

Ordinance No. 13-02

**AN ORDINANCE APPROVING THE 481 WOODSIDE AVENUE
PLAT AMENDMENT, PARK CITY, UTAH**

WHEREAS, the owners of property located at 481 Woodside Avenue have petitioned the City Council for approval of the 481 Woodside Avenue 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 December 12th, 2012, to receive input on the 481 Woodside Avenue Plat Amendment;

WHEREAS, the Planning Commission, on December 12th, 2012, forwarded a recommendation to the City Council;

WHEREAS, the City Council held a public hearing on January 10th, 2013; and

WHEREAS, it is in the best interest of Park City, Utah to approve the 481 Woodside Avenue Plat Amendment as the plat amendment will resolve the issue of the home straddling the common property line under the house and any encroachments in the ROW or across perimeter property lines.

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 481 Woodside Avenue Plat Amendment as shown in Exhibit 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 481 Woodside Avenue within the Historic Residential (HR-1) Zoning District.
2. The property includes an existing 2,677 square foot house and 594 square foot garage.
3. The house was originally constructed circa 1884 and remodeled with additions over time with the latest remodel and garage constructed in 1984.
4. According to the Historic Sites Inventory (HSI) the existing historic home on the property is listed as "Significant".
5. The applicant is requesting to combine two Old Town lots into one lot of record.
6. The plat amendment is necessary in order for the applicant to move forward with additional interior remodeling and landscaping in the rear to resolve existing issues

with storm water run-off into the basement. Additional basement area under the historic house is being considered.

7. The amended plat will create a 3,750 square foot lot of record from the combination of all of Lots 16 and 17, Block 29 of the Park City Survey into one lot.
8. The existing historic home straddles Lots 16 and 17 and cannot be moved onto one lot, per the LMC and Historic District Guidelines. The house is also wider than one 25' wide lot.
9. Any exterior changes to the existing historic home or exterior landscaping requires submittal of an Historic District Design Review application with review for compliance with the adopted 2009 Design Guidelines for Historic Districts and Historic Sites.
10. The maximum building footprint allowed is 1,519 square feet per the HR-1 LMC requirements. The current building footprint is 1,723 square feet and is considered non-complying. No additional building footprint is permitted.
11. There are nonconforming setbacks associated with this property, including the south side and rear yards for the house and the front yard setbacks for the garage.
12. New construction is not proposed that will create further non-compliance of building footprint, height or setbacks.

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 subdivisions.
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 Attorney and City Engineer will review and approve the final form and content of the plat amendment 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 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 complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. No building permits for work on the existing structure or that would first require the approval of an HDDR, shall be granted until the plat amendment is recorded with the Summit County Recorder's office.
4. Modified 13-D sprinklers may be required for renovation of the existing structure and/or for future additions, to be determined by the Chief Building Official at the time of review of the building plan permit submittal.
5. A 10 foot wide public snow storage easement will be provided along the frontage of the property.
6. Encroachments in the ROW and across property lines must be addressed prior to plat recordation and either removed or enter into an agreement to preserve each encroachment.

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

PASSED AND ADOPTED January 10, 2013.

PARK CITY MUNICIPAL CORPORATION



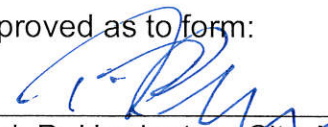
Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney
DALLEY



