

**Ordinance No. 2019-02**

AN ORDINANCE APPROVING THE FRANDSEN PLAT AMENDMENT LOCATED AT 416 ONTARIO AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 416 Ontario Avenue has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on November 28, 2018, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on November 24, 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 December 12, 2018, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on December 12, 2018, forwarded a positive recommendation to the City Council; and,

WHEREAS, on January 8, 2019, 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 Frandsen Plat Amendment located at 416 Ontario Avenue.

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

**SECTION 1. APPROVAL.** The Frandsen 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 416 Ontario Avenue.
2. The property consists of the entirety of Lot 4 and the south half of Lot 5 of Block 58 of the Park City Survey.
3. The property is within the Historic Residential-1 (HR-1) Zoning District.
4. There is an existing non-historic single-family dwelling currently on the site.
5. The house on site was originally constructed in 1904.
6. On October 5, 2016, the Historic Preservation Board denied a Determination of Significance for the house on this property.
7. On October 9, 2018, the City received a complete Plat Amendment application for the Frandsen Plat Amendment.

8. A Historic District Design Review will be required for any proposed construction on this lot.
9. Along the west side of the lot, a wood deck encroaches up to 8 feet into the ROW.
10. Along the west side of the lot, a stairway encroaches up to 10 feet into the ROW.
11. Along the west side of the lot, a railroad retaining wall encroaches up to 12.5 feet into the ROW.
12. The existing house is a legal non-complying structure on this lot since it was constructed before the existing lot requirements.
13. The proposed lot is 2,812 square feet in size.
14. The proposed lot meets the minimum lot size of 1,875 square feet.
15. The proposed lot is 37.5 feet wide and meets the minimum lot width of 25 feet.
16. The maximum allowed Building Footprint is 1,200.5 square feet.
17. The existing Building Footprint is approximately 985.2 square feet.
18. The maximum Building Height is 27 feet from Existing Grade. The existing structure is approximately 25 feet from Existing Grade.
19. The front Setback is 6.5 feet and does not comply with the 10 feet requirement.
20. The rear Setback is 30 feet and complies with the 10 feet requirement.
21. The north side Setback is 6 feet, and complies with the 3 feet requirement and the south side Setback is approximately 6 inches which does not comply with the 3 feet requirement.
22. A Steep Slope Conditional Use Permit will be required for any construction in excess of 200 square feet on slopes greater than 30 percent.
23. A Historic District Design Review application is required for any new construction proposed at the existing site.

**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. A 10 foot wide public snow storage easement will be required along Ontario Avenue.

5. The site has a wooden deck, stairway, and railroad retaining wall located in the City Right-of-Way (ROW) along Ontario Avenue. The applicant shall either remove the wooden deck, stairway, and railroad retaining wall located on the City ROW along Ontario Avenue or work with the City Engineer to assure that these improvements are authorized in the form of an ROW encroachment agreement.
6. Nothing in this approval of the Plat Amendment grants or dedicates or approves the ROW encroachment area for parking for exclusive use of the applicant. On-site parking must be provided for all new construction.
7. Compliance with off-street parking requirements is required prior to the issuance of any building permit for an addition or new construction.

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

PASSED AND ADOPTED this 8<sup>th</sup> day of January, 2019.

PARK CITY MUNICIPAL CORPORATION



MAYOR ANDY BEERMAN

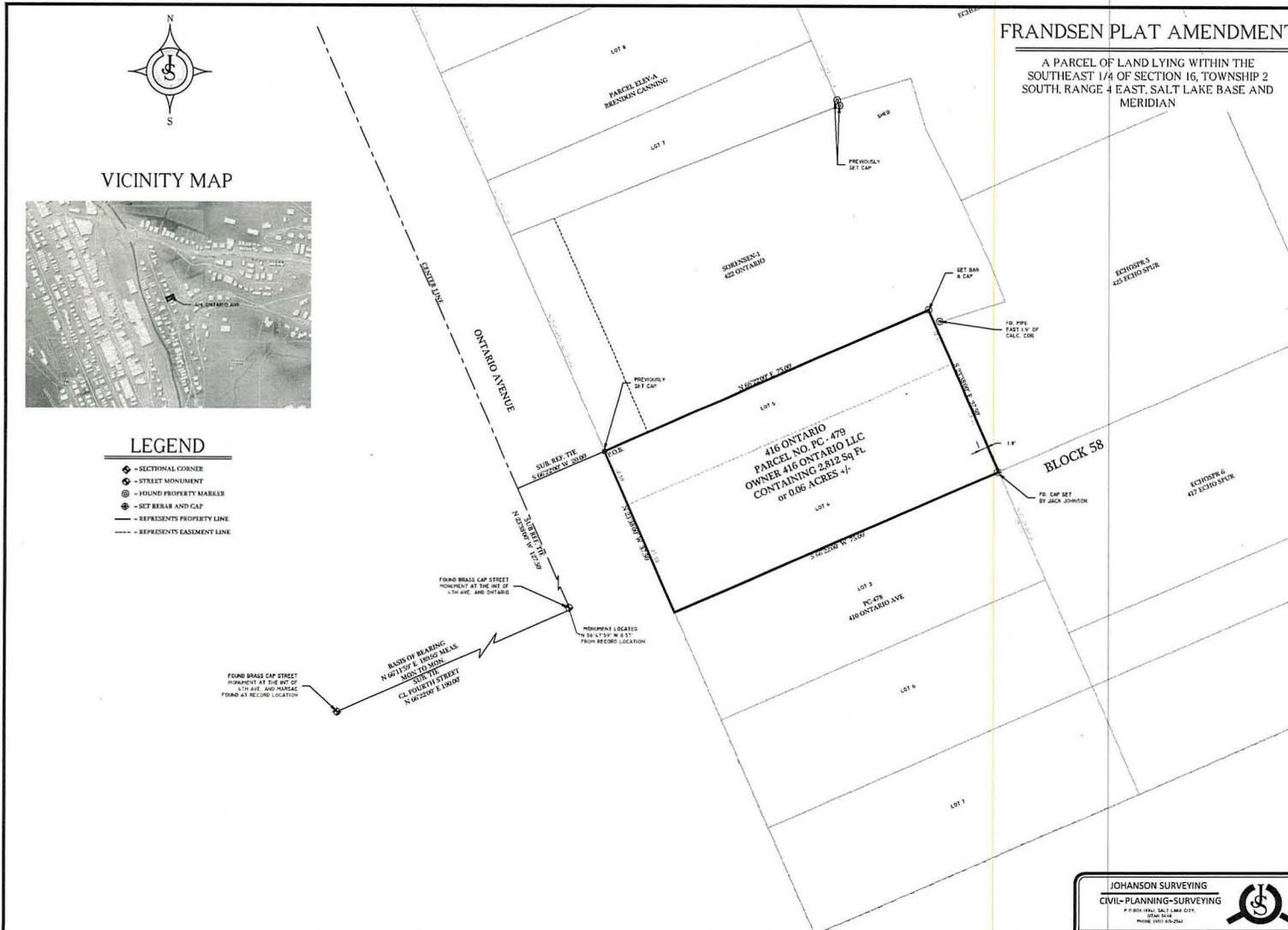
ATTEST:

  
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

  
Mark Harrington, City Attorney

**Attachment 1 – Proposed Plat**



**FRANSEN PLAT AMENDMENT**

A PARCEL OF LAND LYING WITHIN THE  
SOUTHEAST 1/4 OF SECTION 16, TOWNSHIP 2  
SOUTH, RANGE 4 EAST, SALT LAKE BASE AND  
MERIDIAN

**SURVEYOR'S CERTIFICATE**

I, Stone Johnson do hereby certify that I am a Licensed Surveyor, and that I hold Certificate No. 7079114, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, hereafter to be known as "FRANSEN PLAT AMENDMENT", and that same has been surveyed and shown on this plat. This survey was performed within the accordance of the minimum accuracy of an urban survey, Class "A", or a linear closure of 1:15,000".

The purpose of this survey is to locate the boundaries of the described lots and to combine these lots into one single lot, for the eventual purpose of constructing and building future development.



**LEGAL DESCRIPTION**

A parcel of land located within Block 58, Park City Survey more particularly described as follows: Beginning at a point that is located on the Eastern right of Way of Ontario Avenue and point see North 89°22'00" East a distance of 193.00 feet to North 27°00'00" West a distance of 173.50 feet to South 69°22'00" West a distance of 20.00 feet from a brass cap street monument located on Ontario Avenue and 4th Avenue.

Running North 89°22'00" East, a distance of 75.00 feet to the Western bounds of Echo Spur Subdivision Entry # 1000308. Thence along said subdivision, thence South 23°38'10" West, a distance of 37.50 feet; thence South 27°00'00" West, a distance of 75.00 feet; thence North 89°22'00" West, a distance of 37.50 feet to the point of beginning.

Containing 2.812 square feet or 0.06 acres, more or less. 1 lot subdivision.

**OWNER'S DEDICATION**

Know all men by these presents that, the undersigned owner(s) of the above described tract of land to be hereafter known as

**FRANSEN PLAT AMENDMENT**

do hereby certify that we have caused this plat to be prepared.

In witness whereof, we have hereunto set this \_\_\_\_ day of \_\_\_\_\_ A.D., 20\_\_

Fransens

**ACKNOWLEDGMENT**

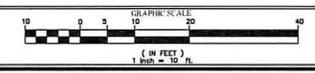
STATE OF UTAH | S.S.  
County of SUMMIT

On the \_\_\_\_ day of \_\_\_\_\_ A.D., 20\_\_ personally appeared before me \_\_\_\_\_ who being by me duly sworn did say they are the owner of FRANSEN Property, and that the within Plat Amendment was signed voluntarily for the uses and purposes herein mentioned.

My commission expires: \_\_\_\_\_ Notary Public

residing in: \_\_\_\_\_

**JOHANSON SURVEYING**  
CIVIL-PLANNING-SURVEYING  
P.O. BOX 3641, SALT LAKE CITY, UTAH 84146  
PHONE 375-8704



**PARK CITY PLANNING COMMISSION**

APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

BY: \_\_\_\_\_  
Chairman

**CERTIFICATE OF ATTEST**

I CERTIFY THIS PLAT MAP WAS APPROVED BY PARK CITY COUNCIL ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

BY: \_\_\_\_\_  
PARK CITY RECORDER

**SNYDERVILLE BASIN WATER RECLAMATION DISTRICT**

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

BY: \_\_\_\_\_  
S.B.W.R.D.

**ENGINEERS CERTIFICATE**

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

BY: \_\_\_\_\_  
PARK CITY ENGINEER

**APPROVAL AS TO FORM**

APPROVED AS TO FORM THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

BY: \_\_\_\_\_  
PARK CITY ATTORNEY

**COUNCIL APPROVAL AND ACCEPTANCE**

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL ON THIS \_\_\_\_ DAY OF \_\_\_\_\_.

BY: \_\_\_\_\_  
PARK CITY MAYOR

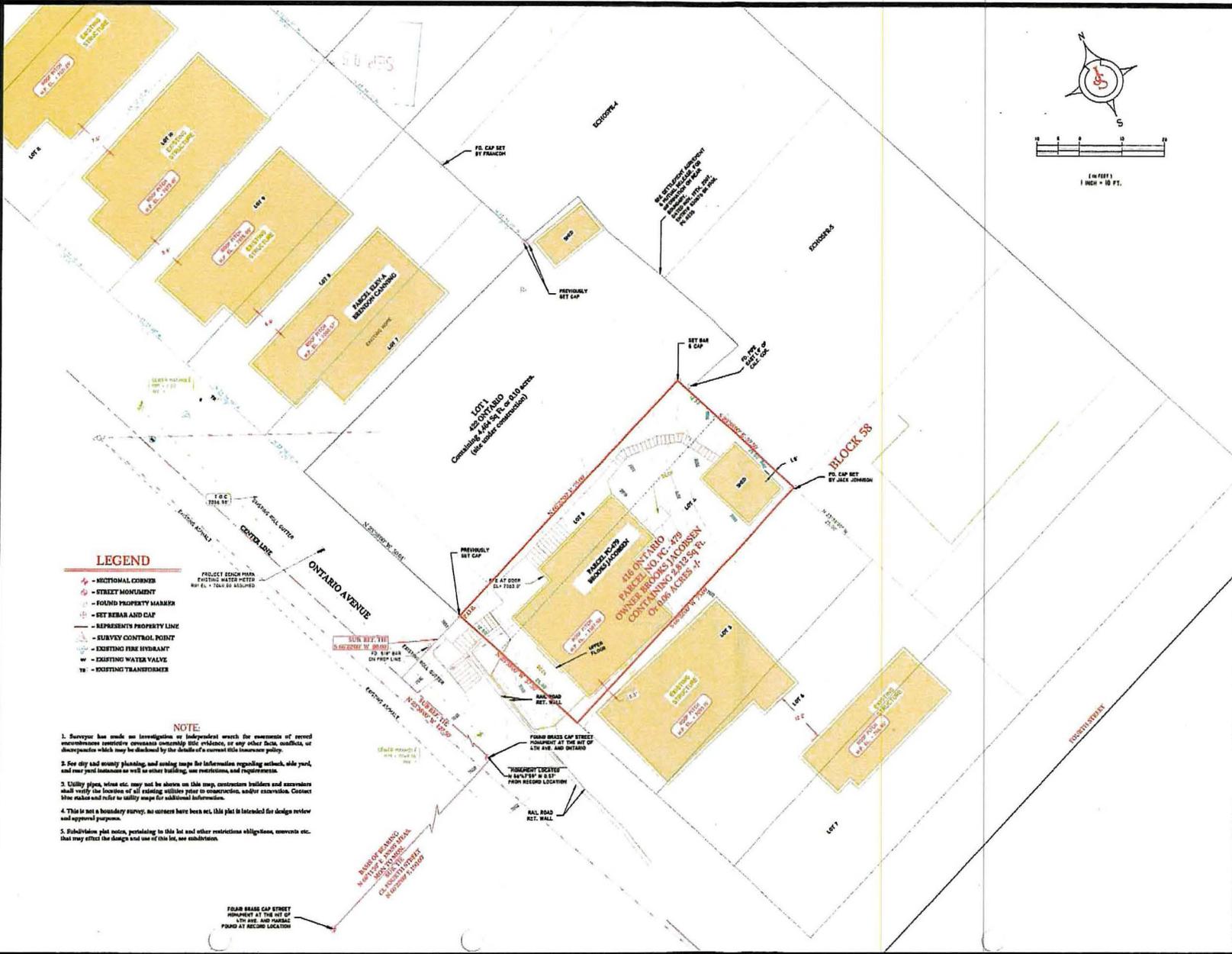
**COUNTY RECORDER#**

State of Utah, County of Summit, recorded and filed at the request of \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Book: \_\_\_\_\_ Page: \_\_\_\_\_

Fee \$ \_\_\_\_\_ County Recorder

NUMBER \_\_\_\_\_  
ACCOUNT \_\_\_\_\_  
SHEET 1 \_\_\_\_\_  
OF 1 SHEETS



DRAWING TITLE  
**RECORD OF SURVEY**

CLIENT CONTACT  
**BILL MAMMON**  
1-435-649-8868  
mammenarch2@cs.com

A PARCEL OF LAND LYING WITHIN THE  
SOUTHEAST 1/4 OF SECTION 16, TOWNSHIP 2  
SOUTH, RANGE 4 EAST, SALT LAKE BASE AND  
MERIDIAN

**PROPERTY DESCRIPTION**  
PARCEL 1:  
The South one-half of Lot 5 and all of Lot 4, BLOCK 58, PARK CITY SURVEY, according to the official plat thereof filed and recorded in the Sumner County Recorder's Office

More particularly described as follows:  
A parcel of land located within Block 58, Park City Survey more particularly described as follows:  
Beginning at a point that is located on the Eastern Right of Way of Ontario Avenue and point line North 62°23'00" East a distance of 180.00 feet to North 27°30'00" West a distance of 127.20 feet to South 62°23'00" West a distance of 20.00 feet from a known city street monument located on Marine Avenue and 4th Avenue.  
Running North 62°23'00" East, a distance of 73.00 feet to the Westerly boundary of Echo Spur Subdivision Entry 1002356 thence along said subdivision thence South 27°30'00" West, a distance of 37.20 feet, thence South 27°30'00" West, a distance of 73.00 feet, thence North 62°23'00" West, a distance of 37.20 feet to the point of beginning.  
Containing 2.812 square feet or 0.06 acres, more or less, 1 lot subdivision.

**SURVEYOR'S NARRATIVE**  
This survey was performed at the request of William Mammon, for the purpose to locate boundaries to existing improvements and to establish the parcel lines in a block in V2A, a Subdivision plat.  
The basis of bearing was obtained from the street monument along South Street of the Park City Town Survey, and utilized on this survey as block 62°12'00" East as shown on the Echo Spur Subdivision, which closely coincides with area survey making note: There are several surveys recorded in the area which utilize a varied bearing from 62°12'00" which other possible sources of field measurements it has been concluded that the bearing from 62°12'00" was not used in the position of area survey making.

**SURVEYOR'S CERTIFICATE**  
I, R. Shane Johanson, do hereby certify that I am a Professional Land Surveyor, holding certificate No. 707314, as prescribed under the laws of the State of Utah, and that I have made a survey of the described tract of land as shown on this plat and that this survey conforms to laws and may have adjusted said lot lines in accordance with found evidence and other interpretations based from ground measurements and found records. Furthermore, I recognize that other uncertain rights of ownership or lines of possession may exist, I do not imply to certify any of these rights unless agreed upon by the appropriate parties.

**REVISIONS**

REV #	DESCRIPTION	DATE

**JOHANSON SURVEYING**  
PROFESSIONAL LAND SURVEYORS  
SURVEY - DESIGN - SEPTIC - PLANNING

RD 802 West  
Salt Lake City, Utah 84119  
Phone: 408-944-1111

**COPYRIGHT**  
This drawing is and all claims remain the exclusive property of Johanson Surveying and shall not be used without complete authorization and written approval.

STATE OF UTAH  
PROFESSIONAL LAND SURVEYORS

STOP

PROJECT NO. \_\_\_\_\_  
DATE: 6-20-2018  
DRAWN BY: WYATT BEEDER S.E.P. II  
CHECK BY: SHANE A. JOHANSON P.L.S.  
SHEET NUMBER: SHEET-001

- LEGEND**
- MICHONAL CORNER
  - STREET MONUMENT
  - SOLID PROPERTY MARKER
  - SET BEARS AND CAP
  - REPRESENTS PROPERTY LINE
  - SURVEY CONTROL POINT
  - EXISTING FIRE HYDRANT
  - EXISTING WATER VALVE
  - EXISTING TRANSFORMER

- NOTE:**
1. Surveyor has made no investigation or independent search for encumbrances or other interests, or any other facts, conditions, or discrepancies which may be disclosed by the details of a current title insurance policy.
  2. For city and zoning planning, and zoning maps for information regarding setback, side yard, and other restrictions as well as other building, use restrictions, and requirements.
  3. Utility pipes, wires etc. may not be shown on this map, contractors, builders and excavators shall verify the location of all existing utilities prior to construction, and/or excavations. Contact the utility and refer to utility maps for additional information.
  4. This is not a boundary survey; no corners have been set. This plat is intended for design review and approval purposes.
  5. Subdivision plat notes, pertaining to this lot and other restrictions, obligations, covenants etc. that may affect the design and use of this lot, are understood.

## Memo to the File

**Subject:** Frandsen Plat Amendment  
Name Change  
**Address:** 416 Ontario Avenue  
**Project#:** PL-18-03978  
**Author:** Tippe Morlan  
**Date:** April 2, 2019



The purpose of this memo is to indicate a change in the name of the Frandsen Plat Amendment approved by the City Council on January 8, 2019 through Ordinance no. 2019-02.

Due to an existing Frandsen Subdivision Plat within Park City and Summit County, the name of this plat has been changed from the Frandsen Plat Amendment to the 416 Ontario Plat Amendment to comply with Summit County recordation requirements.