

Ordinance 2016-33

AN ORDINANCE APPROVING THE STERLINGWOOD CONDOMINIUMS SECOND AMENDED – AMENDING UNIT 16 LOCATED AT 7800 ROYAL STREET EAST, IN SECTION 27 TOWNSHIP 2 SOUTH, RANGE 4 EAST, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the 7800 Royal Street East #16, have petitioned the City Council for approval of the Sterlingwood Condominiums Second Amended – Amending Unit 16; and

WHEREAS, on March 26, 2016 proper legal notice was sent to all affected property owners according to the Land Management Code; and

WHEREAS, on March 29, 2016 the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on April 13, 2016 the plat amendment was continued at the Planning Commission meeting to a date uncertain; and

WHEREAS, on June 4, 2016 the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on June 8, 2016 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 June 22, 2016 to receive input on the proposed plat amendment; and

WHEREAS, on June 22, 2016 the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 14, 2016 the City Council held a public hearing on the proposed Sterlingwood Condominiums Second Amended – Amending Unit 16; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed Sterlingwood Condominium Plat –Amending Unit 16.

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 Sterlingwood Condominiums Second Amended – Amending Unit 16, 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 7800 Royal Street East #16 within the Residential Development (RD) District.
2. The Sterlingwood Condominium Plat was originally approved by City Council on December 12, 1979 and recorded on December 17, 1984.
3. The Sterlingwood First Amended Condominium Plat was approved by City Council on June 27, 2002 and recorded on October 25, 2002.
4. The total area of the Sterlingwood condos is 2.48 acres.
5. There are eighteen (18) units in the Sterlingwood Condominium Plat consistent with the density allowed by the Deer Valley Master Planned Development.
6. On March 8, 2016, the applicant submitted an application to amend the existing Sterlingwood Condo Condominium Plat.
7. The Sterlingwood Homeowners Association have met and consented with a two thirds (2/3rds) vote to allow the transfer of limited common to private area ownership to Unit 16.
8. The application was deemed complete on May 18, 2016.
9. The proposed plat amendment would memorialize the proper ownership of the existing garage to limited Common Area for Unit 16 as well as change a Common Area stairwell to private area for Unit 16 of the Sterlingwood Condos.
10. Enclosing the stairwell area within the existing building does not change the existing building setbacks, height, or building footprint.
11. The square footage of Unit 16 will change from 2,861 to 3,103.
12. On June 27, 2002 the City Council approved the First Amended Sterlingwood Condominium Plat which was then recorded on October 25, 2002. This amendment only referenced 6 of the 18 units, Buildings 'F', 'G', and 'H' which clarified these unit's Limit common garage areas.

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 and condominium plats.
3. Neither the public nor any person will be materially injured by the proposed condominium plat amendment.
4. Approval of the condominium 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:

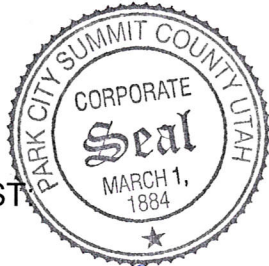
1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat 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. The Sterlingwood Condominium Plat and First Amended Sterlingwood Condominium Plat shall otherwise continue to apply.

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

PASSED AND ADOPTED this 14 day of July, 2016

PARK CITY MUNICIPAL CORPORATION



ATTEST

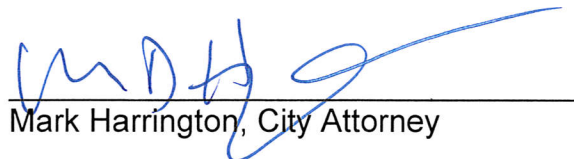


Jack Thomas, MAYOR



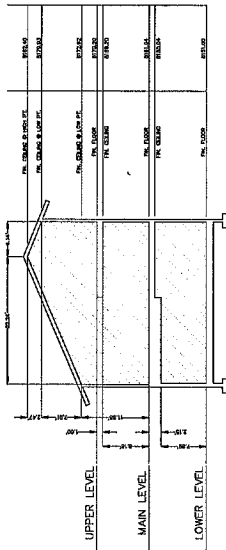
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

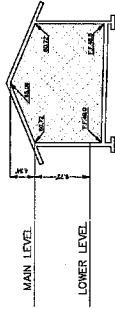


Mark Harrington, City Attorney

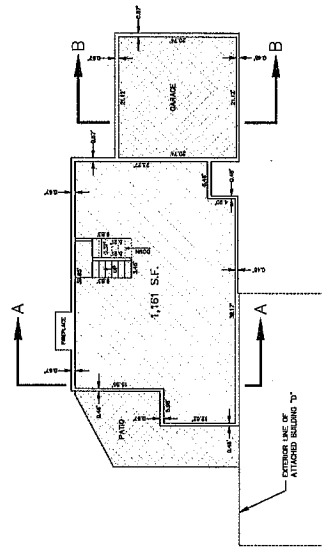
EXHIBIT A - Proposed Plat



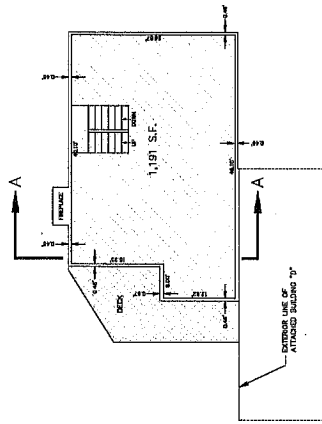
SECTION A
SCALE: 1"=10'



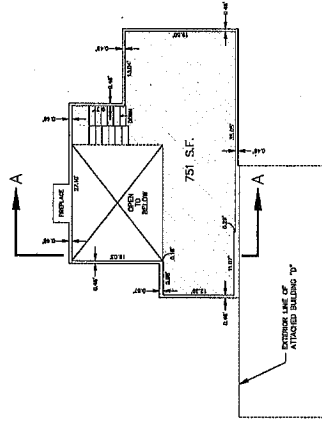
SECTION B AND ELEVATIONS
SCALE: 1"=10'



LOWER LEVEL
SCALE: 1"=10'



MAIN LEVEL
SCALE: 1"=10'



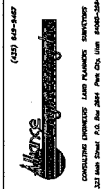
UPPER LEVEL
SCALE: 1"=10'

LEGEND

- COMMON
- PRIVATE
- LIMITED COMMON

SECOND AMENDED
RECORD OF SURVEY MAP
STERLINGWOOD

A UTAH CONDOMINIUM PROJECT
LOCATED IN SECTION 27
TOWNSHIP 2 SOUTH, RANGE 4 EAST, S.L.B. & M.
PARK CITY, SUMMIT COUNTY, UTAH



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

EXHIBIT B - Current Plat

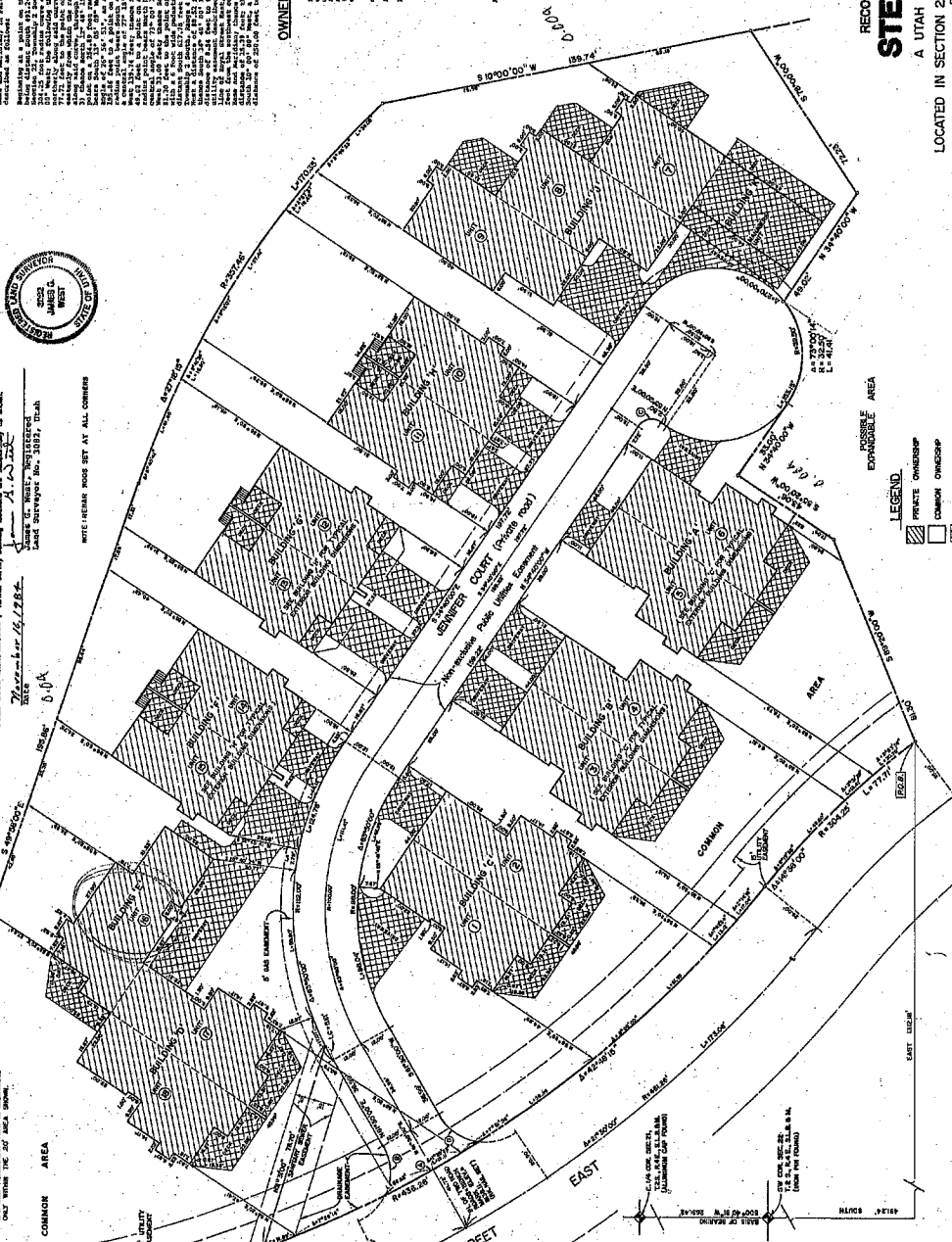
BOUNDARY DESCRIPTION

CERTIFICATE OF SURVEY
 I, James G. West, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 12121 as provided under the laws of the State of Utah. I have personally examined the plat and the data thereon and make a copy of the same as described and shown on this plat and certify that the same is a true and correct copy of the original plat and that the same has been correctly surveyed and shown on the plat. I have also examined the original plat and the data thereon and certify that the same is a true and correct copy of the original plat and that the same has been correctly surveyed and shown on the plat. I have also examined the original plat and the data thereon and certify that the same is a true and correct copy of the original plat and that the same has been correctly surveyed and shown on the plat.



James G. West, Registered Land Surveyor No. 12121, Utah
 NOTE: HEARER MUST SET AT ALL CORNERS

OWNER'S CERTIFICATE AND CONSENT TO RECORD
 We, the undersigned, do hereby certify that we are the owners of the property described herein and that we have read and understand the contents of the plat and the data thereon and that we consent to the recording of the same and to the use of the same for the purposes herein stated. We have also examined the original plat and the data thereon and certify that the same is a true and correct copy of the original plat and that the same has been correctly surveyed and shown on the plat. We have also examined the original plat and the data thereon and certify that the same is a true and correct copy of the original plat and that the same has been correctly surveyed and shown on the plat.



ACKNOWLEDGEMENT
 STATE OF UTAH
 COUNTY OF SUMMIT
 I, _____, County Clerk, do hereby certify that the foregoing plat and data were filed for record in my office on this _____ day of _____, A.D. 1981.

NOTE:
 The owner hereby addresses to Park City Municipal Corporation, Superior Basin Street Improvement District and Park City Fire Protection District, the responsibility for the payment of the cost of providing water, sewer, utility facilities, maintenance, and other essential improvements and costs in their location for the purposes of the plat. The owner hereby certifies that the plat and data thereon are true and correct and that the same have been correctly surveyed and shown on the plat.

RECORD OF SURVEY MAP OF STERLINGWOOD
 A UTAH EXPANDABLE CONDOMINIUM PROJECT
 LOCATED IN SECTION 27, TOWNSHIP 2 SOUTH, RANGE 4 EAST, S.L.B. 8.M.
 PARK CITY, SUMMIT COUNTY, UTAH

<p>J.J. Johnson & Associates Park Meadows Plaza, Park City, Utah 84080 (801) 649-9811</p>	<p>RECORDED NE 228724, November 19, 1981, 12:37 PM STATE OF UTAH, COUNTY OF SUMMIT, DEPARTMENT OF HERITAGE, RECORDS AND ARCHIVES, A UTAH PARTNERSHIP \$ 39.00 COUNTY RECORDS</p>	<p>APPROVAL AS TO FORM APPROVED AS TO FORM ON THIS 20 DAY OF DECEMBER, A.D. 1981 [Signature] CITY ATTORNEY</p>	<p>CITY PLANNING COMMISSION APPROVED AND ACCEPTED BY THE CITY PLANNING COMMISSION ON THIS 20 DAY OF DECEMBER, A.D. 1981 [Signature] CHAIRMAN</p>	<p>CITY ENGINEER APPROVED AND ACCEPTED BY THE CITY ENGINEER ON THIS 20 DAY OF DECEMBER, A.D. 1981 [Signature] CITY ENGINEER</p>	<p>CITY COUNCIL APPROVAL PRESENTED TO THE PARK CITY COUNCIL AND APPROVED BY THE CITY COUNCIL ON THIS 20 DAY OF DECEMBER, A.D. 1981 [Signature] CLERK</p>
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