

Ordinance No. 13-16

AN ORDINANCE APPROVING THE 206 GRANT AVENUE PLAT AMENDMENT LOCATED AT 206 GRANT AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of property located at 206 Grant Avenue have petitioned the City Council for approval of the 206 Grant 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 April 10, 2013 and April 23, 2013, to receive input on the 206 Grant Avenue Plat Amendment;

WHEREAS, the Planning Commission, on the April 24, 2013, forwarded a recommendation to the City Council;

WHEREAS, the City Council, held a public hearing on May 30, 2013; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the 206 GRANT Avenue Plat Amendment.

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 206 Grant Avenue Plat Amendment as shown in Exhibit B 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 206 Grant Avenue within the Historic Residential (HR-2 Subzone "B") District.
2. The property is vacant and is not shown on the Historic Sites inventory as a significant site and there are no structures located on the property other than the 206 Swede Alley Stairs.
3. The applicants are requesting to combine two partial Old Town lots into one buildable Lot for the purpose of future development on the property. The applicant has previously contemplated either a garage to serve their existing home on Sandridge Avenue or a small home on the property, both of which are allowed uses within the HR-2 District.
4. The amended plat will create one new 2,257 square foot lot.
5. Currently the property is comprised of a portion of Lots 21 and 22, Block 72 of the Millsite Addition to Park City Plat. Neither portion meets the minimum lot size requirements alone.
6. The property is triangular in shape, and due to required setbacks, has a limited building pad available.
7. Any development on the site will require a Historic District Design Review (HDDR) prior to the issuance of a building permit.
8. Any development on the property in excess of 1,000 square feet will require a separate Steep Slope Conditional Use Permit (CUP) if proposed on areas of 30% or greater slope.

9. The lots by themselves are substandard and not developable unless combined with other properties.
10. The proposed lot meets/exceeds the minimum lot size established in the HR-2 District.
11. Potential development on the property is limited by required setbacks and the shape of the lot, which will limit the achievable building pad to approximately 600 square feet, and a conceivable building area of approximately 500 square feet (+/- based on typical building form constraints).
12. The wide-width and unusual configuration of the lot requires by Code a greater side yard setback than what is typical with a lot of this size. The staircase easement is within the side yard easement (ten feet required, whereas easement is seven feet). The shape of the lot will likely dictate that the developed area be on the opposite side of the lot from the staircase.
13. There are no known issues related to the ability to provide required utilities to the property. Water and sewer are readily available to the property.
14. There is a recorded easement for parking and access to the benefit of 210 Grant Avenue on the north property line that is entirely within the north side-yard setback (encroachment is approximately four feet, setback is five feet) that is shown on the plat. There are no other known encroachments to be resolved.
15. The property is located within the "Park City Landscaping and Maintenance of Soil Cover Ordinance" boundaries.
16. On April 24, 2013, the Planning Commission held a Public Hearing and voted unanimously to forward a positive recommendation to the City Council for the approval of the 206 Grant Avenue 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 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.
5. There is Good Cause to approve the proposed plat amendment as the plat does not cause undo harm on any adjacent property owners because the proposal meets the requirements of the Land Management Code and all future development will be reviewed for compliance with requisite Building and Land Management Code requirements. The proposed plat, when recorded, will provide the City with snow storage easements, as well as memorialize the staircase easement for public pedestrian connectivity between the Sandridge Avenue and Swede Alley residential areas and Main Street.

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. Approval of an HDDR application is a condition precedent to the issuance of a building permit for construction on the lot.
4. Approval of Steep Slope CUP application is a condition precedent to the issuance of a building permit for any structure in excess of 1,000 square feet.

5. Modified 13-D sprinklers may be required for new construction as required 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.
6. A 10 foot wide public snow storage easement will be provided along the frontage of the property.
7. Any soil removed from the property during excavation is required to be properly disposed of at an approved site to accept contaminated soils

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

PASSED AND ADOPTED this 30th day of May, 2013.

PARK CITY MUNICIPAL CORPORATION



Dana Williams, MAYOR

ATTEST:

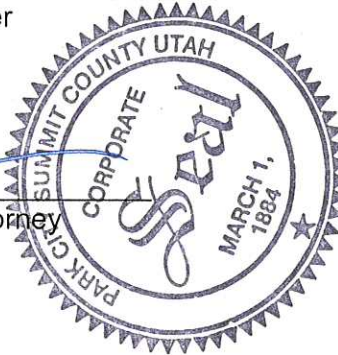


Janet M. Scott, City Recorder

APPROVED AS TO FORM:

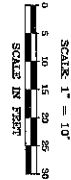


Mark D. Harrington, City Attorney



SURVEYOR'S CERTIFICATE

I, JOHN W. BRANCOM, SURVEYOR, being duly sworn, depose and say that I hold Certificate No. 182613, as prescribed by the laws of the State of Utah, and I am duly qualified and licensed to perform the duties of a Surveyor in the State of Utah, and that I have personally surveyed the above described land, and that the same is correctly shown on the plat hereof, and that the same is a true and correct copy of the original record on file in my office.



OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER OF THE ABOVE DESCRIBED TRACT OF LAND, TO BE KNOWN HEREFTER AS THE GRANT HEREIN, JOHN W. BRANCOM, do hereby certify that I have read the above described plat and I hereby consent to the recording of this record of the above described land, and I hereby consent to the recording of this record of the above described land, and I hereby consent to the recording of this record of the above described land.

ACKNOWLEDGEMENT

STATE OF _____
COUNTY OF _____
ON THIS _____ DAY OF _____, 2013, I, the undersigned, being duly sworn, depose and say that I am the owner of the above described land, and that I have read the above described plat and I hereby consent to the recording of this record of the above described land, and I hereby consent to the recording of this record of the above described land.

JOHN W. BRANCOM & ASSOCIATES, INC.
LAND SURVEYORS
DOMINANT TOPOGRAPHIC & CONSTRUCTION SURVEYS
305 SOUTH MAIN STREET, SALT LAKE CITY, UTAH 84111
TEL: 313-8000 FAX: 313-8000
WWW.BRANCOM.COM

SANDYVILLE BASIN WATER RECLAMATION DISTRICT
REQUIRED FOR COMPLIANCE TO SANDYVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, A.D.
BY: _____ SANDYVILLE BASIN WATER RECLAMATION DISTRICT

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, A.D.
BY: _____ CHAIRMAN

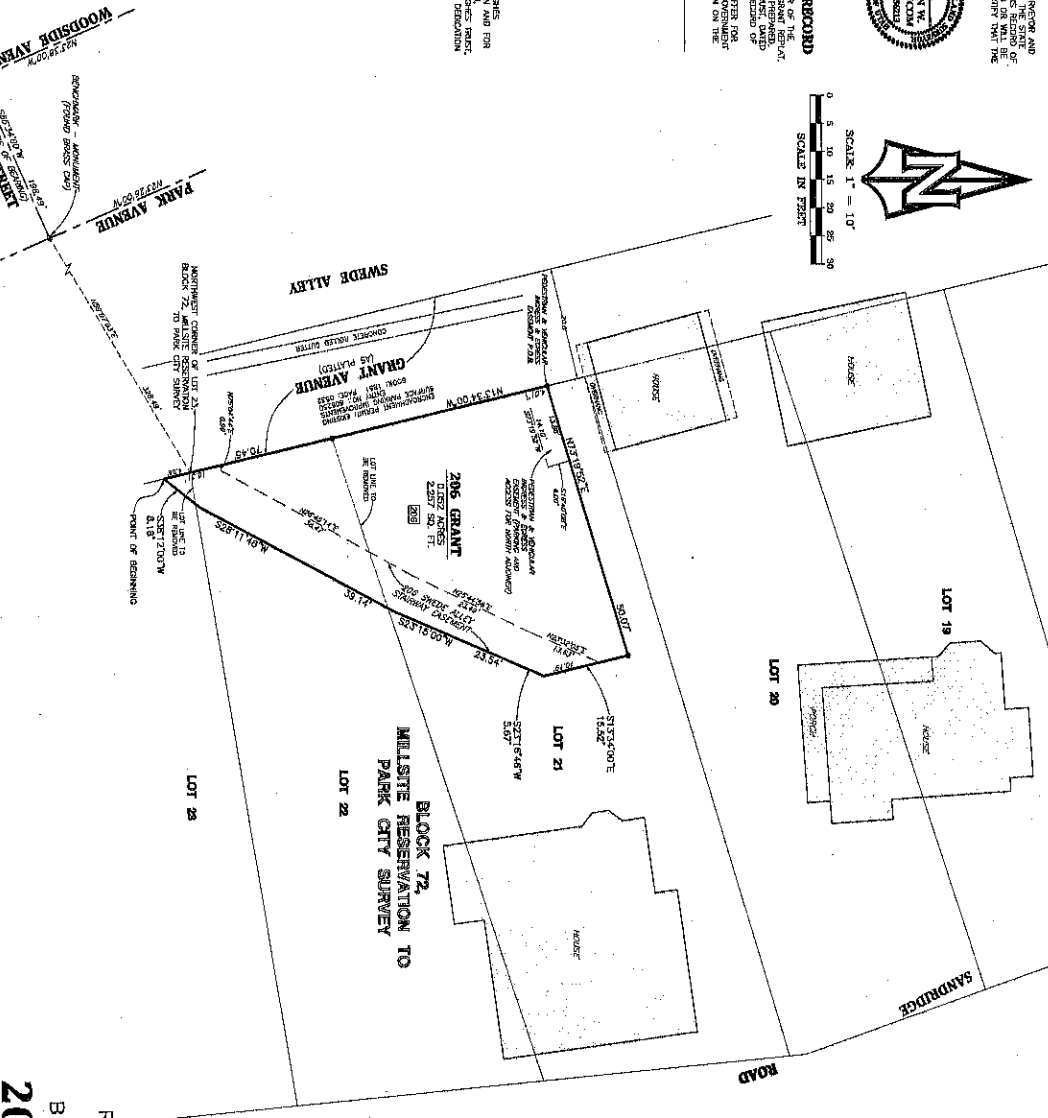
ENGINEERS' CERTIFICATE
I, AND THIS PLAT, TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, A.D.
BY: _____ PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS _____ DAY OF _____, A.D.
BY: _____ PARK CITY ATTORNEY

CERTIFICATE OF ATTORNEY
I CERTIFY THE RECORD OF SURVEY WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, A.D.
BY: _____ PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, A.D.
BY: _____ MAYOR

RECORDER
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ FILE _____ BOOK _____ PAGE _____
DATE _____ TIME _____
BY: _____ RECORDER



**RECORD OF SURVEY PLAT OF
A LOT COMBINATION
BLOCK 72, PARK CITY SURVEY
206 GRANT REPLAT**
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

DESCRIPTION

A PLAT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, AND PAVED BENEATH THEREUNDER, BEING DESCRIBED AS FOLLOWS:
BEING PART OF A PLAT THAT IS SOUTH 132°00' EAST 448 FEET FROM THE NORTHWEST CORNER OF LOT 22, BLOCK 72, MILLSITE RESERVATION TO PARK CITY SURVEY, THENCE NORTH 72°54'52" WEST 78.65 FEET; THENCE NORTH 72°54'52" EAST 50.07 FEET; THENCE SOUTH 132°00' EAST 153.2 FEET TO A POINT ON THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; THENCE ALONG THE WEST 32.64 FEET THENCE S) SOUTH 87°11'45" WEST 31.4 FEET THENCE S) SOUTH 25.4 FEET WEST 818 FEET TO THE POINT OF BEGINNING. PG-2831
SUBJECT TO AN EASEMENT FOR ACCESS, EGRESS AND CONFINED WINDROWING OF EXISTING STAIRWAY OVER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY, AS IF DESCRIBED AS FOLLOWS: BEING PART OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, AND PAVED BENEATH THEREUNDER, BEING DESCRIBED AS FOLLOWS:
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THE PURPOSES OF THIS SURVEY WAS TO RE-COUNT THE BOUNDARY AND TO
 THE DEEDS AND RECORDS OF THE PROPERTY HAVE BEEN REFERRED TO BE
 EXAMINED FROM THE ORIGINAL FIELD NOTES. IT WAS FOUND THAT THE
 RECORDS MADE WITH THE OWNERS & EXCEPTED PARCELS ARE
 APPROXIMATE WITH THE SURVEY AND ANY DISCREPANCIES ARE
 TO BE CORRECTED.

DATE: JUNE 7, 2012

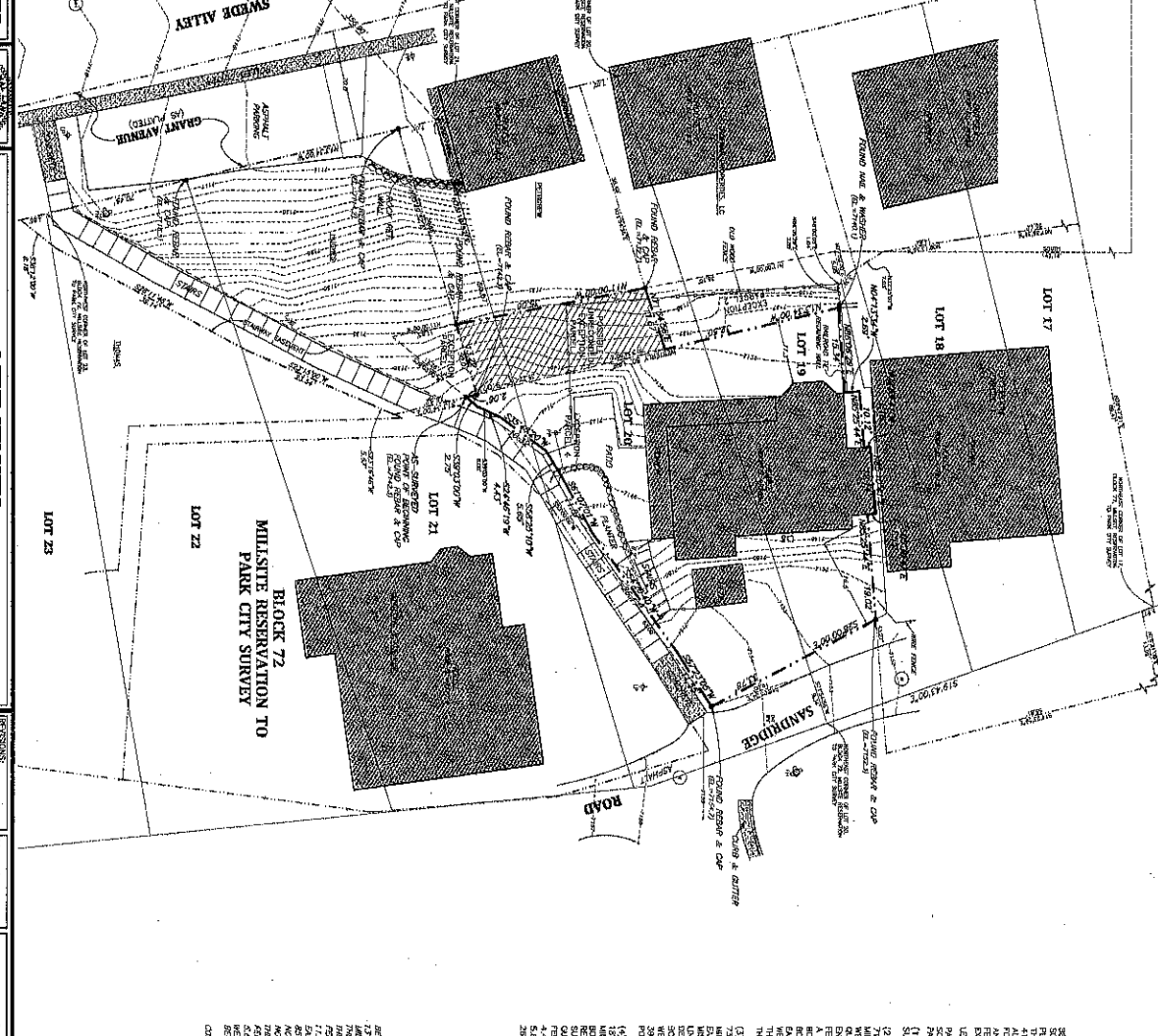
BY: [Signature]

SURVEYOR'S CERTIFICATE

SCALE: 1" = 10'
 SCALE IN FEET

NARRATIVE

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 TO BE CORRECTED.



DEED DESCRIPTION

RESERVING AT A POINT WHERE S. 80° 51' 30" E. 50.00 FEET AND N. 72° 13' 30" E. 107.15 FEET FROM THE NORTHEAST CORNER OF LOT 21, BLOCK 72, MILLSITE RESERVATION TO PARK CITY SURVEY, AND BEARING THENCE S. 80° 51' 30" E. 50.00 FEET TO THE WESTERLY CORNER OF AN EAST-WEST ROAD, 30 FEET WIDE, 410 FEET TO THE WESTERLY CORNER OF AN EAST-WEST ROAD, 30 FEET WIDE, ALONG SAID ROAD 30 FEET TO THE EXTENSION OF THE NORTHEASTLY CORNER OF A 3 IN AN INCH PLANNING THENCE CONTINUING ALONG SAID EXTENSION SOUTH 20° 30' WEST 25.00 FEET TO THE EXTENSION OF THE WESTERLY CORNER OF SAID EXTENSION, AND THE FENCE LINE 610 FEET TO THE POINT OF BEGINNING.

PRICES OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 2 NORTH, RANGE 2 EAST, SALT LAKE BASIN & WYOMING, PARCEL MAP AS SHOWN AS FOLLOWS:

- (1) DESCRIPTION FOUND IN INSTRUMENT RECORDED IN BOOK 646 AT PAGE 407, SALT LAKE COUNTY RECORDS.
- (2) BEGINNING AT A POINT THAT IS SOUTH 13° 30' 00" EAST 70.00 FEET AND NORTH 79° 50' 00" EAST 38.00 FEET FROM THE NORTHEAST CORNER OF LOT 20, BLOCK 72, MILLSITE RESERVATION TO PARK CITY SURVEY, AND BEARING THENCE S. 80° 51' 30" E. 50.00 FEET TO THE WESTERLY CORNER OF AN EAST-WEST ROAD, 30 FEET WIDE, 410 FEET TO THE WESTERLY CORNER OF AN EAST-WEST ROAD, 30 FEET WIDE, ALONG SAID ROAD 30 FEET TO THE EXTENSION OF THE NORTHEASTLY CORNER OF A 3 IN AN INCH PLANNING THENCE CONTINUING ALONG SAID EXTENSION SOUTH 20° 30' WEST 25.00 FEET TO THE EXTENSION OF THE WESTERLY CORNER OF SAID EXTENSION, AND THE FENCE LINE 610 FEET TO THE POINT OF BEGINNING.
- (3) BEGINNING AT A POINT THAT IS SOUTH 13° 30' 00" EAST 70.00 FEET AND NORTH 79° 50' 00" EAST 38.00 FEET FROM THE NORTHEAST CORNER OF LOT 20, BLOCK 72, MILLSITE RESERVATION TO PARK CITY SURVEY, AND BEARING THENCE S. 80° 51' 30" E. 50.00 FEET TO THE WESTERLY CORNER OF AN EAST-WEST ROAD, 30 FEET WIDE, 410 FEET TO THE WESTERLY CORNER OF AN EAST-WEST ROAD, 30 FEET WIDE, ALONG SAID ROAD 30 FEET TO THE EXTENSION OF THE NORTHEASTLY CORNER OF A 3 IN AN INCH PLANNING THENCE CONTINUING ALONG SAID EXTENSION SOUTH 20° 30' WEST 25.00 FEET TO THE EXTENSION OF THE WESTERLY CORNER OF SAID EXTENSION, AND THE FENCE LINE 610 FEET TO THE POINT OF BEGINNING.
- (4) BEGINNING AT A POINT THAT IS SOUTH 71° 51' 30" WEST 6.34 FEET AND SOUTH 13° 30' 00" EAST 70.00 FEET FROM THE NORTHEAST CORNER OF LOT 20, BLOCK 72, MILLSITE RESERVATION TO PARK CITY SURVEY, AND BEARING THENCE S. 80° 51' 30" E. 50.00 FEET TO THE WESTERLY CORNER OF AN EAST-WEST ROAD, 30 FEET WIDE, 410 FEET TO THE WESTERLY CORNER OF AN EAST-WEST ROAD, 30 FEET WIDE, ALONG SAID ROAD 30 FEET TO THE EXTENSION OF THE NORTHEASTLY CORNER OF A 3 IN AN INCH PLANNING THENCE CONTINUING ALONG SAID EXTENSION SOUTH 20° 30' WEST 25.00 FEET TO THE EXTENSION OF THE WESTERLY CORNER OF SAID EXTENSION, AND THE FENCE LINE 610 FEET TO THE POINT OF BEGINNING.
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AS-SURVEYED DESCRIPTION

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JOHN W. FRANCOM & ASSOCIATES
LAND SURVEYORS
 BOUNDARY, TOPOGRAPHIC & CONSTRUCTION SURVEYS
 505 SOUTH MAIN STREET, SUITE 101, PARK CITY, UTAH 84010
 PH: (801) 798-7500 FAX: (801) 798-7524

MIKE HUGHES
 206 SWEDIE ALLEY & 222 SANDRIDGE ROAD
 PARK CITY, UTAH 84060

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 2 NORTH, RANGE 2 EAST, SALT LAKE BASIN & WYOMING

PREPARED BY: JWF
 CHECKED BY: JWF
 DATE: 6/5/12

BOUNDARY & TOPOGRAPHIC SURVEY

SHEET NO. **1** OF **ONE**