

Ordinance No. 15-08

**AN ORDINANCE APPROVING THE 930 EMPIRE AVENUE PLAT AMENDMENT
LOCATED AT 930 EMPIRE AVENUE, PARK CITY, UTAH.**

WHEREAS, the owner of the property located at 930 Empire Avenue has 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 930 Park Avenue Plat Amendment.

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

SECTION 1. APPROVAL. 930 Empire 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 930 Empire Avenue.
2. The property is in the Historic Residential (HR-1) District.
3. The subject property consists of all of Lot 26 and the southerly half (1/2) of Lot 25, Block 15, Snyder's Addition. The applicant does not have ownership of the northerly half (1/2) of Lot 25.
4. The entire area is recognized by the County as Parcel SA-154.
5. The site is not designated as historic by the Historic Sites Inventory (HSI).
6. The building footprint of the existing A-frame dwelling is approximately 1,104 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.
10. The proposed lot meets the minimum lot area for a single-family dwelling.
11. 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.
12. The existing structure meets all required front, rear, and side yard setbacks. Any new development on the property will also be required to meet the setbacks, as defined by LMC 15-2.2-3.
13. There is an existing parking pad that encroaches into the Empire Avenue right-of-way.
14. The applicant applied for a Building Department demolition permit for the existing A-frame structure on January 16, 2015. The applicant also submitted a Pre-Historic District Design Review (Pre-HDDR) application to the Planning Department on January 27, 2015, for a new single-family residence.
15. 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 Empire Avenue frontage of the property.
4. The applicant can either remove the existing parking pad from the public right-of-way, or enter into an encroachment agreement with the City. New on-site parking shall be provided entirely on the platted Lot and out of the Empire Avenue right-of-way.

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 Hill, City Recorder

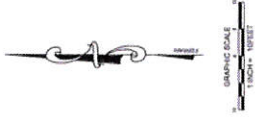


APPROVED AS TO FORM:


Mark Harrington, City Attorney

Attachment 1 – Proposed Plat

930 EMPIRE AVENUE RE-PLAT
 BLOCK 15 SINDERS ADDITION
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 16
 TOWNSHIP 23 RANGE 4E
 SALT LAKE BASE AND MENDIAN



LEGEND:

- PROPERTY LINE
- CENTER LINE
- EASEMENT
- - - LOT LINE

STREET ADDRESS ON EMPIRE AVE

SURVEYOR'S STATEMENT

I, GREGORY J. FERRARI, OF PARK CITY, UTAH, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HAVE PREPARED THIS PLAT IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH PLAT ACT, UTAH CODE ANNOTATED, TITLE 19, CHAPTER 2, PART 2. I FURTHER CERTIFY THAT THIS PLAT ACCURATELY REPRESENTS THE SUBMITTED PROPERTY.

GREGORY J. FERRARI, P.L.S. 45668 (LICENSE)
 6800 111, 0215

NOTES:

1. RECORDED 15-D SUBDIVISIONS WILL BE REQUIRED FOR MINOR CONSTRUCTION AS REQUIRED BY THE CHIEF BUILDING OFFICIAL AT THE TIME OF REVIEW OF THE BUILDING PERMIT SUBMITTAL.
2. THIS PLAT IS SUBJECT TO THE CONDITIONS OF APPROVAL IN ORDINANCE OF 34-8.

LEGAL DESCRIPTION:

THE SOUTHWEST CORNER OF LOT 28, BLOCK 15, SINDERS ADDITION TO PARK CITY, TRACTS NORTH 40' OF 1/4 SECTION 16, TOWNSHIP 23 RANGE 4E, SALT LAKE BASE AND MENDIAN, BEING THE SOUTHWEST CORNER OF LOT 28, BLOCK 15, SINDERS ADDITION TO PARK CITY, TRACTS NORTH 40' OF 1/4 SECTION 16, TOWNSHIP 23 RANGE 4E, SALT LAKE BASE AND MENDIAN, CONTAINING 1812.62 FS.

OWNERS DEDICATION AND CONSENT TO RECORD

I, THE UNDERSIGNED, HEREBY DEDICATE AND CONSENT TO RECORD THE ABOVE DESCRIBED TRACT OF LAND, AND I HEREBY AGREE TO BE BOUND BY THE TERMS AND CONDITIONS OF THE ABOVE DEDICATION AND CONSENT TO RECORD FREELY AND VOLUNTARILY.

ACKNOWLEDGMENT

ON THIS _____ DAY OF _____, 2015, I, _____, DO HEREBY ACKNOWLEDGE THAT I AM THE OWNER OF THE ABOVE DESCRIBED TRACT OF LAND, AND THAT I HAVE FREELY AND VOLUNTARILY DEDICATED AND CONSENTED TO RECORD THE ABOVE DESCRIBED TRACT OF LAND.

COUNCIL APPROVAL AND ACCEPTANCE

APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2015 A.D. BY: _____ MAYOR

JAN 07 2015
 PARK CITY
 FACILITY RECORDED

<p>PLANNING COMMISSION</p> <p>APPROVED BY THE PLANNING COMMISSION THIS _____ DAY OF _____, 2015. BY: _____ CHAIRMAN</p>	
<p>ENGINEERS CERTIFICATE</p> <p>I HAVE THIS PLAT FILED IN ACCORDANCE WITH THE INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2015 A.D. BY: _____ PARK CITY ENGINEER</p>	
<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM THIS _____ DAY OF _____, 2015 A.D. BY: _____ PARK CITY ATTORNEY</p>	
<p>CERTIFICATE OF ATTEST</p> <p>I CERTIFY THIS RECORD OF SALES AND HAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2015 A.D. BY: _____ PARK CITY RECORDER</p>	
<p>COUNCIL APPROVAL AND ACCEPTANCE</p> <p>APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2015 A.D. BY: _____ MAYOR</p>	
<p>STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF: _____ DATE: _____ TIME: _____ HOUR _____ PM/AM FEE: _____ RECORDER: _____</p>	

FERRARI SURVEYING, LLC
 825 ARBORE PARK CITY, UTAH
 (435) 640-0442