

**Ordinance No. 2019-16**

AN ORDINANCE APPROVING THE 839 WOODSIDE AVENUE PLAT AMENDMENT LOCATED AT 839 WOODSIDE AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 839 Woodside Avenue has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on February 13, 2019, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on February 13, 2019, proper legal notice was published according to requirements of the Land Management Code and courtesy letters were sent to surrounding property owners; and

WHEREAS, the Planning Commission held a public hearing on February 27, 2019, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on February 27, 2019, forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 4, 2019, 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 839 Woodside Avenue Plat Amendment located at 839 Woodside Avenue.

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

**SECTION 1. APPROVAL.** The 839 Woodside Avenue Plat Amendment, 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 839 Woodside Avenue.
2. The property consists of Lot 10 and Lot 11 of Block 11 of Snyders Addition.
3. The property is in the Historic Residential (HR-1) District.
4. There is an existing landmark historic structure at this address.
5. The existing home was constructed in 1905.
6. The property line between the two existing lots bisects the structure.
7. The applicant proposes to combine the subject lots into one lot of record.
8. There are several encroachments on this property along both sides and to the rear of the lot as follows:

- a. To the northwest side of the lot, there is a set of three stone retaining walls and associated landscaping encroaching into the 9<sup>th</sup> Street property owned by the City.
  - b. There is also an existing deck, concrete retaining wall, and concrete steps, and a wood retaining wall with associated landscaping encroaching into the 9<sup>th</sup> Street property.
  - c. To the southeast side of the lot, the neighboring historic house and its associated concrete and stone retaining walls encroach slightly over the shared property line and onto this property.
  - d. To the west and rear of the lot, there is a stone retaining wall that encroaches onto the adjacent property.
9. The existing home is a single-family dwelling which is an allowed use in the HR-1 district.
  10. The minimum lot area for a single-family dwelling is 1,875 square feet. The proposed lot has an area of 3,676 square feet. This lot size is not large enough to permit a duplex.
  11. The minimum lot width in the HR-1 zone is 25 feet. The proposed lot meets the requirements of this zone at 50.2 feet in width.
  12. The proposed lot will also be between 72.5 feet and 75 feet deep.
  13. The minimum front yard setback is 10 feet. The existing house has a 17 foot front yard setback.
  14. The minimum rear yard setback is 10 feet. The existing house has a 21 foot rear yard setback.
  15. The minimum side yard setback is 5 feet on each side and 14 feet total. The existing house has a 1 foot side yard setback on the north side and a 22.5 foot side yard setback on the south side.
  16. Because this is a historic structure, the existing setbacks are considered to be valid and complying.
  17. The maximum building footprint for a lot this size is 1,494.98 square feet. The existing footprint meets this standard at approximately 772.75 square feet.

**Conclusions of Law:**

1. There is good cause for this Plat Amendment.
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 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 will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this

approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration and an extension is granted by the City Council.

3. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.
4. New construction shall meet site and lot requirements of the HR-1 District per the Land Management Code in effect at the time of application submittal.
5. A Historic District Design Review application is required for any new construction proposed at the existing site.
6. A 10 foot wide public snow storage easement will be required along Woodside Avenue.
7. An encroachment agreement is required or all encroachments must be removed before this plat can be recorded. Existing encroachments are noted as follows:
  - a. To the northwest side of the lot, there is a set of three stone retaining walls and associated landscaping encroaching into the 9<sup>th</sup> Street property owned by the City.
  - b. There is also an existing deck, concrete retaining wall, and concrete steps, and a wood retaining wall with associated landscaping encroaching into the 9<sup>th</sup> Street property.
  - c. To the southeast side of the lot, the neighboring historic house and its associated concrete and stone retaining walls encroach slightly over the shared property line and onto this property.
  - d. To the west and rear of the lot, there is a stone retaining wall that encroaches onto the adjacent property.

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

PASSED AND ADOPTED this 4th day of April, 2019.

PARK CITY MUNICIPAL CORPORATION



*Andy B.*  
MAYOR

ATTEST:

*Michelle Kellogg*  
City Recorder

APPROVED AS TO FORM:

*Ma Ho*  
City Attorney

**Attachment 1 – Proposed Plat**

