

Ordinance No. 10-34

AN ORDINANCE APPROVING THE ROSSI HILL SUBDIVISION LOCATED WITHIN LOTS 1-9 OF BLOCK 61 OF THE PARK CITY SURVEY AND NINE PARCELS OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN IN PARK CITY, 310-350 MCHENRY AVENUE, PARK CITY, SUMMIT COUNTY, UTAH

WHEREAS, the owners of the properties known as 310, 320, 330, and 350 McHenry Avenue, have petitioned the City Council for approval of a Plat Amendment for the existing Lots 1-9 of Block 61 of the Park City Survey and nine parcels of land located in the Southwest Quarter of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian in Park City, Summit County, Utah; 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 August 25, 2010, to receive input on the Rossi Hill Subdivision; and

WHEREAS, the Planning Commission, on August 25, 2010, forwarded a positive recommendation to the City Council; and

WHEREAS, on September 16, 2010, the City Council conducted a public hearing on the Rossi Hill Subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Rossi Hill Subdivision.

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 Rossi Hill Subdivision as 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 310, 320, 330, and 350 McHenry Avenue within the HRL zoning district.
2. The Plat Amendment is for the existing lots 1-9 of Block 61 of the Park City Survey and nine parcels of land located in the southwest quarter of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian in Park City, Summit County, Utah.

3. The proposed Plat Amendment will create four (4) platted lots of record. The minimum lot area in the HRL zoning district is 3750 square feet. The minimum lot width in the HRL zone is 35 feet. Each of the four (4) lots complies with the minimum lot area and the minimum lot width of the HRL zone.
4. There is an existing non-historic home located on each of the proposed lots and the density is not increased with this subdivision. One home is allowed per lot.
5. The neighborhood is characterized by single family and multi-family homes.
6. A right of way dedication of 976.52 square feet will be dedicated to the City upon recordation.
7. The Planning Department is processing an application for a zone change at this location. The existing lots are split within two zones, Estate and HRL. The Sensitive Lands Overlay is also on the Estate portion. The zone change, if approved, will designate the four lots within the HRL zoning district in their entirety.
8. The applicant has proposed a cross-hatched area along the east side of the subdivision. This area is generally twenty (20) feet in width measured from the eastern most property line of Lots 1, 3, and 4. The applicant is proposing that this area be a no-build area in which no structures may be erected and the area would not be included in maximum footprint calculations for any of the Lots.
9. Meditation parcel exists as a remnant parcel that is not part of any of the lots.
10. All findings within the Analysis section are incorporated herein.

Conclusions of Law:

1. There is good cause for this subdivision.
2. The subdivision 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 subdivision.
4. As conditioned the subdivision 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 plat.
2. The applicant will record the plat amendment 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.
3. A ten foot wide public snow storage easement may be required along the front of the property. The City Engineer will make a final determination during his review and approval of the plat prior to recordation.
4. No remnant parcels are separately developable and a note shall be included on the plat indicating this.
5. The meditation parcel shall be legally described on the plat and a note shall indicate that it is not a developable parcel and that the area of the parcel shall not be used in the calculation of maximum building footprint for any of the lots.
6. As a condition precedent to recordation a plat note shall be added to the plat

stating the eastern most 20' of the subdivision as indicated on the plat map is designated as a no-build area in which no structures may be erected. This area shall not be included in the maximum building footprint for any of the lots.

7. As a condition precedent to recordation plat notes shall be added to the plat stating the following:
 - The quit claimed parcel shall not be utilized for access;
 - The quit claimed parcel shall not have any structure(s) built upon it;
 - The quit claimed parcel shall not be included in any calculation for building footprint now or in the future.
8. If the sale of the quit claim parcel is not executed and sold to the owner of Lot 1 prior to plat recordation, then the quit claim parcel will be removed from the plat.
9. As a condition precedent to recordation a plat note shall be added to the plat stating that the meditation parcel is not a developable parcel and the area of the parcel shall not be included in calculations for building footprint for any of the lots.
10. A note shall be added to the plat as a condition precedent to recordation of the plat stating that there shall be only one house per Lot and the Lots shall not be re-subdivided. Other uses are allowed per requirements of the Land Management Code.

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

PASSED AND ADOPTED this 16th day of September 2010.

PARK CITY MUNICIPAL CORPORATION



Dana Williams, Mayor

Attest:

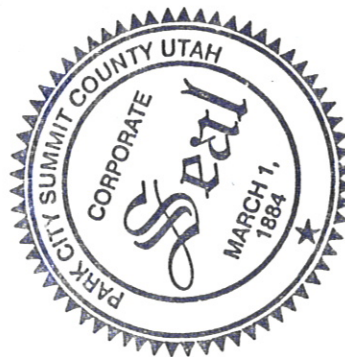


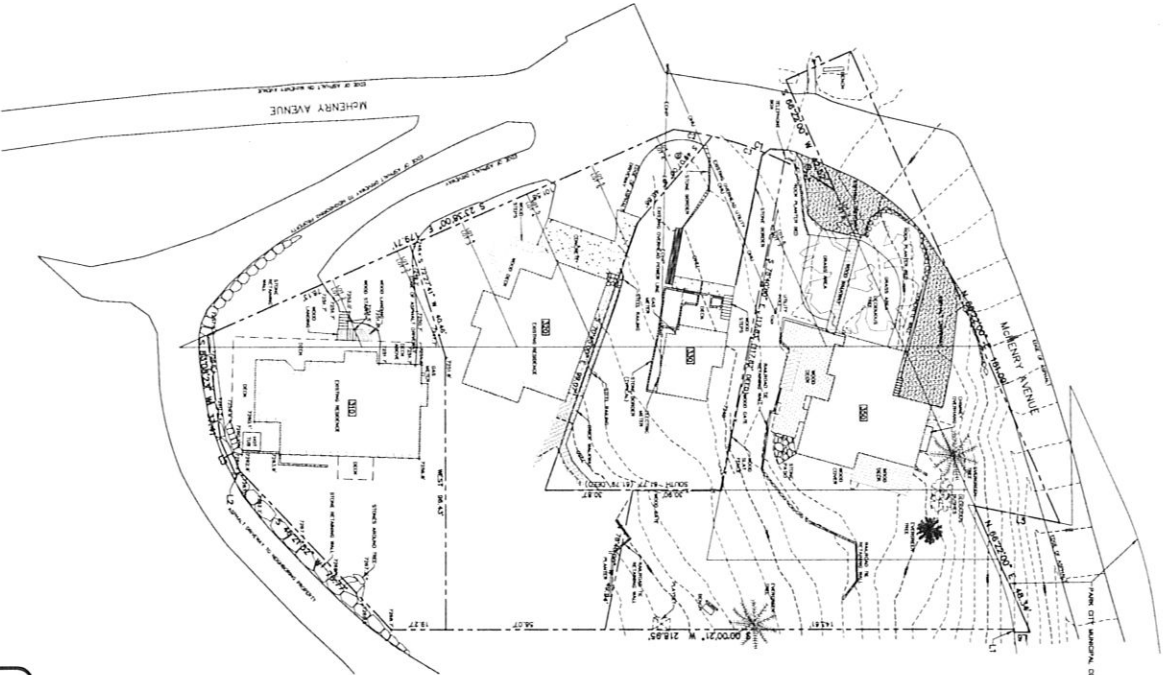
Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney





SURVEYOR'S CERTIFICATE



I, John Demaree, do hereby certify that I am a registered land surveyor and that I had performed the work shown on the attached and that the same has been made under my direction of the title shown and described representation of the same as shown on the time the said work was completed and is in compliance with generally accepted industry standards in the industry.

NOTE

1. The project is responsible for verifying building setbacks, zoning requirements and building heights.

LINE	BEARING	DISTANCE
L1	N 89°29'00" E	1.08
L2	S 82°52'50" E	2.05
L3	S 23°30'00" E	25.00
L4	S 23°30'00" E	25.00
L5	S 11°37'40" W	50.47
AB	S 60°11'11" W	5.00

CHUNK	RADIUS	LENGTH	DELTA
C1	175.00	61.39	289.81°
C2	175.00	17.50	172.81°
C3	175.00	27.08	172.81°
C4	175.00	20.56	092°25'22"



ALVAREZ

CONSULTING ENGINEER LAND SURVEYOR ARCHITECT

1215 West 10th St. Suite 200, Los Angeles, CA 90015

DATE: 5/24/10

FOR: ALVAREZ, ERDOS & WITZLER

JOB NO.: 2-1-08

FILE: A:\V\Projects\Survey\2010\20100919.dwg

EXISTING CONDITIONS

ROSSI HILL

310, 320, 330 & 350 McHENRY AVENUE

SHEET 1 OF 1