

Ordinance No. 2016-22

AN ORDINANCE APPROVING THE 803 NORFOLK AVENUE PLAT AMENDMENT LOCATED AT 803 NORFOLK AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 803 Norfolk Avenue have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on March 9, 2016, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on March 5, 2016, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on April 27, 2016, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on April 27, 2016, forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 19, 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 803 Norfolk Avenue Plat Amendment.

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

SECTION 1. APPROVAL. The 803 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 803 Norfolk Avenue.
2. The property is in the Historic Residential (HR-1) District.
3. The subject property consists of all of Lot 1 and the south half of Lot 2, Block 14 of Snyders 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 Significant.
5. The Plat Amendment removes one (1) lot line going through the historic structure.
6. The proposed Plat Amendment combines the property into one (1) lot measuring 3,314.0 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 47.46 feet along Norfolk Avenue. Crescent Tram borders the west (rear) and Crescent Tram/8th Street borders the south (side) edges of the property; this property has three (3) 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 of 3,314 square feet is 1,375.5 square feet. The historic house equates to a footprint of approximately 711 square feet.
12. LMC § 15-2.2-4 indicates that historic structures that do not comply with building setbacks are valid complying structures.
13. The existing historic garage has a footprint of 350 square feet. LMC 15-2.2-3(D) states that Accessory Buildings listed on the HSI that are not expanded, enlarged, or incorporated into the Main Building shall not count in the total Building Footprint of the Lot.
14. The minimum front/rear yard setbacks are twelve feet (12'); the minimum total front/rear yard setbacks are twenty-five feet (25'). The historic house has a front yard setback of 13 feet; the garage in the rear yard has a 7.5 foot rear yard setback.
15. The minimum side yard setbacks are five feet (5'); the minimum total front/rear yard setbacks are 10 feet. The historic garage has a 0 foot setback on the north side yard, and the historic house has an 11.5 foot setback on the south side yard. The existing historic garage has a 0 foot side yard setback on the north and a rear yard setback of 6.5 feet. The existing historic garage structure does not meet the north side yard setback or the west rear yard setback along Crescent Tram.
16. Crescent Tram/8th Street consumes 431 square feet of the lot along the west and south sides of the property.
17. The historic garage encroaches into the neighboring property at 811 Norfolk by approximately 6 inches.
18. There is a non-historic stone retaining wall along the north and east property lines that encroaches into the neighboring property at 811 Norfolk and the City right-of-way. There are also stone steps leading from 811 Norfolk across 803 Norfolk and on to Crescent Tram in the northwest corner of the site.
19. The area between the east property line and the edge of Norfolk Avenue within the City right-of-way has been improved with a non-historic stone retaining wall, as well.
20. Sites lines are impeded along Crescent Tram/8th Street on the west and south sides of the property.
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 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:

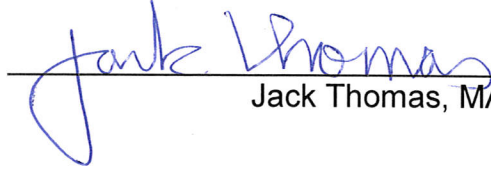
1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one 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/8th Street frontages of the property.
4. The property owner shall resolve the encroachment of the stone retaining walls over the front (east) property line into the City Right-of-Way (ROW) by either removing the retaining walls or entering into an encroachment agreement with the City Engineer.
5. An encroachment agreement for the historic garage is recommended. The non-historic remaining stone retaining walls and stone steps encroaching over the north property line into the neighboring property at 811 Norfolk shall be removed or the applicant shall enter into an encroachment agreement with their neighbor for these improvements.
6. The applicant shall dedicate a portion of Lots 1 and 2 that include Crescent Tram/8th Street to the City.
7. 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.
8. Ten foot (10') public snow storage easements shall be granted along the front, rear, and side property lines on Norfolk Avenue and Crescent Tram/8th Street.
9. In order to mitigate the hazard of the existing driveway access off of Crescent Tram, the owner will install caution signs indicating "hidden driveway" and mirrors in locations approved by the City Engineer. Additionally, the owner will limit improvements within the site triangle of Crescent Tram along the south property line in order to not impede the line of site, to the satisfaction of the City Engineer. Finally, the owner will construct additional landscaping along the west (rear) property line and Crescent Tram to further aid in mitigating the dangers of the placement of the existing driveway.
10. New construction shall comply with Land Management Code Section 15-2.2-3 regarding setbacks, building height, building envelope, building footprint, etc.

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

PASSED AND ADOPTED this 19th day of May, 2016.

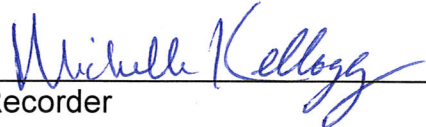


PARK CITY MUNICIPAL CORPORATION



Jack Thomas, MAYOR

ATTEST:



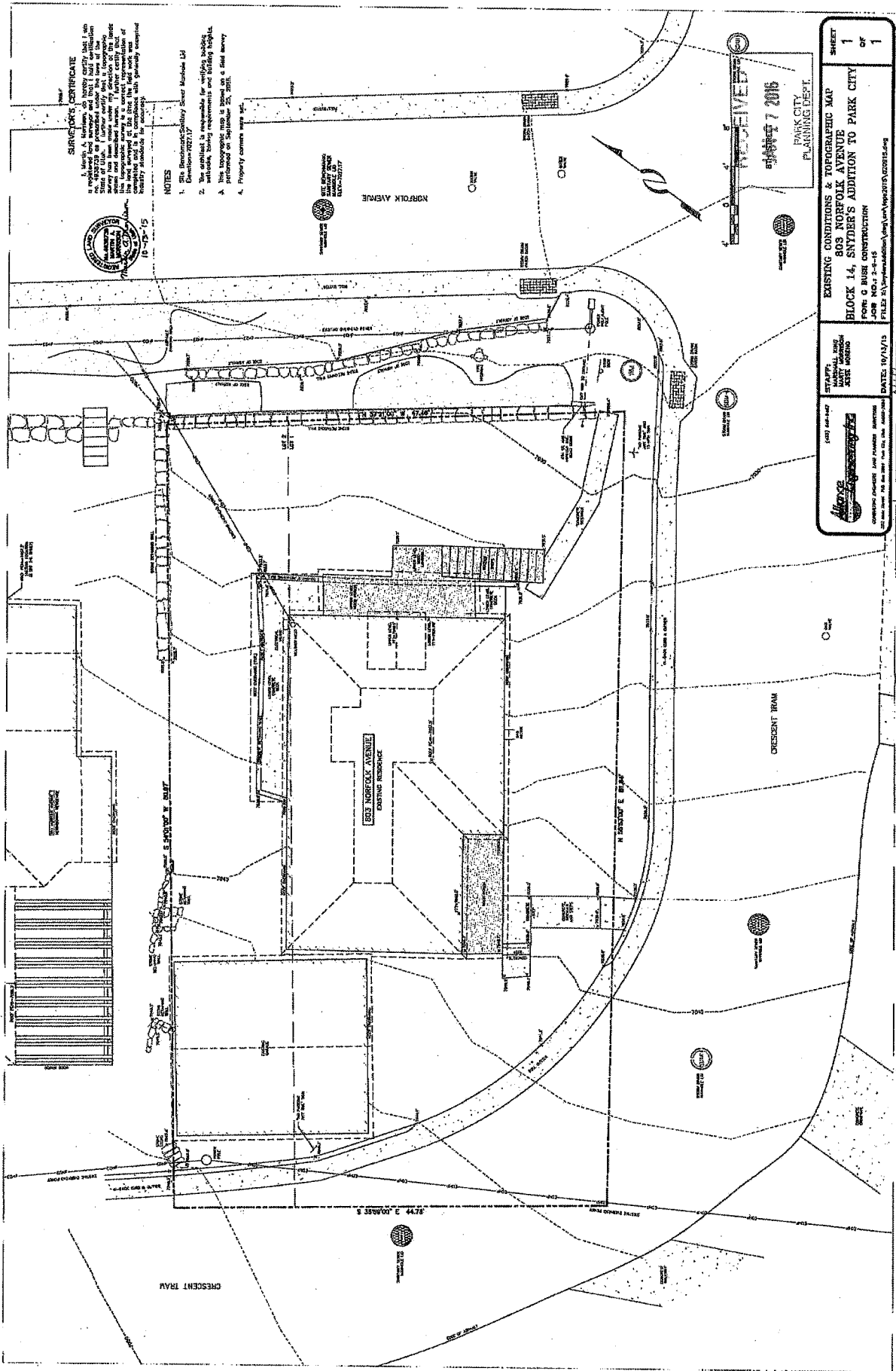
City Recorder

APPROVED AS TO FORM:



Mark Harrington, City Attorney

Attachment 1 – Proposed Plat



SURVEYOR'S CERTIFICATE

I, the undersigned, being a duly qualified and licensed surveyor, do hereby certify that I am the author of the foregoing plat and that the same was prepared by me or under my direct supervision and that I am a duly qualified and licensed surveyor under the laws of the State of Utah. I am a duly qualified and licensed surveyor under the laws of the State of Utah. I am a duly qualified and licensed surveyor under the laws of the State of Utah.

NOTES

1. The boundaries of the Survey are as shown on the attached plat.
2. The plat is subject to all applicable zoning, building, and other regulations.
3. This topographic map is based on a field survey performed on September 25, 2015.
4. Property corners were set.

	CITY MANAGER MARGARET M. HARRIS	DATE: 1/7/16
	CITY CLERK KATHY M. HARRIS	DATE: 1/7/16
EASTING CONDITIONS & TOPOGRAPHIC MAP BLOCK 14, SNYDER'S ADDITION TO PARK CITY JOB NO. 2-14-15 FILE # 2-14-15-15		
SHEET 1 OF 1		

