

**Ordinance No. 10-27**

**AN ORDINANCE APPROVING THE 321 MCHENRY AVENUE PLAT AMENDMENT  
LOCATED WITHIN BLOCK 59 OF THE PARK CITY SURVEY,  
PARK CITY, SUMMIT COUNTY, UTAH**

**WHEREAS**, the owner of the properties known as 321 McHenry Avenue, has petitioned the City Council for approval of a Plat Amendment for the existing Lot 28 and portions of Lots 3, 4, 5, 29, 30, 31, and 32 of Block 59 of the Park City Survey; 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 June 23, 2010, to receive input on the 321 McHenry Avenue Plat Amendment; and

**WHEREAS**, the Planning Commission, on June 23, 2010, forwarded a positive recommendation to the City Council; and

**WHEREAS**, on July 15, 2010, the City Council approved the 321 McHenry Avenue Plat Amendment; and

**WHEREAS**, it is in the best interest of Park City, Utah to approve the 321 McHenry Avenue Plat Amendment.

**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 321 McHenry Avenue Plat Amendment 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 321 McHenry Avenue within the HRL zoning district.
2. The Plat Amendment is for the existing Lot 28 and portions of Lots 3, 4, 5, 29, 30, 31, and 32 of Block 59 of the Park City Survey.
3. The proposed Plat Amendment will create one uniquely configured lot of record that is approximately 123 feet wide by a varying depth of 75 to 17 feet. The area of the proposed lot is 4,610 square feet. The minimum lot size in the HRL zoning district is 3750 square feet. The minimum lot width in the HRL zone is 35 feet.
4. There is an existing non-historic home located at 321 McHenry Avenue.
5. The neighborhood is characterized by single family and multi-family homes.

6. A right of way dedication of 1195.94 square feet will be dedicated to the City upon recordation.
7. The maximum footprint based on the property owned prior to right of way dedication (5806.79 sf) is 2095 square feet. The maximum footprint based on the proposed lot after right of way dedication (4610.85 sf) is 1779 square feet. By allowing the footprint to be calculated including the dedication, the property owner receives the right to an additional 316 square feet of footprint.
8. 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.
3. Neither the public nor any person will be materially injured by the proposed subdivision.
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 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 is required along the front of the property.
4. No remnant parcels are separately developable.
5. A plat note will be added to the parcel which states the maximum footprint on the property is 2095 square feet.

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

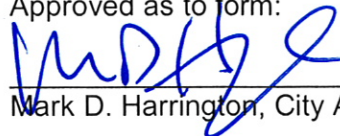
PARK CITY MUNICIPAL CORPORATION

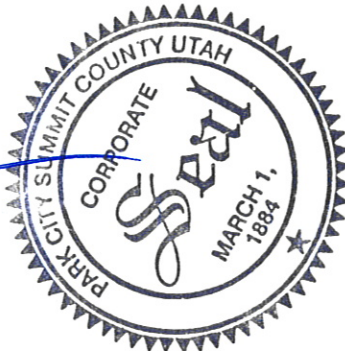
  
\_\_\_\_\_  
Mayor Dana Williams

Attest

  
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

  
\_\_\_\_\_  
Mark D. Harrington, City Attorney



# 321 MCHENRY AVENUE SUBDIVISION

BLOCK 59, PARK CITY SURVEY  
 LOCATED IN SECTION 16  
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE AND MURDOCK  
 PARK CITY, UTAH

**OWNER'S DECLARATION AND CONSENT TO RECORD**

I, the undersigned, being the owner of the above described premises, do hereby certify that the facts herein stated are true and correct, and that I have no objection to the recording of this declaration and consent to record.

\_\_\_\_\_  
 Owner

**ACKNOWLEDGMENT**

I, the undersigned, being the owner of the above described premises, do hereby certify that the facts herein stated are true and correct, and that I have no objection to the recording of this declaration and consent to record.

\_\_\_\_\_  
 Owner

**NOTICE**

Notice is hereby given that the above described premises are being subdivided into lots, and that the facts herein stated are true and correct, and that I have no objection to the recording of this declaration and consent to record.

\_\_\_\_\_  
 Owner

**RECORDING RECEIPT**

\_\_\_\_\_  
 Recorder

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