

Ordinance No. 15-26

**AN ORDINANCE APPROVING THE 823 WOODSIDE REPLAT
LOCATED AT 823 WOODSIDE AVENUE, PARK CITY, UTAH.**

WHEREAS, the owner of the property located at 823 Woodside 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 April 8, 2015, to receive input on Plat Amendment; and

WHEREAS, the Planning Commission, on May 7, 2015, forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 7, 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 923 Park Avenue Subdivision Plat Amendment.

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

SECTION 1. APPROVAL. 823 Woodside Replat 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 823 Woodside Avenue.
2. The property is in the Historic Residential-1 District.
3. The subject property consists of the north one-half (½) of Lot 5 and all of lot 6, Block 11, Snyder's Addition to the Park City Survey.
4. The entire area is recognized by the County as Parcel SA-124.
5. The site is listed on Park City's Historic Site Inventory and is designated as a significant historic site.
6. The building footprint of the existing dwelling is approximately 1,000 square feet.
7. The proposed plat amendment creates one (1) lot of record from the existing area consisting of 2,558 square feet.

8. The maximum building footprint for a lot this size, 2,558 square feet, is 1,107.8 square feet.
9. A single-family dwelling is an allowed use in the Historic Residential-1 District.
10. The minimum lot area for a single-family dwelling is 1,875 square feet.
11. The proposed lot meets the minimum lot area for a single-family dwelling.
12. The minimum lot width allowed in the district is twenty-five feet (25').
13. The proposed lot is 37.68 feet wide.
14. The proposed lot meets the minimum lot width requirement.
15. The existing historic structure does not meet the north and south side yard setbacks.
16. The structure is less than one foot (1') from the north side yard property line.
17. The structure is just over four feet (4') from the south side yard property line.
18. The minimum side yard setbacks for a lot that is 37.68 feet wide is five feet (5').
19. Land Management Code § 15-2.2-4 indicates that historic structures that do not comply with building setbacks are valid complying structures.
20. Additions to historic structure must comply with building setbacks.
21. The existing remnant parcel, the half (½) lot will become part of a legal lot of record.
22. The other half (½) of Lot 5 is owned by another entity, recognized as parcel SA-23, 817 Woodside Avenue, and has not been incorporated into its own replat.
23. The existing historic structure straddles the lot line between Lot 5 and Lot 6.
24. The Plat Amendment would make the historic structure be in one (1) of lot of record instead of having most of the structure on Lot 6 and a small portion of the structure on half (½) of Lot 5, a separate remnant parcel.
25. The historic structure is less than one foot (1') from the north side property line and the overhang on that side encroaches 0.2 feet into the north neighboring property.
26. The historic structure on 817 Woodside Avenue, directly south of the subject property, is less than one foot (1') from the south property line and its roof overhang encroaches by 0.8 feet on to this property.
27. The historic roof eave encroachments are de minimus, and encroachment agreements are not required.
28. The retaining wall along the east property line encroaches into the City Right-of-Way. This encroachment must be addressed prior plat recordation.
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 Subdivisions.
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 front of the property.
4. 13-d sprinklers will be required per the Chief Building Official for any significant renovation.
5. The retaining wall along the east property line encroaches into the City Right-of-Way. This encroachment must be addressed prior plat recordation.

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

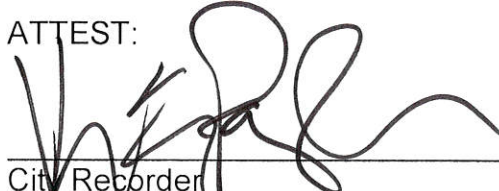
PASSED AND ADOPTED this 7th day of May, 2015.

PARK CITY MUNICIPAL CORPORATION



Jack Thomas, MAYOR

ATTEST:



City Recorder



APPROVED AS TO FORM:



Mark Harrington, City Attorney

