



**PARK CITY BOARD OF ADJUSTMENT MEETING
SUMMIT COUNTY, UTAH
January 9, 2024**

The Board of Adjustment of Park City, Utah, will hold its regular meeting in person at the Marsac Municipal Building, City Council Chambers, at 445 Marsac Avenue, Park City, Utah 84060. Meetings will also be available online and may have options to listen, watch, or participate virtually.

[Click here](#) for more information.

1. MEETING CALLED TO ORDER AT 5:00PM

2. ROLL CALL

3. MINUTES APPROVAL

- 3.A. Consideration to Approve the Board of Adjustment Meeting Minutes from December 12, 2023

4. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

5. PUBLIC COMMUNICATIONS

6. REGULAR AGENDA

- 6.A. **948 Woodside Avenue - Variance** - The Applicant Requests a Variance to the Historic Residential - 1 Zoning District Maximum Building Footprint to Increase the Footprint of An Existing Single-Family Dwelling by 51 Square Feet. PL-23-05967
(A) Public Hearing; (B) Action
- 6.B. **2724 Creek Drive - Variance** - On December 12, 2023 the Board of Adjustment Conducted a Public Hearing and Directed Planning Staff to Draft a Final Action Letter Denying the Requested Variance to the Front Setback Requirements in the Single-Family Zoning District to Extend the Existing Front-Facing Garage. PL-23-05853
(A) Action

7. ADJOURNMENT

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 meeting attendees who park in the China Bridge parking structure.**



**PARK CITY MUNICIPAL CORPORATION
BOARD OF ADJUSTMENT MEETING
SUMMIT COUNTY, UTAH
MINUTES OF DECEMBER 12, 2023**

BOARD MEMBERS IN ATTENDANCE: Ruth Gezelius-Chair, Beth Armstrong, Jennifer Franklin, Stefanie Wilson

STAFF: Jack Niedermeyer, City Planner

Excused: John Stafsholt and Mary Wintzer

1. ROLL CALL

Chair Ruth 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 November 7, 2023.

MOTION: Board Member Armstrong moved to APPROVE the minutes of November 7, 2023, as presented. Board Member Franklin seconded the motion. The motion passed with the unanimous consent of the Board.

3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

Staff referenced the item presented at the last Board of Adjustment that was continued to January 9, 2024. The applicant has since requested that it be continued to February 2024.

4. PUBLIC COMMUNICATIONS

There were no public communications.

5. REGULAR AGENDA

A. 750 River Birch Court - Variance - Application Withdrawn.

The above application was withdrawn.

B. 2724 Creek Drive - Variance - The Applicant Requests a Variance to the Front Setback Requirements in the Single-Family Zoning District to Extend the Existing Front-Facing Garage. PL-23-05853.

City Planner, Jack Niedermeyer, presented the Staff Report and acknowledged the presence of the applicant's representative, Alan Johnson. Planner Niedermeyer reported that 2724 Creek Drive is Lot 1 of the Cloud Creek Subdivision in the Single-Family Zoning District. The site contains a single-family dwelling that was constructed in 1987. The subject property is a corner lot that fronts Creek Drive and Creek Court. The Land Management Code ("LMC") establishes setback requirements for unusual lot configurations and specifies that development on corner lots must have two front setbacks.

Planner Niedermeyer reported that the LMC requires a minimum front setback of 20 feet for main buildings and 25 feet for front-facing garages measured from the front property line. The applicant is requesting a variance to reduce the front setback for a front-facing garage from 25 to 20 feet to allow for the extension of the existing single-family dwelling garage by 7' 6". An image of the proposed site plan was presented showing that the garage extension would encroach on the 25-foot front setback. Per LMC Section 15-10-8C, the applicant bears the burden of proving that the following five variance criteria are met:

1. Literal enforcement of the LMC would cause an unreasonable hardship for the Applicant that is not necessary to carry out the general purpose of the LMC.
2. There are special circumstances attached to the Property that do not generally apply to other Properties in the same zone.
3. Granting the Variance is essential to the enjoyment of a substantial Property right possessed by other Property in the same zone.
4. The Variance will not substantially affect the General Plan and will not be contrary to the public interest.
5. The spirit of the LMC is observed, and substantial justice done.

Planner Niedermeyer reported that the Development Review Committee ("DRC") met on November 21, 2023, and did not identify any issues related to district or utility development standards. No public input had been received by Staff.

Staff recommended that the Board of Adjustment review the proposed variance, hold a public hearing, and determine whether the application meets the five criteria set forth in the LMC. Staff should then be directed to prepare a Final Action Letter granting or denying the requested variance for review on January 9, 2024.

The alternatives were described as follows:

- The Board of Adjustment may direct staff to draft a Final Action Letter granting the Variance to reduce the Front Setback for Front-Facing Garages from 25 feet to 20 feet; or
- The Board of Adjustment may direct staff to draft a Final Action Letter denying the Variance to reduce the Front Setback for Front-Facing Garages from 25 feet to 20 feet; or
- The Board of Adjustment may request additional information and continue the discussion to January 9, 2024.

Mr. Johnson reported that the purpose of the request is to make the dwelling function as a normal home would. For example, there is no laundry room and the storage space in the master bedroom is undersized with virtually no closet space. Moving it out 7 ½ feet will increase the size of the master bedroom and allow for the creation of adequate storage for a closet. It would also provide space downstairs for an actual laundry room. The way the home was originally positioned within the setbacks resulted in each corner of the home being directly on the setback. To come out 7 ½ feet, the 65 square-foot wedge would invade the corner lot setback of 25 feet whereas the rest of the homes on the street have 20-foot setbacks. The property is only visible to one homeowner who is owned by a part-time resident who was involved in the creation of the proposed plan. Mr. Johnson stated that the community is behind what they are planning to do.

The only alternative would be to come off the side of the house but they would have to remove four feet of the existing length of the garage, which would allow for only two normal-sized cars and not an SUV. A new section under this scenario would add 90 additional square feet of living space to the home than the proposed plan for about \$50,000 less in cost. The applicant does not mind paying more to pursue the original plan because architecturally it would make it the nicest home on the street.

In response to a question raised, Mr. Johnson stated that the current square footage of the home is approximately 2,700 square feet. What is proposed would add 375 to 400 square feet. Plan B would add an additional 90 square feet. It was clarified that under the proposed plan the garage would remain the same size. The 7 ½ feet captured in the rear would become a laundry room.

Board Member Franklin referred to the site map where the storage unit on the side appears to encroach on the property line. Mr. Johnson stated that it would be back quite a ways beginning where the existing garage is and extending back along the side of the home. He noted that the Homeowners Association ("HOA") permits tuff sheds, which the homeowner would not consider. The shed, however, would be placed on a concrete slab on grade against the side of the house but would look like and be part of the structure.

Chair Gezelius commented that the Board is aware of the 25-foot rule and that many driveways in the City are only 20 feet and sometimes shorter. People often drive vehicles that are nearly 20 feet long, which results in the vehicle extending out into the street. The street does not have sidewalks or much pedestrian traffic. Reducing the length of the driveway in a neighborhood with 25-foot setbacks could impact the neighbors in terms of

visibility if the car is parked all the way toward the street. Mr. Johnson clarified that they will maintain the full 20 feet and the 10-foot easement, which would leave room for four standard-sized cars.

Chair Gezelius opened the public hearing. There were no public comments. The public hearing was closed.

The five criteria were discussed.

Board Member Wilson did not feel that the application meets any of the criteria for the variance. She did not see how there was an unreasonable hardship and stated that the applicant has another option. She did not find that there were any special circumstances attached to the property as there are other corner lots in the neighborhood that have the appropriate setbacks. She did not find that granting the variance is essential to the enjoyment of a substantial property right because there is another option. The General Plan requires specific setbacks and none of the other criteria justify going contrary to the General Plan.

Board Member Franklin agreed that the application does not meet any of the criteria for hardship and certainly not numbers 1, 2, and 5.

Chair Gezelius agreed and stated that because there is an alternate plan that may be even better without enhanced use of the garage. Mr. Johnson stated that with Plan B, the use of the garage will not change.

MOTION: Board Member Franklin moved to direct Staff to draft a Final Action Letter DENYING the Variance to reduce the front setback for the front-facing garage from 25 feet to 20 feet and continue the matter to January 9, 2024. Board Member Armstrong seconded the motion. The motion passed with the unanimous consent of the Board.

6. ADJOURN

MOTION: Board Member Armstrong moved to ADJOURN. Board Member Franklin seconded the motion. The motion passed with the unanimous consent of the Board.

The Board of Adjustment Meeting adjourned at approximately 5:30 p.m.

Approved by _____
Ruth Gezelius, Board of Adjustment Chair

LOT 2 - RESIDENTIAL USE

LOT 1 -
PARCEL # MCL-1
0.31 ACRES (+/-)
REFER TO SURVEY

VARIOUS DA ASYEN
TREEROW

5.0
PUE

SURVEY C.P.
ELEV. 680.85

5.0
PUE

KEYNOTES

LOT

5.0
PUE

CONCRETE
CURBING

PORTION OF PROPOSED ADDITION
THAT FALLS WITHIN EXISTING
25' SETBACK

F.F.E.
EL = 6766.3'

24'-5 1/4" ROOF RIDGE ELEV.

13'-0" DECK EDGE ELEV.

PORTION OF ADDITION CROSSING
EXISTING 25' SETBACK = 45 S.F.

60-65 \$F
I=41.66'
R=25.00'
A=27.61°

GENERAL NO



stereotomic

LIC # 10151951-0201

jarrett moe, aia

1041 PHEASANT WAY
PARK CITY UT 84003
435-640-4310

STEREOTOMIC.COM
ARCHITECTURE + DESIGN

CONSULTANT

Shay Residence
Addition

Construction drawings: 09/12/2023

2724 Creek Dr.
Park City, UT 84060

REVISIONS
DATE DESCRIPTION

EXISTING TO REMAIN
EXISTING TO BE DEMOLISHED
NEW CONSTRUCTION

KEYNOTES

EXTERIOR
ELEVATIONS

SHEET NO. A 201

ORIGINAL SIZE: 24"X36" IF ALTERNATE SHEET
SIZE SCALE REDUCED ACCORDINGLY

STONE AS DEPICTED
IN ATTACHED PHOTO

2A NEW WEST ELEVATION
SCALE: 1/4" = 1'-0"

4A NEW NORTH ELEVATION
SCALE: 1/4" = 1'-0"



stereotomic

Jarrett Moe, AIA
1641 RHEASDALE WAY
PARK CITY, UT 84033
435-640-6750

CONSULTANT

Shay Residence
Addition

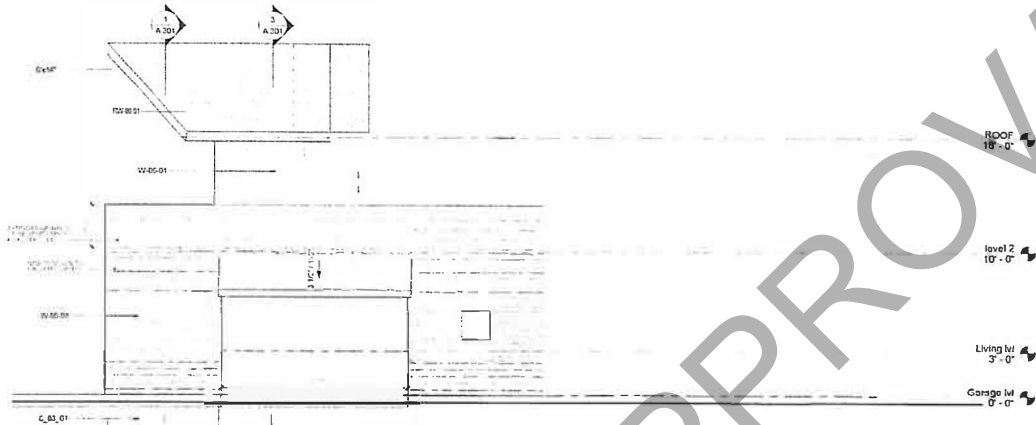
Construction drawings 09/12/2023
2724 Creek Dr.
Park City, UT 84060

REVISIONS
DATE DESCRIPTION

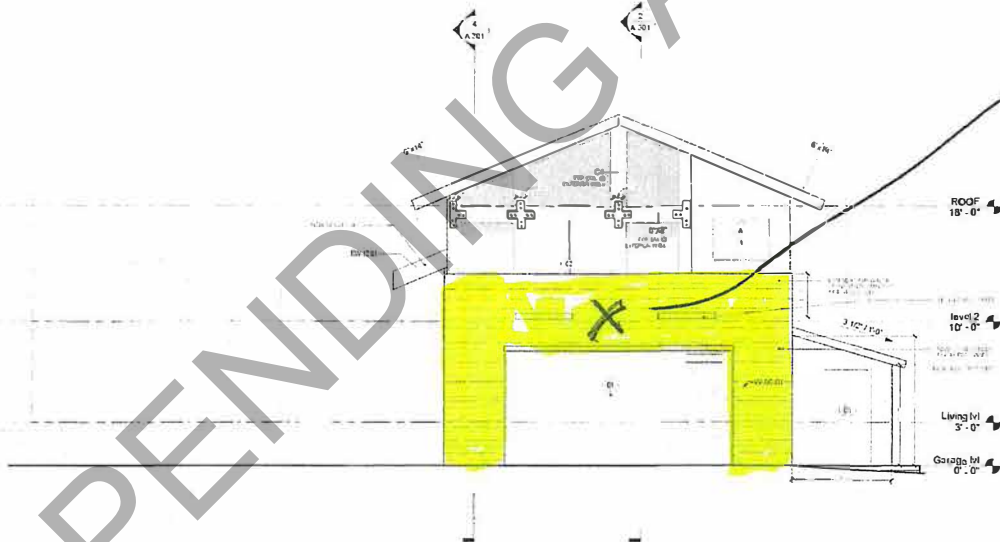
EXTERIOR
ELEVATIONS

SHEET NO. A 202

ORIG. WAL. SIZE 24X36" IF ALTERNATE SHEET
SIZE SCALE REDUCED ACCORDINGLY



2A | NEW EAST ELEVATION
SCALE: 1/4" = 1'-0"



4A | NEW SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

STONE AS
DEPICTED IN
PHOTO

EXISTING TO REMAIN
EXISTING TO BE DEMOLISHED
NEW CONSTRUCTION

KEYNOTES

DEMO LEGEND
SCALE: 3/4" = 1'-0"



Board of Adjustment Staff Report



Subject: 948 Woodside Avenue
Application: PL-23-05967
Author: Spencer Cawley, Planner II
Date: January 9, 2024
Type of Item: Variance

Recommendation

(I) Review the proposed Variance to exceed the allowed maximum Building Footprint in the Historic Residential – 1 Zoning District to enclose a portion of the foundation area to accommodate the addition of an interior bathroom for an existing, non-historic Single-Family Dwelling; (II) conduct a public hearing; (III) and consider denying the Variance according to the Findings of Fact and Conclusions of Law outlined in the draft Final Action Letter (Exhibit A).

Description

Applicant: Eric (Rick) Schach
Michael Sweeney, Representative
Location: 948 Woodside Avenue
Zoning District: Historic Residential – 1
Adjacent Land Uses: Single-Family Dwellings
Reason for Review: Variances require Board of Adjustment review and Final Action¹

BOA Board of Adjustment
FAR Floor Area Ratio
HDDR Historic District Design Review
HR – 1 Historic Residential – 1
LMC Land Management Code

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

Summary

948 Woodside Avenue is a non-historic Single-Family Dwelling located in the Historic Residential – 1 (HR-1) Zoning District. The Applicant is requesting a Variance to increase the Building Footprint of the Structure from 909 square feet to 960 square feet. This Variance is proposed so the Applicant can construct an additional bathroom on the basement level so that there will be two bathrooms for the three basement-level bedrooms. The Applicant requests a Variance to increase the maximum Footprint of the building to accommodate this second basement-level bathroom.

¹ LMC [§ 15-1-8\(I\)](#)

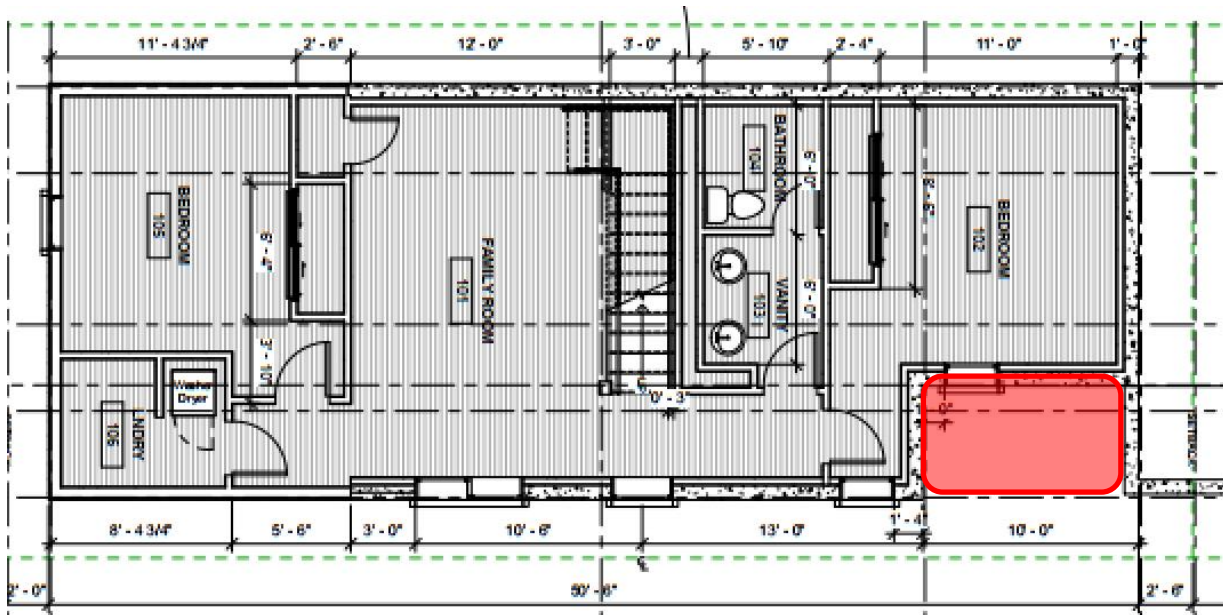
Background

948 Woodside Avenue was approved as part of a Historic Design Review on March 2, 1992. The property was approved alongside its neighbor, 946 Woodside Avenue. The two properties are identical in size and layout. For comparison, the following Google Earth image shows the street view:



Figure 1: Street view of 948 Woodside Avenue (left).

The Building Footprint of 948 Woodside Avenue has not changed since 1992. When constructed, the basement level was constructed with an exterior area considered outside of the Building Footprint as shown in the as-built drawing provided by the Applicant (Exhibit B). The exterior area is highlighted in red:



Analysis

The Board of Adjustment hears all Variance requests. The Board of Adjustment holds a public hearing and takes Final Action on Variances. The Board of Adjustment may impose additional requirements on the Applicant to (I) mitigate any harmful effects of the Variance or (II) serve the purpose of the standard or requirement that is waived or modified.²

The Applicant requests the following Variance:

“To increase the footprint by 50 sq. ft. from 909 sq. ft. to 960 sq. ft to allow for an additional 50 sq. ft. bathroom in the basement” (see Exhibit C).

When the Single-Family Dwelling at 948 Woodside Avenue was approved in 1992, the governing Land Management Code (LMC) at the time did not establish a Maximum Building Footprint. Instead, the LMC required Structures in the HR – 1 Zoning District to comply with a maximum Floor Area Ratio (FAR). According to the 1992 LMC:

Floor Area Ratio. The floor area of all new structures constructed within the HR-1 District shall be limited by the Floor Area Ratio (FAR) which shall be the Floor Area as defined in Chapter 2, divided by the total area of the lot or parcel. For lots up to 1875 square feet, the maximum FAR shall be .9. For lots from 1876 square feet to 3750 square feet in area, the maximum FAR shall be .75. For lots larger than 3750 square feet in area, the maximum FAR shall be .6. In calculating the FAR for a single family structure, 400 square feet may be added to the total floor area for a two-car garage after calculating the FAR. For duplexes, triplexes and multi-unit structures, the garage addition shall be 400 square feet for each residential unit.

The LMC definition of Floor Area in effect at the time reads:

Floor Area. The floor area is the area of a building that is enclosed by surrounding exterior walls, excluding a 600 square foot allowance for garages. Walkout basements will be considered floor area whether finished or unfinished. Basements which are more than 80% below natural and finished grade will not be included in the floor area calculation. Porches, balconies, patios and decks will not be considered floor area. This definition is for planning purposes only and may conflict with other methods of calculating square footage such as the Uniform Building Code.

² LMC [§ 15-10-8](#)

The 1992 Building Permit plans indicate the Floor Area:

- 1,139 square feet of main and upper Floor Area
- 909 square feet of finished basement Floor Area
- 287 square feet of garage Floor Area
- Total 2,048 square feet gross Floor Area

As the Building Permit calculations indicate, the FAR for 948 Woodside Avenue is 1.09. There is no indication if Staff at the time used a different method to calculate a FAR that meets the 0.9 maximum.

On July 27, 2006, the City Council adopted [Ordinance No. 06-56](#) to mitigate infill development in the Historic Zoning Districts. This Ordinance established the Maximum Building Footprint, which is still used to determine Building Footprint size in the HR – 1 Zoning District.

(I) The Applicant seeks a Variance from the Historic Residential – 1 Zoning District Maximum Building Footprint requirement pursuant to LMC § 15-2.2-3(E).

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 project 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.³

In the HR – 1 Zoning District, the maximum Building Footprint of any Structure located on a Lot is calculated according to the following formula for Building Footprint:

$$\text{MAXIMUM FP} = (A/2) \times 0.9^{A/1875}$$

Where FP = maximum Building Footprint and A = Lot Area⁴

The dimensions of the Lot at 948 Woodside Avenue are 25 feet wide by 75 feet deep. The Lot Area is 1,875 square feet. The allowed Maximum Building Footprint for this site is 843.75 square feet. The existing Structure has a Building Footprint of 909 square feet, an excess of 65.25 square feet.

Because the existing Structure does not comply with the 1992 LMC for FAR nor the current LMC for Maximum Building Footprint, the Structure is considered Non-Complying. LMC [§ 15-9-6](#) states, “no Non-Complying Structure may be moved, enlarged or altered, except in the manner provided in this Section or unless required by law.” Regarding the repair, maintenance, alteration, and enlargement of a Non-Complying Structure, Non-Complying Structures may undergo such changes provided

³ LMC [§ 15-15-1](#)

⁴ LMC [§ 15-2.2-3\(E\)](#)

that such changes shall neither create any new non-compliance nor shall increase the degree of the existing non-compliance of all or any part of such Structure.⁵ The proposal is to increase the Building Footprint of the Non-Complying Structure by an additional 51 square feet.

(II) The Applicant bears the burden of proving that the five Variance criteria outlined in LMC § 15-10-8(C) are met.

In order to grant the requested Variance to the HR – 1 Zoning District maximum Building Footprint regulations, the Board of Adjustment must find that all five Variance criteria are met, pursuant to LMC [§ 15-10-8\(C\)](#). The Applicant bears the burden of proving that all the conditions justifying a Variance have been met.

In determining whether or not enforcement of the Zoning Ordinance will cause unreasonable hardship under LMC [§ 15-10-8\(C\)\(1\)](#), the Board of Adjustment may not find an unreasonable hardship unless the alleged hardship is located on or associated with the Property for which the Variance is sought and comes from circumstances peculiar to the Property, not from conditions that are general to the neighborhood.⁶ In determining whether or not enforcement of the LMC would cause unreasonable hardship, the Board of Adjustment may not find an unreasonable hardship if the hardship is self-imposed or economic.⁷

The table below outlines the Variance criteria and the Applicant's responses:

Variance Review Criteria	Response to Criteria
1. Literal enforcement of the Land Management Code would cause an unreasonable hardship for the Applicant that is not necessary to carry out the general purpose of the Land Management Code.	<u>Applicant's Response:</u> <i>The hardship caused [to] 948 Woodside would be the limited availability of bathrooms in the basement level (Level 1) – currently one bathroom serves three lower-level bedrooms. To cure this hardship there is the availability of a small indentation in the current ground-level footprint that enables the betterment [of] the home's livability, while not increasing the ground-level footprint. This indentation actually fills-in an area at grade that should have been originally enclosed in the 1993 build [of the structure]. See attached exhibit of original architectural plans of 1993. As stated above, we don't know the original reason for this indentation because the second level and third level of the house [are built] over the indentation and is used as living space.</i>

⁵ LMC [§ 15-9-6\(A\)](#)

⁶ LMC [§ 15-10-8\(D\)\(1\)](#)

⁷ LMC [§ 15-10-8\(D\)\(2\)](#)

	 Recommended Finding: The Applicant proposes a Variance from the Maximum Building Footprint to construct a 51-square-foot bathroom addition. However, this Lot is not an unusual lot in the HR – 1 Zoning District. Rather, Woodside Avenue is a typical Old Town Lot: 25 feet wide by 75 feet deep, with a total Lot Area of 1,875 square feet. The Maximum Building Footprint Formula established in the LMC for an HR – 1 Zoning District Lot containing 1,875 square feet is 843.75 square feet and is applied to all HR – 1 Zoning District Lots. The existing Building Footprint is 909 square feet, already exceeding the Maximum Building Footprint by 65.25 square feet. The requested Variance would increase the excess Building Footprint to 116.25 square feet. Literal enforcement of the Land Management Code would not cause an unreasonable hardship for the Applicant. The existing Structure has three bathrooms.
2. There are special circumstances attached to the Property that do not generally apply to other Properties in the same zone.	Applicant's Response: <i>The Applicant's request is to create a bathroom where the indentation exists in the grade-level foundation [which is] unique to 948 and 946 Woodside (mirrored homes built at the same time) and differs from other homes in the neighborhood. One goal is no longer to have twin homes but differentiate the two homes. The grade-level foundation is unique to both 948 and 946 Woodside</i>

	<i>and differs from other lots in the area due to the individual lot's narrow dimensions. Currently the building footprint for 948 Woodside is a rectangle that includes a small "indentation" below grade on the front left side of the house (5' x 10') The original reason of the indentation is unknown; however, it is speculated that it may have been intended for the addition of an outdoor A/C/ condenser. The requested modification will not extend the footprint however it will "fill-in" the "indentation" and make the footprint a perfect rectangle. By enclosing the below grade indentation [the Applicant] will be adding ~50 square feet to the footprint square footage. The enclosed space will be used to provide a small basement bathroom to service one of the three basement rooms.</i> <u>Recommended Finding:</u> 948 Woodside Avenue has a slope of less than 14%. LMC <u>§ 15-15-1</u> defines Steep Slope as a slope greater than 15%. 948 Woodside Avenue is, therefore, not impacted by Steep Slope considerations. The Property is not near a wetland or stream. The Structure is not designated a Historic Structure on the Park City Historic Sites Inventory. As a result, no special circumstances are attached to the Property that do not generally apply to other Properties in the same zone.
3. Granting the Variance is essential to the enjoyment of a substantial Property right possessed by other Property in the same zone.	<u>Applicant's Response:</u> <i>Other properties do not have this anomaly of an "indentation" in the footprint and thus have utilized the full space of their specific footprints for proper [bathroom-to-bedroom] "livability" ratios.</i> <u>Recommended Finding:</u> The Structure has three bathrooms – one in the basement level, one on the first floor, and one on the second floor. An additional bathroom is not essential to the enjoyment of a substantial Property right possessed by other Property in the same zone.
4. The Variance will not substantially affect the General Plan and will not be contrary to the public	<u>Applicant's Response:</u> <i>This small indentation in the footprint is below grade and not seen from the road or other properties. The second and third floors of the home have already</i>

interest.	<i>been built above this “indentation”, so it appears from the street view that the space is already being utilize[ed] where the indentation exists. Again, since the home’s levels above the “indentation” are over said “indentation” the casual observer assumes it does not exist.</i>  <u>Recommended Finding:</u> Historic Character is one of the core community values outlined in the General Plan. Goal 15 of the General Plan is to preserve the integrity, mass, scale, compatibility, and historic fabric of the nationally and locally designated historic resources and districts for future generations. Objective 15B is to maintain the character, context, and scale of local historic districts with compatible infill development and additions. The HR – 1 Zoning District maximum Building Footprint is established in part to support compatible infill in the City’s Historic Districts. Allowing a Building Footprint that already exceeds what is allowed to increase the non-conformity is contrary to Goal 15 of the General Plan and does not preserve the integrity, scale, compatibility, and historic fabric for future generations.
5. The spirit of the Land Management Code is observed, and substantial justice done.	<u>Applicant’s Response:</u> <i>The spirit of the Land Management Code is observed because of the explanation on Level 1 above related to this space already being used for all floors above it. In particular, it complies with [LMC Section] 15-2.2-</i>

	<i>2 Uses and does not require any Conditional Uses and does not have any Prohibited Uses.</i> <u>Recommended Finding:</u> LMC § 15-2.2-1 outlines the purpose of the HR – 1 Zoning District, which includes preserving present land uses and character of the Historic residential areas of the City, encouraging the construction of Historically Compatible Structures that contribute to the character and scale of the Historic District, and maintain existing residential neighborhoods. The spirit of the LMC is not observed.
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Approval of the Variance by the Board of Adjustment constitutes Final Action that may be appealed to a district court pursuant to LMC [§ 15-1-18](#).

Department Review

The Planning Department and City Attorney's Office reviewed this report.

Notice

Staff published notice on the City's website and the Utah Public Notice website, and posted notice to the property on December 26, 2023. Staff mailed courtesy notices to property owners within 300 feet on December 26, 2023. The *Park Record* published notice on December 26, 2023.⁸

Public Input

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

Alternatives

- The Board of Adjustment may deny the Variance to the Maximum Building Footprint; or
- The Board of Adjustment may direct staff to draft a Final Action Letter approving the Variance to the Maximum Building Footprint and review the Findings of Fact and Conditions of Approval for this decision on February 20, 2024; or
- The Board of Adjustment may request additional information and continue the discussion to February 20, 2024.

Exhibits

Exhibit A: Draft Final Action Letter
Exhibit B: As-Builts and Proposed Plans
Exhibit C: Applicant Statement
Exhibit D: Applicant's Response to Variance Review Criteria
Exhibit E: 1992 Architectural Drawings
Exhibit F: Site Photos

⁸ LMC [§ 15-1-21](#)



Planning Department

January 9, 2024

Rick Schach
4 Johnson Place
Evansville, IN 47714
(812) 568-5450

CC: Michael Sweeney

NOTICE OF BOARD OF ADJUSTMENT ACTION

Description

Address: 948 Woodside Avenue

Zoning District: Historic Residential – 1

Application: Variance

Project Number: PL-23-05967

Action: APPROVED WITH CONDITIONS (See Below)

Date of Final Action: January 9, 2024

Project Summary: The Applicant requests a Variance to the allowed Maximum Building Footprint to increase the footprint from 909 square feet to 960 square feet to accommodate an extra bathroom in the basement of a non-historic Single-Family Dwelling.

Action Taken

On January 9, 2024, the Board of Adjustment conducted a public hearing and denied the Variance according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval.

Findings of Fact

1. The property is located at 948 Woodside Avenue in the Historic Residential – 1 Zoning District.
2. The site contains a non-historic Single-Family Dwelling constructed in 1993.
3. The City approved a Historic District Design Review application for a Single-Family Dwelling at 948 Woodside Avenue on March 2, 1992.

4. The Applicant requests a Variance to the LMC to increase the Building Footprint to 960 square feet.
5. The basement level was constructed with an exterior carve-out area, approximately 51 square feet, and excluded from the Building Footprint calculation.
6. The Applicant proposes to enclose this area to construct a new bathroom.
7. The governing Land Management Code (LMC) in 1992 did not establish a Maximum Building Footprint, rather the LMC required new Structures to comply with a maximum Floor Area Ratio (FAR).
8. In 1992, the Floor Area of all new Structures constructed within the HR – 1 Zoning District was limited by the FAR. For Lots up to 1,875 square feet, the maximum FAR was 0.9.
9. In 1992, the LMC defined Floor Area as: “[t]he area of a building that is enclosed by surrounding exterior walls, excluding a 600 square foot allowance for garages. Walkout basements will be considered floor area whether finished or unfinished. Basements which are more than 80% below natural and finished grade will not be included in the floor area calculation. Porches, balconies, patios, and decks will not be considered floor area.”
10. The 1992 Building Permit plans for 948 Woodside Avenue indicate the gross Floor Area as 2,048 square feet (1,139 square feet of main and upper Floor Area; 909 square feet of finished basement Floor Area; 287 square feet of garage Floor Area).
11. The FAR for 948 Woodside Avenue is 1.09, exceeding the 1992 0.9 FAR allowance.
12. The Building Footprint has never been altered from its original, approved layout.
13. On July 27, 2006, the City Council adopted Ordinance No. 06-56 to mitigate infill development in the Historic Zoning Districts. This Ordinance established a Maximum Building Footprint, which is still used to determine Building Footprint size in the HR – 1 Zoning District.
14. The 948 Woodside Avenue Lot is 25 feet wide by 75 feet deep.
15. The LMC defines Building Footprint as: “[t]he total Area of the foundation of the Structure, or the furthest exterior wall of the Structure project 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.”
16. Pursuant to LMC § 15-2.2-3(E), the Maximum Building Footprint for this site is 843.75 square feet.
17. The existing Structure has a Building Footprint of 909 square feet, an excess of 65.25 square feet.

18. The existing Structure does not comply with the 1992 LMC FAR nor the current LMC for Maximum Building Footprint. The Structure is therefore considered Non-Complying. LMC § 15-9-6 states, “no Non-Complying Structure may be moved, enlarged or altered, except in the manner provided in this Section or unless required by law.” Regarding the repair, maintenance, alteration, and enlargement of a Non-Complying Structure, Non-Complying Structures may undergo such changes provided that such changes neither create any new non-compliance nor increase the degree of the existing non-compliance of all or any part of such Structure.
19. The proposal for a basement bathroom addition will increase the Non-Complying Structure by an additional 51 square feet.
20. To grant the requested Variance to the HR – 1 Maximum Building Footprint regulations, the Board of Adjustment must find that all five criteria are outlined in LMC § 15-10-8(C) are met.
21. The Applicant bears the burden of proving that all the conditions justifying a Variance have been met.
22. In determining whether enforcement of the Zoning Ordinance will cause unreasonable hardship under LMC § 15-10-8(C)(1), the Board of Adjustment may not find an unreasonable hardship unless the alleged hardship is located on or associated with the Property for which the Variance is sought and comes from circumstances peculiar to the Property, not from conditions that are general to the neighborhood. In determining whether enforcement of the LMC would cause unreasonable hardship, the Board of Adjustment may not find an unreasonable hardship if the hardship is self-imposed or economic.
23. The following outlines the Variance criteria and Findings:
 - a. **Literal enforcement of the Land Management Code would cause an unreasonable hardship for the Applicant that is not necessary to carry out the general purpose of the Land Management Code.**

The Applicant proposes a Variance from the Maximum Building Footprint to construct a 51-square-foot bathroom addition, However, this Lot is not an unusual lot in the HR – 1 Zoning District. Rather, Woodside Avenue is a typical Old Town Lot: 25 feet wide by 75 feet deep, with a total Lot Area of 1,875 square feet.

The Maximum Building Footprint Formula established in the LMC for an HR – 1 Zoning District Lot containing 1,875 square feet is 843.75 square feet and is applied to all HR – 1 Zoning District Lots. The existing Building Footprint is 909 square feet, already exceeding the Maximum Building

Footprint by 65.25 square feet. The requested Variance would increase the excess Building Footprint to 116.25 square feet. Literal enforcement of the Land Management Code would not cause an unreasonable hardship for the Applicant. The existing Structure has three bathrooms.

- b. **There are special circumstances attached to the Property that do not generally apply to other Properties in the same zone.**

948 Woodside Avenue has a slope of less than 14%. LMC § 15-15-1 defines Steep Slope as a slope greater than 15%. 948 Woodside Avenue is, therefore, not impacted by Steep Slope considerations. The Property is not near a wetland or stream. The Structure is not designated a Historic Structure on the Park City Historic Sites Inventory. As a result, no special circumstances are attached to the Property that do not generally apply to other Properties in the same zone.

- c. **Granting the Variance is essential to the enjoyment of a substantial Property right possessed by other Property in the same zone.**

The Structure has three bathrooms – one in the basement level, one on the first floor, and one on the second floor. An additional bathroom is not essential to the enjoyment of a substantial Property right possessed by other Property in the same zone.

- d. **The Variance will not substantially affect the General Plan and will not be contrary to the public interest.**

Historic Character is one of the core community values outlined in the General Plan. Goal 15 of the General Plan is to preserve the integrity, mass, scale, compatibility, and historic fabric of the nationally and locally designated historic resources and districts for future generations.

Objective 15B is to maintain the character, context, and scale of local historic districts with compatible infill development and additions. The HR – 1 Zoning District maximum Building Footprint is established in part to support compatible infill in the City's Historic Districts. Allowing a Building Footprint that already exceeds what is allowed to increase the non-conformity is contrary to Goal 15 of the General Plan and does not preserve the integrity, scale, compatibility, and historic fabric for future

generations.

- e. **The spirit of the Land Management Code is observed, and substantial justice done.**

LMC § 15-2.2-1 outlines the purpose of the HR – 1 Zoning District, which includes preserving present land uses and character of the Historic residential areas of the City, encouraging the construction of Historically Compatible Structures that contribute to the character and scale of the Historic District, and maintain existing residential neighborhoods. The spirit of the LMC is not observed.

- 24. Staff published notice on the City's website and the Utah Public Notice website, and posted notice to the property on December 26, 2023.
- 25. Staff mailed courtesy notices to property owners within 300 feet on December 26, 2023.
- 26. The *Park Record* published notice on December 26, 2023.

Conclusions of Law

- 1. Literal enforcement of the Land Management Code for this Property does not cause an unreasonable hardship and is not necessary to carry out the general purpose of the Land Management Code.
- 2. No special circumstances are attached to the Property that do not generally apply to other properties in the same district.
- 3. Granting the Variance is not essential to the enjoyment of a substantial property right possessed by other Property in the same Zone.
- 4. The proposal is not consistent with the General Plan.
- 5. The spirit of the Zoning Ordinance is not observed, and substantial justice is not met by the requested Variance.

Denial of the Variance by the Board of Adjustment constitutes Final Action that may be appealed to a district court pursuant to LMC § 15-1-18. If you have questions or concerns regarding this Final Action Letter, please call (435) 615-5065 or email spencer.cawley@parkcity.org.

Sincerely,

Ruth Gezelius
Board of Adjustment, Chair

CC: Spencer Cawley, Project Planner

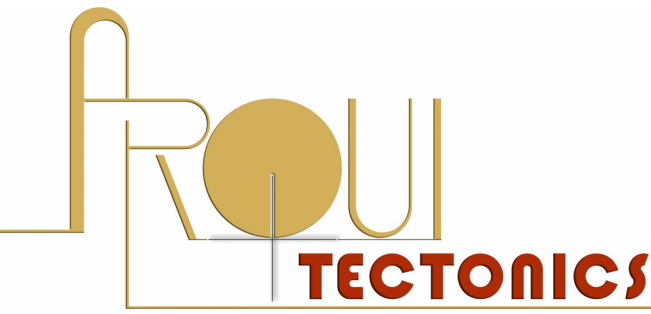
948 WOODSIDE

HISTORIC DISTRICT SITE DESIGN REVIEW



VICINITY MAP

PROJECT LOCATION - 948 WOODSIDE



435.640.8107 801.274.0192
arqui.tectonics@gmail.com
4603 Belmour Way, Holladay, Ut 84117
http://www.arqui-tectonics.com

CONSULTANTS

WOODSIDE HOUSE

948 Woodside Ave
Park City, Utah 84060

SCHEMATIC DESIGN

OWNER:
Eric Schach

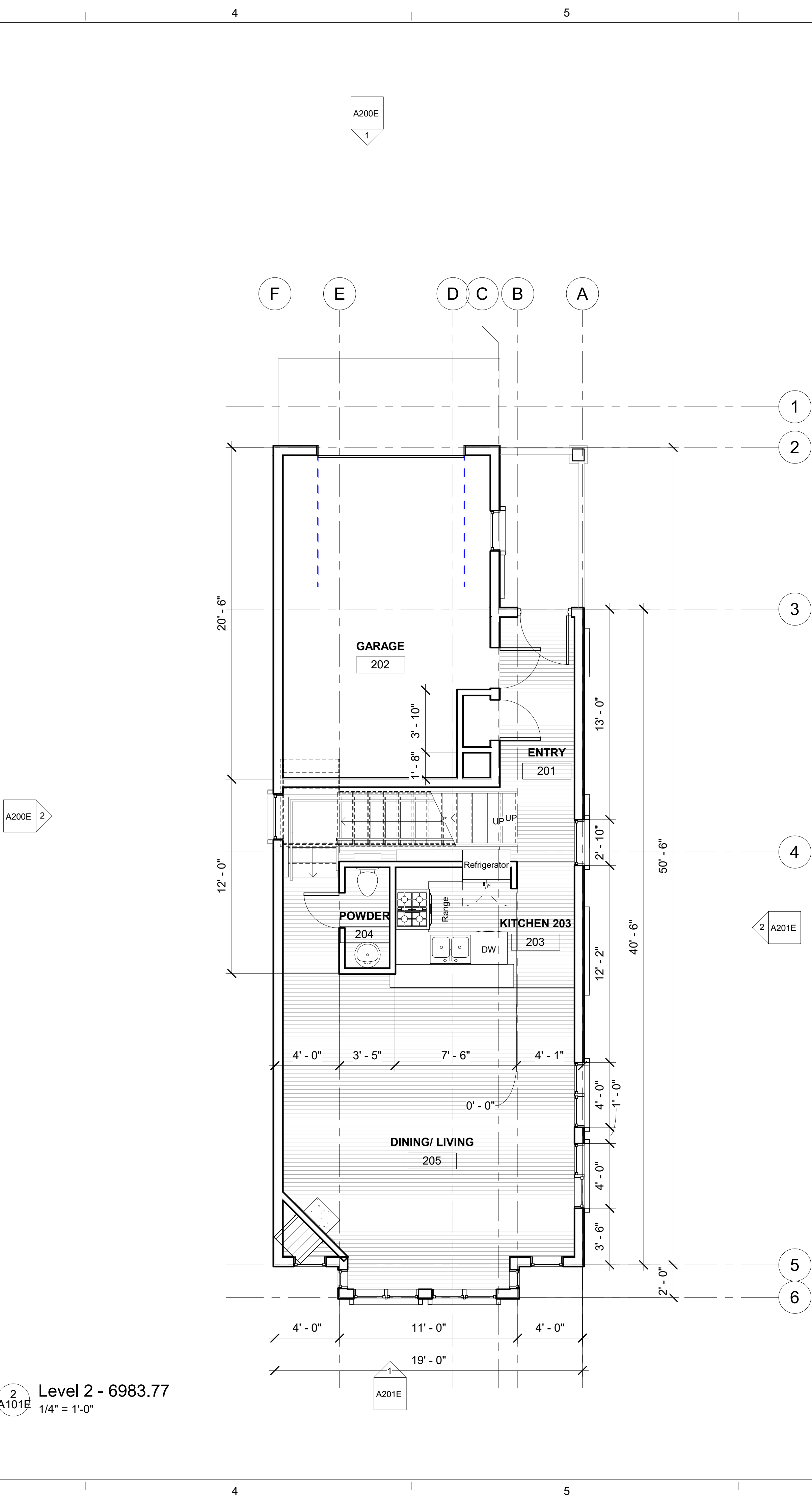
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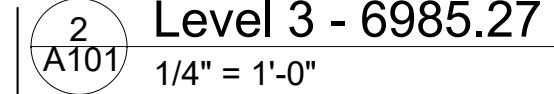
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SHEET TITLE
COVER SHEET

G100



A101E



- 1 EXISTING TO REMAIN
- 2 NEW RESTROOM
- 3 NEW CLOSET SPACE
- 4 EXISTING KITCHEN TO BE REMODELED
- 5 NEW BAY WINDOW EXTENSION
- 6 NEW VESTIBULE
- 7 DEMO EXISTING GABLE EXTENSION
- 8 EXTEND EXISTING DECK
- 9 NEW GUARD RAIL
- 10 NEW STANDING SEAM METAL ROOF
- 11 NEW NANA WALL DOOR SYSTEM
- 12 NEW EXTERIOR WATERPROOF DECK
- 13 NEW MATERIAL TRANSITION - STONE VENEER - COLOR WHITE LIMESTONE



CONSULTANTS

OWNER:
Eric Schach

PROJECT NUMBER:	Project Number
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SHEET TITLE

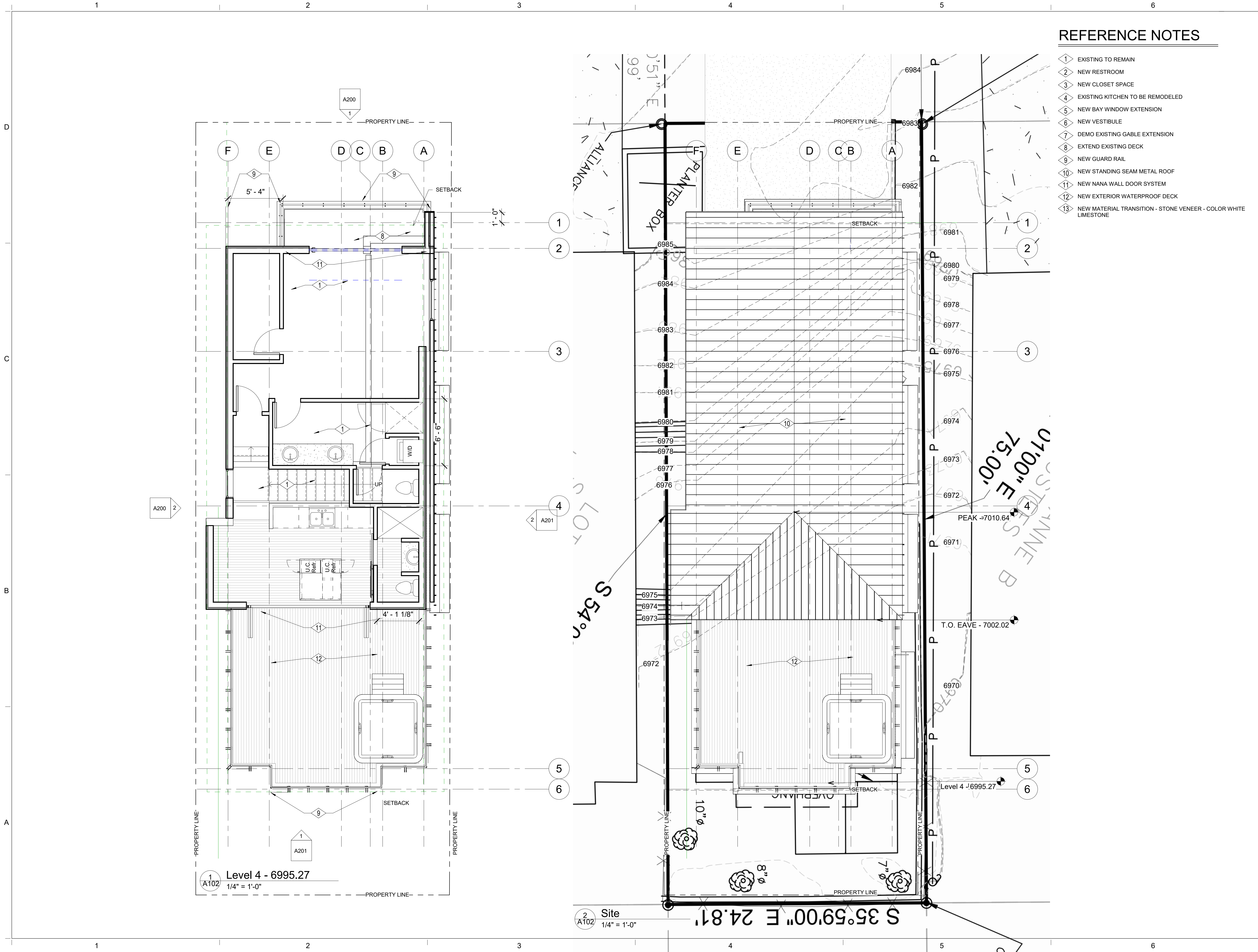
FLOOR PLAN BAY
WINDOWS

A101



A102E

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WOODSIDE HOUSE
948 Woodside Ave
Park City, Utah 84060

SCHEMATIC DESIGN

OWNER:
Eric Schach

MARK	DATE	DESCRIPTION
	Issue Date	

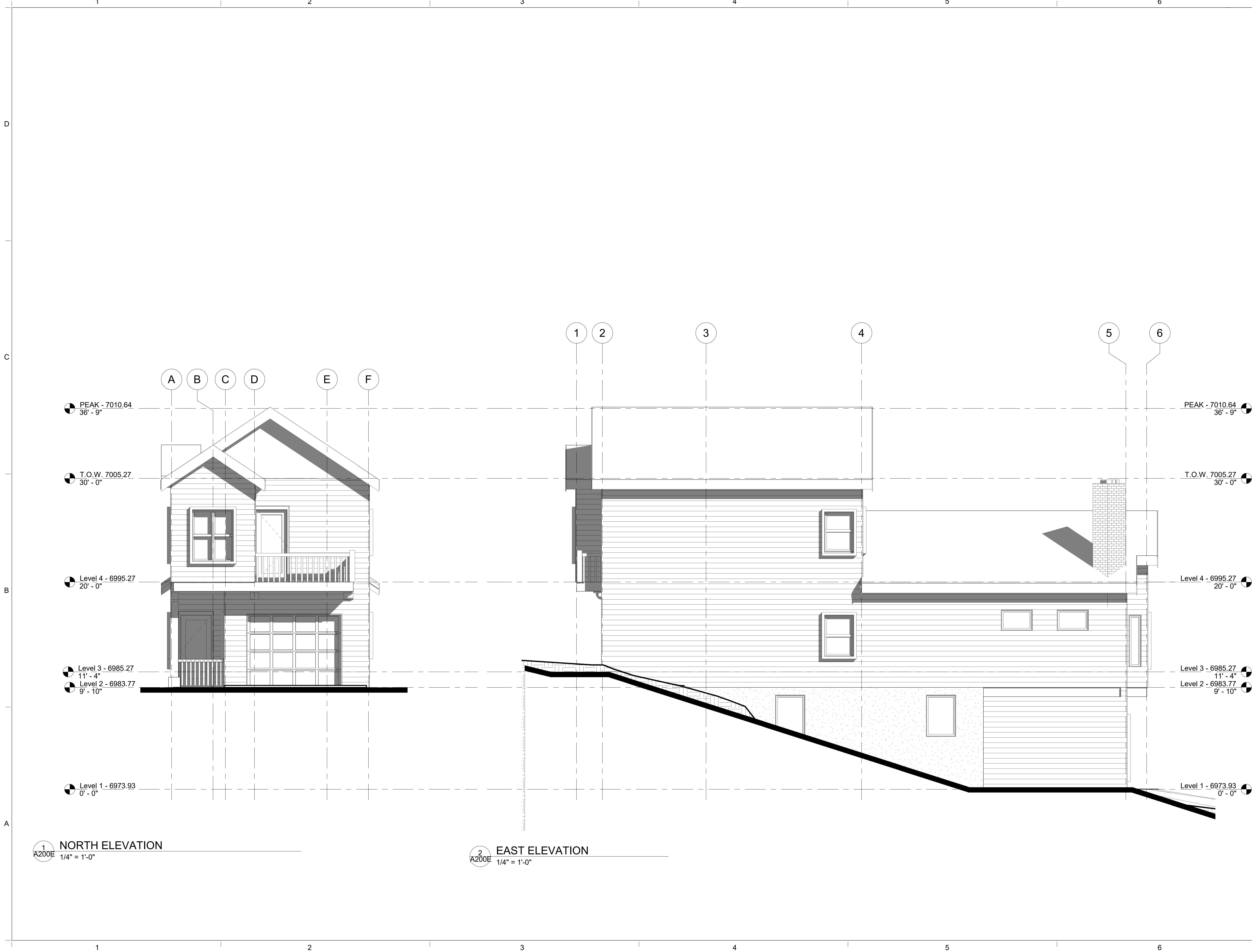
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SHEET TITLE
FLOOR PLANS BAY WINDOWS

A102

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WOODSIDE HOUSE
948 Woodside Ave
Park City, Utah 84060

ORIGINAL HOUSE

OWNER:
Eric Schach

MARK	DATE	DESCRIPTION
	Issue Date	

PROJECT NUMBER: Project Number
DRAWING FILE:
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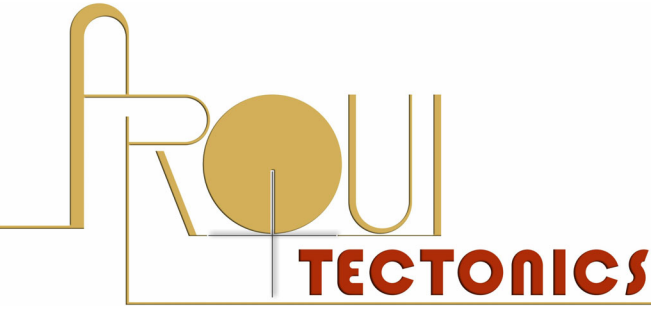
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SHEET TITLE
**ELEVATIONS
EXISTING**

A200E

REFERENCE NOTES

- 1 NEW PARKLEX WOOD SIDING - COLOR: ONIX
- 2 NEW STANDING SEAM METAL ROOF
- 3 NEW GARAGE DOOR
- 4 NEW ENTRY DOOR
- 5 NEW BAY WINDOW
- 6 NEW GUARD RAIL
- 7 NEW NANA WALL DOOR SYSTEM
- 8 NEW WINDOW
- 9 EXISTING WINDOW
- 10 NEW BATHROOM ADDITION
- 11 NEW PARKLEX WOOD SIDING - COLOR: COPPER
- 12 NEW TRANSOM WINDOW
- 13 NEW MATERIAL TRANSITION - STONE VENEER - COLOR WHITE LIMESTONE



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http://www.arqui-tectonics.com

CONSULTANTS

WOODSIDE HOUSE
948 Woodside Ave
Park City, Utah 84060

SCHEMATIC DESIGN

OWNER: Eric Schach

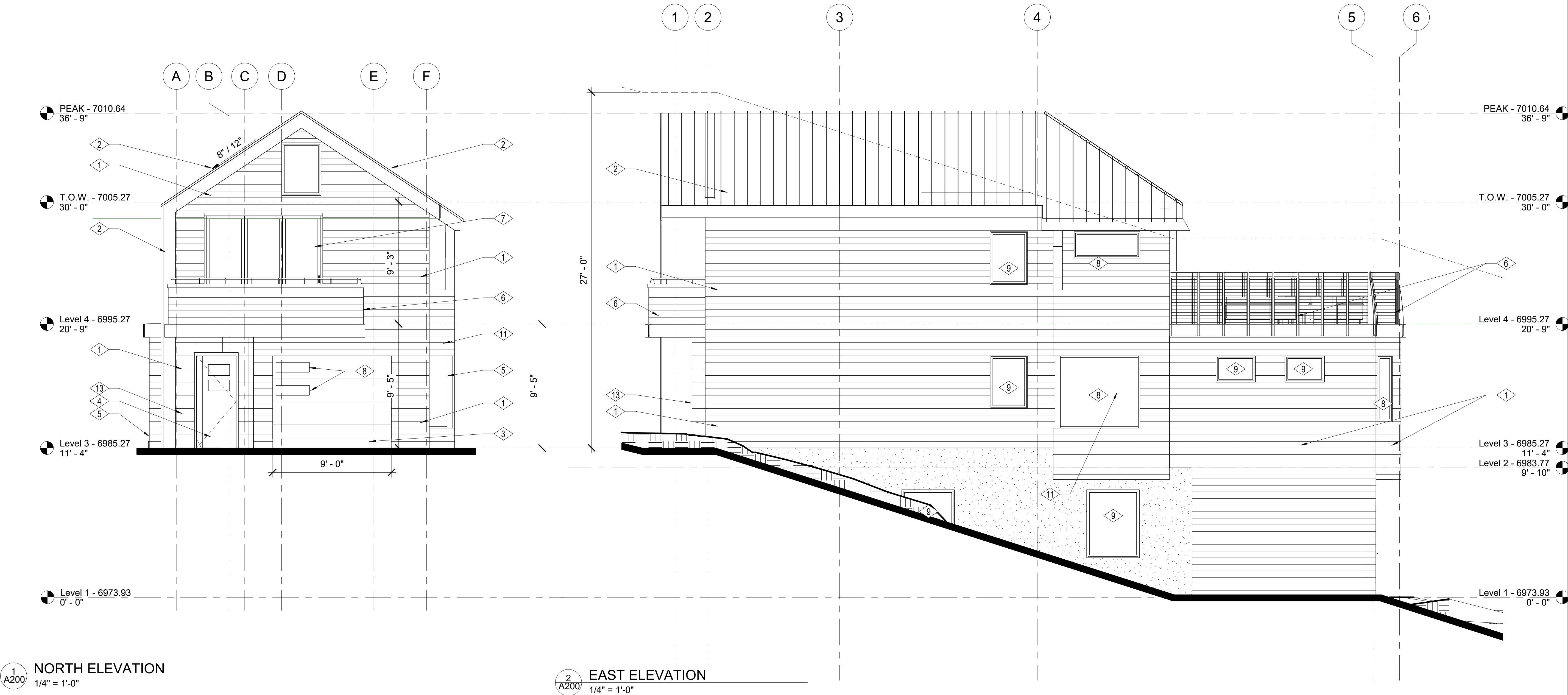
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	Issue Date	

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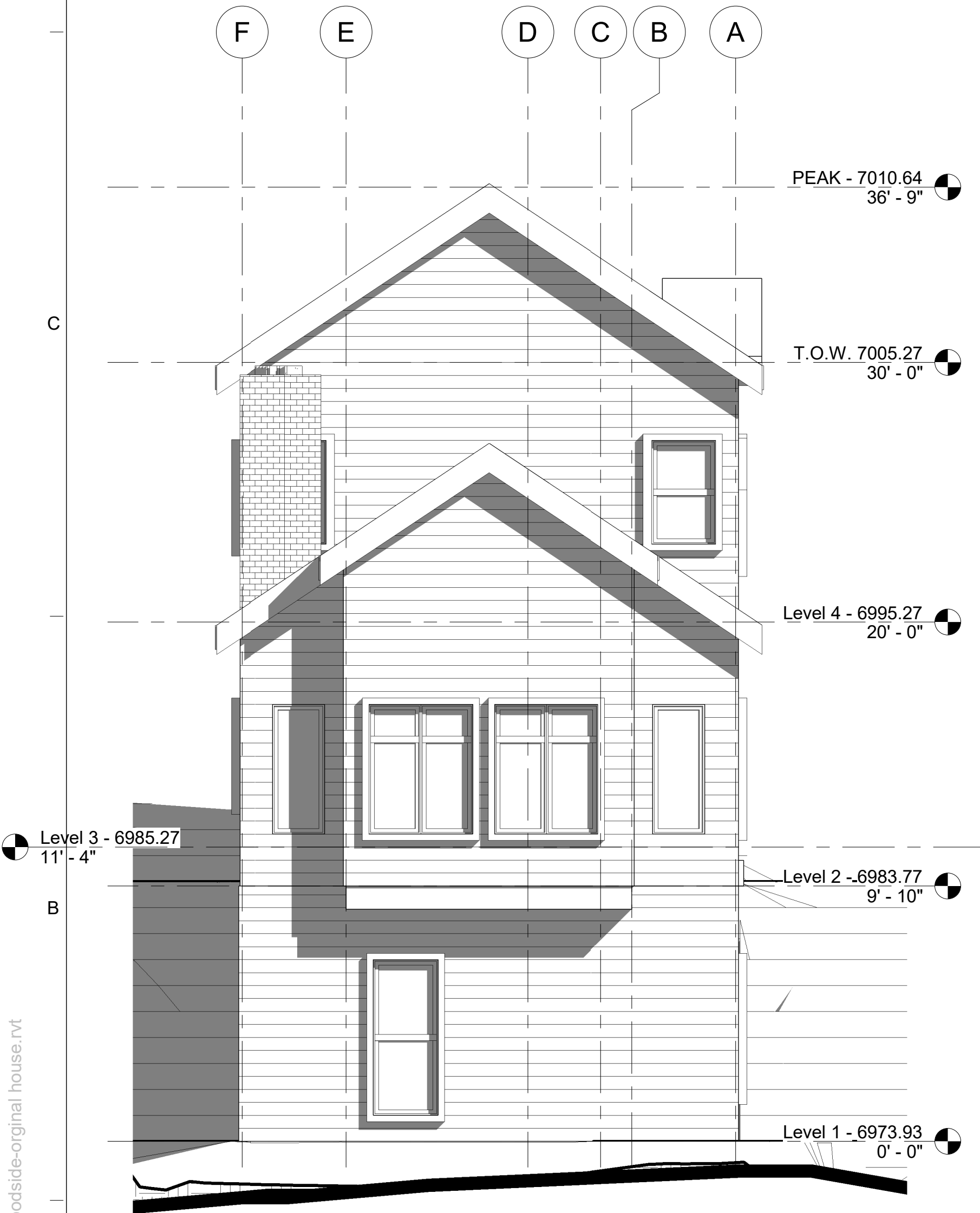
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SHEET TITLE
ELEVATIONS BAY WINDOWS

A200



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1 SOUTH ELEVATION
1/4" = 1'-0"



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



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WOODSIDE HOUSE
948 Woodside Ave
Park City, Utah 84060
ORIGINAL HOUSE
OWNER: Eric Schach

MARK	DATE	DESCRIPTION
	Issue Date	

PROJECT NUMBER: Project Number
DRAWING FILE:
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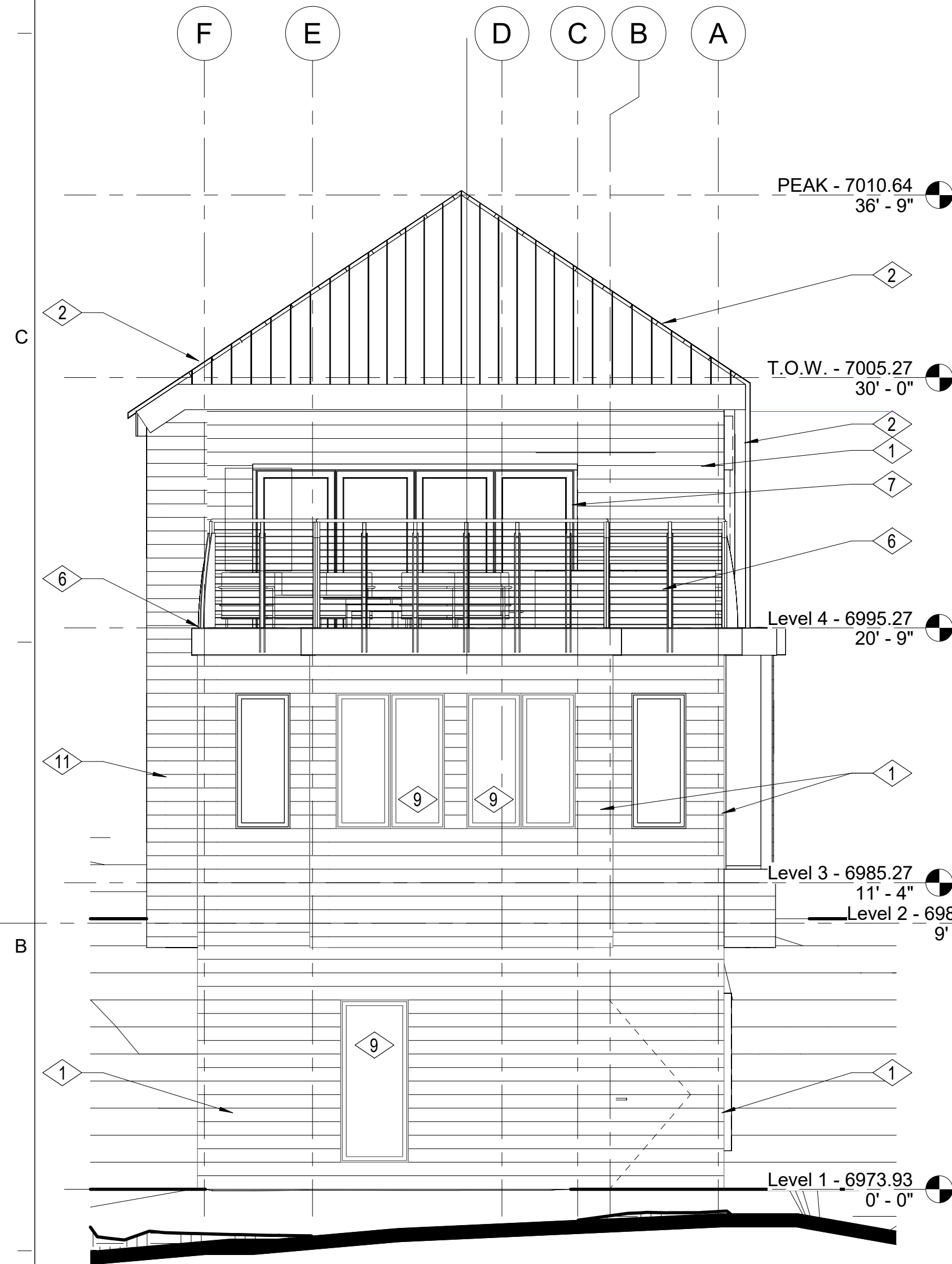
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ELEVATIONS
EXISTING

A201E

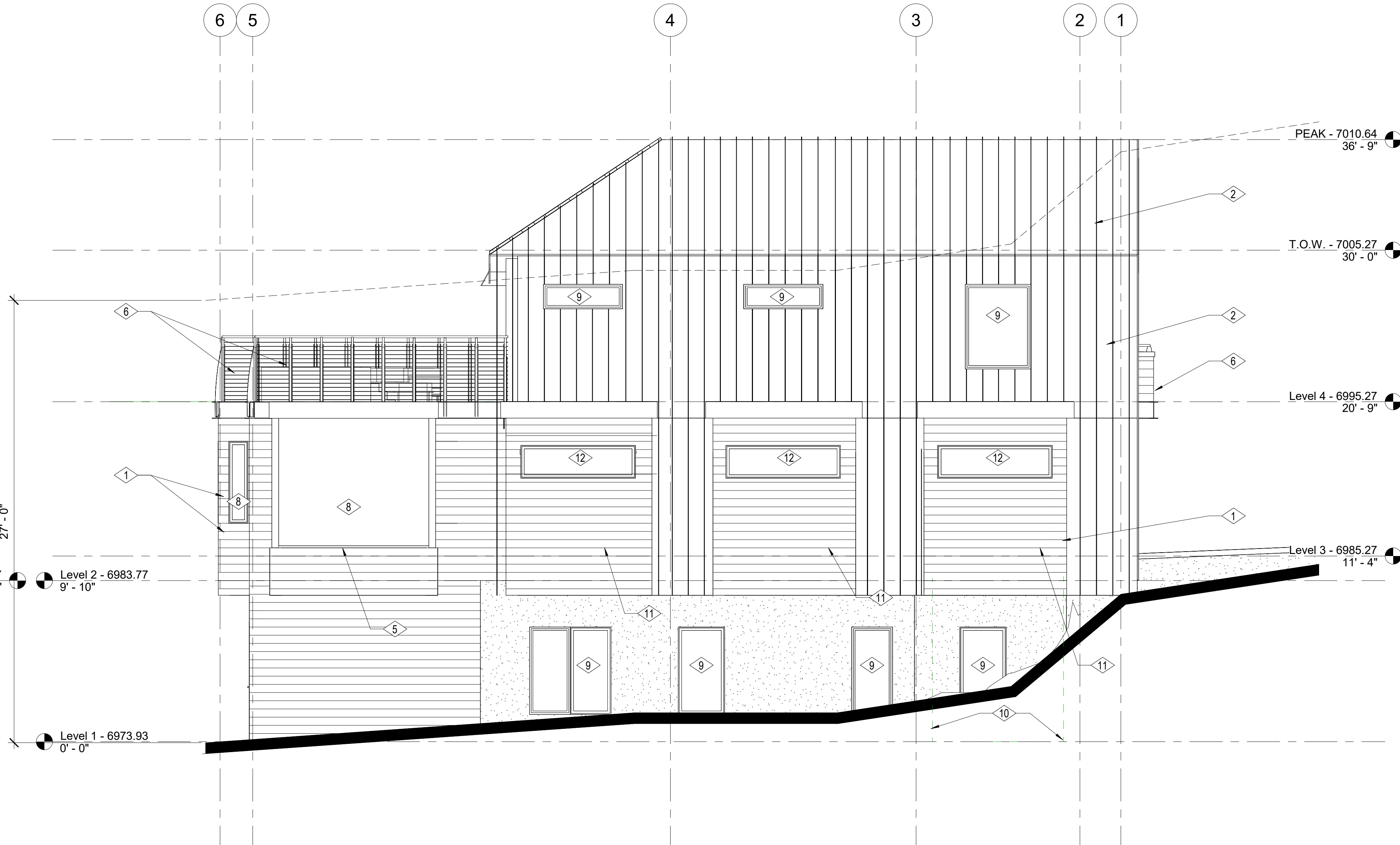
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REFERENCE NOTES

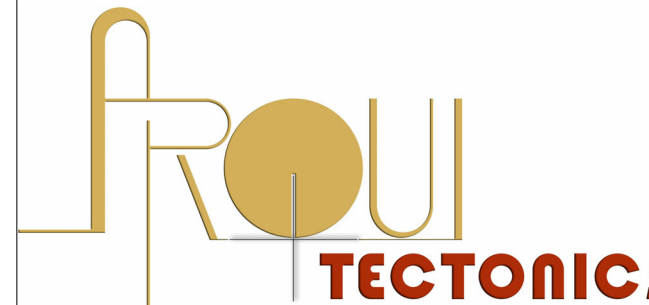
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- 2 NEW STANDING SEAM METAL ROOF
- 3 NEW GARAGE DOOR
- 4 NEW ENTRY DOOR
- 5 NEW BAY WINDOW
- 6 NEW GUARD RAIL
- 7 NEW NANA WALL DOOR SYSTEM
- 8 NEW WINDOW
- 9 EXISTING WINDOW
- 10 NEW BATHROOM ADDITION
- 11 NEW PARKLEX WOOD SIDING - COLOR: COPPER
- 12 NEW TRANSOM WINDOW
- 13 NEW MATERIAL TRANSITION - STONE VENEER - COLOR WHITE LIMESTONE



1 SOUTH ELEVATION
1/4" = 1'-0"



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



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CONSULTANTS

WOODSIDE HOUSE
948 Woodside Ave
Park City, Utah 84060
SCHEMATIC DESIGN

OWNER:
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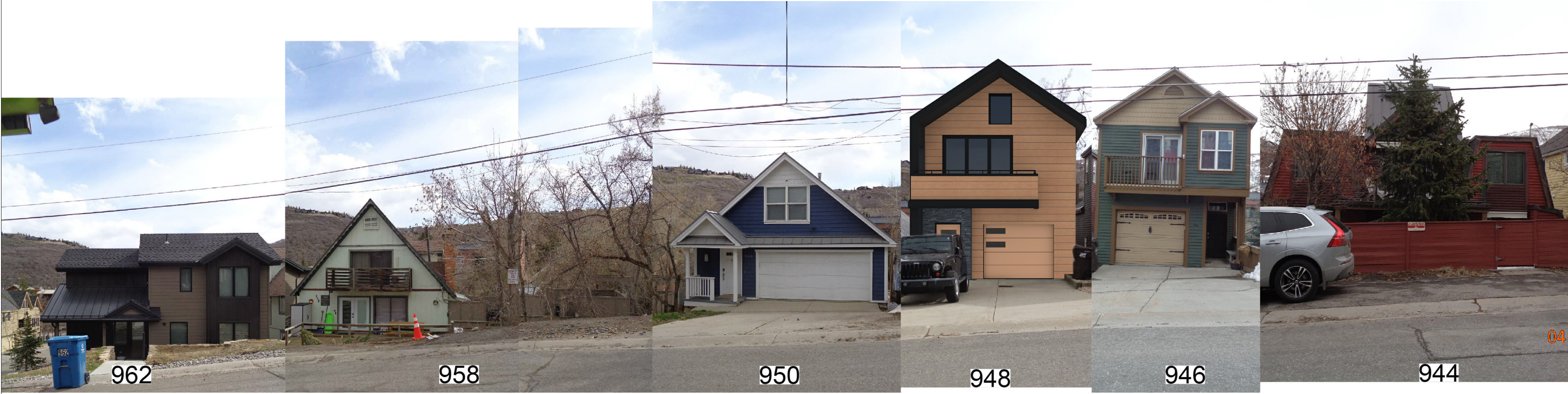
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ELEVATIONS BAY
WINDOWS

A201

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948 WOODSIDE EXISTING ELEVATION



948 WOODSIDE REVISED ELEVATION



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WOODSIDE HOUSE
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Park City, Utah 84060

SCHEMATIC DESIGN

OWNER:
Eric Schach

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	Issue Date	

PROJECT NUMBER: Project Number
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SHEET TITLE

VIEWS

A210



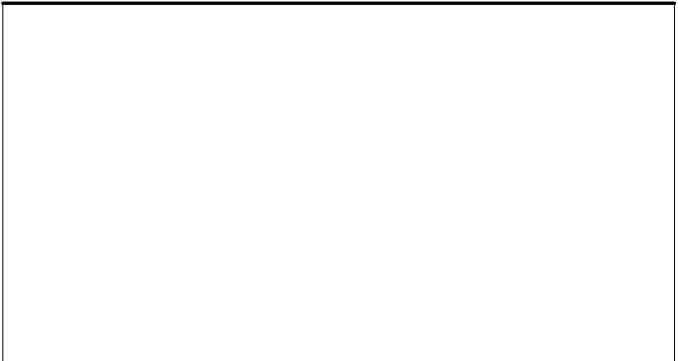
948 WOODSIDE REVISED ELEVATION

948 WOODSIDE EXISTING ELEVATION



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WOODSIDE HOUSE

948 Woodside Ave
Park City, Utah 84060

SCHEMATIC DESIGN

OWNER:
Eric Schach

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	Issue Date	

PROJECT NUMBER: Project Number
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SHEET TITLE
VIEWS

A211

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WOODSIDE HOUSE

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Park City, Utah 84060

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SHEET TITLE
EXISTING HOMES
ON WOODSIDE

A212

New Ideas Company, Inc
825 Main St.
PO BOX 2045
Park City UT 84060
Tel: (801) 244-9696
Email: mikesweeneygold@icloud.com



November 15, 2023

Emailed
Spencer Cawley, Planner II
Planning Department
Park City Municipal Corporation
445 Marsac Avenue | P.O. Box 1480

Re: 948 Woodside Variance

Dear Spencer,

This 948 Woodside Variance Application is to increase the footprint by 50. Sq. Ft. from 909 Sq. Ft. to 960 Sq. Ft. to allow for an additional 50 Sq. Ft. bathroom in the basement (below street grade — can not be seen from sidewalk or Woodside Road) to service 3 existing bedrooms on that level with 2 bathrooms. The 948 Woodside House will have a total of 4 bathrooms (2 in basement 1st floor, 1 on the 2nd floor (ground level) and 1 on the 3rd floor (second floor of house). See provided architectural drawings of proposed upgrades to the residence— 948 Woodside Total Square Feet.pdf .

Provided are: 948 Woodside Original Residence Drawings; 948 Woodside Summit County Utah Assessor Data; Total Square Feet Proposed; Processing Check for \$940.00; 2023 11 09 - 948 Woodside - Architectural Plans; 2023 Variance_ Application and Woodside_2023_Proposal_UPGRADE to Planning Department.

Looking forward to working with you on this Variance Application,

New Ideas Company, Inc.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael E. Sweeney".

Michael E. Sweeney,
President

SUBMITTAL REQUIREMENTS NO. 2

FIVE CRITERIA:

1. **Literal enforcement of the Land Management Code would caused an unreasonable hardship for the Applicant that is not necessary to carry out the general purpose of the Land Management Code:** The hardship caused 948 Woodside would be the limited availability of bathrooms in the basement level (Level 1) - currently one bathroom serves three lower level bedrooms. To cure this hardship there is the availability of a small indentation (see photos 3 & 4 below) in the current ground-level footprint that enables the betterment in the homes livability, while NOT increasing the actual ground-level footprint. This indentation actually fills-in an area at grade that should have been originally enclosed in the 1993 build home at 948 Woodside. See attached exhibit of original architectural plans of 1993. As stated above, we don't know the original reason for this indentation because the second (Level 2) and third (Level 3) floors of the house actually where built OVER the indentation and is used as living space.
2. **There are special circumstance attached to the Property that do not generally apply to the other Properties in the same zone:** Applicant's request is to create a bathroom where the indentation exists (see pages 3 and 4 below) in the grade-level foundation is unique to 948 and 946 Woodside (mirrored homes built at the same time), and differs from other homes in this neighborhood. **One goal is no longer to have twin homes but differentiate the two homes.** The grade-level foundation is unique to both 948 and 946 Woodside and differs from other lots in the area due to the individual lots' narrow dimensions. Currently the building footprint for 948 Woodside is a rectangle that includes a small "indentation" below grade on the front left side of the house (5'x10') (see photos 2 and 3) on page 3. The original reason of the indentation is unknown; however, it is speculated that it may have been intended for the addition of an outdoor A/C condenser. The requested modification will not extend the footprint however it will "fill-in" the "indentation" and make the footprint a perfect rectangle. By enclosing the below grade indentation (5'x10') will be adding ~50 sq. ft. to the footprint square footage (910' to 960'). The enclosed space will be used to provide a small basement bathroom to service one of the three basement rooms.
3. **Granting the variance is essential to the enjoyment of a substantial Property right possessed by other Property in the same zone:** Other properties do not have this anomaly of an "indentation" in the footprint and thus have utilized the full space of their specific footprints for proper bathroom to bedroom "livability" ratios.
4. **The variance will not substantially affect the General Plan and will not be contrary to the public interest:** This small indentation in the footprint is below grade and not seen from the road or other properties. The second and third floors of the home have already been built above this "indentation" so it appears from the street view that the space is already being utilizing where the indentation exists. Again, since the home's levels (floor 2 and 3) above the "indentation" are over said "indentation" the casual observer assumes it does not exist see page 3.
5. **The spirit of the Land Management Code is observed, and substantial justice is served:** The spirit of the land management code is observed because of the explanation on Level 1 above related to this space already being used for all floors above it. In particular it

SUBMITTAL REQUIREMENTS NO. 2

complies with 15—2.2-2 Uses (Allowed Uses 1. Single Family Dwelling and does not require any Conditional Uses and does not have any Prohibited Uses. Complies with 15-2.2-3 And Site Requirements. Complies with 15-2.2-4 Existing Historic Buildings And/or Structures — none. Complies with 15-2.2-5 Building Height. Meets 15-2.2-6 Development On Steep Slopes. Section 15-2.2-7 Criteria For Bed and Breakfast Inn — not applying for this Section. Meets 15-2.2-8 Parking Regulations section. Will comply with 15-2.2-9 Architectural Review. 15-2.2-11 Signs not requesting any sign(s). 15-2.2-12 Related Provisions Planning Staff will review with applicant.

SUBMITTAL REQUIREMENTS NO. 2

1

2

3

4

5

6

948 WOODSIDE REVISED ELEVATION

948 WOODSIDE EXISTING ELEVATION

WOODSIDE HOUSE

448 Woodside Ave

Unit 84060

Park City, Utah 84060

SCHEMATIC DESIGN

Eric Schlach

DATE

DESCRIPTION

PROJECT NUMBER

Project Number

DRAWING FILE

DRAWN BY

CHECKED BY

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SHEET TITLE

VIEWS

A211

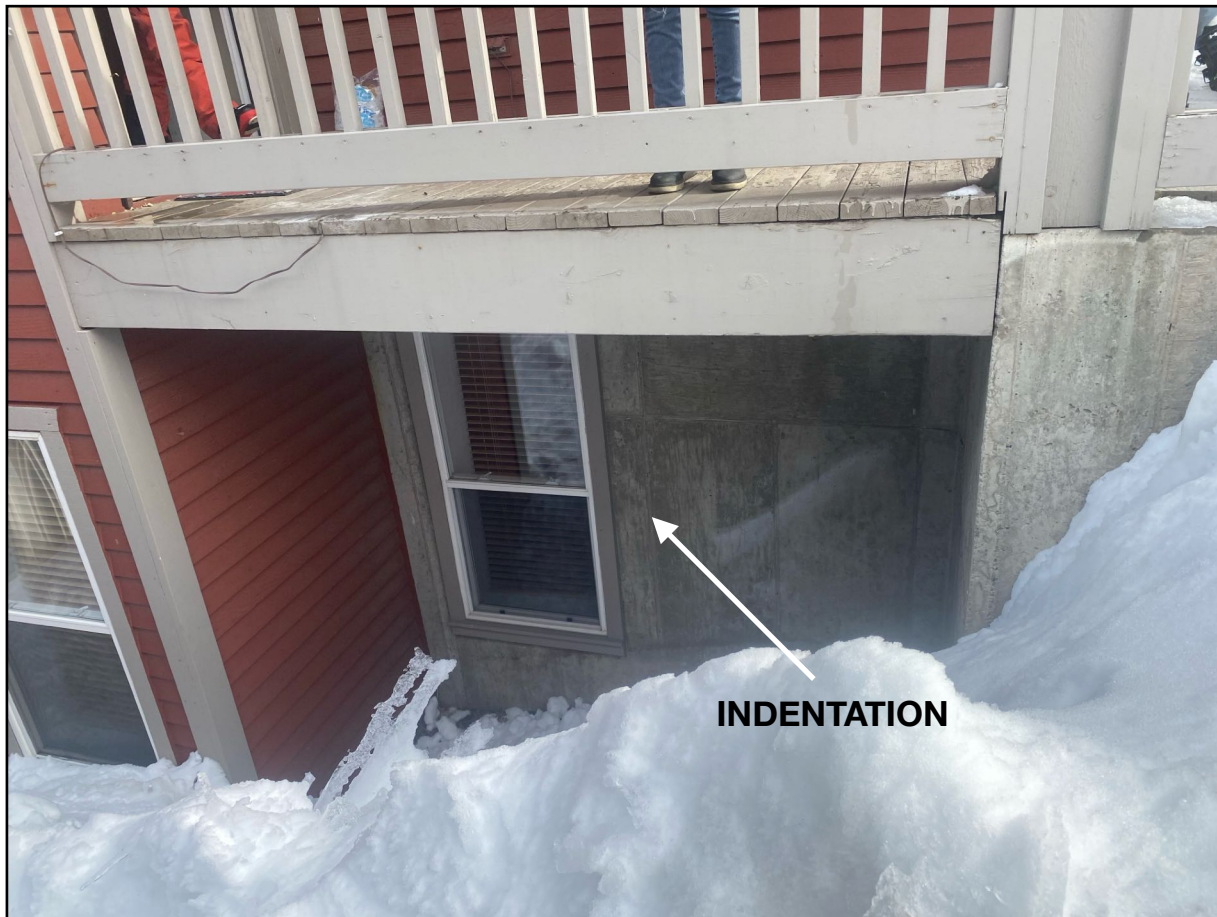
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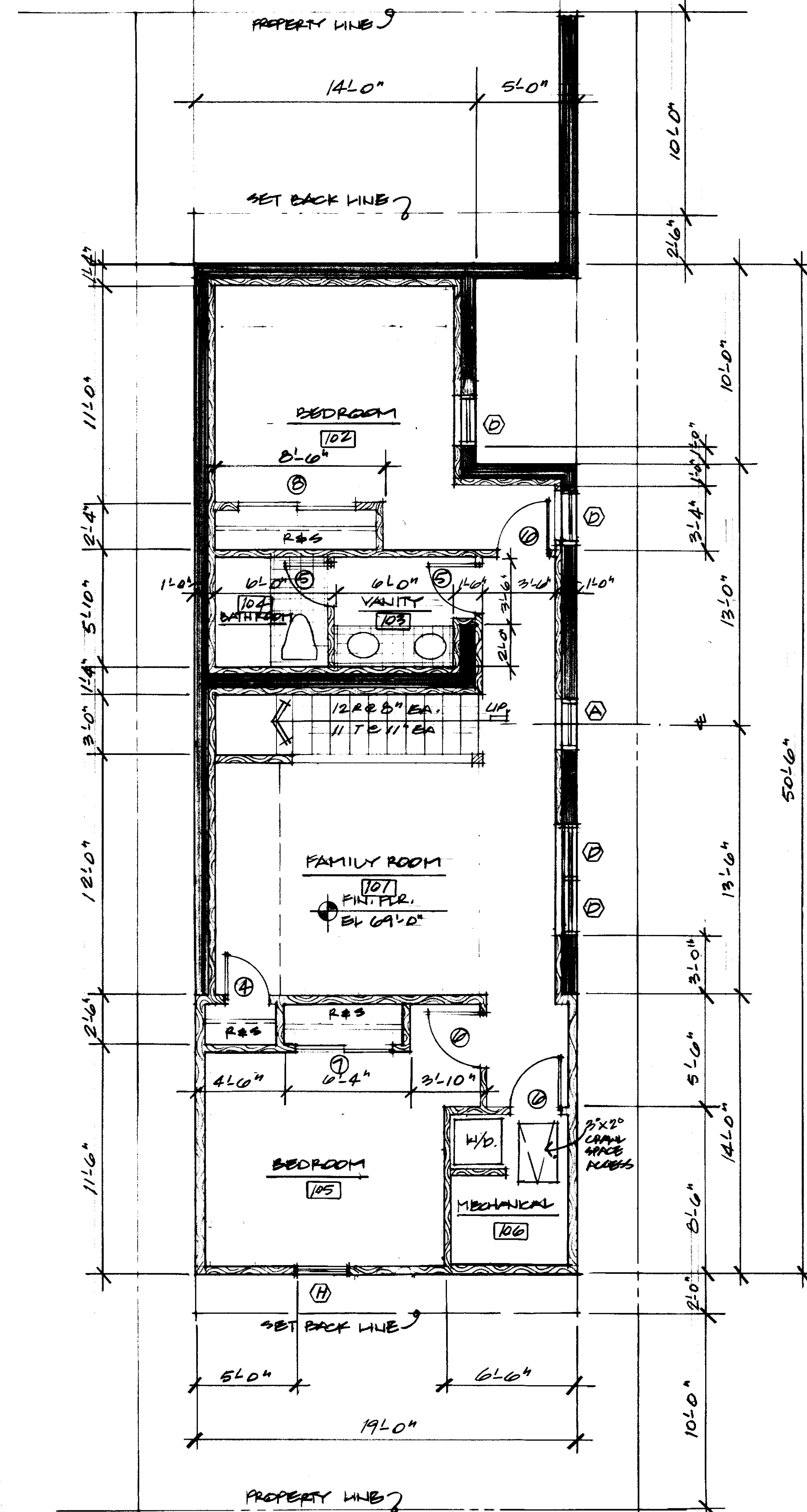
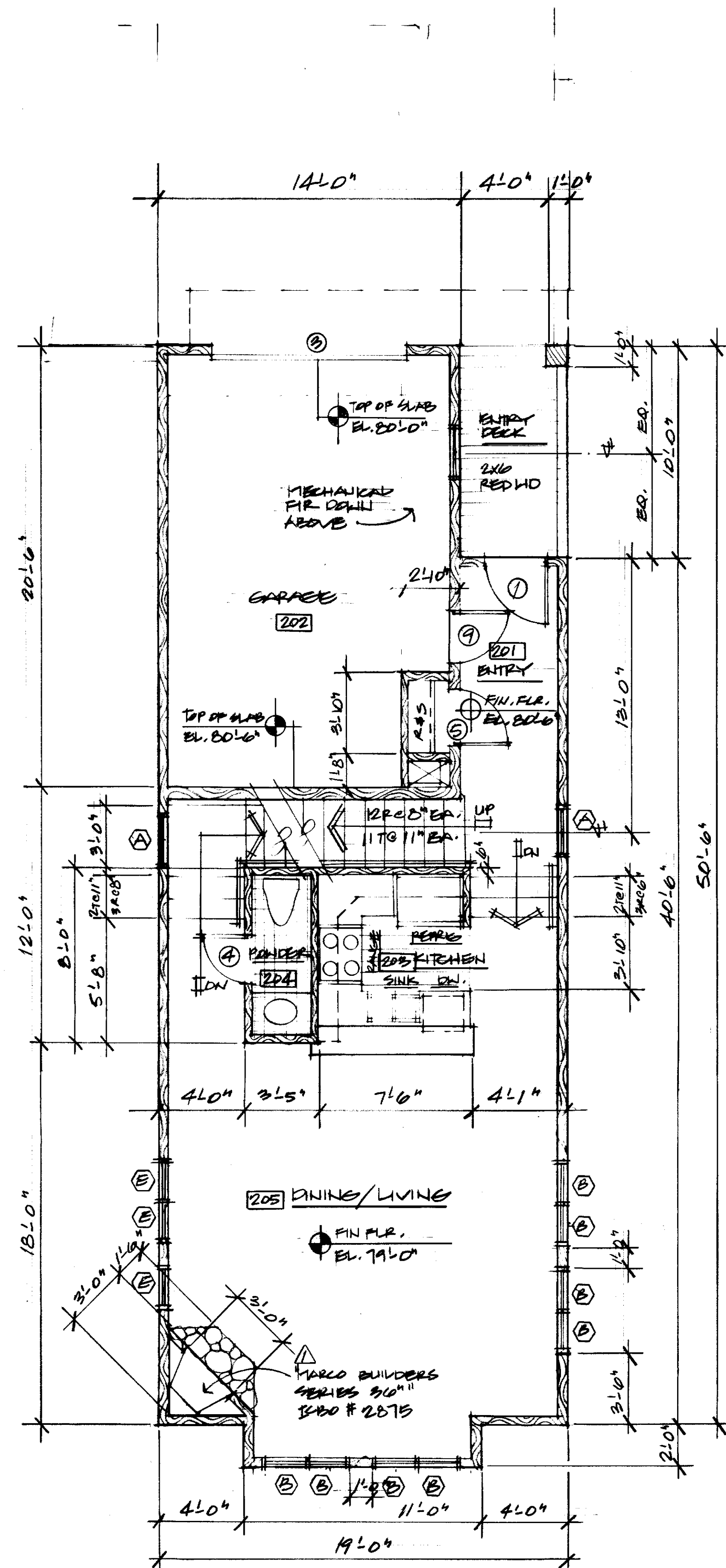
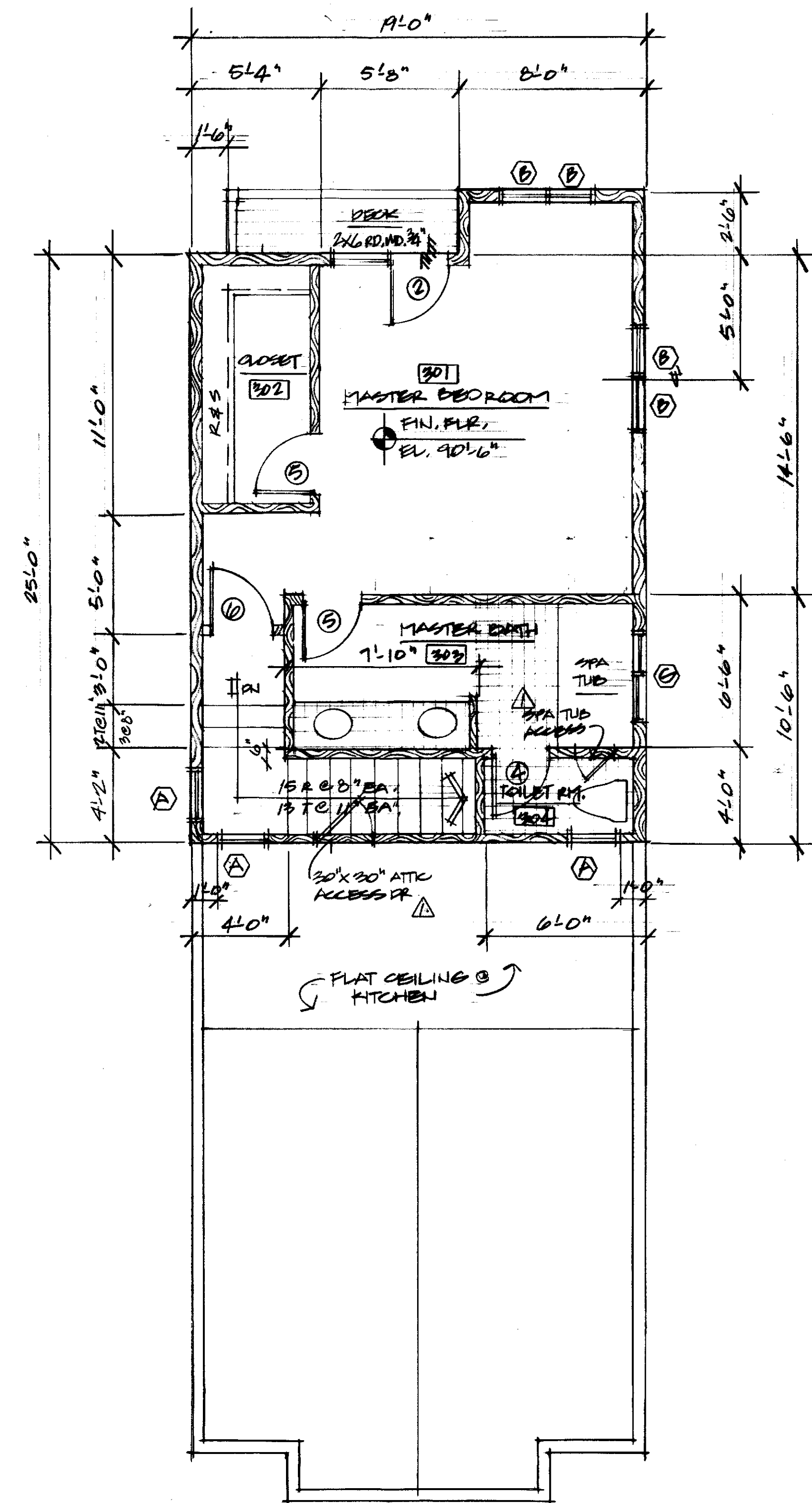
INDENTATION

3

Page 39 of 58

SUBMITTAL REQUIREMENTS NO. 2





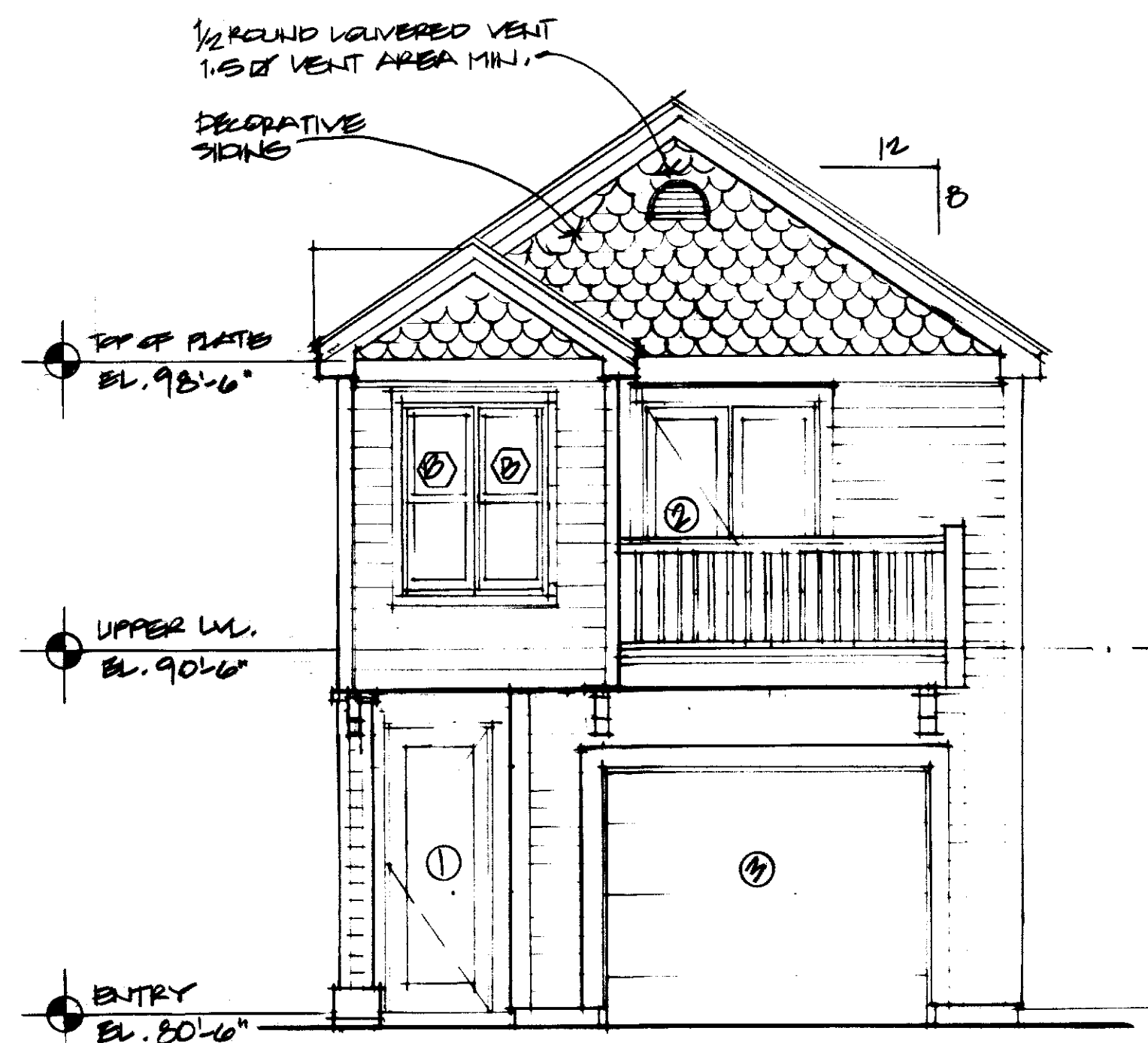
PROJECT:
A RESIDENCE FOR LOT #23
948 WOODSIDE AVENUE, PARK CITY, UTAH

DATE: 1.28.92
REVISIONS:
△ 4.15.92

SHEET NO.

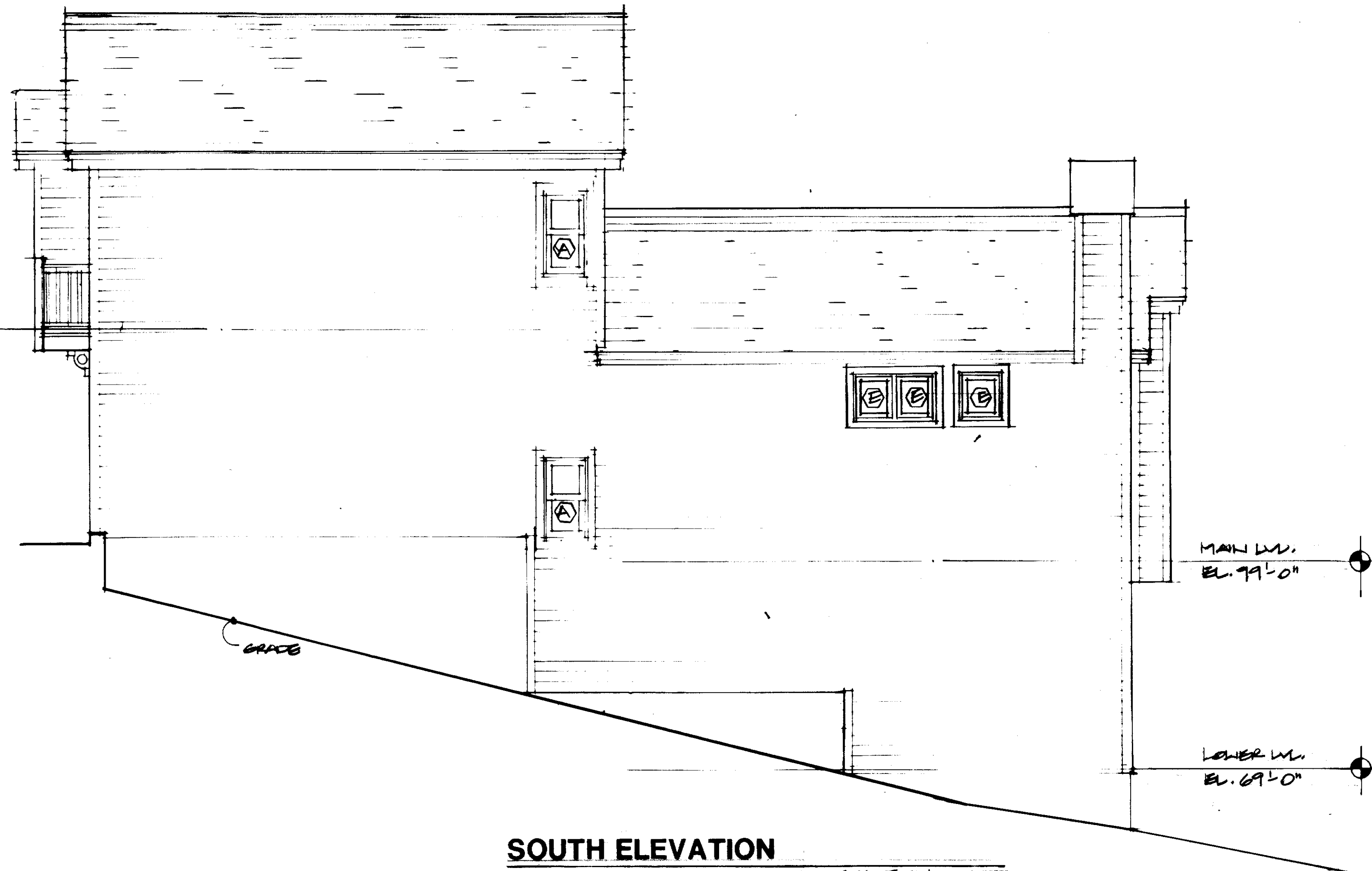
A-2

JONATHAN F. DeGRAY ARCHITECT
P.O. BOX 1674, PARK CITY, UTAH 84060 TEL. 801-649-6373



WEST ELEVATION

SCALE: 1/4" = 1'-0"



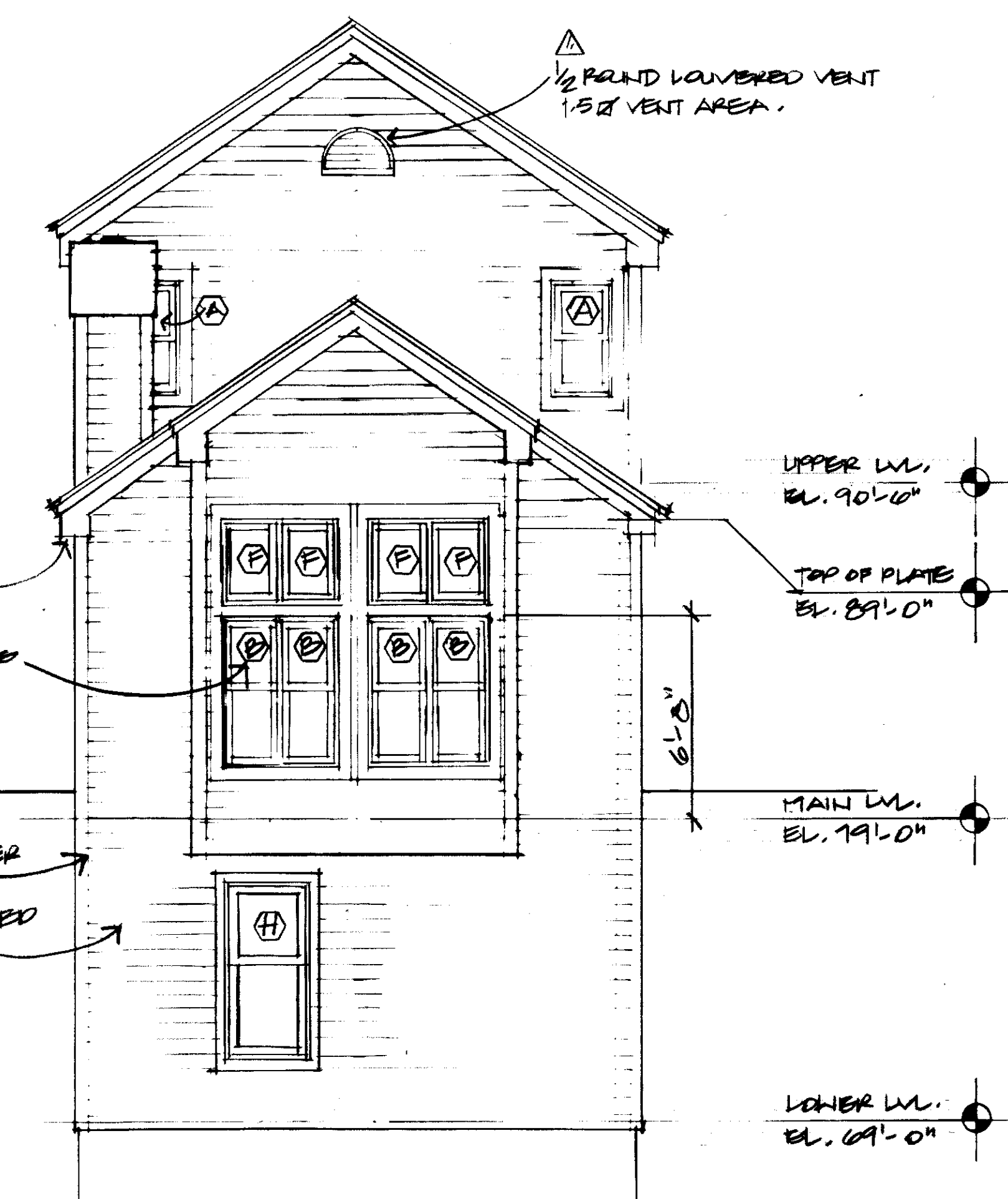
SOUTH ELEVATION

SCALE: 1/4" = 1'-0"



NORTH ELEVATION

SCALE: 1/4" = 1'-0"



EAST ELEVATION

SCALE: 1/4" = 1'-0"

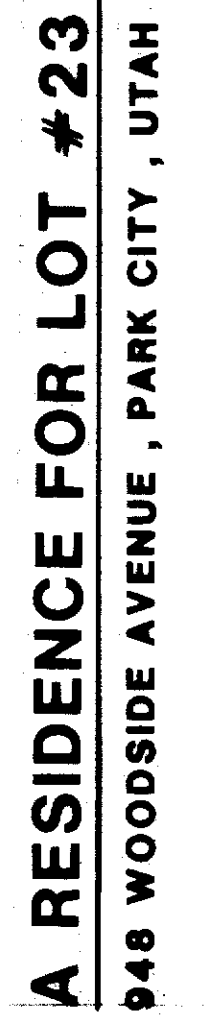
ROOF VENTILATION:
UPPER ROOF:
AREA 475.0 / 180
(PER GABLE VENT)
= 3.18 TOTAL AREA
LOWER ROOF:
AREA 454.0 / 300
(PER GABLE)

A RESIDENCE FOR LOT #23
948 WOODSIDE AVENUE, PARK CITY, UTAH

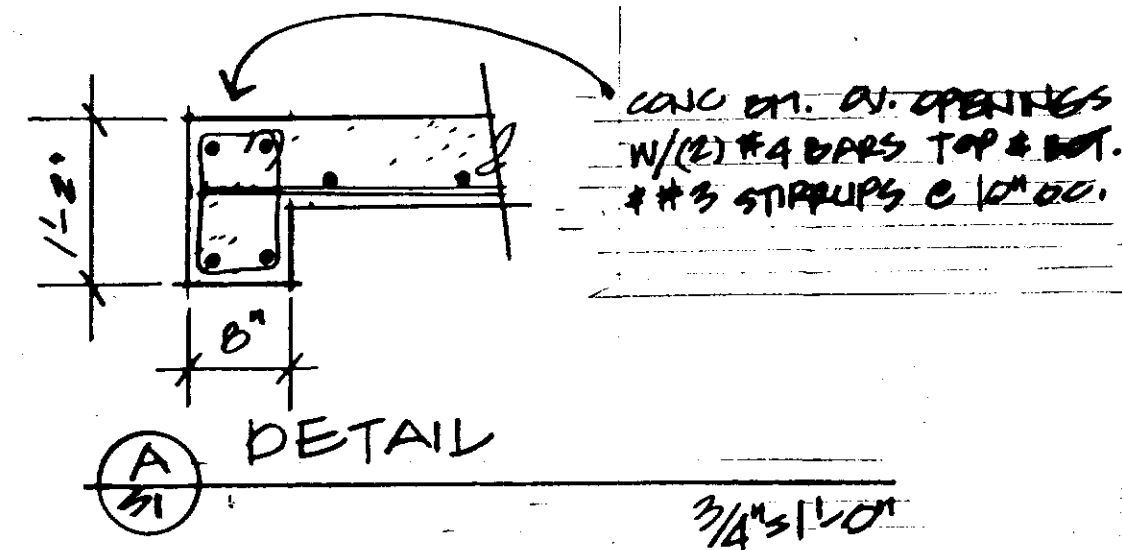
DATE: 1/28/92
REVISIONS:

SHEET NO.

A-3

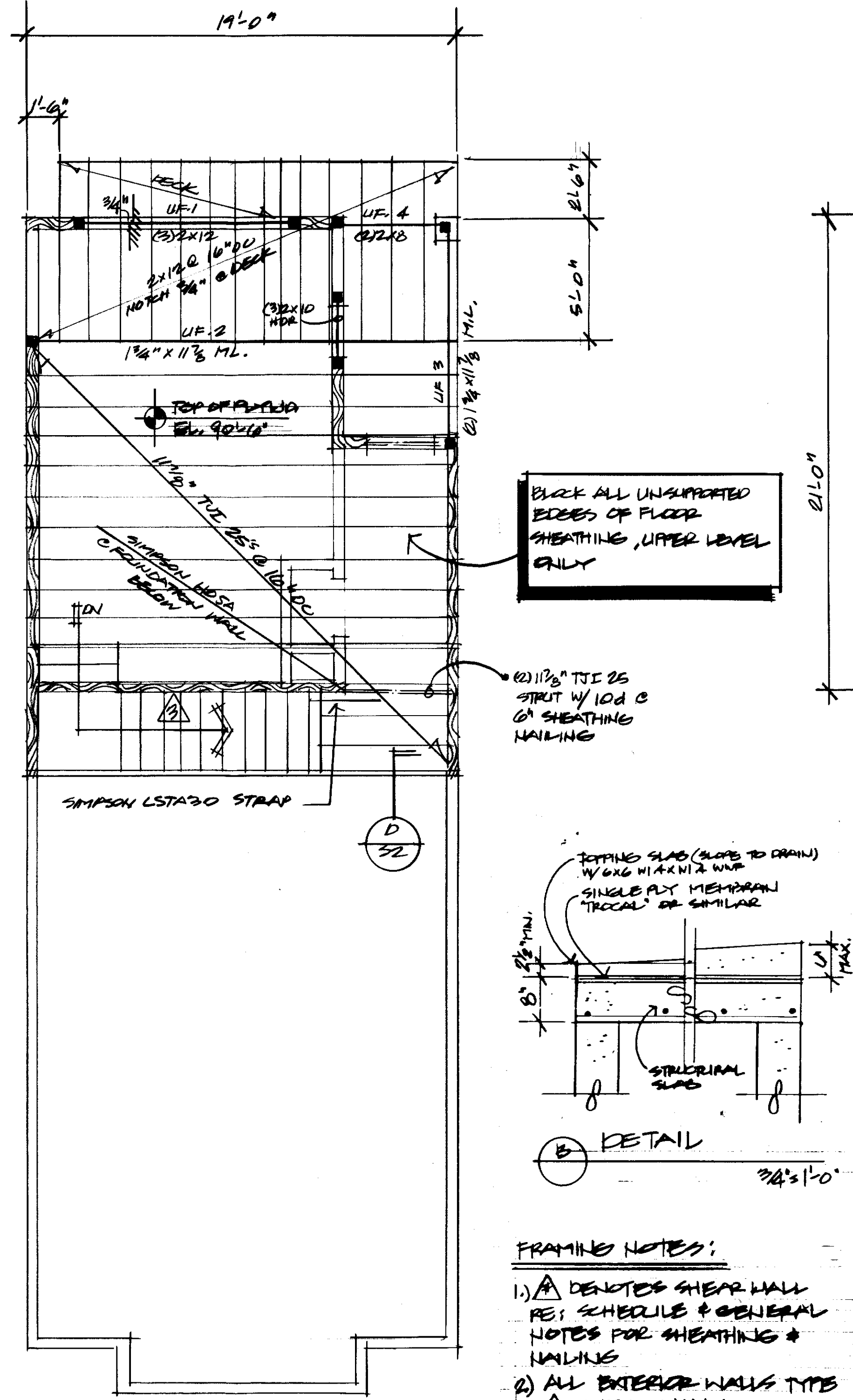
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JONATHAN F. DEGRAY ARCHITECT
P.O. BOX 1674, PARK CITY, UTAH 84060 TEL. 801-649-6373

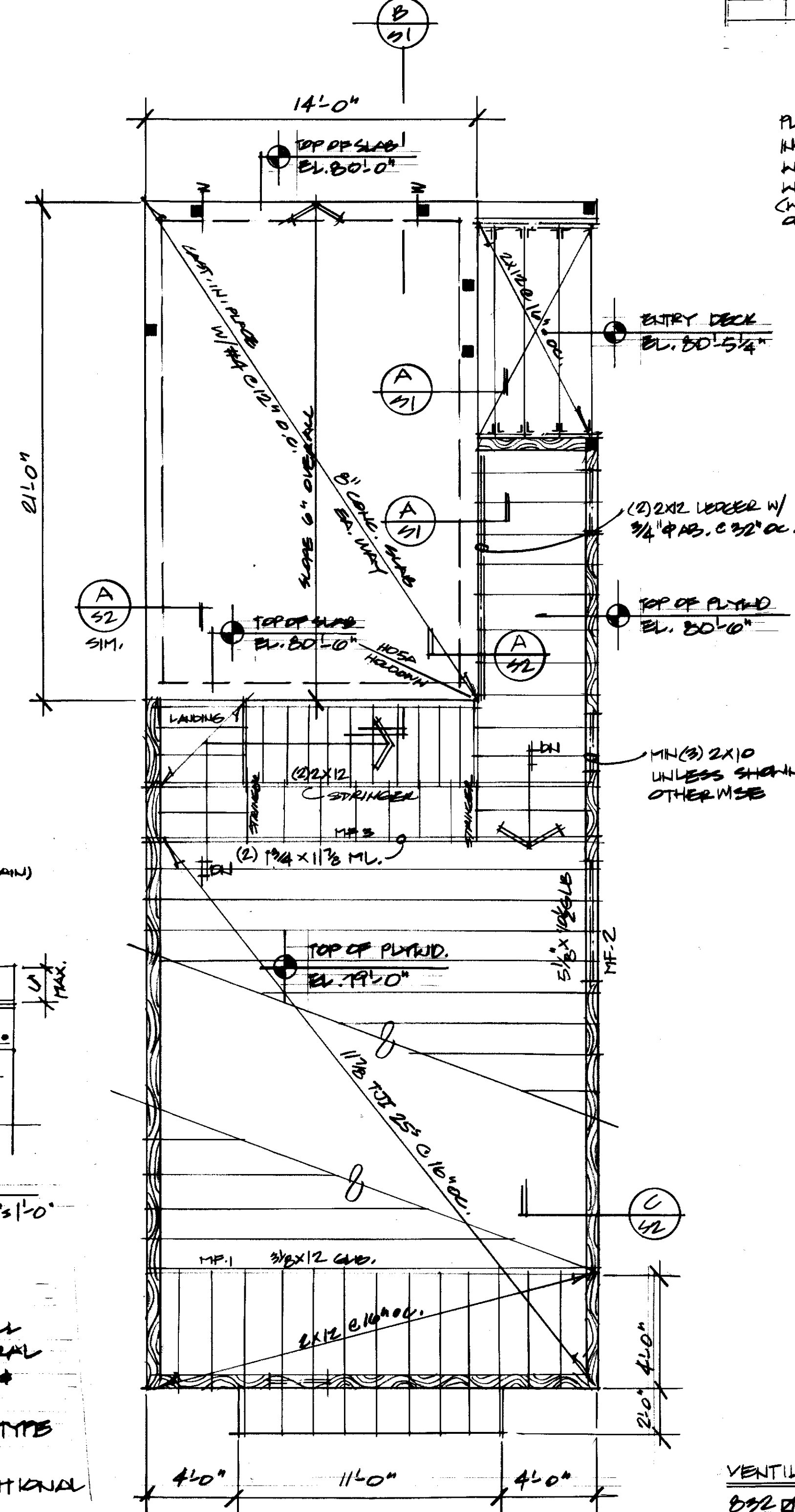


- FOUNDATION NOTES:
- 1) TOP - 8" CONC. FOUNDATION WALL W/ #4 BARS @ 16" OC. VERT. (DOWN TO FTG.)
 - 2) TOP OF FOUNDATION WALLS TO BE MIN. 6" ABOVE FIN. GRADE.
 - 3) BOT. OF FTG. TO BE MIN. 40" BELOW FIN. GRADE.
 - 4) ALL HOOD IN CONTACT W/ CONC. TO BE RED WOOD OR TREATED.
 - 5) TOP SOFT TUBE REINFORCING: (1) #5 BARS VERT. W/ #3 BARS @ 10" OC + (2) #3 IN TOP 6"

FOOTING SCHEDULE										SOIL BEARING 1500 PSF	
MARK	WIDTH	LENGTH	DEPTH	CROSSWISE REIN.		LENGTHWISE REIN.					
				NO.	SIZE	LENGTH	SPACING	NO.	SIZE	LENGTH	SPACING
F1	2'-0"	CONT.	12"	1	#4	2'-0"	16"	2	#4	CONT.	16"
F2	3'-0"	CONT.	12"	1	#4	3'-0"	16"	3	#4	CONT.	16"
F3	4'-0"	CONT.	12"	1	#4	4'-0"	16"	4	#4	CONT.	16"
F4	5'-0"	CONT.	12"	1	#4	5'-0"	16"	5	#4	CONT.	16"



- FRAMING NOTES:
- 1) ALL DECK SHEAR WALL RE: SCHEDULE & GENERAL NOTES FOR SHEATHING & NAILING
 - 2) ALL EXTERIOR WALLS TYPE 1 SHEAR WALLS.
 - 3) RE: SHIT 4.3 FOR ADDITIONAL NOTES.



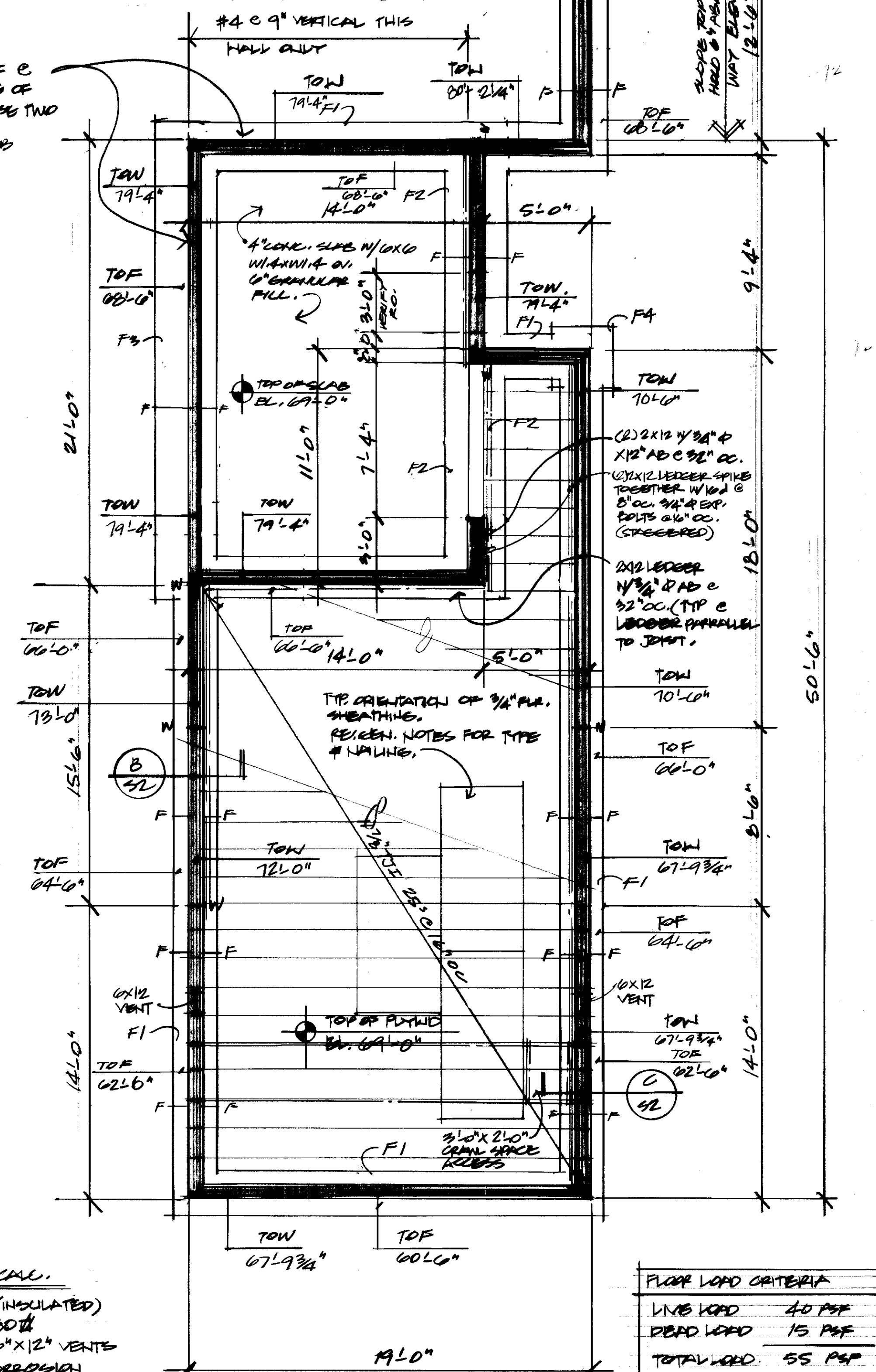
VENTILATION CALC.

552 BTU/1500 (INSULATED)

= 55 BTU OR 80 BTU

PROVIDE (2) 6" X 12" VENTS

COVER W/ 1/4" CORROSION RESIST WIRE.



FLOOR LOAD CRITERIA	
LIVE LOAD	40 PSF
DEAD LOAD	15 PSF
TOTAL LOAD	55 PSF

UPPER LEVEL FRAMING PLAN

MAIN LEVEL FRAMING PLAN

LOWER LEVEL FRAMING PLAN

JONATHAN F. DeGRAY ARCHITECT

P.O. BOX 1674, PARK CITY, UTAH 84060 TEL. 801-849-8373

A RESIDENCE FOR LOT #23

948 WOODSIDE AVENUE, PARK CITY, UTAH

DATE: 1-28-92

REVISION:

SHEET NO.

S-1

STRUCTURAL NOTES AND SCHEDULES

General

All Codes Standards and Specifications referred to in these notes are to be part of these notes as if fully set forth herein. Unless noted otherwise, these shall be the latest edition and supplements.

All details and notes on drawings are intended to be typical and shall apply to similar situations elsewhere unless noted or shown otherwise. Construction not specifically shown, shall be accomplished per minimum requirements of UBC.

Contractor shall compare all dimensions and conditions on contract documents and at the site. Any omission or conflict shall be brought to the attention of the architect and/or engineer. In case of any conflict follow the most stringent requirement as directed by architect and/or engineer.

Contractor shall coordinate with all trades all items that are to be integrated into the structural system. Order of construction to be responsibility of the contractor. He shall provide all items necessary for his chosen procedure.

Until all permanent members, including walls, slabs, floors & roof are in place and all connections are completed, stability of structure and all parts thereof shall be Contractor's responsibility. During construction contractor shall keep construction loads within the design floor and roof load limits shown on drawing. After construction is completed building manager shall keep loads on roof and floor within design limits shown on drawings.

Any deviation from contract documents shall be approved by architect and shall be so documented. This documentation shall become part of contract documents. Deviation from contract documents shall not be allowed on shop drawings.

Contractor shall review and verify all shop drawings to assure they comply with requirements of the contract documents. Engineer will review the shop drawings for general conformance with design concept. This review by the engineer shall not be construed as approval.

Thermal or moisture protection, furnishings, doors, windows, equipment, mechanical, electrical, finishes, siding, paneling, vaners are not part of the responsibility of the structural engineer.

Earth Work

Entire building area shall be scraped to remove 4 inches of top soil including vegetation and debris. All soft spots, man placed non structural fills, voids and construction debris shall be removed and replaced with compacted structural fill. No concrete shall be placed on muddy or frozen soil.

All footings and slabs to be on firm undisturbed soil. Natural undisturbed soil below all footings shall be proof rolled prior to placing concrete. Remove all soft spots found and replace with compacted structural fill. Extend fill beyond edges of the footings equal to depth of the fill.

Structural fill material shall be a well graded granular material with maximum size less than 4 inches and with not more than 12% passing a number 200 sieve. It shall be compacted in 8 inch loose layers to 95% of the maximum dry density based on ASTM D 1557. All structural fill shall be tested.

Unless noted otherwise, top of all exterior footings shall be 42 inches below adjacent finish grade and top of all interior footings shall be 8 inches below adjacent finish floor.

All footings are proportioned and designed for 1500 PSF soil bearing. This soil bearing was provided by Otto Walker Architects, and is their responsibility.

All exterior type backfills that will support any structure (slab on grade, stairs, etc.) shall be structural compacted fill.

Structural Concrete

All concrete shall have a compressive strength equal to 3000 psi within 28 days after placing. The owner will hire a testing laboratory to test all concrete. Submit a copy of test reports for review. ALL SLAB WORK SHALL BE 4000 PSI

The samples for tests of each strength of concrete shall be taken not less than once a day, nor less than once for each 150 cubic yard of concrete, nor less than once for each 5000 square ft. of surface area for slabs or walls, nor less than five times through-out the project.

Normal weight aggregates shall comply with ASTM C-33 and shall produce concrete weighing within 145 to 155 pounds per cubic foot. Water used in concrete shall be potable. Calcium chloride, aluminum conduit, product containing aluminum or any other material injurious to concrete shall not be used in concrete.

Metal reinforcement shall be deformed type bars and shall conform to ASTM A-615 grade 60 with minimum yield strength of 60 ksi. All reinforcement bars shall be detailed, bolstered and supported in accordance with ACI Standard 315. Submit shop drawings for review prior to fabrication. Provide concrete cover for rebar as follows:

concrete cast against and permanently exposed to earth	3.00	Inches
concrete exposed to earth or weather, # 5 bars and smaller	1.50	Inches
concrete exposed to earth or weather, # 6 bars and larger	2.00	Inches
concrete not exposed to earth or weather, slabs, walls & joists	0.75	Inches
concrete not exposed to earth or weather, beams and columns	1.50	Inches

All formwork shall comply with requirements of ACI standard publication No. 347. The contractor shall be responsible for the design, care, detailing, placement and removal of all formwork and shoring.

Temperature reinforcement splices in walls, continuous footings and slabs shall lap 30 bar diameter. All other splices shall be as shown or noted on drawings. Additional splices, if required, shall comply with requirements of section 2612 of UBC, and shall be approved by engineer.

Unless noted otherwise all concrete slabs on grade shall be 4 inches thick and reinforced with 6x6 W1.4/W1.4 Welded Wire Fabric. All welded wire fabric shall comply with ASTM A-185. Provide chairs at 36 inches on center in each direction to hold the WWP 1.5 inches from top of the slab.

Unless noted otherwise all concrete walls shall be eight inches thick and shall be reinforced with #4 horizontal bars at 12 inches on center and #4 vertical bars at 18 inches on center and 2 #5 horizontal bars at top and bottom of the walls. Provide 2 inch x 4 inch continuous keyway for all retaining type wall footings. PLATE REIN IN CENTER OF WALL UNL. O.

Concrete walls shall have vertical control joints spaced not further apart than 25 feet. Consult architectural drawings for locations. Provide 2 inch x 4 inch key way at the joints. Stop all horizontal bars at the joint.

Unless noted otherwise extent of suspended concrete pours shall not exceed 3000 square feet or 64 feet in any one direction. Construction joints shall be made at the center of spans. All reinforcement shall be continuous through joints.

Unless noted otherwise provide 2 # 5 bars at each side of all openings in walls and slabs. Continue these bars 24 inches beyond openings. Also provide two # 5 diagonal bars, 4 feet long, at each corner of these openings.

All horizontal reinforcement shall have matching dowels at intersections and at corners of the walls. All vertical reinforcement shall have matching dowels to footing or structure below. Unless noted otherwise, provide #4 dowels at 24 inches on center at all wall to slab connections.

Reinforced Masonry

Minimum compressive strength of concrete masonry unit based on minimum net area shall be 2000 psi (Grade N). This allows for an assumed design strength (f'm) of 1500 psi for partially grouted masonry and 1900 psi for solid grouted masonry.

Mortar shall be type (S) according to UBC Section 2403-C and shall comply with UBC Standard No 24-20. Aggregates used in mortar shall comply with UBC Standard No 24-21. Additives or admixtures shall not be used in mortar mix.

GROUT shall be proportioned according to UBC section 2403-B and shall develop compressive strength of 2000 psi within 28 days. Aggregates used in grout shall be sand and gravel, and shall comply with UBC standard No 24-23. Additives or admixtures shall not be used in grout mix.

Reinforcement used in masonry construction shall be grade 60 and shall comply with ASTM A-615. Lap reinforcing steel 40 bar diameter at all splices. All bars and anchor bolts and headed studs shall be set in solid grouted cells. Submit shop drawings for all rebar for review prior to fabrication.

Unless noted otherwise, reinforcement masonry walls as follows: Vertically provide one # 5 at corners, one # 5 at wall intersections and one # 5 at 32 inches on center elsewhere. Horizontally provide one # 4 at top of footings, one # 4 at top of parapets and one # 4 at 48 inches on center elsewhere. Also provide four # 5 in 16 inches deep bond beams at every floor and at roof level.

Continue vertical reinforcing bars in masonry columns thru foundation wall into footings with matching bars and dowels. Enclose these bars with same size ties at same spacing as in masonry column. Provide matching dowels for vertical bars in masonry walls to structure below.

Continue horizontal reinforcement in walls thru masonry columns and pilasters. This reinforcement shall have matching dowels, corner rebars, at corners and at intersections of the walls with required lap lengths.

Unless noted otherwise, hollow cells at all sides of openings in walls shall be grouted and reinforced with 2 # 5 bars. Continue these bars to first horizontal and vertical wall reinforcement.

Structural Steel

All fabrication and erection shall comply with requirements of following codes and specifications. Provide shop drawings for review prior to fabrication.

Also Specifications for the Design Fabrication and Erection of Structural Steel for Buildings, with commentary.

Also Code of Standard Practice, excluding sections 1.9.1, 3.3, 4.2 and 7.11.5

Also Specifications for Structural Joints using ASTM A-325 or A-490 bolts

Also structural welding code, excluding items conflicting with requirements

Material shall comply with following standards except where noted otherwise.

Typical bolts	ASTM A-307 grade A
High strength bolts	ASTM A-325
Anchor bolts	ASTM A-307 grade A
Nuts for anchor bolts	ASTM A-307 grade A
Steel tubes	ASTM A-500 grade B with yield strength equal to 46 ksi
Steel pipes	ASTM A-53 grade B type E or S
Deformed bar anchors	manufactured by Nelson Stud Co. or equal
Headed stud anchors	ASTM A-108 manufactured by Nelson Stud Co. or equal
All other steel shapes	ASTM A-36 with yield strength equal to 36 ksi.

Use high strength bolts for steel to steel connections where called out on drawings. Tighten these bolts by the turn of the nut or direct tension method. Provide hardened washers under all turned elements. Provide standard washers under all nuts and anchor bolts.

All headed stud and deformed bar anchor welding shall conform to specifications provided by manufacturer. These welds shall be field tested to comply with the requirements of UBC standard No 21-6.11.

All welding shall be executed by AWS certified welders. Certification shall be considered current if dated within past 12 months. Unless noted otherwise weld steel members using E-70 XX electrodes as follows:

Columns to base plates and cap plates	1/4 inch fillet	all around
Stiffener plates to web and flanges	1/4 inch fillet	all around both sides
Stiffener plates to columns	1/4 inch fillet	all around both sides
Stiffener plates to base and cap plates	1/4 inch fillet	all around both sides
Joists to girders and bearing plates	1/4 inch fillet	two inches both sides
Misc. steel to steel angles, channels, etc.)	1/4 inch fillet	two inches both sides

The owner may test any or all welds by means of x-ray, ultrasonic or any other appropriate non-destructive procedure. Deficient welds shall be corrected and retested at contractor's expense.

Structural Timber

Unless otherwise noted structural lumber shall be Douglas Fir Larch Number 2 or better and shall have minimum allowable unit stresses as follows:

Extreme fiber stress in bending, Single member use	1250	PSI.
Extreme fiber stress in bending, Repetitive member use	1450	PSI.
Tension stress parallel to grain	650	PSI.
Horizontal shear stress	95	PSI.
Compression stress perpendicular to grain	925	PSI.
Compression stress parallel to grain	1000	PSI.
Modulus of elasticity	1800	KSI.

Structural lumber for roof joists only shall be Douglas Fir Larch Number 1 or better and shall have minimum allowable unit stresses as follows:

Extreme fiber stress in bending, Single member use	1500	PSI.
Extreme fiber stress in bending, Repetitive member use	1700	PSI.
Tension stress parallel to grain	1000	PSI.
Horizontal shear stress	95	PSI.
Compression stress perpendicular to grain	925	PSI.
Compression stress parallel to grain	1250	PSI.
Modulus of elasticity	1800	PSI.

Structural glued laminated timber shall be Douglas Fir Larch, with combination symbol 24-F, and shall have minimum allowable unit stresses as follows:

Extreme fiber in bending	2400	PSI.
Tension, Zone in tension, all beams	1200	PSI.
Compression zone in tension, simple span beams	1200	PSI.
Compression zone in tension, continuous & cantilever beams	2400	PSI.

Compression perpendicular to grain, tension face	650	PSI.
Compression perpendicular to grain, compression face	850	PSI.
Horizontal shear stress	165	PSI.
Tension stress parallel to grain	1200	PSI.
Compression stress parallel to grain	1000	PSI.
Modulus of elasticity	1800	KSI.

Wall wood members as follows except where more stringent requirements are shown. Nails shall be standard common wire nails.

Joist to sill or girder	Joist nail	10d
Joist to joist	Joist nail each end	2-8d
sole plate to joist or blocking	face nail	1-16d at 16" o/c
top plate to stud	end nail	2-16d
stud to sole plate	end nail	2-16d
double studs	face nail	1-16d at 24" o/c
double top plates	face nail	1-16d at 24" o/c
top plates, laps and intersections	face nail	2-16d
continuous header, two pieces	Along each edge	1-16d at 16" o/c
continuous header to studs	Joist nail	4-8d
rafters to plate	Joist nail	4-8d
built-up corner studs	face nail	1-16d at 24" o/c
built-up girders and beams	top & bot staggered	1-20d at 32" o/c
built-up girders and beams	each end	2-20d
two inch plates	each end	2-16d

Top plates of all stud walls shall be two 2x and same size as studs, lap plates 4 feet. Sill plates on concrete and masonry shall be pressure treated Douglas fir larch or pressure treated sill plates with 2 x 4 inch x 10 inch anchor bolts at 48 inches on center. (UNLESS NOTED OTHERWISE)

Unless noted otherwise, plate two 2x header pieces all openings and two 2x 1000 column at each side of the opening.

Solid block studs at 10 foot maximum vertical interval. Pass bridge or solid block joints and rafters at 4 foot maximum interval. Solid block between all joints at ends and at supports. Blocking center shall be 2 x 4 same size as studs or joists or rafters.

Where partition walls meet and perpendicular to partition wall solid blocking between joints. Where partition walls meet and parallel to studs, place two joints directly under the partition walls.

Unless noted otherwise, use 3/4 inch diameter bolts to fasten wood members as shown on drawings. Bolts shall be spaced at least 3 inches apart and shall be 3 inches from the edge and end of the members. Embed in concrete at least 3" at the connection.

Structural Sheathing (Diaphragms)

Roof sheathing shall be 5/8 inch plywood, APA rated sheathing for exposure, and span rating of 40-24 (PS 1-83). Plywood shall be applied in a staggered pattern with face grain perpendicular to supports. Connect sheathing to framing with 10d common wire nails at 6 inches on center at supported edges and 12 inches on center at intermediate supports. Leave an overlap between joints after the quarter edges.

Floor sheathing shall be 5/8 inch plywood, APA rated sheathing for exposure and span rating of 32-16 (PS 1-83). Plywood shall be placed in a staggered pattern with face grain perpendicular to supports. Connect sheathing to framing with 10d common wire nails at 6 inches on center at supported edges and 10 inches on center at intermediate supports. Unsupported edges should be tongue and groove, or blocked, or have minimum 1/4" underlayment or 1 1/2" minimum lightweight concrete over plywood. (BLACK UNSUPPORTED EDGES WHERE SHOWN ON PLANS)

Wall sheathing shall be 1/2 inch plywood, APA rated sheathing for exposure and span rating of 24/0 (PS 1-83). Plywood shall be applied directly to studs. Back unsupported panel edges with 2 inch framing. Connect panels to framing as shown on the shear wall schedule.

Substitution of roof, floor and wall plywood sheathing shall be approved by Architect and Engineer. It shall have capacity for gravity and shear loads equal to or better than specified sheathing and shall be 100% approved.

WOOD FRAMING CONT.

23. PRE-FABRICATED METAL PLATE WOOD TRUSSES
 - A. DESIGN AND FABRICATION OF ALL TRUSSES SHALL COMPLY WITH REQUIREMENTS OF 'DESIGN SPECIFICATIONS FOR LIGHT METAL PLATE CONNECTED WOOD TRUSSES' BY THE TRUSS PLATE INSTITUTE AND UBC STANDARD NO. 25-17.
 - B. TRUSS MANUFACTURER SHALL DESIGN AND FABRICATE TRUSSES TO SUPPORT LOADS SHOWN ON DRAWINGS. COORDINATE DESIGN WITH ALL MECHANICAL EQUIPMENT AND SUSPENDED LOADS. SUBMIT DESIGN CALCULATIONS BEARING STAMP OF A REGISTERED PROFESSIONAL ENGINEER LICENSED IN THE STATE OF UTAH FOR REVIEW. NO STRESS INCREASE ALLOWED IN DESIGN.
 - C. SUBMIT SHOP DRAWINGS FOR REVIEW PRIOR TO FABRICATION INDICATING, FRAMING PLAN, BRIDGING AND BRACING, DIAGRAM OF THE TRUSSES WITH DIMENSIONS, SIZE AND GRADE OF MEMBERS, SIZE AND LOCATION OF METAL PLATES, BEARING DETAILS AND INSTRUCTION FOR INSTALLATION.
 - D. MOMENT COEFFICIENTS SHALL BE 1/8 FOR ONE AND TWO CONTINUOUS SPAN CONDITIONS AND 1/10 FOR THREE OR MORE CONTINUOUS SPAN CONDITIONS. LENGTH FACTOR FOR WEB DESIGN SHALL BE ONE.
 - E. METAL PLATES AT COMPRESSION JOINTS SHALL BE DESIGNED FOR THE FULL LOAD WITHOUT CONSIDERING WOOD TO WOOD BEARING.
 - F. ALL METAL PLATE DIMENSIONS SHALL BE INCREASED BY 10% ABOVE THAT REQUIRED BY THE ANALYSIS. ALLOWABLE STRESS FOR METAL PLATE SHALL NOT BE INCREASED FOR THE LOAD DURATION. METAL PLATES SHALL BE PRESSED OR ROLLED INTO MEMBERS TO OBTAIN FULL PENETRATION WITHOUT CRUSHING THE WOOD SURFACE.
 - G. ALL METAL PLATES SHALL BE GALVANIZED STEEL AND SHALL BE ON BOTH SIDES OF EACH CONNECTION. SUBMIT A COPY OF THE I.C.B.O. APPROVAL, INCLUDING ALLOWABLE STRESSES ESTABLISHED BY THIS COMMITTEE, FOR METAL PLATES USED.
 - H. ALL LUMBER SHALL BE DOUGLAS FIR OR YELLOW PINE #1 GRADE. MOISTURE CONTENT SHALL NOT EXCEED 19% NOR SHALL BE LESS THAN 7% HANDLING, STORAGE AND INSTALLATION OF ALL TRUSSES SHALL BE DONE SUCH THAT THE SPECIFIED MINIMUM AND MAXIMUM MOISTURE CONTENT LIMITS ARE NOT EXCEEDED. GRADE STAMPS SHALL APPEAR ON ALL MEMBERS.
 - I. PRIOR TO FABRICATION, CONTRACTOR SHALL SUBMIT IN WRITING PROOF OF COMPLIANCE OF IN PLANT INSPECTION BY AN I.C.B.O. APPROVED INDEPENDENT INSPECTION AGENCY. THESE INSPECTIONS SHALL COMPLY WITH UBC STANDARD NO. 25-17.39.
 - J. FABRICATOR SHALL PERIODICALLY INSPECT INSTALLATION OF TRUSSES AND SHALL CERTIFY IN WRITING THAT TRUSSES AND BRACING AND BRIDGING HAVE BEEN INSTALLED ACCORDING TO HIS SPECIFICATIONS.

SHEAR WALL SCHEDULE					
TYPE	MATERIAL	EDGE NAILING	PLATE/NAILING BOLTING	SHEAR TRANSFER	REMARKS
1	1/2" PLYWOOD	8d x 6" O.C.	3-16d x 16" O.C. 1/2" AB x 48" O.C.	1-A35 x 24" O.C.	A, B, C, G
2	1/2" PLYWOOD	8d x 4" O.C.	4-16d x 16" O.C. 1/2" AB x 36" O.C.	1-A35 x 16" O.C.	A, B, C, G
3	1/2" PLYWOOD BOTH SIDES	8d x 4" O.C.	8-16d x 16" O.C. 1/2" AB x 16" O.C.	2-A35 x 16" O.C.	A, B, C, G

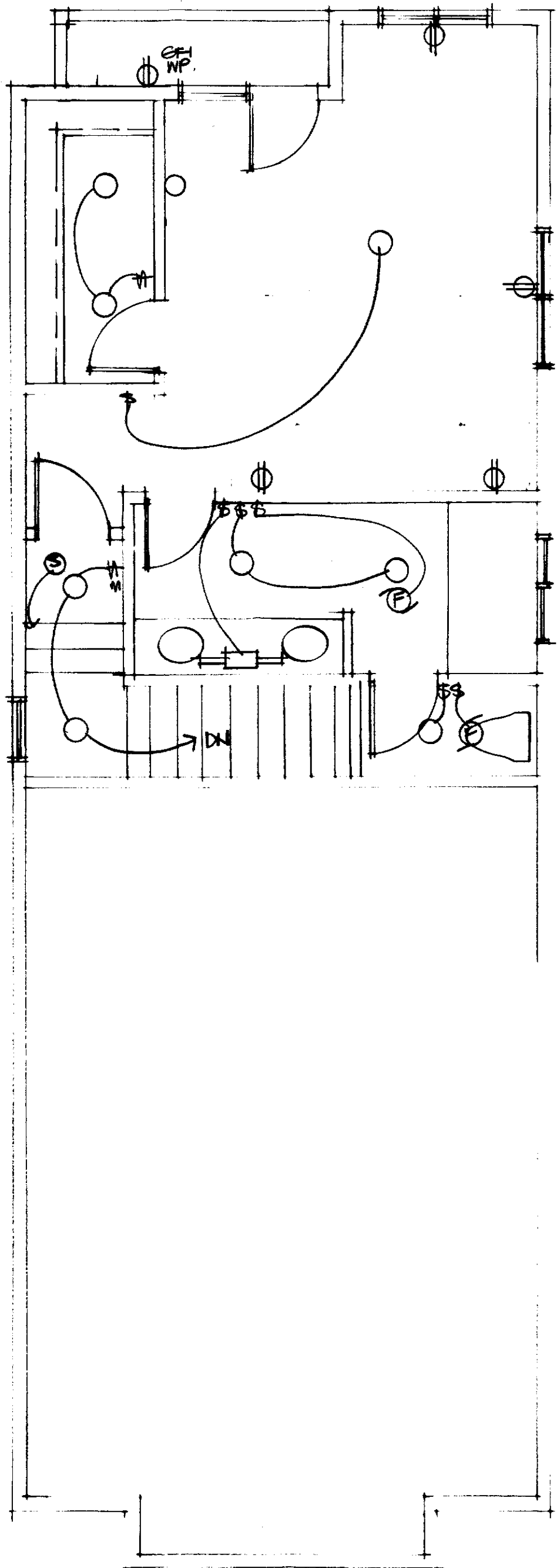
REMARKS:

- A- ALL PLYWOOD SHALL BE CDX STRUCTURAL I OR II, A.P.A. RATED SHEATHING WITH ALL EDGES BLOCKED.
- B- ALL NAILS SHALL BE "COMMON" TYPE UNLESS OTHERWISE NOTED.
- C- ALL HARDWARE SHALL BE "SIMPSON STRONG TIE" OR APPROVED EQUAL.
- D- ALL SILL PLATES SHALL BE 2x PRESSURE TREATED DF. UNLESS OTHERWISE NOTED WITH A MINIMUM OF 2 AB. PER PLATE. ONE AB. WITHIN 12" FROM EACH END.

E. ALL AB'S ENDED MIN. 1"

MECHANICAL NOTES

- (1) Heating system shall be gas fired forced air. Contractor shall be responsible for design of system including duct sizing and layout which shall be reviewed and approved by Architect prior to commencement of construction. Contractor shall also be responsible for preparation of heat loss calculations and submission of same to the Park City Building Department.
- (2) Heating system shall be capable of maintaining 75°F inside when exterior temperature is -20°F.
- (3) Provide combustion air for all gas appliances at a rate of 1/2" per 1000 BTU's of input. Combustion air shall be obtained from outdoors or areas freely communicating with the outdoors. Combustion air ducts shall extend to within 12" of ceiling and of the floor and shall have exterior cover of 1/4" screen.
- (4) Provide min 1" clearance between class "B" vent and combustible material.
- (5) All fans shall be ducted to exterior in smooth duct. All fans shall be capable of 5 air changes per hour.
- (6) Gas log lighters shall be provided with a shut-off valve located outside of the firebox and within 4 feet of the appliance per UMC 2214.

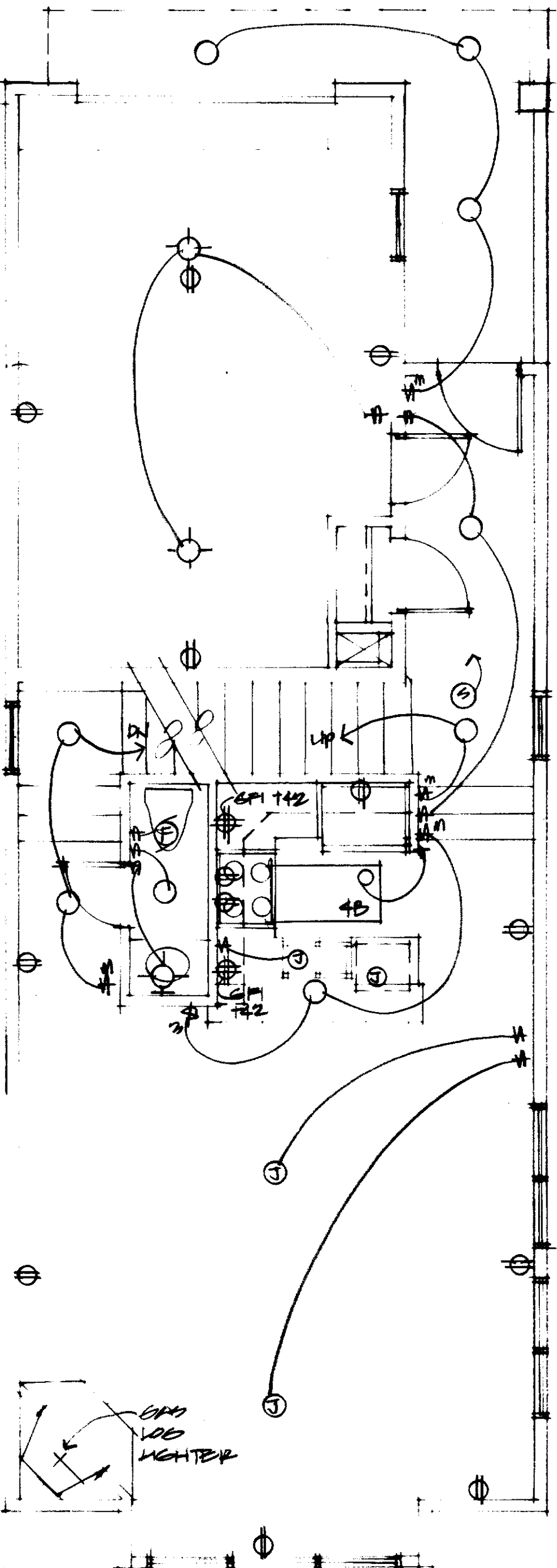


UPPER LEVEL ELECTRICAL PLAN
SCALE: 1/4" = 1'-0"

ELECTRICAL NOTES

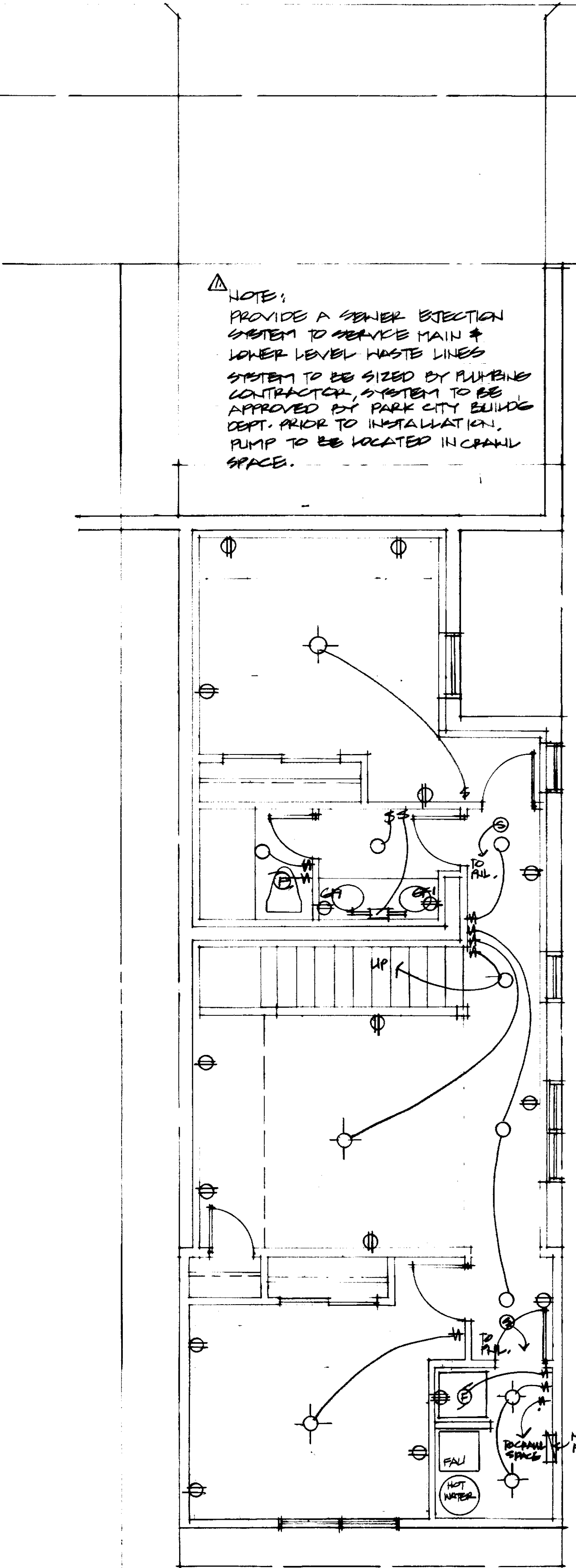
- 1. TO CONTROL SOUND BETWEEN ROOMS, DO NOT PUT UTILITY BOXES BACK TO BACK IN THE SAME STUD SPACE.
- 2. ALL RECESSED INCANDESCENT FIXTURES TO BE U.L. FIRE RATED FOR RECESS APPLICATION WITHOUT TESTING.
- 3. ALL LIGHT CIRCUITS WITH DIMMERS MUST BE LESS THAN 600 WATTS.
- 4. ALL FANS CAPABLE OF 5 AIR CHANGES PER HOUR.
- 5. SMOKE DETECTOR MUST CONFORM TO U.S.C. STANDARD #13-6 SECTION 14-13.
- 6. ELECTRICAL PANELS TO COMPLY WITH 110-26 N.E.C.
- 7. ELECTRICAL INSTALLATION SHALL BE INSTALLED IN ACCORDANCE WITH LOCAL AND NATIONAL ELECTRIC CODE.
- 8. PROVIDE WIRING TO HOT TUB AND/OR SAUNA AS REQUIRED.
- 9. PROVIDE 12" MIN. CLEARANCE OF INTERCOM WIRES FROM ALL OTHER WIRING.
- 10. Lights in closets to meet N.E.C. 410-8

INTERCOM	WALL FLUORESCENT (S.M.)
CEILING INCANDESCENT FIXTURE (S.M.)	WATERPROOF
WALL INCANDESCENT FIXTURE	GROUND FAULT INTERRUPTER
RECESSED CEILING FIXTURE	SWITCH
RECESSED HEAT LAMP (S.M.)	3-WAY SWITCH
RECESSED FLUORESCENT	DIMMER SWITCH
JUNCTION BOX	THERMOSTAT
DUPLEX RECEPTACLE	FAN
250 VOLT RECEPTACLE	SMOKE DETECTOR, HARDWIRE W/ BATTERY BACK UP
SWITCHED DUPLEX RECEPTACLE	T.V. OUTLET
FLUORESCENT-PENDANT MOUNTED	TELEPHONE OUTLET
THEATRE LIGHT BAR	W.P. RECESSED CAN-EXTERIOR GRAPE
CEILING FLUORESCENT (S.M.)	STEREO SPEAKER OUTLET



MAIN LEVEL ELECTRICAL PLAN
SCALE: 1/4" = 1'-0"

ELECTRICAL SYMBOLS



LOWER LEVEL ELECTRICAL PLAN
SCALE: 1/4" = 1'-0"

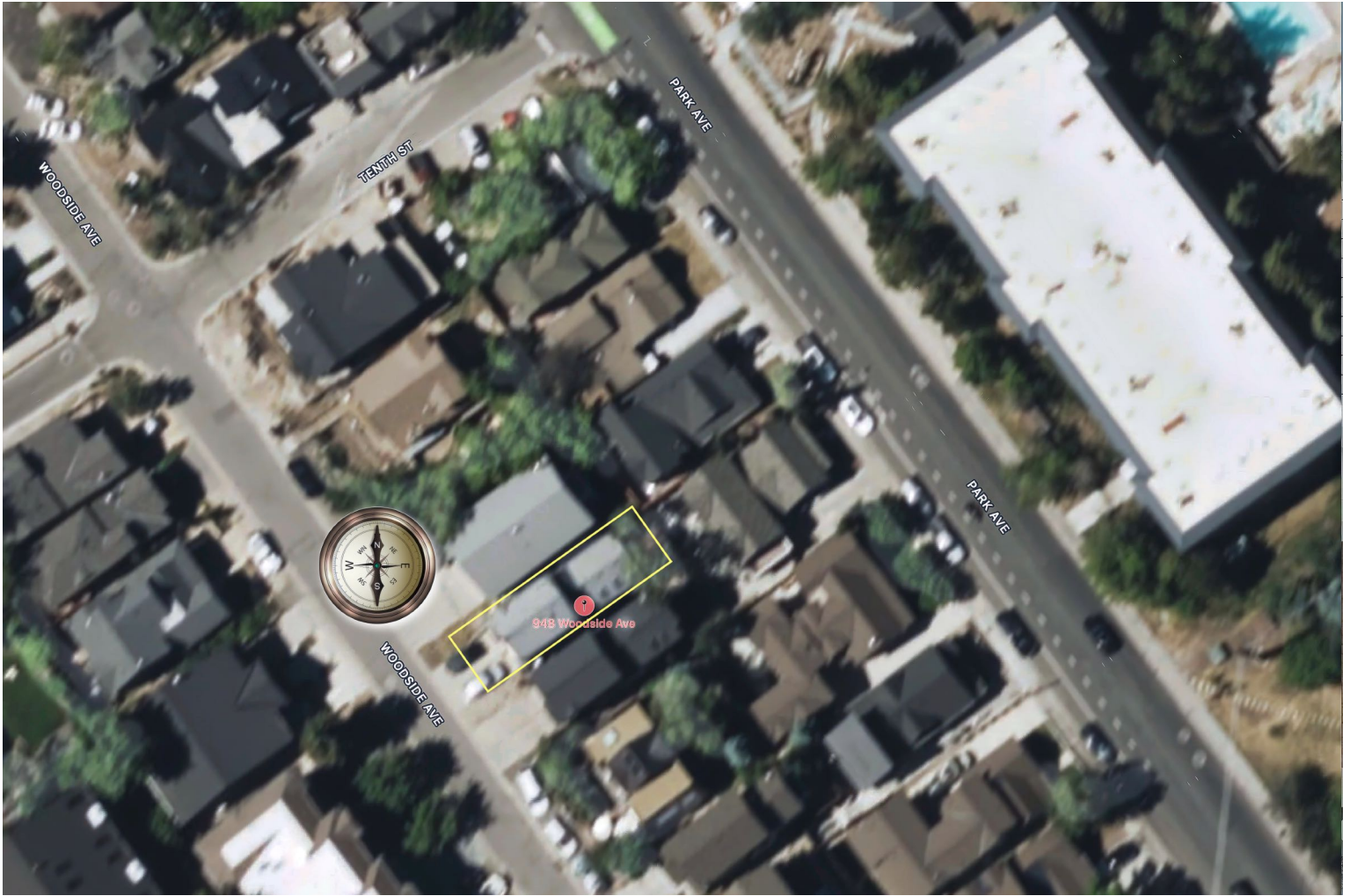
JONATHAN F. DeGRAY ARCHITECT
P.O. BOX 1674, PARK CITY, UTAH 84060 TEL. 801-649-6373

PROJECT
A RESIDENCE FOR LOT #23
948 WOODSIDE AVENUE, PARK CITY, UTAH

DATE: 1-28-92
REVISED:

SHEET NO.

ME-1





948 Woodside looking NE



948 Woodside looking N



948 Woodside looking E



Looking NE from front to back of lot.



Looking SW from back to front of lot.



Looking NE from back to front and distant between 948 and 950 Woodside is 7' 8".



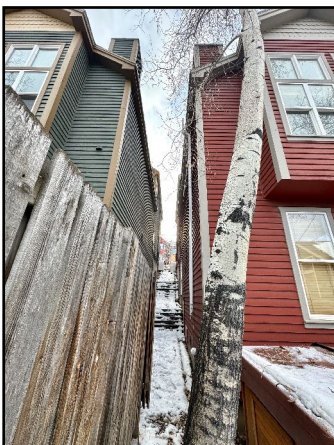
Back yard of 948 Woodside showing hot tub and the only two trees on lot 948 facing ES



Back of 948 looking NE.



Facing NW backyard.



Looking SW between 946 and 948 Woodside.



Looking SW distant between 946 and 948 Woodside is 5' 8" wide.



Looking SW shows the two water meters between 946 and 948 Woodside.



Shows the water meter and electrical meter at 948

Board of Adjustment Staff Report



Subject: 2724 Creek Drive
Application: PL-23-05853
Author: Spencer Cawley, Planner II
Date: January 9, 2024
Type of Item: Variance

Recommendation

(I) Ratify the Final Action Letter.

Description

Applicant: Susan Shay, Owner
Alan Johnson, Applicant Representative
Location: 2724 Creek Drive
Zoning District: Single - Family
Adjacent Land Uses: Single Family Dwellings and Open Space
Reason for Review: The Board of Adjustment takes Final Action on Variances¹

Background

On December 12, 2023, the Board of Adjustment (BOA) reviewed the Applicant's request for a Variance from the Single-Family Zoning District's minimum Front Setback for Front-Facing Garages of 25 feet. ([Staff Report](#); [Video](#)). The BOA determined the requested Variance does not meet the five required criteria outlined in Land Management Code [Section 15-10-8](#), unanimously voted to deny the Variance, and directed Staff to make findings for their decision, outlined in the draft Final Action Letter (Exhibit A).

¹ LMC [§ 15-1-8](#)



Planning Department

January 9, 2023

Alan Johnson
2724 Creek Drive
Park City, Utah 84060

CC: Susan Shay

NOTICE OF BOARD OF ADJUSTMENT ACTION

Description

Address: 2724 Creek Drive

Zoning District: Single – Family

Application: Variance

Project Number: PL-23-05853

Action: DENIED

Date of Final Action: January 9, 2024

Project Summary: The Applicant Requests a Variance to the 25-foot Front Setback Requirement in the Single-Family Zoning District to Extend the Existing Front-Facing Garage.

Action Taken

On December 9, 2023, the Board of Adjustment conducted a public hearing and unanimously found the application does not meet Variance criteria 1, 2, 3, 4, and 5. The Board directed staff to prepare the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The Property is located at 2724 Creek Drive in the Single – Family (SF) Zoning District.
2. 2724 Creek Drive is Lot 1 of the McLeod Creek Subdivision, and is 0.31 acres, or 13,507 square feet.



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3. The City approved a building permit in 1987 for the construction of the existing Single-Family Dwelling at 2724 Creek Drive.
4. Land Management Code (LMC) § 15-2.11-3(B), Single-Family Zoning District Front Setback Requirements, establishes a 25-foot Front Setback for Front Facing Garages.
5. The Applicant requests a Variance to:
 - a. Extend the garage 7 feet 6 inches to encroach five feet into the required 25-foot Front Setback for Front-Facing Garages to provide additional space in the laundry room and garage.
 - b. Construct a rooftop deck above the proposed garage extension to encroach five feet into the required 25-foot Front Setback for Front-Facing Garages.
6. LMC § 15-10-8(C) outlines five required criteria that the Board of Adjustment evaluates to grant a variance. The five criteria and Findings are outlined below:
 - a. **Literal enforcement of the Land Management Code would cause an unreasonable hardship for the Applicant that is not necessary to carry out the general purpose of the Land Management Code.**

Expansion of the existing Single-Family Dwelling is achievable to the north, west, southwest, and southeast of the existing Single-Family Dwelling in compliance with code-required setbacks.

- b. **There are special circumstances attached to the Property that do not generally apply to other Properties in the same Zone.**

2724 Creek Drive is within the McLeod Creek Subdivision. There are eight corner lots within the McLeod Creek Subdivision. Lot 1 (2724 Creek Drive approved in 1987), Lot 5 (2706 Creek Drive approved in 1988), Lot 23 (2418 Creek Drive approved in 1994), Lot 24 (2419 Creek Drive approved in 1997), Lot 27 (2471 Creek Drive approved in 1989), Lot 28 (2501 Creek Drive approved in 1984), Lot 37 (2697 Creek Drive approved in 1992), and Lot 47 (2731 Creek Drive approved in 2005). At the time of building permit review, each of the eight corner lots within the McLeod Creek Subdivision were required to comply with the Front-Facing Setback requirements for Front-Facing Garages in the SF Zoning District.

- c. **Granting the Variance is essential to the enjoyment of a substantial Property right possessed by other Property in the same zone.**



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As noted above, at the time of building permit review, each of the eight corner lots within the McLeod Creek Subdivision were required to comply with the Front-Facing Setback requirements for Front-Facing Garages in the SF Zoning District.

d. The Variance will not substantially affect the General Plan and will not be contrary to the public interest.

2724 Creek Drive is within the Park Meadows neighborhood, Neighborhood 2 of the General Plan. General Plan Section 2.4 states “[t]o maintain the aesthetic of the individual pockets of development, limitations on building pads should be adopted.” The SF Zoning District regulations establish limitations on where buildings may be sited within a property.

e. The spirit of the Land Management Code is observed, and substantial justice done.

- LMC Section 15-2.11-1 establishes the purposes of the SF Zoning District:
 - A. maintain existing predominately Single Family detached residential neighborhoods,
 - B. allow for Single Family Development Compatible with existing Developments,
 - C. maintain the character of mountain resort neighborhoods with Compatible residential design; and
 - D. require Streetscape design that minimizes impacts on existing residents and reduces architectural impacts of the automobile.
- The Front Setback Requirements for the SF Zoning District established in LMC Section 15-2.11-3(B) require the minimum Front Setback for Front-Facing Garages for Single Family Dwellings to maintain a minimum of twenty-five feet (25') from Front Lot Line. The eight corner lots within the McLeod Creek Subdivision were required to comply with this standard and consistent application within the McLeod Creek Subdivision maintains the character with compatible residential design with a streetscape design that minimizes impacts on existing residents and reduces architectural impacts of the automobile.

7. Staff mailed notice to property owners within 300 feet on November 22, 2023.



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8. Staff published notice to the City's website and the Utah Public Notice Website on November 22, 2023.
9. Staff posted notice to 2427 Creek Drive on November 22, 2023.
10. The *Park Record* published courtesy notice on November 28, 2023.
11. On December 12, 2023, the Board of Adjustment reviewed the Applicant's request for a Variance from the Single-Family Zoning District's minimum Front-Setback for Front-Facing Garages of 25 and conducted a public hearing.
12. The Board of Adjustment determined the Applicant did not meet its burden to demonstrate that the application meets the five criteria outlined in LMC Section 15-10-8(C), specifically finding that the Applicant's explanation confirmed another construction option was possible, negating any argument for unreasonable hardship, special circumstances or necessity to enjoy a substantial property right.
13. The Board of Adjustment determined that maintaining the Front Setback, primarily in a neighborhood without sidewalks and with historic build-out honoring the Front Setback, was consistent with the General Plan and spirit of the LMC.

Conclusions of Law

1. Literal enforcement of the Land Management Code for this Property does not cause an unreasonable hardship that is not necessary to carry out the general purpose of the Land Management Code.
2. There are no special circumstances attached to the Property that do not generally apply to other properties in the same district.
3. Denying the Variance does not diminish the enjoyment of a substantial property right possessed by other Property in the same Zone.
4. The proposal is inconsistent with the General Plan.
5. The spirit of the Land Management Code is not observed by the application.

If you have questions or concerns regarding this Final Action Letter, please call 435-615-5065 or email spencer.cawley@parkcity.org.

Sincerely,

Ruth Gezelius
Board of Adjustment, Chair

CC: Spencer Cawley, Planner II