

**ADMINISTRATIVE DECISION OF THE COMMUNITY DEVELOPMENT DIRECTOR OF
PITKIN COUNTY, COLORADO, GRANTING A SUBDIVISION EXEMPTION FOR A LOT LINE
ADJUSTMENT AND MINOR PLAT AMENDMENT FOR ROBERT W. AND MARCIE J.
MUSSER & MARGARET K. MUSSER TRUST**

Administrative Decision No. 5-2019

RECITALS

1. Robert W. and Marcie J. Musser & Margaret K. Musser Trust (“Applicants”) have applied to the Community Development Director (“Director”) pursuant to Sec. 2-30-20 (g)(4) of the Land Use Code to adjust the lot line between Lot 7 and Lot 9, Block 2, Pitkin Green Subdivision to eliminate the pre-existing non-conforming status of the single-family residences located in the setbacks, and to amend the plat to create a new access easement reflecting the existing “as built” driveway across Lot 9 to Lot 7, vacate a portion of the 40’ wide platted road easement through Lot 9, and to vacate the 20’ wide road easement within Lot 7 recorded in Book 187 at page 257.
2. The Lots are located at 82 and 123 Cottonwood Circle, and are more specifically described as Lot 7 and Lot 9 Block 2, Pitkin Green Subdivision respectively.
3. Lot 7 and Lot 9 contain 30,679 square feet and 54,237 square feet respectively, and are conforming in size in the R-30 zone district.
4. The County approved Block 1, Pitkin Green Subdivision in 1957 as recorded in Plat Book 2 at Page 232. Block 2, Pitkin Green Subdivision was approved in 1958 as recorded in Plat Book 2 at Page 244. In 1958, 123 Cottonwood Circle was developed with a single-family residence. 1963, 82 Cottonwood Circle was developed with a single-family residence. A Subdivision Exemption and Lot Line Adjustment for Lots 8 and 9 was granted in 1989 pursuant to BOCC Resolution No. 89-31 as recorded in Plat Book 22 at Page 33.
5. A 40 foot access easement to Lot 7 across Lot 9 is recorded in Book 187 at Page 257.
6. The Director finds each transfer parcel contains 2,337 square feet. The resulting gross land area for Lot 7 and Lot 9 will remain as 30,679 square feet and 54,237 square feet respectively.
7. The Director further finds that the lot line adjustment request is consistent with the applicable requirements of Sec. 2-30-20(g)(4) of the Land Use Code: it will not create an additional lot, increase floor area for either of the lots, or create a lot substantially different in size for development or resale purposes, and the lots will remain conforming in size.
8. The Director further finds that the minor plat amendment will not affect the degree of compliance with the standards of the Code, is consistent with representations made in previous reviews, and will not change the allowable development on either parcel. However, the lot area for the purposes of determining floor area for Lot 9 will slightly increase due to the 40’ wide access easement being replaced with the “as-built” driveway.

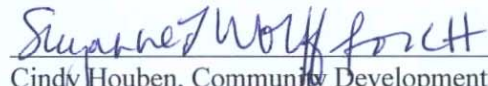


RECEPTION#: 653459, R: \$0.00, D: \$0.00
DOC CODE: ADMIN DECISION
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Janice K. Vos Caudill, Pitkin County, CO

APPROVED by the Director, subject to the following conditions:

1. Within 60 days of the date of this approval and prior to submission of any future building permit applications, the Applicant shall be required to submit for approval by the County Attorney and Community Development an amended plat. The above referenced approval shall be a condition precedent to finalization and recordation of the plat. The mylar copy of the plat must be signed by the owners prior to submittal for recording.
2. The Applicants shall comply with all prior approvals.
3. The Applicants shall adhere to all material representations made in the application.
4. 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 either or both of the properties, or vested rights associated with either or both of the properties.

APPROVED by the Director, this 17th day of January, 2019.



Cindy Houben, Community Development Director