

**AN ORDINANCE APPROVING THE 324 WOODSIDE AVENUE SUBDIVISION,
LOCATED AT 313 PARK AVENUE, 324 AND 328 WOODSIDE AVENUE, PARK
CITY, UTAH.**

WHEREAS, the owners of the property known as the 315 Park Avenue Subdivision, located at 313 Park Avenue, and 324 and 328 Woodside Avenue, have petitioned the City Council for approval of the 324 Woodside Avenue Subdivision; and

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

WHEREAS, 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 October 26, 2016 to receive input on the proposed subdivision;

WHEREAS, on October 26, 2016 the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on November 10, 2016 the City Council held a public hearing on the proposed 324 Woodside Avenue Subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed 324 Woodside Avenue Subdivision.

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 324 Woodside Avenue Subdivision, 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 315 Park Avenue Subdivision is located within the Historic Residential (HR-1) District.
2. On August 26, 2016, the City received an application to amend the 315 Park Avenue Subdivision, which currently consists of 313 Park Avenue (Lot A), 328 Woodside Avenue (Lot B), and 324 Woodside Avenue (Lot C). The application was deemed complete on September 1, 2016.
3. The applicant wishes to combine Lot B and Lot C as shown on the 315 Park Avenue Subdivision Amended plat; it is proposed that Lot A will remain as currently platted.
4. The subdivision plat will be renamed as the 324 Woodside Avenue Subdivision.

5. All three (3) lots are currently vacant and undeveloped, with the exception of a concrete retaining wall that runs along the frontage of Lots B and C; a stacked rock wall located entirely within Lot B; a rock wall that encroaches onto Lot C from adjacent Lot 30 (320 Woodside Avenue); a railroad tie retaining wall that encroaches onto Lot A from adjacent Lot 6 (323 Park Avenue); a portion of a shed roof that also encroaches onto Lot A from adjacent Lot 6; and concrete walls located entirely within Lot A.
6. Encroachments between Lot A and Lot 6 were resolved during the last plat amendment process via Notice of Encroachment on file at the Summit County Recorder's Office (Entry No. 987095).
7. The encroachment between Lot C and Lot 30 has been resolved under an Encroachment Agreement on file at the Summit County Recorder's Office (Entry No. 987096).
8. Constructed across the underlying Park City Survey lot lines, a house once stood at 315 Park Avenue. On May 10, 2007, the Historic Preservation Board made a determination that the house was not a historically significant structure. On June 6, 2007, a demolition permit was issued and the structure was removed. The house was not listed on the Park City Historic Sites Inventory.
9. The first subdivision plat for the subject property created the three-lot 315 Park Avenue Subdivision with a re-plat of Lots 4, 5, 6, 27, 28, and 29, Block 3 of the Park City Survey.
10. The 315 Park Avenue Subdivision was approved by the City Council on March 16, 2006, extended on June 28, 2007, and recorded at Summit County on September 24, 2007.
11. The first plat amendment created the 315 Park Avenue Subdivision Amended (current), and reconfigured the property lines of the three (3) lots to make them more equal in size.
12. The 315 Park Avenue Subdivision Amended was approved by the City Council on March 21, 2013, and recorded at Summit County on April 4, 2014.
13. The proposed plat amendment combines two (2) existing parcels to create one (1) lot of record consisting of 5,850 square feet.
14. The amended lot will have access fronting Woodside Avenue.
15. The HR-1 zone requires a minimum lot area of 1,875 square feet for a single-family dwelling. The proposed lot area meets the minimum lot area for a single-family dwelling.
16. The HR-1 zone requires a minimum lot area of 3,750 square feet for a duplex structure, a conditional use in the zone. The proposed lot area meets the minimum lot area required for a duplex structure.
17. The minimum lot width allowed in the district is twenty-five feet (25'). The proposed plat amendment will create one (1) lot with a width of 75 feet.
18. The minimum front/rear yard setbacks for a lot with depth of 85 feet is 12 feet minimum, 25 feet total.
19. The minimum side yard setbacks for a 75 foot wide lot are 5 feet minimum, 18 feet total.
20. The maximum footprint allowed in the HR-1 zone is 2,105.5 square feet for the proposed lot.

21. As conditioned, the proposed plat amendment does not create any new non-complying or non-conforming situations, or any remnant parcels.
22. Any new structures must comply with applicable LMC requirements and Design Guidelines for Historic Districts and Historic Sites.
23. A Steep Slope CUP may be required for development on the amended lot.
24. The property is not within the soils ordinance boundary. In the event that mine wastes or impacts are encountered, the applicant is responsible for handling the material properly.
25. The property does not fall within the 100 or 500 year flood plains.
26. The proposed plat amendment will not cause undo harm to adjacent property owners.

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.
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 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. No building permit for any work on the new lot shall be issued until the plat is recorded and until the Historic District Design Review and Steep Slope CUP, if required, applications are submitted and approved for the lot.
4. 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.
5. All applicable notes and conditions of approval of the 315 Park Avenue Subdivision and 315 Park Avenue Subdivision Amended, recorded as Entry Nos. 826141 and 992668 in the office of the Summit County Recorder, continue to apply.

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

PASSED AND ADOPTED this 10 day of November, 2016

PARK CITY MUNICIPAL CORPORATION



Jack Thomas
Jack Thomas, MAYOR

ATTEST:

Michelle Kellogg
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington
Mark Harrington, City Attorney

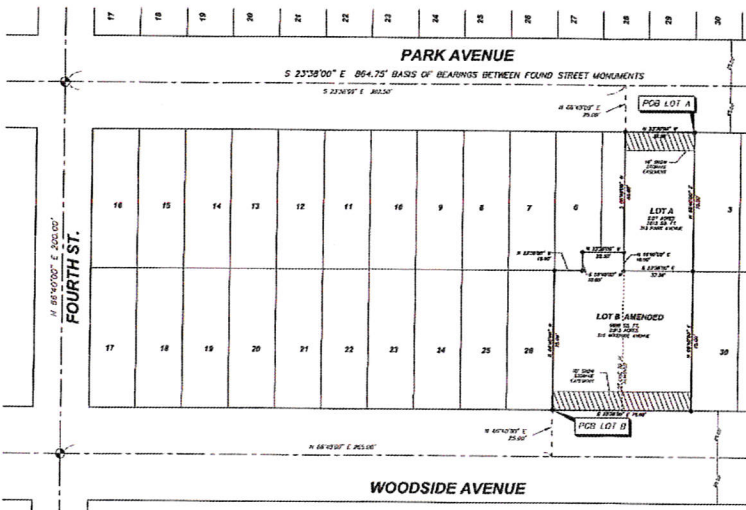


324 WOODSIDE AVENUE SUBDIVISION

LOT A AMENDED & LOT B AMENDED
 LYING WITHIN THE SOUTHEAST QUARTER OF
 SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST
 SALT LAKE BASE & MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH

LEGEND

- STREET MONUMENT
- PLAIN SURVEY MONUMENT (BY SURVEY)



PLAT NOTES

1. THE PURPOSE OF THIS PLAT IS TO SHOW THE LOTS AND THE INTERESTS THEREIN.
2. THE SURVEY WAS MADE BY THE SURVEYOR ON THE DATE OF THE SURVEY.
3. THE SURVEY WAS MADE BY THE SURVEYOR ON THE DATE OF THE SURVEY.
4. THE SURVEY WAS MADE BY THE SURVEYOR ON THE DATE OF THE SURVEY.
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16. THE SURVEY WAS MADE BY THE SURVEYOR ON THE DATE OF THE SURVEY.
17. THE SURVEY WAS MADE BY THE SURVEYOR ON THE DATE OF THE SURVEY.

SWEEP, EASEMENT AND CONVEYANCE TO RECORD

THIS PLAT IS SUBJECT TO THE EASEMENT AND CONVEYANCE TO RECORD AS SHOWN ON THE PLAT.

CONVEYANCE TO RECORD

THIS PLAT IS SUBJECT TO THE CONVEYANCE TO RECORD AS SHOWN ON THE PLAT.

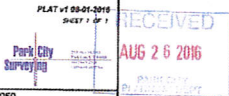
LEGAL DESCRIPTION

LOT A AMENDED

LOT B AMENDED

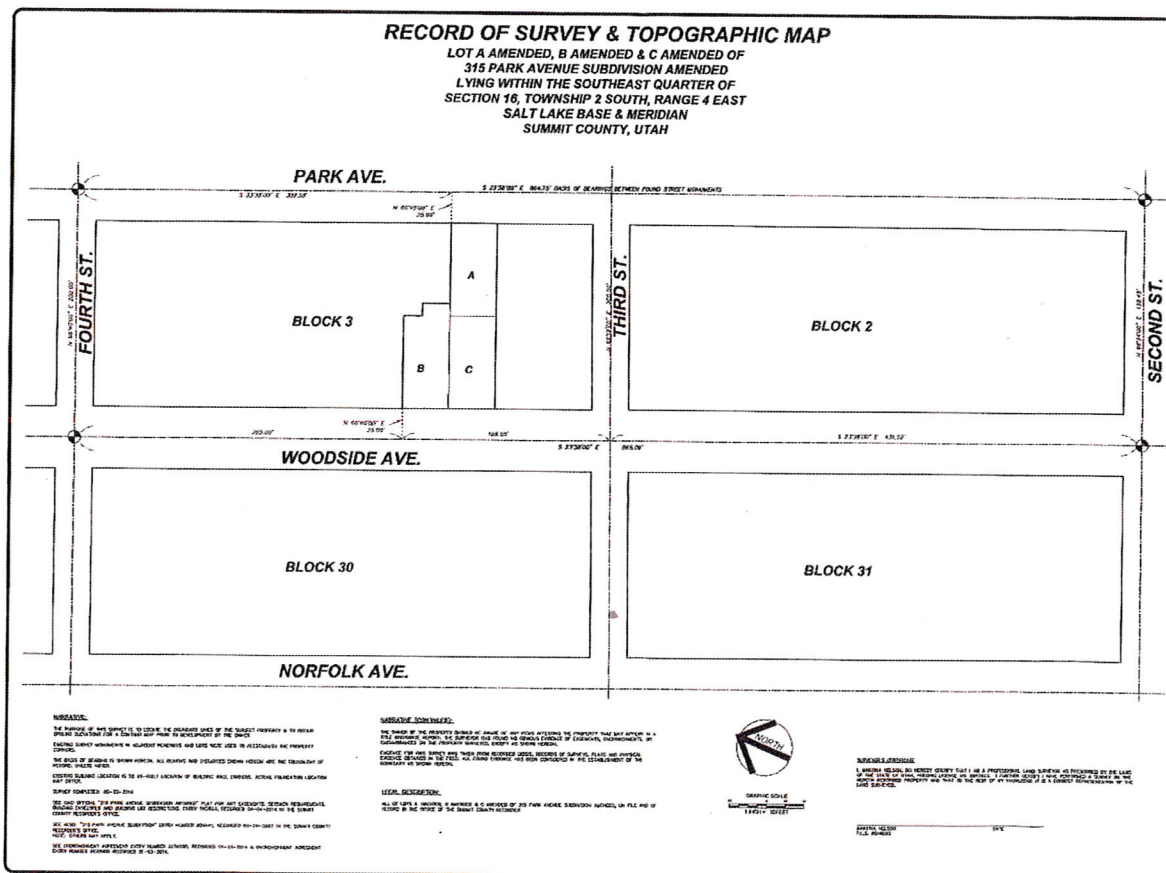
SURVEYOR'S CERTIFICATE

I, THE SURVEYOR, HEREBY CERTIFY THAT I AM A LICENSED SURVEYOR IN THE STATE OF UTAH AND THAT I HAVE MADE THIS SURVEY IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH SURVEYING ACT.



<p>PARK CITY PLANNING COMMISSION</p> <p>APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____ 2016 A.D.</p> <p>CHAIRMAN _____</p>	<p>CERTIFICATE OF ATTEST</p> <p>I CERTIFY THIS PLAT MAP WAS APPROVED BY PARK CITY COUNCIL ON THIS _____ DAY OF _____ 2016 A.D.</p> <p>BY _____ PARK CITY RECORDER</p>	<p>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT</p> <p>REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____ 2016 A.D.</p> <p>BY _____ S.W.#3</p>	<p>ENGINEER'S CERTIFICATE</p> <p>I FIND THIS PLAT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH SURVEYING ACT.</p> <p>BY _____ PARK CITY ENGINEER</p>	<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM ON THIS _____ DAY OF _____ 2016 A.D.</p> <p>BY _____ PARK CITY ATTORNEY</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE</p> <p>APPROVED AND ACCEPTANCE BY THE PARK CITY COUNCIL ON THIS _____ DAY OF _____ 2016 A.D.</p> <p>BY _____</p>	<p>RECORDED</p> <p>STATE OF UTAH, COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____</p> <p>DATE _____ TIME _____</p> <p>BOOK _____ PAGE _____ ENTRY NO. _____</p> <p>FILE _____ RECORDER _____</p>
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Exhibit B



Park City Surveying
100 S. MAIN ST. SUITE 200
PARK CITY, UTAH 84302
PHONE: 435.633.1234
WWW.PARKCITYSURVEYING.COM

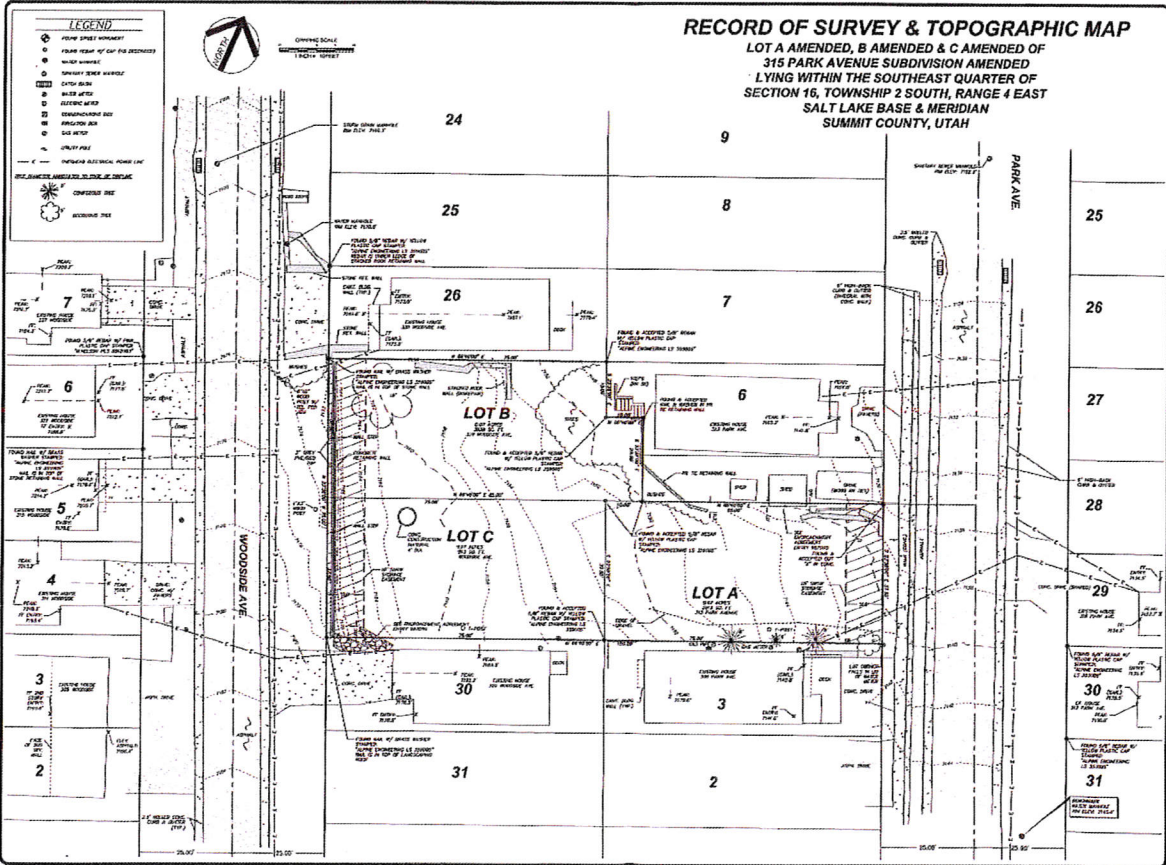
RECORD OF SURVEY & TOPOGRAPHIC MAP
315 PARK AVENUE SUBDIVISION AMENDED
DRAFT: 315 PARK AVE ROS-TOPO.dwg
DATE: 10/20/15
DRAWN BY: JMM
CHECKED BY: JMM

RECORD OF SURVEY & TOPOGRAPHIC MAP
315 PARK AVENUE SUBDIVISION AMENDED
DRAFT: 315 PARK AVE ROS-TOPO.dwg
DATE: 10/20/15
DRAWN BY: JMM
CHECKED BY: JMM

RECORD OF SURVEY & TOPOGRAPHIC MAP
315 PARK AVENUE SUBDIVISION AMENDED
DRAFT: 315 PARK AVE ROS-TOPO.dwg
DATE: 10/20/15
DRAWN BY: JMM
CHECKED BY: JMM

RECORDED
AUG 26 2015
PLANNING DEPARTMENT

RECORD OF SURVEY & TOPOGRAPHIC MAP
LOT A AMENDED, B AMENDED & C AMENDED OF
315 PARK AVENUE SUBDIVISION AMENDED
LYING WITHIN THE SOUTHEAST QUARTER OF
SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH



Park City Surveying
 100 S. MAIN ST. SUITE 200
 PARK CITY, UT 84301
 PHONE: 435.263.1234
 FAX: 435.263.1235
 WWW.PARKCITYSURVEYING.COM

DATE: 08/25/2016
 TIME: 10:00 AM
 BY: [Signature]

RECORD OF SURVEY & TOPOGRAPHIC MAP
315 PARK AVENUE SUBDIVISION AMENDED
 FOR: TRAYNES CAPITAL
 D:\DC\315 PARK AVE ROS-TOPO.DWG

SHEET 1 OF 3

RECORDED
 AUG 25 2016
 PLAT 1000000000

Exhibit C

315 Park Avenue Subdivision Amended

A replat of Lots A, B & C
Block 3, Park City Survey

NARRATIVE

1. Survey requested by: Thyones Capital Park City LLC
2. Basis of survey: found street monuments as shown
3. Date of survey: September, 2013 & July, 2014
4. Property monuments set or found as shown
5. Located in the Southeast Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base & Meridian.
6. The corners of this property should be aware of any items affecting the property that may appear in a title insurance report.
7. Based on the previous Plat of 315 Park Avenue Subdivision recorded as Entry No. 826143 in the office of the Summit County Recorder

SURVEYOR'S CERTIFICATE

I, J.D. Gately, a Registered Land Surveyor as prescribed by the laws of the State of Utah and holding license No. 162692, do hereby certify that I have supervised a survey of the herein described property and that this plat is a true representation of said survey.



OWNER'S DEDICATION AND CONSENT TO RECORD

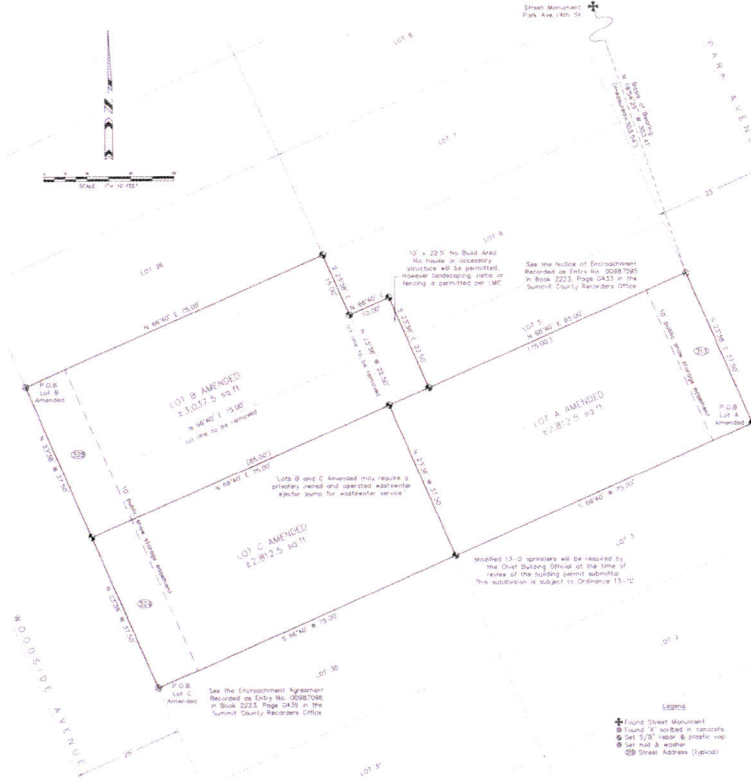
Whereas all men by these presents that the undersigned is director of Thyones Capital Park City LLC, a Delaware limited liability company, the owner of the herein described 315 Park Avenue Subdivision, Block 3, Park City Survey, and having caused this Plat Amendment to be made, does hereby consent to the recording of this Record of Survey Plat, on behalf of said Thyones Capital Park City LLC, in the office of the County Recorder of Summit County, Utah, in accordance with Utah Law. Also, the owner hereby irrevocably offers for dedication to the City of Park City all the streets, roads for local government uses, utilities and easements shown on this plat in accordance with an irrevocable offer of dedication, in witness whereof, the undersigned has set his hand this 27th day of September, 2014.

By: Domon Navarro, Director
Thyones Capital Park City LLC

ACKNOWLEDGEMENT

STATE OF Utah, County of Summit.
On this 27th day of September, 2014, Domon Navarro personally appeared before me, the undersigned Notary Public in and for said State and County, who after seeing said person, acknowledged to me that he is director of Thyones Capital Park City, LLC, that he has signed the above Owner's Declaration and Consent to Record on behalf of said Thyones Capital Park City LLC, and that he has executed this document in his capacity as director on behalf of Thyones Capital Park City LLC, for the purpose set forth herein.

My commission expires: _____
NOTARY PUBLIC
RESIDING IN _____ COUNTY, _____



LEGAL DESCRIPTIONS

315 Park Avenue Subdivision Amended
Beginning at the Northeastern corner of Lot 3, Block 3, Park City Survey and the Southeastern corner of Lot A, 315 Park Avenue Subdivision, according to the official plats thereof, on file and of record in the office of the Summit County Recorder, and running thence S 86°40' W along the Southern boundary of said 315 Park Avenue Subdivision, 150.00 feet to the Southeastern corner of said 315 Park Avenue Subdivision, thence N 23°38' W along the Western boundary of said 315 Park Avenue Subdivision, 75.00 feet to the Northeastern corner of said 315 Park Avenue Subdivision, thence N 86°40' E, along the Northern boundary of said 315 Park Avenue Subdivision, 75.00 feet to the Northeastern corner of Lot B of said 315 Park Avenue Subdivision, thence S 23°38' E, along the Eastern boundary of said 315 Park Avenue Subdivision, 150.00 feet, thence N 86°40' E, along the Northern boundary of said 315 Park Avenue Subdivision, 10.00 feet, thence S 23°38' E, along the Eastern boundary of said 315 Park Avenue Subdivision, 22.50 feet, thence N 86°40' E, along the Northern boundary of said 315 Park Avenue Subdivision, 85.00 feet to the Northeastern corner of said 315 Park Avenue Subdivision, thence S 23°38' E, along the Eastern boundary of said 315 Park Avenue Subdivision, 37.50 feet to the point of beginning, containing 8,822.6 square feet, more or less.

LOT 4 AMENDED
Beginning at the Northeastern corner of Lot 3, Block 3, Park City Survey and the Southeastern corner of Lot A, 315 Park Avenue Subdivision, according to the official plats thereof, on file and of record in the office of the Summit County Recorder, and running thence S 86°40' W along the Southern boundary of said 315 Park Avenue Subdivision, 75.00 feet to the Southeastern corner of Lot A of said 315 Park Avenue Subdivision, thence N 23°38' W, 17.50 feet, thence N 86°40' E, 75.00 feet to the Northeastern corner of said 315 Park Avenue Subdivision, thence S 23°38' E, along the Eastern boundary of said 315 Park Avenue Subdivision, 37.50 feet to the point of beginning, containing 2,812.5 square feet, more or less.

LOT B AMENDED
Beginning at the Southeastern corner of Lot 26, Block 3, Park City Survey and the Northeastern corner of Lot B, 315 Park Avenue Subdivision, according to the official plats thereof, on file and of record in the office of the Summit County Recorder, and running thence N 66°40' E, along the Northern boundary of said 315 Park Avenue Subdivision, 75.00 feet to the Northeastern corner of said Lot B, 315 Park Avenue Subdivision, thence along the boundary of said 315 Park Avenue Subdivision the following: (1) S 23°38' E, 15.00 feet, thence (2) N 86°40' E, 10.00 feet, thence (3) S 23°38' E, 22.50 feet, thence (4) S 86°40' W, 85.00 feet to the Western boundary of said 315 Park Avenue Subdivision, thence S 23°38' E, along the Western boundary of said 315 Park Avenue Subdivision, 37.50 feet to the point of beginning, containing 3,337.5 square feet, more or less.

LOT C AMENDED
Beginning at the Northeastern corner of Lot 30, Block 3, Park City Survey and the Southeastern corner of Lot C, 315 Park Avenue Subdivision, according to the official plats thereof, on file and of record in the office of the Summit County Recorder, and running thence N 23°38' W, along the Western boundary of said 315 Park Avenue Subdivision, 37.50 feet, thence N 86°40' E, 75.00 feet, thence S 23°38' E, 37.50 feet to the Southeastern corner of said Lot C, 315 Park Avenue Subdivision, thence S 86°40' W, along the Southern boundary of said 315 Park Avenue Subdivision, 75.00 feet to the point of beginning, containing 2,812.5 square feet, more or less.

- LEGEND**
- ⊕ Found street monument
 - ⊙ Found utility monument
 - ⊙ Set 5" iron nail & pipe cap
 - ⊙ Set nail & washer
 - ⊙ Drive brass (stake)

 Alpine Survey, Inc. 19 Proclamation Drive Park City, Utah 84302 (435) 935-1000	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT APPROVED BY THE DISTRICT BOARD OF DIRECTORS ON SEPTEMBER 15, 2014 DATE OF FEBRUARY 2013 A.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 13th DAY OF FEBRUARY, 2014 A.D. BY: <u>Simon LeBred</u> CHAIRMAN	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION FILED IN MY OFFICE THIS DAY OF <u>September</u> , 2014 A.D. BY: <u>J.D. Gately</u> PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS <u>27th</u> DAY OF <u>March</u> , 2014 A.D. BY: <u>Neil S. Gill</u> PARK CITY CLERK	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP HAS APPROVED BY PARK CITY CLERK THIS <u>19</u> DAY OF <u>March</u> , 2014 A.D. BY: <u>Mandi Heil</u> PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 21st DAY OF MARCH, 2014 A.D. BY: <u>John M. ...</u> MAYOR	RECORDED # <u>992668</u> STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF <u>COALITION TITLE</u> DATE <u>4/2/2014</u> TIME <u>4:05PM</u> BOOK <u>---</u> PAGE <u>---</u> <u>53355</u> FILE <u>Coalition Title</u> RECORDER
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