

Ordinance No. 2023-14

AN ORDINANCE APPROVING THE 1313 PARK AVENUE SUBDIVISION, LOCATED AT 1313 PARK AVENUE, PARK CITY, UTAH

WHEREAS, the owners of the property located at 1313 Park Avenue petitioned the City Council for approval of the 1313 Park Avenue Subdivision Plat; and

WHEREAS, on February 8, 2023, notice was published in the *Park Record* and on the City and Utah Public Notice websites; and

WHEREAS, on February 6, 2023, courtesy notice was mailed to property owners within 300 feet of 1313 Park Avenue; and

WHEREAS, on February 22, 2023, the Planning Commission reviewed the application and held a public hearing; and

WHEREAS, on February 22, 2023, the Planning Commission forwarded a positive recommendation for City Council's consideration on April 4, 2023; and

WHEREAS, on April 4, 2023, 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 15-2.4 and 15-7.

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

SECTION 1. APPROVAL. The 1313 Park Avenue Subdivision, located at 1313 Park 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

1. The property is located at 1313 Park Avenue.
2. The property is within Block 24 of the Snyder's Addition to Park City Survey.
3. The property is in the Historic Residential Medium Density (HRM) Zoning District.
4. The Applicant seeks to create one Lot.
5. The existing non-historic Structure at 1313 Park Avenue was built in 1979 as a Duplex Dwelling, an Allowed Use in the HRM Zoning District.
6. The Applicant has a Building Permit for an interior renovation, transforming the Structure from a Duplex to a Single-Family Dwelling (SFD). The interior remodel has minimal effect on the exterior of the Structure and the applicant submitted a Historic District Design Review (HDDR) Pre-Application (PL-23-05524) which was reviewed and approved by staff on February 1st, 2023.
7. The Lot has Access from two Rights-of-Way; Woodside Avenue and Park Avenue.
8. The Subdivision will allow the Applicant to maintain and renovate the Structure as well as to reduce the Density of the Lot.

9. No easement is vacated or amended as a result of the Plat Amendment.
10. The LMC regulates Lot and Site Requirements for the HRM Zoning District per LMC § 15-2.4-3.
11. A Single-Family Dwelling is an Allowed Use in the HRM Zoning District and requires a minimum Lot size of 1,875 square feet. The proposed Lot size is 4,609 square feet.
12. The minimum Lot width in the HRM Zoning District is 37.5 feet. The existing non-compliant lot is 35 feet.
13. The required Front Setback for Lots in the HRM Zoning District is fifteen feet (15').
14. The required Side Setback for Lots in the HRM Zoning District is five feet (5'). The existing non-compliant Structure is setback four (4) feet and eight (8) inches on the northern side and five (5) feet and ten (10) inches on the south.
15. The Maximum Building Height in the HRM Zoning District is 27 feet above Existing Grade. The existing non-compliant Structure is 29 feet above Existing Grade.
16. In the HRM Zoning District, Single Family Dwellings require two (2) Parking Spaces and Duplex Dwellings require four (4).
17. The findings in the Analysis section of the Staff Report are incorporated herein.

Conclusions of Law

1. The Plat Amendment is consistent with the Park City Land Management Code, including LMC Chapter 15-2.4, *Historic Residential Medium Density (HRM) 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.

Conditions of Approval

1. The Planning Department, 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 (1) year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this Plat approval 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. Any new development on 1313 Park Avenue, must comply with the Land Management Code.
4. The Applicant of 1313 Park Avenue may repair or maintain the existing Structure provided that such repair or maintenance shall neither create any new non-compliance nor shall increase the degree of the existing non-compliances with the LMC. The Owner may maintain and remodel the existing Dwelling in accordance with the Approved HDDR Pre.

- 5. The Duplex Dwelling Use requires four (4) parking stalls. Prior to recording the Plat, the Applicant shall obtain an Access Agreement from the City to access the two (2) parking stalls off of Woodside Avenue.
- 6. The Plat shall note that this Lot is subject to Ordinance 2023-14.

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

PASSED AND ADOPTED this 4th day of April 2023.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:
Nann Worel
 57775BCB46414F6

Nann Worel, MAYOR

ATTEST:



DocuSigned by:
Michelle Kellogg
 E5F905BB533F431...

City Recorder

APPROVED AS TO FORM:

DocuSigned by:
Mark Harrington
 B7478B7734C7490...

City Attorney

Attachment 1 – Proposed Plat

