

**Ordinance No. 13-41**

**AN ORDINANCE APPROVING THE 463 & 475 ONTARIO AVENUE PLAT  
AMENDMENT (ONTARIO PACK SUBDIVISION)  
COMBINING LOTS 19 AND 20, BLOCK 55, AMENDED PLAT OF THE PARK CITY  
SURVEY, LOCATED IN PARK CITY, UTAH**

WHEREAS, the owner of property located at 463 & 475 Ontario Avenue petitioned the City Council for approval of the 463 & 475 Ontario Avenue Plat Amendment (Ontario Pack 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 September 25, 2013, to receive input on the 463 & 475 Ontario Avenue Subdivision plat amendment;

WHEREAS, the Planning Commission, on September 25, 2013, forwarded a positive recommendation to the City Council; and

WHEREAS, the City Council held a public hearing on October 17, 2013 on the amended plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the 463 & 475 Ontario Avenue plat amendment (Ontario Pack Subdivision) to combine Lots 19 and 20 in order to create a lot of record for a new single family home;

WHEREAS, Staff finds that the plat will not cause undo harm to adjacent property owners and all requirements of the Land Management Code for any future development can be met.

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 463 & 475 Ontario Avenue plat amendment (Ontario Pack Subdivision) 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 463 & 475 Ontario Avenue and consists of two "Old Town" lots, namely Lots 19 and 20, Block 55, of the amended Park City Survey.
2. The property is located within the Historic Residential (HR-1) zoning district.

3. The property has frontage on Ontario Avenue and the combined lot contains 3,650 square feet of lot area. The minimum lot area for a single family lot in the HR-1 zone is 1,875 square feet. The minimum lot area for a duplex in the HR-1 zone is 3,750 sf.
4. Single family homes are an allowed use in the HR-1 zone.
5. On August 6, 2013, the owner submitted an application for a plat amendment to combine the two lots into one lot of record for a new single family house.
6. The application was deemed complete on August 30, 2013.
7. The HR-1 zone requires a minimum lot area of 1,875 square feet.
8. The property has frontage on and access from Ontario Avenue.
9. The lot is subject to the Park City Design Guidelines for Historic Districts and Historic Sites for any new construction on the structure.
10. A Steep Slope Conditional Use Permit is required for any new construction over 1,000 sf of floor area and for any driveway/access improvement if the area of construction/improvement is a 30% or greater slope for a minimum horizontal distance of 15 feet.
11. The proposed plat amendment does not create any new non-complying or nonconforming situations.
12. The maximum building footprint allowed for Lot One is 1,486 square feet per the HR-1 LMC requirements and based on the lot size.
13. The plat amendment secures public snow storage easements across the frontage of the lot.

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 of approval 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. Approval of an HDDR application is a condition precedent to issuance of a building permit for construction on the lot.
4. Approval of a Steep Slope Conditional Use Permit application is a condition precedent to issuance of a building permit if the proposed development is located on areas of 30% or greater slope and over 1000 square feet per the LMC.

5. Modified 13-D sprinklers will 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 is required along the frontage of the lot with Ontario Avenue and shall be shown on the plat.

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

PASSED AND ADOPTED this 17 day of October, 2013.

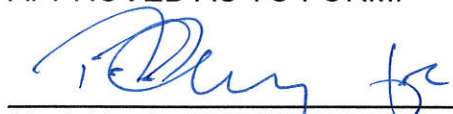
PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Dana Williams, MAYOR

ATTEST:

  
\_\_\_\_\_  
Marci S. Heil, City Recorder's Office

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Mark Harrington, City Attorney



**EXHIBIT A**

**SURVEYOR'S COMMENTS**

With reference to the survey and plat shown on this plat, the Surveyor has examined the original survey records and the plat, and has found that the same are in accordance with the records on file in his office.

**BOUNDARY DESCRIPTION**

LOT 20, BLOCK 55, corner the southeast and east sides of PARK CITY SQUARE, according to the official plat thereof, on the east of record in the Summit County Recorder's Office.

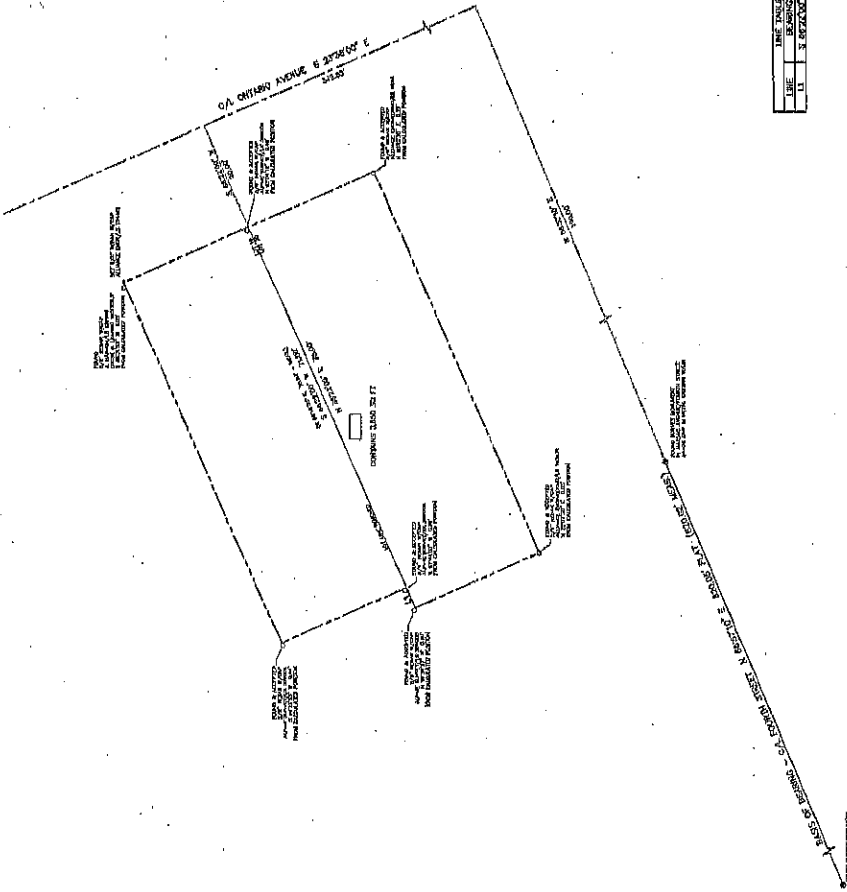
**OWNER'S DEDICATION AND CONSENT TO RECORD**

BEFORE ME, JERRY FRANK, County Clerk of Summit County, Utah, the undersigned, JERRY FRANK, the registered owner of the herein described parcel of land, to be known as the ONTARIO PACK SUBDIVISION, came to my office for the purpose of recording the same, and acknowledged to me that he was the owner thereof, and that he intended to dedicate the same to the use of the public, and that he intended to dedicate the same to the use of the public, and that he intended to dedicate the same to the use of the public.

**ACKNOWLEDGMENT**

I, the undersigned, do hereby acknowledge that I am the owner of the herein described parcel of land, and that I intend to dedicate the same to the use of the public, and that I intend to dedicate the same to the use of the public, and that I intend to dedicate the same to the use of the public.

LINE	TYPE	SCALE	DISTANCE
1	U	1/4	1/4
2	S	1/4	1/4
3	E	1/4	1/4
4	N	1/4	1/4
5	W	1/4	1/4
6	S	1/4	1/4



A PARCEL COMBINATION PLAT  
A COMBINATION OF A PORTION OF LOT 19 & LOT 20 IN BLOCK 55, PARK CITY SURVEY  
**ONTARIO PACK SUBDIVISION**  
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 16,  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN  
PARK CITY, SUMMIT COUNTY, UTAH



DATE OF RECORDING: 2013		STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ PAGE _____	
DATE: _____ TIME: _____		SHOOK _____	
ENTRY NO. _____		PAGE _____	
COUNCIL APPROVAL AND ACCEPTANCE			
RECORDED			
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____ 2013 A.D.			
BY: _____ MAYOR			
BY: _____			
CERTIFICATE OF ATTEST			
I HEREBY CERTIFY THAT THE FOREGOING SURVEY WAS MADE IN ACCORDANCE WITH THE ACTS OF CONGRESS PASSED MARCH 3, 1879, AND MARCH 3, 1893, A.D.			
BY: _____ PARK CITY RECORDER			
APPROVAL AS TO FORM			
I FIND THIS PLAT TO BE IN ACCORDANCE WITH THE ACTS OF CONGRESS PASSED MARCH 3, 1879, AND MARCH 3, 1893, A.D.			
BY: _____ PARK CITY ATTORNEY			
ENGINEER'S CERTIFICATE			
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE ON THIS _____ DAY OF _____ 2013 A.D.			
BY: _____ PARK CITY ENGINEER			
PLANNING COMMISSION			
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____ 2013 A.D.			
BY: _____ CHAIR			
SEYDOWITZ BASIN WATER RECLAMATION DISTRICT			
REVIEWED THE CONCEPT AND FOUND IT TO BE IN ACCORDANCE WITH THE DISTRICT'S WATER RECLAMATION PLAN ON THIS _____ DAY OF _____ 2013 A.D.			
BY: _____ S.D.W.R.D.			

