

Ordinance No. 10-41

AN ORDINANCE APPROVING THE LITTLE BELLE CONDOMINIUMS FIFTH AMENDED PLAT UNIT 3 TO EXPAND THE PRIVATE OWNERSHIP AREA OF UNIT 3 LOCATED AT 7175 LITTLE BELLE COURT, PARK CITY, SUMMIT COUNTY, UTAH

WHEREAS, the owner of the properties known as 7175 Little Belle Court, has petitioned the City Council for approval of a Little Belle Condominiums 5th Amendment Plat Unit 3 for the existing Unit 3; and

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

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on November 10, 2010, to receive input on the Little Belle Condominiums 5th Amendment Plat Unit 3; and

WHEREAS, the Planning Commission, on November 10, 2010, forwarded a positive recommendation to the City Council; and

WHEREAS, on December 9, 2010, the City Council conducted a public hearing on Little Belle Condominiums 5th Amendment Plat Unit 3; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Little Belle Condominiums 5th Amendment Plat Unit 3.

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. The Little Belle Condominiums 5th Amendment Plat 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 7175 Little Belle Court within the RD-MPD zoning district.
2. The Plat Amendment is for the existing Unit 3 within the Little Belle Condominiums Plat.
3. The proposed amended record of survey adds a 425 square feet footprint of private living space to Unit 3 and changes limited common and common area to private ownership.
4. A vote exceeding 66.66% for approval of the amendment was received by the members of the homeowners association. Record of this vote has been received by the Planning Department.
5. The addition will not encroach into the required setbacks for the project.
6. The addition will not leave the project below the required 60% open space for the MPD.
7. The unit equivalents have not increased so therefore no additional parking is required as a result of this floor area expansion.
8. All findings within the Analysis section are incorporated herein.

Conclusions of Law:

1. There is good cause for this amended record of survey.
2. The amended record of survey is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed amended record of survey.
4. As conditioned the amended record of survey is consistent with the Park City General Plan.

Conditions of Approval:

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the amended record of survey.
2. The applicant will record the amended record of survey 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 and the plat will be void.

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

PASSED AND ADOPTED this 9th day of December 2010.

PARK CITY MUNICIPAL CORPORATION




Mayor Dana Williams

Attest:

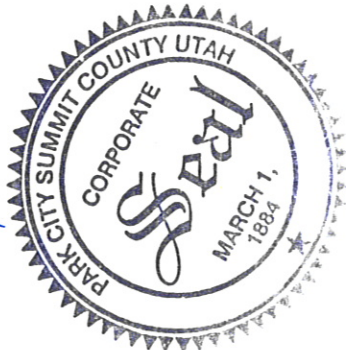


Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



PLANNING

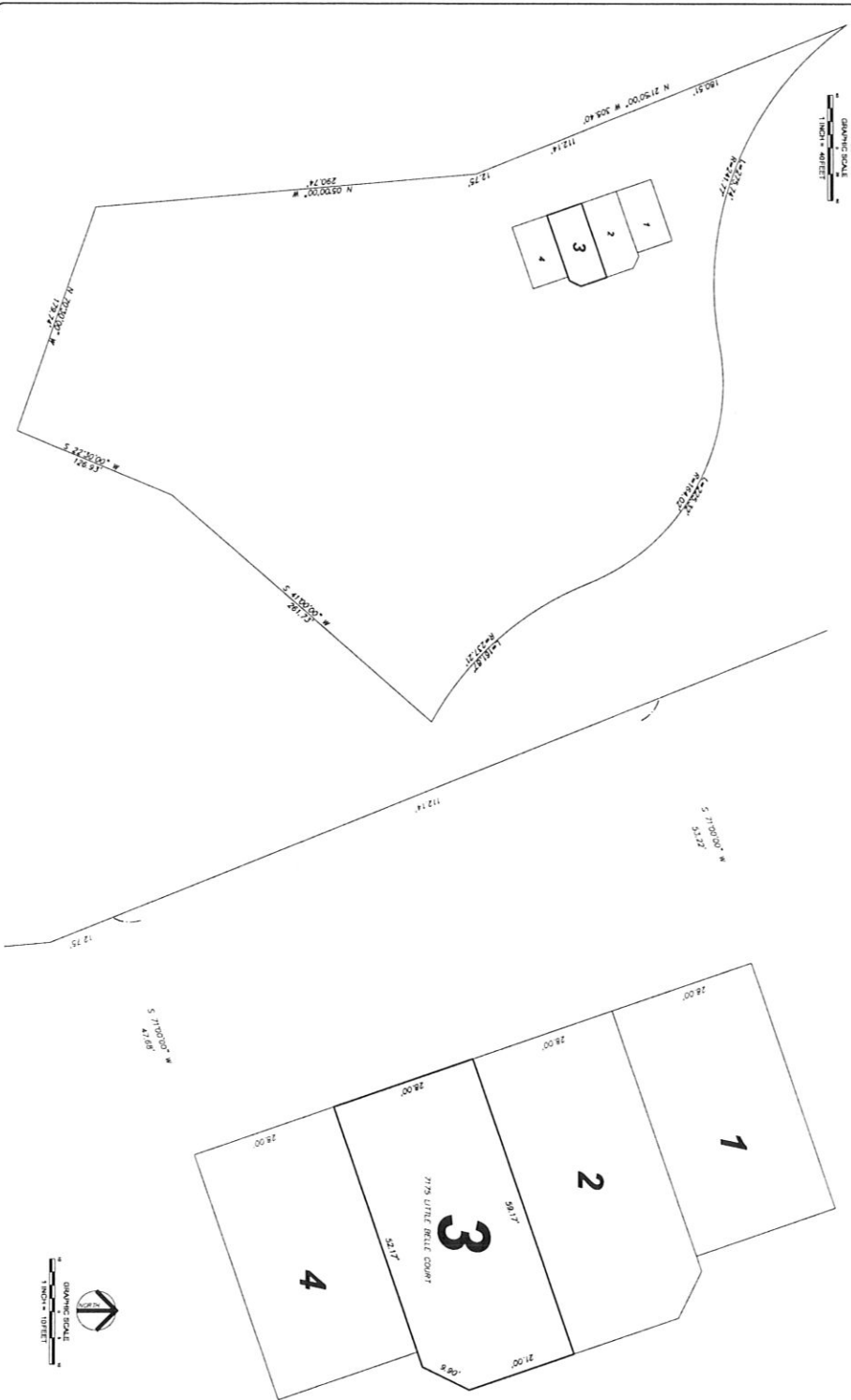
1. THE PLANNING COMMISSION SHALL REVIEW THE PROPOSED MAP, CONCEPTS OF DESIGN AND ACCESS, TO PREPARE A REPORT AND RECOMMENDATION TO THE CITY COUNCIL.
2. ALL NOTES AND COMMENTS OF THE PLANNING COMMISSION SHALL BE SET OUT IN THIS PLANNING REPORT.

LEGAL DESCRIPTION

ALL OF UNIT 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

LITTLE BELLE CONDOMINIUMS
5TH AMENDED PLAT
UNIT 3

LOCATED IN THE NORTHEAST QUARTER
SECTION 28 TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



OWNER'S DECLARATION AND CONSENT TO RECORD

I, the undersigned, being the owner of the premises hereinafter described, do hereby declare that the foregoing plat and the units thereon are a true and correct copy of the original as recorded in the office of the county clerk of the county of Summit, State of Utah, and that the same conform to the provisions of the laws of the State of Utah relating to the subdivision of land for the purpose of creating units in a condominium project. I also declare that the units hereon are intended to be held in common ownership by the persons named in the plat and that the same shall be governed by the covenants and conditions hereon contained.

Executed at _____, Utah, this _____ day of _____, 2010.
By _____, Owner.

ACKNOWLEDGMENT

I, _____, County Clerk of Summit County, Utah, do hereby certify that the foregoing plat and units thereon are a true and correct copy of the original as recorded in the office of the county clerk of the county of Summit, State of Utah, and that the same conform to the provisions of the laws of the State of Utah relating to the subdivision of land for the purpose of creating units in a condominium project. I also declare that the units hereon are intended to be held in common ownership by the persons named in the plat and that the same shall be governed by the covenants and conditions hereon contained.

Executed at _____, Utah, this _____ day of _____, 2010.
By _____, County Clerk.

OWNER'S DECLARATION AND CONSENT TO RECORD

I, the undersigned, being the owner of the premises hereinafter described, do hereby declare that the foregoing plat and the units thereon are a true and correct copy of the original as recorded in the office of the county clerk of the county of Summit, State of Utah, and that the same conform to the provisions of the laws of the State of Utah relating to the subdivision of land for the purpose of creating units in a condominium project. I also declare that the units hereon are intended to be held in common ownership by the persons named in the plat and that the same shall be governed by the covenants and conditions hereon contained.

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By _____, Owner.

ACKNOWLEDGMENT

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Executed at _____, Utah, this _____ day of _____, 2010.
By _____, County Clerk.

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Executed at _____, Utah, this _____ day of _____, 2010.
By _____, Owner.

ACKNOWLEDGMENT

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Executed at _____, Utah, this _____ day of _____, 2010.
By _____, County Clerk.

SURVEYOR'S CERTIFICATE

I, _____, State of Utah, do hereby certify that the foregoing plat and units thereon are a true and correct copy of the original as recorded in the office of the county clerk of the county of Summit, State of Utah, and that the same conform to the provisions of the laws of the State of Utah relating to the subdivision of land for the purpose of creating units in a condominium project. I also declare that the units hereon are intended to be held in common ownership by the persons named in the plat and that the same shall be governed by the covenants and conditions hereon contained.

Executed at _____, Utah, this _____ day of _____, 2010.
By _____, Surveyor.

November 2010 SHEET 1 OF 2



COUNCIL APPROVAL & ACCEPTANCE
APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2010 A.D.

PARK CITY PLANNING COMMISSION
APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____, 2010 A.D.

CERTIFICATE OF ATTEST
I HEREBY CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2010 A.D.

SUBMITTABLE BASIN WATER RECREATION DISTRICT
REQUIRED FOR CONFORMANCE TO SUBMITTABLE BASIN WATER RECREATION DISTRICT REGULATIONS ON _____ DAY OF _____, 2010 A.D.

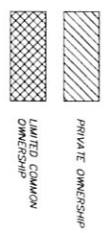
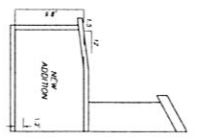
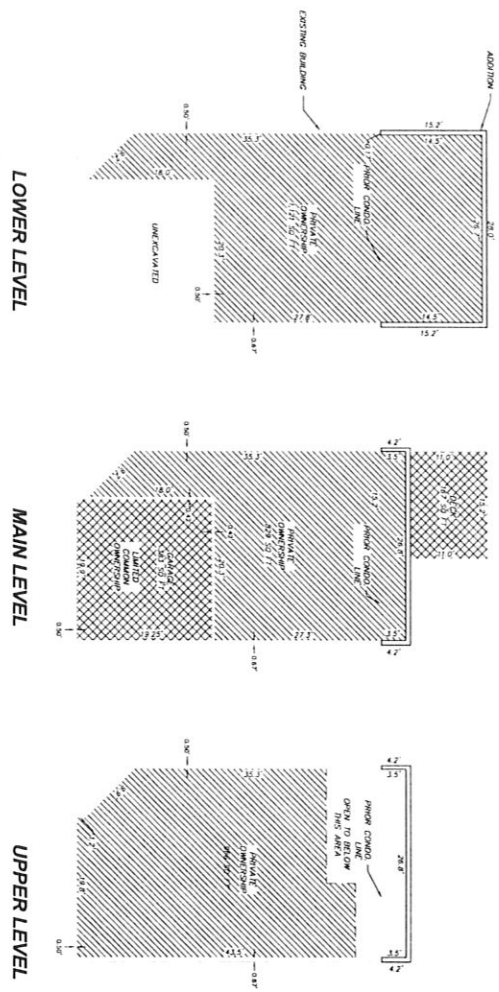
ENGINEER'S CERTIFICATE
I AND THIS PLAT TO BE IN ACCORDANCE WITH THE PROVISIONS OF THE UTAH PLAT ACT, THIS _____ DAY OF _____, 2010 A.D.

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS _____ DAY OF _____, 2010 A.D.

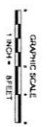
RECORDED
BOOK _____ OF _____
PAGE _____
DATE OF PLAT _____
RECORDED AND FILED AT THE REQUEST OF _____
COUNTY RECORDER

LITTLE BELLE CONDOMINIUMS 5TH AMENDED PLAT UNIT 3

LOCATED IN THE NORTHEAST QUARTER
SECTION 28, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



OWNER	LOWER LEVEL	MAIN LEVEL	UPPER LEVEL	TOTALS
PRIVATE OWNERSHIP	0	550	1,121	1,671
LIMITED COMMON OWNERSHIP	0	0	0	0
TOTALS	0	550	1,121	2,198



RECORDED
 ENTRY NUMBER: 2010-000000
 DATE OF UTAH: 11/11/10
 COUNTY RECORDER