

Ordinance No. 2020-22

**AN ORDINANCE APPROVING THE 1209 PARK AVENUE PLAT AMENDMENT,
LOCATED AT 1209 PARK AVENUE, PARK CITY, UTAH.**

WHEREAS, the property owner of the property located at 1209 Park Avenue has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on April 8, 2020, proper legal notice was published according to requirements of the Land Management Code; and

WHEREAS, on April 8, 2020, 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 April 22, 2020, to receive input on the proposed Plat Amendment; and

WHEREAS, the Planning Commission on April 22, 2020, forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 14, 2020, 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 1209 Park Avenue Plat Amendment, located at 1209 Park Avenue.

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

SECTION 1. APPROVAL. The 1209 Park 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 subject Property is located at 1209 Park Avenue. It is listed through Summit County as Parcel SA-61-A.
2. The Site is within the Historic Residential-Medium Density (HRM) District.
3. The Site is listed as Landmark on the Park City Historic Sites Inventory (HSI).
4. The Plat Amendment application is a request to combine Lot 3 and the northern half of Lot 2 of Block 6 of Snyder's Addition into one (1) Lot of Record.
5. The proposed Lot Size is compatible with existing Lots in the neighborhood and in the overall Historic District. Per the submitted survey, the Lots on either side of this Site are the same Area as this Lot – a Lot and a half (2,812.5 SF, as measured).

6. The Lot has an existing Historic Structure with a footprint of 954 square feet, as measured. Any new Development will need to come into compliance with the Land Management Code at the time of City permit submittal. See Condition of Approval 4.
7. The Application complies with Lot and Site Requirements of [LMC § 15-2.4-4](#), as represented on the certified survey and as follows:
 - a. The proposed Lot consists of 2,812.5 square feet and meets the minimum Lot Size for a Single Family Dwelling (1,875 square feet), per LMC.
 - b. The proposed Lot measures thirty seven and a half feet (37.5') wide and seventy-five feet (75') deep and meets the minimum Lot Width of twenty-five feet (25').
 - c. The minimum required Front and Rear Setbacks for the proposed Lot is ten feet (10').
 - i. The Front Setback Area contains the existing Historic Structure and wood porch, a concrete walkway, and a driveway.
 - ii. The Rear Setback Area contains a foundation wall and concrete patio Area.
 - d. The minimum required Side Setback for the proposed Lot is five feet (5').
 - i. The northwest Side Setback Area has an existing wood slat and chain link fence running along the Lot Line.
 - ii. The southeast Side Setback Area includes a concrete block and the Historic Structure.
 - e. The existing Historic Structure is exempt from Setback requirements, per [LMC § 15-2.4-6](#).
8. The maximum Building Height of any new Structure would be twenty-seven feet (27') from Existing Grade. The existing Historic Structure is 21.3 feet in height, as measured.
9. The Historic Site is exempt from parking requirements, per [LMC § 15-2.4-6](#). Any new Structure will need to comply with parking requirements of [LMC § 15-3](#), if said Structure is not a listed exemption of [LMC § 15-2.4-6](#). See Condition of Approval 4.
10. Per LMC [LMC § 15-2.4-6](#), Historic Structures that do not comply with driveway location standards are valid Non-complying Structures. If in the future the driveway's footprint or location is proposed to change, it will need to come into compliance with the LMC at time of permit submittal. See Condition of Approval 5.
11. All findings within the Analysis section and the recitals above are incorporated herein as Findings of Fact.

Conclusions of Law:

1. The proposed Plat Amendment has been reviewed for compliance with Land Management Code Chapter [15-2.4](#) and Sections [15-7.1-3\(B\)](#) and [15-12-15\(B\)\(9\)](#).
2. There is good cause for this Plat Amendment in that it will remove an interior Lot Line on a Landmark Site and include a public snow storage easement dedication. The proposed Lot will comply with Zoning requirements for Lot Size, Width, and Depth.
3. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding Plat Amendments.

4. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
5. 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. Any future Development on the Site shall abide by the Land Management Code and the Design Guidelines for Historic Districts and Historic Sites. Any new Structure will need to comply with parking requirements of [LMC § 15-3](#), if said Structure is not a listed exemption of [LMC § 15-2.4-6](#).
5. If in the future any changes to the existing driveway's footprint and/or location are proposed, it shall comply with the Land Management Code at the time of City permit submittal.
6. A ten foot (10') public snow storage easement on both street fronts shall be noted on the Plat.
7. This Site 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.
8. 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.

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

PASSED AND ADOPTED this 14th day of May, 2020.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:

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Andy Beerman, MAYOR

ATTEST:

DocuSigned by:
Michelle Kellogg
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

DocuSigned by:
Mark Harrington
Mark Harrington, City Attorney

Exhibit

Attachment 1 – 1209 Park Avenue Plat Amendment (Proposed)

