

Ordinance No. 2018-53

AN ORDINANCE APPROVING THE 1406 PARK AVENUE PLAT AMENDMENT LOCATED AT 1406 PARK AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 1406 Park Avenue has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on September 12, 2018, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on September 8, 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 September 26, 2018, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on September 26, 2018, forwarded a positive recommendation to the City Council; and,

WHEREAS, on October 23, 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 1406 Park Avenue plat amendment located at 1406 Park Avenue.

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

SECTION 1. APPROVAL. The 1406 Park Avenue Plat Amendment located at 1406 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 property is located at 1406 Park Avenue.
2. The site is not designated as historic on the City's Historic Sites Inventory.
3. On July 26, 2018, the applicant submitted a plat amendment application to the Planning Department to combine the existing metes and bounds parcel into a single lot of record measuring 3,557 square feet. It is Summit County Parcel SA-236.
4. The plat amendment application was complete on July 26, 2018.
5. There are several encroachments on this site. There is a wood fence that wraps the west (front), north (side) east (rear), and south (side) property lines; the fence encroaches over the west, north, and east property lines.

6. The existing house was constructed in 1912 and significantly altered between 1949 and 1982; it does not comply with the required setbacks. The applicant has proposed to demolish this house in order to redevelop the site.
7. The minimum required lot size in the Historic Residential Medium-Density (HRM) zoning district is 1,875 square feet for a single family house and 3,750 square feet for a duplex. The proposed lot size is 3,557 square feet; it complies for a single family house but does not comply for a duplex.
8. In the HRM Zoning District, there is no maximum building footprint. Rather, any new development will need to comply with the required setbacks as outlined in LMC 15-2.4.
9. This property is surrounded by single and multi-family dwellings. There is not a consistent house size in this neighborhood due to the mix of housing developments.
10. The proposed lot at 1406 Park Avenue measuring 3,557 square feet is much smaller than the typical lot sizes in this neighborhood. The average lot size is 18,738.50 square feet overall for lots in the 1300-1500 blocks of Park Avenue within the HRM Zoning District. The largest lot is at the Woodside Park Subdivision at 1353 Park Avenue (20,752 sf) and the smallest was the single-family development at 1323 Park Avenue (2,178 sf).
11. The minimum required lot width in the HRM zoning district is 37.50 feet; the proposed lot complies at 51.42 feet in width.
12. The minimum required setbacks in the HRM zone are 15 feet front yard, 20 feet for front-facing garages; the existing house complies with a 22 foot front yard setback.
13. The minimum required rear yard setback is 10 feet; the existing house does not comply with a 4 foot rear yard setback.
14. The minimum required side yard setbacks are 5 feet; the existing house complies with a 6.4 foot north side yard setback, and does not comply with a 4.9 foot south side yard setback. This is an existing non-complying condition.
15. The maximum building height above existing grade in the HRM zoning district is 27 feet. The existing house complies with a height of 15.8 feet.
16. The plat amendment will not create any new non-complying conditions. All non-complying conditions are currently in existence.
17. 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. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.
4. A 10 foot wide public snow storage easement along the frontage of Park Avenue is required and shall be provided on the plat.
5. There is a wood fence that wraps the west (front), north (side) east (rear), and south (side) property lines; the fence encroaches over the west, north, and east property lines. The applicant shall either remove the fence or relocate the fence within his property lines prior to recording the plat amendment.
6. No building permit for any work that expands the footprint of the home, or would first require the approval of an HDDR, shall be granted until the plat amendment is recorded with the Summit County Recorder's office.

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

PASSED AND ADOPTED this 23rd day of October, 2018.

PARK CITY MUNICIPAL CORPORATION


Andy Beerman, MAYOR

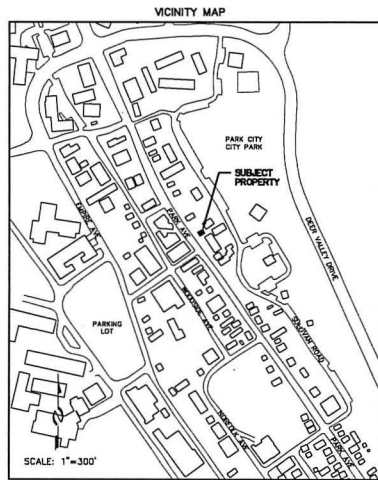


ATTEST:


Michelle Kellogg, City Recorder

APPROVED AS TO FORM:


Mark Harrington, City Attorney



SURVEYOR'S CERTIFICATE

I, Charles Collet, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 7248891, as prescribed by the laws of the State of Utah, and that by authority of the owners, 1406 PARK AVENUE PLAT AMENDMENT has been reviewed under my direction, and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

LEGAL DESCRIPTION

Beginning at a point 1800 feet East along the Section line from the Southwest corner of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence East along the Section line 13.90 feet; thence North 36°56'00" West 13 feet; thence North 53°28'00" East 58 feet; thence South 35°59'00" East 52.08 feet; thence South 54°01'00" West 69.03 feet; thence North 35°59'00" West 48.89 feet to the point of beginning.

Also described by as-surveyed description as follows:

Beginning at a point on the Easterly right-of-way line of Park Avenue, said point being East 1782.88 feet along Section line and North 31.4 feet from the Southwest corner of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian (said point further described as being North 22°59'18" West 111.98 feet from the Park City Survey Monument at the intersection of 1400 North Street and Park Avenue [Point of Bearing is North 82°58'43" East from said monument] to the South quarter corner of said Section 9), and running thence North 53°33'40" East 68.75 feet; thence South 35°53'20" East 52.08 feet; thence South 54°08'40" West 68.75 feet to said Easterly right-of-way line; thence North 35°53'20" West 31.42 feet along said Easterly right-of-way line to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT, Richard N. Ehrenkronek and Janice I. Ehrenkronek, husband and wife as joint tenants, hereby certify that they have caused this plat amendment to be made and this 1406 PARK AVENUE PLAT AMENDMENT to be prepared and hereby consent to the recording of this plat amendment.

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

By: Richard N. Ehrenkronek

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

By: Janice I. Ehrenkronek

ACKNOWLEDGMENT

State of _____

County of _____

On this _____ day of _____, 2018, Richard N. Ehrenkronek personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me been duly sworn/affirmed, that he acknowledged to me that he executed the 1406 PARK AVENUE PLAT AMENDMENT.

Notary Public _____

Printed Name _____

Residing in: _____

My commission expires: _____

Commission No.: _____

ACKNOWLEDGMENT

State of _____

County of _____

On this _____ day of _____, 2018, Janice I. Ehrenkronek 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, that she acknowledged to me that she executed the 1406 PARK AVENUE PLAT AMENDMENT.

Notary Public _____

Printed Name _____

Residing in: _____

My commission expires: _____

Commission No.: _____

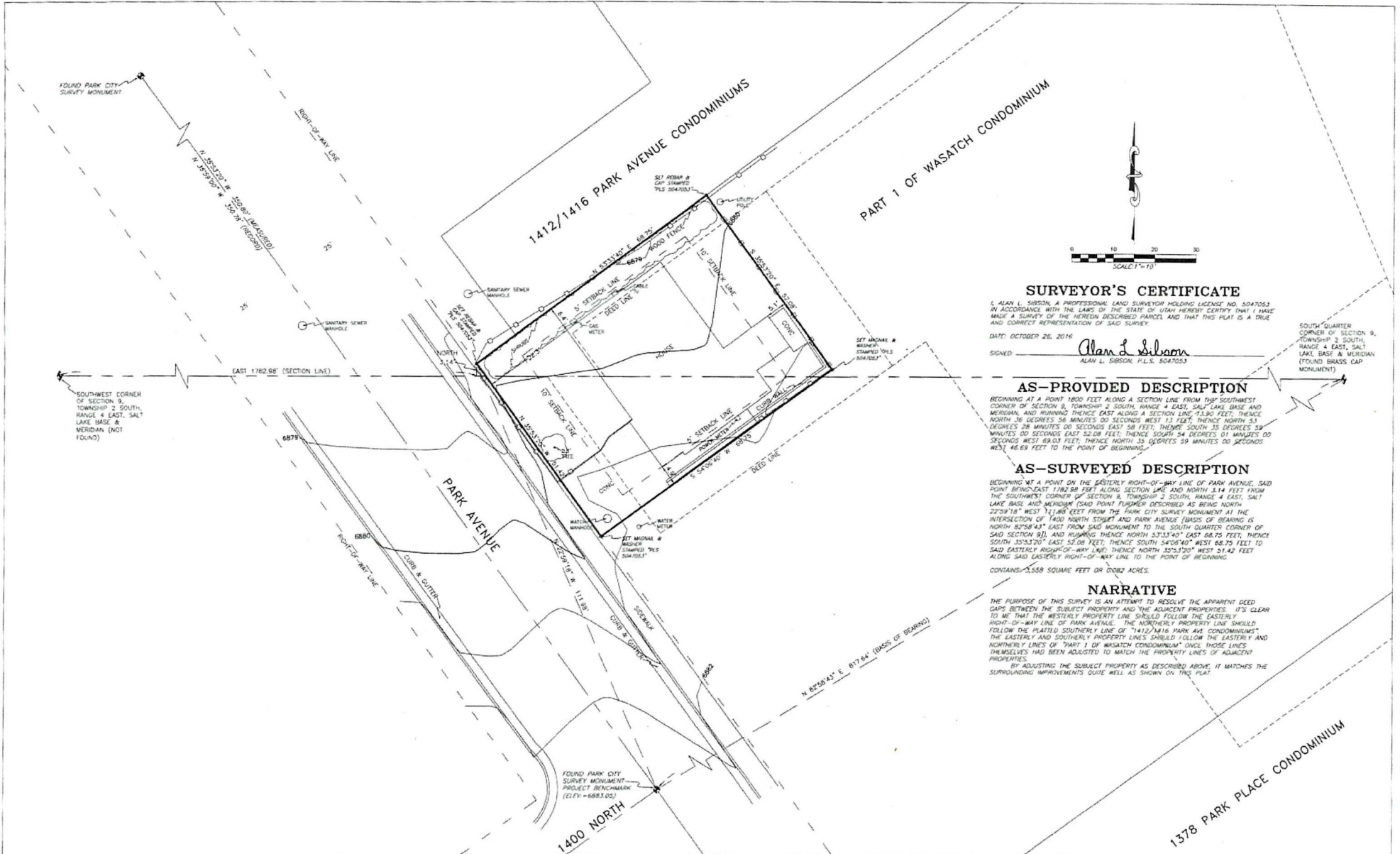
NOTES

- This plat amendment is subject to the Conditions of Approval in Ordinance 2018-____ and removes the existing internal lines to unify the property into one lot of record.
- See Record of Survey 5-9471.
- At the time of this plat amendment, the property is located in Zone AD as shown on the Flood Insurance Rate Map of the Federal Emergency Management Agency, Panel 919, Map Number 49043C0919C, and has an effective date of March 18, 2006.

1406 PARK AVENUE PLAT AMENDMENT

PARTIALLY LOCATED IN BLOCK 23, SNYDER'S ADDITION TO PARK CITY, THE SOUTHWEST QUARTER OF SECTION 9 AND THE NORTHWEST QUARTER OF SECTION 16 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH

<p>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2864 Park City Utah 84002-2864</p>	<p>(435) 648-9487</p> <p>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT</p> <p>REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2018</p> <p>BY: _____ S.B.W.R.D.</p>	<p>PLANNING COMMISSION</p> <p>APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2018</p> <p>BY: _____ CHAIR</p>	<p>ENGINEER'S CERTIFICATE</p> <p>I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2018</p> <p>BY: _____ PARK CITY ENGINEER</p>	<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM THIS _____ DAY OF _____, 2018</p> <p>BY: _____ PARK CITY ATTORNEY</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE</p> <p>APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2018</p> <p>BY: _____ MAYOR</p>	<p>CERTIFICATE OF ATTEST</p> <p>I CERTIFY THIS PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2018</p> <p>BY: _____ PARK CITY RECORDER</p>	<p>RECORDED</p> <p>STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____</p> <p>FEE _____ RECORDER _____</p> <p>TIME _____ DATE _____ ENTRY NO. _____</p>
	<p>7/27/18 JOB NO.: 4-6-18 FILE: X:\SnydersAddition\dwg\svr\plat2018\040618.dwg</p>						



SURVEYOR'S CERTIFICATE

I, ALAN L. SIBSON, A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NO. 5047053 IN ACCORDANCE WITH THE LAWS OF THE STATE OF UTAH HEREBY CERTIFY THAT I HAVE MADE A SURVEY OF THE HEREBY DESCRIBED PARCEL AND THAT THIS PLAN IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.

DATE: OCTOBER 26, 2016

SIGNED: Alan L. Sibson
ALAN L. SIBSON, P.L.S. 5047053

AS-PROVIDED DESCRIPTION

BEGINNING AT A POINT 1800 FEET ALONG A SECTION LINE FROM THE SOUTHWEST CORNER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE EAST ALONG A SECTION LINE 14.80 FEET; THENCE NORTH 36 DEGREES 58 MINUTES 00 SECONDS WEST 1.3 FEET; THENCE NORTH 5.1 DEGREES 28 MINUTES 00 SECONDS EAST 58 FEET; THENCE SOUTH 35 DEGREES 59 MINUTES 00 SECONDS EAST 52.08 FEET; THENCE SOUTH 54 DEGREES 01 MINUTES 00 SECONDS WEST 69.03 FEET; THENCE NORTH 35 DEGREES 59 MINUTES 00 SECONDS WEST 46.69 FEET TO THE POINT OF BEGINNING.

AS-SURVEYED DESCRIPTION

BEGINNING AT A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF PARK AVENUE, SAID POINT BEING EAST 1.82 88 FEET ALONG SECTION LINE AND NORTH 3.14 FEET FROM THE SOUTHWEST CORNER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN (OLD POINT FURNISH DESCRIBED AS BEING NORTH 27°58'18" WEST 11.68 FEET FROM THE PARK CITY SURVEY MONUMENT AT THE INTERSECTION OF 1400 NORTH STREET AND PARK AVENUE [BASIS OF BEARING IS NORTH 80°58'41" EAST FROM SAID MONUMENT TO THE SOUTH QUARTER CORNER OF SAID SECTION 9]), AND RUNNING THENCE NORTH 53°33'40" EAST 66.75 FEET; THENCE SOUTH 35°32'00" EAST 52.08 FEET; THENCE SOUTH 54°04'40" WEST 68.75 FEET TO SAID EASTERLY RIGHT-OF-WAY LINE; THENCE NORTH 35°12'00" WEST 51.42 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

CONTAINS 1.558 SQUARE FEET OR 0.0352 ACRES.

NARRATIVE

THE PURPOSE OF THIS SURVEY IS AN ATTEMPT TO RESOLVE THE APPARENT DEED GAPS BETWEEN THE SUBJECT PROPERTY AND THE ADJACENT PROPERTIES. IT IS CLEAR TO ME THAT THE WESTERLY PROPERTY LINE SHOULD FOLLOW THE EASTERLY RIGHT-OF-WAY LINE OF PARK AVENUE. THE NORTHERLY PROPERTY LINE SHOULD FOLLOW THE PLATTED SOUTHERLY LINE OF 1412/1416 PARK AVE CONDOMINIUMS. THE EASTERLY AND SOUTHERLY PROPERTY LINES SHOULD FOLLOW THE EASTERLY AND NORTHERLY LINES OF PART 1 OF WASATCH CONDOMINIUM SINCE THOSE LINES THEMSELVES HAD BEEN ADJUSTED TO MATCH THE PROPERTY LINES OF ADJACENT PROPERTIES.

BY ADJUSTING THE SUBJECT PROPERTY AS DESCRIBED ABOVE, IT MATCHES THE SURROUNDING IMPROVEMENTS QUITE WELL AS SHOWN ON THIS PLAN.

SIBSON ASSOCIATES
LAND SURVEYORS
BOUNDARY, TOPOGRAPHIC & CONSTRUCTION SURVEYS
33 EAST 100 NORTH, AMERICAN FORK, UTAH 84003

TEL: (801) 634-2030 EMAIL: SIBSONSURVEY@GMAIL.COM



RICHARD EHRENKROOK
1406 PARK AVENUE, PARK CITY
SUMMIT COUNTY, UTAH

LOCATED IN THE SOUTHWEST 1/4 OF SECTION 9 & THE NORTHWEST 1/4 OF SECTION 16, T 2 S, R 4 E, S188W

REVISIONS: 10/27/18
ADDED SETBACK INFO
11/23/18 ADDED COG. INFO
3/12/19 ADDED CONTOURS
5/28/19 ADDED UTILITIES

DRAWN BY: ALS	SURVEYED BY: ALS
CHECKED BY: ALS	CALCULATED BY: ALS
SURVEY DATE: 10/23/16	EPOCH 25
JOB NO: 16-071	DWG: EHRENKROOK-PARK CITY

SHEET DESCRIPTION
BOUNDARY SURVEY

SHEET NO.
1
OF
ONE

1406 PARK AVENUE
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 16,
 AND THE SOUTHWEST QUARTER OF SECTION 9,
 TOWNSHIP 2 SOUTH, RANGE 4 EAST,
 SALT LAKE BASE AND MERIDIAN
 LOTS 2, 3 AND A PORTION OF LOT 4, BLOCK 23
 SNYDER'S ADDITION TO PARK CITY
 RECORD OF SURVEY
 SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE

I, Charles Galati, certify that I am a Professional Land Surveyor and that I hold License No. 7248891, as prescribed by the laws of the State of Utah. I further certify that under my direct supervision a survey has been performed on the herein described property and that to the best of my knowledge this plot is a correct representation of said survey.

LEGAL DESCRIPTION

Beginning at a point 1800 feet East along the Section line from the Southwest corner of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence East along the Section line 13.90 feet; thence North 38°59'00" West 13 feet; thence North 5°22'00" East 50 feet; thence South 35°59'00" East 52.08 feet; thence South 54°01'00" West 89.03 feet; thence North 35°59'00" West 46.69 feet to the point of beginning.

Also described by as-surveyed description as follows:

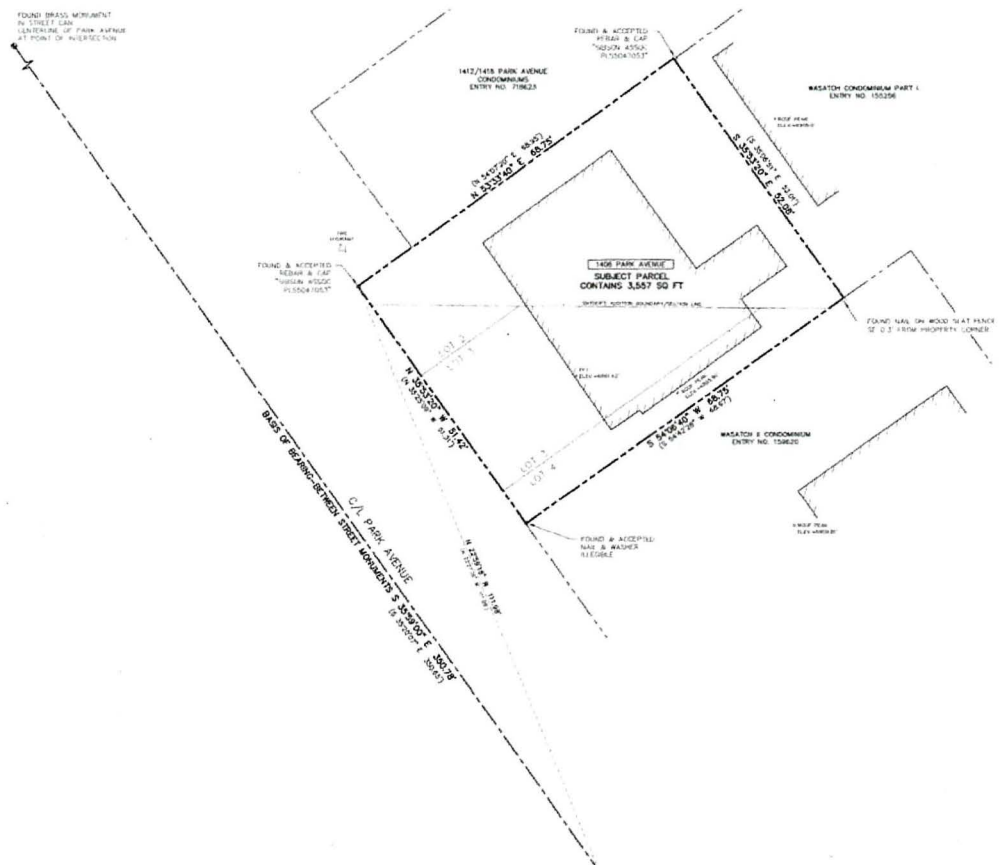
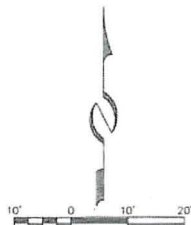
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NOTES

1. Basis of Bearing for this survey is between the found street monuments in Park Avenue as shown on this plot.
2. Field work for this survey was performed June 20, 2016, and is in compliance with generally accepted industry standards for accuracy.
3. The purpose of this survey was to perform a Record of Survey and supplemental existing condition map to supplement an unrecorded survey performed by Alan Sisson (see note 5 below) to meet Park City plot amendment submitted requirements.
4. A Title Report was not provided to the surveyor and no easements were located as part of this survey. This owner of the property should be aware of any items affecting the property that may appear in a title insurance report. The surveyor found no obvious evidence of easements, encroachments or encumbrances on the property surveyed except as shown hereon.
5. County tax maps, recorded deeds, Snyder's Addition to Park City plot, an unrecorded survey performed by Alan Sisson dated 10/23/76 with revisions dated 3/28/78, and physical evidence found in the field were used to determine the boundary as shown on this plot.
6. Site Benchmark: Street monument at the intersection of Park Avenue and 14th Street. Elevation=6883.05' as shown on this plot.
7. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
8. Property corners were found as shown.
9. Measured bearings and distances, when different from record, are shown in parenthesis ().

LEGEND

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



	(435) 643-3467	STAFF: CHARLES GALATI CHIP TOMASGREN TOM LUND MARSHALL KING RYAN BETZ	SUPPLEMENTAL EXISTING CONDITIONS MAP 1406 PARK AVENUE	SHEET 1 OF 1
	CONSULTING ENGINEERS, LAND PLANNERS, SURVEYORS 113 West Street, P.O. Box 1064, Park City, Utah 84060-1064			