



TOWN OF  
**BRECKENRIDGE**

**Planning Commission Meeting Agenda**

Tuesday, February 20, 2024, 5:30 PM

Council Chambers

150 Ski Hill Road

Breckenridge, Colorado

**5:30pm - Call to Order of the February 20, 2024 Planning Commission Meeting; 5:30pm Roll Call**

*Location Map* 2

*Approval of Minutes* 3

*Approval of Agenda*

**5:35pm - Public Comment On Historic Preservation Issues (Non-Agenda Items ONLY; 3-Minute Limit Please)**

**5:40pm - Consent Calendar**

1. Hallberg Residence Addition (EM) 30 White Cloud; PL-2024-0014 9

**5:45pm - Work Sessions**

1. Demolition By Neglect Code Changes 26

**6:15pm - Other Matters**

1. Town Council Summary

**6:30pm - Adjournment**

**For further information, please contact the Planning Department at (970) 453-3160.**

**The indicated times are intended only to be used as guides. The order of the projects, as well as the length of the discussion for each project, is at the discretion of the Commission. We advise you to be present at the beginning of the meeting regardless of the estimated times.**



Hallberg Residence  
Addition, 30 White Cloud  
Drive



NOT TO SCALE

# Breckenridge South



## PLANNING COMMISSION MEETING

The meeting was called to order at 5:30 pm by Chair Leas.

### ROLL CALL

Mike Giller	Mark Leas	Allen Frechter	Susan Propper
Ethan Guerra	Steve Gerard	Elaine Gort	

### APPROVAL OF MINUTES

With no changes, January 16, 2024 Planning Commission Minutes were approved.

### APPROVAL OF AGENDA

With no changes, the February 6, 2024 Planning Commission Agenda was approved.

### PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- None.

### CONSENT CALENDAR:

1. Messerich Residence Residing (SVC), 205 E. Washington Avenue, PL-2024-0008

Mr. Gerard made a motion to call up Messerich Residence Residing, seconded by Mr. Frechter. The motion passed unanimously and the project was called up.

Ms. Crump presented an overview of a proposal to restore and replace historic exterior clapboard siding, remove deteriorating asphalt shingle siding, and paint.

#### *Commissioner Questions / Comments:*

- Mr. Frechter: What's the specification for matching? Is that in terms of texture or dimensions? (Ms. Crump: The handbook states that texture should be that which was used historically but it's not specified, we would prefer new material match in both texture, dimensions, and color. It is possible for them to buy four-inch lap fiber cement siding and it would have a texture similar to natural wood.) How much are we allowed to put a more durable material close to the ground to better follow building codes? (Ms. Crump: I don't know the building code but because the structure is historic, I believe the historic guidelines would override and can dictate the natural wood siding be maintained to the ground.) (Mr. Truckey: I don't believe there's anything in the building code that requires that) (Mr. Kulick: We do allow more durable materials such as rock around the base but if there's historic materials we would want them maintained.)
- Ms. Gort: What's the benefit of using the Hardie board over regular wood besides the water issue? (Ms. Crump: It's a more durable product. It's a wood fiber product made with cement and fly ash from coal that creates a durable compound material. It's hard to chip and is weather and fire resistant which is more durable than natural wood. Some Commissioners may have another opinion.) Is the cost similar to wood? (Ms. Crump: Less in cost but the installation costs can be more due to the weight of the product.)
- Mr. Gerard: Has Staff formed any opinions as to if any of the facades are unrestorable? (Ms. Crump: The sides that have had shingles removed seem to be very salvageable, especially the front façade; more investigation is needed for the rear because it's south facing with more sun and weather exposure. From initial investigation the natural wood siding seemed spongy and rotted from moisture in the rear.) Is it Staff's feeling that rather than treat this like a preliminary hearing you have added conditions of what to do based on the historic siding discovered and the condition of the siding? (Ms. Crump: That is how the proposed conditions currently read, that if material is discovered to not

be salvageable then it could be replaced with new material, so yes because it is a lower-level classification of permit this would be a combined hearing.) (Mr. Truckey: We feel if we get the overall direction from the Commission during this meeting, Staff can make that final determination in the field with the building department's input.) Could they landmark the property for tax credits to help with this cost? (Ms. Crump: That's up to the applicant. They could choose to pursue landmarking or they may consider it later on with a potential addition.)

- Mr. Guerra: Could they install gutters to prevent further water damage? (Ms. Crump: Yes.)
- Mr. Giller: Was there any consideration to fixing the drainage around the house that may drain into the house? (Ms. Crump: That was not considered as part of this application, the applicant can speak more to that if they've contemplated that.) Do we know how old the existing clapboard siding is? (Ms. Crump: We don't, it could be original dating to between 1909 and 1914, but it could have also been redone in years prior to adding the shingles.) I could tell its cedar siding which is more rot resistant than other woods. If you cut into Hardie board at all does have problems with moisture and expansion? (Ms. Crump: I think that was a problem early on with the earliest versions of the product but they have made improvements to prevent that over the past 15 years; it is the only synthetic wood siding we do allow it in the historic district because of its durability.)
- Ms. Propper: If Staff determines that the south side with the barn wood is not salvageable would Staff want it to be the vertical or horizontal board? (Ms. Crump: We would want the new material applied to be horizontal to match the rest.) Would they be able to put Hardie board on the lowest portion of the walls to prevent degradation? (Ms. Crump: That is a question for the Commission.)
- Mr. Leas: Could it be landmarked, is it eligible? (Ms. Crump: Yes, according to the historic survey done it is contributing to the district and eligible for local landmarking.)
- Mr. Gerard: Isn't it true that if a side wall is not totally unrepairable you have to match the existing wood with material to match? (Ms. Crump: Yes, our handbook recommends to splice with natural wood if it's not salvageable and Staff is only recommending a change in siding if the side is a total loss. Considerations for splicing and patching with Hardie is something for the Commission to discuss.) (Mr. Truckey: An example of that is the house on French Street across from the catholic church that collapsed. We required them to maintain all the historic material that they could and then splice in natural wood material to match, some of which was historic from other sites.)

Ms. Maureen Messerich, Property Owner: This project started with a new roof and we thought it would be nice to get the siding fixed because the workers were already there. We were familiar with the Hardie board siding because it lasts forever and doesn't have many issues. We priced it out and decided it was worth it. When we found out we potentially had to maintain the original siding we spoke with others and they recommended the Hardie board. We would be willing to do the historic siding on the front and the Hardie board on the sides where it's not visible from the street. We're not prepared for the cost and maintenance of restoring the original historic siding.

- Mr. Frechter: Have you priced out the cost for patching the existing siding on the facades where you would have to keep the historic siding?
- Ms. Messerich: I have not, I think you have to patch the side boards with matching boards but on the bottom I don't see why you can't use Hardie board.
- Mr. Frechter: Are you asking us to approve Hardie board everywhere or just use Hardie board at the base.
- Ms. Messerich: I would prefer Hardie board for the whole house but I understand that is not allowed. I would hate to spend money to end up with the same problem I currently have. I want to

- understand is painted damaged boards, like on the business right next to us is that preferred?
- Mr. Frechter: The Town Council set these guidelines and it's our responsibility to see those through, we have some leeway so I want to understand what your preference is.
- Ms. Messerich: I would at least like to have Hardie board on the bottom boards because I wouldn't have ever submitted the application if I knew it had to be all wood. Amy (the daughter) inquired about installing gutters in the past and was told no but I suppose that has changed. I was also told when the neighbor uphill of us did some work more water started ending up in our yard creating moisture issues at the bottom.
- Mr. Frechter: What's the condition of the bottom of the vertical boards?
- Ms. Messerich: Spongy, would you require us to replace the whole board or splice? I drove around Town and saw a lot of buildings with the gaps between the wood covered with strips of wood but most of those were garages and sheds, not living structures. I don't like the look of that and would prefer the painted siding look.
- Mrs. Gort: I encourage you to maintain the vertical board because it showcases the unique history as a possible conversion from a barn to a house, have you seen it that way?
- Ms. Messerich: We discussed it as we drove around Town.

Amy Messerich, Property Owner's Daughter: You would have to have a caulk line between the boards after you add the batten strip which can eventually degrade and allow rodents into and under the house and would be a continuing maintenance issue. Some of the areas have wider than 1-inch openings, large enough for a fist, and would be harder to cover with battens.

- Mr. Gerard: Do you have plans for an addition?
- Ms. Messerich: Ms. Crump gave us information that we could do a small addition in keeping with historic standards of either 200 square feet or 400 square feet as part of a bonus and you could make it 1,600 square feet if you put a basement under it. (Ms. Crump: We discussed the landmarking process and the density bonus underground as part of that.) I thought the extra space would be nice but now that it's become more complicated we should have contemplated the addition with this, but that's for another time.
- Mr. Giller: Do you know if the framing is stable for the uphill side and the back side?
- Ms. Messerich: My understanding is that the back is older than the front and the front was actually built to be a house while the rear was not. We are not sure of the condition of the framing.
- Mr. Giller: It's likely if the sheathing is rotted the framing is too and it may not be productive to put new siding on rotting framing. Can you speak to the drainage issues you noticed?
- Ms. Messerich: I haven't noticed it, but I was told about it by a contractor years ago.
- Mr. Giller: It's not unusual in construction to change onsite and have it affect an adjacent site. Have you considered fixing the drainage?
- Ms. Messerich: No, this project is more of an extension of fixing the roof.
- Mr. Giller: You said you'd like to understand why, the short answer is authenticity and integrity of the historic building. We're bound by the State to protect the buildings in the historic district and we're trying to work with you for a suitable solution.
- Ms. Messerich: Yes, my thought is the Hardie board would look like the original but you must see a difference.
- Mr. Giller: The experts see it differently.
- Ms. Messerich: We were okay with doing the front, but the cost is a large issue to us. My impression is the Hardie board is much cheaper than the original siding and milled wood. The maintenance issue is the big problem for me, especially for the lower boards. It's not just drainage but also the snow sitting against the house.
- Mr. Giller: That goes back to the discussion of would you fix the drainage and the siding that has dried is very old and still sound. With older buildings issues are a puzzle to figure out

what's causing the issue and even with the Hardie board you may have the same issue. Typically, we would be brought a set of drawings to have a better understanding which we understand this project has evolved from something much simpler but the lack of drawings makes it harder for us to give answers.

Ms. Propper: No questions.

Mr. Leas: If I understand correctly, you're looking for the Commission to approve the use of Hardie board to address the problems you know of at this time though there may be further problems with the structure as Mr. Giller has brought up?

Ms. Messerich: Correct.

Mr. Eduardo Vazquez, Contractor: With the initial project we proposed to tear off the existing siding down to the plywood but we were unsure what was underneath. We were also going to fix any rotting studs underneath the siding and we were going to put two feet of sheet metal all the way around to prevent rodents and five feet of ice and water shield and then the Hardie Board which is a very durable product in snow. Now I see we can salvage the front and left side of the house only about three quarters of the way down and in the rear I'm not sure we can save the vertical siding because it is rotted on the bottom and the top and the insulation is falling out between the pieces of siding. To get a straight surface to do the siding we need to remove that and then check the studs, put in plywood, sheet metal, ice and water, Hardie board, and paint. The other option is we can try to salvage the middle of the vertical siding and then do 3-4 feet of the Hardie board siding and then reuse the vertical siding on the top.

Mr. Giller: We understand you have ideas for a more complete rehab of the exterior, it makes us nervous because when you have moisture issues with a building they tend to be more complicated. Have you taken off any of the siding to see the condition of the walls?

Mr. Vazquez: No, we just discovered some of this yesterday and today.

Mr. Giller: Typically a one foot hole is cut in a wall in a few places to try and understand the conditions but what you were describing is not what's allowed as part of the historic standards and it may not solve your problems. Have you looked at going at it from the inside?

Ms. Messerich: We haven't.

Mr. Vazquez: But we can.

Mr. Giller: Would you want to look at that first before removing the full exterior siding and finding rotting wood underneath.

Ms. Messerich: I don't think that would be a big deal and we would find out pretty early on whether it's fully rotted or not. The inside of the structure is quite nice and stable so I don't believe there's any major problems. I feel like we could deal with whatever problem may exist on the exterior when it comes to light.

Mr. Giller: I think it would be a good idea to investigate to better understand what the issues are and the condition of the framing.

Ms. Messerich: This is the first time I've come up here to look at it. I don't anticipate it to be a big problem because the boards in the middle are fine, it's only the boards near the roof and at the base. In my experience, I haven't run into have a major problem like that.

Mr. Truckey: Just to clarify, Mr. Giller is providing a suggestion. You could replace your siding and not do what he is suggesting, we do not regulate that aspect.

Ms. Messerich: I have a lot of confidence in the contractor to do the right thing.

Mr. Giller: I disagree, due to the substandard work on the fascia boards.

Mr. Leas: Do you have any experience for doing the restoration of a project that's in this bad of a condition?

Mr. Vazquez: Yes historic, but this is very different. This house is something that must be treated like gold. Speaking to the fascia installation the building is not very square so it made it

harder to do a fine cut but we were not aware we would be doing the siding at the time, otherwise we could have worked to fix the structure some.

Mr. Leas: When you undertook this project you were not aware of the scrutiny the Town would have on what you're proposing to do, has this meeting given you a better understanding of the standards required by the Town?

Mr. Vazquez: Yes.

The hearing was opened to public comment. There were no comments and the public comment period was closed.

*Commissioner Questions / Comments:*

Mr. Frechter: We have municipal and state mandated standards we have to maintain with limited leeway for how you will have to proceed with siding restoration. To provide approval we'd need to look at something very specific in terms of what's being restored and what materials are being added into each façade.

Mr. Gerard: I think there are more questions than answers for this project and there were surprises. I ask to treat this as a preliminary hearing rather than a final because there are many things that need to be looked at as there may be foundation and drainage problems that should be addressed. As I read the design guidelines you would not be allowed to put Hardie board close to the ground and must have milled siding to match. Would you be interested in landmarking this project and getting tax credits to help with the restoration? This could be a much larger project and I'm sorry it has gone from a small project to make the building look better to a much larger discussion.

Mr. Guerra: I have sympathy for the applicant's discovery of the siding and how much it's governed by the guidelines. Staff has outlined quite accurately what needs to be done, I don't think there's more questions that need to be answered. The structure and the drainage are other questions, and questions for the building department. This is focused on the siding and the design standards around that are very specific about what you can do. There is no leeway to allow the Planning Commission to approve something different than is stated in the outlined Conditions of Approval.

Mr. Giller: I think you need a preservation architect to guide your work, it's much cheaper to find the problems early on rather than during construction and restoration projects tend to snowball. I agree with Mr. Guerra in that the design standards are very clear, and we can't approve the use of Hardie board in the way you're proposing.

Ms. Propper: My heart goes out to you with the struggles of this project, but the rules are very clear. Mr. Giller has offered some suggestions if you wish to follow that, but the standards are clear that absent an entire façade that's unusable you need to replace it with natural material to match existing. I understand the concerns raised but we don't have the leeway to do that.

Mr. Guerra: This started out as a repair project, but it is now a restoration project and I recommend finding a restoration expert to move forward with the project.

Mr. Leas: Echoing the comments of most of the Commissioners, I don't think we're in a position to allow you to put your siding on the bottom. I don't think you understand how big of a problem you are uncovering here. You have a valuable piece of property but it's limited by its value due to the structure that's there. I don't think it would be wise to throw more money into a situation you cannot recover, I urge you to look carefully with what you have here and I empathize with your situation.

Mr. Gerard made a motion to approve the Messerich Residence Residing with the attached Staff recommendations, seconded by Mr. Guerra. The motion passed 4 to 3.

**OTHER MATTERS:**

1. Town Council Summary

**ADJOURNMENT:**

The meeting was adjourned at 7:03 pm.

---

Mark Leas, Chair





**TOWN OF BRECKENRIDGE  
COMMUNITY DEVELOPMENT**

**Class C Major Single Family Development Review Staff Report**

<b>Project Title:</b>	Hallberg Residence Addition	
<b>Proposal:</b>	Proposing a 453 sq. ft. addition consisting of an enlarged entryway, new bath, and new attached garage. The proposed addition would increase the residence to four (4) bedrooms and three and a half (3.5) bathrooms. The addition will match the existing exterior appearance.	
<b>PC#:</b>	PL-2024-0014	
<b>Project Manager:</b>	Ellie Muncy, Planner I	
<b>PC Meeting Date:</b>	February 20, 2024	
<b>Preapplication Meeting Date (REQUIRED):</b>	January 2, 2024	Ellie Muncy
<b>Date of Report:</b>	February 12, 2024	
<b>Property Owner:</b>	LSH Properties LLC (Tom Hallberg)	
<b>Agent:</b>	Tom Hallberg	
<b>Proposed Use:</b>	Single Family Residence	
<b>Address:</b>	30 White Cloud Drive	
<b>Legal Description:</b>	Lot 1, Block 1, Warrior's Mark West Filing #3	
<b>Area of Site in Square Feet:</b>	10,890 sq. ft.	0.25 acres
<b>Existing Site Conditions:</b>	The triangular shaped lot narrows towards the north and does not feature a Building or Disturbance Envelope. The lot is bordered by two adjacent parcels to the east and west, with national forest to the south. The lot is covered with mature tree growth and shrubs. There is a 10' utility easement west side of the lot and a 20' utility easement on the south side of the lot. The existing single-family residence home, built in 1981, is 3,176 sq. ft. and contains four (4) bedrooms and two and a half (2.5) bathrooms. It is two stories, and features primarily vertical cementitious siding and asphalt shingle roofing. The existing structure sits at 41.5' from the front property line to the north, the west side setback is 30' to the existing garage wall, the east side setback is 8' to the existing wall, and the rear setback to the south property line is 26'.	
<b>Area of building:</b>	Proposed Square Footage	Existing Square Footage
Main Level:	1,291 sq. ft.	1,250 sq. ft.
Upper Level:	1,460 sq. ft.	1,405 sq. ft.
Total Density:	2,751 sq. ft.	2,655 sq. ft.
Garage:	878 sq. ft.	521 sq. ft.
Total:	3,629 sq. ft.	3,176 sq. ft.
Square Footage Being Added:	453 sq. ft.	
<b>Code Policies (Policy #)</b>		
<b>Land Use District (2A/2R):</b>	30-5	
<b>Density (3A/3R):</b>	Unlimited	
<b>Above Ground Density (3/A):</b>	Allowed: 4,500 sq. ft.	Proposed: 3,629 sq. ft.
<b>F.A.R.:</b>	1:3.00 FAR	
<b>No. of Main Residence Bedrooms:</b>	4 bedrooms	4 bedrooms
<b>No. of Main Residence Bathrooms:</b>	3.5 bathrooms	2.5 bathrooms
<b>Height (6A/6R):</b>	28.3 feet overall	
*Max height of 35' for single family outside Conservation District <u>unless</u> otherwise stated on the recorded plat. <b>Tallest height of the existing structure is 26' 1".</b>		
<b>Lot Coverage/Open Space (21R):</b>		

Drip line of Building/Non-Permeable Sq. Ft.:	2,453 sq. ft.	22.53%
Hard Surface/Non-Permeable Sq. Ft.:	1,624 sq. ft.	14.91%
Open Space / Permeable:	6,942 sq. ft.	63.75%
<b>Snowstack (13A/13R):</b>		
Required Square Footage:	276 sq. ft.	25% of paved surfaces is required
Proposed Square Footage:	276 sq. ft.	(17.00% of paved surfaces)
<b>Outdoor Heated Space (33A/33R):</b>		
	NO	
<b>Parking (18A/18R):</b>		
Required:	3 spaces	
Proposed:	3 spaces	
<b>Fireplaces (30A/30R):</b>		
<b>Number of Gas Fired:</b>	1 Gas Fired	
<b>Building/Disturbance Envelope?</b>	None	
<b>Setbacks (9A/9R):</b>	Required setbacks for the Warrior's Mark West Filing #3 are the same as what was specified under Summit County's R-6 zoning at the time of annexation. The existing property meets required setbacks for all setbacks. The proposed addition meets all required setbacks as well.	
	25' Required: Front Yard Setback	41.5' Proposed: Front Yard Setback (Existing)
	7.5' Required: Side Yard Setback	9.9' Proposed: Side Yard Setback
	7.5' Required: Side Yard Setback	8' Proposed: Side Yard Setback (Existing)
	25' Required: Rear Yard Setback	26' Proposed: Rear Yard Setback (Existing)
<b>Architectural Compatibility (5/A &amp; 5/R):</b>	The proposed architecture and finishes match the existing home and that of the other homes in the neighborhood.	
<b>Exterior Materials and Colors:</b>	<b>See Color/Material Board</b> <b>Roofing:</b> Black Metal Standing Seam <b>Wood Trim/ Details:</b> 5/4 James Hardie Cedarmill to match existing <b>Windows:</b> To match existing clad <b>Siding:</b> Board and Batten James Hardie Cedarmill to match existing	
<b>Landscaping (22A/22R):</b> Staff finds that sufficient landscaping exists to effectively enhance the natural aesthetic of the property and to provide screening/buffering between the right-of-way and the neighboring lots. No additional landscaping is proposed with this application.		
<b>Defensible Space (22A):</b>	Complies	
<b>Drainage (27A/27R):</b>	Positive drainage away from the residence is proposed.	
<b>Driveway Slope:</b>	5.00%	
<b>Point Analysis (Sec. 9-1-17-3):</b>	This application has met all Absolute Policies. Staff has not awarded nor deducted any points for this proposal.	
<b>Staff Action:</b>	Staff approves the Hallberg Residence Addition, PL-2024-0014, Lot 1, Block 1, Warrior's Mark West #3, with a passing point analysis of zero (0) points, located at 30 White Cloud Drive, with the attached Findings and Conditions.	
<b>Additional Findings and Conditions of Approval:</b>	<b>Findings:</b> <b>6. Required setbacks for the Warrior's Mark West Filing #3 are the same as what was specified under Summit County's R-6 zoning at the time of annexation. The existing property meets all required setbacks. The proposed addition meets all required setbacks as well.</b> <b>Conditions:</b> <b>19. Applicant shall execute and record with the Summit County Clerk and Recorder an encroachment license agreement for the French drain, in a form acceptable to the Town Attorney. Applicant shall be responsible for payment of recording fees to the Summit County Clerk and Recorder.</b>	

TOWN OF BRECKENRIDGE

Hallberg Residence Addition  
Lot 1, Block 1, Warriors Mark West #3  
30 White Cloud Drive  
PL-2024-0014

**STAFF RECOMMENDATION:** Staff has approved this application with the following Findings and Conditions and recommends the Planning Commission uphold this decision.

FINDINGS

1. The project is in accord with the Development Code and does not propose a prohibited use.
2. The project will not have significant adverse environmental impact or demonstrative negative aesthetic effect.
3. All feasible measures mitigating adverse environmental impacts have been included, and there are no economically feasible alternatives, which would have less adverse environmental impact.
4. This approval is based on the staff report dated **February 12, 2023**, and findings made by the Planning Commission with respect to the project. Your project was approved based on the proposed design of the project and your acceptance of these terms and conditions imposed.
5. The terms of approval include any representations made by you or your representatives in any writing or plans submitted to the Town of Breckenridge, and at the hearing on the project held on **February 20, 2023**, as to the nature of the project. In addition to Commission minutes, the audio of the meetings of the Commission are recorded.
6. **Required setbacks for the Warrior's Mark West Filing #5 are the same as what was specified under Summit County's R-6 zoning at the time of annexation. The existing property meets the required setbacks for all setbacks. The proposed addition meets all required setbacks as well.**

CONDITIONS

1. This permit does not become effective, and the project may not be commenced, unless and until the applicant accepts the preceding findings and following conditions in writing and transmits the acceptance to the Town of Breckenridge.
2. If the terms and conditions of the approval are violated, the Town, in addition to criminal and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of work, revoke this permit, require removal of any improvements made in reliance upon this permit with costs to constitute a lien on the property and/or restoration of the property.
3. This permit expires eighteen (18) months from date of issuance, on **August 20th, 2025**, unless a building permit has been issued and substantial construction pursuant thereto has taken place. In addition, if this permit is not signed and returned to the Town within 30 days from the permit mailing date, the duration of the permit shall be 18 months, but without the benefit of any vested property right.
4. The terms and conditions of this permit are in compliance with the statements of the staff and applicant made on the evidentiary forms and policy analysis forms.
5. Nothing in this permit shall constitute an agreement by the Town of Breckenridge to issue a certificate of occupancy for the project covered by this permit. The determination of whether a certificate of occupancy should be issued for such project shall be made by the Town in accordance with the applicable provisions of the Town Code, including, but not limited to the building code.

6. Driveway culverts shall be 18-inch heavy-duty corrugated polyethylene pipe with flared end sections and a minimum of 12 inches of cover over the pipe. Applicant shall be responsible for any grading necessary to allow the drainage ditch to flow unobstructed to and from the culvert.
7. At the point where the driveway opening ties into the road, the driveway shall continue for five feet at the same cross slope grade as the road before sloping to the residence. This is to prevent snowplow equipment from damaging the new driveway pavement.
8. An improvement location certificate of the height of the top of the foundation wall and the height of the building's ridge must be submitted and approved by the Town during the various phases of construction. The final building height shall not exceed 35' at any location.
9. All hazardous materials used in construction of the improvements authorized by this permit shall be disposed of properly off site.

### **PRIOR TO ISSUANCE OF BUILDING PERMIT**

10. Applicant shall submit proof of ownership of the project site.
11. Applicant shall submit and obtain approval from the Town Engineer of final drainage, grading, utility, and erosion control plans.
12. Applicant shall provide plans stamped by a registered professional engineer licensed in Colorado, to the Town Engineer for all retaining walls over four feet in height.
13. Any exposed foundation wall in excess of 12 inches shall be finished (i.e. textured or painted) in accordance with the Breckenridge Development Code Section 9-1-19-5R.
14. Applicant shall identify all existing trees, which are specified on the site plan to be retained, by erecting temporary fence barriers around the trees to prevent unnecessary root compaction during construction. Construction disturbance shall not occur beyond the fence barriers, and dirt and construction materials or debris shall not be placed on the fencing. The temporary fence barriers are to remain in place until issuance of the Certificate of Occupancy.
15. Existing trees designated on the site plan for preservation which die due to site disturbance and/or construction activities will be required to be replaced at staff discretion with equivalent new trees, i.e. loss of a 12 inch diameter tree flagged for retention will be offset with the addition of four 3-inch diameter new trees.
16. Applicant shall submit and obtain approval from the Town of a construction staging plan indicating the location and type of construction fencing, all construction material storage, fill and excavation material storage areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is permitted within public right of way without Town permission. Any dirt tracked upon the public road shall be the applicant's responsibility to remove. Contractor parking within the public right of way is not permitted without the express permission of the Town, and cars must be moved for snow removal. A project contact person is to be selected and the name provided to the Public Works Department prior to issuance of the building permit.
17. The public access to the lot shall have an all weather surface, drainage facilities, and all utilities installed acceptable to Town Engineer. Fire protection shall be available to the building site by extension of the Town's water system, including hydrants, prior to any construction with wood. In the event the water system is installed, but not functional, the Fire Marshall may allow wood construction with temporary facilities, subject to approval.
18. Applicant shall submit and obtain approval from Town staff of a cut sheet detail for all exterior lighting on the site. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast

light downward. Exterior residential lighting shall not exceed 15' in height from finished grade or 7' above upper decks.

### **PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY**

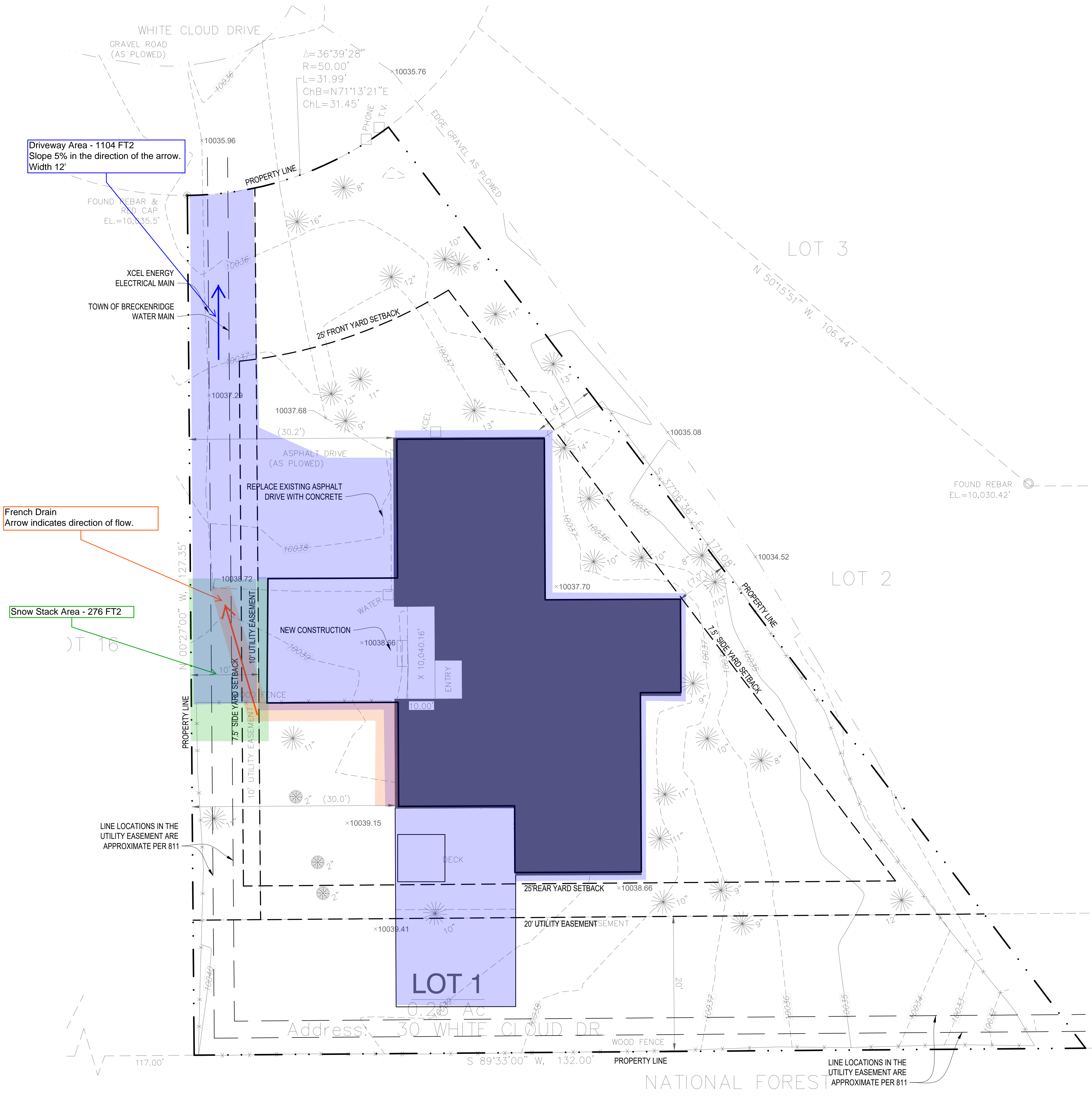
- 19. Applicant shall execute and record with the Summit County Clerk and Recorder an encroachment license agreement for the French drain, in a form acceptable to the Town Attorney. Applicant shall be responsible for payment of recording fees to the Summit County Clerk and Recorder.**
20. Applicant shall revegetate all disturbed areas with a minimum of 2 inches topsoil, seed and mulch.
21. Applicant shall remove leaf clutter, dead branches and dead standing trees from the property, dead branches on living trees shall be trimmed to a minimum height of six (6) feet and a maximum height of ten (10) feet above the ground.
22. Applicant shall remove all vegetation and combustible material from under all eaves and decks.
23. Applicant shall create defensible space around all structures as required in Policy 22 (Absolute) Landscaping.
24. Applicant shall paint all garage doors, metal flashing, vents, flues, rooftop mechanical equipment, meters, and utility boxes on the building a flat, dark color or to match the building color.
25. All exterior lighting on the site or buildings shall be fully shielded to hide the light source and shall cast light downward. Exterior residential lighting shall not exceed 15 feet in height from finished grade or 7 feet above upper decks.
26. At all times during the course of the work on the development authorized by this permit, the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash, wastepaper, garbage, construction material, or any other waste material of any kind upon the public street(s) adjacent to the construction site. Town shall provide oral notification to permittee if Town believes that permittee has violated this condition. If permittee fails to clean up any material deposited on the street(s) in violation of this condition within 24 hours of oral notice from Town, permittee agrees that the Town may clean up such material without further notice and permittee agrees to reimburse the Town for the costs incurred by the Town in cleaning the streets. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit.
27. The development project approved by this Permit must be constructed in accordance with the plans and specifications, which were approved by the Town in connection with the Development Permit application. Any material deviation from the approved plans and specifications without Town approval as a modification may result in the Town issuing a Stop Work Order and/or not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations. A Stop Work Order may not be released until a modification to the permit is reviewed and approved by the Town. Based upon the magnitude of the modification, another hearing before the Planning Commission may be required.
- 28. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town until: (i) all work done pursuant to this permit is determined by the Town to be in compliance with the approved plans and specifications for the project, and all applicable Town codes, ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit for this project have been properly satisfied. If either of these requirements cannot be met due to prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of Compliance if the permittee enters into a Cash Deposit Agreement providing that the permittee will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the estimated cost of completing any required work or any applicable condition of approval, and establishing the deadline for the completion of such work or the satisfaction of the condition of approval. The form of the Cash Deposit Agreement shall be subject to approval of the Town Attorney. "Prevailing weather conditions" generally means that work can not be done due to excessive snow and/or frozen ground. **As a general rule, a****

**cash bond or other acceptable surety will only be accepted by the Town between November 1 and May 31 of the following year. The final decision to accept a bond as a guarantee will be made by the Town of Breckenridge.**

29. Applicant shall submit the written statement concerning contractors, subcontractors and material suppliers required in accordance with Ordinance No. 1, Series 2004.
30. **Applicant shall be held responsible for any deterioration or damages caused by development or construction activities to any Town infrastructure, public rights-of-way, or public property. This includes but is not limited to deterioration or damages to roadway surfaces, curbs, drainage systems, sidewalks, and signage. Applicant must rectify such deterioration or damages to the previous condition at their own expense. Town shall provide written notification to permittee if Town believes that permittee has caused deterioration or damages which would enact this condition. If permittee fails to rectify deterioration or damages in violation of this condition, permittee agrees that the Town may resolve such deterioration or damages and permittee agrees to reimburse the Town for the costs incurred by the Town. Town shall be required to give notice to permittee of a violation of this condition only once during the term of this permit. Any failure to rectify deterioration or damages or provide reimbursement without Town approval may also result in the Town issuing a Stop Work Order and/or not issuing a Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action under the Town's development regulations.**
31. The development authorized by this Development Permit may be subject to the development impact fee imposed by Resolution 2006-05 of the Summit County Housing Authority. Such resolution implements the impact fee approved by the electors at the general election held November 7, 2006. Pursuant to intergovernmental agreement among the members of the Summit Combined Housing Authority, the Town of Breckenridge is authorized to administer and collect any impact fee which is due in connection with development occurring within the Town. For this purpose, the Town has issued administrative rules and regulations which govern the Town's administration and collection of the impact fee. ***Applicant will pay any required impact fee for the development authorized by this Development Permit prior to the issuance of a Certificate of Occupancy.***

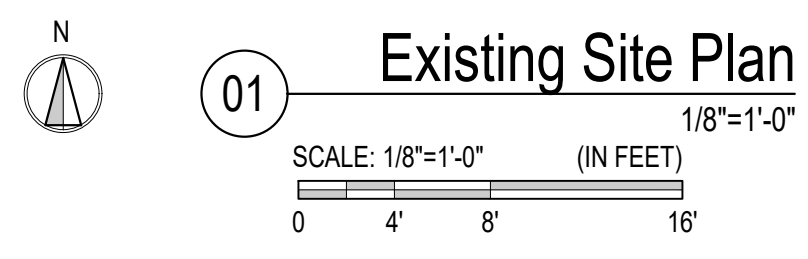
---

(Initial Here)



Proposed Square Footage	Existing Square Footage
Main Level: 1,291	Main Level: 1,250
Upper Level: 1,460	Upper Level: 1,405
Total Density: 2,751	Total Density: 2,655
Garage: 878	Garage: 521
<b>Total: 3,629</b>	<b>Total: 3,176</b>

Site Plan Legend	
	Building Footprint
	Walkways, Paving, Breezeways, and Porches



Hallberg Residence  
30 White Cloud Drive  
Breckenridge, Colorado

Issued

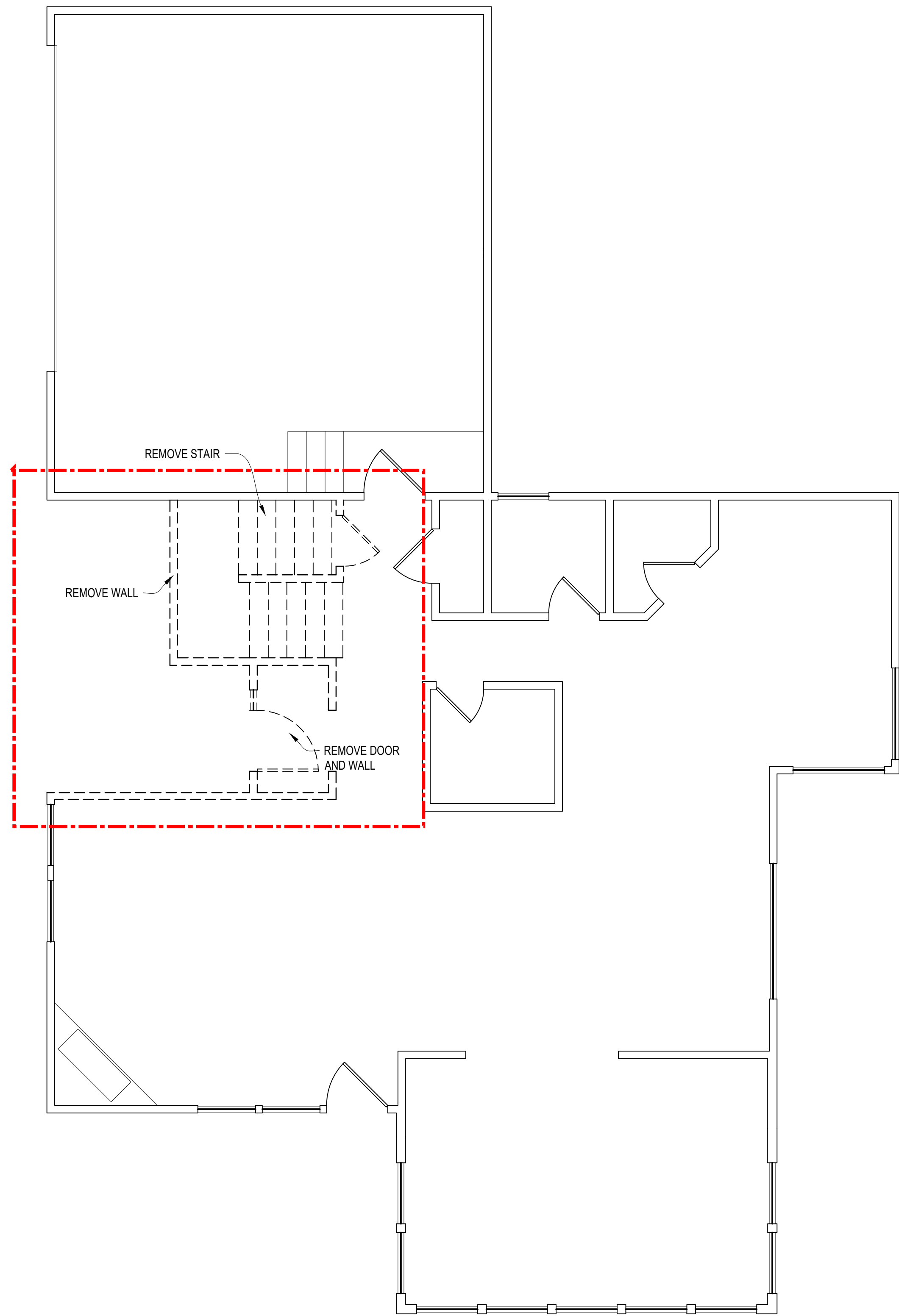
For Review

08 October 2023

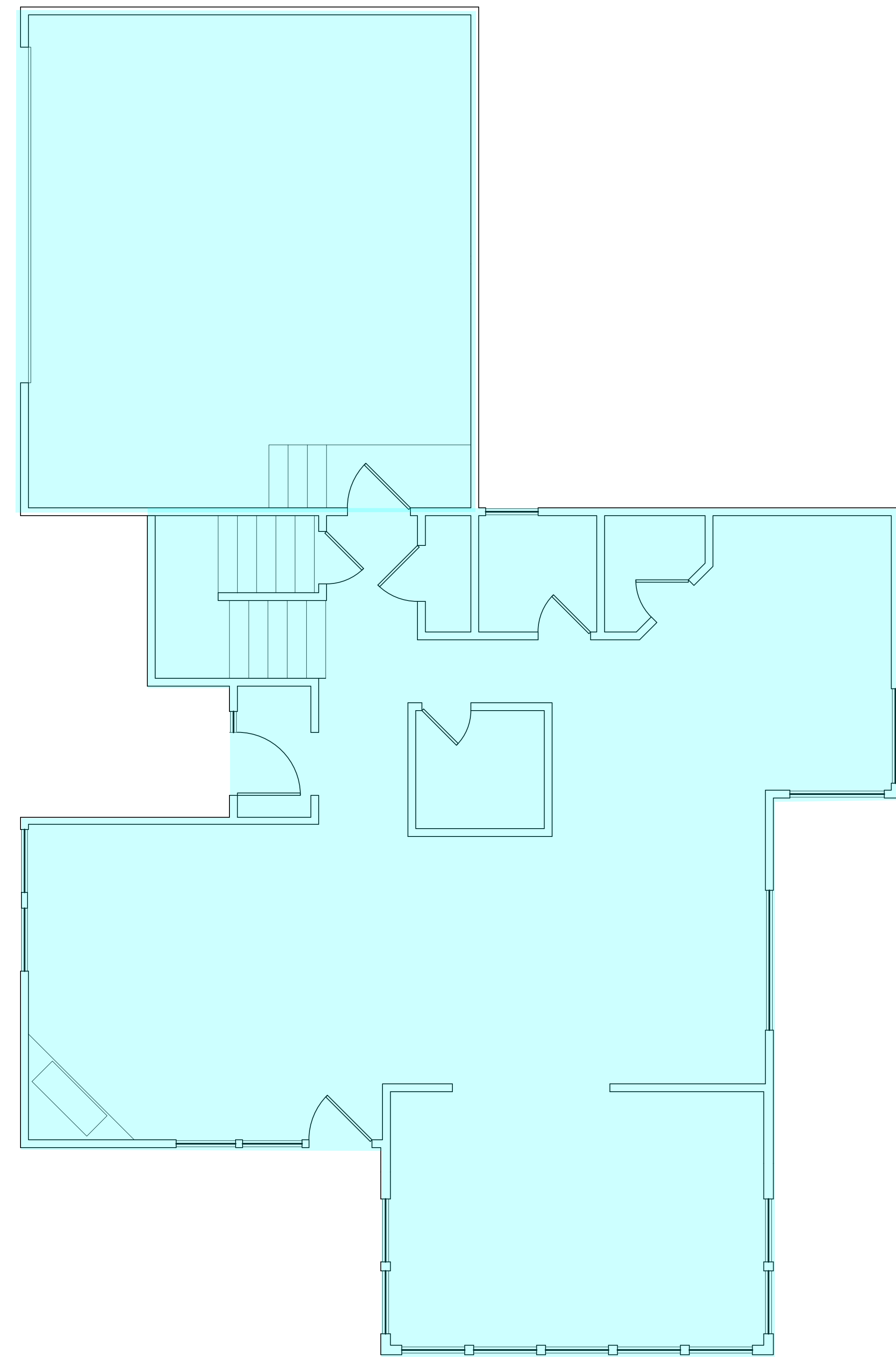
Site Plan

FOR PERMIT

Patrick Mackie  
Registered Architect  
Texas License No. 21260



**02** Demolition  
Entry Level Plan  
1/4"=1'-0"



**01** Existing  
Entry Level Plan  
SCALE: 1/4"=1'-0" (IN FEET) 1/4"=1'-0"  
0 2 4 8

**Floor Plan Notes**  
Refer to A0.1 for plan notes and balance of information  
Refer to Interior Elevations for all beam sizes

**Floor Plan Legend**

[Solid Line]	Existing walls to remain
[Dashed Line]	Demolition wall
[Dark Grey Fill]	2x6 frame wall
[Medium Grey Fill]	2x4 frame wall
[Dark Grey Fill with Dots]	2x6 insulated frame wall
[Medium Grey Fill with Dots]	2x4 insulated frame wall
[Patterned Fill]	concrete wall
[Stippled Fill]	stone veneer

**Hallberg Residence**  
**30 White Cloud Drive**  
Breckenridge, Colorado

Issued

No.	Description

For Review  
09 October 2023  
Entry Level Demo and Existing Plans

**A2.1**

7:7 design studio, LLC expressly reserves its common law copyright and other proprietary rights in these plans. These plans are not to be reproduced, changed, or copied in any form or manner whatsoever, nor are they to be assigned to a third party, without first obtaining the express written permission and consent of 7:7 design studio, LLC.



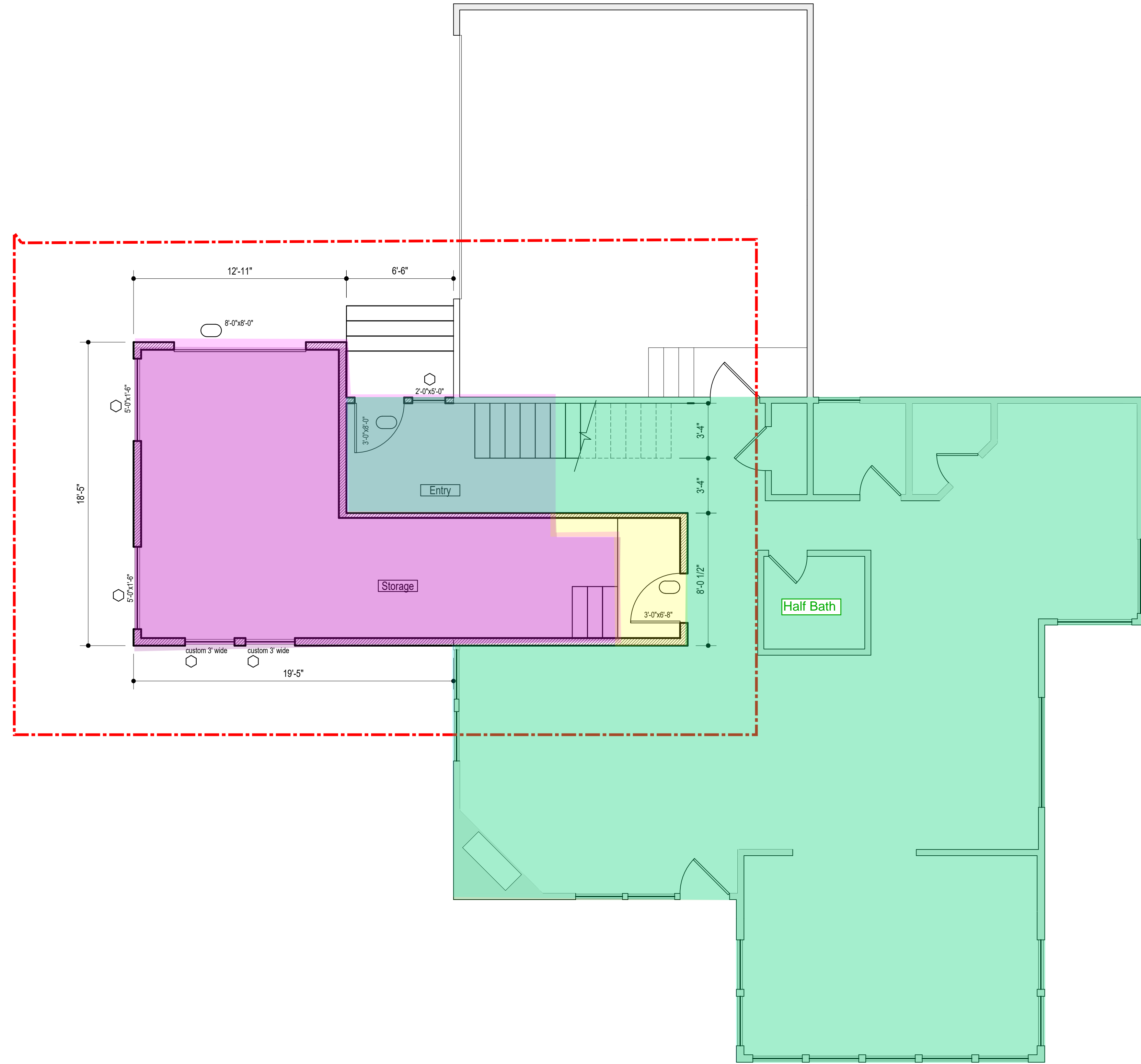
FOR PERMIT

Patrick Mackie  
Registered Architect  
Texas License No. 21260



**Exterior Materials/Colors**  
Existing materials/colors shown above at two different times of year.  
Siding - Board and Batten James Hardie Cedarmill  
Trim - 5/4 James Hardie Cedarmill  
Windows - Alpen Zenith Series ZR-6

**Paint Colors**  
Urbane Bronze - Siding  
Tricorn Black - Trim  
Azure Blue - Windows and Doors



**Proposed Square Footage**  
Main Level: 1,291  
Upper Level: 1,460  
Total Density: 2,751  
Garage: 878  
Total: 3,629

01 **Entry Level New Plan**  
SCALE: 1/4"=1'-0" (IN FEET) 1/4"=1'-0"  
0 2 4 8

**Floor Plan Notes**

Refer to A0.1 for plan notes and balance of information  
Refer to Interior Elevations for all beam sizes

**Floor Plan Legend**

- Existing walls to remain
- Demolition wall
- 2x6 frame wall
- 2x4 frame wall
- 2x6 insulated frame wall
- 2x4 insulated frame wall
- concrete wall
- stone veneer

Hallberg Residence  
30 White Cloud Drive  
Breckenridge, Colorado

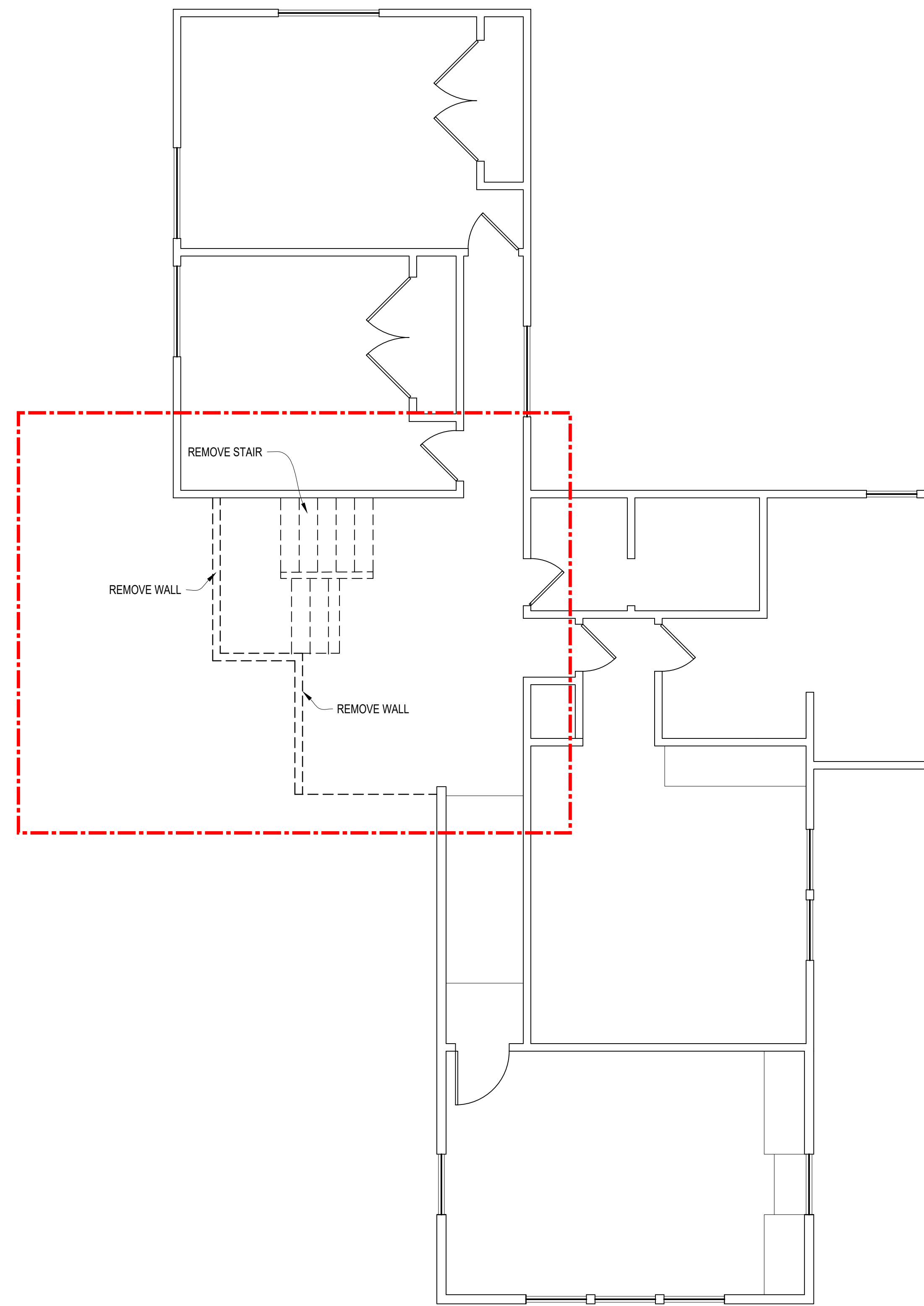
Issued

For Review  
09 October 2023

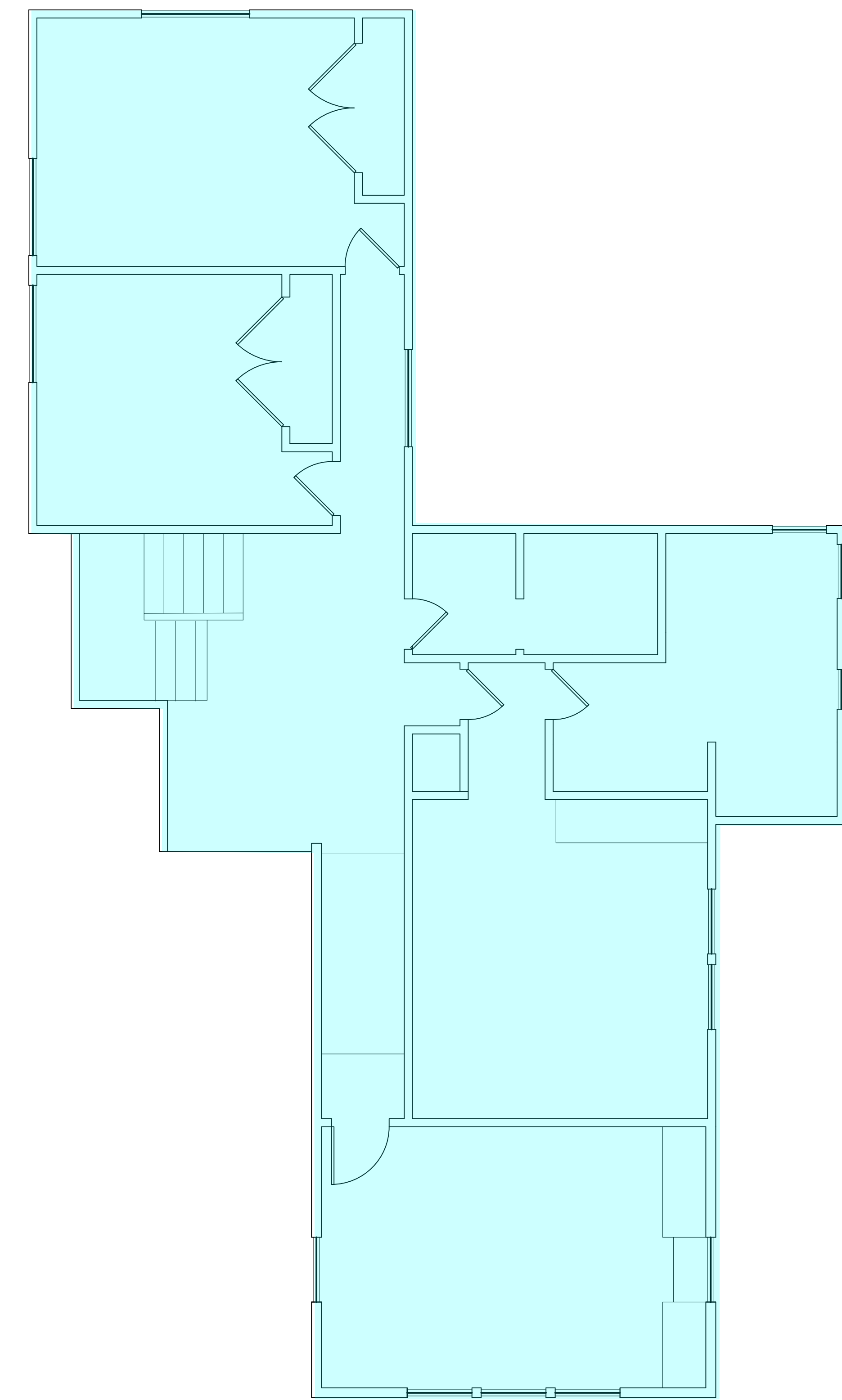
Entry Level  
New Plan

A2.2

7:7 design studio, LLC expressly reserves its common law copyright and other property rights in these plans. These plans are not to be reproduced, changed, or copied in any form or manner whatsoever, nor are they to be assigned to a third party, without first obtaining the express written permission and consent of 7:7 design studio, LLC.



02 Demolition  
Upper Level Plan  
1/4"=1'-0"



01 Existing  
Upper Level Plan  
SCALE: 1/4"=1'-0" (IN FEET)  
1/4"=1'-0"  
0 2 4 8

**Floor Plan Notes**  
Refer to A0.1 for plan notes and balance of information  
Refer to Interior Elevations for all beam sizes

**Floor Plan Legend**

- Existing walls to remain
- Demolition wall
- 2x6 frame wall
- 2x4 frame wall
- 2x6 insulated frame wall
- 2x4 insulated frame wall
- concrete wall
- stone veneer

Hallberg Residence  
30 White Cloud Drive  
Breckenridge, Colorado

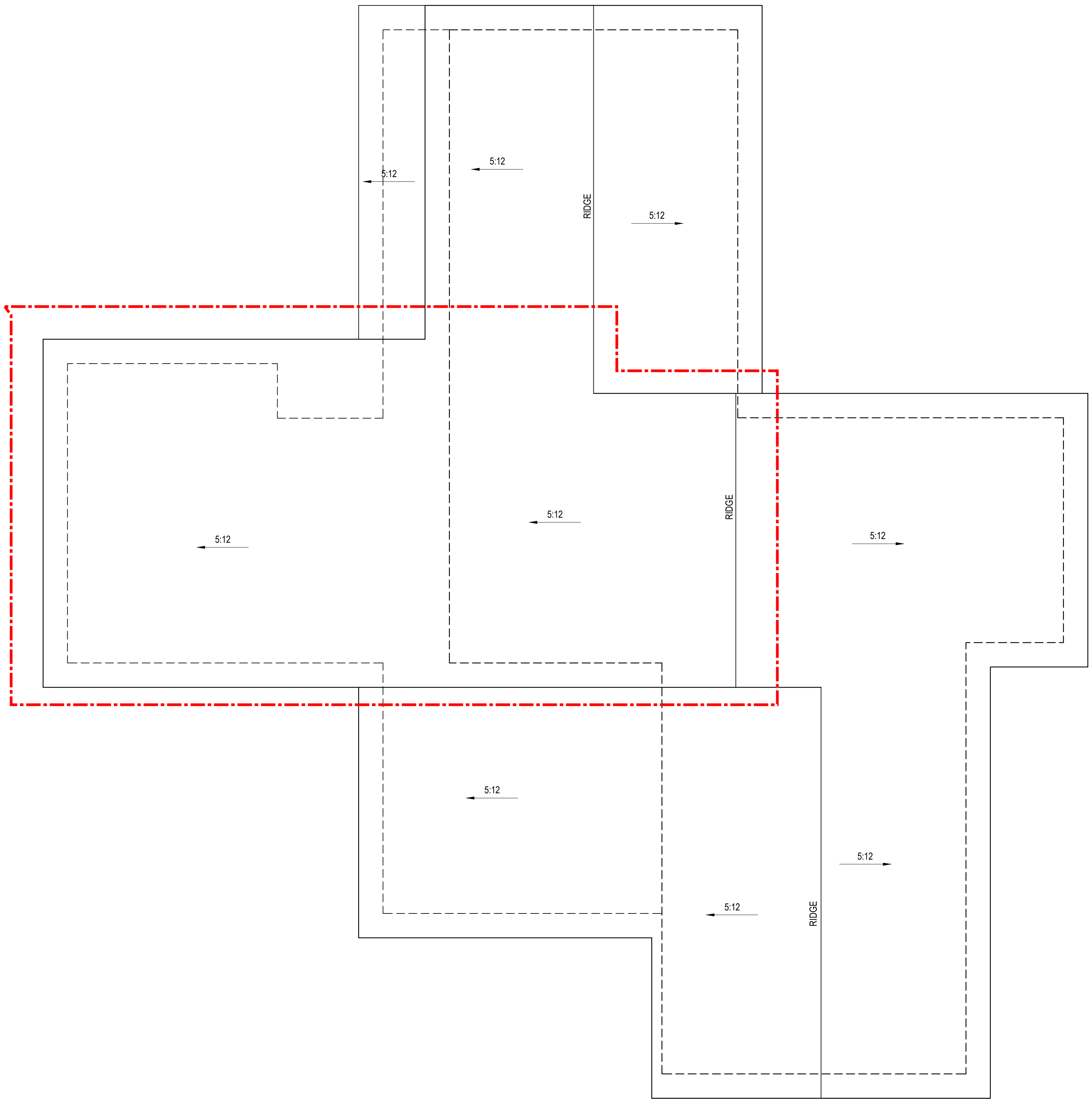
Issued


For Review  
09 October 2023

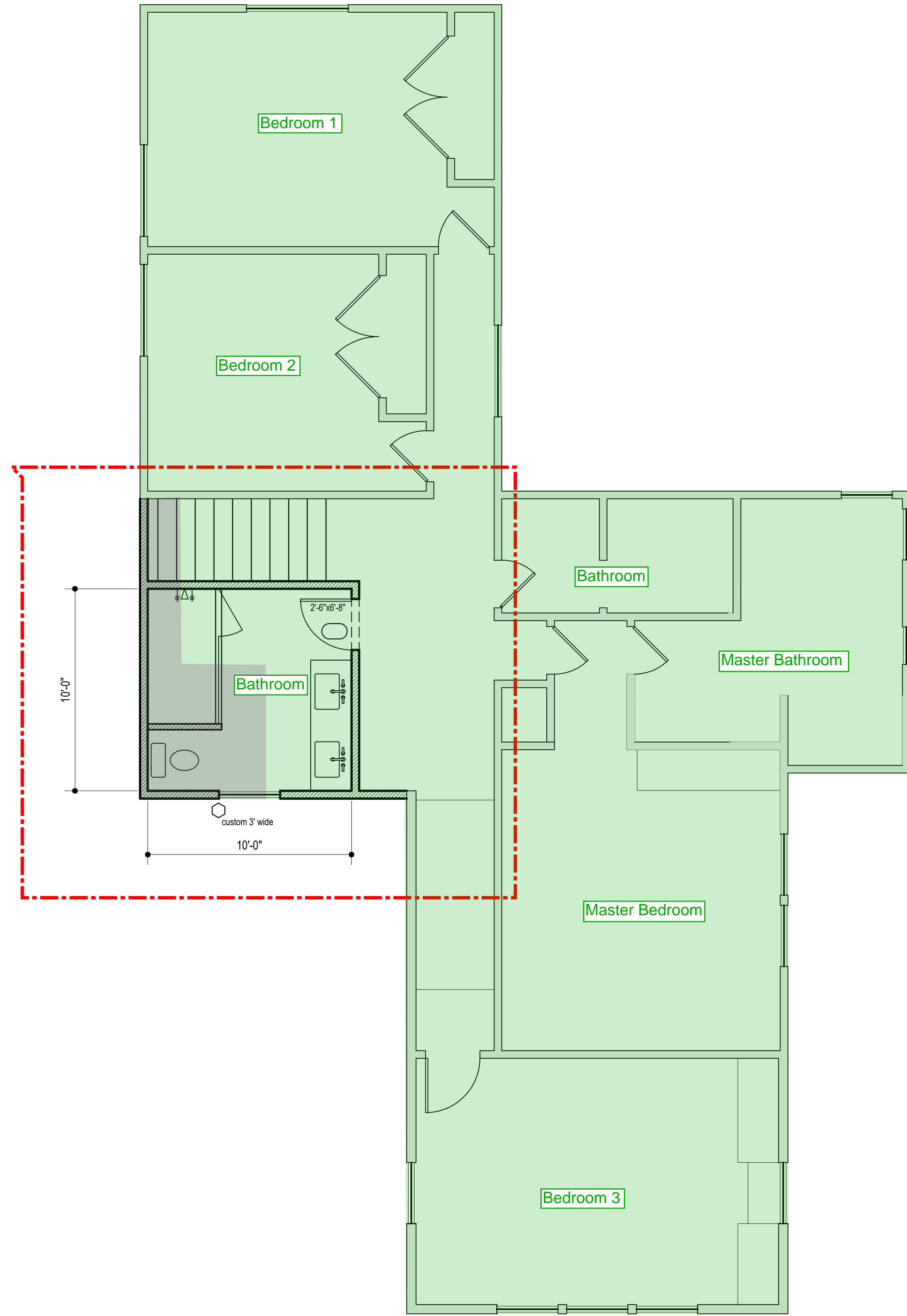
Upper Level Demo  
and Existing Plans

A2.3

7:7 design studio, LLC expressly reserves its common law copyright and other property rights in these plans. These plans are not to be reproduced, changed, or copied in any form or manner whatsoever, nor are they to be assigned to a third party, without first obtaining the express written permission and consent of 7:7 design studio, LLC



02 **New Roof Plan**  
1/4"=1'-0"



01 **Upper Level New Plan**  
SCALE: 1/4"=1'-0" (IN FEET) 1/4"=1'-0"  
0 2 4 8

**Floor Plan Notes**

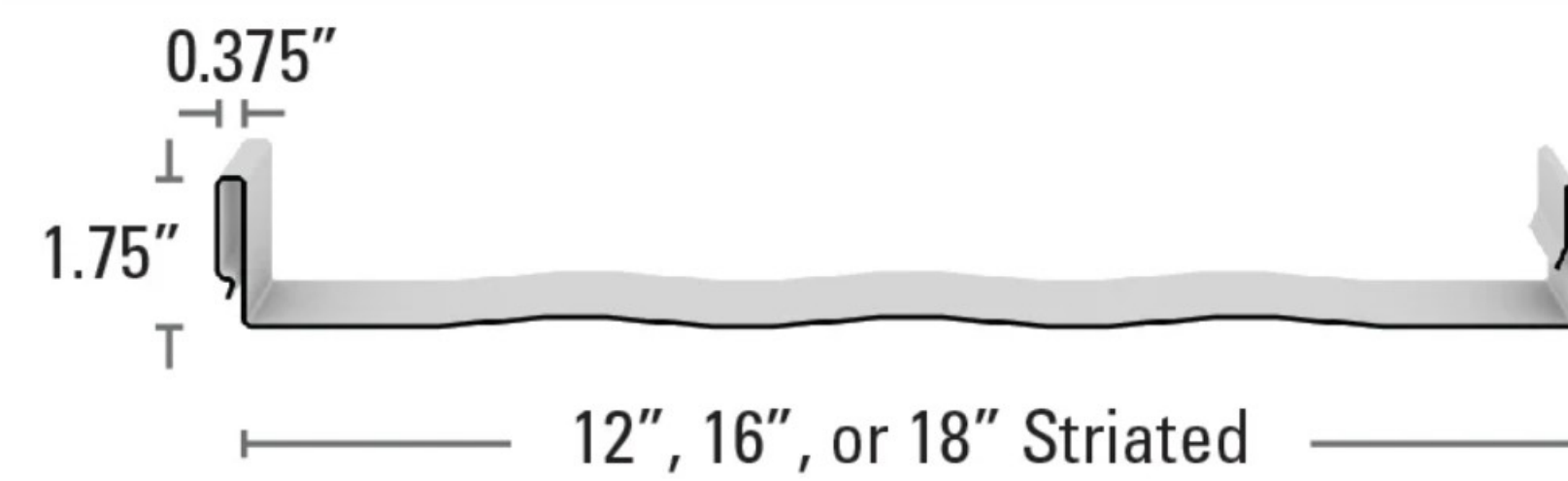
Refer to A0.1 for plan notes and balance of information  
Refer to Interior Elevations for all beam sizes

**Floor Plan Legend**

- Existing walls to remain
- Demolition wall
- 2x6 frame wall
- 2x4 frame wall
- 2x6 insulated frame wall
- 2x4 insulated frame wall
- concrete wall
- stone veneer

For Permit  
11 October 2023

Upper Level New and Roof Plans



**Roofing Material/Color**  
Black striated standing seam snaplock metal

**Exterior Lighting**  
Wall sconces mounted at 7' above grade.  
Progress Lighting P560291-031-30  
Black Up/Down fixture to be configured as a 453 lumen down only fixture.  
Specifications are included below.



Project: \_\_\_\_\_  
Fixture Type: \_\_\_\_\_  
Location: \_\_\_\_\_  
Contact: \_\_\_\_\_

SIN CYL RND5

Wall Mounted • Wet Location Listed PROGRESS LED

**Description:**

5" LED Outdoor Up/Down Modern Antique Bronze Wall Cylinder with Glass Top Lens

**Specifications:**

- Dimmable to 10% brightness (See Dimming Notes)
- Canopy covers a standard 4" recessed outlet box: 4.45 in W, 4.45 in H, 0.65 in depth
- Mounting brackets for outlet box included
- 6 in of wire supplied

**Performance:**

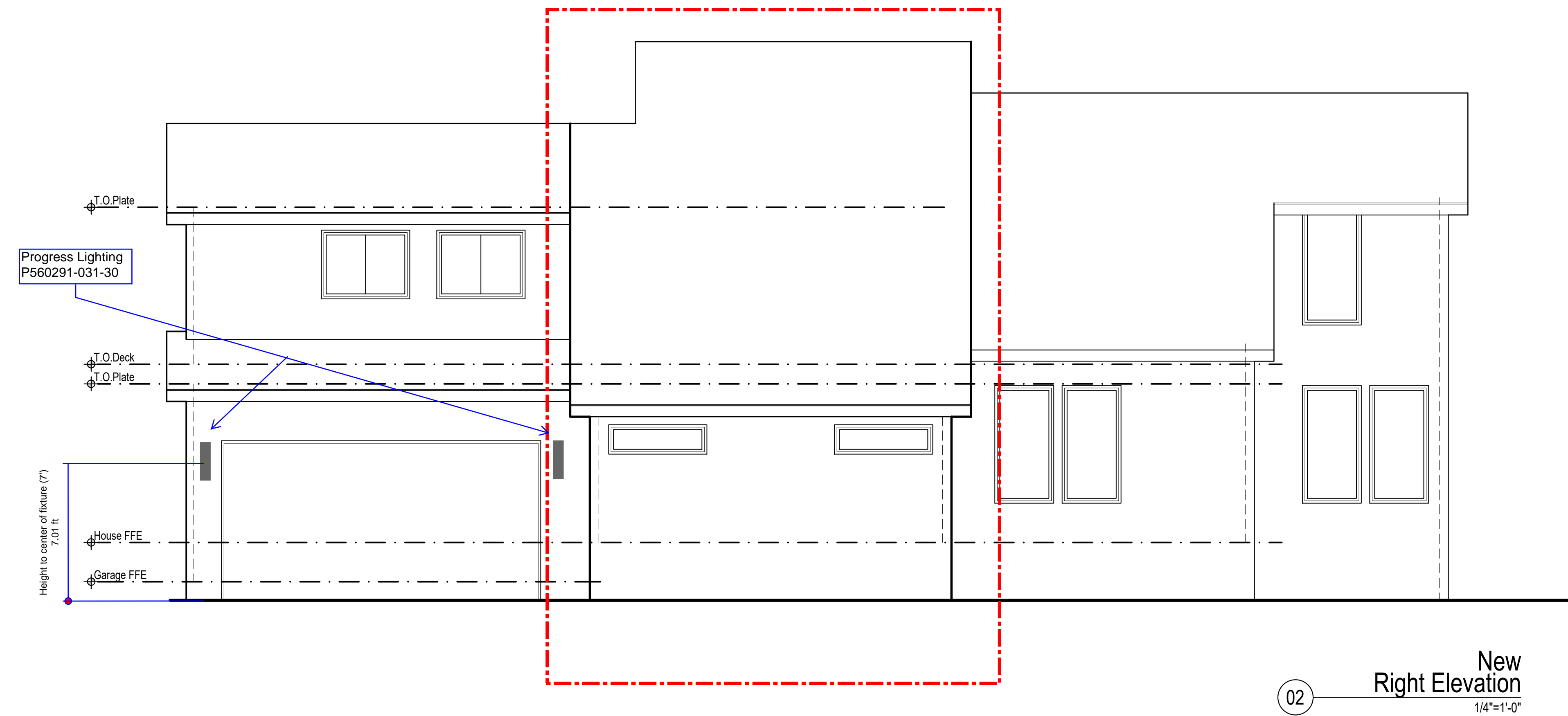
Number of Lights	2
Input Power	37.2 W
Input Voltage	120 VAC
Input Frequency	60 Hz
Lumens/LPW (Delivered)	905/24 (LM-79)
CCT	3000 K
CRI	90 CRI
Life (hours)	50000 (L70/TM 21)
EMF/RFI	FCC Title 47, Part 15, Class B
Warranty	5 year Limited Warranty
Labels	• CSA Wet Location Listed • Meets California Title 24 JMB 2019

**P560291-020-30**

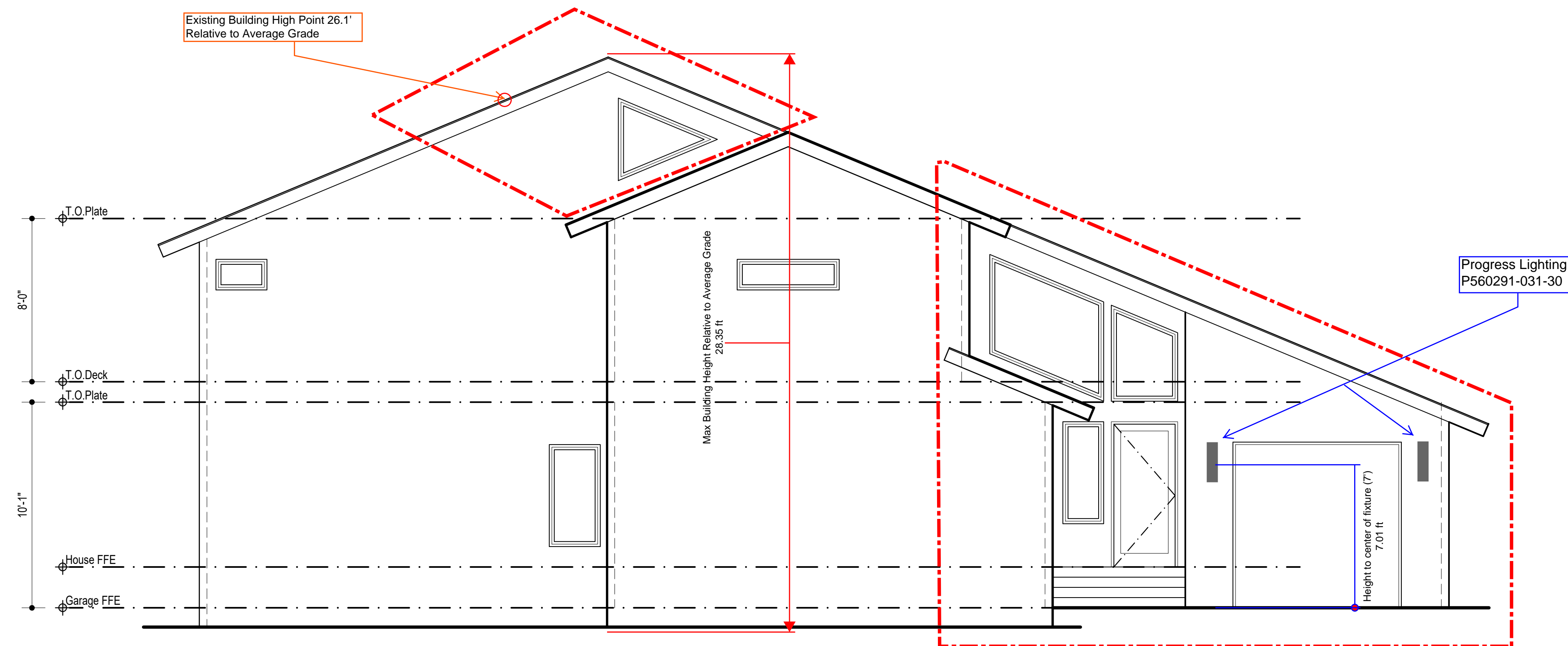


**Dimensions:**

Length: 5 in  
Extends: 7 1/2 in  
Height: 1 1/2 in



02 New Right Elevation  
1/4"=1'-0"



01 New Front Elevation  
SCALE: 1/4"=1'-0" (IN FEET)  
0 2 4 8

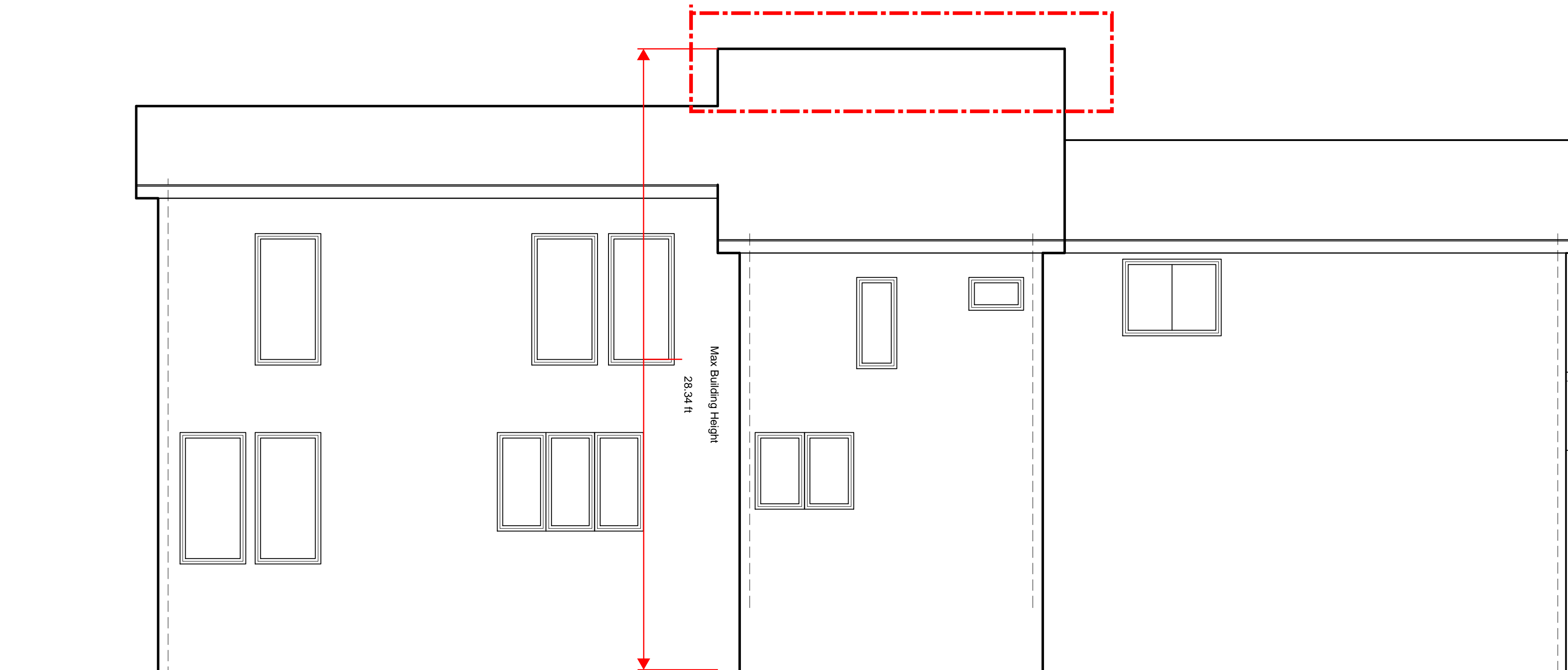
Hallberg Residence  
30 White Cloud Drive  
Breckenridge, Colorado

Issued

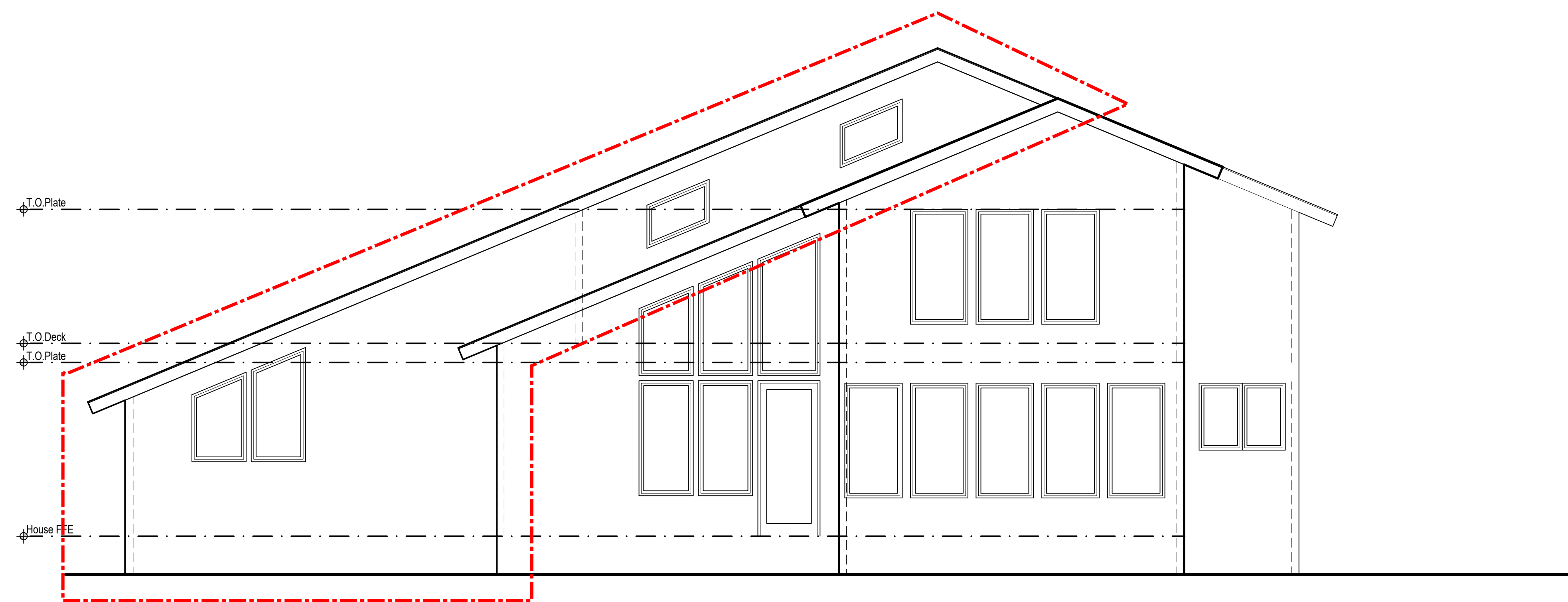
For Review  
09 October 2023

New Elevations

A3.1




02 New  
Left Elevation  
1/4"=1'-0"

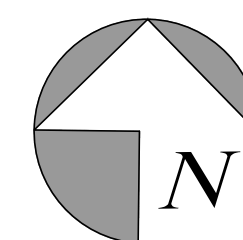
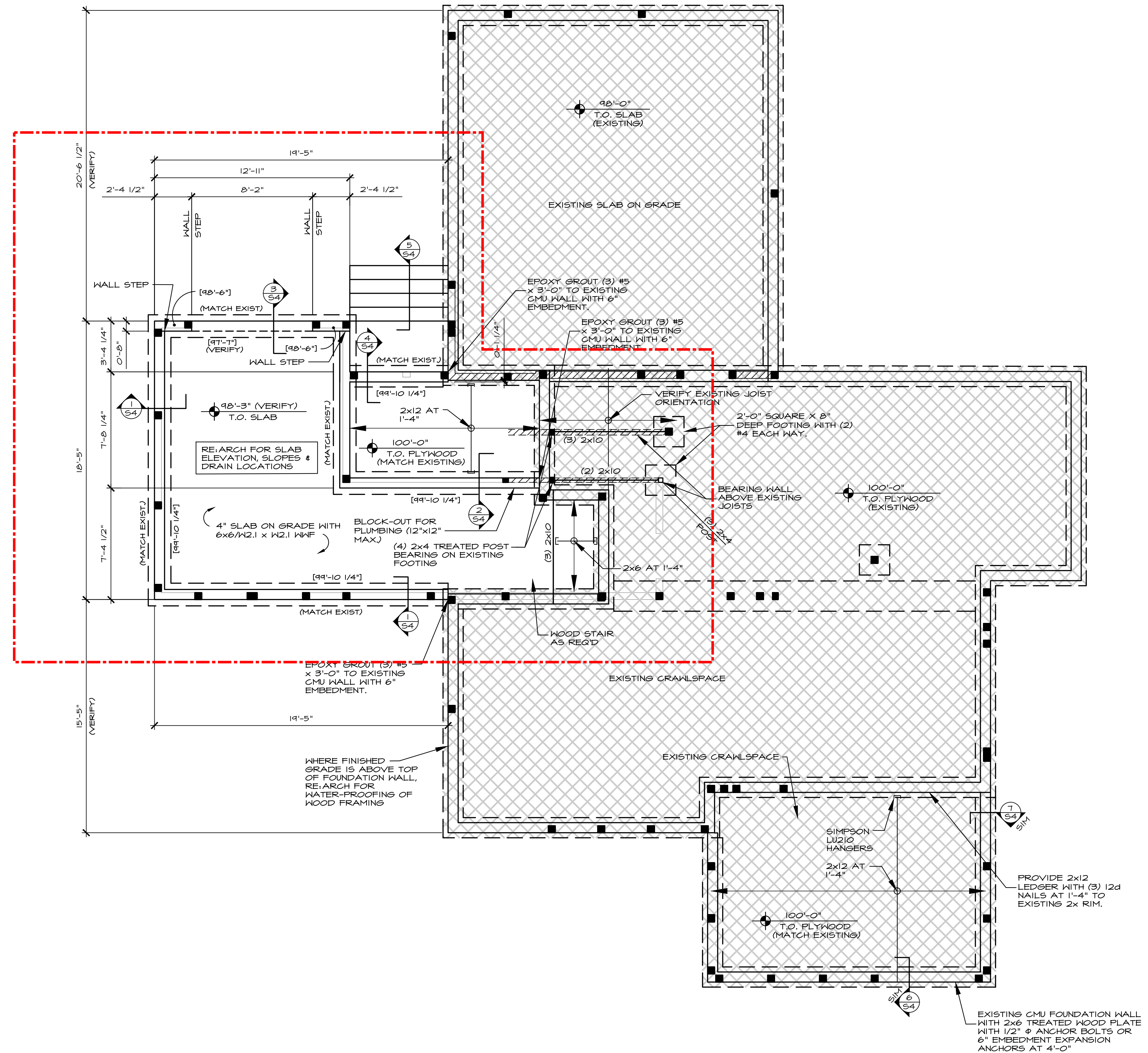


01 New  
Rear Elevation  
1/4"=1'-0"  
SCALE: 1/4"=1'-0" (IN FEET)  
0 2 4 8

NO.	DATE	BY	REVISION

**FOUNDATION NOTES:**

1. DATUM ELEVATION 100'-0" EQUALS TOP OF MAIN LEVEL FLOOR SLAB OR PLYWOOD ELEVATION. RE-ARCH FOR USGS ELEVATION.
2. [XX'-XX"] INDICATES TOP OF FOUNDATION WALL OR PIER ELEVATION.
3. (XX'-XX") INDICATES TOP OF FOOTING ELEVATION. UNLESS NOTED OTHERWISE, ALL FOOTINGS ARE 1'-6" WIDE x 8" DEEP.
4. CONTRACTOR SHALL FOLLOW ALL REQUIREMENTS OF GEOTECHNICAL ENGINEER FOR SUB-GRADE PREPARATION.
5. FOOTING ELEVATIONS SHOWN ARE MAXIMUMS AND MAY NEED TO BE LOWERED DUE TO SOIL CONDITIONS. VERIFY CHANGES WITH STRUCTURAL ENGINEER.
6. PLACE SLAB ON GRADE ON COMPACTED STRUCTURAL FILL OR NATURAL GRADE AS OUTLINED IN SOILS REPORT.
7. UNLESS OTHERWISE NOTED - ALL SLABS ON GRADE ARE 4" THICK WITH 6x6 W2.1 x W2.1 WELDED WIRE FABRIC.
8. GRIDLINE INDICATED BY: ---
9. CENTERLINE INDICATED BY: - - - - -
10. PROVIDE CONTROL JOINTS OR CONSTRUCTION JOINTS IN ALL SLABS ON GRADE. MAXIMUM SIZE OF EACH AREA SHALL NOT EXCEED EXCEED 144 FT<sup>2</sup> OR 12 FEET IN ANY DIRECTION. WHERE NOTED ON PLAN, CONTROL JOINT IS INDICATED BY: ---
11. PROVIDE FRACTURE MEMBRANE WHERE BRITTLE FLOOR FINISHES ARE INSTALLED OVER GYP-CRETE OR CONCRETE SLABS.
12. CONTRACTOR TO COORDINATE ALL DIMENSIONS AND DETAILS WITH ARCHITECTURAL DRAWINGS.
13. CENTER FOOTINGS UNDER WALLS AND COLUMNS UNLESS DIMENSIONED OTHERWISE ON FOUNDATION PLAN.
14. REFER TO ARCHITECTURAL DRAWINGS FOR STAIR GUARDRAIL DETAILS AND LANDING ELEVATIONS.
15. ALL SITE WALLS NOT SHOWN ON THIS PLAN SHALL BE BUILT PER ARCHITECTURAL LANDSCAPE PLANS, DETAILS AND ELEVATIONS. SITE WALLS SHALL NOT BE CONNECTED TO THE BUILDING.
16. PROVIDE (2) #5 AROUND ALL OPENINGS IN CONCRETE WALLS. EXTEND REINFORCING 2'-0" MINIMUM PAST EDGES OF OPENINGS.
17. WHERE EPOXY BARS ARE USED TO TIE NEW FOUNDATIONS TO EXISTING CONCRETE OR MASONRY WALLS, CLEAN EXISTING SURFACES OF ALL COATINGS, WATER-PROOFING, DIRT & LOOSE MATERIAL BEFORE POURING NEW CONCRETE.
18.  INDICATES EXISTING FOUNDATION



**FOUNDATION PLAN**

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



Structural Engineering

G3 Consulting, LLC  
P.O. Box 2933  
Breckenridge, CO 80424  
970-485-2073



**HALLBERG RESIDENCE REMODEL**  
**30 WHITE CLOUD DRIVE**  
**BRECKENRIDGE, COLORADO**

Date: 02-25-22  
Drawn By: ME  
Checked By: ME  
Project # 2116

PRELIM: 11-9-23

PERMIT: 12-5-23

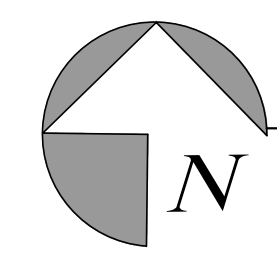
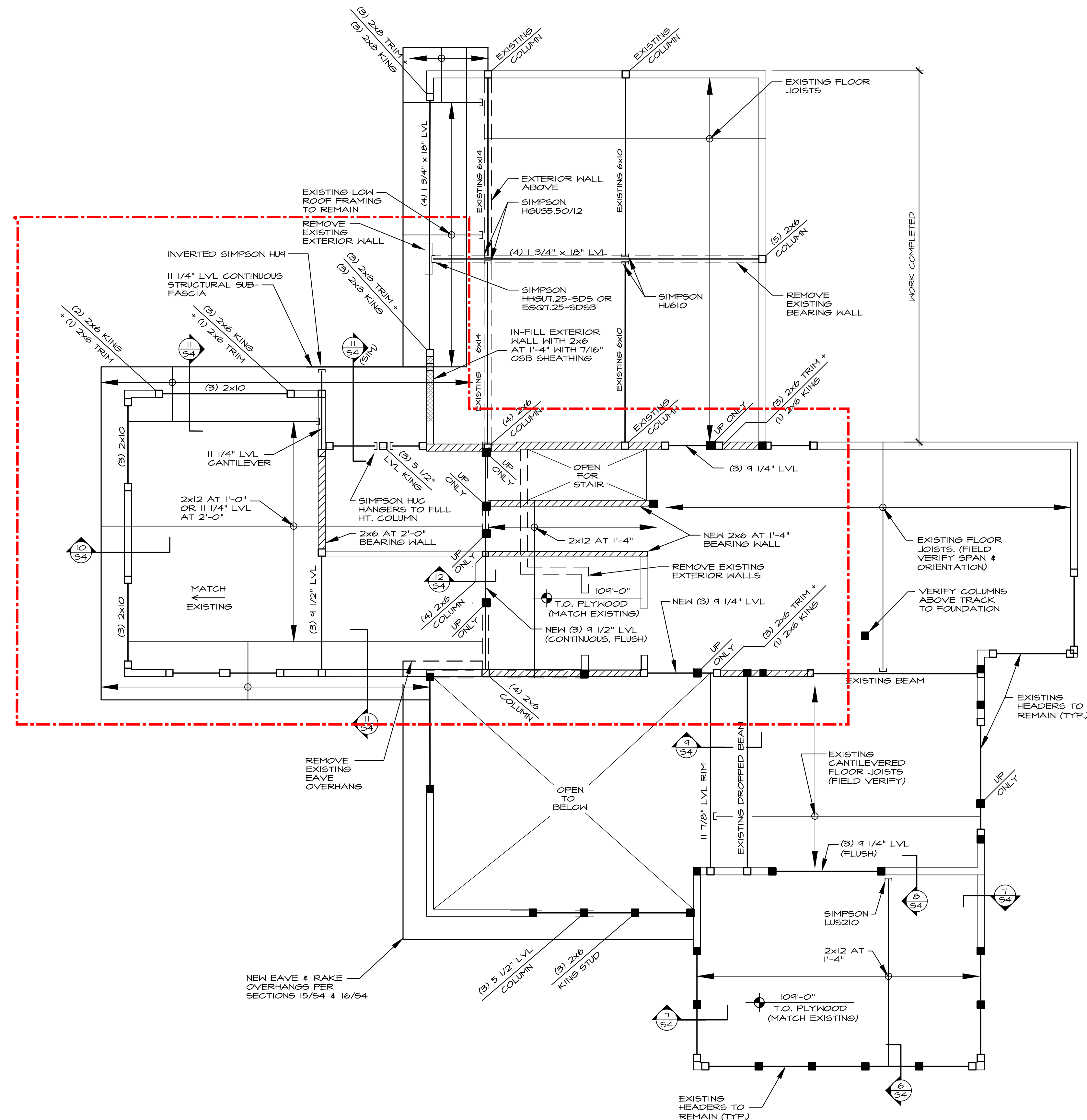
Revisions:

SHEET NUMBER

**S1**

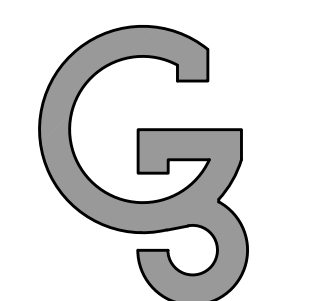
**WOOD FRAMING NOTES:**

- ROOF SHEATHING IS 5/8" PLYWOOD WITH 40/20 PANEL SPAN RATING. STAGGER PANEL END JOINTS AND FASTEN WITH 8d NAILS AT 6" MAXIMUM SPACING AT ALL PANEL EDGES AND AT 1'-0" MAXIMUM AT ALL OTHER SUPPORTS.
- FLOOR SHEATHING IS 3/4" T&G PLYWOOD WITH 48/24 PANEL SPAN RATING. STAGGER PANEL END JOINTS AND FASTEN WITH SUB-FLOOR ADHESIVE AND 10d NAILS AT 6" AT PANEL EDGES AND AT 1'-0" MAXIMUM AT ALL OTHER SUPPORTS.
- RE: ARCH FOR ROOF SLOPES AND PLATE HEIGHTS NOT NOTED ON STRUCTURAL PLANS.
- WOOD HEADERS SHALL BE (3) 2x10 UNLESS NOTED OTHERWISE WITH SINGLE 2x6 TRIMMER AND KING STUD EACH END. ALL HEADERS LONGER THAN 6'-0" SHALL REQUIRE (2) KING STUDS AND (2) TRIM STUDS EACH END.
- EXTERIOR WALLS SHALL BE CONTINUOUS FROM FLOOR TO ROOF (INCLUDING RAKE WALLS).
- /// : INDICATES INTERIOR BEARING WALLS, RAFTER BEARING LOCATIONS SHALL BE WITHIN 5" OF STUDS BELOW
- ALL EXTERIOR WALLS SHALL BE CONSTRUCTED USING 2x6 STUDS. REFER TO EXTERIOR WALL DETAILS FOR ADDITIONAL INFORMATION. EXTERIOR STUDS CAN BE SPACED AT 2'-0" FOR WALLS SHORTER THAN 10'-0". STUDS SHALL BE SPACED AT 1'-4" FOR WALLS SHORTER THAN 14'-0" AND TALLER THAN 10'-0". REFER TO PLAN FOR HEIGHTS GREATER THAN 14'-0".
- ALL BEAM/BEAM AND BEAM/COLUMN CONNECTIONS SHALL BE MADE WITH SIMPSON STEEL PLATE CONNECTORS UNLESS NOTED OTHERWISE.
- RE: ARCHITECTURAL DRAWINGS FOR LOCATIONS AND SIZE OF ROUGH OPENINGS IN WOOD STUD WALLS.
- < XX'-XX' > : INDICATES TOP OF PLATE OR TOP OF BEAM ELEVATION. RE: ARCH FOR PLATE HEIGHTS NOT NOTED.
- : INDICATES ROOF OR FLOOR OVER-FRAMING  
OVER-FRAMING SHALL BE 2x6 MINIMUM AT 2'-0" SPACING WITH 2x4 STUD SUPPORTS AT 4'-0" MAXIMUM. STUD SUPPORTS SHALL BE ALIGNED WITH FRAMING MEMBERS BELOW. APPLY OVER-FRAMING ON TOP OF MAIN ROOF SHEATHING. DO NOT APPLY ON TOP OF UN-SHEATHED FRAMING.
- LVL BEAMS ARE FLUSH FRAMED WITH SIMPSON HUS OR LSSU HANGERS EACH END UNLESS OTHERWISE NOTED.
- INDICATES (3) 2x6 COLUMN WHERE LOCATED AT BEAM ENDS UNLESS NOTED OTHERWISE EXCEPT AT WALL HEADERS. EXTERIOR WALL HEADERS SHALL HAVE SINGLE 2x6 TRIM AND KING STUDS EACH END FOR SPANS LESS THAN 6'-0" AND DOUBLE KING AND TRIM STUDS FOR SPANS GREATER THAN 6'-0". WHERE NOTED, "T" = TRIM, "K" = KING.
- INDICATES COLUMN UP AND DOWN UNLESS IT BEARS ON A CONCRETE WALL OR FOOTING OR IT IS LABELED UP ONLY OR STUB COLUMN. MATCH COLUMN SIZE NOTED ON LEVEL ABOVE (U.N.O.). STUB COLUMNS ARE BETWEEN BEAMS SHOWN ON THE SAME LEVEL PLAN.
- ↑ INDICATES JOIST OR RAFTER SPAN DIRECTION  
↔ INDICATES EXTENT OF JOIST OR RAFTER LAYOUT
- ⊙ INDICATES OBSERVER DIRECTION  
⊙ INDICATES DETAIL NUMBER ON SHEET  
⊙ INDICATES SHEET NUMBER WHERE DETAIL IS LOCATED.
- ENTIRE ROOF WILL BE OVERLAID WITH 4" OF RIGID FOAM WITH NAIL BOARD AND C4 METAL STUDS PER SECTIONS 15/54 & 16/54.



**UPPER FLOOR & LOW ROOF FRAMING PLAN**

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



Structural Engineering

G3 Consulting, LLC  
P.O. Box 2933  
Breckenridge, CO 80424  
970-485-2073



**HALLBERG RESIDENCE REMODEL**  
30 WHITE CLOUD DRIVE  
BRECKENRIDGE, COLORADO

Date: 02-25-22  
Drawn By: MG  
Checked By: MG  
Project #: 2116

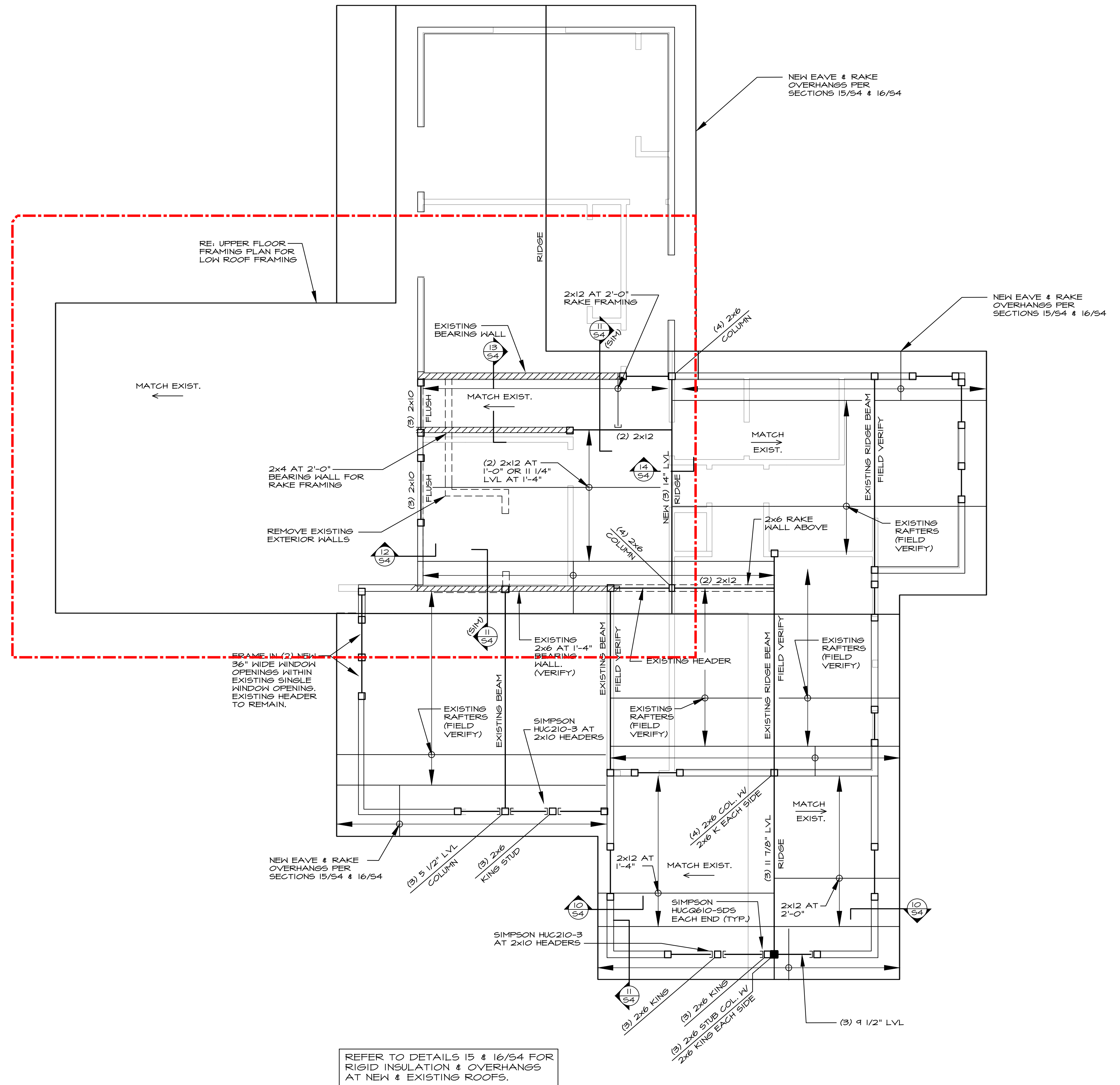
PRELIM: 11-12-23  
PERMIT: 12-5-23  
Revisions:

SHEET NUMBER

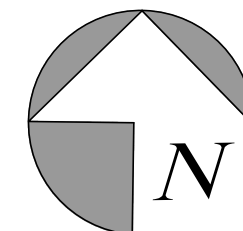
**S2**

**WOOD FRAMING NOTES:**

- ROOF SHEATHING IS 5/8" PLYWOOD WITH 40/20 PANEL SPAN RATINGS. STAGGER PANEL END JOINTS AND FASTEN WITH 8d NAILS AT 6" MAXIMUM SPACING AT ALL PANEL EDGES AND AT 1'-0" MAXIMUM AT ALL OTHER SUPPORTS.
- FLOOR SHEATHING IS 3/4" T&G PLYWOOD WITH 48/24 PANEL SPAN RATINGS. STAGGER PANEL END JOINTS AND FASTEN WITH SUB-FLOOR ADHESIVE AND 10d NAILS AT 6" AT PANEL EDGES AND AT 1'-0" MAXIMUM AT ALL OTHER SUPPORTS.
- RE: ARCH FOR ROOF SLOPES AND PLATES HEIGHTS NOT NOTED ON STRUCTURAL PLANS.
- WOOD HEADERS SHALL BE (3) 2x10 UNLESS NOTED OTHERWISE WITH SINGLE 2x6 TRIMMER AND KING STUD EACH END. ALL HEADERS LONGER THAN 6'-0" SHALL REQUIRE (2) KING STUDS AND (2) TRIM STUDS EACH END.
- EXTERIOR WALLS SHALL BE CONTINUOUS FROM FLOOR TO ROOF (INCLUDING RAKE WALLS).
- INDICATES INTERIOR BEARING WALLS. RAFTER BEARING LOCATIONS SHALL BE WITHIN 5" OF STUDS BELOW
- ALL EXTERIOR WALLS SHALL BE CONSTRUCTED USING 2x6 STUDS. REFER TO EXTERIOR WALL DETAILS FOR ADDITIONAL INFORMATION. EXTERIOR STUDS CAN BE SPACED AT 2'-0" FOR WALLS SHORTER THAN 10'-0". FOR WALL HEIGHTS BETWEEN:  
 10' TO < 14': 2x6 AT 1'-4"  
 14' TO < 15'-6": 2x6 AT 1'-0"  
 15'-6" TO < 17': 1 3/4" x 5 1/2" LVL STUDS AT 1'-4"  
 17' TO < 18'-6": 1 3/4" x 5 1/2" LVL STUDS AT 1'-0"  
 18'-6" TO < 20': (2) 1 3/4" x 5 1/2" LVL STUDS AT 1'-4",  
 20' TO < 22': (2) 1 3/4" x 5 1/2" LVL STUDS AT 1'-0".
- ALL BEAM/BEAM AND BEAM/COLUMN CONNECTIONS SHALL BE MADE WITH SIMPSON STEEL PLATE CONNECTORS UNLESS NOTED OTHERWISE.
- RE: ARCHITECTURAL DRAWINGS FOR LOCATIONS AND SIZE OF ROUGH OPENINGS IN WOOD STUD WALLS.
- < XX'-XX" > : INDICATES TOP OF PLATE OR TOP OF BEAM ELEVATION. RE:ARCH FOR PLATE HEIGHTS NOT NOTED.
- INDICATES ROOF OR FLOOR OVER-FRAMING  
 OVER-FRAMING SHALL BE 2x6 MINIMUM AT 2'-0" SPACING WITH 2x4 STUD SUPPORTS AT 4'-0" MAXIMUM. STUD SUPPORTS SHALL BE ALIGNED WITH FRAMING MEMBERS BELOW. APPLY OVER-FRAMING ON TOP OF MAIN ROOF SHEATHING. DO NOT APPLY ON TOP OF UN-SHEATHED FRAMING.
- LVL BEAMS ARE FLUSH FRAMED WITH SIMPSON HUS OR LSSU HANGERS EACH END UNLESS OTHERWISE NOTED.
- INDICATES (3) 2x6 COLUMN WHERE LOCATED AT BEAM ENDS UNLESS NOTED OTHERWISE EXCEPT AT WALL HEADERS. EXTERIOR WALL HEADERS SHALL HAVE SINGLE 2x6 TRIM AND KING STUDS EACH END FOR SPANS LESS THAN 6'-0" AND DOUBLE KING AND TRIM STUDS FOR SPANS GREATER THAN 6'-0". WHERE NOTED, "T" = TRIM, "K" = KING.
- INDICATES COLUMN UP AND DOWN UNLESS IT BEARS ON A CONCRETE WALL OR FOOTING OR IT IS LABELED UP ONLY OR STUB COLUMN. MATCH COLUMN SIZE NOTED ON LEVEL ABOVE (UNCL.). STUB COLUMNS ARE BETWEEN BEAMS SHOWN ON THE SAME LEVEL PLAN.
- INDICATES JOIST OR RAFTER SPAN DIRECTION  
 INDICATES EXTENT OF JOIST OR RAFTER LAYOUT
- INDICATES OBSERVER DIRECTION  
 INDICATES DETAIL NUMBER ON SHEET  
 INDICATES SHEET NUMBER WHERE DETAIL IS LOCATED.
- ENTIRE ROOF WILL BE OVERLAID WITH 9" OF RIGID FOAM WITH NAIL BOARD AND C4 METAL STUDS PER SECTIONS 15/54 & 16/54.

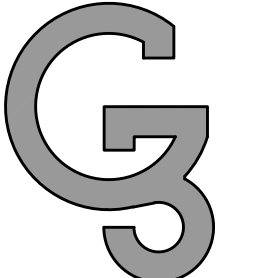


REFER TO DETAILS 15 & 16/54 FOR RIGID INSULATION & OVERHANGS AT NEW & EXISTING ROOFS.



**ROOF FRAMING PLAN**

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



Structural Engineering

G3 Consulting, LLC  
 P.O. Box 2933  
 Breckenridge, CO 80424  
 970-485-2073



**HALLBERG RESIDENCE ADDITION**  
**30 WHITE CLOUD DRIVE**  
**BRECKENRIDGE, COLORADO**

Date: 02-25-22

Drawn By MG

Checked By MG

Project # 2116

PRELIM: 11-12-23

PERMIT: 12-5-23

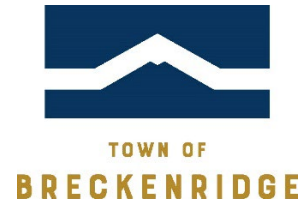
Revisions:

SHEET NUMBER

**S3**







# Memo

To: Planning Commission  
From: Ellie Muncy, Planner I  
Date: February 14, 2024 (for February 20, 2024 Meeting)  
Subject: Demolition By Neglect Ordinance

---

At the September 5, 2023 Planning Commission meeting, during public comment, architect Janet Sutterley addressed the Commission with a concern that various sheds and secondary structures within the Historic District were not being properly maintained and in danger of collapse. Staff followed up by inventorying 99 historic sheds and secondary structures in the Conservation District and creating an [interactive map](#). This was brought to the November 21<sup>st</sup> Planning Commission meeting where the Commission determined it was important to protect these historic secondary structures. This topic was later presented to Town Council at the December 26<sup>th</sup> and February 13<sup>th</sup> meetings in which Town Council supported potential code changes to address the issue.

Current Town Code only requires property owners to stabilize historic structures on locally landmarked properties (Code Section 9-11-7: Property Stabilization Required). Only 24% percent of the inventoried properties with sheds are landmarked. Staff proposes amending the existing stabilization section to include demolition by neglect provisions and extend the requirement to all historic structures which fall within the Town's period of significance. This would affect roughly 168 properties and include 275 different buildings rather than just the current 47 landmarked properties. The proposed changes also include:

- Adding a demolition by neglect definition
- Rewording the stabilization definition
- Downgrading the development permit class for a landmark designation from a Class B minor to a Class C minor
- Upgrading the development permit class for a demolition permit to a Class A
- Adding additional wording to the landmarking process section to match the current process
- Adding additional wording to the demolition section to clarify the unlikelihood of a demolition approval
- Adding clarification on moving a structure to avoid demolition
- Adding and removing wording in the development permit section of the Definitions to support the landmark and demolition permit class changes

Since the Town Council meeting on February 13<sup>th</sup>, the demolition by neglect definition was adjusted based on wording suggested by Breckenridge History. In order to avoid the loss of historic structures, staff proposes doing a yearly walkthrough to monitor the condition of historic buildings and secondary structures, potentially with the help of Breckenridge History. Additionally, further protection is provided in Priority Policy 20, which states that any alteration to a historic structure that causes a structure to drop a rating would result in a failure of the Priority Policy.

*Landmarking Time Frame:*

Current Town Code defines structures eligible for landmarking as any structure that is at least 50 years old that meets the required architectural, social and physical criteria. Staff would like the Commission's input on whether this time frame should be left as is or changed to Town's period of significance, which

is prior to 1942. For context there is currently one landmarked structure outside of the Town's period of significance, 112 S Harris St which was built in 1949. Additionally, the current code allows the potential landmarking of ski chalets which do not fall within the period of significance but are over 50 years old and showcase an important piece of Town history. A potential negative side of setting the minimum structure age at 50 years is this could allow the landmarking of buildings and building styles not preferred by the Town and may provide a free basement density bonus to those buildings.

Additionally, Staff is working with the Town Attorney to add a penalty for demolition by neglect to the Enforcement and Penalties section of the Town Code. In addition, staff will be proposing that the penalties for alterations under 9-11-12 B. be extended to all historic properties. These penalties, which include moratoriums on permitting, currently only apply to landmarked properties.

Staff will be available at the work session for discussion and has the following questions for Planning Commission.

#### Questions for Planning Commission

1. Does the Commission support the proposed code changes?
2. Does the Commission believe the time frame within the landmarking section should be based on fifty years or older or on the Town's period of significance?
3. Does the Commission support extending the existing penalties listed in section 9-11-12 to all historic buildings instead of just landmarked buildings?

---

## **CHAPTER 11**

### **HISTORIC PRESERVATION**

**SECTION:**

- 9-11-1: Purpose and intent**
- 9-11-2: Definitions**
- 9-11-3: Designation of landmarks, landmark sites, historic districts and cultural landscape districts**
- 9-11-4: Designation criteria**
- 9-11-5: Revocation of designation**
- 9-11-6: Amendment of designation**
- 9-11-7: Property stabilization required**
- 9-11-8: Recognition of merit**
- 9-11-9: Demolition criteria**
- 9-11-10: Unsafe or dangerous conditions exempted**
- 9-11-11: Effect on existing conservation district**
- 9-11-12: Enforcement and penalties**
- 9-11-13: Conflict with development code**
- 9-11-14: Compliance with building code**

#### **9-11-1: PURPOSE AND INTENT:**

- A. The purpose of this chapter is to promote the public health, safety, and welfare through:
1. The protection and preservation, by appropriate regulations, of the town's historic and cultural heritage;
  2. The enhancement of property values, and the stabilization of historic neighborhoods;
  3. The increase of economic and financial benefits to the citizens of the town by making the town more attractive, inviting and interesting to the town's many tourists and visitors; and

4. The provision of educational opportunities to increase public appreciation of the town's unique heritage.

B. The intention of this chapter is to create a method to draw a reasonable balance between private property rights and the public interest in preserving the town's unique historic character by authorizing the town to designate landmarks, landmark sites, historic districts and cultural landscape districts; to require stabilization of properties which are of historic value in order to assure that such properties will not be lost as a result of inadvertence, indifference or neglect; and to ensure that the maintenance, alteration or demolition of properties of historic value shall be carefully considered for impact to the property's contribution to the town's heritage. (Ord. 24, Series 2001)

## **9-11-2: DEFINITIONS:**

As used in this chapter, unless the context clearly requires otherwise, the following terms shall have the following meanings:

**BUILDING OFFICIAL:** The building official of the Town of Breckenridge, Colorado.

**COMMISSION:** The Town of Breckenridge planning commission.

**CULTURAL LANDSCAPE DISTRICT:** A designated geographic area, including: cultural and natural resources and the wildlife or domestic animals therein, associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values. Historic cultural landscapes are composed of a number of character defining features which, individually or collectively, contribute to the landscape's physical appearance as they have evolved over time. In addition to vegetation and topography, cultural landscapes may include water features such as ponds, streams, and fountains; circulation features such as roads, paths, steps, and walls; buildings; and furnishings, including fences, benches, lights and sculptural objects.

**DEMOLITION:** Any act or process which destroys, in whole or in part, any landmark **historic structure which falls within the town's period of significance.**

**DEMOLITION BY NEGLIGENCE: Failure to provide ordinary and necessary maintenance and repair to a point the lack of maintenance reaches a threshold where the structural**

---

**integrity is compromised, in whole or in part, of any historic structure which falls within the town's period of significance.**

DEPARTMENT: The department of community development of the town.

DESIGNATION: The designation of one or more lot(s), tract(s) or parcel(s) of land as a landmark, landmark site, historic district or cultural landscape district pursuant to this chapter.

DESIGNATION PROPOSAL: A proposal to designate one or more lot(s), tract(s) or parcel(s) of land as a landmark, landmark site, historic district or cultural landscape district pursuant to this chapter.

DIRECTOR: The director of the department of community development of the town **or their designated representative.**

FEDERALLY DESIGNATED LANDMARK: A building or structure certified by the secretary of the interior as historic because: a) it is listed in the national register of historic places, or b) it is located in a registered historic district and the secretary has certified that the building is of historic significance to the district. The term "federally landmarked structure" includes buildings or structures which are listed as "landmarks", "contributing" buildings or structures and "contributing with qualifications" buildings or structures.

HISTORIC DISTRICT: A designated area containing a number of structures having a special historical or architectural value. A historic district is a geographically definable area including a concentration, linkage or continuity of subsurface sites, above surface sites, buildings, structures, objects or activities. The district is related by a pattern of either physical elements or social activities. Significance is determined by applying criteria to the pattern(s) and unifying element(s).

LANDMARK: A designated individual building, structure, object, **site** or an integrated group of buildings, structures or objects having a special historical or architectural value. Unless otherwise indicated in this chapter, the term "landmark" shall include both federally designated landmarks and town designated landmarks.

LANDMARK SITE: A designated area without buildings, structures or objects, but having a special historical or architectural value.

OWNER OR PROPERTY OWNER: The owner in fee of any undivided interest in a given lot, tract or parcel of land. If the mineral interest has been severed, the landowner is the owner in fee of an undivided interest in the surface estate and not the owner in fee of an undivided interest in the mineral estate.

STABILIZATION OR STABILIZE:

Providing weather protection **and/or bracing to ensure structural integrity, as approved by the town to ensure longevity of structural integrity including roofing structure, roof rafter, load bearing walls, and foundation;** or repair or preservation of a roofing structure, roof rafter, load bearing wall or foundation.

TOWN: The Town of Breckenridge, Colorado.

TOWN COUNCIL OR COUNCIL: The town council of the Town of Breckenridge, Colorado.

TOWN DESIGNATED LANDMARK: A building or structure designated by the town as a landmark pursuant to this chapter. (Ord. 24, Series 2001)

### **9-11-3: DESIGNATION OF LANDMARKS, LANDMARK SITES, HISTORIC DISTRICTS AND CULTURAL LANDSCAPE DISTRICTS:**

A. Designation Authorized: Pursuant to the procedures hereinafter set forth in this section, and subject to section [9-11-4](#) of this chapter, the town council may, by ordinance, designate a landmark, landmark site, historic district or a cultural landscape district. The property included in any such designation shall be subject to the controls and standards set forth in this chapter, and eligible for such incentive programs as may be developed by the town.

B. Designation Procedures: The town shall follow the following procedures in connection with any proposal to designate a landmark, landmark site, historic district or a cultural landscape district:

1. Property Owner Consent:

a. Landmarks And Landmark Sites: No proposal for the designation of a landmark or a landmark site shall be accepted by the director as complete and ready for town action

unless the property owner of the landmark or landmark site has consented to such designation.

b. Historic Districts And Cultural Landscape Districts: No proposal for the designation of a historic district or a cultural landscape district site shall be accepted by the director as complete and ready for town action unless at least fifty one percent (51%) of the property owners of the land within the proposed historic district or cultural landscape district have consented to such designation.

c. Director To Give Notice: Within thirty (30) days following receipt of a historic district or cultural landscape district designation proposal, and prior to accepting such proposal as being complete and ready for town action, the director shall send written notice of the submission of such designation proposal to the owner(s) of the land which is the subject of the designation proposal as shown on the records of the Summit County assessor. The notice provided by the director shall outline the reasons for and the effects of the proposed designation. (Ord. [24](#), Series 2001)

2. Process To Be Followed: A proposal to designate a historic district or cultural landscape district shall be processed by the town using the Class A development permit process as set forth in the development code, except as otherwise expressly provided in this section. A proposal to designate a landmark or landmark site shall be processed by the town using the Class ~~BC~~ minor development permit process as set forth in the development code, except as otherwise expressly provided in subsections [B3](#) and [B4](#) of this section. Any application submitted under this chapter may be processed concurrently with a development permit application for the same property. In the event of the submission of an application under this chapter and a concurrent development permit application for the same property, the **applications shall be processed jointly as a Class A and the** applicant shall only be required to pay one application fee which shall be calculated based on the ~~higher development permit classification of the two (2) applications~~ **Class A fee**. (Ord. [24](#), Series 2003)

3. Commission Review: A complete proposal for any landmark, landmark site, historic district or cultural landscape district designation shall be forwarded by the director to the commission who shall make a recommendation to council regarding the proposed designation.



- 
4. Council Decision: Final approval of any landmark, landmark site, historic district or cultural landscape district designation shall be by ordinance adopted by the town council.
  5. Exemptions: The town council may exempt from designation a property meeting the applicable designation criteria of section [9-11-4](#) of this chapter if the council finds that the property owner has demonstrated by a preponderance of the evidence that the proposed designation creates an undue hardship. The following criteria shall be used in assessing the potential for hardship:
    - a. Economic Hardship:
      1. Income Properties: For investment or income producing properties, the owner's inability to obtain a reasonable rate of return on the property in its present condition, or if rehabilitated, under the alterations criteria.
      2. Nonincome Properties: For nonincome producing properties consisting of owner occupied single-family dwellings and/or properties not solely operated for profit, the owner's inability to convert the property to a nonprofit use in its present condition, or if rehabilitated, under the alterations criteria.
      3. Noneconomic Hardship: The designation creates a situation substantially inadequate to meet the applicant's needs because of specific and unique health and/or safety issues.
  6. Designation Notification: Whenever a historic district or cultural landscape district has been designated by the town council as provided in this section, the director shall promptly notify the owner of any property included therein.
  7. Appeal: An appeal from a decision of the town council with respect to the designation of a historic district or cultural landmark district shall be taken pursuant to rule 106(a)(4) of the Colorado rules of civil procedure.

C. Designation Criteria: The commission's recommendation, and the council's decision regarding any proposal for designation of a landmark, landmark site, historic district or cultural landscape district, shall be based on the criteria set forth in section [9-11-4](#) of this chapter.

D. Design Standards: Any landmark or landmark site within the town's "historic district" (as defined in section [9-1-5](#) of this title), shall be subject to the applicable regulations of the town's

"Handbook Of Design Standards For The Historic And Conservation Districts", and the design standards for the applicable character areas, as amended from time to time. Any landmark, landmark site, historic district or cultural landscape district which is designated outside of the town's existing historic district shall be subject to any standards adopted for that specific designation. (Ord. 24, Series 2001)

#### **9-11-4: DESIGNATION CRITERIA:**

The following criteria shall be used in reviewing proposals for designation pursuant to section [9-11-3](#) of this chapter:

A. Landmarks/Landmark Sites: Landmarks or landmark sites must be at least fifty (50) years old and meet one or more of the criteria for architectural, social or geographic/environmental significance as described in subsections [A1](#) through [A3](#) of this section. A landmark may be exempted from the age requirement if it is found to be exceptionally important in other significant criteria.

1. Landmarks And Landmark Sites: Landmarks or landmark sites shall meet at least one of the following:

a. Architectural:

1. Exemplifies specific elements of architectural style or period.
2. Is an example of the work of an architect or builder who is recognized for expertise nationally, statewide, regionally, or locally.
3. Demonstrates superior craftsmanship or high artistic value.
4. Represents an innovation in construction, materials or design.
5. Is of a style particularly associated with the Breckenridge area.
6. Represents a built environment of a group of people in an era of history.
7. Includes a pattern or grouping of elements representing at least one of the above criteria.

- 
8. Is a significant historic remodel.
- b. Social:
    1. Is a site of a historic event that had an effect upon society.
    2. Exemplifies cultural, political, economic or social heritage of the community.
    3. Is associated with a notable person or the work of a notable person.
  - c. Geographic/Environmental:
    1. Enhances sense of identity of the community.
    2. Is an established and familiar natural setting or visual feature of the community.
2. Archaeological Sites: Archaeological sites shall meet one or more of the following:
    - a. Architectural:
      1. Exhibits distinctive characteristics of a type, period or manner of construction.
      2. Is a unique example of structure.
    - b. Social:
      1. Has the potential to make an important contribution to the knowledge of the area's history or prehistory.
      2. Is associated with an important event in Breckenridge's or Summit County's development.
      3. Is associated with a notable person(s) or is the work of a notable person(s).
      4. Is a typical example of or is associated with a particular ethnic group.
      5. Is a unique example of an event in Breckenridge's or Summit County's history.
    - c. Geographic/Environmental:
      1. Is geographically or regionally important.

Buried human remains shall be handled in as culturally sensitive and appropriate a manner as possible.

3. Physical Integrity: All properties proposed for designation as landmarks or landmark sites under this chapter shall be evaluated for their physical integrity using the following criteria (a property need not meet all of the following criteria):

- a. The property shows character, interest or value as part of the development, heritage or cultural characteristics of the community, region, state, or nation.
- b. The property retains original design features, materials and/or character.
- c. The structure is on its original location or is in the same historic context after having been moved.
- d. The structure has been accurately reconstructed or restored based on documentation.

B. Historic Districts And Cultural Landscape Districts: Properties that do not contribute to the significance of the historic district or cultural landscape district may be included within the boundaries of a historic or cultural landscape district as long as the noncontributing elements do not noticeably detract from the district's sense of time, place and historical development. Noncontributing elements shall be evaluated for their magnitude of impact by considering their size, scale, design, location, and/or information potential.

District boundaries will be defined by visual changes, historical documentation of different associations or patterns of development, or evidence of changes in site type or site density as established through testing or survey.

In addition to meeting at least one of the following criteria, a historic district or cultural landscape district must be at least fifty (50) years old. The town may waive age requirement for a particular historic or cultural landscape district if the resources within the proposed district are found to be exceptionally important in other significant criteria.

Historic and cultural landscape districts shall meet one or more of the following:

1. Architectural:
  - a. The area exemplifies specific elements of an architectural period or style.

- 
- b. The area is an example of the work of an architect or builder who is recognized for expertise nationally, statewide, regionally or locally.
  - c. The area demonstrates superior craftsmanship or high artistic value.
  - d. The area represents an innovation in construction, materials, or design.
  - e. The area is of a style particularly associated with Breckenridge area.
  - f. The area represents a built environment of a group of people in an era of history.
  - g. The area includes a pattern or grouping of elements representing at least one of the above criteria.
  - h. The area includes one or more significant historic remodels.
2. Social:
    - a. The area is a site of historic event that has an effect upon society.
    - b. The area exemplifies cultural, political, economic or social heritage of the community.
    - c. The area is associated with a notable person(s) or the work of a notable person(s).
3. Geographic/Environmental:
    - a. The area enhances sense of identity of the community.
    - b. The area is an established and familiar natural setting or visual feature of the community.
4. Archaeology/Subsurface:
    - a. The area has the potential to make an important contribution to the area's history or prehistory.
    - b. The area is associated with an important event in the area's development.
    - c. The area is associated with a notable person(s) or the work of a notable person(s).

- d. The area includes distinctive characteristics of a type, period or manner of construction.
- e. The area is of geographical importance.
- f. The area includes a typical example of or is associated with a particular ethnic group.
- g. The area includes a typical example of or is associated with a local cultural or economic activity.
- h. The area is a unique example of an event or structure. (Ord. 24, Series 2001)

#### **9-11-5: REVOCATION OF DESIGNATION:**

- A. If a building, structure or object that is a landmark, is on a landmark site, or is within a historic district or a cultural landscape district, has been lawfully removed or demolished, the owner may apply to the council for a revocation of the designation.
- B. The town council may revoke a landmark, landmark site, historic district or cultural landscape district designation if, after following the applicable procedures prescribed by subsection [9-11-3B](#) of this chapter, it determines that the landmark, landmark site, historic district or cultural landscape district no longer meets the applicable designation standards of section [9-11-4](#) of this chapter. (Ord. 24, Series 2001)

#### **9-11-6: AMENDMENT OF DESIGNATION:**

The designation of a landmark, landmark site, historic district or cultural landscape district may be amended to add a building, structure or object to the existing designation under the procedures prescribed by subsection [9-11-3B](#) of this chapter. (Ord. 24, Series 2001)

---

**9-11-7: PROPERTY STABILIZATION REQUIRED DEMOLITION BY  
NEGLECT STANDARDS FOR ALL STRUCTURES:**

- A. The town intends to preserve from deliberate or inadvertent neglect ~~any landmark~~ **of any historic structure**, whose stabilization is necessary to prevent the ~~landmark's~~ **historic structure's** deterioration **or demolition without a permit**.
- B. No owner, lessee, or occupant of any ~~landmark~~ **historic structure** shall **neglect or** fail to prevent stabilization of the landmark or historic structure.
- C. No owner, lessee or occupant of any ~~landmark~~ **historic structure** shall fail to comply with all applicable provisions of this chapter and other ordinances of the town regulating property maintenance of the ~~landmark~~ **historic structure**.
- D. Before the town attorney files a complaint for **demolition by neglect of** ~~failure to stabilize~~ a property as required by this section, the director shall notify the property owner, lessee, or occupant of the need to stabilize the property, shall endeavor to assist the owner, lessee, or occupant in determining how to stabilize the property, and shall give the owner a reasonable time, not less than thirty (30) days, to perform the required stabilization. (Ord. 24, Series 2001)

**9-11-8: RECOGNITION OF MERIT:**

- A. Recognition List: The council may approve a list of buildings, structures or objects of historical or architectural merit that have not been designated as landmarks and are not within a historic district or a cultural landscape district, to which the council may add from time to time, in order to recognize and encourage the protection, enhancement, and use of such buildings, structures or objects. Such list may include town owned property located outside the corporate limits of the town. Nothing in this section shall be construed to impose any regulations or controls upon buildings, structures or objects of merit solely because they are included on the list.
- B. Recognition Program: The council may authorize such steps as it deems desirable to recognize the merit of and to encourage the protection, enhancement, perpetuation, and use of any listed building, structure, object, listed landmark, or listed structure in a historic district or cultural landscape district by, without limitation, issuing certificates of recognition and

authorizing plaques to be affixed to the exteriors of such buildings, structures or objects. (Ord. 24, Series 2001)

### **9-11-9: DEMOLITION CRITERIA:**

No "historic structure" as defined in section [9-1-5](#) of this title, or landmark shall be demolished without the owner first having obtained a demolition permit from the town. A demolition permit shall not be approved by the town until a replacement/reuse plan for the property has been approved by the town. An application for a demolition permit pursuant to this section shall be processed as a Class ~~B~~ major **A** development permit application in accordance with the development code, but shall be evaluated only under the following criteria. As part of the development permit application, the town may require that a cultural survey be prepared by a qualified person at the applicant's cost. **An application submitted for the demolition of a historic property is very unlikely to be approved because the Town is highly focused on preserving and maintaining its historic elements.**

A. Review Criteria For Total Demolition: A permit for demolition shall only be approved if all of the following criteria are met:

1. The building, structure or object proposed for demolition is not structurally sound despite evidence of the owner's efforts to properly maintain it;
2. The building, structure or object cannot be rehabilitated or reused on site to provide for any reasonable economical use of the property;
3. The building, structure or object cannot be practically moved to another site in the town  
**a. A building or structure can only be moved to another site in the town if the structure has already been moved off of its historic site.**
4. The applicant demonstrates that the demolition proposal mitigates to the greatest extent practical the following:
  - a. Any impact(s) that will occur to the visual character of the neighborhood where demolition is proposed to occur.



- b. Any impact(s) that will occur to the historic importance of the buildings, structures or objects located on the property and adjacent properties.
- c. Any impact that will occur to the architectural integrity of the buildings, structures or objects located on the property and adjacent properties.

Consideration will be given to whether materials can be recycled for use as part of another building, structure or object.

In the case of archaeological sites, consideration will be given to whether information can be recovered as part of the demolition process.

B. Review Criteria For Partial Demolition: A permit for partial demolition shall only be approved if all of the following criteria are met:

1. The partial demolition is required for the renovation, restoration or rehabilitation of the building, structure or object;
2. The applicant has mitigated, to the greatest extent possible:
  - a. Impacts on the historic importance of the buildings, structures or objects located on the property.
  - b. Impacts on the architectural integrity of the buildings, structures or objects located on the property; and

Consideration will be given to whether materials can be recycled for use as part of another building, structure or object. (Ord. 24, Series 2001)

### **9-11-10: UNSAFE OR DANGEROUS CONDITIONS EXEMPTED:**

Nothing in this chapter shall be construed to prevent any demolition which is immediately necessary to correct an unsafe or dangerous condition of any structure, other object, or parts thereof, where such condition is declared to be unsafe or dangerous by the building official, the Red, White And Blue fire protection district or the director, acting within the scope of their lawful authority, and where the proposed demolition has been declared by the director to be

immediately necessary to correct the existing condition. Such immediate measures may be taken only if any necessary permits are obtained. (Ord. 24, Series 2001)

### **9-11-11: EFFECT ON EXISTING CONSERVATION DISTRICT:**

Nothing in this chapter shall affect the designation of the town's conservation district, or any national register listing or designation of landmarks or landmark sites, as the same exist as of the date of the adoption of this chapter. The prior designation of the town's conservation district, and the prior national register listing or designation of landmarks and landmark sites within the town, as the same exist as of the date of the adoption of this chapter, are hereby expressly ratified, confirmed and approved. (Ord. 24, Series 2001)

### **9-11-12: ENFORCEMENT AND PENALTIES:**

A. No person shall violate or permit to be violated any of the requirements of this chapter. Violations of this chapter are punishable as misdemeanor offenses provided in title [1](#), chapter [4](#) of this code. The civil action provisions of section [1-8-10](#) of this code shall be applicable to an alleged violation of the requirements of this chapter.

B. In addition to the civil and criminal penalties provided above, the following violations of this chapter shall be subject to the following additional administrative penalties:

1. An alteration which is made to a landmark or landmark site without an approved development permit issued under the development code may result in up to a one year moratorium on all building and development permits for the subject property.
2. The moving or demolition of a landmark without an approved permit issued under this chapter may result in up to a five (5) year moratorium on all moving, demolition, or building permits for the structure and for the property at the structure's original location. (Ord. 24, Series 2001)

**9-11-13: CONFLICT WITH DEVELOPMENT CODE:**

In the event of any conflict between the provisions of this chapter and the provisions of the Breckenridge development code<sup>1</sup>, the provisions of this chapter shall control. (Ord. 24, Series 2001)

**Notes:**

<sup>1</sup> See chapter [1](#) of this title.

**9-11-14: COMPLIANCE WITH BUILDING CODE:**

Any repair, alteration or addition which is necessary for the preservation, restoration, rehabilitation or continued use of a landmark may be made without conformance to all the requirements of the town's building code in accordance with section 3403.5 of the town's building code. (Ord. 24, Series 2001)

## CHAPTER 1 BRECKENRIDGE DEVELOPMENT CODE

**9-1-5: DEFINITIONS:**

CLASS A DEVELOPMENT: Any development which includes any of the following activities or elements:

- A. Residential uses which include three (3) units or more.
- B. Lodging and hotel uses.
- C. Any site work or landscaping which is in excess of two hundred thousand dollars (\$200,000.00) in value, to include ski lifts and parking lots.
- D. Commercial and industrial uses, additions and remodels thereto which are one thousand (1,000) square feet in size or greater.
- E. Approval of a master plan on a site five (5) acres or more in size.

- F. Major amendment to a master plan pursuant to section [9-1-19-39A](#), "Policy 39 (Absolute) Master Plan", subsection L, of this chapter.
- G. Those wireless communication facilities permit applications described in section [9-1-19-50A](#), subsection D(1), of this chapter.
- H. Remodel or addition to any historic residential structure within the Historic District or the Conservation District.

**I. Demolition or moving of a landmark or historic structure (including any portion of the structure).**

CLASS B DEVELOPMENT: Any development which includes any of the following activities or elements:

Class B - Major:

- A. New single-family nonhistoric residential within the Historic District or the Conservation District.
- B. New duplex residential within the Historic District or Conservation District.
- C. Bed and breakfasts, and boarding houses.
- D. Commercial and industrial uses and additions which are less than one thousand (1,000) square feet in size or ten percent (10%) of the existing square footage (unless classified as a Class A development).
- E. Approval of a master plan on a site of less than five (5) acres.
- ~~F. Demolition or moving of a landmark or historic structure (including any portion of the structure).~~

Class B - Minor:

- A. Change of use within a Residential District.
- B. Site work, landscaping, grading, and utility installations on steep slopes (greater than 15 percent) or within environmentally sensitive areas.
- C. Operation of a home childcare business.

- D. Vendor carts, large.
- E. Application for exempt large vendor cart designation.

Class B development is divided into major and minor categories for purposes of payment of application fees<sup>1</sup> only. The procedures set forth in this chapter for the processing of Class B development permit applications apply to both major and minor categories.

CLASS C DEVELOPMENT: Any development which includes any of the following activities or elements:

- A. Change of use outside of a Residential District.
- B. Master sign plans.
- C. Temporary structures to be used for longer than three (3) days.
- D. Additions to commercial, office or industrial structures of less than ten percent (10%) of the existing square footage.
- E. Matters relating to nonconforming uses.
- F. Minor amendment to a master plan pursuant to section -39A, subsection L, of this chapter.
- G. Installation of solar device within the Conservation District.
- H. *Vendor Carts, Small*: A small vendor cart shall be processed as a Class C development permit with public notice requirements per a Class B development permit.
- I. Major remodel to residential condominium, lodging, or hotel structure.
- J. Temporary tents meeting the special requirements set forth in section [9-1-19-36A](#), subsection F(2), of this chapter.
- K. Exterior loudspeakers associated with a commercial use.
- L. Any exterior food and beverage area.

---

**M. A proposal to designate a landmark or landmark site pursuant to section 9-11-3(B)(2) except when processed concurrently with a rehabilitation development permit.**

---

**The Breckenridge Town Code is current through Ord. 17, Series 2023, passed May 23, 2023.**

Disclaimer: The town clerk's office has the official version of the Breckenridge Town Code. Users should contact the town clerk's office for ordinances passed subsequent to the ordinance cited above.

[Town Website: www.townofbreckenridge.com](http://www.townofbreckenridge.com)

[Hosted by Code Publishing Company, A General Code Company.](#)