

**Ordinance No. 2018-51**

AN ORDINANCE APPROVING THE PROSPECTOR VILLAGE SUBDIVISION AMENDED LOT 9 PLAT AMENDMENT, LOCATED AT 2262 COMSTOCK DRIVE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 2262 Comstock Drive has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on August 8, 2018, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on August 8, 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 August 22, 2018, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on August 22, 2018, forwarded a unanimous positive recommendation to the City Council; and,

WHEREAS, on September 13, 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 Prospector Village Subdivision Amended Lot 9 Plat Amendment, located at 2262 Comstock Drive.

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

**SECTION 1. APPROVAL.** The Prospector Village Subdivision Amended Lot 9 Plat Amendment, located at 2262 Comstock Drive, as shown in Exhibit 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 2262 Comstock Drive.
2. The site consists of the entirety of Lot 9 and the southernmost remnant parcel of Lot 8 of the Prospector Village Subdivision.
3. The property is in the Single Family (SF) District.
4. There is an active Building Permit at this address.
5. On August 8, 2018, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record and the

Utah Public Notice Website on August 4, 2018, according to requirements of the Land Management Code.

6. The City received a complete Plat Amendment application for the 2262 Comstock Drive Amendment on January 26, 2018.
7. The proposed plat amendment will create one lot approximately 7,405.2 square feet in size.
8. The existing Prospector Village Subdivision was recorded in 1975.
9. In 1977, the right-of-way, Little Bessie Avenue, bisected Lot 8 of Prospector Village, creating two remnants, one on either side of the road.
10. The applicant proposes to combine the subject lots into one lot of record.
11. No known encroachments exist on this property.
12. The proposed lot will also be approximately 115.98 feet deep and an average of 63.325 feet wide.
13. The minimum front setback is twenty (20) feet. New front-facing garages must maintain a minimum of ten (10) feet from the Front Lot Line. The proposed house has a twenty (20) foot front setback for the main house and the garage will be setback more than twenty-five (25) feet.
14. The minimum rear setback is ten (10) feet. The proposed house has a ten (10) foot rear yard setback.
15. The minimum side setback is five (5) feet on the interior (south) side and ten (10) feet on the exterior, Street facing (north) side. The proposed house has a five (5) foot side setback on the south side and at least ten (10) foot side setback on the north side.
16. The plat amendment does not create any remnant parcels.
17. The plat amendment does not create any non-conforming or non-complying situations.
18. The proposed house meets the Single Family building zone height of 28 feet.
19. The property is located within the Park City Soils Ordinance Boundary and must obtain a Certificate of Compliance.
20. The property is located within the FEMA Flood Zone X and this shall be noted on the Plat.
21. Ten foot (10') wide public snow storage easements along the frontage of Little Bessie Avenue and Comstock Drive are required and shall be provided on the plat.
22. 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 and an extension is granted by the City Council.
3. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.
4. Side lot line snow shedding easements may be required for new construction per requirements of the Chief Building Official.
5. A 10 foot (10') wide public snow storage easement along both the Little Bessie Avenue and Comstock Drive frontages shall be shown on the plat.

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

PASSED AND ADOPTED this 13<sup>th</sup> day of September, 2018.

PARK CITY MUNICIPAL CORPORATION



  
MAYOR ANDY BEERMAN

ATTEST:

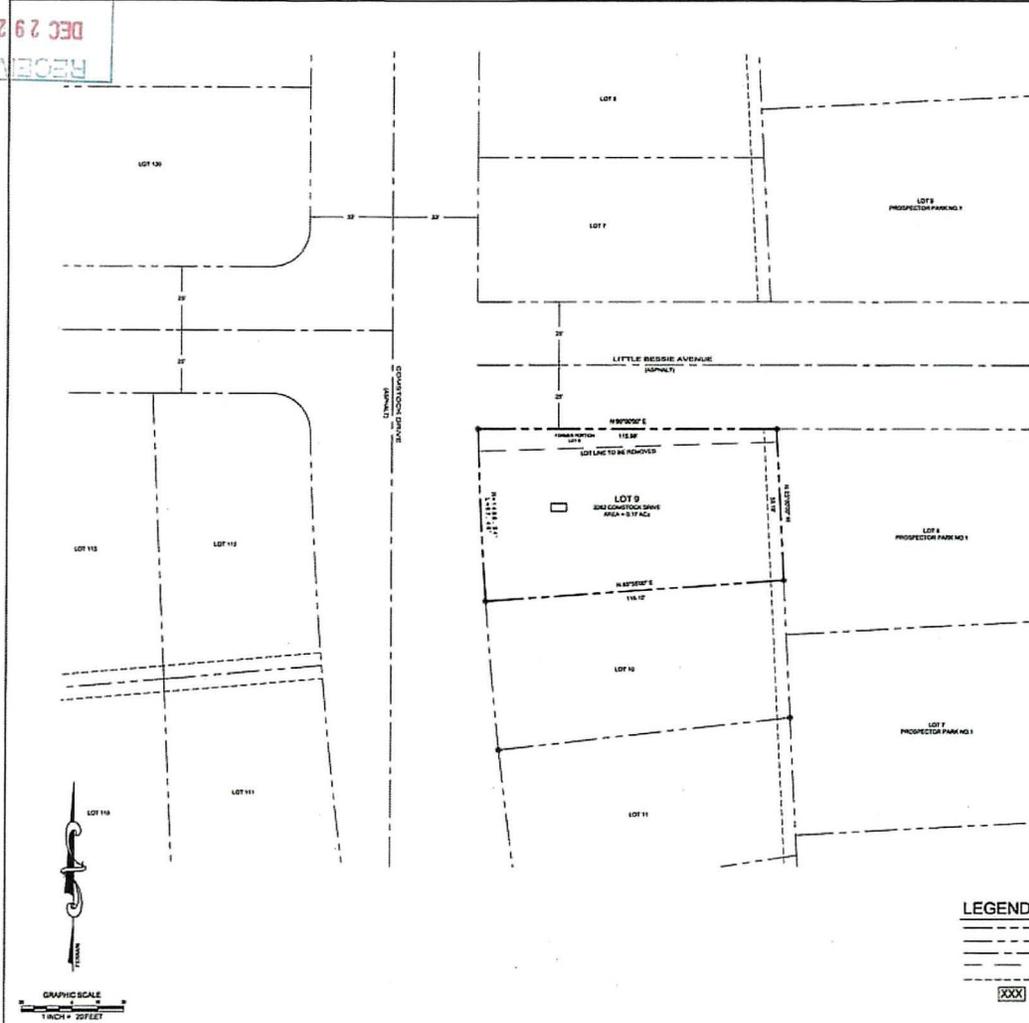
  
City Recorder

APPROVED AS TO FORM:

  
City Attorney

**Attachment 1 – Proposed Plat**

RECEIVED  
DEC 29 2017



VICINITY AND ZONING MAP  
NOT TO SCALE

**PROSPECTOR VILLAGE SUBDIVISION  
AMENDED LOT 9**  
LOCATED IN THE NORTHEAST QUARTER OF SECTION 9  
TOWNSHIP 25 RANGE 4E  
SALT LAKE BASE AND MERIDIAN

**SURVEYOR'S STATEMENT**

GREGORY J. FERRARI OF PARK CITY, UTAH, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF UTAH, HOLDING LICENSE NO. 504958. THIS PLAT AMENDMENT WAS PREPARED UNDER MY DIRECTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH MUNICIPAL CORPORATION. I FURTHER CERTIFY THAT THIS PLAT ACCURATELY REPRESENTS SURVEYED PROPERTY.



**OWNER'S DEDICATION AND CONSENT TO RECORD**

KNOW ALL MEN BY THESE PRESENTS THAT MINL, LTD., A UTAH LIMITED PARTNERSHIP, THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, DOES HEREBY CERTIFY THAT THEY HAVE CAUSED THIS PLAT AMENDMENT TO BE PREPARED. MINL, LTD., A UTAH LIMITED PARTNERSHIP HEREBY CONSENTS TO THE RECORDATION OF THIS PLAT AMENDMENT.

IN WITNESS WHEREOF THE UNDERSIGNED SET HIS HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2018.

**ACKNOWLEDGMENT**

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS  
PERSONALLY APPEARED BEFORE ME ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2018, THE FOLLOWING:

WHO ACKNOWLEDGED TO ME THAT THEY EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD FREELY AND VOLUNTARILY.

MY COMMISSION EXPIRES \_\_\_\_\_  
NOTARY PUBLIC  
RESIDING IN \_\_\_\_\_

**LEGAL DESCRIPTION:**

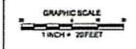
ALL OF LOT 9, PROSPECTOR VILLAGE SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE.

**NOTES:**

1. MODIFIED 13x0 SPRINKLERS WILL BE REQUIRED FOR NEW CONSTRUCTION AS REQUIRED BY THE CHIEF BUILDING OFFICIAL AT THE TIME OF REVIEW OF THE BUILDING PERMIT SUBMITTAL.
2. THIS PLAT AMENDMENT IS SUBJECT TO THE CONDITIONS OF APPROVAL OF ORDINANCE XX-XX.

**LEGEND:**

- PROPERTY LINE
- - - - ADJOINING PROPERTY LINE
- +—+— CENTER LINE
- - - - LOT LINE TO BE REMOVED
- - - - 5' PUBLIC UTILITY EASEMENT
- XXX STREET ADDRESS ON COMSTOCK DR.



 <b>FERRARI SURVEYING, LLC</b> P.O. B. 683001 PARK CITY, UT (435) 640-0412	<b>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT</b> REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF _____, 2018 A.D. BY: _____ S.B.W.R.C.	<b>PLANNING COMMISSION</b> APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 23rd DAY OF MARCH, 2018 BY: _____ CHAIRMAN	<b>ENGINEER'S CERTIFICATE</b> I FING THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 2018 A.D. BY: _____ PARK CITY ENGINEER	<b>APPROVAL AS TO FORM</b> APPROVED AS TO FORM THIS ____ DAY OF _____, 2018 A.D. BY: _____ PARK CITY ATTORNEY	<b>CERTIFICATE OF ATTEST</b> I CERTIFY THIS RECORD OF PLAT AMENDMENT WAS APPROVED BY PARK CITY COUNCIL THIS 14th DAY OF APRIL, 2018 A.D. BY: _____ PARK CITY RECORDER	<b>COUNCIL APPROVAL AND ACCEPTANCE</b> APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 14th DAY OF APRIL, 2018 A.D. BY: _____ MAYOR	<b>RECORDED</b> STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE: ____ TIME: ____ BOOK: ____ PAGE: ____ FEE: _____ RECORDER: _____
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