



**PARK CITY MUNICIPAL CORPORATION
PLANNING DEPARTMENT ADMINISTRATIVE PUBLIC HEARING MINUTES
PLANNING DEPARTMENT CONFERENCE ROOM
MARSAC MUNICIPAL BUILDING
JULY 2, 2026**

STAFF PRESENT: Rebecca Ward, Planning Director; Jacob Klopfenstein, Planner II; Nan Larsen, Senior Planner; Julie Wright, Applicant's Representative; Luke Finney, Applicant

Planning Director, Rebecca Ward, called the meeting to order at 12:00 p.m.

1. REGULAR AGENDA

- A. 844 Empire Avenue – Modification to Historic District Design Review**
– The Applicant Proposes Modifications to the Approved Historic District Design Review for an Addition, Remodel, and Detached Accessory Building Project at a Significant Historic Site in the Historic Residential - 1 District. PL-26-06801.

Planner II, Jacob Klopfenstein, reported that the request is for a Historic District Design Review ("HDDR") modification for 844 Empire Avenue. The applicant is proposing modifications to the previous owner's Historic District Design Review Project, which includes an addition and remodel to the historic structure as well as a detached subterranean car lift. The Historic Preservation Board ("HPB") approved the Material Deconstruction Request in June 2026. The Planning Commission approved a Conditional Use Permit ("CUP") request for the detached subterranean car lift within the setbacks on June 10.

Renderings of the subject property were displayed. The request was found to comply with the zoning district as well as the HR-1 District and Historic District regulations. The applicants will have to comply with the previous owner's financial guarantee and Historic Preservation Plan. The conditions of approval set forth in the Staff Report were reviewed.

Planner Klopfenstein reported that the applicant addressed the potential clarification of Condition of Approval #3 regarding the glazing on the doors. The condition specifies that the glazing on new replacement doors shall be no greater than 50%. He and the applicant discussed possibly amending that to clarify that it is just on a significant historic structure because of the atrium area on the side.

Staff recommended that the HDR modification be reviewed, a public hearing be conducted, and approval be considered with the possible amendment.

Park City Municipal Corporation
Planning Department Administrative Public Hearing
June 18, 2026

At 12:02 PM, Director Ward opened the public hearing. There were no public comments. The public hearing was closed.

Director Ward reported that a public comment was received that will be attached to the meeting minutes and made part of the record. The comment pertained to the vegetation to the south of the site. The boundary for 844 Empire Avenue is unusual along the Empire Avenue portion of the site. The owner of 835 Norfolk Avenue has significant vegetation that is close to the property boundary. The details of the Landscape Plan should be provided showing what vegetation exists, what exists at 844 Empire Avenue, and the property protections that are in place for the landscaping on adjacent properties as part of the construction process.

Director Ward APPROVED the Historic District Design Review Modification based on the following:

Findings of Fact:

1. 844 Empire Avenue is a Significant Historic Site on the City's Historic Sites Inventory and was constructed c. 1904.
2. 844 Empire Avenue is Lot 1 of the 844 Empire Avenue Plat Amendment, recorded with Summit County on January 13, 2025 (Entry No. 1230098).
3. The Significant Historic Structure at 844 Empire Avenue fronts the 9th Street unbuilt ROW that contains public stairs; A 2014 fire damaged the Significant Historic Structure and it has been vacant since.
4. On February 7, 2024, the Historic Preservation Board (HPB) approved the previous owner's Panelization request and Material Deconstruction of approximately 386 square feet of east façade to accommodate an addition.
5. The Applicant requested a Plat Amendment to remove Plat Note 3 of the 844 Empire Avenue Plat Amendment, which required vehicle access to the site from Empire Avenue or through 9th Street in a location approved by the City Engineer.
6. On March 13, 2024, the Planning Commission conducted a public hearing and denied the Plat Amendment; the Planning Commission ratified the Final Action denial on April 10, 2024.
7. On April 22, 2024, the Applicant appealed the Planning Commission's denial of the Plat Amendment. On May 20, 2024, the Appeal Panel conducted a public hearing and continued the appeal to June 3, 2024. On June 3, 2024, the Appeal Panel heard the appeal and voted 2-1 to grant the appeal, reversing the Planning Commission's decision to deny the Plat Amendment.
8. On January 13, 2025, the Applicant recorded the 844 Empire Avenue Plat Amendment – Lot 1 Amended removing the plat note that restricted vehicle access to the site, with Summit County (Recorder Entry No. 1230098).
9. The Applicant also requested a Variance to reduce the Front Setbacks along Crescent Tram Road and unbuilt 9th Street to accommodate a

Park City Municipal Corporation
Planning Department Administrative Public Hearing
June 18, 2026

- proposed detached Garage; on August 20, 2024, the Board of Adjustment denied the Variance.
10. The Planning Director approved the previous owner's HDDR to rehabilitate and remodel the Significant Historic Structure and construct an addition on May 1, 2025.
 11. On July 2, 2025, the previous owner entered into an Encumbrance and Agreement for Historic Preservation in accordance with the City's Historic Preservation policy outlined in LMC § 15-11-9 to protect historic materials during construction (Summit County Recorder Entry No. 1238470).
 12. The property changed ownership in September 2025, and the Applicant recorded an assignment of encumbrance on September 22, 2025 (Summit County Recorder Entry No. 1241341). The Applicant obtained the previously approved HDDR plans, and the architect provided authorization for the Applicant to use the plans on November 12, 2025.
 13. The Applicant submitted a modification request to add an additional basement level, lower the rear window dormers of the Significant Historic Structure, and restore the truncated gable roof, on November 10, 2025. The Planning Director approved the Applicant's modification request on February 5, 2026.
 14. On January 8, 2026, the Applicant submitted a second modification request, proposing a partially subterranean car lift structure within the Front Setback on the west side of the Significant Historic Structure. The proposal to place the partially subterranean car lift structure within the Front Setback is currently on hold.
 15. On April 1, 2026, the Applicant submitted a third modification request, proposing the detached, subterranean car lift in the Rear and Side Setbacks on the southeast corner of the Lot, modifying the proposed east-side addition, and other modified elements. The Applicant indicated that the updated plans submitted for the third modification request were intended to replace the plans submitted for the second modification request. Those two modification requests have been combined and are being processed under the same application.
 16. The Applicant also requested a modification to Material Deconstruction and panelization approval from the Historic Preservation Board (HPB) to remove 255 square feet of Historic material from the east façade to accommodate the proposed addition, and to panelize nine panels of the Significant Historic Structure to be disassembled, transported, and stored off-Site during construction of the proposed renovations; on June 3, 2026, the HPB approved the modification to Material Deconstruction and panelization.
 17. The Applicant also submitted a Conditional Use Permit (CUP) application, requesting the Planning Commission grant an exception to the Building Setback and driveway location standards for the proposed detached, partially subterranean car lift Structure that occupies more than 50% of the

Park City Municipal Corporation
 Planning Department Administrative Public Hearing
 June 18, 2026

- Rear Setback; on June 10, 2026, the Planning Commission approved the Applicant's CUP.
18. 844 Empire Avenue is in the Historic Residential – 1 (HR-1) Zoning District.
 19. Building Footprint – Land Management Code (LMC) § 15-2.2-3(E) Lot and Site Requirements outlines a maximum allowable Building Footprint for properties within the HR-1 Zoning District: $\text{MAXIMUM FP} = (A/2) \times 0.9A/1875$ where FP = maximum Building Footprint and A= Lot Area.
 - a. 844 Empire Avenue is a 3,242-square-foot Lot.
 - b. The allowable maximum Building Footprint for the site is 1,351 square feet.
 - c. The Applicant proposes a maximum Building Footprint of approximately 1,349 square feet, including the Significant Historic Structure, the additions, and the detached subterranean car lift.
 20. Setbacks – 844 Empire Avenue is an unusual Lot because it fronts Crescent Tram Road, Empire Avenue, and the unbuilt but platted 9th Street Right-of-Way (ROW). LMC § 15-4-17 Setback Requirements for Unusual Lot Configurations establishes Planning Director discretion to determine Setbacks for unusual Lots.
 - a. In 2015, the Planning Director determined the following Setbacks for the Site, outlined in Ordinance 2016-26:
 - i. From 9th Street, platted unbuilt Right-of-Way (ROW), front yard, ten feet minimum.
 - ii. From Empire Avenue, front yard, ten feet minimum.
From Crescent Tram, front yard, ten feet minimum.
 - iv. From the south neighbor, rear yard, ten feet minimum.
 - v. From the east neighboring property, side yard, five feet minimum.
 - b. LMC § 15-2.2-3(G)(1) allows Fences, walls, and retaining walls not more than four feet in height within the Front Setbacks, and the Applicant proposes a Fence and a series of retaining walls and planter walls within the Front Setbacks adjacent to 9th Street, Empire Avenue, and Crescent Tram Road that are a maximum of four feet in height, including the height of fences on top of all retaining walls.
 - c. LMC § 15-2.2-3(G)(2) allows uncovered steps leading to the Main Building that do not exceed four feet in height, not including any required handrails, above Final Grade within the Front Setbacks, and the Applicant proposes two sets of steps leading to the Historic front porch and main entrance within the Front Setback adjacent to 9th Street that are a maximum of four feet in height above Final Grade.
 - d. LMC § 15-2.2-3(G)(3) allows decks not more than ten feet wide and projecting not more than three feet into the Front Setbacks, and the Applicant proposes decks that are a maximum of nine feet, six inches wide and project a maximum of three feet into the Front Setbacks at the Site.

Park City Municipal Corporation
Planning Department Administrative Public Hearing
June 18, 2026

- e. LMC § 15-2.2-3(G)(5) allows sidewalks and pathways in the Front Setbacks, and the Applicant proposes a walkway that encroaches approximately seven feet, six inches into the Front Setback adjacent to Crescent Tram Road.
- f. LMC § 15-2.2-3(G)(6) allows driveways leading to a Garage or approved Parking Area within the Front Setback, and the Applicant proposes a driveway that encroaches approximately ten feet that leads to the partially subterranean car lift into the Front Setback adjacent to Crescent Tram Road.
- g. LMC § 15-2.2-3(H)(4) requires that roof overhangs project no more than two feet into the Rear Setback, and the Applicant proposes a roof overhang that encroaches approximately six inches into the Rear Setback adjacent to the south neighboring property.
- h. LMC § 15-2.2-3(H)(6) requires that detached Accessory Buildings within the Rear Setback be limited to 18 feet in height, be located at least five feet behind the front facade of the Main Building, and maintain a minimum Rear Setback of one foot. The Applicant proposes a detached subterranean car lift Structure that is a maximum of six feet, seven inches in height from Existing Grade, is set back approximately 28 feet behind the front façade of the Historic Structure, and maintains a minimum Rear Setback of one foot.
- i. LMC § 15-2.2-3(H)(6) prohibits detached Accessory Buildings from occupying more than 50% of the Rear Setback area unless otherwise granted an exception pursuant to LMC § 15-2.2-4(A) through a Conditional Use Permit (CUP) approval granted by the Planning Commission. The Applicant's proposed detached partially subterranean car lift occupies approximately 54% of the Rear Setback area. On June 10, 2026, the Planning Commission approved a CUP for the partially subterranean car lift.
- j. LMC § 15-2.2-3(H)(7) allows hard-surfaced Parking Areas within the Rear Setback, subject to the same location standards for Accessory Buildings outlined in LMC § 15-2.2-3(H)(6), and the Applicant propose a driveway that is set back at least one foot from the rear Lot line adjacent to the south neighboring property that occupies approximately 31% of the Rear Setback area.
- k. LMC § 15-2.2-3(J)(4) allows roof overhangs projecting not more than two feet into the Side Setback on Lots with a minimum required Side Setback of five feet or greater, and the Applicant proposes a roof overhang that projects approximately three inches into the Side Setback adjacent to the east neighboring property.
- l. LMC § 15-2.2-3(J)(7) allows Fences up to six feet in height within the Side Setback, and the Applicant proposes a six-foot-tall Fence within the Side Setback adjacent to the east neighboring property.

Park City Municipal Corporation
 Planning Department Administrative Public Hearing
 June 18, 2026

- m. LMC § 15-2.2-3(J)(10) requires that detached Accessory Buildings within Side Setbacks may not exceed 18 feet in height, must be set back at least five feet behind the front façade of the main building, and must maintain a minimum setback of three feet. The proposed detached subterranean car lift is a maximum of 18 feet in height, is set back approximately 28 feet behind the front façade of the Historic Structure, and maintains a minimum Side Setback of three feet.
 - n. LMC § 15-2.2-4 states that Historic Structures that do not comply with Building Setbacks standards are valid Non-Complying Structures, and the Applicant proposes maintaining the Significant Historic Structure on its Historic location at the Site, which includes a four-foot, ten-inch encroachment into the Front Setback adjacent to 9th Street and a six-foot, eight-inch encroachment into the Front Setback along Crescent Tram Road.
- 21. Height – LMC § 15-2.2-5 limits Structures to a maximum height of 27 feet above Existing Grade, and the Applicant proposes a Building Height that is a maximum of approximately 26 feet, 8 inches above Existing Grade for the Significant Historic Structure and approximately 26 feet, 11 inches above Existing Grade for the proposed east-side addition.
 - a. LMC § 15-2.2-5 requires Final Grade to be within four feet of Existing Grade, and the Applicant proposes a Final Grade that is a maximum difference of four feet from Existing Grade.
 - b. LMC § 15-2.2-5(A) limits Structures to a maximum internal height of 35 feet, measured from the Lowest Floor Plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters, and the Applicant proposes an internal Building Height that is a maximum of 35 feet.
 - c. LMC § 15-2.2-5(B) requires a ten-foot minimum horizontal step in the downhill façade that takes place at a maximum height of 23 feet from where the Building Footprint meets the lowest point of existing Grade, unless the First Story is located completely under the finish Grade on all sides of the Structure, and the Applicant proposes a First Story that is completely under Final Grade on all sides of the Structure, so the horizontal step is not required.
 - d. LMC § 15-2.2-5(C) requires the pitch of a Structure's Contributing Roof Form to be between 7:12 and 12:12, and the Applicant proposes a roof pitch of 11:12 for the Contributing Roof Form on the front façade of the Significant Historic Structure.
 - e. LMC § 15-2.2-5(D)(1) allows chimneys and flues to extend up to five feet above the highest point of the Building, and the Applicant proposes a chimney flue that extends approximately two feet above the highest point of the Significant Historic Structure.
- 22. Parking – LMC § 15-2.2-4 states that existing Significant Historic Sites are exempt from Off-Street Parking requirements, so no Off-Street Parking is

Park City Municipal Corporation
 Planning Department Administrative Public Hearing
 June 18, 2026

- required for the Site. However, the Applicant proposes two stacked Off-Street Parking spaces within the detached, partially subterranean car lift that are approximately nine feet wide and 17 feet deep.
23. Regulations for Residential Historic Sites – LMC § 15-13-2(A)(1) requires that a Historic Site should be used as it was historically, and the Applicant proposes maintaining the Historic SFD Use of the Site.
 24. LMC § 15-13-2(A)(2) states that changes to a Site or Building that have acquired Historic significance in their own right should be retained and preserved; there are no changes to the Site that have acquired Historic significance.
 25. LMC § 15-13-2(A)(3) requires Historic exterior features of a building to be retained and preserved, and the Applicant proposes retaining and preserving Historic exterior features that remain at the Site, except for approximately 255 square feet of Historic siding on the east façade, which the Historic Preservation Board approved to be removed to accommodate the proposed addition on June 3, 2026.
 26. LMC § 15-13-2(A)(4) states that distinctive materials, components, finishes, and examples of craftsmanship should be retained and preserved, and that owners are encouraged to reproduce missing historic elements that were original to the building, but have been removed; the Applicant proposes restoring Historic elements of the Structure, including the Historic front porch, which was previously enclosed.
 27. LMC § 15-13-2(A)(5) requires that Applicants follow standards for the Treatment of Historic Building Materials, and the Applicant proposes restoring or reusing all Historic Material that can be salvaged at the Site.
 28. LMC § 15-13-2(A)(6) requires that deteriorated or damaged historic features and elements should be repaired rather than replaced, and the Applicant proposes restoring or reusing all Historic Material that can be salvaged at the Site.
 29. The Applicant does not propose maintaining features that do not contribute to the Historic significance of the Site that existed prior to the Historic regulations, which complies with LMC § 15-13-2(A)(7).
 30. LMC § 15-13-2(A)(8) requires that each Historic Site should be recognized as a physical record of its time, place and use, and the Applicant proposes restoring the Significant Historic Structure to its Historic conditions based on available Historic photos and records.
 31. LMC § 15-13-2(A)(9) requires that chemical or physical treatments, if appropriate, should be undertaken using recognized preservation methods, and the Applicant proposes preserving and restoring all Historic Materials that can be salvaged at the Site.
 32. LMC § 15-13-2(A)(10) requires that new construction should not destroy historic materials, features, and spatial relationships that characterize the historic site or historic building, and the Applicant proposes maintaining the Historic Structure at its Historic location at the site and salvaging all Historic

Park City Municipal Corporation
 Planning Department Administrative Public Hearing
 June 18, 2026

Materials that can be salvaged from the Site, except for approximately 255 square feet of Historic siding on the east façade, which the Historic Preservation Board approved to be removed to accommodate the proposed addition on June 3, 2026.

33. LMC § 15-13-2(A)(11) requires that new additions should be constructed in a manner that the essential form and integrity of the Historic property could be restored if the addition were removed in the future, and the Applicant proposes an addition on the secondary, east façade of the Historic Structure that does not impact the Structure's essential form or integrity.
34. LMC § 15-13-2(A)(12) requires that new materials reflect the character of the Historic District, and the Applicant proposes wood, metal, glass, and concrete materials that are consistent with the materials common in Park City's Historic Districts.
35. LMC § 15-13-2(B)(1)(a) requires that the existing front and side yard setbacks of Historic Sites be maintained and the original main entry location be preserved; the Applicant proposes maintaining the Significant Historic Structure at its Historic location at the Site and restoring the Historic front porch and main entry, which were previously enclosed on the north façade of the Historic Structure.
36. LMC § 15-13-2(B)(1)(b)(1) requires Applicants to maintain the natural topography and original grading of the Historic Site, and the Applicant proposes a Final Grade that is within four feet of Existing Grade throughout the Site.
37. LMC § 15-13-2(B)(1)(b)(2) and LMC § 15-13-2(B)(1)(c)(1) require that the historic character of the site should not be significantly altered by substantially changing the proportion of built and/or paved area to open space, and the Applicant proposes maintaining Open Space on the west and north portions of the Site, with landscaping features adjacent to Empire Avenue and the 9th Street ROW.
38. LMC § 15-13-2(B)(1)(b)(3) and LMC § 15-13-2(B)(1)(c)(2) require Applicants to respect and maintain existing landscape features that contribute to the Historic character of the Site, and the Applicant proposes preserving and protecting Significant Vegetation at the Site, including trees on and adjacent to the northeast portion of the Site.
39. LMC § 15-13-2(B)(1)(b)(4) and LMC § 15-13-2(B)(1)(c)(3) require Applicants to maintain established on-site native plantings, and the Applicant proposes preserving and protecting Significant Vegetation at the Site.
40. LMC § 15-13-2(B)(1)(c)(4) and LMC § 15-13-2(B)(1)(c)(11) require Applicants to submit a detailed landscape plan, particularly for areas viewable from the primary public ROW; the Applicant submitted a preliminary landscaping plan on May 8, 2026, and Condition of Approval 1 requires the Applicant to update the landscaping plans to include all planting and landscaping details prior to Building Permit submittal.

Park City Municipal Corporation
 Planning Department Administrative Public Hearing
 June 18, 2026

41. LMC § 15-13-2(B)(1)(c)(5) and LMC § 15-13-2(B)(1)(c)(12) require landscaping plans to balance water-efficient irrigation methods, drought-tolerant plants, and existing site features; the Applicant submitted a preliminary landscaping plan on May 8, 2026, and Condition of Approval 1 requires the Applicant to update the Planning Department landscaping plans to include all planting and landscaping details prior to Building Permit submittal.
42. LMC § 15-13-2(B)(1)(c)(6) and § 15-13-2(B)(1)(c)(13) requires Applicants to take advantage of storm water management features such as gutters, downspouts, site topography, and vegetation, and the Applicant proposes vegetation and a French drain at the northeast corner of the Site to improve storm water management.
43. LMC § 15-13-2(B)(1)(c)(7) and LMC § 15-13-2(B)(1)(c)(14) require Applicants to consider using Water Wise Landscaping or permaculture strategies for landscape design in order to maximize water efficiency and minimize water loss, and Condition of Approval 1 requires the Applicant to submit updated landscaping plans, including irrigation details, prior to Building Permit submittal.
44. LMC § 15-13-2(B)(1)(c)(8) requires landscaped areas, street trees, and seasonal plantings designed to enhance the pedestrian experience along public Rights-of- Way, and the Applicant proposes landscaped areas along the 9th Street, Empire Avenue, and Crescent Tram ROWs adjacent to the Site.
45. LMC § 15-13-2(B)(1)(c)(9) requires Applicants to install plantings in medians, divider strips, and traffic islands; the Applicant does not propose any medians, divider strips, or traffic islands.
46. LMC § 15-13-2(B)(1)(d)(1) and LMC § 15-13-2(B)(1)(d)(2) require Historic retaining walls to be preserved and maintained at their Historic height and setback along the street; there are no Historic retaining walls at the Site.
47. LMC § 15-13-2(B)(1)(d)(3) prohibits Applicants from removing portions of historic retaining walls for new driveways and pathways; there are no Historic retaining walls at the Site.
48. LMC § 15-13-2(B)(1)(d)(4) requires Historic retaining walls to be repaired with materials that closely approximate the original; there are no Historic retaining walls at the Site.
49. LMC § 15-13-2(B)(1)(d)(5) requires Applicants to improve drainage behind retaining walls such that water drains away from the walls to abate retaining wall failure; Condition of Approval 2 requires the Applicant to improve drainage behind retaining walls.
50. LMC § 15-13-2(B)(1)(d)(6) requires new retaining walls to be consistent with Historic retaining walls in size, mass, design, material, and scale of materials, and the Applicant proposes board-formed concrete for all walls and retaining walls at the Site, which comply with Lot and Site requirements as outlined above.

Park City Municipal Corporation
 Planning Department Administrative Public Hearing
 June 18, 2026

51. LMC § 15-13-2(B)(1)(d)(7) allows Applicants to reconstruct some non-extant Historic retaining walls; there are no Historic retaining walls at the Site.
52. LMC § 15-13-2(B)(1)(d)(8) requires Applicants to maintain stone in its natural finish; the Applicant proposes maintaining board-formed walls at the Site in their natural finish.
53. LMC § 15-13-2(B)(1)(e)(1) and LMC § 15-13-2(B)(1)(e)(2) require Historic fencing to be preserved and maintained and allow for Historic fencing to be reconstructed based on photographic evidence; there is no Historic fencing at the Site.
54. LMC § 15-13-2(B)(1)(e)(3) requires new fencing to reflect the building's style and period, requires new wood and metal fencing that is viewable from adjacent public ROWs to feature traditional designs and patterns, and prohibits vinyl or plastic-coated Fencing; the Applicant proposes wood Fencing along the east Side Lot line adjacent to the east neighboring property.
55. LMC § 15-13-2(B)(1)(e)(4) requires that new fencing should be designed to minimize its environmental impacts and should use green material, and the Applicant proposes wood fencing at the Site.
56. LMC § 15-13-2(B)(1)(e)(5) and LMC § 15-13-2(B)(1)(e)(6) require Applicants to consider drought-tolerant shrubs in place of fencing and require arbors emphasizing fencing or gates to be subordinate to Historic Structures; the Applicant does not propose any shrubs or arbors.
57. LMC § 15-13-2(B)(1)(f) outlines standards for gazebos, pergolas, and other shade structures; the Applicant does not propose any such structures.
58. LMC § 15-13-2(B)(1)(g)(1) and LMC § 15-13-2(B)(1)(g)(2) require landscaping treatments to minimize visual impacts of on-Site parking and separations between driveways and parking areas, and the Applicant's updated landscaping plans must demonstrate that this requirement is met prior to Building Permit submittal.
59. LMC § 15-13-2(B)(1)(g)(3) and LMC § 15-13-2(B)(1)(g)(5) require minimal impacts to the existing topography of the Site and integral site features when locating new off-Street parking areas and driveways; the Applicant proposes a Final Grade that is within four feet of Existing Grade throughout the Site, with a Final Grade for the driveway that is approximately one foot, six inches higher than Existing Grade to create a more manageable driveway slope.
60. LMC § 15-13-2(B)(1)(g)(4) requires off-street parking areas to be located within the rear yard and beyond the rear wall plane of the primary structure; the Applicant proposes the driveway and detached car lift Structure within the Rear Yard at the Site and set back approximately one foot, three inches from the rear wall plane of the Significant Historic Structure.
61. LMC § 15-13-2(B)(1)(g)(6) limits driveways to ten feet in width, or 12 feet in width for an approved two-car garage, and the Applicant proposes a 12-

Park City Municipal Corporation
 Planning Department Administrative Public Hearing
 June 18, 2026

- foot-wide driveway for the proposed detached car lift Structure, which includes stacked storage for up to two vehicles.
62. LMC § 15-13-2(B)(1)(g)(8) requires applicants to consider textured and poured paving materials other than smooth concrete for driveways viewable from the adjacent public ROW, and requires permeable paving to be used on a Historic Site; the Applicant proposes permeable pavers for the driveway.
 63. LMC § 15-13-2(B)(1)(g)(9) requires Applicants to consider avoiding paving up to the building foundation; the Applicant does not propose paving up to the building foundation.
 64. LMC § 15-13-2(B)(1)(g)(10) requires Applicants to provide on-Site snow storage from driveways; the Applicant proposes a heated driveway, and snow storage is not required.
 65. LMC § 15-13-2(B)(1)(h)(1) requires the original path or steps leading to the main entry to be preserved and maintained, and the Applicant proposes restoring and maintaining the Historic front entry of the Historic Structure, which fronts 9th Street.
 66. LMC § 15-13-2(B)(1)(h)(2) requires Historic hillside steps to be preserved and maintained; there are no Historic hillside steps at the Site.
 67. LMC § 15-13-2(B)(1)(h)(3) requires new hillside steps to be visually subordinate to the Historic Structure in materials, size, scale and proportion, and to complement the Historic Structure in materials, size, scale, and proportion, and massing; the Applicant proposes restoring the Historic front entry pathway and steps with concrete material for the steps.
 68. LMC § 15-13-2(B)(1)(h)(4) allows for Historic handrails that match the original in size, design, color, texture, and material to be reconstructed based on photographic evidence; the Applicant proposes restoring the Historic front entry porch and handrails with new steel handrails.
 69. LMC § 15-13-2(B)(1)(h)(5) requires new handrails and railings to complement the Historic Structure in materials, size, scale, proportions, massing, and design; the Applicant proposes restoring the Historic front entry porch and handrails with new steel handrails.
 70. LMC § 15-13-2(B)(2)(a)(1) requires primary and secondary façade components to be maintained in their original location on the façade, and the Applicant proposes restoring and preserving the Historic front entry porch, doors, windows, dormers, roof forms, steps, and other primary and secondary façade components.
 71. LMC § 15-13-2(B)(2)(a)(2) requires Applicants to preserve and maintain Historic exterior materials, and the Applicant proposes preserving, salvaging, or reusing all possible Historic exterior materials, except for approximately 255 square feet of Historic siding on the east façade, which the Historic Preservation Board approved to be removed to accommodate the proposed addition on June 3, 2026.

Park City Municipal Corporation
 Planning Department Administrative Public Hearing
 June 18, 2026

72. LMC § 15-13-2(B)(2)(a)(3) requires Applicants to use recognized preservation procedures and methods for removal, documentation, repair, and reassembly when disassembly of a Historic element is necessary for its restoration; the Historic Preservation Board approved the Applicant's modified disassembly and reassembly (panelization) plan for the Significant Historic Structure on June 3, 2026.
73. LMC § 15-13-2(B)(2)(a)(4) requires Historic exterior materials to be replaced with materials that match the Historic in all respects when they cannot be repaired, and the Applicant proposes new wood, metal, glass, and concrete materials that are consistent with the materials common in Park City's Historic Districts.
74. LMC § 15-13-2(B)(2)(a)(5) and LMC § 15-13-2(B)(2)(a)(6) prohibit Applicants from using substitute materials unless they are made of a minimum of 50% recycled and/or reclaimed materials, and the Applicant does not propose using any substitute materials.
75. LMC § 15-13-2(B)(2)(a)(7) prohibits vinyl and aluminum siding in the Historic Districts, and the Applicant proposes wood and copper metal siding.
76. LMC § 15-13-2(B)(2)(a)(8) prohibits interior changes that affect the exterior appearance of primary and secondary facades; the Applicant does not propose any interior changes impacting the exterior appearance of primary and secondary facades.
77. LMC § 15-13-2(B)(2)(b)(1) requires Applicants to retain the Historic placement, orientation, and grade of a Historic building, and the Applicant proposes maintaining the Significant Historic Structure in its Historic location at the Site, with a Final Grade that is within four feet of Existing Grade.
78. LMC § 15-13-2(B)(2)(b)(2) prohibits Applicants from raising or lowering a Historic Structure more than two feet from its original elevation to construct a new foundation; the Applicant proposes raising the Historic Structure a maximum of two feet from its original elevation at the Site to construct the new foundation.
79. LMC § 15-13-2(B)(2)(b)(3) requires Historic Sites to be returned to original grade following construction of a foundation, and the Applicant proposes a Final Grade that is within four feet of Existing Grade.
80. LMC § 15-13-2(B)(2)(b)(3) states that generally no more than six inches of the new foundation shall be visible above Final Grade on the primary and secondary facades; the Applicant proposes approximately six feet of the foundation visible on the east side of the Significant Historic Structure which matches the Historic appearance of the Site due to the steep grades.
81. LMC § 15-13-2(B)(2)(b)(4) requires Historic Sites to be re-graded so that water drains away from the Structure; the Applicant proposes a Final Grade that will implement storm water management features and grading to drain water away from the Historic Structure.

Park City Municipal Corporation
 Planning Department Administrative Public Hearing
 June 18, 2026

82. LMC § 15-13-2(B)(2)(b)(5) requires a plinth or trim board at the base of the Historic Structure to visually anchor it to the new foundation, and the Applicant proposes board-and-batten trim boards that are approximately three feet tall covering the base of the Historic Structure at the new foundation.
83. LMC § 15-13-2(B)(2)(b)(6) requires any re-grading of the Site to blend with grade of adjacent sites and shall not create the need for incompatible retaining walls, and the Applicant proposes a series of retaining walls and landscaping walls throughout the Site that are a maximum of four feet in height.
84. LMC § 15-13-2(B)(2)(b)(7) requires the form, material, and detailing of a new foundation shall be similar to the historic foundation, and the Applicant proposes replacing the existing concrete foundation with a new concrete foundation.
85. LMC § 15-13-2(B)(2)(b)(8) prohibits Historic foundations from being concealed with masonry block, plywood panels, corrugated metal, or wood shingles; the Applicant proposes replacing the existing concrete foundation with a new concrete foundation that will not be concealed.
86. LMC § 15-13-2(B)(2)(b)(9) prohibits window or egress wells from being located on the primary façade, requires any egress wells to be located behind the midpoint of the secondary façades, on the rear tertiary façade, or in a location not visible from the primary public ROW and requires landscaping to screen egress wells from the primary ROW; the Applicant proposes an egress well on the secondary (west) façade of the Historic Structure that is set back approximately 13 feet, nine inches from the front wall plane of the Historic Structure, behind the midpoint of the Structure and screened by landscaping elements along the west Lot lines; the Applicant also proposes two egress wells on the front façade of the new addition that will be set back approximately five feet from the front wall plane of the Historic Structure, screened by a garden and landscaping elements along the north Lot line, and not visible from the primary ROW.
87. LMC § 15-13-2(B)(2)(c)(1) requires Historic door openings, doors, door surrounds, and decorative door features to be maintained and preserved; the Applicant proposes restoring the Historic front entry that fronts 9th Street, no Historic doors remain on the Site but the Applicant proposes replacing all doors with wood and aluminum-clad wood doors.
88. LMC § 15-13-2(B)(2)(c)(2) requires Applicants to restore Historic door openings that are significant to the period of restoration, and the Applicant proposes restoring Historic door openings at the Site based on photographic evidence, including the Historic front entry that fronts 9th Street.
89. LMC § 15-13-2(B)(2)(c)(3) prohibits Applicants from changing the position, proportions, or dimensions of Historic door openings; the Applicant

Park City Municipal Corporation
 Planning Department Administrative Public Hearing
 June 18, 2026

- proposes restoring Historic door openings at the Site based on photographic evidence.
90. LMC § 15-13-2(B)(2)(c)(4) states that replacement doors are only allowed when the Historic doors are no longer serviceable and replacement doors shall exactly match the Historic; no Historic doors remain at the Site and the Applicant proposes replacing doors at the Site based on photographic evidence with new wood and aluminum-clad wood doors; Condition of Approval 3 limits glazing to no more than 50% of new doors.
 91. LMC § 15-13-2(B)(2)(c)(5) states that replacement doors typically shall be of wood, and the Applicant proposes new wood and aluminum-clad wood doors.
 92. LMC § 15-13-2(B)(2)(c)(7) allows new door openings that are similar in location, size, and type to those seen on the Historic Structure to be considered on secondary facades; the Applicant proposes a new aluminum clad door set back approximately five feet from the front wall plane of the Historic Structure as part of a new entry on the west (secondary) façade of the Historic Structure, on which no Historic Material remains.
 93. LMC § 15-13-2(B)(2)(c)(8) outlines requirements for Historic door openings that are no longer functional on the primary façade; there are no Historic door openings at the Site that are no longer functional.
 94. LMC § 15-13-2(B)(2)(d)(1) requires Historic window openings, windows, window surrounds, and decorative window features to be maintained and preserved; the Applicant proposes restoring the Historic front porch and associated window openings on the front façade that fronts 9th Street, no Historic windows remain on the Site but the Applicant proposes replacing all windows with double-hung wood windows.
 95. LMC § 15-13-2(B)(2)(d)(2) requires Applicants to restore Historic window openings that have been altered or lost over time; the Applicant proposes restoring the Historic front porch and associated window openings on the front façade that fronts 9th Street.
 96. LMC § 15-13-2(B)(2)(d)(3) prohibits Applicants from changing the position, proportions, or dimensions of historic window openings; the Applicant proposes restoring Historic windows and window openings based on photographic evidence.
 97. LMC § 15-13-2(B)(2)(d)(4) requires Applicants to maintain the Historic ratio of window openings to solid wall; the Applicant proposes restoring Historic window openings and ratios of solid-to-void based on photographic evidence of the Historic Structure.
 98. LMC § 15-13-2(B)(2)(d)(5) and LMC § 15-13-2(B)(2)(d)(9) state that replacement windows are only allowed when the Historic windows are no longer serviceable and replacement windows shall exactly match the Historic; no Historic windows remain on the Site and the Applicant proposes replacing all windows with double-hung wood windows.

Park City Municipal Corporation
 Planning Department Administrative Public Hearing
 June 18, 2026

99. LMC § 15-13-2(B)(2)(d)(6) requires Applicants to maintain the original number of glass panes in a Historic window; no Historic windows remain on the Site and the Applicant proposes replacing all windows with double-hung wood windows.
100. LMC § 15-13-2(B)(2)(d)(7) prohibits replacing an operable window with a fixed window; the Applicant does not propose replacing any operable windows with fixed windows.
101. LMC § 15-13-2(B)(2)(d)(8) allows new window openings that are similar to those seen on the Historic Structure to be considered behind the midpoint on secondary facades, and the Applicant proposes two new double-hung wood window openings that are set back approximately 15 feet and 27 feet from the front façade of the Historic Structure and behind the midpoint.
102. LMC § 15-13-2(B)(2)(d)(10) requires glazing to match the visual appearance of Historic glazing and/or be clear, and the Applicant proposes clear finishes for all windows at the Site.
103. LMC § 15-13-2(B)(2)(d)(11) prohibits modifying windows on the primary façade to accommodate interior changes; the Applicant does not propose modifying primary façade windows to accommodate interior changes and proposes restoring window openings on the front façade based on photographic evidence.
104. LMC § 15-13-2(B)(2)(d)(12) requires storm windows to be installed on the interior of the window; Condition of Approval 4 requires any storm windows to be installed on the interior.
105. LMC § 15-13-2(B)(2)(e)(1) prohibits removing or obstructing a historic building's elements and materials when installing gutters and downspouts; the Applicant does not propose removing or obstructing Historic elements or materials to install gutters and downspouts.
106. LMC § 15-13-2(B)(2)(e)(2) states that the most appropriate design for hanging gutters is half round and requires downspouts to be located away from architectural features; Condition of Approval 5 requires half-round gutters and downspouts to be located away from architectural features.
107. LMC § 15-13-2(B)(2)(e)(3) requires water from gutters and downspouts to drain away from the Historic Structure, and Condition of Approval 5 requires the Applicant to comply.
108. LMC § 15-13-2(B)(2)(f)(1) requires Applicants to maintain and preserve Historic chimneys; the Historic chimney does not remain at the Site but the Applicant proposes restoring the Historic chimney location on the east portion of the roof with a metal chimney flue pipe.
109. LMC § 15-13-2(B)(2)(f)(2) requires Historic stovepipes to be maintained and repaired; no Historic stovepipes remain at the Site.
110. LMC § 15-13-2(B)(2)(f)(3) requires Applicants to retain Historic materials and design when repairing Historic chimneys; the Historic chimney does not remain at the Site but the Applicant proposes restoring the Historic chimney location on the east portion of the roof with a metal chimney flue pipe.

Park City Municipal Corporation
 Planning Department Administrative Public Hearing
 June 18, 2026

111. LMC § 15-13-2(B)(2)(f)(4) prohibits Historic chimneys from being covered with non-historic materials; the Historic chimney does not remain at the Site.
112. LMC § 15-13-2(B)(2)(f)(5) requires new chimneys and stove pipes to be of a size, scale, and design that match the character and style of the Historic Structure and to be visually minimized when viewed from adjacent public ROWs; the Applicant proposes restoring the Historic chimney location on the east portion of the roof with a metal chimney flue pipe that will extend approximately two feet above the roof of the Historic Structure and will be approximately one foot, four inches in diameter.
113. LMC § 15-13-2(B)(2)(g)(1) requires Applicants to preserve and maintain a Historic porch and associated features; the Applicant proposes restoring the Historic front porch, which was previously enclosed, and associated features on the front façade that fronts 9th Street based on photographic evidence.
114. LMC § 15-13-2(B)(2)(g)(2) requires Applicants to repair deteriorated Historic elements of the porch; the Applicant proposes restoring the Historic front porch based on photographic evidence.
115. LMC § 15-13-2(B)(2)(g)(3) prohibits substitute decking materials unless they are made of a minimum of 50% recycled and/or reclaimed materials; the Applicant proposes wood decking material.
116. LMC § 15-13-2(B)(2)(g)(4) requires replacement porches to be constructed of materials and in styles that are compatible with the Historic Structure and to be based on physical or documentary evidence; the Applicant proposes restoring the Historic front porch based on photographic evidence.
117. LMC § 15-13-2(B)(2)(g)(5) states that while modifications to porch posts and balustrades may be necessary to meet current code requirements, they shall not be substantially different in size and proportion than those seen Historically; the Applicant proposes new porch railings and posts due to the vertical drop to Final Grade at the edge of the porch and proposes wood posts and steel railings.
118. LMC § 15-13-2(B)(2)(g)(6) prohibits Applicants from installing decorative porch elements that are not known to have been used on Historic Structures; the Applicant proposes restoring the Historic front porch based on photographic evidence.
119. LMC § 15-13-2(B)(2)(h) outlines requirements for architectural features; no Historic architectural features remain at the Site.
120. LMC § 15-13-2(B)(3)(a) requires mechanical equipment to be located on the tertiary façade or another inconspicuous location; the Applicant proposes mechanical equipment on the rear façade of the new addition that will be screened by a four-foot-tall wood fence.
121. LMC § 15-13-2(B)(3)(b) requires ground-level mechanical equipment to be screened from view using landscape elements or fencing; the Applicant proposes mechanical equipment on the rear façade of the new addition that will be screened by a four-foot-tall wood fence.

Park City Municipal Corporation
 Planning Department Administrative Public Hearing
 June 18, 2026

122. LMC § 15-13-2(B)(3)(c) outlines requirements for rooftop mechanical equipment; the Applicant does not propose any rooftop mechanical equipment.
123. LMC § 15-13-2(B)(3)(d) prohibits Historic building elements from being removed or obstructed when installing mechanical systems and equipment; the Applicant does not propose removing or obstructing any Historic elements to install mechanical equipment.
124. LMC § 15-13-2(B)(3)(e) outlines requirements for new communications equipment; the Applicant does not propose any new communications equipment.
125. LMC § 15-13-2(B)(4)(a)(1) states that additions to historic buildings should be considered only when it is demonstrated that the new use of the building cannot be accommodated by solely altering interior spaces; the Applicant proposes a new east-side addition to create additional interior living space and a new west-side addition to create a new entry.
126. LMC § 15-13-2(B)(4)(a)(2) prohibits additions on non-character defining facades; the Applicant proposes new eastside and westside additions on the secondary façades of the Historic Structure.
127. LMC § 15-13-2(B)(4)(a)(3) requires additions to be visually subordinate to Historic buildings when viewed from the primary public ROW; the new east-side addition will be set back approximately two feet, eight inches from the front wall plane of the Historic Structure and will be approximately three feet shorter than the Historic Structure; the new west-side addition will be set back approximately three feet from the front wall plane of the Historic Structure and will be approximately nine feet shorter than the Historic Structure; both additions will be screened from ROWs by garden and landscape features.
128. LMC § 15-13-2(B)(4)(a)(4) prohibits additions from obscuring, detracting from, or modifying Historic roof forms; both additions will be shorter than the roof form of the Historic Structure as outlined above and will not impact the roof of the Historic Structure.
129. LMC § 15-13-2(B)(4)(a)(5) prohibits additions from contributing significantly to the removal or loss of Historic Material; the Historic Preservation Board approved the Applicant's request to remove approximately 255 square feet of Historic Material from the east façade to accommodate the addition on June 3, 2026; there is no remaining Historic Material on the west façade of the Historic Structure.
130. LMC § 15-13-2(B)(4)(a)(6) requires a transitional element between old and new construction where new additions abut Historic Structures; LMC § 15-13-2(B)(4)(b)(2) requires transitional elements only when the footprint of the new addition exceeds 50% of the footprint of the Historic Structure; the footprint of the east-side and west-side additions are approximately 294 square feet and 71 square feet, respectively, and neither addition exceeds

Park City Municipal Corporation
 Planning Department Administrative Public Hearing
 June 18, 2026

- 50% of the 791-square-foot footprint of the Historic Structure, so transitional elements are not required.
131. LMC § 15-13-2(B)(4)(a)(7) requires Applicants to maintain and preserve additions to structures that are Historically significant; there are no Historically significant additions at the Site.
 132. LMC § 15-13-2(B)(4)(a)(8) prohibits in-line additions; the Applicant proposes a new east-side addition will be set back approximately two feet, eight inches from the front wall plane of the Historic Structure and a new west-side addition that will be set back approximately three feet from the front wall plane of the Historic Structure.
 133. LMC § 15-13-2(B)(4)(b) outlines requirements for transitional elements; LMC § 15-13-2(B)(4)(b)(2) requires transitional elements only when the footprint of the new addition exceeds 50% of the footprint of the Historic Structure, and the footprint of the east-side and west-side additions are approximately 294 square feet and 71 square feet, respectively, and neither addition exceeds 50% of the 791-square-foot footprint of the Historic Structure, so transitional elements are not required.
 134. LMC § 15-13-2(B)(4)(c)(1) requires additions to complement the visual and physical qualities of the Historic Building; the Applicant proposes an addition with a gabled roof, vertically oriented windows, and wood, metal, and glass materials that are similar to what was seen historically.
 135. LMC § 15-13-2(B)(4)(c)(2) states that additions shall be a contemporary interpretation of the historic structure's architecture style; the Applicant proposes an addition with a gabled roof, vertically oriented windows, and other architectural elements that represent a contemporary interpretation of the historic structure's architecture style.
 136. LMC § 15-13-2(B)(4)(c)(3) and LMC § 15-13-2(B)(4)(c)(4) state that additions shall be subordinate in scale and visual impact to the primary historic structure and shall not exceed 50% of the footprint of the historic structure; the Applicant proposes eastside and westside additions that are visually subordinate to the Historic Structure and do not exceed 50% of the footprint of the Historic Structure as outlined above.
 137. LMC § 15-13-2(B)(4)(c)(5) outlines regulations for additions that exceed 50% of the footprint of the Historic Structure; the proposed additions do not exceed 50% of the footprint of the Historic Structure as outlined above.
 138. LMC § 15-13-2(B)(4)(c)(6) requires materials used on additions shall be similar in scale and size to those found on the historic building; the Applicant proposes wood, glass, and metal materials that are consistent with the scale and size of the Historic Structure.
 139. LMC § 15-13-2(B)(4)(c)(7) requires window shapes, patterns and proportions found on the historic building to be reflected in the new addition, and the Applicant proposes vertically oriented, double-hung windows on the new additions that match the architecture style of the Historic Structure.

Park City Municipal Corporation
 Planning Department Administrative Public Hearing
 June 18, 2026

140. LMC § 15-13-2(B)(4)(c)(8) requires that windows, doors and other features on a new addition shall be designed to be compatible with the historic structure and surrounding historic sites; the Applicant proposes windows and doors on the additions that are vertically oriented, reflect a Historic ratio of solid-to-void, and reflect Historic finishes and glazing patterns.
141. LMC § 15-13-2(B)(5) outlines requirements for Garages; the Applicant does not propose a garage and the Planning Commission approved the Applicant's CUP for a detached, partially subterranean car lift structure within Side and Rear Setbacks on the southeast corner of the Site on June 10, 2026.
142. LMC § 15-13-2(B)(6)(a) requires that decks should be constructed in inconspicuous areas where visually minimized from the primary ROW, usually on the tertiary façade; the Applicant proposes a deck on the primary façade of the new east-side addition that is screened from the primary ROW by gardening and landscaping features.
143. LMC § 15-13-2(B)(6)(b) requires decks to be constructed to be self-supporting; the Applicant proposes a self-supporting deck on the east-side addition.
144. LMC § 15-13-2(B)(6)(c) prohibits introducing a deck that will result in the loss of a character-defining feature of the Historic Structure or site; the Applicant proposes a deck that will not impact any Significant Vegetation or any other character-defining Historic features.
145. LMC § 15-13-2(B)(6)(d) requires the visual impact of a deck to be minimized by limiting its size and scale; the Applicant proposes a deck on the east-side addition that will be approximately nine feet wide and five feet, six inches deep and will be set back approximately two feet from the Historic front porch of the Historic Structure.
146. LMC § 15-13-2(B)(6)(e) and LMC § 15-13-2(B)(6)(f) require decks to be constructed of materials that are at least 50% recycled or reclaimed and are consistent with the Historic Structure, and the Applicant proposes a wood deck.
147. LMC § 15-13-2(B)(6)(g) requires significant site features, such as mature trees, to be protected from damage during the construction of a deck, and the Applicant proposes protecting and preserving Significant Vegetation at the Site.
148. LMC § 15-13-2(B)(7)(a) outlines requirements for balconies and roof decks on a historic structure; the Applicant does not propose a balcony or roof deck on the Historic Structure at the Site.
149. LMC § 15-13-2(B)(7)(b) requires new balconies to be simple in design and compatible with the character of the Historic Structure, with simple wood and metal designs for residential structures; the Applicant proposes a Juliet-style balcony on the north façade of the proposed addition that extends approximately four inches beyond the front wall plane of the addition and includes a metal railing.

Park City Municipal Corporation
Planning Department Administrative Public Hearing
June 18, 2026

150. LMC § 15-13-2(B)(7)(c) outlines requirements for roof decks on new additions; the Applicant does not propose a roof deck on the new addition.
151. LMC § 15-13-2(B)(8) outlines requirements for Historic accessory buildings; there are no Historic accessory buildings at the site.
152. LMC § 15-13-2(B)(9)(a) and LMC § 15-13-2(B)(9)(b) state that new accessory buildings on sites with a historic building shall generally be located to the rear of the site and outlines exceptions for allowing accessory buildings along the street front; the Applicant proposes an Accessory Structure in the rear of the Site.
153. LMC § 15-13-2(B)(9)(c), LMC § 15-13-2(B)(9)(d), and LMC § 15-13-2(B)(9)(e) outline requirements for detached Garages at Historic Sites; the Applicant does not propose a Garage at the Site.
154. LMC § 15-13-2(B)(9)(f) requires the roof form, exterior materials, and architectural detailing of a detached Accessory Building to complement the primary structure; the Applicant proposes a detached, partially subterranean car lift structure on the southeast corner of the Site with board-formed concrete walls that was approved through a CUP by the Planning Commission on June 10, 2026.
155. LMC § 15-13-2(B)(9)(g) requires accessory buildings to be subordinate in scale to the primary historic structure; the Applicant proposes an accessory building that is approximately 217 square feet and does not exceed 50% of the footprint of the 791-square-foot Historic Structure.
156. The Development Review Committee reviewed the proposal on May 5, 2026 and required Conditions of Approval associated with the Conditional Use Permit approved by the Planning Commission on June 10, 2026.
157. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on June 17, 2026. Staff mailed courtesy notice to property owners within 300 feet on June 17, 2026. *The Park Record* published courtesy notice on June 18, 2026.

Conclusions of Law

1. The proposal complies, as conditioned, with Land Management Code Chapter 15-2.2 Historic Residential (HR-1) District.
2. The proposal complies, as conditioned, with Land Management Code Section 15-13-2 Regulations for Historic Residential Sites.

Conditions of Approval

1. The Applicant shall update the landscaping plans to include all planting, landscaping, and irrigation details in compliance with LMC § 15-5-5(N) and any applicable Wildland Urban Interface regulations prior to Building Permit submittal.
2. The Applicant shall improve drainage behind retaining walls such that water drains away from the walls to abate retaining wall failure.

Park City Municipal Corporation
Planning Department Administrative Public Hearing
June 18, 2026

3. Glazing on new or replacement doors on the Significant Historic Structure shall be no greater than 50%.
4. Any gutters shall be half-round and any downspouts shall be located away from architectural features and designed such that water drains away from the Historic Structure.
5. The proposed work requires a Building Permit.
6. The proposed work requires a Final Inspection by both the Building and Planning Departments.
7. Modifications to the project require a modification application submittal to the Planning Department, payment of application fee, review for compliance with required standards, and Planning and Building Department approval.
8. This Final Action Letter and approval shall expire one year following the date of this letter at 5:00 PM (MT). The Applicant shall obtain a Building Permit for the proposed work prior to that date. If a Building Permit for the proposed work is not approved before that date, this Final Action Letter shall be voided, and the Applicant will be required to submit a new application to pursue the proposed work.

- B. 52 Prospect Avenue – Administrative Conditional Use Permit –** The Applicant Proposes to Replace a Retaining Wall Greater Than Six in Height within the Required Rear and Side Setbacks in the Historic Residential -1 Zoning District. PL-26-06895.

Senior Planner, Nan Larsen, reported that an Administrative Conditional Use Permit (“ACUP”) is proposed at 52 Prospect Avenue, which is in the Historic Residential-1 zoning district. It is part of a 52 and 60 Prospect Plat Amendment, which is currently being reviewed by City staff. The significant historic site was built in approximately 1885. The request for an Administrative Conditional Use Permit is for two retaining walls greater than six feet in the rear and side setbacks. The two retaining walls are located in the rear yard. The first will have a height of up to nine feet in the rear and side setback with an approximate length of 38 feet. The second retaining wall is proposed to be up to 7 ½ feet in the rear yard setback with a proposed length of 26 feet.

A Waiver Letter was issued on June 25, 2026, for board form concrete. The applicant is requesting that it be amended from board form concrete to a boulder retaining wall, which would require the Final Action Letter and the Administrative Conditional Use Final Action Letter to be amended. Two findings in the Final Action Letter would also need to be amended to a boulder retaining wall instead of board form concrete. The boulder retaining wall still meets the Historic Preservation Guidelines, and condition of approval number five is recommended to be amended to specify that the retaining walls be constructed of boulders. The Historic District Design Review Waiver Letter issued June 25th, 2026, must be modified prior to issuance of a Building Permit. The Final Action recommendation is to review the proposed ACUP and consider improving based on the updated Final Action Letter with the conditions listed.

Park City Municipal Corporation
Planning Department Administrative Public Hearing
June 18, 2026

The applicant, Luke Finney, commented that the main reason for conducting this hearing is that the upper retaining wall failed after snowfall last year. The lower retaining wall is constructed of railroad ties and not very stable. Mr. Finney considered it to be a safety issue to ensure that there is no further damage and to prevent items from rolling down the hill.

Director Ward opened the public hearing at 12:08 PM. There were no public comments. The public hearing was closed.

Director Ward APPROVED the Administrative Conditional Use Permit as modified showing that the final material will be a boulder wall. Approval was subject to the following:

Findings of Fact

1. 52 Prospect Avenue, constructed circa 1885, is a Significant Site on Park City's Historic Sites Inventory in the Historic Residential-1 (HR-1) Zoning District.
2. On December 12, 2011, a deck encroachment, snowshed encroachment, and retaining wall agreement was recorded against 44 Prospect Avenue, in favor of 52 Prospect, for a deck and snowshed encroaching onto 44 Prospect Avenue (Summit County Recorder, Entry No. 935756).
3. On March 23, 2015, an easement agreement was recorded against 52 Prospect Avenue granting access to the Site for the purpose of maintaining improvements towards the rear of the Property (Summit County Recorder Entry No. 1015911).
4. On July 27, 2015, an amendment to the deck encroachment, snowshed encroachment, and retaining wall agreement was recorded for 52 Prospect Avenue (Summit County Recorder Entry No. 010124456).
5. On January 28, 2026, the Planning Commission approved a Subdivision Amendment for 52 & 60 Prospect Subdivision, creating two new Lots.
6. On June 5, 2026, the Applicant submitted a Complete Application for a Historic District Design Review Pre-Application for retaining walls on the Significant Historic Site.
7. On June 25, 2026, a Historic District Design Review waiver letter was issued for the retaining wall material on a Significant Historic Site.
8. The Applicant proposes the replacement of two retaining walls greater than six feet in height, located in the Rear and Side Setback.
9. Retaining wall 1 will be completely on the Applicant's property.
10. Retaining wall 2 will encroach onto 60 Prospect Avenue, a property also owned by the Applicant.
11. Retaining wall 1 will measure approximately 38 feet with a maximum exposed height of 9 feet.
12. Retaining wall 2 will measure approximately 26 feet with a maximum exposed height of 7.5 feet.
13. The proposal complies with the HR-1 Zoning District requirements.

Park City Municipal Corporation
Planning Department Administrative Public Hearing
June 18, 2026

- a. Retaining walls greater than six feet in height from Final grade within the Rear and/or Side Setback require an Administrative Conditional Use Permit.
 - b. The required Rear Setback is 13 feet from the Rear Property Line.
 - c. The required Side Setback is 10 feet from the Side Property Line.
 - d. The proposed retaining wall is within the 13-foot Rear Setback, along the Rear Property Line.
 - e. The proposed retaining wall is within the 10-foot Side Setback, along the south Side Property Line.
14. LMC 15-1-10(E) outlines Conditional Use Permit criteria.
 15. The Development Review Committee reviewed the proposal on May 16, 2026, and confirmed the proposal complies with the required standards.
 16. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on June 18, 2026.
 17. Staff mailed courtesy notice to adjacent property owners on June 17, 2026.

Conclusions of Law

1. The retaining walls, as conditioned, comply with LMC Chapter 15-2.2 *Historic Residential -1 District* and LMC Section 15-1-10(E) *Conditional Use Review Process*.
2. The proposed Use, as conditioned, will be compatible with the surrounding Structures in Use, scale, massing, and circulation.
3. The effects of any differences in Utah or scale have been mitigated through careful planning.

Conditions of Approval

1. Final building plans and construction details shall reflect substantial compliance with the plans approved July 2, 2026, by the Planning Director. Any changes, modifications, or deviations from the approved design and placement that have not been approved in advance by the Planning and Building Departments may result in a stop work order.
2. The Applicant shall obtain a Building Permit for the retaining wall and complete Engineering Department review for the retaining wall prior to construction.
3. Drainage behind the new retaining wall shall be maintained such that stormwater runoff drains away from the wall to abate retaining wall failure.
4. Retaining walls will be located entirely within the Applicant's Property.
5. The retaining walls will be constructed of boulders, and the Historic District Design Review waiver letter issued June 25, 2026, must be modified prior to issuance of a Building Permit.

Director Ward stated that the Waiver Letter should be updated and sent in order to obtain a Building Permit. Due to the proximity of the lower retaining wall and the property line,

Park City Municipal Corporation
Planning Department Administrative Public Hearing
June 18, 2026

during the Building Permit stage, an Access Agreement will likely be required to ensure that construction can be accommodated.

2. ADJOURNMENT

The Park City Administrative Public Hearing adjourned at approximately 12:09 p.m.

Approved by Planning Director:

Signed by:

Rebecca Ward

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844 Empire Ave

HDDR Modification

PL-26-06801

July 2, 2026 | Administrative Public Hearing



844 Empire

Background

- Applicant proposes modifications to previous owner's HDDR project, including addition and remodel to Significant Historic Structure and detached, subterranean car lift
- HPB approved request to remove ~255 SF of Historic Material from east façade to accommodate the new addition on June 3, 2026
- Planning Commission approved CUP request for detached, subterranean car lift on June 10, 2026



844 Empire



844 Empire



844 Empire



844 Empire

Analysis

- Complies as conditioned with HR-1 District and Historic District regulations
- Applicant must comply with the previous owner's Financial Guarantee and Historic Preservation Plan



844 Empire

Conditions of Approval

- Applicant is required to provide full landscaping and irrigation details during Building Permit phase
- Applicant is required to design drainage behind retaining walls so that water drains away from walls to abate wall failure
- Gutters shall be half-round and downspouts located away from any architectural features



844 Empire

Conditions of Approval

- Possible Amendment to COA #3: *Glazing on new or replacement doors on the Significant Historic Structure shall be no greater than 50%.*



Recommendation

- (I) Review the HDDR Modification for a remodel, addition, and detached, subterranean car lift at 844 Empire Avenue, a Significant Historic Site,
- (II) conduct a public hearing, and
- (III) consider approving the HDDR Modification based on the Findings of Fact, Conclusions of Law, and Conditions of Approval, as amended, in the Draft Final Action Letter.

The Planning Director may:

- Approve the HDDR Modification.
- Deny the HDDR Modification and direct staff to make Findings for the denial.
- Request additional information and continue the discussion to a date certain.

844 Empire HDDR Modification 7.2.2026

Public Comment – Michael Morse

Good Afternoon All,

Please forgive the extended recipient list, but I am not sure the most direct avenue for this email. Please pass this along to the correct parties.

I am the owner of 835 Norfolk Ave in Old Town, and am aware (albeit limited) of the project adjacent to my property on 844 Empire Ave. As the property owner of 835 Norfolk, which extends to Crescent Tram, I have real concerns about the destruction of the large, historic trees presently located on the rear of my property as well as the trees that share and cross a property line with 844 Empire. I have carefully respected their history and had professional arborists maintain them over the years. I would like to formally go on record and ask that they be preserved and protected in accordance with the relevant codes and Historic Guidelines and not "accidentally" damaged or removed during construction of any building on 844 Empire.

It is my hope that these trees will be protected at all costs.