

Ordinance No. 16-04

AN ORDINANCE APPROVING THE 823 NORFOLK AVENUE PLAT AMENDMENT LOCATED AT 823 NORFOLK AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 823 Norfolk Avenue have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on November 25, 2015, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on November 21, 2015, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on December 9, 2015, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on December 9, 2015, forwarded a positive recommendation to the City Council; and,

WHEREAS, on January 7, 2016, 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 823 Norfolk Avenue Plat Amendment.

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

SECTION 1. APPROVAL. The 823 Norfolk 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 823 Norfolk Avenue.
2. The property is in the Historic Residential (HR-1) District.
3. The subject property consists of all of Lots 5 and 6 and a portion of Lot 7, Block 14, Snyder's Addition to Park City. The proposed plat amendment creates one (1) lot of record.
4. This site is listed on Park City's Historic Sites Inventory (HSI) and is designated as Landmark.
5. The Plat Amendment removes two (2) lot lines going through the historic structure.
6. The proposed Plat Amendment combines the property into one (1) lot measuring 3,925.25 square feet.
7. A single-family dwelling is an allowed use in the District.

8. The minimum lot area for a single-family dwelling is 1,875 square feet. The proposed lots meet the minimum lot area for single-family dwellings.
9. The proposed lot width is 50.01 feet along Norfolk Avenue and 50.00 along Crescent Tram; this property has two frontages.
10. The minimum lot width required is twenty-five feet (25'). The proposed lot meets the minimum lot width requirement.
11. The maximum building footprint allowed based on proposed lot size is 1,574.15 square feet. The house, historic shed, and non-historic shed equate to a footprint of approximately 1,830. The historic structures are valid non-complying.
12. The minimum front/rear yard setbacks are twelve feet (12'). The minimum total front/rear yard setbacks are twenty-five feet (25').
13. The minimum side yard setbacks are five feet (5').
14. The existing historic structure does not meet the north side yard setback or the west rear yard setback along Crescent Tram. Per LMC § 15-2.2-4 indicates that historic structures that do not comply with building setbacks are valid complying structures.
15. 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 lot combinations.
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 Planner, 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 Norfolk Avenue and Crescent Tram frontages of the property.
4. The property owner shall resolve the historic shed encroachment over the rear property line and concrete stairs, concrete retaining wall, and stone retaining wall over the front property line into the City Right-of-Way (ROW) by entering into an encroachment agreement with the City Engineer.
5. The remaining stone retaining walls and stone steps encroaching over the north and south property lines into private property shall either be removed or the applicant shall enter into an encroachment agreement with their neighbors for these improvements.

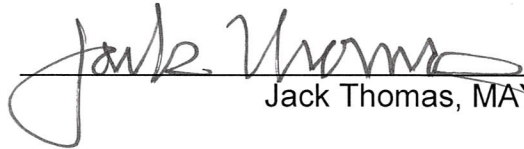
6. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.
7. Ten foot (10') public snow storage easements shall be granted along the front and rear property lines on Norfolk Avenue and Crescent Tram.
8. No vehicular driveway access is permitted off of Crescent Tram.

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

PASSED AND ADOPTED this 7th day of January, 2016.

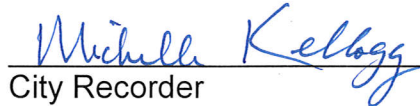


PARK CITY MUNICIPAL CORPORATION



Jack Thomas, MAYOR

ATTEST:



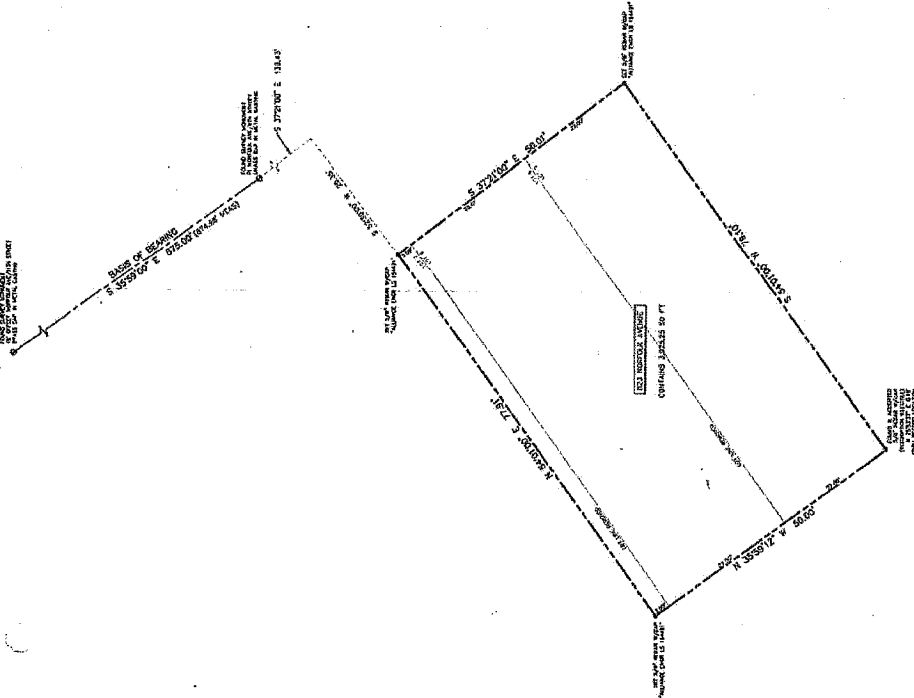
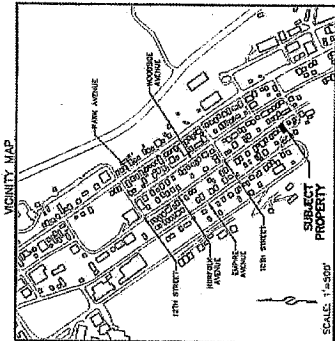
Michelle Kellogg
City Recorder

APPROVED AS TO FORM:



Mark Harrington, City Attorney

Attachment 1 – Proposed Plat



SURVEYOR'S CERTIFICATE

I, Jerry Shappe, Surveyor General of Utah, do hereby certify that the foregoing plat was prepared under my direction and that the same has been or will be recorded in the public records of the State of Utah in accordance with the provisions of the laws of this State relating to the recording of surveys.

BOUNDARY DESCRIPTION

LOTS 5, AND 6 OF BLOCK 14, SURVEYED AND RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE, together with a parcel more particularly described as follows:
 Beginning at the northeast corner of Lot 5, Block 14, Snyder's Addition to Park City, and running North 35°59'12" West 330.0 feet to the southeast corner of said Lot 5, thence North 35°59'12" West 330.0 feet, thence North 54°01' East 77.91 feet, thence South 37°21' East 300.0 feet to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

WHEREAS, ALL AND BY THESE PRESENTS, that the Owners of the herein described piece of land, to the common knowledge of ALL INTERESTED PARTIES, do hereby certify that they have received the full and complete consideration therefor, and that they have consented to the recording of this Plat;

In witness whereof, the undersigned set his hand this _____ day of _____, 2018.

Jerry Shappe

ACKNOWLEDGMENT

State of _____
 County of _____
 I, _____, of the County of _____, State of _____, do hereby certify that the foregoing plat was prepared by me or under my direction and control, and that the same has been or will be recorded in the public records of the State of Utah in accordance with the provisions of the laws of this State relating to the recording of surveys.

NOTE: This condition is subject to the Conditions of Approval in Ordinance 18-_____.

A COMBINATION OF LOT 6 AND PARTS OF LOTS 5 AND 7, BLOCK 14,
 SNYDER'S ADDITION TO PARK CITY SURVEY
823 NORFOLK AVENUE PLAT AMENDMENT

LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

(435) 644-4447 		SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2018	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2018	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2018	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AS TO FORM THIS _____ DAY OF _____, 2018 APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2018	CERTIFICATE OF ATTEST I HAVE REVIEWED THE FOREGOING PLAT AND FIND THAT IT WAS PREPARED BY A LICENSED SURVEYOR AND FILED IN THE PUBLIC RECORDS OF THE STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DAY _____, 2018. DATE _____ TIME _____ ENTRY NO. _____
SHEET 1 OF 1		FILE NO. 2018-0001-18				