

CLARK
PLANNED UNIT DEVELOPMENT DESIGNATION

SUMMIT COUNTY
CLERK AND RECORDER
MAR 17 10 09 AM '99
COLLEEN RICHMOND

367785

This Planned Unit Development Designation, to be known as the Clark Planned Unit Development Designation, is approved this 13th day of February, 1999, 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 general uses which shall be permitted on the property, a general development plan and a summary of development guidelines and conditions which must be adhered to by Charles and Sally Snyder, hereinafter referred to as the owner/developer. This designation also specifies improvements which must be made and conditions which must be fulfilled in conjunction with this designation by the owner/developer.

A. PERMITTED USES AND DEVELOPMENT PLAN

Use and development of the property shall be in substantial compliance with the Development Plans attached as Exhibit "B" hereto, and with the following specific requirements:

1. Permitted Uses

One single family residence, one detached garage and any of the permitted, accessory and conditional uses of the RE Residential zoning district as described in the Summit County Land Use and Development Code now in effect or as hereafter amended.

2. Parking

At least two (2) parking spaces shall be required for the residence and at least two (2) guest parking spaces shall be required. The guest parking spaces can be in front of the garage or in tandem in the driveway. No parking shall be permitted on County roads.

3. Setbacks and Building Height

Setbacks for structures in the Clark PUD shall be as follows:

Principal Structures:		
Front and Rear Yards		25 feet
Side Yards		25 feet
Accessory Structures:		
Front and Rear Yards		25 feet
Side Yards		25 feet

SUMMIT COUNTY
CLERK AND RECORDER
MAR 20 11 01 AM '99
COLLEEN RICHMOND

367856

These setbacks shall apply regardless of street frontage.

Building height shall not exceed 35 feet for principal structures and accessory structures.

B. UTILITIES AND IMPROVEMENTS

Utilities, improvements and services are to be provided in the development of the property as set forth in this section.

1. Water System

Domestic water is to be provided by an on site well.

2. Sewer System

Sanitation facilities are to be provided by an on site septic system approved by the Summit County Environmental Health Department.

3. Access

Access shall be via County Road 950 and County Road 952. County Road 952 is currently not improved to local access standards but is sufficient to provide access to County driveway standards. If it is determined by the County that County Road 952 must be upgraded in the future the owner/developer agrees to participate in any local improvement district formed and/or pay his proportionate share in any coordinated effort by neighboring property owners to improve the road.

4. Landscaping

Revegetation of all disturbed areas shall be required in accordance with the Summit County Grading and Excavation Regulations.

5. Fire Protection

Fire protection will be provided by the Red, White and Blue Fire District. The development of the property shall meet all fire protection standards of the district. Prior to issuance of building permits, fire flow requirements shall be submitted to the Red, White and Blue Fire District and shall not exceed 1,000 gpm. Special design considerations may be necessary to meet this requirement. Special considerations may include the following:

- a. One hour fire rated construction throughout.
- b. Construction types more restrictive than Type V or Type V 1-Hour as outlined in the current edition of the Uniform Building Code.
- c. Fire resistive area separation walls.
- d. Residential sprinkler systems constructed as outlined by National Fire Protection Association pamphlet 13D, current edition.

C. GENERAL PROVISIONS

1. Breach of Provisions of PUD Designation

If any time any provision or requirement stated in this designation has

been breached in a material way 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 building or grading permits applied for on the property until such material breach has been remedied; provided, however, that the County shall not take any affirmative action on account of such material breach until it shall have first notified the owner/developer in writing and afforded a reasonable opportunity to remedy same.

2. Binding Effect

This planned unit development designation shall run with the land and be binding upon the owner/developer and the County and 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 amendment in accordance with the procedure stated in C.3. This designation shall be recorded in order to put prospective purchasers or other interested persons on notice as to the terms contained herein.

3. Amendments

Amendments to the provisions of this planned unit development designation shall be reviewed and acted upon in the same manner as any 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 C.R.S. 24-67-106(3)(b)[1973 as amended].

4. Enforcement

The provisions of the planned unit development 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.

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
PO Box 68
Breckenridge, CO 80424

Notice to Owner/Developer

Charles and Sally Snyder
2970 West Park Drive
Huntington, IN 46750

6. Entire Designation

This designation contains all provisions and requirements incumbent upon the owner/developer relative to the Clark Planned Unit Development, and nothing contained herein shall be construed as waiving any requirements of the County's Land Use and Development Code or other regulations otherwise applicable to the development of the property.

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

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO

BY: *Rich Levengood*
Rich Levengood, Commissioner

ATTEST:

Colleen Richmond
Colleen Richmond, Clerk and Recorder

CLARK PUD

BY: *Charles Snyder*
Charles Snyder

BY: *Sally L. Snyder*
Sally Snyder

puD/clark

CLARK PUD
EXHIBIT "A"

A TRACT OF LAND LOCATED IN THE GOLD HILL PLACER, U. S. MINERAL SURVEY NO. 13719 IN SECTION 7, TOWNSHIP 6 SOUTH, RANGE 77 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SUMMIT COUNTY, COLORADO. SAID TRACT OF LAND BEING DESCRIBED IN BOOK 235 AT PAGE 796 IN THE OFFICE OF THE SUMMIT COUNTY CLERK AND RECORDER AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PARCEL DESCRIBED IN BOOK 235 AT PAGE 769, THENCE

ALONG THE BOUNDARY OF SAID PARCEL FOR THE FOLLOWING TEN COURSES:

- 1) SOUTH 00 DEGREES 21 MINUTES 41 SECONDS EAST, A DISTANCE OF 948.55 FEET TO THE POINT ON THE CENTERLINE OF AN EXISTING ROAD;
 - 2) SOUTH 46 DEGREES 59 MINUTES 30 SECONDS EAST, A DISTANCE OF 64.38 FEET ALONG SAID EXISTING ROAD CENTERLINE;
 - 3) 120.52 FEET ALONG SAID EXISTING ROAD CENTERLINE AND ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 10 DEGREES 54 MINUTES 08 SECONDS, A RADIUS OF 633.39 FEET AND A CHORD WHICH BEARS SOUTH 41 DEGREES 32 MINUTES 26 SECONDS EAST, 120.34 FEET DISTANT TO A POINT OF INTERSECTION WITH THE CENTERLINE OF AN EXISTING ROAD DESCRIBED IN BOOK 206 AT PAGES 01 AND 02;
 - 4) NORTH 44 DEGREES 02 MINUTES 24 SECONDS EAST, A DISTANCE OF 47.69 FEET ALONG THE CENTERLINE OF SAID EXISTING ROAD;
 - 5) 486.35 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 66 DEGREES 57 MINUTES 16 SECONDS, A RADIUS OF 416.19 FEET, AND A CHORD WHICH BEARS NORTH 10 DEGREES 05 MINUTES 17 SECONDS EAST, 459.15 FEET DISTANT ALONG SAID EXISTING ROAD CENTERLINE;
 - 6) 117.43 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 28 DEGREES 58 MINUTES 22 SECONDS, A RADIUS OF 232.23 FEET AND A CHORD WHICH BEARS NORTH 08 DEGREES 54 MINUTES 10 SECONDS WEST, 116.18 FEET DISTANT ALONG SAID EXISTING ROAD CENTERLINE;
 - 7) NORTH 05 DEGREES 35 MINUTES 01 SECONDS EAST, A DISTANCE OF 81.62 FEET ALONG SAID EXISTING ROAD CENTERLINE;
 - 8) 198.44 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 17 DEGREES 30 MINUTES 41 SECONDS, A RADIUS OF 649.28 FEET, AND A CHORD WHICH BEARS NORTH 03 DEGREES 10 MINUTES 19 SECONDS WEST, 197.67 FEET DISTANT ALONG SAID EXISTING ROAD CENTERLINE;
 - 9) NORTH 11 DEGREES 55 MINUTES 40 SECONDS WEST, A DISTANCE OF 207.14 FEET ALONG SAID EXISTING ROAD CENTERLINE;
 - 10) DUE WEST A DISTANCE OF 182.68 FEET TO THE POINT OF BEGINNING.
- EXCEPT THAT TRACT OF LAND AS SET FORTH IN INSTRUMENT RECORDED MARCH 4, 1971, IN BOOK 206 AT PAGE 01.

EXHIBIT "B"
DEVELOPMENT PLAN
CLARK PUD



SCALE 1"=120'

