PARK CITY MUNICIPAL CORPORATION
BOARD OF ADJUSTMENT
445 MARSAC AVENUE
CITY HALL COUNCIL CHAMBERS
November 28, 2017

AGENDA

MEETING CALLED TO ORDER - 5:00 PM
ROLL CALL
ADOPTION OF MINUTES OF June 20, 2017
PUBLIC COMMUNICATIONS – *Items not scheduled on the regular agenda*
STAFF AND BOARD COMMUNICATIONS/DISCLOSURES

REGULAR AGENDA – *Discussion, possible public hearing, and possible action as outlined below*

302 McHenry Ave – Applicant is requesting a variance to Section 15-2.1-3(A) Lot Size of the Park City Land Management Code (LMC) for the purpose of expanding the footprint to construct a garage addition with living space above it on a substandard size parcel that does not meet the minimum lot size. *Public hearing and possible action.*	PL-17-03694 *Planner Morlan*	*03*

ADJOURN

A majority of Board of Adjustment members may meet socially after the meeting. If so, the location will be announced by the Chair person. City business will not be conducted.

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Park City Planning Department at (435) 615-5060 24 hours prior to the meeting.

Board of Adjustment Meeting
June 20, 2017
ROLL CALL
All Board Members have been present. Alternate Stefanie Wilson, observing these meeting regular members
Stefanie Wilson – live in pc for 20 years. US banks for 16 years. Commercial lenders and bankers, ski bike, like to be outside
ADOPTION OF MINUTES OF May 16, 2017
Additions or corrections

JF – pg. 145 conclusions of law #6 not on the third word should be

RG – all condition have not been meet to conditions
MW – several neighbors names, Morgan Hull, Hole, and pg. 10. Morgan third paragraph indicated lot line house owns that lot that goes all the way back. Rear noted house owns that lot goes all the way to the back.
RG – house lot
MW – lot noted
RG – place period after rear. Extends to the rear. Lot line extends to the rear. House lot.
MWJF – speculated. Review recording context. Pg. 6, second paragraph refereeing to Mr. Axtell, two years ago added curb and gutter DOING SO. Herb Armstrong David Constable or Michael Kaplan. Herbs property same side under discussion is Mike Kaplan lot. Pg. 5. Morgan Hole, wife is Matey Erdos.
HF – Move
DR – Second

All in favor
Motion Passes, Mary Abstains
PUBLIC COMMUNICATIONS

STAFF AND BOARD COMMUNICATIONS/DISCLOSURES

BE – AG indicates could need a meeting in August, not July

AG – Meeting on August 15.

CONTINUATIONS

569 Park Ave

Open public hearing
NO public hearing

DR – Move
JF – Second

All in favor

Motion Carries

REGULAR AGENDA

341 Ontario Ave – Variance

Variance

AG – Matthew and Marissa Day, 1st reduction to front yard setback. Applicant is asking for 4 ft. 6. In. Reducing front yard setback increasing separation from historic home, second variance 27 ft. above existing grade, asking for height exception to 30 ft. high above grade, one legal parking spot on property. Dimensions of parking space … interior height, lowest finish floor plane, steepness of grade, prevents access to Ontario ave to asking exception of 39 ft. 6 in. LMC would cause unreasonable hardship; steepness of site makes it difficult. Pushed back from Ontario ave lot line is over west. Issue 35 ft. consistent with planning commission height exceptions. Steepness of lot, location of historic home. Placed right up against canyon wall. Criteria 3 property right possessed on same zone, off-street parking, narrowness and curviness , steepness applicant proposed, addition on lot, separation on historic house move addition back to 10 ft. property line, won't have quite separation #4, variance will not affect general plan, not be contrary to public interest, historic house is significant on h.s.i. Won't meet criteria of lmc. Addition on lot as well as streetscape has been a challenge bust has come up with a solution for. Historic integrity of house, path off shorty's stairs, not detracting from historic home, LMC substantial justice will be done, good project. LMC 14 to 18 ft. off paved road. Height exception being dictated on historic house on lowest portion of lot. Also being dictated because of steepness.

MW – Criteria #2, internal height, you are allowed to go over 25 ft.

AG – two unique criteria, height can only be 27 ft. above existing grade, exterior height of going to 35 ft. tandem parking situation, not exceeding what code permits.

JF – page 21 staff report per Mary's questions per LMC

DR – Question regarding exception 35 ft. exception is to encourage off-street parking, tandem parking, room or design for parking,

AG – historic houses are not required to have parking, tandem parking configuration to keep parking, tandem parking configuration in historic zone

BE – steepness 30% to 100% steep lot more constrained steepness of slope, need to protect home in current location

MW – size presentation, pg. 45, when made measure of car, distance from garage door to street car

AG - pulled out room for car of driveway car would be legally parked

MW – Internal Height, understanding Planning Commission changed to that cross canyon views like 4 stories historic house,

RG – appear to be 3 stories not dissimilar to adjoining properties.

MW – small segment of population will see the house

MW – right now ask what the snow plow plan is,

AG -bridge is covering portion or this

Matthew Day, Bridge goes from bridge to house, cliff drops off, driveway small aerial on front into cliff on the lot. Half lot to right hand side, full old town lot to catch snow,

HF – Hardship of not having garage to access to property, why look at turning 483 sq. f.t home and basically building new house twice the size of existing there. Solve access problem, Allow access to existing structure. New structure, size argument, scaling look worse if you only had a garage.

Matthew Separate garage, lowest floor plane of historic house, max height is 35 ft. no way to have separate garage, wouldn't fit, only way to make that work was to connect home. Want house more than 400 ft. LMC thought about issue, subject to D, garage on downhill lot, solve for that issue, not for parking line, extra car sits over parking line, adjustments asking for exceptions in LMC parking , access to lot is shorty's stairs, as far lane owned by houses on front by Marsac, only way to get house is to cross someone else's house, no one maintains that path, no pedestrian access from street walk down Ontario, cant park there so narrow, park in parking lots down at the bottom, can't get resident parking permit for China Bridge Final thing at top so narrow can't put trash that there, trash can halfway down the hill, take trash pull it off, take it away, live in Summit Park right now.

HF – Legal Easement on

AG – neighbors to the west, have not been through the plat process

HF – easement not really in place, since it is

AG – since it is memorialized, easement look at m [point of plat

Matt Day – size and scale, built before rule change, views Double lot, left how much lot is green space, yard on right cleanse separation between old and new, green space on side, bigger than house before.

MW – One or 2 houses have stairways to have their houses, trail past similar houses like you have,

Matt Day – houses from Ontario, other side of that road parking all along there, have street parking and pedestrian access.

MW – plan to have two cars, second one end of day space allowable 20 ft. away from road.

Ruth Meintsma – pg. 49 height from grade, structure below the 27 ft. variance that surpasses

Bill Demco –Grade line is drawn a south end of property, just used the same grade, line drawn at one portion of property

Ruth - green line red line is 27 ft.

Substantially lower

AG – roof over topo zooming in on \

Ruth - 27 ft. it exceeds spy 8 ft.

AG – Not possible to show

Ruth – criteria front yard of setback makes tons of sense places addition away from historic structure and into the hillside, front yard makes sense however look through criteria #1, 3 hardships, parking trash pedestrian access, all 3 hardships mitigated or solved, mass reduction, illustrations to show that, in the end much less massive structure in side of hillside, height is quite excessive, 8 ft. existing grade than is allowed 4.5. ft. makes it so large, visual structure faded in the background, fist alternative a parking pad opposed to garage, many historic , accomplished parking pad, mitigate parking issues, parking problems exactly of parking garage. Reduce floors, reduces ceiling to standard 8 ft. parking pad, huge mass can be mitigated and all hardship can be solved. Code it says tandem garage 20 ft. deep 11 by 20, minimum solve problems, 11x20 move wall over toward the entry and move wall over to size of garage, width adds mass over it, massing should be eliminated, entry code says building height, garage on downhill lot accommodation breaking 27 ft. height, accommodate single car wide garage, also continues to say accommodate tandem variance or allowance, also allows circulations and elevate reasonably sized front area. 9x13 entry, coat closet there, top story such an excessive amount tall story envelope deal with height and mass amount to break limitation reduce to whoever possible. Entry shall be one that works, also see that front of structure can also go into the entry, greatly reduce mass on that top story, parking pad, man historical houses have parking pad that solves problems, narrow road, steep lot, parking pad provides general plan, criteria 4, proposal accommodate as much reduction of the general mass, criteria 4 pg. 25, seeks to preserve integrity mass, scale and compatibility, nearly as effectively as reduction of mass followed spirit of LMC footprint accomplished and 27 ft. from grade, massive over building 2009, limited footprint and grade, planning commission houses are crawling up the hillside, limit I to three stories, split levels, steep slopes knew last lots because they are difficult to build on 3 stories at 35 ft. 2 4 stories at 35 ft. chops up mass, 35 ft. interior height, look across where house is going to go, going to be crawling up the side of the hill, al floor are 10 ft. floors, standard 8 ft. floor, parking pad, massing comes down amazingly 4 ft. garage fits only single car, create more shadows, project accomplished don't have to have excessive mass, shows cross canyon view image no representation how structure will impact hill side, structure placed in this image, better idea how much massing straight across still doesn't tell you excessive height, can be solved with creative design, 8 ft., ceiling instead of 9 ft. ceiling,

Close public hearing

RG – 100 request to remodel and revise odd location to save home, part of fabric of community, ever tried on easement that is used, slippery and dangerous, not the best living situation on snow covered path. Issue of how you connect house to parking space and garage, hose is too small garage is being used for anything but a car. Snow blower won't fit on house, garage is dysfunctional small, most vehicle handle a vehicle to handle conditions, reduce size of garage makes it dysfunctional, not to have garage in today's standards do not conflict with historic home, garage doesn't compete with architecture design or integrity of historic home, 50 ft. lot instead of 5 ft. lot, 50 ft. lot, project that is a better neighbor, respect all work, architect an staff work solution to save one more history home, special exception lot.

MW – all for working to save historic homes, Dina Blaes, cam and spoke about greatest danger mass and scale issue, in this case to save that home, we are doing it to detriment to mass and scale issue, history to Ruth meintsma provided, steps they took, felt strongly about interior height in effect. Need to define no longer an issue to us, need to change code, observe and uphold that to figure out and hold to place

RG – rules are always changing, can make rules on what codes exist, change code outside of purview instead of judgment,

MW – didn't have ability to analyze as well Ruth Meintsma presented, better that we could have plans that were better … intrigued by idea it would be possible,

HF – get the hardship would love to see solution to this, 480 sq. ft. home, mass concerns me, houses around there have the same mass, need to add to it, looks massive but looks that is enough, not approve

DR – looking at page 54, seeing this right, hard to see mass looks to be quite bit smaller homes to the south of it, hard time seeing conflict with mass, way hillside is, being able to maintain historic untrue of house even though not visible, no conflict with mass.

MW – these houses are specific reason changes made,

RG – not in our evidence... picture that isn't accurate

JF – looking at different criteria #3 substantial property right, in same zone, cross canyon view, looking at some other properties in same zone nestled in walkway some smaller mature mining area, don't have garages some challenges living in old town, properties in same zone, purpose of HR-1 district, first three criteria, essential character preservation of historic structures criteria 3 4 and 5 as they apply to all three variances, complicated and complex site and district,

RG – under conditions of approval, garage shall be used for parking 0 senses that is very odd, people not required to parking in garages, condition that is unenforceable under conditions of approval, dimensions and cannot get in car and trash in size. Don't think property would be treated fairly since it doesn't apply to other properties as well.

AG – can remove

HF – applicant to go back address concerns mass and scale, I personally don't want to deny variance, hardship access needs to be addressed, something that was there, revise project, for applicant bit of hesitancy about mass adding living space to it, needs to be ass massive

MW – past your house certainly in old town, steep lot is not a hardship Hans continuation studied packed in plans last night asking for variance, should never be could have ceiling heights so many homes what purpose of variance get very best house to have, like Hans' idea,

BE –
MW – conditions of approval remove #2?

RG – no #3, second and third sentence not

PSM – commission having issues with having criteria #5 criteria and Criteria #4, order to be more aligned Matthew Day – adjustment to get something done, at grade level on Ontario, height above grade are only 8 ft. necessitated by way of road, 8 ft. to get a ceiling, go absolute minimum level, can you put drop house, steepness of the driveway maximum steepness of driveway, no way this thing can becomes lower, place it at the lower end dropped in to other side to make it lower, helipad kind of parking idea, not consistent with historic district design review, shed floating in sky with heli pad there, prior to changing code to allow with garage and downhill on lot, look at house behind use house next door is massive house next to use n lower side, line of hill to go with line of rooflines.

JF – driveway on different size, Rossi hill curb what does that driveway look like on other side, heli pad on pale gray, curve road

Matt day – putting it lower not pulling out in front of intersection. Submission right at the end, June just down street significant structure upside hill not downside hill, look at this application not , lot has more hardships did, garages on downhill lot, LMC , these applications would be ok under LMC, front yard requirements actual distance side yard maximum interior height finally they did have parking on house,

MW – my understanding ruling aren't setting a precedence, 422 Ontario why we voted, bring up setting a precedence, l

PSM - looking at this criteria site unique but one doesn't set a percent on applying different to one site compared to another, need to look back, apples to apples make that determination,

MW – houses to south historic houses may ask same thing, making allowed mass and scale historic house, similar downhill lots may fall into a percent lot

PSM – Look at criteria, goes to one of the criteria

…….. (POWER WENT OUT)

BE – asking applicant to do , unique character of lot application of rules would not allow for use of Probert according to criteria, could be throw it out of proportion, seeking variance on setback, reducing width alleviate missing, find something, can work on alleviate massing reduce width of building

BE – applying variance additional mass to the building, also asking

ARCHITECT – variance on footprint, width footprint allowed now , reducing top widths on landing pad, architectural issues, weatherproofing and insulation creative design solutions went to CUP did not meet historic design guidelines, the more creative we get

Matt Day – avoid modern creative stuff super simple traditional band design, simple historic barn design, wider than it is higher, flat roof vegetative roof,

BE – Support continuance, continue

AG –

Matt – more design changes short of making as flat vegetative roof,

BE – given all 50 alternatives code compliance early on, roof orientation is opposite of street, visually more massive on street. Cross canyon view house in mass less than neighbors, gable ends you are seeing shed roof across valley, not as broken up as gable end across valley, garage elevation, see some conditions, coming off road, add maximum grade,

RG – discussion at this point, always a fine line, try to design it, applicant entitled to an answer

HF – avoid applicant give him shot, other assumptions try to give a shot coming back listen to Bruce have so many compelling reasons for property keep that from happening,

MW – Some lots that have to be deemed unbuildable or every lot that is available due to variance can be built on,

PSM – hard question certain lots don't have access for example, if application before us home on there to say that is not buildable

MW – Legal Standpoint to torque to code so that every lot that is buildable

HF – to continue item for further review requesting applicant bring more detail explanation for application before us, address issues scale and mass within 4 and 5 criteria and LMC driveway access and steepness date uncertain when applicant is ready

MW – would help me a lot if you could illustrate why, what you have is only way,

MW – Second

All in favor

Motion Carries

JF – adjourn
HF – second
All in favor

Motion to Adjourn n 7:12 p.m.

Board of Adjustment
Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Subject: **302 McHenry Avenue**
Author: **Tippe Morlan, Planner II**
Date: **November 28, 2017**
Type of Item: **Variance**

Project Number:	PL-17-03694
Applicant:	Mark Pyper
Location:	302 McHenry Avenue
Zoning:	Historic Residential – Low Density (HRL)
Adjacent Land Uses:	Residential single-family dwellings
Reason for Review:	Variances require Board of Adjustment approval

Proposal
The applicant would like to undergo a plat amendment to combine four remnant parcels (partial lots) located at 302 McHenry Avenue into one lot of record. The applicant is requesting a variance to the minimum lot size of 3,750 square feet since the proposed lot of record will be 2,930 square feet. The subject property consists of portions of Lots 29, 30, 31, and 32 within Block 59 of the Park City Survey. A house was built at 302 McHenry Avenue over the parcel lines in 1980. At that time, a lot of record was not required to build a home. The applicant does not own additional adjacent lots, parcels, or property.

Summary Recommendations
Staff recommends that the Board of Adjustment (BOA) hold a public hearing and grant the applicant's request for a variance to Section 15-2.1-3 (A) Lot Size of the Park City Land Management Code (LMC) as described in this report for the purposes of allowing a plat amendment to create a lot of record so the applicant can consider an addition to the existing non-historic house expanding the garage with a new bedroom above.

Variance Requested
A variance to Section 15-2.1-3 (A) requiring a lot size of 3,750 square feet is requested. The proposed lot to be created is 2,930 square feet. At the time the existing non-historic house was built, the minimum property size for a single-family structure was 2,812 square feet. If the variance is granted, it would allow the existing property at 302 McHenry Avenue to be officially combined into one existing lot of record.

Background
August 28, 1979 – The Board of Adjustment granted a request for a decrease in setback from McHenry Avenue on Lots 31-32 of Block 59 of the Park City Survey from 15 feet to 10 feet "with the condition that: 1. All parts of the house must meet setbacks, including stairs and decks; and 2. The house must conform to the spirit of the HR1

zoning to include double-hung windows and horizontal clapboard siding; 3. Leave the natural grade by digging out the basement instead of cutting into the bank." At that time the property was located in the HR-1 District.

April 17, 1980 – A Certificate of Occupancy was issued for the home constructed at this address. There was no maximum footprint or house size in the 1979 and 1980 LMC regulations.

August 26, 1983 – The Historic Residential – Low Density (HRL) zone was established by the City Council. The subject property was rezoned from HR-1 to HRL with the establishment of this zone.

August 10, 2017– The City received a plat amendment application for the 302 McHenry Avenue Plat Amendment which was deemed complete on August 25, 2017.

October 25, 2017 – The City received an application for a variance to the minimum lot size of the subject property after a Staff review of the proposed plat amendment determined that a lot of 2,930 square feet could not be created in the HRL zone without a variance as the minimum lot size in the HRL zone is 3,750 square feet.

Purpose

The purpose of the Historic Residential Low-Density (HRL) District is to:

A. reduce density that is accessible only by substandard Streets so these Streets are not impacted beyond their reasonable carrying capacity,
B. provide an Area of lower density Residential Use within the old portion of Park City,
C. preserve the character of Historic residential Development in Park City,
D. encourage the preservation of Historic Structures,
E. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District, and maintain existing residential neighborhoods.
F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment, and
G. define Development parameters that are consistent with the General Plan policies for the Historic core.

Analysis

The property located at 302 McHenry Avenue is the subject of an ongoing plat amendment application requesting to combine portions of Lots 29-32 of Block 59 of the Park City Survey. The applicant would like to remove the parcel lines of these 4 partial lots in order to create a single lot of record, however the lot would not meet the minimum lot size of the District. Built McHenry Avenue exists on the west side of this property, platted McHenry Avenue exists on the east side of this property, and both streets intersect along the north of this property. A building permit was granted for the property at the time of development in 1979 when the minimum property size was 2,812 square feet. The existing house was built over the partial lot lines and on the parcels. A

variance is requested to allow the creation of a new lot under the minimum lot size of 3,750 square feet as required by current LMC standards.

HRL Zone Requirements
The existing single-family dwelling is an allowed use in the Historic Residential-Low Density District. A Historic District Design Review application is required for any new development, addition, or renovation proposed at this address. Table 1 shows applicable development parameters in the Historic Residential-Low Density District:

Table 1:

LMC Regulation	Requirements	Compliance
Lot Size	3,750 square feet	No – Variance Requested 2,930 square feet
Building Footprint	1,242.6 square feet maximum (based on lot size)	Yes Approximately 542 square feet
Front/Rear Yard Setbacks	10 feet minimum, 20 feet total	Yes Front: 10 feet, Rear: 10 feet, Total: 20 feet
Side Yard Setbacks	10 feet minimum, 24 feet total.	Existing non-complying North: 55 feet, South: 7.5 feet No changes are proposed to the non-complying side yard which met the 1979 requirements (5 feet minimum)
Building (Zone) Height	27 feet maximum height from Existing Grade.	Existing grade at the time of construction could not be verified to establish Building Height. The height from current grade is 30.5 feet. No changes are proposed to the building height
Parking	Single-Family Dwelling: 2 per Dwelling Unit	Yes 2 off-street spaces

The existing house met the standards of the 1979 LMC for the Historic District at the time of construction including a variance on setback requirements reducing the front yard setback from 15 feet to 10 feet, and there are no documented changes since then. The subject property was in the HR-1 (Historic Residential) district in 1979. When evaluated against current zoning requirements for the HRL district, the lot size and south side yard setback are out of compliance.

The south side yard has a setback of approximately 7.5 feet and is an existing non-complying setback. The applicant will not change the footprint of the existing house along this setback and will not increase the level of non-compliance that exists. The applicant has indicated a desire to construct an addition to the garage area along the north side of the house which would not impact the existing south side yard setback.

In order to construct an addition to the north side of the house, the applicant would be expanding the footprint of the house over existing parcel lines. This would necessitate a plat amendment to remove the interior lot lines so that a structure is not constructed over property lines; however, removing the interior property lines would create a new substandard lot of 2,930 square feet. At the time the house was built, the 1979 LMC only required 2,812 square feet of property for a single-family dwelling regardless of any existing lot lines interior to the property, although current LMC standards require 3,750 square feet.

Encroachments
There are existing encroachments along the south and east boundaries of this triangular lot. On the south side of the property, half of the existing deck encroaches into the setback area, over the property line, and onto City Right-of-Way (ROW) (Platted Third Street). There are also stone retaining walls surrounding the deck. Along the east side of the lot, there are also large stone retaining walls and landscaping along the original platted portion of McHenry Avenue. These encroachments will be removed to the satisfaction of the City Engineer before a building permit or certificate of occupancy may be issued; this will be proposed as a conditional of approval with the plat amendment and the variance.

LMC Review Criteria for a Variance
In order to grant the requested variances to the aforementioned code sections, the Board of Adjustment must find that all five (5) criteria located in LMC § 15-10-8 are met. The applicant bears the burden of proving that all of the conditions justifying a variance have been met (see Exhibit A).

In determining whether or not enforcement of the zoning ordinance would cause unreasonable hardship under Subsection 15-10-9(C)(1), the BOA 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 or not the enforcement of the LMC would cause unreasonable hardship the BOA may not find an unreasonable hardship if the hardship is self-imposed or economic.

In determining whether or not there are special circumstances attached to the Property the BOA may find that special circumstances exist only if the special circumstances relate to the hardship complained of and deprive the Property of privileges granted other Properties in the same zone.

Criteria 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.

The applicant argues that literal enforcement of the LMC standards would prevent them

from pursuing property improvements due to the existence of several lot fragments. The existing constraints on the site are a function of the LMC standards at the time house was constructed. All four parcels were constructed under one address under 1979 standards which allowed a smaller lot size and interior lot lines as long as ownership of all lots or parcels was the same.

Staff finds that the general purpose of the LMC has been carried out as approved in 1979. Interior property lines running through an existing structure is not uncommon for properties in the Historic District in general; however, denying the applicant's ability to create a new substandard lot by removing interior lot lines would still leave the property at 2,930 square feet in size. The size of the property addressed at 302 McHenry Avenue will not change whether or not there are interior property lines, and the property met the lot size standards at the time a building permit was issued. If the property owner had removed the interior lot lines in 1979, which was not a requirement for the development of a house at the time, the lot could be deemed as an existing legal and non-complying lot today.

Staff finds that literal enforcement of the current minimum lot size standard would prevent the applicant from constructing an addition over the interior lot line between the parcel of Lots 30 and 31of Block 59 of the Park City Survey. The size of any addition to the existing home would be very limited by setback requirements due to the triangular shape of the lot and its frontage along three streets. This hardship is not self-imposed as the original construction of the house met the standards of the zone at the time the building permit was issued. The existing lot size and setbacks are a function of those standards.

The HRL zoning district seeks to preserve the character of the Historic District and reduce density accessible by substandard streets, including McHenry Avenue. The proposed variance in lot size would not change the boundaries of the property addressed at 302 McHenry and would maintain all other existing lot conditions. The potential addition expanding the garage area and the space above it would not increase the density of the property or the neighborhood. Staff finds that the proposed lot size and addition will not negatively impact the neighborhood.

Criteria 2. There are special circumstances attached to the Property that do not generally apply to other Properties in the same zone.

The applicant argues that the site has existing constraints from being comprised of several portions of different lots. Typically, homes in the Historic District have been built on one or two Park City Survey lots. These four parcels were constructed under one address under 1979 standards which allowed a smaller lot size with interior lot lines. The applicant believes that the general purpose of the LMC has been carried out as approved in 1979.

Staff finds that this hardship is particular to this property and is not due to conditions that are general to the neighborhood. The way McHenry Avenue was constructed

through the existing Park City Survey parcels has created many irregularly shaped parcels in this neighborhood; however, this lot is unique in that it has street frontage on all sides. Platted McHenry Avenue to the east and built (existing) McHenry Avenue to the west are existing constructed roads, and platted Third Street to the south is not constructed and continues to be City ROW.

Staff has found that this was a unique case and there may be no other examples of developed lots that received similar variances lot size in this neighborhood. The existing street is characterized by both new and historic development. There are two historic homes in this neighborhood including a landmark structure at 243 McHenry Avenue and a significant structure at 257 McHenry Avenue. Additionally, all structures on McHenry Avenue have found a way to accommodate the road as it was built to cut through the existing Park City Survey lots rather than in the platted Right-of-Way. 302 McHenry Avenue is the only lot which fronts both the built road and the portion of the road which was built in the original platted Right-of-Way. The most oddly shaped parcels created by the location of built McHenry Avenue have been addressed as follows:

- **277 McHenry Avenue** – A plat amendment has been approved for this lot creating two appurtenant parcels directly across the street from each other. The property owner has proposed an accessory apartment on the smaller parcel across from the existing residential structure. The lot size is measured as the combination of both parcels with one parcel measuring at 2,557 square feet and the other at 1,824 square feet.
- **253 McHenry Avenue** – The Baer Subdivision recorded in 2001 dedicated the smaller portion of the lot into McHenry Avenue Right-of-Way. The developable portion of this lot which has an existing house is 3,667 square feet.

Additionally, 129 Main Street was granted a variance for a substandard lot size as an existing platted lot of 1,250 square feet in size while the code required 1,875 square feet. This property was in the Historic Residential (H-2) zone, and it received the variance as an undeveloped lot.

Criteria 3. Granting the variance is essential to the enjoyment of a substantial Property right possessed by other Property in the same zone.

The applicant argues that granting the variance for a substandard sized lot will not change the physical conditions of the lot and will allow them to pursue improvements to the property. Lots constructed under the 1979 LMC requirements which are under 3,750 square feet in size and do not have interior lot lines would typically be allowed under a non-complying structure analysis to construct an addition to the garage of the house that meets all other current lot requirements without a variance so long as the addition wouldn't cause the structure to increase the degree on non-compliance.

Staff finds that the variance is essential for the applicant to remove internal lot lines on what otherwise would be a legal existing non-complying lot since it met the lot size requirements for a single-family dwelling in the Historic District in 1979. Without a

variance, the applicant does not have enough property to create a conforming lot of 3,750 square feet or more. Additionally, it is surrounded by road Right-of-Way which cannot be incorporated into the lot to provide additional square footage.

The proposed variance would not change the maximum Building Footprint allowed on this lot since the boundaries of the property will remain the same. This standard is based on a calculation in Section 15-2.1-3 (D) of the Land Management Code as follows:

$$(\text{Lot Area}/2) \times 0.9^{\text{Lot Area}/1875} = \text{Maximum Building Footprint}$$
$$(2930/2) \times 0.9^{2930/1875} = 1242.6 \text{ Square Feet}$$

If the interior lot lines remain, the applicant may not propose any changes to the exterior of the property whether they are improvements or additions; therefore, Staff finds granting the variance is essential to the enjoyment of a property right possessed by other property owners in this zone.

Criteria 4. The variance will not substantially affect the General Plan and will not be contrary to the public interest.

The applicant again argues that the variance would allow them to consolidate their property into one lot rather than owning portions of several lots. Without the presence of interior lot lines, the applicant would not need a variance to conduct exterior improvements or additions to the structure. Allowing a variance for lot size will not be contrary to the public interest since the potential addition would otherwise be allowed and the physical conditions of the lot would not change if the variance was granted.

Staff finds that the variance will not substantially affect the General Plan. Goal 15 of the General Plan seeks to preserve the integrity, mass, scale, compatibility, and historic fabric of the nationally and locally designated historic resources and districts. Staff finds that this proposal meets the intent of Goal 15 since the potential addition and plat amendment are compatible with the existing neighborhood and the greater Historic District. A Historic District Design Review (HDDR) application must be submitted to approve the design of the addition, and Staff will review the plans to ensure that the addition is compatible and maintains the character, context, and scale of the historic district in line with Objective 15B of the General Plan (to maintain character, context and scale of local historic districts with compatible infill development and additions).

The proposed addition and plat amendment will not be contrary to public interest and is consistent with the intent of the General Plan, Design Guidelines, and Land Management Code.

Criteria 5. The spirit of the Land Management Code is observed and substantial justice done.

The applicant has worked with many entities to ensure that the proposed applications

meet LMC standards. The applicant will have to go through the HDDR process for any exterior improvements or additions which will be built according to the City's Historic District Design Standards, thus meeting the spirit of the LMC. By granting the lot size variance and allowing the applicant to remove interior lot lines, the owner will be able to better utilize their property and make improvements to the design of the house. The HDDR process will ensure that such improvements meet the standards of the LMC and of the Historic District.

Staff finds that the proposed lot meets the intent of the LMC. The LMC seeks to reduce the mass and scale of new additions and construction in the Historic Districts in order to maintain the historic character and integrity of the Old Town neighborhood. The applicant's desire to consolidate the existing lots and potentially construct an addition to the garage with living space above does not change the lot requirements, and the design must be approved through the HDDR process consistent with other non-historic additions in the Historic District.

Future Process

Approval of this variance by the Board of Adjustment constitutes Final Action that may be appealed following the procedures found in LMC § 15-10-13. Approval of a Historic District Design Review (HDDR) for the design of the addition is necessary prior to the issuance of a building permit. Standards for new construction as listed within the Historic District Design Guidelines will apply. HDDRs are an administrative approval and are processed by the Planning Staff.

Department Review

This project has gone through an interdepartmental review. Through this review, staff has indicated that Public Utility Easements, including a public snow storage easement along the built McHenry Avenue, need to be shown and recorded on the plat.

Notice

On November 14, 2017, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record on November 11, 2017 according to requirements of the Land Management Code.

Public Input

No public input has been received by the time this report was written.

Alternatives

- The Board of Adjustment may grant the variance request according to the findings of fact, conclusions of law and conditions of approval drafted below and/or as amended; or
- The Board of Adjustment may deny the variance request and direct staff to make findings of fact to support this decision; or
- The Board of Adjustment may continue the discussion and request additional information on specific items.

Significant Impacts
There are no significant fiscal or environmental impacts from this application.

Consequences of not taking the Suggested Recommendation
The applicant will not be permitted to proceed with a plat amendment to remove interior lot lines creating a substandard sized lot. The construct of an addition over internal property lines will not be allowed. Existing encroachments will not be resolved with the plat, and the site would continue to have a lot line running through the middle of the existing house and two additional lot lines running through the rest of the property at this address.

Recommendation
Staff recommends the Board of Adjustment review the proposed request for a variance to LMC Section 15-2.1-3 (A) to the required minimum lot size of 3,750 square feet. The BOA should conduct a public hearing and consider **granting** the variances based on the findings of facts and conclusion of law stated below.

Findings of Fact:
1. The property is located at 302 McHenry Avenue in the Historic Residential-Low Density (HRL) District.
2. The property consists of all of remnant portions of Lots 29, 30, 32, and 32 of Block 59 of the Park City Survey. The applicant owns no other adjacent property to these Lots.
3. The rest of the four Lots have been incorporated into McHenry Avenue right-of-way and into the 321 McHenry Avenue Subdivision.
4. McHenry Avenue right-of-way issues will be resolved with a future plat amendment.
5. On August 10, 2017, the City received a Plat Amendment application for the 302 McHenry which was deemed complete on August 25, 2017.
6. On October 25, 2017, the City received an application for a variance to the minimum lot size of the subject property.
7. On November 14, 2017, the property was posted and notice was mailed to affected property owners within 300 feet.
8. Legal notice was published in the Park Record on November 11, 2017.
9. Adjacent land uses are residential single-family homes.
10. In the HRL zone, a single-family dwelling is an allowed use
11. The existing home was constructed in 1979 and 1980. At the time of construction this property was located in the HR-1 Zoning District.
12. The property line between Lots 31 and 32 bisects the existing structure on the site.
13. The minimum lot size in the HRL zone is 3,750 square feet.
14. The subject site contains a total of 2,930 square feet. The property met the minimum lot size of the 1979 LMC which required a minimum of 2,812 square feet.
15. The maximum building footprint allowed is 1,242.6 square feet.
16. The existing building footprint is 542.2 square feet.
17. Front and rear yard setbacks are 10 feet minimum and 20 feet combined.
18. Side yard setbacks are 10 feet minimum on each side and 24 feet combined.
19. The existing house met standards of the 1979 LMC for the Historic District at the

time of construction including a variance on setback requirements reducing the front yard setback from 15 feet to 10 feet granted on August 28, 1979, and there are no documented changes since then.

20. When evaluated against current zoning requirements, the lot size and south side yard setback are out of compliance.
21. The side yard is an existing non-complying setback as long as the applicant does not change the southern footprint of the existing house. Currently no changes are proposed to this side yard setback and all new construction will have to comply with current setbacks.
22. The applicant has indicated a desire to construct an addition to the garage area along the north side of the house which would not impact the existing south side yard setback and would not increase the level of non-compliance for this standard.
23. The subject property is a shallow lot due to its triangular shape, and its depth ranges from 11 feet to 45 feet.
24. The minimum lot width allowed in the HRL zone is 35 feet.
25. The proposed lot width is 100 feet.
26. Parking requirements for a Single Family home are 2 spaces per dwelling unit.
27. The existing house has 2 off-street parking spaces.
28. Built McHenry Avenue exists on the west side of this property, platted McHenry Avenue exists on the east side of this property, and both portions of the street bisect to the north of this property.
29. On the south side of the property, half of the existing deck encroaches onto City property (Platted Third Street). There are also stone retaining walls surrounding the deck encroaching onto City property.
30. Along the east side of the lot, there are large stone retaining walls and landscaping along the original platted portion of McHenry Avenue encroaching onto City property.
31. Staff finds that the size of the property addressed at 302 McHenry Avenue will not change whether or not there are interior property lines.
32. If the property owner had removed the interior lot lines in 1979, which was not a requirement for the development of a house at the time, the variance request would not be necessary and the lot would be deemed legal and non-complying.
33. Literal enforcement of the current minimum lot size standard would prevent the applicant from expanding the existing garage over the interior lot line between the parcel of Lots 30 and 31of Block 59 of the Park City Survey within the current setback and footprint requirements for the HRL zone.
34. This hardship is not self-imposed as the original construction of the house met the standards of the zone at the time the building permit was issued. The existing lot size and setbacks are a function of those standards.
35. The proposed variance in lot size would not change the boundaries of the property addressed at 302 McHenry and would maintain all other existing lot conditions.
36. The proposed addition expanding the garage area also does not increase the density of the property or the neighborhood.
37. There are special circumstances attached to this property that do not generally apply to other Properties in the same zone. This property is unique in that it has street frontage on all sides. Platted McHenry Avenue and built McHenry Avenue are

existing constructed roads, and platted Third Street is not constructed and belongs to the City.

38. Lots constructed under the 1979 LMC requirements which are under 3,750 square feet in size and do not have interior lot lines would be allowed to construct an addition to the garage of the house that meets all other current lot requirements.
39. A Historic District Design Review (HDDR) application must be submitted to approve the design of the addition, and Staff will review the plans to ensure that the addition is compatible and maintains the character, context, and scale of the historic district in line with Objective 15B of the General Plan.
40. The proposed addition and plat amendment will not be contrary to public interest and is consistent with the intent of the General Plan, Design Guidelines, and Land Management Code.
41. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

1. Literal enforcement of the HRL zoning district requirements for this property causes an unreasonable hardship that is not necessary to carry out the general purpose of the zoning ordinance.
2. There are special circumstances attached to the property that do not generally apply to other properties in the same district.
3. Granting the variance is essential to the enjoyment of substantial property right possessed by other property owners in the same district.
4. The proposal is consistent with the General Plan.
5. The spirit of the zoning ordinance is observed by this application.
6. It can be shown that all of the conditions justifying a variance, pursuant to LMC § 15-10-9, have been met.

Conditions of Approval

1. Conditions of Approval from the variance granted by the Board of Adjustment on August 28, 1979 shall continue to apply in reference to the HR-L zone.
2. A Plat Amendment, Historic District Design Review, and Building Permit are required before any construction may take place on this lot.

Order

1. A variance to LMC Section 15-2.1-3 (A) that requires a minimum lot size of 3,750 square is hereby granted to allow a plat amendment creating a 2,930 square foot lot located at 302 McHenry Avenue.
2. The variance runs with the land.

Exhibits

Exhibit A – Applicant's Statement
Exhibit B – Existing Conditions Survey
Exhibit C – Proposed Plat
Exhibit D – Aerial Photograph
Exhibit E – County Tax Map

Exhibit A - Applicant's Statement

Variances shall be granted only if all of the following conditions are found to exist:

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;**

   The lot fragments, and internal lot lines, at 302 McHenry Avenue are impractical (one owner; one building; one piece of property) AND prevent us from separately pursuing property improvements (according to necessary processes and within approved guidelines).

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

   302 McHenry Avenue is currently comprised of 6 partial lots. From what we understand, the vast majority of homes in the area are on 1 lot.

3. **Granting the variance is essential to the enjoyment of a substantial Property right possessed by other Property in the same zone;**

   Consolidating these lot fragments into 1 parcel will allow us to proceed with improvements to the home (according to necessary processes and within approved guidelines).

4. **The variance will not substantially affect the General Plan and will not be contrary to the public interest;**

   From what we understand, the vast majority of homes in the area are on 1 lot, and we seek the same result.

5. **The spirit of the Land Management Code is observed and substantial justice done.**

   When we purchased the home in April of 2017, we were told that Park City prefers old 1 lot. We have spent money and time with reputable Park City companies to accomplish this, including a thorough title report review and a detailed survey.

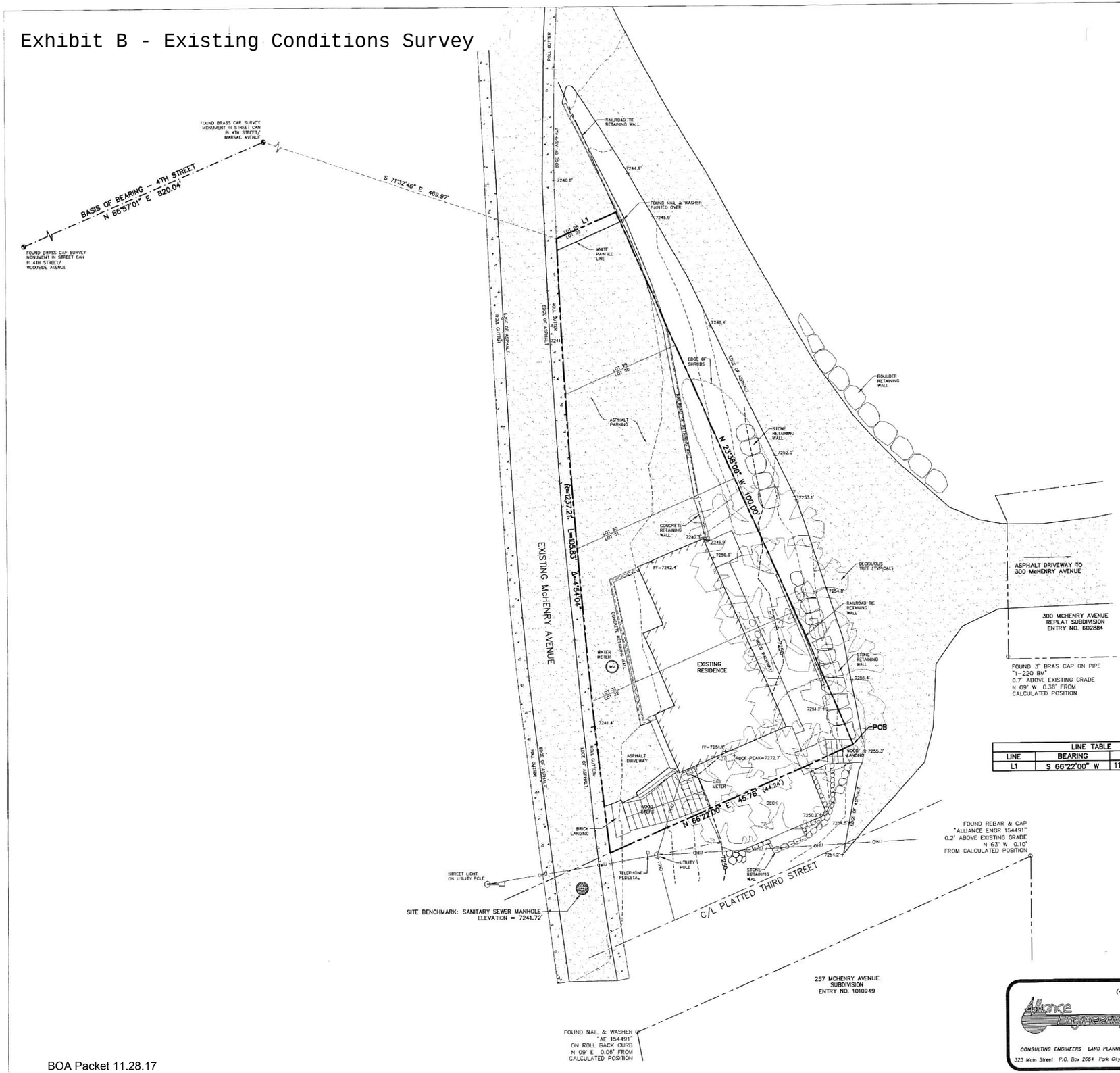
Thank you for your consideration, and please let us know if we can provide additional information.

Mark and Randi Pyper
Owners
302 McHenry Avenue
markpyper@comcast.net
801 641-1501

Exhibit B - Existing Conditions Survey

302 McHENRY AVENUE

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
RECORD OF SURVEY–EXISTING CONDITIONS
SUMMIT COUNTY, UTAH



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 66°22'00" W	11.23 (RECORD: 18.00)

8' 0 8' 16'

PROFESSIONAL LAND SURVEYOR
No. 7248891
CHARLES GALATI
8-8-2017
State of Utah

SURVEYOR'S CERTIFICATE

I, Charles Galati, certify that I am a Professional Land Surveyor and that I hold Certificate No. 7248891, 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

Beginning at the southeast corner of Lot 32, Block 59, Amended Plat of Park City Survey, and running thence North 23°38' West 100 feet to the northeast corner of Lot 29; thence South 66°22' West along the north line of Lot 29, 18 feet more or less to the easterly line of McHenry Avenue as now existing; thence southwesterly along said easterly line to a point on the south line of Lot 32; thence North 66°22' East along said south line 44.24 feet more or less to the point of beginning.

NOTES

1. Basis of Bearing for this survey is between the found brass cap street monuments as shown on this plat.
2. Field work for this survey was completed on July 11, 2017, and is in compliance with generally accepted industry standards for accuracy.
3. The purpose of this survey was to locate and monument the boundary in addition to performing an Existing Conditions and Topography survey for the possibility of future improvements to the property.
4. A Title Report was not provided to the surveyor and no easements were located as part of this survey.
5. Recorded deeds, 300 McHenry Avenue Replat Subdivision, 257 McHenry Avenue Subdivision, 321 McHenry Avenue Subdivision, Rossi Hill Subdivision, Recorded Survey S-5697 (all aforementioned documents on file and of record at the Summit County Recorder's Office), unrecorded topographic survey performed by Martin Morrison in 2011 (on file at Alliance Engineering), and physical evidence found in the field were all considered in determining the boundary as shown on this survey.
6. Site Benchmark: Sanitary Sewer Manhole Elevation=7241.72' as shown.
7. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
8. Property corners were not set or found.
9. When different from measured, record distances are in parenthesis ( ).

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PLANNING DEPT.

(435) 649-9467
Alliance Engineering Inc
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

STAFF:
CHARLES GALATI
RYAN BETZ
MARSHALL KING
CHIP TOMSUDEN

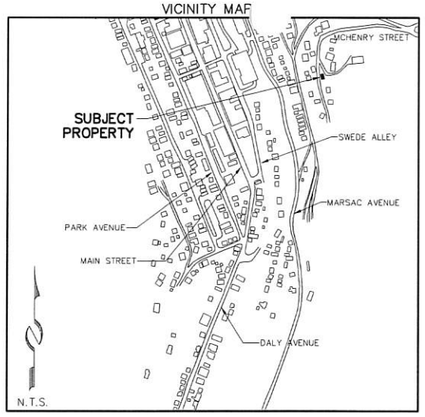
DATE: 8/8/17

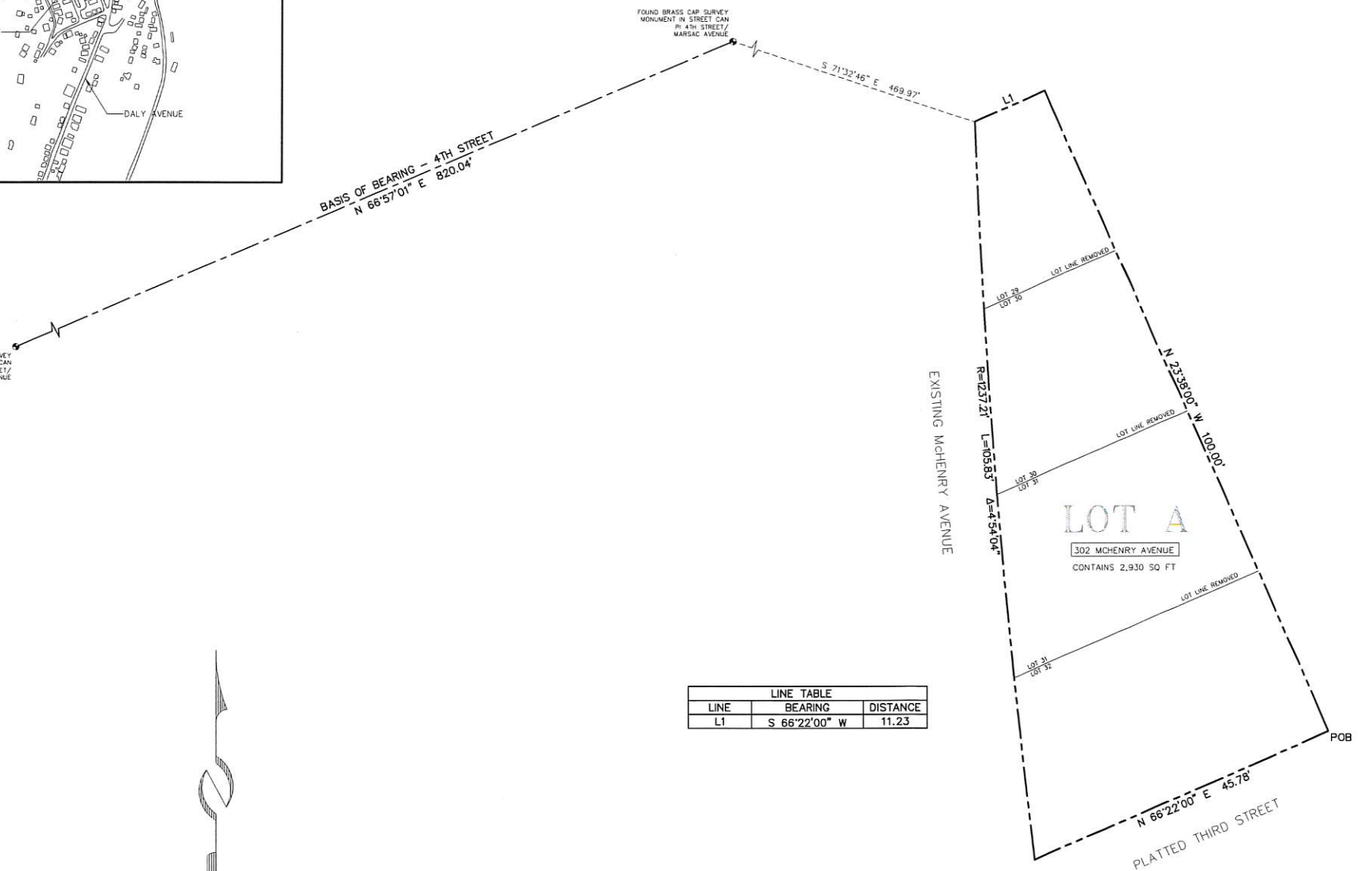
RECORD OF SURVEY–EXISTING CONDITIONS
302 McHENRY AVENUE
PARK CITY SURVEY

FOR: MARK PYPER
JOB NO.: 22-6-17
FILE: X:\ParkCitySurvey\dwg\srv\topo2017\220617.dwg

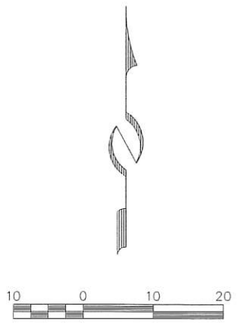
SHEET 1 OF 1

Exhibit C - Proposed Plat





LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 66°22'00" W	11.23



SURVEYOR'S CERTIFICATE

PROFESSIONAL LAND SURVEYOR No.7248891 CHARLES GALATI State of Utah

I, Charles Galati, certify that I am a Registered Land Surveyor and that I hold Certificate No. 7248891, as prescribed by the laws of the State of Utah, and that by authority of the owners, 302 McHENRY AVENUE PLAT AMENDMENT has been prepared under my direction and that the same has been monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

BOUNDARY DESCRIPTION

Beginning at the southeast corner of Lot 32, Block 59, Amended Plat of Park City Survey, and running thence North 23°38' West 100 feet to the northeast corner of Lot 29; thence South 66°22' West along the north line of Lot 29, 18 feet more or less to the easterly line of McHenry Avenue as now existing; thence southwesterly along said easterly line to a point on the south line of Lot 32; thence North 66°22' East along said south line 44.24 feet more or less to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT, Anne S. Pyper and Mark Pyper, trustees, or their successors in trust, under the Anne s. Pyper Living Trust, dated March 21, 2007, and any amendments thereto, hereby certify that they have caused a survey to be made and this Amended Plat to be prepared and hereby consent to the recordation of this Amended Plat.

In witness whereof, the undersigned set her hand this _____ day of _____, 2017. 2017.

By:_____
Anne S. Pyper, Trustee

In witness whereof, the undersigned set hi hand this _____ day of _____

By:_____
Mark Pyper, Trustee

ACKNOWLEDGMENT

State of _____:
ss:
County of _____:

On this _____ day of _____, 2017, Anne S. Pyper, trustee, personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Anne S. Pyper acknowledged to me that she is the person whose name is subscribed to this instrument, and that she signed the above Owner's Dedication and Consent to Record freely and voluntarily.

_____
Notary Public
_____
Printed Name
Residing in: _____
My commission expires: _____

ACKNOWLEDGMENT

State of _____:
ss:
County of _____:

On this _____ day of _____, 2017, Mark Pyper, trustee, personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Mark Pyper acknowledged to me that he is the person whose name is subscribed to this instrument, and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

_____
Notary Public
_____
Printed Name
Residing in: _____
My commission expires: _____

NOTE

This plat amendment is subject to the Conditions of Approval in Ordinance 2017-___.

A LOT COMBINATION PLAT
BLOCK 59, PARK CITY SURVEY

302 McHENRY AVENUE PLAT AMENDMENT

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

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SHEET 1 OF 1

8/10/17 JOB NO.: 22-6-17 FILE: X:\PCS\dwg\srv\plat2017\220617.dwg

(435) 649-9467 Alliance Engineering Inc CONSULTING ENGINEERS · LAND PLANNERS · SURVEYORS 333 Main Street P.O. Box 2664 Park City, Utah 84060-2664	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2017 BY _____ S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2017 BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2017 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2017 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2017 BY _____ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2017 BY _____ PARK CITY RECORDER	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ _____ FEE _____ RECORDER 24 TIME _____ DATE _____ ENTRY NO. _____

Exhibit D: Aerial Photograph

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(435) 649-9467
Alliance Engineering Inc
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

STAFF:
RYAN BETZ
MARSHALL KING

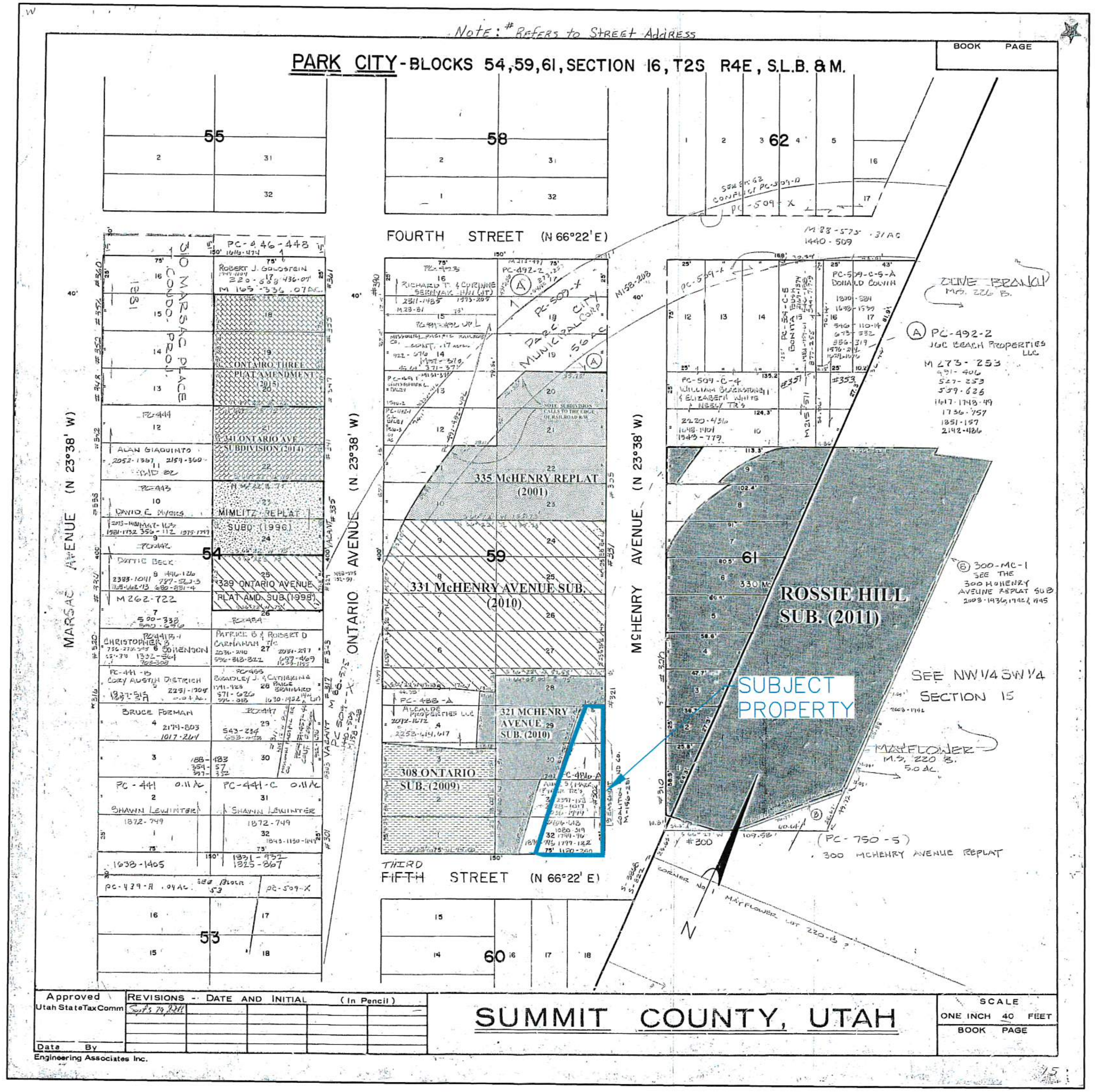
DATE: 8/2/17

AERIAL PHOTOGRAPH
302 McHENRY AVENUE
BLOCK 59, PARK CITY SURVEY

FOR: MARK PYPER
JOB NO.: 22-6-17
FILE: X:\ParkCitySurvey\dwg\Exhibits\302 McHenry-ortho.dwg

SHEET 1 OF 1

Exhibit E - County Tax Map



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AUG 10 2017
PARK CITY PLANNING DEPT.

(435) 649-9467 Alliance Engineering Inc. CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	STAFF: RYAN BETZ MARSHALL KING DATE: 8/2/17	OWNERSHIP PLAT 302 McHENRY AVENUE BLOCK 59, PARK CITY SURVEY FOR: MARK PYPER JOB NO.: 22-6-17 FILE: X:\ParkCitySurvey\dwg\Exhibits\302 McHenry-ownership map.dwg	SHEET 1 OF 1

PARK CITY SURVEY, BLOCK 59,
LOTS 29, 30, 21, & 32
(302 McHenry Avenue)
August 4, 2017

PROJECT INTENT

The property at 302 McHenry Avenue is currently occupied by a single family residence. The historic lot lines as platted for portions of Lots 29, 30, 31, and 32 still exist. The owner desires to remove the lot lines and unify the property into one lot of record with the ultimate goal of remodeling the existing residence. Note that the legal description of record for the property calls to the easterly line of existing McHenry Avenue and that no portion of existing McHenry Avenue is owned by the applicant.

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PARK CITY
PLANNING DEPT.

Exhibit G - Site Photographs

302 McHenry Avenue – looking northeasterly

302 McHenry Avenue – looking southwesterly

302 McHenry Avenue – looking south

302 McHenry Avenue – looking westerly