



**TERI'S UPHOLSTERY PUD  
PLANNED UNIT DEVELOPMENT DESIGNATION**

This Planned Unit Development Designation, to be known as Teri's Upholstery PUD, is approved this 25<sup>th</sup> day of March 1996 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 Teri and Joe Dismont 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 accordance with the Development Plan attached hereto Exhibit B and the following specific requirements:

**1. Permitted Uses**

- a. 1,084 square foot residential unit
- b. 2,150 square feet of service commercial space, or other similar use as outlined in current or amended B-3 regulations (Appendix 3-1 of the Development Code)

**2. Accessory and Conditional Uses**

Outdoor storage per all applicable Development Code requirements

**3. Animal Keeping**

Animal keeping per all applicable Development Code requirements

**B. DEVELOPMENT STANDARDS**

**1. Building Height**

Building heights shall not exceed 35 feet as defined in the Summit County Land Use and Development Code

**2. Setbacks**

Residential and Commercial Buildings

- Front: 30 feet from the access easement
- Rear: 10 feet
- Side: 10 feet

Parking

- Front: 10 feet
- Rear: 10 feet
- Side: 5 feet

**3. Parking**

At least five parking spaces shall be required for each residence. No parking shall be permitted on County roads.

**4. Designated Open Space Areas/Public Use Areas**

- a. **Open Space areas:** The open space areas as shown conceptually in Exhibit B shall remain open and free from all improvements except landscaping, utility work and access.

**5. Signs and Lighting**

All signs shall comply with the Summit County Sign Regulations and the B-3 Regulations as now in effect or hereafter amended. In no event, will glossy or neon materials be allowed for signs.

**6. Site Plan Review**

The project shall comply with Section 12600 of the Summit County Land Use and Development Codes

**7. Architectural Character**

The height, width and depth of any building constructed on the property shall be similar to traditional ranch buildings. Roofs shall be designed with simple gable and shed forms. Natural exterior materials and colors, such as natural wood or painted wood clapboard and board and batten siding, shall be used on any remodeling or new construction on the site. Masonry and brick shall be used only as secondary materials.

**8. Landscaping**

All landscaping shall comply with the Summit county Landscaping Regulations and the B-3 Regulations as now in effect or hereafter amended.

**C. REQUIRED IMPROVEMENTS**

**1. Access**

- a. **Roadways:** Access to the property and to all building sites shall be provided by roads built to applicable County standards.

**2. Water Systems**

Water supply for the development shall be provided by an on-site well. Adequate fire flows shall be provided as determined by the Red, White and Blue Fire Protection District.

**3. Sewer Systems**

Sewage for the development shall be provided by the Breckenridge Sanitation District.

**4. Fire Protection**

The entire property is located within the Red, White and Blue Fire Protection District. All development on the property shall meet all fire protection requirement 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.

**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 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 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), unless such amendment is determined to be minor in nature.

**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

Teri Smith and Joe Dismont  
P.O. Box 987  
Frisco, CO 80443

All notices so given shall be considered delivered three days after the mailing thereof, excluding weekends or official holidays. 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 Teri's Upholstery 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**

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.

**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 shall insure that information necessary for the periodic review is made available to the County within the time frames as may be established in Chapter 12. The Owner/Developer further understands that failure to provide the necessary information or to proceed with the review process may result in development approvals within the PUD being withheld.

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

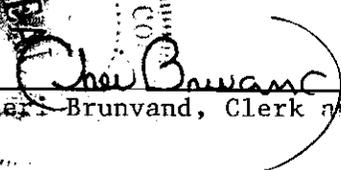
BOARD OF COUNTY COMMISSIONERS  
OF SUMMIT COUNTY, COLORADO



Gary M. Lindstrom, Chairman

Approved as  
to form  
FC  
Legal

ATTEST:

  
  
Cheryl Brunvand, Clerk and Recorder

ATTEST:

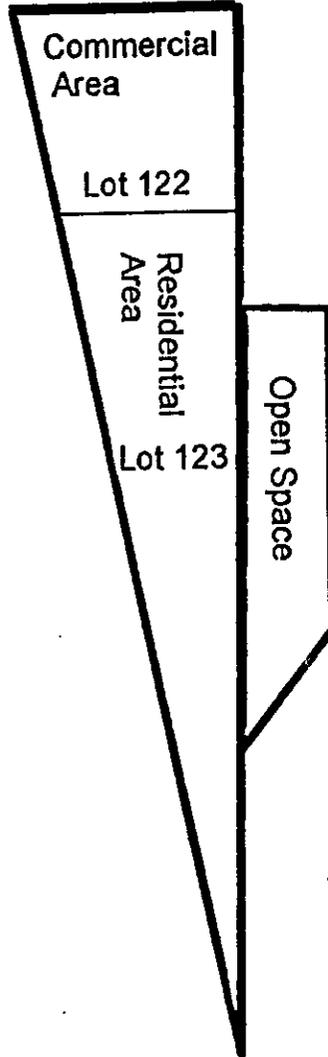
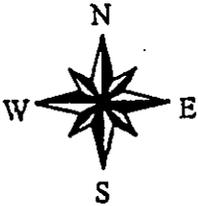
Teri L. Smith: maiden  
Teri L. Dismont: married  
Teri L. Dismont, Owner/Developer

**Exhibit A**

**Teri's Upholstery PUD Legal Description**

**Lots 122 and 123 Leo Subdivision Filing #2, and Outlot A of Seldom Acres Subdivision**

# TERI'S UPHOLSTERY PUD



Outlot A of Seldom Acres



SUMMIT  
COUNTY

## OFFICIAL ZONING MAP

FOR:

ADOPTED BY THE SUMMIT COUNTY BOCC

DATE:

RESO#:

Gary M. Lindstrom, Chairman