

Ordinance No. 2021-31

**AN ORDINANCE APPROVING THE 917 EMPIRE AVENUE PLAT AMENDMENT,
LOCATED AT 917 EMPIRE AVENUE, PARK CITY, UTAH**

WHEREAS, the owners of the property located at 917 Empire Avenue petitioned the City Council for approval of the 917 Empire Avenue Plat Amendment; and

WHEREAS, on May 26, 2021 notice was published in the *Park Record* and on the City and Utah Public Notice websites; and

WHEREAS, on May 25, 2021, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on May 25, 2021, courtesy notice was mailed to property owners within 300 feet of the 917 Empire Avenue Plat Amendment; and

WHEREAS, on June 9, 2021, the Planning Commission reviewed the proposed plat amendment and held a public hearing; and

WHEREAS, on June 29, 2021, the Planning Commission forwarded a positive recommendation for City Council's consideration on July 1, 2021; and

WHEREAS, on July 1, 2021, the City Council reviewed the proposed plat amendment and held a public hearing; and

WHEREAS, the plat is consistent with the Park City Land Management Code, including §15-7.1-3(B), § 15-12-15(B)(9), and Chapters 15-2.2 and 15-7.

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

SECTION 1. APPROVAL. The 917 Empire Avenue Plat Amendment at 917 Empire 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

Background:

1. The property is located at 917 Empire Avenue.
2. The property is listed with Summit County as Parcel number SA-306 and consists of a portion of Lots 4 and 5 in Block 29, Snyders Addition to Park City Survey in the Historical Residential (HR-1) Zoning District.
3. On April 15, 2021, the Applicant submitted a complete Plat Amendment application.
4. The proposed Plat Amendment removes the internal lot line to create one Lot of record containing 2,522 square feet.
5. The property was designated as Non-Contributory in April 1982 and is not a Historic

Structure.

6. No easement is vacated or amended as a result of the plat amendment.
7. The property is in the Historic Residential (HR-1) Zoning District.
8. The LMC regulates Lot and Site Requirements per LMC [§15-2.2-3](#).
9. A Single-Family Dwelling is an allowed Use in the HR-1 Zoning District and requires a minimum lot size of 1,875 square feet. The proposed Lot size is 2,522 square feet.
10. The minimum Lot width in the HR-1 Zoning District is 25 feet. The proposed Lot complies with this requirement.
11. The required Front Setback for Lot depths of 75 feet is ten feet (10'). The proposed Lot complies with this requirement.
12. The required Rear Setback is ten feet (10'). The proposed Lot complies with this requirement.
13. The required Side Setback is three feet (3'). The proposed Lot complies with this requirement.
14. The Maximum Building Footprint in the HR-1 Zoning District = $(\text{Lot Area}/2) \times 0.9^{\text{Lot Area}/1875}$. The maximum Building Footprint for this Lot is 1,094 square feet.

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 [Chapter 15-2.2](#) Historic Residential (HR-1) Zoning District and [LMC § 15-7.1-6](#) Final Subdivision Plat.
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 non-exclusive ten foot (10') public snow storage easement on Empire Avenue shall be dedicated on the plat.
5. Any new construction shall comply with the Land Management Code at the time of Application submittal.
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.

7. The Applicant shall remove the railroad tie retaining wall located within the public right-of-way of Empire Avenue or an encroachment agreement for the private improvement shall be recorded with the County prior to recordation of the plat.

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

PASSED AND ADOPTED this 1st day of July, 2021.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:
Andy B
0340104CDC42481...

Mayor Andy Beerman

ATTEST:



DocuSigned by:
Michelle Kellogg
E5F905BB533E431

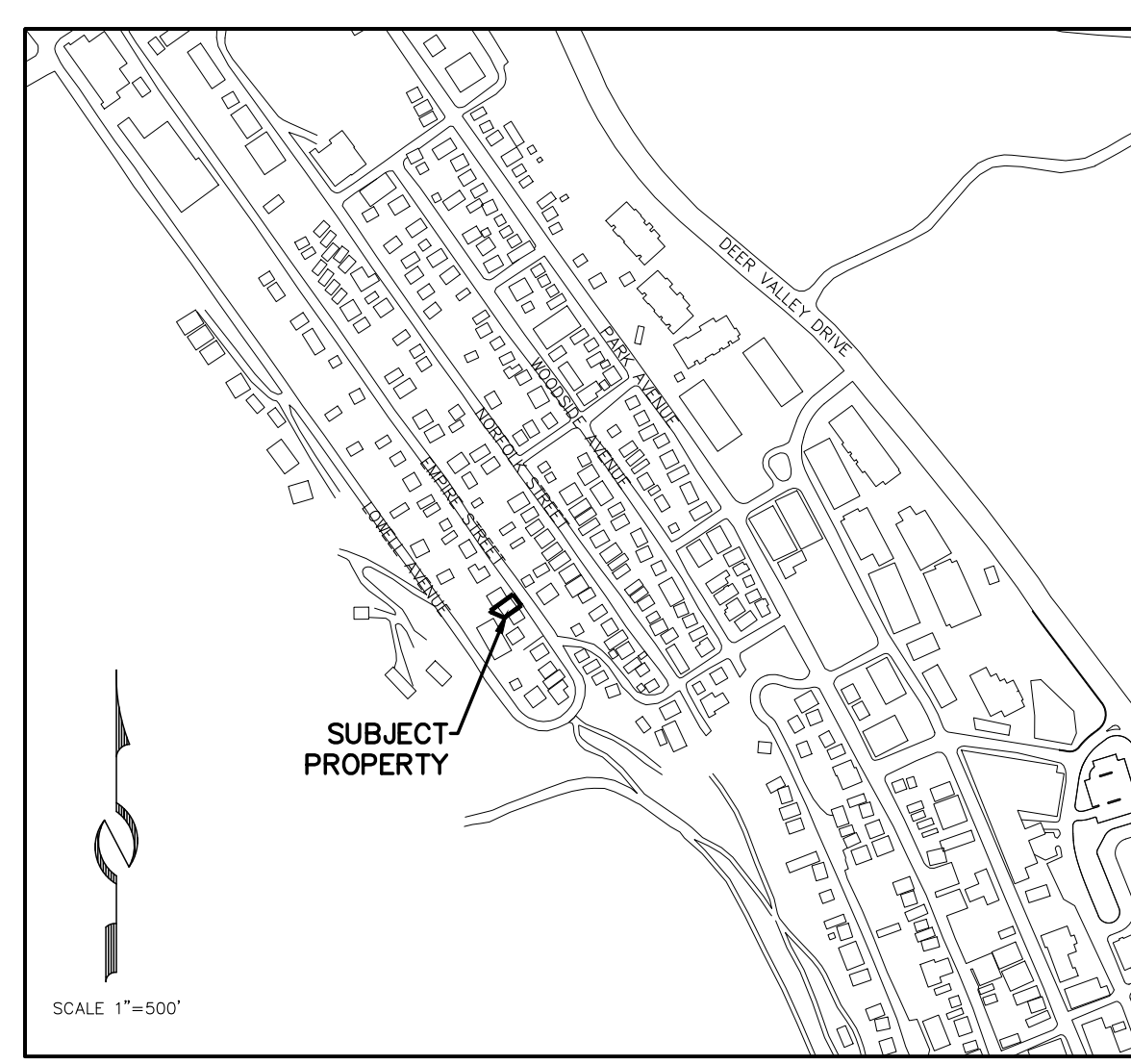
City Recorder

APPROVED AS TO FORM:

DocuSigned by:
Margaret Plane
11B5B6F4ACF34C7...

City Attorney's Office

Attachment 1 - Plat

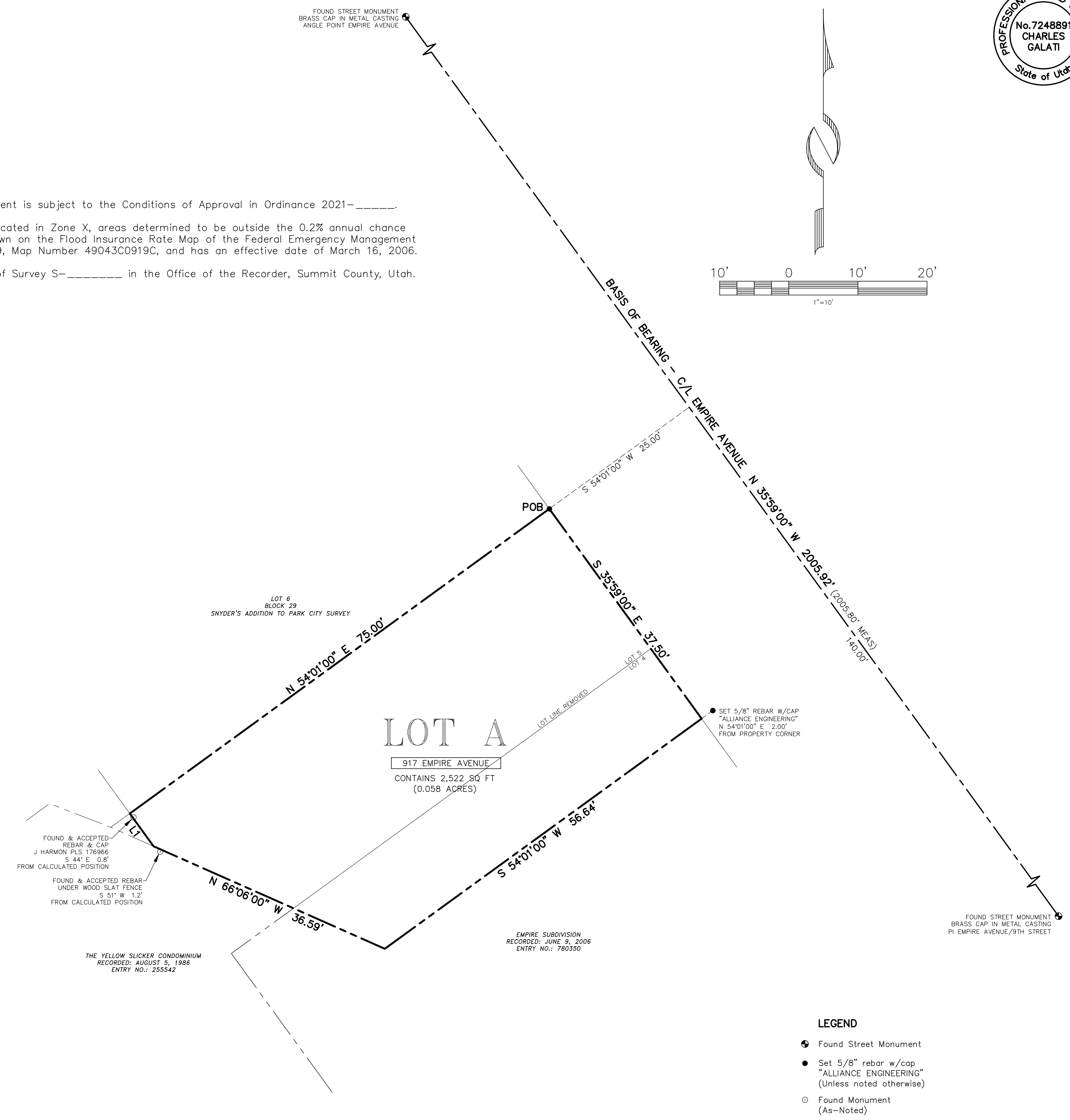


VICINITY MAP

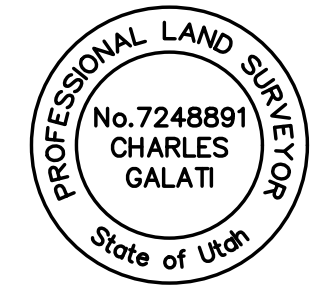
NOTES

1. This plat amendment is subject to the Conditions of Approval in Ordinance 2021-_____.
2. The property is located in Zone X, areas determined to be outside the 0.2% annual chance floodplain, 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 16, 2006.
3. Refer to Record of Survey S-_____ in the Office of the Recorder, Summit County, Utah.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 35°59'00" W	5.85



- LEGEND**
- Found Street Monument
 - Set 5/8" rebar w/cap "ALLIANCE ENGINEERING" (Unless noted otherwise)
 - Found Monument (As-Noted)



SURVEYORS 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 land shown on this plat and described hereon, and have combined said land into one (1) lot, hereafter to be known as 917 EMPIRE AVENUE PLAT AMENDMENT and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

DEED DESCRIPTION

Beginning at the Northeast corner of Lot 5, Block 29, SNYDERS ADDITION TO PARK CITY, according to the official plat thereof, on file and of record in the office of the Summit County Recorder, and running thence South 35°59' East 25 feet; thence South 54°01' West 64.6 feet; thence North 66°06' West 21.3 feet; thence North 35°59' West 6.3 feet; thence North 54°01' East 75 feet to the point of beginning.

Also:

That portion of the Northerly Half of Lot 4, Block 29, SNYDERS ADDITION TO PARK CITY, according to the official plat thereof on file and of record in the office of the Summit County Recorder, lying Northeasterly of the Northeasterly Right of Way Line of Crescent Mining Company Tramway.

BOUNDARY DESCRIPTION

A parcel of land located in the north half of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being described as follows:

Beginning at a point North 35°59'00" West 140.00 feet and South 54°01'00" West 25.00 feet from a found street monument at the intersection of Empire Avenue and Ninth Street, said point also being the northernmost corner of Lot 5, Block 29, Snyder's Addition to Park City Survey, according to the official plat thereof on file and of record in the Office of the Recorder, Summit County, Utah, said point being on the easterly boundary of said Block 29; and running thence coincident with Block 29 South 35°59'00" East 37.50 feet to the northernmost corner of Empire Subdivision, recorded June 9, 2006, as Entry No. 780350 in the Office of the Recorder, Summit County, Utah; thence coincident with the northerly boundaries of Empire Subdivision and the first amendment to The Yellow Slicker Condominium, recorded August 5, 1986, as Entry No. 255542 in the Office of the Recorder, Summit County, Utah the following two (2) courses: 1) South 54°01'00" West 56.64 feet; thence North 66°06'00" West 36.59 feet to the southwesterly boundary of Lot 5, Block 29, Snyder's Addition to Park City Survey; thence coincident with the southwesterly boundary of Lot 5 North 35°59'00" West 5.85 feet to the westernmost corner of Lot 5; thence coincident with the northerly boundary of Lot 5 North 54°01'00" East 75.00 feet to the point of beginning.

The basis of bearing for the above description is North 35°59'00" West 2005.80 feet coincident with the center line of Empire Avenue between found street monuments at the intersection of Empire Avenue and Ninth Street and the angle point of Empire Avenue adjacent to Block 19, Snyder's Addition to Park City Survey.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned is the owner of the above described tract of land, and hereby causes the same to be unified into one lot of record, together with easements as set forth to be hereafter known as 917 EMPIRE AVENUE PLAT AMENDMENT and does hereby dedicate for the perpetual use of the public the areas shown on this plat as intended for public use. The undersigned owner also hereby conveys to any and all public utility companies a perpetual, non-exclusive easement over any public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities. The undersigned owner also hereby conveys any other easements as shown on this plat to the parties indicated and for the purposes shown hereon.

In witness whereof, the undersigned set his hand this _____ day of _____, 2021.

4R Ranch, LLC, a Utah limited liability company
 By: _____
 Mark Rodeheaver, Manager

ACKNOWLEDGMENT

STATE OF _____
 _____ : ss.
 COUNTY OF _____

On this _____ day of _____, 2021, Mark Rodeheaver 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 4R Ranch, LLC, a Utah limited liability company, and that said document was signed by him on behalf of said limited liability company by authority of its Operating Agreement or Resolution of its Members, and he acknowledged to me that he executed 917 EMPIRE AVENUE PLAT AMENDMENT.

By: _____
 Notary Public
 Printed Name _____
 Residing in: _____
 My commission expires: _____
 Commission No. _____

917 EMPIRE AVENUE PLAT AMENDMENT

LOCATED IN BLOCK 29, SNYDER'S ADDITION TO PARK CITY SURVEY
 IN THE NORTH HALF OF SECTION 16
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH

<p>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT</p> <p>REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2021</p> <p>BY _____ ENGINEERING DEPARTMENT</p>	<p>PLANNING COMMISSION</p> <p>APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2021</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 _____, 2021</p> <p>BY _____ PARK CITY ENGINEER</p>	<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM THIS _____ DAY OF _____, 2021</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 _____, 2021</p> <p>BY _____ MAYOR</p>	<p>CERTIFICATE OF ATTEST</p> <p>I CERTIFY THIS PLAT WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2021</p> <p>BY _____ PARK CITY RECORDER</p>	<p>PUBLIC SAFETY ANSWERING POINT APPROVAL</p> <p>APPROVED THIS _____ DAY OF _____, 2021</p> <p>BY _____ SUMMIT COUNTY GIS COORDINATOR</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>
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