GUNNISON COUNTY, COLORADO
PLANNING DEPARTMENT STAFF REPORT
for MINOR IMPACT

Land Use Change Permit Application: Fialkoff
Application No: LUC-15-00010
Date application scheduled with Planning Commission: June 5, 2015
Prepared by: Cathie Pagano, Planner

APPLICANT NAME:	David Leinsdorf
PROPERTY OWNER NAME:	Frank Fialkoff
PROJECT DESCRIPTION:	Applicant is requesting construction of a 3,073 square foot addition to the existing 7,388 square foot primary residence (10,461 sq. ft. total), in excess of the maximum thresholds identified in Section 13-105: *Residential Building Sizes and Lot Coverages.* Building Permit, BP-14-000182 was issued October 27, 2014 for a portion of the proposed addition that will allow the construction of 2,612 square feet. The applicant asserts that the remaining square footage will be used as a basement.
PROPERTY LOCATION:	The subject parcel is located 9 miles south of the Town of Crested Butte in the Roaring Judy Ranch development.
SURROUNDING LAND USES:	Uses adjacent to the subject parcel include residential and public lands.
AGENCY AND DEPARTMENT REVIEWS:	• Gunnison County Public Works • Colorado Division of Parks and Wildlife • Gunnison Fire Protection District
PRE-APPLICATION CONFERENCE:	Staff met with Johnny Biggers, contractor and Dan Murphy, Architect regarding the proposal.
STATUS OF APPLICATION:	• Complete
ATTACHED EXHIBITS:	• Copy of Minor Impact application dated May 18, 2015
PLANNING COMMISSION TASKS AT INITIAL WORK SESSION:	— Acknowledge receipt of application by applicant name, name of development (if applicable) and date of application — Hear applicant presentation — Identify and consider issues — Determine impact classification, considering both by definition and criteria of Section 3-111: B. 1. — Create list at end of meeting of items to be addressed at next meeting, and the date by which related information is to be submitted — Set site visit date — Determine if application is ready to be set for public hearing, or if other work session is required
INITIAL IMPACT CLASSIFICATION:	Minor Impact Project as identified in Section 13-105:G

OTHER CRITERIA OF IMPACT CLASSIFICATION (SEC. 3-111. B. 1.)		**Demand for public services.** The proposed land use change is expected to generate a minor or a major demand for public services, including roads, transit, schools, water supply, sewage disposal, fire and police protection, and emergency services. **Impacts on impact area and the environment.** The proposed land use change is expected to generate a minor or a major impact on the impact area. **Impacts related to all existing and proposed development and proposed development in impact area.** The impacts of the proposed land use change, when considered in conjunction with existing and proposed land use changes in the impact area, are expected to be minor.
EA or EIS is required for this project	☐ Yes ☒ No	
Project located in Special Geographic Area	☐ Yes ☒ No	
Phasing proposed	☐ Yes ☒ No	
Is a Partially Exempted land use change (Section 1-106)	☐ Yes ☒ No	

APPLICABILITY OF *LAND USE RESOLUTION* STANDARDS:

STANDARD, BY LUR SECTION, DIVISION AND/OR ARTICLE	Plan complies, or compliance will be determined during review	Staff Comments/ References to specific documentation
9-101: E. and F.: Secondary residences are allowed, and standards are addressed in covenants	☐ Yes ☐ No ☒ N/A	No secondary residence is proposed as part of this application.
9-102: Home occupations	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-103: Bed and breakfast	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-203: Mobile home communities	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-302: Farm or ranch stand	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-303: Dude ranches and resorts	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-304: Adult-oriented uses	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-305: Seasonal recreational vehicle parks and campgrounds	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-400: Minerals and construction materials	☐ Yes ☐ No ☒ N/A	Not requested as part of this application

9-501: Special events	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-502: Temporary structures	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-503: Satellite dishes	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-504: Attached wireless communications devices	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-505: Freestanding wireless communications structures	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-506: Child care center	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-507: Group home	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-508: Keeping of livestock not on an agricultural operation	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-509: Camping on individual parcel	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
9-600: Essential housing	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
10-102: Locational standards for residential development	☐ Yes ☐ No ☒ N/A	Not applicable, the application is for one single-family residence.
10-103: Residential density	☐ Yes ☐ No ☒ N/A	Not applicable, the application is for one single-family residence.
10-104: Locational standards for commercial, industrial or other non-residential uses	☐ Yes ☐ No ☒ N/A	Not requested as part of this application
11-102: Voluntary best management practices	No submittal requirements and no standard	
11-103: Development in flood hazard areas	☐ Yes ☐ No ☒ N/A	The subject parcel and proposed development are not located within a 100-year floodplain.
11-104: Development in geologic hazard areas	☐ Yes ☐ No ☒ N/A	The subject parcel and proposed development are in an area of identified unstable slopes geologic hazards. A geotechnical report prepared by Buckhorn Geotech, dated September 9, 2014 was submitted with BP-14-00182.
11-105: Development in wildfire hazard areas	☒ Yes ☐ No ☐ N/A	Portions of the subject parcel are in a high wildfire hazard area. The owner will be required to sign and notarize an acknowledgement and disclaimer document as part of the building permit review.
11-106: Protection of wildlife habitat areas	☒ Yes ☐ No ☐ N/A	The subject parcel is a developed lot and there is no identified sage grouse habitat.

11-107: Protection of water quality	☐ Yes ☐ No ☒ N/A	There are no water bodies within 125 feet of the proposed development.
11-108: Standards for development on ridgelines	☐ Yes ☐ No ☒ N/A	The subject parcel is not on a ridgeline.
11-109: Development that affects agricultural lands	☒ Yes ☐ No ☐ N/A	Not applicable, the subject parcels does not affect agricultural lands.
11-110: Development beyond snowplowed access	☐ Yes ☐ No ☒ N/A	The subject parcel is not beyond snowplowed access.
11-111: Development on Inholdings in national wilderness	☐ Yes ☐ No ☒ N/A	The subject parcel is not an inholding.
11-112: Development above timberline	☐ Yes ☐ No ☒ N/A	The subject parcel is not above timberline.
12-103: Road system	☒ Yes ☐ No ☐ N/A	Not applicable, there is an existing driveway on the subject parcel that will not be altered as part of this project.
12-104: Trails	☐ Yes ☐ No ☒ N/A	No public trails exist on the property and no new public trails are contemplated in this application.
12-105: Water Supply	☒ Yes ☐ No ☒ N/A	A copy of the well permit has not been submitted yet, the applicant is required to provide the permit prior to any Land use Change permit approval.
12-106: Wastewater treatment	☒ Yes ☐ No ☐ N/A	There is an existing individual sewage disposal system for the residence. OWTS-14-00181 was issued on May 22, 2015 to accommodate the addition.
12-107: Fire protection	☒ Yes ☐ No ☐ N/A	The subject parcel is within the Gunnison Fire District. The applicant has contacted the Fire District for the purpose of being informed of their standards.
13-102: B.: Location within municipal three-mile plan area	☐ Yes ☐ No ☒ N/A	The subject parcel is not within a three-mile area.
13-103: General Site Plan Standards And Lot Measurements	☒ Yes ☐ No ☐ N/A	Application meets the minimum requirements of this Section.
13-104: Setbacks From Property Lines And Road Rights-Of-Way	☒ Yes ☐ No ☐ N/A	Proposed development complies with residential setback requirements as identified in this Section.
13-105: Residential Building Sizes And Lot Coverages	☒ Yes ☐ No ☐ N/A	The applicant proposes to expand the existing single family residence to 10,461 square feet. The maximum residential square footage allowed without a Land Use Change permit is 10,000 square feet. The applicant has submitted a response to compliance with this section in Tab 1 of the application. The applicant is required to show that there is no obtrusive visibility which shall include the following elements: • Minimize visibility of structure by siting • Minimize visibility of structure by screening • Location of utilities underground.

		The applicant states, “all square footage of the primary residence in excess of 8,703 square feet is underground on three sides, as shown on the elevations. Therefore, it is not only unobtrusive, it is invisible, except from the north as shown on the elevations.
13-106: Energy And Resource Conservation	☒ Yes ☐ No ☐ N/A	The proposed development is a residence and this section does apply and will be reviewed at the time of building permit application.
13-107: Installation Of Solid-Fuel-Burning Devices	☒ Yes ☐ No ☐ N/A	This section does apply and will be applied at the time of building permit issuance.
13-108: Open Space And Recreation Areas	☐ Yes ☐ No ☒ N/A	No requirement for open space is required of this application.
13-109: Signs	☐ Yes ☐ No ☒ N/A	No signs requested as part of this application.
13-110: Off-Road Parking And Loading	☒ Yes ☐ No ☐ N/A	There is adequate area on the parcel for parking of the vehicles which is depicted on the site plan.
13-111: Landscaping And Buffering	☒ Yes ☐ No ☐ N/A	The applicant proposes that landscape planting areas be seeded with native plants.
13-112: Snow Storage	☒ Yes ☐ No ☐ N/A	The applicants have adequate area for snow storage. The application has been sent to Public Works for review.
13-113: Fencing	☐ Yes ☐ No ☒ N/A	No fencing is proposed as part of the application.
13-114: Exterior Lighting	☒ Yes ☐ No ☐ N/A	Compliance with this Section is required.
13-115: Reclamation And Noxious Weed Control	☒ Yes ☐ No ☐ N/A	Compliance with this Section is required.
13-116: Grading And Erosion Control	☒ Yes ☐ No ☐ N/A	If grading of the site is proposed a reclamation permit shall be required.
13-117: Drainage, Construction And Post-Construction Storm Water Runoff	☐ Yes ☐ No ☒ N/A	The proposed development is not within 100 feet of a water body and does not create more than 10,000 square feet of impervious surface area and therefore this Section is not applicable.
13-118: Water Impoundments	☐ Yes ☐ No ☒ N/A	No water impoundments are proposed as part of this application.
13-119: Standards To Ensure Compatible Uses	☐ Yes ☐ No ☐ N/A	The application has been reviewed and approved by the Roaring Judy Homeowner’s Association in a letter dated, October 9, 2014. The residential living square footage is broken up across several buildings and does not appear to be obtrusive, nor is a portion of the basement square footage visible.