

**Ordinance No. 2021-19**

AN ORDINANCE APPROVING THE NORTHSTAR SUBDIVISION LOT 2 & 3 LOT LINE ADJUSTMENT LOCATED AT 1049 AND 1025 LOWELL AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 1049 AND 1025 Lowell Avenue has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on February 19, 2021, the property was properly noticed and posted according to the requirements of the Land Management Code and courtesy letters were sent to surrounding property owners; and

WHEREAS, on February 24, 2021, proper legal notice was published according to requirements of the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on March 10, 2021, to receive input on the Plat Amendment and continued the item requesting more information; and

WHEREAS, the Planning Commission held a public hearing on April 14, 2021, and forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 29, 2021, 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 Northstar Subdivision Lot 2 & 3 Lot Line Adjustment located at 1049 and 1025 Lowell Avenue.

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

**SECTION 1. APPROVAL.** The Northstar Subdivision Lot 2 & 3 Lot Line Adjustment, 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 subject properties are located at 1049 and 1025 Lowell Avenue.
2. The subject properties consist of Lot 2 and Lot 3 of the Northstar Subdivision.
3. The property is in the Historic Residential (HR-1) District.
4. 1049 Lowell Avenue contains an existing Detached Single-Family Dwelling. 1025 Lowell Avenue is vacant land.
5. The applicant proposes to adjust the Interior Lot Line of the subject Lots.
6. The proposed Lot Adjustment meets the Lot and Site Requirement of the Land Management Code.

7. The applicant has submitted an application for Historic District Design Review, which will be processed should the Plat be approved.
8. The applicant will be subject to the Design Guidelines for Park City's Historic Districts.
9. No public Streets, Right-of-Way, or easements will be vacated or amended as a result of the proposed Plat Amendment.
10. The teepee structure on site has been erected for a period of time exceeding 180 days and is subject to code enforcement.

**Conclusions of Law:**

1. There is good cause for this Plat Amendment as it allows the applicant to construct a remodel and addition to their home. Any addition to the home will be subject to the requirements of the LMC and Historic District Design Review approval.
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.

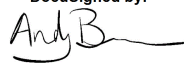
**Conditions of Approval:**

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 and an extension is granted by the City Council.
3. New construction shall meet Site and Lot requirements of the HR-1 District per the Land Management Code in effect at the time of application submittal.
4. A Historic District Design Review application is required for any new construction proposed at the Site.
5. A shared driveway easement for the benefit of Lots 2 and 3 shall be recorded for the driveway and the retaining wall that crosses Lot 3 and shall be reviewed and approved by the City Engineer and City Attorney prior to recordation of the plat.
6. The existing teepee shall be removed prior to plat recordation. The applicant shall limit any future tent or tarpaulin structure less than 400 square feet erected on site to a maximum of 180 days within a 12-month period. Should the applicant desire to exceed the 180 day limit a Building Permit will be required. Failure to adhere to these terms will result in code enforcement.
7. The applicant shall include a plat note stating that any encroachments onto Lot 3 for the benefit of Lot 2 shall be removed from the site prior to dispossession or sale of the property to a second party or the applicant shall otherwise record encroachment agreements prior to the recordation of the plat with Summit County.
8. Access to Lots 2 and 3 shall be only from Lowell Avenue or an easement off of Lowell Avenue.

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

PASSED AND ADOPTED this 29<sup>th</sup> day of April, 2021.

PARK CITY MUNICIPAL CORPORATION


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Mayor Andy Beerman

ATTEST:

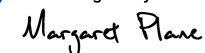


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Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

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City Attorney's Office

# Attachment 1 – Proposed Plat

**LEGEND**

- ADJACENT PROPERTY
- EXISTING LOT
- EXISTING ACCESS EASEMENT
- EXISTING ACCESS EASEMENT
- PROPOSED ADJUSTMENT

**PROPOSED ADJUSTMENT**

ADJUSTMENT OF THE LOT LINE BETWEEN LOTS 2 & 3  
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST  
 SALT LAKE BASIN AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH.

**SCALE**

1" = 40'

1" = 80'

1" = 160'

1" = 320'

1" = 640'

**PREPARED BY**

NAME	DATE	COMP.
OWNER	DATE	COMP.
OWNER	DATE	COMP.
OWNER	DATE	COMP.
OWNER	DATE	COMP.
OWNER	DATE	COMP.
OWNER	DATE	COMP.
OWNER	DATE	COMP.

**RECLAIMABLE BASIN WATER**

**RECLAMATION DISTRICT**

**CITY ENGINEER**

**APPROVAL AS TO FORM**

**CERTIFICATE OF ATTEST**

**PLANNING APPROVAL AND ACCEPTANCE**

**NORTHSTAR SUBDIVISION LOTS 2 & 3**

**LOT LINE ADJUSTMENT**

**RECORDED**

**SURVEYOR'S CERTIFICATE**

**BOUNDARY DESCRIPTION**

**OWNER'S DECLARATION**

**ACKNOWLEDGEMENT**