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Janice K. Vos Caudill, Pitkin County, CO

**ADMINISTRATIVE DECISION OF THE COMMUNITY DEVELOPMENT DIRECTOR
OF PITKIN COUNTY, COLORADO APPROVING THE WICKES SPECIAL REVIEW
AND GMQS EXEMPTION FOR A DETACHED CARETAKER DWELLING**

Administrative Decision No. 75 -2018

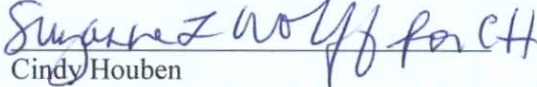
RECITALS

1. Steve and Barbara Wickes ("Applicant") has applied to the Community Development Director of Pitkin County, Colorado, for approval of a detached Caretaker Dwelling Unit ("CDU").
2. The lot is located at 146 Heather Lane, and is legally described as Lot 24, Filing 2, Meadowood Subdivision. The parcel identification number is 273511401020. The property is zoned R-30.
3. The Applicant provided notice of the application to adjacent property owners as required pursuant to Sec. 2-20-100(a) of the Land Use Code on November 8, 2018. The public notice sign was posted on the property on November 23, 2018. No objections were received within 30 days from the date the notice was mailed. The Application was referred to the Meadowood HOA and to the Aspen Pitkin County Housing Authority. No comments were received from the HOA or neighbors. Referral comments were received from APCHA.
4. The Director finds that the detached CDU complies with applicable standards of the Land Use Code as amended found at Subsections 4-30-50(e)(1)(2), 2-30-30(h), 6-30-40(c):
 - a. two parking spaces can be provided on the existing driveway;
 - b. the proposed CDU does not cause the total allowable floor area of the property to exceed the allowable floor area of 8,485.25 as established by Resolution 99-124 and codified in Table 5-1. B of the Land Use Code for the R-30 zone district;
 - c. the proposed square footage of the CDU is 995 square feet and existing improvements on the property are 4,130 square feet;
 - d. the maximum height of the CDU, above grade, is 12.0'.
5. The Director finds that the detached CDU complies with the applicable standards of the Land Use Code related to Exempt Development Activities Section 7-10-30(b) and Scenic View Protection 7-20-120(c)(4)(b):
 - a. the location of the CDU is within an improved urban subdivision and is not within a Constrained Area;
 - b. the applicants propose to add vegetative screening at the west corner of the CDU to screen the new structure from the adjacent property;
 - c. graphics in the application and a staff site-visit confirmed that the CDU cannot be viewed from the Castle Creek Road or Maroon Creek Road rights-of-way;
 - d. per the comments for the HOA review, the fascia and soffit material will be metal with a matte finish to reduce reflectivity.

THE DIRECTOR DOES HEREBY APPROVE the Wickes' request for a detached CDU, subject to the following conditions:

1. The CDU shall not exceed 1,000 net livable square feet, which shall count toward the total allowable floor area for the lot. The kitchen shall contain the following, as defined in the Aspen/Pitkin County Employee Housing Guidelines: a minimum of a two-burner stove with oven, standard sink, and a refrigerator plus freezer. The oven must be able to bake and broil and be at least 5 cubic feet; the sink must measure at least 14" W x 16" D x 5.25"H; refrigerator must be at least 5.3 cubic feet and include at least a .73 cubic foot freezer. The floor plan for the CDU shall be submitted to the Housing Office for review.
2. Prior to issuance of building permit, the Applicant shall, by deed restriction, guarantee that the caretaker unit:
 - a. Shall not be required to be rented;
 - b. Shall not be sold or otherwise conveyed or separated from the original parcel regardless of the ultimate form of ownership of the caretaker unit;
 - c. Shall be limited to occupancy by not more than two adults and related children, who qualify as (and have been found by the Housing Office to be) employees of the community under such guidelines as may be from time to time established, or members of the owner's immediate family, even though they may not qualify as employees of the community;
 - d. Shall be rented for terms not less than 6 months if rented.
3. Housing Office staff shall be entitled to conduct an inspection of the CDU for compliance with the above-referenced requirements.
4. Prior to the issuance of a building permit the applicant shall obtain a tree removal permit for removal of the large spruce tree, which D.B.H. is 12" or greater per Section 7-20-130(e)(2). The applicant has committed to planting several coniferous trees and shrubs on the west side of the proposed CDU to screen the new structure from the adjacent property.
5. The caretaker dwelling unit restriction may be removed by the property owner upon approval of the Community Development Director, subject to the requirement that the dwelling is removed or modified. If modified, the remaining improvements must no longer be capable of occupancy as a dwelling unit and must meet otherwise applicable Code requirements.
6. The provisions of this regulation are for the purpose of providing a voluntary CDU on a legally created lot or parcel in the County. Any unit approved under this provision of the Pitkin County Land Use Code shall not be used for mitigation of employee housing requirements as established elsewhere in said Code.
7. The Applicant shall adhere to all material representations made in the application.
8. Failure to comply with the conditions of this approval may result in revocation of this approval, or any subsequent permit(s) or approval(s) related to this property, or vested rights associated with this property.

APPROVED this 31 day of December, 2018.


Cindy Houben
Community Development Director

PID#: 2735-114-01-020
Case: P084-18