

Ordinance No. 15-25

**AN ORDINANCE APPROVING THE 222 SANDRIDGE AVENUE PLAT AMENDMENT
LOCATED AT 222 SANDRIDGE AVENUE, PARK CITY, UTAH.**

WHEREAS, the owner of the property located at 222 Sandridge Avenue has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on June 20, 2015, the property was properly noticed according to the requirements of the Land Management Code and legal notice was published in the Park Record; and

WHEREAS, on June 24, 2015, the property was posted and notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on July 8, 2015, to receive input on Plat Amendment; and

WHEREAS, the Planning Commission, on July 8, 2015, forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 30, 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 222 Sandridge Avenue Plat Amendment.

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

SECTION 1. APPROVAL. The 222 Sandridge Avenue plat amendment 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 222 Sandridge Avenue.
2. The property is in the Historic Residential-1 (HR-1) Zoning District.
3. The subject property consists of portions of Lots 19, 20, and 21, Block 72, Park City Survey.
4. The property is recognized by Summit County as Parcel PC-600 (Tax ID).
5. There is an existing landmark historic structure located on Lots 19 and 20 that straddles the common property line. The house was constructed circa 1904.
6. The proposed Plat Amendment creates one (1) lot of record from portions of three (3) lots consisting of a total of 3,553 square feet.

7. The maximum building footprint for a lot this size is 1,455 square feet.
8. A single-family dwelling is an allowed use in the Historic Residential-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. A duplex dwelling is a conditional use in the Historic Residential-1 District.
12. The minimum lot area for a duplex dwelling is 3,750 square feet.
13. The proposed lot does not meet the minimum lot area for a duplex dwelling.
14. The minimum lot width allowed in the Historic Residential-1 District is twenty-five feet (25'). The proposed lot is 31.96 feet wide and meets the minimum lot width requirement.
15. The existing historic house has a zero side yard setback on the north property line. This is a legal non-complying condition because the house is historic and this portion of the house was added on circa mid- 1940s. Existing house complies with the south side yard setback.
16. The submitted certified as-built survey shows a tiered historic low rubble stone wall (no foundation, just piled stones) buried in heavy vegetation encroaching a diminimus 3"-4" onto subject property from the property to the west for approximately five feet (5') along the rear property line.
17. An historic rubble pile of rocks is also located between the subject property and property to the north. It is about 18" high and does not have a foundation. The pile of rocks retains the ground between the two houses. This encroachment is historic and diminimus in nature.
18. A railroad tie retaining wall is located on the property line between the subject property and adjacent property to the north. The railroad tie wall encroaches from the property to the north onto subject property a diminimus 1"-2" for about five feet (5') in one area and encroaches approximately 15" onto subject property at another location to the east.
19. The applicant bears the burden of proper approvals for the railroad wall that encroaches 15", which may include providing an encroachment agreement for the neighbor, or the retaining walls may be relocated or removed to be completely on each separate property.
20. The property is located within the Flood Plain area identified on the FEMA maps.
21. The property is located within the Park City Soils Ordinance boundary.
22. Establishment of a sewer easement and upgraded sewer laterals are required for this property.
23. According to the title report and existing conditions survey, the road, "Sandridge Avenue", is not part of the proposed plat. To ensure that access to 228 Sandridge is not impeded by this proposed plat Staff recommends a condition of approval that prior to recordation of the plat the property owner will verify that the driveway access to 228 Sandridge Avenue is not impeded and if the driveway is located on a portion of 222 Sandridge Avenue then an access easement will be required to be provided for the benefit of 228 Sandridge Avenue.
24. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusion 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 plat amendments.
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 the final signed mylar has not been presented to the City for City signatures for recordation 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 of July 30, 2016, and an extension is granted by the City Council.
3. All new construction shall comply with LMC setback regulations in effect at the time of building permit issuance.
4. A ten feet (10') wide public snow storage easement will be required along the Sandridge Avenue frontage of the property and shall be shown on the plat prior to recordation.
5. 13-D sprinklers are required for any new construction or significant renovation of existing.
6. The encroaching railroad tie retaining wall on the north property line shall be resolved prior to plat recordation.
7. An elevation certificate, showing that the lowest occupied floor is at or above the Base Flood Elevation (BFE), shall be submitted prior to issuance of a building permit and reviewed by the City Engineer.
8. All requirements of the Park City Soils Ordinance shall be complied with as part of the building permit process for any future construction on this property.
9. All requirements of the Snyderville Basin Water Reclamation District shall be satisfied prior to recordation of the plat.
10. Prior to plat recordation the property owner shall verify that the driveway for 228 Sandridge is not located on subject property (222 Sandridge) and if it is located on 222 Sandridge or a portion thereof, an access easement shall be provided for the benefit 228 Sandridge Avenue.

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

PASSED AND ADOPTED this 30th day of July, 2015.

PARK CITY MUNICIPAL CORPORATION

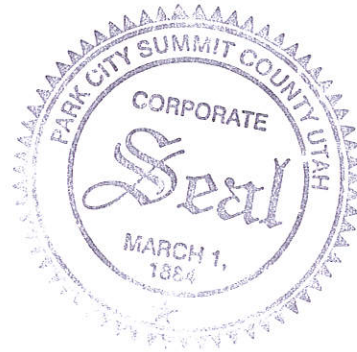


Jack Thomas, MAYOR

ATTEST:



Karen Anderson, Deputy City Recorder



APPROVED AS TO FORM:



Mark Harrington, City Attorney