

**Ordinance No. 12-27**

**ORDINANCE APPROVING THE 811 NORFOLK AVENUE SUBDIVISION  
LOCATED WITHIN LOT 3 AND THE NORTH HALF OF LOT 2 IN BLOCK 14,  
SNYDER'S ADDITION TO THE PARK CITY SURVEY,  
PARK CITY, SUMMIT COUNTY, UTAH**

**WHEREAS**, the owner of the properties known as 811 Avenue, has petitioned the City Council for approval of a plat amendment for the existing Lot 3 and the north half of Lot 2 in Block 14, Snyder's Addition to the Park City Survey; 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 April 27, 2011 and September 12, 2012, to receive input on the 811 Norfolk Avenue Subdivision;  
and

**WHEREAS**, the Planning Commission, on September 12, 2012, forwarded a positive recommendation to the City Council; and

**WHEREAS**, on September 27, 2012 the City Council conducted a public hearing on the 811 Norfolk Avenue Subdivision; and

**WHEREAS**, it is in the best interest of Park City, Utah to approve the 811 Norfolk Avenue Subdivision.

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

**SECTION 1. APPROVAL.** The above recitals are hereby incorporated as findings of fact. The 811 Norfolk Avenue Subdivision as shown in Attachment "A" 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 811 Norfolk Avenue within the HR-1 zoning district.
2. The plat amendment is for the existing Lot 3 and the north half of Lot 2 in Block 14, Snyder's Addition to the Park City Survey.
3. The proposed plat amendment will create one lot of record that is 37.5 feet wide by approximately 80 feet deep. The minimum lot width in the HR-1 zone is 25 feet.
4. The area of the proposed lot is 3007 square feet. The minimum lot size in the

- HR-1 zoning district is 1875 square feet.
5. The applicant cannot obtain a building permit to build an addition across an internal lot line. A plat amendment must be recorded prior to issuance of a building permit for a future addition.
  6. There is an existing historic Landmark structure on the property that is listed on the Park City Historic Sites Inventory.
  7. Historically, the existing Landmark structure has existed across the north lot line between Lots 3 and 4 in Block 14 of Snyder's Addition to the Park City survey.
  8. The steps to the historic home on Lot 3 straddle the lot line between Lots 2 and 3.
  9. The Landmark Structure encroaches 3.5 feet onto Lot 4 to the north.
  10. The approved Historic District Design Review application allows moving the historic home 6.5 feet to the south. The encroachment will no longer exist once the home is moved and all setbacks will be complied with.
  11. Maximum footprint with the plat amendment is 1270 square feet. The footprint of the existing landmark structure is 668 square feet. The proposed footprint from the existing structure with the new addition is 1258.25 square feet.
  12. The neighborhood is characterized by a mix of single family historic homes, single family non-historic homes, and multi-family homes.
  13. All findings within the Analysis section are incorporated herein.

#### 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.
3. The public will not be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

#### Conditions of Approval

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the amended record of survey.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's 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. The plat may not be recorded until the Landmark Structure is moved completely onto Lot 3 or an encroachment agreement is signed by the property owner of Lot 4 to the North.
4. The plat must be recorded prior to issuance of a building permit for any addition to the structure. A permit for movement of the structure will be permitted prior to the recordation of the plat.
5. A 10 foot wide public snow storage easement will be located along the property's frontage.

6. Modified 13-D sprinklers will be required.

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

APPROVED AND ADOPTED this 27th day of September 2012.

PARK CITY MUNICIPAL CORPORATION

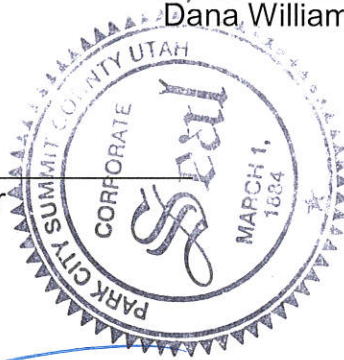


\_\_\_\_\_  
Dana Williams, Mayor

Attest:



\_\_\_\_\_  
Janet M. Scott, City Recorder



Approved as to form:

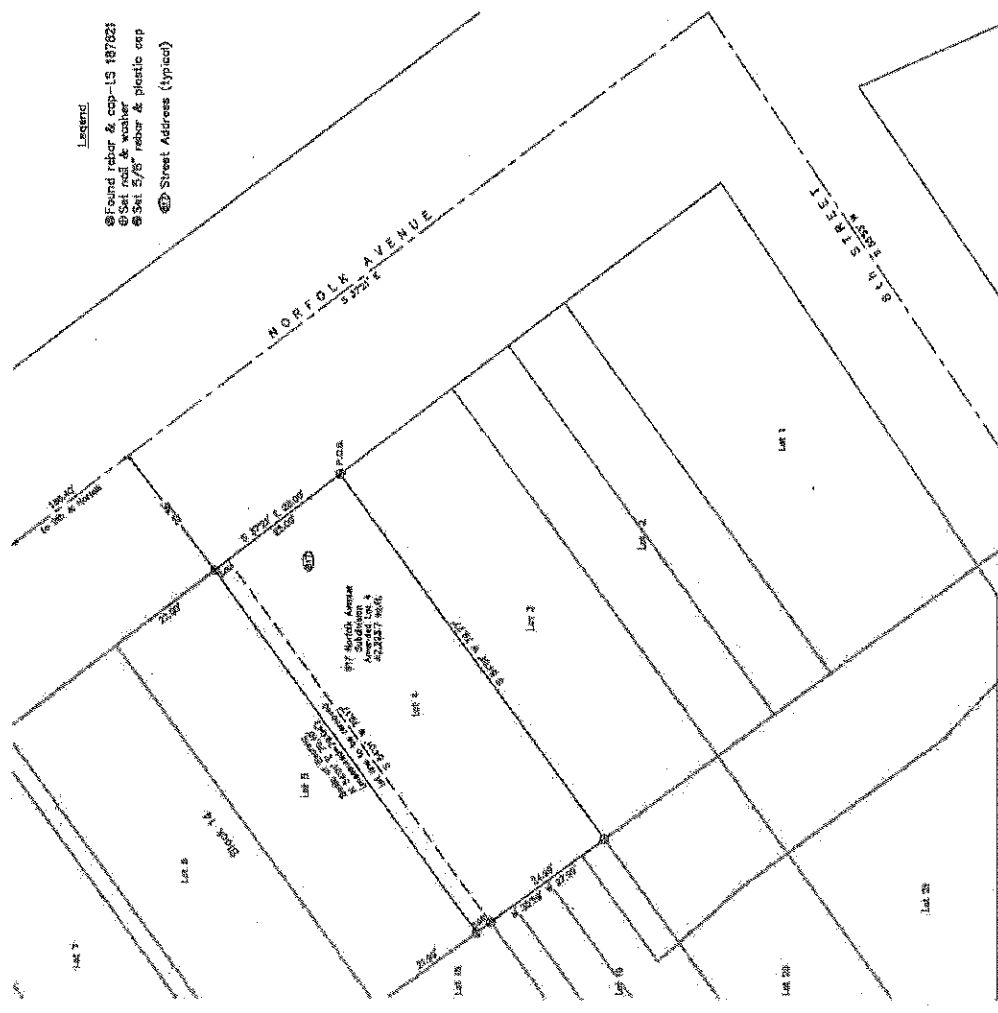


\_\_\_\_\_  
Mark D. Harrington, City Attorney



# 817 Norfolk Avenue Subdivision

A replat of Lot 4, and the Southern 3 feet of Lot 5, Block 14, Singler's Addition to the Park City Survey



- Legend**
- ⊕ Found rebar & cap—LS 187023
  - ⊙ Set iron & washer
  - ⊙ Set 5/8" rebar & plastic cap
  - ⊙ Street Address (typical)

- NARRATIVE**
1. Survey requested by Rodney C. Ludlow.
  2. Bids of survey found property monuments as shown.
  3. Found rebar & cap as shown.
  4. Property monuments set or found as shown.
  5. Located by the Northwest Corner of Section 18, Township 2 South, Range 12 East, Salt Lake Base & Meridian.
  6. The location of the property monuments as shown on this insurance report.
  7. Based on the previous boundary survey by Alpha Survey, Inc. recorded in the office of the Summit County Recorder.

**LEGAL DESCRIPTION**

817 NORFOLK AVENUE, SUBDIVISION AMENDED LOT 4

All of Lot 4 and the Southern 3 feet of Lot 5, Block 14, Singler's Addition to the Park City Survey, as shown on the plat of said lots as recorded in the office of the Summit County Recorder, more particularly as described as follows:

Block 14, Singler's Addition to the Park City Survey, as shown on the plat of said block as recorded in the office of the Summit County Recorder, and running thence South 54° 31' West, along the Southern property line of said Lot 4, a distance of 142.7 feet, to the Northwest corner of said Lot 4, and thence South 54° 31' West, along the Western property line of said Lot 4, a distance of 279.9 feet, more or less, to a point on said Western line, 3.00 feet North of the Northwest corner of said Lot 4, and thence South 54° 31' West, along the Western property line of said Lot 4, a distance of 276.9 feet, more or less, to a point on the Eastern property line of said Lot 4, 276.90 feet, more or less, to a point on the Eastern property line of said Lot 5, and 4, 26,000 feet, more or less, to the point of beginning, containing 2,222.7 square feet, more or less.

**SURVEYOR'S CERTIFICATE**

I, J.D. Gilley, a registered Land Surveyor as prescribed by the laws of the State of Utah, do hereby certify that I have supervised a survey of the herein described property and that this plat is a true representation of said survey.

Date \_\_\_\_\_ J.D. Gilley PLS#266023

EXHIBIT "A"

**OWNER'S DEDICATION AND CONSENT TO RECORD**

Know all men by these presents that Rodney C. Ludlow, the owner of the above described property, do hereby dedicate to the City of Park City, Utah, the Southern 3 feet of Lot 5, Block 14, Singler's Addition to the Park City Survey, as shown on the plat of said lots as recorded in the office of the Summit County Recorder, and running thence South 54° 31' West, along the Southern property line of said Lot 4, a distance of 142.7 feet, to the Northwest corner of said Lot 4, and thence South 54° 31' West, along the Western property line of said Lot 4, a distance of 279.9 feet, more or less, to a point on said Western line, 3.00 feet North of the Northwest corner of said Lot 4, and thence South 54° 31' West, along the Western property line of said Lot 4, a distance of 276.9 feet, more or less, to a point on the Eastern property line of said Lot 4, 276.90 feet, more or less, to a point on the Eastern property line of said Lot 5, and 4, 26,000 feet, more or less, to the point of beginning, containing 2,222.7 square feet, more or less.

By \_\_\_\_\_ Rodney C. Ludlow  
Owner

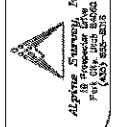
**ACKNOWLEDGEMENT**

STATE OF UTAH  
County of Summit

On this \_\_\_\_\_ day of \_\_\_\_\_ 2016, Rodney C. Ludlow personally appeared before me, the undersigned Notary Public in and for the State of Utah, who after being duly sworn, acknowledged to me that he is the owner of the above described property, and that he has signed the foregoing instrument in witness whereof, he subscribed his name and voluntarily for the purpose set forth herein.

My commission expires: \_\_\_\_\_

NOTARY PUBLIC  
RESIDING IN \_\_\_\_\_ COUNTY, \_\_\_\_\_



**SWITZEMILLER HARRY**  
WATERS, 1211 W. MAIN ST., SUITE 200  
SARASOTA, FL 34236  
DATE OF SERVICE: 08/18/2016

**PLANNING COMMISSION**

I FIND THIS PLAT TO BE IN ACCORDANCE WITH THE PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2016 A.D.  
BY \_\_\_\_\_ CHAIRMAN

**ENGINEER'S CERTIFICATE**

I FIND THIS PLAT TO BE IN ACCORDANCE WITH THE ENGINEER'S CERTIFICATE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2016 A.D.  
BY \_\_\_\_\_ PARK CITY ENGINEER

**APPROVAL AS TO FORM**

I APPROVE AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2016 A.D.  
BY \_\_\_\_\_ PARK CITY ATTORNEY

**CERTIFICATE OF ATTEST**

I CERTIFY THIS RECORD OF SURVEY ACCORDS WITH THE MAP ACT AND MAP ACT RULES OF THE STATE OF UTAH.  
DATE OF \_\_\_\_\_ 2016 A.D.  
BY \_\_\_\_\_ PARK CITY RECORDER

**COUNCIL APPROVAL AND ACCEPTANCE**

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2016 A.D.  
BY \_\_\_\_\_ MAYOR

**RECORDED**

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF \_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ FILE \_\_\_\_\_ RECORDER \_\_\_\_\_