AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

AgendaTitle:
Authorization for Enforcement of Gunnison County Land Use Resolution, Gunnison County Individual Sewage Disposal System Regulations, and 2009 International Building Code; Golden Glen Properties, LLC; Monica and Patrick Wild; Redden Ranches, LLC

Action Requested: Discussion Requesting "green light" to pursue enforcement

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:
Requesting consent to take advantage of any and all enforcement mechanisms as described in Article 16 of the LUR, Article 15 of the ISDS Regulations, and the 2009 International Building Code, up to and including litigation, for three separate violations.

Fiscal Impact:

Submitted by: Crystal Lambert **Submitter's Email Address:** clambert@gunnisoncounty.org

Finance Review: ○ Required ● Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ● Required ○ Not Required

Comments:

ok db 7/9/14

Reviewed by: GUNCOUNTY1\dBaumgarten Discharge Date: 7/9/2014 Certificate of Insurance Required Yes ○ No ●

County Manager Review:

Comments:

Reviewed by: GUNCOUNTY1\mbirnie Discharge Date: 7/9/2014

○ Consent Agenda ● Regular Agenda ○ Worksession Time Allotted: 15 min

Agenda Date: 7/15/2014 Follow Up Agenda Date:

Revised April 2013

Gunnison County, CO
Community Development Department
221 N. Wisconsin St. Ste. D, Gunnison, CO 81230
Phone: (970) 641-0360 FAX: (970) 641-8585
Website: www.gunnisoncounty.org/planning.html
Email: planning@gunnisoncounty.org

To: Board of County Commissioners

From: Gunnison County Enforcement Team and Russ Forrest, Community Development Director

Date: 7/9/2014

Re: Requesting consent to take advantage of any and all enforcement mechanisms as described in Article 16 of the Land Use Resolution, Article 15 of the Individual Sewage Disposal System Regulations, and the 2009 International Building Code, up to and including litigation, for the following three violations.

Golden Glen Properties, LLC
22 County Road 727
(Just off County Road 730 at the turn off to Mill Creek)
Violation: structure erected without a building permit.

On August 22nd, 2013 the owners applied for a building permit for a 480 SF greenhouse. The application was reviewed and the owners were notified on August 26th, 2013 of the following items that would be needed in order to issue a building permit:

- Sage grouse comments
- A site plan drawn to scale with setbacks to water bodies and floodplain identified
- Flood elevation certificate
- Driveway access and reclamation permitting or waiver

The additional items were not received and in late September the structure was observed on the property.
On October 2nd, 2013 a Stop Work Order was issued and the owners were given a date of November 4th, 2013 to submit the requested items for review in order to receive a building permit or remove the structure.
There has been no response from the property owner.

Monica & Patrick Wild (property owners)
Daniel Goldstein (tenant)
70 Candlelight Lane
Violation: erected a structure without a building permit

In late April, the tenant inquired about getting a building permit for a greenhouse. He was given information and instructions about the process and what would be needed. The following week a verbal inquiry and complaint was received by a member of homeowners association concerning a greenhouse with an approximate square footage

of 430. Staff drove by the property and confirmed that a structure was erected on the property without a building permit.
A Stop Work Order was issued on May 9th, 2014 and a Notice of Violation was issued on June 6th, 2014. The owners were given a date of July 11th, 2014 to either submit a complete application for a building permit or remove the structure.
A written complaint from a member of the North Valley Subdivision Homeowners Association was received on June 4th, 2015.
A response letter from the tenant was received on July 3rd, 2014. The tenant has proposed to submit an application for a building permit in September of 2014.

Redden Ranches LLC (property owner)
Rowel Goodwin (lessee of property)
5161 County Road 730
Violation: erected a structure without building or septic permits

A verbal inquiry was received by the property owner on May 9th, 2014 suspecting that the lessee of their property was constructing habitable space inside an agricultural barn (still under construction). An inspection of the structure, conducted by County staff on May 14th, 2014, disclosed that the interior of the barn was being finished off as habitable space and occupied. Life safety and wastewater disposal issues were observed. A Stop Work Order issued on May 14th, 2013. A Notice of Violation & Notice to Cease and Desist was issued on May 22nd, 2014. The owner was given a date of June 23rd, 2014 to provide a plan to bring the structure into compliance with the LUR, and applicable building and sewage disposal system regulations.