

**AN ORDINANCE APPROVING THE 950 EMPIRE AVENUE PLAT AMENDMENT,
LOCATED AT 950 EMPIRE AVENUE, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as the 950 Empire Avenue plat amendment located at 950 Empire Avenue, have petitioned the City Council for approval of the 950 Empire Avenue plat amendment; and

WHEREAS, on July 8, 2015, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on July 8, 2015, proper legal notice was sent to all affected property owners according to the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on July 22, 2015 to receive input on the proposed plat amendment;

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

WHEREAS, on August 20, 2015 the City Council held a public hearing on the proposed 950 Empire Avenue plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed 950 Empire Avenue plat amendment.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The 950 Empire 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 plat amendment is located at 950 Empire Avenue within the Historic Residential (HR-1) District.
2. The 950 Empire Avenue plat amendment consists of Lots 21 & northerly ½ remnant lot of 22 of Block 15 of the Snyder's Addition to the Park City Survey.
3. On May 22, 2015, the applicants submitted an application for a plat amendment to combine one and a half (1.5) lots containing a total of 2,812.5 square feet into one (1) lot of record.
4. The application was deemed complete on May 22, 2015.
5. The lots at 950 Empire Avenue currently contain an existing A-frame single family home.

6. The HR-1 District requires a minimum lot area of 1,875 square feet for a single family dwelling.
7. The maximum footprint allowed in the HR-1 District is 1,201 square feet for the proposed lot based on the lot area of the lot.
8. The existing side yard setbacks to the north are 3.75 feet and 4.38 feet to the south which complies with the LMC.
9. The front yard setback is 30.63 feet which complies with the LMC but the rear yard setback is only 6.25 feet which makes this structure legal, non-conforming.
10. The plat amendment secures public snow storage easements of ten (10') feet across the frontage of the lot.

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 amendment for compliance with State law, the LMC, and the conditions of approval, prior to recordation of the plat amendment.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat amendment will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Recordation of this plat amendment and completion and approval of a final HDDR and Steep Slope CUP, if required, applications are required prior to building permit issuance for any construction on the proposed lot.
4. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final mylar prior to recordation.
5. All new construction shall meet the site and lot requirements in the LMC current at the time of building permit application.
6. A ten foot (10') wide public snow storage easement is required along the frontage of the lots with Lowell Avenue and shall be shown on the plat amendment.
7. Snowshed agreements from each neighbor are required prior to building permit approval.

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

PASSED AND ADOPTED this ___ day of _____, 2015

PARK CITY MUNICIPAL CORPORATION


Jack Thomas, MAYOR

ATTEST:



Kristin Parker, Deputy City Recorder

APPROVED AS TO FORM:



Mark Harrington, City Attorney



