

**PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
CITY COUNCIL CHAMBERS
FEBRUARY 19, 2014**



AGENDA

MEETING CALLED TO ORDER AT 5:00PM

ROLL CALL

ADOPTION OF MINUTES OF DECEMBER 4, 2013

PUBLIC COMMUNICATIONS – *Items not scheduled on the regular agenda*

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

REGULAR AGENDA – *Discussion, public hearing, and possible action as outlined below*

1102 Norfolk Avenue – Determination of Significance PL-14-02249 8

WORK SESSION – *Discussion items only, no action taken*

Annual Legal Training on Public Meeting Act *Assistant City Attorney McLean*

Annual Historic Preservation Award *Planner Grahm 56*

Rehabilitation of Historic Structures *Planner Grahm 71*

ADJOURN

A majority of Planning Commission members may meet socially after the meeting. If so, the location will be announced by the Chair person. City business will not be conducted.

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Park City Planning Department at (435) 615-5060 24 hours prior to the meeting.
Historic Preservation Board-February 19, 2014

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
DRAFT MINUTES OF DECEMBER 4, 2013

BOARD MEMBERS IN ATTENDANCE: David White, Puggy Holmgren, Marian Crosby, Hope Melville, Clayton Vance

EX OFFICIO: Thomas Eddington, Anya Grahn, Polly Samuels McLean, Patricia Abdullah

ROLL CALL

Chair Pro Tem White called the meeting to order and noted that all Board members were present except John Kenworthy and Gary Bush, who were excused.

ADOPTION OF MINUTES – September 18, 2013

MOTION: Board Member Holmgren moved to APPROVE the minutes of September 18, 2013. Board Member Crosby seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS

There were no comments.

STAFF/BOARD COMMUNICATION & DISCLOSURES

Planner Grahn stated that during the HPB Visioning the Board had suggested researching new resources or technology that would help promote historic preservation in the Historic District. In working with the IT Department the Staff realized that funds were available to put towards an App, and they would like to pursue the idea of creating a coffee table book for iPhones, tablets, etc.

Planner Grahn asked if anyone from the HPB would be interested in volunteering to sit on a committee to help create the App. She explained the purpose of the App and how it would function. The committee would decide what the App looks like and what information should be shared. A consultant would do the technology formatting and coding.

Director Eddington recalled that a year ago the Friends of the Farm and others wanted to put up signage. They were told that large signs were inappropriate and could detract from what they were trying to focus on. At that time, they discussed the possibility of using QR codes to keep people informed. Director Eddington thought it would be a great opportunity if they could transfer that intent to a larger application and include all historic sites. He believed an App that was

GIS or GPS based was actually better than QR codes. Planner Grahn remarked that the idea of GPS or GIS based was standard. She did not think it would be difficult to obtain grants for technology that was QR based if they wanted to develop it further.

Board Member Vance asked about the time commitment for the committee. Planner Grahn was unsure. She was looking for people who could volunteer to do the additional research and write up the information. Director Eddington stated that committee meetings could be scheduled over breakfast or lunch or later in the day to accommodate everyone's schedule. Planner Grahn reported that the kickoff meeting was the next day at 9:00 a.m. If anyone was interested in volunteering but could not attend the kick-off meeting because of the short notice, she could provide an update on what was discussed.

Board Member Holmgren thought the App was a great idea. She reported that the HPCA was putting together a bread crumb tour which would be a similar situation. Planner Grahn stated that the HPCA bread crumb tour was not advancing, and the HPCA was partnering with the City on the App idea so they could build off of each other. Planner Grahn intended to reach out to the Historical Society as well since they have all the needed resources.

Board Members Holmgren and Vance were interested in volunteering, but they were unable to attend the kick-off meeting. Planner Grahn stated that if only two Board members were interested it would not present a quorum and they could both participate. She would send both of them a recap of the kick-off meeting.

Director Eddington updated the HPB on the status of the General Plan process. He explained that the Planning Commission and City Council were trying to finish a number of public hearings before the end of the year. They Council held a special meeting the previous evening to address some of the Core Values. Historic Character was on the schedule but time did not permit that discussion. Historic Character would be discussed at the City Council meeting on Thursday, December 5th. Historic Character would be first, followed by the Neighborhoods section.

Director Eddington reported that the Planning Commission would meet on December 11th to forward a recommendation to the City Council on the General Plan. Board Member Crosby had comments regarding the General Plan, but she was unable to attend the City Council meeting. Director Eddington suggested that the Board members either email their comments to Staff and/or make their comments publicly at the Planning Commission meeting on December 11th. Director Eddington stated that an open house for the General Plan was scheduled for Monday, December 9th from 4:00-7:00 p.m. in the Council Chambers. Another open house was scheduled for December 17th from 12:00-4:00 in the Planning Department. The City Council would vote on the

General Plan at their December 19th meeting if they felt that the document was ready for adoption at that point.

Director Eddington noted that the most recent version of the draft General Plan, as well as all the scheduled meetings, was posted on the website.

Board Member Crosby asked if the Staff was aware of an ad that appeared in the last two issues of the Park Record about filling two vacant seats. The ad says it is the HPB but the details sound like the Board of Adjustment.

Election of HPB Chair

Board Member Crosby thought John Kenworthy would make an excellent Chair. Board Member Holmgren concurred. Board Member Melville noted that Mr. Kenworthy was absent this evening and would not have a say in whether or not he wanted to be Chair. Board Member White thought he would be interested. Board Member Vance concurred.

MOTION: Board Member Kenworthy nominated John Kenworthy to be the Chair of the HPB. Board Member Holmgren seconded the motion.

VOTE: The motion passed unanimously.

WORK SESSION

General Plan – Annual Historic Preservation Award Program.

Planner Grahn announced that this was the third year for the Annual Historic Preservation Award. In the past the HPB nominated buildings that have had significant impacts on the community in terms of Historic Preservation. The nominees could be adaptive re-use, infill development, exceptional restoration, sustainable preservation and embodiment of historic context. Planner Grahn reported that the last two projects were the High West Distillery and the Washington School House Inn. Both projects received the award based on adaptive re-use and excellence in restoration.

Planner Grahn stated that the HPB needed to select three members to participate on an awards committee that would provide a list of potential award recipients for the Board, as a group, to review and select one for the award. The committee would also be involved in selecting the artist.

Chair Pro Tem White stated that he sat on the committee the last two years. If no one objected, he would like to sit on the committee again. Board Members Crosby and Melville also volunteered.

Historic Preservation Board
December 4, 2013

Chair Pro-Tem White acknowledged that Mayor-Elect Jack Thomas was in the audience. Mr. Thomas stated that he attended the meeting in an effort to become more familiar with the HPB.

The meeting adjourned at 5:30 p.m.

Approved by _____
David White
Historic Preservation Board

REGULAR AGENDA



Historic Preservation Board Staff Report

Application #: PL-14-02249
Subject: Historic Sites Inventory
Author: Ryan Wassum, Planner
Department: Planning Department
Date: February 19, 2014
Type of Item: Administrative – Determination of Significance

Summary Recommendations:

Staff recommends the Historic Preservation Board review the application, conduct a public hearing, and change the designation of 1102 Norfolk Avenue from a Landmark Site to Significant Site on the Park City Historic Sites Inventory (HSI).

Topic:

Project Name: 1102 Norfolk Avenue
Applicant: Park City Municipal Corporation
Owner: Casey Crawford
Proposal: Determination of Significance

Background:

The Park City Historic Sites Inventory (HSI), adopted February 4, 2009, includes four hundred and five (405) sites of which one hundred ninety-two (192) sites meet the criteria for designation as Landmark Sites and two hundred thirteen (213) sites meet the criteria for designation as Significant Sites. The existing structure at 1102 Norfolk Avenue was added to the Inventory as a Landmark Structure based on a reconnaissance level survey by then-Historic Preservation Consultant Dina Blaes in 2009.

During the reconnaissance-level survey, Dina noted that the Sanborn maps identified the structure as a “Hall-Parlor” home, but noted that the house had likely been expanded several times outside the Mature Mining Era at unknown dates; however, part of the rear addition most likely happened within the historic period. Sanborn Fire Insurance maps were used to determine the original shape of the home.

Though the structure has retained its historic form, much of its historic integrity has been lost due to additions and exterior modifications as shown in the Tax Appraisal card from 1968 (Exhibit A). The rear addition(s) on the west (rear) elevation are not original, nor is the side addition to the home on the north elevation.

The owner of the home is Casey Crawford. On October 17, 2007, Planner Katie Cattan brought 1102 Norfolk Avenue to the Historic Preservation Board (HPB) to review the Determination of Significance for the two additions to the home. At that time, the HPB

determined that the rear (west) addition occurred after 1968 and was not historically significant. The Historic Preservation Board (HPB) also found that the addition to the north elevation, believed to have been constructed c. 1930, was also not historically significant.

On November 28, 2013, Staff received an HDDR pre-application to discuss and question the historical significance and integrity of the structure as a Landmark site. The property owner would like to rehabilitate the structure in order to accommodate additional space to make it more livable for her family. She believes the structure is not a Landmark site, but meets the criteria of a Significant site.

Site visits have been made by the Chief Building Official, Planning Director, and Planning Department staff.

Because of the limited information available in the HSI, the Planning Director has directed staff to conduct additional research to determine the historic significance of 1102 Norfolk Avenue. The purpose of this staff report is to have the HPB review the criteria to determine if the structure should be designated as “significant” rather than “landmark,” as well as re-determine the significance of the post-1929 north side addition.

History of the Structure:

The residential structure constructed at 1102 Norfolk Avenue was originally built sometime before 1889 as it first appears in the 1889 Sanborn Fire Insurance map (shown below in Figure 1). The original building is a hall-and-parlor with a full-width porch along the east elevation, facing town. As depicted by the 1900 Sanborn Map shown in Figure 2 below, significant changes occurred between 1889 and 1900. In reviewing these two (2) Sanborn Maps, it is unclear whether the house was expanded between 1889 and 1900, or if a new structure replaced the c.1889 structure as Park City residents settled and built more substantial homes.

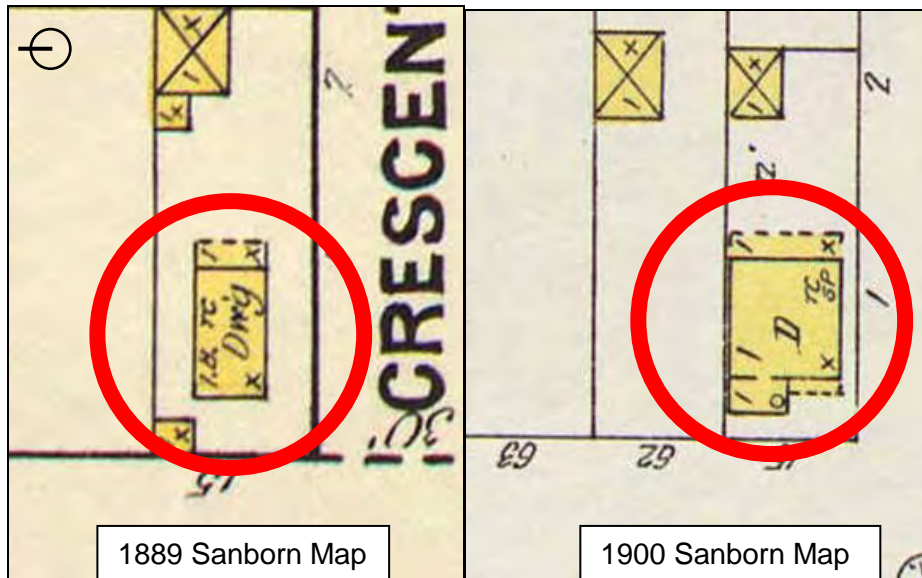


Figure 1 and 2

Between the 1907 (Figure 3) and 1929 (Figure 4) Sanborn Maps below, the house was expanded once again to square off the L-shaped rear addition. A piece of tape overlaps the 1929 Sanborn Map; however, it appears as though the rear addition filled in the former L-shaped addition to the west (rear) elevation Staff cannot confirm the exact shape of the addition or the date it was constructed.

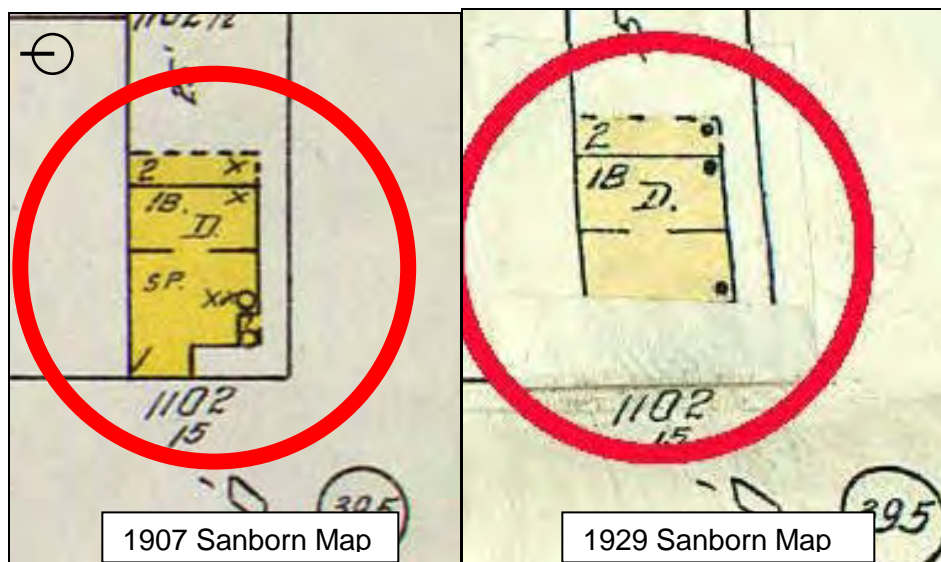


Figure 3 and 4

By comparing the 1929 Sanborn Map (Figure 4) with the Tax Appraisal card of 1968 (Figure 5), it appears multiple additions and exterior modifications took place within the next four decades. As depicted in Figure 5, the house was extended to the north by a side-gable in-line addition that extended beyond the original dimension of the house to create an L-shape or cross wing form (#1). Most perplexing is the rear (west) addition in which the shed addition was enclosed and expanded (#2). Rather than constructing

on the rear of the structure, as well as the cross-wing addition added c.1930. When comparing the 1930's tax photo to a present day photo of the house (Figure 7), it is evident that between 1930-1968, the roof was substantially modified with a new sloped roof atop the historic roof form on both the west and east elevations (refer to #1 in Figure 7). Below the porch, historically there were lattice screens; however, these have been removed and the space was enclosed (refer to #2). The cross wing addition also has a Cement Masonry Unit (CMU) foundation, which distinguishes it and denotes it was added after the original structure was built (refer to #3). Finally, the front staircase was moved to face the north (refer to #4). Illustrated by Figure(s) 8 and 9 below, the non-historic rear additions facing Norfolk Avenue are currently unsightly and in disrepair.



Figure 7



Figure 8 and 9

Analysis:

The Historic Preservation Board is authorized by Title 15-11-5(I) to review and take action on the designation of sites within the Historic Sites Inventory. The Historic Preservation Board may designate sites to the Historic Sites Inventory as a means of providing recognition to and encouraging the preservation of historic sites in the community (LMC 15-11-10). Land Management Code Section 15-11-10(A) sets forth the criteria for designating sites to the Park City

Staff is asking the HPB to review whether

- the structure is “landmark” or “significant” and
- if the north addition is significant or not

As found prior, the HPB determined the additions as outlined above to the site were not historically significant, although the structure remained a Landmark designation. Given recent documentation, however, Staff recommends finding that the north addition has acquired historic significance in its own right as illustrated by the late 1930’s tax photo (Figure 6). The 2007 Staff Report (Exhibit E) written by Katie Cattan outlines that the north addition was added between 1941 and 1968; however the 1930’s tax photo shows the north addition was already built, suggesting the addition was added between the 1929 Sanborn Map and the 1930’s tax photo. The 1930’s tax photo was not utilized as evidence in the former 2007 Determination of Significance (DOS) Staff Report, therefore it is new evidence that requires the former findings and analysis to be reconsidered. Nevertheless, with the adoption of the 2009 Guidelines, the inventory of historic sites was increased due to the addition of the “Significant” designation category. Before the 2009 Guidelines, historic sites were only designated as “historic”, however are now designated as either “Significant” or “Landmark”. The new documentation brought before the HPB and the change of criteria allows the HPB to review the 2007 DOS regarding the finding the north addition.

Staff requests discussion by the HPB to determine if this addition is significant or insignificant based on the 2009 Design Guidelines (see analysis below). **Does the HPB find that this addition is not significant today, under the 2009 Design Guidelines?**

It is Staff’s opinion that the **structure** no longer meets the criteria for a Landmark Site, as outlined below:

*(1) **LANDMARK SITE.** Any Buildings (main, attached, detached, or public), Accessory Buildings, and/or Structures may be designated to the Historic Sites Inventory as a Landmark Site if the Planning Department finds it meets all the criteria listed below:*

(a) It is at least fifty (50) years old or has achieved Significance in the past fifty (50) years if the Site is of exceptional importance to the community; and

Complies. The structure may have been built prior to 1889, or before 1900 making it between 114 to 125 years old.

(b) It retains its Historic Integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places; and

Does not comply. The structure's integrity has been compromised. Though the location remains the same, the design of the structure has been altered due to the number of out-of-period additions. The in-line addition along the north elevation, though historic in its own right, altered the historic form from a hall-parlor plan to a cross wing. The addition of new roof forms over the existing historic roof forms have significantly altered the profile of the structure, making the structure ineligible for the National Register of Historic Places.

(c) It is significant in local, regional or national history, architecture, engineering or culture associated with at least one (1) of the following:

(i) An era that has made a significant contribution to the broad patterns of our history;

(ii) The lives of Persons significant in the history of the community, state, region, or nation; or

(iii) The distinctive characteristics of type, period, or method of construction or the work of a notable

Complies. This structure contributes to our understanding of Park City's Mature Mining Era (1894-1930). The houses within Old Town and the historic district are the largest and best preserved group of residential buildings in a metal mining town in Utah. As such, they provide the most complete documentation of the residential character of mining towns of that period, including settlement patterns, building materials, construction techniques, and socio-economic make-up. Though lost, the distinctive character of the structure's historic form is visible because subsequent additions built new roof structures atop the historic roof form. The physical elements of the site, including exterior walls sheathed in a drop-novelty wooden siding, convey a sense of life in a western mining town of the late nineteenth and early twentieth centuries. These structures greatly add to our understanding of a significant aspect of Park City's economic growth and architectural development as a mining community.

Staff finds that the structure meets the criteria for a Significant Site. *Any buildings (main, attached, detached or public), accessory buildings and/or structures may be designated to the Historic Sites Inventory as a Significant Site if the Planning Department finds it meets all the criteria listed below:*

(a) It is at least fifty (50) years old or has achieved Significance in the past fifty (50) years if the Site is of exceptional importance to the community; and

Complies. The structure may have been built prior to 1889, or before 1900 making it between 114 to 125 years old.

(b) It retains its Essential Historical Form, meaning there are no major alterations that have destroyed the Essential Historical Form. Major alterations that destroy the Essential Historical Form include:

(i) Changes in pitch of the main roof of the primary façade if 1) the change was made after the Period of Historic Significance; 2) the change is not due to any structural failure; or 3) the change is not due to collapse as a result of inadequate maintenance on the part of the Applicant or a previous Owner, or

(ii) Addition of upper stories or the removal of original upper stories occurred after the Period of Historic Significance, or

(iii) Moving it from its original location to a Dissimilar Location, or

(iv) Addition(s) that significantly obscures the Essential Historical Form when viewed from the primary public Right-of-Way.

Complies. The home retains its essential historic form from the public right-of-way looking north from 11th Avenue. The post-1929 north side addition and first shed-roof rear addition do not detract or negatively impact the historic frontage and form of the structure. Staff finds they should be retained by the owners because changes to a building that have acquired historic significance in their own right should be retained and preserved.

Because the new roof additions on the east and west elevations were constructed outside the historic period were built directly on top of the historic roof form, the historic roof form has been preserved. This alteration significantly detracts from the historic integrity of the structure. Moreover the non-historic shed addition on the west elevation has significantly altered the form of the structure, blocking the historic hall-and-parlor from the primary public right-of-way (Norfolk Avenue).

Despite the historic structure not being visible from Norfolk Avenue, the historic form is clearly distinguishable when looking north from the 11th Avenue right-of-way. For this reason, staff finds that the structure should remain on the HSI as significant.

(c) It is important in local or regional history, architecture, engineering, or culture associated with at least one (1) of the following:

(i) An era of Historic importance to the community, or

(ii) Lives of Persons who were of Historic importance to the community, or

(iii) Noteworthy methods of construction, materials, or craftsmanship used during the Historic period.

Complies. This structure contributes to our understanding of Park City's Mature Mining Era (1894-1930). The houses within Old Town and the historic district are the largest and best preserved group of residential buildings in a metal mining town in Utah. As such, they provide the most complete documentation of the

residential character of mining towns of that period, including settlement patterns, building materials, construction techniques, and socio-economic make-up. These structures greatly add to our understanding of a significant aspect of Park City's economic growth and architectural development as a mining community.

Analysis of the 1930's "north" addition:

It is Staff's opinion that the **north addition** does not meet the criteria for a Landmark Site, as outlined below: (1) **LANDMARK SITE.** *Any Buildings (main, attached, detached, or public), Accessory Buildings, and/or Structures may be designated to the Historic Sites Inventory as a Landmark Site if the Planning Department finds it meets all the criteria listed below:*

(a) It is at least fifty (50) years old or has achieved Significance in the past fifty (50) years if the Site is of exceptional importance to the community; and

Complies. The north addition was built between 1929 and 1938, making it between 76 to 85 years old.

(b) It retains its Historic Integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places; and

Complies. The in-line addition along the north elevation, though historic in its own right, altered the historic form from a hall-parlor plan to a cross wing, making the structure. Adding in-line additions that do not drastically alter the design of the building was a traditional form of construction in the past.

(c) It is significant in local, regional or national history, architecture, engineering or culture associated with at least one (1) of the following:

(i) An era that has made a significant contribution to the broad patterns of our history;

(ii) The lives of Persons significant in the history of the community, state, region, or nation; or

(iii) The distinctive characteristics of type, period, or method of construction or the work of a notable

Complies. The north addition to the historic structure contributes to our understanding of Park City's Mature Mining Era architecture (1894-1930). The houses within Old Town and the historic district are the largest and best preserved group of residential buildings in a metal mining town in Utah. As such, they provide the most complete documentation of the residential character of mining towns of that period, including settlement patterns, building materials, construction techniques, and socio-economic make-up.

As residents became more settled in Park City and family began to reside in these structures, it was not uncommon for additions to be added that transformed hall-parlor plans into cross-wing plans. Though the original shape of the home has been altered due to this addition, this addition was likely made directly after the period of significance and contributes to our understanding of the Mature Mining Era. These structures greatly add to our understanding of a significant aspect of Park City's economic growth and architectural development as a mining community.

Staff finds that the **structure** meets the criteria for a Significant Site. Any buildings (main, attached, detached or public), accessory buildings and/or structures may be designated to the Historic Sites Inventory as a Significant Site if the Planning Department finds it meets all the criteria listed below:

(a) It is at least fifty (50) years old or has achieved Significance in the past fifty (50) years if the Site is of exceptional importance to the community; and

Complies. The north addition was built between 1929 and 1938, making it between 76 to 85 years old.

(b) It retains its Essential Historical Form, meaning there are no major alterations that have destroyed the Essential Historical Form. Major alterations that destroy the Essential Historical Form include:

(i) Changes in pitch of the main roof of the primary façade if 1) the change was made after the Period of Historic Significance; 2) the change is not due to any structural failure; or 3) the change is not due to collapse as a result of inadequate maintenance on the part of the Applicant or a previous Owner, or

(ii) Addition of upper stories or the removal of original upper stories occurred after the Period of Historic Significance, or

(iii) Moving it from its original location to a Dissimilar Location, or

(iv) Addition(s) that significantly obscures the Essential Historical Form when viewed from the primary public Right-of-Way.

Complies. With the post-1929 north addition, the home retains its essential historic form from the public right-of-way looking north from 11th Avenue. The north side addition does not detract or negatively impact the historic frontage and form of the structure. Staff finds this addition should be retained by the owners because changes to a building that have acquired historic significance in their own right should be retained and preserved.

With the back of the north side addition being visible from Norfolk Avenue, the historic form is clearly distinguishable when looking north from the 11th Avenue right-of-way. For this reason, staff finds that the north addition should be recognized as historically significant, though it was added directly after the period (post 1930).

(c) It is important in local or regional history, architecture, engineering, or culture associated with at least one (1) of the following:

- (i) An era of Historic importance to the community, or
- (ii) Lives of Persons who were of Historic importance to the community, or
- (iii) Noteworthy methods of construction, materials, or craftsmanship used during the Historic period.

Complies. The north addition contributes to our understanding of Park City's Mature Mining Era (1894-1930). The houses within Old Town and the historic district are the largest and best preserved group of residential buildings in a metal mining town in Utah. As such, they provide the most complete documentation of the residential character of mining towns of that period, including settlement patterns, building materials, construction techniques, and socio-economic make-up. During this time, it was typical of homes to add additions that modified the home to a cross wing vs. a hall-parlor plan. These structures greatly add to our understanding of a significant aspect of Park City's economic growth and architectural development as a mining community.

Process:

The HPB will hear testimony from the applicant and the public and will review the Application for compliance with the "Criteria for Designating Historic Sites to the Park City Historic Sites Inventory." . If the HPB finds that the application does not comply with the criteria set forth in Section 15-11-10(A)(1) or Section 15-11-10(A)(2), the Building and/or structure will be removed from the Historic Sites Inventory. 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.

Going forward, the applicant will need to submit a Historic District Design Review (HDDR) to the Planning Department for approval. Should the structure's designation remain a Landmark or be re-designated as a Significant site, it could be eligible for relocation and/ or reorientation based on Land Management Code (LMC) 15-11-13; this process will have to be approved by the Planning Director and Chief Building Official based on unique conditions warranting the proposed relocation and/ or reorientation on the existing site. Any proposed panelization may also need to be approved by the Planning Director and the Chief Building Official and may result in the site being demoted from Landmark to Significant. Should the HPB find that the site no longer meets the criteria for Landmark or Significant designation, it could be demolished in the future as it will no longer be identified on the Historic Sites Inventory (HSI).

Notice:

Legal Notice of this public hearing was published in the Park Record and posted in the required public spaces.

Public Input:

A public hearing, conducted by the Historic Preservation Board, is required prior to adding sites to or removing sites from the Historic Sites Inventory. The public hearing for the recommended action was properly and legally noticed as required by the Land Management Code. No public input was received at the time of writing this report.

Alternatives:

- Conduct a public hearing to consider the DOS for 1102 Norfolk Avenue described herein and find the structure at 1102 Norfolk Avenue meets the criteria for the designation of “Significant” to the Historic Sites Inventory according to the draft findings of fact and conclusions of law, in whole or in part.
- Conduct a public hearing and find the structure at 1102 Norfolk Avenue does not meet the criteria for the designation of “Significant” to the Historic Sites Inventory, and providing specific findings for this action.
- Continue the action to a date uncertain.

Significant Impacts:

There are no significant impacts on the City as a result of retaining the existing building described in this report to the Historic Sites Inventory as a “Significant” Structure.

Consequences of not taking the recommended action:

If no action is taken, no change will occur to the designation of 1102 Norfolk Avenue on the Historic Sites Inventory.

If the Historic Preservation Board chooses to remove this site from the HSI, the structure will not be a designated historic site and will be eligible for demolition.

Recommendation:

Staff recommends the Historic Preservation Board conduct a public hearing and find that criteria have been met to change the designation of 1102 Norfolk Avenue and the 1930’s north addition to “Significant” within the Park City Historic Sites Inventory according to the following finding of fact and conclusions of law.

Finding of Fact:

1. 1102 Norfolk Avenue is within the Historic Residential (HR-1) zoning district.
2. There is an existing side gable hall-parlor structure at 1102 Norfolk Avenue. This structure is currently listed on the Park City Historic Sites Inventory (HSI) as a “Landmark” structure.
3. The existing structure has been in existence at 1102 Norfolk Avenue sometime before 1889 (exact date unknown). The structure appears in the 1889, 1900, 1907, and 1929 Sanborn Fire Insurance maps. Furthermore, the Historic Site Form contains tax cards of the structure from 1968.

4. The hall-and-parlor structure and first rear addition were both constructed within the Mature Mining Era (1894-1930) and are historic.
5. Though out of period, the side addition on the northern elevation added sometime between 1929 and the late 1930's does not detract from the historic significance of the structure.
6. The north elevation side addition was constructed between the end of the Mature Mining Era and the beginning of the Mining Decline.
7. Several additions and exterior modifications took place between the 1929 Sanborn map and the 1968 tax card. The extended rear addition on the west elevation detracts from the historic significance of the structure. The extended rear addition on the west elevation side was not constructed within the Mature Mining Era.
8. Most of the original exterior wood materials are remaining on the exterior of the historic structure.
9. The structure is a hall-in-parlor plan and typical of the Mature Mining Era.
10. The site meets the criteria as Significant on the City's Historic Sites Inventory.
11. The structure and the north addition is over fifty (50) years old and has achieved Significance in the past fifty (50) years.
12. Though the structure has lost its historic integrity due to the out-of-period alterations to its historic form, the historic form is visible because the new roof structures were added atop the existing historic roof form, and the north addition was only an extension of the structural form to gain more living space.
13. The structure is important in local or regional history because it is associated with an era of historic importance to the community, the Mature Mining Era (1894-1930).

Conclusions of Law:

1. The existing structure located at 1102 Norfolk Avenue and the north addition meets all of the criteria for a Significant Site as set forth in LMC Section 15-11-10(A) (2) which includes:
 - (a) It is at least fifty (50) years old or has achieved Significance in the past fifty (50) years if the Site is of exceptional importance to the community; and
 - (b) It retains its Essential Historical Form, meaning there are no major alterations that have destroyed the Essential Historical Form. Major alterations that destroy the Essential Historical Form include:
 - (i) Changes in pitch of the main roof of the primary façade if 1) the change was made after the Period of Historic Significance; 2) the change is not due to any structural failure; or 3) the change is not due to collapse as a result of inadequate maintenance on the part of the Applicant or a previous Owner, or
 - (ii) Addition of upper stories or the removal of original upper stories occurred after the Period of Historic Significance, or
 - (iii) Moving it from its original location to a Dissimilar Location, or
 - (iv) Addition(s) that significantly obscures the Essential Historical Form when viewed from the primary public Right-of-Way.

(c) It is important in local or regional history, architecture, engineering, or culture associated with at least one (1) of the following:

- (i) An era of Historic importance to the community, or
- (ii) Lives of Persons who were of Historic importance to the community, or
- (iii) Noteworthy methods of construction, materials, or craftsmanship used during the Historic period.

Exhibits:

Exhibit A – Historic Sites Inventory Form (2008)

Exhibit B – Photographs from site visits

Exhibit C – 2007 Notice of HPB Action

Exhibit D – 2007 HPB Action Minutes

Exhibit E – 2007 HPB Determination of Significance Staff Report

HISTORIC SITE FORM - HISTORIC SITES INVENTORY

PARK CITY MUNICIPAL CORPORATION (10-08)

1 IDENTIFICATION

Name of Property:

Address: 1102 Norfolk Avenue

AKA:

City, County: Park City, Summit County, Utah

Tax Number: SA-83

Current Owner Name: Casey Sutherland

Parent Parcel(s):

Current Owner Address: 1102 Norfolk Avenue, Park City, Utah 84060

Legal Description (include acreage): Lots 31 & 32 Blk 8 Snyders Addition ; 0.09 acres.

2 STATUS/USE

Property Category

- building(s), main
- building(s), attached
- building(s), detached
- building(s), public
- building(s), accessory
- structure(s)

Evaluation*

- Landmark Site
- Significant Site
- Not Historic

Reconstruction

- Date:
- Permit #:
- Full Partial

Use

Original Use: Residential
Current Use: Residential

*National Register of Historic Places: ineligible eligible
 listed (date:)

3 DOCUMENTATION

Photos: Dates

- tax photo:
- prints: 1995, 2006 & 2008
- historic: c.

Research Sources (check all sources consulted, whether useful or not)

- abstract of title
- tax card
- original building permit
- sewer permit
- Sanborn Maps
- obituary index
- city directories/gazetteers
- census records
- biographical encyclopedias
- newspapers
- city/county histories
- personal interviews
- Utah Hist. Research Center
- USHS Preservation Files
- USHS Architects File
- LDS Family History Library
- Park City Hist. Soc/Museum
- university library(ies):
- other:

Drawings and Plans

- measured floor plans
- site sketch map
- Historic American Bldg. Survey
- original plans:
- other:

Bibliographical References (books, articles, interviews, etc.) Attach copies of all research notes and materials.

Blaes, Dina & Beatrice Lufkin. "Final Report." Park City Historic Building Inventory. Salt Lake City: 2007.
 Carter, Thomas and Goss, Peter. *Utah's Historic Architecture, 1847-1940: a Guide*. Salt Lake City, Utah: University of Utah Graduate School of Architecture and Utah State Historical Society, 1991.
 McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Alfred A. Knopf, 1998.
 Roberts, Allen. "Final Report." Park City Reconnaissance Level Survey. Salt Lake City: 1995.
 Roper, Roger & Deborah Randall. "Residences of Mining Boom Era, Park City - Thematic Nomination." National Register of Historic Places Inventory, Nomination Form. 1984.

4 ARCHITECTURAL DESCRIPTION & INTEGRITY

Building Type and/or Style: Other residential type / Vernacular style

No. Stories: 1

Additions: none minor major (describe below) Alterations: none minor major (describe below)

Number of associated outbuildings and/or structures: accessory building(s), # _____; structure(s), # _____.

General Condition of Exterior Materials:

Researcher/Organization: Preservation Solutions/Park City Municipal Corporation Date: Dec. 2008

- Settlement & Mining Boom Era (1868-1893)
- Mature Mining Era (1894-1930)
- Mining Decline & Emergence of Recreation Industry (1931-1962)

Park City was the center of one of the top three metal mining districts in the state during Utah's mining boom period of the late nineteenth and early twentieth centuries, and it is one of only two major metal mining communities that have survived to the present. Park City's houses are the largest and best-preserved group of residential buildings in a metal mining town in Utah. As such, they provide the most complete documentation of the residential character of mining towns of that period, including their settlement patterns, building materials, construction techniques, and socio-economic make-up. The residences also represent the state's largest collection of nineteenth and early twentieth century frame houses. They contribute to our understanding of a significant aspect of Park City's economic growth and architectural development as a mining community.¹

2. **Persons** (Describe how the site is associated with the lives of persons who were of historic importance to the community or those who were significant in the history of the state, region, or nation):

3. **Architecture** (Describe how the site exemplifies noteworthy methods of construction, materials or craftsmanship used during the historic period or is the work of a master craftsman or notable architect):

6 PHOTOS

Digital color photographs are on file with the Planning Department, Park City Municipal Corp.

Photo No. 1: Southwest oblique. Camera facing northeast, 2008.

Photo No. 2: Southwest oblique. Camera facing northeast, 2008.

Photo No. 3: West elevation. Camera facing east, 2008.

Photo No. 4: West elevation. Camera facing east, 2008.

Photo No. 5: South elevation. Camera facing north, 2008.

Photo No. 6: Southeast oblique. Camera facing northwest, 2008.

Photo No. 7: Northwest oblique. Camera facing southeast, 2008.

Photo No. 8: Southwest oblique. Camera facing northeast, 2006.

Photo No. 9: Northwest oblique. Camera facing southeast, 2006.

Photo No. 10: Northwest oblique. Camera facing southeast, 1995.

Photo No. 11: Southeast oblique. Camera facing northwest, tax photo.

¹ From "Residences of Mining Boom Era, Park City - Thematic Nomination" written by Roger Roper, 1984.

SA83

Serial Number

OF Card Number

Owners Name William E. Maxhinney Jr.
 Location Park City, Utah
 Kind of Bldg. Res St. No. 1102 Norfolk Ave
 Class 3 Type 1 2 3 4 2 Cost \$ 33472 x 100 %

Stories	Dimensions	Sq. Ft.	Factor	Totals	Totals
1	x x	747		\$ 33472	\$
	x x				
	x x				

Att. Gar.—C.P. Flr. Walls Cl.

Description of Buildings Additions Additions

Foundation—Stone Conc. None Sills
 Ext. Walls Siding
 Roof Type Gab Mtl. Comp.
 Dormers—Small Med. Large
 Bays—Small Med Large
 Porches—Front 5x18 90" @ 150 135
 Rear 6x19 114" @ 150 171
 Porch Enc. 8x12 96" @ 200 192
Plumbers Conc. Slab 2 Steps 5x5 25" @ 50 12
 Ext. Base. Entry @
Cellar Bsmt. — 1/4 1/8 1/2 3/8 3/4 Full Floor Dirt 80

Bsmt. Gar.

Basement-Apt. Rms. Fin. Rms.

Attic Rooms Fin. Unfin.

Plumbing { Class 1 Tub. 1 Trays
 Basin 1 Sink 1 Toilet 1
 Wtr. Sfr. Shr. St. O.T.
 Dishwasher Garbage Disp.

Heat—Stove H.A. FA HW Stkr Elec.

Oil Gas Coal Pipeless Radiant

Air Cond. — Full Zone

Finish—Fir. Hd. Wd. Panel

Floor—Fir. Hd. Wd Other

Cabinets 1 Mantels

Tile—Walls Wainscot Floors

Storm Sash—Wood D. S. ; Metal D. 1 S.

Awnings — Metal Fiberglass
Con. slab - 5x22 110" 20 22

Total Additions 1520

Year Built 1904 Avg. 1904 Replacement Cost 4867
 Age 2. Obsolescence

Inf. by { Owner - Tenant -
 Neighbor Record - Est. Adj. Bld. Value
 Conv. Factor x.47

Replacement Cost—1940 Base

Depreciation Column 1 2 3 4 5 6

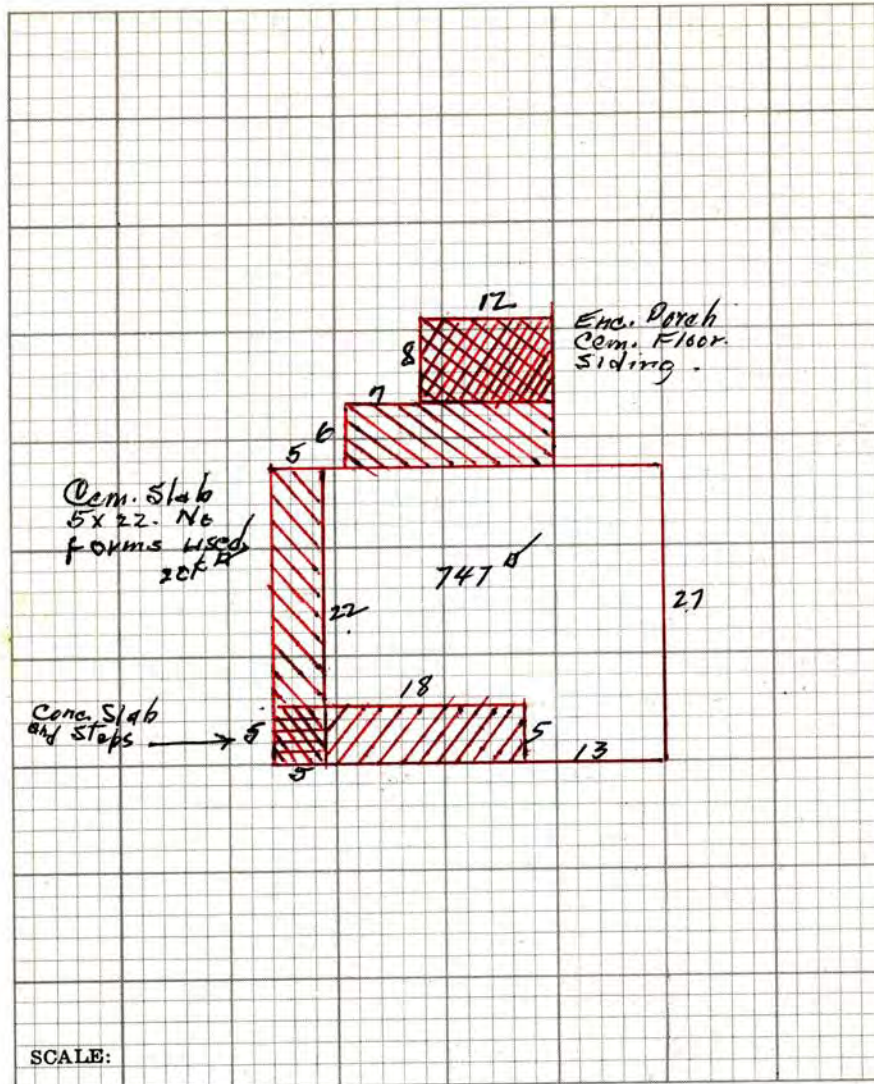
1940 Base Cost, Less Depreciation

Total Value from reverse side

Total Building Value \$ 4762

Appraised ① 11/14 1968 By Ray
 Appraised ② _____ 19____ By _____

2256
 8/7/79
 Reappraised



RESIDENTIAL OUT BUILDINGS	Age	Size	Area	Factor	Cost	Conv. Fac.	Adj. Cost	Depr. Value
		x				.47		
		x				.47		
		x				.47		
		x				.47		
		x				.47		
		x				.47		

Garage — Class _____ Depr. 2% 3%

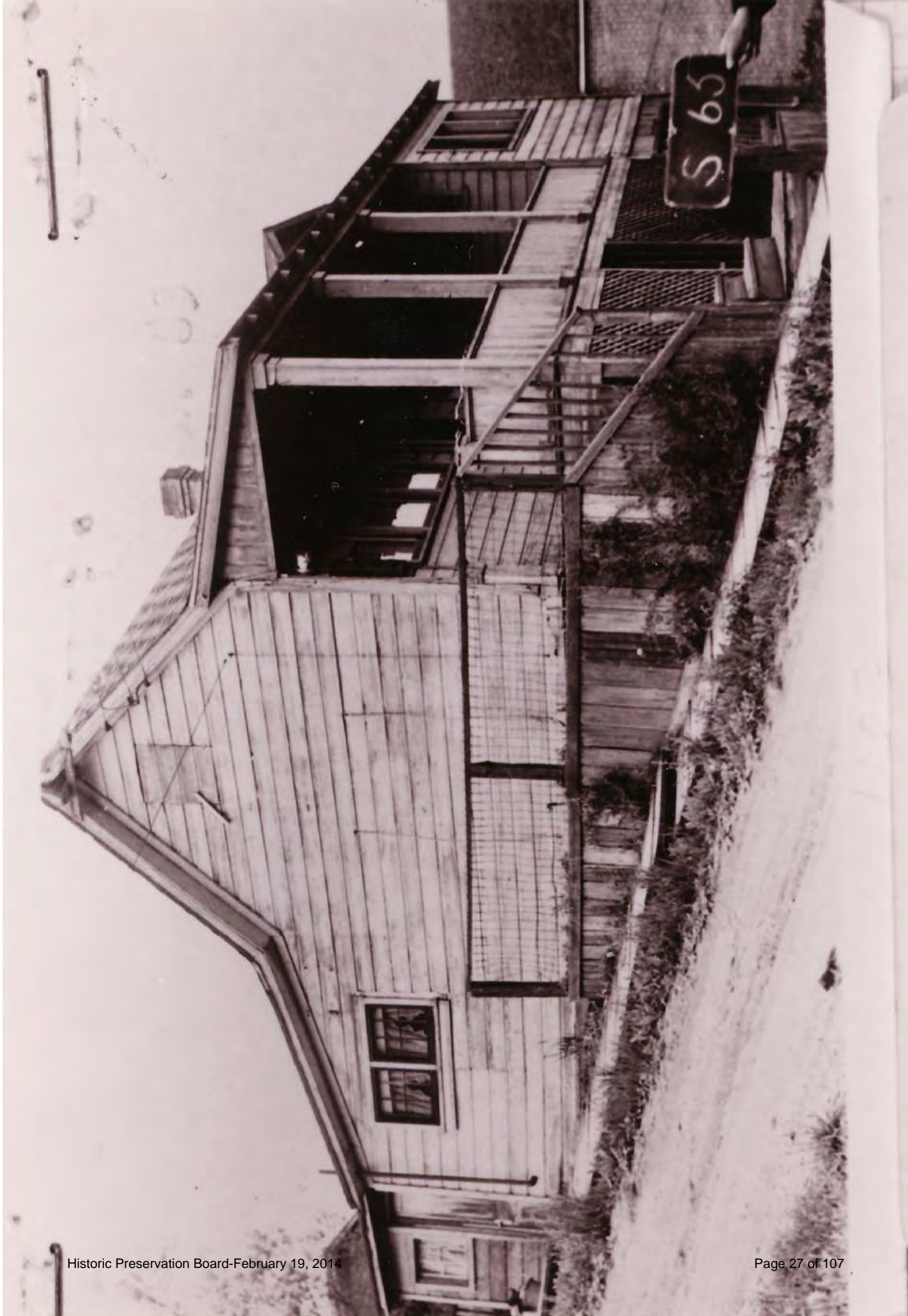
Cars _____ Floor _____ Walls _____ Roof _____ Doors _____

Size _____ x _____ Age _____ Cost _____ x 47%

_____ 1940 Base Cost _____ x _____ % Depr.

Total _____

REMARKS _____















NO
PARKING
ANY
TIME







Exhibit B





Exhibit C

October 17, 2007

Casey Crawford
PO Box 3327
Park City, UT 84060

NOTICE OF HISTORIC PRESERVATION BOARD ACTION

Project Address: **1102 Norfolk Avenue**
Project Description: **Determination of Significance**
Date of Action: **October 15, 2007**

Action Taken By Historic Preservation Board: The two additions were found to be insignificant in accordance with the Findings of Fact and Conclusions of Law and Conditions of Approval as written below:

Findings of Fact

1. The home at 1102 Norfolk Avenue is located in the Historic Residential (HR-1) zone.
2. The historic home was built between 1889 and 1900.
3. The north side addition to the home occurred between 1941 and 1968.
4. The addition on the west side of the home occurred after 1968.
5. The north side addition consists of the thirteen foot extension to the north from the original rectangular home. No additional portion of the home is considered part of the north side addition.
6. The north side addition to the home is not representative of a structure that embodies the distinctive characteristics of a type, period, or method of construction; or that represent the work of a master.
7. The west side modifications to the home and roofline is not representative of a structure that embodies the distinctive characteristics of a type, period, or method of construction; or that represent the work of a master.
8. The original rectangular home was 18' wide and approximately 22' in depth, with a small shed roof enclosure on the west side facing Norfolk Ave.
9. According to the tax card of 1968, the historic shed roof enclosure on the west side of the home no longer existed in 1968.
10. Rectangular homes are a common house style within Park City and representative of the mining boom town era.
11. All findings from the Analysis section are incorporated herein.

Conclusions of Law

1. The north side, west side, and roof additions to the home located at 1102 Norfolk Avenue do not demonstrate a quality of significance in local, regional, state or national history, architecture, archeology, engineering or culture.
2. The north side, west side, and roof additions to the home located at 1102 Norfolk Avenue do not demonstrate a quality of integrity of location, design, setting, materials, and workmanship.
3. The north side, west side, and roof additions to the home located at 1102 Norfolk Avenue do not substantially comply with the standards of review found in LMC Section 15-11-12(A) and therefore is not historically significant pursuant to LMC Section 15-11-12.

Conditions of Approval

1. Applicant must provide a historic preservation plan and signed agreement with Park City Municipal Corporation prior to removal of any portion of the existing structure.
2. Prior to any request to panelize, applicant must demonstrate structural deficiencies that make panelization the only option.

Respectfully,

Katie Cattan
Planner

**PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS**

- 1.The applicant is responsible for compliance with all conditions of project approval.
- 2.The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 9, Architectural Review); Uniform Building, Fire and related Codes (including ADA compliance); the Park City Design Standards, Construction Specifications, and Standard Drawings (including any required snow storage easements); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
- 3.A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit.
- 4.All construction shall be completed according to the approved plans on which building permits are issued. Approved plans include all site improvements shown on the approved site plan. Site improvements shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grading, walls, landscaping, lighting, planting, paving, paths, trails, public necessity signs (such as required stop signs), and similar improvements, as shown on the set of plans on which final approval and building permits are based.
- 5.All modifications to plans as specified by conditions of approval and all final design details, such as materials, colors, windows, doors, trim dimensions, and exterior lighting shall be submitted to and approved by the Community Development Department, Planning Commission, or Historic District Commission prior to issuance of any building permits. Any modifications to approved plans after the issuance of a building permit, must be specifically requested and approved by the Community Development Department, Planning Commission and/or Historic District Commission in writing prior to execution.
- 6.Final grading, drainage, utility, erosion control and re-vegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Community Development Department. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
- 7.An existing conditions survey identifying existing grade shall be conducted by the applicant and submitted to the Community Development Department prior to issuance of a footing and foundation permit. This survey shall be used to assist the Community Development Department in determining existing grade for measurement of building heights, as defined by the Land Management Code.
- 8.A Construction Mitigation Plan (CMP), submitted to and approved by the Community Development Department, is required prior to any construction. A CMP shall address the following, including but not necessarily limited to: construction staging, phasing, storage of materials, circulation, parking, lights, signs, dust, noise, hours of operation, re-vegetation of disturbed areas, service and delivery, trash pick-up, re-use of construction materials, and disposal of excavated materials. Construction staging areas shall be clearly defined and placed so as to minimize site disturbance. The CMP shall include a landscape plan for re-vegetation of all areas disturbed during construction, including but not limited to: identification of existing vegetation and replacement of significant vegetation or trees removed during construction.
- 9.Any removal of existing building materials or features on historic buildings, shall be approved and coordinated by the Planning Department prior to removal.
- 10.The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Planning Department for further direction, prior to construction.
- 11.Final landscape plans, when required, shall be reviewed and approved by the Community Development Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof. A landscaping agreement or covenant may be required to ensure landscaping is maintained as per the approved plans.
- 12.All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the Community

Development Department, posted prior to occupancy.

13. The Snyderville Basin Sewer Improvement District shall review and approve the sewer plans, prior to issuance of any building plans. A Line Extension Agreement with the Snyderville Basin Sewer Improvement District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.

14. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.

15. When applicable, access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.

16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or upon termination of the permit.

17. No signs, permanent or temporary, may be constructed on a site or building without a sign permit, approved by the Community Development Department. All multi-tenant buildings require an approved Master Sign Plan prior to submitting individual sign permits.

November 5, 1999.

MOTION: Board member Kimball motioned that a grant in the amount of \$18129.97 as itemized by Staff be awarded to 166 Daly Avenue. Board member Ford seconded. Motion carried unanimously.

1102 Norfolk Avenue

On September 17, 2007 the Planning Department received a Determination of Historical Significance for two additions on the single family dwelling located at 1102 Norfolk Avenue. Planner Cattan stated that the home historically faced east off of Main Street and the additions were in the rear of the building towards Norfolk. In 1941 there was a new roofline added according to the Sandborne maps and that the second addition was added sometime between 1941-1968 but the exact date is unknown. Board Member Kimball believed the date of the second addition to be around 1955.

When asked if the applicant intended to keep the additions Planner Cattan elaborated that the applicant wished to take off the two additions and go back to the original line of the home.

There was some discussion concerning the placement of the chimney. It was also clarified that the original roof was still intact under the shed roof.

Board Member Ford excused himself from the meeting at 12:31 pm.

Chair Martz agreed with the Planning Department's recommendation that the additions were insignificant but stressed that during the removal process the original building remain intact. Planner Cattan responded that the applicant would have to meet the Conditions of Approval and also Staff would require a preservation plan before approval.

MOTION: Board member Huber moved to find the two additions as outlined by Staff at 1102 Norfolk Avenue as historically insignificant. Board Member White seconded. Motion carried.

Historic District Design Assessment Forum

Dina Blaes, the contracted consultant employed by the City, took the floor to state that on September 24 and October 8 there was a public forum held where upon approximately 100 members of the community gathered. Using a process derived from the National Trust for Historic Preservation that was modified for residential use along with commercial the audience was asked to look at a series of slides and fill in assessment forms where people were asked to scale the buildings show on a rating of 1-4. Mrs. Blaes used a program called "Minitab" to assess the data. Copies of the data was provided to the Board.

The data found that the community valued the structural features of homes such as 409 Woodside Avenue while disliking those of 150 Main Street.

Discussion ensued with Mrs. Blaes, Board members, and the public regarding the assessment, the data was collected, and how it would be used.

Mrs. Blaes clarified that this assessment and Historic District Guidelines will not speak to the social history of buildings only the architectural.

Historic Preservation Board Staff Report



AUTHOR: Katie Cattan
DATE: October 15, 2007
TITLE: 1102 Norfolk Avenue
TYPE OF ITEM: Determination of Historical Significance:
for addition

PLANNING DEPARTMENT

Recommendation

Conduct a public hearing, review the application and find the addition on the north elevation historically insignificant according to the findings of fact and conclusions of law in this staff report.

Project Information

Applicant: Casey and Corey Crawford, Owner
Location: 1102 Norfolk Avenue
Proposal: Determination of Historical Significance: Addition
Zoning: Historic Residential (HR-1)

Background

On September 17, 2007, the applicant submitted a Determination of Historical Significance for the additions to the single family home located at 1102 Norfolk Avenue. The intent is to determine whether or not the additions to the single family home are historically significant, which would then guide any future development or possible redevelopment on the site. The property is located within the Historic Residential (HR-1) District. The Historic Preservation Board is authorized to make determinations of significance pursuant to LMC Section 15-11-12. Structures found to be historically significant can be removed only if a certificate of appropriateness for demolition (CAD) is approved by a CAD hearing board per LMC Section 15-11-15.

Analysis

The applicant acknowledges that the structure at 1102 Norfolk is historically significant. The original building was built between 1889 and 1900. The Sanborn Insurance Maps of 1900 represent the existing structure at 1102 Norfolk Avenue. The home is a rectangular home with a gable roof and a ridge that is parallel to the street. The rear roofline of the home had a shed roof profile. The change of footprint between the 1941 Sanborn Insurance Maps and the State Tax appraisal card of 1968 indicate that footprint of the home was altered sometime in between the two dates. No record could be located of the exact date in which the roof addition was built on the Norfolk Avenue side of the home. Between 1941 and 1968 the home was extended on the North side to accommodate and enclosed living space to the side of the porch. Evidence of this expansion can be seen in the historical assessment (Exhibit A) and within the change from the Sanborn Insurance Maps (Exhibit B) to the State Tax appraisal card of 1968 (Exhibit C). Since 1968, the west elevation has been further modified, with an addition and modification to the roofline. The 1968 tax card displays a previously existing cement slab and enclosed porch in the current additions location. The applicant is

requesting a determination of significance to remove the side and rear additions to the home at 64 Chambers Street. The applicant is also requesting permission to remove the addition to the roof.

According to the criteria set forth in LMC Chapter 15-11-12(A), the Historic Preservation Board must determine the historical significance of a building, structure, or site. The HPB shall evaluate whether the building, structure or site demonstrates a quality of significance in local, regional, state or national history, architecture, archaeology, engineering or culture and integrity of location, design, setting, materials, and workmanship according to the following criteria:

- (1) The building, structure or site is associated with events or lives of persons significant to our past, and/or;
- (2) The building, structure or site embodies the distinctive characteristics of a type, period or method of construction or that represent the work of a master, and/or;
- (3) The architectural or historical value or significance of the building, structure or site contributes to the historic value of the property and surrounding area, and/or;
- (4) The building, structure or site is at least fifty years old and has achieved significance within the past fifty years if the property is of exceptional importance to the community, and/or;
- (5) The relation of historic or architectural features found on the building, structure or site to other such features within the surrounding area, and/or;
- (6) Any other factors, including aesthetic, which may be relevant to the historical or architectural aspects of the building, structure or site, and/or;

Outlined below is Staff's analysis of the 1102 Norfolk Avenue **additions** according to the Standards of Review for the determination of historical significance in Section 15-11-12(A) of the LMC:

Additions

Criteria 1: The building, structure or site is associated with events or lives of persons significant to our past. **DOES NOT COMPLY**

No person significant to Park City's past is known to have lived in the additions. No event significant to Park City's past is known to have occurred in the additions. .

Criteria 2: The building, structure or site embodies the distinctive characteristics of a type; period or method of construction or that represent the work of a master. **DOES NOT COMPLY**

The original structure exemplified the distinctive characteristics of a type of home that was common in the mining boom town era. The home was a rectangular home with a gable roof. The rear of the home (west façade facing Norfolk) had a small enclosed shed roof and open porch. The roof on the west façade of the home was altered during various renovations after 1968. According to the tax card of 1968 the original enclosed shed roof on the west elevation no longer existed and a cement slab and enclosed porch had been built in its place. Currently the majority of the west elevation is

enclosed with no sign of the original shed roof and porch. (Exhibit D) The original front façade of the home (which faces east toward Park Avenue) has not been altered from the ridgeline to the front of the home. An addition was placed on the north side of the home some time between 1941 and 1968. Both additions do not embody the distinctive characteristic of a type, period or method of construction or represent the work of a master. Evidence of the addition on the north side of the home can be seen in the historical assessment provided by the applicant. (Exhibit A).

Criteria 3: The architectural or historical value or significance of the building, structure or site contributes to the historic value of the property and surrounding area. DOES NOT COMPLY

The original rectangular home with the small shed roof is significant in terms of common architecture found throughout Park City during the mining boom town era. The modifications to the west side of the home and side addition on the north side of the home are not architecturally significant and do not contribute to the historic value of the property and the surrounding area. By removing the change to the roofline on the west side of the building and reintroducing the original shed roof, the home would become a more accurate representation of the original form.

Criteria 4: The building, structure or site is at least fifty years old, or has achieved significance within the past fifty years if the property is of exceptional importance to the community. DOES NOT COMPLY

The north side addition was built between 1941 and 1968. The exact date is unknown and therefore it is unknown if the addition is fifty years old. The current conditions on the west side of the home are dramatically different from the 1968 tax card conditions. The west side addition is less than fifty years old. The additions have not played a role of exceptional importance to the community in the past fifty years.

Criteria 5: The relation of historic or architectural features found on the building, structure or site to other such features within the surrounding area. DOES NOT COMPLY

The north side addition and the modifications to the west side of the original home do not have a relationship to the historic or architectural features found on the home and surrounding area.

Criteria 6: Any other factors, including aesthetic, which may be relevant to the historical or architectural aspects of the building, structure or site. NOT APPLICABLE

Recommendation

Conduct a public hearing, review the application and find the north side addition and the modification to the roof on the west side of the home located at 1102 Norfolk Avenue historically insignificant according to the findings of fact and conclusions of law below:

Findings of Fact

1. The home at 1102 Norfolk Avenue is located in the Historic Residential (HR-1) zone.
2. The historic home was built between 1889 and 1900.
3. The north side addition to the home occurred between 1941 and 1968.
4. The addition on the west side of the home occurred after 1968.
5. The north side addition consists of the thirteen foot extension to the north from the original rectangular home. No additional portion of the home is considered part of the north side addition.
6. The north side addition to the home is not representative of a structure that embodies the distinctive characteristics of a type, period, or method of construction; or that represent the work of a master.
7. The west side modifications to the home and roofline is not representative of a structure that embodies the distinctive characteristics of a type, period, or method of construction; or that represent the work of a master.
8. The original rectangular home was 18' wide and approximately 22' in depth, with a small shed roof enclosure on the west side facing Norfolk Ave.
9. According to the tax card of 1968, the historic shed roof enclosure on the west side of the home no longer existed in 1968.
10. Rectangular homes are a common house style within Park City and representative of the mining boom town era.
11. All findings from the Analysis section are incorporated herein.

Conclusions of Law

1. The north side, west side, and roof additions to the home located at 1102 Norfolk Avenue do not demonstrate a quality of significance in local, regional, state or national history, architecture, archeology, engineering or culture.
2. The north side, west side, and roof additions to the home located at 1102 Norfolk Avenue do not demonstrate a quality of integrity of location, design, setting, materials, and workmanship.
3. The north side, west side, and roof additions to the home located at 1102 Norfolk Avenue do not substantially comply with the standards of review found in LMC Section 15-11-12(A) and therefore is not historically significant pursuant to LMC Section 15-11-12.

Conditions of Approval

1. Applicant must provide a historic preservation plan and signed agreement with Park City Municipal Corporation prior to removal of any portion of the existing structure.
2. Prior to any request to panelize, applicant must demonstrate structural deficiencies that make panelization the only option.

EXHIBITS

A – Historical Assessment

B – Sanborn Insurance Map footprint of 1102 Norfolk

C – Tax Insurance Card from 1968

D – Current photographs of property and additions

C:\Cdd\Katie\Historic Dist. Design Reviews\2007\DOS\1102 Norfolk Avenue

Exhibit A



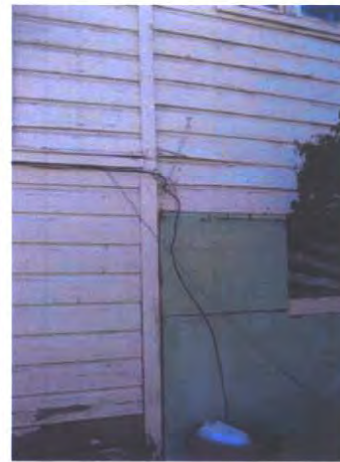
historical assessment of 1102 Norfolk Avenue
lots 31 & 32



A



B



C

looking from Norfolk Avenue, the addition on the left of the home is believed to be relatively new and non-historic. this new addition encroaches on the left lot. as seen in image B and image C the siding clearly does not match up. also in image C you can see the vertical strip of siding delineating the new vs. the old. the original chimney seen in image A and image B runs the height of the home and was constructed on the exterior of the original structure.



historical assessment of 1102 Norfolk Avenue
lots 31 & 32



D

image D above, is from inside the original roof. it shows the inside of the original structure's outer wall. you can see insulation.



E

image E shows the difference in the original roof [on right] vs. the roof of the new addition [on left].
image F shows new wood in the addition.



F

Exhibit B

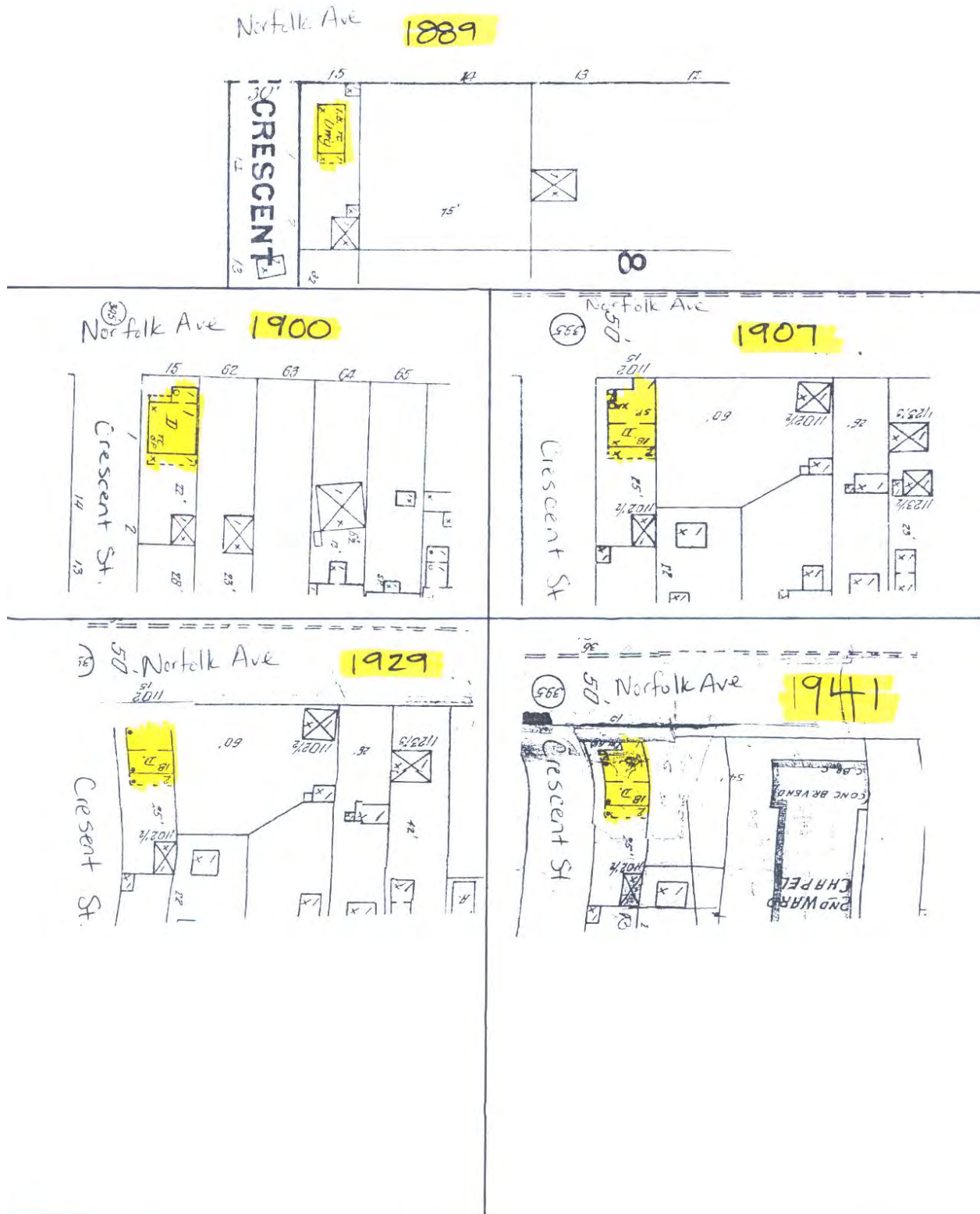


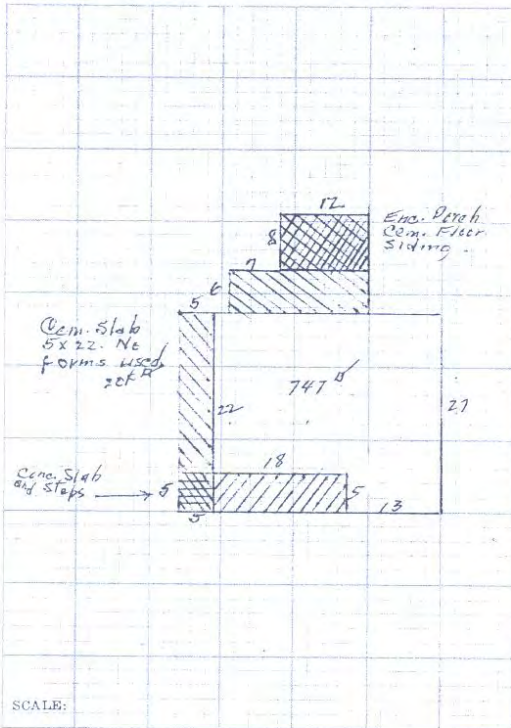
Exhibit C



SA83

Serial Number OF Card Number

Owner's Name William F. Maxhinney Jr.
 Location Park City, Utah
 Kind of Bldg Hos St. No. 1102 Norfolk Ave
 Class 3 Type 1 2 3 Cost \$ 3347 X 100 %



Stories	Dimensions	Sq. Ft.	Factor	Totals	Totals
1	x x	747		\$ 3347	\$
	x x				
	x x				

Att. Gar. C.P. x Fir. Walls Cl.

Description of Buildings Additions Additions

Foundation—Stone Conc. None Sills

Ext. Walls Siding

Roof Type Gab Mt. Comp.

Dormers—Small Med. Large

Bays—Small Med. Large

Porches—Front 5x18 96 @ 150 135

Rear 6x19 114 @ 150 171

Porch Eno. 8x12 96 @ 200 192

Patios Cem. Slab 2x5 10 @ 50 50

Ext. Base Entry @

Cellar/Bsmt. — 1/4 1/2 3/4 Full Floor Dirt 80

Bsmt. Gar.

Basement—Apt. Rms. Fin. Rms.

Attic Rooms Fin. Unfin.

Plumbing { Class 1 Tub 1 Trays 550
 Basin 1 Sink 1 Toilet 1
 Wtr. Sfr. Shr. St. O.T.
 Dishwasher Garbage Disp.

Heat—Stove H.A. FA HW Strk Elec.
 Oil Gas Coal Pipeless Radiant 328

Air Cond. Full Zone

Finish—Fir. Hd. Wd. Panel

Floor—Fir. Hd. Wd. Other

Cabinets 1 Mantels.

RESIDENTIAL OUT BUILDINGS	Age	Size	Area	Factor	Cost	Conv. Fac.	Adj. Cost
		x				.47	
		x				.47	
		x				.47	
		x				.47	
		x				.47	
		x				.47	

Tile Walls Wainscot etc Floors

Depr. None Sash—Wood D. S. Metal D. S. 30

Awnings—Metal Fiberglass

Cem. Slab—5x22 110 @ .20 22

Total Additions 1520

Year Built 1964 Avg. 1964 Replacement Cost 4867

Age 2. Obsolescence

Inf. by (Owner—Tenant—Neighbor—Record—Est.) Adj. Bld. Value

Conv. Factor x.47

Replacement Cost—1940 Base

Depreciation Column 1 2 3 4 5 6

1940 Base Cost, Less Depreciation

Total Value from reverse side

Garage—Class Depr. 2% 3%

Cars Floor Walls Roof Doors

Size x Age Cost x 47%

1940 Base Cost x % Depr.

Total

REMARKS

Total Building Value \$ 2

TC-74 REV. 61
 STATE OF UTAH - STATE TAX COMMISSION

Appraised @ 11/14 1968 By EJM
 Appraised @ 19 By 1328

9522 8/19/99

Exhibit D



WORK SESSION

Historic Preservation Board Staff Report



Subject: Annual Historic Preservation
Award Program
Author: Anya Grahn
Date: February 19, 2014
Type of Item: Administrative
Project Number: GI-14-00250

Summary Recommendations

Staff recommends the Historic Preservation Board choose an awardee for the annual Preservation Award.

Background

Over the course of the last year, the Historic Preservation Board (HPB) has indicated as part of their Visioning goals the intent to continue the Preservation Awards program. The awards program is to be based on a Project utilizing the *Design Guidelines for Historic Districts and Historic Sites* 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.

Properties are selected for this award based on the following categories:

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

In 2011, the Historic Preservation Board recognized the exemplary adaptive reuse of the High West Distillery and the City commissioned artist Sid Ostergaard to create an oil painting depicting the structure. The Washington School House Hotel received the 2012 Historic Preservation Award, and the City commissioned an oil painting by Jan Perkins. Both of these paintings are showcased outside of the Engineering Department in City Hall.

On December 4, 2013, staff requested that the HPB select an Awards Committee of three (3) members to nominate properties for the award, select the artist, and present the final art piece during Preservation Month in May. The subcommittee was formed of three members—Marian Crosby, Hope Melville,

and David White. This committee met on January 14, 2014, to discuss potential recipients of the art award. The Awards Committee has chosen two (2) potential projects for this award, which are outlined below.

929 Park Avenue

In 2011, the Park City Planning Department approved an application to rehabilitate this site. In order to ensure the longevity of the structure, the house was temporarily lifted in order to pour a new foundation. In removing the asbestos and asphalt siding, it was discovered that no historic siding existed, and historic photographs were used to reproduce the original wood siding. Due to its single wall construction, consisting of interior vertical wall planks and horizontal exterior siding, the structure had to be restructured with stud walls constructed on the interior of the building. The porch roof was stabilized and braced; however, the remainder was not historic and had to be rebuilt. Based on ghost lines and historic photographs, the original door and window openings were restored and new wood windows and doors replicating the lost historic elements were installed. Because so little historic material remained, many architectural elements had to be reproduced and were done so with special consideration to ensure the accuracy of the reconstruction. A two(2) story garage addition is almost entirely hidden behind the historic house, and the attention paid to the proportions of its architectural elements, architectural details, and materials enable it to be read as a contemporary addition to the historic structure. Photographs are attached as Exhibit A.

515 Main Street

The subcommittee requested that 515 Main Street be considered for this award, though it was completed under the previous set of Design Guidelines. The applicant chose to shore up the front façade with unseen braces in order to structurally preserve the one (1)-story commercial building. Replacement doors were fit to original door openings and original dimensions. The applicants also added a retractable awning, in addition to creating an outdoor dining area. Photographs are attached as Exhibit B.

Recommendation

Staff recommends the Historic Preservation Board choose an awardee for the annual Preservation Award.

Exhibits

Exhibit A- Photographs of 929 Park Avenue

Exhibit B-Photographs of 515 Main Street

Exhibit A—929 Park Avenue



1930s tax photograph



c.2008



2012-During Construction



2012-During Construction



2012-During Construction



2012-During Construction



2012-During Construction



2012-During Construction



Completed, summer 2013



Completed, summer 2013



January 2014



January 2014



January 2014

Exhibit B-515 Main Street



1940s tax photo



September 2008



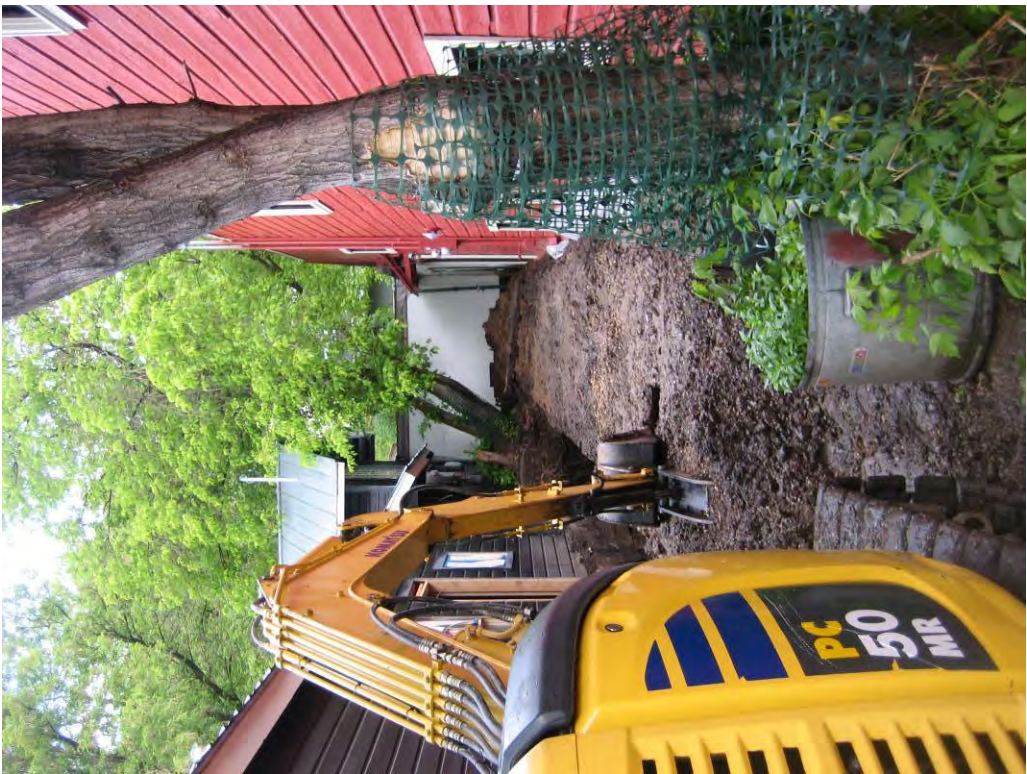
September 2008



September 2008



September 2008



During Construction, 2009



During Construction, 2009



February 2013



February 2013



February 2013



February 2013



Historic Preservation Board Staff Report

Subject: Rehabilitation of Historic Properties
Author: Anya Grahn, Historic Preservation Planner
Department: Planning Department
Date: February 19, 2014
Type of Item: Work Session

Topic/Description:

The Historic Preservation Board has expressed an interest in discussing different rehabilitation methods for our historic resources. Typically, Park City has seen three (3) types of restoration/rehabilitation projects in order to construct a foundation or basement addition:

1. Temporarily lifting or relocating a historic structure “in whole” in order to pour a new foundation or basement;
2. Panelization; and
3. Total reconstruction

Background:

The Historic Preservation Board (HPB) has expressed a growing concern regarding the treatment of historic structures. Staff has analyzed the number of houses lifted, panelization projects, and total reconstructions since the adoption of the 2009 Design Guidelines. Staff has also reached out to the National Park Service, Utah State History, and other preservation professionals to help frame this conversation and provide insight on the effects of these different preservation methods.

Park City is very unique. Homeownership was not common prior to the Great Depression. Because the federal government did not regulate mortgage lending, purchasing property was difficult and costly. Lenders typically required the buyer to make a fifty-percent (50%) down payment followed by a short-term (less than 5 years) balloon payment mortgage. Because of the high cost of property ownership, those that did own property took great pride in the structures that they made so that a house, barn, or commercial building not only sustained their family but also generations to come.

The use of traditional building materials also ensured the longevity of historic houses. The strength of many historic buildings comes from the use of old growth hardwood and oversized timbers used in its structural system. Kiln-fired clay bricks set in lime mortar allowed the structure to settle, with minimal stress and tension to the bricks. Furthermore, the simple engineering of stacked stone retaining wall, when properly built, ensured its duration.

In Park City, miners and businessmen built rudimentary houses and structures that were meant to provide temporary shelter during the mining rush. These structures were comprised of single-wall construction—vertical interior boards covered by horizontal exterior siding. Though very makeshift, this type of construction was very common in rapidly expanding and temporary communities, such as Park City, that sprung up in response to industries such as mining, sawmills, railroads, and oilfields. Moreover, this type of construction is prevalent in California, Texas, Tennessee, the Carolinas, and even Hawaii. These structures are sometimes referred to as “box houses.”

Single wall construction is a vernacular construction technique that likely evolved from plank construction, used traditionally on the East Coast and in the Midwest. Typically, box houses were built with no foundation, though sometimes a rudimentary root cellar or crawlspace encased by wood or stacked stone was constructed. The sill plate of the structure was laid on the ground or the foundation. Vertical interior planks and horizontal exterior siding were attached to create the walls. Because walls were typically constructed in whole panels on the ground and then stood up to form rooms, there were no corner posts or vertical structural members. Door and window openings were cut out after the walls were constructed. Two by four (2”x4”) rafters, connected by ceiling joists, were covered by roof sheathing to build the roof. Wood shingles were then applied atop the sheathing.

Due to this simple construction method, there was no room for insulation. Newspapers, cloths, and rags were frequently stuffed between cracks to weatherize the structure. Wood burners were a primary source of heat, and chimneys and stove pipes were a common feature on houses.

As residents settled in Park City and families came to live in the mining shacks, additions had to be constructed to accommodate growing demands. Hall-and-parlor forms were transformed to gabled “L” and cross-wing plans with side additions. These additions were not built by skilled craftsman, but usually the homeowner. Haphazard shed additions were added atop previous alternations. Due to this rudimentary construction technique, roofs were often not constructed to uphold new loads or to prevent water from collecting on roof surfaces and joints.

Common Structural Defects

Because of the limited structural system of these buildings, a number of defects are common as they age¹:

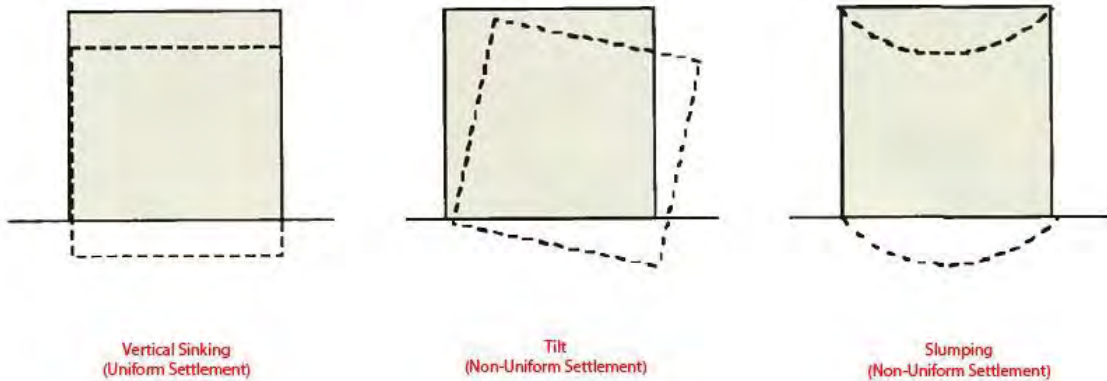
1. *Settlement Related Problems*

Because these structures typically have a limited or no foundation, they are prone to a number of common settlement patterns. Vertical sinking occurs as a structure uniformly sinks into the ground. When the structure sinks in a diagonal

¹ Bodie, California is a mining town comprised almost entirely of single-wall structured buildings. The defects outlined here are those described in: Morrison, Andrea Sue. *Structural Failures of Single Wall Construction in a Western Mining Town: Bodie, California*. Thesis, University of Pennsylvania. Philadelphia: 1999.

direction, it is said to have tilted. Finally, the uneven settlement of the structure is referred to as slumping. Slumping creates additional stress on the joints as angular distortion occurs from portions of the building settling at different rates. In all three (3) scenarios, the settling of the structure puts additional stress and tension on already fragile connections between wall panels, roofs, and floor members.

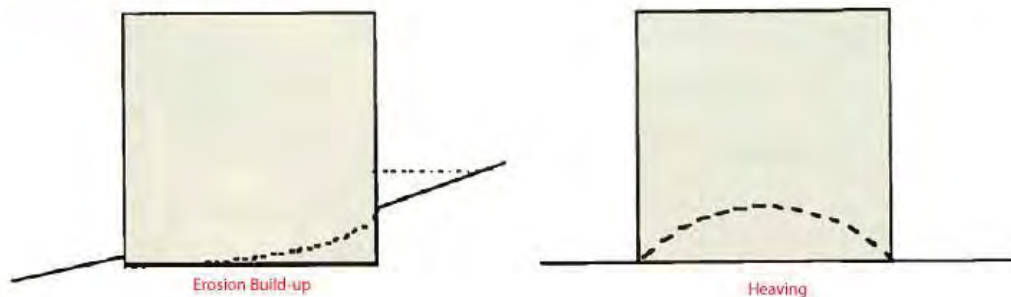
Settlement Issues



2. Soil Movements

Soil movements can also affect historic structures. This occurs when soil erodes and builds up against the sides of the structure. At times, this may cause floor boards to heave as they lift, bulge, or even break. More often, the buildup of soil against wood surfaces leads to wood rot, deterioration, and eventually material failures.

Soil Movement Issues

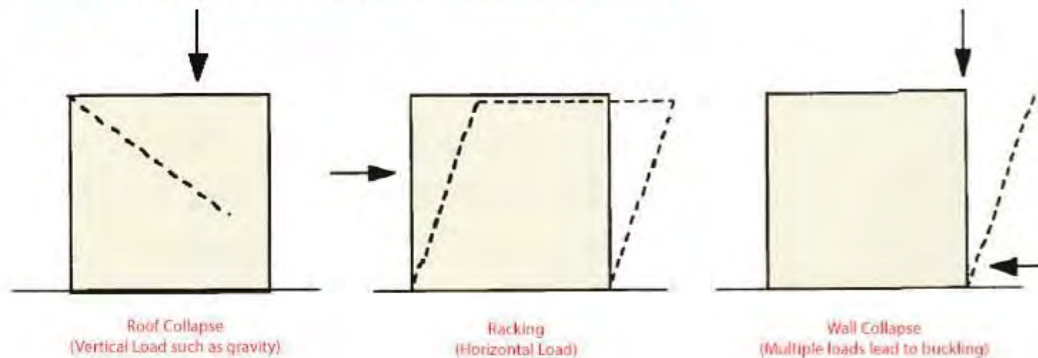


3. Structural Failures due to Stress

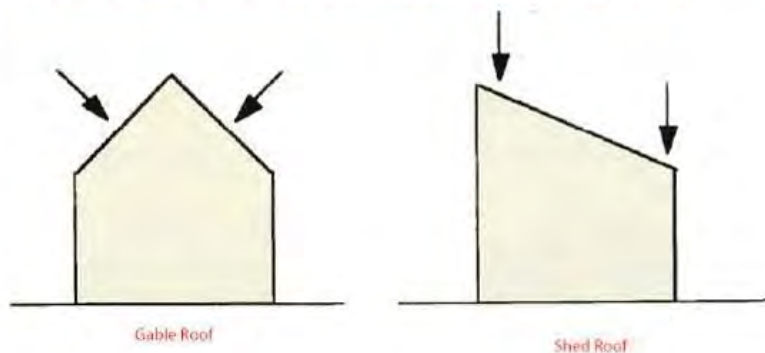
Both vertical and lateral loads can cause structural failures. Vertical loads typically lead to failures of the roof either due to materials not withstanding pressures or from members disconnecting and causing the structural system to

fail. Lateral forces, such as wind, create pressures on the sides of the structure. These forces cause additional tension and stress on the building, often causing deformations such as roof collapses and wall buckling.

Structural Failures due to Lateral Loads



Structural Failures due to Vertical Loads



4. Material Failure

When not properly maintained, materials fail. In the previous three (3) scenarios, materials failed due to stress and tension that caused wood members to fracture or structural components to disconnect. Often, however, materials succumb to natural elements. Moisture causes wood rot that weakens the material and, at times, attracts insect infiltration. Water will also erode the mortar joints of brick and stone construction. Portland Cement was commonly used to repair deteriorated mortar joints. This further damages the kiln-fired clay bricks as the cement restricts the settling and movement allowed by lime mortar.

The fragility of single-wall construction limits the treatment methods available for preserving these rudimentary structures. Because of the limited structural system and

overall delicateness of the building, the defects outlined above often cause substantial damage to the historic building materials and components that cannot be easily repaired or corrected. Any settlement or damage accelerates the decline and deterioration of the structures as well.

Analysis:

How do we determine our approach to preservation?

Secretary of the Interior's Standards

The Secretary of the Interior's Standards provide the following definitions for the treatment of historic structures:

Preservation is defined as the act or process of applying measures necessary to sustain the existing form, integrity, and materials of a historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not within scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.

Restoration is defined as the act or process of accurately depicting the form, features and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project.

Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

Reconstruction is defined as the act or process of depicting, by means of new construction, the form, features and detailing of a non-surviving site, landscape, building, structure or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

By understanding these four (4) treatments, we can then determine our approach to the project. Due to the number of alterations that already exist and the physical condition of the structure, projects in Park City's Historic District tend to be rehabilitations. When significant changes have occurred or the damage to the historic building is too great to repair, reconstruction is utilized. Though a form of reconstruction, panelization preserves a greater amount of historic material than a true reconstruction which seeks to replicate all historic features with new materials.

Land Management Code (LMC)

The Land Management Code (LMC) also outlines the criteria that must be met in order for the structure to be reconstructed in LMC 15-11-15:

(A) CRITERIA FOR DISASSEMBLY AND REASSEMBLY OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) ON A LANDMARK SITE OR SIGNIFICANT SITE. *In approving a Historic District or Historic Site design review Application involving disassembly and reassembly of the Historic Building(s) and/or Structure(s) on a Landmark Site or Significant Site, the Planning Department shall find the project complies with the following criteria:*

- (1) A licensed structural engineer has certified that the Historic Building(s) and/or structure(s) cannot reasonably be moved intact; or*
- (2) The proposed disassembly and reassembly will abate demolition of the Historic building(s) and/or Structure(s) on the Site; or*
- (3) The Historic Building(s) and/or Structure(s) are found by the Chief Building Official to be hazardous or dangerous, pursuant to Section 116.1 of the International Building Code; or*
- (4) The Planning Director and the Chief Building Official determine that unique conditions and the quality of the Historic preservation plan warrant the proposed disassembly and reassembly;*

Under all of the above criteria, the Historic Structure(s) and or Building(s) must be reassembled using the original materials that are found to be safe and/or serviceable condition in combination with new materials; and the quality of the Historic preservation plan warrant the proposed disassembly and reassembly.

Under all of the above criteria, the Historic Structure(s) and or Building(s) must be reassembled using the original materials that are found to be safe and/or serviceable condition in combination with new materials; and

The Building(s) and/or Structure(s) will be reassembled in their original form, location, placement, and orientation.

(B) PROCEDURE FOR THE DISASSEMBLY AND REASSEMBLY OF A LANDMARK SITE OR A SIGNIFICANT SITE. *All Applications for the disassembly and reassembly of any Historic Building(s) and/or Structure(s) on a Landmark Site of a Significant Site within the City shall be reviewed by the Planning Department pursuant to Section 15-11-12 of this Code.*

If an Application involving the disassembly and reassembly of Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site also includes relocation and/or reorientation of the reassembled Historic Building(s) and/or Structure(s) on the original Site or another Site, the Application must also comply with Section 15-11-13 of this Code.

Panelization is not the preferred method of preservation, but at times must be utilized due the overall condition of the structure. When this occurs, the Chief Building Official and Planning Director visit the site and tour the structure several times in order to determine the condition of the structure, the historic material that will be impacted, and the best methods for panelizing the building.

The Planning Director and Chief Building Official's decision to approve panelization is not taken lightly. Typically, site visits are made by the Planning Director, Chief Building Official (CBO), Historic Preservation Planner, staff, and others (such as the preservation consultant, architect, structural engineer, etc.) to determine if panelization is the correct course of action. If applicable, this team assesses the condition of the structural members, identifies materials that can be salvaged and reused, and determines the process of deconstructing and storing the panels. The team also reviews a letter from a certified structural engineer that recommends the use of panelization due to the fragility of the structure. Should historic materials on the structure not be salvageable or no longer exist and the structure has severely deteriorated, reconstruction may be considered.

Reconstruction is the last and least preferred method of preservation. In such instances, the CBO and Planning Director must make this determination with help from other planners, the historic preservation consultant, architects, and even engineers. Reconstruction rarely occurs, but when it does and is approved it is because no salvageable material exists due to deterioration or because historic materials were lost during previous alterations.

When panelization and reconstruction occur, the CBO, Planning Director, and staff spend considerable time reviewing the application to ensure the chosen approach is the most feasible. Moreover, thorough documentation of the structure is required, including measured drawings, photographs, and a letter from certified structural engineer. When salvageable materials are identified, staff requires the historic material to be safely stored and reapplied to the new structure upon completion.

Design Guidelines

The Design Guidelines also address lifting, panelizing, and reconstructing historic buildings.

B.3. Foundations requires the following:

B.3.1 A new foundation should not raise or lower the historic structure generally more than two (2) feet from its original floor elevation.

B.3.2 The original placement, orientation, and grade of the historic building should be retained.

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.

This limits the height in which the structure can be raised in order to accommodate a new foundation or basement. By limiting this amount, the Design Guidelines ensure that the context of the site is preserved and the look and feel of the structure's placement is not compromised. Clearly, raising a house that was once low on a hill to the top of the hill changes its site context.



Change in Site Context

The Design Guidelines also set specific criteria for disassembly/reassembly (panelization) in F. Disassembly/Reassembly of All or Part of a Historic Structure:

F.1. General Principles

*F.1.1 Disassembly of a historic building should be considered only after it has been determined by the Design Review Team that the application meets one of the criteria listed in the sidebar.**

F.1.2 Though disassembly/reassembly is not a common practice in the preservation field, if it must be undertaken, it should be done using recognized preservation methods.

**The sidebar indicates that panelization should only be considered:*

- If a licensed structural engineer certifies that the building cannot reasonably be moved intact; or*
- If disassembly/reassembly is the best alternative to demolition; or*
- If the building is determined by the Chief Building Official to be a hazardous or dangerous building, pursuant to Section 115.1 of the International Building Code; or*
- If the Planning Director and the Chief Building Official determine that unique conditions and overall quality of the historic preservation effort warrant the disassembly/ reassembly of part or all of the building; AND*
- If it is to be accurately reassembled in its original form, location, placement and orientation.*

F.2. Documentation Requirements prior to the commencement of disassembly

F.2.1 Measured drawings of the structure or element to be disassembled/reassembled should be completed.

F.2.2 A thorough photographic survey of the element or interior and exterior elevations of the structure should be made, including site and location views from all compass points, exterior elevations, interior elevations of interior elevations of each room, and elevations of each basement and attic wall. Standards for photographic documentation are provided in the Design Review Process section of these guidelines.

F.2.3 Written plans detailing the disassembly and reassembly steps and procedures should be completed and approved by the Planning and Building Departments.

F.3. Disassembly

F.3.1 In order to minimize loss of historic fabric, structures should be disassembled in the largest workable pieces possible.

F.3.2 To ensure accurate reassembly, all parts of the building or element should be marked as they are systematically separated from the structure. Contrasting colors of paint or carpenter wax crayons should be used to establish a marking code for each component. The markings should be removable or should be made on surfaces that will be hidden from view when the structure is reassembled.

F.3.3 Important architectural features should be removed, marked, and stored before the structure or element is disassembled.

F.3.4 The process of disassembly should be recorded through photographic means; still photograph or video.

F.3.5 As each component is disassembled, its physical condition should be noted particularly if it differs from the condition stated in the pre-disassembly documentation. If a part is too deteriorated to move, it should be carefully documented—photograph, dimensions, finish, texture, color, etc.---to facilitate accurate reproduction.

F.4. Protecting the Disassembled Components

F.4.1 The wall panels and roof surfaces should be protected with rigid materials, such as sheets of plywood, if there is any risk of damage to these elements during the disassembly-storage-reassembly process.

F.4.2 The disassembled components—trim, windows, doors, wall panels, roof elements, etc.--should be securely stored in a storage trailer on-site or in a garage/warehouse/trailer off-site until needed for reassembly.

F.5. Reassembly

F.5.1 When reassembling the structure, its original orientation and siting should be approximated as closely as possible.

F.5.2 New foundations and any additions should follow the guidelines established in earlier sections of these Design Guidelines—Additions and Relocation and/or Reorientation of Intact Building.

What are the impacts of these different preservation methods on our Historic District?

Local Designation

Per 15-11-10(A), the panelization or reconstruction of a landmark structure would demote the structure to significant status as it no longer retains its historic integrity in terms of materials and workmanship as defined by the National Park Service for the National Register of Historic Places.

A Significant Site, however, must retain its essential historic form, meaning that there are no major alterations that have destroyed this form such as changes in the roof pitch outside of the historic period, structural failure, or a result of inadequate maintenance; addition of upper stories or removal of original upper stories outside of the historic period, or additions that significantly obscure the form from the public right-of-way. Staff finds that reconstruction, including panelization, allows the structure to retain its historic form.

National Register Designation

Temporarily lifting a structure in order to add a new foundation or basement generally does not impact the structure's National Register eligibility. The Design Guidelines permit the structure to be raised as much as two feet (2'). So long as the site is regarded and the new foundation is not overly visible, a locally designated landmark structure will remain on or be eligible for the National Register. In discussing this with the SHPO, the structure would lose its eligibility if its physical context is lost. This may occur with the addition of a lower level garage; however, these instances are also reviewed on a case-by-case basis by the state to determine National Register eligibility.

The National Park Service (NPS) defines reconstruction as the reproduction of the exact form and detail of a vanished building, structure, object, or a part thereof, as it appeared at a specific period of time.

Criterion E (Exhibit A) is used to evaluate the National Register eligibility of reconstructed or panelized structures. The NPS identifies two (2) types of reconstructed buildings:

1. Buildings constructed wholly of new materials
2. Buildings reassembled from some historic and some new materials

Both categories of properties present problems in meeting the integrity requirements of the National Register criteria. A property that is remodeled or renovated and still has the majority of its original fabric would not classify as a reconstruction. The reconstruction must accurately reproduce the historic form as it appeared at a specific period of time. It must also be based upon sound archeological, architectural, and historical data.

Panelization is a form of reconstruction, and it is classified as category #2 because the panelized house is reassembled from some historic and some new material.

The reconstructed property would be eligible for the National Register if:

- Accurately executed in a suitable environment
- Presented in a dignified manner as part of a restoration mater plan
- No other building or structure with the same associations have survived

Properties that must meet Criterion E include:

- Properties in which most or all of the fabric is not original
- District in which an important resource or a significant number of resources are reconstructions

As explained by Criterion E using the example of a plantation manager's office, there are three (3) cases in which a reconstructed building would be eligible:

1. IF the reconstruction is one element in the overall plan for restoring the plantation and no other structure with the same associations has survived
2. IF the majority of the plantation's buildings and structures are extant and being restored
3. The reconstruction may be eligible if it has gained significance in its own right after 50 years for what it reveals about the period in which it was built, not the period of history it intends to depict

In discussing these three (3) treatment methods with Utah State History (SHPO), staff discovered that new foundations and panelization can both be detrimental to the structure's individual eligibility to the National Register. Exposed foundations that are not concealed by regarding the site detract from the structure's historic integrity. Panelization, as outlined above, rarely qualifies for the National Register, unless the structure and its original floor plan are accurately reconstructed. High West, for instance, was a very successful tax credit project that remained on the National Register following panelization.

A larger threat to historic preservation and the National Register, which may be worth noting, is the removal of interior walls to create open floor plans. This alters the typology of the structure, rather than the physical form so that a historic hall-and-parlor becomes a one-room structure. Locally, however, we do not regulate interiors. We only preserve the exterior in order to preserve the look and feel of Old Town. The change in floor plan, however, may be detrimental to the structure's National Register eligibility.

How many of these projects have occurred?

As previously outlined, the City has traditionally taken three (3) approaches to adding foundations and basement addition beneath historic structures: (1) lifting the structure to pour a foundation or basement; (2) panelizing the historic house; or (3) reconstructing the house. Since the adoption of the 2009 Design Guidelines, the following projects have followed one (1) of these three (3) methods:

1. Structurally bracing the structure from the interior, temporarily lifting, and pouring a new foundation

Property	Approval	Historic Designation
811 Norfolk Avenue	2010	Landmark
929 Park Avenue	2011	Significant
1059 Park Avenue	2011	Significant
101 Prospect (Garage)	2012	Landmark
1063 Norfolk Avenue	2013	Significant
264 Ontario Avenue	2013	Landmark

The construction of a basement or foundation generally does not have an adverse effect on National Register eligibility. As previously discussed, raising the structure a maximum of two feet (2') and re-grading the site to hide the foundation does not diminish the site's historic context. Exposing the foundation, however, would change the site's context and likely have an adverse effect on its National Register eligibility.

2. There have also been a number of cases in which panelization was deemed the best alternative for the structure:

Property	Approval	Historic Designation
505 Woodside	2012	Significant
335 Woodside (originally approved to lift in whole)	2012	Landmark
562 Main Street	2013	Landmark

Locally, a panelized landmark structure may retain its landmark designation should it continue to meet the criteria outlined by LMC 15-11-10(A)(1), specifically if it retains its historic integrity in terms of location, design, setting, materials, workmanship, feeling, and association as defined by the NPS. Basically, the panelized structure must still qualify for the National Register, and, to do so, it must meet Criterion E.

A structure deemed significant may remain significant if it continues to meet the criteria outlined in LMC 15-11-10(A)(2). Generally, significant sites are not removed from the Historic Sites Inventory (HSI) due to panelization.

3. In very few cases in which the historic house has been so altered and the limited number of historic materials are so severely deteriorated, reconstruction has been the only method of preservation that can be applied.

Property	Approval	Historic Designation
919 Woodside	2011	Significant
257 McHenry	2013	Significant

Locally, a reconstructed Significant building may remain on the City’s HSI if it continues to meet the criteria outlined in LMC 15-11-10(A)(2). Unless the reconstruction is accurately executed, as described in Criterion E, the structure is no longer eligible for the National Register.

Building Department Issues

The Planning Department seeks to preserve the historic character and integrity of these structures; however, it is the duty of the Building Department to ensure that these structures are safe. The CBO must find that the structure is hazardous or dangerous, pursuant to Section 116.1 of the International Building Code in order for the project to qualify for panelization or reconstruction.

A number of common defects exist that the Building Department considers when reviewing whether or not panelization should occur:

- *Wood rot.* Because many of these structures have sat on the ground for almost a century, it is common for the sill plate to suffer from severe rot. Wood rot and severe deterioration prevents new interior walls to be attached to the panels due to moisture. Depending on the extent of deteriorated elements, it also makes structural stabilization difficult because the members are in such poor condition and cannot hold the connection.
- *Structural Deficiencies.* Clearly no single-wall construction meets current International Building Code; however, the Building Department inspects joints and connections to ensure that they will continue to uphold stress and tension. As insulation is added in attics, the energy efficiency of the structure is improved and heat loss no longer melts snow loads. Inspectors analyze the roof structure to determine if it will uphold new loads once the structure is renovated. They also inspect the structure to determine if the structure will withstand temporary structural bracing to move in-whole or if panelization is a safer method due to the deteriorated condition of the panels.
- *Proposed use of the structure.* The Building Department also considers the future use of the building to ensure it will uphold any demands created by the

new use. For instance, if the roof can withstand the weight of new restaurant exhaust equipment. Ultimately, the inspector must find that the structure can be habitable following the renovation and that all safety and hazardous conditions have been resolved.

Topics for discussion:

1. What are the realities of preserving historic structures? What are we really saving?
2. Is panelization a threat to the historic district?
3. What can we do to limit panelization as a preservation choice?

The purpose of this work session is to frame the Historic Preservation Board discussion on different treatment methods.

Department Review:

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

Exhibits:

Exhibit A—Criteria E

Exhibit B—LMC 15-11 Historic Preservation

CRITERIA CONSIDERATION E: RECONSTRUCTED PROPERTIES

A reconstructed property is eligible when it is accurately executed in a suitable environment *and* presented in a dignified manner as part of a restoration master plan *and* when no other building or structure with the same associations has survived. All three of these requirements must be met.

UNDERSTANDING CRITERIA CONSIDERATION E: RECONSTRUCTED PROPERTIES

“Reconstruction” is defined as the reproduction of the exact form and detail of a vanished building, structure, object, or a part thereof, as it appeared at a specific period of time. Reconstructed buildings fall into two categories: buildings wholly constructed of new materials and buildings reassembled from some historic and some new materials. Both categories of properties present problems in meeting the integrity requirements of the National Register criteria.

Examples of Properties that MUST Meet Criteria Consideration E: Reconstructed Properties

- A property in which most or all of the fabric is not original.
- A district in which an important resource or a significant number of resources are reconstructions.

Examples of Properties that DO NOT Need to Meet Criteria Consideration E: Reconstructed Properties

- A property that is remodeled or renovated and still has the majority of its original fabric.

APPLYING CRITERIA CONSIDERATION E: RECONSTRUCTED PROPERTIES

ACCURACY OF THE RECONSTRUCTION

The phrase “accurately executed” means that the reconstruction must be based upon sound archeological, architectural, and historic data concerning the historic construction and appearance of the resource. That documentation should include both analysis of any above or below ground material and research in written and other records.

SUITABLE ENVIRONMENT

The phrase “suitable environment” refers to: 1) the physical context provided by the historic district and 2) any interpretive scheme, if the historic district is used for interpretive purposes. This means that the reconstructed property must be located at the same site as the original. It must also be situated in its original grouping of buildings, structures, and objects (as many as are extant), and that grouping must retain integrity. In addition, the reconstruction must not be misrepresented as an authentic historic property.

Eligible

- A reconstructed plantation manager’s office building is considered eligible because it is located at its historic site, grouped with the remaining historic plantation buildings and structures, and the plantation as a whole retains integrity. Interpretation of the plantation district includes an explanation that the manager’s office is not the original building, but a reconstruction.

Not Eligible

- The same reconstructed plantation manager’s office building would not qualify if it were rebuilt at a location different from that of the original building, or if the district as a whole no longer reflected the period for which it is significant, or if a misleading interpretive scheme were used for the district or for the reconstruction itself.

RESTORATION MASTER PLANS

Being presented "as part of a restoration master plan" means that: 1) a reconstructed property is an essential component in a historic district and 2) the reconstruction is part of an overall restoration plan for an entire district. "Restoration" is defined as accurately recovering the form and details of a property and its setting as it appeared at a particular period by removing later work or by replacing missing earlier work (as opposed to completely rebuilding the property). The master plan for the entire property must emphasize restoration, not reconstruction. In other words, the master plan for the entire resource would not be acceptable under this consideration if it called for reconstruction of a majority of the resource.

LAST SURVIVING PROPERTY OF A TYPE

This consideration also stipulates that a reconstruction can qualify if, in addition to the other requirements, no other building, object, or structure with the same association has survived. A reconstruction that is part of a restoration master plan is appropriate only if: 1) the property is the only one in the district with which a particular important activity or event has been historically associated or 2) no other property with the same associative values has survived.

RECONSTRUCTIONS OLDER THAN FIFTY YEARS

After the passage of fifty years, a reconstruction may attain its own significance for what it reveals about the period in which it was built, rather than the historic period it was intended to depict. On that basis, a reconstruction can possibly qualify under any of the Criteria.

Eligible

- A reconstructed plantation manager's office is eligible if the office were an important component of the plantation *and* if the reconstruction is one element in an overall plan for restoring the plantation *and* if no other building or structure with the same associations has survived.
- The reconstruction of the plantation manager's office building can be eligible only if the majority of buildings, structures, and objects that comprised the plantation are extant and are being restored. For guidance regarding restoration see the *Secretary of the Interior's Standards for Historic Preservation Projects*.

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TITLE 15 - LAND MANAGEMENT CODE (LMC)
CHAPTER 11 - HISTORIC PRESERVATION

*Chapter adopted by Ord. No. 02-07;
Chapter Amended in Entirety by Ord. No.
03-34*

**CHAPTER 11 – HISTORIC
PRESERVATION**

**15-11-1. ESTABLISHMENT OF
BOARD.**

Pursuant to the Historic District Act, Section 11-18-1, et seq. of the Utah Code, 1953, and other applicable power, there is hereby created a Park City Historic Preservation Board (HPB). The HPB shall be composed of seven (7) members.

(Amended by Ord. No. 06-69)

**15-11-2. TERMS AND
QUALIFICATIONS OF MEMBERS.**

Members of the HPB shall serve terms of three (3) years. The terms shall be staggered. Terms may expire on May 1, however, members of the HPB shall continue to serve until their successors are appointed and qualified.

(A) The Mayor shall appoint a new HPB member to fill vacancies that might arise and

such appointments shall be to the end of the vacating member's term.

(B) It is the first priority of the City Council that the HPB have technical representation in Historic preservation, therefore, when vacancies occur and if appropriate, it shall be the first consideration of the City Council to ensure that there is a licensed architect, or other professional having substantial experience in rehabilitation-type construction, serving on the HPB, and secondly that there is representation from the Park City Historical Society. After being notified by the City of a vacancy, at least two (2) nominations shall be rendered to the City Council by the Park City Historical Society if it desires to participate in the Application process.

(C) In addition, the HPB should include members with the following qualifications, or representing the following interests:

(1) A member recommended by or associated with the Utah State Historical Society or Utah Heritage Foundation.

(2) A member living in the Historic District with demonstrated

interest and knowledge of Historic preservation.

(3) A member appointed at large from Park City with demonstrated interest and knowledge of Historic preservation.

(4) A member associated with Main Street Business and commercial interests.

15-11-3. ORGANIZATION.

(A) **CHAIR.** The HPB shall elect one of its members to serve as Chair for a term of one (1) year at its first meeting following the expiration of terms and appointment of new members. The Chair may be elected to serve for one (1) consecutive additional term, but not for more than two (2) successive terms. If the Chair is absent from any meeting where a quorum would otherwise exist, the members may appoint a Chair Pro Tem to act as Chair solely for that meeting.

(B) **QUORUM.** No Business shall be conducted without a quorum at the meeting. A quorum shall exist when the meeting is attended by four (4) of the appointed members, including the Chair or Chair Pro Tem.

(C) **VOTING.** All actions of the HPB shall be represented by a vote of the membership. A simple majority of the members present at the meeting in which action is taken shall approve any action taken. The Chair may vote at the meetings.

(Amended by Ord. Nos. 07-34; 09-10; 11-05)

15-11-4. ABSENCE DEEMED RESIGNATION OR GROUNDS FOR REMOVAL.

Any HPB member who is absent from two (2) consecutive regularly scheduled Board meetings, or a total of four (4) regularly scheduled meetings per calendar year may be called before the City Council and asked to resign or removed for cause by the Council. Members of the HPB are not required to reside within the City limits, however, the majority of the members shall reside in Park City.

15-11-5. PURPOSES.

The purposes of the HPB are:

(A) To preserve the City's unique Historic character and to encourage compatible design and construction through the creation, and periodic update of comprehensive Design Guidelines for Park City's Historic Districts and Historic Sites;

(B) To identify as early as possible and resolve conflicts between the preservation of cultural resources and alternative land Uses;

(C) To provide input to staff, the Planning Commission and City Council towards safeguarding the heritage of the City in protecting Historic Sites, Buildings, and/or Structures;

(D) To recommend to the Planning Commission and City Council ordinances that may encourage Historic preservation;

(E) To communicate the benefits of Historic preservation for the education, prosperity, and general welfare of residents, visitors and tourists;

(F) To recommend to the City Council Development of incentive programs, either public or private, to encourage the preservation of the City's Historic resources;

(G) To administer all City-sponsored preservation incentive programs;

(H) To review all appeals on action taken by the Planning Department regarding compliance with the Design Guidelines for Park City's Historic Districts and Historic Sites; and

(I) To review and take action on all designation of Sites to the Historic Sites Inventory Applications submitted to the City.

(Amended by Ord. No. 09-23)

15-11-6. ADDITIONAL DUTIES.

In addition to the powers set forth in Section 15-11-5, the HPB may, at the direction of the City Council:

(A) Participate in the design review of any City-owned projects located within the designated Historic District.

(B) Recommend to the City Council the purchase of interests in Property for purposes of preserving the City's cultural resources.

(C) Recommend to the Planning Commission and the City Council zoning boundary changes for the district to preserve the historical integrity of the Area. Subdivision, Conditional Uses and planned unit Development Applications must continue to be acted upon by the Planning Commission.

(D) Provide advice and guidance on request of the Property Owner or occupant on the construction, restoration, alteration, decoration, landscaping, or maintenance of any cultural resource, Historic Site, and Property within the Historic District, or neighboring Property within a two (2) block radius of the Historic District.

(Amended by Ord. No. 09-23)

15-11-7. LIMITATIONS.

The HPB has no authority to waive or increase any requirement of any ordinance of the City.

15-11-8. STAFF ASSISTANCE.

The City may, subject to the approval of the City Manager, provide staff and/or the HPB with such assistance from:

(A) Utah Heritage Foundation.

(B) National Trust for Historic Preservation.

- (C) Utah State Division of History.
- (D) Park City Historical Society.
- (E) American Institute of Architects (AIA).
- (F) The National Alliance of Preservation Commissions.
- (G) American Planning Association (APA)

(Amended by Ord. Nos. 06-35; 09-23)

15-11-9. PRESERVATION POLICY.

It is deemed to be in the interest of the citizens of Park City, as well as the State of Utah, to encourage the preservation of Buildings, Structures, and Sites of Historic Significance in Park City. These Buildings, Structures and Sites are among the City's most important cultural, educational, and economic assets. In order that they are not lost through neglect, Demolition, expansion or change within the City, the preservation of Historic Sites, Buildings, and Structures is required. This section is intended to provide an incentive for identification and preservation of Historic Buildings, Structures or Sites that may occur within the Park City Historic District, as well as those that may be located outside the Historic District.

(A) **HISTORIC PRESERVATION PLAN.** The Planning Department is authorized to require that Developers prepare a Historic Preservation Plan as a

condition of approving an Application for a Building project that affects a Historic Structure, Site or Object. The Planning Director and the Chief Building Official, or their designees, must approve the Historic Preservation Plan.

(B) **GUARANTEE REQUIRED.** The Planning Department is also authorized to require that the Applicant provide the City with a financial Guarantee to ensure compliance with the conditions and terms of the Historic Preservation Plan.

(C) **TERMS OF GUARANTEE.** The Guarantee shall be similar in form to other Guarantees required by this title and shall consist of an Escrow deposit, a cash deposit with the City, a letter of credit or some combination of the above as approved by the City, including but not limited to a lien on the Property.

(D) **AMOUNT OF THE GUARANTEE.** The amount of the Guarantee shall be determined by the Chief Building Official, or his designee. The Building and Planning Departments shall develop standardized criteria to be used when determining the amount of the Historic preservation Guarantee. Such amount may include additional cost or other penalties for the destruction of Historic material(s).

(E) **EFFECT OF NON-COMPLIANCE.** If the Developer does not comply with the terms of the Historic Preservation Plan as determined by the Chief Building Official and the Planning Director, or their designees, the City shall have the right to keep the funds of the Guarantee,

including the ability to refuse to grant the Certificate of Occupancy and resulting in the requirement to enter into a new Historic Preservation Plan and Guarantee. The funds of the Guarantee shall be used, in the City's discretion, for Historic preservation projects within the City.

(F) **RELEASE OF GUARANTEE.**

The Guarantee shall not be released prior to the issuance of the final Certificate of Occupancy or at the discretion of the Chief Building Official and Planning Director, or their designees, based on construction progress in compliance with the Historic Preservation Plan.

(Amended by Ord. Nos. 09-09; 09-23)

15-11-10. PARK CITY HISTORIC SITES INVENTORY.

The Historic Preservation Board may designate Sites to the Historic Sites Inventory as a means of providing recognition to and encouraging the Preservation of Historic Sites in the community.

(A) **CRITERIA FOR DESIGNATING SITES TO THE PARK CITY HISTORIC SITES INVENTORY.**

(1) **LANDMARK SITE.** Any Buildings (main, attached, detached, or public), Accessory Buildings, and/or Structures may be designated to the Historic Sites Inventory as a Landmark Site if the Planning Department finds it meets all the criteria listed below:

(a) It is at least fifty (50) years old or has achieved Significance in the past fifty (50) years if the Site is of exceptional importance to the community; and

(b) It retains its Historic Integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places; and

(c) It is significant in local, regional or national history, architecture, engineering or culture associated with at least one (1) of the following:

(i) An era that has made a significant contribution to the broad patterns of our history;

(ii) The lives of Persons significant in the history of the community, state, region, or nation; or

(iii) The distinctive characteristics of type, period, or method of construction or the work of a notable

architect or master craftsman.

(2) **SIGNIFICANT SITE.** Any Buildings (main, attached, detached or public), Accessory Buildings and/or Structures may be designated to the Historic Sites Inventory as a Significant Site if the Planning Department finds it meets all the criteria listed below:

(a) It is at least fifty (50) years old or has achieved Significance in the past fifty (50) years if the Site is of exceptional importance to the community; and

(b) It retains its Essential Historical Form, meaning there are no major alterations that have destroyed the Essential Historical Form. Major alterations that destroy the Essential Historical Form include:

(i) Changes in pitch of the main roof of the primary façade if 1) the change was made after the Period of Historic Significance; 2) the change is not due to any structural failure; or 3) the change is not due to collapse as a result of inadequate maintenance on the

part of the Applicant or a previous Owner, or

(ii) Addition of upper stories or the removal of original upper stories occurred after the Period of Historic Significance, or

(iii) Moving it from its original location to a Dissimilar Location, or

(iv) Addition(s) that significantly obscures the Essential Historical Form when viewed from the primary public Right-of-Way.

(c) It is important in local or regional history, architecture, engineering, or culture associated with at least one (1) of the following:

(i) An era of Historic importance to the community, or

(ii) Lives of Persons who were of Historic importance to the community, or

(iii) Noteworthy methods of construction, materials, or craftsmanship used during the Historic period.

(3) Any Development involving the Reconstruction of a Landmark Site or a Significant Site that is executed pursuant to Section 15-11-15 of this code shall remain on the Park City Historic Sites Inventory and shall be listed as a Significant Site.

(B) PROCEDURE FOR DESIGNATING SITES TO THE PARK CITY HISTORIC SITES INVENTORY.

The Planning Department shall maintain an inventory of Historic Sites. It is hereby declared that all Buildings (main, attached, detached or public), Accessory Buildings, and/or Structures within Park City, which comply with the criteria found in Sections 15-11-10(A)(1) or 15-11-10(A)(2) are determined to be on the Park City Historic Sites Inventory.

Any Owner of a Building (main, attached, detached or public), Accessory Building, and/or Structure, may nominate it for listing in the Park City Historic Sites Inventory. The Planning Department may nominate a Building (main, attached, detached or public), Accessory Building, and/or Structure for listing in the Park City Historic Sites Inventory. The nomination and designation procedures are as follows:

(1) COMPLETE

APPLICATION. The Application shall be on forms as prescribed by the City and shall be filed with the Planning Department. Upon receiving a Complete Application for designation, the Planning staff shall schedule a hearing before the Historic Preservation Board within thirty (30) days.

(2) NOTICE. Prior to taking action on the Application, the Planning staff shall provide public notice pursuant to Section 15-1-21 of this Code.

(3) HEARING AND

DECISION. The Historic Preservation Board will hold a public hearing and will review the Application for compliance with the “Criteria for Designating Historic Sites to the Park City Historic Sites Inventory.” If the Historic Preservation Board finds that the Application complies with the criteria set forth in Section 15-11-10(A)(1) or Section 15-11-10(A)(2), the Building (main, attached, detached or public), Accessory Building, and/or Structure will be added to the Historic Sites Inventory. The HPB shall forward a copy of its written findings to the Owner and/or Applicant.

(4) APPEAL. The Applicant or any party participating in the hearing may appeal the Historic Preservation

Board decision to the Board of Adjustment pursuant to Section 15-10-7 of this Code. Appeal requests shall be submitted to the Planning Department within ten (10) days of Historic Preservation Board final action. Notice of pending appeals shall be made pursuant to Section 15-1-21 of this code. Appeals shall be considered only on the record made before the Historic Preservation Board.

(C) **REMOVAL OF A SITE FROM THE PARK CITY HISTORIC SITES INVENTORY.** The Historic Preservation Board may remove a Site from the Historic Sites Inventory. Any Owner of a Site listed on the Park City Historic Sites Inventory may submit an Application for the removal of his/her Site from the Park City Historic Sites Inventory. The Planning Department may submit an Application for the removal of a Site from the Park City Historic Sites Inventory. The criteria and procedures for removing a Site from the Park City Historic Sites Inventory are as follows:

(1) **CRITERIA FOR REMOVAL.**

- (a) The Site no longer meets the criteria set forth in Section 15-11-10(A)(1) or 15-11-10(A)(2) because the qualities that caused it to be originally designated have been lost or destroyed; or
- (b) The Building (main, attached, detached, or public)

Accessory Building, and/or Structure on the Site has been demolished and will not be reconstructed; or

(c) Additional information indicates that the Building, Accessory Building, and/or Structure on the Site do not comply with the criteria set forth in Section 15-11-10(A)(1) or 15-11-10(A)(2).

(2) **PROCEDURE FOR REMOVAL.**

(a) **Complete Application.** The Application shall be on forms as prescribed by the City and shall be filed with the Planning Department. Upon receiving a Complete Application for removal, the Planning staff shall schedule a hearing before the Historic Preservation Board within thirty (30) days.

(b) **Notice.** Prior to taking action on the Application, the Planning staff shall provide public notice pursuant to Section 15-1-21 of this Code.

(c) **Hearing and Decision.** The Historic Preservation Board will hear testimony from the Applicant

and public and will review the Application for compliance with the “Criteria for Designating Historic Sites to the Park City Historic Sites Inventory.” The HPB shall review the Application “de novo” giving no deference to the prior determination. The Applicant has the burden of proof in removing the Site from the inventory. If the HPB finds that the Application does not comply with the criteria set forth in Section 15-11-10(A)(1) or Section 15-11-10(A)(2), the Building (main, attached, detached, or public) Accessory Building, and/or Structure will be removed from the Historic Sites Inventory. The HPB shall forward a copy of its written findings to the Owner and/or Applicant.

(d) **Appeal.** The Applicant or any party participating in the hearing may appeal the Historic Preservation Board decision to the Board of Adjustment pursuant to Section 15-10-7 of this Code. Appeal requests shall be submitted to the Planning Department within ten (10) days of the Historic Preservation Board decision. Notice of pending appeals shall be made

pursuant to Section 15-1-21 of this Code. Appeals shall be considered only on the record made before the Historic Preservation Board and will be reviewed for correctness.

(Amended by Ord. Nos. 09-05; 09-23)

15-11-11. DESIGN GUIDELINES FOR PARK CITY’S HISTORIC DISTRICTS AND HISTORIC SITES.

The HPB shall promulgate and update as necessary Design Guidelines for Use in the Historic District zones and for Historic Sites. These guidelines shall, upon adoption by resolution of the City Council, be used by the Planning Department staff in reviewing Historic District/Site design review Applications. The Design Guidelines for Park City’s Historic Districts and Historic Sites shall address rehabilitation of existing Structures, additions to existing Structures, and the construction of new Structures. The Design Guidelines are incorporated into this Code by reference. From time to time, the HPB may recommend changes in the Design Guidelines for Park City’s Historic Districts and Historic Sites to Council, provided that no changes in the guidelines shall take effect until adopted by a resolution of the City Council.

(Amended by Ord. No. 09-23)

15-11-12. HISTORIC DISTRICT OR HISTORIC SITE DESIGN REVIEW.

The Planning Department shall review and approve, approve with conditions, or deny, all Historic District/Site design review Applications involving an Allowed Use, a Conditional Use, or any Use associated with a Building Permit, to build, locate, construct, remodel, alter, or modify any Building, accessory Building, or Structure, or Site located within the Park City Historic Districts or Historic Sites, including fences and driveways.

Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning Department shall review the proposed plans for compliance with the Design Guidelines for Historic Districts and Historic Sites, LMC Chapter 15-11, and LMC Chapter 15-5. Whenever a conflict exists between the LMC and the Design Guidelines, the more restrictive provision shall apply to the extent allowed by law.

(A) **PRE-APPLICATION CONFERENCE.**

(1) It is strongly recommended that the Owner and/or Owner's representative attend a pre-Application conference with representatives of the Planning and Building Departments for the purpose of determining the general scope of the proposed Development, identifying potential impacts of the Development that may require mitigation, providing information on City-sponsored incentives that may be available to the Applicant, and outlining the Application requirements.

(2) Each Application shall comply with all of the Design Guidelines for Historic Districts and Historic Sites unless the Planning Department determines that, because of the scope of the proposed Development, certain guidelines are not applicable. If the Planning Department determines certain guidelines do not apply to an Application, the Planning Department staff shall communicate, via electronic or written means, the information to the Applicant. It is the responsibility of the Applicant to understand the requirements of the Application.

(3) The Planning Director, or his designee, may upon review of a Pre-Application submittal, determine that due to the limited scope of a project the Historic District or Historic Site Design Review process as outlined in LMC Sections 15-11-12(B-E) is not required and is exempt.

If such a determination is made, the Planning Director, or his designee may, upon reviewing the Pre-Application for compliance with applicable Design Guidelines, approve, deny, or approve with conditions, the project. If approved, the Applicant may submit the project for a Building Permit.

Applications that may be exempt from the Historic Design Review

process, include, but are not limited to the following:

(a) For Non-Historic Structures and Sites - minor routine maintenance, minor routine construction work and minor alterations having little or no negative impact on the historic character of the surrounding neighborhood or the Historic District, such as work on roofing, decks, railings, stairs, hot tubs and patios, foundations, windows, doors, trim, lighting, mechanical equipment, paths, driveways, retaining walls, fences, landscaping, interior remodels, temporary improvements, and similar work.

(b) For Significant Historic Structures and Sites - minor routine maintenance, minor routine construction work and minor alterations having little or no negative impact on the historic character of the surrounding neighborhood, the Historic Structure or the Historic District, such as work on roofing, decks, railings, stairs, hot tubs and patios, replacement of windows and doors in existing or to historic locations, trim, lighting, mechanical

equipment located in a rear yard area or rear façade, paths, driveways, repair of existing retaining walls, fences, landscaping, interior remodels, temporary improvements, and similar work.

(c) For Landmark Historic Structures and Sites - minor routine maintenance and minor routine construction having no negative impact on the historic character of the surrounding neighborhood, the Historic Structure, or the Historic District, such as re-roofing; repair of existing decks, railing, and stairs; hot tubs and patios located in a rear yard; replacement of existing windows and doors in existing or historic locations; repair of existing trim and other historic detailing; lighting, mechanical equipment located in a rear yard area or rear façade, repair of paths, driveways, and existing retaining walls; fences, landscaping, interior remodels, temporary improvements, and similar work.

(B) **COMPLETE APPLICATION.**

The Owner and/or Applicant for any Property shall be required to submit a

Historic District/Site design review Application for proposed work requiring a Building Permit in order to complete the work.

(C) **NOTICE**. Upon receipt of a Complete Application, but prior to taking action on any Historic District/Site design review Application, the Planning staff shall provide notice pursuant to Section 15-1-12 and 15-1-21 of this Code.

(D) **PUBLIC HEARING AND DECISION**. Following the fourteen (14) day public notice period noted in Section 15-1-21 of this Code the Planning Department staff shall hold a public hearing and make, within forty-five (45) days, written findings, conclusions of law, and conditions of approval or reasons for denial, supporting the decision and shall provide the Owner and/or Applicant with a copy. Staff shall also provide notice pursuant to Section 15-1-21.

(1) Historic District/Site design review Applications shall be approved by the Planning Department staff upon determination of compliance with the Design Guidelines for Park City's Historic Districts and Historic Sites. If the Planning Department staff determines an Application does not comply with the Design Guidelines, the Application shall be denied.

(2) With the exception of any Application involving the Reconstruction of a Building, Accessory Building, and/or Structure

on a Landmark Site, an Application associated with a Landmark Site shall be denied if the Planning Department finds that the proposed project will result in the Landmark Site no longer meeting the criteria set forth in 15-11-10(A)(1).

(3) An Application associated with a Significant Site shall be denied if the Planning Department finds that the proposed project will result in the Significant Site no longer meeting the criteria set forth in 15-11-10(A)(2).

(E) **APPEALS**. The Owner, Applicant, or any Person with standing as defined in Section 15-1-18(D) of this Code may appeal any Planning Department decision made on a Historic District/Site design review Application to the Historic Preservation Board.

All appeal requests shall be submitted to the Planning Department within ten (10) days of the decision. Appeals must be written and shall contain the name, address, and telephone number of the petitioner, his or her relationship to the project, and a comprehensive statement of the reasons for the appeal, including specific provisions of the Code and Design Guidelines that are alleged to be violated by the action taken. All appeals shall be heard by the reviewing body within forty-five (45) days of the date that the appellant files an appeal unless all parties, including the City, stipulate otherwise.

Notice of all pending appeals shall be made by staff, pursuant to Section 15-1-21 of this Code. The appellant shall provide required stamped and addressed notice envelopes within fourteen (14) days of the appeal. The notice and posting shall include the location and description of the proposed Development project. The scope of review by the Historic Preservation Board shall be the same as the scope of review at the Planning Department level.

(1) The Historic Preservation Board shall either approve, approve with conditions, or disapprove the Application based on written findings, conclusions of law, and conditions of approval, if any, supporting the decision, and shall provide the Owner and/or Applicant with a copy.

(F) **EXTENSIONS OF APPROVALS.** Unless otherwise indicated, Historic District Design Review (HDDR) approvals expire one (1) year from the date of the Final Action. The Planning Director, or designee, may grant an extension of an HDDR approval for one (1) additional year when the Applicant is able to demonstrate no change in circumstance that would result in an unmitigated impact or that would result in a finding of non-compliance with the Park City General Plan or the Land Management Code in effect at the time of the extension request. Change of circumstance includes physical changes to the Property or surroundings. Notice shall be provided consistent with the original HDDR approval per Section 15-1-12. Extension requests must be submitted to the Planning

Department in writing prior to the date of the expiration of the HDDR approval.

(Amended by Ord. Nos. 09-23; 10-11; 11-05; 12-37)

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 A LANDMARK SITE OR A 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 Planning Department shall find the project complies with the following criteria:

- (1) The proposed relocation and/or reorientation will abate demolition of the Historic Building(s) and/or Structure(s) on the Site; or
- (2) The Planning Director and the Chief Building Official¹

¹ The HPB shall make this determination if the HPB

determine that unique conditions warrant the proposed relocation and/or reorientation on the existing Site; or

(3) The Planning Director and the Chief Building Official¹ determine that unique conditions warrant the proposed relocation and/or reorientation to a different Site.

(B) 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 Planning Department pursuant to Section 15-11-12 of this Code.

(Created by Ord. No. 09-23; 12-37)

15-11-14. DISASSEMBLY AND REASSEMBLY 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 disassembly and reassembly of Historic Buildings, Structures, and Sites.

is hearing the Application on appeal. The Planning Director and the Chief Building Official shall, at the appeal, submit a written statement or testify concerning whether unique conditions warrant the proposed relocation and/or reorientation on the existing Site or to a different Site.

(A) CRITERIA FOR DISASSEMBLY AND REASSEMBLY OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) ON A LANDMARK SITE OR SIGNIFICANT SITE. In

approving a Historic District or Historic Site design review Application involving disassembly and reassembly of the Historic Building(s) and/or Structure(s) on a Landmark Site or Significant Site, the Planning Department shall find the project complies with the following criteria:

(1) A licensed structural engineer has certified that the Historic Building(s) and/or Structure(s) cannot reasonably be moved intact; or

(2) The proposed disassembly and reassembly will abate demolition of the Historic Building(s) and/or Structure(s) on the Site; or

(3) The Historic Building(s) and/or Structure(s) are found by the Chief Building Official to be hazardous or dangerous, pursuant to Section 116.1 of the International Building Code; or

(4) The Planning Director and the Chief Building Official² determine that unique conditions and

² The HPB shall make this determination if the HPB is hearing the Application on appeal. The Planning Director and the Chief Building Official shall, at the appeal, submit a written statement or testify concerning whether unique conditions and the quality of the Historic Preservation plan warrant the proposed disassembly of reassembly.

the quality of the Historic preservation plan warrant the proposed disassembly and reassembly;

Under all of the above criteria, the Historic Structure(s) and or Building(s) must be reassembled using the original materials that are found to be safe and/or serviceable condition in combination with new materials; and

The Building(s) and/or Structure(s) will be reassembled in their original form, location, placement, and orientation.

(B) PROCEDURE FOR THE DISASSEMBLY AND REASSEMBLY OF A LANDMARK SITE OR A SIGNIFICANT SITE. All Applications for the disassembly and reassembly of any Historic Building(s) and/or Structure(s) on a Landmark Site of a Significant Site within the City shall be reviewed by the Planning Department pursuant to Section 15-11-12 of this Code.

If an Application involving the disassembly and reassembly of Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site also includes relocation and/or reorientation of the reassembled Historic Building(s) and/or Structure(s) on the original Site or another Site, the Application must also comply with Section 15-11-13 of this Code.

(Created by Ord. No. 09-23; Amended by Ord. No. 11-05))

15-11-15. RECONSTRUCTION OF AN EXISTING 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 Reconstruction of Historic Buildings, Structures, and Sites.

(A) CRITERIA FOR RECONSTRUCTION OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) ON A LANDMARK SITE OR A SIGNIFICANT SITE. In

approving an Application for Reconstruction of the Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site, the Planning Department shall find the project complies with the following criteria:

- (1) The Historic Building(s) and/or Structure(s) 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 Building(s) and/or Structure(s) cannot be made safe and/or serviceable through repair; and
- (3) The form, features, detailing, placement, orientation and location of the Historic Building(s) and/or Structure(s) will be accurately depicted, by means of new construction, based on as-built measured drawings, historical

records, and/or current or Historic photographs.

(B) **PROCEDURE FOR THE RECONSTRUCTION OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) ON A LANDMARK SITE OR A SIGNIFICANT SITE.** All Applications for the Reconstruction of any Historic Building and/or Structure on a Landmark Site or a Significant Site within the City shall be reviewed by the Planning Department pursuant to Section 15-11-12 of this Code.

If an Application involving the Reconstruction of Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site also includes relocation and/or reorientation of the Reconstructed Historic Building(s) and/or Structure(s) on the original Site or another Site, the Application must also comply with Section 15-11-13 of this Code.

(Created by Ord. No. 09-23; Amended by Ord. No. 11-05)

15-11-16. DEMOLITION OF HISTORIC BUILDINGS, STRUCTURES AND SITES.

It is the intent of this and succeeding sections to preserve the Historic and architectural resources of Park City, through limitations on Demolition of Historic Buildings, Structures and Sites to the extent it is economically feasible, practical and necessary. The Demolition or removal of Historic Buildings, Structures and Sites in Park City diminishes the character of the

City's Historic District and it is strongly discouraged. Instead, the City recommends and supports preservation, renovation, adaptive reuse, Reconstruction, and relocation within the Historic District. It is recognized, however, that economic hardship and other factors not entirely within the control of a Property Owner may result in the necessary Demolition of a Historic Building, Structure or Site.

(A) **DEMOLITION, RECONSTRUCTION, OR REPAIR OF HAZARDOUS BUILDINGS.** If, upon review, the Chief Building Official determines the subject Building, Structure or Site to be structurally unsound, and a hazardous or dangerous Building, pursuant to Section 116.1 of the International Building Code, the Chief Building Official may order its Demolition, Reconstruction, or repair.

(B) **REQUIREMENT FOR STAY OF DEMOLITION.** In the absence of a finding of public hazard, the Application for Demolition shall be stayed for 180 days.

(Amended by Ord. Nos. 09-10; 09-23; 11-05)

15-11-17. CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION (CAD).

With the exception of any Building or Structure falling under the purview of Section 116.1 of the International Building Code or undergoing complete renovation/reconstruction in compliance with this Chapter, no Building, other

Structure or Site deemed to be Historic, pursuant to the standards of review set forth in Section 15-11-10(A)(1) or 15-11-10(A)(2) herein, may be Demolished without the issuance of a Certificate of Appropriateness for Demolition (CAD) by an independent CAD Hearing Board appointed by the City. Application for a CAD shall be made on forms prescribed by the City and shall be submitted to the Planning Department.

(Amended by Ord. Nos. 06-35; 09-10; 09-23)

15-11-18. CAD PRE-HEARING APPLICATION REQUIREMENTS.

Upon submittal of a CAD Application to the Planning Department, a pre-hearing period of forty-five (45) days shall commence, during which time the Owner shall allow the City to post and sustain a visible sign stating that the Property is “threatened.” Said sign shall be at least three feet by two feet (3’X2’), readable from a point of public Access and state that more information may be obtained from the Planning Department for the duration of the stay. In addition, the Owner shall conduct negotiations with the City for the sale or lease of the Property or take action to facilitate proceedings for the City to acquire the Property under its power of eminent domain, if appropriate and financially possible.

At the end of the forty-five (45) days, the Application will be scheduled for a hearing before the CAD Hearing Board, upon showing that the above requirements have been met and all economic hardship

information required has been submitted. The Applicant must also submit fees in accordance with the Park City Municipal fee schedule. The Planning Department staff shall notify the Owner if any additional information is needed to complete the Application.

(A) **CAD HEARING BOARD.** Upon confirmation of receipt of a complete CAD Application, the City shall appoint an independent CAD Hearing Board, consisting of three (3) members, for the purpose of reviewing and taking action upon the Application. The City Manager shall appoint the CAD Board as the need might arise, solely for the purpose of reviewing and taking final action on all CAD Applications.

It is the first priority of the City that the CAD Board has substantial experience in finance, real estate, and commercial business interests. Hence, the Board should possess the following qualifications, or represent the following interests:

- (1) A member appointed at large from Park City with demonstrated knowledge of economics, accounting and finance;
- (2) A member appointed at large from Park City who is an attorney at law; and
- (3) A member appointed from the Board of Adjustment.

15-11-19. CAD HEARING.

At the hearing, the CAD Hearing Board will review the Application pursuant to the economic hardship criteria set forth in Section 15-11-19(A) herein, and consider public input. The CAD Hearing Board may only approve Demolition of a Historic Building, Structure or Site if the Owner has presented substantial evidence that demonstrates that unreasonable economic hardship will result from denial of the CAD Application.

(A) **ECONOMIC HARDSHIP CRITERIA**. In order to sustain a claim of unreasonable economic hardship, the Owner shall provide information pertaining to whether the Property is capable of producing a reasonable rate of return for the Owner or incapable of beneficial Use. The City shall adopt by resolution separate standards for investment or income producing and non-income producing Properties, as recommended by the HPB. Non-income Properties shall consist of Owner occupied Single-Family Dwellings and non-income producing institutional Properties. The information required by the City may include, but not be limited to the following:

- (1) Purchase date, price and financing arrangements;
- (2) Current market value;
- (3) Form of ownership;
- (4) Type of occupancy;
- (5) Cost estimates of Demolition and post-Demolition plans;

- (6) Maintenance and operating costs;
- (7) Costs and engineering feasibility of rehabilitation;
- (8) Property tax information; and
- (9) Rental rates and gross income from the Property.

The CAD Hearing Board, upon review of the CAD Application, may request additional information as deemed appropriate.

(B) **CONDUCT OF OWNER EXCLUDED**. Demonstration of economic hardship by the Owner shall not be based on conditions resulting from:

- (1) willful or negligent acts by the Owner; or
- (2) purchasing the Property for substantially more than market value at the time of purchase; or
- (3) failure to perform normal maintenance and repairs; or
- (4) failure to diligently solicit and retain tenants; or
- (5) failure to provide normal tenants improvements.

(C) **DECISION**. The CAD Hearing Board shall make written findings supporting the decision made. The CAD Hearing Board may determine that unreasonable economic hardship exists and

approve the issuance of a CAD if one of the following conditions exists:

(1) For income producing Properties, the Building, Structure or Site cannot be feasibly used or rented at a reasonable rate or return in its present condition or if rehabilitated and denial of the Application would deprive the Owner of all reasonable Use of the Property; or

(2) For non-income producing Properties, the Building, Structure or Site has no beneficial Use as a residential dwelling or for an institutional Use in its present condition or if rehabilitated, and denial of the Application would deprive the Owner of all reasonable Use of the Property; and

(3) The Building, Structure or Site cannot be feasibly Reconstructed or relocated.

(D) **APPROVAL.** If the CAD Hearing Board approves the Application, the Owner may apply for a Demolition permit with the Building Department and proceed to Demolish the Building, Structure or Site in compliance with other regulations as they may apply. The City may, as a condition of approval, require the Owner to provide documentation of the Demolished Building, Structure or Site according to the standards of the Historic American Building Survey (HABS). Such documentation may include a complete history, photographs, floor plans, measured drawings, an archeological survey or other information as specified. The City

may also require the Owner to incorporate an appropriate memorializing of the Building, Structure or Site, such as a photo display or plaque, into the proposed replacement project of the Property. Approval of a CAD shall be valid for one (1) year.

(E) **DENIAL.** If the CAD Hearing Board denies the Application, the Owner shall not Demolish the Building, Structure or Site, and may not re-apply for a CAD for a period of three (3) years from the date of the CAD Hearing Board's final decision, unless substantial changes in circumstances have occurred other than the re-sale of the Property or those caused by the negligence or intentional acts of the Owner. It shall be the responsibility of the Owner to stabilize and maintain the Property so as not to create a structurally unsound, hazardous, or dangerous Building, as identified in Section 116.1 of the International Building Code. The City may provide the owner with information regarding financial assistance for the necessary rehab or repair work, as it becomes available.

(F) **APPEAL.** The City or any Persons adversely affected by any decision of the CAD Hearing Board may petition the District Court in Summit County for a review of the decision. In the petition, the plaintiff may only allege that the Officer's decision was arbitrary, capricious, or illegal. The petition is barred unless it is filed within thirty (30) days after the date of the CAD Hearing Board's decision.

(Amended by Ord. Nos. 09-10; 09-23; 10-11; 11-05)

