

Ordinance No. 15-52

AN ORDINANCE APPROVING THE SORENSEN PLAT AMENDMENT LOCATED AT 422 ONTARIO AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 422 Ontario Avenue have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on November 11, 2015, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on November 11, 2015, forwarded a positive recommendation to the City Council; and,

WHEREAS, on December 3, 2015, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Sorensen Plat Amendment.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. APPROVAL. Sorensen Plat Amendment as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 422 Ontario Avenue.
2. The property is in the Historic Residential-1 District.
3. The subject property consists of the north one-half of Lot 5, all of Lot 6, the south one-half (approx.) of Lot 7, and a portion of Lots 26, 27, and 28, Block 58 of the Park City Survey.
4. This site is listed on Park City's Historic Sites Inventory and is recognized as historically Significant.
5. The proposed Plat Amendment creates one (1) lot of record from the existing three (3) tax parcels.
6. The Plat Amendment removes two (2) lot lines going through the historic structure as well as one lot line towards the back of the property.
7. The proposed Plat Amendment combines the property into one (1) lot measuring

- 4,464 square feet.
8. A single-family dwelling is an allowed use in the District.
 9. The minimum lot area for a single-family dwelling is 1,875 square feet.
 10. The proposed lots meet the minimum lot area for single-family dwellings.
 11. The proposed lot width is fifty feet (50').
 12. The minimum lot width required is twenty-five feet (25').
 13. The proposed lot meets the minimum lot width requirement.
 14. The maximum building footprint allowed based on proposed lot size is 1,736 square feet.
 15. The minimum front/rear yard setbacks are twelve feet (12').
 16. The minimum total front/rear yard setbacks are twenty-five feet (25').
 17. The minimum side yard setbacks are five feet (5').
 18. The existing historic structure does not meet front yard setbacks as the structure was built 8.7 feet from that property line.
 19. The existing historic structure does not meet the south side yard setback as the structure was built 2.9 feet from that property line.
 20. LMC § 15-2.2-4 indicates that historic structures that do not comply with building setbacks are valid complying structures.
 21. The submitted survey reveals that the site contains a shed on the rear setback area which does not meet the minimum rear setback requirement of one foot (1'), per LMC § 15-2.2-3(G)(6), as the shed goes over that rear property line.
 22. The property owner shall resolve the rear property line shed encroachment by either removing relocating the shed or working out an easement agreement with the rear property owner prior to Plat recordation.
 23. The proposed Plat Amendment consolidates five (5) remnant parcels, plus the Old Town Lot, into the requested lot of record and public snow storage and utility easements are provided on the lot.
 24. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

1. There is good cause for this Plat Amendment.
2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding lot combinations.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing

- prior to the expiration date and an extension is granted by the City Council.
3. A ten feet (10') wide public snow storage easement will be required along the Ontario Avenue frontage of the property.
 4. The property owner shall resolve the shed encroachment over the rear property line by either removing/relocating the shed or working out an easement agreement with the rear property owner prior to Plat recordation.
 5. The site has a planter, retaining walls, and stairs located in the City Right-of-Way (ROW) along Ontario Avenue. The applicant shall either remove the planter, retaining walls, and stairs located on the City ROW along Ontario Avenue or work with the City Engineer to assure that these improvements are authorized in the form of an ROW encroachment agreement. g
 6. This Plat Amendment does not grant or dedicate this area for parking for exclusive use of the subject site but rather for public general use.
 7. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 3rd day of December, 2015.

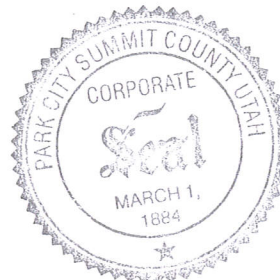
PARK CITY MUNICIPAL CORPORATION



Jack Thomas, MAYOR
ATTEST:



Michelle Kellogg, City Recorder



APPROVED AS TO FORM:



Mark Harrington, City Attorney

Attachment 1 – Proposed Plat

