

Ordinance No. 2017-33

AN ORDINANCE APPROVING THE SALDARINI REPLAT AMENDMENT LOCATED AT 158 MAIN STREET, PARK CITY, UTAH

WHEREAS, the owner of the property located at 158 Main Street has petitioned the City Council for approval of the Plat Amendment; and

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

WHEREAS, on May 10, 2017, proper legal notice was published according to requirements of the Land Management Code and courtesy letters were sent to surrounding property owners; and

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

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

WHEREAS, on June 29, 2017, 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 Saldarini Replat Amendment located at 158 Main Street.

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

SECTION 1. APPROVAL. The 158 Main Street 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 158 Main Street.
2. The property consists of Lot 1 of the Saldarini Replat and a remnant parcel of Lot 6 of Block 20 of the Park City Survey.
3. The property is in the Historic Residential (HR-2) District Sub-Zone B.
4. The home on this site is listed on Park City's Historic Sites Inventory (HSI) as a significant structure.
5. The Plat Amendment removes one interior lot line which bisects the existing home.
6. The proposed Plat Amendment combines the property into one (1) lot measuring 3,688 square feet.
7. A single-family dwelling is an allowed use in the District.

8. A utility easement with the Snyderville Sewer Improvement District exists on the rear portion of the property as reflected on the plat.
9. The minimum lot area for a single-family dwelling is 1,875 square feet in the HR-2 zone. The proposed lot meets the minimum lot area for single-family dwellings. The proposed lot area does not meet the minimum lot area for a duplex.
10. The proposed lot width is approximately 42.8 feet along Main Street.
11. The minimum lot width required is twenty-five feet (25'). The proposed lot meets the minimum lot width requirement.
12. The existing historic house extends to the south property line with no side yard setback and has a 3 feet side setback from the north property line. The front setback is 10 feet and the rear setback is 20 feet.
13. Historic structures that do not comply with Building Setbacks, Building Footprint, Building Height, Off-Street parking, and driveway location standards are valid Non-Complying Structures as per requirements for Existing Historic Structures in the HR-2 zone.
14. A snowshed easement for this property has been granted as a part of the original Saldarini Replat approval.
15. The deck, wood steel fence, and stone retaining wall at the rear of the house encroach onto Park City property to the east by approximately 1 foot.
16. There is a stone retaining wall which encroaches onto Park City property to the east of the property by 3 to 5 feet along the rear property line.
17. The cinder block retaining wall at the north of this property encroaches onto 166 Main Street by approximately 3 feet.
18. A remnant of Lot 6 which is not being incorporated into this lot belongs to owners of adjacent 150 Main Street which accommodates the Landmark Historic home which sits on the original lot line between Lots 6 and 7 of Block 20 of the Park City Survey.
19. The remnant parcel on the south side of Lot 6 of Block 20 of the Park City Survey is a part of 150 Main Street and shall be incorporated into that lot with a plat amendment if the property owners of 150 Main Street choose to alter the lot or the historic home in any way.
20. This property lies in FEMA Flood Plain A.
21. This plat amendment does not change any exterior lot lines of this parcel.
22. This plat amendment does not change any setback, lot size, or other requirements for this zone as applied to this parcel and the existing single family dwelling. All new construction shall meet requirements of the Land Management Code in effect at the time of submittal of any changes.
23. 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.
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 Planner, 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. If recordation has not occurred within one (1) years' 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. An encroachment agreement for the cider block retaining wall is required with the neighbor at 166 Main Street on the north side of this property as the retaining wall crosses that property line.
4. An encroachment agreement for the concrete retaining wall to the west and front of the property is required with the City where it sits on City Property and in the public Right of Way.
5. The property owner shall resolve the encroachment of the deck with the wood steel fence and stone retaining wall over the east property line into the adjacent City owned property to the rear of the house by removing the portion of the structures which encroaches onto City property.
6. The property owner shall remove the encroaching retaining wall to the rear of the home.
7. The encroachments shall be resolved to the satisfaction of the City Engineer prior to recordation of the final plat mylar.
8. A Hydraulic and Hydrology study is required before the applicant may submit for a building permit because the property is in a FEMA flood zone. If the flood zone changes by more than 1 foot, a Letter of Map Revision (LOMR) will also be required to be submitted to FEMA.

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:

Michelle Kellogg
City Recorder

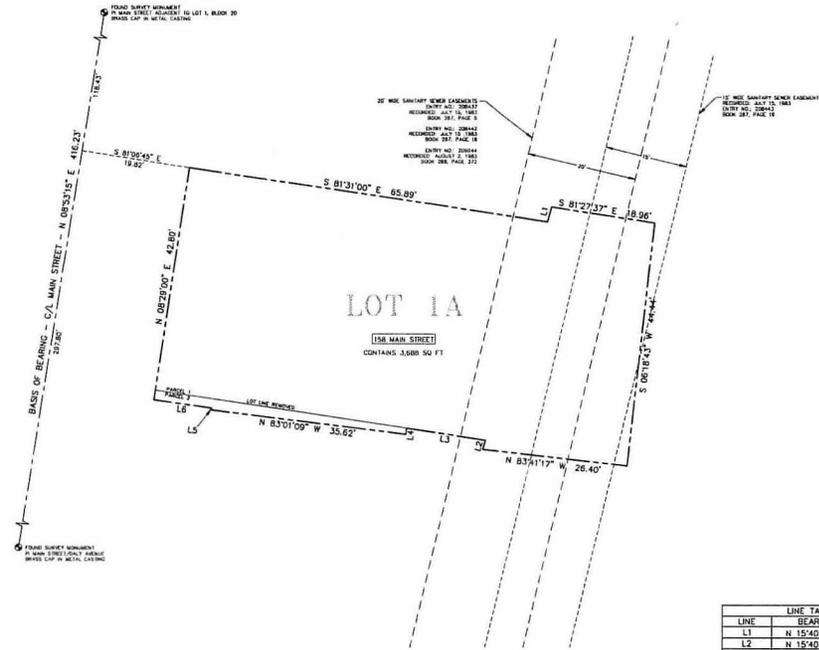


APPROVED AS TO FORM:

Mark Harrington
Mark Harrington, City Attorney

Attachment 1 – Proposed Plat

Exhibit A - Attachment 1: Proposed Plat



SURVEYOR'S CERTIFICATE

I, Charles Galati, certify that I am a Registered Land Surveyor and that I hold Certificate No. 724989, as prescribed by the laws of the State of Utah, and that by authority of the owners, this Record of Survey map of Saldarini Replat-First Amended has been prepared under my direction and that the same has been monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

BOUNDARY DESCRIPTION

PARCEL 1
LOT 1, Saldarini Replat Subdivision, according to the official plat thereof on file and on record in the Summit County Recorder's Office.

PARCEL 2
A parcel of land located in Lot 6, Block 20, Park City Survey, according to the amended plat thereof, on file in the Office of the County Recorder of Summit County, Utah, said parcel being more particularly described as follows:

Beginning at a point North 15°40'48\"/>

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that Helen E. Wallace, the undersigned owner of the herein described tract of land, to be known hereafter as Saldarini Replat-First Amended, does hereby certify that she has caused this Plat to be prepared, and does hereby consent to the recordation of this Plat.

In witness whereof, the undersigned set her hand this _____ day of _____ 2017.

Helen E. Wallace

ACKNOWLEDGMENT

State of _____
County of _____ ss:

On this _____ day of _____ 2017, Helen E. Wallace personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Helen E. Wallace acknowledged to me that she is the owner of the herein described tract of land, and that she signed the above Owner's Dedication and Consent to Record freely and voluntarily.

A Notary Public commissioned in Utah

Printed Name _____

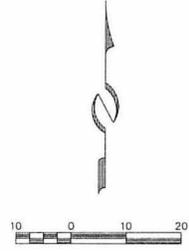
Residing in: _____

My commission expires: _____

LINE	BEARING	DISTANCE
L1	N 15°40'48\"/>	

A PARCEL COMBINATION PLAT
BLOCK 20, PARK CITY SURVEY
SALDARINI REPLAT-FIRST AMENDED

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 222 Main Street P.O. Box 2849 Park City, Utah 84302-2849	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____ 2017 BY _____ S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____ 2017 BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____ 2017 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____ 2017 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____ 2017 BY _____ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____ 2017 BY _____ PARK CITY RECORDER	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ ENTRY NO. _____ FEE _____ RECORDER _____
	J:\CITY JOB NO. 6-11-16 FILE: X:\PCSR\dwg\arr\aplat2016\061116.dwg						

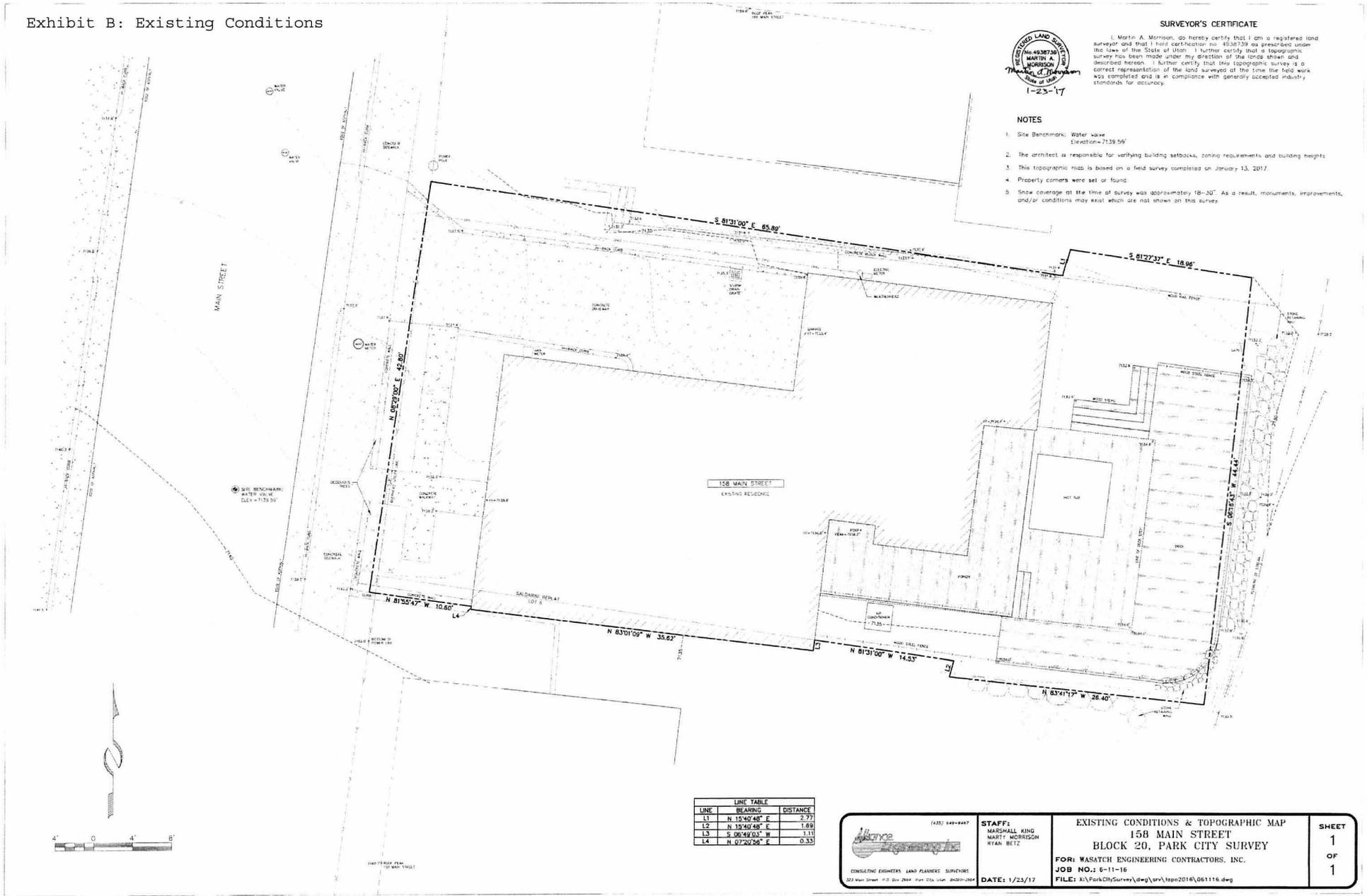
Exhibit B: Existing Conditions



SURVEYOR'S CERTIFICATE
 I, Martin A. Morrison, do hereby certify that I am a registered land surveyor and that I hold certificate no. 4826740 as prescribed under the laws of the State of Utah. I further certify that a topographic survey has been made under my direction of the lands shown and described hereon. I further certify that this topographic survey is a correct representation of the land surveyed at the time the field work was completed and is in compliance with generally accepted industry standards for accuracy.

NOTES

1. Site Benchmark: Water valve
Elevation=7139.56'
2. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
3. This topographic map is based on a field survey completed on January 13, 2017.
4. Property corners were set or found.
5. Snow coverage at the time of survey was approximately 18"-30". As a result, monuments, improvements, and/or conditions may exist which are not shown on this survey.



LINE	BEARING	DISTANCE
L1	N. 12°42'48" E	2.77'
L2	N. 10°40'48" E	1.89'
L3	S. 06°46'03" W	1.11'
L4	N. 07°20'56" E	0.33'

 CONSULTING ENGINEERS, LAND PLANNERS, SURVEYORS 222 Main Street, P.O. Box 2944, Park City, Utah 84302-2944	(435) 649-2947 STAFF: MARSHALL KING MARTY MORRISON RYAN BETZ	EXISTING CONDITIONS & TOPOGRAPHIC MAP 150 MAIN STREET BLOCK 20, PARK CITY SURVEY	SHEET 1 OF 1
	DATE: 1/23/17	FOR: WASATCH ENGINEERING CONTRACTORS, INC. JOB NO.: 6-11-16 FILE: X:\ParkCitySurvey\dwg\svr\lope2016\061116.dwg	

Memo to the File

Subject: Saldarini Replat – First Amended
Project #: PL-17-03523
Author: Tippe Morlan
Date: June 29, 2018



The purpose of this memo is to indicate that Finding of Fact 14 in Ordinance 2017-33 for the Saldarini Replat- First Amended plat approved on June 29, 2017 appears to be erroneous and should be removed. This finding stated that “A snowshed easement for this property has been granted as a part of the original Saldarini Replat approval.” Staff has searched the original recorded documents and the original ordinance and did not find any recorded snowshed easement or any mention of a snowshed easement.