## Ordinance No. 2018-10

AN ORDINANCE APPROVING THE QUEEN ESTHER VILLAGE NO. 1 UNIT 6 AMENDED PLAT LOCATED AT 2346 GOOD TRUMP COURT, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 2346 Good Trump Court has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on January 31, 2018, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on January 27, 2018, 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 14, 2018, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on February 14, 2018, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 15, 2018, 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 Queen Esther Village No. 1 Unit 6 Amended Plat located at 2346 Good Trump Court.

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

<u>SECTION 1. APPROVAL.</u> The Queen Esther Village No. 1 Unit 6 Amended Plat, 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 2346 Good Trump Court.
- 2. The property consists of Unit 6 of the Queen Esther Village No. 1 Condominiums.
- 3. The property is in the Residential Development (RD) Zone District and part of the Deer Valley Master Planned Development.
- 4. There is an existing multi-unit structure at this address.
- 5. The existing structure was constructed in 1981.
- 6. The proposed plat converts the deck area 108 square feet of Common Space into Private Space
- 7. The existing deck area sits beneath the second floor balcony.
- 8. Unit 6 is currently 1994.92 square feet in area and is proposed to be 2102.92 square feet.

- The Queen Esther Village Project I Homeowner's Association held a vote in October of 2017, and 81 percent of homeowners approved this proposal with 21 out of 26 owners voting in its favor.
- 10. The use as residential condominiums is unchanged.
- 11. The Queen Esther Village No. 1 subdivision is comprised of 26 units within 7 structures.
- 12. The Deer Valley MPD allows 26 individual units as part of the Solamere development. No increase in number of units is proposed.
- 13. Density within the Solamere development is determined by unit and not by unit equivalents/square footage.
- 14. The maximum height allowed is 28 feet from existing grade. No additional building height is proposed. All proposed construction is within the existing building envelope and roof. Building complies with the 28' height allowance.
- 15. The required front setback is a minimum of 20 feet. No construction is proposed into the existing front setback area.
- 16. The required rear setback is a minimum of 15 feet. No construction is proposed into the existing rear setback area.
- 17. The required side setbacks are a minimum of 12 feet. No construction is proposed into the existing front setback areas.
- 18. The current LMC requires 2 parking spaces for a multi-family unit with a floor area of over 2,000 square feet. The unit currently has 2 off-street parking spaces in its garage and no additional parking is required.
- 19. The building does not exceed the allowable 28' building height and there are no non-conforming setback issues.
- 20. All construction is proposed within the existing building envelope.
- 21. The common area is designated as a blanket utility easement.

# 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 date and an extension is granted by the City Council.
- 3. An appropriate NFPA Fire Suppression System is needed as required by the Building and Fire Departments.

- 4. All conditions of approval of the Queen Esther Village No. 1 plat shall continue to apply.
- 5. The applicant may submit an application for a building permit according to City procedures after this plat amendment has been recorded.
- 6. Prior to plat recordation, letters from utility providers (Questar, Rocky Mountain Power, and communications entities) shall be submitted to Planning, that indicate there are no public utilities located under the deck, in the area proposed to be converted from common to private, or approval is granted to relocate such public utilities at the Unit owner's expense.

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

PASSED AND ADOPTED this 15<sup>th</sup> day of March, 2018.

PARK CITY MUNICIPAL CORPORATION

MAYOR

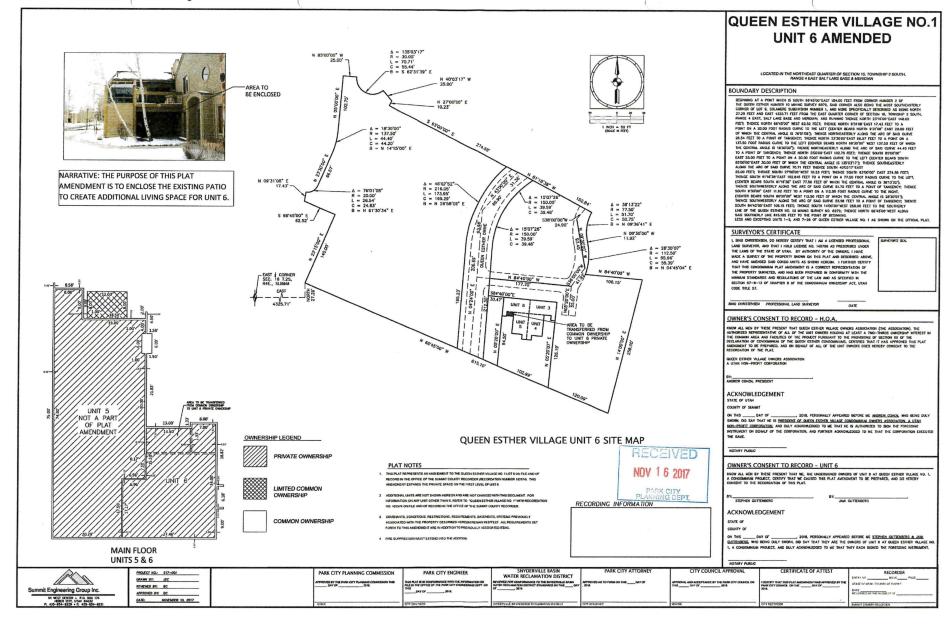
ATTEST:

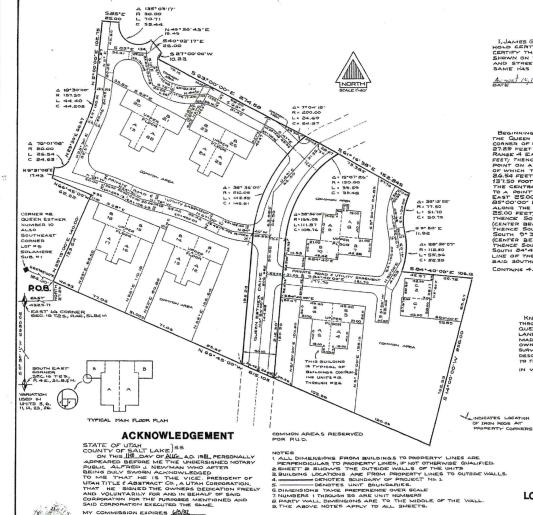
City Recorder

APPROVED AS TO FORM:

City Attorney

Attachment 1 - Proposed Plat





## SURVEYOR'S CERTIFICATE

LIAMES G. WEST, TO HEREBY CERTIFY THAT I AM REGISTERS LAND SURVEYOR AND THAT I MODELET MITTHEATT NO BOSE AS PREMEDIAGED UNDER THE DAYS OF THE STATE OF UTAN, I JOUTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE MADE A SURVEY OF THE TRACT OF LAND SECRETISED BELOW AND SUBSUIDED SAID TRACT OF LAND INTO SUILDINGS AND STREETS, HEREAFTER TO BE KNOWN AS QUEEN ESTHER VILLAGE NO. 1, AND THAT SAME HAS BEEN CORRECTLY SURVEYOR AND STREETS, HEREAFTER TO BE KNOWN AS QUEEN ESTHER VILLAGE NO. 1, AND THAT SAME HAS BEEN CORRECTLY SURVEYOR AND STAYED ON THE GROUND AS SHOWN ON THIS PLAT

A 708 + 10, 1981

CONTAINS 4.7714 ACRES.

A. With. JAMES G. WEST REGISTERED LAND SURVEYOR No. 3082, UTAH

## **BOUNDARY DESCRIPTION**

## OWNER'S CERTIFICATE AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENT THAT UTAH TITLE ( ABSTRACT CO, A UTAH CORPORATION, BY AND THROUGH ITS VICE PRESIDENT, ALFRED I, NEWMAN, THE OWNER OF THE TRACT OF LAND DESCRIBED HERBIN AS QUEEN ESTHER VILLAGE NO.1, A UTAH CONDOMINIUM PROJECT LOCATED ON THE ASOVE DESCRIBED LAND, DOES HEREBY MAKE THIS CERTIFICATE THAT THE OWNER HAS CAUSED A SURVEY TO BE MADE AND THIS RECORD OF GURVEY MAP CONSISTING OF 3 SHEETS TO BE PREPARED. THE OWNER HERBEY CONSISTIS TO THE RECORDATION OF THIS RECORD OF SURVEY MAP CONSISTING OF SHEETS TO AD SUBMITS THE DESCRIBED PROPERTY TO THE UTAH CONDOMINIUM OWNERSHIP AC AND SUBMITS THE DESCRIBED PROPERTY TO THE UTAH CONDOMINIUM OWNERSHIP AC AND SUBMITS THE DESCRIBED PROPERTY TO THE UTAH CONDOMINIUM OWNERSHIP ACT THE OWNER ALSO DEDICATES OF THE FURTHER USE, QUEEN ESTHER DRIVE AND THE PUBLIC UTLINY CASEMENTS AS SHOWN. IN WITNESS WHEREOF, HE HAS SET HIS HAND THIS 11 DAY OF MIG. 1981.

BY Oupel & newman ALFRED J. NEWMAN, VICE PRESIDENT UTAH TITLE & ABSTRACT CO.

# QUEEN ESTHER VILLAGE

NO. 1

LOCATED IN THE N.E. 1/4 OF SEC. 15, T.2S., R.4E., S.L.B.&M.

A UTAH CONDOMINIUM PROJECT

SHEET 1 OF 3

2012

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Apresso. NOV

MY COMMISSION EXPIRES 6/5/82 RESIDING IN SAT LAKE COUNTY, UTAH

CORPORATION FOR THE PURPOSES MENTIONED AND SAID CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC

ALL COMMON AREAS ARE HEREBY DEDICATED AS PUBLIC UTILITY EASEMENTS.

## CITY COUNCIL APPROVAL

PRESENTED TO THE BOARD OF CITY COUNCIL THIS ABOUT AND THE THIS RECORD OF SURVEY WAS APPROVED



## CITY ENGINEER

APPROVED AND ACCEPTED BY THE PARK SLY CITY ENGINEERING DEPART-MENT ON THIS 12 DAY OF Accest



## CITY PLANNING COMMISSION

PROVED AND ACCEPTED BY THE RUL ANNINING COMMISSION ON THIS IS



## APPROVAL AS TO FORM

OF AUCUST A.D. 183

CITY ATTORNEY MY

## RECORDED

Nº 182974 date: 8-21-51 at: 1:30 STATE OF THE retal AND FILED AT THE REQUEST OF Bush City Municipal Comparation

Wanday Springs

J.J.Johnson & Associates

Park City, Uteh 84060 (801) 649-9811

