

**PARK COUNTY APPLICATION FOR  
VARIANCE  
NON-REFUNDABLE APPLICATION FEE: \$1060**

All applicants must submit one complete application and attend a pre-application conference with the Park County Planning Department Staff seven (7) to ten (10) working days prior to the application submittal deadline. Following the acceptance of the complete application the applicant must submit **twenty-five (25) collated copies, or CD media as requested** to the Park County Planning Department on or before the application submittal date.

If you have questions regarding this form please contact the Planning Department by phone at (719) 836-4254, or e-mail [pcpd@parkco.us](mailto:pcpd@parkco.us), fax (719) 836-4351, or write to us at P.O. Box 1598 Fairplay, CO 80440.

**A. APPLICANT AND OWNERSHIP INFORMATION**

Applicant's Name: ARTHUR C. + ROSE LOWITZER

Mailing Address: 915 CREST WAY, EMMANUS, PA 18049

City: EMMANUS State: PA Zip: 18049

Telephone

(work) 215-290-1700 (home) 215-290-1700 (fax) \_\_\_\_\_

Owner's Name: ARTHUR C. + ROSE LOWITZER

Mailing Address: 915 CREST WAY, EMMANUS, PA 18049

Telephone No.: 215-290-1700

**B. PROPERTY INFORMATION**

Complete Legal Description of Property Proposed for the Variance (attach additional page, if necessary):

INDIAN MOUNTAIN, FILING 25, UNIT 2, LOT 103

Street Address of Property: 144 RED CLOUD DRIVE

Property's Total Acreage: 5.66

Current Zone District of Property: R

Proposed Zone District of Property: R

<b>For County Use Only</b>
Planning Department Confirmation of Current
Zone District:
District: <u>Residential (R)</u>
<u>Jillian Falchi</u>
Print Full Name

**Requirements for a Variance**  
**Article III, Division 1, Section 3-100**

**C. APPLICATION REQUIREMENTS**

1. Application Fee. An application fee in the amount of \$1060 must be paid at the time of submission of the application. Make the check or money order to the Park County Planning Department. The fee pays for the typical cost to the County to process the application. Any additional costs that may occur are the applicant's responsibility.
2. Tax receipt-showing payment of current taxes. This can be obtained at the Park County Treasurer's office.
3. Proof of ownership in the form of a recorded Warranty Deed. This can be obtained at the Park County Clerk and Records office.
4. A legal description of the property proposed for the Variance prepared by a licensed Colorado land surveyor.
5. A list of names and mailing addresses of all owners of adjacent property to the property subject to the proposed Variance, this information is at Park County Assessor's Office.
6. A vicinity map of where the proposed property is located within Park County.
7. A site plan drafted at a commonly used engineering scale with clear indication how the variance relates to the affected land with the following information:
  - a. Name and address of the owner;
  - b. Date of preparation, map scale, and north arrow;
  - c. Lot dimensions, total acreage, and points of access to the property, internal roads and trails. The map must illustrate how access is obtained from the property subject to variance to the nearest county road or highway;
  - d. Natural features of the property subject to variance including, wetlands, floodplain, riparian areas, water bodies, rock outcroppings, significant vegetation, geological or other hazards, and slopes greater than twenty-five percent (25%);
  - e. Utility systems including existing and proposed water wells, sewer systems, electric services, and natural gas;
  - f. The dimensions, height and setbacks of all existing and proposed structures.
  - g. A clear illustration or description of the proposed variance, using shading, crosshatching, or highlighting, to accurately illustrate the proposal.
8. The property must be clearly identified with the address and posted according to the Park County address requirements (attached).

<b>For County Use Only:</b>	
Initial Receipt of the Required Information	
(1.)	JF
(2.)	JF
(3.)	JF
(4.)	JF
(5.)	JF
(6.)	JF
(7.)	JF
(7a.)	JF
(7b.)	JF
(7c.)	JF
(7d.)	JF
(7e.)	JF
(7f.)	JF
(7g.)	JF
(8.)	JF

9. Letters of consent to alter or vacate utility easements from all public utilities serving the site, if applicable
10. A written description identifying the specific provision of the Land Use regulations that the owner seeks to vary and the extent to which the provision is proposed to be varied or modified.
11. A written description of the reasons justifying the variance detailing how the standards for approval of the variance provided by Section 3-100(B) are met or satisfied.
12. Any other information that are judged necessary by the Planning staff to ensure compliance with the Standards for Approval.

*Note: Refer to Park County Land Use Regulations Article III, Standards for Approval of Variance.*

<b>For County Use Only:</b> Initial Receipt of the Required Information
(9.) <u>JF</u>
(10.) <u>JF</u>
(11.) <u>JF</u>
(12.) <u>JF</u>

We are asking to forego the 30 foot distance to property line on lot 102 owned by Jim and Rose Linn , PO Box 1351, Fairplay, CO, ph # 719-836-0955.

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We are hoping to have a garage built in the area shown on the diagram. This site is on the same side as the electricity, and away from the propane gas tank so the propane company or any emergence vehicle can easily get to house and propane tank. The pathway from the garage door to the front door of our house will be easier. There is a strong slope on the other side other of the property that would make it difficult to try and build a garage. We believe our request meets the County's criteria for a variance as follows:

Criterion 1: The proposed site for location of our garage is best because of the slope of our lot. The North side of the drive, where we propose to build, is much more level than that to the South. Additionally, the North side is closer to the electrical supply point (which is on the North) and further from the propane tank (on the South. To build on the South side may in fact impede access to the propane tank for both the propane company and for emergency purposes.

Criterion 2: As noted above, our propane tank is located on the South side of the drive, and putting a garage on that side may place an obstacle for the propane company and for emergency vehicles/personnel who may need access to the tank. The propane tank was placed by builder and original owners of the cabin in 1996. We purchased the property in March, 2004.

Criterion 3: We have spoken with Mr. Jim Linn, our neighbor, about our desired placement, and he has assured us that he has no objection. Further, it is our belief that our location presents the lease obstruction to viewing the beauty of the area and its surroundings. Placing it on the South side of the drive, would, in our opinion, present such an obstacle.

Criterion 4: We believe that the intent and purpose of the regulation is in fact better served by building in the proposed location. A structure there poses no barrier to our neighbors to the North, and it allows good viewing from the drive to the South.

Thank you for your consideration.

Park County Website | Treasurer Web Site



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Real Estate TAX/NOTICE RECEIPT FOR PARK COUNTY

SCHEDULE # R 38238 2015

PROPERTY ADDRESS: RED CLOUD DR 144 COMO

TAXABLE VALUE: \$20,760.00 ACTUAL VALUE: \$260,810.00

TAX DISTRICT: 010

Owners Name  
**LOWITZER ARTHUR CHARLES**  
**LOWITZER ROSE**  
**915 CREST WY**  
**EMMAUS PA 18049**

Legal Description  
T09 R75 S25 SE4 INDIAN MOUNTAIN  
FILING 25 UNIT 2 LOT 103

Select a payment option below.

First Half: Feb 28th  
Second Half: June 15th  
OR  
Full Payment: April 30th

TAX:	\$1,345.38
INTEREST:	\$0.00
FEE:	\$0.00
TOTAL TAX & ASMTS.:	\$1,345.38
<b>UNPAID BALANCE:</b>	<b>\$0.00</b>

Pay Full Amount

Paid

Last Payment: 02/17/2016 Amount : \$1,345.38

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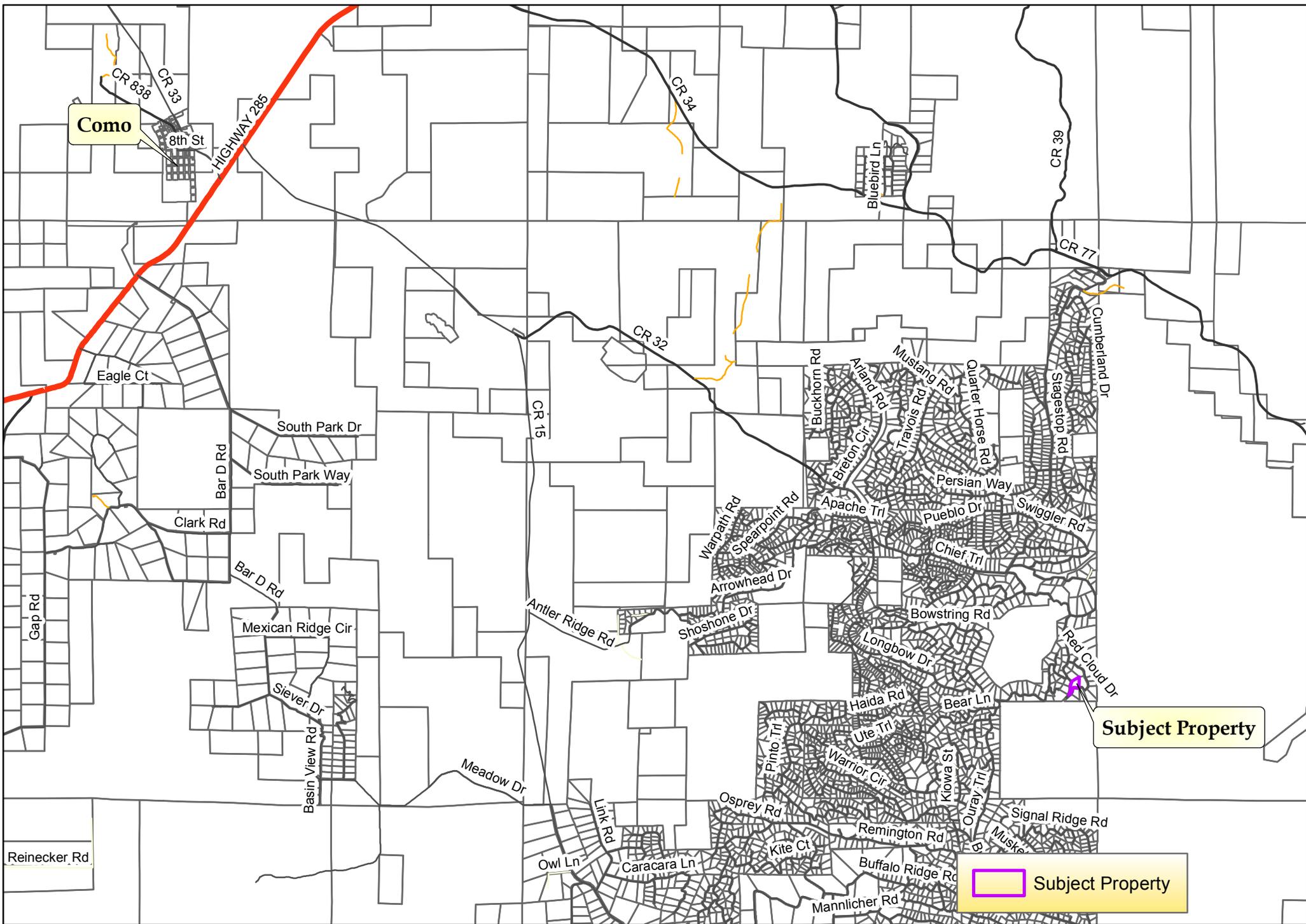


Names & Mailing Addresses of property owners adjacent to Indian Mountain Filing 25, Unit 2, Lot 103:

Lot 102: James H. Linn & Rose E. Linn, P.O. Bos 1351, Fairplay, CO 80440

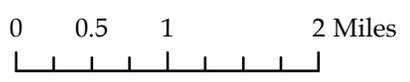
Lot 104: Gerald J. Maly & Carolyn A. Maly, 7750 County Line Rd., Meadowlands, MN55765





Date: 9/26/2016

# VICINITY MAP



Parcel data should not be considered survey quality.  
 Park County will not be held liable for misuse or  
 misinterpretation of this data. © Park County GIS 2014





Longbow Dr

Red Cloud Dr

Subject Property

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Date: 9/26/2016

**Aerial Map**

1 in = 150 feet



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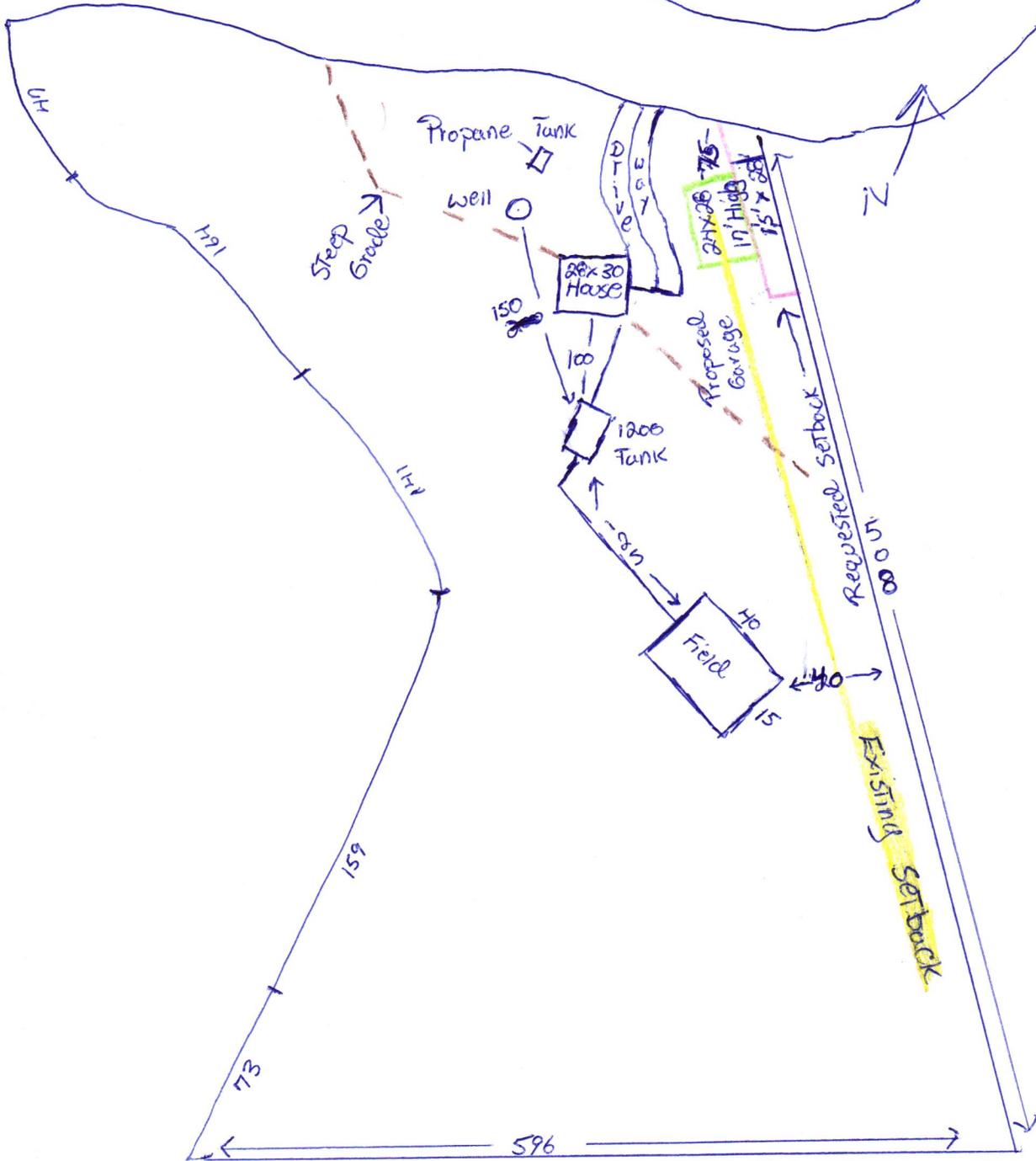
Site Plan

144 Red Cloud

10T 103

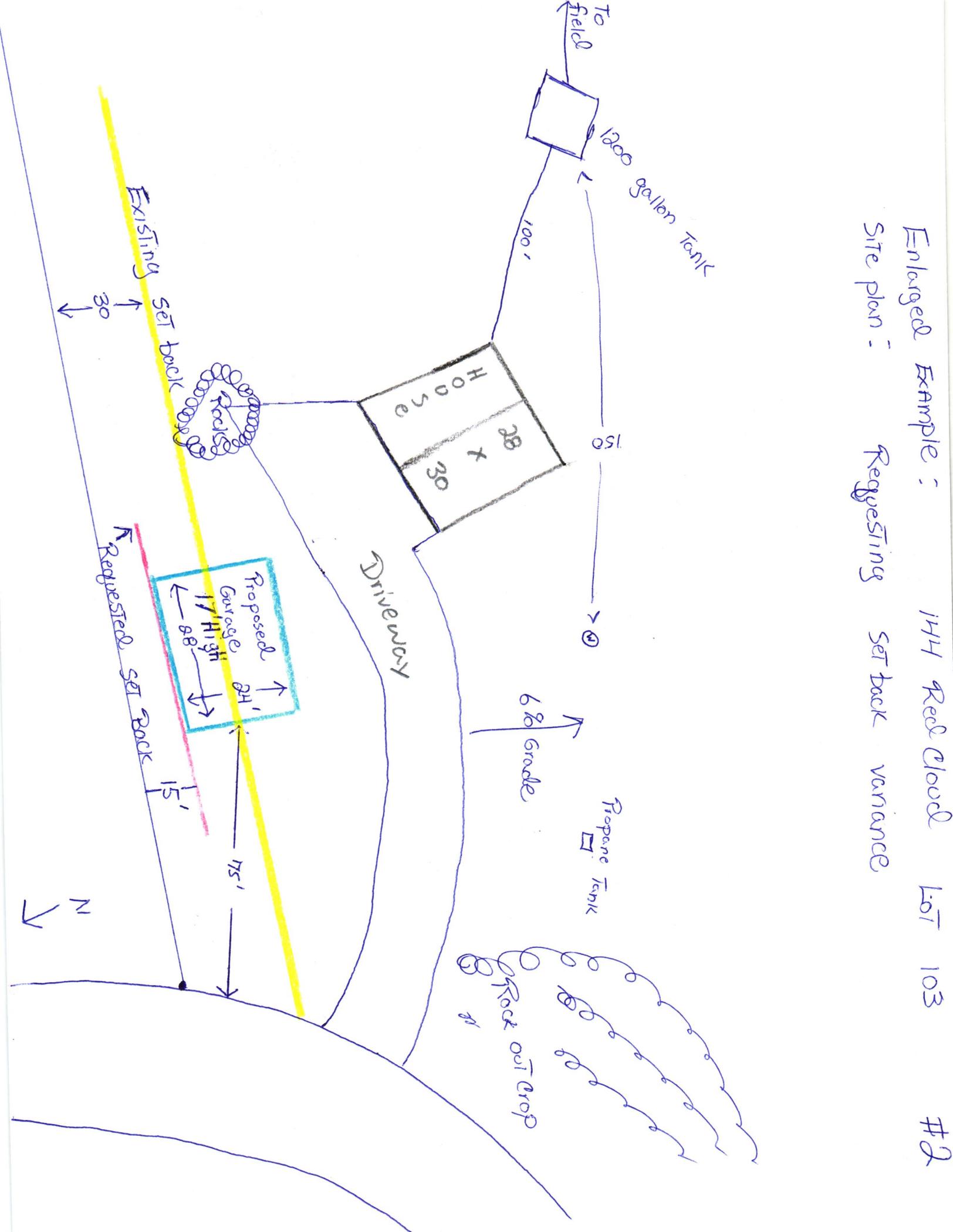
#1

Requesting Set Back variance AT 15'x28'



Enlarged Example: 144 Red Cloud Lot 103 #2

Site plan: Requesting Set back variance





power pole

proposed garage

144 Red Cloud Drive

11Rd