

**Ordinance No. 12-26**

**AN ORDINANCE APPROVING THE 817 NORFOLK AVENUE SUBDIVISION  
LOCATED AT 817 NORFOLK AND INCLUDING ALL OF LOT 4 AND THE  
SOUTHERLY 3 FEET OF LOT 5 IN BLOCK 14, SNYDER'S ADDITION TO THE PARK  
CITY SURVEY, PARK CITY, SUMMIT COUNTY, UTAH**

**WHEREAS**, the owner of the properties known as 817 Norfolk Avenue, has petitioned the City Council for approval of a plat amendment for the existing Lot 4 and the southerly 3 feet of Lot 5 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 on September 12, 2012, to receive input on the 817 Norfolk Avenue Subdivision; and

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

**WHEREAS**, on September 27<sup>th</sup>, 2012 the City Council held a public hearing on the 817 Norfolk Avenue Subdivision; and

**WHEREAS**, it is in the best interest of Park City, Utah to approve the 817 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 817 Norfolk Avenue Subdivision as shown in Attachment "A" is approved subject to the following Findings of Facts and Conclusions of Law:

**Findings of Fact:**

1. The property is located at 817 Norfolk Avenue within the HR-1 zoning district.
2. The plat amendment is to combine the existing Lot 4 and the southerly 3 feet of Lot 5 in Block 14, Snyder's Addition to the Park City Survey.
3. The proposed plat amendment will create one lot of record that is 28 feet wide by approximately 79 feet deep. The minimum lot width in the HR-1 zone is 25 feet.
4. The area of the proposed lot is 2,223.7 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 across an internal lot line.
6. There is an existing historic Landmark structure that encroaches approximately 3.5 feet onto lot 4. The Landmark Structure is listed on the Park City Historic Sites Inventory.
7. The approved Historic District Design Review application for 811 Norfolk allows moving the historic home 6.5 feet to the south. The encroachment on Lot 4 will no longer exist once the home is moved.
8. There is an existing historic accessory structure (garage) located on Lot 4 and the southerly 3 feet portion of Lot 5. The garage straddles the lot line.
9. Accessory buildings listed on the Park City Historic Structures Inventory that are not expanded, enlarged or incorporated into the Main Building do not count toward the building footprint as stated in the definition of building footprint (LMC Section 15-15.1.34).
10. Maximum footprint with the plat amendment is 983 square feet.
11. The 262 square foot detached historic garage does not count against the allowed maximum footprint due to its status as a "Landmark" structure on the Historic Sites Inventory.
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.
14. There is Good Cause to approve the proposed plat amendment.

#### 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 plat.
2. The applicant will record the amended plat 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 that encroaches 3.5 feet onto Lot 4 is moved onto Lot 3 or an encroachment agreement is signed by the property owner of Lot 4.
4. The plat amendment must be recorded prior to issuance of a building permit for 817 Norfolk.
5. 10 foot public snow storage easement will be granted along the front of the property.
6. Modified 13-D sprinklers will be required for all new and reconstruction.

7. Any remaining remnant parcels are not separately developable.

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

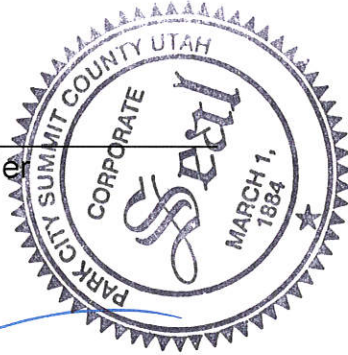
APPROVED AND ADOPTED this 27th day of September 2012.

PARK CITY MUNICIPAL CORPORATION

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

Attest:

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

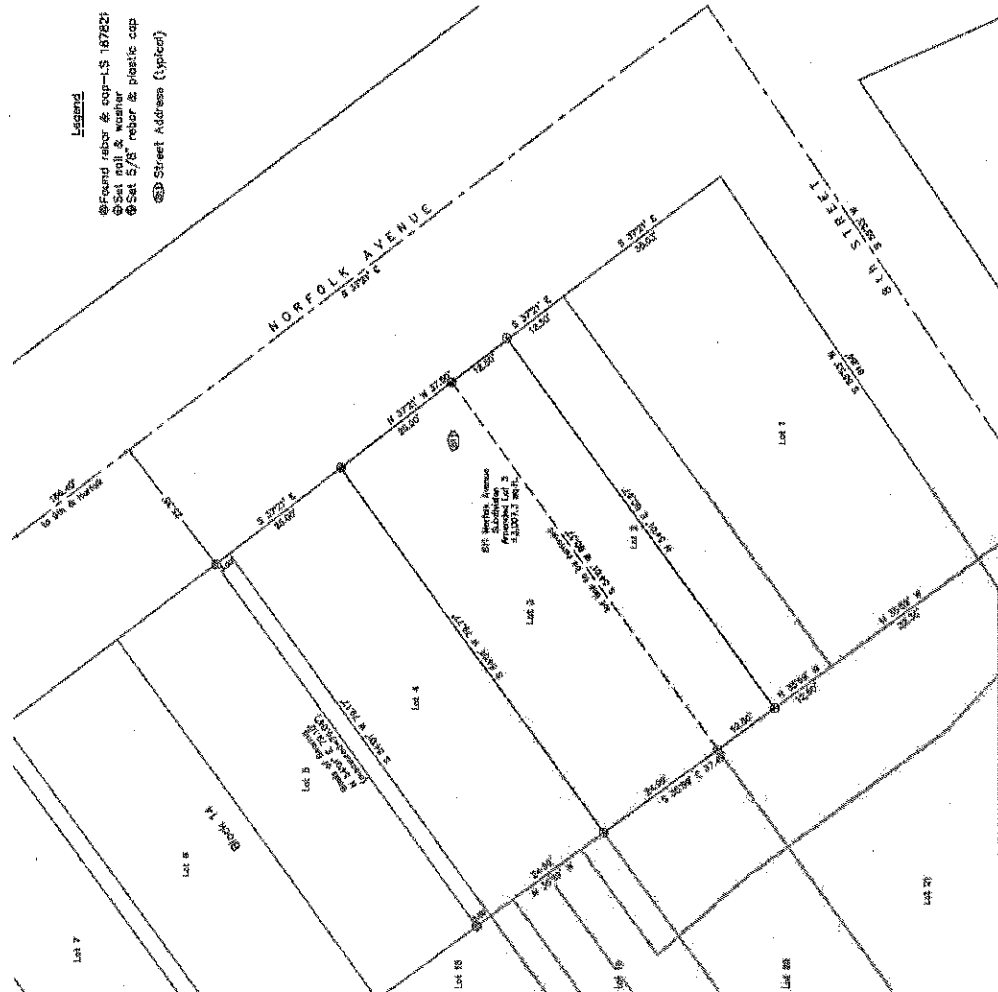


Approved as to form:

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

# 811 Norfolk Avenue Subdivision

A portion of Lot 3 the North Half of Lot 2  
Block 14, Stryder's Addition to the Park City Survey



**NARRATIVE**

1. Survey requested by Jeff Love.
2. Basis of survey, fixed property measurements as shown.
3. All corners and monuments set or found as shown.
4. Located in the Northeast Quarter of Section 16, Township 2 South, Range 11 East, Salt Lake Base & Meridian of Section 16, Township 2 South, Range 11 East, Salt Lake Base & Meridian, the owner of any items affecting the property that may appear in a title insurance report.
5. Based on the previous boundary survey by Alpine Survey, Inc. recorded in the office of the Summit County Recorder.

**Legend**

- ⊗ Found rebar & cap—L.S. 187821
- ⊙ Set nail & washer
- ⊙ Set 5/8" rebar & plastic cap
- ⊙ Street Address (typical)

**LEGAL DESCRIPTION**

811 NORFOLK AVENUE SUBDIVISION  
AMENDED LOT 3

The North 1/2 of Lot 2 and all of Lot 3, Block 14, Stryder's Addition to the Park City Survey, according to the official plat thereon, on the east of and adjacent to the Summit County Recorder, more particularly described as follows:  
Beginning at the Northwest corner of Lot 3, Block 14, Stryder's Addition to the Park City Survey, and extending South 34° 01' West, along the Northwest property line of said Lot 3, 143.77 feet, more or less, to the Northwest corner of Lot 3 and Lot 2 of said Block 14, 37.49 feet, more or less, to the East point of the West property line of said Lot 2, thence North 54° 01' East, along the East property line of Lot 2, 463.77 feet, more or less, to the West corner of Lot 2 and Lot 3, thence North 37° 11' West, along the East property line of said Lot 2 and 3, 27.50 feet, more or less, to the point of beginning, containing 3,000.3 square feet, more or less.

**SURVEYOR'S CERTIFICATE**

I, J.D. Galey, a Registered Land Surveyor, as presented by the above named parties, have personally examined the survey and 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. Galey R.S. 5356065

**OWNER'S DEDICATION AND CONSENT TO RECORD**  
I, Jeff Love, owner of Amended Lot 3, 811 Norfolk Avenue Subdivision, Block 14, Stryder's Addition to the Park City Survey, having caused this Plat Amendment to be made, does hereby certify that I have supervised a survey of the herein described property and that this plat is a true representation of said survey. Also, the owner hereby irrevocably offers for dedication to the City of Park City, Utah, the herein described property for dedication to the City of Park City, Utah, for local government use, utility easement and easement for public use, and the undersigned has set his hand this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

By: \_\_\_\_\_  
Jeff Love  
Owner

**ACKNOWLEDGEMENT**  
STATE OF UTAH  
County of Summit  
On this \_\_\_\_\_ day of \_\_\_\_\_, 2010, Jeff Love, personally appeared before me, the undersigned Notary Public, in and for said State and County, who after being duly sworn, acknowledged to me that he is the owner of Amended Lot 3, 811 Norfolk Avenue Subdivision, and that he has signed the above Owner's Dedication and Consent to Record irrevocably and voluntarily for the purpose set forth herein.

My commission expires: \_\_\_\_\_ NOTARY PUBLIC  
RESIDING IN \_\_\_\_\_ COUNTY, \_\_\_\_\_

**PLANNING COMMISSION**  
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010 A.D.  
BY: \_\_\_\_\_ CHAIRMAN

**ENGINEER'S CERTIFICATE**  
I, \_\_\_\_\_, ENGINEER, do hereby certify that I have examined the above described plat and find it to be a true and correct representation of the survey thereon.  
DATE OF MY EXAMINATION: \_\_\_\_\_, 2010 A.D.  
BY: \_\_\_\_\_ PARK CITY ENGINEER

**APPROVAL AS TO FORM**  
I HEREBY CERTIFY THAT THE RECORD OF SURVEY MAP SUBMITTED TO THE CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010 A.D.  
BY: \_\_\_\_\_ PARK CITY ATTORNEY

**CERTIFICATE OF ATTEST**  
I HEREBY CERTIFY THAT THE RECORD OF SURVEY MAP SUBMITTED TO THE CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010 A.D.  
BY: \_\_\_\_\_ PARK CITY RECORDER

**COUNCIL APPROVAL AND ACCEPTANCE**  
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010 A.D.  
BY: \_\_\_\_\_ MAYOR

**RECORDED**  
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE RECORDS OF \_\_\_\_\_ COUNTY, DATE \_\_\_\_\_, TIME \_\_\_\_\_, BOOK \_\_\_\_\_, PAGE \_\_\_\_\_  
RE: \_\_\_\_\_ RECORDER

