

Ordinance No. 2020-24

**AN ORDINANCE APPROVING THE 1121 NORFOLK AVENUE PLAT AMENDMENT,
LOCATED AT 1121 NORFOLK AVENUE, PARK CITY, UTAH.**

WHEREAS, the property owner of the property located at 1121 Norfolk Avenue has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on April 25, 2020, proper legal notice was published according to requirements of the Land Management Code; and

WHEREAS, on April 29, 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 May 13, 2020, to receive input on the proposed Plat Amendment; and

WHEREAS, the Planning Commission on May 13, 2020, forwarded a recommendation to the City Council; and,

WHEREAS, on June 11, 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 1121 Norfolk Avenue Plat Amendment, located at 1121 Norfolk Avenue.

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

SECTION 1. APPROVAL. The 1121 Norfolk 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 1121 Norfolk Avenue.
2. The Site is within the Historic Residential (HR-1) District.
3. The Site is currently improved with a Single Family Dwelling.
4. The Plat Amendment application is a request to combine Lot 6 and Lot 7 of Block 18` of Snyder's Addition into one (1) Lot of Record.
5. The proposed Lot consists of 3,750 square feet and meets the minimum Lot Size for a Single Family Dwelling (1,875 square feet) and for a Duplex (3,750 square feet) which requires a Conditional Use permit.
6. The proposed Lot size is consistent with neighboring properties, as a number of Lots along Norfolk have already been combined into double-wide Lots of 3,750 square feet.

7. The proposed Lot measures fifty feet (50') wide and seventy-five feet (75') deep and meets the minimum Lot Width of twenty-five feet (25').
8. The minimum required Front and Rear Setbacks for the proposed Lot would be 10 feet.
9. The minimum required Side Setback for the proposed Lot would be five feet (5').
10. There are existing retaining walls that encroach across property lines on the north, south and west sides of the Site. These shall be removed or an Encroachment Agreement recorded prior to the recordation of the Plat.
11. The proposed Lot Size is compatible with existing lots in the neighborhood and in the overall Historic District.
12. The maximum building footprint for a Lot this size is 1,519 square feet.
13. The maximum Building Height for this zone is twenty seven feet (27') from Existing Grade. The survey submitted shows the existing Structure at 28.68 feet from Existing Grade.
14. There are existing encroachments on Site that may require an Encroachment Agreement or removal.
15. Staff finds Good Cause for this Plat Amendment as it will combine two smaller lots into one larger lot potentially allowing for a Single Family Dwelling (or Duplex with a Conditional Use permit) that does not straddle (is not built across) lot lines. The proposed new lot is consistent with the surrounding HR-1 neighborhood and meets the Lot and Site requirements for the zone. Furthermore, encroachment agreements or the removal of encroachments will resolve existing nonconformities. Finally, it is a Condition of Approval that a Public Snow Storage Easement will be recorded with the Plat.
16. 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. A ten foot (10') public snow storage easement along Norfolk Avenue shall be noted on the Plat.
5. 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.
6. 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 11th day of June, 2020.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:

03401046DC42481

Andy Beerman, MAYOR

ATTEST:

DocuSigned by:


Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

DocuSigned by:

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Margaret Plane, Special Counsel

Exhibits

Attachment 1 – 1121 Norfolk Avenue Plat Amendment (Proposed)



SURVEYOR'S CERTIFICATE

I, Charles Galati, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 7248891, as prescribed under the laws of the State of Utah. I further certify that by authority of the owner, I have made a survey of the tract of land shown on this plat and described hereon, and have combined said tract of land into one (1) lot, hereafter to be known as 1121 NORFOLK AVENUE PLAT AMENDMENT and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

LEGAL DESCRIPTION

All of Lots 6 and 7, Block 17, SNYDERS ADDITION TO PARK CITY, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that the undersigned is the owner of the above described tract of land, and hereby causes the same to be unified into one lot of record, together with easements as set forth to be hereafter known as 1121 NORFOLK AVENUE PLAT AMENDMENT and does hereby dedicate for the perpetual use of the public the areas shown on this plat as intended for public use. The undersigned owner also hereby conveys any other easements as shown on this plat to the parties indicated and for the purposes shown hereon.

In witness whereof, the undersigned set his hand this _____ day of _____, 2020.

By: _____
Thomas Damian Roche, Manager
FASQUE IV, LLC, a Utah limited liability company

ACKNOWLEDGMENT

STATE OF _____)
) ss.
COUNTY OF _____)

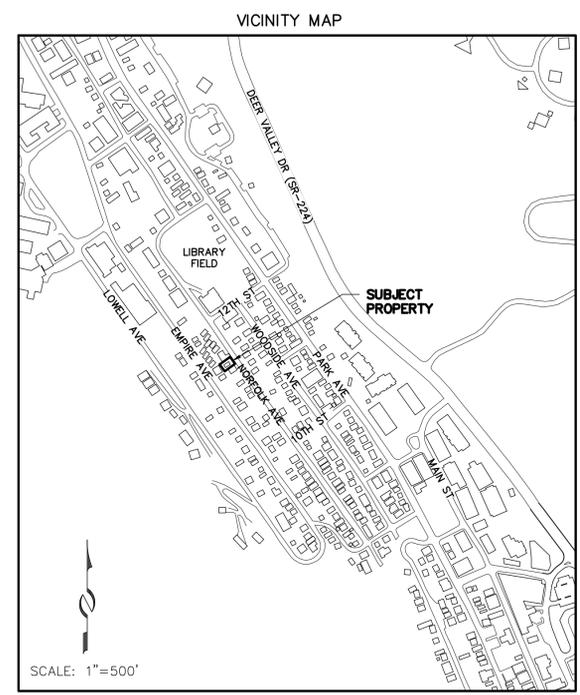
On this _____ day of _____, 2020, Thomas Damian Roche personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the Manager of FASQUE IV, LLC, a Utah limited liability company, and that said document was signed by him on behalf of said limited liability company by authority of its Operating Agreement or Resolution of its Members, and he acknowledged to me that he executed the 1121 NORFOLK AVENUE PLAT AMENDMENT.

By: _____
Notary Public

Printed Name _____
Residing in: _____
My commission expires: _____
Commission No. _____

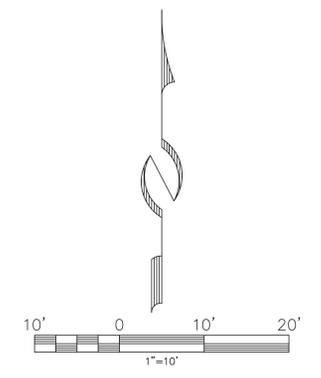
NOTES

- 1. This plat amendment is subject to the Conditions of Approval in Ordinance 2020-_____.
- 2. See survey S-9035 in the Office of the Recorder, Summit County, Utah.



1121 NORFOLK AVENUE PLAT AMENDMENT

LOCATED IN BLOCK 17, SNYDER'S ADDITION TO PARK CITY
SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



(435) 649-9467
Alliance Engineering Inc.
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

PUBLIC SAFETY ANSWERING POINT APPROVAL APPROVED THIS _____ DAY OF _____, 2020 BY _____ SUMMIT COUNTY GIS COORDINATOR	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2020 BY _____ ENGINEERING DEPARTMENT	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2020 BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2020 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2020 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2020 BY _____ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2020 BY _____ PARK CITY RECORDER	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ _____ FEE _____ RECORDER _____ TIME _____ DATE _____ ENTRY NO. _____
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