

**PARK CITY MUNICIPAL CORPORATION  
HISTORIC PRESERVATION BOARD**  
COUNCIL CHAMBERS, CITY HALL  
March 20, 2013



## **AGENDA**

**MEETING CALLED TO ORDER AT 5:00 PM**

**ROLL CALL**

**PUBLIC COMMUNICATIONS** – *Items not on regular meeting schedule.*

**STAFF/BOARD COMMUNICATION & DISCLOSURES**

**ACTION ITEMS** – *Discussion, public hearing, and action as outlined below.*

505 Woodside Avenue – Appeal of Historic District Design Review

PL-13-01842

*Quasi-Judicial hearing*

**ADJOURN**

**Times shown are approximate.** Items listed on the Regular Meeting may have been continued from a previous meeting and may not have been published on the Legal Notice for this meeting. For further information, please call the Planning Department at (435) 615-5060.

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

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

## Historic Preservation Board Staff Report



**Subject:** 505 Woodside Avenue  
**Author:** Kirsten A. Whetstone, MS, AICP  
**Project #:** PL-13-01842  
**Date:** March 20, 2013  
**Type of Item:** Quasi-Judicial Appeal

### **Summary Recommendation**

Staff recommends the Historic Preservation Board hold a quasi-judicial hearing on an appeal of the Planning Staff's determination of compliance with the Historic District Design Guidelines for the proposed addition at 505 Woodside Avenue. The Planning Staff determined that the proposed addition complies with the Historic District Design Guidelines and recommends revisions to the conditions of approval to clarify certain requirements.

### **Topic**

**Applicant:** Jerry Fiat, representing Woodside Development LLC (505 Woodside, owner)  
**Appellant:** Lawrence Meadows, representing Casa Di Lorenzo, LLC (515 Woodside Avenue, owner)  
**Location:** 505 Woodside Avenue  
**Zoning:** HR-1  
**Adjacent Land Uses:** Residential, ski runs, and open space  
**Reason for Review:** Appeal to Historic Preservation Board of Staff approval of an Historic District Design Review

### **Background**

On March 5, 2009, a previous application was submitted for an addition to 505 Woodside and was approved by the Planning Staff on August 28, 2009. On September 4, 2009, the previous application was appealed by Lawrence Meadows, owner of 515 Woodside. The previous application was withdrawn by the applicant after a determination was made that the application was not complete due to an error in the application material regarding interpretation of an historic photo. An advisory opinion by the State Ombudsman indicated that because the previous application was deemed incomplete it was not vested under the "old" guidelines

On September 24, 2012, the Planning Department received a new and complete application for a Historic District Design Review (HDDR) for an addition to the property located at 505 Woodside Avenue. 505 Woodside Avenue is listed as a Significant Historic Site on the 2009 Park City Historic Sites Inventory (Exhibit A). The application for the proposed addition to the historic home (Exhibit B) was reviewed by staff and the Design Review Team as described below.

On October 11, 2012, Staff posted a sign on the property and sent notice to the surrounding property owners that an application for a Historic District Design Review (HDDR) had been received. This preliminary notice was done in accordance with requirements of the current Historic District Design Guidelines (HDDG) and the Land Management Code (LMC). In response to the posting, the owner to the south requested clarification of the rear setbacks and the owner to the north, the appellant, requested to review the file.

On October 24<sup>th</sup> following a review of the file, the appellant submitted two letters outlining concerns with the proposed plans (Exhibit C). During the months of November and December Staff met with the applicant's architect, David White, to discuss the application and address concerns raised by staff and the adjacent property owners.

In January, staff scheduled the application for a second review by the Design Review Team to go over all items raised regarding design elements of the addition and regarding the concerns about removing the non-contributory additions in the rear.

At that meeting, the Design Review Team again provided direction to the applicant and staff that the current HDDG and the Historic Sites Inventory do not require a Certificate of Appropriateness for Demolition (CAD) for additions that are deemed non-contributory additions, such as the existing rear additions to 505 Woodside. This information was provided to the applicant during the Pre-HDDR application review with the Design Review Team prior to submittal of the current HDDR application. On January 17, 2013, the applicant submitted revised plans based upon concerns raised by the adjacent property owners and input from Staff.

Upon review of the revised plans, staff found the proposed design was in compliance with the current (2009) Design Guidelines, as conditioned, and sent an action letter, including conditions of approval, to the applicant on February 5, 2013 (Exhibit D).

On February 4, 2013, a notice of final action approving the HDDR for 505 Woodside Avenue was posted on the property and notices were mailed to surrounding property owners as required by the Land Management Code. The notice stipulated a 10 day appeal period for the action and stated that any appeal shall be provided in writing to the Planning Department by 5pm on February 14<sup>th</sup>.

### **Appeal**

On February 13<sup>th</sup> the Planning Department received a written appeal (Exhibit E) pursuant to Chapter 15-1-18 of the Land Management Code. The February 13<sup>th</sup> appeal states that the appellant has standing to appeal and that "the application was required be (sic) reviewed under the steep slope criteria as provided in LMC 15-2.2-6. Appellant reserves the right to supplement or amend this appeal."

On February 24<sup>th</sup> the appellant submitted an additional appeal document (Exhibit

F). This information was submitted fourteen (14) days after the ten (10) day appeal period ended. The February 24<sup>th</sup> appeal includes allegations that 1) the HDDR application was incomplete, 2) that a Steep Slope CUP has not been performed, 3) that the engineered retaining walls in the front yard will be greater than 6' in height, 4) that "old growth" trees are not identified on the plans and are not being preserved, 5) that a preservation plan was not submitted, 6) that the approval allows for the demolition of the entire structure, and 7) that the historic structure and roof forms are not being preserved and retained. These items are addressed below.

Appeals made within ten days of the Planning Staff's determination of compliance with the Historic District Guidelines are heard by the Historic Preservation Board (HPB). Appeals related to provisions of the LMC are heard by the Planning Commission.

Appeal information submitted after the ten day period should be considered if the HPB and/or Planning Commission find that the late appeal information is related to the initial appeal. LMC Section 15-1-18 (A) states: "all appeals shall be filed with the Planning Department within ten (10) days of the Final Action" Subsection (F) states: "FORM OF APPEALS. . . . Appeals . . . and must have a comprehensive statement of all the reasons for the appeal, including specific provisions of the law, if known, that are alleged to be violated by the action taken. The Appellant shall pay the applicable fee established by resolution when filing the appeal. The Appellant shall present to the appeal authority every theory of relief that it can raise in district court. The Appellant shall provide required envelopes within fourteen (14) days of filing the appeal".

Staff has provided analysis of both appeals.

Included in both appeals are references to provisions of the Land Management Code. As the Historic Preservation Board does not have jurisdiction to make decisions on Land Management Code issues, Staff bifurcated the appeal so that issues related to the LMC, such as whether a Conditional Use Permit is required or whether retaining walls are too high pursuant to the LMC, will be heard by the Planning Commission at a separate hearing (scheduled and noticed for March 27<sup>th</sup>) and issues related to the HDDG are heard by the Historic Preservation Board.

### **Standard of review**

The scope of review by the HPB shall be the same as the scope of review by the staff. The HPB shall review the application "de novo" or anew and shall give no deference to the underlying staff decision.

### **General Analysis of the HDDR application**

#### **Existing Character**

The existing 1,700 square foot house has been significantly altered by additions and changes to the exterior and materials as described in the Historic Sites

Inventory. The original historic house was approximately 800 square feet. A front addition of about 200 square feet was added in the However, the original “cross-wing” form is evident and is a character defining element to the house. The historic house is approximately 990 sf, including the front addition. Non-contributory additions to the rear (west) are proposed to be removed (Exhibit G).

#### Front façade and garage addition

The existing front façade will remain unchanged. The previous application proposed to remove a portion of the front façade on the north side to allow room for a side accessing garage under the north side of the house. The current application proposes a straight in driveway and garage to be located beneath the front porch, to the north of the existing stairs that will remain in their current location. The driveway does not exceed ten feet in width.

HDDR approval does not give approval to any items that do not meet the requirements of the Land Management Code, and all LMC items will be verified at the time of the Building Permit plans review. Likewise, HDDR approval does not give approval for items that require specific approval by the Planning Director, City Engineer, or Building Official, as the details to make such an approval are typically submitted with the building permit plans.

#### Additions, connector element, and roof form

Additional living space is proposed with the rear addition. A flat roofed connector element functioning as a circulation/staircase area provides a clear transition between the historic house and the pitched roof of the rear addition located 47’ behind the parallel pitched roof of the historic house. The rear addition does not encroach on the historic portion of the roof. The addition preserves the existing roof forms complies with the current HDDG. The flat roof of the connector element is proposed to be a planted, green roof, consistent with requirements of the Land Management Code and Design Guideline D.1.4 requiring a clear connector element between old and new. The flat roof section is not a primary roof.

#### Items of Appeal

This section contains the Staff Analysis of the items of appeal subject to review by the HPB. The appeal is written in *ITALIC* followed by staff’s analysis.

#### ***1. The HDDR Application was Incomplete. (Site plan contains inadequate topographic contours and misstated spot elevations.)***

Staff analysis: The HDDR Application was deemed complete on September 24, 2012 as all required submittal items were provided with the application including both a topographic survey and a preservation plan.

The topographic survey submitted was prepared and certified by a licensed surveyor. (See Exhibit B) There are 2’ contour intervals on the survey. In certain instances, such as on an existing retaining wall that is 4’ or 6’ tall, 2 or 3 of the two foot intervals fall on top of each other in plan view. Additionally, there is not a

significant part of the lot that does not have an existing structure, deck, retaining wall, or other encumbrance where the contour intervals would not be shown because they could not be determined under the existing structures. While the two foot contours were faint, staff was able to see them and use them to determine the existing grade of areas not encumbered by existing structures or walls. Staff did not utilize the applicant's hand drawn topographic lines interpolated through the existing building footprint.

The HDDR application states the following items need to be included on the survey: 1) existing grades referenced to USGS elevations, 2) building footprints of existing buildings, structures, and improvements; 3) existing physical encroachments on and off the site; 4) utility locations; 5) existing vegetation; 6) existing drainage facilities; 7) existing on-and off-site circulation and parking. The survey submitted contains these items. (See Exhibit B).

The HDDR application states the following are items need to be included on the proposed site plan: 1) proposed grades reference to USGS elevations, 2) proposed building footprints, 3) superimposed building roof plans of all structures on site having ridgelines referenced to USGS elevations, 4) existing physical encroachments, 5) proposed utilities, 6) existing and proposed vegetation, 7) proposed drainage facilities, 8) on and off-site circulation and parking, 9) proposed ground surface treatments. The submitted site plan contains these elements (see Exhibit B).

Although Appellant mentions the driveway steepness under a separate argument (last paragraph of Argument 2), his allegations involve the topography of the site. Staff's response to the Driveway slope is that the garage door is proposed to be located under the porch 31' feet back from the curb and gutter. There is a four foot change in grade across the length of the driveway from the garage to the street resulting in a 12.90 % slope. This is less than the maximum allowable driveway slope of 14%.

Likewise, Appellant makes certain arguments regarding the height of the walls as depicted in the survey (first paragraph of Argument 2 (sic – labeled 2, really 3)). Although retaining walls greater than 4' in height, located in the front setback area, require a building permit and Planning Director/Building Official approval and retaining walls greater than 6' in height in the front, side or rear yards also require an administrative conditional use permit and a building permit, the current HDDR approval includes a note on the plans that all stone retaining walls on the property will be dry-hand stacked 2' to 4' high walls (non-engineered walls, therefore less than 4' in height). These low stacked walls do not require a building permit or a Conditional Use Permit.

The existing front retaining wall (not an historic wall) is identified as being "rebuilt with dry stacked rock" to comply with the HDDG and conform to the style of the stacked low rock walls proposed along the driveway. This front retaining wall is within the City ROW and is not technically located within the front yard area. If the existing rock facing can be replaced without having to structurally upgrade

the concrete wall then the applicant will reface the existing wall with stone to match the new walls. If however, the underlying wall is not structurally sound, or wasn't built to current Building Code standards, then the wall will have to be rebuilt according to the Building Department to handle the new rock load. A new wall in the ROW will require approval and an encroachment agreement from the City Engineer. These retaining wall approvals are obtained prior to issuance of a building permit for the addition when the Building Department has structural calculations from a licensed Engineer.

To allay concerns regarding heights of retaining walls due to design consideration, whether stacked or poured and faced with stacked stone, staff is recommending revisions to the conditions of approval, as follows:

- a) Add "retaining walls" to the list of items in Condition of Approval #10 to be reviewed by the City Engineer at the time of building permit plan review.
- b) Add a condition of approval that all retaining walls shall comply with the Land Management Code requirements.

A preservation plan was submitted with the application. (See Exhibit B) The plan provided an existing conditions report, a preservation plan strategy in written form, and a plan showing a proposal to panelize the remaining historic walls in order to preserve them from destruction during construction of the garage and basement. Staff specifically stated in the action letter that the design review approval does not include approval of the Disassembly/Reassembly (panelization) as proposed by the applicant. Staff indicated that additional information will need to be provided after results of an exploratory demolition permit and report for the Planning Director and Chief Building Official to use to determine whether unique conditions and overall quality of the historic preservation effort warrant this method of preservation.

***2. Steep Slope CUP Planning Commission Review was not performed.***

(Portions of the Lot under areas of construction and access thereto exceed 30% slope. Driveway is also (sic) exceeds maximum allowed slope)

***2. (sic) Engineered Retaining Walls > 6ft are required in Front Yard.***

*(Driveways exceed maximum allowed slope)*

Staff analysis: These items fall under an interpretation of the Land Management Code which is outside of the purview of the HPB. Therefore, these items are scheduled to be heard on March 27, 2013 by the Planning Commission who has jurisdiction to hear appeals of decisions by staff regarding application of the LMC to a property. The HPB has jurisdiction to hear appeals of decision regarding the Design Guidelines.

***3. Significant Vegetation must be shown on plan and preserved. (Trees require a health evaluation by a certified arborist and Loss Mitigation)***

Staff analysis: Existing significant vegetation is shown on the plans and there are notes indicating that the existing vegetation will be preserved. (See Exhibit B) The evergreen tree located in the City ROW, while tall and significant, is not "old

growth” and the plans contain a note stating that the tree will not be removed. The applicant does not have the ability to make a decision to remove trees in the City’s ROW and has already stated that the trees will remain.

Staff recommends an amendment to conditions of approval #6 requiring an updated survey to identify all existing significant vegetation by type and size for inclusion on the final landscape plan required to be submitted with the building permit application and to specify that none of the large evergreen trees on the property or in the City ROW will be removed unless required to be removed by the City Arborist and all existing significant vegetation, including that on adjacent lots shall be protected from disturbance during construction.

An existing evergreen tree in the northwest corner of the rear yard was mislabeled on the landscape plan, which has been corrected on the approved HDDR landscape plan. (See Exhibit B) There is an approximately 20’ tall evergreen tree in this location, planted after the date of the survey and not an old growth tree. The applicant has no intention of removing this tree.

***4. Historically Significant Site/Building requires Historic Preservation Plan. (A viable plan that meets common practice was not submitted or approved)***

Staff Analysis: A preservation plan was submitted with the application. The plan provided an existing conditions report, a preservation plan strategy in written form, and a plan showing a proposal to panelize the remaining historic walls in order to preserve them from destruction during construction of the garage and basement (see Exhibit B). Staff specifically stated in the action letter that the design review approval does not include approval of the Disassembly/Reassembly (panelization) as proposed by the applicant. Staff indicated that additional information will need to be provided after results of an exploratory demolition permit and report for the Planning Director and Chief Building Official to use to determine whether unique conditions and overall quality of the historic preservation effort warrant this method of preservation. Once that determination is made by staff, it is appealable.

***5. Approval allows for illegal demolition of entire structure except for 3 walls. (A CAD permit has neither been applied for nor approved)***

Staff analysis: The HDDR approval does not allow for demolition of the entire structure except for 3 walls. The historic house is approximately 990 sf (including the front addition). The current house is approximately 1,700 square feet including existing additions. There were two additions to the building, one in the front of the house in the 1930s which is deemed contributory, and one in the rear of the house which has been found not to be contributory. (See Exhibit A, page 2 “The rear additions were constructed after 1968 according to the tax cards.”) It is Staff’s interpretation of the Code that a Certificate of Appropriateness for Demolition (CAD) is not required for additions that were deemed non-contributory or non-historic additions, such as the existing rear additions to 505 Woodside that are out of the historic period and have not acquired historic significance in

their own right. The home is being preserved back to the 1940's design removing non-contributory additions. The removal of non-contributory additions may be approved at a staff level during the historic district design review process as was done with this application. Because the rear additions were non-contributory, they did not require a CAD.

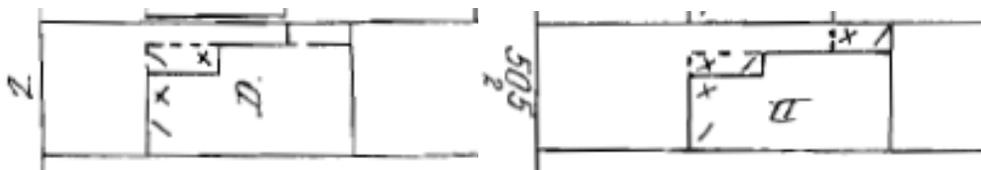
A preservation plan was submitted with the application. The plan provided an existing conditions report, a preservation plan strategy in written form, and a plan showing a proposal to panelize the remaining historic walls in order to preserve them from destruction during construction of the garage and basement.

Staff specifically stated in the action letter that the design review approval does not include approval of the Disassembly/Re-assembly (panelization) as proposed by the applicant. Staff indicated that additional information will need to be provided after results of an exploratory demolition permit and report for the Planning Director and Chief Building Official to use to determine whether unique conditions and overall quality of the historic preservation effort warrant this method of preservation. If this method is not warranted, the applicant will have to provide an amended preservation plan for approval by the Planning Director and Chief Building Official.

**6. Historic Buildings (sic) Structure and roof forms are not being preserved or retained.** (Numerous HDDG are either disregarded or outright violated)

The historic house and unique cross-wing variant and porch historic roof form is being preserved and retained. The existing home at 505 Woodside Avenue is listed as "significant" on the Park City Historic Sites Inventory (HSI). The home has been modified significantly since the original construction in 1904 during the mature mining era (1894-1930). In the 1930's, an expansion to the north of the front of the house (adjacent to the front porch) occurred as is evident by the 1940's tax photo. This addition is also being retained as it is deemed contributory.

The attached historic Sites Inventory form (Exhibit A) further describes the changes to the house, the front porch and the side and rear additions. The applicant researched the history of the property with the Sanborn maps and the 1940's tax photo. The following are the footprints of the home from the Sanborn Maps. See Exhibit G for photographs, including a 1940's tax photo. The applicant based the current preservation plan on the 1940's tax photo. Staff found that the essential historic form of the house and roof are not compromised by the removal of the later rear additions and construction of the proposed addition.



Additional living space is proposed with the rear addition. A flat roofed connector element functioning as a circulation/staircase area provides a transition between the historic house and the pitched roof of the rear addition located 47' behind the parallel pitched roof of the historic house. The rear addition preserves the existing roof forms, and complies with the current HDDG, specifically Universal Guidelines 1 and 2 regarding using the site as it was historically used (single family home) and historic features that have acquired historic significance should be maintained and preserved. The cellar, and the rear additions are out of period additions and not contributory to the historic timeframe. The historic roof form, the cross-wing variant form is maintained (see Exhibit B). The flat roof of the connector element is proposed to be a planted, green roof, consistent with requirements of the Land Management Code and complies with Guideline D.1.4 as a "clear transitional element between old and new". The new addition is located approximately 31 feet behind the front façade and complies with Guideline D.1.2 in that it is visually subordinate to the historic structure when viewed from the public right-of-way. Additionally, through the use of complementary materials and architecture (e.g. simple forms, siding (both harmonizing horizontal siding and juxtaposing vertical corrugated siding), simple corresponding windows, and other fine grained detailing) the addition complements the visual and physical qualities of the historic building.

As previously discussed, the original house has been significantly altered since the Historic era. Removal of additions to the house does not alter the Essential Historical Form and the character defining elements of the house. The shape of the roof will be preserved. Staff finds that the original shape of the roof with the 1930's era changes as reflected in the 1940's tax photo will be maintained. Portions of the historic roof were changed with the non-historic additions. Additions subsequent to the Historic era may be removed without a Certificate for Appropriateness of Demolition (CAD).

The existing front façade, including the historic portions of the roof of the historic structure, will remain. Portions of the historic roof were removed with the previous non-historic additions. The addition complies with Guideline B.1 that refers to maintaining the original roof form. The current application proposes a straight in driveway and garage door to be located beneath the front porch. The driveway is on the north side of the existing stairs that will remain in their current location. The driveway does not exceed ten feet in width and is subservient to the front façade. The garage and basement are proposed to be added without raising the level or changing the location or orientation of the historic structure.

Staff reviewed the proposed HDDR application for compliance with all applicable guidelines, including Universal Guidelines 1-10 and Specific Guidelines A (regarding site design), B (regarding primary structure), C (regarding parking areas and driveways), D (regarding additions), J (regarding exterior lighting), and L (regarding sustainability). Guideline F (regarding disassembly/reassembly

of all or part of the historic structure) was specifically excluded from Staff's review and so stated in the final action letter. This Guideline will be utilized after an exploratory demo permit is issued and the applicant can provide the City with a report of existing conditions, additional photographic survey information and written plans detailing how the disassembly and reassembly will be completed.

### ***Appellant's Conclusion***

In response the Appellant's conclusion on page 12 of the February 28<sup>th</sup> appeal, there is no deference or special treatment for any applicant or appellant. Disclosure of conflicts of interest or recusal will occur at the HPB meeting.

### **Notice**

Notice of the appeal was provided as required by the Land Management Code. The appellant provided the list of property owners within 100 feet and letters were sent to the property owners by the Planning Staff.

### **Process**

Per LMC Section 1-18 (B), the City or any Person with standing adversely affected by any final decision of the Historic Preservation Board regarding the Design Guidelines for Historic Districts and Historic Sites may petition the District Court in Summit County for a review of the decision.

### **Recommendation**

Staff recommends that the Historic Preservation Board uphold the staff's approval of the Historic District Design Review and deny the appeal of the Historic District Design Guidelines approval at 505 Woodside Avenue based on the following:

### **Findings of Fact:**

1. The single family residence located at 505 Woodside Avenue is located in the Historic Residential (HR-1) zone.
2. 505 Woodside is listed as a significant site on the Park City Historic Site Inventory.
3. The historic home is located on Lot 1 of the 505 Woodside Avenue Subdivision. Lot 1 is approximately 4375 square feet in lot area.
4. The applicant is proposing to restore and preserve the original exterior walls of the historic home and construct an addition to the rear after removing non-contributory additions.
5. The historic home will remain in the original location and elevation with the unique historic cross-wing variant roof form.
6. The maximum height of a structure in the HR-1 zone is 27' above existing grade. The proposed addition meets the code maximum height allowance of 27 feet. The highest portion of the addition is located 47' behind the parallel pitched roof of the original historic house.
7. The HDDR Application was deemed complete as all required submittal items were provided with the application including both a topographic survey and a preservation plan.

8. The topographic survey submitted was prepared and certified by a licensed surveyor. There are 2' contour intervals on the survey.
9. A preservation plan and report was submitted with the HDDR application, including an existing conditions report, a written preservation plan report, photographs, and a plan proposing to panelize the historic walls.
10. The request for panelization, was not approved as part of the HDDR, as specifically stated in the Action Letter. Additional information is required to be provided after results of an exploratory demolition permit and report to be presented to the Planning Director and Chief Building Official to use in order to determine whether unique conditions and overall quality of the historic preservation effort warrant this method of preservation. If this method is not warranted, the applicant will have to provide an amended preservation plan for approval by the Planning Director and Chief Building Official.
11. A preservation guarantee is required for all construction projects involving historic properties. The guarantee is typically \$250.00 per square foot of construction. This guarantee is required prior to issuance of any building permits.
12. The findings discussed in the Background and Analysis Sections of this report are incorporated herein.
13. Existing significant vegetation, including the large evergreen trees on the property and within the City ROW will remain. The landscape plan was revised on January 31, 2013 and shows that the evergreen tree located on the northwest portion of the lot will remain and will be shown on the final landscape plan to be submitted with the building permit plans.
14. A landscape guarantee is required for all construction involving the disturbance of existing ground and/or vegetation and for any projects that have required landscape plans. This guarantee is required prior to issuance of any building permits.
15. The HDDR approval does not allow for demolition of the entire structure except for 3 walls. A Certificate of Appropriateness for Demolition (CAD) is not required for additions that were deemed non-contributory additions or that have not acquired historic significance in their own right.
16. The historic house and historic roof forms are being preserved and retained.
17. Additional living space is proposed with the rear addition. The new addition is located approximately 31 feet behind the front façade.
18. The proposed flat roofed connector element is a "clear transitional element between old and new" functioning as a circulation/staircase area and providing a transition between the historic house and the pitched roof of the rear addition located 47' behind the parallel pitched roof of the historic house. The rear addition does not encroach on the historic portion of the existing house, and it preserves the existing cross-wing variant roof form and complies with the current HDDG.
19. The flat roof of the connector element is proposed to be a planted, green roof, consistent with requirements of the Land Management Code and complies with the Guideline D.a.4 in that it is a "clear transitional element between old and new" and it is not a primary roof for the overall structure.

20. The February 5, 2013 action letter, including findings of fact, conclusions of law and conditions of approval are hereby adopted.

Conclusions of Law:

1. The proposed addition complies with the Park City Historic District Design Guidelines as conditioned.

Order:

1. The Planning Staff did not err in the approval of the Historic District Design Review of the proposed addition for 505 Woodside Avenue.
2. Appellant's request for a reversal of the Planning Staff's decision to approve the HDDR application is denied.
3. The Conditions of Approval from the February 5, 2013 HDDR Action Letter continue to apply with the following amendments:
  - a) Add "retaining walls" to the list of items in Condition of Approval #10 to be reviewed by the City Engineer at the time of building permit plan review.
  - b) Add a condition of approval that all retaining walls shall comply with the Land Management Code requirements.
  - c) Add a sentence to Condition of Approval #6 requiring an updated survey to identify all existing significant vegetation by type and size for inclusion on the final landscape plan required to be submitted with the building permit application and to specify that none of the large evergreen trees on the property or in the City ROW will be removed unless required to be removed by the City Arborist and that all existing significant vegetation, including that on adjacent lots shall be protected from disturbance during construction and the method of protection shall be approved by a certified Arborist.
  - d) If the proposed method of preservation by disassembly and reassembly is not warranted and approved by the City, then the applicant will have to provide an amended preservation plan for approval by the Planning Director and Chief Building Official prior to issuance of any building permits.

Exhibits

**Exhibit A- Sites Inventory form**

**Exhibit B- Plans, Preservation Plan, Landscape Plan, Survey**

**Exhibit C- Appellant's letter following first notice**

**Exhibit D- February 5, 2013 Action Letter of approval with conditions**

**Exhibit E- Appeal submitted on February 13, 2013**

**Exhibit F- Additional appeal submitted on February 24, 2013**

**Exhibit G- Photos**

## HISTORIC SITE FORM - HISTORIC SITES INVENTORY

PARK CITY MUNICIPAL CORPORATION (10-08)

**1 IDENTIFICATION***Name of Property:*

Address: 505 Woodside Avenue

AKA:

City, County: Park City, Summit County, Utah

Tax Number: PC-341

Current Owner Name: Woodside Development, LLC

Parent Parcel(s):

Current Owner Address: PO Box 4581, Park City, UT 84060-4581

Legal Description (include acreage): 0.10 acres; LOTS 2 &amp; 3 BLK 28 PARK CITY SURVEY ALSO 25 FT X 25 FT LYING W'LY OF &amp; ADJACENT TO LOT 2 BEING E 25 FT LOT 31.

**2 STATUS/USE**Property Category

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

Evaluation\*

- Landmark Site  
 Significant Site  
 Not Historic

Reconstruction

- Date:  
 Permit #:  
 Full  Partial

Use

- Original Use: Residential  
 Current Use: Residential

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

**3 DOCUMENTATION**Photos: Dates

- tax photo:  
 prints:  
 historic: c.

Drawings and Plans

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

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

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

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

Blaes, Dina &amp; Beatrice Lufkin. "Final Report." Park City Historic Building Inventory. Salt Lake City: 2007.

Carter, Thomas and Goss, Peter. *Utah's Historic Architecture, 1847-1940: a Guide*. Salt Lake City, Utah:

University of Utah Graduate School of Architecture and Utah State Historical Society, 1991.

McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Alfred A. Knopf, 1998.

Roberts, Allen. "Final Report." Park City Reconnaissance Level Survey. Salt Lake City: 1995.

Roper, Roger &amp; Deborah Randall. "Residences of Mining Boom Era, Park City - Thematic Nomination." National Register of Historic Places Inventory, Nomination Form. 1984.

**4 ARCHITECTURAL DESCRIPTION & INTEGRITY**

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

No. Stories: 1

Additions:  none  minor  major (describe below) Alterations:  none  minor  major (describe below)Number of associated outbuildings and/or structures:  accessory building(s), # \_\_\_\_\_;  structure(s), # \_\_\_\_\_.

General Condition of Exterior Materials:

Researcher/Organization: Dina Blaes/Park City Municipal Corporation Date: November, 08

- Good (Well maintained with no serious problems apparent.)
- Fair (Some problems are apparent. Describe the problems.):
- Poor (Major problems are apparent and constitute an imminent threat. Describe the problems.):
- Uninhabitable/Ruin

**Materials** (The physical elements that were combined or deposited during a particular period of time in a particular pattern or configuration. Describe the materials.):

Site: Five foot stone veneer retaining wall at street front. Shallow terraces in front yard. Entry steps from the roadway to front porch at the south end of the lot. Minimal ground vegetation and mature evergreen trees.

Foundation: Assumed to be concrete.

Walls: Clad in a drop horizontal siding (not consistent reveal) and vertical siding over the basement level. The porch is a partial-width shed roof supported by square posts. The handrail is unfinished wood with heavy elements and square balusters.

Roof: Modified cross-wing form sheathed in standing seam metal.

Windows: Single and paired double-hung windows, some appear to be aluminum.

Essential Historical Form:  Retains  Does Not Retain, due to:

Location:  Original Location  Moved (date \_\_\_\_\_) Original Location:

**Design** (The combination of physical elements that create the form, plan, space, structure, and style. Describe additions and/or alterations from the original design, including dates--known or estimated--when alterations were made): This frame house has been significantly modified. The roof form is an unusual cross-wing variant and the porch, originally a dropped hipped roof with exposed rafter ends has been replaced with a shed roof that is integrated into the principal roof. This window openings have been modified, though not significantly. The front porch has been altered from simple slender porch supports and a low solid rail to heavy vertical elements and open rail with square balusters. A small window in the basement has been replaced by a panel door. The rear additions were constructed after 1968 according to the tax cards.

**Setting** (The physical environment--natural or manmade--of a historic site. Describe the setting and how it has changed over time.): The setting has been altered. The tax photo shows a stone retaining wall that has been replaced by a wall using stone veneer in a pattern atypical of Park City's historic neighborhoods. The gradual rise in the front yard has been replaced by stone terraces and very little vegetation. Like most homes in park City's historic neighborhoods, the side yards are narrow and the home is surrounded by other homes of similar size and scale.

**Workmanship** (The physical evidence of the crafts of a particular culture or people during a given period in history. Describe the distinctive elements.): Much of the physical evidence from the period that defines the typical Park City mining era home has been altered and, therefore, lost.

**Feeling** (Describe the property's historic character.): The physical elements of the site, in combination, do not effectively convey a sense of life in a western mining town of the late nineteenth and early twentieth centuries.

**Association** (Describe the link between the important historic era or person and the property.): The "T" or "L" cottage (also known as a "cross-wing"), of which this is a variation, is one of the earliest and one of the three most common house types built in Park City during the mining era; however, the extent of the alterations to the main building diminishes its association with the past.

The extent and cumulative effect of alterations to the site render it ineligible for listing in the National Register of Historic Places.

## 5 SIGNIFICANCE

Architect:  Not Known     Known: (source: )

Date of Construction: c. 1904<sup>1</sup>

Builder:  Not Known     Known: (source: )

The site must represent an important part of the history or architecture of the community. A site need only be significant under one of the three areas listed below:

1. Historic Era:

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

Park City was the center of one of the top three metal mining districts in the state during Utah's mining boom period of the late nineteenth and early twentieth centuries, and it is one of only two major metal mining communities that have survived to the present. Park City's houses are the largest and best-preserved group of residential buildings in a metal mining town in Utah. As such, they provide the most complete documentation of the residential character of mining towns of that period, including their settlement patterns, building materials, construction techniques, and socio-economic make-up. The residences also represent the state's largest collection of nineteenth and early twentieth century frame houses. They contribute to our understanding of a significant aspect of Park City's economic growth and architectural development as a mining community.<sup>2</sup>

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

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

## 6 PHOTOS

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

**Photo No. 1:** West elevation. Camera facing east, 2008 (assessor).

**Photo No. 2:** East elevation (primary façade). Camera facing west, 2006.

**Photo No. 3:** East elevation (primary façade). Camera facing west, 1995.

**Photo No. 4:** Southeast oblique. Camera facing northwest, tax photo.

<sup>1</sup> Summit County records.

<sup>2</sup> From "Residences of Mining Boom Era, Park City - Thematic Nomination" written by Roger Roper, 1984.

**SERIAL NO.  
RE-APPRAISAL CARD (1940 APPR. BASE)**

Owner's Name \_\_\_\_\_  
 Owner's Address \_\_\_\_\_  
 Location \_\_\_\_\_  
 Kind of Building Res Street No. \_\_\_\_\_  
 Schedule 1 Class 4 Type 1-2-3-4 Cost \$ \_\_\_\_\_ X \_\_\_\_\_ %

Stories	Dimensions	Cu. Ft.	Sq. Ft.	Actual Factor	Totals
<u>1</u>	x x		<u>1265</u>	\$ -	\$ <u>3230</u>
	x x			\$	\$
	x x			\$	\$

No. of Rooms 7 Condition \_\_\_\_\_

Description of Building	Add	Deduct
Foundation—Stone <u>158'x113'</u> Conc. <input checked="" type="checkbox"/> None <input checked="" type="checkbox"/>		<u>179</u>
Ext. Walls <u>Siding</u>		
Insulated—Floors _____ Walls _____ Clgs. _____		
Roof—Type <u>Gab.</u> Mat. <u>Tin</u>		<u>38</u>
Dormers—Small _____ Med. _____ Lg. _____		
Bays—Small _____ Med. _____ Lg. _____		
Porches—Front <u>100' @ 1.15</u>	<u>115</u>	
Rear <u>20' @ 1.0</u>	<u>20</u>	
* Cellar—Basmt— $\frac{1}{4}$ $\frac{1}{2}$ $\frac{1}{2}$ $\frac{3}{4}$ full-floor <u>20%</u>	<u>35</u>	
Basement Apts.—Rooms Fin. _____		
Attic Rooms _____ Fin. <u>1</u> Unfin. _____	<u>248</u>	
Plumbing— Class <u>1</u> Tub <u>1</u> Trays _____ Basin _____ Sink <u>1</u> Toilet <u>1</u> Urns _____ Ftns. _____ Shr. _____ Dishwasher _____ Garbage Disp. _____		
Heat—Stove <input checked="" type="checkbox"/> H. A. _____ Steam _____ S. _____ Blr. _____ Oil _____ Gas _____ Coal _____		
Air Conditioned _____ Incinerators _____		
Radiant—Pipeless _____		
Finish— Hd. Wd. _____ Floors— Fir. <input checked="" type="checkbox"/> Conc. <input checked="" type="checkbox"/>		
Cabinets <u>1</u> Mantels _____		<u>125</u>
Tile— Walls _____ Wainscot. _____ Floors _____		
Lighting—Lamp _____ Drops <input checked="" type="checkbox"/> Fix. _____ <u>Lbr. Lined. 7 @ 15.00</u>		<u>105</u>

Total Additions and Deductions 418 447 3230  
 Net Additions or Deductions -418 \$ -29

Age 45 Yrs. by  Est. Owner  
 Tenant  
 Neighbors  
 Records  
 REPRODUCTION VALUE \$ 3201  
 Depr. 1-2-3-4-5-6 58/42 % \$ \_\_\_\_\_  
 Reproduction Val. Minus Depr. \$ 1344

Remodeled \_\_\_\_\_ Est. Cost \_\_\_\_\_ Remodeling Inc. \_\_\_\_\_ % \$ \_\_\_\_\_  
 Garage—S 8 C 1 Depr. 2% 3% Obsolescence \$ \_\_\_\_\_  
 Cars 1 Walls 8ft Out Bldgs. \$ \_\_\_\_\_  
 Roof T.P. Size 8x15 Age 18 \$ \_\_\_\_\_  
 Floor Plank Cost 102/46 Depreciated Value Garage \$ 47

Remarks \_\_\_\_\_ Total Building Value \$ 1391



Location Block 28 PC - E 25' of Lot 31 all Lots 2+3  
 Kind of Bldg. TRES. St. No. 505 Woodside Ave  
 Class 4 Type 1 2 3 4. Cost \$ 2274 X — %

Stories	Dimensions	Cu. Ft.	Sq. Ft.	Factor	Totals
1	x x		1265		\$ 2274
	x x				
	x x				

Gar.—Carport — x — Fr. — Walls — Cl. —

Description of Buildings	Additions	
Foundation—Stone <u>—</u> Conc. <u>—</u> None <input checked="" type="checkbox"/>		
Ext. Walls <u>Siding</u>		
Insulation—Floors <u>—</u> Walls <u>—</u> Cigs. <u>—</u>		
Roof Type <u>Gable</u> Mtl. <u>Shg. + Tin</u>		
Dormers—Small <u>—</u> Med. <u>—</u> Large <u>—</u>		
Bays — Small <u>—</u> Med. <u>—</u> Large <u>—</u>		
Porches—Front <u>5x20</u> <u>100</u> @ <u>80</u>	<u>80</u>	
Rear <u>5x4</u> <u>20</u> @ <u>100</u>	<u>20</u>	
Porch <u>—</u> @ <u>—</u>		
Metal Awnings <u>—</u> Mtl. Rail <u>—</u>		
Basement Entr. <u>—</u> @ <u>—</u>		
Planters <u>—</u> @ <u>—</u>		
Cellar—Bsmt. — $\frac{1}{4}$ $\frac{1}{8}$ $\frac{1}{2}$ $\frac{3}{4}$ Full <u>—</u> Floor <u>—</u>		
Bsmt. Apt. <u>—</u> Rooms Fin. <u>—</u> Unfin. <u>—</u>		
Attic Rooms Fin. <u>—</u> Unfin. <u>—</u>		
Plumbing	315	
		Class <u>1</u> Tub <u>—</u> Trays <u>—</u>
		Basin <u>—</u> Sink <u>—</u> Toilet <u>—</u>
		Wtr. Sfr. <u>—</u> Shr. St. <u>—</u> O.T. <u>—</u>
Dishwasher <u>—</u> Garbage Disp. <u>—</u>		
Built-in-Appliances <u>—</u>		
Heat—Stove <u>—</u> H.A. <input checked="" type="checkbox"/> Steam <u>—</u> Stkr. <input checked="" type="checkbox"/> Blr. <input checked="" type="checkbox"/>	<u>280</u>	
Oil <u>—</u> Gas <u>—</u> Coal <input checked="" type="checkbox"/> Pipeless <u>—</u> Radiant <u>—</u>	<u>163</u>	
Air Cond. <u>—</u>		
Finish—Fir <input checked="" type="checkbox"/> Hd. Wd. <u>—</u>		
Floor—Fir <input checked="" type="checkbox"/> Hd. Wd. <input checked="" type="checkbox"/> Other <u>—</u>		
Cabinets <u>—</u> Mantels <u>—</u>		
Tile — Walls <u>—</u> Wainseot <u>—</u> Floors <u>—</u>		
Storm Sash—Wood D. <u>—</u> S. <u>—</u> ; Metal D. <u>—</u> S. <u>—</u>		

Total Additions 858

Year Built <u>—</u>	Avg. Age <u>54</u>	Current Value	\$ <u>3132</u>
Inf. by { Owner - Tenant - Neighbor - Record - Est.		Commission Adj.	%
		Bldg. Value	
Remodel Year <u>—</u>	Est. Cost <u>—</u>	Depr. Col. 1 2 3 4 5 6 <u>33</u> %	
Garage — Class <u>—</u>	Depr. 2% 3%	Carport — Factor <u>—</u>	Current Value Minus Depr. \$ <u>1034</u>
Cars <u>—</u>	Floor <u>X</u> Walls <u>—</u>	Roof <u>—</u> Doors <u>—</u>	
Size— <u>—</u> x <u>—</u>	Age <u>—</u>	Cost <u>—</u> x <u>—</u> %	
Other <u>—</u>			

Total Building Value \$

Appraised 5-6-58 19 58 By 1302

PC341  
Serial Number

OF  
Card Number

Owners Name Joe Michalek  
 Location \_\_\_\_\_  
 Kind of Bldg. Rm St. No. 505 Woodside ave  
 Class 3 Type 1 2 3 0 Cost \$ \_\_\_\_\_ X \_\_\_\_\_ %

Stories	Dimensions	Sq. Ft.	Factor	Totals	Totals
1	x x	1265		\$ 4956	\$
	x x				
	x x				

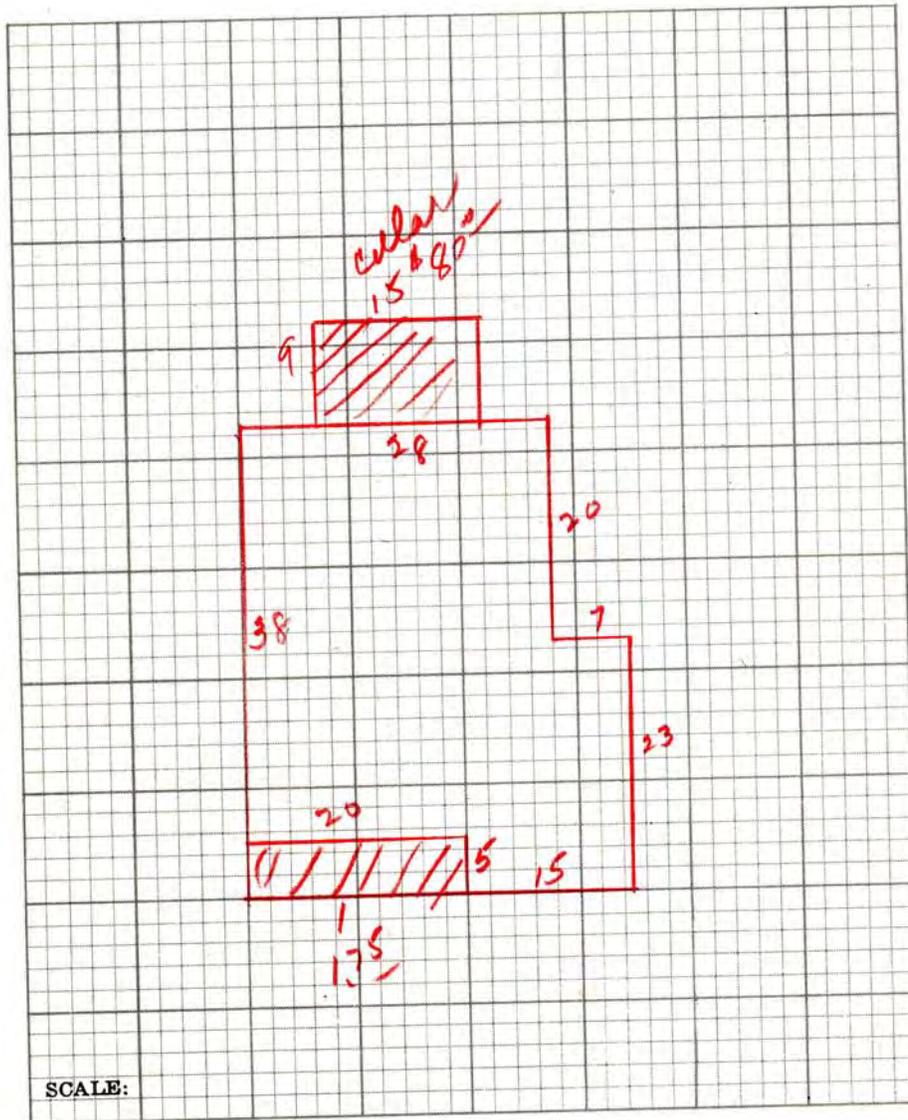
Att. Gar.—C.P.  Flr. \_\_\_\_\_ Walls \_\_\_\_\_ Cl. \_\_\_\_\_

Description of Buildings	Additions	Additions
Foundation—Stone _____ Conc. _____ Sills <input checked="" type="checkbox"/>		
Ext. Walls <u>siding</u>		
Roof Type <u>shingles</u> Mtl. <u>sh. CI</u>		
Dormers—Small _____ Med. _____ Large _____		
Bays—Small _____ Med _____ Large _____		
Porches—Front _____ 100 @ 175 175		
Rear _____ @ _____		
Porch _____ @ _____		
Planters _____ @ _____		
Ext. Base, Entry _____ @ _____		
Cellar—Bsmt. — 1/4 1/8 1/2 3/4 Full _____ Floor <u>one</u> 80		
Bsmt. Gar. _____		
Basement—Apt. _____ Rms. _____ Fin. Rms. _____		
Attic Rooms Fin. _____ Unfin. _____ 225		
Plumbing	Class _____ Tub. _____ Trays _____	
	Basin _____ Sink _____ Toilet _____	
	Wtr. Sfr. _____ Shr. St. _____ O.T. _____	
	Dishwasher _____ Garbage Disp. _____ 550	
Heat—Stove <input checked="" type="checkbox"/> H.A. _____ FA _____ HW _____ Stkr _____ Elec. _____		
Oil _____ Gas <input checked="" type="checkbox"/> Coal _____ Pipeless _____ Radiant _____		
Air Cond. — Full _____ Zone _____		
Finish—Fir. <input checked="" type="checkbox"/> Hd. Wd. _____ Panel _____		
Floor—Fir. <input checked="" type="checkbox"/> Hd. Wd. _____ Other _____		
Cabinets <input checked="" type="checkbox"/> Mantels. _____		
Tile—Walls _____ Wainscot _____ Floors _____		
Storm Sash—Wood D. _____ S. _____; Metal D. _____ S. _____		
Awnings — Metal _____ Fiberglass _____		

Rear 1/4-79  
 1983

Total Additions		1030
Year Built <u>1904</u>	Avg. <u>1/1904</u>	Replacement Cost <u>5986</u>
	Age <u>2.</u>	Obsolescence
Inf. by { Owner - Tenant - Neighbor - Record - Est.		Adj. Bld. Value
		Conv. Factor <u>x.47</u>
Replacement Cost—1940 Base		
Depreciation Column <u>0</u> 2 3 4 5 6		
1940 Base Cost, Less Depreciation		
Total Value from reverse side		
Total Building Value \$		

Appraised ① 10-24 1968 By 1333C 11 1968  
 Appraised ② \_\_\_\_\_ 19 \_\_\_\_\_ By 1328



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

Garage — Class \_\_\_\_\_ Depr. 2% 3% \_\_\_\_\_

Cars \_\_\_\_\_ Floor \_\_\_\_\_ Walls \_\_\_\_\_ Roof \_\_\_\_\_ Doors \_\_\_\_\_

Size \_\_\_\_\_ x \_\_\_\_\_ Age \_\_\_\_\_ Cost \_\_\_\_\_ x 47% \_\_\_\_\_

\_\_\_\_\_ 1940 Base Cost \_\_\_\_\_ x \_\_\_\_\_ % Depr. \_\_\_\_\_

Total \_\_\_\_\_

REMARKS *old coal furnace still here but not used gas stove for heat.*









# HISTORIC HOME RESTORATION & ADDITION FOR WOODSIDE AVE DEVELOPMENT, LLC 505 WOODSIDE AVE. PARK CITY, UTAH 84060

## DRAWING LIST

- P-1 505 WOODSIDE AVE SUBDIVISION PLAT
- S-1 EXISTING CONDITIONS SURVEY AND TOPO
- S-2 EXISTING CONDITION DEMOLITION PROPOSAL
- A-1 NEW SITE PLAN
- A-2 LOWER FLOOR PLAN & MAIN FLOOR PLAN
- A-3 BASEMENT FLOOR PLAN & UPPER FLOOR PLAN
- A-4 EAST AND NORTH ELEVATIONS
- A-5 SOUTH AND WEST ELEVATIONS
- A-6 WOODSIDE AVENUE STREET ELEVATION
- A-7 BUILDING SECTION
- A-8 HISTORIC PORTION DOCUMENTATION

## OCCUPANCY GROUP R-3

### HR-1 ZONING

HISTORIC DESIGNATION - SIGNIFICANT

ALLOWABLE FOOTPRINT = 1710 SQ. FT. ✓

ACTUAL FOOTPRINT = 1707.5 SQ. FT. ✓

GOVERNING BUILDING CODE - IRC 2009

PARK CITY PLANNING DEPT.  
**APPROVED**  
KAW  
SIGNATURE  
1.21.13  
DATE

RECEIVED  
JAN 17 2013  
PARK CITY  
PLANNING DEPT.

*KAW approved  
Final approved  
Jan 21st 13  
see red*

*Final Submitted*

COVER SHEET  
HISTORIC HOME RESTORATION & ADDITION FOR WOODSIDE AVE. DEVELOPMENT, LLC  
505 WOODSIDE AVE.  
PARK CITY, UTAH 84060  
DAVID G. WHITE ARCHITECT  
P.O. BOX 1313 - 2703 ESTATES DRIVE  
PARK CITY, UTAH 84060  
(801) 649-8379

DATE: 9-10-12  
SCALE: NA  
DRAWN BY: DAW  
JOB: 202  
SHEET: A-0  
OF: 000



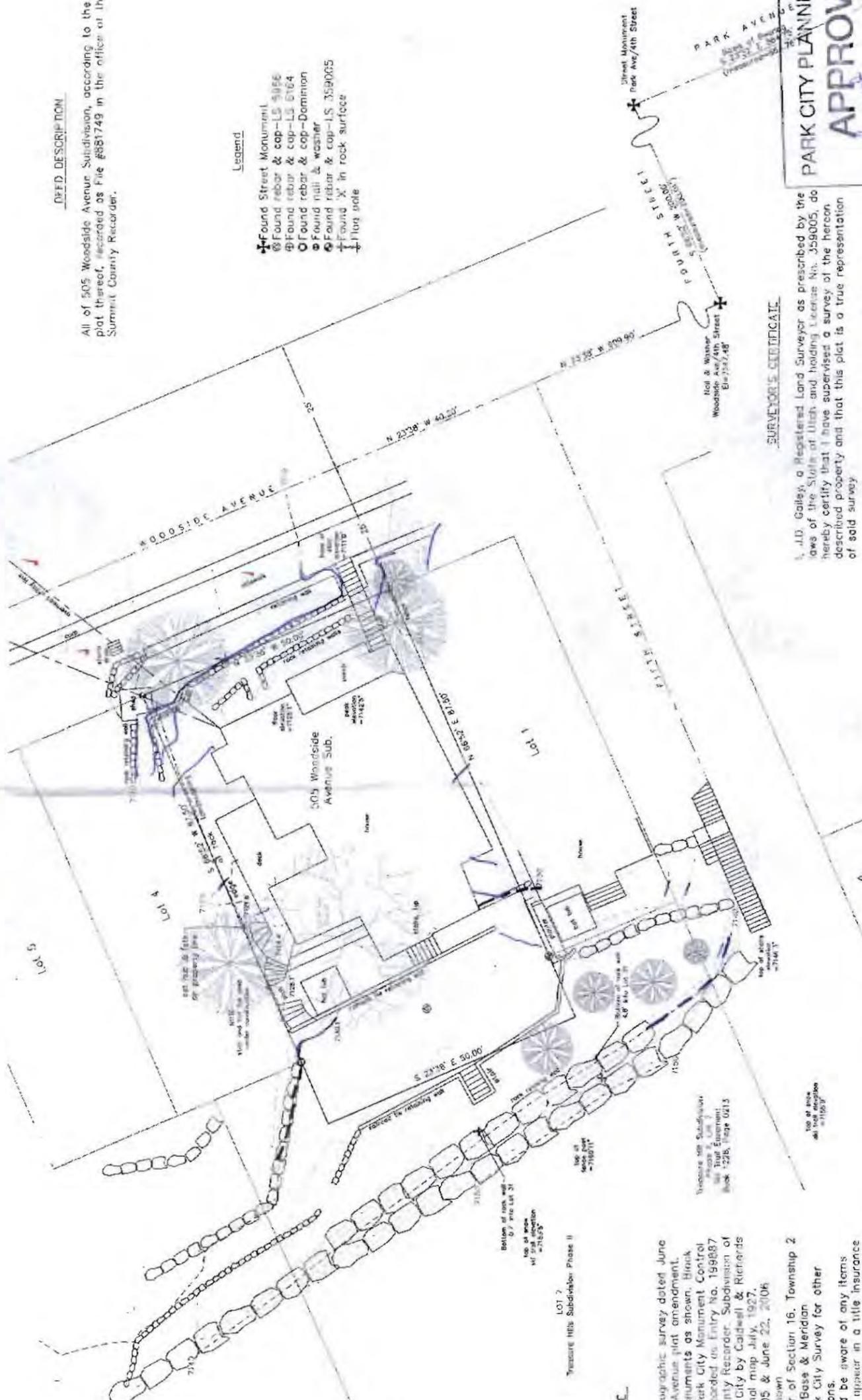
# 505 Woodside Avenue Subdivision Block 28, Park City Survey

## DEED DESCRIPTION

All of 505 Woodside Avenue Subdivision, according to the official plat thereof, recorded as File #881749 in the office of the Summit County Recorder.

## Legend

- ✦ Found Street Monument
- ⊗ Found rebar & cap-LS 5155
- ⊗ Found rebar & cap-LS 5164
- ⊗ Found rebar & cap-Dominion
- ⊗ Found nail & washer
- ⊗ Found rebar & cap-LS 359065
- ✦ Found 'X' in rock surface
- ⊥ Flag pole



## NARRATIVE

1. Survey requested by Jerry Flint.
2. Purpose of survey: show the topographic survey dated June 22, 2006 on the 505 Woodside Avenue plat amendment.
3. Basis of survey: found Street Monuments as shown, Block dimensions from the Amended Park City Monument Control Map by Bush & Gudgel, Inc. Recorded as Entry No. 199887 in the office of the Summit County Recorder, Subdivision of Book 28 from the Map of Park City by Caldwell & Richards Engineers, traced from the original map July, 1927.
4. Date of survey: December 1, 2005 & June 22, 2006.
5. Property monuments found as shown.
6. Located in the Southeast Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base & Meridian.
7. See the official plats of The Park City Survey for other possible easements and restrictions.
8. The owner of this property should be aware of any items affecting the property that may appear in a title insurance report.
9. An elevation of 7147.48 feet, from the Park City Monument Control Map, was assumed at the nail & washer found at the intersection of 4th Street and Woodside Avenue.
10. See the previous survey of the property recorded as Record of Survey File No. S-409, January 9, 1990, in the office of the Summit County Recorder.

## SURVEYOR'S CERTIFICATE

I, J.D. Galley, a Registered Land Surveyor as prescribed by the laws of the State of Utah and holding License No. 359005, do hereby certify that I have supervised a survey of the heron described property and that this plat is a true representation of said survey.



Date: Jan 4, 13

J.D. Galley License #359005

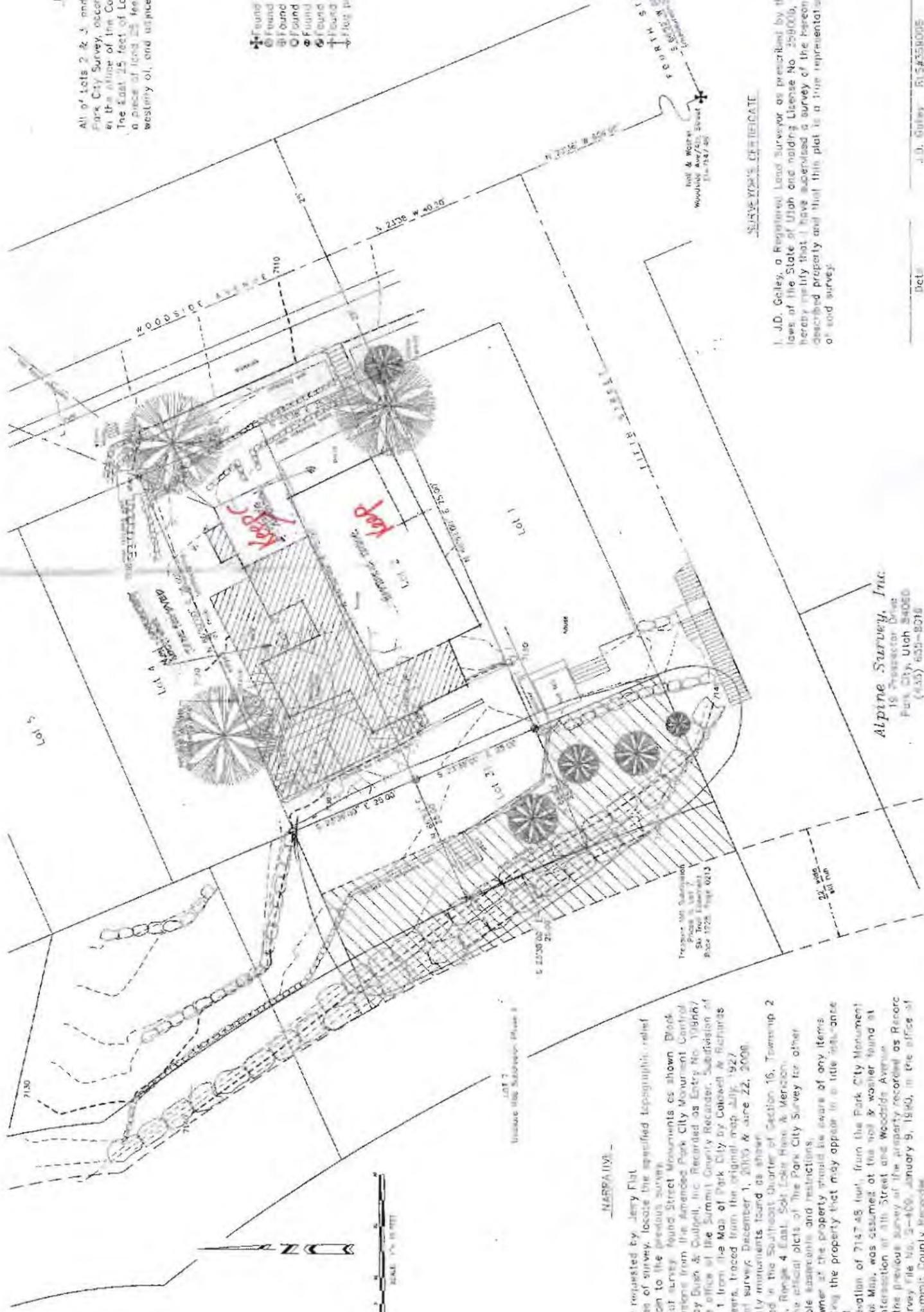
**PARK CITY PLANNING DEPT.**

APPROVED

DATE: 1.31.13

SIGNATURE: [Signature]  
Park Ave/2nd Street

# Park City Survey Block 28, Lots 2 & 3 & a Portion of Lot 31



**FIELD DESCRIPTION**

All of lots 2 & 3 and the feet 25 feet of Lot 31, Block 28, Park City Survey, according to the official plat thereof recorded in the office of the County Recorder of Summit County, Utah. The east 25 feet of Lot 31 is more particularly described as a piece of land 25 feet in width by 25 feet in width lying westerly of, and adjacent to, Lot No. 2 of said Block 28.

**Legend**

- ⊕ Found Street Monument
- ⊙ Found rebar & cap—L5 5556
- ⊙ Found rebar & cap—L3 8154
- ⊙ Found rebar & cap—Dornition
- ⊙ Found nail & washer
- ⊙ Found rebar & cap—L3 25005
- ⊕ Found "X" in rock surface
- ⊕ Flag pole

PARK CITY PLANNING DEPT.  
**APPROVED**  
Signature: *[Handwritten Signature]*  
DATE: *Nov 13, 2013*

**SURVEYOR'S CERTIFICATE**

I, J.D. Galey, a Registered Land Surveyor as prescribed by the laws of the State of Utah and holding License No. 259006, do hereby certify that I have supervised a survey of the herein described property and that this plat is a true representation of said survey.

J.D. Galey RL5#359006

**Alpine Survey, Inc.**  
15 Prosser Drive  
Park City, Utah 84060  
(435) 632-8018

- MAP NOTES**
1. Survey requested by Jerry Flat
  2. Purpose of survey, locate the specified topographic relief and pin to the previous survey
  3. Basis of survey, found Street Monuments as shown Block dimensions from the Amended Park City Monument Control Map by Bush & Guller, Inc. Recorded as Entry No. 109007 in the office of the Summit County Recorder, Subdivision of Block 1 from the Map of Park City by Colwell & Richards Engineers, traced from the original map July, 1927
  4. Date of survey, December 1, 2010 & June 22, 2008
  5. Property monuments found as shown
  6. Located in the Southeast quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base & Meridian
  7. See the official plats of the Park City Survey for other possible easements and restrictions.
  8. The owner of the property should be aware of any items affecting the property that may appear in a title insurance report
  9. An elevation of 7147.45 feet from the Park City Monument Control Map, was assumed at the nail & washer found at the intersection of 31st Street and Woodside Avenue
  10. See the previous survey of the property recorded as Record of Survey File No. S-400, January 9, 1980, in the office of the Summit County Recorder



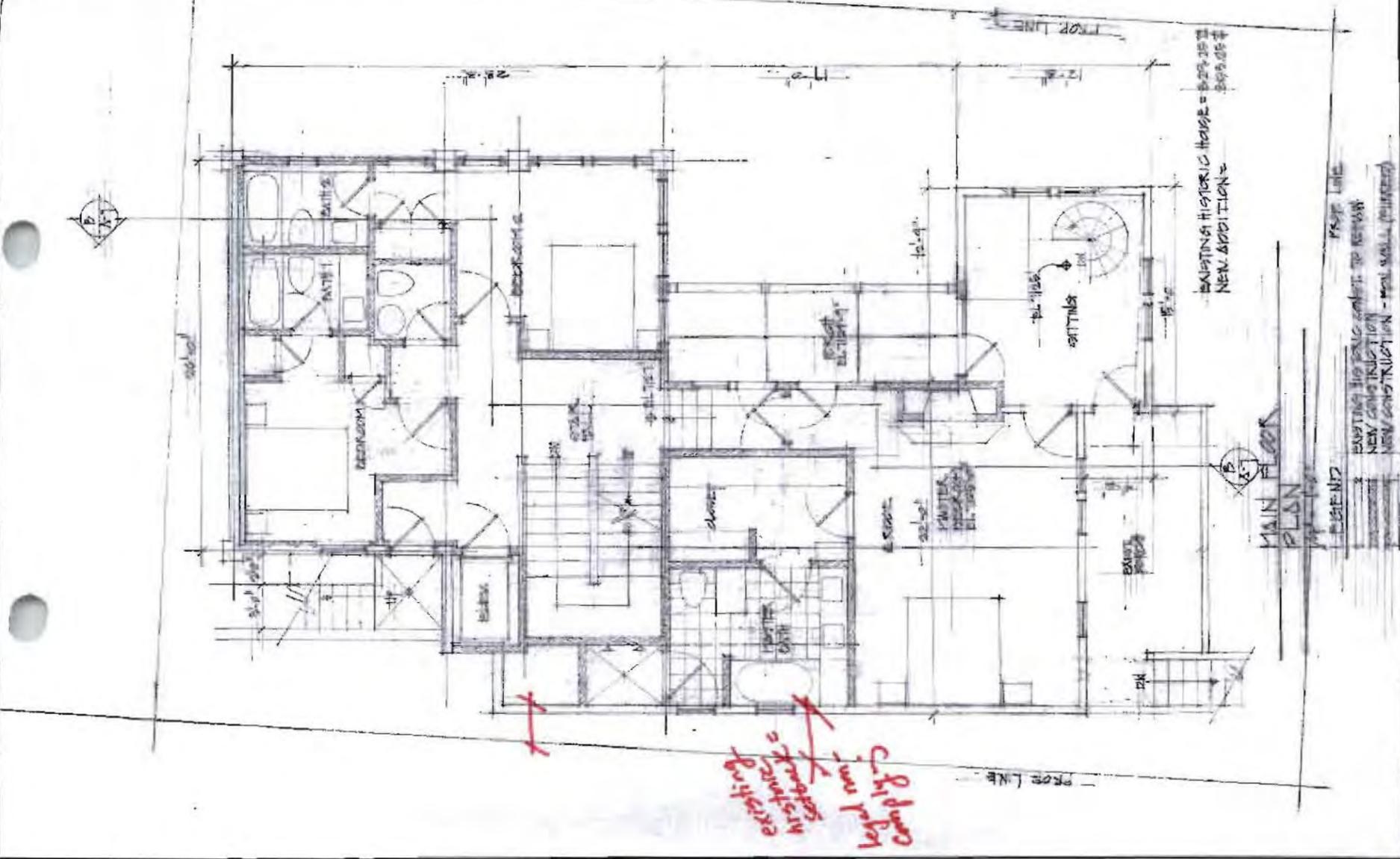
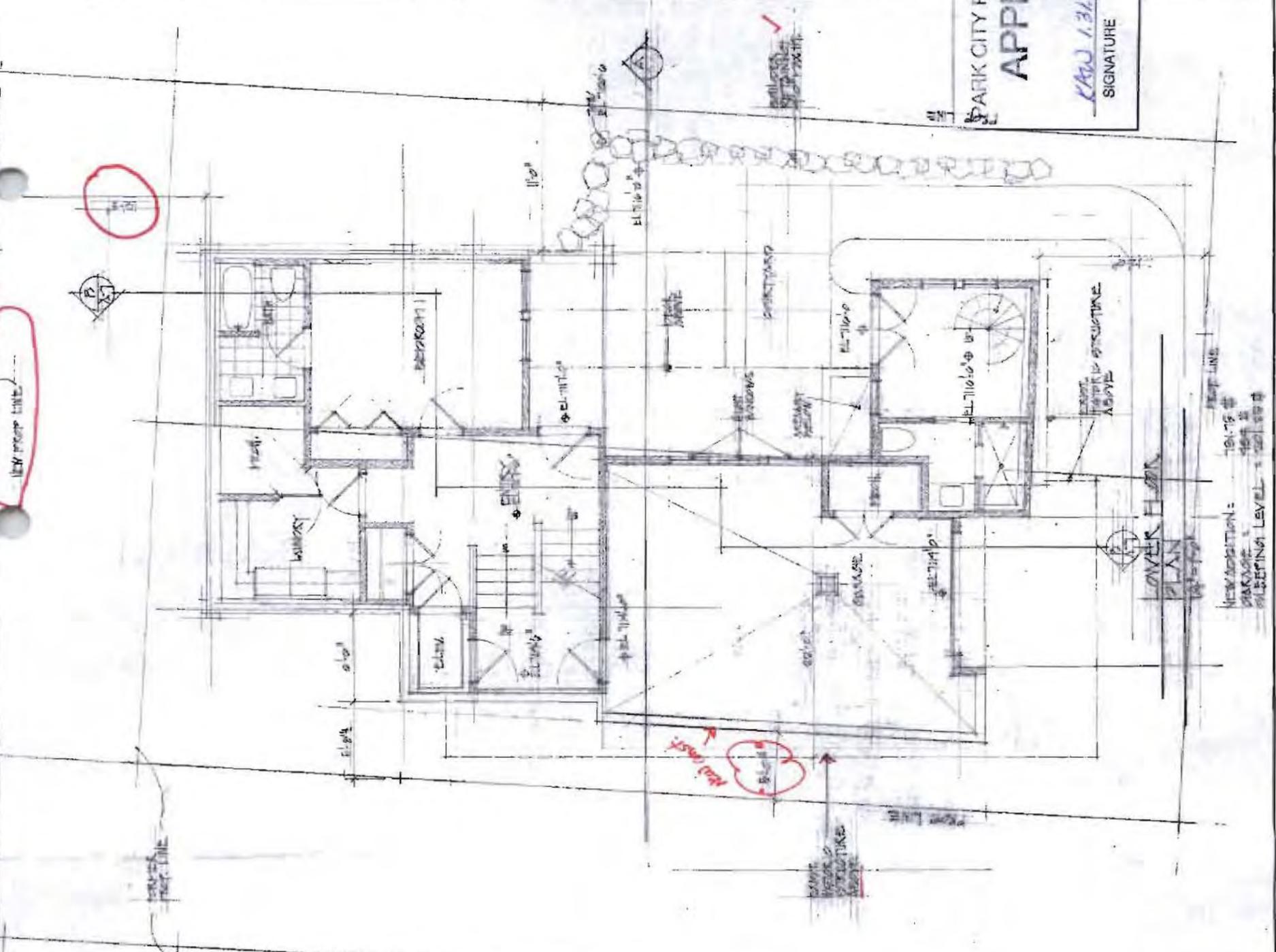
NO.	REVISIONS	BY

DAVID G. WHITE, ARCHITECT  
 P.O. BOX 112 • 2102 EAST 1000 S  
 PARK DEVELOPMENT GROUP  
 1121 8th Street  
 Salt Lake City, UT 84143  
 TEL: 333-8337  
 FAX: 333-8337  
 Email: dwhite@dwgwhite.com

PARK CITY PLANNING DEPT.  
**APPROVED**

DATE: 1.31.13  
 SIGNATURE: KAW

Scale	1/8" = 1'-0"
Drawn	Jan 2013
Sheet	A-2
Of	2



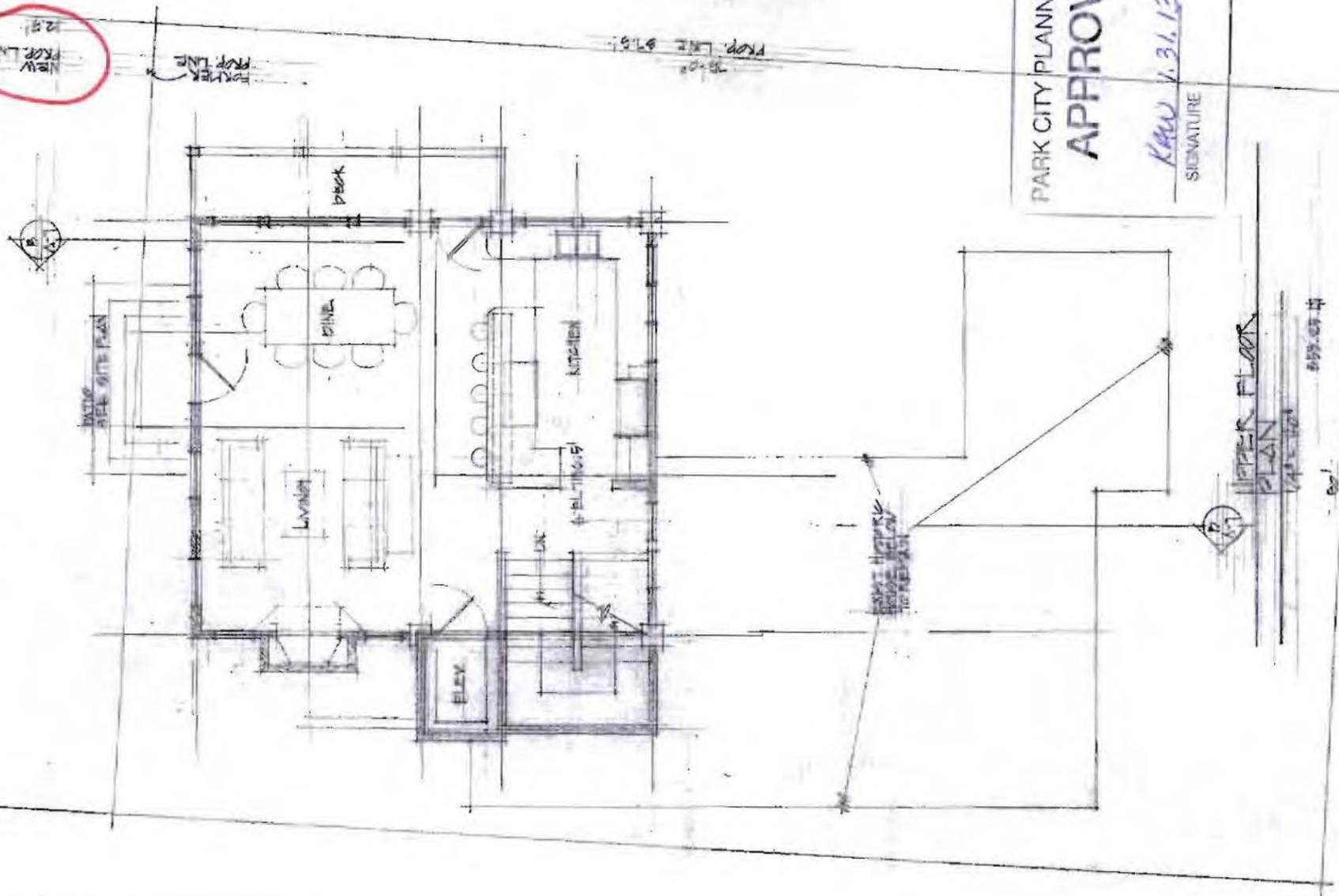
BY	REVISIONS

DAVID G. WHITE, ARCHITECT  
 P.O. BOX 1113 • 2002 STATE DRIVE  
 PARK CITY, UTAH 84302  
 TEL: 435.226.1113 FAX: 435.226.1114  
 WWW.DGWHITEARCHITECT.COM

DATE: 1.31.13  
 SCALE: 1/8" = 1'-0"  
 DRAWING NO: 1305  
 SHEET: A-3  
 OF: 3

PARK CITY PLANNING DEPT.  
**APPROVED**  
 SIGNATURE: *KAW*  
 DATE: 1.31.13

New Prop Line  
 12.5'

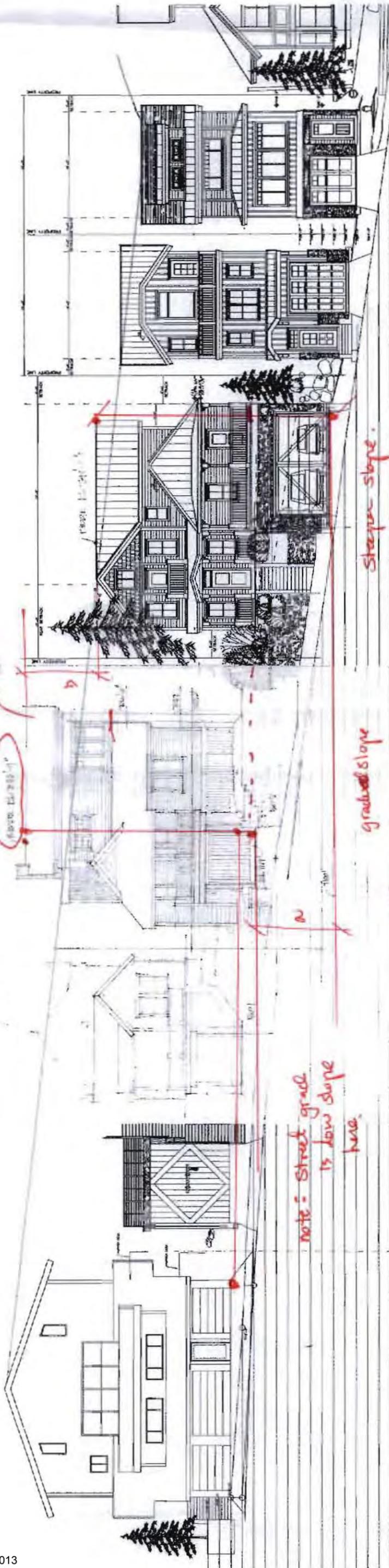


UPPER FLOOR  
 PLAN  
 1/8" = 1'-0"  
 1305-03-11  
 12.5' - PROP LINE





roof ridge is behind ridge  
to left  
note: street grade is low slope here.



A > B  
B < A

WOODSIDE AVENUE STREET ELEVATION

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

PARK CITY PLANNING

APPROVE!

2-24-13

NEW  
2-1-13

RECEIVED  
FEB 01 2013  
PARK CITY PLANNING DEPT.





**Kirsten Whetstone**

---

**From:** Lawrence Meadows <lawrencemeadows@yahoo.com>  
**Sent:** Wednesday, October 24, 2012 1:20 AM  
**To:** Thomas Eddington; PC Planning Dept  
**Subject:** 505WS HDDR Comments/Concerns

Sent via email and hand delivery:

Hello Tom,

As I mentioned to you yesterday, I was not aware of my neighbor's HDDR Application for 505WS, until my employee took this photo four days ago and sent it to me. I wanted to bring this to your attention that public notice sign was not properly displayed in clear view to the public, but instead appears to have been concealed behind the trash cans. This should have been prominently planted in the front yard and clearly visible from the street, so all passersby and other residents could be made aware of the notice, and exercise their right comment on the application.

I did however take the opportunity to review the 505WS plans at the counter yesterday, and was also able to speak with Kirsten about them. She was kind enough to offer to email me a copy of the 505WS HDDR application/plans. Once I receive and review them more fully, I will provide any additional concerns and comments I may have. As you know I am pro-development and welcome an improved structure adjacent to my personal home. However, I want to be sure it is fully reviewed and in compliance with the LMC and Historic District Guidelines, remains harmonious with the existing streetscape and historic context; and most importantly doesn't create any adverse impacts to my property or the neighborhood.

Based on my cursory review of the 505WS plans at the counter, these are my immediate concerns;

1. STEEP SLOPE;

This application involves a structure >1000sf, and the new driveway access thereto and rear addition are over areas that exceed 30% slope based on elevations depicted on applicants submitted site plan, and pre-existing survey data points. Thus, the application should be reviewed under the steep slope criteria as provided in LMC 15-2.2-6.

2. INADEQUATE TOPOGRAPHIC LINES ON CERTIFIED SURVEY;

The submitted certified survey is not for the property as currently platted, and does not depict any heights of the existing retaining walls, nor does it show the location of any significant vegetation. Additionally, the survey topographic lines are incomplete and only show 10ft contours; and also contain inaccurate elevation call outs in the NE corner. Furthermore, the survey fails to identify any elevations in the front yard, and omits the elevations in known areas of steep slope under the proposed driveway access and rear addition. I can say this with certainty based on known data points in my possession from the pre-existing survey performed by Dominion Engineering of the Sweeney MPD, which included boundary and topographic data over Treasure Hill Lots 6 & 7, 505WS, 501WS and 515WS. Oddly, architect David White's hand drawn Site Plan depicts much more extensive and detailed topographic lines than those represented on the applicants submitted certified survey; making it unclear as to where Mr. White actually derived his elevation information from, and also raises the question of its accuracy. That in and of itself presents a serious concern, as it was also Mr. White who had previously submitted documents with material omissions, and misstated historic building dimensions in pursuit of a previous HDDR on this very same property. Those omissions resulted in an incomplete application, that failed vest, was ultimately as

was determined Utah State Ombudsman. Therefore, the verification of the actual site topography of 505WS, and related building/wall elevations is crucial to ensure a full and proper design review can be performed.

### 3. PRESERVATION OF SIGNIFICANT VEGETATION;

LMC 15-2.2-10 requires property owner to protect all "significant vegetation" within 20ft, yet the applicant's plans do not depict the two existing large old growth pine trees which are situated along my southern property boundary of 515WS, which are both deemed to be "significant vegetation".

(1) A 40ft tall, 17" diameter old growth pine tree sits near the front yard NE property corner, which is actually in the city ROW, and an integral part of street scape of Woodside Ave, and also creates a substantial buffer, which softens massing between the structures of 505 and 515WS,.

(2) A 20ft tall, 7" diameter pine tree sits in the NW property corner, immediately adjacent to my southern property boundary, which provides shade and privacy to my rear yard, and is visible from the public hiking ROW.

Removal either of these trees is not required to facilitate construction in the allowed building footprint, but the the destruction of either of them would have a significant adverse impact on the character of the site, and the quality and value of my own property. Furthermore, the HDDG section A.5 state that applicant should maintain any landscape features that contribute to the character of the site, and also that a detailed landscape plan shall be provided.

### 4. RETAINING WALLS;

The project will require several significant retaining wall systems some of which appear to be >4ft, and possibly even >6ft; and therefore would require engineered designs, and either a CUP or City Engineer approval. Moreover applicant does not provide adequate plan details or cross-sections, and height call outs of necessary walls; thereby preventing planning from performing a full and proper review. The following walls will significantly impact the historic context, streetscape, and neighboring properties, and should be addressed in detail; sspecifically but limited to;

(1) walls along the new driveway in front and side yard, (2) street-side retaining wall in front yard, (3) north side yard walls along southern boundary between proposed courtyard and 515WS southern property boundary, (4) north side yard walls for window wells in lower level of new rear addition, and

(5) Plan's show the rear yard grade being raised 4ft above existing, but shows no details for the retaining walls this would necessitate between the southern boundary of 515WS, nor does it address resultant drainage issues created onto 515WS, and other neighboring properties (501WS, THSH-7, THSH-6).

### 5. PROTECTION OF PRE-EXISTING RETAINING and LANDSCAPE FEATURES;

Plans also do not address the potential destruction/disturbance of the pre-existing boulder retaining walls, and RR tie walls and "Mine Shaft" landscape detail situated near the NE property corner, in the city ROW, and between 515WS. Nor do the plans show or address protection of the existing 6ft wooden fence that runs along the property boundary between 505WS and my home at 515WS.

### 6. MASSING;

The horizontal roof ridge over new addition is imposing and overwhelms the historic home, and rises 12.5ft above the highest ridge at 515WS. Further it significantly penetrates a string line across the ridges of existing adjacent structures. The northern end gable of the roof system should be softened by clipping it and finishing as a hip roof; which is the very same solution the planning commission required on the north end ridge gable on my home at 515WS.

### 7. REAR YARD SETBACK VIOLATION;

Rear Yard West Elevation Roof Gable overhangs 4.5ft into the 15ft rear yard setback; which violates the 2ft max allowed by LMC 15-2.2-5 G.(4).

### 8. HISTORIC PRESERVATION;

The existing structure is listed as historically "significant site", but no Historic Preservation plan has been provided, and it's not clear how existing historic structure will be preserved. The submitted panelization plan seems to imply that the entire historic structure is being demolished, with only three exterior walls being panelized. This approach does not preserve the majority of the structure that's clearly depicted in early 1900's tax appraisal photos/floorplans. Moreover, there has been no Determination of Historical Insignificance, nor has a Certificate for Appropriateness of Demolition been applied for or approved, for any of the historic areas the applicant intends to demolish. For example, an existing historic 9'x15' cellar on the west elevation is clearly documented in the 1949 tax appraisal, yet the applicant intends to demolish this part of the structure, and replace with a new addition. On what basis has this portion of the historic structure been deemed insignificant, and why should this applicant be treated any differently than the one who was forced to preserve the historic "chicken coop" behind the "significant site" of 543WS?

After I review the plans more thoroughly I'll provide other comments if needed, but the above issues create the most significant concern for me as an adjacent property owner; and must be addressed and resolved prior to issuance of any approval. If you have any questions or would like to discuss further, feel free to call my cell (516-982-7718), or I'll make myself available at your convenience if you would like to meet on-site.

Thank you,  
Lawrence Meadows

----- Forwarded Message -----

**From:** emilio\_sosa\_ortiz <[emilio\\_sosa\\_ortiz@msn.com](mailto:emilio_sosa_ortiz@msn.com)>

**To:** [lawrencemeadows@yahoo.com](mailto:lawrencemeadows@yahoo.com)

**Sent:** Friday, October 19, 2012 8:33 PM

**Subject:**

T-Mobile. America's First Nationwide 4G Network



**Kirsten Whetstone**

---

**From:** Lawrence Meadows <lawrencemeadows@yahoo.com>  
**Sent:** Thursday, October 25, 2012 11:06 PM  
**To:** Kirsten Whetstone  
**Cc:** Thomas Eddington  
**Subject:** One final comment Re: 505WS HDDR Comments/Concerns

Kirsten,

I wanted to mention one last item before Fridays' deadline:

I feel that planted "green" flat roof is completely unorthodox especially in conjunction with an addition to a "significant" historic structure; whereby it totally dilutes the historic character. Furthermore, I'm not aware of any other home on Woodside or Park Ave that even has one; it just isn't compatible with all the immediately surrounding historic architecture. I'm aware that that LMC 15-2.2-5 (C), allows for less than a 7:12 pitch on a green roof that is not part of the primary roof. However, how is that interpreted, meaning what exactly constitutes the primary roof; in this case the green roof covers the entire width of the upper 1/2 of the 3rd story which would seem to imply that flat roof that is part of the primary roof; and there fore must be > 17:12 While the "green" flat roof is a novel concept, it seems more suited for an urban setting, and perhaps in a commercial application on Main Street; but it is not something I would like to see in my neighborhood, and especially not immediately adjacent to my home with it's historicly 9:12 pitched roofs.

Thank you,  
 Larry

**From:** Kirsten Whetstone <kirsten@parkcity.org>  
**To:** 'Lawrence Meadows' <lawrencemeadows@yahoo.com>  
**Cc:** Thomas Eddington <thomas.eddington@parkcity.org>  
**Sent:** Thursday, October 25, 2012 1:51 PM  
**Subject:** RE: 505WS HDDR Comments/Concerns

Thanks Larry,

I understand your concerns.

I won't have a chance to look at this project until next week.

As soon as I do, I will meet with David White.

Then I will get in touch with you so you and I can go over any revisions, clarifications, additional concerns.

Sincerely,

Kirsten

---

**From:** Lawrence Meadows [mailto:lawrencemeadows@yahoo.com]  
**Sent:** Wednesday, October 24, 2012 1:20 PM  
**To:** Kirsten Whetstone  
**Cc:** Thomas Eddington  
**Subject:** Re: 505WS HDDR Comments/Concerns

Hi Kirsten,

To be clear yes I did in fact receive the notice letter, but was out of town last week; and was told about the sign before I had actually had a chance to open the letter. Anyway fortunately, I found out timely. My email comments address my primary concerns, please consider that my formal submission, and I will supplement by Friday if there is anything else. I don't want to make your job any more difficult than it is, but just want to be certain that all the LMC, and Historic guidelines are complied with, and want to prevent anything that would adversely affect the streetscape, or my property value at 515WS. As I mentioned yesterday, I'm happy to talk over the phone or in person if you have any questions for me.

Thanks Again,  
Larry

**From:** Kirsten Whetstone <[kirsten@parkcity.org](mailto:kirsten@parkcity.org)>  
**To:** 'Lawrence Meadows' <[lawrencemeadows@yahoo.com](mailto:lawrencemeadows@yahoo.com)>; Thomas Eddington <[thomas.eddington@parkcity.org](mailto:thomas.eddington@parkcity.org)>  
**Cc:** "[dgwarch@xmission.com](mailto:dgwarch@xmission.com)" <[dgwarch@xmission.com](mailto:dgwarch@xmission.com)>  
**Sent:** Wednesday, October 24, 2012 12:01 PM  
**Subject:** RE: 505WS HDDR Comments/Concerns

Larry,

Thank you for providing comments on the 505 Woodside HDDR application.

As I mentioned yesterday when you were in, I did post the sign in a prominent place right in front of the property.

The applicant is not the one who posts, however the applicant/owner may have moved the sign.

Also, I noticed that you did receive the notice letter- you had it with you when you came in to look at the plans.

The letters were in the mail on October 11<sup>th</sup>, and I am glad you received yours and were aware of the application so you could provide input.

I sent the plans to you yesterday by email.

Thank you for taking the time to come in to review the plans.

I appreciate your comments and will go over them with the applicant.

Sincerely,

Kirsten

**Kirsten A Whetstone, MS, AICP**  
**Senior Planner**

**Park City Planning Department**  
**PO Box 1480**  
**Park City, UT 84060**  
**435-615-5066**





PCMC Planning Department, PO Box 1480, Park City, UT 84060

February 5, 2013

Woodside Avenue Development LLC  
C/o Jerry Fiat  
PO Box 4581  
Park City, UT 84060

David White, Architect  
PO Box 1313  
Park City, UT 84060

**NOTICE OF PLANNING STAFF ADMINISTRATIVE ACTION**

**Project Address:** 505 Woodside Avenue  
**Project Description:** This is a request for a Design Review for a rear addition, garage, and remodel of existing historic structure located at 505 Woodside Avenue.  
**Date of Action:** February 4, 2013  
**Project Number:** PL-11-01409  
**Project Planner:** Kirsten A Whetstone, MS, AICP, Senior Planner

**Summary of Staff Action**

Staff reviewed this project for compliance with the Historic District Design Guidelines; specifically with 1) Universal Guidelines for Historic Sites and 2) Specific Guidelines for Historic Sites as follows:

**A. Site Design-** including maintaining setbacks, retaining walls, fences and handrails and landscape features and providing final grading to manage storm drainage on subject lot. Final Site Plan, including Landscape Plan, Grading Plan and Drainage plan to be submitted with Building Permit application.

**B. Primary Structures-** including maintaining the original roof form and primary historic façade, avoiding the removal and obscuring of significant historic elements, maintaining new foundation within 2' of historic location, maintain historic window and door openings, and using paints that are opaque rather than transparent;

**C. Parking Areas-** regarding new garages including providing elements to reduce the visual impact of garages and new driveways to not exceed 12' in width;

**D. Additions to Historic Structures-** including not obscuring or causing a loss of significant historic elements or materials, complementing the visual and physical qualities of the historic house, using components that are in scale with historic, using clear transitional elements between old and new, minimize the vertical wall area of basement addition that is visible from the primarily public ROW, locate window wells so they are not visible from the public ROW, re-grade site to be approximately as it was prior to construction, and use garage doors that don't exceed 9' wide by 9' in height;

**F. Disassembly/Reassembly**- a panelization of part of the Historic Structure is proposed. This method of preservation is not a common practice. This design review approval does not include approval of a Disassembly/Reassembly. Staff shall review the panelization proposal at the time of review of the final building plans and upon review of the photographic survey and results of an exploratory demolition permit and report. The Planning Director and Chief Building Official shall determine that unique conditions and overall quality of the historic preservation effort warrant the disassembly/reassembly of the historic structure per Chapter 9 of the LMC;

**J. Exterior lighting**- to be provided with the building plan set and shall comply with the City's lighting ordinances and policies; and

**L. Sustainability**- including conditions to recycle removed materials and if solar panels are proposed they will be located on the roof towards the rear of the house.

Staff finds that as conditioned the proposed design complies with all applicable Guidelines for construction on a Historic Site. This letter serves as the final action letter and approval for the Historic District Design Review for the addition and remodel of an historic structure located at 505 Woodside Avenue, per the HDDR plans redlined and dated January 17, 2013 and approved on January 30, 2013, and subject to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

#### **Findings of Fact**

1. The property is located at 505 Woodside Avenue.
2. The property is located in the Historic Residential (HR-1 District).
3. There is an historic house located at 505 Woodside that is listed as a "Significant" site on the Park City Historic Sites Inventory. The site is not listed as a "Landmark" site. The house was constructed in 1904 and because of major non-historically significant and non-historically sensitive additions; the house is currently not eligible for listing on the National Register of Historic Places. The 1968 additions were determined during the Sites Inventory to be out of period and they diminish the buildings association with the past. The 1930's addition at the northeast side of the house will remain, however the front porch that was modified over time will be reconstructed to be consistent with typical front porches from the historic era for this type of house.
4. The property consists of Lot 1 of the 505 Woodside Avenue Subdivision, being a combination of Lots 2, 3, and a portion of Lots 30 and 31, Block 28 of the Park City Survey, recorded September 4<sup>th</sup>, 2009.
5. The lot contains 4,375 square feet (sf). The minimum lot size in the HR-1 District is 1,875 sf.
6. The existing lot is 50' in width and 87.5' in depth. The minimum lot width is 25' in the HR-1 District.
7. Minimum front setback for a lot of this depth is twelve (12') feet with a combination of front and rear setbacks equal to a minimum of twenty-five (25') feet. Minimum side yard setbacks for a lot of this width are five (5') feet.
8. The proposed building footprint is 1,707.5 square feet, and includes removal of non-significant additions and construction of a new rear addition. The LMC allows a building footprint of 1,710 square feet for a lot of this size.
9. The existing house does not encroach across the side or rear property lines. The front stairs to the front porch and the front retaining wall encroach onto the Woodside Avenue public right-of-way (ROW). An existing low railroad tie

landscaping wall encroaches onto the adjacent lot to the south and onto the property to the rear. An encroachment agreement with the city is required prior to commencing any work in the public ROW, including for any work on the existing retaining wall or driveway.

10. The existing house has a non-conforming front setback of 10.5' for the house that will remain. The front porch has an existing minimum setback of seven (7') feet that will remain. The house also has a non-conforming south side setback of 1.5' that will remain. All new construction will meet current LMC required setbacks and no new non-complying setbacks will result from the new addition.
11. The proposed plans indicate a building height of 27' or less from existing grade for all roof ridges and the flat roof connector element. The plans indicate no change in final grade around the perimeter of the house exceeds four (4') feet. The third story steps more than 10' back from the front façade. All final heights will be verified at the time of the Building Permit application.
12. There is a significant historic house adjacent to the south at 501 Woodside Avenue. The three houses to the north are non-historic houses, including the large contemporary house adjacent at 507 Woodside. There are two large non-historic houses to the rear (west) that are part of the Sweeney Master Planned Development, and the house to the south of 501 Woodside is also a large contemporary structure.
13. For construction and maintenance purposes, access and construction easements should be acquired from the adjacent property owners or construction shall occur completely on the subject property.
14. Historic door and window openings will be maintained, and/or taken back to the historic openings/locations, with the exception of the addition of a garage door on the primary façade. The proposed garage door does not exceed 9' wide by 9' in height. The proposed driveway does not exceed 12' in width.
15. The historic front porch does not exist and the plans include a proposal to bring the porch back to the historic dimensions consistent with this historic style of house.
16. No portion of the lot where construction is proposed exceeds 30% slope for the required 15' of distance. Therefore no Steep Slope CUP is required prior to issuance of a building permit.
17. Changes to the existing grading and landscaping are documented on the preliminary landscape plan. A final grading and landscape plan, consistent with the preliminary plat, will be submitted with the building permit application.
18. The landscape plan indicates all large trees on the adjacent property will remain as will the old mine ore cart.
19. The front retaining wall will be reconstructed with the flagstone veneer removed. The retaining wall will be replaced with a stacked rock wall typical of historic walls in the neighborhood.
20. Panelization of the Historic Structure is proposed. This method of preservation is not a common practice. This design review approval does not include approval of a Disassembly/Reassembly and review of the panelization proposal is conducted at the time of review of the final building plans and upon review of the photographic survey and results of an exploratory demolition permit and report. Before disassembly and reassembly may occur, the Planning Director and Chief Building Official have to make a determination that unique conditions and the overall quality of the historic preservation effort warrant the disassembly and reassembly of the historic structure per Chapter 9 of the LMC.

21. The proposed design complies with the Universal Guidelines for Construction on Historic Sites.
22. The proposed design complies with the Specific Guidelines for Construction on Historic Sites.
23. On November 30, 2011, a pre-HDDR application meeting with the Design Review Team was held and the applicant was provided with information regarding applicable guidelines and LMC requirements to take into consideration when preparing the Historic Design Review application.
24. On September 24, 2012, a complete HDDR application was submitted to the Planning Department.
25. On October 11, 2012, the Planning Staff posted the property and sent out notice letters to affected property owners, per the requirements of the LMC.
26. On October 24, 2012, the Planning Staff received comments from adjacent property owners regarding the proposed design.
27. Staff reviewed the comments and met with the applicant to review the plans and consider revisions.
28. On November 8, 2012, the applicant submitted revised plans and additional information that was reviewed by Staff.
29. On January 17, 2013 the applicant submitted additional revised plans to address additional comments by the Staff.

#### **Conclusions 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 HR-1 District.
3. The proposal complies with the Non-complying Structure standards listed in Section 15-9-6(A), in that the existing structure is historic and extends into the south side and front yard setbacks. The proposed construction will not create any new non-compliance with the HR-1 requirements.

#### **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 permits for this property. The CMP shall consider and mitigate impacts to the existing historic home, adjacent structures, and existing infrastructure/streets from the construction. All anticipated road closures shall be described and permitted in advance by the Building Department. The CMP shall explain how construction along the south property line will be completed if no construction and maintenance easement is obtained from the adjacent property owner at 501 Woodside Avenue.
2. Final building plans and construction details shall reflect substantial compliance with the drawings stamped in on January 17, 2013, redlined and approved by the Planning Department on January 30, 2013. 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 design 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 appearance to the approved architectural drawings/documents shall be reviewed and approved prior to construction. Any changes, modifications, or deviations from the approved design that have not been approved by the Planning and Building Departments may result in a stop work order.

4. All standard conditions of approval shall apply (see attached).
5. If a building permit has not been obtained by February 4, 2014, then this HDDR approval will expire, unless an extension is requested in writing prior to the expiration date and an extension is granted by the Planning Department, with notice given according to the Land Management Code.
6. Any area disturbed during construction shall be brought back to its original state or landscaped according to an approved Landscape Plan, prior to issuance of a Certificate of Occupancy.
7. A final Landscape Plan shall be submitted with the building permit submittal and shall be reviewed in conjunction with the building permit, and shall include irrigation details for the new landscape area, plantings and mulch materials, and materials and locations of all hard surfaced areas and retaining walls.
8. Construction waste should be diverted from the landfill and recycled when possible. Any proposed roof mounted solar panels shall be shown on the plans submitted for building permit review and shall be located towards the rear of the house.
9. Lighting fixture details have not been submitted, included or reviewed as part of this application. All exterior lighting cut sheets and locations shall be submitted to the Planning Department for review and approval prior to installation. All exterior lighting shall meet Park City's lighting ordinance and be downward directed and shielded.
10. City Engineer review and approval of all grading, utility installation, public improvements, drainage plans, and flood plain issues, for compliance with City and Federal standards, is a condition precedent to building permit issuance.
11. All electrical service equipment and sub-panels and all mechanical equipment, except those owned and maintained by public utility companies and solar panels, shall be painted to match the surrounding wall color or painted and screened to blend with the surrounding natural terrain. Roof mounted equipment and vents shall be painted to match the roof and/or adjacent wall color and shall be screened or integrated into the design of the structure.
12. As noted on the plans, exterior wood surfaces shall be solid-stained and must have an opaque rather than transparent finish. Provide a weather protective finish to wood surfaces that were not historically painted. Low VOC paints and paints are recommended to be used.
13. The proposed porch posts and railing details, including dimensions, shall be shown on the final building plans, consistent with the HDDR plans.
14. All exterior materials shall be identified on the final building plan set, consistent with the January 17, 2013 HDDR plans. The heavy timber elements, both the horizontal and vertical members, shown for the addition, around the flat roof portion, shall be reduced in dimension in order to comply with the Guidelines. The 12" dimension is not in scale with the historic scale of trim and detail elements. Final details of the scaled down elements, as redlined on the plans, shall be submitted with the Building permit application plans.
15. Approval of this HDDR was noticed on February 4, 2013 and is subject to a 10 day appeal period.

16. A preservation guarantee shall be calculated by the Chief Building Official and all paper work and documentation regarding the preservation guarantee shall be executed and recorded at Summit County recorder's office prior to issuance of any building permits for construction on this property.
17. The Staff shall review the panelization proposal at the time of review of the final building permit application. Upon review of the photographic survey and results of an exploratory demolition permit and report the Planning Director and Chief Building Official shall determine whether unique conditions and overall quality of the historic preservation effort warrant the disassembly/reassembly of the historic structure per Chapter 9 of the LMC.
18. If you have any questions about this approval, please do not hesitate to contact me. I can be reached at (435) 615-5066, or via e-mail at [Kirsten@parkcity.org](mailto:Kirsten@parkcity.org)

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.

April 2007

EXHIBIT E

Lawrence Meadows  
Po Box 4344  
Park City, UT 84060  
516-982-7718  
lawrencemeadows@yahoo.com

February 13, 2013

Park City Planning Department  
Po Box 1480  
Park City, UT 84060

RE: Appeal of 505 Woodside HDDR Approval - Application # PL-11-01409  
Appellant: Casa di Lorenzo, LLC/Lawrence Meadows owner of 515 Woodside Ave.

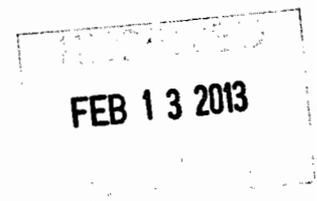
**Sent via email and hand delivery:**

The appellant has standing, and in accordance with LMC 15-11-12 submits this letter as a formal petition to appeal the above referenced HDDR approval. This application involves a structure >1000sf, and the new driveway access thereto and rear addition are over areas that exceed 30% slope based on elevations as depicted on applicants submitted site plan, and pre-existing survey data points. Thus, the application was required be reviewed under the steep slope criteria as provided in LMC 15-2.2-6. Appellant reserves the right to supplement or amend this appeal.

Sincerely,



Casa Di Lorenzo, LLC  
BY: Lawrence Meadows  
ITS: manager



**505 Woodside Ave**  
**Historic District Design Review**  
**APPEAL**  
**Supplemental Brief**

**Filed By:**  
**LAWRENCE M. MEADOWS**  
**Appellant**  
**Adjacent Property Owner 515 Woodside Ave**

**February 28, 2013**

**FEB 28 2013**

**TABLE OF CONTENTS**

**PREAMBLE**..... 2

**INTRODUCTION**..... 3

**STATEMENT OF FACTS** ..... 5

**ARGUMENT**..... 7

**1. HDDR Application was Incomplete**  
*Site plan contains inadequate topographic contours, and misstated spot elevations*

**2. Steep Slope CUP Planning Commission Review was not performed**  
*Portions of Lot under areas of construction and access thereto exceed 30% slope  
Driveway is also exceeds maximum allowed slope*

**2. Engineered Retaining Walls > 6ft are required in Front Yard**  
*Requires City Engineer, Planning Director Approval and Administrative CUP*

**3. Significant Vegetation Must be shown on plan and Preserved**  
*Trees require a health evaluation by a certified arborist and Loss Mitigation*

**4. Historically Significant Site/Building - Requires Historic Preservation Plan**  
*A viable plan that meets common practice was not submitted or approved*

**5. Approval allows for Illegal Demolition of Entire Structure except for 3 Walls**  
*A CAD permit has neither been applied for nor approved*

**6. Historic Building Structure and Roof forms not being Preserved or Retained**  
*Numerous HDDG are either disregarded or outright violated*

**CONCLUSION**..... 12

**EXHIBITS:** ..... 13

## PREAMBLE

Applicants Property, 505 Woodside is meets the criteria in LMC designated as historically "Significant Site", and should be preserved as such.

The appellant is the owner of 515 Woodside which is adjacent to abuts the subject property to the north.

Appellant is an experienced Old Town developer, who has built four homes on the 500-600 Block of Woodside Ave. Three of these homes directly abut 505 Woodside, all of them were subject to full Steep Slope CUP Planning Commission view.

This appeal is filed in response to the improper approval of the 505 Woodside Historic District Design Review, which contains numerous violations of both the LMC and the HDDG.

This appeal is timely pursuant to code **15-11-11 (E)** and **15-2.2-8.(E)** ARCHITECTURAL REVIEW of the Park City Code, and was filed on February 14, 2013 and appellant reserved the right to supplement or amend his petition to appeal (Exhibit 1).

Staff advised appellant to submit any supplemental appeal information by February 28th, and the appellant hereby timely submitted this amended appeal supplement herewith.

This appeal is authorized pursuant to Land Management Code, sections **15-11-11 (E) 1,2** REVIEW BY THE HISTORIC PRESERVATION BOARD, **15-12-15.(8)** REVIEW BY PLANNING COMMISSION, **15-1 -18(A)** APPEALS AND RECONSIDERATION PROCESS and **15-12-15.** REVIEW BY PLANNING COMMISSION (For Steep Slope CUP).

The authority of the City and its employees is circumscribed by **1- 1-12. APPLICATION OF CODE BY CITY OFFICERS OR EMPLOYEES**, which limits the power of the agent in pertinent part:

*Whenever in this Code or in any code adopted herein it is provided that anything must be done to the approval or permission of or subject to the direction of any administrative officer or employee of the City, **this shall be construed to give such officer or employee only the discretion of determining whether the rules and standards established by this Code or by any code adopted herein have been complied with;** and no such provision shall be construed as giving any administrative officer or employee discretionary powers as to what such regulations or standards shall be, or power to require conditions not prescribed by this Code or by any code adopted herein, or to enforce the provisions therein in an arbitrary or discriminatory manner. **Code sections must be interpreted according to the plain meaning of the words as enacted** not only to give notice that the average citizen can understand by the content of the regulations and conform thereto, but also so that **the code will be evenly and fairly applied consistently from case to case to avoid discrimination for or against citizens contrary to the plain meaning and to preclude violations of equal protection** and application of the code by engrafting standards into the regulatory language that are not expressed in the code section.*

## INTRODUCTION

Whenever Staff implements either the Land Management Code (LMC) or the Historic District Design Guidelines (HDDG), the CODE is the CODE period, and it should always be applied fairly and evenly to all applications. It should be construed literally by the plain meaning of the words, and not be distorted by subjective or selective individual interpretation of Staff. Further, no applicant should be scrutinized any more or less than another, and all applicants should be held to the same standard of review. Unfortunately, the standard of review appears to be a sliding scale approach depending on who the applicant is.

In this case, the 505 Woodside HDDR application only received a Planning Staff desktop review, and was not properly subjected to the more stringent Steep Slope CUP Planning Commission review, even though many portions of the lot and the access thereto are clearly in excess of 30% slope. The current approval's Findings of Fact # 16 that states that no portion of this lot exceeds 30% slope is flatly wrong, and easily determined by the existing topography. Furthermore, a cursory site inspection would make it intuitively obvious to the most casual observer that this lot is STEEP. It simply belies logic that 505 Woodside is somehow only property in a stretch of contiguous properties situated along the uphill side of Woodside Avenue that is not considered to be a steep slope, despite the fact that its underlying topography is very similar to the adjacent properties. When queried about the lack of steep slope review, staff asserted that, *"Staff had earlier made a determination based on information from Alliance Engineering...that was made by the Planning Director several years ago and as the ground has not changed since that earlier determination was made...it seems reasonable that the determination from several years ago was valid."* (Exhibit 2). Yet there is no information from Alliance Engineering, or Planning Directors previous determination in the file or the current application. To the extent the Staff relied on that is improper, and doesn't excuse them from having to perform full investigation and review based on what was submitted in the instant application.

The failure to properly conduct a Steep Slope review is just one multiple violations of both the LMC and the HDDG in this approval. Even though the appellant had submitted extensively detailed public comment during the notice period, the Planning staff never contacted the appellant to follow up or address his legitimate concerns on issues that would adversely impact his property value. Sometime thereafter the appellant received notice that the 505 Woodside HDDR was in fact approved, and realized that many of his concerns were either not adequately addressed, or simply ignored. Most significantly, the property is in fact steep, the proposed driveway exceeds the maximum slope allowed in the code, it requires over height retaining walls (>6ft) in the front yard, which in turn will require a Administrative CUP and engineering approvals, the existing significant historic structure is being illegally demolished without a viable preservation plan or Certificate for Appropriateness of Demolition (CAD), and there is not adequate protection or loss mitigation of significant vegetation including a magnificent 40' tall old growth pine tree in the city ROW.

Meanwhile applicants at other uphill Woodside projects such as 335 and 543 Woodside are not treated nearly so favorably, quite the opposite; unfortunately they are subject to an oppressive application code; resulting in expensive and time consuming delays and pro-longed denials of their applications and permits. The appellant has become increasingly concerned that once again this applicant has received

the benefit of an improper HDDR approval, based on his submission of an incomplete application with material omissions and misstatements of fact. Not coincidentally, this isn't the first time this has happened, and in 2010 the Utah State Ombudsman had already issued an Opinion that this very same applicant's previously submitted application for this very same property was incomplete; which also contained photo-shopped historic photos, and misstated dimensions submitted in an effort to improperly obtain an approval to illegally destroy a historical significant structure. Furthermore, the appellant found it extremely offensive when Staff recently emailed the suggestion, "*that if you decide to withdraw the appeal, you can be refunded the appeal fee, provided that the request to withdraw is submitted prior to February 28th (5pm).*" (Exhibit 3) It is entirely inappropriate for any city employee to encourage a citizen forgo their due process rights, and forfeit their ability to assert any rights to protect their property. The appellant should not ever be asked to withdraw in hopes of not uncovering an incomplete application or improper approval thereof. If anything, it may have been appropriate to ask the applicant, professionally licensed architect David White to withdraw this application as he was compelled to do on his previously flawed approval/submissions on this very same property; and then properly resubmit it, in an effort to prevent this needless waste of the appellant's and city's resources on a matter that has not been properly submitted or approved; and thus, not truly ripe for appeal. Moreover the appellant finds it extremely disconcerting that Mr. White, would even stand behind this application given his position on the Historic Preservation Board and licensure as a professional architect, much less be offered so much deference by the Planning Department. The perception of conflicted interests alone, much less the existence of an actual conflict cannot be ignored.

Therefore, the appellant believes this entire matter smacks of favorable bias towards the applicant and owner of 505 Woodside, to the severe detriment of appellant as the owner of the adjacent adversely impacted property, as well as all other neighboring properties. In this case, the Code has simply not been fairly and evenly applied by the Planning Department, which is outright discriminatory and also a violation of equal protection rights. The citizens of Park City deserve more even-handed treatment by our tax funded city employees.

## **STATEMENTS OF FACT (Summary of Code Violations)**

1. LMC 15-11-12(B) Violated; The applicants application is not complete as submitted and approved.
2. The submitted survey and site plan contain inadequate, and incomplete topographic contours. Further is contains misstated spot elevations, and understated existing retaining wall heights.
3. Per Staffs own admissions, Staff has detrimentally relied on alleged previous determinations from several years ago, regarding the slope of the property that are not in the file or current application as submitted; and further were not provided to the appellant.
4. There has been inadequate slope analysis, and a failure to determine that many portions of the lot, and access thereto are in excess of 30% slope, and therefore subject to Steep Slope CUP Planning Commission Review.
5. LMC 15-2.2-6(B) Violated; Staff has not properly requested the required Steep Slope CUP Planning Commission review.
6. LMC 15-2.2-10 Violated; Development plans do not show all "Significant Vegetation" within 20ft, and specifically exclude a 20' tall/7" diameter old growth Pine located in the NW corner of the lot, which is protected by the recorded view shed easement for the benefits of 515 Woodside.
7. The property owner has not demonstrated the health and viability of 5 large growth pines ranging from 20' - 45' tall, by a certified arborist.
8. A 40' tall/17" diameter old growth pine tree that resides in the city ROW, this tree is an integral part of the Woodside Ave streetscape, contributes to the historic fabric, of the neighborhood. There is no detailed plan on to stabilize, protect, and preserve it during the course of construction. However, it will require 6ft high engineered retaining walls to properly stabilize and protect it.
9. LMC 15-2.2-10 Ignored; The Planning Director has not determined Limits of Disturbance, nor required mitigation for loss of significant vegetation consistent with landscape criteria in LMC 15-3-3, and title 14.
10. LMC 15-3-3 Violated; The driveway exceeds the maximum allowed slope of 14%.
11. LMC 15-4-2 Violated; Property will require retaining walls >6ft in height located in the front yard, and therefore require Engineer and Planning Director Approval of an Administrative CUP. However such Administrative CUP requires 10 days notice, which was not ever provided..
12. LMC 15-11-9(A) Violated; Applicant has not submitted a viable historic preservation plan, nor has the Staff made a final determination of one. Approval of an HDDR application is contingent on an approved
13. LMC 15-11-10; This site meets the criteria for a historically "Significant" Site, and has been designated as such in the Park City Historic Sites Inventory.
14. LMC 15-11-17 Violated; No application for Certificate of Appropriateness of Demolition(CAD) has been submitted or approved, yet Staff has approved the wholesale destruction a "Significant" Historic Structure, as depicted on the 1949 Tax Appraisal Footprint Card.

15. HDDG Appendix A; 505 Woodside site meets the criteria for a historically "Significant" Site, and has been designated as such in the Park City Historic Sites Inventory.
16. HDDG pg 14 Violated; A Flat Green Roof has been approved, which not one of the historic roof forms depicted in the HDDG. Although a "green" roof is allowed under LMC 15-2.2-5(C), the more restricted code shall apply. However, the LMC does not allow a flat green roof to be part of the primary roof structure, which is the case here.
17. HDDG Universal Guideline1,2; The historic exterior features of the building, including but not limited to the historic roof forms, and root cellar not being retained or preserved.
18. HDDG A.5 Violated; Original site grading is not being maintained, and the rear yard grade is being raised 4 ft.
19. HDDG B.1 Violated; The original "T" roof form and rear shed roof are not being maintained.
20. HDDG D.1.2 Violated; New rear addition is not visually subordinate to and actually obliterates the historic structure, and engulfs the historic front faced that is proposed to be reconstructed.
21. HDDG D.1.3 Violated; New rear addition contributes significantly to the loss of historic materials, and literally obliterates the existing historic structure.
22. HDDG D.1.5 Violated; Additions to the original structure such as the 1930's north side addition, and root cellar are significant in their own right, but are not being retained
23. HDDG D.2.1 Violated, additions do not complement visual and physical qualities of the historic building, in particular the flat "green" roof, and 12" timber trim.
24. HDDG F.1.1,2 Violated; Applicant and Staff's approval propose the disassembly and reassembly of part of the historic structure which is not common practice in the field of Historic Preservation.
25. HDDG F Sidebar Violated; A licensed structural engineer has not certified that the building cannot reasonably be moved intact.
26. HDDG G.1 Violated; Reconstruction is not allowed. The Chief Building Official has not determined the historic building it to be a hazardous or dangerous building. To the contrary the current historic structure is newly renovated, in sound habitable condition.
27. The new rear addition obliterates the underlying existing historic structure.

**ARGUMENT**

- 1. HDDR Application was Incomplete.....**  
*Site plan contains inadequate topographic contours, and misstated spot elevations*
  
- 2. Steep Slope CUP Planning Commission Review was not performed**  
*Portions of Lot under areas of construction and access thereto exceed 30% slope  
Driveway is also exceeds maximum allowed slope*
  
- 2. Engineered Retaining Walls > 6ft are required in Front Yard.....**  
*Requires City Engineer, Planning Director Approval and Administrative CUP*
  
- 3. Significant Vegetation Must be shown on plan and Preserved.....**  
*Trees require a health evaluation by a certified arborist and Loss Mitigation*
  
- 4. Historically Significant Site/Building - Requires Historic Preservation Plan.....**  
*A viable plan that meets common practice was not submitted or approved*
  
- 5. Approval allows for Illegal Demolition of Entire Structure except for 3 Walls.....**  
*A CAD permit has neither been applied for nor approved*
  
- 6. Historic Building Structure and Roof forms not being Preserved or Retained.....**  
*Numerous HDDG are either disregarded or outright violated*

## ARGUMENT

### 1. HDDR Application was Incomplete.

The applicants 505 Woodside HDDR application is incomplete as submitted. More specifically the submitted survey lacks adequate topographic contour lines at 2' intervals, and also lacks spot elevations on key points of existing historic structure, and existing retaining walls (Exhibit 4). The survey also inaccurately depicts some contour lines, which are known to be different than those on previous overlapping survey's performed by the appellant on 515 Woodside which abuts to the north, and 503 Woodside which abuts to the west; and also by the Sweeney Land Company's Master survey of the 5th Street Lots of the Sweeney Master Plan.

Meanwhile, the applicants Site Plan doesn't coincide with the submitted survey, has hand drawn contour lines that are not based on the submitted survey, does not depict all significant vegetation; worse of all the Site plan misstates the height of the existing retaining and has added a spot elevation TOW 7114', doesn't exist on the submitted survey (Exhibit 5). Additionally the submitted survey shows the base of the wall in that location as 7110", so the applicant seems to want to mislead staff that this is existing and required new Front Yard walls are only a 4ft tall, and therefore would avoid additional scrutiny of being subject to Administrative CUP, and Planning Director, and Engineering. However appellant has field measured that wall and it has an average height of 5'-9" approvals, which would make the actual height of the wall 7115.75', or 1.75' higher than the applicant represents. Furthermore, that applicant does not depict or disclose the need for 6ft - 8ft retaining walls necessary to retain the earth along the sides of the driveway, nor is then any cross-sections or engineering details on how said walls will actually be constructed. This raises particular concern with respect to the fact that approval states the existing structural poured concrete wall in the City ROW, will simply be reconstructed with a dry stack stone wall, which would be structurally inadequate to stabilize 40' old growth pine (also in ROW) tree located just 36" behind, and 8" above the existing 5"-9" structural concrete wall.

Finally, the applicant has not put forth a viable historic preservation plan, which is required is a condition precedent of approving any Application for a Building Project that affects a Historic Structure, Site or Object.

### 2. Steep Slope CUP Planning Commission Review was not performed

Staff's approval **Findings of Fact 16.**, that "*No portion of lot under areas of construction where construction is proposed exceeds 30% slope in for the required 15' distance. Therefore no Steep Slope CUP is required prior to issuance of a building permit.*" (Exhibit 6), is flatly untrue, and simply incorrect. The fact is the lot is and in excess of 30% under areas of new construction of the rear addition, and where the new driveway access will be constructed; and therefore IS subject to Steep Slope review. More specifically the slope is 30% under the areas of the new rear new addition and 62.5% under the new driveway access (Exhibit 7), which can be ascertained from the applicants survey, field measure, and analysis of the Sweeney 5th Street Lot Master Plan Survey

(Exhibit 8). Therefore this application DOES require a Steep Slope CUP review in accordance with LMC 15-2.2-6(B) (Exhibit 9).

Moreover, the lot is so steep that the transition from the curb elevation at 7110' to the new garage threshold at 7114' results in 4ft of rise over 24 ft, which equals 16.67% slope. Which clearly exceeds the maximum allowed driveway slope of 14% as provided in LMC 15-3-3.(A)(4) (Exhibit 10)

## **2. Engineered Retaining Walls > 6ft are required in Front Yard**

The Appellant has field measured that existing poured concrete wall located in the Front Yard/City ROW and it has an average height of 5'-9" approvals, which would make the actual height of the wall 7115.75', or 1.75' higher than the elevation that applicant represents in his Site Plan. Furthermore, not only does the applicant not depict the need for 6 ft walls in the front yard he also not depict or disclose the need for the 6ft - 8ft retaining walls necessary to retain the earth along the sides of the driveway (Exhibit 11). Nor is then any cross-sections or engineering details on how said walls will actually be constructed. Therefore, the these over height walls in the front yard will require an Engineering approval, Planning Director approval and an Administrative CUP in accordance with LMC 15-4-2(A) (Exhibit 12).

Finally, this raises particular concern with respect to the fact that approval states the existing structural poured concrete wall in the City ROW, will simply be reconstructed with a dry stack stone wall, which would be structurally inadequate to stabilize 40' old growth pine (also in ROW) tree located just 36" behind, and 8" above the existing 5"-9" structural concrete wall.

## **3. Significant Vegetation Must be shown on plan and Preserved**

There are four old growth pines trees that located within 20ft of the proposed Development, ranging in size from 20' tall/7" diameter to 45'tall/20"diameter (Exhibit 13). They all meet the LMC definition of "Significant Vegetation" as they all have a trunk diameter in exceeding 6", measured 4.5' above the ground. All of these trees have been around as long as the historic structures surrounding it, and Significant in their own right; and further lend to the historic character of the neighborhood. One of the biggest examples resides in the City ROW, and is a integral part of the historic Streetscape of Woodside Ave, and a truly a magnificent natural treasure resources of Park City visible from City Hall and Main Street. This tree MUST be protected and properly stabilized, and monitored during construction.

However, the property owner has failed to demonstrate the health and viability of all large tree through a *certified arborist*, as required by LMC 15-2.2-10 (Exhibit 14). Nor has the Planning Director made a determination Limits of Disturbance, and has not made any provisions for Loss Mitigation. Applicant should be required to post a substantial bond to protect against of loss of all these trees, but particularly the one in the public ROW that belongs to the citizens.

#### **4. Historically Significant Site/Building - Requires Historic Preservation Plan.....**

505 Woodside is designated as a "Significant Site" in accordance with LMC 15-11-10(A)(2) (Exhibit 15), and is listed as such in the Historic Sites Inventory in Appendix A of the HDDG (Exhibit 16). The applicant and staff have complete and utter disregard for that fact, and have not properly addressed preservation of the existing "Significant" historic structure, site, footprint, or elements to include the root cellar and 1930's addition, and the historic roof forms. Furthermore the applicant simply puts forth an inadequate self-serving plan to facilitate wholesale destruction of the historic structure, and attempts to merely preserve just 3 panelized walls via an improper disassembly and reassembly process. This is a blatant violation of the Preservation Policy LMC 15-11-9(A) (Exhibit 17). Thus, the applicant has not submitted a viable historic preservation plan that even remotely complies with common practices of Historic Preservation as required by HDDG Guidelines F and G (Exhibit 18).

#### **5. Approval allows for Illegal Demolition of Entire Structure except for 3 Walls**

Despite Applicants desire to completely obliterate and demolish a "Significant" historic site, elements, and roof forms (Exhibit 19), he has not submitted the required Application forms to the Planning Department for a Certificate of Appropriateness of Demolition (CAD) (Exhibit 20).

#### **6. Historic Building Structure and Roof forms not being Preserved or Retained.....**

Numerous HDDG Guidelines have either been disregarded, and outright violated, which are more specifically detailed as cited in Statements of Fact 15-26, on pg 6 of this brief. Generally speaking virtually all of the historic exterior features of this Significant Site are simply not being retained as required under Universal Guidelines 2,3,7 and 10 (Exhibit 21). All of the historic roof form including the primary "T" roof, and rear shed roofs are not being retained, and will actually be obliterated a previously shown in Exhibit 19. One particularly unorthodox item is the approval of flat Green Roof, which has no historic precedent, and does not exist anywhere else in the HR-1 district. Further, a Green Roof is not one of the Historic compatible roof forms shown on pg 14 of the HDDG (Exhibit 22). Additionally, HDDG B.1 calls for the maintenance of the original roof form (Exhibit 23). Typically the LMC requires Roof pitches in HR-1 district to range between 7:12 and 12:12 pitch. However, the most recent version of the LMC 15-2.2-9(C) (Exhibit 24) allows for a Green Roof less than 7:12 pitch, but only if it is not part of the primary roof structure which is not the case here; as the proposed Green Roof is Part of the Primary roof system on the upper floor. Regardless, the most restrictive of the codes shall apply, and the HDDG simply makes no provision for a Green Roof.

There are a few other important issues that violate the HDDG Guideline D (Exhibit 25) as it related to Additions to Historic Structures. Such as the fact that new rear addition and flat green roof are not visually subordinate, and tend to engulf and overwhelm the reconstructed historic front facade, and therefore non-compliant. Second, the 1930's north side addition and root cellar shown on the 1940 Tax Appraisal Card (Exhibit 26) have achieved historic significance in their own right

and as such should be retained. Finally the new additions do not complement the visual and physical qualities of the historic building as required by HDDG D.2.1

## CONCLUSION

In an effort to prevent the needless waste of the resources and time, of the city, the applicant and the appellant, Staff should redress the deficiencies and violations of code in this improper approval. Appellant should not be forced to proceed with an unnecessary appeal, it is more appropriate for the applicant to withdraw his incomplete application, and work with Staff to properly resubmit his application in accordance with the current LMC and HDDG. In the spirit of cooperation, the Appellant has sent Mr. White a certified mailing as a matter of professional courtesy giving him fair notice to carefully re-review his submissions, and to give consideration to withdrawing and properly resubmitting his application (Exhibit 27).

The code should not be used as a Sword against some applicants, whilst simultaneously shielding certain others from its requirements. Additionally, The existence of conflicts of interest in this matter both real and perceived can no longer be ignored; and must be addressed to avoid the appearance of influence and abuse of power of applicants who sit on any city Boards, Commissions or Counsels, and Staffs apparent deference to such applicants, and their abuse of discretion when dealing with their applications. To do otherwise, would be unlawful, and such violations should be strictly enforced. Finally, in 2010 the appellant refrained publicly exposing Mr. Whites fraudulent submissions of fabricated historic photos containing material omissions, and misstatements of fact; and from further embarrassing Mr. White by asking him to resign from his position on the Historic Preservation Board. However, at this point in time if Mr. White does not voluntarily step down from the HPB, then the appellant will publically petition for his permanent removal from the HPB, and future participation on any City Boards, Commissions, or Counsels.

Based on the forging the appellant respectfully prays for Reversal and Remand of the Planning Departments improper approval.

# **EXHIBIT 1**



Lawrence Meadows  
Po Box 4344  
Park City, UT 84060  
516-982-7718  
lawrencemeadows@yahoo.com

February 13, 2013

Park City Planning Department  
Po Box 1480  
Park City, UT 84060

RE: Appeal of 505 Woodside HDDR Approval - Application # PL-11-01409  
Appellant: Casa di Lorenzo, LLC/Lawrence Meadows owner of 515 Woodside Ave.

**Sent via email and hand delivery:**

The appellant has standing, and in accordance with LMC 15-11-12 submits this letter as a formal petition to appeal the above referenced HDDR approval. This application involves a structure >1000sf, and the new driveway access thereto and rear addition are over areas that exceed 30% slope based on elevations as depicted on applicants submitted site plan, and pre-existing survey data points. Thus, the application was required be reviewed under the steep slope criteria as provided in LMC 15-2.2-6. Appellant reserves the right to supplement or amend this appeal.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. Meadows', with a long horizontal line extending to the right.

Casa Di Lorenzo, LLC  
BY: Lawrence Meadows  
ITS: manager

**EXHIBIT 2**

**Subject:** RE: Appeal of 505 Woodside re Steep Slope  
**From:** Kirsten Whetstone (kirsten@parkcity.org)  
**To:** lawrencemeadows@yahoo.com;  
**Date:** Monday, February 25, 2013 11:58 AM

Hi Larry

I used the information in the file to make the determination of Steep Slope CUP... I used the submitted topographic survey that is in the file. I just mentioned to you that Staff had earlier made a determination based on information from Alliance Engineering... that was made by the Planning Director several years ago and as the ground has not changed since that earlier determination was made...it seems reasonable that the determination from several years ago is valid... however I did an analysis of the topography based on what was submitted with this new project file...

Also, the HDDR is regarding compliance with the design guidelines.

thanks

kirsten

---

**From:** Lawrence Meadows [lawrencemeadows@yahoo.com]  
**Sent:** Friday, February 22, 2013 2:00 PM  
**To:** Kirsten Whetstone; Thomas Eddington  
**Subject:** Re: Appeal of 505 Woodside re Steep Slope

Hi Kirsten,

That would be great and I will plan on meeting you next Tuesday around noon or later, at whatever time works best for you.

After which I will finalize my appeal supplement, and provide the required mailing envelopes by the close of business on February 28th.

However, I have based my appeal on the submitted survey of Alpine Survey currently in the file, and also on known survey data points performed by Farley Ekelson of Dominion Engineering during construction of the Tunnel; but you mentioned there's another survey performed by Alliance Surevy which is was used by planning, but is not part of the 505 WS HDDR application/file. To the extent that the planning department did rely on another survey that is not currently in 505 WS file would mean that the application is not complete as currently submitted and approved. So, I definately will need to see that, and would also like to get the updated 8.5x11 plans drawings submitted in response to my public comment to help with my appeal supplementation.

As far as potential hearings dates go, during the week of Mar 25th I will be in Dallas on business, and therefore unavailable for the Planning Commission on Mar 27th. However, I might be able to do April 10th date, but my grandson due to be born in Florida on April 6th, and I am concerned that any delays in the birth might prevent my timely return. Therefore, it would be best for me anytime thereafter starting with the meeting on April 24th, as I have no commitments and will be readily available.

# **EXHIBIT 3**

Thank you,  
Larry

**From:** Kirsten Whetstone <kirsten@parkcity.org>  
**To:** "lawrencemeadows@yahoo.com" <lawrencemeadows@yahoo.com>  
**Cc:** Patricia Abdullah <pabdullah@parkcity.org>  
**Sent:** Thursday, February 21, 2013 7:14 PM  
**Subject:** Appeal of 505 Woodside re Steep Slope

Hi Larry,

I would like to set a date for the appeal of the 505 Woodside determination of applicability of the Steep Slope CUP criteria.

Please provide the required stamped envelopes by Thursday, February 28<sup>th</sup>.

If you have additional information directly related to the information in the appeal letter, please submit that also by Thursday, February 28<sup>th</sup> (5pm).

You indicated in your letter that you were going to provide additional clarification, which would be helpful.

I would like to set the appeal date for March 27<sup>th</sup> at the regular Planning Commission meeting.

Will you be available that evening? The next meeting would be April 10<sup>th</sup>.

This is just tentative and will be finalized if the owner is able to attend and if I can finish a staff report for that meeting.

I am happy to meet with you on Tuesday, Feb 26<sup>th</sup> to go over the plans and your issues with the topography survey.

Most likely I will be available around 11:30 or noon after Development Review Committee meeting.

In the event that you decide to withdraw the appeal, you can be refunded the appeal fee provided that the request to withdraw is submitted prior to February 28<sup>th</sup> (5 pm).

Thanks for your attention to these details.

Sincerely,

Kirsten

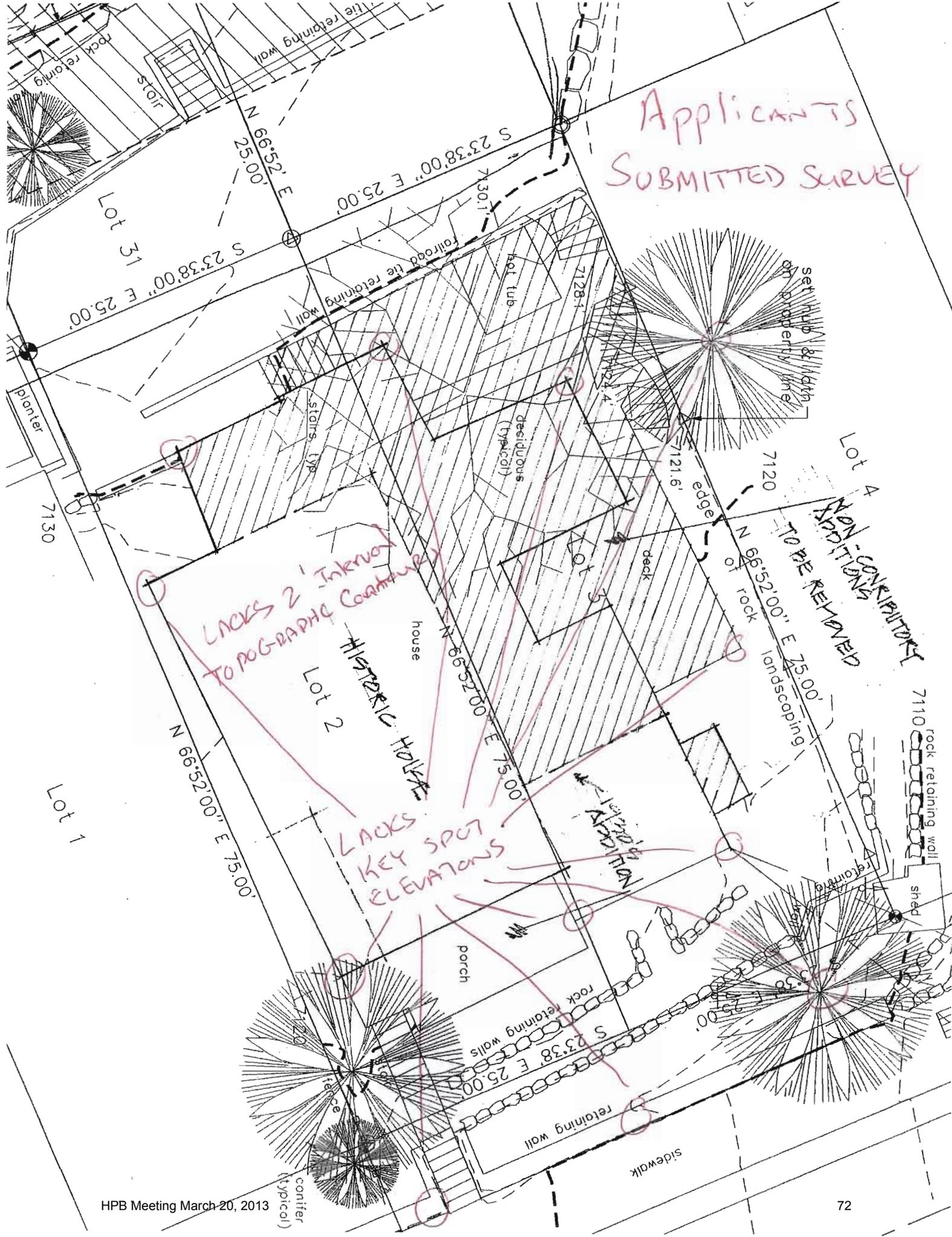
Kirsten A. Whetstone, MS, AICP  
Senior Planner

Park City Planning Department  
PO Box 1480  
Park City, UT 84060  
435-615-5066

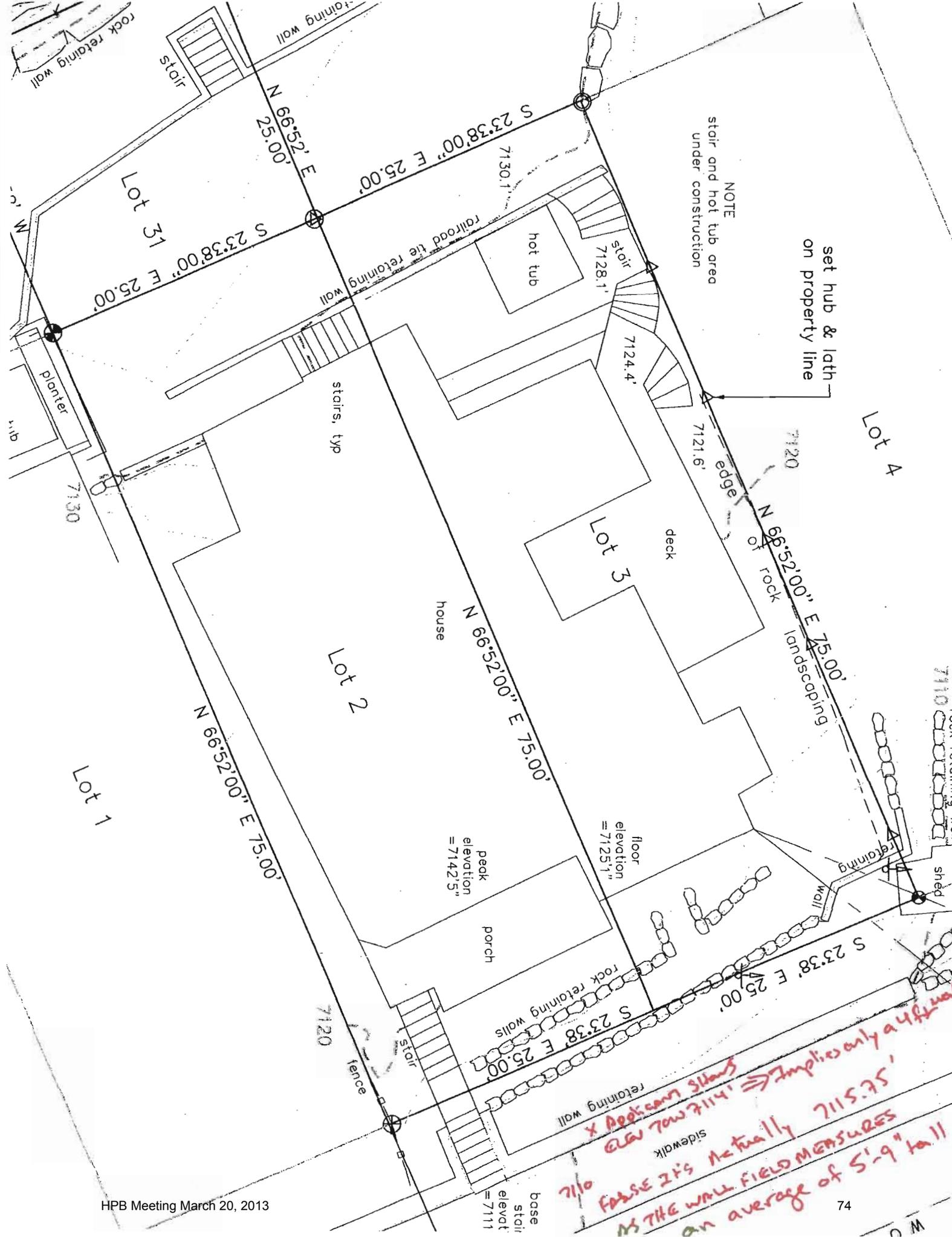


# **EXHIBIT 4**

Applicants  
SUBMITTED SURVEY



# **EXHIBIT 5**



*X Appleton shows  
 also 70w 7114  
 FALSE IT'S ACTUALLY 7115.75'  
 AS THE WALL FIELD MEASURES  
 AN AVERAGE OF 5'-9" TO 11"*

**EXHIBIT 6**



PCMC Planning Department, PO Box 1480, Park City, UT 84060

February 5, 2013

Woodside Avenue Development LLC  
C/o Jerry Fiat  
PO Box 4581  
Park City, UT 84060

David White, Architect  
PO Box 1313  
Park City, UT 84060

**NOTICE OF PLANNING STAFF ADMINISTRATIVE ACTION**

<b><u>Project Address:</u></b>	<b>505 Woodside Avenue</b>
<b><u>Project Description:</u></b>	<b>This is a request for a Design Review for a rear addition, garage, and remodel of existing historic structure located at 505 Woodside Avenue.</b>
<b><u>Date of Action:</u></b>	<b>February 4, 2013</b>
<b><u>Project Number:</u></b>	<b>PL-11-01409</b>
<b><u>Project Planner:</u></b>	<b>Kirsten A Whetstone, MS, AICP, Senior Planner</b>

**Summary of Staff Action**

Staff reviewed this project for compliance with the Historic District Design Guidelines; specifically with 1) Universal Guidelines for Historic Sites and 2) Specific Guidelines for Historic Sites as follows:

**A. Site Design**- including maintaining setbacks, retaining walls, fences and handrails and landscape features and providing final grading to manage storm drainage on subject lot. Final Site Plan, including Landscape Plan, Grading Plan and Drainage plan to be submitted with Building Permit application. *Survey as planned*

**B. Primary Structures**- including maintaining the original roof form and primary historic façade, avoiding the removal and obscuring of significant historic elements, maintaining new foundation within 2' of historic location, maintain historic window and door openings, and using paints that are opaque rather than transparent;

**C. Parking Areas**- regarding new garages including providing elements to reduce the visual impact of garages and new driveways to not exceed 12' in width;

**D. Additions to Historic Structures**- including not obscuring or causing a loss of significant historic elements or materials, complementing the visual and physical qualities of the historic house, using components that are in scale with historic, using clear transitional elements between old and new, minimize the vertical wall area of basement addition that is visible from the primarily public ROW, locate window wells so they are not visible from the public ROW, regrade site to be approximately as it was prior to construction, and use garage doors that don't exceed 9' wide by 9' in height;

*Unacceptable. Structure is almost significant  
not historically and cannot be rehabilitated*

**F. Disassembly/Reassembly-** a panelization of part of the Historic Structure is proposed. This method of preservation is not a common practice. This design review approval does not include approval of a Disassembly/Reassembly. Staff shall review the panelization proposal at the time of review of the final building plans and upon review of the photographic survey and results of an exploratory demolition permit and report. The Planning Director and Chief Building Official shall determine that unique conditions and overall quality of the historic preservation effort warrant the disassembly/reassembly of the historic structure per Chapter 9 of the LMC;

**J. Exterior lighting-** to be provided with the building plan set and shall comply with the City's lighting ordinances and policies; and

**L. Sustainability-** including conditions to recycle removed materials and if solar panels are proposed they will be located on the roof towards the rear of the house.

Staff finds that as conditioned the proposed design complies with all applicable Guidelines for construction on a Historic Site. This letter serves as the final action letter and approval for the Historic District Design Review for the addition and remodel of an historic structure located at 505 Woodside Avenue, per the HDDR plans redlined and dated January 17, 2013 and approved on January 30, 2013, and subject to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

**Findings of Fact**

1. The property is located at 505 Woodside Avenue.
2. The property is located in the Historic Residential (HR-1 District).
3. There is an historic house located at 505 Woodside that is listed as a "Significant" site on the Park City Historic Sites Inventory. The site is not listed as a "Landmark" site. The house was constructed in 1904 and because of major non-historically significant and non-historically sensitive additions; the house is currently not eligible for listing on the National Register of Historic Places. The 1968 additions were determined during the Sites Inventory to be out of period and they diminish the buildings association with the past. The 1930's addition at the northeast side of the house will remain, however the front porch that was modified over time will be reconstructed to be consistent with typical front porches from the historic era for this type of house. *Rear cellar*
4. The property consists of Lot 1 of the 505 Woodside Avenue Subdivision, being a combination of Lots 2, 3, and a portion of Lots 30 and 31, Block 28 of the Park City Survey, recorded September 4<sup>th</sup>, 2009.
5. The lot contains 4,375 square feet (sf). The minimum lot size in the HR-1 District is 1,875 sf.
6. The existing lot is 50' in width and 87.5' in depth. The minimum lot width is 25' in the HR-1 District.
7. Minimum front setback for a lot of this depth is twelve (12') feet with a combination of front and rear setbacks equal to a minimum of twentyfive (25') feet. Minimum side yard setbacks for a lot of this width are five (5') feet.
8. The proposed building footprint is 1,707.5 square feet, and includes removal of non-significant additions and construction of a new rear addition. The LMC allows a building footprint of 1,710 square feet for a lot of this size.
9. The existing house does not encroach across the side or rear property lines. The front stairs to the front porch and the front retaining wall encroach onto the Woodside Avenue public right-of-way (ROW). An existing low railroad tie

landscaping wall encroaches onto the adjacent lot to the south and onto the property to the rear. An encroachment agreement with the city is required prior to commencing any work in the public ROW, including for any work on the existing retaining wall or driveway.

10. The existing house has a non-conforming front setback of 10.5' for the house that will remain. The front porch has an existing minimum setback of seven (7') feet that will remain. The house also has a non-conforming south side setback of 1.5' that will remain. All new construction will meet current LMC required setbacks and no new non-complying setbacks will result from the new addition.
11. The proposed plans indicate a building height of 27' or less from existing grade for all roof ridges and the flat roof connector element. The plans indicate no change in final grade around the perimeter of the house exceeds four (4') feet. The third story steps more than 10' back from the front façade. All final heights will be verified at the time of the Building Permit application. *> 3 stories*
12. There is a significant historic house adjacent to the south at 501 Woodside Avenue. The three houses to the north are non-historic houses, including the large contemporary house adjacent at 507 Woodside. There are two large non-historic houses to the rear (west) that are part of the Sweeney Master Planned Development, and the house to the south of 501 Woodside is also a large contemporary structure.
13. For construction and maintenance purposes, access and construction easements should be acquired from the adjacent property owners or construction shall occur completely on the subject property.
14. Historic door and window openings will be maintained, and/or taken back to the historic openings/locations, with the exception of the addition of a garage door on the primary façade. The proposed garage door does not exceed 9' wide by 9' in height. The proposed driveway does not exceed 12' in width.
15. The historic front porch does not exist and the plans include a proposal to bring the porch back to the historic dimensions consistent with this historic style of house.
16. No portion of the lot where construction is proposed exceeds 30% slope for the required 15' of distance. Therefore no Steep Slope CUP is required prior to issuance of a building permit. *under new structure access through*
17. Changes to the existing grading and landscaping are documented on the preliminary landscape plan. A final grading and landscape plan, consistent with the preliminary plat, will be submitted with the building permit application
18. The landscape plan indicates all large trees on the adjacent property will remain as will the old mine ore cart.
19. The front retaining wall will be reconstructed with the flagstone veneer removed. The retaining wall will be replaced with a stacked rock wall typical of historic walls in the neighborhood. *stacked inadequate to reduce earthquake ground*
20. Panelization of the Historic Structure is proposed. This method of preservation is not a common practice. This design review approval does not include approval of a Disassembly/Reassembly and review of the panelization proposal is conducted at the time of review of the final building plans and upon review of the photographic survey and results of an exploratory demolition permit and report. Before disassembly and reassembly may occur, the Planning Director and Chief Building Official have to make a determination that unique conditions and the overall quality of the historic preservation effort warrant the disassembly and reassembly of the historic structure per Chapter 9 of the LMC

*NO Ddo that require  
to preservation plan  
significant historic structure  
nearly same that is bbl*

# **EXHIBIT 7**



# **EXHIBIT 8**

PROJECT NAME

TREASURE HILL

DRAWING NAME

5TH STREET LOTS 20 SCALE

CLIENT NAME

M.P.E., INC.

P.O. BOX 2429  
PARK CITY, UT 84060  
(801) 649-7077  
FAX (801) 649-5215

LOCATION

CITY	PARK CITY	COUNTY	SUMMIT	UTAH
TOWNSHIP	2 SOUTH	RANGE	4 EAST	S.L.B. & M.

DRN BY

CAD FILE

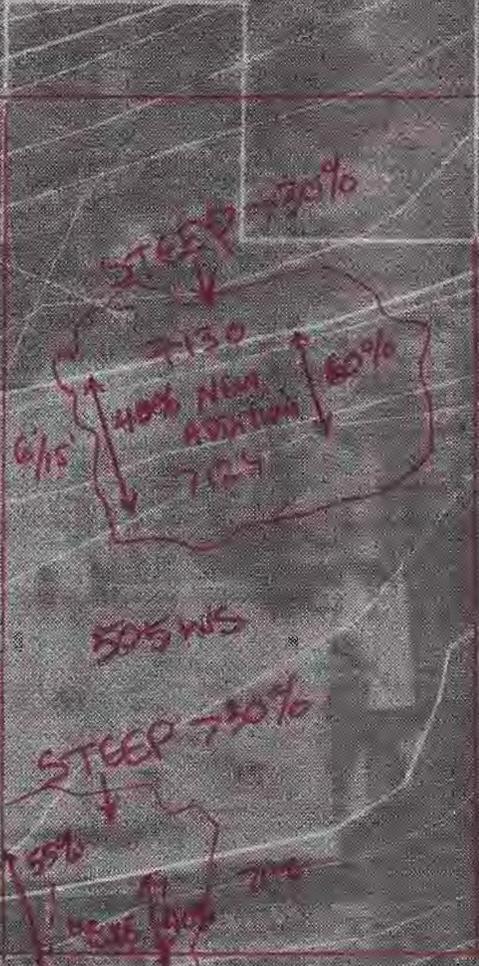
SHEET NO.

DATE

JOB NO.

LOT 3

LOT 5



501WS

505WS

515WS

519WS

STEEP 50%

712

WOODSIDE AVE

# **EXHIBIT 9**

circulation and an ADA elevator. The additional height may not exceed thirty-five feet (35') from Existing Grade.

*(Amended by Ord. Nos. 06-56; 09-10; 09-14; 09-40)*

**15-2.2-6. DEVELOPMENT ON STEEP SLOPES.**

Development on Steep Slopes must be environmentally sensitive to hillside Areas, carefully planned to mitigate adverse effects on neighboring land and Improvements, and consistent with the Historic District Design Guidelines.

(A) **ALLOWED USE.** An allowed residential Structure and/or Access to said Structure located upon an existing Slope of thirty percent (30%) or greater must not exceed a total square footage of one thousand square feet (1,000 sq. ft.) including the garage.

(B) **CONDITIONAL USE. A** Conditional Use permit is required for any Structure in excess of one thousand square feet (1,000 sq. ft.) if said Structure and/or Access is located upon any existing Slope of thirty percent (30%) or greater.

For the purpose of measuring Slope, the measurement shall include a minimum horizontal distance of fifteen feet (15') measured perpendicular to the contour lines on the certified topographic survey. The measurement shall quantify the steepest Slope within the Building Footprint and driveway.

The Planning Department shall review all

Conditional Use permit Applications and forward a recommendation to the Planning Commission. The Planning Commission may review Conditional Use permit Applications as Consent Calendar items. Conditional Use permit Applications shall be subject to the following criteria:

(1) **LOCATION OF DEVELOPMENT.** Development is located and designed to reduce visual and environmental impacts of the Structure.

(2) **VISUAL ANALYSIS.** The Applicant must provide the Planning Department with a visual analysis of the project from key Vantage Points:

(a) To determine potential impacts of the proposed Access, and Building mass and design; and

(b) To identify the potential for Screening, Slope stabilization, erosion mitigation, vegetation protection, and other design opportunities.

(3) **ACCESS.** Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. Common driveways and Parking Areas, and side Access to garages are strongly encouraged.

(4) **TERRACING.** The project may include terraced retaining Structures if necessary to regain

# **EXHIBIT 10**



**TITLE 15 - LAND MANAGEMENT CODE (LMC)**  
**CHAPTER 3 - OFF-STREET PARKING**

*Chapter adopted by Ordinance No. 00-25*

**CHAPTER 3 - OFF-STREET PARKING.**

**15-3 -1. PURPOSE.**

The purpose of this Chapter is to:

- (A) specify Parking Area and Access drive standards for all Development within the City;
- (B) specify Parking Ratio requirements for specific land Use categories to ensure adequate and not excessive parking is provided for the Use.
- (C) provide solutions to mitigate impacts of parking and vehicular oriented Development;
- (D) provide for safe and efficient parking for people with disabilities; and
- (E) provide for convenient and safe motorcycle and bicycle parking to encourage and facilitate alternative modes of transportation.

**15-3 -2. REQUIREMENT.**

An Applicant must provide required Off-Street parking with adequate provisions for independent ingress and egress by automobiles and other motorized vehicles at the time a Building is erected or enlarged.

If any land, Structure, or Use is changed to create more Off-Street parking demand, the Owner must provide such additional Off-Street parking for the new Use as is required by this Chapter. Required parking must be on-Site unless the Planning Commission allows such parking on adjacent or nearby deed restricted Lots.

**15-3 -3. GENERAL PARKING AREA AND DRIVEWAY STANDARDS.**

Off-Street parking shall meet the following standards:

**(A) GRADING AND DRAINAGE.**

- (1) Parking Areas must be Graded for proper drainage with surface water diverted to a specified Area approved by the City Engineer, to keep the Parking Area free of accumulated water and ice.

(2) Adequate control curbs must be installed to control drainage and direct vehicle movement.

(3) Parking Area drainage must be detained on Site, treated if required under NPDES (National Pollution Discharge Elimination Standards), and channeled to a storm drain or gutter as approved by the City Engineer.

(4) Driveways must not exceed a fourteen percent (14%) Slope.

(5) Drives serving more than one Single-Family Dwelling shall provide a minimum twenty foot (20') transition Area at no greater than two percent (2%) Slope beginning at the back of the curb, or as otherwise approved by the City Engineer, in anticipation of future Street improvements.

(B) **SURFACING.** Parking Areas and driveways must be Hard-Surfaced, maintained in good condition, and clear of obstructions at all times. See Required Yard Exceptions in Chapter 2 for further drive and parking requirements in specific Zoning Districts.

(C) **PARKING AREA LIGHTING.** Low-pressure or high pressure sodium light sources are the only allowed light sources for Parking Areas with five (5) or more spaces. Lighting fixtures affixed to Buildings for the purposes of lighting Parking Areas shall be prohibited. Light

levels should be designed with minimum light trespass off-Site by using cut-off Luminaries that are Fully Shielded with no light distributed above the horizontal plane of the Luminaire.

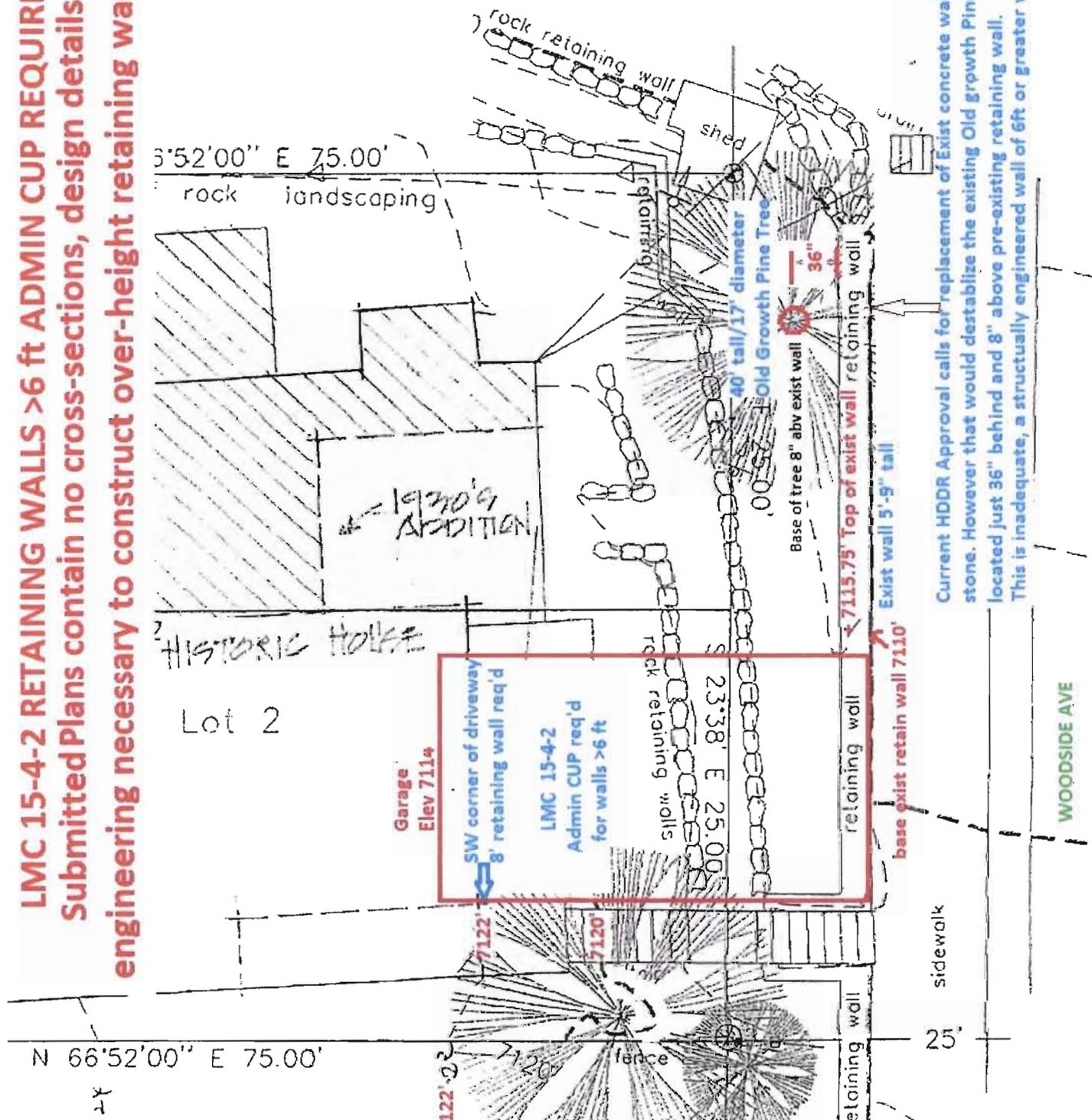
(1) **MAXIMUM LIGHT DISTRIBUTION.** For uniformity in lighting and prevention of shadows, an average horizontal luminance level of two (2) Foot Candles with a 4:1 Uniformity Ratio over the Site is the maximum allowed.

(2) **POLE HEIGHT/ WATTAGE/ DESIGN.** Luminaries mounting height must be, measured from the Parking Lot or driveway surface, in the range of twelve feet (12') to twenty feet (20') as determined by the Planning Department and/or the Planning Commission. The maximum height shall only be allowed after the review and approval of the Planning Department with specific findings. The determination shall be based on:

- (a) review of the Site plan,
- (b) proposed land Uses,
- (c) surrounding land Uses,
- (d) Parking Area size,
- (e) Building mass,

**EXHIBIT 11**

**LMC 15-4-2 RETAINING WALLS >6 ft ADMIN CUP REQUIRED  
Submitted Plans contain no cross-sections, design details or  
engineering necessary to construct over-height retaining walls.**



Current HDDR Approval calls for replacement of Exist concrete wall with dry stack stone. However that would destabilize the existing Old growth Pine in city ROW located just 36" behind and 8" above pre-existing retaining wall. This is inadequate, a structurally engineered wall of 6ft or greater will be required.

# **EXHIBIT 12**



**TITLE 15 - LAND MANAGEMENT CODE (LMC)**  
**CHAPTER 4 - SUPPLEMENTAL REGULATIONS**

*Chapter adopted by Ordinance No. 02-07*

**CHAPTER 4 - SUPPLEMENTAL REGULATIONS.**

**15-4 -1. PURPOSE.**

The regulations set forth in this chapter qualify or supplement, as the case may be, the regulations appearing elsewhere in this Code.

**15-4 -2. FENCES AND RETAINING WALLS.**

(A) **LOCATION.** Fences and retaining walls may be erected or allowed within the buildable Area, and as allowed in the Setback exceptions in Chapter 2.

Fences and retaining walls shall not exceed six feet (6') in height measured from Final Grade within any required Rear Yard or Side Yard. Within any required Front Yard or Street Side Yard, Fences and retaining walls shall not exceed four feet (4') in height, measured from Final Grade.

Where a Fence or retaining wall occurs along a Property Line separating two (2)

Lots and there is a difference in the Grade of the Properties, the Fence or retaining wall may be erected or allowed to the maximum height permitted on either side of the Property Line.

(1) **EXCEPTION.** The height of retaining walls in the Front Yard may exceed four feet (4'), measured from Final Grade, subject to approval by the Planning Director and City Engineer, and may exceed six feet (6') in height subject to approval of an Administrative Conditional Use permit or as approved as part of a Master Planned Development (MPD) or Conditional Use permit. Prior to issuance of an Administrative Conditional Use permit the Property shall be posted and affected adjacent Property Owners shall be noticed ten (10) days prior to Final Action.

The height of retaining walls in the Side or Rear Yards may exceed six feet (6'), measured from Final Grade, subject to approval of an Administrative Conditional Use permit or as approved as part of a

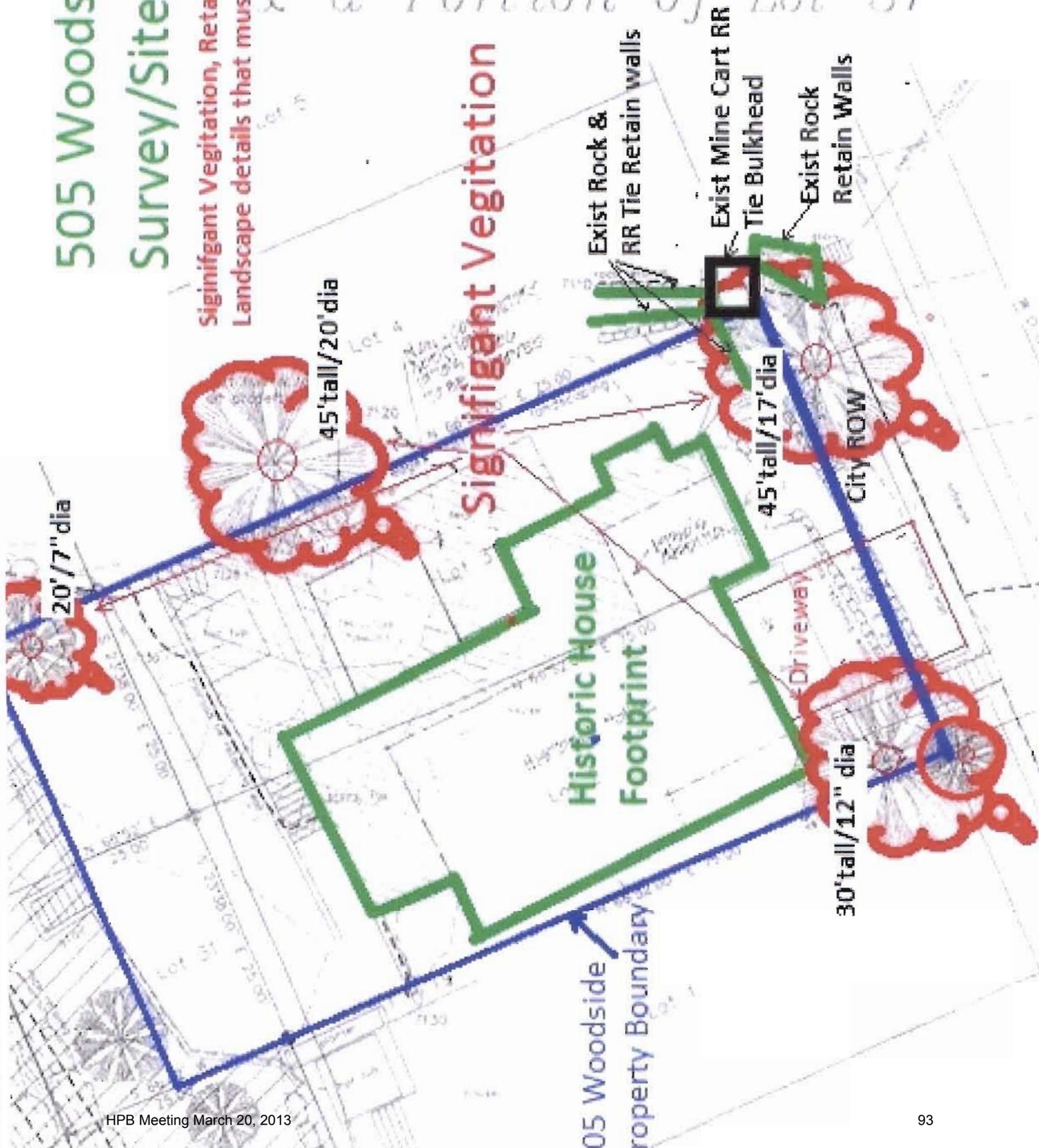
# **EXHIBIT 13**

# 505 Woodside

## Survey/Site Plan

Significant Vegetation, Retain walls, and Landscape details that must be preserved

*Park City Survey  
Block 28, Lots 2 & 3  
& a Portion of Lot 31*



# **EXHIBIT 14**

Chapter 15-11, and Architectural Review LMC Chapter 15-5.

Appeals of departmental actions on compliance with the Design Guidelines for Historic Districts and Historic Sites, LMC Chapter 15-11, and LMC Chapter 15-5 are heard by the Historic Preservation Board as outlined in Section 15-1-18 of the Code.

*(Amended by Ord. Nos. 06-56; 09-23)*

**15-2.2-9. CRITERIA FOR BED AND BREAKFAST INNS.**

A Bed and Breakfast Inn is a Conditional Use. No Conditional Use permit may be issued unless the following criteria are met:

(A) The Use is in a Historic Structure, or an addition thereto.

(B) The Applicant will make every attempt to rehabilitate the Historic portion of the Structure.

(C) The Structure has at least two (2) rentable rooms. The maximum number of rooms will be determined by the Applicant's ability to mitigate neighborhood impacts.

(D) The size and configuration of the rooms are Compatible with the Historic character of the Building and neighborhood.

(E) The rooms are available for Nightly Rental only.

(F) An Owner/manager is living on-Site, or in Historic Structures there must be twenty-four (24) hour on-Site management and check-in.

(G) Food service is for the benefit of

overnight guests only.

(H) No Kitchen is permitted within rental room(s).

(I) Parking on-Site is required at a rate of one (1) space per rentable room.

(J) The Use complies with Chapter 15-1-10, Conditional Use review process.

*(Amended by Ord. No. 07-25)*

**15-2.2-10. VEGETATION PROTECTION.**

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 (4.5') 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.

Development plans must show all Significant Vegetation within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all large trees through a certified arborist. The Planning Director shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation consistent with Landscape Criteria in LMC Chapter 15-3-3 and Title 14.

*(Amended by Ord. No. 06-56)*

**15-2.2-11. SIGNS.**

Signs are allowed in the HR-1 District as

# **EXHIBIT 15**

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

(F) **RELEASE OF GUARANTEE.**

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

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

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

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

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

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

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

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

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

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

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

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

architect or master craftsman.

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

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

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

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

part of the Applicant or a previous Owner, or

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

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

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

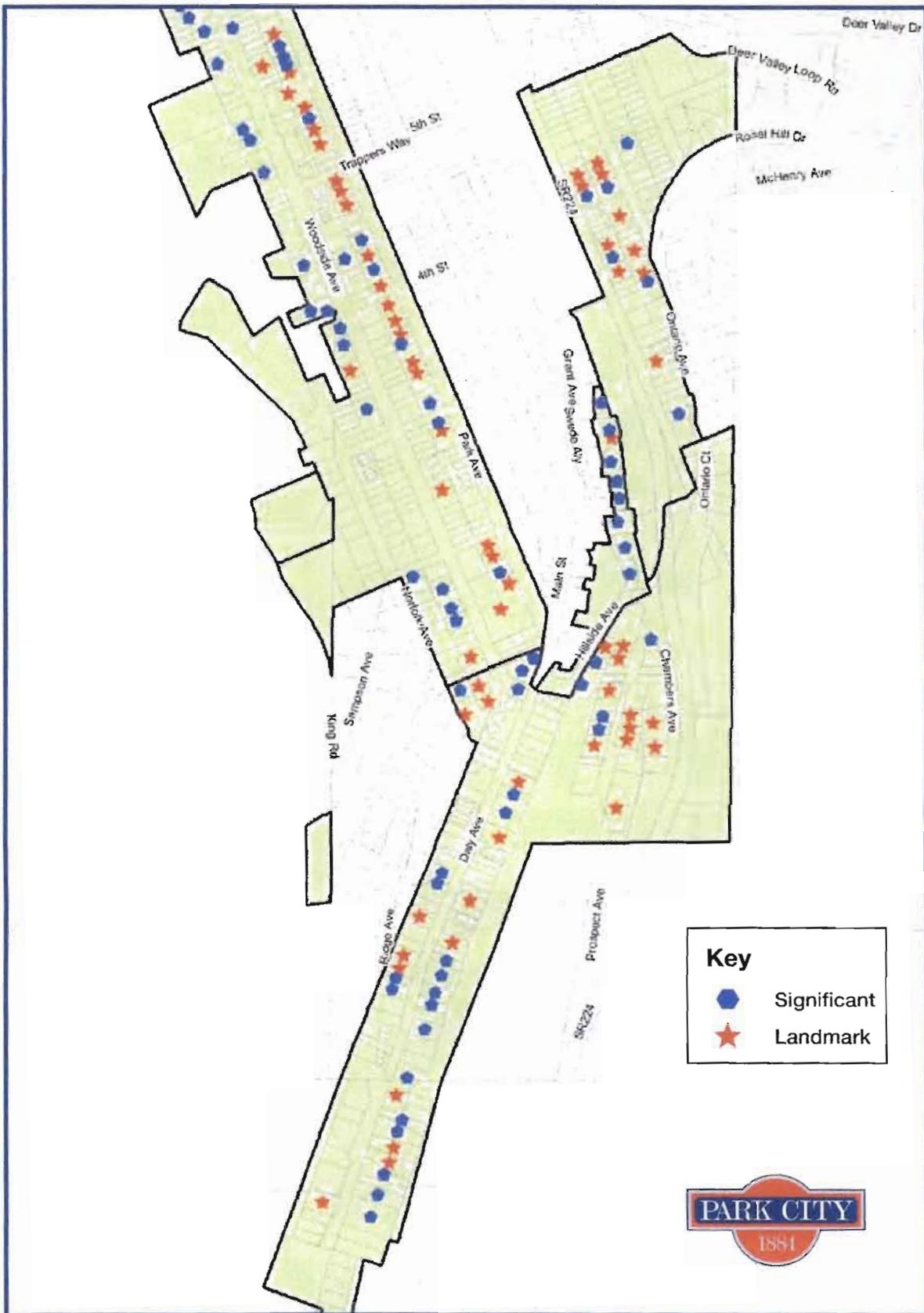
(c) It is important in local or regional history, architecture, engineering, or culture associated with at least one (1) of the following:

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

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

**EXHIBIT 16**

# Historic Sites in the HR-1 Zone, Page 2



## Historic Sites in the HR-1 Zone, Page 2 by address

55 Anchor Avenue - Landmark Site	445 Marsac Avenue - Landmark Site	57 Prospect Street - Landmark Site
44 Chambers Avenue - Landmark Site	508 Marsac Avenue - Significant Site	59 Prospect Street - Landmark Site
64 Chambers Avenue - Landmark Site	164 Norfolk Avenue - Significant Site	60 Prospect Street - Significant Site
5 Daly Avenue - Significant Site	317 Ontario Avenue - Significant Site	68 Prospect Street - Landmark Site
10 Daly Avenue - Significant Site	323 Ontario Avenue - Landmark Site	101 Prospect Street - Landmark Site
24 Daly Avenue - Significant Site	335 Ontario Avenue - Landmark Site	130 Sandridge Road - Significant Site
61 Daly Avenue - Landmark Site	355 Ontario Avenue - Landmark Site	152 Sandridge Road - Significant Site
71 Daly Avenue - Significant Site	405 Ontario Avenue - Significant Site	156 Sandridge Road - Significant Site
81 Daly Avenue - Significant Site	413 Ontario Avenue - Landmark Site	164 Sandridge Road - Significant Site
97 Daly Avenue - Landmark Site	417 Ontario Avenue - Landmark Site	218 Sandridge Road - Significant Site
118 Daly Avenue - Significant Site	422 Ontario Avenue - Significant Site	222 Sandridge Road - Landmark Site
124 Daly Avenue - Significant Site	121 Park Avenue - Landmark Site	228 Sandridge Road - Significant Site
131 Daly Avenue - Landmark Site	139 Park Avenue - Landmark Site	244 Sandridge Road - Significant Site
142 Daly Avenue - Landmark Site	145 Park Avenue - Significant Site	39 Seventh Street - Landmark Site
145 Daly Avenue - Landmark Site	157 Park Avenue - Landmark Site	41 Seventh Street - Significant Site
161 Daly Avenue - Significant Site	161 Park Avenue - Landmark Site	109 Woodside Avenue - Landmark Site
162 Daly Avenue - Landmark Site	259 Park Avenue - Landmark Site	133 Woodside Avenue - Significant Site
166 Daly Avenue - Landmark Site	263 Park Avenue - Significant Site	139 Woodside Avenue - Significant Site
167 Daly Avenue - Significant Site	305 Park Avenue - Significant Site	149 Woodside Avenue - Significant Site
172 Daly Avenue - Significant Site	323 Park Avenue - Landmark Site	232 Woodside Avenue - Landmark Site
173 Daly Avenue - Significant Site	325 Park Avenue - Landmark Site	311 Woodside Avenue - Significant Site
180 Daly Avenue - Significant Site	339 Park Avenue - Significant Site	335 Woodside Avenue - Landmark Site
187 Daly Avenue - Significant Site	343 Park Avenue - Landmark Site	347 Woodside Avenue - Significant Site
199 Daly Avenue - Significant Site	351 Park Avenue - Landmark Site	359 Woodside Avenue - Significant Site
239 Daly Avenue - Significant Site	363 Park Avenue - Landmark Site	401 Woodside Avenue - Significant Site
243 Daly Avenue - Landmark Site	401 Park Avenue - Landmark Site	405 Woodside Avenue - Significant Site
255 Daly Avenue - Significant Site	411 Park Avenue - Significant Site	424 Woodside Avenue - Significant Site
257 Daly Avenue - Significant Site	421 Park Avenue - Landmark Site	429 Woodside Avenue - Significant Site
269 Daly Avenue - Landmark Site	435 Park Avenue - Significant Site	481 Woodside Avenue - Significant Site
279 Daly Avenue - Landmark Site	445 Park Avenue - Landmark Site	501 Woodside Avenue - Significant Site
291 Daly Avenue - Significant Site	455 Park Avenue - Landmark Site	505 Woodside Avenue - Significant Site
297 Daly Avenue - Significant Site	463 Park Avenue - Landmark Site	543 Woodside Avenue - Significant Site
309 Daly Avenue - Significant Site	517 Park Avenue - Landmark Site	563 Woodside Avenue - Significant Site
314 Daly Avenue - Landmark Site	525 Park Avenue - Landmark Site	564 Woodside Avenue - Landmark Site
360 Daly Avenue - Significant Site	527 Park Avenue - Significant Site	586 Woodside Avenue - Significant Site
9 Hillside Avenue - Significant Site	539 Park Avenue - Landmark Site	
27 Hillside Avenue - Landmark Site	543 Park Avenue - Landmark Site	
37 Hillside Avenue - Significant Site	553 Park Avenue - Landmark Site	
114 Hillside Avenue - Significant Site	557 Park Avenue - Significant Site	
33 King Road - Landmark Site	561 Park Avenue - Significant Site	
220 Marsac Avenue - Significant Site	569 Park Avenue - Significant Site	
252 Marsac Avenue - Landmark Site	575 Park Avenue - Landmark Site	
334 Marsac Avenue - Landmark Site	9 Prospect Street - Significant Site	
338 Marsac Avenue - Significant Site	14 Prospect Street - Landmark Site	
342 Marsac Avenue - Landmark Site	22 Prospect Street - Landmark Site	
402 Marsac Avenue - Significant Site	36 Prospect Street - Landmark Site	
412 Marsac Avenue - Landmark Site	51 Prospect Street - Landmark Site	
416 Marsac Avenue - Landmark Site	52 Prospect Street - Significant Site	

# **EXHIBIT 17**

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

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

**15-11-9. PRESERVATION POLICY.**

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

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

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

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

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

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

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

**EXHIBIT 18**

E.I.4 If rehabilitation of the structure will be delayed, temporary improvements should be made—roof repairs, windows/doors secured and/or covered, adequate ventilation—to the structure to protect the historic fabric until rehabilitation can commence.

E.I.5 A written plan detailing the steps and procedures should be completed and approved by the Planning and Building Departments.

## F. DISASSEMBLY/REASSEMBLY OF ALL OR PART OF A HISTORIC STRUCTURE

### F.I. General Principles

F.I.1 Disassembly of a historic building should be considered only after it has been determined by the Design Review Team that the application meets one of the criteria listed in the sidebar.

F.I.2 Though disassembly/reassembly is not a common practice in the preservation field, if it must be undertaken, it should be done using recognized preservation methods.

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

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

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

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

### F.3. Disassembly

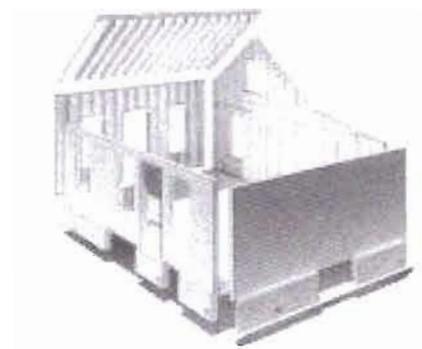
F.3.1 In order to minimize loss of historic fabric, structures should be disassembled in the largest workable pieces possible.

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

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

*Disassembly/Reassembly of historic structures is not a common practice in the field of Historic Preservation. Therefore, a proposal to disassemble/reassemble a historic structure will be considered ONLY:*

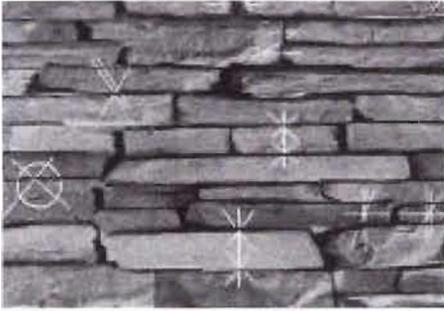
- if a licensed structural engineer certifies that the building cannot reasonably be moved intact; or*
  - if disassembly/reassembly is the best alternative to demolition; or*
  - if the building is determined by the Chief Building Official to be a hazardous or dangerous building, pursuant to Section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



*Structures should be disassembled in the largest pieces possible.*

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

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



*Parts of the structure or architectural element being disassembled should be marked to ensure accurate reassembly.*

#### **F.4. Protecting the Disassembled Components**

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

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

#### **F.5. Reassembly**

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

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

### **G. RECONSTRUCTION OF EXISTING HISTORIC STRUCTURES**

G.1 Reconstruction of a historic building that exists in Park City is allowed if the Chief Building Official determines the structure to be a hazardous or dangerous building, pursuant to Section 115.1 of the International Building Code, AND the building cannot be made safe and/serviceable through repair.

G.2 Reconstruction must be guided by documentation and physical evidence in order to facilitate an accurate re-creation.

G.3 Reconstruction should not be based on conjectural designs or on a combination of different features from other historic buildings.

G.4 Reconstruction should include recreating the documented design of exterior features such as the roof shape, architectural detailing, windows, entrances and porches, steps and doors, and their historic spatial relationships.

G.5 A reconstruction should include measures to preserve and reuse any remaining historic materials found to be safe and/or serviceable.

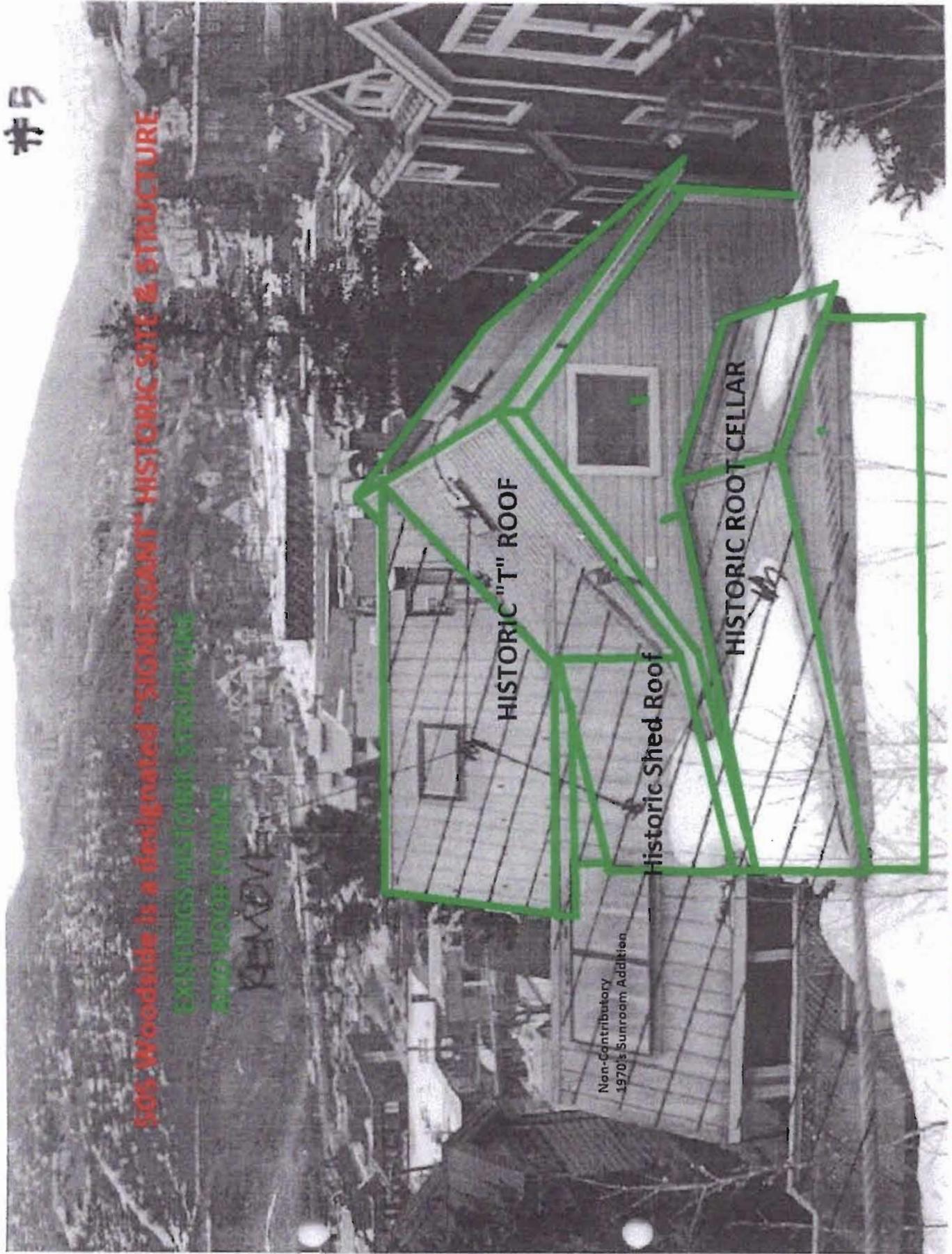
G.6 A reconstructed building should accurately duplicate the appearance of the historic building in materials, design, color, and texture.

# **EXHIBIT 19**

15

505 Woodside is a designated "SIGNIFICANT" HISTORIC SITE & STRUCTURE

EXISTING HISTORIC STRUCTURE AND ROOF FORMS REMOVE



**VIOLATION OF LMC 15-11-17 NO REVIEW FOR CERTIFICATE OF APPROPRIATENESS OF DEMOLITION**

Current HDDR approval allows for the illegal destruction of a Significant Historic Structure which includes existing historic walls, roof forms, and root cellar that are structural sound and habitable.

All of which are shown on the 1940 Tax Appraisal Card footprint sketch.

**EXHIBIT 20**

records, and/or current or Historic photographs.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**15-11-19. CAD HEARING.**

# **EXHIBIT 21**

## DESIGN GUIDELINES FOR HISTORIC SITES

*If your structure or lot is located within one of Park City's historic zoning districts—HRL, HR1, HR2, HRM, HRC or HCB—but is not a Historic Site, you should seek guidance in the "Guidelines for New Construction in Historic Districts" section of these guidelines.*

These Design Guidelines apply to all Historic Sites in Park City. Because residential, commercial, civic, and institutional buildings are found in all of Park City's six "H" zones, these guidelines are inclusive and may include sections that do not apply to your particular building or project.

The City, through the Planning Department staff, will determine when a project complies with the Design Guidelines. Projects involving Landmark Sites must adhere to the strictest interpretation of the Guidelines and must be designed and executed in such a manner as to retain designation as a Landmark Site. Projects involving Significant Sites are also held to a high standard, but because in many cases the sites have been substantially modified in the past, there is greater flexibility when interpreting the Guidelines. However, these projects must be designed and executed in such a manner as to retain designation as a Significant Site.

Compliance with the Design Guidelines is determined when a project meets the Universal Guidelines and Specific Guidelines. Because the scope of one project will differ from another, the City requires each application to meet all of the Universal Guidelines and Specific Guidelines unless the Design Review Team determines certain Specific Guidelines are not applicable.

All proposed projects must also meet the legal requirements of the Land Management Code before a building permit can be issued. Whenever a conflict exists between the LMC and the Design Guidelines, the more restrictive provision shall apply. As a result, elements such as building height, building pad and/or building footprint may be limited.

### UNIVERSAL GUIDELINES

1. A site should be used as it was historically or be given a new use that requires minimal change to the distinctive materials and features.

2. Changes to a site or building that have acquired historic significance in their own right should be retained and preserved.

3. The historic exterior features of a building should be retained and preserved.

4. Distinctive materials, components, finishes, and examples of craftsmanship should be retained and preserved. Owners are encouraged to reproduce missing historic elements that were original to the building, but have been removed. Physical or photographic evidence should be used to substantiate the reproduction of missing features.

5. Deteriorated or damaged historic features and elements should be repaired rather than replaced. Where the severity of deterioration or existence of structural or material defects requires replacement, the feature or element should 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.

6. Features that do not contribute to the significance of the site or building and exist prior to the adoption of these guidelines, such as incompatible windows, aluminum soffits, or iron porch supports or railings, may be maintained; however, if it is proposed they be changed, those features must be brought into compliance with these guidelines.

7. Each site should be recognized as a physical record of its time, place and use. Owners are discouraged from introducing architectural elements or details that visually modify or alter the original building design when no evidence of such elements or details exists.

8. Chemical or physical treatments, if appropriate, should be undertaken using recognized preservation methods. Treatments that cause damage to historic materials should not be used. Treatments that sustain and protect, but do not alter appearance, are encouraged.

9. New additions, exterior alterations, or related new construction should not destroy historic materials, features, and spatial relationships that characterize the site or building.

10. 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.

*Front yard setbacks provide a transitional space between the public street and the private building entrance. The pattern along the street created by historic setbacks is critical to defining community character.*



*Stone retaining walls and fences like these contribute to the character of the districts and help to define the street edge.*

## SPECIFIC GUIDELINES

### A. SITE DESIGN

#### A.1. Building Setbacks & Orientation

A.1.1 Maintain the existing front and side yard setbacks of Historic Sites.

A.1.2 Preserve the original location of the main entry, if extant.

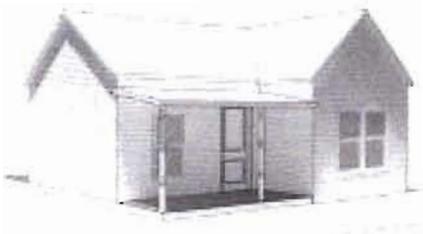
A.1.3 Maintain the original path or steps leading to the main entry, if extant.

#### A.2. Stone Retaining Walls

A.2.1 Maintain historic stone retaining walls in their original locations.

A.2.2 Maintain the original dimensions of historic retaining walls.

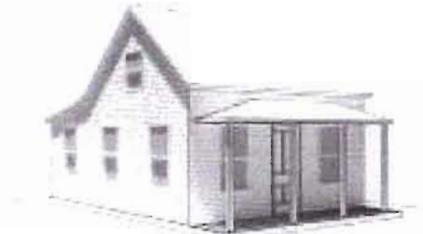
## **EXHIBIT 22**



*L Cottage*

**“L” Cottage or “T” Cottage**

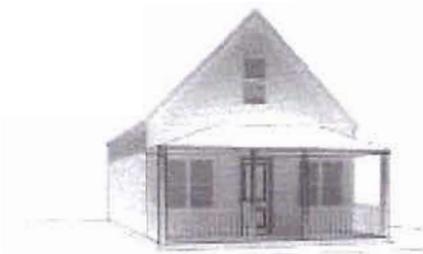
The “L” or “T” cottage, also referred to as a “cross-wing” is the most common residential building type in Park City. It usually has a gable-front section with a perpendicular side-gabled stem wing. The gable roofs intersect to form an “L” or “T” in plan. Porches are usually attached with a shed roof projecting from the stem wing and inset into the “L”. Porch supports are often square beveled or turned posts. Most ell-shape houses are one-story, but one-and-a-half or two-story examples also exist.



*Hall Parlor*

**Rectangular or “Hall-Parlor” House**

Buildings that are described as rectangular or “Hall-Parlor” are simple, rectangular in plan with a gable roof usually oriented with the ridge parallel to the street. The name comes from the floor plan composed of two rooms placed side by side; the hall, generally a square room, and an adjoining parlor, often smaller than the “hall”. Porches may extend across part or all of the façade and a few wrap around the corners of the house. The porches are defined by dropped or extended roofs with shed or hipped forms. Most rectangular homes are one or one-and-a-half stories and several have rear shed or saltbox roof profiles.



*Gable Front*

**Gable Front**

Gable Front houses are similar to Rectangular homes in shape, but have their gable end facing the street. Porches usually extend across the full façade and project from the main house with a shed or hipped roof. Porch supports and balusters are often square with few stylistic details. Many Gable Front homes are one-and-a-half or two-stories in height.



*Pyramid House*

**Hipped Roof or “Pyramid” House**

Hipped Roof or “Pyramid” houses are square in plan with simple hipped or pyramidal roofs. The porch and entrance are sometimes recessed under the principal roof; however, more commonly the porch extends the width of the house with a projecting hipped or shed roof. A few examples have a center entrance defined by a portico. Center gabled dormers are common and these houses are typically one and one-and-a-half stories.

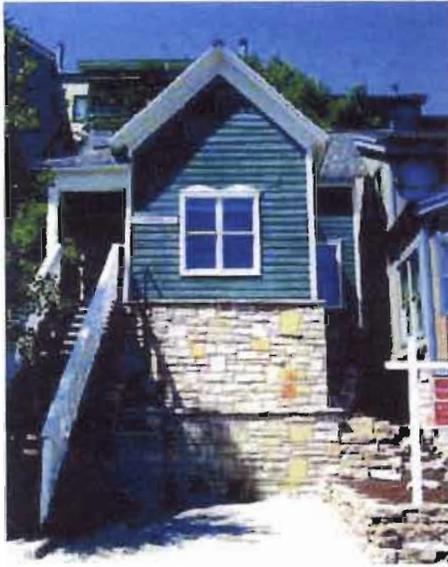


*Bungalow*

**Bungalow**

Bungalow or Bungalow-Related houses are easily recognized house types that were constructed in Park City much later than the other building types listed above. They are low, ground-hugging structures with low-pitched roofs that project over deep eaves, often with exposed rafter ends. They are rectangular in plan and often use a double gable on the front façade to define the porch and entrance.

# **EXHIBIT 23**



*Landscaping and site grading, particularly in the front yard setback, are important elements in defining the character of the street. Unlike the example above, original grading in the front yard setback and compatible landscaping should be maintained.*

### A.3. Fences & Handrails

A.3.1 Maintain historic fences and handrails.

A.3.2 Historic fences and handrails may be reconstructed based on photographic evidence. The reconstruction should match the original in design, color, texture and material.

A.3.3 New fences and handrails should reflect the building's style and period.

### A.4. Steps

A.4.1 Maintain historic hillside steps that may be an integral part of the landscape.

### A.5. Landscaping & Site Grading

A.5.1 Maintain landscape features that contribute to the character of the site.

A.5.2 Incorporate landscape treatments for driveways, walkways, paths, building and accessory structures in a comprehensive, complimentary and integrated design.

A.5.3 The historic character of the site should not be significantly altered by substantially changing the proportion of built or paved area to open space.

A.5.4 Landscape plans should balance water efficient irrigation methods and drought tolerant and native plant materials with existing plant materials and site features that contribute to the significance of the site.

A.5.5 Landscape plans should allow for snow storage from driveways.

A.5.6 Provide a detailed landscape plan, particularly for the front yard, that respects the manner and materials used traditionally in the districts.

A.5.7 Provide landscaped separations between parking areas, drives, service areas, and public use areas including walkways, plazas, and vehicular access points.

A.5.8 Maintain the original grading of the site when and where feasible.

## B. PRIMARY STRUCTURES

### B.1. Roofs

B.1.1 Maintain the original roof form, as well as any functional and decorative elements.

B.1.2 New roof features, such as photovoltaic panels (solar panels) and/or skylights should be visually minimized when viewed from the primary public right-of-way. These roof features should be flush mounted to the roof.

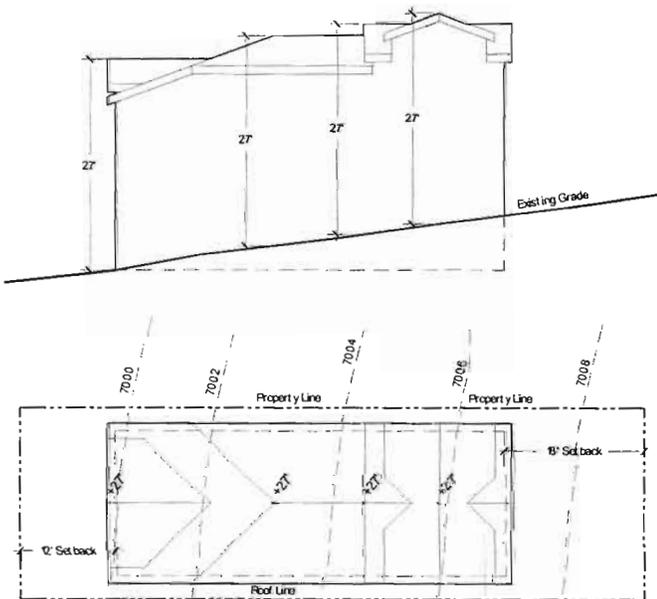


*These skylights are flush mounted and unobtrusive when viewed from the public right-of-way.*

**EXHIBIT 24**

third (3<sup>rd</sup>) Story of a Structure unless the First Story is located completely under the finish Grade on all sides of the Structure. On a Structure in which the First Story is located completely under finish Grade, a side or rear entrance into a garage which is not visible from the front façade or Street Right-of-Way is allowed.

**(C) ROOF PITCH.** Roof pitch must be between seven:twelve (7:12) and twelve:twelve (12:12). A Green Roof or a roof which is not part of the primary roof design may be below the required 7:12 pitch..



**(A) BUILDING HEIGHT EXCEPTIONS.** The following height exceptions apply:

- (1) Antennas, chimneys, flues, vents, or similar Structures, may extend up to five feet (5') above the highest point of the Building to

comply with International Building Code (IBC) requirements.

- (2) Water towers, mechanical equipment, and associated Screening, when enclosed or Screened, may extend up to five feet (5') above the height of the Building.

**(3) ELEVATOR ACCESS.** The Planning Director may allow additional height to allow for an elevator compliant with American Disability Act (ADA) standards. The Applicant must verify the following:

- (a) The proposed height exception is only for the Area of the elevator. No increase in square footage is being achieved.
- (b) The proposed option is the only feasible option for the elevator on the Site.
- (c) The proposed elevator and floor plans comply with the American Disability Act (ADA) standards.

**(4) GARAGE ON DOWNHILL LOT.** The Planning Director may allow additional height on a downhill Lot to accommodate a single car garage in a tandem configuration. The depth of the garage may not exceed the minimum depth for an internal Parking Space as dimensioned within this Code, Section 15-3. Additional width may be utilized only to accommodate

# **EXHIBIT 25**

### C.3. Detached Garages

C.3.1 New detached garages built on sites with existing historic structures should have an interior dimension that does not exceed twelve (12) feet in width.

C.3.2 Garage doors should not exceed the dimension of nine (9) feet wide by nine (9) feet high.

C.3.3 Roof form, exterior materials, and architectural detailing of a detached garage should complement the primary structure.



*These detached garages complement the primary structures. Left: The garage complements the new house -- the garage and the front gable of the house are original to the site. Right: The house was moved to this site and rehabilitated.*

## D. ADDITIONS TO HISTORIC STRUCTURES

### D.I. Protection for Historic Structures and Sites

D.I.1 Additions to historic buildings should be considered only after it has been demonstrated by the owner/applicant that the new use cannot be accommodated by altering interior spaces.

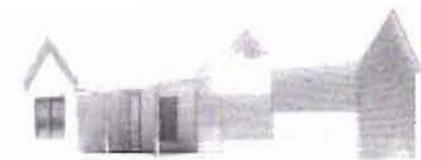
D.I.2 Additions should be visually subordinate to historic buildings when viewed from the primary public right-of-way.



*Left: This rear addition complements the historic building and is a preferred solution. Right: This rear addition overwhelms and engulfs the historic building and is not recommended.*

D.I.3 Additions should not obscure or contribute significantly to the loss of historic materials.

D.I.4 Where the new addition abuts the historic building, a clear transitional element between the old and the new should be designed and constructed. Minor additions, such as bay windows or dormers do not require a transitional element.



*A transitional element between a historic building and an addition is preferred.*

**D.1.5 Retain additions to structures that have achieved historic significance in their own right.**

**D.2. General Compatibility**

**D.2.1 Additions should complement the visual and physical qualities of the historic building.**

D.2.2 Building components and materials used on additions should be similar in scale and size to those found on the original building.

D.2.3 Window shapes, patterns and proportions found on the historic building should be reflected in the new addition.

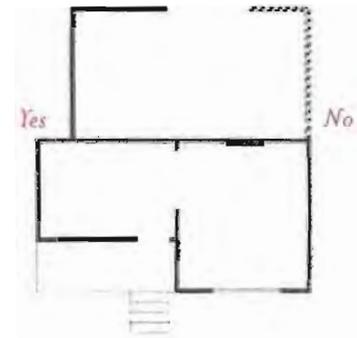
D.2.4 Large additions should be visually separated from historic buildings when viewed from the public right of way.

D.2.5 In-line additions should be avoided.

*Left: Additions that engulf a historic building are not recommended.*



*Right: In-line additions that extend the wall plane of the historic building should be avoided.*



**D.3. Scenario 1: Residential Historic Sites—Basement Addition without Garage**

D.3.1 The addition should not raise the historic structure generally more than 2' from its original floor elevation.

D.3.2 In plan, the basement addition should not extend beyond the wall planes of the historic structure's primary or secondary façades.

D.3.3 Window or egress wells, if needed, should not be located on the primary façade. Window or egress wells should be located behind the midpoint of the secondary façades or in a location that is not visible from the primary public right-of-way. Landscape elements should be used to screen window/egress wells.

D.3.4 After construction of the basement, the site should be re-graded to approximate the grading prior to construction of the addition.



*Large additions, whether constructed on downhill or uphill lots, should be visually separated from the historic building.*

**D.4. Scenario 2: Residential Historic Sites—Basement Addition with Garage**

D.4.1 The addition should not raise the historic structure more than two (2) feet from its original floor elevation. Historic buildings on downhill lots may be raised to accommodate a basement garage provided 1) access to

# **EXHIBIT 26**

# 505 WOODSIDE 1940 TAX APPRAISAL

SERIAL NO. \_\_\_\_\_  
 RE-APPRAISAL CARD (1940 APPR. BASE)

Owner's Name \_\_\_\_\_  
 Owner's Address \_\_\_\_\_  
 Location \_\_\_\_\_

Kind of Building House Street No. \_\_\_\_\_  
 Class \_\_\_\_\_ Type 1-2-3-4 Cost \$ \_\_\_\_\_  
 Schedule \_\_\_\_\_ Dimensions \_\_\_\_\_ Sq. Ft. \_\_\_\_\_ Annual  
 Stories \_\_\_\_\_ x \_\_\_\_\_ x \_\_\_\_\_ Factor \_\_\_\_\_ Total \_\_\_\_\_  
 x \_\_\_\_\_ x \_\_\_\_\_  
 x \_\_\_\_\_ x \_\_\_\_\_

NSA of Rooms \_\_\_\_\_ Condition \_\_\_\_\_  
 Description of Building \_\_\_\_\_ Add \_\_\_\_\_ Deduct \_\_\_\_\_  
 Foundation—Stone \_\_\_\_\_ Concrete \_\_\_\_\_ Masonry \_\_\_\_\_  
 Ext. Walls \_\_\_\_\_ Insulated—Floors \_\_\_\_\_ Walls \_\_\_\_\_ Ceilings \_\_\_\_\_  
 Roof—Type \_\_\_\_\_ Material \_\_\_\_\_  
 Drains—Small \_\_\_\_\_ Medium \_\_\_\_\_ Large \_\_\_\_\_  
 Porches—Front \_\_\_\_\_ Side \_\_\_\_\_ Rear \_\_\_\_\_  
 Garage—Room 1—14 1/2 x 11 1/2 full-floor \_\_\_\_\_  
 Basement Apartments—Rooms \_\_\_\_\_  
 Bath Rooms \_\_\_\_\_ Baths \_\_\_\_\_  
 Closets \_\_\_\_\_ Trunk \_\_\_\_\_  
 Plumbing—Toilet \_\_\_\_\_ Sink \_\_\_\_\_  
 Dishwasher \_\_\_\_\_ Garbage Disp. \_\_\_\_\_  
 Heat—Stove \_\_\_\_\_ Oil \_\_\_\_\_ Gas \_\_\_\_\_  
 Air Conditioned \_\_\_\_\_  
 Radiant—Pipes \_\_\_\_\_  
 Finish—Plr. \_\_\_\_\_ Floor—Tile Wd.  
 Cabinets \_\_\_\_\_ Mantels \_\_\_\_\_  
 Tile—Walls \_\_\_\_\_  
 Lighting—Lamp \_\_\_\_\_ Drop \_\_\_\_\_  
 Total Additions and Deductions 118,000 22,500  
 Net Additions or Deductions -95,500

REPRODUCTION VALUE  
 As of \_\_\_\_\_  
 Date of \_\_\_\_\_  
 Remodeling Val. minus Dep. \_\_\_\_\_  
 Garage—1 14 1/2 x 11 1/2 \_\_\_\_\_  
 Walls \_\_\_\_\_  
 Roof \_\_\_\_\_  
 Floor \_\_\_\_\_  
 Cost 118,000 Depreciated Value Garage \_\_\_\_\_  
 Total Building Value 22,500

Remarks \_\_\_\_\_  
 Assessed \_\_\_\_\_ By \_\_\_\_\_

# HPB



**EXHIBIT 27**

February 26th, 2013  
Lawrence Meadows  
Po Box 4344  
Park City Utah, 84060

Mr. David White, Architect  
2703 Estates Dr.  
Park City, Utah 84060-6930

**Sent via certified mail and email**

SUBJECT: 505 Woodside HDDR Appeal

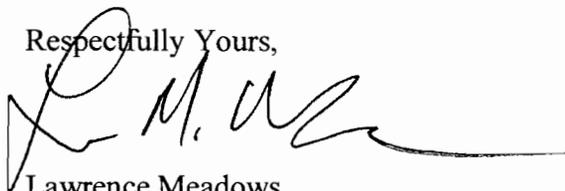
Dear David,

I am writing as a matter of professional courtesy to inform you of my allegations in my pending appeal of the 505 Woodside HDDR (see email attached herewith), which I contend was not properly approved in accordance with the current LMC or HDDR Guidelines. I respectfully request that you take a good hard look at what you have submitted, and would like to give you the opportunity as a professional architect and Historic Preservation Board member to thoroughly re-review your application.

I am trying avoid the needless waste resources of both myself, your client, and the city on an unnecessary appeal. Additionally I want prevent any negative professional stigma this might cast against you as a licensed architect; and furthermore prevent the need to file yet another complaint with the Utah State Ombudsman and the Utah Department of Professional Licensing. I am ethically and morally obligated to inform you that I have substantial evidence in support of my appellate claims, and will defend them vigorously before the Planning Commission and Historic Preservation Board, which will unfortunately will likely reflect poorly upon you.

Finally, just yesterday, the Planning Department suggested that if I withdrew my appeal by Friday, then I would receive a full refund of my appeal fee. However, to be clear I will not be withdrawing my appeal, but perhaps withdrawing and resubmitting the 505 Woodside HDDR application is something you should give serious consideration.

Respectfully Yours,

A handwritten signature in black ink, appearing to read 'L. Meadows', with a long horizontal flourish extending to the right.

Lawrence Meadows  
Appellant/Owner 515 Woodside

# **EXHIBIT 28**













