

**Ordinance No. 2019-53**

**AN ORDINANCE APPROVING THE AMENDED MINE CART SUBDIVISION,  
LOCATED AT 552 DEER VALLEY DRIVE, PARK CITY, UTAH AND 553 DEER  
VALLEY LOOP ROAD, PARK CITY, UTAH.**

WHEREAS, the property owners of the property located at 552 Deer Valley Drive and 553 Deer Valley Loop Road have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on September 21, 2019, proper legal notice was published according to requirements of the Land Management Code; and

WHEREAS, on September 25, 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 October 9, 2019, to receive input on the proposed Plat Amendment; and

WHEREAS, the Planning Commission on October 9, 2019, forwarded a positive recommendation to the City Council; and,

WHEREAS, on October 22, 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 Amended Mine Cart Subdivision, located at 552 Deer Valley Drive and 553 Deer Valley Loop Road.

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

**SECTION 1. APPROVAL.** The Amended Mine Cart 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 property is located at 552 Deer Valley Drive and 553 Deer Valley Loop Road.
2. The site is within the Residential Medium (RM) Density District.
3. The Plat Amendment application is a request to move the internal Lot Line three feet (3') north, towards Deer Valley Drive.

4. The minimum Lot Size for a Single Family Dwelling within the Residential Medium (RM) Density District is 2,812 square feet.
5. According to the current recorded Plat, the current Lot Sizes are 4,171 square feet (Lot 1 – 552 Deer Valley Drive) and 3,764 square feet (Lot 2 – 553 Deer Valley Loop Road).
6. With the proposed Plat Amendment, Lot 1 will become 3,999 square feet and Lot 2 will become 3,933 square feet.
7. Both Lots will remain above the minimum required Lot Size.
8. The proposed Lot Sizes are both compatible with existing lots in the neighborhood.
9. The minimum required Rear Setback for this zone is ten feet (10').
10. The proposed Single Family Dwelling at 553 Deer Valley Loop Road is just shy of meeting the minimum required Rear Setback. Since the proposed Single Family Dwelling at 552 Deer Valley Drive has addition space in the rear, the internal Lot Line will shift three feet (3') north towards Deer Valley Drive to allow the proposed Building at 553 Deer Valley Loop Road to meet the minimum required Rear Setback.
11. The Plat Amendment is necessary in order for the applicant to obtain a building permit for the proposed construction of the Single Family Dwelling at 553 Deer Valley Loop.
12. Staff recommends approval of the Plat Amendment as it will allow the Applicant to construct the two Single Family Dwellings as proposed.
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 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. The Plat shall note that fire sprinklers are required for all new or renovation construction on this lot, to be approved by the Chief Building Official.
4. The property is not located within the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore it is not regulated by the City for mine related impacts. However, if the property owner does encounter mine

waste or mine waste impacted soils they must handle the material in accordance to State and Federal law.

5. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
6. No Certificate of Occupancy for the proposed Single Family Dwelling at 553 Deer Valley Loop Road may be granted until the final plat is recorded with the Summit County Recorder's Office.
7. A Plat Note shall be added that all Conditions of Approval from the original Mine Cart Subdivision Plat ([Ordinance No. 2018-57](#)) shall continue to apply.

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

PASSED AND ADOPTED this 22<sup>nd</sup> day of October, 2019.

PARK CITY MUNICIPAL CORPORATION



  
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Andy Beerman, MAYOR

ATTEST:

  
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Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

  
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Margaret Plane, Special Counsel

**Exhibits**

Attachment 1 – Amended Mine Cart Subdivision

