

Ordinance No. 15-32

**AN ORDINANCE APPROVING THE THOMAS REPLAT
LOCATED AT 147 GRANT AVENUE, PARK CITY, UTAH.**

WHEREAS, the owners of the property located at 147 Grant Avenue have 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 July 22, 2015, to receive input on Plat Amendment; and

WHEREAS, the Planning Commission, on July 22, 2015, forwarded a positive recommendation to the City Council; and,

WHEREAS, on August 20, 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 Thomas Replat.

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

SECTION 1. APPROVAL. Thomas 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 147 Grant Avenue.
2. The property is in the Historic Residential-2 District.
3. The subject property consists of a portion of Lots 21, 22, 23, and 24, Block 72, Millisite Reservation to Park City Plat.
4. The site is currently vacant.
5. The proposed plat amendment creates one (1) lot of record from the existing lot portions consisting of 3,634 square feet.
6. A single-family dwelling is an allowed use in the Historic Residential-2 District.
7. The minimum lot area for a single-family dwelling is 1,875 square feet.
8. The proposed lot meets the minimum lot area for a single-family dwelling.

9. A duplex dwelling is a conditional use in the Historic Residential-2 District.
10. The minimum lot area for a duplex dwelling is 3,750 square feet.
11. The proposed lot does not meet the minimum lot area requirements for a duplex dwelling.
12. The minimum lot width allowed in the Historic Residential-2 District is twenty-five feet (25'), measured fifteen feet (15') back from the front lot line.
13. The proposed lot is approximately forty five feet (45') wide measured fifteen feet (15') back from the front lot line.
14. The proposed lot meets the minimum lot width requirement.
15. The maximum building footprint for a lot this size, 3,634 square feet, is 1,481.4 square feet.
16. The legal description as indicated on the survey, title report, and proposed plat, has specific language tied to two (2) fence lines.
17. In order to ensure appropriate property boundaries, Staff has been advised by the City Engineer to add a Condition of Approval that would have a Utah licensed surveyor address and resolve any possible discrepancies.
18. The site is located adjacent to City stairs to the North.
19. As indicated on the certified survey, these City stairs are not on the subject site.
20. The site is located within the Park City Landscaping and Maintenance of Soil Cover Ordinance, and is required to meet to Soils Ordinance capping requirements.
21. 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 foot (10') wide public snow storage easement will be required along the front of the property.
4. The Applicant shall submit appropriate documentation prepared by a Utah licensed Surveyor regarding property boundary to ensure that no discrepancies

exist on the proposed Plat Amendment. The documentation may include reconciling quit claim deeds, warranty deeds, adjacent recorded Plat Amendments, etc. The 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.

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

PASSED AND ADOPTED this 20th day of August, 2015.

PARK CITY MUNICIPAL CORPORATION



Jack Thomas, MAYOR

ATTEST:



Kristin Parker, Deputy City Recorder



APPROVED AS TO FORM:



Mark Harrington, City Attorney

Attachment 1 – Proposed Plat

