



**PARK CITY BOARD OF ADJUSTMENT MEETING
SUMMIT COUNTY, UTAH
May 17, 2022**

NOTICE OF HYBRID IN-PERSON AND ELECTRONIC MEETING: The Board of Adjustment of Park City, Utah will hold its regular meeting with an anchor location for public participation at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah 84060 on Tuesday, May 17, 2022. Planning Commission members may participate in person or connect electronically by Zoom or phone. Members of the public may attend in person or participate electronically. Public comments will also be accepted virtually. To comment virtually, use eComment or raise your hand on Zoom through www.parkcity.org/public-meetings. Written comments submitted before or during the meeting will be entered into the public record but will not be read aloud. For more information on attending virtually and to listen live, please go to www.parkcity.org.

MEETING CALLED TO ORDER AT 5:00 PM.

1. ROLL CALL

2. MINUTES APPROVAL

- 2.A Consideration to Approve the Board of Adjustment Meeting Minutes from March 1, 2022
[03.01.2022 Minutes - Pending Approval](#)

3. PUBLIC COMMUNICATIONS

4. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

5. REGULAR AGENDA

- 5.A **741 Rossie Hill -- Appeal of Historic District Design Review Approval --** The Board of Adjustment Will Review the Appeal of the Historic District Design Review Approval for an Addition to the Landmark Historic Structure. PL-22-05235
(A) Public Hearing; (B) Action
[Staff Report](#)
[Exhibit A: Draft Final Action Letter](#)
[Exhibit B: March 10, 2022 Staff Report](#)
[Exhibit C: March 10, 2022 Administrative Public Hearing Minutes](#)
[Exhibit D: Appellant's March 3, 2022 Input](#)
[Exhibit E: Applicant's March 4, 2022 Input](#)
[Exhibit F: Historic District Design Review Final Action Letter and Plans](#)
[Exhibit G: Appellant's Appeal](#)
[Exhibit H: Lilac Hill East Subdivision](#)
[Exhibit I: 741 Rossie Hill Historic Site Form \(formerly 660 Rossie Hill\)](#)
[Exhibit J: Applicant's Letter Objecting to the Appeal](#)

6. ADJOURN

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the

meeting should notify the Planning Department at 435-615-5060 or planning@parkcity.org at least 24 hours prior to the meeting.

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



**PARK CITY MUNICIPAL CORPORATION
BOARD OF ADJUSTMENT
MINUTES OF MARCH 1, 2022**

BOARD MEMBERS IN ATTENDANCE: Ruthie Gezelius-Chair, Jennifer Franklin (via Zoom), Stephanie Wilson (via Zoom), Mary Wintzer

STAFF: Mark Harrington, City Attorney; Margaret Plane, Special Counsel

1. ROLL CALL

Chair Ruthie Gezelius called the meeting to order at 5:00 p.m.

2. MINUTES APPROVAL

- A. Consideration to Approve the Board of Adjustment Meeting Minutes from August 24, 2021.**
Consideration to Approve the Board of Adjustment Meeting Minutes from February 8, 2022.

Chair Gezelius stated that approval of the August 24 minutes was continued because a quorum was not present at the last meeting.

MOTION: Board Member Fuegi moved to APPROVE the Board of Adjustment ("BOA") Meeting Minutes of August 24, 2021. Board Member Franklin seconded the motion.

VOTE: The motion passed with the unanimous consent of the Board.

Board Member Fuegi and Chair Gezelius recused themselves from voting on approval of minutes of the February 8, 2022. Board Member Fuegi was not present at the February 8, 2022, meeting. Chair Gezelius recused herself due to a conflict of interest as she served on the City Council at the time the Willow Creek Subdivision was approved.

Chair Gezelius vacated the Chair. Chair Pro Tem, Mary Wintzer assumed the Chair.

The February 8, 2022, meeting minutes were reviewed and modified.

MOTION: Member Wilson moved to APPROVE the Board of Adjustment Meeting Minutes from February 8, 2022, as modified. Member Franklin seconded the motion.

VOTE: The motion passed with the unanimous consent of the Board.

3. PUBLIC COMMUNICATIONS

There were no public comments.

4. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

There were no Staff or Board communications or disclosures.

5. REGULAR AGENDA

- A. **2704 Meadow Creek Drive - Appeal of a Code Enforcement Complaint Disposition - On February 8, 2022, the Board of Adjustment Granted a Third Party (non-owner/applicant) Appeal of a Building Department Code Enforcement outcome declining to take any action on a previously issued Building Permit for the Construction of a 361-square-foot sauna, a Detached Accessory Building, for Lot 4 of the Willow Ranch Subdivision. The Board of Adjustment is scheduled to issue their Findings of Fact.**

Chair Pro Tem Wintzer reported that the purpose of tonight's meeting was to consider and finalize the Board's decision on the appeal to ensure that they agree on the Findings of Fact.

City Attorney, Mark Harrington, reported that the packet was prepared by staff with consultation with the Appellant and his attorney. Materials the members received contain information including public comments regarding the appeal.

Chair Pro Tem Wintzer opened the public hearing.

Stanton Jones, the applicant's neighbor and a member of the Willow Creek Homeowners Association ("HOA"), stated that the HOA supports the project. He indicated that he will likely be the most impacted by what is proposed as it is in his view corridor. He was pleased with the proposal and thought it was beautifully done and well-constructed. He stated that the applicants were also very considerate in terms of placement. As the only neighbor with a direct view, he was happy with what was built and expressed his support. He questioned how someone who obtains a Building Permit can be completely comfortable building something in the City if it can be appealed by someone who is not necessarily impacted by it. He commented that the City departments are funded by taxpayer dollars and their job is to ensure that City Codes are followed. If City Staff is competent and does their job properly it would seem that citizens who wish to receive permissions and permits can have confidence that those departments are competent and that at some point their approvals will not be overruled. Overruling the opinion of the various City departments undermines the validity of taxpayer-funded City government. Mr. Jones expressed support and stated that what is proposed will be a great addition to the neighborhood.

The applicant, *David Green*, did not understand why the proposal is so controversial to the neighbors since the only neighbor who is impacted is Mr. Jones who has expressed his support.

Eric Lee, the Greens' legal counsel, addressed the threshold issues and stated that they do not implicate the Appellant, Bob Theobald's, interpretations or the interpretations of the Board of Adjustment. They deal with the notion that Mr. Theobald does not have legal standing to complain about this issue as he is not impacted by it and cannot see the sauna from his property. Mr. Lee stated that the Board of Adjustment's authority is limited to hearing appeals from an applicant who is adversely affected by a final decision. Even if Mr. Theobald had standing to complain, it is clear that the Board does not have jurisdiction to hear it. The Board's authority to hear and decide appeals is only triggered by a written appeal submitted to the Planning Department within 10 days of the decision being appealed. Mr. Lee referenced Land Management Code ("LMC") 15-10-7 and Utah Code 10-9A-704 and stated that this is a challenge to the Building Permit issuance.

Mr. Lee referenced the *Fox v. Park City* case that makes it clear that Mr. Theobald's recourse was to appeal the permit within 10 days or not at all. He commented that owners such as the Greens need finality. If there is no appeal of a Building Permit within 10 days the owner of the permit needs to feel confident moving forward. Mr. Theobald's interpretation was that anyone who is not happy with what is built can simply file a Complaint with the Planning Department. When that Complaint is rejected they simply appeal to the Board of Adjustment. Mr. Lee stated that that is not the process specified in the Land Management Code, is not the process specified in Utah law, and is inconsistent with the finality concept underlying the *Fox v. Park City* decision.

Mr. Lee commented on the Building Department's response to Mr. Theobald's complaint and appealable decision. He stated that it did not address the notion that Mr. and Mrs. Green need finality and to be able to move forward with the project. Mr. Lee stated that it should be a private dispute. If Mr. Theobald has an issue with how the Code has been interpreted, he has a private right of action to enforce the Code under LMC 15-14-5. The City does not need to be involved. He suggested that the City reverse course and allow Mr. Theobald to resolve the matter in court.

Chair Pro Tem Wintzer asked for advice from the City Attorney since she thought the appeal was granted the previous week. Her understanding was that the purpose of tonight's meeting was to review the Findings of Fact to determine if they represent what was decided. City Special Counsel, Margaret Plane, reported that at the first meeting, the issue was presented, the Board heard from both sides, had a robust discussion, and held a public hearing. A preliminary vote was taken. It was noted that the Board's decision is not final until it is in writing. Previously, the Board made a preliminary decision and directed Staff to prepare the summary of the discussion and the findings. The determination to be made tonight was whether Staff did what was directed. Because the public hearing was continued, it is permissible to consider information heard at this

meeting. Any changes to the previous decision would need to be presented and the meeting continued.

Sarah Hall, a member of the HOA, stated that the HOA Board consists of all six homeowners, all of whom are full-time residents. She was present as a homeowner.

Will Lang, President of the Willow Ranch HOA, was of the opinion that the Board of Adjustment is out of line by overruling the City's Planning, Legal, and Engineering Departments. By doing so, they are undermining the validity of taxpayer-funded City government. He questioned where that authority begins and ends. He requested that the Board review the issue carefully and use common sense to make a decision.

Bob Theobald was pleased that members of the HOA were present. He reported that in 1992-93 Limits of Disturbance were put on the subdivision. He noted that Stan Jones built a pickleball court within four feet of his property line, which is what started this issue. Mr. Theobald and his neighbor, Mr. Jensen, were informed by Mr. Jones that he received HOA approval for the pickleball court but claimed that he did not need City approval. Mr. Jensen approached the City and had a Stop Work Order issued on Mr. Jones' pickleball court.

Upon further investigation, Mr. Theobald discovered that Mr. Lang is the HOA President. He stated that he and Mr. Jensen were severely impacted by the pickleball court that appeared to encroach on a drainage easement. Mr. Lang indicated that the HOA members were not satisfied with the Covenants, Conditions, and Restrictions ("CC&Rs") and wished to amend them but there were difficulties in doing so.

Mr. Theobald asked Mr. Lang to meet him on the site and he was surprised to see the proximity of the pickleball court to the property boundary and the extent of the trees and shrubs that were removed by Mr. Jones, all without a permit. Mr. Jones claimed that it was a mistake by his contractors. Mr. Lang indicated that the Architectural Committee, consisting of all six homeowners, voted unanimously to approve several projects earlier in the year via email. The projects included Sarah Hall's Lot 2 Plat Amendment, the Lot 3 Pickleball court, and the Lot 4 Sauna. He asked the members of the HOA if they had visited the site or considered the impacts to the adjacent neighbors. It was confirmed that they had not. There also were no site plans or records kept of the proposals or voting and no other information was offered. Mr. Theobald stated that the CC&Rs require the HOA to retain all such records for five years.

Mr. Theobald referenced Article 3.3 of the CC&Rs and asked Mr. Lang if he would be willing to resubmit the project proposals for reconsideration but he declined. Article 3.3 specifies that variances to the Architectural Design Standards or modifications to the size, shape, or location of the limits of disturbance area on any lot may be granted when the strict application would create an unforeseen or unreasonable hardship to the owner of any lot. No such variance may be granted without the unanimous consent of the

Committee and City approval. He stated that this would require a plat amendment since the limits of disturbance are on the plat.

Mr. Theobald stated that a few days later he spoke to Sarah Hall and asked if she had seen a site plan before voting to approve a pickleball court. She could not recall reviewing a site plan but approved the pickleball court because it is a permitted use in Willow Ranch. Mr. Theobald stated that while that is the case, she overlooked the fact that all improvements, including sports courts, must be located within the boundaries of the Limits of Disturbance as established by the setbacks. Ms. Hall also never visited the site.

Mr. Theobald found it difficult to believe that the City Attorney or Planning Commission would overlook such an important and consequential process. He addressed the HOA at the February 8 meeting and stated that there had never been a Certificate of Approval from the HOA. As a result, he wondered if the members were aware of the restrictions or if the applicants are acting on their own volition. He stated that the HOA members should be aware of the restrictions on development. In the event HOA approval was granted, it violated City ordinance. He was concerned that the HOA Board may have disregarded the CC&Rs and circumvented the City's plat amendment requirements, which is in violation of the City ordinances.

Mr. Theobald's legal counsel, Steven Bergman, addressed the threshold issues. He referenced LMC §15-10-7 and established elements in the Code that give the Board of Adjustment jurisdiction in this case. They also established Mr. Theobald as an affected party given that he is an adjoining landowner. He is adversely affected by violation of the plat. Mr. Theobald was not challenging the Building Permit but is challenging a violation of the plat, which involved building outside the Limits of Disturbance area. He concluded that Mr. Green did not go through the proper process to comply with the plat, which was the issue. Mr. Bergman stated that a plat amendment is needed to resolve the situation.

Mr. Bergman stated that the Board of Adjustment, as well as the Planning Commission, is a taxpayer-funded board that is charged specifically with oversight of other City entities when there is an interpretation or application of the Land Management Code. By the City's decision to fail to enforce a plat violation, there was a determination under the Land Management Code that triggered the BOA jurisdiction. He argued that there is jurisdiction with the BOA, and nothing has changed since the previous meeting when the Board voted unanimously in favor of Mr. Theobald. The jurisdiction challenge should be denied, and the Board should move forward to approve the findings negotiated between the City's Legal Department and Mr. Theobald, and Mr. Bergman.

There were no further public comments. Chair Pro Tem Wintzer closed the public hearing.

Chair Pro Tem Wintzer stated that after hearing the comments and reviewing the findings, she felt that they accurately reflect what was discussed at the previous meeting.

Board Member Franklin agreed that the Findings of Fact were thorough and how they move forward with the Summary Order. There was language pertaining to Summary Issue 2 and clarification was received from the adjacent homeowners relative to the CC&Rs. The Board was more concerned with compliance with the plat, which alludes to compliance with the CC&Rs. She was not sure if including language pertaining to the CC&Rs in the summary distracts them from the core pieces of the decision, which is the plat.

Attorney Harrington clarified that the summary issues delineate, for summary purposes, the judicial findings or Appellant or Board of Adjustment decision. They prefer to have a recital of the arguments presented succinctly rather than reviewing the minutes. The references to the CC&Rs reflect the discussion of the CC&Rs. Reference to the CC&Rs in the Findings of Fact were removed at the request of Mr. Theobald and his attorney.

Chair Pro Tem Wintzer concurred with Board Member Franklin that the decision made at the last meeting was based on the plat and not the CC&Rs as stated in Finding #6. She explained that the Willow Ranch Subdivision Plat conclusively designated limits of disturbance for Lot 4. Board Members Wilson and Franklin agreed.

Board Member Franklin proposed a change to Finding #1 to state that, "The Building Department regarding the construction of an accessory structure." It also appeared that the order was changed from the order the discussion occurred and she wondered if perhaps the Findings of Fact had been expanded.

Chair Pro Tem Wintzer asked if it was necessary to include 'sauna' in Finding #1. Special Counsel Plane stated that the Findings of Fact are drafted so that they are clear, and they may state the same thing a few different ways. She reviewed the Findings of Fact and believed that they were accurate based on the discussion from the last meeting. She explained that it may seem unusual that new information is being presented tonight. She explained that from a legal perspective, Mr. Lee was correct in that standing is a threshold issue. It can be addressed anytime. The Board can revisit it at any time.

Special Counsel Plane explained that it was discussed as a jurisdictional issue and Mr. Lee indicated that it was a threshold issue. In this case, standing is whether the appeal was timely filed by an individual with the right to file an appeal. Staff spent a lot of time discussing the 10-day period at the last meeting. If the Board could revisit that discussion if desired.

Chair Pro Tem Wintzer asked Board Members Franklin and Wilson if they felt that what Special Counsel Plane had said changed anything in their reasoning that brought them to grant the appeal at the last meeting.

Board Member Franklin asked if would be advisable to add in the Findings of Fact that the Board found the Appellant to have standing. Special Counsel Plane stated that it

could be added to Finding #4 to read, "The appeal was properly submitted by an individual with standing within 10 days."

Board Member Franklin asked if Finding #5 should be split into two sentences. Special Counsel Plane stated that it would not be a substantive change and the findings were reviewed by Attorney Harrington with the appellant and his counsel.

MOTION: Board Member Franklin moved to ADOPT the following findings for 2704 Meadow Creek Drive, the Appeal of a Code Enforcement Complaint Disposition:

Findings:

1. On November 10, 2021, the Appellant filed a Complaint against the Applicant with the Building Department regarding construction of a sauna, an accessory structure allowed by the LMC in the Estate Zone.
2. On December 21, 2021, the Chief Building Official responded to the Appellant's Complaint declining to take enforcement action against the Applicant after review with the City Prosecutor of the previously issued Building Permit and application process.
3. In addition to an appeal of the original Complaint against the Applicant, the Appellant alleged that the City failed to enforce the Limits of Disturbance restrictions illustrated on the Plat.
4. This appeal was properly submitted by an individual with standing within 10 days of the Building Official response on December 30, 2021.
5. The Building Official response was a final decision, and the BOA has jurisdiction pursuant to LMC §15-10-7.
6. The Willow Ranch Subdivision Plat conclusively designated "limits of disturbance" for Lot 4, shown by the setback arrows and dotted lines on each lot.
7. Accessory Buildings are not allowed outside the limits of disturbance.
8. The Chief Building Official erred in his enforcement determination in that the BOA finds the Building Permit should not have been permitted outside the limits of disturbance for Lot 4.

Board Member Wilson seconded the motion.

VOTE: The motion passed with the unanimous consent of the Board.

6. ADJOURN

The Board of Adjustment Meeting adjourned at 6:06 p.m.

Approved by _____
Ruthie Gezelius, Board of Adjustment Chair

PENDING APPROVAL

Board of Adjustment Staff Report



Subject: 741 Rossie Hill Drive
Application: PL-22-05235
Author: Rebecca Ward
Date: May 17, 2022
Type of Item: Appeal of a Historic District Design Review

Recommendation

Staff recommends the Board of Adjustment (1) review the appeal of the Historic District Design Review approving the rehabilitation of and an addition to 741 Rossie Hill Drive, (2) conduct a public hearing, and (3) consider denying the appeal, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter (Exhibit A).

Description

Appellant: Polly Samuels McLean,
representing Mark Norris and Joe Peterchak

Historic District Design Review Applicant: Lilac Hill East, Frank Watanabe,
represented by Jonathan DeGray

Location: 741 Rossie Hill Drive

Zoning District: Historic Residential Low – Density

Adjacent Land Uses: Powder Hound Condominium Multi-Unit Dwelling, Single-Family Residential, Foxglove Cottages Open Space

Reason for Review: The Board of Adjustment hears appeals of decisions regarding the *Design Guidelines for Historic Districts and Historic Sites* pursuant to Land Management Code [§ 15-1-18\(A\)](#)

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Summary

On March 10, 2022, the Planning Department approved a Historic District Design Review for the rehabilitation of 741 Rossie Hill, a Landmark Historic Structure, and for the construction of an addition with a garage at the rear of the property (Exhibit B, Staff Report; Exhibit C, Meeting Minutes). Please see Exhibit D for the appellants' March 3, 2022 input and Exhibit E for the applicant's March 4, 2022 input submitted for the March 10, 2022 administrative public hearing.

On March 14, 2022, the Planning Director issued a Final Action Letter approving the Historic District Design Review (Exhibit F). Pursuant to Land Management Code (LMC) [§ 15-1-18\(E\)](#), appeals of staff decisions regarding the *Design Guidelines for Historic Districts and Historic Sites* may be appealed to the Board of Adjustment within thirty days after the day on which the written decision is issued. On April 7, 2022, twenty-four days after the issuance of the Historic District Design Review Final Action Letter, the appellant filed an appeal.

Please see Exhibit G to review the appellant's appeal. The appellant requests the Board of Adjustment determine "that the addition be set back from the historic house at least one half the length of the least-wide historic elevation adjacent to the historic elevation to which the transitional element is attached." In short, this is an appeal about 36 inches. The appellant argues an additional 36 inches is required for the transitional element length. Staff finds that the 8-foot-2.5-inch-long transitional element complies with the LMC as approved.

Background

741 Rossie Hill Drive (formerly 660 Rossie Hill Drive) is a one-story frame hall-parlor Single-Family Dwelling built around 1895 during the Mature Mining Era (1894-1930). 741 Rossie Hill Drive is Lot 1 of the Lilac Hill East Subdivision (Summit County Recorder Entry No. 1164826, Exhibit H). In 1984, 741 Rossie Hill Drive was listed on the National Register of Historic Places as part of the Park City Mining Boom Era Residences Thematic District. 741 Rossie Hill Drive is a Landmark Historic Structure on the Park City Historic Sites Inventory (Exhibit I, Historic Site Form).

The image of 741 Rossie Hill Drive below is taken from the Historic Site Form:



On February 16, 2017, the City Council adopted [Ordinance No. 2017-05](#) to rezone the area from Residential Medium to Historic Residential Low – Density to decrease Density from 24 to eight units ([Staff Report](#), p. 138; [Minutes](#), p. 10).

On January 9, 2020, the City Council adopted [Ordinance No. 2020-02](#), approving the Lilac Hill East Subdivision to create five Single-Family Dwelling Lots ([Staff Report](#); [Minutes](#), p. 11). Approval of the Lilac Hill East Subdivision changed the address for this property from 660 Rossie Hill Drive to 741 Rossie Hill Drive.

On February 25, 2021, the City Council adopted [Ordinance No. 2021-09](#), extending the Lilac Hill East Subdivision approval for one year ([Staff Report](#); [Minutes](#), p. 17).

On May 5, 2021, the Historic Preservation Board approved the Material Deconstruction of a portion of the rear façade of 741 Rossie Hill Drive to accommodate an addition and rear garage, and the lifting of the Historic Structure for a new foundation ([Staff Report](#); [Minutes](#), p. 17). On June 22, 2021, the Planning Department approved a Historic District Design Review for the rehabilitation of the Historic Structure and the addition.

After approval, the Applicant and staff were made aware of setbacks more restrictive than the Land Management Code outlined in [Ordinance No. 2020-02](#) approving the Lilac Hill East Subdivision. As a result, the Applicant submitted a Modification to the

Historic District Design Review to comply with the more restrictive setbacks.

The Design Review Team reviewed the Modification to the Historic District Design Review on January 5, 2022. The Applicant incorporated Design Review Team input into the proposed plans. On March 10, 2022, the Planning Department approved the modified Historic District Design Review. On March 14, 2022, the Planning Director issued a Final Action Letter approving the Historic District Design Review.

On April 7, 2022, the appellant appealed.

Analysis

(I) The Historic District Design Review applicant requests the Board of Adjustment determine the appellant did not timely file an appeal.

LMC [§ 15-1-18\(E\)](#) outlines the appeal period for land use decisions:

TIMING. All appeals must be made within ten (10) calendar days of the Final Action except for an appeal from a decision by the historic preservation authority which is a decision by Staff regarding the Design Guidelines for Historic Districts and Historic Sites or a decision by the Historic Preservation Board regarding a land use application, the applicant may appeal the decision within thirty (30) days after the day on which the historic preservation authority issues a written decision. . . .

On May 11, 2022, the applicant's representative submitted a letter reiterating an email he submitted to Planning staff on April 7, 2022, objecting to the Board of Adjustment hearing. The applicant's representative argues "it is clear that all appeals except for appeals filed by **an applicant** must be filed within ten (10) calendar days." The applicant's representative argues that only the project applicant can appeal within 30 days, and all other appeals filed by non-applicants must be filed within 10 days. Please see Exhibit J to review the applicant representative's letter in full.

LMC [§ 15-15-1](#), *Definitions*, states "[d]efined terms will appear as proper nouns through this [LMC]." LMC [§ 15-15-1](#) defines "applicant" as "[t]he Owner of the Property that is the subject of the Application, or the Owner's Agent." When "applicant" is capitalized, the LMC definition applies. However, when "applicant" is lower-case, the LMC definition does not apply.

LMC [§ 15-1-18\(E\)](#) uses the lower-case "applicant" in the context of Historic District Design Review appeals, which staff interprets to mean the section of code is referring to the applicant filing the appeal, not the project applicant.

Additionally, LMC [§ 15-1-21](#), *Notice Matrix*, includes the following regarding public notice:

Action	Posted on City Website and in at least three public places	Mailing	Published in a newspaper of general circulation and on the Utah Public Notice website
Historic District or Historic Site Design Review	 Second Posting: For a 30 day period once the Planning Department has determined the proposed plans comply or does [sic] not comply with the Design Guidelines for Historic Districts and Historic Sites. Other posted legal notice not required.	 Second Courtesy Mailing: To Property Owners within 100 feet and individuals who provided written comment on the Application during the 14 day initial public comment period. The second mailing occurs once the Planning Department determines whether the proposed plans comply or do not comply with the Design Guidelines for Historic Districts and Historic Sites and no later than 45 days after the end of the initial public comment period. This establishes a 30 day period after which the Planning Department's decision may be appealed.	If appealed, then once 14 days before the date set for the appeal.

As a result, staff finds the 30-day appeal period applies for both the Historic District Design Review applicant and the parties appealing a Historic District Design Review approval. Staff recommends the Board of Adjustment hear the appeal.

(II) Staff finds the appellant has standing to appeal.

LMC [§ 15-1-18\(D\)](#) states that any person who submitted written comment or testified on a proposal before the Planning Department or is the owner of property within 300 feet of the boundary of the subject site may appeal. The appellant submitted public input on March 3, 2020 (Exhibit D), participated in the March 10, 2022 administrative public hearing (see Exhibit C: Meeting Minutes), and represents property owners adjacent to the subject property.

(III) The appellant has the burden of proof.

LMC [§ 15-1-18\(G\)](#) states the appellant has the burden of proving that the Planning Department erred.

(IV) The Board of Adjustment acts in a quasi-judicial manner.

LMC [§ 15-1-18\(G\)](#) states the Board of Adjustment shall act in a quasi-judicial manner. The Board of Adjustment shall review factual matters de novo, without deference to the Planning Department's determination of factual matters.

(V) The Board of Adjustment must apply a land use regulation to favor a land use application unless the land use regulation plainly restricts the land use application.

Pursuant to LMC [§ 15-1-18\(G\)](#), the Board of Adjustment shall determine the correctness of the Planning Department's interpretation and application of the plain meaning of the land use regulations and interpret and apply a land use regulation to favor a land use application unless the land use regulation plainly restricts the land use application.

(VI) The applicant designed an addition reduced in size from what is otherwise allowed on the site and the addition maintains compatibility with the Historic Structure in materials, features, size, scale and proportion, and massing to protect the integrity of the Historic Structure, the Historic Site, and its environment.

The appellant argues the Historic District Design Review was approved in error. However, the appellant draws conclusions from *Design Guidelines for Historic Districts and Historic Sites* standards which do not reference a specific number or quantified means of measurement, without evaluating the Historic District Design Review in the context of the full LMC. Additionally, the appellant misconstrues the size of the addition, claiming the addition is a "large" addition, therefore requiring an additional 36 inches in the transitional element length, and argues the addition is not subordinate to the Historic Structure.

The appellant errs in calculations and does not distinguish between the transitional element and the addition, and limits analysis to LMC [§ 15-13-2](#), *Design Guidelines For Historic Residential Sites*, and LMC [§ 15-15-1](#), *Definitions*. Yet, Historic District Design Review applications must comply with all sections of the LMC, including Zoning District requirements.

When the Historic District Design Review approval of 741 Rossie Hill Drive is viewed in the context of applicable *Design Guidelines for Historic Residential Sites* and the Zoning

District requirements, it is clear the applicant designed an addition that is reduced in size, scale and proportion, and massing to complement the Historic Structure, the addition is compatible with the Historic Structure, and the addition complies with the LMC.

(a) The applicant designed an addition that reduced the footprint by 692.5 square feet below what is allowed for the site.

741 Rossie Hill Drive is in the Historic Residential Low – Density (HRL) Zoning District. LMC [§ 15-2.1-3\(E\)](#) outlines maximum Building Footprints for Single-Family Dwellings in this Zoning District. LMC [§ 15-15-1](#) defines “Building Footprint” as:

The total Area of the foundation of the Structure, or the furthest exterior wall of the Structure projected to Natural Grade, not including exterior stairs, patios, decks and Accessory Buildings listed on the Park City Historic Sites Inventory that are not expanded, enlarged or incorporated into the Main Building.

LMC [§ 15-2.1-3\(E\)](#) outlines the calculation to determine the Building Footprint in the HRL Zoning District as follows:

MAXIMUM FP = $(A/2) \times 0.9^{A/1875}$ where FP = maximum Building Footprint
and A = Lot area

741 Rossie Hill Drive is Lot 1 of the Lilac Hill East Subdivision. Lot 1 of the Lilac Hill East Subdivision is 5,253 square feet. The Maximum Building Footprint for the Lot is 1,955 square feet. The proposed Building Footprint, including the Historic Structure, the transitional element, and the addition, is 1,262.5 square feet, 692.5 square feet less than what is otherwise allowed for this lot.

(b) The addition meets Setbacks more restrictive than otherwise allowed.

LMC [§ 15-2.1-3](#) establishes Setbacks for the HRL Zoning District based on lot depth and width. However, Lot 1 of the Lilac Hill East Subdivision is considered an unusual lot because its depth and width are not consistent across the lot and the Setbacks are therefore regulated pursuant to LMC [§ 15-4-17](#), *Setback Requirements for Unusual Lot Configurations*. Lots with varied widths and depths “not specified by [15-4-17] shall have Setbacks determined by the Planning Director.” This is further supported in LMC [§ 15-2.1-3\(B\)](#) regulating HRL Zoning District Setbacks, which states that “[i]n the case of unusual Lot configurations, Lot width measurements shall be determined by the Planning Director.”

[Ordinance No. 2020-02](#) approving the Lilac Hill East Subdivision outlines side Setbacks for Lot 1 that are more restrictive than those outlined in the LMC, which could have been as small as three feet for the addition. Instead, Ordinance No. 2020-02 requires a total of 18 feet for side Setbacks (with a minimum of at least a five-foot side Setback). As a result,

the addition is subject to more restrictive setbacks than otherwise allowed in the LMC and is further reduced in size.

(c) The appellant misconstrues the square footage of the addition.

The appellant argues the addition is 2,316 square feet, “more than 4 times as big” as the Historic Structure. The appellant also argues “[t]he massing of the addition which is most visible includes the new main and upper levels which total 1,054 square feet and is almost double the size of the historic square footage.” However, the appellant includes the basement addition in their calculation, fails to distinguish between the transitional element and the addition, and includes the transitional element, which is lower in height than the Historic Structure, as “most visible.”

The appellant argues that staff “makes up a novel and non-code based justification” that the addition is not large by using the definition of Gross Residential Floor Area. According to the appellant, “[a] search of the LMC reveals that Gross Floor Area is a calculation which is made in Master Planned Developments (most often used in Empire Pass MPD) and does not appear in the residential historic districts as a means of measuring size.”

This is incorrect. LMC [§ 15-15-1](#) defines “Floor Area, Gross Residential” as follows:

The Area of a Building, including all enclosed areas, consisting of the area of all floors located under a ceiling that is above Final Grade, measured in square feet. Unenclosed porches, Balconies, patios and decks, vent shafts and courts are not calculated in Gross Residential Floor Area. Garages, up to a maximum Area of 600 square feet [with a footnote stating this number is 400 square feet in Historic Districts], are not considered Floor Area. Basement Crawl Space Areas below Final Grade are not considered Floor Area. Floor Area is measured from the finished surface of the interior of the exterior boundary walls.

Please note, **the definition of Gross Residential Floor Area itself references the Historic Districts**, specifically stating that garages up to 400 square feet are not considered Floor Area “in Historic Districts.” Gross Residential Floor Area is a definition by which Planning staff evaluates building permits for compliance with LMC regulations, plat notes regulating properties, and for project-specific conditions of approval.

Gross Residential Floor Area is appropriate in evaluating the addition for 741 Rossie Hill because it excludes basements. As mentioned above, the appellant erroneously includes the basement addition in the square footage of the addition, exaggerating the size and impact of the addition as “more than 4 times as big.”

Excluding the basement addition, which is not visible, provides a reasonable measure by which to evaluate the size of the addition in comparison to the Historic Structure. Additionally, the transitional element, which is below the height of the Historic Structure, is not visible from the right-of-way and is not included in the square footage of the addition. The Gross Residential Floor Area of the first-floor addition is approximately 307 square feet. The Gross Residential Floor Area of the upper level is approximately 461 square

feet. This totals approximately 768 square feet and is nowhere near “4 times as big.” Rather, much of the addition, 1,262.5 square feet, is submerged as basement and is not visible and the transitional element, which is lower than the Historic Structure, provides visual separation between the Historic Structure and the addition.

(d) The applicant designed an addition that is below allowable Building Height.

The appellant argues the height over the Historic Structure is problematic and states “[t]he ridge line of the new addition **is 11’8” higher** than the ridgeline of the historic home which is almost a story above the historic house and looms above it.”

The *Design Guidelines for Historic Districts and Historic Sites* do not prohibit additions that are higher than the Historic Structure. Rather, the *Design Guidelines for Historic Districts and Historic Sites* outlines specific criteria to ensure additions are designed in a way that is compatible with the Historic Structure.

The addition for 741 Rossie Hill Drive is substantially lower in height than otherwise allowed. Pursuant to LMC [§ 15-2.1-5](#), the HRL Zoning District allows for Building Height up to 27 feet from existing grade. The addition for 741 Rossie Hill Drive is below the allowable Building Height, only reaching 18 to 20 feet above existing grade.

The appellant argues the addition “looms above” the Historic Structure. However, the appellant does not consider the applicant reduced the addition below the allowable Building Height, as much as nine feet. Additionally, the appellant does not acknowledge that the transitional element is lower in height by two feet than the Historic Structure and provides an 8 foot and 2.5-inch span between the Historic Structure and the addition, creating a visual separation from the Historic Structure and the addition when viewed from Rossie Hill Drive.

(e) The addition to 741 Rossie Hill Drive should not be evaluated for Compatibility as defined in the LMC.

The appellant references the LMC definition of “Compatibility,” highlighting **Height, scale, mass and bulk of Building** and **topography** to argue that the addition is large. LMC [§ 15-15-1](#) states “[d]efined terms will appear as proper nouns throughout [the LMC].” While “Compatibility” is a defined LMC term, it does not appear as a proper noun in LMC [§ 15-13-2](#), *Design Guidelines For Historic Residential Sites*.

Additionally, LMC [§ 15-15-1](#) defines compatibility as:

Characteristics of different Uses or designs that integrate with and relate to one another to maintain and/or enhance the context of a surrounding area or neighborhood. Elements affecting Compatibility include, but are not limited to, Height, scale, mass and bulk of Building, pedestrian and vehicular circulation, parking, landscaping and

architecture, topography, environmentally sensitive Areas, and Building patterns.

741 Rossie Hill Drive is adjacent to property in the Residential Medium Zoning District. The appellant represents property owners adjacent to 741 Rossie Hill Drive at 685 Rossie Hill Drive. 685 Rossie Hill Drive is a three-story Multi-Unit Dwelling, the Powder Hound Condo, in the Residential Medium Zoning District, shown below (image from Google Maps):



Staff does not recommend that 741 Rossie Hill Drive be found to maintain and/or enhance the context of the surrounding area or neighborhood, especially in Height, scale, mass, bulk of Building, and topography.

(f) The definition of Visually Compatible is not an applicable definition.

The appellant also cites the LMC [§ 15-15-1](#) definition of “Compatibility, Visual,” which states the following:

Characteristics of different architectural designs that integrate with and relate to one another to maintain and/or enhance the context of a surrounding Area or neighborhood in addition to the elements effecting Compatibility which include, but are not limited to Height, scale, mass, and bulk of Building. Other factors that dictate compatibility include proportion of building’s front façade, proportion of openings within the facility, rhythm of solids to voids in front facades; rhythm of entrance or porch projections; relationship of materials and textures; roof shapes; scale of building.

Again, LMC [§ 15-15-1](#) states “[d]efined terms will appear as proper nouns throughout [the LMC].” While Visually Compatible is a defined LMC term, it does not appear in LMC [§ 15-13-2](#), *Design Guidelines For Historic Residential Sites*. Rather, the term only appears in LMC [§ 15-11-10](#), *Historic Sites Inventory*, as part of the criteria the Historic Preservation Board evaluates when designating a Structure to the Historic Sites Inventory.

(g) The *Design Guidelines for Historic Residential Sites* establish regulations outlining size, scale and proportion, and massing for compatible additions through the lens of the Historic Residential Low – Density Zoning District Regulations and the Historic District Design Review complies.

Compatibility analysis for additions is established through compliance with LMC [§ 15-13-2](#), *Design Guidelines for Historic Residential Sites*. LMC [§ 15-13-2\(A\)\(9\)](#) states “[n]ew construction such as new additions, exterior alterations, repairs, upgrades, etc., should not destroy historic materials, features, and spatial relationships that characterize the historic site or historic building. New construction should be differentiated from the historic structure while also maintaining compatibility with the historic structures in materials, features, size, scale and proportion, and massing to protect the integrity of the historic structure, the historic site, and its environment.”

As outlined above, the applicant designed an addition scaled back from what could otherwise be constructed on the site and reduced the footprint 692.5 square feet below what is allowed, meets Setbacks more restrictive than otherwise allowed, the Historic Structure Gross Residential Floor Area is 540 square feet and the addition has a modest Gross Residential Floor Area of 768 square feet, and the addition is below allowable Building Height.

LMC [§ 15-3-2](#), *Design Guidelines for Historic Residential Sites*, outlines criteria specific to additions that are compatible with the Historic Structure in size, scale, proportion, and massing, which is achieved in part through a required transitional element:

Requirement	Project Compliance
LMC § 15-13-2(B)(4)(a)(2) requires additions to be on tertiary façade (with some exceptions).	The addition is on a tertiary façade. On May 5, 2021, the Historic Preservation Board approved Material Deconstruction of a portion of the rear façade to accommodate the addition on the tertiary façade.
LMC § 15-13-2(B)(4)(a)(3) requires additions to be visually subordinate to historic buildings when viewed from the primary public right-of-way.	The Design Review Team reviewed the addition and found the proposed addition is subordinate to the Historic Structure when viewed from Rossie Hill Drive. The transitional element is lower in height than the Historic Structure, and extends 8 feet 2.5-inches in length, setting the addition back from the Historic Structure.

LMC § 15-13-2(B)(4)(a)(6) requires a clear transitional element between the old and new.	The project includes a clear transitional element.
LMC § 15-13-2(B)(4)(a)(7) prohibits in-line additions.	No in-line addition is proposed.
LMC § 15-13-2(B)(4)(b)(2) requires a transitional element when the addition is 50% or greater than the footprint of the historic structure.	The Historic Structure footprint is 540 square feet. The footprint of the addition is approximately 590 square feet. As a result, a transitional element is required.
LMC § 15-13-2(B)(4)(b)(4) requires on a rear addition that the width of the transitional element not exceed two-thirds the width of the elevation to which the transitional element is connected.	The rear elevation is 24 feet. The transitional element is 16 feet in width, two-thirds the width of the elevation to which the transitional element is connected.
LMC § 15-13-2(B)(4)(b)(4) requires the transitional element be set in from the corners of the affected historic elevation by a minimum of two feet.	The transitional element is set back four feet from both corners of the Historic Structure.
LMC § 15-13-2(B)(4)(b)(6) states the depth of the transitional element (i.e., the distance between the affected historic elevation and the addition) shall be a minimum of one-third the length of the least wide historic elevation adjacent to the impacted historic elevation.	The least wide historic elevation adjacent to the impacted historic elevation is 22 feet and 3 ½ inches. The transitional element is 8 feet and 2.5 inches deep.
LMC § 15-13-2(B)(4)(c)(1) states additions shall complement the visual and physical qualities of the historic building. An addition shall not be designed to be an exact copy of the existing style or imply an earlier period or more ornate styling than that of the historic building.	The Design Review Team evaluated the addition and found that it complements the visual and physical qualities of the historic building without being an exact copy.
LMC § 15-13-2(B)(4)(c)(2) states the addition shall be a contemporary interpretation of the historic structure's architecture style. The addition shall not be designed to contrast starkly with the historic structure; an acceptable design shall be compatible in mass, scale, fenestration patterns, and design details. It shall not detract from	The Design Review Team found the addition is a contemporary interpretation of the historic structure's architecture, and is compatible in mass, scale, fenestration patterns, and design details.

the Historic District's or Structure's historic character.	
LMC § 15-13-2(B)(4)(c)(3) requires additions to be subordinate in scale to the primary historic structure. When the footprint of the addition exceeds 50% of the footprint of the historic structure, the mass shall be broken into modules to reflect the mass and scale of those modules seen on the historic structure.	The Historic Structure footprint is 540 square feet. The footprint of the addition is approximately 590 square feet. The Design Review Team found that the transitional element breaks the massing between the addition and Historic Structure. The addition contains variations in façade setbacks, including a setback over 3 feet in depth for the upper-level balcony, as well as variation in roof forms that break up the mass, including a shed roof.
LMC § 15-13-2(B)(4)(c)(4) requires additions to be visually subordinate to the historic structure. Where the combined effects of the addition's footprint, height, mass, and scale are such that the overall size of an addition is larger than a historic structure, the volume of the addition shall be broken into modules that reflect the scale of those components seen on the historic structure. Multiple modules are encouraged to add articulation and architectural interest.	See above regarding the breakup of the structure through the transitional element, façade setbacks, and variation of roof forms.

The appellant argues that LMC [§ 15-13-2\(B\)\(4\)\(c\)\(5\)](#) applies to this property, which states the following (please note the incomplete language is copied exactly from code):

“Large additions shall be visually separated from historic buildings when viewed from the public right of way. Where the height of a new addition, site topography (e.g., an uphill addition), or both, the addition shall be set away from the historic structure by a minimum of one-half (1/2) the length of the least-wide historic elevation adjacent to the historic elevation to which the transitional element is attached.”

This section of code applies to “large” additions, a term not defined in the LMC. Pursuant to LMC [§ 15-1-18\(G\)](#), the Board of Adjustment shall determine the correctness of the Planning Department's interpretation and application of the plain meaning of the land use regulations and interpret and apply a land use regulation to favor a land use application unless the land use regulation plainly restricts the land use application.

The plain meaning for transitional elements is established in the following sections:

LMC [§ 15-13-2\(B\)\(4\)\(b\)\(4\)](#) requires on a rear addition that the width of the transitional element not exceed two-thirds the width of the elevation to which the transitional element is connected.

The rear elevation is 24 feet. The transitional element is 16 feet in width, two-thirds the width of the elevation to which the transitional element is connected.

LMC [§ 15-13-2\(B\)\(4\)\(b\)\(6\)](#) states the depth of the transitional element (i.e., the distance between the affected historic elevation and the addition) shall be a minimum of one-third the length of the least wide historic elevation adjacent to the impacted historic elevation.

The least wide historic elevation adjacent to the impacted historic elevation is 22 feet and 3 ½ inches. The transitional element is 8 feet and 2.5 inches deep.

Staff finds the undefined term “large” does not apply to 741 Rossie Hill Drive for the reasons outlined above: the addition is reduced in allowable footprint, conforms to more restrictive setbacks, and is reduced in height. The Planning Director determined the following:

- The historic form is positioned further back on the site than a typical historic home; it is over 40 feet from Rossie Hill Drive to the front façade of the home
- As viewed from Rossie Hill Drive, the current design provides visual separation between the historic form and the addition
- There would be no perceivable improvement of this separation as viewed from Rossie Hill Drive if the separation of eight feet was increased by three feet
- The current design is smaller in footprint by 238 square feet and in height by two – three feet than the original approved addition for this site
- The proposed addition is not out of proportion to the historic structure nor does the site topography indicate mitigation of any visual impacts on a street-level viewer of the addition
- The site topography slopes uphill from the street at a slope of approximately 20%. The vertical difference between the historic home finish floor and the addition finish floor at the rear of the building is three feet nine inches

The addition meets the threshold standard outlined in LMC [§ 15-13-2\(A\)\(9\)](#) and is compatible in size, scale and proportion, and massing to protect the integrity of the historic structure, the historic site, and its environment.

(h) The Planning Director determination regarding the addition was timely.

The appellant’s argument “the Planning Director already was working with the applicant to get around the code requirements, [and] her decision was predetermined” is offensive and baseless.

As outlined above, Planning staff found the transitional element and addition as approved complies with the LMC and is compatible with the Historic Structure. Planning staff found

the addition is not a large addition after reviewing the project in accordance with all applicable LMC standards pursuant to the Zoning District requirements. Due to the significant reductions in Building Footprint, increased Setbacks, and reduced height, as viewed through the lens of the *Design Guidelines For Historic Districts and Historic Sites*, the addition complies with the LMC.

Planning staff works diligently with applicants to bring projects into compliance with the *Design Guidelines For Historic Districts and Historic Sites* and LMC regulations prior to Historic District Design Review approval. Pursuant to LMC [§ 15-11-12](#), “the Planning Department shall review the proposed plans for compliance with the Design Guidelines for Historic Districts and Historic Sites.” All Historic District Design Review applications go through thorough review, including review by the Design Review Team, which includes the Planning Director, the City’s Historic Preservation Consultant, the Building Department, and Project Planner. Throughout this iterative process, the Planning Director may provide input and make determinations regarding non-numeric standards in the *Design Guidelines For Historic Districts and Historic Sites* so applicants can modify their designs to comply with the LMC.

Department Review

The Planning, Engineering, and Legal Departments reviewed this application.

Notice

The *Park Record* published notice on April 23, 2022. Staff published notice on the City’s website and the Utah Public Notice website and posted notice to the property on May 2, 2022. Staff mailed courtesy notice to property owners within 300 feet on May 2, 2022.

Public Input

Staff did not receive any public input at the time this report was published.

Alternatives

- The Board of Adjustment may deny the appeal;
- The Board of Adjustment may approve the appeal and direct staff to make findings for approval; or
- The Board of Adjustment may request additional information and continue the item to a date certain.

Exhibits

Exhibit A: Draft Appeal Final Action Letter
Exhibit B: March 10, 2022 Staff Report
Exhibit C: March 10, 2022 Administrative Public Hearing Minutes
Exhibit D: Appellant’s March 3, 2022 Input
Exhibit E: Applicant’s March 4, 2022 Input
Exhibit F: Historic District Design Review Final Action Letter
Exhibit G: Appellant’s Appeal

Exhibit H: Lilac Hill East Subdivision
Exhibit I: Historic Site Form
Exhibit J: Applicant's Letter Objecting to the Appeal



Planning Department

May 17, 2022

Polly Samuels McLean
Peak Law, PLLC
395 Crestview Drive
Park City, Utah 84098
polly@peaklaw.net

CC: Jonathan DeGray

NOTICE OF BOARD OF ADJUSTMENT ACTION

Description

Address: 741 Rossie Hill Drive

Zoning District: Historic Residential Low – Density

Application: Appeal of a Historic District Design Review

Project Number: PL-22-05235

Action: DENIED

Date of Final Action: May 17, 2022

Project Summary: The appellant appeals the Historic District Design Review approval for rehabilitation of and an addition to 741 Rossie Hill Drive, claiming the addition is “large” and the transitional element therefore requires an additional 36 inches in length.

Action Taken

On May 17, 2022, the Board of Adjustment conducted a public hearing and denied the appeal according to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. 741 Rossie Hill Drive (formerly 660 Rossie Hill Drive) is a one-story frame hall-parlor Single-Family Dwelling built around 1895 during the Mature Mining Era (1894-1930).



Planning Department

2. 741 Rossie Hill Drive is Lot 1 of the Lilac Hill East Subdivision (Summit County Recorder Entry No. 1164826).
3. In 1984, 741 Rossie Hill Drive was listed on the National Register of Historic Places as part of the Park City Mining Boom Era Residences Thematic District.
4. 741 Rossie Hill Drive is a Landmark Historic Structure on the Park City Historic Sites Inventory.
5. On February 16, 2017, the City Council adopted Ordinance No. 2017-05 to rezone the area from Residential Medium to Historic Residential Low – Density to decrease Density from 24 to eight units.
6. On January 9, 2020, the City Council adopted Ordinance No. 2020-02, approving the Lilac Hill East Subdivision to create five Single-Family Dwelling Lots. Approval of the Lilac Hill East Subdivision changed the address for this property from 660 Rossie Hill Drive to 741 Rossie Hill Drive.
7. On February 25, 2021, the City Council adopted Ordinance No. 2021-09, extending the Lilac Hill East Subdivision approval for one year.
8. On May 5, 2021, the Historic Preservation Board approved the Material Deconstruction of a portion of the rear façade of 741 Rossie Hill Drive to accommodate an addition and rear garage, and the lifting of the Historic Structure for a new foundation.
9. On June 22, 2021, the Planning Department approved a Historic District Design Review for the rehabilitation of the Landmark Historic Structure and the addition.
10. After approval, the Applicant and staff were made aware of setbacks more restrictive than the Land Management Code outlined in Ordinance No. 2020-02 approving the Lilac Hill East Subdivision. As a result, the Applicant submitted a Modification to the Historic District Design Review to comply with the more restrictive setbacks.
11. The Design Review Team reviewed the Modification to the Historic District Design Review on January 5, 2022. The Applicant incorporated Design Review Team input into the proposed plans.
12. On March 10, 2022, the Planning Department approved the modified Historic District Design Review.
13. On April 7, 2022, the appellant appealed, arguing the addition is a “large” addition, requiring an additional 36 inches in the transitional element length.
14. The appellant timely filed an appeal.



Planning Department

15. The appellant has standing to appeal because they submitted public input, participated in the administrative public hearing, and they represent adjacent property owners.
16. The addition is not a "large" addition.
17. The applicant designed an addition reduced in size from what is otherwise allowed on the site and the addition maintains compatibility with the Historic Structure in materials, features, size, scale and proportion, and massing to protect the integrity of the Historic Structure, the Historic Site, and its environment.
18. The applicant designed an addition that reduced the footprint by 692.5 square feet below what is allowed for the site.
19. The addition meets Setbacks more restrictive than otherwise allowed.
20. The applicant designed an addition that is below allowable Building Height.
21. The analysis of the staff report is incorporated herein.

Conclusions of Law

1. The Historic District Design Review as approved on March 10, 2022, conforms to the requirements of the Land Management Code.

If you have questions or concerns regarding this Final Action Letter, please call 435-615-5060 or email planning@parkcity.org.

Sincerely,

Ruth Gezelius, Board of Adjustment Chair

Planning Department Staff Report



Subject: 741 Rossie Hill Drive
Application: PL-22-05148
Author: Rebecca Ward
Date: March 10, 2022
Type of Item: Modification to a Historic District Design Review

Recommendation

(1) Review the proposal to rehabilitate a Landmark Historic Structure with an addition, (2) conduct a public hearing; and (3) consider approving the Modification to a Historic District Design Review, subject to the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter (Exhibit A).

Description

Applicant: Lilac Hill East, LLC, represented by architect Jonathan DeGray

Location: 741 Rossie Hill Drive (formerly 660 Rossie Hill Drive)

Zoning District: Historic Residential Low – Density

Adjacent Land Uses: Residential and Open Space

Reason for Review: The Planning Department reviews modifications to Historic District Design Reviews pursuant to LMC [§ 15-11-12](#)

LMC Land Management Code

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Background

741 Rossie Hill Drive (formerly 660 Rossie Hill Drive) is a one-story frame hall-parlor Single-Family Dwelling built around 1895 during the Mature Mining Era (1894-1930). 741 Rossie Hill Drive is Lot 1 of the Lilac Hill East Subdivision (Summit County Recorder Entry No. 1164826, Exhibit B). In 1984, 741 Rossie Hill Drive was listed on the National Register of Historic Places as part of the Park City Mining Boom Era Residences Thematic District. 741 Rossie Hill Drive is a Landmark Historic Structure on the Park City Historic Sites Inventory (Exhibit C, Historic Site Form).

The image of 741 Rossie Hill Drive below is taken from the Historic Site Form:



On February 16, 2017, the City Council adopted [Ordinance No. 2017-05](#) to rezone the area from Residential Medium to Historic Residential Low – Density to decrease Density from 24 to eight units ([Staff Report](#), p. 138; [Minutes](#), p. 10).

On January 9, 2020, the City Council adopted [Ordinance No. 2020-02](#), approving the Lilac Hill East Subdivision to create five Single-Family Dwelling Lots, one Lot for each Landmark Historic Structure, and two new Lots to the rear of the Landmark Historic Structures for new Single-Family Dwellings ([Staff Report](#); [Minutes](#), p. 11). Approval of the Lilac Hill East Subdivision changed the address for this property from 660 Rossie Hill Drive to 741 Rossie Hill Drive.

On February 25, 2021, the City Council adopted [Ordinance No. 2021-09](#), extending the Lilac Hill East Subdivision approval for one year ([Staff Report](#); [Minutes](#), p. 17).

On May 5, 2021, the Historic Preservation Board approved the Material Deconstruction of a portion of the rear façade to accommodate an addition and garage, and the lifting of the Landmark Historic Structure for a new foundation ([Staff Report](#); [Minutes](#), p. 17). On June 22, 2021, the Planning Department approved a Historic District Design Review for the rehabilitation of the Landmark Historic Structure and the addition.

After approval, the Applicant and staff were made aware of setbacks more restrictive

than the Land Management Code outlined in Ordinance No. 2020-02 approving the Lilac Hill East Subdivision. As a result, the Applicant submitted a Modification to the Historic District Design Review and presents a new design to comply with the more restrictive setbacks.

The Design Review Team reviewed the Modification to the Historic District Design Review on January 5, 2022. The Applicant incorporated Design Review Team input into the proposed plans, outlined below.

Analysis

(I) The Modification to the Historic District Design Review Complies with Ordinance No. 2020-02.

[Ordinance No. 2020-02](#) Finding of Fact 17 establishes the following setbacks for Lot 1 of the Lilac Hill East Subdivision:

Setback Requirement	Analysis of Proposal
Side Setbacks – Five feet for a total of 18 feet	Conditions of Approval The eastern side setback is seven feet. Two window wells are proposed in the eastern side setback to provide egress for bedrooms. LMC § 15-2.1-3(J)(3) allows for window wells not exceeding the minimum IRC or IBC requirements in side setbacks for Lots with a minimum side setback of five feet or greater. According to the Building Department, the minimum window well must be a minimum of three feet wide and three feet measured from the face of the wall to the front edge of the window well. The proposed window wells exceed the minimum requirements. As a result, Condition of Approval 1 requires the Applicant to revise the plans to reduce the window wells to the minimum requirements prior to submitting a Building Permit application. The western side setback is 11 feet. The Applicant proposes an at-grade deck that extends into the western side setback. LMC § 15-2.1-3(J)(6) allows for decks not more than 30 inches in height from Final Grade to be within the side setback. Condition of Approval 21 requires the Applicant to verify compliance with the 30-inch height cap prior to submitting a Building Permit application. The Applicant proposes a hot tub on the deck. LMC

	§ 15-2.1-3(J)(11) allows hot tubs to be within the side setback, so long as they retain at least a three-foot setback from the side lot line. The proposed hot tub location complies and exceeds the three-foot setback requirement.
Front Setback – 15 feet	Complies The front setback exceeds 15 feet. A concrete pad at the base of the front stairs is proposed to encroach into the 15-foot front setback. LMC § 15-2.1-3(G) exempts sidewalks and pathways from front setback requirements.
Rear Setback – 15 feet	Complies The rear setback is 15 feet. A roof overhang projecting two feet into the rear setback is proposed for the rear entryway. LMC § 15-2.1-3(H) allows for roof overhangs projecting not more than two feet into the rear setback.

(II) The Modifications to the Historic District Design Review Comply with the Land Management Code.

741 Rossie Hill is a Landmark Historic Structure in the Historic Residential Low – Density Zoning District. The purposes of the Historic Residential Low – Density Zoning District include encouraging the preservation of Historic Buildings and construction of Historically Compatible Structures.¹

Single-Family Dwellings are an allowed use in the Historic Residential Low – Density Zoning District.²

The table below outlines the Lot and Site Requirements for properties in the Historic Residential Low – Density Zoning District:³

Requirement	Analysis of Proposal
Minimum Lot Area – 3,750 square feet	Complies Lot 1 of the Lilac Hill East Subdivision is 5,253 square feet

¹ LMC [§ 15-2.1-1](#).

² LMC [§ 15-2.1-2\(A\)\(1\)](#).

³ LMC [§ 15-2.1-3](#).

Minimum Lot Width measured 15 feet from the front Lot line – 35 feet	Complies Lot 1 of the Lilac Hill East Subdivision is 79 feet wide at the front. Measured 15 feet from the front Lot line, Lot 1 is approximately 63 feet wide.
Maximum Building Footprint MAXIMUM FOOTPRINT = LOT AREA/2 x 0.9 ^{LOT AREA/1875}	Complies Lot 1 of the Lilac Hill East Subdivision is 5,253 square feet and has a Maximum Building Footprint of 1,955 square feet. The proposed Building Footprint is 1,262.5 square feet.
Snow Release	Condition of Approval 2 Site plans and building designs must resolve snow release issues to the satisfaction of the Chief Building Official. The Landmark Historic Structure will be rehabilitated in its original location once a new foundation is poured. A snow shed agreement may be required when a new structure has a roof slope of 4:12 or greater. The proposed roof for the addition, a non-contributing roof form, has a roof slope of 3:12 on the seven-foot east side setback and a 7:12 roof slope on the 11-foot west side setback.

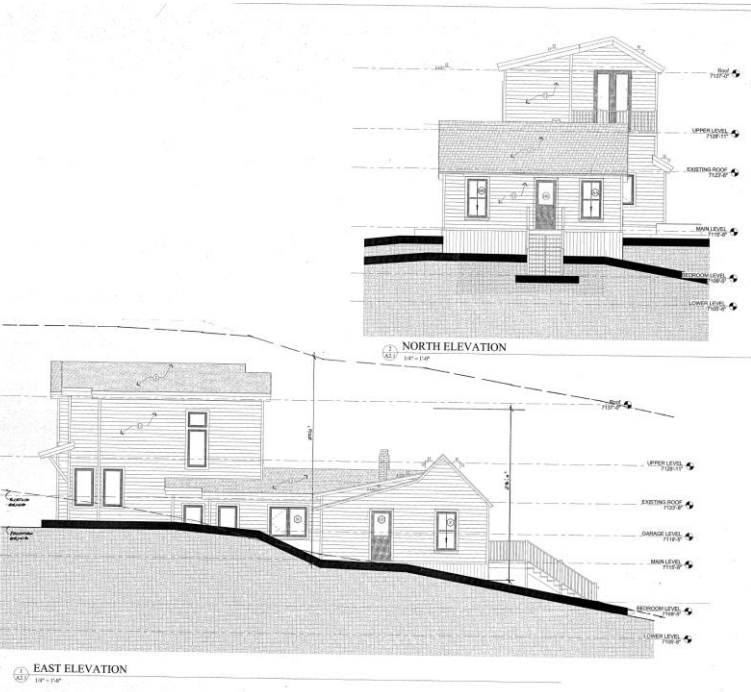
(III) The Modifications to the Historic District Design Review Comply with Parking Requirements.

Single-Family Dwellings must provide two on-site parking spaces. However, pursuant to LMC [§ 15-2.1-4](#), Historic Structures in the Historic Residential Low – Density Zoning District that do not comply with off-street parking are valid Non-Complying Structures. Additions to Historic Structures are exempt from off-street parking requirements provided the addition does not create a Lockout Unit or Accessory Apartment. Condition of Approval 3 prohibits the creation of a Lockout Unit or Accessory Apartment for 741 Rossie Hill Drive.

The proposed plans include one parking space for 741 Rossie Hill in a rear garage, accessed from a private drive off Rossie Hill Drive. LMC [§ 15-3-4\(A\)\(1\)](#) requires a single car garage to have a minimum interior dimension of 11 feet in width and 20 feet in depth. The proposed garage complies and is 12 feet in width and 20 feet in depth.

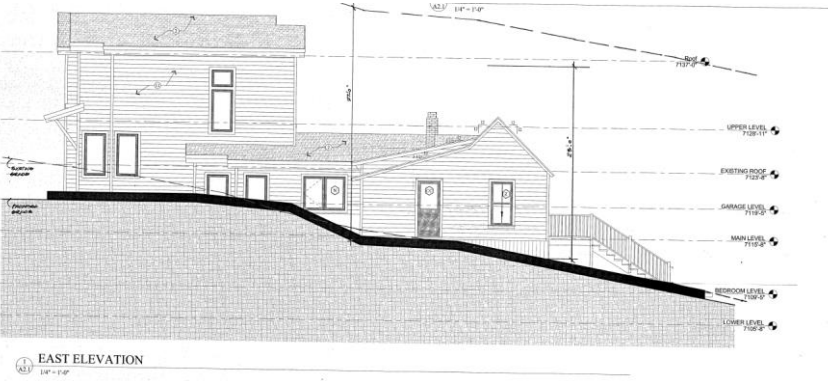
(IV) The Modifications to the Historic District Design Review Comply with Building Height Requirements.

LMC [§ 15-2.1-5](#) outlines Building Height for the Historic Residential Low – Density Zoning District as follows:

Requirement	Analysis of Proposal
No Structure shall be constructed to a height greater than 27 feet from Existing Grade⁴	Complies The proposed building height does not exceed 27 feet from existing grade.  The drawings show two elevations of a building. The North Elevation (top) shows a two-story structure with a gabled roof. Height markers on the right indicate: UPPER LEVEL 7105'-10", EXISTING ROOF 7102'-0", and LOWER LEVEL 7102'-0". The East Elevation (bottom) shows a similar two-story structure from a different angle. Height markers on the right indicate: UPPER LEVEL 7105'-10", EXISTING ROOF 7102'-0", GARAGE LEVEL 7102'-0", MAIN LEVEL 7102'-0", BEDROOM LEVEL 7102'-0", and LOWER LEVEL 7102'-0". Both drawings show the building's footprint and its relationship to the existing ground level.
A Structure shall have a maximum height of 35 feet measured from the lowest floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters⁵	Complies The lower level (7105') to the upper-level highest wall top plate that supports the ceiling joists (7137') is 32 feet.

⁴ LMC [§ 15-2.1-5](#).

⁵ LMC [§ 15-2.1-5\(A\)](#).

A ten-foot minimum horizontal step in the downhill façade is required; the horizontal step shall take place at a maximum height of 23 feet from where the building footprint meets the lowest point of existing grade⁶	Complies 
The roof pitch of a Structure's contributing roof form shall be between 7:12 and 12:12	Complies LMC § 15-15-1 defines <i>Contributing Roof Form</i> as the most visually prominent roof form from the primary public right-of-way. The Landmark Historic Structure features the most visually prominent roof form from Rossie Hill and has a roof pitch of 12:12. The 12:12 roof pitch runs the 24-foot width of the Landmark Historic Structure and extends approximately 11 feet.

(IV) The Modifications to the Historic District Design Review Comply with the Design Guidelines for Historic Residential Sites.

Buildings within the Historic Districts are regulated through the Design Guidelines for Historic Districts and Historic Sites. “The goal of the Design Guidelines is to meet the needs of various interests in the community by providing guidance in determining the suitability and architectural compatibility of proposed projects, while at the same time allowing for reasonable changes to individual buildings to meet current needs . . . [t]he Design Guidelines are not intended to be used as a technical manual for rehabilitating or building a structure, nor are they an instruction booklet for completing the Historic District/Site Design Review Application. Instead, they provide applicants, staff, and the Historic Preservation Board with a foundation for making decisions and for a framework for ensuring consistent procedures and fair deliberations.”⁷

LMC [§ 15-13-2](#) outlines the following Design Guidelines for Historic Residential Sites:

Requirement	Analysis of Proposal
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⁶ LMC [§ 15-2.1-5\(B\)](#).

⁷ LMC [§ 15-13-1](#).

Universal Design Guidelines	
Site should be used as it was historically	Site remains residential.
Changes that have acquired historic significance are retained and preserved	Pursuant to the requirements of LMC § 15-11-9 , the Applicant completed a Historic Preservation Plan outlining the required preservation of materials.
Historic exterior features are preserved	Condition of Approval 4 The Applicant's Historic Preservation Plan and financial guarantee require preservation of exterior features. Pursuant to the requirements of LMC § 15-11-9, the Applicant recorded a financial guarantee on July 28, 2021, to ensure protection of historic materials during construction (Summit County Recorder Entry No. 1169949).
Distinctive materials, components, finishes, and examples of craftsmanship should be preserved	Condition of Approval 5
Deteriorated or damaged historic features and elements should be repaired rather than replaced	Condition of Approval 6
Features that do not contribute to the significance of the building may be maintained	No non-contributing materials are proposed to be maintained
Each site should be recognized as a physical record of its time, place and use	Complies
Chemical or physical treatments should be undertaken using recognized preservation methods	Condition of Approval 4 The Applicant must conform to the Historic Preservation Plan.

New additions should not destroy historic materials, features, and relationships that characterize the historic site or historic building	The addition is proposed to be constructed to the rear of the Landmark Historic Structure. Construction shall preserve Historic Materials, as outlined in the Historic Preservation Plan.
Construction should be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment could be restored	Condition of Approval 7
Specific Design Guidelines Building Setbacks & Orientation	
Maintain historic front and side setbacks	The Landmark Historic Structure front and side setbacks are retained.
Preserve original location of main entry	The Applicant will restore the Historic front door and will place a matching door on the south side façade. The Applicant originally proposed the addition of a front porch, but the addition is prohibited in the Historic District Design Guidelines and the Applicant removed the front porch from the final plans.
Topography & Grading	
Maintain natural topography and original grading	Complies
Do not substantially alter paved area to open space and vice versa	The Lilac Hill East Subdivision created a private driveway between Lots 2 and 3 to access the three Landmark Historic Structures from the rear to avoid three separate driveways in the front yard to access each lot. As a result, the proposed garage and driveway will be in the rear of the Landmark Historic Structure, minimizing paved area within the front yard of the Landmark Historic Structure.
Respect and maintain existing landscape	Condition of Approval 8

	The Design Review Team input included landscaping to provide shielding for a proposed side yard deck. The Applicant must include additional landscaping to provide shielding for a proposed side yard deck and privacy between properties in the plans submitted for a building permit, subject to Planning Director review and approval.
Maintain established on-site native plantings	No significant historic vegetation is established on the site. The Applicant will include additional landscaping to provide shielding for a proposed deck and privacy between properties.
All landscape relationships on the site shall be considered	The front and side yard will remain open landscape.
Landscaping shall be water-efficient with drought-tolerant plants and water-wise landscaping	Condition of Approval 9
Landscaping along Rossie Hill shall be designed to enhance the pedestrian experience	Condition of Approval 10
Parking Areas & Driveways	
Minimize the visual impacts of on-site parking	The single-car garage and driveway are in the rear of the property.
Provide landscaped separation between parking	The Design Review Team input included landscaping to provide shielding for a proposed side yard deck. The Applicant must include additional landscaping to provide shielding for a proposed side yard deck and privacy between properties in the plans submitted for a building permit. This additional landscaping will create a screen and the rear driveway will not be as visible when viewed from Rossie Hill Drive.
Topography of the site should be minimally impacted for new off-street parking and driveways	The single-car garage is in the rear of the property with minimal changes to topography.

Off-street parking should be in the rear of the property	Complies
Ten-foot-wide driveways are encouraged and may not exceed 12 feet	The proposed driveway is 12 feet at its narrowest and widens to 17 feet on the property to accommodate access to the home from the 20-foot shared driveway at the rear of the site. Pursuant to LMC § 15-3-3(H), the City Engineer may approve minor variations in driveway widths. At the time of the Lilac Hill East Subdivision (Ordinance No. 2020-02) the City Engineer approved a private drive between Lots 2 and 3 to access all five lots of the Lilac Hill East Subdivision. This shared driveway reduces three individual driveways to provide rear access to the Landmark Historic Lots 1, 2, and 3, reducing the visibility of the automobile on the sites. Condition of Approval 8 requires a landscaping buffer for the proposed deck, which will also reduce the visibility of the driveway pavement at the rear of the site when viewed from Rossie Hill Drive. On February 16, 2022, the Engineering Department reviewed the proposed rear driveway and garage and provided the following input: The five Single-Family Dwelling lots in the Lilac Hill East Subdivision are accessed by a private driveway from Rossie Hill Drive between Lots 2 and 3. The private driveway provides access to the rear of Lots 1, 2, and 3, the Landmark Historic Sites, and to the front of Lots 4 and 5, which may contain new Single-Family Dwellings. There is a 6.75-foot driveway easement in the rear of Lot 1. The proposed driveway for Lot 1 will be 17 feet at its widest to connect the driveway on Lot 1 to the 20-foot private driveway easement, including the 6.75-foot easement in the pavement. The Engineer Department recommends the variation to driveway width for Lot 1 of the Lilac Hill East Subdivision to continue the consistent width for hammer head fire access and for adequate snow storage.

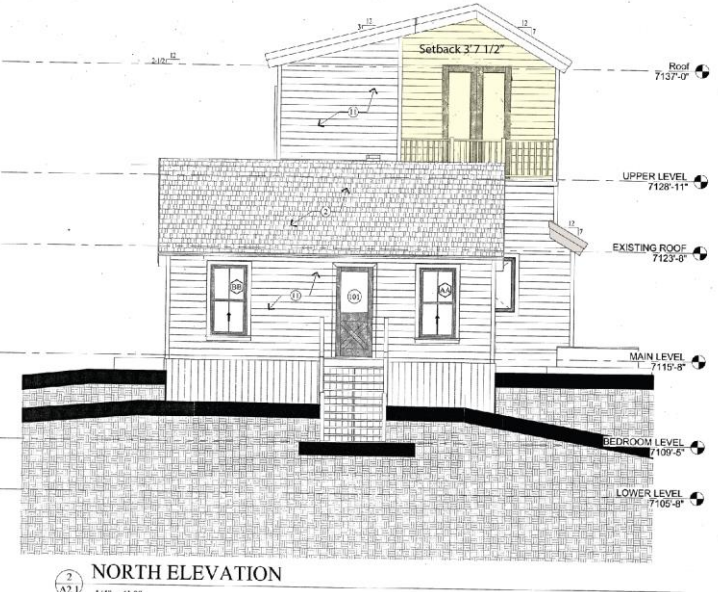
	Condition of Approval 11 prohibits parking within the private driveway easement. Condition of Approval 8 requires the applicant to shield the pavement with landscaping.
Use textured and pour paving materials for driveways viewable from adjacent public rights-of-way	The driveway is in the rear of the property and is accessed through a private road.
Do not pave up to the building foundation to reduce heat island effect, building temperature, damage to the foundation, and stormwater runoff problems	The Historic Preservation Plan outlines requirements for the protection of the Landmark Historic Structure.
Primary Structure Exterior Walls	
Window and door configurations, wall planes, recesses, bays, balconies, steps, porches, and entryways shall be maintained	Condition of Approval 4 The windows and doors of the Landmark Structure shall be preserved according to the Historic Preservation Plan.
Wood siding, frieze boards, cornices, moldings, shingles, and stone masonry shall be maintained	Condition of Approval 4 The wood siding and details of the Landmark Structure shall be preserved according to the Historic Preservation Plan.
Foundation	
The new foundation shall not raise or lower a historic structure more than two feet from its original elevation	Complies
The site shall be returned to original grade following construction of the foundation. No more than six inches of the new foundation shall be visible above final grade along the primary and secondary facades	Condition of Approval 12

A plinth or trim board shall be added at the base of the Historic Structure to visually anchor the structure to the new foundation	Condition of Approval 13
The form, material, and detailing of the new foundation shall be like the historic foundation	There is no historic foundation. The new foundation shall comply with the requirements of the Design Guidelines and Historic Preservation Plan.
Doors	
Historic door openings, doors, door surrounds, and decorative door features shall be preserved	The two existing doors will be replaced with four-panel doors matching the appearance of the historic doors, documented through photographs and outlined in the Historic Preservation Plan.
Windows	
Maintain and preserve historic window openings, windows, window surrounds, and decorative window features	The historic window location will be maintained.
Maintain the historic ratio of window openings to solid wall	The historic ratio of window openings to solid wall will be retained.
Replacement windows shall only be allowed when it can be shown that the historic windows are no longer safe, energy efficient, and serviceable and the historic windows cannot be made safe, energy efficient, and serviceable through repair. Replacement windows shall exactly match the historic windows in size, dimensions, glazing pattern, depth, profile, and material	Condition of Approval 4 The Applicant shall comply with the Historic Preservation Plan.
Gutters & Downspouts	

Half-round hanging gutters is most appropriate	Condition of Approval 14
Downspouts shall be located away from architectural features and be visually minimized when viewed from Rossie Hill Drive	Condition of Approval 15
Porches	
Preserve and maintain a historic porch by preserving the location, form, proportion, details, posts, railing, and stairs	Not applicable.
Architectural Features	
Preserve and maintain features such as eaves, brackets, cornices, moldings, trim, and shingles	Condition of Approval 4 The Applicant shall comply with the Historic Preservation Plan.
Replacement shall only be allowed when the applicant shows historic features are no longer safe and/or serviceable and cannot be repaired to a safe or serviceable condition	Condition of Approval 4 The Applicant shall comply with the Historic Preservation Plan.
Mechanical Systems, Utility Systems, and Service Equipment	
Mechanical equipment shall be in an inconspicuous location, preferable the tertiary façade	Condition of Approval 20 Mechanical systems in the home must be replaced with code-compliant systems and new equipment shall be to the rear of the property.
Communication equipment shall be visually minimized from Rossie Hill Drive	Condition of Approval 16

Additions to Primary Structures	
Additions shall be considered only on non-defining facades, usually tertiary	On May 5, 2021, the Historic Preservation Board approved Material Deconstruction of a portion of the rear façade to accommodate an addition on the tertiary façade.
Additions should be visually subordinate to historic buildings when viewed from Rossie Hill Drive	The Design Review Team reviewed the addition and found the proposed addition is subordinate to the Landmark Historic Structure when viewed from Rossie Hill Drive.
Additions to historic structures shall not be placed so as to obscure, detract from, or modify historic roof forms	The Design Review Team reviewed the addition and found the roof forms of the addition pay homage to the historic roof form, but without direct imitation.
Additions shall not contribute significantly to the removal or loss of historic material	Condition of Approval 17
Where new additions abut the historic building, a clear transitional element between the old and new should be designed and constructed	The Applicant proposes a transitional element to separate the addition from the Landmark Historic Structure.
In-line additions shall be avoided	No in-line transition is proposed.
On a rear addition, the width of the transitional element shall not exceed two-thirds the width of the elevation on which the transitional element is connected	The rear façade is 24 feet. The addition is 16 feet in width and is set back four feet from both corners of the Landmark Historic Structure.
The transitional element shall be set in from the corners of the affected historic elevation by a minimum of two feet	The transitional element is set in from the corners of the affected historic elevation by four feet.

The depth of the transitional element shall be a minimum of 1/3 the length of the least wide historic elevation adjacent to the impacted historic elevation	The least wide historic elevation adjacent to the impacted historic elevation is 22 feet and 3 ½ inches. The transitional element is 8 feet and 2.5 inches deep.
The highest point of the transitional element shall be a minimum of two feet lower than the highest ridgeline of the historic structure	The highest point of the transitional element is a minimum of two feet lower than the highest ridgeline of the historic structure.
Additions shall complement the visual and physical qualities of the historic building, but shall not be designed to be an exact copy of the existing style or imply an earlier period or more ornate style than that of the historic building	The Design Review Team evaluated the addition and found that it complements the visual and physical qualities of the historic building without being an exact copy.
The addition shall be a contemporary interpretation of the historic structure's architecture	The Design Review Team found the addition is a contemporary interpretation of the historic structure's architecture.
Additions shall be subordinate in scale to the primary historic structure. If the footprint of the addition approaches or exceeds 50% of the footprint of the historic structure, the mass shall be broken into modules to reflect the mass and scale of those modules seen on the historic structure	The Landmark Historic Structure footprint is 540 square feet. The footprint of the addition exceeds 50% of the footprint of the historic structure and is approximately 590 square feet. The Design Review Team found that the transitional element breaks the massing of the addition, and the small addition contains variations in façade setbacks and roof forms that break up the mass. Additionally, the area highlighted in yellow below is set back from the addition's façade by 3' and 7 1/2". A minor shed roof highlighted in brown below further breaks the mass.

	
Additions shall be visually subordinate to historic structures. Where the combined effects of the addition's footprint, height, mass, and scale are such that the overall size of an addition is larger than a historic structure, the volume of the addition shall be broken into modules that reflect the scale of those components seen on the historic structure. Multiple modules are encouraged to add articulation and architectural interest	See above.
Large additions shall be visually separated from historic buildings when viewed from the public right of way. Where the height of a new addition, site topography, or both, the addition shall be set away from the historic structure by a minimum of ½ the length of the least-wide historic elevation adjacent to	See the transitional element and addition analysis below.

the historic elevation to which the transitional element is attached	
Garages – Basement Addition with a Garage	
A new foundation or basement addition shall not raise a historic structure more than two feet from its original floor elevation	Condition of Approval 18
Window wells shall not be located on the primary façade and shall be located behind the midpoint of the secondary façade	Complies The Design Review Team requested the Applicant shift the location of window wells associated with the Landmark Historic Structure basement addition to comply with this requirement
Single vehicle garage doors may not exceed nine feet in width and nine feet in height	Complies The garage door does not exceed nine feet in width and nine feet in height
Decks	
Decks on a secondary façade should be screened from the right-of-way with appropriate native landscaping	Condition of Approval 8

The Transitional Element and Addition Complies with the Design Guidelines for Historic Residential Sites

LMC [§ 15-13-2\(B\)\(4\)](#) outlines requirements for Additions to Primary Structures. Transitional elements and additions are distinguished in the applicable regulations. Subsection (b) outlines transitional elements between additions and Historic Structures. Subsection (c) outlines general compatibility of additions.

LMC [§ 15-13-2\(B\)\(4\)\(c\)\(5\)](#) states the following regarding large additions:

Large additions shall be visually separated from historic buildings when viewed from the public right of way. Where the height of a new addition, site

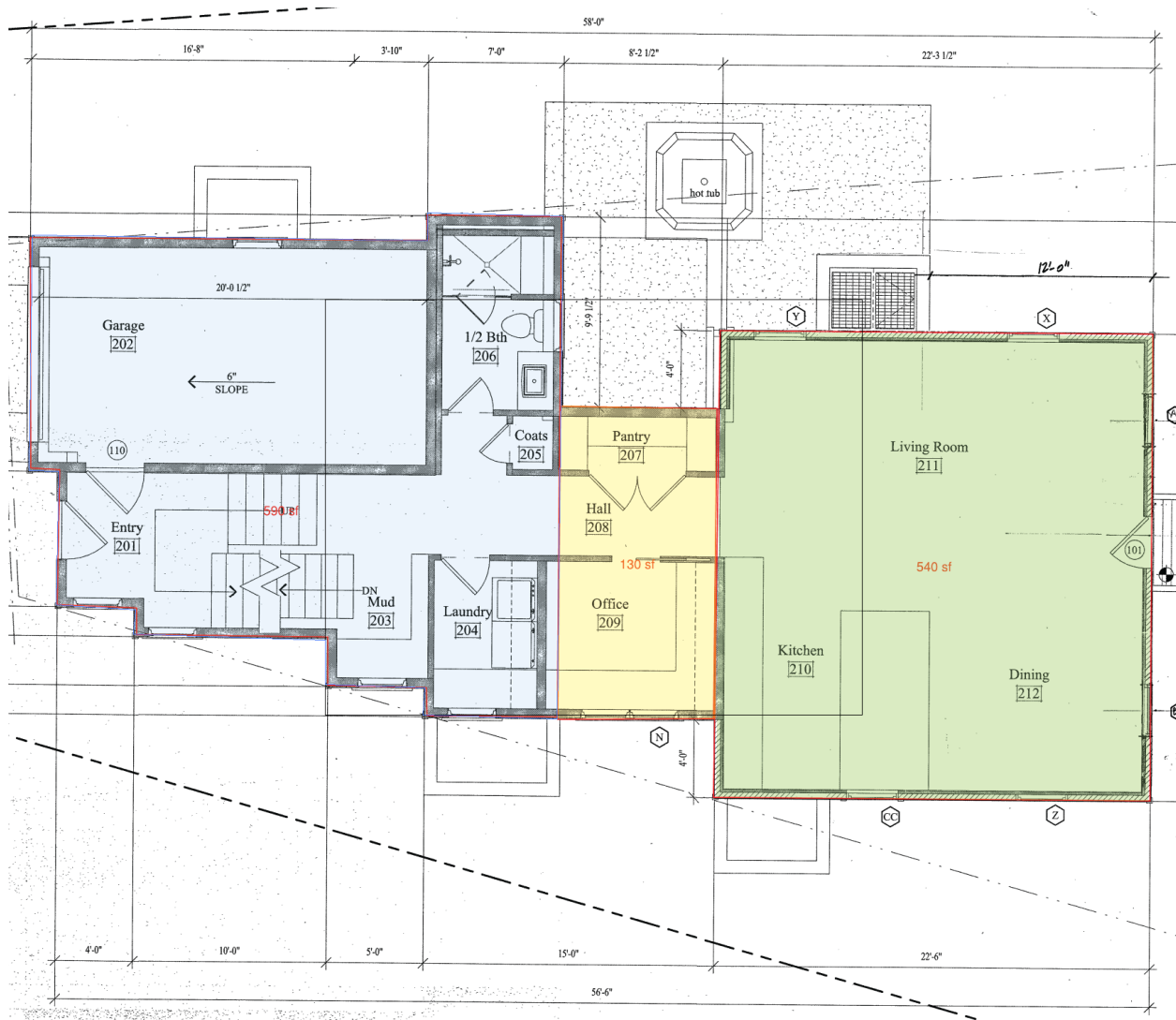
topography (e.g., an uphill addition), or both, the addition shall be set away from the historic structure by a minimum of one-half (1/2) the length of the least-wide historic elevation adjacent to the historic elevation to which the transitional element is attached.

The LMC does not define “large additions.” However, LMC [§ 15-15-1](#) defines Building Footprint as follows: “[t]he total area of the foundation of the structure, or the furthest exterior wall of the structure projected to Natural Grade, not including exterior stairs, patios, decks and Accessory Buildings listed on the Park City Historic Structures Inventory that are not expanded, enlarged or incorporated into the Main Building.”

Lot 1 of the Lilac Hill East Subdivision is 5,253 square feet and has a Maximum Building Footprint of 1,955 square feet. The proposed Building Footprint is 1,262.5 square feet, 692.5 square feet less than what is otherwise allowed for a lot of this size within the Historic Residential Low – Density Zoning District.⁸

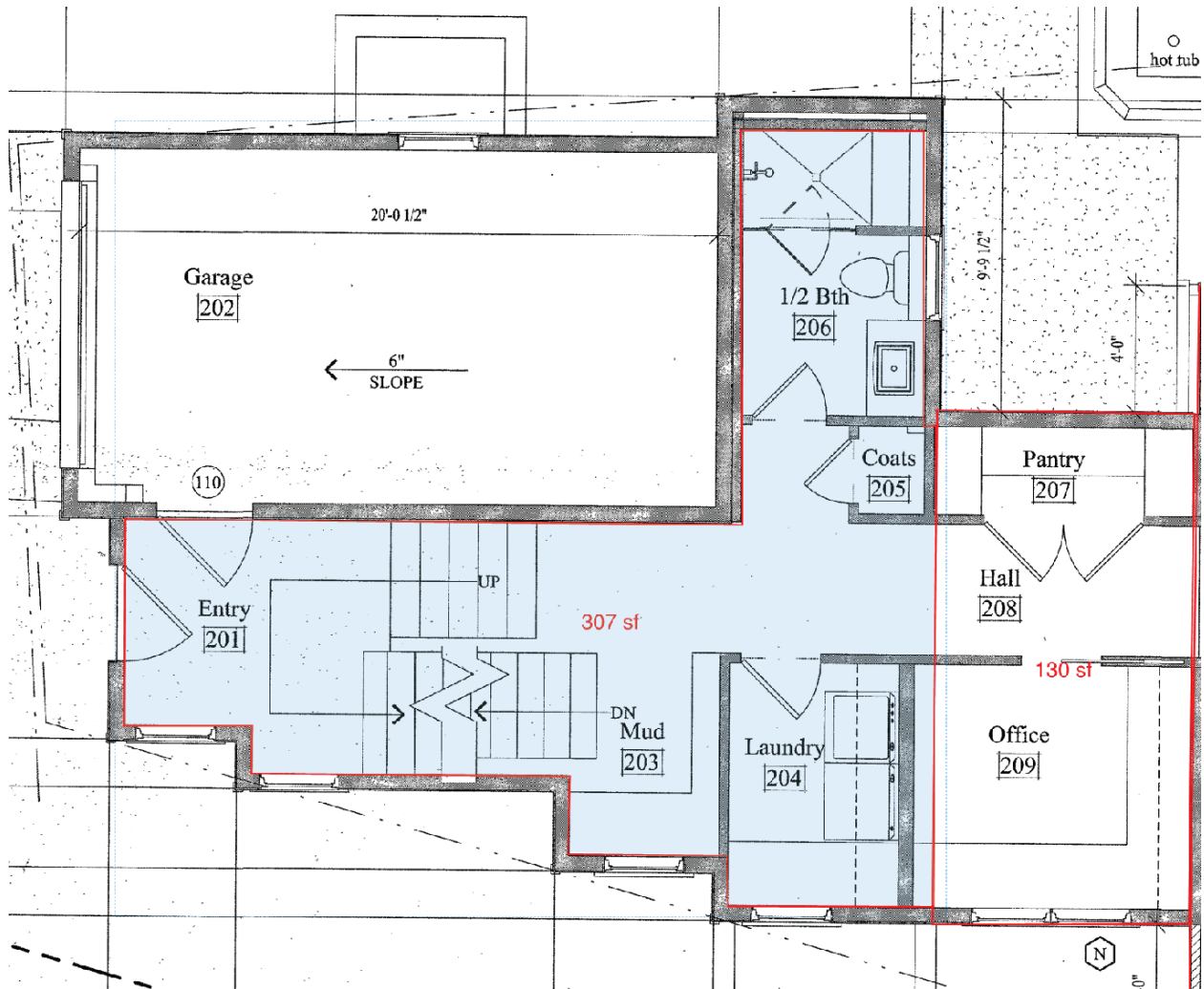
The building footprint of the Landmark Historic Structure is 540 square feet and is highlighted in green below. The building footprint of the transitional element between the Landmark Historic Structure and the addition is approximately 130 square feet and is highlighted in yellow below. Excluding window wells, the building footprint of the addition is approximately 590 square feet and is highlighted in blue below.

⁸ LMC [§ 15-2.1-3\(E\)](#).

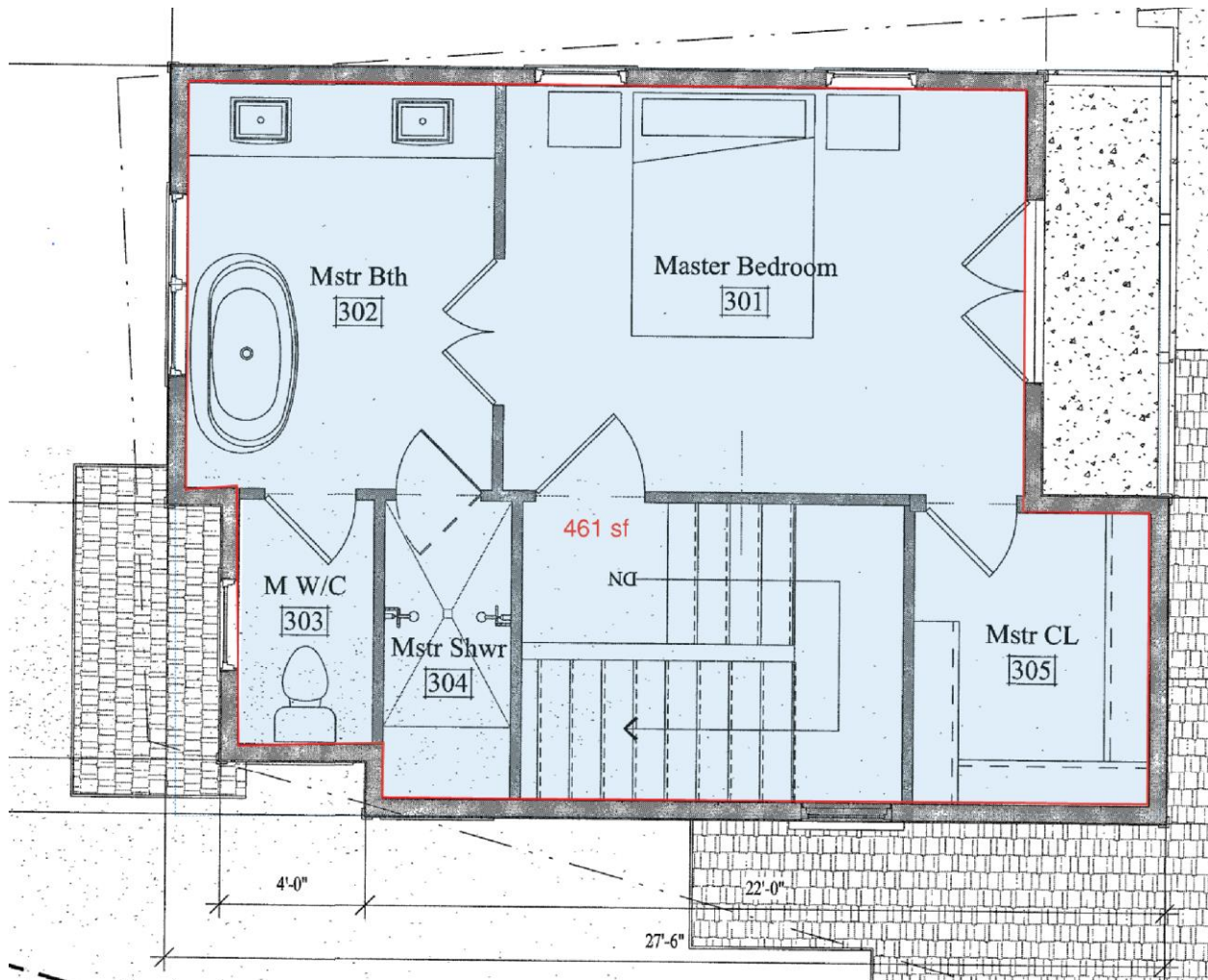


LMC [§ 15-15-1](#) defines Gross Residential Floor Area as “[t]he Area of a Building, including all enclosed Areas, consisting of the Area of all floors located under a ceiling that is above Final Grade, measured in square feet. Unenclosed porches, Balconies, patios and decks, vent shafts and courts are not calculated in Gross Residential Floor Area. Garages up to a maximum Area of [400 square feet in Historic Districts], are not considered Floor Area. Basement and Crawl Space Areas below Final Grade are not considered Floor Area. Floor Area is measured from the finished surface of the interior of the exterior boundary walls.”

The Gross Residential Floor Area of the first-floor addition is approximately 307 square feet, shown in blue below:

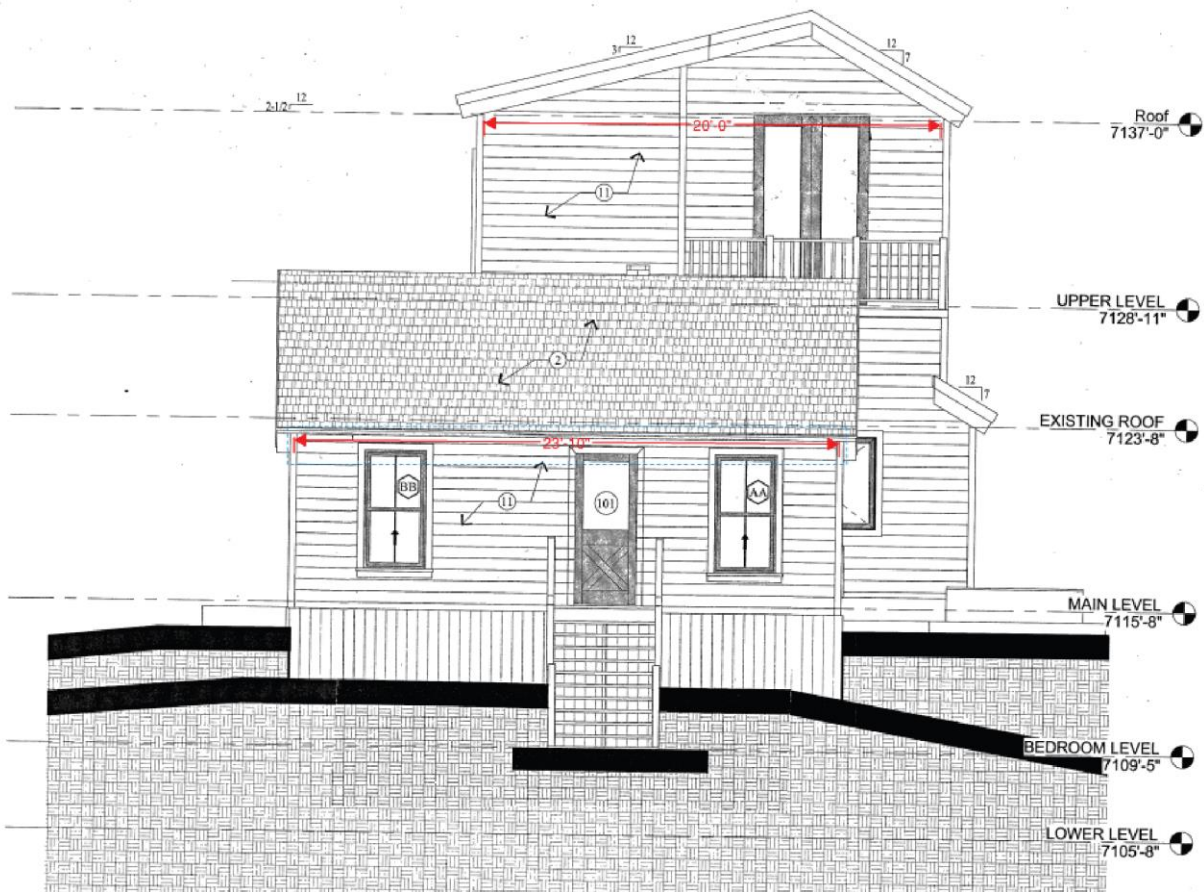


The Gross Residential Floor Area of the upper level is approximately 461 square feet, shown in blue below:



The Gross Residential Floor Area of the proposed addition is approximately 768 square feet.

The width of the addition's upper story (approximately 20 feet) does not exceed the width of the Landmark Historic Structure (approximately 23 feet):



Additionally, the Planning Director determined the addition is not considered a large addition and found the following:

- The historic form is positioned further back on the site than a typical historic home; it is over 40 feet from Rossie Hill Drive to the front façade of the home
- As viewed from Rossie Hill Drive, the current design provides visual separation between the historic form and the addition
- There would be no perceivable improvement of this separation as viewed from Rossie Hill Drive if the separation of eight feet was increased by three feet
- The current design is smaller in footprint by 238 square feet and in height by two – three feet than the original approved addition for this site
- The proposed addition is not out of proportion to the historic structure nor does the site topography indicate mitigation of any visual impacts on a street-level viewer of the addition
- The site topography slopes uphill from the street at a slope of approximately 20%. The vertical difference between the historic home finish floor and the addition finish floor at the rear of the building is three feet nine inches

Department Review

The Development Review Team and Planning Departments reviewed this application.

Notice

Staff published notice on the City's website on February 2, 2022 and posted notice to the property on February 3, 2022. Staff mailed courtesy notice to property owners within 300 feet on February 3, 2022.⁹

Public Input

Please see Exhibits D and E for public input.

Alternatives

- The Planning Director may approve the Modification to the Historic District Design Review;
- The Planning Director may deny the Modification to the Historic District Design Review and direct staff to make Findings for the denial; or
- The Planning Director may request additional information and continue the discussion to a date certain.

Exhibits

Exhibit A: Draft Final Action Letter

Attachment 1: Proposed Plans

Exhibit B: Lilac Hill East Subdivision

Exhibit C: Historic Site Form

Exhibit D: Public Input Submitted March 3, 2022

Exhibit E: Public Input Submitted March 4, 2022

⁹ LMC [§ 15-1-21](#).

PARK CITY MUNICIPAL CORPORATION
ADMINISTRATIVE ACTION MEETING MINUTES
PLANNING DEPARTMENT
445 Marsac Avenue Planning Department Conference Room and Zoom
March 10, 2022

STAFF: Planning Director, Gretchen Milliken; Assistant Planning Director, Rebecca Ward; Planner II, Browne Sebright

=====
The Planning Director called the meeting to order at 12:02 PM.

ROLL CALL

The Planning Director noted that six members of the public are in attendance. They included, Mark Norris, Martina Nelson, Polly [McLean] (who left shortly after the meeting began), Jonathan DeGray (applicant architect), and Matt Hutchinson (applicant representative) are in attendance.

REGULAR AGENDA/PUBLIC HEARINGS/POSSIBLE ACTION

741 Rossie Hill Drive – Modification to a Historic District Design Review – PL-22-05148 – The Applicant Proposes Modifications to a Historic District Design Review to Comply with More Restrictive Setbacks Outlined in the Lilac Hill East Subdivision Ordinance for the Rehabilitation of a Landmark Historic Structure and an Addition.

Planner Ward began with a presentation and an overview of the project, the staff report, and noted that the applicant Lilac Hill East was represented by Jonathan DeGray. She noted that the property is a Landmark Historic Structure, and that there have been land use applications for the property since 2017. The property is in the Historic Residential – Low Density Zoning District. The Assistant Planning Director noted that this application has come before the Historic Preservation Board, as well as having been reviewed by the Design Review Team. She noted that the project complies, as conditioned, with the provisions of the Land Management Code. She then explained the setbacks on the property, and the allowable encroachments into those setbacks.

She further explained that the Modification to the Historic District Design Review application complies with the Land Management Code and noted the conditions of approval associated with snow shedding. The Assistant Planning Director noted that the project complies with height requirements, the required step in the downhill façade, and the required roof pitch.

She noted that the project met the requirements of the Design Guidelines of the Land Management Code, and that the project has a historic preservation plan, and a financial guarantee. Assistant Planning Director Ward continued in noting that the Design Review Team had input on the landscaping of the site, and that there was a condition of approval associated with landscaping. She noted that there are provisions in the Land Management Code that allow for the City Engineer to approve driveways of variable width, and that they had approved a driveway that exceeded 12 feet in width in a few locations.

Assistant Planning Director Ward then spoke about the new rear addition of the Landmark Historic Structure. She noted that the Design Review Team evaluated the proposed addition and found that the addition complies with the Design Guidelines, that the roof and building form were complimentary to the historic structure, and that it has a compliant transitional element between the addition and the historic structure.

She noted that the building footprint of the addition exceeds 50% of the building footprint of the historic structure, and that the addition meets the requirements of breaking up of the mass as required under the Design Guidelines.

She then noted that there was concern regarding the new addition and the transition element and cited applicable sections of the Land Management Code. She noted that there is not a definition of a "large addition" but noted that the total building footprint is less than the Maximum Allowed Building Footprint as defined in the Land Management Code for a lot of this size.

Assistant Planning Director Ward then spoke about the definition of Gross Residential Floor Area and how it was evaluated for this project. She noted that the Planning Director had made the determination that the addition is not considered a large addition and that Planning Director Milliken had made a series of findings related to that determination. She concluded by stating that staff had received two public inputs prior to this meeting, and that one was included in the packet.

At 12:21, the Assistant Planning Director asked project architect Jonathan DeGray if he would like to add anything to the presentation. DeGray then turned it over to Matt Hutchinson who was also a representative of the applicant. Matt Hutchinson thanked staff for their work and that they agreed with the findings of the staff report.

At 12:22 PM, Planning Director Milliken opened the public hearing.

Mark Norris, owner of the house next door, spoke that he had hired an attorney and that

she said that the proposed development does not comply with the code.

Director Milliken said that they had received that letter, and that the primary argument in the letter was that the proposed addition was a "large addition", and that per Assistant Planning Director Ward's staff report, that the Planning Department did not consider it to be a large addition.

Mark Norris then spoke again asking how large the addition was in terms of total square footage.

Assistant Planning Director Ward noted that the Gross Residential Floor Area of the addition was 768 square feet.

Mark Norris asked what the total square footage was.

Planning Director Milliken asked Mark Norris what his concerns are.

Mark Norris then asked if the architect had that total square footage.

Jonathan DeGray stated that he didn't have the exact numbers in front of him, but that it was around 2,500 square feet.

Mark Norris then stated that an addition of that size was "fivefold" larger than the original structure, and that was a large addition.

Planning Director Milliken then stated that the Planning Department does not only use square footage to determine whether an addition is larger or not. She stated that the Planning Department uses Gross Residential Floor Area as defined in the Land Management Code, and that they also look to massing and design. She noted that much of that addition was below grade and not visible from the public right-of-way.

Mark Morris reiterated that this was a large addition.

Director Milliken responded that in the Planning Department's review process, this was consistent with other approvals of additions to historic homes, and that this project was reviewed by the external Historic Preservation consultant. Director Milliken then asked Mark Norris if he had any specific concerns.

Mark Norris said that they hired Polly McLean, and that the department knows what it is doing, and that the code is "black and white", and that the project does not meet the requirements of the code. He noted that Polly was on a plane right now, and unable to

attend the meeting.

Director Milliken responded that she is happy to follow up with the attorney afterwards to explain the justification. However, she noted that the code does not define "large addition", and that it is not black in white in the sense of what exactly should be considered a "large addition".

Mark Norris then said that Polly said that his concern is that the proposal does not comply with the code.

Director Milliken said that there are areas of the Land Management Code that give the Planning Director discretion on complex additions and that these projects need to be looked at in the context of the neighborhood.

Mark Norris then stated that his home was a large home, but that it is located on a large lot. He noted that the lot in question was small and that his lawyer's concern is that "the code is black and white and that it doesn't comply".

Director Milliken noted how it complies with height, transitional element, etc. She then asked Mark Norris again whether there was something in particular that he had concerns that staff or the architect may be able to address.

Mark Norris said that he doesn't have specific concerns, but that his lawyer said that it doesn't comply. He said that he doesn't have any specific concerns beyond his lawyer's review and opinion.

Director Milliken noted that there were things that are black and white, such as the stricter setback requirements, which have now been met.

Mark Norris indicated that he knew that, and that he was relying on the professional advice of his lawyer.

At 12:37, the Planning Director closed the public hearing.

At 12:38, the Planning Director indicated that she would quickly discuss with the Assistant Planning Director on the findings for this project prior to a motion.

At 12:39, the Planning Director and Assistant Planning Director returned and resumed the call.

Planning Director Milliken noted that the project met the requirements of the Land

Management Code and relevant ordinances.

MOTION: The Planning Director approved the Modification of a Historic District Design Review in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval.

Findings of Fact

1. 741 Rossie Hill Drive (formerly 660 Rossie Hill Drive) is a one-story frame hall-parlor Single-Family Dwelling built around 1895 during the Mature Mining Era (1894-1930).
2. 741 Rossie Hill Drive is Lot 1 of the Lilac Hill East Subdivision (Summit County Recorder Entry No. 1164826).
3. In 1984, 741 Rossie Hill Drive was listed on the National Register of Historic Places as part of the Park City Mining Boom Era Residences Thematic District.
4. 741 Rossie Hill Drive is a Landmark Historic Structure on the Park City Historic Sites Inventory.
5. On February 16, 2017, the City Council adopted Ordinance No. 2017-05 to rezone the area from Residential Medium to Historic Residential Low – Density to decrease Density from 24 to eight units.
6. On January 9, 2020, the City Council adopted Ordinance No. 2020-02, approving the Lilac Hill East Subdivision to create five Single-Family Dwelling Lots, one Lot for each Landmark Historic Structure, and two new Lots to the rear of the Landmark Historic Structures for new Single-Family Dwellings. Approval of the Lilac Hill East Subdivision changed the address for this property from 660 Rossie Hill Drive to 741 Rossie Hill Drive.
7. On February 25, 2021, the City Council adopted Ordinance No. 2021-09, extending the Lilac Hill East Subdivision approval for one year.
8. On May 5, 2021, the Historic Preservation Board approved the Material Deconstruction of a portion of the rear façade to accommodate an addition and garage, and the lifting of the Landmark Historic Structure for a new foundation.
9. On June 22, 2021, the Planning Department approved a Historic District Design Review for the rehabilitation of the Landmark Historic Structure and the addition.
10. After approval, the Applicant and staff were made aware of setbacks more restrictive than the Land Management Code outlined in Ordinance No. 2020-02 approving the Lilac Hill East Subdivision.
11. The Applicant submitted a Modification to the Historic District Design Review and presents a new design to comply with the more restrictive setbacks.

12. The Design Review Team reviewed the modifications to the Historic District Design Review on January 5, 2022. The Applicant incorporated Design Review Team input into the proposed plans.

13. Ordinance No. 2020-02 Finding of Fact 17 establishes the following setbacks for Lot 1 of the Lilac Hill East Subdivision:

Setback Requirement	Analysis of Proposal
Side Setbacks – Five feet for a total of 18 feet	Condition of Approval The eastern side setback is seven feet. Two window wells are proposed in the eastern side setback to provide egress for bedrooms. LMC § 15-2.1-3(J)(3) allows for window wells not exceeding the minimum IRC or IBC requirements in side setbacks for Lots with a minimum side setback of five feet or greater. According to the Building Department, the minimum window well must be a minimum of three feet wide and three feet measured from the face of the wall to the front edge of the window well. Condition of Approval 1 requires the Applicant to revise the plans to reduce the window wells to the minimum requirements prior to submitting a Building Permit application. The western side setback is 11 feet. The Applicant proposes an at-grade deck that extends into the western side setback. LMC § 15-2.1-3(J)(6) allows for decks not more than 30 inches in height from Final Grade to be within the side setback. Condition of Approval 21 requires the Applicant to verify compliance with the 30-inch height cap prior to submitting a Building Permit application. The Applicant proposes a hot tub on the deck. LMC § 15-2.1-3(J)(11) allows hot tubs to be within the side setback, so long as they retain at least a three-foot setback from the side lot line. The hot tub exceeds the three-foot setback requirement.
Front Setback – 15 feet	Complies

	The front setback exceeds 15 feet. A concrete pad at the base of the front stairs is proposed to encroach into the 15-foot front setback. LMC § 15-2.1-3(G) exempts sidewalks and pathways from front setback requirements.
Rear Setback – 15 feet	Complies The rear setback is 15 feet. A roof overhang projecting two feet into the rear setback is proposed for the rear entryway. LMC § 15-2.1-3(H) allows for roof overhangs projecting not more than two feet into the rear setback.

14. 741 Rossie Hill is a Landmark Historic Structure in the Historic Residential Low – Density Zoning District.

15. The purposes of the Historic Residential Low – Density Zoning District include encouraging the preservation of Historic Buildings and construction of Historically Compatible Structures.

16. Single-Family Dwellings are an allowed use in the Historic Residential Low – Density Zoning District.

17. The table below outlines the Lot and Site Requirements for properties in the Historic Residential Low – Density Zoning District:

Requirement	Analysis of Proposal
Minimum Lot Area – 3,750 square feet	Complies Lot 1 of the Lilac Hill East Subdivision is 5,253 square feet
Minimum Lot Width measured 15 feet from the front Lot line – 35 feet	Complies Lot 1 of the Lilac Hill East Subdivision is 79 feet wide at the front. Measured 15 feet from the front Lot line, Lot 1 is approximately 63 feet wide.
Maximum Building Footprint MAXIMUM FOOTPRINT = $LOT\ AREA / 2 \times 0.9^{LOT\ AREA / 1875}$	Complies Lot 1 of the Lilac Hill East Subdivision is 5,253 square feet and has a Maximum Building Footprint of 1,955 square feet. The proposed Building Footprint is 1,262.5 square feet.
Snow Release	Condition of Approval 2

	Site plans and building designs must resolve snow release issues to the satisfaction of the Chief Building Official. The Landmark Historic Structure will be rehabilitated in its original location once a new foundation is poured. A snow shed agreement may be required when a new structure has a roof slope of 4:12 or greater. The proposed roof for the addition, a non-contributing roof form, has a roof slope of 3:12 on the seven-foot east side setback and a 7:12 roof slope on the 11-foot west side setback.
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18. Single-Family Dwellings must provide two on-site parking spaces. However, pursuant to LMC § 15-2.1-4, Historic Structures in the Historic Residential Low – Density Zoning District that do not comply with off-street parking are valid Non-Complying Structures.
19. Additions to Historic Structures are exempt from off-street parking requirements provided the addition does not create a Lockout Unit or Accessory Apartment. Condition of Approval 3 prohibits the creation of a Lockout Unit or Accessory Apartment for 741 Rossie Hill Drive.
20. The proposed plans include one parking space for 741 Rossie Hill in a rear garage, accessed from a private drive off Rossie Hill Drive. LMC § 15-3-4(A)(1) requires a single car garage to have a minimum interior dimension of 11 feet in width and 20 feet in depth. The proposed garage complies and is 12 feet in width and 20 feet in depth.
21. No structure in the Historic Residential Low – Density Zoning District may exceed 27 feet in height from existing grade. The proposed building height does not exceed 27 feet from existing grade.
22. Structures in the Historic Residential Low – Density Zoning District are capped at 35 feet from the lowest floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters. The lower level (7105') to the upper-level highest wall top plate that supports the ceiling joists (7137') is 32 feet.
23. The downhill façade achieves a ten-foot minimum horizontal step.
24. The contributing Roof Form has a roof pitch of 12:12 that runs the 24-foot width of the Landmark Historic Structure.

25. On July 28, 2021, the Applicant completed a Historic Preservation Plan and Financial Guarantee (Summit County Recorder Entry No. 1169949).
26. The proposed driveway is 12 feet at its narrowest and widens to 17 feet on the property to accommodate access to the home from the 20-foot shared driveway at the rear of the site. Pursuant to LMC § 15-3-3(H), the City Engineer may approve minor variations in driveway widths. At the time of the Lilac Hill East Subdivision (Ordinance No. 2020-02) the City Engineer approved a private drive between Lots 2 and 3 to access all five lots of the Lilac Hill East Subdivision.
27. This shared driveway reduces three individual driveways to provide rear access to the Landmark Historic Lots 1, 2, and 3, reducing the visibility of the automobile on the sites. Condition of Approval 8 requires a landscaping buffer for the proposed deck, which will also reduce the visibility of the driveway pavement at the rear of the site when viewed from Rossie Hill Drive.
28. On February 16, 2022, the Engineering Department reviewed the proposed rear driveway and garage and provided the following input:
29. The five Single-Family Dwelling lots in the Lilac Hill East Subdivision are accessed by a private driveway from Rossie Hill Drive between Lots 2 and 3. The private driveway provides access to the rear of Lots 1, 2, and 3, the Landmark Historic Sites, and to the front of Lots 4 and 5, which may contain new Single-Family Dwellings.
30. There is a 6.75-foot driveway easement in the rear of Lot 1. The proposed driveway for Lot 1 will be 17 feet at its widest to connect the driveway on Lot 1 to the 20-foot private driveway easement, including the 6.75-foot easement in the pavement.
31. The Engineer Department recommends the variation to driveway width for Lot 1 of the Lilac Hill East Subdivision to continue the consistent width for hammer head fire access and for adequate snow storage.
32. The Applicant proposes a transitional element to separate the addition from the Landmark Historic Structure.
33. The Design Review Team reviewed the addition and found the proposed addition is subordinate to the Landmark Historic Structure when viewed from Rossie Hill Drive.
34. The Design Review Team reviewed the addition and found the roof forms of the addition pay homage to the historic roof form, but without direct imitation.

35. The Design Review Team evaluated the addition and found that it complements the visual and physical qualities of the historic building without being an exact copy.
36. The Design Review Team found the addition is a contemporary interpretation of the historic structure's architecture.
37. The Landmark Historic Structure footprint is 540 square feet. The footprint of the addition exceeds 50% of the footprint of the historic structure and is approximately 590 square feet. The Design Review Team found that the transitional element breaks the massing of the addition, and the small addition contains variations in façade setbacks and roof forms that break up the mass. Additionally, an area in the upper addition is set back from the addition's façade by 3' and 7 1/2". A minor shed roof at the main level further breaks the mass.
38. The rear façade is 24 feet. The addition is 16 feet in width and is set back four feet from both corners of the Landmark Historic Structure.
39. The transitional element is set in from the corners of the affected historic elevation by four feet.
40. The least wide historic elevation adjacent to the impacted historic elevation is 22 feet and 3 1/2 inches. The transitional element is 8 feet and 2.5 inches deep.
41. The highest point of the transitional element is a minimum of two feet lower than the highest ridgeline of the historic structure.
42. LMC § 15-13-2(B)(4) outlines requirements for Additions to Primary Structures. Transitional elements and additions are distinguished in the applicable regulations. Subsection (b) outlines transitional elements between additions and Historic Structures. Subsection (c) outlines general compatibility of additions.
43. LMC § 15-13-2(B)(4)(c)(5) states the following regarding large additions: Large additions shall be visually separated from historic buildings when viewed from the public right of way. Where the height of a new addition, site topography (e.g., an uphill addition), or both, the addition shall be set away from the historic structure by a minimum of one-half (1/2) the length of the least-wide historic elevation adjacent to the historic elevation to which the transitional element is attached.
44. The LMC does not define "large additions." However, LMC § 15-15-1 defines Building Footprint as follows: "[t]he total area of the foundation of the structure, or the furthest exterior wall of the structure projected to Natural Grade, not including exterior stairs, patios, decks and Accessory Buildings listed on the Park City Historic Structures Inventory that are not expanded, enlarged or incorporated into the Main Building."

45. Lot 1 of the Lilac Hill East Subdivision is 5,253 square feet and has a Maximum Building Footprint of 1,955 square feet. The proposed Building Footprint is 1,262.5 square feet, 692.5 square feet less than what is otherwise allowed for a lot of this size within the Historic Residential Low – Density Zoning District.
46. The building footprint of the Landmark Historic Structure is 540 square feet. The building footprint of the transitional element between the Landmark Historic Structure and the addition is approximately 130 square feet. Excluding window wells, the building footprint of the addition is approximately 590 square feet.
47. LMC § 15-15-1 defines Gross Residential Floor Area as “[t]he Area of a Building, including all enclosed Areas, consisting of the Area of all floors located under a ceiling that is above Final Grade, measured in square feet. Unenclosed porches, Balconies, patios and decks, vent shafts and courts are not calculated in Gross Residential Floor Area. Garages up to a maximum Area of [400 square feet in Historic Districts], are not considered Floor Area. Basement and Crawl Space Areas below Final Grade are not considered Floor Area. Floor Area is measured from the finished surface of the interior of the exterior boundary walls.”
48. The Gross Residential Floor Area of the first-floor addition is approximately 307 square feet.
49. The Gross Residential Floor Area of the upper level is approximately 461 square feet.
50. The Gross Residential Floor Area of the proposed addition is approximately 768 square feet.
51. The width of the addition’s upper story (approximately 20 feet) does not exceed the width of the Landmark Historic Structure (approximately 23 feet).
52. Additionally, the Planning Director determined the addition is not considered a large addition and found the following:
 - a. The historic form is positioned further back on the site than a typical historic home; it is over 40 feet from Rossie Hill Drive to the front façade of the home
 - b. As viewed from Rossie Hill Drive, the current design provides visual separation between the historic form and the addition
 - c. There would be no perceivable improvement of this separation as viewed from Rossie Hill Drive if the separation of eight feet was increased by three feet
 - d. The current design is smaller in footprint by 238 square feet and in height by two – three feet than the original approved addition for this site
 - e. The proposed addition is not out of proportion to the historic structure nor

does the site topography indicate mitigation of any visual impacts on a street-level viewer of the addition

- f. The site topography slopes uphill from the street at a slope of approximately 20%. The vertical difference between the historic home finish floor and the addition finish floor at the rear of the building is three feet nine inches
53. The garage door does not exceed nine feet in width and nine feet in height
54. Staff published notice on the City's website on February 2, 2022 and posted notice to the property on February 3, 2022. Staff mailed courtesy notice to property owners within 300 feet on February 3, 2022.
55. The public hearing was scheduled for February 17, 2022 but was continued to February 24, 2022. On February 24, 2022, staff continued the public hearing to March 3, 2022. On March 3, 2022, staff continued the public hearing to March 10, 2022. Staff reposted notice to the property for the continuations.

Conclusions of Law

1. The Modification to the Historic District Design Review complies with Ordinance No. 2020-02, the Historic Residential Low – Density Zoning District regulations outlined in Land Management Code Chapter 15-2.1, Historic Preservation regulations outlined in Land Management Code Chapter 15-11, and Design Guidelines for Historic Districts and Sites outlined in Land Management Code Chapter 15-13.

Conditions of Approval

1. The Applicant shall revise the plans to reduce the window wells to the minimum requirements prior to submitting a building permit application.
2. Site plans and building designs must resolve snow release issues to the satisfaction of the Chief Building Official.
3. A Lockout Unit or Accessory Apartment is prohibited.
4. The Applicant's Historic Preservation Plan and financial guarantee require preservation of exterior features. The conditions of the Historic Preservation Plan continue to apply to this Modification of the Historic District Design Review.
5. Distinctive materials, components, finishes, and examples of craftsmanship should be preserved.
6. Deteriorated or damaged historic features and elements should be repaired rather than replaced.

7. Construction should be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment could be restored.
8. The Applicant must include additional landscaping to provide shielding for the side yard deck and privacy between properties, as well as for screening of the driveway pavement, in the plans submitted for a building permit, subject to Planning Director review and approval.
9. Landscaping shall be water-efficient with drought-tolerant plants and water-wise landscaping.
10. Landscaping along Rossie Hill shall be designed to enhance the pedestrian experience.
11. Parking within the private driveway easement is prohibited.
12. The site shall be returned to original grade following construction of the foundation. No more than six inches of the new foundation shall be visible above final grade along the primary and secondary facades.
13. A plinth or trim board shall be added at the base of the Historic Structure to visually anchor the structure to the new foundation.
14. Half-round hanging gutters are most appropriate.
15. Downspouts shall be located away from architectural features and be visually minimized when viewed from Rossie Hill Drive.
16. Communication equipment shall be visually minimized from Rossie Hill Drive.
17. Additions shall not contribute significantly to the removal or loss of historic material.
18. The new foundation and basement addition shall not raise the historic structure more than two feet from its original floor elevation.
19. All Historic District Design Review Conditions of Approval continue to apply to this modification.
20. Mechanical systems in the home must be replaced with code-compliant systems and new equipment shall be to the rear of the property.
21. The Applicant shall verify the deck is not more than 30 inches in height from Final Grade within the side setback prior to submitting a Building Permit application.

ADOPTION OF MINUTES

Planner Sebright read the meeting minutes. The Planning Director approved the adoption of the minutes.

Administrative Action Meeting
March 10, 2022
Page 14

The Park City Administrative Action meeting adjourned at 12:41 PM

Approved by Planning Director:

A handwritten signature in blue ink, appearing to read "John M. [unclear]", with a long horizontal flourish extending to the right.



Polly McLean, Attorney at Law

March 3, 2022

Ms. Gretchen Milliken
Park City Planning Director
Via email Gretchen Milliken <gretchen.milliken@parkcity.org>

Re: 741 Rossi HDDR

Dear Gretchen,

Please accept the following public input from the property owners of 685 Rossi Hill which is adjacent to this project. We appreciate the work which has gone into the redesign and the very thorough staff report.

ISSUE I: The project fails to comply with LMC 15-13-2 (B)(4)(c)(5).

“**Large additions shall** be visually separated from historic buildings when viewed from the public right of way. **Where the height of a new addition, site topography (e.g., an uphill addition), or both, the addition shall** be set away from the historic structure by a minimum of one-half (1/2) the length of the least-wide historic elevation adjacent to the historic elevation to which the transitional element is attached.” (emphasis added). (p.16 of the staff report).

There is no getting around the fact that the addition is “large.”

- The existing historic house is 540 sf. The total new square footage is 2316 sf. which is more than 4 times as big. Even if just looking at the new main and upper level, they total 1054 SF which is almost **double** the size of the historic square footage.
- The proposed footprint is 1,262 sf. The historic house footprint is 540 sf. The new footprint is 1.5 times the size of the historic house.

It also squarely meets the example within the section “an uphill addition” and “height of the addition” where this applies

- The site topography slopes uphill from the street at a slope of approximately 20%.
- The ridge line of the new addition **is 11’8” higher** than the ridgeline of the historic house which is almost a story above the historic house.

While we understand some of the mitigations staff is trying to rely upon, those mitigations do not allow a variance to the code which is mandatory (SHALL). If the City doesn’t believe that this provision should apply, the code needs to be amended. As written, the addition must be set away from the historic **structure by a minimum of one-half (1/2) the length**. On its face, this provision applies and must be adhered to.

Because the size of the addition is four times as large as the historic house and the footprint is 1.5 times as big and the addition is higher and above the historic house, the addition must be classified as “large.” The

code suggests that only additions that are less than 50% of the footprint of the historic structure are not large. The provisions of the Code must apply which require the length of transitional element to be $\frac{1}{2}$ the length of the least wide historic elevation. The least wide historic elevation is 22 feet and 3.5 inches. Therefore the length of the transitional element must be at least 11 feet and 1.75" (currently the plans reflect it is 8 feet and 2.5")

ISSUE II:

The determination of that the addition is subordinate is not correct.. The code recommends that the addition not exceed 50% of the footprint of the historic structure. LMC 15-13-2 (B)(4)(c)(3). Yet, here the footprint is close to 150% of the footprint. Although the code allows for breaking up the mass, the fact that the addition looms over the historic structure almost one story higher and twice as big, does not allow for a finding that it is subordinate.

ISSUE III:

Condition of Approval 8 states that additional landscaping is required to provide shielding for a proposed deck and privacy between properties. How can we confirm this landscaping will take place?

ISSUE IV:

Any snowshed release issues on the east side (between the neighbors and this project) must be addressed now with the design to avoid trespass of snowshed in the future.

ISSUE V:

The final action letter findings of fact are conclusory. We would ask that the findings in the staff report be incorporated as part of the findings of the final action letter. In addition, there is nothing linking this set of plans to the final action letter.

Based on the forgoing, we ask that you deny the HDDR because it does not comply with LMC 15-13-2 (B)(4)(c)(5) on its face, and the other issues listed above.

Sincerely,

PEAK LAW



Polly Samuels McLean

CC: Clients

March 4, 2022

VIA EMAIL (gretchen.milliken@parkcity.org)

Gretchen Milliken, Planning Director
Park City Municipal Corporation

Re: 741 Rossie Hill Drive, Park City, Utah; Response to HDDR Objection by Owners of 685 Rossie Hill Drive

Dear Gretchen:

We represent applicant Lilac Hill East Development, Inc. (“Applicant”), the owner of 741 Rossi Hill Drive (the “Property”) in connection with its current application for an addition to the historical residence on the Property (the “Project”) and the objections raised yesterday in writing and in the Administrative Hearing by the owners of 685 Rossie Hill Drive, Park City, Utah (“685 Owner”). Applicant is writing to express its support the Planning Department’s March 3, 2022 Staff Report and to address the objections raised by the 685 Owner.

The first and primary main issue raised by 685 Owner is that the Project consisting of a planned 630-square-foot addition (footprint)¹ to a 540-square-foot (footprint) historic residence qualifies as a “large” addition under Section 15-13-2(B)(4)(c)(v) of the Park City Land Management Code. This provision is comprised of two sentences:

1. Large additions shall be visually separated from historic buildings when viewed from the public right of way.
2. Where the height of a new addition, site topography (e.g., an uphill addition), or both, [sic] the addition shall be set away from the historic structure by a minimum of one-half (1/2) the length of the least-wide historic elevation adjacent to the historic elevation to which the transitional element is attached.

This ordinance was amended in 2019. Before that amendment, it stated only that “[l]arge additions should be visually separated from historic buildings when viewed from the public right of way.” The increased transitional element requirement was added with the 2019 amendment to this ordinance.

In the Staff Report, the Planning Department determined that the proposed addition is not a “large” addition for the reasons set forth in the report. Applicant agrees with the Planning Department that the proposed 630-square-foot addition is not a “large” addition within the meaning of the Land Management Code.

¹ 685 Owner’s objection incorrectly refers to the footprint of the addition as 1,262 s.f.

First, application of the new “large” addition standard to the Property would not be consistent with other similar historic projects submitted and approved since the 2019 Amendment was adopted. See 1125 Park Avenue, 1129 Park Avenue, 1062 Park Avenue and 1060 Park Avenue as examples.

Second, from the syntax of the first sentence of this section, it is clear that the question of “largeness” is not one that is supposed to be answered with a calculator, but rather has to do with the impression made on a viewer standing on the street. The phrases “visually separated” and “viewed from the public right of way” support this interpretation. Since there is no published definition of “large” to refer to here, the question of whether a given addition is “large” is a subjective standard which clearly has more to do with perceived massing than footprint, and is aimed at additions that “dwarf” the historic structure. So the footprint of the addition is not the relevant measurement. If it were, then the LMC could simply have included a formula, as it does in other contexts.

Third, the second sentence imposing the larger transitional element is vague and is clearly missing word or phrase. Only “where the height of a new addition, site topography (e.g., and uphill addition), or both [___?___],” is the larger transitional element required. The key words in this sentence are missing. Applicant cannot reasonably be expected to comply with an incomprehensible ordinance.

Fourth, the proposed addition to the Property is not out of proportion to the historic structure, nor does the site topography indicate mitigation of any visual impacts on a street-level viewer of the addition. The historic form is positioned further back on the site than a typical historic home. It is over forty feet from the public right-of-way to the front façade of the residence. As viewed from the public right-of-way the current design provides visual separation between the historic form and the additions. There would be no perceivable improvement from the perspective of a viewer standing on the public right-of-way (the only perspective that matters here), if the current transitional element was increased by three feet.

Fifth, the site topography slopes uphill only slightly on this site. The vertical difference between the historic home finish floor and the addition finish floor at the rear of the building is only three feet and nine inches. The vertical change required to trigger Section 15-13-2(B)(4)(c)(v) is undefined by the LMC. In light of the ambiguity inherent in this part of the provision due to the missing word or phrase identified above, the applicant submits that a change of at least a story in site topography should be required to trigger application of the more restrictive ordinance.

685 Owner’s second complaint is in reference to Section 15-13-2(B)(4)(c)(iii) of the Park City Land Management Code. This provision provides:

Additions shall be subordinate in scale to the primary historic structure. The footprint of an addition shall not exceed 50% of the footprint of the historic structure, including any additions that have achieved historic significance in their own right. If the footprint of the addition approaches or exceeds 50% of the

footprint of the historic structure, the mass shall be broken into modules to reflect the mass and scale of those modules seen on the historic structure.

Applicant supports the Design Review Team's findings on this point, and agrees that though the footprint of the proposed addition exceeds 50% of the footprint of the historic structure (i.e., has a footprint of greater than 270 s.f.), "the transitional element breaks the massing of the addition, and the small addition contains variations in façade setbacks and roof forms that break up the mass." The Design Review Team's finding is all that is required here.

685 Owner's third issue is a concern that Applicant may not actually construct the landscaping required by Condition of Approval 8. This is not a valid concern, as the City has the ability to enforce this condition by withholding a certificate of occupancy when construction is complete until the landscaping condition is met.

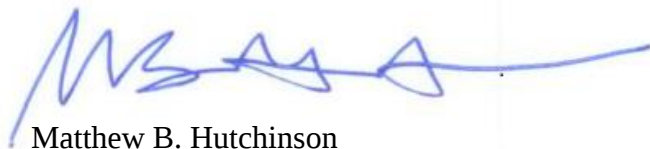
685 Owner's fourth issue is a concern relating to future snow shedding trespassing on 685 owner's property. It is our understanding that these issues are in the purview of the building official, not the Planning Department. This is why plans submitted for building permits need to "address snow shed to the satisfaction of the building official. Applicant will comply with whatever requirements imposed by the Building Department to mitigate the risk of snow shedding onto the neighbor's property.

Applicant has no objection to the findings of the Staff Report being incorporated into the findings of the final action letter.

If you have any questions, please call.

Sincerely,

HOGGAN LEE HUTCHINSON



Matthew B. Hutchinson

cc: Jonathan DeGray (via e-mail)
Lilac Hill East Development, Inc. (via e-mail)
Polly McLean (via e-mail)



Planning Department

March 14, 2022

Lilac Hill East, LLC

CC: Jonathan DeGray

NOTICE OF PLANNING DIRECTOR ACTION

Description

Address: 741 Rossie Hill Drive (formerly 660 Rossie Hill Drive)

Zoning District: Historic Residential Low – Density

Application: Modification to a Historic District Design Review

Project Number: PL-22-05148

Action: APPROVED WITH CONDITIONS (See Below)

Date of Final Action: March 10, 2022

Project Summary: The Applicant proposes modifications to a Historic District Design Review to construct an addition and rehabilitate a Landmark Historic Structure

Action Taken

On March 10, 2022, the Planning Director conducted a public hearing and approved the Modifications to a Historic District Design Review outlined in Attachment 1 according to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. 741 Rossie Hill Drive (formerly 660 Rossie Hill Drive) is a one-story frame hall-parlor Single-Family Dwelling built around 1895 during the Mature Mining Era (1894-1930).
2. 741 Rossie Hill Drive is Lot 1 of the Lilac Hill East Subdivision (Summit County Recorder Entry No. 1164826).
3. In 1984, 741 Rossie Hill Drive was listed on the National Register of Historic Places as part of the Park City Mining Boom Era Residences Thematic District.
4. 741 Rossie Hill Drive is a Landmark Historic Structure on the Park City Historic Sites Inventory.



Planning Department

5. On February 16, 2017, the City Council adopted Ordinance No. 2017-05 to rezone the area from Residential Medium to Historic Residential Low – Density to decrease Density from 24 to eight units.
6. On January 9, 2020, the City Council adopted Ordinance No. 2020-02, approving the Lilac Hill East Subdivision to create five Single-Family Dwelling Lots, one Lot for each Landmark Historic Structure, and two new Lots to the rear of the Landmark Historic Structures for new Single-Family Dwellings. Approval of the Lilac Hill East Subdivision changed the address for this property from 660 Rossie Hill Drive to 741 Rossie Hill Drive.
7. On February 25, 2021, the City Council adopted Ordinance No. 2021-09, extending the Lilac Hill East Subdivision approval for one year.
8. On May 5, 2021, the Historic Preservation Board approved the Material Deconstruction of a portion of the rear façade to accommodate an addition and garage, and the lifting of the Landmark Historic Structure for a new foundation.
9. On June 22, 2021, the Planning Department approved a Historic District Design Review for the rehabilitation of the Landmark Historic Structure and the addition.
10. After approval, the Applicant and staff were made aware of setbacks more restrictive than the Land Management Code outlined in Ordinance No. 2020-02 approving the Lilac Hill East Subdivision.
11. The Applicant submitted a Modification to the Historic District Design Review and presents a new design to comply with the more restrictive setbacks.
12. The Design Review Team reviewed the modifications to the Historic District Design Review on January 5, 2022. The Applicant incorporated Design Review Team input into the proposed plans.
13. Ordinance No. 2020-02 Finding of Fact 17 establishes the following setbacks for Lot 1 of the Lilac Hill East Subdivision:

Setback Requirement	Analysis of Proposal
Side Setbacks – Five feet for a total of 18 feet	Condition of Approval The eastern side setback is seven feet. Two window wells are proposed in the eastern side setback to provide egress for bedrooms. LMC § 15-2.1-3(J)(3) allows for window wells not exceeding the minimum IRC or IBC requirements in side setbacks for Lots with a minimum side setback of five feet or greater. According to the Building Department, the minimum window well must be a



Planning Department

	minimum of three feet wide and three feet measured from the face of the wall to the front edge of the window well. Condition of Approval 1 requires the Applicant to revise the plans to reduce the window wells to the minimum requirements prior to submitting a Building Permit application. The western side setback is 11 feet. The Applicant proposes an at-grade deck that extends into the western side setback. LMC § 15-2.1-3(J)(6) allows for decks not more than 30 inches in height from Final Grade to be within the side setback. Condition of Approval 21 requires the Applicant to verify compliance with the 30-inch height cap prior to submitting a Building Permit application. The Applicant proposes a hot tub on the deck. LMC § 15-2.1-3(J)(11) allows hot tubs to be within the side setback, so long as they retain at least a three-foot setback from the side lot line. The hot tub exceeds the three-foot setback requirement.
Front Setback – 15 feet	Complies The front setback exceeds 15 feet. A concrete pad at the base of the front stairs is proposed to encroach into the 15-foot front setback. LMC § 15-2.1-3(G) exempts sidewalks and pathways from front setback requirements.
Rear Setback – 15 feet	Complies The rear setback is 15 feet. A roof overhang projecting two feet into the rear setback is proposed for the rear entryway. LMC § 15-2.1-3(H) allows for roof overhangs projecting not more than two feet into the rear setback.

14. 741 Rossie Hill is a Landmark Historic Structure in the Historic Residential Low – Density Zoning District.
15. The purposes of the Historic Residential Low – Density Zoning District include encouraging the preservation of Historic Buildings and construction of Historically Compatible Structures.



Planning Department

16. Single-Family Dwellings are an allowed use in the Historic Residential Low – Density Zoning District.

17. The table below outlines the Lot and Site Requirements for properties in the Historic Residential Low – Density Zoning District:

Requirement	Analysis of Proposal
Minimum Lot Area – 3,750 square feet	Complies Lot 1 of the Lilac Hill East Subdivision is 5,253 square feet
Minimum Lot Width measured 15 feet from the front Lot line – 35 feet	Complies Lot 1 of the Lilac Hill East Subdivision is 79 feet wide at the front. Measured 15 feet from the front Lot line, Lot 1 is approximately 63 feet wide.
Maximum Building Footprint MAXIMUM FOOTPRINT = $\text{LOT AREA}/2 \times 0.9^{\text{LOT AREA}/1875}$	Complies Lot 1 of the Lilac Hill East Subdivision is 5,253 square feet and has a Maximum Building Footprint of 1,955 square feet. The proposed Building Footprint is 1,262.5 square feet.
Snow Release	Condition of Approval 2 Site plans and building designs must resolve snow release issues to the satisfaction of the Chief Building Official. The Landmark Historic Structure will be rehabilitated in its original location once a new foundation is poured. A snow shed agreement may be required when a new structure has a roof slope of 4:12 or greater. The proposed roof for the addition, a non-contributing roof form, has a roof slope of 3:12 on the seven-foot east side setback and a 7:12 roof slope on the 11-foot west side setback.

18. Single-Family Dwellings must provide two on-site parking spaces. However, pursuant to LMC § 15-2.1-4, Historic Structures in the Historic Residential Low – Density Zoning District that do not comply with off-street parking are valid Non-Complying Structures.



Planning Department

19. Additions to Historic Structures are exempt from off-street parking requirements provided the addition does not create a Lockout Unit or Accessory Apartment. Condition of Approval 3 prohibits the creation of a Lockout Unit or Accessory Apartment for 741 Rossie Hill Drive.
20. The proposed plans include one parking space for 741 Rossie Hill in a rear garage, accessed from a private drive off Rossie Hill Drive. LMC § 15-3-4(A)(1) requires a single car garage to have a minimum interior dimension of 11 feet in width and 20 feet in depth. The proposed garage complies and is 12 feet in width and 20 feet in depth.
21. No structure in the Historic Residential Low – Density Zoning District may exceed 27 feet in height from existing grade. The proposed building height does not exceed 27 feet from existing grade.
22. Structures in the Historic Residential Low – Density Zoning District are capped at 35 feet from the lowest floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters. The lower level (7105') to the upper-level highest wall top plate that supports the ceiling joists (7137') is 32 feet.
23. The downhill façade achieves a ten-foot minimum horizontal step.
24. The contributing Roof Form has a roof pitch of 12:12 that runs the 24-foot width of the Landmark Historic Structure.
25. On July 28, 2021, the Applicant completed a Historic Preservation Plan and Financial Guarantee (Summit County Recorder Entry No. 1169949).
26. The proposed driveway is 12 feet at its narrowest and widens to 17 feet on the property to accommodate access to the home from the 20-foot shared driveway at the rear of the site. Pursuant to LMC § 15-3-3(H), the City Engineer may approve minor variations in driveway widths. At the time of the Lilac Hill East Subdivision (Ordinance No. 2020-02) the City Engineer approved a private drive between Lots 2 and 3 to access all five lots of the Lilac Hill East Subdivision.
27. This shared driveway reduces three individual driveways to provide rear access to the Landmark Historic Lots 1, 2, and 3, reducing the visibility of the automobile on the sites. Condition of Approval 8 requires a landscaping buffer for the proposed deck, which will also reduce the visibility of the driveway pavement at the rear of the site when viewed from Rossie Hill Drive.
28. On February 16, 2022, the Engineering Department reviewed the proposed rear driveway and garage and provided the following input:
29. The five Single-Family Dwelling lots in the Lilac Hill East Subdivision are accessed by a private driveway from Rossie Hill Drive between Lots 2 and 3. The



Planning Department

private driveway provides access to the rear of Lots 1, 2, and 3, the Landmark Historic Sites, and to the front of Lots 4 and 5, which may contain new Single-Family Dwellings.

30. There is a 6.75-foot driveway easement in the rear of Lot 1. The proposed driveway for Lot 1 will be 17 feet at its widest to connect the driveway on Lot 1 to the 20-foot private driveway easement, including the 6.75-foot easement in the pavement.
31. The Engineer Department recommends the variation to driveway width for Lot 1 of the Lilac Hill East Subdivision to continue the consistent width for hammer head fire access and for adequate snow storage.
32. The Applicant proposes a transitional element to separate the addition from the Landmark Historic Structure.
33. The Design Review Team reviewed the addition and found the proposed addition is subordinate to the Landmark Historic Structure when viewed from Rossie Hill Drive.
34. The Design Review Team reviewed the addition and found the roof forms of the addition pay homage to the historic roof form, but without direct imitation.
35. The Design Review Team evaluated the addition and found that it complements the visual and physical qualities of the historic building without being an exact copy.
36. The Design Review Team found the addition is a contemporary interpretation of the historic structure's architecture.
37. The Landmark Historic Structure footprint is 540 square feet. The footprint of the addition exceeds 50% of the footprint of the historic structure and is approximately 590 square feet. The Design Review Team found that the transitional element breaks the massing of the addition, and the small addition contains variations in façade setbacks and roof forms that break up the mass. Additionally, an area in the upper addition is set back from the addition's façade by 3' and 7 1/2". A minor shed roof at the main level further breaks the mass.
38. The rear façade is 24 feet. The addition is 16 feet in width and is set back four feet from both corners of the Landmark Historic Structure.
39. The transitional element is set in from the corners of the affected historic elevation by four feet.
40. The least wide historic elevation adjacent to the impacted historic elevation is 22 feet and 3 1/2 inches. The transitional element is 8 feet and 2.5 inches deep.



Planning Department

41. The highest point of the transitional element is a minimum of two feet lower than the highest ridgeline of the historic structure.
42. LMC § 15-13-2(B)(4) outlines requirements for Additions to Primary Structures. Transitional elements and additions are distinguished in the applicable regulations. Subsection (b) outlines transitional elements between additions and Historic Structures. Subsection (c) outlines general compatibility of additions.
43. LMC § 15-13-2(B)(4)(c)(5) states the following regarding large additions: Large additions shall be visually separated from historic buildings when viewed from the public right of way. Where the height of a new addition, site topography (e.g., an uphill addition), or both, the addition shall be set away from the historic structure by a minimum of one-half (1/2) the length of the least-wide historic elevation adjacent to the historic elevation to which the transitional element is attached.
44. The LMC does not define "large additions." However, LMC § 15-15-1 defines Building Footprint as follows: "[t]he total area of the foundation of the structure, or the furthest exterior wall of the structure projected to Natural Grade, not including exterior stairs, patios, decks and Accessory Buildings listed on the Park City Historic Structures Inventory that are not expanded, enlarged or incorporated into the Main Building."
45. Lot 1 of the Lilac Hill East Subdivision is 5,253 square feet and has a Maximum Building Footprint of 1,955 square feet. The proposed Building Footprint is 1,262.5 square feet, 692.5 square feet less than what is otherwise allowed for a lot of this size within the Historic Residential Low – Density Zoning District.
46. The building footprint of the Landmark Historic Structure is 540 square feet. The building footprint of the transitional element between the Landmark Historic Structure and the addition is approximately 130 square feet. Excluding window wells, the building footprint of the addition is approximately 590 square feet.
47. LMC § 15-15-1 defines Gross Residential Floor Area as "[t]he Area of a Building, including all enclosed Areas, consisting of the Area of all floors located under a ceiling that is above Final Grade, measured in square feet. Unenclosed porches, Balconies, patios and decks, vent shafts and courts are not calculated in Gross Residential Floor Area. Garages up to a maximum Area of [400 square feet in Historic Districts], are not considered Floor Area. Basement and Crawl Space Areas below Final Grade are not considered Floor Area. Floor Area is measured from the finished surface of the interior of the exterior boundary walls."
48. The Gross Residential Floor Area of the first-floor addition is approximately 307 square feet.



Planning Department

49. The Gross Residential Floor Area of the upper level is approximately 461 square feet.
50. The Gross Residential Floor Area of the proposed addition is approximately 768 square feet.
51. The width of the addition's upper story (approximately 20 feet) does not exceed the width of the Landmark Historic Structure (approximately 23 feet).
52. Additionally, the Planning Director determined the addition is not considered a large addition and found the following:
 - a. The historic form is positioned further back on the site than a typical historic home; it is over 40 feet from Rossie Hill Drive to the front façade of the home
 - b. As viewed from Rossie Hill Drive, the current design provides visual separation between the historic form and the addition
 - c. There would be no perceivable improvement of this separation as viewed from Rossie Hill Drive if the separation of eight feet was increased by three feet
 - d. The current design is smaller in footprint by 238 square feet and in height by two – three feet than the original approved addition for this site
 - e. The proposed addition is not out of proportion to the historic structure nor does the site topography indicate mitigation of any visual impacts on a street-level viewer of the addition
 - f. The site topography slopes uphill from the street at a slope of approximately 20%. The vertical difference between the historic home finish floor and the addition finish floor at the rear of the building is three feet nine inches
53. The garage door does not exceed nine feet in width and nine feet in height
54. Staff published notice on the City's website on February 2, 2022 and posted notice to the property on February 3, 2022. Staff mailed courtesy notice to property owners within 300 feet on February 3, 2022.
55. The public hearing was scheduled for February 17, 2022 but was continued to February 24, 2022. On February 24, 2022, staff continued the public hearing to March 3, 2022. On March 3, 2022, staff continued the public hearing to March 10, 2022. Staff reposted notice to the property for the continuations.

Conclusions of Law

1. The Modification to the Historic District Design Review complies with Ordinance No. 2020-02, the Historic Residential Low – Density Zoning District regulations outlined in Land Management Code Chapter 15-2.1, Historic Preservation



Planning Department

regulations outlined in Land Management Code Chapter 15-11, and Design Guidelines for Historic Districts and Sites outlined in Land Management Code Chapter 15-13.

Conditions of Approval

1. The Applicant shall revise the plans to reduce the window wells to the minimum requirements prior to submitting a building permit application.
2. Site plans and building designs must resolve snow release issues to the satisfaction of the Chief Building Official.
3. A Lockout Unit or Accessory Apartment is prohibited.
4. The Applicant's Historic Preservation Plan and financial guarantee require preservation of exterior features. The conditions of the Historic Preservation Plan continue to apply to this Modification of the Historic District Design Review.
5. Distinctive materials, components, finishes, and examples of craftsmanship should be preserved.
6. Deteriorated or damaged historic features and elements should be repaired rather than replaced.
7. Construction should be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment could be restored.
8. The Applicant must include additional landscaping to provide shielding for the side yard deck and privacy between properties, as well as for screening of the driveway pavement, in the plans submitted for a building permit, subject to Planning Director review and approval.
9. Landscaping shall be water-efficient with drought-tolerant plants and water-wise landscaping.
10. Landscaping along Rossie Hill shall be designed to enhance the pedestrian experience.
11. Parking within the private driveway easement is prohibited.
12. The site shall be returned to original grade following construction of the foundation. No more than six inches of the new foundation shall be visible above final grade along the primary and secondary facades.
13. A plinth or trim board shall be added at the base of the Historic Structure to visually anchor the structure to the new foundation.
14. Half-round hanging gutters are most appropriate.
15. Downspouts shall be located away from architectural features and be visually minimized when viewed from Rossie Hill Drive.



Planning Department

16. Communication equipment shall be visually minimized from Rossie Hill Drive.
17. Additions shall not contribute significantly to the removal or loss of historic material.
18. The new foundation and basement addition shall not raise the historic structure more than two feet from its original floor elevation.
19. All Historic District Design Review Conditions of Approval continue to apply to this modification.
20. Mechanical systems in the home must be replaced with code-compliant systems and new equipment shall be to the rear of the property.
21. The Applicant shall verify the deck is not more than 30 inches in height from Final Grade within the side setback prior to submitting a Building Permit application.

If you have questions or concerns regarding this Final Action Letter, please call 435-615-5060 or email planning@parkcity.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gretchen Milliken", with a long, sweeping horizontal line extending to the right.

Gretchen Milliken, Planning Director

CC: Rebecca Ward

ROSSIE HILL

HISTORIC DISTRICT DESIGN REVIEW

PARK CITY, UTAH 84060

CONSULTANTS

STRUCTURAL
SHEN ENGINEERING, INC.
HENRY SHEN
2225 EAST MURRAY HOLLADAY RD.
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CIVIL
ALIANCE ENGINEERING
MICHAEL DEMKOWICZ
324 MAIN STREET
P.O.BOX 2664, PARK CITY, UT 84060
TEL. (435) 649-9467

LEGEND

	BRICK & STONE	OFFICE	ROOM NAME
	EARTH	103	ROOM NUMBER
	CONCRETE		FLOOR, POINT ELEV.
	CONCRETE MASONRY UNIT		CENTER LINE
	STEEL (LARGE SCALE)		ROUND, DIA.
	RIGID INSULATION		CHANNEL
	ROUGH WOOD		ANGLE
	BLOCKING		DETAIL
	ALUMINUM (LARGE SCALE)		SECTION CUT, DETAIL
	GRAVEL		BUILDING SECTION
	FINISHED WOOD		KEYED NOTES
	BATT OR BLOWN INSULATION		WINDOW TYPE
	PLASTER, SAND, GROUT, MORTAR		DOOR NUMBER
	STEEL (SMALL SCALE)		REVISION
	BITUMINOUS PAVING		INTERIOR WALL ELEV.
	PLYWOOD		WALL TYPE
	GYPSUM BOARD		

CODE ANALYSIS

APPLICABLE CODES
2015 IRC 2018 IBC 2018 IPC 2018 IMC 2017 NEC
2018 IFGC 2018 IECC 2018 IFC OCCUPANCY: R2

CONSTRUCTION TYPE: VB BUILDING TO BE
FIRE SPRINKLED: CONTRACTOR TO PROVIDE
APPROVALS PRIOR TO INSTALLATION.

AREA CALCULATIONS (S/F)			
	LIVING AREA	EXISTING	NEW
LOWER LEVEL			1262.5
MAIN LEVEL	540		476.5
UPPER LEVEL			577.5
TOTAL	540	2316.5	2856.5
MECH/STORAGE			42.0
GARAGE			246.0
PATIO AREA			315.0
PORCH / STAIR AREA			74.0
LOD/DISTURBED AREA			
LOT AREA			5,253
ALLOWABLE FOOTPRINT			1,955.5
PROPOSED FOOTPRINT			1,262.5

INDEX TO DRAWINGS

SHEET #	SHEET DESCRIPTION
Aa	COVER SHEET

CIVIL

1	SURVEY
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ARCHITECTURAL

AB1.1	AS-BUILT FLOOR PLAN
AB1.2	AS-BUILT ROOF PLAN
AB2.1	AS-BUILT ELEVATIONS
A0.1	ARCHITECTURAL SITE PLAN
A0.2	
A0.3	
A0.4	
A1.1	LOWER LEVEL FLOOR PLAN
A1.2	MAIN LEVEL FLOOR PLAN
A1.3	UPPER LEVEL / LOWER ROOF PLAN
A1.4	HIGH ROOF PLAN
A2.1	NORTH & EAST ELEVATIONS
A2.2	SOUTH & WEST ELEVATIONS
A3.1	
A5.1	
A5.2	
A6.1	

ABBREVIATIONS

A/C	AIR CONDITIONING	F.D.	FLOOR DRAIN	PR.	PAIR
ACOUST.	ACOUSTICAL	FND	FOUNDATION	R.D.	ROOF DRAIN
ADD.	ADDENDUM	FIN.	FINISH	REG.	REGULAR
ADJ.	ADJUSTABLE	FLR.	FLOOR	R.S.	ROUGH-SAWN
ALLOW.	ALLOWANCE	F.R.	FIRE RATED	RAD.	RADIUS
ALUM.	ALUMINUM	FTG.	FOOTING	REINF.	REINFORCING
APPROX.	APPROXIMATE	G	GAS	REQ'D.	REQUIRED
B.D.	BOARD	G.I.	GALVANIZED IRON	REV.	REVISED
B.U.	BUILT-UP	GALV.	GALVANIZED	RM.	ROOM
B.W.	BOTH WAYS	GRD.	GRADE	R.O.	ROUGH OPENING
BLDG.	BUILDING	G.W.B.	GYPSUM WALL BOARD	S & R	SHELF AND ROD
BLK.	BLOCK	G.L.B.	GLU-LAM BEAM	S.C.	SOLID CORE
BRK.	BRICK	H.B.	HOSE BIBB	SCHED.	SCHEDULE
C.I.	CAST IRON	HD.	HEAD	SHT.	SHEET
C.J.	CONTROL JOINT	H.M.	HOLLOW METAL	SIM.	SIMILAR
C.M.U.	CONCRETE MASONRY UNIT	HOR.	HORIZONTAL	SPEC.	SPECIFICATION
CL.G.	CEILING	ID.	INSIDE DIAMETER	STD.	STANDARD
COL.	COLUMN	INT.	INTERIOR	STL.	STEEL
COMP.	COMPACTED/COMPOSITE	IRRIG.	IRRIGATION	STRUCT.	STRUCTURAL
CONC.	CONCRETE	INSUL.	INSULATION	SYS.	SYSTEM
CONST.	CONSTRUCTION	JB.	JAMB	T & B	TOP AND BOTTOM
CONTR.	CONTRACTOR	JNT.	JOINT	T & G	TONGUE AND GROOVE
CONT.	CONTINUOUS	M.R.	MOISTURE RESISTANT	T.O.	TOP OF
D.F.	DRINKING FOUNTAIN/DOUGLAS FIR	MANFR	MANUFACTURER	T.O.F.	TOP OF FOOTING
DIA.	DIAMETER	MAX.	MAXIMUM	T.O.W.	TOP OF WALL
DIM.	DIMENSION	MECH.	MECHANICAL	TYP.	TYPICAL
DN.	DOWN	MIN.	MINIMUM	T.S.	STEEL TUBE COLUMN
DWG.	DRAWING	MIN.	MINIMUM	UNQ.	UNLESS NOTED OTHERWISE
DTL.	DETAIL	N.	NEW	VERT.	VERTICAL
EA.	EACH	N.I.C.	NOT IN CONTRACT	V.T.R.	VENT THRU ROOF
E.F.	EXHAUST FAN	N.T.S.	NOT TO SCALE	W.	WATER
E.I.F.S.	EXT. INSUL. FINISH SYSTEM	NO.	NUMBER	WD.	WOOD
E.J.	EXPANSION JOINT	O.C.	ON CENTER	W/	WITH
ELEC.	ELECTRIC/ELECTRICAL	O.D.	OUTSIDE DIAMETER	WP.	WATERPROOF
ELEV.	ELEVATION	OF.D.	OVERFLOW DRAIN	W.R.	WATER RESISTANT
EQ.	EQUAL	OPNG	OPENING	W.H.	WATER HEATER
E.T.	EXPANSION TANK	PLYWD.	PLYWOOD	W.S.	WATER SOFTNER
EXIST. (E)	EXISTING	PNT.	PAINT	W.W.F.	WELDED WIRE FABRIC
EXT.	EXTERIOR	PNTD.	PAINTED	W.W.M.	WOVEN WIRE MESH

GENERAL NOTES

1. THIS DESIGN IS AN ORIGINAL UNPUBLISHED WORK AND MAY NOT BE DUPLICATED, PUBLISHED AND/OR USED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT/ENGINEER.
2. THESE SHEETS - LISTED BY DRAWING INDEX, ALL ACCOMPANYING SPECIFICATIONS FOR MATERIALS, WORKMANSHIP QUALITY, AND NOTES HAVE BEEN PREPARED SOLELY FOR THE CONSTRUCTION AND FINISH OF PROJECT IMPROVEMENTS, COMPLETE AND READY FOR OCCUPANCY AND USE.
3. ALL WORK IS TO BE PERFORMED IN ACCORDANCE WITH PERTINENT JURISDICTIONAL CODES, RESTRICTIONS, COVENANTS, AND/OR ORDINANCES. ANY CONFLICT BETWEEN DESIGN AND REQUIREMENT SHALL BE REPORTED TO THE ARCHITECT/ENGINEER BEFORE PROCEEDING.
4. ANY AND ALL PROPOSED CHANGE, MODIFICATIONS AND/OR SUBSTITUTION SHALL BE REPORTED TO THE ARCHITECT/ENGINEER BEFORE PROCEEDING.
5. IN THE EVENT OF CONFLICT BETWEEN THE DESIGN DOCUMENTS AND/OR JURISDICTIONAL REQUIREMENTS, THE MORE RESTRICTIVE FROM THE STANDPOINT OF SAFETY AND PHYSICAL SECURITY SHALL APPLY.
6. ANY INSTALLATION, FINISH, OR COMPONENT INTENDED TO PROVIDE ENCLOSURE, WEATHER ABILITY OR APPEARANCE QUALITY SHALL BE PRODUCED AS A REPRESENTATIVE SAMPLE PRIOR TO PROCEEDING WITH COMPLETION. WORK PERFORMED WITHOUT WRITTEN APPROVAL OF SUCH SAMPLE BY THE ARCHITECT/ENGINEER SHALL BE DONE AT THE RISK OF THE CONTRACTOR. A MINIMUM OF TWO (2) WORKING DAYS NOTICE SHALL BE GIVEN.

7. ALL WORK SHALL BE INSPECTED BY GOVERNING AGENCIES IN ACCORDANCE WITH THEIR REQUIREMENTS. JURISDICTIONAL APPROVAL SHALL BE SECURED BEFORE PROCEEDING WITH WORK.
8. BUILDING DESIGN IS GENERALLY PREDICATED UPON PROVISIONS OF THE 2015 IRC AND AMENDMENTS AS MAY HAVE BEEN LOCALLY ENACTED. ALL REQUIREMENTS OF THE JURISDICTIONAL FIRE SAFETY/PREVENTION DISTRICT SHALL BE ACCOMMODATED BY THIS DESIGN AND ANY CONSEQUENT CONSTRUCTION.
9. ALL 2/5 lb. GAS PIPE SYSTEM METER SETS REQUIRES PRIOR APPROVAL FROM QUESTAR GAS COMPANY. PROVIDE A LETTER FROM QUESTAR APPROVING SYSTEM.
10. ALL FIELD WELDING OR TORCH WORK, WILL REQUIRE A SEPARATE "HOT WORK" PERMIT PRIOR TO BEGINNING WORK. IFC 105.6.11.
11. TOWER CRANES REQUIRE A SEPARATE PERMIT. CONTACT BUILDING DEPARTMENT FOR REQUIREMENTS.
12. EXCAVATION NOT TO EXCEED 2:1 SLOPE WITH OUT A SOILS REPORT.
13. BUILDING SHALL COMPLY WITH THE PROVISIONS IN THE (WUI) WILDLAND - URBAN INTERFACE CODE AS ADOPTED BY THE STATE OF UTAH AND AMENDED BY PARK CITY PER LMC 11-21.

Jonathan DeGray
Architect

P.O. Box 1674, 614 Main Street, Suite 302, Park City,
Utah 84060 Tel. 435-849-7263,
E-mail: degrayarch@qwestoffice.net

Rossie Hill Lot 1
Lilac Hill East Subdivision
741 Rossie Hill Drive
Park City, Ut 84060

COVER SHEET

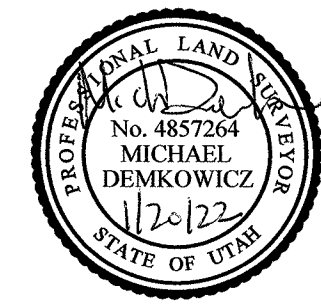
REVISIONS:

DATE:
1/28/2022 3:06:59 PM

PROJECT NUMBER:
Rossie Hill

SHEET NUMBER:

Aa



SURVEYOR'S CERTIFICATE

I, Michael Demkowicz, certify that I am a Professional Land Surveyor and that I hold License No. 4857264, as prescribed by the laws of the State of Utah. I further certify that under my direct supervision a survey has been performed on the hereon described property and that to the best of my knowledge this plat is a correct representation of said survey.

LEGAL DESCRIPTION

Lot 1, Lilac Hill East Subdivision, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

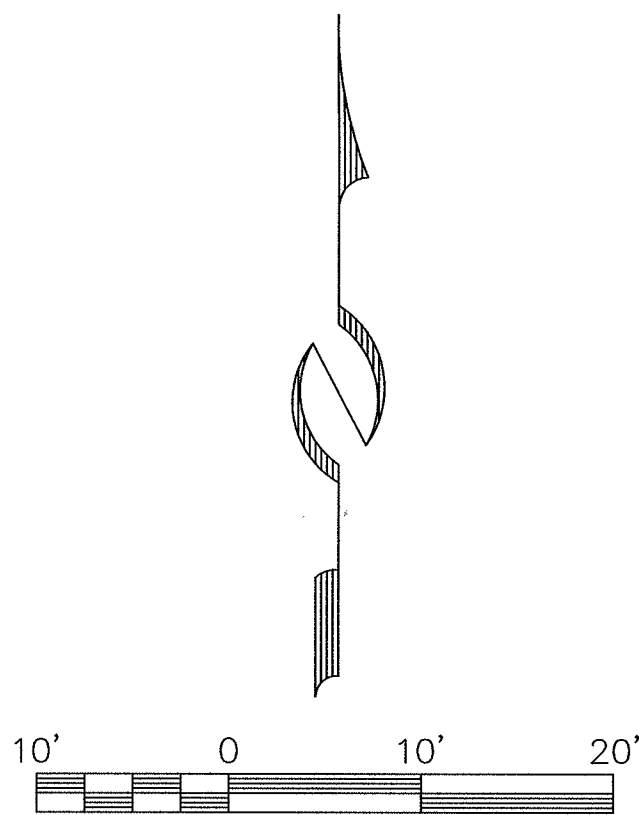
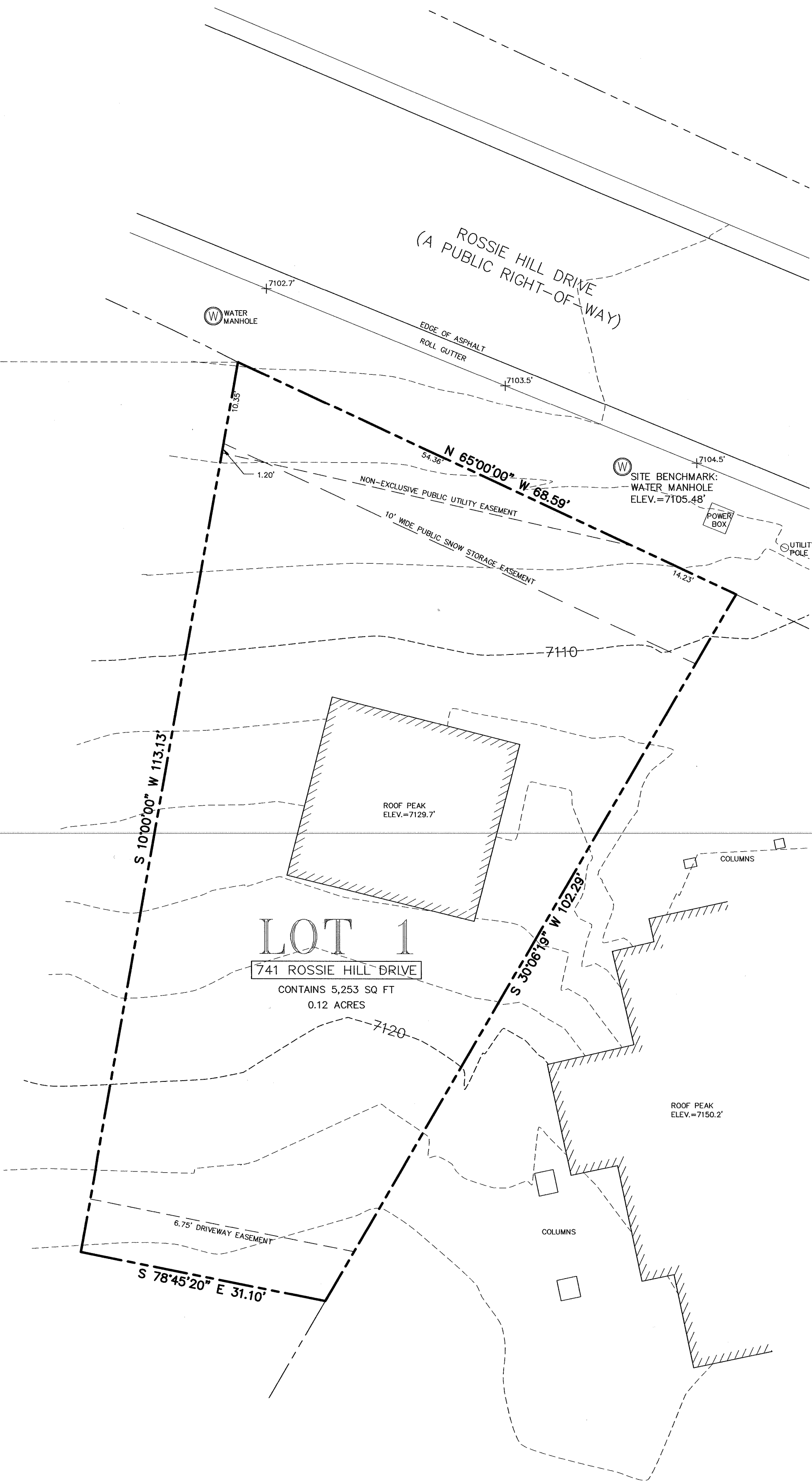
NOTES

1. The Basis of Bearing for this survey is between the section corners as shown.
2. Field work for this survey was performed October 3, 2018, and was updated January 20, 2022.
3. Site Benchmark: Water Manhole, Elevation = 7105.48' as shown.
4. The architect is responsible for verifying building setbacks, zoning requirements and building heights.

EAST 1/4 CORNER
SECTION 16 T2S R4E SLB&M
3 1/2" BRASS CAP
ON 2 1/4" IRON PIPE

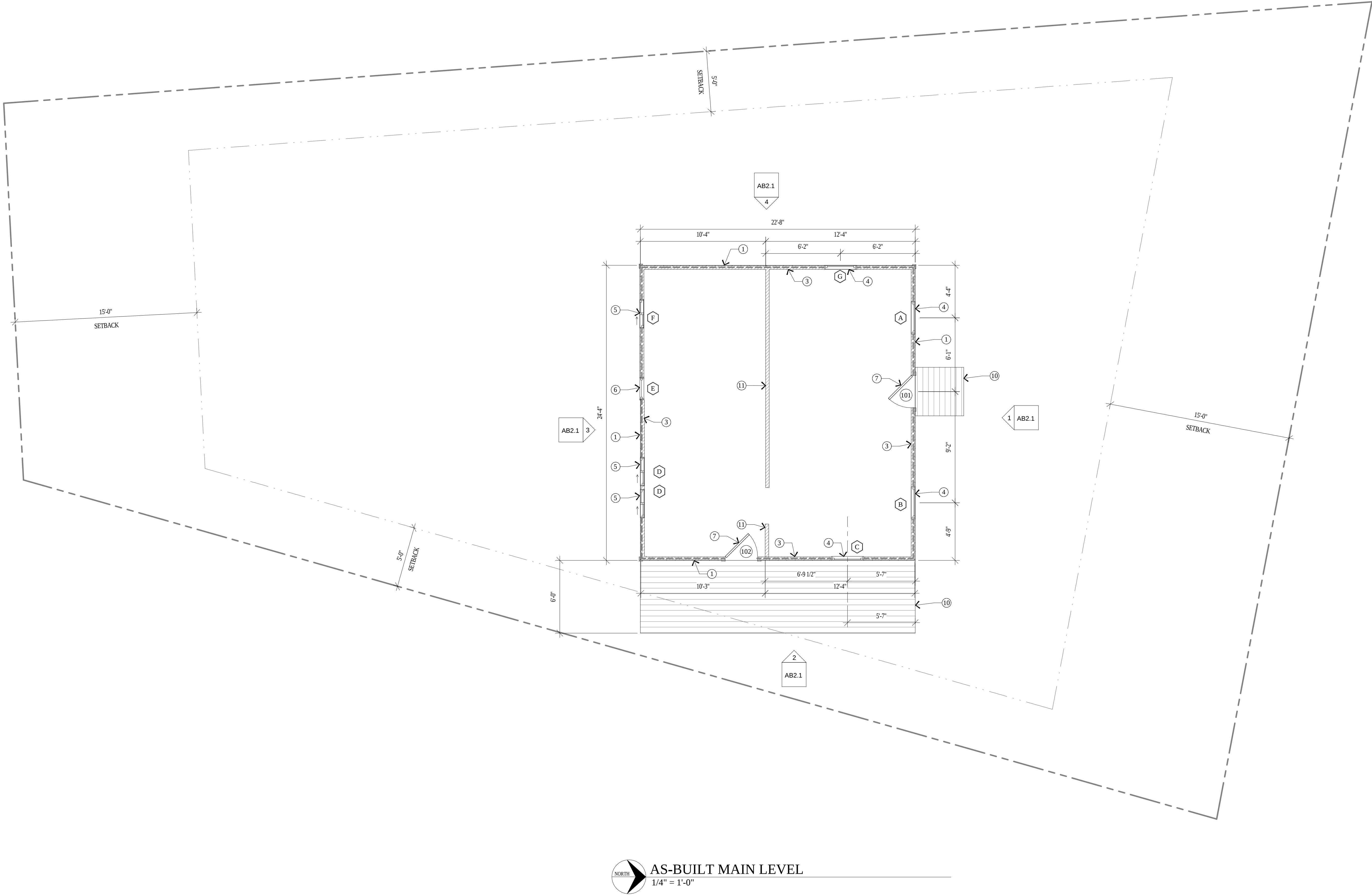
BASIS OF BEARING - SECTION LINE - S 00°30'11" W 2630.05' (2629.80' MEAS.)
1970.64'

SOUTHEAST CORNER
SECTION 16 T2S R4E SLB&M
2 1/2" IRON PIPE
FILLED WITH CONCRETE



(435) 649-9467 <i>Alliance Engineering Inc.</i> CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	STAFF: MICHAEL DEMKOWICZ MARSHALL KING GARY PRATT DATE: 1/20/2022	EXISTING CONDITIONS & TOPOGRAPHIC MAP LILAC HILL EAST SUBDIVISION, LOT 1 741 ROSSIE HILL DRIVE FOR: LILAC HILLS EAST, LLC JOB NO.: 3-9-18 FILE: X:\EastofOldTown\dwg\srvy\srvy2018\030918-lot 1.dwg	SHEET 1 OF 1
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THE GRAPHIC MATERIAL AND DESIGN ON THIS SHEET ARE INSTRUMENTS OF SERVICE AND REMAIN AT ALL TIMES THE PROPERTY OF JONATHAN DEGRAY - ARCHITECT P.C. REPRODUCTION OR REUSE OF THE MATERIAL AND DESIGN CONTAINED HEREIN IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF JONATHAN DEGRAY - ARCHITECT P.C. VIOLATORS WILL BE PROSECUTED TO THE FULLEST EXTENT OF THE LAW.
JONATHAN DEGRAY - ARCHITECT P.C. ALL RIGHTS RESERVED



AS-BUILT MAIN LEVEL

1/4" = 1'-0"

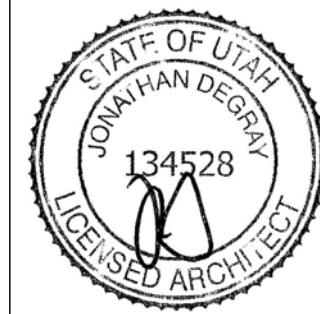
WALL LEGEND

- EXISTING FRAMED WALL
- EXISTING HISTORIC FRAMED WALL

ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION

KEY NOTES

- 1x8 HORIZONTAL SHIPLAP SIDING, 2x4 FRAMING (HISTORIC).
- 1x8 FRIEZE BOARD (HISTORIC)
- 1/2" GYPSUM BOARD (NON-HISTORIC)
- DOUBLE HUNG WOOD WINDOW (HISTORIC)
- SLIDING WOOD WINDOW (HISTORIC)
- FIXED WOOD WINDOW (HISTORIC)
- FRAME & PANEL WOOD DOOR (HISTORIC)
- ASPHALT SHINGLES (NON-HISTORIC)
- ASPHALT ROLL ROOFING (NON-HISTORIC)
- WOOD DECK
- INTERIOR 2x4 WALL w/ GYPSUM BOARD BOTH SIDES. (NON-HISTORIC)
- 1x4 WOOD CORNER TRIM (HISTORIC)
- VERTICAL T&G SIDING (HISTORIC)
- BRICK CHIMNEY (HISTORIC)



Jonathan DeGray
Architect

P.O. Box 1674, 614 Main Street, Suite 302, Park City,
Utah 84060 Tel. 435-649-7263,
E-mail: deggrayarch@qwestoffice.net

PROJECT DESCRIPTION:

Rossie Hill Lot 1
Lilac Hill East Subdivision
741 Rossie Hill Drive
Park City, Ut 84060

SHEET DESCRIPTION:

AS-BUILT FLOOR PLAN

REVISIONS:

DATE:
8/13/2021 6:49:02 AM

PROJECT NUMBER:
Rossie Hill

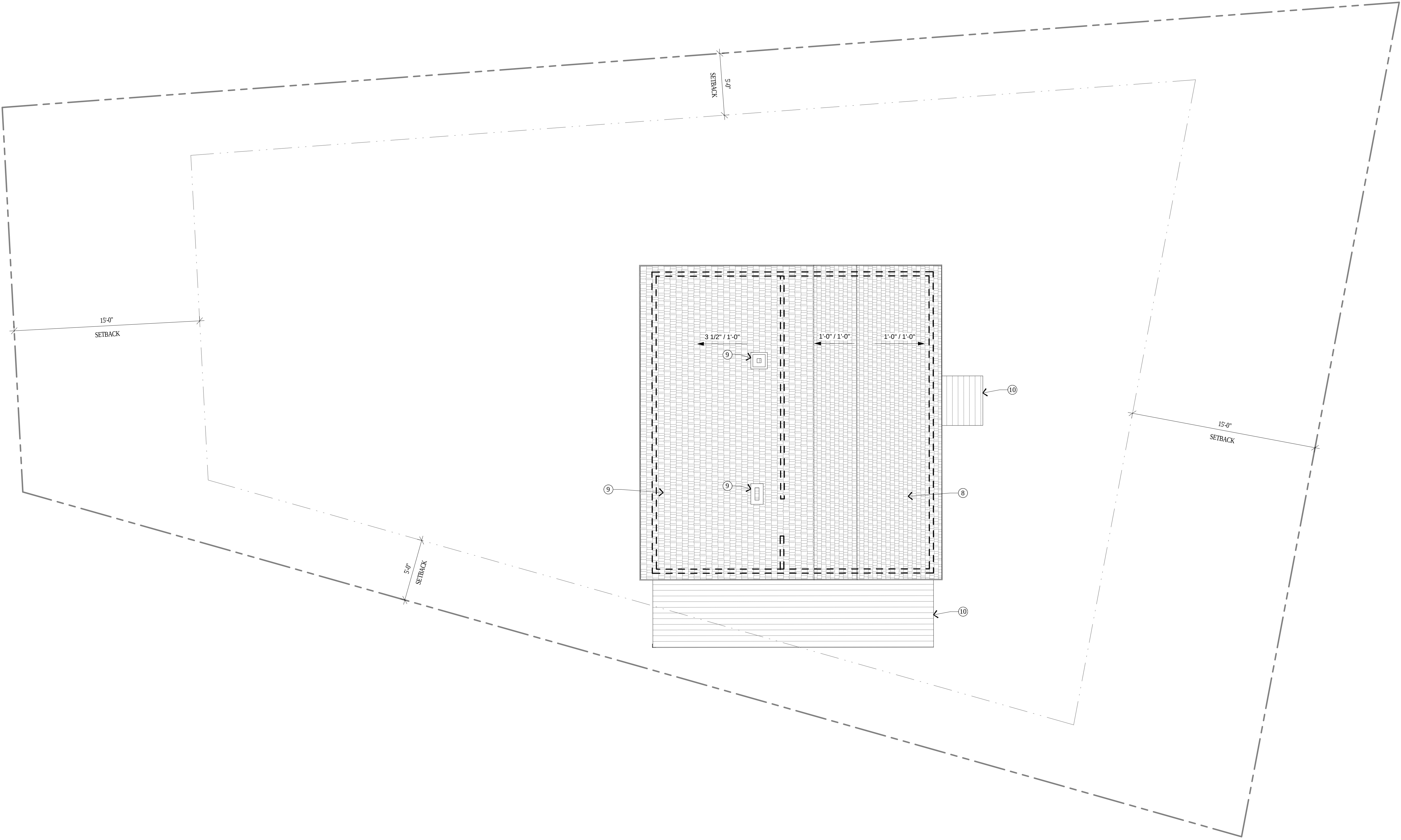
SHEET NUMBER:

AB1.1

1
AB1.2

AS-BUILT ROOF

1/4" = 1'-0"



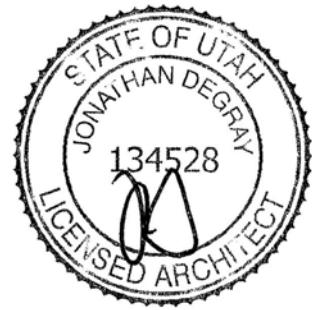
WALL LEGEND

- EXISTING FRAMED WALL
- EXISTING HISTORIC FRAMED WALL

ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION

KEY NOTES

- 1x8 HORIZONTAL SHIPLAP SIDING, 2X4 FRAMING (HISTORIC)
- 1x8 FRIEZE BOARD (HISTORIC)
- 1/2" GYPSUM BOARD (NON-HISTORIC)
- DOUBLE HUNG WOOD WINDOW (HISTORIC)
- SLIDING WOOD WINDOW (HISTORIC)
- FIXED WOOD WINDOW (HISTORIC)
- FRAME & PANEL WOOD DOOR (HISTORIC)
- ASPHALT SHINGLES (NON-HISTORIC)
- ASPHALT ROLL ROOFING (NON-HISTORIC)
- WOOD DECK
- INTERIOR 2x4 WALL w/ GYPSUM BOARD BOTH SIDES, (NON-HISTORIC)
- 1x4 WOOD CORNER TRIM (HISTORIC)
- VERTICAL T&G SIDING (HISTORIC)
- BRICK CHIMNEY (HISTORIC)



Jonathan DeGray
Architect

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E-mail: deggrayarch@qwestoffice.net

PROJECT DESCRIPTION:

Rossie Hill Lot 1
Lilac Hill East Subdivision
741 Rossie Hill Drive
Park City, Ut 84060

SHEET DESCRIPTION:

AS-BUILT ROOF PLAN

REVISIONS:

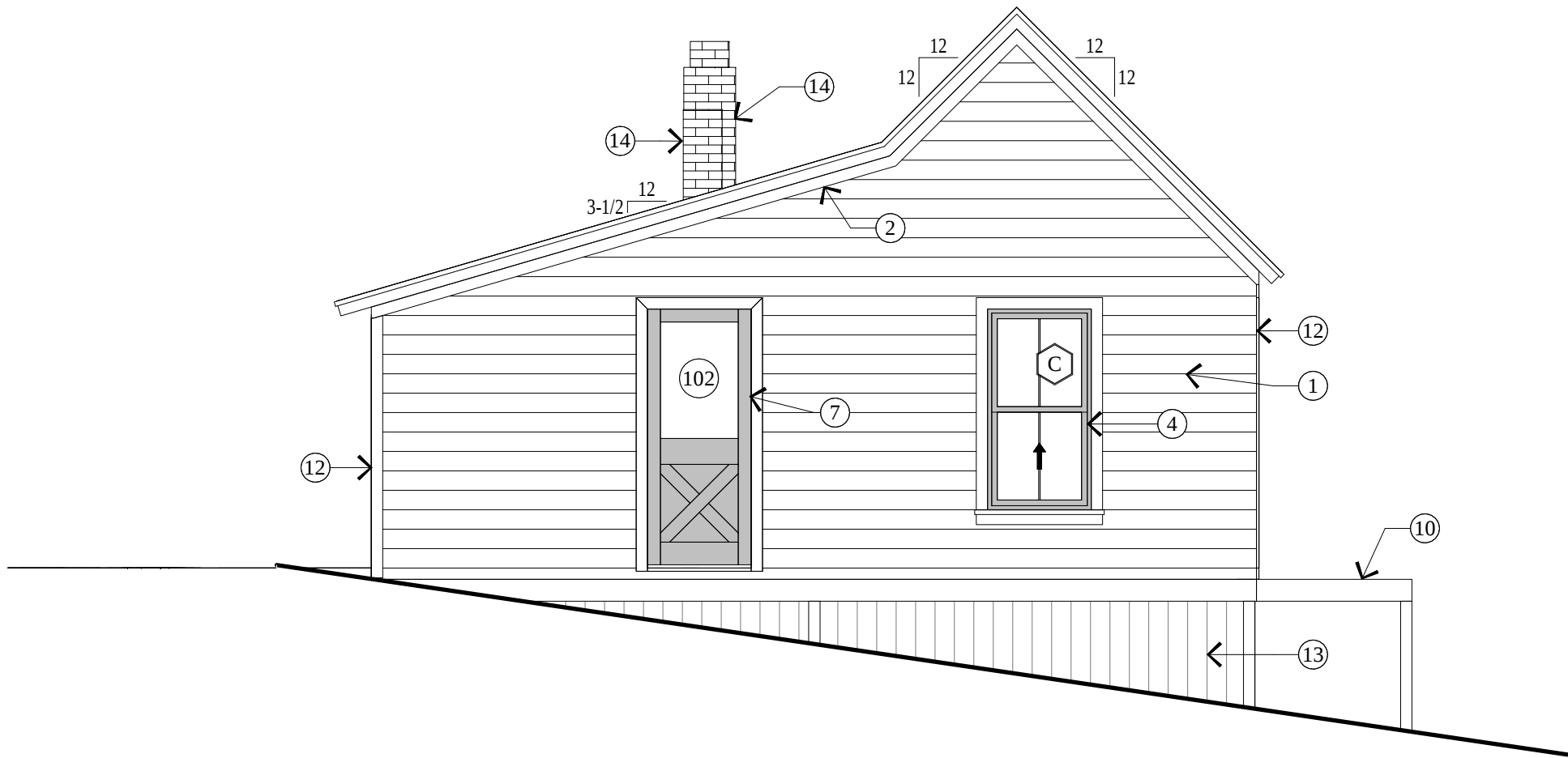
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PROJECT NUMBER:
Rossie Hill

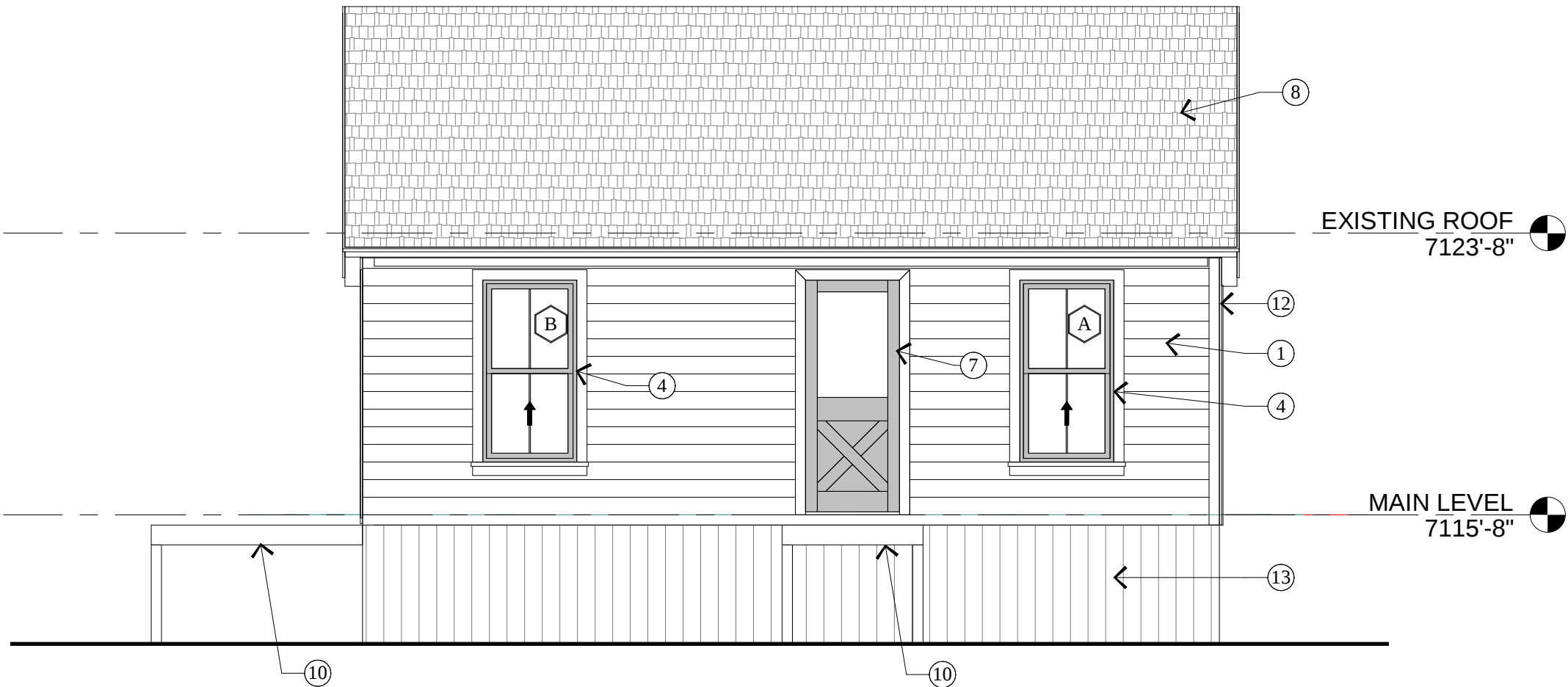
SHEET NUMBER:

AB1.2

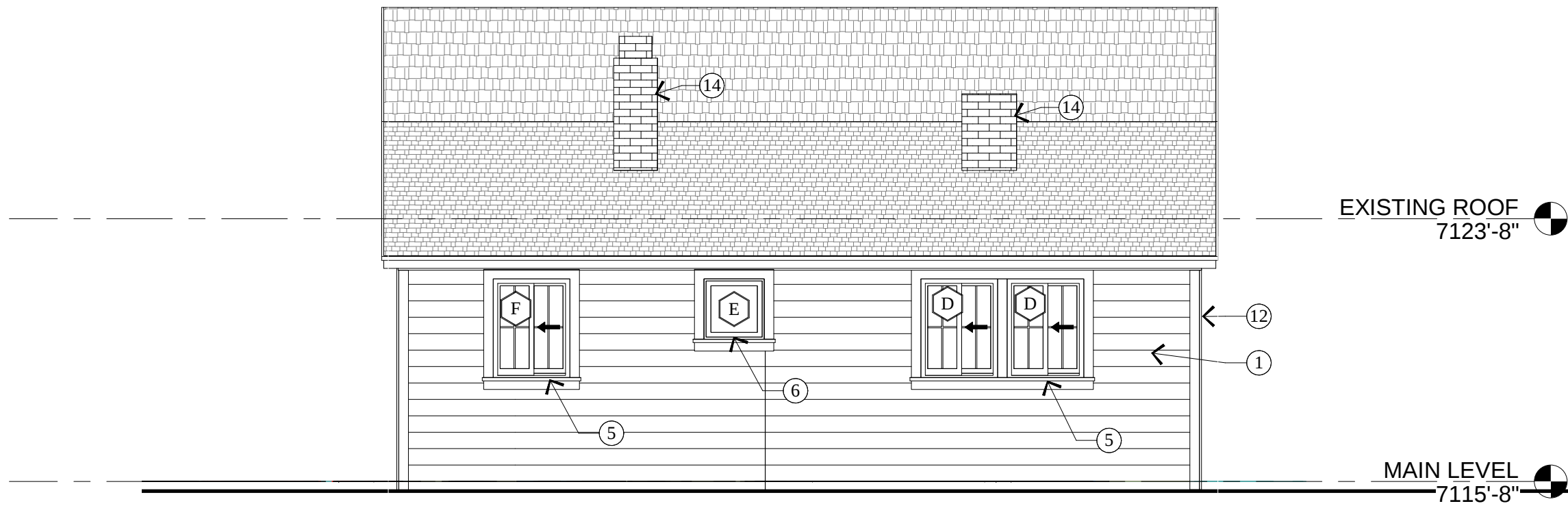
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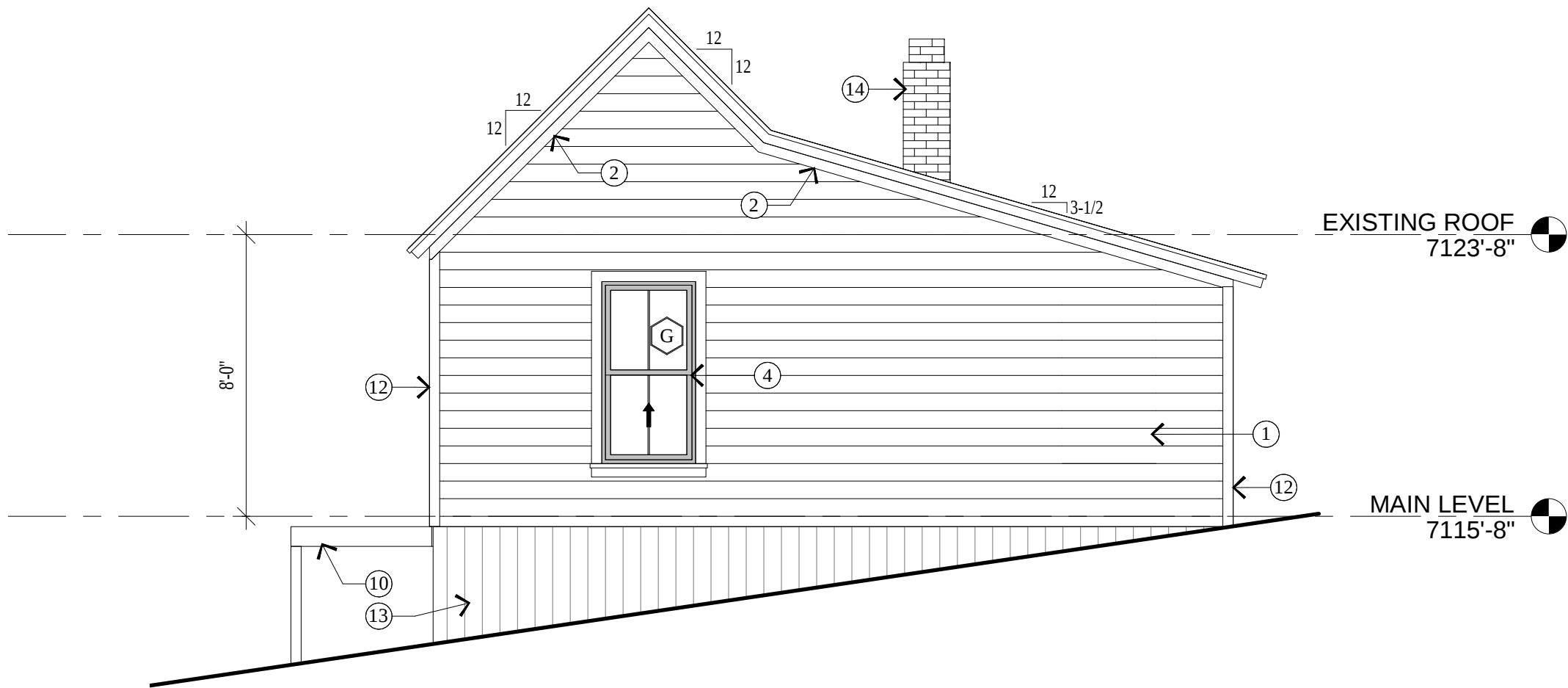
2 AS-BUILT EAST ELEVATION
AB2.1 1/4" = 1'-0"



1 AS-BUILT NORTH ELEVATION
AB2.1 1/4" = 1'-0"



3 AS-BUILT SOUTH ELEVATION
AB2.1 1/4" = 1'-0"



4 AS-BUILT WEST ELEVATION
AB2.1 1/4" = 1'-0"

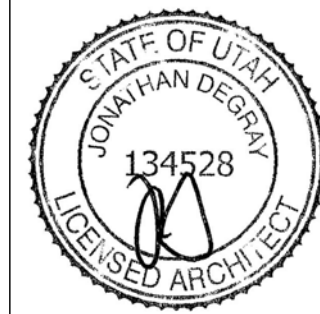
WALL LEGEND

- EXISTING FRAMED WALL
- EXISTING HISTORIC FRAMED WALL

ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION

KEY NOTES

- 1x8 HORIZONTAL SHIPLAP SIDING, 2x4 FRAMING (HISTORIC).
- 1x8 FRIEZE BOARD (HISTORIC)
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- ASPHALT SHINGLES (NON-HISTORIC)
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- BRICK CHIMNEY (HISTORIC)



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PROJECT DESCRIPTION:

Rossie Hill Lot 1
Lilac Hill East Subdivision
741 Rossie Hill Drive
Park City, Ut 84060

SHEET DESCRIPTION:

AS-BUILT ELEVATIONS

REVISIONS:

DATE:
8/13/2021 6:49:07 AM

PROJECT NUMBER:
Rossie Hill

SHEET NUMBER:

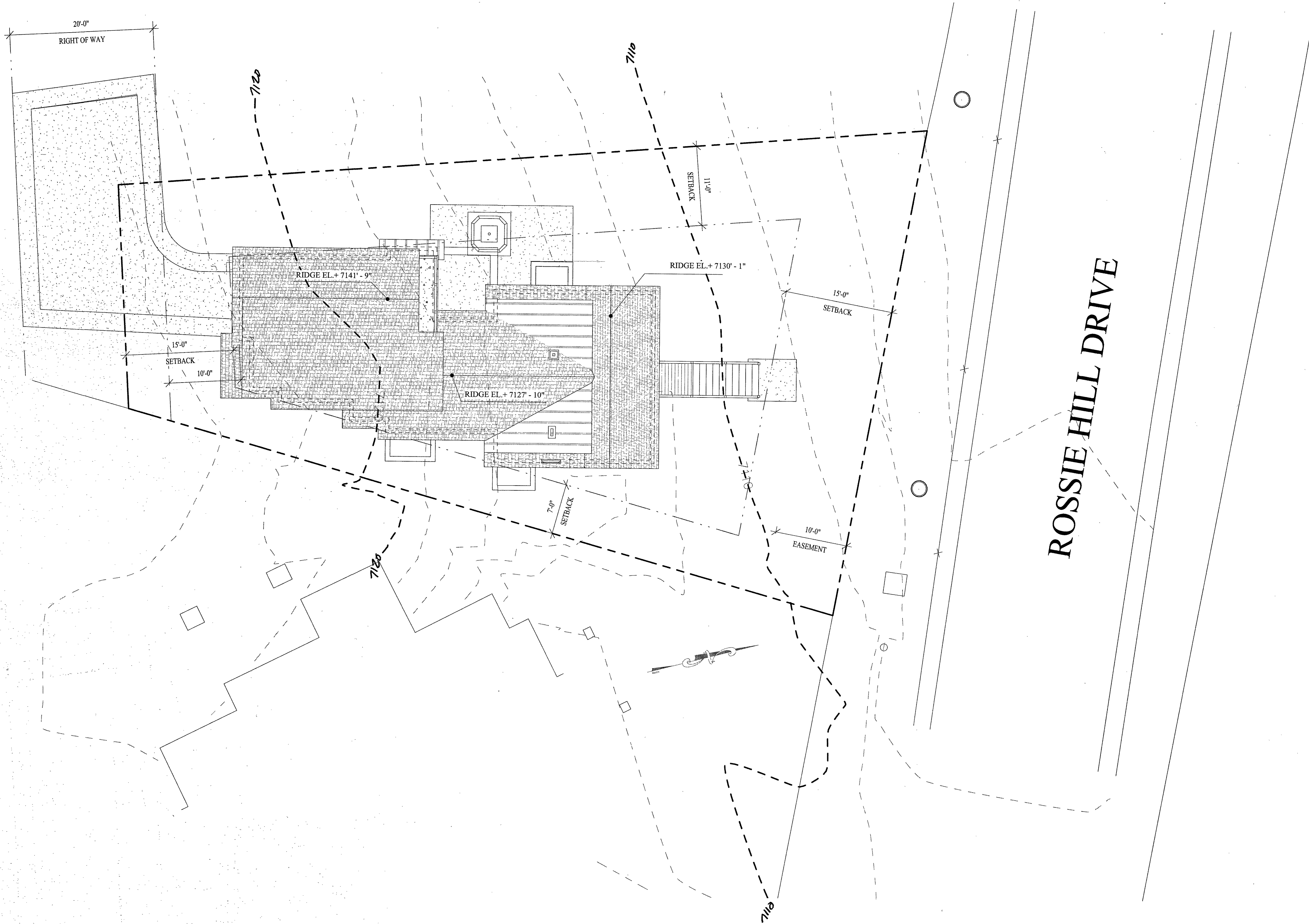
AB2.1

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1
A0.1

SITE PLAN

1/8" = 1'-0"



GENERAL NOTES

SITE PLAN NOTES:
1. ALL SURFACE WATER SHALL DRAIN AWAY FROM THE HOUSE AT ALL POINTS. DIRECT THE DRAINAGE WATER TO THE STREET OR AN APPROVED DRAINAGE COURSE BUT NOT ONTO THE NEIGHBORING PROPERTIES. THE GRADE SHALL FALL A MINIMUM OF 6" WITHIN THE FIRST 10 FEET. -IRC R401.3.

STABILIZATION CONSTRUCTION ENTRANCE FOR A MINIMUM OF 50' FROM ROADWAY. A FILTER FABRIC SHALL BE INSTALLED OVER A COMPACTED SUBGRADE. A 6" LAYER OF 1"-2" AGGREGATE SHALL BE PLACED OVER THIS MEMBRANE. DAILY INSPECTION FOR SEDIMENT BUILD UP AND/OR LOSS OF GRAVEL WILL BE ENFORCED, AND REMEDIED AT ONCE.

GRADING NOTES
1. DRAINAGE TO COMPLY WITH IRC CHAPTER 4
2. MAXIMUM ALTERED SLOPES AT 2:1.
3. MINIMUM SLOPE FOR DRAINAGE = 2%.
4. DRAIN AWAY FROM BUILDING.
5. CONTAIN DRAINAGE ON PROPERTY.
6. BOULDER RETAINING WALLS NOT TO EXCEED 4'-0" EXPOSED HEIGHT.
7. EXCAVATION NOT TO EXCEED 2:1 SLOPE WITH OUT A SOILS REPORT.

UTILITY NOTES
1. ALL UTILITY LINES TO BE UNDERGROUND.
2. ABOVE GRADE UTILITY BOX TO BE IN SCREENED LOCATION.

SNOW REMOVAL SNOW PLOWED FROM DRIVE SHALL NOT BE PUSHED ONTO THE STREET.

LEGEND

- WATER SERVICE LID
- UTILITY POLE
- SEWER MANHOLE
- ELECTRIC METER BOX
- GAS METER
- STORM DRAIN MANHOLE
- SEWER CLEAN OUT
- WATER METER
- ROAD SIGNAGE
- LOD FENCE
- SURFACE DRAINAGE FLOW
- EXISTING CONTOUR LINE
- NEW CONTOUR LINE
- WL - WATER LINE
- SL - SEWER LINE
- GL - GAS LINE
- OH - OVERHEAD UTILITY LINE
- FD - FOUNDATION DRAIN LINE
- FIRE HYDRANT

NOTE:
1. SWPPP SIGN AND SWPPP DOCUMENT MUST BE ON SITE DURING CONSTRUCTION.
2. DOWNSTREAM SEDIMENT TRAPS NEED TO EXTEND UP BOTH SIDES FAR ENOUGH TO PREVENT OFFSITE DESPOSITION. FIELD VERIFY.

LOD DISTURBED AREA: 1715 S/F

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PROJECT DESCRIPTION:
Rossie Hill Lot 1
Lilac Hill East Subdivision
741 Rossie Hill Drive
Park City, Ut 84060

ARCHITECTURAL SITE PLAN

REVISIONS:

DATE:
1/28/2022 3:06:55 PM

PROJECT NUMBER:
Rossie Hill

SHEET NUMBER:

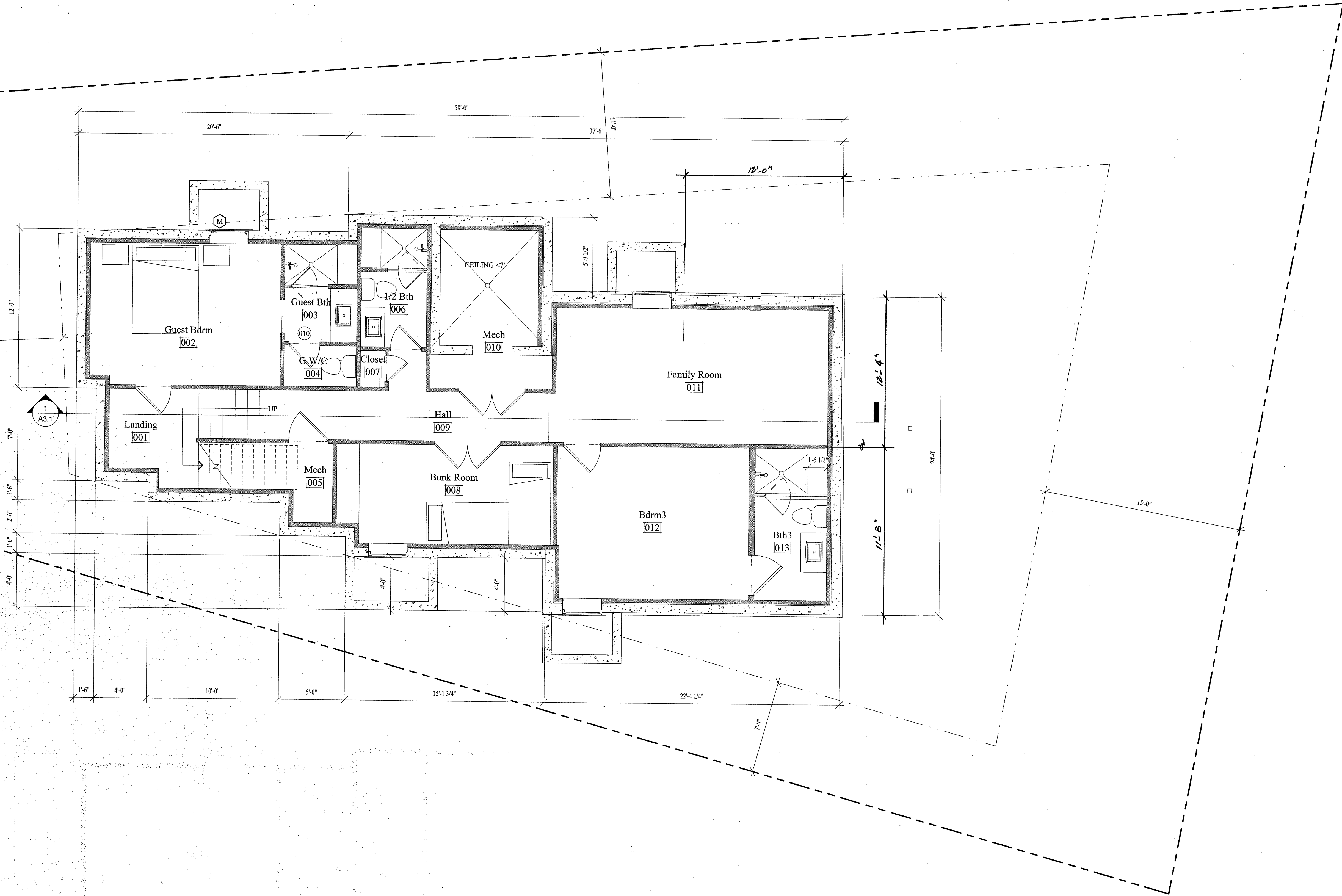
A0.1

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1
A1.1

LOWER LEVEL

1/4" = 1'-0"



GENERAL NOTES

- EXISTING 2x FRAMED WALL
NEW CONCRETE WALL
NEW 2x FRAMED WALL
(E) INDICATES EXISTING
(N) INDICATES NEW
- ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION.
 - EXTERIOR WALLS TO BE 2x6 FRAMING W/ B1B INSULATION R-23 - TYP. ALL INTERIOR WALLS TO BE 2x4 FRAMING, U.N.O. W/ B1B INSULATION R-15 - TYP. ALL INTERIOR PLUMBING AND BEARING WALLS TO BE 2x6 FRAMING, U.N.O. W/ B1B INSULATION R-23 - TYP. ALL FLOOR JOIST TO BE 9 1/2" T.J. FRAMING U.N.O. W/ B1B INSULATION R-39 - TYP. ALL ROOF JOIST TO BE 9 1/2" T.J. FRAMING U.N.O. W/ B1B INSULATION R-39 - TYP.
 - SPRINKLERS TO BE ON THE WARM SIDE OF THE BUILDING ENVELOPE. ANTI-FREEZE WILL NO LONGER BE ALLOWED IN FIRE SPRINKLER SYSTEMS.
 - AIR LEAKAGE: THE BUILDING THERMAL ENVELOPE SHALL BE CONSTRUCTED TO LIMIT AIR LEAKAGE IN ACCORDANCE WITH SECTIONS N1102.4.1 - N1102.4.4.
 - HOME HARDENING SHALL COMPLY WITH THE WILDLAND - URBAN INTERFACE CODE AS ADOPTED BY THE STATE OF UTAH AND AMENDED BY PARK CITY PER LMC 11-21, H 803.4

KEY NOTES

- CLASS A NON-REFLECTIVE STANDING SEAM METAL ROOF. METAL ROOF TO BE ICC-ES APPROVED. ON ICE AND WATER MEMBRANE ON 5/8" EXTERIOR SHEATHING ON ROOF. JOIST - SEE STRUCTURAL FOR SIZE AND SPACING. ROOF MATERIAL SHALL COMPLY WITH THE WILDLAND - URBAN INTERFACE CODE AS ADOPTED BY THE STATE OF UTAH AND AMENDED BY PARK CITY PER LMC 11-21, H 803.4.
- ARCHITECTURAL GRADE CLASS A COMPOSITION SHINGLE 50 YEAR PRESIDENTIAL TL (255F PER SQUARE, MIN.) ON ICE AND WATER MEMBRANE ON 5/8" EXTERIOR SHEATHING ON ROOF. JOIST - SEE STRUCTURAL FOR SIZE AND SPACING.
- CONTINUOUS RIDGE VENT.
- SNOW RETENTION BARS, S-5 X-GARD 2.0 OR EQUAL, AND BY UN SNOWMELT SYSTEM AT ALL EAVES AND VALLEYS - TYP.
- GUTTERS AND DOWNSPOUTS TO TIE INTO EXISTING FRENCH DRAIN.
- DECK: 2x6 TREX DECKING CONCEALED FASTENERS - SEE STRUCTURAL FOR SIZE AND SPACING OF JOISTS
- 36" HIGH RAILING: 2x4 SHAPED TOP RAIL W/ 2x2 BALLAST SPACED LESS THAN 4" W/ 2x4 BOTTOM RAIL.
- FOR TYPICAL STAIRWAY, HANDRAILING AND GUARDRAILING NOTES & DETAILS SEE SHEET A5.1.
- CONCRETE WINDOW WELL W/ EGRESS LADDER.
- ALUMINUM GRATE OVER CONCRETE WINDOW WELL TO BE HINGED FOR EGRESS ACCESS.
- 4" REINFORCED CONCRETE SLAB W/ HYDRAULIC HEATING ON 2" RIGID INSULATION (CONTINUOUS) ON 6 MIL POLYETHYLENE VAPOR RETARDER (JOINTS TO LAP 6" MIN.) ON 4" GRAVEL BASE CLEANED/GRADED.
- 4" REINFORCED HEATED CONCRETE DRIVEWAY / PATIO / PORCH ON 4" GRAVEL BASE.
- SUSPENDED CONCRETE GARAGE FLOOR W/ HEATED TOPPING SLAB.
- 1-1/2" GYPCORETE W/ HYDRAULIC HEATING ON 3/4" PLYWOOD ON FLOOR JOIST - SEE STRUCTURAL FOR SIZE AND SPACING.
- ENCLOSED ACCESSIBLE SPACE UNDER STAIRS SHALL HAVE WALLS, UNDER-STAIR SURFACE AND ANY SOFFITS PROTECTED ON THE ENCLOSED SIDE WITH 1/2" GYPSUM BOARD.
- DASHED LINES INDICATE WALL/BEAM ABOVE.
- PROPERTY LINE.
- SET BACK LINE.
- TUBS AND SHOWERS WITH TILED WALLS REQUIRE A PORTLAND CEMENT APPLICATION, FIBER CEMENT OR GLASS MAT GYP. BACKER.
- 5/8" TYPE "X" ON GARAGE CEILING AND WALL SEPARATING THE GARAGE AND LIVING SPACE.
- CONCRETE RETAINING WALL W/ STONE VENEER.
- AS-BUILT 2X4 WALL (HISTORIC) W/ NEW 2X2 INTERIOR FURRING, SHEATHING PER STRUCTURAL, R-23 BIBBS INSULATION, POLYAMIDE PERMEABLE MOISTURE BARRIER, 1/2" GYPSUM BOARD, LEVEL 5 FINISH, 3 COATS OF PAINT.
- CRICKET, ICE & WATER SHIELD ENTIRE AREA, LAP 2'-0" UP VERTICAL SURFACES MIN.
- HISTORIC FAUX CHIMNEY SEE DETAIL 10A5.1

PROJECT DESCRIPTION:

Rossie Hill Lot 1
Lilac Hill East Subdivision
741 Rossie Hill Drive
Park City, Ut 84060

SHEET DESCRIPTION:

LOWER LEVEL FLOOR PLAN

REVISIONS:

DATE:
1/28/2022 3:06:56 PM

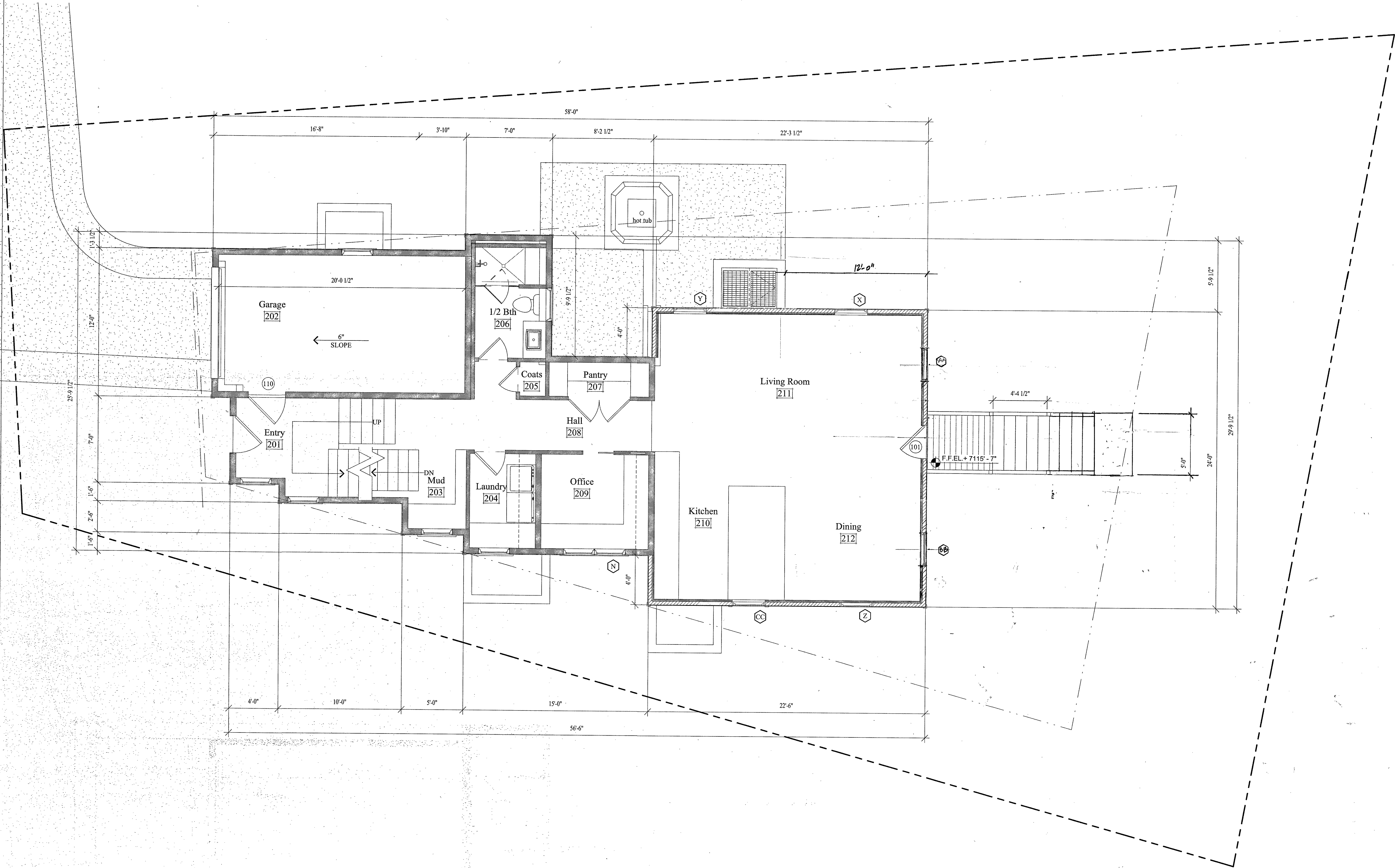
PROJECT NUMBER:
Rossie Hill

SHEET NUMBER:

A1.1

Jonathan DeGray
Architect
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Utah 84060 Tel. 435-649-7263,
E-mail: deggrayarch@qwestoffice.net

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1
A1.2
MAIN LEVEL
1/4" = 1'-0"

GENERAL NOTES

- EXISTING 2x FRAMED WALL
NEW 2x FRAMED WALL
(E) INDICATES EXISTING
(N) INDICATES NEW

- ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION.
- EXTERIOR WALLS TO BE 2x6 FRAMING W/ BIB INSULATION R-23 - TYP. ALL INTERIOR WALLS TO BE 2x4 FRAMING, U.N.O. W/ BIB INSULATION R-15 - TYP. ALL INTERIOR PLUMBING AND BEARING WALLS TO BE 2x6 FRAMING, U.N.O. W/ BIB INSULATION R-23 - TYP. ALL FLOOR JOIST TO BE 9 1/2" TJI FRAMING U.N.O. W/ BIB INSULATION R-39 - TYP. ALL ROOF JOIST TO BE 8-1/2" TJI FRAMING U.N.O. W/ BIB INSULATION R-39 - TYP.
- SPRINKLERS TO BE ON THE WARM SIDE OF THE BUILDING ENVELOPE. ANTIFREEZE WILL NO LONGER BE ALLOWED IN FIRE SPRINKLER SYSTEMS.
- AIR LEAKAGE: THE BUILDING THERMAL ENVELOPE SHALL BE CONSTRUCTED TO LIMIT AIR LEAKAGE IN ACCORDANCE WITH SECTIONS N1102.4.1 - N1102.4.4.
- HOME HARDENING SHALL COMPLY WITH THE WILDLAND - URBAN INTERFACE CODE AS ADOPTED BY THE STATE OF UTAH AND AMENDED BY PARK CITY PER LMC 11-21, H 603.4

KEY NOTES

- CLASS A NON-REFLECTIVE STANDING SEAM METAL ROOF. METAL ROOF TO BE ICC-ES APPROVED. ON ICE AND WATER MEMBRANE ON 5/8" EXTERIOR SHEATHING ON ROOF JOIST - SEE STRUCTURAL FOR SIZE AND SPACING. ROOF MATERIAL SHALL COMPLY WITH THE WILDLAND - URBAN INTERFACE CODE AS ADOPTED BY THE STATE OF UTAH AND AMENDED BY PARK CITY PER LMC 11-21, H 603.4.
- ARCHITECTURAL GRADE CLASS A COMPOSITION SHINGLE 50 YEAR PRESIDENTIAL TL 3558 PER SQUARE. MIN 1/4" ON ICE AND WATER MEMBRANE ON 5/8" EXTERIOR SHEATHING ON ROOF JOIST - SEE STRUCTURAL FOR SIZE AND SPACING.
- CONTINUOUS RIDGE VENT.
- SNOW RETENTION BARS: S-5 X-GARD 2.0 OR EQUAL, AND BYLIN SNOWMELT SYSTEM AT ALL EAVES AND VALLEYS - TYP.
- GUTTERS AND DOWNSPOUTS TO TIE INTO EXISTING FRENCH DRAIN.
- DECK: 2x6 TREX DECKING CONCEALED FASTENERS - SEE STRUCTURAL FOR SIZE AND SPACING OF JOISTS.
- 38" HIGH RAILING: 2x4 SHAPED TOP RAIL W/ 2x2 BALLAST SPACED LESS THAN 4" W/ 2x4 BOTTOM RAIL.
- FOR TYPICAL STAIRWAY, HANDRAILING AND GUARDRAILING NOTES & DETAILS SEE SHEET A5.1.
- CONCRETE WINDOW WELL W/ EGRESS LADDER.
- ALUMINUM GRATE OVER CONCRETE WINDOW WELL TO BE HINGED FOR EGRESS ACCESS.
- 4" REINFORCED CONCRETE SLAB W/ HYDRAULIC HEATING ON 2" RIGID INSULATION (CONTINUOUS) ON 6 MIL POLYETHYLENE VAPOR RETARDER (JOINTS TO LAP 6" MIN.) ON 4" GRAVEL BASE CLEANED/GRADED.
- 4" REINFORCED HEATED CONCRETE DRIVEWAY / PATIO PORCH ON 4" GRAVEL BASE.
- SUSPENDED CONCRETE GARAGE FLOOR W/ HEATED TOPPING SLAB.
- 1-1/2" GYPCRETE W/ HYDRAULIC HEATING ON 3/4" PLYWOOD ON FLOOR JOIST - SEE STRUCTURAL FOR SIZE AND SPACING.
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- DASHED LINES INDICATE WALL/BEAM ABOVE.
- PROPERTY LINE.
- SET BACK LINE.
- TUBS AND SHOWERS WITH TILED WALLS REQUIRE A PORTLAND CEMENT APPLICATION, FIBER-CEMENT OR GLASS MAT GYP. BACKER.
- 5/8" TYPE "X" ON GARAGE CEILING AND WALL SEPARATING THE GARAGE AND LIVING SPACE.
- CONCRETE RETAINING WALL W/ STONE VENEER.
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- HISTORIC FAUX CHIMNEY SEE DETAIL 10A5.1

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Architect

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PROJECT DESCRIPTION:
Rossie Hill Lot 1
Lilac Hill East Subdivision
741 Rossie Hill Drive
Park City, Ut 84060

SHEET DESCRIPTION:
MAIN LEVEL FLOOR PLAN

REVISIONS:

DATE:
1/28/2022 3:06:56 PM

PROJECT NUMBER:
Rossie Hill

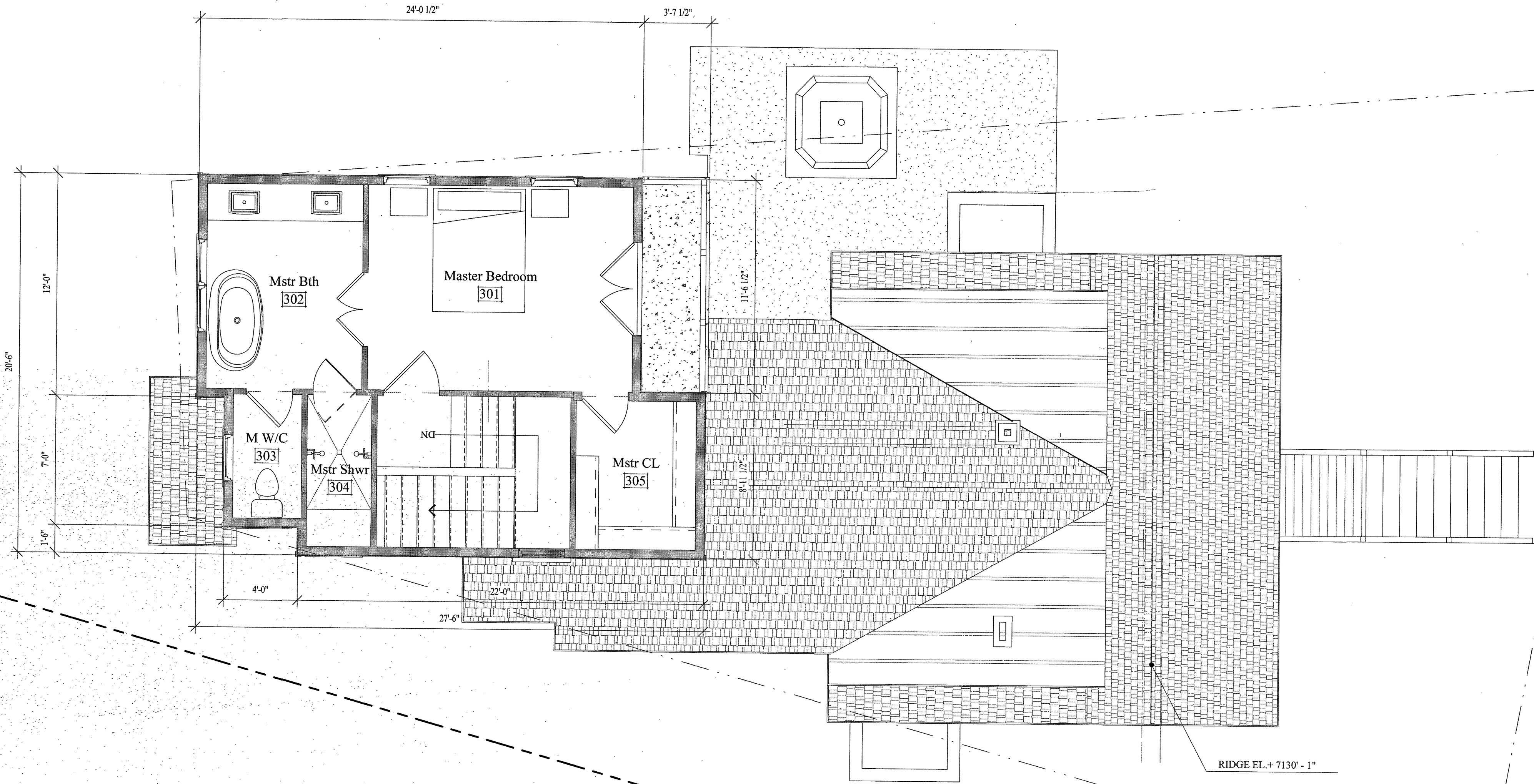
SHEET NUMBER:
A1.2

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1
A1.3

UPPER LEVEL

1/4" = 1'-0"



GENERAL NOTES

- EXISTING 2x FRAMED WALL
NEW CONCRETE WALL
NEW 2x FRAMED WALL
(E) INDICATES EXISTING
(N) INDICATES NEW

- ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION.
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KEY NOTES

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- ARCHITECTURAL GRADE CLASS A COMPOSITION SHINGLE 50 YEAR PRESIDENTIAL TL 3558 PER SQUARE MIN. 1\" ON ICE AND WATER MEMBRANE ON 5/8\" EXTERIOR SHEATHING ON ROOF JOIST - SEE STRUCTURAL FOR SIZE AND SPACING.
- CONTINUOUS RIDGE VENT.
- SNOW RETENTION BARS, S-5 X-GARD 2.0 OR EQUAL AND BYLON SNOWMELT SYSTEM AT ALL EAVES AND VALLEYS - TYP.
- GUTTERS AND DOWNSPOUTS TO TIE INTO EXISTING FRENCH DRAIN.
- DECK: 2x6 TREX DECKING CONCEALED FASTENERS - SEE STRUCTURAL FOR SIZE AND SPACING OF JOISTS
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- FOR TYPICAL STAIRWAY, HANDRAILING AND GUARDRAILING NOTES & DETAILS SEE SHEET AS.1.
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- ALUMINUM GRATE OVER CONCRETE WINDOW WELL TO BE HINGED FOR EGRESS ACCESS.
- 4\" REINFORCED CONCRETE SLAB W/ HYDRAULIC HEATING ON 2\" RIGID INSULATION (CONTINUOUS) ON 6 MIL POLYETHYLENE VAPOR RETARDER (JOINTS TO LAP 6\" MIN.) ON 4\" GRAVEL BASE CLEANED/GRADED.
- 4\" REINFORCED HEATED CONCRETE DRIVEWAY / PATIO / PORCH ON 4\" GRAVEL BASE.
- SUSPENDED CONCRETE GARAGE FLOOR W/ HEATED TOPPING SLAB
- 1-1/2\" GYPCRETE W/ HYDRAULIC HEATING ON 3/4\" PLYWOOD ON FLOOR JOIST - SEE STRUCTURAL FOR SIZE AND SPACING.
- ENCLOSED ACCESSIBLE SPACE UNDER STAIRS SHALL HAVE WALLS, UNDER-STAR SURFACE AND ANY SOFFITS PROTECTED ON THE ENCLOSED SIDE WITH 1/2\" GYPSUM BOARD.
- DASHED LINES INDICATE WALL/BEAM ABOVE.
- PROPERTY LINE.
- SET BACK LINE.
- TUBS AND SHOWERS WITH TILED WALLS REQUIRE A PORTLAND CEMENT APPLICATION, FIBER-CEMENT OR GLASS MAT GYP. BACKER.
- 5/8\" TYPE \"X\" ON GARAGE CEILING AND WALL SEPARATING THE GARAGE AND LIVING SPACE.
- CONCRETE RETAINING WALL W/ STONE VENEER.
- AS-BUILT 2X4 WALL (HISTORIC) W/ NEW 2X2 INTERIOR FURRING, SHEATHING PER STRUCTURAL, R-23 BIBBS INSULATION, POLYAMIDE PERMEABLE MOISTURE BARRIER, 1/2\" GYPSUM BOARD, LEVEL 5 FINISH, 3 COATS OF PAINT
- CRICKET, ICE & WATER SHIELD ENTIRE AREA LAP 2-0\" UP VERTICAL SURFACES MIN.
- HISTORIC FAUX CHIMNEY SEE DETAIL 10/A.1

PROJECT DESCRIPTION:

Rossie Hill Lot 1
Lilac Hill East Subdivision
741 Rossie Hill Drive
Park City, Ut 84060

SHEET DESCRIPTION:

UPPER LEVEL / LOWER ROOF
PLAN

REVISIONS:

DATE:
1/28/2022 3:06:57 PM

PROJECT NUMBER:
Rossie Hill

SHEET NUMBER:

A1.3

Jonathan DeGray
Architect

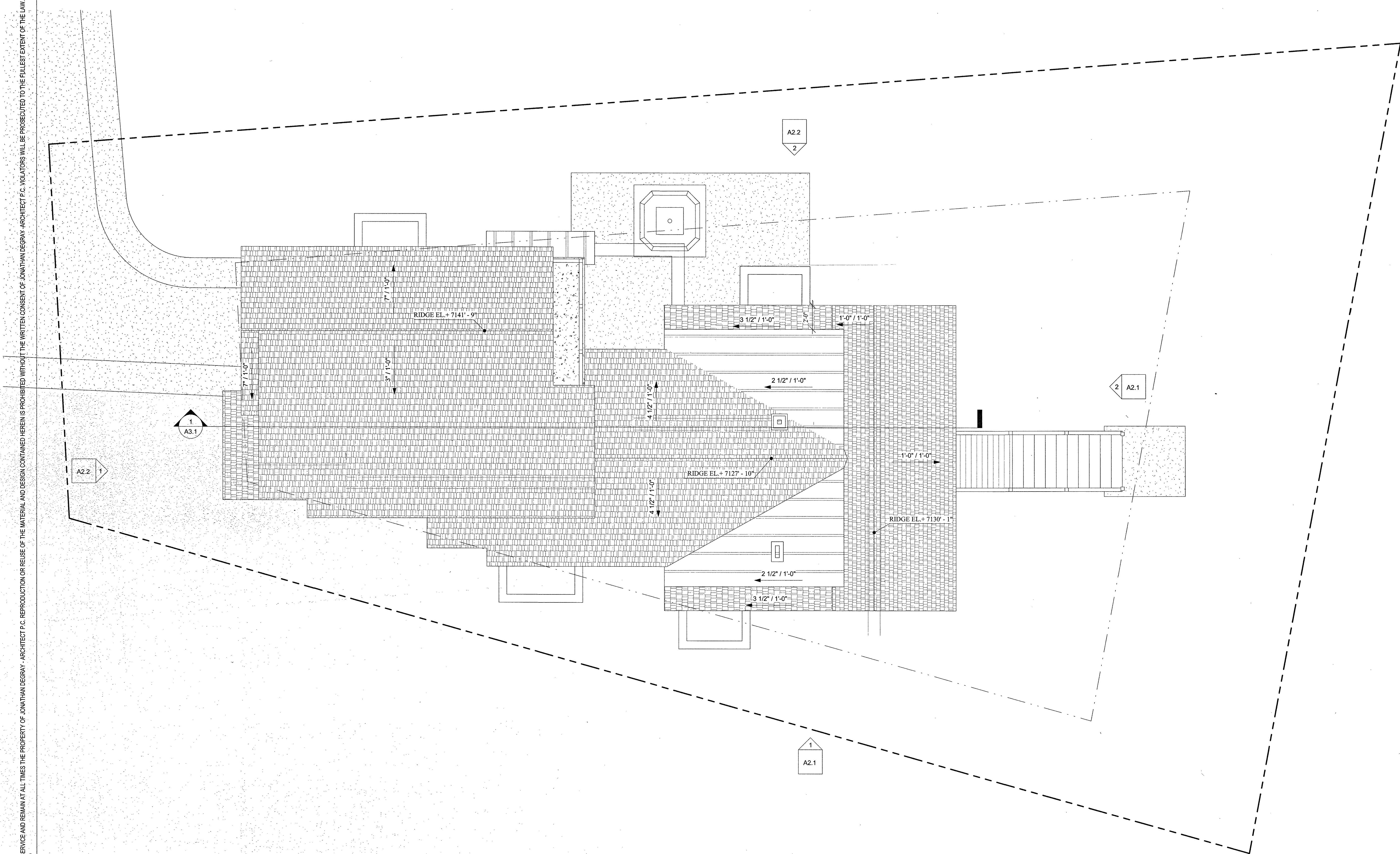
P.O. Box 1674, 614 Main Street, Suite 302, Park City,
Utah 84060 Tel. 435-649-7263
E-mail: degrayarch@qwestoffice.net

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1
A1.4

ROOF

1/4" = 1'-0"



GENERAL NOTES

- EXISTING 2x FRAMED WALL
NEW CONCRETE WALL
NEW 2x FRAMED WALL
(E) INDICATES EXISTING
(N) INDICATES NEW
- ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION.
 - EXTERIOR WALLS TO BE 2x6 FRAMING W/ BIB INSULATION R-33 - TYP. ALL INTERIOR WALLS TO BE 2x4 FRAMING, U.N.O. W/ BIB INSULATION R-15 - TYP. ALL INTERIOR PLUMBING AND BEARING WALLS TO BE 2x6 FRAMING, U.N.O. W/ BIB INSULATION R-23 - TYP. ALL FLOOR JOIST TO BE 8-12" TJI FRAMING U.N.O. W/ BIB INSULATION R-39 - TYP. ALL ROOF JOIST TO BE 8-12" TJI FRAMING U.N.O. W/ BIB INSULATION R-39 - TYP.
 - SPRINKLERS TO BE ON THE WARM SIDE OF THE BUILDING ENVELOPE. ANTIFREEZE WILL NO LONGER BE ALLOWED IN FIRE SPRINKLER SYSTEMS.
 - AIR LEAKAGE: THE BUILDING THERMAL ENVELOPE SHALL BE CONSTRUCTED TO LIMIT AIR LEAKAGE IN ACCORDANCE WITH SECTIONS N1102.4.1 - N1102.4.4.
 - HOME HARDENING SHALL COMPLY WITH THE WILDLAND - URBAN INTERFACE CODE AS ADOPTED BY THE STATE OF UTAH AND AMENDED BY PARK CITY PER LMC 11-21, H 803.4

KEY NOTES

- CLASS A NON-REFLECTIVE STANDING SEAM METAL ROOF. METAL ROOF TO BE IC-BOES APPROVED. ON ICE AND WATER MEMBRANE ON 5/8" EXTERIOR SHEATHING ON ROOF JOIST - SEE STRUCTURAL FOR SIZE AND SPACING. ROOF MATERIAL SHALL COMPLY WITH THE WILDLAND - URBAN INTERFACE CODE AS ADOPTED BY THE STATE OF UTAH AND AMENDED BY PARK CITY PER LMC 11-21, H 803.4.
- ARCHITECTURAL GRADE CLASS A COMPOSITION SHINGLE 50 YEAR PRESIDENTIAL TL (35# PER SQUARE, MIN.) ON ICE AND WATER MEMBRANE ON 5/8" EXTERIOR SHEATHING ON ROOF JOIST - SEE STRUCTURAL FOR SIZE AND SPACING.
- CONTINUOUS RIDGE VENT.
- SNOW RETENTION BARS: S-6 X-GARD 2.0 OR EQUAL. AND BYLIN SNOWMELT SYSTEM AT ALL EAVES AND VALLEYS - TYP.
- GUTTERS AND DOWNSPOUTS TO TIE INTO EXISTING FRENCH DRAIN.
- DECK: 2x6 TREX DECKING CONCEALED FASTENERS - SEE STRUCTURAL FOR SIZE AND SPACING OF JOISTS
- 36" HIGH RAILING: 2x4 SHAPED TOP RAIL W/ 2x2 BALLAST SPACED LESS THAN 4" W/ 2x4 BOTTOM RAIL.
- FOR TYPICAL STAIRWAY, HANDRAILING AND GUARDRAILING NOTES & DETAILS SEE SHEET AS.1.
- CONCRETE WINDOW WELL W/ EGRESS LADDER.
- ALUMINUM GRATE OVER CONCRETE WINDOW WELL TO BE HINGED FOR EGRESS ACCESS.
- 4" REINFORCED CONCRETE SLAB W/ HYDRAULIC HEATING ON 2" RIGID INSULATION (CONTINUOUS) ON 6 MIL POLYETHYLENE VAPOR RETARDER (JOINTS TO LAP 6" MIN.) ON 4" GRAVEL BASE CLEANED/GRADED.
- 4" REINFORCED HEATED CONCRETE DRIVEWAY / PATIO / PORCH ON 4" GRAVEL BASE.
- SUSPENDED CONCRETE GARAGE FLOOR W/ HEATED TOPPING SLAB
- 1-1/2" GYPCRETE W/ HYDRAULIC HEATING ON 3/4" PLYWOOD ON FLOOR JOIST - SEE STRUCTURAL FOR SIZE AND SPACING.
- ENCLOSED ACCESSIBLE SPACE UNDER STAIRS SHALL HAVE WALLS, UNDER-STAIR SURFACE AND ANY SOFFITS PROTECTED ON THE ENCLOSED SIDE WITH 1/2" GYPSUM BOARD.
- DASHED LINES INDICATE WALL/BEAM ABOVE.
- PROPERTY LINE.
- SET BACK LINE.
- TUBS AND SHOWERS WITH TILED WALLS REQUIRE A PORTLAND CEMENT APPLICATION, FIBER-CEMENT OR GLASS MAT GYP. BACKER.
- 5/8" TYPE "X" ON GARAGE CEILING AND WALL SEPARATING THE GARAGE AND LIVING SPACE.
- CONCRETE RETAINING WALL W/ STONE VENEER.
- AS-BUILT 2x4 WALL (HISTORIC) W/ NEW 2x2 INTERIOR FURRING, SHEATHING PER STRUCTURAL. R-23 BIBBS INSULATION, POLYAMIDE PERMEABLE MOISTURE BARRIER, 1/2" GYPSUM BOARD, LEVEL 5 FINISH, 3 COATS OF PAINT
- CRICKET, ICE & WATER SHIELD ENTIRE AREA, LAP 2'-0" UP VERTICAL SURFACES MIN.
- HISTORIC FAUX CHIMNEY SEE DETAIL 1045.1

Jonathan DeGray
Architect
P.O. Box 1674, 614 Main Street, Suite 302, Park City,
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PROJECT DESCRIPTION:
Rossie Hill Lot 1
Lilac Hill East Subdivision
741 Rossie Hill Drive
Park City, Ut 84060

SHEET DESCRIPTION:
HIGH ROOF PLAN

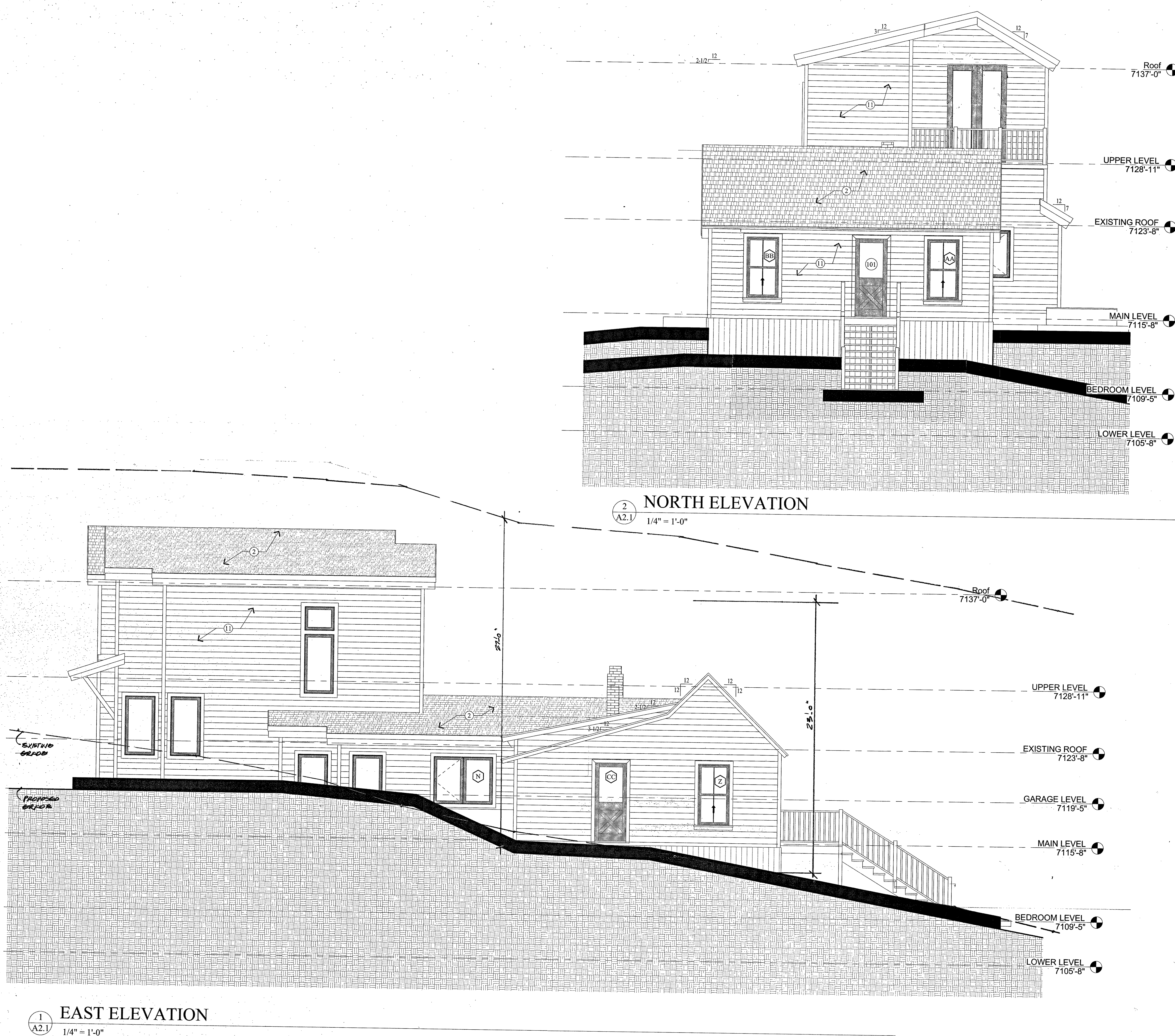
REVISIONS:

DATE:
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PROJECT NUMBER:
Rossie Hill

SHEET NUMBER:
A1.4

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KEY NOTES

- 1 CLASS A NON-REFLECTIVE STANDING SEAM METAL ROOF. METAL ROOF TO BE ICC-ES APPROVED. ON ICE AND WATER MEMBRANE ON 5/8" EXTERIOR SHEATHING ON ROOF JOIST - SEE STRUCTURAL FOR SIZE AND SPACING. ROOF MATERIAL SHALL COMPLY WITH THE WILDLAND - URBAN INTERFACE CODE AS ADOPTED BY THE STATE OF UTAH AND AMENDED BY PARK CITY PER LMC 11-21, H 603.4.
- 2 ARCHITECTURAL GRADE COMPOSITION SHINGLE 50 YEAR PRESIDENTIAL TL (355# PER SQUARE, MIN.) ON ICE AND WATER MEMBRANE ON 5/8" EXTERIOR SHEATHING ON ROOF JOIST - SEE STRUCTURAL FOR SIZE AND SPACING. PITCHES BELOW 4" IN 12" REQUIRES CONTINUOUS ICE & WATER SHIELD UNDERLAYMENT
- 3 CONTINUOUS RIDGE VENT.
- 4 CONCRETE RETAINING WALL W/ STONE VENEER.
- 5 WATERPROOF DECK: 2x6 TREX DECKING ON 2x P.T. TAPERED SLEEPERS ON REINF. EPDM ON 3/4" EXTERIOR PLYWOOD ON 2x P.T. TAPERED DECK JOIST - SEE STRUCTURAL FOR SIZE AND SPACING.
- 6 36" HIGH RAILING: 2x4 SHAPED TOP RAIL W/ 2x2 BALLAST SPACED LESS THAN 4" W/ 2x4 BOTTOM RAIL. 6x6 PAINTED COLUMNS & KNEEWEL POSTS
- 7 FOR TYPICAL STAIRWAY, HANDRAILING AND GUARDRAILING NOTES & DETAILS ON SEE SHEET A5.1.
- 8 CONCRETE WINDOW WELL W/ EGRESS LADDER.
- 9 4" REINFORCED HEATED CONCRETE GARAGE / DRIVEWAY / PATIO / PORCH ON 4" GRAVEL BASE.
- 10 1x8 CEDAR T&G VERTICAL SIDING - STAINED ON 1-1/2" 2x PRESSURE TREATED WOOD FURRING OVER CONCRETE FOUNDATION.
- 11 1x6 CEDAR HORIZONTAL LAP SIDING - STAINED ON TYVEK HOMEWRAP ON 1/2" EXTERIOR SHEATHING ON 2x6 STUD WALL @ 16" O.C.
- 12 FLATSEAM METAL SHINGLE SIDING CORTEN FINISH ON WEATHER RESISTIVE BARRIER
- 13 2x4 CEDAR OUTSIDE CORNER BOARD, 2x2 CEDAR INSIDE CORNER BOARD - STAINED TYPICAL
- 14 1 1/2" x 3 1/2" CONTINUOUS METAL DRIP EDGE. TYP. @ BOTTOM OF SHINGLES. ICE & WATER SHIELD OVER DRIP EDGE TO 3/4" INSIDE WARM WALL TYP.
- 15 1x2 ON 1X8 BUILT-UP FASCIA BOARD - STAINED.
- 16 1x4 ON 1X10 BUILT-UP FASCIA - STAINED.
- 17 1x CEDAR SOFFIT - STAINED. SOFFIT TO BE VENTED @ ALL ROOF EAVES.
- 18 WINDOWS AND DOORS W/ INSULATED GLASS - SEE SHEET A6.1 FOR SCHEDULES TYPICAL.
- 19 1x4 WINDOW/DOOR HEAD - STAINED.
- 20 1x4 WINDOW/DOOR JAMB - STAINED.
- 21 1x2 STOOL ON 1x4 WINDOW SILL - STAINED.
- 22 1x4 PICTURE FRAME HEAD, JAMB AND SILL - STAINED.
- 23 4x4 KNEEWEL POST - STAINED
- 24 ROOF TO WALL SURFACE: EXTEND BITUTHANE MEMBRANE OVER ROOF DECK & UP ALL WALL SURFACES ABOVE ROOFING 2'-0" MIN. TYPICAL
- 25 LINE 27'-0" HEIGHT ABOVE EXISTING GRADE.
- 26 EXISTING GRADE LINE.
- 27 FINISH GRADE TO SLOPE AWAY FROM HOUSE A MIN. OF 6" WITHIN THE FIRST 10'. IRC R401.3
- 28 FOUNDATION - SEE STRUCTURAL FOR SIZE AND REINFORCING.
- 29 FOOTING - SEE STRUCTURAL FOR SIZE AND REINFORCING.
- 30 CUT STONE SILL/CAP CONTINUOUS.
- 31 4" STONE VENEER - SEE SHEET S1.1 GENERAL STRUCTURAL NOTE FOR INSTALLATION.
- 32 STONE SUPPORT: 6"x6"x 5/16" CONTINUOUS ANGLE W/ 3/4" DIA EPOXY BOLTS x 5" EMBED @ 24" O.C. WITH MASTIC AROUND ANGLE & BOLTS. 3/16" DIA. WEEP HOLE @ 32" O.C. STEEL TO BE SHOP COATED W/ RUST-INHIBITIVE PAINT.
- 33 1x6 FRIEZE BOARD - STAINED.
- 34 HISTORIC MASONRY CHIMNEY SEE DETAIL 10/A5.1

PROJECT DESCRIPTION:

Rossie Hill Lot 1
Lilac Hill East Subdivision
741 Rossie Hill Drive
Park City, Ut 84060

SHEET DESCRIPTION:

NORTH & EAST ELEVATIONS

REVISIONS:

DATE:
1/28/2022 3:06:58 PM

PROJECT NUMBER:
Rossie Hill

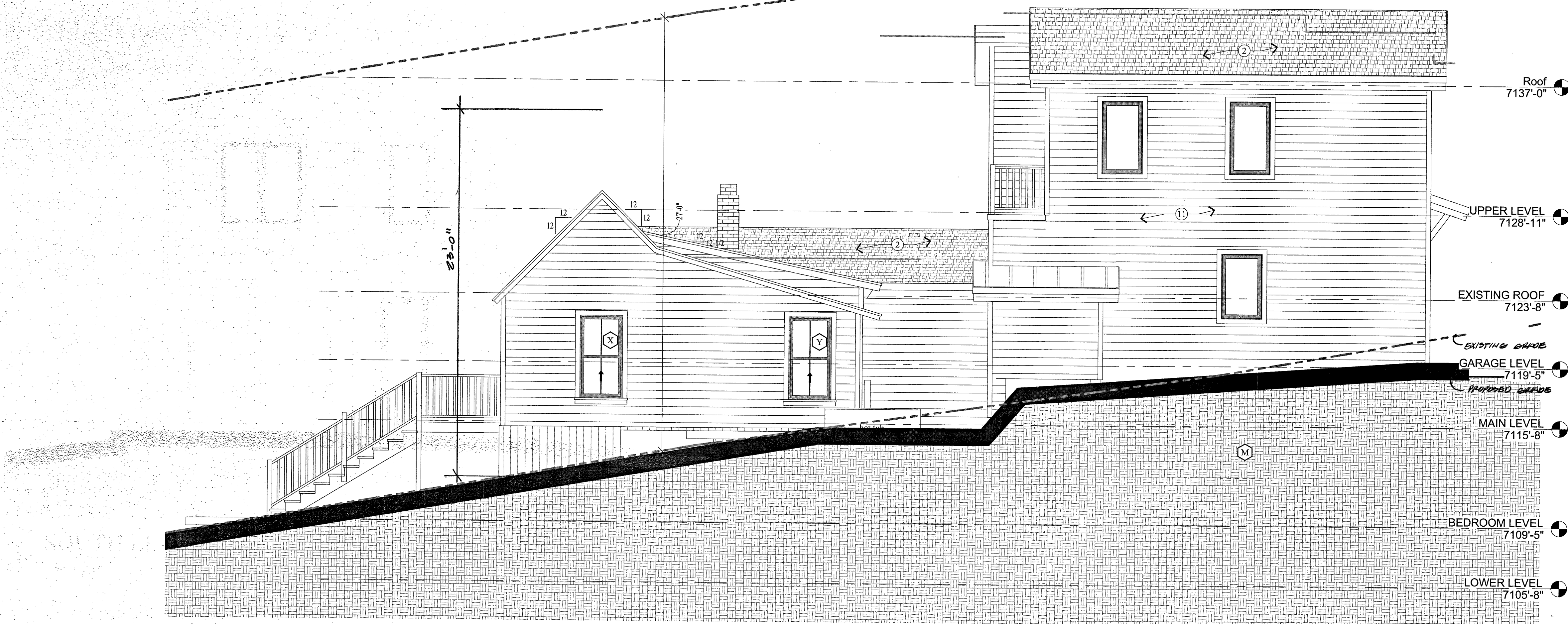
SHEET NUMBER:

A2.1

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1
A2.2 SOUTH ELEVATION
1/4" = 1'-0"



2
A2.2 WEST ELEVATION
1/4" = 1'-0"

KEY NOTES

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Lilac Hill East Subdivision
741 Rossie Hill Drive
Park City, Ut 84060

SHEET DESCRIPTION:

SOUTH & WEST ELEVATIONS

REVISIONS:

DATE:
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PROJECT NUMBER:
Rossie Hill

SHEET NUMBER:

A2.2

Jonathan DeGray
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Polly Samuels McLean, Esq.

April 7, 2022

Board of Adjustment
Gretchen Milliken, Planning Director
Rebecca Ward, Deputy Planning Director

Re: Appeal of Planning Director Action on HDDR for 741 Rossie Avenue

Introduction: When an addition to a historic house is either large or uphill (or both), Park City Code requires the transitional element between a historic house and an addition to be set distance (a minimum of one-half (1/2) the length of the least-wide historic elevation adjacent to the historic elevation to which the transitional element is attached.) in order to set the addition away from the historic structure. Here, the Planning Director did not follow the Land Management Code (LMC) requirements and failed to mandate the requisite separation. Additionally, the addition is required to be subordinate to the historic house.

Procedural matters and history: On March 14, 2022, Planning Director Milliken issued a final action letter on modifications to a HDDR for the landmark structure located at 741 Rossie Avenue after holding public hearings on February 24, March 3 and March 10, 2022. This home was part of the red-light district during the mining era and is considered one of the gems of the historic inventory. The original HDDR had to be modified because the plans did not meet the required side yard setbacks for the lot size as listed in both the LMC and the Subdivision Ordinance. Although, the developer fixed the setbacks, they failed to have a long enough transitional element between the addition and the historic house.

Appellants, Mark Norris and Joe Peterchak, own 685 Rossie Hill, Park City and are adjacent neighbors to the landmark structure at 741 Rossie Hill. They submitted public comments on March 3 and March 10 and spoke at the public hearings. They are appealing within 30 days of final decision as required by 15-1-18(E) and are requesting the Board of Adjustment hear the appeal.

Argument: The Historic District Guidelines were reviewed over a five-year period and updated with incredible care and detail to ensure that Park City's treasured historic structures are adequately preserved and not overwhelmed by new additions. The Guidelines were also drafted to create transparent, quantifiable and reliable standards so that requirements were not discretionary. The language of LMC 15-13-2 (B)(4)(c)(5) is mandatory: "**Large additions shall** be visually separated from historic buildings when viewed from the public right of way. **Where the height of a new addition, site topography (e.g., an uphill addition), or both, the addition shall** be set away from the historic structure by a minimum of one-half (1/2) the length of the



Polly Samuels McLean, Esq.

least-wide historic elevation adjacent to the historic elevation to which the transitional element is attached.” (Emphasis added).¹

Therefore, because the addition to this landmark house is a large addition, the height is almost a story above the historic home, and the addition is an uphill addition, the LMC requires the transitional element to set the addition away from the historic structure at least 1/2 the length of the least-wide historic elevation adjacent to the historic elevation to which the transitional element is attached. The length of the least-wide historic elevation is 22 feet 3.5 inches. Thus, the length of the transitional element must be at least 11 feet and 1.75 inches, but the current approved plans reflect a separation of 8 feet and 2.5 inches (which is only 1/3).

The addition is “an uphill addition” and has height over the historic house:

- The site topography slopes uphill from the street at a slope of approximately 20%.
- The ridge line of the new addition is **11’8” higher** than the ridgeline of the historic house which is almost a story above the historic house and looms above it.

The addition is “large” as compared to the historic home.

- The existing historic house is 540 sf. The total new square footage is 2316 sf. which is more than 4 times as big. The massing of the addition which is most visible includes the new main and upper levels which total 1054 SF and is almost double the size of the historic square footage.

Moreover, the LMC dictates that the addition must be subordinate to the historic house. LMC 15-13-2 (B)(4)(c)(3). The code indicates that an addition with a footprint that is 50% of the footprint of the historic house is de facto subordinate. Here, the addition’s footprint is 150% of the footprint of the historic house. The lack of required separation between the historic house and the addition, and the massing of the addition add to the addition failing being subordinate to the historic house.

Unfortunately, the Planning Director mistakenly fails to address or recognize the addition’s height over the historic house or that it is uphill from the historic house. These facts alone require the mandated ½ length separation between the addition and the historic house in LMC 15-13-2 (B)(4)(c)(5). The Action Letter acknowledges that the addition is uphill (Finding 52(f)), but it fails to apply the required code to that finding. That analysis would require a finding that the addition’s height requires the additional separation.

The Planning Director also ignores the massing of the addition as compared to the historic house makes up a novel and non-code based justification of her finding that the addition is not “large” by using the definition gross square feet. A search of the LMC reveals that Gross Floor Area is a calculation which is made in Master Planned Developments (most often used in Empire Pass MPD) and does not appear in the residential historic districts as a means of measuring size. The

¹ Although there is a missing word in the code section, it is clear that if the addition’s height is over the historic house, or it is an uphill addition, the separation must be ½ the length.



Polly Samuels McLean, Esq.

emphasis in the Historic District Guidelines is massing as related to the historic structures. Massing is used in the Universal Design Guidelines (15-13-2 (A)(9)):

New construction such as new additions, exterior alterations, repairs, upgrades, etc., should not destroy historic materials, features, and spatial relationships that characterize the historic site or historic building. New construction should be differentiated from the historic structure while also maintaining compatibility with the historic structure in materials, features, **size, scale and proportion, and massing** to protect the integrity of the historic structure, the historic site, and its environment.

The LMC defines compatibility (LMC 15-15-1):

COMPATIBLE OR COMPATIBILITY. Characteristics of different Uses or designs that Integrate with and relate to one another to maintain and/or enhance the context of a surrounding Area or neighborhood. Elements affecting Compatibility include, but are not limited to, **Height, scale, mass and bulk of Building**, pedestrian and vehicular circulation, parking, landscaping and architecture, **topography**, environmentally sensitive Areas, and Building patterns.

Compatibility, Visual. Characteristics of different architectural designs that integrate with and relate to one another to maintain and/or enhance the context of a surrounding Area or neighborhood. In addition to the elements effecting Compatibility which include, but are not limited to **Height, scale, mass, and bulk of Building**. Other factors that dictate compatibility include proportion of building's front façade, proportion of openings within the facility, rhythm of solids to voids in front facades; rhythm of entrance or porch projections; relationship of materials and textures; roof shapes; scale of building. (Emphasis added)

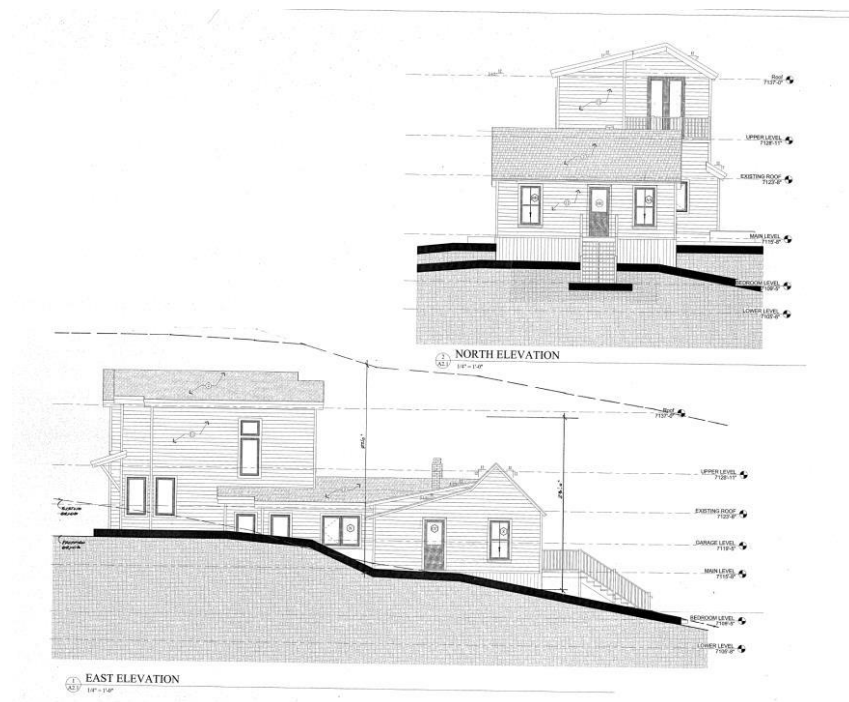
There is no basis in the LMC to apply Gross Floor Area calculations to additions attached to historic structure. However, compatible massing, height, size, scale, bulk proportion and massing are required within the Design Guidelines. Moreover, the Planning Director tries to justify why this lack of required separation should be allowed and incorrectly applies discretion to a portion of the code which is mandatory. She lists justifications for her novel interpretation of the code. However, the LMC doesn't permit variances or discretion by the Planning Director in this situation. Instead, the code is clear. If certain conditions exist (uphill addition, large, height), then additional separation between the addition and the historic home is required. Such mandatory language was intentional. The purpose and policy listed in 15-13-1 emphasized the need for "a framework for evaluating proposed projects to ensure that decisions are not arbitrary or based on personal taste. Finally, it affords residents the benefit of knowing what to expect when a project is proposed in their neighborhood."

Lastly, the process related to the Director's finding that the addition was not large (in addition to being incorrect) is flawed because according to the staff report, the Applicant (!) and the Director made that finding even before the public hearing public. (See page 16, 3/3/22 Staff Report, "The



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Applicant and the Planning Director determined that the addition is not a large addition ...” and page 23, 3/10/22 Staff Report, “Additionally, the Planning Director determined the addition is not considered a large addition. . .” Therefore, since the Planning Director already was working with the applicant to get around the code requirements, her decision was predetermined.



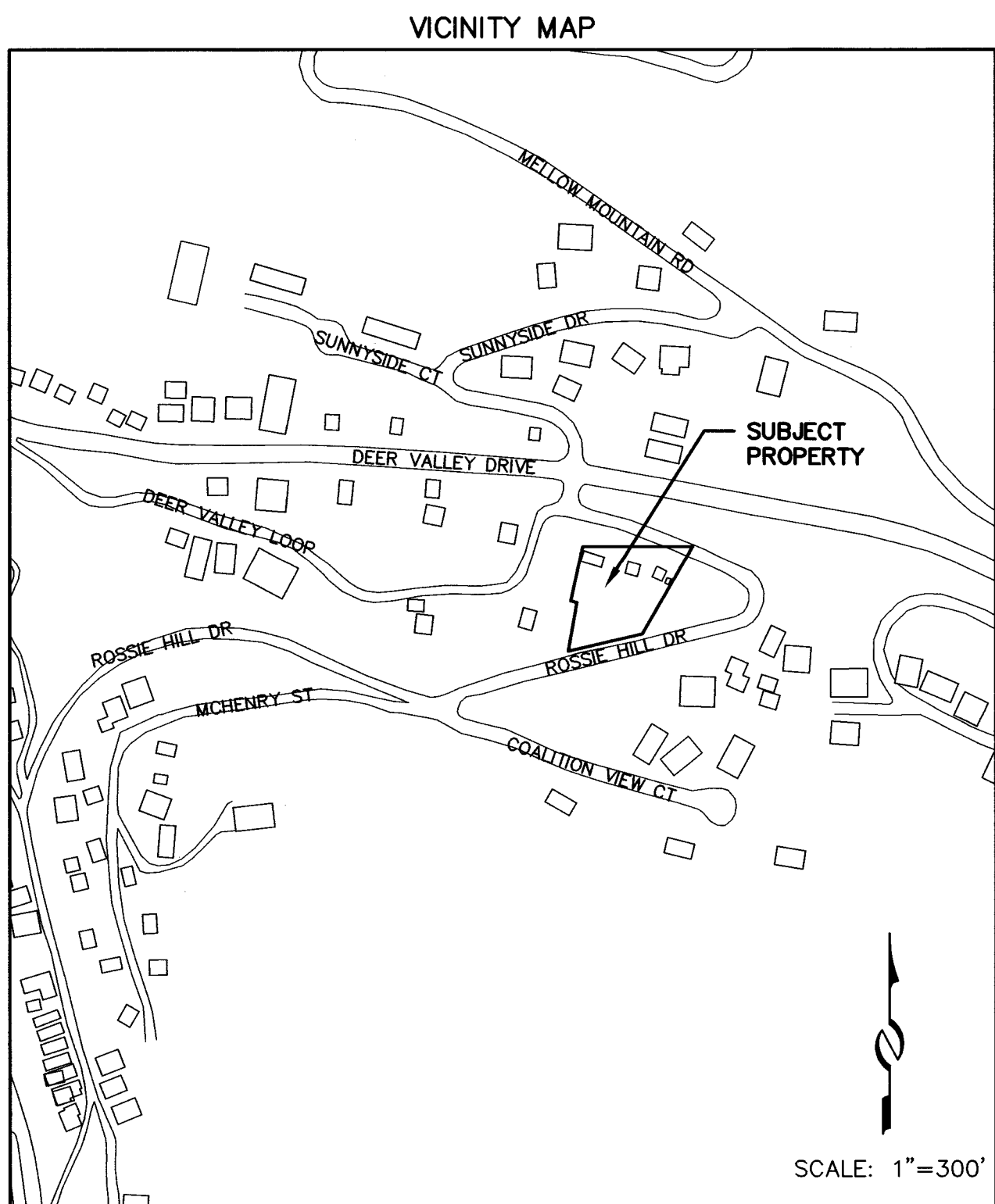
Conclusion:

It's a matter of facts and math. Facts: The addition is uphill; it has height over and it is large as compared to the historic structure. Math: one half of 22 feet 3.5 inches = 11 feet 1.75 inches which is the required distance of the addition from the landmark house. There is no wiggle room or discretion to that requirement. Therefore, we ask that you grant the appeal and find that the modification does not meet LMC 15-13-2 (B)(4)(c)(5) or 15-13-2 (B)(4)(c)(3) and that the addition be set back from the historic house at least one half the length of the least-wide historic elevation adjacent to the historic elevation to which the transitional element is attached.

Sincerely,

PEAK LAW

Polly Samuels McLean



EAST 1/4 CORNER
SECTION 16, T2S, R4E, S18&M
3 1/2" BRASS CAP
ON 2 1/4" IRON PIPE

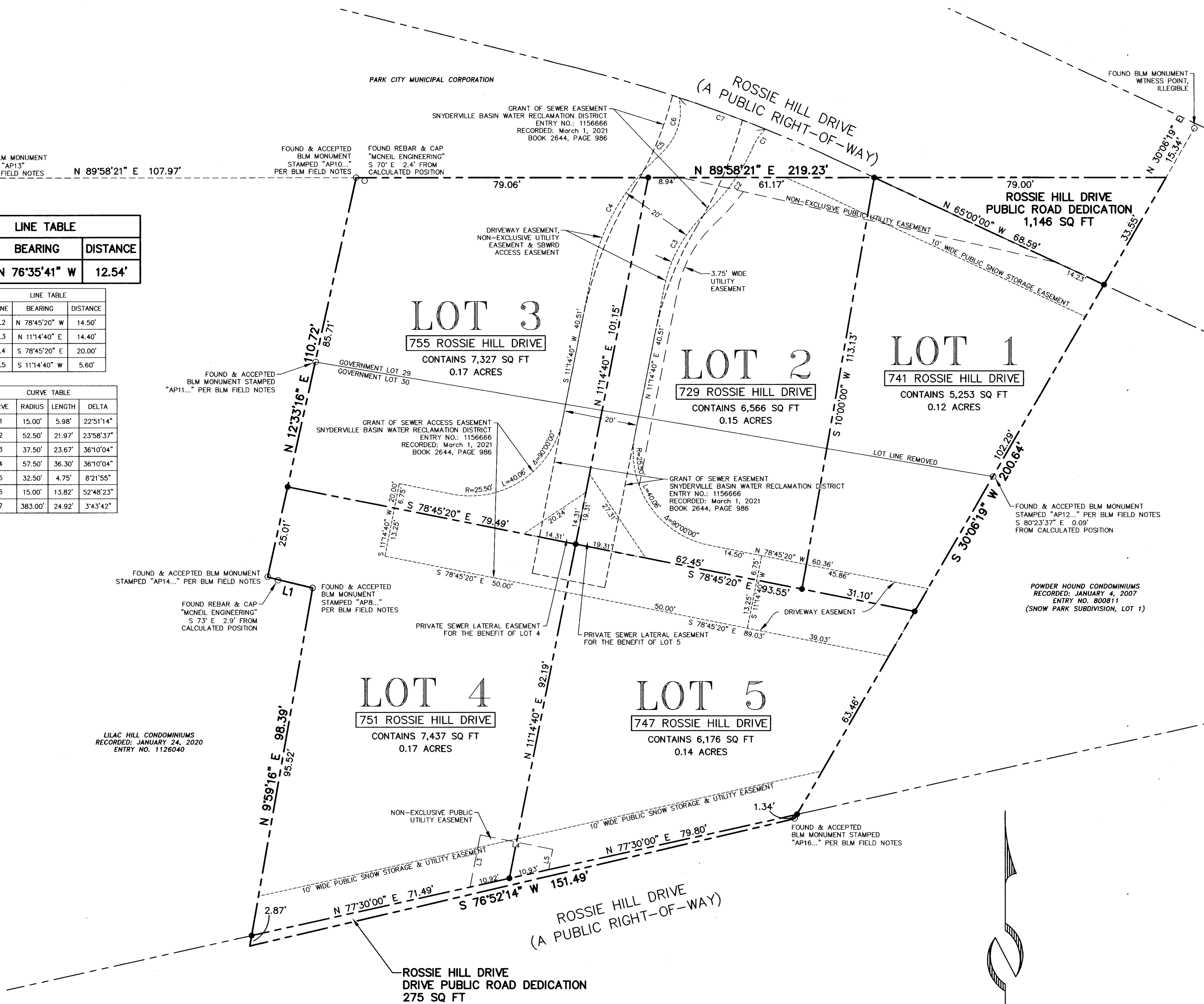
659.88'
BASIS OF BEARING - SECTION LINE - S 00°30'11" W 2630.05' (2629.80' MEAS.)
1970.17'

SOUTHEAST CORNER
SECTION 16, T2S, R4E, S18&M
2 1/2" IRON PIPE
FILLED WITH CONCRETE

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 76°35'41" W	12.54'

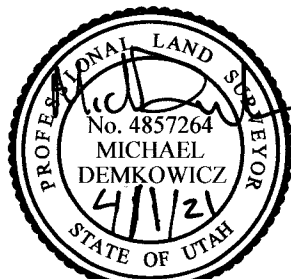
LINE TABLE		
LINE	BEARING	DISTANCE
L2	N 78°45'20" W	14.50'
L3	N 11°44'40" E	14.40'
L4	S 78°45'20" E	20.00'
L5	S 11°44'40" W	5.60'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	15.00'	5.98'	22°31'14"
C2	52.50'	21.97'	23°58'37"
C3	37.50'	23.67'	36°10'04"
C4	57.50'	36.30'	36°10'04"
C5	32.50'	4.75'	8°21'55"
C6	15.00'	13.82'	52°48'23"
C7	383.00'	24.92'	3°43'42"



LILAC HILL EAST SUBDIVISION

LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE

I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 4857264, as prescribed under the laws of the State of Utah. I further certify that by authority of the owner, I have made a survey of the tract of land shown and described hereon, hereafter to be known as LILAC HILL EAST SUBDIVISION and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

LEGAL DESCRIPTION

All of Government Lots 29 and 30, Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Also sometimes known and described as follows:

13th and 14th houses south side in Deer Valley, Park City;

15th house rear south side in Deer Valley, Park City.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned is the owner of the above described tract of land, and hereby causes the same to be divided into lots and streets, together with easements as set forth to be hereafter known as LILAC HILL EAST SUBDIVISION, and does hereby dedicate for the perpetual use of the public all roads and other areas shown on this plat as intended for public use. The undersigned owner also hereby conveys to any and all public utility companies a perpetual, non-exclusive easement over the public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities. The undersigned owner also hereby conveys any other easements as shown on this plat to the parties indicated and for the purposes shown hereon.

In witness whereof, the undersigned set his hand this 2nd day of April, 2021.

LILAC HILL EAST, LLC,
a Delaware limited liability company

By: Todd Franklin Watanabe, Authorized Signatory

ACKNOWLEDGMENT

STATE OF UT
COUNTY OF Summit

On this 2nd day of April, 2021, Todd Franklin Watanabe personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the Authorized Signatory of Lilac Hill East, LLC, a Delaware limited liability company, and that said document was signed by him on behalf of said limited liability company by authority of its Operating Agreement or Resolution of its Members, and he acknowledged to me that he executed LILAC HILL EAST SUBDIVISION.

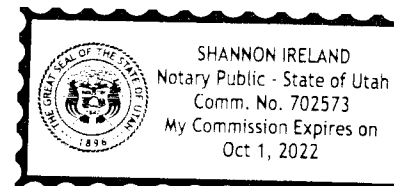
By: Shannon Ireland
Notary Public

Printed Name Shannon Ireland

Residing in: Summit

My commission expires: October 1, 2022

Commission No. 702573



NOTES

- This plat amendment is subject to the Conditions of Approval in Ordinance 2020-02 & Ordinance 2021-09. Ordinance 2021-09 is approval for an extension of Ordinance 2020-02.
- See Survey 442-AZ, on file with the Bureau of Land Management, and Records of Survey S-0006427 and S-0010076 on file in the Office of the Summit County Recorder.
- All lots shall have a ten (10') foot setback from the Driveway Easement.
- All lot lines shall provide a five (5') foot minimum non-exclusive utility easement.
- Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal.
- Drives (private road/Fire Department access road) shall provide twenty feet (20') wide of clear space to meet Fire Code. If parking impacts this twenty foot (20') wide clear space, it will not be allowed and shall be signed "No Parking". Roads less than twenty-six feet (26') wide shall be marked "No Parking" on both sides of the road.
- This property shall not be further subdivided.
- The Driveway Easement from lower Rossie Hill Drive shall be the single vehicular access for all five (5) Lots.
- At the time of any resurfacing of the private driveway, the Lilac Hill East Homeowners' Association shall be responsible to adjust wastewater manholes to grade according to Snyderville Basin Water Reclamation District (SBWRD) standards. Prior notification of the adjustments and inspection by SBWRD is required.

LEGEND

- Set 5/8" rebar w/cap
"ALLIANCE ENGINEERING"
(Unless noted otherwise)
- Found Monument
(As-Noted)
- Found Section monument
(As-Noted)

SHEET 1 OF 1

4/1/21 JOB NO.: 3-9-18 FILE: X:\EastofOldTown\dwg\sr\plal2018\030918.dwg

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER
RECLAMATION DISTRICT STANDARDS ON THIS 5th
DAY OF April, 2021
BY JD
ENGINEERING DEPARTMENT

PLANNING COMMISSION
APPROVED BY THE PARK CITY
PLANNING COMMISSION THIS 11TH
DAY OF DECEMBER, 2019
BY Chair
CHAIR

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN
ACCORDANCE WITH INFORMATION ON
FILE IN MY OFFICE THIS 06
DAY OF May, 2021
BY W.D. For
PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS 25
DAY OF May, 2021
BY W.D. For
PARK CITY ATTORNEY

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY
COUNCIL THIS 25TH DAY OF FEBRUARY, 2021
BY A. L. L.
MAYOR

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY
MAP WAS APPROVED BY PARK CITY
COUNCIL THIS 25th DAY
OF February, 2021
BY Michelle Velazquez
PARK CITY RECORDER

PUBLIC SAFETY
ANSWERING POINT APPROVAL
APPROVED THIS 1 DAY
OF JUNE, 2021
BY Dillon Danaher FOR JEFF WARD
SUMMIT COUNTY GIS COORDINATOR

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF First American Title
60.00 Dillon Danaher - DEPT RECORDER
FEE RECORDER
TIME 8:10 AM DATE 6-01-2021 ENTRY NO. 01164826

LILAC HILL EAST SUBDIVISION

99

HISTORIC SITE FORM - HISTORIC SITES INVENTORY

PARK CITY MUNICIPAL CORPORATION (10-08)

1 IDENTIFICATION

Name of Property: **Benedictus Carling House**

Address: 660 Rossie Hill Drive

AKA:

City, County: Park City, Summit County, Utah

Tax Number: QS-1

Current Owner Name: Billy & Virginia Irwin

Parent Parcel(s):

Current Owner Address: PO Box 681705, Park City, UT 84068-1705

Legal Description (include acreage): UNIT 1, BLDG 1, QUICKSILVER CONDOMINIUM TOGETHER WITH UND 25% OWNERSHIP IN COMMON AREA.

2 STATUS/USE

Property Category

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

Evaluation*

- ☒ Landmark Site
☐ Significant Site
☐ Not Historic

Reconstruction

- Date:
Permit #:
☐ Full ☐ Partial

Use

- Original Use: Residential
Current Use: Residential

*National Register of Historic Places: ☐ ineligible ☒ eligible
☒ listed (date: 7/12/1984 - Mining Boom Era Residences Thematic District)

3 DOCUMENTATION

Photos: Dates

- ☒ tax photo:
☒ prints: 1983, 1995 & 2006
☐ historic: c.

Drawings and Plans

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

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

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

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

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

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

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

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

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

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

4 ARCHITECTURAL DESCRIPTION & INTEGRITY

Building Type and/or Style: Hall-parlor type / vernacular style

No. Stories: 1

Additions: ☒ none ☐ minor ☐ major (describe below) Alterations: ☐ none ☒ minor ☐ major (describe below)

Number of associated outbuildings and/or structures: ☐ accessory building(s), # ____; ☐ structure(s), # ____.

General Condition of Exterior Materials:

Researcher/Organization: Dina Blaes/Park City Municipal Corporation

Date: November, 08

☐ Good (Well maintained with no serious problems apparent.)

☒ Fair (Some problems are apparent. Describe the problems.): **General disrepair.**

☐ Poor (Major problems are apparent and constitute an imminent threat. Describe the problems.):

☐ Uninhabitable/Ruin

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

Site: Large lot by Park City standards.

Foundation: Not verified, likely wooden sills or no foundation.

Walls: Drop siding.

Roof: Gable roof form with rolled roofing material.

Windows/Doors: Two-over-two double-hung sash type.

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

Location: ☒ Original Location ☐ Moved (date _____) Original Location:

Design (The combination of physical elements that create the form, plan, space, structure, and style. Describe additions and/or alterations from the original design, including dates--known or estimated--when alterations were made): The one-story frame hall-parlor house remains unchanged from what is described in the 1983 National Register nomination form (see Structure/Site Form, 1983).

Setting (The physical environment--natural or manmade--of a historic site. Describe the setting and how it has changed over time.): The immediately setting remains unchanged from what is described in the National Register nomination form and what is seen in the early tax photos; however, a large multi-unit development has been constructed adjacent to the subject house. It diminishes the overall setting.

Workmanship (The physical evidence of the crafts of a particular culture or people during a given period in history. Describe the distinctive elements.): The physical evidence from the period that defines this as a typical Park City mining era house are the simple methods of construction, the use of non-beveled (drop-novelty) wood siding, the plan type, the simple roof form, the informal landscaping, the restrained ornamentation, and the plain finishes.

Feeling (Describe the property's historic character.): The physical elements of the site, in combination, convey a sense of life in a western mining town of the late nineteenth and early twentieth centuries.

Association (Describe the link between the important historic era or person and the property.): The Hall-Parlor house form is the earliest type to be built in Park City and one of the three most common house types built in Park City during the mining era.

This site was listed on the National Register of Historic Places in 1984 as part of the *Park City Mining Boom Era Residences Thematic District*. It was built within the historic period, defined as 1872 to 1929 in the district nomination, and retains its historic integrity. As a result, it meets the criteria set forth in LMC Chapter 15-11 for designation as a Landmark Site.

5 SIGNIFICANCE

Architect: ☒ Not Known ☐ Known: (source:)

Date of Construction: c. 1895¹

Builder: ☒ Not Known ☐ Known: (source:)

¹ Utah State Historical Society, Structure/Site Form, 1984.

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

1. Historic Era:

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

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

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

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

6 PHOTOS

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

Photo No. 1: North elevation (primary façade). Camera facing south, 2006.

Photo No. 2: Northwest oblique. Camera facing southeast, 2006.

Photo No. 3: South elevation. Camera facing north, 2006.

Photo No. 4: Northeast oblique. Camera facing southwest, 1995.

Photo No. 5: Northeast oblique. Camera facing southwest, 1983.

Photo No. 6: North elevation (primary façade). Camera facing south, tax photo.

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



Historic Preservation Research Office

Structure/Site Information Form

1
IDENTIFICATIONStreet Address: 660 Rossie Hill Drive UTM: 12 458760 4499200
Park City, Summit County, Utah

Name of Structure: Benedictus Carling House T. R. S.

Present Owner: Mr. and Mrs. Richard Dennis

Owner Address: 2533 Yermo Avenue, Salt Lake City, Utah 84109

Year Built (Tax Record):

Effective Age:

Tax #: SNS-1
(previously PC 546)

Legal Description

Kind of Building:

This house is included in the tax file SNS-1 with the house at 623 Deer Valley Road, which is owned by the same people, because ownership of this house is separate from the ownership of the property upon which it sits. That property is part of an extensive mining claim in the area. All legal references to this house describe it as the 15th house (rear) South side of Deer Valley Road, building only. less than one acre

2
STATUS/USE

Original Owner: possibly Benedictus Carling Construction Date: c. 1890 Demolition Date:

Original Use: Residence

Present Use:

Building Condition:

Integrity:

Preliminary Evaluation:

Final Register Status:

☒ Excellent☐ Site☐ Unaltered☒ Significant☐ Not of the☐ National Landmark☐ District☐ Good☐ Ruins☒ Minor Alterations☐ Contributory

Historic Period

☐ National Register☐ Multi-Resource☐ Deteriorated☐ Major Alterations☐ Not Contributory☐ State Register☐ Thematic3
DOCUMENTATION

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

Views: ☐ Front ☐ Side ☐ Rear ☐ OtherViews: ☐ Front ☐ Side ☐ Rear ☐ Other

Research Sources:

☒ Abstract of Title☒ Sanborn Maps☒ Newspapers☐ U of U Library☒ Plat Records/Map☐ City Directories☐ Utah State Historical Society☐ BYU Library☒ Tax Card & Photo☐ Biographical Encyclopedias☒ Personal Interviews☐ USU Library☐ Building Permit☒ Obituary Index☐ LDS Church Archives☐ SLC Library☐ Sewer Permit☒ County & City Histories☐ LDS Genealogical Society☒ Other Census Records

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

1900 Census Records. Summit County, Park City Precinct.

Street Address: 660 Rossie Hill Drive

Site No:

Architect/Builder: Unknown

Building Materials: Wood

Building Type/Style: Hall and Parlor House

Description of physical appearance & significant architectural features:

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

This house is a one story frame hall and parlor building with a gable roof and an original rear shed extension. It has drop siding on the facade, and board and batten siding on the gable ends. Typical of the hall and parlor house in Park City, the facade is generally symmetrical with a door set slightly off-center between two windows. The windows are the two over two double hung sash type. There is a second door into the east side of the building which opens into the rear shed extension. A small set of wooden stairs and platform provide access to the front door. The only alteration of the exterior of the building is the addition of a square window in the east gable end. The change is unobtrusive and does not affect the original integrity of the building.

Statement of Historical Significance:

Construction Date: c, 1890

Built c. 1890, the Benedictus Carling House at 660 Rossie Hill Drive is architecturally significant as one of 76 extant hall and parlor houses in Park City, 22 of which are included in this nomination. The hall and parlor house, the earliest house type to be built in Park City, and one of the three most common house types that were built during the early period of Park City's mining boom era, significantly contributes to the character of the residential area. In addition, this house is significant as one of only three well preserved houses with board and batten siding. Although board and batten siding was commonly used in the construction of mining town houses, drop siding was the principle exterior building material for Park City houses.

This house was built by at least 1907, as indicated by the Sanborn Insurance Maps which first covered this area that year, having probably been constructed in the 1880s or '90s, as were the majority of hall and parlor houses in Park City. The first known owners of this house were Benedictus Carling and his wife, Maria, who bought it at an unknown date and owned it until 1900. Benedictus was born in Sweden in 1854 and came to the U.S. in 1879. He and Maria, whom he married in 1879, had at least seven children. Benedictus worked in one of the ore processing mills in Park City.

Edburn Edstrom, who also worked in one of the mills, bought this house from the Carlings in 1900. He was listed in the 1900 census records as the owner/occupant of a house, apparently this one, in this area along Heber Avenue, as it was referred to at that time. Edburn (b. 1863) and his wife, Bessie (b. 1860), both natives of Sweden, were married in 1887 and came to the U.S. in 1891. They had at least seven children. Just six months after they bought this house, the Edstroms sold it to William Y. Bennie.

(See continuation sheet)

660 Rossie Hill Drive
History continued:

William Bennie, a miner, was listed in the 1910 census records as the owner/occupant of this house.¹ Born in Scotland in 1858 and married in 1872, Bennie came to the U.S. in 1887. He worked as a miner while living in Park City. His wife, Catherine, joined him in the U.S. in 1892. They had at least two children.

In the late 1920s or early 1930s this house was purchased by William Wood, father and grandfather of the current owners.² Wood lived next door at 652 Rossie Hill Drive and rented out the this and three neighboring houses, which he had also purchased (623 Deer Valley Road, and 622 and 660 Rossie Hill Drive).

¹The address given in the 1910 census for Bennie's residence, 668 Deer Valley Road, is the same as that given for this house on the 1907 Sanborn Insurance Map, so can be reasonably assumed that they are the same house.

²Telephone interview with Gladys Dennis, daughter of William Wood, January 25, 1984, Park City, Utah.



Benedictus Carling House
660 Rossie Hill Drive
Park City, Summit County, Utah

View from Northeast corner

Photo by Roger Roper, October 1983
Negative: Utah State Historical Society









SUNSPOT

May 11, 2022

VIA EMAIL (rebecca.ward@parkcity.org)

Rebecca Ward, Assistant Planning Director
Park City Municipal Corporation

*Re: 741 Rossie Hill Drive – Notice of Applicant’s Objection to Board of Adjustment
Hearing of Untimely Appeal*

Dear Rebecca:

As you know, we represent applicant Lilac Hill East Development, Inc. (“Applicant”), the owner of 741 Rossi Hill Drive in connection with its current application for an addition to the historical residence and in connection with the appeal filed by Mark Norris and Joe Peterchak (collectively, “Appellant”) on April 7, 2022 (the “Appeal.”) The Appeal is currently set to be heard by the Board of Adjustment on May 17, 2022.

This letter is for the purpose of lodging Applicant’s objection to the hearing of the Appeal by the Board of Adjustment¹ because the Appeal was not filed within the 10-day period required by the Land Management Code. The basis for this objection is as follows:

1. Planning Director Gretchen Milliken issued a final action letter on March 14, 2022.
2. Section 15-1-18(E) of the LMC governs the timing of appeals, and provides, in relevant part, that:

All appeals must be made within ten (10) calendar days of the Final Action except for an appeal from a decision by the historic preservation authority which is a decision by Staff regarding the Design Guidelines for Historic Districts and Historic Sites or a decision by the Historic Preservation Board regarding a land use application, **the applicant** may appeal the decision within thirty (30) days after the day on which the historic preservation authority issues a written decision.

Under this provision, it is clear that all appeals except for appeals filed by **an applicant** must be filed within ten (10) calendar days. The Applicant supports the Planning Director’s decision and did not file an appeal.

¹ Applicant first noted this objection by e-mail from Matt Hutchinson to Rebecca Ward on the date the Appeal was filed, April 7, 2022.

3. “Applicant” is defined in Section 15-15-1 as “The Owner of the Property that is the subject of the Application, or the Owner’s Agent.”

4. In this matter, the Owner of the Property that is the subject of the Application is Lilac Hill East Development, Inc.

5. Appellant is not the Owner of the Property that is the subject of the Application and thus is not an “applicant” within the meaning of LMC Section 15-1-18(E).

6. Appellant’s deadline for the Appeal was ten (10) calendar days after March 14, 2022, or March 24, 2022.

7. The Appeal was filed not filed until April 7, 2022, 26 days after the Final Action letter was issued.

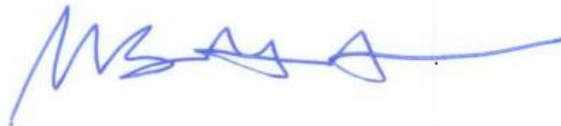
8. The Appeal was filed 16 days late.

Please ensure that this letter is included with the BOA packet for the hearing set for May 17.

If you have any questions, please call.

Sincerely,

HOGGAN LEE HUTCHINSON



Matthew B. Hutchinson

cc: Gretchen Milliken (via e-mail)
Jonathan DeGray (via e-mail)
Lilac Hill East Development, Inc. (via e-mail)
Polly McLean (via e-mail)