



**REDMIT RANCH  
PLANNED UNIT DEVELOPMENT DESIGNATION**

This Planned Unit Development Designation, to be known as the Redmit Ranch Planned Unit Development Designation, hereinafter referred to as the "Designation", is approved this 26<sup>th</sup> day of September, 2006 by the Board of County Commissioners of Summit County, Colorado, hereinafter referred to as the "County," for certain real property located in Summit County and described in attached Exhibit A, hereinafter referred to as the "Property." This Designation establishes the land uses and density that shall be permitted on the Property, a general development plan, development standards and conditions which must be adhered to by Tim Krueger and any subsequent successor's, heir's, or assigns, collectively hereinafter referred to as the "Owner/Developer". This designation also specifies improvements that must be made and conditions which must be fulfilled in conjunction with this Designation by the Owner/Developer.

Where this Designation does not address a specific development standard or requirement of the Summit County Land Use and Development Code currently in effect or hereinafter amended, hereinafter referred to as the "Code", the provisions of the Development Code shall apply. Where the Designation addresses a specific development standard or requirement, the provisions of this Designation shall supersede the provisions of the Code.

**A. PERMITTED USES AND DEVELOPMENT PLAN**

Use and development of the property shall be in accordance with the Development Plan attached hereto as Exhibit B and the following specific requirements:

**1. Permitted Uses**

One single family residences as per the requirements stated in Section 3804 of the County's Land Use and Development Code.

**2. Accessory**

One garage per the regulations set forth in Section 3505.19 of the Development Code and herein after amended.

**B. DEVELOPMENT STANDARDS**

**1. Building Height**

Building heights shall be a maximum of 35 feet as defined in Section 3505.06 of the Summit County Land Use & Development Code.

**2. Setbacks and Disturbance Limitations**

The attached conceptual development plan (Exhibit B) establishes a disturbance envelope this lot

All buildings constructed upon the property, as well as the septic system and well shall be located wholly within the disturbance envelope. Site disturbance outside of the disturbance envelope shall be limited to: (a.) grading and surfacing of the driveway; (b) installation of

utilities, which shall be located within the driveway cut to the greatest extent practicable or located as shown on Exhibit B; (c) removal of trees for forest health with documentation from a certified forester, indicating the need for the tree removal, submitted to the Planning Department for review and approval; (d) removal of trees for fire mitigation as determined by the County's Wildfire Mitigation Officer; and (e) removal of trees infested with pine beetle without prior County approval.

A 25 foot building and development setback shall be maintained from all natural wetland areas and water bodies. Disturbance of slopes 30% or greater is prohibited for the construction of the residence. Disturbance of slopes 30% or greater is permitted only for the driveway and utilities installation as shown on the Exhibit B. Minor variations to the design of the driveway where slopes 30% or greater are disturbed is permitted if the overall disturbance for the driveway is reduced from that which is currently permitted under Exhibit B.

### **3. Parking**

At least two (2) parking spaces shall be required for the residence. No parking shall be permitted on County roads or state right-of-way.

### **4. Wetlands/Water Quality**

Development of the property shall comply with all requirements for wetland and water quality protection pursuant to Chapter 7 of the Summit County Land Use and Development Code. Disturbance within 25-feet of wetlands is prohibited, except where approved for the driveway and utility installation. Mitigation to the impacts of disturbing the wetlands and wetland setbacks is required in accordance with Nationwide Permit 39, identification number 200675287, as issued by the Army Corps of Engineers ("Corps") or hereinafter amended as required by the Corps and with Section 7105.05 et.al. of the Code. A financial guarantee to ensure such mitigation measures shall be submitted prior to approval of any permits or site plans in accordance with Section 7105.06 of the Code.

### **5. Design Standards**

The single family unit and accessory structures shall be designed with:

- ❖ natural or naturally-appearing materials and colors so that the structures blend visually with the forest;
- ❖ retaining walls to avoid excessive cut-and-fill, with retaining walls over five feet in height stepped so as to prevent excessive retaining wall heights;
- ❖ non-mirrored glass;
- ❖ lighting for the exterior of the buildings or any freestanding lights that are full cut-off luminaires, with such lighting reviewed and approved during the Planning Department's site plan review for any structure; and,
- ❖ roofing material that is non-reflective.

### **6. Transfer of Development Rights**

Prior to recordation of the rezoning resolution or this PUD Designation, the Owner/Developer has committed to purchase one development right from the County for the density needed to transfer

in a total of one (1) unit to the PUD to allow the one (1) residential unit permitted under this Designation.

## **7. Landscaping**

All areas disturbed by construction shall be revegetated with a Summit County native grass seed mix, or returned to a natural state, and be free of weeds, as identified by the County as invasive, noxious, or otherwise, nuisance weed species prior to the issuance of a Certificate of Occupancy, and Owner/Developer shall provide a satisfactory financial guarantee to ensure such revegetation.

## **8. Driveways**

Driveways shall be located in a manner that minimizes soil disturbance. Careful consideration to the location of the house and the garage shall be evaluated in order to reduce the amount of disturbance necessary for driveway construction. Retaining walls shall be used, wherever feasible, in lieu of excessive cut and fill for the driveway as shown on Exhibit B, with minor modifications as permitted by Planning and Engineering Department. A bridge shall be used to span the wetlands and stream adjacent to the disturbance envelope. Prior to the issuance of a grading permit, bridge details shall be submitted in conjunction with a drainage report that evaluates the flows of the stream and the 100-year floodplain.

Wetland disturbance necessary for the driveway shall comply with Nationwide Permit 39, identification number 200675287, as issued by the Army Corps of Engineers ("Corps") or hereinafter amended as required by the Corps. Wetland mitigation work shall be completed as required by the said Corps permit, or hereinafter amended and as required above in the "Wetlands/Water Quality" section of the PUD.

Driveway construction shall meet all applicable water quality standards set forth in Chapter 7, and specifically Section 7103.01 of the Code. An erosion control plan, revegetation plan, and a financial guarantee shall be submitted and implemented in accordance with all applicable sections of the Code, in including but not limited to Sections 5108, 3600, 7100, 7101.01, 7101.02, 7102.05, 7102.06, 7102.08.

## **9. Geotechnical Hazards**

During construction, the excavations and fills slopes should be evaluated by a professional geologist or geotechnical engineer to ensure that the actual subsurface conditions exposed are what were expected, per the slope stability analysis dated 8.23.06 and prepared by Walter Shultz (Exhibit C), and that any assumptions made during the investigations are still valid. All recommendations made by the Colorado Geologic Survey per said analysis shall be adhered to by Owner/Developer.

# **C. REQUIRED IMPROVEMENTS**

## **1. Access**

Access shall be provided by the driveway off of Highway 9 as permitted under the Colorado Department of Transportation (CDOT) Access Permit and as shown on the conceptual development plan.

**2. Water Systems**

- a. Prior to recordation of the PUD, the Owner/Developer shall submit proof that adequate water augmentation has been obtained.
- b. Water for the individual homesite will be provided by an individual well subject to approval by the State Engineer. A copy of a well permit shall be submitted concurrent with a building permit application for a new single family development.

**3. Wastewater Disposal**

Wastewater disposal will be provided by on site sewage disposal systems subject to approval by the Summit County Environmental Health Department through the application for an Individual Sewage Disposal Permit for new single family development. Owner/Developer shall ensure that the location of the septic system meets the applicable setback requirements from the structure, well, wetlands and streams.

**4. Fire Protection**

The entire property is located within the Lake Dillon Fire Protection District. All development on the property shall meet all fire protection requirements of the District.

**5. Utilities and Easements**

All new utility lines shall be installed in full accordance with the standards of each utility provider and County Subdivision Regulations. Any new utility lines shall be buried underground and within the driveway cut or as shown on the Development Plan. Utilities shall be installed in the driveway cut, to the greatest extent practicable, or as shown on Exhibit B.

**D. GENERAL PROVISIONS**

**1. Enforcement**

The provisions of the planned unit designation and the development plan relating to the use of land and the location of common open space shall run in favor of Summit County and shall be enforceable at law or in equity by the County without limitation on any power or regulation otherwise granted by law. Other provisions of the planned unit development designation and the development plan shall run in favor of the residents, occupants and owners of the planned unit development, but only to the extent expressly provided in, and in accordance with the terms of, the planned unit development designation and the development plan. Provisions not expressly stated as running in favor of the residents, occupants or owners of the planned unit development shall run in favor of the County.

**2. Breach of Provisions of PUD Designation**

If at any time, any provision or requirements stated in the planned unit development designation has been breached by the Owner/Developer, the County may withhold approval of any or all site plans or plat maps, or the issuance of any or all grading or building permits or occupancy permits applied for on the Property, until such breach has been remedied; provided, however, that the County shall not take affirmative action on the account of such

breach until it shall have first notified the Owner/Developer in writing and afforded the Owner/Developer a reasonable opportunity to remedy the same.

**3. Binding Effect**

The PUD Designation shall run with the land and be binding upon the Owner/Developer, their respective successors, representatives and assigns, and all persons who may hereafter acquire an interest in the Property or any part thereof, with the exception that provisions of this designation may be modified through an amendment in accordance with the procedure stated in the County Development Review Procedures. This designation shall be recorded in order to put prospective purchasers or other interested persons on notice as to the terms contained herein.

**4. Amendments**

Amendments to the provisions of a planned unit development designation shall be reviewed and acted upon as a rezoning application, subject to the County's procedures for zoning amendments and to the requirement for findings under the Planned Unit Development Act of 1972 at CRS 24-67-106(3)(b).

**5. Notices**

All notices required by this designation shall be in writing and shall be either hand-delivered or sent by certified mail, return receipt requested, postage prepaid, as follows:

Notice to County:

Board of County Commissioners  
P.O. Box 68  
Breckenridge, CO 80424

Notice to Owner/Developer

Tim Krueger  
11010 Devils Lake Highway  
Addison, MI 49220

All notices so given shall be considered delivered three days after the mailing thereof. Either party, by notice so given, may change the address to which future notices shall be sent.

**6. Entire Designation**

This designation contains all provisions and requirements incumbent upon the Owner/Developer relative to the Redmit Ranch Planned Unit Development, except as modified by subsequent action of the Board of County Commissioners in accordance with procedures set forth in the Summit County Land Use and Development Code and the Colorado Planned Unit Development Act (CRS 24-67-106) for amending planned unit developments, and except that nothing contained herein shall be construed as waiving any

requirements of the Summit County Land Use and Development Code or other regulations otherwise applicable to the development of the Property.

**7. Effective Date**

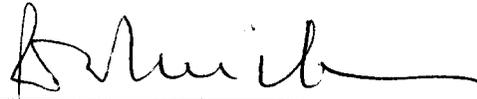
Due to the fact that the rezoning necessitates a transfer of development, action shall become effective when the PUD designation is signed by the BOCC and by the property owner or his agent and recorded in the office of the Clerk and Recorder, and after a transfer of development rights has been recorded pursuant to Section 3202.03 C.7. The applicant shall transfer all required development rights to the property within three years of the Board of County Commissioners meeting where action was taken on the planned unit development. If the applicant fails to complete the transfer of development rights within that time period, the approval of the planned unit development shall expire and become null and void.

**8. PUD Review Requirements**

The Summit County Land Use and Development Code, Chapter 12, includes procedures and requirements for review of all Planned Unit Developments. The Owner/Developer shall be on notice of these requirements and their potential impact should new design guidelines be established.

IN WITNESS WHEREOF, the County and the Owner/Developer have executed this Designation as of the date first written above.

BOARD OF COUNTY COMMISSIONERS  
OF SUMMIT COUNTY, COLORADO

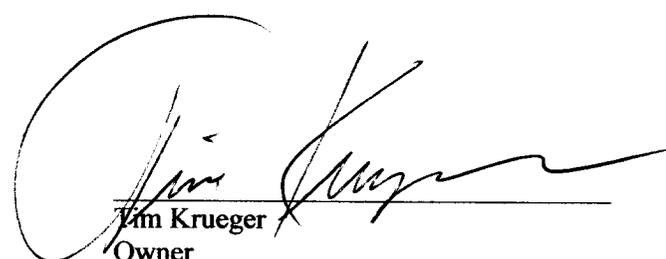


Robert H.S. French, Chairman  
Summit County BOCC

ATTEST



Cheri Bruvand, Clerk and Recorder



Tim Krueger  
Owner

## Exhibit A

### PROPERTY DESCRIPTION

Lot Twenty-three (23), Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section Twenty-six (26), Township Four South (T.4S.), Range Seventy-eight West (R.78W.) of the Sixth Principal Meridian (6<sup>th</sup> P.M.), County of Summit, State of Colorado and being more particularly described as follows:

COMMENCING at the South Quarter (S1/4) Corner of said Section 26 and assuming the West line of the Southeast Quarter (SE1/4) of said Section 26 to bear North 00°16'01" East with all bearings here in relative thereto:

THENCE North 00°16'01" East along said West line a distance of 1329.14 feet to the Southwest Corner of said NW1/4SE1/4, said point being the POINT OF BEGINNING;

THENCE continuing North 00°16'01" East along said West line a distance of 988.20 feet to a point on a curve, said curve being non-tangent to the aforesaid line, said point being on the Westerly Right-of-Way (ROW) of Colorado State Highway #9;

THENCE along said ROW the following four courses and distances:

THENCE along the Arc of a Curve which is concave to the Southwest a distance of 528.99 feet, whose Radius is 2167.00 feet, whose Delta is 13°59'12" and whose Long Chord bears South 36°03'09" East a distance of 527.68 feet;

THENCE South 53°20'07" East along a line being non-tangent to the aforesaid curve a distance of 85.13 feet;

THENCE South 29°03'33" East a distance of 361.50 feet to a Point of Curvature (PC);

THENCE along the Arc of Curve which is concave to the West a distance of 216.98 feet, whose Radius is 1056.00 feet, whose Delta is 11°46'21" and whose Long Chord bears South 23°10'18" East a distance of 216.59 feet to the South line of said NW1/4SE1/4;

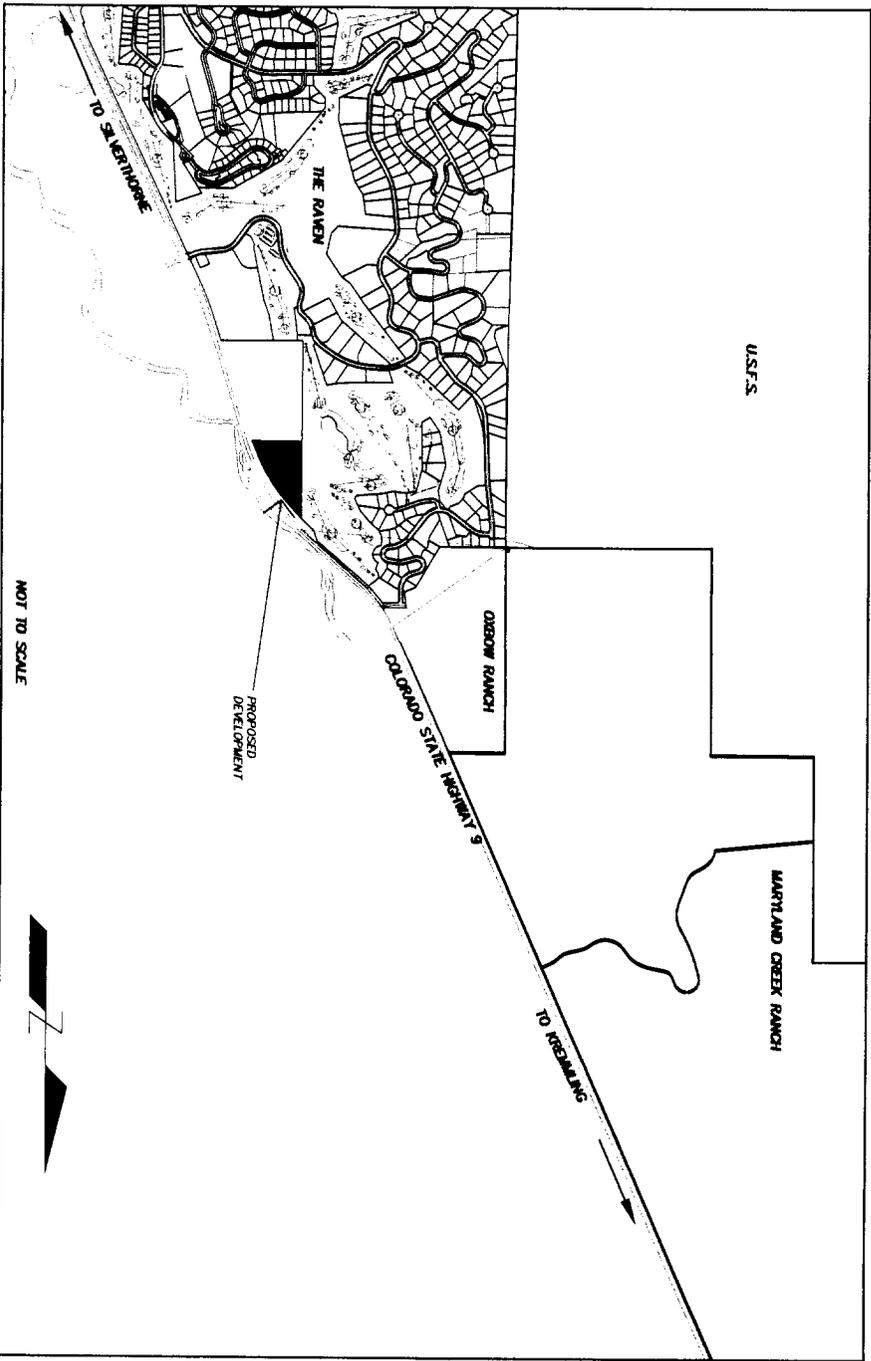
THENCE North 89°36'39" West along said South line, being non-tangent to the aforesaid curve, a distance of 644.27 feet to the POINT OF BEGINNING.

Said parcel contains 8.206 acres more or less ( ± ).

# P.U.D. SUBMITTAL REDMIT RANCH SUMMIT COUNTY, COLORADO

EXHIBIT B

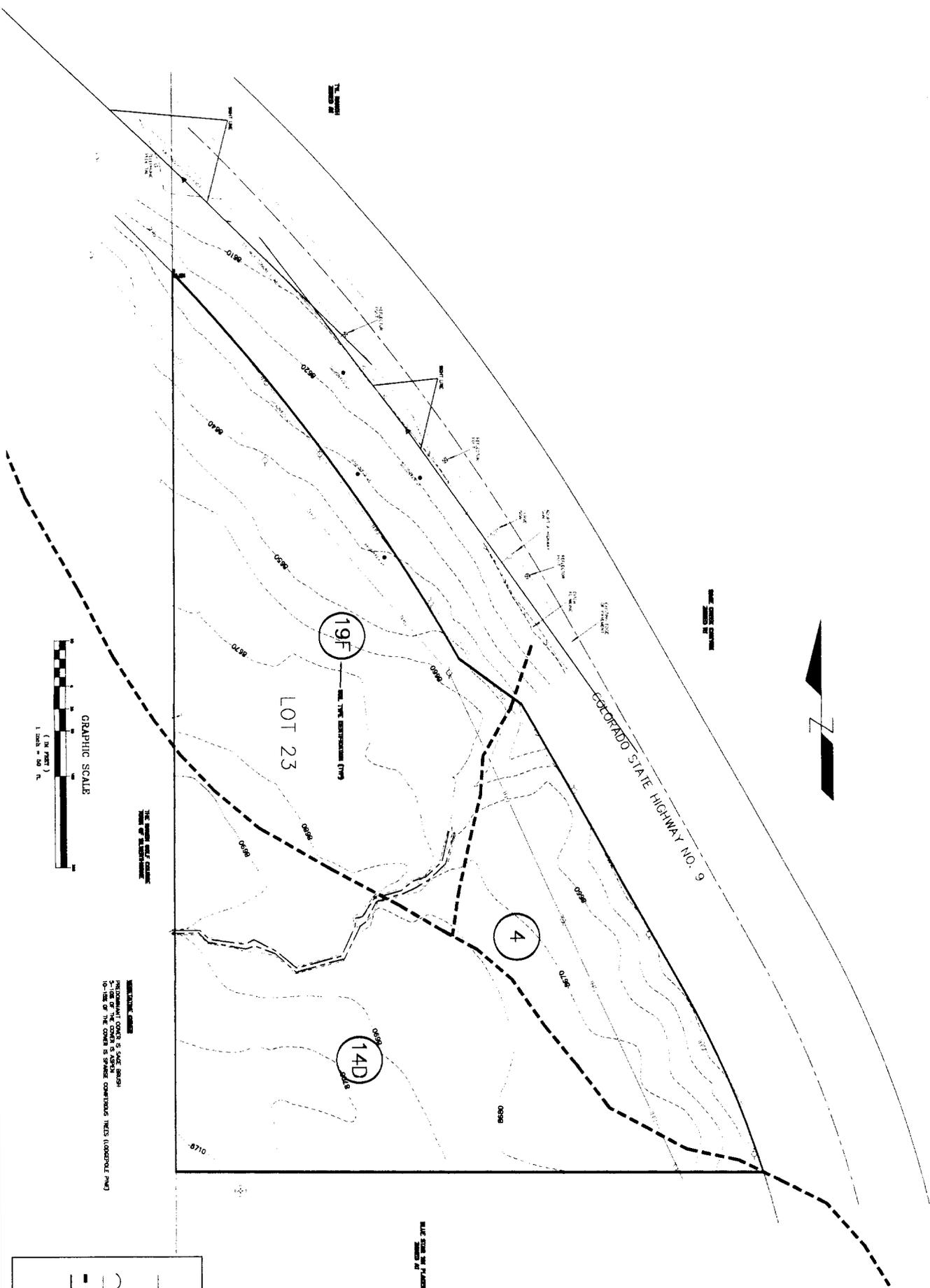
VICINITY MAP



INDEX:

- C-1 EXISTING CONDITIONS
- C-2 SLOPE ANALYSIS
- C-3 SITE GRADING
- C-4 DRIVEWAY PLAN AND PROFILE
- C-5 STOP SIGHT DISTANCE EBMENT
- D-1 DETAIL SHEET
- LAND SURVEY PLAT
- TOPOGRAPHIC STAMPED SURVEY

REDMIT RANCH COVER SHEET			REVISIONS	
DESIGNED BY: AK	CHECKED BY: JN	DRAWN BY: AK	01-25-04	REMOVE RETAINING WALLS
DATE: 01-26-04	SCALE: NA	PROJECT #: SBR001-00	08-15-04	ADD SHEETS
 <b>TETRA TECH, INC.</b> <small>410 S. Front Street, P.O. Box 1800                      Breckenridge, CO 80424                      (970) 483-8384 Fax (970) 483-6579</small>		CADD FILE: VOLAGER COVER	05-10-04	
DRAWING NUMBER:				



**EXISTING CONDITIONS LEGEND**

- EXISTING POWER POLE
- EXISTING EDGE OF PAVEMENT
- EXISTING 1" CONTOURS
- EXISTING 2" CONTOURS
- EXISTING TREES
- EXISTING OVERHEAD UTILITY
- SOIL TYPE BOUNDARY
- EXISTING PROPERTY LINE
- YOUNG LOAM SOIL TYPE
- CALIQUIC CRVADOLLS SOIL TYPE
- TYPICAL SANDY LOAM SOIL TYPE

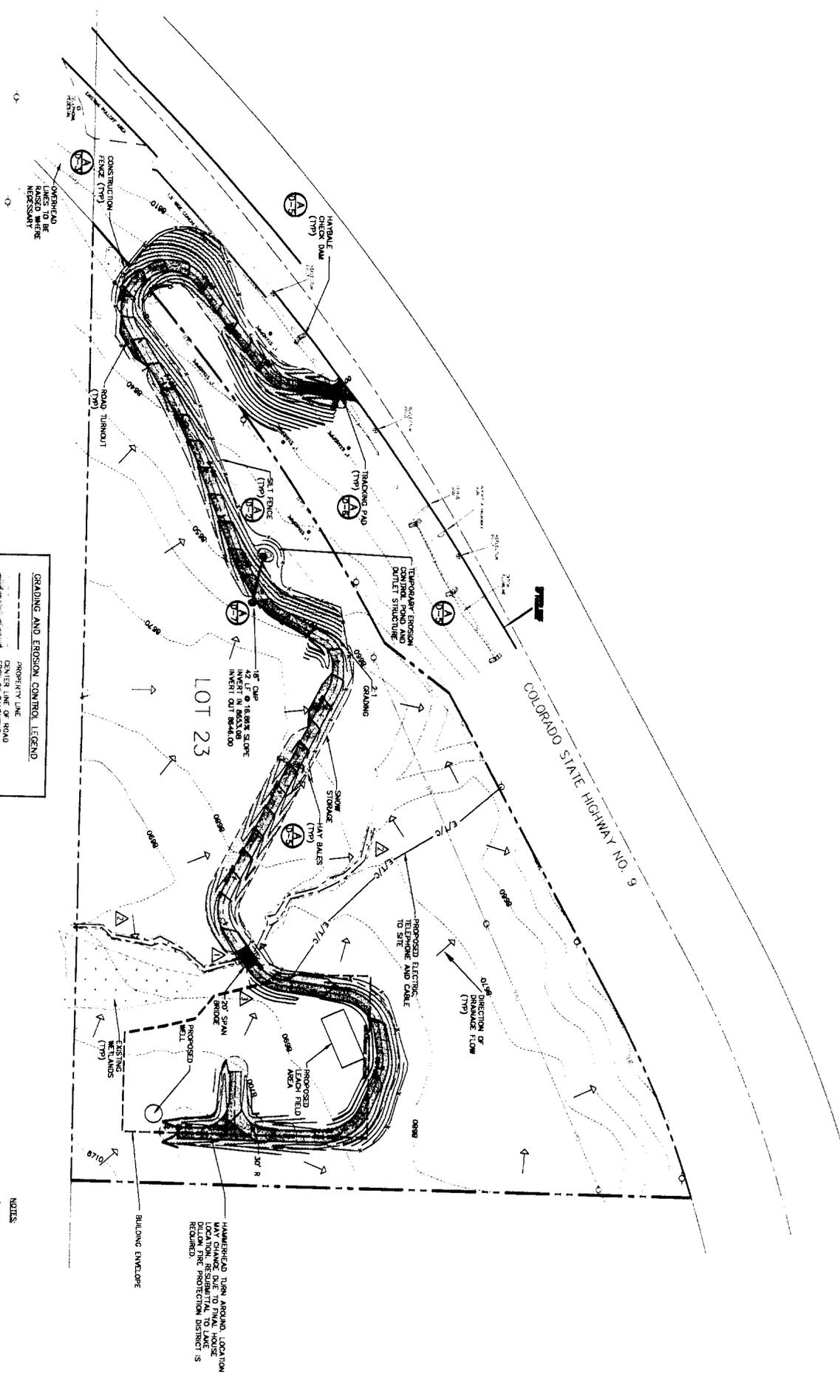
REDMIT RANCH			
EXISTING CONDITIONS SURROUNDING LAND USES AND SOIL TYPES			
DESIGNED BY: AIC	CHECKED BY: JAL	DATE: 09-20-00	SCALE: 1"=50'
PROJECT # 0198410		CADD FILE: 0198410.CADD	
DRAWING NUMBER: C-1		081508-1000-0-REVIS	
 <b>TETRA TECH, INC.</b> 410 S. French Street, P.O. Box 1800 Fresno, CA 93724 (577) 463-6264 Fax (577) 463-4378		<b>REVISIONS</b>	



**EXISTING CONDITIONS LEGEND**

	EXISTING POWER POLE
	EXISTING EDGE OF PAVEMENT
	EXISTING UT CONTOURS
	EXISTING 2' CONTOURS
	EXISTING OVERHEAD UTILITY
	EXISTING PROPERTY LINE
	0 - 15% EXISTING GROUND SLOPE
	15 - 30% EXISTING GROUND SLOPE
	GREATER THAN 30% EXISTING GROUND SLOPE

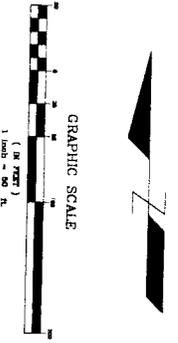
<b>REDMIT RANCH SLOPE ANALYSIS</b>		
DATE: 05/04/04	PROJECT NO: 04-001	SCALE: AS SHOWN
<b>TETRA TECH, INC.</b>		
440 S. Pecos Street, P.O. Box 1000 Bismarck, ND 58104 (701) 422-2224 Fax (701) 422-2279		C-2
		REVISIONS



**GRADING AND EROSION CONTROL LEGEND**

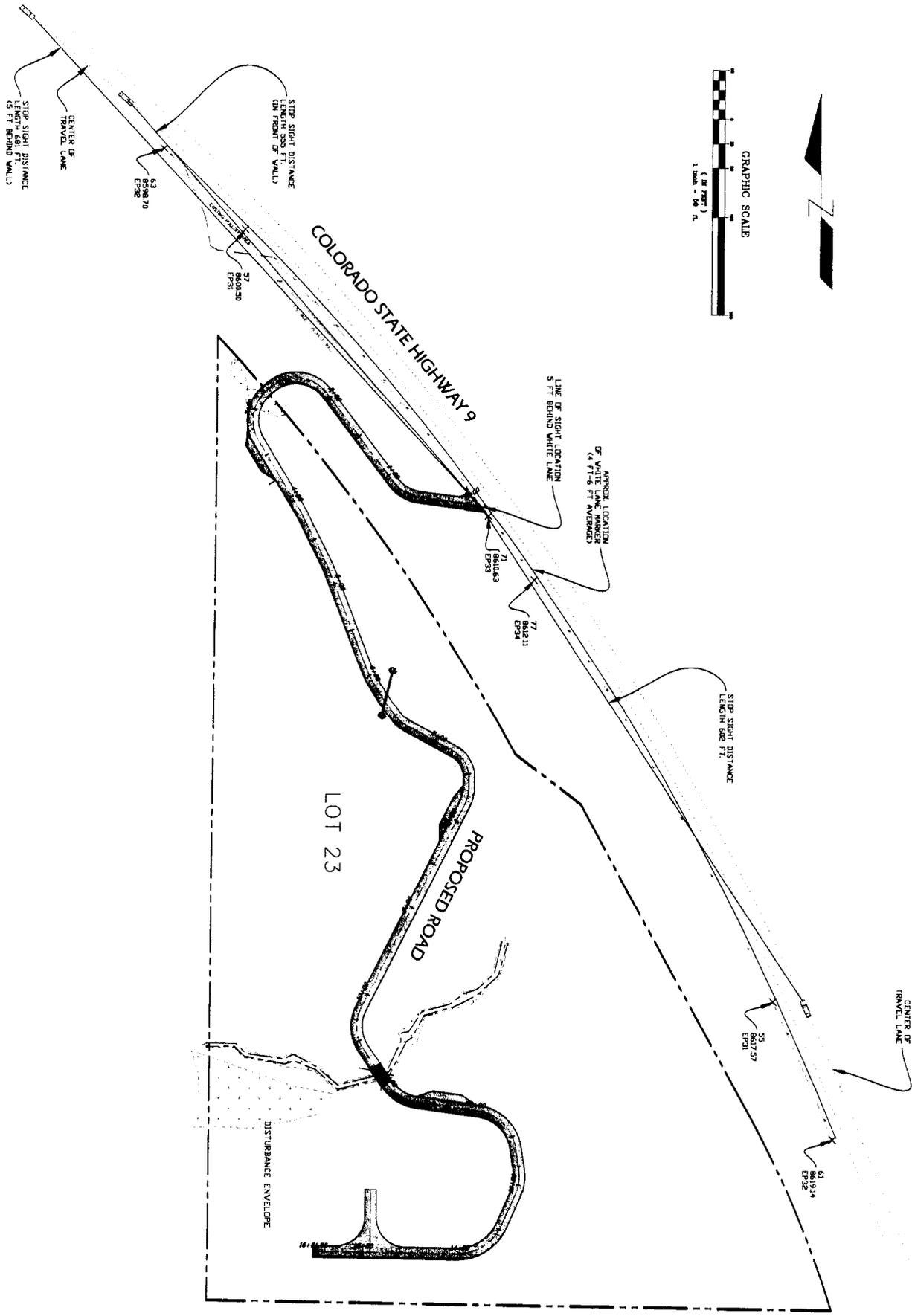
	PROPERTY LINE
	CENTERLINE OF ROAD
	EDGE OF PAVEMENT
	EDGE OF SHOULDER
	PROPOSED CONTOUR
	PROPOSED 2' CONTOURS
	PROPOSED SNOW STORAGE
	EXISTING 2' CONTOURS
	EXISTING WETLANDS
	PROPOSED SILT FENCE
	PROPOSED CONSTRUCTION FENCE
	PROPOSED TRACKING PAD
	PROPOSED HAY BALE
	PROPOSED RIPRAP
	PROPOSED GABRIOL

- NOTES**
- 1) TOTAL DISTURBED AREA = 64,496 SF INCLUDING ROAD GRADING AND AN ASSUMED 10,000 SF BUILDING FOOTPRINT
  - 2) BUILDING DISTURBANCE ENVELOPE = 36,597 SF



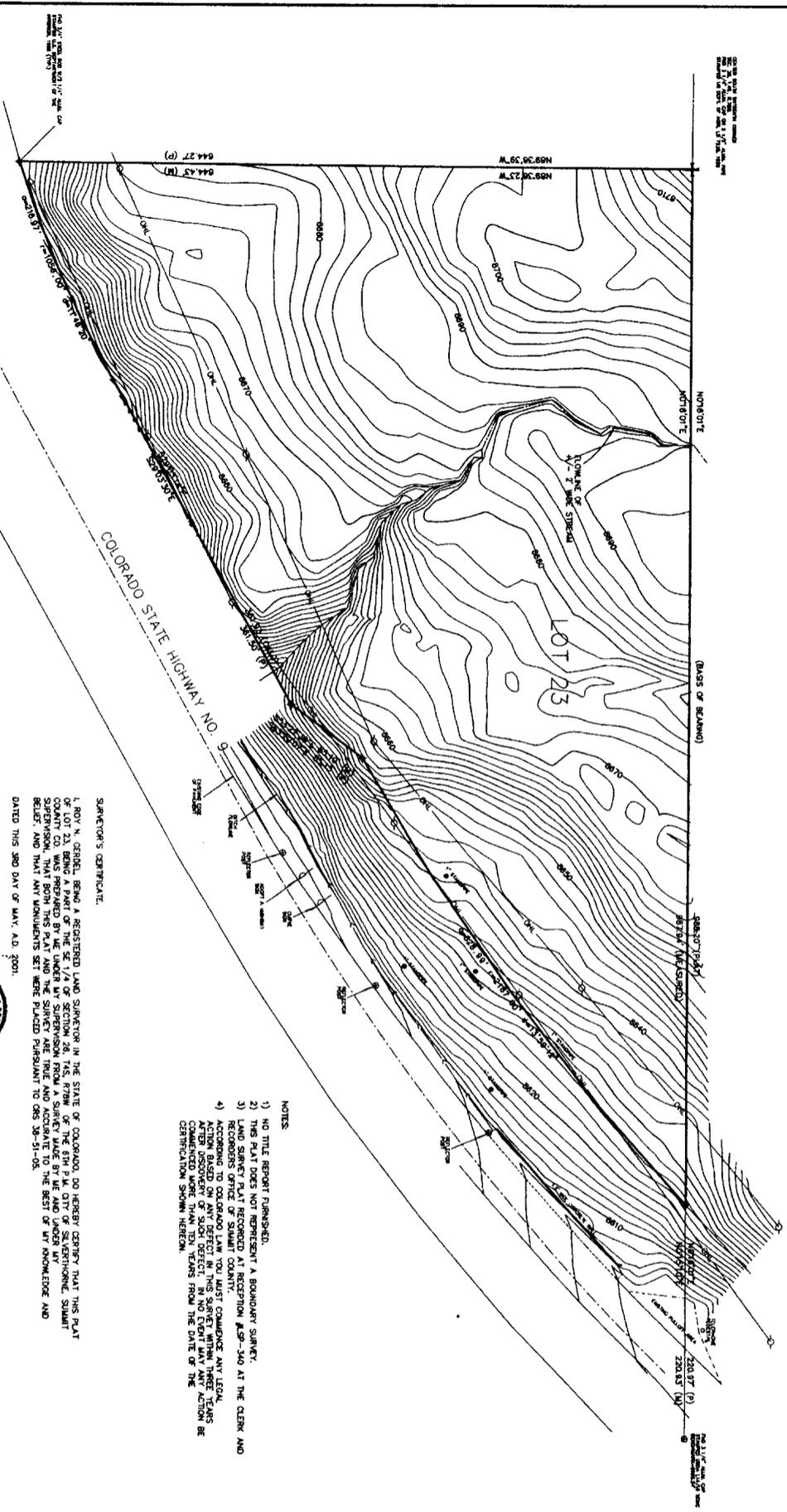
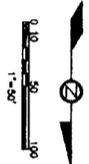
REDMIT RANCH GRADING AND EROSION CONTROL PLAN			REVISIONS
DESIGNED BY: JAE	CHECKED BY: JAL	DATE: 05/20/00	DATE: 05/20/00
SCALE: 1"=50'	PROJECT #:	CADD FILE:	DATE: 05/20/00
<b>TETRA TECH, INC.</b> 410 S. French Street, P.O. Box 1808 Englewood, CO 80155 (303) 452-8304 Fax (303) 452-4378			REVISION NO. 1 REVISION DESCRIPTION REVISION DATE
			REVISION NO. 2 REVISION DESCRIPTION REVISION DATE
DRAWING NUMBER: <b>C-3</b>			REVISIONS





REDMIT RANCH STOP SIGHT DISTANCE EXHIBIT			
DESIGNED BY: JAC	CHECKED BY: JAL	DESIGNED BY: JAC	
DATE: 09/30/01	SCALE: 1"=30'	PROJECT # SHRPD-02	
 <b>TETRA TECH, INC.</b> 410 S. Fremont Street, P.O. Box 1868 Brea, California 92614 (970) 453-6384 Fax (970) 453-6378		DRAWING NUMBER <b>C-5</b>	SPECIAL NOTES: DR 100 AND SHEETS REVISIONS





- NOTES
- 1) NO TITLE REPORT FURNISHED.
  - 2) THIS PLAT DOES NOT REPRESENT A BOUNDARY SURVEY.
  - 3) LAND SURVEY PLAT RECORDED AT RECEPTION #SP-340 AT THE CLERK AND RECORDS OFFICE OF SQUIB COUNTY, COLORADO.
  - 4) RECORDS OFFICE OF SQUIB COUNTY, COLORADO, IS NOT COMPARE ANY LEGAL ACTION BASED ON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER DISCOVERY OF SUCH DEFECT. IN NO EVENT MAY ANY ACTION BE BROUGHT AGAINST THE SURVEYOR OR HIS HEIRS FROM THE DATE OF THE COMPLETION OF THIS SURVEY.

SURVEYOR'S CERTIFICATE

I, ROY N. GORDEL, BEING A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT OF LOT 23, BEING A PART OF THE SE 1/4 OF SECTION 28, T4S, R70W OF THE 6TH P.M. CITY OF SILVERTHORNE, SQUIB COUNTY CO. WAS PREPARED BY ME UNDER MY SUPERVISION FROM A SURVEY MADE BY ME AND UNDER MY SUPERVISION, THAT BOTH THIS PLAT AND THE SURVEY WAS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT ANY DISCREPANCIES BETWEEN THE PLATTED DISTANCES TO SP-340-31-152, DATED THIS 3RD DAY OF MAY, A.D. 2001.

*Roy N. Gordel*  
 ROY N. GORDEL, P.L.S. 33182  
 DATE 5-3-06



CARDINAL LAND SURVEYS, INC.		728 W. 10TH ST. DENVER, CO. 80202	
TOPOGRAPHIC SURVEY			
DATE	REVISIONS	DATE: 6-24-02	SCALE: 1"=50'
		DRAWN BY: RNS	
JOB NO.: PENFIELD			

LOT 23—BEING PART OF SE 1/4 OF SEC 28, T4S, R70W



**EXHIBIT C**

COLORADO GEOLOGICAL SURVEY  
1313 SHERMAN ST. RM 715  
DENVER, CO 80203  
ATTN: TC WAIT  
ENGINEERING GEOLOGIST

JOB NO. 06-35

WALTER O. SCHULTZ P.E.  
P.O. BOX 1957  
DILLON, CO 80435  
1-970-453-9215  
1-970-453-9316(FAX)

August 23, 2006

SUBJECT: SLOPE STABILITY ANALYSIS

SUBJECT SITE: KRUEGER PARCEL, LOT 23, SUMMIT COUNTY, CO

Dear TC,

Please find attached the two critical drive way cross sections for the subject site along with the final worst case failure circles for the stability analyses you requested. The analysis method is "Modified Bishop" via GSLOPE "Mitre software corp." As the analyses show the two configurations, cut slope and fill slope are safe as concerns a factor of safety of 1.5. Both sections contain a retaining wall as discussed during our recent phone conversation. The soil parameters used in the analyses are a combination of the subsoil study I conducted and the Wright Water study.

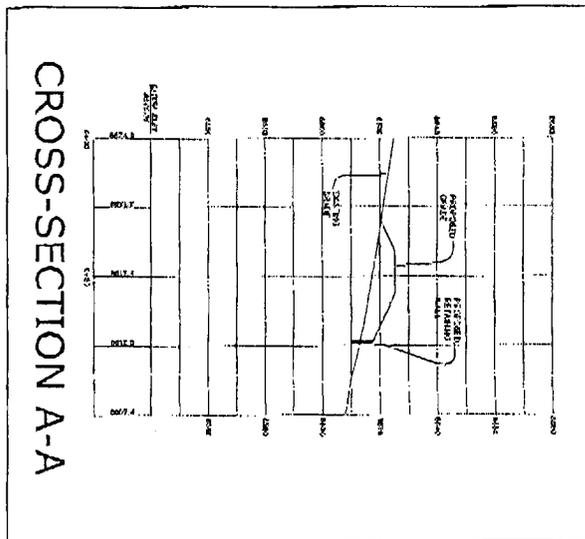
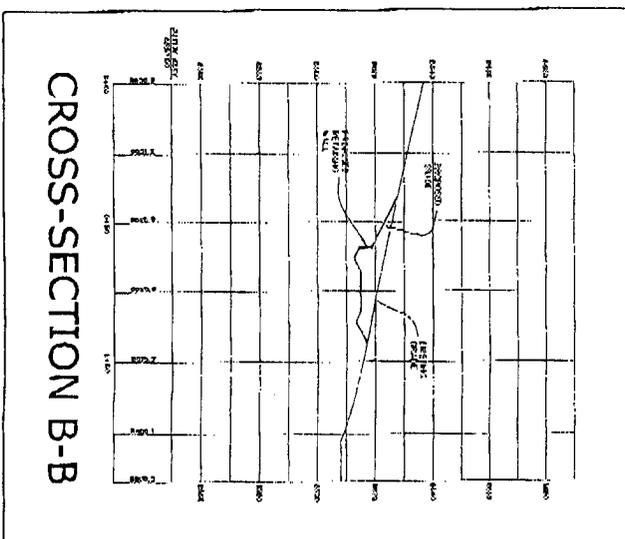
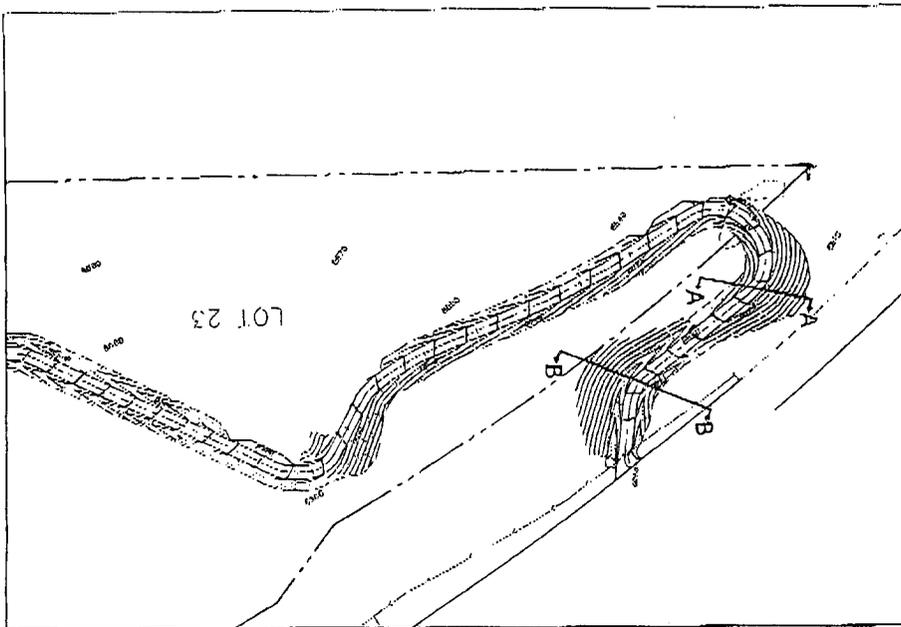
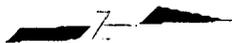
Sincerely,



Walter O. Schultz P.E.  
06-35ltr3

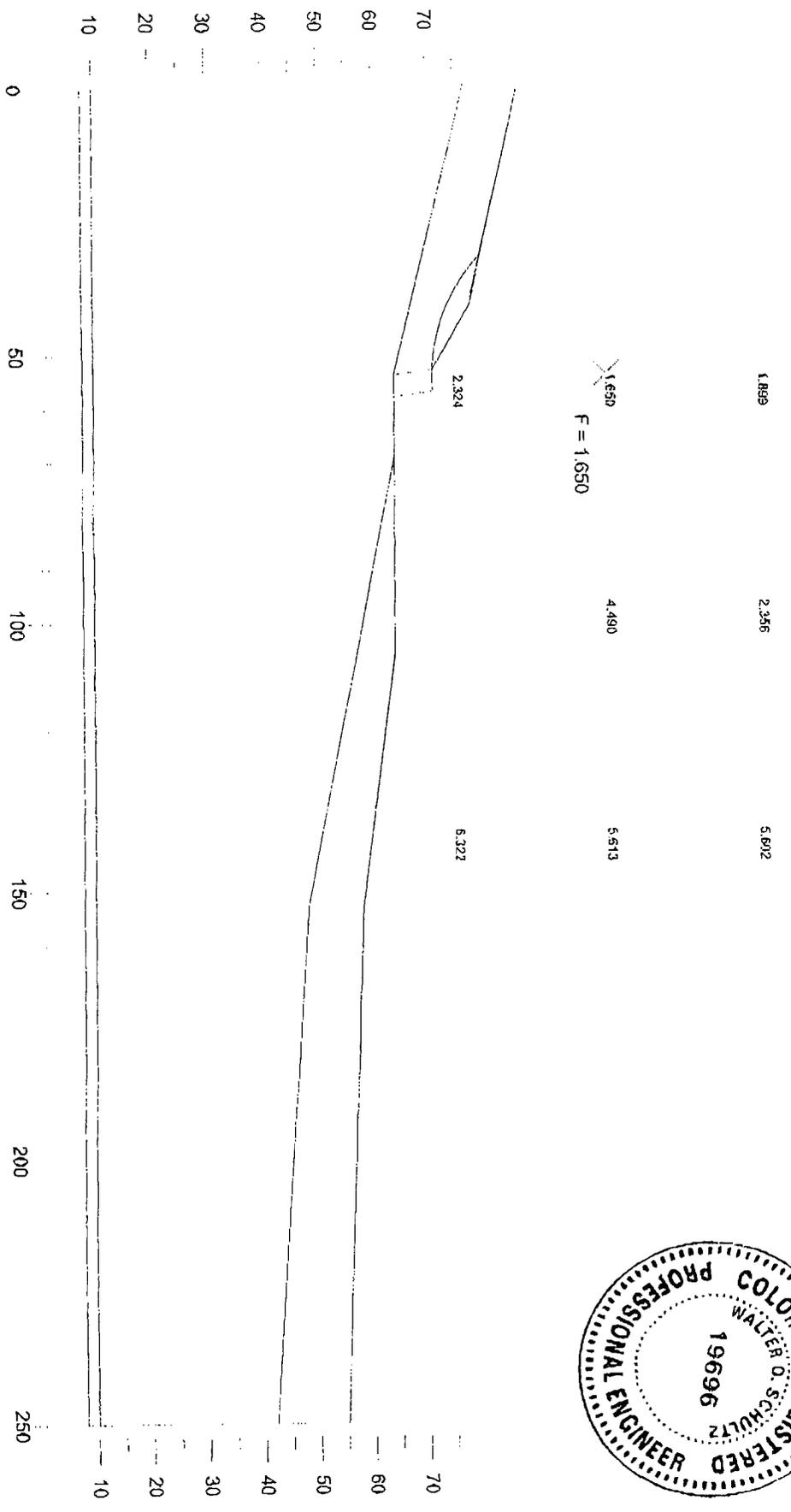
cc: Tim Krueger &amp; Tetra Tech





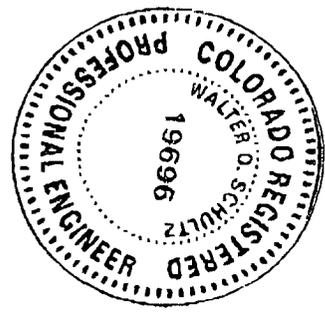
REDMIT RANCH CROSS-SECTION A-A & B-B		
	TETRA TECH, INC. 405 S. Cooper Street, P.O. Box 1107 Cedar Rapids, IA 52402 PHONE: 319.241.4000 FAX: 319.241.4001	EX-2

	Gamma C	Phi	Piezo	Ru
	pcf	deg	Surf.	
GRAV WALL	140	40	0	0
SILTY S&G	130	32	0	0
V. SANDY CLAY	120	10	0	0
SHALE	135	15	0	0

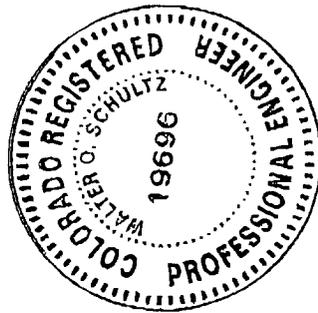


6/22/2006 11:12:31 PM C:\PROGRAMS\1\WALTSC-1\05-35C.GSL Walter O. Schultz - Breckenridge, CO F = 1.650

Walter O. Schultz - Breckenridge, CO  
06-35  
KRUEGER CUT SLOPE  
8/22/06



Walter O. Schultz - Breckenridge, CO  
06-35  
KRUEGER CUT SLOPE  
8/22/06



	Gamma C	Phi	Piezo	Ru
	pct	deg	Surf.	
GRAV WALL	150	60	0	0
FILL SILTY S&G	125	30	0	0
SILTY S&G	130	32	0	0
SILTY S&G	130	32	0	0
SHALE	135	15	0	0

3.276	1.708	1.763	2.265	3.370	4.888
3.068	1.605	1.711	2.375	3.721	5.706
2.887	1.564	1.725	2.609	4.250	7.093
2.772	1.931	$F = 1.564$	1.794	3.005	4.887
2.304	1.887	2.301	3.760	5.536	7.233
3.462	2.212	3.124	4.893	6.022	7.365

