

Ordinance No. 15-07

AN ORDINANCE APPROVING THE ONTARIO THREE SUBDIVISION PLAT AMENDMENT LOCATED AT 355 & 347 ONTARIO AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 355 & 347 Ontario Avenue have petitioned the City Council for approval of the Plat Amendment; 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 February 11, 2015, to receive input on Plat Amendment; and

WHEREAS, the Planning Commission, on February 11, 2015, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 5, 2015, the City Council held a public hearing to receive input on the Plat Amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Ontario Three Subdivision Plat Amendment.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. APPROVAL. Ontario Three Subdivision Plat Amendment 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. The property is located at 355 & 347 Ontario Avenue.
2. The property is in the Historic Residential-1 District.
3. The subject property consists of Lots 18, 19, and 20, Block 54, Park City Survey.
4. Lots 18 and 19, known as 355 Ontario Avenue, are currently recognized by the County as Parcel PC-449.
5. 355 Ontario Avenue is listed on Park City's Historic Sites Inventory and is recognized as a Landmark site.
6. The historic house at 355 Ontario Avenue is sited towards the rear of the lot and the front of the house is opposite from the street, Ontario Avenue, as the pedestrian access is from a path off Shorty's Stairs and does not have vehicular access.
7. Due to the historic nature of the site, 355 Ontario Avenue, it was built over the lot

line.

8. The lot line between Lot 18 and 19 currently goes through the historic house.
9. Lot 20, known as 347 Ontario Avenue, is currently recognized by the County as Parcel PC-450.
10. The house on 347 Ontario was built in 2000 and is not historic.
11. The proposed Plat Amendment creates two (2) lots of record from the existing three (3) lots.
12. The Plat Amendment removes the lot line between Lots 18 and 19 going through the historic structure on 355 Ontario Avenue and reconfigures the lot line between Lots 19 and 20 making Lot 20 bigger and combined Lots 18/19 smaller.
13. The owner of Lot 20 has an agreement with the owner of Lot 18/19 to purchase a portion of Lot 19 to the north consisting of 398 square feet.
14. A single-family dwelling is an allowed use in the Historic Residential-1 District.
15. The proposed lot size of Lot A is 3,352 square feet.
16. The proposed lot size of Lot B is 2,273 square feet.
17. The minimum lot area for a single-family dwelling is 1,875 square feet.
18. The proposed lots meet the minimum lot area for single-family dwellings.
19. The proposed land transfer disallows Lot A of being eligible for a duplex dwelling due to the required minimum lot area of 3,750 square feet.
20. The width of Lot A is 41.5 feet.
21. The width of Lot B is 33.5 feet.
22. The minimum lot width allowed in the Historic Residential-1 District is twenty-five feet (25').
23. The proposed lots meet the minimum lot width requirements.
24. Based on proposed lot size, the maximum building footprint for Lot A is 1,388.3 square feet.
25. Based on proposed lot size, the maximum building footprint for Lot B is 1,000.3 square feet.
26. The front and rear yard setbacks for both proposed lots are ten feet (10') minimum.
27. The side yard setbacks for proposed Lot A are five feet (5') minimum.
28. The side yard setbacks for proposed Lot B are three feet (3') minimum.
29. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

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 lot combinations.
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 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 the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' 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. A ten feet (10') wide public snow storage easement will be required along the Ontario Avenue frontage of the property.
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.

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

PASSED AND ADOPTED this 5th day of March, 2015.

PARK CITY MUNICIPAL CORPORATION



Jack Thomas, MAYOR

ATTEST:



Marci Heil, City Recorder



APPROVED AS TO FORM:



Mark Harrington, City Attorney

Attachment 1 – Proposed Plat

Exhibit A Attachment 1 - Proposed Plat

SURVEYOR'S CERTIFICATE

I, **Kevin A. Morrison**, certify that I am a Registered Land Surveyor and that I have prepared this plat in accordance with the provisions of the Utah Subdivision Act, Chapter 2, Title 20, Utah Code, and that the same has been or will be monumented on the ground in accordance with the provisions of the Utah Subdivision Act, Chapter 2, Title 20, Utah Code.



BOUNDARY DESCRIPTION

Parcel 1:
Lots 18 and 19, Block 54, Park City Survey, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

Parcel 2:
All of Lot 20, Block 54, Park City Survey, according to the official 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 **Ontario, LLC**, as to **PARCEL 1**, the undersigned, does hereby certify that it has caused this Plat Amendment to be prepared and does hereby consent to the recording of this Plat.

Signature: _____
Title: **General Manager**
Name: **Ontario, LLC**

ACKNOWLEDGMENT

State of _____
County of _____
On this _____ day of _____, 2015, **Wilson E. Morkens** personally appeared before me, **Michael R. Stewart**, a Notary Public in and for the State of Utah, to wit, the undersigned, **Wilson E. Morkens**, who acknowledged to me that he is the owner of **PARCEL 1**, and that he signed the above Owner's Declaration and Consent to Record hereof and voluntarily.

Signature: _____
Title: **A History Public Commissioner in**
Name: _____
Address: _____
My commission expires: _____

OWNER'S DEDICATION AND CONSENT TO RECORD

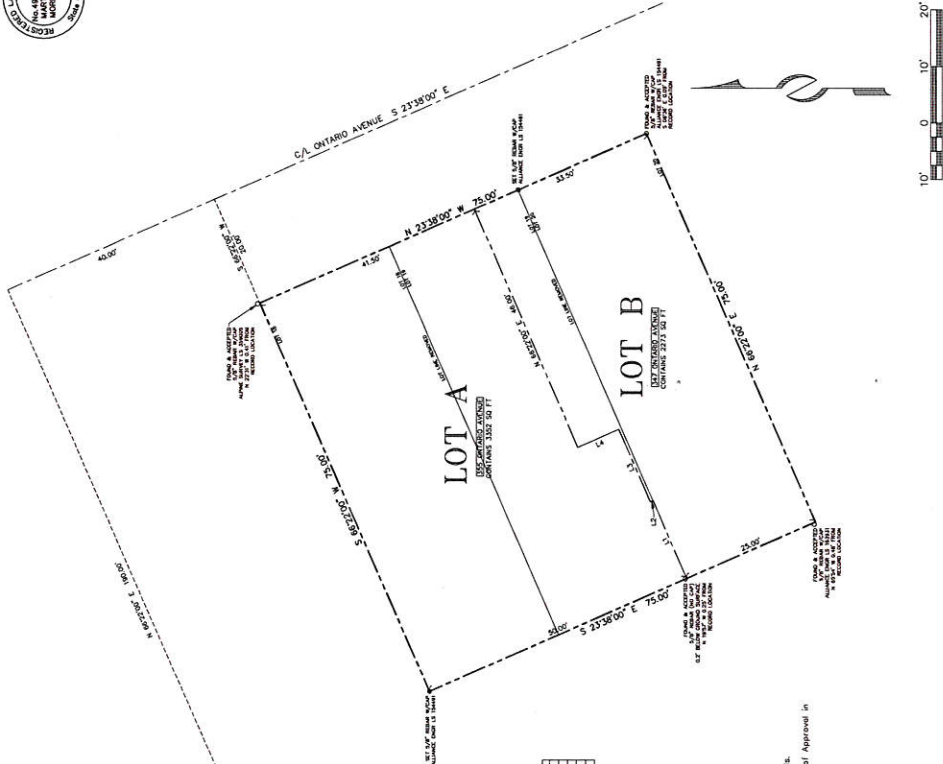
KNOW ALL MEN BY THESE PRESENTS that **Michael R. Stewart**, as to **PARCEL 2**, the undersigned, does hereby certify that he has caused this Plat Amendment to be prepared and hereby consents to the recording of this Plat.

Signature: _____
Title: **A History Public Commissioner in**
Name: **Michael R. Stewart**

ACKNOWLEDGMENT

State of _____
County of _____
On this _____ day of _____, 2015, **Wilson E. Morkens** personally appeared before me, **Michael R. Stewart**, a Notary Public in and for the State of Utah, to wit, the undersigned, **Michael R. Stewart**, who acknowledged to me that he is the owner of **PARCEL 2**, and that he signed the above Owner's Declaration and Consent to Record hereof and voluntarily.

Signature: _____
Title: **A History Public Commissioner in**
Name: _____
Address: _____
My commission expires: _____



LINE	BEARING	LENGTH
1	S 20°22'29" E	75.00
2	N 23°38'00" W	75.00
3	S 20°22'29" E	75.00
4	S 20°22'29" E	75.00

NOTES

- See recorded survey S-4375 for survey details.
- This subdivision is subject to the Conditions of Approval in Ordinance _____.

A COMBINATION OF LOTS 18, 19 & 20 IN BLOCK 54, PARK CITY SURVEY

ONTARIO THREE 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

 SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS DAY OF _____, 2015 BY: _____ S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY COMMISSION ON THIS DAY OF _____, 2015 BY: _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS DAY OF _____, 2015 BY: _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS DAY OF _____, 2015 BY: _____ PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS DAY OF _____, 2015 BY: _____ PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS DAY OF _____, 2015 BY: _____ MAYOR	OWNER'S DEDICATION AND ACCEPTANCE STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ ENTRY NO. _____ FEE _____ RECORDER
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