Ordinance No. 2019-03

AN ORDINANCE APPROVING THE 510 ONTARIO AVENUE PLAT AMENDMENT LOCATED AT 510 ONTARIO AVENUE, PARK CITY, UTAH.

WHEREAS, the property owners of the property located at 510 Ontario Avenue have petitioned the City Council for approval of a Plat Amendment; and

WHEREAS, on November 24, 2018, proper legal notice was published according to requirements of the Land Management Code; and

WHEREAS, on November 28, 2018, the site was properly noticed and posted according to the 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 November 14, 2018, to receive input on the Plat Amendment; and

WHEREAS, the Planning Commission on December 12, 2018, forwarded a positive recommendation to the City Council; and,

WHEREAS, on January 15, 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 510 Ontario Avenue Plat Amendment located at 510 Ontario Avenue.

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

<u>SECTION 1. APPROVAL.</u> The 510 Ontario 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 site is located at 510 Ontario Avenue.
- 2. The site consists of an existing single-family dwelling accessed off Ontario Avenue.
- 3. The site is within the Residential District.
- 4. The proposed Plat Amendment consists of two (2) metes and bounds parcels (723 and 4,191 square feet each, respectively) plus a portion of Roundabout Condominium Plat common space consisting of 2,731.8 square feet.
- 5. On October 4, 2016 a special warranty deed was recorded at Summit County from Roundabout LLC to Eliot Realty LLC consisting of 2,731.8 square feet of common space of the Roundabout Condominiums.

- 6. October 4, 2016 a quit claim deed was recorded at Summit County from Roundabout Homeowners Association, Inc., to Eliot Realty LLC consisting of 2,731.8 square feet of open space of the Roundabout Condominiums.
- 7. The October 4, 2016 property transfer of the 2,731.8 square feet of common area of the Roundabout Condominiums took place without City approvals.
- 8. The proposed Plat Amendment consists of one (1) lot of record 7,646 square feet in size.
- 9. This proposal does not increase density as there is already a single-family dwelling.
- 10. The minimum lot area for a single-family dwelling is 2,812 square feet; duplex dwelling is 3,750 square feet; and triplex dwelling is 5,625 square feet.
- 11. The applicant has been working with the Planning Dept. for an addition / renovation / remodel to the existing single-family dwelling.
- 12. Single-family and duplex dwellings are listed as allowed uses, and a triplex dwelling is listed as a conditional use.
- 13. The Residential District requires a minimum front setback of fifteen feet (15'), new front facing garages for single-family and duplex must be at least twenty feet (20'), a minimum rear setback of ten feet (10'), and a minimum side setback of five feet (5').
- 14. The proposed Plat Amendment, one (1) lot subdivision, meets front, rear, and side setbacks.

Conclusions of Law:

- 1. There is good cause for the Plat Amendment.
- 2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding Plat Amendments.
- 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 shall record the Plats 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 plats 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.
- A Plat note shall be added to limit one (1) single-family dwelling. No duplexes / triplexes allowed based on its proximity to the Historic District.
- 4. A ten foot (10') snow storage and non-exclusive public utility easement to extend along Ontario Avenue shall be noted on the Plat.
- 5. A Plat note shall be added indicating that access to the lot shall be from Ontario Avenue.
- A Plat note shall be added indicating the portion of the site located within Flood Zone AO.

- 7. Prior to plat recordation the applicant shall be responsible of submitting to the Engineering Department proof that there are no existing utilities on the five foot (5') utility easement and a new five foot (5') utility easement is required along the side property line. If existing utilities are found with the five foot (5') utility easement, the proposed plat will not vacate the utility easement.
- 8. Residential fire sprinklers are required for all new construction per requirements of the Chief Building Official, and shall be noted on the Plat.

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

PASSED AND ADOPTED this 15th of January, 2019.

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR

ATTEST:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Exhibit A1 Attachment 1 – 510 Ontario Avenue Plat Amendment

