

## **Ordinance No. 2023-04**

### **AN ORDINANCE APPROVING LOTS 30 AND 31 HOLIDAY RANCHETTES FIRST AMENDED PLAT, LOCATED AT 2545 AND 2519 LUCKY JOHN DRIVE, PARK CITY, UTAH**

WHEREAS, the owner of the property located at 2519 and 2545 Lucky John Drive petitioned the City Council for approval of a Plat Amendment to remove the shared driveway easement recorded on the Plat of Lots 30 and 31 of the Holiday Ranchettes Subdivision; and

WHEREAS, on November 30, 2022, proper legal notice was published in the Park Record, according to requirements of the Land Management Code; and

WHEREAS, on November 30, 2022, the property was posted, and notice was provided according to requirements of the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on December 14, 2022, to receive input on the proposed plat amendment; and

WHEREAS, the Planning Commission forwarded a positive recommendation to the City Council, on December 14, 2022; and,

WHEREAS, on January 24, 2023, the City Council held a public hearing and approved the plat amendment.

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

**SECTION 1. APPROVAL.** The Lots 30 and 31 Holiday Ranchettes First Amended Plat, located at 2519 and 2545 Lucky John Drive of the Holiday Ranchettes Subdivision, 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 2519 and 2545 Lucky John Drive.
2. The property is in the Single Family (SF) Zoning District.
3. The property consists of two one-acre lots, known as Lot 30 and 31 Holiday Ranchettes and includes a recorded driveway easement shared by both Lots.
4. The owner wishes to remove the shared driveway easement between Lots 30 and 31 of the Holiday Ranchettes Subdivision.
5. No other properties will be affected by this proposal.
6. Each lot will be one acre in area, consistent with the 1974 Holiday Ranchettes Subdivision platted configuration. There is no change to Density.
7. Both Lots 30 and 31 have double frontage onto Lucky John Drive and Holiday Ranch Loop Road. The 1974 Holiday Ranchettes Subdivision includes notes restricting access from Lucky John Drive that have been carried forward with this Plat Amendment.

8. The minimum setback requirements are 20 feet for the front yard and 12 feet for the side yards. Front facing garages require a 25-foot front setback. The rear setback requirement of 15 feet is not applicable due to the double frontage nature of both lots.
9. There is an existing Single-Family Dwelling on Lot 30 that complies with all required Setbacks.
10. There is an existing garage/storage structure on Lot 31 that will be demolished.
11. The shared driveway easement between Lots 30 and 31 of the Holiday Ranchettes Subdivision will no longer be necessary, following the demolition of the garage/storage structure on Lot 31.
12. The pattern of development in the neighborhood includes primary access to these double frontage lots from Lucky John Drive and not from Holiday Ranch Loop Road, providing consistent building Setback areas along Lucky John Drive and Holiday Ranch Loop Road.
13. The Plat provides for a restriction of access to Lucky John Drive and this restriction has been carried forward with this Plat Amendment.
14. Drainage and utilities have already been relocated to accommodate both Lots 30 and 31 separately.
15. There is good cause for the removal of the existing shared driveway easement between Lots 30 and 31 of the Holiday Ranchettes Subdivision as the removal of the shared driveway allows for redevelopment of Lot 31 consistent with the existing residential neighborhood and originally approved Holiday Ranchettes Subdivision, will have no negative impacts to the public, and does not create any non-conformities. No other Lots in the Subdivision appear to have shared driveways.
16. The Holiday Ranchettes HOA Architectural Committee submitted a letter of support for the removal of the shared driveway easement.

**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 will 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 and an extension is granted by the City Council.
3. A Plat Note shall indicate no access to Lots 30 and 31 is permitted from Holiday Ranch Loop Road.

4. A Plat Note shall indicate any construction on Lots 30 and 31 shall use the original existing grade (USGS topography that was existing prior to any construction on the Lots) in the calculation of Building Height.
5. A Plat Note Shall indicate this Plat is subject to Ordinance 2023-04.

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

PASSED AND ADOPTED this 24<sup>th</sup> day of January, 2023.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:

*Nann Worel*

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Nann Worel, MAYOR

ATTEST:



DocuSigned by:

*Michelle Kellogg*

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City Recorder

APPROVED AS TO FORM:

DocuSigned by:

*Mark Harrington*

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City Attorney

Attachment 1: Lots 30 and 31 Holiday Ranchettes First Amended Plat

