

# PARK CITY PLANNING DEPARTMENT ADMINISTRATIVE PUBLIC HEARING MEETING SUMMIT COUNTY, UTAH May 4, 2023

#### **REGULAR AGENDA - 12:00 PM**

**1061 Lowell Avenue - Historic District Design Review** - The Applicant Seeks to Construct a New Duplex in the Historic Residential-1 (HR-1) District. PL-22-05444

(A) Public Hearing; (B) Action 1061 Lowell Ave HDDR Staff Report

Exhibit A: 1061 Lowell Avenue Final Action Letter Exhibit C: Northstar Subdivision Lot 1 Amended Plat

Exhibit B: Proposed Plans

Exhibit D: 1980s LMC HR-1 District Exhibit E: 1983 Building Permit Exhibit F: Party Wall Agreement

Exhibit G: Notice of Removal of Protective Covenants

**1063 Lowell Avenue - Historic District Design Review** - The Applicant Seeks to Construct a New Duplex in the Historic Residential-1 (HR-1) District. PL-22-05445

(A) Public Hearing; (B) Action

1063 Lowell Avenue HDDR Staff Report

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Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Planning Department at 435-615-5060 or planning@parkcity.org at least 24 hours prior to the meeting.

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# Planning Department Staff Report

Subject: 1061 Lowell Avenue

Application: PL-22-05444

Author: Caitlyn Tubbs, Sr. Planner

Date: May 4, 2023

Type of Item: Historic District Design Review

#### Recommendation

(I) Review the Historic District Design Review application for a new Duplex in the HR-1 District; (II) conduct a public hearing; and (III) consider approving the Historic District Design Review subject to the Findings of Fact, Conclusions of Law, and Conditions of Approval listed in the Draft Final Action Letter (Exhibit A).

#### **Description**

Applicant: Chimso Onwuegbu Location: 1061 Lowell Avenue

Zoning District: Historic Residential 1 (HR-1)
Adjacent Land Uses: Residential, Open Space

Reason for Review: In accordance with LMC § 15-1-8 the Planning Director

reviews Historic District Design Reviews for new

construction.

COA Condition of Approval CUP Conditional Use Permit

HDDG Historic District Design Guidelines
HDDR Historic District Design Review

HR-1 Historic Residential -1 LMC Land Management Code

PCMC Park City Municipal Corporation

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § 15-15-1.

#### **Summary**

The Applicant seeks to demolish an existing Duplex that is built across a property line and construct a new Duplex on each of the two Lots in the Northstar Subdivision – Lot 1 Amended. Duplexes are a Conditional Use in the Historic Residential (HR-1) Zoning District (LMC § 15-2.2-2). On March 22, 2023 the Planning Commission unanimously approved a Conditional Use Permit (CUP) for the creation of a Duplex at the Site (Staff Report, Minutes). The Applicant submitted a Historic District Design Review (HDDR) Application because the Site is located in the HR-1 Zoning District and new construction requires design review.

#### **Background**



1061 and 1063 Lowell Avenue are Lots 1A and 1B in the Northstar Subdivision Lot 1 Amended (see Exhibit C). The 1980s LMC permitted a Two-Unit Dwelling as an Allowed Use in the HR-1 Zoning District (Exhibit D). In 1983, the City issued a building permit for a Duplex on Lot 1 in the Northstar Subdivision (Exhibit E). In 1985, a party wall agreement for the shared wall of the Duplex was recorded with Summit County (Exhibit F).

At some point, a deed was recorded with Summit County to bifurcate the originally-platted lot along the shared wall of the Duplex. Additionally, the Northstar Homeowners Association recorded a *Notice of Removal of Protective Covenants* to remove Lot 1 from the Northstar Homeowners Association (Exhibit G) on January 14, 2010. The Planning Commission reviewed a Plat Amendment to amend the original subdivision to create Lots 1A and 1B on September 22, 2021 and forwarded a positive recommendation to City Council (Staff Report, Minutes). On October 28, 2021 the City Council approved the plat amendment (Staff Report, Minutes) through Ordinance 2021-42.

On October 28, 2023, the Applicant submitted a Historic District Design Review Preapplication. The proposal was discussed with the Design Review Team on November 30, 2022, January 4, 2023, and January 25, 2023. The Applicant submitted a Historic District Design Review application on March 13, 2023, and Conditional Use Permit application on December 27, 2022, for 1061 Lowell Avenue and 1063 Lowell Avenue.

On March 22, 2023, the Planning Commission unanimously approved the Conditional Use Permits for 1061 and 1063 Lowell Avenue (<u>Staff Report</u>, <u>Minutes</u>).

#### **Analysis**

The Planning Director has the authority to review and issue decisions on Historic District Design Review applications per LMC § 15-1-8. Staff has outlined the standards and requirements set forth by the LMC for the Planning Director's review in the following tables:

## (I) The proposed Duplex complies with the requirements of the HR-1 Zoning District

<u>LMC Chapter 15-2.2</u> outlines the adopted requirements for the HR-1 Zoning District. The following table provides an analysis of the project's compliance with these standards:

Requirement	Analysis of Proposal
Lot Size:	Complies – The lot is 9,742 square feet in size.

3,750 square feet (Duplex)	
Lot Width:	Complies – The lot is 67.89 feet in width.
25 feet measured 15 feet back from Front Lot Line	
Building Footprint:	<b>Complies</b> – The proposed building footprint is 2,815 square feet.
2,818 square feet	
Front and Rear Setbacks:	<b>Complies</b> – The proposed front setback is approximately 31 feet, and the proposed rear
15 feet each, totaling 30 feet	setback is approximately 29 feet.
Side Setbacks:	<b>Complies</b> – The proposed side setback is 5 feet on the northern side and 13 feet on the southern side.
5 feet minimum, totaling 18 feet	There are chimneys and roof overhangs on each side which project less than 2 feet into the side setbacks, as permitted by LMC § 15-2.2-3(J).

# (II) The proposed Duplex complies with the height requirements set forth in the HR-1 District (LMC $\S$ 15-2.2-5).

Requirement	Analysis of Proposal
Building Height:	<b>Complies</b> – The proposed Structure is 27 feet from Existing Grade and measures 32 feet from the lowest
27 feet from Existing Grade,	finished floor plane to the top of the highest wall
Final Grade must be within 4	plate. The roof pitch ranges between 8:12 and 12:12.
feet of Existing Grade;	The Applicant has provided a 12-foot horizontal step in the downhill façade.
35 feet from the lowest finish	j
floor plane to the point of the highest wall top plate;	
A 10 foot minimum horizontal	
step in the downhill façade;	
Roof pitch shall be between 7:12 and 12:12 pitch	

# (III) The proposed Duplex complies with the Off-Street Parking requirements set forth in LMC § 15-3-6.

LMC § 15-3-6 sets the requirements for Off-Street parking for Single-Family Dwellings (SFDs) and Duplexes. All new SFDs and Duplexes are required to meet these standards and provide at least the minimum number of parking spaces listed.

Requirement	Analysis of Proposal
Off-Street Parking Required: Duplexes require 2 spaces per unit, 4 total	Complies – Each unit has provided one parking space within a single car attached garage and another on the driveway leading to the garage. The proposed garages have an interior dimension of 17 feet by 23 feet and 17 feet by 24 feet. The parking spaces proposed on the driveways are located outside of the required Front Yard Setbacks.

## (IV) The proposed Duplex complies with the Design Guidelines for New Residential Infill Construction in Historic Districts.

LMC <u>§15-13-8</u> sets the requirements for New Residential Infill Construction in Historic Districts. All new infill construction must abide by these standards.

Requirement	Analysis of Proposal
Site Design	
a. Building Setback and Orientation	Complies – The proposed Duplex is compliant with the required setbacks of the underlying HR-1 District. The proposed Structure is oriented toward Lowell Avenue, like the neighboring structures.
b. Topography and Grading	Complies – There is a large retaining wall already constructed on the property behind the existing Duplex. This retaining wall will remain in place and will not be expanded or altered. The proposed Duplex steps up to the rear of the property as the slope of the Site increases.
c. Landscaping and Vegetation	Complies with Conditions of Approval 7 & 8 - The landscaping plan provided with the HDDR submittal (sheet L-1) states a finalized landscape and outdoor lighting plan will be provided to PCMC at the time of a four-way inspection during the building permit process. Staff recommends a Condition of Approval that the Applicant provide a narrative detailing the species and caliper sizes of all mature vegetation on Site and outlining how any mature vegetation removed will be replaced on Site at the time of building permit submittal.

	Additionally, Staff recommends a Condition of Approval that the finalized landscaping plan shall comply with LMC § 15-5-5(N) and all outdoor lighting shall comply with LMC § 15-5-5(J).
d. Retaining Walls	Complies – There is an existing retaining wall on the site behind the existing Duplex Structure. The existing retaining wall will remain on the site and the Applicant has proposed the cladding of the wall in the same stone used on the foundation of the new Structure. No additional retaining walls are proposed as part of this application.
e. Fences	<b>Not Applicable</b> – No fencing is proposed with this application.
f. Paths, Steps, Handrails, & Railings (Not Associated with Porches)	Not Applicable – No paths, steps, handrails, or rails are proposed beyond the handrails utilized on the front entry porch.
g. Gazebos, Pergolas, and other Shade Structures	Not Applicable – The Applicant has not proposed the construction or installation of any gazebos, pergolas, or other shade structures with this application.
h. Parking Areas & Driveways	Complies – The proposed Duplex provides two single-car garages; one for each unit. The building Site is set far back from the Lowell Avenue public right-of-way and is at a much higher grade than the asphalt on Lowell Avenue. The proposed Site of the garages is removed from visibility from the public right-of-way and is further disguised by the Applicant's use of vertical wood siding on the garage doors to match the siding on that section of the Structure.

Requirement Primary Structures	Analysis of Proposal
a. Mass, Scale & Height	Complies – The proposed Duplex Structure is comparable in mass and scale with the existing Duplex Structure. The proposed architectural style is similar to that found in the surrounding neighborhood on non-historic Structures. The proposed Structure is modulated by multiple roof forms and is set far back from the Lowell Avenue public right-of-way.
b. Foundation	Complies – While portions of the first floor exterior walls are visible at the front of the proposed Structure, the foundation is entirely buried below

	grade.
c. Doors	Complies – The primary entrance of both units is clearly defined by the presence of a front porch and projecting roof over the entry doors. The doors on the primary façade are evenly spaced across the width of the Structure and are compatible in size and scale with those seen in the Historic District. The Applicant has proposed the installation of custommade wooden doors for each unit.
d. Windows	Complies – The windows proposed on this Structure comply with the "2:1 rule" and the amount of glazing proposed is proportionate to that seen on historic Structures in the character area. The proposed windows are aluminum-clad wood, which is listed as a recommended material under LMC § 15-13-8(B)(2)(d).
e. Roofs	Complies with Condition of Approval 12 – The proposed roof forms included in the proposed design are pitched gable and shed roofs. These roof forms are common in the Historic District and are recognized as compatible with the historic character of the Area. The Applicant has proposed the use of standing seam metal roofing. Roof colors are required by LMC § 15-13-8(B)(2)(e)(6) to be neutral and muted with a non-reflective finish. Staff recommends a Condition of Approval that the standing seam metal roofing installed will be neutral and muted in color with a non-reflective finish.
f. Dormers	Not Applicable – There are no dormers proposed as part of this design.
g. Gutters and Downspouts	Complies with Condition of Approval 9 - The proposed roof is finished with a drip edge and no gutters or downspouts are proposed at this time. Staff recommends a Condition of Approval that if the owner chooses to install gutters and/or downspouts in the future they must be located away from architectural features and shall be visually minimized when viewed from the primary public right-of-way per LMC § 15-13-8(B)(2)(g).
h. Chimneys and Stovepipes	<b>Not Applicable –</b> No chimneys or stovepipes have been proposed with this application.
i. Porches	Complies – The entry porches for each unit of the Duplex are located at the frontmost plane of the Structure. A staircase leading from grade to the shared covered porch clearly identifies the entry locations. The proposed porch utilizes the same

	simple, unornamented design of the rest of the Structure and utilize a staircase to access the right-of-way similarly to other historic Structures in the surrounding character area.
j. Architectural Features	Complies – The proposed Structure has minimal architectural decoration. The Structure has a simple design with common building elements and forms.

Requirement	Analysis of Proposal
Mechanical and Utility	Complies with Condition of Approval 10 - Final
Systems and Service	locations of mechanical equipment (e.g. hot tubs, air
Equipment	conditioner condensers, etc.) have not yet been
	determined. Staff recommends a Condition of
	Approval that any mechanical equipment comply with
	the requirements set forth in LMC § 15-13-8(B)(3).
	Mechanical equipment must be located in the rear of
	the property or rear 50% of the secondary façade.

Requirement	Analysis of Proposal
Materials	Complies – The Applicant has proposed the use of horizontal and vertical wood lap siding with accents of stone at the foundation and retaining wall at the rear of the property. Wooden siding is very common in the Historic District and is recognized as a material compatible with the historic character of the area. The Applicant has proposed the use of a standing seam metal roofing material for the various roof forms which is also considered a compatible material
	in the Historic District.

olies with Condition of Approval 11 - The
cant has not proposed any colors for the
rials. Paint color is not regulated by LMC §15- however, materials that are traditionally painted equired to have an opaque rather than
parent finish. Staff recommends a Condition of oval 11 that the wooden siding shall be painted ined to be fully opaque.
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Requirement	Analysis of Proposal

Garages	Complies – The proposed garages are attached to
	the Duplex Structure in the first floor and are single-
	car width garages. They are clad in a vertical wood
	siding to minimize the visual impact from the front of
	the Duplex.

Requirement	Analysis of Proposal
Decks	Complies – A deck is proposed at the rear of each of the Duplex units. The proposed decks extend from the Structure to the existing retaining wall and are removed from the edges of the Structure to minimize their visibility from the side or oblique views of the property. The decks are located on a tertiary façade as recommended by LMC §15-13-8(B)(7).

Requirement	Analysis of Proposal
Balcony and Roof Decks	Complies - The northmost unit (shown in the proposed plans as Unit A) includes a small balcony off to the side of the entry door. This balcony is recessed underneath the entry porch roof and is visually minimized from the public right-of-way as required by LMC §15-13-8(B)(8).
	Two additional balconies are proposed at the top floor of the Structure on the front façade. These balconies have also been disguised from view from the public right-of-way by the use of the vertical and horizontal wooden siding utilized on the remainder of the Structure.

#### (V) The Development Review Committee Reviewed the Application.<sup>1</sup>

The Development Review Committee discussed this development on December 6, 2022, and no concerns were raised.

#### **Department Review**

The Planning Department reviewed this report.

<sup>&</sup>lt;sup>1</sup> The Development Review Committee meets the first and third Tuesday of each month to review and provide comments on Planning Applications, including review by the Building Department, Engineering Department, Sustainability Department, Transportation Planning Department, Code Enforcement, the City Attorney's Office, Local Utilities including Rocky Mountain Power and Dominion Energy, the Park City Fire District, Public Works, Public Utilities, and the Snyderville Basin Water Reclamation District (SBWRD).

#### **Notice**

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on April 19, 2023. Staff mailed courtesy notice to property owners within 100 feet on April 19, 2023. The *Park Record* published notice on April 19, 2023.<sup>2</sup>

#### **Public Input**

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

#### **Alternatives**

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

#### **Exhibits**

Exhibit A: Draft Final Action Letter

Exhibit B: Proposed Plans

Exhibit C: Northstar Subdivision Lot 1 Amended Plat Exhibit D: 1980s Land Management Code – HR-1 District

Exhibit E: 1983 Building Permit Exhibit F: Party Wall Agreement

Exhibit G: Notice of Removal of Protective Covenants

<sup>&</sup>lt;sup>2</sup> LMC § 15-1-21



May 4 2023

Lowell Project, LLC 1675 Soniat St. New Orleans, LA 20115 (504)-301-4440 stacyhead08@yahoo.com

CC: Chimso Onwuegbu (801)-712-4078 chimso@be-wow.com

#### NOTICE OF PLANNING DIRECTOR ACTION

Description

Address: 1061 Lowell Avenue

Zoning District: Historic Residential 1 (HR-1)

Application: Historic District Design Review (HDDR)

Project Number: PL-22-05444

Action: APPROVED WITH CONDITIONS (See Below)

Date of Final Action: May 4, 2023

Project Summary: Applicant seeks to demolish an existing Duplex and construct

two new Duplexes, one at 1061 Lowell Avenue and another at 1063 Lowell Avenue. 1061 Lowell Avenue is located in the

HR-1 District and is subject to HDDR review.

#### **Action Taken**

On May 4, 2023, the Planning Director conducted a public hearing and approved the 1061 Lowell Avenue Historic District Design Review according to the following findings of fact, conclusions of law, and conditions of approval.

#### **Findings of Fact**

- 1. The Property is located at 1061 Lowell Avenue and is also known as Lot 1B of the Northstar Subdivision Lot 1 Amended Plat.
- 2. Lot 1B is 9,742 square feet in size.



- 3. The Property is located within the Historic Residential-1 (HR-1) Zoning District.
- On July 19, 1977, the Declaration of Protective Covenants for the Northstar Subdivision was recorded.
- 5. The 1980's Land Management Code permitted a Two-Unit Dwelling as an Allowed Use in the HR-1 District.
- 6. In 1983 the City issued a building permit for a Duplex on Lot 1 of the Northstar Subdivision.
- 7. In 1985 a Party Wall Agreement for the shared wall of the Duplex was recorded with Summit County.
- 8. At some point a deed was recorded with Summit County to bifurcate the originally platted lot along the shared wall of the Duplex.
- On February 2, 2010 the Northstar Homeowners Association recorded a Notice of Removal of Protective Covenants to remove Lot 1 from the Northstar Homeowners Association.
- 10. On August 19, 2021 the City received a complete application for the Northstar Subdivision Lot 1 Amended Plat amendment.
- 11. The Planning Commission reviewed a Plat Amendment Application to formally create Lots 1A and 1B on September 22, 2021 and forwarded a positive recommendation to City Council.
- 12. The City Council reviewed the Plat Amendment Application on October 28, 2021 and approved the amendment by Ordinance 2021-42.
- 13. On December 21, 2022, the City received a Conditional Use Permit application for the construction of a new Duplex on 1061 Lowell Avenue.
- 14. A Duplex is a Conditional Use in the HR-1 Zoning District for lots with a minimum area of 3,750 square feet.
- 15. On March 22, 2023 the Planning Commission reviewed the Conditional Use Permit application, held a public hearing, and approved a Conditional Use Permit to establish a new Duplex at 1061 Lowell Avenue.
- 16. Currently, Lot 1B contains a legal non-complying Duplex Structure which is bifurcated by the Lot Line between Lot 1B and Lot 1A of the Northstar Subdivision Lot 1 Amended Plat.
- 17. The current Duplex would be described as a non-complying structure, which is defined in LMC §15-15-1.172 as "A Structure that 1) legally existed before its current zoning designation; and 2) because of subsequent zoning changes, does not conform to the zoning regulation's Setback, Height restrictions, or other regulations that govern the Structure."



- 18. Existing on the Lot is a fifteen foot (15') non-exclusive Access easement to access Lot 1A, Lot 2, and parts of Lot 3 of the Northstar Subdivision.
- 19. The maximum building footprint allowed on the Lot is 2,818 square feet. The proposed building has a footprint of 2,815 square feet.
- 20. The HR-1 Zoning District's required Front and Rear Setbacks are 15 feet each, totaling a minimum of 30 feet. The proposed Front Setback is approximately 31 feet from the property line and the proposed Rear Setback is approximately 29 feet from the rear property line.
- 21. The HR-1 Zoning District's required Side Setback is a minimum of 5 feet, totaling a minimum of 18 feet. The proposed northern Side Setback is 5 feet, and the proposed southern Side Setback is 13 feet.
- 22. The HR-1 Zoning District's maximum Building Height is 27 feet. The HR-1 Zoning District requires a maximum height of 35 feet from the lowest finish floor plane to the top of the highest wall plate. The proposed Structure is 27 feet in height and is 35 feet from the lowest finish floor plane to the top of the highest wall plate.
- 23. The proposed Structure complies with the underlying requirements of the HR-1 Zoning District.
- 24. On April 19, 2023 City staff provided a public hearing notice to all property owners within 300 feet of the proposed HDDR and posted a sign to the subject property.
- 25. On April 19, 2023 City staff published a public hearing notice to the City website and to the Utah Public Notice website.

#### **Conclusions of Law**

- 1. The proposal complies with the LMC requirements pursuant to LMC Chapter 15-2.2 Historic Residential 1 (HR-1) District.
- 2. The proposal complies with the criteria for the Design Guidelines for New Residential Infill Construction in Historic Districts outlined in LMC §15-13-8.

#### **Conditions of Approval**

- 1. Final building plans and construction details shall be the same as the plans approved May 4, 2023 by the Planning Department. Any changes, modifications, or deviations from the approved design that have not been approved in advance by the Planning and Building Departments may result in a stop work order.
- 2. If the Applicant does not obtain a complete building permit within one ear of the date of this approval, this HDDR approval will expire unless the Applicant



- submits a written extension request to the Planning Department prior to the expiration date and the Planning Department approves an extension.
- 3. The Applicant is responsible for notifying the Planning Department prior to making any changes to the approved plans.
- 4. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director or designee prior to construction.
- 5. The property is located outside of the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine-related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance with State and Federal Law.
- 6. All Conditions of Approval from the Northstar Subdivision Lot 1 Plat Amendment (listed in Ordinance 2021-42) and the Conditional Use Permit (PL-22-05491) shall also apply.
- 7. The Applicant shall provide an analysis detailing the species and caliper of existing mature vegetation on the subject property and outline how any mature vegetation removed from the Site will be replaced.
- 8. A finalized landscaping plan shall be submitted to the Planning Department for review and approval or denial in accordance with LMC §15-5-5(N) with the submittal of the building permit application. All outdoor lighting shall also be noted on the plan and comply with LMC §15-5-5(J).
- 9. All gutters and/or downspouts shall be located away from architectural features and visually minimized when viewed from the public right-of-way per LMC §15-13-8(B)(2)(g).
- 10. Any mechanical equipment (e.g. hot tubs, air conditioner condensers, etc.) shall comply with the requirements set forth in LMC §15-13-8(B)(3).
- 11. Any exterior wood shall have an opaque rather than transparent finish. When possible, low-VOC (volatile organic compound) paints and finishes shall be used. Rustic, unfinished wood is inappropriate.
- 12. The standing seam metal roofing shall be muted and neutral in color and shall have a non-reflective finish.
- 13. Any areas disturbed during construction surrounding the proposed work shall be brought back to its original state.
- 14. Construction shall not impact surrounding Historic Structures.
- 15. Vinyl or aluminum doors and windows are prohibited.

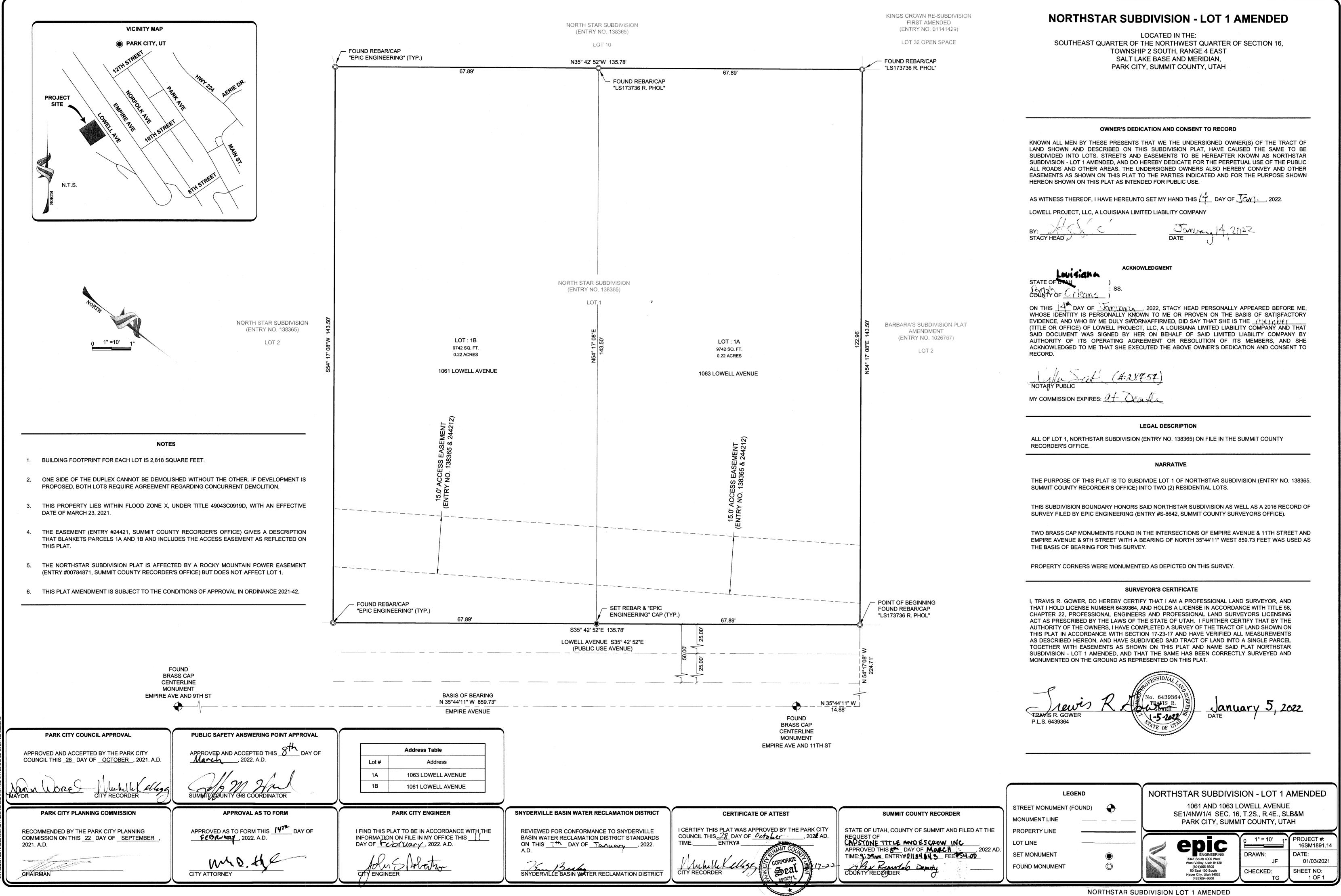


If you have questions or concerns regarding this Final Action Letter, please call (435)-615-5063 or email caitlyn.tubbs@parkcity.org.

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Gretchen Milliken, Planning Director

CC: Caitlyn Tubbs, Senior Historic Preservation Planner



# LOWELL PROJECT, LLC

# 1061 LOWELL DUPLEX TWO FAMILY HOME

1061 LOWELL AVE, PARK CITY, UT 84060

HDDR 03.02.2023

> Land Solutions PO Box 683175 Park City Ut 84068

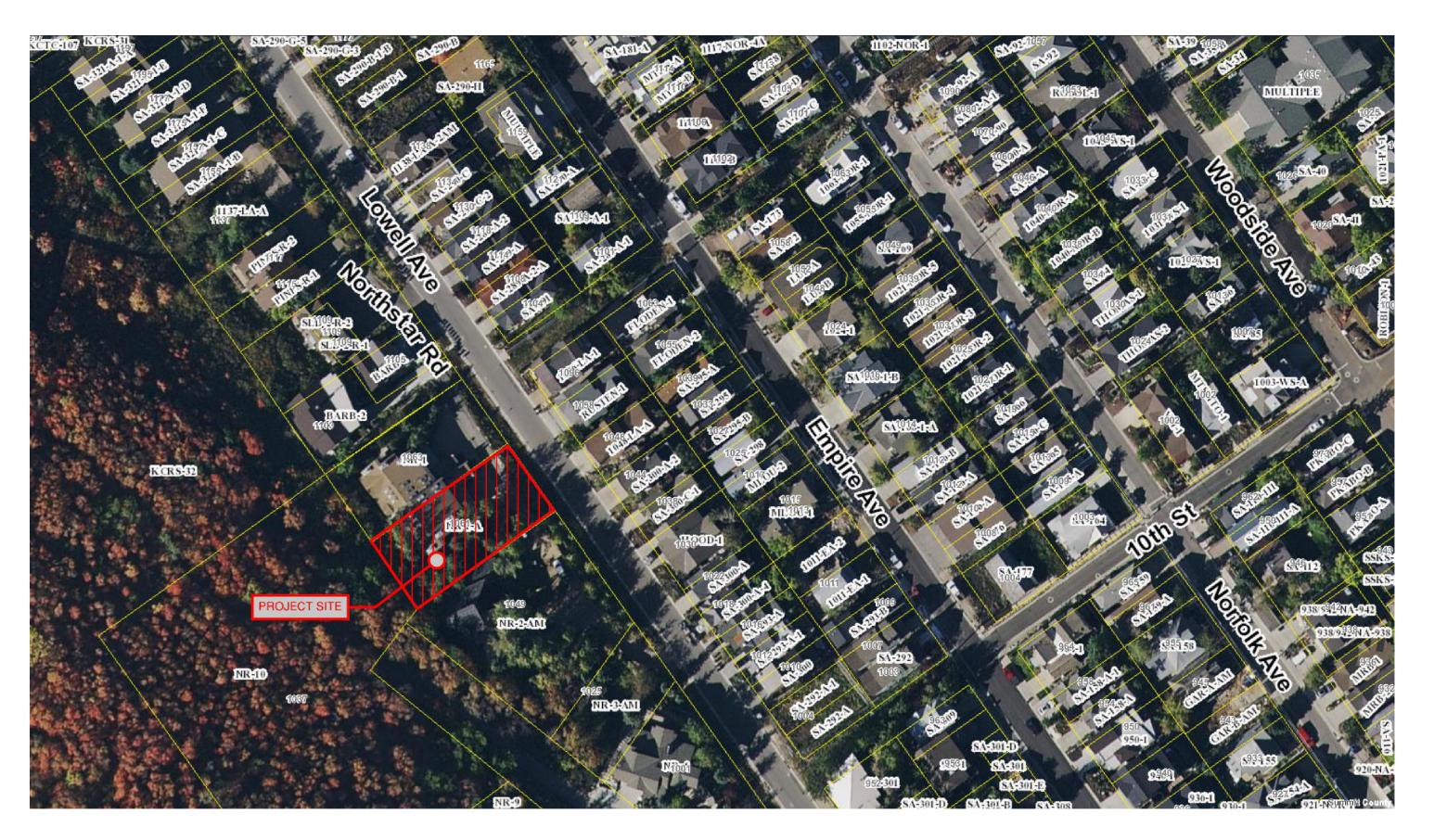
CONTRACTOR

telephon: 435 901 3716 contact: Pete Gillwald

email: peteg@landsolutionspc.biz

## PROJECT CONTACT INFORMATION

OWNER	ARCHITECT
Lowell Project, LLC. 1061 Lowell Ave Park City, Utah 84060 telephone: 504.301.7770 Contact: Stacy Head email: stacyhead08@yahoo.com	WOW atelier, LLC. 73 East 400 South Salt Lake City, Utah 84111 telephone: 801.712.4078 Contact: Chimso Onwuegbu email: chimso@be-wow.com
CIVIL ENGINEER	STRUCTURAL ENGINEER
	Jarratt Engineering 8830 N. Upper Lando Lane Park City, Utah 84098 telephone: 435.640.5683 Contact: Pete Jarratt email: pjarrattkar@gmail.com
MECHANICAL ENGINEER	ELECTRICAL ENGINEER
DESIGN BUILD BY CONTRACTOR SCHEMATICS BY ARCHITECT	DESIGN BUILD BY CONTRACTOR SCHEMATICS BY ARCHITECT
LANDSCAPE ARCHITECT	INTERIOR DESIGNER



#### ROJECT VICINITY MAP

	HDDR DRAWING INDEX
NO	NAME
GI-000	HDDR COVER SHEET
GI-005	AREA PLANS
GI-100	EXISTING CONDITION SITE PHOTOS
1 OF 1	RECORD OF SURVEY AND TOPOGRAPHY
L-1	LANDSCAPE PLAN
A-100	PRELIMINARY SITE PLAN
A-101	GARAGE LEVEL PLAN
A-102	ENTRY LEVEL PLAN
A-103	LIVING LEVEL PLAN
A-104	ROOF PLAN
A-200	EXTERIOR ELEVATIONS
A-201	EXTERIOR ELEVATIONS
A-202	EXTERIOR ELEVATIONS
A-203	EXTERIOR ELEVATIONS
A-204	EXTERIOR 3D VIEWS
A-301	SECTIONS
A-302	SECTIONS
A-303	SECTIONS
A-600	DETAILS
A-601	DETAILS
A-604	WINDOW/DOOR DETAILS



PRELIMINARY
NOT FOR
NOT FOR
PERMIT OR
CONSTRUCTION

MECHANICAL: ELECTRICAL: LANDSCAPE:

LOWELL DUPL

1061 LOV

SSUE DATE:
3.02.2023
ISSUE:
HDDR

PROJECT #: 220013
ISSUE DATE: 03.02.2023

the concepts, ideas, drawings ar

17

PRELIMINARY
NOT FOR
PERMIT OR
CONSTRUCTION



PANORAMIC WEST SIDE OF LOWELL AVE.



PANORAMIC EAST SIDE OF LOWELL AVE.



LOWELL AVE. VIEW #1 (WEST SIDE)



LOWELL AVE. VIEW #2 (WEST SIDE)



LOWELL AVE. VIEW #3 (WEST SIDE)



LOWELL AVE. VIEW #4 (WEST SIDE)



LOWELL AVE. VIEW #1 (EAST SIDE)



LOWELL AVE. VIEW #2 (EAST SIDE)



LOWELL AVE. VIEW #3 (EAST SIDE)



LOWELL AVE. VIEW #3 (EAST SIDE)

1061A AREA SUMMARY AREA NAME AREA 1061A-DECK 81 SF 252 SF 1061A-PATIO 333 SF 1061A - GARAGE 446 SF 1061A - MUD 257 SF

1,471 SF

1,373 SF

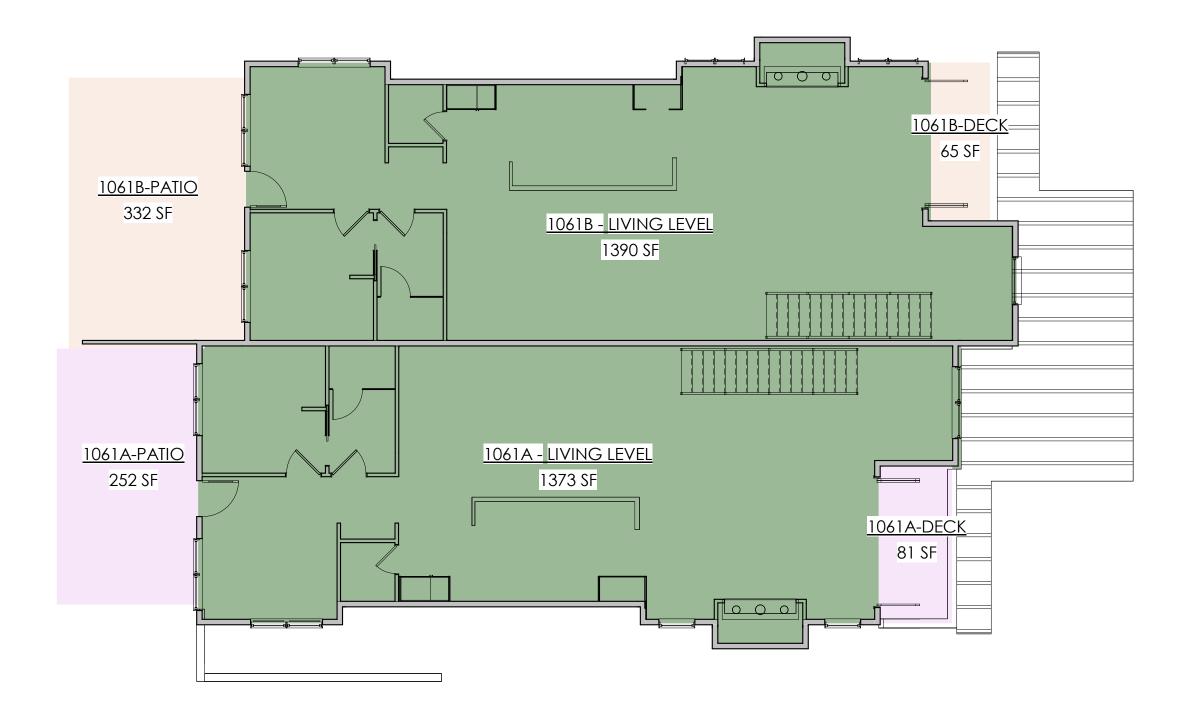
3,547 SF

1061B ARE	a summary
AREA NAME	AREA
1061B-DECK	72 SF
1061B-DECK	65 SF
1061B-PATIO	332 SF
	469 SF

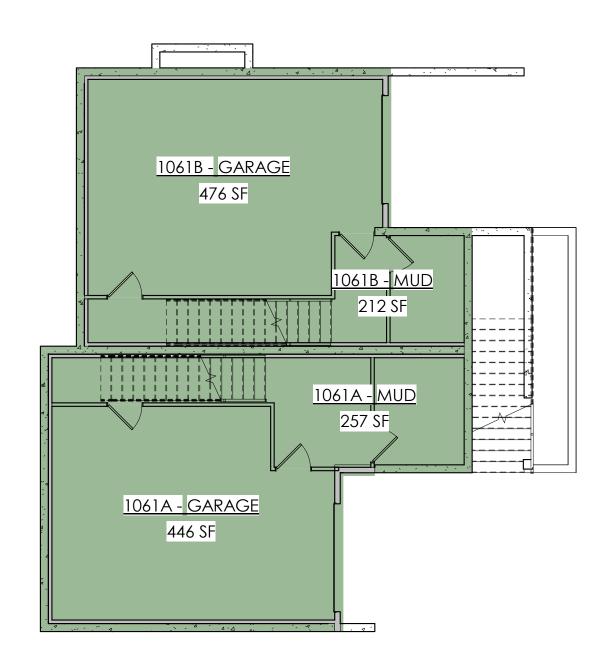
1061A - ENTRY LEVEL

1061A - LIVING LEVEL

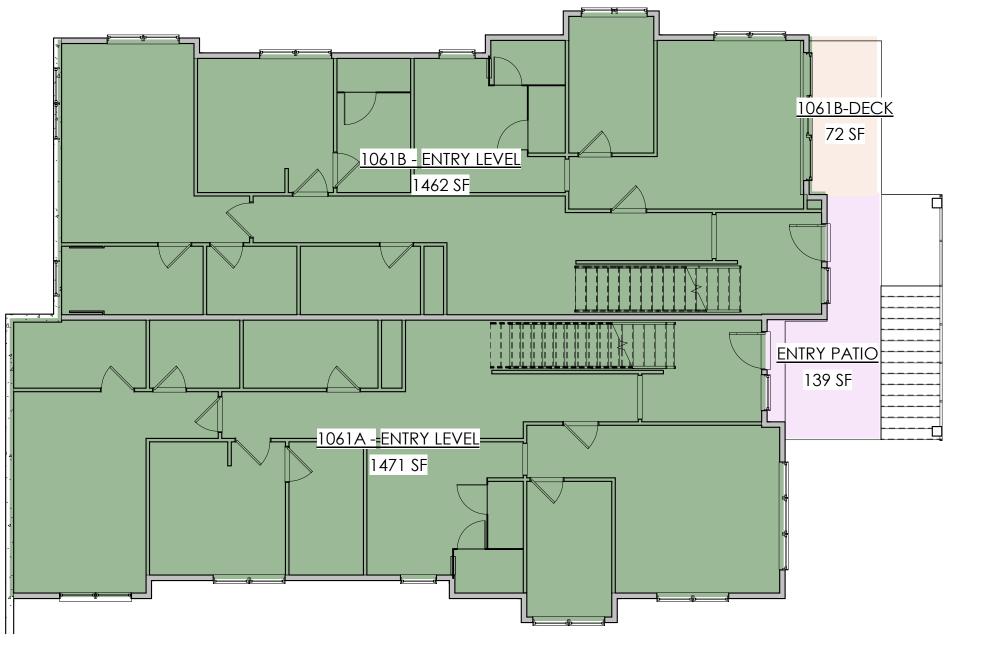
476 SF
212 SF
1,462 SF
1,390 SF
3,540 SF



2-LIVING LEVEL AREA PLAN SCALE: 1/8" = 1'-0"



0-GARAGE LEVEL AREA PLAN SCALE: 1/8" = 1'-0"

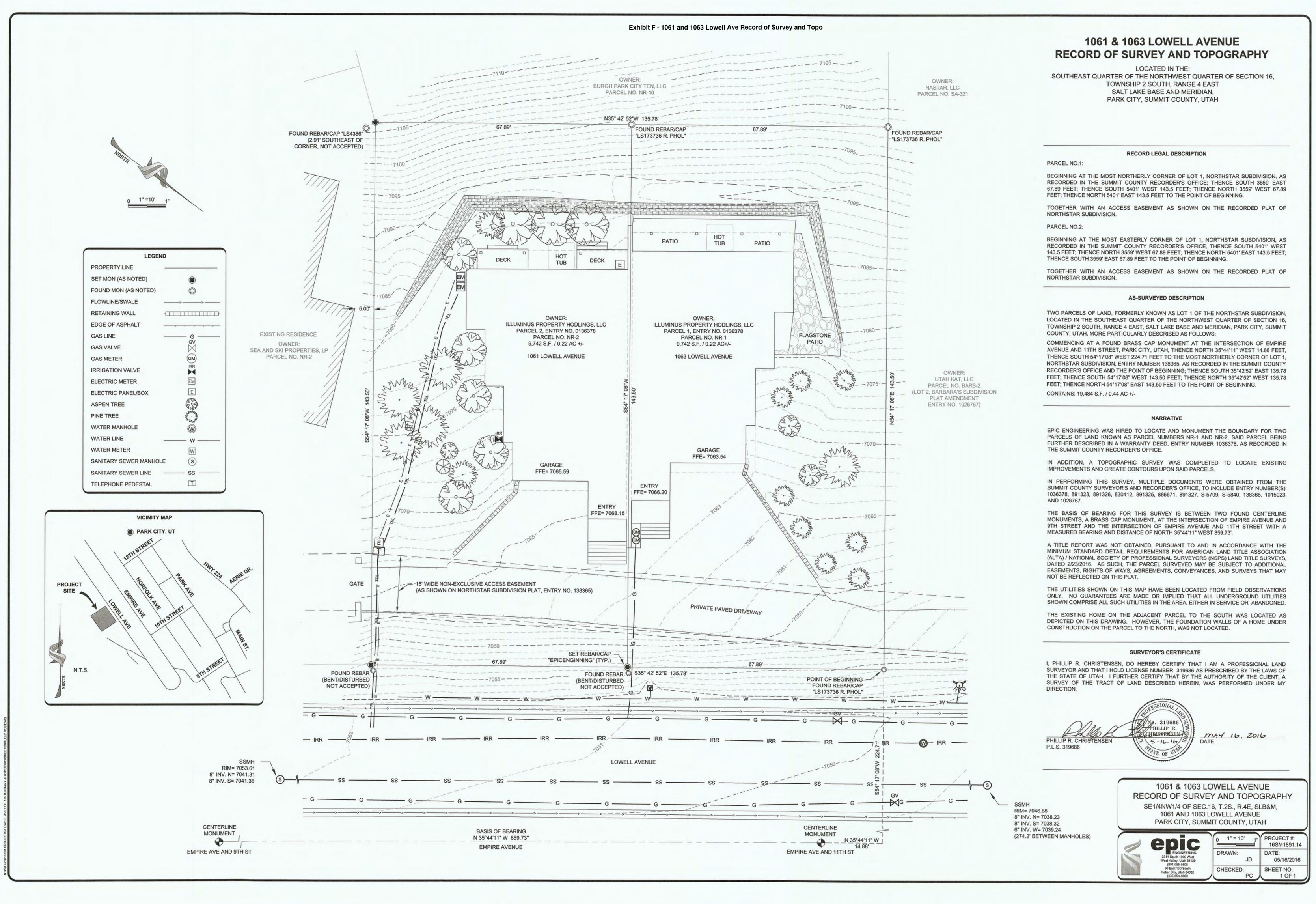


A4 1-ENTRY LEVEL AREA PLAN
SCALE: 1/8" = 1'-0"

PRELIMINARY
NOT FOR
PERMIT OR
CONSTRUCTION

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1061 LOWELL DUPLE
TWO FAMILY HOME
1061 LOWELL AVE,
PARK CITY, UT 84060



Ashleaf Spirea (4)

Ashleaf Spirea (5)

Alpine Currant (3)

Flagstone Pathwa

FRAME VIEWS AND REDUCE VISUAL IMPACT OF WALLS.

AND ALONG THE DRIVEWAY CORRIDOR.

FINAL PLANT LOCATION TO BE DETERMINED IN THE FIELD.

LANDSCAPE LIGHTING TO BE RESTRICTED TO AREAS WITHIN THE BACK PATIO AREAS, WATER FEATURES, IF ANY,

## LANDSCAPE LEGEND

Existing Driveway

PRIOR TO COMMENCEMENT OF WORK TO INSURE ADEQUACY OF COVERAGE.

a.) ALL TREES AND SHRUBS TO BE DRIP IRRIGATED OR UTILIZE A BUBBLER TYPE

b.) ALL WILDFLOWER SOD AREAS TO UTILIZE NETAFIN SYSTEM OR EQUIVALENT.

c.) ALL NATIVE GRASS AREAS TO UTILIZE POP UP SPRAY HEADS. SYSTEM IS INTENDED TO PROVIDE ADEQUATE MOISTURE FOR SEED GERMINATION AND IRRIGATION

IRRIGATION SYSTEM TO BE COMPRISED OF THREE SEPARATE SYSTEMS.

CONFIGURATION.

DURING DRY SPELLS.

**DECIDUOUS TREES** 

ORNAMENTAL GRASSES

LANDSCAPE STEPS

ORNAMENTAL TREES **EVERGREEN TREES** SHRUBS \*\*\* LANDSCAPE BOULDERS PERENNIALS LAWN AREA PATHWAY 000000000

## PERENNIALS/GROUNDCOVERS 1 GAL. CONTAINERS

Arrowleaf Balsamroot Iceland Poppy Pacific Aster Rocky Mountain Iris Maiden Pinks Black-eyed Susan Red Mexican Hat Blanket Flower Mountain Lupine Blue Flax Colorado Columbine Large Flowered Penstemon Rocky Mountain Penstemon Purple Coneflower Wasatch Penstemon Prairie Coneflower Lanceleaf Coreopsis Dame's Rocket Fireflower

White Evening Primrose Showy Goldeneye Northern Sweetvetch White Yarrow

5%

APPROXIMATE AREA: 928 SF

SEEDED AREAS

YARROW

Wild Geranium

HARD FESCUE 35% SHEEP FESCUE 25% CHEWING FESCUE 20% **ROCKY MTN PENSTEMON** 10% BLUE FAX 5%

SEED AT RATE OF 40LBS./ACRE

### PLANT SCHEDULE

QNTY	COMMON NAME	SCIENTIFIC NAME	SIZE	COND.	COMMENTS
2	QUAKING ASPEN	POPULUS TREMULOIDES	2" CAL.	B&B	MULTI STEM
2	SWEDISH ASPEN	POPULUS TREMULOIDES ERECTA	2" CAL.	B&B	SINGLE STEM
9	UTAH JUNIPER	JUNIPERUS UTAHENSIS	5 - 6'	B&B	FULL BRANCHING
8	DIABLE NINEBARK	PHYSOCARPUS OPULIFOLIUS	5 GAL.	CONT.	4' ON CENTER
11	POTENTILLA	POTENTILLA SPP.	5 GAL.	CONT.	4' ON CENTER
13	ALPINE CURRANT	RIBES ALPINUM	5 GAL.	CONT.	4' ON CENTER
13	ASHLEAF SPIREA	SORBARIA SORBIFOLIA	5 GAL.	CONT.	4' ON CENTER
64	SWITCH GRASS	PANICUM VIRGATUM	3 GAL.	CONT.	3' ON CENTER

NO PLANT SUBSTITUTIONS WILL BE ALLOWED WITHOUT PRIOR REVIEW AND APPROVAL BY OWNER OR OWNERS REPRESENTATIVE

CITY,

**NOT FOR** CONSTRUCTION

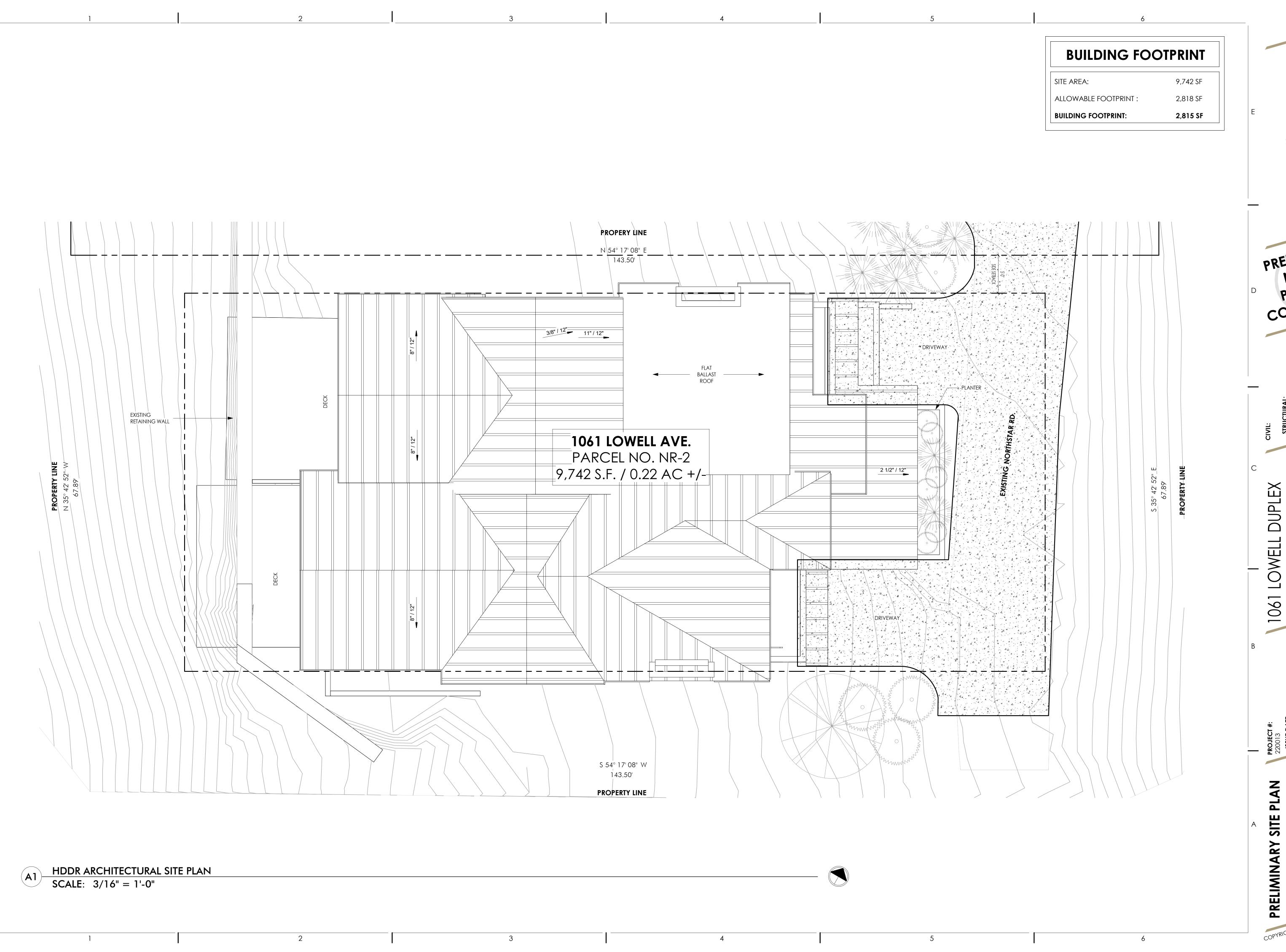
0

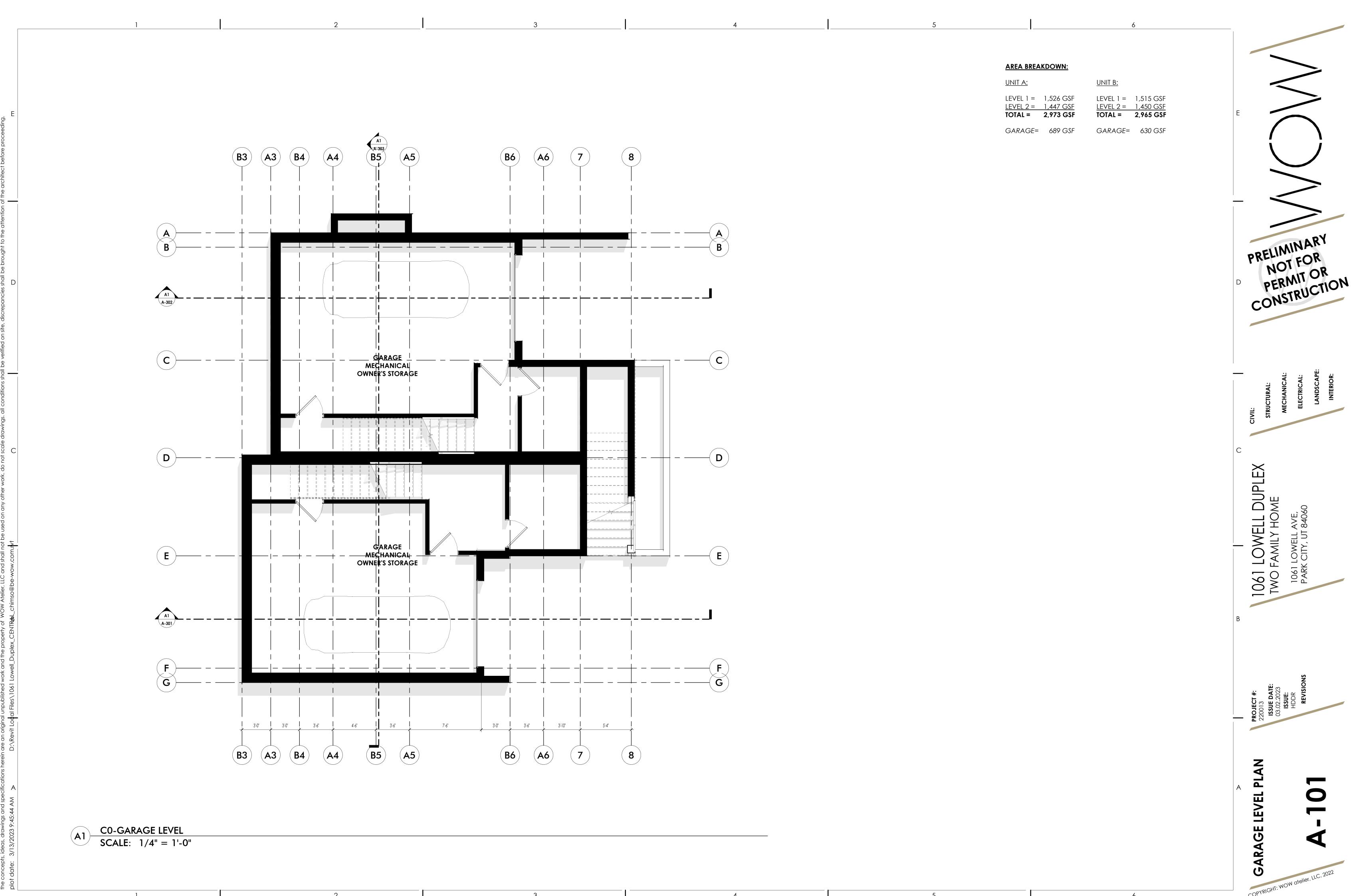


Drawn By	PGG
Date	03/09/2023
Project #	

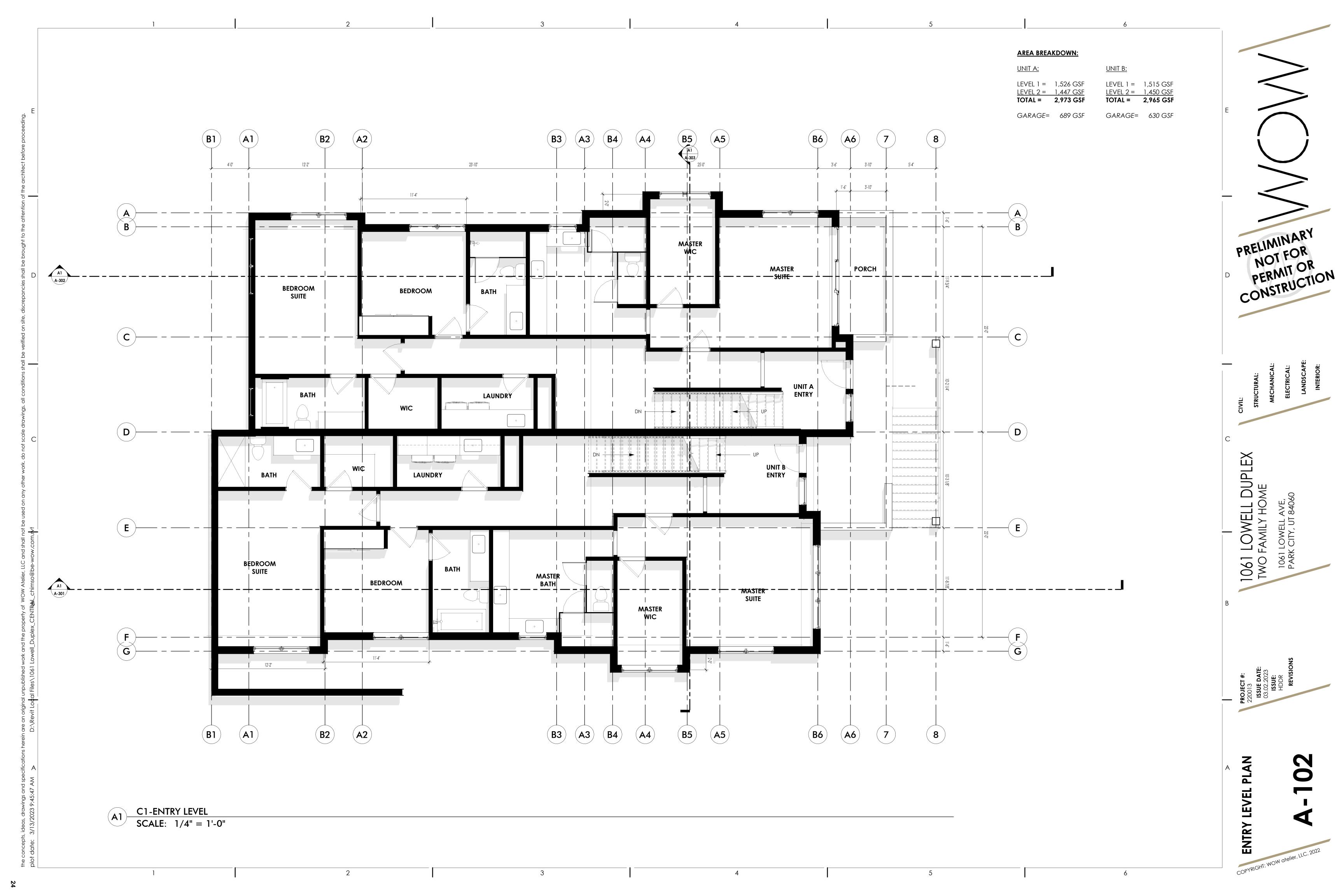
Phase PRELIMINARY SET Sheet

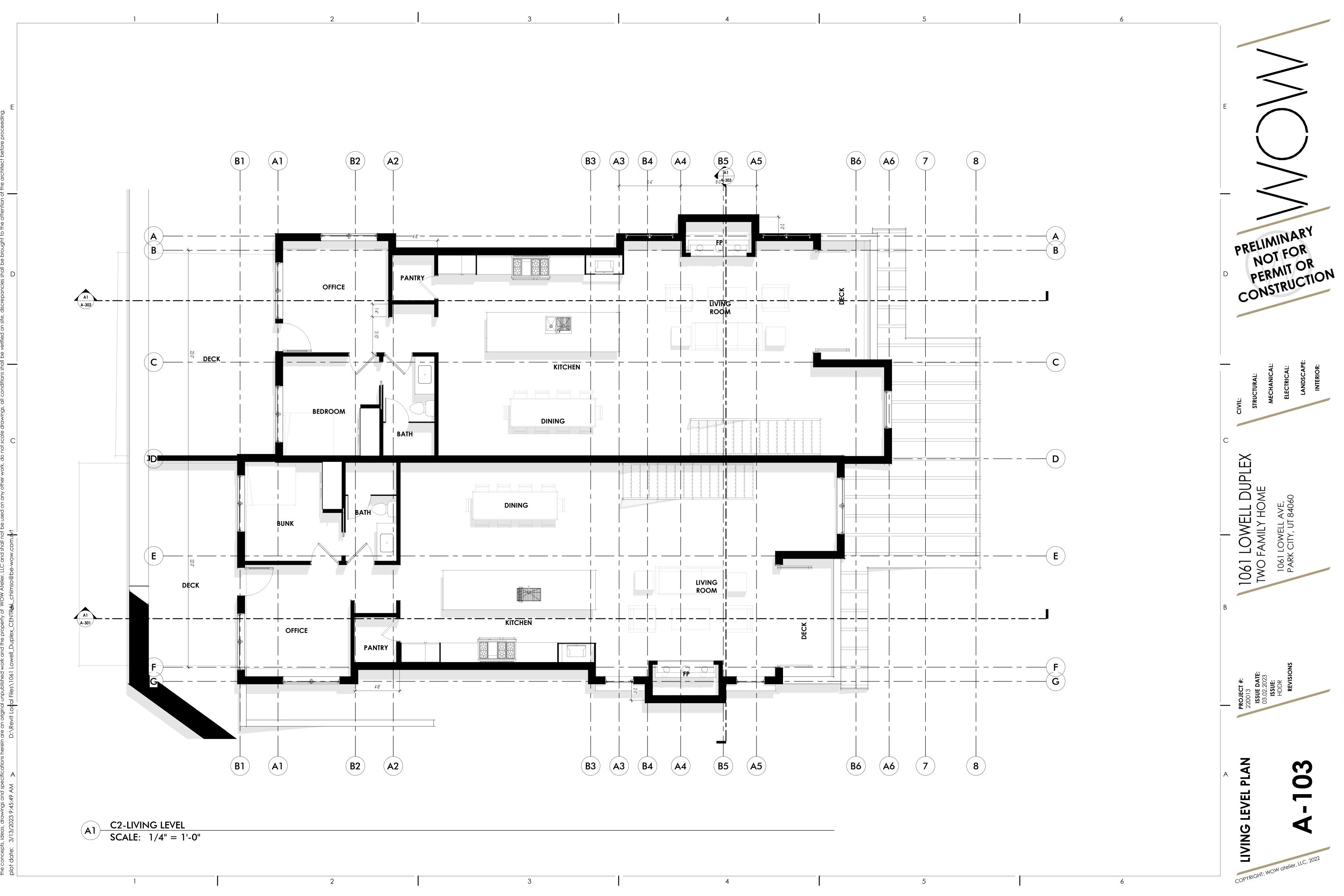
**PRELIMINARY** LANDSCAPE PLAN





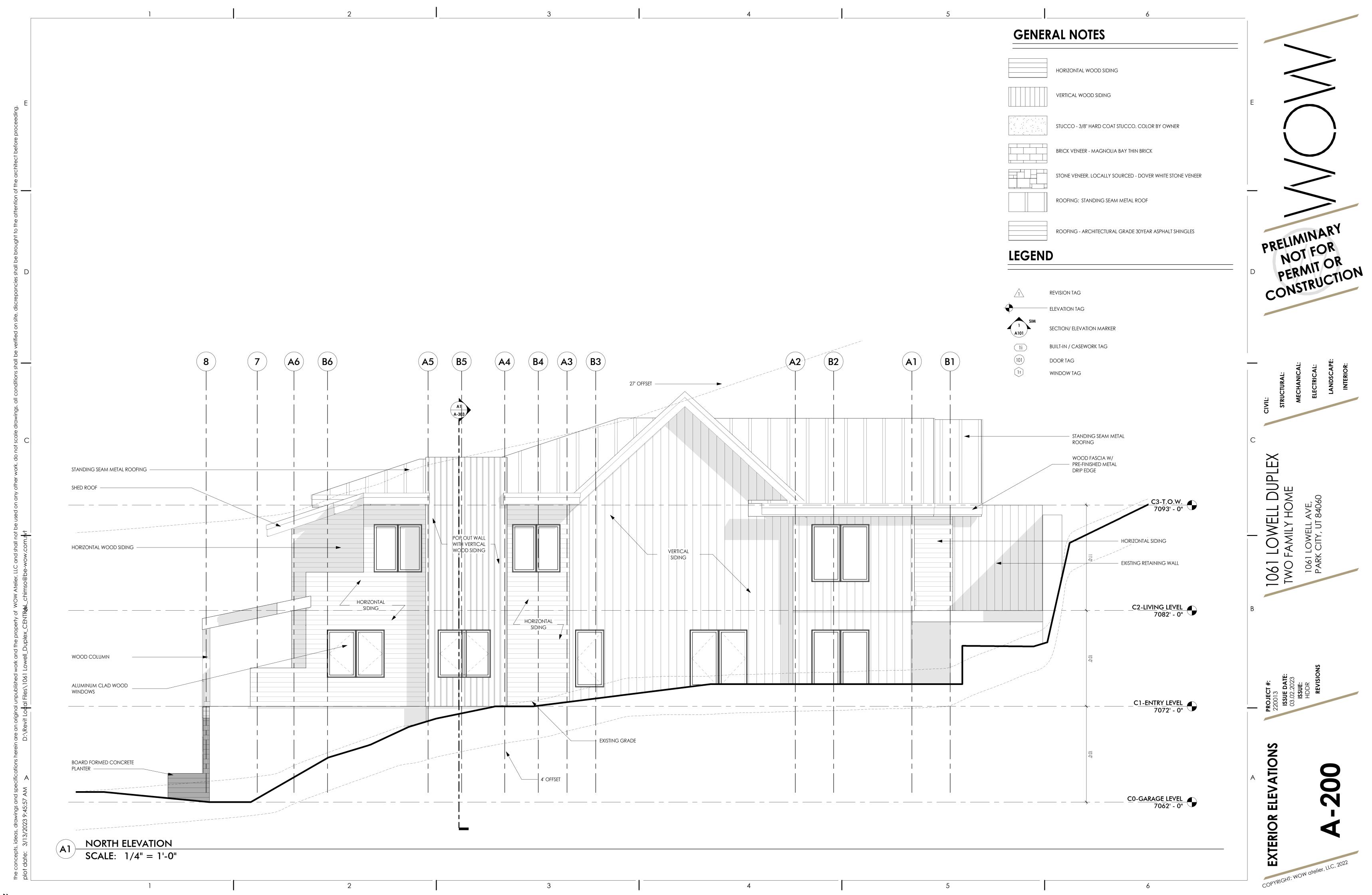
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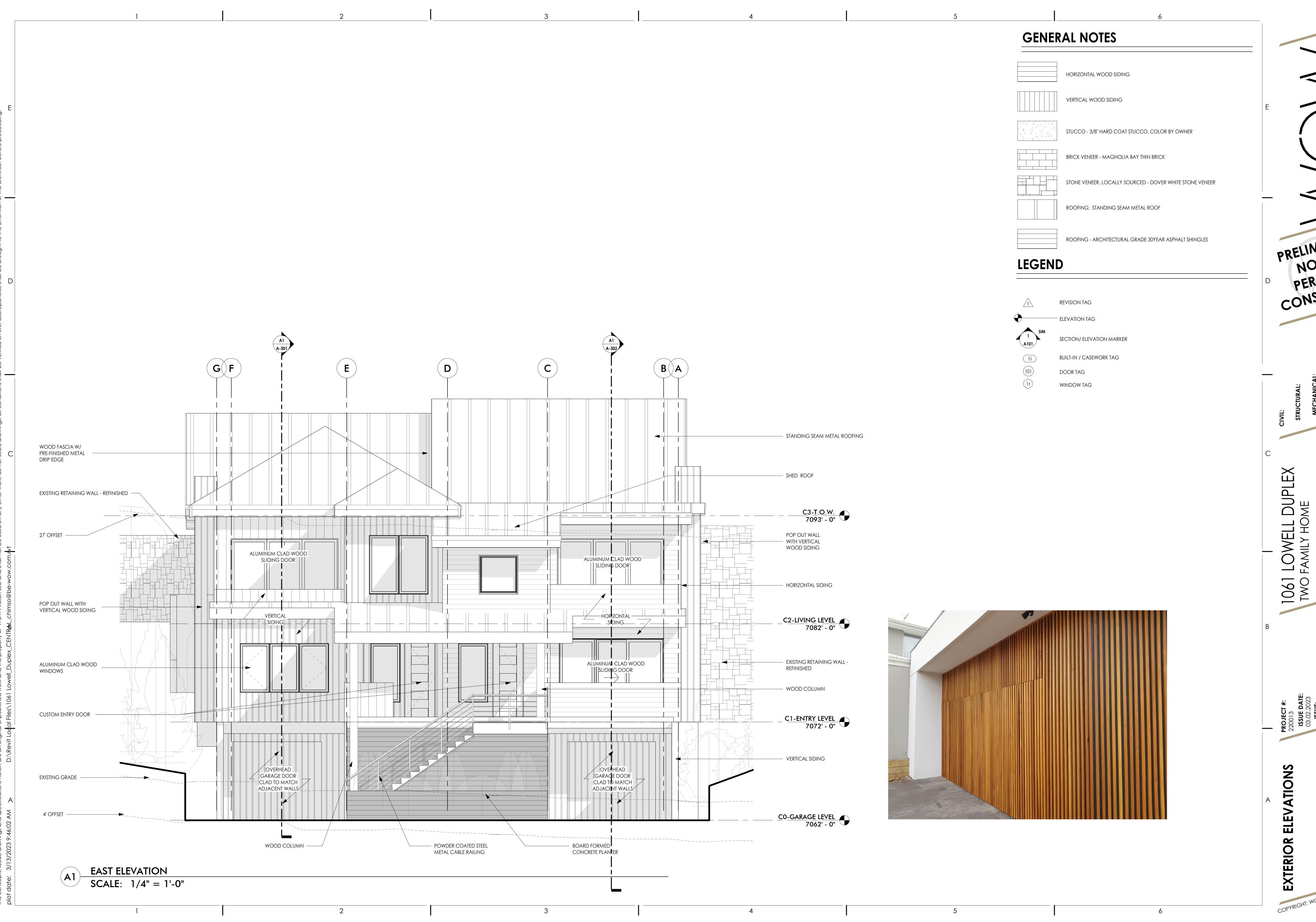


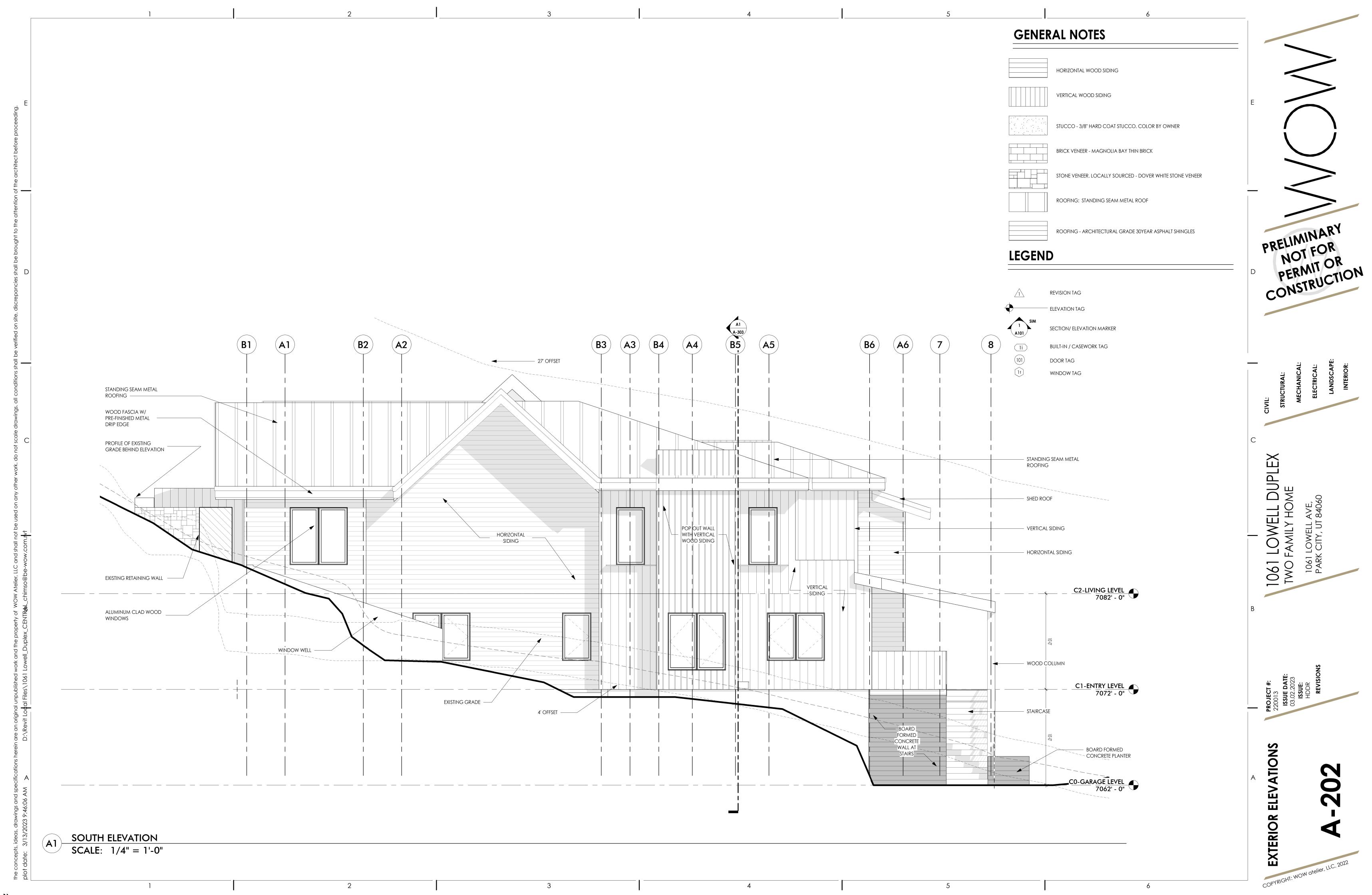


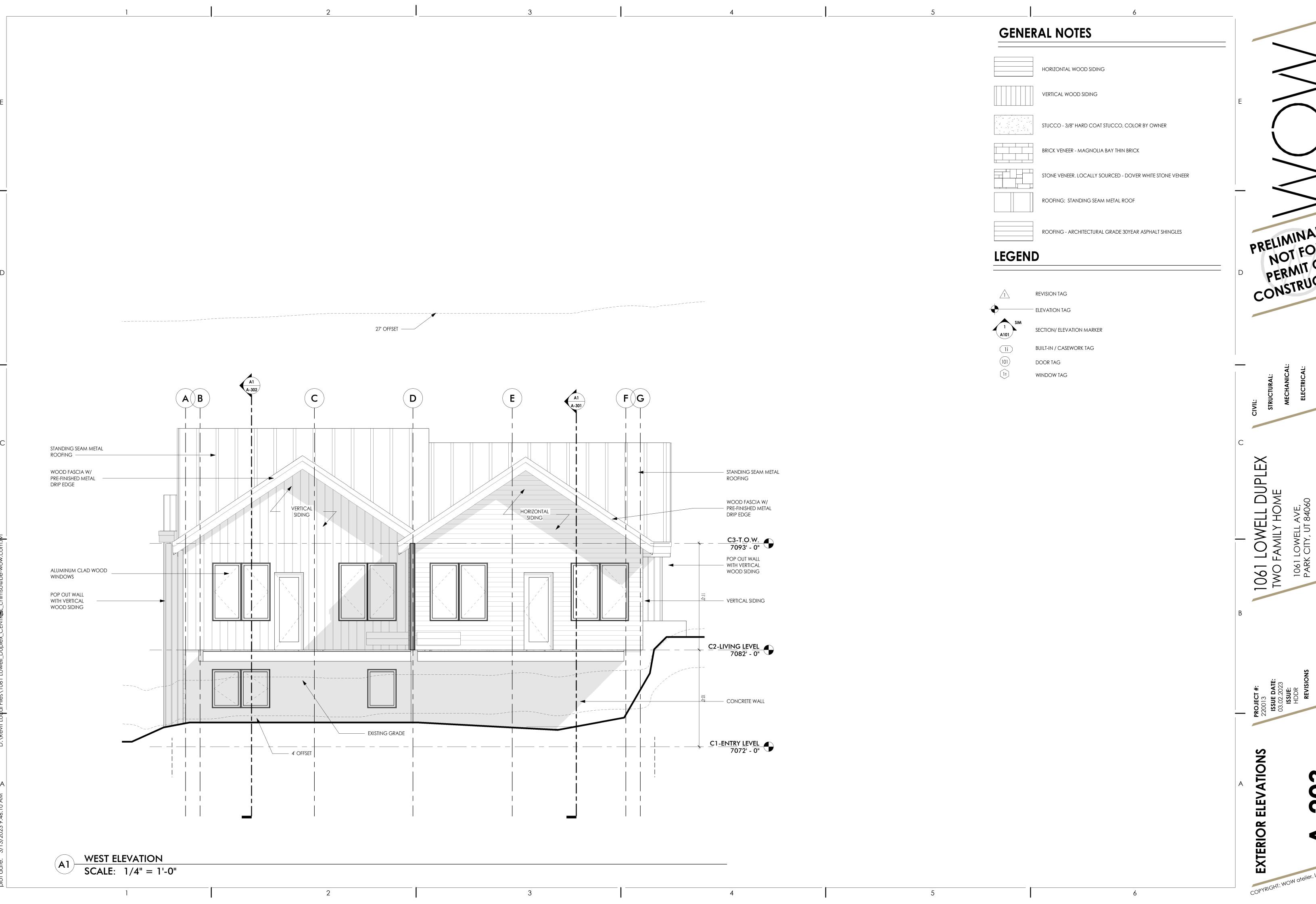
3/8" / 12" — FLAT BALLAST ROOF — → RIDGE 4" / 12"  $\Xi$ 1061 LOWELL DUPLE
TWO FAMILY HOME
1061 LOWELL AVE,
PARK CITY, UT 84060 RIDGE 4" / 12" 4" / 12" ARCHITECTURAL ROOF PLAN

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

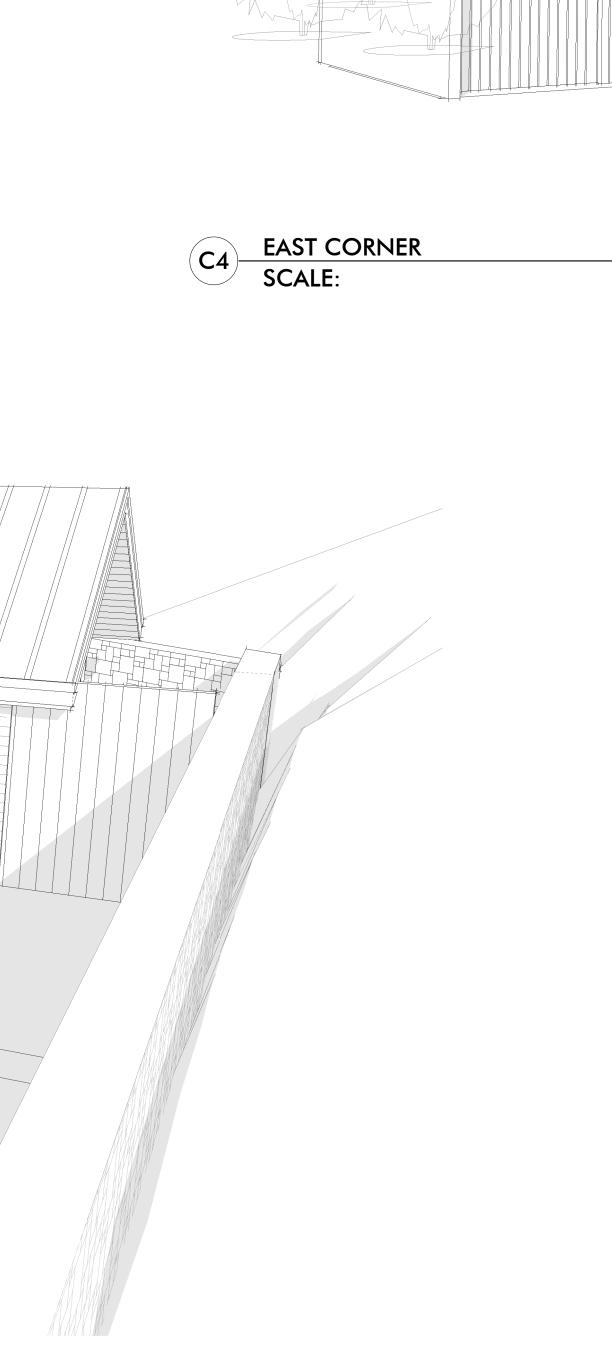








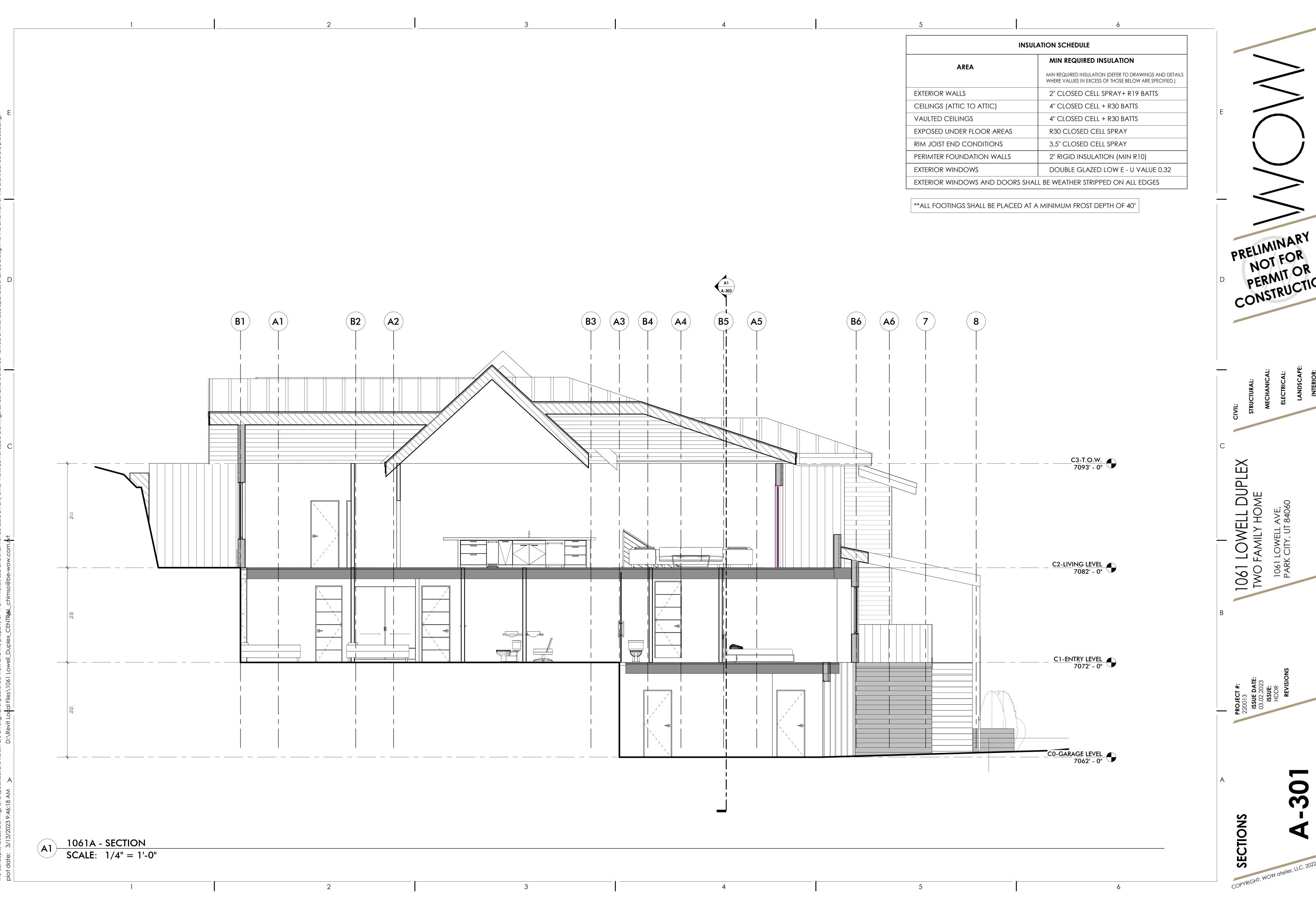
**EXTERIOR 3D VIEWS** 

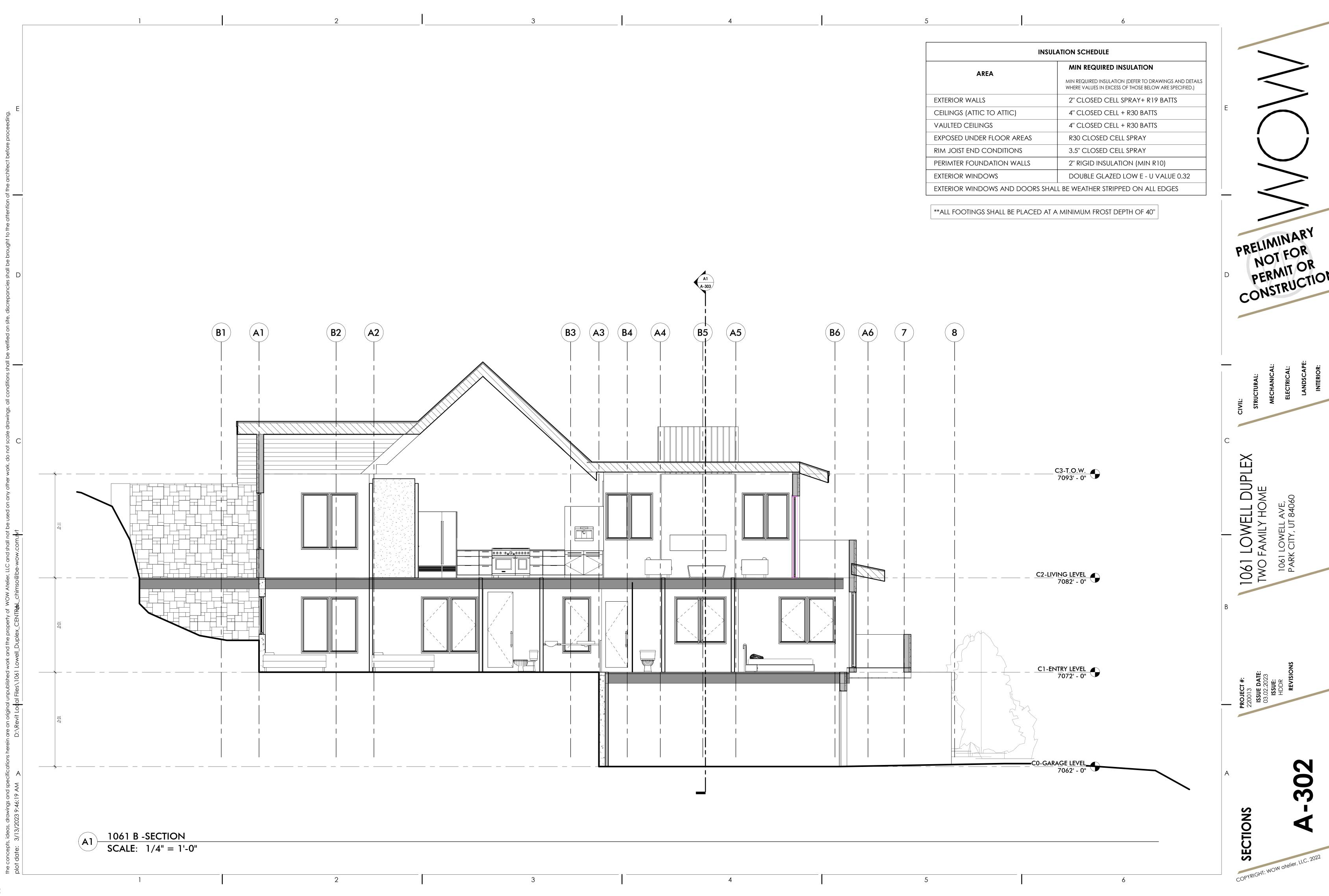




NORTH CORNER SCALE:

DOWN HILL VIEW
SCALE:





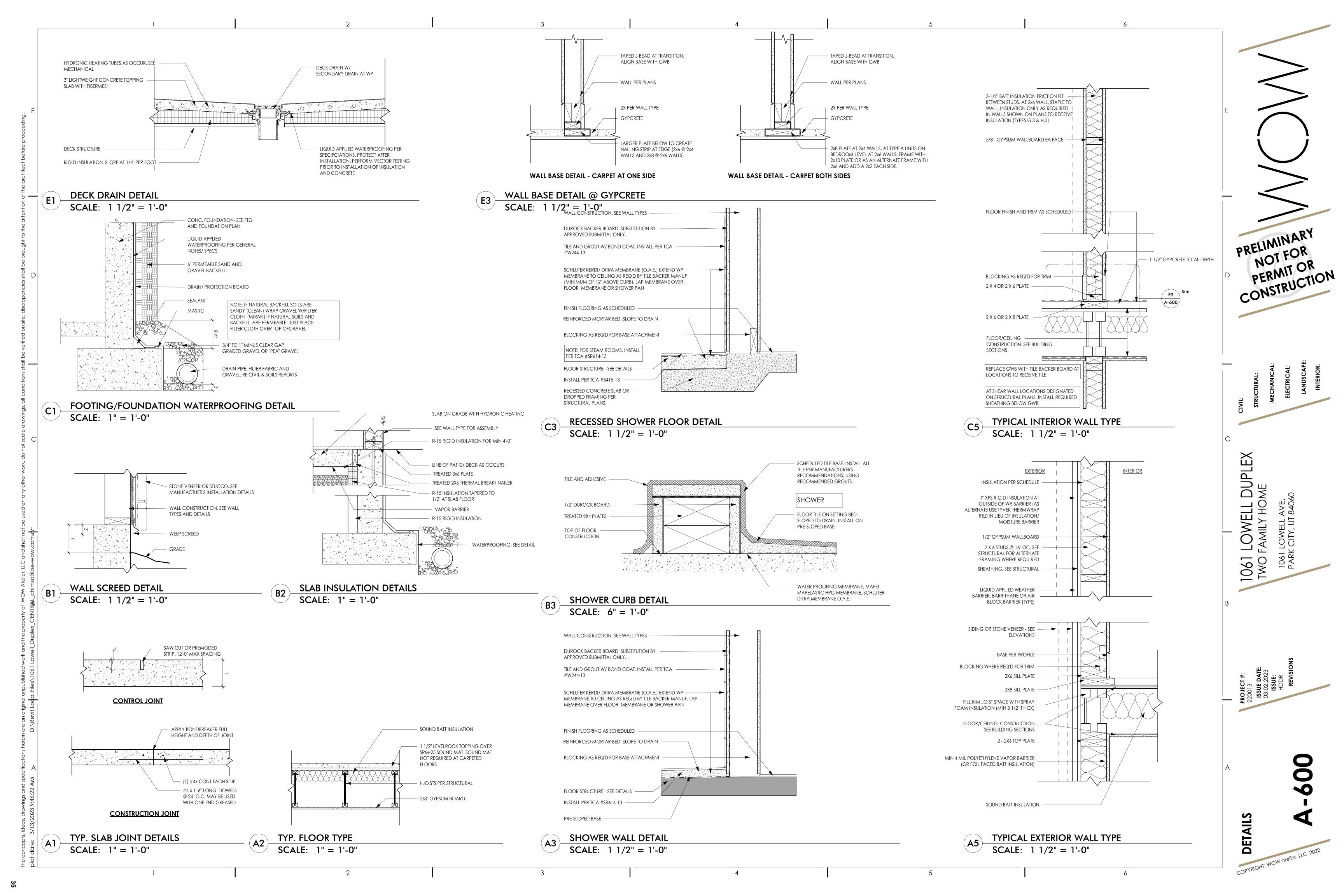
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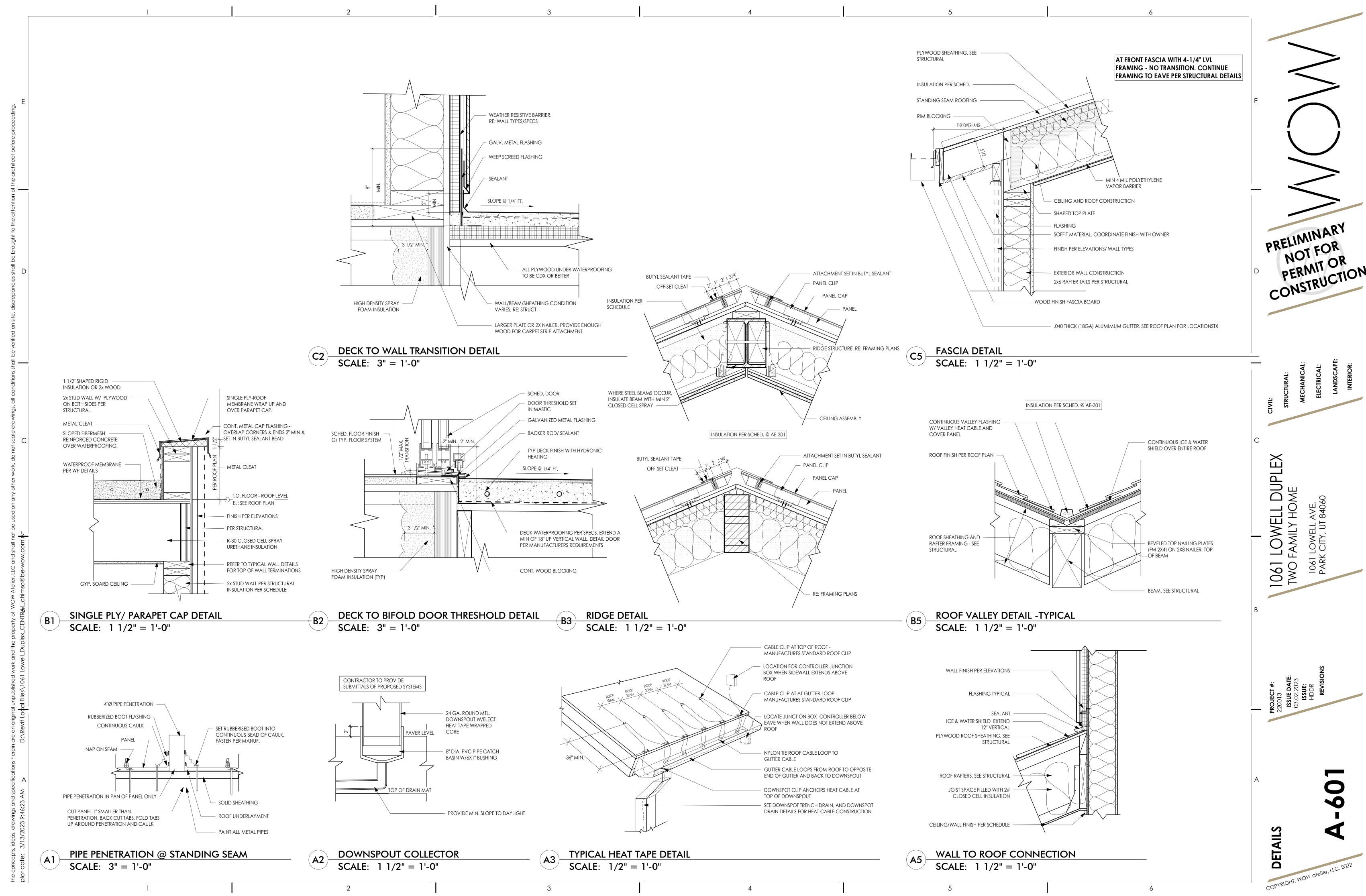
**INSULATION SCHEDULE** MIN REQUIRED INSULATION AREA EXTERIOR WALLS CEILINGS (ATTIC TO ATTIC) 4" CLOSED CELL + R30 BATTS 4" CLOSED CELL + R30 BATTS **VAULTED CEILINGS** R30 CLOSED CELL SPRAY EXPOSED UNDER FLOOR AREAS 3.5" CLOSED CELL SPRAY RIM JOIST END CONDITIONS 2" RIGID INSULATION (MIN R10) PERIMTER FOUNDATION WALLS EXTERIOR WINDOWS \*\*ALL FOOTINGS SHALL BE PLACED AT A MINIMUM FROST DEPTH OF 40" C3-T.O.W. 7093' - 0" C2-LIVING LEVEL 7082' - 0" C1-ENTRY LEVEL 7072' - 0" C0-GARAGE LEVEL 7062' - 0" A1 UNIT - A/B CROSS SECTION SCALE: 1/4" = 1'-0"

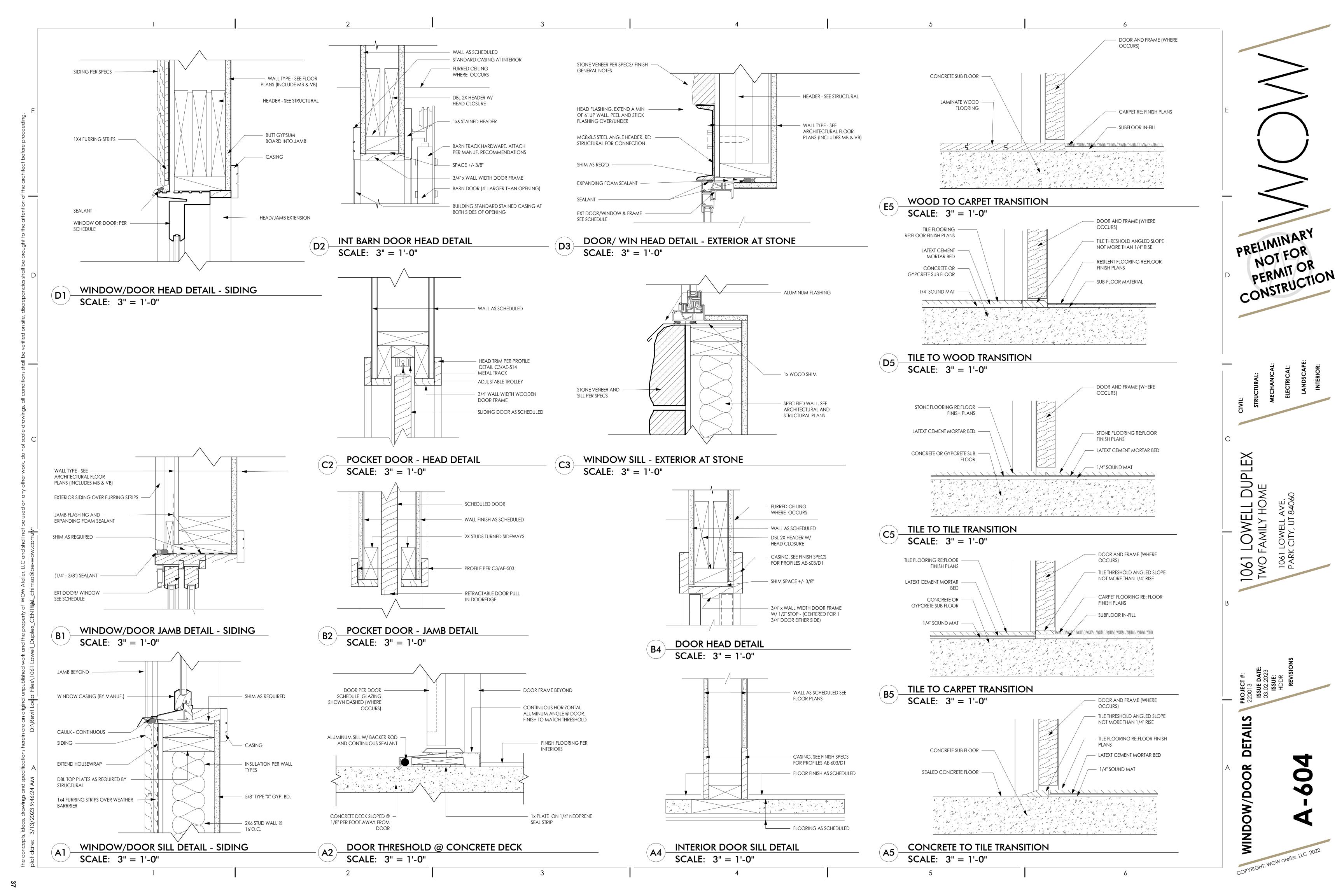
MIN REQUIRED INSULATION (DEFER TO DRAWINGS AND DETAILS WHERE VALUES IN EXCESS OF THOSE BELOW ARE SPECIFIED.) 2" CLOSED CELL SPRAY+ R19 BATTS DOUBLE GLAZED LOW E - U VALUE 0.32 EXTERIOR WINDOWS AND DOORS SHALL BE WEATHER STRIPPED ON ALL EDGES

PRELIMINARY
NOT FOR
PERMIT OR
CONSTRUCTION

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#### PARK CITY, UTAH

#### LAND MANAGEMENT CODE

#### Consisting of

Ordinance No. 12-79 (January 1, 1980) Creating a Planning Commission, Board of Adjustment and Providing for the Administration and Enforcement of the City's Land Management Code; and Ordinance 8-80A, (August 22, 1980) Repealing and Re-enacting Ordinance No. 13-79, as Amended, to Provide for a Comprehensive Zoning of Park City and Adopting an Official Zoning Map.

Adopted August 22, 1980

Effective August 28, 1980

Reprinted as Amended June 15, 1981

\$5.00

PARK CITY MUNICIPAL CORPORATION
P. 0. Box 1480
Park City, Utah 84060

#### SECTION 4. DISTRICTS AND REGULATIONS

- 4.1. HISTORIC RESIDENTIAL (HR-1) DISTRICT
- 4.1.1. <u>PURPOSE</u>. To allow continuation of the land uses and architectural scale and styles of the original Park City residential area and to encourage densities that will preserve the desirable residential environment and that will allow safe and convenient traffic circulation.
- 4.1.2. PERMITTED USES. In a Historic Residential (HR-1) District, no building or structure shall be erected which is arranged, intended, or designed to be used for other than one or more of the following uses:
- 4.1.2.1. Single-unit detached dwelling.
- 4.1.2.2. Two-unit dwelling.
- 4.1.2.3. Home occupation.
- 4.1.2.4. Accessory buildings and uses customarily incidential to main use.
- 4.1.2.5. Three-unit dwellings. Three-unit dwellings may be permitted upon review by the Planning Director provided that all required parking must be fully enclosed in a parking structure situated so that the mass of the parking area is at least 50% below the natural grade.
- 4.1.2.6. Lockout room.
- 4.1.3. <u>CONDITIONAL USES</u>. The following uses may be considered by the Planning Commission for conditional use approval as provided by Park City Ordinance 12-79, Section 2.
- 4.1.3.1. Public and quasi-public institutional use.
- 4.1.3.2. Nightly rentals.
- 4.1.3.3. Child nursery.
- 4.1.4. LOT AND SIZE REGULATIONS.
- 4.1.4.1. Lot Size. The minimum lot area for a single-unit dwelling shall be 2,812 square feet. Two-unit dwelling shall have a lot size of 3,750 square feet. Three-unit dwelling shall have a lot size of 5,625 square feet. The minimum width of a lot shall be 37.50 feet, 15.00 feet back from front lot line.
- 4.1.4.2. Side Yard.
- 4.1.4.2.1. The minimum side yard for any structure or accessory buildings or uses shall be five feet except that a side yard shall not be required where

BUILDING PERMIT AF BECOMES PERMIT WHEN SIGNED	_	) <b>N</b>			. —		106	311	r
	Date Work	,	Receipt No. 2571	<u> </u>	6-8-	83	,	Permit Numb	
*Proposed Use of Structure		:		•	BUILDING			.سرب. دم . ز	
DUPLEX			Square Ft. of						
*Bldg. Address			Rough Ba	•	west of	Building F Plan Ched		2522	
# NOLTH STAR	Assessors Parce	No	Gereort so: ft	V-704	740	Flectrical		1639 1000	
100-1 / 1 105	Assessors raice	140.	Garage sq. ft.	13	CAL	Plumbing		avadan	MENERAL
*Lot # *Block * Subd. Name & Number			Type of Bldg.	<u>''                                   </u>	Occ. Group_	Mechanica			<del></del>
1 NOKTASTA			II-N		Occ. Group R-3	Water		1200	,00
*Property Location	★If metes ar	d bounds see	No. of Bldgs.	İ	R. Value Walls   Roof	Sewer			
	instruction		No. of Stories	0	10 21		wer		
*Total Property Area - In Acres or Sq. Ft.	Total Bldg. Site		No. of	6	R//RDC	Wideling of			
	4500		Bedrooms No. of	9		Temporar			
*Owner of Property  DAN CONLON + HECTOR  *Mailing Address	a 44	Phone	Dwellings			Reinspect		1700	7-1
DAN CONLON + HELTON	c meshee	City	Type of Cons ✓ Frame □			W. De	L.	6725	
% P.O. 2455 PARK	(m. 1)	2011	☐ Brick ☐ E	Block [	☐ Concrete ☐ Ste		vee, plan		
*Business Name Address	Business	Lic. No.	Max. Occ. Lo	ad		Che do		-200	100
			Fire Sprinkle	r 🗆 Ye	s X No	700,000		16886	91
*Architect or Engineer		Phone			oprovals	Required	Rece	·	lot Req.
STEVEN T. BAIRD	SLC 3	28-2541	Board of A		<del></del>				
★General Contractor		Phone	Health Dep	t.					
A.D.A.C. Dev. Con *Business Address	RP 64	9-0181	Fire Dept.						
*Business Address	* State Lic. No.	City/Co. Lic. No.	Soil Report						
PO 2455 P.C. UM	36021-	1095	Water or W		rmit				
*Electrical Contractor	_	Phone  (a on oa	Traffic Engi				-		
ALPINE ELEGIC *Business Address	-	49-8779 * City/Co. Lic. No.	Flood Control Sewer or Sewer o		Tank		1-	# 17	132
HIGHLY 248 E COMPREK	35131_ <b>5</b>		City Engine	•				77 /-	- 30
ALDE LESS OF STREET		Dhana	Gas						
B.R. HALE PLUMBI *Business Address	NG 20	08-9223	Comments	NEE	D HEATL	055 \$ (	MB,	AIR'TR	70R
*Business Address	★ State Lic. No.		10 ST	ART	TING FA	RAMING	7		
231 West 4500 So. MWKRAY	33607-5	2100	NOTE	Pri	or to tou	retion,	1057	active.	<b></b>
*Mechanical Contractor		Phone	MINEU	Jay	nd appropri	val of	Hho	I grad	1719
*Business Address	+ Ctata Lia Na	It CiviCa Lie No	Land Use C	تو	- and l	andsca	رسح	14/15	Egura
* Dusiness Address	★ State Lic. No.	* City/Co. Lic. No.	Electrical D			<b>.</b>		<del></del>	<u> </u>
* Previous Usage of Land or Structure (Past 3	vrs.)	<u></u>	HiBack C.G	•					
VACANT	,,		Other						
*Dwell. Units Now on Lot	* Assessory Bi	dgs. Now on Lot	Bond Requi	red	☐ Yes ☐	No An	nount		
VACANT	UA	CANT		This a	pplication does no	t become a nei	mit until	signed below	
*Type of Improvement/Kind of Const.			1	11110 4	20	· booomo a por		arginoa borow	
Sign <b>X</b> Build	Remodel	☐ Addition	Plan Chk. Ok	by	(1X) _				
☐ Repair ☐ Move	Convert Use	Demolish	<u> </u>			Ź	`.		
*No. of offstreet parking spaces:	overed	Upcovered	Signature of Approval	of	411A A	ALUZS	2.	Date	3-83
CLIB CHECK Zone /	Zone Apr	60d 8			nes null and void i				
SUB-CHECK Zone	-1 1				days, or if constru at any time after v				
					I this application ared ordinances gove				
Disapproved 6-8-83 Sub-Ck, B	, , , , , , , , , , , , , , , , , , ,		whether spe	ecified	herein or not the	granting of a p	ermit do	es not presun	ne to give
Date	F	lot Plan			or cancel the prove performance of				
Minimum Setbacks in Feet		,	under penal	ty of pe ניי	rjury.				
Front Side Side Rear	Line	Prop. Line	1	1	W/W			1.00	7
15' 5' 5' 10	Prop.	g	Signal and	$C_{c}$	all	A		6-8-8	2
, , , , , ,	그 🖺		Signature of	contra	ctor or Authorized	mgent		Date	
		louse or ZZ	★ Signature of	Owner	(If owner)			(Date	,
Indicate Street	-	se & Garage	Census T			c Zone	Co	ordinate Ident	
If Corner Lot		Attached							
·		( )   32	USE USE						
Indicate North		STREET	SO Certification	lew S.I	L.U. Code No.		Old	S.L.U. Code N	o. <b>40</b>
NOTE: 24 hours notice is required f	or all inspection	s.	Certificat	e of Oc	cupancy				

Entry No.	244212 WESTERN STATES TITLE					
7 10	SPRIGGS, SUMMIT CO. REARYS	WALL AGI	REEMEI ANTS R	NT, EASEN RUNNING V	MENTS A	AND E LAND
RECORDED/2	30.8.5 Bobara at: 4:47	<u> </u>				

THIS AGREEMENT is made and entered into this 23rd day of December, 1985, by Williamsburg Savings Bank, formerly known as Washington Savings Bank, a Utah Corporation (hereinafter referred to as the "Bank").

#### RECITALS:

- A. The Bank is the owner in fee of that certain tract of real property located at Park City, Summit County, State of Utah which is more particularly described in Exhibit "A" attached hereto and by this reference incorporated herein.
- B. Situated on the above-described paral of land are two residential units in a duplex structure. The two halves of the structure are contiguous, join at the boundary line which separates the above-described tracts, and have in common a single wall (hereinafter referred to as the "party wall") running along said boundary line, extending through said two-family residential duplex structure, and including the roof of said structure, along said dividing boundary line. One half of said party wall is located upon each of the above-described tracts.
- C. The Bank desires to set forth in a recordable document, its rights and obligations concerning the party wall.

NOW, THEREFORE, in consideration of the premises and of the rights and obligations set forth herein, and for the mutual benefit of the unit owners, the Bank agrees as follows:

- 1. The party wall referred to and described above is hereby agreed for all purposes to constitute a party wall. Except as herein modified or expended, all legal and equitable principles relating to party walls shall govern and apply to the party wall which is the subject of this Agreement.
- 2. The Bank or any subsequent owner of the parcels of land shall use or alter any improvements located on the tract which would jeopardize the support furnished by or the soundness or integrity of the party wall.
- 3. Any party who may purchase one of the units separately from the other shall share equally with the other unit owner any and all costs and expenses relating to damages, repair, replacement, restoration, or maintenance, the expenditure or incurring of which may be necessary or desirable to preserve the soundness or structural integrity of the party wall; provided, however, that if any such cost or expense becomes necessary or desirable as a result of the act or omission of one party, the cost or expense involved shall be borne by that party alone. In addition, all costs associated with maintenance, repairs, or replacements benefiting only one party (such as interior painting or redecorating) shall be borne solely by the party benefited.
- 4. Any demolition and/or new construction an owner may desire to carry out on one single unit owned by him, that party shall not be entitled to damage or demolish the party wall in whole or in part or alter or change the exterior design or structure of the building, whether on the party wall or on the unit owned by him, without obtaining the prior written consent of the other owner.
- 5. The Bank hereby grants such easements and rights of ingress and egress over, across, through and under the two separate units as are reasonably necessary to perform any necessary or desirable repairs, replacements, restoration, or maintenance in connection with the party wall, and in connection with utilities, including but not limited to water, sewer, electrical power, natural gas, telephone, whether for the benefit of the party who owns the tract over, across, through and under, which the utilities' accesses are provided or for the benefit of the other owner.
- 6. The Bank recognizes that, because of the proximity with respect to one another of the two units on the parcel of land described herein and of the improvements situated on said tracts, both the value of each unit and associated improvements and the ability of unit owner to use and enjoy his tract and improvements are, in large part, dependent upon the condition and use of the other owner's tract and improvements. Accordingly, each unit owner hereto agrees that (a) he will not use his tract and improvements in a way which does or would interfere with the other owner's use or enjoyment of his property or in a way which does or would materially and adversely affect the value of the other party's unit and (b) he will maintain his tract and improve-

ments so as not to interfere with the owner's use and enjoyment of his unit and so as not to materially and adversely affect the value of the other party's unit.

- 7. The Bank recognizes that there is a common outflow of sewer outside of the structure provided for the common benefit of the separate units. The common sewer line may have been installed over all or a portion of the separate units. The Bank agrees that the periodic costs assessed for the sewer and any and all repairs and maintenance costs for such sewer shall be shared equally by the owner of each unit. Each unit owner grants the other owner such easements and rights of ingress and egress over, across, through and under the tract owned by him as are reasonably necessary to permit the other party to perform any necessary repairs, replacements, or maintenance in connection with said sewer lines.
- 8. In the event that one owner defaults in any of the terms, conditions or covenants contained in this agreement, then the owner in default agrees to pay all costs of enforcing this Agreement or any damages arising out of the breach hereof including reasonable attorney's fee. In addition, the owners agree that in view of the uniqueness of the real property described herein, that either owner may maintain an action against the other owner for equitable relief in the form of a temporary restraining order or injunction to enforce the terms of this Agreement, and the owner in default under the terms, conditions and covenants of this Agreement shall pay all costs incurred in connection with such action, including reasonable attorney's fee.
- 9. This Agreement and each and every provision contained herein shall constitute easements and covenants running with the land, or equitable servitudes, as the case may be and shall be binding upon and shall inure to the benefit of the Bank and its respective grantees, transferees, heirs, devisees, personal representatives, successors, and assigns. At any time that the Bank transfers its ownership in fee simple of one unit in the real property described herein, then the Bank shall no longer be obligated under the terms and conditions of this Agreement, but its successor in interest shall be fully obligated and substituted for the Bank as if such successor in interest had signed and entered into this Agreement in the first instance. The provisions hereof shall remain in full force and effect, until both structures utilizing the party wall and/or sewer lines or other utility lines are totally destroyed or demolished, in accordance with the terms of this Agreement, at which time this Agreement shall in all respects cease to be of any further force and effect.

DATED this 23rd day of December, 1985.

	known as Washington Savings Bank, a Utah Corporation.
By: Randy H. Tesch Its: Senior Vice President	By: Gary W. Unker Its: Vice President
STATE OF UTAH } ss.	368 PAGE 278
COUNTY OF SALT LAKE)  On the 23rd day of December	A.D. 1985 personally appeared before me
Randy H. Tesch and Gary M.	Unker who being by me duly sworn did say is the Sr. Viceresident, and he the so of Williamsburg Savings Bank and that the
My Commission expires: 6-2-87	Notary Public, Residing at Salt Lake City, Utah

WILLIAMSBURG SAVINGS BANK, formerly

#### EXHIBIT A

COMMENCING at the most Northerly corner of Lot 1, NORTH STAR SUBDIVISION, as recorded; thence South 35°59' East 67.89 feet; thence South 54°01' West 143.5 feet; thence North 35°59' West 67.89 feet; thence North 54°01' East 143.5 feet to the point of BEGINNING.

TOGETHER WITH AND SUBJECT TO access easement as shown on the recorded plat of North Star Subdivision.

COMMENCING at the most Easterly corner of Lot 1, NORTH STAR SUBDIVISION, as recorded; thence South 54°01' West 143.5 feet; thence North 35°59' West 67.89 feet; thence North 54°01' East 143.5 feet; thence South 35°59' East 67.89 feet to the point of BEGINNING.

TOGETHER WITH AND SUBJECT TO that certain non-exclusive access easement as shown on the recorded plat of North Star Subdivision.

368 PAGE 279

nice service a group of

#### WHEN RECORDED, RETURN TO:

Northstar Subdivision Homeowners Association c/o Thomas T. Billings, Esq. Van Cott, Bagley, Cornwall & McCarthy 36 South State Street, Suite 1900 Salt Lake City, UT 84111

ENTRY NO. 00891326
02/02/2010 11:14:09 AM B: 2019 P: 1331
Notice PAGE 1/2
ALAN SPRIGGS, SUMMIT COUNTY RECORDER
FEE 16.00 BY VAN COTT BAGLEY CORNUALL MCCARTHY

Affects Parcel ID Nos. NR-1, NR-1A, NR-2, NR-3

#### NOTICE OF REMOVAL OF PROTECTIVE COVENANTS

PLEASE TAKE NOTICE that the following-described parcels of real property are no longer subject to the provisions of and/or the beneficiaries of any obligations of the Northstar Homeowners Association pursuant to the Declaration of Protective Covenants for the Northstar Subdivision dated July 19, 1977 and recorded as Entry No. 139189 in Book M97 at Pages 387 through 404 of the official records of Summit County, Utah, as amended by a First Amendment to the Declaration of Protective Covenants for the Northstar Subdivision recorded as Entry No. 00497969 in Book 01113 at Pages 00248 through 00249 of the official records of Summit County, Utah, and as further amended by a Second Amendment to the Declaration of Protective Covenants for the Northstar Subdivision recorded as Entry No. 00806996, in Book 1852 at Pages 1838 through 1841 of the official records of Summit County, Utah, and as may be further amended from time to time. Said real properties are more particularly described as follows:

Lot 1, Northstar Subdivision, Summit County, Utah. Parcel ID No. NS-1.

Lot 1A, Northstar Subdivision, Summit County, Utah. Parcel ID No. NS-1A.

Lot 2, Northstar Subdivision, Summit County, Utah. Parcel ID No. NS-2.

Lot 3, Northstar Subdivision, Summit County, Utah. Parcel ID No. NS-3.

All common areas, access easements, and paved streets within said real properties or adjacent to Lots 1 and/or 1A.

DATED this 14th day of January, 2010.

NORTHSTAR HOMEOWNERS ASSOCIATION, a Utah nonprofit corporation

By: anni fais 1. boule
Its: Secretary

STATE OF	NC	)
COUNTY O	F Chatha	: ss. )

The foregoing instrument was acknowledged before me this 14 day of the Northstar Homeowners Association, a Utah nonprofit corporation.

Notary Public

TO SOUNT ON THE SOUNT OF THE SO

# Planning Department Staff Report

Subject: 1063 Lowell Avenue

Application: PL-22-05445

Author: Caitlyn Tubbs, Sr. Planner

Date: May 4, 2023

Type of Item: Historic District Design Review

#### Recommendation

(I) Review the Historic District Design Review application for a new Duplex in the HR-1 District; (II) conduct a public hearing; and (III) consider approving the Historic District Design Review subject to the Findings of Fact, Conclusions of Law, and Conditions of Approval listed in the Draft Final Action Letter (Exhibit A).

#### **Description**

Applicant: Chimso Onwuegbu Location: 1063 Lowell Avenue

Zoning District: Historic Residential 1 (HR-1)
Adjacent Land Uses: Residential, Open Space

Reason for Review: In accordance with LMC §15-1-8 the Planning Director reviews

Historic District Design Reviews for new construction.

COA Condition of Approval CUP Conditional Use Permit

HDDG Historic District Design Guidelines
HDDR Historic District Design Review

HR-1 Historic Residential -1 LMC Land Management Code

PCMC Park City Municipal Corporation

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § 15-15-1.

#### **Summary**

The Applicant seeks to demolish an existing Duplex that is built across a property line and construct a new Duplex on each of the two Lots in the Northstar Subdivision – Lot 1 Amended. Duplexes are a Conditional Use in the Historic Residential (HR-1) Zoning District (LMC § 15-2.2-2). On March 22, 2023 the Planning Commission unanimously approved a Conditional Use Permit (CUP) for the creation of a Duplex at the Site (Staff Report, Minutes). The Applicant has submitted a Historic District Design Review (HDDR) Application because the Site is located in the HR-1 District and new construction requires design review.

#### Background



1061 and 1063 Lowell Avenue are Lots 1A and 1B in the Northstar Subdivision Lot 1 Amended (see Exhibit C). The 1980s LMC permitted a Two-Unit Dwelling as an Allowed Use in the HR-1 Zoning District (Exhibit D). In 1983, the City issued a building permit for a Duplex on Lot 1 in the Northstar Subdivision (Exhibit E). In 1985, a party wall agreement for the shared wall of the Duplex was recorded with Summit County (Exhibit F).

At some point, a deed was recorded with Summit County to bifurcate the originally-platted lot along the shared wall of the Duplex. Additionally, the Northstar Homeowners Association recorded a *Notice of Removal of Protective Covenants* to remove Lot 1 from the Northstar Homeowners Association (Exhibit G) on January 14, 2010. The Planning Commission reviewed a Plat Amendment to amend the original subdivision to create Lots 1A and 1B on September 22, 2021 and forwarded a positive recommendation to City Council (Staff Report, Minutes). On October 28, 2021 the City Council approved the plat amendment (Staff Report, Minutes) through Ordinance 2021-42.

On October 28, 2023 the Applicant submitted a Historic District Design Review Preapplication. The proposal was discussed with the Design Review Team on November 30, 2022, January 4, 2023 and January 25, 2023. The Applicant submitted a Historic District Design Review application on March 13, 2023 and Conditional Use Permit application on December 27, 2022 for 1061 Lowell Avenue and 1063 Lowell Avenue.

On March 22, 2023 the Planning Commission unanimously approved the Conditional Use Permits for 1061 and 1063 Lowell Avenue (Staff Report, Minutes).

#### **Analysis**

The Planning Director has the authority to review and issue decisions on Historic District Design Review applications per LMC §15-1-8. Staff has outlined the standards and requirements set forth by the LMC for the Planning Director's review in the following tables:

## (I) The proposed Duplex Dwelling complies with the requirements of the HR-1 Zoning District

<u>LMC Chapter 15-2.2</u> outlines the adopted requirements for the HR-1 Zoning District. The following table provides an analysis of the project's compliance with these standards:

Requirement	Analysis of Proposal
Lot Size:	Complies – The lot is 9,742 square feet in size.
3,750 square feet (Duplex)	
Lot Width:	Complies – The lot is 67.89 feet in width.

25 feet measured 15 feet back from Front Lot Line	
Building Footprint:	Complies – The proposed building footprint is 2,800
	square feet.
2,818 square feet	
Front and Rear Setbacks:	Complies – The proposed front setback is approximately
	30 feet and the proposed rear setback is approximately
15 feet each, totaling 30 feet	29 feet.
Side Setbacks:	Complies – The proposed side setback is 13 feet on the
	northern side and 5 feet on the southern side. There are
5 feet minimum, totaling 18 feet	chimneys and roof overhangs on each side which project
	less than 2 feet into the side setbacks, as permitted by
	LMC §15-2.2-3(J)

# (II) The proposed Duplex dwelling complies with the height requirements set forth in the HR-1 District (LMC §15-2.2-5).

Requirement	Analysis of Proposal
Building Height:	Complies - The proposed Structure is 27 feet from Existing Grade and measures 35 feet from the lowest
27 feet from Existing Grade, Final Grade must be within 4	finished floor plane to the top of the highest wall plate.
feet of Existing Grade;	The Applicant has provided a 10 foot 8 inch step back at a point approximately 22 feet from Final Grade.
35 feet from the lowest finish floor plane to the point of the	The primary roof form has a pitch of 7:12.
highest wall top plate;	The plantary roof form flag a phon of 7.12.
A 10 foot minimum horizontal step in the downhill façade;	
Roof pitch shall be between 7:12 and 12:12 pitch	

# (III) The proposed Duplex complies with the Off-Street Parking requirements set forth in LMC § 15-3-6.

LMC § 15-3-6 sets the requirements for Off-Street parking for Single-Family Dwellings (SFDs) and Duplexes. All new SFDs and Duplexes are required to meet these standards and provide at least the minimum number of parking spaces listed.

Requirement	Analysis of Proposal
Off-Street Parking Required: Duplexes require 2 spaces per	<b>Complies</b> – The northmost unit has provided two parking stalls within an attached two car garage. The southern

unit, 4 total	unit has provided two parking stalls within a single car
	garage and on the driveway leading up to the garage. The parking on the driveway is located outside of the front setback.

# (IV) The proposed Duplex dwelling complies with the Design Guidelines for New Residential Infill Construction in Historic Districts.

LMC <u>§15-13-8</u> sets the requirements for New Residential Infill Construction in Historic Districts. All new infill construction must abide by these standards.

Requirement	Analysis of Proposal
Site Design	
a. Building Setback and Orientation	<b>Complies</b> – The proposed duplex is compliant with the required setbacks of the underlying HR-1 District. The proposed Structure is oriented toward Lowell Avenue, like the neighboring structures.
b. Topography and Grading	Complies – There is a large retaining wall already constructed on the property behind the existing Duplex. This retaining wall will remain in place and will not be expanded or altered. The proposed Duplex steps up to the rear of the property as the slope of the Site increases.
c. Landscaping and Vegetation	Complies with Conditions of Approval 7 & 8 - The landscaping plan provided with the HDDR submittal (sheet L-1) states a finalized landscape and outdoor lighting plan will be provided to PCMC at the time of a four-way inspection during the building permit process. Staff recommends a Condition of Approval that the Applicant provide a narrative detailing the species and caliper sizes of all mature vegetation on Site and outlining how any mature vegetation removed will be replaced on Site.  Additionally, Staff recommends a Condition of Approval that the finalized landscaping plan shall comply with LMC
d. Retaining Walls	<ul> <li>§15-5-5(N) and all outdoor lighting shall comply with LMC</li> <li>§15-5-5(J).</li> <li>Complies – There is an existing retaining wall on the site</li> </ul>
· ·	behind the existing Duplex Structure. The existing retaining wall will remain on the site and the Applicant has proposed the cladding of the wall in the same stone used on the foundation of the new Structure. No additional retaining walls are proposed as part of this application.
e. Fences	<b>Not Applicable</b> – The Applicant is not proposing the installation of any fencing with this application.
f. Paths, Steps, Handrails, & Railings (Not Associated with	Not Applicable – No paths, steps, handrails, or rails are proposed beyond the handrails utilized on the front entry porch.

Porches)	
g. Gazebos, Pergolas, and other Shade Structures	<b>Not Applicable</b> – The Applicant is not proposing the installation of any gazebos, pergolas, or other shade structures with this application.
h. Parking Areas & Driveways	Complies – The proposed Structure provides one single-car garage and one two-car garage. The building Site is set far back from the Lowell Avenue public right-of-way and is at a much higher grade than the asphalt on Lowell Avenue. The proposed Site of the garages is removed from visibility from the public right-of-way and is further disguised by the Applicant's use of vertical wood siding on the garage doors to match the siding on that section of the Structure.

Requirement	Analysis of Proposal
Primary Structures	
a. Mass, Scale & Height	Complies – The proposed Structure is approximately the same height and mass of the existing building. The proposed architectural style is similar to that found in the surrounding neighborhood on non-historic Structures. The proposed Structure is modulated by multiple roof forms and is set far back from the Lowell Avenue public right-ofway.
b. Foundation	<b>Complies</b> – While portions of the first floor exterior walls are visible at the front of the proposed Structure, the foundation is entirely buried below grade.
c. Doors	Complies – The primary entrance of both units is clearly defined by the presence of a front porch and projecting roof over the entry doors. The doors on the primary façade are evenly spaced across the width of the Structure and are compatible in size and scale with those seen in the Historic District. The Applicant has proposed the installation of custom-made wooden doors for each unit.
d. Windows	Complies – The windows proposed on this Structure comply with the "2:1 rule" and the amount of glazing proposed is proportionate to that seen on historic Structures in the character area. The proposed windows are aluminum-clad wood, which is listed as a recommended material under LMC §15-13-8(B)(2)(d).
e. Roofs	Complies – The proposed roof forms included in the proposed design are pitched gable and shed roofs. These roof forms are common in the Historic District and are recognized as compatible with the historic character of the Area. The Applicant has proposed the use of standing seam metal roofing. Roof colors are required by LMC §15-13-8(B)(2)(e)(6) to be neutral and muted with a non-reflective finish.
f. Dormers	Not Applicable – There are no dormers proposed as part

		of this design.
g.	Gutters and Downspouts	Complies with Condition of Approval 9 - The proposed roof is finished with a drip edge and no gutters or downspouts are proposed at this time. Staff recommends a Condition of Approval that if the owner chooses to install gutters and/or downspouts in the future they must be located away from architectural features and shall be visually minimized when viewed from the primary public right-of-way per LMC §15-13-8(B)(2)(g).
h.	Chimneys and Stovepipes	<b>Not Applicable</b> – No chimneys or stovepipes have been proposed with this application.
i.	Porches	Complies – The entry porches for each unit of the Duplex are located at the frontmost plane of the Structure. A staircase leading from grade to the shared covered porch clearly identifies the entry locations. The proposed porch utilizes the same simple, unornamented design of the rest of the Structure and utilize a staircase to access the right-of-way similarly to other historic Structures in the surrounding character area.
j.	Architectural Features	Complies – The proposed Structure has minimal architectural decoration. The Structure has a simple design with common building elements and forms.

Requirement	Analysis of Proposal
Mechanical and Utility Systems and Service Equipment	Complies with Condition of Approval 10 - Final locations of mechanical equipment (e.g. hot tubs, air conditioner condensers, etc.) have not yet been determined. Staff recommends a Condition of Approval that any mechanical equipment comply with the requirements set forth in LMC §15-13-8(B)(3)

Requirement	Analysis of Proposal
Materials	Complies – The Applicant has proposed the use of horizontal and vertical wood lap siding with accents of
	stone at the foundation and retaining wall at the rear of
	the property. Wooden siding is very common in the
	Historic District and is recognized as a material
	compatible with the historic character of the area. The
	Applicant has proposed the use of a standing seam metal
	roofing material for the various roof forms which is also
	considered a compatible material in the Historic District.

Requirement	Analysis of Proposal
Paint and Color	Complies with Condition of Approval 11 - The
	Applicant has not proposed any colors for the materials.
	Paint color is not regulated by LMC §15-13-8, however,

	materials that are traditionally painted are required to
	have an opaque rather than transparent finish. Staff
recommends a Condition of Approval that the woode	
	siding shall be painted or stained to be fully opaque.

Requirement	Analysis of Proposal
Garages	<b>Complies</b> – The proposed garages are attached to the Duplex Structure in the first floor. One garage is a single-
	car width and the other is a double-car width. They are
	clad in a vertical wood siding to minimize the visual
	impact from the front of the Duplex.

Requirement	Analysis of Proposal
Decks	Complies – A ski bridge deck is proposed at the rear of the northern unit. The proposed ski bridge deck will extend from the top of the existing retaining wall to a small balcony at the topmost floor. The roof forms of the proposed Structure will block the majority of the view of the ski bridge from the public right-of-way.

Requirement	Analysis of Proposal
Balcony and Roof Decks	Complies - The southern unit includes a small balcony off to the side of the entry door. This balcony is recessed underneath the entry porch roof and is visually minimized from the public right-of-way as required by LMC §15-13-8(B)(8). The main entry porch serves the front doors of each unit and extends to half the width of the Structure. A second-story balcony is proposed in the northern unit; this balcony is set back from the front wall plane of the dwelling and is disguised by the shed roof of the front porch.

#### (V) The Development Review Committee Review of Application.<sup>1</sup>

The Development Review Committee discussed this development on December 6, 2022, and no concerns were raised.

#### **Department Review**

The Planning Department reviewed this report.

<sup>&</sup>lt;sup>1</sup> The Development Review Committee meets the first and third Tuesday of each month to review and provide comments on Planning Applications, including review by the Building Department, Engineering Department, Sustainability Department, Transportation Planning Department, Code Enforcement, the City Attorney's Office, Local Utilities including Rocky Mountain Power and Dominion Energy, the Park City Fire District, Public Works, Public Utilities, and the Snyderville Basin Water Reclamation District (SBWRD).

#### **Notice**

Staff published notice on the City's website and the Utah Public Notice website, and posted notice to the property on April 19, 2023. Staff mailed courtesy notice to property owners within 100 feet on April 19, 2023. The *Park Record* published notice on April 19, 2023.<sup>2</sup>

#### **Public Input**

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

#### **Alternatives**

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

#### **Exhibits**

Exhibit A: Draft Final Action Letter

Exhibit B: Proposed Plans

Exhibit C: Northstar Subdivision Lot 1 Amended Plat

Exhibit D: 1980's Land Management Code – HR-1 District

Exhibit E: 1983 Building Permit Exhibit F: Party Wall Agreement

Exhibit G: Notice of Removal of Protective Covenants

-

<sup>&</sup>lt;sup>2</sup> LMC § 15-1-21.



May 4 2023

Lowell Project, LLC 1675 Soniat St. New Orleans, LA 20115 (504)-301-4440 stacyhead08@yahoo.com

CC: Chimso Onwuegbu (801)-712-4078 chimso@be-wow.com

#### NOTICE OF PLANNING DIRECTOR ACTION

Description

Address: 1063 Lowell Avenue

Zoning District: Historic Residential 1 (HR-1)

Application: Historic District Design Review (HDDR)

Project Number: PL-22-05445

Action: APPROVED WITH CONDITIONS (See Below)

Date of Final Action: May 4, 2023

Project Summary: Applicant seeks to demolish an existing Duplex and construct

two new Duplexes, one at 1061 Lowell Avenue and another at 1063 Lowell Avenue. 1063 Lowell Avenue is located in the

HR-1 District and is subject to HDDR review.

#### **Action Taken**

On May 4, 2023, the Planning Director conducted a public hearing and approved the 1063 Lowell Avenue Historic District Design Review according to the following findings of fact, conclusions of law, and conditions of approval.

#### **Findings of Fact**

- 1. The Property is located at 1063 Lowell Avenue and is also known as Lot 1A of the Northstar Subdivision Lot 1 Amended Plat.
- 2. Lot 1A is 9,742 square feet in size.



- 3. The Property is located within the Historic Residential-1 (HR-1) Zoning District.
- 4. On July 19, 1977, the Declaration of Protective Covenants for the Northstar Subdivision was recorded.
- 5. The 1980's Land Management Code permitted a Two-Unit Dwelling as an Allowed Use in the HR-1 District.
- 6. In 1983 the City issued a building permit for a Duplex on Lot 1 of the Northstar Subdivision.
- 7. In 1985 a Party Wall Agreement for the shared wall of the Duplex was recorded with Summit County.
- 8. At some point a deed was recorded with Summit County to bifurcate the originally platted lot along the shared wall of the Duplex.
- On February 2, 2010 the Northstar Homeowners Association recorded a Notice of Removal of Protective Covenants to remove Lot 1 from the Northstar Homeowners Association.
- 10. On August 19, 2021 the City received a complete application for the Northstar Subdivision Lot 1 Amended Plat amendment.
- 11. The Planning Commission reviewed a Plat Amendment Application to formally create Lots 1A and 1B on September 22, 2021 and forwarded a positive recommendation to City Council.
- 12. The City Council reviewed the Plat Amendment Application on October 28, 2021 and approved the amendment by Ordinance 2021-42.
- 13. On December 21, 2022, the City received a Conditional Use Permit application for the construction of a new Duplex on 1063 Lowell Avenue.
- 14. A Duplex is a Conditional Use in the HR-1 Zoning District for lots with a minimum area of 3,750 square feet.
- 15. On March 22, 2023 the Planning Commission reviewed the Conditional Use Permit application, held a public hearing, and approved a Conditional Use Permit to establish a new Duplex at 1063 Lowell Avenue.
- 16. Currently, Lot 1A contains a legal non-complying Duplex Structure which is bifurcated by the Lot Line between Lot 1A and Lot 1B of the Northstar Subdivision Lot 1 Amended Plat.
- 17. The current Duplex would be described as a non-complying structure, which is defined in LMC §15-15-1.172 as "A Structure that 1) legally existed before its current zoning designation; and 2) because of subsequent zoning changes, does not conform to the zoning regulation's Setback, Height restrictions, or other regulations that govern the Structure."



- 18. Existing on the Lot is a fifteen foot (15') non-exclusive Access easement to access Lot 1B, Lot 2, and parts of Lot 3 of the Northstar Subdivision.
- 19. The maximum building footprint allowed on the Lot is 2,818 square feet. The proposed building has a footprint of 2,800 square feet.
- 20. The HR-1 Zoning District's required Front and Rear Setbacks are 15 feet each, totaling a minimum of 30 feet. The proposed Front Setback is approximately 30 feet from the property line and the proposed Rear Setback is approximately 29 feet from the rear property line.
- 21. The HR-1 Zoning District's required Side Setback is a minimum of 5 feet, totaling a minimum of 18 feet. The proposed northern Side Setback is 13 feet, and the proposed southern Side Setback is 5 feet.
- 22. The HR-1 Zoning District's maximum Building Height is 27 feet. The HR-1 Zoning District requires a maximum height of 35 feet from the lowest finish floor plane to the top of the highest wall plate. The proposed Structure is 27 feet in height and is 35 feet from the lowest finish floor plane to the top of the highest wall plate.
- 23. The proposed Structure complies with the underlying requirements of the HR-1 Zoning District.
- 24. On April 19, 2023 City staff provided a public hearing notice to all property owners within 300 feet of the proposed HDDR and posted a sign to the subject property.
- 25. On April 19, 2023 City staff published a public hearing notice to the City website and to the Utah Public Notice website.

#### **Conclusions of Law**

- 1. The proposal complies with the LMC requirements pursuant to LMC Chapter 15-2.2 Historic Residential 1 (HR-1) District.
- 2. The proposal complies with the criteria for the Design Guidelines for New Residential Infill Construction in Historic Districts outlined in LMC §15-13-8.

#### **Conditions of Approval**

- 1. Final building plans and construction details shall be the same as the plans approved May 4, 2023 by the Planning Department. Any changes, modifications, or deviations from the approved design that have not been approved in advance by the Planning and Building Departments may result in a stop work order.
- 2. If the Applicant does not obtain a complete building permit within one ear of the date of this approval, this HDDR approval will expire unless the Applicant



- submits a written extension request to the Planning Department prior to the expiration date and the Planning Department approves an extension.
- 3. The Applicant is responsible for notifying the Planning Department prior to making any changes to the approved plans.
- 4. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director or designee prior to construction.
- 5. The property is located outside of the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine-related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance with State and Federal Law.
- 6. All Conditions of Approval from the Northstar Subdivision Lot 1 Plat Amendment (listed in Ordinance 2021-42) and the Conditional Use Permit (PL-22-05492) shall also apply.
- 7. The Applicant shall provide an analysis detailing the species and caliper of existing mature vegetation on the subject property and outline how any mature vegetation removed from the Site will be replaced.
- 8. A finalized landscaping plan shall be submitted to the Planning Department for review and approval or denial in accordance with LMC §15-5-5(N) prior to a final inspection for the building permit. All outdoor lighting shall also be noted on the plan and comply with LMC §15-5-5(J).
- 9. All gutters and/or downspouts shall be located away from architectural features and visually minimized when viewed from the public right-of-way per LMC §15-13-8(B)(2)(g).
- 10. Any mechanical equipment (e.g. hot tubs, air conditioner condensers, etc.) shall comply with the requirements set forth in LMC §15-13-8(B)(3).
- 11. Any exterior wood shall have an opaque rather than transparent finish. When possible, low-VOC (volatile organic compound) paints and finishes shall be used. Rustic, unfinished wood is inappropriate.
- 12. The standing seam metal roofing shall be muted and neutral in color and shall have a non-reflective finish.
- 13. Any areas disturbed during construction surrounding the proposed work shall be brought back to its original state.
- 14. Construction shall not impact surrounding Historic Structures.
- 15. Vinyl or aluminum doors and windows are prohibited.



If you have questions or concerns regarding this Final Action Letter, please call (435)-615-5063 or email caitlyn.tubbs@parkcity.org.

Sincerely,
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Gretchen Milliken, Planning Director

CC: Caitlyn Tubbs, Senior Historic Preservation Planner

# LOWELL PROJECT, LLC

# 1063 LOWELL TWO FAMILY HOME 1063 LOWELL AVE,

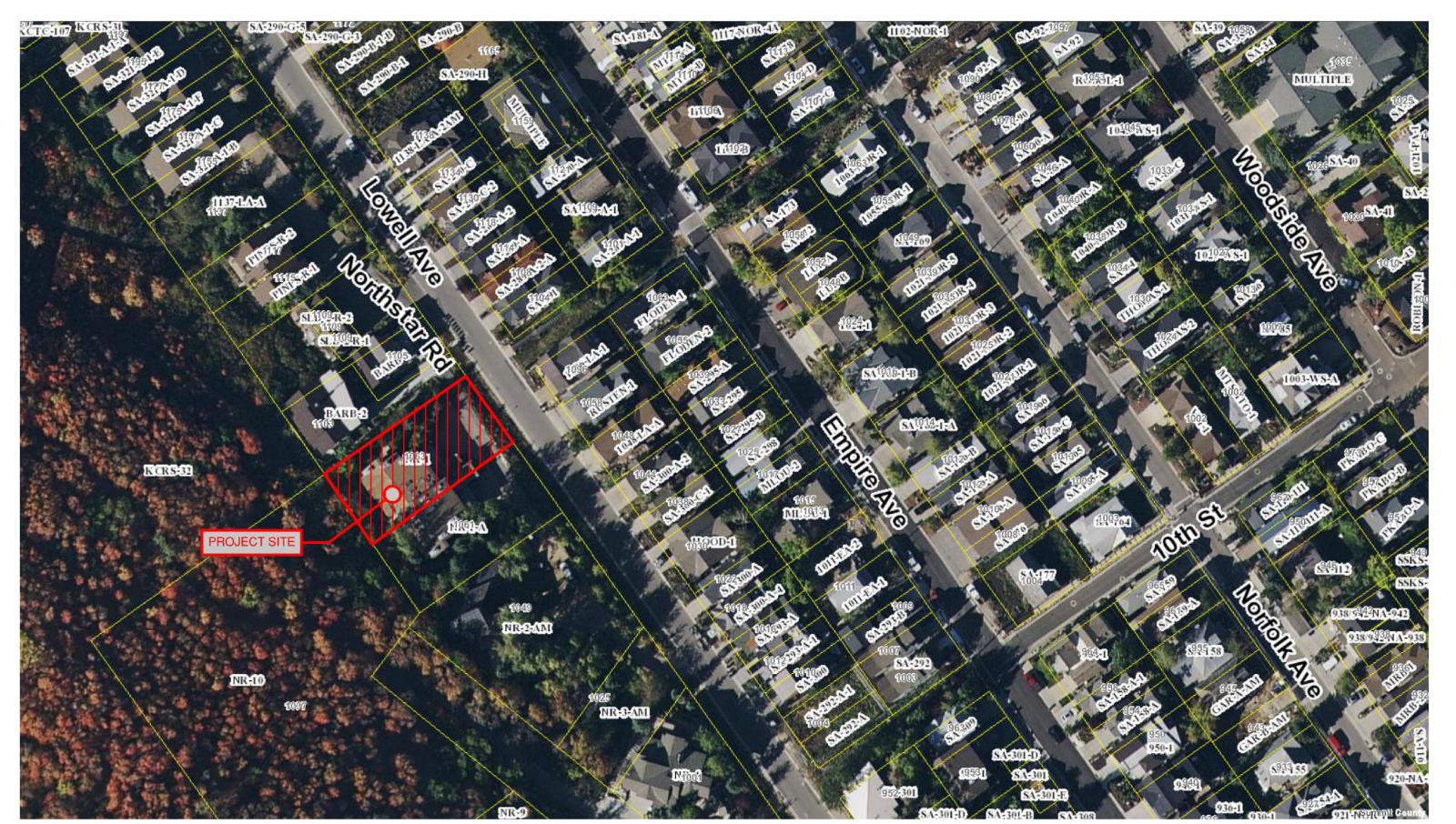
HDDR 03.02.2023

# PROJECT CONTACT INFORMATION

PARK CITY, UT 84060

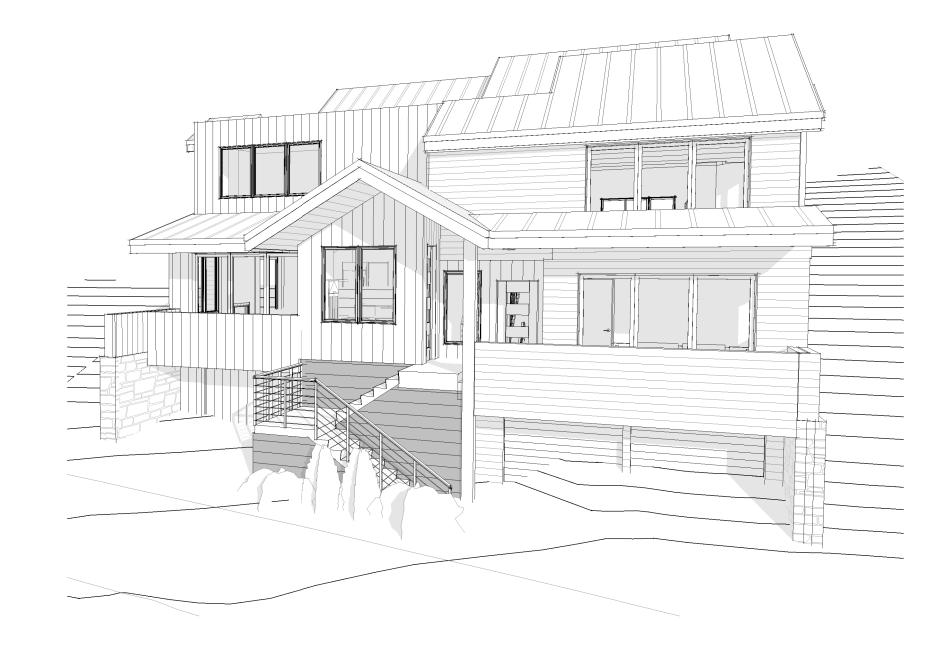
OWNER	ARCHITECT
Lowell Project, LLC.	WOW atelier Architects LLC.
1061 Lowell Ave	73 East 400 South
Park City, Utah 84060	Salt Lake City, UT 84111
telephone: 504.301.7770	p: 801.712.4078
Contact: Stacy Head	Contact: Chimso Onwuegbu
email: stacyhead08@yahoo.com	e: chimso@be-wow.com
CIVIL ENGINEER	STRUCTURAL ENGINEER

MECHANICAL ENGINEER	ELECTRICAL ENGINEER
DESIGN-BUILD BY CONTRACTOR SCHEMATICS BY ARCHITECT	
ANDSCAPE ARCHITECT	INTERIOR DESIGNER



# PROJECT VICINITY MAP

	Sheet List
Sheet Number	Sheet Name
GI-000	COVER SHEET
GI-005	AREA PLANS
GI-100	EXISTING CONDITION PHOTOS
1 OF 1	RECORD OF SURVEY AND TOPOGRAPHY
L-1	LANDSCAPE PLAN
A-100	PRELIMINARY SITE PLAN
A-101	GARAGE LEVEL FLOOR PLAN
A-102	ENTRY LEVEL FLOOR PLAN
A-103	MID LEVEL FLOOR PLAN
A-104	LOFT LEVEL FLOOR PLAN
A-105	ARCHITECTURAL ROOF PLAN
A-200	EXTERIOR ELEVATION
A-201	EXTERIOR ELEVATION
A-202	EXTERIOR ELEVATION
A-203	EXTERIOR ELEVATION
A-204	EXTERIOR 3D VIEWS
A-301	SECTIONS
A-302	SECTIONS
A-600	DETAILS
A-601	DETAILS
A-604	WINDOW/DOOR DETAILS



PRELIMINARY NOT FOR PERMIT OR CONSTRUCTION

MECHANICAL:
ELECTRICAL:
LANDSCAPE:
INTERIOR:

53 LOWELL AVE,

E DATE: 2.2023 Sue: DDR

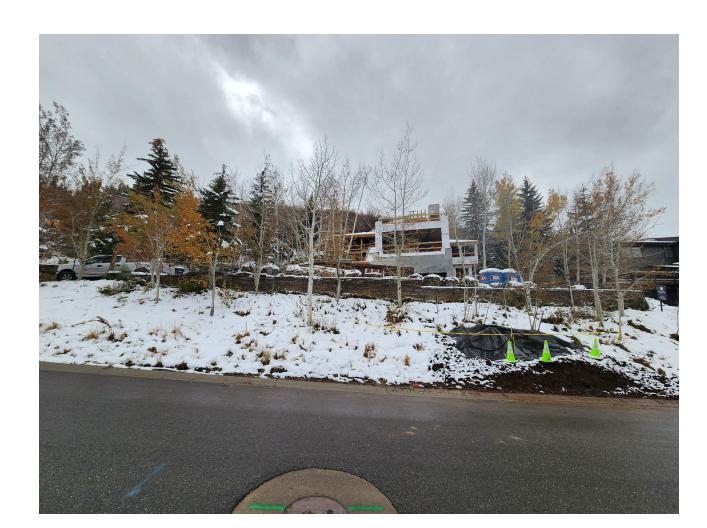
000-IS

the concepts, ideas, drawings and specificat

CONTRACTOR

5

PANORAMIC EAST SIDE OF LOWELL AVE.



LOWELL AVE. VIEW #1 (WEST SIDE)



PROJECT SITE

LOWELL AVE. VIEW #2 (WEST SIDE)



LOWELL AVE. VIEW #3 (WEST SIDE)



LOWELL AVE. VIEW #4 (WEST SIDE)



LOWELL AVE. VIEW #1 (EAST SIDE)



LOWELL AVE. VIEW #2 (EAST SIDE)



LOWELL AVE. VIEW #3 (EAST SIDE)



LOWELL AVE. VIEW #3 (EAST SIDE)

PRELIMINARY
PRELIMINARY
NOT FOR
PERMIT OR
PERMIT OR
CONSTRUCTION

STRUCTURAL:

MECHANICAL:

ELECTRICAL:

LANDSCAPE:

VO FAMILY HOME

1063 LOWELL AVE,

PARK CITY LIT 84040

SSUE DATE: 3.02.2023 ISSUE: HDDR

.I-100

SOLOHO atelier, LLC

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1063A-DECK

1063A-PATIO

1063A AREA TOTALS AREA AREA NAME

> 89 SF 311 SF

	400 SF
1063A-GARAGE	520 SF
1063A-MUD	210 SF
1063A-LIVING LEVEL	1,498 SF
1063A-BEDROOM LEVEL	1,315 SF
	3,542 SF

1063B AREA TOTALS			
AREA NAME	AREA		
1063B-DECK	75 SF		
1063B-DECK	91 SF		
1063B-PATIO	405 SF		
	571 SF		

1063B-GARAGE	490 SF
1063B-MECH	180 SF
1063B-MUD	146 SF
1063B-BEDROOM LEVEL	1,412 SF
1063B-LIVING LEVEL	1,314 SF
1063B-LOFT	694 SF
	4,236 SF

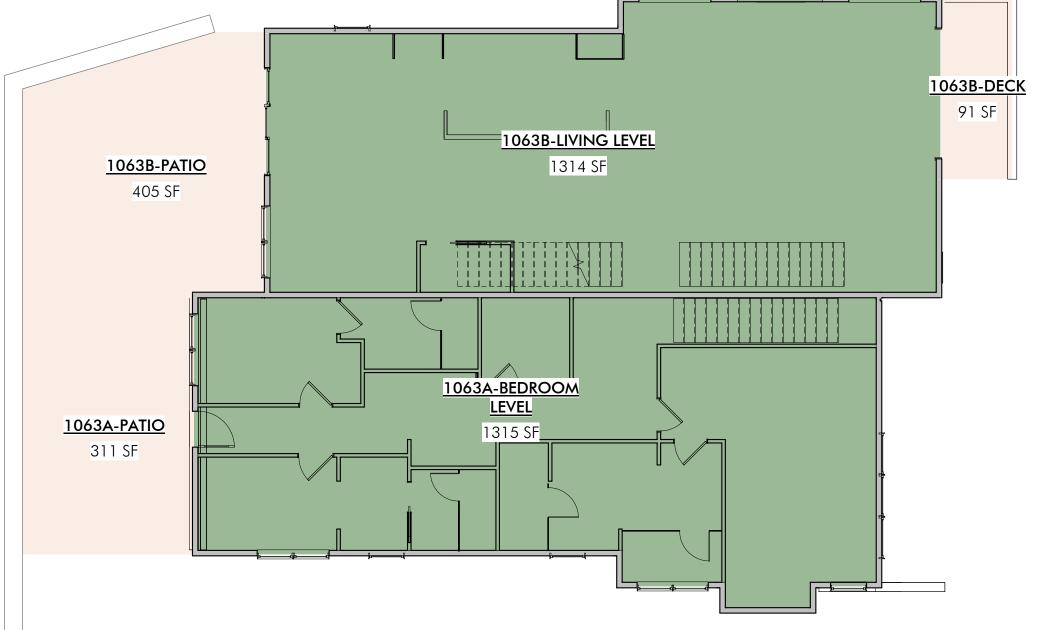
1063B-GARAGE 490 SF

1063B-MUD 146 SF

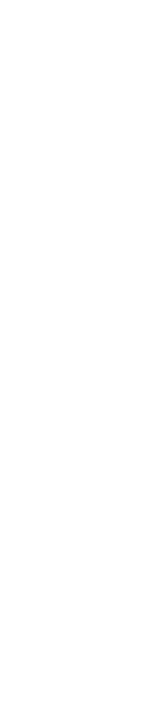
1063A-MUD

1063B-MECH

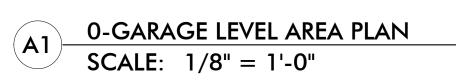
180 SF



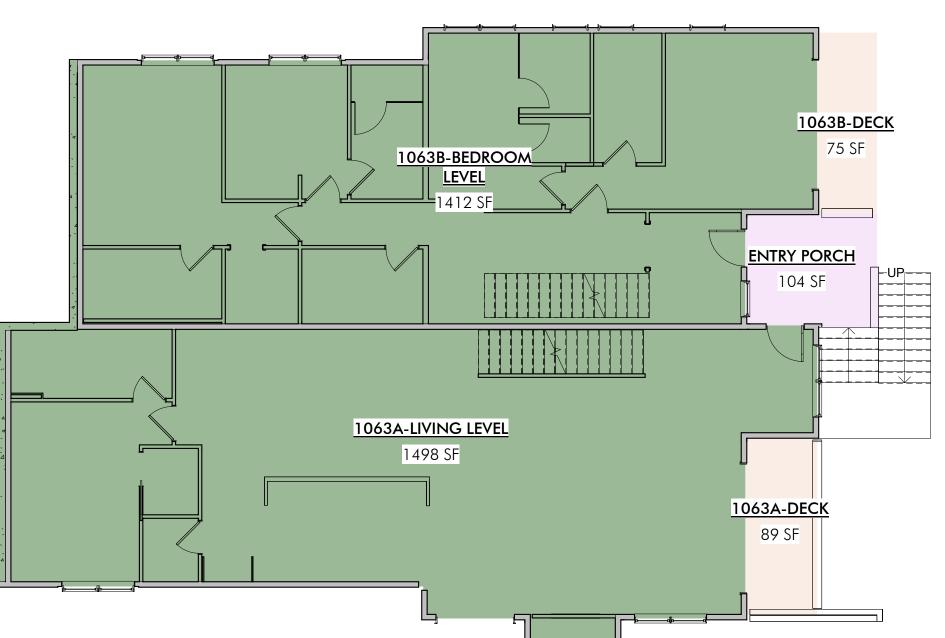
2-UPPER LEVEL AREA PLAN



UP



1063A-GARAGE 520 SF



1-ENTRY LEVEL AREA PLAN SCALE: 1/8" = 1'-0"

SCALE: 1/8" = 1'-0"

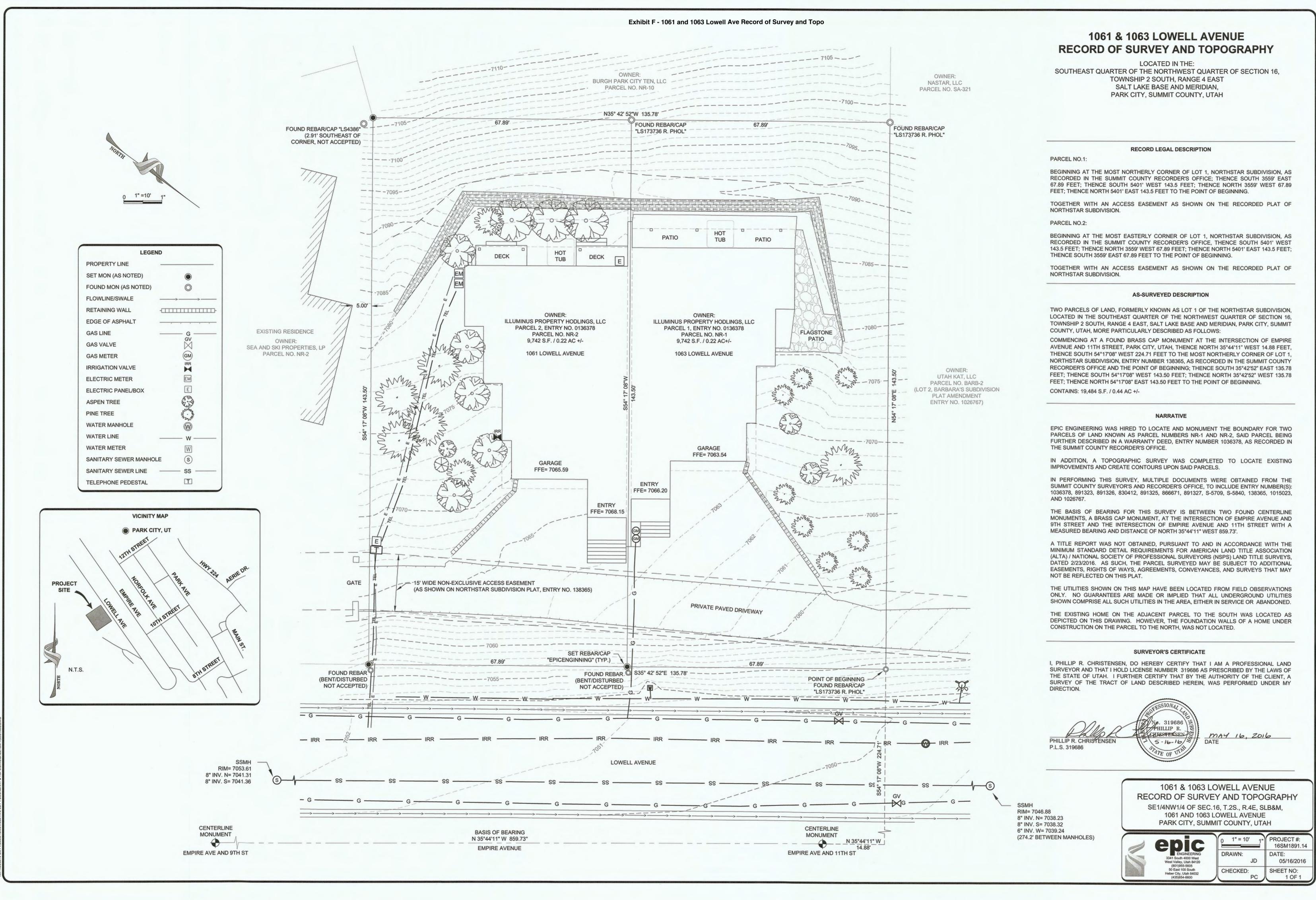
1063B-LOFT

694 SF

4-LOFT LEVEL AREA PLAN

SCALE: 1/8" = 1'-0"

PRELIMINARY
NOT FOR
PERMIT OR
CONSTRUCTION



Utah Juniper (1)

Ashleaf Spirea (5)

# LANDSCAPE LEGEND

**DECIDUOUS TREES** 

ORNAMENTAL TREES

**EVERGREEN TREES** 

SHRUBS

ORNAMENTAL GRASSES

LANDSCAPE BOULDERS

PERENNIALS

LANDSCAPE STEPS

\*\*\* 000000000

# PERENNIALS/GROUNDCOVERS 1 GAL. CONTAINERS

Arrowleaf Balsamroot Pacific Aster Rocky Mountain Iris Maiden Pinks Black-eyed Susan Red Mexican Hat Blanket Flower Mountain Lupine Blue Flax Colorado Columbine Purple Coneflower Prairie Coneflower Lanceleaf Coreopsis Showy Goldeneye Dame's Rocket Fireflower Wild Geranium

SEEDED AREAS

BLUE FAX

YARROW

HARD FESCUE 35% SHEEP FESCUE 25% CHEWING FESCUE 20% **ROCKY MTN PENSTEMON** 10%

5%

5%

SEED AT RATE OF 40LBS./ACRE

### PLANT SCHEDULE

QNTY	COMMON NAME	SCIENTIFIC NAME	SIZE	COND.	COMMENTS
2	QUAKING ASPEN	POPULUS TREMULOIDES	2" CAL.	B&B	MULTI STEM
2	SWEDISH ASPEN	POPULUS TREMULOIDES ERECTA	2" CAL.	B&B	SINGLE STEM
9	UTAH JUNIPER	JUNIPERUS UTAHENSIS	5 - 6'	B&B	FULL BRANCHING
8	DIABLE NINEBARK	PHYSOCARPUS OPULIFOLIUS	5 GAL.	CONT.	4' ON CENTER
11	POTENTILLA	POTENTILLA SPP.	5 GAL.	CONT.	4' ON CENTER
13	ALPINE CURRANT	RIBES ALPINUM	5 GAL.	CONT.	4' ON CENTER
13	ASHLEAF SPIREA	SORBARIA SORBIFOLIA	5 GAL.	CONT.	4' ON CENTER
64	SWITCH GRASS	PANICUM VIRGATUM	3 GAL.	CONT.	3' ON CENTER

REVIEW AND APPROVAL BY OWNER OR OWNERS REPRESENTATIVE

LAWN AREA

PATHWAY

Iceland Poppy

Large Flowered Penstemon Rocky Mountain Penstemon Wasatch Penstemon White Evening Primrose Northern Sweetvetch White Yarrow

APPROXIMATE AREA: 928 SF

NOT FOR CONSTRUCTION

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CITY,



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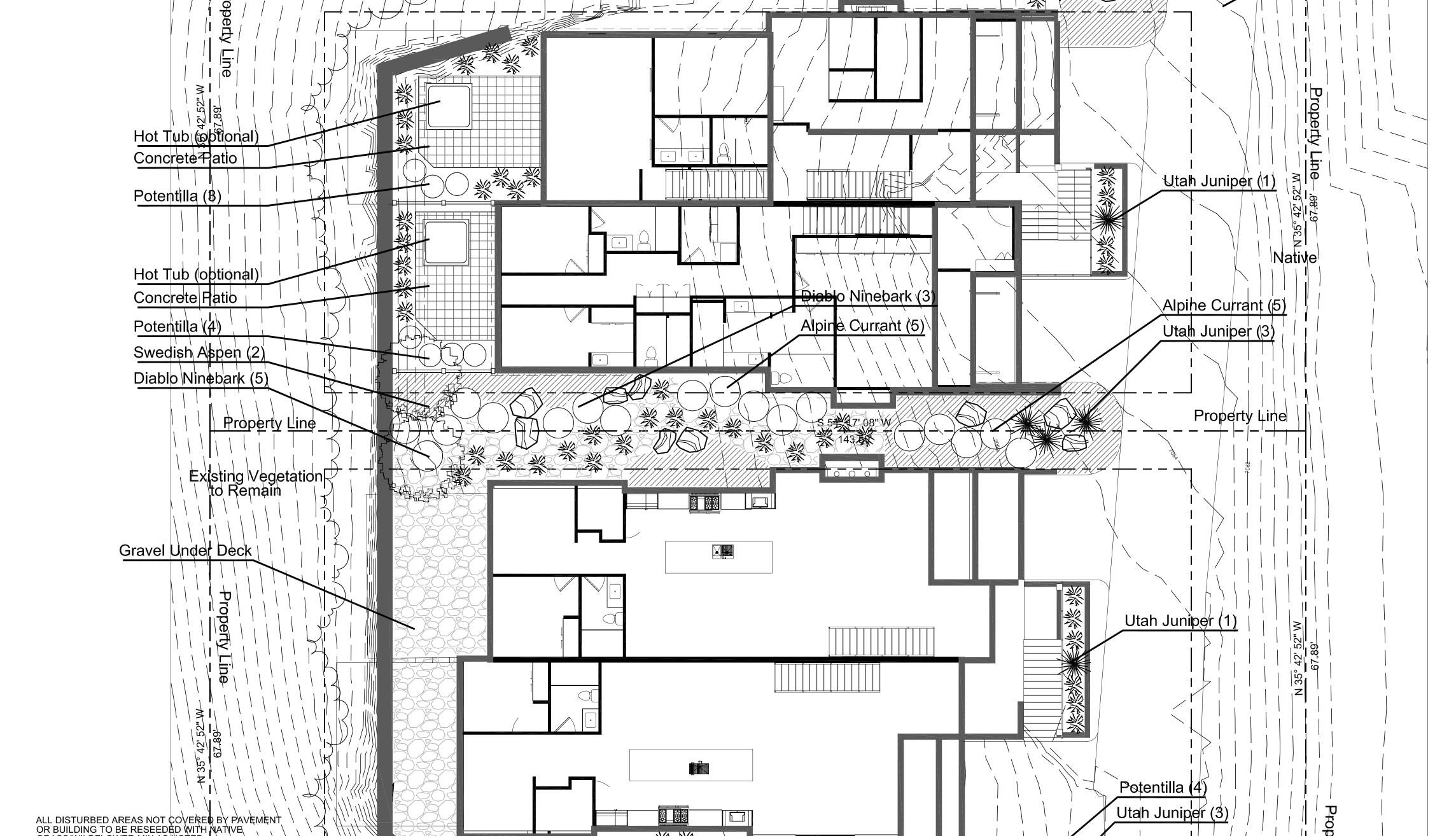
COMMON NAME	SCIENTIFIC NAME	SIZE	COND.	COMMENTS
QUAKING ASPEN	POPULUS TREMULOIDES	2" CAL.	B&B	MULTI STEM
SWEDISH ASPEN	POPULUS TREMULOIDES ERECTA	2" CAL.	B&B	SINGLE STEM
UTAH JUNIPER	JUNIPERUS UTAHENSIS	5 - 6'	B&B	FULL BRANCHING
DIABLE NINEBARK	PHYSOCARPUS OPULIFOLIUS	5 GAL.	CONT.	4' ON CENTER
POTENTILLA	POTENTILLA SPP.	5 GAL.	CONT.	4' ON CENTER
ALPINE CURRANT	RIBES ALPINUM	5 GAL.	CONT.	4' ON CENTER
ASHLEAF SPIREA	SORBARIA SORBIFOLIA	5 GAL.	CONT.	4' ON CENTER
SWITCH GRASS	PANICUM VIRGATUM	3 GAL.	CONT.	3' ON CENTER
	QUAKING ASPEN SWEDISH ASPEN UTAH JUNIPER DIABLE NINEBARK POTENTILLA ALPINE CURRANT ASHLEAF SPIREA	QUAKING ASPEN  POPULUS TREMULOIDES  SWEDISH ASPEN  POPULUS TREMULOIDES ERECTA  UTAH JUNIPER  JUNIPERUS UTAHENSIS  DIABLE NINEBARK  PHYSOCARPUS OPULIFOLIUS  POTENTILLA  POTENTILLA SPP.  ALPINE CURRANT  RIBES ALPINUM  ASHLEAF SPIREA  SORBARIA SORBIFOLIA	QUAKING ASPEN POPULUS TREMULOIDES 2" CAL.  SWEDISH ASPEN POPULUS TREMULOIDES ERECTA 2" CAL.  UTAH JUNIPER JUNIPERUS UTAHENSIS 5 - 6'  DIABLE NINEBARK PHYSOCARPUS OPULIFOLIUS 5 GAL.  POTENTILLA POTENTILLA SPP. 5 GAL.  ALPINE CURRANT RIBES ALPINUM 5 GAL.  ASHLEAF SPIREA SORBARIA SORBIFOLIA 5 GAL.	QUAKING ASPEN POPULUS TREMULOIDES 2" CAL. B&B  SWEDISH ASPEN POPULUS TREMULOIDES ERECTA 2" CAL. B&B  UTAH JUNIPER JUNIPERUS UTAHENSIS 5 - 6' B&B  DIABLE NINEBARK PHYSOCARPUS OPULIFOLIUS 5 GAL. CONT.  POTENTILLA POTENTILLA SPP. 5 GAL. CONT.  ALPINE CURRANT RIBES ALPINUM 5 GAL. CONT.  ASHLEAF SPIREA SORBARIA SORBIFOLIA 5 GAL. CONT.

NO PLANT SUBSTITUTIONS WILL BE ALLOWED WITHOUT PRIOR

Drawn By PGG Date 03/09/2023 Project # Phase PRELIMINARY SET

Sheet

**PRELIMINARY** LANDSCAPE PLAN



Native

Alpine Currant (3)

Flagstone Pathway

Ashleaf Spirea (5)

Property Line

SCALE:

GRASS/WILDFLOWER MIX AS NOTED,

SEED MIX OR ACCEPTABLE ALTERNATIVE.

OF SHRUBS AND PERENNIALS.

AND ALONG THE DRIVEWAY CORRIDOR.

ALL PLANT MATERIAL SHALL BE MULDHED WITH MINIMUM \ \ 3" SHREDDED BARK MULCH. AREAS INDICATED AS PERENNIAL PLANTING AREAS SHALL ALSO BE MULCHED.

FINAL LANDSCAPE AND OUTDOOR LIGHTING PLAN TO BE SUBMITTED TO THE PCMC AT TIME OF FOUR WAY

DECIDUOUS AND EVERGREEN TREES MAY BE PLANTED TO

FINAL PLANT LOCATION TO BE DETERMINED IN THE FIELD.

LANDSCAPE LIGHTING TO BE RESTRICTED TO AREAS WITHIN THE BACK PATIO AREAS, WATER FEATURES, IF ANY,

FRAME VIEWS AND REDUCE VISUAL IMPACT OF WALLS.

SEEDED AREAS ON SLOPES GREATER THAN 3:1 ASPECT SHALLER PLANTED AS SOD AND NOT AS HYDROSEED. AS A BID ALTERNATE, ALL SEEDED AREAS MAY BE INSTALLED AS SOD UTILIZING THE SAME

MULTI TIERED RETAINING WALLS TO BE PLANTED WITH A MIXTURE

Quaking Aspen (2)

Property Line

CONFIGURATION.

DURING DRY SPELLS.

Ashleaf Spirea (4)

IRRIGATION SYSTEM IS TO BE DESIGN BUILD. CONTRACTOR TO PROVIDE DESIGN

a.) ALL TREES AND SHRUBS TO BE DRIP IRRIGATED OR UTILIZE A BUBBLER TYPE

b.) ALL WILDFLOWER SOD AREAS TO UTILIZE NETAFIN SYSTEM OR EQUIVALENT.

c.) ALL NATIVE GRASS AREAS TO UTILIZE POP UP SPRAY HEADS. SYSTEM IS INTENDED TO PROVIDE ADEQUATE MOISTURE FOR SEED GERMINATION AND IRRIGATION

PRIOR TO COMMENCEMENT OF WORK TO INSURE ADEQUACY OF COVERAGE.

IRRIGATION SYSTEM TO BE COMPRISED OF THREE SEPARATE SYSTEMS.

CHIMNEY BELOW

BALLAST FLAT ROOF

\DRIVEWAY

FRONT SETBACK

HOURS OF OPERATION ARE 7:00 A.M. TO 9:00 P.M. MONDAY THROUGH SATURDAY AND 9:00 A.M. TO 6:00 P.M. ON SUNDAYS.

PARKING WILL NOT BLOCK REASONABLE PUBLIC AND SAFETY VEHICLE ACCESS, WILL REMAIN ON SAME SIDE OF STREET AND ON PAVEMENT ONLY. WITHIN PAID AND PERMIT ONLY AREAS, AN APPROVED PARKING PLAN WILL

DELIVERIES WILL BE DURING HOURS OF OPERATION ONLY.

TRASH MANAGEMENT & RECYCLING - CONSTRUCTION SITE WILL PROVIDE ADEQUATE STORAGE AND PROGRAM FOR TRASH REMOVAL AND WILL KEEP

CONTROL OF DUST & MUD WILL BE CONTROLLED DAILY. GRAVEL WILL BE

NOISE WILL NOT BE ABOVE 65 DECIBELS WHICH VIOLATES THE NOISE

TRUCKING ROUTES MAY BE RESTRICTED TO PREVENT ADVERSE IMPACTS.

TEMPORARY LIGHTING IF USED, WILL BE APPROVED BY THE PLANNING DEPARTMENT.

CONSTRUCTION SIGN WILL BE POSTED ON SITE AND IN A LOCATION THAT IS READABLE FROM THE STREET. THE SIGN WILL NOT EXCEED 12 SQUARE FEET IN HEIGHT AND WILL INCLUDE THE FOLLOWING INFORMATION: CONTRACTOR

OTHER ISSUES: DOGS WILL BE PROHIBITED FROM CONSTRUCTION SITES.

ORDINANCE BOUNDARY SHALL COMPLY WITH PCMC TITLE 11, CHAPTER 15,

EROSION CONTROL: STORM WATER MANAGEMENT PLAN - ATTACHMENT A - WILL BE REVIEWED, SIGNED AND ATTACHED TO THIS CONSTRUCTION MITIGATION PLAN.

9,742 SF ALLOWABLE FOOTPRINT: 2,818 SF

BE OBTAINED FROM THE PUBLIC WORKS DEPARTMENT.

STOCKPILING & STAGING WILL BE ON SITE AND WITHIN THE APPROVED LIMITS OF DISTURBANCE FENCE.

CONSTRUCTION PHASING IF NECESSARY, MAY BE REQUIRED AND WILL BE AUTHORIZED BY THE BUILDING OFFICIAL.

SITE CLEAN DAILY. RECYCLING IS ENCOURAGED.

PLACED IN THE EGRESS AND INGRESS AREAS TO PREVENT MUD AND DIRT FROM BEING TRACKED ON STREETS. WATER WILL BE ON SITE TO PREVENT

ORDINANCE AND WILL NOT BE MADE OUTSIDE THE HOURS OF OPERATION.

GRADING & EXCAVATION WILL BE DURING HOURS OF OPERATION AND

SIZE AND 6 FEET IN HEIGHT. THE LETTERING WILL NOT EXCEED 4 INCHES IN NAME, ADDRESS, PHONE NUMBER AND EMERGENCY CONTACT INFORMATION.

INFORMATION WILL BE PROVIDED TO NEIGHBORING PROPERTY OWNERS TO HELP THEM BE AWARE OF PROJECT AND TO KEEP THE LINES OF COMMUNICATION OPEN.

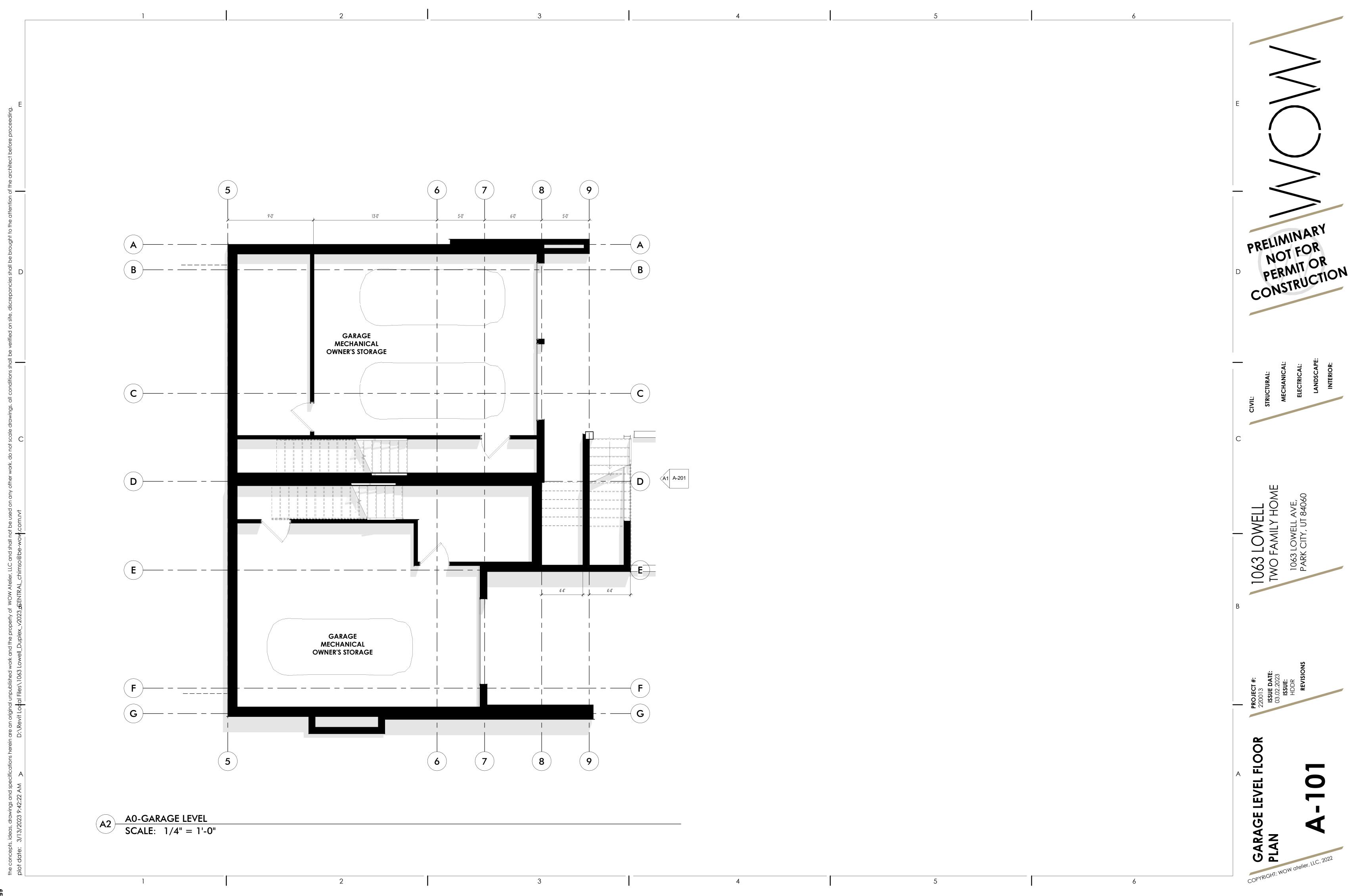
SOILS ORDINANCE: ALL PROPERTIES LOCATED WITHIN THE SOILS INCLUDING BUT NOT LIMITED TO DUST CONTROL, SOIL COVER AND APPROVED SOIL DISPOSAL

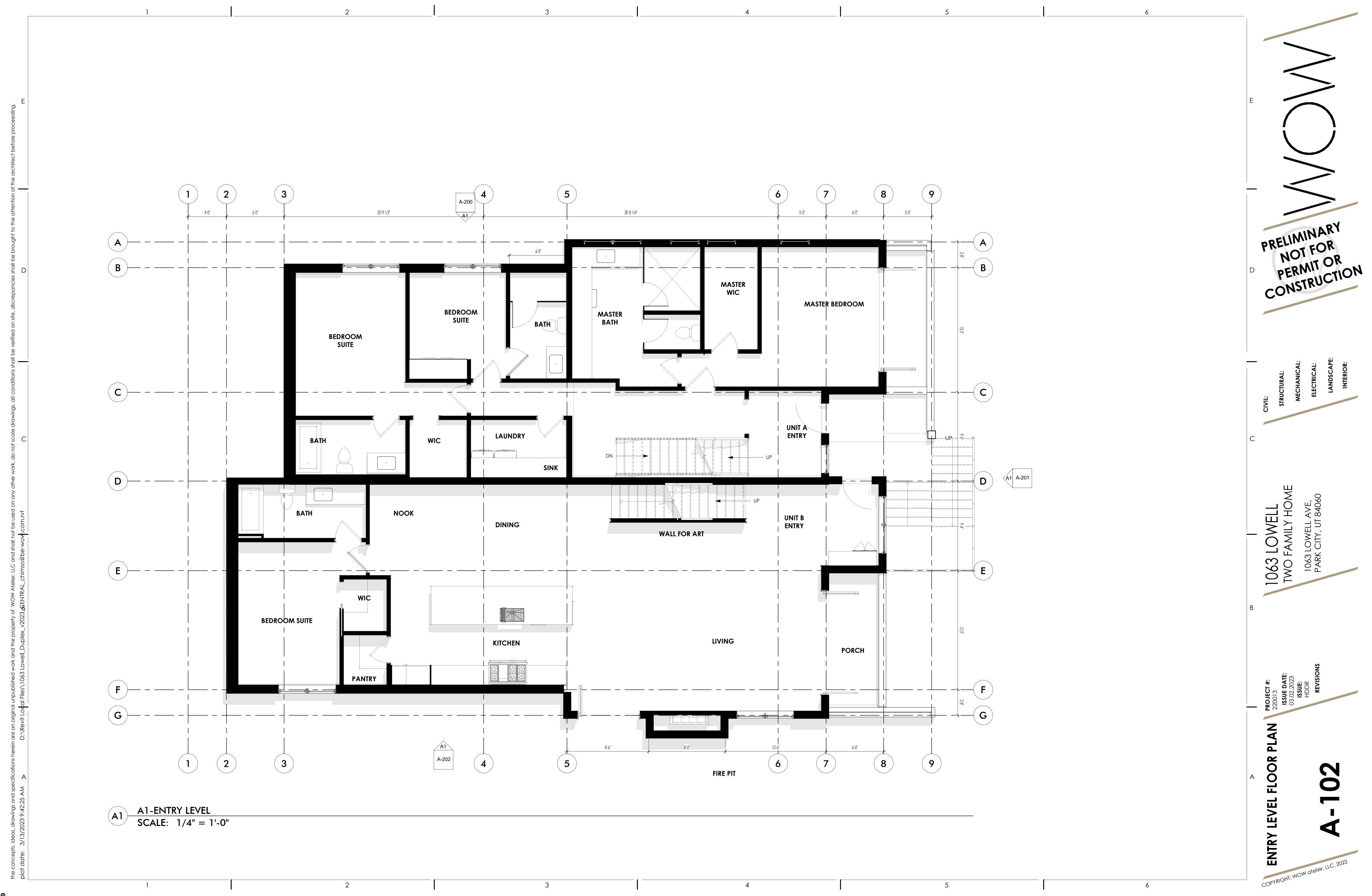
> **BUILDING FOOTPRINT** SITE AREA:

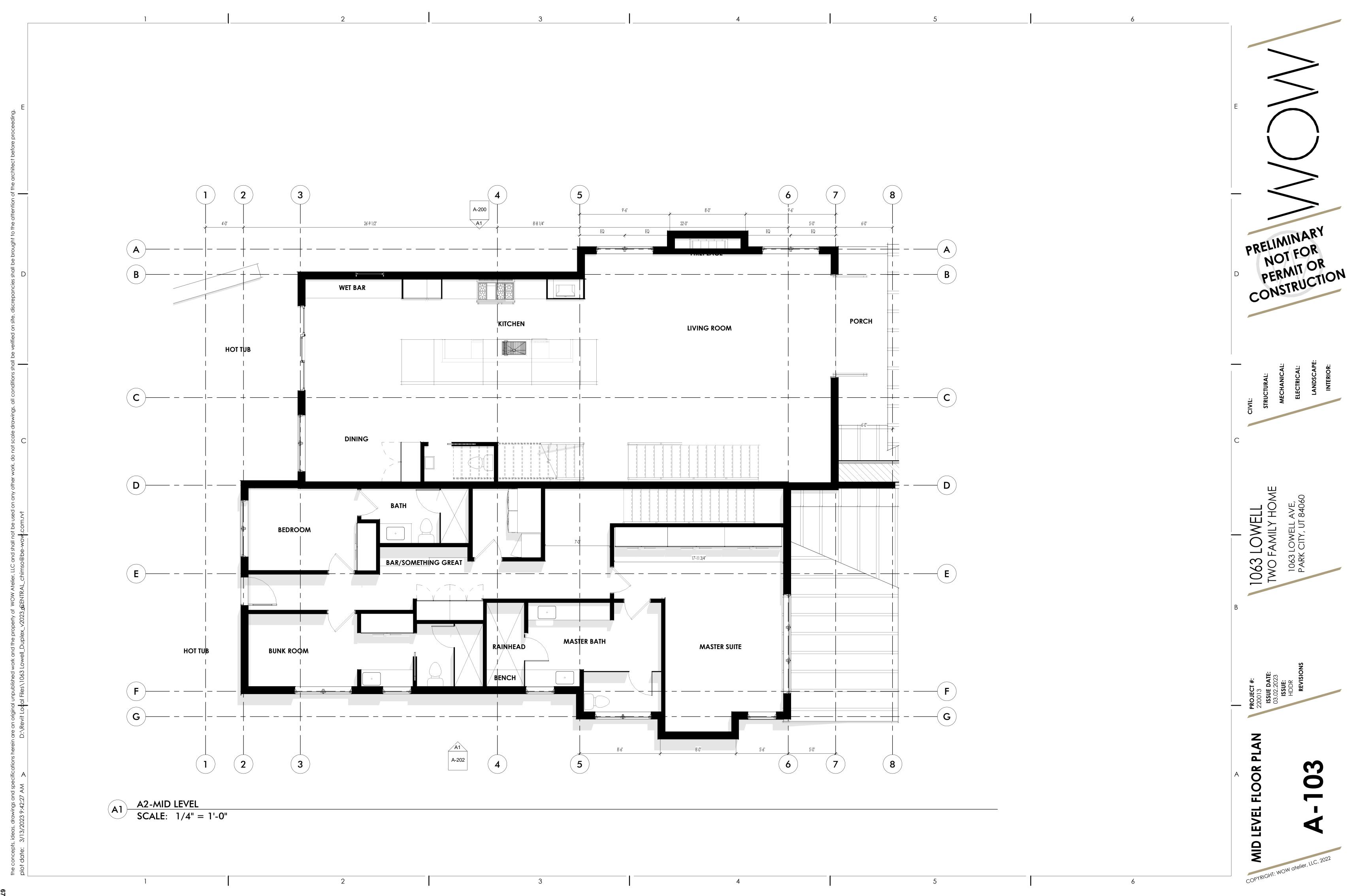
> **BUILDING FOOTPRINT:** 2,800 SF

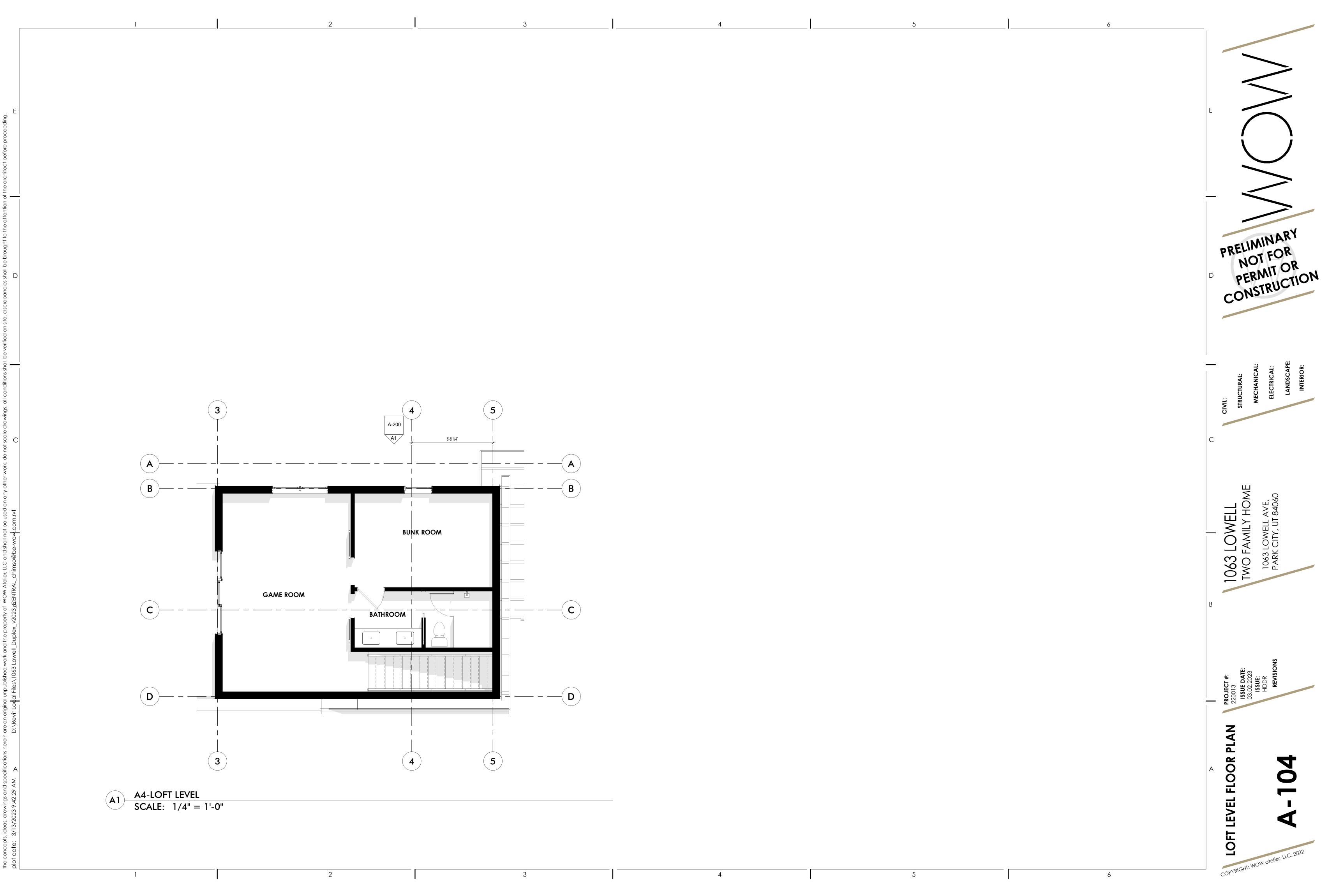
1063 LOWELL TWO FAMILY HOME

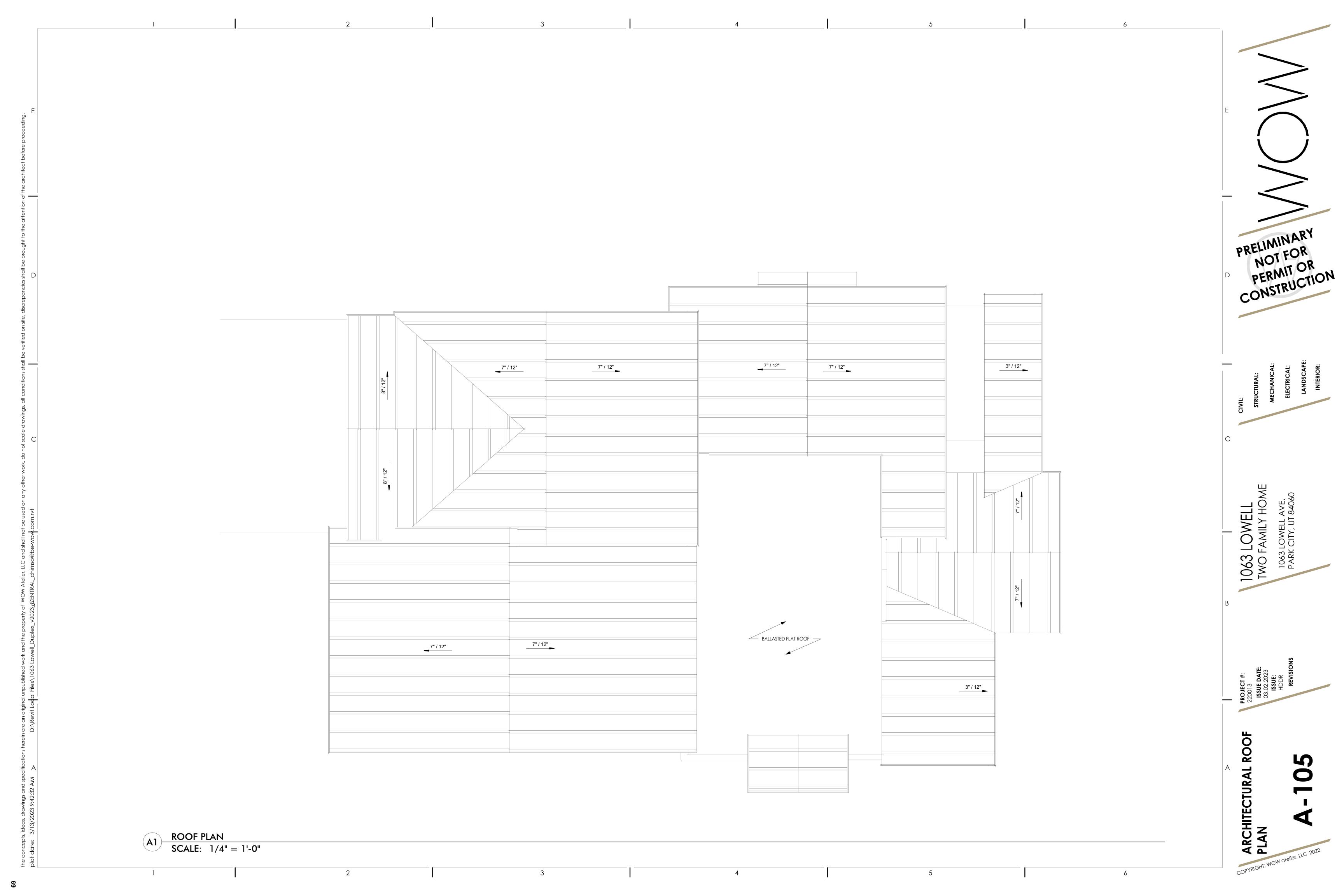
**PRELIMINARY** 

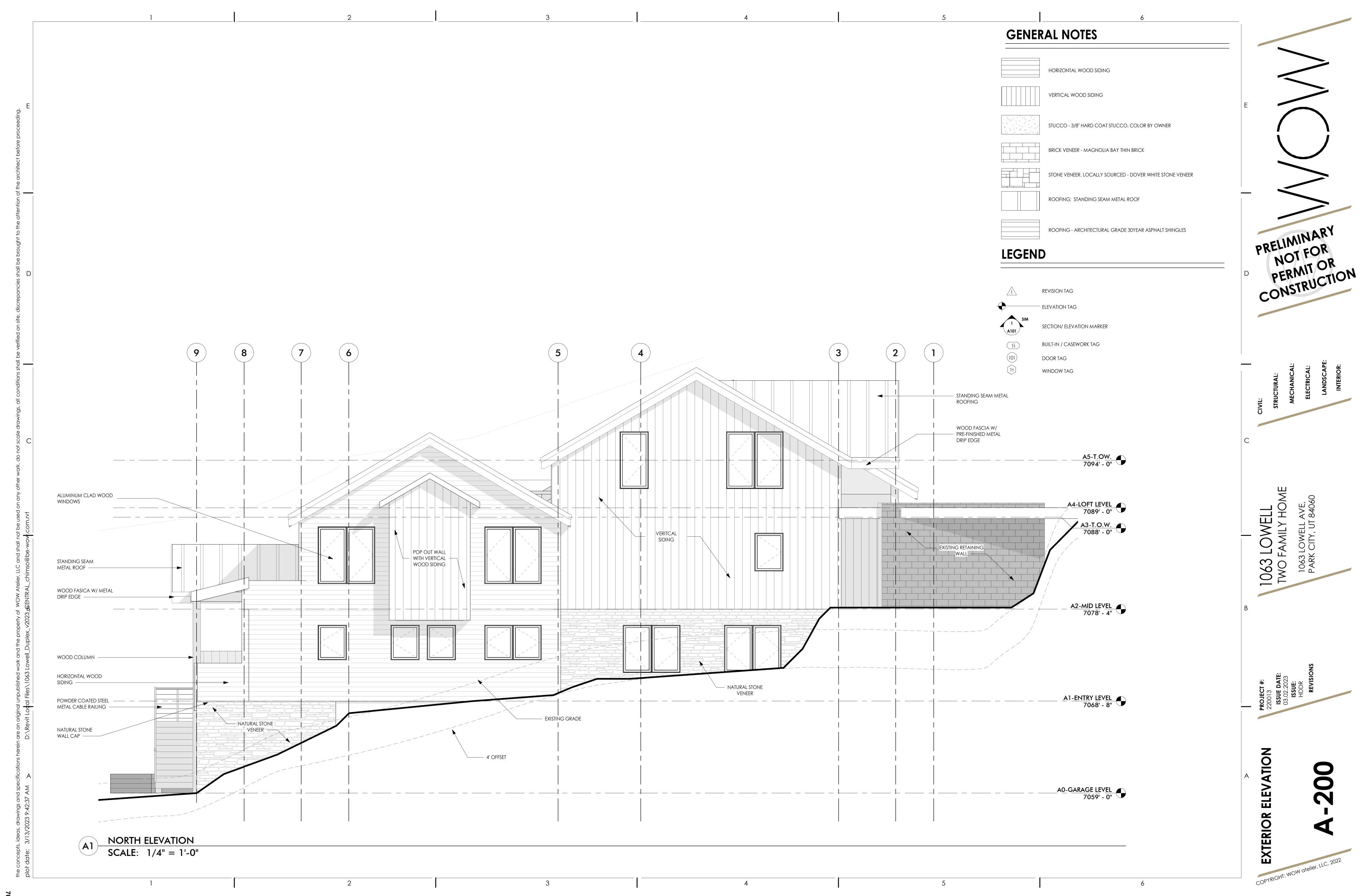


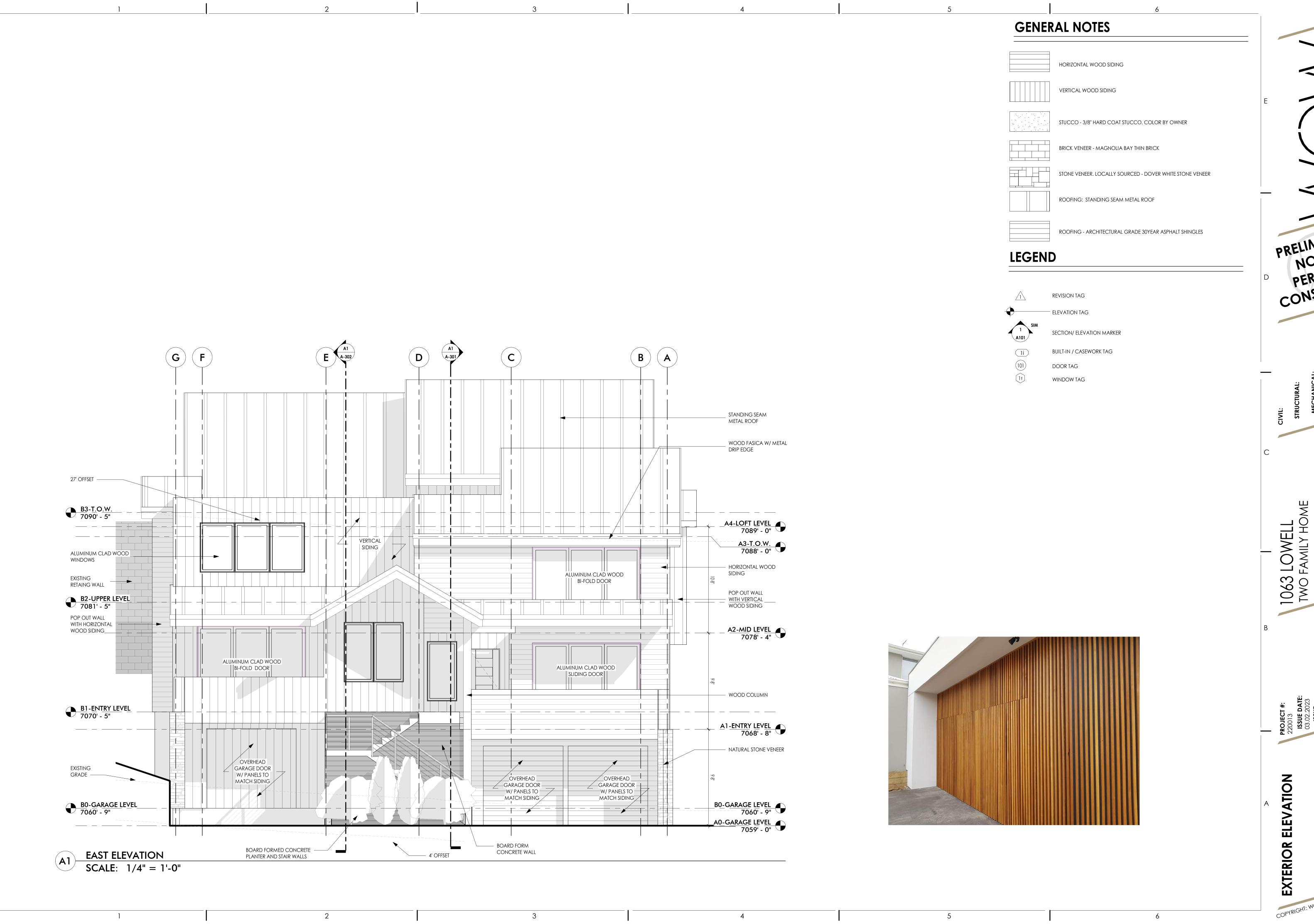




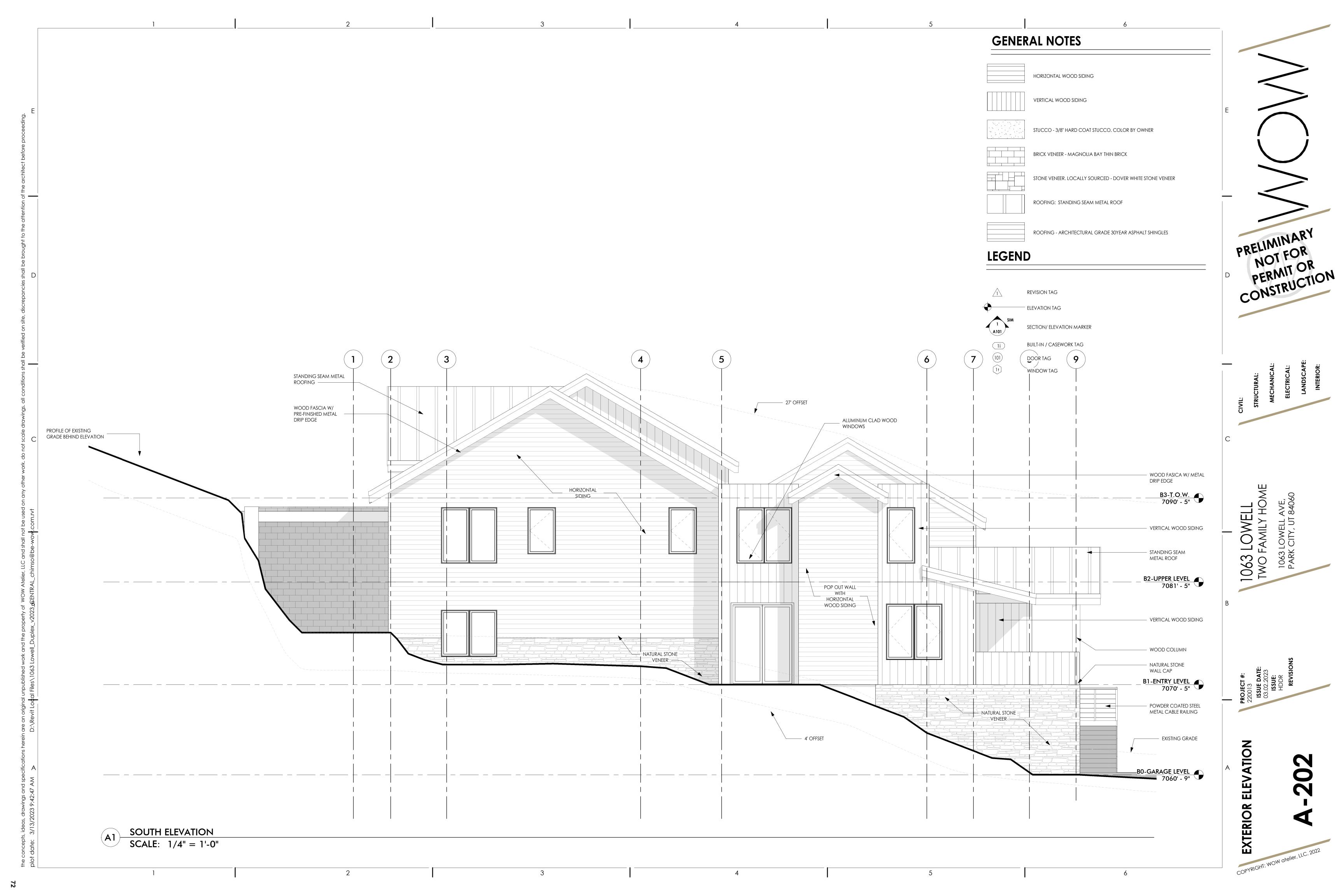


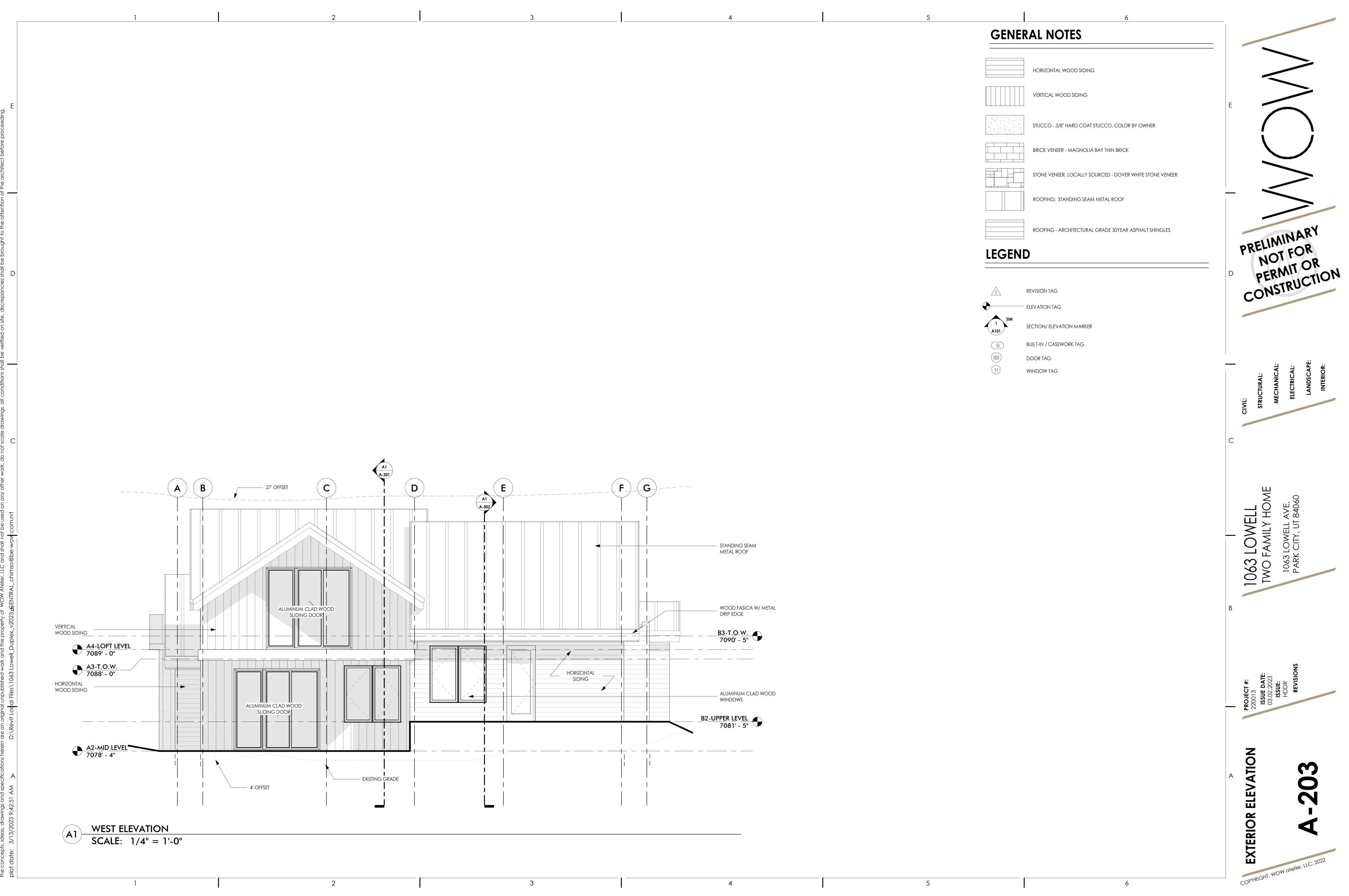






PRELIMINARY
NOT FOR
PERMIT OR
CONSTRUCTION





1063 LOWELL
TWO FAMILY HOME
1063 LOWELL AVE,
PARK CITY, UT 84060

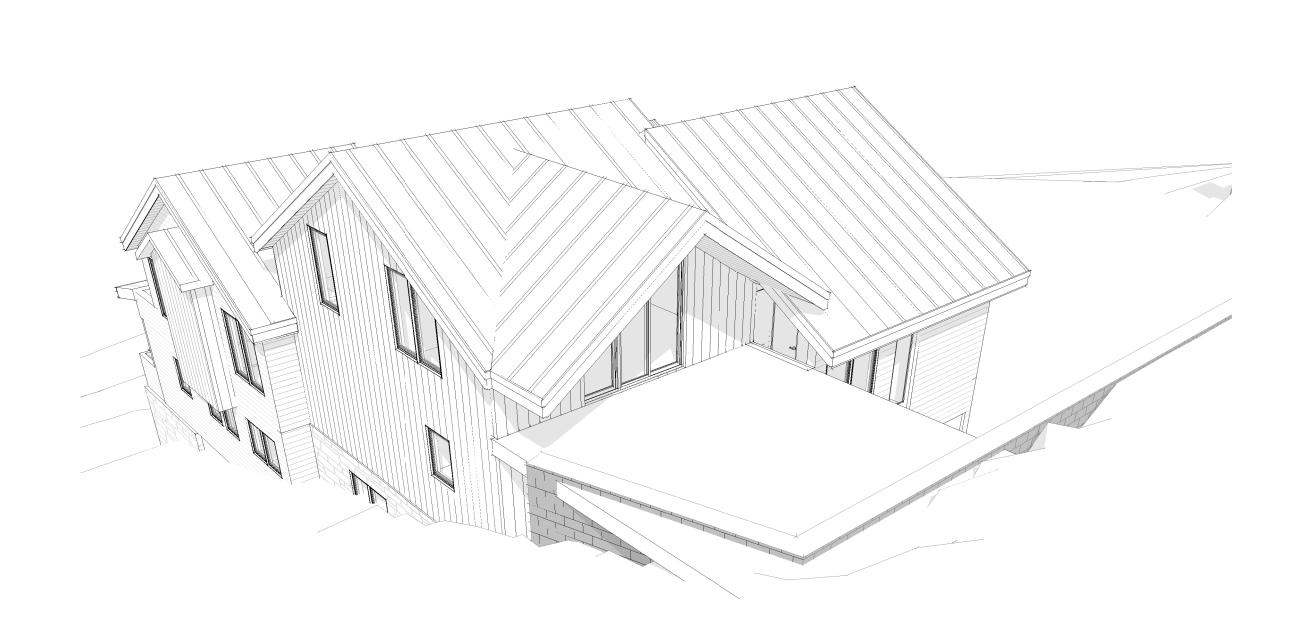
**EXTERIOR 3D VIEWS** 



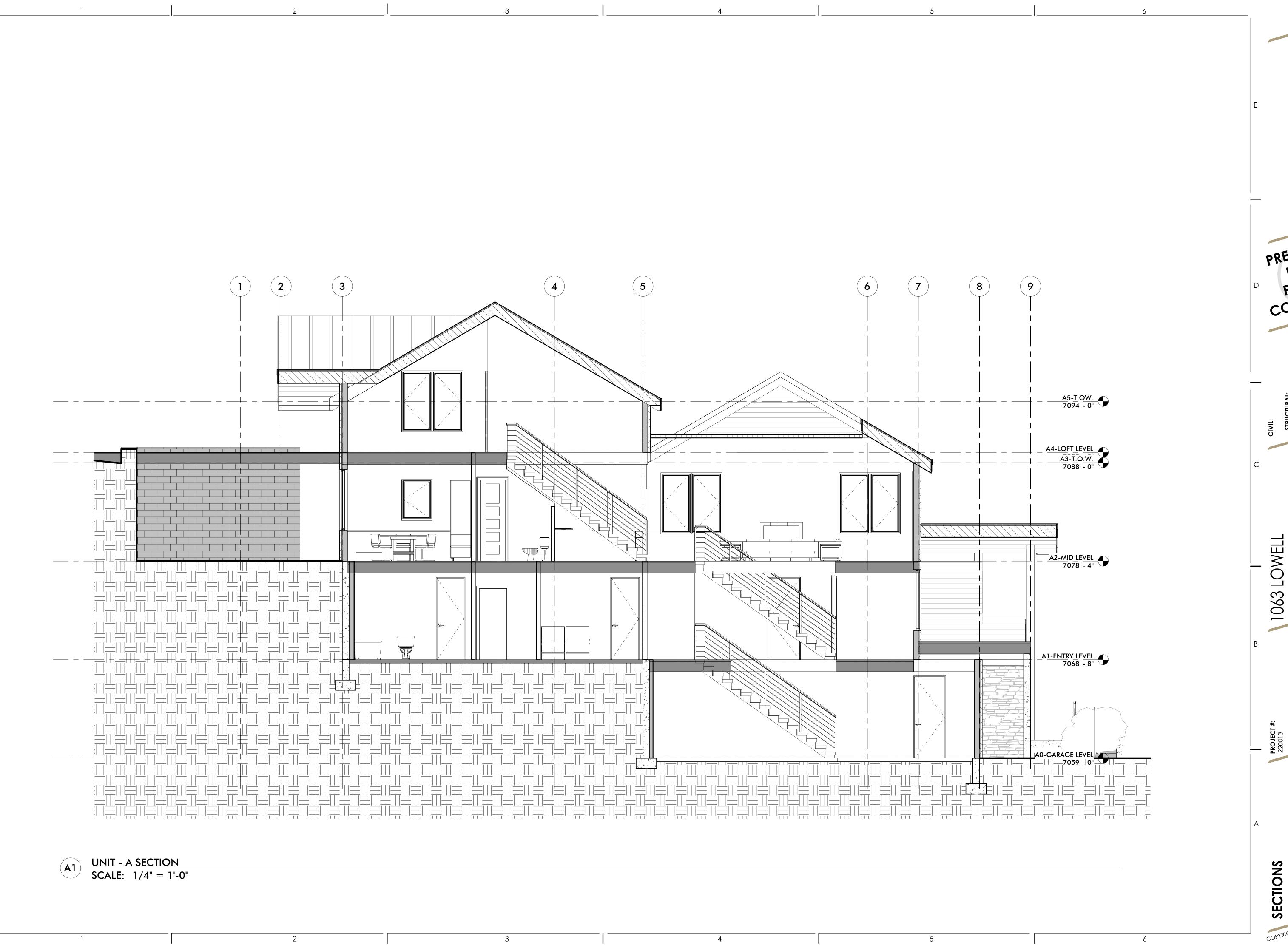
NORTH CORNER 3D VIEW
SCALE:



EAST CORNER 3D VIEW SCALE:

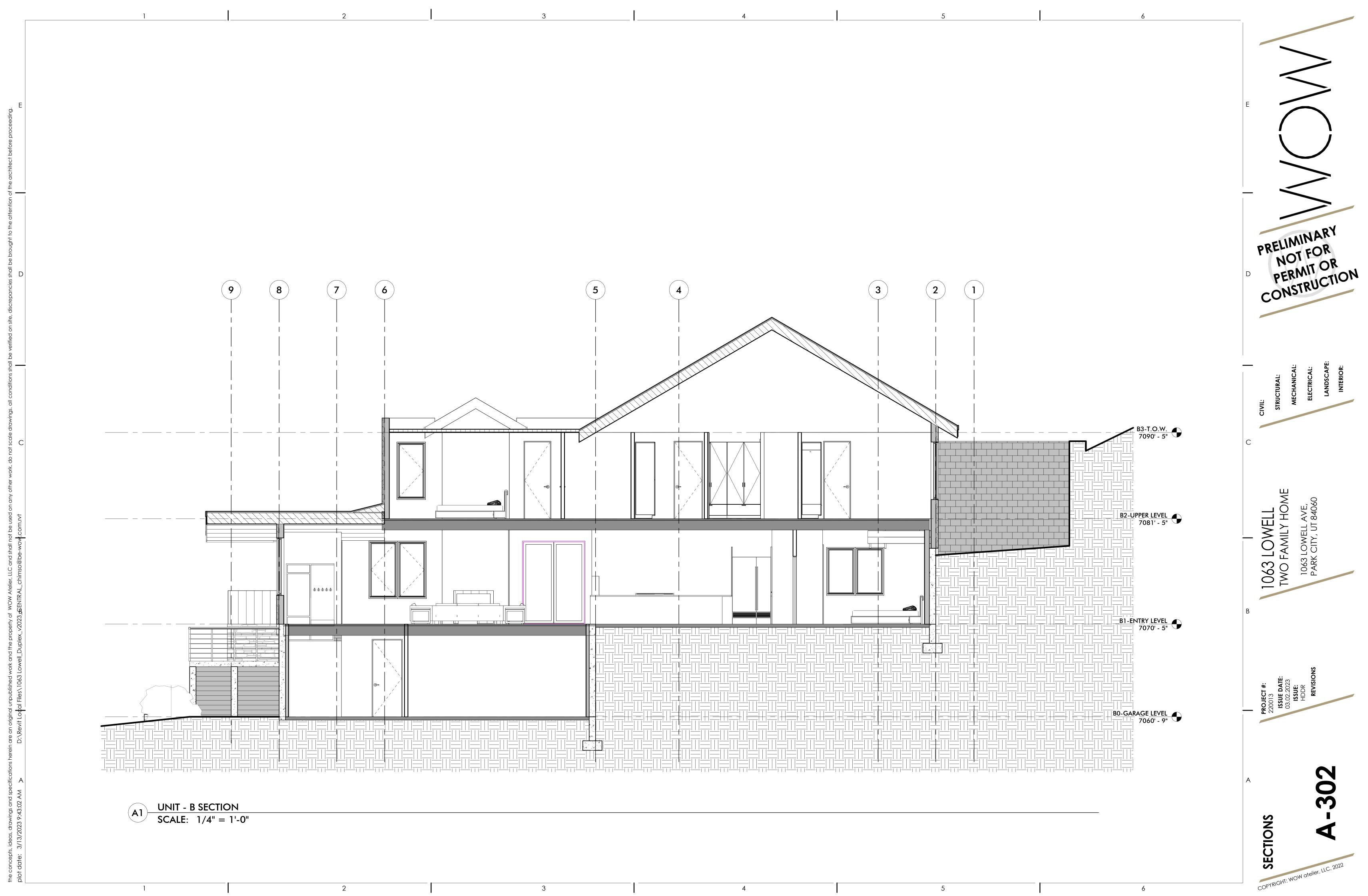


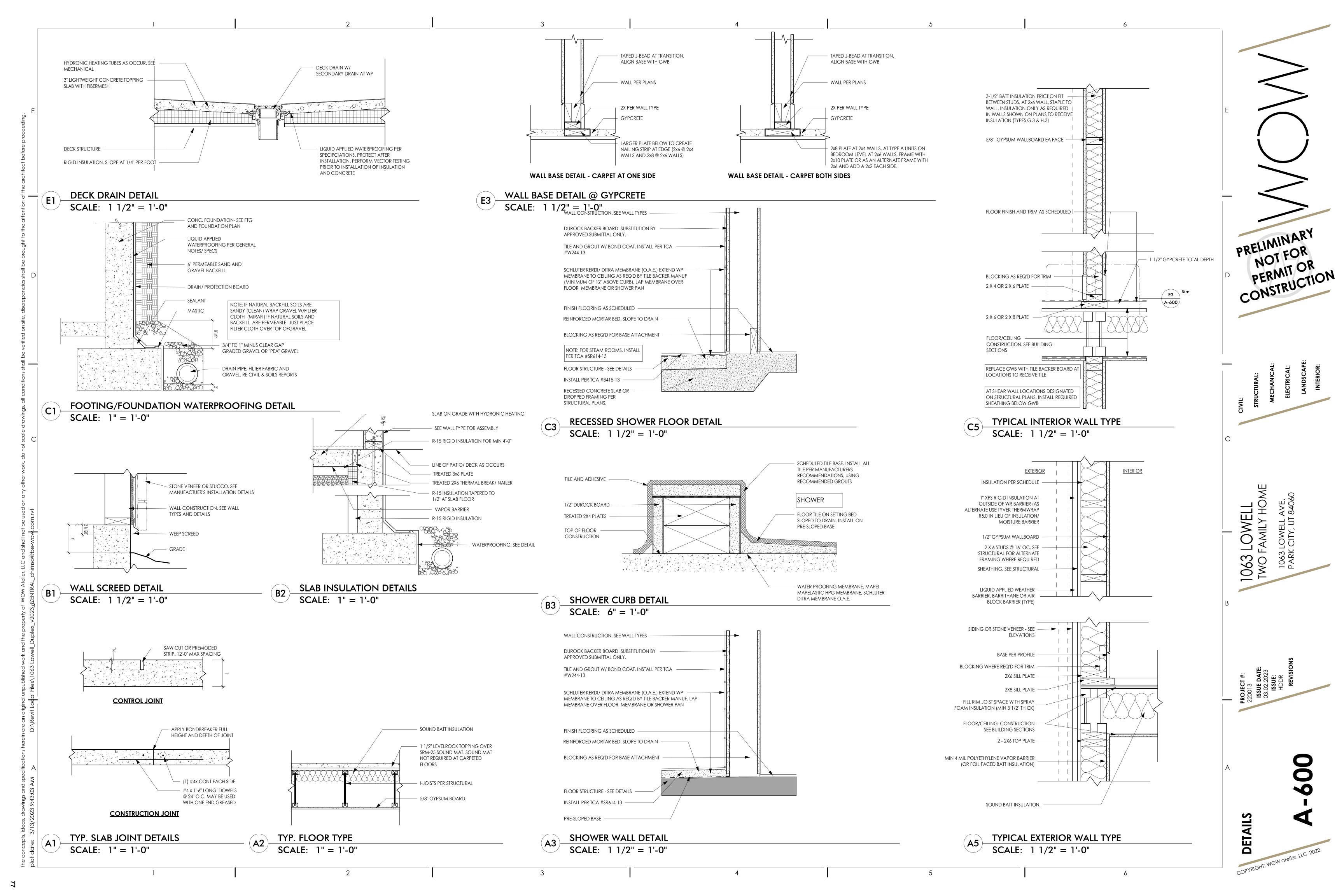
DOWN HILL VIEW 02 SCALE:

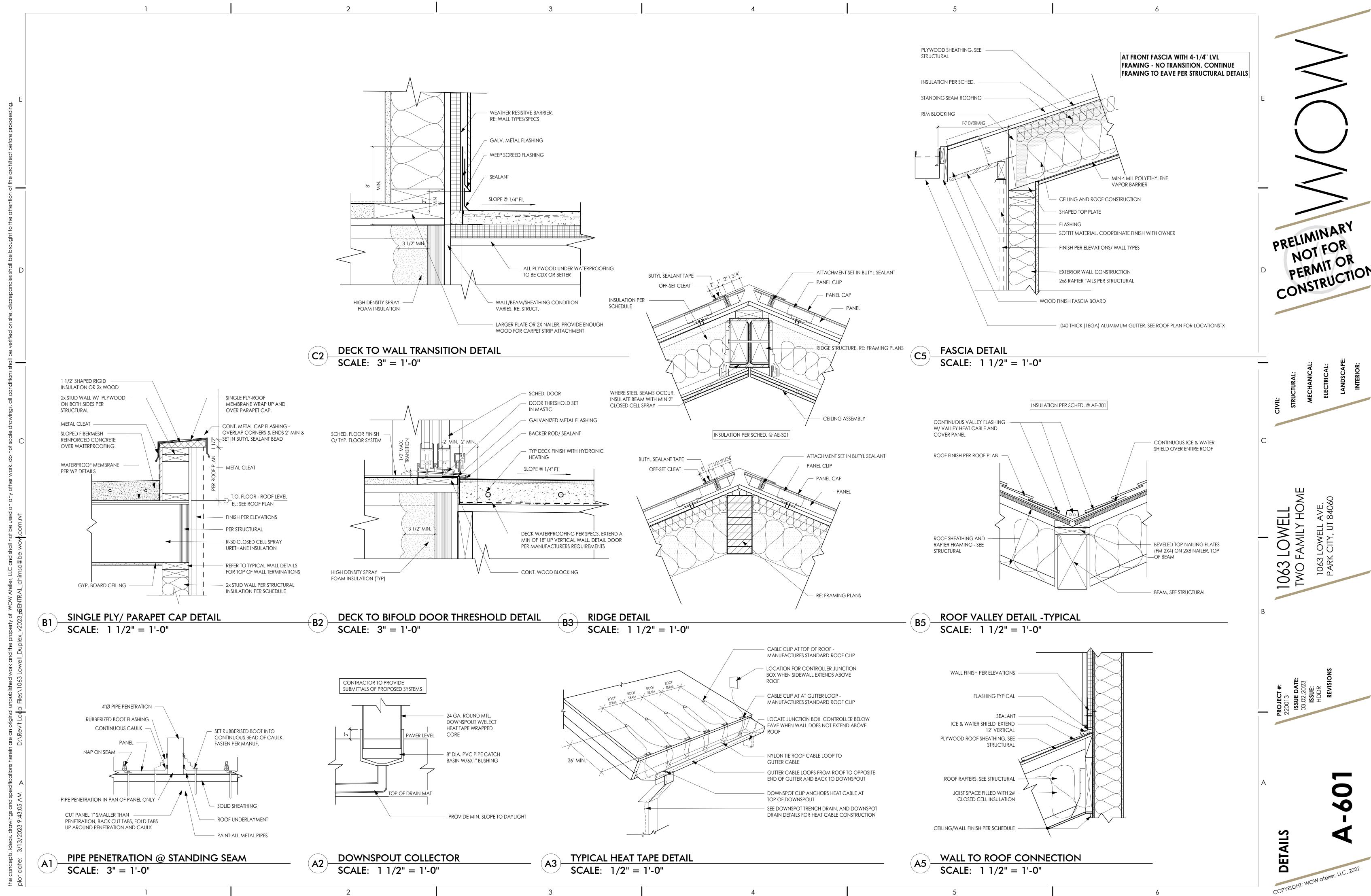


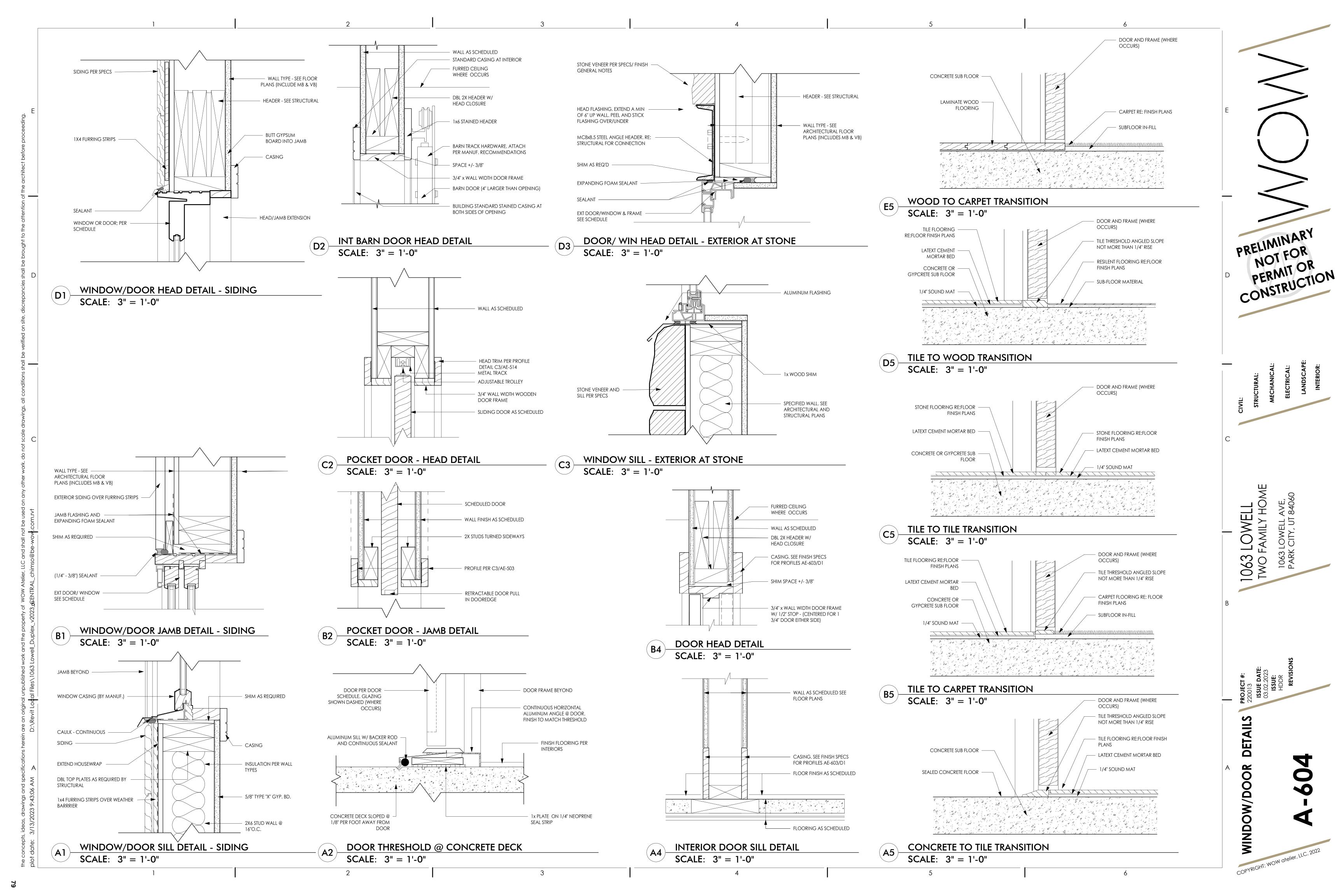
PRELIMINARY
NOT FOR
PERMIT OR
CONSTRUCTION

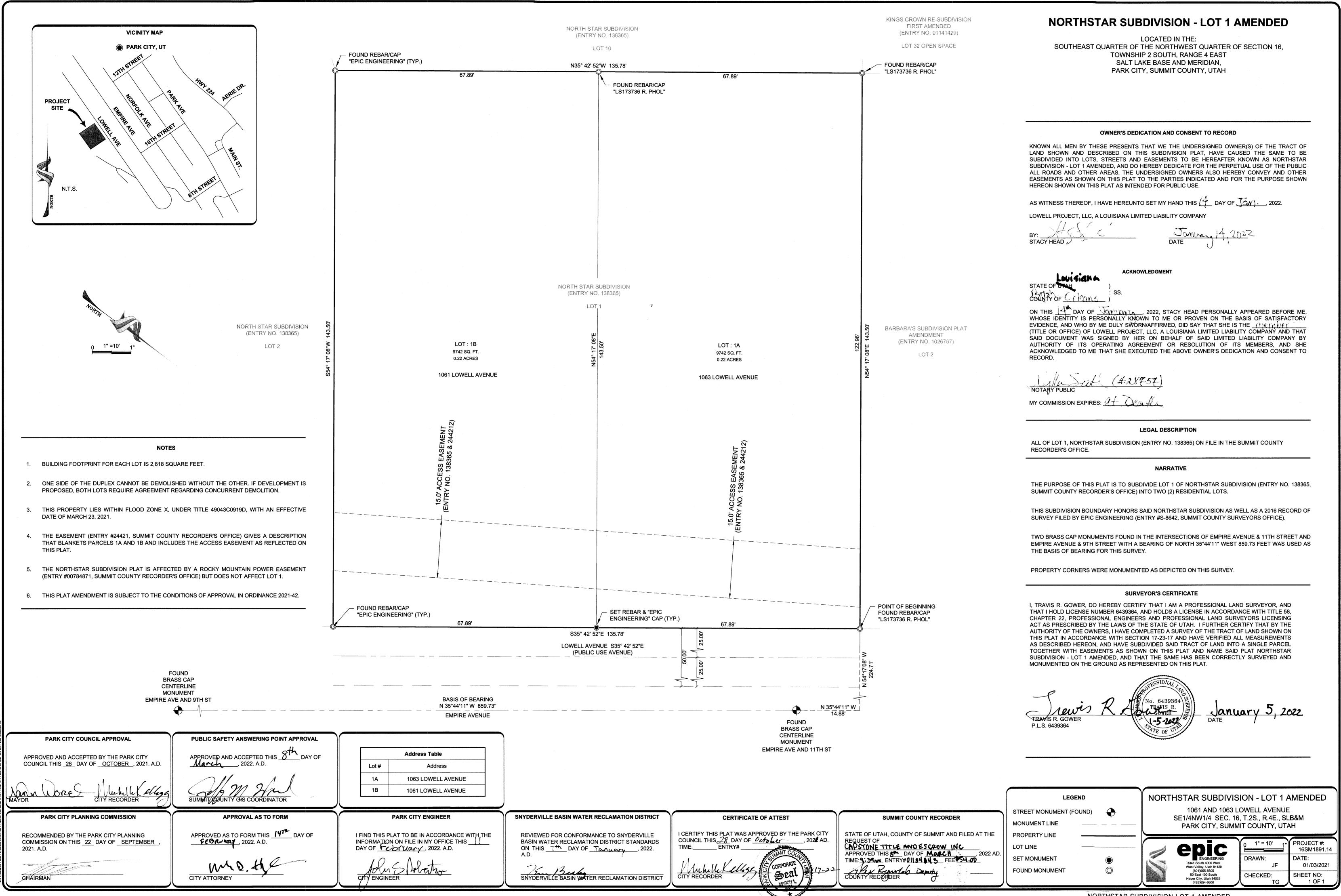
1063 LOWELL TWO FAMILY HOME











# PARK CITY, UTAH

## LAND MANAGEMENT CODE

# Consisting of

Ordinance No. 12-79 (January 1, 1980) Creating a Planning Commission, Board of Adjustment and Providing for the Administration and Enforcement of the City's Land Management Code; and Ordinance 8-80A, (August 22, 1980) Repealing and Re-enacting Ordinance No. 13-79, as Amended, to Provide for a Comprehensive Zoning of Park City and Adopting an Official Zoning Map.

Adopted August 22, 1980

Effective August 28, 1980

Reprinted as Amended June 15, 1981

\$5.00

PARK CITY MUNICIPAL CORPORATION
P. 0. Box 1480
Park City, Utah 84060

#### SECTION 4. DISTRICTS AND REGULATIONS

- 4.1. HISTORIC RESIDENTIAL (HR-1) DISTRICT
- 4.1.1. <u>PURPOSE</u>. To allow continuation of the land uses and architectural scale and styles of the original Park City residential area and to encourage densities that will preserve the desirable residential environment and that will allow safe and convenient traffic circulation.
- 4.1.2. <u>PERMITTED USES</u>. In a Historic Residential (HR-1) District, no building or structure shall be erected which is arranged, intended, or designed to be used for other than one or more of the following uses:
- 4.1.2.1. Single-unit detached dwelling.
- 4.1.2.2. Two-unit dwelling.
- 4.1.2.3. Home occupation.
- 4.1.2.4. Accessory buildings and uses customarily incidential to main use.
- 4.1.2.5. Three-unit dwellings. Three-unit dwellings may be permitted upon review by the Planning Director provided that all required parking must be fully enclosed in a parking structure situated so that the mass of the parking area is at least 50% below the natural grade.
- 4.1.2.6. Lockout room.
- 4.1.3. <u>CONDITIONAL USES</u>. The following uses may be considered by the Planning Commission for conditional use approval as provided by Park City Ordinance 12-79, Section 2.
- 4.1.3.1. Public and quasi-public institutional use.
- 4.1.3.2. Nightly rentals.
- 4.1.3.3. Child nursery.
- 4.1.4. LOT AND SIZE REGULATIONS.
- 4.1.4.1. Lot Size. The minimum lot area for a single-unit dwelling shall be 2,812 square feet. Two-unit dwelling shall have a lot size of 3,750 square feet. Three-unit dwelling shall have a lot size of 5,625 square feet. The minimum width of a lot shall be 37.50 feet, 15.00 feet back from front lot line.
- 4.1.4.2. Side Yard.
- 4.1.4.2.1. The minimum side yard for any structure or accessory buildings or uses shall be five feet except that a side yard shall not be required where

BUILDING PERMIT AI BECOMES PERMIT WHEN SIGNED		) <b>N</b>			. —		100	311	•
	Date Work	,	Receipt No. 2971	1	6-8-	83	,	Permit Numb	
*Proposed Use of Structure		-		<del></del>	BUILDING			1-0-	2
DUPLEX			Square Ft. of	·					
*Bldg. Address			Rough Ba	•	6086 SF	Building F		2522	
#   NOLTH STAR	Assessors Parce	No	Carport or fil	V-/CI	740	Plan Chec		1639 1000	
*Address Certificate Ivo.	Assessors raice	140.	Garage sq. ft.	13	THUS TO S	Plumbing		arean	MELANDO
*Lot # *Block * Subd. Name & Number			Type of Bldg	11/	Occ Group	Mechanica			<del></del>
1 NOKTHSTA			T-N		Occ. Group R-3	Water		1200	,00
*Property Location		d bounds see	No. of Bldgs.	İ	R. Value Walls   Roof	Sewer		,	
	instruction	s	No. of Stories	0	10 2:	Storm Se	wer		
*Total Property Area - In Acres or Sq. Ft.	Total Bldg. Site		No. of	2-	RI/RD	Moving or	Demo.		
*Total Property Area - In Acres or Sq. Ft.	4500		Bedrooms No. of	9		Temporar			
*Owner of Property		Phone	Dwellings	2		Reinspect		·	
DAN CONCON + HECTON *Mailing Address	e meshee	<u> </u>	Type of Cons ✓ Frame □			omp		6725	
*Mailing Address	/ - 13-	- City			□ Concrete □ Ste	el W. De			,00
% P.O. 2455 PACK	-LUTY UT	Lic No	Max. Occ. Lo	ad		CK do	plan		(38)
A DUSINESS 148III6 Address	Dusiness	Elc. NO.	Fire Sprinkle	r ⊟ Ye	s X No	- Coc and		16886	91
*Architect or Engineer	L	Phone	-		pprovals	Required	Rece	·	lot Reg.
STEVEN T. BAIRD	SLC 3	18-2541	Board of A				1		
★General Contractor		Phone	Health Dep	t.					
A.D.A.C. Dev. Co	RP 64	9-0181	Fire Dept.						
*Business Address	* State Lic. No.	City/Co. Lic. No.	Soil Report				L		
PO 2455 P.C. UM	36021-	1095	Water or W		ermit				
*Electrical Contractor	•	Phone	Traffic Engi				ļ		
ALPINE ELEGIC *Business Address	- 6 * State Lic. No.	49-8779 * City/Co. Lic. No.	Flood Cont Sewer or S		Table	1/	1 -	-4-11	120
HIGHLY 248 E COMPARK	* State Lic. No.		City Engine	•				77 12	+ 20_
ALDE LIVE OF ANDRES		Dhana	Gas	EI (OII	site)				
B.R. HALE PLUMB! *Business Address	NG 20	8-9223	Comments	NES	ED HEATL	055 \$ (	MB.	AIR TR	10R
*Business Address	* State Lic. No.	* City/Co. Lic. No.	170 ST	ART	TING FR	AMING	7		
231 West 4500 So. MUKAY	33607-5	2100	NOTE	Pr	,	retion	T	cetar	),
*Mechanical Contractor		Phone	reveu	Jaj	nd appro	val of	File	good	109
			drain	آرمہ	e and la	andsca	ر سے	1415	Egura
★Business Address	★ State Lic. No.	* City/Co. Lic. No.	Land Use C Electrical D						V
* Previous Usage of Land or Structure (Past 3	vre )		HiBack C.G	•	*				
V At A T	y13.j		Other	. u 3	•				
*Dwell. Units Now on Lot	* Assessory Bi	dgs. Now on Lot	Bond Regu	ired	☐ Yes ☐ [	No An	nount		
VACANT	UA	CANT		This o	pplication does not	l bacama a na	mit until	olanod holow	·····
*Type of Improvement/Kind of Const.			1	11115 a	pplication does not	t become a per	THE UNCH	signed below	·
☐ Sign	Remodel	Addition	Plan Chk. Of	by		<i>_</i>			
☐ Repair ☐ Move	Convert Use	Demolish					`.		
*No. of offstreet parking spaces:	overed	Upcovered	Signature of Approval	of	41111 N	JUL 3	2	Date	3-93
	Zone Apr	La d	This permit		nes null and void i				
SUB-CHECK Zone					) days, or if constru at any time after v				
			read and ex	aminec	this application ar nd ordinances gove	nd know the sai	me to be	true and corre	ct. All pro-
Disapproved 6-8-83 Sub-Ck, B			whether sp	ecified	herein or not the	granting of a p	ermit do	es not presun	ne to give
Date	F	lot Plan			or cancel the prove performance of				
Minimum Setbacks in Feet		)	under penal	ty of pe	erjuny.				
Front Side Side Rear	i	Prop. Line	1	1	UNIII			1.00	₹
15' 5' 5' 10	Prop.	g	*	$C_{c}$	all	A		6-8-8	2
	┛▐╴	اة حسا	Juginature of	Contra	ector or Authorized	- gent		Date	
		louse or ZZ	* Signature of	Owner	(If owner)	·		(Date	,
Indicate Street If Corner Lot	-	if	- Census T			Zone	Co	ordinate Ident	
II Comer Lot		Attached	<b>E</b>						
·		( ) 52	USE						
Indicate North		STREET	SO Certifica	New S.	L.U. Code No.		Old	S.L.U. Code N	o. 83
NOTE: 24 hours notice is required f	or all inspection	s.	Certifica	e of O	ccupancy				

Entry No.	244212 WESTERN STATES TITUS					
DEOLIECT OF	N SPRIGGS, SUMMIT CO. RPARYY	VALL AG ECOVEN	REEMEI IANTS R	NT, EASEN LUNNING V	MENTS /	ND E LAND
RECORDED/2	30.8 5 20 bars at: 4:47	<b>/</b>				

THIS AGREEMENT is made and entered into this 23rd day of December, 1985, by Williamsburg Savings Bank, formerly known as Washington Savings Bank, a Utah Corporation (hereinafter referred to as the "Bank").

### RECITALS:

- A. The Bank is the owner in fee of that certain tract of real property located at Park City, Summit County, State of Utah which is more particularly described in Exhibit "A" attached hereto and by this reference incorporated herein.
- B. Situated on the above-described paral of land are two residential units in a duplex structure. The two halves of the structure are contiguous, join at the boundary line which separates the above-described tracts, and have in common a single wall (hereinafter referred to as the "party wall") running along said boundary line, extending through said two-family residential duplex structure, and including the roof of said structure, along said dividing boundary line. One half of said party wall is located upon each of the above-described tracts.
- C. The Bank desires to set forth in a recordable document, its rights and obligations concerning the party wall.

NOW, THEREFORE, in consideration of the premises and of the rights and obligations set forth herein, and for the mutual benefit of the unit owners, the Bank agrees as follows:

- 1. The party wall referred to and described above is hereby agreed for all purposes to constitute a party wall. Except as herein modified or expended, all legal and equitable principles relating to party walls shall govern and apply to the party wall which is the subject of this Agreement.
- 2. The Bank or any subsequent owner of the parcels of land shall use or alter any improvements located on the tract which would jeopardize the support furnished by or the soundness or integrity of the party wall.
- 3. Any party who may purchase one of the units separately from the other shall share equally with the other unit owner any and all costs and expenses relating to damages, repair, replacement, restoration, or maintenance, the expenditure or incurring of which may be necessary or desirable to preserve the soundness or structural integrity of the party wall; provided, however, that if any such cost or expense becomes necessary or desirable as a result of the act or omission of one party, the cost or expense involved shall be borne by that party alone. In addition, all costs associated with maintenance, repairs, or replacements benefiting only one party (such as interior painting or redecorating) shall be borne solely by the party benefited.
- 4. Any demolition and/or new construction an owner may desire to carry out on one single unit owned by him, that party shall not be entitled to damage or demolish the party wall in whole or in part or alter or change the exterior design or structure of the building, whether on the party wall or on the unit owned by him, without obtaining the prior written consent of the other owner.
- 5. The Bank hereby grants such easements and rights of ingress and egress over, across, through and under the two separate units as are reasonably necessary to perform any necessary or desirable repairs, replacements, restoration, or maintenance in connection with the party wall, and in connection with utilities, including but not limited to water, sewer, electrical power, natural gas, telephone, whether for the benefit of the party who owns the tract over, across, through and under, which the utilities' accesses are provided or for the benefit of the other owner.
- 6. The Bank recognizes that, because of the proximity with respect to one another of the two units on the parcel of land described herein and of the improvements situated on said tracts, both the value of each unit and associated improvements and the ability of unit owner to use and enjoy his tract and improvements are, in large part, dependent upon the condition and use of the other owner's tract and improvements. Accordingly, each unit owner hereto agrees that (a) he will not use his tract and improvements in a way which does or would interfere with the other owner's use or enjoyment of his property or in a way which does or would materially and adversely affect the value of the other party's unit and (b) he will maintain his tract and improve-

ments so as not to interfere with the owner's use and enjoyment of his unit and so as not to materially and adversely affect the value of the other party's unit.

- 7. The Bank recognizes that there is a common outflow of sewer outside of the structure provided for the common benefit of the separate units. The common sewer line may have been installed over all or a portion of the separate units. The Bank agrees that the periodic costs assessed for the sewer and any and all repairs and maintenance costs for such sewer shall be shared equally by the owner of each unit. Each unit owner grants the other owner such easements and rights of ingress and egress over, across, through and under the tract owned by him as are reasonably necessary to permit the other party to perform any necessary repairs, replacements, or maintenance in connection with said sewer lines.
- 8. In the event that one owner defaults in any of the terms, conditions or covenants contained in this agreement, then the owner in default agrees to pay all costs of enforcing this Agreement or any damages arising out of the breach hereof including reasonable attorney's fee. In addition, the owners agree that in view of the uniqueness of the real property described herein, that either owner may maintain an action against the other owner for equitable relief in the form of a temporary restraining order or injunction to enforce the terms of this Agreement, and the owner in default under the terms, conditions and covenants of this Agreement shall pay all costs incurred in connection with such action, including reasonable attorney's fee.
- 9. This Agreement and each and every provision contained herein shall constitute easements and covenants running with the land, or equitable servitudes, as the case may be and shall be binding upon and shall inure to the benefit of the Bank and its respective grantees, transferees, heirs, devisees, personal representatives, successors, and assigns. At any time that the Bank transfers its ownership in fee simple of one unit in the real property described herein, then the Bank shall no longer be obligated under the terms and conditions of this Agreement, but its successor in interest shall be fully obligated and substituted for the Bank as if such successor in interest had signed and entered into this Agreement in the first instance. The provisions hereof shall remain in full force and effect, until both structures utilizing the party wall and/or sewer lines or other utility lines are totally destroyed or demolished, in accordance with the terms of this Agreement, at which time this Agreement shall in all respects cease to be of any further force and effect.

DATED this 23rd day of December, 1985.

	known as Washington Savings Bank, a Utah Corporation.
By: Randy H. Tesch	By: Gary M. Unker Johnson
Ms: Senior Vice President	its: Vice President
STATE OF UTAH }	368 PAGE 278
ss. COUNTY OF SALT LAKE	
On the 23rd day of December A.D.  Randy H. Tesch and Gary M. Un each for himself, that (s)he, the said Randy H. Tesch	ker who being by me duly sworn did say.  is the Sr. Viceresident and he the
said <u>Gary M. Unker</u> , is the <u>Vice Pres</u> .  within and foregoing instrument was signed in behalf of said of	of Williamsburg Savings Bank and that the
	- Land of Company
My Commission expires: 6-2-87	Notary Public, Residing at Salt Lake City, Utah
	100

WILLIAMSRURG SAVINGS BANK, formerly

#### EXHIBIT A

COMMENCING at the most Northerly corner of Lot 1, NORTH STAR SUBDIVISION, as recorded; thence South 35°59' East 67.89 feet; thence South 54°01' West 143.5 feet; thence North 35°59' West 67.89 feet; thence North 54°01' East 143.5 feet to the point of BEGINNING.

TOGETHER WITH AND SUBJECT TO access easement as shown on the recorded plat of North Star Subdivision.

COMMENCING at the most Easterly corner of Lot 1, NORTH STAR SUBDIVISION, as recorded; thence South 54°01' West 143.5 feet; thence North 35°59' West 67.89 feet; thence North 54°01' East 143.5 feet; thence South 35°59' East 67.89 feet to the point of BEGINNING.

TOGETHER WITH AND SUBJECT TO that certain non-exclusive access easement as shown on the recorded plat of North Star Subdivision.

300 368 PAGE 279

nice service a group of

#### WHEN RECORDED, RETURN TO:

Northstar Subdivision Homeowners Association c/o Thomas T. Billings, Esq. Van Cott, Bagley, Cornwall & McCarthy 36 South State Street, Suite 1900 Salt Lake City, UT 84111

ENTRY NO. 00891326
02/02/2010 11:14:09 AM B: 2019 P: 1331
Notice PAGE 1/2
ALAN SPRIGGS, SUMMIT COUNTY RECORDER
FEE 16.00 BY VAN COTT BAGLEY CORNHALL MCCARTHY

Affects Parcel ID Nos. NR-1, NR-1A, NR-2, NR-3

# NOTICE OF REMOVAL OF PROTECTIVE COVENANTS

PLEASE TAKE NOTICE that the following-described parcels of real property are no longer subject to the provisions of and/or the beneficiaries of any obligations of the Northstar Homeowners Association pursuant to the Declaration of Protective Covenants for the Northstar Subdivision dated July 19, 1977 and recorded as Entry No. 139189 in Book M97 at Pages 387 through 404 of the official records of Summit County, Utah, as amended by a First Amendment to the Declaration of Protective Covenants for the Northstar Subdivision recorded as Entry No. 00497969 in Book 01113 at Pages 00248 through 00249 of the official records of Summit County, Utah, and as further amended by a Second Amendment to the Declaration of Protective Covenants for the Northstar Subdivision recorded as Entry No. 00806996, in Book 1852 at Pages 1838 through 1841 of the official records of Summit County, Utah, and as may be further amended from time to time. Said real properties are more particularly described as follows:

Lot 1, Northstar Subdivision, Summit County, Utah. Parcel ID No. NS-1.

Lot 1A, Northstar Subdivision, Summit County, Utah. Parcel ID No. NS-1A.

Lot 2, Northstar Subdivision, Summit County, Utah. Parcel ID No. NS-2.

Lot 3, Northstar Subdivision, Summit County, Utah. Parcel ID No. NS-3.

All common areas, access easements, and paved streets within said real properties or adjacent to Lots 1 and/or 1A.

DATED this 14th day of January, 2010.

NORTHSTAR HOMEOWNERS ASSOCIATION, a Utah nonprofit corporation

By: anni Jan's J. Boule
Its: Secretary

STATE OF	NC	)
COUNTY OF	Chatha	: ss. )

The foregoing instrument was acknowledged before me this 14 day of hour, 2010, by Annie Lewis J. Gorda, who is the Scretary of the Northstar Homeowners Association, a Utah nonprofit corporation.

Notary Public

TO SOUNTY OF SOUNTHINING TO SOUNTY WE SENT WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SENT WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SENT WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SENT WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SENT WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY WE SOUNTY W