

Ordinance No. 2021-35

AN ORDINANCE APPROVING THE FAIRWAY VILLAGE NO. 1 FIRST AMENDED AMENDING LOT 28, LOCATED AT 2587 FAIRWAY VILLAGE DRIVE, PARK CITY, UTAH

WHEREAS, the owners of the property known as Lot 28, Fairway Village, a Planned Lot Development, located at 2587 Fairway Village Drive, petitioned the City Council for approval of the Fairway Village No. 1 First Amended, Amending Lot 28; 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 Fairway Village No. 1 First Amended, Amending Lot 28 Plat Amendment.

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. Fairway Village No. 1 First Amended, Amending Lot 28, 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 2587 Fairway Village Drive, a PUD in the Residential Development (RD) Zoning District.
2. The Fairway Village No. 1 Plat was approved by City Council on December 12, 1979, for 28 Lots, and recorded on December 17, 1979.
3. The proposed amendment is for an addition to the living space between the existing dwelling and the garage (below the existing bridged walkway), which would be designated as private ownership, and to add five feet to the existing deck at the rear of the property designated as limited common ownership. The addition will add approximately 435 square feet.
4. The Fairway Village Homeowners Association approved the proposed additions in a letter dated April 20, 2021.
5. The additions do not change the number of residential Lots, Density, or require additional parking.

- 6. The addition and expanded deck meet all setback requirements.
- 7. Staff finds Good Cause for this Plat Amendment as the Amendment expands Lot 28 with living and deck area and meets all LMC Requirements.
- 8. No Public Streets, Right-of-Way or easement has been vacated or amended.
- 9. The findings in the analysis section are incorporated herein.

Conclusions of Law:

- 1. There is good cause for this Plat Amendment as the Amendment expands Lot 28 with living and deck area.
- 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. A Plat Note shall indicate that any Conditions of Approval of the Fairway Village No. 1, shall continue to apply.
- 4. A Plat Note shall indicate that the Plat is subject to Ordinance 2021-35.

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

PASSED AND ADOPTED this 2nd day of September, 2021.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:
Andy Beerman
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Andy Beerman, MAYOR



ATTEST:

DocuSigned by:
Michelle Kellogg
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Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

DocuSigned by:
Mark Harrington
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City Attorney's Office

