

Ordinance No. 10-28

ORDINANCE APPROVING THE 114 HILLSIDE REPLAT LOCATED WITHIN LOTS 31-35 OF BLOCK 72 OF THE PARK CITY SURVEY AND PORTIONS OF VACATED CHAMBERS STREET, PARK CITY, SUMMIT COUNTY, UTAH

WHEREAS, the owner of the properties known as 114 Hillside Avenue, has petitioned the City Council for approval of a plat amendment for the existing Lots 31-35 of Block 72 of the Park City Survey and portions of vacated Chambers Street; 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 July 14, 2010, to receive input on the 114 Hillside Replat; and

WHEREAS, the Planning Commission, on July 14, 2010, forwarded a positive recommendation to the City Council; and

WHEREAS, on July 29, 2010, the City Council approved the 114 Hillside Replat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the 114 Hillside Replat.

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 114 Hillside Replat 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 114 Hillside Avenue within the HR-1 zoning district.
2. The plat amendment is for the existing Lots 13-35 of Block 72 of the Park City Survey and portions of vacated Chambers Street.
3. The proposed plat amendment will create one lot that is 7,778 square feet. The total area of the proposed and possible future easements is 2,502 square feet.
4. Within the HR-1 district, the allowable footprint for a structure is based on the total area of the lot. The footprint would be based on the new lot less the easement area and right of way dedication ($7,778 - 2,502 - 284 = 4,992$ square feet). Under the current Land Management Code (LMC), a lot area of 4,992

- square feet would be allowed a maximum footprint of 1,885 square feet.
5. The Colman open space purchase facts and figures outlines that one purpose of the property is “establish a mechanism to assist adjacent property owners in settling boundary disputes and title problems”. The parcel may also be utilized to trade/sell. The current application fits within these parameters.
 6. The minimum lot size in the HR-1 zoning district is 1875 square feet.
 7. There are two existing historic structures located on the property. A historic accessory building and a historic home. Both structures are significant on the Park City Historic Sites Inventory.
 8. Existing Sandridge Avenue bisects the property at 114 Hillside Avenue. An easement for the existing Sandridge Avenue will be recorded within the plat amendment.
 9. The neighborhood is characterized by single family homes and accessory buildings.
 10. All findings within the Analysis section are incorporated herein.

Conclusions of Law:

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions and plat amendments.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment 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 subdivision 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. No remnant parcels are created.
4. Applicant will grant an easement for the current Sandridge Avenue alignment to the City.
5. Within the HR-1 district, the allowable footprint for a structure is based on the total area of the lot. The area within the easement and right of way dedication is not included in the area counted toward the footprint calculation of the lot (4,992 square feet). Under the current Land Management Code (LMC), a lot area of 4,992 square feet would be allowed a maximum footprint of 1,885 square feet. A plat note will be recorded stating that “The maximum footprint for all structures on the property is 1885 square feet.”
6. Modified 13-D sprinklers shall be required for all occupied structures.
7. The existence of the historic accessory building located on the lot is encouraged. The alteration or demolition of the historic accessory building must comply with all requirements of the Land Management Code and Historic District Design Guidelines as approved by the Planning Department. The owner has a right to


maintain the existing garage as approved by the Planning Department. If the accessory building was to no longer exist and the owner did not submit a complete application for reconstruction of the historic accessory building within one year, the easement of Sandridge Avenue would automatically be expanded to the east property line.

8. An encroachment agreement for the existing historic accessory building must be recorded prior to plat recordation.

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

PASSED AND ADOPTED this 29th day of July 2010.

PARK CITY MUNICIPAL CORPORATION



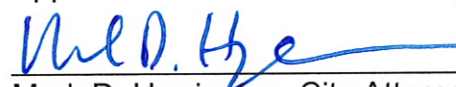
Dana Williams, Mayor

Attest:

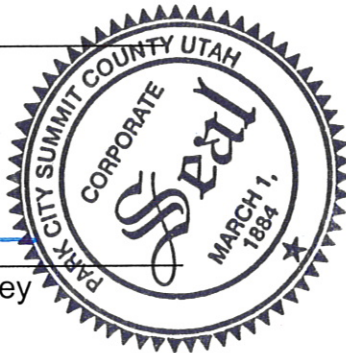


Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney





OWNER'S DEDICATION AND CONSENT TO RECORD

I, the undersigned, hereby dedicate and consent to the recording of the following plat of land in the State of Ohio, to wit: ...

ACKNOWLEDGMENT

I, the undersigned, do hereby acknowledge that I am the owner of the above described land and that I have executed the foregoing plat of land ...

OWNER'S DEDICATION AND CONSENT TO RECORD
ACKNOWLEDGMENT

LEGAL DESCRIPTIONS

PARCEL 1: A certain lot of land in the Township of ... containing ...
PARCEL 2: A certain lot of land in the Township of ... containing ...

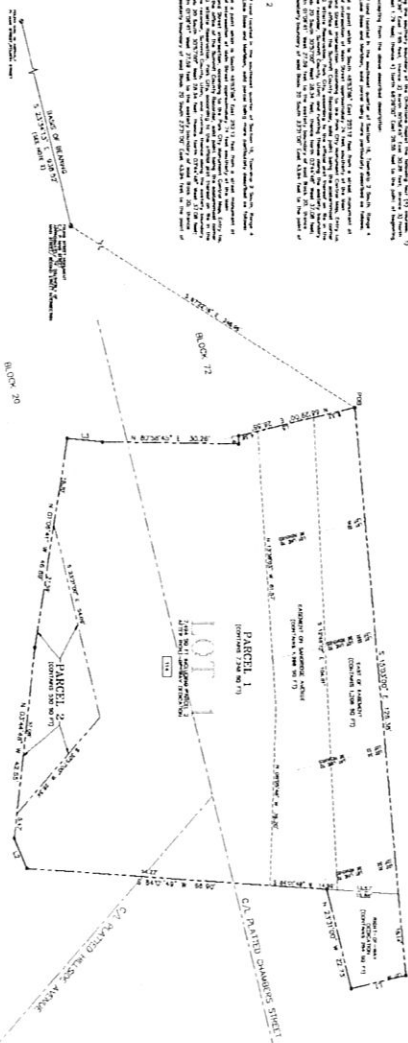


Table with 2 columns: DIST, DISTANCE. Rows include bearings and distances for various points on the survey.

RECORD OF SURVEY PLAT OF
A LOT COMBINATION
BLOCK 72, PARK CITY SURVEY
114 HILLSIDE REPLAT
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH COUNTY, SUMMIT COUNTY, OHIO



NOTES
1. Any addition made to the existing structure shall meet current code
requirements.

Administrative form with fields for: SYNERGISTIC MAIN WATER RECLAMATION DISTRICT, PLANNING COMMISSION, ENGINEER'S CERTIFICATE, APPROVAL AS TO FORM, CERTIFICATE OF ATTEST, COUNCIL APPROVAL AND ACCEPTANCE, and RECORDED.