



RECEPTION#: 654290, R: \$0.00, D: \$0.00
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Pg 1 of 3, 03/01/2019 at 11:44:12 AM
Janice K. Vos Caudill, Pitkin County, CO

**ADMINISTRATIVE DECISION OF THE COMMUNITY DEVELOPMENT DIRECTOR
OF PITKIN COUNTY, COLORADO APPROVING THE HILBERMAN LOT LINE
ADJUSTMENT AND MINOR PLAT AMENDMENT TO MERGE LOTS D AND F
AMENDING THE CRYSTAL RIVER PARK SECOND ADDITION PLAT**

Administrative Decision No. 19-2019

RECITALS

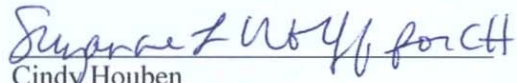
1. Mark and Brigitte Hilberman ("Applicant") have applied to the Community Development Director of Pitkin County, Colorado, for approval of a Lot Line Adjustment and Minor Plat Amendment to merge lots D and F of the Crystal River Park Subdivision.
2. The Crystal River Park Subdivision including First and Second Additions was recorded in 1966, Reception No. 125082, Book 3, Page 103. Lots 52-54 were merged into Lot D, Reception No. 402711, Plat Book 42, Page 21. Lots 10-12 were merged into Lot F, Reception No. 425876, Plat Book 57, Page 31.
3. Lot D is developed and specifically located at 48 Etasa Lane. The parcel identification number is 272929201094. Lot F is undeveloped and located at the end of Ruby Mountain Drive. The Parcel identification number is 272929202022. Both properties are zoned RS-30.
4. In 2006, the BOCC determined in Resolution No. 069-2006 that Lot F was "undevelopable or severely constrained" pursuant to the Land Use Code, and approved the grant of one TDR to the owner, subject to restriction of the property against future development. The Deed Restriction, which permanently severed from the Property all development rights, is recorded as Reception No. 531328.
5. The Applicant purchased Lot D in 1998 and bought Lot F in 2018. The Applicant purchased Lot F to use as adjacent open space and proposes to merge the two for property tax purposes.
6. The application was referred to the Crystal River Caucus and the Crystal River Park HOA. No comments were received from the Caucus or the HOA.
7. The Director finds that the Lot Line Adjustment and the Minor Plat Amendment complies with applicable standards of the Land Use Code as amended found at Subsections 2-30-20(g)(4) and 2-30-20(g)(5):
 - A. No additional lots or parcels are created.
 - B. The area represented by Lot F is deed restricted against any future development and the restriction will continue to be reflected on the amended plat.
 - C. The maximum allowed floor area for Lot D is 5,750 square feet without a TDR or GMQS allotment.
 - D. Currently no additional development is proposed for Lot D and any future development will require land use approval on the land represented as Lot D.
 - E. Both properties are nonconforming with regard to minimum lot size and merging the properties will not increase the nonconformity.

- F. An amended plat will be drafted and recorded per the standards of the Pitkin County Land Use Application Manual.
- G. The proposed amendment to the plat does not negatively impact the Crystal River Park subdivision.

THE DIRECTOR DOES HEREBY APPROVE the Hilberman's request for a Lot Line Adjustment and Minor Plat Amendment to the Crystal River Park Subdivision subject to the following conditions:

1. A Subdivision Exemption Plat shall be submitted for review and recordation that is in compliance with the following standards:
 - A. A neat legible ink drawing on a twenty-four inch (24") by thirty-six inch (36") sheet of mylar showing the following information:
 - i. Title identifying type of review;
 - ii. Vicinity map showing relationship of parcel to proximate public roads;
 - iii. List of all conditions relating to site development;
 - iv. Date;
 - v. Scale;
 - vi. Community Development Director signature block;
 - vii. The following notation: "OWNER'S ACKNOWLEDGEMENT AND DISCLAIMER Applicant acknowledges that he/she has been informed by Pitkin County of the existence of environmental hazard areas that might affect the property, any improvements, and the use and occupancy thereof. The provisions of the Pitkin County Regulations do not in any way assure or imply that areas outside of designated hazard areas will be free from hazards, or that approved mitigation measures will guarantee safety of any property.
 - viii. Legal descriptions and sketches of: 1) Fathering parcel(s) prior to adjustment; 2) Receiving parcel(s) prior to adjustment; 3) Parcel(s) to be transferred from fathering parcel to receiving parcel; and 4) Resulting parcel(s).
 - ix. Signature block for owner(s), mortgagee(s), and lien holder(s).
 - B. The area of Lot F, which has been deed restricted against any future development, shall be hatched with a notation included that future development is prohibited, and including the reception number of the recorded deed restriction.
2. The Applicant shall adhere to all material representations made in the application.
3. 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 28th day of February, 2019.


Cindy Houben
Community Development Director

PID#: 2729-292-01-094
2729-292-02-022

Case: P011-19