

Ordinance No. 15-17

**AN ORDINANCE APPROVING THE CONRAD REPLAT PLAT AMENDMENT
LOCATED AT 119 WOODSIDE AVENUE, PARK CITY, UTAH.**

WHEREAS, the owner of the property located at 119 Woodside Avenue has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on May 13, 2015 the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on May 13, 2015 proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on May 27, 2015, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on May 27, 2015, forwarded a recommendation to the City Council; and,

WHEREAS, on June 18, 2015 the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, there is good cause and it is in the best interest of Park City, Utah to approve the 119 Woodside Avenue Plat Amendment.

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

SECTION 1. APPROVAL. 119 Woodside 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 119 Woodside Avenue.
2. The property is in the Historic Residential (HR-1) District.
3. The subject property consists of Lot 6 and Lot 7, Block 32 of the Park City Survey.
4. Lot 6 contains a single-family dwelling, built in 2013. The building footprint of the single-family dwelling is approximately 841 square feet.
5. Lot 7 is currently vacant.
6. The proposed plat amendment creates one (1) lot of record from the existing area consisting of approximately 3,750 square feet.
7. A single-family dwelling is an allowed use in the Historic Residential (HR-1) District.
8. The minimum lot area for a single-family dwelling is 1,875 square feet; the lot at

- 119 Woodside Avenue will be 3,750 square feet. The proposed lot meets the minimum lot area for a single-family dwelling.
9. The maximum building footprint for a lot this size, 3,750 square feet, is 1,519 square feet.
 10. The proposed lot meets the minimum lot area for a duplex dwelling. Conditional uses are reviewed and approved by the Planning Commission.
 11. The minimum lot width allowed in the district is twenty-five feet (25'). The proposed lot is fifty feet (50') wide. The proposed lot meets the minimum lot width requirement.
 12. The minimum side yard setbacks for a twenty-five foot (25') wide lot are three feet (3').
 13. The minimum side yard setbacks for a fifty foot (50') wide lot are five feet (5').
 14. When the single-family dwelling was built in 2013, it was built with the minimum side yard setbacks of three feet (3') as the lot width qualified as such.
 15. Once the two (2) lots are combined, it would make the existing single-family dwelling legal non-complying as the structure would not meet the increased side yard setbacks from three feet (3') to five feet (5').
 16. The combined side yards setbacks are to be ten feet (10') per Table 15-2.2 in the Land Management Code.
 17. As currently built the house was designed three feet (3') from the south property line.
 18. There is an existing historic rock wall associated with the historic structure located to the north at 133 Woodside Avenue. The historic rock wall extends along the east property line of Lot 7. The historic rock wall cannot be removed.
 19. Plat Notes need to be added on the proposed Plat Amendment stating the following:
 - a. The existing single-family dwelling was built with a three foot (3') side yard setback in 2013.
 - b. The north side yard setback shall be seven feet (7'), minimum, to meet the minimum combined setback requirement of ten feet (10').
 - c. The combined side yard setbacks shall be ten feet (10'), minimum.
 20. The proposed plat amendment will not cause undo harm to adjacent property owners.
 21. The proposed lot area of 3,750 square feet is a compatible lot combination as the entire Historic Residential-1 District has abundant sites with the same dimensions.
 22. The applicant applied for a Historic District Design Review (HDDR) application to construct an outdoor living space and storage shed on March 3, 2015. A Pre-Historic District Design Review
 23. The applicant applied for a Plat Amendment application on March 3, 2015. The Plat Amendment application was deemed complete on March 26, 2015.
 24. 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 Woodside Avenue frontage of the property and shall be shown on the plat prior to recordation.
4. The property owner must enter into an encroachment agreement with the owner(s) of 133 Woodside Avenue for the existing historic rock wall located on the east property line of Lot 7.
5. 13-D sprinklers are required for any new construction or significant renovation of existing.
6. A note shall be added on the Plat that states the following:
 - a. The existing single-family dwelling was built with a three foot (3') side yard setback in 2013.
 - b. The north side yard setback shall be seven feet (7'), minimum, to meet the minimum combined setback requirement of ten feet (10').
 - c. The combined side yard setbacks shall be ten feet (10'), minimum.

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

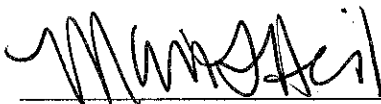
PASSED AND ADOPTED this 18th day of June, 2015.

PARK CITY MUNICIPAL CORPORATION



Jack Thomas, MAYOR

ATTEST:





Marci Heil, City Recorder

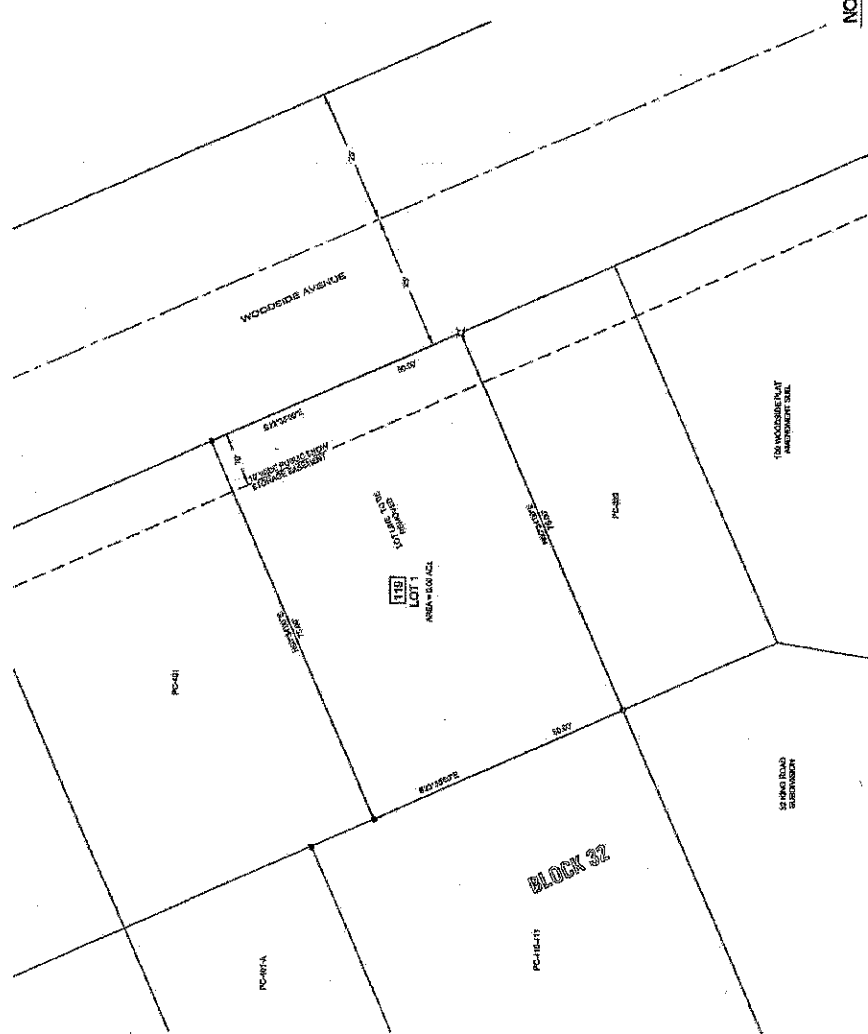
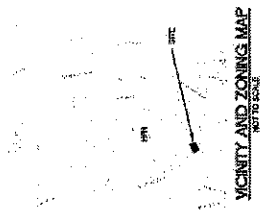
APPROVED AS TO FORM:



Mark Harrington, City Attorney

Attachment 1 – Proposed Plat

CONRAD REPLAT
 LOT 6 & LOT 7, BLOCK 32 PARK CITY SURVEY
 LOCATED IN THE SOUTHEAST QUARTER OF SECTION 18
 TOWNSHIP 2S RANGE 4E
 SALT LAKE BASE AND MERIDIAN



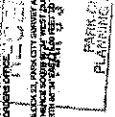
OWNER'S DEDICATION AND CONSENT TO RECORD
 I, the undersigned owner of the above described tract of land, have cleared my mind and have fully considered the contents of this replat and have agreed to execute this replat and to execute the necessary documents to record this replat and to execute the necessary documents to record this replat and to execute the necessary documents to record this replat.

ACKNOWLEDGMENT

I, the undersigned, do hereby certify that I am the owner of the above described tract of land and that I have executed this replat and the necessary documents to record this replat and to execute the necessary documents to record this replat.

LEGAL DESCRIPTION

That certain replat of Lot 6 and Lot 7, Block 32, Park City Survey, located in the Southeast Quarter of Section 18, Township 2S, Range 4E, Salt Lake Base and Meridian, as more particularly described as follows:




SURVEYOR'S STATEMENT

I, the undersigned, do hereby certify that I am a duly licensed and qualified surveyor and that I have executed this replat and the necessary documents to record this replat and to execute the necessary documents to record this replat.

LEGEND

- PROPERTY LINE
- CENTERLINE
- EASEMENT
- STREET ADDRESS ON WOODSIDE AVE.

NOTES:
 1. APPROVED BY THE BOARD OF CITY COMMISSIONERS AS REQUIRED BY THE CITY CHARTER.
 2. THIS REPLAT IS SUBJECT TO THE CONDITIONS OF APPROVAL IN ORDINANCE 14-10.

<p>RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AFTER RECORD TO DATE: _____ TIME: _____ INDEX _____</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE I hereby approve and accept the replat of the above described tract of land, as more particularly described as follows: DATE: _____ TIME: _____ INDEX _____</p>	<p>CERTIFICATE OF ATTEST I hereby certify that the replat of the above described tract of land, as more particularly described as follows: DATE: _____ TIME: _____ INDEX _____</p>	<p>APPROVAL AS TO FORM I hereby approve the replat of the above described tract of land, as more particularly described as follows: DATE: _____ TIME: _____ INDEX _____</p>	<p>ENGINEER'S CERTIFICATE I hereby certify that the replat of the above described tract of land, as more particularly described as follows: DATE: _____ TIME: _____ INDEX _____</p>	<p>PLANNING COMMISSION I hereby approve the replat of the above described tract of land, as more particularly described as follows: DATE: _____ TIME: _____ INDEX _____</p>	<p>ENTIREVILLE WASHMERE RECLAMATION DISTRICT I hereby approve the replat of the above described tract of land, as more particularly described as follows: DATE: _____ TIME: _____ INDEX _____</p>	<p>FERRARI SURVEYING, LLC 1222 S. 600 EAST, SUITE 100 PARK CITY, UTAH 84304</p> 
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