

**Ordinance No. 13-12**

**AN ORDINANCE APPROVING THE 421 PARK AVENUE REPLAT LOCATED AT 421 PARK AVENUE, PARK CITY, UTAH.**

WHEREAS, the owner of the property located at 421 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 February 27, 2013, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on February 27, 2013, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 14, 2013, 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 421 Park Avenue Replat.

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

SECTION 1. APPROVAL. The 421 Park Avenue Replat 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 421 Park Avenue.
2. The property is located in the Historic Residential (HR-1) District.
3. The proposed lot is 4,650 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 sixty-two feet (62').
6. The minimum lot width within the HR-1 District is twenty-five feet (25').
7. The existing footprint of the structure is 1,066 square feet.
8. The maximum footprint for a lot this size is 1,790 square feet.
9. The current use of the property is a single family dwelling.
10. The existing front yard setback is eleven feet (11').
11. The existing rear yard setback is twenty-two feet (22').
12. The minimum front and rear yard setbacks are ten feet (10')
13. The existing north side yard setback is twelve feet (12').

14. The existing south side yard setback is nine feet (9').
15. The side yard setbacks are five feet (5') minimum, eighteen feet total.
16. There is a historic structure on the site.
17. The Historic Site Inventory lists the site as a Landmark.
18. The historic house sits on two lots lines, which the applicant is proposing to be removed with this application.
19. No remnant parcels of land are created with this plat amendment.
20. 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 lines 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 complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Modified 13-D sprinklers may be required for new construction as required by the Chief Building Official at the time of review of the building permit submittal.
4. A 10 foot wide public snow storage easement is required along the frontage of the lot with Park Avenue and shall be shown on the plat.

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

PASSED AND ADOPTED this 21<sup>st</sup> day of March, 2013.

PARK CITY MUNICIPAL CORPORATION

  
Dana Williams, MAYOR

ATTEST:



Jan Scott, City Recorder

APPROVED AS TO FORM:



Mark Harrington, City Attorney

# Attachment 1 – Proposed Plat

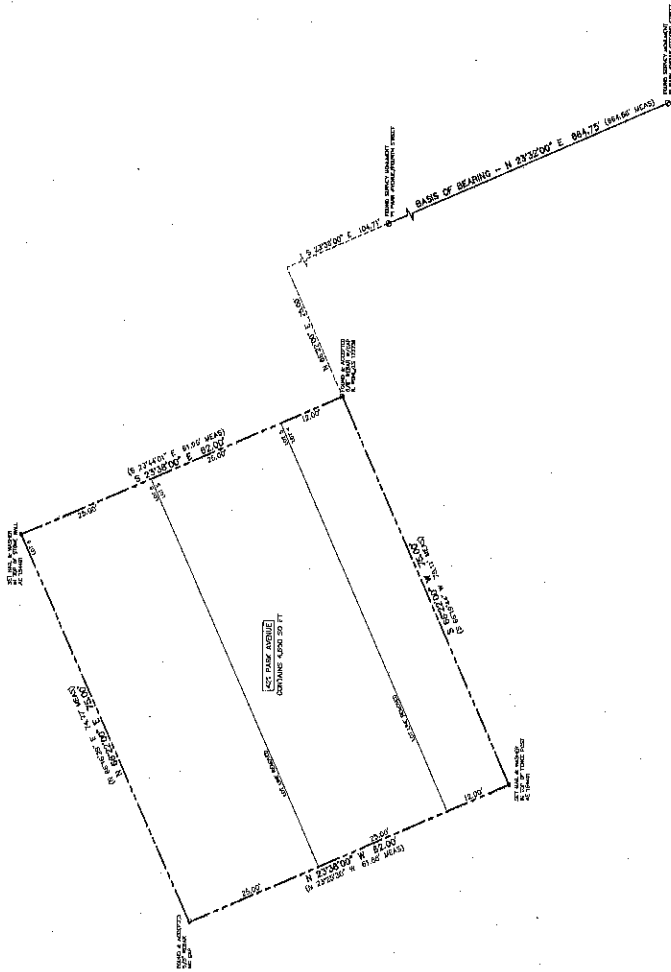
## SURVEYOR'S CERTIFICATE

I, Merle A. Morrison, certify that I am a Registered Land Surveyor and that I hold Certificate No. 10000, State of Utah, and that I am duly qualified to perform the duties of a surveyor. I have prepared this record of survey and the plat thereon in accordance with the laws and rules of the State of Utah and I further certify that the information on this plat is accurate.



## BOUNDARY DESCRIPTION

Lot 5 and 6 and the South 1/4 of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, as recorded in the office of the Summit County Recorder.



## OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that the undersigned owner of the herein described tract of land, to be known hereinafter as 421 PARK AVENUE REPLAT, does hereby certify that she has caused this report to be prepared, and I, Palmer C. Thurston, hereby consent to the recordation of this report.

In witness whereof, the undersigned set her hand this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Palmer C. Thurston, Owner

## ACKNOWLEDGEMENT

State of \_\_\_\_\_

County of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 2013, Palmer C. Thurston personally appeared before me, the undersigned Notary Public, in and for said state and county, having been duly sworn, and she acknowledged to me that she is an owner of the herein described tract of land, and that she signed the above Owner's Declaration and Consent to Record freely and voluntarily.

A Notary Public commissioned in Utah

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

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

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

## OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that the undersigned owner of the herein described tract of land, to be known hereinafter as 421 PARK AVENUE REPLAT, does hereby certify that she has caused this report to be prepared, and I, Hilary Thornton, hereby consent to the recordation of this report.

In witness whereof, the undersigned set her hand this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Hilary Thornton, Owner

## ACKNOWLEDGEMENT

State of \_\_\_\_\_

County of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 2013, Hilary Thornton personally appeared before me, the undersigned Notary Public, in and for said state and county, having been duly sworn, and she acknowledged to me that she is an owner of the herein described tract of land, and that she signed the above Owner's Declaration and Consent to Record freely and voluntarily.

A Notary Public commissioned in Utah

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

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

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

## OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that the undersigned owner of the herein described tract of land, to be known hereinafter as 421 PARK AVENUE REPLAT, does hereby certify that she has caused this report to be prepared, and I, Hilary Thornton, hereby consent to the recordation of this report.

In witness whereof, the undersigned set her hand this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Hilary Thornton, Owner

## ACKNOWLEDGEMENT

State of \_\_\_\_\_

County of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 2013, Hilary Thornton personally appeared before me, the undersigned Notary Public, in and for said state and county, having been duly sworn, and she acknowledged to me that she is an owner of the herein described tract of land, and that she signed the above Owner's Declaration and Consent to Record freely and voluntarily.

A Notary Public commissioned in Utah

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

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

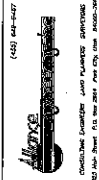
My commission expires \_\_\_\_\_

# A COMBINATION OF THE NORTHERLY 12' OF LOT 4 AND LOTS 5 & 6 IN BLOCK 4, PARK CITY SURVEY

# 421 PARK AVENUE REPLAT

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

NOTES  
1. See recorded survey S-7415 in the Summit County Recorder's Office.  
2. A Survey and Easement Agreement recorded August 26, 2005, as Entry No. 246226, in Book 2728 of Page 662 affects the subject property. The location and dimensions of said easement are not depicted.



SNYDERVILLE BASIN WATER RECLAMATION DISTRICT  
REVIEWED THE CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013 A.D.  
BY \_\_\_\_\_ S.W. W.R.D.

PLANNING COMMISSION  
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013 A.D.  
BY \_\_\_\_\_ CHAIR

ENGINEER'S CERTIFICATE  
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILED IN MY OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013 A.D.  
BY \_\_\_\_\_ PARK CITY ENGINEER

APPROVAL AS TO FORM  
APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013 A.D.  
BY \_\_\_\_\_ PARK CITY ATTORNEY

CERTIFICATE OF ATTEST  
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013 A.D.  
BY \_\_\_\_\_ PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE  
PERSONS AND ACCEPTANCE OF THE PARK CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013 A.D.  
BY \_\_\_\_\_ MAYOR

RECORDED  
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF \_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ ENTRY NO. \_\_\_\_\_ FILE \_\_\_\_\_ RECORDER \_\_\_\_\_