

**Ordinance No. 2023-05**

**AN ORDINANCE APPROVING THE RIDGEVIEW TOWNHOUSE CONDOMINIUMS  
FIRST AMENDMENT – AMENDING UNIT 3-B, LOCATED AT 3045 RIDGEVIEW  
DRIVE, PARK CITY, UTAH**

WHEREAS, the owners of the property known as 3045 Ridgeview Drive, Unit 3-B of the Ridgeview Townhouse Condominiums has petitioned the City Council to amend the Unit 3-B of the Ridgeview Townhouse Condominiums Plat within the Residential Development Zoning District; and

WHEREAS, on December 22, 2022, staff posted notice to the property and according to the requirements of the Land Management Code; and

WHEREAS, staff mailed courtesy notice to all affected property owners on December 22, 2022, and legal notice was published in the Park Record and on the Park City and Utah Public Notice websites; and

WHEREAS, the Planning Commission held a public hearing on January 11, 2023;

WHEREAS, on January 11, 2023, the Planning Commission forwarded a Positive recommendation to the City Council; and

WHEREAS, on February 16, 2023, the City Council held a public hearing; and

WHEREAS, it is in the best interest of Park City, Utah, to approve the Ridgeview Townhouse Condominiums First Amendment – Amending Unit 3-B; and

WHEREAS, the Ridgeview Townhouse Condominiums First Amendment – Amending Unit 3-B will not cause undue harm to adjacent property owners.

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 Ridgeview Townhouse Condominiums First Amendment – Amending Unit 3-B, 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. On August 26, 1982, the City Council approved the Ridgeview Townhouse Condominiums, creating four townhouses along Ridgeview Drive. The Ridgeview Townhouse Condominiums are in the Residential Development Zoning District.
2. The 1982 Ridgeview Townhouse Condominium Plat has a note which dedicated all common space to the City as a public utility easement.

3. Unit 3-B was not built as specified by the Ridgeview Townhouse Condominium Plat, expands into common area, and includes a patio constructed in common area.
4. In 2018, a landscaping permit was applied for which showed that the non-complying patio was already constructed at that time.
5. In August 2022, the Applicant requested a building permit for an interior remodel but when it was discovered that their work would include the noncompliant areas of the house, they were required to apply for a plat amendment.
6. After the plat amendment was submitted on August 24, 2022, a conditional building permit was issued, limiting the work they could do in the noncompliant areas.
7. The proposal to amend the plat to convert common area to private and limited common complies with the Subdivision Procedures outlined in LMC Chapter 15-7.1.
8. There is Good Cause for this plat amendment because it resolves existing non-conformities and brings the property into compliance.
9. No Public Street or Right-of-Way is vacated.
10. A Public Utility Easement will be vacated.
11. The proposal to amend the plat to convert common area to private and limited common area complies with the Residential Development (RD) Zoning District requirements outlined in LMC Chapter 15-2.13.
12. The proposal, as conditioned, complies with LMC § 15-3-6, Parking Ratio Requirements.

**Conclusions of Law:**

1. There is Good Cause for the Ridgeview Townhouse Condominiums First Amendment – Amending Unit 3-B.
2. The amended plat 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 of approval, will 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. There will be no external changes or expansion of the existing building footprint.

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

PASSED AND ADOPTED this 16<sup>th</sup> day of February, 2023.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:

*Nann Worel*

57775BCB46414F6...

Nann Worel, MAYOR

ATTEST:

DS



DocuSigned by:

*Michelle Kellogg*

E5F905BB533F431...

City Recorder

APPROVED AS TO FORM:

DocuSigned by:

*Mark Harrington*

B7478B7734C7490...

City Attorney's Office

HOMEOWNER'S ASSOCIATION CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned is the President of the Ridgeview Townhouse Condominium's Association of the above described tract of land, and hereby causes the same to be amended as set forth to be hereafter known as RIDGEVIEW TOWNHOUSE CONDOMINIUMS - FIRST AMENDMENT - AMENDING UNIT 3B.

In witness whereof, the undersigned set his hand this \_\_\_\_\_ day of \_\_\_\_\_, 2022. Ridgeview Townhouse Condominium Association.

By: \_\_\_\_\_, its President

ACKNOWLEDGEMENT

STATE OF UTAH )

COUNTY OF SUMMIT )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2022, \_\_\_\_\_ 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 signing as President of the Ridgeview Townhouse Condominium Association.

Notary Public \_\_\_\_\_

Printed Name \_\_\_\_\_

Residing in: \_\_\_\_\_

My commission expires: \_\_\_\_\_

Commission No. \_\_\_\_\_



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, hereafter to be known as RIDGEVIEW TOWNHOUSE CONDOMINIUMS FIRST AMENDMENT - AMENDING UNIT 3-B and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

LEGAL DESCRIPTION

COMMENCING AT A POINT WHICH IS NORTH 89°57'58" WEST 808.27 FEET AND NORTH 06°25'41" EAST 1339.96 FEET FROM THE EAST QUARTER CORNER OF SECTION 5, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF MEADOWS DRIVE; THENCE SOUTH 59°00'00" WEST 128.73 FEET ALONG THE WESTERLY RIGHT-OF-WAY LINE OF MEADOWS DRIVE TO A POINT ON A 473.00 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 31°00'00" EAST 473.00 FEET OF WHICH THE CENTRAL ANGLE IS 73°30'00"); THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 606.77 FEET TO A POINT OF TANGENCY, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE SOUTH 14°30'00" EAST 238.25 FEET TO A POINT ON A 403.00 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 75°30'00" EAST 403.00 FEET OF WHICH THE CENTRAL ANGLE IS 8°30'00"); THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 59.79 FEET TO A POINT OF TANGENCY; AND LEAVING SAID RIGHT-OF-WAY; THENCE SOUTH 47° 17' 20" WEST 61.22 FEET; THENCE NORTH 59° 39' 55" WEST 250.00 FEET; THENCE NORTH 15°31'19" WEST 127.00 FEET; THENCE NORTH 63°02' 22" EAST 102.0 FEET; THENCE NORTH 74° 50' 12" EAST 129.48 FEET TO THE POINT OF BEGINNING.

CONTAINS 1.3034 ACRES MORE OR LESS.

ALSO, A 30.00 FOOT WIDE ACCESS EASEMENT CENTERED 15.00 FEET ON BOTH SIDES OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT A POINT WHICH IS NORTH 89°57'58" WEST 808.27 FEET AND NORTH 06°25'41" EAST 1339.96 FEET FROM THE EAST QUARTER CORNER OF SECTION 5, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF MEADOWS DRIVE; THENCE SOUTH 59°00'00" WEST 128.73 FEET ALONG THE WESTERLY RIGHT-OF-WAY LINE OF MEADOWS DRIVE TO A POINT ON A 473.00 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 31°00'00" EAST 473.00 FEET OF WHICH THE CENTRAL ANGLE IS 73°30'00"); THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 606.77 FEET TO A POINT OF TANGENCY; THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 74°50'12" WEST 102.18 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 2° 30'00" EAST 109.20 FEET TO A POINT ON A 286.00 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 87°30'00" EAST 286.00 FEET OF WHICH THE CENTRAL ANGLE IS 19°00'00"); THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE 94.84 FEET TO A POINT OF TANGENCY; THENCE NORTH 21°30'00" EAST 160.42 FEET TO A POINT ON A 282.63 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 68°30'00" EAST 282.63 FEET OF WHICH THE CENTRAL ANGLE IS 16°06'39"); THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE 79.47 FEET TO A POINT OF TANGENCY; THENCE NORTH 37°36'39" EAST 63.90 FEET TO A POINT ON A 31.67 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 52°23'21" EAST 31.67 FEET OF WHICH THE CENTRAL ANGLE IS 95°43'21"), THENCE ALONG THE ARC OF SAID CURVE 52.91 FEET TO A POINT OF TANGENCY; THENCE SOUTH 46°40'00" EAST 6.10 FEET TO THE TERMINUS POINT OF THE LINE; SAID POINT BEING ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID MEADOWS DRIVE.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned is the owner of the above described tract of land, and hereby causes the same to be amended as set forth to be hereafter known as RIDGEVIEW TOWNHOUSE CONDOMINIUMS - FIRST AMENDMENT - AMENDING UNIT 3B.

In witness whereof, the undersigned set his hand this \_\_\_\_\_ day of \_\_\_\_\_, 2022. Widin Family Trust.

By: \_\_\_\_\_ Andrew Craig Widin, its Trustee

ACKNOWLEDGEMENT

STATE OF UTAH )

COUNTY OF SUMMIT )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2022, Andrew Craig Widin 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 signing as Trustee of the Widin Family Trust.

Notary Public \_\_\_\_\_

Printed Name \_\_\_\_\_

Residing in: \_\_\_\_\_

My commission expires: \_\_\_\_\_

Commission No. \_\_\_\_\_

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned is the owner of the above described tract of land, and hereby causes the same to be amended as set forth to be hereafter known as RIDGEVIEW TOWNHOUSE CONDOMINIUMS - FIRST AMENDMENT - AMENDING UNIT 3B.

In witness whereof, the undersigned set his hand this \_\_\_\_\_ day of \_\_\_\_\_, 2022. Widin Family Trust.

By: \_\_\_\_\_ Patricia Ford Widin, its Trustee

ACKNOWLEDGEMENT

STATE OF UTAH )

COUNTY OF SUMMIT )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2022, Patricia Ford Widin 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 signing as Trustee of the Widin Family Trust.

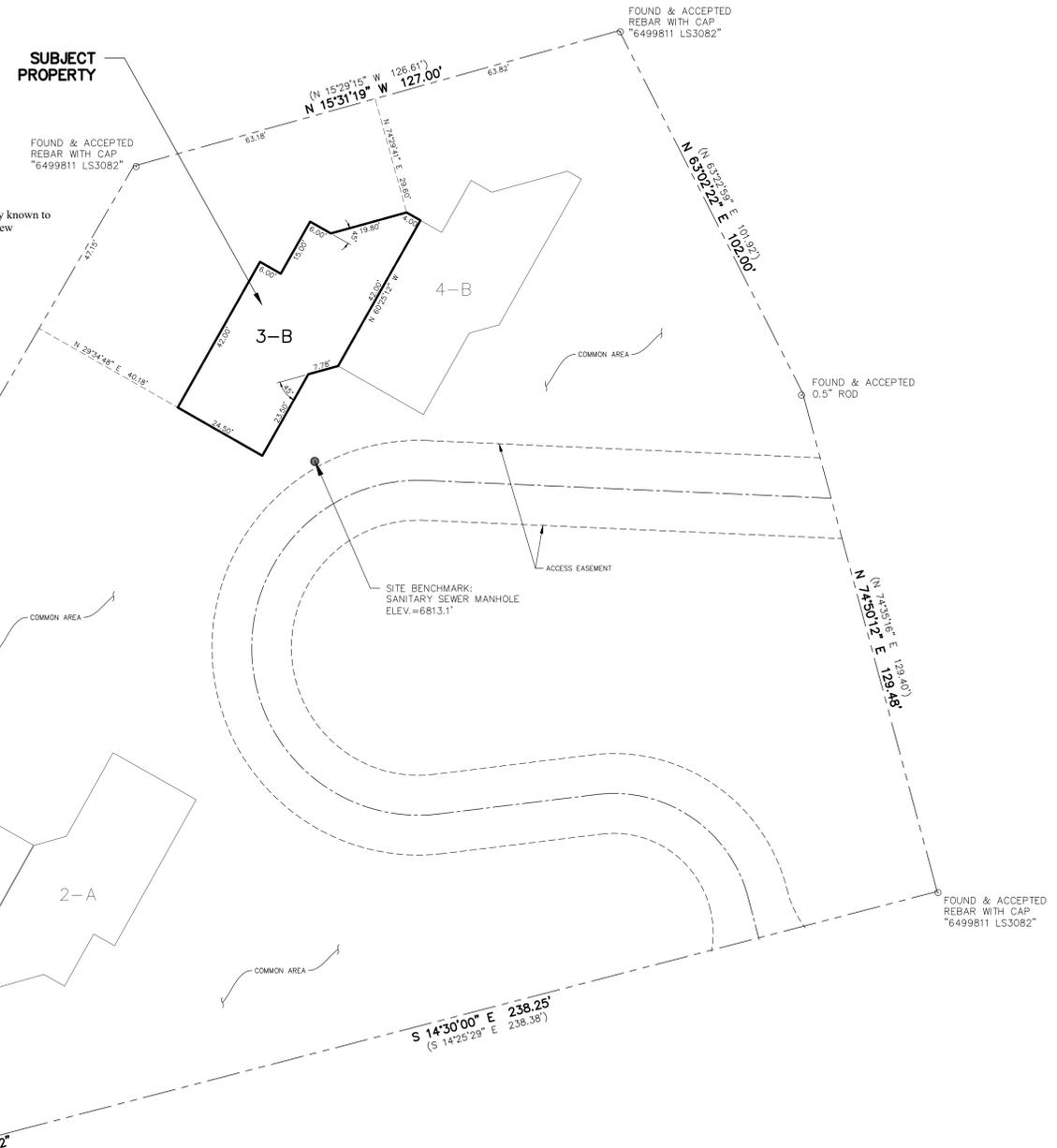
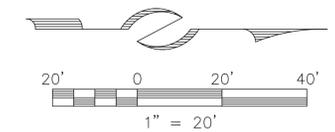
Notary Public \_\_\_\_\_

Printed Name \_\_\_\_\_

Residing in: \_\_\_\_\_

My commission expires: \_\_\_\_\_

Commission No. \_\_\_\_\_



NOTES

- 1. This plat amendment is subject to the Conditions of Approval in Ordinance \_\_\_\_\_.
2. See Record of Survey S-\_\_\_\_\_ on file with Summit County Recorder performed by Allterra Utah and dated 10/5/22.
3. Measured bearings and distances, when different from record, are shown in parenthesis ( ).
4. Site Benchmark: sanitary sewer manhole, Elevation=6813.1' as shown.
5. Common areas are to be dedicated to the Ridgeview Townhouses Condominium Homeowners Association and its Members. All common areas is hereby dedicated as a public utility easement.

RIDGEVIEW TOWNHOUSE CONDOMINIUMS FIRST AMENDMENT - AMENDING UNIT 3-B

LOCATED IN THE NORTHEASTQUARTER OF SECTION 5, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN SUMMIT COUNTY, UTAH

PROFESSIONAL LAND SURVEYING AND CONSULTING ALLTERRA UTAH, LLC 435-640-4200 465 SCENIC HEIGHTS ROAD, FRANCIS, UTAH 84036

Table with 8 columns: PUBLIC SAFETY ANSWERING POINT APPROVAL, SNYDERVILLE BASIN WATER RECLAMATION DISTRICT, PLANNING COMMISSION, ENGINEER'S CERTIFICATE, APPROVAL AS TO FORM, COUNCIL APPROVAL AND ACCEPTANCE, CERTIFICATE OF ATTEST, and RECORDED. Each column contains approval details and signatures.

