

ORDINANCE NO. 29

Series 2023

**AN ORDINANCE DESIGNATING CERTAIN REAL PROPERTY AS A
LANDMARK UNDER CHAPTER 11 OF TITLE 9 OF THE BRECKENRIDGE
TOWN CODE**

(Howe Residence, 106 South French Street, Lots 7 & 8, Block 4, Abbett Addition)

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,
COLORADO:

Section 1. Findings. The Town Council of the Town of Breckenridge finds and determines as follows:

A. Jonathan and Amanda Jones own the hereinafter described real property. Such real property is located within the corporate limits of the Town of Breckenridge, County of Summit and State of Colorado.

B. Jonathan and Amanda Jones filed an application pursuant to Chapter 11 of Title 9 of the Breckenridge Town Code seeking to have the hereinafter described real property designated as a landmark ("**Application**").

C. The Town followed all of procedural requirements of Chapter 11 of Title 9 of the Breckenridge Town Code in connection with the processing of the Application.

D. The improvements located on hereinafter described real property are more than fifty (50) years old.

E. The hereinafter described real property meets the "Architectural" designation criteria for a landmark as set forth in Section 9-11-4(A)(1)(b)(2) of the Breckenridge Town Code because:

- (i) the property exemplifies specific elements of architectural style or period and;
- (ii) the property is of a style particularly associated with the Breckenridge area.

F. The hereinafter described real property meets the "Physical Integrity" criteria for a landmark as set forth in Section 9-11-4(A)(3) of the Breckenridge Town Code because the property retains original design features, materials and character.

G. In accordance with the requirements of Section 9-11-3(B)(3) of the Breckenridge Town Code, on April 6, 2021, 2018 the Application was reviewed by the Breckenridge Planning Commission. On such date the Planning Commission recommended to the Town Council that the Application be granted.

H. The Application meets the applicable requirements of Chapter 11 of Title 9 of the Breckenridge Town Code, and should be granted without conditions.

I. Section 9-11-3(B)(4) of the Breckenridge Town Code requires that final approval of an application for landmark designation under Chapter 11 of Title 9 of the Breckenridge Town Code be made by ordinance duly adopted by the Town Council.

Section 2. Designation of Property as Landmark. The real property described in Exhibit "A" which is incorporated into this ordinance by reference is designated as a landmark pursuant to Chapter 11 of Title 9 of the Breckenridge Town Code.

Section 3. Police Power Finding. The Town Council finds, determines and declares that this ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants thereof.

Section 4. Town Authority. The Town Council finds, determines and declares that it has the power to adopt this ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town Charter.

Section 5. Effective Date. This ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
PUBLISHED IN FULL this 22nd day of August, 2023.

This ordinance was published in full on the Town of Breckenridge website on August 25, August 26, August 27, August 28 and August 29, 2023.

A public hearing on this ordinance was held on September 12, 2023.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN FULL ON THE
TOWN'S WEBSITE this 12th day of September, 2023. A copy of this Ordinance is available for
inspection in the office of the Town Clerk.

ATTEST:

TOWN OF BRECKENRIDGE

Helen Cospolich, CMC, Town Clerk

Eric S. Mamula, Mayor

APPROVED IN FORM

Town Attorney Date

This Ordinance was published on the Town of Breckenridge website on September 14, September 15, September 16, September 17 and September 18, 2023. This ordinance shall become effective on October 18, 2023.