

Ordinance No. 2018-29

AN ORDINANCE APPROVING THE SUNSHINE SKI HOME PLAT AMENDMENT LOCATED AT 1062 PARK AVENUE AND 1064 PARK AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the properties located at 1062 Park Avenue and 1064 Park Avenue have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on May 5, 2018, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on May 9, 2018 proper legal notice was sent to all affected property owners and published in the Park Record and on the Utah Public Notice Website; and

WHEREAS, the Planning Commission held a public hearing on May 23, 2018, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on May 23, 2018, forwarded a positive recommendation to the City Council; and,

WHEREAS, June 7, 2018, 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 the Sunshine Ski Home Plat Amendment located at 1062 Park Avenue and 1064 Park Avenue.

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

SECTION 1. APPROVAL. The Sunshine Ski Home Plat Amendment located at 1062 Park Avenue and 1064 Park Avenue, 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 properties are located at 1062 Park Avenue and 1064 Park Avenue are in the Historic Residential-Medium Density (HR-M) District.
2. The proposed site location consists of 1062 Park Avenue ("Landmark" Single-Family Dwelling) and 1064 Park Avenue (vacant lot).
3. 1062 Park Avenue and 1064 Park Avenue are adjoining properties, each consisting of two (2) platted lots in Snyder's Addition to Park City Survey and an adjacent metes-and-bounds parcel to the northeast.
4. The applicant intends to create a two (2) lot subdivision from the four (4) platted lots and two (2) metes-and-bounds parcels.
5. The Plat Amendment application was complete on March 21, 2018.
6. 1062 Park Avenue is listed as a "Landmark" Site (single-family dwelling) on the Park City Historic Sites Inventory (HSI). The applicant has stated their intent to

restore the "Landmark" single-family dwelling and construct an addition in the rear.

7. 1064 Park Avenue is currently a vacant lot.
8. Portions of both 1062 and 1064 Park Avenue are located in Federal Emergency Management Agency's (FEMA) Flood Zone AO and Flood Zone X. All development will have to provide elevation certificates certifying compliance with the minimum FEMA Flood Zone requirements.
9. The minimum lot width in the HRM District is 37.5 feet; the lot width of Lot A and Lot B will be 37.5 feet.
10. For lots over 75 feet in depth, the required Front Yard Setback for the Single-Family Dwelling and a Duplex Dwelling is 15 feet in the HRM Zoning District.
11. The required Rear Yard Setback is 10 feet in the HRM Zoning District.
12. The required Side Yard Setback for the Single-Family Dwelling and a Duplex Dwelling is 5 feet in the HRM District.
13. A single-family dwelling is an allowed use in the HRM Zoning District.
14. A duplex dwelling is an allowed use in the HRM Zoning District.
15. Staff finds good cause for this Plat Amendment as interior lot lines and metes-and-bounds parcel boundaries will be removed for both 1062 and 1064 Park Avenue creating two (2) legal lots of record. In addition, ten foot (10') public snow storage easements along Park Avenue and 11th Street will be granted to the City.
16. The site is not located within the Sensitive Lands Overlay District. There are no known physical mine hazards.
17. On May 9th, 2018 the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published on the Utah Public Notice Website and Park Record on May 5th, 2018 according to requirements of the Land Management Code.
18. On May 23, 2018 the Planning Commission reviewed the proposed plat amendment and forwarded a positive recommendation to City Council.
19. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

1. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding lot combinations.
2. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
3. There is good cause for this plat amendment as it will resolve lot line encroachments and provide snow storage easements.
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 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 year's 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 is granted by the City Council.

3. The applicant shall show and label all easements with Snyderville Basin Water Reclamation District (SBWRD) on the plat amendment.
4. A ten feet (10') wide public snow storage easement will be required along the Park Avenue and 11th Street frontage of the property.
5. All development will have to provide elevation certificates certifying compliance with the minimum FEMA Flood Zone requirements.

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

PASSED AND ADOPTED this 7th day of June, 2018.

PARK CITY MUNICIPAL CORPORATION



Andy Beerman, MAYOR



ATTEST:



Michelle Kellogg
City Recorder

APPROVED AS TO FORM:



Mark Harrington, City Attorney

Attachment 1 – Proposed Plat



SURVEYOR'S CERTIFICATE

I, Charles Galati, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 7248891, as prescribed under the laws of the State of Utah. I further certify that by authority of the owner, I have made a survey of the tract of land hereinafter described, together with easements, hereafter to be known as SUNSHINE SKI HOME PLAT AMENDMENT and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

LEGAL DESCRIPTIONS

1062 PARK AVENUE
Parcel 1
All of Lot 13 and 14, Block 55, Snyder's Addition to Park City, according to the official plat thereof on file and of record in the office of the Summit County Recorder's Office.

Parcel 2
A parcel of land lying northerly of and adjacent to Lots 13 and 14 of Block 55, Snyder's Addition to Park City, in Park City, Summit County, Utah, bounded and described as follows:
Beginning at the northeasterly corner of said Lot 14; thence along the northeasterly line of said Lot 14 extended northerly North 54°01' East, a distance of 59.32 feet; thence South 32°48' East, a distance of 50.08 feet, more or less, to the southeasterly line of said Lot 13 extended northerly; thence along said northerly extension, South 54°01' West, a distance of 56.54 feet, more or less, to the most westerly corner of said Lot 13; thence along the northerly line of said Block 55, North 35°59' West, a distance of 50.00 feet, more or less, to the point of beginning.

1064 PARK AVENUE
Lots 15 and 16, Block 55, SNYDER'S ADDITION TO THE PARK CITY, according to the official plat thereof on file and of record in the office of the Summit County Recorder.
Also: Beginning at the Northeasterly corner of Lot 16, Block 55, Snyder's Addition to the Park City Survey, according to the official plat thereof recorded in the office of the Summit County Recorder, and running thence North 54°01' East 62.1 feet; thence South 32°48' East 50 feet, more or less; thence South 54°01' West 62.1 feet, more or less, to the Southeast corner of Lot 15; said Block 55; thence North 35°59' West along the East side of Lots 15 and 16, 50 feet, more or less, to the point of beginning.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 54°00'04" W (S 54°01' W)	2.85'

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT SUNSHINE ROSE, INC. does hereby certify that it has caused this Plat to be prepared, and does hereby consent to the recording of this Plat.

In witness whereof, the undersigned set his hand this _____ day of _____, 2018.

By: Hodes Wong, Manager
SUNSHINE ROSE, INC.

ACKNOWLEDGMENT

State of _____
County of _____

On this _____ day of _____, 2018, Hodes Wong personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the Manager of SUNSHINE ROSE, INC., and that said document was signed by him on behalf of said corporation by authority of its Bylaws, or Resolution of its Board of Directors, and he acknowledged to me that he executed the SUNSHINE SKI HOME PLAT AMENDMENT.

A Notary Public commissioned in _____
Printed Name _____
Residing in _____
My commission expires _____

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT SKIHOME, LLC, the undersigned owner as to 1064 Park Avenue, to be known hereafter as SUNSHINE SKI HOME PLAT AMENDMENT, does hereby certify that it has caused this Plat to be prepared, and does hereby consent to the recording of this Plat.

In witness whereof, the undersigned set his hand this _____ day of _____, 2018.

By: Kevin Burns, Manager
SKIHOME, LLC

ACKNOWLEDGMENT

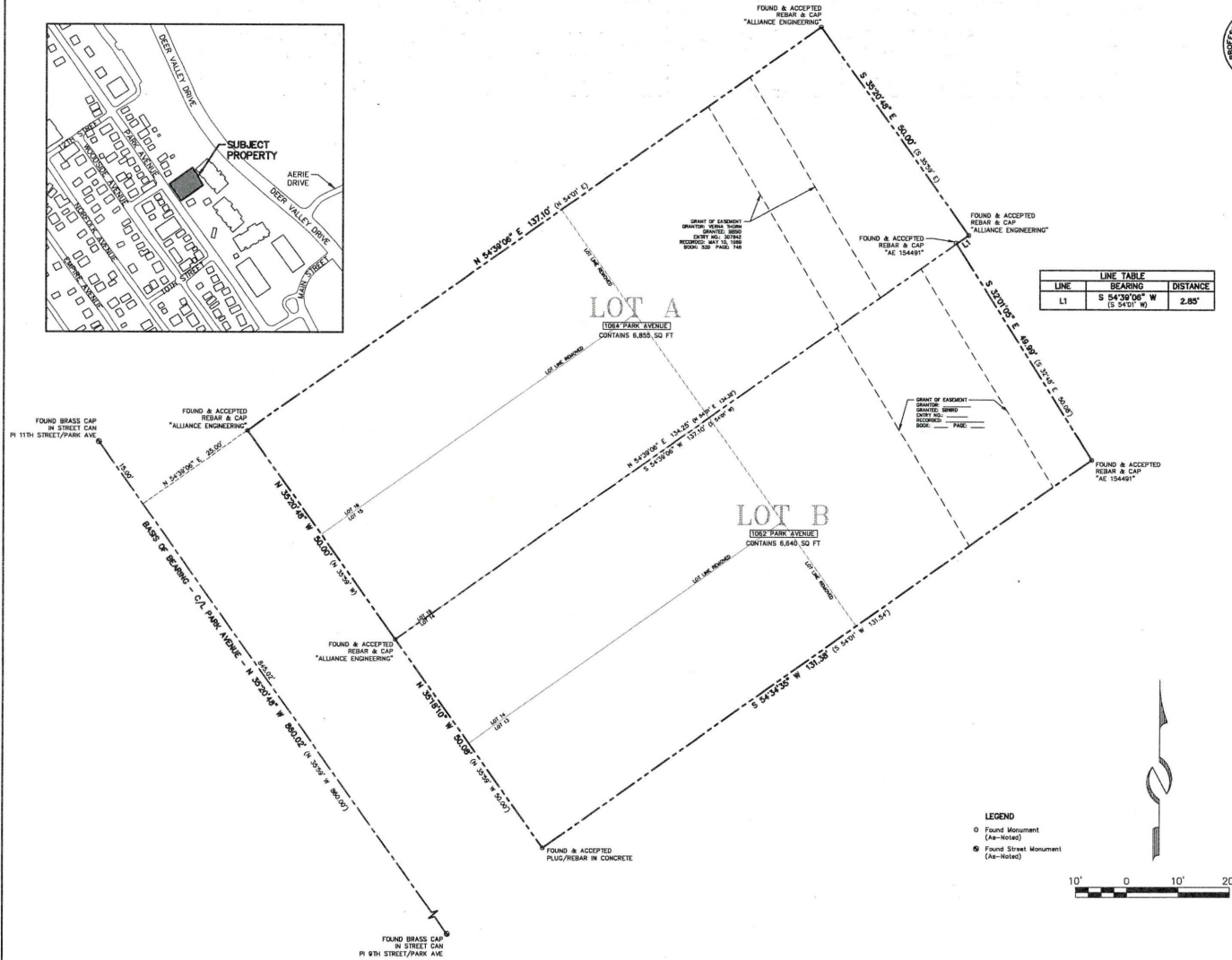
State of _____
County of _____

On this _____ day of _____, 2018, Kevin Burns personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the Manager of SKIHOME, LLC, and that said document was signed by him on behalf of said corporation by authority of its Bylaws, or Resolution of its Board of Directors, and he acknowledged to me that he executed the SUNSHINE SKI HOME PLAT AMENDMENT.

A Notary Public commissioned in _____
Printed Name _____
Residing in _____
My commission expires _____

NOTES

1. This plat is subject to the Conditions of Approval in Ordinance 2018-_____.
2. See Record of Survey 5-_____.



LEGEND

- Found Monument (As-Noted)
- Found Street Monument (As-Noted)



SUNSHINE SKI HOME PLAT AMENDMENT

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

(435) 648-0467
Alliance Engineering Inc.
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street, P.O. Box 2054, Park City, Utah 84060-2054

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2018
BY _____ S.B.W.R.D.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2018
BY _____ CHAIR

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2018
BY _____ PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS _____ DAY OF _____, 2018
BY _____ PARK CITY ATTORNEY

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2018
BY _____ MAYOR

CERTIFICATE OF ATTEST
I CERTIFY THIS PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2018
BY _____ PARK CITY RECORDER

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