

**PARK CITY MUNICIPAL CORPORATION
BOARD OF ADJUSTMENT
445 MARSAC AVENUE
CITY HALL COUNCIL CHAMBERS
February 27, 2018**



AGENDA

MEETING CALLED TO ORDER - 5:00 PM

ROLL CALL

ADOPTION OF MINUTES OF November 28, 2017

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

STAFF AND BOARD COMMUNICATIONS/DISCLOSURES

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

1090 Norfolk Avenue – Applicant is requesting a variance to Section 15-2.2-3 (I)(2) (Side Yard Setback Exceptions) to reduce the side yard setback from 5 feet to 3 feet along a platted un-built right-of-way and Section 15-2.2-3(I)(2) Management Code (LMC) for the purpose of a chimney encroaching into a side yard setback.	PL-17-03735	17
<i>Possible action.</i>	<i>Planner Grahn</i>	

ADJOURN

***Parking validations will be provided for Board of Adjustment meeting attendees that park in the China Bridge parking structure.**

A majority of Board of Adjustment 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.

PARK CITY MUNICIPAL CORPORATION
BOARD OF ADJUSTMENT
MINUTES OF NOVEMBER 28, 2017

BOARD MEMBERS IN ATTENDANCE: Ruth Gezelius – Chair; Hans Fuegi, Jennifer Franklin, Mary Wintzer, Stephanie Wilson

EX OFFICIO: Planning Director Bruce Erickson, Anya Grahn, Planner; Hannah Tyler, Planner; Polly Samuels McLean, Laura Newberry

ROLL CALL

Chair Gezelius called the meeting to order at 5:00 p.m. and noted that the Board did have a quorum.

ADOPTION OF MINUTES

June 20, 2017

It was noted that Mary Wintzer had questions at the June 20th meeting regarding comments that were made during the May 5, 2017 meeting. To clear up the confusion, she requested that someone re-listen to the recording to verify what was said versus what was written. The person who transcribes the minutes had listened to the recording and provided the verbatim comments from the recording to address the questions. The clarification page was handed out to the Board this evening.

Mary Wintzer stated that it had been so long ago that she could not recall what she had asked and requested that they table approving the Minutes until the end of the meeting to give her time to reconstruct her thoughts.

Chair Gezelius revised the agenda to move Approval of the Minutes to the last item.

PUBLIC COMMUNICATIONS

There were no comments.

STAFF/BOARD MEMBERS COMMUNICATIONS AND DISCLOSURES

Director Erickson introduced Tippe Morlan, who has been in the Planning Department for about six months but she had not had the opportunity to attend a BOA meeting. He also introduced Laura Newberry, one of the two new Planning Technicians in the Planning Department. Chair Gezelius welcomed Tippe and Laura.

REGULAR MEETING – Discussion, Public Hearing and Possible Action

302 McHenry Ave – Applicant is requesting a variance to Section 15-2.1-3(A) Lot Size of the Park City Land Management Code (LMC) for the purpose of expanding the footprint to construct a garage addition with living space above it on a substandard size parcel that does not meet the minimum lot size.

Application PL-17-03694

Planner Tippe Morlan reviewed the request for a variance to the minimum lot size in the zone. The lot size is 3,750 square feet. The applicant would like to do a plat amendment to combine four remnant parcels that exist at this address; portions of Lots 29-32 of Block 59 of the Park City Survey. The parcel created by the plat amendment would be 2,930 square feet.

Planner Morlan reported that when the existing house on the property was built, the minimum property size for a single-family home was 2,812 square feet. It met the size requirement in 1979 and 1980; however, it was not a requirement to have one lot of record.

Planner Morlan reviewed a drawing she had found in her research to explain what would or would not be allowed on this particular parcel. She noted that the drawing was not included in the Staff report because she found it after the reports went out. The drawing was not to scale, but she had estimated the setbacks and all the other requirements of the existing zone to determine what area could potentially be built on if the lot was a smaller size. She had highlighted a triangular portion of the lot that was the only area that would allow for any type of addition. Planner Morlan stated that it is a narrow triangular parcel that is approximately 192 square feet. The existing footprint is approximately 542 square feet. The total possible footprint on this lot was 734 square feet. Planner Morlan explained that even though the lot is smaller than the allowed minimum lot size, the maximum footprint would be 1242 square feet per Code. With the setbacks incorporated, the total possible footprint is 734 square feet.

Planner Morlan reported that this property has a house that was constructed in 1980 built over property lines. There are three interior property lines cut through this property, with one bisecting the house. It was constructed in the HR-1 zone; but in 1983 when the Historic Low Residential Density (HRL) zone was created, this property was changed to the HRL zone. Planner Morlan noted that it meets the current standards of the HRL zone with the exception of lot size and setback. However, if the south side yard setback is not encroached on anymore, then a variance is not needed. Lot size was the only variance the Board of Adjustment was looking at this evening.

The Staff recommended approval of the proposed variance, finding that this allows for a plat amendment that would clean up property lines. Any increase in the size of structure must conform to all standards of the HRL zone, including setback and maximum building footprint.

Planner Morlan stated that the use will remain unchanged and the plat amendment will need to be approved by the City Council. A Historic District Design Review would also be required for the design of any additions or any changes to the structure.

Board Member Wintzer referred to the diagram with the highlighted yellow and understood that it was the amount that could be built on if the variance is granted. Planner Morlan replied that she was correct. Ms. Wintzer stated that when she went out and measured, she thought it was approximately 7 feet from the garage door. Planner Morlan replied that if this plat amendment is not required, the only room for addition would be in the yellow area up to the property line, which is much less than what was shown. Ms. Wintzer understood that if they grant the variance they would be allowing a larger house, given that the house could expand the approximate 7 feet as it stands. Planner Morlan agreed that it could allow for a larger expansion of the house.

The applicant, Mark Pyper, introduced his wife Randi. Mr. Pyper agreed with everything Planner Morlan had presented. He thanked the Board for hearing their application.

Mr. Pyper stated that they purchased the property in hopes of having the option to make it their permanent residence. He did not want to mix the lot variance with the building discussion because they had engaged a local architect to go through the Design Review at the HDDR level as the second phase. Mr. Pyper pointed out that this application was about cleaning up the interior lot lines and making the property compliant. He requested that they only focus on the lot.

Mr. Pyper remarked that they take pride in being good neighbors, and he assured the Board that they would not take full advantage of the space. The intent is to add a front entrance that improves the property and makes it more presentable. He acknowledged that it would bump out beyond the 7 feet but within the confines of the space and in the spirit of the neighborhood.

Mr. Pyper stated that they purchased the property they were told that Park City is all about replatting and turning partial mining lots into one lot. They started the process and engaged with Marshal and Alliance surveying. They also spent a lot of time with Planner Morlan to reach this point. He believed it was the right thing to do because they should not have to own five or six partial lots.

Mr. Pyper emphasized that the focus this evening was to remove the lot lines and to clean up the interior lines and replat it as one lot. They were prepared in a professional and neighborly way to achieve a design through the HDDR process.

Chair Gezelius opened the public hearing.

Morgan Hole, a resident at 310 McHenry, assumed the Board had received a letter his wife had submitted. Regarding the variance, Mr. Hole was torn because he had the same thoughts about other properties on his street. They all bought homes knowing what they bought and knowing what the lot lines were and the setbacks, as well as the rules in Park City. Mr. Hole was not opposed to a variance to combine the lots, but it appears in this situation that the deck extends over the lot line so the deck would have to be changed. There is landscaping behind it that is City property. Mr. Hole was not in favor of the variance if it allows the owner to go beyond the 7 feet. If they go out 10 or 12 feet he and his wife would no longer be able to see Old Town. He did not want to be a bad neighbor but they intend to do a remodel and they have been struggling as well. He believed that everyone should abide by the rules that are in place or they will eventually lose Old Town.

Bruce Erickson noted that the upstairs front door was locked and the Staff was checking to see if any other public was trying to get in. He suggested that the Board continue with their discussion and if people come in later they would have the opportunity to be heard.

Chair Gezelius opened the public hearing subject to re-opening if necessary.

Chair Gezelius called for discussion on the application. She noted that per the Staff report the Staff felt the application met all five criteria necessary to approve the variance.

Board Member Franklin stated that one thing clear in their role as the Board of Adjustment is differentiating the combination of the lot lines, but when they talk about the expansion of the property those are two different issues. The Board of Adjustment is called to discuss only what is cited in the LMC section. She was trying to separate the two pieces of an expansion of a physical property and a structure, and what is conducive with the Historic Guidelines and what they are called to decide as the Board of Adjustment.

Board Member Wintzer disclosed that she lives in this neighborhood, but she has not discussed this with the Pypers.

Ms. Wintzer commented on Criteria 1 - Literal enforcement would cause an unreasonable hardship for the applicant. In looking at this generally, the other three owners who had this house had good existences. She was unsure why no

one else had considered remodeling. Ms. Wintzer noted that one of the garages was turned into living space, but there was still enough parking on the property.

Regarding Criteria 2, Ms. Wintzer acknowledged that it is caught between the two roads, but the road was in place when the lot was created. She did not believe this was a special circumstance because the situation already existed.

Board Member Wintzer referred to Criteria 3 – Granting the variance is essential to the enjoyment of a substantial property right possessed by other property owners. She did not believe that was true because other property owners may have had to purchase larger pieces of property in order to achieve their house size. Ms. Wintzer felt it was inaccurate to make that blanket statement because it is all relative to the size of the lot.

Board Member Wintzer referred to Criteria 4 – The variance will not substantially affect the General Plan and will not be contrary to public interest. Her concern with expanding past the 7 feet is that it puts more shade on the street. McHenry is a substandard street having a building there would choke in the road and limit the amount of snow storage on the property.

Regarding Criteria 5 – Spirit of the LMC is observed and substantial justice is done, Ms. Wintzer stated that when she looks at the purpose statement of the LMC for the HRL District, she could not justify a) reduce density that is acceptable only by substandard streets so these streets are not impacted beyond reasonable capacity, because giving a variance that allows more square footage would intentionally increase the density on a substandard street. Ms. Wintzer stated that b) in the purpose statement is to provide an area of lower density residential use within the old portion of Park City. She understands that the applicant feels the house is low density, but she goes back to the fact that the three previous owners had at least four people living in that house. Ms. Wintzer could not make the purpose statement for points a) and b) fit the spirit of the LMC.

Assistant City Attorney McLean asked Board Member Wintzer if she believed she could treat this application fairly since she does live in the neighborhood. Ms. Wintzer believed she could because in the past other houses have come up in her neighborhood and when she felt she could not be fair for whatever reason she would recuse herself. She felt she could provide a history for the neighborhood. She recalled when this house was built and when the zone was changed. She knows the road and understands the constraints and the danger in the winter. Ms. Wintzer noted that they were being asked to create a variance without knowing what would be there, and it was like making a decision in the dark. The problem is that time and time again they see that after a variance is granted the property changes hands and it does not turn out the way the applicant who obtained the variance intended.

Ms. Wintzer reiterated that she felt confident that she could make a fair judgment based on her knowledge of the neighborhood.

Board Member Fuegi understood the need to talk about lot line adjustments, but the ultimate purpose of the variance is to accommodate the addition. He agreed with Ms. Wintzer that because they do know what the addition will look like, it is difficult to determine whether or not the variance is fair. Mr. Fuegi had problems with finding hardship. It was hard to make an argument that this is truly a hardship because he assumed the owners were aware of the constraints when they purchased the house. He found it difficult to accept the argument that not having the additional 7 feet creates a hardship. Board Member Fuegi stated that he could go either way on the issue of special circumstances. He believed there were special circumstances, but he was unsure whether they were really that unique. Mr. Fuegi emphasized that his biggest problem was finding hardship.

Board Member Wilson had similar concerns. Hardship was an issue for her as well. It is not necessarily a hardship to not have a larger garage when there is sufficient parking per the Code. Ms. Wilson noted that the Staff report indicated that many of the lots in Old Town were built on interior property lines, and she was struggling to determine why this lot was more peculiar than the others. She agreed with Ms. Wintzer that given the constraints of the setbacks, it did not that there would be much developable square footage available if the variance is granted. However, if the property changes ownership and the house is torn down, the new owner could possibly find a way to utilize the maximum square footage.

Chair Gezelius stated that the Staff had looked at the site and tried to assess the application for the variance. She understands how these houses were built over lot lines and over the years the City has tried to clean them up. As properties have changed hands and people are more aware of the procedure, one by one there are far more properties on one single lot than over multiple lot lines. Chair Gezelius understood the request to combine this parcel with the four remnant parcels into one lot of record; and believed it was the wisest thing to do.

Chair Gezelius stated that she feels differently about substandard lots with non-historic homes than she does a lot with a historic home. For a property with a historic home, they try to be more flexible in an effort save the historic home and maintain some heritage. She pointed out that the historic aspect did not apply to this property because the home was built around 1980.

Chair Gezelius understood that the applicant's desire to have more space, and they hear that every time someone comes before them. She realizes that it is a hardship for some people to live in constrained spaces; however, at the same time, expanding this use by even a few additional square feet did not seem to be justified. Chair Gezelius would like to see the property cleaned up to meet the

setbacks to improve the property, but she was not comfortable voting for a variance to increase the amount of construction allowed on this site.

Director Erickson stated that he had checked all the doors and no one was waiting to come inside.

Chair Gezelius stated that the public hearing would not be reopened.

Chair Gezelius assumed from all the comments that there was not consensus to approve the variance as requested. The Board concurred. Chair Gezelius asked if there was consensus to approve the lot combination to clean up this parcel. If there was consensus, she asked if the Staff needed a continuance to prepare for that direction, or whether they could draft something this evening.

Board Member Franklin referred to the statement in the Staff report from Randi Pyper which read, "We were told that Park City prefers old partial lot properties to be replatted into 1 lot". She asked for clarification from Staff.

Assistant City Attorney McLean stated that in general, if someone comes in without a lot of record, the City would not allow them to pull a building permit. She believed that policy was instituted in the 1980s when Ron Ivie was the Chief Building Official. Ms. McLean clarified that currently the Code does not allow someone to pull a building permit to build on property that is not a lot of record. It is also not permitted for several partial lots. Therefore, the City usually removes the lot lines. Ms. McLean remarked that the Planning Commission and the City Council sees a number of plat amendments requests to remove a lot line under an old historic house, or to remove a lot line between two Old Town lots, or similar situations. She stated that because this lot is basically a parcel, the owner cannot expand.

Chair Gezelius noted that the Board of Adjustment typically do not see these applications because they are addressed at the Staff/Planning Commission/City Council levels. She stated that dozens of plat amendments have been done in the last few years.

Board Member Franklin asked how they were able to transfer ownership several times without having a different lot of record. Assistant City Attorney McLean stated that ownership can be transferred because the house was built legally with a building permit. If the lot altogether would have met the minimum lot size, this applicant could have just gone to the Planning Commission and City Council and it probably would have passed. The usual fact about this circumstance is that the property the Pyper's own is smaller than the minimum lot size by the current Code.

Board Member Wintzer understood that the two issues were tied together, and that the BOA could not allow combining the lots if they did not allow the

expansion. Ms. McLean replied that one follows the other, but the application is to allow combining the lots. She explained that the BOA would not be able to combine the lots and then deny the applicant to build anything on it because of certain property rights.

Chair Gezelius clarified that if the BOA approved the lot combination the applicant would be allowed to expand by that 7 feet. Ms. McLean replied that they would have to abide by the setbacks for any expansion, unless they came back to the BOA for another variance. Chair Gezelius asked what the applicant could do if they only approved combining the lots into one parcel. Ms. McLean stated that if the lot combination was approved, the applicant would still go through the plat amendment process to turn it into one lot of record. If the property becomes one lot of record, the allowed buildable area is within the yellow highlighted area that Planner Morlan has presented earlier.

Assistant City Attorney McLean pointed out that this was not a historic home and someone could tear it down; but if someone were to tear it down, they would have to abide by the current setbacks.

Mr. Pyper remarked that they were in Park City and they could all agree that this was not hardship. Hardship was the language provided within the context of the variance. Mr. Pyper stated that they were not seeking to flip this house or to rent it. They wanted to stop the trend of four owners. He wanted it clear that he agreed that it was not hardship.

Mr. Pyper agreed that these were two completely separate issues; and noted that they would have to go through HDDR approvals. He likes and respects Mary Wintzer and Morgan Hole, and he wanted it clear that there was still a design approval process and that no design would block their view of Main Street. He did not dispute that it would limit snow storage for the neighbors, but he believed they could get along and work it out.

Mr. Pyper believed the yellow triangle was much more intrusive compared to what he was trying to do. They were trying to get a lip to put a car under outside their garage, and they were trying to create bump out space above it. He acknowledged that it would go beyond 7 feet to probably 9 or 10 feet, but nothing more. Mr. Pyper believed that issue was part of a separate process.

Board Member Wilson understood that the spirit of the LMC in this case is to have more open space on the lot to keep from covering the hillside with buildings. She believed this project appeared to be unintrusive, but if ten or 15 years from now there is a new owner and they tear down the building, they might be able to utilize the allowed 1242 square feet of building space. In that case there would be very little open space left. The open space could potentially be reduced from approximately 2200 square feet of open space to 1700 square feet. Ms. Wilson questioned whether it was in the spirit of the Land Management Code

to allow a variance that would possibly allow less open space in the neighborhood.

Board Member Wintzer clarified that her previous comment was about the logistics of the City snow plow going through; not snow storage for the neighbors.

Planner Morlan explained that if the variance was approved and the plat amendment was approved, all the encroachments would have to be resolved. Therefore, the deck would be removed and the retaining walls would have to be pulled onto the property.

Director Erickson thought the Board was leaning towards not finding in favor of the variance. If that was correct, the Staff would provide recommendations this evening on changing the findings of fact and conditions of approval for denying the variance. The Staff would make the recommendations and set up the motion for the Board.

Director Erickson stated that the concept of what could be built on the lot was separate from the issue of whether or not there is a hardship on the lot. He clarified that the question was really about a legal, definable hardship.

Assistant City Attorney suggested a five-minute recess to give the Staff time to draft amendments to the findings based on their comments.

Break

Chair Gezelius reconvened the meeting.

Assistant City Attorney McLean stated that based on the comments by the Board, the Staff had amended the Findings of Fact. If the Board members thought additional language should be added that better reflects their discussion, they should speak up. Ms. McLean recommended that the motion include the Findings of Fact, Conclusions of Law and the Order as amended.

Chair Gezelius referred to the consequence of not taking the suggested recommendation as stated in the Staff report, and asked if the word construct was used accurately. Ms. McLean replied that it would not be part of their findings so they would not have to worry about that. They were only looking at the Findings of Fact.

Planner Morlan stated that Findings of Fact 1-32 was the general history of the site and those would be unchanged.

Finding 33 previously said that "the literal enforcement would prevent the applicant from expanding their property". That language was changed to read, "It would not cause unreasonable hardship due to an existing house with adequate

parking on the property”. That means that the existing conditions have not been a problem in the past.

Finding 34 the previous language was removed and replaced with language stating, “The applicant has indicated this is not a true hardship”.

Finding 37 was revised to say, “There are not special circumstances....”
“There is street frontage on all sides along this property, but these circumstances do not constitute a hardship”.

Finding 38. A sentence was added any addition would impact the substandard street in terms of visibility and snow storage.

Board Member Franklin noted that Finding 36 was left as written, and she was concerned about the language regarding the garage area. Chair Gezelius agreed that the Finding should be deleted.

Findings 40 and 41 were deleted since they pertained to an approval.

Planner Morlan noted that the Conclusions of Law were all changed to indicate that the variance was not necessary. The Order was changed from granted to denied, and the remainder of the language was deleted. Order 2 was deleted because it was not applicable to the denial.

Chair Gezelius summarized that the Board of Adjustment was denying the request for the variance, and that the Board found that the five criteria did not justify granting the variance.

Assistant City Attorney noted that Conclusion #5 regarding the General Plan was left in because there was no discussion about the General Plan. She stated that under the legal requirement of a variance, if even one of the five criteria is not met then a variance cannot be granted.

Planner Franklin suggested that they adjust Findings 38 and 39 because they were still alluding to the garage. For example, Finding 39 talks about “the” addition and she thought that should be changed to “an” addition. Planner Morlan revised the language to say, “an addition that meets all other current requirements”. Finding 39 should say “any” addition.

Chair Gezelius expressed her interest in eliminating the lot lines and making this one lot of record. Assistant City Attorney stated that in order to do that, the Board would have to find that the criteria were met.

Mr. Pyper referred to the change to Finding 34 and stated that he was only making light of the fact that they should all agree that they were talking about shades of gray with the word hardship. He did not want to be on record as

saying no hardship exists. Chair Gezelius suggested that they eliminate Finding 34 so they did not quote the applicant on something he did not believe to be true.

MOTION: Mary Wintzer made a motion to DENY the variance for 302 McHenry, subject to the Findings of Facts of Conclusions of Law and the Order, as amended this evening. Hans Fuegi seconded the motion.

VOTE: The motion passed unanimously.

Mr. Hole did not understand why the Board could not approve the lot of record and still deny the variance for setbacks, even though the lot of record would be a good thing and consistent with the town.

Assistant City Attorney McLean explained that there was not an application for a variance to the setbacks. Under the zone the setbacks are currently met, except for the south side. The application was for a variance to allow for a lot that was substandard in size and that variance request was denied. She noted that the house is a legal non-conforming structure, and it can do whatever the Code allows under the non-conforming aspects of the Code; but that was not under the purview of this Board.

Board Member Franklin wanted it on the record that she would have been in favor of combining the lots into one lot of record. Chair Gezelius agreed. Without this variance she encouraged the Staff to pursue the process to make this property one lot of record. Board Member Wintzer assumed that the house would exist as a non-conforming use. It has had a good life since 1979 and it carries on. Assistant City Attorney McLean stated that unless the owner achieves more square footage they would not be able to change it to a lot of record because per Code it is substandard in size. She explained that a variance is the escape valve, but it has to meet the criteria.

Findings of Fact - 302 McHenry

1. The property is located at 302 McHenry Avenue in the Historic Residential-Low Density (HRL) District.
2. The property consists of all of remnant portions of Lots 29, 30, 32, and 32 of Block 59 of the Park City Survey. The applicant owns no other adjacent property to these Lots.
3. The rest of the four Lots have been incorporated into McHenry Avenue right-of-way and into the 321 McHenry Avenue Subdivision.
4. McHenry Avenue right-of-way issues will be resolved with a future plat amendment.
5. On August 10, 2017, the City received a Plat Amendment application for the 302 McHenry which was deemed complete on August 25, 2017.
6. On October 25, 2017, the City received an application for a variance to the minimum lot size of the subject property.

7. On November 14, 2017, the property was posted and notice was mailed to affected property owners within 300 feet.
8. Legal notice was published in the Park Record on November 11, 2017.
9. Adjacent land uses are residential single-family homes.
10. In the HRL zone, a single-family dwelling is an allowed use
11. The existing home was constructed in 1979 and 1980. At the time of construction this property was located in the HR-1 Zoning District.
12. The property line between Lots 31 and 32 bisects the existing structure on the site.
13. The minimum lot size in the HRL zone is 3,750 square feet.
14. The subject site contains a total of 2,930 square feet. The property met the minimum lot size of the 1979 LMC which required a minimum of 2,812 square feet.
15. The maximum building footprint allowed is 1,242.6 square feet.
16. The existing building footprint is 542.2 square feet.
17. Front and rear yard setbacks are 10 feet minimum and 20 feet combined.
18. Side yard setbacks are 10 feet minimum on each side and 24 feet combined.
19. The existing house met standards of the 1979 LMC for the Historic District at the time of construction including a variance on setback requirements reducing the front yard setback from 15 feet to 10 feet granted on August 28, 1979, and there are no documented changes since then.
20. When evaluated against current zoning requirements, the lot size and south side yard setback are out of compliance.
21. The side yard is an existing non-complying setback as long as the applicant does not change the southern footprint of the existing house. Currently no changes are proposed to this side yard setback and all new construction will have to comply with current setbacks.
22. The applicant has indicated a desire to construct an addition to the garage area along the north side of the house which would not impact the existing south side yard setback and would not increase the level of non-compliance for this standard.
23. The subject property is a shallow lot due to its triangular shape, and its depth ranges from 11 feet to 45 feet.
24. The minimum lot width allowed in the HRL zone is 35 feet.
25. The proposed lot width is 100 feet.
26. Parking requirements for a Single Family home are 2 spaces per dwelling unit.
27. The existing house has 2 off-street parking spaces.
28. Built McHenry Avenue exists on the west side of this property, platted McHenry Avenue exists on the east side of this property, and both portions of the street bisect to the north of this property.
29. On the south side of the property, half of the existing deck encroaches onto City property (Platted Third Street). There are also stone retaining walls surrounding the deck encroaching onto City property.

30. Along the east side of the lot, there are large stone retaining walls and landscaping along the original platted portion of McHenry Avenue encroaching onto City property.

31. Staff finds that the size of the property addressed at 302 McHenry Avenue will not change whether or not there are interior property lines.

32. If the property owner had removed the interior lot lines in 1979, which was not a requirement for the development of a house at the time, the variance request would not be necessary and the lot would be deemed legal and non-complying.

33. Literal enforcement of the current minimum lot size standard would not cause unreasonable hardship due to an existing house with adequate parking on the property.

34. The proposed variance in lot size would not change the boundaries of the property addressed at 302 McHenry and would maintain all other existing lot conditions.

35. There are not special circumstances attached to this property. This property is unique in that it has street frontage on all sides. Platted McHenry Avenue and built McHenry Avenue are existing constructed roads, and platted Third Street is not constructed and belongs to the City. These circumstances do not constitute a hardship.

36. Any addition would impact the substandard street in terms of visibility and snow storage.

37. Lots constructed under the 1979 LMC requirements which are under 3,750 square feet in size and do not have interior lot lines would be allowed to construct an addition that meets all other current lot requirements.

38. A Historic District Design Review (HDDR) application must be submitted to approve the design of any addition, and Staff will review the plans to ensure that any addition is compatible and maintains the character, context, and scale of the historic district in line with Objective 15B of the General Plan.

Conclusions of Law – 302 McHenry

1. Literal enforcement of the HRL zoning district requirements for this property does not cause an unreasonable hardship that is not necessary to carry out the general purpose of the zoning ordinance.

2. There are not special circumstances attached to the property that do not generally apply to other properties in the same district.

3. Granting the variance is not essential to the enjoyment of substantial property right possessed by other property owners in the same district.

4. The proposal is consistent with the General Plan.

5. The spirit of the zoning ordinance is not observed by this application.

6. It can be shown that all of the conditions justifying a variance, pursuant to LMC § 15-10-9, have not been met.

Board of Adjustment Meeting
November 28, 2017

Order

A variance to LMC Section 15-2.1-3 (A) that requires a minimum lot size of 3,750 square is hereby denied.

Approval of Minutes

June 20, 2017

Chair Gezelius noted that the Board had approved the Minutes of May 16, 2017 at the June 20, 2017 meeting; however, Board Member Wintzer had questions that she wanted verified with the recording.

Board Member Wintzer clarified that her question was that Herb Armstrong had referred to Mike Constable, but there is no such person. He was either referring to Michael Kaplan or David Constable, and she asked that it be clarified. Ms. Wintzer noted that it should have been Michael Kaplan since they were discussing his lot.

MOTION: Board Member Wintzer moved to APPROVE the Minutes of June 20, 2017 as amended. Hans Fuegi seconded the motion.

VOTE: The motion passed unanimously.

The next meeting was tentatively scheduled for December 19, 2017.

Chair Gezelius adjourned the meeting at 6:15 p.m.

Approved by _____
Ruth Gezelius, Chair
Board of Adjustment



Board of Adjustment Staff Report

Application #: PL-17-03735
Subject: 1090 Norfolk Avenue
Author: Anya Grahn, Historic Preservation Planner
Date: February 27, 2017
Type of Item: Variance

Summary Recommendations

Staff recommends that the Board of Adjustment (BOA) review, conduct a public hearing, and consider approving the applicants' request for (1) a variance to the side yard setback from the required 5 feet to 3 feet adjacent to 11th Street and consider denying the applicant's request for (2) a variance to allow a chimney to encroach 2 feet into the 3 foot side yard setback, located at 1090 Norfolk Avenue subject to the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in this report.

Description

Applicant: Magnus Floden (represented by Jamie Thomas)
Location: 1090 Ontario Avenue
Zoning: Historic Residential (HR-1) District
Adjacent Land Uses: Residential single family homes
Reason for Review: Variances require Board of Adjustment approval

Proposal

The applicant is proposing to build a new single-family dwelling on a vacant lot located at 1090 Norfolk Avenue. The lot is a standard 25 foot by 75 foot lot with frontages along Norfolk Avenue as well as the platted 11th Street right-of-way (ROW). Land Management Code (LMC) 15-2.2-3(H)(2) requires that on Corner Lots, the minimum Side Yard that faces a side Street or platted Right-of-Way is 5 feet, and the applicant is requesting a variance to reduce the required side yard setback on the north side of the property abutting the 11th Street ROW to 3 feet; currently, this ROW only contains a city staircase and no paved street.

Additionally, LMC 15-2.2-3(I)(2) requires that chimneys not more than 5 feet wide projecting not more than two feet (2') into the Side Yard are permitted only on Lots with a minimum Side Yard of 5 feet; the applicant is also requesting a variance for a chimney on the north side of the house within the 3 foot side yard setback proposed as part of this variance request. The setback where the chimney is proposed would be 1 foot from the property line.

Variances requested:

- #1: A variance to LMC Section 15-2.2-3 (H)(2) that on Corner Lots, the minimum Side Yard that faces a side Street or platted Right-of-Way is 5 feet. The applicant has requested a reduced side yard setback from 5 feet to 3 feet along the entire north side of the house.

- #2: A variance to LMC Section 15-2.2-3(1)(2) that Chimneys not more than 5 feet wide projecting not more than two feet (2') into the Side Yard applies only to Lots with a minimum Side Yard of 5 feet. The applicant is requesting that the chimney encroach into the 3 foot side yard setback requested as part of this variance. The proposed chimney will encroach 2 feet into the proposed reduced side yard setback and maintain a 1 foot side yard setback along the north property line.

The applicants believe that unique conditions exist with the property to warrant granting of variances to the required front yard setback along 11th Street as well as to the required chimney setback on the north side yard.

Purpose

The purpose of the Historic Residential (HR-1) District is to:

- A. Preserve present land Uses and character of the Historic residential Areas of Park City,
- B. Encourage the preservation of Historic Structures,
- C. Encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
- D. Encourage single family Development on combinations of 25' x 75' Historic Lots,
- E. Define Development parameters that are consistent with the General Plan policies for the Historic core, and
- F. Establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment.

Background

On June 6, 2017, the Planning Department received a Historic District Design Review (HDDR) application for a new single-family dwelling to be constructed on a vacant lot at 1090 Norfolk Avenue, also known as Lot 17 Blk 9 of Snyders Addition to Park City. The application was deemed complete on June 21, 2017. The application was mistakenly approved on August 1, 2017, with a 3 foot side yard setback along the north side of the property, where it abuts the 11th Street right-of-way (ROW). Staff uncovered this mistake while reviewing the applicant's request to revise the approved HDDR drawings in early November. In order for the applicant to move forward with their proposed project, staff required the applicant to submit a variance application to reduce the required side yard setback from 5 feet to 3 feet in order to move forward with the development.

On December 7, 2017, the Planning Department received a variance request for a reduced side yard setback from 5 feet to 3 feet on a Corner lot abutting the 11th Street ROW as well as a variance for a chimney encroaching into the applicant's proposed 3 foot side yard setback. The application was deemed complete on December 14, 2017.

11th Street is a platted ROW, although it is inbuilt as a paved road west of Woodside Avenue. (The applicant's site plan says it is vacated; however, this is incorrect.) Although the ROW is not paved, the City Engineer reserves this ROW space for stairway access, the installation of utilities, snow storage, and open space. This ROW

functions as a critical infrastructure route. There are City stairs leading from Lowell Avenue to Woodside Avenue. These stairs are located on the north side of the right-of-way.

Analysis

The property is located at 1090 Norfolk Avenue within the HR-1 District and consists of Lot 17 Blk 9 of Snyders Addition to Park City. The site is an undeveloped lot on the southeast corner of Norfolk Avenue and platted 11th Street ROW. This is a standard Old Town lot measuring 25 feet by 75 feet for a total of 1,875 square feet. The footprint for a lot of this size is 844 square feet.

The property is considered a Corner Lot due to the lot frontages along Norfolk Avenue and platted 11th Street. Per LMC 15-2.2-3(H)(2), the minimum Side Yard that faces a side Street or platted Right-of-Way is 5 feet on Corner Lots. Typically, the minimum side yard setback is 3 feet for a lot measuring 25 feet by 75 feet, as well as those measuring up to 37.5 feet in width (1.5 lot combinations); however, the north side yard setback increases because of the platted ROW to the north.

The applicant is requesting two (2) variances:

- **Variance #1:** On Corner Lots, such as this, LMC 15-2.2-3(H)(2) requires that the minimum Side Yard that faces a side Street or platted Right-of-Way is 5 feet. The applicant has requested a side yard setback reduction from the required 5 feet to 3 feet. A typical 25 foot by 75 foot lot requires 3 foot side yard setbacks. The unique conditions and hardship created by this LMC provision are outlined further in the variance review.
- **Variance #2:** The applicant has proposed an exterior chimney in the north side yard setback. Per LMC 15-2.2-3(I)(2), chimneys not more than 5 feet wide projecting not more than two feet (2') into the Side Yard may encroach into the side yard setback; however, this only applies to Lots with a minimum Side Yard of 5 feet. With this variance request, the applicant is proposing a side yard setback of 3 feet and the setback from the chimney would only be one foot (1').

LMC Review Criteria for a Variance

In order to grant the requested variances to the aforementioned code sections, the Board of Adjustment must find that all five (5) criteria located in LMC § 15-10-9 are met. The applicant bears the burden of proving that all of the conditions justifying a variance have been met (see Exhibit A).

Criteria 1. Literal enforcement of the LMC would cause an unreasonable hardship for the Applicant that is not necessary to carry out the general purpose of the LMC. *In determining whether or not enforcement of the zoning ordinance would cause unreasonable hardship under Subsection 15-10-9(C)(1), the BOA may not find an unreasonable hardship unless the alleged hardship is located on or associated with the Property for which the variance is sought and comes from circumstances peculiar to the Property, not from conditions that are general to the neighborhood. In determining whether or not the enforcement of the LMC would cause unreasonable hardship the*

BOA may not find an unreasonable hardship if the hardship is self-imposed or economic.

Setback Variance Request:

For 25 foot wide lots such as this, literal enforcement of the zoning ordinance specifies that a 25 foot wide lot provide a 5 foot setback along a side street or platted ROW. The purpose of the increased corner lot setbacks from the street is necessary for a clear view of the street intersection, yard area, snow storage, and utilities. ROWs function as a critical infrastructure route. Under the [2011 Traffic and Transportation Master Plan](#), the City does not anticipate further developing this right-of-way as a public paved street and a current public staircase is already on the north side of the platted ROW; however, there is always the opportunity to do so, or incorporate additional utilities underground in the ROW. Staff finds that the reduced 3 foot side yard setback of the house would not significantly impede the City from maintaining or expanding underground utilities or developing the ROW in the future.

By incorporating a 5 foot side yard setback along the north side of the property, the width of the new house is reduced from 19 feet to 17 feet. This width reduction impacts the dimensions of the interior rooms at the street front as the a 12 foot wide garage, measured exterior wall to exterior wall, now reduces that entrance to 5 feet, also measured on the exterior. On the interior, these rooms measure 11 feet in width for the garage and 4.5 feet for the entrance.

The reduction to the width of the house also shrinks the Building Pad a standard 25 foot by 75 foot lot shrinks from 1,045 square feet to 935 square feet on Corner Lots. The footprint remains the same at 844 square feet. With the architectural articulation of different wall planes, cantilevers, and roof forms, it becomes more difficult to achieve the 844 square foot footprint on this sized Corner Lot due to the increased setback.

Chimney Variance Request:

Additionally, staff finds that chimneys are not required elements and the reduced setback of the chimney could impede future development in the ROW. Chimneys are only permitted within a minimum 5 foot side yard setback so that they maintain a side yard setback of at least 3 feet from the property line. The applicant is proposing a 1 foot side yard setback from the property line. The City Engineer is concerned that the location of the chimney could impede existing and future utilities within the ROW as the reduced setback for the chimney brings these two uses into closer proximity. Excavation to maintain or expand existing utilities would be very close to the house and could cause soil erosion issues at the time of construction. The reduced setback of the chimney provides less separation between the house and any new development in or of the 11th Street ROW. City staff find that the 3 feet of separation provides sufficient space from these activities in the ROW, but 1 foot (1') of separation is not enough and could pose future hazards.

Criteria 2. There are special circumstances attached to the Property that do not generally apply to other Properties in the same zone. *In determining whether or not there are special circumstances attached to the Property the BOA may find that special circumstances exist only if the special circumstances relate to the hardship complained of and deprive the Property of privileges granted other Properties in the same zone.*

Setback Variance Request:

This lot is a standard 25 foot by 75 foot Old Town Lot. Typical side yard setbacks of 3 feet permit a maximum building width of 19 feet. The location of the platted, 11th Street ROW to the north requires a 5 foot side yard setback along the north property line (for the Corner Lot) reducing the maximum building width to 17 feet.

The special circumstances attached to this property are the requirement of a 5 foot side yard setback (corner lot) for a standard 25 foot lot. Based on the typical 25 foot by 75 foot Lot size, the Building Pad of a standard lot shrinks from 1,045 square feet to 935 square feet on Corner Lots. The footprint remains the same at 844 square feet. Additionally, the ROW provides additional open space between the proposed development at 1090 Norfolk and the existing structure at 1102 Norfolk Avenue.

In reviewing other lots in the HR-1 district which are Corner Lots with one side being adjacent to a platted but unpaved ROW, Staff found that many of these lots are larger than a standard lot (25 foot by 75 foot). If a lot is greater than 37.5' wide it is required to have a minimum 5 foot side setback. Those lots which are 37.5 feet wide are 12.5 feet wider than a Standard Lot and therefore can accommodate the 5 foot side yard setback requirement.

Staff has completed an analysis of Standard Lot (25 foot by 75 foot) properties as well as those measuring 37.5 feet by 75 feet (1.5 lot combinations) in the Historic District which have Side Yards which face platted ROWs. There were a total of 28 Standard Lots and six (6) 1.5-lot combinations. Staff also measured the setbacks of new additions to Historic structures to determine compliance as Historic Structures that do not comply with Building Setbacks are valid Complying Structures, but the LMC requires new additions to comply with Building Setbacks. Of these 34 Lots, staff finds:

- 7 Lots have been developed with a 5 foot or similarly increased side yard setback along a ROW as required by the LMC at the time of their approval.
- 8 Lots have received variances to reduce the side yard setback along the platted right-of-way.
- 12 Lots have been incorrectly approved to develop with a 3 foot setback along the right-of-way (instead of a 5 feet setback or a variance as required by LMC at the time of their approval).
- 7 Lots abutting a ROW have not yet been developed or contain historic houses that have not yet been redeveloped.

Staff finds that the majority (58.8%) of standard lots (25 feet by 75 feet) and 1.5-lot combinations have been permitted to construct up to 3 feet of the ROW due to either variances granted in the past by the BOA or because of approvals made in error. This

deprives the Property of privileges granted other Properties in the same zone and creates a hardship for this property.

Chimney Variance Request:

Staff finds that there are no special circumstances supporting the need for a chimney to encroach into the side yard setback to within one foot (1') of the lot line. The LMC currently permits chimneys no more than 5 feet in width to encroach no more than 2 feet into side yard setbacks of 5 feet. This provides 3 feet of buffer between the chimney and the property line and provides sufficient separation from any development on the adjacent lot. By allowing the applicant's chimney to encroach within 1 foot of the lot line adjacent to the ROW, there will not be sufficient separation between the chimney and the ROW. This could impede future utility repairs, construction, and expansion. The ROW functions as a critical infrastructure route, even when it does not contain a paved street.

Criteria 3. Granting the variance is essential to the enjoyment of a substantial Property right possessed by other Property in the same zone.

Setback Variance Request:

The purpose of this variance is not to allow a greater building area or a larger structure than is currently allowed on any other 25 foot by 75 foot lot in the HR-1 district. All other requirements of the LMC will be met, including but not limited to setbacks, maximum heights, parking, utilities, footprint, and Historic District Design Guidelines. Granting the variance to allow a standard 3 foot side yard setback along the north property line allows the owners to construct a 19 foot wide house as opposed to a 17 foot wide house, and to enjoy a substantial property right as is enjoyed by other property in the same district.

In the past, 9 similar variances in the H-Zoning Districts for Corner Lots granted reduced side yard setbacks for properties with standard 25 foot by 75 foot lots adjacent to platted ROWs; some of these ROWs contained built streets while others did not. (No parcels containing 1.5 lot combinations were granted variances.) Of the 34 examples researched by staff for Corner Lots comprised of either a Standard (25' x 75') Lot, staff found the following were granted variances:

Address	Date	Variance Granted	Adjacent to ROW containing paved street
605 Woodside Avenue	6/91	Reduction of a side yard setback along 6 th Street ROW from 3 ft. to 0 ft.	No
205 Park Avenue	5/92	Reduction of a side yard setback along the 2 nd Street ROW from 10 ft. to 3 ft.	No
965 Norfolk Avenue	4/94	Reduction of side yard setback	Yes

		along 10 th Street ROW from 10 ft. to 3 ft.	
499 Ontario Avenue	5/96	Reduction of side yard setback along 5 th Street ROW from 10 ft. to 3 ft.	Yes
364 Park Avenue	5/97	Reduction of side yard setback along 4 th Street from 10 ft to 0 ft.	Yes
1101 Empire Avenue	4/98	Reduction of a side yard setback along 11 th Street ROW from 10 ft. to 3 ft.	No
1102 Empire Avenue	3/01	Reduction of a side yard setback along 11 th Street ROW from 10 ft. to 3 ft.	No
860 Norfolk Avenue	5/02	Reduction of side yard setback along 9 th Street ROW from 5 ft. to 3 ft.	No
1104 Lowell Avenue	8/06	Reduction of a side yard setback along 11 th Street ROW from 5 ft. to 3 ft.	No

***The side yard setback required for Corner Lots was 10 ft., but was later changed to 5 ft.*

As previously noted, staff also found 12 instances where development had been approved on a Corner Lot, such as this, in error. These approvals had permitted the development on the Corner Lot to maintain a 3 foot rather than 5 foot setback for new construction or additions to Historic Buildings.

Chimney Variance Request:

While it is not uncommon for chimneys to be constructed in the side yard setbacks, the LMC specifies that chimneys may only encroach when the side yard setback is a minimum of 5 feet wide. When that provision is utilized, the setback of the chimney from the side property line is 3 feet. This provision is largely tied to the IRC to provide sufficient fire separation between buildings. Staff finds that by allowing the applicant’s proposed chimney to encroach up to 1 foot from the property line, there is insufficient separation between the chimney and any existing or future development in the ROW.

Criteria 4. The variance will not substantially affect the General Plan and will not be contrary to the public interest.

Setback Variance Request:

Granting the variance to reduce the side yard setback will not substantially affect the General Plan and will not be contrary to the public interest because a house at a 3 foot setback will not obstruct the use of the pedestrian staircase that exists within the 11th Street ROW on the north side of the ROW, nor will it significantly impede the maintenance or expansion of underground utilities in the ROW. The variance does not utilize City-owned property for private benefit. The variance allows greater flexibility in

the building design.

The General Plan encourages smaller, more compact development on single lots that contributes to the overall character and integrity of the Mining Boom Era Residences Thematic District, listed on the National Register of Historic Places in 1984. The General Plan seeks to promote infill development that preserves the integrity, mass, scale, compatibility, and historic fabric of Park City's locally and nationally designated Historic Districts. Furthermore, the General Plan contemplates creating a maximum lot size to promote smaller development that reinforces the mass and scale of the districts. This proposed development meets the goals of the General Plan. The variance does not permit a larger structure than what could be proposed on any other Standard Lot.

Chimney Variance Request:

As previously stated, the City Engineer believes that the one foot (1') separation of the chimney from the ROW due to the applicant's request for a reduced setback will impede the City's use of the ROW. Staff finds that by limiting the maintenance and/or expansion of utilities, snow storage, and the potential to develop 11th Street into a paved road are contrary to public interest.

Criteria 5. The spirit of the Land Management Code is observed and substantial justice done.

Setback Variance Request:

The purpose of the reduced side yard setback is not to allow a greater building area or larger structure than is currently allowed on any other 25 foot by 75 foot lot in the HR-1 district. All other requirements of the LMC HR-1 requirements will be met, including but not limited to setbacks, maximum footprints, maximum heights, parking, utilities, and compliance with the Historic District Design Guidelines. The spirit of the zoning ordinance is observed and substantial justice is done in that 3 feet is an adequate side yard setback from the right-of-way, given the ROW's use as a public stair.

Chimney Variance Request:

Staff finds that the spirit of the LMC is not observed by allowing the chimney a reduced setback of only 1 foot. The LMC currently allows chimneys to encroach into 5 foot side yard setbacks for a maximum of 2 feet, leaving 3 feet of separation between the chimney on the lot line. In this case, the property abuts a ROW and the City Engineer finds that the reduced setback of the chimney to 1 foot of the lot line could infringe on future developments within this ROW.

Future Process

Approval of these variances by the Board of Adjustment constitutes Final Action that may be appealed following the procedures found in LMC § 15-10-13. Approval of the variance for the design of the house is necessary prior to the issuance of a building permit. Standards for new construction as listed within the Historic District Design Guidelines will apply. HDDR's are an administrative approval and are processed by the Planning Staff. A steep slope Conditional Use Permit, issued by the Planning

Commission, is not required because the lot is not a Steep Slope CUP.

Department Review

This project has gone through an interdepartmental review. No further issues were brought up at that time.

Notice

On February 13, 2018, the property was posted and notice of the variance request was mailed to property owners within 300 feet of the property in accordance with requirements of the Land Management Code. Legal notice was published in the Park Record on February 10, 2018, according to requirements of the Code.

Public Input

No public input was received at the time of writing this report.

Alternatives

- The Board of Adjustment may grant the variances request according to the findings of fact, conclusions of law and conditions of approval drafted below and/or as amended; or
- The Board of Adjustment may deny the variances request and direct staff to make findings of fact to support this decision; or
- The Board of Adjustment may approve the variance for the reduced side yard setback but deny the variance for the chimney encroachment, or vice versa; or
- The Board of Adjustment may continue the discussion and request additional information on specific items.

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Consequences of not taking the Suggested Recommendation

The property would remain as is and the applicant would need to amend his Historic District Design Review (HDDR) application to reflect the 5 foot required setback from the 11th Street ROW, as required for Corner Lots. Should the BOA not grant a variance (#1) to reduce the north side yard setback from 5 feet to 3 feet, the applicant will need to redesign the house to conform with the required setbacks. Should the BOA grant the variance (#2) for the chimney, there could be unforeseen impacts to any maintenance or expansion of utilities in the ROW as well as limited development opportunities for the City within this ROW.

Recommendation

Staff recommends that the Board of Adjustment (BOA) review, conduct a public hearing, and consider:

- Approving the applicants' request for a variance to the side yard setback exceptions from the required 5 feet to 3 feet adjacent to 11th Street
- Denying the applicant's request for (2) a chimney encroaching into the 3 foot side yard setback.

The BOA should conduct a public hearing and consider granting the variances based on the following findings of facts and conclusion of law.

Findings of Fact

1. The property is located at 1090 Norfolk Avenue in the Historic Residential (HR-1) District. It's legal description is Lot 17, Block 9 Snyders Addition to Park City.
2. The HR-1 zone is characterized by historic and contemporary homes and condominiums on one (1) to two (2) lot combinations.
3. The property is a Standard Lot measuring 25 feet by 75 feet. It is currently a vacant lot.
4. The property is vacant and therefore not designated as historic by the Historic Sites Inventory.
5. The property fronts Norfolk Avenue to the west and the 11th Street right-of-way to the north. No paved street exists in the 11th Street ROW, though there are City stairs on the north side of the ROW and underground utilities.
6. On June 6, 2017, the Planning Department received a Historic District Design Review (HDDR) application for a new single-family dwelling to be constructed on a vacant lot at 1090 Norfolk Avenue; the application was approved on August 1, 2017.
7. On December 7, 2017, the Planning Department received a variance request for a reduced side yard setback from 5 feet to 3 feet on the Corner lot, abutting the 11th Street right-of-way to allow for a new single-family house with a chimney encroaching into the side yard.
8. 11th Street is a platted ROW, although it is inbuilt as a paved road west of Woodside Avenue. At this time, there are no plans to develop a paved street within the 11th Street ROW. There are already City stairs constructed on the north side of the ROW and utilities located within the ROW.
9. Land Management Code (LMC) 15-2.2-3(E) requires a minimum front yard setback of 10 feet; however, LMC 15-2.2-3(H)(2) allows for the minimum Side Yard that faces a side Street or platted Right-of-Way to be 5 feet.
10. On non-corner lots, the minimum side yard setback is 3 feet for a lot this size and lot width.
11. LMC 15-2.2-3(I)(2), allows for Chimneys not more than 5 feet wide projecting not more than 2 feet into the Side Yard to encroach into side yard setbacks measuring a minimum of 5 feet.
12. The HR-1 district requires a minimum 3 foot side yard setback for a single family house on a standard 25 foot by 75 foot lot. The HR-1 zone regulations permit a 19 foot wide building pad on 25 foot wide lots.
13. Application of the required setbacks would result in a 17 foot wide building pad due to the required 5 foot side yard setback on a corner lot.
14. Literal enforcement of the LMC would cause an unreasonable hardship for the Applicant that is not necessary to carry out the general purpose of the LMC. The purpose of the increased side yard setback on Corner lots is to allow for a clear view of the intersection, yard area, and snow storage; Under the 2011 Traffic and Transportation Plan, the City does not anticipate further developing this right-of-way as a public paved street and a current public staircase is already on the north side of the platted ROW. Because of this, literal enforcement is not

- necessary to carry out the general purpose of the zoning code.
15. A 3 foot side yard setback along the 11th Street ROW provides sufficient separation between development on this property and any new or expanded development within the ROW. The reduced side yard setback of three feet (3') would not significantly impede the City from maintaining or expanding underground utilities or developing the ROW in the future.
 16. Chimneys are not required elements and the reduced setback of the chimney to one foot (1') from the property line could impede future development in the ROW. The City Engineer finds that the location of the chimney could impede existing and future utilities within the ROW as the reduced setback for the chimney brings these two uses into closer proximity. Excavation to maintain or expand existing utilities within the ROW could cause soil erosion issues on this property at the time of construction. The reduced setback of the chimney also provides less separation between the house and any new development in or of the 11th Street ROW.
 17. There are special circumstances attached to this Property that do not generally apply to other Properties in the same zone. This lot has a standard lot size of 25 feet by 75 feet. The typical side yard setbacks of 3 feet permit a maximum building width of 19 feet; however, the location of the platted, 11th Street ROW to the north requires a 5 foot side yard setback along the north property line for a corner lot such as this. The increased setback reduces the size of the Building Pad from 1,045 square feet to 935 square feet on Corner Lots, though the footprint remains the same.
 18. The majority of Standard Lots that meet the definition of a Corner Lot have been permitted to maintain a 3 foot side yard setback from the ROW, instead of the required five foot (5') setback. Of the 29 Standard Old Town Lots in HR-1 abutting a ROW surveyed, 9 have received variances for a reduced side yard setback, 9 have been approved in error to have a 3 foot side yard setback, 4 have observed the required 5 foot setback, and 7 have not yet been developed or contain a historic house that has not been added on to. This deprives the Property of privileges granted other Properties in the same zone and creates a hardship for this property.
 19. Granting the variance is essential to the enjoyment of a substantial Property right possessed by other Property in the same zone. The variance will not allow a greater building area or a larger structure than is currently allowed on any other 25 foot by 75 foot lot in the HR-1 district. All other requirements of the LMC will be met, including but not limited to setbacks, maximum heights, parking, utilities, footprint, and Historic District Design Guidelines. As 18 of 29 properties have been permitted to have a reduced side yard setback abutting a ROW, granting this variance permits essential enjoyment of a substantial Property right possessed by other Property in the same zone.
 20. By allowing the chimney to encroach up to one foot (1') from the property line, there is insufficient separation between the chimney and any existing or future development in the ROW.
 21. The variance will not substantially affect the General Plan and will not be contrary to public interest. The variance will not obstruct the use of the pedestrian staircase within the 11th Street ROW, the placement of utilities, nor will it utilize

the City-owned property for private benefit. The General Plan encourages smaller, compact development on single lots that contribute to the overall character and integrity of the Mining Boom Era Residences Thematic District by reflecting the historic mass and scale.

22. The City Engineer believes that the one foot (1') separation of the chimney from the ROW due to the applicant's request for a reduced setback will impede the City's use of the ROW. Limiting the maintenance and/or expansion of utilities, snow storage, and the potential to develop 11th Street into a paved road are contrary to public interest
23. The spirit of the Land Management Code is observed and substantial justice is done. The reduced side yard setback along the 11th Street ROW will not allow a greater building area or larger structure than is currently allowed on any other 25 foot by 75 foot lot in the HR-1 district. All other requirements of the LMC requirements will be met, including but not limited to setbacks, maximum footprints, maximum heights, parking, utilities, and compliance with the Historic District Design Guidelines. The ROW provides additional side yard setback and separation between buildings.
24. The spirit of the LMC is not observed by allowing the chimney a reduced setback of only one foot (1'). The LMC currently allows chimneys to encroach into five foot (5') side yard setbacks for a maximum of two feet (2'), leaving three feet (3') of separation between the chimney on the lot line. In this case, the property abuts a ROW and the City Engineer finds that the reduced setback of the chimney could infringe on future developments within this ROW.
25. Ability to construct and maintain utilities within the ROW will not be impacted by approving the variance to reduce the required side yard setback from five feet (5') to three feet (3') along the 11th Street ROW.
26. All findings in the Analysis section are incorporated herein.

Conclusion of Law

Variance Request 1: Reduced Side Yard Setback

1. Literal enforcement of the HR-1 District requirements for this property causes an unreasonable hardship that is not necessary to carry out the general purpose of the zoning ordinance.
2. There are special circumstances attached to the property that do not generally apply to other properties in the same district.
3. Granting the variance is essential to the enjoyment of substantial property right possessed by other property owners in the same district.
4. The proposal is consistent with the General Plan.
5. The spirit of the zoning ordinance is observed by this application.
6. It can be shown that all of the conditions justifying a variance, pursuant to LMC § 15-10-9, have been met.

Variance Request 2: Chimney

1. Literal enforcement of the HR-1 District requirements for this property does not cause an unreasonable hardship that is not necessary to carry out the general purpose of the zoning ordinance.
2. There are not special circumstances attached to the property that do not

- generally apply to other properties in the same district.
3. Granting the variance is not essential to the enjoyment of substantial property right possessed by other property owners in the same district.
 4. The proposal is not consistent with the General Plan.
 5. The spirit of the zoning ordinance is not observed by this application.
 6. It cannot be shown that all of the conditions justifying a variance, pursuant to LMC § 15-10-9, have been met.

Order

1. A variance to LMC Section 15-2.2-3(H)(2) to the required side yard setback for Corner Lots is hereby granted to reduce the setback from 5 feet to 3 feet. The variance run with the land
2. A variance to LMC Section 15-2.2-3(I)(2) to allow a Chimney not more than 5 feet wide projecting not more than 2 feet into the Side Yard is hereby denied.

Exhibits

- Exhibit A – Applicant’s statement
Exhibit B – Existing Conditions Survey
Exhibit C – Proposed plans

1090 Norfolk Ave Variance Application

The subject property is a 25'x75' Plated lot adjacent to the vacated 11th Street right of way between Woodside Ave and Norfolk Ave.

The Northern side yard property line abuts the vacated 11th Street requiring it under the LMC to be a 5' set back that would;

1. Lot 17 is 25'x75' which is typically 3' side yard setbacks.

The 5' Setback on the vacated 11th Street essentially creates a 23' wide lot which severely comprises the design and is not consistent with the general purpose for 25'x75' Lots in the LMC.

2. Requiring a 5' side yard setback on 25'x75' Lot does not generally apply to properties in the HR1 zone.

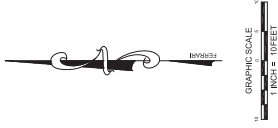
3. A variance will afford the property the same property enjoyment as typical 25'x75' Lots in the HR1 zone.

4. The variance will not be contrary to the public interest or substantially affect the General Plan because it does not reduce the space between dwellings or impinge on easements required for traffic flow, sight lines or general circulation etc. in the area. The Vacated 11th Street is essentially open space and the City Stairs therein are located away from the property on the northern side of the vacated street.

5. 25x75' foot lots have 3' side yard setbacks to enable an acceptable interior accommodation that enables conformity with the Building Codes while providing enjoyable living spaces and circulation around the dwelling.

Requiring a larger setback than is typical for a 25'x75' lot next to a vacated open area is not contextual and is not consistent with the spirit of the LMC and therefore does not provide for substantial justice to be done regarding this application.

RECORD OF SURVEY & TOPOGRAPHICAL MAP
 LOT 17 BLOCK 9, SNYDERS ADDITION TO PARK CITY
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 16
 TOWNSHIP 2S RANGE 4E
 SALT LAKE BASE AND MERIDIAN



SURVEYOR'S STATEMENT

I, GREGORY J. FERRARI OF PARK CITY, UTAH, CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF UTAH. I HAVE PERSONALLY CONDUCTED THE SURVEY AND REPRESENTS A SURVEY MADE BY ME, OR UNDER MY DIRECTION, OR UNDER THE SUPERVISION OF ME, AND THAT TO THE BEST OF MY KNOWLEDGE IT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED.

GREGORY J. FERRARI, LICENSE NO. 1735, LICENSE EXPIRES ON MARCH 31, 2019

P.O. BOX 683001
 PARK CITY, UT 84008

RELEASE OF DOCUMENTS
 THIS SURVEY IS BEING RELEASED TO THE PUBLIC AS A PUBLIC DOCUMENT. IT IS THE POLICY OF THE SURVEYOR TO MAKE THIS SURVEY AVAILABLE TO THE PUBLIC. THIS SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

LEGEND:

- PROPERTY LINE
- MAJOR CONTOUR
- MINOR CONTOUR
- CENTERLINE
- OVER HEAD UTILITY
- FENCE
- PROPERTY CORNER LOT 16
- PROPERTY CORNER LOT 18/19/20
- FIRE HYDRANT
- WATER VALVE
- WATER METER
- SEWER MANHOLE
- TELEPHONE PEDestal
- STREET MONUMENT
- POWER POLE
- DRAINAGE INLET

PROJECT INFORMATION:

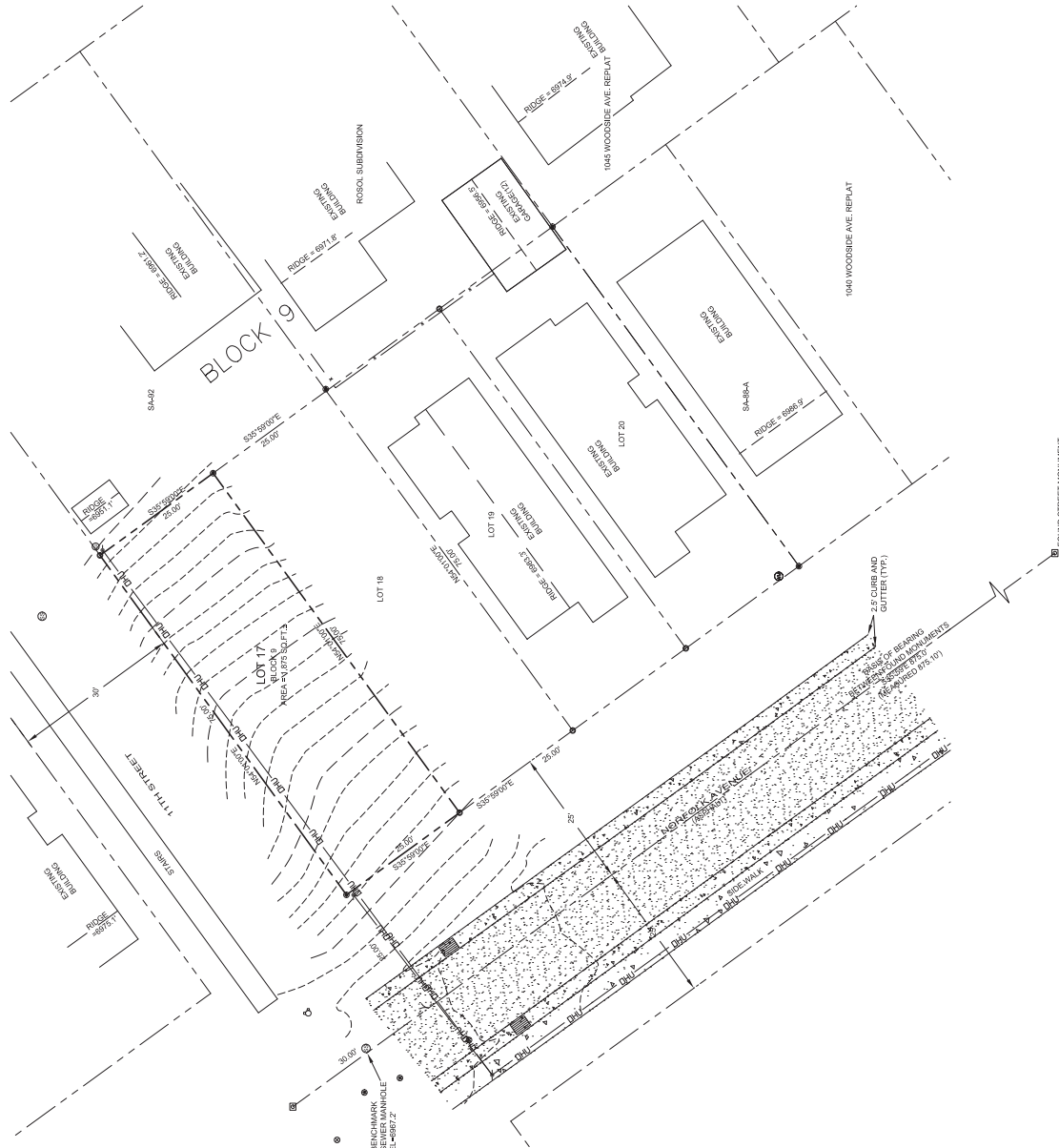
CLIENT: MAGNUS FLODEN
 PROJECT ADDRESS: NORFOLK AVENUE
 PARK CITY, UT 84000
 RECORD INFORMATION: LOT 17, BLOCK 9, SNYDERS ADDITION TO PARK CITY

NOTES:

1. THE MONUMENTS SHOWN ON THIS MAP ARE THE MONUMENTS OF THE SURVEY ON THE GROUND AND CREATE A TOPOGRAPHICAL MAP AT THE REQUEST OF MAGNUS FLODEN.
2. THE EVIDENCE OF BOUNDARY CORNER MONUMENTS IS TAKEN FROM RECORD INFORMATION COMPILED FROM SNYDERS ADDITION TO PARK CITY SUBDIVISION.
3. NO INVESTIGATION CONCERNING ENVIRONMENTAL & SUBSURFACE CONDITIONS OR THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES WHICH MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY WAS MADE AS A PART OF THIS SURVEY.
4. NO INVESTIGATION CONCERNING THE LOCATION OF OR EXISTENCE OF UTILITY SERVICE LINES TO THIS PROPERTY WAS MADE AS A PART OF THIS SURVEY.
5. ALL UTILITY LOCATIONS SHOULD BE FIELD VERIFIED PRIOR TO ANY DESIGN OR CONSTRUCTION.
6. DATE OF FIELD WORK: OCTOBER 28, 2016.
7. VERTICAL DATUM IS BASED ON THE STREET MONUMENT AT 11TH & NORFOLK AVE. ELEVATION=6668.13.
8. BUILDING SETBACKS MUST BE CONFIRMED WITH THE COUNTY HOMEOWNERS ASSOCIATION, ARCHITECTURAL COMMITTEE OR SIMILAR ADVISORY GROUP, IF ANY.
9. THE OWNER OF THE PROPERTY SHOULD BE AWARE OF ANY ITEMS AFFECTING THE PROPERTY THAT MAY APPEAR IN A TITLE INSURANCE REPORT.
10. BASIS OF BEARING SHOWN HEREON.

LEGAL DESCRIPTION:

LOT 17, BLOCK 9, SNYDERS ADDITION TO PARK CITY, A PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 2S SOUTH RANGE 4E, SALT LAKE BASE AND MERIDIAN.



REV	DATE	REVISIONS	INITIAL
1	12-14-16	UPDATED AFTER LOT 19 & 20 CONSTRUCTION	

RECORD OF SURVEY AND TOPOGRAPHICAL MAP
 LOT 17
 MAGNUS FLODEN
 SUMMIT COUNTY
 PARK CITY

SCALE: 1" = 10'

DATE: 10/28/16

DRAWING: 1000

TOPOLIST-D: UNCH-IL

PROJECT: 161118

6	Revision
5	
4	
3	
2	
1	
0	

Drawn By: [Blank]
 Checked By: [Blank]
 Plan Name: [Blank]

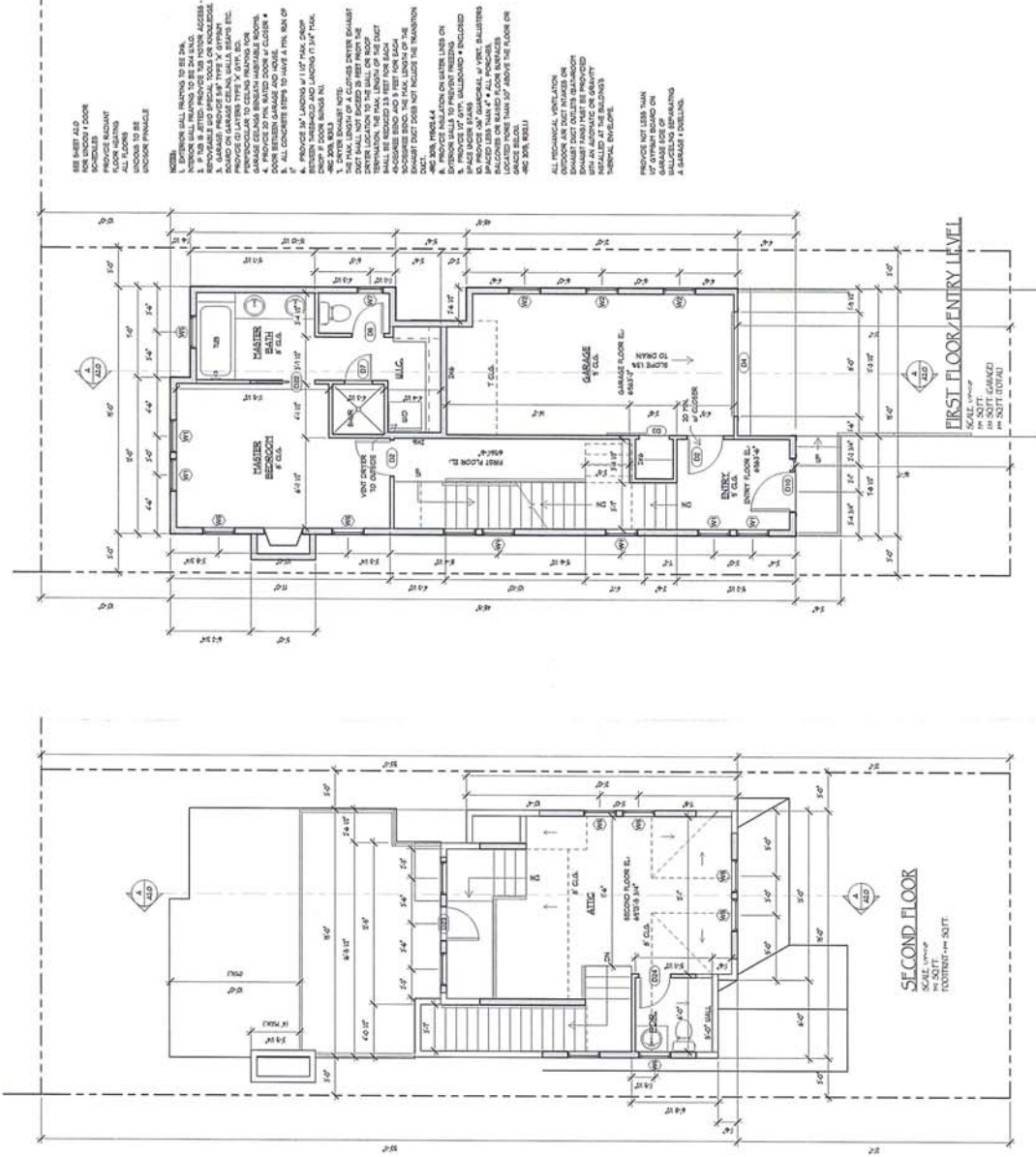
Notes
 1. See Site Plan for Location of This Project.
 2. All Work to be Done in Accordance with the City of Park City Building Code.
 3. All Work to be Done in Accordance with the City of Park City Zoning Ordinance.
 4. All Work to be Done in Accordance with the City of Park City Health Department.
 5. All Work to be Done in Accordance with the City of Park City Fire Department.
 6. All Work to be Done in Accordance with the City of Park City Planning Department.
 7. All Work to be Done in Accordance with the City of Park City Public Works Department.
 8. All Work to be Done in Accordance with the City of Park City Parks and Recreation Department.
 9. All Work to be Done in Accordance with the City of Park City Cultural Services Department.
 10. All Work to be Done in Accordance with the City of Park City Community Development Department.



Residence for Magnus Hodson
 1000 North Avenue (Lot 17)
 Park City, Utah

December 7, 2017
 A1.1

FIRST/SECOND FLOOR PLANS



RECEIVED
 DEC 07 2017
 PARK CITY
 PLANNING DEPT.

Door Schedule		
Type Mark	Level	Type
D1	SECOND FLOOR	2'-6"x6'-8"
D10	ENTRY LEVEL	3'-0"x7'-0" w/ 12" SIDELITE, TEMP.
D2	ENTRY LEVEL	2'-6"x7'-0"
D3	ENTRY LEVEL	2'-6"x7'-0" Blank Style Door
D4	GARAGE T.O.S.	6'-0"x8'-0" OVERHEAD
D5	ENTRY LEVEL	2'-6"x7'-0"
D6	ENTRY LEVEL	2'-6"x7'-0"
D7	ENTRY LEVEL	2'-6"x7'-0"
D8	ENTRY LEVEL	2'-6"x7'-0"
D9	ENTRY LEVEL	2'-6"x7'-0"
D10	ENTRY LEVEL	2'-6"x7'-0"
D11	ENTRY LEVEL	2'-6"x7'-0"
D12	ENTRY LEVEL	2'-6"x7'-0"
D13	ENTRY LEVEL	2'-6"x7'-0"
D14	ENTRY LEVEL	2'-6"x7'-0"
D15	ENTRY LEVEL	2'-6"x7'-0"
D16	ENTRY LEVEL	2'-6"x7'-0"
D17	ENTRY LEVEL	2'-6"x7'-0"
D18	ENTRY LEVEL	2'-6"x7'-0"
D19	ENTRY LEVEL	2'-6"x7'-0"
D20	ENTRY LEVEL	2'-6"x7'-0"
D21	ENTRY LEVEL	2'-6"x7'-0"
D22	ENTRY LEVEL	2'-6"x7'-0"
D23	ENTRY LEVEL	2'-6"x7'-0"
D24	ENTRY LEVEL	2'-6"x7'-0"
D25	ENTRY LEVEL	2'-6"x7'-0"
D26	ENTRY LEVEL	2'-6"x7'-0"
D27	ENTRY LEVEL	2'-6"x7'-0"
D28	ENTRY LEVEL	2'-6"x7'-0"
D29	ENTRY LEVEL	2'-6"x7'-0"
D30	ENTRY LEVEL	2'-6"x7'-0"
D31	ENTRY LEVEL	2'-6"x7'-0"
D32	ENTRY LEVEL	2'-6"x7'-0"
D33	ENTRY LEVEL	2'-6"x7'-0"
D34	ENTRY LEVEL	2'-6"x7'-0"
D35	ENTRY LEVEL	2'-6"x7'-0"
D36	ENTRY LEVEL	2'-6"x7'-0"
D37	ENTRY LEVEL	2'-6"x7'-0"
D38	ENTRY LEVEL	2'-6"x7'-0"
D39	ENTRY LEVEL	2'-6"x7'-0"
D40	ENTRY LEVEL	2'-6"x7'-0"
D41	ENTRY LEVEL	2'-6"x7'-0"
D42	ENTRY LEVEL	2'-6"x7'-0"
D43	ENTRY LEVEL	2'-6"x7'-0"
D44	ENTRY LEVEL	2'-6"x7'-0"
D45	ENTRY LEVEL	2'-6"x7'-0"
D46	ENTRY LEVEL	2'-6"x7'-0"
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D50	ENTRY LEVEL	2'-6"x7'-0"
D51	ENTRY LEVEL	2'-6"x7'-0"
D52	ENTRY LEVEL	2'-6"x7'-0"
D53	ENTRY LEVEL	2'-6"x7'-0"
D54	ENTRY LEVEL	2'-6"x7'-0"
D55	ENTRY LEVEL	2'-6"x7'-0"
D56	ENTRY LEVEL	2'-6"x7'-0"
D57	ENTRY LEVEL	2'-6"x7'-0"
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D59	ENTRY LEVEL	2'-6"x7'-0"
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D61	ENTRY LEVEL	2'-6"x7'-0"
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D63	ENTRY LEVEL	2'-6"x7'-0"
D64	ENTRY LEVEL	2'-6"x7'-0"
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D73	ENTRY LEVEL	2'-6"x7'-0"
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D85	ENTRY LEVEL	2'-6"x7'-0"
D86	ENTRY LEVEL	2'-6"x7'-0"
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D88	ENTRY LEVEL	2'-6"x7'-0"
D89	ENTRY LEVEL	2'-6"x7'-0"
D90	ENTRY LEVEL	2'-6"x7'-0"
D91	ENTRY LEVEL	2'-6"x7'-0"
D92	ENTRY LEVEL	2'-6"x7'-0"
D93	ENTRY LEVEL	2'-6"x7'-0"
D94	ENTRY LEVEL	2'-6"x7'-0"
D95	ENTRY LEVEL	2'-6"x7'-0"
D96	ENTRY LEVEL	2'-6"x7'-0"
D97	ENTRY LEVEL	2'-6"x7'-0"
D98	ENTRY LEVEL	2'-6"x7'-0"
D99	ENTRY LEVEL	2'-6"x7'-0"
D100	ENTRY LEVEL	2'-6"x7'-0"

* DOORILL STEP NOTE: MINOR LOCAL SLOPE.
 A TEN FOOT (10') MINIMUM HORIZONTAL STEP IN THE DOORILL
 RAILING IS REQUIRED. IN THIS CASE, THE RAMP IS LOCATED
 AT THE END OF THE DOORILL. THE HORIZONTAL STEP SHALL TAKE PLACE AT A
 MINIMUM HEIGHT OF TWENTY THREE (23) INCH ABOVE THE
 FINISHED FLOOR. THERE IS THE LOCATED FRONT OF EXISTING SPACE

Window Schedule		
Type Mark	Level	Type
W1	SECOND FLOOR	2'-6"x5'-0" CSMT
W2	SECOND FLOOR	2'-6"x5'-0" CSMT
W3	SECOND FLOOR	2'-6"x5'-0" CSMT
W4	SECOND FLOOR	2'-6"x5'-0" CSMT
W5	SECOND FLOOR	2'-6"x5'-0" CSMT
W6	SECOND FLOOR	2'-6"x5'-0" CSMT
W7	SECOND FLOOR	2'-6"x5'-0" CSMT
W8	SECOND FLOOR	2'-6"x5'-0" CSMT
W9	SECOND FLOOR	2'-6"x5'-0" CSMT
W10	SECOND FLOOR	2'-6"x5'-0" CSMT
W11	SECOND FLOOR	2'-6"x5'-0" CSMT
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W56	SECOND FLOOR	2'-6"x5'-0" CSMT
W57	SECOND FLOOR	2'-6"x5'-0" CSMT
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W59	SECOND FLOOR	2'-6"x5'-0" CSMT
W60	SECOND FLOOR	2'-6"x5'-0" CSMT
W61	SECOND FLOOR	2'-6"x5'-0" CSMT
W62	SECOND FLOOR	2'-6"x5'-0" CSMT
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W73	SECOND FLOOR	2'-6"x5'-0" CSMT
W74	SECOND FLOOR	2'-6"x5'-0" CSMT
W75	SECOND FLOOR	2'-6"x5'-0" CSMT
W76	SECOND FLOOR	2'-6"x5'-0" CSMT
W77	SECOND FLOOR	2'-6"x5'-0" CSMT
W78	SECOND FLOOR	2'-6"x5'-0" CSMT
W79	SECOND FLOOR	2'-6"x5'-0" CSMT
W80	SECOND FLOOR	2'-6"x5'-0" CSMT
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W84	SECOND FLOOR	2'-6"x5'-0" CSMT
W85	SECOND FLOOR	2'-6"x5'-0" CSMT
W86	SECOND FLOOR	2'-6"x5'-0" CSMT
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W98	SECOND FLOOR	2'-6"x5'-0" CSMT
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W100	SECOND FLOOR	2'-6"x5'-0" CSMT

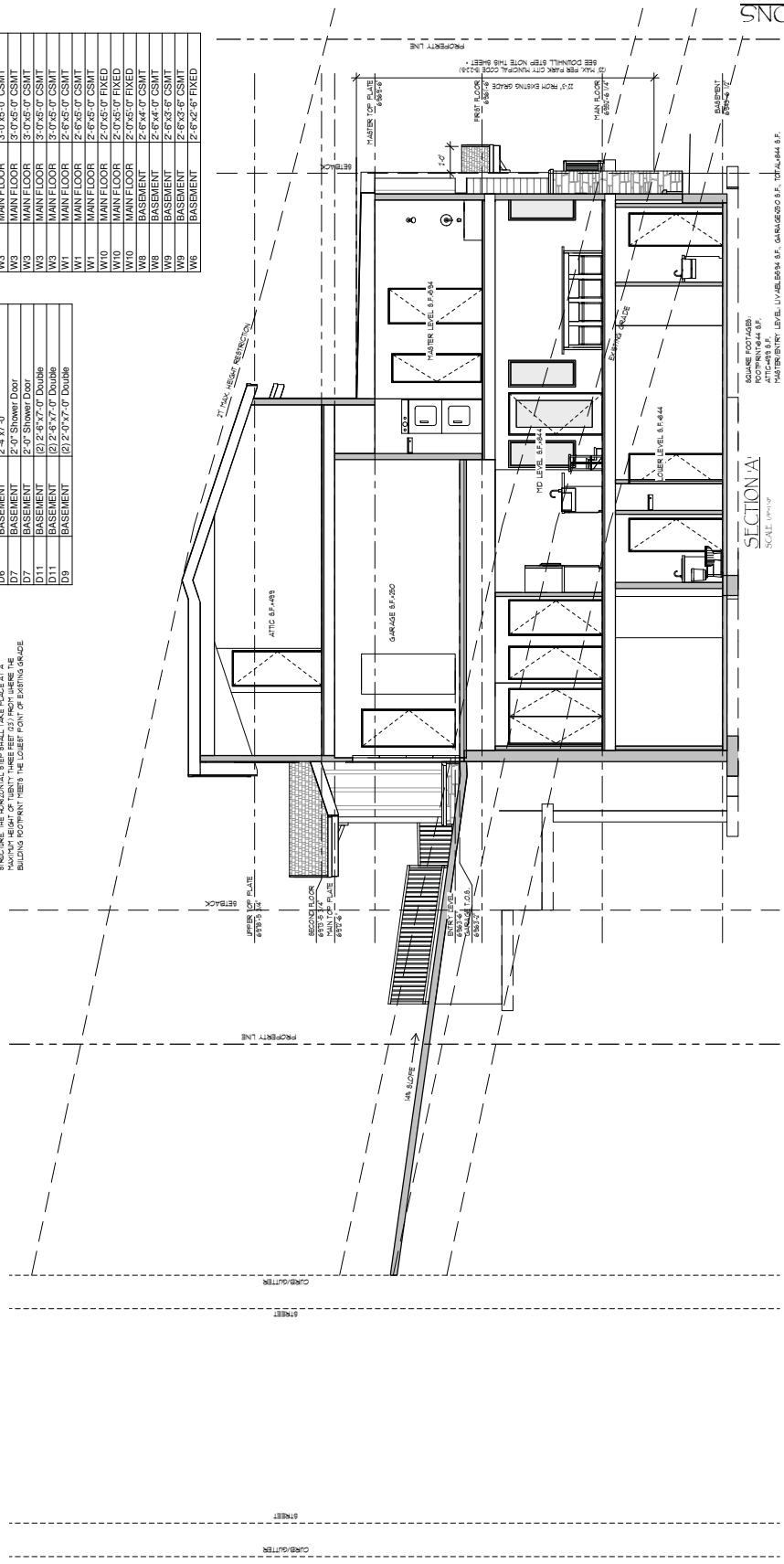
Notes

1. All Work to be Done in Accordance with the Contract Documents.
 2. All Work to be Done in Accordance with the Building Code.
 3. All Work to be Done in Accordance with the City Ordinance.
 4. All Work to be Done in Accordance with the State Code.
 5. All Work to be Done in Accordance with the Federal Code.
 6. All Work to be Done in Accordance with the International Code.
 7. All Work to be Done in Accordance with the Local Code.
 8. All Work to be Done in Accordance with the National Code.
 9. All Work to be Done in Accordance with the International Code.
 10. All Work to be Done in Accordance with the Local Code.



1000 Norfolk Avenue (Lot 17)
 Norfolk City Club
 Norfolk Lot 17

May 15, 2017
A2.0



SECTION A
 SCALE: 1/8" = 1'-0"

SQUARE FOOTAGE:
 ROOMS: 1,644 S.F.
 MAIN FLOOR: 1,644 S.F.
 GARAGE: 1,644 S.F.
 TOTAL OVERALL: 4,932 S.F.

SECTIONS

Revision	Drawn By	Checked By	Date
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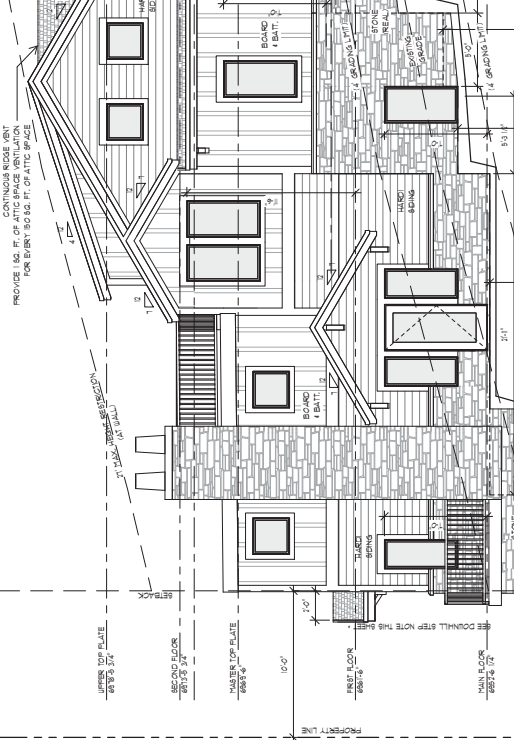
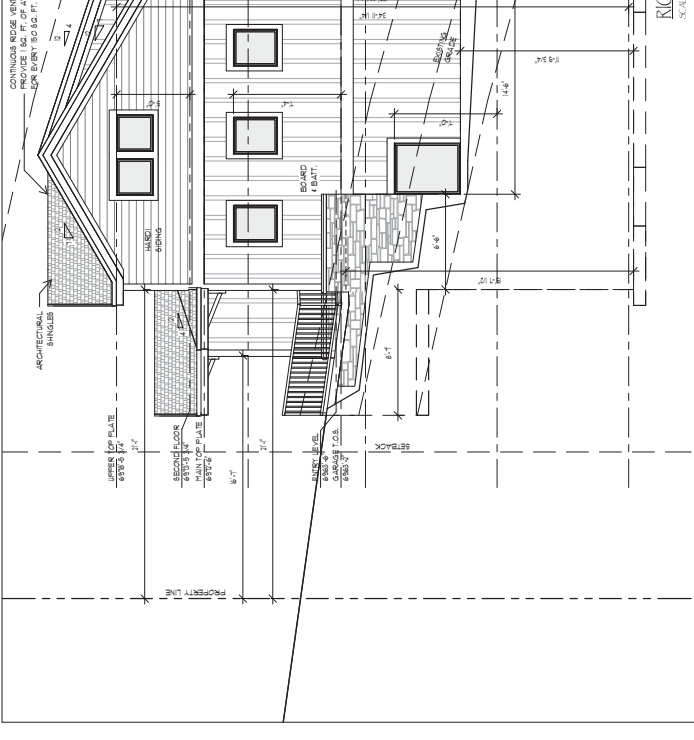
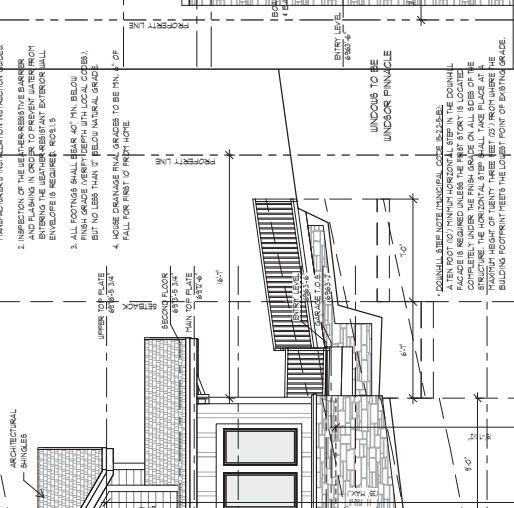
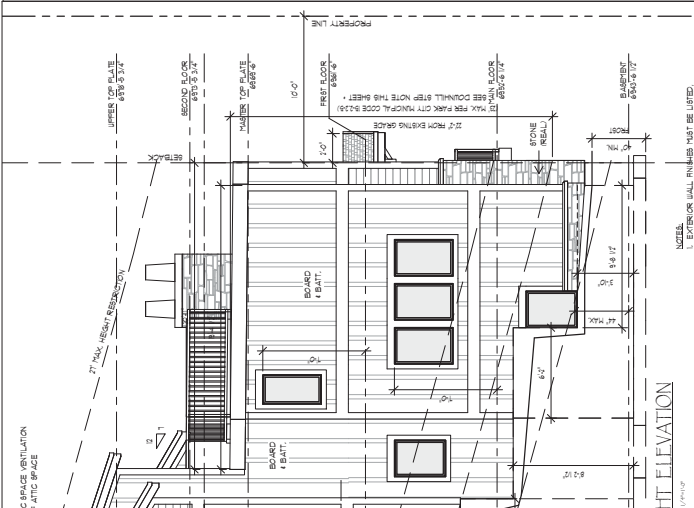
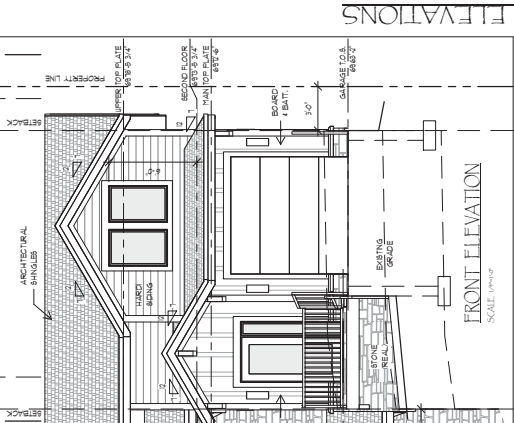
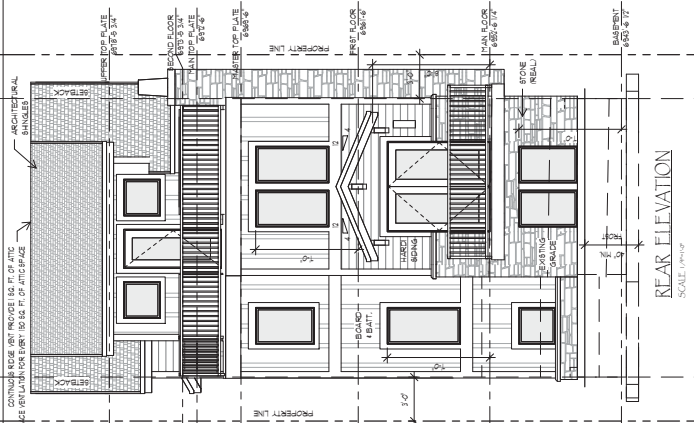
Plan Name: _____
 Drawn By: _____
 Checked By: _____
 Date: _____

NOTES:
 1. Each Sheet Contains Shall Check And Lockdown All Dimensions, Notes, And Other Items On The Plans. Do Not Assume. Do Not Add Anything Other Than Four To The Drawing.
 2. Marked Dimension Or Elevation Is Shown On The Drawing. Do Not Proceed With Any Work Until Approved.
 3. Each Sheet Contains Shall Contain All Work/Change Trade Through The Correct Connection.
 4. The Designer Will Not Assume Responsibility For Any Items, Omissions, Or Errors. The Designer Will Assume Responsibility For Any Items, Omissions, Or Errors. The Designer Will Assume Responsibility For Any Items, Omissions, Or Errors.



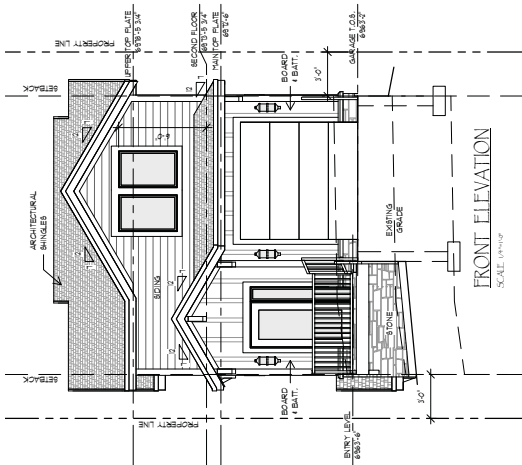
Residence for Magnus Floden
 1000 North Avenue (Lot 17)
 Park City, Utah

REVISION: December 7, 2017
A3.0



- NOTES:**
1. ALL DIMENSIONS AND NOTES MUST BE LISTED. MANUFACTURER'S INSTALLATION INSTRUCTIONS MUST BE READ AND INSTALLED AS PER.
 2. INSPECTION OF THE LEAK RESISTIVE BARRIER AND FLASHING IN ORDER TO PRESENT WATER PROOFING TO THE EXTERIOR WALL SURFACE IS REQUIRED. KICK OUTS MUST BE REMOVED.
 3. ALL JOISTS SHALL BE 16" ON 16" CENTER. FINISH GRADE VENTILATION (WITH LOCAL CODES), BUT NO LESS THAN 7" BELOW FINISH GRADE.
 4. HOUSE DRAINAGE MUST GRADES TO BE MIN. 1" OF FALL FOR FIRST 10' FROM NOTE.

LOT 17 NORFOLK AVENUE FRONT ELEVATION AND CONTEXT PHOTO



STREETSCAPE/CONTEXT PHOTO

Revision	1	2	3	4	5	6
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Drawn By: _____
 Checked By: _____
 Engineer: _____
 Plan Name: _____

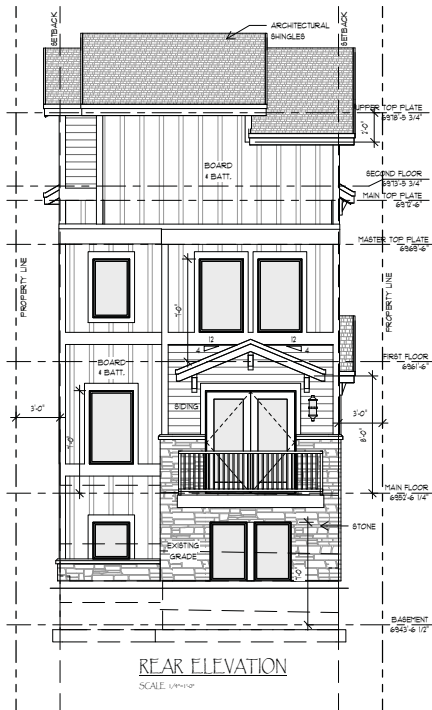
Notes
 Each Sheet Contains Shall Check And Indicate All Dimensions, Notes, And Other Information. The Designer Will Not Assume Responsibility For Any Errors, Omissions, Or Incomplete Information Available For Use In Any Other Context. Proceeding With Any Work Without The Designer's Approval Is At The Client's Own Risk. The Designer Will Not Assume Responsibility For Any Errors, Omissions, Or Incomplete Information Available For Use In Any Other Context. Proceeding With Any Work Without The Designer's Approval Is At The Client's Own Risk.

Each Sheet Contains Shall Check And Indicate All Dimensions, Notes, And Other Information. The Designer Will Not Assume Responsibility For Any Errors, Omissions, Or Incomplete Information Available For Use In Any Other Context. Proceeding With Any Work Without The Designer's Approval Is At The Client's Own Risk.



Norfolk Lot 17
 1000 Norfolk Avenue (Lot 17)
 Park City, Utah

PROJECT
 May 25, 2017
 A4.0



LOT 17 NORFOLK AVENUE REAR ELEVATION AND CONTEXT PHOTO

Revision	
1	
2	
3	
4	
5	
6	

Drawn By: JES	Engineered By: ENGINEER
Plan #:	Plan Name:

Notes

Each Sub-Contractor Shall Check And Understand All Dimensions, Notes And Other Aspects Of The Project Applicable To Their Trade And Affecting Other Trades Prior To And During Construction.

Notify Designer Or Engineer In Writing Of Any Discrepancies Or Changes On The Drawing Before Proceeding With Any Work.

Each Sub-Contractor Shall Coordinate Work With Other Trades Through The General Contractor.

The Designer Will Not Assume Responsibility For Any Misuse Or Misreading Of These Plans Where Information Is Available But Omitted.

The Owner Is Using These Plans Is Responsible For Clarifying Any Questions According To The Conditions Stated Above.



Norfolk - Lot 17
1000 Norfolk Avenue (Lot 17)
Park City, Utah

PROJECT DATE:
May 25, 2017
SHEET
A4.1

REAR CONTEXT PHOTO