

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF MARCH 7, 2018

BOARD MEMBERS IN ATTENDANCE: Douglas Stephens, Lola Beatlebrox, Puggy Holmgren, Jack Hodgkins, John Hutchings, Randy Scott, Alex Weiner

EX OFFICIO: Bruce Erickson, Anya Grahn, Hannah Tyler, Polly Samuels McLean, Liz Jackson

ROLL CALL

Chair Stephens called the meeting to order at 5:00 p.m. and noted that all Board Members were present.

Chair Stephens disclosed that prior to this meeting the Board had visited the site at 819 Park Avenue. They would be discussing this item later in the agenda.

ADOPTION OF MINUTES

February 7, 2018

MOTION: Board Member Holmgren moved to APPROVE the minutes of January 16, 2017 as written. Board Member Beatlebrox seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS

There were no comments.

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

Planner Anya Grahn announced that David White was receiving a historic preservation award from Preservation Utah for to his decades of service on the Historic Preservation Board.

Planner Grahn stated that the Staff was reviewing workloads and items to be reviewed by the HPB. Based on that review, it may be necessary to have a second meeting in April. She would notify the Board when that is determined.

Planner Grahn noted that a revised Staff report was provided to the Board members yesterday. The only change were minor typos. None of the content was changed.

Planner Grahn reminded the Board to speak into their microphones so their comments can be clearly heard for the Minutes.

Chair Stephens asked when the award would be presented to David White. Planner Grahn believed it was March 22nd. Chair Stephens asked her to email the Board with the actual date, time, and place. Planner Grahn stated that she would email the link so anyone interested could purchase tickets for the event.

Board Member Holmgren asked if Planner Grahn would include a contact address for David White so individual Board members could send him a congratulatory note. Planner Grahn was unsure whether she still had his address since Mr. White no longer lives in Park City. If she finds it she will email it to the Board.

REGULAR AGENDA – Discussion, Public Hearing and Possible Action

1. 424 Woodside Avenue – HDDR Review for Reorientation - Reorientation (rotation) of a “Significant” Structure towards Woodside Avenue and lifting of the Historic Structure 7 feet 7 ¾ inches. The primary façade of the Significant Structure is currently oriented towards Main Street and the applicant is proposing to rotate the structure 180 degrees so that the primary façade is oriented towards Woodside Avenue. Upon reorientation, the Historic Structure would be lifted 7 feet 7 ¾ inches.

Assistant City Attorney McLean noted that several of the Board members were not present the last time the HPB heard this item. Since there was a full Board this evening, she assumed that everyone had read the Staff report and the Minutes from the previous meeting and were able to participate this evening.

Chair Stephens stated that he was not at the last meeting; however, he had reviewed the Minutes. He had met with the Staff regarding questions and issues that he had. John Hutchings stated that he also not present but he had read the Minutes and was familiar with the discussion that took place.

Chair Stephens asked Planner Tyler to keep the presentation this evening to the new information outlined in the Staff report. He did not believe it was necessary to repeat the presentation given at the last meeting.

Planner Tyler stated that she was prepared with a brief presentation on the basics of this proposal and the final items that the Board had requested. She would review the Code and explain why the Staff finds that it does or does not meet the Code criteria.

Planner Tyler reviewed the proposal for re-orientation of a Significant Site at 424 Woodside. The structure currently faces Main Street. The proposal would be to

reorient the structure towards the street on Woodside Avenue. The applicant was proposing to lift the house 7'-7³/₄"', panelize, construct an addition, and remodel the existing historic structure.

Planner Tyler clarified that the HPB was only being asked to review the reorientation. Anything further for the HPB to review would come back at a later time.

The Staff recommended denial of the request as proposed. At the December 5, 2017 meeting the Board requested that the Staff come back with three additional items prior to the Board taking action on this project.

Planner Tyler stated that the first request from the Board was to look at the 1993 Historic District Commission Minutes. Those Minutes were included in the Staff report. The main themes the Staff found from those Minutes was that the HDC leaned heavily on creating a clear delineation between the historic structure and the garage and living space addition that is seen today.

Planner Tyler noted that the HPB also requested a determination for the front façade of the structure. In December both the applicant and the Staff found that the front façade was the architectural front, which is the main door flanked by two windows facing east. She did not believe there was any disagreement between the Staff and the applicant on that finding.

Planner Tyler stated that the last request was determination on what was the front door or the main entrance. Planner Tyler noted that the Staff had done some research and found that it is very typical in Old Town to have the main entrance on the front façade, and over time small additions in the back, which creates rear porches. On this particular structure the rear porch has since been enclosed, but she assumed it acted more like a mud room in the historic period. The primary and more formal entry faced east. Planner Tyler pointed out that since none of them were around during the historic period, it was difficult to know which entrance was used more, but they each had their own different type of use.

Planner Tyler remarked that in addition to the three items requested by the HPB, the Staff had additional remaining items they felt were pertinent to the determination this evening. She reminded the Board that the Staff finds that this still maintains aspects of the essential historic form; which includes the historic scale, historic context, and historic material. The Staff finds that the scale is still very present. The house is nestled in on a low terrace below the street. The maximum level off the ground is 2'9". The applicant is proposing to lift the house a maximum of 13'2". The house would read as a 2-1/2 story structure rather than the 1 story structure currently seen.

Planner Tyler stated that the next criteria addressed historic context. Context is an important aspect of integrity, and in this case the context is defined by the orientation towards Main Street, which is typical of the historic period. The reorientation and lifting of the structure will not result or aid in the interpretation of the history of the structure and/or site. The Staff finds that the current orientation is important to maintaining its historic designation.

Planner Tyler stated that historic material was the last item of the aspects of integrity. She presented a slide showing the existing areas in green and the historic materials that was identified in the physical conditions report submitted by the applicant. Another slide showed what happens to the materials. The green areas were the areas that would be maintained through the re-orientation. The red lines on the right were the walls that would be lost through reorientation. Planner Tyler noted that the HPB was not being asked to review the demolition of these materials; however, it will come back to the HPB and that is what is lost through the 180-degree reorientation.

Planner Tyler had distributed copies of public comment she had received regarding questions about drainage and safety concerns of the site. Per the Code, the Chief Building Official and the Planning Director has to make a determination for hazardous conditions or unique conditions. That determination was included as an Exhibit in the December Staff report. Planner Tyler stated that when that determination was made, the Chief Building Official and the Planning Director found no hazardous conditions for this building or the site. They found that drainage issues could be reasonably mitigated without raising or rotating the house. It is a common building practice for any development permit that comes to the City. Planner Tyler stated that they also did not find unique conditions that would warrant the re-orientation. The historic context had not been completely lost, it would not diminish the overall physical integrity, and the potential to preserve the structure would not be enhanced.

Chair Stephens understood from the Staff report that the Board was only looking at the rotation of the house this evening. They were not to address the lifting of the house or the materials that would be lost in the process because that would come back at a later time.

Dina Blaes, representing the applicants, John and Heather Berkley. She introduced Jonathan DeGray, the project architect, and Joe Tesch, legal counsel. Ms. Blaes emphasized Chair Stephen's comments that this was only about the reorientation. She corrected some of the information provided by the Staff. Ms. Blaes stated that no one knows what historic material remains; with the exception of what they were told by the applicants that the walls do not have any historic material. At a later time, they might be able to see what historic material exists in terms of the framing, but none of the siding is historic on any of the walls that

Planner Tyler identified in green. Ms. Blaes thought it was important for the Board to understand what they know and what they do not know.

Chair Stephens pointed out that the Board had not had the opportunity to do a site visit on the exterior of the home. Ms. Blaes thought that fact was critical and she intended to mention it later in her presentation.

Ms. Blaes provided background and addressed some of their issues with the Findings of Fact. Ms. Blaes recognized that the Board does not often see requests for this type of approval. However, when the conditions warrant it, it is the best option to achieve the goals they are appointed to achieve.

Ms. Blaes referred to Finding #31 on page 51 of the Staff report. She disagreed with the Finding, which states that the proposal does not comply with the Design Guideline B.3.1 as proposed to lift the structure 7-1/2 feet. Ms. Blaes had issues with the permitted 2' measurement stated in the Finding because that is not stated in the Design Guidelines. It is a general recommendation in the Guidelines, and it was written to allow for flexibility, and not to tie the hands of the City in solving the problems. Ms. Blaes had raised this issue at the last meeting and she had hoped it would be resolved in the Findings for this meeting. She thought it was important for the HPB to know that the Guidelines are a tool they have to work with, but it is not a "tick off the box" or an automated process. It also requires the Board to look at the site to see the conditions that may warrant deviating from that in any way and for any purpose. Ms. Blaes found it frustrating to continue to see "permitted height" when it is not what the Design Guidelines dictate. She pointed out that the preamble of the Design Guidelines states that the Guidelines were written to facilitate good preservation projects and a framework to help make their decision.

Ms. Blaes stated that Finding #31 also states that the Staff has not determined any adverse or unique conditions that would warrant the requested lifting. She reviewed a number of photographs to show how the snow piles up. Ms. Blaes noted that the Staff had received written comments that would be addressed later in the presentation. Ms. Blaes remarked that every two or three years the applicants have to reinforce the pilings on the back of this house, because as the snow melts and the water seeps into every nook and cranny and comprises the foundation on a consistent and sustained basis. Ms. Blaes thought another unique condition was that over the years the road has encroached on the property and it has also gone up, making it difficult to maintain the elements on the rear elevation.

Ms. Blaes thought it was important to understand the unique site conditions. As evidenced in the Staff report, it is common to have these downhill homes on Woodside. She noted that the prior Staff report called out four specific properties, and she believed that was a unique condition that other properties on

Woodside do not have to deal with. Ms. Blaes presented comparison photos of other properties in the area to show why this is a very unique property on Woodside or anywhere else in town.

Board Member Hutchings asked if the road had actually encroached on to the property or whether the road just increased in height. Ms. Blaes stated that it has actually encroached onto the space that was not originally a roadway. She assumed that it was required for curb and gutter, but it has encroached. Part of the issue with the proposal in 2011 was that the setbacks could not be met.

Ms. Blaes remarked that leaving this structure in a hole would never promote its preservation, which is another aspect of what Park City, the Design Guidelines, and the HPB are trying to achieve. There are no other options. Additions cannot be added to the back because it is actually the front, and additions could not be added to the sides because of how the existing structure is constructed.

Ms. Blaes referred to Finding #33 on page 52 of the Staff report, which states that the proposal would not comply with Design Guideline B.3.2 in terms of its original placement, orientation and grade. She reiterated that the Design Guidelines are not set up to be a box to be ticked in an automated process. It requires Board input and their knowledge and experience with preservation. They feel the conditions of this site warrant flexibility and an understanding about how to achieve the best preservation project.

Ms. Blaes referred to Finding #34 on page 52 of the Staff report, which states that the proposal does not comply with Design Guidelines B.3.3 and requires the foundation to be greater than 2' above final grade. She believed this issue could be worked out. In a prior Staff report it was mentioned that this was a part of the Design Guidelines that could be complied with once the design is reviewed. She would like to see a more intentional review of the existing conditions to see how they could meet the overall goals of Park City.

Ms. Blaes referred to Finding #35 on page 52 of the Staff report. She noted that a significant amount of time was spent at the last meeting talking about historic integrity. The Finding stated that the orientation of the historic structure will diminish the integrity and significance of the site in its context. Ms. Blaes disagreed. She noted that in 2009 when the City decided to do its Historic Sites Inventory they bifurcated the system between Landmark and Significant. Landmark adheres to the National Register Guidelines, and the City found that it was going to lose approximately 80 to 90 properties off of its Historic Sites Inventory. Therefore, they were instructed to come up with criteria that was completely separate. Ms. Blaes pointed out that Finding #35 continues to reference the seven elements of integrity that are not part of what defines the essential historic form. She stated that in reading the Ordinance, the essential historic form is the structure. She remarked that the hall and parlor form is very

critical. Ms. Blaes found it frustrating to continue to see references to a framework and an approach that is not applicable to this site. She would like to see a better approach to the essential historic form and an opportunity to preserve it.

Ms. Blaes referred to Findings #42-44. She stated that this was a section of the Ordinance that allows for the unique conditions. Ms. Blaes thought it was important to note that the Ordinance does not say that it is up to the Chief Building Official and the Planning Director to find unique conditions. The Ordinance specifically says that the HPB is to find those unique conditions with input from the Chief Building Official and the Planning Director. She also hoped the Board would take into consideration information provided by the applicant and what they see during their site visit. Ms. Blaes thought it was concerning that the Board had not visited the site, because until they do they could not understand the severity of what the owners experience.

Assistant City Attorney McLean clarified that usually the Board will visit the site. She pointed out that a group site visit was never scheduled, but some of the Board members may have visited the site individually. Ms. Blaes asked if anyone on the Board had walked around the building and inside. Board Member Weiner stated that she went to the site and to walk around the outside, but it was impossible to get to the sides of the home. Chair Stephens remarked that it is awkward for the Board members to visit the site without an official site visit because it is difficult to know if they are trespassing or to know the privacy expectations. He believed most of the Board members had looked at the building from the street, but they had not had the opportunity to delve into the details.

Assistant City Attorney McLean did not believe that a request was made for a site visit. This was the first time that a site visit was mentioned. Ms. Blaes thought it was an important issue and she believed the Board would benefit greatly from a site visit. Ms. McLean wanted it clear that in the time this application has been complete, the applicant has never requested that the Staff schedule a site visit. This was the first time the issue of a site visit was raised by the applicant. Ms. Blaes concurred. However, in listening to the recording from the last meeting, the level of familiarity for the Board members was discussed. Whether it is the responsibility of the Board or the Applicant to request a site visit, she believed it was good information and it would add to their understanding before making a decision.

Ms. Blaes stated that Section C of the Ordinance has four components to consider in making a decision about unique conditions. She believes the site has been so radically altered that the proposed reorientation would enhance the ability to interpret the historic character of the site, because people will be able to see the building and not just the roofline. She remarked that the historic

character needs to be defined as a Significant site, and that form is very critical. Ms. Blaes did not feel that reorientation would not diminish the overall integrity of the Historic District, because the things that diminish the integrity of the Historic District are egregious encroachments and the loss of historic resources. Currently, the owners are facing the potential of losing this history resource because of the problems created by the site. Ms. Blaes stated that the designation as a historic building will not be diminished. At the last meeting she had shown a number of properties that had gone through a similar type of treatment by either rotating, lifting, or being renovated and rehabilitated with substantial additions. Those properties were still on the Historic Sites Inventory and would remain on the HSI. Based on the zoning ordinance, the HPB cannot not approve anything that would cause the structure to be removed from the Historic Inventory. She believed that reorientation would preserve the structure in a way that would benefit the City. Ms. Blaes commented on the potential to preserve the historic structure. She had no doubt that the applicant's proposal would promote and enable preservation. In its current location, preservation is very difficult and there is no incentive to preserve the structure. They are currently unable to make the house usable for a contemporary use, which is one of the most important components of preservation.

Ms. Blaes clarified that the applicants were not disputing that this was a difficult project. She noted that John and Heather Berkley have restored properties in other communities for decades. She provided photographs of some of the projects they had done to show the challenges they had faced and overcome.

Assistant City Attorney McLean stated that Ms. Blaes could show the photographs; however, she advised the Board that the expertise of the applicant has no bearing on the criteria in the LMC and it should not be a consideration in their determination. Ms. Blaes thought it was important to mention and asked for the Board's indulgence. Chair Stephens remarked that the Board looks to the Building Department and the Planning Department to regulate and enforce a certain level of construction and design; regardless of the experience or inexperience of the applicant. Ms. Blaes stated that it also speaks the things that the Board has the discretion to look at. In the interest of times, Chair Stephens did not think the photos were necessary to confirm that the applicants have the expertise to complete a project. He clarified that the reorientation was the only issue this evening. If they were reviewing the entire project, expertise and experience might be more pertinent. Ms. Blaes noted that Planner Tyler had the images and they were part of the record as part of their presentation.

Ms. Blaes appreciated the dialogue at the last meeting and the time they were given this evening to focus on the Findings of Fact that they felt were lacking complete information or were not factual.

Board Member Hutchings asked Ms. Blaes when she distinguished the difference between Landmark and Significant, if she was suggesting that orientation was only relevant in Landmark and not Significant. Ms. Blaes replied that a strict reading of the Code talks about the essential historic form and the characteristics of the structure that help to understand the history. She recalled a specific reason why the previous HPB bifurcated context and other things, and why it was limited in terms of the essential historic form. Mr. Hutchings understood that Ms. Blaes was suggesting that orientation was not relevant in terms of Significant structures. She stated that it is not relevant when defining the essential form. Context is relevant, but orientation is not written anywhere in the Ordinance.

Board Member Hutchings clarified that they were only talking about reorientation and not lifting the house. Chair Stephens answered yes.

Chair Stephens recalled that Mr. DeGray was the architect in the 1990s with Richard Peek. He knew the road was changed, but he wanted to know if it encroached into the property. Mr. DeGray stated that the road has not changed much since 1993. It was renovated but the location and elevation remained the same. The historic house sits on the front property line.

Chair Stephens opened the public hearing.

Ruth Meintsma, a resident at 305 Woodside, stated that she spoke at the last meeting; however, she had new information to present this evening. She asked Planner Tyler to show specific images that were shown during the presentation Ms. Meintsma stated that the end of the last meeting there was a question about what in fact was primary access. Some of the Board members commented that because there was no longer a footpath access to the east façade, rotating Woodside 180 degrees would recreate the primary access of the east porch on Woodside; assuming that there was a pathway. Ms. Meintsma noted that Shorty's was talked about at the last meeting. She had taken the Sanborn map and added only dwellings and any associated sheds to show the development in 1889. She indicated an inclined footbridge that went through the Chinese quarters as a method of pedestrian transportation. Crossing Marsac, Ontario was not there at the time, but there was a secondary stairway that went to Shorty's walkway. Ms. Meintsma pointed out that at the time, what is known as Shorty's walkway was a roadway. It was a flat surface and very accommodating for pedestrian access. She pointed out how the houses on Marsac were hugging up to Marsac, and the houses were sitting on Shorty's because the roadway gave them the opportunity to access that land.

Ms. Meintsma moved to the 1900, which was two years after the fire. The houses she had faded out were all gone. She used a pink color to identify the 1900 version of platted walks. The stairs and bridges were burned along with the houses, and there was no longer access to reach those properties. Ms.

Meintsma moved to 1907. New development was shown in dark purple. She indicated a new bridge by the Chinese quarters, a walkway, and stairs. Ms. Meintsma pointed out that what was lost was redeveloped because it worked for the people. People were willing to use the stairs, the roadway and the access to rebuild. She remarked that in 1929 and 1941 they saw more little structures that filled in along the roadway or Shorty's walkway.

Ms. Meintsma stated that in 1889 there were a lot of houses and a lot of development. For the house at 424 Woodside, the question is whether there was pathway access on the east side from Park Avenue; however, it was not there in 1889 because there was no porch on the east side. The picture showed the windows and the door off-grade and there was no way to get into the house on the east side. At that time there would not have been a path. On the Sanborn map of 1900, the lighter green indicated the same structures and the dark green were new structures that were added. In 1900 there was still no path or walkway from Park Avenue that accessed the east side, and there was no porch or any way to access the door that was off-grade. For 1907, she had indicated new structures in blue. The light green were structures that were already there. Ms. Meintsma noted that the porch on the east side was shown on the Sanborn map. She had identified the location of a shed with a red asterisk, which would stop anyone from walking along the property lines. She did not believe it made sense that there would be access on the steep hillside because it was not conducive to getting in and out of the structures.

Ms. Meintsma stated that the most important aspect of this block is that all of the houses on Woodside Avenue, including 424 Woodside, were hugging the road. They were close to the road because that was the primary access. The maps of 1929 and 1941 showed the same shed and the same steep hillside. If there was a pathway to access the porch as primary access, it would not be used for the other structures on the south, and the shed would block access on the property line. The access would have to go up and over, which did not make sense for a common pathway; particularly in the winter. She pointed out that steps were finally added to Fourth Street, making it easier to go up Fourth Street and then walk along Woodside.

Ms. Meintsma showed a photo of the porch and commented on the longevity of the porch. The question is whether the east side primary access, and whether it was the most important entrance. She stated that 424 Woodside is 131 years old. According to the Sanborn maps, the east porch existed sometime between 1907 and 1930, but it was not there in 1941. The porch existed somewhere between 22 and 34 years, which is only 17-20% of the entire life of the house. She questioned how it could be primary access when the porch was only there for less than a third of the life of the house.

Ms. Meintsma presented a photo and explained why it was not 424 Woodside, even though it was identified as 424 Woodside.

Board Member Beatlebrox clarified that Ms. Meintsma was saying that the photo was mislabeled. It was not 424 Woodside and it was not even contiguous to 424 Woodside. Ms. Meintsma answered yes. She thought it was misleading because it looked like a significant wall/stairway/porch combination that would be the primary access.

Ms. Meintsma presented an image from 1957, which said "porches front". The 6' x 8' porch on the back was called the front porch, and it was given value as a front porch. Ms. Meintsma noted that at the last meeting the applicant had said that there was no foundation. She disputed that claim because a cement basement was showing. She was unsure if it was under the entire house but most of the house had a cement cellar. In 1968 the 6' x 8' porch was identified as "front porch" and value was given as a primary entrance. Ms. Meintsma believed that the primary access had to be Woodside. To change that would be changing the whole use and the character of the house.

Ms. Meintsma referred to a previous question about whether orientation is critical to the essential historic form. The answer was no, orientation is not critical to the essential form. Ms. Meintsma pointed out that orientation is critical to historic character and integrity. Where that house sits is more than just the form. Where the house sits gives it its critical attributes of character and integrity. Ms. Meintsma provided a model of the historic material that repeats what Planner Tyler showed as existing historic material. She agreed that the siding was not historic material, but she went inside when the house was being renovated. The house needs to be improved as suggested by the owners, but the house is not in shambles. Ms. Meintsma pointed to an interior wall that was the wall of the original 1900 simple form. As the porches came on, they enclosed and protected that wall. The wall is still historic because it was the original wall. She showed the Board what would happen to the historic material if it is turned 180 degrees.

Chair Stephens asked Ms. Meintsma to keep her comments to the rotation of the home. The applicant was looking for direction from the Board before submitting a plan. Until a plan is submitted the Board cannot look at materials. If the Board approves rotation, the applicant can go ahead with the planning process.

Ms. Meintsma noted that at the end of the last meeting, Assistant City Attorney McLean had said there was a situation where if they allow rotation, the Board almost has to allow deconstruction, which is demolition. Chair Stephens stated that the applicant was requesting to rotate the house. If the Board agrees, the applicant would come back with a plan on what impact that would have on the historic material of the house. Ms. Meintsma had difficulty separating the two

issues. Chair Stephens told her that it has to be separated because the Board was only addressing the rotation.

Board Member Hodgkins noted that Finding of Fact #12 mentions panelization. He questioned whether the issues were really separated. Chair Stephens replied that the home could be panelized and reassembled if it is reoriented. He thought there were issues with the Findings that the Board needed to discuss after the public hearing.

Ms. Meintsma referred to a comment at the last meeting about the number of houses on the HSI with no historic material. She pointed out that it is reconstruction, and it is the last of the four options for preservation on both the National Register and for Park City. Reconstruction with no historic material is the least favorable. Any method to avoid reconstruction should be attempted first. Ms. Meintsma asked if she could hand out what she had prepared related to historic materials. Assistant City Attorney McLean stated that it could be handed out with the caveat that the Board could only rely on the criteria for reorientation.

Ms. Meintsma commented on context and reorientation. She presented a photo and noted that the light yellow outlined in pink were historic structures. She pointed to 424 Woodside and stated that the view this house has had all these years in its current location is still the same. She believed the context of the house was oriented to look at Old Town. The view that establishes its orientation is still there now. She presented a slide showing the context of high, low, up, down, large and small. It was always that way in this part of town and it still has that context.

Ms. Meintsma commented on creative options that she believed would be advantageous to the applicant without having to reorient the house. The only disadvantage to the applicant in her options was that the front porch would not run the full length of the house as proposed.

Ms. Meintsma recalled discussion at the last meeting that she thought was inappropriate. She did not think they should be talking about projects that were not under the current Code, even if they were successful. They should only be talking about projects that were reoriented, moved, or changed under the current Code. Ms. Meintsma stated that if projects are considered to be positive under the previous Code, that should be a discussion about changing Code. In addition, talking about projects in other localities should not apply to projects in Park City. Ms. Meintsma stated that historic character in the General Plan is about funk and uniqueness. The hall and parlor is not unique. The uniqueness is where the house sits and how it is oriented.

Ms. Meintsma referred to a photo Dina Blaes had presented and noted that the overwhelming snow on the roof was due to the bad roof and not from the encroachment of the road.

Board Member Weiner asked to return to the slide with the street and the current map of Woodside. She asked where Ms. Meintsma's home is located in relation to 424. Ms. Meintsma stated that her home at 305 Woodside was further south and the map did not show that far up.

John Berkley, the applicant, read into the record a letter that was written to the Board by Mark Turnbow, who was one of his tenants. Ms. Turnbow stated that as a resident and employee of Park City for over 20 years he has been proud of the work done for Park City by the HPB. Mr. Turnbow felt this was an important issue. He lived in the home at 424 Woodside from November 2010 to November 2011. It is a small house on Woodside just above Main Street. However, the house is located directly below the street level and someone can literally jump on the roof from the road. The snow levels build up in the winter and ice from the drainage of the road flows directly into the home and literally builds a wall of ice and snow completely engulfing the uphill side, covering the windows, and an entire bedroom and laundry room wall. When the drainage tries to flow downhill in the Spring it consumes the home and causes erosion. It feels unsafe sleeping in a bedroom with a wall of ice and snow built up entirely to the roof, and right below and next to a snow covered road with vehicles traveling above 15' feet away. Mr. Turnbow stated that the house could be saved by lifting and turning it 180 degrees so the front porch, which is actually in the back, is in the correct position. If nothing is done and the home is not lifted and turned, he believed the home would continue to erode and become completely unsafe and uninhabitable. He thanked the HPB for listening to his letter, and if he could shed any light on the issue they should feel free to contact him directly.

Mr. Berkley stated that he and his wife love historical preservation and the process of figuring out the historic materials and how they could be reused. He noted that Ms. Blaes wanted to show the slides of projects he and his wife have restored because it would explain their preservation history. In this case, they would like the opportunity to save the history of this site at 424 Woodside. Mr. Berkley commented on the changes in the road. He presented photos that he had taken days earlier. This was a light snow year; however, in a heavy snow year the plows bury the house. Mr. Berkley believed everyone agreed that the current siding on the house is not historical. They intend to go in and bring out the historic materials. He thought Mr. Turnbow said it best as someone who lived in the house and dealt with the wall of ice. There are serious drainage issues. Mr. Berkley stated that this was about historic preservation and saving a beautiful hall-parlor structure. If the Board would give them the opportunity to reorient this house to make it more livable, it would save a beautiful old structure

and make it so people who walk around the City could enjoy it. Their intent is to preserve this site and he hoped the HPB would vote in favor of their proposal.

Chair Stephens closed the public hearing.

Board Member Beatlebrox understood that the front of the house would meet the legal setback from the road. Mr. DeGray answered yes. Ms. Beatlebrox asked if the house would be moved back from the road. Mr. DeGray stated that the current proposal shows the house in full compliance with the front yard setback. It would be pushed back further from the road. Ms. Beatlebrox clarified that the house would have to be lifted regardless. Mr. DeGray answered yes.

Board Member Hodgkins recalled language in the Staff report indicating that the house currently meets the setbacks. Planner Tyler stated that it was different because she had tried to delineate between a variance application. This one is different in that it will meet the setback. Chair Stephens remarked that it would be a separate application that was not before the Board this evening. He assumed Board Member Hodgkins was saying that in its current location the house is legally non-conforming. In order to be issued a building permit, the structure would have to become conforming.

Board Member Hodgkins understood from Mr. DeGray's comments that the rotation included moving the house back from the road; however, he thought the request was only to rotate the building. Mr. DeGray replied that the current HDDR application shows compliance with the setbacks.

Assistant City Attorney McLean asked if the house was only being rotated on its axis, or whether it was also being moved. Mr. DeGray replied that it was being moved. Ms. McLean asked how far it would be moved. Chair Stephens pointed out that if the back of the house is on the rear property line it could be 10'.

Chair Stephens asked if the Planning Department would require the house to come into conformity if it were rotated 180 degrees on its present plane without being lifted or moved. Assistant City Attorney McLean stated that per the LMC, it is case specific, but the general rule is whether the structure is moved in a way that can make it compliant. The fact that it has existed the same over time makes it legally non-compliant. Board Member Beatlebrox thought the structure needed to be moved back regardless of whether or not it is rotated. Chair Stephens replied that the structure could remain in its current location because it is legally non-conforming. It would not have to be moved. Assistant City Attorney McLean clarified that any new construction related to the historic home must meet all current LMC requirements.

Ms. Blaes stated that the title of the section of the LMC was Criteria for the Relocation and/or Reorientation of a Historic Building and/or Structures on its

existing Landmark or Significant Site. There was an expectation by the applicant that if the house is rotated, it would need to meet the compliance for the relocation as part of the entire discussion. Ms. Blaes asked if the applicants would then be required to come back and apply this same section of the Code and move it back to meet Building Code requirements. She thought that was an onerous expectation.

Chair Stephens stated that the HPB was being asked to look at this as part of the LMC regarding the rotation. His question was whether or not that process would trigger meeting additional parts of the LMC with regards to moving it. If that were the case, it would add another layer to the discussion. Ms. Blaes noted that the application that was deemed complete by the Staff indicates in the drawings dated April 2017 that it meets the Building Code requirement for setbacks. They believed that part of the rotation was bringing it into compliance. Ms. Blaes asked for clarification. Chair Stephens remarked that it was a difficult situation because the HPB was dealing with the historic structure but not the plans. The Board was trying to give some direction to the applicant.

Assistant City Attorney McLean read from the LMC, "Historic structures that do not comply with building height, building setbacks, off-street parking and driveway location standards are valid non-complying structures. Additions to historic structures are exempt from off-street parking requirements provided that the addition does not create a lockout unit or accessory apartment. Additions must comply with building setbacks, building footprints, driveway locations, standards and building height". She thought part of the confusion was that it was part of the application but it was not called out.

Planner Tyler stated that she could add a Finding stating how far back the structure could move because the Staff opinion was that the same Findings would apply. The Staff analysis was under the assumption that the house would be relocated. The Finding states that it would meet the setbacks, but she neglected to include that it would be moved 8'. Chair Stephens clarified that the Board was looking at rotation and relocation of the home to meet the current setback requirements.

Chair Stephens noted that the applicant talked about the opportunity to build on the property and that not being allowed to move and lift the structure creates a hardship. He asked if that was an issue for the HPB or the Board of Adjustment. Assistant City Attorney McLean replied that hardship was not within the criteria of the request being discussed this evening.

Joe Tesch, legal counsel for the applicant, believed hazards was relevant because it was part of whether or not there are unique conditions. Board Member Hodgkins did not think the HPB makes that determination. He believed it was the role of the Chief Building Official. Assistant City Attorney McLean read

from the Code. "For significant Sites at least one of the following shall be met." She believed Item B applied. "The Planning Director and Chief Building Official determine that the building is threatened in its present setting because of hazardous conditions, and the preservation of the building will be enhanced by relocating it". Ms. Blaes pointed out that hazardous conditions are defined by the Planning Director and the Chief Building Official. Unique conditions, outlined in Item C, are not defined solely by them, but rather with their input. Mr. Tesch read Item C, "The Historic Preservation Board, with input from the Planning Director and the Chief Building Official, determines the unique conditions".

Board Member Hodgkins clarified that he had asked about hazardous conditions. Mr. Tesch thought hazardous was part of unique. Ms. Blaes clarified that they had mentioned the unique nature because the applicant questioned whether or not the variance information was relevant for the HPB to consider. It was an opportunity to address some of the issues that came up in 2011.

Chair Stephens clarified that there were further discussions about Guidelines. He believed the HPB had more purview in terms of Guidelines, but they had to strictly adhere to matters regarding the LMC.

Director Erickson explained how he and the Chief Building Official made their determination that the building was not in a hazardous condition. He stated that on a regular basis they deal with houses with one of the facades up against a steep slope with drainage issues. That occurs on almost all of the streets and drainage situations can be remedied in a number of situations. Drainage in and of itself was not unique; and it was not hazardous because the owner has never tried to revise the drainage. Director Erickson thought the testimony regarding the snow on the roof was relevant because snow typically acts like water behind a dam. The first load is downward as opposed to outward, and it takes another condition to make the snow move outward. Director Erickson pointed to photographic evidence provided this evening showing that the snow slide off the roof does not touch the foundation on the south side of the building. Planner Tyler had visited the site two weeks ago, and he visited the site earlier that day to verify the condition of the roof and any snow removal activities. Director Erickson believed the photos were consistent with what was viewed two weeks ago and again today. Director Erickson clarified that nothing was found to change their opinion that the house was not in a hazardous condition, and that the owner could have taken some action to mitigate the drainage. Director Erickson remarked that he made his conclusion based on the reasons stated.

Board Member Holmgren stated that she lives in an old house in Old Town, and issues with drainage and snow removal can be mitigated. She felt strongly that not enough effort was made by past owners or the current owners to address the drainage problems or snow removal on the roof. Ms. Holmgren noted that she

was speaking from experience. Her roof slid off 15 years ago because of improper snow removal; and it was a lesson learned.

Mr. Tesch stated that in looking at the photos, most of the snow was coming from the road, not the roof, and that cannot be mitigated. Ms. Holmgren replied that the owners could have done snow removal and drainage, which is what she had to do.

Board Member Beatlebrox stated that she supported rotating the house, and she was in favor of having it conform to the setbacks. Ms. Beatlebrox thought most people going up and down Woodside are visitors who have no idea that there could have been pathways to the front. Currently, the house presents itself as a metal roof. The house could have a plaque explaining why the house was oriented towards town, but she did not think anyone would stop to read the plaque. She believed that if they rotated the house it would read as a hall-parlor, and it would read like the rest of the pattern of Woodside. She also believed that the ability to interpret it as a historic building would be enhanced. Ms. Beatlebrox stated that because the road is so high and encroaches on the property it creates a problem. If there really was raw sewage in the past, she could understand why people wanted a porch facing east. She strongly believed the interpretation of this house would be enhanced and that it was a unique situation. Ms. Beatlebrox remarked that times have changed and there are no Shorty stairs on that side. She supported the applicants' historic preservation request.

Chair Stephens reminded the Board that they were also dealing with LMC issues. He referred to page 48 of the Staff report, Section 15-11-13 of the LMC, which outlines the criteria for relocation and reorientation of historic buildings and structures. He believed the Board was primarily dealing with Item 3. For Significant sites they have to meet all of the criteria listed under Item 3C for unique conditions.

Board Member Beatlebrox believed her comments met all of the items a through d under Item 3C. a) The historic context has been radically altered because if there were footpaths they are no longer there. This house could not be seen except from across the canyon because of the other houses in front of it. b) The proposed relocation would not diminish the overall physical integrity of the Historic District or diminish the historical associations used to define the boundaries of the District. c) The historical integrity and significance of the building would not be diminished. d) The potential to preserve the building would be enhanced by its relocation.

Board Member Weiner agreed with the comments made by Board Member Beatlebrox. However, she would argue that 3A and 3B could also be applicable because if erosion occurs due to the snow piling up in the next few years there would be a demolition of the structure and it would be threatened in its present

setting because of natural conditions. Ms. Weiner thought it was an unusual situation because of the underground nature of this building. It is not a structure sitting on the street. She had visited the property, and without trespassing she tried to walk around because she was trying to ascertain whether there were steps or some type of footpath. She could not find steps or a path of any kind. She felt it was dangerous to continue so she was unable to see the entire surround of the property. Ms. Weiner stated that comparing this property to Shorty steps was completely inappropriate because there was no access. She believed that a visible structure and not just a roof would be an enhancement to the street. Ms. Weiner supported approving this request.

Board Member Hutchings stated that because they were only talking about rotating the house, he struggled with how rotation would fix drainage problems or any problems with the proximity of the house to the road. He believed the applicants would be in the same position they are now if they just rotate the house. Mr. Hutchings believed that changing the direction of the house would diminish the historical character because the position of the home would be changed 180 degrees. He did not think the request complied with 3C a through d. Mr. Hutchings thought the Board should honor the request for a site visit. He was curious to know what they would learn through a site visit that would help them decide compliance or non-compliance with 3C a through d.

Board Member Hodgkins agreed with Board Member Hutchings. The way the LMC is written, he did not believe the historical integrity would be enhanced by reorientation. Mr. Hodgkins also thought a part of the history of the town would be lost because this was not the only structure that had a porch or faced that direction, but it was one of the very few left. He believed changing the orientation would diminish the integrity of the structure. He understood the debate about which side is the front entrance, but it did not matter because the question was whether the reorientation would take the perceived front and move it to what is perceived as the front of the property. Mr. Hodgkins noted that there was no way to know what the builders considered the front or the back. They do know that the side facing east looks like a front façade, but there is no way to know if it was. Because other houses had that same orientation at one time, Mr. Hodgkins was concerned that they would lose that history if this house was rotated.

Board Member Weiner asked if they could stipulate that not all of the historic context of Park City is workable in today's world. She stated that the way people went in and out of their homes and maybe crossed through a footpath in what was the front of the home has changed. There is no access there anymore and there is no sewer on Woodside. Over time people changed turned their houses around and this is one of the last houses left to do it. She did not think it was fair to tell this applicant that they must be the example. They want to live in this property and make it their home. They want to be able to come in and out of their driveway and use the front door.

Board Member Beatlebrox pointed out that nobody can see the front façade. All they see is what looks like a shed, and that does not enhance the neighborhood or the interpretation of historic context.

Director Erickson remarked that the front of the building was irrelevant to the question of reorientation. The front of the building is relevant to how the addition would be placed. The front of the building does not matter on the issue of orientation. What matters is whether they allow it to be turned from its historical context and orientation.

Board Member Scott stated his agreement with Board Members Hodgkins and Hutchings that reorientation would not enhance the preservation character. He saw three pictures of the homes from the road, and all three were taken from different locations. In one photo the road could not be seen. He assumed it was taken from someone standing down the hill; in which case the perspective is off and the house looks higher than it is. Two other side by side pictures the applicant provided, one previous and one current, he assumed the current one was taken two or three steps back on the road because more road is showing and less of the home. He pointed out that each photo could be interpreted differently, but they could be interpreted as the same picture. Mr. Scott believed that influenced the hazard and lighting. He thought it was hard to discern what snow was in the road and what was on the roof, but if there was snow load mitigation from the road, he believed the picture would be much different. Ms. Scott thought it was an unfortunate location, but in his opinion, the snow and drainage should be addressed before they consider something as drastic as rotating the home to preserve its historical character.

Chair Stephens was uncomfortable with Findings of Fact that refer to design plans that are not part of this application. He thought those references should be deleted. He specifically referred to Finding #31 as an example. Assistant City Attorney stated that it was within the Board's purview to have those references deleted. Director Erickson stated that if the Board concurs, they would remove the sentence in the Findings that refers to the height. If the Board chooses to delete the discussion regarding panelization, construction techniques, and the HDDR, he noted that the HDDR provoked this action so they need to make sure the HDDR was submitted. Director Erickson stated that Finding #12 talks about the panelization, and that would be removed from the Findings if that is the direction from the Board.

Planner Tyler stated that she reviewed the Findings of Fact after the issue with relocation. She referenced had relocation in Findings 42, 43 and 44; and instead she added it to the proposal in Finding #12. In approval or denial, the Findings would be based on relocation, and that was already represented in the Staff report. Planner Tyler stated that if the Board was comfortable with the newly

proposed language she would add it to the Findings and strike any references to lifting. The Board concurred.

Chair Stephens agreed with most of the comments made by his fellow Board members. He understood this was a difficult project architecturally. Chair Stephens noted that this was an LMC issue and they were not dealing with the Design Guidelines. The application has to meet all the LMC requirements, and whatever the Board decides, they need to make sure it cannot be used as a precedent in future occurrences. Chair Stephen failed to see how the rotation would mitigate some of the construction issues.

Jonathan DeGray asked if the Findings had been modified to indicate that the house would be located 10' back. Planner Tyler stated that it was already in there, but she had added an additional sentence to address it.

Chair Stephens stated that the request is to rotate the house and move the house to try to mitigate some construction issues; however, there is no clear indication from the Planning Director and the Chief Building Official that this historic home is in jeopardy; or that there is no other way to mitigate those factors.

Mr. Tesch asked if the applicants and their representatives could caucus before the Board votes. Chair Stephens answered yes. Ms. Blaes asked if this was just for reorientation and not the relocation, which was stated as part of this section of the Ordinance. She noted that Planner Tyler had said the Findings would be the same. Ms. Blaes stated that in practical terms, if they look at relocating this building to meet the Building Codes setbacks, they are able to mitigate what the City is saying is not hazardous, but the applicant who owns the house is recognizing as hazardous, and could not mitigate the unique conditions that the City says does not exist, but the applicant says it does. Ms. Blaes was concerned about the onerous nature of reorientation when the Code says relocation. She noted that the full application submitted by the applicant include those drawings to indicate the relocation in order to meet setback. She thought the Code was silent on whether or not it would remain as a non-conforming, non-complying structure.

Assistant City Attorney McLean stated that it was up to the Board, but they could include a Finding of Fact or Conclusion of Law saying that by denying the request they are not prohibiting the applicant from applying to relocate the home in the existing orientation. It would leave the door open for the applicant to apply to keep the house oriented as it is, but push it back 10' from the road. It would require a completely new application and a Staff analysis.

On behalf of the applicant, Ms. Blaes requested that the Board table their decision in order to have a site visit. She stated that if the Board approves

reorientation without a relocation, the front façade of this building would be down in a 9' hole against the road and a City property line. It creates a major problem if there is no space between the front of the building and the City right-of-way to mitigate any drainage problems. The City has determined they are not a hazard; but the applicants disagree with that determination because they have been dealing with it. The applicant also believes that unique conditions exist, and the City disagrees.

Chair Stephens asked if Ms. Blaes was talking about rotating the house or just moving it back in its present configuration. Ms. Blaes replied that the application submitted shows a rotation and moving the house. Chair Stephens stated that if the intention is to rotate the house and move it, he believed everyone needed to be clear about what the LMC would require once the house is moved and whether or not it would need to meet current setbacks.

Director Erickson remarked that the applicants have never approached the City to assist with mitigation on any of the drainage issues inside the City right-of-way. Secondly, the road does not encroach on the property. The road is within the City right-of-way, as the applicant testified. Director Erickson noted that the Planning Staff concurs with the City Attorney's Office that the application in and of itself could not proceed forward until the HPB makes a determination on rotation, aside from relocation. He pointed out that this was a step by step process, starting with the reorientation. If additional information is presented for relocation and the Staff can make Findings that the relocation meets the Criteria under 3A, B, and C a through d, a relocation might be possible.

Assistant City Attorney McLean clarified that the Board could vote only on the relocation. However, a secondary question is whether the Board feels there are sufficient Findings and evidence for the relocation without the reorientation. The Board could also find that they were only voting on the relocation in conjunction with the reorientation, and leave the door open for the applicant to make a new application to relocate the home. She advised the Board to make a specific Finding that considers the possibility of relocation.

Planner Tyler pointed out that the Findings reflect relocation. It was not addressed in the proposal, which has since been revised per the comments this evening. She noted that some language in Finding #12 was deleted and replaced with language about relocation. Planner Tyler stated that the Staff was aware of the plan to relocate and they had no issues with the structure meeting setbacks.

Chair Stephens understood that they were primarily dealing with rotation, and he did not want to preclude an architectural solution to the problem. He suggested that the Board address the rotation issue and not movement of the house; and allow the applicant the opportunity to come back with an architectural solution.

Board Member Winder thought the applicant needed to rotate the house and move it back. She thought the Board action should be more definitive for the applicant. Board Member Beatlebrox thought it made sense to comply with setbacks. If the applicant has to lift the house to move it back, they could rotate the house at the same time.

Chair Stephens clarified rotation was the issue before the Board, and there was not consensus among the Board on that determination. If the Board votes to disallow the rotation of the home, they should not preclude any other options that the applicant could pursue. Board Member Beatlebrox pointed out that relocation was anticipated in Finding #30. Ms. Blaes stated that the applicant had that expectation. They submitted drawings indicating relocation, and it was addressed in the Findings of Fact.

Assistant City Attorney McLean asked if the applicant would like the Board to vote on the reorientation and the movement of the house, that could be done. However, if it is denied, the applicant is precluded from reapplying for relocation because the Board has already made that decision.

Mr. Tesch stated that the applicant was not asking for any vote this evening because they wanted the Board to visit the site before making their decision. He believed that Director Erickson's comment that the applicant had not asked the City to mitigate should be irrelevant and not considered because it is not the applicant's property. Director Erickson clarified that what he said was that the applicant had not approached the City for an opportunity to do mitigation. He stated that it is a consistent and constant application process within an encroachment agreement with a municipality and the City Engineer. Mr. Tesch disputed that it is consistently done, and there is no obligation for the owner to go to the City. The question is whether it could be mitigated on the applicants' property. Mr. Tesch thought a site visit was necessary so the Board could see the proximity to the road and that mitigation is not possible. He believed a site visit was critical to their knowledge for making a decision. Mr. Tesch requested a continuance pending a site visit.

Board Member Hutchings was concerned that the Board would not learn anything new from a site visit. He was inclined to gather as much information as possible before making a decision, but he was unsure what they would see that was not already evidenced in the photos. Mr. Tesch pointed out that the photos do not show the footings, how it comes right up to the property line, the slope, and other things that are pertinent to understand. Mr. Hutchings was not opposed to a site visit if the applicant believes the photos do not accurately represent the site.

Board Member Weiner favored a site visit.

Board Member Hodgkins was undecided. He understood the concern about the proximity to the road, which was the argument for the site visit; however, he was unsure how that would factor into the issue of reorientation.

Board Member Scott had the same question about how a site visit would relate to reorientation.

Board Member Beatlebrox thought a site visit would factor into the reorientation question because if there is no setback, the façade is still affected by snow plows.

Board Member Holmgren was not opposed to a site visit, but she did not believe it would make a difference. She is familiar with that area and with the house, and she was surprised that nothing has been done with the drainage and snow removal.

Chair Stephens preferred to err on the side of giving the applicant the opportunity to present as much information as possible.

MOTION: Board Member Holmgren moved to CONTINUE 424 Woodside Avenue to April 4, 2018. Board Member Hutchings seconded the motion.

VOTE: The motion passed unanimously.

Chair Stephens called for a 5-minute break

2. 819 Park Avenue – PL-18-03777 – Determination of Significance for the proposed removal of a house listed as significant on Park City’s Historic Sites Inventory, per Land Management Code (LMC) 15-11-10(C).

Planner Grahn reviewed the Determination of Significance application to determine whether or not a historic house should be maintained or removed from the Historic Sites Inventory list. She introduced Ron Whaley, the owner/applicant.

Planner Grahn noted that the Board has visited the site prior to this meeting. During the site visit they were able to see material, window and door configurations, the addition, and other changes that had been made. She believed that seeing those helped bridge any gaps between the photographs and what they actually saw.

Planner Grahn provided a broad history of the site. This area of Park Avenue was dominated by industrial activity for much of the early part of the Park City

Settlement Era. The Coalition Building was there, as well as railroads and other support business that played into the industrial nature of the neighborhood. The building was constructed by 1941 as a false front building with a gable roof. This building was different from other buildings because it was built initially to be a commercial grocery store. By 1948 it had been altered into a residence under the ownership of Grace and Patrick McPolin. Planner Grahn noted that the McPolin name is well-known because they were prominent Park City citizens. However, she thought it was important to understand that the McPolin's association with this property was more as landowners for rental property; and less about the building being Significant because of their ownership. Planner Grahn remarked that the significance of the McPolin family being reflected in architecture, it was much better done through the McPolin Barn where they actually raised their family and worked.

Planner Grahn stated that the architecture of this building during the 1948 remodel was not noteworthy and it was not done by an architect. It was a hodgepodge of different styles that were most likely based on popular post-war styles. She thought that was evident in the material choices that were made from the early tax records. The structure had large picture windows, wide board siding, and later asphalt siding because it was low maintenance. It had a recessed entry and other elements that were not reflective of the Mining Era.

Planner Grahn noted that a unique element of this building was the clipped gable. She explained why it was different from most clipped gables. The peak created by most clipped gables was scrapped. It was evident in the roof form, and also, the owner has said that the flattened peak was new lumber. Planner Grahn commented on the number of alterations that were made to this building over time, as outlined in the Staff report. She noted that the building was listed on the HSI as being significant to the Mining Decline Era, which is the 1940s through 1962. The changes that occurred were after that period ended.

Planner Grahn presented the history of surveys starting in 1978. She explained that a Reconnaissance Level Survey is a windshield survey identifying buildings that they believe are historic without going in-depth into the history of each building. An Intensive Level Survey traces the history of the building and the different iterations. It is a thorough analysis of the structure.

Planner Grahn noted that in the 1978 and the 1982 surveys, they were looking to see if the structure was National Register eligible. In both cases, the structure was found to be non-contributory; primarily because it was built outside of the Mining Era. Planner Grahn stated that in 1995 Alan Roberts conducted a third survey, and he thought it was an unusual form, and he graded it an A for potentially eligible for the National Register. At the time they believed it was constructed in 1920, but they eventually found out that it was constructed at a much later time. Planner Grahn stated that the Historic Sites Inventory started to

come into formation in the early 2000s, and another Reconnaissance Level Survey was done. However, it was based on the City's criteria, and not just the National Register; and the criteria was expanded to make sure they captured as many historic resources as possible. This building was identified as historic. Planner Grahn pointed out that when the HSI was adopted in 2009, it was designated as Significant. A Landmark designation would have meant it was National Register eligible. The form indicates that it was designated Significant and not Landmark due to material changes that have occurred. Planner Grahn stated that in 2015 the City hired CRSA to complete an Intensive Level Survey. That survey also concluded that given the extensive material changes, the historic value of this house has been diminished.

Planner Grahn reviewed photos and exhibits to help the Board understand some of the changes that were made.

Planner Grahn stated that the Board was being asked to determine whether or not the site should be designated as Significant based on specific criteria. The first criteria is whether the building is at least 50 years old. The Staff found that portions of the building are at least 50 years old. Planner Grahn noted that the applicant has argued that the building in its present form has not existed for 50 years. She generally agreed because a lot of what has been there for 50 years has been lost and modified.

The second criteria is whether it retained its essential historic form. Planner Grahn stated that essential historic form is really about the physical characteristics of a structure that make it identifiable as existing or relating to an important era in the past. She noted that when this definition was rewritten in 2015 it was expanded. Planner Grahn stated that the overall shape of the building was modified from a false front commercial building to a house around 1948. Since then a number of remodels have occurred, particularly outside of the Mining Decline Era and post 1962. The roof shape and form exist from 1948, but all the other aspects of integrity have been lost due to subsequent changes. The property did not receive any Historic District grant funds. The first time it was designated as historic was in 2009 for the City's HSI. Prior to that, it had been listed as non-contributory on previous National Register Reconnaissance Level Surveys. She noted that the applicant had drawn the same conclusions in his summary.

Planner Grahn stated that additional criteria were whether or not it meets one or more of the following. Does it retain its historic scale, context, and materials in a manner and degree which can be restored to the historical form. The question is whether the building today reflects what the building looked like in the 1940. She remarked that it does not because of the many modifications. Planner Grahn stated that another criteria is whether or not it meets the visual compatibility test. The found from all the surveys that this building does not look like the Mining Era.

The mass and scale are much larger, the roof form is not consistent with traditional clipped gables, and it is not an example of a specific architectural style. It does not resemble the grocery store or the house that appeared in the 1940s. It does not retain its historic scale.

Planner Grahn stated that the last criteria is whether or not the structure is important to local or regional history, architecture, engineering or culture. The Staff did not find compliance because of all the changes. The structure was owned by Patrick and Grace McPolin as rental property, but it is not really associated with them. Planner Grahn pointed out that the more recent changes have diminished the remodel that was done in 1948 by Patrick and Grace McPolin.

Planner Grahn remarked that the process this evening was different from what the Board has done in the past for Determinations of Significance. Prior to changes Code changes last Spring, the HPB would make the final decision on Determinations and whether or not to keep a building on the Inventory. Due to the Code change, the Board would be forwarding a recommendation to the City Council, and the Council makes the final determination. Planner Grahn noted that the HSI had actually been codified; therefore, removing a building from the list is an LMC amendment that requires a recommendation by the Planning Commission. The recommendations by the HPB and the Planning Commission convene at City Council for final action.

Ron Whaley, the applicant, introduced Alan Rogers, an architect and former chairman of Historic District Commission; Rick Lewis, former Community Development Director for Park City; Thomas Howard, Counsel to the application; Melissa Barbanow; Counsel to the application; and his wife, Melanie. He expected Ron Ivie to arrive before the end of the meeting. Mr. Whaley stated that he had nothing further to add.

Board Member Beatlebrox asked if the structure is taken off the HSI as Significant, if it becomes Contributory and could then be demolished. Planner Grahn stated that if the structure is not listed on the Historic Sites Inventory as either Landmark or Significant it is eligible for demolition. The purpose of the DOS is to maintain the integrity of the Historic Sites Inventory list. If they find that it meets the criteria it should remain on the HSI. If it does not meet the criteria it should be removed. She clarified that removing a structure from the Inventory does not mean it will be demolished, but that fear should not be a reason to keep structures on the HSI.

Board Member Hutchings asked how the structure was initially designated as Significant; and what decision they would be reversing if they find that it is not Significant.

Assistant City Attorney McLean explained that in 2009 there was new criteria and the entire Historic Districts and all possible historic structures were reviewed. They were given as a list to the HPB and the City Council to adopt. Because it was such a big list, it was made clear at the time that every individual owner had the ability to challenge the determination at any point. At that time, Mr. Whaley questioned whether or not the structure was historic, and he was assured that he had the ability to come back at any point for a determination. Ms. McLean stated that where there has not been an individual determination by the HPB, any owner has the right to provide additional information. She pointed out that a survey is not as thorough as looking at one property individually.

Mr. Hutchings asked if the owner only has one chance to change the determination. Ms. McLean stated that unless new information can be presented it is generally a one-time opportunity.

Board Member Hodgkins asked for the Staff recommendation. Planner Grahn replied that the Staff recommendation was to remove the structure from the Inventory. She referred to the written recommendation on page 88 of the Staff report.

Board Member Beatlebrox thought the shape of the building echoed other buildings on Park Avenue. She named a few examples and questioned why the shape would not be considered historically compatible. Planner Grahn stated that it was up to the Board to decide whether or not she erred in her analysis. Chair Stephens thought the difference between the structure at 819 Park Avenue and the one Ms. Beatlebrox described is that the entire ridgeline had been cut off.

Board Member Hutchings asked when they consider the essential historic form if they consider the form when it was built, or if they could consider the essential historic form going forward in time. Planner Grahn thought it was a good point that the Board should discuss. She stated that the Staff initially struggled with it because when the building was built it was a false front, and the false front commercial building only lasted through the early 1940s. The new form or a deviation of it appeared in 1948. Based on her analysis, she tied it to the shape coming into form in 1948; however, the Board could decide that the shape compromised the grocery store, and the grocery store was the essential historic form.

Chair Stephens opened the public hearing.

George Quarles, a resident at 844 Woodside Avenue, stated that when he received noticed on this item he looked at the Code to try to understand what was going to happen. Under 15-11-10, he found Removal of Sites from the Park City Historic Sites Inventory, and he assumed that was the topic being discussed.

Mr. Quarles noted that there were three specific criteria for removal but he had not heard that discussion, and he did not see it in the Staff report. He questioned why they were not looking at those three criteria.

Planner Grahn pulled up the Code and the criteria that the Staff analyzes as to whether or not a building meets the criteria for a Significant Site. The removal of the site was, "does the site no longer meet these criteria because the qualities that cause it to be originally designated have been lost or destroyed. That is part of the determination as the Board reviews the criteria for a Significant designation. Planner Grahn explained that in the procedure for removal, they were at the hearing and decision phase this evening. She showed the list and reiterated that the Planning Commission would have to approve amendments to the HSI.

Planner Grahn believed the pertinent criteria for the HPB is whether or not it meets the criteria for a Significant site. Board Member Hutchings asked if that needed to be added as a Finding. Planner Grahn thought it was in the Conclusions of Law. She noted that it was based on the criteria, and asked Assistant City Attorney McLean if it would be helpful to add a Finding of Fact that reflects back to the criteria for removal. Ms. McLean answered yes.

Chair Stephens clarified that this part of the removal process in the LMC moves into whether it meets the criteria for Significant or Landmark.

Chair Stephens closed the public hearing.

Board Member Scott stated that in looking through the pictures he sees historic buildings that are focused on the street side. Modification can be made to the rear, but the front cannot change. As he looked through the chronology of the photos, he recognized a major change from being a storefront to how it looks now. He pointed to significant changes in the 1958 photo. Mr. Scott noted that talking about the Mining Decline Era of 1931-1962, in his opinion, the clipped gable, the recessed porch, and the two windows in the front appear to have occurred in that Mining Decline Era. He noted that the Staff report references three other homes that were built in that period; however, in thinking about the context in 1978 and 1982, there is no inventory to know what it looks like. Mr. Scott questioned the context. They know they want it to look like the Mining Era, but it is not. A lot of the modifications occurred when Park City was struggling and people were living in the home. He found that to be an interesting story. Mr. Scott had spoken with volunteers from the Museum and a number of interesting stories came up that contributed to the history and why some of the changes were made. Mr. Scott referred to 269 Daly, which is a Mining Era home that had non-historic changes. He struggled with being consistent and understanding why something applies to one structure but not another.

Board Member Beatlebrox recalled a previous discussion of the Star Hotel. A number of changes occurred over time, but the historic form was still there and the Board voted to keep the Star Hotel on the HSI as Significant. Ms. Beatlebrox thought it was important to remember that Era and there are very few buildings left to help them remember. She pointed out that the form is there and it is repeated along the street.

Board Member Hodgkins agreed with Ms. Beatlebrox about the Star Hotel because he also thought of that discussion when he read the Staff report. He recalled talking about the essentials that were still there, and if someone looked at an older picture they would see the same building. Mr. Hodgkins wondered if they were looking at the criteria too stringently as if they were trying to make the determination to put the structure on the list. In terms of criteria for removal from the list, Mr. Hodgkins thought the reasons for its original designation have been lost. He wanted to know if they should look at what has changed since 2009 to make a different determination.

Assistant City Attorney stated that the Board was looking at this from the standpoint of when it was put on the list. All the owners in Park City were told that they always have the right to challenge the designation, because at the time, people did not have the time or the resources to challenge it before the List was adopted. Board Member Hodgkins understood that it was more a challenge of the designation rather than a request to be removed.

Mr. Hutchings clarified that this owner was challenging that the structure meets the criteria of a Significant structure. Ms. McLean replied that he was correct. Mr. Hutchings asked if the criteria listed was the same criteria that existed when the structure was placed on the List. Ms. McLean remarked that the criteria has changed slightly. She noted that some structures were not on the list in 2009 and have since been placed on the list because the criteria is broader. This structure is subject to the current criteria. Ms. McLean clarified that it is not about changes in the criteria, but rather that the owner gets a de novo review on whether or not it meets the criteria

Chair Stephens asked when dealing with a Significant designation instead of a Landmark designation, if the intention was to build up and support the thematic nomination for the Historic District. Planner Grahn stated that she was not in Park City when the 2009 Inventory was done. However, she understood that initially they looked at the National Register nomination and used those buildings as the historic buildings. The City Council was concerned with the number of historic houses that were not on the list due to alterations. Locally, the City can designate historic buildings based on its own criteria. They came up with the delineation that Landmark was the National Register and Significant sites had to meet loose criteria in order to capture the buildings that did not meet the National

Register standards. In 2015 they found that the criteria were not protecting as many historic buildings and they wanted, and the criteria was further expanded.

Chair Stephens thought the protection was to preserve the thematic. Assistant City Attorney McLean read from 15-11-10 of the Code, "The City Council 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". She could not recall anything in the Code that links it directly to thematic. Chair Stephens thought another concern was that as they lose historic built inventory, of if the inventory was not contributing to that thematic nomination, then maybe the Historic District was in jeopardy. Planner Grahn thought that was a good work session topic.

Planner Grahn commented on the thematic district and noted that one criteria for a Significant site is that if it does not retain its own essential historic form, that it at least reflects the historical or architectural character of the Mining Era residences thematic district. In this case, multiple surveys have found that this building does not.

Board Member Holmgren thought this house was similar to the dome house that burned down on Empire/Ontario. It is a nice house but maybe it was time to let it go on its own path.

Board Member Weiner could see both sides of the argument. She could see where the history of the house had changed in form, but it also represents a period of time that evolved. Ms. Weiner thought the house has a history of its own and it was part of the Declining Mining Era. However, during the site visit she observed a number of problems with the house.

Board Member Hodgkins asked if it had to be part of the Mining Era to be designated Significant. Planner Grahn answered no. It can fall under the Mining Era, the Mature Mining Era or Decline of the Mining Era and the emergence of the Ski Era. One that predates that Mining Era is the Settlement Period and the beginning of the Mining Era.

Chair Stephens stated that his struggle with how this building contributes towards being Significant was the change from a commercial structure to a residential. If it had retained its commercial integrity in the commercial area, he would find it more contributory and feel more comfortable with its Significance. He believed it lost its original historic architectural integrity when it was converted to a residence. Chair Stephens would like the Historic Sites Inventory to build upon each other and not have a structure detract from it. Chair Stephens pointed out that the house was still in the Historic Residential Commercial area. He could see it on the HSI if someone came in with an application to take the structure back to the 1941 commercial structure. Board Member Beatlebrox pointed out

that the structure has not changed so much that it could not be returned to a commercial building.

Board Member Hodgkins thought the change from commercial to residence in a short period of time was indicative of the Mining Decline that things had suddenly shifted and it became an adaptive re-use. He thought the structure survived because of the adaptive reuse. Mr. Hodgkins struggled with finding that this was not a Mining Decline Era Significant building because of how it changed so quickly and that it has stayed in its recognizable form for over 50 years.

Board Member Hutchings was trying to decide if they should look at the structure as it existed in 1941, or as it existed in 1941. Looking at in 1941, he would agree that it does not meet Criteria B, C or D. However, looking at it from 1948 he thought he retained its essential historic form as a residence and meets Criteria B, C and D. His question was whether they were looking at the building from 1941 or 1948.

Board Member Scott stated that he applies the 50 year criteria from the time the structure was built; not when it was repurposed. Planner Grahn stated that the 50-year mark is for National Register Buildings as the first threshold in determining whether something is historic.

Chair Stephens stated that he personally did not believe the structure was Significant, especially in its current form as a residence and with the roof peak clipped off.

Ron Whaley, the applicant, echoed the comments by Ms. McLean regarding the process in 2009. He noted that in 2009, hundreds of properties were brought in en mass, and they were not reviewed by this Board for any individual qualities. He had hoped that over the years the HPB would hold an investigation on each and every property that was brought on in mass by a subcontractor. Unfortunately, that has not happened, which is why he was using his right to make that request this evening.

Alan Roberts noted that his firm had done the 405 Intensive Level Surveys. They had recommended that the structure at 819 Park Avenue was not Significant, and, in fact, it was marginally Contributory. Mr. Roberts pointed out that the Survey was done before Mr. Whaley came forth with his application. Mr. Roberts explained how they came to the conclusion that the structure was not Significant.

MOTION: Board Member Holmgren moved to forward a recommendation to the City Council to remove the structure at 819 Park Avenue from the Historic Sites Inventory because it no longer meets the Criteria for being Significant and it weakens the Inventory. Board Member Hutchings seconded the motion.

Board Member Hutchings clarified that he seconded the motion because it did not comply with D. However, there were additions and changes to the structure that were over 50 years old and thought that should be considered for this application and future applications.

VOTE: The motion passed 4-2. Board Member Beatlebrox and Board Member Scott voted against the motion.

Findings of Fact – 819 Park Avenue

1. The property is located at 819 Park Avenue, in the Historic Recreation Commercial (HRC) zoning district.
2. According to early Sanborn Fire Insurance Maps of the early 20th Century, lower Park Avenue and Main Street north of Heber Avenue was largely characterized by industrial activity. The west side of the 800 block of Park Avenue, where 819 Park Avenue is located, contained residential structures on the south end of the block as well as a large stable and corral, wagon, shed, and boarding house on the north half of the block.
3. The first building on this site was built by 1941. It first appears at —837 Park Avenuell on the 1941 Sanborn Fire Insurance Map.
4. The Summit County Recorder’s Office finds that the building was constructed in 1942.
5. The building was originally constructed as a grocery store. It has a false western front and was rectangular in shape. Long-time Park City Resident Mary Lou Toly recalls that this was the —Westside Grocersll and that the building had a recessed entry with double doors and large storefront windows.
6. In c.1948, the building was sold to Patrick and Grace McPolin. It was likely that the building was converted from a store to a residence during their ownership. This transformation in its use during the 1940s is indicative of the types of changes being made to buildings during the Mining Decline Era and Emergence of Recreation Industry Era (1931-1962) as the local economy dwindled due to mine closures, loss of jobs, and loss of population.
7. The remodel is first depicted in the 1949 tax card. It shows that the house was addressed as —827 Parkll and contained 1,419 square feet. It measured loosely 30 feet wide by 47 feet deep, with a square addition on the northwest corner of the building that served as a shed. The tax card notes a gable roof form. The change to residential use eliminated the false front.
8. This remodel incorporated Post War architectural elements. Large, divided light picture windows were incorporated into the façade, with two windows occupying the northeast corner of the house similar to period window designs and configurations. Wood siding was initially used, but later replaced with low maintenance asphalt shingle siding. A recessed front entrance and porch were incorporated on the southeast side of the house, perhaps inspired by ranch house designs. The roof was also modified to create a clipped gable.
9. True clipped or truncated gables are prevalent in Park City’s Mining Era

architecture; however, 819 Park Avenue's roof differs from these as the point of the gable was not clipped on the ends, but completely removed across the entire length of the house to create a flat roof at the top. While its appearance is similar to and may have been inspired by these other houses, it is an entirely different roof form and not one that was common historically or in Post-War architecture.

10. During the 1950s, the McPolin's modified the house once again. The wood siding material documented by the 1949 tax card was replaced with new asphalt shingle siding, popularized as a low-maintenance material in Post-War Architecture.

11. During the 1960s, the roof structure was covered in patterned asphalt shingles. The divided light window design was modified to create undivided lights. (The current owner said the mullions seen in the c.1958 tax card photograph were actually created with tape and not a true divided light window.) A slider window was added on the attic level of the façade and other changes were made to the window sizes and configuration on the side elevations.

12. In 1974, the current owner, Ron Whaley, renovated the house again. An in-line addition was constructed on the southwest corner of the rear (west) elevation. On the northwest corner of the roof, an in-line addition was built over the 1941-1948 shed addition to create an interior staircase. The shed addition, originally built between 1941 and 1948, was converted into interior, habitable space.

13. In 1984, the present owner replaced the large picture windows on the façade with new double-hung windows.

14. By 1995, the asphalt shingle siding had been replaced with new wood siding. Additional changes were made to the window configurations on the north and south elevations.

15. In 2003, the Planning Department approved a design review application permitting the installation of 2 skylights on the south elevation.

16. In September 1978, Philip F. Notarianni completed the first reconnaissance level survey (RLS) of this property to determine eligibility for the National Register of Historic Places (NRHP). He evaluated the building as —not contributoryll finding that, —While the structure is sympathetic in vernacular style and treatment, its age renders it non-contributory to the Park City Residential District.

17. In April 1982, Ellen Beasley conducted the next NRHP RLS and also deemed the building —non-contributoryll noting that —most post-1930 buildings are categorized as non-contributory.ll

18. In September 1995, Allen Roberts conducted a third NRHP RLS. He evaluated the building as an —All, meaning it was —potentially eligible/architecturally significant and intact.ll He found the building was —unusualll due to its form.

19. In 2007, Dina Williams-Blaes conducted a fourth RLS to determine eligibility for the City's Historic Sites Inventory, based on the designation criteria of the Land Management Code (LMC). She found that the building contributed to the

—late mining era and described the building as —Unusual rectangular block, but not unlikely others in PC built in the same period. Compatible with mining era cottages in scale and massing.¶

20. On February 4, 2009, the Historic Preservation Board (HPB) approved a resolution adopting the Historic Sites Inventory (HSI). 819 Park Avenue was one of over 400 buildings nominated to the HSI. It was designated as —Significant¶ and found to contribute to the Mining Decline and Emergence of the Recreation Industry Era (1931-1962). The building's design was described as, —A very unique design incompatible with housing types commonly found throughout this timeframe, and yet still reflective of the later era of mining town residential construction in scale and elements of style.¶

21. In 2015, CRSA completed an Intensive Level Survey (ILS) of the property. They rated it as —ineligible/non-contributing¶ to the NRHP noting that, —The house at 819 Park Avenue does not closely resemble any main types of houses built during the historic Park City Mining Era...Given the extensive material changes, the historic value of the house has been diminished.¶

22. The building was constructed between 1941 and 1942, making parts of the building at least 76 years of age.

23. The location of the building—including its construction pad and east-orientation towards Park Avenue—is the only aspect of the Seven Aspects of Integrity, as defined by the National Park Service, which this building retains.

24. The roof shape and roof form of the c.1948 transformation of this building from commercial use to a residence is the only design elements that remain; the characteristics of Post-War residential design such as the large picture windows, window configuration, and wide board siding have all been lost.

25. The design of the c.1948 renovation that rehabilitated this building from a commercial store to a residence have been lost as the roof shape and form of the c.1984 remodel are the only elements of this design that remain; the characteristics of Post-War residential design such as the large picture windows, window configuration, and wide board siding have all been lost.

26. The setting of this site has been lost. This building was initially located on a block with few residential structures and heavy industrial uses to the west. This character has been significantly altered due to the loss of industrial buildings, footpaths, staircases, and open space that was present during this building's era of significance.

27. The materials present through 1962 have been lost. All the exterior materials, including the siding, roofing, windows, and doors have been replaced several times since 1962.

28. The workmanship, or physical evidence of the Mature Mining Era, has been lost. Between the 1948 remodel and 1962, this building reflected typical characteristics of Post-War housing. The building has been altered several times outside of the historic period, resulting in a loss of this historic workmanship.

29. Feeling is the quality that a historic property has in evoking the aesthetic or historic sense of a past period of time. It is dependent on the physical characteristics of the period of significance conveying its historic qualities. As

previously described, this house has gone through several renovations since the 1968 tax card; the changes that were made outside of the Mining Decline and Emergence of the Recreation Industry Era (1931-1962) and these changes no longer reflect this era. The roof shape and form are all that remain as all else has been changed.

30. Association is the direct link between a property, event, or person for which the property is significant. The Post War appearance or setting is no longer reflected in this property, nor does the building reflect the design elements that were present during the ownership of those individuals for which historic significance may be derived. The house does not gain historical significance for its association with prominent Park City residents Patrick and Grace McPolin as they did not live here, but at the McPolin Farm; it's likely that this house was used as a rental property.

31. The house no longer contributes to the Mining Decline and Emergence of the Recreation Industry (1931-1962) due to its loss of historic integrity. The building is not eligible for the National Register of Historic Places.

32. The Essential Historic Form, as defined by LMC 15-15-1, has been lost as this building no longer reflects the physical characteristics making it identifiable as existing in or relating to the Mining Decline Era. The roof shape and form are the only characteristics that remain; the materials, window openings, window sizes, window configuration, footprint, and design of the building have been dramatically altered since the end of the Mining Decline Era in 1962.

33. The changes no longer reflect the historic character of the district as a whole, nor do they reflect the historical significance of this site. The building no longer evokes the aesthetic or historic sense of the Mining Decline Era that this building was deemed to contribute to.

34. This property has not been a recipient of any Historic District grants.

35. The building was designated as —Significantll in 2009 when the Historic Sites Inventory (HSI) was adopted. Previous reconnaissance and intensive level surveys conducted in 1978, 1982, and 2015 found that this building was —noncontributoryll to the Mining Boom Era Residences National Register Thematic District due to its age as well as the extensive material changes that diminished the historic value of the house.

36. The building has been extensively modified since the end of the Mining Decline Era in 1962. The design of the c.1948 residence that emerged and reflected Post-War housing trends has been altered to such an extent that the roof shape and form are all that remain of this design. The siding materials, window-door configuration, window opening sizes, and other materials have all been altered. Non-historic in-line additions were made to the southwest corner of the structure, c.1974.

37. The building as it exists today does not reflect the Historical or Architectural character of the site or district through its mass, scale, composition, materials, treatment, cornice, and/or other architectural features as this building has been found to not be Visually Compatible to the Mining Era Residences National Register District.

38. Staff finds that this building does not contribute to the look and feel of the Mining Era. The mass and scale of this building's overall form is much larger than what would have been seen historically. Unlike neighboring Mining Era residences, there is no central entrance or front porch facing Park Avenue; rather, this building is characterized by an underwhelming side entrance with a recessed entry. The original window configuration, sizes, and designs have been lost and the current windows do not reflect the size, scale, and location of those seen on historic Mining Era houses.

39. In order for the house to contribute to local or regional history, architecture, engineering, or cultural associations, it needs to reflect the period in which it gains this significance. Initially built as a commercial building and remodeled c.1948 to a residence by Patrick and Grace McPolin, the majority of this building's life has been dominated by residential use. This residential use largely took shape c.1948 and reflected Post-War housing stylistic elements; however, only the roof form and shape of the building remain of this Post-War design. The house no longer reflects the remodel completed by the McPolin's in c.1948, and has lost its association to them; further, it is not significant to the McPolin's as

they did not live here, but likely used it as a rental property.

40. Any noteworthy methods of construction, materials, or craftsmanship associated with this Post-War remodel have been lost through a series of extensive remodels that occurred after the end of the Mining Decline Era in 1962. Furthermore, it is not associated with the work of a notable architect or master craftsman.

41. On January 11, 2018, owner Ron Whaley submitted a Determination of Significance (DOS) application to remove the site from the City's HSI; the application was deemed complete on January 17, 2018.

Conclusions of Law – 819 Park Avenue

1. The existing house located at 819 Park Avenue does not meet all of the criteria for designating sites to the Park City Historic Sites Inventory as a Landmark Site including:

- a. It is at least fifty (50) years old or has achieved Significance or if the Site is of exceptional importance to the community; and Complies;
- b. It retains its Historic Integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places; and Does Not Comply.
- c. It is significant in local, regional or national history, architecture, engineering or culture associated with at least one (1) of the following:
 - i. An era that has made a significant contribution to the broad patterns of our history;
 - ii. The lives of Persons significant in the history of the community, state, region, or nation; or

- iii. The distinctive characteristics of type, period, or method of construction or the work of a notable architect or master craftsman. Does not comply.
2. The existing house at 819 Park Avenue does not meet all of the criteria for a Significant Site as set forth in LMC Section 15-11-10(A)(2) which includes:
- (a) It is at least fifty (50) years old or the Site is of exceptional importance to the community; and Complies.
 - (b) It retains its Historical Form as may be demonstrated but not limited by any of the following:
 - (i) It previously received a historic grant from the City; or
 - (ii) It was previously listed on the Historic Sites Inventory; or
 - (iii) It was listed as Significant or on any reconnaissance or intensive level survey of historic resources; and Does not comply.
 - (c) It has one (1) or more of the following:
 - (i) It retains its historic scale, context, materials in a manner and degree which can be restored to Historical Form even if it has non-historic additions; or
 - (ii) It reflects the Historical or Architectural character of the site or district through design characteristics such as mass, scale, composition, materials, treatment, cornice, and/or other architectural features as are Visually Compatible to the Mining Era Residences National Register District even if it has non-historic additions; and Does not comply.
 - (d) 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. Does not comply.

The Meeting adjourned at 8:21 p.m.

Approved by _____
Stephen Douglas, Chair
Historic Preservation Board