

Ordinance No. 2022-17

AN ORDINANCE APPROVING THE SNOW FLOWER CONODMINIUMS FOURTH AMENDED PLAT AMENDING UNIT 75, LOCATED AT 401 SILVER KING DRIVE, UNIT 75, SUMMIT COUNTY, PARK CITY, UTAH

WHEREAS, the owners of the property at 401 Silver King Drive, Unit 75 petitioned the City Council for approval of the Snow Flower Condominiums Fourth Amended Plat Amending Unit 75;

WHEREAS, on April 27, 2022, the Park Record published notice for the Planning Commission and City Council public hearings; and

WHEREAS, on April 27, 2022, staff mailed courtesy notice to property owners within 300 feet, posted notice to the Utah Public Notice Website and City Website, and posted notice to the property for the Planning Commission and City Council public hearings; and

WHEREAS, on May 11, 2022, the Planning Commission reviewed the proposed Plat Amendment, held a public hearing, and forwarded a positive recommendation to the City Council;

WHEREAS, on June 9, 2022, the City Council reviewed the Snow Flower Condominiums Fourth Amended Plat Amending Unit 75 and held a public hearing; and

WHEREAS, the Snow Flower Condominiums Fourth Amended Plat Amending Unit 75 is consistent with the Park City Land Management Code, including § 15-7.1-3(B), § 15-7.1-6, and Chapters 15-2.16, and 15-7.

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

SECTION 1. APPROVAL. The Snow Flower Condominiums Fourth Amended Plat Amending Unit 75 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. Snow Flower Condominiums Plat was approved in 1978.
2. The property is located at 401 Silver King Drive, Unit 75.
3. The property is listed with Summit County as Parcel number SFL-75.
4. The property is in the Recreation Commercial (RC) Zoning District.
5. In 1992, the Snow Flower Condominium HOA amended Exhibit C of the Condominium Declaration to convert attic space from common ownership to private ownership for Unit 75.
6. This Plat Amendment accurately identifies the Area of private ownership for the Unit 75.
7. The total Area of Unit 75 is 2,387 square feet.

8. The proposal complies with Land Management Code Chapter 15-2.16, *Recreation Commercial (RC) District*.
9. In 1978, Parking requirements for PUDs were guided by the LMC but Planning Commission approval was not limited to these requirements.
10. At the time of development, the parking requirement for the Snow Flower Condominiums was 115 parking spaces—a minimum of eight (8) spaces, with 1.5 spaces for each additional unit over five (5) for a Multi-Unit Dwelling.
11. The current LMC requires two (2) parking spaces per Dwelling Units with a Floor Area greater than 2,000 square feet in a Multi-Unit Dwelling.

Conclusions of Law

1. There is Good Cause for this plat amendment because existing conditions are memorialized and the 1992 HOA changes of common Area into private Area.
2. The Plat Amendment is consistent with Land Management Code Section 15-7.1-3(B), Section 15-7.1-6, and Chapters 15-2.16 and 15-7.
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 (1) year from the date of City Council approval. If recordation has not occurred within one year, 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. Prior to recordation of the Plat Amendment, the Applicant Shall gain HOA approval to satisfy current Off-Street parking requirements of two (2) parking spaces. Otherwise, the Applicant shall seek a determination of substantial compliance and affirmatively limit the parking to one (1) space.

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

PASSED AND ADOPTED this 9th day of June, 2022.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:

Nann Worel

57775BCB46414F6...

Mayor Nann Worel

Attest:



DocuSigned by:
Michelle Kellogg
E5F905BB533F431...

Michelle Kellogg, City Recorder

Approve as to form:

DocuSigned by:
Mark Harrington
B7470B7794C7490...

City Attorney's Office

Attachments

Attachment 1: Snow Flower Condominiums Fourth Amended Plat Amending Unit 75

SNOW FLOWER CONDOMINIUMS FOURTH AMENDED AMENDING UNIT 75

A UTAH CONDOMINIUM PROJECT

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9 & NORTHWEST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE

I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 4857264 as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by the authority of the owner, SNOW FLOWER CONDOMINIUMS FOURTH AMENDED, AMENDING UNIT 75, in accordance with the provisions of the Utah Condominium Ownership Act. I further certify that the information shown hereon is correct.

LEGAL DESCRIPTION

Unit 75, SNOW FLOWER CONDOMINIUMS, together with an undivided ownership interest in the common areas and facilities, as the same are identified in the Record of Survey Map recorded in Summit County, Utah as Entry No. 149678 and in Declaration of Covenants, Conditions and Restrictions and Bylaws of the Snow Flower Condominiums recorded in Summit County, Utah on September 25, 1978, as Entry No. 149679 in Book 120 at Page 274 of official records (as said Declaration and Map may hereafter be amended or supplemented).

OWNER'S CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that Dylan J. Palombo, Myles A.S. Palombo, and Hampton N. Palombo, Co-Trustees of The Palombo Family Trust, dated the 12th of December, 2008, hereby certify that they have caused this plat amendment to be made and hereby consent to the recording of this plat amendment.

In witness whereof, the undersigned set his hand this ____ day of _____, 2022. In witness whereof, the undersigned set his hand this ____ day of _____, 2022.

By: _____ By: _____
Dylan J. Palombo, Co-Trustee Myles A.S. Palombo, Co-Trustee

In witness whereof, the undersigned set his hand this ____ day of _____, 2022.

By: _____
Hampton N. Palombo, Co-Trustee

ACKNOWLEDGMENT

State of _____)
: ss.
County of _____)

On this ____ day of _____, 2022 Dylan J. Palombo 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 a Co-Trustee of The Palombo Family Trust dated the 12th of December, 2008, and that said document was signed by him on behalf of said Trust by authority of the Trust, and he acknowledged to me that he executed Snow Flower Condominiums Fourth Amended Amending Unit 75.

A Notary Public commissioned in _____

Printed Name _____

Residing in: _____

My commission expires: _____

Commission No.: _____

ACKNOWLEDGMENT

State of _____)
: ss.
County of _____)

On this ____ day of _____, 2022 Myles A.S. Palombo 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 a Co-Trustee of The Palombo Family Trust dated the 12th of December, 2008, and that said document was signed by him on behalf of said Trust by authority of the Trust, and he acknowledged to me that he executed Snow Flower Condominiums Fourth Amended Amending Unit 75.

A Notary Public commissioned in _____

Printed Name _____

Residing in: _____

My commission expires: _____

Commission No.: _____

ACKNOWLEDGMENT

State of _____)
: ss.
County of _____)

On this ____ day of _____, 2022 Hampton N. Palombo 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 a Co-Trustee of The Palombo Family Trust dated the 12th of December, 2008, and that said document was signed by him on behalf of said Trust by authority of the Trust, and he acknowledged to me that he executed Snow Flower Condominiums Fourth Amended Amending Unit 75.

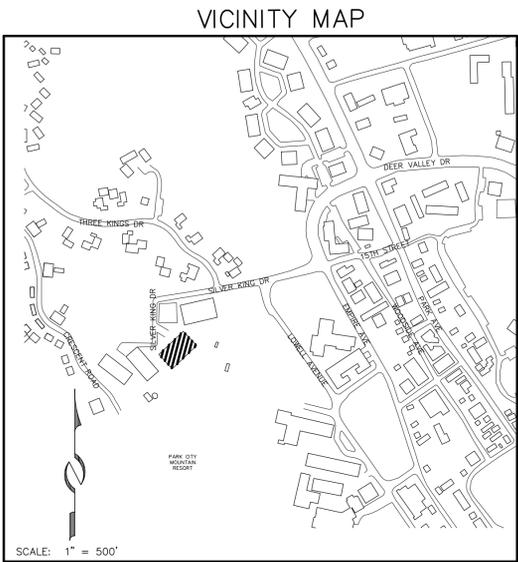
A Notary Public commissioned in _____

Printed Name _____

Residing in: _____

My commission expires: _____

Commission No.: _____



ASSOCIATION CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned, on behalf of Snow Flower Condominiums, a Utah nonprofit corporation, having complied with the requirements of both Statutes and the Recorded Declaration, hereby consents to the recording of this Plat Amendment.

Claudia Ehrenfeld, President
Snow Flower Condominiums, a Utah nonprofit corporation

ACKNOWLEDGMENT

State of _____)
: ss.
County of _____)

On this ____ day of _____, 2022, personally appeared before me, the undersigned Notary Public, in and for said County and State, Claudia Ehrenfeld, being duly sworn, acknowledged to me that she is the president of Snow Flower Condominiums, a Utah nonprofit corporation, and that she signed the above Consent to Record for, on, and in behalf of all of the unit owners of Snow Flower Condominiums acting as a group (under the name Snow Flower Condominiums, a Utah nonprofit corporation) in accordance with the Utah Condominium Ownership Act, U.C.A., Sections 57-1-1 et seq. (1963) as amended and supplemented, and the Declarations of Covenants, Conditions, and Restrictions for Snow Flower Condominiums.

A Notary Public Commissioned in _____

Printed Name _____

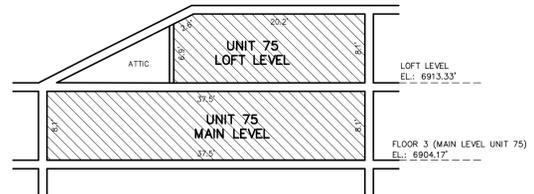
Residing in: _____

My commission expires: _____

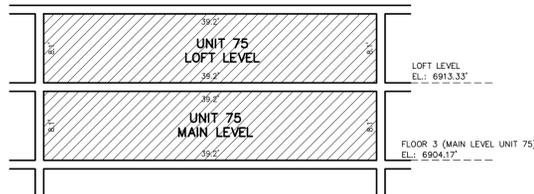
Commission No.: _____

NOTES

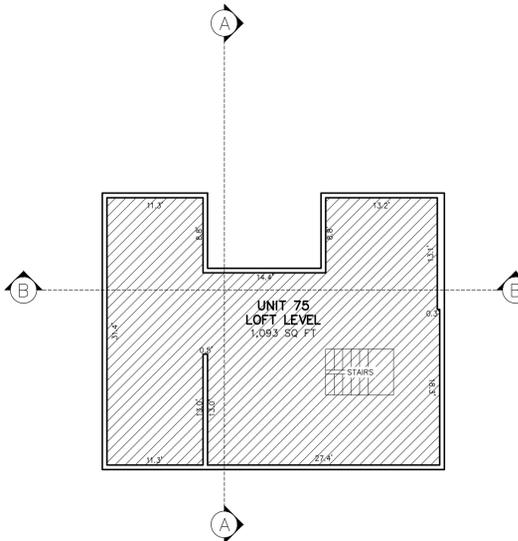
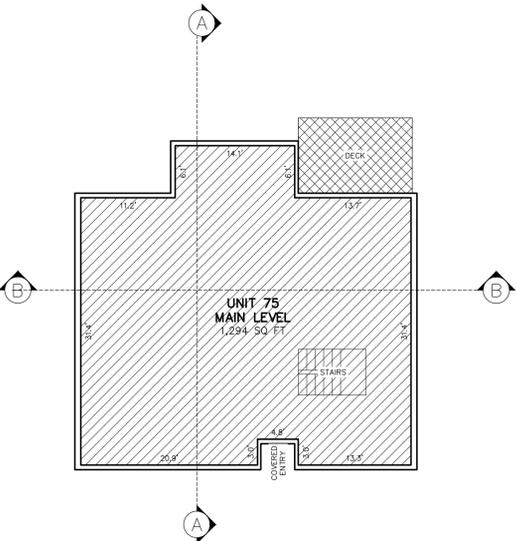
- 1. This plat is subject to the Conditions of Approval in Ordinance 2022-_____.
- 2. This Amended Record of Condominium Plat reflects the expansion of ownership in Unit 75.
- 3. For complete description and dimensions of other units and garage spaces, refer to the Record of Condominium Plat of Snow Flower Condominiums, recorded September 25, 1978, as Entry No. 149678 in the Summit County Recorder's Office.
- 4. All notes and conditions on the Snow Flower Condominium Plat remain in full force and effect except as amended hereon.
- 5. Unit 75 is located in Building 2 on Floor 3 and the Loft level. The address of Unit 75 is 401 Silver King Drive, Unit #75.



SECTION A-A

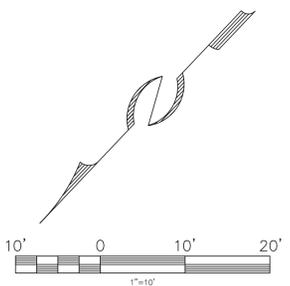


SECTION B-B



OWNERSHIP LEGEND

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



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

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF _____, 2022
BY _____ ENGINEERING DEPARTMENT

PLANNING COMMISSION
RECOMMENDED BY THE PARK CITY PLANNING COMMISSION THE ____ DAY OF _____, 2022
BY _____ CHAIR

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 2022
BY _____ PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS ____ DAY OF _____, 2022
BY _____ PARK CITY ATTORNEY

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THE ____ DAY OF _____, 2022
BY _____ MAYOR

CERTIFICATE OF ATTEST
I CERTIFY THIS CONDOMINIUM PLAT WAS APPROVED BY PARK CITY COUNCIL THE ____ DAY OF _____, 2022
BY _____ PARK CITY RECORDER

PUBLIC SAFETY ANSWERING POINT APPROVAL
APPROVED THIS ____ DAY OF _____, 2022
BY _____ SUMMIT COUNTY GIS COORDINATOR

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____
FEE _____ RECORDER _____
TIME _____ DATE _____ ENTRY NO. _____