

Ordinance No. 2018-40

AN ORDINANCE APPROVING THE 1304 PARK AVENUE PLAT AMENDMENT LOCATED AT 1304 PARK AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 1304 Park Avenue has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on May 30, 2018, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on May 26, 2018, 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 June 13, 2018, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on June 13, 2018, forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 12, 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 approve the 1304 Park Avenue Plat Amendment located at the same address.

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

SECTION 1. APPROVAL. The 1304 Park Avenue 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 1304 Park Avenue.
2. The property consists of a metes and bounds parcel of Snyder's Addition to Park City.
3. The property is in the Historic Residential – Medium Density (HRM) District.
4. This site is listed on Park City's Historic Sites Inventory (HSI) and is designated as Landmark.
5. The Plat Amendment removes one (1) block line that runs through the existing house.
6. The proposed Plat Amendment converts the metes and bounds parcel into one (1) legal lot of record, which will include 4,125 square feet.

7. The minimum lot area for a single-family dwelling is 1,875 square feet in the HRM zone. The proposed lots meet the minimum lot area for single-family dwellings.
8. A single-family dwelling is an allowed use in the District.
9. The minimum width of a Lot is 37.50 feet measured 15 feet back from the Front Lot Line. The proposed lots meet the minimum lot width requirement with width at 55 feet.
10. LMC § 15-2.4-6 indicates that historic structures that do not comply with building setbacks are valid non-complying structures.
11. The applicant proposes to maintain and renovate the historic house at 1304 Park Avenue.
12. The minimum front/rear yard setbacks are 10 feet (10'); the minimum total front plus rear yard setbacks are twenty feet (20'). The historic house is encroaching over the front property line approximately 1 foot, and is valid non-complying. There is an existing non-historic shed which has 1 foot (1') rear setback.
13. The minimum side yard setbacks for the site are five feet (5'). The house is setback 14.5 feet (14.5') from the south side yard and 4 feet (4') from the north side yard, which is valid non-complying.
14. There are several existing encroachments on site. The existing historic home, constructed in 1885, encroaches approximately 1 foot (1') over the front property line. There is an existing fence that runs along both sides and the rear property lines, which crosses over the property line into the Cottages on the Park property. There is a concrete retaining wall that encroaches 7 feet (7') into the City right-of-way in front of the 1304 Park Avenue property line (southwest corner, adjacent to the gravel driveway) and onto the Coalition Lodge Condominium property at 1300 Park Avenue.
15. The application was complete on April 28, 2017.
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 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. Ten foot (10') public snow storage easement shall be granted along the Park Avenue right-of-way.
4. The fence encroaches at multiple points over the property line into the neighboring Cottages on the Park Subdivision. The applicant shall either remove the existing fence or enter into an encroachment agreement with the neighbor if the fence is to remain in its existing location. To be completed prior to recordation of this plat amendment.
5. The existing concrete retaining wall encroaches approximately seven feet (7') into the right-of-way. The applicant shall remove the encroachment of the existing retaining wall prior to recordation of this plat amendment.
6. The existing main building and front porch encroach approximately 1 foot (1') into the right-of-way. The applicant will work with the City Engineer to enter into an encroachment agreement for this structure, given the historic designation.
7. Residential fire sprinklers will be required for all new construction per the requirements of the Chief Building Official.

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

PASSED AND ADOPTED this 12th day of July, 2018.

PARK CITY MUNICIPAL CORPORATION





Andy Beerman, MAYOR

ATTEST:



City Recorder

APPROVED AS TO FORM:



Mark Harrington, City Attorney

1304 PARK AVENUE PLAT AMENDMENT
 AMENDMENT TO A PORTION OF BLOCK 24
 SNYDERS ADDITION TO PARK CITY
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 16
 TOWNSHIP 2S RANGE 4E
 SALT LAKE BASE AND MERIDIAN



VICINITY AND ZONING MAP
 NOT TO SCALE

SURVEYOR'S STATEMENT

I GREGORY J. FERRARI OF PARK CITY, UTAH, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF UTAH, HOLDING LICENSE NO. 9046908. THIS PLAT AMENDMENT WAS PREPARED UNDER MY DIRECTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY MUNICIPAL CORPORATION. I FURTHER CERTIFY THAT THIS PLAT ACCURATELY SHOWS THE SURVEYED PROPERTY.

GREGORY J. FERRARI
 LICENSE NO. 9046908
 EXPIRES MARCH 31, 2019

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, HAVE CAUSED THIS PLAT AMENDMENT TO BE PREPARED TO BE HEREAFTER KNOWN AS THE 1304 PARK AVENUE PLAT AMENDMENT. DOES HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF THE UNDERSIGNED SET HIS HAND THIS _____ DAY OF _____, 2017.

ACKNOWLEDGMENT

STATE OF UTAH,)
 COUNTY OF SUMMIT,) SS
 PERSONALLY APPEARED BEFORE ME ON THIS _____ DAY OF _____, 2017, THE FOLLOWING:

WHO ACKNOWLEDGED TO ME THAT THEY EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD FREELY AND VOLUNTARILY.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC
 RESIDING IN _____

LEGAL DESCRIPTION:

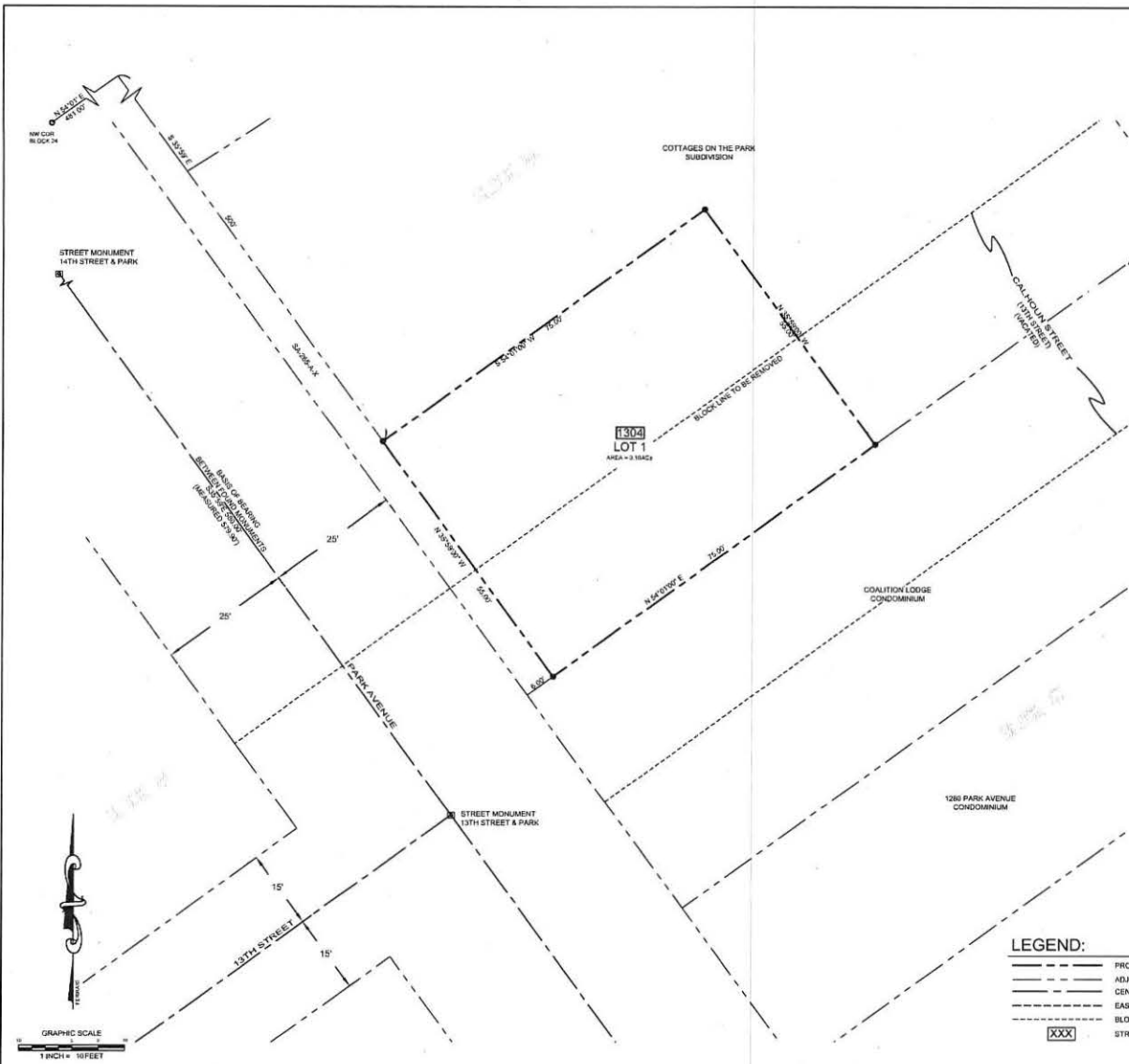
LOT 1:
 BEGINNING AT A POINT WHICH IS 481.00 FEET NORTH 54°01' EAST AND 200 FEET SOUTH 20°59' EAST FROM THE NORTHWEST CORNER OF BLOCK 24, SNYDERS ADDITION TO PARK CITY; THENCE SOUTH 54°01' WEST 75.00 FEET; THENCE SOUTH 20°59' EAST 55.00 FEET; THENCE NORTH 54°01' WEST 75.00 FEET; THENCE SOUTH 20°59' EAST 55.00 FEET; THENCE NORTH 54°01' EAST 75.00 FEET; THENCE NORTH 36°00' WEST 25.00 FEET TO THE POINT OF BEGINNING. CONTAINING 0.10 ACRES.

NOTES:

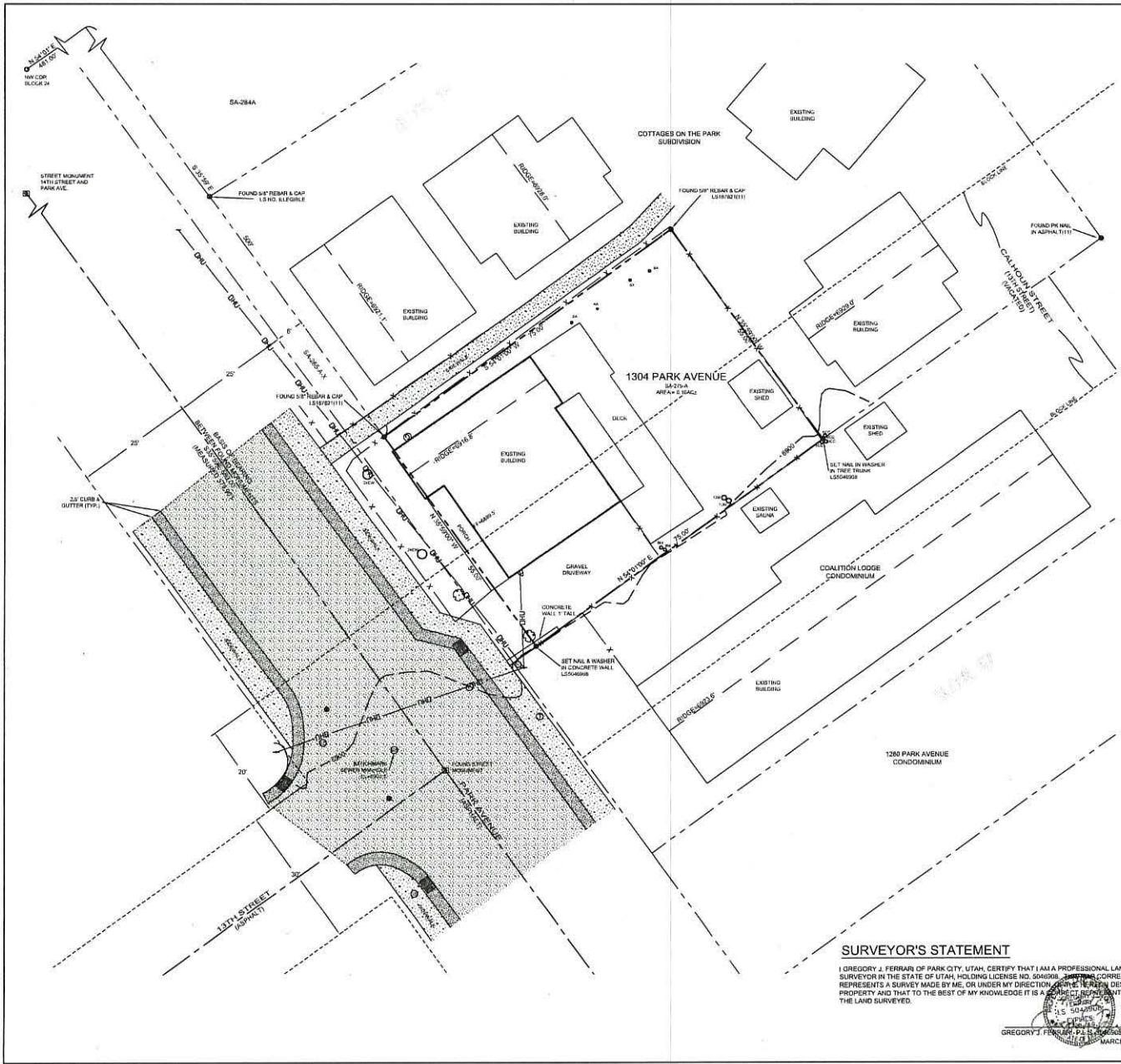
1. MODIFIED 13-D SPRINKLERS WILL BE REQUIRED FOR NEW CONSTRUCTION AS REQUIRED BY THE CHIEF BUILDING OFFICIAL AT THE TIME OF REVIEW OF THE BUILDING PERMIT SUBMITTAL.
2. THIS PLAT AMENDMENT IS SUBJECT TO THE CONDITIONS OF APPROVAL OF ORDINANCE XX-XX.

LEGEND:

- PROPERTY LINE
- - - ADJOINING PROPERTY LINE
- CENTER LINE
- - - EASEMENT
- - - BLOCK LINE
- XXX STREET ADDRESS ON PARK AVE.
- SET NAIL & WASHER L55049508
- FOUND 5/8" REBAR & CAP L5167821
- STREET MONUMENT



<p>FERRARI SURVEYING, LLC P.O.B. 883001 PARK CITY, UT (435) 646-0412</p>	<p>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2017 A.D. BY: _____ S.B.W.R.C.</p>	<p>PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 23rd DAY OF MARCH, 2017 BY: _____ CHAIRMAN</p>	<p>ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2017 A.D. BY: _____ PARK CITY ENGINEER</p>	<p>APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2017 A.D. BY: _____ PARK CITY ATTORNEY</p>	<p>CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF PLAT AMENDMENT WAS APPROVED BY PARK CITY COUNCIL THIS 14th DAY OF APRIL, 2017 A.D. BY: _____ PARK CITY RECORDER</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 14th DAY OF APRIL, 2017 A.D. BY: _____ MAYOR</p>	<p>RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ FEE _____ RECORDER _____</p>
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RECORD OF SURVEY & TOPOGRAPHICAL MAP
 1304 PARK AVENUE
 PARCEL SA-275-A, BLOCK 24 SNYDER'S ADDITION TO PARK CITY
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 16
 TOWNSHIP 2S RANGE 4E
 SALT LAKE BASE AND MERIDIAN



LEGAL DESCRIPTION:
 BEGINNING AT A POINT WHICH IS 481.00 FEET NORTH 54°01' EAST AND 500 FEET SOUTH 35°59' EAST FROM THE NORTHWEST CORNER OF BLOCK 24, SNYDER'S ADDITION TO PARK CITY; THENCE SOUTH 54°01' WEST 75.00 FEET; THENCE SOUTH 30°59' EAST 56.00 FEET; THENCE NORTH 54°01' WEST 75.00 FEET; THENCE SOUTH 30°59' EAST 56.00 FEET; THENCE NORTH 54°01' EAST 75.00 FEET; THENCE NORTH 30°59' WEST 55.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.10 ACRES.

LEGEND:

---	CLIENT PROPERTY LINE	●	PROPERTY CORNER (AS NOTED)
- - -	ADJOINING PROPERTY LINE	⊕	FIRE HYDRANT
---	CENTERLINE	⊕	WATER VALVE
---	MAJOR CONTOUR	⊕	SEWER MANHOLE
---	MINOR CONTOUR	⊕	TELEPHONE PEDESTAL
X	FENCE	⊕	TELEPHONE MANHOLE
---	PUBLIC UTILITY EASEMENT	⊕	ELECTRIC MANHOLE
---	BLOCK LINE	⊕	STORM DRAIN MANHOLE
---	OVER HEAD UTILITY	⊕	ELECTRIC METER
⊕	LILAC BUSH	⊕	POWER POLE
⊕	TREE TRUNK, DIAM. ASPEN	⊕	GAS METER
⊕	TREE TRUNK, DIAM. COTTONGWOOD	⊕	STREET MONUMENT
⊕	TREE TRUNK, DIAM. MAPLE	⊕	
⊕	TREE TRUNK, DIAM. CHORE CHERRY	⊕	

PROJECT INFORMATION:

CLIENT: JEFF VOLMRICH
 2875 LAST STAND DRIVE
 PARK CITY, UT 84050

PROJECT ADDRESS: 1304 PARK AVENUE
 PARK CITY, UT 84050

SERIAL NO: SA-275-A

- NOTES:**
- THE PURPOSE OF THIS SURVEY IS LOCATE THE BOUNDARIES OF THIS PROPERTY ON THE GROUND AND CREATE A TOPOGRAPHICAL MAP AT THE REQUEST OF JEFF VOLMRICH
 - THE EVIDENCE OF BOUNDARY SHOWN HEREON IS TAKEN FROM RECORD INFORMATION COMPILED FROM SNYDER'S ADDITION TO PARK CITY SUBDIVISION.
 - NO INVESTIGATION CONCERNING ENVIRONMENTAL & SUBSURFACE CONDITIONS, OR THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES WHICH MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY WAS MADE AS A PART OF THIS SURVEY.
 - NO INVESTIGATION CONCERNING THE LOCATION OF OR EXISTENCE OF UTILITY SERVICE LINES TO THIS PROPERTY WAS MADE AS A PART OF THIS SURVEY.
 - ALL UTILITY LOCATIONS SHOULD BE FIELD VERIFIED PRIOR TO ANY DESIGN OR CONSTRUCTION.
 - DATE OF FIELD WORK MARCH 14, 2017.
 - VERTICAL DATUM IS ASSUMED.
 - BUILDING SETBACKS MUST BE CONFIRMED WITH THE COUNTY, HOMEOWNER'S ASSOCIATION, ARCHITECTURAL COMMITTEE, OR SIMILAR ADVISORY GROUP, IF ANY.
 - THE OWNER OF THE PROPERTY SHOULD BE AWARE OF ANY ITEMS AFFECTING THE PROPERTY THAT MAY APPEAR IN A TITLE INSURANCE REPORT.
 - NO BASIS OF BEARING SHOWN HEREON.
 - FOUND PER SUBDIVISION PLAT OF 'COTTAGES ON THE PARK' ENTRY NO. 530081 ON FILE AT THE OFFICE OF THE SUMMIT COUNTY RECORDER.

SURVEYOR'S STATEMENT

I GREGORY J. FERRARI OF PARK CITY, UTAH, CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH, HOLDING LICENSE NO. 5040908. I HAVE CORRECTLY REPRESENTED A SURVEY MADE BY ME, OR UNDER MY DIRECTION, AND THE PROPERTY DESCRIBED PROPERTY AND THAT TO THE BEST OF MY KNOWLEDGE IT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED.



INITIAL	
REVISIONS	
REV.	DATE
P.O. BOX 683001 PARK CITY, UT 84058	
REUSE OF DOCUMENTS THIS DOCUMENT & THE DATA & DESIGN INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF FERRARI SURVEYING & IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN AUTHORIZATION OF FERRARI SURVEYING.	
RECORD OF SURVEY AND TOPOGRAPHICAL MAP BLOCK 24 SNYDER'S ADDITION TO PARK CITY SA-275-A JEFF VOLMRICH 1304 PARK AVENUE PARK CITY, UTAH SUMMIT COUNTY	
DATE	3/31/17
DRAWN BY	GF
CHECKED BY	GF
DATE	3/31/17
SCALE	1" = 10'
SHEET NO.	1 OF 1
PROJECT NO.	2017.15