

Ordinance No. 16-16

AN ORDINANCE APPROVING THE FIRST AMENDED SUNNYSIDE SUBDIVISION LOT 10 PLAT AMENDMENT LOCATED AT 615 MELLOW MOUNTAIN ROAD, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 615 Mellow Mountain Road has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on January 23, 2016, the property was properly noticed according to the requirements of the Land Management Code and legal notice was published in the Park Record; and

WHEREAS, on January 27, 2016, the property was posted and notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on February 10, 2016, to receive input on Plat Amendment; and

WHEREAS, the Planning Commission, on February 10, 2016, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 24, 2016, 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 First Amended Sunnyside Subdivision plat amendment.

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

SECTION 1. APPROVAL. The First Amended Sunnyside Subdivision Lot 10 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 property is located at 615 Mellow Mountain Road.
2. The property is in the Single Family (SF) Zoning District.
3. The subject property consists of platted Lot 10 of the Sunnyside Subdivision and a remnant parcel located adjacent to the easterly boundary of Lot 10.
4. The property, including Lot 10 and the remnant parcel, is recognized by Summit County as Parcel SNS-10 (Tax ID).
5. The property is currently undeveloped and the owner would like to construct a single family home on the new platted lot.
6. The proposed plat amendment creates one (1) 20,518 square foot (sf), platted lot of record, by combining the 16,163 sf existing Lot 10 and the 4,355 sf remnant

parcel under common ownership.

7. There are no minimum or maximum lot sizes in the SF District.
8. Lots in Sunnyside Subdivision range in area from 8,596 sf to 23,860 sf.
9. Sunnyside Subdivision was approved by City Council on July 19, 1979 and recorded at Summit County on August 3, 1979.
10. At the time of plat recordation, land adjacent and to the east, was by error not included in the subdivision plat drafted for recordation. The eastern boundary of the subdivision was to coincide with the eastern boundary of the MS 5665 Lilly No. 3 Mining Claim.
11. The Sunnyside Subdivision plat was drawn up excluding this approximately 31' wide strip of property. The strip of land runs north/south from the southern boundary of Lot 10 to the northern boundary of Lot 11 across Mellow Mountain Road.
12. The platting error was discovered in December of 1979 and the 31' wide strip was quit claimed from the original land owner/developer (Royal Street Land Company) to the owner of the recorded subdivision (Park City Alliance, James Gaddis Investment Company, LTD, etc.), as Entry No 161985, Book M147, Page 467 at the Summit County Recorder's Office.
13. On January 15, 1981, a warranty deed, Entry No. 175389, Book M 177, Page 414, was recorded at the Summit County Recorder's office conveying a parcel approximately 31 feet wide extending the length of Lot 10 from the southerly boundary to the northerly boundary. This parcel is the 4,355 sf remnant parcel subject to the requested plat amendment.
14. A similar warranty deed was entered into the records for Lot 11.
15. In 1986 a building permit was issued for construction of a single family house on Lot 11 located at 606 Mellow Mountain Road. The house was constructed across the warranty deed line and there was no requirement for a plat amendment at that time. The house on Lot 11 was constructed with a side setback measured from the eastern boundary of the warranty deed description, which is the eastern boundary of TAX ID number SNS-11.
16. The applicant desires to construct a single family house on the amended Lot 10.
17. There is no maximum building footprint or house size identified for the Sunnyside Subdivision and all requirements of Land Management Code Section 15-2.11 (SF District) apply.
18. A single-family dwelling is an allowed use in the Single Family (SF) District.
19. There is not a minimum or maximum lot width identified in the SF District. The existing lot is 63.54 feet wide and the proposed lot will be 97.74 feet wide.
20. Access to the property is from Mellow Mountain Road, a public street.
21. Duplexes and multi-family dwellings are not allowed in the SF District.
22. There are no encroachment issues.
23. Utility easements recorded on the Sunnyside Subdivision plat are required to be shown on the amended plat, including 5' wide non-exclusive utility easements along the front and side lot lines and 20' wide non-exclusive utility easement along the rear lot line.
24. There are no existing utilities in the 5' non-exclusive utility easement along the existing Lot 10 easterly property boundary and the Summit County documents

show that the 5' easement was moved to the eastern boundary of the warranty deed (remnant parcel). The plat amendment plat will memorialize utility easements per the original plat and warranty deed.

25. An existing wastewater line extends along the western property line of Lot 10.
26. The final mylar plat is required to be signed by the Snyderville Basin Water Reclamation District to ensure that requirements of the District are addressed prior to plat recordation.
27. Snow storage area is required along public streets and rights-of-way due to the possibility of large amounts of snowfall in this location.
28. 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 plat amendments.
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 the plat is not recorded 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 of March 10, 2017 and an extension is granted by the City Council.
3. All new construction shall comply with LMC setback regulations in effect at the time of building permit issuance.
4. A ten foot (10') wide public snow storage easement is required along the Mellow Mountain Road frontage of the property and shall be shown on the plat prior to recordation.
5. A five foot (5') wide non-exclusive public utilities and SBWRD easement is required along the front and side lot lines of the new lot.
6. A twenty foot (20') wide non-exclusive public utilities easement is required along the rear lot line of the new lot.
7. Modified 13-D sprinklers are required for any new construction and shall be noted on the plat.
8. All requirements of the Snyderville Basin Water Reclamation District shall be satisfied prior to recordation of the plat and/or noted on the plat.

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

PASSED AND ADOPTED this 24th day of March, 2016.



PARK CITY MUNICIPAL CORPORATION



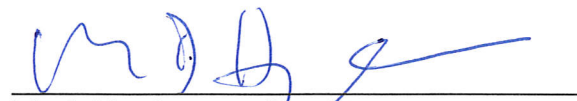
Jack Thomas, MAYOR

ATTEST:



Michelle Kellogg, City Recorder

APPROVED AS TO FORM:



Mark Harrington, City Attorney

Exhibit A- Proposed plat

EXHIBIT A

SUNNYSIDE SUBDIVISION
 I, _____, the undersigned, being a duly qualified and licensed Surveyor, do hereby certify that the information on this plat is accurate.



DEED DESCRIPTION
 LOT 10, SUNNYSIDE SUBDIVISION, according to the official plat thereof, recorded in the Summit County Recorder's Office.
 Also:
 Beginning at the southeast corner of Lot 10, SUNNYSIDE SUBDIVISION according to the official plat thereof, on the east of record in the office of the Summit County Recorder; thence North 69°30' West 34.00 feet to the northern corner of said Lot 10; thence South 74.95 feet to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD
 KNOW ALL MEN BY THESE PRESENTS that GREYLOCK HOLDINGS, LLC, a Connecticut limited liability company, the undersigned, do hereby dedicate and consent to be recorded in the office of the Summit County Recorder, the FIRST AMENDED LOT 10 SUNNYSIDE SUBDIVISION, as shown on the attached plat, and do hereby consent to the recording of this Plat.
 In witness whereof, the undersigned set his hand this _____ day of _____, 2016.
 By: _____
 Brian Norstrom, Managing Member

ACKNOWLEDGMENT
 State of _____
 County of _____
 On this _____ day of _____, 2016, Brian Norstrom, previously appeared before me, whose identity is personally known to me or proven on the basis of the information furnished to me, and acknowledged to me that he executed the foregoing instrument as the undersigned, and that he executed the FIRST AMENDED LOT 10 SUNNYSIDE SUBDIVISION, as shown on the attached plat, and do hereby consent to the recording of this Plat.
 A Notary Public commissioned in _____
 Printed Name _____
 Residing at _____
 My commission expires _____

NOTE
 This subdivision is subject to the Conditions of Approval in Ordinance 15-_____
 GREYLOCK HOLDINGS, LLC, a Connecticut limited liability company

By: _____
 Brian Norstrom, Managing Member

State of _____
 County of _____

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By: _____
 Brian Norstrom, Managing Member

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 County of _____

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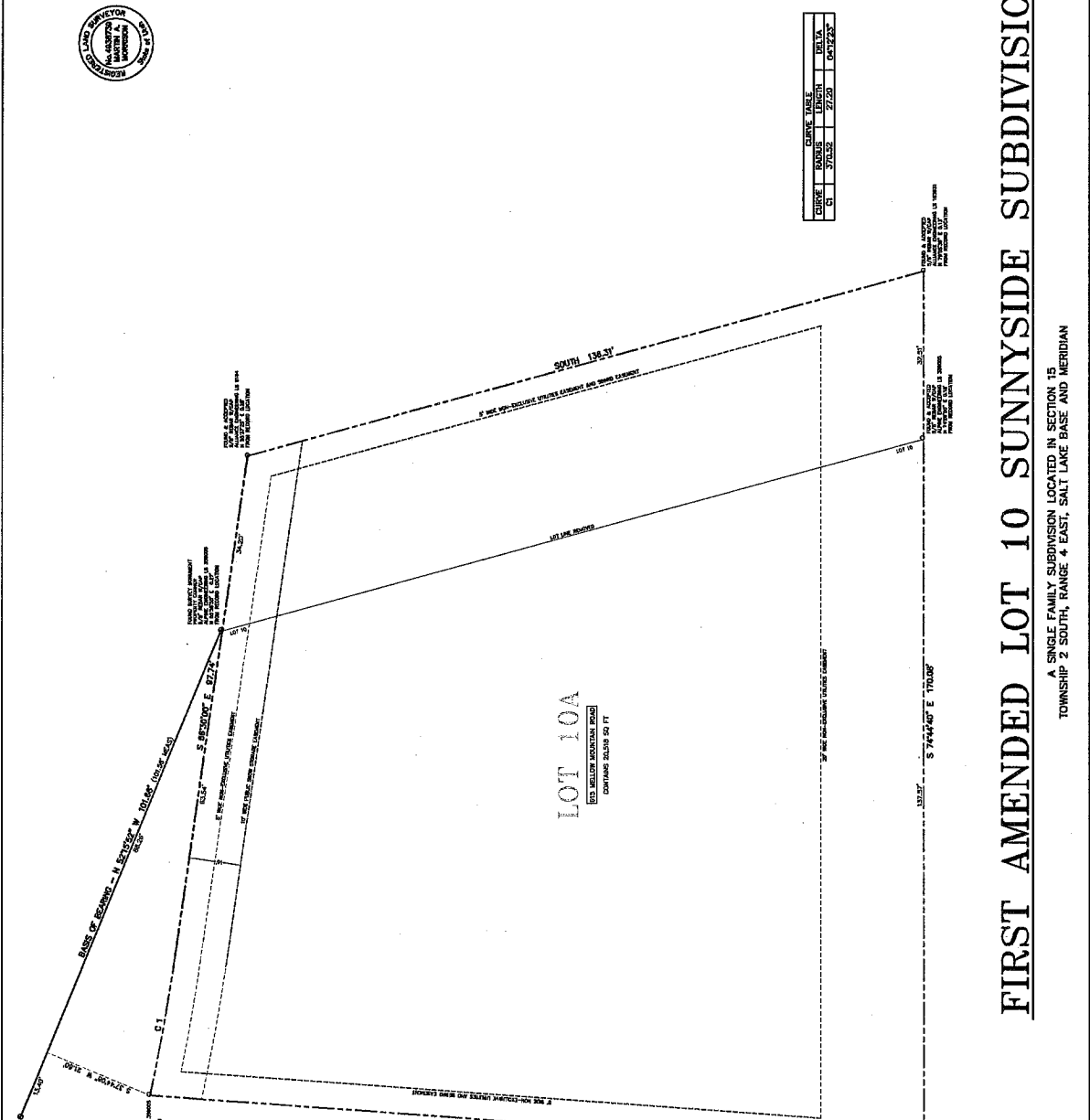
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 Brian Norstrom, Managing Member

State of _____
 County of _____

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LOT 10A
 (SEE BELOW ADJACENT PLOT)
 CONTAINS 23,639 SQ. FT.

DATE	FILED	BY
2016	2016	2016

NOTE
 This subdivision is subject to the Conditions of Approval in Ordinance 15-_____
 GREYLOCK HOLDINGS, LLC, a Connecticut limited liability company

FIRST AMENDED LOT 10 SUNNYSIDE SUBDIVISION

A SINGLE FAMILY SUBDIVISION LOCATED IN SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

UTAH (S&ME) 6-9-15 FILED IN (Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian) 06/09/16

PLANNING COMMISSION
 APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2016
 BY: CHAIR _____ BY: PARK CITY ENGINEER _____

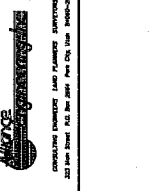
ENGINEER'S CERTIFICATE
 I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2016
 BY: CHAIR _____ BY: PARK CITY ENGINEER _____

COUNCIL APPROVAL AND ACCEPTANCE
 APPROVED AS TO FORM THIS _____ DAY OF _____, 2016
 APPROVED AS TO CONFORMANCE TO SUTTERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2016
 BY: CHAIR _____ BY: S.E.W.E.D. _____

COUNCIL APPROVAL AND ACCEPTANCE
 APPROVED BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2016
 BY: MAYOR _____ BY: PARK CITY ATTORNEY _____

CERTIFICATE OF ATTEST
 I CERTIFY THIS RECORD OF SURVEY MAP WAS FILED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2016
 BY: PARK CITY RECORDER _____

RECORDED
 STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ ENTRY NO. _____ FEE _____ RECORDER _____



(435) 644-4477
 CONSULTING ENGINEERS LAND PLANNING SURVEYING
 322 East Street, P.O. Box 2888, Park City, Utah 84002-0288