

**Ordinance No. 15-11**

**AN ORDINANCE APPROVING THE 1119 PARK AVENUE PLAT AMENDMENT  
LOCATED AT 1119 PARK AVENUE, PARK CITY, UTAH.**

WHEREAS, the owner of the property located at 1119 Park Avenue has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, the property was properly noticed and posted on March 11, 2015, according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners on March 11, 2015; and

WHEREAS, the Planning Commission held a public hearing on March 25, 2015, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on March 25, 2015, forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 16, 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 1119 Park Avenue Plat Amendment.

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

**SECTION 1. APPROVAL.** 1119 Park Avenue 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 1119 Park Avenue.
2. The property is in the Historic Residential (HR-1) District.
3. The subject property consists of all of Lot 5 and the southerly half (1/2) of Lot 6, Block 5, Snyder's Addition. The applicant does not have ownership of the northerly half (1/2) of Lot 6.
4. The entire area is recognized by the County as Parcel SA-48.
5. The site is designated as a "Landmark" historic structure by the Historic Sites Inventory (HSI).
6. The building footprint of the existing historic structure is approximately 522 square feet.
7. The proposed plat amendment creates one (1) lot of record from the existing area consisting of approximately 2,812.5 square feet.

8. A single-family dwelling is an allowed use in the Historic Residential (HR-1) District.
9. The minimum lot area for a single-family dwelling is 1,875 square feet; the lot at 1119 Park Avenue will be 2,812.5 square feet. The proposed lot meets the minimum lot area for a single-family dwelling.
10. The minimum lot width allowed in the district is twenty-five feet (25'). The proposed lot is thirty-seven and one-half feet (37.5') wide. The proposed lot meets the minimum lot width requirement.
11. The existing historic structure does not meet the required side yard setbacks on the north and south. The side yard setback on the south side is 1 ft. to .75 ft. (from west to east). The side yard setback on the north side is 1 ft. The existing historic structure meets all requirements for front and rear setbacks. The front yard setback is 26 ft. The rear yard setback is 36.5 ft. In accordance with the Land Management Code (LMC) 15-2.2-4, Historic Structures that do not comply with Building Setbacks are valid Complying Structures. Additions must comply with Building Setbacks, Building Footprint, driveway location standards and Building Height.
12. There is an existing concrete driveway and concrete sidewalk that encroaches into the Park Avenue right-of-way.
13. In May 2012, the City issued a Notice and Order from the Building Department for the property owner to stabilize the building. Work began in the spring of 2013 to stabilize the dilapidated landmark building with new footings and foundation. Inspections on this work began on May 1, 2013 and the most recent inspection was conducted on July 26, 2013.
14. The applicant applied for a Historic District Design Review (HDDR) application to renovate and construct an addition on January 6, 2015. A Pre-Historic District Design Review (Pre-HDDR) application for the renovation and addition was completed on October 2, 2014. The applicant applied for a Plat Amendment application on January 27, 2015. The Plat Amendment application was deemed complete on January 29, 2015.
15. The property is located in a FEMA Flood Zone A which requires the lowest occupied floor to be equal to or above the base flood elevation. An elevation certificate will be required.
16. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

**Conclusions of Law:**

1. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding lot combinations.
2. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
3. 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 Park Avenue frontage of the property and shall be shown on the plat prior to recordation.

4. The applicant can either remove the existing chain link fence and wood slat fence from the properties of 1125 Park Avenue and 1120 Woodside Avenue, or enter into an encroachment agreement with the respective property owners prior to final recordation of this plat.

5. Modified 13-D sprinklers will be required,

6. An elevation certificate will be required for any major modifications verifying the lowest occupied floor is at or above base flood elevation.

**SECTION 2. EFFECTIVE DATE.** This Ordinance shall take effect upon publication. PASSED AND ADOPTED this 16th day of April, 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**



**SURVEYOR'S CERTIFICATE**  
 I, Martin A. Gardner, certify that I am a Registered Land Surveyor and that I hold Certificate No. 1482228, as prescribed by the laws of the State of Utah, and that by ANDREW SNYDER I was duly sworn and that the above described tract of land, as shown on this plat, is a true and correct copy of the same as shown on the original plat. I further certify that the information on this plat is correct.

**BOUNDARY DESCRIPTION**  
 All of Lot 5 and the southerly 1/2 of Lot 6, Block 5, Snyder Addition to Park City, Utah, as shown on the official plat thereof, on file and of record in the office of the Summit County Recorder.

**OWNER'S DEDICATION AND CONSENT TO RECORD**  
 KNOW ALL MEN BY THESE PRESENTS that HAYCOX, LLC, a Utah limited liability company, the owner of the above described tract of land, is and for good cause, inasmuch as the said tract of land is a public use, has consented to the recording of this plat to be prepared, and does hereby consent to the recording of this plat.

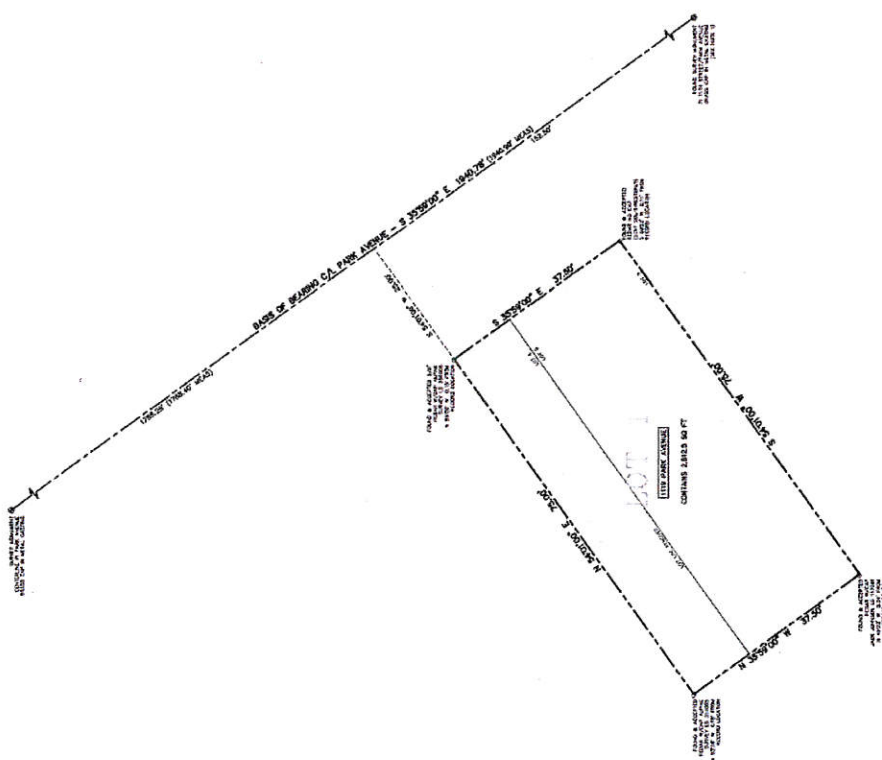
In witness whereof, the undersigned set his hand this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

**ACKNOWLEDGMENT**  
 Witness: J. Snyder, Manager, HAYCOX, LLC, a Utah limited liability company.

State of \_\_\_\_\_  
 County of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 2015, Andrew J. Snyder, presently appeared before me, the undersigned history public, in and for said state, in the presence of \_\_\_\_\_, a duly qualified notary public, and the undersigned, a duly qualified notary public, and consented to the recording of this plat.

A Notary Public, commissioned in \_\_\_\_\_  
 My commission expires: \_\_\_\_\_  
 My commission begins: \_\_\_\_\_



**NOTES**  
 1. The survey monument shown on the Park City Monument Control Map of 1119, Street and Park Avenue Subdivisions, located at the intersection of 1119 Park Avenue and Park Avenue, was destroyed. Control which was set for this monument prior to its destruction was used for this monument.  
 2. This record of survey is subject to the conditions of approval in Ordinance 15-\_\_\_\_\_.



**BLOCK 5, SNYDER'S ADDITION TO PARK CITY SURVEY**  
**1119 PARK AVENUE SUBDIVISION**

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

SHEET 1 OF 1

<p>CONSTITUTIONAL PROVISION: LAND SURVEYS PREPARED BY THE CITY OF PARK CITY SHALL BE VALID AND EFFECTIVE.</p>	<p><b>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT</b>                  RECEIVED FOR PERFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS DAY OF _____ 2015                  BY _____ S.R.W.E.D.</p>	<p><b>PLANNING COMMISSION</b>                  APPROVED BY THE PARK CITY PLANNING COMMISSION THIS DAY OF _____ 2015                  BY _____ CHAIR</p>	<p><b>ENGINEER'S CERTIFICATE</b>                  I FIND THIS PLAN TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS DAY OF _____ 2015                  BY _____ PARK CITY ENGINEER</p>	<p><b>APPROVAL AS TO FORM</b>                  APPROVED AS TO FORM THIS DAY OF _____ 2015                  BY _____ PARK CITY ATTORNEY</p>	<p><b>COUNCIL APPROVAL AND ACCEPTANCE</b>                  APPROVAL AND ACCEPTANCE OF THE PARK CITY COUNCIL THIS DAY OF _____ 2015                  BY _____ MAYOR</p>	<p><b>CERTIFICATE OF ATTEST</b>                  I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS DATE _____ 2015                  BY _____ PARK CITY RECORDER                  ENTRY NO. _____ FEE _____ RECORDER</p>
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