



**PARK CITY HISTORIC PRESERVATION BOARD MEETING
SUMMIT COUNTY, UTAH
November 2, 2022**

NOTICE OF HYBRID IN-PERSON AND ELECTRONIC MEETING: The Historic Preservation Board of Park City, Utah will hold its regular meeting with an anchor location for public participation at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah 84060 on Wednesday, November 2, 2022. Historic Preservation Board members may participate in person or connect electronically by Zoom or phone. Members of the public may attend in person or participate electronically. Public comments will also be accepted virtually. To comment virtually, use eComment or raise your hand on Zoom through www.parkcity.org/public-meetings. Written comments submitted before or during the meeting will be entered into the public record but will not be read aloud. For more information on attending virtually and to listen live, please go to www.parkcity.org.

MEETING CALLED TO ORDER AT 5:00 PM.

1. ROLL CALL

2. MINUTES APPROVAL

- 2.A Consideration to Approve the Historic Preservation Board Meeting Minutes from September 7, 2022.
[HPB 09.07.2022 Minutes](#)

3. PUBLIC COMMUNICATIONS

4. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

5. WORK SESSION

- 5.A Relocation of Significant Structures at 336/360 Daly Avenue
[Daly Accessory Structures Relocation Staff Report](#)
[Exhibit A: Notice of Historic Preservation Board Action](#)
[Exhibit B: Notice of Planning Department Action](#)
[Exhibit C: May 3, 2017 HPB Staff Report](#)
[Exhibit D: HPB May 3, 2017 Minutes](#)
[Exhibit E: LMC 15-13-4 Section](#)
[Exhibit F: The Canyon Subdivision Plat](#)
[Exhibit G: Record of Survey and Topographic Map](#)

6. REGULAR AGENDA

- 6.A **1304 Park Avenue - Material Deconstruction-** The Board Will Review a Final Action Letter for Material Deconstruction to Accommodate an Addition. PL-21-05028
(A) Public Hearing; (B) Action
[1304 Park Avenue Staff Report](#)
[Exhibit A: Draft Final Action Letter for Material Deconstruction](#)

7. ADJOURN

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Planning Department at 435-615-5060 or planning@parkcity.org at least 24 hours prior to the meeting.

***Parking is available at no charge for Council meeting attendees who park in the China Bridge parking structure.**



**PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF SEPTEMBER 7, 2022**

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

EX OFFICIO MEMBERS: Gretchen Milliken, Planning Director; Rebecca Ward, Assistant Planning Director; Mark Harrington, Senior City Attorney; Chief Building Official, Dave Thacker; Michelle Kellogg, City Recorder

1. ROLL CALL

Board Member Stephens called the meeting to order at 5:00 p.m. A roll call was held and he noted that a quorum was present. Board Member Stephens reported that a site visit to 1002.5 Norfolk Avenue had taken place prior to the meeting.

2. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

A. Swearing In New Historic Preservation Board Member.

City Recorder, Michelle Kellogg noted that all of the Board Members present had either been appointed or were re-appointed. This included Allen Long, who was participating remotely. She asked that everyone stand, raise their right hand, and repeat the Oath of Office aloud. The oath was repeated. Mr. Long would need to come to her office to sign the Oath of Office when he was back in town.

B. Historic Preservation Board Chair Election.

Board Member Stephens explained that Randy Scott has served as Chair of the Historic Preservation Board in the past but was not present at tonight's meeting. As a result, it was recommended that the Board Chair Election be tabled until the next meeting. Senior City Attorney, Mark Harrington explained that this was appropriate but suggested that the Board elect a Chair Pro Tempore. Board Member Stephens stated that he could handle the Chair Pro Tem responsibilities during the current meeting.

MOTION: Board Member Holmgren moved that Board Member Stephens ACT AS CHAIR PRO TEMPORE for tonight's meeting. Board Member Beatlebrox seconded the motion. The motion passed unanimously.

MOTION: Board Member Hodgkins moved to TABLE the Historic Preservation Board Chair Election until the next Historic Preservation Board Meeting. Board Member Beatlebrox seconded the motion. The motion passed unanimously.

3. MINUTES APPROVAL

A. Consideration to Approve the Historic Preservation Board Meeting Minutes from July 6, 2022.

MOTION: Board Member Holmgren moved to APPROVE the Minutes of the July 6, 2022, Historic Preservation Board Meeting, as written. Board Member Hutchings seconded the motion. The motion passed unanimously.

4. PUBLIC COMMUNICATIONS

No eComments were submitted and no hands were raised on Zoom.

Planning Director, Gretchen Milliken shared Staff Communications with the Board. She introduced Caitlyn Tubbs, who recently joined the Planning Department. Ms. Tubbs would take on a lot of the Historic Preservation Board's responsibilities and initiatives and likely be present at future meetings.

5. WORK SESSION

A. Temporary Winter Balcony Enclosure Pilot Program – The Historic Preservation Board will Review the Temporary Winter Balcony Enclosure Pilot Program that Allows for Non-Historic Balconies in the Historic Commercial Business District Facing Main Street to be Enclosed from November 15 through April 30. The Pilot Program Will Expire in 2023. GI-22-00487.

Assistant Planning Director, Rebecca Ward presented the Staff Report and shared information related to the Temporary Winter Balcony Enclosure Pilot Program. She explained that it was initiated by the City Council and allowed non-historic balconies on Main Street to be enclosed from November 15 to April 30. The pilot program would end next year. The Historic Preservation Board reviewed the pilot program in January and March of 2015 and provided recommendations on regulations for the enclosures.

In 1979, Park City's Main Street was listed on the National Register of Historic Places and expanded in 2018. There are over 60 historic structures on Main Street, both significant and landmark, that were designated on the Historic Sites Inventory. Assistant Director Ward reported that Goal 15 of the General Plan was to "preserve the integrity, mass, scale, compatibility, and historic fabric," of the historic districts. Goal 16 of the General Plan was to "maintain the Historic Main Street District as the heart of the City for residents and encourage tourism in the district for visitors." The General Plan Community Planning Strategy 16.4 was to "work with the Historic Park City Alliance

(“HPCA”) and the Park City Historical Society to address the needs and concerns of local business owners.” Assistant Director Ward explained that only one applicant had applied to participate in the program, which was Riverhorse on Main.

The following requirements were established:

- The design must respect the architectural style of the building;
- The existing balcony railing must be preserved;
- The existing exterior wall must remain;
- The enclosure must be made of clear glazing set in window frames that match the mass, scale, and materials of the building’s windows;
- Cannot interfere with pedestrian movement on the sidewalk below;
- Must have direct access to the restaurant’s dining area;
- Must address snow shedding; and
- Must obtain a Building Permit.

Assistant Director Ward reported that Staff had consistently voiced concerns about the impact on the historic character of Main Street. Several concerns were presented in the early Staff Reports related to the pilot program. On July 28, the Planning, Building, Engineering, Public Works, and Sustainability Departments met to review the pilot program and the same list of concerns was shared:

- Even temporarily during the winter months, allowing the enclosure changes the historic character of the Main Street District as a whole;
- The enclosure of balcony spaces substantially alters the architectural design of the building, light, and shade of the building design, and the rhythm and pattern of the streetscape;
- The visual character of the original building (historic or non-historic) will be substantially altered due to changes in the overall shape, roof design, projections, recesses, and solid-to-void ratio;
- The enclosure of the balconies detracts from the historic “western” appearance of the Mining Era Main Street;
- The appearance of balconies over the sidewalks adds appeal and interest to the rhythm and patterning of the Main Street Historic District. The enclosures change the massing of the structure and create the perception of the second floor extending beyond the plane of the façade and over the City right-of-way;
- By extending beyond the front plane of the façade, the seasonal balcony enclosures block the views of the neighboring historic building when looking up or down Main Street;
- Main Street is characterized by in-line facades with limited breaks in massing; and
- Building over the balconies breaks the well-articulated street wall along the sidewalk and disrupts the continuity of the street wall.

Assistant Director Ward noted that there were additional concerns related to snow shedding as well as increases in water, sewage, and parking demand. Even though the enclosures were limited to non-historic buildings, they required attachment to Landmark Historic Structures, which impacted historic material. She shared several images of the Riverhorse balcony prior to the enclosure and side-by-side images of the open balcony and glass enclosure. She posed several questions to the Historic Preservation Board:

- Does the Historic Preservation Board support continuation of the Temporary Winter Balcony Enclosure Pilot Program?
- If so, is there support to amend the Design Guidelines for Historic Commercial Infill Construction to establish parameters for Winter Balcony Enclosures?

The Design Guidelines were amended and updated in 2019. They did not address the enclosure of balconies. In order to continue the program, those guidelines would need to be amended. Assistant Director Ward reported that Seth Adams from Riverhorse on Main was available to share input. Mr. Adams apologized that he was not at the meeting in person. As far as capacity, the enclosure did not increase its capacity any more than during the summer months. In fact, the capacity was actually less during the winter months due to the footprint. In his opinion, the enclosure fits in with the aesthetic of the area. It was designed based on City and Historic Preservation Board guidance. He was willing to make adjustments if desired by the City but noted that the winter enclosure was an important part of his business. It brought people to Main Street.

Board Member Stephens wondered if the HPCA had discussed the matter further. Assistant Director Ward reported that Staff reached out to the HPCA and they were aware of the Work Session discussion. However, no formal input had been provided. Board Member Hodgkins asked how long the winter enclosure could remain in place. Based on the pilot program, the installation was permitted on November 15, and the enclosure needed to be removed by April 30. Board Member Stephens believed the intention of a pilot program was to determine how successful a program would be. He wondered if Riverhorse on Main was the only property that had actually participated in the project. Assistant Director Ward explained that there had been inquiries from other restaurants on Main Street who wanted to enclose their balconies. One applicant wanted a permanent enclosure rather than a limited winter enclosure. As a result, that request had been withdrawn.

Board Member Beatlebrox mentioned the concerns expressed by Staff. She wanted to know if any of those initial concerns remained. Assistant Director Ward explained that the concerns from Staff had to do with impacts on the historic character of Main Street. Throughout the discussions, Staff remained consistent in their point of view. Prior to the pilot program, there were more temporary structures, like tents, being implemented. During the COVID-19 pandemic, there were other types of temporary structures permitted to allow for social distancing. Some of those creative temporary installations allowed for the use of outdoor space during the winter months. Prior to the pilot program, there had been concerns about the tents and the impact on the historic

character. However, those were temporary in nature. The pilot program allowed for enclosures that were more impactful and longer-term.

The City Council amended the Land Management Code. Currently, the enclosures were allowed on non-historic buildings from November 15 through April 30. There was no sunset clause added with that Code Amendment, but each year, the City Council needed to approve an Encroachment Agreement due to the balcony extension over the public sidewalk. As part of that review, it was made clear that this was a temporary pilot program that would be reevaluated in 2023. The Code Amendments allowed for the winter enclosures, but Design Guideline amendments would be needed in order to codify some of the requirements that were established with the pilot program.

Board Member Stephens wondered how Staff felt about temporary structures if the pilot program did not move forward. He noted that tents would need to be approved through a Conditional Use Permit process. Assistant Director Ward reported that the temporary structures were allowed under the code. There would still be an opportunity to have a tent or something temporary in place. Board Member Beatlebrox pointed out that there were only three balconies that were eligible and only one was being used in this way, with a glass structure during the ski season. She was not terribly interested in the Riverhorse on Main structure becoming permanent. It changed the façade and the overall look of the historic buildings on the street. Mr. Adams clarified that he was supportive of the enclosure remaining seasonal. This was a better solution than a temporary white tent, which would not look aesthetically pleasing.

Board Member Long asked about the approval process for the current design of the enclosure. Mr. Adams explained that there had been multiple rounds of discussions to make sure it was see-through enough and matched the façade. There were also regulations to ensure that structural integrity was maintained. The enclosure was designed by a company out of Connecticut. It was a reputable company and there had been a lot of discussions with the City Council and Planning Commission. Board Member Long thought the design was very contemporary. He did not believe that it suited the style of Main Street. Mr. Adams stated that it was in the style of the building it was attached to, which was an infill building that was constructed many years ago.

Board Member Holmgren agreed with Board Member Beatlebrox and did not believe the enclosure should become permanent. She wondered if there were any complaints related to the enclosure or traffic in the area. Assistant Director Ward did not believe there were any formal complaints. The Meeting Minutes related to the Encroachment Agreement stated that some mitigations had been put in place to address some of the outstanding issues. For instance, there had been ice buildup. Mr. Adams explained that the ice buildup was a drainage issue, which had been fixed.

Board Member Stephens asked what would happen if the Historic Preservation Board shared a positive recommendation. He believed the Land Management Code and Design Guidelines would need to be amended to address the issue of enclosed balconies. Senior Attorney Harrington explained that amendments may or may not be

needed. Board Member Hodgkins noted that if there was a sunset clause, the Land Management Code would not need to be amended. He believed the enclosures should remain temporary and should not become permanent.

Assistant Director Ward believed the Board was comfortable recommending that the program continue on a temporary basis. This would allow installations from November 15 through April 30 on non-historic buildings. Due to the temporary nature, addressing the design could be done through the Encroachment Agreement. If another proposal came forward, she wondered if the Historic Preservation Board would be interested in reviewing the design or if it should be a Staff level review. Board Member Stephens noted that another application could raise separate issues about the Riverhorse on Main property. It would be appropriate to discuss certain design questions at a Board level. Board Member Hodgkins stated that Main Street was listed on the National Register of Historic Places. It was important to review applications for compatibility.

6. REGULAR AGENDA

A. 1002.5 Norfolk Avenue – Historic District Design Review Modification – On October 6, 2021, the Historic Preservation Board Approved Temporary Relocation of the Landmark Historic Structure and Panelization of the West Elevation. The Applicant Proposes Deconstruction and Reconstruction or Disassembly and Reassembly (Panelization) of the Structure. PL-22-05352

Assistant Director Ward presented the Staff Report and stated that the applicant's representatives from Big-D Construction, Billy Smith, Steve Bennett, and Scott McKinnon, were present. The Board Members visited the site prior to the meeting. The lot is located between Woodside and Norfolk Avenues along 1000 Street. The Historic Preservation Board first reviewed the panelization of 1002.5 Norfolk Avenue on August 4, 2021. The Board discussed the challenges associated with the site but did not support panelization. Instead, the Board approved Material Deconstruction of a portion of the rear façade to accommodate an addition. On October 6, 2021, the Board approved Temporary Relocation and partial panelization to accommodate construction on the lot.

The applicant was proposing to modify the approval and asked that the Board consider two possibilities, deconstructing and reconstructing the structure or full panelization. To approve an application for reconstruction of a Historic Building on a Landmark Site, the Board needed to find that the project complies with the following:

- The Historic Building is found by the Chief Building Official to be hazardous or dangerous, pursuant to Section 116.1 of the International Building Code;
- The Historic Building cannot be made safe and/or serviceable through repair; and
- The form, features, detailing, placement, orientation, and location of the Historic Building will be accurately depicted, by means of new construction, based on as-

built measured drawings, historical records, and/or current or historic photographs (LMC Section 15-11-15).

A Structural Engineering Report was prepared in February 2021 and included with the current application. There were no changes in the findings from the Structural Engineer. The Planning Director and Chief Building Official visited the site multiple times and issued two official determinations. The first was on July 28, 2021, which stated that the Landmark Historic Structure was not in a state of disrepair that merited demolition. It was not hazardous or dangerous, pursuant to International Building Code Section 116.1, and the structural conditions did not preclude lifting or moving the structure. Additionally, the physical conditions of the existing materials would not prevent temporarily lifting or moving the structure. The applicant had alternatives to lift, preserve, and rehabilitate the building while constructing the addition. Due to the unusual lot configuration, evaluating panelization may be warranted. On September 28, 2021, the Planning Director and Chief Building Official issued a second Notice of Official Determination, which was as follows:

- The physical conditions of existing materials will not prevent temporarily moving the structure and the applicant has alternatives to lift, preserve, and rehabilitate the Landmark Historic Structure while building the proposed addition.

Assistant Director Ward explained that the Planning Director and Chief Building Official visited the site again on August 29, 2022. The findings remained the same. For panelization, the Board needed to find that the project complied with the following:

- A licensed Structural Engineer has certified that the Historic Building cannot reasonably be moved intact; and at least one of the following:
- The proposed disassembly and reassembly will abate the demolition of the Historic Building;
- The Historic Building is found by the Chief Building Official to be hazardous or dangerous, pursuant to Section 116.1 of the International Building Code; or
- The Historic Preservation Board determines, with input from the Planning Director and the Chief Building Official, that unique conditions and the quality of the Historic Preservation Plan warrant panelization.

Unique conditions included, but were not limited to, the following:

- If a problematic site or structural conditions preclude panelization of the structure;
- If the physical conditions of the existing materials prevent temporarily lifting or moving a building and the applicant has demonstrated that panelization will result in the preservation of a greater amount of historic material; or
- All other alternatives had been shown to result in additional damage or loss of historic materials (LMC Section 15-11-14).

Staff recommended that the Board conduct a public hearing and consider denying the request to deconstruct and reconstruct or fully panelize a Landmark Historic Structure, as outlined in the Draft Final Action Letter. Assistant Director Ward reported that the applicant's representatives were present. Messrs. Smith and McKinnon introduced themselves to the Board. Mr. Smith reported that D-Smith Construction has been in Park City for more than 15 years. Preserving the community was very important to them. He shared an example of another project that had been done outside of Park City. It was called the Creamery and it was a dilapidated and largely abandoned creamery from the 1890s located in Montana. D-Smith Construction came in, documented, and categorized every piece of the structure. It was then relocated. D-Smith Construction was familiar with these types of projects.

Mr. Smith discussed the constraints on the site and shared images of the home. Mr. McKinnon explained that one of the issues related to access. D-Smith Construction wanted to make sure the home looked just like it did but it needed to be done in a way that makes sense. It was important to keep employees and subcontractors safe. Mr. Smith pointed out that within seven feet of the neighboring structure, there was an 11.5-foot excavation for the majority of the historical portion. Then there was a 14-foot excavation for the new addition that had been approved behind that. There was a desire to protect the neighboring properties and workers.

As far as deconstruction and reconstruction, construction technology had come a long way. D-Smith Construction had the capacity to do a 3D laser scan, which involved a 3D scan of the exterior of the home. This created a model. The home could then be deconstructed and the model used to ensure that the building was reconstructed in the exact same way. In addition, with the deconstruction option, D-Smith Construction was able to encapsulate and protect the siding, which contained lead-based paint. This was not uncommon in historic homes. If the Historic Preservation Board determined that the site was too problematic, deconstruction and reconstruction could be possible.

Board Member Stephens opened the public hearing. There were no comments. Board Member Stephens closed the public hearing.

Board Member Beatlebrox noted that the subject property is unique and there are access issues to consider. She asked to review the three unique conditions mentioned previously. The conditions were read aloud. It was important to determine whether the subject property was a problematic site. She believed it would be considered problematic but wondered if it would preclude the temporary lifting. Mr. Smith pointed out that the Structural Engineer's Report stated that the structure could not reasonably be moved intact. He noted that a lot of projects use panelization or lifting. In the majority of those cases, there is access from at least two sides of the site or there is no adjacent structure within 15 feet. Since this property has a 7.5-foot gap between the houses, a 12-foot section to access the site, and a 10+% grade road, getting what was needed onto the site to move the home was impossible.

Board Member Stephens believed there was a basement underneath the home. He wondered if it went into the front area of the house. Chief Building Official, Dave Thacker reported that there is a six-foot tall basement underneath one portion of the existing home. The rest was a crawl space. Board Member Stephens asked if it was possible to lift the home in two stages. Chief Building Official explained that there had been other structures that were supported by cribbing while excavation took place. There were still logistical problems whether the basement excavation took place or not. Mr. Smith explained that new foundations needed to be provided, so there would still need to be some sort of excavation, which required the equipment on site.

During the site visit, there were discussions about how to bring enough equipment onto the site in order to do a 12-foot-high excavation underneath the house. Mr. Thacker stated that there had been a previous discussion about over-excavating to a degree that it would be possible to get some of the smaller equipment in to remove the soil for the addition. At the time, the discussion was about whether to excavate a little bit more than would be necessary, get the equipment in, and bring the equipment out. This would result in a taller basement ceiling height or engineered fill to raise the level.

Board Member Stephens wondered if it would be over-excavated underneath the historic house so it would be possible to drive some smaller equipment underneath rather than around the side of the home. Mr. Thacker explained that this was an option that was discussed during a previous meeting. Mr. Smith confirmed this but noted that another constraint pertained to the neighboring property. There were limitations as it relates to the amount of space that the excavation could be set back. Even in an over-excavation scenario, there were limitations in the ability to shore. This had been discussed on site. Discussions were had about the limit of disturbance. Board Member Stephens wanted to understand whether it was from the property line. Mr. Smith explained that it was three feet from the property line to the structure.

Board Member Hodgkins did not see how either of the proposals could be approved based on the provisions in the Land Management Code. He understood that it was a problematic site but wondered if there was input from the Planning Director and Chief Building Official to support the application. Mr. Thacker explained that both he and Director Milliken saw challenges on the site but many sites in Park City have challenges. He did not necessarily believe it had greater challenges than other historical lots in the City. There was a larger rear yard on the property and some possibilities could be explored there in terms of the construction and building practices.

Board Member Beatlebrox pointed out that this was the first time since she had been on the Historic Preservation Board that the Board was concerned about potential damage to a nearby historic home. She expressed concerns about the neighboring property. Board Member Stephens pointed out that the safety concerns often go through the Building Department. Mr. Thacker stated that safety concerns were considered through the planning process as well as the building process. There are several sites throughout Park City where the setbacks are three to five feet from the property line. Several of those sites have structures on them that need to be protected. In those

cases, temporary shoring walls were required or some sort of access agreement. For this application, there were some constraints but there were always considerations that could be taken to protect nearby properties.

Board Member Hutchings asked if the City would decide whether shoring was required for the neighboring property. Mr. Thacker explained that there would be requirements regardless of the Historic Preservation Board decision since the home is so close to the property line. There would need to be a Geotechnical Report that would provide the necessary information, such as the soils specific to the site, the proposed cut, the depth of the cut, and how deep the neighboring foundation was. All of that information would be included in the report. It would create the criteria needed to ensure that the work is either stabilized at the property line or an Access Agreement with the neighboring property is created. That would happen in the future, regardless of the Historic Preservation Board's decision.

Mr. McKinnon reported that there were fatalities every year due to cave-ins. He saw a lot of challenges with the site but believed there was an opportunity to produce a fantastic product. If it was possible to panelize and remove, then everything could be categorized and put back in place. He felt this would be safer and create a more successful project. It was not necessary to create additional risk. The site logistics were challenging as were the grade and access. Board Member Stephens noted that the Building and Planning Departments would consider all safety aspects of the project. It is always easiest to panelize but it was the responsibility of the Historic Preservation Board to determine whether there was another option. The disassembly and reassembly process could impact the siding material.

The Board discussed previous projects that involved deconstruction. Board Member Stephens reported that there are two homes on Deer Valley Drive that were deconstructed, partially due to a mold issue and partially because that decision was made 20 years ago. He was not certain that those projects would be approved today. When the siding was removed, a lot of the material was damaged. Panelization is not often approved by the Board. Mr. Smith explained that there was a portion of the back that was an addition after the original structure. When that was removed a lot of the siding was preserved. That had come off well and almost all of the material on the back portion was saved. This had been done as a precaution in the event that the application was approved so that there were extra pieces of material.

Board Member Hutchings did not doubt that the D-Smith Construction team could panelize the home, put it back together, and do a wonderful job. He also did not doubt that the site has a lot of problems. However, he did not see enough evidence to approve the application. It is a unique site but additional evidence was needed. For instance, some sort of evidence that the site could not be shored without panelization. As a result, he felt it was appropriate to deny the application. Board Member Stephens noted that something more supportive from the Building and Planning Departments could provide the evidentiary materials needed. He was not certain that the Board had enough information on some of the alternatives.

Board Member Beatlebrox noted that the porch was allowed to be removed so that when the home is lifted, it could be moved toward Norfolk Avenue and there would be more room for heavy equipment on the righthand side of the house. Lifting and preserving the historic material was important. It was preferable to keep the house intact and lift it rather than take it apart and reconstruct the home.

MOTION: Board Member Hutchings moved to DENY the Deconstruction and Reconstruction and Full Panelization of the Landmark Historic Structure at 1002.5 Norfolk Avenue, according to the Findings of Fact, Conclusions of Law, and Conditions of Approval as follows:

Findings of Fact

Background

1. 1002.5 Norfolk Avenue is a one-story cross-wing house built around 1893.
2. 1002.5 Norfolk Avenue is a Landmark Historic Structure on the Park City Historic Sites Inventory.
3. The Historic Preservation Board first reviewed panelization of 1002.5 Norfolk Avenue on August 4, 2021. The Historic Preservation Board discussed the challenges of the site but did not support panelization. The Historic Preservation Board approved Material Deconstruction of a portion of the rear façade to accommodate an addition but continued the discussion of possible partial panelization and shifting the Landmark Historic Structure to accommodate construction.
4. On October 6, 2021, the Historic Preservation Board reviewed and approved the proposal for Temporary Relocation and partial panelization.

Deconstruction and Reconstruction

5. On August 17, 2022, the Applicant submitted a modification application to request the Historic Preservation Board review possible Deconstruction and Reconstruction of the Landmark Historic Structure at 1002.5 Norfolk Avenue.
6. The Historic Preservation Board visited the site on September 7, 2022.
7. The Historic Preservation Board reviews proposals to Deconstruct and Reconstruct Historic Structures pursuant to LMC § 15-11-15: *In approving an Application for Reconstruction of the [Historic Building] on a [Landmark Site] the [HPB] shall find the project complies with the following criteria:*

- a. The [Historic Building is] found by the Chief Building Official to be hazardous or dangerous, pursuant to Section 116.1 of the International Building Code;
 - b. The [Historic Building] cannot be made safe and/or serviceable through repair; and
 - c. The form, features, detailing, placement, orientation, and location of the [Historic Building] will be accurately depicted, by means of new construction, based on as-built measured drawings, historical records, and/or current or Historic photographs.
8. On February 19, 2021, the Applicant completed a Structural Engineer Report. This same 2021 report is submitted by the Applicant for the modification request to Deconstruct and Reconstruct the Landmark Historic Structure.
 9. On July 28, 2021, the Planning Director and Chief Building Official issued a Notice of Official Determination, finding: *“the Landmark Historic Structure is not in a state of disrepair that merits demolition; the Landmark Historic Structure is not hazardous or dangerous pursuant to International Building Code Section 116.1 and the site and structural conditions will not preclude lifting or moving the Structure; the physical conditions of existing materials will not prevent temporarily lifting or moving the Structure; and the Applicant has alternatives to lift, preserve, and rehabilitate the Landmark Historic Structure while building the proposed addition. During the visit, the constraints of the lot were discussed, and although the structure could be raised and preserved the structure would need to be lifted substantially higher for a longer period to allow for the addition on the rear and basement underneath the historic building. As such a larger discussion about panelization of the structure may be warranted.”*
 10. On September 28, 2021, the Planning Director and Chief Building Official issued a second Notice of Official Determination, finding that *“the physical conditions of existing materials will not prevent temporarily moving the Structure; and the applicant has alternatives to lift, preserve, and rehabilitate the Landmark Historic Structure while building the proposed addition.”*
 11. The Determination supports Temporary Relocation and partial panelization as recommended by the Historic Preservation Board on August 4, 2021.
 12. On August 29, 2022, the Planning Director and Chief Building Official visited the site and found no change in circumstances that would modify their Notices of Official Determination.

Disassembly and Reassembly (Full Panelization)

1. On August 17, 2022, the Applicant submitted a modification application to request the Historic Preservation Board review the full panelization of the Landmark Historic Structure at 1002.5 Norfolk Avenue.
2. The Historic Preservation Board reviews proposals to panelize (disassembly and reassembly) Historic Structures pursuant to LMC § 15-11-14: *In approving a [Historic Site] design review Application involving Disassembly and Reassembly of the [Historic Building] on a [Landmark Site], the [HPB] shall find the project complies with the following criteria:*
 - i. *A licensed structural engineer has certified that the [Historic Building] cannot reasonably be moved intact;*
 - ii. *At least one of the following:*
 1. *The proposed Disassembly and Reassembly will abate demolition of the [Historic Building]; or*
 2. *The [Historic Building is] found by the Chief Building Official to be hazardous or dangerous, pursuant to Section 116.1 of the International Building Code; or*
 - iii. *The [Historic Preservation Board] determines, with input from the Planning Director and the Chief Building Official, that unique conditions and the quality of the Historic Preservation Plan warrant the proposed Disassembly and Reassembly; unique conditions include but are not limited to:*
 1. *If a problematic site or structural conditions preclude temporarily lifting or moving a building as a single unit; or*
 2. *If the physical conditions of the existing materials prevent temporarily lifting or moving a building and the applicant has demonstrated that panelization will result in the preservation of a greater amount of historic material; or*
 3. *All other alternatives have been shown to result in additional damage or loss of historic materials.*
3. On February 19, 2021, the Applicant completed a Structural Engineer Report. This same 2021 report is submitted by the Applicant for the modification request to fully panelize the Landmark Historic Structure.

4. On July 28, 2021, the Planning Director and Chief Building Official issued a Notice of Official Determination, finding: *“the Landmark Historic Structure is not in a state of disrepair that merits demolition; the Landmark Historic Structure is not hazardous or dangerous pursuant to International Building Code Section 116.1 and the site and structural conditions will not preclude lifting or moving the Structure; the physical conditions of existing materials will not prevent temporarily lifting or moving the Structure; and the Applicant has alternatives to lift, preserve, and rehabilitate the Landmark Historic Structure while building the proposed addition. During the visit, the constraints of the lot were discussed, and although the structure could be raised and preserved the structure would need to be lifted substantially higher for a longer period to allow for the addition on the rear and basement underneath the historic building. As such a larger discussion about panelization of the structure may be warranted.”*
5. On September 28, 2021, the Planning Director and Chief Building Official issued a second Notice of Official Determination, finding that *“the physical conditions of existing materials will not prevent temporarily moving the Structure; and the applicant has alternatives to lift, preserve, and rehabilitate the Landmark Historic Structure while building the proposed addition.”*
6. On August 29, 2022, the Planning Director and Chief Building Official visited the site and found no change in circumstances that would modify their Notices of Official Determination.

Conclusions of Law

1. The proposal to Deconstruct and Reconstruct 1002.5 Norfolk Avenue, a Landmark Historic Structure, does not meet the Land Management Code criteria outlined in Section 15-11-15.
2. The proposal to fully panelize 1002.5 Norfolk Avenue, a Landmark Historic Structure, does not meet the Land Management Code criteria outlined in Section 15-11-14.

Board Member Holmgren seconded the motion.

VOTE: The motion passed unanimously.

A. 901 Woodside Avenue - Modification to Material Deconstruction Approval Dated February 3, 2021 - The Applicant Proposes Modifications to the Bay Windows on the Front Façade of the Landmark Historic Structure to Meet Egress Requirements. PL-22-05338.

Assistant Director Ward presented the Staff Report and explained that the application was for a minor modification to the Material Deconstruction approval. On August 7, 2019, the Board approved the Material Deconstruction and Panelization for a Landmark Historic Structure located at 901 Woodside Avenue. As part of that evaluation, the windows were looked into. There were 23 windows on the site. All of the windows had been replaced at a time outside of the historic period. The windows were determined to not be historic and would be replaced as part of the rehabilitation.

The applicant was seeking approval to modify the Material Deconstruction to enlarge the bay windows on the front façade and the attic window on the south side façade to meet International Residential Code Section 310 – Emergency Egress and Rescue Openings. While modifications to the primary façade were generally discouraged, the property is unique because the Landmark Historic Structure was exempt from the setback requirements. It was close to the property line. To the south of the property, there was a platted, but unbuilt, right-of-way. To the north was another historic structure that also did not meet setbacks. The distance between the two structures was approximately two feet or less. The Chief Building Official visited the site with the applicant to look into possible solutions that would meet the egress standards.

The architect created elevations for Board review. It showed the existing windows and dimensions. The proposal was a minor enlargement that would change the bay windows to 24" x 81". That would be applied equally to the lower and upper levels. The second request was related to the attic window, which was approved as part of the 2019 Material Deconstruction approval. The request was to slightly increase the dimensions to 30x42 inches. Staff recommended that the Board conduct a public hearing and consider approving the modifications to Material Deconstruction.

Board Member Stephens opened the public hearing. There were no comments. Board Member Stephens closed the public hearing.

Board Member Hodgkins believed the windows needed to allow for access because the interior spaces were bedrooms. This was confirmed. Board Member Hodgkins wondered if the rooms in the front needed to be bedrooms. It seemed that the owner wanted to change existing use. The applicant, Jerry Fiat explained that those rooms were historically used as bedrooms on both levels. No change in use was proposed. There were certain size requirements for emergency escape and rescue openings. Mr. Fiat reported that there was a minimum width of 20 inches and a minimum height of 24 inches required. However, there was an additional component, where a 5.7-square-foot opening was required as well. The challenge was not necessarily with the

minimum required width or height, but with the overall area. The only way to meet all requirements was with a slight modification.

Board Member Beatlebrox wondered if historic siding would be disturbed by the change. It was clarified that the entire bay window, the structure, and the façade were non-historic. There was a bay window there historically, but the structure was non-historic because it was rebuilt. Assistant Director Ward shared additional images of the home. Board Member Hutchings asked what would happen if the request was denied. Mr. Fiat noted that it was a bedroom and would remain a bedroom. The question was whether it was the right decision to build something that compromised safety.

Board Member Stephens pointed out that the rooms were historically used as bedrooms. He did not feel the minor modifications would detract too much and it was important to consider the health and safety of the occupants. Discussions were had about a previous site visit that took place at 901 Woodside Avenue.

MOTION: Board Member Holmgren moved to APPROVE the Modification to Material Deconstruction, as Approved on February 3, 2021, according to the Findings of Fact, Conclusions of Law, and Conditions of Approval as follows:

Findings of Fact

1. 901 Woodside Avenue, also known as the Frank Harding House, is a two-story cross-wing type house constructed circa 1905 and is a Landmark Historic Structure on the Park City Historic Sites Inventory.
2. The Historic District Design Review (HDDR) application for 901 Woodside Avenue has been under review since 2018 and was approved in 2021.
3. On November 11, 2018, the Applicant submitted a Historic District Design Review (“HDDR”) Pre-Application to renovate the Landmark Historic Structure at 901 Woodside Avenue. The proposal included a garage under the Structure with access on the southern façade across a private driveway proposed to be constructed within the 9th Street platted but unbuilt right-of-way. On December 5, 2018, the Design Review Team provided input on the HDDR Pre-Application.
4. On February 15, 2019, the Applicant submitted a full HDDR application. On April 19, 2019, Staff deemed the application complete.
5. On August 7, 2019, the Historic Preservation Board approved (I) Material Deconstruction of the roof, chimney, exterior walls, foundation, porch, doors, and windows to accommodate rehabilitation of the Landmark Historic Structure; and (II) disassembly and reassembly (panelization) of the Structure.

6. On March 11, 2019, the Applicant submitted a Conditional Use Permit for (I) a private driveway in the platted, unbuilt right-of-way; and (II) a side setback exception for a basement addition to the Landmark Historic Structure.
7. On August 14, 2019, the Planning Commission approved the Conditional Use Permit to construct the basement within the footprint of the Landmark Historic Structure. The Planning Commission continued the Conditional Use Permit to construct a private driveway in the platted but unbuilt 9th Street right-of-way and continued the discussion to September 11, 2019.
8. On September 11, 2019, and September 25, 2019, the Planning Commission again continued the Conditional Use Permit discussion.
9. On November 13, 2019, the Planning Commission voted three for and three against the Conditional Use Permit to construct a private driveway in the platted but unbuilt 9th Street right-of-way and the motion failed.
10. On December 19, 2019, the City Council called up the Conditional Use Permit and unanimously voted to deny the proposal.
11. The Applicant revised the proposal and on February 3, 2021, the Historic Preservation Board reviewed and approved Material Deconstruction, in part, for the modified plans to construct a basement-level garage.
12. The Applicant continued to meet with staff and revise the proposed plans to mitigate use of the 9th Street right-of-way and eventually eliminated use of the 9th Street right-of-way for garage access, shifting the garage under the bay window along the front façade with access from Woodside Avenue. On July 15, 2021, the City Council approved the revised Conditional Use Permit.
13. On July 30, 2021, the Planning Director issued final approval for the HDDR.
14. During the construction phase, the Applicant learned the south-side facade attic and front facade bay windows do not meet the requirements outlined in IRC Section 310, Emergency Egress and Rescue Openings. The minimum opening area must be 5.7 square feet and the minimum opening dimensions must be 24 inches in height and 20 inches in width.
15. The Applicant seeks Historic Preservation Board approval to enlarge the attic and historic bay window dimensions to meet the IRC requirements, impacting historic siding.

16. Pursuant to LMC § 15-11-12.5(B)(a), the Historic Preservation Board reviews Material Deconstruction of Landmark Historic Structures.
17. LMC § 15-13-2(B)(2)(d)(1) Design Guidelines For Historic Residential Sites – Windows requires preservation of window opening dimensions. LMC § 15-13.2(B)(2)(d)(11) states “[i]t is generally inappropriate to modify windows on the primary façade to accommodate interior changes...”
18. 901 Woodside Avenue does not comply with the required three-foot side setback for this Zoning District on the north façade.
19. Additionally, the adjacent property to the north, 905 Woodside Avenue, is a Significant Historic Structure on the Park City Historic Sites Inventory and does not meet the side setback requirements.
20. The Chief Building Official visited the site on July 6, 2022, and determined that there is approximately two feet between the Historic Structures, which does not meet the requirements for occupants to escape in the case of emergency, or for rescue personnel to enter. In this case, due to the proximity of the Historic Structures, egress for the bay windows cannot be satisfied on the north side facade of 901 Woodside Avenue.
21. To preserve the historic window dimensions on the front facade, in some circumstances, staff may recommend an additional egress window on a side façade. However, in this case, due to the proximity of the Historic Structures, egress cannot be satisfied on the northern façade of 901 Woodside Avenue.
22. As a result, the Applicant proposes to enlarge the bay windows to accommodate egress, as indicated in the existing and proposed window dimensions illustrated on Attachment 1.
23. The Applicant also proposes enlarging the south facade attic window on a non-primary facade to meet egress requirements.
24. To provide notice of the Applicant’s request and the Historic Preservation Board public hearing, Staff published notice on the City’s website and the Utah Public Notice website and posted notice to the property on August 17, 2022. Staff mailed courtesy notice to property owners within 300 feet on August 17, 2022. The Park Record published notice on August 17, 2022.

Conclusions of Law

1. The Historic Preservation Board approved the Material Deconstruction and expansion of the attic window on the south facade and the bay windows on the front facade pursuant to LMC § 15-11-12.5(B)(a).
2. The minor expansion to the dimensions of the south facade and front facade bay windows will not impact the Historic Integrity because the form, style, and pattern of fenestration will be preserved, and the modifications will be applied consistently to the main-level and upper-level bay window.

Conditions of Approval

1. All Project Conditions of Approval for the Historic District Design Review, Conditional Use Permit, and Financial Guarantee continue to apply.
2. The modifications to the bay windows shall not exceed the dimensions required pursuant to the IRC for egress and shall be applied to all bay windows to ensure uniformity.

Board Member Beatlebrox seconded the motion.

VOTE: The motion passed unanimously.

- B. 569 Park Avenue – Historic District Design Review – The Applicant Proposes Removing the Non-Historic Porch and Lifting the Significant Historic Structure to Accommodate a New Basement and Foundation, Shifting the Significant Historic Structure Four Feet to the North to Allow Construction of a New Garage and Driveway, Material Deconstruction to Accommodate an Addition, and Replacing the Truss Roof with Stick Framing. PL-22-05317**

Assistant Director Ward presented the Staff Report and explained that there was a request for Relocation and Material Deconstruction. The architect and applicant's representative, Jonathan DeGray, was present as well as the owner of the property, Bill Kershaw. Assistant Director Ward reported that 569 Park Avenue was a property that had been before the Board several times. It was designated a Significant Historic Site on the Park City Historic Sites Inventory but was pending appeal. Several images of the site were shared.

In 1941, the tax photo showed the original bungalow and hip roof. Sometime between 1957 and 1968, the single-family dwelling was modified to a gable roof with a partial-width recessed porch. On February 4, 2009, the Historic Preservation Board designated the property a Significant Historic Site on the Historic Sites Inventory, which was a result of a reconnaissance level survey. However, on April 7, 2010, the Historic Preservation Board reviewed the designation and removed 569 Park Avenue from the Historic Sites Inventory, determining that due to the changes that were made to the

structure between 1923 and 1995, it no longer met the criteria of a Significant Historic Structure. On August 6, 2015, the Planning Director submitted a Determination of Significance Application and nominated the structure for re-listing as a Significant Historic Site on the Historic Sites Inventory. Later that year, the property owner applied to demolish the home. That Building Permit was denied.

On March 2, 2016, Staff brought the Determination of Significance application before the Historic Preservation Board and recommended that 569 Park Avenue be listed on the Historic Sites Inventory. The Board unanimously voted to designate the property as a Significant Site but that decision was appealed. The appeal was scheduled to move to the Board of Adjustment, but prior to that public hearing, the applicant submitted a request for an Advisory Opinion to the Utah Property Rights Ombudsman. That was issued in 2017 and the Ombudsman found that the demolition permit for 569 Park Avenue was entitled to approval. Since that time, the City and property owner had been working through different options for the property.

The applicant proposed the following for consideration:

- Remove a non-historic porch;
- Lift the single-family dwelling to accommodate a basement addition and foundation upgrade;
- Relocate the single-family dwelling 4-feet to the north to accommodate a driveway and garage addition;
- Deconstruct material from the rear and south façade of the single-family dwelling to accommodate an addition; and
- Rebuilt the non-historic porch.

The criteria that the Board needed to consider for relocation was included in the Staff Report. One of the criteria was that a Licensed Structural Engineer must certify that the building could be relocated. A professional building mover was required to move and protect the building through that process. Additionally, the relocation could not have a detrimental effect on the structural soundness of the building. Since this was a preliminary review, Staff recommended that those be listed as Conditions of Approval.

The removal of material to accommodate the addition would be approximately 17feet from the south side façade and approximately three feet from the west rear façade. This would be done to accommodate the garage addition. Assistant Director Ward explained that the Analysis in the Staff Report overviewed the zoning regulations, setbacks, significant vegetation, and the maximum building footprint. Staff found that the proposal met all of the zoning regulation requirements. She noted that after the Meeting Materials Packet was published for the Board, three emails had been received. Those emails were supportive of the proposal and had been forwarded to the Board. Staff recommended that the Board conduct a public hearing and consider approval.

Board Member Hodgkins noted that the rendering for the garage did not address colors or materials. He wondered if the idea was to make it clear that it was not part of the

historic structure. Mr. DeGray explained that some separation had been created between the historic building and garage. The design was intentional and it would clearly be a separate and non-historic building. Board Member Hutchings wanted to know if the Staff recommendation for approval had to do with the Utah Property Rights Ombudsman determination. Senior Attorney Harrington denied this. Background information had been shared with the Board for context. Director Milliken added that the full Analysis in the Staff Report supported the Staff recommendation.

Board Member Stephens opened the public hearing.

Angela Moschetta, a Park Avenue resident, believed it was important to use the tools available to protect small businesses in Park City as well as the quality of life and the character of the City. Ms. Moschetta read information from the City website related to the Historic Preservation Board. The Board was created to preserve and encourage design preferences that reflected the mining heritage in Park City. The Board also encouraged compatible design and construction through periodic updates and communicated the benefits of historic preservation. Ms. Moschetta noted that in Old Town, a lot of non-historic structures have been knocked down and turned into more contemporary structures that maximize the footprint. Some historic structures had also been permitted to add on significant square footage. She struggled with this because historic preservation is not just about aesthetics, but also lifestyle.

Ms. Moschetta felt there was a sense of entitlement for someone to feel it was appropriate to purchase a property in a historic district, appeal the historic designation, and pursue changes to the property that supported a different lifestyle. She asked the Historic Preservation Board and Planning Commission to defend the character and quality of life in the community. She believed the Board should deny the application.

There were no further comments. Board Member Stephens closed the public hearing.

There was discussion regarding the comments made by Ms. Moschetta and the Land Management Code. Board Member Hodgkins stated that based on the Code and the jurisdiction of the Board, it was difficult to deny the application. Board Member Hutchings did not believe the application met the code. He felt that shifting the structure four feet to the north would change the character of the property. As a result, he would deny the application. Board Member Stephens understood the concerns but in his mind, shifting the structure would not significantly change the streetscape. He pointed out that the garage addition would not look like it was part of the historic house. Board Member Hodgkins was supportive of moving the historic structure in order to have the garage on the side rather than lifting the home and having the garage underneath. Board Member Beatlebrox asked to see the new design. She liked that the height was not being raised and that the look of the historic home would be preserved.

MOTION: Board Member Beatlebrox moved to APPROVE the Relocation and Material Deconstruction of 569 Park Avenue, according to the Findings of Fact, Conclusions of Law, and Conditions of Approval as follows:

Findings of Fact

Background

1. 569 Park Avenue is a bungalow-type Single-Family Dwelling constructed circa 1917 in the Victorian Eclectic style.
2. 569 Park Avenue is a Significant Historic Site pending appeal on the Park City Historic Sites Inventory.
3. The Sanborn Maps show a cross-wing house built on the site prior to 1889. The current bungalow form was constructed circa 1917.
4. A circa 1941 tax photo shows the original bungalow and hip roof.
5. Sometime between 1957 and 1968, the Single-Family Dwelling was modified to a gable roof with a partial-width recessed porch.
6. In 1986, the City issued Building Permit No. 2924-86 to re-roof and remodel the Single-Family Dwelling.
7. In 1987, the City issued Building Permit No. 3334-87 for a porch addition.
8. The City provided a \$5,000 Historic District grant in 1988 for the re-roof, replacement of trim, and installation of a stone walkway.
9. On February 4, 2009, the Historic Preservation Board designated 569 Park Avenue a Significant Historic Site on the Park City Historic Sites Inventory based on the results of a reconnaissance level survey.
10. On April 7, 2010, the Historic Preservation Board reviewed the designation and removed 569 Park Avenue from the Historic Sites Inventory determining that due to changes to the Single-Family Dwelling from circa 1923 to 1995, 569 Park Avenue did not meet the criteria of a Significant Historic Structure.
11. On August 6, 2015, the Historic Preservation Planner prepared a Manager's Report regarding 569 Park Avenue for the City Council.
12. The City Council directed staff to begin Land Management Code amendments to address demolition of structures that are of historic significance.
13. On August 7, 2015, the Planning Director submitted a Determination of Significance Application for 569 Park Avenue to nominate 569 Park

Avenue for re-listing as a Significant Historic Site on the Park City Historic Sites Inventory.

14. On September 2, 2015, the property owner applied for Building Permit BD-15-21810 to demolish the Single-Family Dwelling.
15. The City denied Building Permit BD-15-21810.
16. On March 2, 2016, Planning staff brought the Determination of Significance application before the Historic Preservation Board, recommending that 569 Park Avenue be listed as a Significant Site on the Park City Historic Site Inventory.
17. The Historic Preservation Board unanimously voted to designate 569 Park Avenue as a Significant Site.
18. On March 15, 2016, the property owner appealed the Determination of Significance.
19. The appeal was scheduled for Board of Adjustment review on May 24, 2016.
20. On May 23, 2016, the property owner submitted a request for an Advisory Opinion to the Utah Property Rights Ombudsman. The City and property owner agreed to postpone the Board of Adjustment public hearing and review of the appeal until the Ombudsman completed the Advisory Opinion.
21. On March 7, 2017, the Property Rights Ombudsman issued the Advisory Opinion, finding the demolition permit for 569 Park Avenue was entitled to approval.
22. Since that time, the City and property owner have been working through options for the property. Alternatively, the property owner may still proceed with their stayed appeal and ultimately judicial review. However, the property owner and City have tentatively agreed to terms of City acquisition of a preservation easement/dismissal of their appeal, provided the owner can obtain the Historic Preservation Board review and approval of a Historic District Design Review for the property.
23. The Applicant now requests the Historic Preservation Board review the following proposal:
 - a. Lift the Single-Family Dwelling to accommodate a basement addition and foundation upgrade;

- b. Relocate the Single-Family Dwelling four feet to the north to accommodate a driveway and garage addition; and
- c. Deconstruct material from the rear and south facade of the Single-Family Dwelling to accommodate an addition.

Relocation

- 24. The Applicant proposes shifting the existing structure four feet to the north to accommodate a side and rear addition.
- 25. Pursuant to LMC § 15-11-13(A)(3), the Historic Preservation Board reviews the following criteria when considering relocation of a Historic Structure: *In approving a Historic District or Historic Site design review the Application involving relocation and/or reorientation of the Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site, the Historic Preservation Board shall find the project complies with the following criteria.*
 - a. For either a Landmark or Significant Site all the following shall be met:
 - 1. A licensed structural engineer has certified that the Historic Building(s) and/or Structure(s) can successfully be relocated and the applicant has demonstrated that a professional building mover will move the building and protect it while being stored; and
 - 2. The proposed relocation will not have a detrimental effect on the structural soundness of the building or structure;
 - b. Landmark structures shall only be permitted to be relocated on its existing site if:
 - 1. The relocation will abate demolition; or
 - 2. The Planning Director and Chief Building Official find that the relocation will abate a hazardous condition at the present setting and enhance the preservation of the structure.
 - c. For Significant sites, at least one of the following shall be met:
 - 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 Chief Building Official determine that the building is threatened in its present setting because of hazardous conditions and the preservation of the building will be enhanced by relocating it; or
3. The Historic Preservation Board, with input from the Planning Director and the Chief Building Official, determines that unique conditions warrant the proposed relocation and/or reorientation on the existing Site. Unique conditions shall include all of the following:
 - a. The historic context of the Historic Building(s) and/or Structure(s) has been so radically altered that the proposed relocation will enhance the ability to interpret the historic character of the Historic Building(s) and/or Structure(s) and the Historic District or its present setting;
 - b. The proposed relocation will not diminish the overall physical integrity of the Historic District or diminish the historical associations used to define the boundaries of the district;
 - c. The historical integrity and significance of the Historic Building(s) and/or Structure(s) will not be diminished by relocation and/or reorientation;
 - d. The potential to preserve the Historic Building(s) and/or Structure(s) will be enhanced by its relocation.
26. Staff recommends Conditions of Approval to ensure a licensed structural engineer certifies the building can be relocated, that a professional building mover will move the building and protect it, and that the relocation will not have a detrimental effect on the structural soundness of the building.
27. Relocating the structure four feet to the north allows the Applicant to construct a side and rear addition and garage on the property and will abate demolition of the Significant Historic Structure that is pending appeal.
28. 569 Park Avenue is 49.98 feet in width. For properties in the HR – 1 Zoning District, LMC § 15-2.2-3(l) requires a five-foot Side Setback for lots up to 50 feet in width. Shifting the structure four feet to the north will retain the five-foot Side Setback.

29. LMC § 15-2.2-3(J) allows for window wells not exceeding the International Residential Code requirements for egress to extend not more than four feet into the five-foot Side Setback. One three-foot long and eight-foot wide window well is proposed in the Side Setback pursuant to this exception to provide egress for two proposed basement bedrooms.
30. LMC § 15-2.2-3(J)(6) allows for pathways and steps in the Side Setback if they are no more than 30 inches above Final Grade, not including any required handrails. There is an existing walkway and stairs in the Side Setback between 569 Park Avenue and the property to the north, 575 Park Avenue. No changes are proposed to the walkway.
31. According to available Planning Department records, the non-historic front porch addition to 569 Park Avenue was constructed in 1987. 569 Park Avenue was in the HR – 1 Zoning District at that time. The 1987 LMC § 7.1.3(d) established the following requirements for HR – 1 Front Setbacks: The minimum depth of the front yard for all main buildings and accessory buildings, including garages, shall be 10 feet.
32. The 1987 LMC § 7.1.4(b) required Single-Family Dwellings to provide a volume of open space within the building envelope in the front and rear of the structure, which could be satisfied with porches “which are open on at least two sides, one of which must be the front or back façade of the structure.” Additionally, the porches under a roof could count as open space volume and could project into the open space volume. The City issued a 1987 building permit to construct the front porch with a Front Setback just shy of three feet (approximately two feet ten inches).
33. Structures built in compliance with the LMC at the time of construction are Non-Complying Structures. LMC § 15-9-6(A) states that a Non-Complying Structure may be repaired, maintained, altered, or enlarged, provided that such repair, maintenance, alteration, or enlargement shall neither create any new non-compliance nor shall increase the degree of the existing non-compliance of all or any part of such Structure.
34. The relocation of the structure will impact Significant Vegetation. Significant Vegetation includes large trees 6” in diameter or greater measured four and one-half feet above ground. The evergreen tree shown in the image above and in the northwest corner of the Existing Conditions and Topographic Map below will be removed. Additionally, the Existing Conditions and Topographic Map includes two more evergreens and one deciduous tree.

Material Deconstruction

35. The Applicant proposes lifting the Single-Family Dwelling to accommodate a basement addition and new foundation.
36. According to the Applicant's Existing Conditions Report, the existing foundation is unreinforced concrete.
37. The Applicant also proposes removing materials to accommodate an addition to the south side and rear facades.
38. The proposed addition includes a 1,515-square-foot basement and 188-square-foot main-level garage, powder room, and bathroom.
39. Approximately 17 feet of material will be removed from the south side facade and three feet of material will be removed from the western rear facade.

Conclusions of Law

1. Pursuant to LMC § 15-11-13(A)(3) relocating the structure four feet to the north allows the Applicant to construct a modest side and rear addition to accommodate a garage on the property and will abate demolition of the Significant Historic Structure that is pending appeal, as conditioned.
2. The Material Deconstruction, as conditioned, complies with LMC § 15-11-12.5(B).

Conditions of Approval

1. The Applicant is responsible for notifying the Building and Planning Departments prior to proposing any changes to this approval.
2. The Applicant shall submit in writing any changes, modifications, or deviations from the approved scope of work for Planning Director review and approval/denial in accordance with the applicable standards prior to construction.
3. Site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building official.
4. The Applicant shall maintain the natural topography and original grading of the site when and where feasible.
5. The new foundation shall not raise the structure more than two feet from its original floor elevation.

6. The form, material, and detailing of the new foundation shall be similar to the historic foundation.
7. The historic site shall be returned to its original grade following the construction of a foundation. If the original grade cannot be achieved, generally no more than six inches of the new foundation shall be visible above the final grade on primary and secondary facades.
8. The porch reconstruction shall be in the same dimensions and of the same materials indicated on the Applicant's As-Built Elevations.
9. The Applicant's Landscape Plan shall be revised to replace the six evergreen trees and one deciduous tree identified on the Existing Conditions and Topographic Map with equivalent landscaping in type and size prior to submitting for a Building Permit. The revised Landscape Plan shall be reviewed and approved by the Planning Director.
10. Prior to Building Permit issuance, a professional structural analysis shall be conducted and submitted to the Planning Department that minimizes the damage that may occur during the relocation.
11. The Property Owner shall hire a licensed professional building mover to shift the structure four feet to the north.
12. The structure shall be secured and protected from adverse weather conditions, water infiltration, and vandalism before, during, and after the reorientation process.
13. A written plan detailing the steps and procedures for reorientation of the structure shall be completed and approved by the Planning and Building Departments. This plan shall outline, step by step, the proposed work to relocate and/or reorient the building to ensure that the least destructive method of moving the building will be employed.
14. The structure shall be moved in one piece.
15. The structure shall be protected from damage during the moving process by adding bracing, strapping, and by temporarily infilling door and window openings for structural rigidity.
16. Distinctive materials, components, finishes, and examples of craftsmanship shall be retained and preserved.
17. Deteriorated or damaged historic features and elements shall be repaired rather than replaced. Where the severity of deterioration or existence of

structural or material defects requires replacement, the feature or element shall match the original in design, dimension, texture, material, and finish. The applicant must demonstrate the severity of deterioration or existence of defects by showing that the historic materials are no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition. If deteriorated or damaged beyond repair and significant operational energy savings can be demonstrated through a professionally calculated energy model, historic features may be replaced with energy-efficient features that are similar in design, dimension, texture, material, and finish.

18. New additions and related new construction should be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment could be restored.

Board Member Holmgren seconded the motion.

VOTE: The motion passed, with all Board Members voting in favor of the application, with the exception of Board Member Hutchings, who voted against the application.

7. ADJOURN

MOTION: Board Member Hutchings moved to ADJOURN. Board Member Hodgkins seconded the motion. The motion passed unanimously.

The Historic Preservation Board Meeting adjourned at 6:54 p.m.

Approved by _____
Randy Scott, Chair
Historic Preservation Board

Historic Preservation Board Staff Report



Subject: Relocation of Significant Structures at approximately 336/360 Daly Avenue
Author: Caitlyn Tubbs, Senior Historic Preservation Planner
Date: November 2, 2022
Type of Item: Work Session

Recommendation

Staff recommends the Historic Preservation Board review the background of the historically significant accessory structures located at approximately 360 Daly Avenue and discuss the possibility of relocating the structures to the adjacent or an alternative property.

Summary

The properties located at approximately 336 and 360 Daly Avenue are home to three accessory buildings, two of which are considered significant historic structures. A chicken coop, single-car detached garage, and single-cell cabin were all ancillary structures for the original 1896 cross-wing cottage (332 Daly) and survived the home's demolition in 1984. One of the structures, the single-car garage, straddles the property line between the City-owned 360 Daly and 336 Daly which is owned by Sharon Melville (Sock Monkeys, LLC). The owner of 336 Daly Avenue seeks to develop the otherwise vacant property with a detached single-family home and has requested the encroaching garage be removed from her property and relocated to an alternative site. If the garage remains in its current location Ms. Melville will need to provide a separation between the exterior walls of the garage and the new home per adopted building codes.

Background

The subject properties once accommodated a cross-wing single family home which was built in 1896. The single-cell cabin first appeared on the local Sanborn Fire Insurance Maps in 1907 and the single-car garage appeared on the Maps in 1941. Behind the garage are the remains of a chicken coop which is not considered a historic structure. The historic single-car garage straddles the property line between Ms. Melville's (Sock Monkeys, LLC) property and the previously UPMC-owned property to the south and encroaches onto Ms. Melville's lot between 5.6 feet and 6.4 feet. Ms. Melville is looking to construct a detached single-family home on her property and has requested the City relocate the single-car garage.

The table below outlines the background of the subject property and associated historic accessory structures:

c. 1896	Cross-wing style cottage constructed on the subject properties (formerly 332 Daly Avenue).
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c. 1900-1907	Single-cell cabin was built on the property after 1900 and before 1907. This building is listed as a Significant Historic Structure on the Park City Historic Sites Inventory.
c. 1941	Single-car detached garage is first seen on Sanborn Fire Insurance Maps.
c. 1984	Cross-wing style cottage was demolished. Ancillary structures (including chicken coop, single-car garage, and single-cell cabin remain).
May 20, 1996	The Historic District Commission approved a request to demolish the deteriorated single-car garage associated with the prior home and other accessory buildings on the subject property. The garage was never demolished, and the approval expired in 1997 .
January 7, 2015	The Historic Preservation Board reviewed a Determination of Significance application for the garage and single-cell cabin and upheld the "Significant" designation on the Park City Historic Sites Inventory.
January 20, 2015	336 property owner filed an appeal of the Determination of Significance.
February 17, 2015	The Board of Adjustment upheld the decision of the Historic Preservation Board. The Board of Adjustment's decision was appealed to Third District Court. The litigation was stayed to allow the City to arrive at a solution with the two parties or try and obtain ownership of 360 Dalv which would
August 29, 2016	The Park City Building Department issued a Notice and Order to repair the garage and single-cell cabin.
December 20, 2016	The Park City Building Department issued another Notice and Order classifying the garage and cabin as Dangerous Buildings and required the property owner to repair, not demolish, the historic structures.
May 3, 2017	The Historic Preservation Board held a public hearing and approved the request to relocate the remaining accessory structures (a single car garage and chicken coop) to the property directly to the south of the current location. The structures were never moved, and this approval expired on May 23, 2018 .
November 30, 2017	The Park City Building Department recorded a Notice of Abatement with Summit County Recorder's Office (Entry No. 01082676) to facilitate: <ul style="list-style-type: none"> • Cleaning out the buildings to do repair work and remove public nuisance hazards. • Conducting an engineering study to determine structural integrity of the buildings and complete any necessary repairs. • Providing weather-resistant repairs to the roof. • Securing the structures.
November 19, 2018	The Park City Planning Department issued an HDDR Waiver Letter for minor construction and routine maintenance to the garage and cabin. This approval included: <ul style="list-style-type: none"> • Constructing new support columns, cross-bracing and floor structure to structurally stabilize the buildings. • Apply wire mesh to cover all window and door openings from the interior and secure the structures. • Install metal sheeting as roofing on the two buildings.

July 2022	City finalized cooperation between Wells Fargo and UPCM to acquire deed to 360 Daly Avenue property from UPCM.
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Figure 1: Tax card photograph of 1896 cross-wing cottage. Demolished 1984.

Preserving the Historic Character of Park City is one of the core values in Park City’s General Plan (“General Plan”). Goal 15 of the General Plan is:

Preserve the integrity, mass, scale, compatibility, and historic fabric of the nationally and locally designated historic resources and districts for future generations.

Objective 15A – maintain the integrity of historic resources within Park City as a community asset for future generations, including historic resources locally designated on the Park City Historic Sites Inventory and its two National Register Historic Districts – the Main Street Historic District and the Mining Boom Era Residences Thematic District.



Figure 2: October 18, 2022 Photograph of Cabin and Garage, looking west across Daly Avenue.

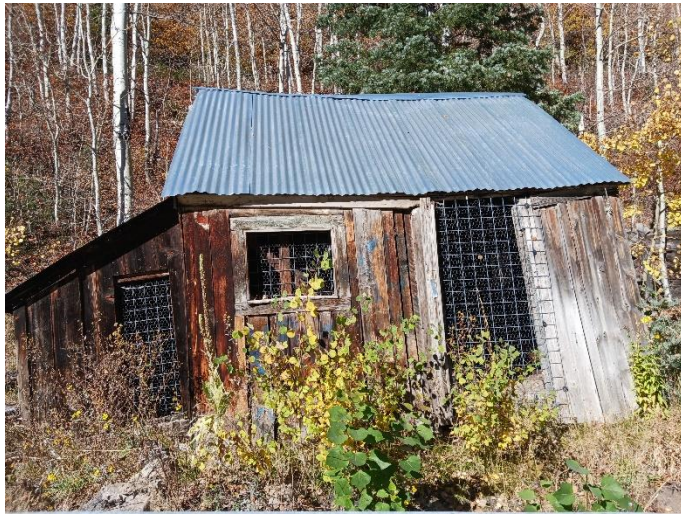


Figure 3: October 18, 2022 Photograph of Cabin, front.

The single-cell cabin and single-car garage on the subject property are recognized as Significant Historic Structures ([Historic Site Form](#)) and have been present on the property since 1907 and 1941, respectively, as indicated on the Sanborn Fire Insurance Maps. The chicken coop is not individually listed on the Historic Sites Inventory and is severely dilapidated. The relocation of the chicken coop is not currently under consideration. City Staff are seeking input from the Historic Preservation Board as to the potential method(s) of relocation and potential location(s) for the historic accessory buildings.

Analysis

The Land Management Code (LMC) implements the goals and policies of the General Plan, including allowing for the relocation or reorientation of historic structures under certain circumstances.¹ The LMC discourages the relocation and/or reorientation of historic structures due to the risk of altering the historic integrity of the structure, site, streetscape, or character area. Due to the potential risk to the historic designation of a structure through the relocation or reorientation process all such applications must be reviewed and decided by the Historic Preservation Board.

Staff is bringing this item before the Historic Preservation Board to discuss the circumstances in which the LMC allows for the relocation or reorientation of historic structures and how the accessory structures at 336/360 Daly Avenue adhere to those standards. LMC § [15-13-4](#) states historic buildings should only be relocated if the HPB has determined “that the integrity and significance of the historic building will not be diminished by such action.” “Historic Integrity” is defined within § [15-15-1](#) of the



Figure 4: October 18, 2022 Photograph of Garage, front oblique.

LMC as “[t]he ability of a Site to retain its identity and, therefore, convey its Significance in the history of Park City.”² The code continues that location, design, setting, materials, workmanship, feeling and association are qualities utilized to determine a site’s historic integrity. A historic structure’s Significance is defined as “[t]he quality of having Historical consequence or being regarded as having great architectural value.”

¹ LMC § [15-13-4](#)

² LMC § [15-15-1](#)

The subject structures are listed as Significant Historic Structures due to the presence of original materials and the architectural styles representing the Mature Mining and Mining Decline periods during which they were constructed. The accessory structures include repurposed timbers as exterior siding and the garage and cabin include gabled roof forms typical of the mature mining period. With the demolition of the primary home in 1984 the overall context of the historic site has already been lost; the garage was an ancillary structure for the use of the occupants of the primary home and the single-cell cabin had been repurposed as a storage shed. As a result, it is staff's professional opinion that relocating the accessory buildings now will not detract from their historic significance or that of the historic district and neighborhood.

The LMC also states a "historic building shall be moved in one piece whenever possible" and only when the structural soundness of the building will not be negatively affected. The garage and cabin structures were both stabilized and secured in 2019 with new interior support columns and cross-bracing. Additionally, new metal roofing was installed, and the door and window openings were covered with metal mesh. An Engineer's Report (see Exhibit C) from 2016 stated the single-car garage could be feasibly relocated without dismantling or demolishing the building with a recommendation to provide additional supports at potential lift points. A survey of the cabin would need to be conducted to determine whether it could be relocated while fully intact or if panelization and reconstruction would be necessary.

At this point, the owner of 336 Daly is only concerned about the relocation of the single-car garage since that is the only structure that encroaches on her property and could potentially affect the design of a new home. During the 2017 review of this request the proposal was to relocate the garage to the southern side of the cabin onto the same property. Keeping these two structures together would be more appropriate than relocating the garage to a separate property and leaving the cabin behind because they were both ancillary structures utilized by the same historic property owner and provide historical context to one another. Staff is requesting input from the Board to determine if relocating the garage to the southern side of the cabin would be the preferred course of action or if both structures should be relocated to an alternative site. Additionally, if an alternative site is preferred but the structures could not be relocated prior to Ms. Melville developing her property Staff is seeking comment on whether it would be appropriate to panelize the historic structures and store them until they can be relocated to a new permanent location. Panelizing the structures and storing them would require a determination from the Board that a special exception is necessary for the preservation of the structures because the Historic District Design Guidelines require a building to be moved in one piece whenever possible. Both structures have been stabilized and secured but only the garage has been surveyed and determined to be structurally sound enough to relocate without panelization. A survey of the single-cell cabin would need to be conducted to determine whether panelization is necessary for its relocation.

Department Review

The Planning Department and City Attorney's Office have reviewed this staff report.

Exhibits

- Exhibit A: Notice of Historic Preservation Board Action, May 3, 2017
- Exhibit B: Notice of Planning Department Action, May 23, 2017
- Exhibit C: Historic Preservation Board Staff Report, May 3, 2017
- Exhibit D: Historic Preservation Board Minutes, May 3, 2017
- Exhibit E: LMC §15-13-4 Guidelines for Relocation and/or Reorientation of Intact Buildings or Structures
- Exhibit F: The Canyon Subdivision Plat, recorded March 29, 2006
- Exhibit G: Record of Survey & Topographic Map Lot A 336 Daly



May 23, 2017

Sharon Melville
3002 Windsor Lane
Bountiful, UT 84010

CC: Todd Jenson, Attorney

NOTICE OF PLANNING DEPARTMENT ACTION

<u>Project Address</u>	336 Daly Avenue
<u>Description</u>	Relocation and Stabilization of a garage and chicken coop, designated as Significant on the City's Historic Sites Inventory
<u>Date of Action</u>	May 23, 2017
<u>Project #</u>	PL-16-03189
<u>Project Owner</u>	Sharon Melville

Summary of Staff Action

Staff reviewed this HDDR application for compliance with the 2009 Historic District Design Guidelines, specifically with 1) Universal Guidelines for Historic Sites (#1 through #10) and 2) Specific Guidelines: A. Site Design; B. Primary Structures; and E. Relocation and/or Reorientation of Intact Buildings. Staff found that as conditioned the proposed addition and relocation of the historic structure will comply with applicable Guidelines. This letter serves as the final action letter and approval for the proposed design for the addition and relocation of the historic structures at 336 Daly Avenue. The plans, as redlined, are approved subject to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The property is located at 336 Daly Avenue.
2. The historic site is listed as Significant on the Historic Sites Inventory.
3. The applicant is proposing to relocate the historic single-car garage and chicken coop on the Significant Site.
4. Development on this property occurred during the Mature Mining Era (1894-1930) and the Mining Decline and Emergence of Recreation Industry Era (1931-1962).
5. According to Summit County Tax Records, a historic cross-wing cottage located at 332 Daly Avenue was built c. 1896. The cross-wing cottage first appears on the 1900 Sanborn Fire Insurance Map. This historic cross-wing cottage was later demolished in 1984.

6. The single-cell cabin first appears on the Sanborn Fire Insurance Maps in 1907. The single-cell cabin was constructed between 1900 and 1907.
7. This single-car garage accessory structure does not appear on the Sanborn Fire Insurance Maps until 1941.
8. Although the HSI report and previous staff concluded that the garage was built between 1900 and 1907. Current staff's additional research and analysis of construction techniques includes evidence which supports that the single-car garage was constructed sometime in the 1930s as part of the overall development of the site at 332 Daly Avenue. The single-car garage and chicken coop embody the characteristics of accessory buildings built between 1900 and 1907. There is the presence of reused timbers and the form is typical of the era.
9. It was associated with a historic cross-wing cottage constructed in ca. 1896 and was likely built to accommodate the new need to store the family's private automobile. The history of the building can be interpreted the same at the existing site or the proposed site.
10. The single-car garage and chicken coop are originally associated with the demolished ca. 1896 cross-wing cottage which had an address of 332 Daly Avenue. The site has now been re-addressed to 360 Daly Avenue which is used for the HSI Form.
11. The chicken coop structure located behind the existing single-car garage is not designated as historic on the City's Historic Sites Inventory, and does not require any additional review for relocation by the Historic Preservation Board.
12. The single-cell cabin to the south is also designated as "Significant" on the City's Historic Sites Inventory and is not proposed to be relocated at this time.
13. The single-car garage straddles the property line between 360 Daly Avenue (owned by Talisker) and 336 Daly Avenue (owned by Sharon Stout Melville, Manager of Sock Monkeys LLC, Silver Queen Gunslinger, LLC). The Talisker-owned single-car garage encroaches 5 to 6 feet across the shared property line and into the property of Sharon Stout Melville.
14. Sharon Stout Melville, the applicant, is proposing to relocate the single-car garage to the south side of the single-cell cabin. This will allow her to develop her property without the impediment of the single-car garage.
15. The Engineer's Report by J.R. Richards of Calder Richards Consulting Engineers states that the single-car garage can be relocated in whole. The engineer recommends replacing deteriorated elements where lifting points are anticipated, provide additional supports for stabilizing the roof and walls prior to lifting the structure, and incorporating additional engineering to ensure no further damage occurs during the move.
16. The single-car garage is not threatened by demolition.
17. The Park City Building Department issued a Notice and Order to Repair the garage and single-cell cabin on August 29, 2016. The Notice and Order outlines issues such as stress in materials due to dead and live loads; members or appurtenances that are likely to fail, become detached, or collapse; building not meeting window pressure; warping, warping and buckling of walls; potential collapse of entire structure; as well as its poor condition as to constitute a public nuisance.
18. Staff finds that the single-car garage has largely lost its historic context and the present setting does not appropriately convey its history. The history of the building can be interpreted the same at the existing site or the proposed site.
19. The proposed site to the south of the single-cell cabin conveys a character similar to that of the building's existing site. The neighborhood buildings, materials, geography, and age are all similar. The single-car garage will remain surrounded by a wooded aspen grove, facing east toward Daly Avenue.

20. The existing distance between the single-cell cabin and the single-car garage will be equal (approximately 8 feet) in the proposed relocation site.
21. The integrity and significance of the historic building will not be diminished by its relocation and/or reorientation.
22. The building is being relocated on its existing site. The building currently sits largely on Talisker-owned property and will remain on Talisker-owned property following its relocation.
23. On August 8, 2016, the Planning Department received a Historic District Design Review (HDDR) application for the property located at 360 Daly Avenue. After working with the applicant on the materials required for their submittal, the application was deemed complete on September 19, 2016.
24. The Historic Preservation Board (HPB) approved the proposed relocation of the single-car garage and chicken coop on May 3, 2017.
25. The garage and chicken coop are currently located in the Historic Residential (HR-1) Zoning District; however, they are proposed to be relocated to the Estate (E) Zoning District.
26. Accessory Buildings and Uses are an allowed use in the Estate Zone.
27. The minimum lot size of the E-zone is 3 acres; the parcel that the garage and chicken coop will be relocated to is a collection of mining claims that consists of some 13,000 acres owned by Talisker.
28. The minimum lot width in the E-zone is 100 ft. The parcel for the relocation has an estimated lot width of 350 ft. along Daly Avenue.
29. The minimum required Front, Rear, and Side yard setbacks in the E-zone are 30 ft. The applicant is proposing a 39 ft. front yard setback from the edge of Talisker's property on the east side of Daly Avenue. The side yard setback is proposed to be about 42 ft. from the south edge of the Canyon Subdivision. The rear yard setback exceeds 30 ft.
30. Building Height is limited to 28 ft. in the E-zone. The applicant is proposing to relocate the existing historic garage and chicken coop. The garage measures 10'1" in height.
31. The Property Owner must protect Significant Vegetation during any Development activity. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4½') above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line. The applicant has proposed to remove five overgrown aspen trees in order to relocate the garage and chicken coop. They will be replaced with six new trees.
32. The proposed project complies with the *Design Guidelines for Historic Sites in Park City*, specifically the Universal Design Guidelines:
 - a. The proposal complies with Universal Guideline #1 as the site will be used as it was historically—an accessory garage and chicken coop building—and requires minimal change to the distinctive materials and features.
 - b. The proposal complies with Universal Guideline #2 as changes to the site or building that have acquired historic significance in their own right will be retained and preserved. The applicant is not proposing to modify the existing site, except to remove the existing historic structures. The site of the relocation is adjacent to the existing site and replicates the setting of the original site.
 - c. The proposal complies with Universal Guideline #3 as the historic exterior features of the buildings will be retained and preserved. The applicant is proposing to maintain the exterior features of the buildings by maintaining and repairing damaged features. No changes are proposed to the exterior of the buildings.

- d. The proposal complies with Universal Guideline #4 in that the applicant plans to retain and preserve distinctive materials, components, finishes, and examples of craftsmanship. No missing historic elements will need to be recreated as part of this renovation. The applicant intends only to stabilize the existing structures.
 - e. The proposal complies with Universal Guideline #5 as conditioned.
 - f. The proposal complies with Universal Guideline #6 in that features that do not contribute to the significance of the site or building and exist prior to the adoption of these guidelines may be maintained; however, if it is proposed they be changed, those features must be brought into compliance with these guideline. The applicant is not proposing to maintain any non-historic alterations to the historic garage and chicken coop; rather, they are interested in stabilizing these two structures by relocating them on to the adjacent Talisker-owned lot.
 - g. The proposal complies with Universal Guideline #7 in that the owner is not proposing to introduce architectural elements or details that visually modify or alter the original building design when no evidence of such elements or details exists. The scope of work is limited to stabilization.
 - h. The proposal complies with Universal Guideline #8 as conditioned.
 - i. The proposal complies with Universal Guideline #9 as the new addition, exterior alterations, and related new construction will not destroy historic materials, features, and spatial relationships that characterize the site or building. The applicant is not proposing to construct a new addition. The stabilization work will be limited to the interior and is will not permanently impact the exterior of the building. The spatial relationships characterized by the current site will be replicated in the new site.
 - j. The proposal complies with Universal Guideline #10 as the new addition and related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment could be restored. The applicant proposes only to stabilize the historic garage and shed structure by making changes to the interior of the building.
33. The proposed project complies with the *Design Guidelines for Historic Sites in Park City*, specifically the Specific Design Guidelines:
- a. The proposal complies with Specific Design Guidelines A.1 Building Setbacks & Orientation. The applicant proposes to replicate the existing setting on the new site. The new site will mimic the front and side yard setbacks of the original site and the orientation of the building toward Daly Avenue will not change.
 - b. Specific Design Guidelines A.2 Stone Retaining Walls do not apply as there are no historic stone retaining walls on this site.
 - c. Specific Design Guidelines A.3 Fences & Handrails do not apply as there are no historic fences or handrails on this site.
 - d. Specific Design Guidelines A.4 Steps do not apply as there are no historic hillside steps on this site.
 - e. The proposal complies with Specific Design Guidelines A.5 Landscaping & Site Grading. There are no character-defining landscape features of this site. No new pathways or driveways are proposed as part of this relocation project. The applicant will maintain the wooded, natural appearance of the lot by planting new trees for those that will be removed in order to relocate the historic garage and chicken coop.
 - f. The proposal complies with Specific Design Guidelines B.1 Roofs. The original roof form will be maintained, as well as any functional or decorative elements.

- g. The proposal complies with Specific Design Guidelines B.2 Exterior Walls. The applicant is not proposing to modify the window-door configuration, wall planes, recesses, balconies, porches or entryways on the primary and secondary facades. No substitute materials are proposed at this time. No interior changes are proposed that will affect the exterior appearance of the façade, such as changing original floor levels, changing window-door configurations, or changing porch roofs to balconies or decks.
- h. The proposal complies with Specific Design Guidelines B.3. Foundations. The applicant is not proposing to raise or lower the historic structure from its original floor elevation. The applicant will pour new footings covered by a gravel foundation beneath the historic garage when it is relocated.
- i. The proposal complies with Specific Design Guidelines B.4. Doors. The applicant proposes to reconstruct doors consistent with the original double garage door and reinstall them on the historic garage and chicken coop. No storm and/or screen doors are proposed.
- j. Specific Design Guidelines B.5 Windows is not applicable as there are no existing windows or window openings on these structures.
- k. Specific Design Guidelines B.6 Mechanical Systems, Utility Systems, and Service Equipment are not applicable. These are not habitable buildings and the applicant is not proposing to make them habitable as part of this stabilization project.
- l. Specific Design Guidelines B.7 Paint & Color are not applicable. The garage and chicken coop were never painted historically and the applicant does not propose to modify their aged patina.
- m. Specific Design Guidelines C.1 Off-Street are not applicable as no off-street parking areas are proposed.
- n. Specific Design Guidelines C.2 Driveways are not applicable as no driveway is proposed as part of this project.
- o. Specific Design Guidelines C.3 Detached Garages is not applicable as no new detached garage is proposed.
- p. Specific Design Guidelines D. Additions to Historic Structures is not applicable. No new square footage is proposed to be added to either the historic garage or chicken coop.
- q. The proposal complies with Specific Design Guidelines E. Relocation and/or Reorientation of Intact Buildings. The Design Review Team has determined that the integrity and significance of the historic buildings would not be diminished by the relocation, and the HPB found the same on May 3, 2017. A structural engineer's report has found that the structural soundness of the buildings will not be negatively impacted and the buildings will survive the relocation.
- r. Specific Design Guidelines F. Disassembly/Reassembly of All or Part of a Historic Structure are not applicable as this is not a panelization project.
- s. Specific Design Guidelines G. Reconstruction of Existing Historic Structures is not applicable as this is not a reconstruction project.
- t. The proposal complies with Specific Design Guidelines H. Accessory Structures. The applicant intends to retain and preserve the historic garage and chicken coop. No new accessory structures are proposed and the proposed stabilization of the historic garage and chicken coop follow the guidelines for protecting primary structures.
- u. Specific Design Guidelines I. Signs are not applicable.
- v. The proposal complies with Specific Design Guidelines J. Exterior Lighting as conditioned.

- w. Specific Design Guidelines K. Awnings are not applicable.
 - x. Specific Design Guidelines L. Sustainability are not applicable. The applicant will retain the inherent energy-conserving features of the historic building such as porches, operable windows, and transoms. The scope of work is limited to stabilizing the historic structures—no rehabilitation to create habitable space is proposed.
 - y. The proposal complies with Specific Design Guidelines M. Seismic Systems as the visual impacts of exterior treatments associated with seismic upgrades will be minimized.
 - z. Specific Guidelines N. ADA Compliance are not applicable.
34. The HDDR application was submitted on August 8, 2016. It was deemed complete on September 19, 2016. A public hearing was held on October 3, 2016.
35. The HDDR application was approved by staff on May 23, 2017. The 10-day appeal period expires on June 2, 2017.

Conclusion of Law

1. The proposal complies with the 2009 Park City Design Guidelines for Historic Districts and Historic Sites, as conditioned.
2. The proposal complies with the Land Management Code requirements pursuant to the Historic Residential-Low Density (HR-L) District (lot size, setbacks, etc.).
3. The proposed work is consistent with Park City General Plan.

Conditions of Approval

1. Receipt and approval of a Construction Mitigation Plan (CMP) by the Building Department is a condition precedent to the issuance of any building permit. The CMP shall consider and mitigate impacts to the existing neighboring structures, and existing infrastructure/streets from the construction. All anticipated road closures shall be described and permitted in advance by the Building Department.
2. Final building plans and construction details shall reflect substantial compliance with the drawings stamped in on August 8, 2016 and approved on May 23, 2017 as redlined. Any changes, modifications, or deviations from the approved design shall be reviewed and approved by the Planning Director prior to construction. Any changes, modifications, or deviations from the approved work that have not been approved by the Planning and Building Departments may result in a stop work order.
3. The designer and/or applicant shall be responsible for coordinating the approved architectural drawings/documents with the approved construction drawings/documents. The overall aesthetics of the approved architectural drawings/documents shall take precedence. Any discrepancies found among these documents that would cause a change in the approved construction shall be reviewed and approved prior to construction.
4. If a complete building permit has not been obtained by May 23, 2018, this HDDR approval will expire, unless an extension is requested prior to the expiration date and granted by the Planning Department.
5. The City Engineer shall review and approve all appropriate grading, utility installation, public improvements, drainage plans, and flood plain issues, for compliance with City and Federal standards, and this is a condition precedent to building permit issuance.
6. Any areas disturbed during construction surrounding the proposed work shall be brought back to its original state.
7. Deteriorated or damaged historic features and elements shall be repaired rather than

replaced. Where the severity of the deterioration or existence of structural or material defects requires replacement, the feature or element shall match the original in design, dimension, texture, material, and finish. The applicant shall demonstrate the severity of deterioration or existence of defects is to the extent that the historic materials are no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition. This demonstration shall be made to the Planning Director and Historic Preservation Planner. The Planning Department shall approve the replacement of the Historic Materials *in writing* prior to removal.

8. Chemical or physical treatments, if appropriate, shall be undertaken using recognized preservation methods. Treatments that cause damage to historic materials shall not be used. Treatments that sustain and protect, but do not alter appearance, are encouraged.
9. The structure shall be protected from adverse weather conditions, water infiltration, and vandalism before, during, and after the relocation/reorientation process.
10. If rehabilitation will be delayed, temporary improvements shall be made—roof repairs, doors secured and/or covered, adequate ventilation—to the structure to protect the historic fabric until rehabilitation can commence.
11. A written plan detailing the steps and procedures shall be completed and approved by the Planning and Building Departments prior to issuance of a building permit.
12. All the previous Conditions of Approval of the May 3, 2017, Historic Preservation Board's Relocation approval apply.
13. The applicant shall provide the City with a financial guarantee to ensure compliance with the conditions and terms of the Historic Preservation Plan.
14. Approval of this HDDR was noticed on May 23, 2017, and any approval is subject to a 10 day appeal period.
15. All standard conditions of approval shall apply (see attached).

If you have any questions, please do not hesitate to contact me.

Sincerely,



Anya Grahn
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Hannah Tyler
Planner II
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PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS

1. The applicant is responsible for compliance with all conditions of 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 5, Architectural Review); International 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 Planning Department, Planning Commission, or Historic Preservation Board 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 Planning Department, Planning Commission and/or Historic Preservation Board 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 Planning, Building, and Engineering Departments. 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 Planning and Building Departments prior to issuance of a footing and foundation permit. This survey shall be used to assist

the Planning 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 Planning, Building, and Engineering Departments, 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 according to the LMC, 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 Planning 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 City Engineer, posted prior to occupancy.
13. The Snyderville Basin Water Reclamation District shall review and approve the sewer plans, prior to issuance of any building plans. A Line Extension Agreement with the Snyderville Basin Water Reclamation 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 Planning and Building Departments. All multi-tenant buildings require an approved Master Sign Plan prior to submitting individual sign permits.
18. All exterior lights must be in conformance with the applicable Lighting section of the Land Management Code. Prior to purchase and installation, it is recommended that exterior lights be reviewed by the Planning Department.
19. All projects located within the Soils Ordinance Boundary require a Soil Mitigation Plan to be submitted and approved by the Building and Planning departments prior to the issuance of a Building permit.



**HISTORIC PRESERVATION BOARD
PARK CITY, SUMMIT COUNTY, UTAH**

RE: RELOCATION DETERMINATION

The Historic Preservation Board of Park City, Utah met on Wednesday, May 3, 2017 for a regularly scheduled and duly noticed meeting. After determining that a quorum was present, the Board conducted its scheduled business.

NOTICE OF HISTORIC PRESERVATION BOARD ACTION:

Project Address: 336/360 Daly Avenue
Project Number: PL-16-03189
Type of Item: Proposal: Administrative – Relocation Determination
Hearing Date: May 3, 2017

Administrative – Relocation of the single-car garage and chicken coop.

Board Action: **APPROVED** – The Historic Preservation Board conducted a public hearing and found that the proposed relocation would have no negative impact on the historic character of the Historic Site, surrounding neighborhood or the Historic District. The proposed relocation complies with the criteria set forth in the Land Management Code. The Historic Preservation Board made the determination based on the following findings of fact, conclusions of law, and conditions of approval.

Finding of Fact:

1. The property is located at 360 Daly Avenue.
2. The historic site is listed as Significant on the Historic Sites Inventory.
3. The applicant is proposing to relocate the Historic single-car garage and chicken coop on the Significant Site.
4. Development on this property occurred during the Mature Mining Era (1894-1930) and the Mining Decline and Emergence of Recreation Industry Era (1931-1962).
5. According to Summit County Tax Records, a historic cross-wing cottage located at 332 Daly Avenue was built c. 1896. The cross-wing cottage first appears on the 1900 Sanborn Fire Insurance Map. This historic cross-wing cottage was later demolished in 1984.
6. The single-cell cabin first appears on the Sanborn Fire Insurance Maps in 1907. The single-cell cabin was constructed between 1900 and 1907.

7. This single-car garage accessory structure does not appear on the Sanborn Fire Insurance Maps until 1941.
8. Although the HSI report and previous staff concluded that the garage was built between 1900 and 1907. Current staff's additional research and analysis of construction techniques includes evidence which supports that the single-car garage was constructed sometime in the 1930s as part of the overall development of the site at 332 Daly Avenue. The single-car garage and chicken coop embody the characteristics of accessory buildings built between 1900 and 1907. There is the presence of reused timbers and the form is typical of the era.
9. It was associated with a historic cross-wing cottage constructed in ca. 1896 and was likely built to accommodate the new need to store the family's private automobile. The history of the building can be interpreted the same at the existing site or the proposed site.
10. The single-car garage and chicken coop are originally associated with the demolished ca. 1896 cross-wing cottage which had an address of 332 Daly Avenue. The site has now been re-addressed to 360 Daly Avenue which is used for the HSI Form.
11. The chicken coop structure located behind the existing single-car garage is not designated as historic on the City's Historic Sites Inventory, and does not require any additional review for relocation by the Historic Preservation Board.
12. The single-cell cabin to the south is also designated as "Significant" on the City's Historic Sites Inventory and is not proposed to be relocated at this time.
13. The single-car garage straddles the property line between 360 Daly Avenue (owned by Talisker) and 336 Daly Avenue (owned by Sharon Stout Melville, Manager of Sock Monkeys LLC, Silver Queen Gunslinger, LLC). The Talisker-owned single-car garage encroaches 5 to 6 feet across the shared property line and into the property of Sharon Stout Melville.
14. Sharon Stout Melville is proposing to relocate the single-car garage to the south side of the single-cell cabin. This will allow her to develop her property without the impediment of the single-car garage.
15. If the historic single-car garage were to remain on the property, Ms. Melville would need to provide a minimum of three foot (3') separation between the exterior wall of the historic single-car garage and the exterior wall of her new house in order to avoid having to eliminate windows and install additional fire-resistant rated construction as required by the International Building Code (IBC).
16. The Engineer's Report by J.R. Richards of Calder Richards Consulting Engineers states that the single-car garage can be relocated in whole. The engineer recommends replacing deteriorated elements where lifting points are anticipated, provide additional supports for stabilizing the roof and walls prior to lifting the structure, and incorporating additional engineering to ensure no further damage occurs during the move.
17. The single-car garage is not threatened by demolition.
18. The Park City Building Department issued a Notice and Order to Repair the garage and single-cell cabin on August 29, 2016. The Notice and Order outlines issues such as stress in materials due to dead and live loads; members or appurtenances that are likely to fail, become detached, or collapse; building not meeting window

- pressure; wracking, warping and buckling of walls; potential collapse of entire structure; as well as its poor condition as to constitute a public nuisance.
19. Staff finds that the single-car garage has largely lost its historic context and the present setting does not appropriately convey its history. The history of the building can be interpreted the same at the existing site or the proposed site.
 20. The proposed site to the south of the single-cell cabin conveys a character similar to that of the building's existing site. The neighborhood buildings, materials, geography, and age are all similar. The single-car garage will remain surrounded by a wooded aspen grove, facing east toward Daly Avenue.
 21. The existing distance between the single-cell cabin and the single-car garage will be equal (approximately 8 feet) in the proposed relocation site.
 22. The integrity and significance of the historic building will not be diminished by its relocation and/or reorientation.
 23. On August 8, 2016, the Planning Department received a Historic District Design Review (HDDR) application for the property located at 360 Daly Avenue. After working with the applicant on the materials required for their submittal, the application was deemed complete on September 19, 2016.
 24. This application was continued by the Historic Preservation Board (HPB) continued on December 7, 2016 and February 1, 2017 because the applicant was seeking the property owner's consent to pursue the application. The applicant has since received the property owner's consent.
 25. On January 7, 2015, the Historic Preservation Board reviewed a Determination of Significance application for the garage and single-cell house and upheld the "Significant" designation on the Park City Historic Sites Inventory.
 26. Staff sent a mailing notice to property owners within 100 feet on April 19, 2017 and posted the property on April 19, 2017.
 27. The Historic District Design Review (HDDR) application has not yet been approved, as it is dependent on HPB's review of the relocation of the Historic single-car garage and chicken-coop on the Significant Site.
 28. The applicant could restore and/or stabilize the building at its present setting.
 29. The building is being relocated on its existing site. The building currently sits largely on Talisker-owned property and will remain on Talisker-owned property following its relocation.
 30. Restoration of the structure shall be in compliance with the Historic District Design Review application.

Conclusions of Law:

1. The proposal does meet the criteria for relocation pursuant to LMC 15-11-13 and/or Reorientation of a Historic Building or Historic Structure.

Conditions of Approval:

1. The Building Permit shall be issued within 1 year of the Action taken by Historic Preservation Board and the applicant shall reach a successful agreement with the property owner, United Park City Mines.

If you have any questions or concerns regarding this letter, please do not hesitate to call me at (435) 615-5059 or contact me by email at hannah.tyler@parkcity.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Hannah M. Tyler', written in a cursive style.

Hannah M. Tyler
Planner



Planning Department

Historic Preservation Board Staff Report

Author: Hannah M. Tyler, Planner
Anya Grahn, Historic Preservation Planner
Subject: Relocation (Single-Car Garage and Shed) Review
Address: 360 Daly Avenue
Project Number: PL-16-03189
Date: May 2, 2017
Type of Item: Administrative – Relocation of a Historic Structure

Summary Recommendation:

Staff recommends the Historic Preservation Board review and discuss the relocation of the Historic single-car garage and chicken coop on the Significant site, conduct a public hearing, and approve the relocation of the Historic single-car garage and shed on the Significant site in accordance with the attached findings of fact and conclusions of law.

Topic:

Address: 360 Daly Avenue
Designation: Significant
Applicant: Sharon (Stout) Melville, Manager of Sock Monkeys LLC, Silver Queen Gunslinger, LLC
Proposal: Relocation of the Historic single-car garage and chicken coop on the Significant Site.

Background:

On August 8, 2016, the Planning Department received a Historic District Design Review (HDDR) application for the property located at 360 Daly Avenue. After working with the applicant on the materials required for their submittal, the application was deemed complete on September 19, 2016. The Historic District Design Review (HDDR) application has not yet been approved, as it is dependent on HPB's review of the relocation of the Historic single-car garage and chicken-coop on the Significant Site. This application was continued by the Historic Preservation Board (HPB) continued on December 7, 2016 and February 1, 2017.

Site Information:

A complete certified topographic survey can be found in Exhibit B. The site currently consists of three (3) structures and the foundation ruins of a demolished ca. 1896 cross-wing cottage. The following photographs and site plan depict the locations and existing conditions of the three (3) structures and foundation ruins of the demolished ca. 1896 cross-wing cottage.

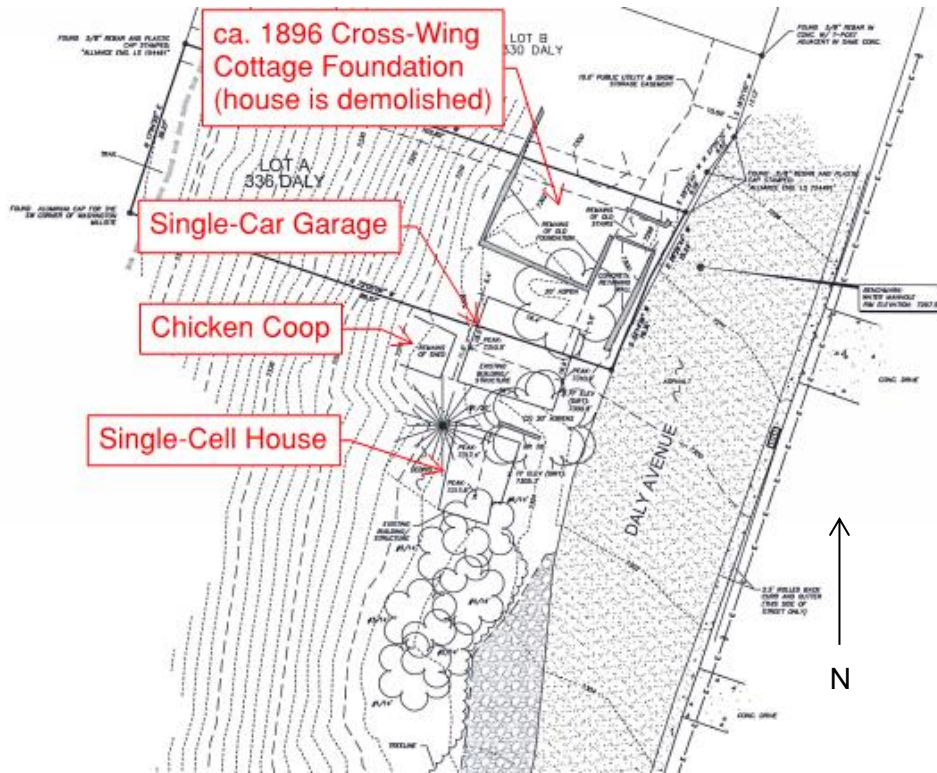
Single-Cell Cabin (left) and Single-Car Garage (right)



Chicken Coop (located behind Single-Car Garage)



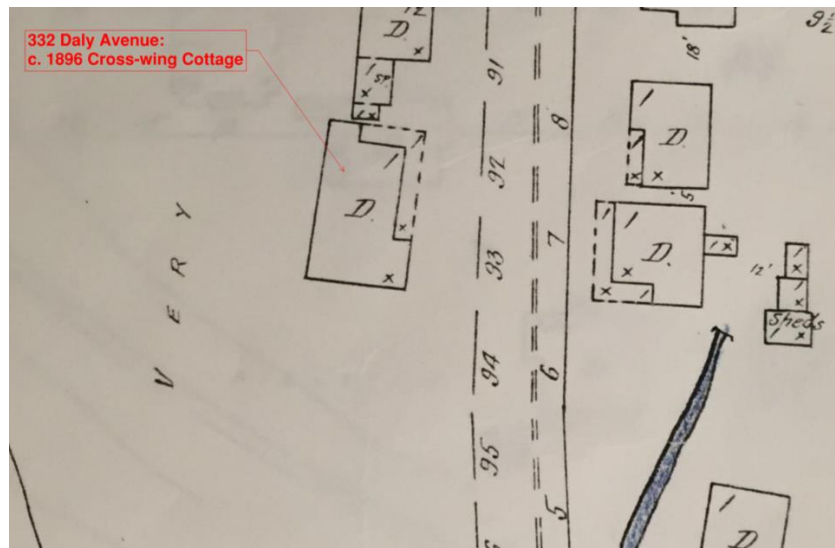
Site Plan



360 Daly Avenue Developmental History:

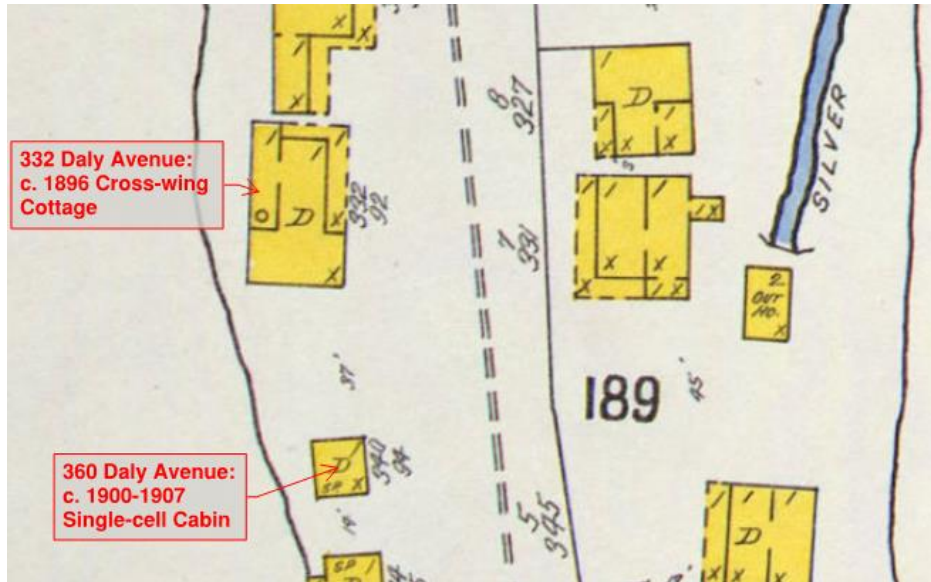
The 360 Daly Avenue property is designated as a Significant Site on the Park City Historic Sites Inventory (HSI). Development on this property occurred during the Mature Mining Era (1894-1930) and the Mining Decline and Emergence of Recreation Industry Era (1931-1962).

1900 Sanborn Fire Insurance Map



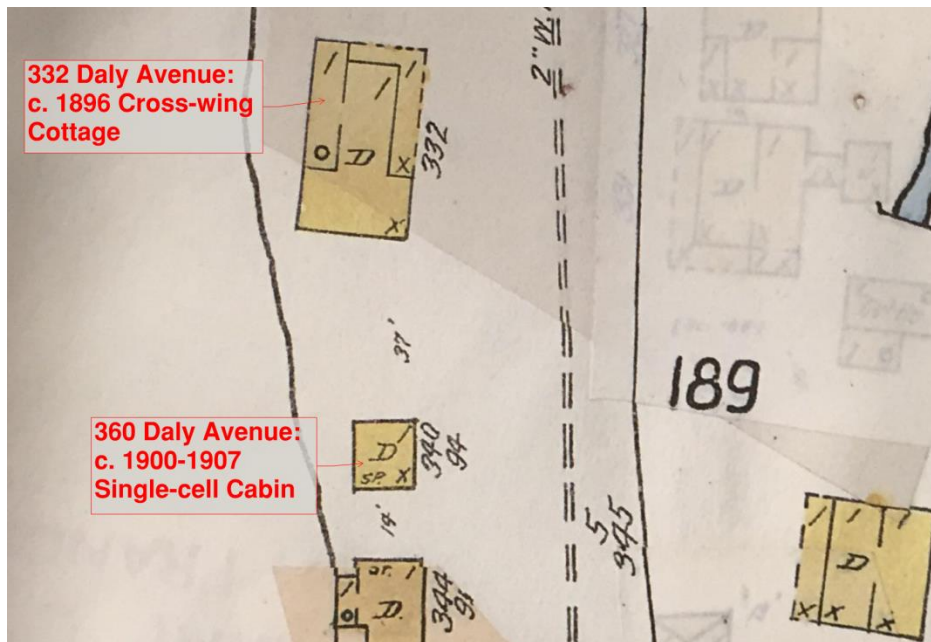
According to Summit County Tax Records (Exhibit E) a historic cross-wing cottage at 332 Daly Avenue was built c. 1896. The cross-wing cottage first appears on the 1900 Sanborn Fire Insurance Map. This historic cross-wing cottage was later demolished in 1984 (see Certificate of Appropriateness for Demolition – Exhibit G).

1907 Sanborn Fire Insurance Map

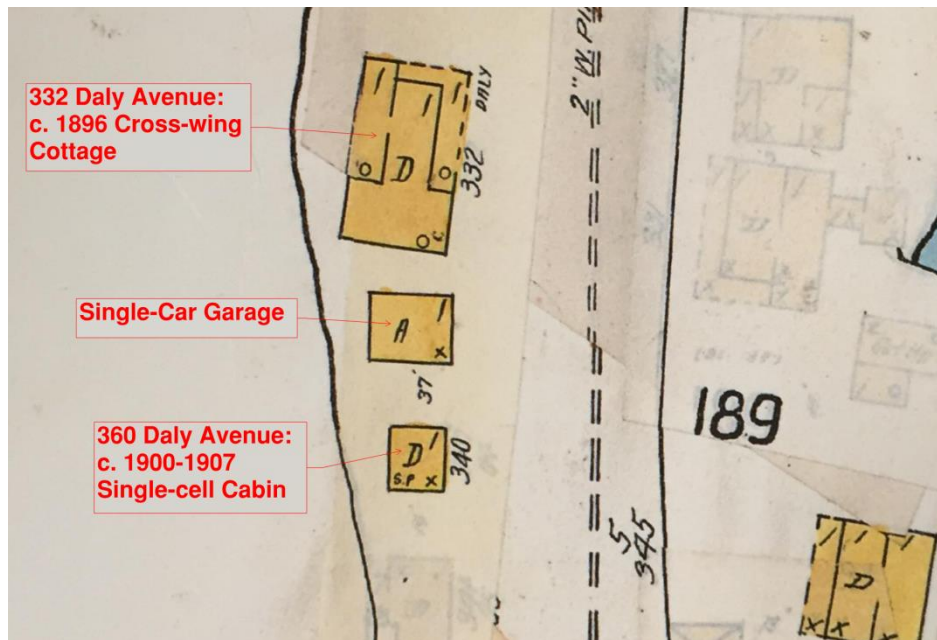


The single-cell cabin first appears on the Sanborn Fire Insurance Maps in 1907. According to the Park City Historic Sites (HSI) Form and the recent Determination of Significance (DOS) designation by the Historic Preservation Board in 2015, the single-cell cabin was constructed between 1900 and 1907.

1929 Sanborn Fire Insurance Map



1941 Sanborn Fire Insurance Map



This single-car garage accessory structure does not appear on the Sanborn Fire Insurance Maps until 1941. Accessory structures, like garages or sheds, were often left off of the maps. Staff and our preservation consultant find that this may explain why the single-car garage and chicken-coop were not included in the early Sanborn Fire Insurance Maps.

The single-car garage embodies the characteristics of accessory buildings built between 1900 and 1907. There is the presence of reused timbers and the front-gable form is typical of the era. In addition, the chicken coop embodies many of the similar characteristics because of its reused timbers and simple unadorned form.

Development on Daly Avenue was very distinctive compared to the rest of Park City as there was a wide mix of uses (single-family dwellings, boarding houses, accessory structures serving as small merchant uses, etc.). The location in a steep canyon with Silver Creek running through it proved unique for the setback and orientation of all buildings along the streetscape. The single-car garage and chicken coop are very typical of the development on Daly Avenue.

The single-car garage and chicken coop are originally associated with the demolished ca. 1896 cross-wing cottage which had an address of 332 Daly Avenue. The site of the single-car garage has now been re-addressed to 360 Daly Avenue which is used for the HSI Form. The 360 Daly Avenue parcel is owned by Talisker. 332 Daly Avenue was subdivided after the demolition of the ca. 1896 cross-wing house to create a two-lot subdivision. The applicant (Sharon Stout Melville, Manager of Sock Monkeys LLC, Silver Queen Gunslinger, LLC) owns 336 Daly Avenue which is the southern lot

(Lot A) of the two-lot subdivision. The applicant's lot is the lot closest to the single-car garage and single-cell cabin. The foundation ruins of the ca. 1896 cross-wing cottage are located on the applicant's property and will be removed as a part of the future development.

Analysis 1 : Relocation of the Historic Garage on the Significant Site

As previously mentioned, the chicken coop structure located behind the existing single-car garage is not designated as historic on the City's Historic Sites Inventory, and does not require any additional review for relocation by the Historic Preservation Board. The single-cell cabin to the south is also designated as "Significant" on the City's Historic Sites Inventory and is not proposed to be relocated at this time.

The single-car garage, however, is historic and has been designated as "Significant" on the City's Historic Sites Inventory (HSI). As existing, the single-car garage straddles the property line between the Talisker-owned property to the south and 360 Daly Avenue, owned by Ms. Melville, to the north. The Talisker-owned single-car garage encroaches 5 to 6 feet across the shared property line and into Ms. Melville's property. Ms. Melville wishes to relocate the single-car garage to the south side of the single-cell cabin. This will allow Ms. Melville to develop her property without the impediment of the single-car garage. If the historic single-car garage were to remain on the property, Ms. Melville would need to provide a minimum of three foot (3') separation between the exterior wall of the historic single-car garage and the exterior wall of her new house in order to avoid having to eliminate windows and install additional fire-resistant rated construction as required by the International Building Code (IBC).

As previously noted, the single-car garage was associated with the ca. 1896 cross-wing cottage at 332 Daly Avenue. This cross-wing cottage was demolished in 1984; however, the garage remains and was designated to Park City's HSI in 2009.

As outlined in the Engineer's Report by J.R. Richards of Calder Richards Consulting Engineers (Exhibit C), the single-car garage can be relocated in whole. Richards' report notes the deteriorated condition of the wood structure as the timber foundation sits directly on the ground exposing it to moisture and subsequently wood rot. Further, the wood structure has also been impacted by settling and years of snow loading which have weakened its stability. The engineer believes that the historic single-car garage can be feasibly relocated without dismantling or demolishing the building. The engineer recommends replacing deteriorated elements where lifting points are anticipated, provide additional supports for stabilizing the roof and walls prior to lifting the structure, and incorporating additional engineering to ensure no further damage occurs during the move.

15-11-13. RELOCATION AND/OR REORIENTATION OF A HISTORIC BUILDING OR HISTORIC STRUCTURE.

(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 Historic Preservation Board 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 **Not Applicable.**

This is not applicable as the structure is not threatened by demolition.

- (2) The Planning Director and Chief Building Official determine that the building is threatened in its present setting because of hazardous conditions and the preservation of the building will be enhanced by relocating it; or **Does Not Comply.**

The structure is not threatened in its present setting by hazardous conditions. The Park City Building Department issued a Notice and Order to Repair the garage and single-cell cabin on August 29, 2016. The Notice (Exhibit H) outlines issues such as stress in materials due to dead and live loads; members or appurtenances that are likely to fail, become detached, or collapse; building not meeting window pressure; wracking, warping and buckling of walls; potential collapse of entire structure; as well as its poor condition as to constitute a public nuisance. The building can be preserved in its current location or by its proposed new location.

- (3) The Historic Preservation Board, with input from the Planning Director and the Chief Building Official, determines that unique conditions warrant the proposed relocation and/or reorientation on the existing Site, which include but are not limited to:

- (i) The historic context of the building has been so radically altered that the present setting does not appropriately convey its history and the proposed relocation may be considered to enhance the ability to interpret the historic character of the building and the district; or
- (ii) The new site shall convey a character similar to that of the historic site, in terms of scale of neighboring buildings, materials, site relationships, geography, and age; or
- (iii) The integrity and significance of the historic building will not be diminished by relocation and/or reorientation; or **Complies.**

Staff finds that the single-car garage has largely lost its historic context and the present setting does not appropriately convey its history. This single-car garage was constructed sometime in the 1930s as part of the overall development of the site at 332 Daly Avenue. It was associated with a historic cross-wing cottage constructed in ca. 1896 and was likely built to accommodate the new need to store the family's private automobile. The history of the building can be interpreted the same at the existing site or the proposed site.

The proposed site to the south of the single-cell cabin conveys a character similar to that of the building's existing site. The neighborhood buildings, materials, geography, and age are all similar. The single-car garage will remain surrounded by a wooded aspen grove, facing east toward Daly Avenue. The existing distance between the single-cell cabin and the single-car garage will be equal (approximately 8 feet) in the proposed relocation site. Overall, staff finds that the setting will remain largely the same due to the similar proximity between the structures.

Finally, the integrity and significance of the historic building will not be diminished by its relocation and/or reorientation. As previously mentioned, the integrity and significance of the building is in its age, construction materials, etc. The significance of its location has been lost as the single-car garage is no longer associated with its original house, the ca. 1896 cross-wing cottage that was demolished in 1984.

- (4) All other alternatives to relocation/reorientation have been reasonably considered prior to determining the relocation/reorientation of the building. These options include but are not limited to:
- (i) Restoring the building at its present site; or
 - (ii) Relocating the building within its original site; or
 - (iii) Stabilizing the building from deterioration and retaining it at its present site for future use; or
 - (iv) Incorporating the building into a new development on the existing site
- Does Not Comply.**

Staff finds that the applicant could restore and/or stabilize the building at its present setting; however, as existing, the historic single-car garage is encroaching 5 to 6 feet across its property line and into the applicant's property. The applicant finds that the building must be relocated in order to allow for her to develop her site and construct her new house as designed. If the garage was not relocated, she would need to provide an increased setback on the south side yard to provide sufficient fire separation between the historic single-car garage and the new house.

Staff finds that the building is being relocated on its existing site. The building currently sits largely on Talisker-owned property and will remain on Talisker-owned property following its relocation. The building is owned by Talisker and is being relocated to the south side of the single-cell cabin.

There are examples of historic garages that are located on different lots than the historic houses they are associated with. The garage at 817 Norfolk was originally associated with the historic house at 811 Norfolk Avenue; however, the lot containing the garage was sold separately from the house and a new house was developed behind the historic garage. The shed at 135 Sampson Avenue was initially associated with a historic house,

however, this house was demolished and a new house now occupies the site.

Process:

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

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

Notice:

On November 26, 2016, Legal Notice of this public hearing was published in the Park Record and posted in the required public spaces. Staff sent a mailing notice to property owners within 100 feet on April 19, 2017 and posted the property on April 19, 2017.

Recommendation:

Staff recommends the Historic Preservation Board review and discuss the relocation of the Historic single-car garage and shed on the Significant site, conduct a public hearing, and approve the relocation of the Historic single-car garage and shed on the Significant site in accordance with the attached findings of fact and conclusions of law.

Finding of Fact:

1. The property is located at 360 Daly Avenue.
2. The historic site is listed as Significant on the Historic Sites Inventory.
3. The applicant is proposing to relocate the Historic single-car garage and chicken coop on the Significant Site.
4. Development on this property occurred during the Mature Mining Era (1894-1930) and the Mining Decline and Emergence of Recreation Industry Era (1931-1962).
5. According to Summit County Tax Records, a historic cross-wing cottage located at 332 Daly Avenue was built c. 1896. The cross-wing cottage first appears on the 1900 Sanborn Fire Insurance Map. This historic cross-wing cottage was later demolished in 1984.
6. The single-cell cabin first appears on the Sanborn Fire Insurance Maps in 1907. The single-cell cabin was constructed between 1900 and 1907.
7. This single-car garage accessory structure does not appear on the Sanborn Fire Insurance Maps until 1941.
8. The single-car garage and chicken coop embody the characteristics of accessory buildings built between 1900 and 1907. There is the presence of reused timbers and the form is typical of the era.
9. The single-car garage and chicken coop are originally associated with the demolished ca. 1896 cross-wing cottage which had an address of 332 Daly Avenue.

The site has now been re-addressed to 360 Daly Avenue which is used for the HSI Form.

10. The chicken coop structure located behind the existing single-car garage is not designated as historic on the City's Historic Sites Inventory, and does not require any additional review for relocation by the Historic Preservation Board.
11. The single-cell cabin to the south is also designated as "Significant" on the City's Historic Sites Inventory and is not proposed to be relocated at this time.
12. The single-car garage straddles the property line between 360 Daly Avenue (owned by Talisker) and 336 Daly Avenue (owned by Sharon Stout Melville, Manager of Sock Monkeys LLC, Silver Queen Gunslinger, LLC). The Talisker-owned single-car garage encroaches 5 to 6 feet across the shared property line and into the property of Sharon Stout Melville.
13. Sharon Stout Melville is proposing to relocate the single-car garage to the south side of the single-cell cabin. This will allow her to develop her property without the impediment of the single-car garage.
14. If the historic single-car garage were to remain on the property, Ms. Melville would need to provide a minimum of three foot (3') separation between the exterior wall of the historic single-car garage and the exterior wall of her new house in order to avoid having to eliminate windows and install additional fire-resistant rated construction as required by the International Building Code (IBC).
15. The Engineer's Report by J.R. Richards of Calder Richards Consulting Engineers states that the single-car garage can be relocated in whole. The engineer recommends replacing deteriorated elements where lifting points are anticipated, provide additional supports for stabilizing the roof and walls prior to lifting the structure, and incorporating additional engineering to ensure no further damage occurs during the move.
16. The single-car garage is not threatened by demolition.
17. The Park City Building Department issued a Notice and Order to Repair the garage and single-cell cabin on August 29, 2016. The Notice and Order outlines issues such as stress in materials due to dead and live loads; members or appurtenances that are likely to fail, become detached, or collapse; building not meeting window pressure; wracking, warping and buckling of walls; potential collapse of entire structure; as well as its poor condition as to constitute a public nuisance.
18. Staff finds that the single-car garage has largely lost its historic context and the present setting does not appropriately convey its history. The history of the building can be interpreted the same at the existing site or the proposed site.
19. The proposed site to the south of the single-cell cabin conveys a character similar to that of the building's existing site. The neighborhood buildings, materials, geography, and age are all similar. The single-car garage will remain surrounded by a wooded aspen grove, facing east toward Daly Avenue.
20. The existing distance between the single-cell cabin and the single-car garage will be equal (approximately 8 feet) in the proposed relocation site.
21. The integrity and significance of the historic building will not be diminished by its relocation and/or reorientation.
22. On August 8, 2016, the Planning Department received a Historic District Design Review (HDDR) application for the property located at 360 Daly Avenue. After

working with the applicant on the materials required for their submittal, the application was deemed complete on September 19, 2016.

23. This application was continued by the Historic Preservation Board (HPB) continued on December 7, 2016 and February 1, 2017.
24. Staff sent a mailing notice to property owners within 100 feet on April 19, 2017 and posted the property on April 19, 2017.
25. The Historic District Design Review (HDDR) application has not yet been approved, as it is dependent on HPB's review of the relocation of the Historic single-car garage and chicken-coop on the Significant Site.
26. The applicant could restore and/or stabilize the building at its present setting.
27. The building is being relocated on its existing site. The building currently sits largely on Talisker-owned property and will remain on Talisker-owned property following its relocation.

Conclusions of Law:

1. The proposal does not meet the criteria for relocation pursuant to LMC 15-11-13 and/or Reorientation of a Historic Building or Historic Structure.

Exhibits:

Exhibit A – HPB Criteria for Relocation of Historic Structures

Exhibit B – Existing Conditions and Proposed Plans

Exhibit C – Applicant's Written Submittal

Exhibit D – Physical Conditions Report

Exhibit E – Historic Preservation Plan

Exhibit F – Summit County Tax Cards – 332 Daly Avenue

Exhibit G – Certificate of Appropriateness for Demolition - 1996

Exhibit H – Supplemental Information (Photographs, Newspaper Articles, etc.)

Exhibit I – 2016 Notice and Order

Exhibit J – Public Comment

Exhibit K – [Park City Historic Site's Inventory Form](#)

Exhibit A: HPB Criteria for Relocation of Historic Structures

The Historic Preservation Board shall find the project complies with the following criteria (Exhibit A):

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 Chief Building Official determine that the building is threatened in its present setting because of hazardous conditions and the preservation of the building will be enhanced by relocating it; or
3. The Historic Preservation Board, with input from the Planning Director and the Chief Building Official, determines that unique conditions warrant the proposed relocation and/or reorientation on the existing Site which include but are not limited to:
 - a. The historic context of the building has been so radically altered that the present setting does not appropriately convey its history and the proposed relocation may be considered to enhance the ability to interpret the historic character of the building and the district; or
 - b. The new site shall convey a character similar to that of the historic site, in terms of scale of neighboring buildings, materials, site relationships, geography, and age; or
 - c. The integrity and significance of the historic building will not be diminished by relocation and/or reorientation; or
4. All other alternatives to relocation/reorientation have been reasonably considered prior to determining the relocation/reorientation of the building. These options include but are not limited to:
 - a. Restoring the building at its present site; or
 - b. Relocating the building within its original site; or
 - c. Stabilizing the building from deterioration and retaining it at its present site for future use; or
 - d. Incorporating the building into a new development on the existing site.

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF MAY 3, 2017

BOARD MEMBERS IN ATTENDANCE: Chair Douglas Stephens, Lola Beatlebrox, Cheryl Hewett, Puggy Holmgren, Jack Hodgkins

EX OFFICIO: Bruce Erickson, Hannah Tyler, Polly Samuels McLean, Louis Rodriguez

ROLL CALL

Chair Stephens called the meeting to order at 5:00 p.m. and noted that all Board Members were present except Randy Scott and David White, who were excused.

ADOPTION OF MINUTES

April 5, 2017

Board Member Holmgren moved to APPROVE the minutes of April 5, 2017 as written. Board Member Beatlebrox seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS

There were no comments.

Chair Stephens reported that at 4:30 this afternoon the Historic Preservation Board did a site visit to 336 Daly Avenue and 343 Daly Avenue. No business was conducted. Both items were scheduled on the agenda this evening, and anyone wishing to comment on either of these items would have the opportunity to do so during the public hearing when the specific item is being discussed.

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

Director Erickson reported that on May 23rd the winners of the Historic Preservation Awards will be given their awards. The presentation will take place in conjunction with the Coffee with the Council event.

Director Erickson announced that Planner Grahn was attending a conference in Pittsburgh regarding Historic Preservation and Economic Development on Main Streets.

Planner Hannah Tyler noted that May is Preservation Month and preservation posters from the Utah State History Office were available on the table next to the agenda for this evening.

Planner Tyler noted that the Planning Department had originally scheduled the Preservation Award for May 25th during a City Council meeting, and as mentioned, that was rescheduled to May 23rd.

Planner Tyler stated that the City had scheduled a grand opening of the McPolin Farm on June 24th. The time had not yet been determined, but it would be part of the Your Barn Door is Open event, which is a ticketed event. Planner Grahn will send the Board members links to the tickets once they become available. Attendance is not mandatory. It is a good opportunity to recognize a project that the HPB provided input on and something the City can be proud of.

REGULAR AGENDA – Discussion, Public Hearing and Possible Action

1. 336 (360) Daly Avenue – Relocation – Significant Garage and Chicken Coop. The applicant is proposing to relocate the existing historic garage and chicken coop to the south side of the property.
(Application PL-16-03189)

Planner Tyler stated that the applicant and her representatives were still on their way and were not opposed to pushing this item to the second item on the agenda. Planner Tyler suggested that she could start with her presentation, and assumed that the applicant's representatives would be there by the time she was finished.

Chair Stephens was not opposed to starting; however, he wanted the applicant to have the opportunity to make their presentation or comments.

The applicants arrived.

Planner Tyler handed out comments from United Park Mines regarding the Staff report. They also requested that the Staff include the Affirmation of Sufficient Interest in the packet. She stated that it would be included in the record for review.

Planner Tyler handed out an item from the applicant's attorney. She believed it was the same material that was provided in the Staff report.

Planner Tyler reported that this item was continued on December 7, 2016 and again on February 1, 2017. Since then the property owner of 360 Daly had signed the Affirmation of Sufficient Interest as United Park Mines. They

previously had not signed that and their signature was required before proceeding. Planner Tyler reiterated that the Affirmation of Sufficient Interest would be included as an exhibit in the packet at the request of United Park Mines.

Planner Tyler provided a brief background on the property, as well as the developmental history. She presented photos the two buildings and noted that the building on the left was the cabin that was not proposed to be moved. The building on the right was the single car garage that the applicant was proposing to move. Planner Tyler pointed out that the structure below was the chicken coop that is located in the rear.

Planner Tyler reviewed a site plan to explain what would occur on the ground. She noted that the red square identifies the 1896 cross-wing cottage that has since been removed from the site. Only the foundation exists on the subject property where the applicant would like to build her house. The next photo was the single-car garage that straddles the lot line. The chicken coop is located behind it, and the single-cell house is located below it. Planner Tyler pointed to where the applicant was proposing to move the single car garage.

Planner Tyler stated that in looking at the Sanborn maps, the first time the 1896 cross-wing cottage appears on the Sanborn maps is 1900. The single-cell cabin first appears in 1907. The 1929 map was the same as 1907. The single car garage first appears on the 1941 map. Planner Tyler remarked that the garage is associated with the cross-wing, and they believe it was built for the automobile of the property owner of 332 Daly, which was the cross-wing cottage that has since been lost. Therefore, the garage no longer has the house that it was once associated with. It now sits next to the single-cell cabin.

Planner Tyler reviewed the Criteria for relocation beginning on page 42 of the Staff report. Criteria 1, the Staff found that the first criterion was not applicable because the structure is not currently threatened by demolition in its current site. The Staff found that the request did not comply with Criteria 2 because the structure is not threatened by demolition in its current site, and it is also not threatened by hazardous conditions. However, the City has since placed a Notice and Order on the property because of the structural instability of the structure. As a part of the relocation, the applicant was proposing to address the Notice and Order. Planner Tyler remarked that the Staff believes the Notice and Order could be fulfilled in its current location.

Sharon Melville, the applicant, stated that the notice to repair the structure was not the notice she had received. It was issued to the owner that the structure is primarily on, which is not her property. The structure only encroaches onto her property by 8 feet. Talisker is the company who actually received the notice to

repair the structure. Ms. Melville noted that both structures have been condemned by Park City as unsafe structures.

Chair Stephens asked if the structures were actually condemned or just declared unsafe structures.

Assistant City Attorney McLean believed that Sock Monkey was also sent a notice, but that was irrelevant for the purpose of this discussion. She pulled up the Notice and Order and clarified that it was a Notice to Repair, No Occupancy. It needs to be restored. It cannot be demolished. Chair Stephens wanted to make sure everyone was clear on the terms.

Ms. Melville stated that a note on the structures says that it is a misdemeanor to enter because it is unsafe and it has been condemned by the City. She was unsure if that was the correct language, but it was on the notice.

Planner Tyler read Criteria #3, do unique conditions warrant the relocation. The Staff found that the single car garage has largely lost its context, and the present setting does not appropriately convey its history because the original cross-wing cottage has been removed from the site. The Staff has determined that the garage was constructed in the 1930s due to the materials and the form. Planner Tyler noted that it was very common for historic garages in town, especially in the 1930s, to be constructed with materials that would have been used in the mines. Both the Staff and the consultant looked at the building and found that it was constructed using materials that were used for other buildings.

Planner Tyler stated that the Staff found that the history of the structure could be interpreted the same at its existing site and new site. The buildings are not far apart, and the relocation would still site it right next to the single-cell cabin. The Staff also found that the integrity of the structure would not be diminished by the relocation.

Planner Tyler read Criteria 4, have all other alternatives to relocation been reasonably considered. She noted that the Staff found that the applicant could restore the garage in its current setting. However, the historic garage has created an encroachment issue on the property of 336 Daly. Planner Tyler stated that the applicant finds that the garage needs to be relocated in order to redevelop her site. If the garage is not relocated, she would have to redesign the house and lose square footage due to International Building Code requirements for separation between structures. The Staff found that the building was being relocated on its current site and is consistent with previous decisions for relocation in Park City.

The Staff recommended that the HPB review, discuss and approve the relocation of the single car garage based on the findings of fact and conclusions of law.

Todd Jenson, legal counsel representing Sharon Melville and Sock Monkeys LLC, distributed a packet containing selected materials from their application, which he believed would have some bearing in the Board's decision. He thanked the Board for considering this application and for visiting the site.

Mr. Jenson explained that Talisker United Park City Mines owns the adjoining property, and they recently submitted a similar packet with additional information for the Board. He noted that the record title owner is United Park City Mines, which is owned by Talisker; and they preferred that it be referred to as United Park City Mines. Mr. Jenson believed there was some incentive to allow for this relocation. They recognize that the garage has been determined as a historic structure, and part of their application materials show how this garage was viewed in the past. He stated that 21 years ago the previous owner of 336 Daly had asked for permission to demolish the garage and went through the City process for demolition. United Park City Mines had no objections to demolishing the garage, and it was also approved by the HPB. Mr. Jenson pointed out that a lot has changed in 21 years. The garage is 21 years older and it has more historic significance.

Mr. Jenson stated that United Park City Mines was not opposed to demolition 21 years ago, and they would prefer not to have the obligation to repair, preserve or maintain both the cabin and the garage. However, Ms. Melville and Sock Monkeys was willing to undertake those obligations to preserve and repair those structures. He thought there was a benefit for the City to allow Ms. Melville to undertake that responsibility. Talisker was comfortable with it because it relieves their obligation.

Mr. Jenson remarked that if the Board determines that this application should be approved, his client and United Park City Mines have been working on an agreement to transfer the responsibilities from Talisker to Ms. Melville to take on these buildings. Those responsibilities would run with the land; therefore, whoever owns the property would be responsible for taking care of the adjoining garage and cabin. He noted that this would eliminate the City's concern that the structures would not be maintained and preserved.

Board Member Holmgren thought this was a reasonable proposal if the intent is to restore the garage and move it over 6 to 8 feet.

Board Member Beatlebrox referred to the material from United Park City Mines/Talisker that was handed out this evening, and read "United Park has been willing to consider the request to move, but has not yet approved the request, and any future consent to the move is contingent upon the two conditions described". She wanted to know what that meant.

Mr. Jenson explained that United Park City Mines and Talisker agreed to allow the application to go forward before the HPB. If the application is approved, his client would need to enter into an agreement with United Park City Mines/Talisker in terms of the moving the garage to their property because it would become a permanent structure on Talisker property. United Park City Mines wanted compensation for that, and for his client to undertake all of the financial obligations associated with moving the structure and maintaining and preserving it. Mr. Jenson noted that currently there was a draft agreement, but it was still in negotiations and it had not been signed by either party. Under that agreement, his client would agree with Talisker to take on those responsibilities.

Board Member Beatlebrox understood that if the Board approved moving the structure, there would have to be a contingency in case the agreement is never executed. Mr. Jenson replied that she was correct; however, he did not foresee any reason for not executing the agreement. If his client and Talisker were not able to agree, the move of the garage would not occur.

Director Erickson informed the Board that the City would also have the Cease and Desist Order for the abatement if this did not take place.

Board Members Hodgkins and Hewett had no issues or comments.

Chair Stephens referred to Criteria 3. He stated that because the original house that the garage serviced is now gone, he did not believe that the context of the garage would be changed by moving it to a different location that is similar to where it was before. Regarding the comments about changing the square footage of the new house, Chair Stephens informed Ms. Melville that the HPB does not address square footage of the home. She was aware of the encroachment when she purchased her property and she needed to resolve that issue. Chair Stephens understood that United Park City Mines/Talisker signed the Affirmation of Significant Interest because they wanted this to go forward. It would be up to her and United Park City Mines to come up with an agreement; otherwise, the City would continue to hold on to the Notice.

Chair Stephens agreed with his fellow Board members that this was an acceptable proposal.

Chair Stephens opened the public hearing.

Doyle Damron, a resident at 345 Daly Avenue, stated that a lot of people drive by the two structures and take photos. He was not opposed to moving the garage, but his main concern was the trees that were marked and whether they were marked for removal. He works in the construction world and realizes that moving some of the obstructions would make it easier to move the structure, but he was concerned about the trees and the mitigation of the number of tree calipers that

would have to be replaced in and around that site. He noted that further south of that was actually a snow easement vacant land. Mr. Damron stated that his concern was more about the significant trees that were marked for removal. He would hate to see those trees removed just for the ease of moving the structure. Mr. Damron thought the entire site would benefit from the extra effort of working around the trees.

Ms. Melville stated that she had hired a landscape architect who drew up detailed plans on replacing every tree that needs to be removed. She had also contacted a historic building mover, and in order to keep the integrity of the building in place, there are certain ways that the building needs to be moved to keep from damaging the building and keeping it as safe as possible. Ms. Melville stated that the plan is to replace every trees that is removed with two trees per the City requirements. The landscape plan also includes adding 85 native species to the area that has been disturbed in order to replant it and make it aesthetically pleasing using all native species.

Sandra Morrison, Executive Director of the Park City Historical Society and Museum, stated that she had read through the Staff report, and she was very concerned by the letter from the attorney stating things such as, "due to the condition of the building we cannot warrant the structure will be maintained even during the move, and we request a release from the applicant". After further research, the house mover was charging just for the move and there was no mention of foundations to put it on, or any kind of repairs. There was also an invoice for cutting down six trees. Ms. Morrison thought it would have been helpful to know more of these details prior to this meeting.

Ms. Morrison referred to page 47 of the Staff report, and read from the Conclusions of Law, "The proposal does not meet the criteria for relocation pursuant to the Land Management Code". She questioned why the Staff was recommending approval if that was the Conclusion of Law.

Planner Tyler replied that it was a typo in the Conclusion of Law and that it did meet the criteria.

Ms. Morrison assumed they were moving forward under the unique conditions and she appreciated that this was an opportunity to restore and stabilize the structure. Ms. Morrison also questioned why there were no conditions of approval.

Director Erickson explained that the HPB would be voting on whether or not moving the structure meets the criteria. He and Assistant City Attorney McLean had been discussing revising the findings to include what the applicant plans to do with the garage.

Assistant City Attorney McLean stated that there could be conditions of approval on this type of request. Planner Tyler agreed that the Staff could add conditions of approval. She pointed out that the purpose of this meeting is to determine whether or not the criteria is met. The Historic District Design Review application typically has the conditions of approval for relocation because those issues are addressed in the HDDR.

Ms. Morrison had drafted eight conditions of approval to be considered. One would be that relocation is conditioned on the agreement with United Park City Mines that the structure would be restored.

Chair Stephens understood that the HPB was only dealing with the issue of whether or not this application meets the LMC with regards to moving the structure. Once that determination is made, it then goes through the entire process with the Planning Department. It will be subject to HDDR review, and the Building Department will add their criteria to abate the condition. Chair Stephens pointed out that there is another level of protection that the HPB does not address. He clarified that the Board would not get into design issues or any other issues because this meeting is about the criteria and whether it meets the criteria.

Ms. Morrison read through some of her criteria: 1) that a separate application should be submitted for HDDR review; 2) there needs to be additional engineering as determined in the Engineer's letter outlining the stabilization efforts that need to happen before it is lifted off the ground; 3) there needs to be a guarantee that it will be moved intact and not dismantled or disassembled; 4) that it will get restored and stabilized after moving, including repairing anything that happened during the move and that it will get a proper foundation; 5) that the building permit for 336 Daly is dependent on the completion of this restoration project.

Ms. Morrison urged the Board to put conditions in place right now so they could be assured that what they think is going to happen will actually be what the applicant strives to achieve.

Chair Stephens believed that by the end of the planning process there would be many sufficient conditions of approval. He did not think the Board had the expertise to know what needed to be done, and he preferred to leave it to the HDDR process. Chair Stephens clarified that if the HPB approves the relocation, they would only be giving approval for this to continue through the rest of the process. He thought a further complication is that the Notice from the City went to United Park City Mines and not the applicant. If the applicant decided not to deal with this issue because an agreement could not be reached with United Park City Mines, the applicant would still have the ability to redesign her home

with the building intact on site. For that reason, Chair Stephens was hesitant to place a condition on the building permit unless an agreement is reached.

Ms. Morrison clarified that she was not suggesting that the conditions be for moving the building. It was for restoring the building after it was moved. Ms. Morrison believed the HPB had the opportunity to place some conditions that would relate to their approval.

Chair Stephens remarked that the HPB approval was not to restore the building. Ms. Morrison understood, but suggested that they could make restoration a condition of the approval.

Board Member Hodgkins thought Ms. Morrison had a valid concern because they were dealing with two different properties. He understood that Ms. Morrison was saying that if something happens during the moving process and the building is damaged or destroyed, it would resolve the problem for the applicant who wants to build the new house and she would never have to deal with continued maintenance and the other things she was agreeing to do in order to move the structure. Ms. Hodgkins thought it was a reasonable request to tie the issuance of a building permit to a successful move. He agreed with Ms. Morrison that they should provide an incentive to make sure what they think will happen really happens. Without that he was not sure the incentive was 100% there because the building would not be moved on to the property of the person who is willing to move it.

Chair Stephens pointed out that similar circumstances in the past were handled through bonding. Assistant City Attorney McLean replied that there would be a financial guarantee as part of the preservation plan for the square footage. She explained that the restoration goes through the HDDR; and the building did not have to be brought to the level of habitation. However, the exterior shell needs to be stabilized and moved in an appropriate manner. Ms. McLean understood that the applicant was willing to do that.

Ms. Melville stated that Ms. McLean, the attorney for Talisker, and her attorney, Todd Jenson, met recently and she did not believe that United Park City Mines has an interest or any motivation to keep either of these structures intact. Ms. Melville remarked that in the negotiations with Talisker, she was hoping to own the 34' x 64' space that encompasses the new landing spot for the garage and for the cabin. She checked with Salt Lake County and found that it was a 12-1/2 acre parcel that is owned by United Park City Mines. This is where she wants to build her home and she does not want a pile of sticks laying on the ground like the chicken coop. Ms. Melville stated that the cabin is unsafe, the garage is unsafe. Over time, demolition by neglect has been taking place. She also understood there was discussion about a bond and that United Park City Mines might have to take care of this. However, she felt that the corporation has no

vested interest in Park City. Ms. Melville clarified that currently she does not live in Park City, but she has owned property in Park City and lived in Park City from 1998 to 2013 when she sold her home thinking that she could commence construction on a new home in the Old Town neighborhood. She also wants it to be a positive experience for the neighbors.

Chair Stephens stated that they needed more certainties. He thought it was a catch-22 because Ms. Melville could not make contractual arrangements with United Park City Mines until she has approval from the HPB to move forward, but the HPB is considering asking for approvals that Ms. Melville does not have. He explained that they were trying to deal with issues from the past where people made promises but never kept them. He thought they also needed to look at the downside. Chair Stephens wanted to know what would happen to those two structures as it relates to United Park City Mines if an agreement is not made.

Director Erickson stated that if nothing happened the City would enforce the Notice and Order. The City would abate and send the bill to the property owner.

Director Erickson remarked that based on comments from the Board and the public, he was having difficulty trying to relate conditions of approval to the findings of fact to make sure they would align correctly and would not convey to future applicants that they could buy a relocation if they promise something. Director Erickson referred to page 43 of the Staff report, Item 3, iii, and noted that the Staff was recommending a finding that the integrity and significance of the historic structure will not be diminished by relocation and orientation. They could make that a Finding of Fact. Director Erickson found nothing irregular in the conditions of approval proposed by Sandra Morrison, and the Board could consider adding those conditions of approval to this action. The only concern was that the applicant had not had the opportunity to review it.

Mr. Jenson addressed some of the concerns Ms. Morrison had expressed. He stated that initially, the historic building movers looked at the project and as he expected, they said it was an old garage and it would be difficult to move. As a building mover they were not willing to insure it or promise that it would be moved without being damaged. The mover would not agree to accept any liability associated with moving the garage. Mr. Jenson understood why the mover would not want to make any promises. He explained that they also sought an opinion from a structural engineer, JR Richards, who has experience in moving historic structures. His opinion was that it is feasible and the building could be moved. Mr. Jenson stated that the applicant has confidence in JR Richards and his assessment of the move, and she was confident that it could be done. The attorney understood Ms. Morrison's comments and he believed her concerns were valid.

Ms. Morrison clarified that her point was the disconnect between what the applicant was saying and the letter from Mr. Jenson indicating that they were not guaranteeing anything. It appeared from the letter that the extent of their intent was to move the garage and cut down trees in the process. However, Ms. Melville was saying something different, and Ms. Morrison thought it would be wonderful if that was her intent because it was a good opportunity to preserve the structure. Ms. Morrison stated that because the two scenarios were so different, and as a Board representing a community that loves its historic district, she would prefer more assurances.

Chair Stephens understood that the issues raised are addressed in the HDDR process. Planner Tyler explained that this project already has an active HDDR application, which is how it came to the HPB. An HDDR application was also submitted for Ms. Melville's single family dwelling. She pointed out that these were two separate applications. Planner Tyler remarked that the Historic District Design Review needs to be approved before the garage can be moved, which then requires the Building Department to look at the engineering documents and the preservation plan. She explained that the interior work has not yet been done to look at the engineering of these buildings because that is done on-site. Therefore, the Staff conditions the HDDR to address those items. If the HPB finds compliance with the criteria to move the structure, the Chief Building Official and the Planning Director together address some of the structural issues and the concerns raised with moving the structure itself. Planner Tyler stated that conditions could be added to the HPB approval, but in the past they were always added with the HDDR to avoid the applicant having to spend additional money on the building analysis prematurely.

Chair Stephens pointed out that in this case, the applicant might not be moving the building if they are unable negotiate an agreement with United Park City Mines.

Ms. Melville noted that she had already spent a lot of money on this project. She had architectural blueprints drawn up of the garage, she had engineers look at it, she paid the historic building movers to come and look at it. In addition, every time something is submitted to the Planning Department a new survey is done and a new title report. Ms. Melville reiterated that originally permission was obtained to demolish the building. She believed she has shown good faith in wanting to work with Park City to relocate a building that does not belong to her at this point, although she was hoping it would become her building through negotiations with Talisker, and that the land underneath it would become hers as well. Ms. Melville stated that she has tried to comply with all of the rules set forth through the Planning Commission. She pointed out that at one point, Park City believed that the City owned the adjacent property and they volunteered to move the structure onto their property. However, it was later discovered that the property line was unclear and the building was not moved. Ms. Melville

remarked that this has been a long process and she has borne the expense; not United Park City Mines.

Chair Stephens closed the public hearing.

Board Member Holmgren stated that she came to this meeting with the understanding that all the arrangements had been made and the agreement to move the building was already in place.

Assistant City Attorney McLean stated that it was difficult to get United Park City Mines to meet with the applicant. She understood that the applicant attempted to talk with United Park City Mines several times, and the minimum they could get was the Affirmation of Sufficient Interest. Ms. McLean believed the applicant was between "a rock and hard place" because an agreement cannot be made with Talisker without knowing whether it was even possible to move the home. She pointed out that this was the first step, and if an agreement cannot be reached, the approval would expire. Ms. McLean suggested that if the Board chooses to approve, they should add a sunset clause stating that if the building is not moved within a certain amount of time, the approval will expire. She stated that until they know whether it is allowed to be moved, there is no reason to negotiate an agreement.

Board Member Holmgren reiterated her earlier comment that moving the structure and keeping it intact was a benefit for everyone.

Board Member Beatlebrox believed this was a good opportunity. The applicant has their heart and their money in the right place. If all of the conditions Ms. Morrison proposed are addressed in the HDDR process, she thought the move meets the criteria of a unique situation. Ms. Beatlebrox favored trying to resolve the issues by allowing the structure to be moved so negotiations can move forward.

Board Member Hodgkins understood that the HDDR was on the United Park City Mines property. He asked for clarification between that and building the new house on 336 Daly. Planner Tyler stated that 336 Daly Avenue was Ms. Melville's property and 360 Daly was the adjacent United Park City Mines property. The building is located on 336 and 360, with the majority of it sitting on 360 Daly. This application was for 360 Daly, which is why they needed Talisker to sign the Affirmation of Sufficient Interest, because technically it is not their property. Planner Tyler stated that Talisker owns the land, but they did not want to be listed as the owner of the garage. She clarified that the application before the HPB was for the Talisker property.

Board Member Hodgkins understood that the applicant had two options. One would be to successfully relocate the garage based on the HDDR to build a

larger home. The second would be to build a smaller structure with a setback and leaving the garage in its current location. If the garage is not moved, the City could enforce the Notice and Order and stabilize the garage in its current location. The City would not relocate the garage. Planner Tyler replied that he was correct. Mr. Hodgkins thought the applicant had incentive to actually negotiate appropriately with Talisker to successfully relocate the garage. He wanted to know what would happen if the garage is demolished during the move, and whether it would revert to a required panelization. Planner Tyler stated that there were questions over whether or not the applicant would be required to have a financial guarantee, and she clarified that the City has no intentions of relinquishing that requirement. Mr. Hodgkins asked how they could require a financial guarantee from the owner of 336 Day, when it is actually subject to 360 Daly. Planner Tyler stated that for the purposes of the HDDR, the City does not care which party signs the financial guarantee, but a building permit will not be issued to move the garage until the City has secured a signed financial guarantee. Mr. Hodgkins clarified that Ms. Melville would not be able to get a building permit for the larger house on her site without a building permit for relocating the garage. He believed there were financial backups in place to make sure the garage is successfully moved. Otherwise, Ms. Melville would have to go with the second option and build a smaller structure on her property. Planner Tyler replied that this was correct.

Director Erickson reviewed the proposed conditions.

Chair Stephens stated that historically these types of conditions have been left to the HDDR process. He has faith in the HDDR process, and without being able to study the proposed conditions more closely and consider the ramifications of what might happen, he preferred to leave the conditions totally to the HDDR process and not add them to this approval.

Director Erickson agreed, however, he was erring on the side of additional rigor because of the visibility. He believed that some of the conditions were HDDR issues. He only intended to reiterate the ones that would be addressed in the process, and to identify which ones were actually findings of fact. He wanted to make sure the HPB was getting what they wanted without adding additional conditions to their approval.

Director Erickson stated that Board Member Hodgkins was correct in saying that the building has to be relocated before construction can start on the new home. The condition of approval was structured such that the City would not issue a building permit until the permit on 360 Daly is completed. Director Erickson thought the discussion about requiring an agreement with United Park City Mines was appropriate. He also favored the recommendation by Assistant City Attorney McLean to place an expiration on the approval. He questioned whether

one-year was adequate or whether the Board should discuss a different timeframe.

Assistant City Attorney McLean stated that the Notice and Order was issued a while ago, but the Staff was waiting on a decision by the HPB. However, once this moves forward, she assumed that the Building Department would require the building to be stabilized at a minimum if it is not moved within a certain amount of time. The minimum might be just enough to make sure it does not fall down, but the Building Department would have to make that determination.

Planner Tyler commented on the sunset clause and noted that the HDDR is only good for one year. Since nothing can be done until the HDDR is approved, she believed a timeline was already set. She did not believe it was necessary to place a deadline on this approval. Chair Stephens thought a deadline could complicate the negotiations with United Park City Mines. Assistant City Attorney McLean reiterated her recommendation for an expiration to keep things from being in perpetuity. She pointed out that if the approval is close to expiring, the applicant could come back prior to the expiration and request an extension.

Board Member Hewett thought they should be concerned that the building itself was eroding daily. For that reason, she did not think they should allow too much time to pass. Ms. McLean believed a year was adequate. She recalled from discussions with the Building Department that the building made it through the winter and it would probably be fine. She thought the Notice and Order would be valid again in September, and if the building is not moved, it would have to be stabilized before winter.

Chair Stephens asked if the year timeframe would be for the successful completion. He pointed out that a Certificate of Occupancy would not be issued which is usually the gauge. Ms. McLean stated that normally it starts when the building permit is pulled and the applicant has six months to move it. She suggested that within one year the applicant has to pull the building permit and begin active work on the relocation process.

Mr. Jenson addressed some of the tactical aspects of the move. It is difficult to schedule time with the building movers because they are limited to mostly the summer months. If it cannot not take place this summer and the approval only last a year, it puts them back to May 2018 after the winter. He thought 18 months was a reasonable timeframe for the move. Chair Stephens disagreed. He was not sure what would preclude moving the building during the winter. Mr. Jenson stated that it was not his expertise and he was only repeating what he was told by the building movers.

Ms. Melville understood that because Daly is up from Main Street, there are certain times when heavy equipment or builders may not traverse that area, and

certain conditions apply in snowy conditions. Chair Stephens questioned whether that would apply in this case because they were not moving large structures. He was more comfortable with a one-year frame.

Based on the discussion, Director Erickson stated that a motion would be to approve the relocation of the existing historic garage at 360 Daly Avenue in accordance with the Findings of Fact and Conclusions of Law as found in the Staff report, and as amended to add a Condition of Approval stating that the Building Permit shall be issued within one year of the action letter for this approval and a successful agreement with United Park City Mines.

Assistant City Attorney McLean suggested adding a Finding of Fact stating that, "Restoration of the structure shall be in compliance with the HDDR".

MOTION: Board Member Holmgren made a motion to APPROVE the relocation of the existing historic garage at 360 Daly Avenue as stated above by Director Erickson and with the additional Finding of Fact suggested by Assistant City Attorney McLean. Board Member Hodgkins seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 336 (360) Daly Avenue

1. The property is located at 360 Daly Avenue.
2. The historic site is listed as Significant on the Historic Sites Inventory.
3. The applicant is proposing to relocate the Historic single-car garage and chicken coop on the Significant Site.
4. Development on this property occurred during the Mature Mining Era (1894-1930) and the Mining Decline and Emergence of Recreation Industry Era (1931-1962).
5. According to Summit County Tax Records, a historic cross-wing cottage located at 332 Daly Avenue was built c. 1896. The cross-wing cottage first appears on the 1900 Sanborn Fire Insurance Map. This historic cross-wing cottage was later demolished in 1984.
6. The single-cell cabin first appears on the Sanborn Fire Insurance Maps in 1907. The single-cell cabin was constructed between 1900 and 1907.
7. This single-car garage accessory structure does not appear on the Sanborn Fire Insurance Maps until 1941.
8. Although the HSI report and previous staff concluded that the garage was built between 1900 and 1907. Current staff's additional research and analysis of construction techniques include evidence which supports that the single-car garage was constructed sometime in the 1930s as part of the overall development of the site at 332 Daly Avenue. The single-car garage and chicken coop embody the characteristics of accessory buildings built between 1900 and 1907. There is the presence of reused timbers and the form is typical of the era.

9. It was associated with a historic cross-wing cottage constructed in ca. 1896 and was likely built to accommodate the new need to store the family's private automobile. The history of the building can be interpreted the same at the existing site or the proposed site.
10. The single-car garage and chicken coop are originally associated with the demolished ca. 1896 cross-wing cottage which had an address of 332 Daly Avenue. The site has now been re-addressed to 360 Daly Avenue which is used for the HIS Form.
11. The chicken coop structure located behind the existing single-car garage is not designated as historic on the City's Historic Sites Inventory, and does not require any additional review for relocation by the Historic Preservation Board.
12. The single-cell cabin to the south is also designated as "Significant" on the City's Historic Sites Inventory and is not proposed to be relocated at this time.
13. The single-car garage straddles the property line between 360 Daly Avenue (owned by Talisker) and 336 Daly Avenue (owned by Sharon Stout Melville, Manager of Sock Monkeys LLC, Silver Queen Gunslinger, LLC). The Talisker-owned single-car garage encroaches 5 to 6 feet across the shared property line and into the property of Sharon Stout Melville.
14. Sharon Stout Melville is proposing to relocate the single-car garage to the south side of the single-cell cabin. This will allow her to develop her property without the impediment of the single-car garage.
15. If the historic single-car garage were to remain on the property, Ms. Melville would need to provide a minimum of three foot (3') separation between the exterior wall of the historic single-car garage and the exterior wall of her new house in order to avoid having to eliminate windows and install additional fire-resistant rated construction as required by the International Building Code (IBC).
16. The Engineer's Report by J.R. Richards of Calder Richards Consulting Engineers states that the single-car garage can be relocated in whole. The engineer recommends replacing deteriorated elements where lifting points are anticipated, provide additional supports for stabilizing the roof and walls prior to lifting the structure, and incorporating additional engineering to ensure no further damage occurs during the move.
17. The single-car garage is not threatened by demolition.
18. The Park City Building Department issued a Notice and Order to Repair the garage and single-cell cabin on August 29, 2016. The Notice and Order outlines issues such as stress in materials due to dead and live loads; members or appurtenances that are likely to fail, become detached, or collapse; building not meeting window pressure; racking, warping and buckling of walls; potential collapse of entire structure; as well as its poor condition as to constitute a public nuisance.
19. Staff finds that the single-car garage has largely lost its historic context and the present setting does not appropriately convey its history. The history of the building can be interpreted the same at the existing site or the proposed site.
20. The proposed site to the south of the single-cell cabin conveys a character similar to that of the building's existing site. The neighborhood buildings,

materials, geography, and age are all similar. The single-car garage will remain surrounded by a wooded aspen grove, facing east toward Daly Avenue.

21. The existing distance between the single-cell cabin and the single-car garage will be equal (approximately 8 feet) in the proposed relocation site.

22. The integrity and significance of the historic building will not be diminished by its relocation and/or reorientation.

23. On August 8, 2016, the Planning Department received a Historic District Design Review (HDDR) application for the property located at 360 Daly Avenue. After working with the applicant on the materials required for their submittal, the application was deemed complete on September 19, 2016.

24. This application was continued by the Historic Preservation Board (HPB) continued on December 7, 2016 and February 1, 2017 because the applicant was seeking the property owner's consent to pursue the application. The applicant has since received the property owner's consent.

25. On January 7, 2015, the Historic Preservation Board reviewed a Determination of Significance application for the garage and single-cell house and upheld the "Significant" designation on the Park City Historic Sites Inventory.

26. Staff sent a mailing notice to property owners within 100 feet on April 19, 2017 and posted the property on April 19, 2017.

27. The Historic District Design Review (HDDR) application has not yet been approved, as it is dependent on HPB's review of the relocation of the Historic single-car garage and chicken-coop on the Significant Site.

28. The applicant could restore and/or stabilize the building at its present setting.

29. The building is being relocated on its existing site. The building currently sits largely on Talisker-owned property and will remain on Talisker-owned property following its relocation.

30. Restoration of the structure shall be in compliance with the HDDR.

Conclusions of Law – 336 (360) Daly Avenue

1. The proposal does not meet the criteria for relocation pursuant to LMC 15-11-13 and/or Reorientation of a Historic Building or Historic Structure.

Conditions of Approval – 336 (360) Daly Avenue

1. The building permit shall be issued within one year of the action letter for this approval, and with a successful agreement with United Park City Mines.

Board Member Beatlebrox left the meeting.

2. 243 Daly Avenue – Historic District Design Review – Material Deconstruction on Landmark Site. The applicant is proposing to impact the following: c.1998 front yard landscaping consisting of gathered rocks and backyard retaining walls; shed-roof addition across the east (rear)

15-13-4 Guidelines For Relocation And/or Reorientation Of Intact Buildings Or Structures

Whenever possible, a historic structure should be rehabilitated in its original location for the following reasons:

- The historic integrity of the site, or Streetscape, or character area will be altered by the relocation and/or reorientation of the structure.
- The relocation and/or reorientation may threaten the historical significance of the structure or site.
- The structure may be damaged or weakened in the process of relocation and/or reorientation.
- Relocation and/or reorientation adds costs not associated with on-site rehabilitation; such as utility line removal, moving expenses, additional International Building Code requirements, tree removal/trimming, and possibly traffic control.

Relocation of any structure designated as historic on the City's Historic Sites Inventory may endanger its historic designation as defined by LMC 15-11-10(A), therefore, all applications for the relocation and/or reorientation of historic structures must be reviewed and approved by the Historic Preservation Board. No historic structure shall be relocated and/or reoriented when its preservation will be adversely affected.

When a structure is permitted to be relocated and/or reoriented, every effort shall be made to reestablish its historic orientation, setting, and relationship to the environment.

A. Protection for the Historic Building and Site

1. Relocation and/or reorientation of a historic building shall be considered only after it has been determined by the Historic Preservation Board that the integrity and significance of the historic building will not be diminished by such action.
2. Relocation and/or reorientation of a historic building shall be considered only after it has been determined that the structural soundness of the building will not be negatively impacted. A professional structural analysis shall be conducted in order to minimize any damage that may occur during the relocation/reorientation of a historic structure.
3. Hire licensed professional building movers to relocate a historic building.
4. A historic structure shall be secured and protected from adverse weather conditions, water infiltration, and vandalism before, during, and after the relocation/ reorientation process.
5. When rehabilitation of the historic structure is delayed, temporary improvements, such as roof repairs, secured and/or covered windows and doors, and adequate ventilation shall be made to the structure to protect the historic fabric until rehabilitation can be accomplished.
6. A written plan detailing the steps and procedures for relocation or reorientation of a historic building shall be completed and approved by the Planning and Building Departments. This plan shall outline, step by step, the proposed work to relocate and/or reorient the building to ensure that the least destructive method of moving the building will be employed.
7. Relocating and/or reorienting a historic building of which the location contributes to the character of the Historic District shall be avoided.

8. A historic building shall be moved in one piece whenever possible. When problematic structural or relocation route conditions preclude moving a building as a single unit, then partial disassembly into large sections may be acceptable. Total disassembly of building components shall be avoided except under extreme situations.
9. Buildings and their components shall be protected from damage during the moving process by adding bracing, strapping, and by temporarily infilling door and window openings for structural rigidity.
10. The setting for a relocated historic building shall be selected for compatibility with the character of the structure and with the character of the original site.
11. A relocated/reoriented historic building shall be sited in a position similar to its historic orientation. The relocated/reoriented historic building shall maintain its relationship with the street and shall have a relatively similar setback. Relocating a historic structure to the rear of a parcel to accommodate a new building in front of it is not appropriate.
12. When a historic building is relocated to a new site, the building shall be placed on the new lot with the same orientation and (if consistent to the District) with the same setbacks to the street as the placement on the original site.

B. Panelization

1. Disassembly & Reassembly of All or Part of a Historic Structure

- a. Disassembly of a historic building shall be considered only after it has been determined by the Historic Preservation Board that the panelization is necessary as outlined by Land Management Code 15-11-14.
- b. Disassembly/reassembly of a historic building is not a common practice in the preservation field. When disassembly/reassembly must be undertaken, it shall be done using recognized preservation methods.
- c. Measured drawings of the structure or element to be disassembled/reassembled shall be completed.
- d. A thorough photographic survey of the interior and exterior elevations as well as architectural details of the structure shall be completed, including site and location views from all compass points, exterior elevations, 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 Design Guidelines.
- e. Written plans detailing the disassembly and reassembly steps and procedures shall be completed and approved by the Planning and Building Departments.
- f. In order to minimize loss of historic fabric, structures shall be disassembled in the largest workable pieces possible.
- g. To ensure accurate reassembly, all parts of the building, structure, or element shall 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 shall be removable or shall be made on surfaces that will be hidden from view when the structure is reassembled.
- h. Important architectural features of a historic building or structure shall be removed, marked, and stored before the structure or element of the structure is disassembled.

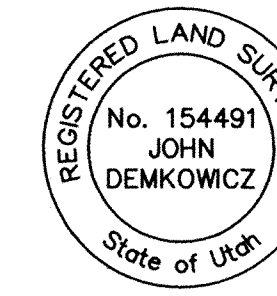
- i. The process of disassembly of a historic building or structure shall be recorded through photographic, still or video, means.
- j. As each component of a historic building is disassembled, the physical condition shall be noted, particularly if it differs from the condition stated in pre-disassembly documentation. When a component is too deteriorated to remove, it shall be carefully documented— with photographs and written notes on its dimensions, finish, texture, color, etc.---to facilitate accurate reproduction.
- k. Wall panels and roof surfaces shall be protected with rigid materials, such as sheets of plywood, when there is risk of damage during the disassembly/storage/reassembly process.
- l. Disassembled components—trim, windows, doors, wall panels, roof elements, etc.-- shall be securely stored on-site in a storage trailer or off-site in a garage/warehouse/trailer until needed for reassembly.

2. Reassembly

- a. When reassembling a historic structure, the original orientation and siting shall be replicated as closely as possible.
- b. New foundations and additions shall follow the Design Guidelines established in earlier sections of these Design Guidelines.

3. Reconstruction

- a. Reconstruction of a historic building or structure is allowed when the Chief Building Official determines the structure to be hazardous or dangerous, pursuant to Section 116.5 of the International Building Code, and when the building cannot be made safe and/serviceable through repair.
- b. Reconstruction shall be guided by documentation and physical evidence in order to facilitate accurate re-creation.
- c. Reconstruction should shall not be based on conjectural designs or on a combinations of different features from other historic buildings.
- d. Reconstruction shall include recreating the documented design of exterior features such as roof shape, architectural detailing, windows, entrances and porches, steps and doors, and the historic spatial relationships.
- e. Reconstruction shall include measures to preserve and reuse any remaining historic materials found to be safe and/or serviceable.
- f. A reconstructed building shall accurately duplicate the appearance of the historic building in materials, design, color, and texture.
- g. A reconstructed building shall duplicate the historic building, and shall reconstruct the setting, placement, and orientation of the original structure.
- h. A reconstruction shall re-establish the historic relationship between the building or buildings and historic site features.
- i. A building may not be reconstructed on a location other than the original site, unless approved by the Historic Preservation Board pursuant to LMC 15-11-13.



I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed by the laws of the State of Utah, and have subdivided said tract of land to be hereafter known as THE FIRST AMENDED PLAT OF THE CANYON SUBDIVISION and that this subdivision plat was prepared under my direction in accordance with the requirements of the Park City Municipal Corporation. I further certify that the information shown on this plat is correct.

John Demkowicz
John Demkowicz
Date 3/9/06

DESCRIPTION

PARCEL 1
LOT A, THE CANYON SUBDIVISION, according to the official plat thereof on file and of record in the office of the Summit County Recorder. Recorded April 3, 1997 as Entry No. 475974.

PARCEL 2
LOT B, THE CANYON SUBDIVISION, according to the official plat thereof on file and of record in the office of the Summit County Recorder. Recorded April 3, 1997 as Entry No. 475974.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that Dennis Hanlon, the undersigned owner of the herein described tract of land, to be known hereafter as the FIRST AMENDED PLAT OF THE CANYON SUBDIVISION, does hereby certify that he has caused this survey to be made and this Plat to be prepared, and does hereby consent to the recordation of this Plat. Also, the owner or his/her representative, hereby irrevocably offers for dedication to the City of Park City all the streets, land for local government uses, easements, parks, and required utilities and easements shown on the plat and construction drawings in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set his hand this 9th day of March, 2006.
Dennis Hanlon
Dennis Hanlon

ACKNOWLEDGMENT

State of Utah ss:
County of Summit
On this 9th day of March, 2006, Dennis Hanlon personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Dennis Hanlon acknowledged to me that he is the owner of the herein described tract of land, and that he signed the above Owners' Dedication and Consent to Record freely and voluntarily.
Mary J. Carney
A Notary Public commissioned in Utah
Mary J. Carney
Printed Name
Residing in: Park City
My commission expires: June 13, 2008

NOTES

1. The street address of Lot A is 336 Daly Avenue.
2. The street address of Lot B is 330 Daly Avenue.
3. See record of survey #S-1855, recorded Summit County Utah, for record of survey plat.
4. Only single family structures shall be permitted to be constructed on each lot. The floor area ratio shall not include the dedicated portion of Daly Avenue.
5. Fire sprinklers are required in each home in accordance with UBC Section 13d as modified for Park City.
6. No duplexes, accessory apartments, or lockout uses are allowed on the property.
7. All conditions of approval of the Canyon Subdivision shall continue to apply.



FIRST AMENDED PLAT
THE CANYON SUBDIVISION

LOCATED IN SECTION 21,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

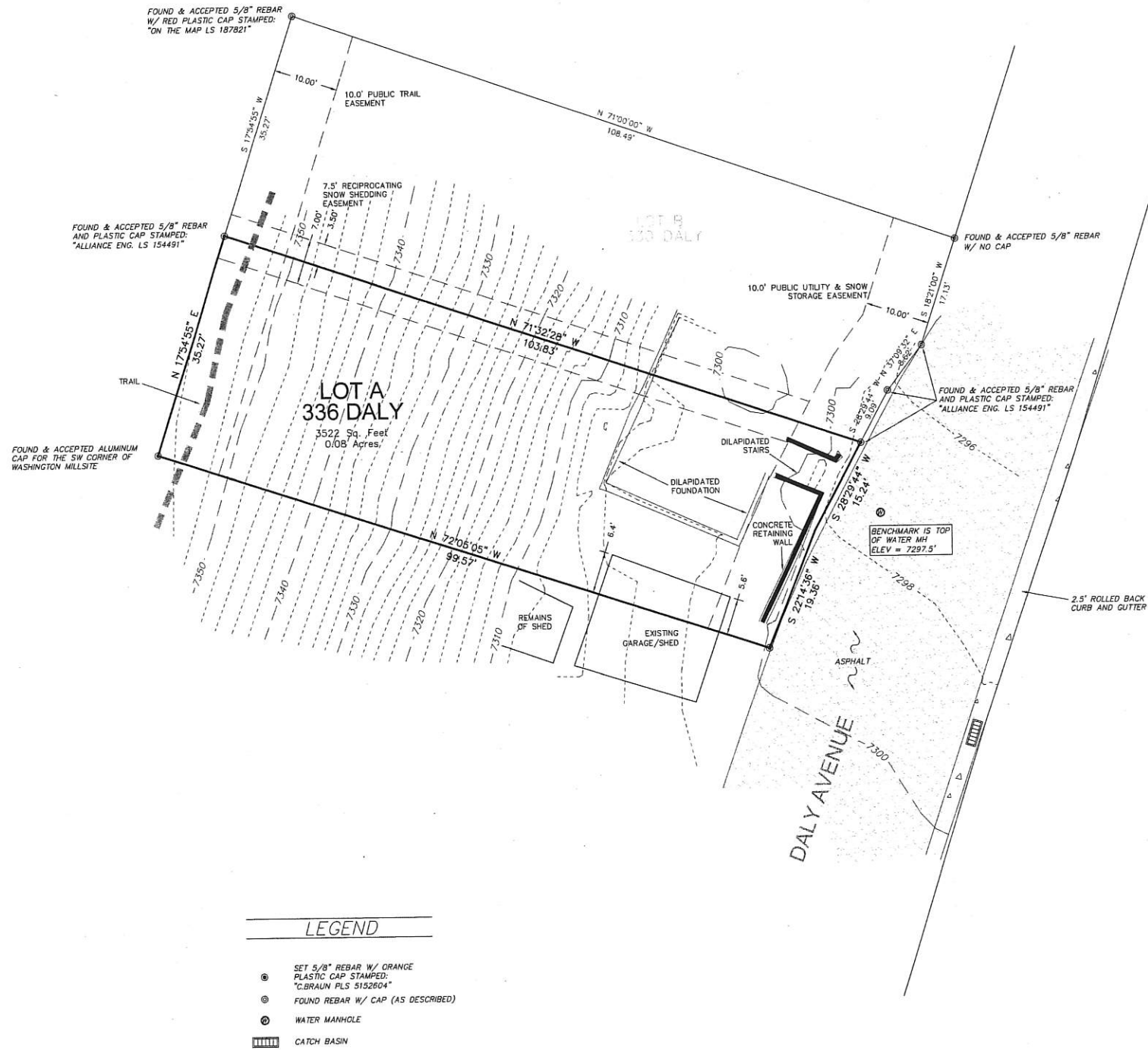
LEGEND:
330 ADDRESS ON DALY AVENUE

 (435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS <u>14th</u> DAY OF <u>March</u> , 2006 A.D. BY <u>[Signature]</u> S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS <u>31st</u> DAY OF <u>March</u> , 2006 A.D. BY <u>[Signature]</u> CHAIRMAN	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS <u>17th</u> DAY OF <u>MARCH</u> , 2006 A.D. BY <u>[Signature]</u> PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS <u>23rd</u> DAY OF <u>March</u> , 2006 A.D. BY <u>[Signature]</u> PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS <u>18th</u> DAY OF <u>August</u> , 2006 A.D. BY <u>[Signature]</u> PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS <u>18th</u> DAY OF <u>August</u> , 2006 A.D. BY <u>[Signature]</u> MAYOR	JOB NO.: 5-6-05 FILE: X:\ParkCitySurvey\dwg\srv\plat05\050605.dwg # <u>443114</u> RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF <u>Equity Title</u> DATE <u>3-29-06</u> TIME <u>16:29pm</u> BOOK _____ PAGE _____ FEE <u>\$32.00</u> <u>[Signature]</u> DEPUTY RECORDER
	THE CANYON SUBDIVISION						

RECORD OF SURVEY & TOPOGRAPHIC MAP

LOT A OF THE FIRST AMENDED CANYON SUBDIVISION LYING WITHIN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE & MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH

Park City Surveying
P.O. Box 682993
Park City, UT 84068
(435) 649-2918
(435) 649-4637 fax



NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO LOCATE THE BOUNDARY LINES OF THE SUBJECT PROPERTY & TO OBTAIN GROUND ELEVATIONS FOR A CONTOUR MAP PRIOR TO DEVELOPMENT BY THE OWNER.

EXISTING SURVEY MONUMENTS IN ADJACENT ROADWAYS AND LOTS WERE USED TO REESTABLISH THE PROPERTY CORNERS.

THE BASIS OF BEARING IS SHOWN HEREON. ALL BEARING AND DISTANCES SHOWN HEREON ARE THE EQUIVALENT OF RECORD, UNLESS NOTED.

SURVEY COMPLETED: 07/18/2014

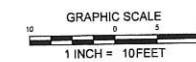
SEE SAID OFFICIAL FIRST AMENDED CANYON SUBDIVISION PLAT FOR ANY EASEMENTS, SETBACK REQUIREMENTS, BUILDING ENVELOPES AND BUILDING LOT RESTRICTIONS.
NOTE: OTHERS MAY APPLY.

THE OWNER OF THE PROPERTY SHOULD BE AWARE OF ANY ITEMS AFFECTING THE PROPERTY THAT MAY APPEAR IN A TITLE INSURANCE REPORT; THE SURVEYOR HAS FOUND NO OBVIOUS EVIDENCE OF EASEMENTS, ENCROACHMENTS, OR ENCUMBRANCES ON THE PROPERTY SURVEYED, EXCEPT AS SHOWN HEREON.

EVIDENCE FOR THIS SURVEY WAS TAKEN FROM RECORDED DEEDS, RECORDS OF SURVEYS, PLATS AND PHYSICAL EVIDENCE OBTAINED IN THE FIELD. ALL FOUND EVIDENCE HAS BEEN CONSIDERED IN THE ESTABLISHMENT OF THE BOUNDARY AS SHOWN HEREON.

LEGAL DESCRIPTION:

ALL OF LOT A OF THE FIRST AMENDED CANYON SUBDIVISION, ENTRY NUMBER 773114, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.



LEGEND	
	SET 5/8\" REBAR W/ ORANGE PLASTIC CAP STAMPED: \"C.BRAUN PLS 5152604\"
	FOUND REBAR W/ CAP (AS DESCRIBED)
	WATER MANHOLE
	CATCH BASIN

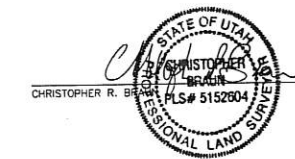
DATE	BY	REVISIONS

SURVEYED BY: CB/DJ DRAWN BY: CB DATE: JULY 2014
--

FOR SILVER QUEEN GUNSLINGER LLC
DWC: 336 DALY ROS TOPO

RECORD OF SURVEY & TOPOGRAPHIC MAP
LOT A OF THE FIRST AMENDED
CANYON SUBDIVISION

SURVEYOR'S CERTIFICATE
I, CHRISTOPHER BRAUN, OF OAKLEY UTAH, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, HOLDING LICENSE NO. 5152604. I FURTHER CERTIFY I HAVE PERFORMED A SURVEY ON THE HEREON DESCRIBED PROPERTY AND THAT TO THE BEST OF MY KNOWLEDGE IT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED.



DATE: 7/23/14

FILE NO. S0008284

01/09/2015 01:32:05 PM
Survey 1 of 1
NORTH STAR TRUSSELL, SUMMIT COUNTY RECORDER
FEE \$ 18.00 BY PARK CITY SURVEYING

58284

SHEET 1 OF 1

Historic Preservation Board Staff Report



Subject: 1304 Park Avenue
Application: PL-21-05028
Author: Rebecca Ward
Date: November 2, 2022
Type of Item: Disassembly and Reassembly | Material Deconstruction

Recommendation

(I) Review the Final Action Letter denying Disassembly and Reassembly (panelization) of the Landmark Historic Structure at 1304 Park Avenue, and approving Material Deconstruction to remove Panel D and the non-historic siding material from the south façade to facilitate the lifting of the entire Historic Form, including the 1885 form and the 1929/1941 form, for the construction of a basement addition, new foundation, and rear addition, (II) conduct a public hearing, and (III) consider ratifying the Final Action Letter according to the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined Exhibit A.

Description

Applicant: David and Malu Schuelke
Location: 1304 Park Avenue
Zoning District: Historic Residential-Medium Density
Historic Designation: Landmark Historic Site
Reason for Review: The Historic Preservation Board reviews and takes Final Action on Disassembly and Reassembly of Historic Structures.¹ The Historic Preservation Board reviews and takes Final Action on Material Deconstruction.²

Summary

On May 4, 2022, the Historic Preservation Board reviewed the Applicant's proposal to Disassemble and Reassemble (panelize) the Landmark Historic Structure at 1304 Park Avenue to construct a basement addition, a new foundation, and a rear addition. The Chief Building Official and Planning Director visited the site and determined the structure was not hazardous or dangerous as defined in the International Building Code and the Landmark Historic Structure could be temporarily lifted to accommodate a basement addition. The Board denied panelization. ([Agenda](#) Item 6.B; [Meeting Minutes](#)).

The Applicant modified their proposal to partially Disassemble and Reassemble the Landmark Historic Structure. On July 6, 2022, the Historic Preservation Board denied the partial Disassembly and Reassembly, but approved removal of Panel D and the

¹ Land Management Code Section [15-11-14](#)

² Land Management Code Section [15-11-12.5](#)

non-historic siding material from the south façade to facilitate the lifting of the entire Historic Form at 1304 Park Avenue, including the 1885 form and the 1929/1941 form. ([Agenda](#) Item 6.B; [Meeting Minutes](#)).

Staff requests the Board review the draft Final Action Letter that outlines the July 6, 2022 Board action, as well as proposed Conditions of Approval, make any desired modifications, and consider ratifying the Final Action Letter.



**HISTORIC PRESERVATION BOARD
PARK CITY, SUMMIT COUNTY, UTAH**

**RE: DENIAL OF PANELIZATION AND
APPROVAL OF MATERIAL DECONSTRUCTION**

The Historic Preservation Board of Park City, Utah, met on November 2, 2022, for a duly noticed meeting. The Board formed a quorum and conducted its scheduled business.

ACTION

Project Address: 1304 Park Avenue
Project Number: PL-21-05028
Type of Item: Material Deconstruction
Hearing Date: November 2, 2022

The Historic Preservation Board conducted a public hearing, denied panelization (disassembly and reassembly) of the Landmark Historic Structure at 1304 Park Avenue, and approved removal of Panel D and the non-historic siding material from the south façade to facilitate the lifting of the entire Historic Form at 1304 Park Avenue, including the 1885 form and the 1929/1941 form, and Material Deconstruction for the construction of a basement addition, new foundation, and rear addition, based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

Background

1. 1304 Park Avenue is a one-story T/L cottage with a gabled roof that was constructed in c.1885 and is a Landmark Historic Site on Park City's Historic Sites Inventory.
2. The home was originally constructed as a hall and parlor type house. A wing addition was constructed in c. 1907.
3. 1304 Park Avenue was listed on the National Register of Historic Places in 1984 as part of the Park City Mining Boom Era Residences Thematic District. The Historic Site was built within the historic period, defined as 1872 to 1929 in the district nomination, and retains its historic integrity.

4. On October 14, 2021, the Applicant submitted a Historic District Design Review Pre-Application for a basement addition and foundation upgrade and to construct a rear addition.
5. The Design Review Team provided input on the Pre-Application on November 17, 2021, December 1, 2021, and January 19, 2022.
6. On March 29, 2022, the Applicant submitted a complete Historic District Design Review Application for 1304 Park Avenue to panelize the structure to accommodate a basement addition and foundation upgrade, and to construct a rear addition.
7. The Design Review Team provided input on the Historic District Design Review Application on April 6, 2022.

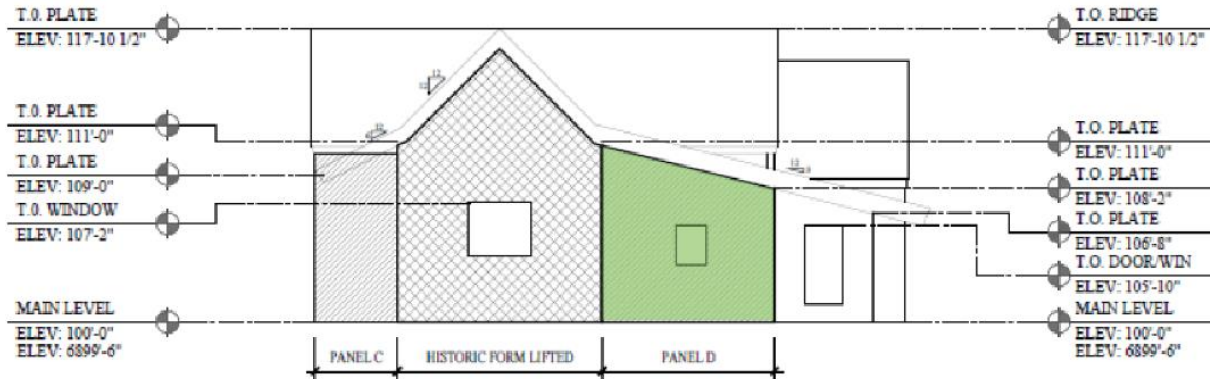
Panelization

8. On March 30, 2022, a licensed structural engineer visited 1304 Park Avenue and completed a Physical Conditions Report.
9. The report determined the following:
 - i. The main roof existing joists are 2x4 at 24" on center spanning about 8'-0" to 12'-0". The 12'-0" roof joists are 12% capacity of the code. The 8'-0" roof joists are 16% capacity of the code. They need to be upgraded or replaced with new roof joists. We suggest reframing roof ridge and valley beams and installing new 9 ½" min. TJI roof joists.
 - ii. The existing roof deck is 1x wood plank installed perpendicular to the existing joists. It doesn't have any capacity of shear diaphragm value. Suggest installing new 5/8" plywood or OSB with 10d @ 6" on center nailing.
 - iii. The existing crawl space floor joists are 2x4 @ 24" on center spanning 12'-0". Most of them were totally rotted out. They have to be replaced. On the north portion of the house, the crawl space floor joists are kind new 2x6 @ 16" o.c.
 - iv. All the existing headers need to be upgraded. We will review each one of them when design is available.
 - v. The exterior and interior walls are actual 2x4 @ 16" o.c. with 1x12 planks horizontally. They have capacity for gravity loads but no capacity for wind, seismic. The exterior walls need to be re-designed with new OSB/plywood sheathing and new holdowns for lateral complying with the new building code.
 - vi. The whole existing building is supported by loose sand-stone or no footing at all. We suggest removing the existing foundation sandstone and frame walls. New reinforced concrete footing and foundation walls need to be poured for supporting the existing building and forming the frost depth of 40" minimum.
 - vii. Considering the existing roof, floor and wall condition plus the age, rotted condition of building as well as the bad differential settlement and particularly the house is rested on dirt, we strongly suggest

- panelizing the existing building so we can re-build the entire house. If not to panelize the existing building, the big concern is that the safety is not guaranteed when the construction crews are working inside of the existing building with jacking or vibrating to the building. To panelize the existing building, the construction crews may only need to work from the outside of the building most of time.
10. On April 26, 2022, the Chief Building Official, Planning Director, and Building and Planning staff visited 1304 Park Avenue.
 - a. The Chief Building Official and Planning Director determined that the Landmark Historic Structure is not in a state of disrepair that merits demolition.
 - b. The Chief Building Official and Planning Director determined that the Landmark Historic Structure is not hazardous or dangerous pursuant to International Building Code Section 116.1.
 - c. The Chief Building Official and Planning Director visited the site and determined that the Landmark Historic Site and structural conditions will not preclude lifting or moving the Structure; the physical conditions of existing materials will not prevent temporarily lifting the Structure.
 11. On May 4, 2022, the Historic Preservation Board reviewed the Applicant's request to Disassemble and Reassemble (panelize) the Landmark Historic Structure, conducted a public hearing, denied the full panelization, and requested the Applicant modify their proposal.
 12. The Applicant modified their proposal to bring the structure back to its 1941 appearance through a mix of lifting and panelizing. The Applicant proposed lifting the 1929 building form and panelizing the three walls of the 1941 addition.
 13. On July 6, 2022, the Historic Preservation Board reviewed the Applicant's modified proposal and denied partial panelization. The Board, however, approved removal of Panel D and the non-historic siding material from the south façade to facilitate the lifting of the entire Historic Form at 1304 Park Avenue, including the 1885 form and the 1929/1941 form.

Material Deconstruction

14. The Historic Preservation Board reviews and takes Final Action on Material Deconstruction involving any property designated on the Park City Historic Sites Inventory pursuant to Land Management Code Section 15-11-12.
15. The Historic Preservation Board reviews removal of historic material to accommodate additions, new construction, or structural upgrades.
16. On July 6, 2022, the Historic Preservation Board denied panelization of 1304 Park Avenue, but approved removal of Panel D, shown below in green:



1 PANEL D @ SOUTH ELEVATION
EX.1 SCALE: 1/8" = 1'-0"

17. The Historic Preservation Board also approved removal of non-historic siding material from the south façade to facilitate the lifting of the entire Historic Form at 1304 Park Avenue, including the 1885 form and the 1929/1941 form.

Conclusion of Law

1. The proposal does not meet the criteria outlined in Land Management Code Section 15-11-14 *Disassembly And Reassembly Of A Historic Building Or Historic Structure*.
2. The proposal meets the criteria outlined in Land Management Code Section 15-11-12.5 *Historic Preservation Board Review For Material Deconstruction*.

Conditions of Approval

1. The applicant is responsible for notifying the Building and Planning Departments prior to proposing any changes to this approval.
2. The Applicant shall submit in writing any changes, modifications, or deviations from the approved scope of work for Planning Director review and approval/denial in accordance with the applicable standards prior to construction.
3. Where the Historic exterior materials cannot be repaired, they shall be replaced with materials that match the original in all respects: scale, dimension, texture, profile, material and finish. Prior to removing and replacing Historic materials, the applicant shall demonstrate to the Planning Director and Historic Preservation Planner that the materials are no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition. No historic materials may be disposed of prior to advance approval by the Planning Director and Historic Preservation Planner.
4. An encroachment agreement may be required prior to issuance of a building permit for projects utilizing soils nails that encroach onto neighboring properties.
5. A Soils Report completed by a geotechnical engineer as well as a temporary shoring plan, if applicable, will be required at the time of building permit application.

6. The Historic Structure shall be returned to original grade following construction of a foundation.
7. When the original grade cannot be achieved, no more than six inches (6") of the new foundation shall be visible above final grade on the primary and secondary facades.
8. The site shall be re-graded so that all water drains away from the Historic Structure and does not enter the foundation. A plinth, or trim board at the base of the Historic Structure, shall be added to visually anchor the Historic Structure to the new foundation.
9. A plinth or trim board at the base of the Historic Structure shall be added to visually anchor the Historic Structure to the new foundation.
10. The form, material, and detailing of a new foundation shall be like foundations of nearby historic structures.
11. Historic foundations shall not be concealed with masonry, block, plywood panels, corrugated metal, or wood shingles.
12. The applicant shall submit a cribbing and excavation stabilization shoring plan reviewed and stamped by a State of Utah licensed and registered structural engineer prior to issuance of a building permit. Cribbing or shoring must be of engineer specified materials. Screw-type jacks for raising and lowering the building are not allowed as primary supports once the building is lifted.
13. Historic Structures which are lifted off the foundation must be returned to the completed foundation within 45 days of the date the building permit was issued.
14. The Planning Director may make a written determination to extend this period up to 30 additional days if, after consultation with the Historic Preservation Planner, Chief Building Official, and City Engineer, they determine that it is necessary. This would be based upon the need to immediately stabilize an existing Historic property, or specific site conditions such as access, or lack thereof, exist, or to reduce impacts on adjacent properties. The applicant is responsible for notifying the Building Department if changes are made. If the cribbing and/or shoring plan(s) are to be altered at any time during the construction of the foundation by the contractor, the structural engineer shall submit a new cribbing and/or shoring plan for review. The structural engineer shall be required to re-inspect and approve the cribbing and/or shoring alterations within five (5) days of any relocation or alteration to the cribbing and/or shoring.
15. The applicant shall also request an inspection through the Building Department following the modification to the cribbing and/or shoring. Failure to request the inspection will be a violation of the Preservation Plan and enforcement action through the Historic Preservation Financial Guarantee or ACE could take place.
16. The Applicant shall complete a Historic Preservation Plan—subject to Chief Building Official and Planning Director approval—prior to issuance of a building permit.
17. The Applicant shall provide the City with a financial Guarantee to ensure compliance with the conditions and terms of the Historic Preservation Plan prior to issuance of a building permit.
18. The addition shall be undertaken in such a manner that if removed in the future the essential form and integrity of the Landmark Historic Structure could be restored.
19. The addition shall be visually subordinate to Historic Structures when viewed from the Right-of-Way.

20. The Applicant shall complete Historic District Design Review and approval prior to issuance of a building permit.
21. Where the addition abuts the Historic Structure, a clear transitional element between the old and new must be designed and constructed.
22. In-line additions shall be avoided.

If you have any questions, concerns, or comments regarding this letter, please email planning@parkcity.org or call 435-615-5060.

Sincerely,

Historic Preservation Board Chair

CC: Gretchen Milliken, Planning Director
Aiden Lillie and Rebecca Ward, Project Planners