

Ordinance No. 10-39

**AN ORDINANCE APPROVING THE MONARCH CONDOMINIUMS RECORD OF SURVEY
PLAT LOCATED AT 2169 MONARCH DRIVE, PARK CITY, UTAH**

WHEREAS, the owners of the property located at 2169 Monarch Drive have petitioned the City Council for approval of the Monarch Condominiums Record of Survey Plat; 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 October 27, 2010, to receive input on the Monarch Condominiums Record of Survey Plat;

WHEREAS, the Planning Commission, on October 27, 2010, forwarded a recommendation to the City Council; and,

WHEREAS, the City Council held a public hearing on November 11 2010, to receive input on the Monarch Condominiums Record of Survey Plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Monarch Condominiums Record of Survey Plat.

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 Monarch Condominiums Record of Survey Plat shown in Exhibit A 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 2169 Monarch Drive.
2. The property is located in the Single Family (SF) District.
3. The structure is a built duplex.
4. A duplex is an allowed use in the SF District on this cul-de-sac lot as identified on the Prospector Village Subdivision plat.
5. The area of the lot is 9,147 square feet.
6. The existing building conditions comply with required minimum setbacks.
7. Two (2) parking spaces are required for each unit, for a total of four (4).
8. Each unit has two (2) dedicated parking spaces, for a total of four (4) accommodated in the existing original driveway on-site.
9. The duplex was originally constructed with two garages. Since the date of original construction one garage unit has been filled in and converted to living area.
10. There are existing non-compliances relating to additional parking which consist of a paved parking pad encroaching into the City Right-of-Way, minimum parking dimensions, and parking within the side yard setbacks.
11. Unit 1 has 1,670 square feet of private area.
12. Unit 2 has 1,670 square feet of private area.
13. Separate stair entry areas, rear wood decks and driveway parking and open space are identified as common ownership.

14. The property is within the Park City Soils Ordinance boundaries.
15. The findings within the Analysis section are incorporated within.

Conclusions of Law:

1. There is good cause for this condominium Record of Survey.
2. The Record of Survey Plat is consistent with the Park City Land Management Code and applicable State law regarding Condominium Record of Survey Plats.
3. Neither the public nor any person will be materially injured by the proposed Record of Survey Plat.
4. Approval of the Record of Survey Plat, 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 Attorney and City Engineer will review and approve the final form and content of the Record of Survey for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the 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 for the plat will be void.
3. The CC&Rs shall include a tie breaker mechanism.
4. The illegal paved area in the north side yard, front yard, and outside property lines shall be removed.
5. The site shall be in compliance with the Soils Ordinance. Any additional required work shall be complete as a condition precedent to plat recordation.

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


PASSED AND ADOPTED this 11th day of November, 2010.

PARK CITY MUNICIPAL CORPORATION




Mayor Dana Williams

Attest:

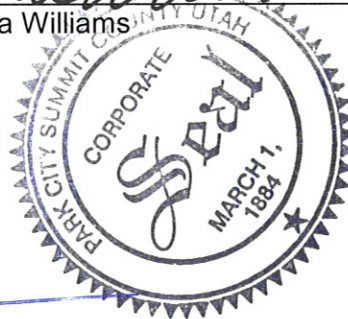


Janet M. Scott, City Recorder

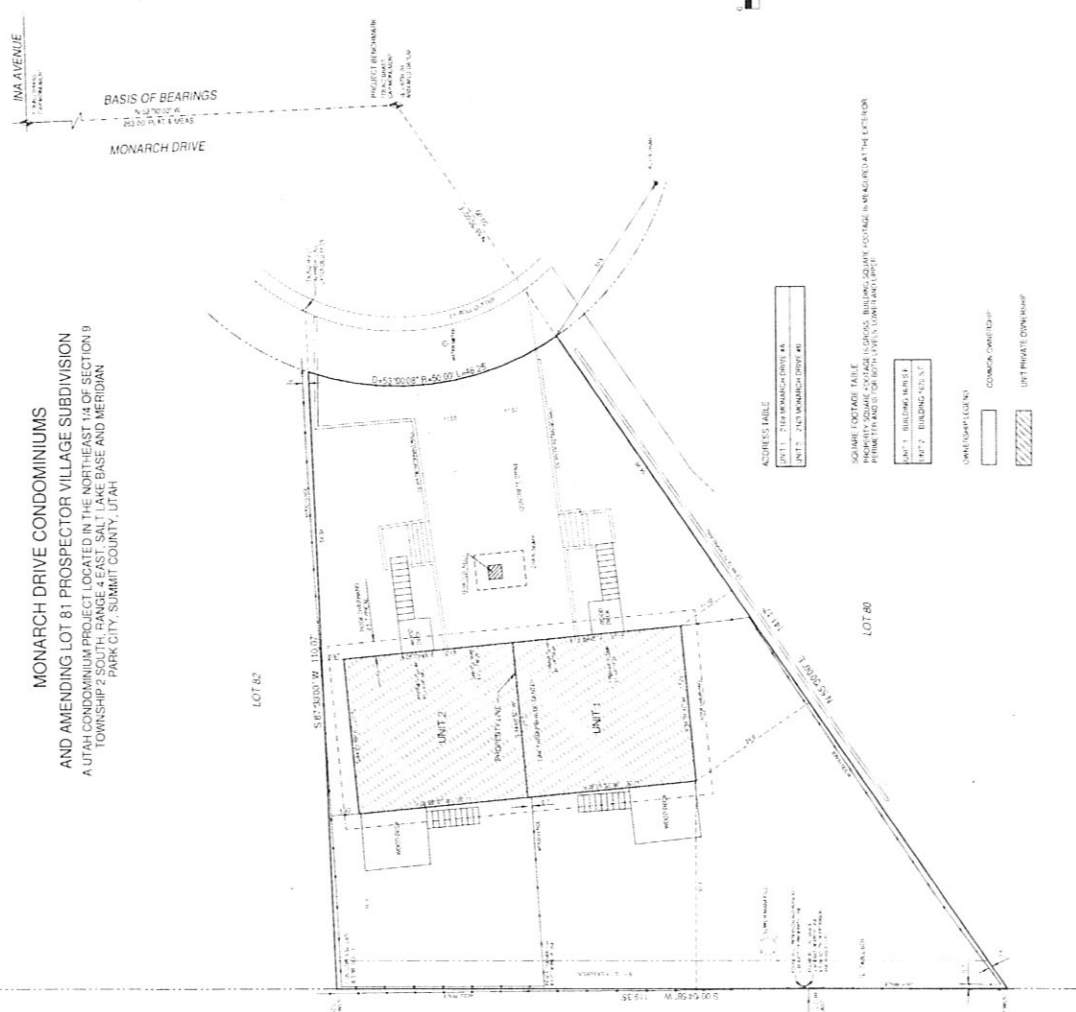
Approved as to form:



Mark D. Harrington, City Attorney



MONARCH DRIVE CONDOMINIUMS
AND AMENDING LOT 81 PROSPECTOR VILLAGE SUBDIVISION
A UTAH CONDOMINIUM PROJECT LOCATED IN THE NORTHEAST 1/4 OF SECTION 9
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



SURVEYORS CERTIFICATE
 I, BRUCE G. COOPER, REGISTERED PROFESSIONAL LAND SURVEYOR AND UNIT 1 REGISTERED PROFESSIONAL ENGINEER, HAVE BEEN EMPLOYED BY THE CLIENT TO SURVEY AND RECORD THE MONARCH DRIVE CONDOMINIUM PROJECT. THE RECORD OF THIS PROJECT IS FILED IN THE OFFICE OF THE COUNTY CLERK OF SUMMIT COUNTY, UTAH, IN THE PUBLIC RECORDS OF THE COUNTY OF SUMMIT COUNTY, UTAH, IN THE PUBLIC RECORDS OF THE COUNTY OF SUMMIT COUNTY, UTAH, IN THE PUBLIC RECORDS OF THE COUNTY OF SUMMIT COUNTY, UTAH.



LEGAL DESCRIPTION
 THE MONARCH DRIVE CONDOMINIUM PROJECT IS A UTAH CONDOMINIUM PROJECT LOCATED IN THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH.

OWNERS DEDICATION AND CONSENT TO RECORD
 THE OWNERS OF THE MONARCH DRIVE CONDOMINIUM PROJECT HEREBY DEDICATE AND CONSENT TO RECORD THE MONARCH DRIVE CONDOMINIUM PROJECT AS SHOWN ON THE ATTACHED PLANS AND RECORDS.

ACKNOWLEDGEMENT
 I, BRUCE G. COOPER, REGISTERED PROFESSIONAL LAND SURVEYOR AND UNIT 1 REGISTERED PROFESSIONAL ENGINEER, HEREBY ACKNOWLEDGE THAT I HAVE SURVEYED AND RECORDED THE MONARCH DRIVE CONDOMINIUM PROJECT AS SHOWN ON THE ATTACHED PLANS AND RECORDS.

GENERAL NOTES
 1. THE MONARCH DRIVE CONDOMINIUM PROJECT IS A UTAH CONDOMINIUM PROJECT.
 2. THE MONARCH DRIVE CONDOMINIUM PROJECT IS A UTAH CONDOMINIUM PROJECT.
 3. THE MONARCH DRIVE CONDOMINIUM PROJECT IS A UTAH CONDOMINIUM PROJECT.

APPROVALS
 BY: [Signature] DATE: [Date]
 BY: [Signature] DATE: [Date]

GRUBBS & ASSOCIATES, INC.
 LAND SURVEYORS
 1000 WEST MAIN STREET, SUITE 200
 PARK CITY, UTAH 84302

PARK CITY PLANNING COMMISSION
 APPROVED AND ACCEPTED BY THE PLANNING COMMISSION ON [Date] AT [Time] IN A PUBLIC HEARING HELD AT THE CITY CLERK'S OFFICE, 100 WEST MAIN STREET, PARK CITY, UTAH.

ENGINEERS CERTIFICATE
 I, [Name], REGISTERED PROFESSIONAL ENGINEER, HEREBY CERTIFY THAT I HAVE REVIEWED THE MONARCH DRIVE CONDOMINIUM PROJECT AS SHOWN ON THE ATTACHED PLANS AND RECORDS.

APPROVALS
 BY: [Signature] DATE: [Date]
 BY: [Signature] DATE: [Date]

CERTIFICATE OF ATTEST
 I, [Name], COUNTY CLERK OF SUMMIT COUNTY, UTAH, HEREBY CERTIFY THAT THE MONARCH DRIVE CONDOMINIUM PROJECT AS SHOWN ON THE ATTACHED PLANS AND RECORDS IS A UTAH CONDOMINIUM PROJECT.

CONCIL APPROVAL AND ACCEPTANCE
 APPROVED AND ACCEPTED BY THE BOARD OF CITY COMMISSIONERS ON [Date] AT [Time] IN A PUBLIC HEARING HELD AT THE CITY CLERK'S OFFICE, 100 WEST MAIN STREET, PARK CITY, UTAH.

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 AND AMENDING LOT 81 PROSPECTOR VILLAGE SUBDIVISION
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