

**Ordinance No. 2017-24**

**AN ORDINANCE APPROVING THE 166 MAIN STREET PLAT AMENDMENT  
LOCATED AT 166 MAIN STREET, PARK CITY, UTAH.**

WHEREAS, the owner of the property located at 166 Main Street has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on April 12, 2017, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on April 5, 2017, proper legal notice was published according to requirements of the Land Management Code and courtesy letters were sent to surrounding property owners; and

WHEREAS, the Planning Commission held a public hearing on April 26, 2017, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on April 26, 2017, forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 25, 2017, 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 166 Main Street Plat Amendment located at 166 Main Street.

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

**SECTION 1. APPROVAL.** The 166 Main Street 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 166 Main Street.
2. The property consists of most of Lot 3 and all of Lot 4 of Block 20 of the Park City Survey.
3. Lot 3 consists of 1,409 square feet and Lot 4 consists of 1,687 square feet; the total lot size is 3,096 square feet.
4. The property is in the Historic Residential (HR-2) District Sub-Zone B.
5. This site is not listed on Park City's Historic Sites Inventory (HSI).
6. The Plat Amendment removes one interior lot line which bisects the existing home.
7. The proposed Plat Amendment combines the property into one (1) lot measuring 3,096 square feet.

8. A single-family dwelling is an allowed use in the District.
9. The house on this lot was constructed in 1997 on a vacant lot at this location.
10. At the time of construction, the house complied with all requirements of the Land Management Code.
11. The proposed amendment also complies with the existing Land Management Code.
12. The minimum lot area for a single-family dwelling is 1,875 square feet in the HR-2 zone. The proposed lots meet the minimum lot area for single-family dwellings. The proposed lot would not accommodate a duplex dwelling as it would be less than 3,750 square feet in area.
13. The proposed lot width is approximately 50 feet along Main Street.
14. The minimum lot width required is twenty-five feet (25'). The proposed lot meets the minimum lot width requirement.
15. The setback requirements in this zone are as follows: front and rear yards – 10 feet; side yards – 5 feet.
16. At the time of approval, setback requirements in the HR-1 zone which applied to this property were as follows: front and rear yards – 10 feet; side yards – 3 feet.
17. The proposed lot has front and rear yard setbacks of 10 feet and side yard setbacks of 5 feet and 4.5 feet.
18. The proposed lot meets the setback requirements of the HR-1 zone which applied to this property at the time the house was constructed. No changes to setbacks from front, side, and rear lot lines are proposed.
19. House size has consistently been interpreted to mean the Gross Residential Floor Area as defined by the Land Management Code. No changes to house size are proposed with this application.
20. The deck at the rear of the house and a portion of the hot tub encroaches into Park City property to the east by approximately 1.5 feet.
21. The cinder block retaining wall at the south of this property encroaches into the neighboring property at 158 Main Street by approximately 3 feet.
22. The wood deck and stone patio to the rear of the home encroaches onto City property.
23. The wood steel fence to the rear of the property encroaches on to City property.
24. A remnant parcel exists at the north of Lot 3 which belongs to 170 Main Street which accommodates the Landmark Historic home which sits on the original lot line between Lots 2 and 3 of Block 20 of the Park City Survey.
25. The remnant parcel on the north side of Lot 3 of Block 20 of the Park City Survey is a part of 170 Main Street and shall be incorporated into that lot with a plat amendment if the property owners of 170 Main Street choose to alter the lot or the historic home in any way.
26. A portion of this property sits in FEMA Flood Zone A.
27. This plat amendment does not change any exterior lot lines of this parcel.
28. This plat amendment does not change any setback, lot size, or other requirements for this zone as applied to this parcel and the existing single family dwelling.
29. 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.

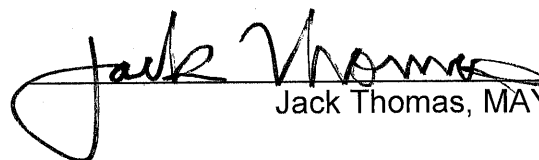
**Conditions of Approval:**

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. The encroachment of the cider block retaining wall must be resolved with the neighbor at 158 Main Street as the retaining wall encroaches over the south property line into their property.
4. The property owner shall resolve the encroachment of the deck with the hot tub over the east property line into the adjacent City owned property to the rear of the house by removing the portion of the deck which encroaches on the City property.
5. The property owner shall resolve the encroachment of the additional detached deck and the stone patio which encroaches over the east property line into the adjacent City owned property by removing the encroaching structures.
6. The property owner shall resolve the encroachment of the wood steel fence which encroaches onto the properties to the north into 170 Main Street, south into 158 Main Street, and east into City owned property by removing the fence.
7. A Hydraulic and Hydrology study is required before the applicant may submit for a building permit because the property is in FEMA Flood Zone A. If the flood zone changes by more than 1 foot, a Letter of Map Revision (LOMR) will also be required to be submitted to FEMA.

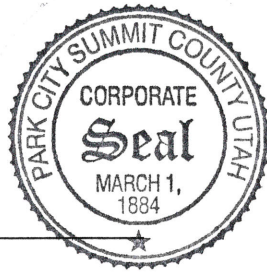
**SECTION 2. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 25<sup>th</sup> day of May, 2017.

PARK CITY MUNICIPAL CORPORATION

  
Jack Thomas, MAYOR

ATTEST:

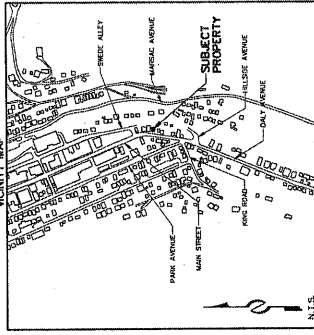


Michelle Kellogg  
City Recorder

APPROVED AS TO FORM:

Mark Harrington  
Mark Harrington, City Attorney

**Attachment 1** – Proposed Plat



**SURVEYOR'S CERTIFICATE**

I, Charles Gusti, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 724881, as evidenced on the face of the State of Utah. I have conducted the field work and the PLAT AMENDMENT and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

**BOUNDARY DESCRIPTION**

LOTS 3 and 4, Block 20, Park City Survey, according to the official plat thereof in the Summit County Office of the Recorder, and according to the official plat thereof in the Summit County Office of the Recorder of Summit County, Utah;

Beginning at the northwest corner of Lot 3, Block 20, Park City Survey, according to the official plat thereof on the end of record in the Office of the Recorder of Summit County, Utah, and running thence along the northerly line of Lot 3, South 0.79 feet; thence North 85°24'42" West 6.16 feet; thence South 03°53'35" West 24.27 feet; thence North 84°31'00" West 15.44 feet; thence North 85°24'42" West 6.16 feet; thence North 57°24'13" West 9.25 feet to the point of beginning.

**OWNER'S DEDICATION AND CONSENT TO RECORD**

KNOW ALL MEN BY THESE PRESENTS THAT, Robert A. Dixon, Trustee of Robert A. Dixon Trust, dated December 20, 2006, as recorded in the Office of the Recorder of Summit County, Utah, and this Plat Amendment, to be prepared and hereby consents to the recordation of this Plat Amendment.

In witness whereof, the undersigned set his hand this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

By: Robert A. Dixon, Trustee

**ACKNOWLEDGMENT**

State of \_\_\_\_\_  
County of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 2017, Robert A. Dixon trustee, personally appeared before me, the undersigned, a duly qualified and commissioned Notary Public, who is duly sworn and who certifies that he is the person whose name is subscribed to this instrument, and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

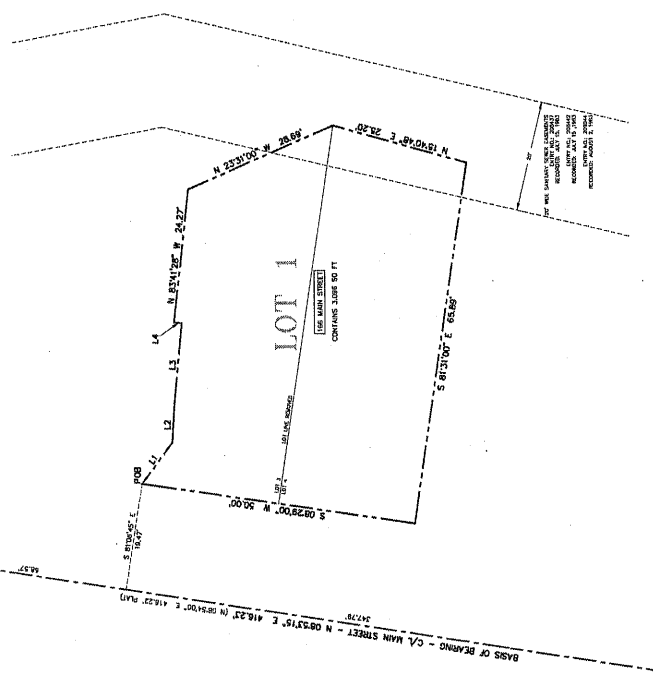
Notary Public \_\_\_\_\_

Printer Name \_\_\_\_\_

Residing in: \_\_\_\_\_

My commission expires: \_\_\_\_\_

LINE	LINE TABLE	DISTANCE
L1	N 57°24'13" W	9.25
L2	N 85°24'42" W	6.16
L3	S 03°53'35" W	24.27
L4	S 85°24'13" W	15.44



A COMBINATION OF LOTS 3 & 4 IN BLOCK 20, PARK CITY SURVEY  
**166 MAIN STREET PLAT AMENDMENT**

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

SHEET 1 OF 1  
JOB NO. 7-11-16 FILE NUMBER 2017-071116-000

<p><b>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT</b> REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____ 2017 BY: _____ S.B.W.R.D.</p>	<p><b>PLANNING COMMISSION</b> APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____ 2017 BY: CHAIR _____</p>	<p><b>ENGINEER'S CERTIFICATE</b> THIS INSTRUMENT IS IN SUBMITTANCE ON FILE IN MY OFFICE THIS _____ DAY OF _____ 2017 BY: PARK CITY ENGINEER _____</p>	<p><b>APPROVAL AS TO FORM</b> APPROVED AS TO FORM THIS _____ DAY OF _____ 2017 BY: PARK CITY ATTORNEY _____</p>	<p><b>COUNCIL APPROVAL AND ACCEPTANCE</b> APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____ 2017 BY: MAYOR _____</p>	<p><b>CERTIFICATE OF ATTEST</b> I CERTIFY THE RECORD OF SURVEY WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____ 2017 BY: PARK CITY RECORDER _____</p>	<p><b>RECORDED</b> STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ RECORDER _____ FEE _____ ENTRY NO. _____</p>
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