

Ordinance No. 2017-08

**AN ORDINANCE APPROVING THE SORENSEN PLAT AMENDMENT EXTENSION
LOCATED AT 422 ONTARIO AVENUE, PARK CITY, UTAH.**

WHEREAS, the owners of the property located at 422 Ontario Avenue have 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 November 11, 2015, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on November 11, 2015, forwarded a positive recommendation to the City Council; and,

WHEREAS, on December 3, 2015, the City Council held a public hearing to receive input on the plat amendment;

WHEREAS, on March 9, 2017, the City Council conducted a public hearing on the Sorensen Plat Amendment Extension; and

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

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

SECTION 1. APPROVAL. Sorensen 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 422 Ontario Avenue.
2. The property is in the Historic Residential-1 District.
3. The subject property consists of the north one-half of Lot 5, all of Lot 6, the south one-half (approx.) of Lot 7, and a portion of Lots 26, 27, and 28, Block 58 of the Park City Survey.
4. This site is listed on Park City's Historic Sites Inventory and is recognized as historically significant.
5. The proposed Plat Amendment creates one (1) lot of record from the existing three (3) tax parcels.

6. The Plat Amendment removes two (2) lot lines going through the historic structure as well as one lot line towards the back of the property.
7. The proposed Plat Amendment combines the property into one (1) lot measuring 4,464 square feet.
8. A single-family dwelling is an allowed use in the District.
9. The minimum lot area for a single-family dwelling is 1,875 square feet.
10. The proposed lots meet the minimum lot area for single-family dwellings.
11. The proposed lot width is fifty feet (50').
12. The minimum lot width required is twenty-five feet (25').
13. The proposed lot meets the minimum lot width requirement.
14. The maximum building footprint allowed based on proposed lot size is 1,736 square feet.
15. The minimum front/rear yard setbacks are twelve feet (12').
16. The minimum total front/rear yard setbacks are twenty-five feet (25').
17. The minimum side yard setbacks are five feet (5').
18. The existing historic structure does not meet front yard setbacks as the structure was built 8.7 feet from that property line.
19. The existing historic structure does not meet the south side yard setback as the structure was built 2.9 feet from that property line.
20. LMC § 15-2.2-4 indicates that historic structures that do not comply with building setbacks are valid complying structures.
21. The submitted survey reveals that the site contains a shed on the rear setback area which does not meet the minimum rear setback requirement of one foot (1'), per LMC § 15-2.2-3(G)(6), as the shed goes over that rear property line.
22. The property owner shall resolve the rear property line shed encroachment by either removing relocating the shed or working out an easement agreement with the rear property owner prior to Plat recordation.
23. The proposed Plat Amendment consolidates five (5) remnant parcels, plus the Old Town Lot, into the requested lot of record and public snow storage and utility easements are provided on the lot.
24. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.
25. The Plat Amendment was approved by the City Council on December 3, 2015.
26. The applicant was to record the plat amendment at the County within one (1) year from the date of City Council approval. If recordation has not occurred within one (1) year's time, the plat amendment 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.
27. Land Management Code § 15-7.1-6(C)(5) indicates that applicants may request time extensions of City Council plat amendment approvals by submitting in writing to the Planning Department prior to the expiration of the approval.
28. On December 3, 2016 a written request was submitted to the City to asking for a one year extension. The written request was filled prior to the expiration date.
29. The City Council may grant an extension to the expiration date when the applicant is able to demonstrate no change in circumstance that would result in an unmitigated impact or that would result in a finding of non-compliance with the General Plan or

the LMC in effect.

30. The plat amendment extension contains no modifications to the approved plat amendment.
31. Staff finds that the findings of fact, conclusions of law and conditions of approval from the approved plat amendment are still valid.

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 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 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 at the County within one year from the date of City Council approval of the plat amendment extension. If recordation has not occurred within one (1) years' time, this approval for the plat will be void.
3. A ten feet (10') wide public snow storage easement will be required along the Ontario Avenue frontage of the property.
4. The property owner shall resolve the shed encroachment over the rear property line by either removing/relocating the shed or working out an easement agreement with the rear property owner prior to Plat recordation.
5. The site has a planter, retaining walls, and stairs located in the City Right-of-Way (ROW) along Ontario Avenue. The applicant shall either remove the planter, retaining walls, and stairs located on the City ROW along Ontario Avenue or work with the City Engineer to assure that these improvements are authorized in the form of an ROW encroachment agreement.
6. This Plat Amendment does not grant or dedicate this area for parking for exclusive use of the subject site but rather for public general use.
7. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.

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

PASSED AND ADOPTED this 9th day of March, 2017.

PARK CITY MUNICIPAL CORPORATION



ATTEST:

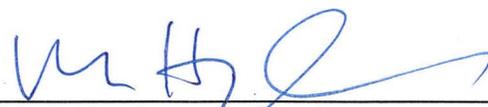


Jack Thomas, MAYOR



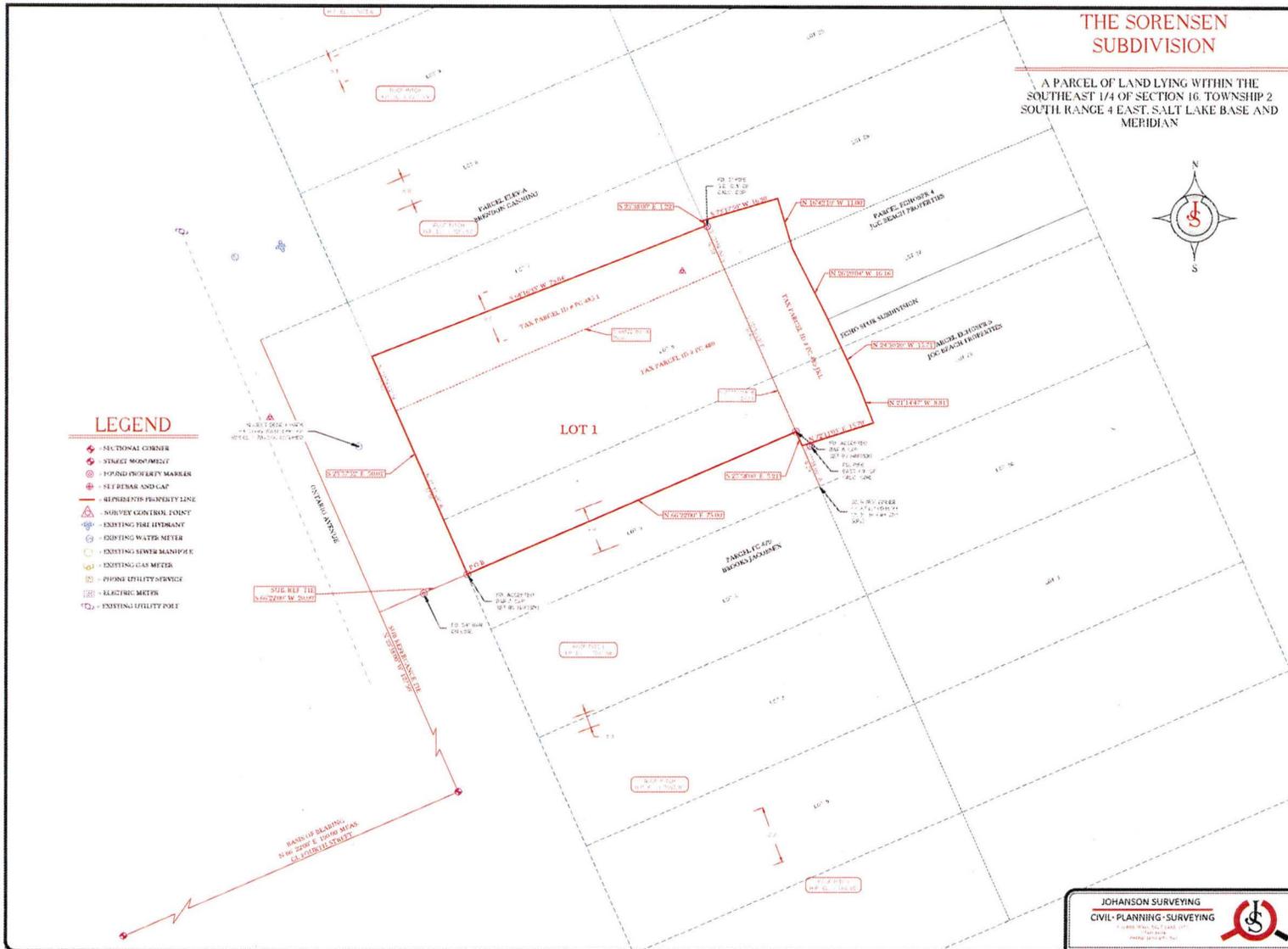
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:



Mark Harrington, City Attorney

Attachment 1 – Proposed Plat



**THE SORENSEN
SUBDIVISION**

A PARCEL OF LAND LYING WITHIN THE
SOUTHEAST 1/4 OF SECTION 16, TOWNSHIP 2
SOUTH RANGE 4 EAST, SALT LAKE BASE AND
MERIDIAN



- LEGEND**
- ◆ SECTIONAL CENTER
 - ◆ STREET MONUMENT
 - TOPED PROPERTY MARKER
 - ◆ SET BEAR AND CAP
 - REVERSE PROPERTY LINE
 - △ SURVEY CONTROL POINT
 - EXISTING FIRE LINEDUCT
 - EXISTING WATER METER
 - EXISTING SEWER MAINPIPE
 - EXISTING GAS METER
 - EXISTING UTILITY SERVICE
 - ELECTRIC METER
 - EXISTING UTILITY POLE

SURVEYOR'S CERTIFICATE

I, Stone Johanson do hereby certify that I am a Licensed Surveyor, and that I have certified No. 7075214, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owner, I have made a survey of the tract of land shown on this plat and described below, hereafter to be known as THE SORENSEN SUBDIVISION, and that same has been surveyed and shown on this plat. This survey was performed within the concurrence of the minimum accuracy of an urban survey, Class "A", at a linear closure of 1:15,000. The purpose of this survey is to locate the boundaries of the described lots and to combine these lots into one single lot, for the eventual purpose of constructing and building future development.

LEGAL DESCRIPTION

A parcel of land located within Block 58, Park City Survey more particularly described as follows: Beginning at a point that is 12.50 feet South 27° 30' 00" East from the Southeast corner of Lot 6, 540 Block 58 of the Park City Survey, on the within the official records of Summit Counties Recorder's office. Thence North 27° 37' 52" West, a distance of 50.01 feet; thence North 88° 16' 33" East, a distance of 75.64 feet; thence North 27° 36' 00" West, a distance of 1.22 feet; thence North 72° 17' 30" East, a distance of 18.20 feet; thence South 18° 42' 57" East, a distance of 11.00 feet; thence South 82° 27' 04" East, a distance of 16.16 feet; thence South 24° 20' 20" East, a distance of 15.71 feet; thence South 27° 14' 47" East, a distance of 8.81 feet; thence South 72° 11' 52" West, a distance of 19.70 feet; thence North 27° 36' 00" West, a distance of 3.21 feet; thence South 86° 22' 00" West, a distance of 75.00 feet to the point of beginning. Containing 4.664 square feet or 0.10 acres, more or less.

OWNER'S DEDICATION

Know all men by these presents that _____, the undersigned owner(s) of the above described tract of land having thereof same to be dedicated and held and stands to be hereafter known as

THE SORENSEN SUBDIVISION

do hereby dedicate for perpetual use of the public as parcels of land shown on this plat as intended for public use

to witness whereof _____ have hereunto set their hands and seals on this _____ day of _____ A.D. 20____

ACKNOWLEDGMENT

STATE OF UTAH | S.S.
County of SUMMIT

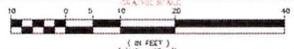
On the _____ day of _____ A.D. 20____ personally appeared before me _____ who being by the day sworn and signed the within and foregoing instrument and being voluntarily for said corporation and for the uses and purposes therein mentioned.

My commission expires: _____ Notary Public

WITNESSED at _____

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SUBDIVISION**

A PARCEL OF LAND LYING WITHIN THE
SOUTHEAST 1/4 OF SECTION 16, TOWNSHIP 2
SOUTH RANGE 4 EAST, SALT LAKE BASE AND
MERIDIAN



PARK CITY PLANNING COMMISSION
APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS ____ DAY OF _____, 20____

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _____, 20____

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF _____, 20____

ENGINEERS CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE ON THIS ____ DAY OF _____, 20____

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS ____ DAY OF _____, 20____

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL ON THIS ____ DAY OF _____, 20____

COUNTY RECORDER#
State of Utah, County of Summit recorded and filed at the request of _____
Date _____ Time _____ Page _____
Fee \$ _____ County Recorder

NUMBER
ACCOUNT
SHEET 1
OF 1 SHEETS