ORDINANCE NO. 2017-O-16

AN ORDINANCE REZONING APPROXIMATELY 0.20 ACRES OF PROPERTYLOCATED AT 7410 SOUTH 240 EAST FROM SINGLE-FAMILYRESIDENTIAL (SF-1) TO SINGLE-FAMILY RESIDENTIAL WITH A DUPLEXOVERLAY (SF1/DO); ALSO PROVIDING A SAVING CLAUSE AND ANEFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, pursuant to Sections 10-9a-501 through 10-9a-503 Utah Code, the City hasauthority to make and amend a zoning plan which divides the City into zoning districts andwithin those districts to regulate the erection, construction, reconstruction, alteration, and uses ofbuildings and structures and the uses of land; and

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

WHEREAS, the Planning Commission held a public hearing on August 23, 2017, whichmeeting was preceded by notice of publication in the Salt Lake Tribune and Deseret News, onAugust 9, 2017, to review the requested information and written public comments, and, afterconsidering all of the information received, made a recommendation thereon to the City Council; and

WHEREAS, the City Council of Midvale City, Utah held a public hearing on September19, 2017, which meeting was preceded by notice by publication in the Salt Lake Tribune andDeseret News, on September 5, 2017; and

WHEREAS, after taking into consideration citizen testimony, planning and demographicdata, and the desires of the owners of the property, the City Council determined the rezoning ofsaid property is appropriate, is consistent with the Midvale City General Plan, promotes thehealth and general welfare of the City, is compatible with the surrounding neighborhood, andfulfills the needs of the City as a whole.

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

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

The property (Parcel No. 22-30-328-008) described in Exhibit A attached hereto and bythis reference made a part hereof, which property is located at 7410 South 240 East, Midvale,Utah, and is currently zoned Single-Family Residential (SF-1) shall be zoned Single-FamilyResidential with a Duplex Overlay (SF1/DO).
ZONING PRIOR TO EFFECTIVE DATE OF THIS ORDINANCE:

Single-Family Residential (SF-1)

ZONING AFTER EFFECTIVE DATE OF THIS ORDINANCE:

Single-Family Residential/Duplex Overlay (SF1/DO)

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 17th day of October, 2017.

JoAnn B. Seghini, Mayor

ATTEST:

Rori Andreason, MMC
City Recorder

Date of first publication: Denied

Voting by City Council

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<tr>
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<th>“Aye”</th>
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<tbody>
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<td>Stephen Brown</td>
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"EXHIBIT A"
(Ordinance No. 2017-O-16)

REZONE APPROXIMATELY 0.20 ACRES OF PROPERTY LOCATED AT 7410 SOUTH 240 EAST FROM SINGLE-FAMILY RESIDENTIAL (SF-1) TO SINGLE-FAMILY RESIDENTIAL WITH A DUPLEX OVERLAY (SF1/DO):

Legal Descriptions

Parcel #22-30-328-008
S 70 FT OF LOT 10 HALELANI SUB 6204-1198 6233-0118 7049-29438394-7378 8592-2823 9756-471