

Ordinance No. 13-17

**AN ORDINANCE APPROVING THE PARKVIEW AMENDED, CONSOLIDATED AND
RESTATED RECORD OF SURVEY PLAT LOCATED AT
2260 JUPITER VIEW DRIVE, PARK CITY, UTAH**

WHEREAS, the owners of property located at 2260 Jupiter View Drive have petitioned the City Council for approval of the Parkview Amended Record of Survey Plat; 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 May 8, 2013 to receive input on the Parkview Amended Record of Survey Plat;

WHEREAS, the Planning Commission, on May 8, 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 Parkview Amended, Consolidated and Restated Record of Survey Plat.

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 2260 Jupiter View Drive 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 2260 Jupiter View Drive within the Residential Development (RD) Master Planned Development Overlay (MPD) District.
2. The proposed plat records and memorializes the change to the wetland high water setback line from McLeod Creek by approximately 10-22 feet (eastward toward the creek) representing approximately 0.51 acres.
3. The Army Corps of Engineers has issued a LOMA Determination to the Parkview HOA which re-designated the property to show that all portions of the Parkview open space outside of the new McLeod Creek meander corridor to be "Zone X" which is a non-flood hazard designation.
4. None of the proposed rear expansions or deck extensions to the affected units are within the new flood designation or the McLeod Creek meander corridor. designation

5. The plat amendment fixes twelve (12) discrepancies of deck and basement areas noted on those units that were not constructed but were shown on the original plat, including showing basement square footages and decks for units that have neither a basement nor a deck.
6. The proposed changes to the plat will allow twenty-four (24) of the thirty-six (36) units within the Parkview Condominiums to extend their decks outward into the eastern portion of the site, and will allow fourteen (14) of those units to expand the square footage of their existing units by adding rear additions of approximately 500 square feet each, and decks from 187 to 310 square feet.
7. The proposed plat will not increase in the density above the original 36 recorded units.
8. The original Master Planned Development for Parkview did not contemplate a maximum FAR and does not prohibit an increase in unit or deck sizes. The only limiting factors to further development were the number of units, the established setback from the wetland high water mark, established height requirements and other setback requirements.
9. There are 102 parking spaces provided where seventy-two (72) spaces are required.
10. The original amount of open space provided was 75% of the total site, the overall amount of open space provided after the deck and square footage additions to the habitual living space (and the 30 additional parking spaces) is approximately 71%. The open space requirement was 60% when the original approval for the Condominiums was granted, thus the required open space is still exceeded.
11. The proposed plat amendment will not cause any nonconformities or noncompliance with the Residential Development-Medium (RDM) District designation or the Parkview MPD as there is no increase in the total number of units, front and rear setbacks, or building height. All units exceed the minimum rear yard setback requirements (25 feet), with the closest unit to the rear property line being approximately sixty feet (60') feet away.
12. Although the proposed amendment will increase the habitable living spaces for 14 of the 36 units, the amended plat will not require additional parking as the Parkview HOA previously installed additional parking, and only two (2) spaces are required per unit.
13. The proposed amended plat will record a new sewer easement through the property as required by the Snyderville Basin Water Reclamation District.
14. The proposed additional square footage and deck extensions will occur within the Army Corps of Engineers FEMA flood zone "X" as delineated on the approved revised LOMA map.
15. The proposed condominium plat amendment does not require a revised MPD due to the fact that the proposed changes to the original approval of the Parkview MPD are in substantial compliance with the original approvals, and no new units are proposed, the amount of contemplated private space stays roughly the same, and the original open space proposed still exceeds the required amount of 60%.
16. On May 8, 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 Parkview Condominiums Amended, Consolidated and Restated Record of Survey Plat.

Conclusions of Law:

1. The proposed plat amendment to the record of survey is necessary to memorialize as-built conditions and correct existing discrepancies with the constructed units as compared to the original recorded plat.
2. The proposed plat amendment to the record of survey will reflect the Army Corps of Engineers acceptance of the changes to the high water mark.
3. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
4. Neither the public nor any person will be materially injured by the proposed plat amendment.
5. 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.
6. There is Good Cause to approve the proposed plat amendment 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.

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. All applicable original Conditions of Approval for the Parkview Condominiums shall apply.
4. All original notes on the Parkview Condominium Plat shall be noted on the amended plat.
5. Open Space areas are to remain free of structures or development, with an exception only for the required gravel stairway landings which shall not exceed the square footage minimum for each, as required by building code (approximately 36' x 36" or 6 feet by 6 feet for side-by-side stairways).
6. There will be no hot tubs, gazebos, barbeques, playgrounds, or any structures or active recreation areas allowed within the open space area between the buildings and the creek. The originally contemplated improvements within this area of the Parkview MPD are not allowed.
7. Deck areas shown as on the plats are not to be converted to private living space or enclosed, nor are additional structures, etc. allowed within these or other opens space areas.
8. A revised landscape plan for the open space area between the existing units and the creek is required at the time of building permit submittal for the deck extensions. Said landscape plan shall incorporate the reintroduction of native landscape

materials within this area, and reduce the amount of sod-grass, especially near the creek.

9. No pesticides or herbicides shall be applied to this landscape area.

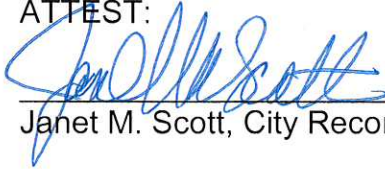
SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

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

PARK CITY MUNICIPAL CORPORATION


Dana Williams, MAYOR

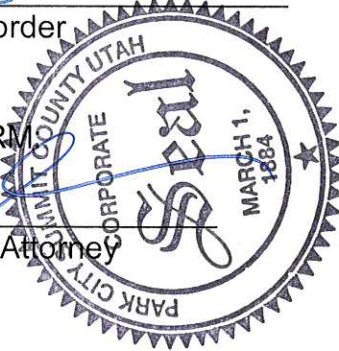
ATTEST:



Janet M. Scott, City Recorder

APPROVED AS TO FORM:


Mark D. Harrington, City Attorney



SURVEYOR'S CERTIFICATE

I, **John Davidson**, certify that I am a Registered Land Surveyor and that I hold the authority of the State of Utah. I have prepared this Record of Survey map of **PARKVIEW CONDOMINIUM** in accordance with the provisions of the Utah Condominium Act and the information shown on this plat. I further certify that the information on this plat is correct.



LEGAL DESCRIPTION

The Common Areas, considered within the **PARKVIEW CONDOMINIUM**, a Utah condominium project, together with its individual, conventional interest in and to the land and improvements thereon, were established by a deed of conveyance executed and recorded by **Donald A. Howard** on February 11, 1997, as Entry No. **1997-01943**, in Book **1026** of Page **635**, records of Summit County, Utah.

OWNER'S DEDICATION AND CONSENT TO RECORD

On this **15** day of **August**, 2013, **Parkview Condominium**, the owner of **UNIT 203**, of the **Parkview Condominium**, of the **City of Healy**, in the **County of Summit**, Utah, has agreed to execute this Record of Survey map of **Parkview Condominium** and to execute this Acknowledgment and Consent to Record as required by the Utah Condominium Act. The Association has caused this Record of Survey map to be prepared and hereby consents to the recording of this Record of Survey map. The Association has agreed to execute this Acknowledgment and Consent to Record as required by the Utah Condominium Act. The Association has agreed to execute this Acknowledgment and Consent to Record as required by the Utah Condominium Act. The Association has agreed to execute this Acknowledgment and Consent to Record as required by the Utah Condominium Act.

PARKVIEW CONDOMINIUM OWNERS ASSOCIATION

By **Donald A. Howard**, Secretary/Treasurer
Parkview Condominium Owners Association

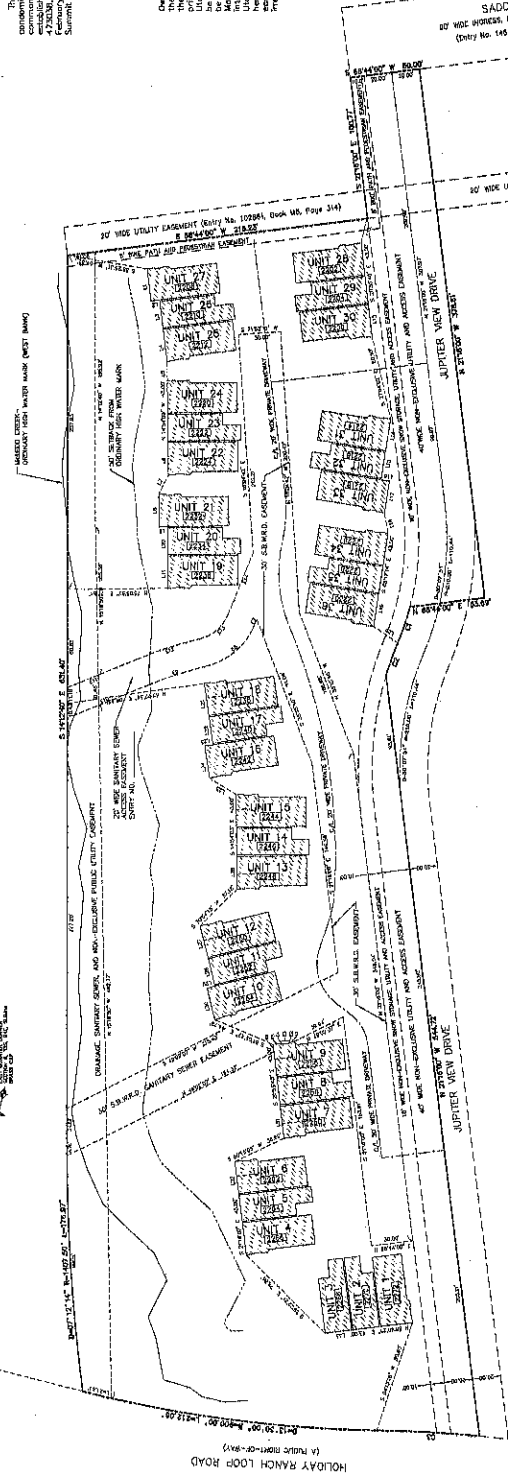
ACKNOWLEDGMENT

STATE OF **UTAH**) ss.
COUNTY OF **SUMMIT**) ss.
Do hereby certify that **Donald A. Howard**, Secretary/Treasurer of **Parkview Condominium Owners Association**, a Utah Association, and said Secretary/Treasurer duly acknowledged that said Association executed the foregoing.

A Notary Public commissioned in Utah
Printed Name _____
Residing in _____
My commission expires _____

- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP

LEGEND
1. UNRECORDED DEED
2. UNRECORDED EASEMENT



- NOTES:**
1. The plat shows the boundaries of the Parkview Condominium as shown on the plat.
 2. The boundaries of the Parkview Condominium are shown on the plat.
 3. The boundaries of the Parkview Condominium are shown on the plat.
 4. The boundaries of the Parkview Condominium are shown on the plat.
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 11. The boundaries of the Parkview Condominium are shown on the plat.
 12. The boundaries of the Parkview Condominium are shown on the plat.

CURVE TABLE

Station	Angle	Radius	Chord	Delta
0+00 to 0+10	45°	141.42	10.00	10.00
0+10 to 0+20	45°	141.42	10.00	10.00
0+20 to 0+30	45°	141.42	10.00	10.00

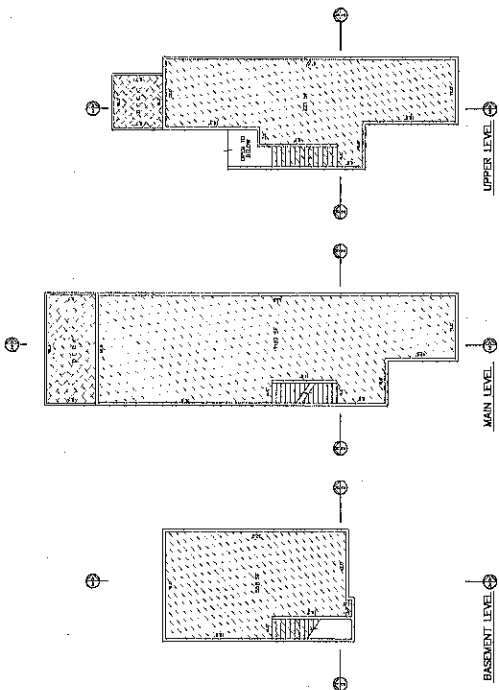
ENCASMENT TABLE

Station	Offset	Distance
0+00	0.00	0.00
0+10	0.00	0.00
0+20	0.00	0.00
0+30	0.00	0.00

**AMENDED, CONSOLIDATED AND RESTATE
RECORD OF SURVEY MAP
PARKVIEW CONDOMINIUM**

LOCATED IN THE NORTHEAST QUARTER OF SECTION 8
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

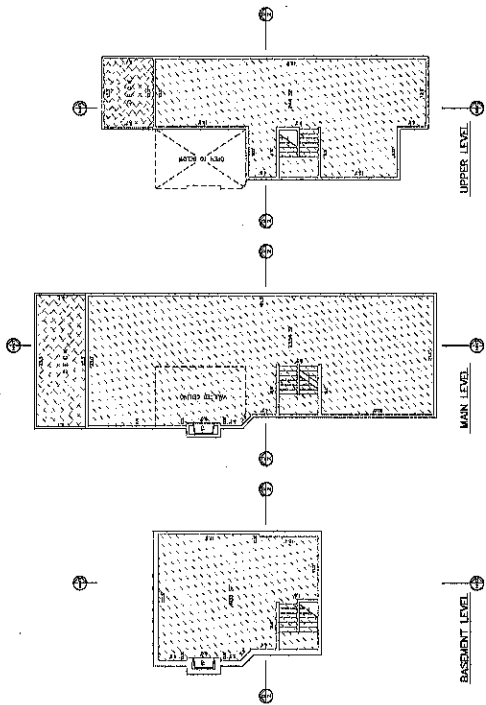
SANDYVILLE BASIN WATER RECLAMATION DISTRICT	REVENUE FOR CONFORMANCE TO SANDYVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS DAY OF _____, 2013 A.D.	BY _____ CHAIR S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS DAY OF _____, 2013 A.D.	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH CONDOMINIUM ACT. FILE IN MY OFFICE THIS DAY OF _____, 2013 A.D.	BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS DAY OF _____, 2013 A.D.	BY _____ PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS RECORDED BY _____ DAY OF _____, 2013 A.D.	BY _____ PARK CITY RECORDER
COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2013 A.D.			BY _____ MAYOR			COUNCIL APPROVAL AND ACCEPTANCE RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ PAGE _____ DATE _____ TIME _____ BOOK _____			



UNITS 11, 17
 MIRROR IMAGE FOR UNITS 8, 14
 2,381 TOTAL SQUARE FEET

FLOOR ELEVATION TABLE

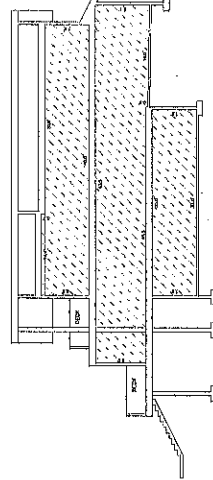
FLOOR	UNIT 11	UNIT 17	UNIT 18	UNIT 19
BASEMENT LEVEL	694.0	694.0	694.0	694.0
MAIN LEVEL	697.0	697.0	697.0	697.0
UPPER LEVEL	700.0	700.0	700.0	700.0



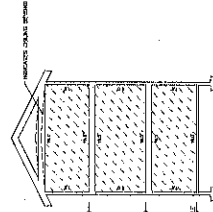
UNITS 7, 10, 13, 15, 20
 MIRROR IMAGE FOR UNITS 8, 12, 15
 2,381 TOTAL SQUARE FEET

FLOOR ELEVATION TABLE

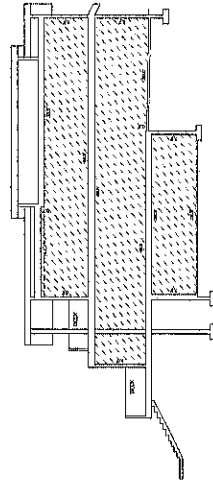
FLOOR	UNIT 7	UNIT 10	UNIT 13	UNIT 15	UNIT 20	UNIT 22
BASEMENT LEVEL	694.0	694.0	694.0	694.0	694.0	694.0
MAIN LEVEL	697.0	697.0	697.0	697.0	697.0	697.0
UPPER LEVEL	700.0	700.0	700.0	700.0	700.0	700.0



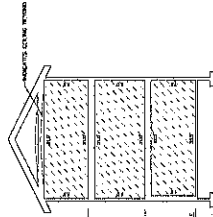
SECTION A-2



SECTION B-2



SECTION C-2



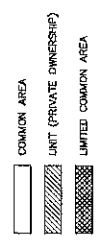
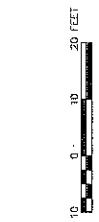
SECTION D-2

AMENDED, CONSOLIDATED AND RESTATED
 RECORD OF SURVEY MAP

PARKVIEW CONDOMINIUMS

A CONDOMINIUM PROJECT
 LOCATED IN THE NORTHEAST QUARTER OF SECTION 8,
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
 AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

- NOTES:
1. THIS AND PREVIOUS RECORDS ARE THE PROPERTY OF THE COUNTY OF SUMMIT, UTAH. ANY REVISIONS TO THIS RECORD SHALL BE MADE BY THE COUNTY ENGINEER AND COUNTY REGISTERED ARCHITECT.
 2. INTERIOR DIMENSIONS SHOWN ARE TO FINISHED SURFACES.
 3. ALL STRUCTURAL ELEMENTS ARE RECORDED AS COMMON AREAS.
 4. THE CONDOMINIUM PROJECT IS RECORDED FOR COMPLETE DESCRIPTION OF THE CONDOMINIUM PROJECT FOR COMPLETE DESCRIPTION.
 5. BENCHMARK: SEE SHEET 1 FOR LOCATION AND ELEVATION.

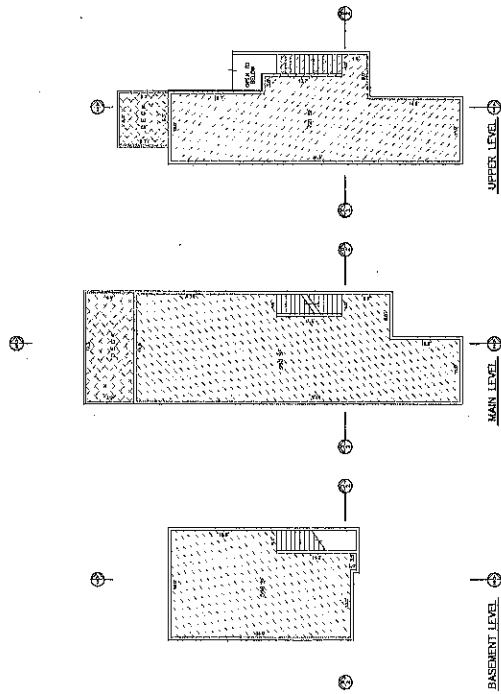


SHEET 2 OF 7

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

FILED: 2018/06/20 10:00 AM
 COUNTY OF SUMMIT, UTAH
 1-18-12

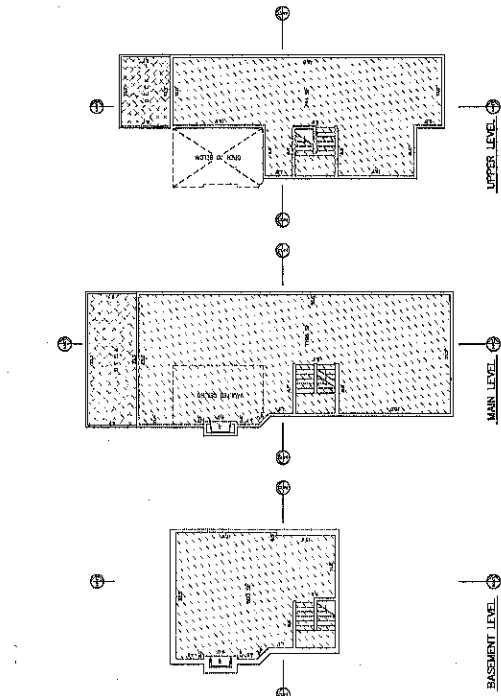


UNITS 20, 23, 26

2,272 TOTAL SQUARE FEET

FLOOR ELEVATION TABLE

FLOOR	UNIT 20	UNIT 23	UNIT 26
UPPER LEVEL	1,000	1,000	1,000
MAIN LEVEL	1,000	1,000	1,000
BASMENT LEVEL	1,000	1,000	1,000



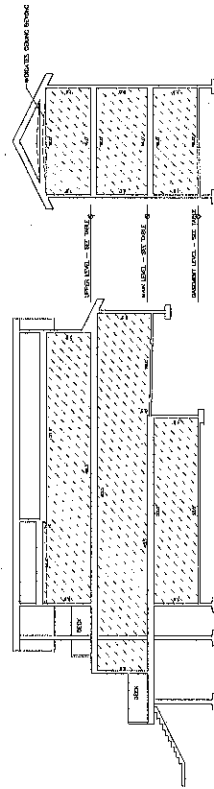
UNITS 19, 24, 27

MIRROR IMAGE FOR UNITS 24, 27

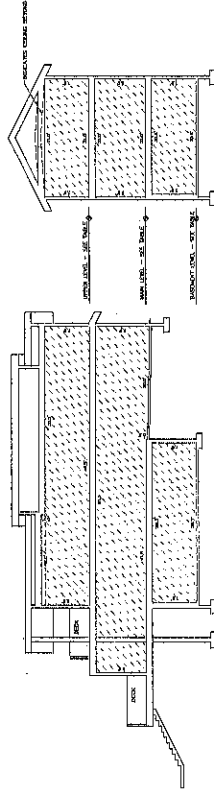
2,543 TOTAL SQUARE FEET

FLOOR ELEVATION TABLE

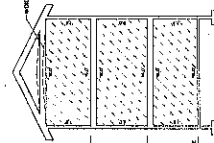
FLOOR	UNIT 19	UNIT 24	UNIT 27
UPPER LEVEL	1,000	1,000	1,000
MAIN LEVEL	1,000	1,000	1,000
BASMENT LEVEL	1,000	1,000	1,000



SECTION A-A-2



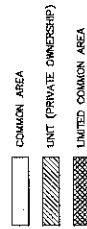
SECTION C-C-2



SECTION B-B-2

SECTION D-D-2

- NOTES:
1. PLUMB AND FINISHING SHALL BE AS SHOWN ON THESE PLANS UNLESS OTHERWISE SPECIFIED.
 2. INTERIOR FINISHES SHALL BE AS SHOWN ON THESE PLANS UNLESS OTHERWISE SPECIFIED.
 3. ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREAS.
 4. REFER TO SPECIFICATION OF CONDOMINIUM FOR COMPLETE DESCRIPTION.
 5. DIMENSIONS: SEE SHEET 1 FOR LOCATION AND ELEVATION.



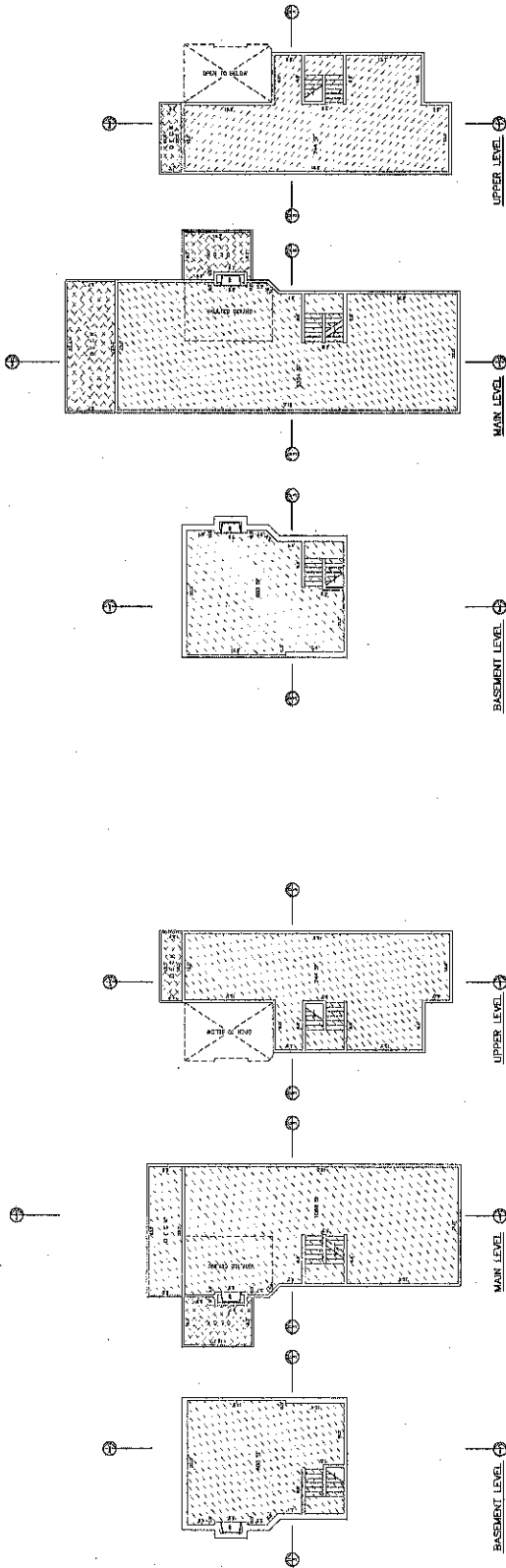
AMENDED, CONSOLIDATED AND RESTATED
RECORD OF SURVEY MAP

PARKVIEW CONDOMINIUMS

A CONDOMINIUM PROJECT
LOCATED IN THE NORTHEAST QUARTER OF SECTION 8,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

SHEET 3 OF 7

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



UNIT 4

2,445 TOTAL SQUARE FEET

FLOOR ELEVATION TABLE

FLOOR	UNIT NUMBER	AREA	FINISH	MARKET VALUE	PRICE
UPPER LEVEL	4				
MAIN LEVEL	4				
BASMENT LEVEL	4				

LEGEND

COMMON AREA

UNIT (PRIVATE OWNERSHIP)

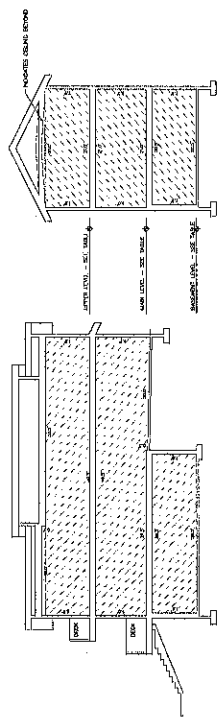
LIMITED COMMON AREA

UNIT 15

2,687 TOTAL SQUARE FEET

FLOOR ELEVATION TABLE

FLOOR	UNIT NUMBER	AREA	FINISH	MARKET VALUE	PRICE
UPPER LEVEL	15				
MAIN LEVEL	15				
BASMENT LEVEL	15				



SECTION C-3

SECTION D-3

SECTION D-3

SECTION C-3

AMENDED, CONSOLIDATED AND RESTATED
 RECORD OF SURVEY MAP

PARKVIEW CONDOMINIUMS

A CONDOMINIUM PROJECT
 LOCATED IN THE NORTHEAST QUARTER OF SECTION 8,
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
 AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

- NOTES
1. NAME AND ADDRESS OF ARCHITECT AND ENGINEER.
 2. ARCHITECT AND ENGINEER'S ADDRESS.
 3. ALL STRUCTURAL ELEVATIONS ARE DESIGNATED AS COMMON AREAS.
 4. SEE THE LOCATION OF CONDOMINIUM FOR COMPLETE DESCRIPTION.
 5. BACKGROUND: SEE SHEET FOR LOCATION AND ELEVATION.



STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ PAGE _____

RECORDED

FILE NO. 1-9-12

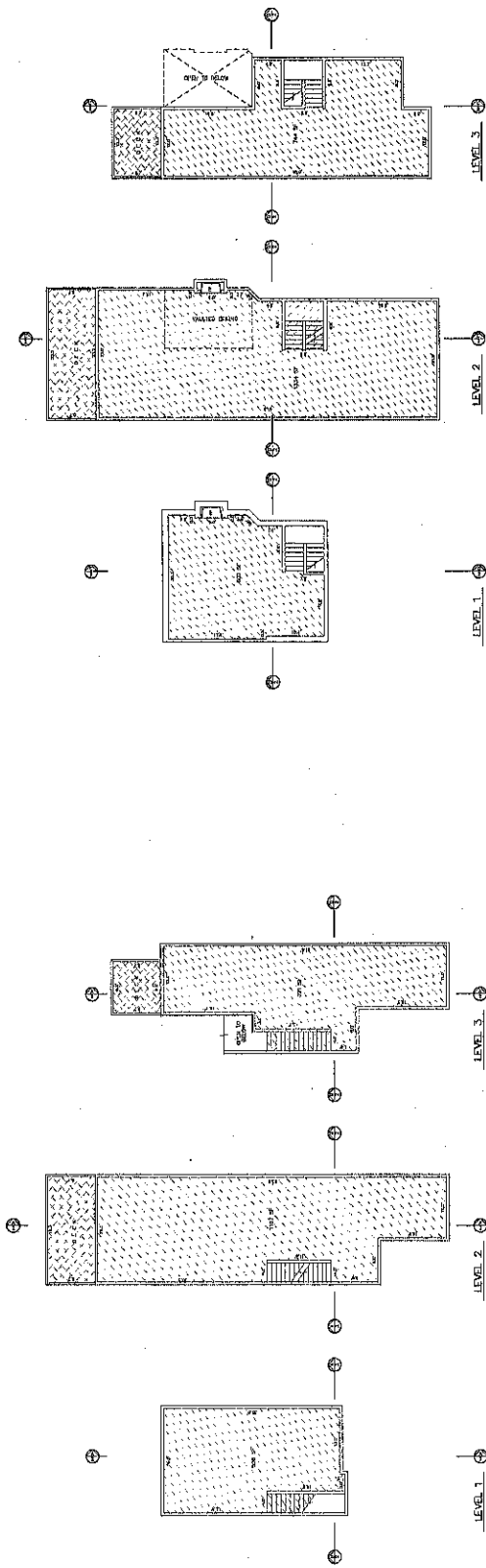
RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ PAGE _____

RECORDED

FILE NO. 1-9-12

RECORDED



UNIT 5
2,306 TOTAL SQUARE FEET
FLOOR ELEVATION TABLE

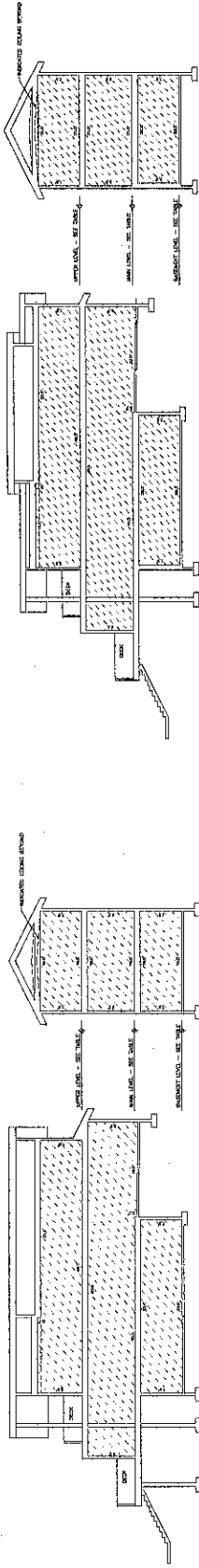
UNIT NUMBER	FLOOR	AREA	TYPE	NOTES
5	1	780	UNIT	
5	2	780	UNIT	
5	3	746	UNIT	

UNIT 21
2,628 TOTAL SQUARE FEET
FLOOR ELEVATION TABLE

UNIT NUMBER	FLOOR	AREA	TYPE	NOTES
21	1	880	UNIT	
21	2	880	UNIT	
21	3	868	UNIT	

UNIT 25
2,628 TOTAL SQUARE FEET
FLOOR ELEVATION TABLE

UNIT NUMBER	FLOOR	AREA	TYPE	NOTES
25	1	880	UNIT	
25	2	880	UNIT	
25	3	868	UNIT	



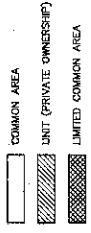
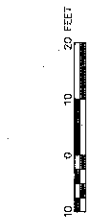
SECTION A-2

SECTION B-2

SECTION C-2

SECTION D-2

- NOTES:
1. DIMENSIONS SHOWN ON THIS PLAN ARE CONTROLLED BY THE SURVEY AND SHALL BE USED BY THE ARCHITECT AND ERIKSON ENGINEERING ARCHITECTS AND ERIKSON ENGINEERING ARCHITECTS.
 2. INTERIOR DIMENSIONS SHOWN ARE TO FINISH SURFACES.
 3. ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREAS.
 4. REFER TO SPECIFICATION OF CONDOMINIUM FOR COMPLETE DESCRIPTION.
 5. ELEVATIONS: SEE SHEET 1 FOR LOCATION AND ELEVATION.

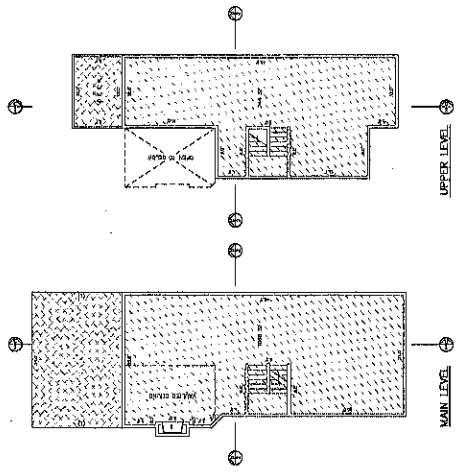


AMENDED, CONSOLIDATED AND RESTATED
RECORD OF SURVEY MAP

PARKVIEW CONDOMINIUMS

A CONDOMINIUM PROJECT
LOCATED IN THE NORTHEAST QUARTER OF SECTION 8
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

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



LIMITED COMMON AREA
UNIT (PRIVATE OWNERSHIP)

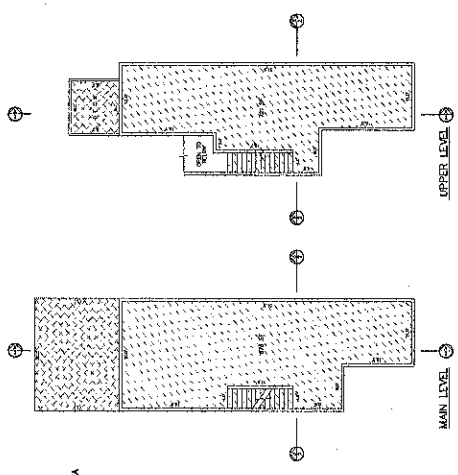
UNIT 1	100	100
UNIT 29	100	100
UNIT 34	100	100

UNITS 1, 29, 34
MIRROR IMAGE FOR UNITS 30, 35, 36

1,812 TOTAL SQUARE FEET

FLOOR ELEVATION TABLE

FLOOR LEVEL	UNIT 1	UNIT 29	UNIT 34
UPPER LEVEL	100	100	100
MAIN LEVEL	0	0	0



LIMITED COMMON AREA
UNIT (PRIVATE OWNERSHIP)

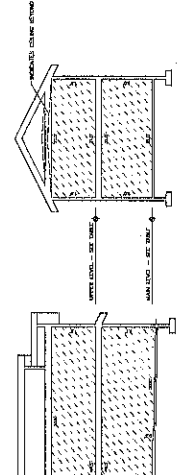
UNIT 2	100	100
UNIT 29	100	100
UNIT 35	100	100

UNITS 2, 29, 35

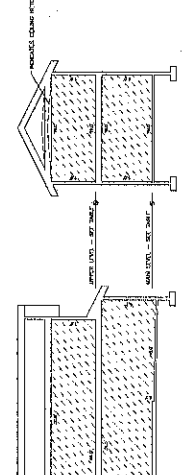
1,858 TOTAL SQUARE FEET

FLOOR ELEVATION TABLE

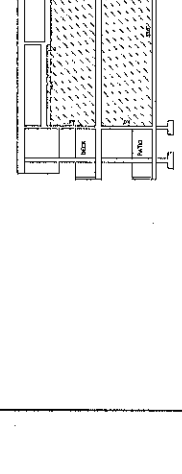
FLOOR LEVEL	UNIT 2	UNIT 29	UNIT 35
UPPER LEVEL	100	100	100
MAIN LEVEL	0	0	0



SECTION C-2



SECTION B-2



SECTION A-2



SECTION D-2

AMENDED, CONSOLIDATED AND RESTATED
RECORD OF SURVEY MAP

PARKVIEW CONDOMINIUMS

A CONDOMINIUM PROJECT
LOCATED IN THE NORTHEAST QUARTER OF SECTION 8,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

- COMMON AREA
- UNIT (PRIVATE OWNERSHIP)
- LIMITED COMMON AREA



- NOTES:
1. THE CONDOMINIUM PROJECT IS SHOWN AS BOUNDARIES FROM AN ADJACENT RECORD OF SURVEY MAP, BOOK C, 1987, ARCHITECT AND ENGINEER WORKSHOP ARCHITECTURE.
 2. INTERIOR DIMENSIONS SHOWN ARE TO FINISHED SURFACES.
 3. ALL STRUCTURAL ELEMENTS OF CONDOMINIUM ARE SHOWN AS COMMON AREAS.
 4. SEE SHEET 1 FOR LOCATION AND ELEVATION.
 5. REVISIONS: SEE SHEET 1 FOR LOCATION AND ELEVATION.

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE OFFICE OF _____ PAGE _____ DATE _____ TIME _____ BOOK _____ RECORDER _____ FEE _____

