

Ordinance No. 2017-26

AN ORDINANCE APPROVING THE 243 DALY AVENUE SUBDIVISION LOCATED AT 243 DALY AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 243 Daly Avenue have petitioned the City Council for approval of the Subdivision; and

WHEREAS, on April 26, 2017, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on April 22, 2017 proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on May 20, 2017, to receive input on subdivision; and

WHEREAS, the Planning Commission, on May 20, 2017, forwarded a positive recommendation to the City Council; and,

WHEREAS, on June 8, 2017, the City Council held a public hearing to receive input on the subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the 243 Daly Avenue Subdivision

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

SECTION 1. APPROVAL. The 243 Daly Avenue Subdivision, 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 243 Daly Avenue.
2. The property is in the Historic Residential (HR-1) District.
3. It is identified by the Summit County Recorder as tax parcels PC-627-A and PC-630-MS. The proposed subdivision creates one (1) lot of record.
4. This site is listed on Park City's Historic Sites Inventory (HSI) and is designated as Landmark.
5. The Subdivision removes one (1) lot line going through The interior of the property.
6. The proposed Subdivision combines the property into one (1) lot measuring 5,552.93 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 27.8 feet along Daly Avenue. The minimum lot width required is twenty-five feet (25'). The proposed lot meets the minimum lot width requirement.
10. The maximum building footprint allowed based on proposed lot size of 5,552.93 square feet is 2,032.26 square feet. The historic house equates to a footprint of approximately 974 square feet.
11. LMC § 15-2.2-4 indicates that historic structures that do not comply with building setbacks are valid complying structures.
12. The minimum front/rear yard setbacks are fifteen feet (15'), for a total of 30 feet. The historic house has a front yard setback of 35 feet and a rear yard setback of 82 feet.
13. The minimum side yard setbacks are three feet (3'), for a total of six feet (6'). The existing historic house has a side yard setback of five feet (5') along the north property line and two feet (2') along the south property line.
14. The historic shed at 239 Daly Avenue encroaches over the shared property line and into the 243 Daly Avenue property by one foot (1'). The shed has been designated as Significant on the City's Historic Sites Inventory.
15. There is also a non-historic fence along the shared property line and non-historic railroad tie retaining wall that extend between the two properties at 243 and 239 Daly Avenue.
16. 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 Subdivision.
2. The Subdivision 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 Subdivision.
4. Approval of the Subdivision, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

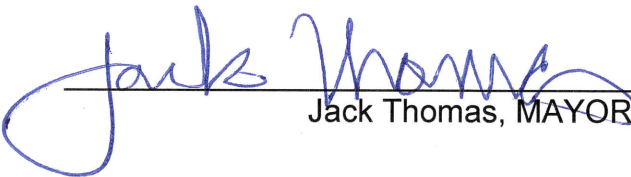
1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one 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 Daly Avenue frontage of the property.

4. The property owner shall resolve the encroachment of the fence and railroad tie retaining walls over the north (side) property line either removing the retaining walls or entering into an encroachment agreement with the neighbor at 239 Daly Avenue.
5. An encroachment agreement for the historic garage at 239 Daly Avenue is recommended.
6. 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.
7. Ten foot (10') public snow storage easements shall be granted along Daly Avenue.
8. 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 8th day of June, 2017.

PARK CITY MUNICIPAL CORPORATION



Jack Thomas, MAYOR

ATTEST:



City Recorder



APPROVED AS TO FORM:

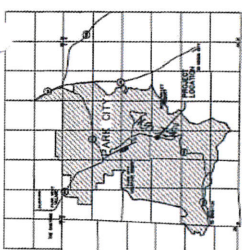


Mark Harrington, City Attorney

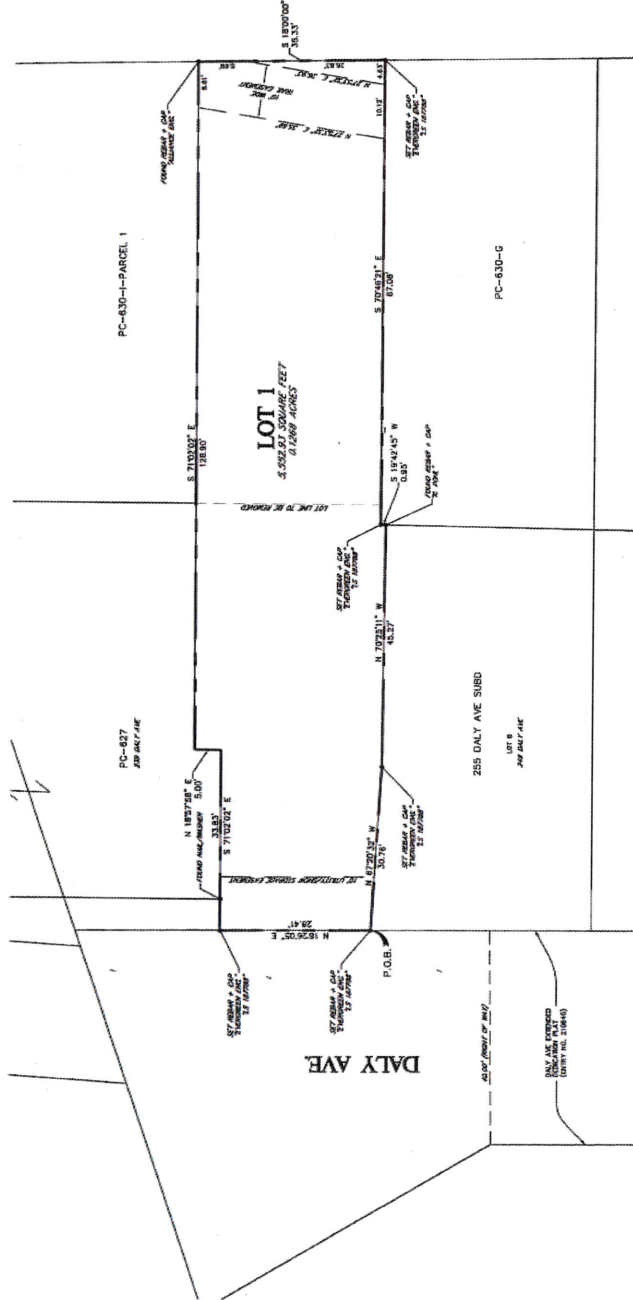
Attachment 1 – Proposed Plat

Exhibit A

243 DALY AVENUE SUBDIVISION LOT COMBINATION PLAN A PARCEL OF LAND LOCATED IN SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH



GRAPHIC SCALE



LEGAL DESCRIPTION

BEING A PART OF THE SUBDIVISION OF THE DALY AVENUE SUBDIVISION, AS SHOWN ON THE PLAT OF THE SAID SUBDIVISION, RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF SUMMIT, UTAH, UNDER RECORD NO. 2014-0001, AND BEING A PART OF THE SAID SUBDIVISION, AS SHOWN ON THE PLAT OF THE SAID SUBDIVISION, RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF SUMMIT, UTAH, UNDER RECORD NO. 2014-0001, AND BEING A PART OF THE SAID SUBDIVISION, AS SHOWN ON THE PLAT OF THE SAID SUBDIVISION, RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF SUMMIT, UTAH, UNDER RECORD NO. 2014-0001.

NARRATIVE

1. BASIS OF MEASUREMENTS: PLANS AND ADJUSTED SURVEY MEASUREMENTS AS SHOWN HEREON.
2. THE SURVEY WAS MADE BY THE SURVEYOR ON THE 15TH DAY OF FEBRUARY, 2017, AT THE OFFICE OF THE SURVEYOR, 201 WEST 100 SOUTH, SALT LAKE CITY, UTAH.
3. THE SURVEY WAS MADE BY THE SURVEYOR ON THE 15TH DAY OF FEBRUARY, 2017, AT THE OFFICE OF THE SURVEYOR, 201 WEST 100 SOUTH, SALT LAKE CITY, UTAH.
4. THE SURVEY WAS MADE BY THE SURVEYOR ON THE 15TH DAY OF FEBRUARY, 2017, AT THE OFFICE OF THE SURVEYOR, 201 WEST 100 SOUTH, SALT LAKE CITY, UTAH.

OWNER'S DECLARATION AND CONSENT TO RECORD

I, the undersigned, being the owner of the above described land, do hereby declare that I am the owner of the above described land, and I do hereby consent to the recording of this plat.

ALEXANDER E. COOK

ESTATE OF E. COOK

ACKNOWLEDGMENT

I, the undersigned, being the owner of the above described land, do hereby declare that I am the owner of the above described land, and I do hereby consent to the recording of this plat.

ALEXANDER E. COOK

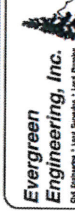
ESTATE OF E. COOK

SURVEYOR'S CERTIFICATE

I, the undersigned, being a duly licensed and sworn surveyor, do hereby certify that I am the owner of the above described land, and I do hereby consent to the recording of this plat.

ALEXANDER E. COOK

ESTATE OF E. COOK



Evergreen Engineering, Inc.
1000 North 1000 West, Suite 1000
Salt Lake City, Utah 84116
Phone: 801-464-1000
Fax: 801-464-1001
www.evergreeneng.com

CITY ENGINEER
THIS PLAN IS IN CONFORMANCE WITH INFORMATION FURNISHED BY THE ENGINEER AND THE ENGINEERING DEPARTMENT ON THIS DAY OF _____ A.D. 2017.

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT ON THIS DAY OF _____ A.D. 2017.

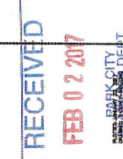
CITY PLANNING COMMISSION
APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS DAY OF _____ A.D. 2017.


APPROVAL AS TO FORM
APPROVED AS TO FORM ON THIS DAY OF _____ A.D. 2017.

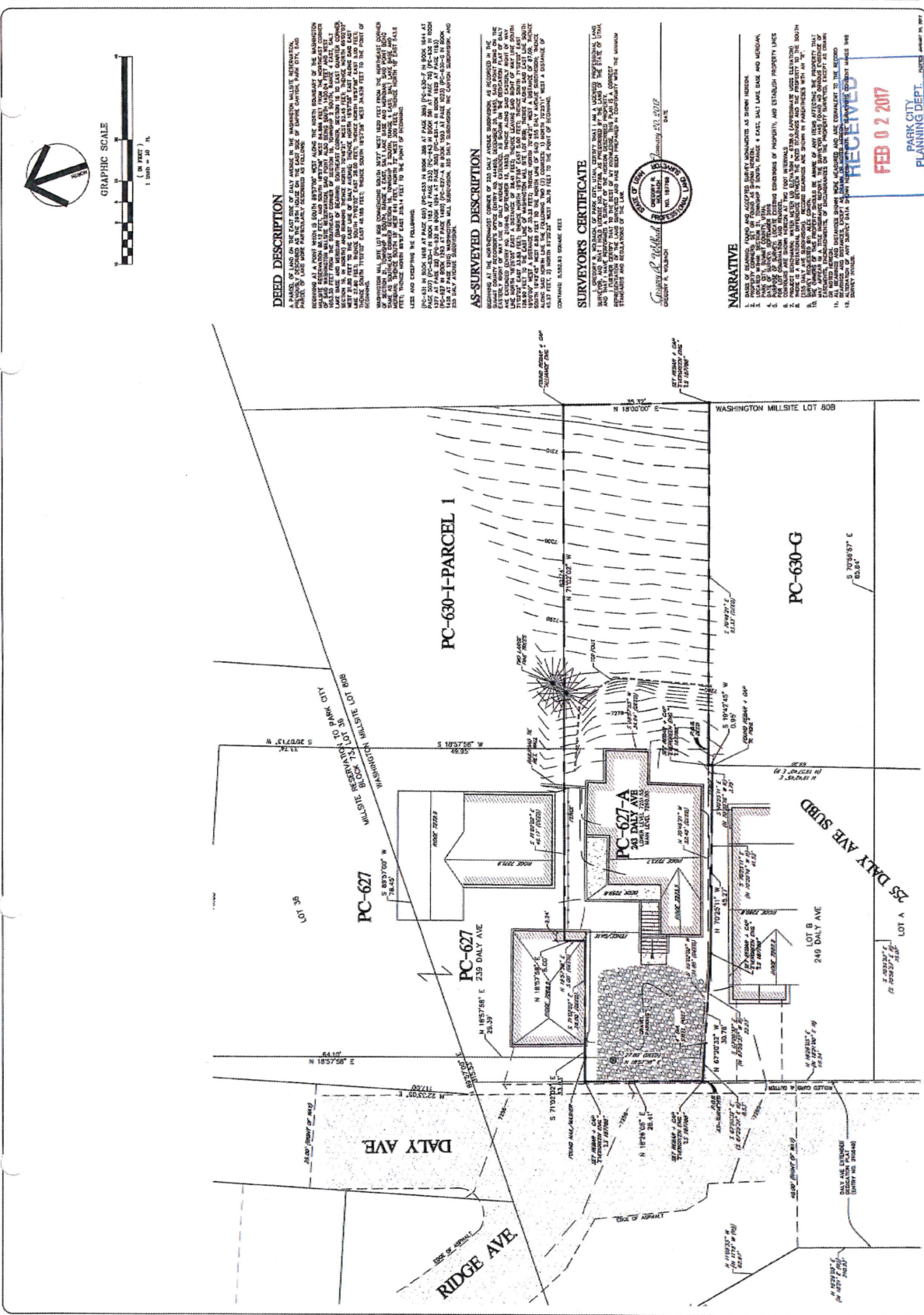
COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____ A.D. 2017.

CERTIFICATE OF ATTEST
I HEREBY ATTEST THAT THIS PLAN WAS APPROVED BY THE PARK CITY COUNCIL THIS _____ DAY OF _____ A.D. 2017.

RECORDED
RECORDED AND FILED AT THE OFFICE OF THE COUNTY RECORDER, COUNTY OF SUMMIT, UTAH, ON THIS _____ DAY OF _____ A.D. 2017.



 <p>Evergreen Engineering, Inc. Civil Engineering & Land Surveying 1010 Broadway, Suite 200 Denver, Colorado 80202 Phone: (303) 733-4477 Fax: (303) 733-4478 E-mail: info@evergreen-eng.com</p>	<p>REVISIONS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>DATE</th> <th>BY</th> <th>COMMENTS</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	DATE	BY	COMMENTS										<p>DESIGNED BY: ADN CHECKED BY: ADN DRAWN/AM: ADN</p>	<p>2007 2008 2009 2010 2011 2012</p>	<p>ALEX COHEN 243 DALEY AVENUE RECORD OF SURVEY</p>	<p>SHEET 1 OF 1</p>
DATE	BY	COMMENTS															



RECEIVED
FEB 02 2007
PARK CITY
PLANNING DEPT.