

**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 pepd@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: RONALD MESSING

Mailing Address: 2767 S. UPHAM STREET

City: DENVER State: CO Zip: 80227

Telephone

(work) _____ (home) 303-922-9792 (fax) _____

Owner's Name: RICHARD J. KUSEK

Mailing Address: _____

Telephone No.: 720-429-7049

B. PROPERTY INFORMATION

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

T09 R78 S28 SE4, Valley Of The Sun, Filing 21 Lot 0970, B0332 P0368 UL96

Street Address of Property: 17 JOHNSTON COURT, FAIRPLAY, CO

Property's Total Acreage: 2.74

Current Zone District of Property: R-RESIDENTIAL

Proposed Zone District of Property: R-RESIDENTIAL

<p>For County Use Only Planning Department Confirmation of Current Zone District: District: <u>RESIDENTIAL</u> <u>John Deagan</u> Print Full Name</p>

**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).

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

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.

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

D. APPLICANT AND LANDOWNER SIGNATURES:

The undersigned applicant and landowner hereby verify and affirm that the information contained in this application is complete and accurate. The undersigned applicant and landowner understands and acknowledges that the submission of inaccurate and incorrect information may result in the denial or rejection of the application and/or result in the invalidation of any approvals issued by Park County, Colorado.

Applicant: Signed: Ronald Messing
Print name: RONALD MESSING
If company, state Title/Position: _____

E. VERIFICATION OF DATE OF DELIVERY OF APPLICATION

This application was submitted to the Park County Planning Department on the following date and time:

September 15 , 2016
Month Day Year

For County Use Only:
Verification of Date of Delivery and
County Receipt of Application
Date: SEPTEMBER 15th, 2016
Print Name: JOHN DEAGAN

Payment of the Applicant Fee was made by:

X Personal Check # 1809 Amount \$ 1060.00
_____ Cash Amount \$ _____
_____ Other _____ Amount \$ _____

APPLICANT MUST ATTEND THE HEARING. IF A REPRESENTATIVE ATTENDS THE HEARING ON BEHALF OF THE APPLICANT, A NOTARIZED LETTER OF CONSENT MUST ACCOMPANY THE APPLICATION.

ALL BOARD OF ADJUSTMENT HEARINGS WILL BE SCHEDULED FOR THE SECOND TUESDAY OF EVERY MONTH. IF A QUORUM IS NOT AVAILABLE, THE HEARING WILL BE SCHEDULED THE NEXT AVAILABLE DATE.

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that I, Richard J. Kusek of Littleton, Colorado, have made, constituted and appointed, and by these presents do make, constitute and appoint Ronald Messing, of Denver Colorado, my true and lawful attorney, for me and in my name, place and stead. If Ronald Messing fails to survive me, or is unable to serve, I name Rosemary Donovan of Loveland, Colorado, or James Messing of Hayden, Colorado, if Rosemary Donovan fails to survive me, or is unable to serve as my attorney. My attorney is authorized to ask, demand, sue for, recover and receive, of and from all corporations, associations, and persons whatsoever, all and every sum or sums of money due and owing, or that may become due and owing to me on any and every account, whether due or to become due, and give receipts for the same, or, at my attorney's discretion, to compound or compromise for the same, and give discharges; to sign, execute, endorse, negotiate any note, bond, deed, obligation, contract, draft, check, certificate of deposit, assignment, bill of sale, motor vehicle title, or other paper; to endorse promissory notes, and the same to renew from time to time; to draw by check, withdrawal slips or to deposit funds in any other manner or means upon any bank or banks or any corporations, associations, or individuals, including savings and loan associations and stock brokers, for any sum or sums of money that may be to my credit, or which I may be entitled to receive or have an interest in, as I might or could do; to enter any safe deposit box or boxes that I may have rented at any bank or banks and remove the contents thereof, any rule or regulation by any bank to the contrary notwithstanding; to sell any part or parts of my real or personal estate, including but not limited to stocks, bonds, tangible personal property, accounts receivable, choses in action, intangible personal property, real estate, or any interest which I may have in any real or

personal estate, wheresoever situated, to make all necessary deeds, assignments and conveyances thereof, with all necessary covenants, warranties, and assurances, and to sign, seal, acknowledge and deliver the same; and no purchaser from my attorney shall be required to see to the application or distribution of the proceeds, and to do all such other acts, matters, and things in relation to all or any part of or interest in my property, estate, affairs, or business, of any kind or description, in the State of Colorado or elsewhere, as I myself might or could do if acting personally. I hereby ratify and confirm all lawful acts done by my said attorney by virtue hereof.

This Power of Attorney shall not terminate upon the physical and/or mental disability or legal incapacity of the donor, Richard J. Kusek, nor shall there be any liability on any person, firm or corporation relying on this Power of Attorney subsequent to my death, provided such person, firm or corporation had not received actual notice of my death.

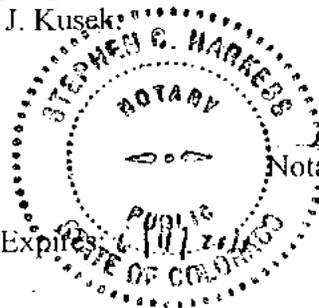
This Power of Attorney shall terminate only on his death or written revocation of said power duly executed and acknowledged by Richard J. Kusek.

WITNESS the following signature and seal this 1st day of October, 2013.

 (SEAL)
Richard J. Kusek

STATE OF COLORADO
CITY/COUNTY OF JEFFERSON, to-wit:

The foregoing instrument was acknowledged before me this 1st day of October, 2013, by Richard J. Kusek.



Notary Public

My Commission Expires _____

Park County Website | Treasurer Web Site



[New Search](#) | [Return To Search Results](#) | [Print Bill](#)

Real Estate TAX/NOTICE RECEIPT FOR PARK COUNTY

SCHEDULE # **R 38486 2015**

PROPERTY ADDRESS:

TAXABLE VALUE: \$11,110.00 ACTUAL VALUE: \$38,325.00

TAX DISTRICT: 015

Owners Name

**KUSEK R J REVOCABLE TRUST
7100 W 13TH AVE APT 101
LAKEWOOD CO 80214-4780**

Legal Description

T09 R78 S28 SE4 VALLEY OF THE SUN
FILING 21 LOT 0970

Select a payment option below.

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

TAX:	\$614.10
INTEREST:	\$6.14
FEE:	\$0.00
TOTAL TAX & ASMTS.:	\$614.10
UNPAID BALANCE:	\$0.00

Pay Full Amount

Paid

Last Payment: 05/18/2016 Amount : \$620.24

[Help Center](#) | [Site Instructions](#) | [Report a problem](#)



VisualGov.com Copyright ©1999-2013 VisualGov Solutions, LLC. All rights reserved. | [Privacy Policy](#) | [Terms of Use](#)

702704

702704 10/22/2013 2:50 PM
1 of 2 QCD R\$16.00 D\$0.00

Debra A Green
Park County Clerk

STATE DOCUMENTARY FEE
DATE 10-22-13

\$ 0

**NO REAL PROPERTY
TRANSFER DECLARATION
ACCOMPANIED THIS DOCUMENT**

Recording requested by: Richard J. Kusek

Space above reserved for use by Recorder's Office

When recorded, mail to:

Document prepared by:

Name: Richard J. Kusek

Name Ronald D. Messing

Address: 7100 W. 13th Avenue #101

Address 2767 S. Upham St.

City/ State/Zip: Lakewood, CO. 80214

City/State/Zip Denver, CO. 80227

Property Tax Parcel/Account Number:

Quitclaim Deed

This Quitclaim Deed is made on 10/21/2013, between Richard J. Kusek,
Grantor, of 7100 W. 13th Avenue #101, City of Lakewood, State of
Colorado, and R.J.Kusek Revocable Trust, Grantee, of 7100 W. 13th Avenue #101,
City of Lakewood, State of Colorado.

For valuable consideration, the Grantor hereby quitclaims and transfers all right, title, and interest held by
the Grantor in the following described real estate and improvements to the Grantee, and his or her heirs
and assigns, to have and hold forever, located at Valley Of The Sun, Fairplay, CO. 80440,
City of Fairplay, State of Colorado :

GENERAL INFORMATION: Schedule: 38486 R 001, Tax District: 015, Owner Name: Kusek, Richard
J., Legal Description: T09 R78 S28 SE4, Valley Of The Sun, Filing 21 Lot 0970, B0332 P0368
UL96, 2.73 Total Acres

Subject to all easements, rights of way, protective covenants, and mineral reservations of record, if any.
Taxes for the tax year of 2013 shall be prorated between the Grantor and Grantee as of the date of re-
cording of this deed.

702704

702704
2 of 2

10/22/2013 2:50 PM
QCD R\$16.00 D\$0.00

Debra A Green
Park County Clerk

Dated: OCTOBER 21, 2013

Richard J Kusek
Signature of Grantor

RICHARD J. KUSEK
Name of Grantor

Ronald D Messing
Signature of Witness #1

RONALD D MESSING
Printed Name of Witness #1

Signature of Witness #2

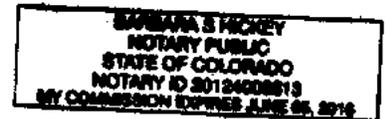
Printed Name of Witness #2

State of Colorado County of Jefferson
On October 21, 2013, the Grantor, Richard J Kusek

personally came before me and, being duly sworn, did state and prove that he/she is the person described in the above document and that he/she signed the above document in my presence.

Barbara S Hickey
Notary Signature

Notary Public,
In and for the County of Jefferson State of Colorado
My commission expires: 06/05/2016



Seal

Send all tax statements to Grantee.

Doc
704

T-R DEVELOPMENT CORPORATION, a Colorado Corporation

whose address is 6841 South Yosemite

Englewood County of Arapahoe, State of

Colorado, for the consideration of Ten dollars and other good and valuable consideration dollars, in hand paid, hereby sell(s) and convey(s) to

RICHARD J. KUSEK

whose address is 2557 South Dover #41, Lakewood County of

Jefferson, and State of Colorado the following real property in the

County of Park, and State of Colorado, to wit:

SEE EXHIBIT "A" ATTACHED.

STATE DOCUMENTARY FEE
DATE 6-11-76
\$ 7.09

with all its appurtenances, and warrant(s) the title to the same, subject to

Easements, Protective Covenants, U.S. Patent Reservations of Record and Current Years Taxes.

Signed this 13th day of May, 1976.
ATTEST:
Lila P. Clinton
Lila P. Clinton
Ass't Secretary

T-R DEVELOPMENT CORPORATION, a Colorado Corporation

by: *Kenneth L. Reese*
Kenneth L. Reese, President

STATE OF COLORADO,
County of Arapahoe } ss.

The foregoing instrument was acknowledged before me this 13th day of May, 1976, by Kenneth L. Reese, President and Lila P. Clinton, Ass't Secretary, T-R Development Corporation, a Colorado Corporation.

My Commission expires My Commission expires Mar. 25, 1980
Witness my hand and official seal.

Bathette W. Sullivan
Notary Public



LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE NORTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 28, TOWNSHIP 9 SOUTH, RANGE 78 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF PARK, STATE OF COLORADO BEING LOT NO. 1014 OF FUTURE VALLEY OF THE SUN FILING NO. 21, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N87°20'02"E AND ALONG THE NORTH LINE OF THE NORTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER A DISTANCE OF 110.36 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF FUTURE SACRAMENTO DRIVE; THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID SACRAMENTO DRIVE THE FOLLOWING 8 COURSES:

- 1) S38°44'50"E A DISTANCE OF 95.60 FEET TO A POINT OF CURVE.
- 2) ALONG THE ARC OF CURVE LEFT HAVING A DELTA OF 14°31'06" A RADIUS OF 422.53 FEET A DISTANCE OF 107.07 FEET TO A POINT OF TANGENT.
- 3) S53°15'56"E A DISTANCE OF 198.98 FEET.
- 4) S40°40'10"W A DISTANCE OF 244.54 FEET TO A POINT OF CURVE.
- 5) ALONG THE ARC OF CURVE LEFT HAVING A DELTA OF 23°17'24" A RADIUS OF 145.51 FEET A DISTANCE OF 59.15 FEET TO A POINT ON CURVE.
- 6) N54°30'11"W A DISTANCE OF 19.06 FEET TO A POINT OF CURVE.
- 7) ALONG THE ARC OF CURVE LEFT HAVING A DELTA OF 42°29'34" A RADIUS OF 132.88 FEET A DISTANCE OF 98.55 FEET TO A POINT OF TANGENT.
- 8) S83°00'15"W A DISTANCE OF 108.38 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 28.

THENCE N00°10'47"W AND ALONG SAID WEST LINE A DISTANCE OF 477.46 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 2.99 ACRES.

BOUNDARY SURVEY OF A TRACT OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 9 SOUTH, RANGE 78 WEST OF THE 6TH P.M., COUNTY OF PARK, STATE OF COLORADO.

PROPERTY DESCRIPTION:
LOT 970, VALLEY OF THE SUN FILING NO. 21,
COUNTY OF PARK, STATE OF COLORADO.
PROPERTY OWNER'S NAMES:
R.J. KUSEK REVOCABLE TRUST

- NOTES:**
- (1) THE BASIS OF BEARINGS FOR THIS SURVEY WAS A PORTION OF THE WEST LINE OF VALLEY OF THE SUN FILING NO. 21 BETWEEN A REBAR WITH ALUMINUM CAP, PLS NO. 11944, FOUND AT THE NORTHWEST CORNER OF NEW LOT 971 AND A REBAR WITH ALUMINUM CAP, PLS NO. 10377, FOUND AT THE NORTHWEST CORNER OF LOT 970. THE RECORDED PLAT OF VALLEY OF THE SUN FILING NO. 21 SHOWS THIS LINE TO BEAR N00°10'47"W.
 - (2) ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED ON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED ON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE SURVEYOR'S STATEMENT SHOWN HEREON.
 - (3) ANY PERSON WHO KNOWINGLY ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY COMMITS A CLASS 2 MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508 C.R.S.
 - (4) THE RECORDED PLAT OF VALLEY OF THE SUN FILING NO. 21 GRANTS A 7.5' UTILITY EASEMENT ALONG ALL REAR AND SIDE LOT LINES, A 10' UTILITY AND SNOW STORAGE EASEMENT ALONG ALL LOT LINES ABUTTING A ROAD AND A 15' UTILITY EASEMENT ALONG ALL SUBDIVISION BOUNDARIES.
 - (5) DATE OF FIELD WORK: JUNE & JULY 2016.
 - (6) ALL LINEAR DIMENSIONS SHOWN ON THIS DRAWING ARE EXPRESSED IN UNITS OF THE U.S. SURVEY FOOT.
 - (7) THIS PROPERTY DESCRIPTION IS AS SHOWN ON A QUITCLAIM DEED RECORDED 10-21-2013 UNDER RECEPTION NO. 702704.

SURVEYOR'S STATEMENT

I, STEPHEN R. HARRIS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, HEREBY CERTIFY THAT THE SURVEY AND PLAT OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON WERE MADE BY ME OR UNDER MY DIRECT RESPONSIBILITY, SUPERVISION AND CHECKING, IN STRICT COMPLIANCE WITH COLORADO STATUTES, AND THAT BOTH SURVEY AND PLAT ARE TRUE, ACCURATE AND COMPLETE.

AUG. 13, 2016
DATE

STEPHEN R. HARRIS, PLS NO. 26960
CROW HILL CONSULTING, L.L.C.
169 SOUTH PINE DRIVE
BAILEY, CO 80421

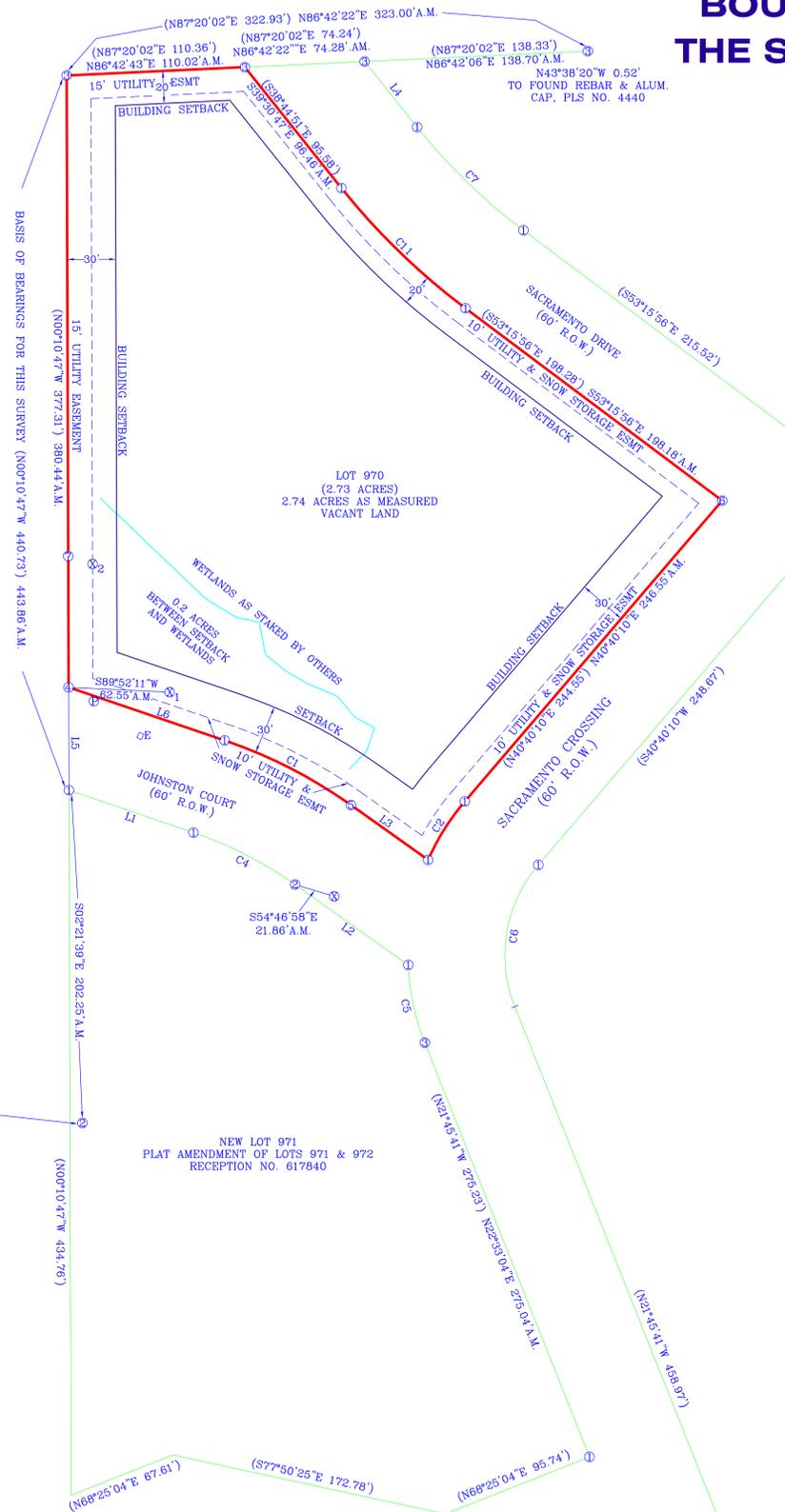
LEGEND:

- ① INDICATES FOUND REBAR WITH ALUMINUM CAP, PLS NO. 11944
- ② INDICATES FOUND REBAR WITH PLASTIC CAP, PLS NO. 11944
- ③ INDICATES FOUND REBAR WITH ALUM. CAP, PLS NO. 10377
- ④ INDICATES SET 5/8" REBAR WITH ALUM. CAP, PLS NO. 26960
- ⑤ INDICATES FOUND 5/8" REBAR
- ⑥ INDICATES SET BRASS WASHER, PLS NO. 26960, ON BOULDER
- ⑦ INDICATES SET SPIKE & LATH ON WEST LINE OF LOT 970
- ⊗ INDICATES FOUND REBAR WITH ALUMINUM CAP, PLS NO. 11944, LOCATION WAS NOT ACCEPTED AS CORRECT BY THIS SURVEY CAP WAS STAMPED AS SW CORNER OF LOT 970
- ⊗₁ INDICATES FOUND REBAR WITH ALUMINUM CAP, PLS NO. 11944, LOCATION WAS NOT ACCEPTED AS CORRECT BY THIS SURVEY CAP WAS STAMPED AS SW CORNER OF LOT 970
- ⊗₂ INDICATES FOUND REBAR WITH ALUMINUM CAP, PLS NO. 11944, LOCATION WAS NOT ACCEPTED AS CORRECT BY THIS SURVEY CAP WAS STAMPED AS NW CORNER OF LOT 971

- ⊕ INDICATES PROPANE TANK
- ⊕E INDICATES ELECTRIC UTILITY BOX

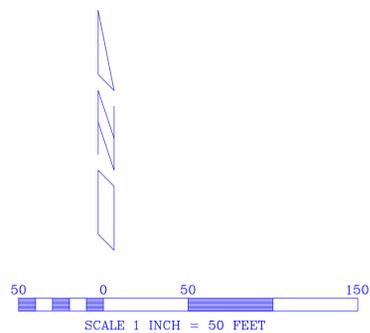
— INDICATES SUBJECT PROPERTY BOUNDARY
A.M. INDICATES AN AS MEASURED DISTANCE OR BEARING
(S55°12'45"E 333.33') INDICATES A RECORD DISTANCE OR BEARING

ADJACENT PROPERTY
OWNER: LYNCH
REC. NO. 693833
NE 1/4 NW 1/4 SE 1/4 SECTION 28
T 9 S, R 78 W



LINE TABLE				
LINE	BEARING	DISTANCE	BEARING	DISTANCE
L1	(S71°17'19"E	81.41'	S74°49'47"E	85.62'A.M.
L2	(S54°43'01"E	85.84'	S58°29'00"E	88.94'A.M.
L3	(N54°43'01"W	58.46'	N55°24'55"W	58.89'A.M.
L4	(S38°44'51"E	51.86'	S39°41'42"E	52.59'A.M.
L5	(N00°10'47"W	63.42'	N00°10'47"W	63.42'A.M.
L6	(S71°17'19"E	101.94'	S74°12'23"W	105.21'A.M.

CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	CHORD
C1	(16°34'18"	304.67'	88.12'	87.81'
C2	(16°49'17"	145.51'	42.72'	42.57'
C3	(14°31'03"	422.53'	107.06'	106.77'
C4	(16°34'18"	244.67'	70.76'	70.52'
C5	(19°24'42"	145.51'	49.30'	49.06'
C6	(62°25'51"	85.51'	93.17'	88.63'
C7	(14°31'03"	362.53'	91.86'	91.61'



CROW HILL CONSULTING, L.L.C.
PROFESSIONAL LAND SURVEYING

169 SOUTH PINE DRIVE AUGUST 13, 2016
BAILEY, COLORADO 80421 JOB NO. 0611.16
PHONE (303) 838-7966 VS21L970.DWG
CLIENT: JASON MESSING

Owners of Lots Adjacent to Valley of the Sun Filing 21 Lot 970, August 23rd 2016

LYNCH CAMERON

1018 S SAULSBURY ST

LAKESWOOD, CO 80226

REALTEX LLC

751 KENTLAND DR

GREAT FALLS, VA 22066-1014

HOLLISTER ROBERT AND NANCY LIVING TRUST

245 LANING DR

WOODSIDE, CA 94062

JACOBSON GEORGE

1641 W CANAL CIR #712

LITTLETON, CO 80120

SANDBERG SCOTT C

1151 STEELE ST

DENVER, CO 80206

MICHAEL B ROARK

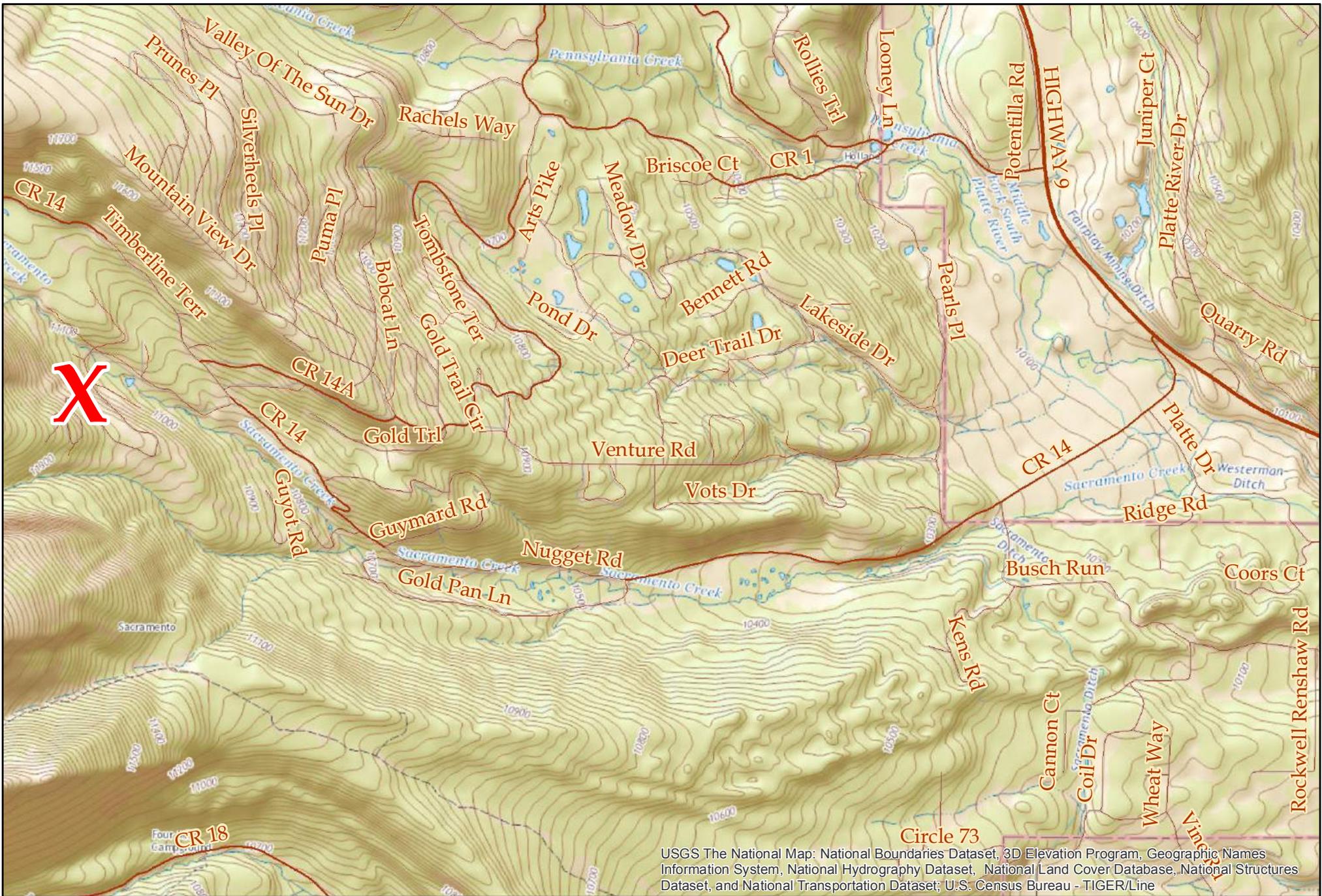
10376 S 76TH E AVE

TULSA, OK 74133

DUNCAN MICHAEL R

200 PINNACLE DR

MANSFIELD, TX 76063

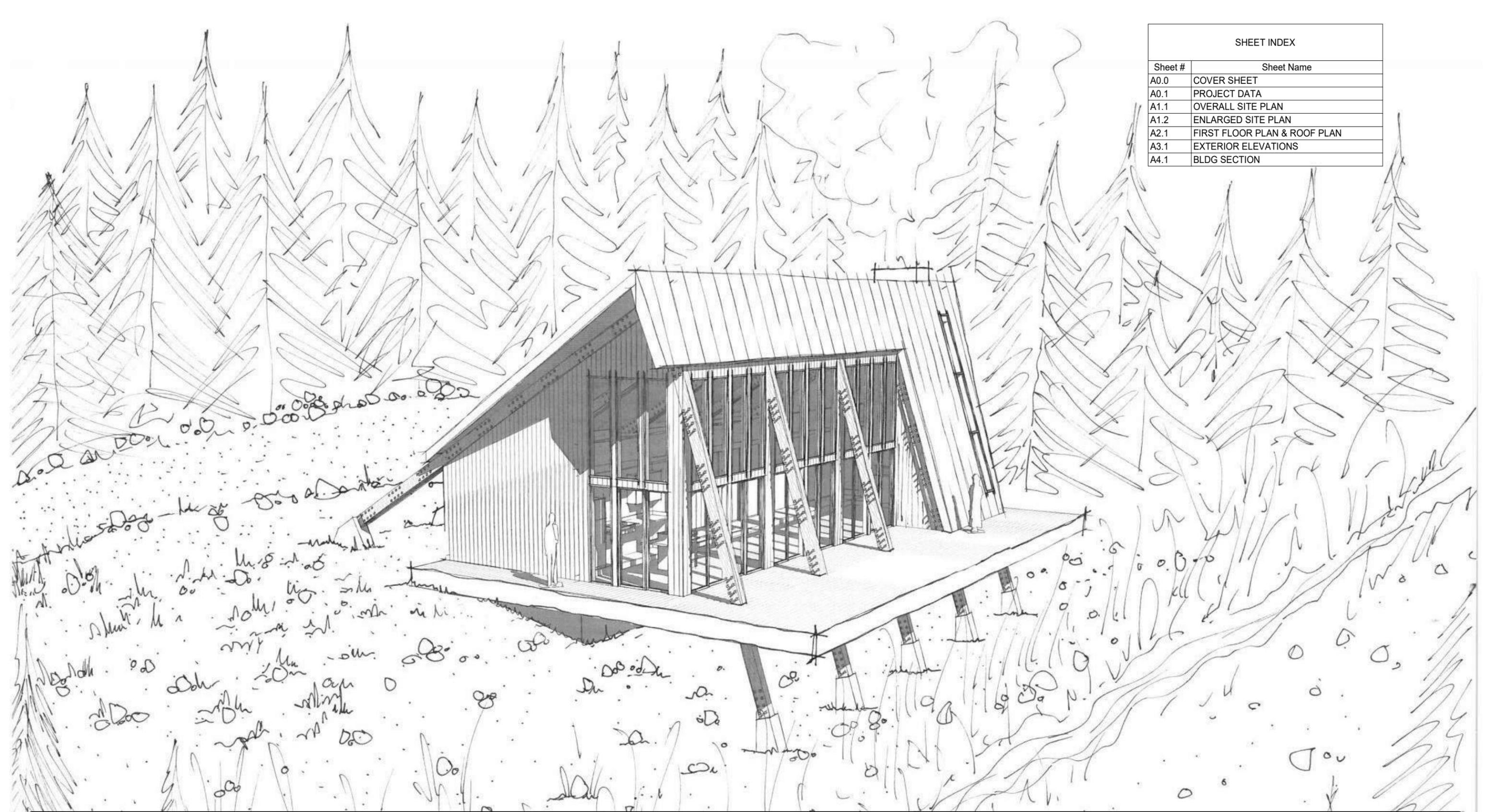


Vicinity Map

Contour Interval is Twenty Feet



Park County Planning Department



SHEET INDEX	
Sheet #	Sheet Name
A0.0	COVER SHEET
A0.1	PROJECT DATA
A1.1	OVERALL SITE PLAN
A1.2	ENLARGED SITE PLAN
A2.1	FIRST FLOOR PLAN & ROOF PLAN
A3.1	EXTERIOR ELEVATIONS
A4.1	BLDG SECTION



JM2 CONSTRUCTION

DESIGN | DRAFTING | CARPENTRY

720.217.2005
messingj@gmail.com
10326 W IDAHO PLACE | LAKEWOOD, CO 80232

COPYRIGHT © 2016 ALL RIGHTS RESERVED JM2 CONSTRUCTION, LLC.

FAIRPLAY CABIN

LOT 970, VALLEY OF THE SUN
17 JOHNSTON COURT
FAIRPLAY, CO 80440

DATE PREPARED
8.25.2016

SHEET TITLE
COVER SHEET

SHEET NUMBER

A0.0

PROJECT DESCRIPTION

THE PROPOSED PROJECT IS A SINGLE FAMILY DETACHED DWELLING UNIT

PROJECT DIRECTORY

LOCAL JURISDICTION

PARK COUNTY
1246 CR 16
P.O. BOX 517
FAIRPLAY, CO 80440
719-836-4255

OWNER

MR. RICHARD J. KUSEK

POWER OF ATTORNEY FOR MR. RICHARD J. KUSEK

MR. RONALD MESSING
2767 S. UPHAM STREET
DENVER, CO 80227

DESIGN PROFESSIONAL

MR. JASON MESSING
10326 W. IDAHO PLACE
LAKEWOOD, CO 80232
720-217-2005

FIRE DEPARTMENT

NORTH-WEST FIRE PROTECTION DISTRICT
21455 US-285
FAIRPLAY, CO 80440
719-836-3150

CODE ANALYSIS

APPLICABLE CODES

2012 INTERNATIONAL BUILDING CODE
2012 INTERNATIONAL RESIDENTIAL CODE
2012 INTERNATIONAL MECHANICAL CODE
2012 INTERNATIONAL FUEL GAS CODE

LEGAL DATA

ADDRESS: 17 JOHNSTON COURT, FAIRPLAY, CO 80440
B0332 P0368 UL96
T09 R78 S28 SE4
SCHEDULE: 38486
ZONING: R - RESIDENTIAL
SUBDIVISION: VALLEY OF THE SUN
FILING & LOT#: FILING 21, LOT 970
LOT AREA: 2.73 Acres (118,918.8 SF)

USE & OCCUPANCY CLASSIFICATION - IBC CHAPTER 3

R-3 PER IBC SECTION 310

GENERAL BUILDING HEIGHTS & AREAS - IBC CHAPTER 5

ALLOWABLE HEIGHTS PER IBC TABLE 503:

R-3: 40' (35' PER PARK COUNTY ZONING)
ACTUAL AVERAGE BUILDING HEIGHT: 28'

NUMBER OF STORIES ALLOWED PER IBC TABLE 503:

R-3: 3 STORIES
ACTUAL NUMBER OF STORIES:
R-3: 1 STORY

ALLOWABLE AREAS PER IBC TABLE 503:

R-3: UNLIMITED S.F.

ACTUAL AREA:

1ST STORY
R-3: 1,315 S.F.

TOTAL AREA: 1,315 S.F.

TYPE OF CONSTRUCTION - IBC CHAPTER 6

TYPE OF CONSTRUCTION: VB, NON SPRINKLERED

DESIGN CRITERIA

CLIMATE ZONE: 5

R & U VALUES PER IBC TABLE R402.1.1 BELOW

TABLE R402.1.1
INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT^a

CLIMATE ZONE	FENESTRATION U-FACTOR ^b	SKYLIGHT ^b U-FACTOR	GLAZED FENESTRATION SHGC ^{b,c}	CEILING R-VALUE	WOOD FRAME WALL R-VALUE	MASS WALL R-VALUE ^d	FLOOR R-VALUE	BASEMENT ^e WALL R-VALUE	SLAB ^d R-VALUE & DEPTH	CRAWL SPACE ^e WALL R-VALUE
1	NR	0.75	0.25	30	13	3/4	13	0	0	0
2	0.40	0.65	0.25	38	13	4/6	13	0	0	0
3	0.35	0.55	0.25	38	20 or 13+5 ^h	8/13	19	5/13 ^f	0	5/13
4 except Marine	0.35	0.55	0.40	49	20 or 13+5 ^h	8/13	19	10/13	10, 2 ft	10/13
5 and Marine 4	0.32	0.55	NR	49	20 or 13+5 ^h	13/17	30 ^g	15/19	10, 2 ft	15/19
6	0.32	0.55	NR	49	20+5 or 13+10 ^h	15/20	30 ^g	15/19	10, 4 ft	15/19
7 and 8	0.32	0.55	NR	49	20+5 or 13+10 ^h	19/21	38 ^g	15/19	10, 4 ft	15/19

For SI: 1 foot = 304.8 mm.

- R-values are minimums. U-factors and SHGC are maximums. When insulation is installed in a cavity which is less than the label or design thickness of the insulation, the installed R-value of the insulation shall not be less than the R-value specified in the table.
- The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration. Exception: Skylights may be excluded from glazed fenestration SHGC requirements in Climate Zones 1 through 3 where the SHGC for such skylights does not exceed 0.30.
- "15/19" means R-15 continuous insulation on the interior or exterior of the home or R-19 cavity insulation at the interior of the basement wall. "15/19" shall be permitted to be met with R-13 cavity insulation on the interior of the basement wall plus R-5 continuous insulation on the interior or exterior of the home. "10/13" means R-10 continuous insulation on the interior or exterior of the home or R-13 cavity insulation at the interior of the basement wall.
- R-5 shall be added to the required slab edge R-values for heated slabs. Insulation depth shall be the depth of the footing or 2 feet, whichever is less in Climate Zones 1 through 3 for heated slabs.
- There are no SHGC requirements in the Marine Zone.
- Basement wall insulation is not required in warm-humid locations as defined by Figure R301.1 and Table R301.1.
- Or insulation sufficient to fill the framing cavity, R-19 minimum.
- First value is cavity insulation, second is continuous insulation or insulated siding, so "13+5" means R-13 cavity insulation plus R-5 continuous insulation or insulated siding. If structural sheathing covers 40 percent or less of the exterior, continuous insulation R-value shall be permitted to be reduced by no more than R-3 in the locations where structural sheathing is used – to maintain a consistent total sheathing thickness.
- The second R-value applies when more than half the insulation is on the interior of the mass wall.

FROST DEPTH PER PARK COUNTY: MIN. B.O. FDN. TO BE 24" BELOW UNDISTURBED SOIL (18" FOR CAISSONS)

SNOW LOAD: 117 PSF

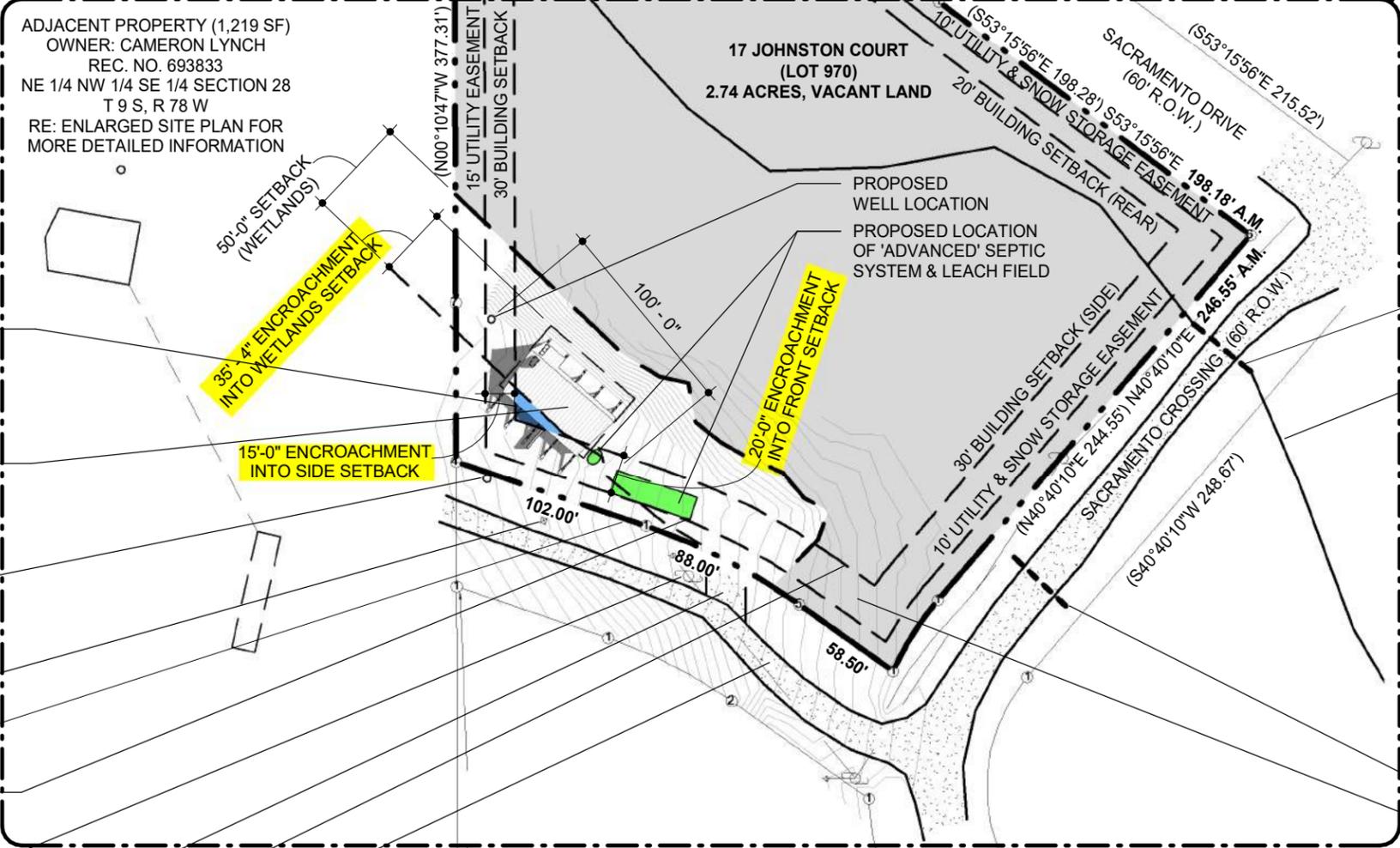
WIND LOAD: 110 MPH

SACRAMENTO CREEK
(FLOWS SOUTHEAST)

GRAY SHADED AREA INDICATES EXTENTS OF
WETLANDS (86% OF ENTIRE AREA) ON LOT 970

PROPERTY LINE, TYP.

1
A1.2
(ENLARGED SITE PLAN)



ADJACENT PROPERTY (1,219 SF)
OWNER: CAMERON LYNCH
REC. NO. 693833
NE 1/4 NW 1/4 SE 1/4 SECTION 28
T 9 S, R 78 W
RE: ENLARGED SITE PLAN FOR
MORE DETAILED INFORMATION

17 JOHNSTON COURT
(LOT 970)
2.74 ACRES, VACANT LAND

BLUE SHADED AREA (220 S.F.)
REPRESENTS THE ONLY
CURRENTLY AVAILABLE
BUILDABLE AREA ON LOT 970

PROPOSED RESIDENCE
RE: ENLARGED SITE PLAN FOR
MORE DETAILED INFORMATION

EXISTING PROPANE TANK IN
ROW TO BE RELOCATED PER
PARK COUNTY

EXISTING ELECTRICAL BOX
IN ROW TO BE RELOCATED
PER PARK COUNTY

PROPERTY LINE, TYP.

10' UTILITY & SNOW
STORAGE EASEMENT

EXISTING UTILITY POLE
(OVERHEAD ELECTRICAL)

PROPOSED DRIVEWAY CUT
(ACCESS POINT FROM
JOHNSTON COURT)

30' BLDG. SETBACK (FRONT)

JOHNSTON COURT (60' R.O.W.)

PROPOSED
WELL LOCATION
PROPOSED LOCATION
OF 'ADVANCED' SEPTIC
SYSTEM & LEACH FIELD

CULVERT UNDER ROADWAY

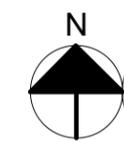
SACRAMENTO CREEK
(FLOWS SOUTHEAST)

CULVERT UNDER ROADWAY

EXISTING TOPOGRAPHY, TYP.

SITE PLAN LEGEND	
	WETLANDS (86% OF AREA OF LOT 970) AS IDENTIFIED BY EASTBOUND WESTBOUND
	REQUESTED VARIANCES ON SETBACKS (AREAS OF ENCROACHMENT)
	PROPOSED LOCATION OF 'ADVANCED' SEPTIC SYSTEM & LEACH FIELD
	CURRENT ALLOWED BUILDABLE AREA (220 S.F. OR 0.2% OF TOTAL LOT AREA)
	PROPERTY LINE

NEW LOT 971
PLAT AMENDMENT OF LOTS 971 & 972
RECEPTION NO. 617840

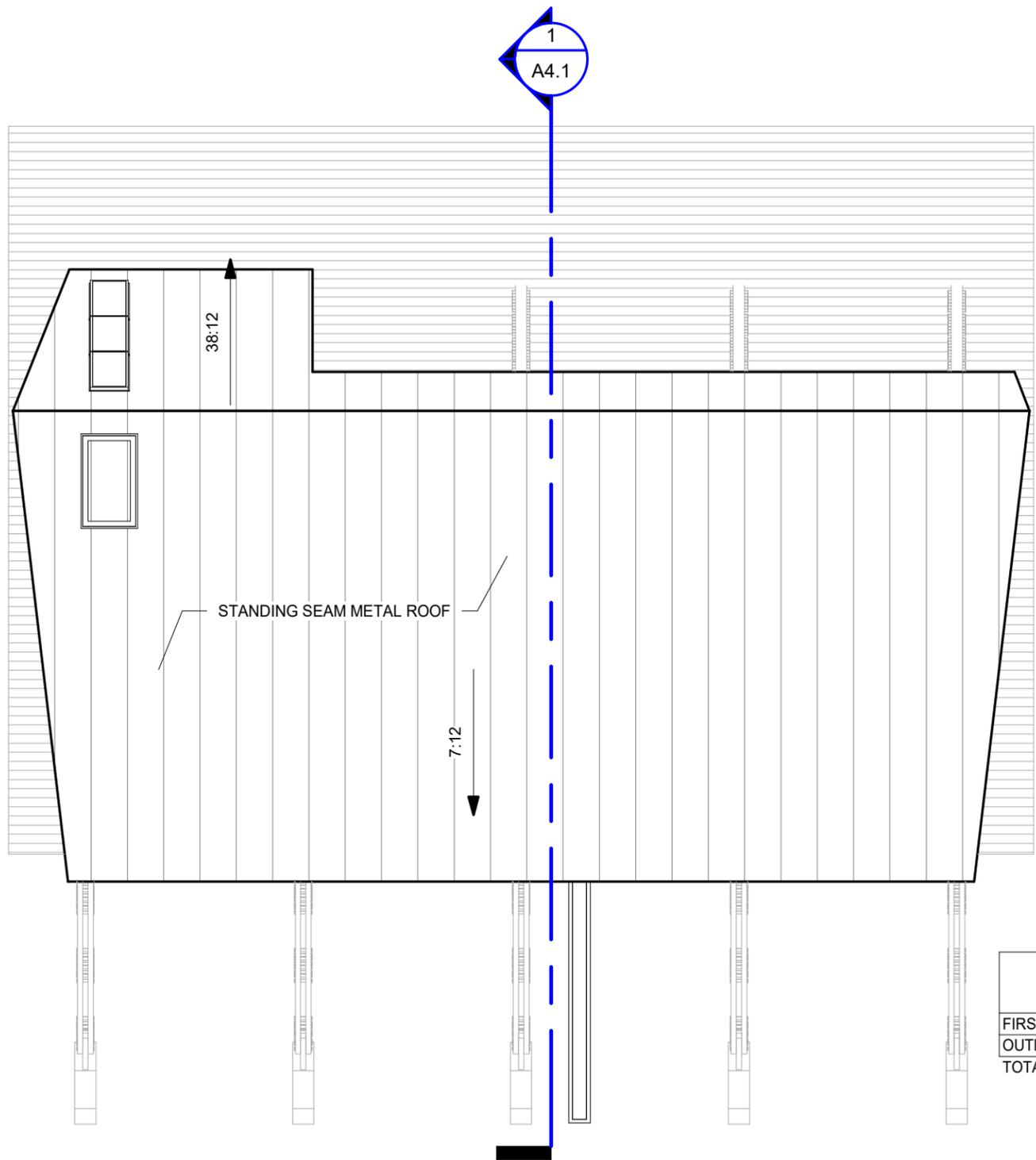


1

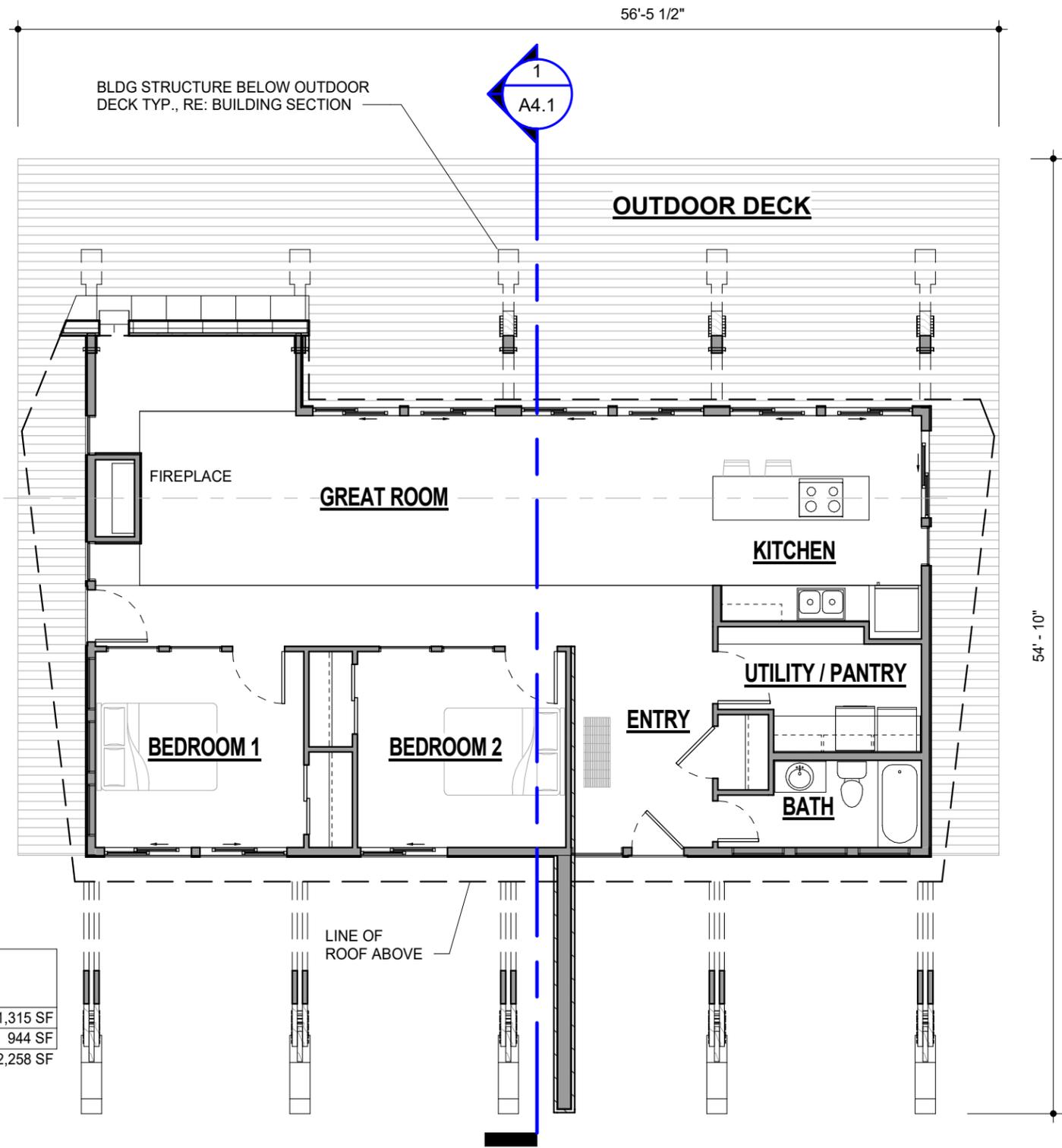
OVERALL SITE PLAN

1" = 80'-0"

*THIS SITE PLAN IS BASED ON ORIGINAL INFORMATION PROVIDED IN THE FORM OF AN ENGINEERING SURVEY FROM CROW HILL CONSULTING, LLC

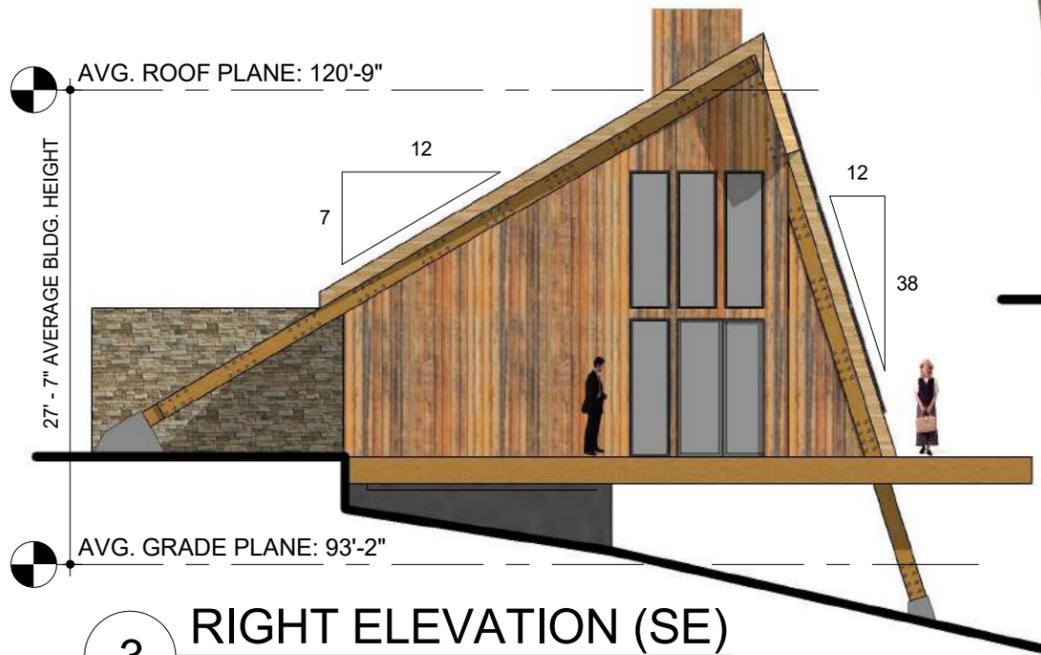


2 ROOF PLAN
1/8" = 1'-0"

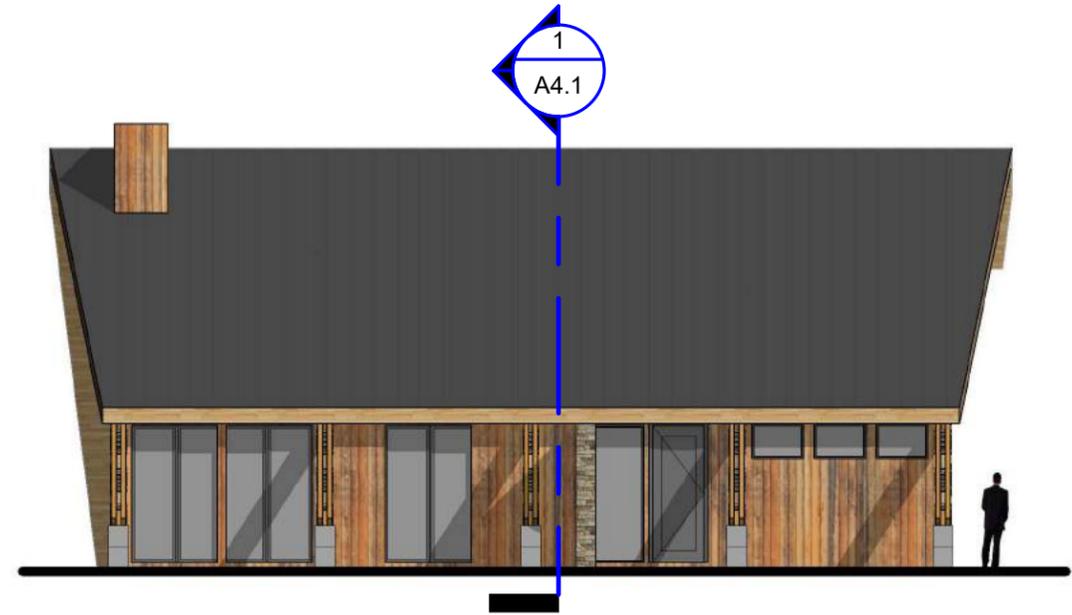


1 FIRST FLOOR PLAN
1/8" = 1'-0"

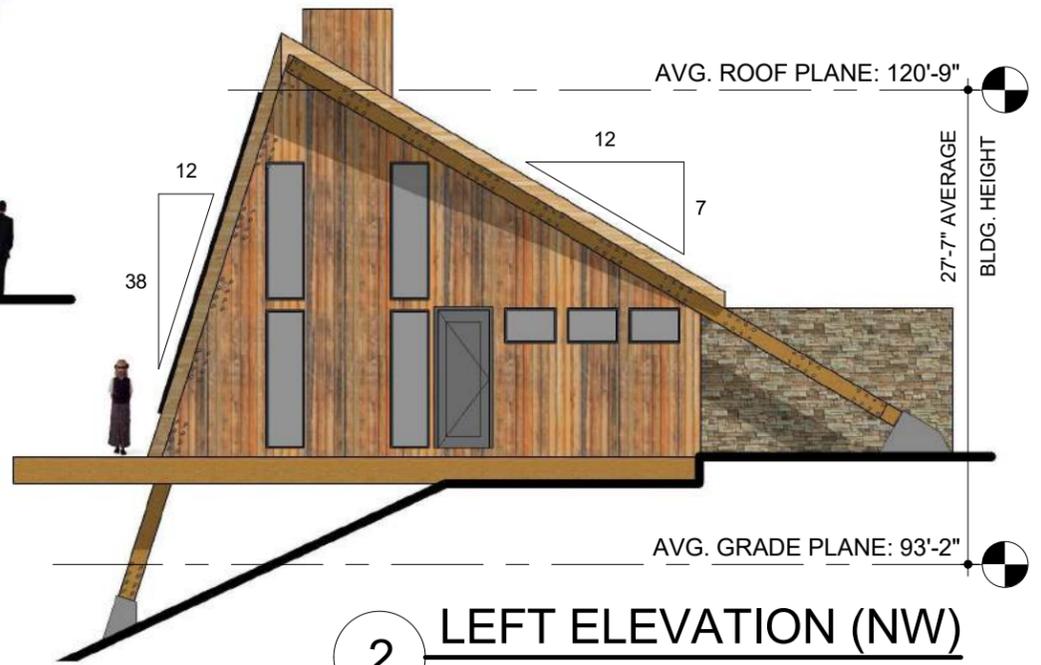
BUILDING AREA	
FIRST FLOOR	1,315 SF
OUTDOOR DECK (UNCOVERED)	944 SF
TOTAL	2,258 SF



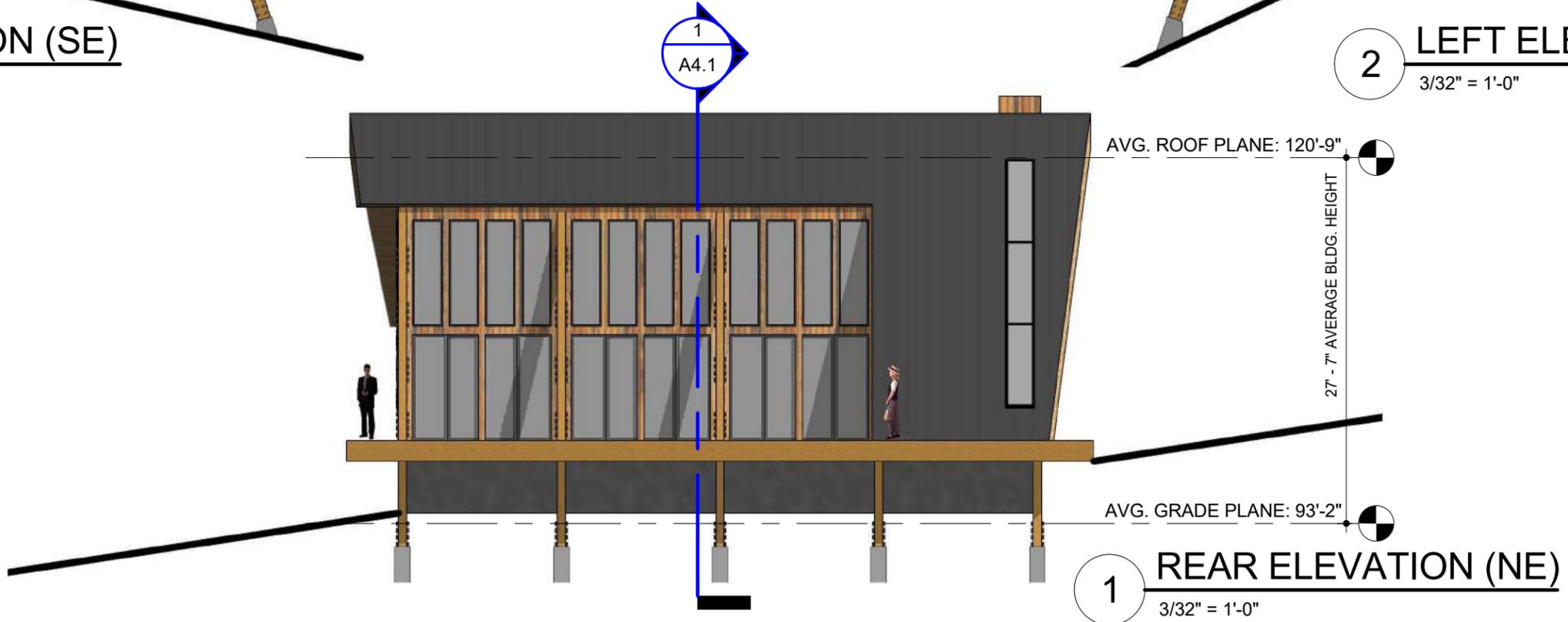
3 RIGHT ELEVATION (SE)
3/32" = 1'-0"



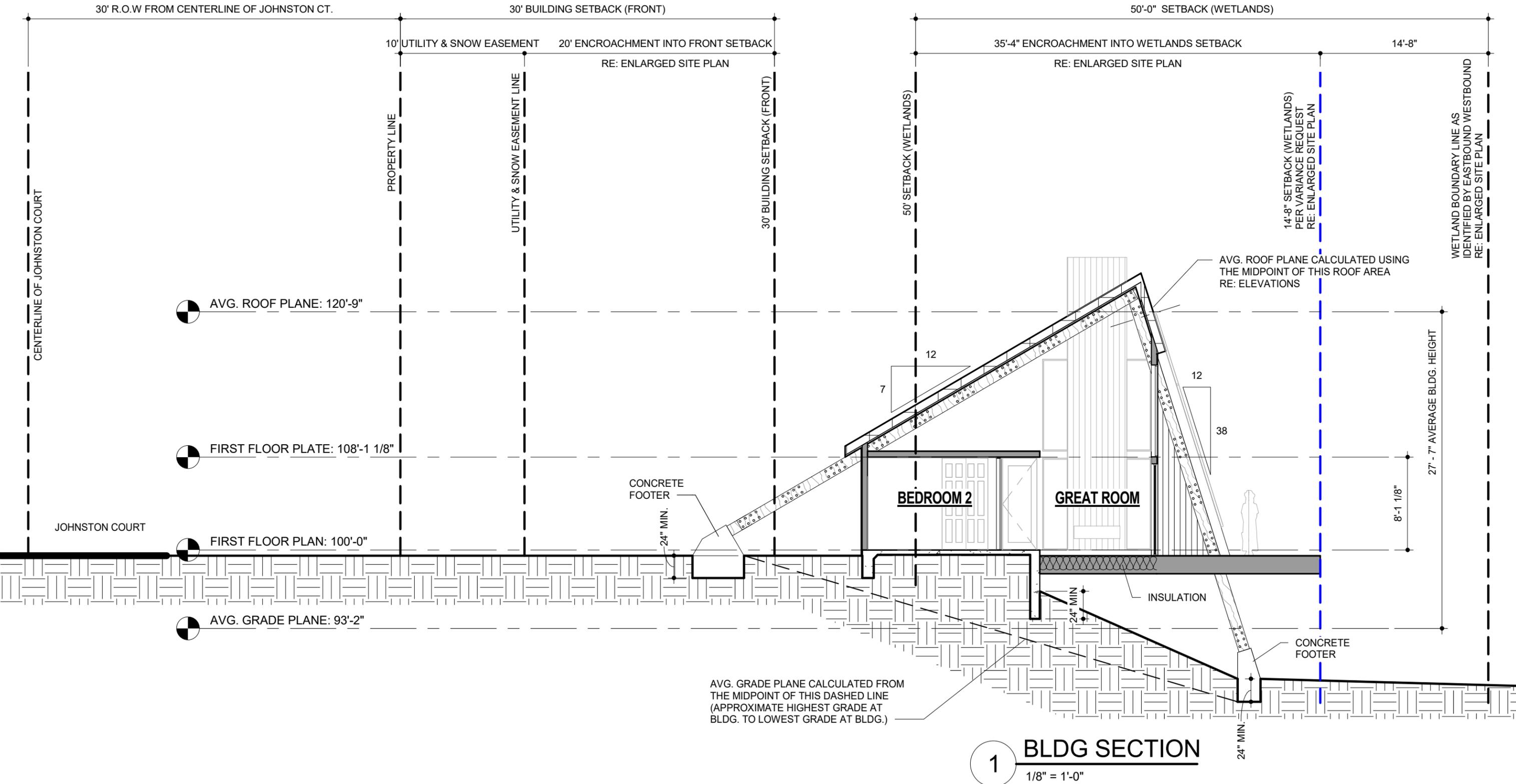
4 FRONT ELEVATION (SW)
3/32" = 1'-0"



2 LEFT ELEVATION (NW)
3/32" = 1'-0"



1 REAR ELEVATION (NE)
3/32" = 1'-0"





17



www.jm2-construction.com
jmessaging@jm2-construction.com | 720.217.2005

August 26, 2016

Park County Planning Department
1246 CR 16
P.O. Box 1598
Fairplay, CO 80440
pccd@parkco.us

RE: Variance Request
Lot 970, Valley of the Sun
17 Johnston Court

The following Variance Request is for Lot 970, Valley of the Sun, owned by Mr. Richard J. Kusek. For the purposes of this Variance request, Mr. Richard J. Kusek has authorized his power of attorney, Mr. Ronald Messing to act on his behalf. In response to Park County Land Use Regulations, Article III Section 3-100B we submit the following:

1. PRACTICAL DIFFICULTIES & UNDUE HARDSHIPS

Practical difficulties & hardships for constructing a residence on Lot 970 are illustrated on a Site Plan (A1.1, & A1.2 prepared by JM2 Construction, LLC). The Site Plan shows that **86%** of the overall area of Lot 970 is classified as 'Wetlands'. In addition, the Site Plan illustrates how a strict application of the Park County design Standards upon the remaining 14% of non-Wetland area leaves only 220 square feet (or 0.2%) of available buildable area. Therefore, due to the high percentage of Wetlands present on Lot 970, we hereby request specific relief from three Park County design standards as follows:

FRONT SETBACK –20' of relief is requested from the Front Setback, such that the Front Setback will be 10' in lieu of the 30' Front Setback standard. This relief is sought in order to maximize the distance from the building structure to the Wetlands. If the 20' Front Setback relief is granted, the impact of construction near the Wetlands will be greatly reduced. Please refer to the Site Plan & Building Section (prepared by JM2 Construction LLC), and Engineering Survey (prepared by Crow Hill Consulting, LLC) for graphic representation.

(WEST) SIDE SETBACK – 15' of relief is requested from the Side Setback, such that the Side Setback will be 15' in lieu of the 30' Side Setback standard. This relief is sought in order to maximize the distance from the building structure to the Wetlands. If the 15' Side Setback relief is granted, the impact of construction near the Wetlands will be greatly reduced. Please refer to the Site Plan & Building Section (prepared by JM2 Construction LLC), and Engineering Survey (prepared by Crow Hill Consulting, LLC) for graphic representation.

WETLAND SETBACK – 36' of relief is requested from the Wetland Setback, such that the Wetland Setback will be 14' in lieu of the 50' Wetland Setback standard. This relief is sought in order to allow appropriate buildable area for the building structure. Please refer to the Site Plan & Building Section (prepared by JM2 Construction LLC), and Engineering Survey (prepared by Crow Hill Consulting, LLC) for graphic representation.

17 Johnston Court, Fairplay, CO 80440
Park County Board of Adjustments
August 26, 2016

2. NON SELF-IMPOSED HARDSHIP

In addition to the practical difficulties & hardships mentioned above, high importance has been placed on designing a residence which is economically sized (1,315 square feet), yet still functional. Please refer to Architectural Design Concept Drawings prepared by JM2 Construction, LLC.

The overall building structure (including its cantilevers) measures 55' x 56'. The amount of building structure which engages the ground has been dramatically reduced thanks to the use of an 'A' frame design, which allows a large percentage of the floor area to 'float' above the ground plane below. This in turn, minimizes the need for additional concrete formwork.

3. NO SUBSTANTIAL DETRIMENT TO NEIGHBOR OR THE PUBLIC

Granting of the above requested variance(s) in no way causes substantial detriment to any of the adjacent neighboring properties, or the public.

4. NO SUBSTANTIAL IMPAIRMENT OR DEFEAT TO THE REGULATION BEING VARIED

Although variances are being requested to modify several Park County Design Standards, there is to be no substantial impairment or defeat to the regulation(s) being varied. Proper care and consideration have been given to preserve the existing Utility Easements.

FRONT UTILITY EASEMENT - the 10' Utility & Snow Easement from the Front will be preserved. Please refer to the Site Plan & Building Section (prepared by JM2 Construction LLC), and Engineering Survey (prepared by Crow Hill Consulting, LLC) for graphic representation.

(WEST) SIDE UTILITY EASEMENT - the 15' Utility Easement from the (West) Side will be preserved. Please refer to the Site Plan & Building Section (prepared by JM2 Construction LLC), and Engineering Survey (prepared by Crow Hill Consulting, LLC) for graphic representation.

Thanks in advance for your consideration!

Prepared by:

Jason M. Messing
Owner, JM2 Construction, LLC
Date: August 26, 2016