

CASE SUMMARY
Regular Agenda

BOA Hearing Date: December 7, 2022

22-119725 VC Special Exception

Owner/Applicant: Anh Nguyen Dao

Location: 20133 Silver Ranch Road, Conifer
Section 28, Township 6 South, Range 70 West

Approximate Area: 4.16 Acres

Zoning: Suburban Residential-Two (SR-2)

Purpose: **To allow a Short-Term Rental**

Case Manager: Allie McGahee

Issues:

- None

Recommendations:

- **Staff:** Recommends **approval** subject to conditions

Interested Parties:

- None

Level of Community Interest: Low

Case Manager Information: Phone: 303-271-8736 e-mail: almcgahe@jeffco.us

Staff Report

BOA Hearing Date: December 7, 2022

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Case Manager: Allie McGahee

Previous Actions: None

Surrounding Zoning: North: Suburban Residential-Two (SR-2)
South: Agricultural-Two (A-2)
East: Agricultural-Two (A-2)
West: Agricultural-Two (A-2)

Existing Use: Residential

Existing Structures: Single-Family Home

Services: Elk Creek Fire Protection District
Individual Water Well
Individual Septic

BACKGROUND/DISCUSSION:

The applicant is requesting to use their residence at 20133 Silver Ranch Road as a Short-Term Rental (STR). The residence is a four-bedroom home on a 4.16-acre parcel. The property and residence meet all requirements for a Special Exception to allow a STR.

SITE CHARACTERISTICS AND IMPACTS:

The property is located 6-miles southeast of US Highway 285. The property takes access from Silver Ranch Road, an unpaved public road, which draws access from Pleasant Park Rd, a paved County-maintained road. The site has a single-family dwelling with an attached garage. The site contains a variety of trees and shrubs and has slopes ranging from 10%-50% across the property. The subject property and current site conditions are in line with the overall character of the neighborhood.

ZONING REQUIREMENTS AND ANALYSIS:

Section 11.B.2.e of the Jefferson County Zoning Resolution provides criteria for the Board of Adjustment to review for a Special Exception for a STR. With respect to a short-term rental of a single-family dwelling, the following criteria are analyzed:

(1) The Board of Adjustment may permit a short-term rental within the R-1, RR, MR-1, SR-1, SR-2, SR-5, A-1, A-2 or A-35 zone districts or a comparable Planned Development zone district.

(a) The Board of Adjustment, in reviewing and making its decision upon such applications shall consider the impacts of the proposed use upon property in the surrounding area, including but not limited to:

(a-1) Traffic impacts, volume of trips, safety and access;

The property has adequate parking for at least five vehicles. The parking spaces allow independent egress in the event of emergency.

(a-2) Fire hazards;

The property is served by the Elk Creek Fire Protection District. The subject property is within the Wildland Urban Interface Overlay District, which requires the property to obtain a Defensible Space permit for a Short-Term Rental. The Zoning Resolution prohibits Short-Term Rentals from having outdoor fires using wood or charcoal as fuel.

(a-3) Visual and aesthetic impact, including bulk and scale of buildings as they relate to the uses on surrounding properties;

No negative visual impacts will be created by the approval of this application. The single-family dwelling is the only structure that will be used as a Short-Term Rental, and no additions to the dwelling are proposed.

(a-4) Noise;

The Short-Term Rental use must comply with the County's Noise Abatement Policy. The Jefferson County Sheriff's Office enforces this regulatory policy. The nearest home is approximately 270-feet from the subject property home.

(a-5) Drainage, erosion and flood hazards;

There is not a FEMA Floodplain on the property therefore the proposed Short-Term Rental would not increase the deleterious effects of flood hazards, drainage, or erosion on the property.

(a-6) Community character;

The home was originally built in 2001. Allowing this residential property to become a Short-Term Rental would not affect community character, as it will remain residential.

(a-7) Adequate water and sewage disposal availability;

The property is served by a private-well and an individual septic system. The septic system is rated for four bedrooms, which would allow for eight total overnight occupants, per Jefferson County Public Health (Public Health) guidelines.

(a-8) The availability of methods of mitigating the negative impacts of the proposed use upon the surrounding area;

The single-family dwelling to be used as the Short-Term Rental meets all lot and building standards of the underlying zone district. The property also provides adequate parking for the home's use as a Short-Term Rental and single-family residence to ensure that all vehicles will be parked on site.

(a-9) The compatibility of the short-term rental with the existing and allowable land uses in the surrounding area; and

The structure in which the Short-Term Rental would be conducted is residential in nature which is compatible with the surrounding residential uses.

(a-10) The effect upon health, safety and welfare of the residents in the surrounding area.

Staff finds that the use of a Short-Term Rental would not create negative effects on the health, safety, or welfare of the residents in the surrounding area, since it would have similar impacts as a single-family residential property.

(2) Limitations upon Short-term Rental Special Exception Applications

(a) The lot, parcel, or boundary area subject to the Special Exception must conform to:

(a-1) A minimum lot size of one acre.

The subject property is 4.16 acres.

(a-2) Building standards of the underlying zone district.

The structure meets the lot and building standards of the SR-2 zone district.

(b) The proposed short-term rental shall provide a minimum of one (1) off-street parking space, plus one (1) additional off-street parking space per bedroom room. For example, a five-bedroom residence must have six off-street parking spaces to meet this criterion.

The property intended for short-term rental is allowed to rent four bedrooms per the property's septic rating. This would require five parking spaces. There is adequate parking provided in the driveway which allows for independent egress.

(c) The property owner shall comply with any defensible space requirements as set forth in the *Wildland Urban Interface Overlay District*.

The subject property is within the Wildland Urban Interface Overlay District and the applicant must complete a Defensible Space Permit.

(d) Valid water and sanitation must be provided either by an appropriate water and sanitation district or by a valid well permit and individual sewage disposal system (ISDS) permit specific to the property.

The property is served by an individual well and an individual septic system.

Colorado Division of Water Resources well permit number 219123 along with supporting documents were provided for single-family residential use on the property.

The On-Site Wastewater Permit number is 22-113280 OW; it is rated for four bedrooms. Per the guidance provided by Public Health, the septic system rated for four bedrooms has an occupancy limit of eight persons.

(e) The lot, parcel, or boundary area subject to the Special Exception shall take legal access from a County maintained right-of-way or a private road that meets the minimum standard for private roads and driveways or non-maintained County right-of-way as set forth in the Jefferson County Roadway Design and Construction manual.

The Short-Term Rental takes access from Silver Ranch Road, an unpaved public road.

(f) The short-term rental shall offer overnight accommodations in the primary single-family dwelling in existence on the property, not in an accessory dwelling unit. The entire property including accessory uses in the corresponding zone district may be utilized by the guests of the short-term rental.

The structure on the property to be rented is a single-family dwelling, and the property does not have an Accessory Dwelling Unit.

(g) The property owner may not, at the time of application for the Special Exception, be the subject of an ongoing zoning violation other than the short-term rental of a single-family dwelling.

There are no active violations on the property at the time of this report.

(h) No substantial detriment to the intent of the Zoning Resolution will be caused.

Staff finds that the approval of this Special Exception will not harm the intent of the Zoning

Resolution, as the use is substantially similar to the residential uses already permitted on the property.

(3) Such Special Exception, if granted, will be valid for a period of six months from the date of the approval of the short-term rental Special Exception request and thereafter may be renewed annually after a complete rehearing by the Board of Adjustment to determine that the use is in compliance with the intent and purpose for which the Special Exception was granted.

(4) Upon an affirmative decision, the applicant shall submit a request for a Short-Term Rental Permit including documentation that all requirements and conditions of the Special Exception granted pursuant to this section have been fulfilled.

NOTIFICATION:

As a requirement of the Jefferson County Zoning Resolution, the following notice was provided for this proposal:

1. Notification of this proposed Special Exception application was mailed to adjacent property owners, (which includes the property owners on the opposite side of the public local street) and to the Registered Associations within which the property is located. The notification was sent 14 days prior to the Board of Adjustment Hearing.
2. One double-sided sign, identifying the nature of the Special Exception request, was provided to the applicant for posting on the site. The sign was provided to the applicant with instructions that the site be posted 14 days prior to the Board of Adjustment Hearing.

The Registered Associations that received notification are:

- | | |
|--|----------------------------------|
| • Conifer Area Council | • Jefferson County Horse Council |
| • Pleasant Park Grange No 156 | • PLAN Jeffco |
| • Pleasant Park Neighborhood Association | • RISE-UP |

During the processing of the application, Staff received thirteen written public comments in opposition and one written public comment in support. The public comments relate to concerns with road-maintenance, fire hazards, having a short-term rental in the neighborhood, and wildlife.

Full comments are included in the Case Packet.

ANALYSIS:

Staff has evaluated this request based on the requirements for the approval of a Special Exception request for a Short-Term Rental as listed in Section 11.B.2.e. of the Jefferson County Zoning Resolution. Staff finds that the applicant has met the requirements necessary to allow this request.

STAFF FINDINGS:

1. Staff finds that the applicant meets all the requirements under Section 11.B.2.e of the Jefferson County Zoning Resolution regarding Short-Term Rentals.
2. Staff recommends APPROVAL of Case No. 22-119725 VC, subject to the following conditions:
 - a. A Short-Term Rental Permit shall be obtained from Jefferson County Planning & Zoning prior to any rental of the property; and
 - b. This approval is granted for six months from the date of approval, or until June 5, 2023, and it shall be the responsibility of the applicant to apply for a renewal of this Special Exception within that timeframe; and

- c. The Short-Term Rental must be limited to no more than eight persons based on the limitations of the On-Site Wastewater System.

COMMENTS PREPARED BY:

____*Allie McGahee*____

Allie McGahee, Planner

Jefferson County
Board of Adjustment
Application

Variance • Special Exception • Appeal



100 Jefferson County Parkway
Suite 3550
Golden CO, 80419
303-271-8700
planning.jeffco.us
pzpermits@jeffco.us

Case Number (for staff use only): 22-119725VC

This application may be used for Variance, Special Exception and Appeal requests before the Board of Adjustment, including relief from zoning regulations, short term rentals and some home occupations. Please refer to the reverse side of this page for submittal requirements.

Submit this application and all necessary documents electronically to pzpermits@jeffco.us.

Applicant and Site Details

Address of Subject Property, Legal Description and/or Parcel ID Number		City	Zip
Property Owner	Email	Phone Number	
Mailing Address	City	State	Zip
Contractor/Representative	Email	Phone Number	
For sign pick-up, please contact: _____		Email: _____	Phone Number: _____

Specific Request

Applicant Acknowledgments

Applications will not be accepted unless all submittal requirements have been met. If during staff review any application is found to contain incomplete and/or inaccurate information, the case may be postponed until all necessary submittal documentation has been received. Documents larger than 11 x 17 can be submitted electronically.

I understand the filing fee is to cover costs of administration, research, and hearing of this case and is non-refundable.

I hereby give permission for County staff and Board members to enter upon my property for purposes of site inspection and investigation. *Please specify any extraordinary circumstances of which staff should be aware, i.e., the presence of dogs on the site, locked gates, etc. The property must be accessible for site inspection.*

The applicant will receive a copy of the Board's decision, which may be recorded through the Jefferson County Clerk & Recorder's Office.

For Variance cases only: A Setback Verification Form will be required as a part of the Building Permit process for Variance cases involving relief from setback requirements.

For Variance cases only: I have read and understand the BOA Variance guide, and certify the site plan or survey is fully accurate, depicting all structures on site.

A handwritten signature in black ink, appearing to be "John" or similar, written over a horizontal line.

Signature of Owner or Authorized Representative

Date

Jefferson County Board of Adjustment Application

Case Number (for staff use only): 22-119725VC

Submittal Requirements

The numbers checked with each specific type of request correspond to the numbered submittal requirements at the right. Additional documentation may be required, as determined by staff on a case-by-case basis.

Request: \$ _____ (additional notification fees will apply)

Variance	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Lot size	X	X	A	X	X	X	X							
Setback(s)	X	X	A	X	X	X	X	X						
Parking	X	X	A	X	X	X		X				X		
Height	X	X	A	X	X	X		X		X				
Access Standards	X	X	A	X	X			X						
Accessory Square Footage/Footprint	X	X	A	X	X	X	X	X	X					
Special Exception*	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Home Occupation**	X	X	B	X	X	X		X	X		X	X	X	
Short Term Rental**	X	X	C	X	X	X		X	X		X	X	X	
Commercial Solar or Wind Installation	X	X	D	X	X	X		X		X		X		
Appeal	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Director's Determination	X	X		X	X	X								X

List of Submittal Requirements

- Signed application form
- Cover letter
- Addendum A, B, C, or D
- Copy of current deed
- Proof of proper division of land (if parcel is Metes & Bounds or contains portions of platted lots)
- Letter of authorization if a contractor or other contact will appear on the owner's behalf
- Improvement Survey Plat (signed and stamped by licensed surveyor) depicting all property lines and all existing improvements on the property
- Detailed site plan showing proposed improvements
- Floor plans of existing and proposed structures
- Architectural elevations
- Photographs of the interior
- Parking plan (can be combined with 7 or 8)
- Evidence of water and/or wastewater service
- Other: _____

- A. Variance Addendum
B. Home Occupation Addendum
C. Short Term Rental Addendum
D. Commercial WECS/SECS Addendum

* Fees are online at our website at planning.jeffco.us. Make checks payable to Jefferson County Treasurer.

** Short Term Rentals and Home Occupations: It is the applicant's responsibility to renew a Special Exception prior to expiration.

Staff Use Only

SR-2

Zoning of Site 1 acre Plat 4.16 ac Receipt 0500F Renewal of Case Number _____ CV Case Number _____

Lot size Required _____ Lot Size Shown _____ FEMA Map Number _____ In a Floodplain? Yes ☒ No ☐

Legal Access via: Silver Ranch Road

Number of Postcards Required: 6 ISP Submitted (check one): Print ☐ Via email to: _____ ☒ N/A

KBryson 8/1/2022

Reviewed by _____ Date _____

Comments:

C. Short Term Rental Addendum

Case Number (for staff use only): 22-119725VC

1. What is the size of this property? _____
2. Does the property meet lot size standards of its zone district? Yes No
3. Does the dwelling meet setback, height and other standards of its zone district? Yes No
4. How many bedrooms are in the dwelling? _____
You must attach floor plans (drawn to scale) showing all areas of the dwelling.
5. What is the proposed maximum occupancy of the rental? _____
6. How many parking spaces are provided on-site? _____
You must attach a site plan with parking spaces marked.
7. How do you propose to mitigate any potential traffic impacts caused by this Short Term Rental? _____

8. Is this property in the Wildfire Hazard Overlay District? Yes No
 - a. If yes, please list your Defensible Space Permit number: _____
If this permit is more than a year old, please confirm that you have maintained the defensible space on the property since the initial Defensible Space Permit was completed. Yes No
A new Defensible Space Permit may be a condition of approval, if deemed appropriate following a site visit to the property.
9. Are there floodplains on the property? Yes No
10. Water:
 - a. Public. *Name of Water Provider:* _____
 - b. Well. *Well Permit Number, Well Type:* _____
11. Wastewater:
 - a. Public sewer. *Name Of Wastewater Provider:* _____
 - b. Septic. *On-Site Wastewater Permit Number:* _____
Max number of bedrooms: _____
Max number of occupants: _____
12. Access:
 - a. Legal access
For assistance with access questions please contact Planning & Zoning. To obtain copies of recorded access easements, please contact the Clerk & Recorder.
County-maintained road
Private, platted road. *Plat Reception Number:* _____
Private easement. *Easement Reception Number:* _____
Other. *Explain:* _____
 - b. Does the roadway meet County standards? Yes No Not Sure
13. Will the proposed Short Term Rental take place in an Accessory Dwelling Unit (ADU)? Yes No
14. Are there any active Zoning Violations on this property? Yes No
If yes, please list the violation number: _____
15. Will there be any changes to the structure as a part of this Short Term Rental? Yes No
16. Attach a copy of your house rules for renters. These must include the following:
 - a. Quiet hours
 - b. Locations of carbon monoxide and fire/smoke alarms, and fire extinguishers
 - c. Rules regarding outdoor fires
 - d. Contact information for a 24-hour local point person

Cover Letter

Anh Dao

20133 Silver Ranch Road, Conifer 80433

December 1st 2022

Dear Board of Adjustment,

I am Anh Dao, the owner of the property at 20133 Silver Ranch Road, Conifer 80433. I'm writing to you this letter to cover my proposal for a Short Term Rental permit. I hope that you find all the information you need in this proposal.

My family and I hope that we can get the permit to rent out our property in the months that we're not here, especially in the winter when we travel a lot. Having the extra income really helps us to maintain our property especially if there's economic downturn. But most of all, mountain living helps our family happier and we wanted people who visit our place could find the same happiness when they stay here with their family and friends. We're grateful to live in Conifer, in the mountain and will absolutely follow any regulations needed to ensure safety, protect the neighborhood, and preserve wildlife.

I hope that you will give your thoughts and consideration to our proposal. I'm also eager to hear any questions you may have. You can reach me at 720 766 9111.

Thank you for your time!

Sincerely,

Anh Dao

SILVER RANCH RENTAL RULES AND REGULATIONS

Quiet Hours: 9:00 pm – 8:00 am

NO PARTIES OR EVENTS ARE ALLOWED IN THE RENTAL. No more than 8 guests are permitted in our home. Only registered guests are permitted on the property.

PARKING – Parking is limited to five (5) vehicles. Vehicles are to be parked in the garage and driveway. Parking on the road is not permitted. Any illegally parked cars are subject to towing; applicable fines/towing fees are the sole responsibility of the vehicle owner.

No campfires are permitted by guests. No exceptions. We live in an area that is vulnerable to wild fire, and cannot take the chance of a fire getting out of control.

Carbon monoxide and fire/smoke alarms are located in each bedroom, kitchen areas, family room, dining areas, and hall way.

Fire extinguishers are located in kitchen pantry and garage.

Contact information for a 24-hour local point person:

Anh Dao

anh.dao706@gmail.com

7207669111

WHEN RECORDED, MAIL TO:
Absolute Mortgage & Lending
3900 South Wadsworth Boulevard Ste 605
Lakewood, CO 80235

This instrument was prepared by:
MARCIA CHAMBERS
Focus Fulfillment, LLC
5501 LBJ Freeway, Suite 720
Dallas, TX 75240
866-833-6398

(Space Above This Line For Recording Data)

DEED OF TRUST

MIN: 101543810000096604
SIS Telephone #: (888) 679-MERS

DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18, 20 and 21. Certain rules regarding the usage of words used in this document are also provided in Section 16.

- (A) "Security Instrument" means this document, which is dated **May 31, 2022**, together with all Riders to this document.
- (B) "Borrower" is **Khoa Nguyen and Anh Nguyen Dao, wife and husband, as joint tenants**. Borrower is the trustor under this Security Instrument.
- (C) "Lender" is **Absolute Mortgage & Lending**, organized and existing under the laws of **COLORADO**. Lender's address is **3900 South Wadsworth Boulevard Ste 605, Lakewood, COLORADO 80235**.
- (D) "Trustee" is the Public Trustee of **Jefferson** County, Colorado.
- (E) "MERS" is **Mortgage Electronic Registration Systems, Inc.** MERS is a separate corporation that is acting solely as a nominee for Lender and Lender's successors and assigns. **MERS is the beneficiary under this Security Instrument**. MERS is organized and existing under the laws of **Delaware**, and has an address and telephone number of **P.O. Box 2026, Flint, MI 48501-2026, tel. (888) 679-MERS**.
- (F) "Note" means the promissory note signed by Borrower and dated **May 31, 2022**. The Note states that Borrower owes Lender **NINE HUNDRED THIRTY-SIX THOUSAND AND NO/100 Dollars (U.S. \$936,000.00)** plus interest. Borrower has promised to pay this debt in regular Periodic Payments and to pay the debt in full not later than **June 1, 2052**.
- (G) "Property" means the property that is described below under the heading "Transfer of Rights in the Property."
- (H) "Loan" means the debt evidenced by the Note, plus interest, any prepayment charges and late charges due under the Note, and all sums due under this Security Instrument, plus interest.
- (I) "Riders" means all Riders to this Security Instrument that are executed by Borrower. The following Riders are to be executed by Borrower (check box as applicable):
- | | | |
|--|---|--|
| <input type="checkbox"/> Adjustable Rate Rider | <input type="checkbox"/> Condominium Rider | <input type="checkbox"/> Second Home Rider |
| <input type="checkbox"/> Balloon Rider | <input type="checkbox"/> Planned Unit Development Rider | <input type="checkbox"/> VA Rider |
| <input type="checkbox"/> 1-4 Family Rider | <input type="checkbox"/> Biweekly Payment Rider | |
| <input type="checkbox"/> Other (Specify) | | |
- (J) "Applicable Law" means all controlling applicable federal, state and local statutes, regulations, ordinances and administrative rules and orders (that have the effect of law) as well as all applicable final, non-appealable judicial opinions.

- (K) "Community Association Dues, Fees, and Assessments" means all dues, fees, assessments and other charges that are imposed on Borrower or the Property by a condominium association, homeowners association or similar organization.
- (L) "Electronic Funds Transfer" means any transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, computer, or magnetic tape so as to order, instruct, or authorize a financial institution to debit or credit an account. Such term includes, but is not limited to, point-of-sale transfers, automated teller machine transactions, transfers initiated by telephone, wire transfers, and automated clearinghouse transfers.
- (M) "Escrow Items" means those items that are described in Section 3.
- (N) "Miscellaneous Proceeds" means any compensation, settlement, award of damages, or proceeds paid by any third party (other than insurance proceeds paid under the coverages described in Section 5) for: (i) damage to, or destruction of, the Property; (ii) condemnation or other taking of all or any part of the Property; (iii) conveyance in lieu of condemnation; or (iv) misrepresentations of, or omissions as to, the value and/or condition of the Property.
- (O) "Mortgage Insurance" means insurance protecting Lender against the nonpayment of, or default on, the Loan.
- (P) "Periodic Payment" means the regularly scheduled amount due for (i) principal and interest under the Note, plus (ii) any amounts under Section 3 of this Security Instrument.
- (Q) "RESPA" means the Real Estate Settlement Procedures Act (12 U.S.C. Section 2601 *et seq.*) and its implementing regulation, Regulation X (12 C.F.R. Part 1024), as they might be amended from time to time, or any additional or successor legislation or regulation that governs the same subject matter. As used in this Security Instrument, "RESPA" refers to all requirements and restrictions that are imposed in regard to a "federally related mortgage loan" even if the Loan does not qualify as a "federally related mortgage loan" under RESPA.
- (R) "Successor in Interest of Borrower" means any party that has taken title to the Property, whether or not that party has assumed Borrower's obligations under the Note and/or this Security Instrument.

TRANSFER OF RIGHTS IN THE PROPERTY

The beneficiary of this Security Instrument is MERS (solely as nominee for Lender and Lender's successors and assigns) and the successors and assigns of MERS. This Security Instrument secures to Lender: (i) the repayment of the Loan, and all renewals, extensions and modifications of the Note; and (ii) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower, in consideration of the debt and the trust herein created, irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in the County of **Jefferson**:

See Attached Exhibit "A"

Parcel ID Number: **065402 Tax Id;60-284-00-014**

which currently has the address of **20133 Silver Ranch Road**
Conifer, COLORADO 80433, ("Property Address"):

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property." Borrower understands and agrees that MERS holds only legal title to the interests granted by Borrower in this Security Instrument, but, if necessary to comply with law or custom, MERS (as nominee for Lender and Lender's successors and assigns) has the right: to exercise any or all of those interests, including, but not limited to, the right to foreclose and sell the Property; and to take any action required of Lender including, but not limited to, releasing and canceling this Security Instrument.

BORROWER COVENANTS that Borrower is lawfully seised of the estate hereby conveyed and has the right to grant and convey the Property and that the Property is unencumbered, except for encumbrances of record. Borrower warrants and will defend generally the title to the Property against all claims and demands, subject to any encumbrances of record and liens for taxes for the current year not yet due and payable.

THIS SECURITY INSTRUMENT combines uniform covenants for national use and non-uniform covenants with limited variations by jurisdiction to constitute a uniform security instrument covering real property.

UNIFORM COVENANTS. Borrower and Lender covenant and agree as follows:

1. Payment of Principal, Interest, Escrow Items, Prepayment Charges, and Late Charges. Borrower shall pay when due the principal of, and interest on, the debt evidenced by the Note and any prepayment charges and late charges due under the Note. Borrower shall also pay funds for Escrow Items pursuant to Section 3. Payments due under the Note and this Security Instrument shall be made in U.S. currency. However, if any check or other instrument received by Lender as payment under the Note or this Security Instrument is returned to Lender unpaid, Lender may require that any or all subsequent payments due under the Note and this Security Instrument be made in one or more of the following forms, as selected by Lender: (a) cash; (b) money order; (c) certified check, bank check, treasurer's check or cashier's check, provided any such check is drawn upon an institution whose deposits are insured by a federal agency, instrumentality, or entity; or (d) Electronic Funds Transfer.

Payments are deemed received by Lender when received at the location designated in the Note or at such other location as may be designated by Lender in accordance with the notice provisions in Section 15. Lender may return any payment or partial payment if the payment or partial payments are insufficient to bring the Loan current. Lender may accept any payment or partial payment sufficient to bring the Loan current, without waiver of any rights hereunder or prejudice to its rights to refuse such payment or partial payments in the future, but Lender is not obligated to apply such payments at the time such payments are accepted. If each Periodic Payment is applied as of its scheduled due date, then Lender need not pay interest on unapplied funds. Lender may hold such unapplied funds until Borrower makes payment to bring the Loan current. If Borrower does not do so within a reasonable period of time, Lender shall either apply such funds or return them to Borrower. If not applied earlier, such funds will be applied to the outstanding principal balance under the Note immediately prior to foreclosure. No offset or claim which Borrower might have now or in the future against Lender shall relieve Borrower from making payments due under the Note and this Security Instrument or performing the covenants and agreements secured by this Security Instrument.

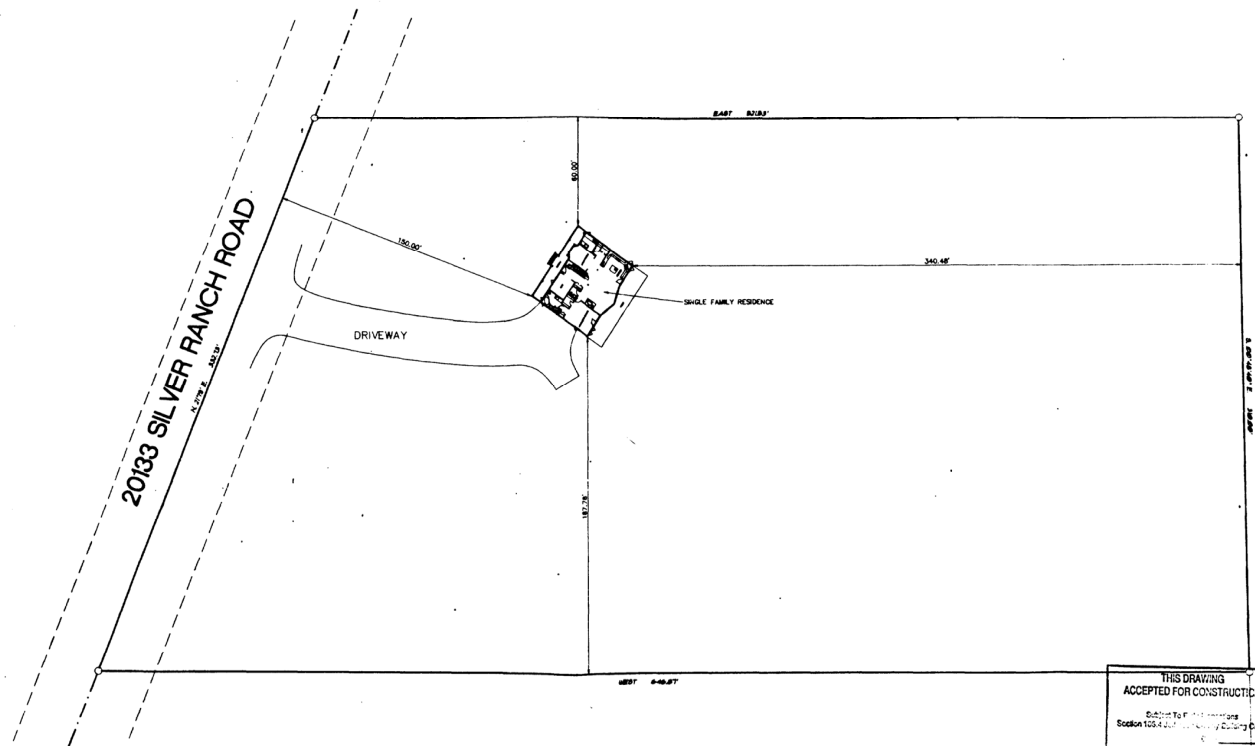
2. Application of Payments or Proceeds. Except as otherwise described in this Section 2, all payments accepted and applied by Lender shall be applied in the following order of priority: (a) interest due under the Note; (b) principal due under the Note; (c) amounts due under Section 3. Such payments shall be applied to each Periodic Payment in the order in which it became due. Any remaining amounts shall be applied first to late charges, second to any other amounts due under this Security Instrument, and then to reduce the principal balance of the Note.

If Lender receives a payment from Borrower for a delinquent Periodic Payment which includes a sufficient amount to pay any late charge due, the payment may be applied to the delinquent payment and the late charge. If more than one Periodic Payment is outstanding, Lender may apply any payment received from Borrower to the repayment of the Periodic Payments and, to the extent that, each payment can be paid in full. To the extent that any excess exists after the payment is applied to the full payment of one or more Periodic Payments, such excess may be applied to any late charges due. Voluntary prepayments shall be applied first to any prepayment charges and then as described in the Note.

Any application of payments, insurance proceeds, or Miscellaneous Proceeds to principal due under the Note shall not extend or postpone the due date, or change the amount, of the Periodic Payments.

3. Funds for Escrow Items. Borrower shall pay to Lender on the day Periodic Payments are due under the Note, until the Note is paid in full, a sum (the "Funds") to provide for payment of amounts due for: (a) taxes and assessments and other items which can attain priority over this Security Instrument as a lien or encumbrance on the Property; (b) leasehold payments or ground rents on the Property, if any; (c) premiums for any and all insurance required by Lender under Section 5; and (d) Mortgage Insurance premiums, if any, or any sums payable by Borrower to Lender in lieu of the payment of Mortgage Insurance premiums in accordance with the provisions of Section 10. These items are called "Escrow Items." At origination or at any time during the term of the Loan, Lender may require that Community Association Dues, Fees, and Assessments, if any, be escrowed by Borrower, and such dues, fees and assessments shall be an Escrow Item. Borrower shall promptly furnish to Lender all notices of amounts to be paid under this Section. Borrower shall pay Lender the Funds for Escrow Items unless Lender waives Borrower's obligation to pay the Funds for any or all Escrow Items. Lender may waive Borrower's obligation to pay to Lender Funds for any or all Escrow Items at any time. Any such waiver may only be in writing. In the event of such waiver, Borrower shall pay directly, when and where payable, the amounts due for any Escrow Items for which payment of Funds has been waived by Lender and, if Lender requires, shall furnish to Lender receipts evidencing such payment within such time period as Lender may require. Borrower's obligation to make such payments and to provide receipts shall for all purposes be deemed to be a covenant and agreement contained in this Security Instrument, as the phrase "covenant and agreement" is used in Section 9. If Borrower is obligated to pay Escrow Items directly, pursuant to a waiver, and Borrower fails to pay the amount due for an Escrow Item,

Lender may exercise its rights under Section 9 and pay such amount and Borrower shall then be obligated under Section 9 to repay to Lender any such amount. Lender may revoke the waiver as to any or all Escrow Items at any time by a notice given in accordance with the provisions of Section 15. Lender shall not be obligated to make such payments and to provide receipts shall for all purposes be deemed to be a covenant and agreement contained in this Security Instrument, as the phrase "covenant and agreement" is used in Section 9. If Borrower is obligated to pay Escrow Items directly, pursuant to a waiver, and Borrower fails to pay the amount due for an Escrow Item,



THIS DRAWING
ACCEPTED FOR CONSTRUCTION
Submittal # 1054200
Section 1054200 - City of Colorado
City of Colorado

LEGAL DESCRIPTION

A PARCEL OF GROUND LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, JEFFERSON COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE EAST LINE OF SECTION 28 WHENCE THE SOUTHEAST CORNER OF SECTION 28 BEARS SOUTH 00 DEGREES 40 MINUTES 40 SECONDS EAST 575.00 FEET; THENCE SUE WEST 64.87 FEET TO A POINT ON THE CENTERLINE OF A 40 FOOT ACCESS ROAD; THENCE ON AND ALONG SAID CENTERLINE NORTH 21 DEGREES 11 MINUTES 11 SECONDS EAST 222.71 FEET; THENCE DEPARTING FROM SAID CENTERLINE SUE EAST 871.53 FEET TO A POINT ON THE EAST LINE OF SECTION 28; THENCE ON AND ALONG THE EAST LINE OF SECTION 28 SOUTH 00 DEGREES 40 MINUTES 40 SECONDS EAST 318.00 FEET TO THE POINT OF BEGINNING AND RESERVING THAT PORTION OF THE WESTERLY 30 FEET THEREOF, LYING ADJACENT TO THE ABOVE DESCRIBED CENTERLINE, FOR ROAD PURPOSES.
4.157 ACRES (181,083.69 SQ. FT.)



SITE PLAN

Hyland Designs
25000 Menow Drive S9
Evergreen, CO 80419
303-674-5940

Custom Residence for JOHN BIRCH
JEFFERSON COUNTY, STATE OF COLORADO
20133 SILVER RANCH ROAD

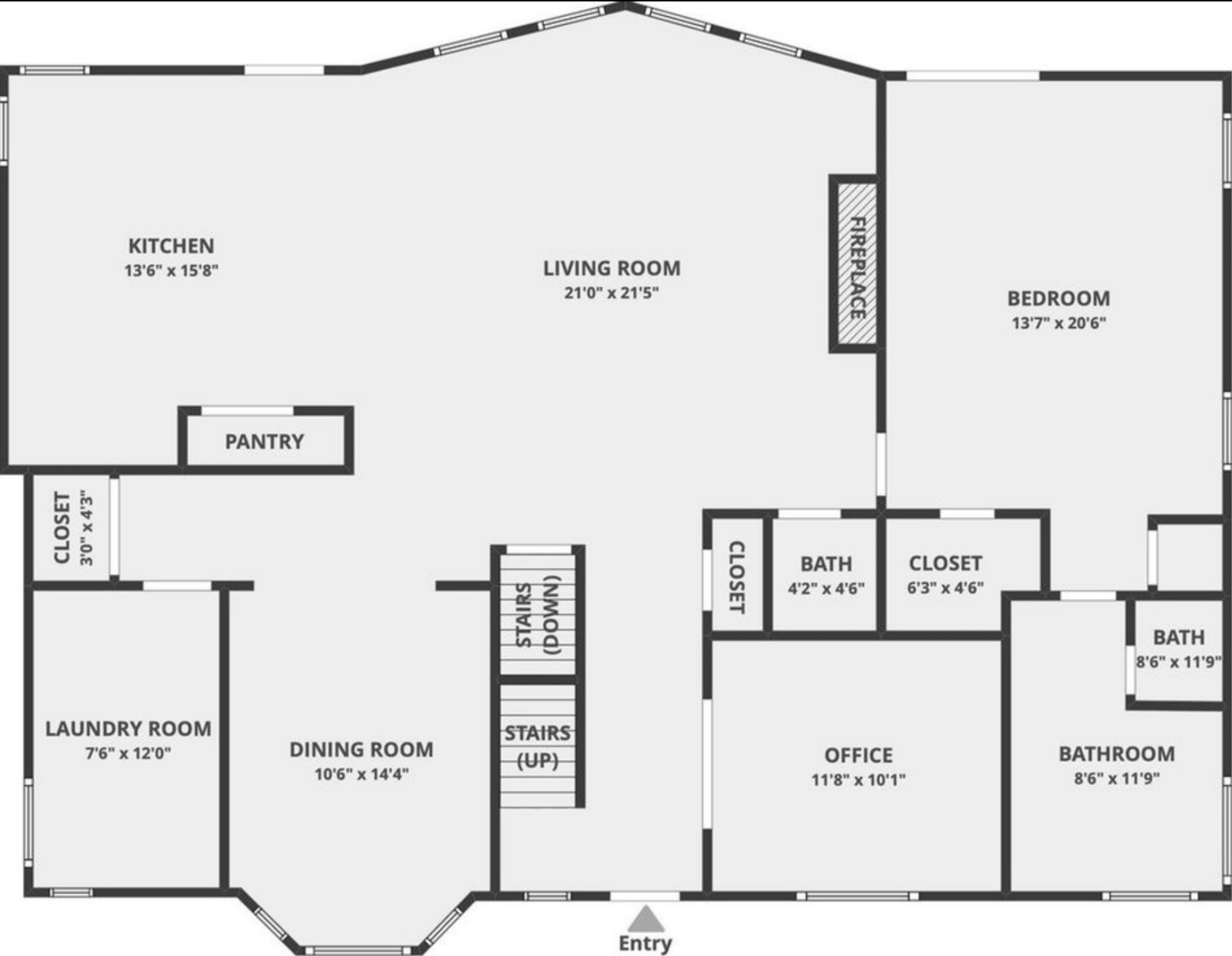
JOHN BIRCH
303-216-9646

CONSTRUCTION
FINAL
CONSTRUCTION
DOCUMENTS

DATE: APR 26 2005
DRAWN BY: JLC/HB
CHECKED BY: JLC/HB

A-1





OPEN TO BELOW

OFFICE
14'2" x 18'3"

CLOSET
4'3" x 7'4"

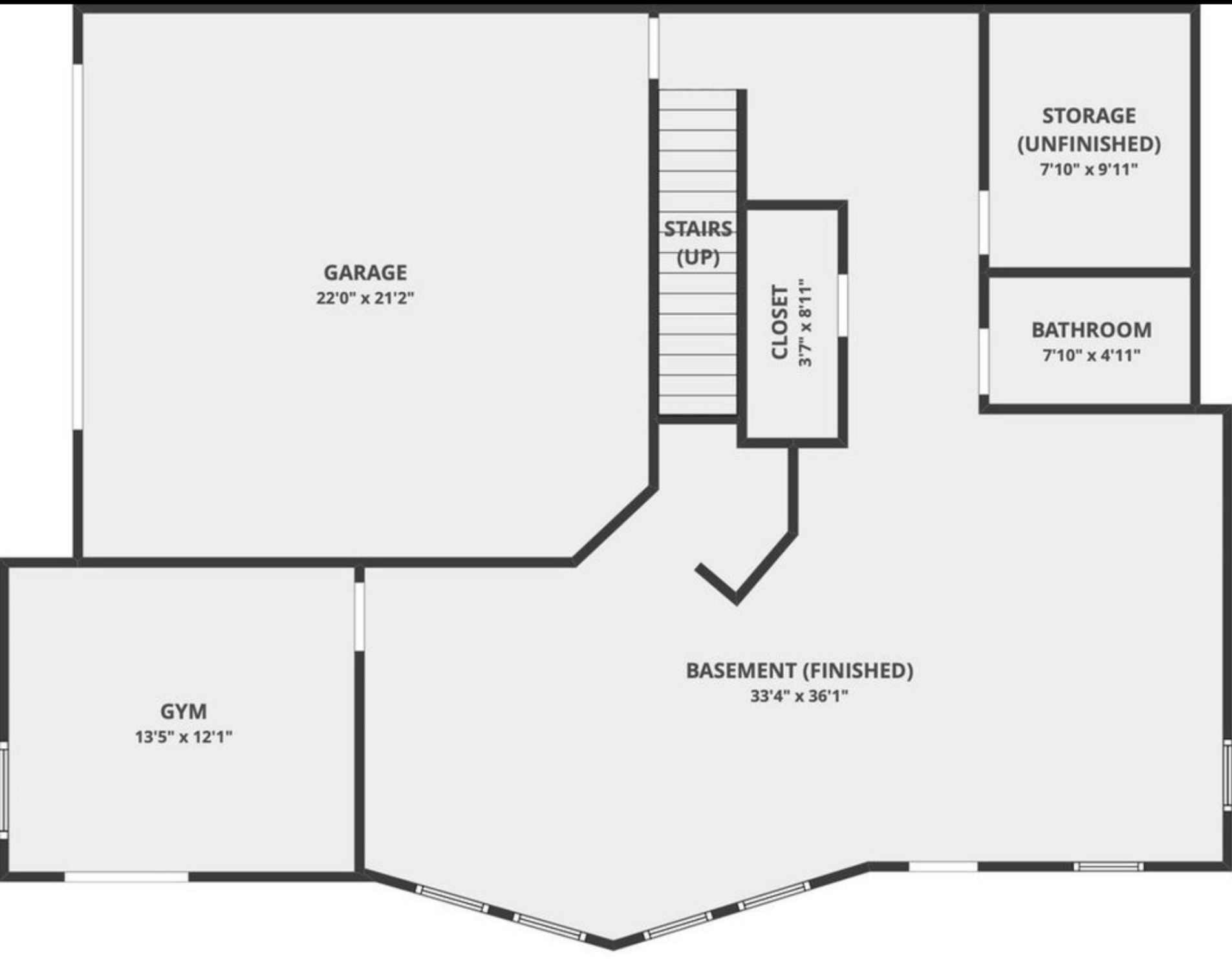
STAIRS (DOWN)

BATHROOM
8'9" x 6'7"

CLOSET

BEDROOM
13'8" x 18'1"

OPEN TO BELOW

















JEFFERSON COUNTY DEPARTMENT OF HEALTH AND ENVIRONMENT
260 S KIPLING ST. LAKEWOOD, CO 80226 (303) 239-7175 FAX (303) 239-7076

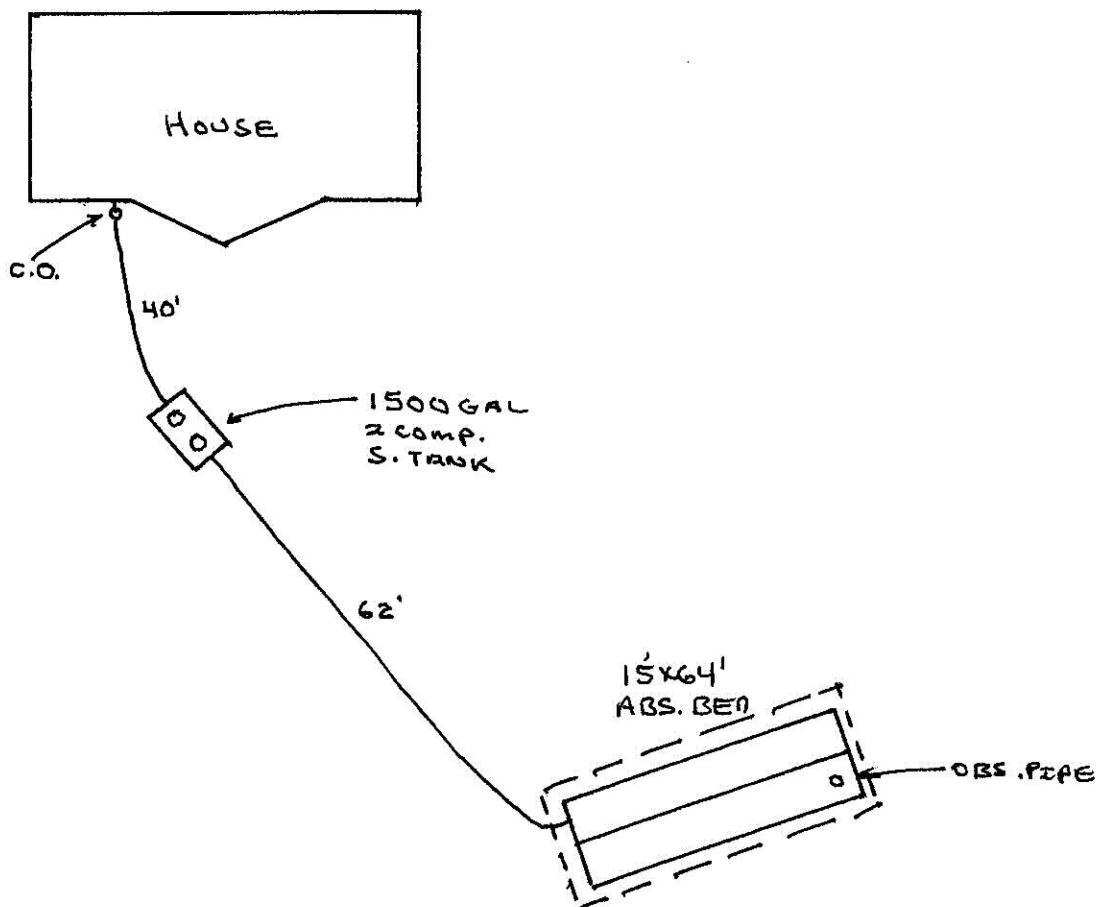
INDIVIDUAL SEWAGE DISPOSAL SYSTEM SITE INSTALLATION PLAN PERMIT #18221

ADDRESS: 20133 Silver Ranch Road
LEGAL: P/SE1/4, SW1/4, Section 28, T6S, R70W, 6PM
OWNER/APPLICANT: John Birch
SYSTEM DESIGNED FOR: 4 Bedroom Single Family Dwelling

SEPTIC TANK SIZE (gal) 1250 ABSORPTION BED SIZE (ft²) 960

The individual sewage disposal system on this property was installed in accordance with the permit conditions and the Individual Sewage Disposal System Regulations of Jefferson County, Colorado.

INSPECTOR *[Signature]* FINAL APPROVAL DATE 12/02/99



NOTE: This drawing is an "as built" sketch of the individual sewage disposal system. The distances, relative locations of structures, wells, system components and compass directions are approximate.

JEFFERSON COUNTY DEPARTMENT OF HEALTH AND ENVIRONMENT
260 S Kipling, Lakewood, CO 80226 (303) 239-7175 FAX: (303) 239-7076

INDIVIDUAL SEWAGE DISPOSAL SYSTEM PERMIT NO. 18221

ADDRESS: 20133 Silver Ranch Road
LEGAL: P/SE1/4, SW1/4, Section 28, T6S, R70W, 6PM
DESIGNED FOR: 4 Bedroom Single Family Dwelling

DATE OF ISSUANCE: July 13, 1999 (expires one year from this date)

ISSUED TO: John Birch
800 South Colorado Blvd.
Denver, CO 80222

INSPECTION(S) REQUIRED: **OPEN EXCAVATION AT 6 FOOT DEPTH
FINAL INSPECTION**

INSPECTION DAYS: **MON. WED., FRI (call 239-7070 BEFORE 9:00 a.m.)**

The installation of this system is to be governed by the Individual Sewage Disposal System Regulations of Jefferson County in its entirety. Your attention is called to the following:

SIZE OF SEPTIC TANK (gal): 1250 ABSORPTION AREA (ft²): 960

Unless **SPECIFICALLY** noted below, a minimum separation of at least 200 shall be maintained between all wells and absorption systems, on-or off-site, existing or proposed.

BLASTING IS NOT PERMITTED WITHIN 200 FEET OF ANY EXISTING WELL.

The above conditions represent the minimum requirements as set forth in the Regulations and the engineer's design. Please be aware that the engineer may have *recommended* components such as dosing siphons or larger septic tanks. While not required, the engineer recommends their installation. Consult the engineering report for these optional recommendations.

REQUIRED ENGINEER CERTIFICATION: suitability of the on-site or imported filter materials; **Final Inspection.**

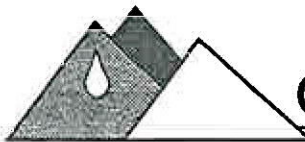
This sewage disposal system was installed by Ramtray and has been inspected and approved by the Jefferson County Department of Health and Environment. The owner assumes all responsibility in case of failure or other inadequacy of this sewage disposal system.

INSPECTOR [Signature] DATE 12/02/99

ENG.JOB/PROJ.#11220E

SUBJECT TO 1999

I.S.D.S. REGULATIONS



CHURCH & Associates, Inc.

ENGINEERS & GEOLOGISTS

July 6, 1999

John Birch
800 South Colorado Blvd.
Denver, Colorado 80222

Subject: Subsurface Investigation and Onsite Wastewater System Design
Part of the SE ¼, SW ¼ of Section 28, T6S, R70W of the 6th P.M.
20133 Silver Ranch Road
Jefferson County, Colorado
Job No. 11220E

Dear Mr. Birch,

As requested, we have investigated subsurface conditions and prepared an Onsite Wastewater System (OWS) design for the subject site.

SITE CONDITIONS

The investigated site is a 4.16-acre parcel as indicated on Figure 1. The site is located in a rural mountain area where OWS and wells are required. The site slopes moderately to steeply to the southeast, with a 32% slope at the proposed field site. However, the slope directly below the field decreases to a slope of 5% and we do not believe a liner is required in the field. There is a moderate cover of native grasses at the proposed field.

PROPOSED CONSTRUCTION

A four-bedroom single family residence is proposed in the central portion of the site as indicated on Figures 1 and 2. In accordance with the Individual Sewage Disposal System (ISDS) regulations, the average daily sewage load for a four-bedroom dwelling is estimated at 600 gallons per day (GPD). The property will be served water by a well to be located northwest of the residence. The proposed field is to be located southeast of the residence. All well to field separation distances are 200 feet, or greater, per Jefferson County regulations.

SUBSURFACE CONDITIONS

Subsurface conditions were exposed in a test pit at the proposed field location. The excavation indicated the site is underlain by a 1-foot organic overburden, underlain by silty sand and gravel to 2 feet, underlain by weathered bedrock to 9 feet, the maximum depth of the excavation. A gradation analysis was performed on material from the excavation. The analysis indicated the material is a silty, gravelly, sand, as depicted on Figure 4.

RECOMMENDATIONS

The OWS design is based on an average daily sewage load of 600 GPD, and a sand filter application rate of 0.95 gallons per day per square feet (GPD/SF). A two-compartment 1250-gallon septic tank is required for a four-bedroom dwelling. We recommend the installation of a concrete septic tank and a 15 feet by 64 feet "over-excavated" drain field, for an area of 960 square feet. The field should be constructed similar to the details in Figures 2 and 3.

Component options include the installation of an effluent filter or a dosing siphon. The effluent filter will screen solids that may flow to the field, increase biological growth, and plug pore spaces in the filter material. Dosing siphons allow improved distribution of septic tank effluent within the field, increasing system performance. We recommend the installation of a 1500-gallon, 2 compartment, concrete septic tank with a screened vault-dosing siphon in the second chamber. An alternative is a 1250-gallon, 2-compartment septic tank and an additional 500-gallon single compartment precast concrete tank with a dosing siphon. The dosing siphon is to be installed in accordance with manufacturer's recommendations, which includes priming. If the dosing siphon is not installed, or installed within a separate dosing tank, we recommend the installation of the effluent filter in place of the standard outlet "Tee" in the 1250-gallon septic tank.

FILTER MEDIA GENERATION

We believe the excavated bedrock will be suitable filter media if few particles larger than 3 inches in diameter are used in the over-excavated 4 feet below the dispersal gravel layer. **The filter material is to be kept free of organic soil and excessive fines.** We recommend the silty, gravelly sand be generated from the drain field excavation, and other onsite excavations, for use as filter media in the drain field. Additional filter material may have to be generated offsite if sufficient material is not found in the proposed excavations. Our office must be called to observe imported filter material and authorize its use.

FILTER MEDIA PLACEMENT

It is important to place the excavated weathered bedrock back into the field excavation such that differential settling does not occur during the addition of effluent. To achieve this, it is important to apply effective methods of compaction. Over-compaction may result in decreased permeability of the filter media. We recommend the filter media be placed in one foot lifts, back blading and wheel rolling each lift, until a four foot separation to fractured bedrock exists. Once the surface of the filter media is level, it is to be scarified with a pick, shovel, or rake prior to the addition of dispersal gravel.

INSTALLATION OBSERVATIONS

The installation of the OWS is to be observed by the design engineer. Observations are required on the "open hole" excavation and prior to final backfill. The "open hole" observation should be performed prior to installation of filter material ("over-excavated" ripped base systems) and/or dispersal gravel. The final observation should be performed prior to backfill, after placement of dispersal gravel and distribution pipes. Septic tank installation, distribution boxes, diverter valves, siphons, effluent lift stations, and plumbing; as applicable; can be observed during either visit.

OPERATION AND MAINTENANCE

The owner must realize an OWS is different from public sewer service. The owner must be aware of and assume responsibility for continued maintenance of the system. We recommend the septic tank be pumped every 2 years. Screened vaults should be checked annually and cleaned as necessary. There are

daily considerations such as not putting plastic or other nonbiodegradable materials into the septic system. Water use must be monitored so toilets are not allowed to run when seals malfunction. To illustrate the point, a running toilet will use in excess of 1,000 GPD. An excess 1,000 GPD loading could flood and irreparably harm the system.

LIMITATIONS

Our investigation, layout, design, and recommendations are based on data submitted. If conditions considerably different from those described in this report are encountered, we should be called to observe the conditions. If proposed construction is changed, we should be notified to evaluate the effect of the changes on the wastewater system. All construction is to be in accordance with the ISDS regulations. Pipe type and size, burial requirements, septic tank construction, and other specifications, which are not depicted in our report, are to conform to the requirements of the ISDS regulations. The installer of the system is to be approved by the County Health Department, and is to have demonstrated a knowledge of the ISDS regulations and requirements.

If you have any questions or if we may be of further service, please call.

Sincerely,

CHURCH AND ASSOCIATES, INC.


Charles C. Hemenway III, P.E.



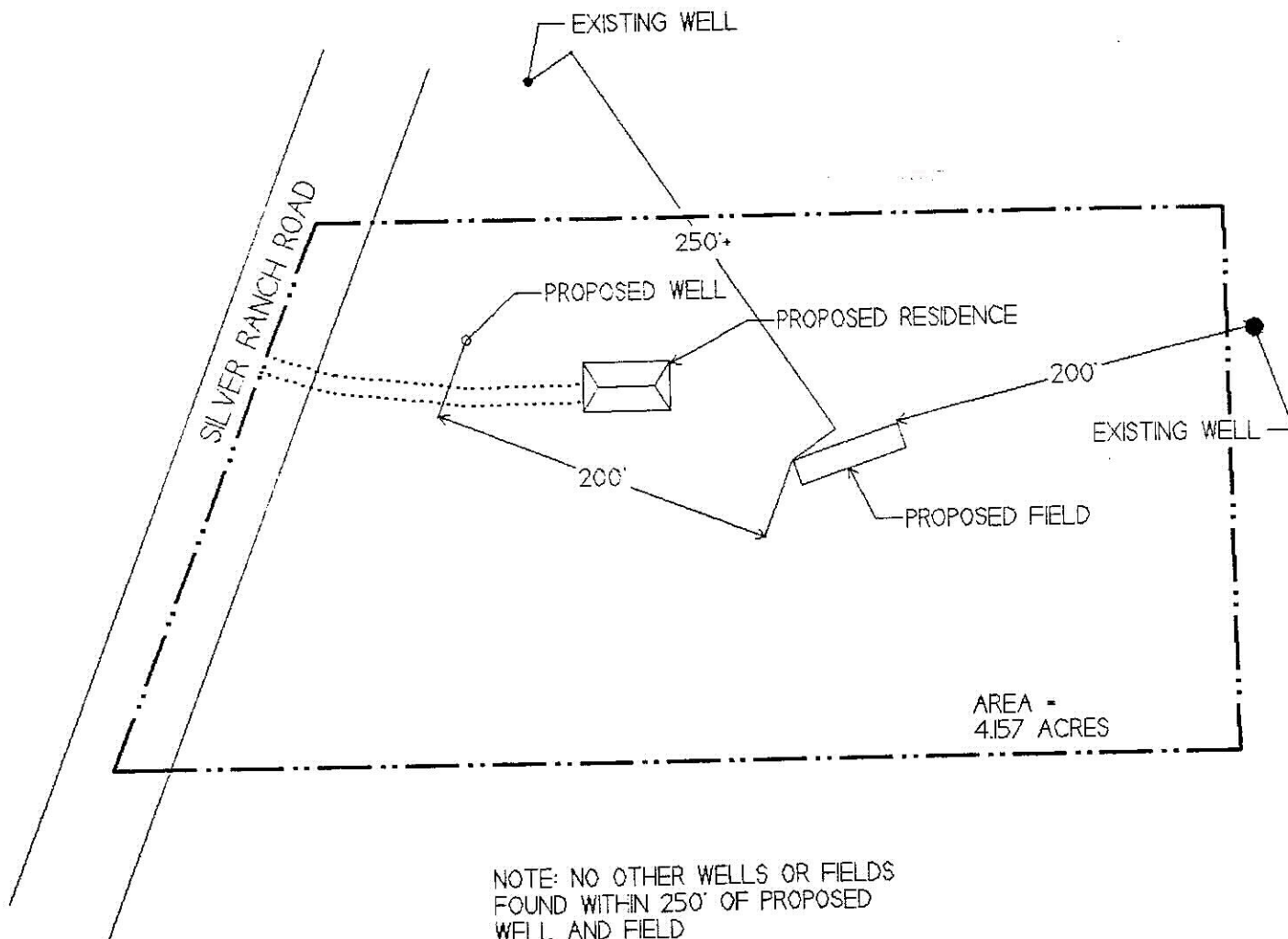
2 copies sent

copy to: Jefferson County Department of Health

PART OF SE 1/4, SW 1/4 OF SECTION 28, T6S, R70W OF THE 6TH M.
20133 SILVER RANCH ROAD
JEFFERSON COUNTY, COLORADO

SCALE
1" = 100'

THE LOCATION OF EXISTING AND PROPOSED IMPROVEMENTS SHOWN HEREIN AND THE WELL AND/OR DRAINFIELD LOCATIONS STAKED AT THE SITE ARE NOT THE RESULT OF A PROPERTY SURVEY. IMPROVEMENT LOCATIONS ARE APPROXIMATE. IT IS THE PROPERTY OWNER'S RESPONSIBILITY TO DEFINE PROPERTY BOUNDARIES AND ENSURE ALL ONSITE IMPROVEMENTS ARE LOCATED WITHIN THE PLATTED SITE AND OUT OF INAPPROPRIATE EASEMENTS. ALL SEPARATION DISTANCES ARE TO BE VERIFIED PRIOR TO EXCAVATION.

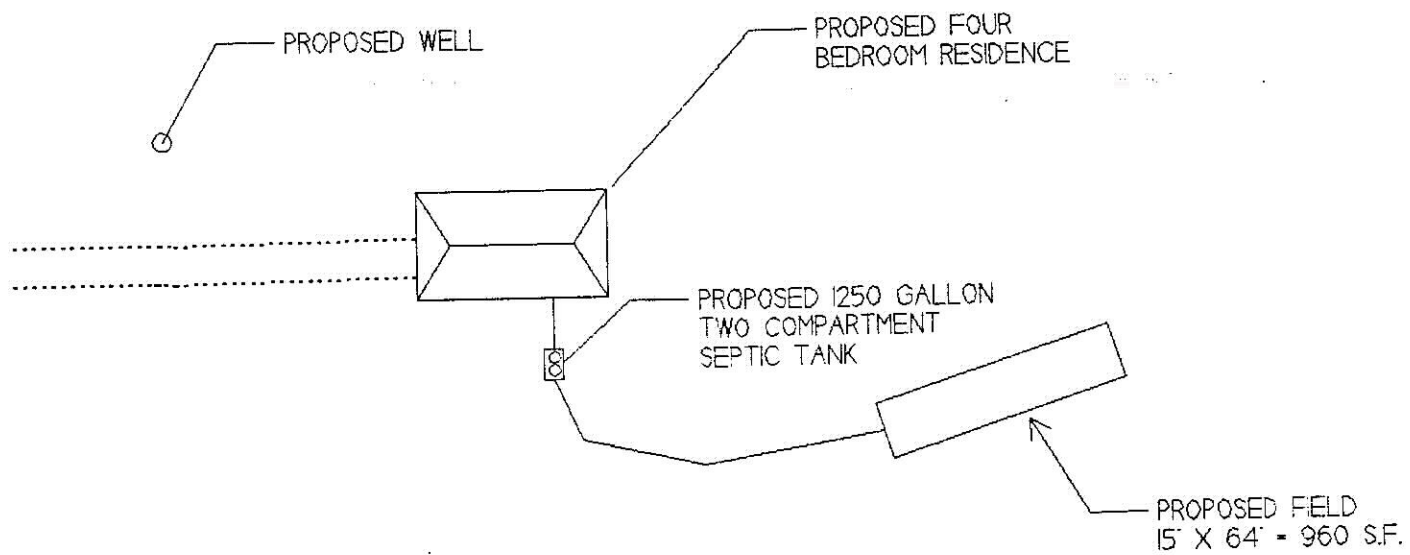


NOTE: NO OTHER WELLS OR FIELDS
FOUND WITHIN 250' OF PROPOSED
WELL AND FIELD

VICINITY SITE PLAN

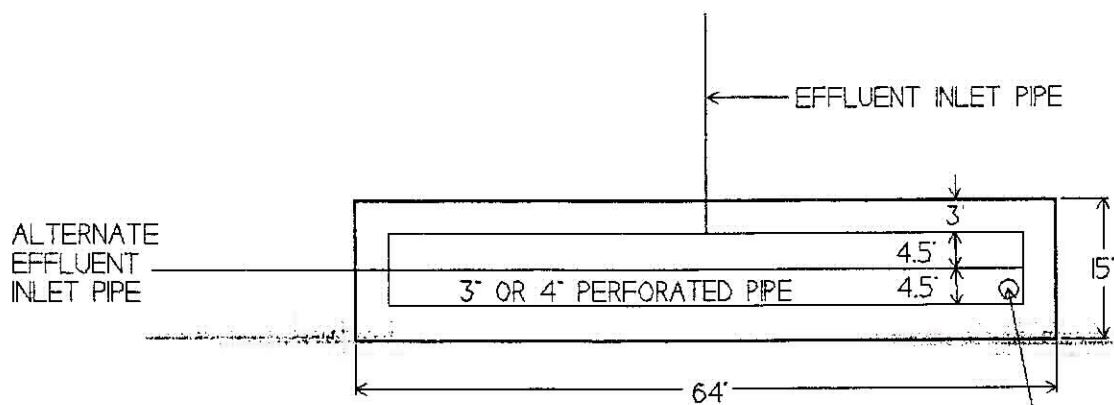
PART OF THE SE 1/4, SW 1/4 C. SECTION 28, T6S, R70W OF THE TH PM.
20133 SILVER RANCH ROAD
JEFFERSON COUNTY, COLORADO

SCALE
1" = 50'

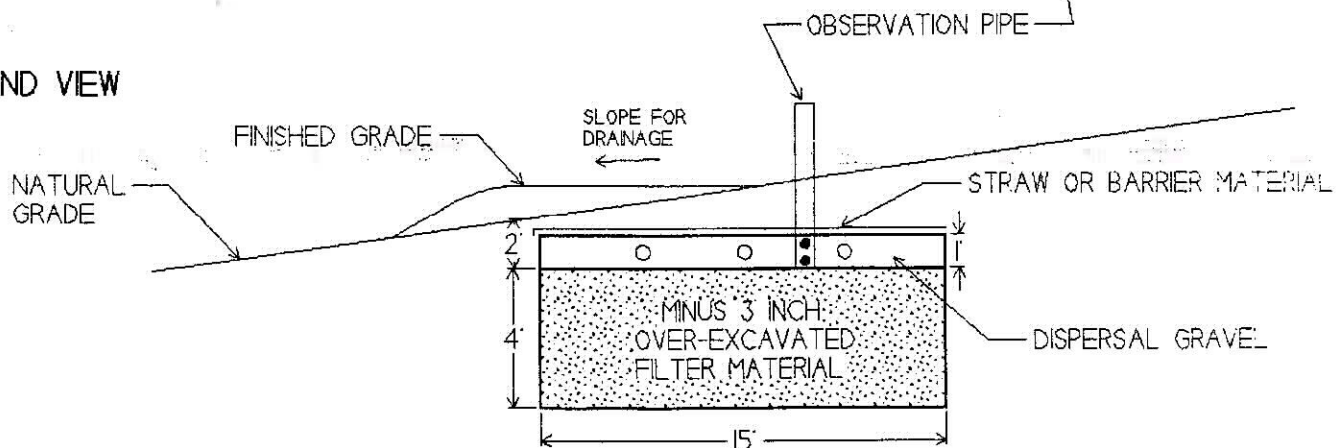


LOCATION OF PROPOSED OWS

PLAN VIEW



END VIEW



DESIGN CALCULATIONS

4 BEDROOM SINGLE FAMILY DWELLING

LOAD $q = 600$ GPD AVERAGE

SAND FILTER APPLICATION RATE = 0.95 GPD/SF

AREA = $(1.5 \times 600) / 0.95$

AREA REQUIRED = 948 SQUARE FEET

FIELD LENGTH = 64 FEET

FIELD WIDTH = 15 FEET

AREA PROPOSED = 960 SQUARE FEET

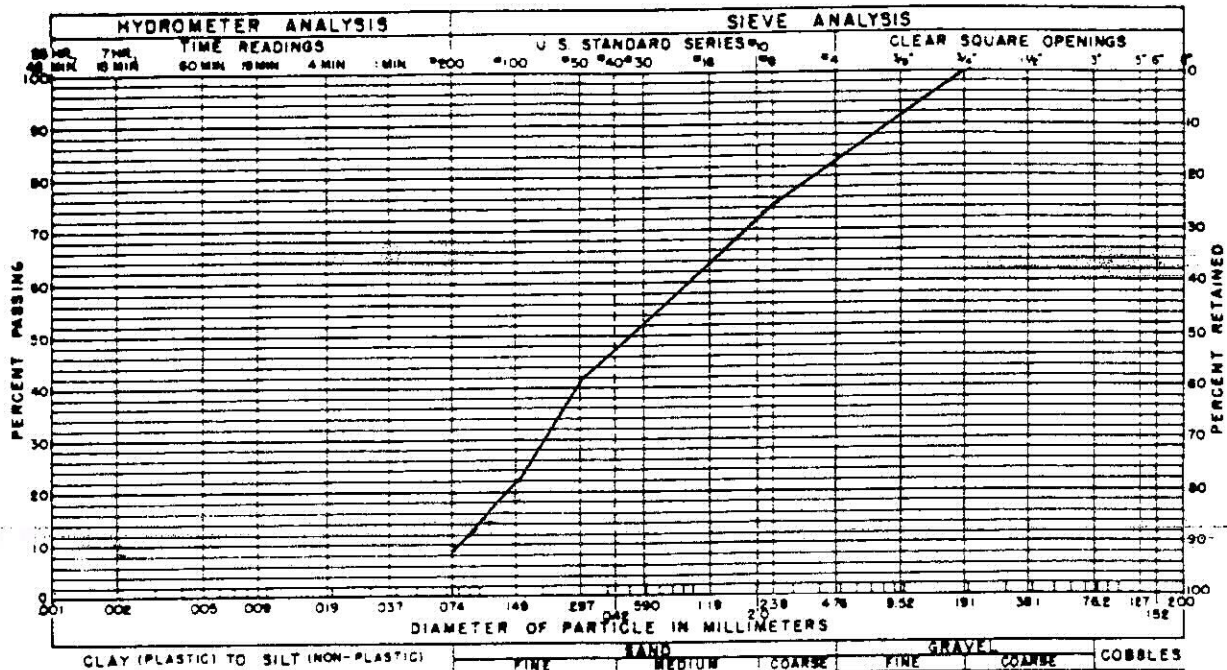
FILTER MATERIAL - EXCAVATED ONSITE

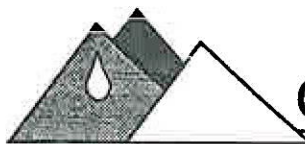
DISPERSAL GRAVEL = 1/2" - 2 1/2"

FIELD DETAILS

JOB NO. 11220E

FIGURE 3



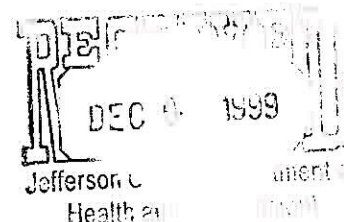


CHURCH & Associates, Inc.

ENGINEERS & GEOLOGISTS

November 29, 1999

John Birch
800 South Colorado Blvd.
Denver, Colorado 80222



Subject: Installation Observations

Part of the SE ¼, SW ¼ of Section 28, T6S, R70W of the 6th P.M.
20133 Silver Ranch Road
Jefferson County, Colorado
Jefferson County Permit #18221
Job No. 11220E

Dear Mr. Birch,

On July 26, 1999 we performed an "open hole" observation, and verified the filter material for the Onsite Wastewater System (OWS) serving the subject site. On July 31, 1999 and November 12, 1999 we performed final observations of the installation of the OWS by RAMTRAX L.L.C. At the time of the final observations the septic tank, drain field and effluent lines were installed, ready for backfill.

The system included the installation of a 1500-gallon, two compartment "Valley Pre-cast" septic tank with a screened-vault dosing-siphon, and a 15 feet by 64 feet "over-excavated" drain field, for 960 square feet of absorption area.

The components of the OWS appeared to be installed in general conformance with our plans and specifications. Our installation observations do not imply a guarantee or warranty of materials or workmanship.

If there are any questions or if we can be of further service, please call.

CHURCH & Associates, Inc.

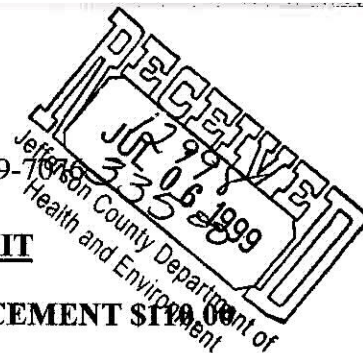
Charles C. Hemenway, III, P.E.



CCH/plc

copy to: Jefferson County Health Department

Jefferson County Department of Health and Environment
260 S. Kipling St., Lakewood, CO 80226 (303) 239-7075 Fax: (303) 239-7076



APPLICATION FOR INDIVIDUAL SEWAGE SYSTEM PERMIT

PLEASE CHECK APPLICABLE FEE

(X)NEW ()ADDITION (X)REPAIR \$335.00 ()RENEWAL ()TANK REPLACEMENT \$110.00

I. PROPERTY INFORMATION:

COMPLETE PROPERTY ADDRESS 20133 Silver Ranch Road, Conifer, Colorado 80433

CITY/STATE/ZIP

LEGAL Part of the SE 1/4, SW 1/4 of Section 28, T6S, R70W of the 6th P.M.

SIZE OF PARCEL 4.16 Acres DATE SUBDIVIDED _____

II. APPLICANT/OWNER INFORMATION:

APPLICANT NAME: John Birch

MAIL ADDRESS: 800 South Colorado Blvd., Denver, Colorado 80222

CITY/STATE/ZIP

PHONE (HOME) (303) 478-2030

PHONE (WORK): _____

OWNER NAME, IF NOT APPLICANT: _____

PHONE: _____

III. STRUCTURE: (X) 4 BEDROOM SINGLE FAMILY DWELLING

() Other _____

IV. WATER SERVICE (specify one)

() PUBLIC WATER (district name): _____

or

(X) WELL (Colorado well permit number): _____ (attach copy)

V. SANITATION DISTRICT:

Is this property within a Sanitation District? () YES (X) NO. If yes, you must attach **written** statement from the District stating that they have no objection to this installation.

Application for a permit to install an individual sewage disposal system permit is hereby submitted. The individual sewage disposal system will be installed in accordance with the Regulations covering such systems in Jefferson County. I hereby acknowledge that the above information is true and that false information will invalidate this application or subsequent permits.

John T. Birch
APPLICANT/OWNER/RESPONSIBLE PARTY

7/5/99
DATE

MAIL () PICKUP ☒

TECHNICAL REVIEW (staff use)

☒ LOT SIZE ☒ P/L FORM

☒ ADJ DEV

☒ ENGR OK

☒ GEO OK

☒ SLOPE OK

4.16

PERMIT CONDITIONS

INSPECTIONS:

☒ 01 OPEN EXCAVATION AT 6 FEET

()

() CE

☒ S

() N

TANK SIZE: 1250 GALS

ABSORPTION AREA: 960 SQ. FT

() 04 REDUCTIONS FROM ONSITE WELL: lot, distance:

() 08 REDUCTIONS FROM ONSITE ABS. BED: lot, distance:

() 06 ALL WELLS 100 FEET FROM ON-SITE GREYWATER/ADVANCED TREATMENT ABS. BED

() 07 ALL WELLS 60 FEET FROM LINED ET BED

() 09 ABD ONSITE WELL

() 15 LINE-WELL

() 21 SUBMINIMUMDISTANCES

() 10 SLOPE CONDITIONS

() 16 OLD TANK

() 22 CONTAMINATED SOIL

() 11 ROADCUT SETBACK

() 17 DRY GULCH

() 23 ABANDON PRIVY

() 12 FRENCH DRAIN

() 18 TANK-WELL

*☒ 24 NO BLASTING

() 13 WATER-SEWER

() 19 SURFACE WATER

*☐ 25 BLASTING OK

() 20 ALARM INSTLN

() 27 PROPERTY

() 30 DWELLING

()

()

ENGINEER CERTIFICATION (S)

()

()

☒ 26 FILTER MATERIALS () 29 BLASTING () 28 PUMPS/SIPHONS/ALARMS ☒ 37 FINAL INSPECTION

WATER AND SEWER CERTIFICATE - SPECIAL CONDITIONS

SEWER:

WATER:

INSPECTOR:

DATE:

July 13, 99

RECORD OF INSPECTIONS

FIELD NOTES/COMMENTS 7-7-99

DATE	COMMENTS	DATE	COMMENTS
7/26/99	O.H. 6' x 15 x 64' Soil O.K. WELL SO. K Hold for onsite well	7-30-99	Final on L.F. only
		10/12/99	REST O.K. HOLD FOR ENG. LTR
		12/1/99	eng. letter O.K.

ENGINEERING CHANGES

APPLICANT/OWNER CALL

DATE	COMMENTS	DATE	COMMENTS

FORM NO.
GWS-32
10/94

PUMP INSTALLATION AND TEST REPORT
STATE OF COLORADO, OFFICE OF THE STATE ENGINEER

For Office Use only

RECEIVED

NOV 30 1999

WATER RESOURCES
STATE ENGINEER
COLO.

1.	WELL PERMIT NUMBER <u>219123</u>							
2.	OWNER NAME(S) <u>John T. Birch</u> Mailing Address <u>1619 Ford St.</u> City, St. Zip <u>Golden, Colo. 80401</u> Phone <u>(303) 478-2030</u>							
3.	WELL LOCATION AS DRILLED: <u>2E 1/4 5E 1/4, Sec. 28 Twp. 6 S, Range 70 W</u> DISTANCES FROM SEC. LINES: <u>835</u> ft. from <u>South</u> Sec. line. and <u>540</u> ft. from <u>East</u> Sec. line. (north or south) (east or west) SUBDIVISION: <u>Pine Springs Ranch</u> LOT <u>16</u> BLOCK _____ FILING(UNIT) _____ STREET ADDRESS AT WELL LOCATION: <u>20133 Silver Ranch Rd</u>							
4.	PUMP DATA: Type <u>Submersible</u> Installation Completed <u>10-20-99</u> Pump Manufacturer <u>Goulds</u> Pump Model No. <u>5650742L</u> Design GPM <u>5</u> at RPM <u>3450</u> , HP <u>3/4</u> , Volts <u>230</u> , Full Load Amps <u>8.0</u> Pump Intake Depth <u>320</u> Feet, Drop/Column Pipe Size <u>1</u> Inches, Kind <u>SCH 80 PVC</u> ADDITIONAL INFORMATION FOR PUMPS GREATER THAN 50 GPM: TURBINE DRIVER TYPE: <input type="checkbox"/> Electric <input type="checkbox"/> Engine <input type="checkbox"/> Other _____ Design Head _____ feet, Number of Stages _____, Shaft size _____ inches.							
5.	OTHER EQUIPMENT: Airline Installed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, Orifice Depth ft. _____ Monitor Tube Installed <input type="checkbox"/> Yes <input type="checkbox"/> No, Depth ft. _____ Flow Meter Mfg. _____ Meter Serial No. _____ Meter Readout <input type="checkbox"/> Gallons, <input type="checkbox"/> Thousand Gallons, <input type="checkbox"/> Acre feet, <input type="checkbox"/> Beginning Reading _____							
6.	TEST DATA: <input type="checkbox"/> Check box if Test data is submitted on Supplemental Form. Date <u>10-20-99</u> Total Well Depth <u>352</u> Time <u>4 hrs</u> Static Level <u>100'</u> Rate (GPM) <u>14</u> Date Measured <u>10-20-99</u> Pumping Lvl. <u>320</u>							
7.	DISINFECTION: Type <u>HTH</u> Amt. Used <u>100 PPM</u>							
8.	Water Quality analysis available. <input type="checkbox"/> Yes <input type="checkbox"/> No							
9.	Remarks _____ _____ _____ _____ _____							
10.	I have read the statements made herein and know the contents thereof, and that they are true to my knowledge. [Pursuant to Section 24-4-104 (13)(a) C.R.S., the making of false statements herein constitutes perjury in the second degree and is punishable as a class 1 misdemeanor.] CONTRACTOR <u>Living Water Pump Service Co., Inc.</u> Phone <u>(303) 674-2017</u> Lic. No. <u>1138</u> Mailing Address <u>P.O. Box 942 - Conifer, Colo. 80433</u> <table border="1"><tr><td>Name/Title (Please type or print)</td><td>Signature</td><td>Date</td></tr><tr><td><u>Wayne Wilson - Pres.</u></td><td><u>Wayne Wilson</u></td><td><u>11-22-99</u></td></tr></table>		Name/Title (Please type or print)	Signature	Date	<u>Wayne Wilson - Pres.</u>	<u>Wayne Wilson</u>	<u>11-22-99</u>
Name/Title (Please type or print)	Signature	Date						
<u>Wayne Wilson - Pres.</u>	<u>Wayne Wilson</u>	<u>11-22-99</u>						

WELL CONSTRUCTION AND TEST REPORT
STATE OF COLORADO, OFFICE OF THE STATE ENGINEER
1313 Sherman St., Rm 818, Denver, CO 80203

For Office Use only

RECEIVED

AUG 30 1999

WATER RESOURCES
STATE ENGINEER
COLO1. WELL PERMIT NUMBER 2191232. OWNER NAME(S) John T. Birch
Mailing Address 1619 Ford Street
City, St. Zip Golden, Co. 80401
Phone (803) 478-20303. WELL LOCATION AS DRILLED: SE 1/4 SE 1/4, Sec. 28 Twp. 6 S, Range 70 W
DISTANCES FROM SEC. LINES:
835 ft. from South Sec. line. and 540 ft. from East Sec. line. OR
(North or South) (East or West)
SUBDIVISION: Pine Springs Ranch LOT 16 BLOCK _____ FILING(UNIT) _____
STREET ADDRESS AT WELL LOCATION: _____4. GROUND SURFACE ELEVATION Unknown ft. DRILLING METHOD Air
DATE COMPLETED Aug. 10. 1999 TOTAL DEPTH 352 ft. DEPTH COMPLETED 352 ft.

5. GEOLOGIC LOG:

Depth	Description of Material (Type, Size, Color, Water Location)
0	1 Topsoil
1	71 Tan granite
71	143 Rose granite
143	162 Gray granite
162	233 Rose granite
233	280 Gray granite
280	287 Rose granite with pink & white quartz xx
287	352 Gray granite with pink & white quartz

6. HOLE DIAM. (in.) From (ft) To (ft)

8.5	0	23
6 1/8	23	352

7. PLAIN CASING

OD (in)	Kind	Wall Size	From(ft)	To(ft)
6 5/8	Steel	.188	+1	22
4.5	P.V.C.	.214	12	272
4.5	P.V.C.	.214	292	312
PERF. CASING: Screen Slot Size:			032	
4.5	P.V.C.	.214	272	292
4.5	P.V.C.	.214	312	352

8. FILTER PACK:

Material _____
Size _____
Interval _____

9. PACKER PLACEMENT:

Type Rubber
Depth 80 ft

REMARKS:

10. GROUTING RECORD:

Material	Amount	Density	Interval	Placement
Cement	188#	15#	8-20	Poured & vibrated

11. DISINFECTION: Type H.T. H. Amt. Used 8 Oz.12. WELL TEST DATA: ☐ Check box if Test Data is submitted on Form No. GWS 39 Supplemental Well Test.TESTING METHOD Air
Static Level 100 ft. Date/Time measured 8-10-99, Production Rate 14 gpm.
Pumping level 352 ft. Date/Time measured 8-10-99, Test length (hrs.) 1
Remarks _____

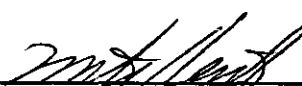
13. I have read the statements made herein and know the contents thereof, and that they are true to my knowledge. [Pursuant to Section 24-4-104 (13)(a) C.R.S., the making of false statements herein constitutes perjury in the second degree and is punishable as a class 1 misdemeanor.]

CONTRACTOR James Drilling Company Phone (803) 420-5181 Lic. No. 1134
Mailing Address 6235 West 56th Avenue Arvada, Co. 80002

Name/Title (Please type or print)

Michael Keaton, President

Signature



Date

8-24-99

OFFICE OF THE STATE ENGINEER
COLORADO DIVISION OF WATER RESOURCES
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

LIC

APPLICANT

WELL PERMIT NUMBER 219123
DIV. 1 WD 8 DES. BASIN MD

Lot: 16 Block: Filing: Subdiv: PINE SPRINGS RANCH

JOHN T BIRCH
1619 FORD ST
GOLDEN, CO 80401-

(303) 478-2030

APPROVED WELL LOCATION

JEFFERSON COUNTY

SE 1/4 SE 1/4 Section 28

Township 6 S Range 70 W Sixth P.M.

DISTANCES FROM SECTION LINES

835 Ft. from South Section Line

540 Ft. from East Section Line

PERMIT TO CONSTRUCT A WELL

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT

CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-92-602(3)(b)(II)(A) as the only well on a residential site of 4.16 acre(s) described as lot 16, Pine Springs Ranch Subdivision, Jefferson County.
- 4) The use of ground water from this well is limited to ordinary household purposes inside one single family dwelling. The ground water shall not be used for irrigation or other purposes.
- 5) The maximum pumping rate of this well shall not exceed 15 GPM.
- 6) The return flow from the use of this well must be through an individual waste water disposal system of the non-evaporative type where the water is returned to the same stream system in which the well is located.
- 7) This well shall be constructed not more than 200 feet from the location specified on this permit.
- 8) This permit has been approved for a well to be located on lot 16 of Pine Springs Ranch, 835 feet from the South Section Line and 540 feet from the East Section Line, modifying Items 4 and 5 on the well permit application form. You are hereby notified that you have the right to appeal the issuance of this permit, by filing a written request with this office within sixty (60) days of the date of issuance, pursuant to the State Administrative Procedures Act. (See Section 24-4-104 through 106, C.R.S.)

NOTE: Expired permit 130419, was previously issued for this lot. *7/20/99*

APPROVED
JSG

Hal D. Simpson
State Engineer

Receipt No. 0446678

DATE ISSUED JUL 21 1999

John Birch
By EXPIRATION DATE JUL 21 2001

JUN 10 1999

COLORADO DIVISION OF WATER RESOURCES
DEPARTMENT OF NATURAL RESOURCES
1313 SHERMAN ST., RM. 818, DENVER CO 80203
phone - info: (303) 866-3587 main: (303) 866-3581

WATER RESOURCES
STATE ENGINEER
COLO.

NEW HOUSEHOLD USE ONLY

Review instructions prior to completing form

Water Well Permit Application

Must be completed in black ink or typed

1. APPLICANT INFORMATION				6. USE OF WELL	
Name of applicant <u>John T. Birch</u>				ORDINARY HOUSEHOLD PURPOSES INSIDE ONE SINGLE FAMILY DWELLING (NO OUTSIDE USE)	
Mailing Address <u>1619 Ford St.</u>					
City <u>Golden</u> State <u>CO</u> Zip code <u>80401</u>					
Telephone Number (include area code) <u>303 - 478-2030</u>				7. WELL DATA	
2. TYPE OF APPLICATION				MAXIMUM PRODUCTION RATE OF THE WELL WILL NOT EXCEED 15 GPM	
CONSTRUCT A NEW HOUSEHOLD USE ONLY WELL ON LESS THAN 35 ACRES				8. TYPE OF RESIDENTIAL SEWAGE SYSTEM	
3. REFER TO (if applicable):				<input checked="" type="checkbox"/> Septic tank / absorption leach field	
Monitoring hole acknowledgment # MH-				<input type="checkbox"/> Central system	
4. LOCATION OF WELL				District name: _____	
County <u>Jefferson</u>		Quarter/quarter <u>SE 1/4</u>	Quarter <u>SE 1/4</u>	<input type="checkbox"/> Vault	
Section <u>28</u>	Township N or S <u>6</u> <input checked="" type="checkbox"/> N <input type="checkbox"/> S	Range E or W <u>70</u> <input checked="" type="checkbox"/> E <input type="checkbox"/> W	Principal Meridian <u>6th</u>	Location sewage to be hauled to: _____	
Distance of well from section lines <u>835</u> ft. from <input type="checkbox"/> N <input checked="" type="checkbox"/> S <u>540</u> ft. from <input type="checkbox"/> E <input checked="" type="checkbox"/> W				<input type="checkbox"/> Other (attach copy of engineering design)	
Well location address, if different from applicant address (if applicable)				9. PROPOSED WELL DRILLER (optional)	
5. TRACT ON WHICH WELL WILL BE LOCATED				Name _____ License number _____	
A. You must check one of the following - see instructions				10. SIGNATURE of applicant(s) or authorized agent	
<input type="checkbox"/> Subdivision: Name _____				The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 mis- demeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof and state that they are true to my knowledge.	
Lot # _____ Block # _____ Filing/Unit# _____				Must be original signature <u>John T. Birch</u>	
<input type="checkbox"/> County Exemption (copy of county approval & survey must be attached)				Title <u>Owner</u> Date <u>6/9/99</u>	
Exempt. name/# _____ Tract # _____				Office Use Only <input checked="" type="checkbox"/> WEL- <u>Pres 335 per meter 130419 fcd.</u>	
<input type="checkbox"/> Mining claim (attach copy of deed or survey)				(H40 R-1 Expo Note (130419)	
Claim name/# _____				TRM446678 061099 DIV 160.00	
<input checked="" type="checkbox"/> Other (attach legal description to application)				CHECKS DIV OF WATER RESOURCES	
B. STATE PARCEL				CO <u>30</u>	
ID# (optional): _____				WD <u>8</u>	
C. # of acres in tract <u>4.16</u>				BA _____	
D.				USE _____ MD _____	
THIS WILL BE THE ONLY WELL ON THIS TRACT				Lot 16, Pine Springs Ranch 540' ESH in DBASE	

JUN 10 1995

WATER RESOURCES
STATE ENGINEER
COLO.

1. RECORDATION OF THE ODP AMENDMENT
2. APPROVAL OF THE DRAINAGE REPORT.
3. REVISIONS TO THE SITE AND LANDSCAPING PLAN AS SHOWN ON THE RED-MARKED PRINT ON FILE IN THE PLANNING DEPARTMENT.
4. IMPROVEMENTS TO KEN CARL AVENUE AND CARR COURT AS DESCRIBED. PLANS FOR THESE IMPROVEMENTS MUST BE APPROVED BY THE DEPARTMENT OF HIGHWAYS AND TRANSPORTATION.
5. SUBMITTAL OF AN ACCEPTABLE PERFORMANCE GUARANTEE, FOR THE KEN CARYL AVENUE AND CARR COURT IMPROVEMENTS.
6. EXECUTION OF A PLATTING EXEMPTION AGREEMENT TO ENSURE LANDSCAPING INSTALLATION AND FOUNDATION CONSTRUCTION ACCORDING TO THE RECOMMENDATIONS OF A REGISTERED ENGINEER.

THE CHAIRMAN IS AUTHORIZED TO SIGN THE AGREEMENT.

EXEMPTION #E128-12-83 -

SELINA BRITTON

SWORN TESTIMONY: SELINA BRITTON, APPLICANT
BONNIE CROMER, DAUGHTER OF APPLICANT

FOLLOWING THE TAKING OF SWORN TESTIMONY AND A GENERAL DISCUSSION, THE BOARD UPON MOTION OF COMMISSIONER FERDINANDSEN, DULY SECONDED BY COMMISSIONER CLEMENT, AND BY UNANIMOUS VOTE, ADOPTED A RESOLUTION FOR THE APPROVAL OF EXEMPTION #E128-12-83, SELINA BRITTON, 39 ACRES, 2 PARCELS, (NE1/4 SECTION 18, TOWNSHIP 6 SOUTH, RANGE 69 WEST). SUBJECT TO STAFF COMMENTS AS FOLLOWS:

1. PAYMENT OF \$51.00 FOR PARKS AND \$19.50 FOR SCHOOLS IN LIEU OF LAND DEDICATION. SEPARATE CHECKS PAYABLE TO JEFFERSON COUNTY SHOULD BE SUBMITTED BY THE APPLICANT.
2. RECEIPT OF A LETTER FROM THE INTER-CANYON FIRE DEPARTMENT INDICATING THAT A 1000 GALLON CISTERN HAS BEEN SATISFACTORILY INSTALLED.
3. EXECUTION OF A PLATTING EXEMPTION AGREEMENT ENSURING:
 - a. LEGAL ACCESS PRIOR TO THE CONVEYANCE OF PARCEL 2;
 - b. THAT PRIOR TO THE CONVEYANCE OF PARCEL 2, A WELL PERMIT HAS BEEN ISSUED OR THE APPLICANT HAS DEMONSTRATED THAT THERE IS A DOMESTIC WELL OF SUFFICIENT CAPACITY TO SUPPLY BOTH PARCELS;
 - c. IF THE DOMESTIC WELL IS TO BE SHARED, AN EQUITABLE WELL DISTRIBUTION ARRANGEMENT MUST BE DEVELOPED.

THE CHAIRMAN IS AUTHORIZED TO SIGN THE AGREEMENT.

EXEMPTION #E129-12-83 - LLOYD AND CAROLYN PETERSON AND ALAN CHRISTENSEN

SWORN TESTIMONY: LLOYD PETERSON, APPLICANT

FOLLOWING THE TAKING OF SWORN TESTIMONY AND A GENERAL DISCUSSION, THE BOARD UPON MOTION OF COMMISSIONER CLEMENT, DULY SECONDED BY COMMISSIONER FERDINANDSEN AND BY UNANIMOUS VOTE, ADOPTED A RESOLUTION FOR THE APPROVAL OF EXEMPTION #E129-12-83, PETERSON/CHRISTENSEN, 9.14 ACRES, 2 PARCELS (SE1/4 SECTION 28, TOWNSHIP 6 SOUTH, RANGE 70 WEST.) SILVER RANCH RD. SUBJECT TO STAFF COMMENTS FOR PAYMENT OF \$122.40 FOR PARKS AND \$46.80 FOR SCHOOLS IN LIEU OF LAND DEDICATION. SEPARATE CHECKS PAYABLE TO JEFFERSON COUNTY SHOULD BE SUBMITTED BY THE APPLICANT.

PLAT #S21-7-83 EVERGREEN COMMONS, APPEAL OF PLANNING COMMISSION DECISION.

FOLLOWING THE TAKING OF SWORN TESTIMONY AND A GENERAL DISCUSSION, THE BOARD UPON MOTION OF COMMISSIONER FERDINANDSEN, DULY SECONDED BY COMMISSIONER CLEMENT, AND BY UNANIMOUS VOTE, ADOPTED A RESOLUTION TO UPHOLD THE DENIAL OF THE APPEAL OF PLANNING COMMISSION DECISION ON PLAT #S21-7-83, EVERGREEN COMMONS.

Best Copy Available

SE1/4
Section 28
T6S
R70W

COLORADO DIVISION OF WATER RESOURCES
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203

RECEIVED JUN 10 1999

APR 19 1983

WATER RESOURCES
STATE ENGINEER
COLO.

PERMIT APPLICATION FORM

Application must be complete where applicable. Type or print in **BLACK INK**. No overstrikes or erasures unless initialed.

() A PERMIT TO USE GROUND WATER
(X) A PERMIT TO CONSTRUCT A WELL
FOR: (X) A PERMIT TO INSTALL A PUMP

() REPLACEMENT FOR NO. _____

() OTHER _____

WATER COURT CASE NO. _____

(1) APPLICANT - mailing address

NAME LLOYD M. PETERSON

STREET 11290 W OREGON DR

CITY LAKEWOOD CO 80221
(State) (Zip)

TELEPHONE NO. 786 7024 623-1234

FOR OFFICE USE ONLY: DO NOT WRITE IN THIS COLUMN

Receipt No. 35001

Basin _____

Dist. _____

CONDITIONS OF APPROVAL

This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.

1) APPROVED PURSUANT TO CRS 1973, 37 - 92 - 602 (3)

(b) (1) AS THE ONLY WELL ON A RESIDENTIAL SITE

DESCRIBED AS 4.16 ACRES in Parcel 16,
Pine Spring Ranch, Jefferson Co

2) THE USE OF GROUNDWATER FROM THIS WELL IS LIMITED TO ORDINARY HOUSEHOLD PURPOSES INSIDE A SINGLE FAMILY DWELLING, AND SHALL NOT BE USED OUTSIDE THE HOUSE FOR ANY PURPOSE.

3) THE RETURN FLOW FROM THE USE OF THE WELL MUST BE THRU AN INDIVIDUAL WASTE WATER DISPOSAL SYSTEM OF THE NON - EVAPORATIVE TYPE WHERE THE WATER IS RETURNED TO THE SAME STREAM SYSTEM IN WHICH THE WELL IS LOCATED.

OWNER'S COPY

APPLICATION APPROVED

PERMIT NUMBER 130419

DATE ISSUED MAY 19 1983

EXPIRATION DATE MAY 19 1985

Robert C. Langenberg

Assistant (STATE ENGINEER)

BY Dewey R. Johnson

1 118

20

(2) LOCATION OF PROPOSED WELL

County JEFFERSON

SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 28

Twp 6 S, Rng. 70 W, 6th P.M.
N.S. E.W.

(3) WATER USE AND WELL DATA

Proposed maximum pumping rate (gpm) 15

Average annual amount of ground water to be appropriated (acre-feet): 1

Number of acres to be irrigated: 0

Proposed total depth (feet): 350'

Aquifer ground water is to be obtained from:

FRACTURED GRANITE

Owner's well designation _____

GROUND WATER TO BE USED FOR:

(X) HOUSEHOLD USE ONLY - no irrigation (0)

() DOMESTIC (1)

() INDUSTRIAL (5)

() LIVESTOCK (2)

() IRRIGATION (6)

() COMMERCIAL (4)

() MUNICIPAL (8)

() OTHER (9) _____

DETAIL THE USE ON BACK IN (11)

(4) DRILLER

Name LICENSED

Street _____

City _____
(State) (Zip)

Telephone No. _____ Lic. No. _____

Commitment No.: 5536519

SCHEDULE A - Continued

LEGAL DESCRIPTION

A parcel of ground located in the Southeast 1/4 of the Southeast 1/4 of Section 28, Township 6 South, Range 70 West of the 6th P.M., Jefferson County, Colorado, more particularly described as follows:

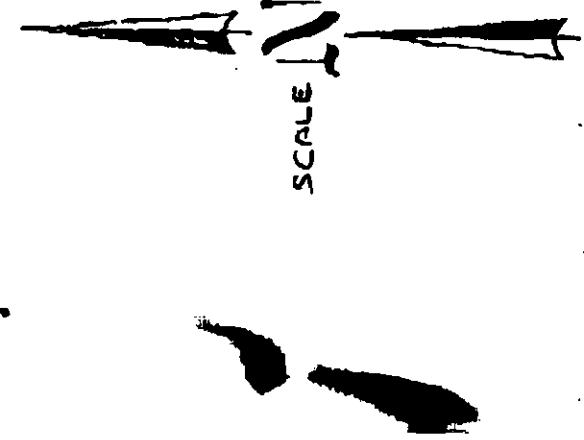
BEGINNING at a point on the East line of Section 28 whence the Southeast corner of Section 28 bears South 00 deg. 48 min. 40 sec. East 575.00 feet;
thence due West 646.87 feet to a point on the center line of a 60 foot access road;
thence on and along said center line North 21 deg. 19 min. 00 sec. East 332.73 feet;
thence departing from said center line due East 521.53 feet to a point on the East line of Section 28;
thence on and along the East line of Section 28, South 00 deg. 48 min. 40 sec. East 310.00 feet to the POINT OF BEGINNING and reserving that portion of the Westerly 30 feet thereof, lying adjacent to the above described center line, for road purposes,

County of Jefferson,
State of Colorado.

10. CLAUDINE

PARO 1 JOHN

216-9646



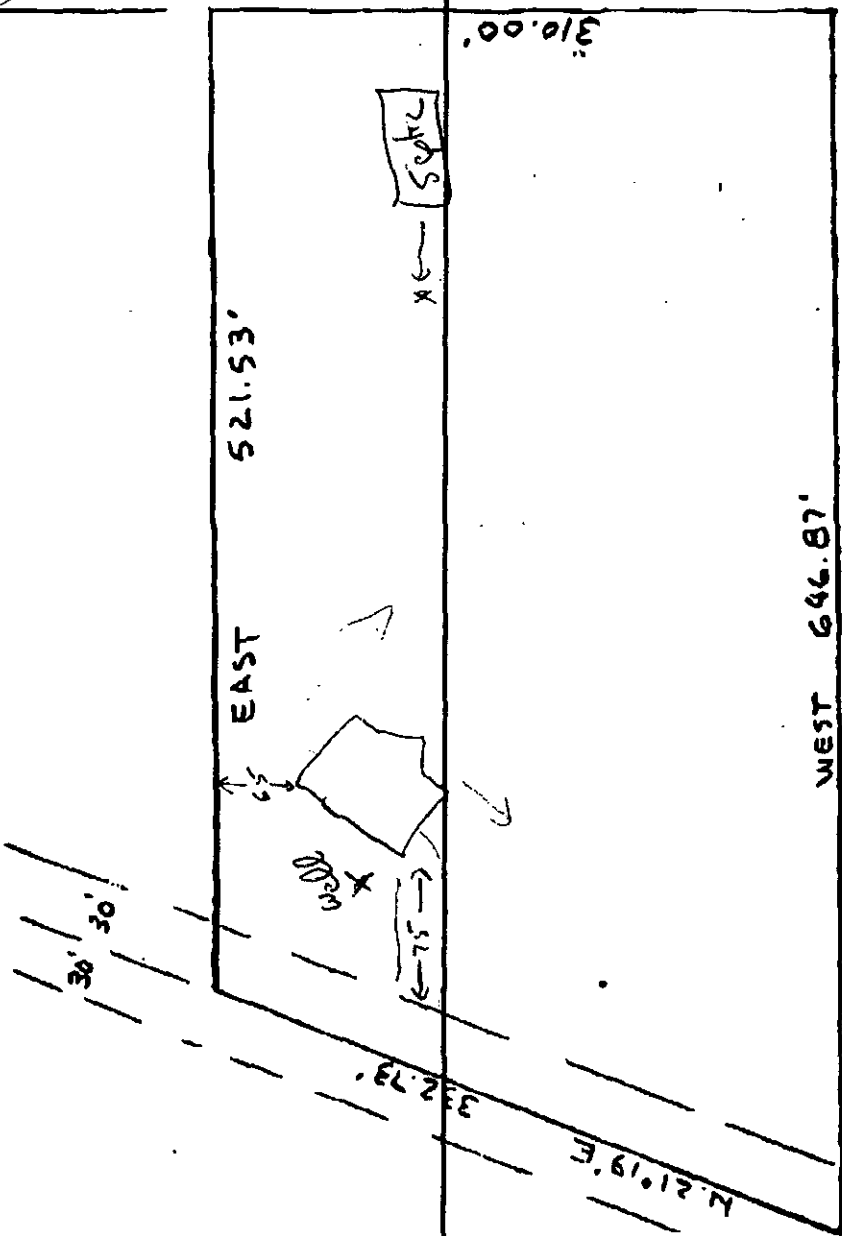
4.157 ACRES

20133 SILVER RANCH ROAD

Best Copy Available

APCEL OF GROUND LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST
OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 10 WEST OF THE 6TH
NCPAL MERIDIAN, JEFFERSON COUNTY, COLORADO, MORE
TICULARLY DESCRIBED AS FOLLOWS:

INNING AT A POINT ON THE EAST LINE OF SECTION 28 WHENCE THE
TRENCH CORNER OF SECTION 28 BEARS SOUTH 00 DEGREES 18 MINUTES
SECONDS EAST 575.00 FEET; THENCE DUE WEST 646.87 FEET TO A
POINT ON THE CENTERLINE OF A 60 FOOT ACCESS ROAD; THENCE ON AND
ALONG THE CENTERLINE NORTH 21 DEGREES 19 MINUTES 00 SECONDS
7 332.73 FEET; THENCE DEPARTING FROM SAID CENTERLINE DUE EAST
.53 FEET TO A POINT ON THE EAST LINE OF SECTION 28; THENCE ON
ALONG THE EAST LINE OF SECTION 28 SOUTH 00 DEGREES 48
UTES 40 SECONDS EAST 310.00 FEET TO THE POINT OF BEGINNING,
RESERVING THAT PORTION OF THE WESTERLY 30 FEET THEREOF,
NG ADJACENT TO THE ABOVE DESCRIBED CENTERLINE, FOR ROAD
POLES.



SILVER RANCH ROAD
Access Road

WATER RESOURCES
STATE ENGINEER
COLO.

JUN 10 1999

RECEIVED

825' SSL
450' ESL

HAYES & SOUTCIE

SE COR

Permit Application Change Form

To be used when issuing well permits based upon information other than as received. Please file with final Permit

Receipt No. 446678

Name of Applicant Birch

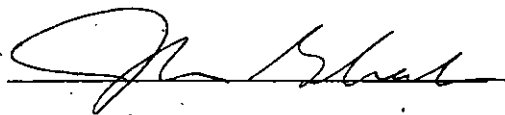
Summary of change(s):

Approved for a well to be located on lot 16
of Pine Springs Ranch, 835 feet from the South
Section line and 540 feet from the East Section
Line, modifying Items 4 and 5 on the well
permit application form.

- Pursuant to p # 130419 (expired) and diagram
submitted by applicant

Date 7/20/99

Signed



Print Name

John Gilbert









Allie McGahee

From: becky walker <walker.becky.e@gmail.com>
Sent: Friday, November 25, 2022 8:27 AM
To: Allie McGahee
Subject: --{EXTERNAL}-- Case# 22-119725VC

CAUTION: This email originated from outside Jefferson County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I am unable to attend the meeting for Case# 22-119725VC (20133 Silver Ranch Road Conifer, CO) on 12.07.2022 @ 9am but I would like to write to you and extend my full support to the owners turning this into a short term rental.

I saw several posts on NextDoor informing community members about this potential STR and many community members are fully against this. I do not think they fully understand that STR done properly through the county are held to a much higher standard than regular homeowners.

Our community has a median age of 54 and many commentators are above that age and are actively against ANY change in our area. I do not think they understand that change, while sometimes scary, can be a good thing in the long run.

I wish you good luck at the upcoming meeting and hope that this STR will pass.

Happy Holidays!
Becky Walker

Allie McGahee

From: brian lafleur <justfinished77@gmail.com>
Sent: Wednesday, November 30, 2022 11:47 AM
To: Allie McGahee
Cc: Darcy La Fleur
Subject: --{EXTERNAL}-- Letter regarding special exception to allow short term rental case # 22-11972- Silver Ranch neighborhood Conifer

CAUTION: This email originated from outside Jefferson County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. McGahe,

My wife and I are writing this letter in regards to the request for a special exception to allow short term rental at 20133 Silver Ranch Rd. Conifer, CO 80433, case #22-11972. We are residents of the neighborhood for the last 8 years and have a vested interest in our community. We know and socialize with many of the neighbors and have many concerns about having a constant flow of strangers with no vested interest in the well-being of our community. The following is a list of concerns we have:

1) The new owners added a fire pit area to the property. As you may know Jefferson County is often in a fire ban in the summer months and adding this fire pit invites visitors to build fires with or without the knowledge of said ban. This easily could result in a wildland fire destroying the entire neighborhood. Even if the visitors are aware of the fire ban they are not vested homeowners therefore may not care. This is of utmost concern.

2) This home sits on the community maintained portion of the road. The homeowners on that side of the community work together in the summer and winter to keep that road open. Since the new owners have not experienced a winter in this area they may not be aware of the number of people who think this is the way in and out of the neighborhood and often get stuck. With no cell service they are at the mercy of neighbors to assist them. If they cannot get help then their vehicles become a road hazard and block the road. This is bad in the best of circumstances but if emergency vehicles need to get through this could have a devastating outcome. Many neighbors on that portion on the road are elderly or have medical conditions.

3) Cell service is limited or non-existent in this area. Being in the medical/emergency services fields my wife and I both understand the importance of having the ability to summon help quickly in an emergency. If there were to be a medical emergency and short term renters are expecting to use cell phones as their means of communication this could also have devastating consequences.

4) Power outages we often experience random power outages in this area. Last I knew this home did not have any back-up power system. The homes in this area need power for heat and water not to mention to run the internet (again many of us use wi-fi calling to use cell phones). While I agree that if we have a power outage the visitors can leave the home, however, this may happen at night and they may not be aware until they are cold. This can also create a precarious situation for the homeowner as trying to keep the home warm enough to prevent pipes freezing etc. is often difficult for full time homeowners let alone someone not in the home routinely. Just as a note of caution power outages have lasted from minutes to days and even up to a week or more.

5) Strangers. Community watch is essential in this area. As you may have realized by now the Silver Ranch neighborhood is a close knit community. We know our neighbors and watch out for them. Strangers in our midst are often concerning. Many of us live here but work in the city and leave our homes for many hours. Since the Jeffco Sheriff

has a delayed response to our area we count on each other to watch for strangers or criminal intent. Since there will likely be a revolving door of non-homeowners to this location this is concerning.

6) Wildlife- We love living in an area with an abundance of wildlife but this relationship is a delicate balance. In our area there are mountain lions, bears, bobcats, foxes, deer, elk, coyote, turkey, skunks, raccoons, and moose. Knowing how to live with the wildlife is essential in keeping both them and us safe. Many people learn when they move here that feeding wildlife is a bad thing. Yet, we know that visitors who encounter wildlife with no knowledge or experience find it fascinating to feed them. This attracts both the predators and the prey and make them not only dependent but immune to human interaction. Additionally, if visitors have small children or domestic animals that they bring to the home they may be unaware of the dangers.

7) Trash management is another essential issue. In our neighborhood it is imperative that trash is not left out for even one night. We all store trash in a safe locked area and put trash out the morning of pick up. Trash left out any sooner is subject specifically to bear activity. With short term renters how will trash be managed?

These are the most pressing concerns that we currently have. Thank you for taking the time to consider these in your decision on this matter. Please feel free to reach out to us directly if you have further questions.

Sincerely,
Brian and Darcy LaFleur
12349 Quartz Spur
Conifer, CO 80433
303-941-6029

Allie McGahee
Case Manager
Case Number: 22119725 VC

Dear Allie,

I'm a Conifer resident at 19293 Silver Ranch Rd, only 1,746 feet from 20133 Silver Ranch Rd, the property in Case 22-119725VC under consideration for a "Special Exemption to allow a Short-Term Rental." Please find below my input on Case 22-119725VC.

My Position:

I want to convey my **opposition** to the Special Exemption that would enable the Short-Term Rental to proceed at 20133 Silver Ranch Rd. Jefferson County Planning & Zoning must reject the Special Exemption request and terminate the process immediately.

Why am I opposed?

I am concerned that renters and guests at the Short Term Rental (STR), unfamiliar with the extreme wildfire risk of the STR location and surrounding area, will start a wildfire endangering the lives of the renters, guests, my neighbors, and residents across the region. Jefferson County's STR regulations do not adequately address all the risks associated with STRs in the Wildland Urban Interface (WUI) and do not convey that risk to the people occupying the STR.

Supporting Analysis

1. 20133 Silver Ranch Rd is located in an area designated at the highest risk of wildfire in Colorado and the United States, as documented in the Elk Creek/Inter-Canyon Community Wildfire Protection Plan (Attachment 1) in Figure 4.b.5 on page 64. The text reads, "...Aspen Park and the surrounding areas are at greater risk of wildfire than 99% of communities in both Colorado and the United States."
 - i. 20133 Silver Ranch Rd is in the Elk Creek/Inter-Canyon Fire Protection District's Silver Ranch South Planning Unit. Attachment 1, Table 4.b.3 on page 80, categorizes the Relative Risk Level of wildfire in the Silver Ranch South Planning Unit as **Extreme**.
2. The "Being a Good Neighbor. A guide to short-term rentals" (Attachment 2) information required by Jefferson County to be posted on the STR property is entirely inadequate. It does ban outdoor fires; however, it excludes many critical wildfire-related safety factors:
 - i. It fails to address the dangers of smoking outdoors at any time, nor does it address how Jefferson County Fire Restrictions – Stage One, and a Fire Ban – Stage Two, limit where smoking can occur.
 - ii. Lacks the requirement for the guests/renter to be aware of the current Jefferson County Fire Restriction level and what is allowed and not allowed at various restriction levels.
 - iii. Lacks the requirement for the renter/guest to register with Lookout Alert to receive wildfire evacuation notices and other warnings issued by Jefferson County. This expressly puts the lives of the renters at risk.

My Requests:

- Allie – I ask that you and Jefferson County Planning & Zoning **do not approve** the “Special Exemption to allow a Short-Term Rental” Case 22-119725VC.
- Please review all the material attached to this email and include it in the public record.
- Please add me to the email list for developments on this case.
- Zoning Resolution Section 39 - Wildfire Hazard Overlay District has recently been updated. Has it been verified that the property complies with the updated Zoning Resolution as required by the current JeffCo Short-Term Rental regulations?
- A defensible space permit is shown on the County website in the Misc. Documents folder for this case. My question is – will Jefferson County ensure the defensible space work is completed?

Summary

Jefferson County’s Strategic Plan places a strong emphasis on creating safe communities. Approving an STR in a location at **extreme** risk of wildfire is not in the best interest of public safety and is counter to the Strategic Plan. Approving this request puts the lives of residents in Silver Ranch Estates and the surrounding region at risk. Approving this request puts the lives of the renters and guests of the STR at risk.

In conclusion, I ask that this request be denied due to its negative impact on the health and safety of the residents in Silver Ranch Estates, the Pleasant Park Corridor, Aspen Park, Morrison, Littleton, and the entire surrounding area.

Al Leo

Resident of Silver Ranch Estates

Allie McGahee

From: David Lissak <david@integrityresearchusa.com>
Sent: Monday, November 28, 2022 12:20 PM
To: Allie McGahee
Subject: --{EXTERNAL}-- CASE #22-119725VC (20133 Silver Ranch Rd) Variance - BOA

CAUTION: This email originated from outside Jefferson County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Allie,

This is Dave Lissak. My spouse, Rose, and I are 35 year full-time residents of the Silver Ranch Neighborhood. The homes in our neighborhood are situated in a densely forested part of Jeffco that was evacuated during the 2012 North Fork fire. And, we've been impacted by the former fires of Buffalo Creek, Hayman, Hi Meadow and others. We mitigate the land in case of future fires and understand that we live in a high risk area. You can see how the prospect of a short-term rental home in such an environment would cause great worry to our neighbors, Rose, and I. Living safely in the foothills requires quite a learning curve; that wisdom of fire danger is not something that is acquired in a short time. Thus said, Rose and I are greatly OPPOSED to any Short-Term Rental Variance for 20133 Silver Ranch Road. Silver Ranch road is in the configuration of a horseshoe; 20133 Silver Ranch Road is on the unfinished and unmaintained section. Access to the property will not be easy for firefighters, emergency health workers and visitors. Please accept this email stating our opposition as we will be unable to attend the hearing on December 7th.

Thank you!

Dave Lissak
303-697-4267
David@IntegrityResearchUSA.com

Tuesday November 29th, 2022

Silver Ranch Neighborhood Written Comments For:

Case Type: Variance - BOA

Case Number: 22-119725VC

Where: 20133 Silver Ranch RD

Case Manager: Allie McGahee, 303-271-8736, almcgahe@co.jefferson.co.us

Purpose: Special Exception to allow a Short-Term Rental

Many neighbors are Opposed to the Special Exception to allow a short term rental for multiple reasons as follows:

Primary Issue – Road Access and Safety

1. In section 12 on page 3 on the application regarding Access, the applicant has entered [incorrect information for the options given](#). **Corrected information and comments below.**

Section 12. Access:

a. Legal access

Option chosen for answer: [County-maintained road](#) – **The location is located on an Unmaintained part of Silver Ranch Road and is NOT maintained by Jeffco. The marked up Jeffco Staff exhibit depicting this is included in this response.**

b. Does the roadway meet County standards?

Option chosen for answer: [Yes](#) – **According to Jefferson County Road and Bridge department the current Unmaintained part of Silver Ranch DOES NOT meet the requirements for Jeffco to maintain such as:**

- I. A 24' width that included shoulders.
 - II. A 3' minimum width swale for drainage (not sure if this needs to be on both sides).
 - III. New maintained roads may need to be paved.
 - IV. Right of Ways need to be acquired from local residents.
 - V. AND Jeffco is not taking on any additional roads for maintaining at this time.
2. This road is maintained and paid for by the 11 owners adjacent to it. Thousands of dollars are spent year over year to address the dangerous issues that arise from an approximate 9% grade, poor drainage issues and narrow access where it is impossible to pass another vehicle on the many narrow sections (maximum 16' wide). It is also plowed by local residents to maintain access in the winter for all who live on it. The dis-proportionate amount of inexperienced, unfamiliar drivers on this road resulting from a short term rental causes multiple issues.
 3. This road is a safety issue for residents and non-residents both. As a north facing road it is snow packed from October through May. Non-resident vehicles regularly become stuck on this road, with complicated tows necessary to eventually extract them. There is no cell phone coverage in this area. The layout of the road does not allow residents coming up or down the road to see a stuck vehicle until it is too late, and next to impossible to back up or down on the ~9% snow packed grade
 4. Additionally, this road is the secondary fire escape route for the entire Silver Ranch Neighborhood. (It is worth noting that the evacuation for the North Fork fire occurred in the month of March)
 5. There is a different access to this home, using less of the privately maintained road, but is an additional 1.6 miles further for those coming from Hwy 285 and loops back around the entire neighborhood. In addition, all GPS programs direct drivers to use the unmaintained portion of Silver Ranch road. Most longtime residents will agree that even with special instructions to friends, family and deliveries...the vast majority still end up following the GPS directions.

****Please see attached map and photos**

Secondary Issue – Fire Danger with no owner on site

1. This neighborhood has been in “High” to “Extreme” Fire Danger for the vast majority of the past 5 years. The entire neighborhood was under mandatory full evacuation for the Lower North Fork Fire in 2012.
2. Traditionally, short term renters are from different areas and are unaware of just how fragile the environment is towards fire, even in the winter. With no owner on sight, it would be extremely difficult to enforce no fires, cigarettes, firecrackers, etc.
3. **There is serious concern that the only visible recent improvement made to the exterior of the newly purchased house was a large fire pit installed in August. This seems in direct conflict with the June application submitted, with ‘rules’ stating no fires.** **Please see attached photos

Additional Issue(s)

- We are a mountain community that does not have a homeowners association. We are proud of the freedom this allows our residents, and that we generally work out our issues as neighbors in a community. Short term renters are not community minded. The absentee owners have not been responsive to even friendly neighborhood attempts to communicate. Concern over responsiveness to issues is high.

The majority of residents whose property is accessed off this unmaintained portion Silver Ranch Rd, along with multiple other residents on Silver Ranch Rd that are opposed to this short term rental are longtime residents who have vested interests in keeping our roads safe, limiting the increased traffic of non-residents, and taking all fire precautions seriously.

Additional Neighborhood Comments:

Richard and Linda Greer
20153 Silver Ranch Rd

We are 9 year residents of Silver Ranch Rd. and live next door to the property requesting Special Exceptions for a Short Term Rental (STR). Our main concerns are listed below:

1. Road Access- We are on a unmaintained road. We have struggled many times getting up the unmaintained road in the winter. There is a sign at the bottom of the road requiring a 4-wheel drive vehicle or chains. It becomes extremely icy all winter long because it gets no sunlight. If a vehicle gets stuck it can take hours to get a tow truck to pull out vehicle.
2. Fire Danger- This is always a concern up here. People that don't live here don't necessarily understand what can cause a fire. Cigarettes, outdoor fire pit, firecrackers, etc.
3. Wild Animals- We have had issues with Bears and Foxes on our property over the years. Often causing damage to buildings and getting into trash. Non-residents may not know of these area issues.
4. Home Value – STR can decrease the value of neighboring properties and can make it difficult to sell a home with a STR next door.
5. Noise- It's not uncommon for renters to have parties creating noise, and damaging things, both inside and outside.

We are 50 yards away from the house requesting the STR exceptions. Our previous neighbors had been up here for 15 years and they helped us learn the ins and outs of living in the mountains. There is a definite learning curve that takes time to understand how different mountain living is. We are a tight group and everyone up here looks out for each other. It's one thing to have great neighbors close to you but another to have Short Term Renters.

John & Laura Murphy

20033 Silver Ranch Road

303-810-2391

As 21 year residents of Silver Ranch Road and as the other adjacent neighbors to the property named in the variance request, we are adamantly opposed to the variance for all the reasons listed above and below.

Tony and Kim Edwards

19693 Silver Ranch Rd

a3edwards@yahoo.com

(303) 807-7414

Our concerns:

-Jeffco Sheriff with already limited resources will have to be called for any complaints since the owners are not on site to enforce anything.

-In addition to the already stated fire concerns a large seating area has been built with an open fire pit. Renters are sure to use this despite the owners rules stating "no fires" Again they will not be on site to enforce.

-Large amounts of unsecured trash attracting bears is also a big concern. Kim and I own two donkeys (considered livestock) We do not need any additional predators attracted to the area.

It should also be noted that the owners made a false statement on their application when they answered yes to whether or not the road was county maintained. It is well known that it is not.

Pete Whalen,

19684 Silver Ranch Rd

petertwhalen@gmail.com

720-289-3849

I am a 21 year resident in the Silver Ranch neighborhood, and I Do Not support this Special Exception to allow a Short-Term Rental for all reasons stated above and below.

Meryl Gura

20150 Silver Ranch

The points made are thoughtful and work to protect our section and the rest of Silver Ranch Rd.

The road, fire danger, noise levels, and I'll add firearms being used, as well as the other points made, are concerns and good reasons not to allow short term rentals.

Thank you

Glenn Bingham

20000 Silver Ranch Road (19 year resident)

303-513-5123

Glenn.Bingham1160@gmail.com

I'm absolutely against a short term rental for all reasons stated on the neighborhood comments response.

Jennifer L. Wilson and Douglas J. Fraser

20124 Silver Ranch Rd. (since July 2014)

Opposed to a Short Term Rental for all reasons stated.

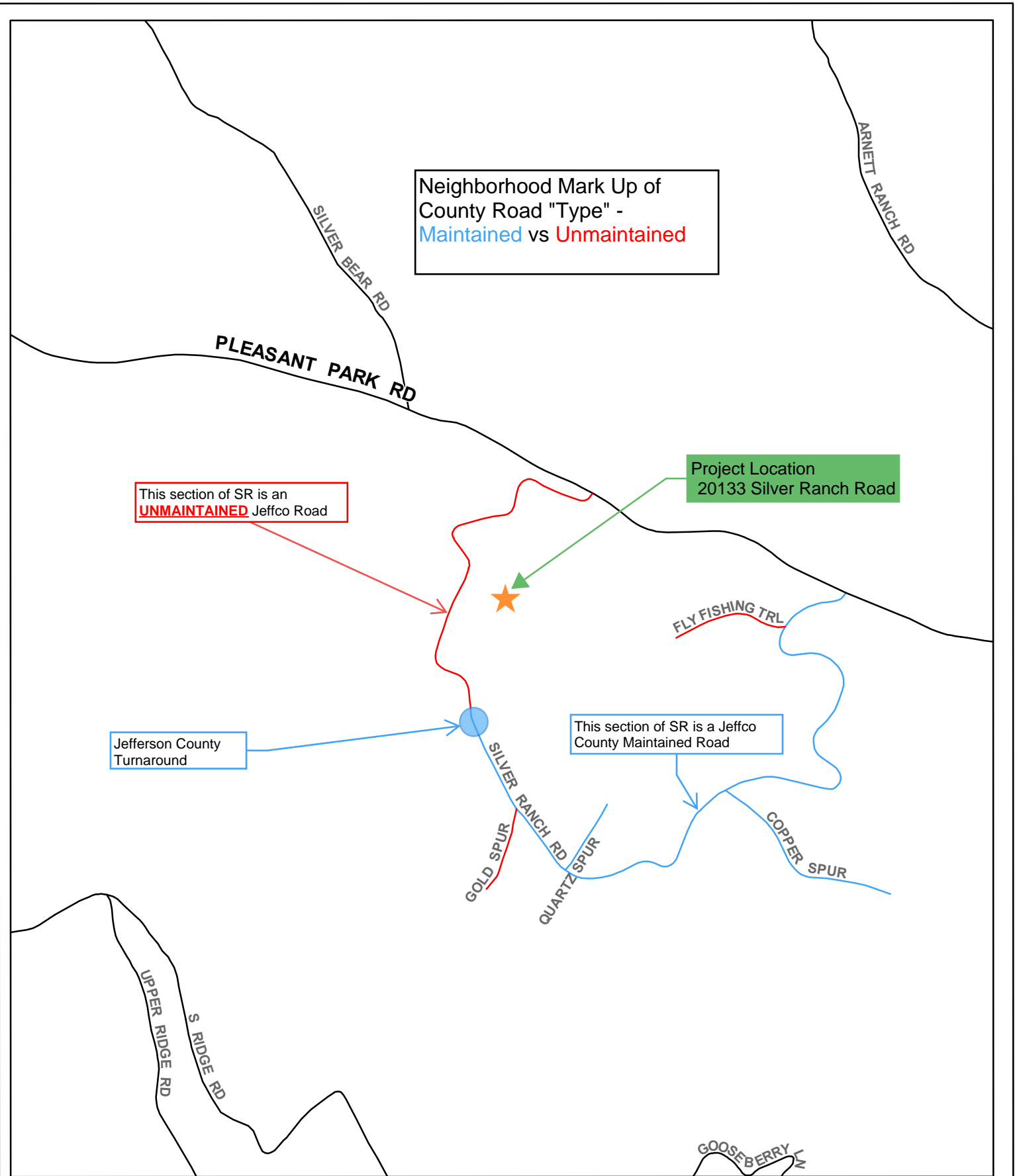
Dave and Rose Lissak
david@integrityresearchusa.com
303-697-4267"

My name is Dave Lissak and my spouse Rose and I are 35 year residents of the Silver Ranch neighborhood. We are very OPPOSED to this SPECIAL EXCEPTION to allow a SHORT-TERM RENTAL for the many obvious reasons stated on this neighborhood response.

Alyssa Glover, Neighbor

In general I do not oppose the idea of short-term rentals, however there are several concerns regarding 20133 Silver Ranch Rd. becoming a short-term rental property. My main concerns of this property being approved as a short-term rental are usage of a privately maintained road, wildlife habituation, and fire hazards. Additionally, I find the "house rules" submitted with the application rather lacking and vague. For the reasons in the below table detailing my main concerns (Items 1-3), I OPPOSE the short-term rental approval of 20133 Silver Ranch Rd.

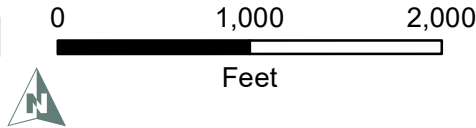
Road maintenance and usage	<p>The section of Silver Ranch that the property resides on is privately maintained. Since the homeowners do not reside in the community they are not likely going to assist with maintenance such as plowing during the winter and annual resurfacing maintenance.</p> <p>There is a large concern of renters not knowing the "rough" nature of the road, there is a great potential of renters getting stuck on the steep inclined section especially during winter months and spring mud conditions. If renters do get stuck they could potentially block the entry/exit access of all residents (the road is more narrow than 2 lanes). This could also burden nearby residents who may be asked to assist with the stuck vehicle. There is also a risk that a vehicle blocking the access could happen during a fire evacuation.</p>
Wildlife encounters	<p>Since the homeowner does not reside in the area, there is a strong potential that renters will leave trash out and/or trash can will be left out overnight which attracts and habituates wildlife such as bears. Habituated bears are dead bears and are a risk to the entire community as they grow comfortable with human interaction. It also attracts bears to neighbors who may have livestock such as chickens or goats.</p> <p>Additionally there is a potential that renters will feed the wildlife as it is an attraction of "mountain living". Again this can habituate wildlife and is illegal for certain animals such as big game.</p>
Fire hazard	<p>Since the homeowner purchased the property in summer '22 they have added a wood burning fire pit to the back yard. Undoubtedly they will advertise this in the STR listing as it provides an ambiance to the renters stay. Fire hazard is a huge risk in our community (see Community Wildfire Protection Plan assessment) and not all out of towners will be cognizant of burn bans or fire hazards and Colorado's perpetual state of drought.</p> <p>Additionally, since the homeowners do not live in the area they are not likely to keep up with fire mitigation efforts.</p>



Case Number: 22-119725VC
Location: Sec. 28, T6S, R70W



JEFFERSON
COUNTY COLORADO









June 2022 - Before Fire Pit



August 2022 - Fire Pit Installed

