

Ordinance No. 2020-41

**AN ORDINANCE APPROVING THE ASPEN SPRINGS RANCH PHASE I LOT 18
AMENDED PLAT AMENDMENT, LOCATED AT
2524 ASPEN SPRINGS DRIVE, PARK CITY, UTAH**

WHEREAS, the owners of the property located at 2524 Aspen Springs Drive petitioned the City Council for approval of the Aspen Springs Ranch Phase I Lot 18 Amended Plat Amendment; and

WHEREAS, on August 8, 2020 notice was published in the *Park Record* and on the City and Utah Public Notice websites; and

WHEREAS, on August 12, 2020, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on August 12, 2020, courtesy notice was mailed to property owners within 300 feet of the Aspen Springs Ranch Phase I Lot 18 Amended Plat Amendment; and

WHEREAS, on August 26, 2020, the Planning Commission reviewed the proposed plat amendment and held a public hearing; and

WHEREAS, on August 26, 2020, the Planning Commission forwarded a positive recommendation for City Council's consideration on September 17, 2020; and

WHEREAS, on September 17, 2020, the City Council reviewed the proposed plat amendment and held a public hearing; and

WHEREAS, the condominium plat is consistent with the Park City Land Management Code, including §15-7.1-3(B), § 15-12-15(B)(9), and Chapters 15-2.11, 15-3 and 15-7.

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

SECTION 1. APPROVAL. The Aspen Springs Ranch Phase I Lot 18 Amended Plat Amendment is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact

Background:

1. On July 14, 2020 the Applicant submitted a complete Plat Amendment application.
2. The applicant is proposing to amend the Limits of Disturbance and minimum Setback along a portion of the western property line on Lot 18 of the Aspen Springs Ranch Subdivision Phase I to accommodate a new addition. The following excerpt

from the Aspen Springs Ranch Subdivision Phase I identifies the Limits of Disturbance (circled in red) established at time of final plat.

3. The property is located at 2524 Aspen Springs Drive.
4. On August 26, 2020, the Planning Commission reviewed the proposed Plat Amendment and forwarded a unanimous positive recommendation to City Council.

Zoning District:

5. The property is located in the Single Family (SF) Zoning District.

Public Notice Requirements:

6. Staff published notice on the City's website and the Utah Public Notice website, and posted notice to the property on July 25, 2020. Staff mailed courtesy notice to property owners within 300 feet on July 28, 2020. The *Park Record* published notice on July 25, 2020.

Lot and Site Requirements

7. The Aspen Springs Ranch Subdivision Phase I establishes Limits of Disturbance and minimum Setbacks for each lot.
8. The applicant is not proposing a change to the Maximum House Size.
9. The LMC also regulates Lot and Site Requirements per LMC [§ 15-2.11-3](#).
10. The proposed Plat Amendment complies with the following Lot and Site Requirements based on the Springs Ranch Subdivision Phase I plat notes and applicable LMC requirements:
 - a. The Front Setback for the existing Structure is 26 feet 7 inches as measured. The applicant's proposed addition will be constructed to the 15 foot minimum.
 - b. The Rear Setback for the existing Structure is 62 feet 5 inches as measured. No rear addition is proposed. The Minimum Rear Setback is 10 feet. Any development will comply.
 - c. The applicant is proposing to reduce the Setback along a portion of the western property line from 20 feet (per the Subdivision Plat) to the SF Zoning District Minimum of 12 feet. The proposed addition would comply with the 12 foot Side Setback is approved by Planning Commission. The applicant does not propose to amend the eastern Side Setback of 25 feet. The existing Structure is 29 feet from the east property line.
 - d. The Maximum House Size is 5,500 square feet. According to Summit County property tax records, the existing House Size is 2,992 square feet with a 525 square foot garage. Any new addition will have to comply.

Subdivision Requirements:

11. In addition to the analysis in Section II of the Staff Report, the proposed Plat Amendment is warranted as it the result of unique grading conditions and improves access to the lot.
12. The proposal complies with LMC § 15-7.1.

Conclusions of Law

1. There is Good Clause for this Plat Amendment.
2. The Plat Amendment is consistent with the Park City Land Management Code, including [LMC § 15-2.11](#) Single Family (SF) Zoning District and [LMC § 15-7.1-3\(B\)](#) Plat Amendment.
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 shall 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. The plat shall note that fire sprinklers are required for all new or renovation construction on this lot, to be approved by the Chief Building Official.
- 4. A non-exclusive ten foot (10') public snow storage easement on Aspen Springs Drive shall be dedicated on the plat.
- 5. The property is not located within the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore it is not regulated by the City for mine related impacts. However, if the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance to State and Federal law.
- 6. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
- 7. All landscaping that is to be removed shall be replaced in kind.

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

PASSED AND ADOPTED this 17th Day of September, 2020.

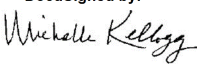
PARK CITY MUNICIPAL CORPORATION

DocuSigned by:

 0340104CDC42481...

Andy Beerman, MAYOR

ATTEST:



DocuSigned by:

 E5F905BB539F431...

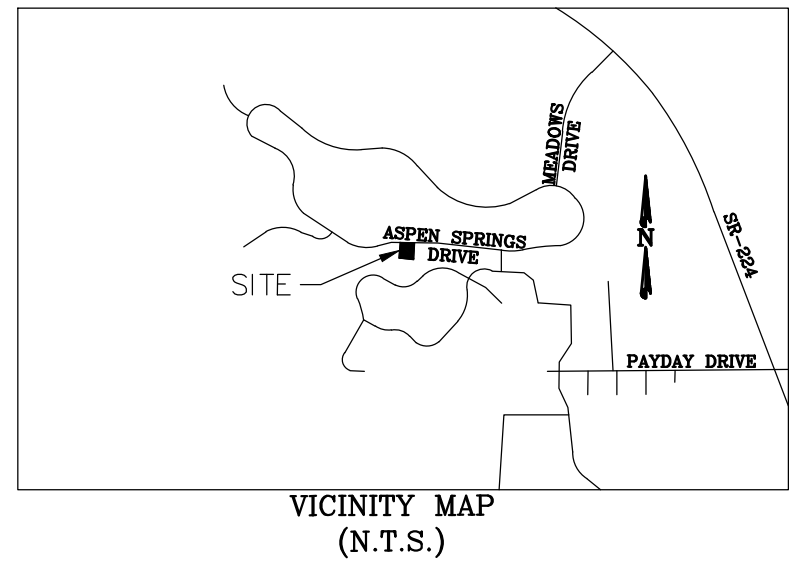
 City Recorder

APPROVED AS TO FORM:

DocuSigned by:

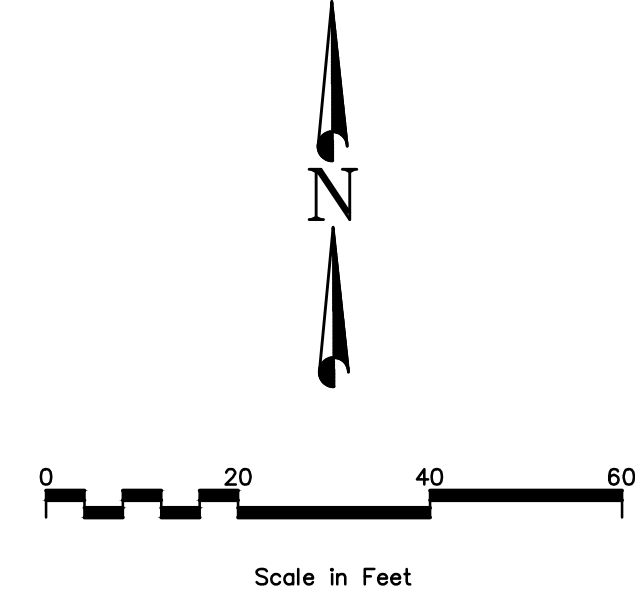
 B7478B7734C7490...

 City Attorney's Office



REVIEW COPY

ASPEN SPRINGS RANCH PHASE 1 LOT 18 AMENDED (AMENDING LOT 18 LIMITS OF DISTURBANCE) LOCATED IN THE SOUTHWEST QUARTER OF SECTION 5 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH



BOUNDARY DESCRIPTION

ALL OF LOT 18 OF THE ASPEN SPRINGS RANCH PHASE 1 SUBDIVISION, BEING FURTHER DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 18;
THENCE 133.31 FEET ALONG THE ARC OF A 3975.00 FOOT RADIUS CURVE TO THE RIGHT THRU A CENTRAL ANGLE OF 1°55'18" (CHORD BEARS NORTH 89°00'54" EAST 133.31 FEET);
THENCE SOUTH 11°40'00" WEST 157.31 FEET;
THENCE NORTH 88°50'22" WEST 96.27 FEET;
THENCE NORTH 2°00'00" WEST 149.91 FEET TO THE POINT OF BEGINNING.

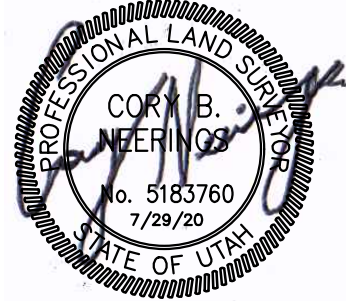
CONTAINS
1 LOT
0.40 ACRES
17,485 SQUARE FEET, MORE OR LESS

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY WAS ESTABLISHED AS NORTH 87°53'36" EAST BETWEEN FOUND BRASS CAP STREET MONUMENTS IN THE CENTERLINE OF ASPEN SPRINGS DRIVE AS SHOWN HEREON.

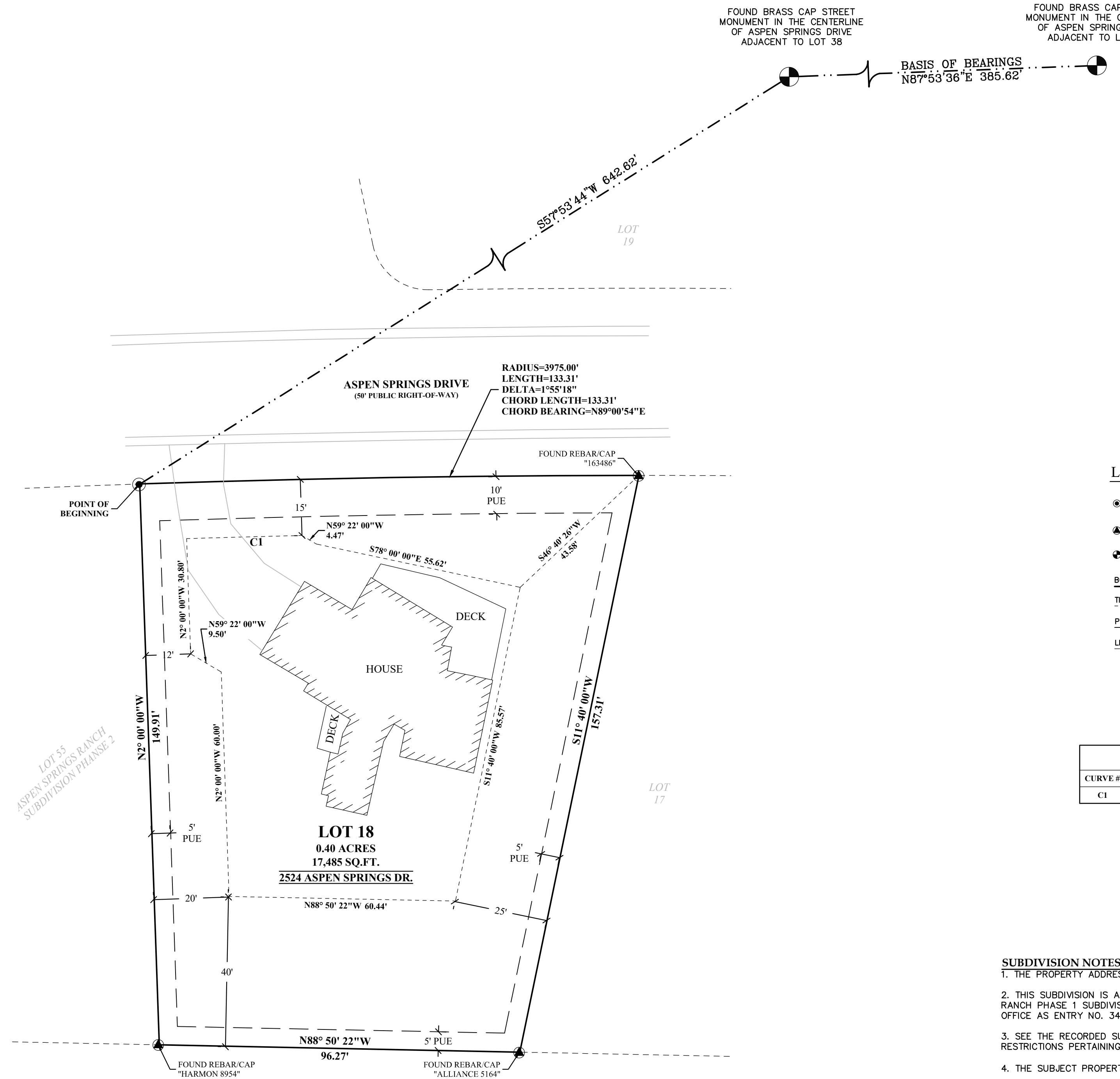
SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 10-9a-603 OF THE UTAH CODE, I, CORY B. NEERINGS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 5183760 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT.
I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.



CORY B. NEERINGS
PLS 5183760

REVIEW COPY



LEGEND

- PROPERTY CORNER
SET REBAR/CAP
LEGEND ENGINEERING PLS 5183760
- ▲ FOUND PROPERTY CORNER
(AS NOTED)
- ⊕ FOUND BRASS CAP
STREET MONUMENT

BOUNDARY LINE _____
TITLE LINES _____
PUBLIC UTILITY EASEMENTS _____
LIMIT OF DISTURBANCE SETBACK _____

CURVE TABLE

CURVE #	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	30.84'	3960.00'	0° 26' 46"	30.83'	N88° 27' 04" E

- SUBDIVISION NOTES**
1. THE PROPERTY ADDRESS IS 2524 ASPEN SPRINGS DRIVE.
 2. THIS SUBDIVISION IS AMENDING THE LIMITS OF DISTURBANCE OF LOT 18, ASPEN SPRINGS RANCH PHASE 1 SUBDIVISION ON FILE AND OF RECORD WITH THE SUMMIT COUNTY RECORDERS OFFICE AS ENTRY NO. 349163.
 3. SEE THE RECORDED SUBDIVISION PLAT LISTED ABOVE FOR SPECIFIC NOTES AND RESTRICTIONS PERTAINING TO THE SUBJECT PROPERTY.
 4. THE SUBJECT PROPERTY IS CURRENTLY ZONED SINGLE FAMILY(SF).

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT I, THE UNDERSIGNED OWNER(S) OF THE TRACT OF LAND SHOWN AND DESCRIBED ON THIS SUBDIVISION, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, STREETS AND EASEMENTS TO BE HEREAFTER KNOWN AS THE **ASPEN SPRINGS RANCH PHASE 1 LOT 18 AMENDED**
DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

IN WITNESS THEREOF I HAVE HEREUNTO SET MY HAND THIS _____ DAY OF _____, 2020.

OWNER SIGNATURE _____ PRINT NAME _____ DATE _____
OWNER SIGNATURE _____ PRINT NAME _____ DATE _____

ACKNOWLEDGEMENT

STATE OF UTAH }
COUNTY OF _____ }

ON THIS _____ DAY OF _____, 2020 PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF _____, IN SAID STATE OF _____, THE SIGNER(S) OF THE ABOVE OWNER'S DEDICATION, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR THE PURPOSES MENTIONED.

NOTARY PUBLIC COMMISSIONED IN UTAH _____ MY COMMISSION EXPIRES _____

PRINT NAME _____ RESIDING IN _____ COUNTY

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF PARK CITY, SUMMIT COUNTY, UTAH, APPROVE THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON, AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCEL OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC, THIS _____ DAY OF _____, 2020.

MAYOR _____

CLERK/RECORDER _____

CITY ENGINEER APPROVAL	PLANNING COMMISSION APPROVAL
APPROVED THIS _____ DAY OF _____, 2020. CITY ENGINEER _____	APPROVED THIS _____ DAY OF _____, 2020, BY THE PARK CITY PLANNING COMMISSION. CHAIRMAN, PLANNING COMMISSION _____

 **LEGEND ENGINEERING**
52 WEST 100 NORTH
HEBER CITY, UT 84032
PHONE: 435-654-4828

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2020.

BY _____

Recorder

REVISION: NONE
DATE: 7/29/20
SCALE: 1"=20'
PAGE: 1 OF 1
PROJECT: S20-012

REVIEW COPY