

Ordinance No. 2023-08

**AN ORDINANCE APPROVING THE BALD EAGLE CLUB AT DEER VALLEY,
AMENDING UNIT 9 PLAT AMENDMENT, LOCATED AT 7979 ROAMER COURT,
PARK CITY, UTAH**

WHEREAS, the owner of the property located at 7979 Roamer Court petitioned the City Council for approval of The Bald Eagle Club at Deer Valley, Amending Unit 9 Plat Amendment; and

WHEREAS, on January 11, 2023, notice was published in the *Park Record* and on the City and Utah Public Notice websites; and

WHEREAS, on January 11, 2023, courtesy notice was mailed to property owners within 300 feet of 517 Park Avenue; and

WHEREAS, on January 25, 2023, the Planning Commission reviewed the application and held a public hearing; and

WHEREAS, on January 25, 2023, the Planning Commission forwarded a positive recommendation for City Council's consideration on February 16, 2023; and

WHEREAS, on February 16, 2023, the City Council reviewed the proposed plat amendment and held a public hearing; and

WHEREAS, the plat is consistent with the Park City Land Management code including § 15-7.1-3(B), § 15-12-15(B)(9), and Chapters 15-2.2 and 15-7.

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

SECTION 1. APPROVAL. The Bald Eagle Club at Deer Valley, Amending Unit 9 Plat Amendment, located at 7979 Roamer Court, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact

Background:

1. The property is located at 7979 Roamer Court.
2. The property is listed with Summit County as Parcel number BEC-9.
3. The property is in the Residential Development Zoning District.
4. The Bald Eagle Club at Deer Valley is part of the Deer Valley Master Planned Development.
5. The Bald Eagle Community Condominiums conceptual Master Planned Development was approved by the City Council on July 20, 1989.
6. The Bald Eagle Club at Deer Valley Final Plat was recorded with Summit County on August 3, 1989.

7. An addition to the site's existing Single-Family Dwelling was completed in 2004 and built outside the platted Building Pad.
8. The Applicant proposes amending the plat and modify the Building Pad to reflect existing as-built conditions and to accommodate a future addition to the garage.
9. The existing Building Pad contains 7,936 square feet.
10. The proposed amended Building Pad contains 7,936 square feet.
11. The existing driveway crosses the property line common to Unit 9 (7979 Roamer Court) and Unit 8 (7991 Roamer Court).
12. The Land Management Code regulates Lot and Site Requirements per LMC § 15-2.13-3.
13. A Single-Family Dwelling is an allowed Use in the Residential Development Zoning District.
14. The required Front Setback is 15 feet.
15. The required Side Setback is 12 feet.
16. The required Rear Setback is 15 feet.
17. The maximum Building Height in the Residential Development Zoning District is 28 feet from Existing Grade.
18. The proposal complies with the Sensitive Land Overlay Zone Regulations.
19. The proposal complies with the Bald Eagle Club At Deer Valley Plat requirements.
20. There is Good Cause for this Plat Amendment.
21. No Public Street or Right-of-Way is vacated or amended.
22. No easement is vacated or amended as a result of the plat amendment.
23. Staff published notice on the City's Website, the Utah Public Notice Website, and posted notice to the property on January 11, 2023.
24. Staff mailed courtesy notice to property owners within 300 feet on January 11, 2023.
25. *The Park Record* published notice on January 11, 2023.

Conclusions of Law

1. The Plat Amendment is consistent with the Park City Land Management Code, including LMC Chapter 15-2.13, *Residential Development (RD) District*, LMC Chapter 15-2.21, *Sensitive Land Overlay Zone (SLO) Regulations*, and LMC § 15-7.1-6, *Final Subdivision Plat*.
2. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
3. 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 (1) years' time, this

Plat approval 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. The plat shall note that fire sprinklers are required for all new construction.
4. Any addition to the existing Structure shall not exceed the zone height of 28 feet from Existing Grade
5. To address the driveway and retaining wall encroachments, the Applicant shall remove the encroachments into the abutting property upon completion of updating the driveway configuration. Otherwise, the Applicant shall enter into an encroachment agreement with the neighboring property owner and record the agreement with Summit County prior to recordation of the plat.
6. The Applicant shall remove the stone grill and two stone retaining walls that encroach into the Deer Valley property or enter into an encroachment agreement with Deer Valley and record the agreement with Summit County prior to recordation of the plat.
7. The City Engineer shall review and approve all Lot grading, utility installation, public improvement, and drainage plans for compliance with City standards prior to issuance of any building permits.
8. A Sensitive Lands Analysis shall accompany any development plans at the building permit phase subject to review and approval by the Planning Department. The Planning Department shall deny any building permit inconsistent with LMC §15-2.21-2 *Overlay Review Process*.

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

PASSED AND ADOPTED this 16th day of February, 2023.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:

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Nann Worel, MAYOR



ATTEST:

DocuSigned by:

 E5F905BB533F431...

City Recorder

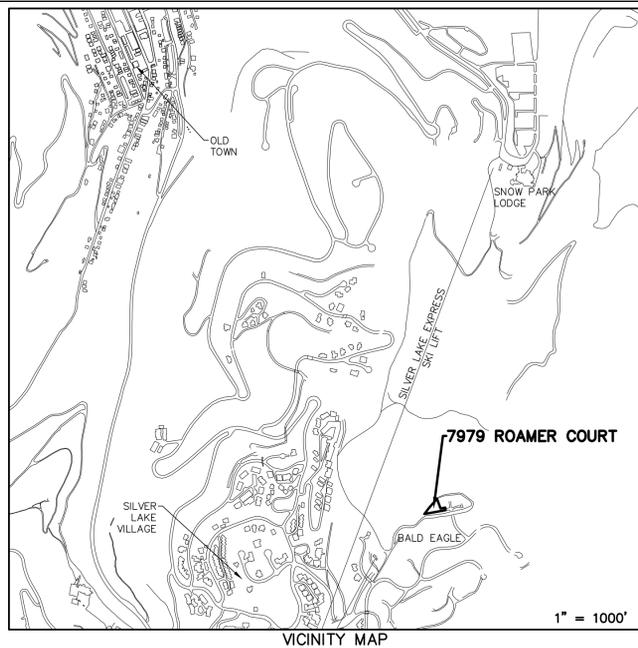
APPROVED AS TO FORM:

DocuSigned by:

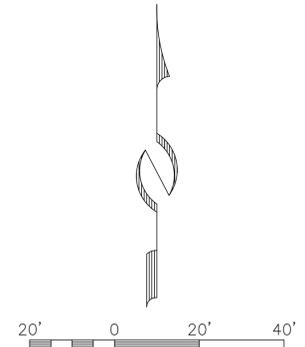
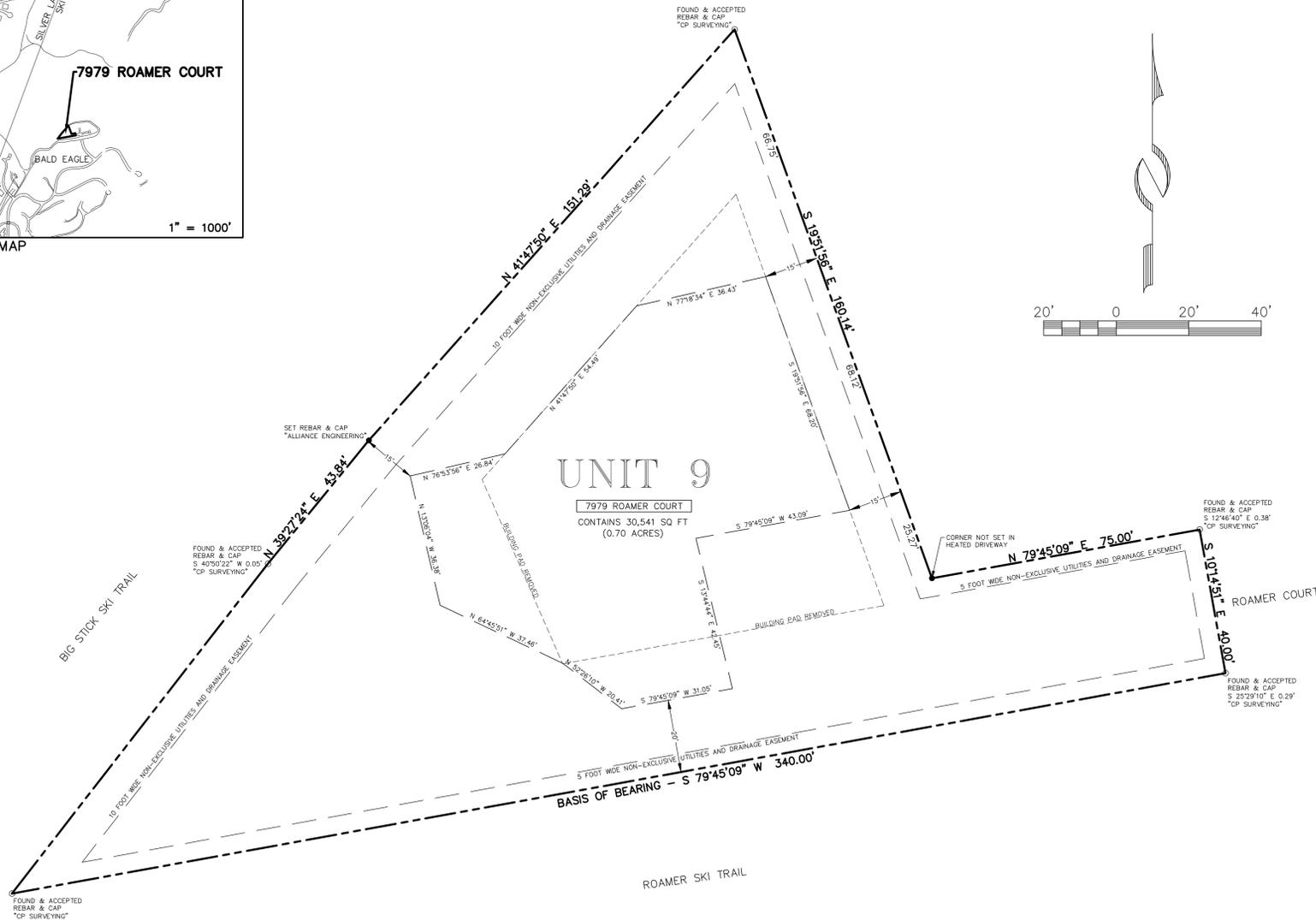
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City Attorney

Attachment 1 – Proposed Plat



VICINITY MAP



SURVEYOR'S CERTIFICATE



I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor in the State of Utah and that I hold License No. 4857264 in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act. I further certify that I have completed a survey and have referenced a record of survey map of the existing property boundaries in accordance with Section 17-23-17 and have verified the boundary locations and have placed monuments as represented on the plat. I do further certify that by authority of the owners, I have prepared this plat amendment of the property described hereon, hereafter to be known as THE BALD EAGLE CLUB AT DEER VALLEY AMENDING UNIT 9.

LEGAL DESCRIPTION

Unit 9, contained within The Bald Eagle Club at Deer Valley, an expandable Utah condominium project as the same is identified in the record of survey map recorded on August 03, 1989 in Summit County, as Entry No. 311265 (as said record of survey map may have heretofore been amended or supplemented) and in the Declaration recorded on August 03, 1989 in Summit County, as Entry No. 311266 in Book 530 at Page 295 (as said Declaration may have heretofore been amended or supplemented.)

Together with the appurtenant undecided interest in said project's common areas as established in said Declaration and allowing for periodic alteration both in the magnitude of said undivided interest and in the composition of the common areas and facilities to which said interest relates.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that, Ali Leemann and Anuradha Leemann, Trustees of The Leemann Family Trust, dated August 11, 2008, hereby certify that they have caused this plat amendment to be made, together with easements as set forth to be hereafter known as THE BALD EAGLE CLUB AT DEER VALLEY AMENDING UNIT 9, and does hereby dedicate for the perpetual use of the public the areas shown on this plat as intended for public use. The undersigned owner also hereby conveys 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 _____, 2023.
The Leemann Family Trust, dated August 11, 2008,
By: _____
Ali Leemann, Trustee

In witness whereof, the undersigned set her hand
this _____ day of _____, 2023.
The Leemann Family Trust, dated August 11, 2008,
By: _____
Anuradha Leemann, Trustee

ACKNOWLEDGMENT

State of _____
: ss.
County of _____

On this _____ day of _____, 2023, Ali Leemann 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 Trustee of the Leemann Family Trust dated August 11, 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 THE BALD EAGLE CLUB AT DEER VALLEY AMENDING UNIT 9

A Notary Public commissioned in _____
Printed Name _____
Residing in: _____
My commission expires: _____
Commission No: _____

ACKNOWLEDGMENT

State of _____
: ss.
County of _____

On this _____ day of _____, 2023, Anuradha Leemann 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 she is a Trustee of the Leemann Family Trust dated August 11, 2008, and that said document was signed by her on behalf of said Trust by authority of the Trust, and she acknowledged to me that she executed THE BALD EAGLE CLUB AT DEER VALLEY AMENDING UNIT 9.

A Notary Public commissioned in _____
Printed Name _____
Residing in: _____
My commission expires: _____
Commission No: _____

NOTES

- 1. This plat amendment is subject to the Conditions of Approval in Ordinance 2023-_____.
- 2. All Conditions of Approval of The Bald Eagle Club at Deer Valley, recorded August 3, 1989, as Entry No. 311265 shall continue to apply and remain in full force and effect.
- 3. See recorded survey S-11088.

THE BALD EAGLE CLUB AT DEER VALLEY AMENDING UNIT 9

LOCATED IN THE SOUTHWEST CORNER OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

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

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2023 BY _____ ENGINEERING DEPARTMENT	PLANNING COMMISSION RECOMMENDED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2023 BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2023 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2023 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2023 BY _____ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS PLAT WAS APPROVED BY PARK CITY COUNCIL THE _____ DAY OF _____, 2023 BY _____ PARK CITY RECORDER	PUBLIC SAFETY ANSWERING POINT APPROVAL APPROVED THIS _____ DAY OF _____, 2023 BY _____ SUMMIT COUNTY GIS COORDINATOR	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ FEE _____ RECORDER _____ TIME _____ DATE _____ ENTRY NO. _____
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