

Ordinance No. 2018-38

**AN ORDINANCE APPROVING THE 813 WOODSIDE AVENUE PLAT AMENDMENT
LOCATED AT 813 WOODSIDE AVENUE, PARK CITY, UTAH.**

WHEREAS, the property owners of the property located at 813 Woodside Avenue have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on May 30, 2018, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on May 26, 2018, 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 June 13, 2018, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on June 13, 2018, forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 12, 2018, 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 813 Woodside Avenue Plat Amendment, located at the same address.

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

SECTION 1. APPROVAL. The 813 Woodside Avenue 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 site is located at 813 Woodside Avenue.
2. The site is within the Historic Residential-1 District.
3. The subject site consists of the northern half of Lot 2 and all of Lot 3, Block 11, within the Snyder's Addition to the Park City Survey.
4. The proposed Plat Amendment creates one (1) lot from one and a half (1½) Old Town lots.
5. The applicant requests to eliminate the lot line going through the non-historic structure.
6. The minimum lot size within the Historic Residential-1 District is 1,875 square feet.
7. The proposed lot size is 2,417 square feet.

8. The minimum lot width within the Historic Residential-1 District is twenty five feet (25').
9. The proposed lot width is thirty-seven and half feet (37.5').
10. The proposed lot combination, Plat Amendment, meets lot and site requirements of the Historic Residential-1 District.
11. There is a railroad tie retaining wall on this site that encroaches onto the Woodside Avenue public Right-of-Way.
12. The railroad tie retaining wall is not historic and the applicant is able to apply for a Historic District Design Review application to remove or move the retaining wall. See Condition of Approval no. 3.
13. 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 shall 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. Prior to plat recordation, the applicant shall remove the existing railroad tie retaining wall encroachment from the City Right-of-Way. The applicant is responsible of securing appropriate City approvals and permits before any work on the retaining wall can begin.
4. Residential fire sprinklers are required for all new construction per requirements of the Chief Building Official, and shall be noted on the plat.
5. Ten foot (10') public snow storage easement shall be granted along the Woodside Avenue Right-of-Way.

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

PASSED AND ADOPTED this 12th day of July, 2018.

PARK CITY MUNICIPAL CORPORATION



Andy Beerman
Andy Beerman, MAYOR

ATTEST:

Michelle Kellogg
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark D. Harrington
Mark Harrington, City Attorney

Attachment 1 – Proposed Plat



SURVEYOR'S CERTIFICATE

I, Charles Galati, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 724889, as prescribed by the laws of the State of Utah, and that by authority of the owner, 813 WOODSIDE AVENUE PLAT AMENDMENT has been reviewed under my direction, and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

LEGAL DESCRIPTION

The North 1/2 of Lot 2 and All of Lot 3, Block 11, SNYDERVILLE ADDITION TO PARK CITY, according to the plat thereof as recorded in the office of the Summit County Recorder, records of Summit County, Utah.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that Ian R. Kincaid and D. Lance Kincaid, Successor Co-Trustees of the KINCAID REVOCABLE TRUST dated May 2, 1977, as to an undivided 48% interest, hereby certify that they have caused this plat amendment to be made and hereby consent to the recording of this Plat Amendment.

ALSO, the owner hereby irrevocably offers for dedication to the City of Park City all the easements shown on this plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set his hand
 this ____ day of _____, 2018.
 By: Ian R. Kincaid, Successor Co-Trustee
 D. Lance Kincaid, Successor Co-Trustee

ACKNOWLEDGMENT

I, _____
 State of _____
 County of _____

On this ____ day of _____, 2018, Ian R. Kincaid personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is a Successor Co-Trustee of the Kincaid Revocable Trust dated May 2, 1977, and that said document was signed by him on behalf of said Trust by authority of the Trust, and he acknowledged to me that he executed the 813 WOODSIDE AVENUE PLAT AMENDMENT.

A Notary Public commissioned in _____
 Residing in _____
 Printed Name _____ Commission No. _____
 My commission expires: _____

ACKNOWLEDGMENT

I, _____
 State of _____
 County of _____

On this ____ day of _____, 2018, D. Lance Kincaid personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is a Successor Co-Trustee of the Kincaid Revocable Trust dated May 2, 1977, and that said document was signed by him on behalf of said Trust by authority of the Trust, and he acknowledged to me that he executed the 813 WOODSIDE AVENUE PLAT AMENDMENT.

A Notary Public commissioned in _____
 Residing in _____
 Printed Name _____ Commission No. _____
 My commission expires: _____

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that Ian R. Kincaid, as to an undivided 38.28% interest, hereby certifies that he has caused this plat amendment to be made and hereby consents to the recording of this Plat Amendment.

ALSO, the owner hereby irrevocably offers for dedication to the City of Park City all the easements shown on this plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set his hand this ____ day of _____, 2018.
 By: Ian R. Kincaid

ACKNOWLEDGMENT

I, _____
 State of _____
 County of _____

On this ____ day of _____, 2018, Ian R. Kincaid personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is a Successor Co-Trustee of the Kincaid Revocable Trust dated May 2, 1977, and that said document was signed by him on behalf of said Trust by authority of the Trust, and he acknowledged to me that he executed the 813 WOODSIDE AVENUE PLAT AMENDMENT.

A Notary Public commissioned in _____
 Residing in _____
 Printed Name _____ Commission No. _____
 My commission expires: _____

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that D. Lance Kincaid, as to an undivided 13.3% interest, hereby certifies that he has caused this plat amendment to be made and hereby consents to the recording of this Plat Amendment.

ALSO, the owner hereby irrevocably offers for dedication to the City of Park City all the easements shown on this plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set his hand this ____ day of _____, 2018.
 By: D. Lance Kincaid

ACKNOWLEDGMENT

I, _____
 State of _____
 County of _____

On this ____ day of _____, 2018, D. Lance Kincaid personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is a Successor Co-Trustee of the Kincaid Revocable Trust dated May 2, 1977, and that said document was signed by him on behalf of said Trust by authority of the Trust, and he acknowledged to me that he executed the 813 WOODSIDE AVENUE PLAT AMENDMENT.

A Notary Public commissioned in _____
 Residing in _____
 Printed Name _____ Commission No. _____
 My commission expires: _____



- LEGEND**
- Property corner to be set
 - Found Monument (As-Noted)
 - Found Street Monument (As-Noted)



NOTES

1. This plat amendment is subject to the Conditions of Approval in Ordinance 2018-_____.
2. Record bearings and distances, when different from measured, are shown in parenthesis ().
3. See Record of Survey S-9327.

813 WOODSIDE AVENUE PLAT AMENDMENT

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

 (435) 648-9457 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 222 Main Street, P.O. Box 2884, Park City, Utah, 84060-2884	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2018 BY: S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2018 BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2018 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2018 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2018 BY _____ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2018 BY _____ PARK CITY RECORDER	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ FEE RECORDER TIME _____ DATE _____ ENTRY NO. _____
---	--	---	--	--	--	--	---