

Ordinance No. 2021-33

ORDINANCE APPROVING AN EXTENSION OF CITY COUNCIL'S JUNE 18, 2020 APPROVAL OF ORDINANCE NO. 2020-28, AN ORDINANCE APPROVING THE 1162 WOODSIDE AVENUE PLAT AMENDMENT, LOCATED AT 1162 WOODSIDE AVENUE, PARK CITY, UTAH

WHEREAS, the owner of the property located at 1162 Woodside Avenue petitioned the City Council for approval of a Plat Amendment to remove an internal lot line; and

WHEREAS, on DATE, the Planning Commission conducted a duly noticed public hearing and unanimously forwarded a positive recommendation to the City Council to approve the 1162 Woodside Avenue Plat amendment; and

WHEREAS, on DATE, the City Council conducted a duly noticed public hearing and adopted Ordinance No. 2020-28, Approving the 1162 Woodside Avenue Plat Amendment, Located at 1162 Woodside Avenue, Park City, Utah; and

WHEREAS, 1158 Woodside Avenue, a Significant Historic Structure, encroaches onto 1162 Woodside Avenue and Ordinance No. 2020-28 Condition of Approval Five requires the Applicant to enter into an encroachment agreement with the adjacent Property Owner;

WHEREAS, the Applicant proposes an extension of approval in order to complete the encroachment agreement and to record the 1162 Woodside Avenue Plat Amendment with Summit County;

WHEREAS, on July 15, 2021, the City Council duly noticed a public hearing for the 1162 Woodside Avenue Plat Amendment, conducted a public hearing, and approved a one-year extension; and

WHEREAS, it is in the best interest of Park City, Utah, to approve the extension of the 1162 Woodside Avenue Plat Amendment through July 15, 2022.

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. City Council's June 18, 2020 approval of Ordinance No. 2020-28 is hereby extended through July 15, 2022, subject to the Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. On May 8, 2020, the Applicant submitted a complete Plat Amendment application to the Planning Department to combine Lot 17 and the North ½ of Lot 18, Block 5 of the Snyder's Addition to create one Lot.
2. The property is located at 1162 Woodside Avenue and is designated a Landmark Historic Structure on the Park City Historic Sites inventory.
3. The property is in the Historic Residential – 1 Zoning District.
4. The proposed Lot complies with the Historic Residential – 1 Zoning District requirements outlined in Land Management Code Chapter 15-2.2.
5. The minimum lot area is 1,875 square feet. The proposed lot is 2,813 square feet.
6. The minimum lot width is 25 feet. The proposed lot width is 37.5 feet.
7. The lot depth is 75 feet.
8. The maximum building footprint is 1,201 square feet. New development must comply.
9. The minimum front and rear setbacks are 10 feet. New development must comply.
10. The minimum side setback is three feet. New development must comply.
11. The minimum corner lot setback is five feet. New development must comply.
12. The maximum building height is 27 feet. New development must comply.
13. The proposed complies with Land Management Code Section 15-7.1-6(C)(5) for City Council extension of Plat Amendment approvals.

Conclusions of Law

1. There is Good Cause for this Plat Amendment extension because it removes an internal Lot line and resolves non-compliant side setbacks along the south façade of the Landmark Historic Structure.
2. The Plat Amendment is consistent with the Land Management Code.
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 Utah law, the Land Management Code, and the Conditions of Approval prior to recordation of the plat.
2. The Applicant shall record the plat with Summit County within one year from the date of City Council approval. If recordation has not occurred by July 15, 2022, the plat approval will be void.

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 10-foot public snow storage easement on 12th Street and Woodside Avenue shall be noted on the plat.
5. The encroachment of the neighboring property at 1158 Woodside Avenue shall be resolved with an encroachment agreement between the two properties prior to recordation of the plat.
6. The property is not located within the Park City Soils Ordinance and is therefore 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 with State and Federal law.
7. 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 15th day of July, 2021.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:

 0340104CDC42481

7/20/2021

Andy Beerman, MAYOR

Date

ATTEST:

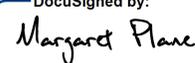


DocuSigned by:

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City Recorder

APPROVED AS TO FORM:

DocuSigned by:

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City Attorney's Office

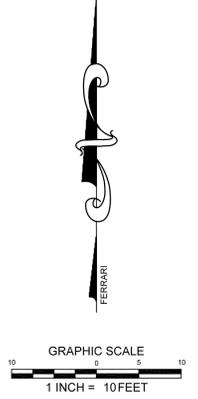
Attachment 1 – Proposed Plat



VICINITY AND ZONING MAP
NOT TO SCALE



1162 WOODSIDE PLAT AMENDMENT
AMENDMENT TO A PORTION OF BLOCK 5
SNYDERS ADDITION TO PARK CITY
LOCATED IN THE NORTHWEST QUARTER OF SECTION 6
TOWNSHIP 2S RANGE 4E
SALT LAKE BASE AND MERIDIAN



CONSENT TO RECORD

STATE OF _____
COUNTY OF _____
THE UNDERSIGNED LIEN HOLDER HEREBY CONSENTS TO THE RECORDATION OF THIS PLAT.
BY _____ AUTHORIZED OFFICIAL
THE FOREGOING CONSENT TO RECORD WAS ACKNOWLEDGED BEFORE ME
THIS _____ DAY OF _____, 2020 BY _____
MY COMMISSION EXPIRES _____ NOTARY PUBLIC
RESIDING IN _____

SURVEYOR'S STATEMENT

I GREGORY J. FERRARI DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 5046908, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON AND HAVE AMENDED SUBDIVISION PLAT, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS 1162 WOODSIDE PLAT AMENDMENT AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT.



LEGAL DESCRIPTION:

LOT 1:
LOT 17 AND THE NORTH 1/2 OF LOT 18, BLOCK 5, SNYDERS ADDITION TO PARK CITY SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD AT THE SUMMIT COUNTY RECORDERS OFFICE.
MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF LOT 17, BLOCK 5, SNYDERS ADDITION TO PARK CITY THENCE SOUTH 35°59'00" EAST 37.50 FEET; THENCE SOUTH 54°01'00" WEST 75.00 FEET; THENCE NORTH 35°59'00" WEST 37.50 FEET; THENCE NORTH 54°01'00" EAST 75.00 FEET TO THE POINT OF BEGINNING.

NOTES:

- 1. MODIFIED 13-D SPRINKLERS WILL BE REQUIRED FOR NEW CONSTRUCTION AS REQUIRED BY THE CHIEF BUILDING OFFICIAL AT THE TIME OF REVIEW OF THE BUILDING PERMIT SUBMITTAL.
- 2. THIS PLAT AMENDMENT IS SUBJECT TO THE CONDITIONS OF APPROVAL OF ORDINANCE 2020-_____.

LEGEND:

- PROPERTY LINE
- - - ADJOINING PROPERTY LINE
- CENTER LINE
- LOT LINE
- - - SNOW STORAGE EASEMENT
- 5/8" REBAR & CAP LS3559005
- 5/8" REBAR & CAP LS5046908

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED ARE THE OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND AND HAVE CAUSED THIS PLAT AMENDMENT TO BE PREPARED TO BE HEREAFTER KNOWN AS THE 1162 WOODSIDE PLAT AMENDMENT DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL ROADS AND OTHER AREAS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED ALSO HEREBY CONVEY 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.

AL PERKINS

DONNA PERKINS

TUCKER PERKINS

ACKNOWLEDGMENT

STATE OF _____)
COUNTY OF _____) SS
ON THIS _____ DAY OF _____, 2020, AL PERKINS
PERSONALLY APPEARED BEFORE ME, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME OR PROVEN ON THE BASIS OF SATISFACTORY EVIDENCE, AND WHO BE ME DULY SWORN/AFFIRMED, THAT HE/SHE ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE 1162 WOODSIDE AVENUE PLAT AMENDMENT.
MY COMMISSION EXPIRES _____ NOTARY PUBLIC
RESIDING IN _____

ACKNOWLEDGMENT

STATE OF _____)
COUNTY OF _____) SS
ON THIS _____ DAY OF _____, 2020, DONNA PERKINS
PERSONALLY APPEARED BEFORE ME, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME OR PROVEN ON THE BASIS OF SATISFACTORY EVIDENCE, AND WHO BE ME DULY SWORN/AFFIRMED, THAT HE/SHE ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE 1162 WOODSIDE AVENUE PLAT AMENDMENT.
MY COMMISSION EXPIRES _____ NOTARY PUBLIC
RESIDING IN _____

ACKNOWLEDGMENT

STATE OF _____)
COUNTY OF _____) SS
ON THIS _____ DAY OF _____, 2020, TUCKER PERKINS
PERSONALLY APPEARED BEFORE ME, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME OR PROVEN ON THE BASIS OF SATISFACTORY EVIDENCE, AND WHO BE ME DULY SWORN/AFFIRMED, THAT HE/SHE ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE 1162 WOODSIDE AVENUE PLAT AMENDMENT.
MY COMMISSION EXPIRES _____ NOTARY PUBLIC
RESIDING IN _____



P.O. BOX 683001
PARK CITY, UT 84068

PARK CITY MUNICIPAL CORPORATION PASSED THIS 30TH DAY OF JANUARY, 2020 A.D. BY _____ MAYOR, ANDY BEERMAN	PUBLIC SAFETY ANSWERING POINT APPROVAL APPROVED _____ DAY OF _____, 2020 A.D. BY _____ SUMMIT COUNTY GIS COORDINATOR	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON _____ DAY OF _____, 2020 A.D. BY _____ SNYDERVILLE BASIN RECLAMATION DISTRICT	PLANNING COMMISSION APPROVED BY THE LAND USE AUTHORITY THIS _____ DAY OF _____, 2020 A.D. BY _____ PARK CITY PLANNING COMMISSION	CITY ENGINEER I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2020 A.D. BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2020 A.D. BY _____ CITY ATTORNEY, MARK HARRINGTON	CERTIFICATE OF ATTEST I CERTIFY THIS PLAT MAP WAS APPROVED BY THE LAND USE AUTHORITY THIS _____ DAY OF _____, 2020 A.D. BY _____ CITY RECORDER, MICHELLE KELLOGG	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ ENTRY NO. _____ FEE _____ COUNTY RECORDER _____
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