

Ordinance No. 2023-39

**AN ORDINANCE APPROVING THE 958 WOODSIDE AVENUE PLAT AMENDMENT,
LOCATED AT 958 WOODSIDE AVENUE, PARK CITY, UTAH**

WHEREAS, the owners of the property located at 958 Woodside Avenue petitioned the City Council for approval of the 958 Woodside Avenue Plat Amendment; and

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

WHEREAS, on April 11, 2023, courtesy notice was mailed to property owners within 300 feet of 958 Woodside Avenue; and

WHEREAS, on April 26, 2023, the Planning Commission reviewed the application and held a public hearing; and

WHEREAS, on April 26, 2023, the Planning Commission continued the public hearing to a date uncertain;

WHEREAS, on June 28, 2023, notice was published in the *Park Record* and on the City and Utah Public Notice websites; and

WHEREAS, on June 28, 2023, courtesy notice was mailed to property owners within 300 feet of 958 Woodside Avenue; and

WHEREAS, on July 12, 2023, a quorum of the Planning Commission was not present and the the public hearing continued to July 26, 2023,

WHEREAS, on July 26, 2023, the Planning Commission forwarded a positive recommendation for City Council's consideration on August 22, 2023; and

WHEREAS, on August 22, 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 958 Woodside Avenue Plat Amendment, located at 958 Woodside Avenue, as shown in Attachment 1, is approved subject to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The property is located at 958 Woodside Avenue.

2. The property is listed with Summit County as parcel numbers SA-17-A and SA-18 and consists of Lots 19, 20, and the North half of Lot 21 in the Snyder's Addition.
3. The property is in the Historic Residential-1 (HR-1) Zoning District.
4. The Applicant seeks to create two Lots of record.
5. Lot 1 will remain 958 Woodside Avenue, and Lot 2 will be 954 Woodside Avenue.
6. The site contains an existing Non-Historic Structure built in 1972 that straddles lot lines.
7. The current minimum Lot Size in the HR-1 Zoning District is 1,875 square feet. The Proposed Lot 1 is 1,875 square feet and Lot 2 is 2,182.5 square feet.
8. The current minimum Lot Width in the HR-1 Zoning District is 25 feet. The Proposed Lot 1 is 25 feet wide and Lot 2 is 32.5 feet wide.
9. No remnant Parcels are created with this Plat Amendment.
10. The Proposed Lot Sizes are consistent with adjacent Single-Family Dwelling Lots.
11. The Building Footprint of the existing Structure is 913 square feet.
12. Proposed Lot 1 will have a Maximum Building Footprint of 843.75 square feet and proposed Lot 2 will have a Maximum Building Footprint of 1,200.67 square feet.
13. A Single-Family Dwelling is an allowed Use in the HR-1 Zoning District.
14. The Front and Rear Setback is ten feet each. The existing Structure is set back 19 feet from the Front Property line and 23 feet from the Rear Property line.
15. The Side Setback is three feet each side. The existing Structure is set back five feet from the west Property line and 29 feet from the east Property line.
16. The HR-1 Zoning District height is 27 feet from existing grade. The existing Structure is non-complying and has a height of 37 feet. The non-complying Structure will be demolished prior to plat recordation with Summit County.
17. Each Lot requires two off-street Parking Spaces.
18. There is Good Cause for this Plat Amendment because it resolves an existing non-conformities including a structure that straddles lot lines, a deck that straddles lot lines, and a Structure that exceeds Zoning District maximum height, present Land Uses and the Character of the HR – 1 Zoning District are retained, no public street or Right-of-Way is vacated or amended, and no easement is vacated or amended.
19. Snyderville Basin Water Reclamation District notes that the existing private lateral wastewater line is shared with 950 Woodside Avenue and crosses 962 Woodside Avenue, out to 10th Avenue.
20. Notice was published on the City's website, the Utah Public Notice website, mailed courtesy notices to property owner within 300 feet, and posted notice to the property on June 28, 2023.
21. The *Park Record* published notice on June 28, 2023.

Conclusions of Law

1. The Plat Amendment is consistent with the Park City Land Management Code, including LMC Chapter 15-2.2, *Historic Residential (HR-1) Zoning District*, and LMC § 15-7.1-3, *Plat Amendment*.

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 Planning Department, 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. A non-exclusive ten foot (10') public snow storage easement on Woodside Avenue shall be dedicated on the Plat.
5. The plat shall note the Maximum Building Footprint for Lot 1 is 843.75 square feet and Lot 2 is 1,200.67 square feet.
6. The non-historic Structure shall be demolished prior to recordation of the Plat.
7. Each Lot shall have a minimum of two Off-Street Parking spaces.
8. New construction on Lot 1 and Lot 2 shall be comply with the LMC in effect at the time of Building Permit application.
9. Prior to redevelopment, the applicant must provide a survey of significant vegetation and submit a landscape plan that justifies replacement of the vegetation as outlined in LMC § 15-5-5(N).
10. Any development on Lots 1 and 2 must undergo the Historic District Design Review process for compliance with LMC § 15-13-8 *Design Guidelines for Historic Districts and Historic Sites*.
11. Any development on Lot 1 or Lot 2 shall require wastewater service be routed to Woodside Avenue, which shall include the installation of an injector waste pump.
12. The Plat shall note that this Lot is subject to Ordinance 2023-39.
13. The Engineering Department 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.

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

PASSED AND ADOPTED this 22nd day of August, 2023.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:
Nann Worel
57775BCB46414F6...

Nann Worel, MAYOR

ATTEST:

DocuSigned by:
Michelle Kellogg
E5F905BB533F431...


City Recorder

APPROVED AS TO FORM:

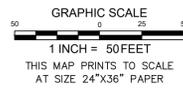
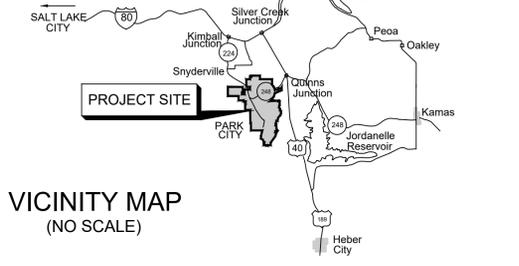
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Mark Harrington
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City Attorney's Office

Attachment 1 – Proposed Plat

958 WOODSIDE AVENUE SUBDIVISION

LOT 19, LOT 20 & THE NORTH HALF OF LOT 21 IN BLOCK 3 OF THE SNYDERS ADDITION TO PARK CITY SUBDIVISION LYING WITHIN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE & MERIDIAN SUMMIT COUNTY, UTAH



LEGEND



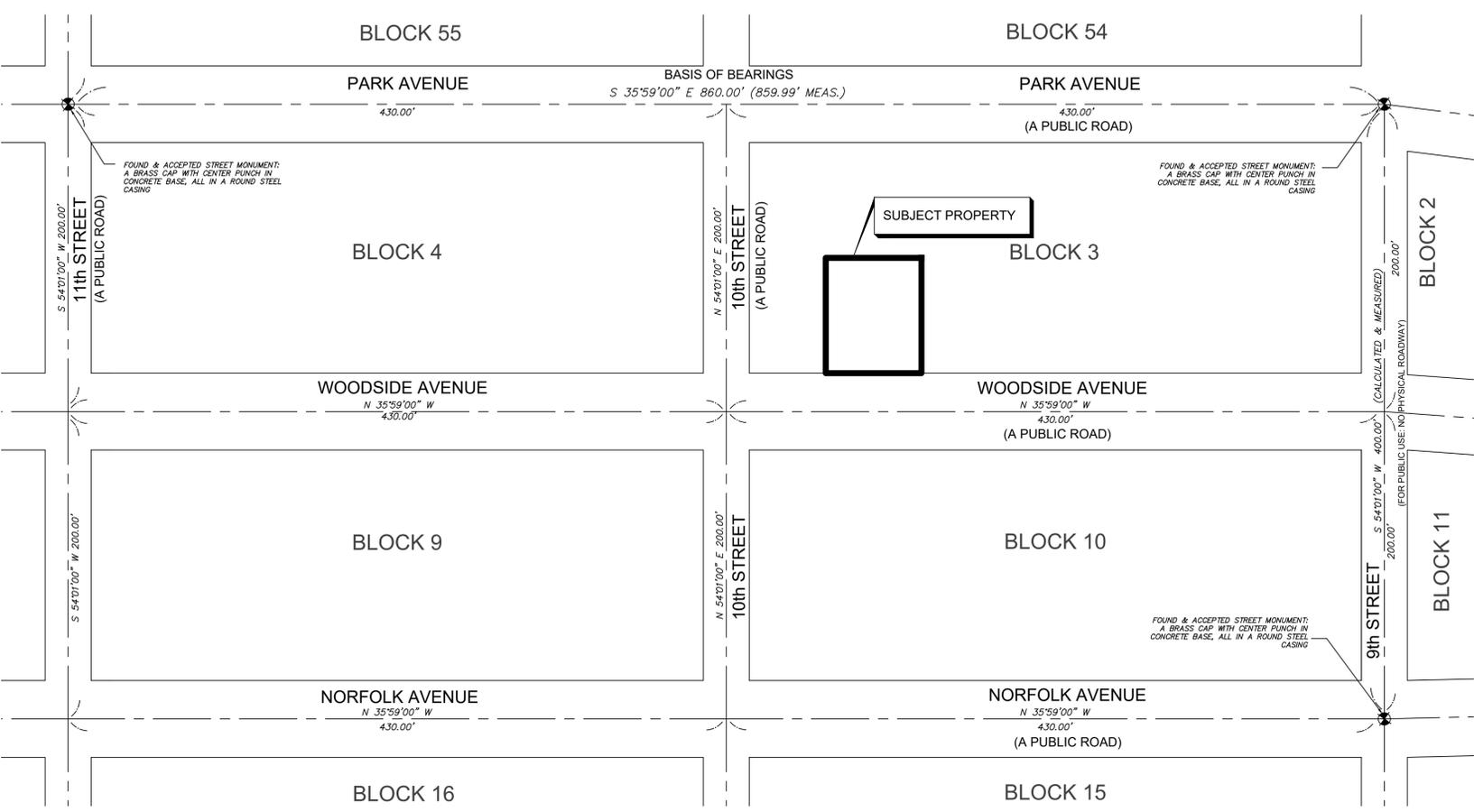
FOR SUBMISSION TO PARK CITY PLANNING
06-21-2023

PLAT NOTES
1. SEE RECORD OF SURVEY S-11162, RECORDED 02/14/2023 IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.
2. THIS PLAT IS SUBJECT TO THE CONDITIONS OF APPROVAL OF ORDINANCE 2023-

LEGAL DESCRIPTION
LOT 19, LOT 20 & THE NORTH HALF OF LOT 21 IN BLOCK 3 OF THE SNYDERS ADDITION TO PARK CITY SUBDIVISION, ON FILE AND OF RECORD AT THE SUMMIT COUNTY, UTAH RECORDER'S OFFICE.
BEING MORE PARTICULARLY DESCRIBED AS:
A PARCEL OF LAND LYING WITHIN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, SUMMIT COUNTY, UTAH.
BEGINNING AT A FOUND & ACCEPTED STREET CENTERLINE MONUMENT AT THE INTERSECTION OF PARK AVENUE WITH ELEVENTH STREET, BASIS OF BEARINGS BEING SOUTH 54°01'00" EAST 860.00 FEET BETWEEN FOUND STREET MONUMENTS AT THE INTERSECTION OF PARK AVENUE WITH ELEVENTH STREET AND PARK AVENUE WITH NINTH STREET;
THENCE SOUTH 54°01'00" WEST A DISTANCE OF 200.00 FEET;
THENCE SOUTH 35°59'00" EAST A DISTANCE OF 430.00 FEET;
THENCE SOUTH 35°59'00" EAST A DISTANCE OF 65.00 FEET;
THENCE NORTH 54°01'00" EAST A DISTANCE OF 25.00' TO THE TRUE POINT OF BEGINNING;
THENCE NORTH 54°01'00" EAST A DISTANCE OF 75.00 FEET;
THENCE SOUTH 35°59'00" EAST A DISTANCE OF 62.50 FEET;
THENCE SOUTH 54°01'00" WEST A DISTANCE OF 75.00 FEET;
THENCE NORTH 35°59'00" WEST A DISTANCE OF 62.50 FEET TO THE TRUE THE POINT OF BEGINNING.
CONTAINS 4687.5 SQUARE FEET OR 0.108 ACRES.
CONTAINS 1 LOT.

SURVEYOR'S CERTIFICATE
I, MARTINA NELSON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD LICENSE NUMBER 8910903 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 SUBDIVIDED SAID PROPERTY INTO LOTS AND STREETS, HEREAFTER TO BE KNOWN AS "958 WOODSIDE AVENUE SUBDIVISION".

MARTINA NELSON
UTAH P.L.S. 8910903



OWNER'S DEDICATION AND CONSENT TO RECORD
KNOW ALL MEN BY THESE PRESENTS THAT, RICHARD KEISER AND JOAN W. KEISER, THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, TO BE KNOWN HEREAFTER AS THE UNDERSIGNED OWNER(S) OF THE HEREIN DESCRIBED TRACT OF LAND KNOWN AS THE 958 WOODSIDE AVENUE SUBDIVISION, DO HEREBY CERTIFY THAT I HAVE CAUSED THIS PLAT TO BE PREPARED, AND DOES HEREBY CONSENT TO THE RECORDATION OF THIS PLAT.
ALSO, THE OWNER OR ITS REPRESENTATIVE, HEREBY IRREVOCABLY OFFERS FOR DEDICATION TO THE CITY OF PARK CITY ALL THE EASEMENTS SHOWN ON THIS PLAT AMENDMENT IN ACCORDANCE WITH AN IRREVOCABLE OFFER OF DEDICATION.
IN WITNESS WHEREOF, I HAVE HEREUNTO SET OUR HAND THIS ____ DAY OF _____, 2023.
RICHARD KEISER
JOAN W. KEISER

ACKNOWLEDGMENT
STATE OF _____
COUNTY OF _____
ON THIS ____ DAY OF _____, 2023, RICHARD KEISER & JOAN W. KEISER, 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 THEY ARE THE LANDOWNERS, AND THAT SAID DOCUMENT WAS SIGNED BY THEM, AND THEY ACKNOWLEDGED TO ME THAT THEY EXECUTED THIS "958 WOODSIDE AVENUE SUBDIVISION" PLAT AMENDMENT.
SIGNATURE _____
A NOTARY PUBLIC COMMISSIONED IN _____
PRINTED NAME _____
RESIDING IN _____
MY COMMISSION EXPIRES: _____
COMMISSION NUMBER _____

FOR SUBMISSION TO PARK CITY PLANNING
06-21-2023

Park City Surveying
PO Box 682993
Park City, UT 84068
435-649-2918
WWW.PARKCITYSURVEY.COM

PUBLIC SAFETY ANSWERING POINT APPROVAL APPROVED THIS ____ DAY OF _____, 2023. BY: JEFF WARD, GIS DIRECTOR SUMMIT COUNTY GIS COORDINATOR	COUNCIL APPROVAL & ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _____, 2023. MAYOR _____	PARK CITY PLANNING COMMISSION APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS ____ DAY OF _____, 2023. CHAIRMAN _____	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _____, 2023. PARK CITY RECORDER _____	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF _____, 2023. S.B.W.R.D. _____	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 2023. PARK CITY ENGINEER _____	APPROVAL AS TO FORM APPROVED AS TO FORM THIS ____ DAY OF _____, 2023. PARK CITY ATTORNEY _____	RECORDED ENTRY NUMBER: _____ BOOK _____ PAGE: _____ STATE OF UTAH, COUNTY OF _____ DATE: _____ TIME: _____ FEE PAID: _____ RECORDED AND FILED AT THE REQUEST OF: _____ COUNTY RECORDER: _____
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