

Ordinance No. 12-04

**ORDINANCE APPROVING THE 543 WOODSIDE AVENUE PLAT AMENDMENT LOCATED
AT 543 WOODSIDE AVENUE, PARK CITY, UTAH**

WHEREAS, the owners of property located at 543 Woodside Avenue have petitioned the City Council for approval of the 543 Woodside Avenue 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 14, 2012, to receive input on the 543 Woodside Avenue Plat Amendment;

WHEREAS, the Planning Commission, on the aforementioned date, forwarded a positive recommendation to the City Council;

WHEREAS; the City Council, held a public hearing on March 29, 2012; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the 543 Woodside 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 543 Woodside Avenue 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 at 543 Woodside Avenue within the Historic Residential (HR-1) Zoning District.
2. The HR-1 Zoning District allows for detached single-family dwelling units as a permitted use.
3. The property is shown on the Historic Sites inventory as a "Landmark Site" and includes a 971 square foot mining era home constructed in 1894. The property also contains a 277 square feet detached accessory structure that was built between 1900 and 1927, and is also on the inventory as a historic structure. Both of these structures straddle an existing lot line.
4. The applicants are requesting to adjoin two lots of record into one Lot for the purpose of a future additional development and improvement of the home.
5. The plat amendment is necessary in order for the applicant to obtain a building permit for the proposed addition, which includes the addition of a garage under the existing main level, and a small addition to the rear of the home.
6. The amended plat will create one new 3,750 square foot lot.
7. The existing historic home and accessory building meet all current setback requirements, the existing home meets current height requirements, and the existing accessory structure exceeds the maximum height requirement by one-foot (1).
8. The applicant has a concurrent Historic Design Review application for a significant remodel of the home, including the addition a third level for a new garage and additional living space to the rear of the existing home. Compliance with adopted Design Guidelines for Historic Districts and Historic Sites shall be required.

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.
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 complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. No building permits for the expansion of the existing home will be granted until the plat amendment is recorded with the Summit County Recorder's office.
4. Modified 13-D sprinklers will be required for renovation of the existing structure.
5. A 10 foot wide public snow storage easement will be provided along the frontage of the property.
6. An encroachment agreement between the property owner and the city for the existing retaining wall shall be recorded prior to the recordation of the proposed plat.

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

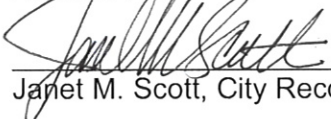
PASSED AND ADOPTED this 29th day of March, 2012.

PARK CITY MUNICIPAL CORPORATION



Dana Williams, MAYOR

ATTEST:



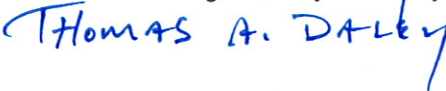
Janet M. Scott, City Recorder



APPROVED AS TO FORM:



Mark D. Harrington, City Attorney


Thomas A. Daley

Park City Surveying

2110 BROADWAY
 PARK CITY, UTAH
 84301-1211
 (435) 765-1111

PARK CITY PLANNING COMMISSION
 APPROVED AND ACCEPTED BY THE PARK CITY
 PLANNING COMMISSION ON 2008 A.D.

COMMISSIONER

CERTIFICATE OF ATTEST
 I CERTIFY THIS RECORD OF SURVEY WAS
 APPROVED BY THE PARK CITY PLANNING
 COMMISSION ON 2008 A.D.

BY PARK CITY RECORDER

SANDHILL BASIN WATER RECLAMATION DISTRICT
 REFERRED FOR COMMENTARY TO SANDHILL BASIN
 WATER RECLAMATION DISTRICT ON
 2008 A.D.

BY SANDHILL BASIN

ENGINEERS CERTIFICATE
 ACCORDANCE WITH INFORMATION ON
 FILE IN MY OFFICE THIS 2008 A.D.

BY PARK CITY ENGINEER

APPROVAL AS TO FORM
 DATE OF 2008 A.D.

BY PARK CITY ATTORNEY

COUNCIL APPROVAL AND ACCEPTANCE
 DATE OF 2008 A.D.

BY MAYOR

RECORDED
 STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE
 REQUEST OF THE _____ PAGE _____
 RECORDER _____



543 WOODSIDE PLAT
 LOT 1 OF THE 543 WOODSIDE PLAT
 OF THE AMENDED PLAT OF PARK CITY SURVEY
 LYING WITHIN THE SOUTHWEST QUARTER OF SECTION 16
 TOWNSHIP 2 SOUTH RANGE 4 EAST
 SALT LAKE BASE & MERIDIAN PARK CITY
 SUMMIT COUNTY, UTAH



GRAPHIC SCALE
 1" = 100' ±

543
 25

LEGAL DESCRIPTION
 LOT 1 OF THE 543 WOODSIDE PLAT OF THE AMENDED PLAT OF PARK CITY SURVEY LYING WITHIN THE SOUTHWEST QUARTER OF SECTION 16 TOWNSHIP 2 SOUTH RANGE 4 EAST SALT LAKE BASE & MERIDIAN PARK CITY SUMMIT COUNTY, UTAH.

OWNER'S DECLARATION AND CONSENT TO RECORD
 I, the undersigned, being the owner of the above described land, do hereby certify that the facts herein stated are true and correct and that I have no objection to the recording of this plat.

ADVERSE CLAIMS
 There are no adverse claims known to me against the above described land.

ASSURANCE
 I, the undersigned, being the owner of the above described land, do hereby certify that the facts herein stated are true and correct and that I have no objection to the recording of this plat.

WARRANTY CERTIFICATE
 I, the undersigned, being the owner of the above described land, do hereby certify that the facts herein stated are true and correct and that I have no objection to the recording of this plat.

NOTICE TO CREDITORS
 Notice is hereby given that the undersigned, being the owner of the above described land, do hereby certify that the facts herein stated are true and correct and that I have no objection to the recording of this plat.