

Ordinance No. 2022-28

AN ORDINANCE APPROVING THE VACATION OF A PORTION OF THE PLATTED SAMPSON AVENUE RIGHT-OF-WAY ADJACENT TO 115 SAMPSON AVENUE AND THE 115 SAMPSON AVENUE SUBDIVISION FIRST AMENDED PLAT AMENDMENT, LOCATED AT 115 SAMPSON AVENUE, PARK CITY, UTAH

WHEREAS, the owner of the property located at 115 Sampson Avenue petitioned the City Council for approval of the 115 Sampson Avenue First Amended Plat Amendment; and

WHEREAS, the owner of the property located at 115 Sampson Avenue petitioned the City Council for a vacation of 112.64 square feet of the platted Sampson Avenue adjacent to 115 Sampson Avenue; and

WHEREAS, on June 8, 2022, notice was published in the *Park Record* and on the City and Utah Public Notice websites; and

WHEREAS, on June 8, 2022, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on June 8, 2022, courtesy notice was mailed to property owners within 300 feet 115 Sampson Avenue; and

WHEREAS, the requirements of State Code 10-9a-609.5 Vacating a Street, Right-of-Way, or Easement were followed; and

WHEREAS, the guidelines provided in Resolution 08-98 were followed in analyzing the request for vacation; and

WHEREAS, on June 22, 2022, the Planning Commission reviewed the proposal and held a public hearing; and

WHEREAS, on June 22, 2022, the Planning Commission forwarded a positive recommendation for City Council's consideration on July 21, 2022; and

WHEREAS, on July 21, 2022, the City Council reviewed the proposal 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 15-2.1 and 15-7.

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

SECTION 1. APPROVAL. The 115 Sampson Avenue Subdivision Plat Amendment at

115 Sampson 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 115 Sampson Avenue.
2. The property is listed with Summit County as Parcel number 115-SAM-1.
3. The existing historic Structure is listed as “Significant” on the Historic Sites Inventory.
4. On March 3, 2022, the Applicant petitioned Park City to vacate a portion of the Sampson Avenue Right-of-Way.
5. On March 4, 2022, the Applicant submitted a complete Plat Amendment application.
6. The proposed Plat Amendment memorializes the petition to vacate a 112.64 square feet portion of the Sampson Avenue Right-of-Way and the dedication of 112.64 square feet to the City.
7. No easement is vacated or amended as a result of the plat amendment.
8. The property is in the Historic Residential – Low Density (HRL) Zoning District.
9. The LMC regulates Lot and Site Requirements per LMC § 15-2.1-3.
10. A Single-Family Dwelling is an allowed Use in the HRL Zoning District and requires a minimum lot size of 3,750 square feet. The Lot size is 7,167 square feet.
11. The minimum Lot width in the HRL Zoning District is 35 feet. The proposed Lot complies with this requirement.
12. The required Front Setback for Lot depths of 100 feet or greater is ten feet (15'). The proposed Lot complies with this requirement.
13. The required Rear Setback is ten feet (15'). The proposed Lot complies with this requirement.
14. The required Side Setback is five feet (5'). The proposed Lot complies with this requirement.
15. The Maximum Building Footprint in the HRL Zoning District = $(\text{Lot Area}/2) \times 0.9^{\text{Lot Area}/1875}$. The maximum Building Footprint for this Lot is 2,482 square feet.
16. The analysis section of the staff report is included herein.

Conclusions of Law

1. The Plat Amendment is consistent with the Park City Land Management Code, including LMC Chapter 15-2.1 Historic Residential-Low Density (HRL) Zoning District and LMC § 15-7.1-6 Final Subdivision Plat.
2. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
3. 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.
4. The Vacation of Right-of-Way is consistent with Resolution 8-98, Resolution Adopting a Policy Statement Regarding the Vacation of Public Right-of-Ways within Park City, Utah and Utah State Code 10-9a-609, Petition to vacate a public street.

Conditions of Approval

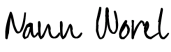
1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant shall record the plat at the County within one 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. The final Plat shall include the maximum Building Footprint of 2,482 square feet as a Plat note.
5. Future development of this Lot shall comply with the required setbacks.
6. Future development of this Lot shall comply with Land Management Code Building Height Requirements.
7. The Applicant shall obtain Historic District Design Review approval prior to developing the site.
8. The Applicant shall obtain a Steep Slope Conditional Use Permit from the Planning Commission prior to developing the site.
9. A non-exclusive ten foot (10') public snow storage easement on Sampson Avenue shall be dedicated on the plat.
10. 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.

SECTION 2. VACATION APPROVAL. The vacation is approved as shown on Attachment 1.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon publication.


PASSED AND ADOPTED this 21st day of July, 2022.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:

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 Nann Worel, MAYOR

ATTEST:



DocuSigned by:

 E5E905BB533E431
 City Recorder

APPROVED AS TO FORM:

DocuSigned by:
Margaret Plane
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City Attorney's Office

Attachment 1 – Proposed Plat and Survey of Right-of-Way Vacation

