

PARK CITY MUNICPAL CORPORATION  
HISTORIC PRESERVATION BOARD  
MINUTES OF DECEMBER 1, 2010

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

EX OFFICIO: Thomas Eddington, Katie Cattan, Mark Harrington, Patricia Abdullah

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**ROLL CALL**

Chair Durst called the meeting to order at 5:08 p.m. and noted that all Board Members were present except for Ken Martz and Adam Opalek, who were excused. Brian Guyer was expected to arrive later.

Chair Durst established that there was a quorum present.

**MINUTES**

October 6, 2010

MOTION: David White moved to ADOPT the minutes of October 6, 2010 as written. Sara Werbelow seconded the motion.

VOTE: The motion passed unanimously.

October 13, 2010

Patricia Abdullah pointed out that the Board lacked a quorum of members who had attended the October 13<sup>th</sup> meeting. The minutes were tabled until Brian Guyer arrived.

The Board returned to approve the minutes at the end of the regular meeting.

MOTION: Dave McFawn moved to APPROVE the minutes of October 13, 2010. Brian Guyer seconded the motion.

VOTE: The motion passed unanimously. David White was not present.

**PUBLIC COMMUNICATIONS**

There was no comment.

**STAFF/BOARD MEMBERS COMMUNICATIONS AND DISCLOSURES**

Planning Director, Thomas Eddington, reported that Adam Opalek had formally resigned from the Historic Preservation Board due to a new job that makes it difficult to attend the meetings. Director Eddington noted that the City Council would re-advertise for his position. He understood that Board Member Opalek had seven months remaining in his term. The position will be filled until the end of his term.

**Brian Guyer arrived.**

Chair Durst stated that he would draft a letter of appreciation to Adam from the Board thanking him for his service. He requested that Director Eddington present his letter to the City Council to endorse that acknowledgement.

Director Eddington reported that Staff would be updating the City Council on 657 Park Avenue and other design processes in place during their work session on Thursday, December 16<sup>th</sup>. The HPB members were invited to attend. He would let the Board members know what time that would occur on the agenda.

Chair Durst reported that he had received a number of phone calls regarding the December 16<sup>th</sup> City Council meeting. He planned to attend and encouraged other Board members to attend as well. Board Member Werbelow also planned to attend. She asked Director Eddington for his opinion on the best way for the City Council to address questions from the HPB members specific to the 657 Park Avenue application. Director Eddington stated that if a Board member has specific questions, they could contact him or Planner Astorga prior to the December 16<sup>th</sup> meeting so they could incorporate it into the report. Director Eddington explained that the format is to outline the process for the 657 Park Avenue application, and to also make sure that everyone understands the new Historic District Design Guidelines and the new processes in place as a result of the early 2009 LMC changes.

Chair Durst asked if Director Eddington was involved in preparing the report for the December 16<sup>th</sup> meeting. Director Eddington answered yes. Chair Durst requested that the HPB members receive a copy of that report.

Board Member White referred to the agenda item 1027 Woodside and disclosed that he has a history with the building and a personal association with the owners. He would be recusing himself from discussing and voting on that item this evening.

#### Design Review Team Representative

Chair Durst called for the election of a representative from the HPB to the design Review Team beginning in January. He noted that the Board had previously discussed having a representative participate with the Design Review Team. Director Eddington recalled that a representative from the HPB would sit in on the Design Review to observe how the DRT functions and to get a better understanding of how the design process begins. The HPB would then provide feedback to the Planning Staff relative to the new guidelines and LMC changes. Director Eddington noted that the DRT meets on Wednesday at 10:00 a.m. They may not meet every week, but typically two or three weeks each month.

Board Member Werbelow asked if the Board had decided on the length of a term for one member to sit on the DRT. Director Eddington recalled discussing a three month trial. Chair Durst agreed. He clarified that the position is strictly for observation and the representative would not participate in the determination made by the DRT.

Chair Durst asked if other Board members besides him were interested in the position.

Board Member Werbelow stated that her term on the HPB is up next summer and she would like the opportunity to participate with the DRT at some point prior to her term expiring.

Board Member White stated that he already knows how the DRT works and he anticipated having two projects come before the DRT in the near future. For that reason he preferred that other interested Board Members be nominated. Board Member White offered to place his name as a back-up representative in the event that the elected representative could not attend on a particular day.

Chair Durst suggested that Board Member Werbelow serve the first three months on the DRT, with Board Member White serving as back-up.

Chair Durst noted that the HPB also needed to elect a Board Member to serve as the Planning Commission liaison. He would be interested in that position as well.

MOTION: David McFawn nominated Sara Werbelow to be the HPB representative for the Design Review Team. David White seconded the motion.

VOTE: The motion passed unanimously.

MOTION: David White nominated Roger Durst as the HPB liaison to the Planning Commission. Brian Guyer seconded the motion.

Board Member McFawn expressed an interest in being a Planning Commission liaison. He offered to be the back-up liaison if Roger Durst wanted to be the liaison. Board Member McFawn asked if they should set a term limit similar to the DRT representative. Board Member Durst suggested the same three month term limit, which would give the HPB the opportunity to evaluate both positions.

MOTION: Dave McFawn nominated Roger Durst as the HPB liaison to the Planner Commission. Board Member Werbelow seconded the motion.

VOE: The motion passed unanimously.

#### REGULAR MEETING – Discussion, Public Hearing and Possible Action

##### 1027 Woodside Avenue – Determination of Historical Significance. (Application #PL-10-01096)

David White recused himself and left the meeting.

Planner Cattan reviewed the application to add a site to the Historic Sites Inventory. She noted that the Historic Sites Inventory that was adopted on February 4<sup>th</sup>, 2009 did not include the site at 1027 Woodside Avenue.

Planner Cattan reported that the home at 1027 Woodside Avenue is a T/L-shaped cottage and she explained the cottage design. She stated that a T/L-shaped cottage is the most common design for historic buildings in Park City.

Planner Cattan pointed out that based on the significance criteria, the structure at 1027 Woodside would not meet the criteria for a landmark site. However, the home would

meet two of the criteria for significant sites. The first is that the structure was built in 1889, and definitely meets the criteria for being older than 50 years old. It also meets the criteria of being important to local or regional historic, architecture and community culture. The structure was built during the mining era and can be determined significant for that reason.

Planner Cattan remarked that the question for discussion was whether the structure retains its essential historic form. She read the related criteria as outlined in the Staff report. Planner Cattan presented slides showing a historic photo of the home, as well as slides showing how the structure was modified and changes were made to the pitch and gable. She pointed out that in 1997 the stem wing section of the main roof had been modified to create a new front facing gable and additional space in the top story. This was the reason why 1047 Woodside Avenue was not included in the Historic Sites Inventory.

Eric Younger, the applicant, thanked Planner Cattan and Director Eddington for their work on this matter. Mr. Younger stated that he had no significant disagreements and he believed the Staff report was well done and comprehensive. However, he had additional information that he thought was pertinent to the discussion.

Mr. Younger stated that under the current ordinance, the house could not have legally been removed from the original 2007 inventory. In addition, he was unaware that the structure had been removed from the inventory until long after it was done. He was never advised and nothing was every posted.

Mr. Younger remarked that he recently learned from the prior owner that the 1997 roof changes were made for structural and safety concerns. An email from the prior owner outlined the reasons for making the changes. In making those changes for safety reasons, the back portion of the roof was raised 18" to accommodate a bedroom.

Mr. Younger admitted that his reading of the ordinance was different from that of Planner Cattan, in terms of the landmark versus significant issue. Based on his interpretation, the relationship of the National Register of Historic Places to the structure puts it over into the landmark column, which had less formal guidelines. Mr. Younger pointed out that the house has been on the National Register for years. Mr. Younger commented on the goal to encourage preservation and provide incentives. He purchased his home believing that it was historic and made sure that none of the renovations they did affected the historic nature or was criticized by the historic preservation consultant. One of their first acts was to voluntarily remove a front window that was non-historic. Mr. Younger thought the comparative photos showed a big difference between the home just being old versus being preserved. They have made a conscious effort to preserve the home. Mr. Younger stated that his home at 1027 Woodside is one of the oldest homes in the Snyder's Addition. He believes it has a good combination of historical form combined with upkeep to maintain the value of an existing home, which is consistent with the mandate.

Mr. Younger noted that his neighbor, Erin Hoffman, and Sandra Morrison from the Historical Society, were in attendance to support this application.

Board Member Guyer asked if there was actual documentation regarding structural safety concerns related to when the roof was changed, other than the word of the

previous owner. Director Eddington replied believe the Planning Department did not have any documentation. Mr. Younger remarked that it was done in 1997. He had a copy of the email from the owner and he could see no reason or motive why the owner would make up that story. Planner Cattan stated that she did not find any documentation in her review, and offered to do further research if necessary.

Chair Durst asked if the modifications were done under a building permit. Planner Cattan replied that it would have gone through a historic review. She did not see a building permit in her file, but based on the process, she was certain that the modifications would have gone through the proper process.

Board Member McFawn thanked Mr. Younger for his interest and for taking the time to come before the HPB. He asked if there was documentation with regards to the building being on the National Register of Historic Places, and whether the National Register has a process for removing structures. Planner Cattan stated that homes that have been modified could be taken off the Register if an assessment is done. Mr. Younger presented a photo of the home, which showed a plaque on the structure that was given by the National Register. He noted that the plaque was received in the summer of 2009. Mr. Younger remarked that he and his wife were honored in June to receive a preservation award for the work his wife has done on the home.

Board Member McFawn referred to a comment Mr. Younger had made about paying the State for the plaque. He assumed that payment for the National Register would be made to an agency in Washington, DC. If Mr. Younger paid the State, he asked if that might only be a State designation.

Sandra Morrison clarified that each State Historic Preservation Office oversees the National Register process for each state and makes recommendation. The National Register in DC relies heavily on the State Preservation Office.

Board Member McFawn wanted to know how many sites within the historic district are on the National Register. Director Eddington replied that the landmark sites are on the National Register or they are National Register eligible. Board Member McFawn pointed out that the site at 1027 Woodside is on the National Register but it is was not even listed as a significant site on the Park City HSI.

Planner Cattan explained that the Staff recommendation would be for 1027 Woodside to be a significant property, since landmark sites typically have minor or no modifications. The Staff believes that the modifications to 1027 Woodside were significant enough to keep it from qualifying as a landmark site.

Board Member Fawn remarked that if some of the modifications were made for structural and safety reasons, that should be a different consideration. City Attorney Mark Harrington clarified that the Code allows exceptions for significant structures based on safety, however, there is no exception in the Code for landmark status.

Board Member Werbelow also thanked Mr. Younger because it is refreshing to have this type of application come before them. She could not understand why the HPB would not support adding 1027 Woodside to the list of significant sites on the HSI.

Board Member McFawn reiterated his appreciation to Mr. Younger and to the Staff for working with him. He agreed that it was a pleasure to try and add sites to the Inventory.

Chair Durst understood that 1027 Woodside was excluded when Dina Blaes developed the Historic Sites Inventory due to the extent of the modifications. Planner Cattan replied that it was due to the modifications on the stem wing.

Chair Durst opened the public hearing.

Erin Hoffman, a resident at 1013 Woodside Ave, stated that he also lives in a historic home and she was fortunate enough not to have to do the restorations herself. However, she knows the blood, sweat and tears that went into renovating her home and she has seen the meticulous work the Younger's have done on their home. Ms. Hoffman believed this structure definitely belongs on the Historic Sites Inventory.

Chair Durst closed the public hearing.

MOTION: Sara Werbelow made a motion to add 1027 Woodside Avenue to the Park City Historic Sites Inventory as a significant site. Dave McFawn seconded the motion.

Planner Cattan asked if a finding of fact should be added indicating that the roof modification was due to structural and safety issues. The Board members agreed to that finding.

City Attorney Mark Harrington recommended that Board Member Werbelow amend the motion to reference the findings of fact and conclusions of law in the Staff report, with the additional finding that the changes were due to structural and safety concerns.

Sara Werbelow amended her motion to include the Findings of Fact and Conclusions of Law outlined in the Staff report, with the additional finding that the roof modifications were due to structural and safety concerns. Dave McFawn accepted that modification to the motion.

VOTE: The motion passed unanimously. David White was recused.

#### Findings of Fact – 1027 Woodside Avenue

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.
10. The modifications to the roof were due to structural and safety concerns.

Conclusions of Law – 1027 Woodside Avenue

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).

**The Board returned to Approval of the Minutes to vote on the minutes that were tabled earlier in the meeting.**

The meeting adjourned at 5:42 p.m.

Approved by

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Roger Durst, Chair  
Historic Preservation Board