

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PITKIN
COUNTY, COLORADO, GRANTING LOT LINE ADJUSTMENT; GMQS EXEMPTION
FOR AFFORDABLE HOUSING, 1041 HAZARD REVIEW AND CONCEPTUAL
SUBMISSION APPROVAL FOR THE RAYBURN/RAYDO SUBDIVISION**

Resolution No. 97- 5

Recitals

1. Don Rayburn and Raydo, Inc. (hereafter "Applicant") has applied to the Pitkin County Board of County Commissioners (hereafter "Board") for approval of a Lot Line Adjustment and Conceptual Subdivision to develop two "free-market" lots and for a GMQS Exemption for Affordable Housing to retain an existing single family residence as a deed restricted, affordable housing unit in the AH zone district.
2. The property is located along the Roaring Fork River in the Twining Flats area, and is described on Exhibit "A" attached.
3. The Pitkin County Planning and Zoning Commission reviewed this application at their regular meeting on September 6, 1996, and recommended approval of the application subject to conditions.
4. The Board heard this application at their regularly scheduled and duly noticed public hearing on December 18, 1996, at which time evidence and testimony was presented with respect to this application.
5. The Board finds that this application is supported by the Aspen Area Community Plan because it preserves employee housing within the extended Aspen area metro area.

NOW THEREFORE BE IT RESOLVED by the Pitkin County Board of County Commissioners that it hereby grants Lot Line Adjustment and Conceptual Subdivision approval to the Applicant subject to the following conditions:

1. The Applicant shall prepare Lot Line Adjustment and Subdivision Plats for recording. If all three parcels are to be included in the subdivision, a separate lot line adjustment plat is not required. The Lot Line Adjustment shall be noted on the subdivision plat.
2. The new "free market" building envelope shall be set back at least 30 feet from the top of the bank of the Roaring Fork River. This shall be illustrated on the subdivision plat.
3. The existing Raydo single family residence and lot shall be rezoned AH upon recording of the final plat. The existing residence shall be deed restricted with the Aspen/Pitkin County Housing Authority to Housing Authority Category 4 Guidelines prior to recording the final plat.


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4. The Applicant shall create a building envelope around the existing home which is to be rezoned to AH and shall set the envelope back from slope edges at least 30 feet.
5. The new "free-market" home shall be equipped with an automatic residential fire sprinkler system as recommended by the Aspen Fire Protection District.
6. The Applicant shall adhere to the standard wildfire guidelines as follows:
 - A. Location:
 1. The building envelope shall not be located in draws, canyons or on slopes greater than 30%.
 - B. Defensible space:
 1. The area around the structure shall incorporate landscaping with wildfire defensible space considerations as follows:
 - a) NOTE: Actual vegetation manipulation to meet these conditions may not be necessary where the natural vegetation patterns have already fulfilled these conditions.
 - b) Brush, debris, and non-ornamental vegetation shall be removed within a minimum 10 foot perimeter around the structure.
 - c) Vegetation shall be reduced to break up the vertical and horizontal continuity of the fuels a minimum of a 30 foot perimeter around a structure built on flat ground. (For greater slopes ref. CSFS Safety Zone chart. Page 13, Wildfire Guidelines For Rural Homeowners).
 - d) Spacing between clumps of brush and vegetation within the 30 foot perimeters shall be a minimum of two 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.
 - e) All branches from trees and brush within the 30 foot perimeter shall be pruned to a height of 10 feet above the ground and removal of ladder fuels from around trees and brush.
 - f) Tree crown separation within the 30 foot perimeters shall have a minimum of 10 feet between the edges of the crowns. This does not apply to mature stands of Aspen trees where the above recommendation for removal of ladder fuels have been complied


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with. In areas of Aspen regeneration, the spacing guidelines shall be followed.

- g) All branches which extend over the roof eaves shall be trimmed and all branches within 15 feet of the chimneys shall be removed.
- h) The density of fuels within a 100 foot perimeter of the structures shall be reduced where natural reduction has not already occurred.
- i) All deadfall within the 100 foot perimeter shall be removed.
- j) The applicant shall be responsible for the continued maintenance of the defensible space vegetation requirements.

C. Structural Design and Construction Requirements:

1. Roofing:

- a) Roof construction shall be Class A, non-combustible (no wood shake/shingles) material with no flat roofs.

2. Vents:

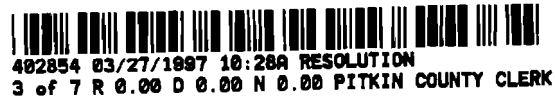
- a) Vents shall be screened with corrosive resistant wire mesh with mesh 1/4 inch maximum.

D. Maintenance:

- 1. Roofs and gutters shall be kept clear of debris.
- 2. Yards shall be kept clear of all litter, slash, and flammable debris.
- 3. All flammable materials shall be stored on a parallel contour a minimum of 15 feet away from any structure.
- 4. Weeds and grasses within the 10 foot perimeter shall be maintained to a height not more than 6 inches.

E. Miscellaneous:

- 1. Firewood/wood piles shall be stacked on a parallel contour a minimum of 15 feet away from the structure.
- 2. Swimming pools shall be accessible to Fire Department vehicles.



3. Fences shall be kept clear of brush and debris.
 4. Wood fences shall not connect to the structure.
 5. Any outbuildings or additional structures shall adhere to the same standards as structures.
 6. Fuel tanks shall be installed underground with an approved container.
 7. 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.
 8. Each structure shall have a minimum of one 10 pound ABC fire extinguisher.
 9. Addresses shall be clearly marked with 2 inch non-combustible letters and shall be visible and installed on a non-combustible post.
- F. Access:
1. Access roads shall be built to County standards.
- G. Water Supply:
1. In the event of a wildfire water can be pumped directly from the Roaring Fork River.
- H. Utilities:
1. Utility lines shall be buried.
7. Excepting the access drive and utilities, all development must be contained within the approved building envelope unless specifically exempted through this review. This includes septic systems and landscaping.
 8. The survey shall be revised to show the Affordable Housing parcel in its entirety.
 9. Prior to or concurrent with the recording of the final plat, the Applicant shall submit the plat information in a digital format acceptable to the Community Development for GIS purposes.


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10. Prior to the issuance of building or sewage disposal permits, the Applicant shall verify a legal water supply and shall document the location of the water wells and their quality and quantity to the satisfaction of the Environmental Health Department.
11. Prior to the issuance of a building permit, a sewage disposal permit must be approved by the Environmental Health Department.
12. If fireplaces or woodstoves are proposed, a permit from the Environmental Health Department shall be obtained prior to the issuance of a building permit.
13. The Applicant shall dedicate a fishing easement along the length of the property to include the watercourse and 5 feet above the high water line.
14. Prior to Detailed Submission, the applicant shall meet with the Aspen/Pitkin County Housing Office to determine eligibility requirements for the proposed Category 4, deed restricted single family residence. The Board supports conveyance of this residence to the existing tenants if they qualify under the Housing Guidelines.
15. The Applicant shall adhere to all commitments and representations made with respect to this application.

INTRODUCED AND FIRST READ at a regular meeting and public hearing on the 18th day of December, 1996.

NOTICE OF PUBLIC HEARING PUBLISHED IN THE ASPEN TIMES on the 16th day of November, 1996.

APPROVED AND ADOPTED AFTER SECOND READING on the 8th day of January, 1997.

PUBLISHED AFTER THE ADOPTION IN THE ASPEN TIMES on the 18th day of January, 1997.

ATTEST:

By: Jeanette Jones
Jeanette Jones
Deputy Clerk and Recorder

APPROVED AS TO FORM:

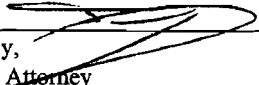
BOARD OF COUNTY
COMMISSIONERS, OF PITKIN
COUNTY, COLORADO

By: James R. True
James R. True, Chair
Date: 1-13-96


APPROVED AS TO CONTENT:


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John Ely,
County Attorney



Cindy Houben,
County Community Development Director


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EXHIBIT A

DON RAYBURN - SUBJECT PROPERTY

Parcel A

PARCEL NO. 2643 164 00 038

A tract of land situated in the NW/4SE/4 of Section 16, Twp. 9 S., Range 85 West of the 6th P.M., lying Easterly of the north-South Centerline of said Section 16 and southwesterly of the center of the Roaring Fork River described as follows: Beginning at a point on the North-South centerline of said Section 16 whence a rebar with a cap . . .

Donald H. Rayburn and Roberta R. Rayborn, Grantees
Willis A. Shattuck and Sarah D. Shattuck, and James A. Drais and Sue B. Drais, Grantors
Warranty Deed
Book 236, Page 722, dated 9/6/68

DON RAYBURN - SUBJECT PROPERTY

Parcel B

PARCEL NO. 2643 164 00 031

A tract of land situated in the NW/4SE/4 of Section 16, Twp. 9 S., Range 85 West of the 6th P.M., lying Easterly of the north-South Centerline of said Section 16 and southwesterly of the center of the Roaring Fork River described as follows: Beginning at a point on the North-South centerline of said Section 16 whence a rebar with a cap . . .

Donald H. Rayburn and Roberta R. Rayburn, Grantees
Betty Jane Harbour, Grantor
Warranty Deed
Book 236, Page 720, dated 10/7/68

DON RAYBURN - SUBJECT PROPERTY

Parcel C

PARCEL NO. 2643 162 00 030

Property lying with in Lot 12, Section 16, T9S, R85 W, of the 6th P.M. described as follows: Beginning at a point whence the Northwest Corner of said Section 16 bears . . .

Donald H. Rayburn and Roberta R. Rayburn, Grantees
Walter C. Stroud and Helen E. Stroud, Grantors
Warranty Deed
Book 250, Page 895, dated 9/24/70



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