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Janice K. Vos Caudill, Pitkin County, CO

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

Administrative Decision No. 1-2019

RECITALS

1. PRL Properties LLC (“Applicant”) has applied to the Pitkin County Community Development Director (“Director”) for special review approval and GMQS exemption to construct a detached caretaker dwelling unit, pursuant to Secs. 2-30-30(h)(2), 4-30-50(e) and 6-30-40(c) of the Land Use Code (“Code”).
2. The lot is located at 507 Mariposa Road, and is described as Lot 1A, Hardy Subdivision.
3. The lot contains 57.340 acres and is a conforming size lot in the AR-10 zone district and a single-family home has been constructed on the site.
4. The Board of County Commissioners (“BOCC”) approved the Hardy Subdivision, pursuant to Resolution Nos. 94-46, 94-61, 94-168, 95-241 and 98-34. The Final Plat was recorded in Plat Book 53 at Page 59. The BOCC extended the vested rights until October 13, 2009, pursuant to Resolution No. 99-189.
5. Pursuant to Resolution No. 118-2008, the BOCC granted an increase in the allowable floor area on Lots 1, 2 and 3 from 7,000 square feet to 11,750 square feet, with the additional 4,750 square feet limited to garage (750 square feet) and subgrade space (4,000 square feet), subject to the acquisition and surrender of two TDRs for the subgrade and garage space. This amendment addressed the change in the Land Use Code (“Code”) in 2000, which eliminated the subgrade and garage exemptions in the Rural Area. The BOCC also extended the vested rights to October 12, 2012.
6. Pursuant to Resolution No. 149-2010, the BOCC granted approvals for an amendment to the plat to merge Lots 1 and 2 into a single lot for development purposes (new Lot 1A), and extinguished the second development right. The BOCC approval allowed the construction of a single family residence and caretaker dwelling unit containing a maximum of 14,250 square feet of gross floor area, of which 2,500 square feet shall only be used for subgrade space through use of one TDR, and extended the vested rights to October 12, 2015. The amended plat was recorded in Plat Book 98 at Pages 96-97.
4. The Hearing Officer granted Site Plan Review approval for the residence and caretaker dwelling unit, pursuant to Determination No. 4-2012. The Activity Envelope/Site Plan was recorded in Plat Book 100 at Page 59.
5. The County issued the building permit for the single family residence in July of 2013, but the Applicant did not construct the caretaker dwelling unit.

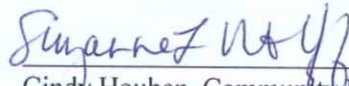
6. The Applicant submitted a new application for administrative approval of the CDU in October of 2015. An Administrative Decision was issued November 30, 2015 approving the CDU. However, this was not a Site Specific Development Plan and the approval was valid for three years from the date of approval.
7. The approval for the Activity Envelope/Site plan approval for the single family residence and detached CDU will expire 10 years from May 29, 2012, or on May 29, 2022. However, the CDU approval will expire on November 30, 2018. The Applicant requests to postpone the construction of the CDU and seeks a new three-year approval which will enable construction of the detached CDU prior to the expiration of Lot 1A's Activity Envelope/Site Plan approval in 2022.
8. The Applicant mailed and posted notice, as required by Sec. 2-20-100 of the Code. No objections or comments were received.
9. The Director finds that the detached caretaker dwelling unit complies with the special review and GMQS exemption provisions of the Code.

THE DIRECTOR DOES HEREBY APPROVE the PRL Properties LLC Detached Caretaker Dwelling Unit, subject to the following conditions, which shall run with the land and be binding on all successors in interest:

1. The conditions of BOCC Resolution No. 149-2010 and Hearing Officer Determination No. 4-2012 shall remain in full force and effect, except as amended herein.
2. Prior to issuance of a building permit for the detached caretaker dwelling unit, the Applicant shall obtain and the Housing Office shall record a caretaker dwelling unit deed restriction. Actual floor plans of the unit shall be submitted to the Housing Office with the deed restriction.
3. The detached caretaker dwelling unit shall be limited to 1,000 net livable square feet. The kitchen shall contain a minimum of a two burner stove with at least a 5 cubic foot oven that can bake and broil, sink of at least 14" W X 16" D X 5.25" H, and at least a 5.3 cubic foot refrigerator and 0.73 cubic foot freezer. Two off-street parking spaces shall be provided for the unit. The caretaker dwelling unit must have separately accessible utilities. This does not preclude shared utilities.
4. Prior to issuance of a Certificate of Occupancy for the detached caretaker dwelling unit, the Housing Office may inspect the unit.
5. The floor area of the detached caretaker dwelling unit shall be included in the total allowed floor area for the lot.
6. The Applicant shall adhere to all material representations made in the application and shall consider those representations to be conditions of approval, unless amended by other conditions.

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APPROVED by the Director, this 2nd day of January 2019.



Cindy Houben, Community Development Director

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