ORDINANCE NO. 2012-07

AN ORDINANCE REZONING APPROXIMATELY 1.35 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 1078 EAST NORTH UNION AVENUE FROM THE SINGLE FAMILY RESIDENTIAL (SF-1 DO) WITH A DUPLEX OVERLAY TO THE REGIONAL COMMERCIAL (RC) ZONE; ALSO PROVIDING A SAVING CLAUSE AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, pursuant to Sections 10-9a-501 through 10-9a-503 Utah Code Annotated 1953 as amended the City has authority to make and amend a zoning plan which divides the City into zoning districts and within those districts to regulate the erection, construction, reconstruction, alteration, and uses of buildings and structures and the uses of land; and

WHEREAS, a request has been made for a change of zoning on the property described in Exhibit A; and

WHEREAS, the Planning Commission held a public hearing on June 13, 2012 to review the request for rezoning the property and has made a recommendation thereon to the City Council; and

WHEREAS, the City Council of Midvale City, Utah held a public hearing on June 19, 2012, which meeting was preceded by notice by publication in the Salt Lake Tribune, on June 5, 2012 and has taken into consideration citizen testimony, planning and demographic data, the desires of the owners of the property and the Planning Commission’s recommendations as part of its deliberations; and

WHEREAS, the rezoning of said property will be appropriate, in that it is in accordance with the Midvale City General Plan, it will promote the health and general welfare of the City, it will be compatible with the best interests of the particular neighborhood involved and it will be sensitive to the needs of the City as a whole.

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

Section 1. The zoning ordinance which sets forth the zone districts within Midvale City which portion of the said zoning ordinance is established by a zoning map, is hereby amended as follows:

The property (Parcels 22-29-252-011; 22-29-252-012; and 22-29-202-063-4002) described in Exhibit A attached hereto and by this reference made a part hereof, which property is located north of the North Union Avenue public right-of-way at approximately 1078 East North Union Avenue, Midvale, Utah, and is currently zoned Single Family Residential (SF-1) with a Duplex Overlay shall be zoned Regional Commercial (RC).
ZONING PRIOR TO EFFECTIVE DATE OF THIS ORDINANCE:

Single Family Residential 7,000 sq ft minimum lot size (SF-1), with a Duplex Overlay.

ZONING AFTER EFFECTIVE DATE OF THIS ORDINANCE:

Regional Commercial (RC)

Section 2. If any part of this ordinance or the applications thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section 3. This ordinance shall be effective upon publication of a summary thereof.

PASSED AND APPROVED this 19th day of June, 2012.

JoAnn B. Seghini, Mayor

ATTEST:

Rori Andreason, MMC
City Recorder

Date of first publication June 24, 2012

Voting by City Council
Colleen Costello “Aye” “Nay”
Paul Glover
Robert Hale
Paul Hunt
Wayne Sharp
REZONE APPROXIMATELY 1.35 ACRES OF PROPERTY FROM SINGLE FAMILY RESIDENTIAL (SF-1) WITH A DUPLEX OVERLAY TO REGIONAL COMMERCIAL (RC):

22292520120000 Legal description
LOTS 3 THRU 5 & LOTS 20 THRU 22, BLK 7, UNION FORT PLAT. 6789-0795, 0798 6943-2810, 2813 9544-9759

22292520110000 Legal description
LOTS 6 & 19, BLK 7, UNION FORT PLAT. 6789-795, 6789-0798, 8553-4671

22292020634002 Legal description
BEG S 1498.95 FT & W 995 FT FR NE COR SEC 29, T2S, R1E, SLM; S 31^42'52" W 549.37 FT; N 71^46'17" W 503.49 FT; S 16^50'24" W 17.22 FT; N 72^03'47" W 129.09 FT; N 16^52'21" E 240.48 FT; S 71^59' E 7.56 FT; N 17^56'36" E 154.8 FT; N 18^23'56" E 186.33 FT; N 18^19'24" E 106.89 FT; S 71^59' E 48.51 FT; N 77^46'29" E 97.76 FT; S 65^55' E 150.22 FT; N 81^33'45" E 309.41 FT; S 17^56'36" W 228.7 FT; S 9^27' 05" E 99.45 FT; N 77^36'48" E 26.74 FT; S 27^20'36" E 35.31 FT; S 39^27'32" E 37.59 FT; S 58^11'20" E 42.14 FT; N 31^20'31" E 54.12 FT; S 58^34'31" E 19.68 FT TO BEG. LESS THAT PORTION INSIDE SALT LAKE COUNTY COTTONWOOD SANITARY DIST. 6.97 AC M OR L. 7072-1699 8331-1753 9667-6434
Notice is hereby given that during a City Council meeting on June 19, 2012, the Midvale City Council adopted Ordinance No. 2012-07 An Ordinance Rezoning approximately 1.35 Acres of Property Located at Approximately 1078 East North Union Avenue from the Single Family Residential (SF-1 DO) with a Duplex Overlay to the Regional Commercial (RC) Zone.

Published: June 24, 2012
Ron L Andreason, MMC
City Recorder
802404

AS NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF MIDVALE CITY PUBLIC NOTICE. Notice is hereby given that during a City Council meeting on June 19, 2012, the Midvale City Council adopted Ordinance No. 2012-07 A FOR MIDVALE CITY, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH, AGENT FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINITELY.

Published On
Start 06/24/2012
End 06/24/2012

Signature

Date
6/25/2012

THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"
PLEASE PAY FROM BILLING STATEMENT.