

**Ordinance No. 12-08**

**ORDINANCE APPROVING THE 455 PARK AVENUE REPLAT  
LOCATED AT 455 PARK AVENUE, PARK CITY, UTAH**

WHEREAS, the owner of the property located at 455 Park Avenue has petitioned the City Council for approval of the plat amendment; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on March 28, 2012, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on March 28, 2012, forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 19, 2012, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the 455 Park Avenue Replat.

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

**SECTION 1. APPROVAL.** The 455 Park Avenue Replat as shown in Attachment A 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 455 Park Avenue.
2. The property is located in the Historic Residential (HR-1) District.
3. The proposed lot is 3, 750 square feet in size.
4. The minimum lot size within the HR-1 District is 1,875 square feet.
5. The lot width of the proposed lot is fifty feet (50').
6. The minimum lot width within the HR-1 District is twenty-five feet (25').
7. The square footage of the structure is approximately 2,944.
8. The building footprint is approximately 1,131 square feet.
9. The maximum footprint for a lot this size is 1,519 square feet.
10. There are no other violations or non-compliances found on the site.
11. The current use of the property is a single family dwelling.
12. There is a historic structure on the site.
13. The site is currently listed as a Landmark site on Park City's Historic Site Inventory.
14. The site contains a lot line going through the historic structure.
15. No remnant parcels of land are created with this plat amendment.
16. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

1. There is good cause for this plat amendment in that the combined lot will remove the lot line

going through the historic structure.

2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding lot combinations.
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 Attorney and City Engineer will review and approve the final form and content of the plat amendment 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 amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, 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. A 10' (ten foot) snow storage easement shall be dedicated to Park City across the property's frontage on Park Avenue.

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

PASSED AND ADOPTED this 19<sup>th</sup> day of April, 2012.

PARK CITY MUNICIPAL CORPORATION

*Cynthia Matsumoto*

Cindy Matsumoto, Mayor Pro Tem

Attest:

*Janet M. Scott*

Janet M. Scott, City Recorder

Approved as to form:

*Mark D. Harrington*

Mark D. Harrington, City Attorney



