

Ordinance No. 14-39

AN ORDINANCE APPROVING THE 1102 NORFOLK AVENUE SUBDIVISION BY REMOVING THE LOT LINE BETWEEN LOTS 31 AND 32 OF BLOCK 8, SNYDERS ADDITION TO THE PARK CITY SURVEY, LOCATED IN PARK CITY, UTAH

WHEREAS, the owner of property located at 1102 Norfolk Avenue petitioned the City Council for approval of the 1102 Norfolk 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; and

WHEREAS, the Planning Commission held a public hearing on July 23, 2014, to receive input on the 1102 Norfolk Avenue Subdivision;

WHEREAS, the Planning Commission, on July 23, 2014, forwarded a recommendation to the City Council;

WHEREAS, the City Council held a public hearing on August 21, 2014; and

WHEREAS, it is in the best interest of Park City, Utah to approve the 1102 Norfolk Subdivision removing the Lot Line between Lots 31 and 32. The plat amendment also secures public snow storage easements across the frontage of the proposed lot.

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 1102 Norfolk 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 1102 Norfolk Avenue and consists of two (2) "Old Town" lots, namely Lots 31 and 32 of Block 8 Snyders addition to the Park City Survey.
2. The property is located within the Historic Residential (HR-1) zoning district.
3. The property has frontage on Norfolk Avenue and the lot contains 3,750 square feet of area.
4. There is an existing historic structure located on the property that straddles the Lot Line between Lots 31 and 32.

5. The existing historic structure does not meet the front yard setback at 2' (west elevation) and the side yard setback at 3.42' (south elevation) but is a valid Complying structure pursuant to LMC 15-2.2-4.
6. The side yard (south elevation) retaining wall, concrete walkway, and wood deck encroach into the 11th Street public right-of-way.
7. The maximum building footprint allowed for 1102 Norfolk Avenue on Lot 31 and 32 is 1,518.75 square feet per the HR-1 LMC requirements and based on the lot size. The applicant is proposing an addition which will increase the building footprint to 1,480 square feet.
8. The existing home has a building footprint of approximately 1,024 square feet.
9. 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.
10. The maximum height for a home in the HR-1 zone is 27 feet; the existing home is 15.75 feet.
11. Single family homes are an allowed use in the HR-1 zone.
12. On May 21, 2014, the owner submitted an application for a plat amendment to remove the lot line between Lot 31 and Lot 32, to create one legal lot of record and further making the historic structure legally complying. The application was deemed complete on June 3, 2014.
13. The applicant proposes to renovate the home and add an addition.
14. The home is currently on the Historic Sites Inventory (HSI) listed as a significant structure.
15. The Lot is subject to the Park City Design Guidelines for Historic Districts and Historic Sites for any new construction on the structure.
16. The proposed subdivision plat amendment does not create any new non-complying or nonconforming situations; removing the lot line makes the historic structure legally complying.
17. The plat amendment secures public snow storage easements across the frontage of the lots.
18. There is good cause to remove the lot line to create one lot and make the historic structure legally complying; the lot size is compatible with lots in the surrounding neighborhood within the HR-1 District.

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. Approval of an HDDR application is a condition precedent to issuance of a building permit for construction on the lots. Also recordation of the plat is a condition of building permit issuance.
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/substantial renovation 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 lots with Norfolk Avenue and shall be shown on the plat.
7. Any encroachments on the 11th Street right-of-way will either need an encroachment agreement with the City Engineer or be removed.
8. All prior snow storage and snow shedding easements associated with this property shall be reflected on this plat.

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

PASSED AND ADOPTED this 21st day of August, 2014.

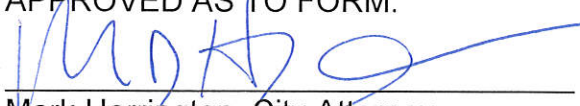
PARK CITY MUNICIPAL CORPORATION



Jack Thomas, MAYOR

ATTEST:


Marci Heil, City Recorder

APPROVED AS TO FORM:


Mark Harrington, City Attorney



Exhibit A

SURVEYOR'S CERTIFICATE

I, Keith A. Worthing, certify that I am a Registered Land Surveyor and that I have certified this plat to the State of Utah, and that by authority of the court, I have prepared this record of survey map of the 1102 NORFOLK AVENUE SUBDIVISION, and that the same may now or will be monumented on the ground or shown on this plat. I further certify that the information on this plat is correct.

BOUNDARY DESCRIPTION

LOTS 7 & 12, BLOCK 8, SNYDER'S ADDITION TO PARK CITY SURVEY according to the original plat thereof on file and of record in the Summit County Recorder's Office.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that Corey S. Sublette, the undersigned owner of the above described tract of land, to be known hereafter as 1102 NORFOLK AVENUE, SUBDIVISION, does hereby certify that she has caused this plat to be prepared, and has hereby consented to the registration of this plat.

In witness whereof, the undersigned has hereunto set her hand and seal this _____ day of _____ 2014.

Corey S. Sublette _____ Date: _____

ACKNOWLEDGMENT

State of Utah _____
County of Summit _____

On this _____ day of _____ 2014, Corey S. Sublette personally appeared before me, the undersigned Notary Public, and county having been duly sworn, Corey S. Sublette acknowledged to me that she is the owner of the above described tract of land, and that she signed the above Owner's Dedication and Consent to Record freely and voluntarily.

A Notary Public commissioned in Utah.
Printing Name _____
Residing in _____
My commission expires _____

BLOCK 8, SNYDER'S ADDITION TO PARK CITY SURVEY

1102 NORFOLK AVENUE SUBDIVISION

LOCATED IN THE NORTHWEST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____ 2014 BY: <u> </u>	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____ 2014 BY: <u> </u> CHAIRMAN	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____ 2014 BY: <u> </u> PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____ 2014 BY: <u> </u> PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL, THIS _____ DAY OF _____ 2014 BY: <u> </u> PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL, THIS _____ DAY OF _____ 2014 BY: <u> </u> MAYOR	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE RECORDS OF _____ DATE _____ TIME _____ CITY NO. _____ FEE _____ RECORDER _____
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