

# Administrative Decision Memorandum

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**Date:** May 15th, 2017

**17-100808AE** Administrative Exception/Temporary Use

**Owner/  
Applicant:** Ronald P. & Carol J. Lewis

**Location:** 32234 Fish Pond Way  
Northeast of intersection of HWY 285 and S Elk Creek Road

**Zoning:** Shaffers Crossing West ODP (PD)

**Purpose:** To allow a temporary structure for a daytime office for fishing and ice skating uses on the property.

**Case Manager:** Elyse Dinnocenzo

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## **Background / Discussion:**

The subject property is adjacent to a pond that is used for seasonal fishing and ice skating activities. The applicant is requesting to use an existing trailer on the site as an office for the fishing and ice skating rentals and activities. The property has been subject to several previous violations for the location of camping and residential trailers in areas of the property that do not allow camping or residential uses. The applicant's original application included the request for the proposed office trailer to also serve as a caretaker's unit. However, the caretaker's unit use is not allowed by the current Official Development Plan (recorded at reception number 2011049886), and would require a rezoning. Temporary structures are permitted on the property, subject to approval of an Administrative Exception for a temporary use.

## **Applicant's Rationale:**

The applicant has requested this Administrative Exception/Temporary Use to provide an office for the fishing and ice skating activities on the property.

## **Applicable Regulations:**

Section 3.C.9. of the Jefferson County Zoning Resolution allows for the Director of Planning and Zoning and his/her appointed designee to permit, in writing, Administrative Exceptions to allow greenhouses, seasonal sales, temporary structures and those uses not covered by the Special Events Section of this Zoning Resolution provided the use is permitted in that zone district.

- a. In making a decision, the Director of Planning and Zoning shall evaluate parking, location of structures and buildings, access, adequacy of road system, hours of operation, length of operation, dust, noise and vibration beyond the property boundaries and any other items deemed necessary.
- b. The property owner or his/her representative must reapply for the temporary uses on an annual basis. A maximum of 5 total years, beginning from the date that the first exception was granted, shall be allowed.

## **Referral:**

This request was sent on a 10-day referral to internal agencies including Jefferson County Open Space and the Planning Engineers. The referral agencies had no comments on the case.

**Notification:**

As a requirement of the Jefferson County Zoning Resolution, the following notice was provided for this proposal:

1. Notification of this proposed development was mailed to adjacent property owners and to Homeowners' Associations and Umbrella Groups associated with this site.
2. Sign(s), identifying the nature of the Administrative Exception Request, were provided to the applicant for posting on the site. The sign(s) were provided to the applicant with instructions that the site be posted 15 days.

The Homeowners' Associations and Umbrella Groups that received notification are as follows:

- Conifer Area Council
- Jefferson County Horsemen's Assn.
- Preserve Our Mountain Community

The minimum required 15 day public comment period has been met. During the processing of the application, Staff **has** received two responses in objection to the proposal.

Both responses cited concerns that the property has been issued several violations in the past and a lack of confidence that the applicant will comply with the conditions of approval. The letters also stated significant concern that the trailer will be used as a residence or caretaker's unit, which is not an allowed use.

**Analysis**

Staff finds the Administrative Exception/Temporary Use request does not constitute a substantial change to the permitted land use(s), and does not cause substantial detriment to the public good, nor harm to the general purpose and intent of the Zoning Resolution. Staff findings are based upon the following:

1. The requested temporary use is a permitted use in the underlying PD zone district, in as much as temporary structures are allowed on any site with yearly Administrative approval.
2. The office trailer should not have any additional impacts to parking, access, hours of operation, noise, dust, vibration beyond those already existing on the site.
3. Allowing the temporary location of the structure will not have a significant impact to adjacent property owners.
4. The foregoing request from the applicant does not substantially alter the original intent of the applicable PD zone district.
5. There were no objections to this request from referral agencies.
6. Staff believes that the proposed conditions of this approval adequately address the concerns cited in the objections to this request following public notification.

Staff finds the Administrative Exception/Temporary Use request does not constitute a substantial change to the permitted land use(s), and is an allowed use with as a Temporary structure via an Administrative Exception. Staff acknowledges the concerns of the neighbors, and has included several conditions of approval to restrict the use of the trailer for only the fishing and ice skating office uses. Rezoning of the property will be required before the office trailer may be used for any residential purposes.

**Staff Recommendation:**

For the reasons indicated within this report, Staff recommends **approval** of the applicant's request subject to the following conditions:

1. A Miscellaneous Permit for the proposed trailer must be obtained within six months (before November 15, 2017), or prior to the use of the trailer as an office for fishing and ice skating, whichever is sooner.
2. The proposed trailer and associated parking shall be in conformance with the site plan on file labeled "Exhibit A".

3. The trailer may not be used as a caretaker's unit or residence, or for any other use other than an office for the fishing and ice skating activities on the property.
4. The operation and lighting of the trailer is limited to the standard office hours of 7:00am to 7:00pm, seven days a week.
5. The office trailer may not be hooked up to well water and septic service without prior completion of a Site Development Plan.
6. This Administrative Exception will expire on May 15th, 2018, and any extension requests must be received by Planning & Zoning at least 30 days prior to this deadline, if necessary.
7. The Land Disturbance performance standards described in Section 16.B.1. of the Zoning Resolution must be met during this project.

**Decision:**

Pursuant to Section 3.C.9 of the Jefferson County Zoning Resolution, the Director of Planning and Zoning or their appointed designee, may render a decision on this Temporary Use:

- Administrative Exception/Temporary Use Granted with Above Noted Conditions  
 Administrative Exception/Temporary Use Granted with Changes \_\_\_\_\_  
 Administrative Exception/Temporary Use Denied



Mike Schuster  
Assistant Director, Planning and Zoning  
Appointed Designee Regarding Administrative Exception Cases

05-17-17  
Date

**REVIEWED**

*By Russell D Clark at 11:23 am, May 16, 2017*

REC 2016030280

EXHIBIT A

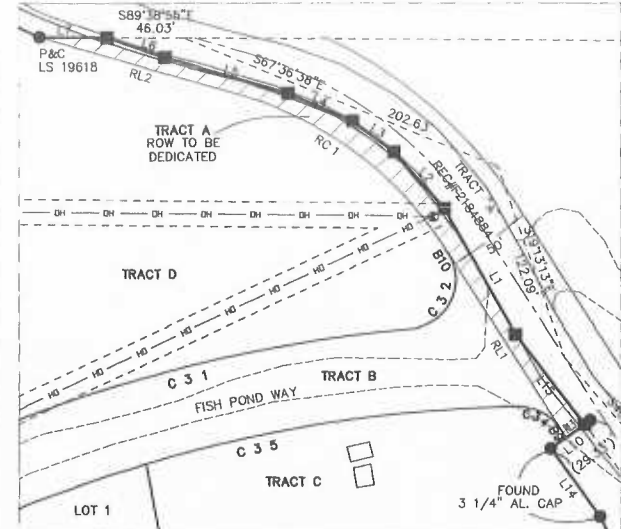
SEC 31 AND 32, T6S, R71W, 04-117254MA ADJUSTMENT 1

CASE NO. 13-116856MA  
MAP NO. 255 & 256

A RECONFIGURATION OF LOTS 1 THROUGH 4, SEC. 31 AND 32, T6S, R71W, 04-117254MA  
LOCATED IN THE SE 1/4 OF SEC 31 AND THE SW 1/4 OF SEC 32, T6S, R71W OF THE 6TH P.M.  
COUNTY OF JEFFERSON, STATE OF COLORADO

PAGE 2 OF 3

DETAIL  
SCALE: 1"=50'



NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	1713.59	24.84	82.58	S05°13'1"W	24.74'
C2	12115.48	52.91	25.00	N52°52'26"E	43.57'
C3	425.17	29.92	387.69	S58°10'44"W	29.91'
C4	2233.00	33.69	85.60	N78°27'00"W	33.13'
C5	532.06	37.44	343.02	S66°47'33"W	35.98'
C6	4459.09	57.44	73.16	N60°10'46"W	95.43'
C7	814.56	95.52	683.40	S74°03'26"W	148.86'
C8	2720.07	150.28	315.00	N10°26'32"W	138.86'
C9	1108.43	139.08	894.09	S55°35'20"E	191.81'
C10	1218.56	192.18	89.39	S27°09'01"E	75.36'
C11	2725.29	280.56	607.05	S21°18'09"E	287.80'
C12	7837.27	20.58	15.00	N29°50'13"W	19.01'
C13	1416.34	16.20	65.00	S62°00'39"E	16.15'
C14	5559.32	43.98	45.00	S26°52'36"E	42.25'
C15	5220.10	105.05	115.00	S23°35'35"W	101.43'
C16	4412.33	108.35	140.42	S83°51'05"E	105.68'
C17	3507.51	27.59	45.00	N56°28'43"E	27.16'
C18	8519.59	130.08	87.34	S81°34'47"W	118.38'
C19	2216.31	33.05	85.00	S66°53'29"E	32.84'
C20	1631.38	189.47	656.83	S86°17'34"E	188.81'
C21	2654.30	21.13	45.00	N81°06'08"W	20.94'
C22	1814.09	95.48	300.00	S60°43'42"W	95.08'
C23	3502.56	152.92	249.98	N72°17'39"E	150.55'
C24	1309.38	36.75	160.00	S60°17'33"W	36.67'
C25	1758.55	273.12	870.25	S75°51'50"W	272.00'
C26	11707.00	61.32	30.00	N26°17'47"E	51.19'
C27	4044.30	21.33	30.00	S88°01'08"E	20.89'
C28	5643.05	30.74	30.00	N61°37'16"W	29.42'
C29	2207.09	316.66	820.25	S77°57'37"W	314.70'
C30	1311.19	26.01	113.00	S60°18'23"W	25.95'
C31	3508.28	184.01	300.02	N72°15'01"E	181.14'
C32	052.14	3.80	250.00	S89°24'39"W	3.80'
C33	1640.18	87.29	300.00	S63°16'28"W	86.98'
C34	5444.37	108.88	115.00	N11°01'52"W	105.75'
C40	1739.06	49.74	161.44	N47°13'44"W	49.54'

NUM	BEARING	DISTANCE	NUM	BEARING	DISTANCE
L1	N29°06'15"W	87.01'	L15	S37°14'35"E	67.92'
L2	N41°31'52"W	45.34'	L40	S9°52'34"E	69.40'
L3	N53°09'33"W	30.93'	L41	S35°03'09"E	25.73'
L4	N66°27'12"W	42.12'	L42	S82°52'50"E	31.23'
L5	N73°38'37"W	76.65'	L43	S36°59'00"E	86.62'
L6	N71°11'01"W	36.63'	L44	S19°39'28"E	59.72'
L7	N89°39'01"W	40.28'	L45	S26°38'40"E	35.89'
L8	N41°56'28"E	41.91'	L46	S20°38'59"E	52.70'
L9	S78°07'06"W	17.13'	L47	S30°23'05"E	77.59'
L10	N53°59'06"E	24.95'	L48	S37°35'24"E	40.25'
L11	S65°31'17"W	178.69'	L49	S51°53'44"E	78.47'
L12	N39°50'16"E	34.77'	L50	S62°25'27"E	36.56'
L13	N25°18'08"W	154.28'	L51	S53°03'58"E	40.37'
L14	N36°02'16"W	50.46'	L52	S43°22'14"E	72.77'
L15	N41°31'52"W	45.34'	L53	S36°54'10"E	41.22'
L16	N53°09'33"W	30.93'	L54	S44°30'53"E	73.31'
L17	N66°27'12"W	42.12'	L55	S23°36'32"E	14.47'
L18	N73°38'37"W	76.65'	L56	S62°41'27"E	31.00'
L19	N71°11'01"W	36.63'	L57	S45°41'34"E	95.50'
L20	N89°39'01"W	40.28'	L58	N18°30'57"W	25.07'
L21	N41°56'28"E	41.91'	L59	N31°57'47"W	24.60'
L22	S78°07'06"W	17.13'	L60	N64°19'37"W	31.14'
L23	N53°59'06"E	24.95'	L61	N70°34'19"W	124.35'
L24	S65°31'17"W	178.69'			
L25	N39°50'16"E	34.77'			
L26	N25°18'08"W	154.28'			
L27	N36°02'16"W	50.46'			

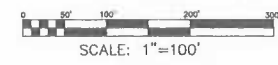
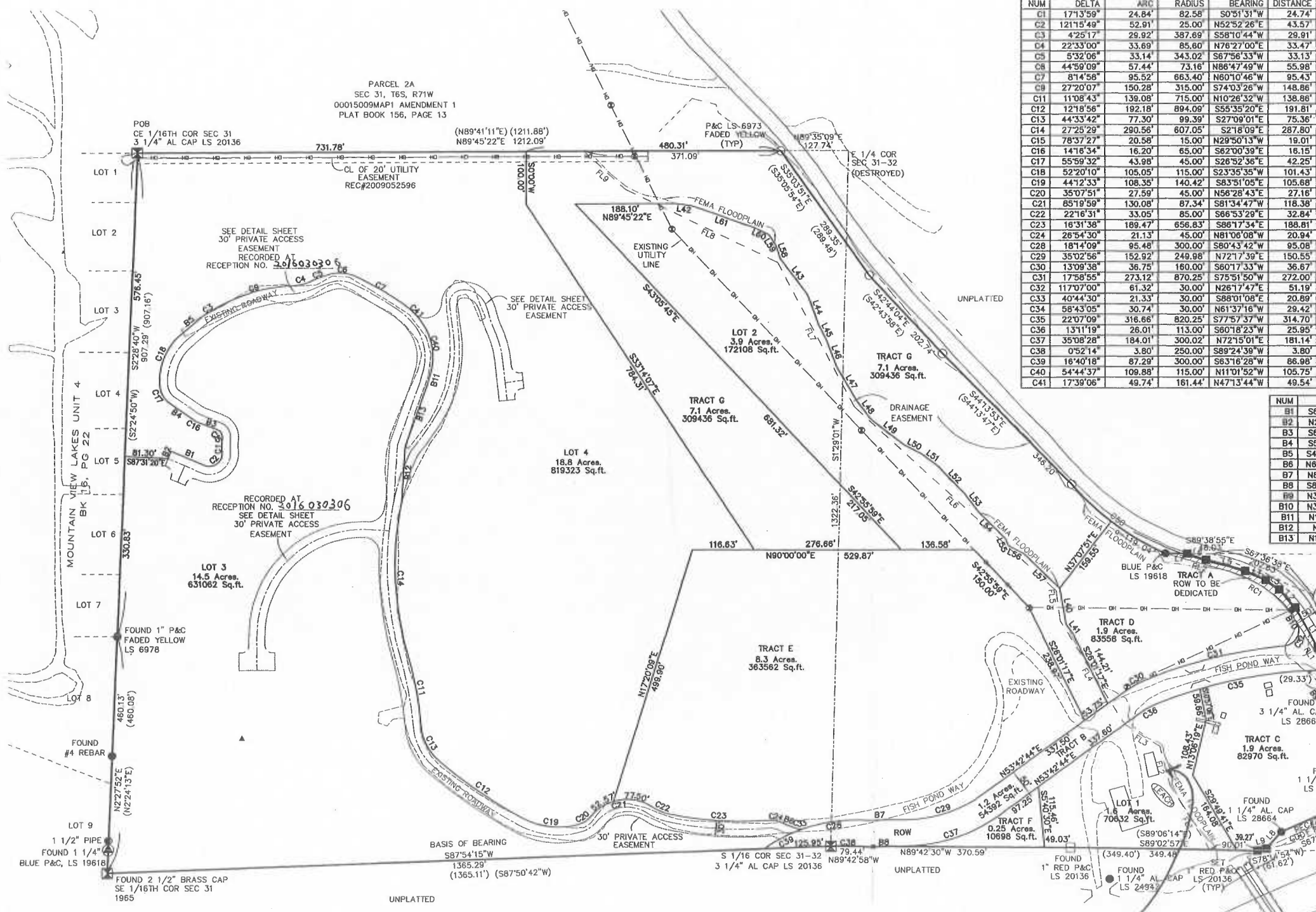
NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C50	25°40'01"	221.77'	495.05'	S53°14'13"E	219.92'

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
RC1	41°44'03"	160.25'	220.00'	N53°08'39"W	156.73'

NUM	BEARING	DISTANCE	NUM	BEARING	DISTANCE
FL1	S30°59'39"E	142.94'	FL6	N47°13'25"W	516.00'
FL2	N14°21'52"W	76.06'	FL7	N27°43'29"W	309.76'
FL3	N57°18'04"W	79.02'	FL8	N64°15'24"W	318.20'
FL4	N31°32'08"W	229.37'	FL9	N47°13'52"W	106.08'
FL5	N7°31'26"W	57.61'			



EVERGREEN SURVEYING, INC.  
6949 HWY. 73 SUITE MW-3  
P.O. BOX 3514  
EVERGREEN, CO 80439  
EVERGREENSURVEYING@MSN.COM  
303-674-3444 303-674-1318  
DATE: 1-18-16 JOB NO. B6648  
DWG LOCATION: S12/C/SURV.JOBS  
F/B NA DRAWN BY: LA/BF  
CHECKED BY:

# Shaffers Crossing West

## Official Development Plan

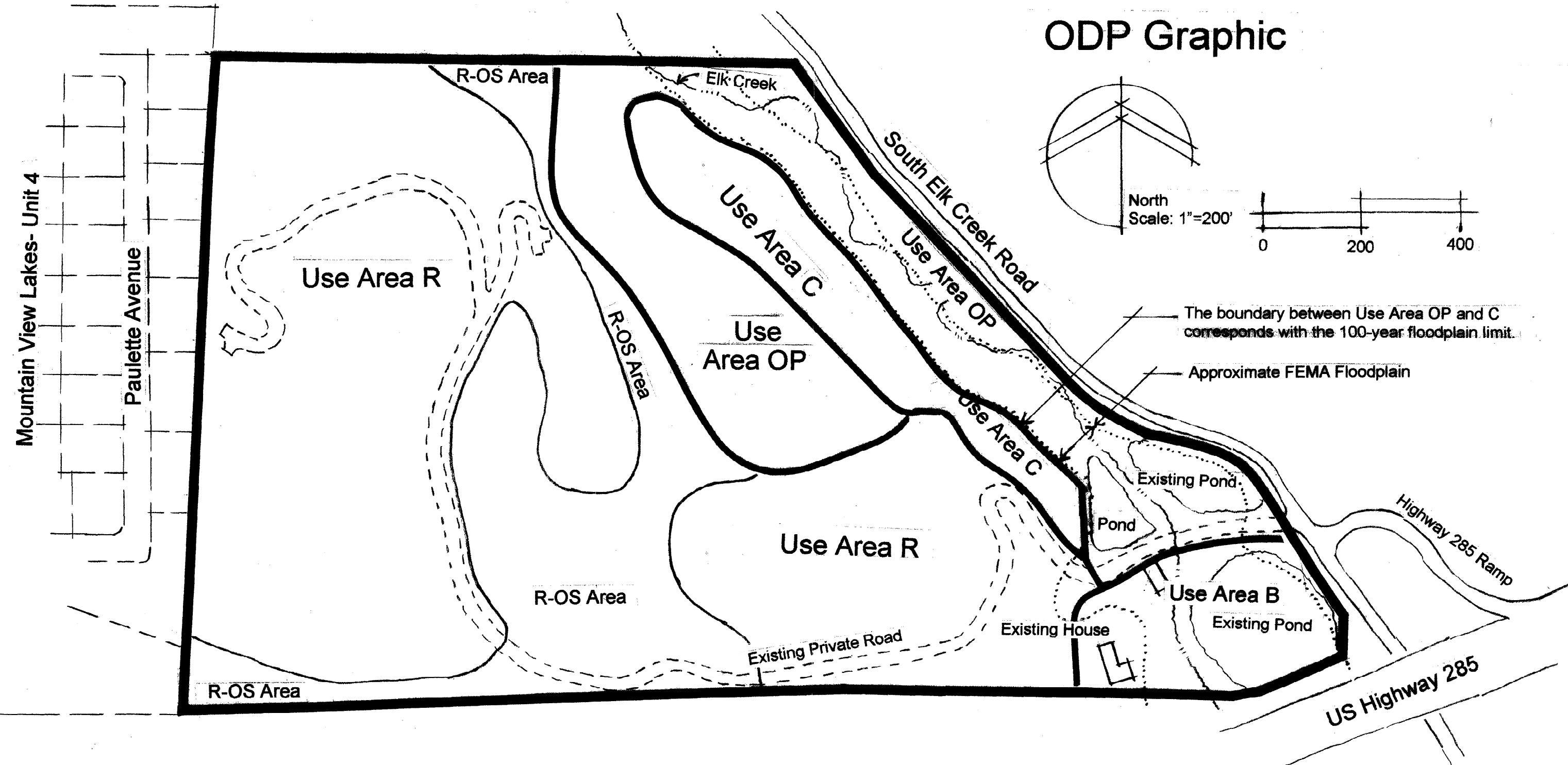
sheet 1 of 2

Case Number: 10-117532RZ  
Map Number: 255 and 256

### Use Area Summary Chart

Use Area	Use	Land Area
R	Residential	40.00 acres
C	Camping	4.00 acres
B	Business	3.50 acres
OP	Open Space	9.00 acres

### ODP Graphic



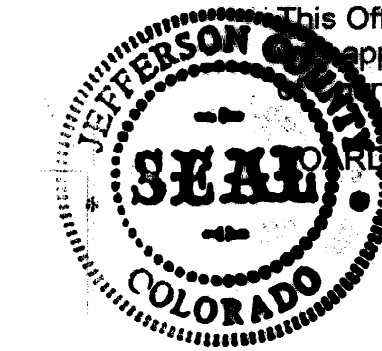
### Legal Description

Lots 1, 2, 3 and 4 of the Minor Amendment known as Sec. 31 and 32, T6S, R71W, 04-117254MA. All said lots are located in Township 6 South, Range 71 West of the 6<sup>th</sup> Principle Meridian, in the County of Jefferson, State of Colorado.  
Recorded March 14, 2005 at Reception Number F2184883.  
Said Lots containing 57.142 Acres, more or less.

### Certificates

#### COUNTY COMMISSIONER'S CERTIFICATE:

This Official Development Plan, titled Shaffers Crossing West, was approved by the Board of County Commissioners on this 23<sup>rd</sup> day of MAY, 2011, and is accepted by the Board of County Commissioners on this 30<sup>th</sup> day of MAY, 2011.



\_\_\_\_\_  
Chairman  
\_\_\_\_\_  
Clerk

#### CLERK AND RECORDER'S CERTIFICATE:

Accepted for filing in the office of the County Clerk and Recorder of Jefferson County at Golden, Colorado on this 23<sup>rd</sup> day of MAY, 2011, at 1:25 o'clock A.M.

\_\_\_\_\_  
Jefferson County Clerk and Recorder

By: \_\_\_\_\_  
Deputy Clerk  
\_\_\_\_\_  
Deputy Clerk

#### STANDARD FLEXIBILITY STATEMENT:

The graphic drawings contained within this Official Development Plan are intended to depict general locations and illustrate concepts of the textual provisions of this Official Development Plan. During the platting process the Planning Director may allow minor variations for the purpose of establishing:

- Final road alignments
- Final configuration of lot and tract sizes and shapes
- Final building envelopes
- Final access and parking locations
- Landscaping adjustments

#### APPLICABILITY STATEMENT:

Except as expressly provided otherwise in this Official Development Plan, development of this property shall conform to the Jefferson County Zoning Resolution in effect at the time of platting and building permit application.

#### OWNER'S CERTIFICATE:

We, Ronald P. Lewis and Carol J. Lewis, as owners of the land affected by this Planned Development, accept and approve all conditions set forth herein.

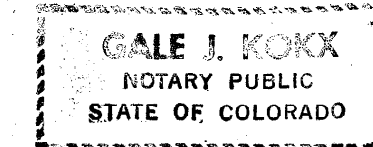
Owners: \_\_\_\_\_ Date: 5-18-11  
Ronald P. Lewis Carol J. Lewis

County of JEFFERSON )  
State of COLORADO ) SS

Sworn and Subscribed before me this 18<sup>th</sup> day of MAY, 2011,  
by Ronald P. Lewis and Carol J. Lewis.

Witness my hand and official seal.

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



My Commission expires: Oct 31, 2012

#### OWNER'S CERTIFICATE:

Elk Creek Properties LLC, as owner of the land affected by this Planned Development, accept and approve all conditions set forth herein.

Owner: Elk Creek Properties LLC

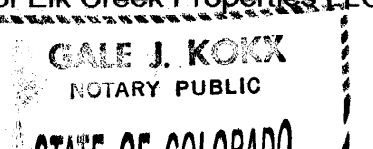
\_\_\_\_\_  
Date: 5/18/11  
Norman S. Lewis as Manager

County of JEFFERSON )  
State of COLORADO ) SS

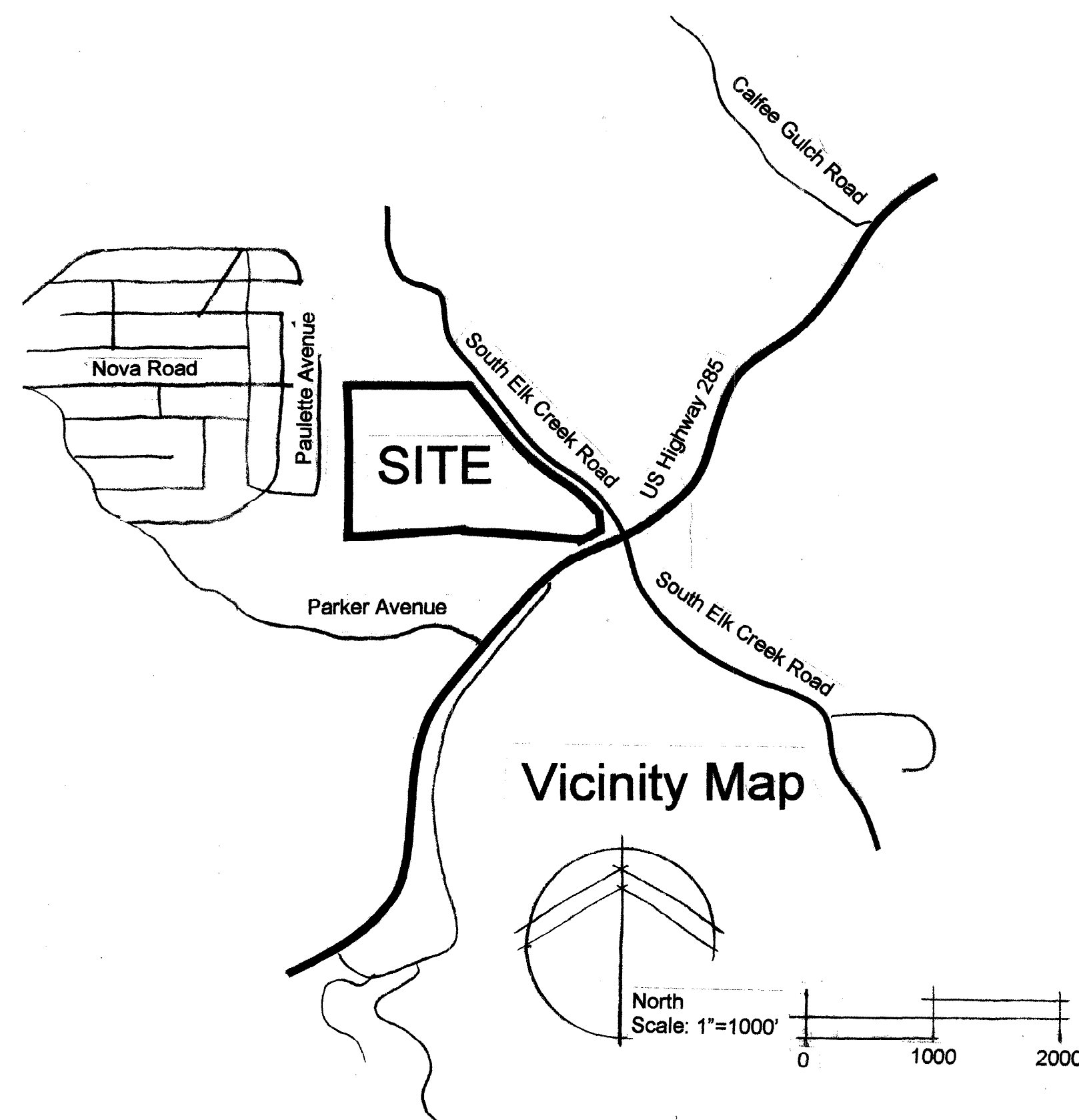
Sworn and Subscribed before me this 18<sup>th</sup> day of MAY, 2011,  
by Norman S. Lewis as Manager of Elk Creek Properties LLC.

Witness my hand and official seal.

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



My Commission expires: Oct 31, 2012



prepared by:  
Fine Line Consulting, Inc.  
584 South Race Street  
Denver, Colorado 80209  
303-282-9622  
Date Prepared:  
April 30, 2010  
Revised: September 24, 2010  
Revised: October 27, 2010  
Revised: February 7, 2011  
Revised: March 30, 2011

# Shaffers Crossing West

## Official Development Plan

sheet 2 of 2

Case Number: 10-117532RZ  
 Map Number: 255 and 256

**A. TITLE AND NAMES:**

1. The name of this Official Development Plan (ODP) is: Shaffers Crossing West.
2. This ODP was prepared by:  
 Fine Line Consulting, Inc.  
 584 South Race Street  
 Denver, Colorado 80209  
 303-282-9622

**B. STATEMENT OF INTENT:**

1. The intent of this ODP is to allow a mix of uses on specific portions of the property, including Single Family Detached Residential, Open Space, Camping Facilities, and a Fishing/Commercial/Business area.

**C. PERMITTED USES:**

1. Use Area R (maximum of 40 acres)
  - a. Primary Use:
    - 1) Single family detached residential, maximum of 23 lots.
    - 2) Open space and natural areas, hiking trails. A minimum of 15 contiguous acres of open space (shown as R-OS on the Graphic) must be provided if lots are smaller than 3.5 acres.
  - b. Accessory Uses:
    - 1) Accessory Uses as defined in the Restricted Residential Zone District of the Jefferson County Zoning Resolution.
    - 2) Water treatment, storage and distribution system, including water pumps, buildings, tanks, etc.
    - 3) Buildings and structures that are accessory to open space uses, such as gazebos, shelters, etc.
2. Use Area C (maximum of 4 acres)
  - a. Primary Use:
    - 1) Camping and campground facilities, limited to a maximum of 40 recreational vehicle and/or camper trailer spaces and 20 tent spaces.
    - 2) Fishing, raising and sale of fish.
  - b. Accessory Uses:
    - 1) Recreational activities including fishing, hiking, picnicking, playground and park, other passive recreational activities clearly subordinate and incidental to a campground facility.
    - 2) Campground facilities for the use of on-site campers. Facilities may include clubhouse/recreational room, restrooms, laundry facilities, pavilion, picnic area, office for management. These facilities may be located in one or more separate structures.
    - 3) Water treatment, storage and distribution system, including water pumps, buildings, tanks, etc.
    - 4) Sanitation facilities.
    - 5) Recreational vehicle/camper sewage collection station.
3. Use Area B (maximum of 3.5 acres)
  - a. Primary Use:
    - 1) Fishing, raising and sale of fish, open to the public or private.
    - 2) Convenience store.
    - 3) Bait shop and fishing/camping supply retail store, ice skate rental.
    - 4) Restaurant without drive-through window.
    - 5) Ice skating.
    - 6) One single family detached residential dwelling unit.
  - b. Accessory Uses:
    - 1) Water treatment, storage and distribution system, including water pumps, buildings, tanks, etc.
    - 2) Office in support of a Primary use.
4. Use Area OP (minimum of 9 acres)
  - a. Primary Use:
    - 1) Open space and natural area, hiking trails, passive recreation.
    - 2) Fishing, raising and sale of fish.
  - b. Accessory Uses:
    - 1) Water treatment, storage and distribution system, including water pumps, buildings, tanks, etc.
    - 2) Buildings and structures that are accessory to open space uses, such as gazebos, shelters, etc.

**D. LOT AND BUILDING STANDARDS:**

1. Lot standards:
  - a. Minimum Lot Size: 1 acre  
 (Lots must be served by a central water supply system)
  - 2) Use Area C: limited to 1 lot only
  - 3) Use Area B: 1 acre
  - 4) Use Area OP: 9 acres
2. Building Standards:
  - a. Maximum building height, all Use Areas: 35 feet
  - b. Minimum Building Setbacks:
    - 1) Use Area R:
      - a) front: 30 feet
      - b) side: 20 feet
      - c) side adjacent to a road: 30 feet
      - d) rear: 30 feet
    - 2) Use Area C:
      - a) all permanent structures must be set back a minimum of 20 feet from all property lines, except a 10 foot setback is allowed from any property line common with an open space area.
    - 3) Use Area B:
      - a) from Highway 285 right-of-way: 20 feet
      - b) from South Elk Creek Road right-of-way: 30 feet
      - c) from any other road right-of-way or easement: 20 feet
      - d) from any property line other than a road: 10 feet
3. Maximum Non-residential Gross Floor Area (GFA) allowed:
  - a. Use Area R: \*300 sq. ft. per building (water system and open space buildings only)
  - b. Use Area C: 5,000 sq. ft. total building area for the entire use area (not including office allowed in e below)
  - c. Use Area B: Maximum building number for the entire Use Area shall not exceed 3 and no single building shall exceed the square footage defined below, except additional office square footage may be included as noted in e below:
 

Convenience store:	3,000 sq. ft. maximum GFA
Retail store:	3,000 sq. ft. maximum GFA
Restaurant:	4,000 sq. ft. maximum GFA

 Should the existing single family residential dwelling remain, the total building square footage permitted in this Use Area shall be reduced by the square footage of the single family residential dwelling square footage, and it shall count as one of the three allowed buildings.
  - d. Use Area OP: \*300 sq. ft. per building (water system and open space buildings only)
  - e. Office use: A total of an additional 2,000 sq. ft. of accessory office space can be added to and distributed between Use Areas C and B.  
 \*There shall be a maximum of 5 water system buildings and 3 open space buildings within the entire Planned Development.

**E. PARKING REQUIREMENTS:**

1. The minimum number of on-site parking spaces that must be provided shall be:
  - a. Single Family: 2 spaces per dwelling unit
  - b. Camping: 1 space per camp site
  - c. Restaurant: 10 spaces per 1,000 sq. ft. of GFA
  - d. Fishing: 10 spaces
  - e. Convenience store, bait shop: 4 spaces per 1,000 sq. ft. of GFA
  - f. Office: 3 spaces per 1,000 sq. ft. of GFA

**F. FENCES AND RETAINING WALLS:**

1. The maximum fence height allowed shall be:
  - a. Use Area R: 42 inches. Fences over 42" high but not to exceed 6 feet high are allowed for pet enclosures only, not to exceed 200 square feet per lot.
  - b. Use Area C: 6 feet
  - c. Use Area B: 6 feet. Fences are allowed for screening trash enclosures only.
  - d. Use Area OP: Fences are not allowed, except for split rail fences no higher than 42".
2. Barbed wire fences are not allowed within this PD.

**G. LIGHTING:**

1. Lighting shall not cast glare on adjacent or neighboring property or roads.
2. Pole lights shall not exceed 12 feet in height, and shall use downcast, cut-off type fixtures.
3. Building mounted lights must be directed downward or toward the building and shall not be mounted higher than 12 feet.

**H. SIGNS:**

1. Use Area R:
  - a. One entry monument sign is allowed, with a maximum area of 24 sq. ft. per face, and a maximum height of 6 feet.
  - b. No other signs larger than 6 sq. ft. are allowed.
2. Use Area C:
  - a. One monument or wall sign larger than 6 square feet is allowed, with a maximum face area of 36 sq. ft., and a maximum height of 6 feet if monument style.
3. Use Area B:
  - a. All signs shall conform to the sign requirements for commercial areas and buildings as established in the Jefferson County Zoning Resolution.
4. Use Area OP:
  - a. One entry monument sign identifying the entry to the residential area is allowed, with a maximum face area of 24 sq. ft., and a maximum height of 6 feet.
5. Internally illuminated signs where the entire face panel is back lit are not allowed within this PD.

**I. SITE DESIGN:**

1. Trails will be provided within the open space areas for the use of campers, fishermen, guests and residents.
2. Buildings are not allowed on slopes that are steeper than 30%.
3. Trees shall be preserved around the building site to provide screening, except where trees must be removed to provide wildfire mitigation or thinned to enhance the health of the forest.
4. A buffer area at least 100 feet wide, left in its natural condition, shall be maintained in Use Area OP along the northern edge of the PD separating Use Area C from the northern boundary of the PD.
5. Camping sites (both RV/trailer and tent) shall be clustered into groups of no more than 5 consecutive RV or tent sites that are separated by a landscaped buffer consisting of at least two trees between each cluster of sites.
6. A landscaped buffer shall be provided along Elk Creek Road, extending from the northeast corner of the property to the existing trout pond (approximately 1000 linear feet). This buffer shall consist of an average of one evergreen tree per 30 linear feet. The required trees may be grouped into clusters in order to emulate a more natural appearance. The trees shall be located with the intention of providing screening of the camping Use Area from Elk Creek Road.

**J. ARCHITECTURAL REQUIREMENTS:**

1. All non-residential buildings within Use Areas C and B must conform to the Architectural Standards within the Jefferson County Zoning Resolution, and the following additional requirements:
  - a. Exterior building materials allowed shall include stone, wood and metal. Metal shall be limited to a maximum of 25% of any building facade. Highly reflective finishes are not allowed.
  - b. Exterior building colors shall be predominately earth tones.
  - c. Roof mounted equipment is not allowed.
  - d. All buildings shall have pitched roofs.
  - e. Roofs shall feature non-reflective material with dark earth tone colors.
2. All residential buildings that are visible from Highway 285 or Elk Creek Road shall have roofs and walls that are earth tone colors. Highly reflective finishes are not allowed.

**K. LANDSCAPE REQUIREMENTS:**

1. Landscaping shall be installed in conformance with the requirements of the Landscaping section of the Jefferson County Zoning Resolution.

**L. GENERAL REQUIREMENTS:**

1. Other requirements and standards not specifically include within this ODP will apply in accordance with the Jefferson County Zoning Resolution and the standard zone district that is most similar to this PD.
2. Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations is not permitted within the 100-year floodplain unless a floodplain development permit pursuant to the Floodplain Section of the Jefferson County Zoning Resolution is first obtained. In addition, if campsites are proposed below the Base Flood Elevation within the floodplain, a flash flood hazard warning and evacuation plan for the campground will be required with the floodplain permit.

3. Prior to the operation of the campground (even if no permanent structures are proposed), a Site Development Plan process per the Jefferson County Zoning Resolution is required.
4. The Director of Planning and Zoning shall not have the ability to approve a waiver of a secondary access requirement at the time of platting or site development plan.



Jefferson County, Colorado  
Planning & Zoning Division

100 Jefferson County Parkway, Suite 3550, Golden, Colorado 80419-3550  
☎ 303.271.8700 • Fax 303.271.8744 • http://planning.jeffco.us

# ADMINISTRATIVE EXCEPTION APPLICATION

Permit # 17-100808 AE RSN# 797460

This process may be utilized to request relief from the Jefferson County Zoning Resolution for any of the following issues.

- Lot size is at least 75% of lot area required
- Setbacks are at least 75% of requirements
- Height is no more than 5' over the maximum height requirement permitted for structures
- Structure or landscaping is located within the corner vision clearance triangle (VCT);
- Temporary use TRAILER ON WHEELS
- Grading - cut and fill exceeding 20' but less than 25'

Fees are on-line at our web site or call 303-271-8700. Make checks payable to Jefferson County Treasurer.

Address of Subject Property

Street 32234 Fish Pond Way City PINE State CO ZIP 80

Legal Description and/or Parcel ID #

USE MAP B MINOR ADJUSTMENT

Property Owner RONALD F. LEWIS

Address 26624 N EVERETT RD 32234 Fish Pond Way

Mailing Address

Street 26624 N EVERETT RD City EVERETT State CO ZIP

Phone # (h) 303 674 3887 (w) 309 810 1071 FAX 303 674 8052 Email Rlewis@focultraworld.com

Contractor/Representative Name SMITH Phone # Email

### Specific Request

TEMPORARY STRUCTURE FOR OFFICE & CURB TABLE FOR FISHING & ICE SCATING.

### Hardship/Practical Difficulty if required

PEOPLE COME AT ALL HOURS TO FISH & ICE SCATE NEED SOME CURB TABLE FOR SAFETY.

- ✓ Applications will not be accepted unless all submittal requirements have been met. Documents larger than 11 x 17 cannot be accepted.
- ✓ An Improvement Location Certificate (ILC) is needed for all requests which may legalize an existing structure.
- ✓ I understand there is a filing fee to cover costs of administration, research of this case, and is non-refundable

- ✓ I hereby give permission for County staff to enter upon my property for purposes of site inspection and investigation. Please specify any extraordinary circumstances of which staff should be aware, i.e., the presence of dogs on the site, locked gates, etc. The property must be accessible for site inspection.
- ✓ Adjacent property owners will be given notification of this case and will be given 10 days to respond.

✓ The applicant will receive a copy of the County's decision in writing

I certify that the information contained herein is true and correct to the best of my knowledge.

Signature of Owner or Authorized Representative

Date 1/12/17

## Applicant Requirements

Temporary Uses and/or Structures: It is the applicant's responsibility to renew an Administrative Exception prior to expiration. Upon expiration, all structures must be removed or approved uses, ceased; or the property owner will be in violation of the Jefferson County Zoning Resolution.

The numbers indicated under the request, specify the corresponding submittal requirement on the right. Additional documentation may be required, as determined by staff, on a case-by-case basis.

### Request 5

*(Additional notification fees will apply)*

- Lot Size  
1, 2, 3 or 4, 5, 6, 8, 9
- Setback(s)  
1, 2, 3 or 4, 5, 6, 9, 11
- Vision Clearance Triangle  
1, 2, 3 or 4, 5, 6, 9, 11
- Height  
1, 2, 3 or 4, 5, 6, 9, 11
- Mobile Home While Building  
1, 2, 3 or 4, 5, 6, 7, 8, 9, 10, 11
- Temporary Building/Uses  
1, 2, 3 or 4, ~~5, 6, 8~~
- Grading - Cut and Fill  
(to be determined)
- Other \_\_\_\_\_

### Submittal Requirements

- 1. Copy of current, recorded warranty deed.
- 2. Pre-72 deed - if parcel is Metes & Bounds or is portions of platted lots.
- 3. Survey or detailed site plan depicting the requested improvements.
- 4. Improvement Location Certificate (ILC) if request is for legalization.
- 5. Directional map to property.
- 6. Assessor's print-out of adjacent property owners name and address.
- 7. Proof of financing.
- 8. Evidence of water and/or sewer availability.
- 9. Written statement of hardship.
- 10. Building permit issued for dwelling.
- 11. Other \_\_\_\_\_

### Staff Use Only

Administrative Exception Applications is hereby  Approved  Denied *Approved subject to conditions: See comments in Amanda (if applicable)*

Administrator \_\_\_\_\_ Date \_\_\_\_\_

Zoning of Site **P-D 2011049886** Map # **256** Receipt # \_\_\_\_\_

Date **1/12/17** Reviewed by **M. MADRID** Floodplain clear  Yes  No

Lot size Required **1 ACRE** Shown **1.91 ACRES** Map # **455F**

- Copy of plat and/or Assessor's Map
- Road name guide map
- Zoning determination and appropriate documentation
- Referrals and notification mailed  
Date \_\_\_\_\_

Inspector \_\_\_\_\_ Inspection Date \_\_\_\_\_

#### Inspector Comments

**WELL / SEPTIC NOT PROVIDED. TRAILER IS ON WHEELS.  
 SAN-D-LET USED FOR WATER. WATER TRAILERS FROM CAMPSITE ALSO USED.  
 APPLICANT STATES THERE IS WATER THROUGH A WELL NOT HOOKED UP TO THE TRAILER.  
 VIOLATION CASE 16-125675 CV. CURRENTLY IN STIPULATION.  
 STRUCTURE IS 12' X 62' TRAILER ON WHEELS.**



QUIT CLAIM DEED

PH

THIS DEED, Made this 29 of February 2016

Elk Creek Properties, LLC, a Partnership

Of the said City and \*County of Jefferson

and State of Colorado

grantor(s), and Ronald P. Lewis & Carol J. Lewis as joint tenants

whose legal address is: 26624 N. Turkey Creek Rd.

of the City and

County of Jefferson

and State of Colorado

, grantee(s),

WITNESSETH, That the grantor(s), for and in consideration of the sum of (\$10,000) TEN DOLLARS and other good and valuable considerations-----

the receipt and sufficiency of which is hereby acknowledged, have remised, released, sold and QUIT CLAIMED, and by these presents do remise, release, sell and QUIT CLAIM unto the grantee, their heirs, successors and assigns, forever, all the right, title, interest, claim and demand which the grantor(s) have in and to the real property, together with improvements, if any, situate, lying and being in the County of Jefferson and State of Colorado , described as follows:

Lots 1 & 3 and Tracts F, B, & E  
See 31 and 32, T6S, R71W  
04-117254MA Adjustment 1  
Map No. 253 & 256  
County of Jefferson  
State of Colorado  
Recorded Reception # 2016030280

Barcode: 2016030283  
R \$11.00  
D \$0.00  
04/01/2016 02:56:47 PM 1 Page(s)  
JEFFERSON COUNTY, Colorado

also known by street and number as:  
assessor's schedule or parcel number:  
TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the grantor(s), either in law or equity, to the only proper use, benefit behoof of the grantee(s), their heirs and assigns forever.

IN WITNESS WHEREOF, the grantor(s) have executed this deed on the date set forth above.

Elk Creek Properties, LLC.

*[Signature]*

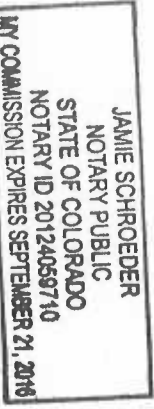
Normal S. Lewis Managing Partner

STATE OF Colorado }  
COUNTY OF Jefferson }  
Ss

The foregoing Instrument was acknowledged before me this 29 Day of February, 2016

by:

My commission expires: Sept 21 2016 seal. Witness my hand and official



*[Signature]*

Notary Public

\*If in Denver, insert "City and" Name and Address of Person Creating Newly Created Legal Description (38-35-106.5, C.R.S.)

## Elyse Dinnocenzo

---

**From:** Lynn Griffin <grmagrif4@hotmail.com>  
**Sent:** Tuesday, March 07, 2017 3:24 PM  
**To:** Elyse Dinnocenzo  
**Subject:** Response to Permit # 17-100808AE

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

March 7th 2017

To:  
Elyse Dinnocenzo  
Planner  
Jefferson County Planning and Zoning Division

Protest to Zoning Request:

We are responding to the posted permit #17-100808AE.

We are protesting the zoning request that has been made to make the existing trailer on the property in to an office space for Ice skating, hockey and fishing. There is already an existing structure on the property that has been used in the past for a fishing office. They are requesting additional office space that is being used for living space as well. The trailer has been parked in that spot since last May and someone has been living in it. The original plans did not include approval for a trailer parked by the ponds. Trailer spaces were in the camping area. We are against their request as then the trailer can become permanent in a location that was not approved in the original plans. We think that a variance to the original plans should not be granted and they should start following the plans that were approved.

We have been in contact with John in the code violations at Jefferson County and he has found numerous violations on his visits to the property. We are not confident that the owner will follow the approved plans that were given.

I will follow this e-mail with 4 others that will have photos of this same trailer parked since last May 2016.

Thank you,

Dennis Griffin  
Lynn Griffin  
12562 S. Elk Creek Rd  
Pine, CO 80470  
303-618-2329



FISHING 1300  
SHAFFER'S CROSSING  
FISHING & CAMPING  
NOW OPEN  
303-838-5025

CLOSED







3-7-17

REGARDING CASE

# 17-100808 AE

TO Whom it may concern:

32234 EIK CREEK RD  
OR  
FISH POND WAY

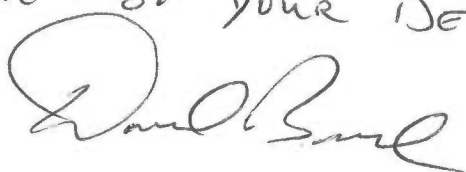
IN REGARDS TO A TEMPORARY STRUCTURE  
FOR ICE SKATING AND FISHING OFFICE - I AM  
HOCKEY  
VERY OPPOSED! THERE IS A PERMANENT BUILDING  
THERE NOW, WHICH HAS BEEN THERE AT LEAST  
25 YEARS, SERVING THE FISHING BUSINESS. THE  
PROPOSED TRAILER FOR AN OFFICE IS IN FULL  
VIEW OF THE ROAD (EIK CREEK RD + HWY 285) -  
AND IS AN EYE SORE.

WHEN THE COUNTY COMMISSIONERS APPROVED  
THE USE OF THE PROPERTY FOR R.V. STORAGE  
AND R.V. CAMPING AND TENT CAMPING - ONE OF  
THE STIPULATIONS WAS THAT OWNERS WOULD USE  
EXISTING FLORA & FAUNA AS A NATURAL COVER, TO

CONCEAL THE RVS + CAMPING. THE  
PROPOSED TRAILER FOR AN OFFICE IS IN FULL  
VIEW OF ALL. WHAT IS THE DIFFERENCE?

THE EXISTING BUILDING FOR FISHING REVENUE  
SEEMS TO ME TO BE ADEQUATE FOR  
BOTH ICE SKATING AND FISHING - FISHING IS  
<sub>HOCKEY</sub>  
BEFORE ICE FORMS AND ICE SKATING IS  
<sub>HOCKEY</sub>  
AFTER ICE FORMS. THE TWO DO NOT  
COINCIDE, SO I BELIEVE THAT THE  
TEMPORARY STRUCTURE REQUESTED IS NOT  
NEEDED.

PLEASE ADVISE ME OF YOUR DECISION.

THANK YOU. 

DAVID BUCK  
12133 EIK CREEK RD.

303-838-5909