

**AN ORDINANCE APPROVING THE FIRST AMENDMENT TO FAWNGROVE  
CONDIMINIUMS FIRST SUPPLEMENTAL RECORD OF SURVEY LOCATED AT  
1604 and 1608 DEER VALLEY DRIVE NORTH, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as the Fawngrove Condominiums Units 42 and 43, located at 1604 and 1608 Deer Valley Drive North within the Deer Valley Resort Eleventh (11<sup>TH</sup>) Amended and Restated Large Scale Master Planned Development, have petitioned the City Council for approval of amendments to combine Units 42 and 43 into one single unit: 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 9<sup>th</sup>, 2014, to receive input on the proposed amendments to the record of survey plat;

WHEREAS, on July 9<sup>th</sup>, 2014, the Planning Commission forwarded a recommendation to the City Council; and,

WHEREAS, on July 31<sup>st</sup>, 2014, the City Council held a public hearing on the proposed amendments to the record of survey plat; and

WHEREAS, it is in the best interest of Park City, Utah and consistent with the Deer Valley Resort 11th Amended and Restated Master Planned Development to approve the proposed amendments to the Fawngrove Condominiums First Supplemental Record of Survey

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 Amendment to the Fawngrove Condominiums First Supplemental Record of Survey as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

#### Findings of Fact:

1. Fawngrove Condominiums are located at 1600 Deer Valley Drive North within the Deer Valley Resort Large Scale MPD.
2. The site is within the RD District.
3. The owner of Units 42 and 43 requests to combine these units into one single unit. These units are located at 1604 and 1608 Deer Valley Drive North.
4. Fawngrove Condominium Declaration, Article XXXIV allows for combination of units.
5. Fawngrove Condominiums consists of sixty-one (61) residential condominium built over two phases consistent with requirements of the Deer Valley MPD.
6. The sixty-one (61) units have been previously constructed.
7. The MPD did not approve the project under the unit equivalent formula.
8. The proposed amendment is consistent with the purpose statements of the district in that the use as residential condominiums is unchanged.
9. The proposed amendment is consistent in that the additional floor area that results from removal of the common wall is minimal as it minimizes site disturbance.
10. The proposed amendment preserves the existing natural open space, and limits impacts of development.
11. The combination would yield a single unit that would be 2,390 square feet in size.
12. The combination does not increase the number of units allowed by the MPD.
13. All construction is proposed within the existing building envelope.
14. The plat identifies that a parking space has been assigned for the use of Unit 42. Unit 43 also has a designated parking space. LMC § 15-3-6-(A) indicates that a multi-unit dwelling is to have two (2) parking spaces for an apartment/condominium greater than 1,000 square feet and less than 2,500 square feet. The proposed combined unit meets this requirement and no additional parking is required as a result of the amendment

#### Conclusions of Law:

1. There is good cause for this Amendment to the Record of Survey.
2. The Record of Survey is consistent with the Park City Land Management Code and applicable State law regarding Condominium Record of Surveys.
3. As conditioned, the record of survey plat is consistent with the Deer Valley Resort MPD, 11<sup>th</sup> amended and restated.
4. Neither the public nor any person will be materially injured by the proposed record of survey.
5. Approval of the record of survey, 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 record of survey for compliance with State law, the Land Management Code, and conditions of approval.
2. The applicant will record the record of survey at the County within one (1) year from the date of City Council approval. If recordation has not occurred within one

(1) year's time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

3. Construction requires a Building Permit and approvals from the Building and Planning Departments. No certificate of occupancy for the combined Unit 42 shall be issued until this amendment to the condominium record of survey is recorded.
4. All conditions of approval of the Deer Valley Resort 11<sup>th</sup> Amended and Restated Large Scale MPD and the Fawngrove Condominiums shall continue to apply.
5. The combination of these two units shall not constitute a reduction in the number of units as counted in the Deer Valley Resort Large Scale MPD. The number of units shall remain at 61 units.

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

PASSED AND ADOPTED this 31st day of July, 2014. PARK CITY

MUNICIPAL CORPORATION

  
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Jack Thomas, MAYOR

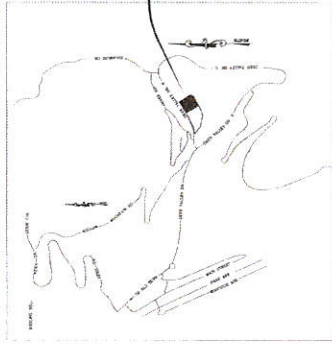
ATTEST:

  
\_\_\_\_\_  
Marci Heil, City Recorder

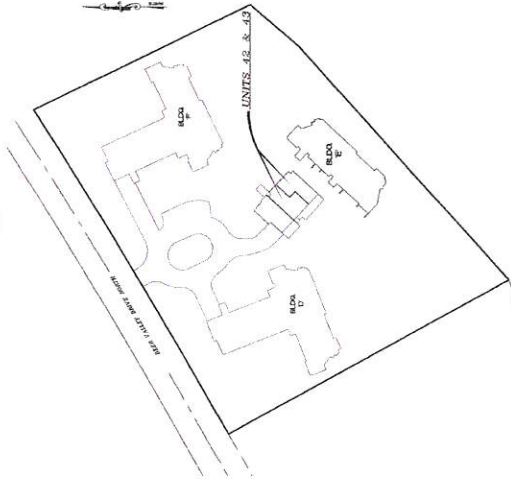


APPROVED AS TO FORM:

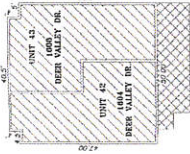
  
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Mark Harrington, City Attorney



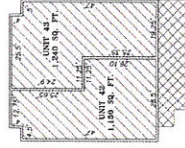
VICINITY MAP  
N.T.S.



LOCATION MAP  
N.T.S.



BUILDING EXTERIOR



FIRST FLOOR

SCALE: 1" = 20'

LEGEND

[Symbol]	COMMON OWNERSHIP
[Symbol]	PRIVATE OWNERSHIP
[Symbol]	LIMITED COMMON OWNERSHIP

**SURVEYOR'S CERTIFICATE**

I, TED WASON, P.L.S., DO HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN WAS OBTAINED FROM THE RECORDS OF THE PUBLIC RECORDS OF THE STATE OF UTAH, AND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.

DATE: \_\_\_\_\_

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

I, TED WASON, P.L.S., DO HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN WAS OBTAINED FROM THE RECORDS OF THE PUBLIC RECORDS OF THE STATE OF UTAH, AND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.

**ACKNOWLEDGEMENT**

STATE OF UTAH: \_\_\_\_\_  
COUNTY OF SUMMIT: \_\_\_\_\_

NAME OF NOTARY AND SIGNATURE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
BY COMMISSION EXPIRES: \_\_\_\_\_

THE PURPOSE OF THIS MAP IS TO RECORD THE ORIGINAL OWNER'S INTEREST IN THE UNITS AND TO RECORD THE INTERESTS OF THE COMMON OWNERSHIP GROUP AS TO THE UNITS AND TO RECORD THE INTERESTS OF THE LIMITED COMMON OWNERSHIP GROUP AS TO THE UNITS.

**THE FIRST AMENDMENT TO  
FAWNGROVE CONDOMINIUMS,  
FIRST SUPPLEMENTAL RECORD OF SURVEY**

AN AMENDMENT TO  
FAWNGROVE CONDOMINIUMS  
FIRST SUPPLEMENTAL RECORD OF SURVEY  
AMENDING OF THE RECORD OF SURVEY MAP OF  
"A UTAH EXPANDABLE CONDOMINIUM PROJECT"  
LOCATED IN SECTION 15, T2S, R. 4E., S11B&M

MAY 05 2014

<p>CERTIFICATE OF ATTEST</p> <p>I, _____, PARK CITY RECORDER, DO HEREBY CERTIFY THAT THIS MAP WAS APPROVED BY THE PARK CITY PLANNING COMMISSION ON THE _____ DAY OF _____, 2014 A.D.</p> <p>BY: _____</p>	<p>PLANNING COMMISSION</p> <p>APPROVED BY THE PARK CITY PLANNING COMMISSION ON THE _____ DAY OF _____, 2014 A.D.</p> <p>BY: _____ CHAIRMAN</p>	<p>ENGINEER'S CERTIFICATE</p> <p>I, TED WASON, P.L.S., DO HEREBY CERTIFY THAT THIS MAP IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH ENGINEERING ACT AND THE UTAH ENGINEERING BOARD RULES AND REGULATIONS.</p> <p>THIS MAP IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH ENGINEERING ACT AND THE UTAH ENGINEERING BOARD RULES AND REGULATIONS.</p> <p>BY: _____ PARK CITY ENGINEER</p>	<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM BY THE PARK CITY ATTORNEY ON THE _____ DAY OF _____, 2014 A.D.</p> <p>BY: _____ PARK CITY ATTORNEY</p>	<p>FIRST AMENDMENT TO FAWNGROVE CONDOMINIUMS AMENDING SHEET 1 OF 3 "A UTAH EXPANDABLE CONDOMINIUM PROJECT" LOCATED IN SECTION 15, T2S, R. 4E., S11B&amp;M</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE</p> <p>APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL ON THE _____ DAY OF _____, 2014 A.D.</p> <p>BY: _____ MAYOR</p>	<p>RECORDED</p> <p>STATE OF UTAH, COUNTY OF SUMMIT AND _____</p> <p>AT THE REQUEST OF _____</p> <p>TIME: _____ DATE: _____ BOOK: _____ PAGE: _____</p> <p>RECORDER: _____</p>
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