

Ordinance No. 2022-44

**AN ORDINANCE APPROVING THE 569 PARK AVENUE PLAT AMENDMENT,
LOCATED AT 569 PARK AVENUE, PARK CITY, SUMMIT COUNTY, UTAH**

WHEREAS, the owner of the property located at 569 Park Avenue petitioned the City Council for approval of the 569 Park Avenue Plat Amendment; and

WHEREAS, on September 14, 2022, the Park Record published notice for the Planning Commission and City Council public hearings; and

WHEREAS, on September 14, 2022, staff mailed courtesy notice to property owners within 300 feet, posted notice to the Utah Public Notice Website and City Website, and posted notice to the property for the Planning Commission and City Council public hearings; and

WHEREAS, on September 28, 2022, the Planning Commission reviewed the proposed Plat Amendment, held a public hearing, and forwarded a positive recommendation to the City Council;

WHEREAS, on October 27, 2022, the City Council reviewed the 569 Park Avenue Plat Amendment and held a public hearing; and

WHEREAS, the 569 Park Avenue Plat Amendment is consistent with the Park City Land Management Code, including § 15-7.1-3(B), § 15-7.1-6, and Chapters 15-2.2, and 15-7.

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

SECTION 1. APPROVAL. The 569 Park Avenue Plat Amendment 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 569 Park Avenue within the Historic Residential (HR-1) District.
2. The 569 Park Avenue Plat Amendment consists of Lot 17 and 18 of Block 5.
3. On July 19, 2022, the Applicant submitted a Plat Amendment application to combine two existing lots into one lot of record containing a total of 3,748.5 square feet.
4. Staff deemed the Plat Amendment application complete on July 19, 2022.
5. The subject parcel is PC-82.
6. The HR-1 Zone requires a minimum lot area of 1,875 square feet for a single-family dwelling. The proposed lot area meets the minimum lot area for a single-family dwelling. The Use of the current structure on the lot is a Single-Family Dwelling, which is an Allowed Use in the HR-1 Zone.

7. The minimum lot width allowed in the HR-1 Zone is twenty-five feet (25'). The proposed combined lot width is 49.98'. The lot depth is 75'.
8. The minimum side setbacks for a 49.98' wide lot are 5' each.
9. The minimum front and rear setbacks for 75' deep lot are 10' each.
10. New construction must comply with the HR-1 Zone setbacks.
11. The proposed plat amendment will not cause undo harm to adjacent property owners.
12. The proposed lot area of 3,748.5 square feet is a compatible lot combination as the entire HR-1 Zone has an abundance of sites with the same or similar dimensions and lot area.
13. The existing Single-Family Dwelling has a footprint of 1,085 square feet.
14. The maximum footprint allowed in the HR-1 zone is 1519.74 square feet for the proposed lot.
15. As conditioned, the proposed plat amendment does not create any new non-complying or non-conforming situations.

Conclusions of Law

1. There is Good Cause for this Plat Amendment because the combination of the two lots creates one lot for a Significant Historic Structure.
2. The Plat Amendment is consistent with Land Management Code § 15-7.1-3(B), § 15-7.1-6, and Chapters 15-2.2, and 15-7.
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's Office, 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 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. No building permit for any work shall be issued until the plat is recorded and until the Historic District Design Review application, if required, is submitted and approved for the property.
4. The property is not located within the Park City Soil Ordinance Boundary and therefore it is not regulated by the City for mine-related impacts. However, if the


property owner encounters mine waste or mine waste impacted soils, they must handle the material in accordance with State and Federal law.

- 5. New construction must comply with Lot and Site Requirements outlined in Land Management Code Section 15-2.2-3, including Setbacks.
- 6. Any construction on the property requires submittal and approval of a Historic District Design Review application.
- 7. City Engineer review and approval of all lot grading, utility installations, public improvements, and drainage plans for compliance with City standards for new construction is a condition precedent to building permit issuance.

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


PASSED AND ADOPTED this 27th day of October, 2022.

PARK CITY MUNICIPAL CORPORATION


DocuSigned by:

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 Nann Worel, Mayor

ATTEST:

DocuSigned by:

 E5F905BB533F431...

 City Recorder



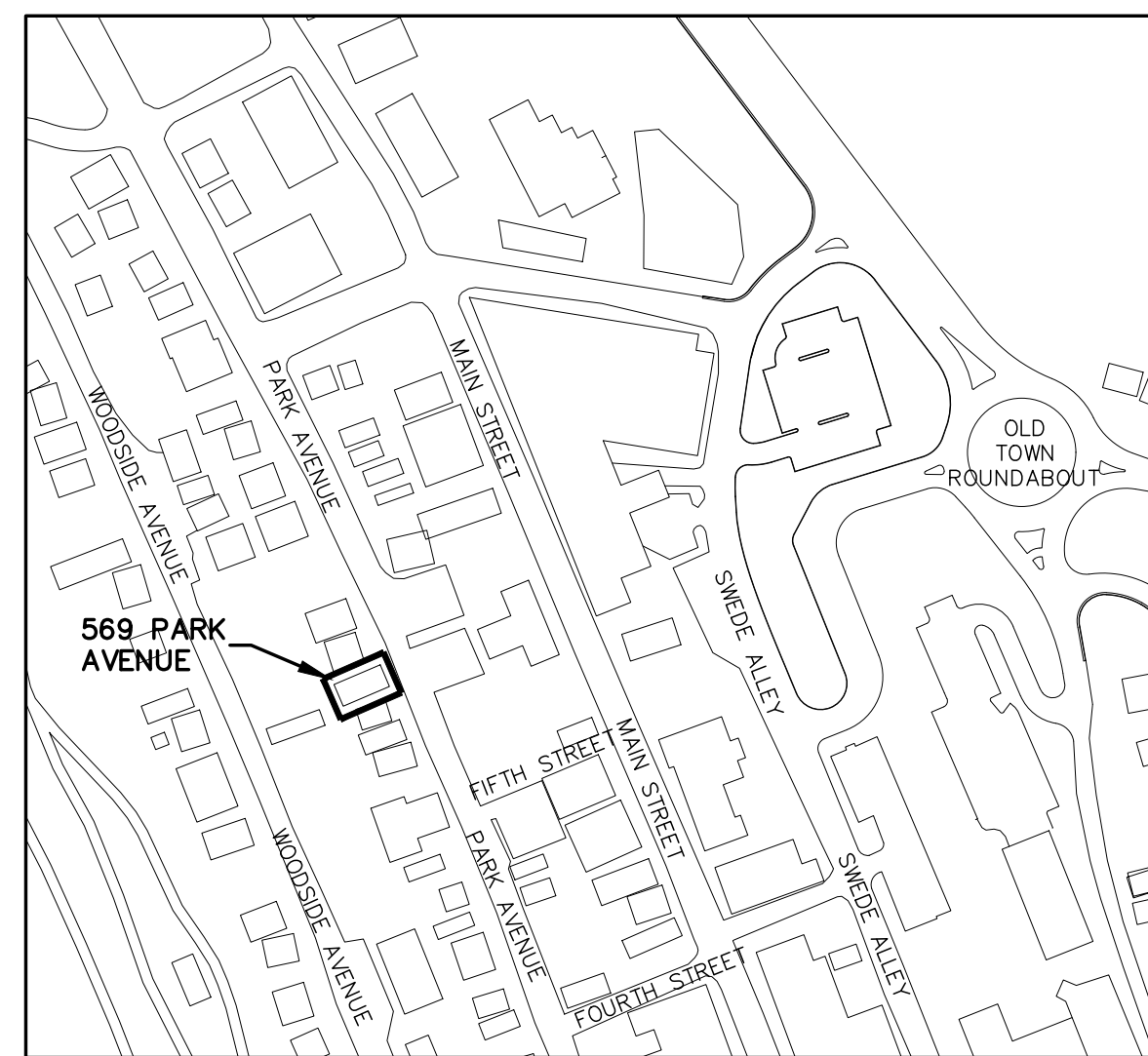
APPROVED AS TO FORM:

DocuSigned by:

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 City Attorney's Office

Attachments: Attachment 1 – 569 Park Avenue Plat Amendment



VICINITY MAP



SURVEYOR'S CERTIFICATE

I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 4857264 as prescribed under the laws of the State of Utah. I further certify that by authority of the owner, I have made a survey of the land shown on this plat and described hereon, and have combined said land into one lot, hereafter to be known as 569 PARK AVENUE PLAT AMENDMENT and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

LEGAL DESCRIPTION

All of Lots 17 and 18, Block 5, Amended Plat of the Park City Survey, according to the official plat thereof, on file and of record in the Summit County Recorder's Office.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that, William A. Kershaw and Janet F. Kershaw, Trustees of The Kershaw Family Trust, dated February 2, 2001, and any amendments thereto, hereby certify that they have caused this plat amendment to be made, together with easements as set forth to be hereafter known as 569 PARK AVENUE PLAT AMENDMENT and does hereby dedicate for the perpetual use of the public the areas shown on this plat as intended for public use. The undersigned owner also hereby conveys any other easements as shown on this plat to the parties indicated and for the purposes shown hereon.

In witness whereof, the undersigned set his hand this ____ day of _____, 2022. The Kershaw Family Trust, dated February 2, 2001, and any amendments thereto. By: William A. Kershaw, Trustee. In witness whereof, the undersigned set her hand this ____ day of _____, 2022. The Kershaw Family Trust, dated February 2, 2001, and any amendments thereto. By: Janet F. Kershaw, Trustee.

ACKNOWLEDGMENT

State of _____ : ss. County of _____ On this ____ day of _____, 2022, William A. Kershaw personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is a Trustee of The Kershaw Family Trust, dated February 2, 2001, and any amendments thereto, and that said document was signed by him on behalf of said Trust by authority of the Trust, and he acknowledged to me that he executed the 569 PARK AVENUE PLAT AMENDMENT.

A Notary Public commissioned in _____ Printed Name _____ Residing in: _____ My commission expires: _____ Commission No: _____

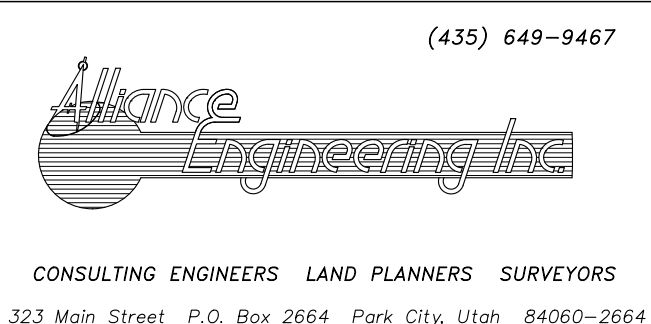
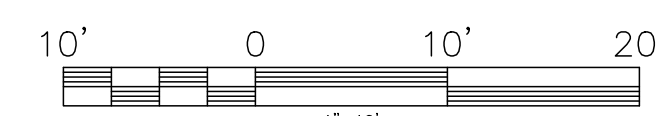
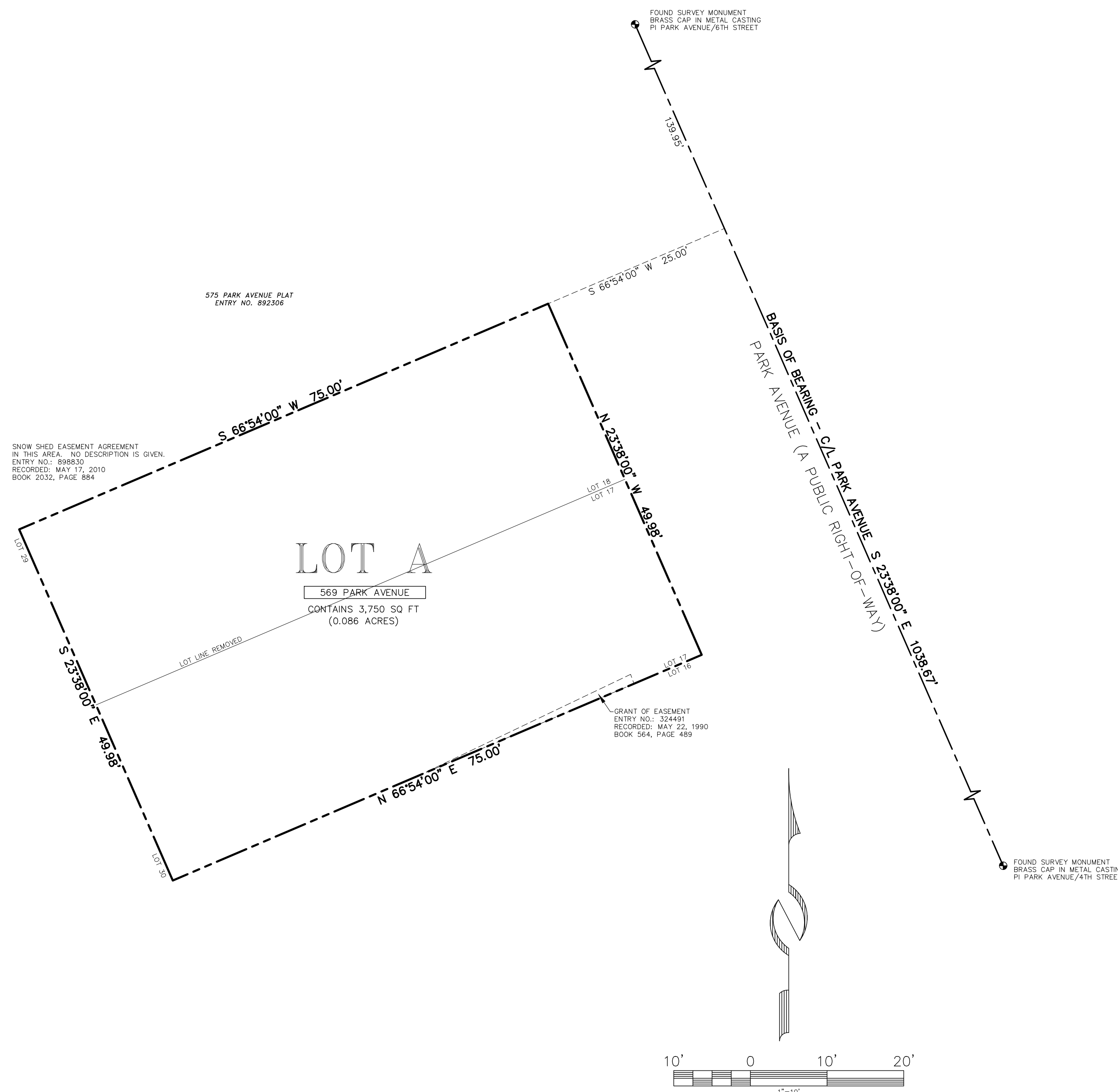
ACKNOWLEDGMENT

State of _____ : ss. County of _____ On this ____ day of _____, 2022, Janet F. Kershaw personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that she is a Trustee of The Kershaw Family Trust, dated February 2, 2001, and any amendments thereto, and that said document was signed by her on behalf of said Trust by authority of the Trust, and she acknowledged to me that she executed the 569 PARK AVENUE PLAT AMENDMENT.

A Notary Public commissioned in _____ Printed Name _____ Residing in: _____ My commission expires: _____ Commission No: _____

NOTES

- 1. This plat amendment is subject to the Conditions of Approval in Ordinance 2022-_____.
- 2. A protraction was applied to the platted distances based on on the Park City Monument Control Map, recorded as Entry No. 199887 in the Office of the Recorder, Summit County, Utah.
- 3. See recorded survey S-2382, S-2221 and S-799 in the Office of the Recorder, Summit County, Utah.
- 4. A Reciprocal Easement Agreement, recorded November 19, 2002, as Entry No. 638805 in Book 1489 at Page 1705 affects this property. No description is given.



569 PARK AVENUE PLAT AMENDMENT

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

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF _____, 2022 BY _____ ENGINEERING DEPARTMENT	PLANNING COMMISSION RECOMMENDED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF _____, 2022 BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 2022 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS ____ DAY OF _____, 2022 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _____, 2022 BY _____ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS PLAT WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _____, 2022 BY _____ PARK CITY RECORDER	PUBLIC SAFETY ANSWERING POINT APPROVAL APPROVED THIS ____ DAY OF _____, 2022 BY _____ SUMMIT COUNTY GIS COORDINATOR	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ FEE _____ RECORDER _____ TIME _____ DATE _____ ENTRY NO. _____
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