

Ordinance No. 2021-15

AN ORDINANCE APPROVING THE LITTLE BELLE CONDOMINIUMS 7TH AMENDED (AMENDING UNIT #2), LOCATED AT 7165 LITTLE BELLE COURT, PARK CITY, UTAH.

WHEREAS, the owner of the property known as the Little Belle Condominiums, located within the Deer Valley Community of the Deer Valley Resort Twelfth Amended and Restated Large Scale Master Planned Development (MPD) has petitioned the City Council for approval of a request for an amendment to the plat to convert limited common area in Unit 2 to private area; and

WHEREAS, on March 10, 2021, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, courtesy notice was sent to all affected property owners on March 5, 2021 and legal notice was published in the Park Record and Public Notice Website; and

WHEREAS, the Planning Commission held a public hearing on March 24, 2021, to receive input on the amended plat;

WHEREAS, the Planning Commission, on March 24, 2021, forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 15, 2021, the City Council held a public hearing on the amended plat; and

WHEREAS, it is in the best interest of Park City, Utah, to approve the Little Belle Condominiums Seventh Amended plat to reflect as-built conditions and allow the owner to expand private residential space and limited common area deck space without increasing the building footprint or parking requirements beyond existing conditions, consistent with provisions of the Deer Valley MPD, as amended (12th Amended MPD).

WHEREAS, Staff finds that the plat will not cause undue harm to adjacent property owners and all requirements of the Land Management Code for any future development can be met.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Seventh Amended Little Belle Condominiums plat, 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 7165 Little Belle Court.
2. The Little Belle Condominiums plat was approved by the City Council on December 17, 1981 and recorded at Summit County on December 21, 1981.
3. The Little Belle Condominiums plat recorded 20 residential condominium units 8 parking spaces.
4. In August of 2000, an amended plat was approved to expand the private areas for Units 5, 6, 7, and 8 of the Little Belle Condominiums.
5. The first amended plat for the Little Belle Condominiums recorded in August of 2000 only shows expanded private space for Unit 7.
6. In August of 2001, a second plat amendment was recorded. This second amendment converted the limited common deck areas to private areas and expanded the private living areas to the furthest extensions of the exterior walls of the end units for Units 2, 9, and 10.
7. In April of 2004, a third plat amendment was recorded. This third amendment converted limited common deck area to private area for Unit 20.
8. In June of 2006, a fourth plat amendment was recorded. This fourth amendment converted all limited common deck and solarium areas to private areas for Units 1, 3, 4, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20.
9. In June of 2011, a fifth plat amendment was recorded. This fifth amendment added 425 square feet of private space to Unit 3.
10. In June of 2017, a sixth amendment to the Little Belle Condominiums plat was recorded for the conversion of 46 square feet of private area to limited common area in Unit 5 for the purpose of expanding an existing deck into an area of the unit that is private.
11. Currently there are 20 condominium units and 31 underground parking spaces.
12. The property is subject to requirements and restrictions of the Deer Valley Resort 12th Amended and Restated Large Scale MPD.
13. The MPD originally allowed 20 condominium units for the Little Belle development.
14. On January 20, 2021, the City received a complete application for the conversion of 150 square feet of limited common area to private residential space for Unit 2 of the Little Belle Condominiums Subdivision.
15. On January 8, 2021, the Little Belle Homeowner's Association voted unanimously (with more than 2/3rds of members voting) to approve the conversion of limited common area to private area for Unit 2.
16. There are no exterior changes proposed.
17. The proposed amendment is consistent with the purpose statements of the district.
18. Unit 2 would increase by 150 square feet from 2,850 square feet to 3,000 square feet.
19. All construction is proposed within the existing building envelope.
20. Each unit has a two-car garage meeting parking requirements of the parking code.
21. 8 additional guest parking spaces have been provided in this development since the units were originally constructed

Conclusions of Law:

1. There is good cause for this amendment to the plat.
2. The amended plat is consistent with the Park City Land Management Code and

- applicable State law regarding condominium plats.
3. The amended plat is consistent with the 12th Amended and Restated Deer Valley Master Planned Development.
 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 of approval, will not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the amended 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 year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. All conditions of approval of the Deer Valley Resort 12th Amended and Restated Large Scale MPD and the amended Little Belle Condominiums plat shall continue to apply.
4. No building permit may be granted until after this plat amendment has been recorded. Once the deck area is recorded as limited common area, both the unit owner and the HOA must be the applicant for any building permit pulled for the deck area.

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

PASSED AND ADOPTED this 15th day of April, 2021.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:
Andy Berman

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Andy Berman, MAYOR

ATTEST:

DocuSigned by:
Michelle Kellogg

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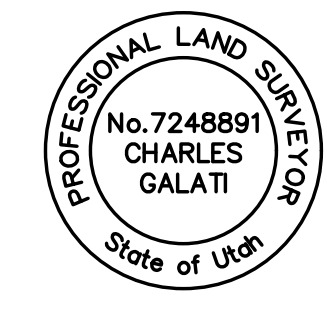
City Recorder



APPROVED AS TO FORM:

DocuSigned by:
Margaret Plane

City Attorney's Office



SURVEYORS CERTIFICATE

I, Charles Galati, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 7248891 as prescribed by the laws of the State of Utah. I further certify that by authority of the owners I have made a survey of Unit 2, and have amended said Unit as shown hereon, in accordance with the provisions of the Utah Condominium Ownership Act, hereafter to be known as LITTLE BELLE CONDOMINIUMS SEVENTH AMENDED, AMENDING UNIT 2.

LEGAL DESCRIPTION

Unit 2, contained within the LITTLE BELLE CONDOMINIUMS, SECOND AMENDED, together with an appurtenant undivided ownership interest in the Common Areas as described in the Record of Survey Map recorded December 21, 1981 as Entry No. 186813 and in the Declaration of Condominium recorded December 21, 1981 as Entry No. 186814 in Book M-206 at Page 359, Amendment to Condominium Declaration for Little Belle Condominiums, recorded August 8, 2001 as Entry No. 595277, in Book 1387, at Page 632, and Amendment to Condominium Declaration for Little Belle Condominiums, recorded June 7, 2006 as Entry No. 780096, in Book 1795, at Page 1745, and any additional amendments and/or supplements to said Record of Survey Map and Declaration heretofore recorded, in the Summit County Recorder's Office.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that, David Andrew Cormack and Michelle Rae Cormack, husband and wife as joint tenants, hereby certify that they have caused this plot amendment to be made and hereby consent to the recordation of this plot amendment.

In witness whereof, the undersigned set his hand this ____ day of _____, 2021.
By: David Andrew Cormack
In witness whereof, the undersigned set her hand this ____ day of _____, 2021.
By: Michelle Rae Cormack

ACKNOWLEDGMENT

State of _____ : ss.
County of _____
On this ____ day of _____, 2021, David Andrew Cormack 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, that he acknowledged to me that he executed the LITTLE BELLE CONDOMINIUMS SEVENTH AMENDED, AMENDING UNIT 2.

ACKNOWLEDGMENT

State of _____ : ss.
County of _____
On this ____ day of _____, 2021, Michelle Rae Cormack 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, that she acknowledged to me that she executed the LITTLE BELLE CONDOMINIUMS SEVENTH AMENDED, AMENDING UNIT 2.

ASSOCIATION CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned, on behalf of Little Belle Homeowners' Association, Inc., a Utah nonprofit corporation, having complied with the requirements of both Statutes and the Recorded Declaration, hereby consents to the recording of this Condominium Plat Amendment.

ACKNOWLEDGMENT

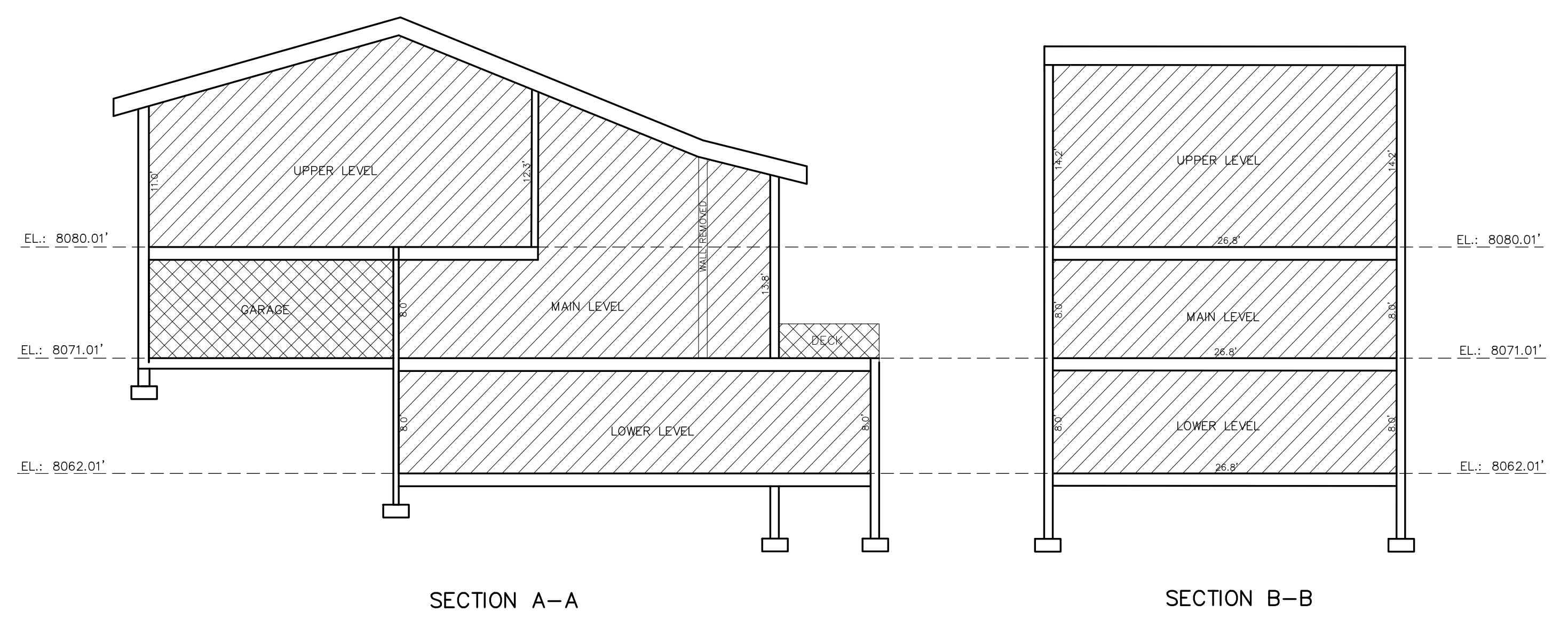
State of _____ : ss.
County of _____
On this ____ day of _____, 2021, personally appeared before me, the undersigned Notary Public, in and for said County and State, Coley Clark, being duly sworn, acknowledged to me that he is the president of the Little Belle Homeowners' Association, Inc., a Utah nonprofit corporation, and that he signed the above Consent to Record for, on, and in behalf of all of the unit owners at Little Belle Condominiums acting as a group (under the name of the Little Belle Homeowners' Association, Inc., a Utah nonprofit corporation) in accordance with the Utah Condominium Ownership Act, U.C.A., Sections 57-1-1 et seq. (1983) as amended and supplemented, and the Declarations of Covenants, Conditions, and Restrictions for Little Belle Condominiums.

OWNERSHIP LEGEND

- COMMON (white box)
- LIMITED COMMON (cross-hatched box)
- PRIVATE OWNERSHIP (diagonal hatched box)

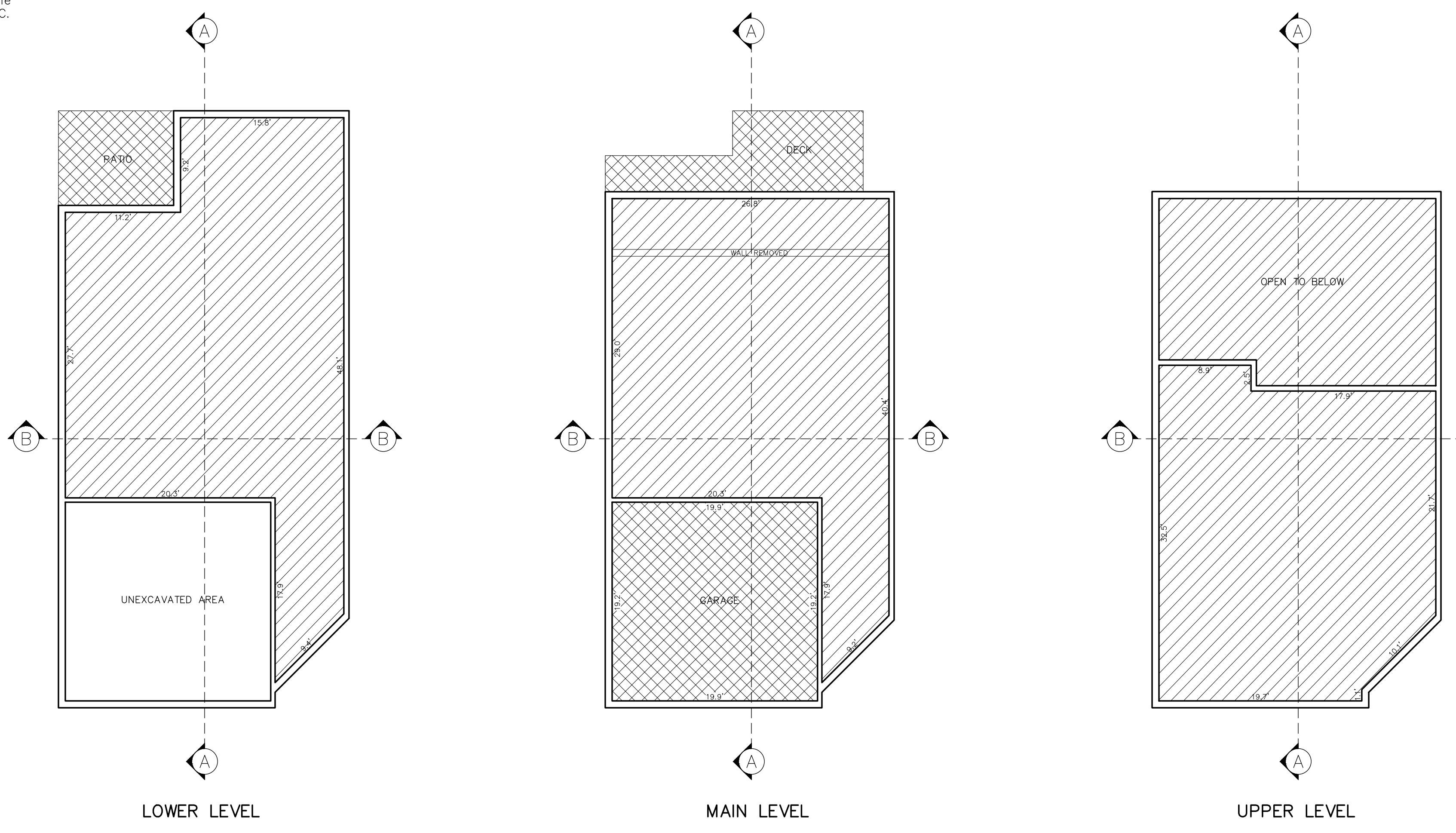
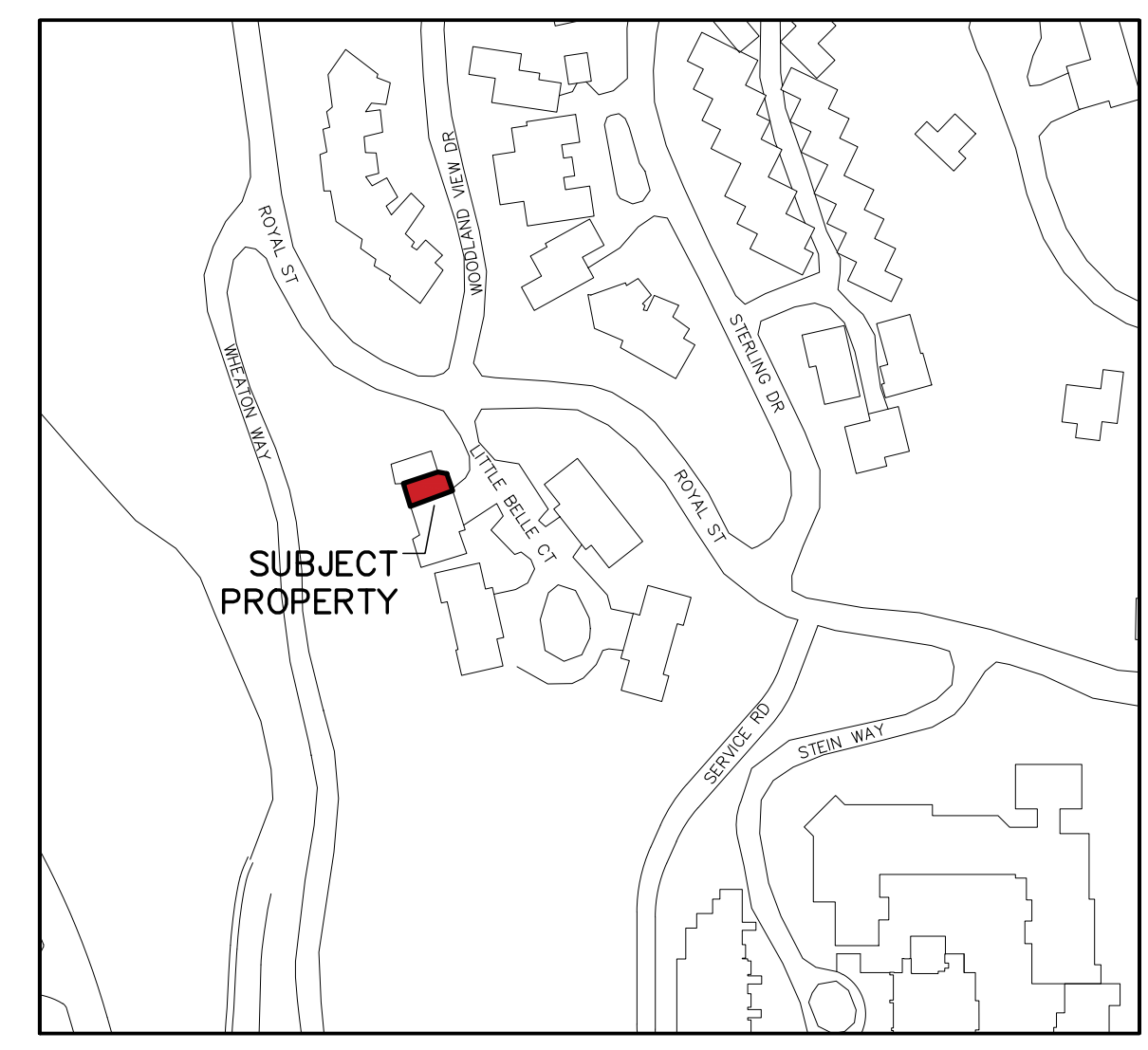
NOTES

- This plot is subject to the Conditions of Approval in Ordinance 2021-_____.
- The address of Unit 2 is 7165 Little Belle Court.
- This plot amendment adds 150 square feet to the Main Level as shown. The amended square footage of Unit 2 was derived by adding the expansion area of 150 square feet to the existing square footage of 2,849.59 as shown on Little Belle Condominiums, Second Amended, recorded August 8, 2001, as Entry No. 595276 in the Office of the Summit County Recorder and rounding to the nearest whole square foot.
- The property is located in Zone X, 0.2% annual chance flood hazard, areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile, as shown on the Flood Insurance Rate Map of the Federal Emergency Management Agency, Panel 1150, Map Number 49043C01150C.



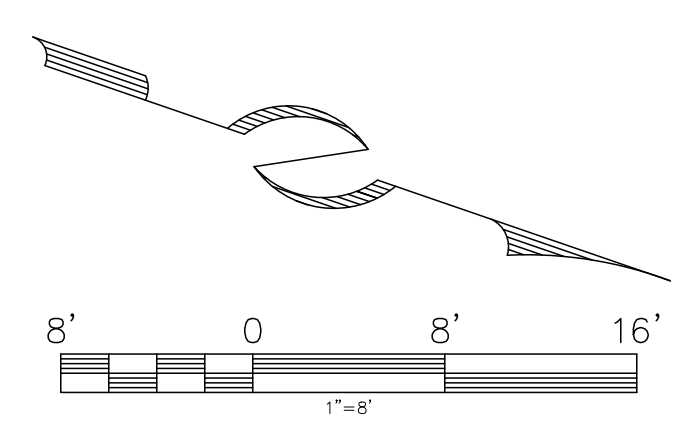
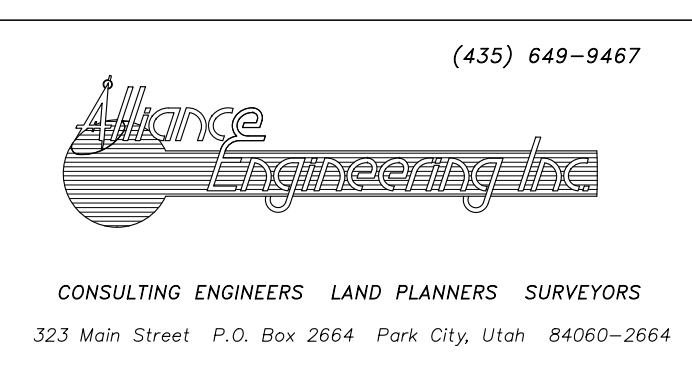
SQUARE FOOTAGE TABLE

PRIVATE OWNERSHIP 2ND AMENDED	ADDED PRIVATE OWNERSHIP	TOTAL PRIVATE OWNERSHIP
2,850 SF	150 SF	3,000 SF



LITTLE BELLE CONDOMINIUMS SEVENTH AMENDED AMENDING UNIT 2

LOCATED IN THE NORTHEAST QUARTER OF SECTION 28 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH



PUBLIC SAFETY ANSWERING POINT APPROVAL APPROVED THIS ____ DAY OF _____, 2021 BY SUMMIT COUNTY GIS COORDINATOR	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF _____, 2021 BY ENGINEERING DEPARTMENT	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF _____, 2021 BY CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 2021 BY PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS ____ DAY OF _____, 2021 BY PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _____, 2021 BY MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS PLAT WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _____, 2021 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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