

ORDINANCE NO. 10-36

**AN ORDINANCE APPROVING THE DEER VALLEY PLACE CONDOMINIUMS
RECORD OF SURVEY PLAT LOCATED AT
601/603 DEER VALLEY DRIVE, PARK CITY, UTAH**

WHEREAS, the owners of the property located at 601/603 Deer Valley Place have petitioned the City Council for approval of the Deer Valley Place 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 September 22, 2010, to receive input on the Deer Valley Place Condominiums Record of Survey Plat;

WHEREAS, the Planning Commission, on September 22, 2010, forwarded a recommendation to the City Council; and,

WHEREAS, the City Council held a public hearing on October 14, 2010, to receive input on the Deer Valley Place Condominium Record of Survey Plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Deer Valley Place 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 Deer Valley Place Condominiums Record of Survey Plat shown in Attachment 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 601/603 Deer Valley Drive.
2. The property is located in the Residential-Medium Density (RM) District.
3. The structure is a built duplex.
4. A duplex is an allowed use in the RM District.
5. The area of the lot is 7,180 square feet.
6. The existing conditions comply with required minimum setbacks.
7. Two (2) parking spaces are required for each unit.
8. Each unit has two (2) dedicated parking spaces within the site.
9. Unit 603 has 5,067.6 square feet of private area.
10. Unit 605 has 4,862.5 square feet of private area.
11. Shared entry area and open space are identified as common ownership.
12. There are existing non-compliances relating to access and parking, retaining walls, landscaping, and site clean up.
13. 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 applicant may expand the driveway in order to facilitate the required use of the driveway to a maximum of twenty seven feet (27').
5. The applicant shall work with the City Engineer to obtain encroachment agreements to build planter boxes along the front of the property on the City Right-of-Way behind the existing five foot (5') sidewalk. This work shall be completed as a condition precedent to plat recordation. Such encroachment agreement shall be recorded prior to plat recordation.
6. There must be a barrier between the platted lots and Deer Valley Drive. No parking shall take place in the driveway or access area on the property and no parking shall impede the view sight of Sunnyside (view distance triangle area).
7. The applicant will work with the City to receive the appropriate permits to build the approved retaining wall located in the rear of the structure. This work shall be complete as a condition precedent to plat recordation.
8. The applicant will submit a landscape plan. Excess remnant concrete throughout the site shall be removed. The work according to the approved landscape plan 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 14th day of October, 2010.

PARK CITY MUNICIPAL CORPORATION



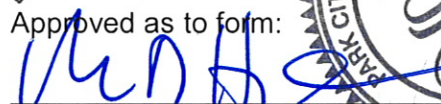
Mayor Dana Williams

Attest:

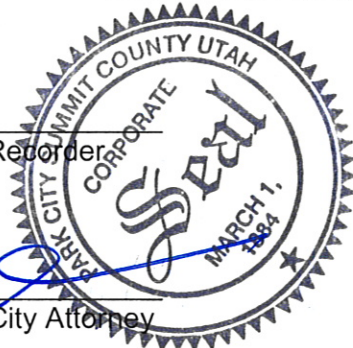


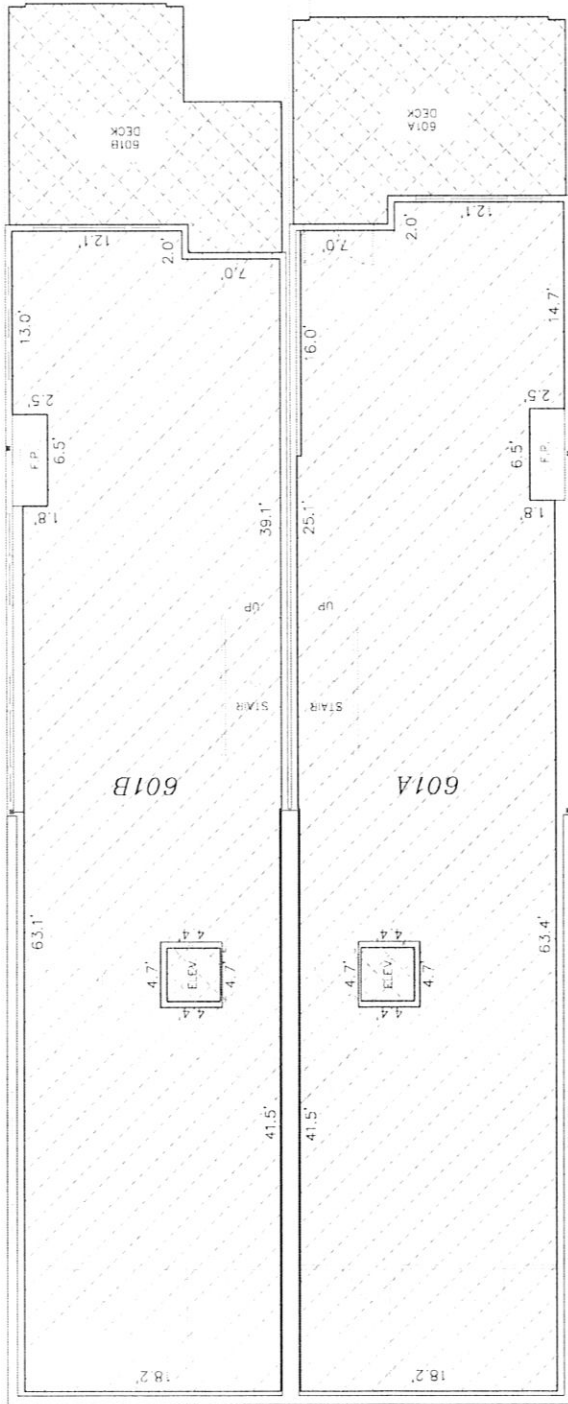
Janet M. Scott, City Recorder

Approved as to form:



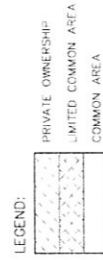
Mark D. Harrington, City Attorney





MAIN LEVEL FLOOR PLAN

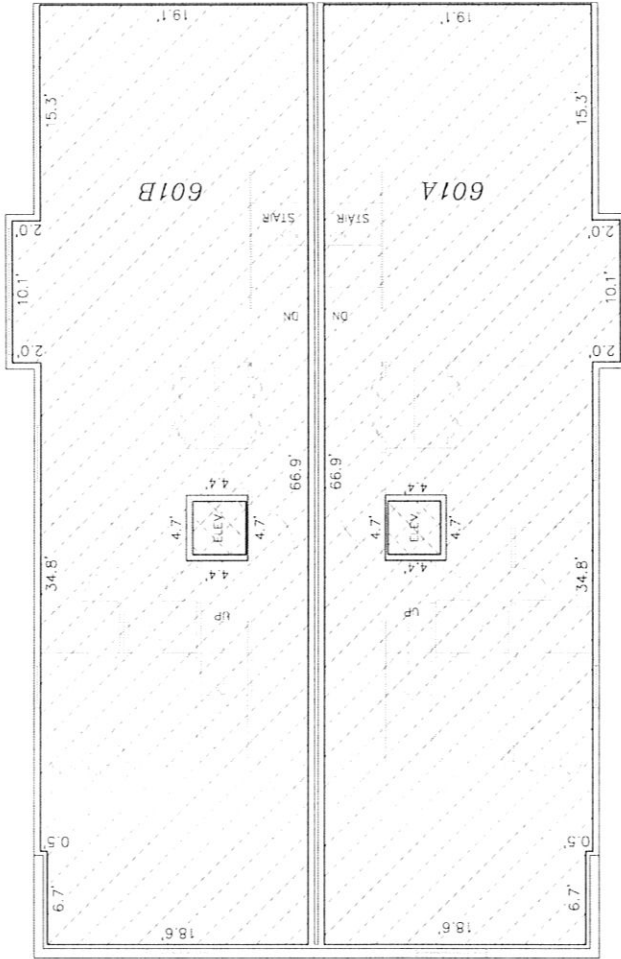
| UNIT # | NET SF | ELEVATION |
|--------|-----------|-----------|
| 601A | 1512.0 SF | 7:103.15 |
| 601B | 1474.1 SF | 7:103.15 |



DEER VALLEY PLACE CONDOMINIUMS

CONDOMINIUM RECORD OF SURVEY PLAT

A CONDOMINIUM PROJECT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE MERIDIAN.



SCALE 1/4" = 1'-0"
 0 2 4 6 8 12

SECOND LEVEL FLOOR PLAN

| UNIT # | NET SF | ELEVATION |
|--------|-----------|-----------|
| 601A | 1273.4 SF | 7112.25 |
| 601B | 1273.4 SF | 7112.25 |

LEGEND:



DEER VALLEY PLACE CONDOMINIUMS

CONDOMINIUM RECORD OF SURVEY PLAT
 QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE
 4 EAST, SALT LAKE BASE AND MERIDIAN

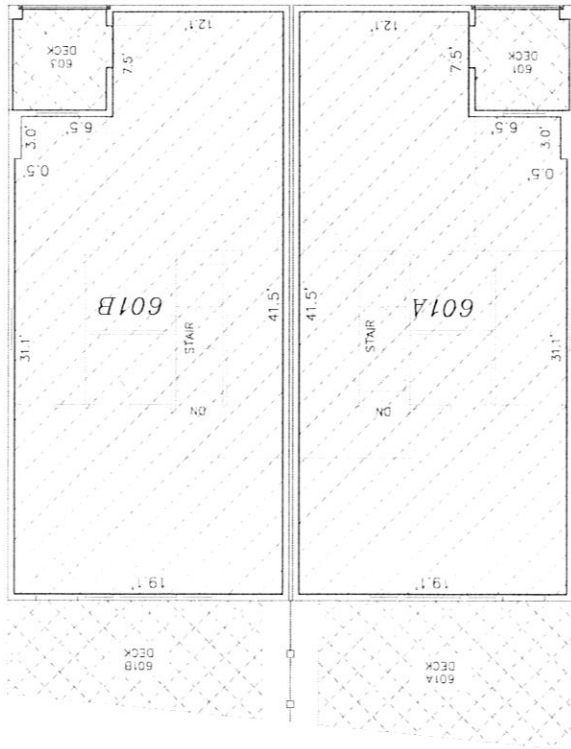
SHEET 4 OF 6

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF

DATE _____ TIME _____ BOOK _____ PAGE _____

BY _____ RECORDERS _____



SCALE 1/4" = 1'-0"

THIRD LEVEL FLOOR PLAN

| UNIT # | NET SF | ELEVATION |
|--------|----------|-----------|
| 601A | 735.2 SF | 71.21.44 |
| 601B | 735.2 SF | 71.21.44 |

LEGEND:

- PRIVATE OWNERSHIP
- LIMITED COMMON AREA
- COMMON AREA

TOTAL NET SQUARE FOOTAGE

| UNIT # | NET SQUARE FEET |
|--------|-----------------|
| 601A | 5067.3 SF |
| 601B | 4862.5 SF |

SHEET 5 OF 6

DEER VALLEY PLACE CONDOMINIUMS
 CONDOMINIUM RECORD OF SURVEY PLAT

A CONDOMINIUM PROJECT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 100 N., RANGE 10 EAST, 2ND JUNE TOWNSHIP, MINNAPOLIS, MINN.

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FTL: _____ RECORDER: _____

Exhibit B - 601 Deer Valley Drive Subdivision Plat

601 DEER VALLEY DRIVE SUBDIVISION PLAT
 LIVING WITHIN THE SOUTHWEST QUARTER OF
 SECTION 16, TOWNSHIP 2 SOUTH RANGE 4 EAST
 SALT LAKE BASE & MERIDIAN
 SUMMIT COUNTY, UTAH

UNLESS OTHERWISE SPECIFIED IN NOTES:
 ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
 ALL CORNERS ARE TO BE MARKED WITH IRON PIPES OR IRON BOLTS.
 ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
 ALL CORNERS ARE TO BE MARKED WITH IRON PIPES OR IRON BOLTS.
 ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
 ALL CORNERS ARE TO BE MARKED WITH IRON PIPES OR IRON BOLTS.

OWNER'S SERVICE:
 THE ENGINEER HAS REVIEWED THE PLAT AND FOUND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH SUBDIVISION ACT AND THE LOCAL ORDINANCES OF THE CITY OF PARK CITY. THE ENGINEER HAS NOT CONDUCTED A SURVEY OF THE PLAT AND HAS NOT BEEN ADVISED BY THE OWNER THAT A SURVEY HAS BEEN CONDUCTED.

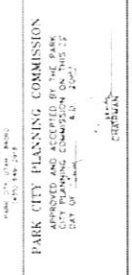


ALLAS THIS INSTRUMENT IS IN FULL DESCRIPTION:
 COMMENCING AT A CORNER ALONG THE SECTION LINE 100 FEET AND 100 FEET EAST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, THE TRACT DESCRIBED BY THIS INSTRUMENT IS THE TRACT OF LAND HEREIN DESCRIBED AND SHOWN ON THE PLAT HEREIN ATTACHED TO THIS INSTRUMENT. THE TRACT OF LAND HEREIN DESCRIBED IS THE TRACT OF LAND SHOWN ON THE PLAT HEREIN ATTACHED TO THIS INSTRUMENT.



NOTE:
 THE ENGINEER HAS REVIEWED THE PLAT AND FOUND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH SUBDIVISION ACT AND THE LOCAL ORDINANCES OF THE CITY OF PARK CITY. THE ENGINEER HAS NOT CONDUCTED A SURVEY OF THE PLAT AND HAS NOT BEEN ADVISED BY THE OWNER THAT A SURVEY HAS BEEN CONDUCTED.

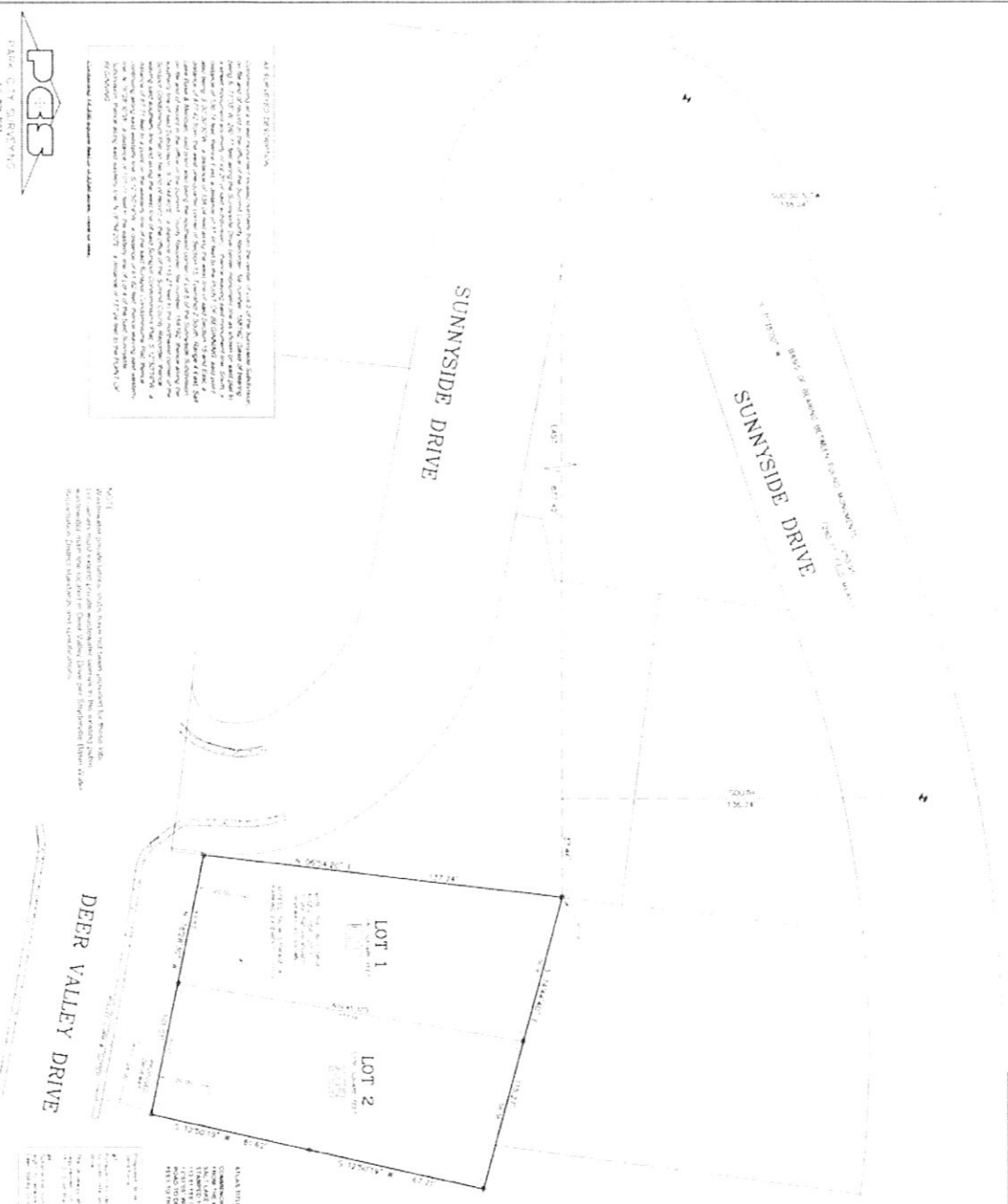
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|--|---|---|--|---|---|--|
| <p>PARK CITY PLANNING COMMISSION APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION DATE OF APPROVAL: 10/27/2004 BY: [Signature] CHAIRMAN</p> | <p>CERTIFICATE OF ATTEST I HEREBY CERTIFY THAT THE PLAT WAS FILED IN THE OFFICE OF THE CLERK OF THE COUNTY OF SUMMIT, UTAH, ON THE 27TH DAY OF OCTOBER, 2004. BY: [Signature] CLERK</p> | <p>SUNNYSIDE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SUNNYSIDE BASIN WATER RECLAMATION DISTRICT ORDINANCES DATE OF REVIEW: 10/27/2004 BY: [Signature] DISTRICT ENGINEER</p> | <p>ENGINEERS CERTIFICATE ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS INSTRUMENT IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH SUBDIVISION ACT AND THE LOCAL ORDINANCES OF THE CITY OF PARK CITY. DATE OF APPROVAL: 10/27/2004 BY: [Signature] PARK CITY ENGINEER</p> | <p>APPROVAL AS TO FORM APPROVED AS TO FORM THIS INSTRUMENT IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH SUBDIVISION ACT AND THE LOCAL ORDINANCES OF THE CITY OF PARK CITY. DATE OF APPROVAL: 10/27/2004 BY: [Signature] PARK CITY ATTORNEY</p> | <p>COUNCIL APPROVAL AND ACCEPTANCE APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL THIS 27TH DAY OF OCTOBER, 2004 A.D. BY: [Signature] MAYOR</p> | <p>RECORDED FILED IN THE OFFICE OF THE CLERK OF THE COUNTY OF SUMMIT, UTAH, ON THE 27TH DAY OF OCTOBER, 2004. DATE OF RECORDING: 10/27/2004 BY: [Signature] CLERK</p> |
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PAGE 1 OF 1

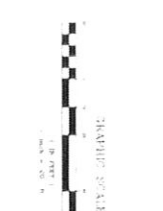
601 DEER VALLEY DRIVE SUBDIVISION PLAT

LIVING WITHIN THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN & NEIGHBORHOOD, SHERMAN COUNTY, UTAH



| | | | | | | |
|--|--|---|---|--|---|--|
| <p>PARK CITY PLANNING COMMISSION APPROVED AND DECIDED BY THE PARK CITY PLANNING COMMISSION ON THE 15th DAY OF 2004 A.D.</p> | <p>CERTIFICATE OF ATTTEST I, CLARENCE H. BROWN, CLERK OF THE BOARD OF COMMISSIONERS, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL AS FILED IN THE OFFICE OF THE CLERK OF THE BOARD OF COMMISSIONERS.</p> | <p>SEWER/RAIN BASIN WATER RELAXATION DISTRICT REVIEWED FOR CONFORMANCE TO SEWER/RAIN BASIN WATER RELAXATION DISTRICT REGULATIONS 2004 A.D.</p> | <p>ENGINEER'S CERTIFICATE I, AND THE PLAT TO BE IN ACCORDANCE WITH AN ORDINANCE ON THE 15th DAY OF 2004 A.D.</p> | <p>APPROVAL AS TO FORM APPROVED AS TO FORM THIS 15th DAY OF 2004 A.D.</p> | <p>COMMITTEE APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 15th DAY OF 2004 A.D.</p> | <p>RECORDED DATE: 7-26-2004 BY: [Signature]</p> |
|--|--|---|---|--|---|--|

NOTICE: The applicant hereby certifies that the information provided in this plat is true and correct to the best of their knowledge and belief. The applicant also certifies that the information provided in this plat is not intended to be used for any other purpose than the one for which it was prepared.



PLAT NO. 2004-001
DATE: 7-26-2004
BY: [Signature]