

**AN ORDINANCE APPROVING THE 341 ONTARIO AVENUE SUBDIVISION PLAT  
LOCATED AT 341 ONTARIO AVENUE, PARK CITY, UTAH.**

WHEREAS, the owner of the property known as the 341 Ontario Avenue Subdivision located at 341 Ontario Avenue, has petitioned the City Council for approval of the 341 Ontario Avenue Subdivision plat; 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 July 9, 2014, to receive input on the proposed subdivision;

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

WHEREAS, on July 31, 2014, the City Council held a public hearing on the proposed 341 Ontario Avenue Subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed 341 Ontario Avenue Subdivision plat.

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 341 Ontario Avenue Subdivision plat, 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 341 Ontario Avenue within the Historic Residential (HR-1) District.
2. On April 29, 2014, the applicants submitted an application for a plat amendment to combine two (2) lots containing a total of 3,750 square feet into one (1) lot of record.
3. The application was deemed complete on May 8, 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 based on the lot area.
6. The property has frontage on and access from Ontario Avenue.

7. The existing historic house does not meet the current side yard setbacks as it crosses the common lot line and is within 1.4' of the south property line. The house is listed as a significant historic house on the Historic Sites Inventory. The existing non-complying setback on the south property line will remain. As conditioned, the proposed plat amendment does not create any new non-conforming situations.
8. The plat amendment secures a 10 foot public snow storage easement across the frontage of the lot.
9. Ontario Avenue is a narrow, steep street. Combining the lots to provide an addition to a single family house would reduce parking requirements to two spaces or less for a non-historic home and due to the historic nature of home no parking will be required.

#### 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. 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.
4. 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.
5. A 10 foot (10') wide public snow storage easement is required along the frontage of the lots with Ontario Avenue and shall be shown on the plat.
6. If the boardwalk is crossing on this property, a public access easement will be required along the west edge of the properties and shall be recorded with the plat.
7. Prior to issuance of any building permits the applicant shall submit a Historic District Design Review application for the lot. A Steep Slope Conditional Use Permit application is also required for construction or access for any portion of the lot that is 30% or greater in slope.

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

PASSED AND ADOPTED this 31<sup>st</sup> day of July, 2014

PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Jack Thomas, MAYOR

ATTEST:

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

APPROVED AS TO FORM:


  
\_\_\_\_\_  
Mark Harrington, City Attorney



EXHIBIT A

APR 22 2014



**SURVEYOR'S CERTIFICATE**  
 I, Matthew A. Ross, a duly Licensed Professional Engineer, State of Utah, do hereby certify that the above described plat is a true and correct copy of the original plat as shown on the ground and as shown on this plat. I further certify that the information on this plat is correct.

**BOUNDARY DESCRIPTION**

LOT 21, BLOCK 54, AMENDED PLAT OF PARK CITY DRIVE, according to the official records of the County of Utah, is bounded as follows:  
 LOT 22, BLOCK 54, AMENDED PLAT OF PARK CITY DRIVE, according to the official plat thereof, on the east and of record in the Summit County Records.

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

KNOW ALL MEN BY THESE PRESENTS that Matthew Ross, Surveyor at Large for the State of Utah, does hereby certify that he has caused this plat to be prepared, and does hereby consent to the dedication of this plat.  
 in witness whereof, the aforesaid plat has been this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Matthew Ross, Owner

**ACKNOWLEDGMENT**

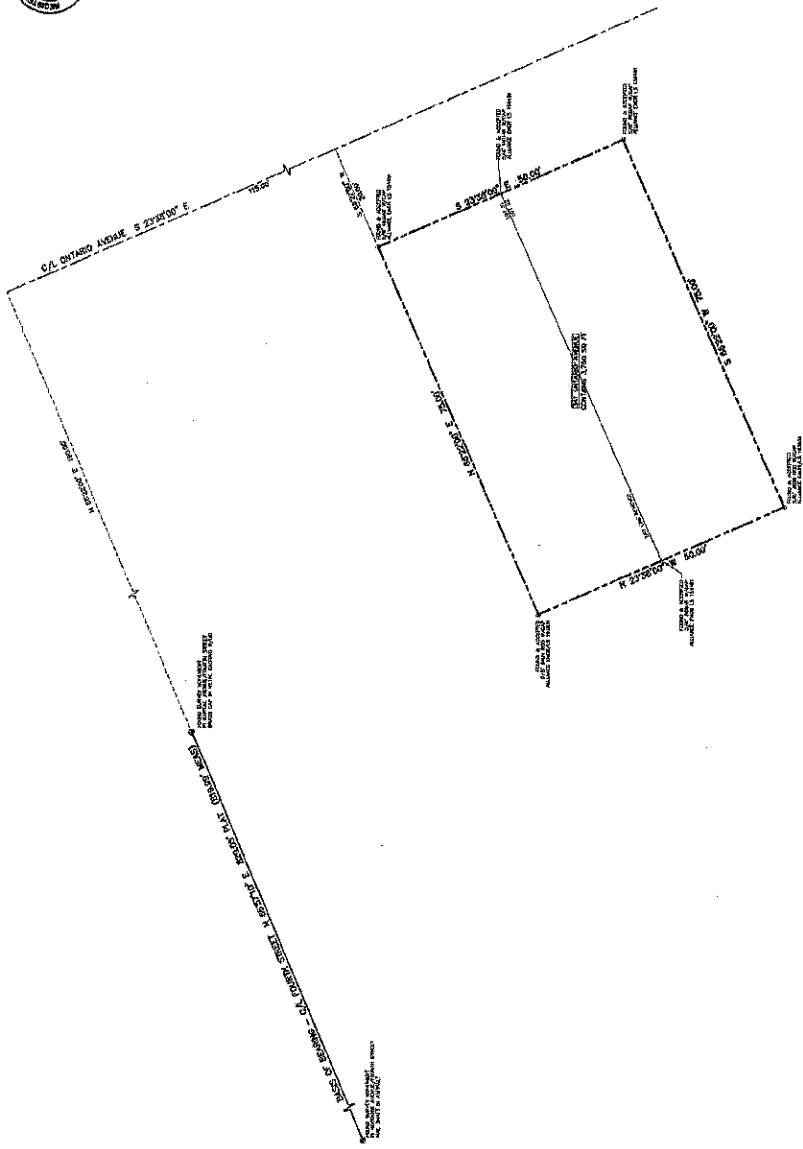
State of Utah: \_\_\_\_\_  
 County of Summit: \_\_\_\_\_  
 On this \_\_\_\_\_ day of \_\_\_\_\_, 2014,  
 personally appeared before me, the undersigned Notary Public, in and for each of the persons named herein, who acknowledged to me that they are the owners of the herein described tract of land, and that they have adopted the above Oath of Dedication and Consent to Record freely and voluntarily.

A Notary Public, commissioned in Utah

Printed Name: \_\_\_\_\_  
 Residing in: \_\_\_\_\_  
 My commission expires: \_\_\_\_\_

**NOTES**

1. See recorded survey S-4875 for survey details.
2. This subdivision is subject to the conditions of Approvals in Ordinance \_\_\_\_\_.



A PARCEL COMBINATION PLAT  
 A COMBINATION OF LOTS 21 & 22 IN BLOCK 54, PARK CITY SURVEY  
**341 ONTARIO AVENUE SUBDIVISION**

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

<p>STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ 2014                  ENTRY NO. _____ FEE _____</p>	<p>RECORDED</p>
<p>COUNCIL APPROVAL AND ACCEPTANCE                  APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2014                  BY _____ MAYOR</p>	<p>CERTIFICATE OF ATTEST                  I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2014                  BY _____ PARK CITY RECORDER</p>
<p>APPROVAL AS TO FORM                  APPROVED AS TO FORM THIS _____ DAY OF _____, 2014                  BY _____ PARK CITY ATTORNEY</p>	<p>ENGINEER'S CERTIFICATE                  I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON RECORD IN THE OFFICE OF THE ENGINEER THIS _____ DAY OF _____, 2014                  BY _____ PARK CITY ENGINEER</p>
<p>PLANNING COMMISSION                  APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2014                  BY _____ CHAIR</p>	<p>SEWER DISTRICT                  REVIEWED FOR CONFORMANCE TO SANDYVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2014                  BY _____ S.E.W.E.R.</p>

