

**AN ORDINANCE APPROVING THE 919 WOODSIDE AVENUE SUBDIVISION PLAT
LOCATED AT 919 WOODSIDE AVENUE, PARK CITY, UTAH.**

WHEREAS, the owner of the properties known as Lot 5 and the south half of Lot 6 in Block 10, Snyder's Addition to Park City Survey, located at 919 Woodside Avenue, have petitioned the City Council for approval of the 919 Woodside Avenue 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 May 14, 2014 to receive input on the proposed subdivision;

WHEREAS, on May 14, 2014 the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on June 5, 2014 the City Council held a public hearing on the proposed 919 Woodside Avenue Subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed 919 Woodside Avenue 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 919 Woodside Avenue 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 919 Woodside Avenue within the Historic Residential (HR-1) District.
2. On March 26, 2014, the applicant submitted an application for a plat amendment to amend one and a half (1.5) lots containing a total of 2,812.5 square feet into one (1) lot of record which will remove an existing lot line and enable the historic home to be reconstructed without sitting on the lot line.
3. The proposed Lot will contain 2,812.5 square feet.
4. The application was deemed complete on March 26, 2014.

5. 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.
6. Based on the lot area, the maximum footprint allowed for the Lot is 873.8 square feet.
7. The properties have frontage on and access from Woodside Avenue.
8. The Lot contains a Preservation Plan to reconstruct a historic single family dwelling in the same location as it was located before being demolished in 2010.
9. As conditioned, the proposed plat amendment does not create any new non-complying or non-conforming situations.
10. The plat amendment secures public snow storage easements across the frontage of the lots.

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 30 days from the date of City Council approval. If recordation has not occurred within 30 days' 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. The applicant must record the plat within 30 days of plat approval and submit an application for a building permit within 30 days of HDDR and plat approval, whichever comes first. The applicant then has 90 days to pull a building permit from the time of application. The applicant must keep the building permit active and receive a certificate of occupancy on the home within 12 months from the time they pulled the building permit. If this timeline is not adhered to then the City reserves the right to declare default and claim all the funds described in the Encumbrance and Agreement for Historic Preservation for 919 Woodside Avenue dated July 2, 2010.
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. 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.

7. The historic structure shall be reconstructed exactly as was approved in the October 30, 2009 Preservation Plan and Financial Guarantee and any proposed addition would need to comply with current LMC requirements and HDDR guidelines.

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

PASSED AND ADOPTED this 5th day of June, 2014

PARK CITY MUNICIPAL CORPORATION



Jack Thomas, MAYOR

ATTEST:



Marci Heil, City Recorder

APPROVED AS TO FORM:



Mark Harrington, City Attorney



