

**Ordinance No. 2020-49**

AN ORDINANCE APPROVING THE 1117 PARK AVENUE PLAT AMENDMENT  
LOCATED AT 1117 PARK AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the properties located at 1117 Park Avenue has petitioned the City Council for approval of the Subdivision Plat; and

WHEREAS, on October 10, 2020, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on October 13, 2020, 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 October 28, 2020 to receive input on the Subdivision Plat; and

WHEREAS, the Planning Commission, on October 28, 2020, forwarded a positive recommendation to the City Council; and,

WHEREAS, on November 19, 2020, the City Council held a public hearing to receive input on the Subdivision Plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the 1117 Park Avenue Plat Amendment, located at 1117 Park Avenue.

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

**SECTION 1. APPROVAL.** The 1117 Park Avenue 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**

***Background:***

1. On September 22, 2020, the Planning Department received a complete Plat Amendment application.
2. The applicant is proposing to combine the North ½ of Lot 3 and all of Lot 4 of Block 5 of Snyder's Addition into one (1) Lot of Record.
3. The property is located at 1117 Park Avenue.

***Zoning District:***

4. The property is located in the Historic Residential (HR-1) Zoning District.

***Public Notice Requirements:***

5. Staff published notice on the City's website and the Utah Public Notice website, and posted notice to the property on October 14, 2020. Staff mailed courtesy notice to

property owners within 300 feet on October 13, 2020. The *Park Record* published notice on October 14, 2020.

**Lot and Site Requirements**

6. All future development on the proposed Lot complies with the HR-1 Zoning District Requirements outlined in LMC § 15-2.2:
  - a. Minimum Lot Area is 1,875 square feet. The proposed Lot contains 2,812.5 square feet.
  - b. Minimum Lot Width is 25 feet. The proposed Lot Width is 37.5 feet.
  - c. The Lot Depth is 75 feet.
  - d. The Maximum Building Footprint is 1,200.7 square feet. Any development will comply.
  - e. The Minimum Front Setback is 10 feet. Any development will comply.
  - f. The Minimum Rear Setback is 10 feet. Existing: Approximately 9'-2". Any development will comply.
  - g. The Minimum Side Setback is 5 feet. Approximately 5'-7" North Side to 3'-10" South Side. Any development will comply.
  - h. The Maximum Building Height is 27 feet. Any development will comply.
  - i. Parking Regulations – Single Family Dwelling – 2 per Dwelling Unit. Does not comply. Existing: 1 Parking Space at approximately 14ft x 23ft.
7. The existing structure straddles the common lot line between Lot 4 and Lot 3. The existing structure is an existing Non-Complying Structure for Single-Family Dwelling Parking Requirements and Side and Rear Setback compliance. Per LMC § 15-9-6 Non-Complying Structures: If the Property Owner has voluntarily demolished, or is required by law to demolish, more than 50% of the Gross Floor Area of the Non-Complying Structure, the Structure shall not be restored unless it is restored to comply with the regulations of the Zoning District in which it is located.

**Subdivision Requirements:**

8. The proposal complies with LMC § 15-7.1-6.
9. The proposal complies with LMC § 15-7.3-1(A-E) Conformance to Applicable Rules and Regulations.
10. The proposal complies with LMC § 15-7.3-2(A-N) General Subdivision Requirements.
11. The proposal complies with LMC § 15-7.3-3(A-K) General Lot Design Requirements.
12. 15-7.3-4 (A-I) Road Requirements and Design. The proposal does not create any new Roads nor alter any existing Roads.
13. 15-7.3-5 (A-C) Drainage and Storm Sewers. The proposal does not create any new Drainage and/or Storm Sewer nor alter any existing Drainage and/or Storm Sewer.
14. 15-7.3-6 (A-B) Water Facilities. The proposal does not extend nor create a new water-supply system.
15. 15-7.3-7 (A-B) Sewer Facilities. The proposal does not create any new sanitary sewer facilities.
16. 15-7.3-8 (A) Sidewalks, Hiking Trails, Bike Paths, and Horse Trails. The proposal does not create nor alter any Sidewalks, Hiking Trails, Bike Paths, or Horse Trails.
17. 15-7.3-9 (A-B) Utilities. Any future construction on this site proposed will connect into existing utilities in Park Avenue. The Development Review Committee reviewed the proposal and did not identify any utility connection issues.

18. 15-7.3-10 (A-B) Public Uses. Not required. The proposal does not consist of a Major or Minor Subdivision.
19. The proposal complies with 15-7.3-11 (A) Preservation of Natural Features and Amenities
20. 15-7.3-12 (A-B) Nonresidential Subdivisions does not apply.
21. The Development Review Committee and Planning, Engineering, and Legal Departments reviewed this application.
22. Staff did not receive any public input at the time this report was published.

### **Conclusions of Law**

1. There is Good Clause for this Plat Amendment.
2. The Plat Amendment is consistent with the Park City Land Management Code, including LMC § 15-2.2-3 Historic Residential (HR-1) District, LMC § 15-7.1-3(B) Plat Amendment, LMC § 15-7.1-6 Final Subdivision Plat, LMC § 15-7.3 Requirements for Improvements, Reservations, and Design.
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 shall 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 plat shall note that fire sprinklers are required for all new or renovation construction on this lot, to be approved by the Chief Building Official.
4. A ten foot (10') public snow storage easement on Park Avenue shall be noted on the Plat.
5. The property is not located within the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore it is not regulated by the City for mine related impacts. However, if the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance to State and Federal law.
6. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.

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

PASSED AND ADOPTED this 19<sup>th</sup> day of November, 2020.

PARK CITY MUNICIPAL CORPORATION


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11/25/2020

\_\_\_\_\_  
Andy Beerman, MAYOR

\_\_\_\_\_  
Date

ATTEST:

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\_\_\_\_\_  
City Recorder

APPROVED AS TO FORM:

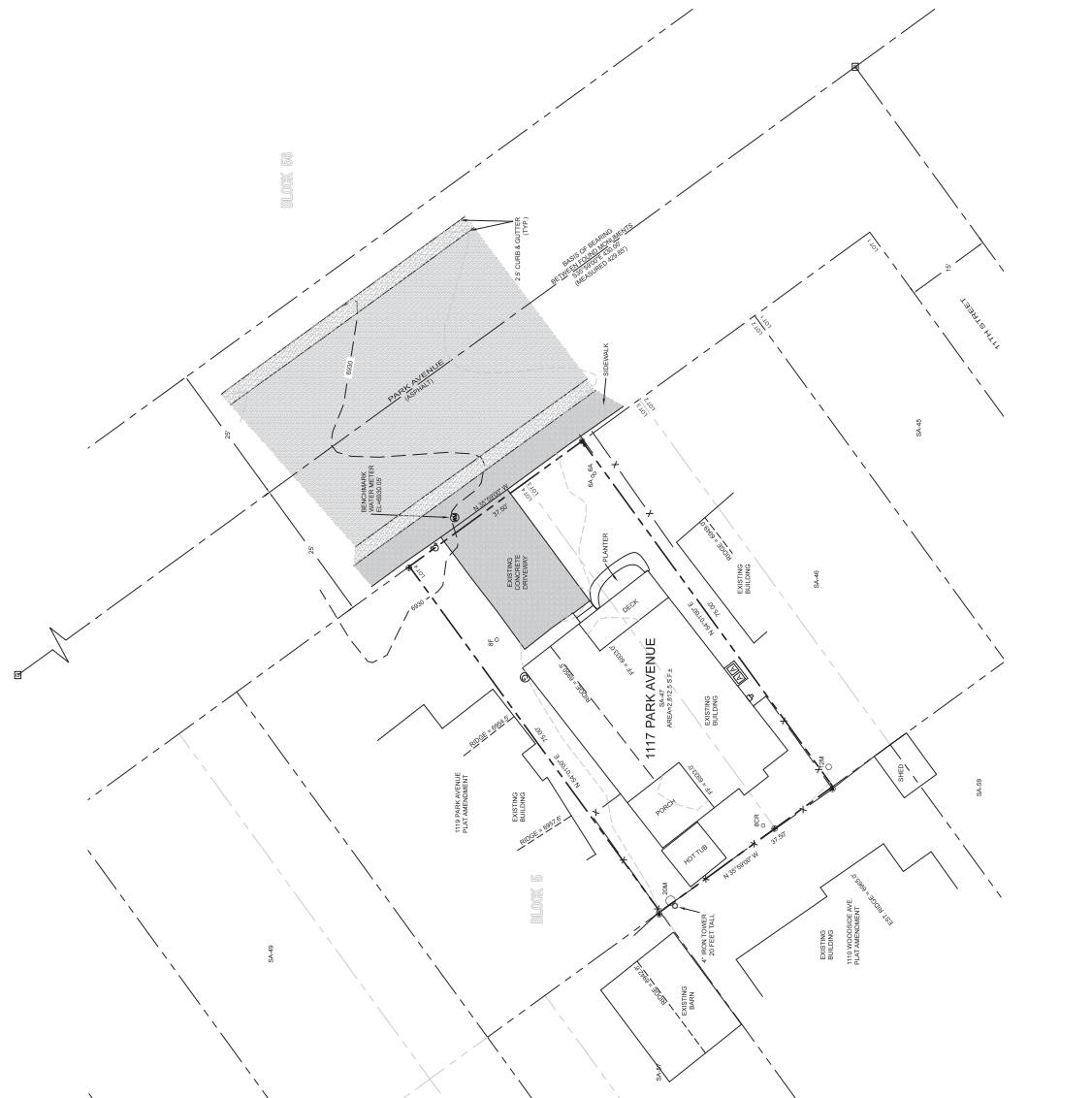
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City Attorney's Office

**Attachment 1 – Proposed Plat and Existing Conditions Survey**



**RECORD OF SURVEY & TOPOGRAPHICAL MAP**  
 1117 PARK AVENUE, PARCEL SA-47  
 NORTH 1/2 LOT 3 & LOT 4, BLOCK 5 SNYDERS ADDITION TO PARK CITY  
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 16  
 TOWNSHIP 2S RANGE 4E  
 SALT LAKE BASE AND MERIDIAN



| REV | DATE    | DESCRIPTION                                    | INITIAL |
|-----|---------|--|---------|
| 1   | 1-20-20 | UPDATED NEW FENCE AND ADJACENT ROSE ELEVATIONS | G.F.    |



P.O. BOX 683001  
 PARK CITY, UT 84088

REUSE OF DOCUMENTS  
 THIS SURVEY IS THE PROPERTY OF FERRARO SURVEYING, LLC. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF FERRARO SURVEYING, LLC.

**RECORD OF SURVEY AND TOPOGRAPHICAL MAP**  
 SA-47  
 1117 PARK AVENUE  
 SUMMIT COUNTY  
 PARK CITY

|             |             |
|-------------|-------------|
| DATE        | 1/23/20     |
| SCALE       | AS SHOWN    |
| PROJECT NO. | 1117PARKAVE |
| DATE        | 1/23/20     |
| SCALE       | AS SHOWN    |
| PROJECT NO. | 1117PARKAVE |
| DATE        | 1/23/20     |
| SCALE       | AS SHOWN    |
| PROJECT NO. | 1117PARKAVE |

**LEGAL DESCRIPTION:**

NORTH 1/2 OF LOT 3 AND ALL OF LOT 4, BLOCK 5, SNYDERS ADDITION TO PARK CITY, ACCORDING TO THE OFFICIAL PLAT THEREON ON FILE AT THE SUMMIT COUNTY RECORDERS OFFICE.

**LEGEND:**

- CLIENT PROPERTY LINE
- ADJOINING PROPERTY LINE
- CENTERLINE
- MAJOR CONTOUR
- MINOR CONTOUR
- FENCE
- PUBLIC UTILITY EASEMENT
- LOT LINE
- 5/8" REBAR & CAPS #47681
- 5/8" REBAR NO CAP
- FIRE HYDRANT
- METER
- ELECTRIC METER
- GAS METER
- STREET MONUMENT
- CONDUIT UNIT
- 1/4" TREE TRUNK, DIAM. ASPEN
- 1/2" TREE TRUNK, DIAM. CANADIAN RED CEDAR
- 1" TREE TRUNK, DIAM. SPOKANE
- 1 1/2" TREE TRUNK, DIAM. FIR

**PROJECT INFORMATION:**

CLIENT: ERIK WESTERLUND  
 PROJECT ADDRESS: 1117 PARK AVENUE, PARK CITY, UT 84080  
 SERIAL NO: SA-47  
 RECORD INFORMATION: NORTH 1/2 LOT 3 & ALL OF LOT 4, BLOCK 5, SNYDERS ADDITION

**NOTES:**

1. THE PURPOSE OF THIS SURVEY IS TO LOCATE THE BOUNDARIES OF THIS PROPERTY ON THE GROUND AND CREATE A TOPOGRAPHICAL MAP AT THE REQUEST OF ERIK WESTERLUND.
2. THE EVIDENCE OF BOUNDARY SHOWN HEREON IS TAKEN FROM RECORD INFORMATION COMPILED FROM SNYDERS ADDITION TO PARK CITY SUBDIVISION.
3. NO INVESTIGATION CONCERNING ENVIRONMENTAL & SUBSURFACE CONDITIONS, OR THE PRESENCE OF HAZARDOUS MATERIALS, HAS BEEN MADE THAT COULD BE EXPECTED TO AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY WAS MADE AS A PART OF THIS SURVEY.
4. NO INVESTIGATION CONCERNING THE LOCATION OF OR EXISTENCE OF UTILITY SERVICE LINES TO THIS PROPERTY WAS MADE AS A PART OF THIS SURVEY.
5. ALL UTILITY LOCATIONS SHOULD BE FIELD VERIFIED PRIOR TO ANY DESIGN OR CONSTRUCTION.
6. DATE OF FIELD WORK: AUGUST 1, 2017 & JANUARY 14, 2020
7. VERTICAL DATUM IS ASSUMED.
8. BUILDING SETBACKS MUST BE CONFIRMED WITH THE COUNTY, HOMEOWNERS ASSOCIATION, ARCHITECTURAL COMMITTEE, OR SIMILAR ADVISORY GROUP, IF ANY.
9. THE OWNER OF THE PROPERTY SHOULD BE AWARE OF ANY ITEMS AFFECTING THE PROPERTY THAT MAY APPEAR IN A TITLE INSURANCE REPORT.
10. BASIS OF BEARING SHOWN HEREON.

**SURVEYOR'S STATEMENT**

I, GREGORY J. FERRARO OF PARK CITY, UTAH, BEING THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH, HOLDING LICENSE NO. 548908, THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION, OR BY AN ASSISTANT DESCRIBED HEREON, TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND TO THE BEST OF MY ABILITY AT THE TIME OF THE SURVEY.

GREGORY J. FERRARO  
 LICENSE NO. 548908  
 UTAH SURVEYORS BOARD  
 GREGORY J. FERRARO, LICENSE NO. 548908, UTAH SURVEYORS BOARD, MARCH 31, 2021