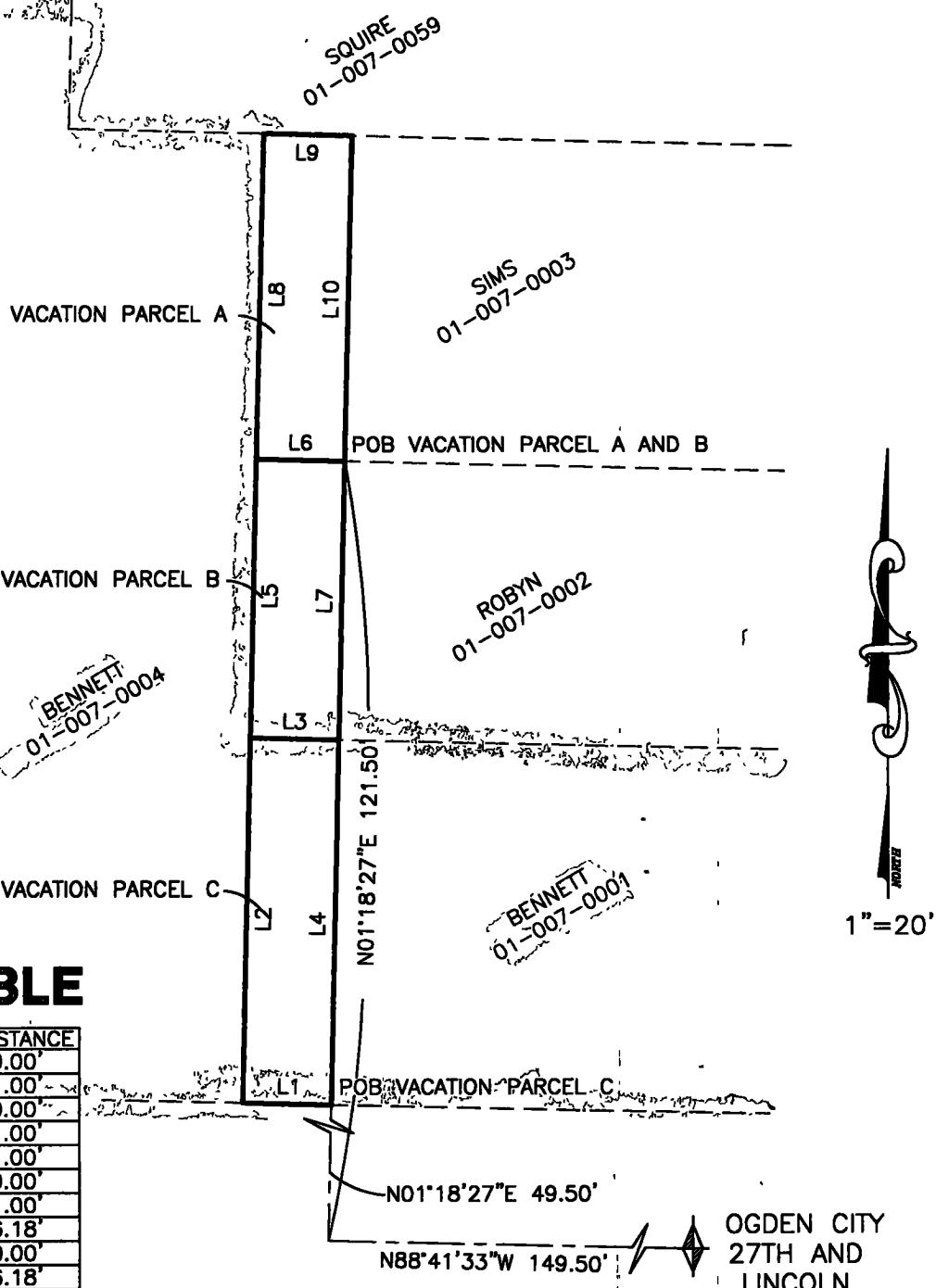
⑥ Document e-signed by Tracy Hansen (tracyh@ogdencity.com)

Signature Date 2023-02-13 - 4 44 44 PM GMT - Time Source server- IP address 205 189 200 5

✓ Agreement completed.

2023-02-13 - 4 44 44 PM GMT

# VACATION EXHIBIT



## LINE TABLE

LINE	BEARING	DISTANCE
L1	N88°41'33"W	10.00'
L2	N01°18'27"E	41.00'
L3	S88°41'33"E	10.00'
L4	S01°18'27"W	41.00'
L5	N01°18'27"E	31.00'
L6	S88°41'33"E	10.00'
L7	S01°18'27"W	31.00'
L8	N01°18'27"E	36.18'
L9	S88°41'33"E	10.00'
L10	S01°18'27"W	36.18'



**Reeve**  
**& Associates, Inc.**

5160 S 1500 W, RIVERDALE, UTAH 84405  
TEL: (801) 621-3100 FAX: (801) 621-2668 [www.reeve-assoc.com](http://www.reeve-assoc.com)  
LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS  
TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

## Project Info.

Designer: TJH  
Date: 1-6-2021  
Name: BENNETT  
Number: 7146-01  
Scale: 1"=20'

**EXHIBIT A**

**Existing Parcel(s)**

**Parcel No.**

**Legal Description**

See Description on following page.

**EXHIBIT A**

**Existing Parcel(s)**

**Parcel No. 01-007-0001**

**Legal Description**

**PART OF LOT 1, BLOCK 9, PLAT A, OGDEN CITY SURVEY, WEBERCOUNTY, UTAH:  
BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 9, PLAT A, OGDEN CITY  
SURVEY AND RUNNING THENCE WEST 100FEET, THENCE NORTH 41 FEET, THENCE EAST  
100 FEET, THENCE SOUTH41 FEET TO THE PLACE OF BEGINNING. TOGETHER WITH 5 FEET  
OF VACATED PORTION OF RIGHT OF WAYON THE WEST. (E# 3130272) [NOTE: BECAUSE  
THE DESCRIPTION OF RECORD DID NOT CONTAINAN AREA FOR THIS PARCEL THE AREA  
FOR THIS PARCEL WAS CALCULATED BY THE RECORDERS OFFICE FOR TAX PURPOSES.]**

**Parcel No. 01-007-0004**

**Legal Description**

**PART OF LOT 1, BLOCK 9, PLAT A, OGDEN CITY SURVEY: BEGINNINGAT A POINT 110 FEET  
WEST OF THE SOUTHEAST CORNER OF SAID LOT1, AND RUNNING THENCE WEST 38.5  
FEET, THENCE NORTH 132.93FEET, MORE OR LESS, TO THE NORTH LINE OF SAID LOT,  
THENCE EAST16.5 FEET, THENCE SOUTH 24.75 FEET, THENCE EAST 22 FEET, THENCE  
SOUTH 108.18 FEET MORE OR LESS TO THE PLACE OFBEGINNING. ALSO TOGETHER WITH  
A 5 FEET RIGHT OF THE VACATED PORTIONOF THE RIGHT OF WAY ON THE EAST  
(3130273) [NOTE: BECAUSE THE DESCRIPTION OF RECORD DID NOT CONTAINAN AREA  
FOR THIS PARCEL THE AREA FOR THIS PARCEL WASCALCULATED BY THE RECORDERS  
OFFICE FOR TAX PURPOSES.]**



**VACATION PARCEL A**

PART OF LOT 1, BLOCK 9, PLAT A, OGDEN CITY SURVEY, WEBER COUNTY UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING N88°41'33"W 149.50 FEET AND N01°18'27"E 121.50 FEET FROM A FOUND OGDEN CITY MONUMENT IN RING AND LID LOCATED IN THE INTERSECTION OF 27TH AND LINCOLN AVENUE AND RUNNING THENCE N88°41'33"W 10.00 FEET; THENCE N01°18'27"E 36.18 FEET; THENCE S88°41'33"E 10.00 FEET; THENCE S01°18'27"W 36.18 FEET TO THE POINT OF BEGINNING.

CONTAINING 362 SQUARE FEET OR 0.008 ACRES MORE OR LESS.

**VACATION PARCEL B**

PART OF LOT 1, BLOCK 9, PLAT A, OGDEN CITY SURVEY, WEBER COUNTY UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING N88°41'33"W 149.50 FEET AND N01°18'27"E 121.50 FEET FROM A FOUND OGDEN CITY MONUMENT IN RING AND LID LOCATED IN THE INTERSECTION OF 27TH AND LINCOLN AVENUE AND RUNNING THENCE S01°18'27"W 31.00 FEET; THENCE N88°41'33"W 10.00 FEET; THENCE N01°18'27"E 31.00 FEET; THENCE S88°41'33"E 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 310 SQUARE FEET OR 0.007 ACRES MORE OR LESS.

**VACATION PARCEL C**

PART OF LOT 1, BLOCK 9, PLAT A, OGDEN CITY SURVEY, WEBER COUNTY UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF 27TH STREET, SAID POINT BEING N88°41'33"W 149.50 FEET AND N01°18'27"E 49.50 FEET FROM A FOUND OGDEN CITY MONUMENT IN RING AND LID LOCATED IN THE INTERSECTION OF 27TH AND LINCOLN AVENUE AND RUNNING THENCE N88°41'33"W 10.00 FEET; THENCE N01°18'27"E 41.00 FEET; THENCE S88°41'33"E 10.00 FEET; THENCE S01°18'27"W 41.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 410 SQUARE FEET OR 0.009 ACRES MORE OR LESS.

**EXHIBIT B**

**Newly Combined Parcel**

**New Legal Description**

*See description on following page*

EXHIBIT B



**Combined Parcel Description**

**PART OF LOT 1, BLOCK 9, PLAT A, OGDEN CITY SURVEY, WEBER COUNTY UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

BEGINNING AT A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF 27TH STREET, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 1, BLOCK 9, PLAT A, OGDEN CITY SURVEY, SAID POINT ALSO BEING N88°41'33"W 49.50 FEET AND N01°18'27"E 49.50 FEET FROM A FOUND OGDEN CITY MONUMENT IN RING AND LID LOCATED IN THE INTERSECTION OF 27TH AND LINCOLN AVENUE AND RUNNING THENCE N88°41'33"W ALONG SAID NORTHERLY RIGHT OF WAY LINE 147.83 FEET TO A POINT IN AN EXISTING FENCE LINE; THENCE N01°40'26"E ALONG SAID FENCE 132.93 FEET; THENCE S88°41'33"E 14.98 FEET; THENCE S01°18'27"W 24.75 FEET; THENCE S88°41'33"E 22.00 FEET; THENCE S01°18'27"W 67.18 FEET; THENCE S88°41'33"E 110.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF LINCOLN AVENUE; THENCE S01°18'19"W ALONG SAID RIGHT OF WAY LINE 41.00 FEET TO THE POINT OF BEGINNING.

**CONTAINING 8,938 SQUARE FEET OR 0.205 ACRES MORE OR LESS.**

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## Unplatted Parcel Combination Application

Ogden City Development Services  
2549 Washington Blvd. Suite 240  
Ogden, Utah 84401  
(801) 629-8930

Please print legibly and complete all areas:

### Applicant Information

Name: LYNDEN AND MARTA BENNETT

Address: 2687 LINCOLN AVE.

City: OGDEN

State: UT

Zip: 84401

Phone:

E-mail: lmbenn1@msn.com

### When a parcel combination can be considered:

- No new dwelling lot or housing unit results from the proposed parcel combination;
- The parcel combination does not result in remnant land that did not previously exist; and
- The parcel combination does not result in violation of applicable zoning requirements
- The property owners that will be subject to the parcel combination consent to the proposed combination, and the deed has been properly executed and acknowledged for recording purposes.
- The approved deed is recorded at the Weber County Recorder's office.

The Parcel combination form can be used to assist you in combining two or more adjacent parcels held in common ownership. This approach may be used for parcels that were previously created by a metes and bounds description under a deed, but will not be effective for lots established by a subdivision plat. (Nothing in this process is intended to restrict a person from effecting the combination outside of this process and then submitting proof of compliance to the City.)

### Submittal Checklist

- A copy of the ownership plat with the parcels to be combined highlighted and including the parcel numbers
- The completed deed(s) provided by Ogden City with legal descriptions of the existing parcels and of the combined parcels as they would exist if the parcel combination is approved
- Map or drawing showing existing parcels and how the parcels will appear after the proposed combination
- FEE: \$25

### Petition

I/We, LYNDEN AND MARTA BENNETT, the undersigned petitioners, re-

quest approval of deeds effecting a combination of 2 parcels located at 170 27th Street,  
2687 Lincoln Ave Ogden, Utah,  
(addresses, separated by a comma)

referred to as parcel number(s) 01-007-0004, 01-007-0001  
(parcel numbers, separated by a comma)

as shown on the accompanying map.

Name	Signature	Date	Address
LYNDEN BENNETT	Lynden Bennett	1/31/23	2687 Lincoln Ave Ogden, Ut 84401
MARTA BENNETT	Marta N. Bennett	1/31/23	" " "

Staff Use Only

**Conditions of Approval:**

**Approved:**

Barton Brierley 2/3/2023  
Community Development Director or his designee date  
Justin Parker 2/2/23  
City Engineer date  
John 2/3/2023  
City Attorney date

**OGDEN CITY APPROVAL**

This lot combination effected in the above deed(s) is hereby approved by the Community Development Director or Director's Designee of Ogden City, in accordance with the Ogden City Ordinance and the requirements of State law, this 3rd day of February, 2023.

**ATTEST:**

Milk Henn  
City Recorder

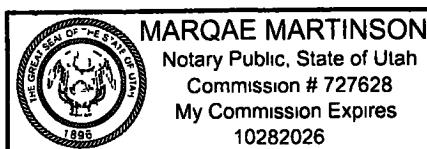


OGDEN CITY, a municipal corporation  
By Barton Brierley  
Community Development Director or Director's designee

**ACKNOWLEDGEMENT**

STATE OF UTAH )  
: \$  
COUNTY OF WEBER)

On this 3rd day of February, 2023, personally appeared before me Barton Brierley, Community Development Director or Director's Designee, and the City Recorder, the signer(s) of the foregoing instrument who duly acknowledged to me that they executed the same.



M. Martinson  
NOTARY PUBLIC

My Commission Expires:

10/29/2026 Residing in Weber County, Utah.