

SKIERS LODGE
PLANNED UNIT DEVELOPMENT DESIGNATION

COLLEEN RICHMOND
APR 24 1 00 PM '89
SUMMIT COUNTY
CLERK AND RECORDS

369309

This Planned Unit Development Designation, to be known as the Skiers Lodge Planned Unit Development Designation, is approved this 10th day of April, 1989, 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 statement of development guidelines and conditions which must be adhered to by Jack and Kathy Gumph, 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

A bed and breakfast consisting of the following:

a. Manager's Residence	1,205 sq. ft.
b. 10 sleeping rooms, great room, greenhouse, storage and circulation areas	7,000 sq. ft.
TOTAL	8,205 sq. ft.

2. Parking

At least two (2) parking spaces shall be required for the Manager's Residence and at least ten (10) parking spaces shall be required for the sleeping rooms. The 12 parking spaces shall be on site and no parking shall be permitted within the Ski and Racquet Club driveway.

3. Setbacks and Building Height

Setbacks for the Skiers Lodge structure shall be as follows:

Front (east)	60 feet
Rear (west)	10 feet
Side (north)	10 feet
Side (south)	5 feet

Decks may encroach a maximum of five (5) feet in the east, west and north setbacks. No encroachment shall be permitted within the south setback.

Building height shall not exceed 40 feet as determined in the Summit County Land Use and Development Code.

4. Platting

A final plat of the Property has been approved by the County and is recorded at Reception No. 295894.

5. Development Schedule

The Owner/Developer intends to install all utilities and construct foundations during the summer of 1989, and to complete the structure during the summer of 1990.

6. Wood Burning Devices

The Owner/Developer shall install no more than three (3) wood burning devices. This shall be restricted to two (2) high-efficiency wood stoves and one masonry fireplace. The fireplace shall be fitted with at least glass doors to improve its efficiency. Prior to the issuance of building permits, the Planning Department shall determine if the technology exists to fit the fireplace with a catalytic converter or similar emissions control device and shall require that such technology be used if it is available. The determination by the Planning Department shall be appealable to the Upper Blue Planning Commission.

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

Water is to be provided by the Blue River Water District. Construction of water mains shall be in conformance with the regulations of the District.

2. Sewer System

Sanitary sewer service is to be provided by the Breckenridge Sanitation District. Construction of sewer mains shall be in conformance with the regulations of the District.

3. Access

Access to the Property shall be provided from Highway 9 by the Ski and Racquet Club driveway. Prior to the issuance of occupancy permits, the driveway shall be upgraded to local access road standards as specified in the County Road and Bridge Standards.

4. Fire Protection

Fire protection is to be provided by the Red, White and Blue Fire Protection District, and the Owner/Developer shall meet all fire protection requirements of the District including the requirement that the

fireflow rating of the structure not exceed the available fireflow at the site.

5. Landscaping

Landscaping shall be installed in accordance with the detailed landscaping plan as approved by the County.

C. GENERAL PROVISIONS

1. 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.

2. Breach of Provisions of PUD Designation

If at any time any provision or requirement 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 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:

Jack and Kathy Gumph
1250 W. 152nd Ave.
Broomfield, CO 80020

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 (name of planned unit development) 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 County's Land Use and Development Code or other regulations otherwise applicable to the development of the Property.

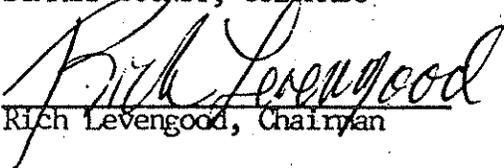
7. Effective Date

This designation must be signed by both the Summit County Board of County Commissioners and the Owner/Developer and must be recorded by the Summit County Clerk and Recorder in order to become effective. The effective date shall be the date of recordation.

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

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO

BY:


Rich Levengood, Chairman

RESOLUTION NO. 89- 18

Before the Board of County Commissioners of the
County of Summit
State of Colorado

APPROVING A REZONING OF LOT 3, WOODS MANOR SUBDIVISION, TO PLANNED UNIT DEVELOPMENT (Applicant: Jack and Kathy Gumph).

WHEREAS, Jack and Kathy Gumph have made application to the Board of County Commissioners to rezone from R-6 Residential to Planned Unit Development, the real property located in the unincorporated area of Summit County, Colorado, as described in Exhibits A and B; and,

WHEREAS, the application has been reviewed by the Summit County Planning Department and the Upper Blue Planning Commission, and they have recommended approval of the application to the Board of County Commissioners; and,

WHEREAS, the Board of County Commissioners has held a public hearing on the application on April 10, 1989, with public notice as required by law; and,

WHEREAS, the Board of County Commissioners has considered the recommendation of the Planning Department and the Upper Blue Planning Commission, and the testimony offered at the public hearing; and,

WHEREAS, in approving this application, the Board of County Commissioners does hereby find as follows:

1. The rezoning is consistent with the Summit County Master Plan in that:
 - a. The Skier's Lodge PUD will provide guaranteed landscaping and revegetation and utilize mitigation techniques to protect water quality as required by the Summit County Grading and Excavation Regulations; and,
 - b. The Skier's Lodge PUD will utilize high quality construction techniques and minimize site disturbance during development.
2. There are no policies of the County Master Plan with which the Skier's Lodge PUD is in direct conflict.
3. The rezoning is compatible with surrounding land uses in that the proposed bed and breakfast is compatible with the adjacent multifamily development.
4. The rezoning maintains reasonable stability in zoning regulations in that the proposed bed and breakfast is similar in use and intensity as the adjacent multifamily developments.

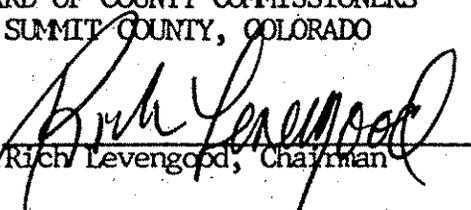
5. The rezoning is in the best interest of public health, safety, and welfare in that adequate potable water and sanitation facilities are provided and adequate access to Highway 9 will be provided, and the applicants are taking measures to protect air quality by installing "double-burning" wood stoves.
6. The site is suitable for the proposed use in that the development plan illustrates the proposed structure can be placed on the property within reasonable setbacks and with adequate off street parking.
7. The proposed bed and breakfast is in conformance with the Upper Blue Master Plan in that:
 - a. The property is located in the Residential Land Use category which permits single family, townhouse and similar development; and,
 - b. The owners are taking action to protect air quality by installing "double-burning" wood stoves within the development.

WHEREAS, the requested PUD zoning district is best suited to the project, insures the development will be carried out as proposed, and allows the County to protect the public interest to a greater degree than would be possible with another zoning designation.

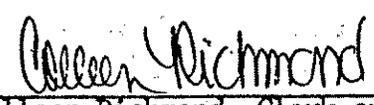
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, COLORADO, does hereby approve rezoning the property described in Exhibits A and B from R-6 Residential to Planned Unit Development, subject to the provisions of the Skier's Lodge PUD designation which must be signed by the Board of County Commissioners and the owner/developer, and must be dated and recorded for this rezoning action to take effect.

ADOPTED this 10th day of April, 1989.

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO

By: 
Rich Levengood, Chairman

ATTEST:


Colleen Richmond, Clerk and Recorder

Skiers Lodge PUD Designation
April 10, 1989
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ATTEST:

Colleen Richmond
Colleen Richmond, Clerk and Recorder



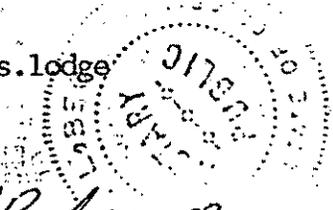
BY: Jack Gumph
Jack Gumph, Owner

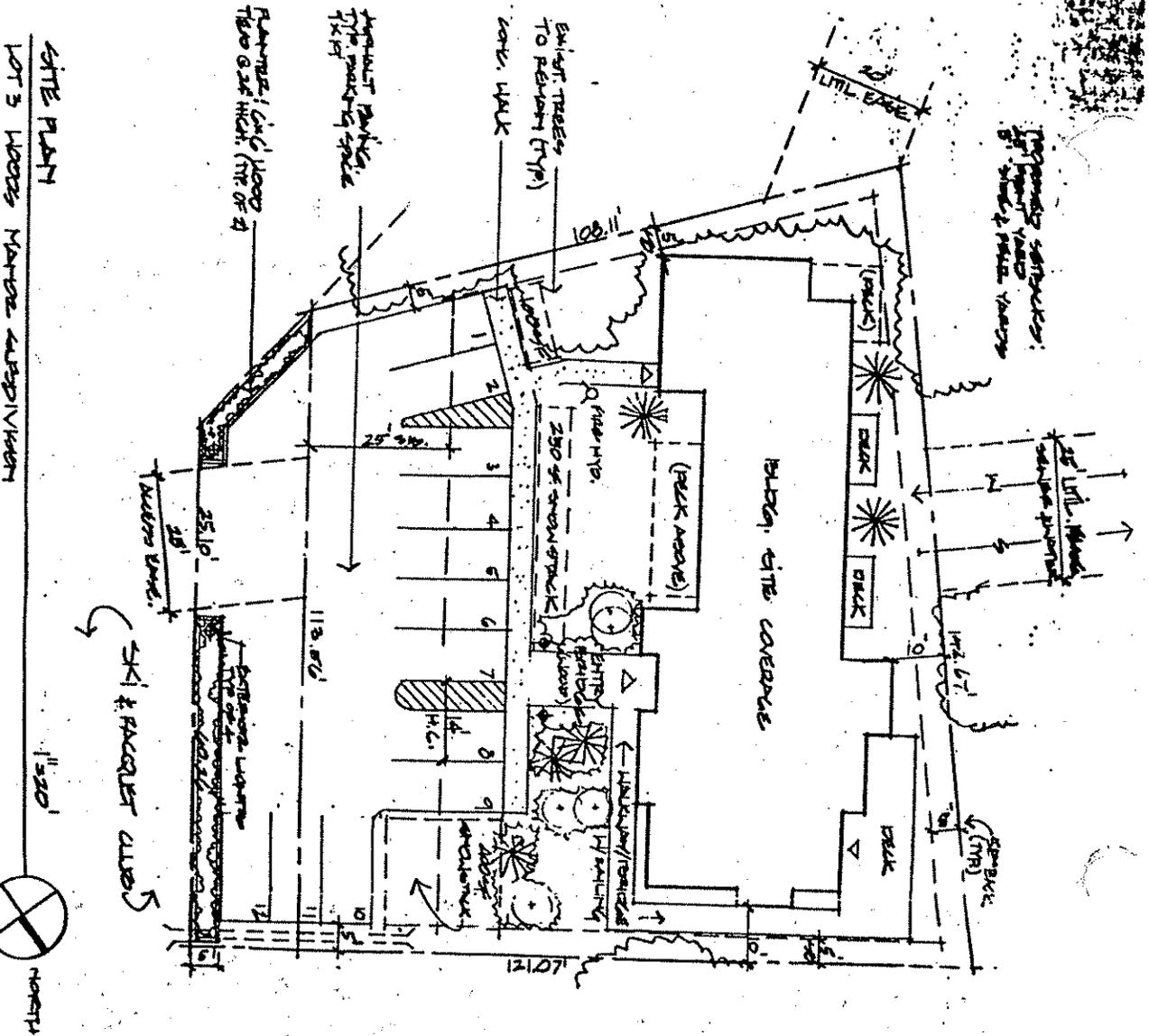
BY: Kathy Gumph
Kathy Gumph, Owner

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Linda J. LeBeck 414-89
Notary

My Commission Expires May 22, 1989





SITE PLAN
LOT 3 WOODS MANOR SUBDIVISION



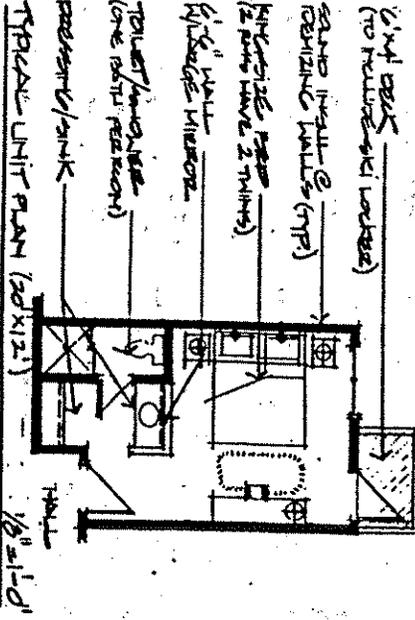
EXHIBIT "B"
SKIERS LODGE PUD DEVELOPMENT PLAN

PROJECT DATA

SITE AREA: (4,505 sq ft)
 16,370 sq ft
 3,644 sq ft
 8,205 sq ft
 4,470 sq ft
 464 sq ft
 700 sq ft
 12 sq ft
 778 sq ft
 378 sq ft
 47%

KEY	CONTAIN NAME	PORTNAME NAME	QTY	SIZE
+	APPLEN	ROBILLS	5	10'-12"
*	SKIERMAN	TRADITIONALE	7	10' HT
○	POTENTIAL	ROMENTILLA spp.	50	5' gpl.

1. EXIST. L.S. LOCATIONS TO BE APPROVED BY ARCHITECT & COUNTY PRIOR TO CONSTRUCTION.
2. ALL PLANTINGS ARE TO BE INSTALLED WITH COUNTY APPROVED MIX.



BAKER + HOGAN ASSOCIATES
ARCHITECTS

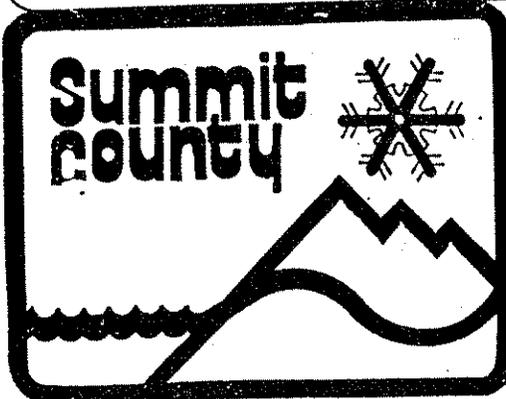
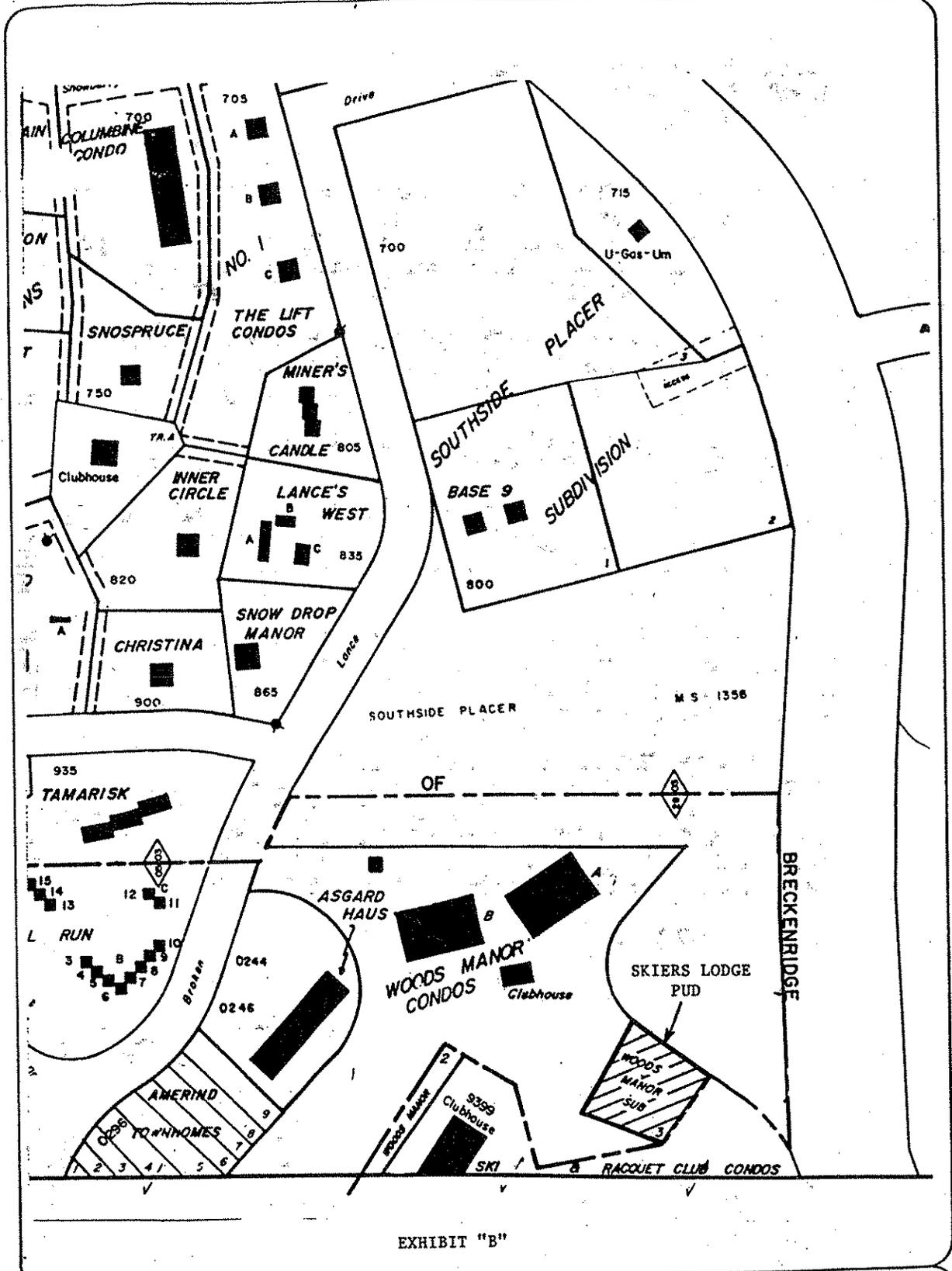
PO BOX 831 • BRECKENRIDGE, COLORADO 80424 • (303) 457-8860

PC1A1A

LOT 3, WOODS MANOR

PROJECT NUMBER:
2
SHEET NUMBER:
4

1-6672
1-13-01
TRM/MPM



OFFICIAL ZONING MAP

FOR: SKIERS LODGE

ADOPTED BY THE SUMMIT COUNTY BOARD OF COUNTY COMMISSIONERS

DATE: APRIL 10, 1989

RESOLUTION NUMBER: #89-18

Rich Levengood

Rich Levengood, Chairman

EXHIBIT A
LEGAL DESCRIPTION

A Tract of land described as Lot 3, Woods Manor Subdivision.

Aug 22
Sept - work
Nov - P.
Dec BOCC.