

**AN ORDINANCE APPROVING THE 1127 WOODSIDE AVENUE SUBDIVISION PLAT
LOCATED AT 1127 Woodside Avenue, PARK CITY, UTAH.**

WHEREAS, the owner of the property located at 1127 Woodside Avenue, has petitioned the City Council for approval of the Subdivision; 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 August 14, 2013 to receive input on the proposed subdivision;

WHEREAS, on August 14, 2013 the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on September 4, 2013 the City Council held a public hearing on the proposed subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed 1127 Woodside 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 1127 Woodside Avenue Plat Amendment as shown in Attachment 1 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 1127 Park Avenue within the Historic Residential (HR-1) Zoning District.
2. The applicants are requesting to combine four (4) Old Town lots into one Parcel.
3. The plat amendment is necessary in order for the applicant to move forward with an HDDR, for the purpose of a rear yard addition to the historic house as well as a future addition to the non-historic garage.
4. The amended plat will create one new 7,501 square foot lot.
5. Currently the property is four (4) Old Town Lots, Lots 7 and 8 as well as Lots 25 and 26 of Block 8.
6. The existing historic 1,358 square foot home is listed as "Landmark" on the Historic Sites Inventory (HSI).
7. The applicant is considering a rear addition to the historic structure. Thus far, no HDDR application has been submitted and the applicant met with Planning Staff to discuss the possibility of an addition on February 6, 2013 during Design Review.
8. The existing non-historic garage straddles Lots 7 and 26 of the Snyders Addition. It is classified as legal non-conforming.

9. Any proposed additions to the existing historic home will require a review under the adopted 2009 Design Guidelines for Historic Districts and Historic Sites through the HDDR process.
10. The maximum building footprint allowed is 2,460.56 per the HR-1 LMC requirements. The current footprint of the historic structure is 679 square feet and the footprint of the garage accessory structure is 871 square feet. This would allow a maximum footprint addition of 734.56 square feet; however, the applicant intends to only introduce a small addition to the historic house with a footprint of 350 square feet. This small increase to the size of the house will maintain its compatibility with other homes in the neighborhood.
11. The maximum footprint of 2,461 square feet is significantly larger than any surrounding single-family residential properties, in particular historically significant and landmark structures; however, adherence to the Design Guidelines for Historic Sites would require that the mass and scale of any new additions is compatible with the historic structure. The applicant proposes to add a small addition of approximately 350 square feet to the historic building.
12. The amendment of four (4) lots would be one of the larger plat amendments in the neighborhood. The largest of these plat amendments is the Park City High School Mechanical Arts Building at 1167 Woodside which contains seven (7) lots. Other larger plat amendments include the combination of three (3) lots at 1147 Woodside. The majority of plat amendments within this neighborhood range from two (2) lots to two and one-half (2.5) lots.
13. The historic structure is a valid complying structure, though it straddles the property line that separates Lots 7 and 8.
14. The garage is considered non-complying because of subsequent zoning changes and no longer conforms to the zoning regulation's setback. The garage sits 1.4' from the south property line; the current code requires a five foot (5') side yard setback. The garage encroaches over the lot line between Lots 26 and 7. The plat amendment will remove these encroachments over interior lot lines.
15. Per LMC 15-2.2-4, existing historic structures that do not comply with building setbacks are valid complying structures. The historic structure is a valid complying structure, though it straddles the property line that separates Lots 7 and 8 and does not comply with the required five foot (5') side yard setback along the north property line as it is only four feet six inches (4'6") from the property line.
16. New additions to the rear of the historic home would require adherence to current setbacks as required in the HR-1 District, as well as be subordinate to the main dwelling in terms of size, setback, etc., per the requirements of the adopted 2009 Design Guidelines for Historic Districts and Historic Sites.

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 permit for any work that expands the footprint of the home, or 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 new construction 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.
5. One (1) 10 foot (10') wide public snow storage easements is required along the street frontage of the lot along Woodside Avenue, and one (1) ten foot (10') wide public snow storage easement is required along the street frontage of Norfolk Avenue. These both shall be shown on the plat.
6. Encroachments across property lines must be addressed prior to plat recordation and shall either be removed or encroachment easements shall be provided.
7. The maximum total footprint allowed on the lot is 2,100 square feet. The maximum footprint allowed for the house is 1,200 square feet, which may include up to 30 square feet for a connector. The connector shall not affect the distinct footprint calculations for the house and garage.

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

PASSED AND ADOPTED this 5 day of August, 2013.

PARK CITY MUNICIPAL CORPORATION



Dana Williams, MAYOR

ATTEST:

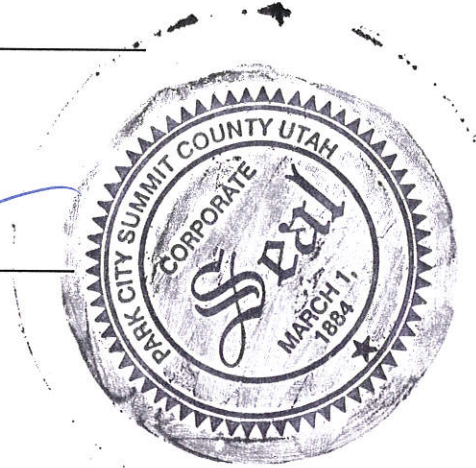
Marci Heil

Marci Heil, City Recorder

APPROVED AS TO FORM:

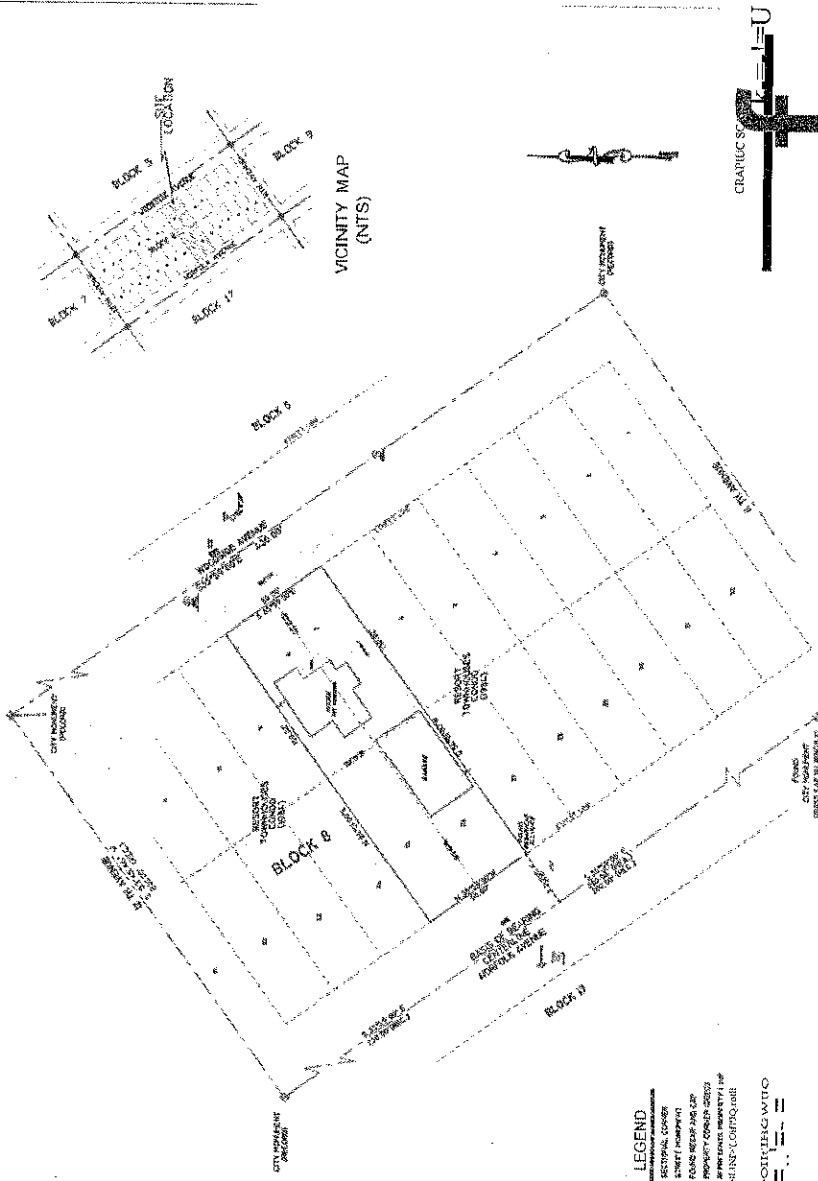
Mark Harrington

Mark Harrington, City Attorney



1127 WOODSIDE AVENUE
 SUBDIVISION
 PART OF BLOCK 8
 LOTS 7, 8, 25, 26
 SWINDERS ADDITION
 PARK CITY, UTAH

RECEIVED
 JAN 20 AM 11:00
 PLANNING DEPARTMENT



SURVEYOR'S CERTIFICATE
 I, EDWARD K. ROBINSON, do hereby certify that I am a duly licensed Surveyor in the State of Utah, and that I have personally examined the above described plat and certify that the same is correct and that the same has been prepared and filed in accordance with the provisions of the Utah Subdivision Act, Chapter 10, Utah Code, and that the same is a true and correct copy of the original as the same appears on the books of the Surveyor for the State.

MADE AT SALT LAKE CITY, UTAH, THIS 15th DAY OF JANUARY, 1911.

BOUNDARY DESCRIPTION
 COMMENCE AT THE S.W. CORNER OF BLOCK 8, SWINDERS ADDITION, SOUTH PARK CITY, UTAH, AND PROCEED AS FOLLOWS:

CHINNERS DECEASED
 BY WILL, TO THE SONS OF THE SAID CHINNERS, TO HAVE AND TO HOLD TO THEM, THEIR HEIRS AND ASSIGNS, FOREVER, THE SEVERAL PARCELS OF LAND HEREIN DESCRIBED.

1127 WOODSIDE AVENUE SUBDIVISION
 BEING A PART OF BLOCK 8, SWINDERS ADDITION, SOUTH PARK CITY, UTAH, AS SHOWN ON THE PLAT OF SAID BLOCK 8, SWINDERS ADDITION, SOUTH PARK CITY, UTAH, FILED FOR RECORD IN THE OFFICE OF THE SURVEYOR FOR THE STATE OF UTAH, ON THE 15th DAY OF JANUARY, 1911.

ACKNOWLEDGMENT
 STATE OF UTAH, COUNTY OF KANE, I, EDWARD K. ROBINSON, Surveyor, do hereby certify that the above described plat has been filed for record in the office of the Surveyor for the State of Utah, on the 15th day of January, 1911.

who acknowledged to me that he executed the above written plat in accordance with the provisions of the Utah Subdivision Act, Chapter 10, Utah Code, and that the same is a true and correct copy of the original as the same appears on the books of the Surveyor for the State.

CONSENT TO RECORD
 STATE OF UTAH, COUNTY OF KANE, I, EDWARD K. ROBINSON, Surveyor, do hereby consent to the recording of the above described plat in the office of the Surveyor for the State of Utah, on the 15th day of January, 1911.

EDWARD K. ROBINSON, Surveyor

RECORDED IN THE OFFICE OF THE SURVEYOR FOR THE STATE OF UTAH, ON THE 15th DAY OF JANUARY, 1911.

COUNTY RECORDER
 STATE OF UTAH, COUNTY OF KANE

SOUTH SUMMIT FIRE DISTRICT

CITY PLANNING COMMISSION ON

UTAH POWER AND LIGHT

CITY ENGINEER

SOUTH COUNTY REPUBLICAN PARTY

PROPERTY TAXES



City Council Staff Report



PLANNING DEPARTMENT

Planner: Jonathan Weidenhamer
Subject: 1127 WOODSIDE AVENUE REPLAT
Date: May 5, 2005
Type of Item: Administrative
Applicant: Shannon and Missy O'Neal
Zone: Historic Residential – (HR-1)

RECOMMENDATION: Staff recommends that the City Council review the proposed plat amendment, conduct a public hearing and consider approving the amendment according to the findings of fact, conclusions of law and conditions of approval outlined in attached ordinance.

BACKGROUND

The Planning Commission reviewed this item at the April 27, 2005 meeting. A Public hearing was held. No public comment was received. The Planning Commission voted unanimously to forward a positive recommendation to the City Council to approve the plat amendment.

The applicant proposes to combine lots 7, 8, 25, and 26 of Block 8 of the Snyder's Addition to the Park City Survey into one lot of approximately 7,500 square feet (Exhibit A). The property has an existing, one and a half- story historic structure which straddles the lot line between lots 7 and 8. The property also has a 2 story detached garage that straddles the lot line between lots 7 and 26 (Exhibit B existing conditions). The second story of this outbuilding currently has a Lockout unit in it. The applicant intends to renovate the existing historic home, and put an addition onto the rear of the structure.

ANALYSIS

The property is zoned HR-1, Historic Residential. The proposed plat creates a 7,500 square foot lot. All development standards of the Land Management Code including: height, setbacks, parking, architectural design, building footprint, neighborhood and Historic Design Guideline compatibility for the proposed addition will be verified for compliance during design review. The footprint of the current home is approximately 744 s.f. The footprint of the garage is approximately 940 s.f. The two buildings total approximately 1684 s.f. of footprint. The maximum allowed footprint for the combined lots is 2460 s.f.

The required front/ rear yard setbacks in the HR-1 zone for a 150 ' deep lot is a minimum of 15' with a total of 30'. The house and garage meet these requirements. The existing historic home will continue to exist as a non-complying structure in relation to the required side yard setback to the north (5' will be required for the combined lot, currently 4.5' exists). The existing detached garage will also continue to exist as a non-

for the combined lot, currently 1.4' exist); and in terms of its height. A detached accessory building is limited to 18' in height. The garage on these lots is approximately 21' in height. In all cases no greater degree of non-compliance will be created as a result of this lot combination.

Because the existing home at 1127 Woodside Avenue is historic, the LMC Section 15-2.2-4 exempts the addition from off-street parking requirements provided the addition does not create Lockout Unit or Accessory Apartment. The detached garage currently has a Lockout Unit located in it, which is an Allowed Use in the HR-1 Zone. The Lockout Unit has a non-exempt parking requirement of 1 space. The existing garage provides 2 interior spaces, as well as a 24' deep driveway, which will be eligible for a tandem space.

NOTICE

Notice of this hearing was sent to property owners within 300'. Staff has received no comments from the public at the time of this writing.

DEPARTMENT REVIEW

The Planning Department has reviewed this request. The City Attorney and City Engineer will review the plat for form and compliance with the LMC and State Law prior to recording. The request was discussed at a Staff Review Meeting on April 5, 2005, where representatives from local utilities and City Staff were in attendance.

RECOMMENDATION

Staff recommends that the City Council review the proposed plat amendment, conduct a public hearing and consider approving the amendment according to the findings of fact, conclusions of law and conditions of approval outlined in attached ordinance.

EXHIBITS

Ordinance

Exhibit A – Proposed Subdivision Plat

Exhibit B - Site Photo

complying structure in relation to its side yard setback to the south (3' will be required
Ordinance No. 05-

**AN ORDINANCE APPROVING THE SILVER DEER CHATEAUX AT OLDE HAWKE
POINTE ON LEGACY MOUNTAIN SUBDIVISION WHICH WILL COMBINE LOTS 7, 8,
25, AND 26 OF BLOCK 8 OF THE SNYDER'S ADDITION TO THE PARK CITY
SURVEY INTO ONE LOT OF RECORD.**

WHEREAS, the owner of 4 platted lots known as 1127 Woodside Avenue,
has petitioned the City Council for approval of a plat amendment; and

WHEREAS, proper notice was sent and the property posted according to
requirements of the Land Management Code and State Law; and

WHEREAS, on April 27, 2005 the Planning Commission held a public
hearing to receive public input on the proposed plat amendment, and forwarded a
positive recommendation of approval to the City Council; and

WHEREAS, the proposed plat amendment allows the property owner to
remove lot lines between four platted lots and create one lot of 7,500 square feet; and

WHEREAS, it is in the best interest of Park City Utah to approve the plat
amendment.

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

SECTION 1. FINDINGS OF FACT. The above recitals are hereby
incorporated as findings of fact. The following are also adopted by City Council as
findings of fact:

1. The Planning Commission reviewed this item at the April 27, 2005 meeting. A Public hearing was held. No public comment was received. The Planning Commission voted unanimously to forward a positive recommendation to the City Council to approve the plat amendment.
2. The property is located in the Historic Residential (HR-1).
3. The HR-1 District is characterized by a mix of small historic structures and larger contemporary residences.
4. The applicant proposes to combine lots 7, 8, 25, and 26 of Block 8 of the Snyder's addition to the Park City Survey into one lot of approximately 7,500 square feet.
5. There is an existing historic single family home on the property. The historic home straddles the lot line between lots 7 and 8.
6. The existing home at 1127 Woodside Avenue is historic. Section 15-2.2-4 of the LMC exempts the home from off-street parking requirements.
7. There is an existing non-historic, detached garage on the property. The second floor has a Lockout Unit located in it. Lockout Units are an allowed use in the HR-1 Zone, as long as the site provides code required parking. There are 3 code compliant parking spaces on this lot, which exceeds the number required. The garage straddles the lot line between lots 7 and 26.
8. The applicant intends to renovate the existing historic home, and put an addition onto the rear of the structure.
9. The required front/ rear yard setbacks in the HR-1 zone for a 150' deep lot is a