

## AGENDA

### ASPEN HISTORIC PRESERVATION COMMISSION

March 11, 2026

4:30 PM, City Council Chambers -  
3rd Floor  
427 Rio Grande Place  
Aspen, CO 81611



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#### I. SITE VISIT

HPC Site Visit - 500 West Francis St. - Starting at 12:00pm on 3/11/26

#### II. ROLL CALL

#### III. MINUTES

III.A Draft Minutes - 2/11/26

[minutes.hpc.20260211\\_DRAFT.docx](#)

#### IV. PUBLIC COMMENTS

#### V. COMMISSIONER MEMBER COMMENTS

#### VI. DISCLOSURE OF CONFLICT OF INTEREST

#### VII. PROJECT MONITORING

#### VIII. STAFF COMMENTS

#### IX. CERTIFICATE OF NO NEGATIVE EFFECT ISSUED

#### X. CALL UP REPORTS

#### XI. SUBMIT PUBLIC NOTICE FOR AGENDA ITEMS

#### XII. SUBSTANTIAL AMENDMENT

#### XIII. OLD BUSINESS

#### XIV. NEW BUSINESS

XIV.A

Resolution #04, Series of 2026

500 W. Francis St. – Request for a Certificate of Appropriateness for Major Development Conceptual Review, Relocation, and Benefits.

[500WFrancis.StaffReport.pdf](#)

[HPC Resolution # 04 , Series of 2026.pdf](#)

[Attachment A\\_Application.pdf](#)

[Attachment B \\_Historic Preservation Design Guidelines Staff Analysis.pdf](#)

[Attachment C \\_Relocation Criteria Staff Analysis.pdf](#)

[Attachment D \\_Benefit Criteria Staff Analysis.pdf](#)

[Attachment E \\_Combined Referral Comments.pdf](#)

## **XV. ADJOURN**

## **XVI. NEXT RESOLUTION NUMBER**

### **TYPICAL PROCEEDING FORMAT FOR ALL PUBLIC HEARINGS**

(1 Hour, 15 Minutes for each Major Agenda Item)

1. Declaration of Conflicts of Interest (at beginning of agenda)
2. Presentation of proof of legal notice (at beginning of agenda)
3. Applicant presentation (10 minutes for minor development; 20 minutes for major development)
4. Board questions and clarifications of applicant (5 minutes)
5. Staff presentation (5 minutes for minor development; 10 minutes for major development)
6. Board questions and clarifications of staff (5 minutes)
7. Public comments (5 minutes total, or 3 minutes/ person or as determined by the Chair)
8. Close public comment portion of hearing
9. Applicant rebuttal/clarification (5 minutes)
10. Staff rebuttal/clarification (5 minutes)

#### **End of fact finding. Chairperson identifies the issues to be discussed.**

11. Deliberation by the commission and findings based on criteria commences. No further input from applicant or staff unless invited by the Chair. Staff may ask to be recognized if there is a factual error to be corrected. If the item is to be continued, the Chair may provide a summary of areas to be restudied at their discretion, but the applicant is not to re-start discussion of the case or the board's direction. (20 minutes)

12. Motion. Prior to vote the chair will allow for call for clarification for the proposed resolution.

Please note that staff and/or the applicant must vacate the dais during the opposite presentation and board question and clarification session. Both staff and applicant team will vacate the dais during HPC deliberation unless invited by the chair to return.

Updated: March 7, 2024

Chairperson Thompson opened the regular meeting of the Aspen Historic Preservation Commission at 4:30pm.

**Commissioners in attendance:** Roger Moyer, Jodi Surfes, Barb Pitchford, Duncan Clauss, Kim Raymond and Kara Thompson.

**Staff present:**

Daniel Folke – Planning Director

Luisa Berne - Assistant City Attorney

Mike Sear – Deputy City Clerk

Ben Anderson – Community Development Director

**MINUTES:** None

**PUBLIC COMMENTS:** None

**COMMISSIONER MEMBER COMMENTS:** Ms. Pitchford commented on the very short notice of the site visit. Mr. Folke apologized for the short notice and noted that staff would better coordinate site visits moving forward. There was some further discussion about the scheduling of site visits.

Mr. Moyer commented on the increase in corporate ownership of residential properties in resort communities around the country. He was concerned that this trend leads to losing families and a sense of community in town as well as the properties potentially being neglected. He hoped that the City Council would be aware of this and how it is affecting Aspen. He gave some examples of this in town and felt that HPC should potentially send a letter to City Council asking that they look into what could be done about this.

Mr. Anderson responded by noting that the trends Mr. Moyer highlighted may have begun happening in Aspen before many other places. He said that staff have been attempting to respond to these dynamics for a while now, through regulations and other tools at their disposal. He noted that these topics were something on City Council's mind. Ms. Berne also noted that it is very difficult to restrict who can own property.

**DISCLOSURE OF CONFLICTS OF INTEREST:** None.

**PROJECT MONITORING:** None

**STAFF COMMENTS:** None

**CERTIFICATE OF NO NEGATIVE EFFECT:** None

**CALL UP REPORTS:** None

**SUBMIT PUBLIC NOTICE FOR AGENDA ITEMS:** Ms. Berne confirmed that public notice was completed in compliance with the Code as needed for the agenda item.

**NEW BUSINESS: 212 N. Monarch St.** - Request for a Certificate of Appropriateness for Major Development Conceptual Review, Relocation, and Benefits.

**Applicant Presentation:** Garrett Larimer – Kramer Land Planning / Brian May – Brian May Architecture & Interiors

Mr. Larimer began his presentation by reviewing some details of the property and its location.

Displaying a survey of the lot he pointed out a steep hillside at the rear of the property, the driveway and locations of existing trees.

He then went over the history of the property and historic resource, including the voluntary historic designation in 1981 and noted previous HPC actions. These included the approval of the gravel driveway and the 2021 approval of the issuance of two TDRs, severing 500 square feet of floor area.

He moved on to their plans and requests of HPC. These included the removal of non-historic additions, the restoration of the front porch, creation of a basement addition and an above grade addition at the rear of the resource and restoration of the historic resource.

Mr. Larimer noted that based on staff comments regarding their rear yard setback variation request, they would be willing to pull the subgrade space back to meet the existing rear yard setback but are still requesting a north side yard setback variation. He showed a site plan highlighting the various setbacks.

Next, he went over the details of the removal of non-historic additions and showed a picture from the 1950s showing the historic massing of the structure and noted that elevation drawings included in the packet highlighted the non-historic additions proposed for removal. He also detailed the proposed restoration of the front porch and realignment of the front walkway.

Mr. Larimer noted that currently the basement is just a crawl space and he detailed their proposal to create a full height basement addition by removing the existing stone foundation, excavating for the new space and pouring new foundation walls. He noted that the historic resource would be lifted in place during this work and then set back down in its historic location. He then went on to describe the new one-story addition to the rear of the resource and went over some of the design features and concepts, including the roof form. He showed a street facing elevation that highlighted the resource in blue and the new addition to the rear in orange. He also went over the details of the proposed restoration of architectural details of the historic resource, including the historic horizontal wood siding and scalloped siding between the first and second levels, historic doors and windows, and decorative ridge cap.

Mr. Larimer then brought up the historic design guidelines and noted that they really used them to drive and dictate their overall design and that they were mostly in agreement with staff's findings and perspective of compliance with the guidelines. He went over some of the reasons why they felt the various guidelines were met regarding the historic resource and new rear addition.

He then moved on to the requested benefit of the 250 square foot floor area bonus. He pointed out that the deed restriction that was recorded when the two TDRs were created in 2021 stated that the severing of development rights through TDRs does not preclude other benefits from being requested or received. He then detailed the criteria that needed to be met related to the floor area bonus request and noted that they feel all these have been met. He also noted the setback variation requests they are proposing and showed a chart of the required and requested setback dimensions.

Ms. Thompson asked about a perceived discrepancy between the renderings and the historic photos regarding the spacing of the front porch posts. Mr. Larimer noted that the intention for the restoration is to match the historic photos. Ms. Thompson also asked if they had opened up any of the interior walls to see if there was any historic framing for the hip roof. Mr. Larimer noted that there is an attic space under that roof area and that after an initial site visit with staff, historic framing does exist.

Ms. Raymond asked if any mechanical equipment would be in the setbacks. Mr. Larimer said that there wasn't anything planned at the moment, but it would be further studied and brought back at final review.

Ms. Pitchford asked what was to happen with the historic foundation materials when they excavate the basement and pour a new foundation. Mr. Larimer noted that the materials would be salvaged and used to create a veneer that would be applied to the new foundation wall so that the appearance would be of the historic foundation. Ms. Pitchford followed up, asking if the current historic foundation was proven to be unstable and in need of replacing. Mr. Larimer noted that a structural engineer had been out to the site, and they found that the current foundation would need to be replaced due to the proposed new basement. Ms. Pitchford then asked about the 10-foot connecting element that the guidelines call for to separate the new addition from the historic resource. Mr. Larimer noted that in his reading of the guidelines, a connecting element was only required when the new addition was more than one story. Ms. Pitchford also wanted to know the height of the new addition and historic resource. Mr. Larimer noted that the addition was 18 feet and 9 inches in total height and the height of the historic resource was about 29 feet.

Mr. Moyer asked if there had been any insurance issues related to what the roof material may be and whether they had considered including any wrought iron fencing on the property, similar to the sections that still exist on the property. Mr. Larimer said that insurance was an issue in regard to the roof material and that they could consider potential wrought iron fencing.

Mr. Clauss asked Mr. Larimer to go over the changes they had made to the rear foundation wall as it related to the rear yard setbacks. Mr. Larimer detailed the changes, noting that the foundation wall would be pulled back to meet the current setback requirements.

Ms. Raymond asked if they could speak to the three elements of relatability, namely fenestration, materials and form. Mr. Larimer mentioned that they were relating to form and materials. He noted the roof form of the new addition relating to the hip roof on the resource and that the materials on the addition were to be similar wood siding to the resource but oriented vertically to be more of a product of its own time.

**Staff Presentation:** Daniel Folke – Planning Director

Mr. Folke began his presentation by reviewing some of the context of the property by showing an ariel photo of the lot and surrounding neighborhood. He went over the various requests in front of HPC, including the major conceptual development, relocation, setback variations and the floor area bonus benefit. He displayed several artist renderings of the proposed project from various directions and described the different elements of the restoration and new addition.

Mr. Folke moved on to the site plan and went over the variation request for the garage portion of the new addition and noted that staff was in support of the requested side yard setback variation as it was a benefit to the historic resource by allowing some separation between the driveway and the home. He also went over the relocation request to lift the home and excavate a full basement and he detailed the related criteria. He agreed with the applicant that the existing historic foundation was not failing, but its removal was based on the desire to dig and create a basement.

He moved on to the requested variations and noted that staff was supportive of the side yard setback variation as previously stated and was pleased that the applicant had removed the subgrade encroachment into the rear setback, but would rather they come with a design for the new addition that

fit within the existing setbacks without requiring any above grade variations. He described the specific dimensions of the requested setback variation requests. He also detailed the floor area calculations, including the requested floor area bonus and noted that the square footage of the new addition was less than the historic resource.

He addressed the issue of the floor area bonus related to the previously created TDRs. He reiterated that the code does allow any TDR sending sites to still be eligible for any benefits and bonuses allowed to historically designated landmark properties. He showed a slide of the floor area bonus criteria and noted that staff felt that this project met those criteria and were recommending the bonus be approved. He concluded his presentation by displaying the recommended conditions of approval in the draft resolution and going over each.

Ms. Raymond asked about criteria D for the floor area bonus and Mr. Folke described staff's findings of this criterion and why they felt it was met.

Ms. Pitchford asked about the historic foundation and wondered why it seemed to be ok to destroy it when it wasn't failing. Ms. Thompson noted that she had read in the staff memo that the historic foundation materials were to be reapplied as a veneer to the new foundation wall so as to be visually consistent with the historic appearance. Ms. Raymond noted that HPC had approved this method on numerous similar projects in the West End.

Mr. Moyer asked if Mr. Folke was familiar with the previous owner's intent when they served square footage through the creation of the TDRs. Ms. Berne stepped in and noted that whatever the previous owner's intent was related to the TDRs, it should have been put into the deed restriction. She said that the deed restriction is clear that the property would still be eligible for all benefits and bonuses. She stressed that it was not HPC's role to go back and try to infer someone's intent.

Mr. Moyer then asked why staff did not require a connecting element between the historic resource and the new addition. Ms. Thompson read preservation guideline 10.9 that notes only additions that are taller than the resource are required to have a connecting element.

**Public Comment:** Ms. Thomspon asked if board members could confirm that they read the public comment emails that were received. All members confirmed this.

Mr. Bert Myrin introduced himself and noted that he was a next-door neighbor. He went over his concerns with the proposed setback variation requests, noting he felt the northeast corner that is closest to his property was pretty tight. He also referenced the survey and stated his concerns for the root ball and dripline of one of the evergreen trees on a neighboring property that overlaps the proposed site plan for this project. He referenced several pages in the agenda packet that highlighted this tree's location. He then referenced the possibility of opening up the existing City alley and felt that it would allow the addition to be shifted to the south, creating better access and protecting some of the existing trees.

Mr. Walt Madden stated he was Mr. Myrin's husband and was also the next-door neighbor to this property. He detailed some of the history surrounding the neighboring alley and City Council's concerns and thoughts about opening it to Monarch St. He felt it might be an appropriate time to consider opening it up, to allow this project to shift so it would not not encroach on his property or require variations.

Mr. John Markalunas noted that he had lived in town for a long time and he thanked the HPC for their work. He commented on the proposed project and felt the new addition was out of character and scale for the neighborhood. He noted that he knew the previous owners very well and felt that their intent was to keep the house the same. He commented that the existing foundation was still intact. He implored HPC to do what they could to preserve Aspen.

Ms. Lisa Markalunas stated that she was an Aspen native and had been a member of the HPC in the early 2000s. She felt that the historic fabric of Aspen was being gutted by one construction project after another and it was all about maximizing everything. She also felt the previous owner's intent was to always protect the home. She felt that the restoration efforts did not warrant the floor area bonus and that the new addition was not compatible with the historic resource. She also felt that the current owners were not good stewards of the property.

Mr. Moyer asked staff about the roof form on the new addition as it was shown to steeply pitch toward the historic resource and he wondered about snow load and drainage. Mr. Folke noted that staff had not discussed it but acknowledge the potential issue.

**Board Discussion:** Ms. Thompson opened the board discussion by reviewing the relocation request. She felt the related criteria were met as the relocation was to lift the house in place and dig the new basement.

Ms. Raymond agreed with Ms. Thompson that the relocation in place was appropriate. She also felt that HPC needed to be consistent with previous relocation approvals to dig basements. She did acknowledge the dramatic changes to town over the years but also felt the new owners had purchased the property and were proposing what they wanted to do. She noted that they were going to keep the house looking the same from the outside.

Ms. Surfes and Mr. Moyer were also supportive of the relocation as planned as long as it was just lifted and then set back in place.

Ms. Pitchford was not in support of the relocation and felt that in previous approvals that she had been involved with there was a need to stabilize the existing foundation which necessitated the lifting and relocation.

Mr. Clauss felt the proposed relocation was consistent with other requests that had been granted.

Ms. Thompson moved on to the new addition and related floor area bonus and felt that projects requesting a floor area bonus should be held to a higher standard. She did not feel at the moment that the proposed addition warrants consideration for a bonus. She felt that it was really a one and a half story addition that did not have any relation to form of the historic resource and did not engage with it. She also felt that for a floor area bonus to be considered, the massing needs to be reduced so that at least one side of the addition is not visible.

Mr. Moyer did not support the bonus or the new addition as it was designed. He would be ok if the addition was reduced so as to not protrude on either side of the resource and that it had a connecting link.

Ms. Pitchford noted that while she understood the code related to the issuance of TDRs not affecting the ability to request bonuses, but felt it did not make any sense, since the idea of TDRs was to sterilize the property.

Ms. Thompson felt that a floor area bonus was a benefit that could be granted to entice owners to actively participate in the preservation and restoration of their properties.

Ms. Surfes felt they needed to focus on the addition, and she did not feel it was currently in a place where she could approve it. She felt it was too big and that one side or the other needed to be reduced. Referring to the guidelines, she did not feel the addition allowed the original proportions and character of the resource to remain. She also agreed that the addition was not really one story and felt that compatibility to the historic resource was a stretch for her.

Ms. Raymond also agreed on the new addition and felt the roof was not compatible because it was too tall and made the massing appear too large. She suggested a much more simple roof form. She also did not like the addition sticking out on both sides but was ok with the garage side. She felt it could be made more subordinate to the resource as currently it draws too much attention.

Mr. Clauss also agreed about the addition sticking out on both sides and felt that was his main issue.

Ms. Pitchford was confused why other HPC members were ok with the removal of the historic foundation and noted that typically if a historic wall exists, it is required to stay and be worked around.

Ms. Thompson felt that it allowed subgrade development that they would not see. Ms. Surfes responded that while guideline 2.1 calls for the preservation of historic materials, they were planning on reusing the historic foundation materials as a veneer.

Ms. Pitchford stressed that her job was historic preservation and that in many instances it felt that they were asked to bend to the applicant's wishes and accommodate them.

While she noted that she would be motioning for a continuation, Ms. Thompson addressed a few conditions in the draft resolution. First, she felt the financial assurance should be raised to \$60K. She also wanted to make sure the preservation plan included both excavation and stabilization plans and asked the applicant to further study, with the City's Parks department, the root systems of a few of the surrounding trees on the north side of the property. She also wanted the restoration of the front porch to be reviewed by staff and monitor so that it is accurate to historic photos.

Ms. Thompson said that the commission would take a short break to allow the applicant to determine what date they would prefer the meeting to be continued to.

**MOTION:** Ms. Thompson motioned to continue the meeting to April 8<sup>th</sup>, 2026. Ms. Raymond seconded.

**Roll call vote:** Mr. Moyer, yes; Ms. Surfes, yes; Ms. Pitchford, yes; Mr. Clauss, yes; Ms. Raymond, yes; Ms. Thompson, yes. **6-0**, motion passes.

#### **Election of Chair and Vice-Chair:**

Ms. Berne introduced the Election item and went over the process and the various voting options.

**MOTION:** Mr. Moyer motioned to retain Ms. Thompson as Chair and Ms. Raymond as Vice-Chair. Ms. Surfes seconded. **Roll call vote:** Mr. Moyer, yes; Ms. Surfes, yes; Ms. Pitchford, yes; Mr. Clauss, yes; Ms. Raymond, yes; Ms. Thompson, yes. **6-0**, motion passes.

**ADJOURN:** Ms. Pitchford moved to adjourn the regular meeting. Ms. Thompson seconded. All in favor, motion passes.

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Mike Sear, Deputy City Clerk

DRAFT



## STAFF REPORT

**TO:** Aspen's Historic Preservation Commission

**FROM:** Gillian White, Historic Preservation Officer, Principal Planner

**THROUGH:** Dan Folke, Planning Director

**MEETING DATE:** March 11, 2026

**SUBJECT:** Resolution #04, Series of 2026  
500 W. Francis St. – Request for a Certificate of Appropriateness  
for Major Development Conceptual Review, Relocation, and  
Benefits.

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### INTENDED OUTCOME:

The request of the Historic Preservation Commission (HPC) is to consider the following land use code review processes:

- Certificate of Appropriateness for Major Development (Section 26.415.070(d))
- Relocation (Section 26.415.090)
- Benefits – Variations (Section 26.415.110(c))
- Benefits – Floor Area, Lightwell Exemption (Section 26.415.110(f)(5))

The HPC is the final review authority of these requests, however, the Certificate of Appropriateness for Major Development Conceptual Review is subject to City Council call up procedures.

The intended outcome for this request is to maintain the integrity of the historic resource, the historic preservation program, and align with Aspen's Historic Preservation Design Guidelines and applicable code sections to the extent possible.

### EXECUTIVE SUMMARY:

The purpose of this report is to provide the HPC with details on the request for a Certificate of Appropriateness for Major Development Conceptual Review and associated requests so the HPC can make an informed decision. Per Land Use Code (LUC) Section 26.415.070(d), the HPC may approve, disapprove, or approve the application with conditions. The HPC may also continue the application to obtain additional information necessary to make a decision to approve or deny.

Overview of Project:

The applicant proposes to demolish non-historic portions of the historic carriage house, construct a new addition to the carriage house, connect the resource to the carriage house via a transparent linking element, construct a new two-car garage, temporarily relocate/lift both historic resources to build a subgrade addition and install a new foundation, and restore the resources to match historic photos. The applicant is also requesting benefits for the preservation work, including variations to setbacks and a floor area benefit via a lightwell exemption.



Fig. 1. Aerial image showing the subject property outlined in yellow.

Staff Recommendation:

The proposed conceptual development plan does not strictly meet all of the applicable *Historic Preservation Design Guidelines*, but it does meet some of them. While the applicant proposes to remove non-historic additions and restore the resource, the addition of a new structure resulting in more massing on site impacts the resources since it would



be visible from Francis St. As this is a corner lot, staff understand the difficulty in meeting all applicable guidelines and review criteria.

## **DISCUSSION:**

### Background:

Built in 1884, 500 West Francis Street is developed with a single-family residence and carriage house and is a locally designated historic landmark. The subject site is a 6,000 square foot lot located in the West End neighborhood in the Medium Density Residential (R-6) Zone District.

The subject site is part of a previously approved historic lot split via Council Ordinance #19, Series of 2007, which the HPC recommended for approval through HPC Resolution #14, Series of 2007. The HPC Resolution also approved setback variations and a 500 square foot floor area bonus. The previous property owner's intention at the time was to split the lot to restrict additional development on the subject site as a way to best preserve the historic character and integrity of the historic resource. The 500 square foot bonus was awarded to the neighboring vacant lot to encourage additional development on that lot and prevent it on the subject site.

### Staff Comments:

Staff find that the proposal is an adequate preservation project that helps to preserve the main resource on the site with limited alterations. The historic carriage house will see the most change should this proposal be approved. While staff find that the proposal meets some of the applicable Historic Preservation Design Guidelines, there are some areas of the proposal that do not strictly meet associated review criteria. The areas of potential conflict with guidelines and associated review criteria include the linking element, proposed materials, and the lightwell exemption request.

### Certificate of Appropriateness for Major Development Conceptual Review - Section 26.415.070(d)

The proposal is consistent with several applicable Historic Preservation Design Guidelines as noted in the attached analysis.

### Main Resource:

The alterations proposed to the exterior of main house are limited to a new foundation, the proposed synthetic roof material, and the addition of a connecting element to the carriage house. The existing foundation will need to be replaced if the relocation is approved; details of this are included in the relocation section of this staff report. A subgrade addition is proposed as part of this work.



The connecting element is not a requirement per Historic Preservation Design Guidelines or code as the addition is being made to the carriage house and not the main house. The connecting element is desired by the property owner. The applicant has proposed a connecting element that is minimal in width and transparent in materiality and requires minimal removal of historic material as much of the siding is being retained within the connector. The HPC is asked to discuss whether the proposed connecting element is appropriate since it is not required and it prevents other aspects of the project from meeting guidelines and benefit criteria. As the connecting element is not required, staff have included a condition that the connecting element not be approved, but it is up to the HPC to make this determination.

The proposed roof material for the historic resource is a composite shingle that tries to replicate an historic wood shingle. While the guidelines state that historic material should not be replaced with synthetic materials, staff understand the difficulties in roofing material options as it intersects with insurance requirements. The proposed Enviroshingle material appears to have similarities to historic wood shingles in its dimensions and striations, however, the durability and reflectivity remain questionable as the product has not been tested over time; there is potential for the reflectivity to lessen over time due to weathering.

Apart from this work, the applicant is proposing only necessary repairs and restoration based on historic photos for the main house; if any replacement is required then the applicant is to work with Staff and HPC monitor for review and approval. The applicant has stated they will provide a full preservation plan at final review.

#### Carriage House:

The applicant is proposing to remove a non-historic addition from the existing carriage house, bringing the structure back to its original footprint per Sanborn Maps. The applicant is proposing to then construct a new addition to the carriage house that includes a mudroom space and a two-car garage. While the garage structure is only one-story in height, and is significantly setback from Francis Street, it will still be visible from the front of the property as it is proposed to extend past the west side of the main house. Should the HPC approve the requested floor area bonus, and the proposed massing is able to be built, it may be beneficial to discuss alternative materials. Alternative materials would further differentiate the addition from the historic resources, as this is one aspect of the proposal that does not fully meet applicable guidelines. It should be noted that if the floor area bonus is not awarded, the design could be adjusted to still allow for a smaller garage/addition.

Staff analysis of the applicable Design Guidelines is included with this staff report as **Attachment B**.

*Relocation - Section 26.415.090*



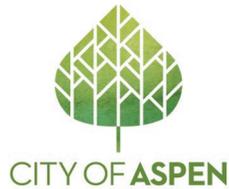
The applicant is requesting relocation approval to allow for a basement to be excavated. The extent of the relocation will involve lifting the main resource and the carriage house without any lateral movements, so the resources will remain in their original location once placed back on the new foundations. Although this is not the same as underpinning, it does provide an outcome similar to what is noted in Guideline 9.1. The engineering report provided does not speak to why underpinning is not possible. Should the relocation be approved, removal of historic foundation material and a new foundation will be required; the applicant has stated they will reuse the existing historic material as a veneer on the new foundation wall. The applicant has provided a preliminary relocation plan outlining proposed methods and intends to provide detailed plans including load calculations prior to permit. **The HPC has previously discussed when this requirement should be submitted; should the relocation be approved, the commission is asked to discuss what they deem appropriate. Staff are recommending a condition to require the detailed relocation plan at Final Review by the HPC. Additionally, the HPC should discuss the amount of financial assurance they would like to require for the proposed relocation if approved.**

Staff analysis of the applicable relocation criteria is included with this staff report as **Attachment C**.

*Benefits – Section 26.415.110*

The applicant has requested two forms of historic preservation benefits available in the code, variations to dimensional standards and a lightwell exemption that results in a floor area bonus.

The applicant has requested variations to the side, combined side, and rear setbacks in five areas. Three of the five requested variations are proposed as a means of memorializing the existing location of the historic resources; the main house sits within the side yard setback and the carriage house sits within the side yard and rear yard setbacks. A portion of the carriage house is actually off property; an encroachment license is in place for this portion of the structure. There are two setback variations requested for the subgrade space that is proposed. The first subgrade variation requested is for the east wall of the basement, which is proposed to be located within the setback along the entire length of the property. The purpose of the request is partially to align with the existing main house. The second variation request for the subgrade space relates to the rear yard setback, where the applicant is proposing to extend the setback-to-setback basement 5' into the rear yard setback. The applicant's reasoning for needing the rear yard setback variation is to avoid additions above grade, however, the property has no available floor area that would allow for additional massing above grade. Staff believe that a setback-to-setback basement is more than a reasonable amount of space needed to accommodate modern living. Given that these variations are unnecessary and do not enhance or mitigate an adverse impact to the



resources, staff are not supportive of the subgrade setback variation requests. Staff could be supportive of variation that allows the east subgrade wall to go into the setback under the resource to be consistent with the above grade resource wall that would then jog back outside of the setback for the rest of the east side.

Per Section 26.415.110(c) of Aspen's Land Use Code, dimensional variations are allowed for projects involving designated properties to create development that is *more* consistent with the character of the historic property or district than what would be required by the underlying zoning's dimensional standards. **Per this code section, the HPC must make a finding that the requested variations are similar to the pattern, features and character of the historic property and/or enhance or mitigate an adverse impact to the historic significance or architectural character of the historic property.**

In addition to the variation requests, the applicant has requested a floor area bonus via a lightwell exemption that would result in an additional 442 square feet of floor area; this bonus is necessary to proceed with the proposed new massing. A smaller addition could be built without the floor area bonus. Per the floor area bonus portion of the benefit code section, where the lightwell exemption lives, the granting of additional allowable floor area is not a matter of right but is contingent upon the sole discretion of the HPC and the Commission's assessments of the merits of the proposed project and its ability to demonstrate exemplary historic preservation practices. The applicant is proposing to remove non-historic additions on the carriage house to align the footprint with Sanborn Maps, add a new addition to the carriage house, add an attached two-car garage structure to the site that is attached to the carriage house, add a connecting element from the resource to the carriage house, and repair/restore existing historic material on the main house, including restoring the back porch, and carriage house as needed. To be considered for a floor area bonus, it must be demonstrated that the project meets the criteria noted in Section 26.415.110(f)(1)a-d of the land use code, included in the attached staff analysis of the benefit criteria. Staff find that the request for a floor area bonus does not meet all of the required criteria, as it is of staff opinion that the applicant is not undertaking "multiple significant restoration actions". Some restoration actions are being proposed as noted above and are of note. One of the criteria requires any existing outbuildings on site to remain as free-standing structures; the historic carriage house is not being retained as a free-standing structure given the addition of the connecting element to the main house. Per code, all the criteria for a floor area bonus are required to be met.

In addition to the general floor area bonus criteria, there is specific criteria for the lightwell exemption that requires that the lightwell "is internalized such that it is entirely recessed behind the vertical plane established by the portion of the building façade(s) closest to any street(s), the light well is screened from view from the street by building



walls or fences, and any addition that is made to the affected resource simultaneous or after the construction of the light well is entirely one (1) story.”

While staff find that the criteria for the lightwell exemption are met, not all of the required floor area bonus criteria are being met. Staff do see the benefit of having one large lightwell as opposed to multiple lightwells surrounding the historic resource, but this could remain the case without the floor area bonus being awarded. **Given that the required criteria is not met, staff are unable to support the awarding of the floor area bonus for the lightwell exemption. The HPC must make a finding that the requested floor area bonus meets the required criteria.**

Staff analysis of the applicable benefit criteria is included with this staff report as **Attachment D**.

*Referral Comments:*

Staff referred out the application to other City departments for comments. The Parks Department provided comments regarding trees to be planted within the east right-of-way area and have discussed options with staff and the applicant. This will be further detailed at final review.

The aggregated referral comments are included in **Attachment E**. Some of the feedback may have already been incorporated into subsequent application revisions.

**RECOMMENDATIONS:**

Staff recommend approval of HPC Resolution #04, Series of 2026, with the following conditions and details:

1. Should any concerns come up during the course of construction that result in deviations from the proposed plans and methods of preservation/restoration, Applicant is to work with Staff and HPC monitor to review potential changes.
2. Potential non-historic elements proposed to be replaced/replicated, such as the front door, will require Staff and HPC monitor review and approval.
3. Financial assurance for the relocation of the resource in the amount of \$30,000, or an amount deemed appropriate by the HPC, is required at the time of permit submittal.
4. Applicant will provide full details of the relocation including structural design and construction methodology for Final Review by the HPC.
5. The addition of the connecting element is denied.
6. The request for side and rear yard setback variations to memorialize the existing locations of the historic resources are approved as follows:
  - a. A rear yard setback variation of 10' for the carriage house, resulting in a rear yard setback of 0'.



- b. An east side yard setback variation of 5' for the carriage house, resulting in an east side yard setback of 0'
  - c. An east side yard setback variation of 1'-11" for the main house, resulting in an east side yard setback of 3'1".
  - d. A combined side yard setback variation of 5', resulting in a combined side yard setback of 10'.
7. The requested setback variations for the subgrade space are denied.

**ATTACHMENTS:**

HPC Resolution #04, Series of 2026

Attachment A – Application

Attachment B – Historic Preservation Design Guidelines Staff Analysis

Attachment C – Relocation Criteria Staff Analysis

Attachment D – Benefit Criteria Staff Analysis

Attachment E – Combined Referral Comments

**RESOLUTION #04,  
(SERIES OF 2026)**

**A RESOLUTION OF THE ASPEN HISTORIC PRESERVATION COMMISSION (HPC)  
GRANTING A CERTIFICATE OF APPROPRIATENESS FOR MAJOR  
DEVELOPMENT CONCEPTUAL REVIEW, RELOCATION, AND BENEFITS FOR  
THE PROPERTY LOCATED AT 500 WEST FRANCIS STREET, LEGALLY  
DESCRIBED AS PARCEL A:UNIT 1, QUARK CONDOMINIUMS, ACCORDING TO  
THE CONDOMINIUM PLAT RECORDED FEBRUARY 21, 2008 IN PLAT BOOK 86  
AT PAGE 63 AND AS DEFINED AND DESCRIBED IN CONDOMINIUM  
DECLARATION RECORDED FEBRUARY 21, 2008 AS RECEPTION NO. 546660.  
TOGETHER WITH AN UNDIVIDED 50% INTEREST IN THE COMMON AREA.  
COUNTY OF PITKIN, STATE OF COLORADO AND PARCEL B: UNIT 2, QUARK  
CONDOMINIUMS, ACCORDING TO THE CONDOMINIUM PLAT RECORDED  
FEBRUARY 21, 2008 IN PLAT BOOK 86 AT PAGE 63 AND AS DEFINED AND  
DESCRIBED IN CONDOMINIUM DECLARATION RECORDED FEBRUARY 21, 2008  
AS RECEPTION NO. 546660. TOGETHER WITH AN UNDIVIDED 50% INTEREST IN  
THE COMMON AREA. CITY AND TOWNSITE OF ASPEN, PITKIN COUNTY,  
COLORADO  
PARCEL ID: 2735-124-10-010; 2735-124-10-011**

**WHEREAS**, the applicant, FRANCIS ASPEN INVESTMENTS LLC, represented by Kim Raymond Architecture + Interiors, has requested HPC approval for Certificate of Appropriateness for Major Development Conceptual Review, Relocation, and Benefits, for the property located at 500 West Francis Street; and

**WHEREAS**, Section 26.415.070 of the Municipal Code states that “no building or structure shall be erected, constructed, enlarged, altered, repaired, relocated or improved involving a designated historic property or district until plans or sufficient information have been submitted to the Community Development Director and approved in accordance with the procedures established for their review;” and

**WHEREAS**, for approval of a Certificate of Appropriateness for Major Development, the HPC must review the application, a staff analysis report, and the evidence presented at a hearing to determine the project’s conformance with the City of Aspen Historic Preservation Design Guidelines per Section 26.415.070(d) of the Municipal Code and other applicable Code Sections. 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**, for approval of Relocation, the HPC must find the application meets the requirements of Aspen Municipal Code Section 26.415.090; and

**WHEREAS**, for approval of requested Benefits, the HPC must find the application meets the requirements of Aspen Municipal Code Section 26.415.110; and

**WHEREAS**, Community Development Department staff reviewed the application for compliance with the applicable review standards and recommended approval with conditions of a Certificate of Appropriateness for Major Development Conceptual Review; and

**WHEREAS**, the HPC reviewed the project on March 11, 2026, and considered the application, the staff report, and public comments, and found the proposal consistent with the review standards and granted approval of HPC Resolution #04, Series of 2026 by a vote of X to X (X-X).

**NOW, THEREFORE, BE IT RESOLVED:**

**Section 1: Certificate of Appropriateness for Major Development Conceptual Review:**

Pursuant to the procedures and standards set forth in Title 26 of the Aspen Municipal Code, the Historic Preservation Commission hereby grants a Certificate of Appropriateness for Major Development Conceptual Review with the following condition:

1. Should any concerns come up during the course of construction that result in deviations from the proposed plans and methods of preservation/restoration, Applicant is to work with Staff and HPC monitor to review potential changes.
2. Potential non-historic elements proposed to be replaced/replicated, such as the front door, will require Staff and HPC monitor review and approval.
3. The addition of the connecting element is denied.

**Section 2: Relocation:**

Pursuant to the procedures and standards set forth in Title 26 of the Aspen Municipal Code, the Historic Preservation Commission hereby grants approval for the relocation request with the following conditions:

1. Financial assurance for the relocation of the resource in the amount of \$30,000, or an amount deemed appropriate by the HPC, is required at the time of permit submittal.
2. Applicant will provide full details of the relocation including structural design and construction methodology for Final Review by the HPC.

**Section 3: Benefits:**

Pursuant to the procedures and standards set forth in Title 26 of the Aspen Municipal Code, the Historic Preservation Commission hereby grant approval for the requested variations and floor area bonus benefits as follows:

1. The request for side and rear yard setback variations to memorialize the existing locations of the historic resources are approved as follows:
  - a. A rear yard setback variation of 10' for the carriage house, resulting in a rear yard setback of 0'.
  - b. An east side yard setback variation of 5' for the carriage house, resulting in an east side yard setback of 0'
  - c. An east side yard setback variation of 1'-11" for the main house, resulting in an east side yard setback of 3'1".
  - d. A combined side yard setback variation of 5', resulting in a combined side yard setback of 10'.
2. The requested setback variations for the subgrade space are denied.

**Section 4: 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 5: 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 6: 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 11<sup>th</sup> day of March, 2026.**

Approved as to Form:

Approved as to Content:

\_\_\_\_\_  
Luisa Berne  
Assistant City Attorney

\_\_\_\_\_  
Kara Thompson  
HPC Chair

ATTEST:

\_\_\_\_\_  
Mike Sear  
Deputy City Clerk

Nov 24<sup>th</sup>, 2025  
(UPDATED 2.18.26)

Gillian White, HP Officer  
Historic Preservation Commission  
Aspen, CO 81611

RE: 500 W Francis

Dear Gillian and Members of the Commission,

We are thrilled to bring a very special project to you today. The iconic Victorian located at 500 W Francis has been purchased by a lover of historic homes, and he is excited to restore this home to bring it back to the historic grandeur it held when first constructed in 1884/5 for Ola M Case. The home has been owned by several people over the decades. More recently, the home was owned by the noted physicist Murray Geil-Mann. Geil-Mann stayed in the home while visiting Aspen to participate in the Physics Institute; when he was away in the winters he rented it to groups of ski instructors from Aspen Highlands, among other tenants. As with many of these historic homes, if we could hear the stories held within their walls.



The historic integrity of this home is surprisingly strong. There have been few alterations made to the house, and the changes that were made were in large part repair and replacement efforts. Most of the windows on the primary resource are original, with only a few having been replaced. The carriage house has had more extensive work performed on it. We do have good photographic evidence to bring this home and the carriage house back to their historic appearances.

The 1898 Sanborn Map depicts this historic landmark neighboring two other structures to the west, both of which were removed or burned down sometime prior to the 1960s. 500 Francis lot then tripled in size becoming one 9,000 square foot lot. In 2007, the 9,000 square foot lot was split into one 3,000 sq ft. lot one 6,000 sq ft. lot. Furthermore, the two historic structures were condominiumized at the time of the lot split into two separate units.

Our proposal will bring vibrancy back to this historic home by restoring the exterior to look as good as new "1884/5 style". The photos we have obtained will direct this restoration work. Please see the photos and our



drawings showing how we plan to recreate the ornamental pieces that are missing and remove items that have been altered or added. A complete preservation plan will be provided at our final HPC meeting.

To make this single-family home meet the needs of the 21<sup>st</sup> century, we will be expanding the basement below the resources, withholding any above grade visual impact. A glass link will be added to connect the primary home to an addition that encompasses a mudroom and a two-car garage. The mudroom portion of the addition will also act as a link between the historic carriage house and the garage massing.

The historic carriage house will be downsized to its original footprint by removing non-historic elements that have been added onto it since its conception. By removing of the non-historic portions, we will be exposing all four corners of the original building, solidifying its perceived Sanborn Map footprint. The decision to add a separate garage massing instead of putting large garage doors on the carriage house is a much better preservation method.

The garage massing will match the roof height and pitch of the carriage house to the east, completely screening it from view from Fourth Street. Proposed landscaping to the south of the garage will aid in screening the addition from Francis Street.

The garage addition is set back 93 feet back from the Francis Street (72ft from property line) and is well behind the rear wall of the primary dwelling, making it subordinate to both the home and carriage house.

There is a small addition to the non-historic aspect of the carriage house that might have been a free-standing shed on the property at one time. Since it is not the same size or in the same location as the shed as depicted on the Sanborn maps, we are unsure of the origins or the age of this small addition, so we are proposing the removal of it from the property.

Looking at the survey, you can see that the primary resource is close to 5ft side yard setback line, but entirety of it does encroach into the setback. The carriage house is sitting even further east, with a portion of it encroaching into the alley and City right of way. There are currently revocable encroachment licensees in place for the areas of non-conformity. After deliberation with HP planners and City engineers, we have determined that the existing structures are best to remain in their historic locations.

See the survey and provided site plans to see the historic locations and the relationship of the setbacks and the proposed addition.

The subgrade expansion will be carefully coordinated and carried out by shoring/bracing the existing resources and excavating and pouring foundations beneath the buildings. This "relocation" will likely require the historic homes be lifted slightly off the original foundations to create safe separation. However, we feel that the best preservation practice includes leaving the buildings in place in this case, so the resources will be placed back down onto new foundation in their historic locations/elevations.

The stone that currently makes up the existing will be salvaged and re-used as a veneer to be applied to the new concrete foundation. This will be detailed in the Preservation Plan.

We are excited to restore this beautiful property in a way that supports modern living while fully respecting and preserving the historic fabric of the building, including its significant west yard. This project offers a rare opportunity to revitalize one of Aspen's most beautiful remaining Victorian homes. The home was recently painted and had some basic maintenance performed by the new owner to protect this precious community resource until we gain approval for our proposed work.

## Historic Preservation Guidelines

A condensed summary of the sections that pertain most to this project is listed below for your convenience:

### Chapter 2: Building Materials

The historic finishes will be restored/repaired as necessary. The addition will have horizontal siding to be complimentary, yet of this time. No historic materials will be covered or removed.

### Chapter 8: Secondary Structures

The carriage house is being restored to the original footprint as determined by the Sanborn map and initial forensic demolition. The addition to the carriage house will have a linking element to the rear (west) of the resource, and will have walls inset from the corners of the wall to which it attaches. It is single-story and is similar in size to the carriage house. The link and addition will be subordinate to the 2-story carriage house, which will screen it from view on Fourth.

### Chapter 9: Excavation, Building Relocation & Foundations

Both resources will remain in the historic locations. The stone foundation will be saved and repurposed to be used as the veneer on the new concrete foundation to retain the original appearance.

### Chapter 10: Building Additions

The small addition of a single-story garage, connected by a small glass linking element from the home to the linking element behind the carriage house, leave both the home and the carriage house as the primary elements on the lot. The garage is subordinate to both buildings and completely screened from view from Fourth Street and set back 72' from the front property line, with landscaping partially screening it. The simple gable roof is complimentary to the historic architecture. See diagram below (Chapter 8).

The following information will address **in detail** all the guidelines and how we have addressed each one that is applicable to this project.

## Chapter 1: Site Planning & Landscape Design

### *1.1: All projects shall respect the historic development pattern or context of the block, neighborhood or district.*

The historic home and carriage house will remain in their original locations. The large yard to the west of the home will be maintained on the front  $\frac{3}{4}$  of the lot. A new garage element will replace the non-historic addition to the carriage house and will extend towards the west. This modest addition will be screened from view from Fourth Street by the historic portion of the carriage house. The view from Francis will be partially screened with some modest landscaping. The face of the garage addition is set back 72' from the front property line, so it will have no impact on the visual integrity of the historic home. In fact, the southern-most plane of the garage is still behind the north wall of the historic home by 9'-6".

### *1.2: Preserve the system and character of historic streets, alleys, and ditches.*

This lot does not have one of the historic ditches

### *1.3: Remove driveways or parking areas accessed directly from the street if they were not part of the original development of the site*

The alley will be used to access the new garage, with other utilitarian uses being on the alley side of the development or in the portion of the lot on the side yards; screened from view.

From the photos we have learned that the carriage house was altered at some point between 1894 and 1963, allowing it to be used as a garage which was accessed from Fourth Street. The proposed driveway is off the alley to preserve the pedestrian friendly environment of the West End.

The new garage will be set back to the 5' setback line. With the removal of the non-historic portion of the carriage house, the new addition will reveal the NW and SW corners of the historic building. See Site Plan

### *1.4: Design a new driveway or improve an existing driveway in a manner that minimizes its visual impact.*

The new driveway will be 5'-0' in depth to connect the alley to the garage and will consist of concrete and pervious pavers.

*1.5: Maintain the historic hierarchy of spaces.*

The historic hierarchy of spaces will be maintained. A new straight concrete walkway leading to the front porch will be provided, and updated landscaping that complies with later HP Guidelines will restore the spatial hierarchy.

*1.6: Provide a simple walkway running perpendicular from the street to the front entry on residential projects.*

The new concrete walk will be in the same location as the original, and three feet wide. This will replace the existing flag stone pavers on site today.

*1.7: Provide positive open space within a project site.*

There will be positive space around the home as we will maintain the large yard to the west.

*1.8: Consider stormwater quality needs early in the design process.*

Stormwater mitigation plans have already been in discussion with project engineer and City engineers. R&R Engineers has coordinated the use of the City stormwater pipe, located on Francis, to aid in the mitigation effort. Stormwater plans will be provided as requested.

*1.9: Landscape development on AspenModern landmarks shall be addressed on a case by case basis.*

Not applicable (not an AspenModern project)

*1.10: Built-in furnishings, such as water features, fire pits, grills, and hot tubs, that could interfere with or block views of historic structures are inappropriate.*

No built-in furnishings are being proposed near the historic resources. Any features that are being proposed are directly adjacent to the linking element and addition. They are set behind the back plane of the historic home and will have landscaping aid in screening them from Francis Street. They will be screened by the link from Fourth Street. This patio will consolidate the outdoor features into one relatively small area that will not be intrusive to the integrity of the property.

*1.11: Preserve and maintain historically significant landscaping on site, particularly landmark trees and shrubs.*

We have worked with Parks and the Fire Department to determine that the large evergreen trees are too close to the historic home and are causing damage and create a wildfire hazard. These trees are being removed. The tall aspen trees are not historic and will be saved if possible. If not, new trees will be planted in such a manner as to not screen the view of the historic resource from Francis Street.

*1.12: Provide an appropriate context for historic structures.*

Landscape plans that follow the Historic zoned landscaped template will be provided for the final hearing.

*1.13: Additions of plant material to the landscape that could interfere with or block views of historic structures are inappropriate*

The landscape proposed for this residence will be very minimal. The over-grown lilac will be removed at the time of construction, and a new, smaller version may be planted at another location. The large evergreen trees that are very adjacent to the historic resource and hiding it from view from the western side of the lot will be removed. They are not healthy due to being too close together and are a fire hazard being too close to the home. Low plantings and minimal flower beds will be proposed.

*1.14: Minimize the visual impacts of landscape lighting.*

There will be modest lights on the front porch and on the door to the carriage house. There will be no path lighting. Exterior lighting plan to be provided at final.

*1.15: Preserve original fencing.*

The original metal fences will be preserved on Fourth and Francis Streets. There is currently a different metal fence on what was once the neighboring property. It is a little bit different but appears to be historic. We plan on keeping this section of fence to show the historic progression of the lot. Fences will be stored off-site during construction.



*1.16-20: New Fences*

No new or additional fences are to be proposed

*1.21-23: Retaining Walls*

There are no existing retaining walls being restored, nor are there any new retaining walls being proposed.

*1.24: Preserve historically significant landscapes with few or no alterations*

Not applicable

*1.25: New development on these sites should respect the historic design of the landscape and its built features.*

The existing patterns of setbacks and siting of structures will be maintained, as historic resources are not to be relocated.

*1.26: Preserve the historic circulation system.*

With the addition of the discretely located garage, vehicular circulation will be minimized (cars are typically parked adjacent to the right of way yard outside the carriage house). By adding a garage, separation of pedestrian and vehicle circulation is enhanced.

*1.27: Preserve and maintain significant landscaping on site.*

Existing old growth trees to the west will have to be removed, as aforementioned... but existing Aspen trees within the west side yard setback will try to be saved. In coordination with Parks, we will determine best shoring and foundation pouring methods to preserve one if not more of those trees. Trees that will be removed because of the redevelopment will be mitigated by planting of new trees (of same or similar species). These new trees will not block the view of the historic resource from Fourth Street.

## **Chapter 2: Building Materials**

*2.1: Preserve original building materials.*

The wood finishes on the primary resource believed to be historic and are in decent shape. As such, they will be restored and repaired (if needed) in place. Apart from the few siding boards required to be removed to carry out the relocation effort, all the siding will remain in place. The boards that are removed, will be numbered, stored and replaced to the same locations. This eliminates the need to cut a hole in the boards to run the steel beams for the lifting.

The siding on the carriage house is believed to be original and will also be restored in place. The carriage house will not require siding to be removed for relocation but exposing the corners of the northwest and southwest walls will require either new siding to be replicated, or siding used from non-historic additions to be used on those portions of historic wall.

There is ample photographic evidence of the decorative detailing that has been damaged or removed over the years. We propose using these photographs to repair and/or replace all these decorative elements.

Only boards that are beyond repair will be replaced. On the carriage house, where the historic material has been removed and buried by the newer additions, we will mill new wood to match the historic. If we can salvage historic wood that has been buried, we will use it on the newly exposed walls of the Carriage house.

*2.2: The finish of materials should be as it would have existed historically.*

All materials will be finished as they would have been historically. Wood to be painted and stone veneer that is the foundation now, will be used face the new concrete foundation; this will result in the detail of wood to stone at the foundation to look the same as it did historically.

*2.3: Match the original material in composition, scale and finish when replacing materials on primary surfaces.*

There will be no replacement of materials proposed. The stone foundation will be repurposed as a veneer on the new concrete foundation. It will look the same as the original, being the same stones; the natural color and same grout system. Mockups will be provided to the monitor and staff.

*2.4: Do not use synthetic materials as replacements for original building materials.*

No synthetic materials will be used on any part of the historic resources. Existing materials will be repaired in place as necessary. If new wood is needed on the newly exposed carriage house walls, new wood will be milled to match existing.

*2.5: Covering original building materials with new materials is inappropriate.*

No historic materials will be covered with new materials.

*2.6: Remove layers that cover the original material.*

There are no known layers of materials covering original materials, unless the carriage house siding is covering old siding. If that is the case, we will determine the condition of the historic material with HP staff and monitor and determine if removal is appropriate/sufficient.

### Chapter 3: Windows

*3.1: Preserve the functional and decorative features of a historic window.*

Many of the windows in this home are still the historic ones. These will be restored either in place or removed, repaired and replaced by an expert in these methods.

*3.2: Preserve the position, number, and arrangement of historic windows in a building wall.*

All of the historic windows will remain in their original locations except one window on the alley side of the home. This window opening will be turned into a doorway that opens into the glass link that will connect the home to the garage linking element.

*3.3: Match a replacement window to the original in its design.*

Where a window may need to be replaced, it will be a double hung to match the original. This is the case for the front and East side windows on the main level.

*3.4: When replacing an original window, use materials that are the same as the original.*

Any replacement windows will be wood, just as the historic windows.

*3.5: Preserve the size and proportion of a historic window opening.*

We will use the historic framing to guide the size of the replacement windows. If the historic framing is either gone or too disturbed to distinguish, we will use old photographs to help figure out the correct size if necessary.

*3.6 Match, as closely as possible, the profile of the sash and its components to that of the original window.*

We will find a replacement window with the same or very similar profiles for the sash and frames.

*3.7: Adding new openings on a historic structure is generally not allowed.*

No new windows are proposed for any part of the historic home. The carriage house has some newer windows; the framing around these windows will be studied to see if we can determine the size of any original windows; which will then be replaced. It is the alley side that has two non-historic windows. These will be replaced with windows more in line with what would have been historic. See photo below.



*3.8: Use a storm window to enhance energy conservation rather than replace a historic window.*

Storm windows may be considered at some point. We will work with staff and monitor on the execution of the details. These storm windows would be added to the interior.

## **Chapter 4: Doors**

*4.1-3: Preserve historically significant doors.*

The existing front door does not appear to be the original. We will use the historic photos to replicate this door as closely as possible. The jamb could be original, more detailed investigation will happen when we can start the careful demolition process. If it is, we will restore it and weather stripping will be added for energy efficiency. The back door cannot be seen in any of our photos. This door will be examined for authenticity at the time of construction. We will work with staff and monitor on its restoration or replacement.

*4.4: When replacing a door or screen door, use a design that has an appearance similar to the original door or a door associated with the style of the building.*

The new front door does not appear to have ever had a screen door, thus there will not be one added now. The front door will be re-built to look as closely as possible to the photo of the front of the house.

*4.5: Adding new doors on a historic building is generally not allowed.*

There are no new doors proposed for the primary historic home. On the alley side, where we are proposing the glass connecting link, we are removing a non-historic window and replacing it with just an opening in the wall to connect to the link. We will use just the existing door openings on the carriage house and rebuild historic looking doors for those two locations.

*4.6: If energy conservation and heat loss are concerns, use a storm door instead of replacing a historic entry door.*

The new constructed, historic looking door will be made of wood and match the frame design and character of the door in the historic photos. It will be painted as historic doors were typically.

*4.7: Preserve historic hardware*

We do not believe any of the hardware on exterior doors is original.

## **Chapter 5: Porches and Balconies**

*5.1-2: Preserve an original porch or balcony. Avoid removing or covering historic materials and details.*

There has been little change to the front porch of this home. From photos we will restore the trim elements that have been altered or covered and repair the rest. The upper balcony historically had baluster in the small opening in the railing wall facing east. We will replace these.

The back porch will have the more recent addition of a wood screen removed and the original railing will be replicated. These will be detailed in the Preservation Plan that is to be provided at the final HPC hearing.



*5.3-4: Enclosing a porch or balcony is not appropriate.*

N/A

*5.5: If new steps are to be added, construct them out of the same primary materials used on the original, and design them to be in scale with the porch or balcony*

The steps to the front porch will be rebuilt to match the historic photograph. The existing steps and the wood floor are not historic. A new concrete foundation can be seen under the porch; and the flooring is T&G, which was not available in the late 1800's. These will be replaced with wood that has a historic look. The skirt trim around the porch will be replaced with the wood lattice as seen in the historic photo and the wood steps will be rebuilt. This will be more detailed in the preservation plan at the final HPC hearing.

*5.6: Avoid adding handrails or guardrails where they did not exist historically, particularly where visible from the street.*

There were no handrails on the front porch historically, so we will not add any now. The back porch is higher off of grade, but the historic photo shows no railing there either. This will not get handrails either, unless the building dept. requires them for life safety. If so, we will work with staff and monitor to make it a very simple design that will not detract from the historic, nor be confused as historic.

## **Chapter 6: Architectural Details**

*6.1: Preserve significant architectural features*

This beautiful home has had some of the original detailing removed over the decades. Fortunately, there are good photographs at our disposal to use in the restoration of these details. The cresting detail on the ridges have been removed. These will be restored. The wood lattice below both porches will be replaced also. The opening at the upper-level balcony, the trim at the porch roof and the railing at the back porch to replace the lattice that has been added.

*6.2: When disassembly of a historic element is necessary for its restoration, use methods that minimize damage to the original material.*

N/A

*6.3: Remove only the portion of the detail that is deteriorated and must be replaced*

All the details on the home were originally wood, so we will use wood to restore the various details. Including, but not limited to, the cresting along the ridges, as mentioned above.

There are currently two brick chimneys on the home, but only one shows in the historic photo. It could be that we just can't see the second one, so we will investigate to verify that both are historic. If not, we intend to remove the non-historic one. The other will be repaired as needed. The chimney brick on the lower roof of the home is a different color than the one on the main north/south ridge. It doesn't appear to be the original chimney. The framing under this chimney will inform the decision to rebuild a historic one or remove it. These items will be detailed in our Preservation Plan, to be submitted at the Final HPC hearing. The final decision may have to wait until we have a permit and can do some investigative demolition. See photos on net page.

*6.4: Repair or replacement of missing or deteriorated features are required to be based on original designs.*

The railing at the back porch will have to be reconstructed with the aid of the photographs. It looks to match the details of the front porch, which will help in the restoration of the guardrail.

*6.5: Do not guess at "historic" designs for replacement parts.*

The photographic evidence will eliminate any guesswork in our preservation.



## Chapter 7: Roofs

### *7.1: Preserve the original form of a roof.*

There are no changes proposed for the original roof form. Repairing any deteriorated materials at eaves, etc will be done in place.

### *7.2: Preserve the original eave depth*

No change to the eave depth will occur.

### *7.3: Minimize the visual impacts of skylights and other rooftop devices*

There are no skylights proposed for the roof of this home.

### *7.4: New vents should be minimized, carefully, placed and painted a dark color.*

The existing chimney will be used for some of the new venting. Any other vents will be placed discreetly and painted a dark color so as not to detract from the look of the building.

Plumbing vents, etc. that penetrate the roof, will be placed on the back side of the east/west ridge or the west side of the back gable.

### *7.5: Preserve original chimneys, even if they are made non-functional*

The existing historic chimney(s) will be maintained and repaired as needed.

### *7.6: A new dormer should remain subordinate to the historic roof in scale and character.*

The work proposed for this project does not include adding any new dormers. That stated, a small dormer was added to the original front porch sometime between 1884-1963. It was likely added to divert snow from falling directly on the entry steps at the front porch or onto someone that was walking beneath the porch overhang. It is a safety feature.

We are proposing to keep this dormer for four reasons:

1. Safety of the occupants of the home in the winter months to divert snow away from the entry steps and sidewalk.
2. This will allow us to leave a gutter off of the front fascia of the porch roof, so we won't be covering any of the details as seen in the photo below; the interesting trim will remain visible.
3. This small dormer has been on the home long enough to have gained historic significance on its own merit.

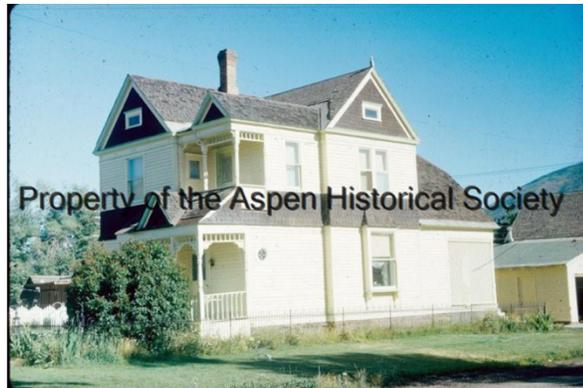
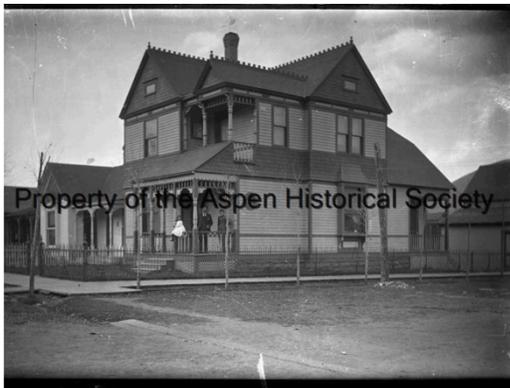
4. Also, this small dormer is very much in proportion with the rest of the home; matching the scale and slope of the secondary dormer on the upper story above. It is in line with the front porch roof, but well below the main ridges of the home. It does not detract from the original style.



**Chapter 7 Continued: Materials**

*7.7: Preserve original roof materials*

The existing wood shingles are not the original, so removing them will not be removing historic materials. We will preserve all historic substrate that is found within the roofing build up. Although the existing shingles are old, there is photographic evidence that the primary home had a new shingle roof installed at some point. The side-by-side photos from 1894 and 1965 show the newer roof with larger metal flashing beneath the wood shingles in the valleys.



A smaller detail that appears to be above the wood shingles can be seen in the historic photo. The ridge cresting can also be seen in this photo and that it was removed in the newer photo, likely when the new shingles were installed.

With the concern of fire safety and the difficulty in obtaining insurance for homes, we are proposing the use of a synthetic shingle that is similar to the original shingles in both style and physical qualities; albeit not the same material. The enviro-shingles are the same thickness and widths of historic cedar shingles and maintain the same 5" exposure. These shingles have a matte finish when they have been in the sun for a few months. These shingles come in any color, so we will use a "weathered cedar shingle" color for this home. A sample of the color and finish after being in the sun for some time will be provided by the final HPC hearing. The color has been matched to a piece of very old cedar shingle.

*7.8: New or replacement roof materials should maintain or restore the character of the historic roof*

The use of synthetic shingles is "of a design, scale, color, texture and composition" that is most akin to wood shingles. They are visually compatible with the historic features. We are not proposing a material that is different in character like metal or asphalt, as these materials are very different in character than the original wood shingles. As noted above, the synthetic shingles are modeled after historic shingles in size, texture, exposure and color of old shingles. (not new cedar)

The flashing will be metal and in scale with the roof material. Drip edges will be minimized to the extent possible while still doing the job correctly.

*7.9: Avoid using conjectural features on a roof*

We have good photographic evidence of the ornamental detailing on the roof and will use these photos in creating and implementing the preservation plan.

*7.10: Design gutters so that their visibility on the structure is minimized to the extent possible*

We will locate downspouts to be away from the front of the home as much as possible. The retention of the small entry dormer will remove the need for gutters and downspouts on the front porch completely.

## **Chapter 8: Secondary Structures**

*8.1: If an existing secondary structure is historically significant, then it must be preserved*

This property does have a significant secondary outbuilding; a carriage house that is on the alley and the east property line. This carriage house will be retained and rehabilitated. It can be seen in the earliest photo we have. The Sanborn map shows that there was a smaller, detached shed also on this lot and another on the lot just to the west. The smaller sheds have no historic significance.

*8.2: Preserve a historic secondary building as a detached structure*

The position and orientation of the carriage house will remain as seen in historic photos and the Sanborn map. The carriage house is currently detached from the main home. But an addition to the original carriage house has destroyed the historic fabric and footprint, with no delineation between historic and newer construction. A small structure that appears to be very old was pushed up against this newer addition and converted into the bathroom for the small apartment. It is impossible to say if it was the original shed or not. It does not appear to be the same size as the one shown on the Sanborn map. The removal of this shed and the non-historic addition is part of the "best practice" for preservation of what is known to have been the original carriage house. By removing the indistinguishable addition, the confusion of historic and add-on will be eliminated.

A small, single-story addition with a linking element to the rear (west) side is proposed in its place. The link will leave both corners of the newly exposed west wall expressed. In fact, to the north of the link, 8' of the original structure will be exposed to view from the alley and renovated. This will define the historic footprint from every angle, while providing a needed connection for modern living to the garage and the main house. See diagram at the end of this chapter.

*8.3: Do not add detailing or features to a secondary structure that are conjectural and not in keeping with its original character as a utilitarian structure*

The detailing of the carriage house, which is minimal, will be restored to its historic look with the photographic evidence that has been obtained and with the guidance of the historic framing. It will continue to look like an utilitarian building.

*8.4: When adding on to a secondary structure, distinguish the addition as new construction and minimize removal of historic fabric.*

When the non-historic addition is removed, a linking element will be added to the west of the carriage house with a lower, flat roof. Further to the west of this link, a simple, single-story garage is proposed. The new gable roof line on the garage will be the same slope as the shed roof section of the carriage house, so it won't be visible from Fourth Street. This also makes it compatible with the resource. The north wall of the new garage is set back five feet from the alley and the northerly façade of the carriage house, which further screens it from view. The creates a smaller mass.

The linking element is set "in" from the corners of the carriage house and the new garage. This offset aids in the distinction of the different elements; 3 ½ feet of the new garage and 8 ½ feet of the newly exposed carriage house west wall are visible from the alley. The linking element as viewed from the alley is over 10 feet long between the two building elements. This reduces the mass of the garage in relationship to the carriage house, making it subordinate to the two-story building.

The flat roof over the linking element will help the new garage appear to be a separate building behind the main house as viewed from Francis. The link from the new garage to the historic home will be a continuation of the flat roof that links the garage to the carriage house... a 2-way link. As mentioned above, the mostly glass link will be perceived as a covered breezeway behind the home and west of the rear of the carriage house. Only 6' wide and 12' long, it is truly a link from the home to the new addition.

The siding on the new garage will be compatible with both the home and the carriage house. We are proposing a 5" wide synthetic, horizontal siding under the gable roof and a Cementous panel under the flat roof. Having a different material on the linking element on the north and south sides will be help distinguish the historic resource from the new construction more readily. It also breaks up the massing.

We believe this approach with a linking element and a small garage being added to the 2-story carriage house is the best preservation method. Altering the historic carriage house to force a garage into it would be as inappropriate as the current addition. We believe there is ample space on the lot to allow for this addition and to renovate the resource.

*8.5: Preserve the original building materials, or match in kind when necessary.*

The new siding, as needed for the carriage house will be milled to perfectly match what is historic. If we can determine that there is any historic siding on the addition, we will use it first and then get more milled to match. It appears this may be the case.

*8.6: Preserve original door and window openings and minimize new openings*

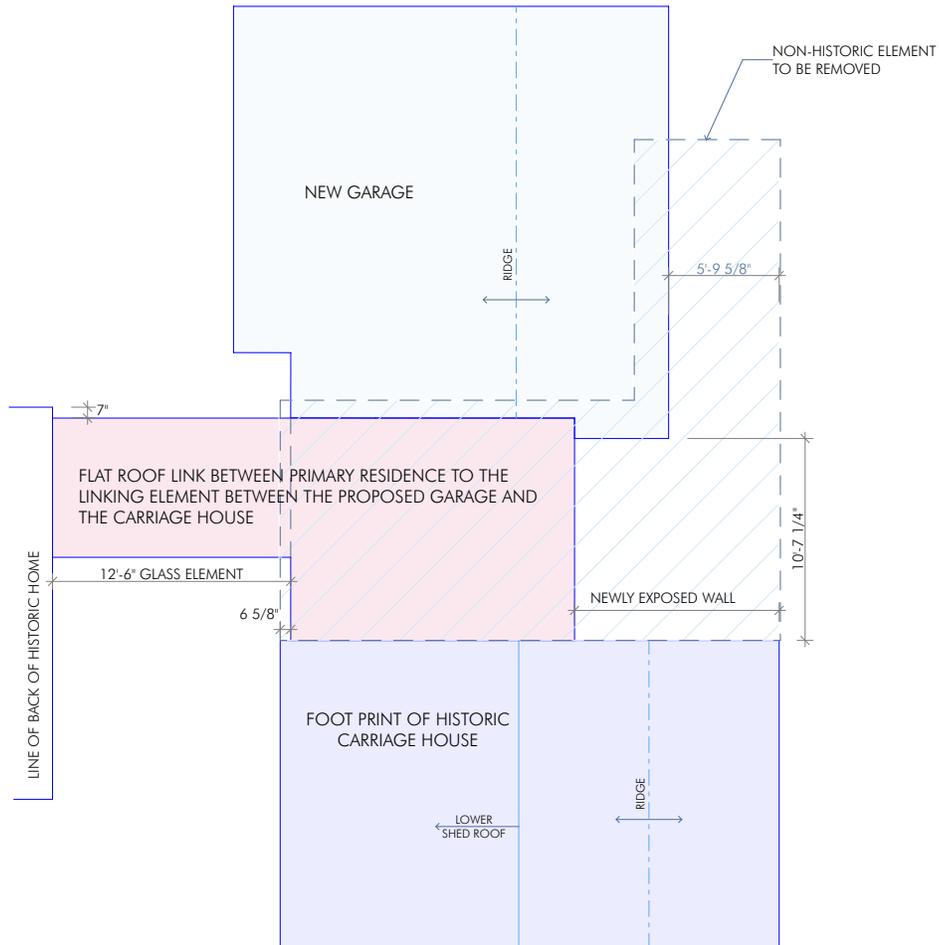
In 2007, the windows and doors were altered considerably on this building. We will use the historic framing to discern what was historic. We have not yet found great photos of this entire carriage house; just ones that show the roof line, the location and part of the east corner. We will work with staff and monitor during forensic demolition to determine the best route forward regarding windows on this building. There is one photo that shows a garage door that was added to the building in the late sixties or early seventies. This was not historic and will not be replaced.

*8.7: If a new garage door is added, it must be compatible with the character of the historic structure*

A 2-car garage door will be added to the new addition that will be trimmed out to look like two smaller doors, to preserve the small scale of fenestration appropriate on a carriage house.

*8.8: Adaptation of an obsolete secondary structure to a functional use is encouraged*

This secondary structure will be used as a guest suite for the main home, adapting it from barn/carriage to guest suite, maintaining the character defining elements of a historic secondary structure that will be a primary use in the new home.



## DESIGN GUIDELINES FOR NEWCONSTRUCTION

### Chapter 9: Excavation, Building Relocation and Foundations

*9.1: Developing a basement by underpinning and excavating while the historic structure remains in place may help to preserve the historic fabric*

With much attention to the safety of the resources, the architects, house mover and structural engineers have developed a strategy to support and protect the buildings while the lot is excavated. The plan for the home and carriage house, after removing the non-historic elements, is to stabilize and lift them straight up. The home will be lifted off of the existing foundation. The historic siding that may be affected by this move will be numbered and stored to be replaced to the same locations. This will eliminate the need to cut holes in the historic materials. This method has been successfully done on the past few homes we have moved.

After lifting the home, the stone foundation will be carefully taken apart so the same stones can be replaced onto the new foundation as a veneer.

The structural engineer will be deeply involved throughout the process. The completely detailed document along with the required financial bond will be provided prior to submitting a building permit.

*9.2: Proposals to relocate a building will be considered on a case-by-case basis*

The primary home and the carriage house will be lifted straight up and set back on the new foundation in the same historic locations. As mentioned, we firmly believe this is the best preservation method as it enables the property to be adapted for contemporary lifestyles while keeping the original appearance and character of the home and carriage house.

The neighborhood has a number of historic homes, all of which have been altered and remodeled over the years, some having followed the guidelines for preservation, others not so much. This lot will have the least amount of visible alteration as seed from the public rights of way. There will also be very little disturbance of the historic materials. Those removed will be protected and replaced to their original locations. The addition of the small garage at the back is in keeping with the historic pattern of smaller buildings located along the alley.

*9.3: Site a relocated structure in a position similar to its historic orientation*

Both historic resources will be placed back in their same, historic locations.

*9.4: Position a relocated structure at its historic elevation above grade*

The survey of the property has located the elevation of the existing finished floor at the front and back porches of the home. We will build the new foundation to enable setting the buildings down at the same elevations. The carriage house does not appear to be completely level as it sits right at grade. We will use one of the existing corners to establish the existing elevation to which we will return the carriage house upon the new foundation.

*9.5: A new foundation shall appear similar in design and materials to the historic foundation*

The existing sandstone foundation will be carefully removed from the building and used as a veneer on the new concrete foundation. The end result will be a home that looks just like it did when first constructed with the relationships of stone to grade and waterboard trim being the same. We will document the cut of the stone and grout before beginning the careful demolition of the stone and construction of the basement.

*9.6: Minimize the visual impact of lightwells*

The lightwells that are proposed for this project do not face either Fourth Street or Francis. There is one large lightwell behind the resource that is completely screened from Francis by the home and from Fourth with landscaping and a decorative planter. One of the other required lightwells is on the west side of the new garage on the northerly side of the lot and will be screened with evergreen shrubbery from Francis. It is located nearly 100' from Francis Street.

We are also proposing a lightwell on the west side of the historic structure that faces the yard to the west of the home that is set 22 feet behind the front façade of the home. This lightwell will also be screened from view from Francis with landscaping appropriate for zone B. See the site plan for lightwell locations and screening.

*9.7: All relocations of designated structures shall be performed by contractors who specialize in moving historic buildings, or can document adequate experience in successfully relocating such buildings*

The lifting of both the resource buildings will be done by Bailey House Movers, who has been moving historic homes in Aspen for the past 60 years. It is a family run business, now on the third generation of house movers.

*9.8: Proposals to relocate a building to a new site are highly discouraged*

These buildings are not being relocated to another site.

## Chapter: 10 Building Additions

*10.1: Preserve an older addition that has achieved historic significance in its own right*

As noted above, there is one existing addition to the historic home that is compatible with the period of historic significance. The small dormer at the entry porch is of the same style, size and shape of the original small dormer on the southeast corner of the home on the second level. This dormer was likely added as a safety measure to direct snow and rain away from the entry walkway. We believe this merits the preservation of this element. We do not know when exactly it was added but is seen in photos in the early 1960s.

*10.2: A more recent addition that is not historically significant may be removed*

The addition to the carriage house has no historic significance and we are proposing the removal of this element. See Diagram of the location of this addition on page 14 of this document.

### New Additions

*10.3: Design a new addition such that one's ability to interpret the historic character of the primary building is maintained.*

The proposal for this home is to add a new garage to the property. This garage will be connected to both the home and the carriage house via linking element; a two-way link. See diagram on page 14.

The proposed glass and steel link from the westerly side of the rear of the primary home directly to the new linking element on the carriage house has very little impact on either of the buildings. As noted, the carriage house will be freed of the current addition and will be connected to the garage with a linking element that expresses the full footprint of the historic building. The glass connection to the home will be fully transparent allowing a view of the exterior wall that will remain inside the link. Please see the detailed description of the addition to a secondary structure above at 8.2 and 8.4.

Additional details on the glass link: The opening from the home into the linking element will be at the same location as an existing window that does not appear to be historic. The link is set in from the west wall of the main home to leave the northwest corner exposed. The transparent nature of the glass walls will allow a view of the historic wall inside the link, covering only the thickness of the two walls that actually connect to the house. And at only 6' wide, it is a very minimal link. The 12' length of the link is defined by the existing distance between the two historic resources.

The simple gable roof structure of the new garage is very compatible with the Victorian home and carriage house. The gable is a basic form used throughout history, so it is not mimicking the Victorian style. Gable roofs are a timeless architectural element. There will be no decorative trim, it will be very basic.

The materials on the new garage will be easily distinguishable from the historic, but also compatible. The proposed garage will receive 5" wide, synthetic horizontal siding. The linking element that is not glass (between

the home and new addition) will be cementitious panels that will be a light color to fade from visual importance. This will provide for a very defined break from historic to new construction.

*10.4: The historic resource is to be the focus of the property, the entry point, and the predominant structure as viewed from the street*

The home is still very much the visually dominant feature on the lot, with the addition at the very rear of the large lot. The large side yard is a valuable asset to the property and is being maintained. The above grade addition is one story. The removal of the nonhistorical element from the carriage house will restore the footprint of the historic carriage house to make it distinguishable from the new addition. From Fourth Street, the addition is completely screened from view by the carriage house. From Francis Street, the front façade of the garage is 10' behind the rear of the house and 72' from the front property line. The single-story addition will also be screened with landscaping.

*10.5: On a corner lot, no portion of an addition to a one-story historic resource may be more than one story tall, directly behind that resource, unless completely detached above grade by a distance of at least 10 feet*  
This guideline is not applicable as we are proposing a single-story addition behind two-story buildings.

*10.6: Design a new addition to be recognized as a product of its own time*

The proposed addition will distinguishable as new construction by considering all three aspects mentioned in this guideline.

FORM, MATERIALS and FENESTRATION, where only two are required, we have addressed all three.

Form: The single-story garage will have a simple gable roof that is the same slope as the shed roof of the carriage house. The classic gable form is complimentary to both the house and the carriage house but will not compete with them.

Materials: the additions is compatible with the resource by having synthetic horizontal siding that is of a similar scale to the wood siding on the home and carriage house. The detailing at the corners and windows/doors will be more modern to show it to be a product of this era. We depart from the horizontal siding only on the north and south sides of the linking element to allow for an even better distinction between historic and new. This material is a modern product that will be a lighter color to be the least dominate of the elements, helping create the distinction between historic and new.

Fenestration: The three windows in the garage will be of a vertical orientation; being casement not double hung. The proportions will reflect the proportions of the historic windows on the home. The casement style windows are of our time period.

Please note that the addition does not address Fourth St at all and is set well behind the rear wall of the historic home. It is very subordinate to the historic fabric of the lot and to both the primary home and carriage house.

*10.7: When planning an addition to a building in a historic district, preserve historic alignments on the street*  
The addition is completely removed from the streetscapes of Fourth or Francis.

*10.8: When planning an addition to a building in a historic district, preserve historic alignments on the street*  
The new addition is much shorter than the elevated two-story Victorian home and shorter than the two-story carriage house; the mass and scale of the addition are quite small in relationship to the buildings and the 6000 sq. ft. lot

*10.9: If the addition is taller than a historic building, set it back from significant façades and use a "connector" to link it to the historic building.*

The proposed addition is shorter than both of the historic resources.

*10.10: Place an addition at the rear of a primary building or set it back substantially from the front to minimize the visual impact on the historic structure and to allow the original proportions and character to remain prominent*



The garage addition is 72' from the property line on Francis, nearly 100 feet from the road; 11' behind the north façade of the home and completely screened from view from Fourth Street.

*10.11: Roof forms shall be compatible with the historic building*

A flat roof is proposed on the linking element to minimize the height and stature. The addition has a classic gable roof to be compatible with the resources.

*10.12: Design an addition to a historic structure that does not destroy or obscure historically important architectural features*

The addition will not alter architectural details on either the primary home or the carriage house nor cover any historic material. The historic west wall of the carriage house will be mostly exposed now in contrast to how it is completely obscured from view now. The portion of the newly exposed wall receive wood siding milled to match the historic material.

*10.13-15 Roof top additions on flat roofed buildings*

These three guidelines do not apply to this project.

### **Chapter 11: New buildings on Landmarked Properties**

This proposal does not include a new building.

### **Chapter 12: Accessibility, Architectural lighting, Mechanical equipment, Service areas and Signage**

*12.1: Address accessibility compliance requirements while preserving character defining features of historic buildings and districts*

The proposed development is in compliance with all IBC requirements. The accessibility codes that are required for commercial buildings will not be applicable, but all others will be complied with.

*12.2: Original light fixtures must be maintained. When there is evidence as to the appearance of original fixtures that are no longer present, a replication is appropriate*

There are no original light fixtures to keep on these buildings.

*12.3: Exterior light fixtures should be simple in character*

The lighting will be dark sky compliant on both the historic resource and the new addition. A modest sconce will be placed on the front and back porches on the primary home and the doors to the carriage house. The garage will have a bit more modern lighting to distinguish it as contemporary, on the alley side. Please see spec sheets.

*12.4: Minimize the visual impacts of utilitarian areas, such as mechanical equipment and trash storage*

The mechanical equipment is being placed at the west side of the new addition and in the alcove created with the linking element between the carriage house and the new garage, keeping it completely removed from the historic buildings. The equipment will be screened from view from Francis with steel mesh that still allows the required ventilation and setbacks and with landscaping.

*12.5-9: Awnings and Signs*

There are no awnings or signs to preserve on this property.

### **LAND USE CODE SECTIONS**

#### **Section 26.304**

- Please note all the required forms for this application attached, and the pre-app summary letter.
- The posting and mailing will be done within the timelines outlined.

#### **Section 26.410.030 Residential Design Standards; Single Family**

- The proposed design meets all the Residential Design Standards in Section 26.410.030 of the LUC. Please see the attached RDS form. I will outline a few of the contextually important ones for this project.

- The Victorian home and carriage houses will remain in historic locations.
- The new addition is single story, with a very minimal linking element to the home and carriage house.
- The new garage will be accessed from the alley with a two car garage door to look like two smaller doors with the trim package.
- Required lightwells are set well back from the front façade of the historic home and will be screened from view from both Fourth and Francis Streets. See details above.

**Section 26.415.070(d) Historic Preservation – Major Development Certificate of appropriateness for major development.**

- This is a major development with a new addition being constructed behind the historic home and behind historic carriage house, on the west side; a new large basement is also being proposed under the house, carriage house and new garage.
- Information as outlined in this section will be presented to the HPC for both the Conceptual and Final hearings.
- Please see all the required documents as outlined in this section for the Conceptual Design Hearing:
  - o scaled drawings and the survey
  - o supplemental visuals in the form of renderings
  - o this summary of how we meet all the Historic and Residential guidelines
  - o documents for the Land Use Application
  - o physical samples of exterior materials will be presented at the final hearing
  - o bond for relocation will be provided prior to building permit application

**Section 26.415.080 Historic Preservation – Demolition**

- We are proposing only the demolition of the non-historic addition to the west of the historic carriage house. This addition has no architectural significance as noted. The small shed that was attached to the non-historic addition is also slated for demolition as it has no historic significance and there is no solid evidence that it was the shed that is shown on the Sanborn map in a different location.

**Section 26.415.090 Historic Preservation – Relocation**

- These resources will be lifted straight up during construction. Both will be protected and stabilized while a new foundation is constructed below them.
- The structural engineer will have a detailed plan worked out to stabilize and brace the buildings for the basement construction. All this documentation will be presented at our final HPC hearing.

**Section 26.415.070(d) Certificate of Appropriateness for Major Development**

- This project meets the requirements to be a Major Development
- This is the first of the two required meetings before the HPC for approval
- Followed by a stop before City Council for the opportunity for a call up
- Then the final meeting with HPC
- Final set of plans with all required conditions noted on the plans will be submitted to the city as part of our building permit submittal

**Section 26.415.110 Historic Preservation – Benefits**

*“The City is committed to providing support to property owners to assist their efforts to maintain, preserve and enhance their historic properties. Recognizing that these properties are valuable community assets is the basic premises underlying the provision of special procedures and programs for designated historic properties and districts.*

*Benefits to encourage good historic preservation practices by the owners of historic properties are an important aspect of Aspen’s historic preservation program. Historic resources are a valuable community asset and their continued protection is the basic premises supporting the creation of an innovative package of preservation tools that are unlike any other in the country.*



*Aspen's preservation benefits are in response to tight historic preservation controls that have been legislated by the City since 1972. The Community Development Department and historic Preservation Commission (HPC) are dedicated to assisting property owners in renovating and maintaining their property."*

This balance of restrictions and benefits is unique in the Country and a strong incentive for property owners to spend the additional time and expense to preserve these precious, historic buildings for our community.

### **Section 26.415.110(c)**

#### **BENEFITS:**

This code allows for variations to density, dimensional requirements and can allow for a lot split that would otherwise not be allowable, exemption of parking requirements, conditional uses, exemption from GMQS, floor area bonuses and TDRs. This project is asking for just two benefits. First, the benefit of 3 setback variations; two of them to legalize the location of the historic resources in their historic locations. The third is to allow the below grade living space to extend to the 5'-0 rear yard setback line. Being below grade, it has no impact on the historic fabric of the lot or the neighborhood.

The other benefit is the exemption for wall area exposed by a light well that is larger than the minimum required for egress from the calculation of floor area.

1. The HPC may grant variances for development in front, rear or side yard setbacks.

#### **REQUIRED SETBACKS FOR THIS ZONE DISTRICT (R-6) FOR A 6000 sq. ft. lot**

Front yard	10'
Minimum side yard	5'
Combined side yard	15'
Rear yard	5' for garage; 10' for living space

#### **Proposed Setbacks**

- Front yard – no variation sought; front porch is 14' from the front property line
- Side yard- The historic home is  $\pm 1'-11'$  over the east yard setback (with the decorative window being the furthest beyond the setback). We are requesting a variance for this portion of the historic home to remain in its location. We are also requesting in this variance to include the subgrade portion of new foundation wall, to stack below the historic home. The new east porch stair and railing (which will have to be reconstructed) will also require inclusion in this variance.

The historic carriage house is within  $\pm 6$  inches of the property line on the east side. We are requesting a variance of the full 5 feet for the carriage house, which will account for portions of the primary resource that also fall outside the 5'-0" setback. This side yard setback variance is to legalize the historic location of the resources, and allow for the new subgrade walls to stack directly underneath existing walls.

- Combined side yard setback- with the side yard variance above, no variance needed
- Rear yard – The carriage house is  $\pm 8"$  beyond the property line on the north side of the lot. The proposed subgrade below is set at the 5 foot setback; so a 5 foot variance for this below grade space is being requested. And a 5'-0" setback variance for the carriage house. The additional 8" the house extends past the property line is to be remain in the revocable encroachment license # 539719/543900.

The below grade space has no impact on any of the neighbors. The HP guidelines suggest more below grade space to minimize additions to the historic resources above grade. We believe this is a great



means of adaptive use of the historic home to allow it to fit the needs of a modern family with the least amount of visual impact to the resources.

- The other benefit is the exemption for wall area exposed by the proposed lightwell. This lightwell serves as egress for below grade bedrooms in lieu of utilizing multiple window wells around the perimeter. This benefit requires the following conditions be met:
  1. The lightwell is internalized such that it is entirely recessed behind the vertical plan of the façade of the building closest to the street. Or in this case both streets, North Fourth Street and West Francis Street.
  2. The lightwell is screened from view of the street by building walls or fences.
  3. Any addition that is made to the affected resource simultaneous or after the construction of the lightwell is entirely one story.

The proposed project meets all three of these criteria as it is screened from Francis by the historic home; screened from First street by a site wall / landscape feature; and the proposed addition to the property is just one story.

#### Variations requested

1. 5'-0" variation for the East side yard
  - a. For the primary structure and the carriage house to remain in their historic locations.
  - b. For the new subgrade space/walls to stack directly underneath the walls above.
  - c. For the re-constructed east porch stairs and railing.
2. 5'-0" rear yard variation to keep the carriage house in its historic location.
3. 5'-0" variation for the required 10'-0" rear yard setback for the below grade living space that encroaches into the garage setback.
4. Exposed wall area exemption from floor area calculations.

**Section 26.314.040** outlines the 3 standards applicable to variations. We believe we meet all three of these standards

1. The variance is consistent with the purposes, goals and objectives of the Municipal Code. The code states that the City and HPC are committed to help owners in the preservation of historic properties. The granting of the requested variances helps in the preservation of this property by allowing the resources to remain in their historic locations. Also, by adding most of the additional floor area needed on the property below grade, it has no impact on the character of the historic resources, the lot or neighborhood.
2. The requested variances are minimal; requesting to make legal the setbacks where the resources are encroaching into setbacks and asking for below grade space.
3. The hardship on this property comes from the need and desire to have the best preservation outcome for this iconic home. By granting the variance for more square feet below grade in the rear yard setback, there is far less impact to the resource than making a larger addition above grade. This is a much better preservation outcome that does not convey special privilege to this property.

#### **Section 26.575.020 Calculations and Measurements**

- Please see Architectural set for floor area calcs.
- The proposed development meets the dimensional requirements of this section for the R-6 zone district for a single-family home regarding floor area and height limits.

#### **Section 26.710.040 Medium-Density Residential R-6**

- The single family home on a 6000 sq. ft. lot meets all the requirements of this section of code, save the setback variations that are being requested as a benefit of preserving a historic home.

#### **SUMMARY**

The rehabilitation and preservation of both this grand Victorian home and the carriage house behind it have guided every decision in our proposed plan. The best preservation is to remove non-historic additions, and when



necessary to add on very modest elements that will not detract from the historic fabric of the property or the neighborhood. By adding the subordinate garage with a linking element that easily distinguishes it as new is a great way to adapt this historic property for modern living.

The restoration of the original detailing and removing elements of trim that obscure historic details will add to the full rehabilitation effort.

We feel that all the Historic Preservation Guidelines have been met in our proposal and are eager to see this home restored to its historic grandeur. Thank you for your continued commitment to help the community and the owners of historic properties save these community treasures. We appreciate your consideration of the huge effort going into the rehabilitation of these two historic resources. Thank you.

Respectfully,

Kim Raymond  
Kim Raymond Architecture + Interiors

Certain development activities within the City of Aspen require land use review and approval. This document describes the forms and processes required for a Land Use Application, except for an application requesting a Certificate of No Negative Effect for a Historic Property. Please use the No Negative Effect Application form available [here](#).

The following forms should be filled out and included as part of a Land Use Application:

1. [Land Use Application Form](#)
2. [Dimensional Requirements Form](#)
3. [Agreement to Pay Application Fees Form](#)
4. [HOA Compliance Form](#)
5. [Public Notice Affidavit \(if required, is submitted prior to the Public Hearing\)](#)
6. [Development Application Fee Policy](#)
7. [Development Review Procedures](#)
8. [Historic Preservation Review Procedures](#)

Applications are reviewed based on the criteria in Title 26 of the Aspen Municipal Code. [Title 26 of the Aspen Municipal code can be accessed here.](#)

Additionally, certain applications require compliance with the [Commercial Design Guidelines](#) or the [Historic Preservation Design Guidelines](#).

Prior to preparing a land use application, applicants should obtain a Pre-Application Conference Summary from the Community Development Department.

To schedule a pre-application conference, contact the Planner of the Day at: [planneroftheday@gmail.com](mailto:planneroftheday@gmail.com) or 970.429.2764

A preliminary consultation with the Zoning Officer, Building Department, Parks Department, and Engineering Department is also strongly advised in order to determine code compliance and to avoid changes to projects after the review process.

## LAND USE APPLICATION FORM

### PROJECT:

Name: \_\_\_\_\_

Location: \_\_\_\_\_

\_\_\_\_\_  
(Indicate street address, lot & block number or metes and bounds description of property)

Parcel ID #: \_\_\_\_\_

### APPLICANT:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ E-mail: \_\_\_\_\_

### REPRESENTATIVE:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ E-mail: \_\_\_\_\_

**EXISTING CONDITIONS:** (description of existing buildings, uses, previous approvals, etc.)

**PROPOSAL:** (description of proposed buildings, uses, modifications, etc.)

## DIMENSIONAL REQUIREMENTS FORM

Project: \_\_\_\_\_

Applicant: \_\_\_\_\_

Project Location: \_\_\_\_\_

Zone District: \_\_\_\_\_

Lot Size: \_\_\_\_\_

Gross Lot Area: \_\_\_\_\_ Net Lot Area: \_\_\_\_\_

For the purposes of calculating Floor Area, Lot Area may be reduced for areas within the high-water mark, easements, and steep slopes. Please refer to the definition of Lot Area in the Municipal Code.

Existing non-conformities or encroachments and note if encroachment licenses have been issued:

Variations requested (identify the exact variations being requested):

## DIMENSIONAL REQUIREMENTS FORM

Commercial net leaseable:	Existing: _____	Proposed: _____
Number of Lodge Pillows:	Existing: _____	Proposed: _____
Number of Lodge Units:	Existing: _____	Proposed: _____
Number of residential units:	Existing: _____	Proposed: _____
Number of Free-Market residential units:	Existing: _____	Proposed: _____
Number of Affordable residential units:	Existing: _____	Proposed: _____
Proposed % of demolition: _____ %		

### DIMENSIONS:

Write N/A where no requirements exists in the zone district.

Floor Area:	Existing: _____	Allowable: _____	Proposed: _____
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#### Height

Principal Building:	Existing: _____	Allowable: _____	Proposed: _____
Accessory Building:	Existing: _____	Allowable: _____	Proposed: _____
On-Site Parking:	Existing: _____	Allowable: _____	Proposed: _____
% Site Coverage:	Existing: _____	Allowable: _____	Proposed: _____
% Open Space:	Existing: _____	Allowable: _____	Proposed: _____
Front Setback:	Existing: _____	Allowable: _____	Proposed: _____
Rear Setback:	Existing: _____	Allowable: _____	Proposed: _____
Combined Front/Rear:	Existing: _____	Allowable: _____	Proposed: _____

#### Indicate N, S, E, W

Side Setback:	Existing: _____	Allowable: _____	Proposed: _____
Side Setback:	Existing: _____	Allowable: _____	Proposed: _____
Combined Front/Rear:	Existing: _____	Allowable: _____	Proposed: _____
Distance between Buildings:	Existing: _____	Allowable: _____	Proposed: _____

## TYPE OF APPLICATION

ESA Review (Stream Margin, 8040 Greenline, View Plane, or Hallam Lake Bluff)

Non Conformities

Pre-Development Topography

Temporary Use

Accessory Dwelling Unit/Carriage House

Dimensional Variance

Growth Management Review

Outdoor Vending

Planned Development Review

Certificates of Affordable Housing Credit

Establishment of Zoning or Rezoning

Subdivision Review Condominiumization

Approval Documents

Special Review

Wireless Facilities

Residential Design Standard Review

Conditional Use Review

## HISTORIC PRESERVATION REVIEWS

Historic Designation

Certificate of Appropriateness

Minor Historic Development

Major Historic Development (select one below)

Conceptual Development

Final Development

Relocation (temporary, on or off-site)

Demolition (total demolition)

Substantial Historic Preservation Amendment

Historic Landmark Lot Split

Establishment of Transferable Development Rights (TDRs)

Other

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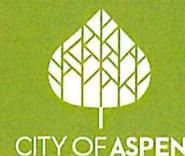
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# LAND USE APPLICATION PACKET



## AGREEMENT TO PAY APPLICATION FEES

An agreement between the City of Aspen ("City") and

Property Owner Name: FRANCIS ASPEN INVESTMENTS LLC

Address of Property: 500 West Francis Street

Representative Name (If different from Property Owner): Kim Raymond Architecture + Interiors

Billing Name and Address - Send Bills to:

Kim Raymond Architecture + Interiors

710 East Durant Avenue, #W-10A

Aspen, CO 81611

Contact Email for Billing:

kim@krai.us

Contact Phone for Billing:

(970) 925-2252

I understand that the City has adopted, via **Ordinance No.40, Series of 2018**, as may be amended, review fees for Land Use applications and payment of these fees is a condition precedent to determining application completeness. I understand that as the property owner that I am responsible for paying all fees for this development application.

For Deposit cases only: The City and I understand that because of the size, nature or scope of the proposed project, it is not possible at this time to know the full extent or total costs involved in processing the application. I understand that additional costs over and above the deposit may accrue. I understand and agree that it is impracticable for City staff to complete processing, review and presentation of sufficient information to enable legally required findings to be made for project consideration, unless invoices are paid in full.

The City and I understand and agree that invoices mailed by the City to the above listed billing address and not returned to the City shall be considered by the City as being received by me. I agree to remit payment within 30 days of presentation of an invoice by the City for such services.

I have read, understood, and agree to the Land Use Review Fee Policy including consequences for no-payment. I agree to pay the following initial deposit amounts for the specified hours of staff time. I understand that payment of a deposit does not render and application complete or compliant with approval criteria. If actual recorded costs exceed the initial deposit, I agree to pay additional monthly billings to the City to reimburse the City for the processing of my application at the hourly rates hereinafter stated.

# LAND USE APPLICATION PACKET



## AGREEMENT TO PAY APPLICATION FEES

For flat fees and referral fees: I agree to pay the following fees for the services indicated. I understand that these flat fees are non-refundable.

Engineering Fee: \$ 5,350

APCHA Fee: \$ \_\_\_\_\_

Parks Fee: \$ 975

Other Fee: \$ \_\_\_\_\_

\$ ~~195~~ deposit for 6 hours of Community Development Department staff time. Additional time above the deposit amount will be billed at **\$325.00 per hour**.

\$ \_\_\_\_\_ deposit for \_\_\_\_\_ hours of Community Development Department staff time. Additional time above the deposit amount will be billed at **\$325.00 per hour**.

### City of Aspen:

Ben Anderson, AICP  
Community Development Director

### Property Owner, or Representative

Signature:

PRINT Name: Dax Mitchell

Title: Manager, FRANCIS ASPEN INVESTMENTS LLC

### City Use

Fees Due: \$ \_\_\_\_\_

Received: \$ \_\_\_\_\_

Case # \_\_\_\_\_

# LAND USE APPLICATION PACKET



## HOMEOWNER ASSOCIATION COMPLIANCE POLICY

All land use applications within the City of Aspen are required to include a Homeowner Association Compliance Form (this form) certifying the scope of work included in the land use application complies with all applicable covenants and homeowner association policies. The certification must be signed by the property owner or Attorney representing the property owner.

### Property Owner ("I")

Name: Dax Mitchell, (Manager)

Email: dax@magcp.com

Phone Number: 817-382-7954

### Address of Property (Subject of Application):

500 West Francis Street

Aspen, CO 81611

I certify as follows: (Select One)

- This property is not subject to a homeowners association or other form of private covenant.
- This property is subject to a homeowners association or private covenant and the improvements proposed in this land use application do not require approval by the homeowners association or covenant beneficiary.
- This property is subject to a homeowners association or private covenant and the improvements proposed in this land use application have been approved by the homeowners association or covenant beneficiary.

I understand this policy and I understand the City of Aspen does not interpret, enforce, or manage the applicability, meaning or effect of private covenants or homeowner association rules or bylaws. I understand that this document is a public document.

Owner Signature: 

Date: 11/13/25

Printed Name: Dax Mitchell

or,

Attorney Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Attorney Printed Name: \_\_\_\_\_

## PUBLIC HEARING NOTICING REQUIREMENTS

The forms of public notice are required by the Aspen Land Use Regulations pursuant to Section 26.304.060(E): publication in the newspaper, posting of the property, and surrounding landowners. You can determine whether your application requires notice, and the type of notice it requires, from the matrix found in this application packet.

Following is a summary of the public notice requirements, including identification of who is responsible for completing the notice.

- 1. Publication** - Publication of notice in a paper of general circulation on the City of Aspen is to be done at least fifteen (15) days prior to the hearing. The legal notice will be written by the Community Development Department and will place the notice in the paper within the appropriate deadline.
- 2. Posting** - Posting of a sign in a conspicuous place on the property is to be done fifteen (15) days prior to the hearing. It is the applicant's responsibility to obtain a copy of the sign from the Community Development Department, to fill it in correctly and bring proof to the hearing that posting took place (use attached affidavit).
- 3. Mailing** - Mailing of notice is to be made to all owners of property within 300 feet of the subject development parcel by the applicant fifteen (15) days prior to hearing. It is the applicant's responsibility to obtain a copy of the notice from the Community Development Department, to mail it according to the following standards, and to bring proof to the hearing that the mailing took place (use the attached affidavit).

Notice to mineral Estate Owner. An applicant for surface Development shall notify affected mineral estate owners by at least thirty (30) days prior to the date scheduled for the initial public hearing on the application for development. The applicant shall certify that the notice has been provided to the mineral estate owners.

The names and addresses of property owners shall be those in the current tax records of Pitkin County as they appeared no more than sixty (60) days prior to the date of public hearing.

**Proof of notice must be provided at the public hearing.**

## AFFIDAVIT OF PUBLIC NOTICE

### AFFIDAVIT OF PUBLIC NOTICE

#### REQUIRED BY SECTION 26.304.060 (E), ASPEN LAND USE CODE

**ADDRESS OF PROPERTY:**

\_\_\_\_\_, Aspen, CO

**SCHEDULED PUBLIC HEARING DATE:**

\_\_\_\_\_, 20\_\_

STATE OF COLORADO )

) ss.

County of Pitkin )

I, \_\_\_\_\_ (name, please print) being or representing an Applicant to the City of Aspen, Colorado, hereby personally certify that I have complied with the public notice requirements of Section 26.304.060 (E) of the Aspen Land Use Code in the following manner:

\_\_\_\_\_ *Publication of Notice:* By the publication in the legal notice section of an official paper or a paper of general circulation in the City of Aspen at least fifteen (15) days prior to the public hearing. A copy of the publication is attached hereto.

\_\_\_\_\_ *Posting of Notice:* By posting of notice, which form was obtained from the Community Development Department, which was made of suitable, waterproof materials, which was not less than twenty-two (22) inches wide and twenty-six (26) inches high, and which was composed of letters not less than one inch in height. Said notice was posted at least fifteen (15) days prior to the public hearing and was continuously visible from the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, to and including the date and time of the public hearing.  
*A photograph of the posted notice (sign) is attached hereto.*

\_\_\_\_\_ *Mailing of Notice:* By the mailing of a notice obtained from the Community Development Department, which contains the information described in Section 26.304.060(E) (2) of the Aspen Land Use Code. At least fifteen (15) days prior to the public hearing, notice was hand delivered or mailed by first class postage prepaid U.S. mail to all owners of property within three hundred (300) feet of the property subject to the development application. The names and addresses of property owners shall be those on the current tax records of Pitkin County as they appeared no more than sixty (60) days prior to the date of the public hearing. *A copy of the owners and governmental agencies so noticed is attached hereto.*

(continued on next page)

## AFFIDAVIT OF PUBLIC NOTICE

\_\_\_\_\_ *Neighborhood Outreach:* Applicant attests that neighborhood outreach, summarized and attached, was conducted prior to the first public hearing as required in Section 26.304.035, Neighborhood Outreach. A copy of the neighborhood outreach summary, including the method of public notification and a copy of any documentation that was present to the public is attached hereto.

\_\_\_\_\_ *Mineral Estate Owner Notice.* By the certified mailing notice, return receipt requested, to affected mineral estate owners by at least thirty (30) days prior to the date scheduled for the initial public hearing on the application of development. The names and addresses of mineral estate owners shall be those on the current tax records of Pitkin County. At a maximum, Subdivisions, PDs that create more than one lot, and new Planned Developments are subject to this notice requirement.

\_\_\_\_\_ *Rezoning or Text Amendment.* Whenever the official zoning district map is in any way to be changed or amended incidental to or as part of a general revision of this Title, or whenever the text of this Title is to be amended, whether such revision be made by repeal of this Title and enactment of a new land use regulation, or otherwise, the requirement of an accurate survey map or other sufficient legal description of, and the notice to and listing of names and addresses of owners of real property in the area of the proposed change shall be waived. However, the proposed zoning map shall be available for public inspection in the planning agency during all business hours for fifteen (15) days prior to the public hearing on such amendments.

Signature: \_\_\_\_\_

The foregoing "Affidavit of Notice" was acknowledged before me this \_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_.

WITNESS MY HAND AND OFFICIAL SEAL

My commission expires: \_\_\_\_\_

Notary Public: \_\_\_\_\_

### ATTACHMENTS AS APPLICABLE:

- COPY OF THE PUBLICATION
- PHOTOGRAPH OF THE POSTED NOTICE (SIGN)
- LIST OF THE OWNERS AND GOVERNMENTAL AGENCIES NOTICED BY MAIL
- APPLICANT CERTIFICATION OF MINERAL ESTATE OWNERS NOTICE AS REQUIRED BY C.R.S. §24-65.5-103.3

## LAND USE REVIEW POLICY

The City of Aspen has established a review fee policy for the processing of land use applications. A flat fee or deposit is collected for land use applications based on the type of application submitted.

A flat fee is collected by Community Development for applications which normally take a minimal and predictable amount of staff time to process. Review fees for other City Departments reviewing the application (referral departments) will also be collected when necessary. Flat fees are cumulative – meaning an application with multiple flat fees must be pay the sum of those flat fee. Flat fees are not refundable.

A review fee deposit is collected by Community Development when more extensive staff time is required. Actual staff time spent will be charged against the deposit. Various City staff may also charge their time spent on the case in addition to the case planner. Deposit amount may be reduced if, in the opinion of the Community Development Director, the project is expected to take significantly less time to process than the deposit indicates. A determination on the deposit amount shall be made during the pre-application conference by the case planner. Hourly billing shall still apply. All applications must include an Agreement to Pay Application Fees. One payment including the deposit for Planning and referral agency fees must be submitted with each land use application, made payable to the City of Aspen. Applications will not be accepted for processing without the required fee.

The Community Development Department shall keep an accurate record of the actual time required for the processing of a land use application requiring a deposit. The City can provide a summary report of fees due at the applicant's request. The applicant will be billed for the additional costs incurred by the City when the processing of an application by the Community Development Department takes more time or expense than is covered by the deposit. Any direct costs attributable to a project review shall be billed to the applicant with no additional administrative charge. In the event the processing of an application takes less time than provided for by the deposit, the department shall refund the unused portion of the deposited fee to the applicant. Fees shall be due regardless of whether an applicant receives approval.

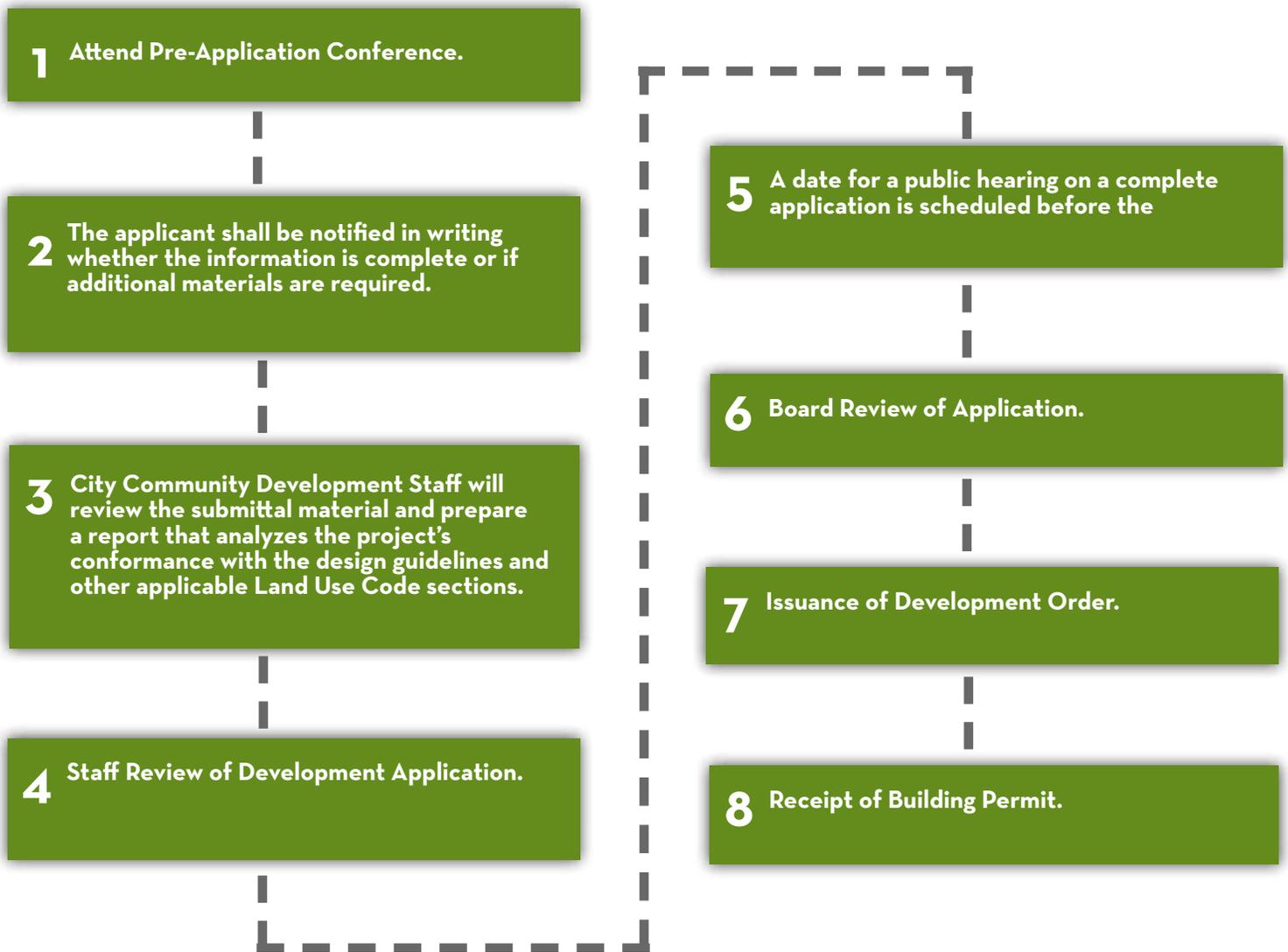
Unless otherwise combined by the Director for simplicity of billing, all applications for conceptual, final and recordation of approval documents shall be handled as individual cases for the purpose of billing. Upon conceptual approval all billing shall be reconciled, and past due invoices shall be paid prior to the Director accepting an application for final review. Final review shall require a new deposit at the rate in effect at the time of final submission. Upon final approval all billing shall be again reconciled prior to the Director accepting an application for review of technical documents for recordation.

The Community Development Director may cease processing of a land use application for which an unpaid invoice is 30 or more days past due. Unpaid invoices of 90 days or more past due may be assessed a late fee of 1.75% per month. An unpaid invoice of 120 days or more may be subject to additional actions as may be assigned by the Municipal Court Judge. All payment information is public domain.

All invoices shall be paid prior to issuance of a Development Order or recordation of development agreements and plats. The City will not accept a building permit for a property until all invoices are paid in full. For permits already accepted, and unpaid invoice of 90 days or more days may result in cessation of building permit processing or issuance of a stop work order until full payment is made.

The property owner of record is the party responsible for payment of all costs associated with a land use application for the property. Any secondary agreement between a property owner and an applicant representing the owner (e.g. a contract purchaser) regarding payment of fees is solely between those private parties.

## DEVELOPMENT REVIEW PROCEDURE



## DEVELOPMENT REVIEW PROCEDURE

### 1. **Attend Pre-Application Conference.**

During this one-on-one meeting, staff will determine the review process applies to your development proposal and will identify the materials necessary to review your application.

### 2. **Applicant Shall Submit Land Use Application**

Email the entire application as one pdf to [cdehadmins@aspen.gov](mailto:cdehadmins@aspen.gov). Include the pre-app number in the subject line. If more than 18 months has passed since the pre-app was issued, please reach out to [planneroftheday@gmail.com](mailto:planneroftheday@gmail.com) for an updated pre-application conference summary.

### 3. **The applicant shall be notified in writing whether the information is complete or if additional materials are required.**

Staff will review the application materials. If additional items are needed, the applicant will receive a letter indicating the application is Incomplete and the needed additional items. Once all required application items are received, staff will inform the applicant the application is Complete. At this time, the land use review fee is due.

### 4. **City Community Development Staff will review the submittal material and prepare a report that analyzes the project's conformance with the design guidelines and other applicable Land Use Code sections.**

This report will be transmitted to the HPC with relevant information on the proposed project and a recommendation to approve, disapprove or approve with conditions for the recommendation.

### 5. **Staff Review of Development Application.**

Notice Once your application is determined to be complete, it will be reviewed by the staff for compliance with the applicable standards of the Code. During the staff review stage, the application will be referred to other agencies for comments. The Planner assigned to your case or the agency may contact you if additional information is needed or if problems are identified. Staff will draft a memo for signature by the Community Development Director that explains whether your application complies with the Code, and will list any conditions that should apply if the application is to be approved.

Final approval of any Development Application that amends a recorded document, such as a plat, agreement, or deed restriction, will require the applicant to prepare an amended version of that document for review and approval by staff. Staff will provide the applicant with the applicable contents for the revised plat. The City Attorney is normally in charge of the form for recorded agreements and deed restrictions. We suggest that you not go to the trouble or expense of preparing these documents until the staff has determined that your application is eligible for the requested amendment or exemption.

## DEVELOPMENT REVIEW PROCEDURE

- 6. A date for a public hearing on a complete application is scheduled before the applicable review body.**  
Notice of the hearing shall be provided as required in the Aspen Municipal Code. A copy of the required Affidavit of Public Notice is included in the Application Packet.

- 7. Board Review of Application.**

If a public hearing is required for the land use action that you are requesting, the Planning staff will schedule a hearing date for the application upon determination that the application is complete. The hearing(s) will be scheduled before the appropriate reviewing board(s). The applicant will be required to mail notice (one copy provided by the Community Development Department) to property owners within 30 feet of the subject property and post notice (sign available at the Community Development Department) of the public hearing on the site at least fifteen (15) days prior to the hearing date. (Please see Attachment 6 for instructions.) The Planning staff will publish notice of the hearing in the paper for land use requests that require publication.

The Planning staff will then formulate a recommendation on the land use request and draft a memo to the reviewing board(s). The public hearing(s) will take place before the appropriate review boards. Public hearings include a presentation by the Planning staff, a presentation by the applicant (optional), consideration of public comment, and the reviewing board's questions and decision.

- 8. Issuance of Development Order.**

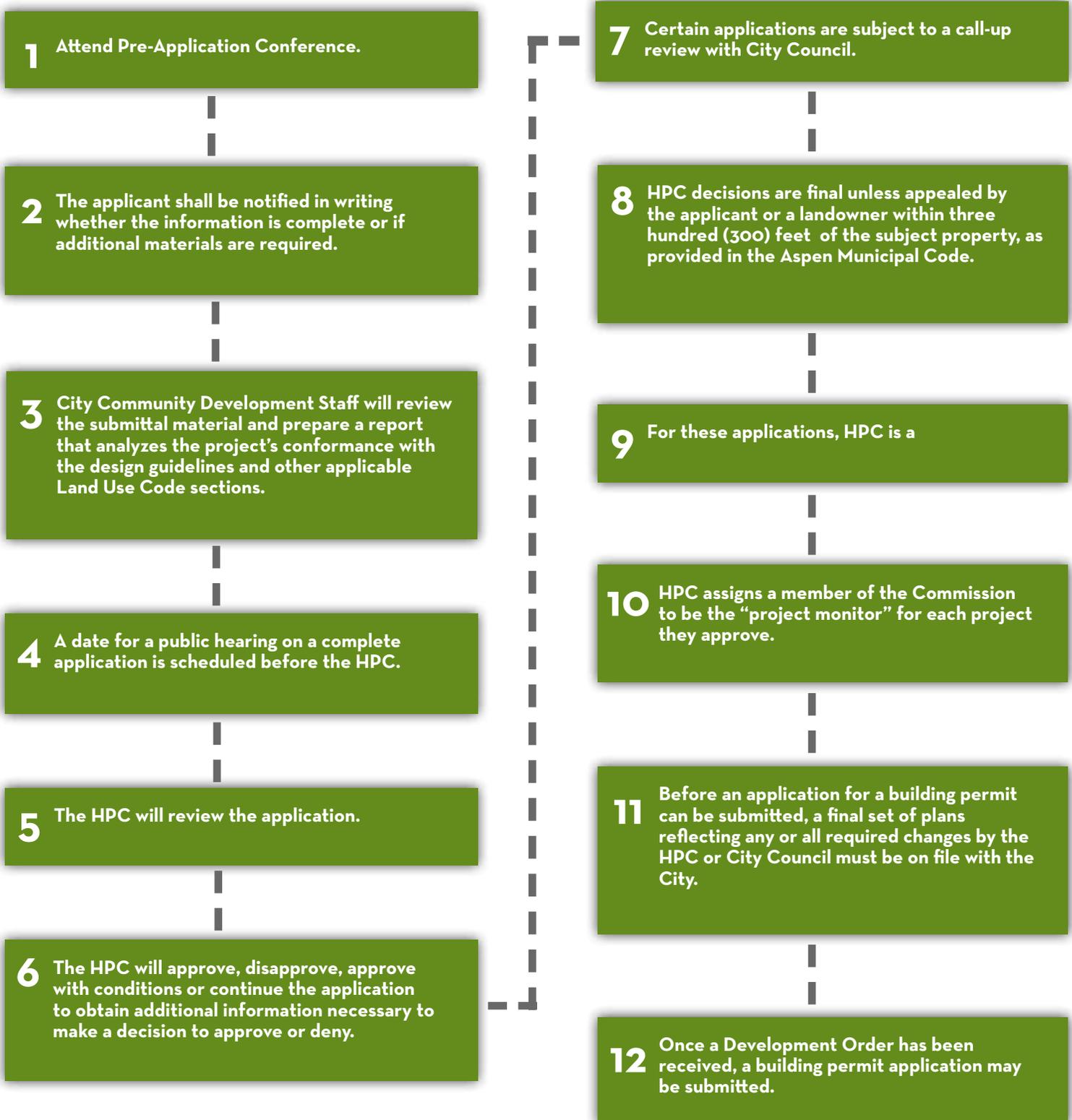
If the land use review is approved, then the Planning staff will issue a Development Order, which allows the applicant to submit a building permit application.

- 9. Receipt of Building Permit.**

Once you have received a copy of the signed staff approval, you may apply for a building permit. During this time, your project will be examined for its compliance with the Uniform Building Code. It also will be checked for compliance with applicable provisions of the Land Use Regulations that were not reviewed in detail during the land use case review. (This might include a check of floor area ratios, setbacks, parking, open space and the like). Impact fees for water, sewer, parks, and employee housing will be collected as part of the permitting process. Any document required to be recorded, such as a plat, deed restriction, or agreement, will be reviewed and recorded before a building permit application is submitted.

## HISTORIC PRESERVATION REVIEW PROCEDURE

Please see Section 26.415 of the Aspen Municipal Code for more detailed information.



## HISTORIC PRESERVATION REVIEW PROCEDURE

### 1. **Attend Pre-Application Conference.**

During this one-on-one meeting, staff will determine the review process applies to your development proposal and will identify the materials necessary to review your application.

### 2. **Applicant Shall Submit Land Use Application**

Email the entire application as one pdf to [cdehadmins@aspen.gov](mailto:cdehadmins@aspen.gov). Include the pre-app number in the subject line. If more than 18 months has passed since the pre-app was issued, please reach out to [planneroftheday@gmail.com](mailto:planneroftheday@gmail.com) for an updated pre-application conference summary.

### 3. **The applicant shall be notified in writing whether the information is complete or if additional materials are required.**

Staff will review the application materials. If additional items are needed, the applicant will receive a letter indicating the application is Incomplete and the needed additional items. Once all required application items are received, staff will inform the applicant the application is Complete. At this time, the land use review fee is due.

### 4. **City Community Development Staff will review the submittal material and prepare a report that analyzes the project's conformance with the design guidelines and other applicable Land Use Code sections.**

This report will be transmitted to the HPC with relevant information on the proposed project and a recommendation to approve, disapprove or approve with conditions for the recommendation.

### 5. **A date for a public hearing on a complete application is scheduled before the HPC.**

Notice of the hearing shall be provided as required in the Aspen Municipal Code. A copy of the required Affidavit of Public Notice is included in the Application Packet.

### 6. **The HPC will review the application.**

The report and the evidence presented at the hearing to determine the project's conformance with the City of Aspen Historic Preservation Design Guidelines. The order of proceedings at the HPC meeting are as follows:

- (1) Applicant and public are sworn in,
- (2) Staff presentation,
- (3) Commission member questions,
- (4) Public comments,
- (5) Commission member comments,
- (6) Applicant response/clarification,
- (7) Commission motion and vote

## HISTORIC PRESERVATION REVIEW PROCEDURE

**7. The HPC will approve, disapprove, approve with conditions or continue the application to obtain additional information necessary to make a decision to approve or deny.**

The application is a one-step review, and if it is approved, the HPC will issue a Certificate of Appropriateness and the Community Development Director will issue a Development Order. If the application requires a final review, this is an additional application and materials must be prepared and submitted according to the processes described. A project that receives final approval will be issued a Certificate of Appropriateness and the Community Development Director will issue a Development Order.

**8. Certain applications are subject to a call-up review with City Council.**

For Major Development, Demolition, or Relocation, a resolution of the HPC action will be forwarded to the City Council to allow them an opportunity to “call up” the decision if they feel there has been an abuse of discretion or denial of due process. No building permit can be issued for construction of the project until the thirty (30) day “call up” period has expired.

**9. HPC decisions are final unless appealed by the applicant or a landowner within three hundred (300) feet of the subject property, as provided in the Aspen Municipal Code.**

**10. For these applications, HPC is a recommending body.**

Council will evaluate the application to determine if the review criteria are met. The Council may approve, disapprove or continue the application to request additional information necessary to make a decision to approve or deny.

**11. HPC assigns a member of the Commission to be the “project monitor” for each project they approve.**

The monitor (and Staff) may periodically visit the site as work is under construction. If the applicant requests a change to any aspects of the project change after the HPC approval, the applicant, Staff, and the project monitor will attempt to address them without returning to the full HPC.

**11. Before an application for a building permit can be submitted, a final set of plans reflecting any or all required changes by the HPC or City Council must be on file with the City.**

Any conditions of approval or outstanding issues which must be addressed in the field or at a later time shall be noted on the plans.

**12. Once a Development Order has been received, a building permit application may be submitted.**

At this time the proposal will be reviewed for compliance with the Building Code and zoning regulations. Fees for water, sewer, park dedication fees, and employee housing will be collected if due. Any document, such as a plat, deed restriction, or other agreement which is required to be filed, must be recorded before the building permit will be issued.



## PRE-APPLICATION CONFERENCE SUMMARY PRE-25-125

**DATE:** 10/13/2025

**PLANNER:** Tillie Pines, (970) 309-0415, [tillie.pines@aspen.gov](mailto:tillie.pines@aspen.gov), Harry Valentine-Wilson, [harry.valentinewilson@aspen.gov](mailto:harry.valentinewilson@aspen.gov)

**REPRESENTATIVE:** Milo Stark, [milo@krai.us](mailto:milo@krai.us)

**PROJECT LOCATION:** 500 West Francis

**PARCEL ID:** 2735-124-10-010

**REQUEST:** Certificate of Appropriateness for Major Development, Relocation, Benefits

**DESCRIPTION:** 500 West Francis is a single-family residence is a AspenVictorian landmark structure built in 1884. The property is a 6,000 square foot lot located in the West End neighborhood in the Medium Density Residential (R-6) Zone District. The property legal description is Subdivision: QUARK CONDO UNIT 1.

The property was once situated on a larger parcel of land; however, Historic Preservation Commission (HPC) Resolution #14, Series of 2007 (Reception # 537084), approved setback variances and a 500 square foot floor area ratio (FAR) bonus and recommended approval for a historic landmark lot split. City Council approved the historic landmark lot split per Ordinance #19, Series of 2007 (Reception #545757).

The applicant is proposing exterior restoration, the demolition of sheds and non-historic portion of the carriage house, a subgrade basement, an addition and garage off of the historic carriage house, and a linking element between the new addition and the historic resource.

### **Request for Variances**

The applicant is requesting two variances to the setbacks. The first variance is to the side-yard setback to the east for the structure and the carriage house to remain in their existing locations, which are encroaching into the setback. The second variance is to the rear-yard setback to the north for the carriage house to remain in the rear-yard setback, and for subgrade livable space. The applicant is also seeking an exemption from Sec. 26.415.110.f.5 for the lightwell wall exposure. The proposed variances are pursuant to the criteria in [Chapter 26.314](#).

### **Certificate of Appropriateness for Major Development**

The proposed work meets the requirements for a Certificate of Appropriateness for major development review. Major Development is a two-step process, where the project may be approved, disapproved, or approved with conditions. HPC will use the Historic Preservation Design Guidelines and the Land Use Code Sections applicable to this project to assist with their determinations. Part of this process includes Notice of Call Up to City Council following the Conceptual Plan Review hearing before the HPC.

## Relocation of Designated Historic Properties

The subgrade basement development does not propose the physical relocation of the historic structure, but the excavation will require *“the same level of documentation, structural assessment, and posting of financial assurances as a building relocation.”* The relocation criteria will be included in the review process for the appropriate protections stated in the [Historic Preservation Guidelines](#). Relocation review is subject to Notice of Call Up at City Council. After review of this aspect of the project, Council has the authority to remand the decision back to HPC for further consideration.

## RELEVANT LAND USE CODE SECTIONS:

<u>Section Number</u>	<u>Section Title</u>
26.304	Common Development Review Procedures
26.415.070(d)	Certificate of Appropriateness for Major Development
26.415.090	Relocation of Designated Historic Property
26.415.110	Historic Preservation – Benefits
26.575.020	Calculations and Measurements
26.710.040	Medium-Density Residential (R-6)

## HELPFUL LINKS: - FIX COLORS

- [Land Use Application \(PDF\)](#)
- [Land Use Code \(PDF\)](#)
- [Historic Preservation Design Guidelines \(PDF\)](#)

## REVIEW BY:

- Staff for Completeness and recommendations.
- HPC for public hearing at conceptual and final review
- Council for notice of call up

## REQUIRED LAND USE REVIEW(S):

- Major Development involving Designated Historic Property
- Relocation of Designated Historic Property

**PUBLIC HEARING:** Yes, at conceptual and final review.

**PLANNING FEES:** \$1,950 for 6 billable hours of staff time. (additional/ lesser hours will be billed/ refunded at a rate of \$325 per hour.)

**REFERRAL FEES:** Engineering: \$5,350 for Board Review, Major (additional/ lesser hours will be billed/ refunded at a rate of \$325 per hour.)  
Parks: \$975 flat fee

**TOTAL DEPOSIT:** Due at Conceptual: \$8,275  
Due at Final: \$1,950

**APPLICATION CHECKLIST:** Below is a list of submittal requirements for this review. Please email the entire application as one pdf to [cdehadmins@aspen.gov](mailto:cdehadmins@aspen.gov). Include PRE-

**25-125 in the subject line. If more than 18 months has lapsed since this letter was issued, please reach out to planneroftheday@gmail.com.**

- Exh. B  Completed Land Use Application, signed Fee Agreement, and signed HOA Compliance form
- Exh. C  Pre-application Conference Summary (this document).
- Exh. D  Contained within a letter signed by the applicant, the applicant's name, address and telephone number and the name, address and telephone number of any representative authorized to act on behalf of the applicant.
- Exh. H  The street address, legal description and parcel identification number of the property proposed for development.
- Exh. E  A disclosure of ownership of the parcel proposed for development, consisting of a current (no older than 6 months) certificate from a title insurance company or attorney licensed to practice in the state, listing the names of all owners of the property and all mortgages, judgments, liens, easements, contracts and agreements affecting the parcel and demonstrating the owner's right to apply for the development application.
- Exh. H  An eight and one-half (8½) inches by eleven (11) inches vicinity map locating the subject parcel within the City of Aspen.
- Exh. F  Proposed and existing site plans depicting the proposed layout and the project's physical relationship to the land and its surroundings.
- Exh. G  A site improvement survey (no older than a year from submittal) certified by a registered land surveyor, licensed in the state, showing the current status of the parcel including the current topography and vegetation.
- Exh. A  A written description of the proposal and a written explanation of how the proposed development complies with the review standards relevant to the development application.
- Exh. F  Scaled elevations and/or drawings of the proposed work and its relationship to the designated historic buildings, structures, sites and features within its vicinity.
- Exh. G  An accurate representation of all building materials and finishes to be used in the development.
- Exh. J  Photographs and other exhibits, as needed, to accurately depict location, extent and design of proposed work.
- Exh. K  Verification that the proposal complies with [Chapter 26.410](#), Residential design standards or a written request for a variance from any standard that is not being met.
- Exh. A  A written description and/or graphic illustrations of the building, structure or object proposed for relocation.
- Exh. A  A written explanation of the type of relocation requested (temporary, on-site or off-site) and justification for the need for relocation.
- Exh. L  A written report from a licensed engineer or architect regarding the soundness of the building, structure or object, its ability to withstand the physical move and its rehabilitation needs, once relocated.
- N/A  A conceptual plan for the receiving site providing preliminary information on the property boundaries, existing improvements and site characteristics and the associated planned improvements.
- N/A  If the applicant does not own the receiving site, proof from the site's property owner of the willingness to accept the relocated building, structure or object.
- N/A  Evidence that the applicant has or is seeking the necessary approvals to place the building on the identified receiving site. If the site is outside of the city limits, verification
- Exh. I Mailing List

that the building will be preserved on its new site through a formal action of the other jurisdiction or a preservation easement.

- Evidence of the financial ability to undertake the safe relocation, preservation and repair of the building, structure or object; site preparation and construction of necessary infrastructure through the posting of bonds or other financial measures deemed appropriate.
- Supplementary materials to provide an understanding of the larger context for the relocated property and its impact on adjacent properties, the neighborhood or streetscape.

### **FINAL**

- Final selection of all exterior materials, and samples or clearly illustrated photographs. Samples are preferred for the presentation to HPC.
- A lighting plan and landscape plan, including any visible stormwater mitigation features.
- Engineered plans showing house can withstand relocation/underpinning
- Preservation Plan

**Depending on further review of the case, additional items may be requested of the application. Once the application is deemed complete by staff, the applicant/applicant's representative will receive an e-mail requesting submission of the deposit. Once the deposit is received, the case will be assigned to a planner and the land use review will begin.**

**Disclaimer:** The foregoing summary is advisory in nature only and is not binding on the City. The summary is based on current zoning, which is subject to change in the future, and upon factual representations that may or may not be accurate. The summary does not create a legal or vested right.

Francis Aspen Investments LLC  
4020 Maple Avenue, #525  
Dallas, TX 71529

October 29<sup>th</sup>, 2025

To Whom It May Concern,

This letter authorizes Kim Raymond Architecture + Interiors to represent Francis Aspen Investments LLC through the City of Aspen Land Use Review (HP or other), and the City of Aspen permitting process.

Kim Raymond Architecture + Interiors (KRAI) is located at 710 East Durant Avenue, Suite W-10A, Aspen, CO 81611. (970) 9252-2252

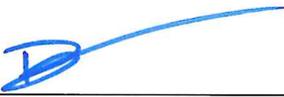
KRAI is comprised of the following team members:

- Kim Raymond      [kim@krai.us](mailto:kim@krai.us)
- Marcus Hanlon    [marcus@krai.us](mailto:marcus@krai.us)
- Milo Stark        [milo@krai.us](mailto:milo@krai.us)
- Lauren Lahr      [lauren@krai.us](mailto:lauren@krai.us)

Thank you for your consideration of this matter.

Respectfully,  
Francis Aspen Investments LLC

Manager (Signature):

  
\_\_\_\_\_

Manager (Print):

Dax T.S. Mitchell

**ASSIGNMENT OF PURCHASE AND SALE AGREEMENT**

THIS ASSIGNMENT OF PURCHASE AND SALE AGREEMENT (“Assignment”) made this 6<sup>th</sup> day of June 2025, by and between Dax T.S. Mitchell (“Assignor”), and Francis Aspen Investments, LLC (“Assignee”).

**INTRODUCTORY PROVISIONS**

The following provisions form a part of this Assignment:

A. Assignor entered into a Purchase and Sale Agreement, with an effective date of April 25, 2025, as amended (the “Agreement”), by and between Assignor and Ellen Valentine (“Seller”), relating to certain land and improvements situated in Aspen, Colorado, as described in the Agreement.

B. Assignee desires to purchase from Assignor, and Assignor desires to sell and assign to Assignee, the Agreement and all of the rights, benefits and privileges thereunder.

---

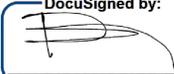
NOW, THEREFORE, in consideration of the foregoing and the agreements and covenants herein set forth, together with the sum of Ten (\$10.00) Dollars and other good and valuable consideration this day paid and delivered by Assignee to Assignor, the receipt and sufficiency of all of which are hereby acknowledged by Assignor, Assignor does hereby ASSIGN, TRANSFER, SET OVER and DELIVER unto Assignee all of Assignor’s right, title and interest in and to the Agreement, including without limitation any amount paid thereunder as an earnest money deposit and all of the rights, benefits and privileges thereunder, and Assignee hereby assumes and agrees to perform all of the terms, covenants and conditions of the Agreement on the part of the Buyer therein required to be performed, from and after the date hereof, but subject to all terms, conditions, reservations and limitations set forth in the Agreement.

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**

EXECUTED as of the date first written above.

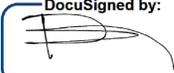
ASSIGNOR:

**Dax T.S. Mitchell**

DocuSigned by:  
  
74D2059BE0EF477...  
Name: Dax T.S. Mitchell

ASSIGNEE:

**FRANCIS ASPEN INVESTMENTS, LLC,**  
a Delaware limited liability company

DocuSigned by:  
  
74D2059BE0EF477...  
Name: Dax T.S. Mitchell  
Title: President



## Customer Distribution



**Prevent fraud** - Please call a member of our closing team for wire transfer instructions or to initiate a wire transfer. Note that our wiring instructions will never change.

Order Number: **Q62018243-6**

Date: **06/05/2025**

Property Address: **500 W FRANCIS ST, ASPEN, CO 81611**

### For Closing Assistance

Melissa Jones  
533 EAST HOPKINS AVENUE,  
SUITE 102  
ASPEN, CO 81611  
(970) 315-1832 (Work)  
(303) 393-4941 (Work Fax)  
[mejones@ltgc.com](mailto:mejones@ltgc.com)  
Contact License: CO450818  
Company License: CO44565

### Closers Assistant

Marc Obadia  
533 EAST HOPKINS AVENUE,  
SUITE 102  
ASPEN, CO 81611  
(970) 925-1678 (Work)  
(800) 318-8202 (Work Fax)  
[mobadia@ltgc.com](mailto:mobadia@ltgc.com)  
Company License: CO44565

### Closing Processor

Scott Murray  
533 EAST HOPKINS AVENUE,  
SUITE 102  
ASPEN, CO 81611  
(970) 925-1678 (Work)  
(800) 318-8202 (Work Fax)  
[smurray@ltgc.com](mailto:smurray@ltgc.com)  
Company License: CO44565

### For Title Assistance

Land Title Roaring Fork Valley  
Title Team  
533 EAST HOPKINS AVENUE,  
SUITE 102  
ASPEN, CO 81611  
(970) 927-0405 (Work)  
(970) 925-0610 (Work Fax)  
[valleyresponse@ltgc.com](mailto:valleyresponse@ltgc.com)

### Buyer/Borrower

DAX T.S. MITCHELL  
Delivered via: Electronic Mail

### Attorney for Buyer

POLSINELLI PC  
Attention: BRENDAN MCPHERSON  
900 W. 48TH PLACE, SUITE 900  
KANSAS CITY, MO 64112  
(816) 360-4107 (Work)  
[bmcperson@polsinelli.com](mailto:bmcperson@polsinelli.com)  
Delivered via: Electronic Mail

**Seller/Owner**

ELLEN VALENTINE  
Delivered via: Electronic Mail

**Attorney for Buyer**

POLSINELLI PC  
Attention: EMILY WEMHOFF  
900 W. 48TH PLACE, SUITE 900  
KANSAS CITY, MO 64112  
(816) 360-4257 (Work)  
ewemhoff@polsinelli.com  
Delivered via: Electronic Mail

**Agent for Buyer**

CHRISTIE'S INTERNATIONAL REAL ESTATE -  
ASPEN SNOWMASS  
Attention: JONATHAN FEINBERG  
520 E DURANT AVE SUITE 205  
ASPEN, CO 81611  
(970) 379-3405 (Cell)  
(970) 544-5800 (Work)  
(970) 544-8185 (Work Fax)  
oxbow@rof.net  
Delivered via: Electronic Mail

**Attorney for Seller**

WAAS CAMPBELL RIVERA JOHNSON &  
VELASQUEZ LLP  
Attention: BEN S GENSHAFT  
420 E MAIN STREET #210  
ASPEN, CO 81611  
(970) 987-6015 (Cell)  
genshaft@wcrlegal.com  
Delivered via: Electronic Mail

**Agent for Seller**

ASPEN SNOWMASS SOTHEBY'S INTERNATIONAL REALTY  
Attention: TERRY ROGERS  
PO BOX 5000  
50 SNOWMASS VILLAGE MALL  
SNOWMASS VILLAGE, CO 81615  
(970) 379-2443 (Cell)  
(970) 923-2006 (Work)  
(970) 923-2550 (Work Fax)  
terry.rogers@sothebysrealty.com  
Delivered via: Electronic Mail

**ASPEN SURVEY LLC**

Attention: MICHAEL LAFFERTY  
210 S GALENA ST  
ASPEN, CO 81611  
(970) 925-3816 (Work)  
michael@aspensurvey.net  
Delivered via: Electronic Mail

**Agent for Seller**

ASPEN SNOWMASS SOTHEBY'S INTERNATIONAL REALTY  
Attention: GREG DIDIER  
PO BOX 5000  
50 SNOWMASS VILLAGE MALL  
SNOWMASS VILLAGE, CO 81615  
(970) 923-2006 (Work)  
(970) 923-2550 (Work Fax)  
greg.didier@sothebysrealty.com  
Delivered via: Electronic Mail

**1031 Exchange Buyer**

ASSET PRESERVATION, INC.  
Attention: LYLA FINCH  
135 MAIN ST, SUITE 1 (POSTAL BOX 6)  
WESTHAMPTON BEACH, NY 11978  
(866) 394-1031 (Work)  
(800) 282-1031 (Work)  
lyla@apiexchange.com  
Delivered via: Electronic Mail

**Lender - New Loan**

JPMORGAN CHASE BANK, N.A.  
Attention: KELTON ZIMMERMAN  
2500 WESTFIELD DR., FLOOR 2-1  
Elgin, IL 60124  
kelton.zimmerman@jpmchase.com  
Delivered via: Electronic Mail

**1031 Exchange Buyer**

JENNIFER A. PENDZICK  
135 MAIN ST, SUITE 1 (POSTAL BOX 6)  
Westhampton Beach, NY 11978  
(866) 394-1031 (Work)  
teamjennifer@apiexchange.com  
Delivered via: Electronic Mail



## Estimate of Title Fees

**Order Number:** Q62018243-6

**Date:** 06/05/2025

**Property Address:** 500 W FRANCIS ST, ASPEN, CO 81611

**Seller(s):** ELLEN VALENTINE

**Buyer(s):** DAX T.S. MITCHELL

Thank you for putting your trust in Land Title. Below is the estimate of title fees for the transaction. The final fees will be collected at closing. Visit [ltgc.com](http://ltgc.com) to learn more about Land Title.

Estimate of Title Insurance Fees	
"ALTA" Owner's Policy 07-30-21 Reissue Rate	\$11,643.00
Deletion of Standard Exception(s)	\$75.00
Endorsement ALTA 25	\$1,500.00
Endorsement ALTA 17	\$500.00
"ALTA" Loan Policy 07-30-21 Bundled Purchase Loan Rate	\$10,240.00
Endorsement Alta 8.1	\$0.00
Endorsement ALTA 9	\$0.00
Endorsement ALTA 4.1	\$0.00
Endorsement ALTA 6	\$0.00
Endorsement ALTA 22	\$0.00
Tax Certificate	\$27.00
Tax Certificate	\$27.00
<b>TOTAL</b>	<b>\$24,012.00</b>

**Note:** The documents linked in this commitment should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the documents on your property.

**Chain of Title Documents:**

[Pitkin county recorded 04/25/2023 under reception no. 694498](#)

Plat Map(s):

[Pitkin county recorded 02/21/2008 at book 86 page 63](#)

**ALTA COMMITMENT**  
**Old Republic National Title Insurance Company**  
**Schedule A**

Order Number: Q62018243-6

**Customer Ref-Loan No.:** 1102621105

**Property Address:**

500 W FRANCIS ST, ASPEN, CO 81611

**1. Commitment Date:**

05/16/2025 at 5:00 P.M.

**2. Policy to be Issued and Proposed Insured:**

"ALTA" Owner's Policy 07-30-21 Reissue Rate \$12,550,000.00  
Proposed Insured:  
DAX T.S. MITCHELL

"ALTA" Loan Policy 07-30-21 Bundled Purchase Loan Rate \$8,785,000.00  
Proposed Insured:  
JPMORGAN CHASE BANK, N.A., ITS SUCCESSORS AND/OR  
ASSIGNS AS THEIR INTERESTS MAY APPEAR

**3. The estate or interest in the land described or referred to in this Commitment and covered herein is:**

FEE SIMPLE

**4. The Title is, at the Commitment Date, vested in:**

ELLEN VALENTINE

**5. The Land is described as follows:**

PARCEL A:

UNIT 1,  
QUARK CONDOMINIUMS,  
ACCORDING TO THE CONDOMINIUM PLAT RECORDED FEBRUARY 21, 2008 IN PLAT BOOK 86 AT PAGE  
[63](#) AND AS DEFINED AND DESCRIBED IN CONDOMINIUM DECLARATION RECORDED FEBRUARY 21,  
2008 AS RECEPTION NO. [546660](#). TOGETHER WITH AN UNDIVIDED 50% INTEREST IN THE COMMON  
AREA.

COUNTY OF PITKIN,  
STATE OF COLORADO.

PARCEL B:

UNIT 2,  
QUARK CONDOMINIUMS,  
ACCORDING TO THE CONDOMINIUM PLAT RECORDED FEBRUARY 21, 2008 IN PLAT BOOK 86 AT PAGE  
[63](#) AND AS DEFINED AND DESCRIBED IN CONDOMINIUM DECLARATION RECORDED FEBRUARY 21,  
2008 AS RECEPTION NO. [546660](#). TOGETHER WITH AN UNDIVIDED 50% INTEREST IN THE COMMON  
AREA.

COUNTY OF PITKIN,  
STATE OF COLORADO.

**ALTA COMMITMENT**  
**Old Republic National Title Insurance Company**  
**Schedule A**

Order Number: Q62018243-6

This page is only a part of a 2021 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.



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**ALTA COMMITMENT**

**Old Republic National Title Insurance Company**

**Schedule B, Part I**

**(Requirements)**

**Order Number:** Q62018243-6

**All of the following Requirements must be met:**

**This proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.**

**Pay the agreed amount for the estate or interest to be insured.**

**Pay the premiums, fees, and charges for the Policy to the Company.**

**Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.**

1. EVIDENCE SATISFACTORY TO THE COMPANY THAT THE TERMS, CONDITIONS AND PROVISIONS OF THE CITY OF ASPEN TRANSFER TAX HAVE BEEN SATISFIED.
2. (THIS ITEM WAS INTENTIONALLY DELETED)
3. SPECIAL WARRANTY DEED FROM ELLEN VALENTINE TO DAX T.S. MITCHELL CONVEYING SUBJECT PROPERTY.
4. DEED OF TRUST FROM DAX T.S. MITCHELL TO THE PUBLIC TRUSTEE OF PITKIN COUNTY FOR THE USE OF JPMORGAN CHASE BANK, N.A. TO SECURE THE SUM OF \$8,785,000.00.

NOTE: ITEMS 1-3 OF THE PRE-PRINTED EXCEPTIONS ARE HEREBY DELETED FROM THE MORTGAGEE'S POLICY. ITEM 4 OF THE PRE-PRINTED EXCEPTIONS WILL BE DELETED UPON RECEIPT OF A SATISFACTORY LIEN AFFIDAVIT.

NOTE: ALL PARTIES WILL BE REQUIRED TO SIGN THE LIEN AFFIDAVIT AT CLOSING.

REQUIREMENTS TO DELETE THE PRE-PRINTED EXCEPTIONS IN THE OWNER'S POLICY TO BE ISSUED:

A. UPON RECEIPT BY THE COMPANY OF A SATISFACTORY FINAL AFFIDAVIT AND AGREEMENT FROM THE SELLER AND PROPOSED INSURED, AND AN IMPROVEMENT SURVEY PLAT OF THE LAND, ITEMS 1-4 OF THE PRE-PRINTED EXCEPTIONS WILL BE DELETED. ANY ADVERSE MATTERS DISCLOSED BY THE FINAL AFFIDAVIT AND AGREEMENT AND IMPROVEMENT SURVEY PLAT WILL BE ADDED AS EXCEPTIONS.

B. IF LAND TITLE GUARANTEE COMPANY CONDUCTS THE CLOSING OF THE CONTEMPLATED TRANSACTIONS AND RECORDS THE DOCUMENTS IN CONNECTION THEREWITH, ITEM 5 OF THE PRE-PRINTED EXCEPTIONS WILL BE DELETED.

C. UPON RECEIPT OF PROOF OF PAYMENT OF ALL PRIOR YEARS' TAXES AND ASSESSMENTS, ITEM 6 OF THE PRE-PRINTED EXCEPTIONS WILL BE AMENDED TO READ:

TAXES AND ASSESSMENTS FOR THE YEAR 2025 AND SUBSEQUENT YEARS.

5. ITEMS 7(A) AND 7(B) WILL BE DELETED FROM THE OWNERS POLICY.

**ALTA COMMITMENT**  
**Old Republic National Title Insurance Company**  
**Schedule B, Part II**  
**(Exceptions)**

Order Number: [Q62018243-6](#)

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.

1. Any facts, rights, interests, or claims thereof, not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date of the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
6. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
7. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.
8. RESERVATIONS AND EXCEPTIONS AS SET FORTH IN THE DEED FROM THE CITY OF ASPEN RECORDED JANUARY 31, 1888 IN BOOK 59 AT PAGE [328](#), PROVIDING AS FOLLOWS: THAT NO TITLE SHALL BE HEREBY ACQUIRED TO ANY MINE OF GOLD, SILVER, CINNABAR OR COPPER OR TO ANY VALID MINING CLAIM OR POSSESSION HELD UNDER EXISTING LAWS.
9. (THIS ITEM WAS INTENTIONALLY DELETED)
10. TERMS, CONDITIONS, PROVISIONS AND OBLIGATIONS OF RESOLUTION BY THE ASPEN HISTORIC PRESERVATION COMMISSION, NO. 14, SERIES OF 2007 RECORDED APRIL 27, 2007 AS RECEPTION NO. [537084](#).
11. TERMS, CONDITIONS, PROVISIONS AND OBLIGATIONS OF RESOLUTION BY THE ASPEN HISTORIC PRESERVATION COMMISSION, NO. 32, SERIES OF 2007 RECORDED JULY 30, 2007 AS RECEPTION NO. [540465](#).
12. TERMS, CONDITIONS, PROVISIONS AND OBLIGATIONS OF ORDINANCE BY THE ASPEN CITY COUNCIL, NO. 19, SERIES OF 2007 RECORDED JANUARY 10, 2008 AS RECEPTION NO. [545757](#).
13. TERMS, CONDITIONS, PROVISIONS AND OBLIGATIONS OF SUBDIVISION EXEMPTION AGREEMENT RECORDED JANUARY 10, 2008 AS RECEPTION NO. [545758](#).
14. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF 500 WEST FRANCIS STREET HISTORIC LANDMARK LOT SPLIT SUBDIVISION RECORDED JANUARY 10, 2008 IN PLAT BOOK 86 AT PAGE [25](#).
15. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF QUARK CONDOMINIUMS RECORDED FEBRUARY 21, 2008 IN PLAT BOOK 86 AT PAGE [63](#).

**ALTA COMMITMENT**  
**Old Republic National Title Insurance Company**  
**Schedule B, Part II**  
**(Exceptions)**

**Order Number:** Q62018243-6

16. THOSE PROVISIONS, COVENANTS AND CONDITIONS, EASEMENTS AND RESTRICTIONS, WHICH ARE A BURDEN TO THE CONDOMINIUM UNIT DESCRIBED IN SCHEDULE A, AS CONTAINED IN INSTRUMENT RECORDED FEBRUARY 21, 2008, AS RECEPTION NO. [546660](#).
17. TERMS, CONDITIONS, PROVISIONS AND OBLIGATIONS OF REVOCABLE ENCROACHMENT LICENSE RECORDED JULY 9, 2007 AS RECEPTION NO. [539719](#) AND RECORDED NOVEMBER 7, 2007 AS RECEPTION NO. [543900](#).
18. TERMS, CONDITIONS, PROVISIONS AND OBLIGATIONS AS SET FORTH IN CERTIFICATE RECORDED JANUARY 23, 2024 AS RECEPTION NO. [700103](#)
19. CLAIMS OF RIGHT, TITLE AND/OR INTEREST IN THE PROPERTY BETWEEN THE BOUNDARY LINE AND THE FENCE AS DEPICTED ON THE SURVEY PREPARED BY ASPEN SURVEY, JOB NO. 230212 WHETHER SAID CLAIMS ARISE BY ABANDONMENT, ADVERSE POSSESSION OR OTHER MEANS. SAID DOCUMENT STORE AS OUR ESI [42250863](#)



# ALTA Commitment For Title Insurance

## issued by Old Republic National Title Insurance Company

### NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON. .

### COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Old Republic National Title Insurance Company, a Minnesota corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Amount of insurance and the name of the Proposed Insured. If all of the Schedule B, Part I—Requirements have not been met within 6 months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

### COMMITMENT CONDITIONS

#### 1. DEFINITIONS

- (a) "Discriminatory Covenant": Any covenant, condition, restriction, or limitation that is unenforceable under applicable law because it illegally discriminates against a class of individuals based on personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or other legally protected class.
- (b) "Knowledge" or "Known": Actual knowledge or actual notice, but not constructive notice imparted by the Public Records.
- (c) "Land": The land described in item 5 of Schedule A and affixed improvements located on that land that by State law constitute real property. The term "Land" does not include any property beyond that described in Schedule A, nor any right, title, interest, estate, or easement in any abutting street, road, avenue, alley, lane, right-of-way, body of water, or waterway, but does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (d) "Mortgage": A mortgage, deed of trust, trust deed, security deed, or other real property security instrument, including one evidenced by electronic means authorized by law.
- (e) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (f) "Proposed Amount of Insurance": Each dollar amount specified in Schedule A as the Proposed Amount of Insurance of each Policy to be issued pursuant to this Commitment.
- (g) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (h) "Public Records": The recording or filing system established under State statutes in effect at the Commitment Date under which a document must be recorded or filed to impart constructive notice of matters relating to the Title to a purchaser for value without Knowledge. The term "Public Records" does not include any other recording or filing system, including any pertaining to environmental remediation or protection, planning, permitting, zoning, licensing, building, health, public safety, or national security matters.
- (i) "State": The state or commonwealth of the United States within whose exterior boundaries the Land is located. The term "State" also includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and Guam.
- (j) "Title": The estate or interest in the Land identified in Item 3 of Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I—Requirements; and
- (f) Schedule B, Part II—Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

#### 4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company is not liable for any other amendment to this Commitment.

#### 5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
  - i. comply with the Schedule B, Part I—Requirements;
  - ii. eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
  - iii. acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company is not liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company is only liable under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability does not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Condition 5(a) or the Proposed Amount of Insurance.
- (e) The Company is not liable for the content of the Transaction Identification Data, if any.
- (f) The Company is not obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.

(g) The Company's liability is further limited by the terms and provisions of the Policy to be issued to the Proposed Insured.

**6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT. CHOICE OF LAW AND CHOICE OF FORUM**

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract under the State law of the State where the Land is located and is restricted to the terms and provisions of this Commitment. Any litigation or other proceeding brought by the Proposed Insured against the Company must be filed only in a State or federal court having jurisdiction
- (c) This Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

**7. IF THIS COMMITMENT IS ISSUED BY AN ISSUING AGENT**

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

**8. PRO-FORMA POLICY**

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

**9. CLAIMS PROCEDURES**

This Commitment incorporates by reference all Conditions for making a claim in the Policy to be issued to the Proposed Insured. Commitment Condition 9 does not modify the limitations of liability in Commitment Conditions 5 and 6.

**10. CLASS ACTION**

ALL CLAIMS AND DISPUTES ARISING OUT OF OR RELATING TO THIS COMMITMENT, INCLUDING ANY SERVICE OR OTHER MATTER IN CONNECTION WITH ISSUING THIS COMMITMENT, ANY BREACH OF A COMMITMENT PROVISION, OR ANY OTHER CLAIM OR DISPUTE ARISING OUT OF OR RELATING TO THE TRANSACTION GIVING RISE TO THIS COMMITMENT, MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS OR REPRESENTATIVE PROCEEDING. ANY POLICY ISSUED PURSUANT TO THIS COMMITMENT WILL CONTAIN A CLASS ACTION CONDITION.

**11. ARBITRATION**

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Amount of insurance is \$2,000,000 or less may be arbitrated at the election of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>

IN WITNESS WHEREOF, Old Republic National Title Insurance Company has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A to be valid when countersigned by a validating officer or other authorized signatory.

Issued by:  
Land Title Guarantee Company  
3033 East First Avenue Suite 600  
Denver, Colorado 80206  
303-321-1880

Craig B. Rants, Senior Vice President



**OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY**  
A Stock Company  
1408 North Westshore Blvd., Suite 900, Tampa, Florida 33607  
(612) 371-1111 [www.oldrepublictitle.com](http://www.oldrepublictitle.com)

By President  
Attest Secretary

This page is only a part of a 2021 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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## Land Title Guarantee Company Disclosure Statements

**Note:** Pursuant to CRS 10-11-122, notice is hereby given that:

- (A) The Subject real property may be located in a special taxing district.
- (B) A certificate of taxes due listing each taxing jurisdiction will be obtained from the county treasurer of the county in which the real property is located or that county treasurer's authorized agent unless the proposed insured provides written instructions to the contrary. (for an Owner's Policy of Title Insurance pertaining to a sale of residential real property).
- (C) The information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor.

**Note:** Effective September 1, 1997, CRS 30-10-406 requires that all documents received for recording or filing in the clerk and recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one half of an inch. The clerk and recorder may refuse to record or file any document that does not conform, except that, the requirement for the top margin shall not apply to documents using forms on which space is provided for recording or filing information at the top margin of the document.

**Note:** Colorado Division of Insurance Regulations 8-1-2 requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed". Provided that Land Title Guarantee Company conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lenders Policy when issued.

**Note:** Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- (A) The land described in Schedule A of this commitment must be a single family residence which includes a condominium or townhouse unit.
- (B) No labor or materials have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
- (C) The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.
- (D) The Company must receive payment of the appropriate premium.
- (E) If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

**Note:** Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments disclosing that a mineral estate has been severed from the surface estate, in Schedule B-2.

- (A) That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and
- (B) That such mineral estate may include the right to enter and use the property without the surface owner's permission.

**Note:** Pursuant to CRS 10-1-128(6)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

**Note:** Pursuant to Colorado Division of Insurance Regulations 8-1-3, notice is hereby given of the availability of a closing protection letter for the lender, purchaser, lessee or seller in connection with this transaction.

**Note:** Pursuant to CRS 24-21-514.5, Colorado notaries may remotely notarize real estate deeds and other documents using real-time audio-video communication technology. You may choose not to use remote notarization for any document.



## **Joint Notice of Privacy Policy of Land Title Guarantee Company Land Title Insurance Corporation and Old Republic National Title Insurance Company**

This Statement is provided to you as a customer of Land Title Guarantee Company as agent for Land Title Insurance Corporation and Old Republic National Title Insurance Company.

We want you to know that we recognize and respect your privacy expectations and the requirements of federal and state privacy laws. Information security is one of our highest priorities. We recognize that maintaining your trust and confidence is the bedrock of our business. We maintain and regularly review internal and external safeguards against unauthorized access to your non-public personal information ("Personal Information").

In the course of our business, we may collect Personal Information about you from:

- applications or other forms we receive from you, including communications sent through TMX, our web-based transaction management system;
  - your transactions with, or from the services being performed by us, our affiliates, or others;
  - a consumer reporting agency, if such information is provided to us in connection with your transaction;
- and
- The public records maintained by governmental entities that we obtain either directly from those entities, or from our affiliates and non-affiliates.

Our policies regarding the protection of the confidentiality and security of your Personal Information are as follows:

- We restrict access to all Personal Information about you to those employees who need to know that information in order to provide products and services to you.
- We may share your Personal Information with affiliated contractors or service providers who provide services in the course of our business, but only to the extent necessary for these providers to perform their services and to provide these services to you as may be required by your transaction.
- We maintain physical, electronic and procedural safeguards that comply with federal standards to protect your Personal Information from unauthorized access or intrusion.
- Employees who violate our strict policies and procedures regarding privacy are subject to disciplinary action.
- We regularly assess security standards and procedures to protect against unauthorized access to Personal Information.

**WE DO NOT DISCLOSE ANY PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT STATED ABOVE OR PERMITTED BY LAW.**

Consistent with applicable privacy laws, there are some situations in which Personal Information may be disclosed. We may disclose your Personal Information when you direct or give us permission; when we are required by law to do so, for example, if we are served a subpoena; or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

Our policy regarding dispute resolution is as follows: Any controversy or claim arising out of or relating to our privacy policy, or the breach thereof, shall be settled by arbitration in accordance with the rules of the American Arbitration

Association, and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.





WEST FRANCIS STREET

EDGE OF PAVEMENT

GRAVEL

LOT 1

LOT 2

PROPERTY LINE

PROPERTY LINE

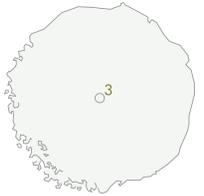
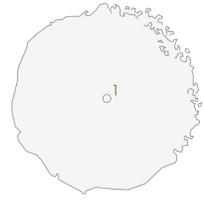
SETBACK LINE

PROPERTY LINE

PROPERTY LINE

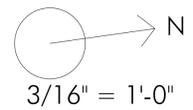
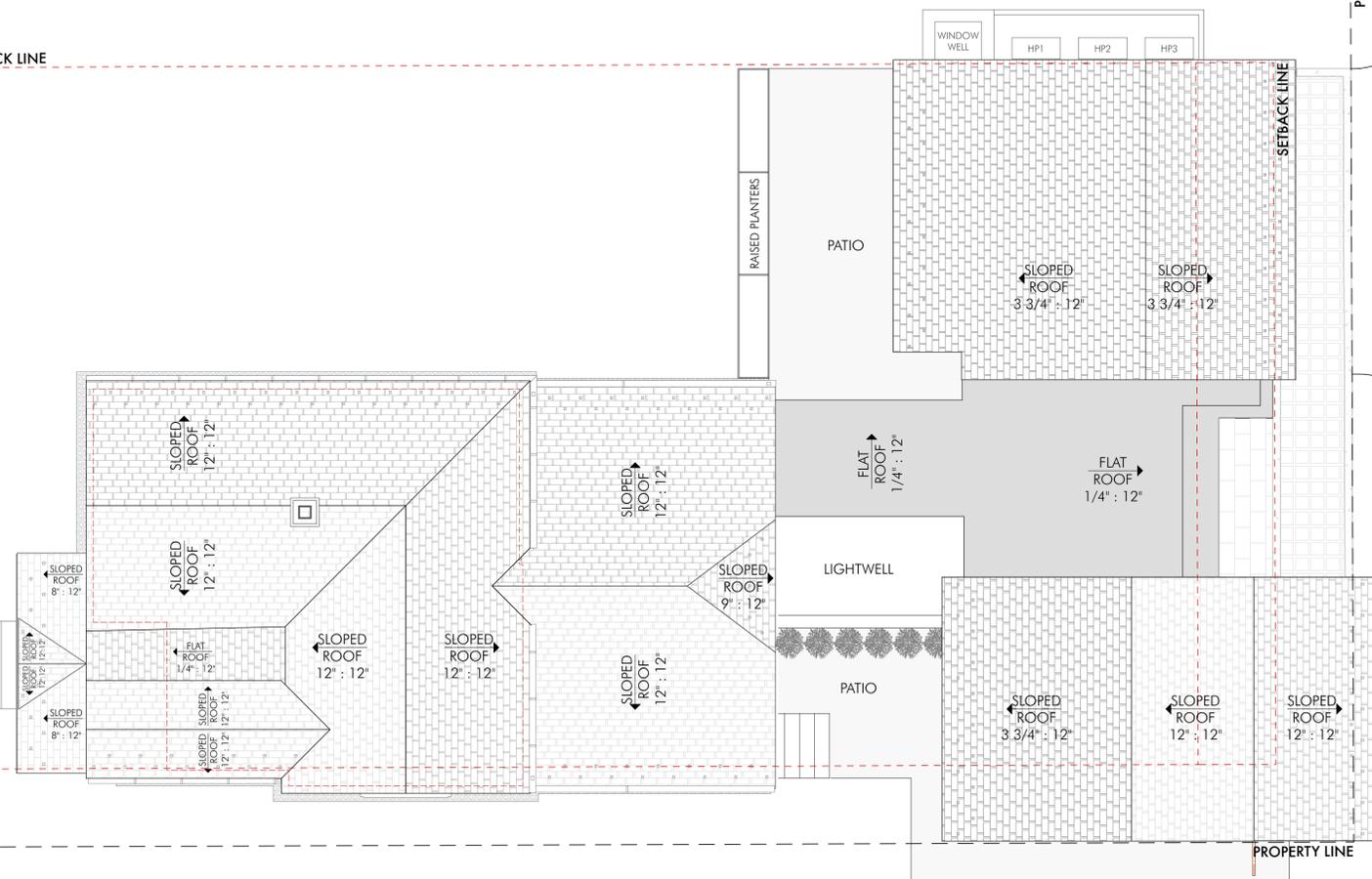
ALLEY

NEW WALKWAY  
(3'-0" WIDE BRUSHED CONCRETE)



EDGE OF PAVEMENT

NORTH FOURTH STREET



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**500 W. FRANCIS**  
500 WEST FRANCIS STREET  
ASPEN, COLORADO 81611  
PARCEL ID: 273512410010

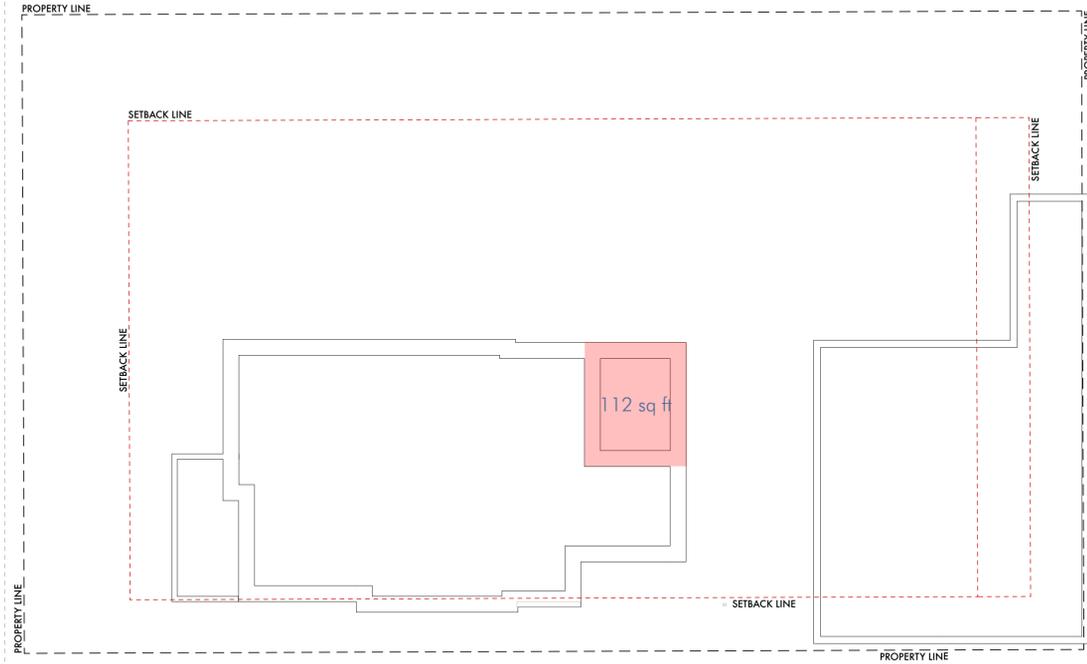
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5/31/25	SCHEMATIC DESIGN
11/5/25	DESIGN DEVELOPMENT
11/29/25	HP APPLICATION SET
2/18/25	REVISED HP APP SET

THIS SET PUBLISHED ON 3/4/26

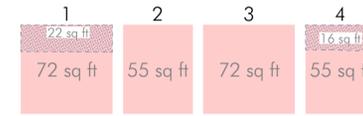
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**1" = ACTUAL**  
IF THE ABOVE DIMENSION DOES NOT MEASURE ONE INCH (1") EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES.

PROPOSED  
SITE PLAN

**A.1.02**



1 EXISTING LOWER LEVEL FLOOR AREA PLAN  
SCALE: 1/8" = 1'-0"

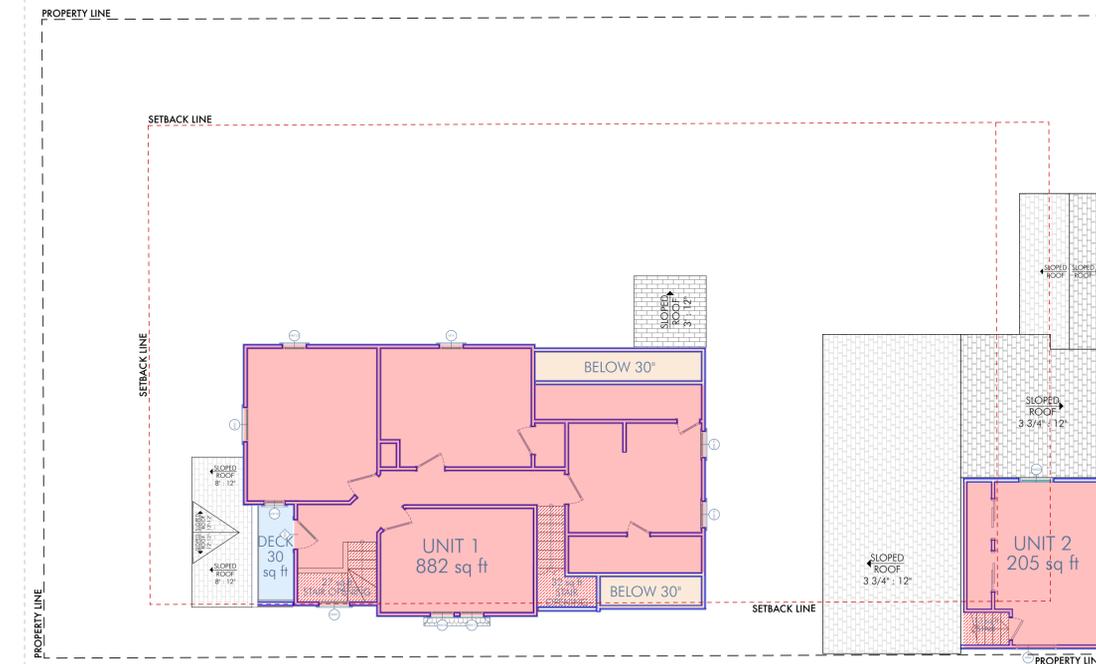


2 PROPOSED FAR ELEVATIONS  
SCALE: 1/8" = 1'-0"

EXISTING FLOOR AREA CALCULATIONS		
2,987 SQ FT OF ALLOWABLE AREA		
PROPOSED SUBGRADE EXPOSED WALL CALCULATIONS		
SUBGRADE LEVEL WALL LABEL	TOTAL WALL AREA (SQ. FT.)	EXPOSED WALL AREA (SQ. FT.)
1	72	22
2	55	0
3	72	0
4	55	16
OVERALL TOTAL WALL AREA (SQ. FT.)	254	
EXPOSED WALL AREA (SQ. FT.)		38
% OF EXPOSED WALL (EXPOSED/TOTAL)	14.96%	
TOTAL PROPOSED FLOOR AREA CALCULATIONS		
UNIT 1 SUBGRADE GROSS FLOOR AREA (SQ. FT.)	112	
UNIT 1 SUBGRADE COUNTABLE FLOOR AREA (SQ. FT.)	17	
UNIT 1 LOWER LEVEL FLOOR AREA (SQ. FT.)	17	
UNIT 1 MAIN LEVEL FLOOR AREA (SQ. FT.)	1023	
UNIT 2 MAIN LEVEL FLOOR AREA (SQ. FT.)	843	
UNIT 1 UPPER LEVEL FLOOR AREA (SQ. FT.)	882	
UNIT 2 UPPER LEVEL FLOOR AREA (SQ. FT.)	205	
GARAGE FLOOR AREA	0	
DECK FLOOR AREA (15% OF 2,987=448 EXEMPT)	0	
<b>TOTAL PROPOSED FLOOR AREA (SQ. FT.)</b>	<b>2970</b>	<b>(2,987 ALLOWED)</b>
TOTAL REMAINING FLOOR AREA		17



3 EXISTING MAIN LEVEL FLOOR AREA PLAN  
SCALE: 1/8" = 1'-0"



4 EXISTING UPPER LEVEL FLOOR AREA PLAN  
SCALE: 1/8" = 1'-0"

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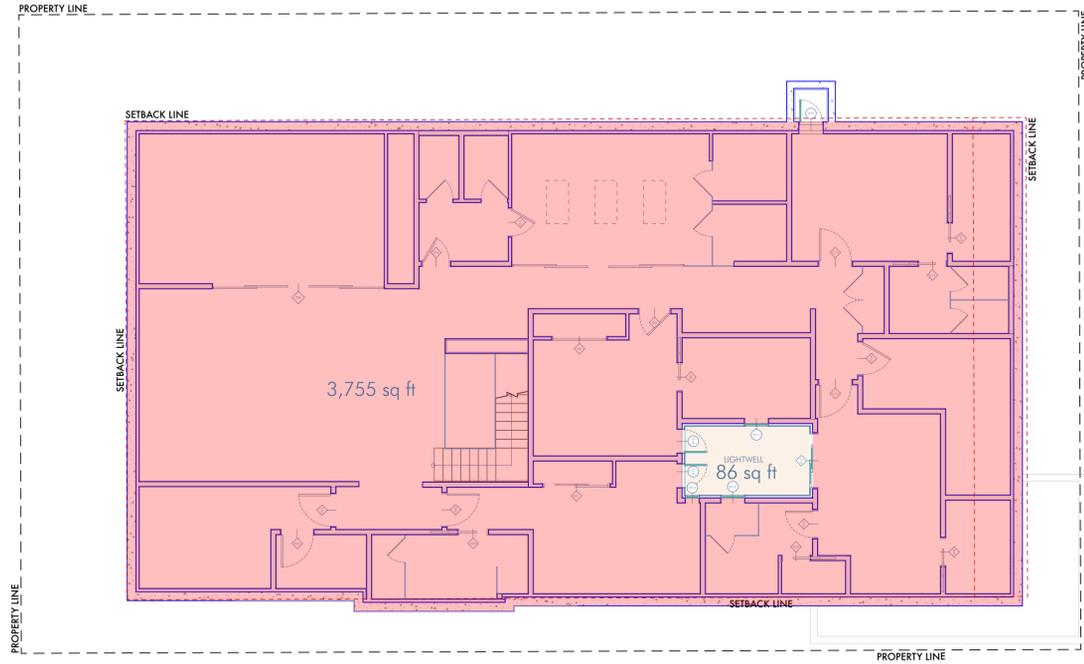
**500 W. FRANCIS**  
500 WEST FRANCIS STREET  
ASPEN, COLORADO 81611  
PARCEL ID: 273512410010

DATE	ISSUE
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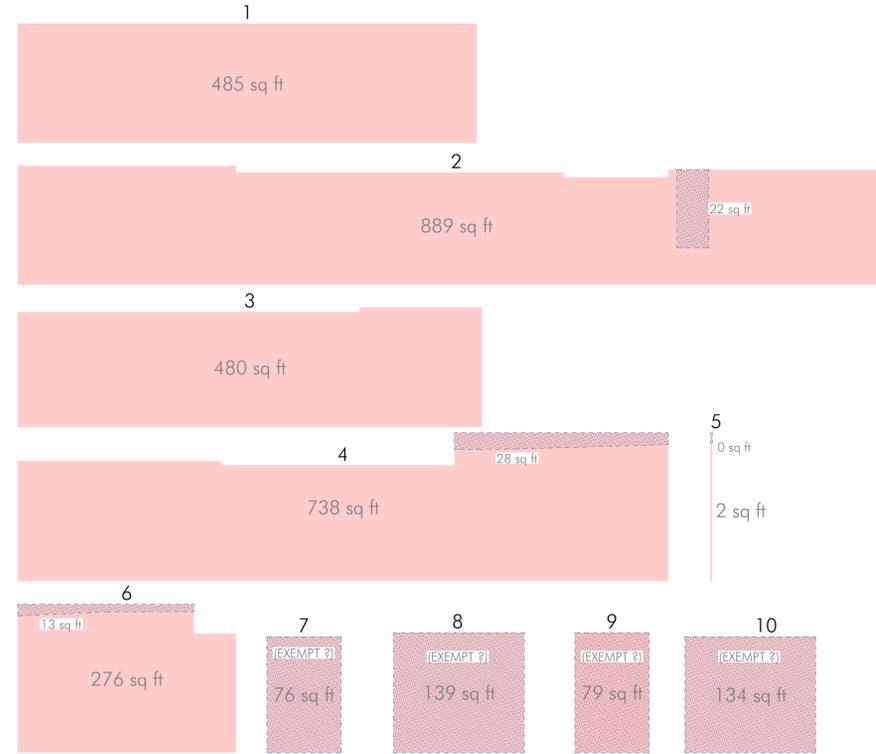
THIS SET PUBLISHED ON 3/4/26

Scale: AS NOTED  
**1" = ACTUAL**  
IF THE ABOVE DIMENSION DOES NOT MEASURE ONE INCH (1") EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES.

EXISTING FLOOR AREA CALCULATIONS



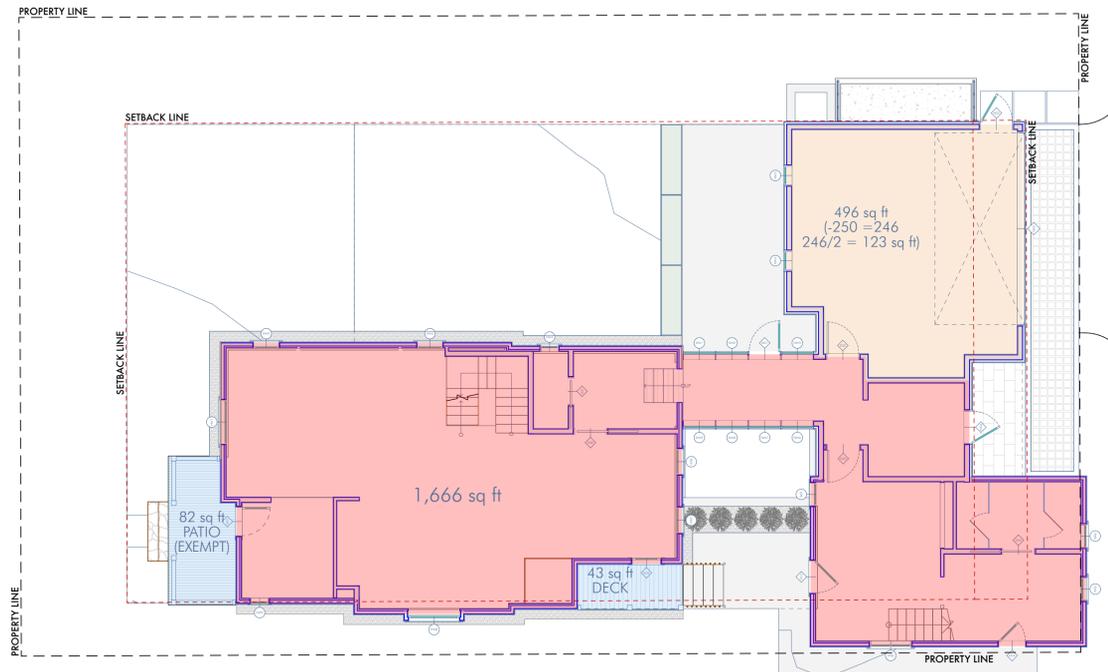
1 PROPOSED LOWER LEVEL FLOOR AREA PLAN  
SCALE: 1/8" = 1'-0"



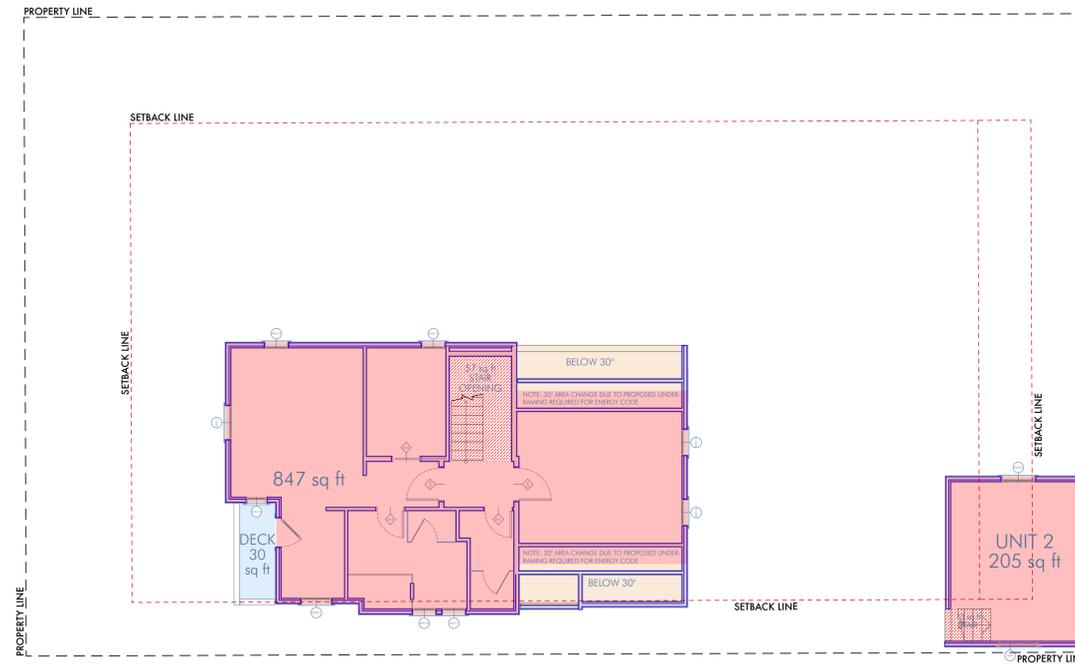
2 PROPOSED FAR ELEVATIONS  
SCALE: 1/8" = 1'-0"

PROPOSED FLOOR AREA CALCULATIONS		
PROPOSED SUBGRADE EXPOSED WALL CALCULATIONS		
SUBGRADE LEVEL WALL LABEL	TOTAL WALL AREA (SQ. FT.)	EXPOSED WALL AREA (SQ. FT.)
1	485	0
2	889	22
3	480	0
4	738	28
5	2	0
6	276	13
7	76	76
8	139	139
9	79	79
10	134	134
OVERALL TOTAL WALL AREA (SQ. FT.)	3298	
EXPOSED WALL AREA (SQ. FT.)		491
% OF EXPOSED WALL (EXPOSED/TOTAL)	14.89%	
UNIT 1 SUBGRADE GROSS FLOOR AREA (SQ. FT.)	3755	
UNIT 1 SUBGRADE COUNTABLE FLOOR AREA (SQ. FT.)	559	
TOTAL PROPOSED FLOOR AREA CALCULATIONS		
LOWER LEVEL FLOOR AREA (SQ. FT.)	559	
MAIN LEVEL FLOOR AREA (SQ. FT.)	1666	
UPPER LEVEL FLOOR AREA (SQ. FT.)	1052	
GARAGE AREA (SQ. FT.)	123	
DECK FLOOR AREA (15% OF 2987 = 448 EXEMPT)	0	
TOTAL PROPOSED FLOOR AREA (SQ. FT.)	3400	(2987 ALLOWED)

PROPOSED FLOOR AREA CALCULATIONS w/ BENEFIT		
PROPOSED SUBGRADE EXPOSED WALL CALCULATIONS		
SUBGRADE LEVEL WALL LABEL	TOTAL WALL AREA (SQ. FT.)	EXPOSED WALL AREA (SQ. FT.)
1	485	0
2	889	22
3	480	0
4	738	28
5	2	0
6	276	13
7	76	0
8	139	0
9	79	0
10	134	0
OVERALL TOTAL WALL AREA (SQ. FT.)	3298	
EXPOSED WALL AREA (SQ. FT.)		63
% OF EXPOSED WALL (EXPOSED/TOTAL)	1.91%	
UNIT 1 SUBGRADE GROSS FLOOR AREA (SQ. FT.)	3755	
UNIT 1 SUBGRADE COUNTABLE FLOOR AREA (SQ. FT.)	63	
TOTAL PROPOSED FLOOR AREA CALCULATIONS		
LOWER LEVEL FLOOR AREA (SQ. FT.)	63	
MAIN LEVEL FLOOR AREA (SQ. FT.)	1666	
UPPER LEVEL FLOOR AREA (SQ. FT.)	1052	
GARAGE AREA (SQ. FT.)	123	
DECK FLOOR AREA (15% OF 2987 = 448 EXEMPT) (72 sq ft)	0	
TOTAL PROPOSED FLOOR AREA (SQ. FT.)	2904	(2987 ALLOWED)



3 PROPOSED MAIN LEVEL FLOOR AREA PLAN  
SCALE: 1/8" = 1'-0"

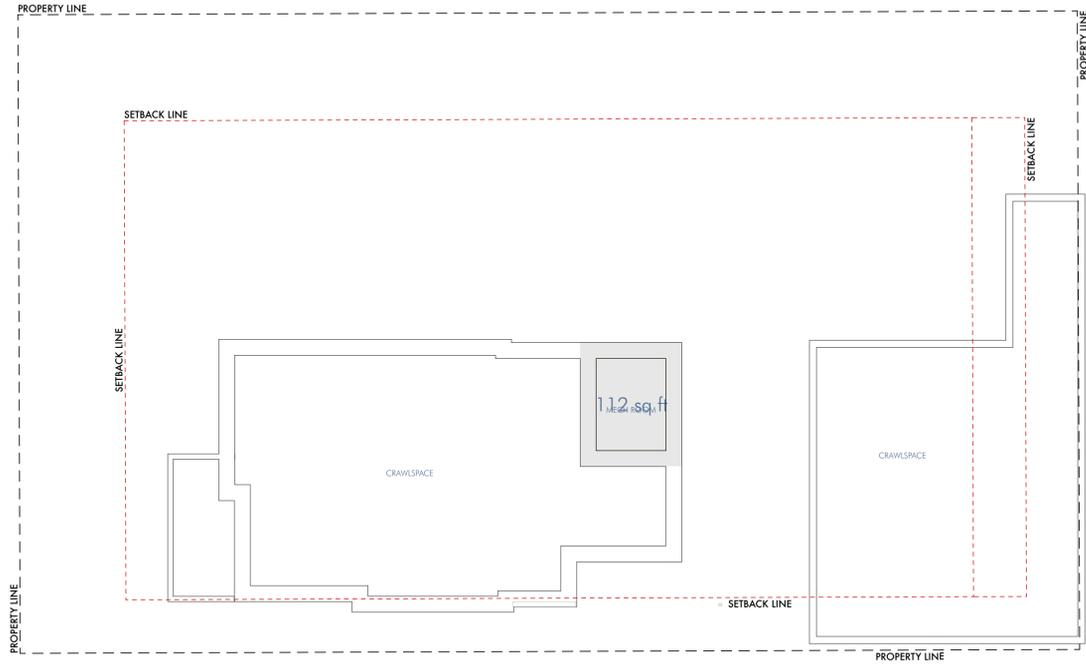


4 PROPOSED UPPER LEVEL FLOOR AREA PLAN  
SCALE: 1/8" = 1'-0"

DATE	ISSUE
5/31/25	SCHEMATIC DESIGN
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PROPOSED FLOOR AREA CALCULATIONS



## EXISTING GROSS FLOOR AREA SUMMARY

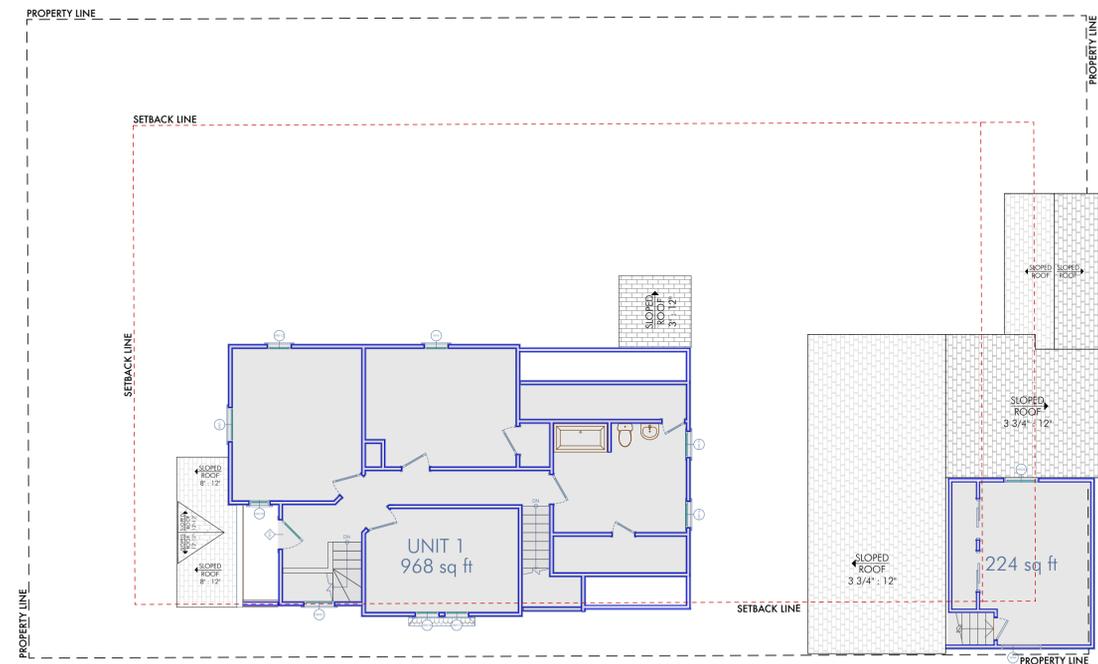
EXISTING LOWER LEVEL GROSS FLOOR AREA = 112 sq ft  
 EXISTING MAIN LEVEL GROSS FLOOR AREA = 1,886 sq ft  
 EXISTING UPPER LEVEL GROSS FLOOR AREA = 1,192 sq ft

TOTAL EXISTING GROSS FLOOR AREA = 3,190 sq ft

1 EXISTING LOWER LEVEL GROSS AREA  
 SCALE: 1/8" = 1'-0"



2 EXISTING MAIN LEVEL GROSS AREA  
 SCALE: 1/8" = 1'-0"



4 EXISTING UPPER LEVEL GROSS AREA  
 SCALE: 1/8" = 1'-0"

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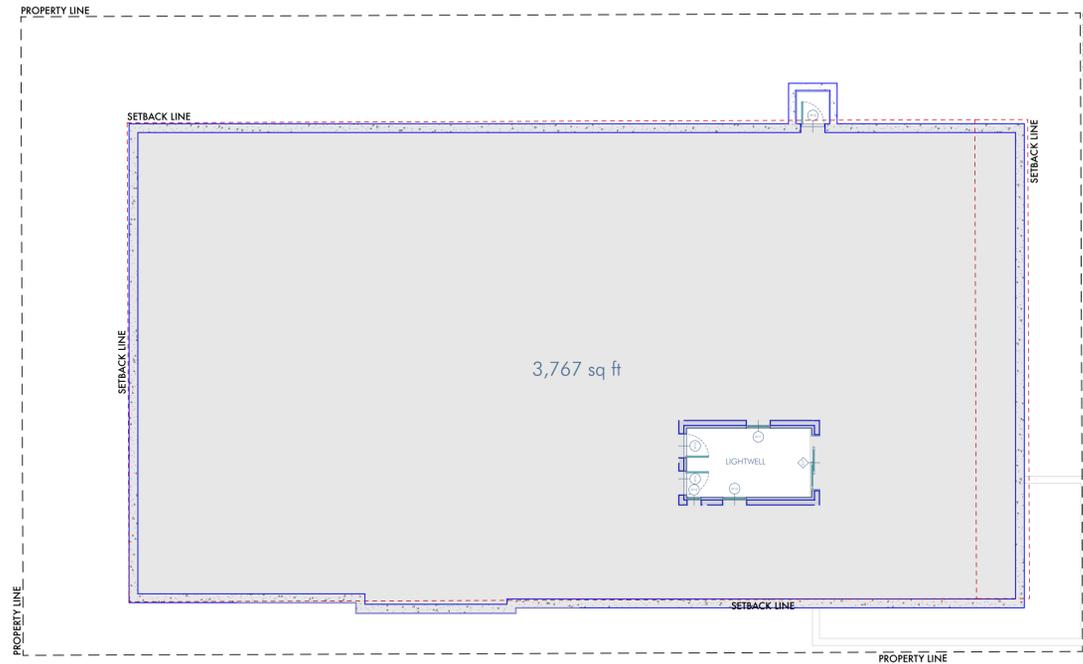
**500 W. FRANCIS**  
 500 WEST FRANCIS STREET  
 ASPEN, COLORADO 81611  
 PARCEL ID: 273512410010

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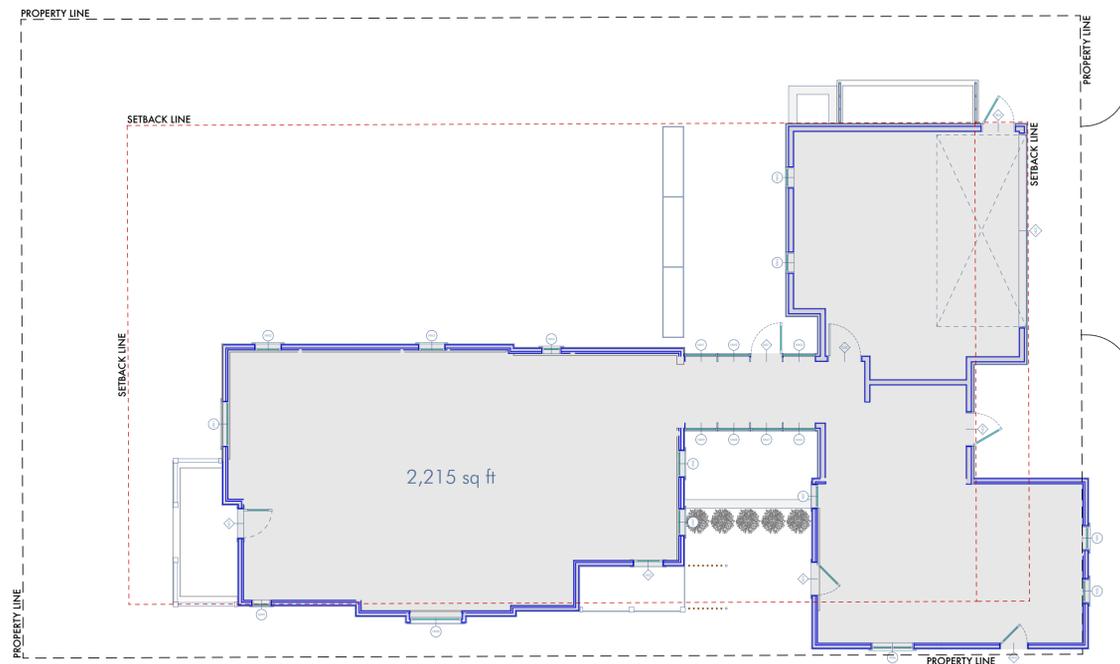
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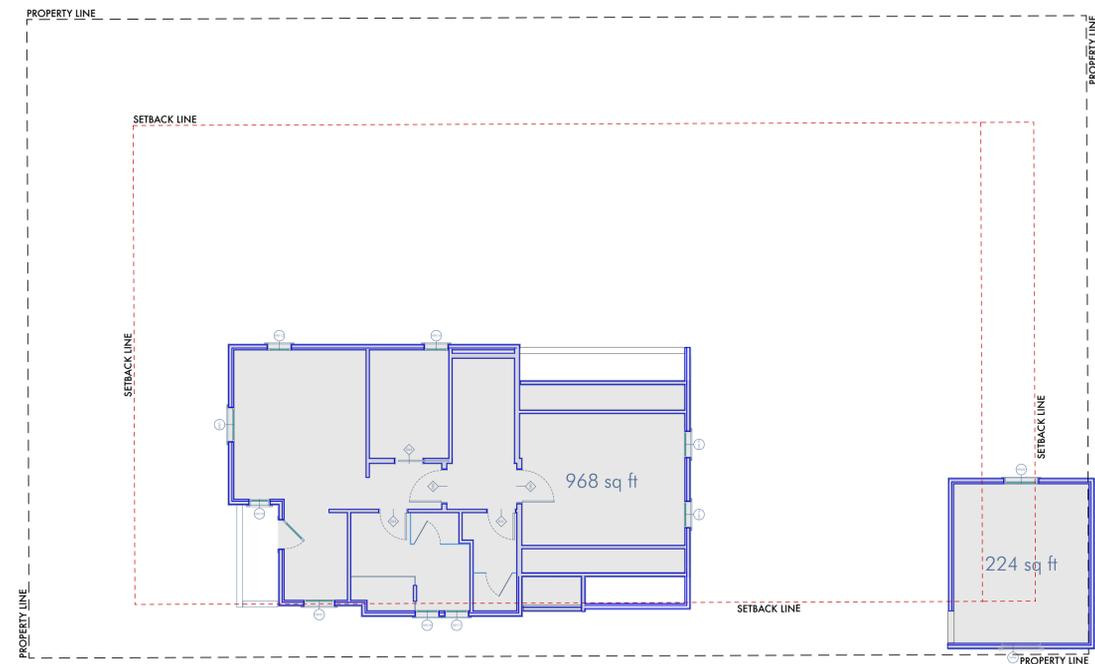
EXISTING GROSS FLOOR AREA CALCULATIONS



1 PROPOSED LOWER LEVEL GROSS AREA  
SCALE: 1/8" = 1'-0"



2 PROPOSED MAIN LEVEL GROSS AREA  
SCALE: 1/8" = 1'-0"



3 PROPOSED UPPER LEVEL GROSS AREA  
SCALE: 1/8" = 1'-0"

## PROPOSED GROSS FLOOR AREA SUMMARY

PROPOSED LOWER LEVEL GROSS FLOOR AREA = 3,767 sq ft  
 PROPOSED MAIN LEVEL GROSS FLOOR AREA = 2,215 sq ft  
 PROPOSED UPPER LEVEL GROSS FLOOR AREA = 1,192 sq ft

PROPOSED EXISTING GROSS FLOOR AREA = 7,174 sq ft

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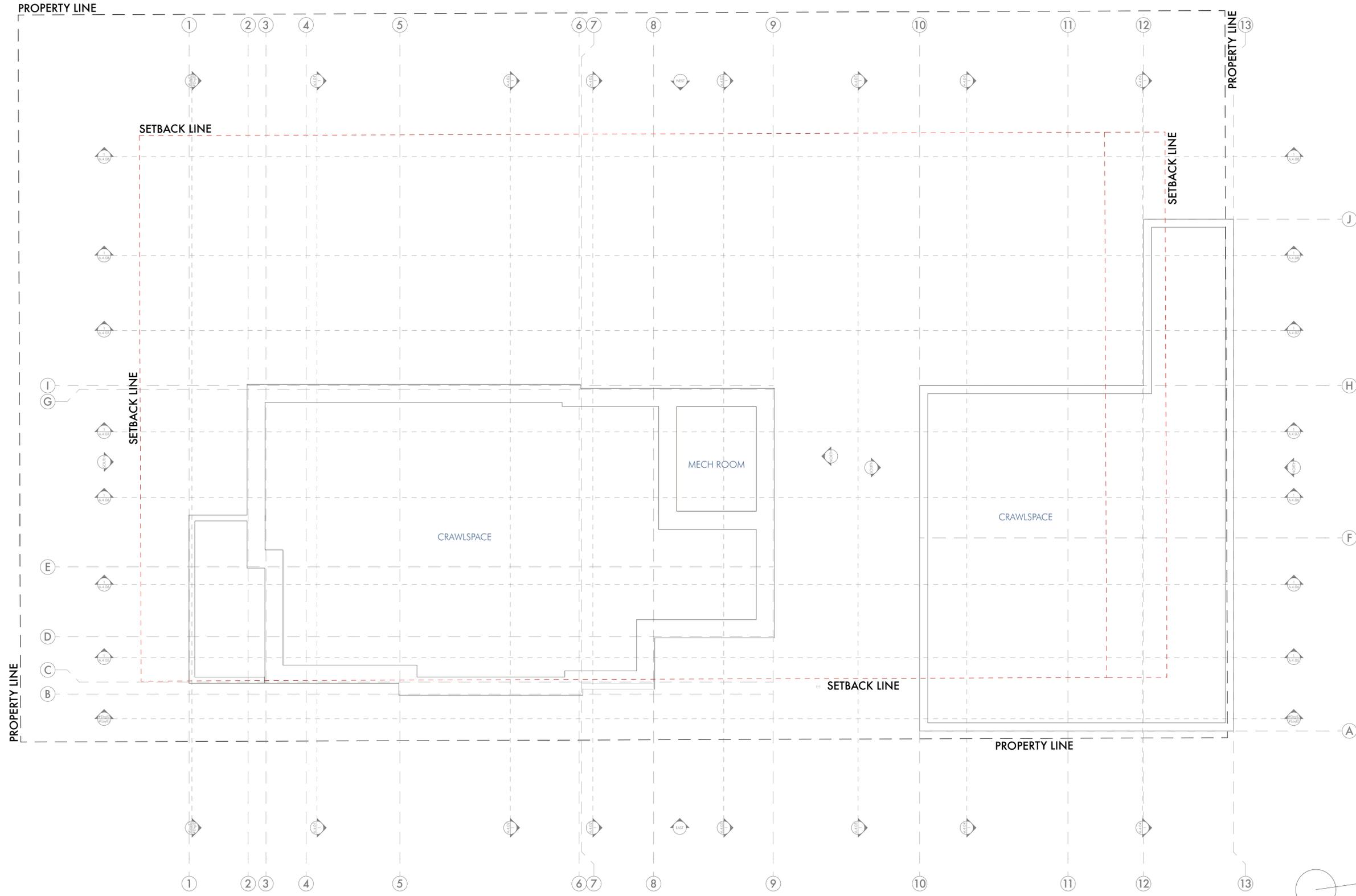
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PROPOSED GROSS FLOOR AREA CALCULATIONS





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EXISTING  
 LOWER LEVEL  
 FLOOR PLAN

**A.2.01**



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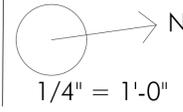
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EXISTING  
 MAIN LEVEL  
 FLOOR PLAN

**A.2.02**





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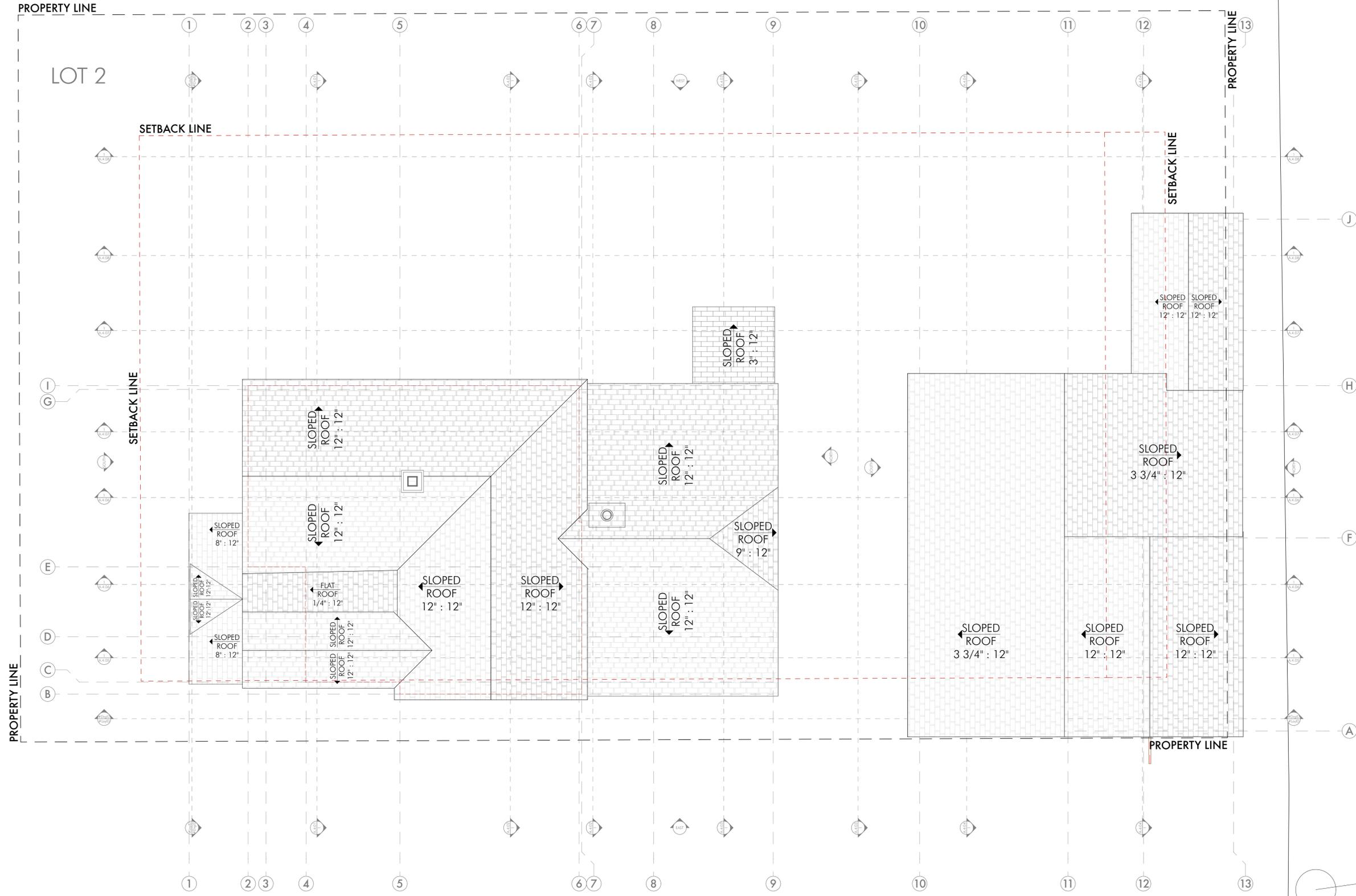
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EXISTING  
 UPPER LEVEL  
 FLOOR PLAN

**A.2.03**



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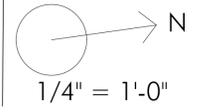
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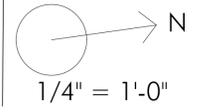
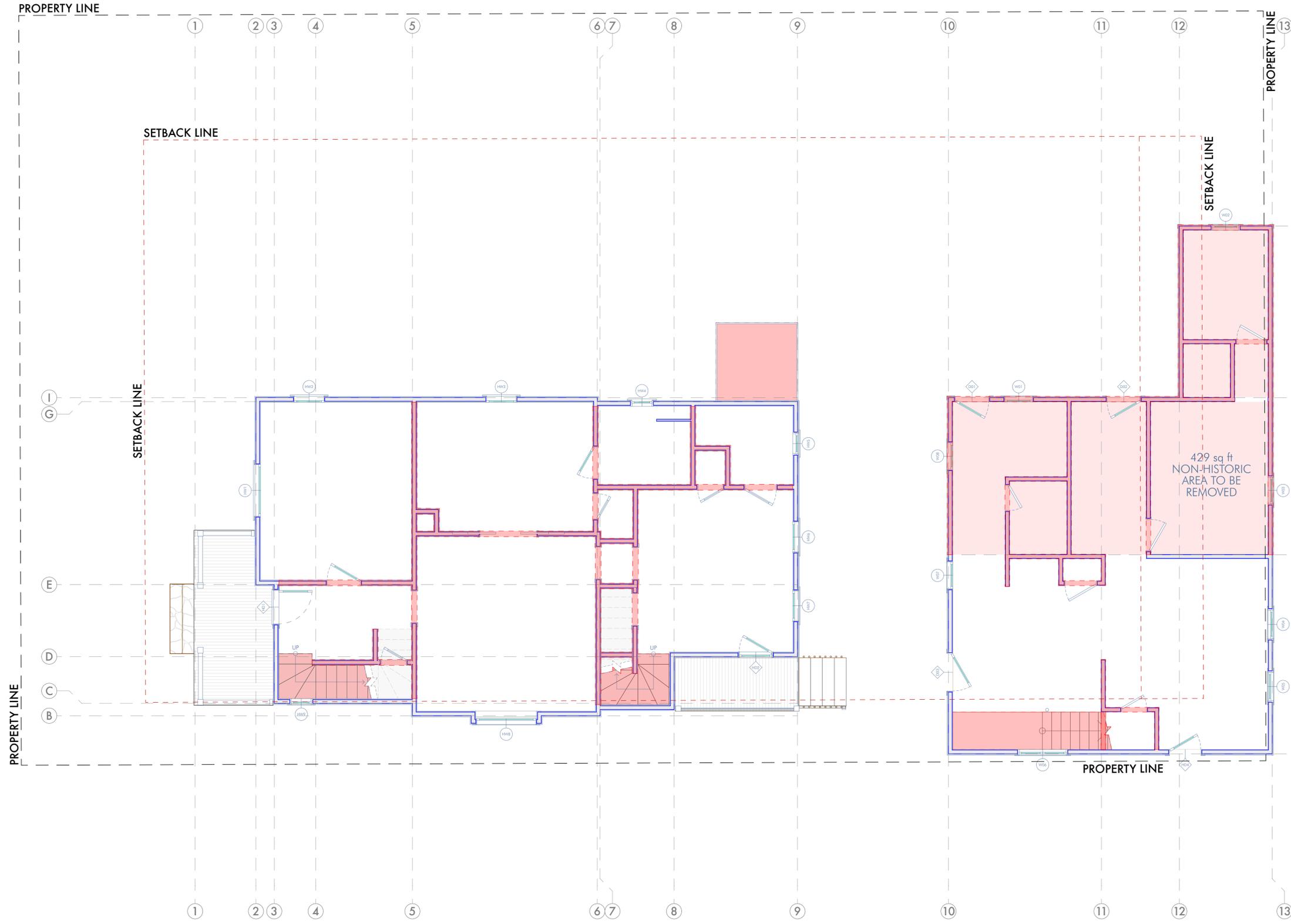
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EXISTING  
 ROOF LEVEL  
 FLOOR PLAN

**A.2.04**







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**MAIN LEVEL  
 DEMOLITION  
 PLAN**



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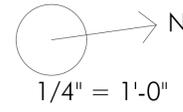
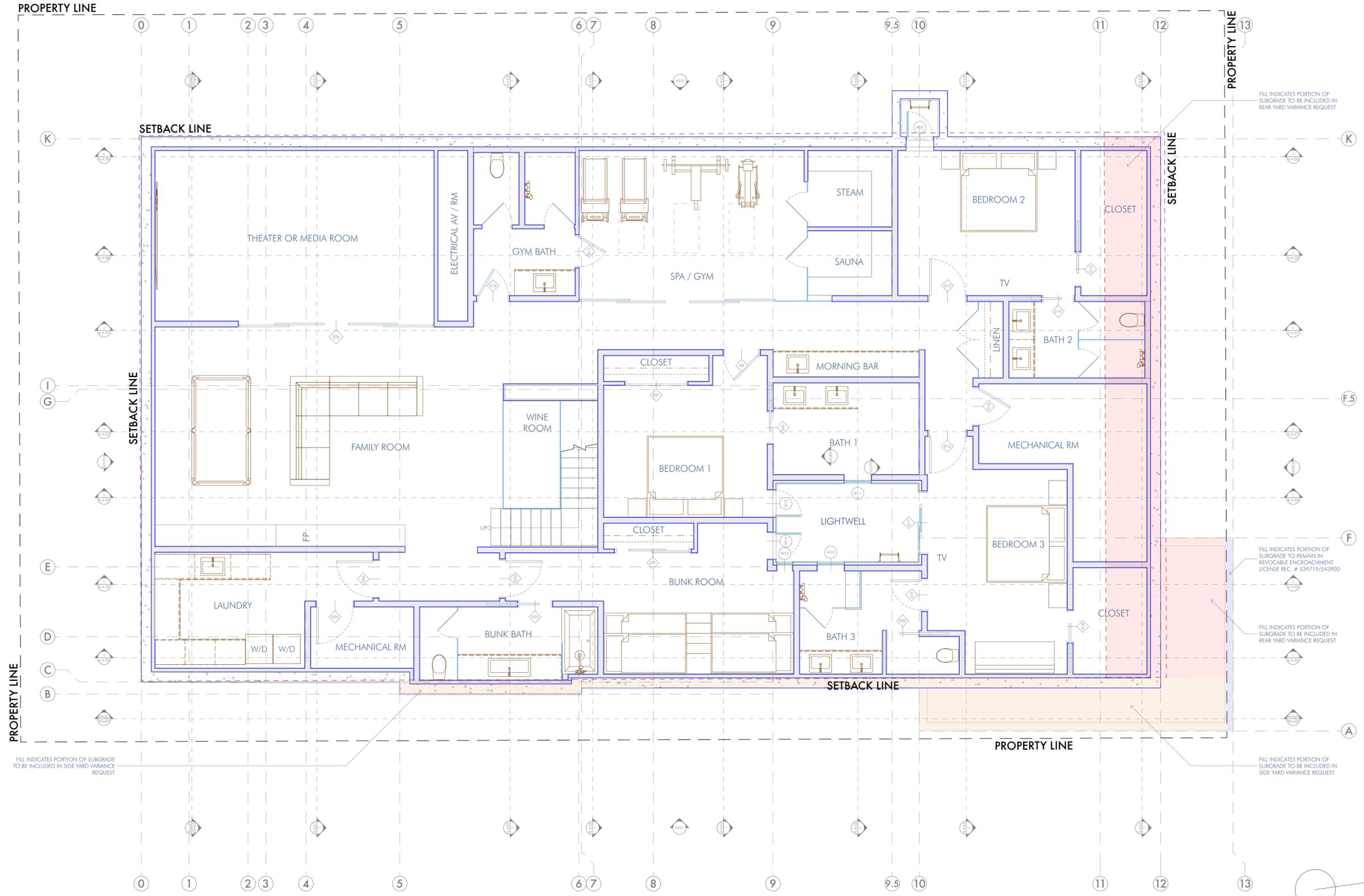
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**PROPOSED LOWER LEVEL FLOOR PLAN**

**A.2.08**





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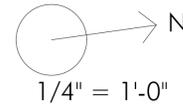
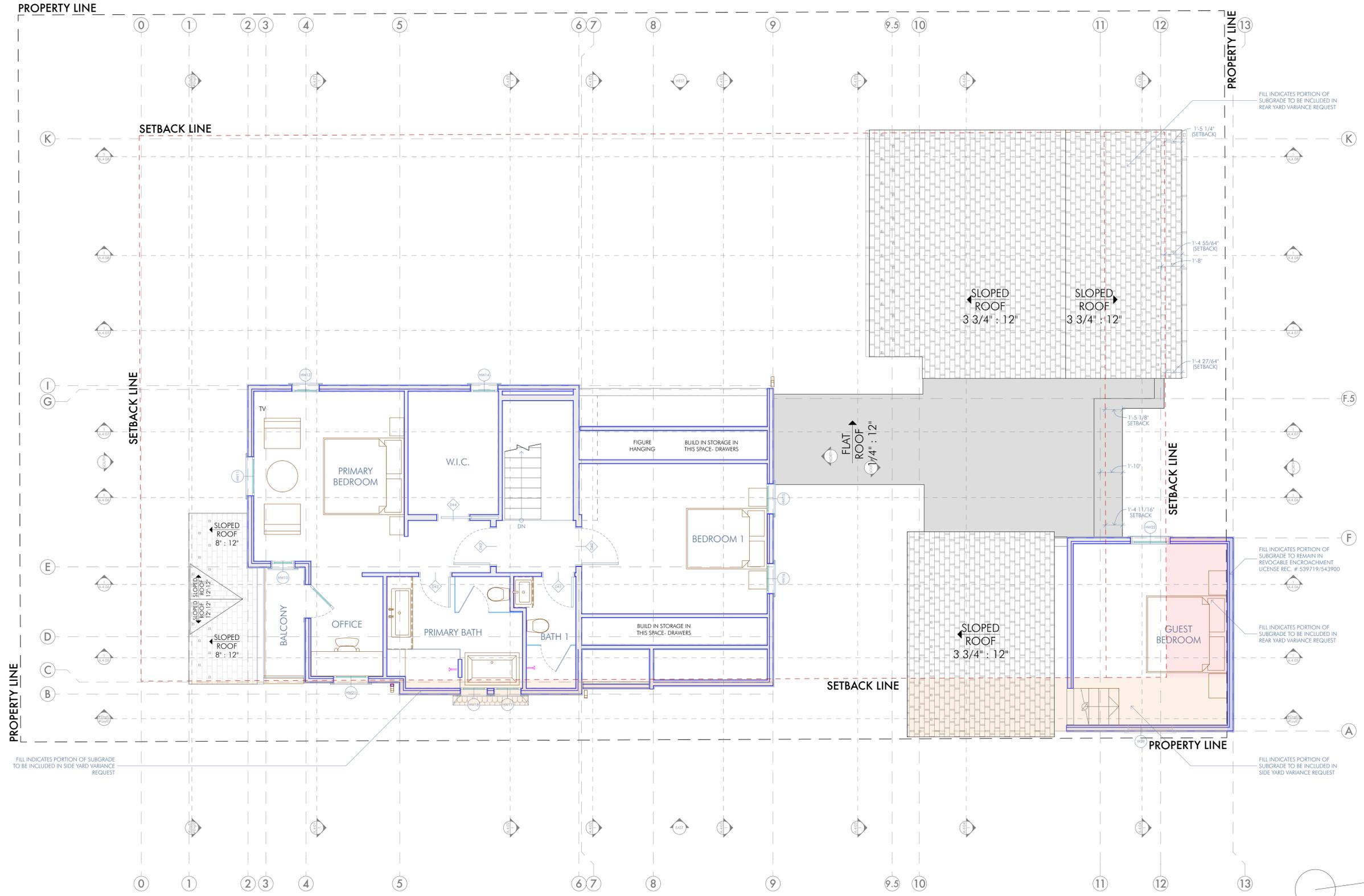
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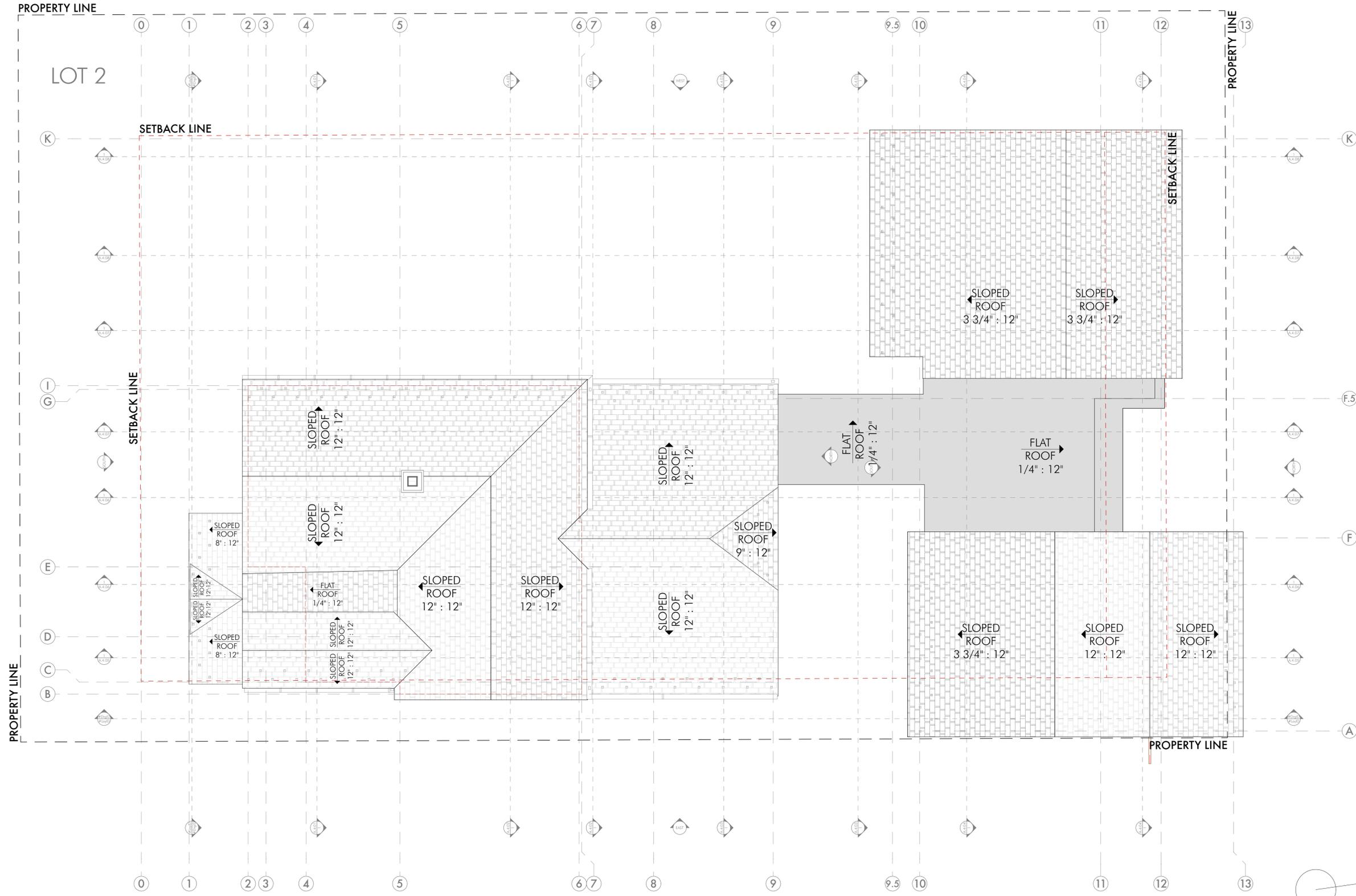
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**PROPOSED UPPER LEVEL FLOOR PLAN**

**A.2.10**





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**PROPOSED ROOF LEVEL FLOOR PLAN**

**A.2.11**



1 EXISTING SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"

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EXISTING SOUTH ELEVATION

**A.3.01**

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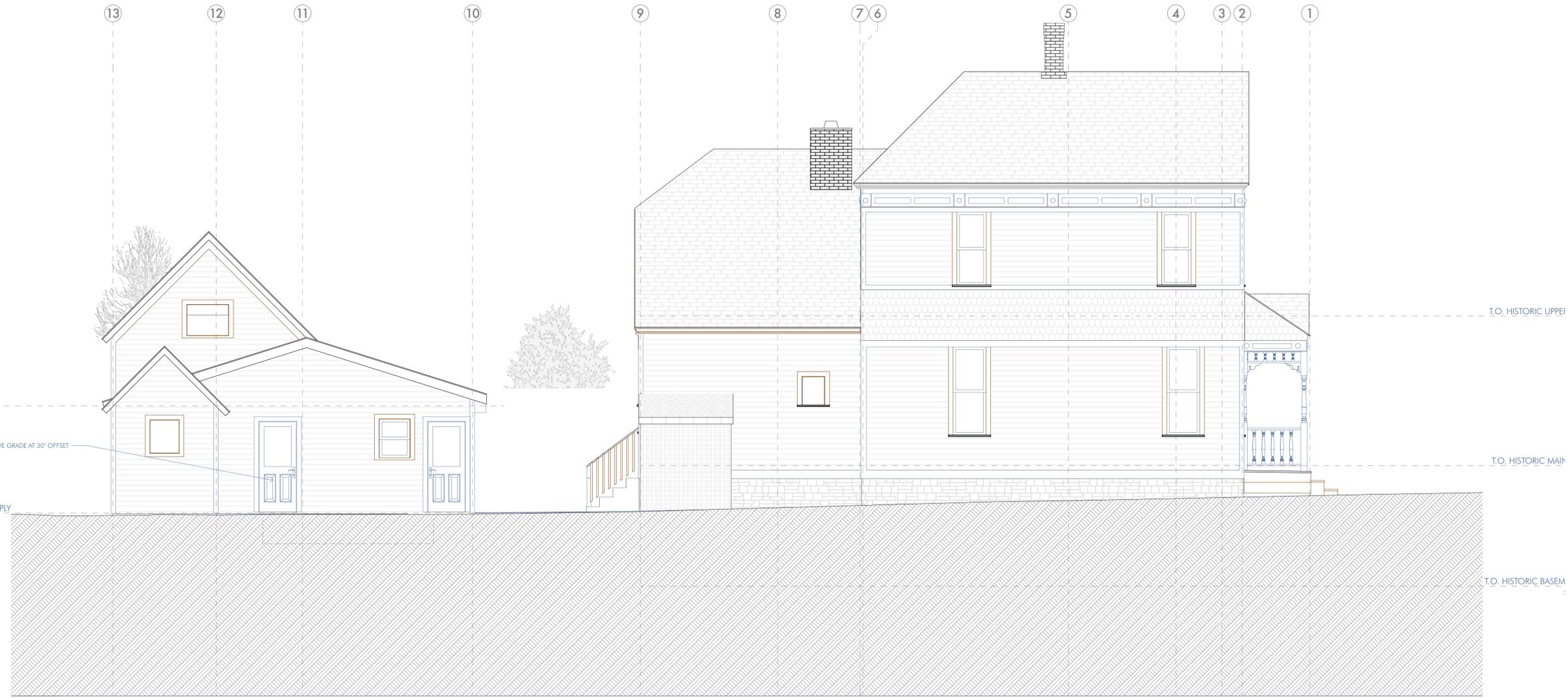
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EXISTING WEST ELEVATION

**A.3.02**



T.O. CARRIAGE HOUSE LOFT PLY  
104'-3 3/8"

LINE INDICATES MOST RESTRICTIVE GRADE AT 30' OFFSET

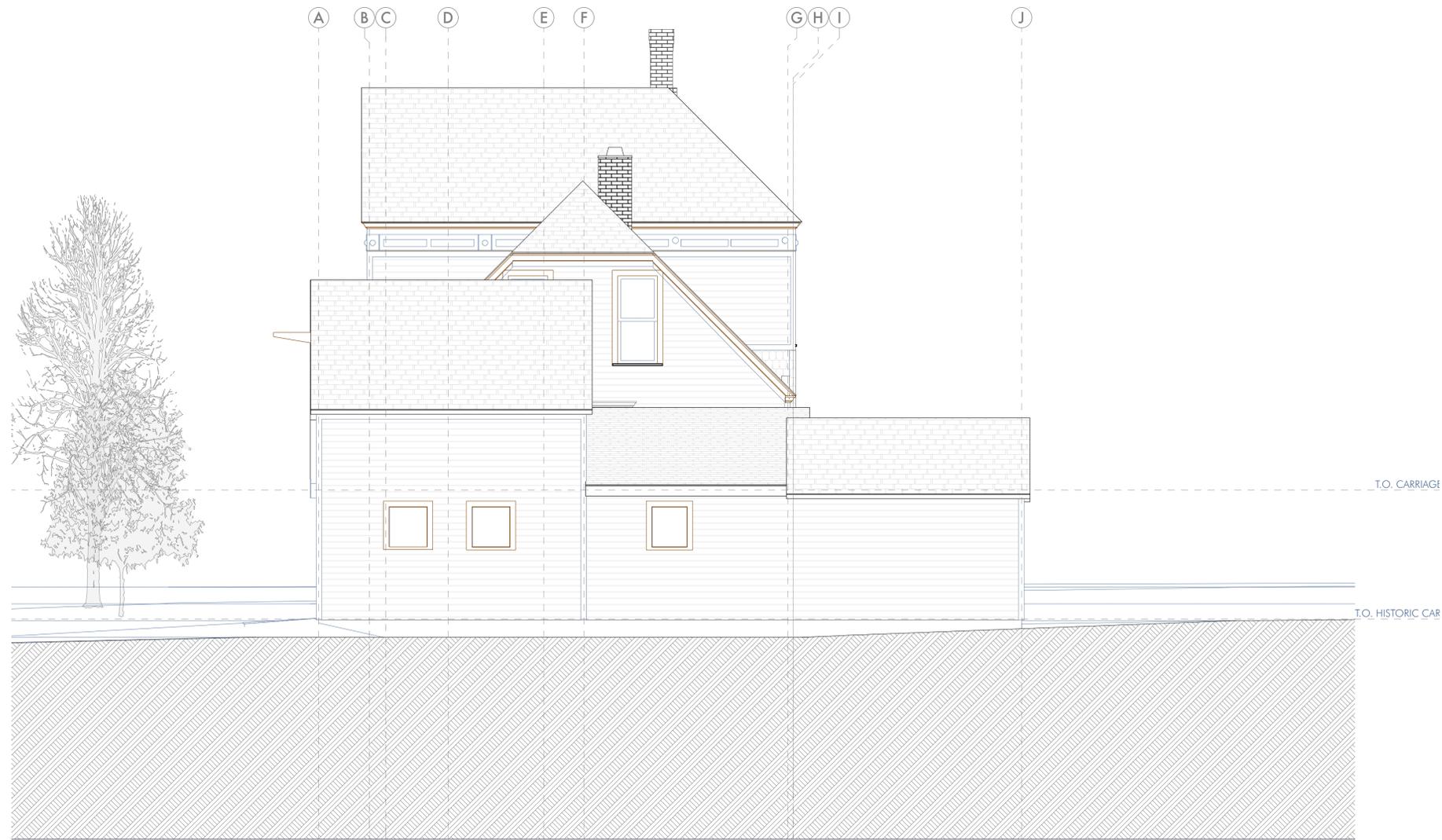
T.O. HISTORIC CARRIAGE HOUSE PLY  
96'-7"

T.O. HISTORIC UPPER

T.O. HISTORIC MAIN

T.O. HISTORIC BASEM

**1** EXISTING WEST ELEVATION  
SCALE: 1/4" = 1'-0"



1 EXISTING NORTH ELEVATION  
SCALE: 1/4" = 1'-0"

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EXISTING NORTH ELEVATION

**A.3.03**

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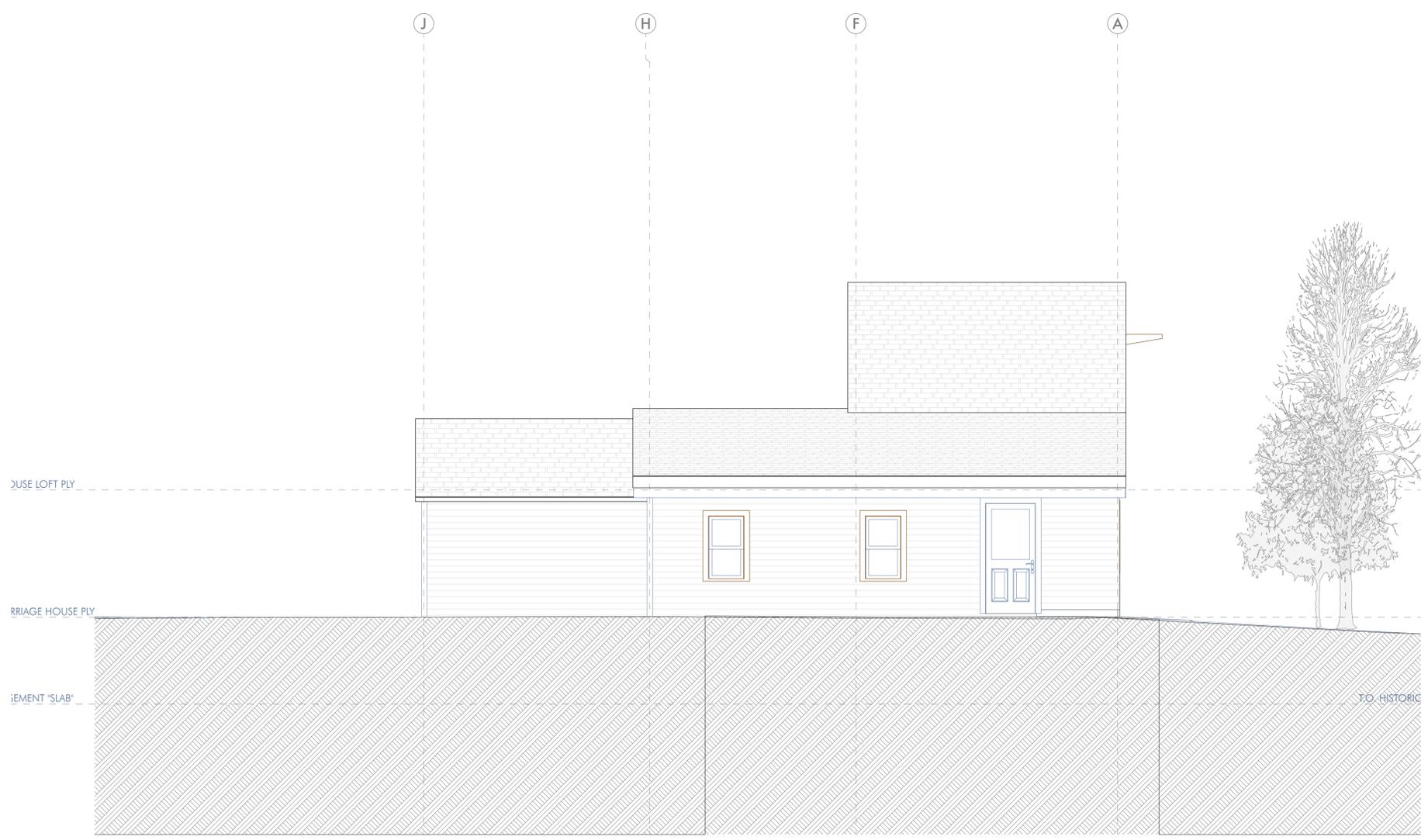
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EXISTING EAST ELEVATION

**A.3.04**



**1** EXISTING EAST ELEVATION  
SCALE: 1/4" = 1'-0"



1 EXISTING SOUTH ELEVATION (CARRIAGE HOUSE)  
SCALE: 1/4" = 1'-0"

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EXISTING SOUTH ELEVATION (CARRIAGE HOUSE)



1 EXISTING NORTH ELEVATION (PRIMARY RESOURCE)  
SCALE: 1/4" = 1'-0"

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**500 W. FRANCIS**  
500 WEST FRANCIS STREET  
ASPEN, COLORADO 81611  
PARCEL ID: 273512410010

DATE	ISSUE
5/31/25	SCHEMATIC DESIGN
11/5/25	DESIGN DEVELOPMENT
11/29/25	HP APPLICATION SET
2/18/25	REVISED HP APP SET

THIS SET PUBLISHED ON 3/4/26

Scale: AS NOTED  
**1" = ACTUAL**  
IF THE ABOVE DIMENSION DOES NOT MEASURE ONE INCH (1") EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES.

EXISTING NORTH ELEVATION (PRIMARY RESOURCE)

**A.3.06**



1 PROPOSED SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"

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PROPOSED SOUTH ELEVATION

**A.3.07**

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**500 W. FRANCIS**  
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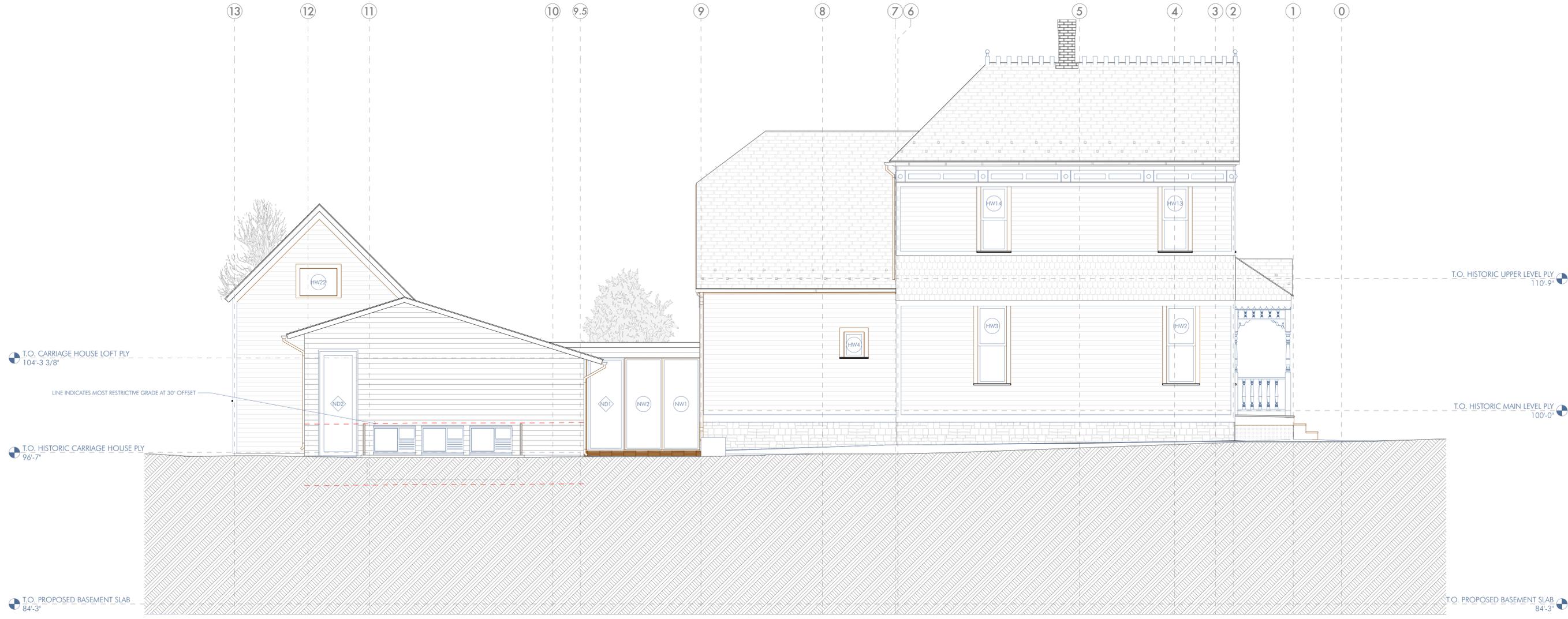
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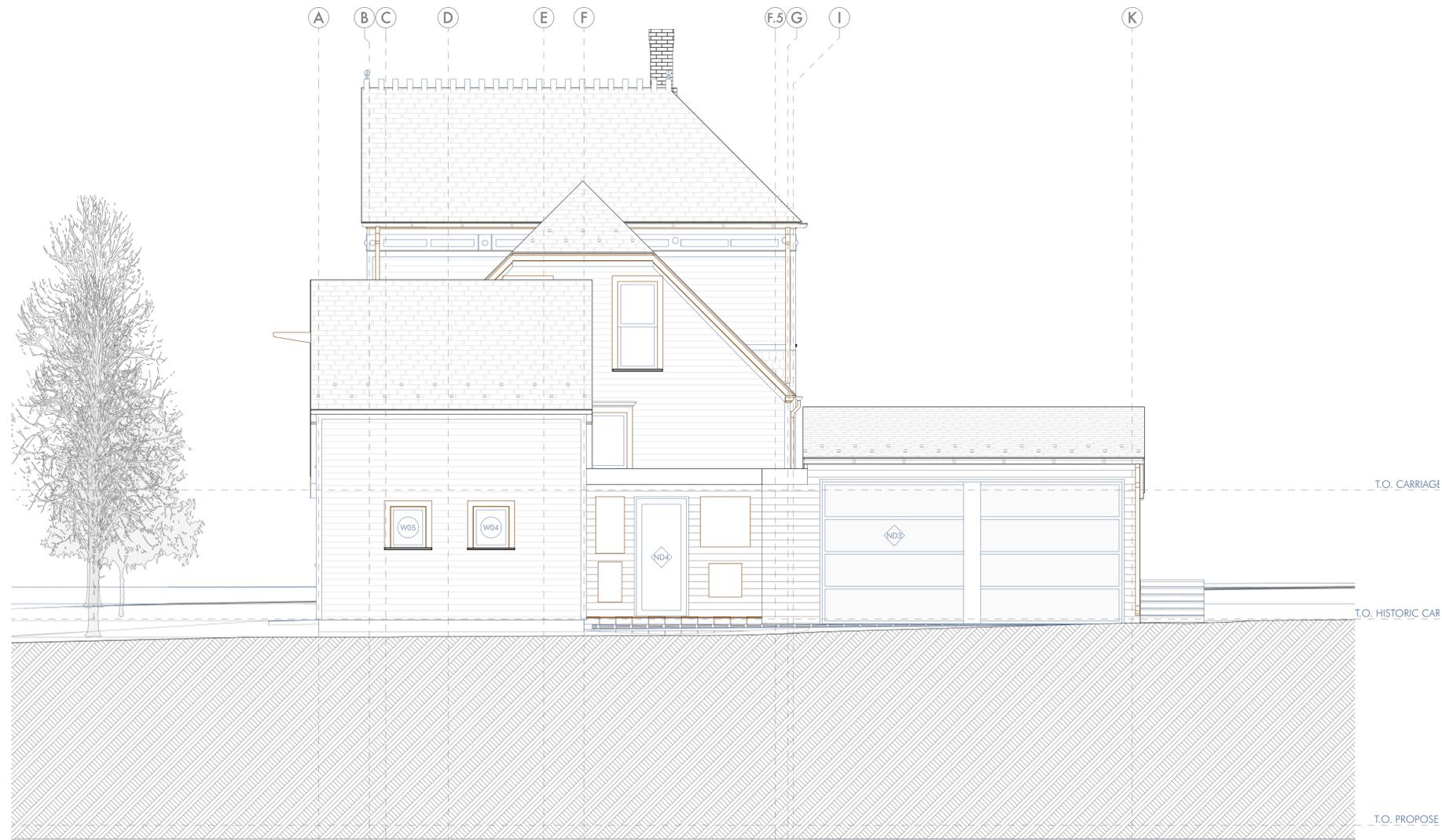
Scale: AS NOTED  
**ACTUAL**  
IF THE ABOVE DIMENSION DOES NOT MEASURE ONE INCH (1") EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES.

PROPOSED WEST ELEVATION

**A.3.08**



**1** PROPOSED WEST ELEVATION  
SCALE: 1/4" = 1'-0"



1 PROPOSED NORTH ELEVATION  
SCALE: 1/4" = 1'-0"

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PROPOSED  
NORTH  
ELEVATION

**A.3.09**

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PROPOSED EAST ELEVATION

**A.3.10**



**1** PROPOSED EAST ELEVATION  
 SCALE: 1/4" = 1'-0"



1 PROPOSED SOUTH ELEVATION (CARRIAGE HOUSE)  
SCALE: 1/4" = 1'-0"

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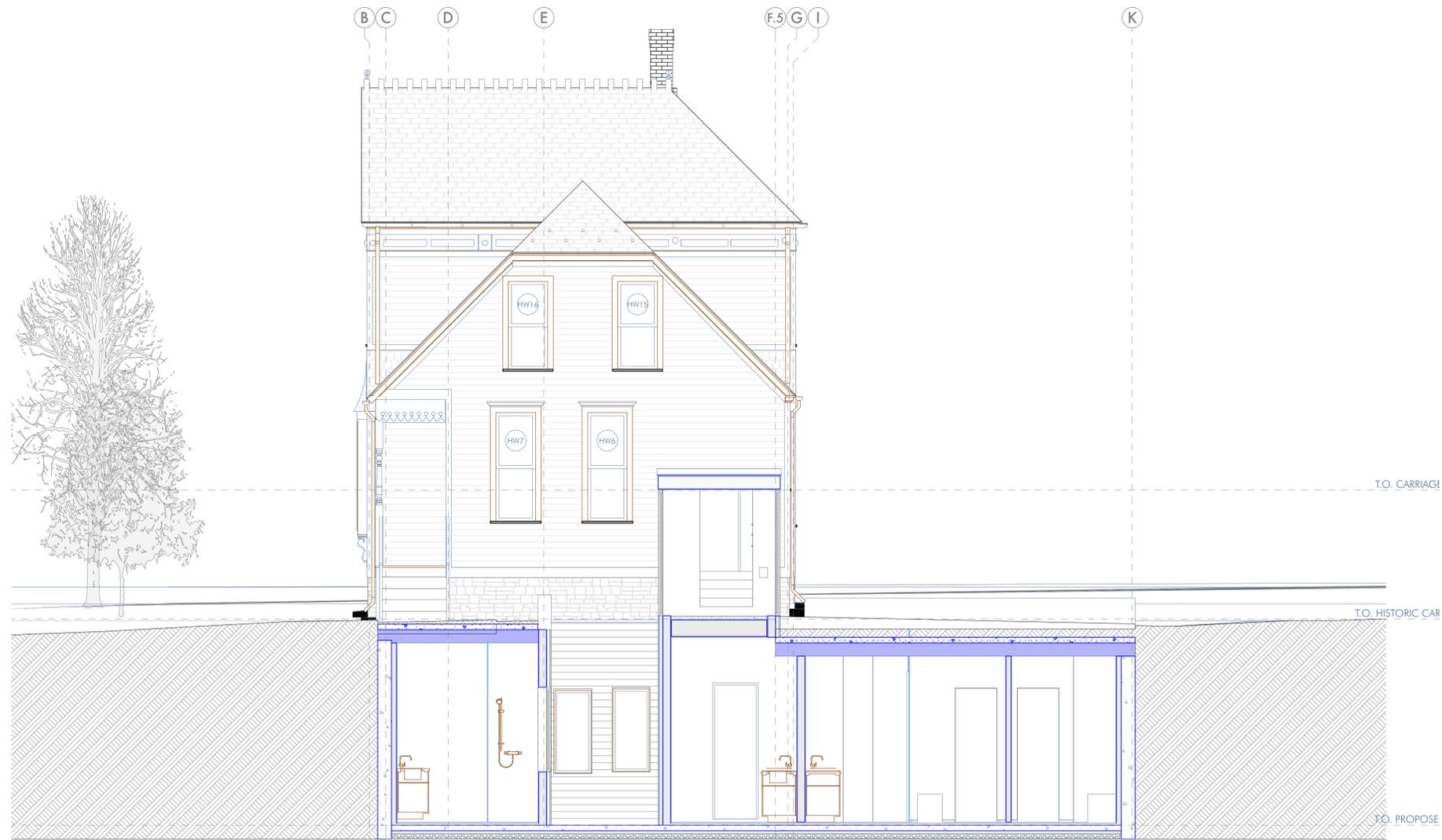
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PROPOSED SOUTH ELEVATION (CARRIAGE HOUSE)

**A.3.11**



1 PROPOSED NORTH ELEVATION (PRIMARY RESOURCE)  
SCALE: 1/4" = 1'-0"

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PROPOSED  
NORTH  
ELEVATION  
(PRIMARY  
RESOURCE)

**A.3.12**

"CHARCOAL"  
ALUMINUM CLAD  
WINDOWS

SWISS PEARL  
COMPOSITE  
HORIZONTAL  
RAINSCREEN  
SIDING

ENVIROSHINGLE'S  
"AGED CEDAR"  
COMPOSITE  
SHINGLE

EXISTING STONE  
FOUNDATION TO  
BE RE-APPLIED AS  
VENEER

HISTORIC WOOD  
SIDING  
(TO BE REPAINTED)

HISTORIC  
SCALLOPED  
WOOD SHINGLES  
(TO BE REPAINTED)



ENVIROSHINGLE'S  
"AGED CEDAR"  
COMPOSITE  
SHINGLE

PAINTED WOOD  
STAIRS

BRUSHED  
CONCRETE  
WALKWAY

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**500 W. FRANCIS**  
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ASPEN, COLORADO 81611  
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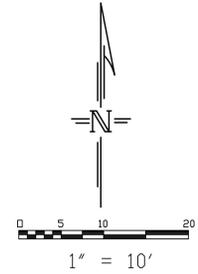
THIS SET PUBLISHED ON 3/4/26

Scale: AS NOTED  
**1" = 1' ACTUAL**  
IF THE ABOVE DIMENSION DOES NOT MEASURE ONE INCH (1") EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES.

MATERIAL  
REPRESENTATIO  
N

**A.9.01**

CITY OF ASPEN  
 IMPROVEMENT SURVEY PLAT  
 UNITS 1 & 2  
 QUARK CONDOMINIUMS  
 PITKIN COUNTY, COLORADO



NOTES

- LEGAL DESCRIPTION:  
 PARCEL A:  
 UNIT 1, QUARK CONDOMINIUMS, ACCORDING TO THE CONDOMINIUM PLAT RECORDED FEBRUARY 21, 2008 IN PLAT BOOK 86 AT PAGE 63 AND AS DEFINED AND DESCRIBED IN CONDOMINIUM DECLARATION RECORDED FEBRUARY 21, 2008 AS RECEPTION NO. 546660, TOGETHER WITH AN UNDIVIDED 50% INTEREST IN THE COMMON AREA.  
 PARCEL B:  
 UNIT 2, QUARK CONDOMINIUMS, ACCORDING TO THE CONDOMINIUM PLAT RECORDED FEBRUARY 21, 2008 IN PLAT BOOK 86 AT PAGE 63 AND AS DEFINED AND DESCRIBED IN CONDOMINIUM DECLARATION RECORDED FEBRUARY 21, 2008 AS RECEPTION NO. 546660, TOGETHER WITH AN UNDIVIDED 50% INTEREST IN THE COMMON AREA, COUNTY OF PITKIN, STATE OF COLORADO.
- BASIS OF BEARING:  
 BEARINGS BASED ON THE SOUTH LINE OF QUARK CONDOMINIUMS RECORDED IN PLAT BOOK 86 AT PAGE 63, BEING A BEARING OF N75°09'11"W BETWEEN A FOUND #5 REBAR NO CAP AT THE S.E. PROPERTY CORNER AND A FOUND #5 REBAR AND A 1" RPC LS# 25947 AT THE S.W. PROPERTY CORNER.
- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THIS SURVEYOR. TITLE INFORMATION RELIED UPON FOR THE PREPARATION OF THIS SURVEY FURNISHED BY LAND TITLE GUARANTEE COMPANY, COMMITMENT NO. Q62018243-5, DATED 06/05/2025.
- UNIT OF MEASUREMENT FOR THIS SURVEY IS THE U.S. SURVEY FOOT.
- POSTED ADDRESS IS 500 W FRANCIS ST, ASPEN, CO 81611.
- DISTANCE TO NEAREST INTERSECTING STREET: 0 FEET.
- ELEVATIONS BASED UPON CITY OF ASPEN GPS MONUMENT #9, 7906.09' (NAVD 1988 DATUM). BENCHMARK= 7903.13' AT S.E. PROPERTY CORNER. CONTOUR INTERVAL IS 1(ONE) FOOT.
- ACCORDING TO FIRM MAP 0897C0354E, DATED AUGUST 15, 2019, SAID LOT IS CONSIDERED TO BE IN ZONE X AND OUTSIDE THE 500 YEAR FLOOD PLAIN.
- CITY OF ASPEN BUILDING RESTRICTIONS:  
 SETBACK RESTRICTIONS: R-6 ZONE DISTRICT REGULATIONS.  
 MINIMUM FRONT YARD: PRINCIPAL BUILDINGS: 10 FEET  
 ACCESSORY BUILDINGS: 15 FEET  
 MINIMUM REAR YARD: PRINCIPAL BUILDINGS: 10 FEET  
 FOR THE PORTION OF A PRINCIPAL BUILDING USED SOLELY AS A GARAGE: 5 FEET  
 ACCESSORY BUILDINGS: 5 FEET  
 MINIMUM SIDE YARD: 5 FEET
- NO NATURAL HAZARDS WERE FOUND TO AFFECT SAID PARCEL ACCORDING TO MAPS PROVIDED BY THE CITY OF ASPEN'S ENGINEERING DEPARTMENT.
- UNDERGROUND UTILITIES SHOWN HEREON LOCATED BY OTHERS AND MAY BE APPROXIMATE.

LEGEND

- INDICATES FOUND MONUMENT AS DESCRIBED.
- RPC 1 1/4" RED PLASTIC CAP ON #5 REBAR
- 1"RPC 1" RED PLASTIC CAP ON #4 REBAR
- (A) ABOVE GRADE
- (G) AT GRADE
- (R) RECORD
- (F) FIELD
- WM WATER METER
- EM ELECTRIC METER
- GM GAS METER
- FF FINISHED FLOOR
- C— BURIED CABLE LINE
- P— BURIED TELEPHONE LINE
- G— BURIED GAS LINE
- ⊖ POWER POLE (CUT)
- ⊕ TELEPHONE RISER
- ⊗ CABLE RISER
- ⊙ ELECTRIC RISER
- RO ROOF OVERHANG
- ⊙ CURB STOP
- FENCE LINE
- E— BURIED ELECTRICAL LINE
- W— BURIED WATER LINE
- S— BURIED SEWER LINE

SURVEYOR'S CERTIFICATE

I, MICHAEL P. LAFFERTY, HEREBY CERTIFY TO DAX T.S. MITCHELL, JPMORGAN CHASE BANK, N.A., ITS SUCCESSORS AND/OR ASSIGNS AS THEIR INTERESTS MAY APPEAR AND LAND TITLE GUARANTEE COMPANY THAT THIS MAP ACCURATELY DEPICTS AN IMPROVEMENT SURVEY PLAT PERFORMED UNDER MY SUPERVISION ON 05/2025 OF THE ABOVE DESCRIBED PARCEL OF LAND. THE LOCATION AND DIMENSIONS OF ALL IMPROVEMENTS, EASEMENTS, RIGHTS-OF-WAY IN EVIDENCE OR KNOWN TO ME AND ENCROACHMENTS BY OR ON THESE PREMISES ARE ACCURATELY SHOWN. ERROR OF CLOSURE IS LESS THAN 1/15,000.

MICHAEL P. LAFFERTY PLS. # 37972

DATE:

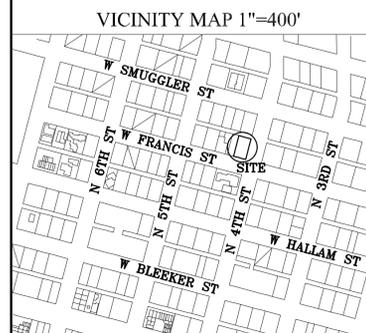
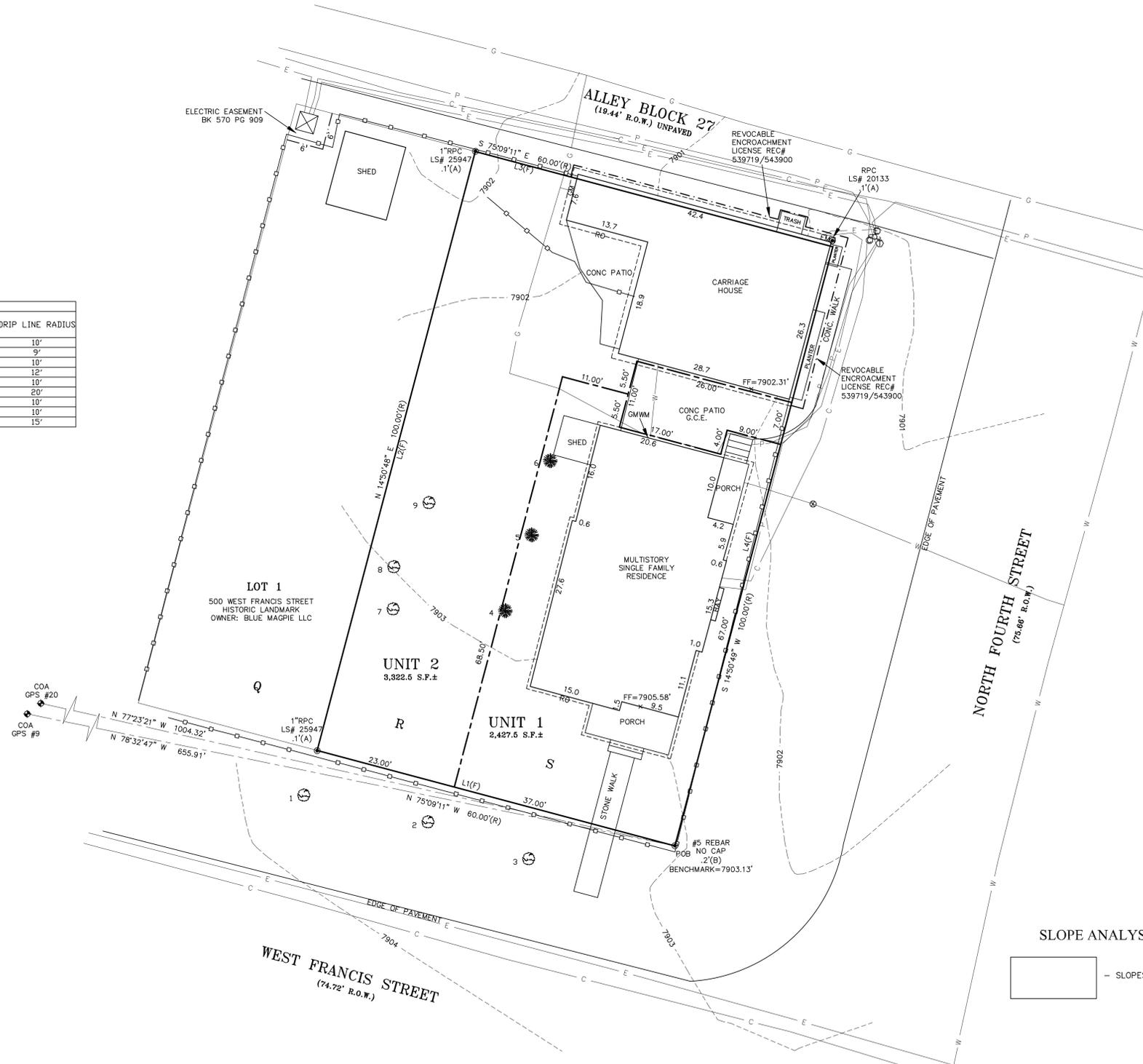


SLOPE ANALYSIS

— SLOPES 0% < 20% (6,000 SF±)

DECIDUOUS TREE  
 EVERGREEN TREE

TREE TABLE			
TREE ID#	TREE TYPE	TRUNK DIAMETER	DRIP LINE RADIUS
1	DECIDUOUS	6'	10'
2	DECIDUOUS	7'	9'
3	DECIDUOUS	7'	10'
4	EVERGREEN	18"	12"
5	EVERGREEN	15"	10"
6	EVERGREEN	21"	20"
7	DECIDUOUS	12"	10"
8	DECIDUOUS	12"	10"
9	DECIDUOUS	13"	15"

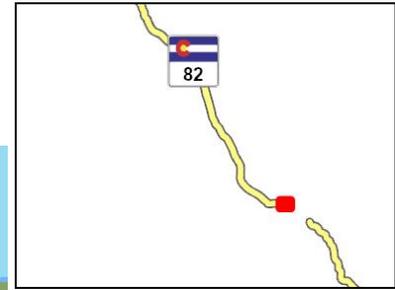
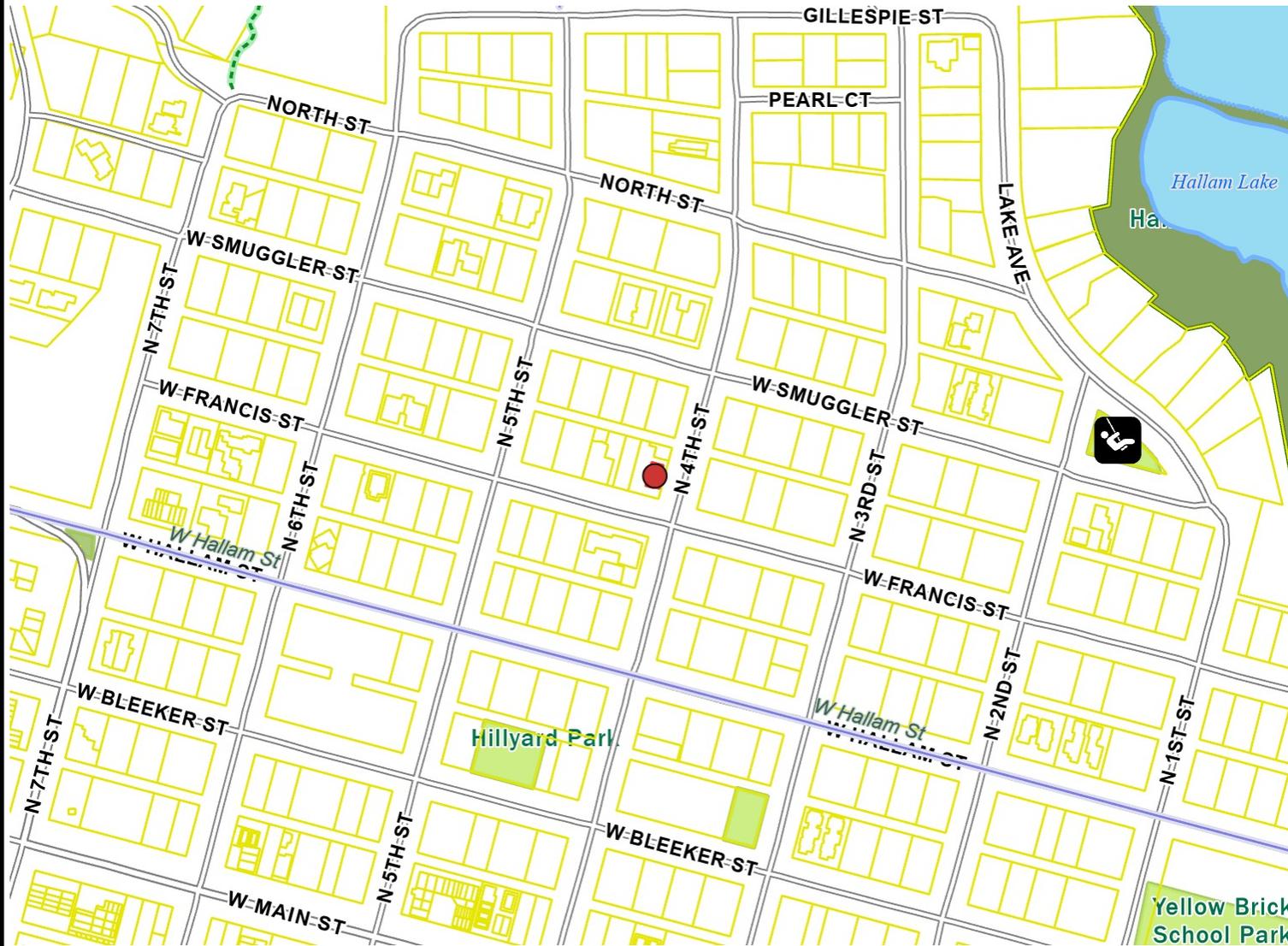


LINE	BEARING	DISTANCE
L1	N 75°09'11" W	59.94'
L2	N 14°48'49" E	99.99'
L3	S 76°03'27" E	59.64'
L4	S 14°38'09" W	100.93'



DATE SURVEYED: 02/2023  
 DATE REVISED: 04/2023; 05/2025  
 FILE NO: 230212  
 CLIENT: MITCHELL  
 NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

# 500 W FRANCIS VICINITY MAP



## Legend

- Recreation Point
  - Trailhead
  - Camping
  - Backcountry Hut
  - Climbing
  - Point of Interest
  - River Feature
  - Athletic Field
  - Skate Park
  - Playground
  - Community Garden
  - Parking
- Ski Lift
- Trail
  - Trail
  - Path - Paved
  - Path - Unpaved
  - Recreational Road
- Road
  - State Highway
  - Primary Road
  - Secondary Road

## Notes

Account: R020783  
 Parcel: 273512410010  
 Property Address: 500 W FRANCIS ST, ASPEN, CO 81611  
 Legal Description                      Subdivision: QUARK  
 CONDO Unit: 1  
 Property Type: DUPLEX CONDO  
 Acres: 0  
 Land SqFt: 0  
 Tax Area: 001  
 Mill Levy: 32.875  
 Subdivision: QUARK CONDO  
 Neighborhood: NORTH WEST END  
 Super Neighborhood: CITY OF ASPEN

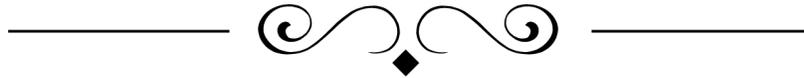
800.0                      0                      400.00                      800.0                      Feet

1: 4,800

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere



Pitkin County Mailing List of 300 Feet Radius  
From Parcel: 273512410010 on 02/19/2026



**Instructions:**

This document contains a Mailing List formatted to be printed on Avery 5160 Labels. If printing, DO NOT "fit to page" or "shrink oversized pages." This will manipulate the margins such that they no longer line up on the labels sheet. Print actual size.

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<http://www.pitkinmapsandmore.com>

318 FOURTH STREET LTD  
3433 WESTHEIMER RD #906  
HOUSTON, TX 77027

413 SMUGGLER LLC  
2105 PASEO DORADO  
LA JOLLA, CA 92037

430 WEST HALLAM LLC  
256 BAL BAY DR  
BAL HARBOUR, FL 33154

437 W SMUGGLER LLC  
510 MADISON AVE 18TH FL  
NEW YORK, NY 10022

504 WEST HALLAM LLC  
504 W HALLAM  
ASPEN, CO 81611

513 SMUGGLER LLC  
1288 ALA MOANA BLVD #208  
HONOLULU, HI 96814

529 W FRANCIS LLC  
200 BELLEVUE PKWY #525  
WILMINGTON, DE 19809

533 W FRANCIS LLC  
533 W FRANCIS ST  
ASPEN, CO 81611

ADELMAN CAROL C TRUST  
501 W SMUGGLER ST  
ASPEN, CO 81611

ADELMAN KENNETH L TRUST  
501 W SMUGGLER ST  
ASPEN, CO 81611

ADLEY INVESTMENTS LLC  
PO BOX 2412  
MIDLAND, TX 79702

AGGER DAVID ALDEN REV TRUST  
PO BOX 2129  
SAN FRANCISCO, CA 94126

AJAX FOMO LLC  
5151 SAN FELIPE ST #2000  
HOUSTON, TX 77056

ALTIERI FAMILY TRUST  
380 10TH ST S #101  
NAPLES, FL 34102

BLAICH JANET S TRUST  
319 N FOURTH ST #A  
ASPEN, CO 81611

BLAICH ROBERT I FAM TRUST  
319 N FOURTH ST #A  
ASPEN, CO 81611

BLUE MAGPIE LLC  
PO BOX 1268  
ASPEN, CO 81612

CLARKS ADDITION CONDO ASSOC  
COMMON AREA  
317 N FOURTH ST  
ASPEN, CO 81611

DEXTER WEST LLC  
4725 DEXTER ST NW  
WASHINGTON, DC 20007

EGGLESTON ROBERT H JR & TRACY H  
434 W HALLAM  
ASPEN, CO 81611

FINKLE MARITAL TRST  
433 W SMUGGLER ST  
ASPEN, CO 81611

FINKLE MARITAL TRST GST  
433 W SMUGGLER ST  
ASPEN, CO 81611

FRANCIS ASPEN INVESTMENTS LLC  
4020 MAPLE AVE #525  
DALLAS, TX 75219

JAX FAMILY LLC  
523 W SMUGGLER ST  
ASPEN, CO 81611

LARNER GLEN & TRACY L  
3737 ELLA LEE LN  
HOUSTON, TX 77027

MAGGOS LAURA P  
317 N 4TH ST  
ASPEN, CO 81611

MCNANIE FAMILY TRUST  
503 N 4TH ST  
ASPEN, CO 81611

MD ASPEN HOLDINGS LLC  
4960 FAIRMONT AVE PH3  
BETHESDA, MD 20814

MONT MAISON LLC  
PO BOX 2430  
OXFORD, MS 38655

NAB W HALLAM STREET LLC  
2316 PORTOFINO RIDGE DR  
AUSTIN, TX 78735

NEISSER KATHERINE M DISCRETIONARY TR  
359 W BELDEN AVE  
CHICAGO, IL 60614

OXLEY DEBBY M  
1437 S BOULDER AVE #1475  
TULSA, OK 74119

OXLEY JOHN C LIVING TRUST  
1437 S BOULDER AVE #770  
TULSA, OK 74119

POPE CHRISTINE A L REV TRUST  
540 W SMUGGLER ST  
ASPEN, CO 81611

QUARK CONDO ASSOC  
COMMON AREA  
ASPEN, CO 81611

RAE FAMILY TRUST  
303 COLORADO ST #2050  
AUSTIN, TX 78701

REYNOLDS LORA  
913 CALITHEA RD  
AUSTIN, TX 78746

SACK KEN & SHERI  
407 N 3RD ST  
ASPEN, CO 81611

SHELBY LLC  
1615 CALIFORNIA ST #707  
DENVER, CO 80202

SHIELDS JOHN H II & PATRICIA P  
1077 PONTE VEDRA BLVD  
PONTE VEDRA BEACH, FL 32082

SMUGGLER AND NORTH FOURTH STREET D  
500 W SMUGGLER ST  
ASPEN, CO 81611

SMUGGLER443 LLC  
1427 CLARKVIEW RD #500  
BALTIMORE, MD 21209

STANLEY GAINES B & VICKIE C  
3915 LEMMON AVE #200  
DALLAS, TX 75219

SUGAR MOUNTAIN TRUST  
60 E 42ND ST  
NEW YORK, NY 10165

SUNNY MOUNTAIN LLC  
680 S CACHE ST #100-10820  
JACKSON, WY 83002

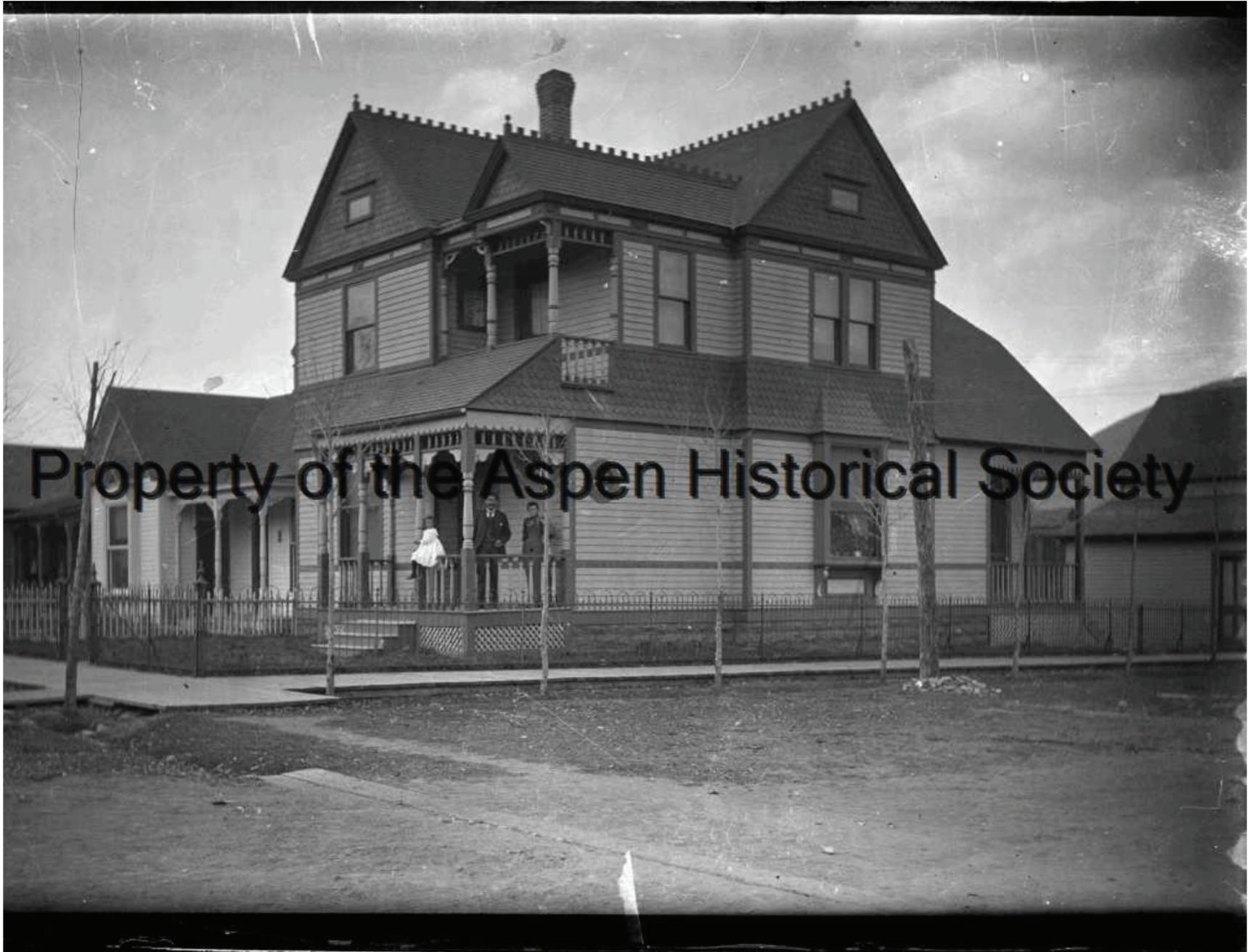
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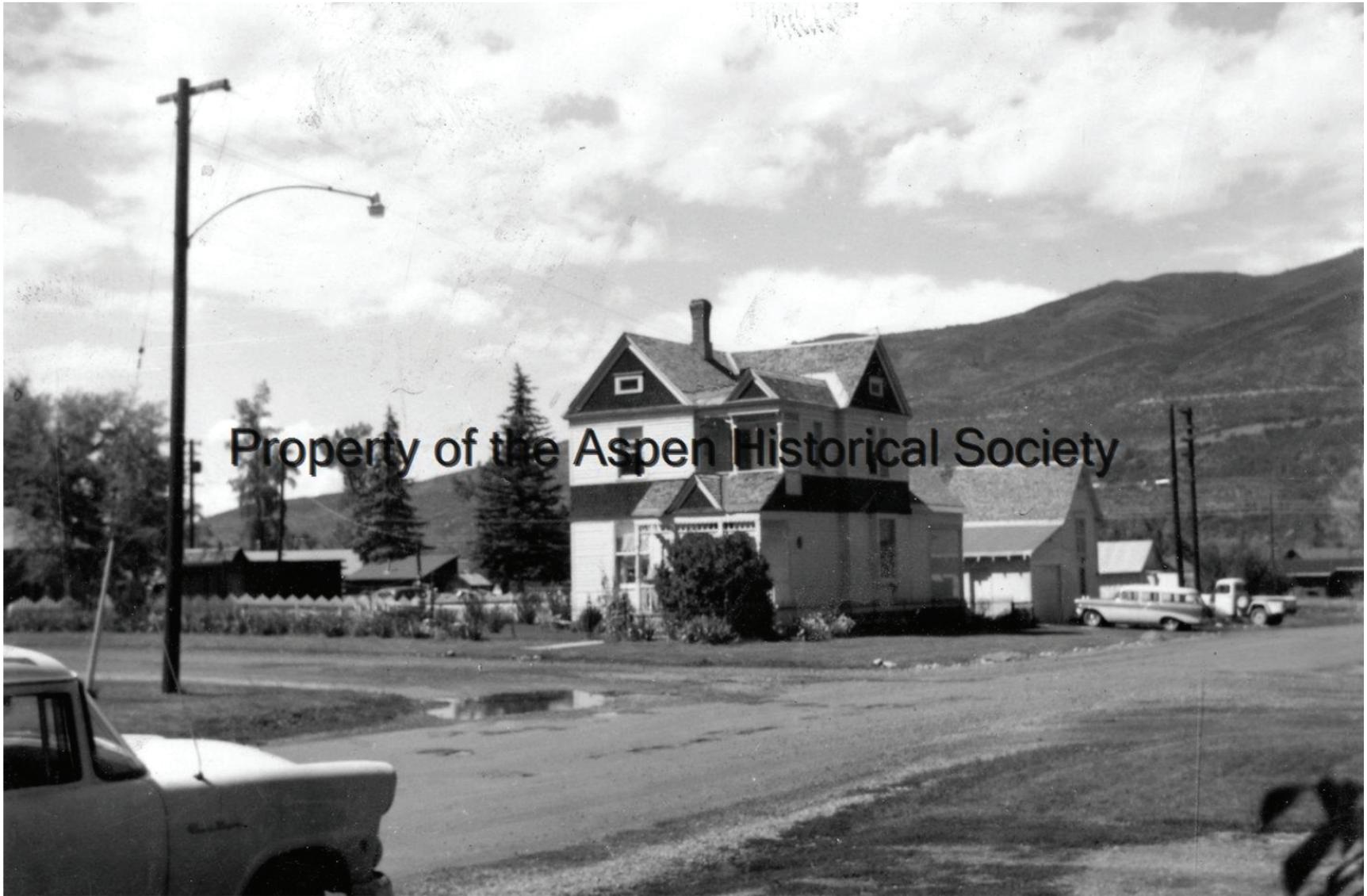
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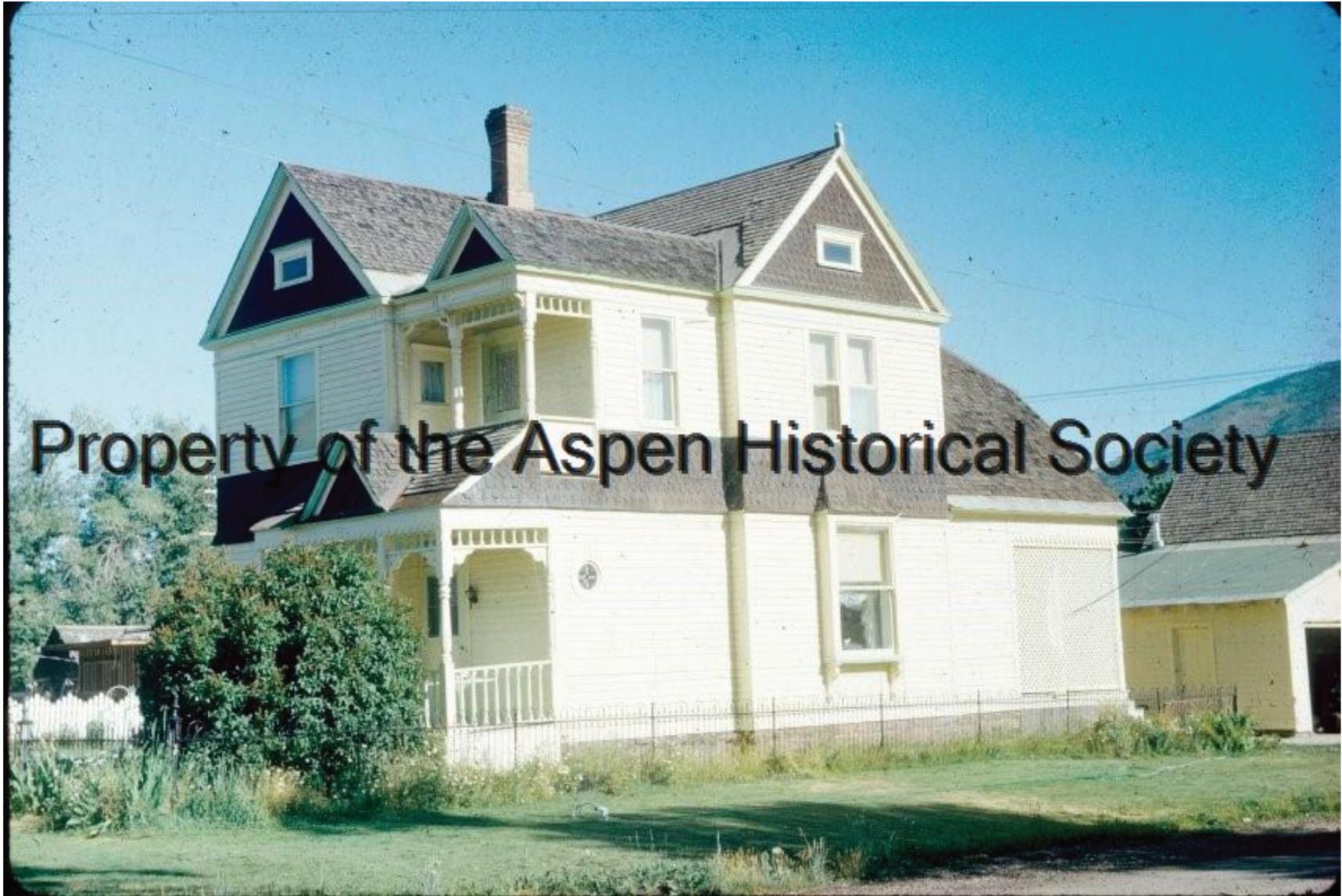
TISCHLER SALLY MGMT TRUST  
PO BOX 1804  
HEALDSBURG, CA 95448

TWO SPRUCE CONDO ASSOC  
COMMON AREA  
520 W SMUGGLER ST  
ASPEN, CO 81611

WEST END MANOR SUBDIVISON HOA  
520 W FRANCIS ST  
ASPEN, CO 81611

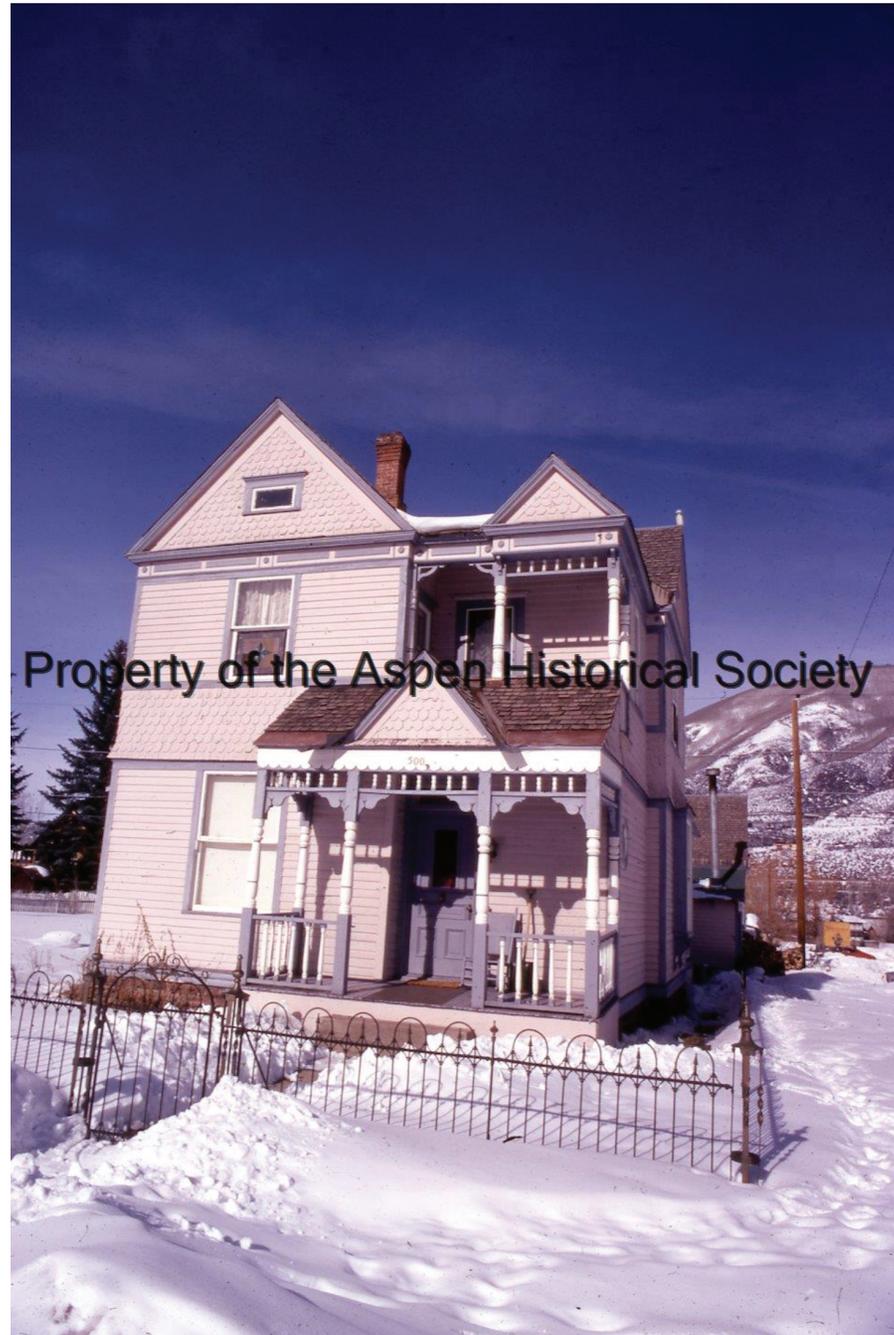






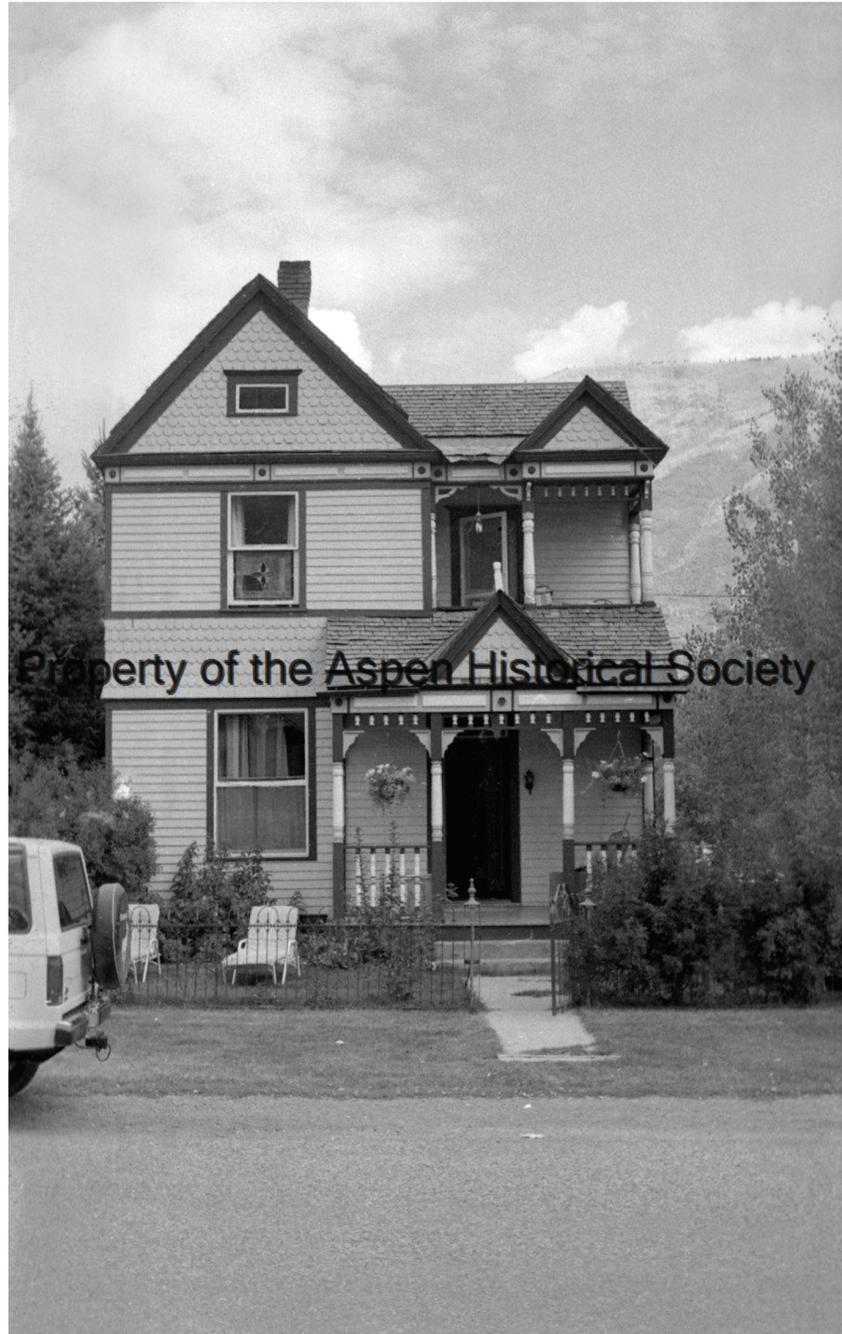
































December 16, 2025

Milo Stark  
Kim Raymond Architecture  
501 E Hyman Ave, Suite 205  
Aspen, CO 81611  
[milo@krai.us](mailto:milo@krai.us)

RE: **Historic Residence Lifting Plan**  
**500 West Francis Remodel & Addition - Aspen, Colorado**  
**ESD Project Number: 25.074C**

As requested, Evolve Structural Design (ESD) has prepared the following information regarding the lifting of the historic structure at the address noted above. The information below is based on design development architectural drawings by Kim Raymond Architecture dated 11/5/2025 as well as our experience with projects of similar scope and original structures of similar age and construction type.

**Project Description:**

The proposed project will involve a full remodel and addition to the existing house, which will include adding a basement under the proposed building footprint and adjacent yard area. In order to add the new basement, a micropile shoring wall will be installed around the property to allow excavation of the lot. To preserve the historic structure while excavating the new basement, the existing house and carriage house will be lifted.

**Shoring & Lifting Strategy:**

In order to ensure that the historic building can withstand the lifting procedure, wall reinforcement and bracing will be required. The specifics of the reinforcement will be determined once existing structural conditions are verified.

The lifting will involve addition of LVL ledger/beams to exterior walls and threading steel beams under these to lift the existing structure. The beams will be designed and positioned such that jacking up the beams will safely lift the entire house. The jacks and support cribbing will bear on the micropile shoring wall in place around the property (see the proposed lifting beam layout and support system is presented on the following page).

Bailey Home Movers will be engaged to assist with preparation and perform the lift.

Should you have any further questions regarding this matter, please feel free to contact our office.

Sincerely,  
Evolve Structural Design LLC



Christopher Bridges, P.E.  
Project Manager

ALL DESIGNS, IDEAS, ARRANGEMENTS AND PLANS INDICATED BY THESE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF KIM RAYMOND ARCHITECTS, INC. AND SHALL NEITHER BE USED ON ANY OTHER WORK NOR BE USED BY ANY OTHER PERSON FOR ANY USE WHATSOEVER WITHOUT WRITTEN PERMISSION. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS AND SHALL BE VERIFIED AT THE SITE. ANY DIMENSIONAL DISCREPANCY SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO COMMENCEMENT OF WORK.

**500 W. FRANCIS**  
 500 WEST FRANCIS STREET  
 ASPEN, COLORADO 81611  
 PARCEL ID: 273512410010

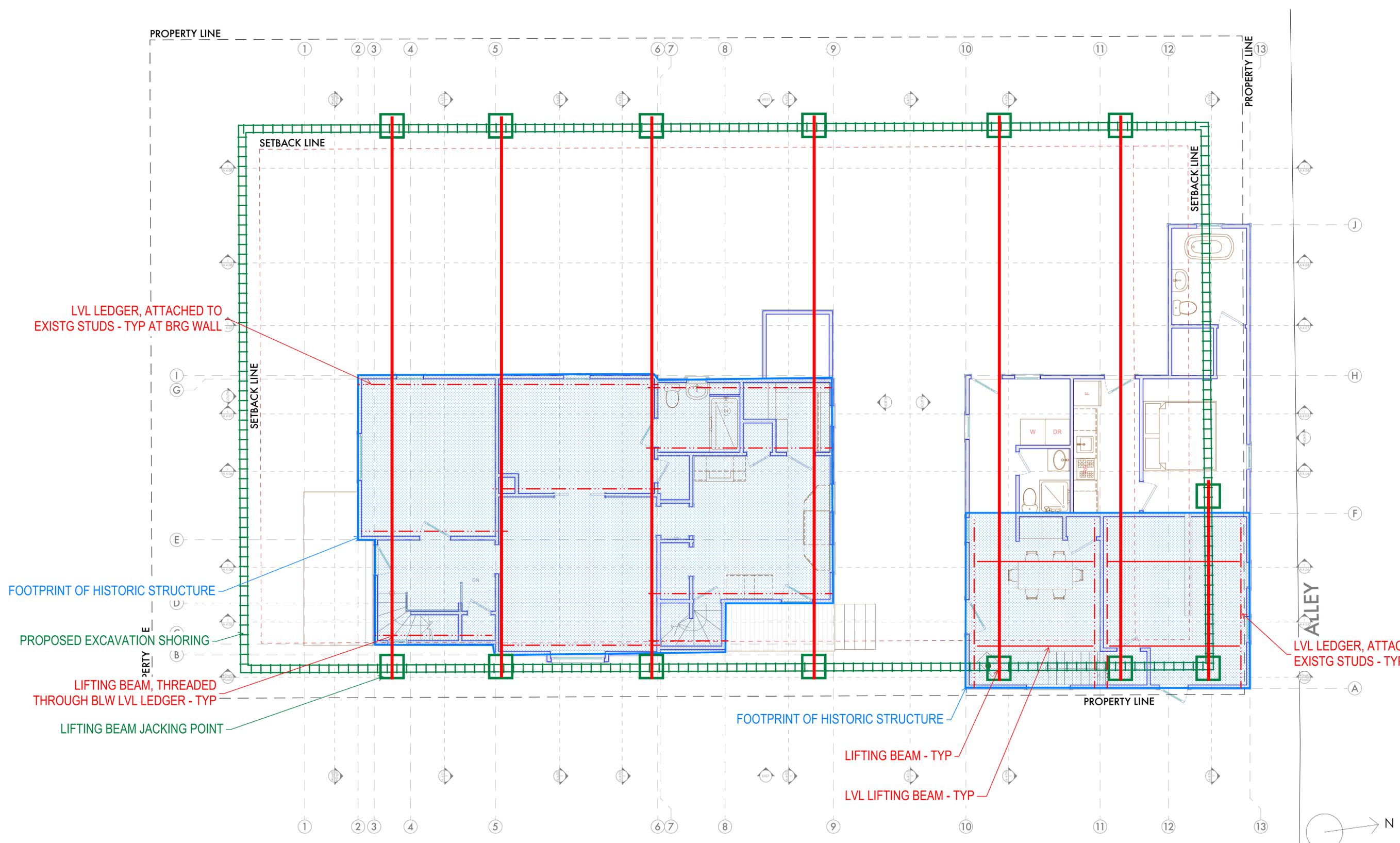
DATE	ISSUE
5/31/25	SCHEMATIC DESIGN
11/5/25	DESIGN DEVELOPMENT

THIS SET PUBLISHED ON 11/5/25

Scale: AS NOTED  
 ACTUAL  
 IF THE ABOVE DIMENSION DOES NOT MEASURE ONE INCH (1") EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES.

EXISTING  
 MAIN LEVEL  
 FLOOR PLAN

**A.2.02**

























### **26.415.070(d) Certificate of Appropriateness for Major Development**

For approval of a Certificate of Appropriateness for Major Development, the HPC must determine the project's conformance with the City of Aspen Historic Preservation Design Guidelines.

*\*\*Criteria found as "Not Applicable" has been removed*

### **Chapter 1: Site Planning and Landscape**

**1.1** All projects shall respect the historic development pattern or context of the block, neighborhood or district.

**1.4** Design a new driveway or improve an existing driveway in a manner that minimizes its visual impact.

**1.6** Provide a simple walkway running perpendicular from the street to the front entry on residential projects.

**1.7** Provide positive open space within a project site.

**1.8** Consider stormwater quality needs early in the design process.

**1.10** Built-in furnishings, such as water features, fire pits, grills, and hot tubs, that could interfere with or block views of historic structures are inappropriate.

**1.11** Preserve and maintain historically significant landscaping on site, particularly landmark trees and shrubs.

**1.12** Provide an appropriate context for historic structures.

**1.13** Additions of plant material to the landscape that could interfere with or block views of historic structures are inappropriate.

**1.14** Minimize the visual impacts of landscape lighting.

**1.15** Preserve original fences.

**1.25** New development on these sites should respect the historic design of the landscape and its built features.

**1.26** Preserve the historic circulation system.

**1.27** Preserve and maintain significant landscaping on site.

**Staff Finding:** The proposal maintains the location of the historic resources and respects the historic context of the neighborhood. The perpendicular walkway is existing, a new material is proposed but the pathway size and location will remain the same. The site is maintaining positive open space that is existing. The applicant has discussed stormwater plans with the Engineering Department with no concerns noted. Currently, no built-in furnishings are noted on the plan set, however, these may be included at final review and if so, will be located on the new patio off the proposed garage structure. There are several large trees located on site within close proximity to the main house; following conversations with the Parks and Fire, the large evergreen trees on the west side of the house are to be removed to mitigate fire risk and damage to the resource. No landscape lighting is proposed. The existing historic fence is proposed to remain; the fence will be removed and stored during construction. **Staff find the above review criteria to be met.**

## Chapter 2: Building Materials

- 2.1 Preserve original building materials.
- 2.2 The finish of materials should be as it would have existed historically.
- 2.3 Match the original material in composition, scale and finish when replacing materials on primary surfaces.
- 2.4 Do not use synthetic materials as replacements for original building materials.
- 2.5 Covering original building materials with new materials is inappropriate.
- 2.6 Remove layers that cover the original material.

**Staff Finding:** The applicant is proposing to restore and repair existing historic materials with the understanding that should anything need to be replaced it will require staff and monitor review. Synthetic materials are not proposed apart from the synthetic roof material. No original materials are proposed to be covered. **Staff find the above review criteria to be partially met.**

## Chapter 3: Windows

- 3.1 Preserve the functional and decorative features of a historic window.
- 3.2 Preserve the position, number, and arrangement of historic windows in a building wall.
- 3.3 Match a replacement window to the original in its design.
- 3.4 When replacing an original window, use materials that are the same as the original.
- 3.5 Preserve the size and proportion of a historic window opening.
- 3.6 Match, as closely as possible, the profile of the sash and its components to that of the original window.
- 3.7 Adding new openings on a historic structure is generally not allowed.
- 3.8 Use a storm window to enhance energy conservation rather than replace a historic window.

**Staff Finding:** The applicant proposes to restore the existing historic windows. One window will be removed to accommodate the proposed connecting element on the rear side of the main house. Non-historic windows on the carriage house are proposed to be replaced with more appropriate windows. Storm windows are not currently being proposed. **Staff find the above review criteria to be met.**

## Chapter 4: Doors

- 4.1 Preserve historically significant doors.
- 4.2 Maintain the original size of a door and its opening.
- 4.3 When a historic door or screen door is damaged, repair it and maintain its general historic appearance.
- 4.4 When replacing a door or screen door, use a design that has an appearance similar to the original door or a door associated with the style of the building.
- 4.5 Adding new doors on a historic building is generally not allowed.

**4.6** If energy conservation and heat loss are concerns, use a storm door instead of replacing a historic entry door.

**4.7** Preserve historic hardware.

**Staff Finding:** The applicant is proposing to replace the existing front door; more analysis is needed to determine if the door is historic. Any replacement proposed will be reviewed by staff and monitor. No screen doors are being proposed. More analysis of existing hardware is required to determine whether it is historic. **Staff find the above review criteria to be met.**

## **Chapter 5: Porches and Balconies**

**5.1** Preserve an original porch or balcony.

**5.2** Avoid removing or covering historic materials and details.

**5.5** If new steps are to be added, construct them out of the same primary materials used on the original, and design them to be in scale with the porch or balcony.

**5.6** Avoid adding handrails or guardrails where they did not exist historically, particularly where visible from the street.

**Staff Finding:** The applicant is proposing to restore details of the front porch and will restore the rear east porch to match historic photos. New steps are proposed for the front porch to match historic photos. These elements will be details in the preservation plan that will be provided at final review. **Staff find the above review criteria to be met.**

## **Chapter 6: Architectural Details**

**6.1** Preserve significant architectural features.

**6.3** Remove only the portion of the detail that is deteriorated and must be replaced.

**6.4** Repair or replacement of missing or deteriorated features are required to be based on original designs.

**6.5** Do not guess at “historic” designs for replacement parts.

**Staff Finding:** The applicant is proposing to replicate previously existing architectural elements based on historic photos, including the roof cresting and porch details. Much of the proposed restoration will be detailed in the preservation plan to be provided at final review. **Staff find the above review criteria to be met.**

## **Chapter 7: Roofs**

**7.4** New vents should be minimized, carefully, placed and painted a dark color.

**7.5** Preserve original chimneys, even if they are made non-functional.

**7.7** Preserve original roof materials.

**7.8** New or replacement roof materials should maintain or restore the character of the historic roof.

**7.10** Design gutters so that their visibility on the structure is minimized to the extent possible.

**Staff Finding:** The applicant is proposing to further study the existing chimneys to confirm if both are historic. Some of the new venting will be located within the existing chimney with additional venting being appropriately located on the roof. The applicant is proposing to remove the existing wood shingles and replace with a synthetic shingle. **Staff find the above review criteria to be partially met.**

## Chapter 8: Secondary Structures

- 8.1 If an existing secondary structure is historically significant, then it must be preserved.
- 8.2 Preserve a historic secondary building as a detached structure.
- 8.4 When adding on to a secondary structure, distinguish the addition as new construction and minimize removal of historic fabric.
- 8.6 Preserve original door and window openings and minimize new openings.
- 8.7 If a new garage door is added, it must be compatible with the character of the historic structure.
- 8.8 Adaptation of an obsolete secondary structure to a functional use is encouraged.

**Staff Finding:** The applicant is proposing to restore and repair the existing carriage house, including removing non-historic additions to bring the structure back to its historic footprint. Although a new addition is proposed, the applicant is leaving the corners of the historic footprint exposed to maintain the differentiation from the addition. No new detailing is proposed on the carriage house. The carriage house is currently used as a residence and will continue to be used as a functional space. **Staff find the above review criteria to be met.**

## Chapter 9: Excavation, Building Relocation, and Foundations

- 9.1 Developing a basement by underpinning and excavating while the historic structure remains in place may help to preserve the historic fabric.
- 9.2 Proposals to relocate a building will be considered on a case-by-case basis.
- 9.3 Site a relocated structure in a position similar to its historic orientation.
- 9.4 Position a relocated structure at its historic elevation above grade.
- 9.5 A new foundation shall appear similar in design and materials to the historic foundation.
- 9.6 Minimize the visual impact of lightwells.
- 9.7 All relocations of designated structures shall be performed by contractors who specialize in moving historic buildings, or can document adequate experience in successfully relocating such buildings.

**Staff Finding:** The applicant is proposing to lift both resources to construct a setback-to-setback basement with variations to encroach into the setback. The resources are proposed to be set back in their existing locations on a new foundation with the historic foundation material being salvaged and reused as a veneer on the new foundation wall. The applicant is not proposing to underpin the resources and has not provided information as to why this is not possible. The



applicant is proposing one large lightwell at the rear of the main house to avoid multiple lightwells around the house. **Staff find the above review criteria to be partially met.**

### **Chapter 10: Building Additions**

**10.1** Preserve an older addition that has achieved historic significance in its own right.

**10.2** A more recent addition that is not historically significant may be removed.

**10.3** Design a new addition such that one's ability to interpret the historic character of the primary building is maintained.

**10.4** The historic resource is to be the focus of the property, the entry point, and the predominant structure as viewed from the street.

**10.5** On a corner lot, no portion of an addition to a one story historic resource may be more than one story tall, directly behind that resource, unless completely detached above grade by a distance of at least 10 feet.

**10.6** Design a new addition to be recognized as a product of its own time.

**10.7** When planning an addition to a building in a historic district, preserve historic alignments on the street.

**10.8** Design an addition to be compatible in size and scale with the main building.

**10.10** Place an addition at the rear of a primary building or set it back substantially from the front to minimize the visual impact on the historic structure and to allow the original proportions and character to remain prominent.

**10.11** Roof forms shall be compatible with the historic building.

**10.12** Design an addition to a historic structure that does not destroy or obscure historically important architectural features.

**Staff Finding:** The applicant is proposing to remove non-historic additions from the carriage house. A new addition including a mudroom and two car garage is proposed off of the west side of the carriage house. A connecting element is proposed from the main house to the new addition on the carriage house but is not required. The proposed garage addition is set back significantly from Francis Street. **Staff find the above review criteria to be partially met.**

### **Chapter 12: Accessibility, Architectural lighting, Mechanical Equipment, Service Areas, and Signage**

**12.1** Address accessibility compliance requirements while preserving character defining features of historic buildings and districts.

**12.2** Original light fixtures must be maintained. When there is evidence as to the appearance of original fixtures that are no longer present, a replication is appropriate.

**12.3** Exterior light fixtures should be simple in character.

**12.4** Minimize the visual impacts of utilitarian areas, such as mechanical equipment and trash storage.

**Staff Finding:** The applicant is proposing mechanical equipment in the west side yard setback, the proposed equipment location is compliant with applicable code.



The applicant is proposing minimal lighting limited to entry points on the property. Trash will be located inside the garage. **Staff find the above review criteria to be met.**

**Sec. 26.415.090(c) – Standards for the relocation of designated properties.**

Relocation for a building, structure or object will be approved if it is determined that it meets any one of the following standards:

1. It is considered a noncontributing element of a historic district and its relocation will not affect the character of the historic district; or
2. It does not contribute to the overall character of the historic district or parcel on which it is located and its relocation will not have an adverse impact on the Historic District or property; or
3. The owner has obtained a certificate of economic hardship; or
4. The relocation activity is demonstrated to be an acceptable preservation method given the character and integrity of the building, structure or object and its move will not adversely affect the integrity of the Historic District in which it was originally located or diminish the historic, architectural or aesthetic relationships of adjacent designated properties; and

Additionally, for approval to relocate all of the following criteria must be met:

1. It has been determined that the building, structure or object is capable of withstanding the physical impacts of relocation;
2. An appropriate receiving site has been identified; and
3. An acceptable plan has been submitted providing for the safe relocation, repair and preservation of the building, structure or object including the provision of the necessary financial security.

**Staff Finding:** The applicant is proposing to lift both historic resources on site in order to construct a subgrade space with requests for setback variations to extend the subgrade space into the setbacks. The applicant has not provided reasoning as to why underpinning is not possible for this project. The applicant is proposing to salvage existing historic foundation stones and reuse them as a veneer on the new foundation wall. The applicant has provided a preliminary engineering letter and plan and have noted that they will provide a details plan prior to permit. **Staff find that the above standards have not been fully met and are proposing a condition of approval to require the relocation plan and associated information be provided at Final Review by the HPC.**

**Sec. 26.415.110. – Benefits.**

*\*\*Criteria found as “Not Applicable” has been removed*

C. *Variations.* Dimensional variations are allowed for projects involving designated properties to create development that is more consistent with the character of the historic property or district than what would be required by the underlying zoning's dimensional standards.

1. The HPC may grant variations of the Land Use Code for designated properties to allow:
  - a. Development in the side, rear and front setbacks;
  - b. Development that does not meet the minimum distance requirements between buildings;
  - c. Up to five percent (5%) additional site coverage;
  - d. Less public amenity than required for the on-site relocation of commercial historic properties.
2. In granting a variation, the HPC must make a finding that such a variation:
  - a. Is similar to the pattern, features and character of the historic property or district; and/or Enhances or mitigates an adverse impact to the historic significance or architectural character of the historic property, an adjoining designated historic property or historic district.

**Staff Finding:** The applicant has requested variations to the side, combined side, and rear setbacks in five areas. Three of the five requested variations are proposed as a means of memorializing the existing location of the historic resources; the main house sits within the side yard setback and the carriage house sits within the side yard and rear yard setbacks. A portion of the carriage house is actually off property; an encroachment license is in place for this portion of the structure. There are two setback variations requested for the subgrade space that is proposed. The first subgrade variation requested is for the east wall of the basement, which is proposed to be located within the setback along the entire length of the property. The purpose of the request is partially to align with the existing main house. The second variation request for the subgrade space relates to the rear yard setback, where the applicant is proposing to extend the setback-to-setback basement 5' into the rear yard setback. The applicant's reasoning for needing the rear yard setback variation is to avoid additions above grade, however, the property has no available floor area that would allow for additional massing above grade. Staff believe that a setback-to-setback basement is more than a reasonable amount of space needed to accommodate modern living. Given that these variations are unnecessary and do not enhance or mitigate an adverse impact to the resources, staff are not supportive of the subgrade setback variation requests. Staff could be supportive of variation that allows the east subgrade wall to go into the setback under the resource to be

consistent with the above grade resource wall that would then jog back outside of the setback for the rest of the east side.

F. *Floor area bonus.*

1. In selected circumstances, the HPC may grant up to five hundred (500) additional square feet of allowable floor area for projects involving designated historic properties. The potential bonus is determined by net lot area such that a three thousand (3,000)—five thousand nine hundred ninety-nine (5,999) square foot lot is eligible for a maximum of a two hundred fifty (250) square foot floor area bonus, a six thousand (6,000)—eight thousand nine hundred ninety-nine (8,999) square foot lot is eligible for a maximum of a three hundred seventy five (375) square foot floor area bonus and a nine thousand (9,000) square foot or larger lot is eligible for a maximum of a five hundred (500) square foot floor area bonus. Floor area bonuses are cumulative. More than one (1) bonus may be approved up to the maximum amount allowed for the lot. If a property is subdivided, the maximum bonus will be based on the original lot size, though the bonus may be allocated amongst the newly created parcels to the extent permitted. On any lot where a historic property is permitted a duplex density while a non-historic property is not, the increased allowable floor area that results from the density will be deducted from the maximum bonus that the property may receive.

To be considered for the bonus, it must be demonstrated that the project meets all of the following criteria:

- a. The historic building is the key element of the property, and the primary entry into the structure, and the addition is incorporated in a manner that maintains the visual integrity of the historic building; and
- b. If applicable, historically significant site and landscape features from the period of significance of the historic building are preserved; and the applicant is undertaking multiple significant restoration actions, including but not limited to, re-opening an enclosed porch, re-installing doors and windows in original openings that have been enclosed, removing paint or other non-original finishes, or removing elements which are covering original materials or features; and
- c. The project retains a historic outbuilding, if one is present, as a free standing structure above grade; and
- d. The applicant is electing a preservation outcome that is a high priority for HPC, including but not limited to, creating at least two (2) detached structures on the site, limiting the amount of above grade square footage added directly to a historic resource to no more than twice the above grade square footage of the historic resource, limiting the height of an addition to a historic resource to the height of the resource or lower, or demolishing and replacing a significantly incompatible non-

historic addition to a historic resource with an addition that meets current guidelines.

2. Granting of additional allowable floor area is not a matter of right but is contingent upon the sole discretion of the HPC and the Commission's assessments of the merits of the proposed project and its ability to demonstrate exemplary historic preservation practices.
3. The decision to grant a floor area bonus for major development projects will occur as part of the approval of a Conceptual Development Plan, pursuant to Subsection 26.415.070(d).
4. Floor area bonuses are only available for single-family, duplex or one hundred percent (100%) affordable housing development. A property shall receive no more than five hundred (500) square feet total. The award of a bonus is project specific. At such time that more than forty percent (40%) of an addition to a historic resource that was constructed as part of a project which previously received a floor area bonus is demolished, the bonus may be retained only if the proposed redevelopment is found to meet the requirements of this Section.
5. Separate from the floor area bonus described above, on a lot that contains a historic resource, HPC may exempt wall exposed by a light well that is larger than the minimum required for egress from the calculation of subgrade floor area only if the light well is internalized such that it is entirely recessed behind the vertical plane established by the portion of the building façade(s) closest to any street(s), the light well is screened from view from the street by building walls or fences, and any addition that is made to the affected resource simultaneous or after the construction of the light well is entirely one (1) story.

**Staff Finding:** In addition to the variation requests, the applicant has requested a floor area bonus via a lightwell exemption that would result in an additional 442 square feet of floor area; this bonus is necessary to proceed with the proposed new massing. A smaller addition could be built without the floor area bonus. Per the floor area bonus portion of the benefit code section, where the lightwell exemption lives, the granting of additional allowable floor area is not a matter of right but is contingent upon the sole discretion of the HPC and the Commission's assessments of the merits of the proposed project and its ability to demonstrate exemplary historic preservation practices. The applicant is proposing to remove non-historic additions on the carriage house to align the footprint with Sanborn Maps, add a new addition to the carriage house, add an attached two-car garage structure to the site that is attached to the carriage house, add a connecting element from the resource to the carriage house, and repair/restore existing historic material on the main house, including restoring the back porch, and carriage house as needed. Staff find that the request for a floor area bonus does not meet all of the required criteria, as it is of staff opinion that the applicant is not undertaking "multiple significant restoration actions". Some restoration actions are being proposed as noted above and are of note. One of the criteria requires any existing outbuildings on site to remain as free-standing structures; the historic carriage house is not being retained as a free-



standing structure given the addition of the connecting element to the main house. Per code, all the criteria for a floor area bonus are required to be met.

While staff find that the criteria for the lightwell exemption are met, not all of the required floor area bonus criteria are being met. Staff do see the benefit of having one large lightwell as opposed to multiple lightwells surrounding the historic resource, but this could remain the case without the floor area bonus being awarded. **Given that the required criteria is not met, staff are unable to support the awarding of the floor area bonus for the lightwell exemption.**



## Memorandum

**To:** Gillian White  
Historic Preservation  
Community Development Department

**From:** Joseph Pewitt, [joseph.pewitt@aspen.gov](mailto:joseph.pewitt@aspen.gov)  
Permit Coordinator  
Parks & Open Space

**Date:** February 3, 2026

**Subject:** Parks Department Referral Comments

**Project:** LPA-25-133, HP Major - Conceptual

These comments are not intended to be exhaustive, but an initial response to the project conceptual packet submitted for the purpose of the HP Major Conceptual Review. Other requirements may be requested at time of permit.

### Comments:

1. Landscape plans shall propose a minimum of three (3) new tree plantings within North Fourth Street adjoining right-of-way. Tree spacing shall be a minimum of 20' O.C.
  - a. Applicant shall coordinate proposed tree species and size selection with City Forester prior to final hearing.



### **Parks and Open Space Building Permit Application Requirements:**

1. Permit documents shall include accurate tree surveys for all sites dated within one-year identifying locations of all trees four (4) inches or over identified by trunk diameter and species; three (3) inches or over for native species as defined by Ch.13.20.020(a).
2. Permit documents shall include tree removal plans, site specific tree protection and preservation plans, tree mitigation plans, and irrigation plans. All Critical Root Zones to be protected and preserved shall be accurately illustrated to scale on all plan sheets with 1" of surveyed tree diameter at breast height equaling 1' in radius of required Tree Protection Zone. The protection and preservation plans shall indicate the location of all protective zones and methodology for approval by the City Forester and prohibit excavation, storage of materials, storage of construction backfills, storage of equipment, and access over or through the zone(s) by foot or vehicle.
3. Permit documents shall include, and note, any proposed grade changes within critical root zones of trees to be protected and preserved during site disruption.
4. Permit documents shall include the location of all site improvements including subsurface improvements such as utilities, irrigation infrastructure, or foundation work.
5. Tree Protection Zones shall be erected at the limits of Critical Root Zones to be protected and preserved throughout construction until a Certificate of Occupancy is issued for all proposed sites unless otherwise approved by the City Forester.
6. Protection areas shall be established on site to protect existing natural resources as appropriate, including trees not included in the definition set forth in 13.20.020(a).
7. A Development-Related Tree Removal / Critical Root Zone Excavation Permit shall be submitted, reviewed, and issued by the City Forester upon completion of Parks & Open Space building permit application review.
8. Tree Removal Permit issuance and Parks initial inspection are required prior to activity occurring on site. Mitigation for removals must be met by the replacement of trees on site, paying cash-in-lieu fees, or a combination of both, pursuant to Chapter 13.20 of the City Municipal Code. The applicant shall explore potential planting sites around the property to allow sustainable planting and full maturation of all trees planted.



## **MEMORANDUM**

TO: Gillian White, Historic Preservation Officer  
FROM: Sophie Varga, Zoning Administrator  
DATE: 02/26/2026

RE: Zoning Referral Comments – LPA-25-133, 500 West Francis Street

Please note that the project cannot proceed as designed without the Historic Preservation Commission granting the requested exposed wall exemption for the lightwell. The exemption provides an additional 524 square feet of floor area on the property. Clarification that the development rights on the property are not set by the zone district, they are set by previous approvals.

This property is subject to combined side yard setback regulations. Any side yard setback variation should be associated with a combined side yard setback variation.

To be resolved prior to final hearing:

- Mechanical equipment must be screened if visible from the street per 26.575.020.e.5. Please provide details regarding location, height, and materials of screening as part of the final submission package.
- Provide updated survey with accurate lot size. The survey shows that the dimensions of the lot are 100'x60' but states that the lot size is 5,760.
- An outdoor lighting submission package needs to be provided at final.

To be resolved at permit submission:

- Deck area: the front porch is exempt due to the front porch exemption, not the patio exemption. Existing and proposed deck should be clearly noted in the floor area tables. The stairs to the eastern porch count towards deck.

A variety of other requirements may be necessary for building permit submittal and zoning review.



**Memorandum**

**TO:** Gillian White, [gillian.white@aspen.gov](mailto:gillian.white@aspen.gov)  
Community Development Department

**FROM:** Kyla Smits, [kyla.smits@aspen.gov](mailto:kyla.smits@aspen.gov)  
Engineering Department

**DATE:** February 11, 2026

**SUBJECT:** Engineering Department Referral Comments

**PROJECT:** LPA-25-133, 500 W Francis HP Major Conceptual

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**COMMENTS:**

These comments are not intended to be exhaustive, but an initial response to the project conceptual packet submitted for the purpose of the Historical Preservation Committee meeting. Other requirements may be requested at time of permit.

1. An updated Permanent Revocable Encroachment license for the historic structure that encroaches into the Right-of-way before Certificate of Occupancy.
2. A utility plan will be required for Final Review of HPC.
3. 500 W Francis is in an area that requires curb and gutter. A plan for street conveyance should be planned for building permit.

# 500 W Francis LPA - 25-133 Building Comment

## Exhibit F - Building Plans (UPDATED).pdf (3)

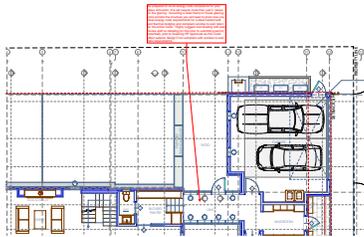
**Page Label:** 16  
**File Name:** Exhibit F - Building Plans (UPDATED).pdf

All aspects of new construction will need to comply with currently adopted building and energy codes, as well as any newly adopted codes mandated by the state for wildfire resiliency, at time of permit application. Specific time of application will affect the codes applied to the project for all applicable building codes.

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**Page Label:** 17  
**File Name:** Exhibit F - Building Plans (UPDATED).pdf



Be prepared to show energy code compliance for your glass connector, this will require more than just U values on the glazing. Assuming a steel frame to house glazing units provide the structure you will need to show how you meet energy code requirements for a steel framed wall and thermal bridging and compliant window to wall ration for the entire home. Highly suggest coordinating with plan review staff on detailing for this prior to submitting permit, potentially prior to finalizing HP approvals as this could affect exterior design if not compliant with window to wall ratio requirements.

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All altered elements of the historic building are required to comply with requirements for new construction unless you meet specific exceptions in the existing building code. If not complying with new construction, be prepared to show how and what exceptions you meet from the existing building code.

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