

**PARK CITY MUNICIPAL CORPORATION  
HISTORIC PRESERVATION BOARD  
CITY HALL, COUNCIL CHAMBERS  
DECEMBER 1, 2010**



**AGENDA**

<b>MEETING CALLED TO ORDER AT 5:00 PM</b>			<i>pg</i>
<b>ROLL CALL</b>			
<b>ADOPT MINUTES OF OCTOBER 6, 2010</b>			5
<b>ADOPT MINUTES OF OCTOBER 13, 2010</b>			17
<b>PUBLIC COMMUNICATIONS</b> – <i>Items not on regular meeting schedule.</i>			
<b>STAFF/BOARD COMMUNICATION &amp; DISCLOSURES</b>			
Elect Design Review Team representative			
Discussion and election of Planning Commission liaison(s)			
<b>REGULAR AGENDA</b>			
1027 Woodside Avenue – Determination of Significance	PL-10-01096		23
<i>Public hearing and possible action</i>			
<b>ADJOURN</b>			

**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.



## **MINUTES OF OCTOBER 6, 2010**



PARK CITY MUNICIPAL CORPORATION  
HISTORIC PRESERVATION BOARD  
MINUTES OF OCTOBER 6, 2010

BOARD MEMBERS IN ATTENDANCE: Roger Durst – Chair; Ken Martz, Dave McFawn, David White, Sara Werbelow

EX OFFICIO: Thomas Eddington, Kayla Sintz, Polly Samuels McLean

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ROLL CALL

Chair Durst called the meeting to order at 5:06 p.m. and noted that all Board Members were present except Brian Guyer and Adam Opalek, who were excused.

ADOPTION OF MINUTES

August 4, 2010

MOTION: Ken Martz moved to ADOPT the minutes of August 4, 2010. Dave McFawn seconded the motion.

VOTE: The motion passed unanimously.

September 1, 2010

MOTION: Sara Werbelow moved to ADOPT the minutes of September 1, 2010. David White seconded the motion.

VOTE: The motion passed unanimously.

WORK SESSION

Recap/Discussion on tours of Old Town by the HPD held in August and September

Chair Durst noted that Board Member Opalek had taken the same tour of Old Town but separate from the other Board Members and had submitted written notes and comments regarding his thoughts.

Board Member Werbelow found the tour to be helpful in terms of having the ability to discuss guidelines and other issues with the Staff and Board members on-site. She requested that tours be scheduled on a consistent basis since it is an educational opportunity for the Board members. Board Member Werbelow pointed out that the HPB has not had the opportunity to look at projects analyzed under the new guidelines. She looked forward to visiting those projects as they develop to get a sense of how the new guidelines are affecting projects.

Planning Director Eddington remarked that none of the projects approved under the new guidelines were ready for the August and September tours. He suggested the possibility of quarterly tours to visit new projects. Director Eddington had distributed a list of projects to update the HPB on the Historic District Design Review process.

Chair Durst asked if the 37+ projects pending Design Review on pre-application were all under the new guidelines. Director Eddington answered no and explained that the application number identifies the year the project was approved. For example, PL-07 indicates that the project is from 2007. The new guidelines are only a factor on the last third of the list with application numbers of 09 and 10'. The new guidelines were approved in April 2009.

Board Member Martz also found the tour to be helpful, particularly the project down by the Park where there are a number of violations. The previous process was to drive-by the properties and if a Board member had questions or concerns on something they saw, they would have to ask the Staff. Many times there was no follow-up and their question was never answered. He liked how taking the tour together gave the Staff and the Board Members the opportunity to address issues together. He felt this was a better monitoring system as opposed to waiting until something is completed and the applicant asks for forgiveness rather than permission. The tour allowed the Board members to see projects from the perspective of the good, the bad and the ugly. He stressed the importance of scheduling tours more often.

Director Eddington stated that the tours are beneficial for the Staff because they have the opportunity hear comments and impressions from the HPB.

Board Member McFawn remarked that besides homes, the Historic District is also sidewalks and streets. They need to maintain a sense of safety for emergency vehicles, pedestrians and users as a whole. Director Eddington agreed and believed those would continue to be challenges in the future. He encouraged the Board to provide input and to stay involved in that process. He used Norfolk Avenue as an example where there is continued debate for whether or not to put in sidewalks. Those types of concepts are tied to the Design Review and to the Old Town Improvement Study. Tying it all together and looking at the complete fabric is a challenge.

Chair Durst stated that he observed approximately 12 to 14 active projects in the process of infill or restoration within the town. Director Eddington believed that was an accurate estimate. Chair Durst agreed that the walking tour was valuable and he favored more frequent tours.

Chair Durst did not recall that any of the projects on the tour had come before the HPB for consideration or appeal. Director Eddington concurred that none of the projects on the tour had come before the HPB for appeal. He understood that 147 Ridge Avenue came to the HPB for input, but it was not an appeal.

Chair Durst felt the tour indicated that the Design Review Team is doing an incredibly good job of abiding by the guidelines. However, he seriously questioned the role of the HPB. On several occasions he has raised the issue of the HPB participating in Design Review and he recalled that the City Attorney was going to see if there was an ad hoc position with the DRT and/or the Planning Commission.

Director Eddington noted that the Legal Department had done that research and was prepared to update the HPB. He suggested that the Board complete their discussion of the walking tour and hear Board Member Martz's presentation of the City Tour before they address that issue.

Board Member Martz presented slides of 130 Sandridge Avenue and noted that this structure was brought to his attention by the Historical Museum Board. The house was taken down and the siding was preserved. The home is listed as significant on the HSI. Board Member Martz stated that the building is all new with the exception of portions of the siding that was saved and attached to the new building. He pointed out that the smaller area is the shape of the original building without the addition. He remarked that in every sense, except for the siding, this project was a reconstruction. The question is whether it is considered preservation, panelization or duplication. Board Member Martz believes there is a significant difference between someone who wants to preserve a building and someone who wants to do the very minimum of preservation.

Board Member Martz presented a slide of a structure on Park Avenue where the entire building was lifted and the roof was maintained. A new foundation was poured and the building was set back in place. In his opinion, this was a perfect example of preservation of an older building. Board Member Martz hoped that the new guidelines would look closely at the project on Park Avenue and shy away from projects like the one shown on Sandridge Avenue.

Board Member White asked if anyone knew the condition of the original structures at 130 Sandridge and whether or not it was a panelization. He stated that the structure on Park Avenue appeared to be in good condition, which makes it easier to raise the building. Board Member Martz clarified that he was not making an analysis or a value judgment on these projects. He was merely showing them as examples. He had spoken with Katie Cattan regarding 130 Sandridge and she told him they were only able to preserve one wall. However, Board Member Martz thought there would be three walls, not a pile of siding. He felt the Staff should give these types of projects careful consideration as they proceed under the new guidelines.

Director Eddington pointed out that the project at 130 Sandridge was based on the old guidelines. The new guidelines recommend preservation of material and panelization. Reconstruction is a last resort alternative. Director Eddington noted that 130 Sandridge was a combination of all three.

Planner Sintz remarked that 1059 Sandridge will be the first project under the new guidelines. She stated that often times, when an applicant goes through the process they want to take the structure back to its historic period and remove additions that are not historic. When that happens, entire facades and walls are exposed that have no historic material. Board Member Martz clarified that he was not challenging the process, he was only trying to point out the difference in projects.

Chair Durst stated that his firm was doing the 1059 Sandridge restoration and he would recuse himself from evaluating that project. However, he pointed out that the only reason that structure was able to be lifted intact was due to new framework that was put on the inside. To some extent, he believed that was panelization. Chair White clarified that the interior walls were structurally braced before the structure was raised. Chair Durst replied that this was correct.

Board Member McFawn asked if the City has a policy in place to address projects that are questionable in terms of whether they followed the guidelines. Director Eddington stated that some of the buildings on the City tour were specifically visited to show

examples of projects that did not follow the approved plans. As a result of the past year analysis and the new guidelines, the Staff will now be working with the Building Department on mid and final inspections. The intent is to identify and correct violations before a project is completed. In addition, the Staff is paying particular attention as they drive or walk around Old Town and they have been successful in catching a few themselves over the past few months.

Board Member McFawn asked if the Building Department has a checklist of particular items they should be looking for on historic structures or a significant site. Director Eddington stated that there is not a formal checklist, but there is a checklist for each approval. He believed the most successful approach is for the project planner to accompany the building inspector.

Chair Durst suggested that if a member of the Building Department was part of the Design Review Team, that would be an ideal time to establish a program for the inspections. Director Eddington clarified that as part of the process under the new design guidelines, the Building Official sits in on Design Review meetings.

Board Member Martz asked if anything could be done to encourage the City Council to promote things such as tax incentives to encourage owners to strive for maximum preservation. Director Eddington replied that the City Council is committed to promoting preservation. At their last visioning session in January, the Council put Park City character and preservation, as well as a number of related components, as their top priority. Tax incentives would need to be done in conjunction with the County. The issue of incentives was also raised by the Planning Commission earlier this year. Director Eddington noted that more people are becoming familiar with the new guidelines and the Historic Sites Inventory with a two tiered approach of significant and landmark sites. People with landmark structures have the benefit of owning a great piece of history, but that comes with negative ramifications of additional constraints. Some could argue that people with landmark structures are penalized. Director Eddington suggested that tax incentives, abatements, or better granting opportunities for landmark structures should be considered and recommended to the City Council.

Board Member Werbelow questioned why the status for 1059 Park Avenue was shown as "pending". Director Eddington explained that a slight modification was made to the structure and he expected that the status would be resolved within the next week or two. The project was proceeding based on the original application.

Planner Sintz reported that the City has a new financial guarantee in place. Therefore, for minor or major modifications to a historic site, a fee of \$150 per square foot is assessed per exposure to the historic for the main home, and \$50 per square foot for a porch. As an example, the fee for 1059 Park Avenue could exceed \$100,000. The owner would have the option of either a lien on the property, another method worked out by the Legal Department, a letter of credit, escrow or cash. Planner Sintz pointed out that the financial guarantee provides an incentive for the owner to recoup their money or remove a lien as quickly as possible. The owner cannot recoup that money unless the project is built exactly to the approved historic preservation plan. The preservation plan occurs prior to issuance of a building permit. The Staff was encouraged that the financial guarantee would result in better preservation plans and more attention to detail.

Director Eddington stated that the financial guarantee stemmed from the fact that some people were deviating from the approved plan. Many of the issues could be addressed by using a financial guarantee and the new guidelines.

#### Presentation of City Tour to Montana

Board Member Martz had attended the City Tour to Virginia City, Bozeman, Montana and Livingston, Montana. He had prepared a presentation with photographs of buildings and areas of interest and he provided a brief history and update of each city. Board Member Martz stated that Virginia City is a State Park/Museum, and he felt it was a great example of what a preserved historic mining town looks like. The buildings are all owned and maintained by the State and individual buildings are rented out for bars, antique shops, etc.

Board Member Martz stated that Bozeman is a fairly wealthy city similar to Park City. The historic district is intact, but it also has farming and mining at a distance. Ted Turner owns an old-time hotel and he has purchased and preserved a significant amount of property. Like Park City, Bozeman has sustainability programs, a historic district, and a historic preservation board. The historic commission and preservation guidelines are not quite as complex in Bozeman, but there is a lot of enthusiasm for their historic district. Board Member Martz noted that Bozeman is a wealthier city than Park City, primarily because many of the mining people in Park City chose to build in Salt Lake. He showed photos of large mansions in Bozeman that were built during the mining era. Board Member Martz stated that Montana does not have State tax so there are no funds for non-profits to tap into. Unlike Park City, which has the RAP tax or other entities as funding sources, the non-profits in Bozeman need to raise funds on their own or solicit the State for funds.

Board Member Martz stated that originally Livingston, Montana was a railroad town. A main structure in that town is a beautiful railroad station. At one time Livingston had wealth, which is evidence in many well-constructed buildings. Board Member Martz had noticed a lot of adaptive re-use, even though Livingston has less money than Park City. Condos and other uses were built above, but within, historic structures. Livingston is a more depressed town but it has more interesting shops and activities. The majority of people in Livingston are full time residents. Livingston does not have a demolition ordinance; however, several historic committees address trails, preservation, etc. Board Member Martz noted that the people who live in Livingston have a high level of enthusiasm for their town.

Board Member Martz stated that Bozeman and Livingston have many of the same things as Park City, but with less bureaucracy. Because of the different financial backgrounds, the mentality was different from Park City and different things occurred in those towns.

#### Historic Preservation Award Program

Chair Durst reported that based on an initial discussion regarding a historic preservation award program, he had met with Planner Sintz and Board members Martz and Werbelow to develop critical target points for recognition of the historic legacy that the HPB is commissioned to support and encourage. Chair Durst noted that the agenda outlined four points for discussion and he requested that the Board members provide their input and discuss ways to develop an awards program.

Board Member Werbelow clarified that in setting up this awards program, they do not want to detract from the Historic Society's award program. The intent is to make this award a more conceptual recognition and less related to aesthetics. Board Member Werbelow hoped to create a recognition program that would add to the qualities and characteristics in the Historic District that the Board could acknowledge, recognize and reward. Of the four bullet points on the agenda, she was particularly interested in the adaptive reuse concept.

Board Member Martz noted that Planner Sintz had suggested that they select a property each year and have an artist do a rendering or painting of the selected property to present to the winner instead of a plaque. A second copy of the rendering could be displayed in the City hallway recognizing the winning property for that specific year.

Board Member White favored the awards program. He thought that awarding a painting rather than a plaque was a great idea.

Board Member Werbelow clarified that the ideas discussed were only brainstorming. The program needs to be concrete with a set of defined and articulated criteria. Once that is done, the HPB as a body needs to present their idea to the City Council. The intent is to take a more proactive stance in a different direction than the appeal and typical criteria they are tasked with. Unless the HPB is clear in their intent and purpose, the community will not understand what they are trying to acknowledge or recognize.

Chair Durst suggested that three or more volunteers from the HPB work as a task force to put together this program. This group would be assigned the task of writing this program as an annual awards program that would recognize specific factors in the City. They would also select one or two candidates for Board consideration. The HPB as a whole would initiate the awards program.

Board Members Werbelow, Martz, McFawn and White volunteered. Assistant City Attorney Polly Samuels McLean, stated that if four members from the HPB are on the task force it would be a quorum and their meetings would need to be noticed to the public, recorded and minutes taken. That could be accommodated if more than three members wanted to volunteer.

Board Member Martz preferred to notice the meetings so they could make the opportunity available to all the Board members. Ms. McLean commented on the importance of coordinating with Patricia Abdullah so she can properly notice their meetings. Ms. McLean clarified that a sub-committee or task force should be three or less. If the whole Board is involved, they can meet as a sub-committee whenever they want, but it should be a predictable time that can be noticed. They would also need to make sure someone is available to record the meeting and take minutes.

Chair Durst requested that Board Member Werbelow structure a task force meeting and work with Patricia to make sure it is properly noticed. Board Member White thought the entire Board should be involved. The Board members concurred. Board Member McFawn believed it would take time to draft the guidelines. Before they take it to the City Council, he thought they should coordinate with the Historic Society.

Director Eddington asked if the Board would consider having two or three members meet with the Staff during a lunch hour to work on items that could be brought to the whole HPB for input, without having to go through the formality of minutes and noticing. The entire Board would still be involved, but the subcommittee would work with the Staff.

Assistant City Attorney McLean advised that if the entire Board was not meeting together, she preferred having a sub-committee that could begin to gather materials. If other Board members have input prior to a meeting of the full Board, they should send it to Patricia or one designated person. She was concerned about creating the possibility for back and forth communication outside of an open meeting.

Board Member McFawn suggested two subcommittees. One could focus on coordination with the City and the Historical Society and the second could focus on guidelines and structures. Board Member Werbelow understood that Director Eddington had suggested a sub-committee that would work with Staff to compile data that could be presented to the entire Board for discussion and conclusion. Once that is done, the Board would take it to the City Council for approval. The Board concurred.

Board Members Werbelow, White and Durst volunteered for the sub-committee.

Board Member Martz stated that he has discussed this awards program with Sandra Morrison and she is aware that the HPB is moving in a different direction. Board Member Werbelow asked about available funds if the HPB asked the City to contribute towards the painting or award. Director Eddington offered to research the availability of funds and to see if the City Council would approve a contribution.

Chair Durst believed the HPB was commissioned to raise certain awareness. He had taken the initiative to write an article for the newspaper and he was interested in beginning a dialogue with the City. He felt it was critical to get the word out from the Historic Preservation Board. Chair Durst stated that he has shared articles he has read regarding historic preservation because they are relevant to what is going on in Park City. He would like to have his article entitled Historical Perspectives published in the paper with a photograph. He encouraged other Board members to express their thoughts on the importance of the historic legacy of the town, and what it is they are trying to perpetuate and sustain as the community grows as a tourist Mecca. Chair Durst stated that he planned to release his article as an architect and as a member of the Historic Preservation Board. He asked if any of the Board members were uncomfortable with that.

Assistant Attorney McLean advised that if Chair Durst was doing it as a member of the HPB, the whole HPB would have to vote or endorse it. Otherwise, she suggested that Chair Durst submit the article from a personal standpoint. Chair Durst clarified that the thoughts were strictly his, but he hoped it would provide a vehicle for the community to respond to the Historic Preservation Board. He was willing to put it up for a vote.

Assistant Attorney McLean stated that it could be scheduled on the agenda for the next meeting to give everyone a chance to provide input. The Board could then decide whether they wanted to endorse it or how it should be structured. Ms. McLean pointed out that once the HPB label is attached to the article, it appears to represent the views of the entire Board and it was important to make sure they all shared the same view.

Chair Durst was not opposed to waiting until the next meeting. He wanted to encourage the community to express their viewpoints to the HPB and he asked that all the Board members be prepared to provide their own thoughts and ideas at the next meeting.

#### Recap of Joint Work Session Meeting with City Council

Assistant City Attorney McLean noted that minutes were available from the joint session between the City Council and the HPB. The minutes provided a good recap of the discussion and she would make sure the HPB were provided with copies.

Assistant City Attorney McLean noted that during the meeting it was clearly stated that the City Council was supportive of having an HPB member on the Design review Team. Her primary concern was the conflict of having a member of the HPB sit on the Design Review team and the HPB acting as an appeal board. Ms. McLean stated that she and Director Eddington discussed the issue and determined that from a legal standpoint it was best to have one HPB member assigned to the DRT rather than rotating members. Ms. McLean remarked that she and Director Eddington felt that a one-year term would be a good length of time for one Board member to sit on the DRT. She explained that if a project is appealed, that person would need to recuse himself or herself because they would have provided input on the project. The HPB position on the DRT would begin January 1, 2011.

Assistant City Attorney McLean noted that Patricia Abdullah had completed a summary of all the projects. They could update the entire Board on the list of projects being discussed by the Design Review Team, with the caveat that many projects do not go any further than the DRT. Oftentimes people come in and ask about a project but never do anything with it. She believed the list would help the Board understand where a project is in the process and alert them to the types of projects and who is doing them. The list includes everything historic and everything in Old Town. Mr. Eddington noted that the DRT meets every two weeks and discuss approximately three or four projects. Ms. McLean stated that during the joint meeting the Board expressed a desire to be more informed in terms of what is occurring in town so they are not blind sighted when approached by the public. She remarked that providing updated lists would accomplish that goal and keep the Board in the loop.

Assistant City Attorney McLean stated that another suggestion evident in the minutes was that the HPB should appoint a member to be the liaison to the Planning Commission and to attend the Planning Commission meetings. She clarified that the liaison would not need to attend every meeting, but it would be their responsibility to review the agenda and attend if a matter involved a historic structure or matters in the Historic District. The liaison would then report back to the HPB.

Board Member Werbelow asked about the DRT list. Director Eddington replied that it is a compilation of all the projects in the Planning Department with regard to Historic District Design Review. Beginning from now, they would send the HPB members the agenda packet for the DRT meeting, so they will know what projects are being reviewed. It would be emailed as a PDF every two weeks.

Board Member Werbelow suggested that the Board members rotate the liaison position to the Planning Commission so they could all have the experience. The Planning

Commission would appoint a member to the DRT and a Planning Commission liaison at the next meeting.

Assistant City Attorney McLean noted that Roger Durst's term as Chair had expired and she recommended that the HPB elect a new chair at the next meeting. She stated that a Board Member can serve two consecutive terms and the Board could vote to re-elect Roger Durst for a second term if they wished.

Assistant City Attorney McLean thanked the Board for their enthusiasm and for following up with questions and requests for additional information when needed. Their input is valuable and it helps create better things for the City.

### Public Input

Ruth Meintsma, a resident on Woodside Avenue, thought it appeared that the Board member assigned to the DRT for one year would be more of an adversary as opposed to an advocate to the applicant. She commented on the possibility that someone with a historic structure may want to do something that would be beneficial for the aesthetic historic value, but for some reason the Staff could not approve it based on the guidelines and the LMC. If the applicant appealed the Staff decision to the HPB, she suggested that the person assigned to the DRT could be an advocate for the aesthetic value of the historic. If that person is an advocate she wondered if the recusal could be a choice by the applicant to allow the opportunity for that Board member to participate in the appeal if they shared the same view. Ms. Meintsma thought the HPB representative on the Design Review Team would tend to be more pragmatic and hopefully the applicant would allow them to stay for the appeal.

Assistant City Attorney McLean agreed that the suggestion made by Ms. Meintsma had merit. However, when the HPB acts as an appeal body, they are acting basically as a judge in a quasi-judicial process. A person cannot be part of the decision and part of the appeal. Ms. McLean explained that the DRT is not a vote. It is a team that determines whether or not a project complies with the Code. Having a liaison to the DRT allows a voice from the perspective of the HPB. Director Eddington asked if the DRT liaison would be precluded from voicing their opinion of the Design Review during an appeal. Ms. McLean remarked that the liaison would need to be recused and he or she would not be allowed to participate in any way.

Board Member Werbelow asked if a project goes to appeal, whether someone on the Board could speak to the liaison prior to the appeal meeting regarding that particular application. Ms. McLean replied that a discussion outside of an open meeting would be worse than having the liaison person make a statement at the meeting. She was not opposed to having the liaison sit at a different table away from the rest of the Board and express their view to represent what happened at the Design Review meeting. Ms. McLean was concerned about fairness and being clear that there is a level playing field.

Chair Durst wanted to know how that would correlate with the HPB's diversity and independence. He thought Ms. Meintsma raised a good point and he had never considered the role of the liaison to be either an adversarial or advocacy position.

Board Member Martz thought the process should be followed as explained by Ms. McLean and that the DRT liaison should be recused when an appeal comes before

them. He commented on the number of disclosures they have all had to make in the past and he felt strongly about a recusal for this particular position. Ms. McLean recalled a provision in the Code that specifically states that a Board member cannot sit on an appeal where they made the underlying decision. Even though the Design Review is somewhat different and does not require a vote, it is a similar situation because there is collaborative input.

#### Future Meeting

Director Eddington asked if the Board would be available to meet at noon on October 13<sup>th</sup> to review a grant request. The project is for a re-roof and the work needs to start before it snows.

Director Eddington stated that the October 13<sup>th</sup> meeting would only be for the grant. The other items discussed during this meeting would be scheduled for November 3<sup>rd</sup>.

Chair Durst stated that he would be conducting a walking tour of Old Town on Saturday from 3:00 to 5:00 for architects in town for the American Institute of Architects. The tour will begin at the top of Main Street and they will be looking at the architectural aspects of the infill and adaptive re-use. He invited all the Board member to join them if they are interested.

The meeting adjourned at 6:47 p.m.

Approved by \_\_\_\_\_

Roger Durst, Chair  
Historic Preservation Board

**MINUTES OF OCTOBER 13, 2010**



PARK CITY MUNICIPAL CORPORATION  
HISTORIC PRESERVATION BOARD  
MINUTES OF OCTOBER 13, 2010

BOARD MEMBERS IN ATTENDANCE: Brian Guyer, Dave McFawn, Sara Werbelow, David White

EX OFFICIO: Katie Cattan, Jacquy Mauer, Polly Samuels McLean, Patricia Abdullah

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Roger Durst was absent and the Board voted on a Chair Pro Tem to conduct this meeting.

MOTION: David White made a motion to nominate Sara Werbelow as the Chair Pro Tem. Brian Guyer seconded the motion.

VOTE: The motion passed unanimously.

ROLL CALL

Chair Pro Tem Werbelow called the meeting to order at 12:10 p.m. All Board Members were present except Roger Durst, Ken Martz and Adam Opalek, who were excused.

PUBLIC COMMUNICATIONS

There was no comment.

REGULAR MEETING – Discussion, Public Hearing and Possible Action

1209 Park Avenue – Historic Grant Application Review  
(Application #PL-10-01074)

Planner Katie Cattan reviewed the historic grant application for a re-roof at 1209 Park Avenue. Puggy Holmgren was the applicant. The home is a landmark structure on the Historic Sites Inventory for Park City, which makes it a special circumstance.

Planner Cattan reported that the total cost estimate was \$8,100. Two bids were included in the Staff report. The difference between the two bids was approximately \$200. This would be a matching grant and the applicant would pay half of the expense and the City would pay the other half if the grant is awarded. Planner Cattan noted that currently there was \$208,983 in the Park Avenue RDA fund. The applicant had provided photos that were passed among the Board members.

Board Member McFawn asked Ms. Holmgren if she was planning to put on new 30 year shingles similar to the existing shingles. Ms. Holmgren replied that she was proposing a green color rather than the existing terra cotta color. She has lived in the home for over twenty years and believed the roof was 23 years old. Shingles have blown off during the last few wind storms. Planner Cattan noted that the plywood under the shingles would also be replaced.

Board Member White asked if the color would be dark green or a bright green. Ms. Holmgren replied that it would be a dark green. Board Member White stated that roofing

and painting are typically maintenance items. However, he understood that for landmark structures, the HPB has the ability to approve special conditions such as a new roof. He personally felt this was a good use of grant money because it would protect the landmark structure. He would vote to approve the grant.

Chair Pro Tem Werbelow agreed with Board Member White. However, since there are considerable funds in this account and the other RDA accounts are nearly depleted, she felt it was important to protect this resource and make discerning choices. Chair Pro Tem Werbelow was concerned about setting a precedent moving forward. She asked if grants should be approved for all landmark structures or if there is some type of differentiation between structures.

Board Member White stated that he would definitely take a stronger look at the request if the structure was owned by a corporation or a developer. In this case, since the structure is owner/occupied and Ms. Holmgren has lived there for many years and has maintained her property, he felt this grant was a good idea. Chair Pro Tem Werbelow remarked that she would support it as well.

Board Member McFawn asked Ms. Holmgren if she had looked into Energy Star qualified shingles that qualify for tax breaks. Ms. Holmgren stated that she had looked into the Energy Star shingles at the urging of her tax preparer. She was told that the shingles on both bids were as good as they could get. Ms. Holmgren stated her preference for a copper roof, but it is too far from being historically accurate to be considered. She believed the original roof consisted of skinny pieces of wood. There are three layers of asphalt, which is why they are taking it down to the plywood.

Planner Cattan remarked that in the historic district, greater than 60% of the homes are owned as second homes. The fact that this home is a landmark structure and a primary residence are two good criteria for the grant.

Board Member White understood that the HPB has the ability to look at landmark or significant structures on a case by case basis. Planner Cattan replied that this was correct. Board Member White pointed out that based on individual situations, not every structure would necessarily be approved for a grant, which would address the concern for setting precedent.

Board Member McFawn thought funds were also a factor. Since the Park Avenue RDA has substantial funds, he was comfortable approving this grant. He noted that some things are a function of "first come/first served" based on the amount of available money. He believed there were a number of factors to be considered in granting this money.

Board Member Guyer stated that even if they were setting a precedent, the precedent would be a preference for owner/occupied structures.

Planner Cattan explained that the grant is pro-rated over a five-year period. For example, if Ms. Holmgren was to sell her property in a year, she would owe 80% back to the City.

Chair Pro Tem Werbelow opened the public hearing.

There was no comment.

Chair Pro Tem Werbelow closed the public hearing.

MOTION: David McFawn made a motion to support the grant request for matching funds in the amount of \$4,050 to re-roofing the structure at 1209 Park Avenue. David White seconded the motion.

VOTE: The motion passed unanimously.

The meeting adjourned at 12:21 p.m.

Approved by \_\_\_\_\_  
Roger Durst, Chair  
Historic Preservation Board

DRAFT



## **REGULAR AGENDA**



# Historic Preservation Board Staff Report



Planning Department

**Author:** Katie Cattan  
**Subject:** Historic Sites Inventory  
**Address:** 1027 Woodside Avenue  
**Project Number:** PL-10-01096  
**Date:** December 1, 2010  
**Type of Item:** Administrative

### **Summary Recommendation:**

Staff recommends the Historic Preservation Board review the application, conduct a public hearing and consider adding the existing structure at 1027 Woodside Avenue to the Park City Historic Sites Inventory.

### **Topic:**

**Project Name:** Park City Historic Sites Inventory  
**Applicant:** Eric and Debra Younger  
**Proposal:** Add the existing structure at 1027 Woodside Avenue to the Historic Sites Inventory

### **Background:**

The Park City Historic Sites Inventory, adopted February 4, 2009, includes four hundred five (405) sites of which one hundred ninety-two (192) sites meet the criteria for designation as Landmark Sites and two hundred thirteen (213) sites meet the criteria for designation as Significant Sites. The existing structure at 1027 Woodside Avenue was listed on the previous 1984 Historic Building Inventory but was not included in the February 4, 2009 adoption. The owner has applied to have the existing structure added to the current inventory.

The first record of existing single family structure located at 1027 Woodside Avenue was in the Sanborn Insurance Maps of 1889. The structure was either built on or moved to the site in 1889. The legal transaction for the purchase described the property as "one frame or plank building formerly known as the Burns House". There is no record of a Burns family holding previous title to the land at this location, so it is therefore speculated that the structure may have been moved. The original owner, Jesse Morgan, was a miner of English descent.

The structure had several typical alterations during the mature mining industry era which existed from 1894 to 1930. In 1984, the Historic Preservation Research Office of the Utah State Historical Society described the structure as follows:

"This house is a one story frame T/L cottage with a gable roof. A porch spans the east side of the stem-wing. The porch has simple, slender square porch piers and a straight post balustrade. A pair of one over one double hung sash windows is set into the gable end of the cross-wing. There is a door and a window on the stem wing. A second door, set into the south side of the cross-wing, was partially

enclosed, and replaced by a window. A small horizontal rectangular window on the south side of the building is not original, but is an unobtrusive change, and was made within the historic period. There is a shed roof rear extension which is not original, as is indicated by the difference in siding types and the break in the roof line. The extension has narrow lap siding, a type of siding that gained popularity in the 1920s, whereas the main section has drop siding, the principle type of siding that was used for all of Park City's houses dating from the 1870's until at least the first decade of the twentieth century. The extension, however, dates within the historic period and is not obtrusive. In-period rear extensions are part of Park City's architectural vocabulary. Although in many cases an extension represents a major alteration of the original house, it usually contributes to the significance of a house because it documents the most common and acceptable method of expansion of the small Park City house. The minor changes made to this house do not affect its original character."

Since the adoption of the original 1984 Park City Historic Inventory, there have been additional alterations to the existing structure at 1027 Woodside Avenue. The one modification that led to the house not being included in the 2009 adopted Historic Sites Inventory occurred in 1997. During this modification, the stem wing section of the main roof was modified to create a new front facing gable. The original gable end of the cross-wing and the shed roof above the porch were preserved on the front façade. The structure at 1027 Woodside Avenue was not included in the recently revised inventory list of 2009 due to the change in form of the original structure.

The Planning Department received a complete application for a Determination of Historical Significance on November 2, 2010. No other planning applications are currently under review for this property.

### **Analysis and Discussion:**

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

The existing structure could not qualify for Landmark status due to the very strict criteria. The existing structure at 1027 Woodside Avenue will be reviewed under the criteria set forth for a Significant Site (LMC Section 15-11-10(A)(2)) as follows:

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

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

The structure was originally constructed in 1889, making the structure 121 years old.

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

- (i) Changes in pitch of the main roof of the primary façade if 1) the change was made after the Period of Historic Significance; 2) the change is not due to any structural failure; or 3) the change is not due to collapse as a result of inadequate maintenance on the part of the Applicant or a previous Owner, or
- (ii) Addition of upper stories or the removal of original upper stories occurred after the Period of Historic Significance, or
- (iii) Moving it from its original location to a Dissimilar Location, or
- (iv) Addition(s) that significantly obscures the Essential Historical Form when viewed from the primary public Right-of-Way. **Discussion Requested.**

The modification that led to the house not being included in the 2009 adopted Historic Sites Inventory occurred in 1997. The stem wing section of the main roof had been modified to create a new front facing gable and additional space (18") in the top story. Criteria B specifies that major alterations that destroy the essential historical form include changes in the pitch of the main roof of the primary façade. The applicant has made the argument that the "pitch" of the main roof as viewed by the street right of way has not changed. It is correct that the "pitch" of the original gable end of the cross-wing has not been altered. Also, the shed roof above the porch has not been altered. Although the roof form has been modified, it is evident that the structure was originally a cross-wing T/L shaped cottage. The preservation of the original gable end of the cross-wing and the shed roof above the porch have preserved the essential historical form when viewed from the primary public right-of-way.

**Discussion Requested:** The Historic Preservation Board must determine if the current structure has retained its essential historical form. If the Board determines that the essential historic form has been retained, than the structure may stay on the Park City Historic Sites Inventory.

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

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

The existing structure is important in local history, architecture and culture associated with the mature mining industry era. The structure was built (or relocated) in 1889, during the mature mining industry era which existed from 1894 to 1930.

**Notice:**

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

**Public Input:**

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

**Alternatives:**

- Conduct a public hearing on the existing structure at 1027 Woodside Avenue described herein and add the existing structure to the Historic Sites Inventory as presented.
- Conduct a public hearing and reject the addition of the existing structure at 1027 Woodside Avenue to the Historic Sites Inventory, providing specific findings for this action.
- Continue the action to a date certain.

**Significant Impacts:**

There are no significant impacts on the City as a result of adding the existing building described in this report to the Historic Sites Inventory.

**Consequences of *not* taking the Recommended Action:**

Not taking the recommended action will result in the 1027 Woodside Avenue structure remaining off the Historic Site Inventory.

**Recommendation:**

Staff recommends the Historic Preservation Board conduct a public hearing and consider adding the 1027 Woodside Avenue structure to the Park City Historic Sites Inventory according to the following finding of fact and conclusions of law.

**Finding of Fact**

1. 1027 Woodside Avenue is within the HR-1 zoning district.
2. The structure at 1027 Woodside Avenue is not currently listed on the Park City Historic Sites Inventory.
3. There is an existing structure at 1027 Woodside Avenue.
4. The existing structure has been in existence at 1027 Woodside Avenue since 1898 according to the Sanborn Insurance Maps.
5. The existing structure is over 50 years old.
6. The existing structure is important in local history, architecture and culture associated with the mature mining industry era. The structure was built (or relocated) in 1889, during the mature mining industry era which existed from 1894 to 1930.

7. The original structure was a T shaped cottage and typical of the mature mining industry era.
8. In 1997, the stem wing section of the main roof was modified to create a new front facing gable and additional space in the top story. The “pitch” of the original gable end of the cross-wing has not been altered. Also, the shed roof above the porch has not been altered. Although the roof form has been modified, it is evident that the structure was originally a cross-wing T shaped cottage when viewed from the public right-of-way. The existing structure retains its essential historical form.
9. The discussion in the Analysis section above is incorporated herein.

#### Conclusions of Law

1. The existing structure located at 1027 Woodside Avenue meets all of the criteria for a Significant Site as set forth in LMC Section 15-11-10(A)(2).

#### Exhibits:

Exhibit A – Applicant’s Letter

Exhibit B – 1940 Tax Photo

Exhibit C – Utah State Historical Society

Exhibit D – Historic District Architecture Survey 1982

DEBRA & ERIC YOUNGER  
BOX 4555  
PARK CITY, UTAH 84060  
(435) 649-1073

October 25, 2010

Mr. Roger Durst, Chairman  
and Members of the Historic Preservation Board  
c/o Mr. Tom Eddington  
Planning Director  
Park City Municipal Corporation  
Box 1480  
Park City, Utah 84060

**Re: Determination of Historical Significance  
1027 Woodside Avenue**

Ladies and Gentlemen:

In the summer of 2010, the Park City Museum wrote “because of the excellent quality of your recent improvements, we would like to place a bronze [historic preservation] plaque on the front of your historic home at 1027 Woodside Avenue.”



Our home had already been featured in the 2009 Park City Historic Home Tour.

Yet, in 2008, our home had been removed - with no notice to us - from the City’s Historic Property Inventory, where it had been listed since the Inventory’s inception. This removal would clearly have been illegal only a few months later. (Land Management Code §15-11-10 (C).)

How can this be?

**Removal from the Historic Property Inventory**

Our home had always been considered “historic” and was on the “Final Report - Historic Property Inventory” in 2006. (Exhibit 4.)

We purchased it in the spring of 2007, specifically wanting (and paying for) a historic home in the Historic District, which, of course, it was. Our realtor was told it was historic and his MLS<sup>1</sup> Report listed it as such. Historical Society ribbons were on it when we saw it.

An August 16, 2007 City Ordinance’s<sup>2</sup> formal Findings of Fact [#5] found our home to be “an existing historic house . . . .” That was based on a City Planning Commission staff report of August 8. That and a further staff report of August 20, 2007, both expressly refer to the home as historic.

Our 2007-08 renovations (and removal of a modern modification) were in 100% compliance with this Board’s mandates,<sup>3</sup> and *no one has suggested that our work has harmed its historic character.*

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<sup>1</sup>Multiple Listing Service, p. 2 (loaded 12/13/06)

<sup>2</sup>The copy in our file is unsigned and un-numbered (it is, of course No. 07 \_\_\_), but the City’s records will plainly have an executed copy as the plat amendment was allowed.

<sup>3</sup>We wanted a larger window in our bedroom, but the Board felt it harmed the historic character of the house, so we did not install it.

While neither this Board nor the City ever notified us of our “delisting,” we learned of it from Historical Society members on the eve of the 2009 Historic Home Tour, in which some 300 paying guests toured our house. We were completely shocked, but learned that the Board’s preservation consultant had unilaterally (and without notice) removed our home from the inventory - *in 2008 - because of a 1997 modification to part of our roof.*

There are 2.8 million people in Utah. We have located no other person who believes the house is not historic. While we question neither the integrity nor the expertise of the consultant, we believe her findings to be literally in error and the implications of those findings to be potentially harmful to the community.

In the governmental decisions, made throughout our nation, “experts” do not *make* the policy determinations. Here, the Historic Preservation chapter of the Land Management Code (§15-11-9) was promulgated to “*provide an incentive for identification and preservation of Historic Buildings, . . .*”

The easiest way to understand our position is to look at the five photos in Exhibits 1 and six, showing other very old homes within a couple of hundred yards of ours, all of which bear historical home ribbons.<sup>4</sup> Can one look at the photos and logically conclude that their implications would bring anything other than disaster to our community?

#### **Errors in - the Consultant’s Opinion**

In a June 15, 2009 e-mail,<sup>5</sup> the consultant explained her position to the Historical Society (she has never communicated with us):

1027 Woodside is not on the list because it does not meet either criteria (Significant or Landmark) for local designation.

A) Landmark Site: It is no longer eligible for the National Register of Historic Places because of the alterations that were made to the property after the building was listed. The listing, and subsequent plaque, is based on the property's appearance and condition in 1983. \* \* \*

B) Significant Site: It does not meet the second criterion in the LMC15-11-10(A)(2)(b)(i) - The Essential Historical Form was destroyed because "changes in the pitch of the main roof of the primary facade" were made after the period of historic significance. The house was originally a T/L cottage. The main roof form, altered after 1983, is now a large gable front form.

Let us examine point B first: There has never been a change in the *pitch* of the roof on the “primary facade,” as old<sup>6</sup> photographs reveal. (Exhibit 3.) The “primary facade” is the part of the house one sees from the street. The *rear* portion of the roof was raised about 28" in a 1997 renovation, undertaken because “the roof was no longer structurally sound and needed to be replaced.”<sup>7</sup>

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<sup>4</sup>Also note modernizations which have been allowed: Exhibit 6 shows an enormous modern garage and inappropriate doors and windows facing our house; note the 2010 preservation ribbon on the spiral porch column. The ribbons are placed, of course, by the Historical Society, but have generally tracked the City’s Inventory.

<sup>5</sup>From Dina Blaes to Sandra Morrison; omitted portions do not refer to the substance of the modifications

<sup>6</sup>Undated, but Wendy Ashton, Curator of Exhibits at the Park City Museum, puts this picture between the 30’s and 50’s.

<sup>7</sup>An e-mail of July 7, 2010 from Mary Davidson, the then-owner, describes the city-approved renovation; the decision to put a bedroom in the attic was a part of that.

The house remains a T/L cottage, with porches and sheds filled in in the early part of the 20<sup>th</sup> century, in a manner the State of Utah says “contributes to the significance,” as explained in detail in the Application. (*Note that no objection has been raised to our 2007-08 addition to the rear of the house.*)

While wanting to be respectful, we must note that point A is a classic “bootstrap,” in that it cites no additional “alterations,” beyond the substantive, but erroneous, complaint in B.

### **The Land Management Code’s Provisions**

The 2009 changes to the Code, adds provisions for “Removal of a Site . . . .” The political and policy choices underlying these changes were, of course, the province of the City Council, though the Board has the more practical duties of preserving the City’s unique Historic character and safeguarding its heritage. (§15-11-5.)

Put simply, the “Removal” provisions require Due Process - *i.e.*, notice and a hearing (a chance for us to have *input*) - which we did not receive because our home was removed a few months before the Ordinance’s passage. We were not even informed of our removal after the fact.

Code §15-11-10(C) provides alternate routes for removal by the Board, the Planning Department and site owners (see (§15-11-10(C)(2))), but the consultant is given no role in the process.

Why does any of this matter? For starters, the “applicant,” if there were one, would have the “burden of proof” under §15-11-10(C)(2)(c), which might have been harder to demonstrate, had *we* been given notice of a hearing and showed up with evidence. In everyday terms, the burden of proof point simply means that, were the Board ambivalent or felt the issues evenly divided, our home would remain on the list.

Would anyone seriously question whether our showing up at a Board meeting and saying, “yes, we really care about this” might have made a difference? We are not developers, wanting to tear down an old home to put in a condo project. We are actively involved in the Park City Museum and advocates of the town’s historical preservation.

### **Constitutional and Other Legal Issues**

We have consistently stated that we will not sue the City. But that does not mean we cannot respectfully implore this Board to “do the right thing” by following the Constitution and Laws of the United States and of the State of Utah.

We admit that the City Attorney does not believe we would have a “winning case,” were we to have considered legal action, and he knows much more about Utah’s law on “takings,” than I do, but he has conceded that we have an argument and we repeat that the lack of notice and opportunity to be heard is our most important complaint.

### **A Simple Solution**

Is our home a “Landmark Site,” within the meaning of §15-11-10(A)(1)?



It is clearly old enough and “retains its Historic Integrity in terms of location, design, setting, materials, workmanship, feeling and association.” It *is* on the National Register of Historic Places, regardless of whether the consultant thinks it should be, and “it is significant in local . . . history, architecture, . . . and culture associated with . . . [a]n era that has made a significant contribution to the broad patterns of our history.” (§15-11-10(A)(1)(a)(b) and (c)(i).)

As is explained in the body of our application, Jesse Morgan, the first owner of the home, was quite a character, arriving in 1861 from England. He was apparently a Mormon miner (or perhaps going back-and-forth between the two rather inconsistent statuses). The brother of a prominent local citizen, Jesse Morgan was ultimately the town constable in Grouse Creek, in northwestern Utah, after surfacing in several parts of the state with several wives.

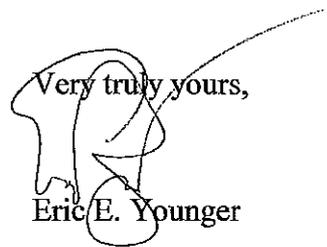
The specific criteria for Landmark Sites are clearly more liberal - and intended to be - than for Significant Sites, under §15-11-10(A)(2). ***If our home is deemed a Landmark Site, the other issues dissappear.***

The issue which would most persuasively qualify our home for Landmark status is that of “feeling,” an intelligent term in the Ordinance. Should the Board or its staff wish to visit and view both the outside and the inside of the house, we believe that the “feeling” issue will be well-demonstrated. How many historic home *interiors* include hundred-year-old wallpaper and antique siding? How many homes are filled, inside and out, with mining equipment and other nineteenth-century accouterments?

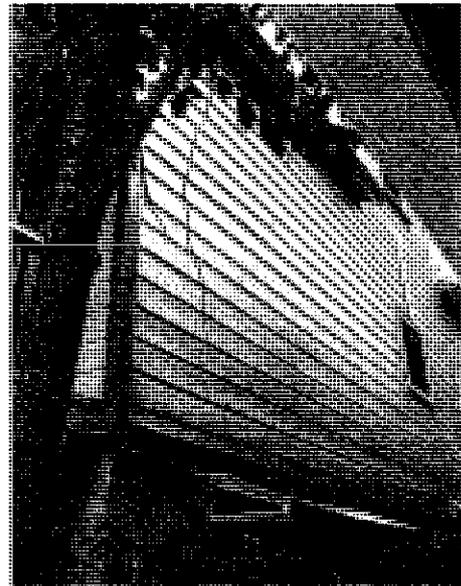
### **Conclusion**

We apologize for the length of this cover letter, but the attached Application offers us no opportunity to advocate our position. We do not believe that the process had treated us fairly, and hope we have explained that belief herein. The Board will find many details in our Application, but its central point can be summarized in one sentence: **What our home does have, is as good a *combination* of age, architectural and interior decor integrity, careful preservation and upkeep as any in Park City.**

Thank you for your consideration.

Very truly yours,  
  
Eric E. Younger

**3. Four photographs of the property (one of each building face)**



Rear (west-facing) is at top right.  
South side is at left. There is no way  
to take a better view of the north side  
(above), as the house to the north is  
only 5' from ours.

#### 4. Written history of the project

In 1883, George C. Snyder sold property in “Snyder’s Addition” to David McLaughlin, who, in turn, sold this parcel to Jesse Morgan, apparently a miner, who had arrived on an 1861 shipload of Mormon pioneers from England.

Our home was built or moved<sup>1</sup> to the site, apparently in 1888. Morgan and his wife had already moved to Salt Lake City before 1904, then selling the home to Grace Bryant, who sold it in 1906 to Emma and Harry Wilson. They were the owners *until 1968!*

Don and Mary Davidson bought the home in 1989 and sold it to us in 2007.

It was a built as a one-story “T/L” cottage with a gable roof,” with a porch to the east (front elevation) of the stem-wing.<sup>2</sup> Various renovations and walling-in of porches and “shed roof” extensions occurred, mainly in the 1920’s. The State Report (Exhibit 2) says “although in many cases an extension represents a major alteration of the original house, it usually contributes to the significance of a house because it documents the most common and acceptable method of expansion of the small Park City house. The minor changes made to this house do not affect its original character.”

Until 1989, the home had no foundation and no stud framing; the wall boards were simply nailed to corner supports. The house was “sliding down the hill” when the Davidsons bought it that year, so they jacked it up and built a foundation (including a garage) underneath.<sup>3</sup> Contractor Rick Perry, who also rebuilt the Union Pacific Depot at Heber and Main streets after it burned, did this dramatic renovation, without “panelization,” putting studs and modern plumbing and wiring into the existing walls. Photographs of this construction reveal some board replacement, but a substantial proportion of very old lumber remains. (It appears that the boards on the *front* of the house are original from the 1880’s.)

In 1997, “the roof was no longer structurally sound and needed to be replaced,”<sup>4</sup> and the then-owners added a bedroom and bathroom in the attic when they rebuilt it, raising the rear portion of the roof about 28”. *This renovation did not change the pitch of the 1888 roof. The T-cottage-with-porch floor plan was preserved and remains visible today*, subject only to the 1920’s fill-ins, which “do not affect its original character,” according to the State Report.

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<sup>1</sup>It had been known as the “Burns House,” though no member of that family ever owned the land, leading to speculation it was moved. Sandra Morrison, Executive Director of the Park City Museum believes the notion that the house was moved was an error in earlier state historical records.

<sup>2</sup>Utah State Historical Society Structure/Site Information Form, April 1984, hereinafter the “State Report” (Ex. 2.)

<sup>3</sup>A tax appraisal sketch from 1949 (Exhibit 5) shows all the c. 1920’s “fill-ins,” except for the tiny completion of the rectangle to the southwest, required for the staircase to the bottom level at the time of the 1989 foundation work.

<sup>4</sup>E-mail of July 7, 2010 from Mary Davidson, the then-owner.

Until our 2007-08 renovation - *about which the consultant has no complaint* - the footprint<sup>5</sup> of the house remained virtually the same from (apparently) the 1920's. Under the supervision of Park City architect David White, and complying with every Board and City mandate, we strengthened the structure, leveled its floors and did major interior renovations, restoring many previously-modernized surfaces to historical and/or historical-appearing condition. (I have personally made two pieces of furniture from excess 1880's lumber.)

We removed a modern (and ugly) octagonal window at the front of the house.

Our exterior extension is invisible from the front elevation and is largely underground.

I personally rebuilt the outhouse, clearly visible in a 1899 photo (Exhibit 3), from the original boards in its original location.

**5. A written summary, and any supporting documents, that details why the property is historically significant. (Statements re Title 15, Land Management Code, Chapter 11- Historic Preservation, Section 15-11-12(A):**

**a. The building or structure or site is associated with events or lives of persons significant to our past**

Jesse Morgan was not famous, but he was apparently quite a character: An English-born reasonably-successful miner (who owned other properties as well), he built a T-cottage on what is now our property in 1888 or 89, living in it for a time and renting it out as well.

He had arrived in America from England in a shipload of Mormon converts in 1861, and, during the rest of his life, in Utah, he had three or four wives, though it is not clear that he remained a Mormon (which would have been very unusual for a miner) or whether the wives were pleural or serial, and the non-existence of actual records of *any* of his several marriages suggest a certain "informality." He was to move around Utah, eventually becoming the town constable in Grouse Creek, in the northwest part of the state, where he is buried. His brother was a prominent Park City resident, who apparently remained here after Jesse left.

Being, of course, in Snyder's Addition, north of the commercial center of Park City, the 1898 fire had no impact, but the Morgans were not immune to the other perils of Park City life, contracting what he believed to be "lead poisoning" and moving to Salt Lake City in 1901.

As our home is from the 1880's, it is one of the oldest in the Snyder's Addition, and clearly in the best condition of any home of its age in the area, for which we can thank the Davidsons.

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<sup>5</sup>See fn. 3

**b. The building, structure, or site embodies the distinctive characteristics of the period or method of construction or that represent the work of a master**

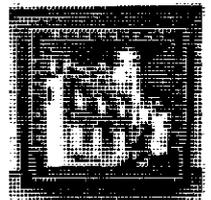
T-cottages were, of course, not the “work of a master,” in the sense the later Grand Opera House or Orange Blossom Confectionary were. They were the simple dwellings of miners and only a “notch up” from the earliest one-room cabins and “hall-parlor” homes. The distinctive characteristics of a T-cottage are well-demonstrated in our home, which is one of only a few dozen left in Park City. We are especially proud of the porch, east of the stem wing (front elevation), which is original.

As noted above, and like others of its era, this home existed with no studs and no foundation *for a century!* (When asked how it stood up for so long, our response is always “blind luck.”)

While all of the T-cottage structure remains in the house, a kitchen (probably a former shed-roofed-extension or porch) on the west of the stem-wing, and a bathroom and adjacent area (prior shed-roofed-extension) were filled-in, apparently in the 1920’s. According to the State of Utah, the presence of old additions “*contributes to the significance of a house* because it documents the most common and acceptable method of expansion of the small Park City house.” (Exhibit 2.)

**c. The architectural or historical value or significance of the building, structure or site contributes to the historic value of the property and surrounding area**

The Park City Museum “presents preservation award plaques to fine examples of Park City building renovations.” On June 4, 2010, its Executive Director wrote that “because of the excellent quality of your recent improvements, we would like to place a bronze plaque on the front of your historic home at 1027 Woodside Avenue.”



Our home was featured in the 2009 Park City Historic Home Tour, and we were asked to (and agreed to) be a “historic home,” hosting a dinner prior to the 2010 Tour.

Understanding the economic realities of the times, and meaning no disrespect to some of our neighbors, several houses in the 10-1100 blocks of Woodside are in disrepair and/or have undergone remodels to their front elevations which are dramatically un-historic or just-plain ugly. By far the easiest way for any Board member to understand this point is simply to drive down our street: What he or she would see are two blocks with several very nice historic homes, but some really sad ones as well. We will match the combination of historic character and appearance of our home with any in the City.

While we understand that interior and exterior decor may not be critical to the Board’s consideration, surely what Debra has done with those contributed to the Park City Museum’s

decision regarding the preservation award.<sup>6</sup> Moreover, a quick glance at - and into - the house would reveal to anyone that we do take all of these issues about the history *very* seriously.

**d. The building, structure or site is at least 50 years old**

At least 121 years, our home is one of the oldest existing ones in the Snyder's Addition.

**e. The relation of historic or architectural features found on the building, structure or site to other such features within the surrounding area**

Certainly our favorite visual feature of our home is the high front porch, the quality of which is a feature common only to those odd-numbered (west side) Woodside Avenue houses built into the steeper parts of the hill. (Three or four doors north of us, the land west of Woodside flattens, and porches are near ground level.) While several homes on the east side of the street have porches, they are at, or even below, grade level, so the ability to sit out and read the paper with a cup of coffee while easily seeing and greeting passers-by, isn't there.

Interestingly, this has been true of the house from the earliest days, as the elevation of the house was already a feature prior to the 1989 jacking/foundation/garage work. In our 2007 remodel, we removed an obviously-modern octagonal window from the porch and, while we have replaced its floor boards and supports and leveled it, the porch's appearance is identical to the older photographs of the property. (Exhibit 3.)

**f. Any other factors, including aesthetic, relevant to the historical or architectural aspects of the site**

Neither the Kearns Mansion nor the Beehive House, our home was never "grand." It was functional and a good example of "Miner" architecture, which somehow stood for over a century without a foundation or what we would think of as "normal" framing. It was not adorned and, even today, only the use of some bright trim colors and the beautiful flowers of a side yard unusually large for the Historical District give it beauty.

By contrast, the dilapidated homes in our photo exhibits (Exhibit 1) are clearly *historical*, but no serious citizen of our community would say they represent how we want Park City to look. **What our home *does* have, is as good a *combination* of age, architectural and interior decor integrity, careful preservation and upkeep as any in Park City.**

**6. Current title report (the City Planning staff has indicated a title report is not necessary with this submission)**

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<sup>6</sup>Patches of hundred-year-old wallpaper and several antiques, including some relevant to Park City's Chinese history and very old barnwood greet the visitor inside the front door; many antique items of mine and industrial equipment are displayed inside and outside the home, such as the hundred-year-old wheelbarrow planter at the entrance to our walkway.

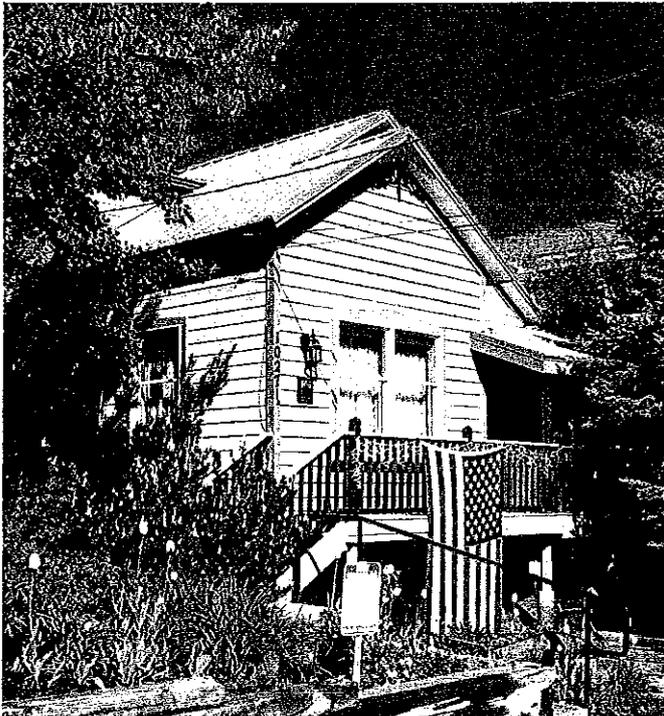
## Direction of the Community

# Which *one* of these four houses is no longer honored by the City for its historical preservation?

(Photos taken within a one-block radius in mid-June)



Note - all windows boarded up - legally habitable? (After this photo was taken, but prior to October 2010, this house disappeared and the site is now bare.)



Note - all windows boarded up - legally habitable?

### Exhibit 1

Property Type: \_\_\_\_\_

Historic Preservation Research Office

699-7957

Structure/Site Information Form

IDENTIFICATION 1

Street Address: 1027 Woodside  
Park City, Summit County, Utah

UTM: 12 457660 4499730

Name of Structure: Jesse Morgan House

T. R. S.

Present Owner: Weaver W. Hanes

Owner Address: P.O. Box 925, Park City, Utah 84060

Year Built (Tax Record): \_\_\_\_\_ Effective Age: \_\_\_\_\_  
Legal Description: \_\_\_\_\_ Kind of Building: \_\_\_\_\_

Tax#: SA 87

Lots 6 and 7 Block 9, Snyder's Addition to Park City  
.09 acres.

STATUS/USE 2

Original Owner: Jesse Morgan

Construction Date: c. 1889 Demolition Date: \_\_\_\_\_

Original Use: Residence

Present Use: \_\_\_\_\_

Building Condition: \_\_\_\_\_ Integrity: \_\_\_\_\_

Preliminary Evaluation: \_\_\_\_\_

Final Register Status: \_\_\_\_\_

- |                                          |                                |                                                       |                                                 |                                          |                                            |                                         |
|------------------------------------------|--------------------------------|-------------------------------------------------------|-------------------------------------------------|------------------------------------------|--------------------------------------------|-----------------------------------------|
| <input type="checkbox"/> Excellent       | <input type="checkbox"/> Site  | <input type="checkbox"/> Unaltered                    | <input checked="" type="checkbox"/> Significant | <input type="checkbox"/> Not of the      | <input type="checkbox"/> National Landmark | <input type="checkbox"/> District       |
| <input checked="" type="checkbox"/> Good | <input type="checkbox"/> Ruins | <input checked="" type="checkbox"/> Minor Alterations | <input type="checkbox"/> Contributory           | <input type="checkbox"/> Historic Period | <input type="checkbox"/> National Register | <input type="checkbox"/> Multi-Resource |
| <input type="checkbox"/> Deteriorated    |                                | <input type="checkbox"/> Major Alterations            | <input type="checkbox"/> Not Contributory       |                                          | <input type="checkbox"/> State Register    | <input type="checkbox"/> Thematic       |

DOCUMENTATION 3

Photography: \_\_\_\_\_ Date of Slides: 1983  
Views:  Front  Side  Rear  Other

Slide No.: \_\_\_\_\_ Date of Photographs: 1983 Photo No.: \_\_\_\_\_  
Views:  Front  Side  Rear  Other

Research Sources:

- |                                                       |                                                             |                                                        |                                                          |
|-------------------------------------------------------|-------------------------------------------------------------|--------------------------------------------------------|----------------------------------------------------------|
| <input checked="" type="checkbox"/> Abstract of Title | <input checked="" type="checkbox"/> Sanborn Maps            | <input type="checkbox"/> Newspapers                    | <input type="checkbox"/> U of U Library                  |
| <input checked="" type="checkbox"/> Plat Records/Map  | <input type="checkbox"/> City Directories                   | <input type="checkbox"/> Utah State Historical Society | <input type="checkbox"/> BYU Library                     |
| <input checked="" type="checkbox"/> Tax Card & Photo  | <input type="checkbox"/> Biographical Encyclopedias         | <input type="checkbox"/> Personal Interviews           | <input type="checkbox"/> USU Library                     |
| <input type="checkbox"/> Building Permit              | <input checked="" type="checkbox"/> Obituary Index          | <input type="checkbox"/> LDS Church Archives           | <input type="checkbox"/> SLC Library                     |
| <input type="checkbox"/> Sewer Permit                 | <input checked="" type="checkbox"/> County & City Histories | <input type="checkbox"/> LDS Genealogical Society      | <input checked="" type="checkbox"/> Other Census Records |

Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):

1900 Census Records, Summit County, Park City Precinct, p. 169-A.

Exhibit 2

Researcher: Roger Roper

Date: 4/84

Architect/Builder: Unknown

Building Materials: Wood

Building Type/Style: T/L Cottage

Description of physical appearance & significant architectural features:  
(Include additions, alterations, ancillary structures, and landscaping if applicable)

This house is a one story frame T/L cottage with a gable roof. A porch spans the east side of the stem-wing. The porch has simple, slender square porch piers and a straight post balustrade. A pair of one over one double hung sash windows is set into the gable end of the cross-wing. There is a door and a window on the stem-wing. A second door, set into the south side of the cross-wing, was partially enclosed, and replaced by a window. A small horizontal rectangular window on the south side of the building is not original, but is an unobtrusive change, and was made within the historic period. There is a shed roof rear extension which is not original, as is indicated by the difference in siding types and the break in the roof line. The extension has narrow lap siding, a type of siding that gained popularity in the 1920s, whereas the main section has drop siding, the principle type of siding that was used for all of Park City's houses dating from the 1870's until at least the first decade of the twentieth century. The extension, however, dates within the historic period and is not obtrusive. In-period rear extensions are part of Park City's architectural vocabulary. Although in many cases an extension represents a major alteration of the original house, it usually contributes to the significance of a house because it documents the most common and acceptable method of expansion of the small Park City house. The minor changes made to this house do not affect its original character.

## Statement of Historical Significance:

Construction Date: c. 1889

Built c. 1889, the Jesse Morgan House at 1027 Woodside is architecturally significant as one of 78 extant T/L cottages in Park City, 17 of which are included in this nomination. The T/L cottage is one of the three most common house types built during the early period of Park City's mining boom era, and significantly contributes to the character of the residential area.

This house was built between 1889 and 1900, as indicated by the Sanborn Insurance Maps, having apparently been either built or moved on to this property in 1889 for Jesse Morgan. Morgan purchased this property in May of 1889 and the legal transaction describes the property as "One frame or plank building formerly known as the Burns House now containing four rooms standing on the W'yly side of Woodside Ave.... The premises are now occupied by A.F. Martin of Park City."<sup>1</sup> None of the previous owners of this property were named Burns, and, since the house does not show up at this location on the 1889 Sanborn Insurance Map, it is likely that the Burns House was moved on to this property when Morgan purchased it. It is also possible that this house was built later in the 1890s, replacing the Burns House. There is no evidence to support that assumption, however.

Jesse Morgan was a miner who had come to the U.S. in 1861 from England, where he had been born in 1845. Although he owned this house until 1902, the 1900 census records show him living in a rented house on Norfolk with his mining partner, James Mazlin. Nellie J. Morgan, either his daughter or his wife (he was married c. 1872), received title to the property in 1902, but in 1904 sold it to Grace J. Bryant. Bryant sold it in 1906 to Emma and Harry W. Wilson, who owned it until 1968.

<sup>1</sup>Summit County Records; Title Abstract for Lot 7, Block 9, Snyder's Addition to Park City, May 31, 1889.

**Exhibit 2**



**Exhibit 3**

PARK CITY MUNICIPAL CORPORATION

# HISTORIC PROPERTY INVENTORY

---

PARK CITY . SUMMIT COUNTY . UTAH

FINAL REPORT . NOVEMBER 2006

---

PREPARED BY

DINA W. BLAES & BEATRICE LUFKIN

**Exhibit 4**

**(only cover page and the page showing our house are copied here)**

**Sampson Avenue (6)**  
16 Sampson Avenue  
Accessory structure  
40 Sampson Avenue  
Accessory structure  
41 Sampson Avenue  
60 Sampson Avenue

**Sandridge Avenue (15)**  
114 Sandridge Avenue  
Accessory structure  
130 Sandridge Avenue  
Accessory structure  
152 Sandridge Avenue  
Accessory structure  
156 Sandridge Avenue  
Accessory structure  
164 Sandridge Avenue  
218 Sandridge Avenue  
222 Sandridge Avenue  
Accessory structure  
228 Sandridge Avenue  
Accessory structure  
244 Sandridge Avenue

**Swede Alley (7)**  
147 Swede Alley  
222 Swede Alley  
250 Swede Alley  
Accessory structure  
262 Swede Alley  
270 Swede Alley  
272 Swede Alley

**Thaynes Canyon Way (1)**  
Glenwood Cemetery

**Three Kings Drive (1)**  
1895 Three Kings Dr.

**Woodside Avenue (75)**  
109 Woodside Avenue  
Accessory structure  
\*N of 115 Woodside  
133 Woodside Avenue  
139 Woodside Avenue

232 Woodside Avenue  
311 Woodside Avenue  
316 Woodside Avenue  
335 Woodside Avenue  
347 Woodside Avenue  
359 Woodside Avenue  
401 Woodside Avenue  
405 Woodside Avenue  
Accessory structure  
424 Woodside Avenue  
429 Woodside Avenue  
Accessory structure  
481 Woodside Avenue  
Accessory structure  
501 Woodside Avenue  
502 Woodside Avenue  
505 Woodside Avenue  
543 Woodside Avenue  
563 Woodside Avenue  
564 Woodside Avenue  
605 Woodside Avenue  
615 Woodside Avenue  
627 Woodside Avenue  
Accessory structure  
633 Woodside Avenue  
Accessory structure  
655 Woodside Avenue  
664 Woodside Avenue  
733 Woodside Avenue  
805 Woodside Avenue  
817 Woodside Avenue  
823 Woodside Avenue  
827 Woodside Avenue  
835 Woodside Avenue  
839 Woodside Avenue  
901 Woodside Avenue  
905 Woodside Avenue  
951 Woodside Avenue  
1002 Woodside Avenue  
1010 Woodside Avenue  
1013 Woodside Avenue  
1020 Woodside Avenue  
1026 Woodside Avenue  
1027 Woodside Avenue  
1045 Woodside Avenue  
1053 Woodside Avenue

Accessory structure  
1057 Woodside Avenue  
Accessory structure  
1060 Woodside Avenue  
1062 Woodside Avenue  
1100 Woodside Avenue  
1103 Woodside Avenue  
1107 Woodside Avenue  
1110 Woodside Avenue  
1120 Woodside Avenue  
Accessory structure  
1127 Woodside Avenue  
1147 Woodside Avenue  
1158 Woodside Avenue  
1162 Woodside Avenue  
1167 Woodside Avenue  
1323 Woodside Avenue  
Accessory structure  
1439 Woodside Avenue  
Accessory structure  
1445 Woodside Avenue  
Accessory structure  
1455 Woodside Avenue  
Accessory structure

**McPolin Farmstead (5)**

---

\* Accessory structures is primary structure.

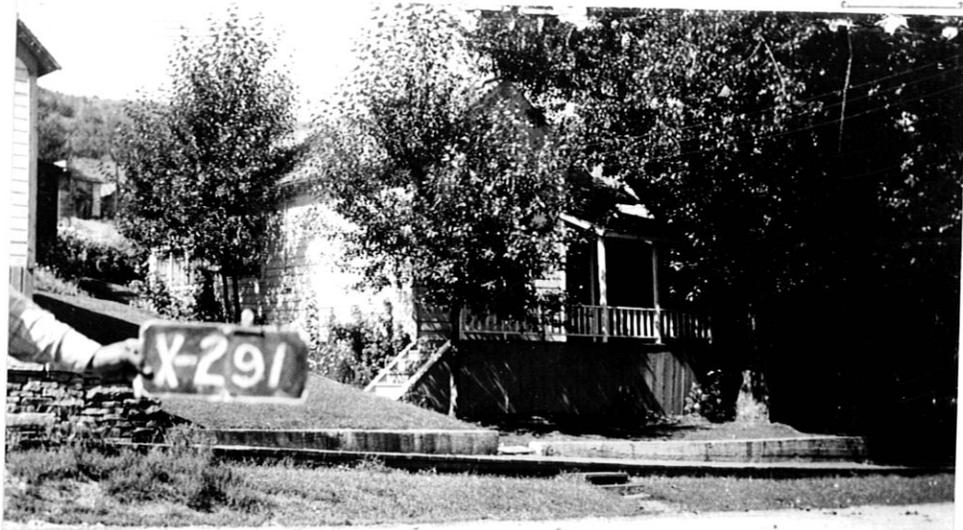
**Exhibit 4**

**(only cover page and page showing house are copied here)**





**Exhibit 6**



Property Type:

Historic Preservation Research Office

Site No. \_\_\_\_\_

### Structure/Site Information Form

IDENTIFICATION 1

Street Address: 1027 Woodside  
Park City, Summit County, Utah

UTM: 12 457660 4499730

Name of Structure: Jesse Morgan House

T. R. S.

Present Owner: Weaver W. Hanes

Owner Address: P.O. Box 925, Park City, Utah 84060

Year Built (Tax Record):  
Legal Description

Effective Age:  
Kind of Building:

Tax #: SA 87

Lots 6 and 7 Block 9, Snyder's Addition to Park City  
.09 acres.

STATUS/USE 2

Original Owner: Jesse Morgan

Construction Date: c. 1889 Demolition Date:

Original Use: Residence

Present Use:

Building Condition: Integrity:

Preliminary Evaluation: Final Register Status:

- |                                          |                                |                                                       |                                                 |                                     |                                            |                                         |
|------------------------------------------|--------------------------------|-------------------------------------------------------|-------------------------------------------------|-------------------------------------|--------------------------------------------|-----------------------------------------|
| <input type="checkbox"/> Excellent       | <input type="checkbox"/> Site  | <input type="checkbox"/> Unaltered                    | <input checked="" type="checkbox"/> Significant | <input type="checkbox"/> Not of the | <input type="checkbox"/> National Landmark | <input type="checkbox"/> District       |
| <input checked="" type="checkbox"/> Good | <input type="checkbox"/> Ruins | <input checked="" type="checkbox"/> Minor Alterations | <input type="checkbox"/> Contributory           | Historic Period                     | <input type="checkbox"/> National Register | <input type="checkbox"/> Multi-Resource |
| <input type="checkbox"/> Deteriorated    |                                | <input type="checkbox"/> Major Alterations            | <input type="checkbox"/> Not Contributory       |                                     | <input type="checkbox"/> State Register    | <input type="checkbox"/> Thematic       |

DOCUMENTATION 3

Photography: Date of Slides: 1983 Slide No.: Date of Photographs: 1983 Photo No.:

Views:  Front  Side  Rear  Other

Views:  Front  Side  Rear  Other

#### Research Sources:

- |                                                       |                                                             |                                                        |                                                          |
|-------------------------------------------------------|-------------------------------------------------------------|--------------------------------------------------------|----------------------------------------------------------|
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Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):

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Architect/Builder: Unknown

Building Materials: Wood

Building Type/Style: T/L Cottage

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(Include additions, alterations, ancillary structures, and landscaping if applicable)

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## Statement of Historical Significance:

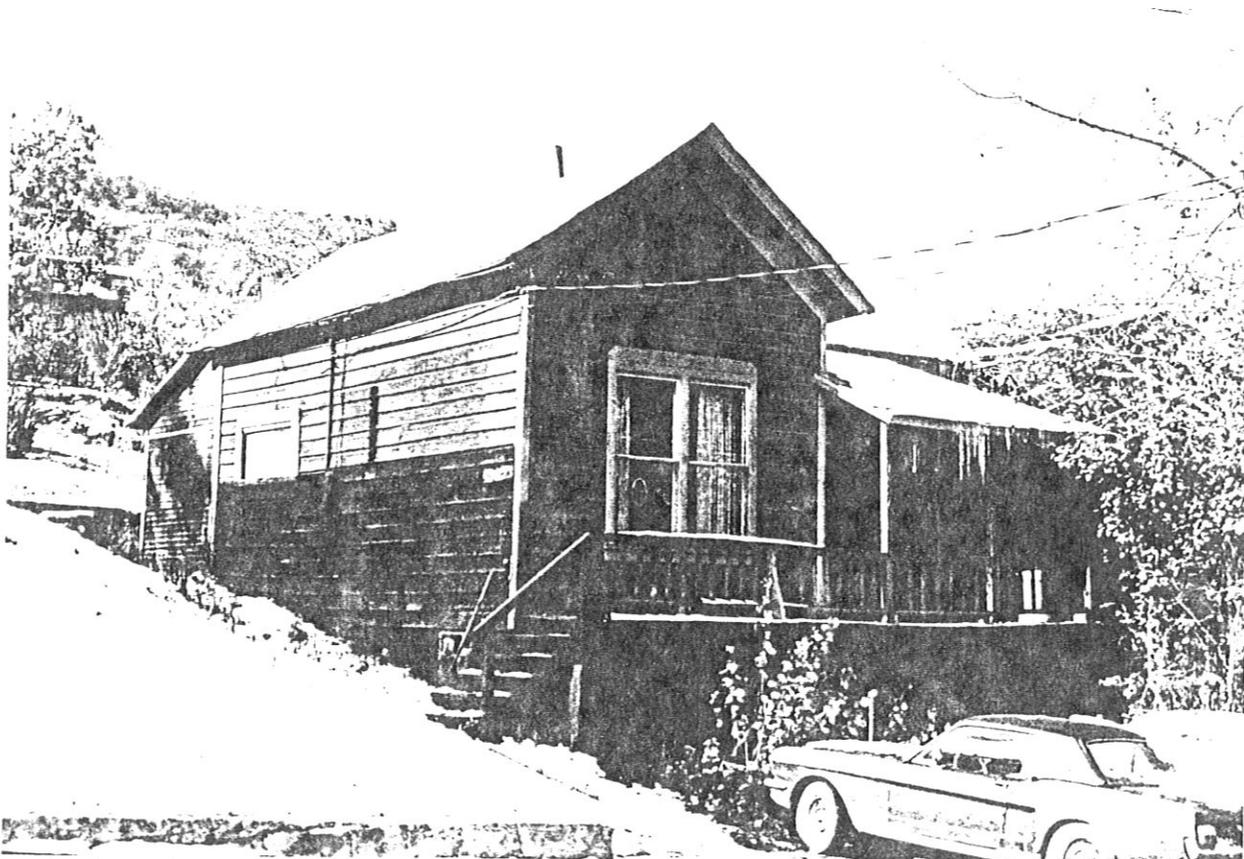
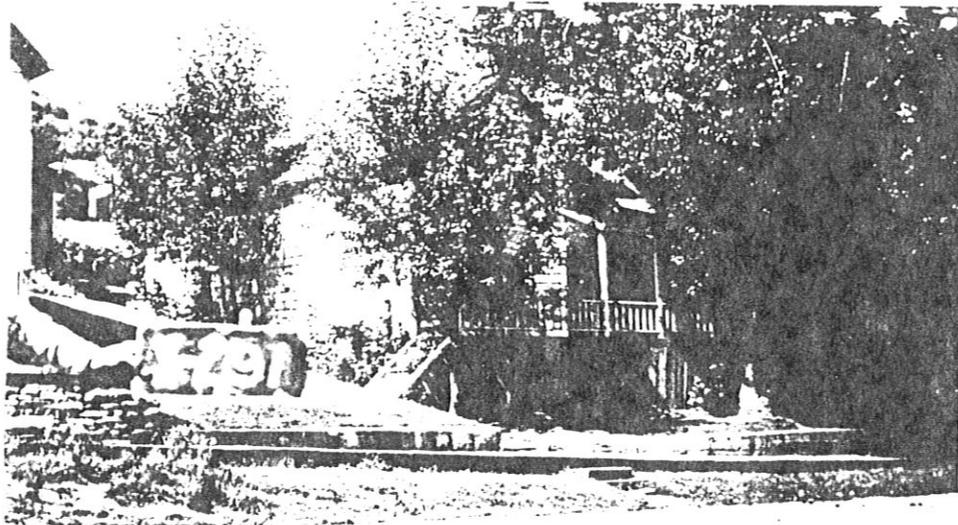
Construction Date: c. 1889

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<sup>1</sup> Summit County Records, Title Abstack for Lot 7, Block 9, Snyder's Addition to Park City, May 31, 1889



PARK CITY SURVEY WORKSHEET

Name of site \_\_\_\_\_ Subdivision \_\_\_\_\_  
Address 1027 Woodside Block 9 Lot(s) 6 & 7  
Owner Hyrum, Minnie, Ray & Patten Present Zoning HR-1  
Owner Address 922 Ramona Avenue Salt Lake City, Utah 84115

PRIMARY STRUCTURE



View se oblique

Date of photo 11/81  
Negative File 15/26

Physical description: One-story frame; ell-shape with gable roof; attached porch with plain supports; porch extends to deck leading to side steps; 3-bay; 1/1 windows; rear addition with shed roof.

Features of interest: \_\_\_\_\_

Building materials: wood Building type/style ell-shape

Modifications: None to minor X Moderate \_\_\_\_\_ Major \_\_\_\_\_

Explain: Arrangement of steps.

Condition: Excellent \_\_\_\_\_ Good X Fair \_\_\_\_\_ Deteriorated \_\_\_\_\_

Comment: \_\_\_\_\_

Present use: residence Original use: residence

SIGNIFICANCE OF PRIMARY STRUCTURE

Individual landmark \_\_\_\_\_ Typical example X Contributes to district X

Comment: Good example of type.

SECONDARY STRUCTURE(S)

Physical description:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

View \_\_\_\_\_  
\_\_\_\_\_

Date of photo \_\_\_\_\_  
Negative file \_\_\_\_\_

Modifications: None to minor \_\_\_\_\_ Moderate \_\_\_\_\_ Major \_\_\_\_\_

Condition: Good \_\_\_\_\_ Fair \_\_\_\_\_ Deteriorated \_\_\_\_\_

Present use: \_\_\_\_\_ Original use: \_\_\_\_\_

COMMENT: \_\_\_\_\_

HISTORICAL DATA

Date of construction/primary structure <sup>18900</sup> bet. 1859-1900 Alterations: \_\_\_\_\_

Sources for documentation: Saunders maps.

Original owner: \_\_\_\_\_

Additional information of interest (attach lengthy histories): \_\_\_\_\_

SIGNIFICANCE OF SITE TO DISTRICT

Significant    Contributory    Non-contributory    Intrusion

Primary structure, pre-1930                    X

Secondary structure

Primary structure, post-1930

Comment: Condition and intact quality important to area.