



Box 3613 Aspen, Colorado 81612

Phone/Fax (970)920-1125

arichman@sopris.net

December 8, 2009

Ms. Suzanne Wolff, Senior Planner
Pitkin County Community Development Department
130 South Galena Street
Aspen, Colorado 81611

**RE: SUPPLEMENT TO SPARKS APPLICATION FOR MINOR AMENDMENT TO
DEVELOPMENT PERMIT AND CARETAKER DWELLING UNIT**

Dear Suzanne,

On September 21, 2009 I submitted an application on behalf of Mr. Marc A. Sparks to amend the recorded 1041 site plan for his property, which is legally described as Lot 21, Shield O' Terraces and is located at 300 Shield O' Road in Snowmass. The property's Parcel ID# is 264527201001. The purpose of the minor amendment application is to adjust the lot's previously approved building envelope to include limited areas immediately surrounding the envelope that are also suitable for development. The application also includes a request for approval of a caretaker unit on the lot.

On November 12, 2009 you and I conducted a site visit to the property. We were joined at the site by representatives of the Snowmass-Capitol Creek Caucus and by a representative of the Homeowner's Association. Based on the results of that site visit and other discussions we have held, the County has determined that the applicant needs to supplement the original application to comply with the requirements of site plan review. This determination was made based on the language in the vested rights extension that was granted in 2007, which stated that the applicant would be subject to the Land Use Code in effect at the time of the vested rights extension.

You have issued a new pre-application conference summary for this property, which is attached hereto as Exhibit #1. The sections of the Code which are identified in that form which were not previously addressed by the applicant are as follows:

- Sec. 7-20-10: Site Preparation and Grading;
- Sec. 7-20-30: Water Courses and Drainage;
- Sec. 7-20-120: Scenic View Protection;
- Sec. 7-20-130: Landscaping and Vegetation Protection;
- Sec. 7-30: Roads; and
- Sec. 7-50: Public Services and Utilities.

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This supplement to the original application is organized to provide responses to each of these sections. Please see the original application letter for a complete description of the property and for responses to the other sections cited in the pre-application form.

Additional graphic materials are also being provided as a supplement to the site plan that was provided with the original application. The additional materials include two more detailed site plan drawings that illustrate the location of all development planned within the previously-proposed activity envelope. The site plans show that the applicant proposes to develop a small compound consisting of three structures, all to be located toward the southern tip of the activity envelope. The main house, which will contain approximately 3,535 sq. ft. of floor area, will be located closest to the tip of the envelope. The caretaker dwelling unit (approximately 605 sq. ft.) and the garage (approximately 1,385 sq. ft.) will be located behind the main residence, on either side of the auto court. The septic system will be located behind the CDU. Proposed landscaping (primarily Aspen and Conifer trees) to augment the existing vegetation on the site is also shown on these drawings.

Based on direction provided at the site visit, the applicant has made every effort to contain the proposed structures within the eastern boundary (Snowmass Creek side) of the original building envelope. While the vast majority of the structures fall within this limit, the very southeastern corner of the CDU is proposed to protrude beyond this boundary. A slightly larger corner of the main residence also protrudes beyond this boundary, although both of these corners will be well within the limits of the proposed envelope. For the most part, the southern and eastern edges of the envelope will be used for patio areas and other at-grade activities.

Other graphic materials provided with this supplement include proposed elevations of each of the structures, and an existing conditions photo and proposed conditions photo-simulation. These materials are discussed below, in the section responding to the scenic view protection standards.

Site Preparation and Grading (Sec. 7-20-10)

(a) *Grading and Fill Placement.* The applicant agrees that all grading and filling on-site will take place within the activity envelope depicted on the site plan.

(b) *Clearing, Grubbing and Vegetation Removal.* The applicant agrees that all clearing, grubbing and vegetation removal will take place within the activity envelope depicted on the site plan.

(c) *Tree Removal and Mitigation.* There are no trees within the activity envelope that are 6" or larger D.B.H.

(d) *Protection of Natural Terrain.* The applicant agrees to follow those design and construction techniques that may be recommended by the County Planning Engineer or the Community Development Director to mitigate any physical or visual damage from the proposed development. This shall include, but not be limited to:

- ◆ Revegetation of the areas disturbed by the re-development of this property. Revegetation will be completed during the first planting season after completion of the construction, using native vegetation. Additional detail on the proposed re-vegetation of the property is included in the landscape section below.
- ◆ Removing and saving topsoil prior to grading or excavation, and replacing it following construction.
- ◆ Installing any utilities that must be extended to the site within the existing driveway and avoiding making cuts along slopes wherever possible, to minimize damage to the natural environment and scenic quality.
- ◆ Following the County's adopted erosion and sedimentation control and stormwater management standards. Sediment barriers will be placed on-site as necessary to control the impacts of soil disturbing activities (see further description of these practices in the section that follows below).
- ◆ Employing appropriate weed prevention techniques and complying with the applicable provisions of the 2006 Revised Pitkin County Weed Management Plan.

Water Courses and Drainage (sec. 7-20-30)

- (b) *Encroachment or Channeling.* No encroachment or channeling activities are proposed by the applicant.
- (c) *Drainage.* The applicant agrees to provide a drainage report for the proposed development at the time of building permit submission and to follow the recommendations contained in the report.
- (d) *Groundwater.* No activities are proposed which would interfere with groundwater recharge or pollute groundwater. No contaminants will be introduced to groundwater as a result of this application.
- (e) *Irrigated Areas.* There are no irrigated areas on the property that would be affected by the proposed development. No impacts on irrigation practices will occur.

- (f) *Irrigation Ditches.* There will be no impacts to irrigation ditches as a result of the proposed development.
- (g) *Sedimentation.* The applicant will comply with the County's standards for controlling sedimentation. A plan will be prepared as part of the building permit application package that locates and describes the erosion and sedimentation control measures that will be installed during construction. Sediment barriers, to include straw bales, silt fences and similar filtering devices will be placed on-site as necessary. Disturbed areas will be re-vegetated no later than one growing season after completion of construction by applying native seed mixes and fertilizer to disturbed areas and mulching seeded areas with straw as necessary.
- (h) *Water Quality.* The property is not proximate to any protected water resources.
- (i) *Efficient Water Use.* The applicant will comply with this standard.

Scenic View Protection Areas (Sec. 7-20-120)

The standards of Section 7-20-120 of the Code are intended to *"Minimize the visual impact of any new development (including expansions to existing structures) when viewed from designated road corridors, as well as to preserve the rural character of Rural Areas of the County"*. The adopted standards are not necessarily intended to make development invisible from these viewplanes but rather *"To insure that new development is designed and located to compliment the natural landscape and the natural features within the public viewplane in order to achieve an aesthetically pleasing, rural atmosphere"*.

The applicant has evaluated the visibility of this site from the surrounding area. This site is visible to a limited extent from Snowmass Creek Road, which is one of the public road corridors listed in Section 7-20-120. During the site visit it was pointed out that this site is visible from an area near Moon Run Ranch, which is approximately 1 mile past the intersection of Snowmass Creek Road and Shield-O Road. The applicant has taken photographs from this location and has prepared a photo-simulation of the proposed development as it would appear from Snowmass Creek Road. This simulation and the building elevations that have also been prepared provide the basis for the following responses to the County's scenic view protection standards.

1. *The proposed development shall utilize existing topography and natural vegetation, such as ridges, hills and existing trees, to screen buildings to the maximum extent practicable.*

Response: Existing topography below the site and the existing oak brush that rings the edge of the envelope hides much of the site from view from Snowmass Creek Road.

2. *The proposed development shall avoid the location of structures within the Scenic View Protection Areas and shall avoid the location of structures within any Viewplane identified in the State Highway 82 Corridor Master Plan and Down Valley Comprehensive Plan, if possible. If location outside of the Scenic View Protection Area and defined viewplanes is not practicable, then the proposed development shall not be located on the highest ground or most visible portion of the site as viewed from those corridors listed above.*

Response: The photo taken from near Moon Run Ranch shows that this lot is within the Scenic View Protection Area as seen from Snowmass Creek Road, so location outside of this area is not possible. However, the proposed development is visible at a distance of about 1 mile from this portion of the road. Furthermore, the simulation shows that the residence will simply fit in amongst a series of other residences already developed within the Shield-O Subdivision, with several existing houses being located both below and above the proposed development.

The applicant has not placed the development on the highest ground on the lot, as there are higher elevations on the lot than where the structures would be located. Unlike other houses within the subdivision, the house will not break the ridge as viewed from Snowmass Creek Road. The lot is not located within a designated Scenic Viewplane.

3. *The proposed development's height and bulk shall be designed to avoid, to the maximum extent practicable, the visibility of buildings from those corridors listed above. This may include, but shall not be limited to, breaking the mass of the building down into a series of smaller forms, articulation of the building facades to avoid a wall or row effect, and staggering rooflines to avoid a long unbroken plane.*

Response: The height and bulk of the proposed development has been minimized by breaking the allowed floor area on the site into three separate structures, rather than proposing a single structure that would contain all of the proposed uses and square footage. This helps to avoid the creation of a wall or row effect along the eastern edge of the proposed building envelope.

The elevations illustrate that the mass of each building has been broken into a series of smaller forms using several design techniques, including:

- ◆ Using open decks, balconies, stairs, and overhangs to create a human scale for the buildings; and

- ◆ Having roof forms and building elements that are staggered, and project in several different directions, to avoid creating a single wall form along the front facade.

The elevations also identify the 28' height limit that applies to the main residence and the 20' height limit that applies to the two accessory structures. The elevations illustrate that the maximum height of the roof of the residence is generally less than 28' to the peak of the roof (where the Code would allow 28' as measured to the mid-point of the roof). The peak of the roof of the CDU measures 20' (again, the Code would allow 20' to the mid-point of the roof), so both of these structures are well below the height limit. The garage (which, given its proposed location, will be the least visible of the proposed structures) will comply with the 20' height limit as measured to the mid-point of the roof.

4. *The proposed structure shall be placed so that it does not project above a ridgeline such that a structure silhouettes against the sky when viewed from those corridors listed above, unless there are no alternate building sites on the lot or parcel.*

Response: As shown on the photo-simulation, the proposed house will not break the ridgeline as viewed from Snowmass Creek Road.

5. *The proposed development shall be designed to compliment the natural topography of the land through the use of techniques such as earth sheltered design, the use of natural materials and coloring, the use of low-reflectance materials, or clustering of structures on the least visible portions of the site. When a building is proposed near a ridgeline, then its form (particularly its roof form) shall replicate, parallel or compliment the natural form of the ridgeline so that it appears to be an element of the natural ridgeline.*

Response: The applicant agrees to use natural materials and materials that have colors that compliment the natural landscape. The south elevation of the residence labels the materials that will be used in each of the structures. These materials include weathered barn board siding, post and beam timbers, wood windows and doors, and stone veneer on the chimneys and base. The structures will have a corten metal roof, using a combination of rusted corrugated panels and low reflectance standing seam panels.

The applicant has chosen colors for these materials that arise primarily from the natural shades found in the hillside. Because it can be difficult to precisely render these colors and materials in the proposed elevations, the applicant would agree to present the finally chosen materials and colors to the staff prior during the building permit review process.

6. *The proposed development shall preserve natural vegetation and avoid development within irrigated meadows to the maximum extent practicable.*

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Response: Vegetation has previously been removed within the limits of the proposed building envelope (the "grub line"). However, the natural vegetation surrounding the proposed building envelope (primarily oak brush and some Aspen trees) will be preserved. There are no irrigated meadows on the property.

7. *The proposed development shall install utilities in locations and through procedures that minimize visual impacts to the maximum extent practicable.*

Response: Any utilities that must be extended to the site will be installed within the existing gravel driveway.

8. *All satellite dishes in the proposed development shall be located to minimize visibility from those rights-of-way listed above and shall use earth tone colors and/or screening to minimize their visual impact.*

Response: If a satellite dish is installed it will be located to minimize its visibility and will use earth tone colors. The dish will be the small (Direct TV/Dish Network) type and will not be the larger, 3' diameter type of dish.

9. *The proposed development shall not utilize earth moving and berms as the primary means of compliance with these regulations, but earth moving may be utilized in conjunction with other techniques to comply with the standards of this section. Where earth moving techniques are necessary, man-made forms should be undulating and natural in appearance.*

Response: Earth moving and berms are not proposed as the means of complying with these regulations.

10. *In the Rural Area only, development shall be located so that activities and development occur in at least one of the locations specified in subsection (f) as they may apply to the particular property.*

Response: None of the listed locations apply to this small lot in an older County subdivision.

11. *The exterior of all development shall be built or painted with indigenous earth tone materials or colors.*

Response: The applicant will comply with this requirement. For details, please see the response to standard #5, above.

12. *All roofs shall have a non-reflective color or composition. Reflective roof materials shall not be used unless the materials are treated prior to installation to eliminate reflection, with the exception of materials associated with solar or photovoltaic equipment.*

Response: The applicant will comply with this requirement. For details, please see the response to standard #5, above.

13. *Lands disturbed by earth moving or berms should be revegetated using native species that are already growing on or near the site. Topsoil shall be stockpiled and placed on disturbed areas. Irrigation shall be provided to the revegetated areas if it is necessary to ensure the survival of planted native species.*

Response: The applicant will comply with this requirement.

14. *To the maximum extent practicable, roads and driveways shall be located to skirt the edge of avoid dividing meadows and pastures and to avoid major road cuts. Roads and driveways should take advantage of the screening potential of natural topography and existing vegetation. Existing roads and driveways shall be used where practical. To enhance screening, a row of trees may be planted along the roads or driveways. To the maximum extent practicable, roads and driveways located around the edge of or in meadows shall be laid out with soft, curving edges and shall avoid straight line corridors that are incongruous with the natural setting.*

Response: The applicant will utilize the existing driveway into the property.

Landscaping and Vegetation Protection (Sec. 7-20-130)

The site plan depicts the landscaping that will be planted on the property. Given the severe wildfire hazard that is present below this property, the applicant has limited the proposed screening to clusters of Aspen trees and a limited number of Conifer trees. In addition, the disturbed areas of the site will be re-vegetated with native vegetation using the County's mountain meadow seed mix. Following are the applicant's responses to the standards in this section:

(b) General Provisions

1. *Protection of Natural Vegetation.* The applicant will preserve the natural vegetation on the site to the extent possible. Vegetation has previously been removed within the limits of the proposed building envelope (the "grub line"). However, the natural vegetation surrounding the proposed building envelope will be preserved.

2. *Conformance With Wildfire Regulations.* The applicant will comply with the wildfire conditions previously applied to this property in Hearing Officer Determination No. 20-2004 (see Exhibit #4 of the original application package).
3. *Berms.* A berm is not proposed for this site.
4. *Landscape Enclosures.* Landscaping will not be used to enclose the lot's boundaries.
5. *Visibility Clearance.* No landscaping is proposed where it would inhibit the visibility of drivers.
6. *Utility Easements.* Landscaping will not be installed over a utility easement.
7. *Financial Security.* The applicant requests that no financial security be required for the planned landscaping.
8. *Maintenance.* The applicant agrees to maintain all installed landscaping in a healthy condition and to replace plants that do not survive.

(c) *Required Landscaping in Rural Areas*

1. None of the purposes for which landscaping is required in the Rural Area apply to this property.
2. The applicant will cluster the shrubs and trees that are planted into natural groupings and will avoid planting in regularly spaced lines or rows.

Roads, Driveways, Parking and Utilities (Sec. 7-30 and 7-50)

The applicant does not plan any activities that would have significant impacts on the County's road network and agrees to pay the applicable County road impact fee.

The applicant will use the driveway that was installed by the prior owner of this property.

Parking on the site will comply with the adopted County standard of 2 spaces per dwelling unit and will comply with all applicable design standards. The site plan shows two parking spaces along the entry drive and there will be a two car garage on the site.

As noted above, any utilities that must be extended to the site will be installed within the existing gravel driveway. Water will be supplied from the well that was previously installed on the site.

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Sewage disposal will also occur on-site, within the area identified on the site plan for the planned system. A letter has been provided from All Service Septic (see Exhibit #2) describing the results of the analyses they have conducted in designing the proposed drain field.

Conclusion

I believe the above supplementary responses and the attached exhibits and graphic materials provide the information you require to process this application. If there is anything else you need, please do not hesitate to contact me.

Very truly yours,

ALAN RICHMAN PLANNING SERVICES

A handwritten signature in black ink, appearing to read "AL Richman". The letters are stylized and cursive.

Alan Richman, AICP

EXHIBIT #1

PITKIN COUNTY PRE-APPLICATION CONFERENCE SUMMARY

PLANNER: Suzanne Wolff
PHONE: (970) 920-5093

DATE: 11/17/09
E-MAIL: suzanne@co.pitkin.co.us

LOCATION: Lot 21, Shield O Terrace
PARCEL ID #s: 264527201001

ZONE: RS-30
LOT SIZE: 4.005 acres

OWNERS/APPLICANTS: Marc Sparks

REPRESENTATIVE: Alan Richman

EMAIL: arichman@sopris.net

Type of Application: Minor Amendment to Development Permit, Caretaker Dwelling Unit and Site Plan Review

Description of Project/Development: The Applicant proposes to amend the building envelope and obtain approval for a caretaker dwelling unit. The Applicant is also requesting site plan review approval. The Hearing Officer granted 1041 hazard review approval pursuant to Determination No. 20-2004. The BOCC reinstated the vested rights, pursuant to Resolution No. 061-2007; the vested rights expire July 11, 2010.

Land Use Code Sections to address in letter of request/application:

- 2-20-150.b: Minor Amendment to Development Permit
- 2-30-20(g)(2): Activity Envelope and Site Plan Criteria for Approval
- 2-30-30(h): Special Review criteria for caretaker dwelling unit;
- 4-30-50(e)(1)(2): Caretaker Dwelling Unit
- 6-30-40(c): GMQS Exemption for CDU
- 7-20-10: Site Preparation and Grading
- 7-20-30: Water Courses and Drainage
- 7-20-120: Scenic View Protection Areas
- 7-20-130: Landscaping and Vegetation Protection
- 7-30: Roads, Driveways and Parking
- 7-50: Public Service and Utilities

Review by: Community Development Director

Public Hearing: NO. However, notice is required via **posting, mailing and publication**. The Applicant shall post a public notice sign on the property at least 15 days prior to the date specified for the Administrative Decision pursuant to Sec. 2-20-100(a)(3) of the Land Use Code. In addition, the Applicant shall mail notice (by certified mail) to all owners within 300' of the property and mineral estate owners with the return address of the Community Development Department (form of notice to be obtained from the Community Development Department). The names and addresses shall be those on the current tax records of Pitkin County, as they appear no more than 60 days prior to the date of the public hearing. A property owner receiving the public notice shall have 2 weeks from the date the notice was postmarked to submit comments or objections to the Community Development Department.

Staff will refer to: Snowmass/Capitol Caucus, Shield O Terrace HOA, Housing

FEES: \$2,253 (make check payable to "Pitkin County Treasurer")

- \$1,995 Planning flat fee (non-refundable; based on 8 hours of staff time; if staff review time exceeds 9.6 hours, the Applicant will be charged for additional time in excess of 8 hours at a rate of \$249/hour)
- \$179 Housing
- \$54 Public Notice
- \$25 Clerk Technology Fee

To apply, submit 4 copies of the following information, unless noted otherwise:

1. Letter of request, addressing (in detail) each of the provisions of the Pitkin County Land Use Code identified above and sufficient to demonstrate that all substantive review criteria have been met;
2. Copies of prior approvals;
3. 24" by 36" Site Plan as designated in Section 2.1.12 of the Pitkin County Land Use Application Manual;
4. Scenic View Protection Exhibits as designated in Section 2.1.12 of the Application Manual
5. Engineering report addressing road design, water supply, wastewater disposal and other utilities and public services.
6. Consent from the owner of the property for the representative to process the application and represent the owner (1 copy);
7. Disclosure and proof of ownership of the property, consisting of a current certificate from a title insurance company or attorney licensed to practice law in the State of Colorado, listing the names of all owners of the property and all mortgagees, judgments, liens, easements, contracts and agreements affecting use and development of the parcel and proof of the owner's right to use the land for the purposes identified in the development application.
8. Street address (if any) and parcel description, including legal description, and 8-1/2"x 11" vicinity map locating the subject property within Pitkin County;
9. Executed Pitkin County Community Development Agreement for Payment of Land Use Application Fees (1 copy) (form attached);
10. List of adjacent property owners and mineral estate owners (1 copy); and
11. This Pre-Application Conference Summary Sheet.

NOTES:

- *PLEASE SUBMIT ONE UNBOUND AND ONE-SIDED COPY OF YOUR COMPLETE APPLICATION. PLEASE SUBMIT TWO-SIDED COPIES OF ALL REMAINING COPIES OF YOUR APPLICATION (IF POSSIBLE).*
- *ALL MAPS SHALL BE FOLDED.*
- *This pre-application conference summary is advisory in nature and not binding on the County. The information provided in this summary is based on current zoning standards and staff's interpretations based upon representations of the applicant. Additional information may be required upon a complete review of the application.*

EXHIBIT #2



PO Box 2844
Glenwood Springs, CO 81602
Ph 970-618-5033
Fax 303-216-2796

November 5th 2009

Project No. 1662

Cathers Home Builders, At: Mark Doherty
530 Basalt Avenue
Basalt, CO 81621

Subsurface Investigation and Percolation Report
300 Shield-O Road
Pitkin County, Colorado

Mark,

ALL SERVICE septic, LLC, performed a subsurface investigation and percolation test for the subject property, on October 27th 2009. The test was performed in accordance with Pitkin County Regulations.

EXISTING CONDITIONS AND STRUCTURES

The subject property is located in a residential area where Onsite Wastewater Systems (OWS) and wells are necessary. The property is currently vacant, with the exception of a drilled well. The slope at the area of the percolation holes slopes approximately 5% to the northeast, and vegetation consists of native grasses and scrub oak.

SUBSURFACE CONDITIONS AND CONCLUSIONS

The subsurface was investigated by digging one profile pit and three percolation holes. The materials in the profile hole consisted of 1-foot of sandy clay root zone, underlain by clayey sand with scattered boulders to the maximum depth explored of 8 feet. Groundwater or bedrock was not encountered. Percolation rates ranged from 20 minutes per inch (MPI) to 27 MPI, with an average rate of 17 MPI. **A conventional drain field having 780 SF may be installed at the subject site.** Reductions in drain field sizing may be utilized with the installation of gravelless chambers.

LIMITS:

Results are based on field investigations and data provided by the client. If soil conditions encountered are different from conditions described in report, ALL SERVICE septic, LLC should be notified

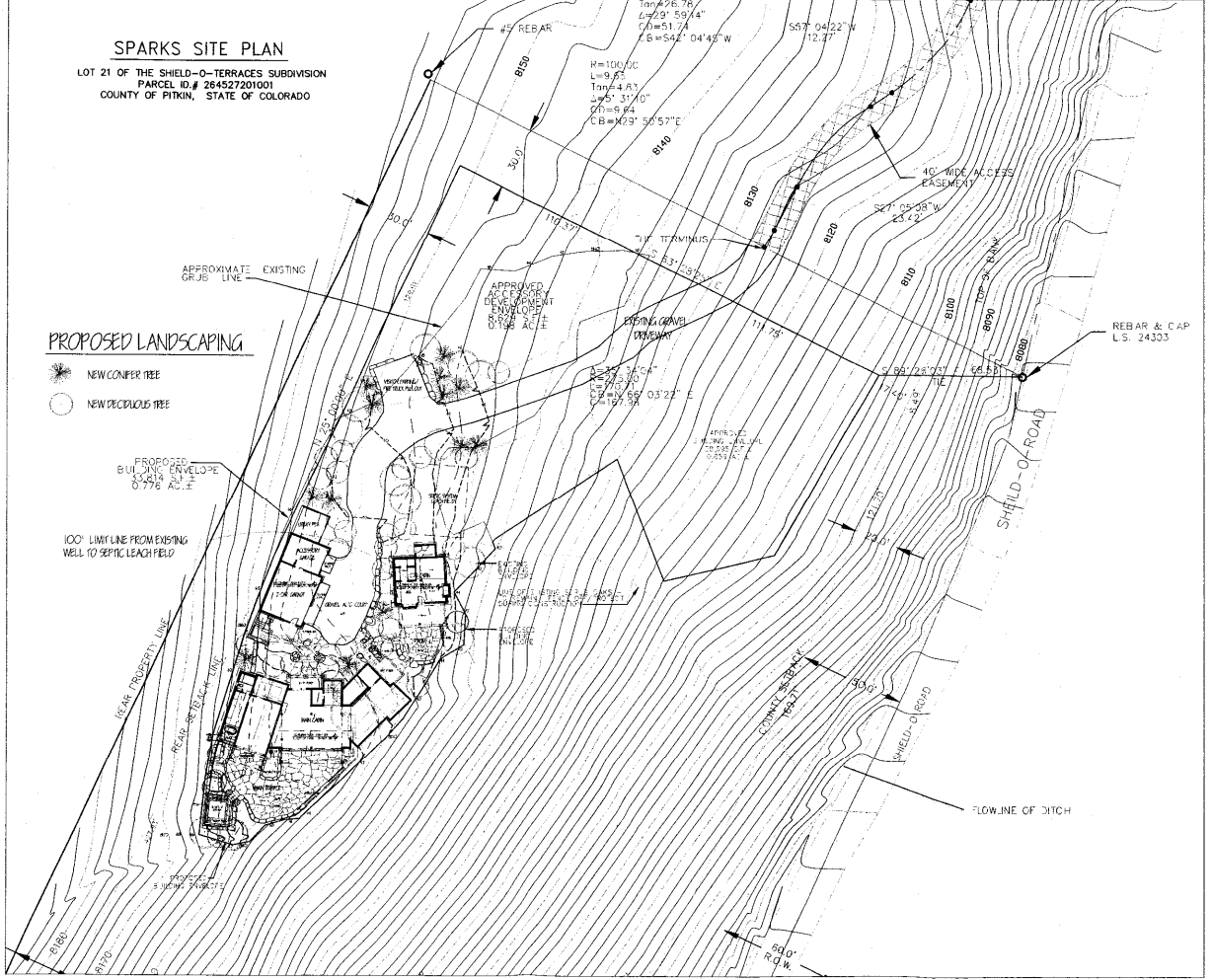
Please call with questions.

ALL SERVICE septic, LLC

Timothy R. Petz
3 copies

SPARKS SITE PLAN

LOT 21 OF THE SHIELD-O-TERRACES SUBDIVISION
 PARCEL ID.# 264527201001
 COUNTY OF PITKIN, STATE OF COLORADO



PROPOSED LANDSCAPING

-  NEW CONIFER TREE
-  NEW DECIDUOUS TREE

PROPOSED BUILDING ENVELOPE
 0.776 AC ±

100' LIMIT LINE FROM EXISTING
 WELL TO SEPTIC LEACH FIELD

REAR PROPERTY LINE

REAR TREELINE

APPROVED DEVELOPMENT ENVELOPE
 0.168 AC ±

SPARKS DRIVE

40' WIDE ACCESS EASEMENT

REBAR & CAP L.S. 24303

FLOW LINE OF DITCH

SHIELD-O ROAD

REAR PROPERTY LINE

REAR TREELINE

APPROVED DEVELOPMENT ENVELOPE
 0.168 AC ±

SPARKS DRIVE

40' WIDE ACCESS EASEMENT

REBAR & CAP L.S. 24303

FLOW LINE OF DITCH

SHIELD-O ROAD

REAR PROPERTY LINE

REAR TREELINE

APPROVED DEVELOPMENT ENVELOPE
 0.168 AC ±

SPARKS DRIVE

40' WIDE ACCESS EASEMENT

REBAR & CAP L.S. 24303

FLOW LINE OF DITCH

SHIELD-O ROAD

REAR PROPERTY LINE

REAR TREELINE

post office box 3306
 snowmass village
 colorado 81415
 tel: 970.923.8946
 fax: 970.923.8946

SCALE

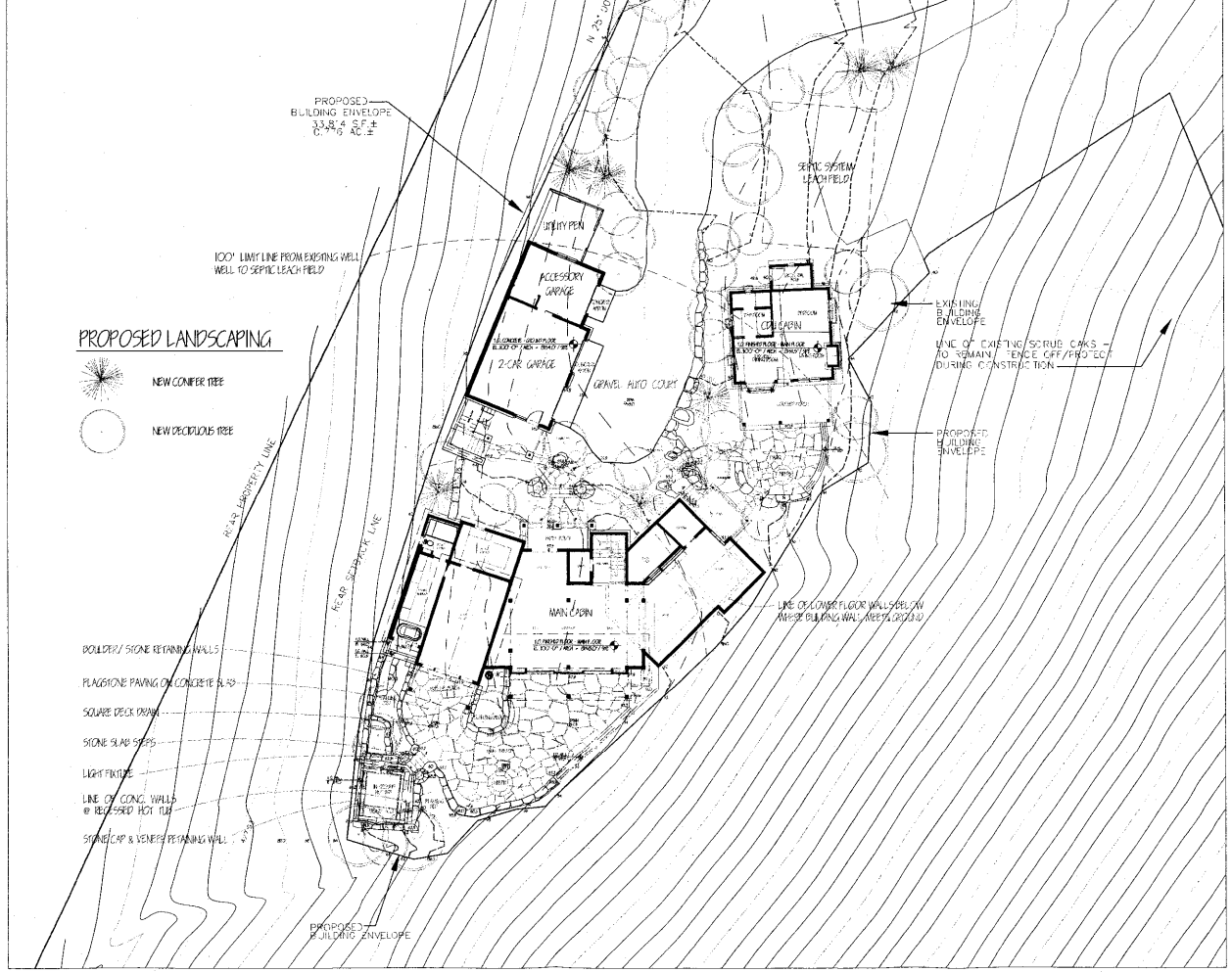
TIMBER CREEK WEST

330 Shield-O Road
 Snowmass, Colorado

SITE PLAN

A1.1

000014



TIMBER CREEK WEST

300 Shield-0 Road
 Snowmass, Colorado

SITE PLAN



DATE	11-11-07
BY	JKM
CHECKED	
DATE	
SCALE	1/2" = 1'-0"
PROJECT	KA

A1.2

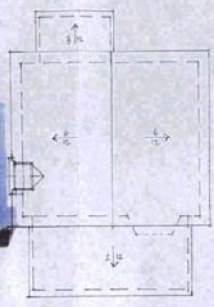
000015

- CORTEN STEEL & CEMENT
- CORTEN STEEL ROOF -
- 2x4 RAFTERS & 2x12 TRUSS JOIST
- EXPOSED TRUSS BEAMS
- WEATHERED PINE DECK
- CORNER - VERTICAL & CAP
- WOOD WINDOWS & DOORS
- RECYCLED VENEER BRICK

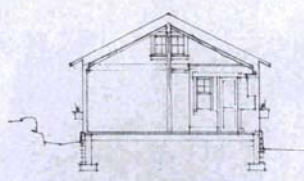


EAST ELEVATION

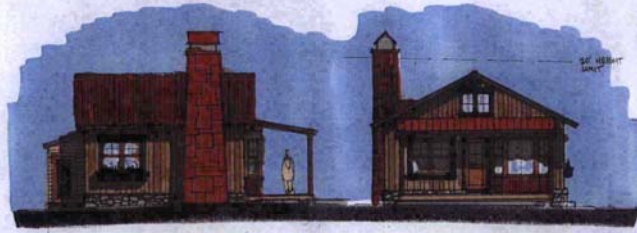
NORTH ELEVATION



ROOF PLAN

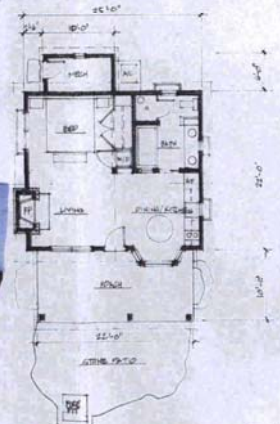


SECTION - LOOKING NORTH



WEST ELEVATION

SOUTH ELEVATION



MAIN FLOOR PLAN 970 SF NET &
 910 SF - TOTAL FLOOR AREA
 ROBERT MERRILL ARCHITECT, INC.

1/8" = 1'-0" - 01 OCTOBER 09

SNOWMASS RESIDENCE - SCHEMATIC DESIGN
 CAFETAKER DWELLING UNIT CABIN

000016



NORTH ELEVATION - ENTRY



NORTH EAST ELEVATION

50' HEIGHT LIMIT

- SIDING VENEER & CAP
- CORTEX METAL ROOFING
- CONCRETE & GRANITE GRAB
- WEATHERED BARK BOARD SIDING
- PINK & BEAM TIMBER
- WOOD SHINGLES & DOORS



SOUTH ELEVATION - VIEW

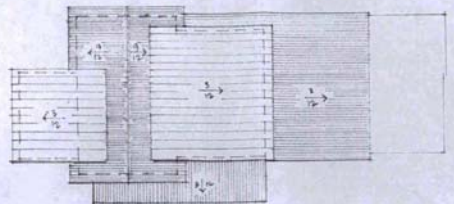
1/8" = 1'-0"

04 NOVEMBER 09

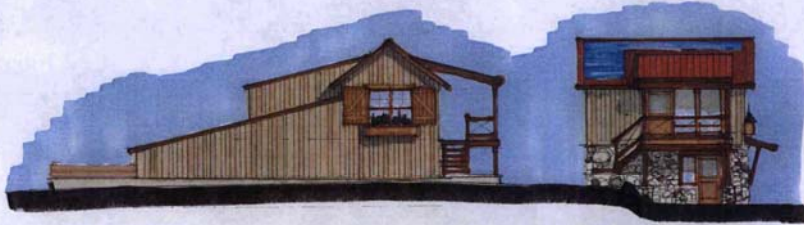
SNOWMASS RESIDENCE - SCHEMATIC DESIGN

ROBERT M. HALL / ARCHITECT, INC.

MAJ. CABIN ELEVATIONS

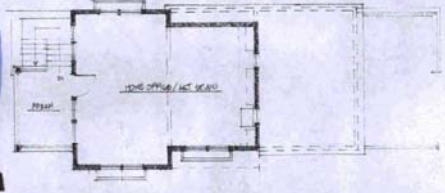


ROOF PLAN

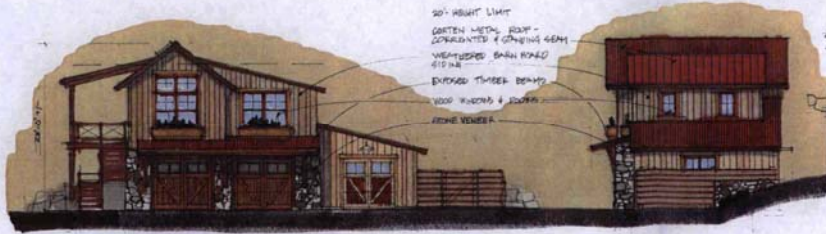


WEST ELEVATION

SOUTH ELEVATION



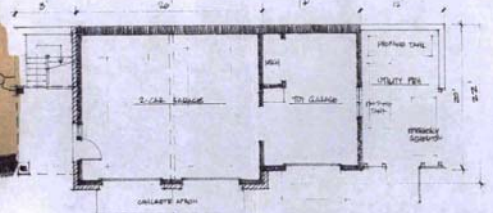
MAIN FLOOR PLAN
524 S.F. - FLOOR AREA



EAST ELEVATION

NORTH ELEVATION

- 50' HEIGHT LIMIT
- GARTEN WITH ROOF - CORRUGATED & GROUNDING GEAR
- VENTURISED BARK BARKED SIDING
- EXPOSED THICK BEAMS
- WOOD WINDOWS & DOORS
- STONE VENEER



GROUND FLOOR PLAN
892 S.F. - FLOOR AREA
1070 S.F. - TOTAL BUILDING

1/8" = 1'-0" • 05 NOVEMBER 09 - REVISION • SNOWMACE RESIDENCE • SCHEMATIC DESIGN • ROBERT MEHALL/ARCHITECT, INC. • OFFICE / STUDIO / GARAGE

000018



Photo taken along Snowmass Creek Road in the vicinity of Moon Run Ranch



Photo simulation along Snowmass Creek Road in the vicinity of Moon Run Ranch

**PITKIN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
AGREEMENT FOR PAYMENT OF LAND USE APPLICATION FEES**

PITKIN COUNTY (hereinafter COUNTY) and Marc A. sparks (hereinafter APPLICANT) AGREE AS FOLLOWS:

1. APPLICANT has submitted to COUNTY an application for Minor Amendment to a Development Permit (hereinafter, THE PROJECT).
2. APPLICANT understands and agrees that Pitkin County Ordinance No. 022-2006 establishes a fee structure for land use applications and the payment of all processing fees is a condition precedent to a determination of application completeness. The fee structure is based on the County's policy that development shall pay, in full, the cost of development review in Pitkin County. Fees have been set to be consistent and fair to the public and to reflect the expense incurred in providing such services to the public.
3. APPLICANT and COUNTY agree that because of the size, nature or scope of the proposed project, it may not be possible at the time of application to ascertain the full extent of the costs involved in processing the application.
4. APPLICANT and COUNTY agree that fees charged for the processing of land use applications shall accumulate if an application includes more than one type of land use review.
5. COUNTY and APPLICANT further agree that it is impracticable for COUNTY staff to complete processing or present sufficient information to the Planning Commission and/or Board of County Commissioners to enable the Planning Commission and/or Board of County Commissioners to make legally required findings for project approval, unless current billings are paid in full prior to decision.
6. Therefore, APPLICANT agrees that in consideration of the COUNTY's waiver of its right to collect full fees prior to a determination of application completeness, APPLICANT shall pay a base fee in the amount of ~~\$773~~^{\$730} which is based on ~~6~~⁵ hours of staff time, and if actual time spent by staff to process the application exceeds the average number of hours by more than 20%, then the COUNTY will bill the APPLICANT quarterly for the additional time spent. Such periodic payments shall be made within 30 days of the billing date. APPLICANT further agrees that failure to pay such accrued costs shall be grounds for suspension of processing.

PITKIN COUNTY

Cindy Houben
Community Development Director

APPLICANT

Marc A. Sparks
Print Name

Signature

Date: 8/25/09

Mailing Address:

5010 Addison Circle
Addison, TX 75001

Alan Richman

Planning Services

Box 3613 Aspen, Colorado 81612

Phone/Fax (970)920-1125

arichman@sopris.net

September 21, 2009

Ms. Suzanne Wolff, Senior Planner
Pitkin County Community Development Department
130 South Galena Street
Aspen, Colorado 81611

RE: SPARKS APPLICATION FOR MINOR AMENDMENT TO DEVELOPMENT PERMIT AND CARETAKER DWELLING UNIT

Dear Suzanne,

This is an application to amend the recorded 1041 site plan for the Sparks property, which is legally described as Lot 21, Shield O' Terraces and is located at 300 Shield O' Road in Snowmass. The Parcel ID# for the property is 264527201001. The purpose of this minor amendment is to adjust the lot's previously approved building envelope to include limited areas immediately surrounding the envelope that are also suitable for development. The applicant also requests approval of a caretaker unit on the lot.

The application is being submitted by the owner of the property, Mr. Marc A. Sparks (hereinafter, "the applicant"). A legal description and proof of ownership of the property is provided in the Warranty Deed, attached hereto as Exhibit #1.

The applicant is being represented by Alan Richman Planning Services for purposes of this application. A letter from the applicant confirming this arrangement is attached as Exhibit #2.

I held a pre-application conference with you prior to the submission of this application. The Pre-Application Conference Summary you issued (see Exhibit #3) states that the review procedures applicable to the proposed development are as follows:

Minor Amendment to a Development Permit, pursuant to Code Section 2-20-150 (b);

Special Review for a Caretaker Dwelling Unit, pursuant to Code Section 2-30-30 (h);

Use Standards for a Caretaker Dwelling Unit, pursuant to Code Section 4-30-50 (e);
and

GMQS Exemption for a Caretaker Dwelling Unit, pursuant to Code Section 6-30-40 (c).

000002

Ms. Suzanne Wolff
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The following sections of this application identify the provisions of the Land Use Code applicable to these procedures and provide responses to the applicable County standards. First, however, a brief description of the property and an explanation of the purpose of the proposed amendment are presented below.

Property Description

The subject property is a nearly rectangular-shaped parcel of land located along the lower reaches of Shield O' Road. The property is 4.005 acres in size. It zoned RS-30, a zone district with a 30 acre minimum lot size, making this a substandard-size lot of record.

The property was granted 1041 Hazard Review approval by the Hearing Officer pursuant to Hearing Officer Determination 20-2004 (see Exhibit #4). The 1041 site plan for the property is recorded in Plat Book 71 at Page 18. Subsequent to obtaining this approval, the prior owner, Mr. Tom Whiddon, constructed the driveway into the property, installed the well, and made other associated improvements. The free market residence contemplated in the original approval has not yet been built.

In 2007, the Board of County Commissioners reinstated the property's vested rights for three years (until July 11, 2010), pursuant to Resolution 061-2007 (see Exhibit #5). More recently, Mr. Whiddon sold the property to Mr. Sparks, who intends to complete the development of the property.

As is shown on the proposed site plan, the majority of the property consists of slopes that are in excess of 30%. However, the northwest corner of the lot is considerably flatter than the remainder of the lot, with slopes that are generally less than 30%. This is the portion of the property where the designated building envelope is located.

A careful review of the designated building envelope illustrates that the northwestern corner of the envelope is actually designated as an accessory building envelope, with a reference to note #7 on the site plan. That note states that the edge of the envelope corresponds to a distance of 275 feet from the closest roof corner of the house on one of the adjacent lots. This restriction was adopted during the public hearings held in 2004, in response to comments provided by the adjacent neighbor, who objected to having a structure any closer than that distance from her existing house. Since that condition was written the house on that lot has been demolished. Nevertheless, the applicant has no interest in re-visiting that issue, given the lengthy negotiations that went into the imposition of that restriction on the development of this lot.

Proposed Site Plan Amendment

The applicant has evaluated the designated building envelope on the recorded site plan in the hope of creating a plan that would fit within the envelope. The applicant has found that the irregular shape of the designated building envelope and the natural features of the lot make it somewhat difficult to complete the development he contemplates within the boundaries of the envelope.

The applicant is working with an architect to design a small residential compound that would be comprised of three structures, including a main house that would be approximately 3,000 sq. ft. in size, a detached garage behind the house, and a small caretaker dwelling unit. The applicant would prefer to locate these structures towards the front (southwest) portion of the envelope, where the envelope projects forward with a narrow "finger". There are several reasons for placing the house in this location. First, the views from this portion of the lot toward the Snowmass Ski Area are unimpeded. Second, it is possible to hear the sound of water flowing in Snowmass Creek along the valley floor from this location, but this sound is not audible from the rear portion of the building envelope. Finally, there is a stand of oak brush toward the rear (northeast) portion of the envelope that the applicant would like to preserve, provided he can set back a sufficient distance from the brush to achieve the required level of defensible space.

The issue the applicant is trying to grapple with is that the front portion of the building envelope is quite confined, with a width of just about 60' that narrows to less than 30' at the tip of the finger. Therefore, every foot of additional width that the applicant might be able to obtain helps to make a livable house and outdoor deck that much more feasible.

When the original envelope was drawn the prior owner had anticipated putting much of the house in the middle of the envelope, with some of the house projecting forward toward the front of the envelope. However, when the restriction was placed on the use of the northwestern corner of the envelope, this design became more difficult, making it important to utilize the land at the front of the envelope. A close examination of the slope analysis provided on the site plan shows that there are some slivers of land around the finger of the envelope that also have slopes less than 30%. The applicant proposes to extend the envelope to include these areas immediately around the envelope.

The site plan depicts the new envelope that would be established in comparison to the approved envelope. It shows that the new envelope would extend mostly above and slightly below the limits of the approved envelope by a distance that ranges from just 2' where the extension begins, to approximately 20' at the southern tip of the envelope. Some of the extension is into areas with slopes that are 15% to 30% but there are also areas proposed to be added to the envelope with slopes greater than 30%.

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Page Four

The surveyor has studied these areas and determined that slopes in this area measure approximately 33%. The applicant recognizes that a slope of 33% slightly exceeds the Code limit. However, the applicant requests the inclusion of these areas for two reasons. First, their inclusion will make this portion of the envelope significantly more usable for the residential compound, with the width of the finger of the envelope ranging from 80' to 60'.

Second, when the applicant purchased this lot it had already begun to be developed, with piles of rocks and other disturbed material left in place from when the prior owner built the driveway and installed the well within the designated building envelope. To help the owner to be able to understand the lot and to design a house that would fit on it, the owner asked his contractor to clear the envelope, following the boundaries laid out on the site plan. However, as the surveyor has since verified, the contractor went several feet beyond the boundary on the uphill side and around the front of the envelope, clearing along the very bottom of the slope. Therefore, the applicant requests approval to include this area in the envelope, since it has been disturbed and the slopes that were previously just over 30% (and are shown as such on the site plan) are now actually less than 30%.

Minor Amendment to a Development Permit

Staff has determined that the proposed changes to the site plan can be processed as a minor amendment to a development permit. Section 2-20-150 (b) of the Code authorizes the Community Development Director to grant a minor amendment to a development permit. This section states that a minor amendment shall meet the following criteria:

1. *Is consistent with action(s) taken during previous development approvals for the property.*

Response: The proposed envelope would have the same basic configuration as the approved envelope except for the fact that its lower portion would be slightly wider. In all other respects the amendment would not change the originally-granted approval.

As shown on the proposed site plan, the total area of the envelope would increase by approximately 5,100 sq. ft., from approximately 28,700 sq. ft. to 33,800 sq. ft. If the County felt it would be meaningful, the applicant would be willing to remove a corresponding area from the approved envelope to keep its total area approximately the same as today. For example, the applicant would agree to remove the northeast corner of the envelope, which is covered with oak brush and has slopes that are just under 30%.

2. *Does not change the use of the proposed development between residential, commercial and tourist accommodation uses.*

Response: No change in use is proposed.

3. *Does not change the basic character of the approved use of land on which the activity occurs including basic visual appearance and method of operation.*

Response: The proposed amendment will not change the basic character of the land use approval granted to the property. It merely adds some limited slivers of land to the approved envelope. The envelope is essentially not visible from Snowmass Creek Road.

4. *Does not constitute a new land development activity.*

Response: The proposed amendment does not constitute a new land development activity. Rather, it is a minor change to an approved development activity.

5. *Does not increase off-site impacts in the surrounding neighborhood.*
6. *Does not endanger the public health, safety, or welfare.*

Response: The proposed changes to the envelope will not increase off-site impacts nor will they endanger the public health, safety or welfare.

7. *Does not violate any Land Use Code standard.*

Response: The proposed amendment does not violate any Code standard, although it would authorize limited development to occur on slopes that were previously slightly more than 30%. However, the applicant believes that this development may be permitted by Section 7-20-20 (c) (2), "Parcels With Some Areas of Less Than 30% Slopes".

The approved envelope has an irregular shape and is relatively limited in size (it is approximately 2/3 of an acre). When it was originally drawn it contained a wide area in its northern (upper) reaches that would have been a feasible spot for the house to be built. However, in the original approval the northwest corner of the lot was limited to accessory uses only, leaving a poorly configured area that would be difficult to develop. Moreover, this portion of the lot is still largely covered with oak brush and the applicant would hope to keep that vegetation intact for screening and the wildlife benefits it provides.

Considering all of these factors (and because it is the most desirable portion of the envelope in which to build) the applicant wants to cluster the three proposed structures into the lower portion of the envelope. However, because of the limited width of this area, it is not possible to place all of the floor area allowed on this property in this location. It should be noted that the applicant does not propose to develop the full 5,750 sq. ft. of floor area allowed on this parcel (an exact total will be provided at the time of building permit review). But the lesser amount of floor area planned does not fit entirely within this area. Therefore, the applicant requests this amendment of the envelope onto the slopes that were previously slightly in excess of 30% to allow the permitted floor area to be built.

The applicant hereby agrees to submit a report from an engineer or a geologist prior to building permit review demonstrating that the site can be engineered such that there will be no hazard posed by amending the envelope in the manner shown, as required by Sec. 7-20-20 (c)(1)(a). The applicant also agrees to comply with the provisions of Sec. 7-20-20 (c)(1)(b) of the Code which ensure that a disturbed slope remains stable.

8. *Does not substantially increase the need for on-site parking or utilities, or affect affordable housing generation.*
9. *Does not increase the floor area of the use by more than five percent (5%) or decrease the open space on the site by more than five percent (5%).*

Response: The proposal has no impacts on the need for parking, utilities or affordable housing, and does not change floor area or open space calculations on the site.

Use Standards for Caretaker Dwelling Unit

According to Section 4-30-50 (e) (1) and (2) of the Code, a caretaker dwelling unit (CDU) may be developed in the RS-30 zone district, pursuant to the following use standards:

- (a) *It is attached to a single family home.*

Response: The applicant proposes that the CDU be detached from the main residence (although it will be located in a cluster approximately 20' to 30' from the residence). Section 4-30-50 (e) (2) allows a CDU to be detached from the main residence if it complies with the special review procedures and standards of the Code. A response to the standards of special review (Section 2-30-30 [h] [2]) is provided below.

- (b) *The lot or parcel on which it is located conforms to the minimum lot area requirements for each dwelling in the zone district in which the caretaker dwelling unit is located.*

Response: The subject property does not conform to the 30 acre minimum lot area requirement of the RS-30 zone district. Section 4-30-50 (e) (2) allows a CDU to be developed on a substandard lot if it complies with the special review procedures and standards of the Code. A response to the standards of special review (Section 2-30-30 [h] [2]) is provided below.

- (c) *The caretaker dwelling unit shall not exceed one thousand (1,000) net livable square feet on lots or parcels that are thirty thousand (30,000) square feet or greater in lot area, and seven hundred (700) net livable square feet on lots or parcels that are less than thirty thousand (30,000) square feet in lot area.*

Ms. Suzanne Wolff
September 21, 2009
Page Seven

Response: As shown on the attached floor plan, the CDU will contain considerably less than 1,000 sq. ft. of net livable area.

(d) *The floor area of the caretaker unit shall be included in the total allowed floor area for the lot or parcel of land.*

Response: There is not presently a floor area limitation in the RS-30 zone district. However, the floor area of the caretaker unit will count towards the 5,750 sq. ft. of floor area that is allowed to be developed on this property exempt from GMQS.

(e) *Two (2) off-street parking spaces shall be provided for each caretaker unit.*

Response: The applicant will provide at least two off-street parking spaces for the caretaker unit.

(f) *The applicant shall, by deed restriction or other permanent commitment running with the land, guarantee that the caretaker dwelling unit:*

1. *Shall not be required to be rented;*
2. *Shall not be sold or otherwise conveyed or separated from the original parcel regardless of the ultimate form of ownership of the caretaker unit;*
3. *Shall be limited to occupancy by (i) not more than two adults and related children who qualify as (and have been found by the Housing Authority to be) employees of the community under such guidelines as may be from time to time established, or (ii) ; members of the owner's immediate family even though they may not qualify as employees of the community.*
4. *Shall be rented for terms not less than six (6) months if rented.*

Response: The applicant will file such a deed restriction following the County's approval of this application.

(g) *The caretaker dwelling unit restriction may be removed by the property owner upon approval of the Community Development Director, subject to the requirement that the dwelling is removed or modified. If modified, the remaining improvements must no longer be capable of occupancy as a Dwelling Unit and must otherwise meet applicable Code requirements.*

Response: The applicant agrees to abide by this limitation.

GMQS Exemption for Caretaker Dwelling Unit

Section 6-30-40 (c) of the Code authorizes a GMQS exemption for a caretaker dwelling unit pursuant to the following provisions:

One (1) Caretaker Dwelling Unit ("CDU") may be exempted from Growth Management on any lot or parcel located in a zone district in which a CDU is an allowed use, a use allowed by special review, or a use allowed as part of a master plan, as shown in Table 4-1.

Response: A CDU is a use allowed by special review in the RS-30 zone district.

The CDU may be allowed even if the lot or parcel is substandard in size and the resulting development on the lot or parcel would not conform to the underlying zone district's minimum parcel size for each dwelling unit, subject to the standards in Sec. 4-30-50 (e).

Response: The parcel is substandard in size so a response to the standards of Section 4-30-50 (e) has been provided below.

The CDU may be either attached to a single-family dwelling unit ("principal dwelling") or other use or may be detached from the principal dwelling or other allowed use if it complies with the standards in Sec. 4-30-50 (e).

Response: Since the CDU is to be detached from the principal dwelling, a response to the standards of Section 4-30-50 (e) has been provided.

Special Review for Caretaker Dwelling Unit

Development of a caretaker unit requires special review approval from the County. The standards for special review are listed in Section 2-30-30 (h) (2) of the Land Use Code. The applicants' responses to these standards are as follows:

(a) *The special review use shall be consistent with the applicable County Master Plan.*

Response: The applicable Master Plans for this property are the Down Valley Comprehensive Plan (DVCP) and the Snowmass/Capitol Creek Valleys Master Plan.

The DVCP designates this area as "Rural Residential". The Rural Residential land use category is intended for low density residential development that is consistent with existing zoning. When applied to existing residential subdivisions in the down valley area, such as Shield O', this designation is intended to recognize previously-developed subdivisions that are comprised of substandard size lots as permitted uses.

Shield O' Terraces and Shield O' Mesa are typical of many other older rural subdivisions in that they are housing concentrations at a density that exceeds surrounding agricultural and resource areas. The DVCP permitted these densities to continue because services had been provided to these areas and because they provide benefits to the community in terms of housing that is attainable by working residents. Development of a caretaker unit on this property would conform to these underlying principles of the DVCP.

The Snowmass/Capitol Creek Valleys Master Plan does not speak in much depth to caretaker dwelling units. Objective 1.2.1 of the Master Plan does support "on-site employee housing by special review". The Future Land Use Map recognizes the Shield O' neighborhood as "Low Density Residential" which lists caretaker dwelling units as a use intended for that land use district.

(b) *The special review use shall not conflict with any applicable sections of the Pitkin County Land Use Code, including the County Land Use Policies in Chapter 1.*

Response: To the best of the applicant's knowledge, the proposed development will not conflict with any of the adopted standards or policies of the County Land Use Code.

(c) *The proposed development must not materially endanger the public health, safety or welfare.*

(d) *The proposed development must not substantially injure the value of adjoining or abutting property.*

Response: The development of the proposed caretaker unit will not have any negative impacts on the public health, safety, or welfare, nor will it adversely affect the value of any adjoining property.

(e) *The special review use shall be consistent with the intent of the Zone District in which it is proposed to be located.*

Response: The stated intent of the RS-30 zone district is to "permit low density, single-family residential development and customary accessory uses". A caretaker dwelling unit is a customary accessory use in Pitkin County's rural residential neighborhoods.

(f) *The special review use shall be compatible with the character of the immediate vicinity of the parcel proposed for development and surrounding land uses, or shall enhance the mixture of complimentary uses and activities in the immediate vicinity of the parcel proposed for development.*

Response: The proposed caretaker unit will be consistent with the character of the surrounding area, which is entirely residential. There are residences of varying sizes located within the surrounding neighborhood, some of which contain caretaker dwelling units and similar accessory uses.

- (g) *The location, size, design and operating characteristics of the proposed special review use must be in harmony with the surrounding area and minimize adverse effects, including visual impacts, impacts on pedestrian and vehicular circulation, traffic generation, parking, trash, service delivery, air/water pollution or other impacts on natural resources, noise, vibrations and odor on surrounding properties.*

Response: The caretaker unit will not create significant impacts on the surrounding properties. The 570 sq. ft. unit will be part of a residential compound that is clustered into the front portion of the building envelope, at a considerable distance from any neighboring lot. Because of the topography in the area, this location is essentially not visible from Snowmass Creek Road.

A drawing depicting the south elevation of the CDU has been provided, illustrating that it will be a simple, one story cabin-style structure, designed to be compatible with the other structures planned for the site. The floor plan shows that this will be a one bedroom, one bath unit.

This small caretaker unit will have minimal consequences in terms of vehicle circulation or traffic generation and will not alter the requirements for trash pick-up or service delivery to the property. No particular impacts on natural resources or pollution-causing activities are anticipated from the CDU.

- (h) *There must be adequate public facilities and services to serve the special review use, including but not limited to roads, potable water, sewer, solid waste, parks, police, fire protection, emergency medical services, hospital and medical services, drainage systems, and schools.*

Response: There are adequate public facilities and services available in this neighborhood to serve the proposed development of a caretaker unit on this property. Potable water is supplied to this property from the on site well and sewage disposal will be handled by an on-site wastewater disposal system. This system will be designed to accommodate the needs of both the caretaker unit and the main house.

The proposed caretaker unit should not place any significant demands on other public facilities and services, including fire protection, solid waste, parks, police, emergency medical services, hospital and medical services, drainage systems, and schools.

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- (i) *The proposed special review use must comply with any additional standards or requirements stated for such use in Sec. 4-30 and/or Sec. 2-40-20.*

Response: A response to the standards of Sec. 4-30 is provided in Section IV of this application booklet.

Conclusion

I believe the above responses provide the information you require to process this application. If there is anything else you need, please do not hesitate to contact me.

Very truly yours,

ALAN RICHMAN PLANNING SERVICES

A handwritten signature in black ink, appearing to read "Alan Richman". The signature is fluid and cursive, with the first name "Alan" and last name "Richman" clearly distinguishable.

Alan Richman, AICP

EXHIBITS

EXHIBIT #1

Documentary Fee 130.00

WARRANTY DEED

THIS DEED, made this 24 day of October, 2007,

Between **JOHN THOMAS WHIDDON and DENISE S. WHIDDON**

of the County of COLLIN, State of TEXAS, GRANTOR,

AND **MARC A. SPARKS, GRANTEE**

whose legal address is : 5010 ADDISON CIRCLE, ADDISTON, TX 75001,

of the County of DALLAS , State of TEXAS

WITNESSETH, That for and in consideration of the sum of ten dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the grantor has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey and confirm unto the grantee, his heirs and assigns forever, not in tenancy in common but in joint tenancy, with right of survivorship, all the real property together with improvements, if any, situate and lying and being in the County of PITKIN, State of COLORADO, described as follows:

See Attached Exhibit "A"

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances. TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the Grantor, for himself, his heirs and assigns, does covenant, grant, bargain, and agree to and with the Grantee, his heirs and assigns, that at the time of the ensembling and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except those matters as set forth on Exhibit "A" attached hereto and incorporated herein by reference. The grantor shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of gender shall be applicable to all genders.

IN WITNESS WHEREOF the grantor has executed this deed on the date set forth above.

SIGNATURES ON PAGE 2

Return to:

Grantee

000014

SIGNATURE PAGE TO WARRANTY DEED TO JOINT TENANTS
Page 2


JOHN THOMAS WHIDDON


DENISE S. WHIDDON

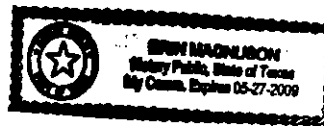
STATE OF Texas
COUNTY OF Collin ^{SS}

The foregoing instrument was acknowledged before me this 22 day of October, 2007,
by JOHN THOMAS WHIDDON and DENISE S. WHIDDON.

WITNESS my hand and official seal


Notary Public

my commission expires: 5/27/2009



PCT21684L2

000015

EXHIBIT #2

Ms. Suzanne Wolff, Senior Planner
Pitkin County Community Development Department
130 South Galena Street
Aspen, Colorado 81611

RE: SPARKS MINOR AMENDMENT TO DEVELOPMENT PERMIT

Dear Ms. Wolff,

I hereby authorize Alan Richman Planning Services to act as my designated representative with respect to the land use application being submitted to your office for a minor amendment to the approved building envelope for my property, which is located at 300 Shield O' Road in Snowmass. Mr. Richman is authorized to submit a land use application for a minor amendment to a development permit for the property. He is also authorized to represent us in meetings with Pitkin County staff and the County's review bodies.

Should you have any need to contact us during the course of your review of this application, please do so through Alan Richman Planning Services, whose address and telephone number are included in the land use application, or you may contact me directly.

Sincerely,



Marc A. Sparks
Timber Creek Capital, LP
5010 Addison Circle
Addison, Texas 75001
972-387-4840

000016

EXHIBIT #3

PITKIN COUNTY PRE-APPLICATION CONFERENCE SUMMARY

PLANNER: Suzanne Wolff
PHONE: (970) 920-5093

DATE: 9/3/09
E-MAIL: suzanne@co.pitkin.co.us

LOCATION: Lot 21, Shield O Terrace 300 shield O rd
PARCEL ID #s: 264527201001

ZONE: RS-30
LOT SIZE: 4.005 acres

OWNERS/APPLICANTS: Marc Sparks

REPRESENTATIVE: Alan Richman

EMAIL: arichman@sopris.net

Type of Application: Minor Amendment to Development Permit & Caretaker Dwelling Unit

Description of Project/Development: The Applicant proposes to amend the building envelope and obtain approval for a caretaker dwelling unit. The Hearing Officer granted 1041 hazard review approval pursuant to Determination No. 20-2004. The BOCC reinstated the vested rights, pursuant to Resolution No. 061-2007; the vested rights expire July 11, 2010.

Land Use Code Sections to address in letter of request/application:

- 2-20-150.b: Minor Amendment to Development Permit
- 2-30-30(h): Special Review criteria for caretaker dwelling unit;
- 4-30-50(e)(1)(2): Caretaker Dwelling Unit
- 6-30-40(c): GMS Exemption for CDU

Review by: Community Development Director

Public Hearing: NO. However, notice is required via **posting and mailing**. The Applicant shall post a public notice sign on the property at least 15 days prior to the date specified for the Administrative Decision pursuant to Sec. 2-20-100(a)(3) of the Land Use Code. In addition, the Applicant shall mail notice (by certified mail) to all adjacent property owners and mineral estate owners with the return address of the Community Development Department (form of notice to be obtained from the Community Development Department). The names and addresses shall be those on the current tax records of Pitkin County, as they appear no more than 60 days prior to the date of the public hearing. A property owner receiving the public notice shall have 2 weeks from the date the notice was postmarked to submit comments or objections to the Community Development Department.

Staff will refer to: Snowmass/Capitol Caucus, Shield O Terrace HOA, Housing

FEES: \$1,700 (make check payable to "Pitkin County Treasurer")

- **\$1,496** Planning flat fee (non-refundable; based on 8 hours of staff time; if staff review time exceeds 3.6 hours, the Applicant will be charged for additional time in excess of 7.6 hours at a rate of \$249/hour)
- **\$179** Housing
- **\$25** Clerk Technology Fee

To apply, submit 4 copies of the following information, unless noted otherwise:

1. Letter of request, addressing (in detail) each of the provisions of the Pitkin County Land Use Code identified above and sufficient to demonstrate that all substantive review criteria have been met;
2. Copies of prior approvals;
3. Consent from the owner of the property for the representative to process the application and represent the owner (1 copy);

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4. Disclosure and proof of ownership of the property, consisting of a current certificate from a title insurance company or attorney licensed to practice law in the State of Colorado, listing the names of all owners of the property and all mortgagees, judgments, liens, easements, contracts and agreements affecting use and development of the parcel and proof of the owner's right to use the land for the purposes identified in the development application.
5. Street address (if any) and parcel description, including legal description, and 8-1/2"x 11" vicinity map locating the subject property within Pitkin County;
6. Executed Pitkin County Community Development Agreement for Payment of Land Use Application Fees (1 copy) (form attached);
7. List of adjacent property owners and mineral estate owners (1 copy); and
8. This Pre-Application Conference Summary Sheet.

NOTES:

- *PLEASE SUBMIT ONE UNBOUND AND ONE-SIDED COPY OF YOUR COMPLETE APPLICATION. PLEASE SUBMIT TWO-SIDED COPIES OF ALL REMAINING COPIES OF YOUR APPLICATION (IF POSSIBLE).*
- *ALL MAPS SHALL BE FOLDED.*
- *This pre-application conference summary is advisory in nature and not binding on the County. The information provided in this summary is based on current zoning standards and staff's interpretations based upon representations of the applicant. Additional information may be required upon a complete review of the application.*



DETERMINATION OF THE HEARING OFFICER OF THE COMMUNITY DEVELOPMENT DEPARTMENT OF PITKIN COUNTY, COLORADO, APPROVING THE WHIDDON 1041 HAZARD REVIEW

Determination No. 20-2004

RECITALS

1. John and Denise Whiddon (hereafter "Applicants") have applied to the Pitkin County Hearing Officer (hereafter "Hearing Officer") for 1041 Hazard Review approval to establish a building envelope and access envelope for the construction of a single-family residence.
2. The property is Lot 21, Shield-O-Terraces, and is more specifically described as Exhibit "A".
3. The property is zoned RS-30 PUD and contains 4.005 acres.
4. The Hearing Officer heard this application at a public hearing on January 27, 2004, at which time evidence and testimony were presented with respect to this application. The Hearing Officer found at that time that because the property was in the same ownership with the owner of Lot 20, Shield-O Terraces, for a period of approximately 3 years, the property is then merged and could not be developed.
5. Subsequently, the Applicants appealed to the Board of County Commissioners ("BOCC"), at which time the BOCC denied the appeal and granted a Subdivision Exemption to divide Lots 20 and 21, and grant a development right to Lot 21 pursuant to BOCC Resolution No. 70-2004.
6. Subsequently the Hearing Officer heard the 1041 application at a public hearing on June 15, 2004, at which time evidence and testimony were presented with respect to this application.
7. The Hearing Officer finds that the proposal is in compliance with the applicable Standards of the Pitkin County Land Use Code.

NOW THEREFORE BE IT RESOLVED by the Pitkin County Hearing Officer that approval is hereby granted to the Whiddon 1041 Hazard Review subject to the following conditions, which shall run with the land and be binding on all successors in interest:

Re-record to show Exhibit A





1. The Applicants shall adhere to all conditions and material representations made in the application and public meetings except as amended herein.
2. Prior to submittal for any building permits, the Applicants shall record a 24 X 36 inch mylar 1041 Hazard Review Site Plan in accordance with Sections 5-70-040 of the Land Use Code. A building envelope shall be depicted on the site plan encompassing all proposed development. Community Development shall approve the site plan prior to recordation.
3. The Applicants shall comply with the following landscaping and wildfire defensible space mitigation standards as can be accomplished within the boundaries of the property:
 - A. Brush, debris, and non-ornamental vegetation shall be removed within a minimum 10 foot perimeter around the structure.
 - B. Vegetation shall be reduced to break up the vertical and horizontal continuity of the fuels a minimum of a 70 foot perimeter around the structure.
 - C. Spacing between clumps of brush and vegetation within the 30 foot perimeters shall be a minimum of three times the height of the fuel. Maximum diameter of the clumps shall be two times the height of the fuel. All measurements shall be from the edges of the crowns of the fuel.
 - D. All branches from trees and brush within the 30 foot perimeter shall be pruned to a height of 10 feet above the ground and ladder fuels from around trees and brush shall be removed.
 - E. Tree crown separation within the 30 foot perimeters shall have a minimum of 20 feet between the edges of the crowns, except for Aspen trees. However, no Aspen trees may be within 10 feet of proposed tree structures. New or installed coniferous trees may not be within 20 feet (as measured from the edge of the crown) of proposed structures.
 - F. All branches which extend over the roof eaves shall be trimmed and all branches within 15 feet of the chimneys shall be removed.
 - G. The density of fuels within a 100 foot perimeter of the structure shall be reduced.
 - H. From the 30 foot perimeter around the house, out to the 70 foot perimeter, brush and shrubs shall be thinned to 2 times the height of the fuels. For sagebrush, thin stands to 4 times the height of the fuel.
 - I. All thinned oak brush, serviceberry or chokecherry stumps must be painted with Garlon® (or equivalent) herbicide to prevent aggressive re-sprouting.
 - J. All deadfall within the 100 foot perimeter shall be removed.
 - K. The applicant shall be responsible for the continued maintenance of the defensible space vegetation requirements.
4. The Applicants shall comply with the following additional wildfire mitigation standards:
 - A. Roofing:
 1. Roofing: New roofs shall have a class A roof covering and a class A assembly roof system. Wood shake/shingle roof coverings and flat roofs (up to a 3:12) pitch are prohibited unless they comply with the following:
 - i) All roof coverings shall be non-combustible Class A materials as defined in the Uniform Building Code (UBC) 1997 Section 1504 (wood shake/shingle roof coverings are prohibited) and installed on a Class A roof assembly.
 - ii) All roof coverings shall have a surface that shall facilitate the natural process of clearing the roof.





- iii) All roof designs shall facilitate the natural process of clearing roof debris. Protrusions above the roofline, such as parapets, shall be prohibited.
 - iv) Roofs shall be installed as required by UBC 1997 Chapter 15 and shall have a minimum slope of 1:48.
 - v) All roof designs, coverings or equivalent assemblies shall be specifically approved by the Basalt Fire Marshall prior to submittal of a building permit application.
 - vi) Vents shall be screened with corrosive resistant wire mesh with mesh ¼ inch maximum.
- B. Vegetation within the 10-foot perimeter shall be maintained to a height not more than six inches, or if ornamental, shall be irrigated and kept free of dead materials.
 - C. Roofs and gutters shall be kept clear of debris.
 - D. Yards shall be kept clear of all litter, slash, and flammable debris.
 - E. All flammable materials shall be stored on a parallel contour a minimum of 15 feet away from any structure.
 - F. Weeds and grasses within the 10 foot perimeter shall be maintained to a height not more than 6 inches.
 - G. Firewood/wood piles shall be stacked on a parallel contour a minimum of 15 feet away from the structure.
 - H. Swimming pools shall be accessible to Fire Department vehicles.
 - I. Fences shall be kept clear of brush and debris.
 - J. Wood fences shall not connect to the structure.
 - K. Any outbuildings or additional structures shall adhere to the same standards as structures.
 - L. Fuel tanks shall be installed underground with an approved container.
 - M. Propane tanks shall be installed according to NFPA 48 standards and on a contour away from the structure with standard defensible space vegetation mitigation around any above-ground tank. Any wood enclosure around the tank shall be constructed with materials approved for 2 hour fire-resistive construction on the exterior side of the walls.
 - N. Each structure shall have a minimum of one 10 pound approved ABC fire extinguisher placed in a visible and accessible location.
 - O. Addresses shall be clearly marked with 2 inch non-combustible letters and shall be visible and installed on a non-combustible post.
 - P. New utility lines shall be buried.
 - Q. Access:
 - 1. Thin shrubs (oak, chokecherry, serviceberry) to 3 times height along the driveway. No shrubs or conifers are allowed within 10' of the driveway. Aspen trees are permitted within 10 feet of the driveway, but must be pruned to 10' above the ground. Sagebrush must be thinned to 4 times height, and may not be within 10' of other larger shrubs.
 - 2. Low vegetation shall be kept mowed to less than 6" within 10' on either side of driveway.
 - 3. A turnaround pad shall have a minimum of 35' drivable surface inside turning radius at end of driveway.
 - 4. Driveway shall enter the roadway at a ninety-degree angle for the first 25' of the driveway.
5. No development, including grading, excavation, fill placement, berming, landscaping, entry or ranch gates, and vegetation removal or disturbance shall occur outside of the approved building [and/or] development/access envelope except for access and wildfire mitigation. Construction,





staging, parking, utility and driveway extension and maintenance shall occur within approved building, or access driveway. No construction staging shall occur on Shield-O Road. The primary building envelope's northwestern border shall be no closer than 275' from the southeast corner of the existing neighbor's house located on Lot 43 of Shield-O-Terraces.

- 6. The Applicants shall comply with the mitigation standards for development on steep slopes (15%-45%):
 - A. Adequate mechanical support shall be provided for cut slopes.
 - B. Adding water, which may decrease slope stability, shall be avoided.
 - C. Adding weight to the top of the slope shall be avoided.
 - D. Disturbed slopes must be contoured so that they can be revegetated.
 - E. Steepening of existing slopes shall be avoided.
 - F. Confine cuts, fills grading and excavation to the minimum area needed or construction.
- 7. The Applicants shall obtain an access permit from the County Engineer prior to commencement of construction for the driveway. Prior to the issuance of the access permit, the Applicants shall provide an engineered plan for the retaining wall for review and approval by the County Engineer and Community Development. The access shall comply with the standards set forth in the Pitkin County Assets Management Plan.
- 8. Prior to submission of any new building permits for new development, the Applicants shall submit a mitigation report from an engineer or geologist licensed in the State of Colorado. The report shall demonstrate that the site can be engineered in such a way that there is no hazard posed, and shall show the area of disturbed slopes, any re-grading required and the size and location of all mitigation devices. Any new development shall be conditioned upon compliance with the report.
- 9. Prior to application for building permit the applicant shall provide for review to the County Engineer a trip generation and construction trip generation study for any free market residential structure exceeding 5,000 square feet. A traffic-engineering consultant hired by the applicant and pre-approved by the County Engineer shall develop this study.
- 10. Pursuant to Ordinance No. 022-2000, the Applicants are subject to the Fair Share Requirements and shall pay a road impact fee.
- 11. Prior to commencement of any earthmoving or construction activity, the Applicants shall stake the corners of the building envelope and install construction fencing around the perimeter of the building envelope. The fencing shall remain in place until issuance of Certificate of Occupancy. No vegetation shall be damaged or removed outside the building envelope.
- 12. A Drainage and Erosion Control Plan shall be submitted by the Applicant and approved by the County Engineer prior to building permit submission.
- 13. Any areas disturbed outside the building envelope must be revegetated with native vegetation according to a revegetation plan submitted by the Applicant and approved by the County prior to issuance of a Certificate of Occupancy.





SILVIA DAVIS PITKIN COUNTY CO

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14. The Applicant shall comply with the 2001 Wildlife Protection Ordinance No. 010-2001 for waste storage. Compliance with the condition shall be verified by the Pitkin County Wildlife Biologist prior to issuance of a certificate of occupancy.
15. Fencing outside the building envelope must comply with §3-80-080(A)(10) and §3-80-080(A)(11) of the Land Use Code.
16. Floor area shall be limited to 5,750 square feet exempt from growth management.
17. Prior to submission of a building permit, the Applicant shall satisfy the Shield O' Terraces Home Owner's Association with regard to road assessments.
18. The Applicant shall not plow snow onto Shield-O Road, or store snow within the Shield-O Road right-of-way.
19. The Applicant shall provide a landscape plan for review and approval by Community Development. The plan shall depict how the applicant will mitigate headlight impacts on the neighboring parcel (Lot 43), provided that it is understood that the applicant's ability to plant new vegetation is limited by the wildfire mitigation requirements set forth in paragraph Number 4 of this Determination.
20. The allowed uses for the separate "accessory development envelope" located in the northwest corner of the parcel shall be limited to landscaping, grading, septic systems, sub-grade water tanks and access. Above grade improvements are prohibited.
21. The Applicant shall not raise the existing grade within the building envelope for development of the primary residence or other structures.
22. The Applicant shall provide an onsite water tank for fire mitigation, as required by the Basalt Fire District.
23. Statutory vested rights for the approval contained herein are granted pursuant to the Pitkin County Land Use Code and Colorado Statutes, subject to the exceptions set forth in Pitkin County Land Use Code, § 4-140 and C.R.S., § 24-68-105. The statutory vested rights granted herein shall expire on June 15, 2007.

**PUBLISHED AFTER ADOPTION FOR VESTED REAL PROPERTY RIGHTS IN THE ASPEN
TIMES WEEKLY ON July 10, 2004.**



SILVIA DAVIS PITKIN COUNTY CO

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Hearing Officer Determination No. 20-2004
Page 6

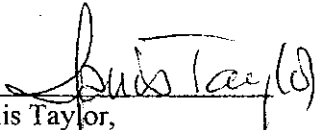
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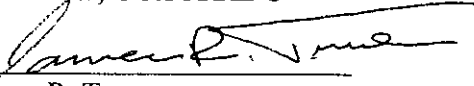
**NOTICE OF THE PUBLIC HEARING PUBLISHED IN THE ASPEN TIMES
WEEKLY ON THE 25th DAY OF MAY 2004.**

APPROVED ON THE 15th DAY OF JUNE, 2004.

ATTEST:

HEARING OFFICER OF PITKIN
COUNTY, COLORADO



Janis Taylor,
Administrative Assistant

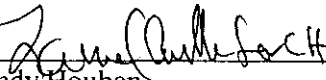

James R. True,
Hearing Officer

Date: 6/25/04

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:


John Ely,
County Attorney


Cindy Houben,
Community Development Director

Case #P122-03
PID# 264527201001



SILVIA DAVIS PITKIN COUNTY CO

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EXHIBIT A

act of land situated in the East Quarter of the Southwest
ter and Lot 3 of Section 22, Township 3 South, Range 86 West of the
P.M., lying Westerly of the centerline of a 60 foot roadway, as
tracted and in place, described as follows:

beginning at a point in the center of said roadway whence the South
ter Corner of said Section 22 bears S 20°38'36" W 1143.63 feet;
ce S 10°20'00" E 53.11 feet along the center of said roadway;
ce S 38°15'00" W 126.05 feet along the center of said roadway;
ce S 17°41'00" W 242.65 feet along the center of said roadway;
ce S 27°36'00" W 264.86 feet along the center of said roadway;
ce S 13°01'00" W 256.60 feet along the center of said roadway;
ce N 63°28'25" W 158.65 feet;
ce N 00°01'25" W 306.71 feet;
ce N 02°43'35" E 269.58 feet;
ce N 77°41'20" E 161.74 feet;
ce N 49°09'45" E 192.98 feet;
ce N 56°56'21" E 228.77 feet to a point in the center of said
way, the point of beginning.

TOWN OF PITKIN, STATE OF COLORADO.



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EXHIBIT #5

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PITKIN COUNTY, COLORADO, APPROVING THE WHIDDON REQUEST FOR A REINSTATEMENT OF VESTED RIGHTS

Resolution No. 061-2007

RECITALS

1. Tom and Denise Whiddon ("Applicants"), have applied to the Board of County Commissioners of Pitkin County, Colorado ("BOCC") pursuant to Section 2-20-170(d) of the Pitkin County Land Use Code ("Code"), for a reinstatement of vested rights for Hearing Officer Determination No. 20-2004.
2. The property is Lot 21, Shield O' Terraces, and is more specifically described in Exhibit A.
3. The property is zoned RS-30 PUD, and contains 4.005 acres.
4. The Hearing Officer denied the request for 1041 hazard review approval for this property on January 27, 2004, finding that the property had merged with Lot 20. The Hearing Officer's denial was appealed to the BOCC, where the BOCC denied the appeal, and granted a subdivision exemption to divide Lots 20 and 21, and grant a development right to Lot 21 pursuant to BOCC Resolution No. 70-2004. A 1041 hazard review was then resubmitted to the Hearing Officer, which was approved pursuant to Determination No. 20-2004.
5. The BOCC heard this application at a public meeting on July 11, 2007, at which time evidence and testimony were presented with respect to this application.
6. The BOCC finds that the request for a reinstatement of vested rights complies with Standards of the Code.

NOW, THEREFORE, BE IT RESOLVED by the Pitkin County Board of County Commissioners that they hereby approve the Whiddon request for a reinstatement of vested rights subject to the following conditions, which shall run with the land and be binding on all successors in interest.

1. The Applicant shall be subject to the 2006 Pitkin County Land Use Code, as amended, in effect as of the date of this approval.
2. The Applicant shall comply with Hearing Officer Determination No. 20-2004.
3. Housing, road and other applicable impact fees shall be calculated at time of building permit.
4. Statutory vested rights for the approval contained herein are granted pursuant to the Pitkin County Land Use Code and Colorado Statutes, subject to the exceptions set forth in Pitkin County Land Use Code, § 2-20-170 and C.R.S., § 24-68-105. The statutory vested rights granted herein shall expire on July 11, 2010.

RECEPTION#: 540387, 07/27/2007 at
11:11:41 AM,
1 OF 3, R \$0.00 Doc Code RESOLUTION
Janice K. Vos Caudill, Pitkin County, CO

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Reso: 061-2007

PUBLISHED AFTER ADOPTION FOR VESTED REAL PROPERTY RIGHTS in the Aspen Times Weekly on the 5th day of August, 2007.

APPROVED on the 11th day of July, 2007.

**BOARD OF COUNTY COMMISSIONERS
OF PITKIN COUNTY, COLORADO**

By

Michael M. Owsley

Michael Owsley

Chair

Date

7/25/07

ATTEST:

Jeanette Jones
Jeanette Jones
Deputy Clerk

APPROVED AS TO FORM:

John Ely,
John Ely,
County Attorney

APPROVED AS TO CONTENT:

Cindy Houben,
Cindy Houben,
Community Development Director

PID# 264527201001
P060-07

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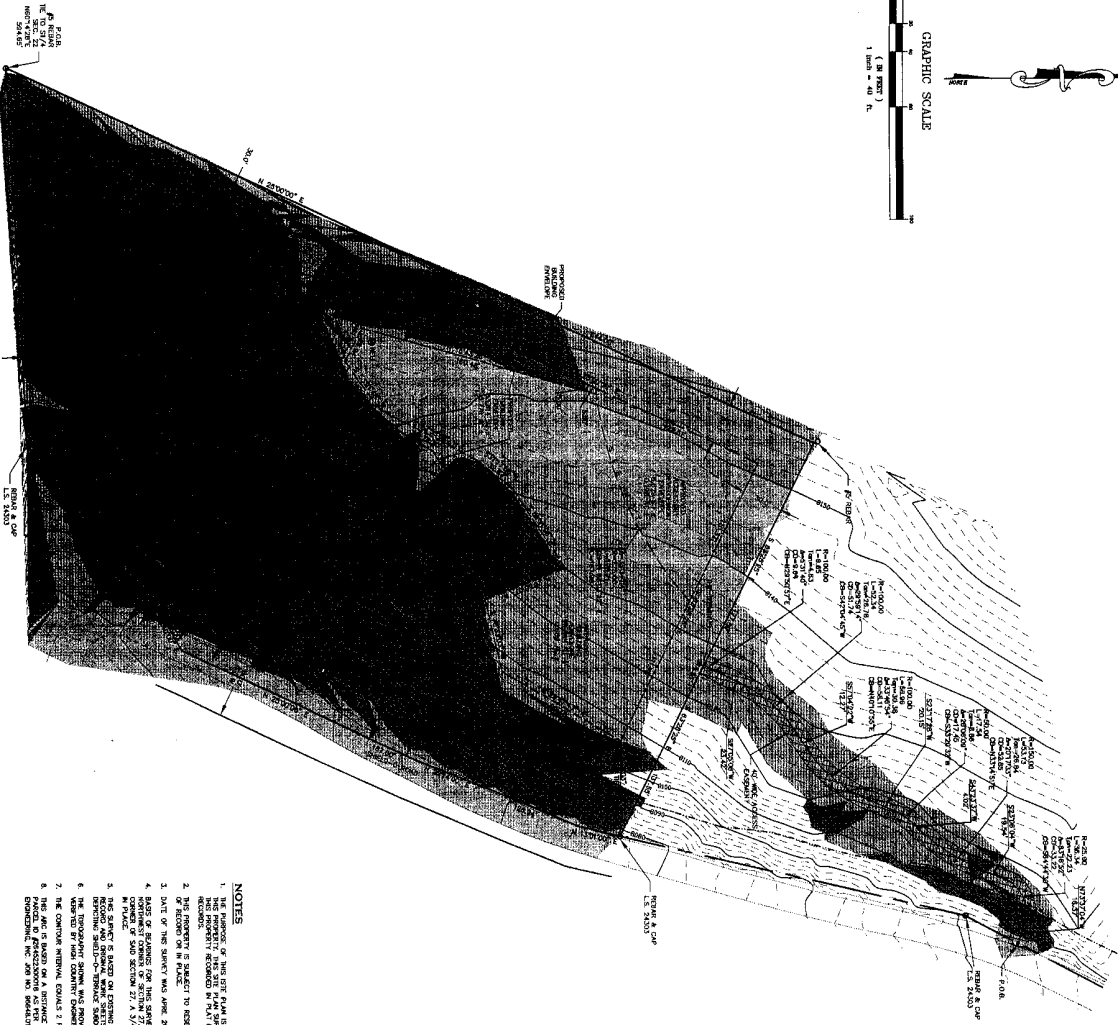
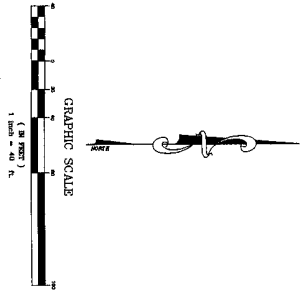
EXHIBIT A

A TRACT OF LAND SITUATED IN THE SOUTHEAST 1/4 SOUTHWEST 1/4 AND LOT 3 OF SECTION 22, ALSO IN LOT 15 OF SECTION 27, ALL IN TOWNSHIP 9 SOUTH, RANGE 86 WEST OF THE SIXTH PRINCIPAL MERIDIAN LYING WESTERLY OF THE CENTERLINE OF A 60 FOOT ROADWAY, SAID TRACT BEING DESCRIBED AS FOLLOWS:

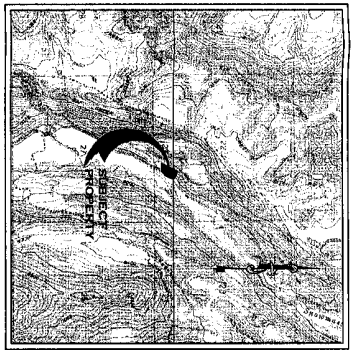
BEGINNING AT A POINT WHENCE THE RE-LOCATED 1/4 CORNER, BEING THE SOUTH 1/4 CORNER OF SAID SECTION 22 BEARS NORTH 60 DEGREES 14' 28" EAST 594.65 FEET;
THENCE NORTH 25 DEGREES 00' 00" EAST 644.00 FEET;
THENCE SOUTH 63 DEGREES 28' 25" EAST 314.55 FEET TO A POINT IN THE CENTER OF SAID 60 FOOT ROADWAY;
THENCE SOUTH 13 DEGREES 01' 00" WEST 31.36 FEET ALONG THE CENTER LINE OF SAID ROADWAY;
THENCE SOUTH 22 DEGREES 14' 00" WEST 126.94 FEET ALONG THE CENTER LINE OF SAID ROADWAY;
THENCE SOUTH 25 DEGREES 00' 00" WEST 187.00 FEET ALONG THE CENTER LINE OF SAID ROADWAY;
THENCE SOUTH 60 DEGREES 40' 00" WEST 53.00 FEET;
THENCE SOUTH 49 DEGREES 33' 03" WEST 132.23 FEET;
THENCE SOUTH 87 DEGREES 05' 00" WEST 273.00 FEET TO THE POINT OF BEGINNING.

COUNTY OF PITKIN, STATE OF COLORADO.

SPARKS SITE PLAN
 LOT 21 OF THE SHIELD-0-TERRACES SUBDIVISION
 PARCEL ID # 264527201001
 COUNTY OF PITKIN, STATE OF COLORADO



- NOTES**
1. THE NUMBER OF THIS SITE PLAN IS TO MATCH THE APPROVED BUILDING ENVELOPE FOR THIS PROPERTY RECORDED IN PLAT BOOK 71 AT PAGE 18 OF THE PITKIN COUNTY RECORDS.
 2. THIS PROPERTY IS SUBJECT TO EASEMENTS, RESTRICTIONS, COVENANTS AND EASEMENTS OF RECORD ON FILE.
 3. DATE OF THIS SHEET WAS APRIL 2009.
 4. THIS SHEET IS A PART OF A SET OF ARCHITECTURAL DRAWINGS. THE ARCHITECT'S OFFICE IS 1517 BLAKE AVENUE, SUITE 101, GLENWOOD SPRINGS, CO 81601. THE ARCHITECT'S PHONE NUMBER IS 970-849-8278. FAX IS 970-849-2355.
 5. THE SUBJECT IS BASED ON EXISTING CONDITIONS FOUND IN PLAT BOOK 71 AT PAGE 18 OF THE PITKIN COUNTY RECORDS. THE ARCHITECT HAS CONDUCTED VISUAL VERIFICATION OF THE EXISTING CONDITIONS AND HAS NOT CONDUCTED A FIELD SURVEY.
 6. THE TOPOGRAPHY SHOWN WAS PROVIDED BY LAND SURVEYOR, LTD. AND WAS NOT CONDUCTED BY THE ARCHITECT.
 7. THE CONTIGUOUS NEIGHBOR, EQUALLY 21031.
 8. THE AREA IS BASED ON A SURVEY OF 210 FEET FROM THE CORNER FROM CORNER OF PARCEL 21031. THE 1998 AERIAL PHOTOGRAPHY FROM CORNER OF PARCEL 21031 IS SHOWN.



LEGEND

- EXISTING TO CONTOUR
- BUILDING ENVELOPE
- PROPERTY BOUNDARY
- PROPOSED DRIVEWAY ACCESS DRIVE
- 0-1% SLOPE
- 1-5% SLOPE
- 5% - GREATER SLOPE

OWNER'S ACKNOWLEDGEMENT
 I, THE UNDERSIGNED, HAVE REVIEWED THE ABOVE SITE PLAN AND HAVE APPROVED THE SAME FOR THE PURPOSES AND USE THEREOF.

NAME: _____ DATE: _____

COMMUNITY DEVELOPMENT DIRECTOR'S APPROVAL
 I, THE UNDERSIGNED, HAVE REVIEWED THE ABOVE SITE PLAN AND HAVE APPROVED THE SAME FOR THE PURPOSES AND USE THEREOF.

DATE: _____

CLIENT AND RECORDER CERTIFICATE
 THIS SITE PLAN WAS PREPARED BY ME OR UNDER MY SUPERVISION AND I AM A LICENSED ARCHITECT IN THE STATE OF COLORADO. I HAVE REVIEWED THE SITE PLAN AND I HEREBY CERTIFY THAT IT IS ACCURATE AND COMPLETE. I HAVE ALSO REVIEWED THE RECORDS OF THE PITKIN COUNTY RECORDS AND I HAVE NOTED ANY DISCREPANCIES AND HAVE MADE THE NECESSARY CORRECTIONS. I HAVE ALSO REVIEWED THE RECORDS OF THE PITKIN COUNTY RECORDS AND I HAVE NOTED ANY DISCREPANCIES AND HAVE MADE THE NECESSARY CORRECTIONS.

DATE: _____

NO.	DATE	REVISION	BY
1	9/14/09	UPDATE BUILDING ENVELOPE	HPK

DESIGNED BY	DRAWN BY	CHECKED BY	DATE
CMB	CMB	FWH	7/8/04

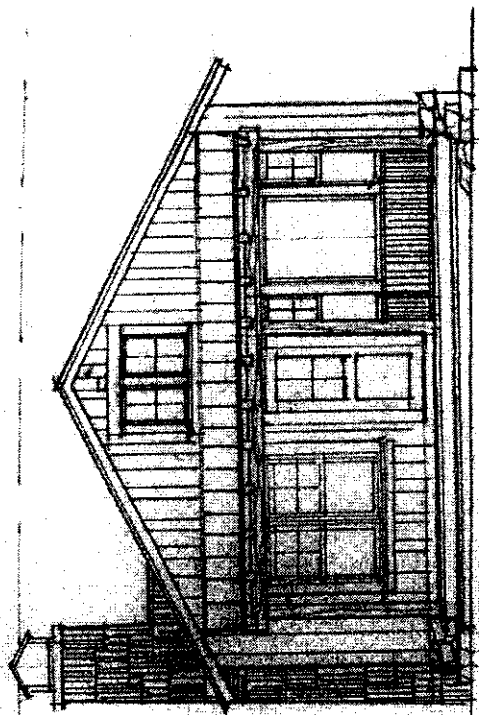
HIGH COUNTRY ENGINEERING, INC.
 1517 BLAKE AVENUE, STE 101
 GLENWOOD SPRINGS, CO 81601
 PHONE (970) 849-8278 FAX (970) 849-2355
 WWW.HCENG.COM



TOM WHIDDON
 PITKIN COUNTY, COLORADO
WHIDDON 1041
 HAZARD REVIEW SITE PLAN

PROJECT NO.
 2031 040.00
 02/27

000030



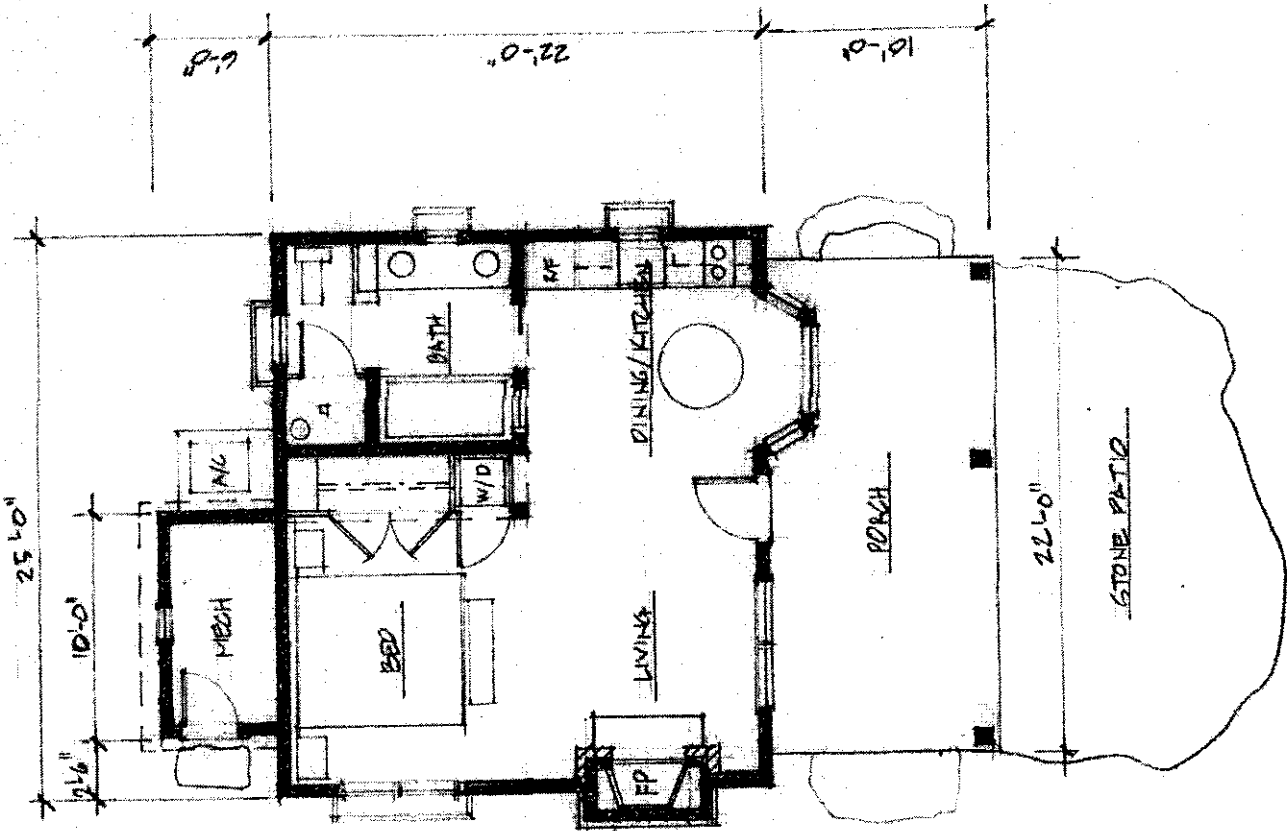
SOUTH ELEVATION

SPARKS RESIDENCE

CARETAKER DWELLING UNIT

1/2" = 1'-0" 17 SEP 09

ROBERT MERRILL ARCHITECT, INC.



MAIN FLOOR PLAN 570 S.F. NET ±

MISCELLANEOUS
DOCUMENTS

LARGE PLAT(S)

**AVAILABLE TO VIEW AT
COMMUNITY DEVELOPMENT**

**AVAILABLE TO BUY AT
CLERK & RECORDER**