

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF MAY 2, 2018

BOARD MEMBERS IN ATTENDANCE: Douglas Stephens, Lola Beatlebrox, Puggy Holmgren, Jack Hodgkins, John Hutchings, Randy Scott

EX OFFICIO: Bruce Erickson, Anya Grahn, Hannah Tyler, Polly Samuels McLean, Liz Jackson

ROLL CALL

Chair Stephens called the meeting to order at 5:00 p.m. and noted that all Board Members were present except Alex Weiner, who was excused.

ADOPTION OF MINUTES

April 18, 2018

MOTION: Board Member Holmgren moved to APPROVE the minutes of April 18, 2018 as written. Board Member Scott seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS

There were no comments.

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

Planner Grahn reminded the Board that May is Preservation Month. Utah State History had a number of activities planned for the month if anyone was interested.

Planner Grahn noted that the next HPB meeting was scheduled for May 16, 2018. The Historic Preservation Award would be unveiled with the City Council on May 31st.

Planner Grahn reported that the Historic Preservation Board interviews with City Council were scheduled for the first week in June.

CONTINUATIONS – Public Hearing and Continue to date specified.

115 Sampson Avenue – HDDR Material Deconstruction and Reconstruction – The applicant is proposing to reconstruct the historic house designated as “Significant” on the City’s Historic Sites Inventory. In addition the applicant will be

removing existing non-historic parking pad along with its associated wood staircases and railroad tie retaining wall; non-historic stacked stone retaining walls and 1990s wood slat fences; post-1947 addition on the west elevation and an underground root cellar; rebuilding the historic pyramid roof and dormers; reconstructing the existing masonry chimney; raising the house 2 feet to pour a new foundation; reconstructing the historic ca.1900 wraparound porch on the east and south elevations; replacing two non-historic doors; and removing non-historic aluminum windows and restoring 11 window openings.
(Application PL-17-03580)

Chair Stephens opened the public hearing. There were no comments. Chair Stephens closed the public hearing.

MOTION: Board Member Beatlebrox moved to CONTINUE 115 Sampson Avenue to May 16, 2018. Board Member Holmgren seconded the motion.

VOTE: The motion passed unanimously.

REGULAR AGENDA – Discussion, Public Hearing and Possible Action

1. 424 Woodside Avenue – Historic District Design Review for Reorientation and Relocation - Reorientation (rotation) of a “Significant” Structure towards Woodside Avenue and Relocation of the “Significant” Structure ten feet (10’) to the east. The primary façade of the “Significant” Structure is currently oriented towards Main Street and the applicant is proposing to rotate the Structure 180 degrees so that the primary façade is oriented towards Woodside Avenue. (Application PL-16-03379)

Planner Hannah Tyler remarked that this item was the reorientation and relocation of the structure at 424 Woodside Avenue. The HPB had reviewed this application several times.

Planner Tyler stated that on March 7th the Planning Commission talked at length about this item, and it was Continued to April 4th to facilitate a site visit. At the last meeting the Board held a site visit and discussed what they observed on the site. Due to unforeseen circumstances, the applicant’s team was unable to attend the meeting on April 4th, and the applicant requested another continuance to this meeting. Planner Tyler noted that part of the reason for a continuance was to give the applicant the opportunity to submit an Engineer’s report. The Engineer’s report was included as Exhibit 1 in the Staff report.

Planner Tyler remarked that the Staff reviewed the Engineer’s report and provided additional analysis by the Chief Building Official and the City Engineer Department. Both analyses were included in the Staff report.

Planner Tyler commented on the Supplemental Engineer's Report. She noted that the engineer had provided two possibilities. One was to install a perforated storm drain system. The second was to relocate the structure on the site. The Chief Building Official and the City Engineer Department found that providing a drain underneath the driveway and against the building would be the preferred solution, in addition to providing a gutter system.

Planner Tyler noted that the applicant had submitted an additional document 45 minutes prior to this meeting. It was sent to the Board via email before the meeting, and she also provided a hard copy for those who had not read their email. A hard copy would also be included in the record.

Planner Tyler pointed out that this item was continued only to facilitate this particular Engineers report. For this reason, she would not comment on items or details that were discussed in previous meeting.

Planner Tyler stated that in each analysis, reorientation is independent of any drainage solution. Therefore, reorienting the structure would not resolve the drainage issue. Drainage issues would be addressed either through relocation or the storm drain system. Planner Tyler noted that it would be a Finding of Fact and she would draft that language later in the meeting. The Chief Building Official was present to answer questions.

Joe Tesch, representing the applicant, referred to the report from the City Engineer's office and asked if the Staff who did the report was a licensed engineer. Director Erickson replied that the City Engineer is the licensed engineer. Corey Legge prepared the report. He is currently an Engineer in Training, but his report was reviewed by the Engineering Department.

Dina Blaes, representing the applicant, appreciated the opportunity to speak with the HPB again this evening. Ms. Blaes noted that the comments she had submitted to Planner Tyler and that the Board received electronically and in a hard copy directly related to specific findings in the Staff report. Ms. Blaes reviewed the Findings as follows:

Finding 43 – Ms. Blaes expressed frustration in that the City continues to rely on language and a standard for analyzing the historic significance for Landmark structures and not Significant structures. There is usually a more iterative process between the applicant and the City in terms of solving issues and problems as they move through the components. The applicant had hoped to have dialogue with the City on specific issues, but it never occurred.

Ms. Blaes wanted the Board to understand that standard being applied in Finding 43 is not the applicable standard from the Code. The Staff talks about the

context in the Staff report, “The property is one of the few reminders of the historic development pattern on a part of the street where much of it has been lost, and is thus important in maintaining a District-wide sense of the historic setting. The context of the Historic Site has not been so radically altered that it’s unique development history cannot be recognized.” Ms. Blaes remarked that one building will not secure the historic context for the entire street. That is now how it works by any preservation standard.

Ms. Blaes stated that the evidence of the development pattern of the adjacent historic houses, the footpaths, the staircases and the open space are all critical elements to tell the story and convey the historic significance. She pointed out that those have been lost over years of the City’s actions; not actions by the applicant. Ms. Blaes thought the City was holding the applicant to a higher standard than it held for itself or any of the adjacent properties in previous applications and previous actions. Ms. Blaes noted that the development pattern in Park City is only one of many historic contexts that this building successfully conveys. Others are the Mining Era Boom, the residential building type, and construction methodology. She remarked that the application the applicant submitted allows those elements of historic context to be retained and enhanced. Ms. Blaes stated that the focus on the development pattern is only one of many historic contexts that this building is successful in conveying.

Due to other physical constraints on this property, they asked the Board to place better emphasis on those other historic contexts and approve the application as it was presented.

Finding 53 – Ms. Blaes noted that the Finding states that the proposed reorientation and relocation would diminish the overall physical integrity of the Historic District. She thought it was important to point out that Park City’s Historic District is not a Historic District based on the traditional definition of a historic district, which has a majority of historic resources that are bound by a geographic boundary. This is a zoning district. Therefore, in looking at the physical integrity of a zoning district they would look at setbacks, height requirements, and density on the site. The project meets those requirements. In terms of the physical integrity of the Historic District being jeopardized is not accurate, because this is not a true historic district as defined in preservation.

Finding 54 - Ms. Blaes thought two points could be argued. Maintaining the Significant status as a result of reorientation is one issue. The second is the claim that the remaining historic materials will be lost. Ms. Blaes stated that this was critical because the language in the Staff report is not definitive. She found that to be an idle threat, and it was frustrating to see language saying that it might not be considered Significant after this project is approved. It made it difficult for the applicant to respond in any way because it is not a Finding or a statement of fact. It is a cautionary tale. Ms. Blaes noted that the Design

Guidelines have nothing to do with whether or not a building is designated. She thought it was also important to note that the applicant provided evidence of at least three other properties that have been rotated, reoriented, and relocated on their sites that have retained their Significant status. Ms. Blaes noted that she had shown those properties in previous meetings.

Ms. Blaes stated that a second point is the claim that remaining historic materials would be lost. She remarked that if the building is lifted and rotated some materials may be lost, but at this point no one knows what is even there. The existing conditions report acknowledged the uncertainty and the applicant wanted to do exploratory carefully to make sure they retain the historic materials that they do find. She provided examples of other projects in town where no historic materials were left. Ms. Blaes remarked that the applicant intends to retain as much historic material as possible, and retain it in a way that is appropriate. They have every intention of working towards that goal.

Finding 55 – Ms. Blaes noted that the report states, “The potential to preserve the historic structure will not be enhanced by its relocation. All restoration of lost historic materials could occur in the historic structures current location and setting.” Ms. Blaes did not disagree; however, the restoration of historic materials is not the standard in the LMC. The standard in the LMC is the potential to preserve the historic building or structures will be enhanced by its relocation. Ms. Blaes noted that the applicant has argued that they could mitigate the existing current and imminent problems, as indicated in the Engineering report. However, it would not solve the problems in looking at the long-term preservation for this building.

Joe Tesch would commented on the Engineer’s Report, which he thought it was the most important document of evidence before the HPB. He noted that the report talks about hazardous conditions and the condition of the house, but he did not believe that was within the role of the Chief Building Official. Hazardous conditions are outside of his general experience and training.

Mr. Tesch read from the Engineer’s report. He noted that in the middle of the first paragraph there was approximately 15 to 20 feet of separate from the east gutter to the west face of the house, and that the house is 10 feet below the road. Mr. Tesch remarked that it was not the way the house was built and the road was not 10 feet above it, which is evident in old pictures that were submitted. The roof was not below the road at all. He pointed out that the change resulted from changes the City made.

Mr. Tesch read from page 2 of the report, the 5th line down, “compounding the effect of snow removal from the road and the house roof sloping to the west, as well as having very limited clearance from the ground, buries the west facing windows during heavy snow events, creating a hazardous condition. The house

has temporary wood boards installed to protect the windows during the winter". Mr. Tesch pointed out that this was the reason why the Engineer concluded it was a hazardous condition.

Mr. Tesch referred to possible solutions in the report. He noted that both the Engineer in Training and the Chief Building Official preferred Option 1. Mr. Tesch stated that it is impossible to do Option 1 because the building goes right up to the lot line and the applicant does not own any land to put in a French drain. He noted that the HPB has the purview to determine whether there actually is a hazardous condition; not whether it can be eliminated by going on to someone else's ground and engineering a solution. Mr. Tesch thought it was also important to note that in Option 1 "...the system would not perform optimally during the winter months", as stated in the report. He pointed out that until the six months of winter is over, it would not drain. Mr. Tesch remarked that the idea that Option 1 is the best solution does not work.

Mr. Tesch stated that the second solution is one the applicant can perform on the ground they own. He read Option 1, "Gain more horizontal separation from Woodside Avenue, and it would be beneficial to raise the floor elevation of the house". It is the only option possible without acquiring other easements onto other ground. Mr. Tesch pointed out that nothing in the Code requires the applicant to mitigate a hazardous condition. The Code only requires the Board to look at what exists today and whether it is hazardous.

Mr. Tesch stated that both the Engineer in Training and the Chief Building Official suggesting that Option 1 is the best option is an admission of a hazardous condition to be mitigated, and the applicant is not required to do that.

Board Member Beatlebrox asked about reference to the sock. Director Erickson replied that the sock is a long cloth tube that goes over the plastic pipe to keep gravel from getting into the pipe. From the standpoint of a homeowner, Ms. Beatlebrox thought it would require a lot of maintenance. Director Erickson stated that it is normal and a standard engineering practice to require under drains around most of the houses. For new houses in the Historic District the under drains are typically below the frost level. He pointed out that Option 1 is a normal standard operating procedure typical of City Engineer activities and consistent with City Code.

Board Member Hutchings asked how Option 2 addressed rotating the house. Director Erickson replied that it did not address it. He remarked that Option 2 only addresses relocation of the house and raising it. The rotation is independent of the drainage situation. Mr. Hutchings understood that the focus this evening was rotation. Director Erickson explained that the application addresses all three components; rotation, lifting, and relocation. If at some point in the future the applicant chooses to do one or more of those independent of this

current application, the City would consider relooking at the application. The application would have to be significantly different in order to relook at it, but they would consider it.

Chair Stephens understood that Corey Legge is not a license engineer, but it was his report. Director Erickson stated that Corey's report was reviewed by the Chief Building Official and the Planning Director. It was Corey's opinion, but he was not providing an engineering solution, which is why he did not stamp the document. He relied on the information provided by the applicant in providing an opinion as to which option is preferable, consistent with the LMC.

Chair Stephens thought either Option 1 or Option 2 would handle drainage issues during the non-winter months. He understood that the snow that accumulates at the back of the structure comes from both snow removal from the City, as well as from snow shedding off the roof. Jonathan DeGray, the project architect, replied that he was correct. It comes from both directions based on their observations. The grade change from the activities on the roadway that raised the grade have reduced the amount of vertical distance from the roof to the ground, and it creates a problem in both directions.

Chair Stephens stated that the City typically has a snow easement within the first number of feet next to the property lines. However, in this case there is a structure next to the property line. He wanted to know how they handle those issues when there is a built structure next to the property line and encroaching into the City's snow easement. Mr. DeGray believed that was part of what Mr. Tesch had pointed out. The solution that was presented by the applicant's engineer ignored the fact that it would encroach onto City property. Neither Building Official nor the Engineering Department recognized that the improvement would require easement agreements and that it was not a good long-term solution.

Director Erickson stated that normally when new construction is done in the Historic District they resolve the issue of a snow removal easement in addition to the right-of-way. This particular case is fairly standard. Standard easement encroachment agreements are done consistently for soil nailing, for construction, and for driveway access. They also have an easement for heated driveways in the right-of-way. Director Erickson emphasized that this was not a non-standard approach, but it would need to be accomplished if the applicant chooses to use Option 1. He noted that the Staff had not precluded Option 2.

Chair Stephens understood that the claim in the Engineer's Report that snow was being pushed 15 to 20 feet from curb to the house. Mr. DeGray believed 15 feet was accurate. He pointed out that the easements are all on the downhill side. Snow removal is to the downhill side and this property is to the downhill side. Everything on Woodside will be pushed to the downhill side of Woodside.

Chair Stephens asked for the typical easement for snow. Director Erickson replied that it was an additional 10 feet. Chair Stephens thought they were well within 10 feet and the snow should not be going into the house. Director Erickson replied that the house is right on the property line. The distance from the property line to the curb is 15 feet. There is no room for the additional 10 feet unless the house is relocated.

Assistant City Attorney McLean noted that the right-of-way is 15' back. There are other places in town where the property lines go up to the curb or within a few feet of the curb, which is where the additional 10' comes in.

John Berkley, the applicant, stated that they also needed to take into account the 10-foot drop. They have to boards up against the window because the snow plow breaks the back windows of the house.

Board Member Scott stated that in looking at Exhibit 1, he assumed that all of the snow against the building was from the roof, because he could see a ground break and then all the snow from the road pushed that way. Mr. Scott believed all of the snow in the picture was coming from the roof. He thought that issue was solvable on the applicant's property.

Mr. Berkley remarked that it was one picture and one winter. He has owned the house for 14 winters and some winters are worse than others. The tenant who rented the house said the snow seeps through the back wall and freezes solid.

Chair Stephens asked if Mr. Berkley had contacted the City with regards to ways to mitigate the plows pushing snow into his property. Mr. Berkley answered no. He was looking for a more global solution to help preserve the property and to restore it. Chair Stephens asked if Mr. Berkley had made any efforts to keep the snow from shedding off the roof behind the house. Mr. Berkley reiterated that he was trying to look for a global solution. If they can do the renovation they will take it back to a more traditional shingle roof that holds the snow. They have a lot of plans that are in keeping with the historic preservation they are trying to accomplish. As a property owner he also has to look at this from an investment standpoint. They are looking for a better solution that makes sense and preserves the property and the historic elements of the property, and at the same time cures all of the issues.

Chair Stephens also noticed from the exhibit that the drainage pipe would have been on City property; however, he understood from Director Erickson that it was not uncommon.

Assistant City Attorney McLean addressed a number of legal issues that were raised. In response to a letter from Joe Tesch dated April 13th, she advised the Board that the discussion of raising the home was outside of their purview. The

application needs to meet the Code and the HPB does not rule on that because it is not part of their criteria. Secondly, in terms of the definition of hazardous conditions, if something is not defined in the Code they use Webster's Dictionary. Ms. McLean noted that the criteria in 15-11-13 talks about the Planning Director and Chief Building Official determined that the building is threatened in its present setting because of hazardous conditions. The question is whether it is threatened and she believed they had made that analysis.

Assistant City McLean noted that Mr. Demkowicz from Alliance Engineering indicates that there is a drainage issue and he provided options as his solutions. The only thing that Mr. Demkowicz claims is hazardous has to do with the snow removal, which as discussed, is from the road and the house roof sloping. Mr. Demkowicz just mentions that there is a drainage issue. Ms. McLean referred to comments by Ms. Blaes regarding the Findings. Ms. McLean noted that Finding 43 directly quotes Historic District Guideline E1.1. Finding 53 quotes 15-11-13(A)(3)(c)(2). Those are the actual criteria in both the Guidelines and in the Code. Regarding Finding 54, Ms. McLean believed much of that was addressed with the site visit. She believed Finding 55 speaks for itself.

Chair Stephens asked how raising the house fits in with what the Board was addressing this evening. He understood they were talking about relocating the house 10' and reorienting the house. Planner Tyler stated that lifting the house was addressed at the Staff level as part of the Design Review. She noted that in a previous meeting they decided as a group to eliminate all references to lifting the structure from the Findings of Fact to reduce the confusion.

Joe Tesch thought the Board needed to consider lifting the structure in context of the complete application to see how it fits in. Chair Stephens clarified that the HPB typically does not look at the HDDR application or design issues. Mr. Tesch referred to a comment by Director Erickson that if the application changes significantly, the HPB could reverse their decision. He did not think it made sense to only look at rotating the structure when they full application also talks about raising it. They need to consider the entire context.

Assistant City Attorney McLean disagreed with Mr. Tesch. The City's position is that the HPB does not have the ability to approve the lifting because it is not an issue that goes before this Board.

Chair Stephens opened the public hearing.

Ruth Meintsma, a resident at 305 Woodside, asked if they could at least allude to the idea of lifting two feet because it is allowed.

Director Erickson explained that it was an application that involves relocation, rotation and lifting. The HPB has authority over the rotation and the relocation. The HDDR is a Staff level action that is appealable.

Ms. Meintsma wondered whether two-feet was non-controversial. Director Erickson replied that while it was part of the application, it was an appealable part of the Staff decision and not part of the decision the HPB would be making this evening.

Ms. Meintsma stated that in a recent Planning Commission meeting there was a short discussion about how purpose defined by whatever LMC is appropriate has been missing from the introduction in the Staff report. The Commissioners agreed that in the future the LMC purpose should be included in the introduction. Ms. Meintsma thought it might be good to go back to LMC 15-11-13 and begin with the purpose. She pointed out that in 15-11-13, Relocation and Reorientation, the word "intent" is used, but she thought they could agree that intent is similar to purpose. She read the initial statement from 15-11-13, "It is the intent of this section to preserve historic resources". She focused on the resources because sitting through all these meetings she believed there were two arguments. One from the applicant and one from HPB.

The first argument from the applicant's historic preservation professional focuses on the preservation of only one historic resource, which is the essential historic form. The argument is that saving this historic form will keep it on the Significant list. Ms. Blaes is a specialist and she would not argue her point. Ms. Meintsma noted that the argument coming from the HPB, representing the community as a whole, but the focus is on the preservation of several resources and not just the historic form. It was the historic form, the structure itself, the existing materials, and the relationship of the historic to the site. The HPB is given the responsibility to look at three or four criteria; while the preservationist is primarily concentrating on the importance of the form. Ms. Meintsma believed the form is only one small part of the purpose of the LMC to preserve historic resources; not structures or the historic form. Historic resources come from the General Plan.

Ms. Meintsma referred to the General Plan where it describes the intent or purpose. Volume 2 – Neighborhood, Old Town, 6.1, "The Land Management Code should ensure the preservation of the neighborhood's historic integrity". Ms. Meintsma pointed out that a lot more than just the historic form of the structure is involved with integrity. Property is lot and improvements. Therefore, it is the land and house associated house. Not the structure itself and not the form singularly.

Ms. Meintsma read from 6.2 – Old Town. "The City must prevent loss of historic resources". It is not to prevent the loss of structures, it is to prevent the lost off resources, which is more than just the form. Ms. Meintsma noted that Ms. Blaes

had said that the form is important and there are many other houses in town that have no historic material left. Ms. Meintsma agreed, however, 6.2 Old Town in neighborhoods says, "The City rarely recommends reconstruction". The fourth preservation, "practice". And that is what this is. This is essential form. It is the fourth and least wanted.

Ms. Meintsma read from 6.4 – Old Town. "To understand the relationship of a historic structure to its site, the character of historic sites must be retained and preserved. Building setbacks and orientation contribute to the character. The site specific details also contribute to the overall historic character of the streetscape, and their loss diminishes the historic integrity of the neighborhood." Ms. Meintsma remarked that the argument on the side of the HPB to enforce the LMC seems much broader in terms of what the City is intending to say, versus what Ms. Blaes has said about keeping it on the Significant list and saving its form.

Ms. Meintsma referred to General Plan, Volume 2, for neighborhoods and noted that there are five strategies. The first is adaptive reuse. The second is influencing streetscapes. She read, "The strategy of the City taking steps to preserve historic development patterns found in Old Town." Ms. Meintsma stated that it was the General Plan speaking through the Code. It was the purpose of the LMC.

She referred to Volume I, Goals. "Unique". Where it sits on the lot now is unique. If the structure is moved to the street it would not be unique. There are two goals under historic character, General Plan, Volume 2. The first goal is to preserve the integrity of the designated historic resources. She pointed out that it is the resources and not the structure.

Ms. Meintsma noted that there are five General Plan objectives for historic character. The first objective is "maintain the integrity of the historic resources". The second objective is "maintain character". That goes to integrity. It is not the structure. It's the character and where it sits on the site.

Ms. Meintsma noted that the Introduction in the General Plan says to Keep Park City Park City, and that means doing whatever they can to save what they have. If people leave Park City and come back, they should be able to recognize it.

Ms. Meintsma stated that if the purpose of LMC 15-11-13 is to show an emphasis primarily on the essential form, which is the argument of Ms. Blaes; or to better exhibit the essential form by turning the structure by the street; or if the purpose is to turn the structure towards Woodside in order to accommodate today's lifestyle in a way that residents can enter and exit their home, then the Code would read, it is the intention of this section to preserve historic resources through encouragement of relocation or reorientation. Ms. Meintsma believed

that if the community as a whole wanted to bring these houses forward and show them off as examples of hall and parlors, the Code would say to move and lift them and make them more apparent. However, that is not what the Code says. The Code reads, "It is the intent of this Section to preserve historic resources through limitations on relocation or orientation." The purpose is to limit, if possible.

Ms. Meintsma believed that all the issues on this site could be mitigated without turning the structure 180 degrees. The structure can be lifted two feet to compensate for the difference between the historic and the current street height. If the structure's proximity to the street is an issue, that would be resolved without rotating it 180 degrees. The drainage problems can be addressed in several ways. The entry to the duplex residence from street level or driveway can be created at the existing entrance. The visual massing of the extensive shed roof can be mitigated by creatively moving offending elements and adding articulated elements. Any hazard conditions, such as the stairs, can be mitigated. Ms. Meintsma pointed out that there are three lots of square footage to work with. She did the math and the maximum allowed footprint for the entire project can be accomplished with over 200 square feet of building pad to spare without imposing on any of the three exposed elevations of the historic structure.

Ms. Meintsma stated that the structure at 424 Woodside could be preserved and the project as a whole could be improved to the prevailing \$1,000 square foot market value level in its existing location. She reiterated that the purpose is to preserve the City's unique historic character.

Michael Dean stated that he recently met the homeowner, John Berkley, and visited the home site. Mr. Dean remarked that after living in Park City for years and the history that comes with it, he loved what everyone was trying to do accomplish. He was not familiar with the Codes, but he thought it was in Mr. Berkley's interest to preserve whatever history is on his property. Whenever he has visited the home, including today, the house looks like it is in a hole and it is an eyesore. When inside the home it does not appear safe. Mr. Dean believed that the integrity of preservation also includes the integrity of safety. It is a steep drop and the snow comes from the hillside and the roof. Based on common sense, he thought the property should be lifted in some way because the road has been raised at least three feet higher than when the house was built. Mr. Dean suggested that they allow Mr. Berkley's request to expose the history of the site because currently it is hidden in a hole. He encouraged some flexibility to allow Mr. Berkley to make the home livable for his family and to make the house shine from the standpoint of historic preservation.

Chair Stephens closed the public hearing.

Mr. Tesch referred to Ms. McLean's comment that the City uses the Webster Dictionary definition of hazardous conditions. Mr. Tesch checked and he could not find a definition of hazard conditions in the Webster Dictionary. Ms. McLean replied that there is a definition of hazardous.

Dave Thacker stated that his official title is Chief Building Official; however, he is sometimes called Chief Building Inspector. He also has the official title of Fire Code Official. He oversees the building code enforcement team and also the Fire Marshall. The Building Department works specifically with hazardous building. They also have a Code called the Abatement of Dangerous buildings, which is defined. Dangerous and hazardous are used synonymously. That Code provides the authority and ability to determine safe or unsafe structure.

Mr. Thacker stated that he is certified as a Master Code professional. When he was certified, there were only 700 in the Nation at the time. He has over 26 certifications related to building inspection, dangerous buildings, fire codes, building codes, etc. In addition, he is also considered the authority having jurisdiction as it relates to the Building and Fire Codes for the City. Design professionals present their information to him and his team, and they review it and make a determination. It also includes engineers.

Mr. Thacker stated that his Department is not only certified, trained, and licensed; but they also have the authority and responsibility to ensure that what they do is within the confines of the Code.

Mr. Thacker commented on the structure at 42 Woodside. He had reviewed the information presented by Mr. Demkowicz and his team and it was not an anomaly to anything they see within the City. There are several homes on a downhill slope, several homes who have downward sloping roofs, there are several ways to mitigate snowfall, several ways to mitigate precipitation or storm water that drains from the roof. There are also ways to mitigate any storm water that may run off of the streets. Those issues have all been brought up and discussed, and it was determined that Option 1 presented by Mr. Demkowicz was a reasonable and commonly used type of solution to address the concerns. If the house is lifted, relocated, or re-orientated, once the foundation is put in a drain would be required per Code. Regardless of what takes place, a drain would be put in and Option 1 made the most sense.

Chair Stephens noted that Mr. Thacker mentioned water and drainage. He understood that the road was redone a few years ago as part of the Old Town Improvement Study. He asked if Mr. Thacker had seen any signs that the street would fail during heavy summer rain storms and put water into that area. Mr. Thacker replied that it was a melting snow issue. He had not seen any signs of the road failing. Mr. Thacker noted that Corey was the expert in that area,

however, he had discussed the matter with Corey and he was comfortable making that statement.

Board Member Holmgren stated that she has reviewed the Findings of Fact and the idea of rotating the house has concerned her from the beginning. The home currently faces Main Street and that is where it has faced since it was built. She would be uncomfortable rotating the house to face Woodside. Ms. Holmgren was on the fence in terms of relocation.

Board Member Beatlebrox noted that the Board had a lot of discussion about the view of this house from the City Hall parking lots. She had taken pictures to show that it was very hard to see the house. It was also difficult to tell that the house was a hall-parlor. Ms. Beatlebrox also showed a picture taken over the roof of the KCPW from the Marsac parking lot. The house could not be seen at all because the blue building is in the way.

Board Member Beatlebrox agreed with Mr. Dean. Common sense tells her that if the house was rotated and the hall-parlor and the porch were restored, and it could be seen from the streetscape on Woodside, people would be able to interpret the house as a historic building much more than it is now. She noted that Ms. Meintsma had pointed out that there was a shed in the pathway. They assume there were pathways but that is not for certain. Ms. Beatlebrox was not convinced that the front was main access. Even if it was, the access no longer exists. Ms. Beatlebrox believed that Criteria 3C of the LMC applied because there are unique conditions that have changed, and that the interpretation of the building could be enhanced by rotating and moving it back. The fact that the house is below grade and the street has risen over time puts the house in a hole, and people do not notice it or think its unattractive. Ms. Beatlebrox thought the house could benefit by being relocated and having a plaque that tells its story.

Board Member Scott remarked that this was an interesting situation that could not be compared to anything similar so they could not use precedent. Having visited the site more than once he agreed that it was very challenged. However, he struggled with reorienting the structure and keeping its historical integrity. The current application was for reorientation and relocation; however, in his opinion he believed other options could be explored. He did not believe that reorientation solved the hazardous situation.

Board Member Hodgkins concurred somewhat with Board Member Scott. However, he did not have a struggle finding that reorientation did not meet the LMC criteria. Mr. Hodgkins did not believe that additional information presented this evening supported reorientation.

Board Member Hutchings agreed that reorientation did not meet LMC 15-11-3. He noted that the standard requires the HPB to take input from the Planning

Director and the Chief Building Official, and if he understood their input correctly, there were other solutions besides reorientation.

Chair Stephens stated that in looking at the Criteria in 15-11-13, they have to meet all four conditions in the Criteria 3. Chair Stephens believed that arguments could be made and there could be some flexibility in the first three items on 3C, that the proposed relocation would enhance the building and that it will not diminish the overall physical integrity. In addition, he was unsure whether moving this house was a key factor for changing the integrity and the significance of the home. Chair Stephens clarified that his issue was with 3C(4), which relates to the additional information submitted this evening regarding the potential to preserve the historic buildings. He did not think snow was the issue that would endanger the building. Chair Stephens understood the economics as a property owner, but there are ways to mitigate snow. He thought the City should have some responsibility if the plows are pushing snow into that area. Chair Stephens thought the solution to move the property ten feet was drastic. He also had to consider the precedent they would be setting.

MOTION: Commissioner Hodgkins moved to DENY the reorientation and Relocation for 424 Woodside Avenue pursuant to the Findings of Fact and Conclusions of Law as found in the Staff report. Board Member Holmgren seconded the motion.

VOTE: The motion passed 5-1. Board Member Beatlebrox voted against the motion.

Findings of Fact – 424 Woodside

1. The applicant, Jon and Heather Berkley (represented by Jonathan DeGray, Architect), are proposing to Reorient the Historic Structure towards Woodside Avenue (west). The primary façade of the Historic Structure currently faces towards Main Street (east), and the applicant is proposing to reorient the building 180 degrees towards Woodside Avenue. The applicant is also requesting to relocate the structure ten feet (10') to the east in order to comply with the Front Yard Setback.
2. The Duplex Dwelling located at 424 Woodside Avenue is listed as "Significant" on the Park City Historic Sites Inventory (HSI).
3. The property is located in the Historic Residential (HR-1) zone.
4. The Historic Structure faces towards Main Street in that the original primary entrance faces east. In 1993, a 700 square foot (SF) addition was constructed to the south of the Historic Structure to create the Duplex Dwelling Use.

5. In 2005 a Plat Amendment was approved creating a 75 foot wide lot by combining three (3) existing lots into one legal lot of record. The Historic Structure straddles two (2) of the three (3) lots that were combined.
6. In 2011, a Historic District Design Review (HDDR) application was submitted for the Reorientation and Relocation of the Historic Structure and construction of a new Addition. The HDDR proposal required a Variance.
7. In 2011, the Variance application was submitted for a Height Exception and for Front and Side Yard Setback Exception(s) citing a hardship regarding the elevation of Woodside Avenue in relation to the Historic Structure and the orientation towards Main Street (east) rather than the modern-day Public Right-of-Way (Woodside Avenue).
8. The Variance was Denied by the Board of Adjustment.
9. The 2011 Historic District Design Review application was Denied.
10. The current proposal is different from that of the 2011 HDDR and Variance because the current proposal would comply with the Height and Setback requirements. There would be no Variance triggered for Height or Setback exceptions by the current proposal.
11. Historically, the Historic Structure was associated with a network of pedestrian paths on the east side of the structure that connected the residence to Main Street.
12. On November 16, 2016, the applicant submitted a HDDR Application for the subject property. The project scope of the HDDR subject to the application before the HPB included: Reorient (rotate) the Historic Structure so that the primary entrance faces Woodside Avenue (west) and Relocate the Historic Structure ten feet (10') to the east in order to comply with the minimum Front Yard Setback.
13. After working with the applicant on the required materials for their submittal, the current HDDR application was deemed complete on March 2, 2017. Between March 2, 2017 and the first HPB meeting on July 19, 2017, staff provided the applicant with redline comments and re-reviewed new plans addressing those comments once submitted by the applicant.
14. The HDDR application is currently under review and cannot be complete as the HDDR is dependent on Historic Preservation Board's (HPB) review for Reorientation, Relocation, and Material Deconstruction.

15. The Historic Preservation Board held a public hearing and continued this item on July 19th, 2017.

16. The Historic Preservation Board held a public hearing and continued this item on October 4th, 2017.

17. The Historic Preservation Board held a public hearing, discussed the item, and continued this item on December 5th, 2017.

18. The Historic Preservation Board held a public hearing and continued this item on February 7th, 2018.

19. The Historic Preservation Board held a public hearing, discussed the item, and continued this item on March 7th, 2018.

20. The Historic Preservation Board did a site visit, held a public hearing, discussed the item, and continued this item on April 4th, 2018.

21. On April 16, 2018, the applicant submitted a supplemental engineer's report detailing the existing conditions of the site and possible solutions to those existing conditions.

22. The Chief Building Official and City Engineering Department provided an analysis of the applicant's supplemental engineer's report. The Chief Building Official and City Engineering Department's analysis found that Option 1 is a valid option supported by City Staff.

23. On April 16, 2018, a letter was submitted by Joe Tesch.

24. On July 1, 2017, November 18, 2017, February 17, 2018, and March 17, 2018 Legal Notice of the HPB public hearings was published in the Park Record and posted in the required public spaces. Staff sent a mailing notice to property owners within 100 feet and posted the property on July 5, 2017, November 21, 2017, and February 21, 2018.

25. On March 7, 2018 the Historic Preservation Board reviewed the proposal for 424 Woodside Avenue, held a Public Hearing, and continued the item to April 4, 2018. At the meeting, the applicant requested a continuation to a date certain (April 4, 2018) in order to facilitate a site visit.

26. The Historic Structure was constructed ca. 1886. The Park City HSI identifies the Historic Structure as significant to the Mature Mining Era (1894-1930).

27. Originally, the Historic Structure was a hall-parlor type single-family dwelling with a side-gabled roof; it was built on a relatively steep slope that was terraced

toward the rear of the house (the Woodside Avenue side) to provide a more level building lot.

28. The Historic Structure first appears on the 1889 Sanborn Fire Insurance Map as a wood-framed and wood-sided house originally faced east, providing a view over Main Street. Physical evidence and the 1889 Sanborn map indicate that it had a small shed-roofed wing on the south end of the rear (west) side but no front porch.

29. By 1900, the original shed-roofed wing had been extended across the rear (west) side.

30. In 1907, the Sanborn Map indicates that a formal front porch was added to the east side, further defining it as the primary façade, at the same time that a secondary entry porch was added to the west side. The house retained this configuration through 1930.

31. The principal façade was composed of a central doorway flanked by a window on each side. Woodside Avenue was present to the west but, access to the house was via a footpath leading north from Fourth Street behind the Park Avenue houses, and then a short staircase leading up to the east façade. The orientation of houses along the uphill (west) side of Woodside was uniformly east-facing, while orientations along the downhill (east) side was mixed, with some facing the street and others the canyon.

32. By 1941, a second shed-roofed addition had been built across the west side, incorporating the 1907 rear screened porch and essentially filling the terrace between the rear wall of the house and the retaining wall so that the eave was nearly at grade. The front porch had been removed and asbestos shingles had been applied over the original wood siding by this time.

33. Asbestos shingle siding was noted on the 1957 tax appraisal card, which also documents the absence of an east porch.

34. The 1968 tax appraisal card indicates that a porch had been rebuilt across the east façade.

35. Between 1978 and 1993, the east façade was modified by the addition of a sunroom across the north two-thirds, covering the original doorway and north window.

36. The east façade of the Historic Structure is the “front”. This is supported by the traditional design of a central entrance door flanked by two (2) windows. This is a common style of architecture seen throughout Park City. The “rear” of the

Historic structure is the west façade. This is represented by its traditional form created through additions throughout the Historic period.

37. The front façade has a front door entrance; however, a utility entrance is also located on the northwest corner of the structure in the rear enclosed porch addition. This was also a common occurrence in houses throughout Park City (examples include the side-enclosed porches at 1057 Woodside Avenue and 811 Norfolk Avenue). This utility entrance was often the entrance used by members of the household as a “mud room” so that the front entrance (on the front façade) remained clean.

38. Both entrances typically would have been used throughout the Historic Period; it would have simply depended on what the occasion was. After work in the mines, one would have used utility entrance on the northwest corner of the structure in the rear enclosed porch addition. If the home owner was having guests over, the front façade entrance on the east side of the structure would have been used.

39. If relocation of the structure ten (10) feet to the east is approved, the proposal will comply with the required ten foot (10') Front Yard Setback and minimum five foot (5') Side Yard Setback (total of 18 feet [18'] required), as dictated by the Historic Residential (HR-1) zoning district, described in Land Management Code (LMC) 15-2.2-3. In addition, the Historic Structure will comply with the 27 foot height requirement, described in LMC 15-2.2-5.

40. The current site conditions listed in the Findings of Fact of the 2011 Variance still exist. The Board of Adjustment found conditions of the site that are still existent and are common to the neighborhood, including, but not limited to the elevation of Woodside Avenue.

41. The proposal does not comply with Design Guideline B.3.2 (“B.3.2 The original placement, orientation, and grade of the historic building should be retained.”) as the original placement, orientation, and grade of the historic building would not be retained. The relationship to the street and the orientation of the Historic Structure facing Main Street are important in conveying the history of the Historic District and this site.

42. The proposal does not comply with Design Guideline B.3.3 (“B.3.3 If the original grade cannot be achieved, no more than two (2) feet of the new foundation should be visible above finished grade on the primary and secondary facades.”) as the proposed lifting would require the foundation to be greater than 2 feet above Final Grade in several locations due to the topography.

43. The proposal does not comply with Design Guideline E.1.1 (“E.1.1 Relocation and/or reorientation of historic buildings should be considered only after it has

been determined by the Design Review Team that the integrity and significance of the historic building will not be diminished by such action”) because the reorientation and relocation of the Historic Structure will diminish the integrity and significance of the site and its context. The Historic Structure at 424 Woodside remains in its original location and therefore retains that aspect of integrity, including its original orientation to the east and its siting on a small terrace below the street. And although much of the original setting has been lost, including adjacent historic houses, footpaths, staircases, and open space, the house at 424 Woodside retains its relationship to that earlier setting through its orientation and position on a shallow terrace below street level. The relocation in addition to the reorientation would result in the loss of the association to the structure’s position on the shallow terrace. The property is one of the few reminders of the historic development pattern on a part of the street where much of it has been lost, and is thus important in maintaining a district-wide sense of the historic setting. The context of the Historic Site has not been so radically altered that its unique developmental history cannot be recognized.

44. Bullet points 1 and 2 of the “Side Bars” for E.1.1 are not applicable to the proposal as there are no encroachment issues and the structure is not currently threatened by demolition.

45. The proposal would comply with Design Guidelines E.1.2 through E.1.5 as these would be mitigated through proper construction techniques and documentation processes.

46. The proposal complies with LMC 15-11-13(A)(1)(a) and 15-11-13(A)(1)(b) as the applicant has submitted a plan for rotation and relocation and Structural Engineer’s report. The Historic Structure would remain structurally sound when it was reattached to a new structure in the new orientation.

47. LMC 15-11-13(A)(2) is not applicable as the structure is designated as “Significant” on the Park City Historic Sites Inventory.

48. The proposal does not comply with LMC 15-11-13(A)(3)(a) as the Historic Structure is currently structurally sound and is not threatened by demolition.

49. The proposal does not comply with LMC 15-11-13(A)(3)(b) as the Planning Director and Chief Building Official did not find hazardous conditions that were threatening the Historic Structure. The Planning Director and Chief Building Official found that any hazardous condition (like drainage) could be reasonably mitigated while maintaining the Historic Structure in its current location.

50. The proposal does not comply with LMC 15-11-13(A)(3)(c) as the Historic Preservation Board, with input from the Planning Director and Chief Building Official, does not find Unique Conditions that would warrant the proposed reorientation and relocation 51. All four unique conditions listed in LMC 15-11-13(A)(3)(c)(1)-(4) must be found in order to support a finding under this criteria. Unique conditions shall include all of the following:

- A. 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
- B. 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
- C. The historical integrity and significance of the Historic Building(s) and/or Structure(s) will not be diminished by relocation and/or reorientation; and
- D. The potential to preserve the Historic Building(s) and/or Structure(s) will be enhanced by its relocation.

52. The proposal does not comply with LMC 15-11-13(A)(3)(c)(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;" because the integrity of the site context has not been lost. The Historic Structure at 424 Woodside remains in its original location and therefore retains that aspect of integrity, including its original orientation to the east and its siting on a small terrace below the street.

53. The proposal does not comply with LMC 15-11-13(A)(3)(c)(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" as the proposed reorientation and relocation will diminish the overall physical integrity of the Historic District and the site's association with important development patterns of the Historic District. The physical integrity of the site is defined both by the Historic Structure's siting on the lot and the remaining pieces of its Essential Historic Form.

54. The proposal does not comply with LMC 15-11-13(A)(3)(c)(3) "The historical integrity and significance of the Historic Building(s) and/or Structure(s) will not be diminished by relocation and/or reorientation;" The reorientation and relocation of the historic house at 424 Woodside Avenue will have a significant negative effect on its integrity, which has already been compromised by an addition and alterations on the east side and the large addition on the south side. Reorientation will diminish integrity to the degree that the property may no longer

be considered a Significant Site as defined in the LMC and Design Guidelines. If the structure is reoriented as proposed, material making up the existing north and west walls will be demolished. In addition, these walls will no longer be visible from the Public Right-of-Way.

55. The proposal does not comply with LMC 15-11-13(A)(3)(c)(4) "The potential to preserve the Historic Building(s) and/or Structure(s) will be enhanced by its relocation." as the potential to preserve the Historic Structure will not be enhanced by its relocation. All restoration of lost Historic Materials could occur in the Historic Structure's current location and siting.

Conclusions of Law – 424 Woodside Avenue

1. The proposal does not meet the criteria for reorientation or relocation pursuant to LMC 15-11-13 Reorientation and/or Relocation of a Historic Building or Historic Structure.
2. 945 Norfolk Avenue – HDDR Material Deconstruction– The applicant is proposing to remove existing improvements in the front yard such as the non-historic stone retaining walls in the front yard, stairs and decks in the south side yard, and a c.1990 rock retaining walls in the backyard; reconstruct the historic c.1896 roof form and c.1990 wood shake roofing materials; reconstruct two c.1896 chimneys; reconstruct c.1997 basement; reconstruct c.1983 reconstructed front porch; replace c.1900 front door and two non-historic doors; replace 12 total historic wood windows.
(Application PL-17-03686)

Planner Grahn stated that the item for discussion this evening was a historic house at 945 Norfolk. She noted that an accessory apartment garage addition was added later and it has its own address of 943 Norfolk. The addition was separate from this application.

Planner Grahn remarked that the building retains most of its integrity. In looking at the Sanborn maps the structure has changed very little from when it was built prior to 1900. Over time, the majority of the changes centered around the porch and simplified it due to maintenance and changes that occurred to the site.

Planner Grahn commented on material deconstruction. The Staff looked at the different improvements made on the site. A number of new stone retaining walls wrap the site. She presented photos of the historic house and the porch. The stairs off the porch had been changed in the 1980s. In 1994 the detached building with an accessory apartment and garage was constructed with a driveway. Planner Grahn believed that most of the improvements between the two structures related to when the detached building was added. The retaining

walls that run along the site are proposed to be removed, as well as the sidewalk between the two properties and the driveway.

Planner Grahn reported that the applicant had submitted for a demolition permit to take down the non-historic building. This was done in anticipation of the plat amendment going to the Planning Commission next week. The applicant was proposing to subdivide the property down the middle so the house will be on one lot. The other half would be a vacant lot that could be redeveloped. Planner Grahn pointed out that most of the improvements were not historic and resulted in the 1990s.

Planner Grahn noted that the interior of the building is single-wall construction. The applicant was proposing to frame new walls as necessary. The house has a hip roof, and the roof is original to the 1896 building. She explained why a hip roof tends to be more difficult than a gable when adding new structure. The applicant had provided a structural engineer's report. The roof might need to be removed and completely rebuilt because it is currently not up to Code and standards. Planner Grahn stated that if there is an opportunity to preserve the historic roof form they should do so rather than rebuild it. She had added conditions of approval requiring that she and the Chief Building Official go out and evaluate the condition of the roof structure, and have the applicant submit a structural engineer's report just to ensure that there is not a way to restructure the roof from the interior to avoid changing the form.

Planner Grahn noted that there were two historic chimneys on the house. The first one is on the center of the roof and led to a fireplace that was part of a formal living room or parlor. The second is a kitchen chimney. Planner Grahn was proposing that the applicant salvage the brick from these chimneys. The chimney needs to be reconstructed, but the first chimney can be rebuilt and reused as a chimney and act as a flue for the proposed new fireplace in the living room. The second chimney is not visible from the street and she did not believe it added to the historical significance of the house.

Planner Grahn stated that the exterior walls were in fairly good condition. The only material deconstruction that might be necessary is normal typical repair and maintenance. The applicant was proposing to leave it in place. Planner Grahn commented on issues with the foundation from the 1995 remodel. The engineer found that the grout might not have been installed properly and it was deteriorating due to moisture. Because the foundation is not historic, the applicant was choosing to demolish the existing 1995 foundation and pour a new foundation that will be Code compliant and address the water issues. Planner Grahn pointed out that adding a new foundation would require lifting the house. She had added the typical conditions of approval for lifting a house.

Planner Grahn noted that the porch was starting to pull away from the historic house. The posts are most likely original, but the railings have been changed. The decking has deteriorated and the ceiling of the porch was coming apart. The applicant was proposing to reconstruct the porch in its entirety. Historically, the railing had a lattice design and they were looking at ways to bring that back. One of the challenges was meeting Code and not letting a 4" sphere go through any of the railings. Planner Grahn believed that could be accomplished with invisible screening behind it. She thought the lattice style was a detail that should be encouraged to be brought back.

Planner Grahn indicated the four doors on the house. One was a non-historic basement steel door. The other doors were in varying degrees of deterioration. The applicant would like to remove the doors and replace them in whole to get Low-e tempered glass and meet energy efficiency. Planner Grahn requested that the doors be documented to make sure that when the doors are reconstructed it is an accurate reconstruction. Her request was addressed in Condition #12. Planner Grahn reported that there were 12 original window openings. Several of the windows have been replaced but most are the original wood windows. The windows are in varying condition, depending on where they are located and the level of deterioration. The applicant would like to remove and replace all the windows with wood windows and replace them in-kind. Planner Grahn believed that if there was an opportunity to restore the original wood windows they should do so. She had added a conditions of approval to have an independent window evaluation specialist come out and look at the windows.

Jonathan DeGray, the project architect, was available to answer questions.

Chair Stephens noted that often times the doors were cut down to different sizes for unknown reasons. He asked if the front door was a full size historic door at 30", or whether they would accomplish that when restoring the door. Mr. DeGray stated that based on field measurement it was a 2'8" door.

Mr. Hutchings understood that the doors were historic and the intent was to remove the doors and reconstruct them. Planner Grahn explained that the applicant would like to remove the doors because they are thin and deteriorated. They would like to replace the glass to make them energy efficient.

Chair Stephens asked how they would do low-e glass on the little colored part. Planner Grahn stated that what she has learned from stained glass window workshops is that sometimes there is an opportunity to layer it with two pieces of glass, with one clear and the original behind. She could work with Mr. DeGray to figure out how to preserve the look. Chair Stephens asked if the screen door would also be added. Planner Grahn replied that it could be required if the HPB wanted it. Chair Stephens did not think it was necessary. Mr. DeGray preferred

to focus the discussion on the actual doors and not the screen door. He assumed the screen door was old, but he was not sure it was the original.

Board Member Hutchings asked if the windows would be removed and reconstructed, and whether that was typically done. Planner Grahn stated that it was on a case by case basis. Most of the historic houses do not have the original historic wood windows. A lot of the windows were upgrade with aluminum windows or new wood windows. She explained that when the Board of Adjustment looked at the Kimball Garage as part of an appeal, there was concern about replacing the steel windows. A window specialist came out and looked at the windows and determined that the windows were beyond repair and could be replaced in-kind. Planner Grahn clarified that she was asking for the in-kind replacement for this project.

Board Member Hutchings asked if the proposal was to rebuild both chimneys or just the one that could be seen. Planner Grahn replied that it was the one chimney that was visible from the right-of-way. Mr. Hutchings asked if both chimneys were historic. Planner Grahn answered yes.

Chair Stephens opened the public hearing.

There were no comments.

Chair Stephens closed the public hearing.

Board Member Hutchings questioned why the applicant was not required to rebuild both chimneys if both are historical. He understood the removal of the doors and windows and that they would be upgraded and reconstructed with the same look and feel. He thought they should require that both chimneys be replaced because even though one was not visible from the street, it was still an important part of the building.

Board Member Scott pointed out that the building is listed as a Landmark structure. Chair Stephens asked if the chimney was visible from up above. Planner Grahn thought it could be seen from Empire. She offered to add a condition of approval regarding the re-construction of both chimneys. Mr. DeGray noted that it was on the application as being preserved. Planner Grahn had suggested that it not be reconstructed. Chair Stephens assumed that because it was not an operating chimney it would be held to a different standard through the Design Review process. Planner Grahn stated that the chimney has nice detailing and she would make sure it is reconstructed accurately.

Board Member Scott asked why they were not requiring the railing balustrades to be reconstructed to some of the earlier photographs. Planner Grahn replied that they were asking the applicant to do that. She and Mr. DeGray have been

working on it because there are challenges with the spacing between the railing members. The Building Code requires that no more than a 4" sphere could pass through. She and Mr. DeGray have discussed reconstructing the railing and putting a screen behind it, which would meet the Building Code.

Board Member Beatlebrox thought it looked like a nice project. Mr. DeGray replied that it was very pristine and he was certain it would maintain its Landmark status.

MOTION: Board Member Hutchings moved to APPROVE the material deconstruction of non-historic and non-contributory materials at 945 Norfolk Avenue, pursuant to the Findings of Fact, Conclusions of Law, and Conditions of Approval found in the Staff report. Board Member Scott seconded the motion.

VOTE: The motion passed unanimously.

Chair Stephens noted that the motion should have included the second chimney. Assistant City Attorney stated that they could amend the motion to include the amended Findings of Fact and Conditions of Approval.

AMENDED MOTION: Board Member Hutchings amended his previous motion to include the amended Findings of Fact and Conditions of Approval to show that both chimneys would be reconstructed. Board Member Holmgren seconded the motion.

VOTE: The motion passed unanimously.

Finding of Fact – 945 Norfolk Avenue

1. The property is located at 945 Norfolk Avenue.
2. The site is designated as Landmark on the Historic Sites Inventory.
3. On March 13, 2018, the Planning Department received a Historic District Design Review (HDDR) application for the property at 945 Norfolk Avenue; it was deemed complete March 19, 2018. The HDDR application has not yet been approved as it is dependent on the HPB's Review for Material Deconstruction approval.
4. The house was likely constructed ca. 1896 by Nathaniel J. Williams. It was constructed by local carpenter Elsworth J. Beggs.
5. Based on the 1900, 1907, 1929, and 1941 Sanborn Fire Insurance Maps, this house had no changes during the historic era.
6. The first photograph of the house is the c. 1941 tax assessment. The photograph shows a full-width hip-roof front porch with turned posts, decorative brackets, and lattice-inspired decorative railing. The porch had a wide staircase that led to the concrete retaining wall at the street.

7. In 1982, Ellen Beasley completed the first National Register for Historic Places (NRHP) survey and found the house to be “Contributory”. Her survey photograph shows only the turned posts; the porch railings and ornate brackets had been removed.

8. In 1984, this site was nominated to the NRHP as part of the Mining Boom Era Residences Thematic District as one of four houses in the nomination to be a 1.5-story variation of the traditional one-story pyramid-roof cottage.

9. In 1994, the house received a Historic District Grant for \$2,000 to upgrade the heating system, seal the foundation, improve the existing stairs, repaint, re-roof, and new plumbing. There is no evidence that a Façade Easement was required in exchange for the grant.

10. In July 1994, the Historic District Commission was approved the construction of an accessory apartment-garage addition to the site, located just south of the historic house. The project received a Certificate of Occupancy in August 1998.

11. In 1995, the Park City Council approved Ordinance 95-13, establishing the Gardener Parcel Subdivision. The plat amendment was recorded on July 16, 1996.

12. In 2009, the Historic Sites Inventory (HSI) was adopted with this site designated as Landmark. By the time of this nomination, a simple railing had been added to the porch and access to the porch was from porch steps to the south.

13. The applicant is proposing to remove the non-historic addition to the site at 943 Norfolk Avenue. A concrete sidewalk, driveway, concrete and stone stairs, and stone retaining walls in the right-of-way will be removed between the two (2) buildings. In the backyard, a series of large boulder retaining walls that are about twenty (20) years old will be removed. These improvements are not historic and do not contribute to the historic integrity or historical significance of the site. The proposed work to remove these improvements mitigates any impact to the visual character of the neighborhood, the historical significance of the building, and the architectural integrity of the building.

14. The applicant is proposing to construct a new framed structure on the interior of the building that will then be tied into the existing single-wall construction of the exterior walls. The proposed Material Deconstruction is required for the rehabilitation of the building.

15. The existing roof structure and dormers on the north, south, and east elevations are original to the house and date from c.1896. The roofing materials have been changed several times, most recently in 1994. The roofing materials show signs of discoloration and deterioration due to age and exposure to the elements. The roof structure’s construction is historic. The structural engineer has found a portion of the roof to be fire-damaged and will require reconstruction. Because the roof structure no longer meets structural capacity, the structural engineer requires sistering the structure with new framing or reconstructing it.

16. The chimney visible on the front of the house and from the right-of-way is from ca. 1896. It is unreinforced masonry and will be rebuilt in its current location,

serving as a flue for a new living room fireplace. The proposed Material Deconstruction of the front chimney is necessary for its restoration.

17. A second chimney was constructed on the back of the house ca.1896, and likely served a kitchen in the past. This chimney is not visible from the right-of-way and is in poor condition. It is unreinforced masonry and will be rebuilt in its current location, serving as a flue for a new living room fireplace. The proposed Material Deconstruction of the front chimney is necessary for its restoration.

18. The exterior walls are in good condition, with some signs of deterioration at the bottoms of the walls. The applicant proposes to repair the defects where necessary, but the historic siding can largely remain in place and intact. Any Material Deconstruction necessary to repair the siding is necessary for its restoration.

19. The foundation is about twenty (20) years old. The structural engineer does not believe the concrete blocks were solid grouted, which has caused moisture penetration and deterioration. There are water leaking spots and lines. Based on the structural engineer's report, the applicant proposes to pour a new concrete foundation beneath the historic house. The proposed exterior changes will not damage or destroy the exterior architectural features of the property that are compatible with the character of the historic site.

20. The front porch has been minimally altered over time. By 1983, the lattice-inspired railings and ornamental brackets present in the c.1941 tax photo had been removed. New railings were added by 2007. The porch is in fair condition, with the deck and roof currently sagging towards the street and lacking structural integrity. The bottom of the porch posts show signs of deterioration and do not meet the bearing capacity of the roof. The applicant proposes to reconstruct the original porch and reconstruct the original central staircase that existed historically. The new railing will match the lattice-inspired design of the original railing.

21. There are three existing doors on the historic house. On the façade, there is a wood paneled screen door and a decorative paneled front door with glazing. On the south elevation, there is a paneled backdoor. The basement has a contemporary steel door. The applicant is proposing to reconstruct the historic front and backdoors. The contemporary basement door will be replaced with a new wood door. The proposed Material Deconstruction is necessary in order to restore the historic house.

22. There are a total of twelve (12) original window openings on this historic house; the three windows on the rear (west) elevation have been replaced with new double-hung windows. The windows and trim are suffering from deterioration and wood rot; the applicant has consented to a window restoration specialist inspect the windows and determine their potential for restoration prior to replacing them in-kind. The proposed Material Deconstruction is necessary in order to restore the original wood windows.

Conclusions of Law – 945 Norfolk

1. The proposal complies with the Land Management Code requirements pursuant to the HR-1 District and regarding historic structure deconstruction and reconstruction.
2. The proposal meets the criteria for relocation pursuant to LMC 15-11-12.5 Historic Preservation Board Review for Material Deconstruction.

Conditions of Approval – 945 Norfolk

1. Final building plans and construction details shall reflect substantial compliance with the HDDR proposal stamped in on April 14, 2018. Any changes, modifications, or deviations from the approved design that have not been approved by the Planning and Building Departments may result in a stop work order.
2. Should restructuring the roof from the interior not be possible due to the condition of the existing roof structure, the applicant shall schedule a site visit with the Chief Building Official and Historic Preservation Planner to evaluate the condition of the roof structure.
3. The applicant shall also submit a structural engineer's report to the Historic Preservation Planner and Building Department outlining the defects in the roof that prevent the new structure from being added alongside the existing roof members. The Physical Conditions Report and Preservation Plan shall be amended to document the condition of these walls and provide an updated scope of work to the satisfaction of the Planning Department. Any changes, modifications, or deviations from the approved scope of work shall be reviewed and approved by the Planning Director in writing prior to construction.
4. The applicant shall provide construction details documenting the historic chimneys at the time of the building permit. The reconstructions chimneys shall exactly match the historic chimneys and their detailing in size, material, profile, and style.
5. The Preservation Plan must include a cribbing and excavation stabilization shoring plan reviewed and stamped by a State of Utah licensed and registered structural engineer prior to issuance of a building permit. Cribbing or shoring must be of engineer specified materials. Screw-type jacks for raising and lowering the building are not allowed as primary supports once the building is lifted.
6. An encroachment agreement may be required prior to issuance of a building permit for projects utilizing soils nails that encroach onto neighboring properties.
7. A Soils Report completed by a geotechnical engineer as well as a temporary shoring plan, if applicable, will be required at the time of building permit application.
8. Within five (5) days of installation of the cribbing and shoring, the structural engineer will inspect and approve the cribbing and shoring as constructed.

9. Historic buildings which are lifted off the foundation must be returned to the completed foundation within 45 days of the date the building permit was issued.
10. The Planning Director may make a written determination to extend this period up to 30 additional days if, after consultation with the Historic Preservation Planner, Chief Building Official, and City Engineer, he determines that it is necessary. This would be based upon the need to immediately stabilize an existing Historic property, or specific site conditions such as access, or lack thereof, exist, or in an effort to reduce impacts on adjacent properties. The applicant is responsible for notifying the Building Department if changes are made. If the cribbing and/or shoring plan(s) are to be altered at any time during the construction of the foundation by the contractor, the structural engineer shall submit a new cribbing and/or shoring plan for review. The structural engineer shall be required to re-inspect and approve the cribbing and/or shoring alterations within five (5) days of any relocation or alteration to the cribbing and/or shoring.
11. The applicant shall also request an inspection through the Building Department following the modification to the cribbing and/or shoring. Failure to request the inspection will be a violation of the Preservation Plan and enforcement action through the financial guarantee for historic preservation or ACE could take place.
12. The applicant shall provide construction details documenting the historic screen door, front door, and backdoor at the time of the building permit. Reconstructed replacement doors shall exactly match the historic door and its detailing in size, material, profile, and style.
13. An independent window evaluation specialist will assess and report on the existing window conditions and outline options for rehabilitation or replacement in satisfaction of the Planning Director.
14. Should the original wood windows not be able to be restored, the replacement windows shall exactly match the historic window in size, dimensions, glazing pattern, depth, profile, and material.

The Meeting adjourned at 6:36 p.m.

Approved by _____
Stephen Douglas, Chair
Historic Preservation Board