

**Ordinance No. 15-50**

**AN ORDINANCE APPROVING THE 1114 PARK AVENUE PLAT AMENDMENT  
LOCATED AT 1114 PARK AVENUE, PARK CITY, UTAH.**

WHEREAS, the owner of the property located at 1114 Park Avenue has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on October 28, 2015 the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on October 24, 2015 proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on November 11, 2015, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on November 11, 2015, forwarded a positive recommendation to the City Council; and,

WHEREAS, on December 3, 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 1114 Park Avenue Plat Amendment.

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

**SECTION 1. APPROVAL.** 1114 Park 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 1114 Park Avenue.
2. The property is in the Historic Residential Medium-Density (HR-M) District.
3. The subject property consists of three (3) parcels which include: parcel #1, the northerly half of Lot 3 and all of Lot 4, Block 56, Snyder's Addition; remnant parcels #2 and #3 including the parcels that abut the easterly line of Block 56 extending approximately twenty feet (20') east towards the western flank of Park City Municipal Corporation property (Parcel No. SA-360-A-X).
4. Parcel #1 (the northerly half of Lot 3 and all of Lot 4) contains a historic house, built in 1901. The existing historic house straddles the lot line between the northerly half of Lot 3 and Lot 4, Block 56, Snyder's Addition.
5. The building footprint of the historic house is approximately 1,318 square feet.

6. The historic house is listed as "Significant" on the Historic Sites Inventory (HSI).
7. A historic single-car garage accessory structure is located on Parcel #2. The historic single-car garage accessory structure encroaches into Park City Municipal Sullivan Corporation property.
8. The building footprint of the historic single-car garage accessory structure is approximately 312 square feet.
9. The single-car garage accessory structure is associated with the "Significant" site and is also considered historic ("Significant") as it contributes to the historic context of the house and site as a whole.
10. The proposed plat amendment creates one (1) lot of record from the existing three (3) parcels equaling 3,615.23 square feet.
11. A single-family dwelling is an allowed use in the Historic Residential Medium-Density (HR-M) District.
12. The minimum lot area for a single-family dwelling is 1,875 square feet; the lot at 1114 Park Avenue will be 3,615.23 square feet. The proposed lot meets the minimum lot area for a single-family dwelling.
13. The combined lot does not meet the requirements for a duplex (minimum lot size of 3,750 square feet), which is a Conditional Use in the HR-M zone.
14. The minimum lot width allowed in the HR-M District is thirty-seven and one-half feet (37.5'). The proposed lot is thirty-seven and one-half feet (37.5') wide.
15. The historic single-car garage accessory structure cannot be removed; therefore, the property owner must enter into an encroachment agreement with the City as approved by City Council for the encroachment into Park City Municipal Corporation property.
16. The vertical wood slat fence located on the east side of the property can either be removed, or the applicant must enter into an encroachment agreement with the City, as approved by City Council, and the property owner of 1108 Park Avenue.
17. The applicant can either remove the vertical wood slat fence located on the south side of the property or enter into an encroachment agreement with the property owner of 1108 Park Avenue.
18. The existing historic house does not meet the required side yard setback on the north. The side yard setback on the north side is 0 ft. 7.2 in. to 1 ft. 2.4 in. (from east to west). The existing historic house meets all requirements for front and rear setbacks and the south side yard setback. The front yard setback is 17 ft. to 16 ft. 7.2 in. (from north to south). The rear yard setback is 22 ft. 9.6 in. to 23 ft. (from north to south).
19. The existing historic single-car garage accessory structure does not meet the required side yard setback on the south or the rear yard setback. The side yard setback on the south side is 0 ft. The rear yard setback is 0 ft. (the historic single-car garage accessory structure encroaches into Park City Municipal Corporation property). The existing historic single-car garage accessory structure meets all requirements for front and north side yard setbacks. The front yard setback is 79 ft. to 78 ft (from north to south). The north side yard setback is 24 ft. 4.8 in. to 24 ft. (from east to west).
20. In accordance with the Land Management Code (LMC) 15-2.2-4, Historic

Structures that do not comply with Building Setbacks are valid Complying Structures. Additions must comply with Building Setbacks, Building Footprint, driveway location standards and Building Height.

21. The property is located in a FEMA Flood Zone A which requires the lowest occupied floor to be equal to or above the base flood elevation. An elevation certificate will be required.
22. The property is located within the Park City Soils Ordinance. A Certificate of Compliance will be required.
23. The proposed plat amendment will not cause undo harm to adjacent property owners.
24. The proposed lot area of 3,615.23 square feet is a compatible lot combination as the entire Historic Residential Medium-Density (HR-M) District has abundant sites with similar dimensions.
25. On July 2, 2015, the Planning Department received a Historic District Design Review (HDDR) Application. The application was deemed complete on August 21, 2015. The application was approved on October 30, 2015.
26. On October 1, 2015, the applicant applied for a Plat Amendment application for 1114 Park Avenue; the application was deemed complete on October 13, 2015.
27. On October 21, 2015 the Historic Preservation Board reviewed and approved the removal of existing material from the historic house and existing material from the historic single-car garage accessory structure as a part of the HDDR application.
28. The Planning Commission reviewed the plat amendment on November 11, 2015, and forwarded a positive recommendation to City Council with a unanimous vote of 6-0 in favor of the plat amendment.
29. 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:

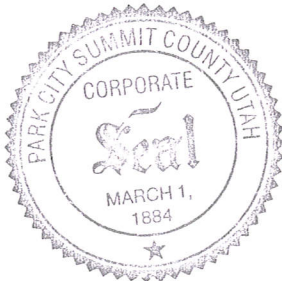
1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the 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 Park Avenue frontage of the property and shall be shown on the plat prior to

recording.

4. The historic single-car garage accessory structure cannot be removed; therefore, the property owner must enter into an encroachment agreement with the City, as approved by City Council, for the encroachment into Park City Municipal Corporation Property prior to recording of the plat.
5. The vertical wood slat fence located on the east side of the property can either be removed, or the applicant must enter into an encroachment agreement with the City and the property owner of 1108 Park Avenue prior to recording of the plat.
6. The applicant can either remove the vertical wood slat fence located on the south side of the property or enter into an encroachment agreement with the property owner of 1108 Park Avenue prior to recording of the plat.
7. 13-D sprinklers are required for any new construction or significant renovation of existing and this shall be noted on the final plat.

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

PASSED AND ADOPTED this 3rd day of December, 2015.



PARK CITY MUNICIPAL CORPORATION

  
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Jack Thomas, MAYOR

ATTEST:

  
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Michelle Kellogg  
City Recorder

APPROVED AS TO FORM:

  
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Mark Harrington, City Attorney

**Attachment 1 – Proposed Plat**





