

Ordinance No. 2017-55

AN ORDINANCE APPROVING THE IRON CANYON SUBDIVISION LOT 42 BUILDING PAD ADJUSTMENT LOCATED AT 2463 IRON MOUNTAIN DRIVE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 2463 Iron Canyon Drive has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on September 13, 2017, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on September 13, 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 September 27, 2017, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on September 27, 2017, forwarded a positive recommendation to the City Council; and,

WHEREAS, on October 12, 2017, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, there is good cause and it is in the best interest of Park City, Utah to approve the Iron Canyon Lot 42 Building Pad Adjustment located at 2463 Iron Canyon Drive.

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

SECTION 1. APPROVAL. The Iron Canyon Lot 42 Building Pad Adjustment, 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 2463 Iron Mountain Drive.
2. The property is in the Single Family (SF) District.
3. Adjacent land uses are single family residential.
4. The subject property consists of Lot 42 of the Iron Canyon Subdivision, approved in 1983.
5. The plat amendment changes small portions of the building pad area shown on the Iron Canyon Subdivision plat (recorded in 1983) to adapt to the current proposed design of the new residence.
6. The building pad is proposed to be approximately 1.5 square feet smaller than the platted building pad which is 4,000 square feet in the same general location.
7. On August 18, 2017, the City received a Plat Amendment application for the Iron Canyon Subdivision Amendment to Lot 42. The application was deemed complete on August 30, 2017.
8. The existing platted building pad is a 50 feet by 80 feet rectangular shaped pad generally located toward the front of the lot. The building pad is not tied in to the survey with exact dimensions and bearings.

9. The applicant is requesting a modification to the shape and location of the pad to result in an odd-shaped building pad.
10. The entire site contains a total area of 2.75 acres.
11. The proposed building pad complies with setback requirements of the SF zone.
12. The proposed plat amendment will not result in any further changes to the Iron Canyon Subdivision plat.
13. No remnant lots will be created as a result of this plat amendment.
14. Five (5) lots within the Iron Canyon Subdivision have completed similar building pad adjustments including the following: Lots 4, 5, 11, 29, and 43.
15. The subdivision has an Architectural Review Committee in place of a formal HOA which has granted approval of this proposed building pad adjustment.
16. There is a stream to the west of the property following close to the western property line with an existing 60 foot Stream Protection Zone recorded over it.
17. The Stream Protection Zone is shown on the proposed plat and on the recorded Iron Canyon Subdivision plat.
18. The lot is located within the Sensitive Lands Overlay zone.
19. The Iron Canyon Subdivision was platted prior to the adoption of the SLO ordinance with a recorded building pad in the same location where the new building pad is proposed.
20. The proposed building pad does not encroach into the Stream Protection Zone that is shown on the recorded subdivision plat.
21. The current SLO zone requires setbacks from stream corridors to be a minimum of 50 feet from the Ordinary High Water Mark; this means the protected area should be greater than 100 feet with 50 feet on each side of the stream plus the width of the stream.
22. The existing easement was recorded as a 60 feet protection zone with 30 feet on each side of the average centerline of the stream.
23. Because the Stream Protection Zone and building pad have been recorded prior to the adoption of the SLO, the existing lot and building pad location are legal and non-complying.
24. The proposed building pad amendment takes the entire building pad out of the 50 feet easement area and complies with the current SLO standards as shown in Exhibit L, the Stream Corridor High Water Mark Exhibit.
25. Staff finds that the proposed plat amendment results in a building pad that is consistent with the pattern of development in the neighborhood.
26. This plat amendment results in a building pad that is not greater than 4,000 square feet; however, there is no maximum house size indicated on the recorded subdivision plat.
27. No gutters exist on Iron Mountain Drive. Drainage is provided by a parallel swale.
28. 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. A ten feet (10') wide public snow storage easement along the frontage of Iron Mountain Drive shall be shown on the plat.
4. Modified 13-D sprinklers are required by the Chief Building Official for new construction at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.
5. New construction shall comply with Land Management Code Section 15-2.2 regarding setbacks, building height, building envelope, building pad, etc.
6. All other conditions of approval and platted requirements for the Iron Canyon Subdivision continue to apply and shall be noted on the plat.

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

PASSED AND ADOPTED this 12th day of October, 2017.

PARK CITY MUNICIPAL CORPORATION


Jack Thomas, MAYOR



ATTEST:


Michelle Kellogg, City Recorder

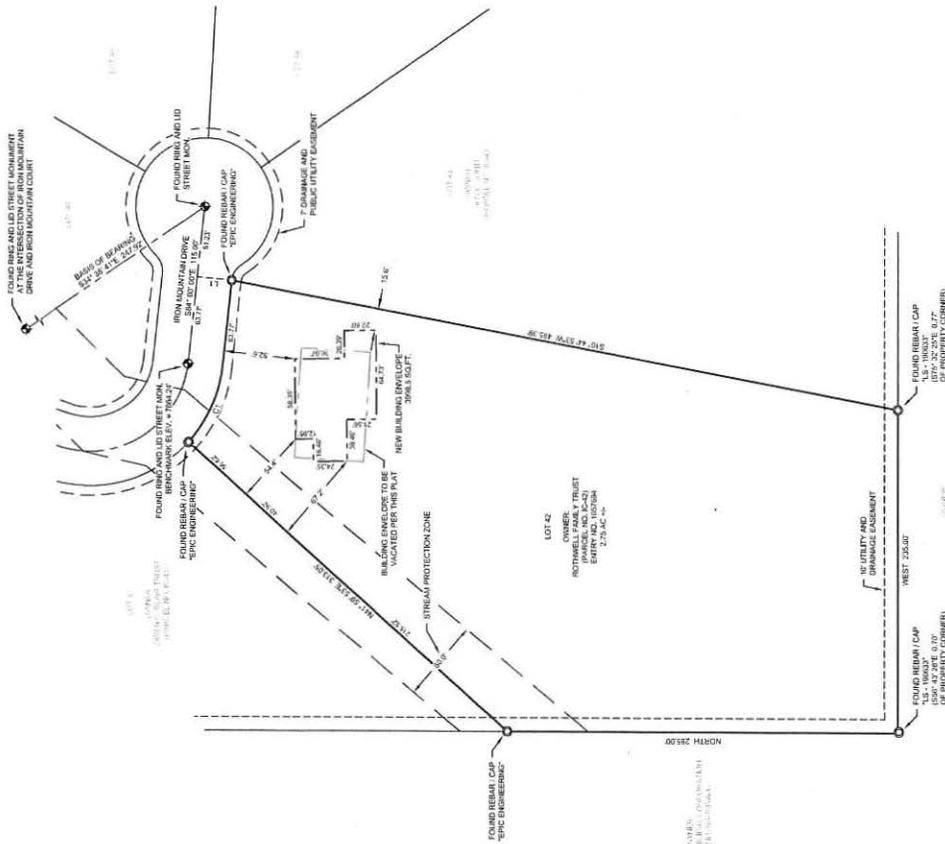
APPROVED AS TO FORM:


Mark Harrington, City Attorney

Attachment 1 – Proposed Plat

Exhibit A: Attachment 1 - Proposed Plat

IRON CANYON SUBDIVISION LOT 42 - BUILDING PAD ADJUSTMENT
 LOCATED IN THE
 NORTHWEST QUARTER, RANGE 2 SOUTH, RANGE 4 EAST
 SALT LAKE BASE AND MERIDIAN,
 PARK CITY, SUMMIT COUNTY, UTAH



RECORD ADDRESS TABLE

LOT NO.	STREET ADDRESS
42	244 IRON MOUNTAIN DRIVE

Point Line Table

Line #	Length	Direction
L1	24.00	S80°50'00"W

Curve Table

Curve #	Length	Radius	Delta	Chord Distance	Chord Length
C1	60.00	18.00	30°58'14"	55.670783'	59.67

SURVEYOR'S CERTIFICATE
 I, PHILIP R. CHRISTENSEN DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON, AND HAVE THEREUPON CAUSED TO BE PREPARED AND RECORDED THE PLAT AND THE BUILDING PAD ADJUSTMENT HEREON. I HAVE BEEN CONDUCTED BY SURVEY TO THE CENTER OF THE GROUND AS SHOWN ON THIS PLAT.



PHILIP R. CHRISTENSEN
 P.L.S. 31996
 DATE _____

PARK CITY COUNCIL - APPROVAL AND ACCEPTANCE
 APPROVED AND ACCEPTED _____
 THIS _____ DAY OF _____ 2017 A.D.
 BY: _____
 PARK CITY MAYOR

PARK CITY ATTORNEY - APPROVAL AS TO FORM
 APPROVED AS TO FORM _____
 THIS _____ DAY OF _____ 2017 A.D.
 BY: _____
 PARK CITY ATTORNEY

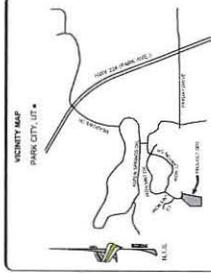
PARK CITY PLANNING COMMISSION
 ON BEHALF OF THE PARK CITY PLANNING COMMISSION, THIS _____ DAY OF _____ 2017 A.D. THE SUBDIVISION WAS APPROVED AND ACCEPTED.
 BY: _____
 CHAIR, PARK CITY PLANNING COMMISSION

PARK CITY ENGINEERS CERTIFICATE
 I FIND THIS PLAT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH ENGINEERING ACT AND IN MY OFFICE ON _____ DAY OF _____ 2017 A.D. AT _____ THIS SUBDIVISION WAS APPROVED AND ACCEPTED.
 BY: _____
 PARK CITY ENGINEER

SHREVEPORT BASIN WATER RECLAMATION DISTRICT
 REVIEWED FOR CONFORMANCE TO SHREVEPORT BASIN WATER RECLAMATION DISTRICT STANDARDS AND SPECIFICATIONS. THIS SUBDIVISION WAS APPROVED AND ACCEPTED.
 BY: _____
 S.B. W.F.D. REVIEWER

LEGEND

- BOUNDARY LINE
- PARCEL LINE
- FOUND REBAR/CAP
- 7" PIPE LASSMENT
- 10" DRAINAGE EASEMENT
- STREAM PROTECTION ZONE
- BUILDING ENVELOPE
- FOUND MONUMENT



IRON CANYON SUBDIVISION LOT 42 - BUILDING PAD ADJUSTMENT
 COUNTY OF SUMMIT
 RECORDED AND FILED AT THE REQUEST OF:
 DATE _____ TIME _____ ENTRY NO. _____ FILE # _____
 BOOK _____ PAGE _____
 BY: _____
 SUMMIT COUNTY RECORDER



PROJECT # _____
DATE _____
PROJECT # _____
DATE _____
PROJECT # _____
DATE _____

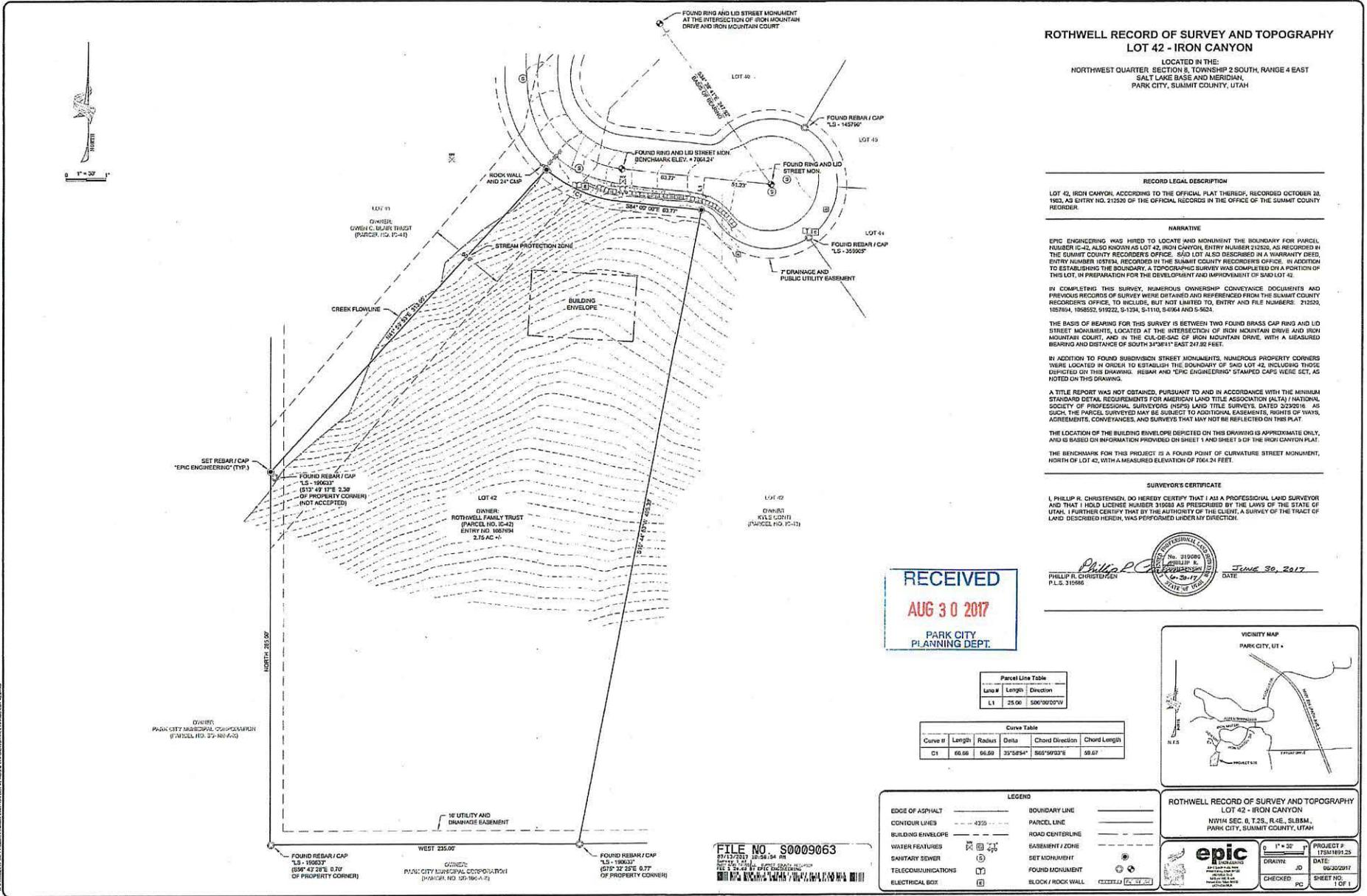
- NOTES**
- THE ENGINEER HAS REVIEWED THE RECORDS OF THE BUILDING ENVELOPE AND PROVIDED THE LOCATION AND DIMENSIONS TO LOCATE THE FOUND REBAR/CAP.
 - THE BUILDING ENVELOPE OF THIS LOT MUST BE WITHIN THE SETBACK LIMITS AS PER THE LAND MANAGEMENT PLAN UNLESS OTHERWISE NOTED. THE MAXIMUM BUILDING ENVELOPE IS 24.00 FEET EXCEED 400 SQUARE FEET, PER THE ORIGINAL BUILDING ENVELOPE REQUIREMENTS.
 - MODIFIED SETBACKS MAY BE REQUIRED BY THE CHIEF BUILDING OFFICIAL FOR NEW CONSTRUCTION AT THE TIME OF REVIEW OF THE BUILDING PERMIT SUBMITTAL.
 - THE OWNER OF RECORD FOR LOT 42 AT THE TIME THIS AMENDMENT WAS COMPLETED, IS THE IRON CANYON SUBDIVISION. THE RECORDS OF THE BUILDING ENVELOPE ARE RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE.
 - THE BOUNDARY DEFLECTED HEREON WAS ESTABLISHED FROM THE RECORD SUBDIVISION MONUMENTS AND THE RECORD OF SURVEY COMPLETED FOR LOT 42. FILE NUMBER 2005-001. THE MONUMENTS WERE FOUND AND ADJUSTED TO THE PLAT.
 - SPECIAL NOTES CONTAINED WITHIN THE IRON CANYON SUBDIVISION PLAT, ENTRY NUMBER 2005-001 AND ALL OTHER ZONING REQUIREMENTS, COVENANTS, RESTRICTIONS, EASEMENTS AND RIGHTS OF WAY, PER REGION 100000000 AND CITY OF PARK CITY SUPPLEMENT.

BOUNDARY DESCRIPTION
 ALL OF LOT 42, IRON CANYON SUBDIVISION, ENTRY NUMBER 2005-001, ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDER'S OFFICE.

ACKNOWLEDGMENT
 STATE OF UTAH _____
 COUNTY OF _____
 ON THIS _____ DAY OF _____ 2017 A.D., PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURES OF THE ABOVE OWNERS, IDENTIFICATION NUMBERS AND ADDRESSES, AND THE SIGNATURES OF THE ABOVE WITNESSES, WHOSE NAMES I HAVE RECORDED IN MY OFFICE, AND WHOSE EXECUTION OF THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

OWNER'S DEDICATION AND CONSENT TO RECORD
 KNOW ALL MEN BY THESE PRESENTS THAT I, THE UNDERSIGNED OWNER OF THE HEREON DESCRIBED TRACT OF LAND, HEREBY SET APART AND RESERVE THE SAME INTO LOTS AND BUILDING PAD ADJUSTMENT AND DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC THE BUILDING PAD ADJUSTMENT AND DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC THE BUILDING PAD ADJUSTMENT. I HAVE HEREBY SET ASUNDER THE FOLLOWING: THIS _____ DAY OF _____ 2017 A.D.
 BY: _____
 DATE _____
 BY: _____
 DATE _____

Exhibit B - Survey with Existing Conditions



**ROTHWELL RECORD OF SURVEY AND TOPOGRAPHY
LOT 42 - IRON CANYON**

LOCATED IN THE:
NORTHWEST QUARTER, SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN,
PARK CITY, SUMMIT COUNTY, UTAH

RECORD LEGAL DESCRIPTION

LOT 42, IRON CANYON, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED OCTOBER 28, 1962, AS ENTRY NO. 212923 OF THE OFFICIAL RECORDS IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

NARRATIVE

EPIC ENGINEERING WAS HIRED TO LOCATE AND MONUMENT THE BOUNDARY FOR PARCEL NUMBER 10-42, ALSO KNOWN AS LOT 42, IRON CANYON, ENTRY NUMBER 212923, AS RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE. SAID LOT ALSO DESCRIBED IN A WARRANTY DEED, ENTRY NUMBER 187814, RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE. IN ADDITION TO ESTABLISHING THE BOUNDARY, A TOPOGRAPHIC SURVEY WAS COMPLETED ON A PORTION OF THIS LOT, IN PREPARATION FOR THE DEVELOPMENT AND IMPROVEMENT OF SAID LOT 42.

IN COMPLETING THIS SURVEY, NUMEROUS OWNERSHIP CONVEYANCE DOCUMENTS AND PREVIOUS RECORDS OF SURVEY WERE OBTAINED AND REFERENCED FROM THE SUMMIT COUNTY RECORDER'S OFFICE, TO INCLUDE, BUT NOT LIMITED TO, ENTRY AND FILE NUMBERS: 212923, 187814, 185852, 519222, 5-1234, 5-1110, 5-6164 AND 5-5023.

THE BASIS OF BEARING FOR THIS SURVEY IS BETWEEN TWO FOUND BRASS CAP RING AND LID STREET MONUMENTS, LOCATED AT THE INTERSECTION OF IRON MOUNTAIN DRIVE AND IRON MOUNTAIN COURT, AND IN THE C&D-25-24-C OF IRON MOUNTAIN DRIVE, WITH A MEASURED BEARING AND DISTANCE OF SOUTH 34°38'41" EAST 247.92 FEET.

IN ADDITION TO FOUND SUBDIVISION STREET MONUMENTS, NUMEROUS PROPERTY CORNERS WERE LOCATED IN ORDER TO ESTABLISH THE BOUNDARY OF SAID LOT 42, INCLUDING THOSE DEPICTED ON THIS DRAWING. REBAR AND "EPIC ENGINEERING" STAMPED CAPS WERE SET, AS NOTED ON THIS DRAWING.

A TITLE REPORT WAS NOT OBTAINED, PURSUANT TO AND IN ACCORDANCE WITH THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR AMERICAN LAND TITLE ASSOCIATION (ALTA) / NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS (NSPS) LAND TITLE SURVEYS, DATED 2/23/2016. AS SUCH, THE PARCEL SURVEYED MAY BE SUBJECT TO ADDITIONAL EASEMENTS, RIGHTS OF WAY, AGREEMENTS, CONVEYANCES, AND SURVEYS THAT MAY NOT BE REFLECTED ON THIS PLAT.

THE LOCATION OF THE BUILDING ENVELOPE DEPICTED ON THIS DRAWING IS APPROXIMATE ONLY, AND IS BASED ON INFORMATION PROVIDED ON SHEET 1 AND SHEET 5 OF THE IRON CANYON PLAT.

THE BENCHMARK FOR THIS PROJECT IS A FOUND POINT OF CURVATURE STREET MONUMENT, NORTH OF LOT 42, WITH A MEASURED ELEVATION OF 7064.24 FEET.

SURVEYOR'S CERTIFICATE

I, PHILIP R. CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NUMBER 310980 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE CLIENT, A SURVEY OF THE TRACT OF LAND DESCRIBED HEREIN, WAS PERFORMED UNDER MY DIRECTION.

Philip R. Christensen
No. 310980
PHILIP R. CHRISTENSEN
P.L.S. 310980
DATE: JUNE 30, 2017

RECEIVED
AUG 30 2017
PARK CITY PLANNING DEPT.

Line #	Length	Direction
L1	25.00	S00°00'00"W

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	69.60	66.60	37°58'54"	S65°59'02"E	59.67

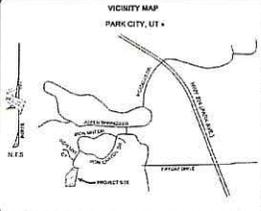
LEGEND

EDGE OF ASPHALT	—————	BOUNDARY LINE	—————
CONTOUR LINES	- - - - -	PARCEL LINE	—————
BUILDING ENVELOPE	—————	ROAD CENTERLINE	—————
WATER FEATURES	~~~~~	EASEMENT / ECHO	—————
SEWAGE / SANITARY SEWER	———	SET MONUMENT	⊙
TELECOMMUNICATIONS	———	FOUND MONUMENT	⊙
ELECTRICAL BOX	⊠	BLOCK / ROCK WALL	⊠

ROTHWELL RECORD OF SURVEY AND TOPOGRAPHY
LOT 42 - IRON CANYON
NW1/4 SEC. 8, T.2S., R.4E., S.8BM,
PARK CITY, SUMMIT COUNTY, UTAH

epic
ENGINEERING
1000 S. MAIN ST., SUITE 100
PARK CITY, UT 84302
PHONE: 435.243.1111
WWW.EPICENGINEERING.COM

PROJECT # 175M1895.25
DATE: 06/30/2017
DRAWN: JID
CHECKED: PC
SHEET # 1 OF 1



FILE NO S0009063
2017.07.03 10:56:34 AM
THE STATE OF UTAH
SUMMIT COUNTY RECORDER
2017.07.03 10:56:34 AM

S-9063