

RESOLUTION #5, SERIES OF 2023

**A RESOLUTION OF THE ASPEN HISTORIC PRESERVATION COMMISSION
GRANTING A SUBSTANTIAL AMENDMENT TO MAJOR DEVELOPMENT APPROVAL
AND SETBACK VARIATIONS FOR THE PROPERTY LOCATED AT 312 W. HYMAN
AVENUE, LOTS P AND Q, BLOCK 46, CITY AND TOWNSITE OF ASPEN, COLORADO**

PARCEL ID: 2735-124-64-006

WHEREAS, the applicant, POWDERDAYSKIING LLC, represented by Jeffrey Woodruff of Cloud Hill Design LLC, has requested HPC approval for a Substantial Amendment to Major Development and Setback Variations for the property located at 312 W. Hyman, Lots P and Q, Block 46, City and Townsite of Aspen, Colorado; and

WHEREAS, the approvals to be amended were granted through HPC Resolutions #6 and #11, Series of 2022, and the project remains in its period of Vested Rights secured by Final Major Development on July 27, 2022; and

WHEREAS, HPC is to review the Substantial Amendment and Setback Variations application, the staff analysis report and the evidence presented at the hearing to determine the project's conformance with the City Historic Preservation Design Guidelines. The HPC may approve, disapprove, approve with conditions, or continue the application to obtain additional information necessary to make a decision to approve or deny; and

WHEREAS, Community Development Department staff reviewed the application for compliance with applicable review standards and recommended approval of the application, with conditions; and

WHEREAS, HPC reviewed the project on April 12, 2023, considered the application, the staff memo and public comments, and granted approval of the application with conditions, by a vote of 3 to 0.

NOW, THEREFORE, BE IT RESOLVED:

Section 1: Approvals

The Substantial Amendment and Setback Variations are approved as represented in the application reviewed by HPC on April 12, 2023. Conditions of approval are:

1. Staff and monitor will review and approve the final driveway design, aiming to represent two parking spaces on-site. Only one must be truly usable to meet parking requirements.
2. Staff and monitor will review and approve the final landscape plan as it pertains to the foreground of the historic resource to balance privacy concerns with an appropriate level of simplicity, and to limit blocking public views of the Chalet or detracting from the blue spruce tree.
3. Staff will continue to work with the architect to ensure a clear depiction of the maintenance edge that must surround the resource is included in the landscape plan. Some structural details will also continue to be resolved to ensure that no historic exterior materials are impacted without HPC approval.

HPC Resolution #5, Series of 2023
Page 1 of 2


RECEPTION#: 695437, R: \$18.00, D: \$0.00
DOC CODE: RESOLUTION
Pg 1 of 2, 06/09/2023 at 03:41:03 PM
Ingrid K. Grueter, Pitkin County, CO

4. HPC hereby grants a 3' west sideyard setback for the garage, a 5'4" combined sideyard, and a 2.4' east sideyard to acknowledge the existing location of the historic resource.
5. All conditions of HPC Resolutions #6 and #11, Series of 2022 have been resolved, except that assurance must still be provided that the skylights shall have sufficient shading to eliminate light pollution to other neighboring properties, and the building permit must include a detailed Preservation Plan labelling existing historic materials on the areas of the building not approved for alteration, and the intent to repair and retain them.
6. Restudy the windows on the garage to be more similar, in terms of number of panes, to the addition to the house.
7. Restudy the cladding of the addition of the house, and the railing around the northeast balcony, to distinguish new from old, to be approved by staff and monitor.
8. The southeast corner of the new garage is approved to be infilled with usable space, with the design to be reviewed and approved by staff and monitor.
9. The east facing upper floor bedroom wall may not be moved, but the fenestration represented in the Substantial Amendment is approved.
10. Snow fences are allowed for snow retention on the historic structure and garage.
11. The sample of insulated glass provided for review at the HPC meeting is approved.

Section 2: Material Representations

All material representations and commitments made by the Applicant pursuant to the development proposal approvals as herein awarded, whether in public hearing or documentation presented before the Community Development Department, the Historic Preservation Commission, or the Aspen City Council are hereby incorporated in such plan development approvals and the same shall be complied with as if fully set forth herein, unless amended by other specific conditions or an authorized authority.

Section 3: Existing Litigation

This Resolution shall not affect any existing litigation and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the ordinances repealed or amended as herein provided, and the same shall be conducted and concluded under such prior ordinances.

Section 4: Severability

If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held invalid or unconstitutional in a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portions thereof.

APPROVED BY THE COMMISSION at its regular meeting on the 12th day of April, 2023.

Approved as to Form:


Katharine Johnson, Assistant City Attorney

Approved as to Content:


Kara Thompson, HPC Chair

ATTEST:


Mike Sear, Deputy City Clerk