

**AN ORDINANCE APPROVING THE FLUTER SUBDIVISION PLAT AMENDMENT
LOCATED AT 225 WOODSIDE AVENUE, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as the Fluter Subdivision located at 225 Woodside Avenue, have petitioned the City Council for approval of the Fluter 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 according to the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on February 12, 2014 to receive input on the proposed subdivision;

WHEREAS, on February 12, 2014 the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 6, 2014 the City Council held a public hearing on the proposed Fluter Subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed Fluter Subdivision.

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 Fluter 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 225 Woodside Avenue within the Historic Residential (HR-1) District.
2. On December 18, 2013, the applicants submitted an application for a plat amendment to combine three and a half (3½) lots containing a total of 6,562.5 acres into two (2) lots of record.
3. The application was deemed complete on January 2, 2014.
4. The HR-1 zone requires a minimum lot area of 1,875 square feet for a single family dwelling and 3,750 square feet for a duplex.
5. The maximum footprint allowed in the HR-1 zone is 1,519 square feet for the proposed Lot 1 and 1,201 square feet for the proposed Lot 2 based on the lot areas of the two (2) lots.

6. The property has frontage on and access from Woodside Avenue.
7. As conditioned, the proposed plat amendment does not create any new non-complying or non-conforming situations.
8. The plat amendment secures public snow storage easements across the frontage of the lots.
9. The Planning Commission forwarded a positive recommendation to the City Council on February 12, 2014.

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 existing non-historic structure at 225 Woodside Ave. must be demolished before the plat amendment is recorded.
3. 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.
4. No building permit for any work shall be issued unless the applicant has first made application for a Historic District Design Review and a Steep Slope CUP application if applicable.
5. Modified 13-D sprinklers will 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.
6. Approvals to service the proposed two (2) lots from the utility companies are required before plat recordation.
7. A 10 foot (10') wide public snow storage easement is required along the frontage of the lots with Woodside Avenue and shall be shown on the plat.
8. A duplex shall not be permitted to be constructed on Lot 1.

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

PASSED AND ADOPTED this 6TH day of March, 2014

PARK CITY MUNICIPAL CORPORATION


Jack Thomas, MAYOR

ATTEST:


Marci Heil, City Recorder

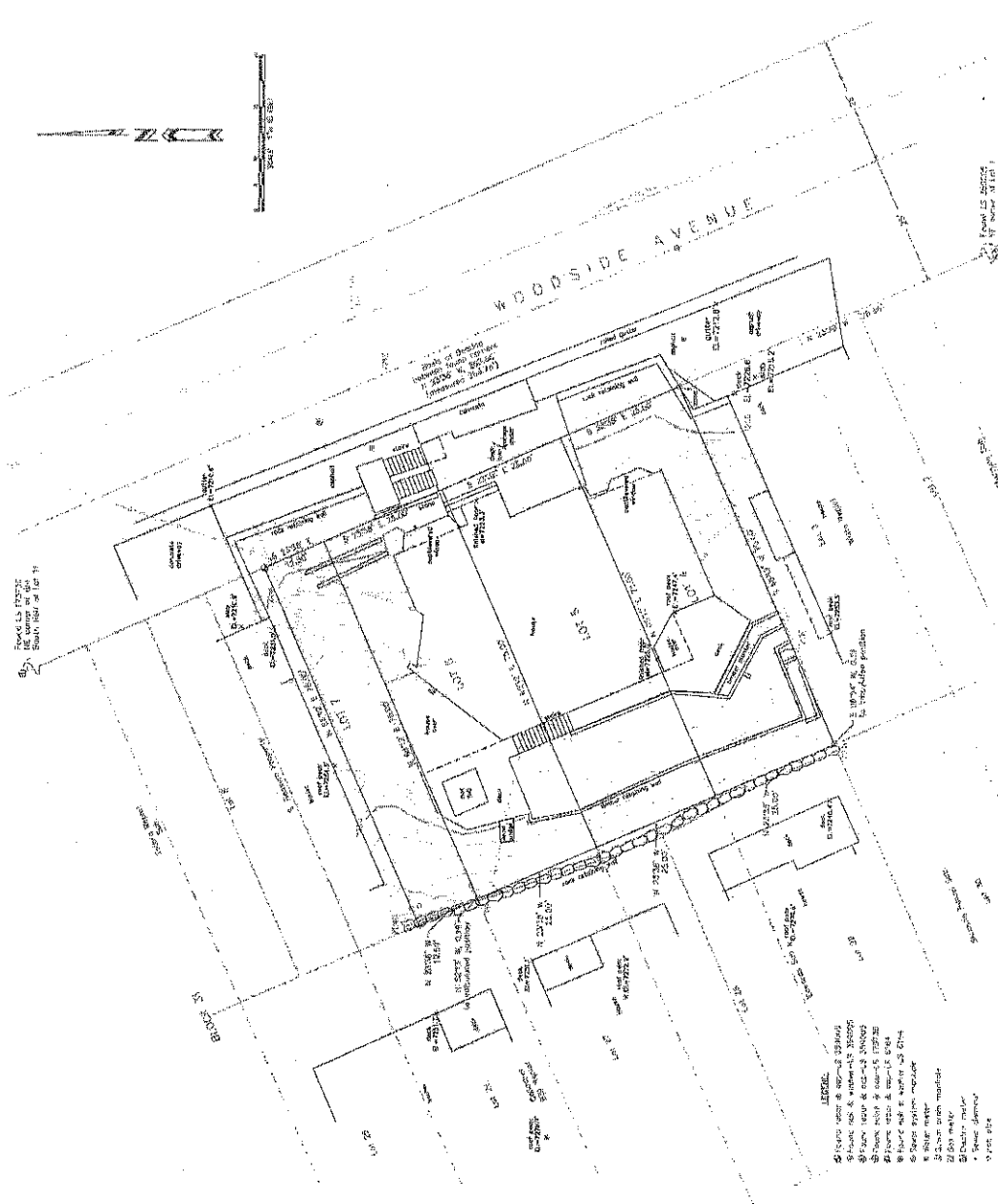
APPROVED AS TO FORM:


Mark Harrington, City Attorney



EXHIBIT B

Park City Survey, Block 31
Lots 4, 5, 6 & the South Half of 7



MARRA, INC.

1. Survey requested by, **Rakas Flaker**
 2. Purpose of survey locate the Easements and the
 3. Basis of survey found property monuments as shown
 4. Date of survey October 15, 2009 & Note 20-2011
 5. Property monuments found or set as shown
 6. Located in the Surveyors' Quarter of Section 16, Township 2
 7. South, Range 4 East, 30th Main Range 2, Meridian
 8. Affecting the property that may appear to a title insurance
 9. Easements are shown on an elevation of 71' 00" 70' from the base
 10. Monument located legs of the Street Monument found at
 the intersection of 2nd Street and Park Avenue.

1866 LARSEN SECTION

All of Lots 4, 5, 6 and the South half of 7, Block 31, Park
 City Survey, Township 2, Range 4 East, 30th Main Range, 2nd
 Meridian, Section 16, Township 2, Range 4 East, 30th Main
 Range, 2nd Meridian, containing 1875 square feet, more or less, and the
 South half of lot 7 containing 917.2 square feet, more or less.

SURVEYOR GENERAL

I, **ALVIN GARDNER**, Registered and Licensed Surveyor of the State of
 Utah, do hereby certify that I have supervised a survey of the herein described
 property and that this plat is a true representation of said survey.



DATE: _____
 SIGNATURE: _____

Alpine Survey, Inc.
 1455 E. 10th Street, Suite 100
 Provo, UT 84604
 (435) 833-8178

DEC 10 2009