

Ordinance No. 2023-47

AN ORDINANCE APPROVING FAIRWAY VILLAGE NO. 1 PLANNED UNIT DEVELOPMENT AMENDING UNIT 40, LOCATED AT 2525 FAIRWAY VILLAGE UNIT 40, PARK CITY, UTAH

WHEREAS, the owner of the property located at 2525 Fairway Village Drive petitioned the City Council for approval of the Fairway Village No. 1 Planned Unit Development Amending Unit 40; and

WHEREAS, on August 9, 2023, the Park Record published notice for the Planning Commission and City Council public hearings; and

WHEREAS, on August 9, 2023, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on August 9, 2023, staff mailed courtesy notice to property owners within 300 feet, posted notice to the Utah Public Notice Website and City Website, and posted notice to the property for the Planning Commission and City Council public hearings; and

WHEREAS, on August 23, 2023, the Planning Commission reviewed the proposed Plat Amendment, held a public hearing, and forwarded a positive recommendation for City Council's consideration on September 28, 2023; and

WHEREAS, on September 28, 2023, the City Council reviewed the Fairway Village No. 1 Planned Unit Development Amending Unit 40 and held a public hearing; and

WHEREAS, the Fairway Village No. 1 Planned Unit Development Amending Unit 40 is consistent with the Park City Land Management Code Chapter 15-2.13 and Section 15-7.1-6.

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

SECTION 1. APPROVAL. The Fairway Village No. 1 Planned Unit Development Amending Unit 40, 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 2525 Fairway Village Drive, within the Residential Development Zoning District.
2. The subject property consists of Unit 40 of the Fairway Village No. 1 Planned Unit Development which was approved in 1971.
3. 2525 Fairway Village Drive is in the Residential Development (RD) Zoning District.

4. The existing unit was not built to the dimensions recorded in 1971.
5. The Plat Amendment proposes to record and reflect the existing conditions of the unit.
6. 2525 Fairway Village is compliant with the RD Zoning District
7. As conditioned, the proposed plat amendment does not create any new noncomplying or non-conforming situations.
8. Fairway Village Drive is private and is not maintained by the City.

Conclusions of Law

1. There is Good Cause for this Plat Amendment because it corrects the recorded Unit's size and location and improves the record of the site.
2. The Plat Amendment is consistent with the Park City Land Management Code, including LMC Chapter 15-2.13 and § 15-7.1-6 Final Subdivision Plat.
3. The Plat Amendment is consistent with the Land Management Code.
4. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
5. 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 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 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. Any new construction shall comply with Land Management Code Chapter 15-2.13 regarding Setbacks, Building Height, Building Envelope, Building Pad, etc.
4. All other conditions of approval and platted requirements for the Fairway Village No. 1 continue to apply and shall be noted on the plat.

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

PASSED AND ADOPTED this 28th day of September, 2023.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:

Nann Worel

5775BCB46414E6

Nann Worel, MAYOR

ATTEST:

DocuSigned by:

Michelle Kellogg

E5F905BB533F431...

City Recorder



APPROVED AS TO FORM:

DocuSigned by:
Mark Harrington

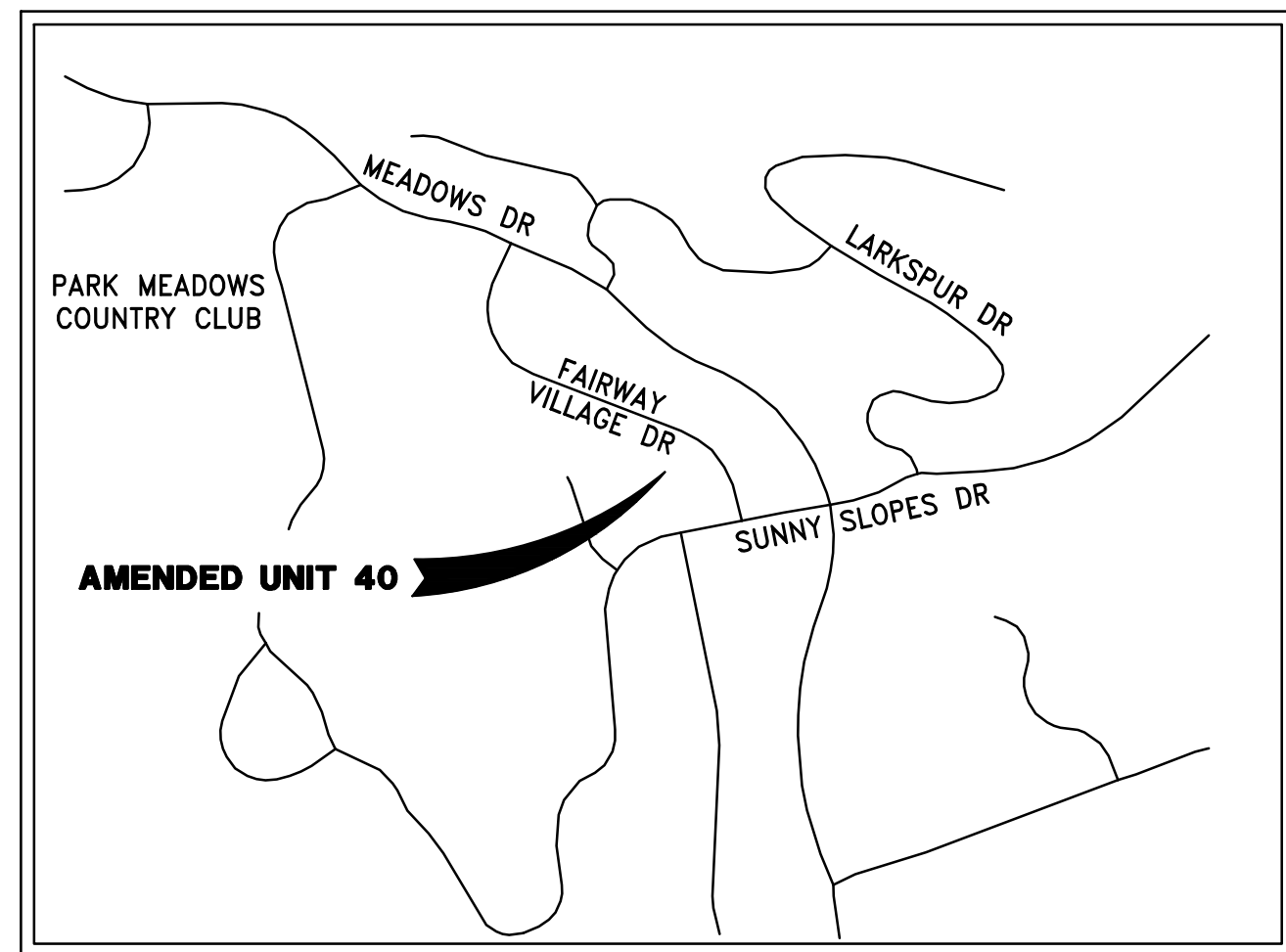
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Mark Harrington, City Attorney

Attachment 1 – Plat

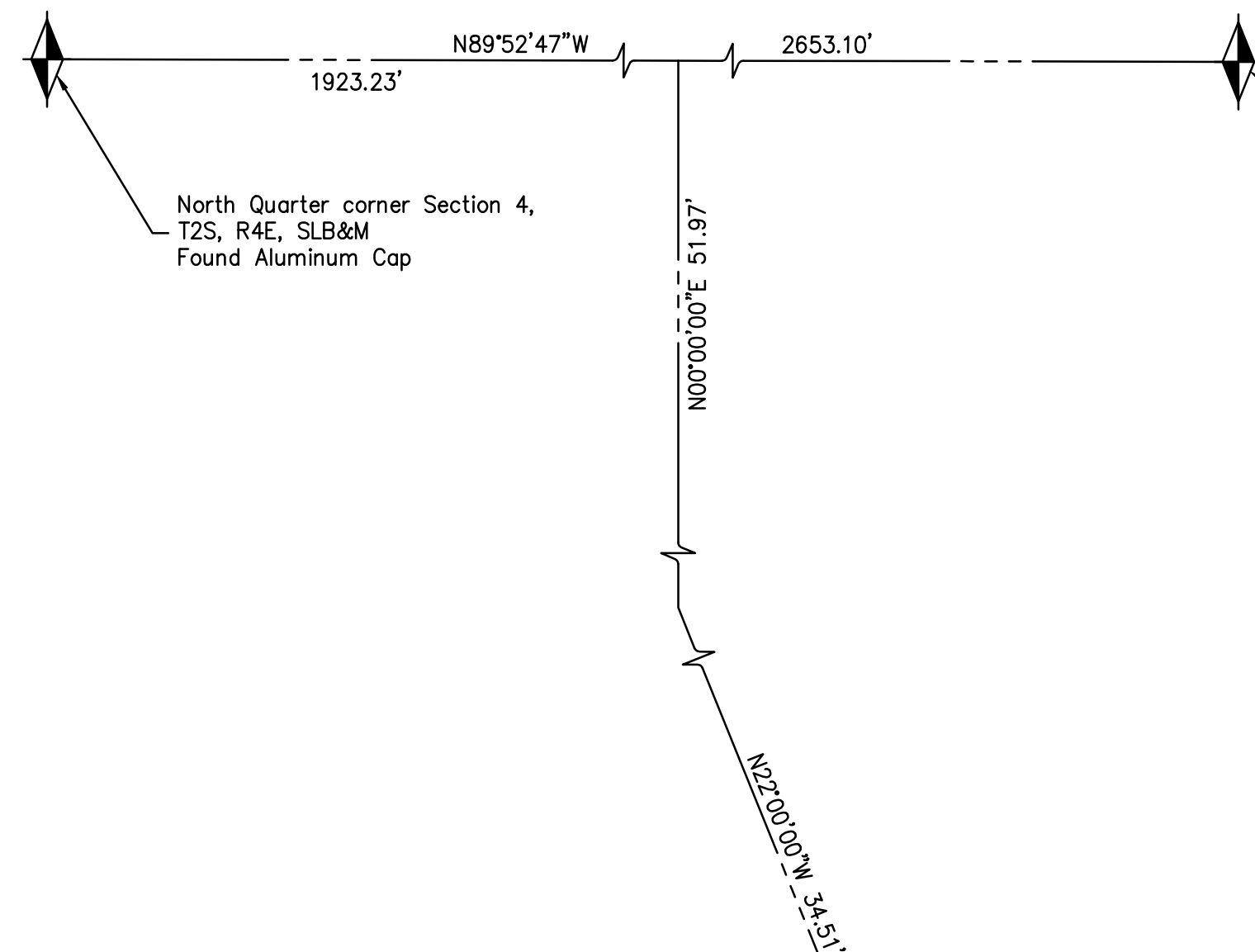
FAIRWAY VILLAGE No. 1 2nd AMENDED AMENDING LOT 40

AMENDING UNIT 40 OF FAIRWAY VILLAGE No. 1
LOCATED IN THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SLB&M.
SUMMIT COUNTY, PARK CITY, UTAH
APRIL 2023



VICINITY MAP
NOT TO SCALE

FAIRWAY VILLAGE No. 1
Entry No. 162326



ORIGINAL UNIT 39
NOT A PART

Northeast Corner Section 4,
T2S, R4E, S.L.B.&M.
Found Rebar & Cap Stamped
"POHL LS173736" 0.6"
South of Corner

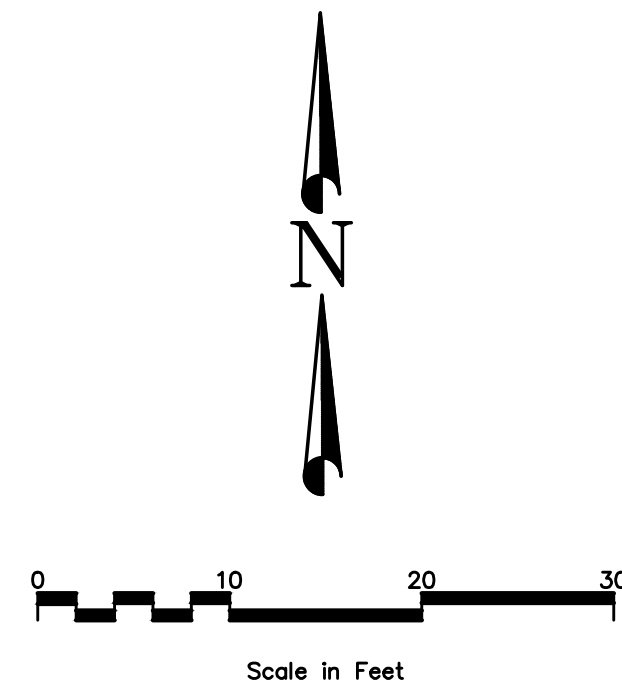
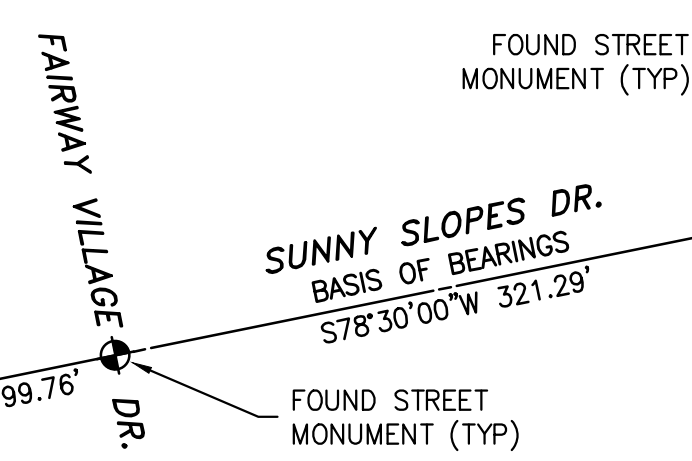
40A
2525 NORTH
FAIRWAY VILLAGE DR.
2,358 SQ. FT.
PRIVATE OWNERSHIP

ORIGINAL UNIT 41
NOT A PART

666 SQ. FT.
LIMITED COMMON OWNERSHIP

10' UTILITY EASEMENT

20' WIDE SEWER EASEMENT
BK M206 PG 307



SURVEYOR'S CERTIFICATE

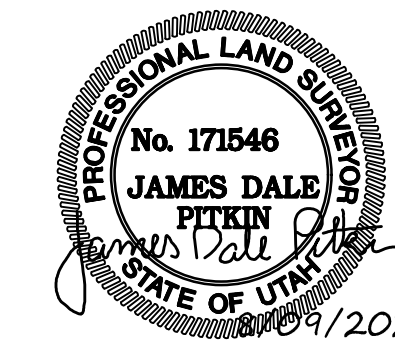
I, James D. Pitkin, a Professional Land Surveyor as prescribed by the laws of the State of Utah and holding License Number 171546, do hereby certify that by authority of the owner I have made a re-survey of Unit 40 as shown on this plat hereafter to be known as

Fairway Village No. 1 Second Amended, Amending Lot 40

and that the same has been surveyed under my direction on the ground and the map hereon is a true and correct representation of said survey.

Date: August 9, 2023

James D. Pitkin
P.L.S. No. 171546



LEGAL DESCRIPTION

Unit 40, Fairway Village No. 1 a Planned Unit Development, according to the official plat thereof on file and of record in the Office of the Summit County Recorder.

Together with a right and easement of use and enjoyment in and to the Common Areas describe, and as provided for, in said Declaration of Covenants, Conditions, and Restrictions, which include, without limitation and easement for vehicular ingress and egress over and across said Common Areas to and from said Lot to a physically open and legally dedicated public street.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned is the owner of the above described tract of land, and hereby causes the same to be created, together with easements as set forth to be hereafter known as Fairway Village No. 1 Second Amended, Amending Unit 40.

In witness whereof, the undersigned set his/her/their hand this ____ day of _____, 2023

2525 Fairway LLC, a Utah limited liability company

By: _____

Printed: _____

It's: _____

ACKNOWLEDGMENT

STATE OF _____ } :ss
COUNTY OF _____ }

On this ____ day of _____, in the year 20 ____, before me _____, a notary public,

personally appeared _____ the _____

personally appeared _____ the _____

of 2525 Fairway LLC, a Utah limited liability company, proved on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to in the foregoing Owner's Dedication regarding the Fairway Village No. 1 Second Amended, Amending Unit 40 and was signed by him/her/they on behalf of said 2525 Fairway LLC and acknowledged that he/she/they executed the same.

Commission Number _____

My Commission Expires _____

Print Name: _____
A Notary Public Commissioned in Utah

ASSOCIATION CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned, on behalf of Fairway Village Homeowners Association, a Utah nonprofit corporation, having complied with the requirements of both Statutes and the Recorded Declaration, hereby consents to the recording of this Plat Amendment.

Fairway Village Homeowners Association, a Utah nonprofit corporation

By: _____ It's _____

ACKNOWLEDGMENT

STATE OF _____ } :ss
COUNTY OF _____ }

On this ____ day of _____, in the year 20 ____, personally appeared before me, the undersigned Notary

Public, in and for said County and State, _____ being duly sworn, acknowledged to me that he/she is the _____ of the Fairway Village Homeowners Association, a Utah nonprofit corporation, and that he/she signed the above Consent to Record for, on, and in behalf of all of the unit owners of Fairway Village Homeowners Association acting as a group (under the name Fairway Village Homeowners Association, a Utah nonprofit corporation) in accordance with the Utah Condominium Ownership Act, U.C.A., Sections 57-1-1 et seq. (1963) as amended and supplemented, and the Declarations of Covenants, Conditions, and Restrictions for Fairway Village Homeowners Association.

Commission Number _____

My Commission Expires _____

Print Name: _____
A Notary Public Commissioned in Utah

	PARK CITY ENGINEER	PARK CITY PLANNING COMMISSION	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	PARK CITY COUNCIL	RECORDED No.	NUMBER
	I find this plat to be in accordance with information on file in my office this ____ day of _____, 20__.	Approved and accepted by the Park City Planning Commission this ____ day of _____, 20__.	Reviewed for conformance to Snyderville Basin Water Reclamation District Standards on this ____ day of _____, 20__.	Approved as to form this ____ day of _____, 20__.	I certify this record of survey map was approved by Park City Council this ____ day of _____, 20__.	Approved and acceptance by the Park City Council this ____ day of _____, 20__.	State of Utah, County of Summit Recorded and Filed at the request of: _____	_____
	Park City Engineer	Chair	By: _____ S.B.W.R.D.	Park City Attorney	By: _____ Park City Recorder	By: _____ Park City Mayor	Date: _____ Time: _____ Book: _____ Page: _____	SHEET 1
							Fee \$ _____ Summit County Recorder	OF 1 SHEETS