

Ordinance No. 10-23

**AN ORDINANCE APPROVING THE 1110 WOODSIDE AVE PLAT MENDMENT
COMBINING LOTS 29 AND 30, BLOCK 5 OF THE
SNYDER'S ADDITION TO THE PARK CITY SURVEY,
LOCATED AT 1110 WOODSIDE AVENUE, PARK CITY, UTAH**

WHEREAS, the owner of the property located at 1110 Woodside Avenue have petitioned the City Council for approval of the 1110 Woodside Ave. Plat Amendment; 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 May 12, 2010, to receive input on the 1110 Woodside Ave plat amendment; and

WHEREAS, the Planning Commission, on May 12, 2010, forwarded a positive recommendation to the City Council; and

WHEREAS, it is in the best interest of Park City, Utah to approve the 1110 Woodside Ave Plat Amendment to create a legal lot of record for an existing historic house.

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 1110 Woodside Ave plat amendment, 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 in the Historic Residential (HR-1) zone and is subject to regulations provided in Section 15-2.2 of the Land Management Code.
2. The HR-1 zone is characterized by medium to smaller sized contemporary and historic residential structures. There are also larger single family homes and condominium buildings in the neighborhood due to the adjacent HRM zoning district and larger lots in that zone.
3. The purpose of the HR-1 zone is to provide an area of lower density residential uses with the Old Town area.
4. The project is located off of Woodside Avenue where there is limited area for construction staging.

5. The property consists of Lots 29 and 30, Block 5 of the Snyder's Addition to the Park City Survey. A plat amendment to combine these lots into one lot of record is required before any building permits for new construction can be issued.
6. A building permit cannot be issued for construction across a lot line.
7. There is a 9.7' by 8.10' accessory shed located in the southeast corner. This shed encroaches onto adjacent Lot 31. An encroachment easement and agreement is required to be executed and recorded prior to recordation of the plat.
8. There are non- historic low (2' high) stone/paver walls in the front yard that encroach approximately 2' into the undeveloped Woodside right of way.
9. A complete HDDR application was submitted on June 12, 2008 prior to adoption of the 2009 Park City Historic Design Guidelines. The application was subject to the Park City Historic District Design Guidelines adopted by City Council on June 16, 1983. On November 30, 2009, a Historic District Design Review was approved for a proposed addition to the rear of the house.
10. At the time of the Historic District Design Review application the house was listed as a significant historic structure on the 2007 Park City Historic Building Inventory.
11. The house is currently listed as a landmark structure on the 2009 Park City Historic Sites Inventory.
12. The minimum number of on-site parking spaces required for an historic structure is 0. The applicant proposes 2 parking spaces on a paved off-street driveway. No garage is proposed as part of the Historic Design Review approval.
13. The minimum lot size in the HR-1 zone is 1,875 sf and the maximum building footprint is 1,511 sf. The property consists of 3,750 square feet and the existing building footprint is 1,203 sf.
14. The topography of the lot does not exceed 30% slope and therefore a Steep Slope CUP approval is not required for new construction.
15. The applicant stipulates to the conditions of approval.
16. The discussion in the Analysis section is incorporated herein.
17. On May 12, 2010, the Planning Commission conducted a public hearing and forwarded a positive recommendation to City Council.

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 plat amendments.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. Approval of the plat amendment, 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 plat amendment for compliance with State law; the Land

- Management Code; requirements for utility, snow storage, and encroachment agreements; and any conditions of approval, prior to recordation of 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 for the subdivision will be void, unless the City Council grants an extension of the approval.
 3. Execution and recordation of an encroachment agreement for the existing shed at the rear of the property is a condition precedent to recordation of the plat amendment.
 4. The existing low stone/paver walls encroaching into the Woodside Avenue right-of-way shall be removed, or an encroachment agreement shall be executed and recorded between the property owner and Park City, as a condition precedent to recordation of the plat amendment.
 5. A preservation plan and a preservation guarantee, the amount to be determined by the Planning and Building Departments upon review of the construction plans, shall be provided to the City by the owner, as a condition precedent to issuance of a building permit for the addition.

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

PASSED AND ADOPTED this 27th day of May, 2010.

PARK CITY MUNICIPAL CORPORATION



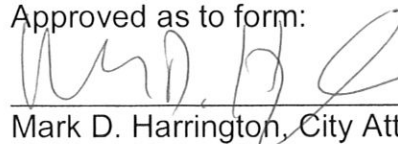
Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney





DATE	BY	REVISIONS	COMMENTS



DATE: JULY 2007
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]

RECORD OF SURVEY & ASBUILT
LOTS 29 & 30, BLOCK 5
OF SNYDERS ADDITION TO PARK CITY

FOR: PAUL DeCROOT FOR: SA BLK 5 LOTS 29-30 DWG

SHEET 1 OF 1

S-6632

RECORD OF SURVEY AND ASBUILT
 LOT 29 & 30, BLOCK 5 OF SNYDERS
 ADDITION TO PARK CITY LYING WITHIN
 THE NORTHWEST QUARTER OF SECTION 16,
 TOWNSHIP 2 SOUTH RANGE 4 EAST, SALT
 LAKE BASE & MERIDIAN, PARK CITY,
 SUMMIT COUNTY, UTAH



- SCALE: 1" = 10'
- LEGEND**
- FOUND OR SET FROM A CAP (AS DOCUMENTED)
 - PAZ-27 SPOT ELEVATION
 - SHARPER'S IRON MARKER
 - STORM MARKER
 - CAST IRON
 - IRON NAIL
 - RECORDS THE (ALL APPLICABLE)

NOTICE: THIS SURVEY IS TO LOCATE THE BOUNDARY LINE OF THE SUBJECT PROPERTY AND TO SHOW THE EXISTING STRUCTURE AND CONDUIT LINES. THIS SURVEY IS NOT TO BE USED TO DETERMINE THE ACCURACY OF ANY PREVIOUS SURVEY. THE BOUNDARY LINE OF THE SUBJECT PROPERTY IS SHOWN HEREIN. ALL BEARINGS AND DISTANCES SHOWN HEREIN ARE THE EQUIVALENT OF RECORD, UNLESS NOTED.

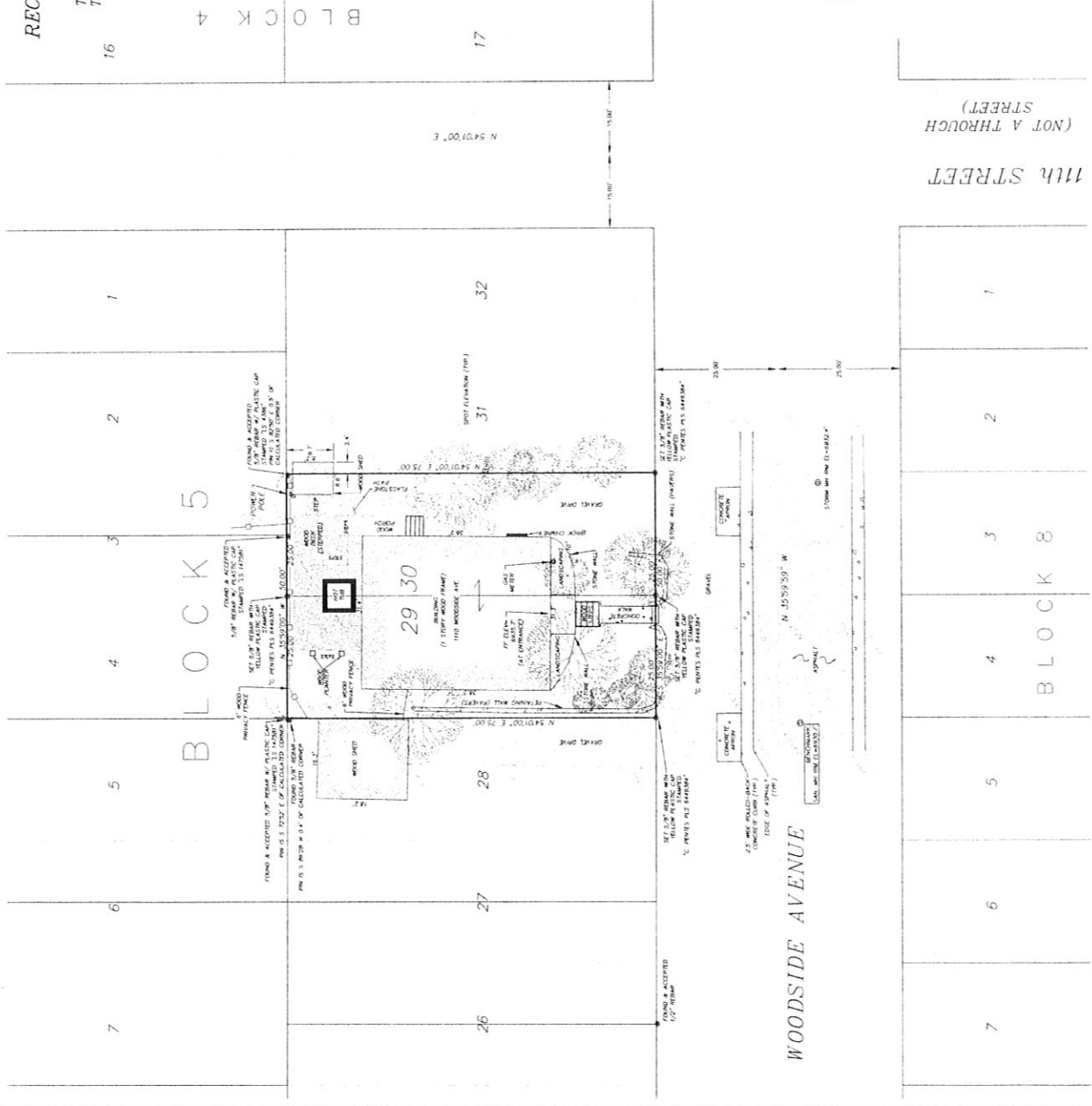
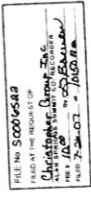
DATE COMPLETED: 07/10/07

SEE ALSO OFFICIAL SURVEYS ADDITION TO PARK CITY SURVEY PLAT FOR ANY EXISTING NOTES TO THIS SURVEY. THESE NOTES AND BEARINGS LISTED HEREIN ARE THE PROPERTY OF THE SURVEYOR AND ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE SURVEYOR.

LEGAL ACKNOWLEDGE:
 I, THE SURVEYOR, HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I AM THE AUTHOR OF THIS SURVEY. I HAVE READ THE RECORD OF THIS SURVEY AND THE RECORD OF THIS SURVEY IS CORRECT AND ACCURATE AND THAT I AM NOT PROVIDING ANY SERVICE TO THE PUBLIC IN THIS SURVEY.

SURVEYOR'S CERTIFICATE:
 I, CHRISTOPHER J. HARRIS, STATE OF UTAH LAND SURVEYOR, NUMBER 12345, HAVE REVIEWED THE RECORD OF THIS SURVEY AND THE RECORD OF THIS SURVEY IS CORRECT AND ACCURATE AND THAT I AM NOT PROVIDING ANY SERVICE TO THE PUBLIC IN THIS SURVEY.

DATE: 7/11/07



BLOCK 5

WOODSIDE AVENUE

11th STREET (NOT A THROUGH STREET)

BLOCK 8

16

B L O C K 4

17

1

2

3

4

5

6

7

28

27

31

32

1

2

3

4

5

6

7