

Ordinance No. 14-17

AN ORDINANCE APPROVING THE FIRST AMENDED PORTICO CONDOMINIUMS PLAT AMENDING UNITS 1 AND 2, LOCATED AT 670 DEER VALLEY LOOP ROAD, PARK CITY, UTAH.

WHEREAS, the owners of the property known as Portico Condominiums Units 1 and 2, have petitioned the City Council for approval of the First Amended Portico Condominiums plat amending Units 1 and 2, a Utah Condominium project; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was published in the Park Record and notice letters were sent to all affected property owners, in accordance with the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on April 9, 2014, to receive input on the amended plat;

WHEREAS, the Planning Commission, on April 9, 2014, forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 24, 2014, the City Council held a public hearing on the amended record of survey plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the First Amended Portico Condominiums plat amending Units 1 and 2, to document the as-built condition that physically combined Units 1 and 2 into one unit.

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 First Amended Portico Condominiums plat amending Units 1 and 2, a Utah Condominium project, 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, Units 1 and 2 of the Portico Condominiums plat are located at 670 Deer Valley Loop Road.
2. The property is located within the Residential Medium Density (RM) zoning district.
3. On November 20, 1996, the Planning Commission approved the Portico CUP for 19 townhouse units on the 36,210 sf parcel.
4. On December 9, 1999, the City Council approved the Portico Condominiums Plat. This plat was recorded at Summit County on February 7, 2000.
5. On February 7, 2014, the Planning Department received an application for an amended condominium plat. The application was deemed complete upon receipt of

the HOA letter and signature on the application.

6. The purpose of the amended condominium plat is to describe and document the as-built conditions for constructed Units 1 and 2 that were combined as proposed Unit 1.
7. No non-conforming conditions will result from this plat amendment.
8. The amended plat complies with the conditions of approval of the Portico CUP and the Portico Condominium plat and restrictions in the RM zone.
9. Unit 1 contains a total of 2,315 square feet. Unit 2 contains 2,174 square feet, including the garage, storage area, and living area on three levels. Proposed Unit 1 contains 4,608 square feet, including the garage, storage area, living area, and all of the common walls on three levels.
10. No exterior changes are proposed.
11. The Portico Condominiums are served by common sewer laterals. The Portico Condominium HOA is responsible for all sewer laterals.
12. As conditioned, this amended plat is consistent with the conditions of approval of the Portico Condominium plat.
13. Consistent with the amended Portico Condominiums CCRs, the HOA, by a required vote of the members, has provided consent to this plat amendment to memorialize the combination of Units 1 and 2.

Conclusions of Law:

1. There is good cause for this amended supplemental plat as it memorializes the as-built conditions that combined Units 1 and 2 into a single residential condominium unit.
2. The amended plat is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the amended plat.
4. Approval of the amended supplemental plat, subject to the conditions of approval stated below, will 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 of the supplemental plat 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 at Summit County within one (1) year from the date of City Council approval. If recordation has not occurred within the one year timeframe, this approval 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 conditions of approval of the Portico Condominium CUP and of the Condominium plat, recorded at Summit County on February 7, 2000, shall continue to apply, and shall be noted on the amended plat.

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

PASSED AND ADOPTED this 24 day of April, 2014.

PARK CITY MUNICIPAL CORPORATION


Jack Thomas, MAYOR

ATTEST:



Marci Heil, City Recorder



APPROVED AS TO FORM:



Mark Harrington, City Attorney

EXHIBIT A

ENGINEER'S CERTIFICATE
 I, the undersigned, being duly licensed and qualified as a Professional Engineer in the State of North Carolina, do hereby certify that the above described plans and specifications were prepared by me or under my direct supervision and that I am a duly licensed and qualified Professional Engineer in the State of North Carolina.

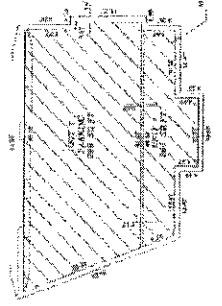
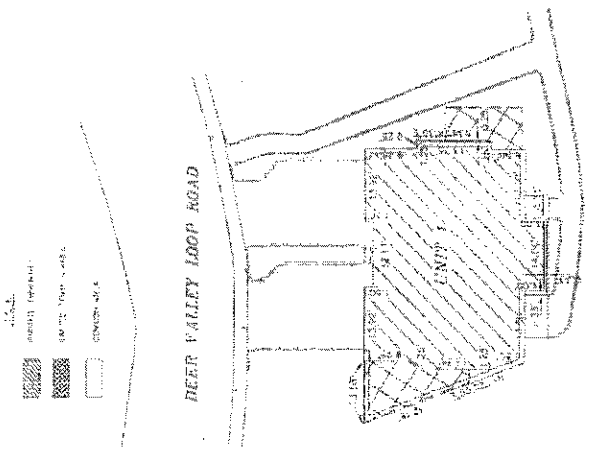
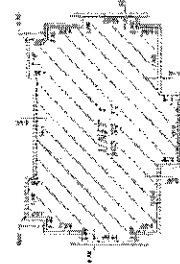
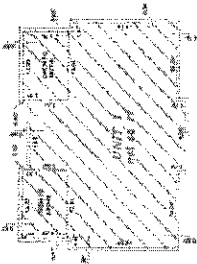
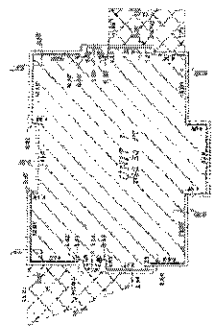
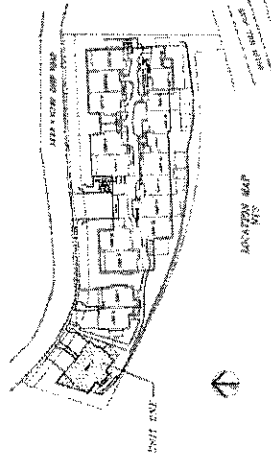
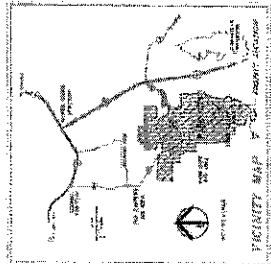
DATE: _____
BY: _____
 PROFESSIONAL ENGINEER

OWNER'S CERTIFICATE
 I, the undersigned, being duly licensed and qualified as a Professional Engineer in the State of North Carolina, do hereby certify that the above described plans and specifications were prepared by me or under my direct supervision and that I am a duly licensed and qualified Professional Engineer in the State of North Carolina.

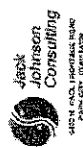
DATE: _____
BY: _____
 PROFESSIONAL ENGINEER

AGENCY CERTIFICATE
 I, the undersigned, being duly licensed and qualified as a Professional Engineer in the State of North Carolina, do hereby certify that the above described plans and specifications were prepared by me or under my direct supervision and that I am a duly licensed and qualified Professional Engineer in the State of North Carolina.

DATE: _____
BY: _____
 PROFESSIONAL ENGINEER



UNIT ONE AMENDED
OF
FORTICO CONDOMINIUMS
 A CONDOMINIUM PROJECT
 LOCATED IN
 THE NORTHWEST QUARTER OF SECTION 16,
 TOWNSHIP 1 SOUTH RANGE 4 EAST,
 SAMP LAKE BASIN AND UMBRIAN
 PARK CITY, SAMBIT COUNTY, NC 28781
 SHEET 1 OF 1



RECEIVED
FILED 1/20/08
 REGISTERED PROFESSIONAL ENGINEER

<p>APPROVED AND ACCEPTED: I, the undersigned, being duly licensed and qualified as a Professional Engineer in the State of North Carolina, do hereby certify that the above described plans and specifications were prepared by me or under my direct supervision and that I am a duly licensed and qualified Professional Engineer in the State of North Carolina.</p> <p>DATE: _____ BY: _____ PROFESSIONAL ENGINEER</p>	<p>ENGINEERS CERTIFICATE: I, the undersigned, being duly licensed and qualified as a Professional Engineer in the State of North Carolina, do hereby certify that the above described plans and specifications were prepared by me or under my direct supervision and that I am a duly licensed and qualified Professional Engineer in the State of North Carolina.</p> <p>DATE: _____ BY: _____ PROFESSIONAL ENGINEER</p>	<p>PLANNING COMMISSION: APPROVED AS TO FORM AND CONTENT JAN 20 2008 1000 W. 10TH ST. SUITE 200 WILSON, NC 27157 TEL: 919.241.1111 FAX: 919.241.1112</p>	<p>SURVEYOR: I, the undersigned, being duly licensed and qualified as a Professional Surveyor in the State of North Carolina, do hereby certify that the above described plans and specifications were prepared by me or under my direct supervision and that I am a duly licensed and qualified Professional Surveyor in the State of North Carolina.</p> <p>DATE: _____ BY: _____ PROFESSIONAL SURVEYOR</p>	<p>CERTIFICATE OF TITLE: I, the undersigned, being duly licensed and qualified as a Professional Engineer in the State of North Carolina, do hereby certify that the above described plans and specifications were prepared by me or under my direct supervision and that I am a duly licensed and qualified Professional Engineer in the State of North Carolina.</p> <p>DATE: _____ BY: _____ PROFESSIONAL ENGINEER</p>	<p>REGISTERED PROFESSIONAL ENGINEER: I, the undersigned, being duly licensed and qualified as a Professional Engineer in the State of North Carolina, do hereby certify that the above described plans and specifications were prepared by me or under my direct supervision and that I am a duly licensed and qualified Professional Engineer in the State of North Carolina.</p> <p>DATE: _____ BY: _____ PROFESSIONAL ENGINEER</p>
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SCALE: 1" = 10'