

Ordinance No. 2022-05

AN ORDINANCE DENYING THE MOUNTAIN RIDGE SUBDIVISION LOT 13 PLAT AMENDMENT, LOCATED AT 3099 MOUNTAIN RIDGE COURT, PARK CITY, UTAH

WHEREAS, the owners of the property located at 3099 Mountain Ridge Court petitioned the City Council for approval of the Mountain Ridge Subdivision Lot 13 Plat Amendment; and

WHEREAS, on September 29, 2021, notice was published in the *Park Record* and on the City and Utah Public Notice Websites; and

WHEREAS, on September 29, 2021, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on September 29, 2021, courtesy notice was mailed to property owners within 300 feet of 3099 Mountain Ridge Court; and

WHEREAS, on October 13, 2021, the Planning Commission held a public hearing and continued the proposed plat amendment to October 27, 2021; and

WHEREAS, on October 27, 2021, the Planning Commission held a public hearing and continued the proposed plat amendment and; and

WHEREAS, on February 9, 2022, the Planning Commission held a public hearing and forwarded a negative recommendation for the City Council's consideration on March 3, 2022; and

WHEREAS, on March 3, 2022, the City Council reviewed the proposed plat amendment and held a public hearing; and

WHEREAS, the City Council indicated a willingness to consider a future, broader amendment to the whole subdivision which better aligns with the original intent and methodology of the original planning approval, subject to a Finding of Good Cause by the Planning Commission and City Council.

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

SECTION 1. DENIAL. The Mountain Ridge Lot 13 Plat Amendment at 3099 Mountain Ridge Court, is denied subject to the following Findings of Fact and Conclusions of Law:

Findings of Fact

Background:

1. The property is located at 3099 Mountain Ridge Court.
2. The property is listed with Summit County as Parcel Number MR-13.
3. The property is in the Single Family (SF) Zoning District.
4. On August 4, 2021, the Applicant submitted a Plat Amendment application to the Planning Department. The application was deemed complete on September 27, 2021.
5. The proposed Plat Amendment increases the maximum square feet for the existing Single-Family Dwelling.
6. No easement is vacated or amended because of the Plat Amendment.
7. The LMC regulates Lot and Site Requirements per LMC § 15-2.11-3.
8. A Single-Family Dwelling is an allowed Use in the SF Zoning District.
9. The SF Zoning District minimum Front Setback is twenty feet (20').

- 10. The SF Zoning District minimum Rear Setback is fifteen feet (15').
- 11. The SF Zoning District minimum Side Setback is twelve feet (12').
- 12. The Mountain Ridge Subdivision requires a minimum Front Setback of twenty feet (20') for Lot 13.
- 13. The Mountain Ridge Subdivision restricts building height to twenty-five feet (25') as measured from natural, existing grade at the building site. Gable, hip, gambrel, or other pitched roofs may extend up to thirty feet (30').
- 14. The Mountain Ridge Subdivision restricts the maximum total square footage of Lot 13 to 3,247 square feet. The Applicant proposes to amend the total allowed square footage to 3,410 square feet.
- 15. On February 9, 2022, the Planning Commission reviewed the Application and forwarded a negative recommendation to the City Council. The Planning Commission clarified the negative recommendation is because the Applicant's request does not meet the requirements for Good Cause and is inconsistent with the original intent and methodology of the Subdivision Plat.
- 16. The City Council agrees with the Planning Commission findings that a case-by-case expansion of maximum house sizes without analyzing the visual corridors, setbacks and other impacts of the subdivision as a whole is inconsistent with the uniform and fair planning that limited site disturbance and home sizes to approximately 24% of the lot area in accordance with a comprehensive plan.
- 17. Other owners in the subdivision relied upon the square footage limits to build upon their lots and oppose the amendment. Piecemeal adjustments will set a precedent and threaten the Compatibility ensured by the original approval.

Conclusions of Law

- 1. There is not Good Cause for this Plat Amendment.
- 2. The Plat Amendment is not consistent with the Park City Land Management Code, including failing to ensure Compatibility as required in LMC Chapter 15-2.11, *Single Family (SF) District*, and the original Lot square footage limits as approved pursuant to LMC § 15-7.1-6, *Final Subdivision Plat*.

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

PASSED AND ADOPTED this 31st Day of March, 2022.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:

Nann Worel

57775BCB49414F6

Nann Worel, MAYOR



ATTEST:

DocuSigned by:

Michelle Kellogg

E5F905BB533E431

Michelle Kellogg, City Recorder

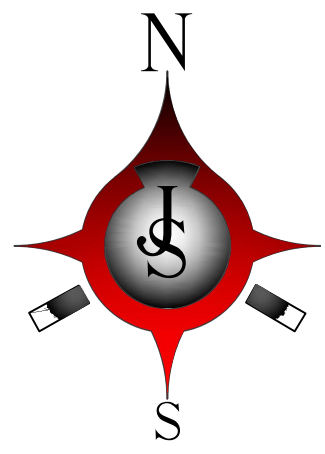
APPROVED AS TO FORM:

DocuSigned by:

Mark Harrington

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City Attorney's Office



LEGEND

- = SECTIONAL CORNER
- = STREET MONUMENT
- = FOUND PROPERTY MARKER
- = SET REBAR AND CAP
- = REPRESENTS PROPERTY LINE
- = SURVEY CONTROL POINT
- = EXISTING FIRE HYDRANT

FOUND 1/2" REBAR AND CAP SET BY LSF# 3082 JAMES WEST (ORIGINAL SURVEYOR)

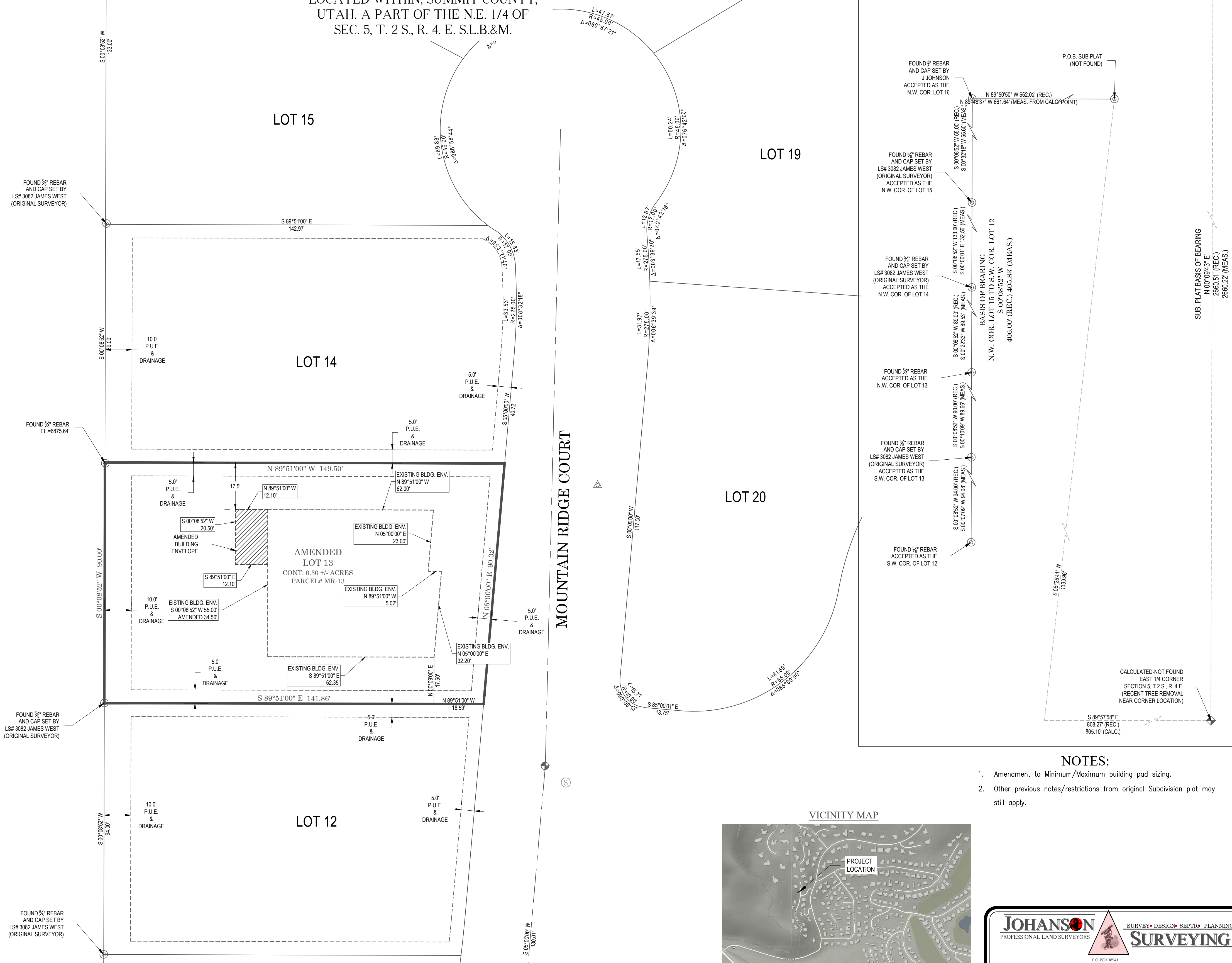
FOUND 1/2" REBAR EL# 6875.64

FOUND 1/2" REBAR AND CAP SET BY LSF# 3082 JAMES WEST (ORIGINAL SURVEYOR)

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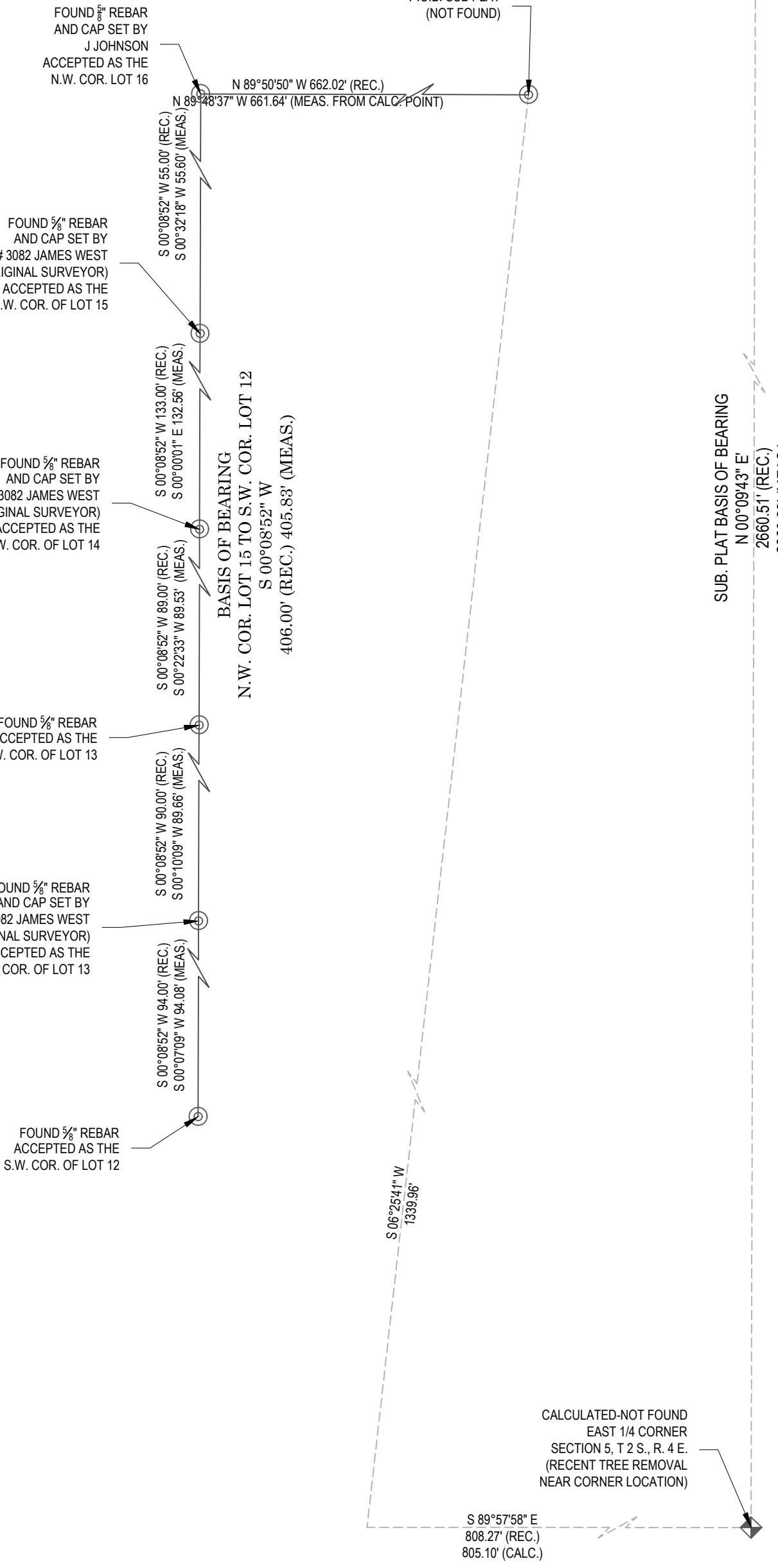
MOUNTAIN RIDGE 13 SUBDIVISION

AMENDING LOT 13 OF MOUNTAIN RIDGE SUBDIVISION ENTRY # 321514 LOCATED WITHIN, SUMMIT COUNTY, UTAH. A PART OF THE N.E. 1/4 OF SEC. 5, T. 2 S., R. 4 E. S.L.B.&M.



SECTION TIES CONTROL AND SURVEY REFERENCE

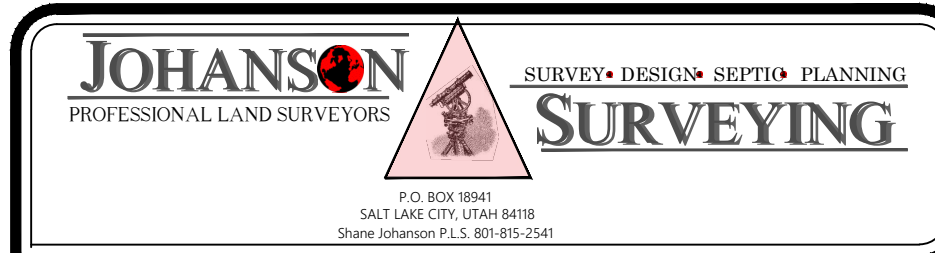
FOUND 1993 ALUMINUM CAP ACCEPTED AS THE NORTHEAST CORNER SECTION 5, T. 2 S., R. 4 E.



NOTES:

- Amendment to Minimum/Maximum building pad sizing.
- Other previous notes/restrictions from original Subdivision plat may still apply.

VICINITY MAP



SURVEYOR'S CERTIFICATE

I, Shane Johanson do hereby certify that I am a Land Surveyor, and that I hold certificate No.7075114, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, hereafter to be known as MOUNTAIN RIDGE 13 SUBDIVISION and that some has been surveyed and shown on this plat. This survey was performed within the accordance of the minimum accuracy of an urban survey, Class "A", or a linear closure of 1:15,000'.
 The purpose of this survey is to locate the boundaries of the described parcel and to create a two lot subdivision, for the eventual purpose of constructing and building future development.

LEGAL DESCRIPTION

Lot 13, Mountain Ridge Subdivision, Entry # 321514, According to the official plat thereof on file and of record in the Summit County Recorder's office.

OWNER'S DEDICATION

Know all men by these presents that, the undersigned owners DAVID R. MAYA AND HEIDI MAYA of the above described tract of land to be hereafter known as

MOUNTAIN RIDGE 13 SUBDIVISION

does hereby certify to have caused this plat to be prepared and does hereby dedicate for the perpetual use of the public all public roads and other 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 the 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 owner has hereunto set this _____ day of _____ A.D., 20_____

David R. Maya
Date:

Heidi Maya
Date:

PUBLIC SAFETY ANSWERING POINT APPROVAL
 APPROVED AS TO FORM
 THIS ____ DAY OF _____, 2021.
 JEFF WARD GIS COORDINATOR/
 ADDRESSING AUTHORITY

PARK CITY PLANNING COMMISSION
 APPROVED BY THE PARK CITY PLANNING COMMISSION ON THE ____ DAY OF _____, 2021.
 BY _____ date _____

CERTIFICATE OF ATTEST
 I CERTIFY THIS PLAT MAP WAS APPROVED BY PARK CITY COUNCIL ON THE ____ DAY OF _____, 2021.
 BY _____ PARK CITY RECORDER

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
 REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF _____, 20__.
 BY _____ S.B.W.R.D.

ENGINEERS CERTIFICATE
 I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE ON THIS ____ DAY OF _____, 20__.
 BY _____ PARK CITY ENGINEER

APPROVAL AS TO FORM
 APPROVED AS TO FORM THIS ____ DAY OF _____, 20__.
 _____ PARK CITY ATTORNEY

COUNCIL APPROVAL AND ACCEPTANCE
 APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL ON THE ____ DAY OF _____, 2021.
 _____ PARK CITY MAYOR

COUNTY RECORDER# _____
 State of Utah, County of Summit, recorded and filed at the request of _____
 Date _____ Time _____ Book _____ Page _____
 Fee \$ _____ County Recorder

NUMBER _____
 ACCOUNT _____
 SHEET 1 _____
 OF 1 SHEETS

MOUNTAIN RIDGE 13 SUBDIVISION

AMENDING LOT 13 OF MOUNTAIN RIDGE SUBDIVISION ENTRY # 321514 LOCATED WITHIN, SUMMIT COUNTY, UTAH. A PART OF THE N.E. 1/4 OF SEC. 5, T. 2 S., R. 4 E. S.L.B.&M.

