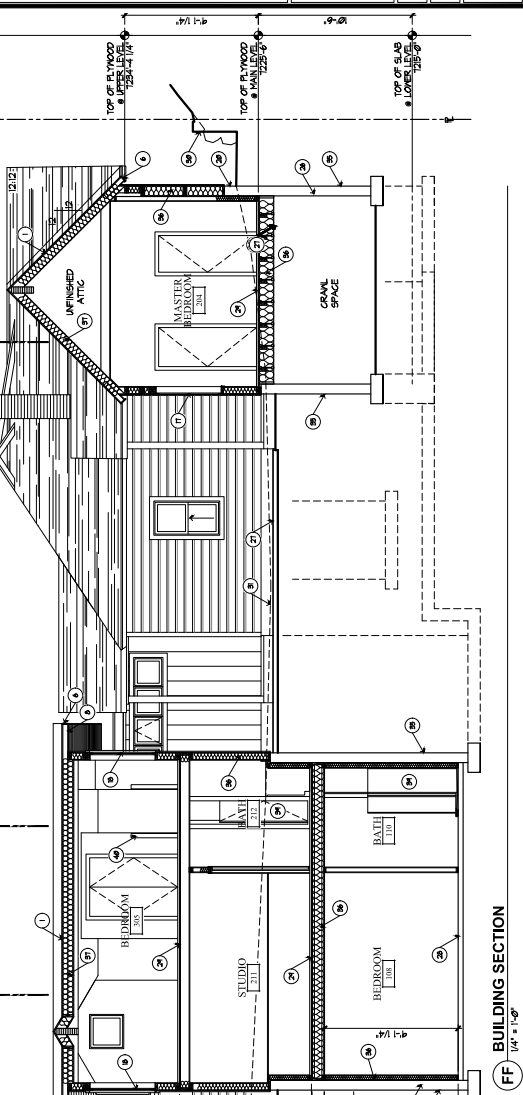
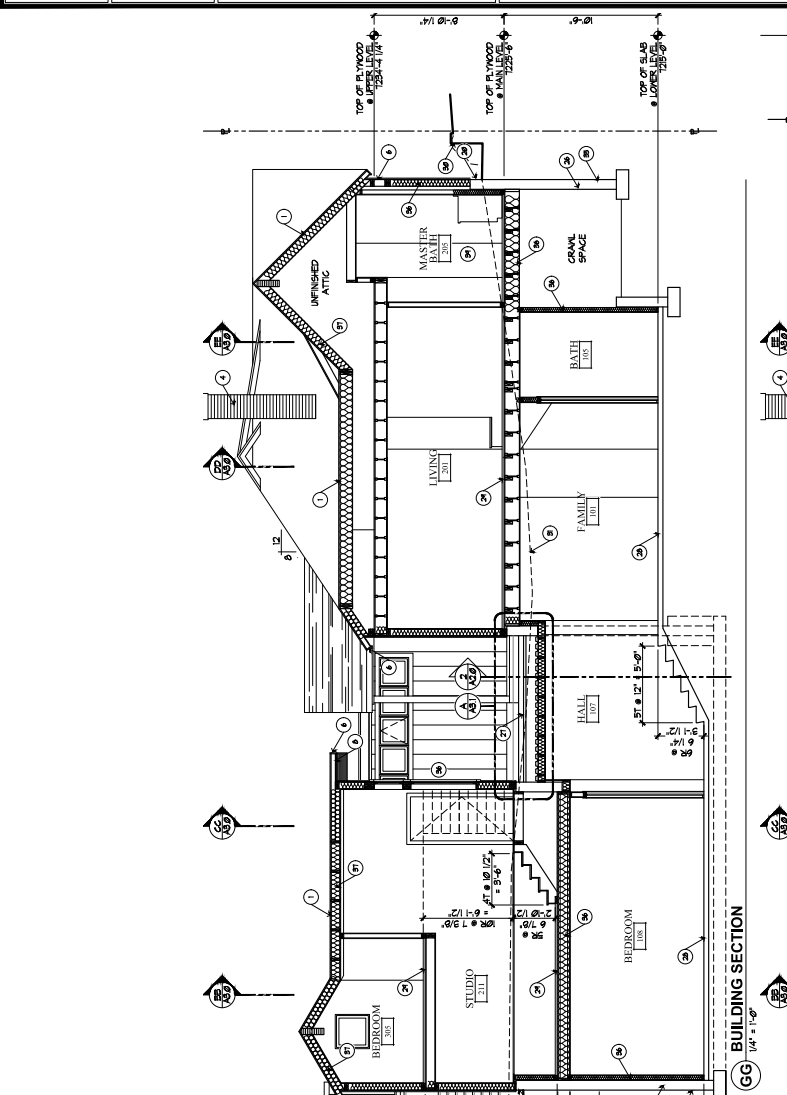
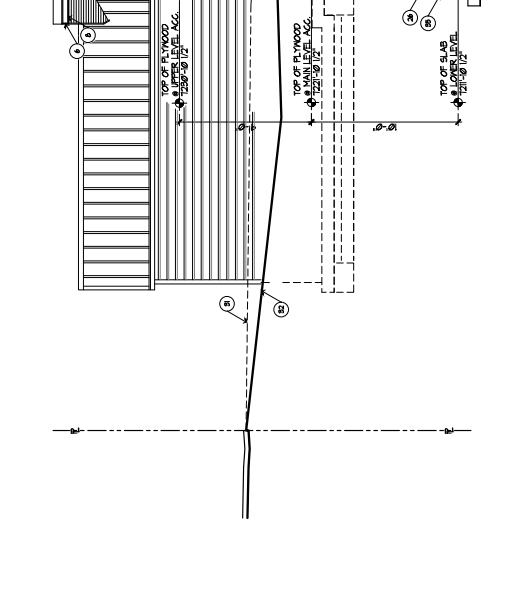
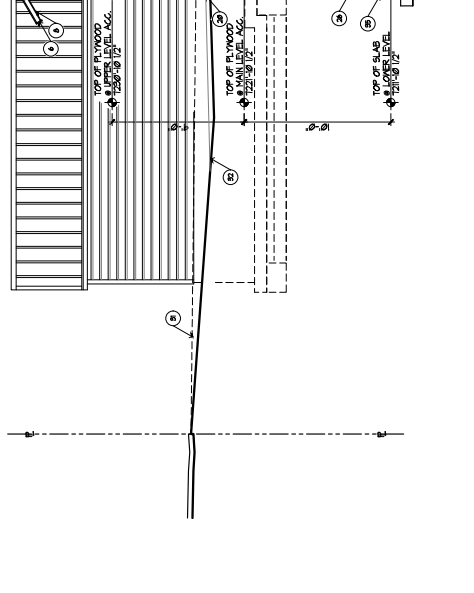
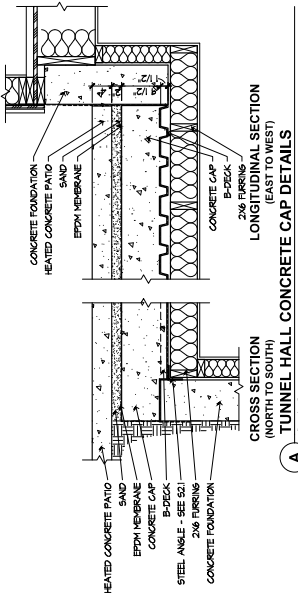
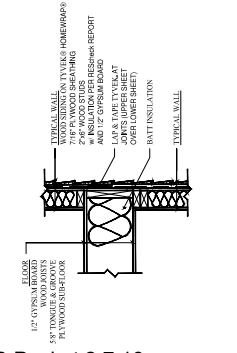


KEYED NOTES

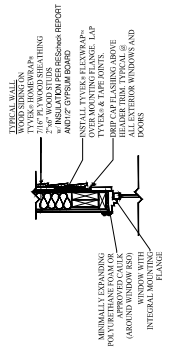
- 1 ARCHITECTURAL GRADE COMPOSITION
- 2 PER SQUARE INCH ON GEE AND WATER
- 3 MEMBRANE OVER ENTIRE ROOF SURFACE
- 4 DOUBLE INSULATION REQUIRED AT ROOFS WITH SLOPE 4:12 OR LESS
- 5 O.C. INSTALLED PER MANUFACTURERS
- 6 EPDM HEBRANE OVER ENTIRE ROOF SURFACE UP TO 24" DOWN FROM RAKE TYP.
- 7 PAN BRICK GARNISH WITH METAL
- 8 1/4" CEDAR FASCIA - STAINED
- 9 1/4" CEDAR SOFFIT - STAINED
- 10 1/4" CEDAR FASCIA - STAINED
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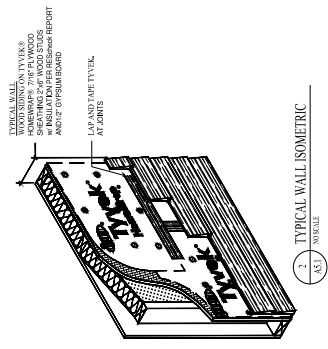
GENERAL NOTES
1. ALL JOINTS, JOINS AND SPUR RELATIONS WITH APPROVED JOBS
2. CONCRETE SHALL BE SET IN ACCORDANCE WITH APPROVED JOBS
3. ALL JOINTS SHALL BE FINISHED WITH APPROVED JOBS
4. ALL JOINTS SHALL BE FINISHED WITH APPROVED JOBS



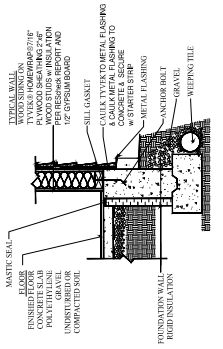
1. FLOOR WALL INTERFACE DETAIL
SCALE: 1/8" = 1'-0"



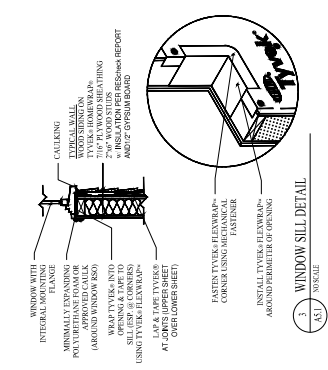
4. WINDOW HEAD DETAIL
SCALE: 1/4" = 1'-0"



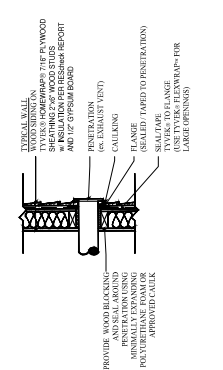
2. TYPICAL WALL ISOMETRIC
SCALE: 1/4" = 1'-0"



3. BASE OF WALL DETAIL
SCALE: 1/4" = 1'-0"

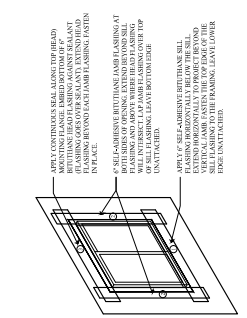


5. WINDOW SILL DETAIL
SCALE: 1/4" = 1'-0"



6. WALL PENETRATION DETAIL
SCALE: 1/4" = 1'-0"

- 1. INSTALL AIR BARRIER...
2. OVERLAP AIR BARRIER AT CORNERS...
3. OVERLAP AIR BARRIER AT CORNERS...
4. PREPARE WINDOW AND DOOR...
5. INSTALL WINDOW FRAME...
6. INSTALL WINDOW GLASS...
7. INSTALL WINDOW GLASS...
8. INSTALL WINDOW GLASS...



7. SILL, JAMB AND HEAD FLASHING
SCALE: 1/4" = 1'-0"

ARCHITECTURAL NOTES
1. ALL WORKS SHALL COMPLY WITH THE 2018 INTERNATIONAL RESIDENTIAL CODE
2. ALL CONCRETE SHALL BE SET IN ACCORDANCE WITH APPROVED JOBS
3. ALL JOINTS SHALL BE FINISHED WITH APPROVED JOBS
4. ALL JOINTS SHALL BE FINISHED WITH APPROVED JOBS
5. ALL JOINTS SHALL BE FINISHED WITH APPROVED JOBS
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8. ALL JOINTS SHALL BE FINISHED WITH APPROVED JOBS
9. ALL JOINTS SHALL BE FINISHED WITH APPROVED JOBS
10. ALL JOINTS SHALL BE FINISHED WITH APPROVED JOBS

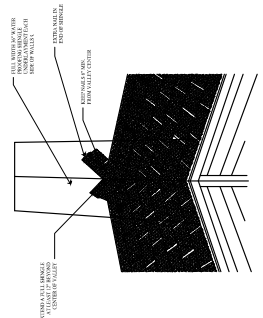
DETAILS
1. MASONRY OR CONCRETE CHIMNEY SHALL BE ANCHORED AT EACH FLOOR, CEILING OR ROOF
2. ALL CHIMNEYS SHALL BE FINISHED WITH APPROVED JOBS
3. ALL CHIMNEYS SHALL BE FINISHED WITH APPROVED JOBS
4. ALL CHIMNEYS SHALL BE FINISHED WITH APPROVED JOBS
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DETAILS
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10. ALL CHIMNEYS SHALL BE FINISHED WITH APPROVED JOBS

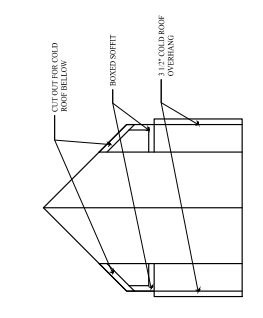
Table with 2 columns: Item, Description. Includes project name, address, and contact information.

PROJECT NAME: Jonathan Decray Architect
ADDRESS: 173 Daly Avenue Park City, UT 84060
CONTACT: P.O. Box 1674, 814 Main Street, 202 Park City, UT 84060

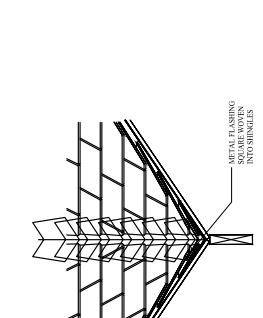
Project Name: Jonathan Decray Architect
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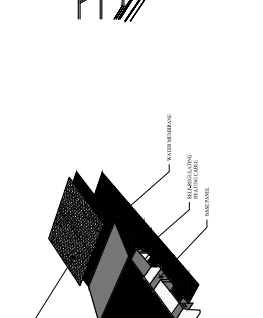
1 WOVEN VALLEY DETAIL
AS2



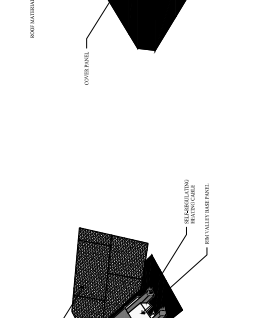
2 DORMER ROOF
AS2



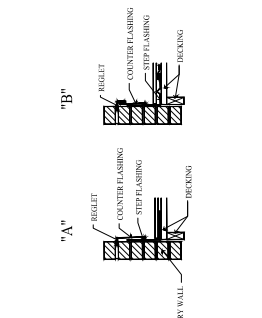
3 CLOSED VALLEY FLASHING
AS2



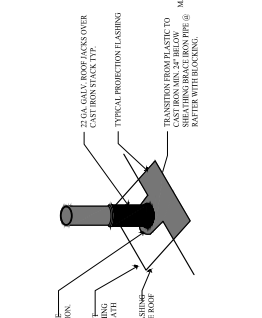
4 EAVE SNOW MELT DETAIL
AS2



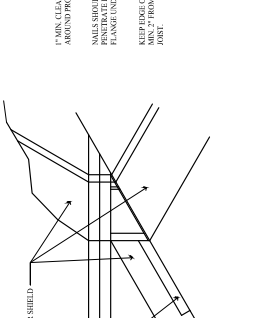
5 VALLEY SNOW MELT DETAIL
AS2



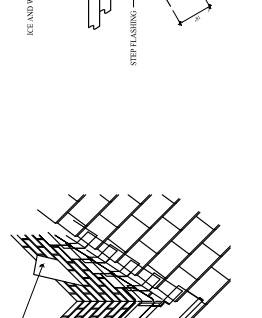
6 SNOW BRACKET DETAIL
AS2



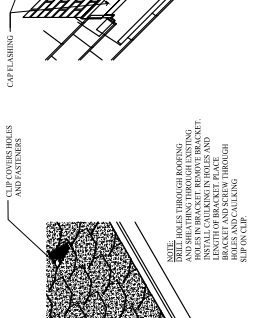
7 CHIMNEY FLASHING
AS2



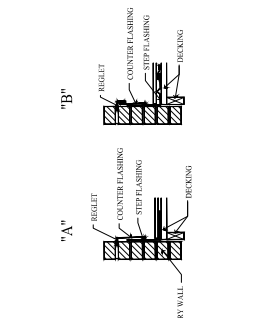
8 DORMER FLASHING DETAIL
AS2



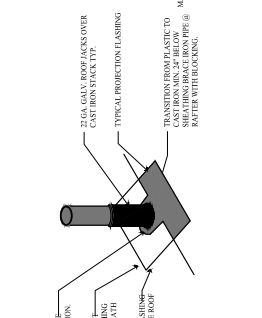
9 CHIMNEY CRICKET FLASHING
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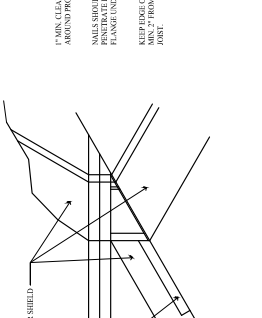
10 ROOF PITCH TRANSITION DETAIL
AS2



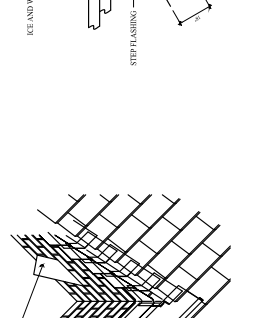
11 RAKE WALL FLASHING DETAIL
AS2



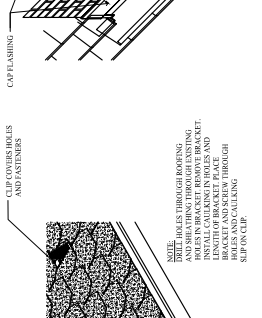
12 VENT FLASHING DETAIL
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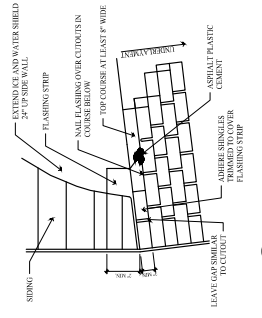
13 OPEN VALLEY DETAIL
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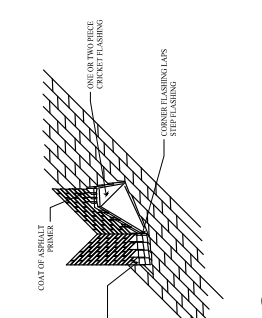
14 FLASHING DETAIL
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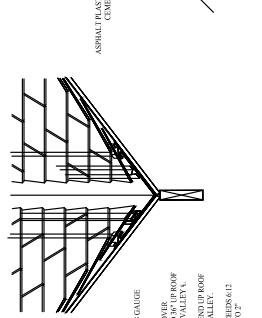
15 ROOF WALL FLASHING DETAIL
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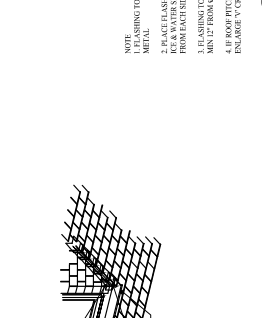
16 WOVEN VALLEY DETAIL
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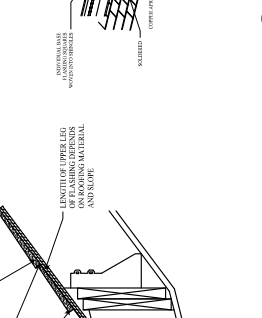
17 DORMER ROOF
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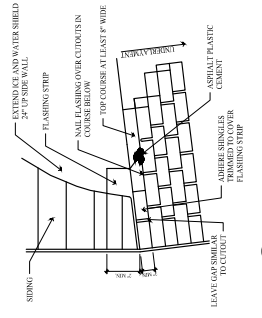
18 CLOSED VALLEY FLASHING
AS2



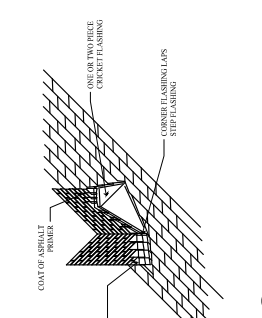
19 EAVE SNOW MELT DETAIL
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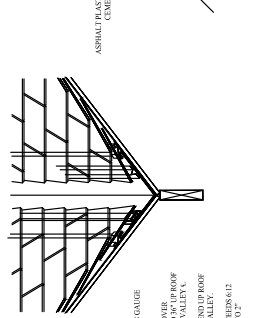
20 VALLEY SNOW MELT DETAIL
AS2



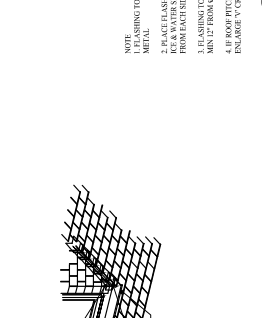
21 SNOW BRACKET DETAIL
AS2



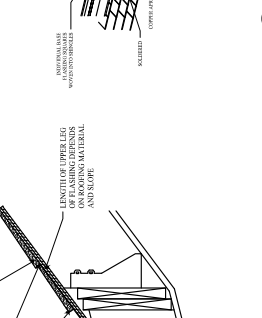
22 CHIMNEY FLASHING
AS2



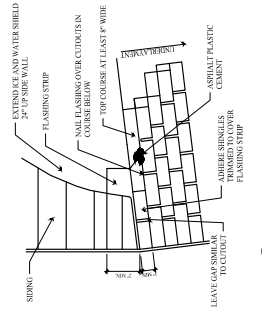
23 DORMER FLASHING DETAIL
AS2



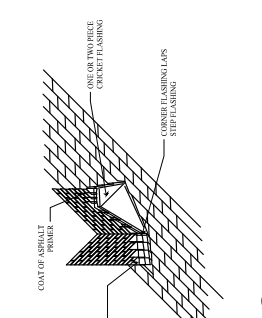
24 CHIMNEY CRICKET FLASHING
AS2



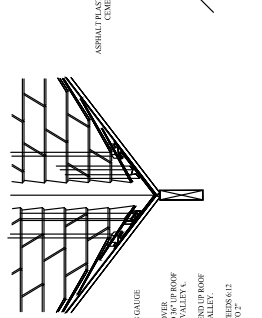
25 ROOF PITCH TRANSITION DETAIL
AS2



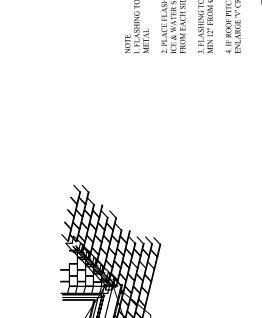
26 RAKE WALL FLASHING DETAIL
AS2



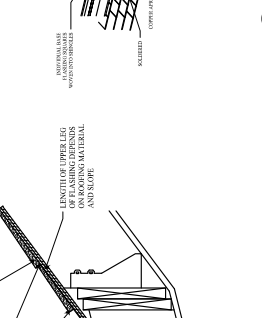
27 VENT FLASHING DETAIL
AS2



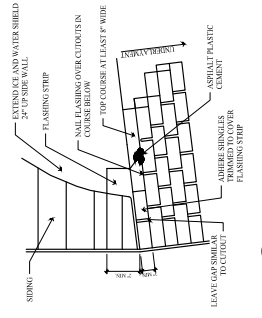
28 OPEN VALLEY DETAIL
AS2



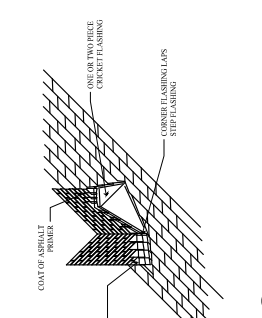
29 FLASHING DETAIL
AS2



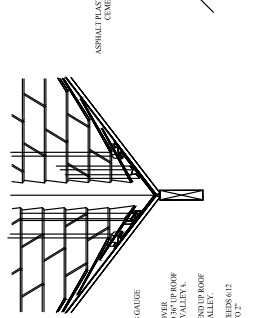
30 ROOF WALL FLASHING DETAIL
AS2



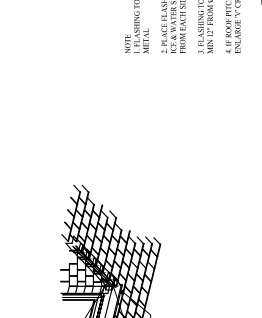
31 WOVEN VALLEY DETAIL
AS2



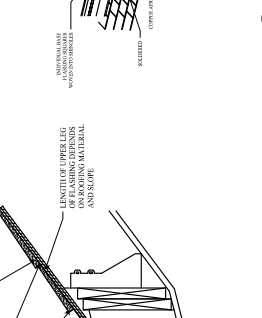
32 DORMER ROOF
AS2



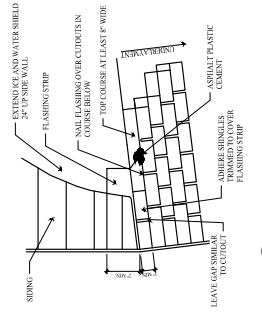
33 CLOSED VALLEY FLASHING
AS2



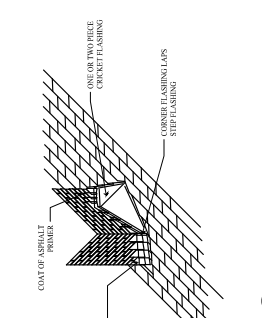
34 EAVE SNOW MELT DETAIL
AS2



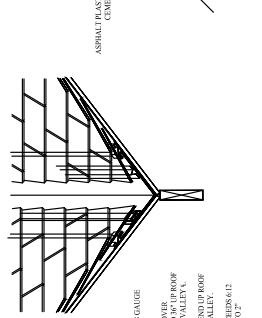
35 VALLEY SNOW MELT DETAIL
AS2



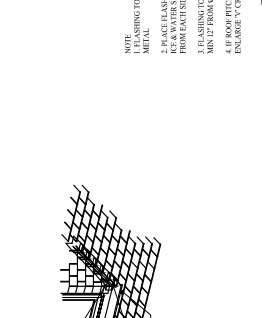
36 SNOW BRACKET DETAIL
AS2



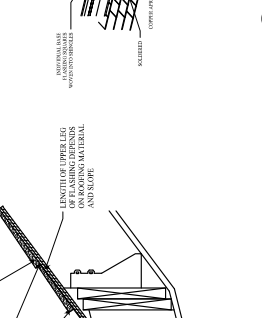
37 CHIMNEY FLASHING
AS2



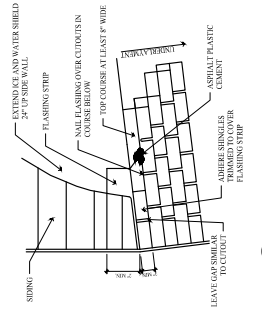
38 DORMER FLASHING DETAIL
AS2



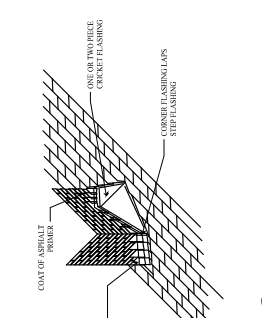
39 CHIMNEY CRICKET FLASHING
AS2



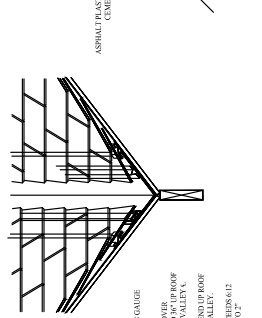
40 ROOF PITCH TRANSITION DETAIL
AS2



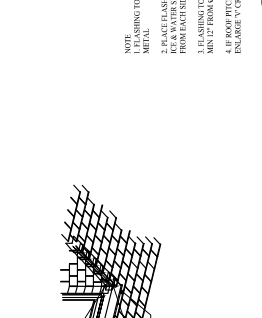
41 RAKE WALL FLASHING DETAIL
AS2



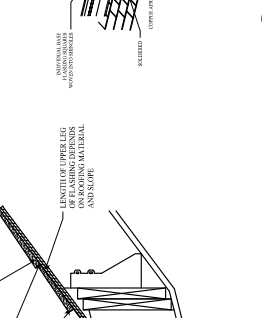
42 VENT FLASHING DETAIL
AS2



43 OPEN VALLEY DETAIL
AS2



44 FLASHING DETAIL
AS2



45 ROOF WALL FLASHING DETAIL
AS2

Exhibit G
Mold Report

ENVIRONMENTAL SOLUTIONS

78 West 2400 South • Salt Lake City, UT 84115 • (801) 859-9333 • fax (801) 486-0849

August 3, 2017

G. Bush Construction
P.O. Box 113
Park City 84060

Re: Mold - 173 Daly Avenue

On July 27, 2017, Mr. Charles Dixon of Environmental Solutions, Inc. performed a visual inspection and initial air sampling in the home located at 173 Daly Avenue in Park City, Utah. There had been water and mold damage throughout. The flooring was completely rotted throughout the home. Air samples were taken in the following areas:

1. North bedroom
2. Kitchen
3. Outside

Levels of aspergillus / penicillium measured in spores per cubic meter of air are as follows: 1,694 in the north bedroom and 9,224 in the kitchen. The outdoor air sample had 0 aspergillus / penicillium spores per cubic meter of air. This level of mold indicates mold sources from within the home.

Levels of basidiospores measured in spores per cubic meter of air are as follows: 6,682 in the north bedroom and 3,671 in the kitchen. The outdoor air sample had 0 basidiospores spores per cubic meter of air. This level of mold indicates mold sources from within the home.

In order to clean this home the following should be done.

1. Fix the source of the water problem.
2. Remove all water damaged or moldy building materials including all flooring in home.
3. replace all moldy or wet wood inside home.
4. Hepa vacuum the area inside the home.
5. Wet wipe all surfaces in the home with a detergent based solution with a moldicide added.
6. Encapsulate all exposed structural materials in the home.
7. Replace the furnace filter
8. Do clearance sampling.

If you have any questions please contact me (801) 486-7914 or on my cell phone at 859-9333.

Sincerely,



Mr. Charles Dixon MSPH - CIH
Environmental Solutions Inc.
78 West 2400 South
Salt Lake City, Utah 84115

Test Report

Dixon Information, Inc.

78 W 2400 S, Salt Lake City, UT 84115
 Phone: 801-486-0800, Fax: 801-486-0849

Type	Number
Tape	0
Air	0
Rush Tape	0
Rush Air	3

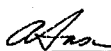
Batch#: 072717-13643
 Received: July 27, 2017
 Client: Charles Dixon
 Company: Environmental Solutions
 Address: 78 W 2400 S
 Salt Lake City, UT 84115
 Phone: 801-859-9333
 Fax: 801-486-0849
 Email:

Project #: 173 Daly Avenue, Park City
 Project: Gary Bush
 Sampled by: Charles Dixon
 Description: 1 - North Bedroom; 2 - Kitchen; 3 - Outside

	Sample #1	Sample #2	Sample #3	Sample #4
Sample ID:	1	2	3	-
Location of Sample:	North Bedroom	Kitchen	Outside	-
Date Sampled:	07/27/17	07/27/17	07/27/17	-
Volume:	170L	170L	170L	-
	Detected	Detected	Detected	
Alternaria	-	-	-	-
Ascospores	282 sp/m ³	141 sp/m ³	3388 sp/m ³	-
Aspergillus/Penicillium	1694 sp/m ³	9224 sp/m ³	-	-
Basidiospores	6682 sp/m ³	3671 sp/m ³	2800 sp/m ³	-
Botrytis	-	-	353 sp/m ³	-
Chaetomium	-	-	-	-
Cladosporium	1318 sp/m ³	447 sp/m ³	1129 sp/m ³	-
Curvularia	-	-	-	-
Drechslera/Bipolaris	-	-	-	-
Epicoccum	-	-	-	-
Fusarium	-	-	-	-
Ganoderma	-	-	-	-
Leptosphaeria	-	-	-	-
Nigrospora	-	-	-	-
Oidium/Peronospora	-	-	-	-
Arthrinium	-	-	-	-
Pithomyces	-	-	-	-
Pleospora	-	-	-	-
Coprinus	-	-	-	-
Trichoderma	-	-	-	-
Spegazzinia	-	-	-	-
Smuts/Myxomycete/Periconia/Rust	282 sp/m ³	282 sp/m ³	-	-
Stachybotrys	-	47 sp/m ³	71 sp/m ³	-
Stemphylium	-	-	-	-
Torula	-	71 sp/m ³	-	-
Ulocladium	-	-	-	-
Unidentified Fungi	-	-	-	-
Hyphal-like fragments	-	-	-	-
Pollen	-	-	-	-
Skin Cells	2x	2x	-	-
Debris	3x	3x	3x	-
Totals	10259 sp/m ³	13882 sp/m ³	7741 sp/m ³	-
Analyst:				
Ofir Sosa				
Date Analyzed:	July 29, 2017			

Sampling Procedure: Tape Lift, Spore Trap, Mold ID, Standard Profile, Nonculturable, Light Microscopy
 Mold Concentrations: 1X = Trace 2X = Minor 3X = Moderate 4X = Major Concentration

Analyst Signature



ENVIRONMENTAL SOLUTIONS

RUSH

78 West 2400 South • Salt Lake City, UT 84115 • (801) 859-9333 • fax (801) 486-0849

Sample Receiving Form - Chain of Custody

Analytical Laboratory: Dixon				Date: July 27, 2017			
Status: Immediate Rush () Regular ()				072717-13043			
Facility Name and Address: - -173 Daly Avenue - park city - Gary Bush							
Sample Number	Location or Name	Time in	Time out	Minutes	Flow	Volume	Date
1	north bedroom	1100	1110	10	17	170	7/27/17
2	kitchen	1100	1110	10	17	170	7/27/17
3	Outside	1100	1110	10	17	170	7/27/17
Packaged By: Charles Dixon		Date: 7/27/17		Report results to:			
Delivered by: Charles Dixon		Date: 7/27/17		Time: 18:46:53			
Received by: <i>[Signature]</i>		Date: 7-27-17		2120			

Exhibit H
Structural Engineer's Report

Shen Engineers, Inc. Structural/Seismic Consultants

2225 E. Murray Holladay Rd., Suite 208
Holladay, UT 84117
801.277.2625
801.277.2626fax

100 S. Alameda St., Suite 463
Los Angeles, CA 90012
858.699.2275
801.277.2626fax

Aug. 15, 2017

Mr. Jonathan DeGray, AIA
Jonathan DeGray - Architect
P.O. Box 1674
Park City, Utah 84060

Mr. Gary Bush
Bush Construction LLC
164 Upper Norfolk
Park City, Utah 84060

Subject: Physical Condition Report of Park City House
At 173 Daly Ave.
Park City, Utah

To Whom It May Concern:

We have performed a site investigation of the building on Aug. 4, 2017 with the general contractor Gary Bush. The conclusions on the house are as follows:

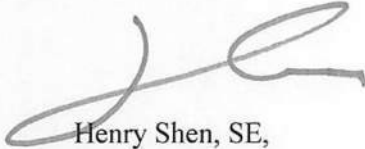
1. The existing roof joists are 2x4 at 24" on center on a sloped roof spanning 8'-0" to 12'-0". The 12'-0" roof joists are 12% capacity of the code. The 8'-0" roof joists are 16% capacity of the code. They need to be upgraded or replaced with new roof joists. We suggest reframing roof ridge and valley beams and installing new roof joists.
2. The existing roof deck is 1x wood plank installed perpendicular to the existing joists. It doesn't have any capacity of shear diaphragm value. Suggest installing new 5/8" plywood or OSB with 10d @ 6" on center nailing.
3. The existing (crawl space) floor joists are 2x6 @ 24" on center spanning 8'-0" to 12'-0". Most of them were totally rotted out. They have to be replaced.
4. All the existing headers need to be upgraded. We will review each one of them when design is available.
5. The existing exterior walls are 2x4 @ 24" on center with 1x6 planks installed horizontally. The exterior walls are all not strong enough for wind, seismic or gravity loads. Some of the wood stud walls retain the dirt. 75% of the exterior walls were rotted out and have to be re-built.
6. The existing building doesn't have any footings. The existing foundation walls were built with wood piles and sand stone. 90% of them were rotted out. We suggest tearing off the existing foundation walls. New reinforced concrete footing and foundation walls need to be poured for supporting the existing building and forming the frost depth of 40" minimum.

7. Overall, the whole house including the front individual house is rotted on it's exterior walls and the wood foundations. The maximum differential settlement on the building is about one foot. To lift or temporarily shore them becomes to be impossible.

8. We suggest panelizing the existing building and re-build the house.

We hope that the information contained herein will assist you in your planning efforts. Should you have any further questions, please feel free to contact our office at your convenience.

Best Regards,

A handwritten signature in black ink, appearing to read 'H. Shen', with a large, sweeping flourish at the end.

Henry Shen, SE,
Shen Engineers, Inc.
2225 East Murray Holladay Road, Suite 208
Holladay, Utah 84117

Exhibit I
Chief Building Official IBC Section 116.1
Dangerous Building Determination



Building • Engineering • Planning

January 19, 2018

Gary Bush
173 Daly Ave
Park City, Utah 84060

CC: Jonathan DeGray, Architect
Hannah Tyler, Project Planner
Anya Grahn, Historic Preservation Planner
Bruce Erickson, Planning Director

RE: 173 Daly Avenue, Park City, UT 84060

To Whom It May Concern:

Please be advised that the historic structure located at 173 Daly Avenue, has been found to be hazardous or dangerous, pursuant to Section 116.1 of the International Building Code. The structure was posted "Uninhabitable – Limited Entry" due to its general dilapidated and unsafe state on January 04, 2018.

Planning and Building Department staff visited the site on Jan. 4, 2018. At that time, we observed the following conditions:

- Due to the lack of foundation beneath the historic house, the floor structure has slumped and has considerably rotted. This has caused the walls to buckle and settle unevenly. It is no longer safe to enter the building due to its structural instability.
- The hillside has settled across the back of the historic house, accelerating the deterioration of the wood sided walls. Moisture has entered the structure through the deteriorated floor and rotted wood siding, causing black mold throughout the interior of the house, this can be clearly seen and creates an extreme health hazard.
- Asbestos has been discovered throughout the structure furthering the need to mitigate.

Due to the structural instability of the house structural systems, the extent of the deterioration of the original materials, as well as the health concerns, I find that the safest approach is to reconstruct the historic structure.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Thacker". The signature is written in a cursive style with several loops and a horizontal line at the bottom.

Dave Thacker
Chief Building Official



Planning Department

Historic Preservation Board Staff Report

Author: Anya Grahn, Historic Preservation Planner
Subject: Relocation Review
Address: 269 Daly Avenue
Project Number: PL-17-03554
Date: February 7, 2018
Type of Item: Administrative –Relocation of a Historic Building

Summary Recommendation:

Staff recommends the Historic Preservation Board review the Relocation of the Historic Building at 269 Daly Avenue, conduct a public hearing, and consider denying the Relocation pursuant to the following findings of fact and conclusions of law. The site has been designated as “Significant” on the City’s Historic Sites Inventory (HSI).

Topic:

Address: 269 Daly Avenue
Zoning: Historic Residential (HR-1) District
Designation: Significant
Applicant: David and Harriet Henry (Represented by Rick Otto, Architect)
Proposal: Relocation of the Historic house four feet (4’) west towards Daly Avenue

Background:

The background of this property was outlined in the January 16, 2018 [Historic Preservation Board \(HPB\) staff report \[see page 39\]](#).

During the January 16th meeting, the HPB approved the Reconstruction of the historic house and garage as well as any associated Material Deconstruction; however, HPB continued the Relocation of the historic house to February 7, 2017. The minutes are included at the beginning of this packet.

Staff had found that the proposed relocation of the historic house 4 feet west towards Daly Avenue did not comply with [Land Management Code \(LMC\) 15-11-13](#), as outlined in Exhibit 1. Staff had found that the proposed relocation and/or reorientation would not specifically abate demolition as the structural instability and deteriorated condition of the historic house had warranted its reconstruction. Staff also demonstrated that the Planning Director and Chief Building Official (CBO) did not find that there were hazardous conditions that threatened the building; while the house had suffered deterioration due to drainage issues, these issues alone did not cause the deteriorated condition of the house. In fact, the current CBO and Planning Director found that the drainage issues could be mitigated without relocating the house. Finally, staff did not find that there were unique conditions that merited the relocation of the historic house as the historic context of the Historic Building had not been so radically altered that the relocation would enhance the ability to interpret the historic character of the Historic

Building and the Historic District in its present setting; the proposed relocation would diminish the overall physical integrity of the Historic District; the proposed relocation would diminish the historic integrity and significance of the Historic house; and the potential to preserve the Historic house would not be enhanced by its relocation.

The applicant argued that the relocation would enhance the historic character of the site by giving it more prominence and visibility along the street. The architect argued that the location of the Maximum Development Line, shown in the recorded plat amendment recorded in 2013, was based on the then-owner's proposal to construct a small, one-story addition to the rear (east) of the historic house. He believed that the removal of the rear addition to the garage and the non-historic front gable addition to the house would allow the relocation to not detract from its historic setting. He reiterated that in 2013, the relocation had been approved by the former Chief Building Official and Planning Director due to the drainage issues of the canyon wall deteriorating the back wall of the house; further, he believed they considered that historic houses along Daly Avenue were scattered due to inconsistent setbacks, rather than uniform like houses along Park Avenue.

The applicants believed that the 4 foot relocation would enhance the site. They argued that new development on adjacent lots created 10 to 12 foot front yard setbacks and allowed the new houses to block the view of and overshadow neighboring historic houses. Additionally, the relocation would aid the applicant in re-grading the site to address drainage along the canyon wall as well as allow more sunlight into the reconstructed house.

The HPB found that the proposal did not meet the first two criteria of [LMC 15-11-13\(A\)\(3\)](#):

- a. The proposed relocation and/or reorientation will abate demolition of the Historic Building(s) and/or Structure(s) on the Site; or
- b. The Planning Director and Chief Building Official determine that the building is threatened in its present setting because of hazardous conditions and the preservation of the building will be enhanced by relocating it;

The HPB then spent considerable time discussing the third criteria:

- c. The Historic Preservation Board, with input from the Planning Director and the Chief Building Official, determines that unique conditions warrant the proposed relocation and/or reorientation on the existing Site. Unique conditions shall include all of the following:
 - (1) The historic context of the Historic Building(s) and/or Structure(s) has been so radically altered that the proposed relocation will enhance the ability to interpret the historic character of the Historic Building(s) and/or Structure(s) and the Historic District or its present setting; and
 - (2) The proposed relocation will not diminish the overall physical integrity of the Historic District or diminish the historical associations used to define the boundaries of the district; and
 - (3) The historical integrity and significance of the Historic Building(s) and/or Structure(s) will not be diminished by relocation and/or reorientation; and

- (4) The potential to preserve the Historic Building(s) and/or Structure(s) will be enhanced by its relocation.

The HPB largely found that the project complied with #2 and #3 above; however, they debated whether or not it complied with #1 and #4. The HPB found that the relocation would help prevent the new addition from creeping up the hill and visually engulfing the historic structure. Some believed that the relocation would help visually enhance the historic house by moving it forward on the lot, so as not to be blocked by neighboring developments. Others carefully considered the historic context of the neighborhood to decide how much historic integrity remains and whether or not the street retains the look and feel it did during the Mining Era when the street was occupied by industrial mines and associated mining industries. Some argued that it had been radically altered due to the number of historic houses that had been relocated towards the street, large additions loomed over historic houses, garages along the street had been demolished, and the loss of the mine sites; others believed that Daly Avenue retained much of its historic integrity because of the large concentration of historic houses and accessory buildings along the street.

The HPB continued the item and requested additional information:

- Relationship between the house at 269 Daly Avenue and the two neighboring historic houses (Exhibit 2)
- Analysis of changes that had occurred to Daly Avenue following the end of the Mining Era (Exhibit 3)

Analysis:

A more thorough analysis of staff's position to deny the relocation request is outlined in Exhibit 1. **Staff has updated the analysis below in red to reflect the HPB's discussion on January 16th.**

A. CRITERIA FOR THE RELOCATION AND/OR REORIENTATION OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) ON ITS EXISTING LANDMARK OR SIGNIFICANT SITE.

In approving a Historic District or Historic Site design review Application involving relocation and/or reorientation of the Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site, the Historic Preservation Board shall find the project complies with the following criteria.

1. For either a Landmark or Significant Site all the following shall be met:
 - a. A licensed structural engineer has certified that the Historic Building(s) and/or Structure(s) can successfully be relocated and the applicant has demonstrated that a professional building mover will move the building and protect it while being stored; and
 - b. The proposed relocation will not have a detrimental effect on the structural soundness of the building or structure;

Not applicable. *The need to reconstruct the existing historic house was not driven by the proposed relocation, but by the poor structural stability of the house in its existing condition. Because of the deteriorated conditions of the few remaining historic materials, non-historic alterations, and general poor*

condition of the building, the Building Department issued a Notice and Order for the site in January 2017. Further inspections by Building and Planning staff have maintained that the house must be reconstructed (see CBO Determination Letter, Exhibit C) due to its dilapidated state. Because the house will be reconstructed due to its visibly poor condition and could not be repaired as-is, it was not necessary for the applicant to provide a structural engineer's report.

As such, the relocation will not have a detrimental effect on the soundness of the building or structure as it has already been structurally compromised by the uneven settlement and slumping of its floor and walls, as well as the failure of the roof structure.

2. Landmark structures shall only be permitted to be relocated on its existing site if:
 - a. the relocation will abate demolition; or
 - b. the Planning Director and Chief Building Official find that the relocation will abate a hazardous condition at the present setting and enhance the preservation of the structure.

Not applicable. *This is not a Landmark structure. It had initially been designated as "Landmark" in 2009; however, it was re-designated to "Significant" in 2013 when exploratory demolition determined that the front gabled ell was not historic, having been constructed between 1965 and 1970. Additionally, the previous owner's intent to reconstruct the house necessitated it being listed as Significant because Landmark houses were not permitted to be reconstructed. The change in designation was approved by the HPB on September 18, 2017 [[Staff Report](#) (starting page 87) and [Minutes](#) (starting page 5)].*

3. For Significant sites, at least one of the following shall be met:
 - a. The proposed relocation and/or reorientation will abate demolition of the Historic Building(s) and/or Structure(s) on the Site; or

Does not comply. *The applicant has argued that the previous CBO and Planning Director found there were unique conditions that warranted the relocation of the historic house four feet (4') west toward Daly Avenue, as was consistent with the LMC at the time of the previous 2013 approval. In the 2013 approval for relocation, the CBO and Planning Director noted that "the unique condition is the fact that the historic home was originally constructed tight against the side of Empire Canyon which resulted in the accelerated deterioration of the rear of the historic portion of the home. Similar damage would likely ensure today if rebuilt in the same location." They found that relocating the structure four feet (4') to the west would prevent similar deterioration in the future and prevent any disturbance of the hillside, "thus reducing the need for substantial excavation of the canyon wall,*

the need for extensive retaining walls, and avoiding a rear addition that would tower over the reconstructed hall-parlor home.”

In 2015 and 2016, LMC amendments were adopted that modified the criteria for relocation to make it more difficult to relocate historic structures as the original location of the building is one of seven aspects of historic integrity evaluated by the National Register of Historic Places. [These LMC amendments were adopted through Ordinance 15-53 ([Parts A](#) and [B](#) address the change applicable to this application).]

Staff finds that the applicant has already demonstrated that the building is in such poor condition that it cannot be made safe and/or serviceable through repair, thus necessitating reconstruction. While the building’s current location abutting the wall of Empire Canyon has caused the structure to settle and the back wall of the building to deteriorate, the location of the building itself is not driving the need for reconstruction. The applicant could reconstruct the building in its present location and still address the drainage issues directly behind the house.

- b. The Planning Director and Chief Building Official determine that the building is threatened in its present setting because of hazardous conditions and the preservation of the building will be enhanced by relocating it; or

Does not comply. *The Planning Director and Chief Building Official have not found that there are hazardous conditions that have threatened the building. The hazardous conditions that relate to the 2017 Notice and Order are due to deferred maintenance, structural failures, and the overall poor condition of the building. The settlement of the canyon wall against the back of the house has accelerated the deterioration of the structure; however, this can be addressed by re-grading this area to address drainage when the house is reconstructed.*

The Planning Director and CBO do not find that the preservation of the building will be enhanced by relocating it four feet (4’) west toward Daly Avenue as it is not threatened by site conditions in its current location.

- c. The Historic Preservation Board, with input from the Planning Director and the Chief Building Official, determines that unique conditions warrant the proposed relocation and/or reorientation on the existing Site. Unique conditions shall include all of the following:
 - 1. The historic context of the Historic Building(s) and/or Structure(s) has been so radically altered that the proposed relocation will

enhance the ability to interpret the historic character of the Historic Building(s) and/or Structure(s) and the Historic District or its present setting; and

HPB Discussion Requested. *In our last meeting, the applicant reminded the HPB that Daly Avenue was historically characterized with mine sites. Cottage industries were housed in the garages, often above Poison Creek for either the use of water or for the water to carry away debris. Further, an aerial tramway tower had run down the canyon, and many houses had staggered setbacks in order to prevent the ore carts from spilling on to the houses. Built on the mine company's property, these houses were constructed by squatters not as permanent dwellings, but with the intent to ride out the mining boom.*

This history is substantiated by significant historical documentation. The first residents of 269 Daly Avenue were not recorded until the 1930's census and that the property was owned by the mining companies until 1973, when it was first sold to private owners. Additionally, garages over the creek and adjacent to the street are shown in the early Sanborn Fire Insurance Maps. These maps also depict the location of the mine sites, railroad lines, reservoirs, pipes, and more.

Staff finds that there are a lot of unknowns regarding how Daly Avenue was developed that pertain to the staggered development pattern seen today. With the absence of this information, staff finds that the baseline for determining how much of the historic character can be derived from 1984 when the Mining Boom Era Residences Thematic District was listed on the National Register of Historic Places. Since that time, Design Guidelines and the 2009 Historic Sites Inventory have sought to maintain and restore the character of the residential neighborhoods to the Mining Era.

In reviewing the historic Sanborn Fire Insurance Maps (Exhibit 3), Staff finds that the character of the street and site can be considered in terms of location, setting, materials and workmanship, as well as design. When looking at these areas more closely, staff finds the following:

- The street including its streetscape composition, land uses, lot sizes and shapes remain largely the same. While staff found that 6 of 33 extant historic structures have been relocated, the relocations under previous LMC criteria have allowed Daly Avenue to still be characterized by staggered setbacks. The layout and composition of the street remains.*
- The mass and form, materials, roof shapes, orientation, window-door configurations, porches, and building*

ornamentation of the street as a whole remains. The overall historic architectural style of the building is in the Park City vernacular—characterized by simple building forms such as the hall-parlor and L- and T-shaped cottages as well as simple wooden building materials.

- *Daly Avenue has lost many of its industrial mine buildings; however, the large numbers of garages that contribute to this industrial character remain adjacent to the street.*

2. The proposed relocation will not diminish the overall physical integrity of the Historic District or diminish the historical associations used to define the boundaries of the district; and **Complies.** *The HPB found in the January 16th meeting that the relocation would not diminish the overall physical integrity of the Historic District or diminish the historical associations used to define the boundaries of the district.*

The HPB found that the garage was immediately adjacent to the street was the most prominent site feature. The HPB did not find that the relocation 4 feet west closer to the garage or the street would significantly alter or dramatically change the relationship of the site's buildings. In fact, they thought it would help the District because it would make the house proud of its neighbors and prevent it from being overshadowed by new development. Further, Daly Avenue is characterized by staggered setbacks, and this proposed relocation will maintain that development pattern.

3. The historical integrity and significance of the Historic Building(s) and/or Structure(s) will not be diminished by relocation and/or reorientation; and **Complies.** *The HPB found in the January 16th meeting that the relocation would not diminish the overall physical integrity and significance of the Historic Building. Again the HPB found that the historic house would be more prominent on the site and within the neighborhood if it was moved 4 feet closer to Daly Avenue. By allowing it to be more proud on the site, the relocation would prevent the house from being lost or overshadowed by neighboring development.*
4. The potential to preserve the Historic Building(s) and/or Structure(s) will be enhanced by its relocation.

HPB Discussion Requested. *The HPB was divided whether or not the proposal met this criterion. Some members found that with the reconstruction of the historic house, rebuilding the house in its original location allowed it to be an accurate reconstruction and maintain one aspect of the site's historic integrity. (See the [Seven](#)*

Aspects of Integrity, as defined by the National Park Service.) Others found that the relocation would prevent the addition to the rear of the house from overwhelming the historic house because it would prevent the addition from crawling up the hillside. They also argued that moving it closer to the street permitted the house to be more visible, which enhanced the historic character of the site.

Process:

The HPB will hear testimony from the applicant and the public and will review the Application for compliance with the “Criteria for Relocation and/or Reorientation of the Historic Structure.” The HPB shall forward a copy of its written findings to the Owner and/or Applicant.

The Applicant or any party participating in the hearing may appeal the Historic Preservation Board decision to the Board of Adjustment. Appeal requests shall be submitted to the Planning Department ten (10) days of the Historic Preservation Board decision. Appeals shall be considered only on the record made before the HPB and will be reviewed for correctness.

Notice:

On January 2, 2018, Legal Notice of this public hearing was published in the Park Record and posted in the required public spaces. Staff sent a mailing notice to property owners within 100 feet on and posted the property on December 28, 2017.

Recommendation:

Staff recommends the Historic Preservation Board review the Relocation of the Historic Building at 269 Daly Avenue, conduct a public hearing, and deny the Relocation pursuant to the following findings of fact and conclusions of law. The site has been designated as “Significant” on the City’s Historic Sites Inventory (HSI).

Finding of Fact for Denial of Relocation of a Historic Structure:

1. The site is located at 269 Daly Avenue in the Historic Residential (HR-1) zoning District.
2. The site has been designated as “Significant” on the City’s Historic Sites Inventory (HSI) and includes a historic house and historic garage.
3. The house first appears on the 1889 Sanborn Fire Insurance map to the west of the Union Concentrator Mill. The Ontario Mining Company and its subsidiaries continued to own many of the parcels on Daly Avenue and rented out houses constructed on their mining claims, such as 269 Daly, well into the late-twentieth century. *The house at 269 Daly Avenue was first sold to private property owners in 1973.*
4. *During the Mining Era (approx. 1868-1930), the Sanborn Fire Insurance Maps depict a number of mining-related industrial buildings on the west side of the road, including, but not limited to, the Union Concentrator, wagon sheds, water reservoirs, etc. There were also a number of hall-parlor and cross-wing houses constructed on the east and west sides of the street, built on mining claims. The*

garages and accessory buildings constructed over Silver Creek (Poison Creek) housed cottage industries for the mines, such as blacksmithing.

5. The house was likely built prior to 1889 as a two-room hall-parlor; however, it was expanded by adding a stem-wing to the south end of the hall-parlor form before 1889. T-shaped cottages became a predominant house form in the 1880s and 1890s.
6. By the 1900 Sanborn Fire Insurance map, the house was expanded once again or replaced by a house that is more rectangular in form with a full-width front porch.
7. In April 2011, a Historic District Design Review (HDDR) application was submitted for the purpose of relocating the house towards Daly Avenue, rehabbing the historic house, and constructing a new rear addition.
8. In June 2013, former-Chief Building Official Chad Root and Planning Director Thomas Eddington approved the relocation of the historic house to accommodate the rear addition, finding that the relocation would avoid excavation on the wall of the canyon and solve drainage issues that had caused the back wall of the historic house to deteriorate. The HDDR application was issued on May 17, 2013, with the Condition of Approval that the HDDR would expire by May 17, 2014, if a building permit had not been issued. The HDDR expired in May 2014 as no application for building permit was ever filed.
9. In April 2012, the Park City Council approved Ordinance 12-10 for the 269 Daly Avenue Plat Amendment. It included a "Maximum Building Line" on the east (rear) side of the house that would prevent development from creeping up the steep slope of the canyon wall.
10. In September 2013, the Historic Preservation Board approved a Determination of Significance (DOS) application to modify the designation from "Landmark" to "Significant."
11. In December 2015, the Land Management Code (LMC) was amended to require that the Historic Preservation Board (HPB) review and approve
12. On January 12, 2017, the Building Department issued a Notice and Order for the site due to the overall dilapidated conditions and structural instability of the house and garage.
13. The house was then sold to the current owners, David and Harriet Henry, in April 2017.
14. On September 8, 2017, the Planning Department received a Historic District Design Review (HDDR) application for the property at 269 Daly Avenue. The application became vested under the current Land Management Code (LMC) and Design Guidelines when the application was deemed complete on October 17, 2017.
15. On November 27, 2017, the Chief Building Official issued a letter in support of reconstructing the historic house and garage due to the deficiencies outlined in the Notice and Order.
16. On December 22, 2017, the Chief Building Official and Planning Director determined that the relocation of the historic house did not comply with LMC 15-11-13(A)(3)(B) as the structure was not threatened by hazardous conditions in its present location and the relocation of the building will not be enhanced by the relocation. Drainage issues are a hazardous condition; however, they can be

reasonably mitigated while reconstructing the historic house in its present location. The Chief Building Official and Planning Director did not find that there were unique conditions that warranted the relocation.

17. The applicant has proposed to relocate the historic house four feet (4') west towards Daly Avenue. The applicant has argued that relocating the historic house closer to the street will permit them to move the development away from the hillside and construct an addition behind the house that does not encroach over the "Maximum Development Line."
18. The applicant argues that this application is being reviewed under the same logic as it was in 2013 and that there is no harm in relocating the house toward Daly Avenue as there is no impact its relationship to the historic garage. Additionally, the applicant argues that it will solve a drainage issue, prevent excavation of the hillside in order to construct a new addition, and prevent the new addition from towering over the historic house due to the increased grade on the back of the lot.
19. The need to reconstruct the existing historic house was not driven by the proposed relocation, but by the poor structural stability of the house in its existing condition. No structural engineer's report was required as the house is in visibly poor condition and could not be repaired as-is. As such, the relocation will not have a detrimental effect on the soundness of the building.
20. The proposed relocation will not abate demolition of the Historic Building as the applicant has already demonstrated that the historic house is in such poor condition that it cannot be made safe and/or serviceable through repair. While the building's current location abutting the wall of Empire Canyon has caused the structure to settle and the back wall of the building to deteriorate, the applicant could reconstruct the historic house in its present location and still address the drainage issues behind the house.
21. The Chief Building Official and Planning Director have found that there are hazardous conditions that have threatened the building; however, they are not solely related to its location on the site as the site could be re-graded to address the drainage issues. The Planning Director and Chief Building Official do not find that the preservation of the building will be enhanced by relocating it four feet (4') toward Daly Avenue as it is not threatened by site conditions in its current location.
22. The Historic Preservation Board has found that there are not unique conditions that warrant the proposed relocation on the existing site. Specifically:
 - a. The historic context of the Historic house has not been so radically altered that the proposed relocation will enhance the ability to interpret the historic character of the Historic house. Of the 33 historic structures along Daly, a total of 6 buildings have been relocated or about 18% of the structures. Location is one of the seven (7) aspects of historic integrity identified by the National Park Service (NPS).
 - b. The proposed relocation will **not** diminish the overall physical integrity of the Historic District and the historical associations used to define the boundaries of the district.

- c. The historic integrity and significance of the historic house will **not** be diminished by relocation of this historic house as its original location contributes to its historic integrity.
- d. The potential to preserve the historic house will not be enhanced by its relocation as the drainage issues that have damaged the back wall of the historic house can be addressed as part of its reconstruction.

Conclusions of Law:

- 1. The proposal does not comply with the Land Management Code requirements pursuant to LMC 15-11-13 and regarding Relocation and/or Reorientation of a Historic Building or Structure.

Exhibits:

Exhibit 1 — 1.16.18 HPB Report for Reconstruction of Historic House

Exhibit 2 — Relationship between the house at 269 Daly Avenue and the two neighboring historic houses

Exhibit 3 — Sanborn Fire Insurance Maps that document changes along Daly Avenue

[1889 Sanborn Fire Insurance Map- Page 10](#)

[1900 Sanborn Fire Insurance Map- Page 8](#)

[1907 Sanborn Fire Insurance Map- Page 12](#)

[1907 Sanborn Fire Insurance Map- Page 14](#)

Exhibit 1- 1.16.17 HPB Report



Planning Department

Historic Preservation Board Staff Report

Author: Anya Grahn, Historic Preservation Planner
Subject: Relocation Review
Address: 269 Daly Avenue
Project Number: PL-17-03554
Date: January 16, 2017
Type of Item: Administrative –Relocation of a Historic Building

Summary Recommendation:

Staff recommends the Historic Preservation Board review the Relocation of the Historic Building at 269 Daly Avenue, conduct a public hearing, and consider denying the Relocation pursuant to the following findings of fact and conclusions of law. The site has been designated as “Significant” on the City’s Historic Sites Inventory (HSI).

Topic:

Address: 269 Daly Avenue
Zoning: Historic Residential (HR-1) District
Designation: Significant
Applicant: David and Harriet Henry (Represented by Rick Otto, Architect)
Proposal: Relocation of the Historic house four feet (4’) west towards Daly Avenue

Background:

On September 8, 2017, the Planning Department received a Historic District Design Review (HDDR) application for the property at 269 Daly Avenue. The application was deemed complete on October 17, 2017, and staff has been giving feedback to the applicant related to design issues and preservation methods. The Historic District Design Review (HDDR) application is pending, as it is dependent on HPB’s Review for Material Deconstruction approval.

The property is located at 269 Daly Avenue on a developed lot. The site is designated as Significant on the City’s Historic Sites Inventory (HSI) (See [Historic Site Form](#)).

A full history of the site’s development and recent applications has been outlined in the staff report for the Reconstruction and Material Deconstruction of the historic house, included in this packet.

Previous Request for Relocation:

As outlined in the staff report for Reconstruction and Material Deconstruction, the Chief Building Official and Planning Director had the ability to approve the Relocation and Reconstruction of Historic Structures prior to the LMC amendments that were made in 2015 and 2016. The previous Historic District Design Review (HDDR) application for the relocation and reconstruction of the historic house was approved on May 17, 2013. As the previous owner had not requested or been granted an extension, the previous

HDDR approval for reconstructing and relocating the historic house expired in 2014 in accordance with [LMC 15-11-12\(E\)](#). The criteria for reconstructing and relocating historic structures was significantly amended in 2016. This current HDDR application was vested in the LMC and Design Guidelines when it was deemed complete on October 17, 2017.

Analysis:

In 2012, the previous owner applied for a plat amendment application to combine two (2) metes and bounds parcels into one legal lot of record. At the time of the plat amendment, the previous owner had not yet submitted an HDDR application and there were no specific plans for the rear addition to the historic house. The Planning Commission had expressed concern about development on this large lot that contains the steep wall of Empire Canyon. They had encouraged the applicant to meet with staff and discuss the possibility of pursuing transfer development rights (TDRs) or an option of the applicant limiting their footprint. The applicant agreed to limit the maximum gross floor area of the house to 2,000 square feet as well as introduce a “Maximum Development Line” that would prevent development from creeping up the steep slope of the canyon wall. These conditions of approval were incorporated into the plat amendment for the property that was approved by City Council in April 2012 (see [Ordinance 12-10](#)); the plat was recorded on December 12, 2012.

The applicant has proposed to relocate the Historic house, designated as “Significant” on the City’s HSI, four feet (4’) west towards Daly Avenue. The applicant argues that the relocation had been approved in 2013 by the Chief Building Official and Planning Director under similar circumstances. During the 2012-2013 HDDR and plat amendment reviews, a plat note for a “Maximum Development Line” was introduced on the east side (rear) of the historic house based on the existing slopes and vegetation. The current applicant’s goal is to construct an addition similar to that of the one approved in 2013, but which has not yet been proposed. The applicants believe that relocating the historic house four feet (4’) toward Daly Avenue will permit them to move the development away from the hillside and construct an addition to the west of the “Maximum Development Line.”

The applicant also argues that this application is being reviewed under the same logic as it had been in 2013. They find that the previous Planning Director and Chief Building Official had found that there was no harm in relocating the house four feet (4’) toward Daly Avenue as it does not impact its relationship to the garage (See Exhibit B- Action Letter dated May 20, 2013). Further, it addresses the drainage and retention of the hillside.

The former Planning Director and CBO approved the relocation of the historic house four feet (4’) toward Daly Avenue in 2013 based on unique conditions, as was permitted by the 2013 LMC. They argued that the unique condition was that the cabin’s original construction “tight against the side of Empire Canyon” accelerated the deterioration of the rear of the historic portion of the home and similar damage would result to the historic house if reconstructed in this location. They found that relocation would prevent similar deterioration and prevent excavation of the hillside in order to construct a new

addition, the need for retaining walls, and avoid a new addition towering over the historic house due to the increased grade on the back of the lot.

The new LMC criteria was adopted by City Council on December 17, 2015 through Ordinance 15-53 ([Parts A](#) and [B](#) address the change applicable to this application). Staff finds that this proposal does not comply with [LMC 15-11-13](#) Relocation of a Historic Building, as outlined below:

- A. **CRITERIA FOR THE RELOCATION AND/OR REORIENTATION OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) ON ITS EXISTING LANDMARK OR SIGNIFICANT SITE.** In approving a Historic District or Historic Site design review Application involving relocation and/or reorientation of the Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site, the Historic Preservation Board shall find the project complies with the following criteria.
1. For either a Landmark or Significant Site all the following shall be met:
 - a. A licensed structural engineer has certified that the Historic Building(s) and/or Structure(s) can successfully be relocated and the applicant has demonstrated that a professional building mover will move the building and protect it while being stored; and
 - b. The proposed relocation will not have a detrimental effect on the structural soundness of the building or structure;

Complies. *The need to reconstruct the existing historic house was not driven by the proposed relocation, but by the poor structural stability of the house in its existing condition. Because of the deteriorated conditions of the few remaining historic materials, non-historic alterations, and general poor condition of the building, the Building Department issued a Notice and Order for the site in January 2017. Further inspections by Building and Planning staff have maintained that the house must be reconstructed (see CBO Determination Letter, Exhibit C) due to its dilapidated state. Because the house will be reconstructed due to its visibly poor condition and could not be repaired as-is, it was not necessary for the applicant to provide a structural engineer's report.*

As such, the relocation will not have a detrimental effect on the soundness of the building or structure as it has already been structurally compromised by the uneven settlement and slumping of its floor and walls, as well as the failure of the roof structure.

2. Landmark structures shall only be permitted to be relocated on its existing site if:
 - a. the relocation will abate demolition; or
 - b. the Planning Director and Chief Building Official find that the relocation will abate a hazardous condition at the present setting and enhance the preservation of the structure.

Not applicable. This is not a Landmark structure. It had initially been designated as “Landmark” in 2009; however, it was demoted to “Significant” in 2013 when exploratory demolition determined that the front gabled ell was not historic, having been constructed between 1965 and 1970. Additionally, the previous owner’s intent to reconstruct the house necessitated it being listed as Significant because Landmark houses were not permitted to be reconstructed. The change in designation was approved by the HPB on September 18, 2017 [[Staff Report](#) (starting page 87) and [Minutes](#) (starting page 5)].

3. For Significant sites, at least one of the following shall be met:
 - a. The proposed relocation and/or reorientation will abate demolition of the Historic Building(s) and/or Structure(s) on the Site; or

Does not comply. The applicant has argued that the previous CBO and Planning Director found there were unique conditions that warranted the relocation of the historic house four feet (4’) west toward Daly Avenue, as was consistent with the LMC at the time of the previous 2013 approval. In the 2013 approval for relocation, the CBO and Planning Director noted that “the unique condition is the fact that the historic home was originally constructed tight against the side of Empire Canyon which resulted in the accelerated deterioration of the rear of the historic portion of the home. Similar damage would likely ensure today if rebuilt in the same location.” They found that relocating the structure four feet (4’) to the west would prevent similar deterioration in the future and prevent any disturbance of the hillside, “thus reducing the need for substantial excavation of the canyon wall, the need for extensive retaining walls, and avoiding a rear addition that would tower over the reconstructed hall-parlor home.”

In 2015 and 2016, LMC amendments were adopted that modified the criteria for relocation to make it more difficult to relocate historic structures as the original location of the building is one of seven aspects of historic integrity evaluated by the National Register of Historic Places. [These LMC amendments were adopted through Ordinance 15-53 ([Parts A](#) and [B](#) address the change applicable to this application).]

Staff finds that the applicant has already demonstrated that the building is in such poor condition that it cannot be made safe and/or serviceable through repair, thus necessitating reconstruction. While the building’s current location abutting the wall of Empire Canyon has caused the structure to settle and the back wall of the building to deteriorate, the location of the building itself is not driving the need for reconstruction. The applicant could reconstruct the building in its present location and still address the drainage issues directly behind the house.

- b. The Planning Director and Chief Building Official determine that the building is threatened in its present setting because of hazardous conditions and the preservation of the building will be enhanced by relocating it; or

Does not comply. *The Planning Director and Chief Building Official have not found that there are hazardous conditions that have threatened the building. The hazardous conditions that relate to the 2017 Notice and Order are due to deferred maintenance, structural failures, and the overall poor condition of the building. The settlement of the canyon wall against the back of the house has accelerated the deterioration of the structure; however, this can be addressed by re-grading this area to address drainage when the house is reconstructed.*

The Planning Director and CBO do not find that the preservation of the building will be enhanced by relocating it four feet (4') west toward Daly Avenue as it is not threatened by site conditions in its current location.

- c. The Historic Preservation Board, with input from the Planning Director and the Chief Building Official, determines that unique conditions warrant the proposed relocation and/or reorientation on the existing Site. Unique conditions shall include all of the following:
 1. The historic context of the Historic Building(s) and/or Structure(s) has been so radically altered that the proposed relocation will enhance the ability to interpret the historic character of the Historic Building(s) and/or Structure(s) and the Historic District or its present setting; and

HPB Discussion Requested. *Staff finds that the historic context of the site and the street have not been so radically altered that the proposed relocation will not improve the ability to interpret the historic character of the historic Building or the Historic District.*

In comparing the 1909 Sanborn Fire Insurance Map of the 200 and 300 blocks of Daly Avenue and a current map of the same area of Daly Avenue, it is evident that there are about nine (9) historic structures remaining on Daly Avenue that were depicted on the 1909 map; 269 Daly Avenue sits in the middle of this map page. Of these nine (9) properties, three (3)—291, 297, and 309 Daly—have been relocated. The structures at 291 and 297 Daly were moved north and south, respectively, to create a third developable lot in between the historic houses in 2005. 309 Daly (sometimes 313 Daly) was relocated towards the street. Of these, only the structure at 239 Daly Avenue has not yet been rehabilitated. In looking at all 33 historic structures along the entirety of Daly, a total of six (6)

have been relocated (about 18% of the structures). These buildings were all relocated prior to the LMC amendments adopted in 2015 and 2016.

Per the National Parks Service (NPS), eligibility for the National Register of Historic Places (NRHP) can be diminished due to the relocation of historic buildings. The NRHP encourages preserving historic properties as part of their communities, and artificial groupings of buildings that have been created for the purposes of interpretation, protection, or maintenance are not eligible for the NRHP. Because moving buildings to such groupings destroys the integrity of the location and setting as well as creates a false sense of historic development, a Historic District can lose its NRHP listing if a significant number of historic resources have been moved from their original location. While staff does not review NRHP eligibility as part of our HDDR review, our Design Guidelines are based on the NRHP criteria and Secretary of the Interior's Standards which seek to ensure that the property's [seven \(7\) aspects of integrity](#) are maintained during a renovation.

Does the HPB find that the street has been radically altered by 6 of the total 33 historic houses along Daly Avenue having been relocated?



The map on the left is the 1909 Sanborn Fire Insurance Map; whereas, the map on the right is a current map. The map includes houses within the 200 and 300 blocks of Daly Avenue, but does not include all of the houses on the street. In both maps, 269 Daly Avenue has been highlighted in red. Of the nine (9) historic structures existing on the current map, only two (2) have been relocated; however, further analysis of the street showed that six (6) of the total 33 historic buildings on the street have been relocated. The bullet points provide a key.

- *Green buildings have been designated as Significant on the City's HSI*
- *Blue buildings are designated as Landmark on the City's HSI*
- *The red building is 269 Daly Avenue*
- *291 and 297 Daly Avenue are circled in a red dashed line. These houses were approved to be relocated north and south, respectively, in order to permit the development of the lot in between them.*

2. The proposed relocation will not diminish the overall physical integrity of the Historic District or diminish the historical associations used to define the boundaries of the district; and

Does not comply. *This site is not eligible for the NRHP; however, as previously noted, the Park City LMC and Design Guidelines provide standards for preservation that reflect those set by the NPS as part of their NRHP eligibility as well as the Secretary of the Interiors Standards.*

The NPS finds that the historical integrity of a district can be lost when a significant number of historic resources have been relocated within the district as these artificial groupings convey a false sense of history. [The NPS's review standards for the NRHP eligibility for moved historic resources is under [Criteria Consideration B: Moved Properties.](#)]

Staff finds that the LMC discourages the relocation of historic buildings in an effort to promote the preservation of the Historic District as a whole. As previously described, the relocation of historic houses within the Historic District diminishes the historic integrity of the District as a whole. Because of the location of the site at 269 Daly Avenue, staff finds that the relocation of the house will not diminish the historical associations used to define the boundaries of the district; the Historic District boundaries will remain.

3. The historical integrity and significance of the Historic Building(s) and/or Structure(s) will not be diminished by relocation and/or reorientation; and

Does not comply. *Location is one of the [seven \(7\) aspects of historic integrity](#), as defined by the NPS. The actual location of a*

historic property and its setting are important in recapturing the sense of the historic events and persons. Relocating a historic resource causes a loss of historic features such as landscaping, foundations, and chimneys. Further, it creates a false sense of history. Very rarely does relocating a historic resource not destroy the relationship between a property and its historic associations; however, the NPS finds that a moved building can still be eligible if, after the move, it is placed on a lot that is sufficient in size and character to recall the basic qualities of the historic environment and setting, and provided that the building is sited approximately in relation to natural and manmade surroundings.

The existing lot is about 165 feet in depth by 46.26 feet in width. Of this, the plat amendment only permits development on the first 93.5 feet of lot depth. (Please recall that a typical Old Town lot is 25 feet by 75 feet, so even with the limited development area the lot is larger than a typical Old Town lot.) Four feet (4') is approximately 2 percent of the entire lot depth and 4 percent of the buildable area depth. The relocation moves the house closer to the garage and the street, and the applicant is creating additional developable area behind the historic house in order to construct the addition. The relationship between the house and the garage will be further altered by changing their proximity and pushing them closer together.

4. The potential to preserve the Historic Building(s) and/or Structure(s) will be enhanced by its relocation.

Does not comply. *Staff finds that relocating the historic house four feet (4') east toward Daly Avenue will not substantially improve the potential to preserve the Historic house as it is not threatened in its current location by site hazards; as previously discussed, the house is structurally unsound and in poor condition due to years of deferred maintenance, not because of its location on the lot. While settling of the hillside against the back wall of the house has contributed the house's decay, drainage issues can be addressed as part of the reconstruction of the house. The ability to interpret the historical significance of this house is the same whether it is in its present location or four feet (4') closer to the street.*

Process:

The HPB will hear testimony from the applicant and the public and will review the Application for compliance with the "Criteria for Relocation and/or Reorientation of the Historic Structure." The HPB shall forward a copy of its written findings to the Owner and/or Applicant.

The Applicant or any party participating in the hearing may appeal the Historic Preservation Board decision to the Board of Adjustment. Appeal requests shall be submitted to the Planning Department ten (10) days of the Historic Preservation Board decision. Appeals shall be considered only on the record made before the HPB and will be reviewed for correctness.

Notice:

On January 2, 2018, Legal Notice of this public hearing was published in the Park Record and posted in the required public spaces. Staff sent a mailing notice to property owners within 100 feet on and posted the property on December 28, 2017.

Recommendation:

Staff recommends the Historic Preservation Board review the Relocation of the Historic Building at 269 Daly Avenue, conduct a public hearing, and deny the Relocation pursuant to the following findings of fact and conclusions of law. The site has been designated as “Significant” on the City’s Historic Sites Inventory (HSI).

Finding of Fact for Relocation of a Historic Structure:

1. The site is located at 269 Daly Avenue in the Historic Residential (HR-1) zoning District.
2. The site has been designated as “Significant” on the City’s Historic Sites Inventory (HSI) and includes a historic house and historic garage.
3. The house first appears on the 1889 Sanborn Fire Insurance map to the west of the Union Concentrator Mill. The Ontario Mining Company and its subsidiaries continued to own many of the parcels on Daly Avenue and rented out houses constructed on their mining claims, such as 269 Daly, well into the late-twentieth century.
4. The house was likely built prior to 1889 as a two-room hall-parlor; however, it was expanded by adding a stem-wing to the south end of the hall-parlor form before 1889. T-shaped cottages became a predominant house form in the 1880s and 1890s.
5. By the 1900 Sanborn Fire Insurance map, the house was expanded once again or replaced by a house that is more rectangular in form with a full-width front porch.
6. In April 2011, a Historic District Design Review (HDDR) application was submitted for the purpose of relocating the house towards Daly Avenue, rehabbing the historic house, and constructing a new rear addition.
7. In June 2013, Chief Building Official Chad Root and Planning Director Thomas Eddington approved the relocation of the historic house to accommodate the rear addition, finding that the relocation would avoid excavation on the wall of the canyon and solve drainage issues that had caused the back wall of the historic house to deteriorate. The HDDR application was issued on May 17, 2013, with the Condition of Approval that the HDDR would expire by May 17, 2014, if a building permit had not been issued. The HDDR expired in May 2014 as no application for building permit was ever filed.
8. In April 2012, the Park City Council approved Ordinance 12-10 for the 269 Daly Avenue Plat Amendment. It included a “Maximum Building Line” on the east

- (rear) side of the house that would prevent development from creeping up the steep slope of the canyon wall.
9. In September 2013, the Historic Preservation Board approved a Determination of Significance (DOS) application to modify the designation from “Landmark” to “Significant.”
 10. In December 2015, the Land Management Code (LMC) was amended to require that the Historic Preservation Board (HPB) review and approve
 11. On January 12, 2017, the Building Department issued a Notice and Order for the site due to the overall dilapidated conditions and structural instability of the house and garage.
 12. The house was then sold to the current owners, David and Harriet Henry, in April 2017.
 13. On September 8, 2017, the Planning Department received a Historic District Design Review (HDDR) application for the property at 269 Daly Avenue. The application became vested under the current Land Management Code (LMC) and Design Guidelines when the application was deemed complete on October 17, 2017.
 14. On November 27, 2017, the Chief Building Official issued a letter in support of reconstructing the historic house and garage due to the deficiencies outlined in the Notice and Order.
 15. On December 22, 2017, the Chief Building Official and Planning Director determined that the relocation of the historic house did not comply with LMC 15-11-13(A)(3)(B) as the structure was not threatened by hazardous conditions in its present location and the relocation of the building will not be enhanced by the relocation. Drainage issues are a hazardous condition; however, they can be reasonably mitigated while reconstructing the historic house in its present location. The Chief Building Official and Planning Director did not find that there were unique conditions that warranted the relocation.
 16. The applicant has proposed to relocate the historic house four feet (4') west towards Daly Avenue. The applicant has argued that relocating the historic house closer to the street will permit them to move the development away from the hillside and construct an addition behind the house that does not encroach over the “Maximum Development Line.”
 17. The applicant argues that this application is being reviewed under the same logic as it was in 2013 and that there is no harm in relocating the house toward Daly Avenue as there is no impact its relationship to the historic garage. Additionally, the applicant argues that it will solve a drainage issue, prevent excavation of the hillside in order to construct a new addition, and prevent the new addition from towering over the historic house due to the increased grade on the back of the lot.
 18. The need to reconstruct the existing historic house was not driven by the proposed relocation, but by the poor structural stability of the house in its existing condition. No structural engineer’s report was required as the house is in visibly poor condition and could not be repaired as-is. As such, the relocation will not have a detrimental effect on the soundness of the building.
 19. The proposed relocation will not abate demolition of the Historic Building as the applicant has already demonstrated that the historic house is in such poor

condition that it cannot be made safe and/or serviceable through repair. While the building's current location abutting the wall of Empire Canyon has caused the structure to settle and the back wall of the building to deteriorate, the applicant could reconstruct the historic house in its present location and still address the drainage issues behind the house.

20. The Chief Building Official and Planning Director have found that there are hazardous conditions that have threatened the building; however, they are not solely related to its location on the site as the site could be re-graded to address the drainage issues. The Planning Director and Chief Building Official do not find that the preservation of the building will be enhanced by relocating it four feet (4') toward Daly Avenue as it is not threatened by site conditions in its current location.
21. The Historic Preservation Board has found that there are not unique conditions that warrant the proposed relocation on the existing site. Specifically:
 - a. The historic context of the Historic house has not been so radically altered that the proposed relocation will enhance the ability to interpret the historic character of the Historic house. Of the 33 historic structures along Daly, a total of 6 buildings have been relocated or about 18% of the structures. Location is one of the seven (7) aspects of historic integrity identified by the National Park Service (NPS).
 - b. The proposed relocation will diminish the overall physical integrity of the Historic District and the historical associations used to define the boundaries of the district.
 - c. The historic integrity and significance of the historic house will be diminished by relocation of this historic house as its original location contributes to its historic integrity.
 - d. The potential to preserve the historic house will not be enhanced by its relocation as the drainage issues that have damaged the back wall of the historic house can be addressed as part of its reconstruction.

Conclusions of Law:

1. The proposal does not comply with the Land Management Code requirements pursuant to LMC 15-11-13 and regarding Relocation and/or Reorientation of a Historic Building or Structure.

Exhibits:

- Exhibit A — LMC 15-11-13 Relocation and/or Reorientation of a Historic Building or a Historic Structure
- Exhibit B — Planning Director-CBO Action Letter for Relocation, 5.20.13
- Exhibit C — CBO Letter for Reconstruction, 11.27.17
- Exhibit D — Planning Director-CBO Determination for Relocation, 12.22.17
- Exhibit E — Proposed Site Plan

15-11-13 Relocation And/Or Reorientation Of A Historic Building Or Historic Structure

It is the intent of this section to preserve the Historic and architectural resources of Park City through limitations on the relocation and/or orientation of Historic Buildings, Structures, and Sites.

A. CRITERIA FOR THE RELOCATION AND/OR REORIENTATION OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) ON ITS EXISTING LANDMARK OR SIGNIFICANT SITE.

In approving a Historic District or Historic Site design review Application involving relocation and/or reorientation of the Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site, the Historic Preservation Board shall find the project complies with the following criteria.

1. For either a Landmark or Significant Site all the following shall be met:
 - a. A licensed structural engineer has certified that the Historic Building(s) and/or Structure(s) can successfully be relocated and the applicant has demonstrated that a professional building mover will move the building and protect it while being stored; and
 - b. The proposed relocation will not have a detrimental effect on the structural soundness of the building or structure;
2. Landmark structures shall only be permitted to be relocated on its existing site if:
 - a. the relocation will abate demolition; or
 - b. the Planning Director and Chief Building Official find that the relocation will abate a hazardous condition at the present setting and enhance the preservation of the structure.
3. For Significant sites, at least one of the following shall be met:
 - a. The proposed relocation and/or reorientation will abate demolition of the Historic Building(s) and/or Structure(s) on the Site; or
 - b. The Planning Director and Chief Building Official determine that the building is threatened in its present setting because of hazardous conditions and the preservation of the building will be enhanced by relocating it; or
 - c. The Historic Preservation Board, with input from the Planning Director and the Chief Building Official, determines that unique conditions warrant the proposed relocation and/or reorientation on the existing Site. Unique conditions shall include all of the following:
 - (1) The historic context of the Historic Building(s) and/or Structure(s) has been so radically altered that the proposed relocation will enhance the ability to interpret the historic character of the Historic Building(s) and/or Structure(s) and the Historic District or its present setting; and
 - (2) The proposed relocation will not diminish the overall physical integrity of the Historic District or diminish the historical associations used to define the boundaries of the district; and
 - (3) The historical integrity and significance of the Historic Building(s) and/or Structure(s) will not be diminished by relocation and/or reorientation; and

- (4) The potential to preserve the Historic Building(s) and/or Structure(s) will be enhanced by its relocation.

B. PROCEDURE FOR THE RELOCATION AND/OR REORIENTATION OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) TO A PERMANENT NEW SITE. To approve a Historic District or Historic Site design review Application involving relocation and/or reorientation of the Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site to a new site, the Historic Preservation Board shall find the project complies with the following criteria.

1. For either a Landmark or Significant Site, all of the following shall be met:
 - a. A licensed structural engineer has certified that the Historic Building(s) and/or Structure(s) can successfully be relocated and the applicant has demonstrated that a professional building mover will move the building and protect it while being stored; and
 - b. The proposed relocation will not have a detrimental effect on the structural soundness of the building or structure;
2. Landmark structures shall only be permitted to be relocated to a new site if the relocation will abate demolition and the Planning Director and Chief Building Official find that the relocation will abate a hazardous condition at the present setting and enhance the preservation of the structure.
3. For Significant Sites, at least one of the following must be met:
 - a. The proposed relocation and/or reorientation will abate demolition of the Historic Building(s) and/or Structure(s) on the Site; or
 - b. The Planning Director and Chief Building Official determine that the building is threatened in its present setting because of hazardous conditions and the preservation of the building will be enhanced by relocating it; or
 - c. The Historic Preservation Board, with input from the Planning Director and the Chief Building Official, determines that unique conditions warrant the proposed relocation and/or reorientation to a new Site. This criterion is only available to Significant Sites. Unique conditions shall include all of the following:
 - (1) The relocation will not negatively affect the historic integrity of the Historic District, nor the area of receiving site; and
 - (2) One of the following must also be met:
 - (A) The historic building is located within the Historic districts, but its historic context and setting have become so radically altered that the building may be enhanced by its new setting if the receiving site is more similar to its historic setting in terms of architecture, style, period, height, mass, volume, scale, use and location of the structure on the lot as well as neighborhood features and uses; or
 - (B) The historic building is located outside of the Historic districts, and its historic context and setting have been so radically altered that the building may be enhanced by its new setting if the receiving site is more similar to its historic setting in terms of architecture, style, period, height, mass, volume, scale, use, and location of the structure on the lot as well as neighborhood features and uses; or

- (C) City Council, with input from the Historic Preservation Board, Planning Director, and Chief Building Official, determines that the Historic Building(s) and/or Structure(s) is deterrent to a major improvement program outside of the Historic districts that will be of Substantial Benefit to the community, such as, but not limited to:
- (a) The relocation of the Historic Building(s) and/or Structure(s) will result in the restoration of the house--both the interior and exterior—in compliance with the Secretary of the Interior's Standards and the relocation will aid in the interpretation of the history of the Historic Building(s) and/or Structure(s); or
 - (b) The relocation of the Historic Building(s) and/or Structure(s) will result in the revitalization of the receiving neighborhood due to the relocation; or
 - (c) The relocation of the Historic Building(s) and/or Structure(s) will result in a new affordable housing development on the original site that creates more units than currently provided on the existing site, and the rehabilitation of the Historic Building(s) and/or Structure(s) on the new receiving site.

C. PROCEDURE FOR THE RELOCATION AND/OR REORIENTATION OF A LANDMARK SITE OR A SIGNIFICANT SITE. All Applications for the relocation and/or reorientation of any Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site within the City shall be reviewed by the Historic Preservation Board pursuant to Section 15-11-12 of this Code.

Adopted by Ord. 09-23 on 7/9/2009

Amended by Ord. 12-37 on 12/20/2012

Amended by Ord. 15-53 on 12/17/2015

Amended by Ord. 2016-44 on 9/15/2016

Amended by Ord. 2016-48 on 10/20/2016

Exhibit B



June 3, 2013

Otto-Walker Engineers
Attn: Rick Otto
2200 Park Ave # C201
Park City, Utah 84060

Re: PL-10-01003 - Reconstruction and Relocation of a home and detached garage building located at 269 Daly Avenue, Historic Residential (HR-1) District.

Dear Rick:

Thank you for submitting your HDDR application for the reconstruction and relocation of an existing historic home located at 269 Daily Avenue. As you are aware, the property and structure are designated within the Park City Historic Sites Inventory (HSI) as a "Landmark" structure. The initial reconnaissance level survey concluded that the home was likely built as a Hall-Parlor with a likely in-period wing addition to the front of the home.

Typically the City would not allow a Landmark structure to be reconstructed or relocated; however, the Land Management Code does allow that both could occur if the applicant can prove that both reconstruction and relocation are necessary and justifiable so long as the criteria for both could be met. It is our understanding that your client began the HDDR process with the idea of keeping the existing structure and doing a modest rear addition, but that during the review process it was discovered that the home was significantly altered from its original Hall-Parlor form. Further complicating the original concept was the fact that a Building Department inspection of the home concluded that the existing structure was not habitable due to its deteriorating state, and the evidence of mold and other life-safety issues.

Your physical conditions report for the property also concludes that it would be very difficult to salvage the historic portion of the existing home given the extremely poor condition of the siding. Since it was later confirmed that the front wing addition was actually an out-of-period addition, the Design Guidelines would not support an addition to the out-of-period construction, but rather would require that the original form of the building be preserved. Unfortunately, we find in your physical conditions report that it is the original Hall-Parlor portion of the home is the most deteriorated of the entire structure.

We understand that the Planning Staff, the City's Historic Preservation Consultant, and the Chief Building Official have all concurred with your current assessment of the home and all recommend reconstruction and relocation of the home. The Chief Building Official inspected the home and garage buildings, and recommended both be allowed to be reconstructed. Subsequent to that, the Planning Staff and the Historic Preservation Specialist also visited the property and found that very little, if any, historic material exists on the exterior of the home. They did not recommend "panalization" or disassembly, but rather noted reconstruction may be a viable solution. Staff also concluded that the proximity of the home to the hillside (Empire Canyon) made the home a candidate for relocation, and recommended that the home be allowed to move away from the canyon wall to preserve the structure from possible damage from runoff and allow for the reconstruction and the desired rear addition cannot be the unique condition.

As required by the LMC in approving this application for reconstruction of the historic Landmark site, the Planning Department finds that the project complies with the following criteria:

- (1) The historic buildings (both the existing home and garage) are found by the Chief Building Official to be hazardous or dangerous, pursuant to Section 116.1 of the International Building Code; and
- (2) The historic buildings cannot be made safe and/or serviceable through repair; and
- (3) The form, features, detailing, placement, orientation and location of the historic buildings will be accurately depicted, by means of new construction, based on as-built measured drawings, historical records, and/or current or historic photographs.

We commend your client's willingness to work to restore the existing structure, and therefore, pursuant to Park City Land Management Code (LMC) Section 15-11-15 (Reconstruction of An Existing Historic Building or Historic Structure), the proposal to reconstruct the existing home and detached garage building located at 269 Daily Avenue is hereby granted. The approval to reconstruct the home is based on the findings of the Chief Building Official's assessment that the home is unsafe for human habitation, as well as the findings by Staff and the City's Historic Preservation Specialist that the home retains very little of its original historic form, and that there are very few original historic materials remaining. Staff and the Historic Preservation Specialist agree with Chief Building Official that the home and detached garage buildings are dilapidated and in serious disrepair.

Furthermore, the proposal to relocate the home by reconstructing the original Hall-Parlor home four feet (4') to the west (closer to the street) is also hereby approved per LMC Section 15-11-13 "Criteria for the Relocation and/or Reorientation of the Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site."

Therefore, based on the recommendations of Staff and the City's Historic Preservation Consultant in approving the historic site design review application involving relocation and reorientation of the existing historic home on a Landmark Site, the Planning Department finds that the project complies with the code criteria and that the Planning Director and the Chief Building Official determine that unique conditions warrant the proposed relocation and reorientation on the existing Site. In this case, the unique condition is the fact that the historic home was originally constructed tight against the side of Empire Canyon which resulted in the accelerated deterioration of the rear of the historic portion of the home. Similar damage would likely ensure today if rebuilt in the same location. An exception for this unique condition to allow the original Hall-Parlor home to be re-constructed four feet (4') to the west of the wall will prevent similar deterioration in the future. In addition, this relocation will prevent any disturbance of the hillside; thus avoiding the need for substantial excavation of the canyon wall, the need for extensive retaining walls, and avoiding a rear addition that would tower over the reconstructed Hall-Parlor home.

As a condition of the aforementioned approval to reconstruct and relocate the historic home, and as a Condition of your HDDR to reconstruct and relocate the home (as well as reconstruct the detached garage building), the City has accepted the Physical Conditions Reported submitted on July 11, 2012 as well as the Preservation Plan submitted on April 8, 2011. Both reports provide the substantial support and justification for the reconstruction of the home and garage building, as well as the relocation of the home from its existing location. Furthermore, the applicant must apply to have the property reclassified from a "Landmark" site to a "Significant" site as provided for in LMC Section 15-11-10(C)(Removal of a Site from the Park City Historic Sites Inventory), which is required to be approved by the Historic Preservation Board (HPB) prior to the issuance of a demolition permit for both the house and the garage buildings. This is the final approval necessary to move forward with this project.

If you have any questions regarding this letter, the approvals, or the conditions of approval to reconstruct and relocate the building, please contact the Project Planner, Mathew Evans at 435.615.5063 or via e-mail at mathew.evans@parkcity.org.

Sincerely,



Thomas Eddington,
Planner Director



Chad Root
Chief Building Official

Copy: Mathew Evans, Senior Planner
File



Building • Engineering • Planning

November 27, 2017

David and Harriet Henry
5329 Shadwell Ct
Greenwood, IN 46143

CC: Rick Otto, Otto-Walker Architects; Anya Grahn, Park City Municipal Corporation

RE: 269 Daly Avenue, Park City, UT 84060

Dear Mr. and Mrs. Henry,

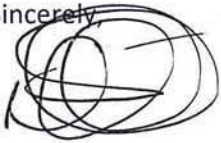
Please be advised that the historic structure located at 269 Daly Avenue, has been found to be hazardous or dangerous, pursuant to Section 116.1 of the International Building Code. A Notice and Order to vacate and repair the structure due to its general dilapidated state was issued on January 12, 2017.

Planning and Building Department staff visited the site on November 14, 2017. At that time, we observed the following conditions:

- Due to the lack of foundation beneath the historic house, the floor structure has slumped. This has caused the walls to buckle and settle unevenly. The roof structure has failed. It is no longer safe to enter the building due to its structural instability.
- The hillside has settled across the back of the historic house, accelerating the deterioration of the wood sided walls. Further wood rot and deterioration can be seen along the roofline, with rotted and missing eaves. Moisture has entered the structure through the deteriorated roofing and rotted wood siding, causing black mold on the interior of the house.
- The porch structure of the house is also failing. The roof has begun to detach from the roof structure of the historic house. The posts have settled and porch decking has warped, rotted, and disconnected from the porch's floor structure.
- The historic garage has no floor framing or foundation. The walls have begun to buckle and pull away from the structure. On the east half of the garage, the walls have become partially buried by the lawn, causing wood rot about 3 feet above the ground. Due to the extent of the wood rot and damage, the historic wall materials have deteriorated to a point where they are no longer salvageable. The roof framing is inadequate and a number of the structural members have disconnected and no longer transfer the weight of the roof.

Due to the structural instability of both the garage and the house structural systems, as well as the extent of the deterioration of the original materials, I find that the safest approach is to reconstruct these two (2) historic structures.

Sincerely,

A handwritten signature in black ink, appearing to be "Dave Thacker", written over a circular scribble.

Dave Thacker
Chief Building Official



Building • Engineering • Planning

December 22, 2017

David and Harriet Henry
5329 Shadwell Ct
Greenwood, IN 46143

CC: Rick Otto, Otto-Walker Architects; Anya Grahn, Park City Municipal Corporation

NOTICE OF PLANNING DIRECTOR & CHIEF BUILDING OFFICIAL DETERMINATION

Project Address: 269 Daly Avenue
Project Description: Planning Director & Chief Building Official Determination for Reorientation of a Significant Historic Structure
Project Number: PL-17-03554
Date of Action: December 22, 2017

ACTION TAKEN BY PLANNING DIRECTOR AND CHIEF BUILDING OFFICIAL:

The Planning Director and Chief Building Official find that the proposed relocation does not meet the criteria outlined in LMC 15-11-13(A)(3). The Planning Director and Chief Building Official have made this determination based on the following Findings of Fact.

Findings of Fact:

1. The Historic house and garage at 269 Daly Avenue are listed as "Significant" on the Park City Historic Sites Inventory (HSI) and the site is located in the Historic Residential (HR-1) zone.
2. On September 8, 2017, the applicant submitted a Historic District Design Review (HDDR) application for the subject property. The project scope of the HDDR included: relocation of the Historic house four feet (4') west towards Daly Avenue, reconstruction of the Historic house and Historic garage, and Material Deconstruction of both historic structures.
3. The Historic house is currently setback approximately 39 feet from the front property line along Daly Avenue and is about 11 feet east of (behind) the historic garage. The house faces west toward Daly Avenue.
4. In April 2012, the Park City Council approved the 269 Daly Avenue Plat Amendment through Ordinance 12-10. The plat included a provision for a "Maximum Development Line" that is approximately 93.5 feet back from the front property line. The purpose of the Maximum

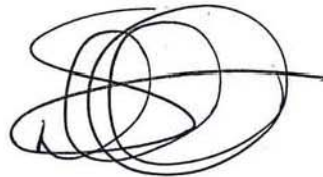
Development Line was to prevent development from creeping up the steep slope of the canyon wall. The line was drawn based on existing slopes and vegetation.

5. The proposal does not comply with LMC 15-11-13(A)(3)(B) as the structure is not threatened by hazardous conditions and the preservation of the building will not be enhanced by relocating it. Drainage issues have been identified as hazardous conditions; however, the Chief Building Official finds that the drainage issues can be reasonably mitigated while reconstructing the Historic Structure in its current location.
6. The Planning Director and Chief Building Official find that there are no unique conditions that warrant the proposed relocation on the existing Site. The historic context of the historic house has not been so radically altered that the proposed relocation will enhance the ability to interpret the historic character of the Historic Buildings and the Historic District in its present setting. The proposed relocation will diminish the overall physical integrity of the Historic District and diminish the historical associations used to define the boundaries of the district as the original location of the structure and its placement on the lot contributes to its historic integrity. The historic integrity and significance of the Historic Buildings will be diminished by the relocation as location is one of the seven aspects of integrity. The potential to preserve the Historic house will not be enhanced by its relocation.

Sincerely,



Bruce Erickson, AICP
Planning Director



Dave Thacker
Chief Building Official

Exhibit 2-Relationship between 269 Daly house and neighbors





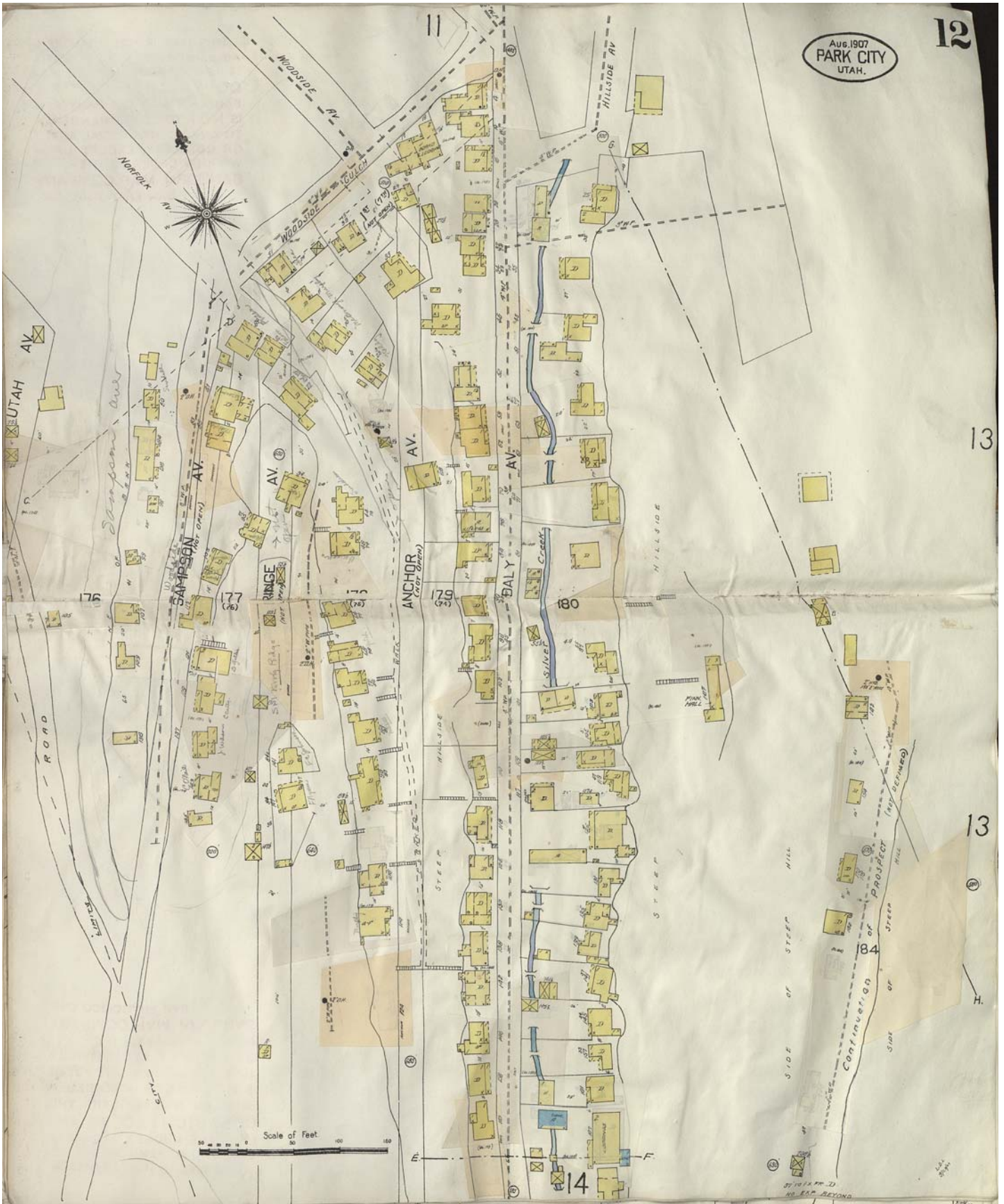
Proposed Location (Moved 4 ft. west towards Daly)



Existing Location

Key:

-  Neighboring historic homes and garages in their existing location. (Please note that 255 Daly Avenue was moved forward on the lot as part of a 1998 remodel)
 -  269 Daly Avenue house and garage
- **House numbers noted in the aerial photograph to the right



1927 Sanborn Fire Insurance Map— Page 12



1927 Sanborn Fire Insurance Map— Page 14



Historic Preservation Board Staff Report

PLANNING DEPARTMENT

Subject: Annual Historic Preservation
Award Program
Author: Anya Grahn, Historic Preservation Planner
Date: February 7, 2018
Type of Item: Administrative
Project Number: GI-15-02972

Summary Recommendations

Staff recommends the Historic Preservation Board choose up to five (5) awardees for the annual Historic Preservation Award. One awardee shall be selected for an art piece to be commissioned to depict this award winner and the piece will be displayed in City Hall. Up to four (4) awardees may be selected for a plaque as well.

Background

During the November 1, 2017, Historic Preservation Board (HPB) meeting [[Staff Report](#) (starting page 55) + Minutes (included in this packet)], staff discussed the background of the annual Historic Preservation Award. The HPB also selected Puggy Holmgren, John Hutchings, and Lola Beatlebrox to serve as the selection committee for choosing the artist. The item was scheduled for the December 6, 2017, HPB meeting; however, it was continued to the January HPB meeting.

On December 21, 2017, the Park City Council chose to honor Councilwoman Cindy Matsumoto's dedication to Park City's historic preservation movement by renaming the annual Historic Preservation Award in her honor (See Exhibit M). City Council will do this by adopting a resolution that addresses the name change as well as HPB's interest in adding the seventh category—"stewardship" as discussed by the HPB in the November meeting.

Properties for the annual Historic Preservation Award are selected based on the following categories:

- Adaptive Re-Use
- Infill Development
- Excellence in Restoration
- Sustainable Preservation
- Embodiment of Historical Context
- Connectivity of Site

During the November 1st meeting, the HPB expressed interest in developing a seventh category: stewardship. This category would honor those property owners that have worked to maintain their historic properties.

Each year, staff surveys the Planning Department to create a list of projects that were completed in the past year. Staff then presents these projects to the HPB for selection of an award. This year, staff recommended the following, as outlined in the November 1st staff report:

- 222 Sandridge—Excellence in Restoration (Exhibit A)
- 129 Main Street—Compatible Infill (Exhibit B)
- King Con Counterweight—Embodiment of Historical Context (Exhibit C)
- 438 Main Street (Flanagan’s on Main)—Embodiment of Historical Context (Exhibit D)
- 447 Main Street (No Name Saloon)—Adaptive Reuse (Exhibit E)
- 328 Main Street (Egyptian Theatre)—Embodiment of Historical Context and Sustainable Preservation (Exhibit F)

The HPB wanted additional properties to be considered and members of the HPB have sent staff a list of properties they would recommend for the award. These include:

1. **221 Main Street (*Imperial Hotel and historically “Bogan Boarding House”*)**. This site was purchased by Irish immigrant John Bogan in 1884. In 1901, Utah passed the “Boarding House Law” which prevented mining companies from coercing unmarried miners to live in company-owned boarding houses. Seeing this as an opportunity, Bogan demolished an existing house on this property to construct the Bogan Boarding House ca.1904. In 1918, the building served as an emergency hospital during the Spanish Flu pandemic. By the 1920s, it was managed by Italian immigrants Peter and Mary Pedrotto, who catered to Italian and Spanish immigrants; it was likely renamed the “Imperial Hotel” at this time.

The building is designated as “Landmark” on Park City’s Historic Sites Inventory (HSI). (See Exhibit G.)

2. **402 Main Street (*Java Cow Building*)**. This building was constructed in 1912 following a fire that destroyed the wood-frame buildings housing the White Front and Corner Saloons. Then-owner M.D. Hurlburt rebuilt a new drug store on the site, measuring approximately 35 ft. by 50 ft. and divided into two store rooms with a basement. This was one of the first concrete buildings built on Main Street and was only one of 6 concrete buildings depicted on the 1929 Sanborn Fire Insurance Map. A new façade was installed on one of the storefronts in 1924 by George Huddy’s bakery.

The building has had a number of different facades since 1924. The opening of “Café Ritz” in January 1976 brought about a restoration of the original façade. In 1994, the building was remodeled again to create an ice cream shop and the entrance was relocated to face Main Street and align with the storefront windows.

The site was designated as “Landmark” on HSI in 2009. (See Exhibit H.)

- 3. 1158 Woodside Avenue.** In 1901, William and Henrietta McEnery constructed this house as a simple rectangular, hall-parlor form. From 1906 through the 1940s, it was occupied by several mining and railroad families. Between 1941 and 1949, a number of changes were made to the exterior of the building, including a front porch addition, center shed addition, and a rear porch addition. The house was then clad in stucco between 1958 and 1968.

It was designated as “Significant” on Park City’s HSI in 2009, due to the non-historic alterations that have altered the original appearance of the wood-frame miner’s shack. (See Exhibit I.)

- 4. 1162 Woodside Avenue.** This house was constructed in 1904, while the property was still outside of City limits. Between 1941 and 1949, a porch was constructed across the back of the house; the porch was then enclosed or rebuilt as an addition to the house in 1956. In 1958, the front porch was removed and replaced with a front stoop; however, the full-width front porch was reconstructed c.1995. The window-door configuration of the façade has also been modified. The house received two (2) Historic District Grants in 1990 and 1998 to replace doors and windows, reroof, replace the porch railing, and replace wood trim on the exterior of the house.

It was designated as a “Landmark” structure on the City’s HSI in 2009. (See Exhibit J.)

- 5. Park City High School at 1255 Park.** By 1925, Park City had outgrown its high school at the Lincoln School and began a bonding campaign to construct a new high school building. Designed by the prominent Salt Lake City architectural firm of Scott & Welch, the new Collegiate Gothic-style Park City High School opened for the 1927-1928 school year; the building was formally dedicated following the completion of the auditorium on February 16, 1928. When the new high school opened on Kearns Boulevard in 1977, Treasure Hill Middle School moved in and occupied the building until 1982.

After sitting vacant for much of the 1980s, the site was finally purchased by Park City Municipal Corporation in 1986. In 1993, the City invested \$2.3 million in the renovation to adaptively reuse the historic high school as the Park City Library & Education Center. In 2004, a 3,300 square foot addition was constructed. Most recently, in 2015, a \$10 million renovation updated the entire building and included seismic retrofits, improvements to the roof, and new insulation. The renovation was LEED (Leadership in Energy and Environmental Design) certified, and the building was listed on

the National Register of Historic Places in 2015.

It is designated as “Landmark” on the City’s HSI. (See Exhibit K.)

6. **419 Main Street (Crosby Collection).** This building was constructed in 1926 by Henry Spriggs. The first tenant of the building was a café run by William Harrison and it was also used as an annex for the Oak Saloon. It has housed the Crosby Collection since 2006. In 2008, the Historic Preservation Board awarded grant funds to the site for repairing the masonry.

The site is designated as “Landmark” on the HSI. (See Exhibit L.)

Because many of these projects were completed in the past, and not necessarily under the 2009 Design Guidelines, staff recommends that the HPB consider a theme for this year’s awards such as “Preserving Historic Main Street” or “Stewardship of Historic Houses”. **HPB Discussion Requested.**

Recommendation

Staff recommends the Historic Preservation Board choose up to five (5) awardees for the annual Historic Preservation Award. One awardee shall be selected for an art piece to be commissioned to depict this award winner and the piece will be displayed in City Hall. Up to four (4) awardees may be selected for a plaque as well.

Exhibits

- Exhibit A- [HSI Form for 222 Sandridge Road](#) [Current Photographs in 11.1.17 HPB Report]
- Exhibit B- 129 Main Street [Current Photographs in 11.1.17 HPB Report]
- Exhibit C- [HSI Form for King Con Counterweight](#) [Current Photographs in 11.1.17 HPB Report]
- Exhibit D- [HSI Form for 438 Main Street](#) [Current Photographs in 11.1.17 HPB Report]
- Exhibit E- [HSI Form for 447 Main Street](#) [Current Photographs in 11.1.17 HPB Report]
- Exhibit F- [HSI Form for 328 Main Street](#) [Current Photographs in 11.1.17 HPB Report]
- Exhibit G- [HSI Form for 221 Main Street](#)
- Exhibit H- [HSI Form for 402 Main Street](#)
- Exhibit I- [HSI Form for 1158 Woodside Avenue](#)
- Exhibit J- [HSI Form for 1162 Woodside Avenue](#)
- Exhibit K- [HSI Form for 1255 Park Avenue](#)
- Exhibit L- [HSI Form for 419 Main Street](#)
- Exhibit M- City Council Report for Renaming the Historic Preservation Award



City Council Staff Report

Subject: Renaming the Historic Preservation Award
Author: Anya Grahn, Historic Preservation Planner
Department: Planning Department
Date: December 21, 2017
Type of Item: Administrative

Summary Recommendation

Staff recommends that City Council rename the Historic Preservation Award, chosen and presented each year by the Historic Preservation Board (HPB), in honor of Councilwoman Cindy Matsumoto's dedication to Park City's historic preservation movement. Staff will return in 2018 with a resolution to officially rename the award.

Executive Summary

Staff recommends that City Council rename the annual Historic Preservation Award in honor of Councilwoman Cindy Matsumoto's dedication to Park City's historic preservation movement. She has been instrumental in the fruition of numerous preservation projects, including the structural stabilization of the city-owned McPolin Farm, renovation of the Park City Library and its listing on the National Register of Historic Places, as well as recent revisions to the Historic Preservation Award. The award program was introduced in 2011, during Councilwoman Matsumoto's terms of service. Staff will return in 2018 with a resolution to officially rename the grant program.

Acronyms

HPB Historic Preservation Board
MOU Memorandum of Understanding

The Opportunity

With Councilwoman Matsumoto's term coming to end at the end of this year, the City has the opportunity to honor her years of service and dedication to preservation by naming the Historic Preservation Award in her honor.

Background

Cindy Matsumoto has strived to carry on Park City's legacy of historic preservation during her two (2) terms on the Park City Council. She has been instrumental in the fruition of numerous preservation projects, including the structural stabilization of the city-owned McPolin Farm as well as the renovation of the Park City Library and its listing on the National Register of Historic Places. Ms. Matsumoto has also served as liaison to the Historic Preservation Board (HPB), overseeing recent revisions to the 2009 *Design Guidelines for Historic Districts and Historic Sites* and nominating a number of new historic sites to the City's Historic Sites Inventory. During her time on the City Council, the City and Vail Resorts also entered into a Memorandum of Understanding (MOU), committing to a 15-year partnership to finance the stabilization of

mine sites on resort property. Most recently, she has contributed to revising the Historic District Grant program to incentivize private investment in historic preservation projects. In addition to her work on City Council, Ms. Matsumoto has also served on the Park City Museum and Historical Society's Board of Trustees.

The HPB launched the annual Historic Preservation Award in 2011. The awards program honors projects utilizing the *Design Guidelines for Historic Districts and Historic Sites*, adopted in 2009, and the focus of the award may change from year to year. The Board has agreed that the HPB Preservation Award should not compete with any of the Historical Society's awards, but complement the existing joint preservation efforts already taking place and highlight the *Design Guidelines for Historic Districts and Historic Sites* by which all development in the Historic Districts must comply.

These art pieces are showcased in City Hall, on the main and second levels. Owners of the award receive a bronze plaque that can be displayed on the exterior of their building. As staff works to better interpret the City's collection of Historic Preservation Award art pieces, staff will work to memorialize the name of the preservation award.

Alternatives for City Council to Consider

1. **Recommended Alternative:** Staff recommends that City Council rename the Historic Preservation Award in honor of City Councilwoman City Matsumoto's service to the community over her two (2) terms.

Pros. Councilwoman Matsumoto has been an advocate for historic preservation and promoted historic preservation as a top priority and community value.

Cons. This proposal recognizes a political advocate for historic preservation in Park City. While there are no direct negative impacts, Council may wish to direct staff to consider potential policy options for recognizing community contributions beyond our existing naming policy.

2. **Null Alternative:** Should Council not pursue this staff recommendation or other recognition for Cindy Matsumoto, collectively we miss an opportunity to honor Cindy Matsumoto as well as recognize the importance of historic preservation in the modern day evolution of Park City.
3. **Other Alternatives:** Council may direct staff to return with other options to honor Cindy Matsumoto. Staff would request input from Council on alternative approaches and return at a future date.

Department Review

This report has been reviewed by the Planning, Legal, and Executive Departments.