

Ordinance No. 10-22

**ORDINANCE APPROVING THE SECOND AMENDED STERLING LODGE
AT DEER VALLEY RECORD OF SURVEY PLAT LOCATED AT
7660 ROYAL STREET EAST, PARK CITY, UTAH**

WHEREAS, the owners of the property located at 7660 Royal Street East have petitioned the City Council for approval of the Second Amended Sterling Lodge at Deer Valley 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 April 28, 2010, to receive input on the Second Amended Sterling Lodge at Deer Valley Record of Survey Plat;

WHEREAS, the Planning Commission, on April 28, 2010, forwarded a positive recommendation to the City Council; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the Second Amended Sterling Lodge at Deer Valley 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 Second Amended Sterling Lodge at Deer Valley Record of Survey Plat as 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 7660 Royal Street East.
2. The property is within the Residential Development (RD) District with Master Planned Development (MPD) Overlay.
3. The proposed amendment is located on level seven of the building and is appurtenant to the upper level of unit 9.
4. The proposed amendment to the record of survey plat converts approximately 92 square feet of Common area to Limited Common to be used as storage.
5. The Homeowners Associated voted 78.77% affirmative to approve the proposed change.

Conclusions of Law:

1. There is good cause for this Amendment to Record of Survey Plat

2. The Amendment to Record of Survey Plat is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed Amendment to Record of Survey Plat.
4. Approval of the Amendment to 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 plat amendment (or 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 plat amendment (or 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.

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

PASSED AND ADOPTED this 20th day of May, 2010.

PARK CITY MUNICIPAL CORPORATION



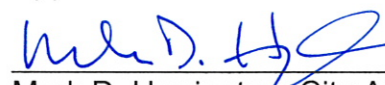
Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

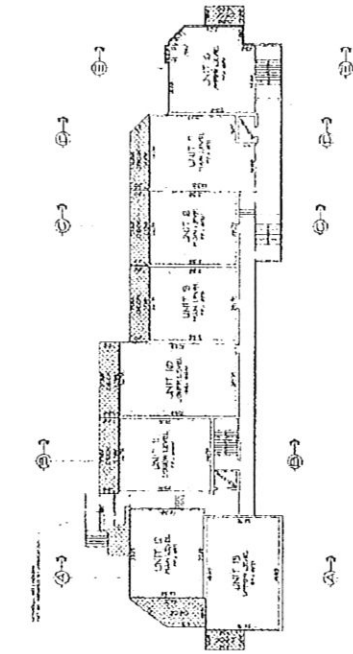
Approved as to form:



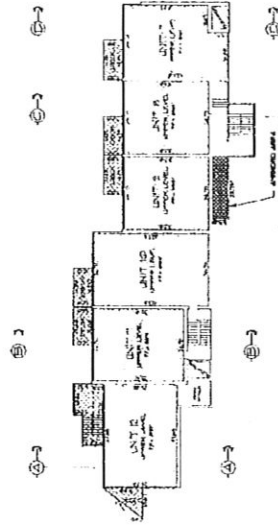
Mark D. Harrington, City Attorney



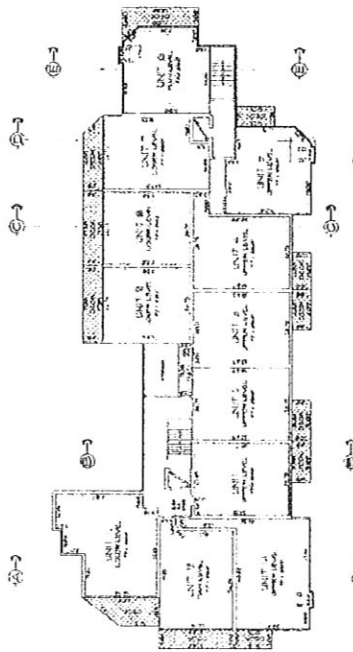
Attachment A - Proposed Record of Survey plat



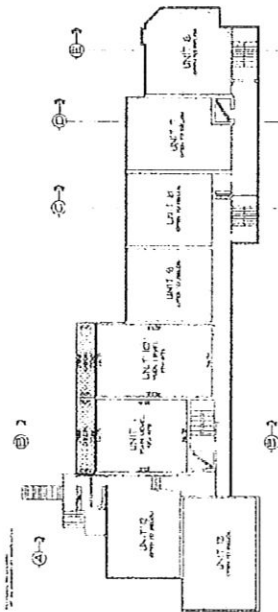
LEVEL 3 (ELEV. 8175)
SCALE 1" = 20'



LEVEL 4 (ELEV. 8180)
SCALE 1" = 20'



LEVEL 5 (ELEV. 8185)
SCALE 1" = 20'

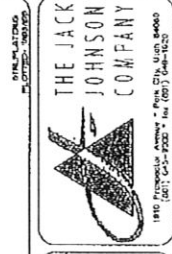


LEVEL 6 (ELEV. 8190)
SCALE 1" = 20'

OWNERS-IP LEGEND

- PRIVATE
- LIMITED COMMON
- COMMON

Second Amended
THE STERLING LODGE
at DEER VALLEY SHEET 3 OF 5



RECORDED
STATE OF
RECORDED AND FILED AT THE REQUEST OF
COUNTY RECORDER

NOV 05 2008