

Ordinance No. 11-15

**AN ORDINANCE APPROVING THE 109 WOODSIDE PLAT AMENDMENT
LOCATED AT 109 WOODSIDE AVENUE, PARK CITY, UTAH**

WHEREAS, the owner of the property located at 109 Woodside Avenue has petitioned the City Council for approval of the 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 March 23, 2011, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on March 23, 2011, forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 7, 2011, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the 109 Woodside Plat Amendment.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. APPROVAL. The 109 Woodside Plat Amendment 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 109 Woodside Avenue.
2. The property is located in the Historic Residential (HR-1) District.
3. The recommended lot is 4,376 square feet in size.
4. The minimum lot size within the HR-1 District is 1,875 sq. ft.
5. The lot width of the recommended lot is fifty-two feet (52').
6. The minimum lot width within the HR-1 District is twenty-five feet (25').
7. The existing building footprint found on site is 754.5 square feet which is the footprint for the historic house.
8. The footprint of accessory buildings which are on the Historic Sites Inventory do not count toward maximum allowed footprint pursuant to LMC § 15-15-1.34.
9. The maximum footprint for a lot this size (recommended lot area) is 1,711 square feet.
10. The current use of the property is a single family dwelling.
11. There are two historic structures on the site, a main building and an garage accessory building.
12. The historic structures were constructed across existing property lines.
13. There are no other violations or non-compliances found on the site.
14. No remnant parcels of land are created with this plat amendment.

15. There is a portion of King Road east of Woodside Avenue that currently goes through the southern portion of the subject property. This area, approximately 2,052 square feet, is owned by the applicant.
16. There is a prescriptive easement that allows the public to utilize this portion of King Road which includes the built street, curb, and gutter.
17. The applicant requested including this portion of King Road to be part of the lot combination.
18. Staff does not recommend including this area as requested, but instead recommends this portion be dedicated to the City as right-of-way for King Road.
19. The recommended lot (without the King Road right-of-way) area is 4,376 square feet in size.
20. Staff prepared a neighborhood compatibility analysis related to compatibility with house size and footprint within three hundred feet (300') as requested by City Council on April 7, 2011.
21. The study was made possible through the information available from Summit County public records retrieved in April 2011 from the EagleWeb on-line system.
22. The average footprint for a lot within three hundred feet (300') is 1,508 square feet.
23. The average footprint of historic sites within three hundred feet (300') is 1,397 square feet.
24. The average square footage of the structures within three hundred feet (300') is 2,399.
25. The average square footage of historic structures within three hundred feet (300') is 1,553.
26. Except for when found necessary to mitigate adverse impacts during original subdivision or the plat amendment process, the LMC currently does not limit the square footage of a structure.
27. The LMC limits minimum setback, maximum footprint, maximum height, and maximum number of stories within the HR-1 District.
28. Given the existing location of the historic structures and the new setbacks established with the proposed plat amendment application it will be somewhat of a challenge to place a significant addition to the existing historic dwelling in the future.
29. All historic structures within the historic districts have to comply with the Historic District Design Guidelines (adopted 2009).
30. There are specific guidelines dealing with additions to historic structures and relocation and/or reorientation of intact buildings.
31. Because of the two (2) historic structures the footprint analysis should not be determined as if the site was vacant.
32. Should any additions take place in the future, they will have to be in compliance of the LMC development standards and applicable Historic District Design Guidelines.
33. It will be impossible to maximize the footprint as allowed by the LMC and accommodate an addition that will comply with the Design Guidelines.
34. Other parameters including location of built structures (historic) and development standards will reduce the size of the addition that could take place.
35. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

1. There is good cause for this plat amendment in that the plat amendment will remove the lot lines going through both historic structures, provide an opportunity for an improvement to the accessory structure, dedicate the portion of privately owned King Road to the City as a right-of-way, and eliminate remnant parcels.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding lot combinations.
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, and the conditions of approval, prior to recordation of 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 for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council
3. A 10' (ten foot) snow storage easement shall be dedicated to Park City across the property's frontage.
4. The area identified on the submitted proposed plat (and survey) as the King Road easement shall be dedicated to the City as a public right-of-way and not included in the proposed new lot. This area is approximately 2,052 sq. ft.

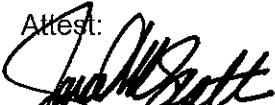
SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 21st day of April, 2011.

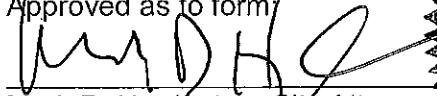
PARK CITY MUNICIPAL CORPORATION


Mayor Dana Williams

Attest:


Janet M. Scott, City Recorder

Approved as to form


Mark D. Harrington, City Attorney

