

Ordinance No. 2019-19

AN ORDINANCE APPROVING THE CLAIM JUMPER SUBDIVISION PLAT AMENDMENT, LOCATED AT 4 CLAIM JUMPER COURT, 6 CLAIM JUMPER COURT, AND 8 CLAIM JUMPER COURT, IN PARK CITY, UTAH, AMENDING LOTS 68, 69, AND 70 OF THAYNES CANYON SUBDIVISION NO. 1 AND LOTS 68A, 69A, AND 70A OF ADDITIONS TO LOTS 65-84 THAYNES CANYON SUBDIVISION.

WHEREAS, the property owners of the properties located at 4 Claim Jumper Court, 6 Claim Jumper Court, and 8 Claim Jumper Court have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on February 23, 2019, proper legal notice was published according to requirements of the Land Management Code; and

WHEREAS, on February 27, 2019, the site was properly noticed and posted according to the 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 March 13, 2019, to receive input on the proposed Plat Amendment; and

WHEREAS, the Planning Commission on March 13, 2019, forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 18, 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 Claim Jumper Subdivision, located at 4 Claim Jumper Court, 6 Claim Jumper Court, and 8 Claim Jumper Court.

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

SECTION 1. APPROVAL. The Claim Jumper Subdivision 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 subject properties are located at 4 Claim Jumper Court, 6 Claim Jumper Court, and 8 Claim Jumper Court.
2. The sites are within the Single Family (SF) District.
3. The Planning Department received a complete application for a Plat Amendment on November 29, 2018.
4. The Plat Amendment requests to combine six lots into three lots.

5. Proposed Lot 68 will contain 0.31 acres or 13,554 square feet. Proposed Lot 69 will contain 0.27 acres or 11,699 square feet. Proposed Lot 70 will contain 0.22 acres or 9,712 square feet.
6. There is one existing Single Family dwelling on each of the three Lots.
7. There is a five foot (5') Public Utility Easement along the Front of each of the main Lots (68, 69, and 70) and a seven foot (7') Public Utilities and Drainage Easement along both Sides and the Rear property lines of each of the main Lots (68, 69, 70). The Applicant proposes to maintain all of these with the exception of moving the Easement in the Rear to the new Rear property line of the combined Lots, see Attachment 1.
8. An Agreement between the City and Royal Street Land Company, restricting the use of parcels 65A-84A, was recorded at the Summit County Recorder's Office on March 23, 1977.
9. The City Council approved the Eriksen Replat (13 Hidden Splendor Court) on July 25, 1996. This Plat Amendment allowed the applicant to measure the Rear Setback from the new Rear boundary of the combined Lots.
10. The Good Cause requirement for subdivision plats was added to Utah State Code after the 1996 Eriksen Replat.
11. The City Council approved the 61 Thaynes Canyon Drive Subdivision (61 Thaynes Canyon Drive) on January 24, 2008. This Plat Amendment included a note that Setbacks would be dictated by the 1977 Agreement.
12. The City Council approved the 9 Hidden Splendor Replat (9 Hidden Splendor Court) on March 19, 2015. This Plat Amendment included a note stating that "The originally platted rear lot line shall be the line from which the rear yard setback is determined so that the original rear yard setback will not be altered by this plat amendment."
13. The majority of the homes in this neighborhood maintain the ten foot (10') Rear Setback from the "A" Lots since these lots were originally owned by the City (golf course) and the ten foot (10') Rear Setbacks were required.
14. As conditioned, the proposed plat amendment does not create any new non-complying or non-conforming situations.
15. 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 Plat Amendments.
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. Fire sprinklers are required for all new or renovation construction on this lot, to be approved by the Chief Building Official.
4. A note shall be added to the plat stating that all conditions of the March 23, 1977 Agreement between Royal Street Land Company and the City, as stated in the document recorded as entry #137582 in Book M93, at the Summit County Recorder's Office, remains in full force and effect, including but not limited to the following two conditions:
 - a. The use of Lots 65A to 84A, inclusive, shall be restricted and limited to only landscaping, private recreation facilities, and fencing.
 - b. There shall be no construction, erection or maintenance of any buildings for use as primary dwelling buildings on the said lots of 65A to 84A inclusive, but the construction of garages and other ancillary buildings may, at the discretion of the City, be permitted, provided further, however, that a conditional use permit is first obtained from the City.
5. The area affected by the 1977 Agreement shall be cross-hatched on the plat prior to recordation.
6. The existing seven foot (7') wide Public Utilities and Drainage Easement will be relocated to the back of the combined lots.
7. All other existing Easements shall be maintained.
8. A note shall be added to the plat which shows where the former lot line was between the designated "A" lots and the regular lots and shall indicate that the Rear Setback shall be calculated from that line so that the Rear Setback is not altered by this Plat Amendment.
9. All other Conditions of Approval from the Thaynes Canyon Subdivision (recorded July 28, 1971, as Entry No. 113625) and the Thaynes Canyon Subdivision Addition to Lots 65-84 (recorded May 2, 1977, as Entry No. 137581), remain in full force and effect.

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

PASSED AND ADOPTED this 18th day of April, 2019.

PARK CITY MUNICIPAL CORPORATION



Andy Beerman, MAYOR

ATTEST:



Michelle Kellogg
Michelle Kellogg, City Recorder

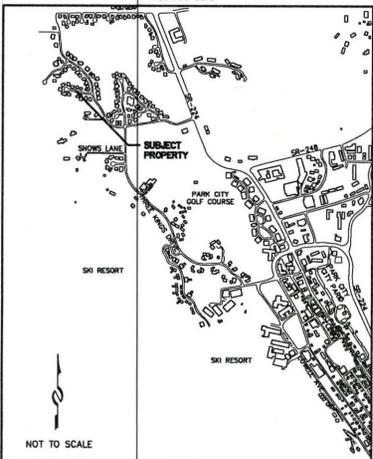
APPROVED AS TO FORM:

Mark Harrington
Mark Harrington, City Attorney

Exhibits

Attachment 1 – Claim Jumper Court Subdivision (Proposed)

VICINITY MAP



NOT TO SCALE



SURVEYOR'S CERTIFICATE

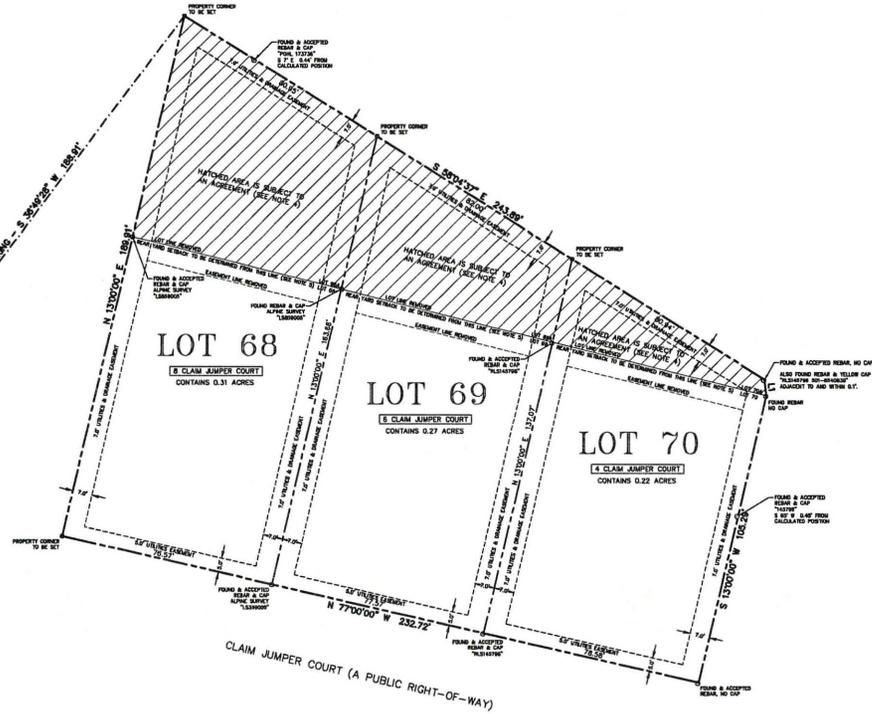
I, Charles Galati, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 72488 as prescribed by the laws of the State of Utah, and that by authority of the owners, CLAIM JUMPER COURT SUBDIVISION has been reviewed under my direction, and that the same has been or will be monumented on the ground as shown on this plot. I further certify that the information on this plot is accurate.

LEGAL DESCRIPTIONS

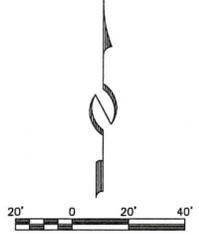
- PARCEL 1**
LOT 68, THAYNES CANYON SUBDIVISION, according to the official plat thereof, recorded July 28, 1971, as Entry no. 113625 of the official records in the Office of the Summit County Recorder.
- PARCEL 2**
LOT 69A, ADDITION TO THAYNES CANYON SUBDIVISION, according to the official plat thereof on file and of record, in the Office of the Summit County Recorder.
- PARCEL 3**
ALL OF LOT 69, THAYNES CANYON SUBDIVISION, NO. 1, according to the official plat thereof on file and of record in the Office of the Summit County Recorder.
- PARCEL 4**
LOT 69A, ADDITION TO THAYNES CANYON SUBDIVISION, according to the official plat thereof on file and of record, in the Office of the Summit County Recorder.
- PARCEL 5**
LOT 70, THAYNES CANYON SUBDIVISION, according to the official plat thereof on file and of record, in the Office of the Summit County Recorder.
- PARCEL 6**
LOT 70A, ADDITIONS TO LOTS 65-84 THAYNES CANYON SUBDIVISION, according to the official plat thereof on file and of record, in the Office of the Summit County Recorder.

NOTES

1. This plat amendment is subject to the Conditions of Approval in Ordinance 2019-_____ and amends Lots 68, 69 and 70 of Thayne's Canyon Subdivision, recorded July 28, 1971, as Entry No. 113625 and amends Lots 68A, 69A and 70A of Additions To Lots 65-84 Thayne's Canyon Subdivision, recorded May 2, 1977, as Entry No. 137561.
2. See Record of Survey S-9665.
3. All Conditions of Approval from Thayne's Canyon Subdivision (Entry No. 137561) shall continue to apply and remain in full force and effect.
4. All conditions of the March 23, 1977 Agreement between Royal Street Land Company and the City, as stated in the document recorded as Entry No. 137562 in Book M93, at the Summit County Recorder's Office, remains in full force and effect, including, but not limited to the following two conditions:
 - a. The use of Lots 65A to 84A, inclusive, shall be restricted and limited to only landscaping, private recreation facilities, and fencing.
 - b. There shall be no construction, erection, or maintenance of any buildings for use as primary dwelling buildings on the said lots of 65A to 84A inclusive, but the construction of garages and other ancillary buildings may, at the discretion of the City, be permitted, provided further, however, that a conditional use permit is first obtained from the City.
5. The originally platted rear lot lines as shown on Thayne's Canyon Subdivision, recorded July 28, 1971, as Entry No. 113625, shall be the lines from which the rear yard setback is determined so that the original rear yard setback will not be altered by this plat amendment.



LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S 7°00'00" E	5.88'



CLAIM JUMPER COURT SUBDIVISION

LOCATED IN THE NORTH HALF OF SECTION 8
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS
DAY OF _____, 2019
BY _____
S.B.W.R.D.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS
DAY OF _____, 2019
BY _____
CHAIR

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS
DAY OF _____, 2019
BY _____
PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS
DAY OF _____, 2019
BY _____
PARK CITY ATTORNEY

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS
DAY OF _____, 2019
BY _____
MAYOR

CERTIFICATE OF ATTEST
I CERTIFY THIS PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS
DAY OF _____, 2019
BY _____
PARK CITY RECORDER

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF _____
FEE _____ RECORDER
TIME _____ DATE _____ ENTRY NO. _____