

Ordinance No. 2017-32

AN ORDINANCE APPROVING THE LITTLE BELLE CONDOMINIUMS 6th AMENDED (AMENDING UNIT #5), LOCATED AT 7195 LITTLE BELLE COURT, PARK CITY, UTAH.

WHEREAS, the owner of the property known as the Little Belle Condominiums, located within the Deer Valley Community of the Deer Valley Resort Twelfth Amended and Restated Large Scale Master Planned Development (MPD) has petitioned the City Council for approval of a request for an amendment to the plat to convert limited common area in Unit 5 to private area; and

WHEREAS, on May 10, 2017, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, courtesy notice was sent to all affected property owners on May 10, 2017 and legal notice was published in the Park Record and Public Notice Website; and

WHEREAS, the Planning Commission held a public hearing on May 24, 2017, to receive input on the amended plat;

WHEREAS, the Planning Commission, on May 24, 2017, forwarded a recommendation to the City Council; and,

WHEREAS, on June 29, 2017, the City Council held a public hearing on the amended plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Little Belle Condominiums Sixth Amended plat to reflect as-built conditions and allow the owner to utilize the deck area of Unit 5 as private area without increasing the building footprint or parking requirements beyond existing conditions, consistent with provisions of the Deer Valley MPD, as amended (12th Amended MPD).

WHEREAS, Staff finds that the plat will not cause undue harm to adjacent property owners and all requirements of the Land Management Code for any future development can be met.

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 Sixth Amended Little Belle Condominiums plat, 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 7195 Little Belle Court.
2. The Little Belle Condominiums plat was approved by the City Council on December 17, 1981 and recorded at Summit County on December 21, 1981.

3. The Little Belle Condominiums plat recorded 20 residential condominium units 8 parking spaces.
4. In August of 2000, an amended plat was approved to expand the private areas for Units 5, 6, 7, and 8 of the Little Belle Condominiums.
5. The first amended plat for the Little Belle Condominiums recorded in August of 2000 only shows expanded private space for Unit 7.
6. In August of 2001, a second plat amendment was recorded. This second amendment converted the limited common deck areas to private areas and expanded the private living areas to the furthest extensions of the exterior walls of the end units for Units 2, 9, and 10.
7. In April of 2004, a third plat amendment was recorded. This third amendment converted limited common deck area to private area for Unit 20.
8. In June of 2006, a fourth plat amendment was recorded. This fourth amendment converted all limited common deck and solarium areas to private areas for Units 1, 3, 4, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20.
9. In June of 2011, a fifth plat amendment was recorded. This fifth amendment added 425 square feet of private space to Unit 3.
10. Currently there are 20 condominium units and 31 underground parking spaces.
11. The property is subject to requirements and restrictions of the Deer Valley Resort 12th Amended and Restated Large Scale MPD.
12. The MPD originally allowed 20 condominium units for the Little Belle development.
13. On April 20, 2017, the City received a completed application for a Sixth Amendment to the Little Belle Condominiums plat requesting conversion of 46 square feet of private area to limited common area in Unit 5 for the purpose of expanding an existing deck into an area of the unit that is private.
14. On April 5, 2017, the Little Belle Homeowner's Association voted unanimously (with more than 2/3rds of members voting) to approve the conversion of limited common area to private area for Unit 5.
15. There are no exterior changes proposed.
16. The proposed amendment is consistent with the purpose statements of the district.
17. Unit 5 would decrease by 46 square feet from 3,216 square feet to 3,170 square feet.
18. All construction is proposed within the existing building envelope.
19. Each unit has a two car garage meeting parking requirements of the parking code.
20. 8 additional guest parking spaces have been provided in this development since the units were originally constructed

Conclusions of Law:

1. There is good cause for this amendment to the plat.
2. The amended plat is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. The amended plat is consistent with the 12th Amended and Restated Deer Valley Master Planned Development.
4. Neither the public nor any person will be materially injured by the proposed plat amendment.
5. Approval of the plat amendment, subject to the conditions of approval, will not adversely affect the health, safety and welfare of the citizens of Park City.

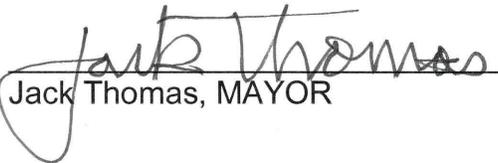
Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the amended 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. 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. All conditions of approval of the Deer Valley Resort 12th Amended and Restated Large Scale MPD and the amended Courchevel Condominiums at Deer Valley plats shall continue to apply.
4. No building permit may be granted until after this plat amendment has been recorded. Once the deck area is recorded as limited common area, both the unit owner and the HOA must be the applicant for any building permit pulled for the deck area.

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

PASSED AND ADOPTED this 29th day of June, 2017.

PARK CITY MUNICIPAL CORPORATION


Jack Thomas, MAYOR

ATTEST: 

City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

