

**Draft Ordinance No. 2021-34**

**AN ORDINANCE APPROVING THE 1003 NORFOLK AVENUE AMENDED PLAT, LOT 1 AND LOT 2 IN BLOCK 16 OF SNYDER'S ADDITION, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as 1003 Norfolk Avenue, petitioned the City Council for approval of the 1003 Norfolk Avenue Subdivision; and

WHEREAS, on July 13, 2021, the property was properly posted, and legal notice was sent to all affected property owners; and

WHEREAS, on July 13, 2021, proper legal notice was published in the Park Record and on the Utah Public Notice website according to requirements of the Land Management Code; and

WHEREAS, the Planning Commission, on July 28, 2021, held a public hearing and forwarded a positive recommendation to the City Council; and,

WHEREAS, the City Council on September 2, 2021, held a public hearing and took final action on the Plat Amendment; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the 1003 Norfolk Avenue Subdivision.

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

**SECTION 1. APPROVAL.** The above recitals are hereby incorporated as findings of fact. The 1003 Norfolk Avenue Subdivision, as shown in Exhibit A 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 1003 Norfolk Avenue in the Historic Residential (HR-1) District.
2. The property consists of two lots, Lot 1 and Lot 2, SA-164.
3. The lot is improved with a house built circa 1904 which is considered a Landmark Historic Structure constructed across the internal lot line.
4. The combined lot will meet all Lot and Site Requirements and the density of the site is not changing.
5. Any redevelopment will be subject to the City's HDDR process.
6. Staff finds Good Cause for this Plat Amendment as it will remove an internal lot line under the Landmark Historic Structure, and it will create a new lot of record for the existing historic structure and use.
7. The findings in the analysis section are incorporated herein.

**Conclusions of Law:**

1. There is good cause for this Plat Amendment as the Amendment will preserve the present land Use and character of the Historic residential area, will remove an

internal lot line under the Landmark historic structure, and will create a new lot of record.

2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding Subdivisions, including LMC § 15-7.
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.
5. No Public Streets, Right-of-Way or easements have been vacated or amended.

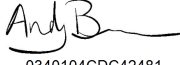
Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the Plat Amendment 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 Amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a request for an extension is submitted in writing and approved by the City Council.
3. The applicant shall enter into an encroachment agreement with the City for the garage prior to recording the plat amendment.
4. A Plat Note shall indicate that the Plat is subject to Ordinance 2021-34.


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

PASSED AND ADOPTED this 2<sup>nd</sup> day of September 2021.

PARK CITY MUNICIPAL CORPORATION

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 Andy Beerman, MAYOR

ATTEST:

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 Michelle Kellogg, City Recorder



APPROVED AS TO FORM:

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 City Attorney's Office

