

**SAN JUAN REGIONAL PLANNING COMMISSION**  
**AGENDA**  
**NOVEMBER 19, 2024**  
**SILVERTON TOWN HALL**

San Juan Regional Planning Commission meetings will be conducted in a hybrid virtual/in-person format. All persons including Board Members, Staff, Applicants and interested Public may meet in person or via zoom. The information necessary to connect to the public meeting is listed below.

**6:00 PM      Town of Silverton Land Use Code Work Session**

**7:30 PM      Roll Call of Members and Minutes**

**7:35 PM      Barbara Nolan - Improvement Permit Application For The Construction Of An 18' X 20' 360 Sq. Ft. Addition To Her Cabin Located 1325 CR4A On A Portion Of The Una Mill Site, M.S. 10036B And Emma Lode M.S. 10036A**

**7:50 PM      Travis Mohrman - Improvement Permit Application For The Development Of A 20' X 8' 160 Sq. Ft. Storage Shed To Be Located On The GW Lode MS 1132 Variance Request - Section 4-110.20 Square Footage Limitations**

**OTHER:**

**ADJOURN: Next Regular Meeting – 7:00 PM, Tuesday December 10, 2024**

Join Zoom Meeting

<https://us02web.zoom.us/j/88637487127>

By Telephone: Dial 669-900-6833 and enter Webinar ID 886 3748 7127 when prompted

The San Juan Regional Planning Commission met virtually via zoom and in the San Juan Commission meeting room on October 15, 2024, at 7:05 PM with roll call showing the following attendance:

Bev Rich	Absent	Ken Safranski	X
Jim Weller	X	Melissa Childs	X
Lindsey Halvorson	X	Austin Lashley	X
Jim Harper	X		

Also present via Zoom were Melissa Childs, Austin Lashley, Gloria Kaasch-Buerger, Jim Harper, Walt Brown, Blake Campbell, DeAnne Gallegos, and Gabby Hart from Clarion Associates. Present in the San Juan Meeting Room were William Tookey, County Administrator and Chris Tookey, Secretary, along with Jim Weller, Ken Safranski, Lindsey Halvorson, melody Skinner and Lucy Mulvihill.

**MINUTES: September 17, 2024**

Jim Weller made a motion to approve the minutes of September 17, 2024, with a second from Ken Safranski. The motion passed unanimously with a show of hands.

**BLAKE CAMPBELL HAS SUBMITTED A VACATION RENTAL APPLICATION FOR 66 MILL CREEK DRIVE. THE PROPERTY IS CURRENTLY OWNED BY DIANE CAMPBELL, LIME CREEK PROPERTIES LLC. HE HAS RECEIVED AUTHORIZATION TO OPERATE A VACATION RENTAL AT 66 MILL CREEK DRIVE.**

Blake Campbell was on Zoom to answer questions.

After discussion and background information of the project from William Tookey, Land Use Administrator, and the applicant. The Chairman asked for any input from any public. There was none. The Planning Commission members knew the background of Mr. Campbell. Ken Safranski made a motion to recommend to the San Juan County Commissioners that they approve the Vacation Rental Request. Jim Harper seconded the motion, and the motion was called with a roll call vote. Weller-Y, Safranski-N, Childs-Y, Halvorson-N, Harper-Y, Lashley-N. The final vote was 3-3. The end result was no recommendation could be sent.

A letter was sent to the San Juan County Commissioners.

San Juan Regional Planning Commission  
October 15, 2024

**CONTINUATION OF THE TOWN OF SILVERTON LAND USE CODE UPDATE  
WORK SESSION**

Gabby Hart and Elizabeth Garvin were present from the Clarion Association group who have been working for the Town of Silverton's Land Use Code. They gave the Planning Commission the update of the land Use Code Timeline.

The meeting was adjourned at 9:33 PM.

Respectfully Submitted,

Christine M. Tookey, Secretary

## MEMORANDUM

November 19, 2024

TO: San Juan Regional Planning Commission

FR: William A. Tookey

RE: Una Mill Site, M.S. 10036B and Emma Lode M.S. 10036A

Barbara Nolan has submitted an Improvement Permit Application for the construction of an 18' X 20' 360 sq. ft. addition to her cabin located 1325 CR4A on a portion of the Una Mill Site, M.S. 10036B and Emma Lode M.S. 10036A. The property is located in Cunningham Gulch and will be accessed from CR4A.

The property is currently owned by Barbara Nolan and the taxes are current.

The property is located within the **Mountain Zoning District** which requires a minimum lot area of 5 acres. The area of the property is 2.71 acres and not in compliance with the minimum 5 acres. However, I believe that this property is a "Nonconforming lot", pursuant to pre-existing subdivision plats of record at the time of passage of this resolution and may be built upon providing that all other relevant district requirements are met.

On April 26, 2006 the County Commissioners approved the Application for Improvement Permit submitted by David and Barbara Nolan for the construction of a cabin, storage shed and septic system on the Una Mill Site, M.S. 10036B and Emma Lode M.S. 10036A with the following conditions:

1. That the septic system be located and designed in a manner approved by the San Juan Basin Health Department and that the well is separated from the septic system according to requirements from San Juan basin Health Department.
2. That the applicants retain as many trees as possible for screening purposes while still complying with the county fire safety regulations.
3. That the cabin be engineered for protection from powder avalanche loads.
4. That on-site trash is stored within a structure until removed to the Transfer Station.
5. That no structures, gates, posts etc. are installed within the 60 foot County Road 4 right-of-way.
6. That the historic Silverton Northern railroad grade be preserved and protected.
7. That the portions of the Una Mill Site and Emma Lode be replatted to consolidate the two properties into one parcel of property. A plat note would state that no portion of the consolidated property could be sold without an approved subdivision.

This application would amend the previously approved Improvement Permit.

The current cabin is 42' X 20' 840 sq. ft. with a 120 sq. ft. open porch. If the application is approved the total area would be 1200 sq. ft.

The addition would increase the visual impact of the property. The addition shouldn't have any impact on water, wastewater treatment, or access.

The Planning Commission has the option to recommend approval as submitted, approval with conditions or denial of this application to amend the current Improvement Permit.

Should the Planning Commission choose to recommend approval, they should do so with the following conditions prior to the issuance of an Improvement Permit.

1. That the applicant acknowledges that emergency services will not be available in a timely manner and perhaps not at all.
2. All improvements to the consolidated Una Mill Site, M.S. 10036B and Emma Lode M.S. 10036A tract shall fully and completely comply with, and strictly conform to, all terms, conditions and restrictions contained in the San Juan County Zoning and Land Use Regulation, all permits issued, and all applicable State and Federal rules and regulations.
3. The applicant shall fully and completely comply with the San Juan County Zoning and Land Use Regulation 4-110 Design and Development Standards for all Improvement and Use Permits.
4. That the cabin be professionally designed and constructed for protection from powder avalanche loads as identified in the Mears Avalanche Study of September 23, 2005.
5. That the applicants retain as many trees as possible for screening purposes while still complying with County wildfire safety regulations. If necessary, as determined by the County Commissioners, the applicant agrees to plant additional vegetation to reduce the visual impact.
6. That the historic Silverton Northern railroad grade be preserved and protected. If any historic artifacts are discovered on site during the excavation or construction, all work on the project will be stopped immediately until the Historic Review Committee or qualified archeologist can visit the site to document and preserve those artifacts.
7. That the Land Use Administrator visits the site after the proposed improvements have been located and staked on site prior to construction.
8. That the applicant be placed on the Town of Silverton's Utility billing system for refuse.
9. The failure to comply with these conditions shall be grounds for the revocation of this Improvement Permit.

10. That the applicant acknowledges that this is an amendment to the properties current approved Improvement Permit and that all such approvals, restrictions and conditions will remain valid.

11. Any other conditions that the Planning Commission deems necessary.











### Application for Improvement Permit

		APPROVAL CHECKLIST	Initial	Date
Applicant	Name	Barbara Nolan		
	Address	1325 CR 41A		
	Phone	8 970-387-5657		
Owner	Name	Same		
	Address			
	Phone			
Contractor	Name	Brian Schultz		
	Address			
	Phone	270-963-8917		
Legal Description of Property:		Road System Relationship		
* See attached survey		Zoning Compatibility		
		State Mining Permit		
		Owner Notification		
		Avalanche Hazard		
		Geologic Hazard		
		Floodplain Hazard		
		Wildfire Hazard		
		Mineral Resource Impact		
		Wildlife Impact		
		Historic Site Impact		
Township N, Range W, Section		Watershed Gearance		
Nature of Improvement Planned:				
extend living space		County Building Inspector		
		Building Permit		
		State Electrical Inspector		
		Electrical Permit		
		San Juan Basin Health Unit		
		Sewage Disposal: Test		
		Design		
		Central Sewage Collection		
		State Division of Water Resources		
		Adequate Water Source		
Land Use Zone:		Well Permit		
Applicant Signature		Central Water Distribution		
Barbara Nolan		U.S. Forest Service/BLM		
		Access Approval		
Date Application Requested		State Division of Highways		
Date Submitted for Permit	07/1/2024	Driveway Permit		
Date Permit Issued				
Date Permit Denied				
Reason for Denial				
Receipt				
FEE PAYMENT				
Application				
Building Permit				
Subdivision/PLD				
Hearing Notice				
		Subdivision Variance		
		Subdivision Approval		
		PLD Approval		

**SAN JUAN COUNTY**

**SUPPLEMENT TO APPLICATION FOR IMPROVEMENT AND LAND USE PERMITS**

(Attach additional sheets as necessary)

County Land Use Regulations, the County Master Plan and relevant forms may be found on the County website: <http://www.sanjuancountycolorado.us/planning>

**NOTE: THIS CHECK LIST HAS BEEN PREPARED TO MAKE IT EASIER FOR APPLICANTS FOR LAND USE PERMITS TO DETERMINE WHAT IS REQUIRED BY SAN JUAN COUNTY FOR LAND USE APPROVAL. IF YOU DON'T THINK YOU CAN COMPLETE IT, CONSIDER HIRING A PROFESSIONAL TO ASSIST YOU. SEVERAL PROFESSIONALS ARE AVAILABLE IN SILVERTON OR ELSEWHERE WHO ARE FAMILIAR WITH THE COUNTY LAND USE CODE AND MIGHT BE ABLE TO ASSIST YOU IN COMPLETING YOUR APPLICATION. THE COUNTY PLANNER CANNOT COMPLETE THIS CHECK LIST FOR YOU!**

See Section 3-102 for a preliminary list of information required for all improvement and use permit applications.

**NOTE: NO LAND USE OR IMPROVEMENT PERMIT APPLICATION WILL BE REVIEWED BY THE SAN JUAN COUNTY PLANNING COMMISSION OR BOARD OF COUNTY COMMISSIONERS UNTIL THE LAND USE ADMINISTRATOR HAS CERTIFIED THAT THE APPLICATION IS COMPLETE AND CONTAINS ALL REQUIRED INFORMATION.**

1. A. Names/Addresses/telephone numbers/email addresses of all Owners of any interest in Property and a description of their interest (fractional ownership, mineral interests, easements, etc.)

(local address: 1325 RR 4, P.O. Box 301 Silverton)  
Brenda Nolan 2620 Cummings Dr.  
OKC, OK 73107 [bnolan13@yahoo.com](mailto:bnolan13@yahoo.com)  
cell: 928-242-1790, landline at cabin 970-387-5057

B. Property Description/location/size (3-102.3): please see documents

included with this application

- Proof of ownership or consent of all owners of any interest in the land (3-102.2)?  Y  N
- Proof of legal and adequate access for maximum use of proposed development and provision of emergency services consistent with the proposed use? (3-102.2, 3-102.12, 3-102.13, 4-103.3(f))  Y  N
- [ ] federal access permit if access is across federal land (3-102.13, 4-103.3(f)(ii))

Heather Rock  
[hrock5@hotmail.com](mailto:hrock5@hotmail.com)  
928-242-3790

Easement if access is across private property owned by others (4-103.3(f)(ii))  
 *on file in original building permit*  
 County driveway permit if access is from adjacent County road or if access requires new intersection with or change to any County road (3-102.12)

State driveway permit if access is from adjacent State highway (3-102.12)

Road Use and Maintenance Agreement if multiple properties accessed from a private road (3-1-2.13, 4-103.3(f)(ii))

How does the applicant propose to get to and from the state highway system?

*on existing county road 442.*

C. What is the proposed improvement or use? *increase existing living space*

D. Name and contact info for any contractor who will be working on the project.

*Brian Schultz (Buffalo Puy tram house)*  
*cell: 270-963-8947 home: 970-387-9963*

E. Are there any existing structures or other improvements on the Property?  Y  N  
If yes, describe them in detail including nature or type of improvement, location, etc. and provide photographs of all such improvements.

*Existing cabin/shed - see original building permit file and enclosed documents.*

F. Are there any historic structures, sites or artifacts known on the property?  Y  N  
If so, describe them in detail including nature or type, location, etc. and provide photographs of all such structures, sites and known artifacts.

G. Are all property taxes assessed against the property fully paid up (2-105.5, 3-102.18)  
 Y  N If the Answer is NO, the application cannot be processed until all taxes are fully paid.

2. Applicable Land Use Zone: *Mountain* : elevation of property? *10,000 ft.*

A. Is the proposed use consistent with the intent of the applicable zone as stated in the Code (see section 1-106.1 for statement of intent for each zone)?  Y  N

B. Is proposed development consistent with applicable zone regulations re density, minimum parcel size, setbacks (see 1-113)?  Y  N

C. If the proposed use is in the Mountain Zone (see 1-106.1):

- Does the proposed use adversely affect natural and scenic environment? If so, how? *no*

- Is the proposed use consistent with seasonal access? Y N
- Is it within the alpine tundra ecosystem (see 1-107.1)? Y N Note: Residential development is prohibited within any alpine tundra ecosystem.
- Is the applicant or any related person or entity the owner of any existing residence in the Mountain Zone? Y N If so, what existing property?

family summer cabin

Note: Under 1-107.1, if an applicant has an existing residential property in the Mountain Zone, any land use application cannot be processed as a use subject to review but must be reviewed using the criteria of the subdivision regulations in Chapter 7.

D. If the proposed development is at or above 11,000 feet elevation, does it meet the limitations on square footage (4-110.20)?

E. Is the proposed use a vacation rental? Y N If so, is it permitted under and consistent with the vacation rental regulations (4-110.21)?

F. Is the proposed development a subdivision? Y N If so, see Chapter 7 of the Code for additional requirements.

3. Are any Overlay Zones applicable? (check all applicable) N/A

Scenic preservation – is property within 1500 ft of  SNGRR?  Hwy 550?  
 Alpine Loop? (1-107.4, 1-114)

Mineral (see 1-107.5) – is property located within Sections 10, 13, 14, 15, 16, 17, 22  
25 of T 41 N, R 7 W? (1-116.1)

Watershed Protection? (1-107.6)

Town – County Mutual Interest (1-107.7) – is property ever likely to be connected to  
Town services or annexed into Town? (1-107.7, 1-117)

Does the property likely cross a county line or is access from another County?

4. Master Plan Compliance (4-103.3):

A. What provisions of Master Plan apply to area or to proposed use/development?

see plans submitted by Brian Schultz  
contractor.

B. Is the proposed development consistent with applicable Master Plan provisions? List applicable sections and explain how proposed development/use is consistent with those provisions?

To extend living space of cabin

5. Is County review of the application likely to cost the County more than the base review fee (see 2-104.1)?  Y  N If so, what additional services is the County likely to require in connection with its review of the application?

6. How many properties/parcels/claims are located within a relevant area for determination of cumulative impacts under (4-103.1 and .2)? NONE Describe the area deemed to be relevant and the basis for that determination

A. How many other parcels are accessed via same road? none

B. How many other parcels are located within the same drainage basin or other relevant area and might be affected by drainage from the property? none

C. How many other parcels are located within the same air shed? none

D. Are any other parcels likely to obtain water from any underground source which is interconnected with any underground water source which is proposed to be tapped for water for use on the property? If so, how many? no

7. Do any natural hazards pose a risk on the property or with regard to any access to the property? (check as applicable)

Avalanche Hazard (Chapter 8)

Geologic Hazard (Chapter 9)

Floodplain Hazard (Chapter 10)

Wildfire Hazard (Chapter 11)

\* conducted avalanche study prior to building original cabin. Please see enclosed report.

Explain the nature of the natural hazards which may pose a risk in connection with the proposed development and how the applicant proposes to minimize or avoid such risks.

\* see avalanche study conducted in 2005 by Arthur Meiers, P.E. Inc. included in application packet

8. Historic Impact Review (3-105) Might the proposed development have any impact on historic sites or assets located either on or off the property? (4-103.3(e)) If so, identify the historic sites

or assets which might be affected and explain how they might be affected and how the applicant proposes to avoid such effects. none

9. Potential Health Impacts – Might the proposed use (when considered cumulatively with existing or potential development on all other properties within the relevant area – see number listed in 6 and in 6(a – d) above ) have any adverse impact on health of humans, wildlife or natural habitat or on environmental quality? (3-106, 4-103.3(a) and (e))

Y  N Wildlife

Y  N Dust, smoke, fumes, contaminants or air pollution

Y  N Noise

Y  N Water pollution

Y  N Adverse affect on quality of water for human consumption? (1-115.3)

Y  N Soil contamination, erosion, etc.

Y  N Hazardous materials/substances

Explain the nature of each potential impact and how the applicant proposes to minimize or avoid such risks.

N/A

10. Might the proposed development (when considered cumulatively with existing or potential development on all other properties within the relevant area – see number listed in 6(a) above) have any adverse impacts on County roads? (3-107)  Y  N

Explain the nature of each potential impact and how the applicant proposes to minimize or avoid such risks.

N/A

11. Might the proposed development (when considered cumulatively with existing or potential development on all other properties within the relevant area – see numbers listed in 6 and 6(a – d) above) have any adverse impacts on other property? (4-103.3(d))  Y  N

Explain the nature of each potential impact and how the applicant proposes to minimize or avoid such risks.

N/A

12. Might the proposed development (when considered cumulatively with existing or potential development on all other properties within the relevant area – see numbers listed in 6 and 6(a – d) above) have any adverse impacts on scenic values? (4-103.3(e)) [ ] Y  N

Explain the nature of each potential impact and how the applicant proposes to minimize or avoid such risks.

N/A

13. Might the proposed development (when considered cumulatively with existing or potential development on all other properties within the relevant area – see numbers listed in 6 and 6(a – d) above) have any adverse impacts on wildlife (habitat, food sources, migration, hunting, etc.)? (4-103.3(e)) [ ] Y  N

Explain the nature of each potential impact and how the applicant proposes to minimize or avoid such risks.

N/A

14. Might the proposed development (when considered cumulatively with existing or potential development on all other properties within the relevant area – see numbers listed in 6 and 6(a – d) above) have any adverse impacts on erosion or other natural condition? (4-103.3(e)) [ ] Y  N

Explain the nature of each potential impact and how the applicant proposes to minimize or avoid such risks.

N/A

15. Are Skyline Regulations (3-102.7, 4-110.18) applicable? [ ] Y  N If yes, has the Applicant demonstrated compliance with Skyline regulations? [ ] Y [ ] N

Photos of existing property conditions (3-102.7(a))  included

[ ] Representations of proposed development against skyline (3-102.7(b))

The extension of the front room will be at or below existing cabin structure



Story poles (if necessary) (3-102.7(c))

16. Has the applicant provided a Scenic Quality Report (4-110.19)?  Y  N

16. Has Applicant provided proof of availability of adequate source of potable water for maximum potential use of proposed development, fire fighting and other purposes (3-102.8, 4-103.3(b))

Deeded water right

Central water system

Well permit

Water storage system

17. Has Applicant provided proof of adequate sewage disposal for maximum use of proposed development (3-102.10, 4-1-3.3(c))  Y  N

Central sewer system  existing or  new

Individual septic system permit

18. Has the Applicant provided proof of adequate utilities for maximum use of proposed development (4-103.3(g))?  Y  N

a. electric  SMPA service commitment

other \_\_\_\_\_

b. telephone communications  land line service commitment

cell phone service available

satellite phone service available

other *currently using landline provided by CenturyLink*

19. A. What emergency services might be required by the proposed development or its potential uses?

Fire

EMS

Law Enforcement

Mountain or back country rescue

Other \_\_\_\_\_

B. What are probable response times for any indicated emergency services?

Fire *15 minutes*

- EMS 15 minutes
- Law Enforcement 15 minutes
- Mountain or back country rescue \_\_\_\_\_
- Other \_\_\_\_\_

C. Has the Applicant provided proof of availability of each emergency service which might be required for the proposed use (unless deemed unnecessary) (4-103.3(h))? Explain how Applicant proposes to secure each emergency service which may be required by or in connection with the proposed development or its use?

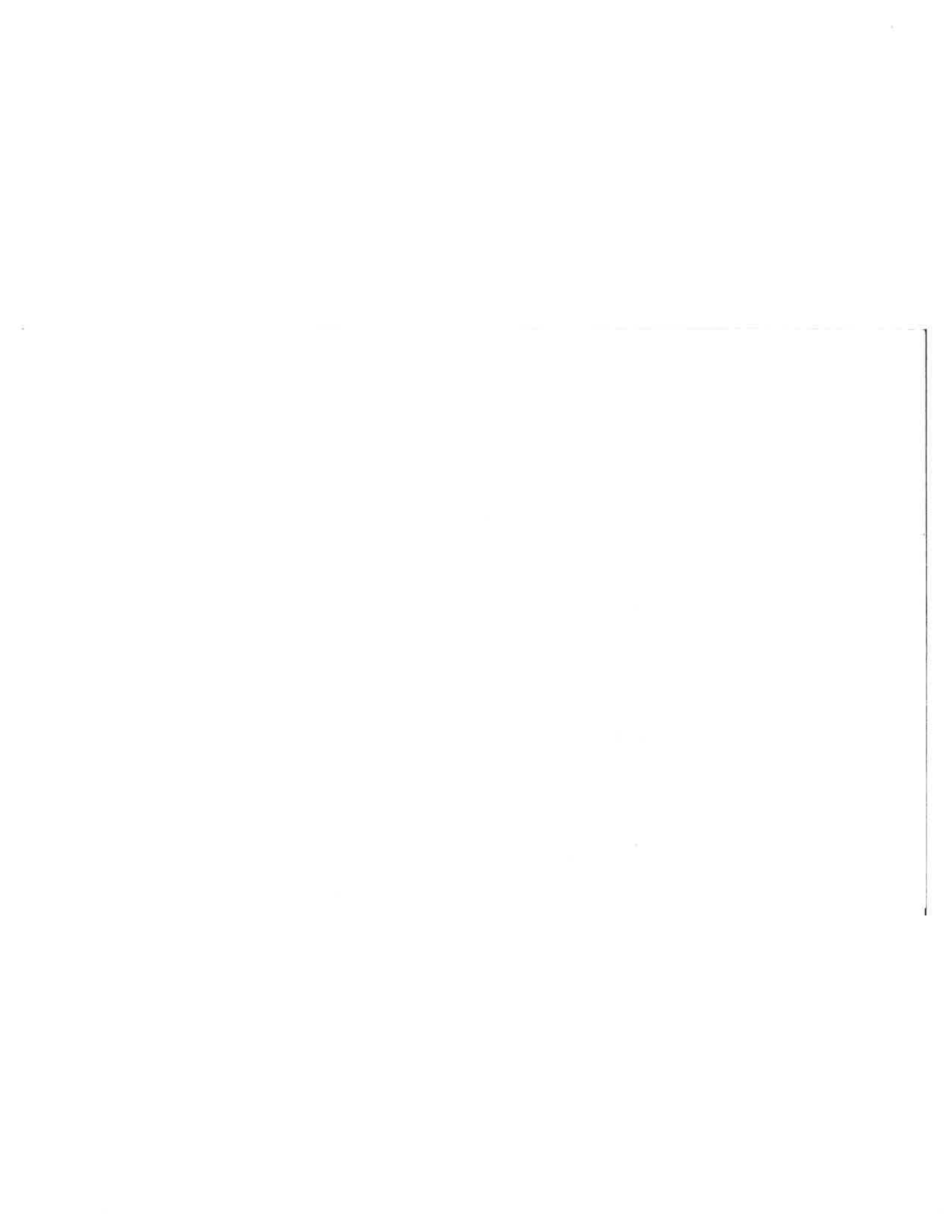
yes, existing residence

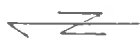
D. If any emergency service listed is deemed unnecessary, explain why it is unnecessary? N/A

20. Is Expert Assistance required for any portion of the County's review? If so, in what area and for what purpose? N/A

21. Are any special permit conditions needed to:

- a. Protect of health, safety or welfare of general public? (2-110.1)
- b. Protect of persons or property? (2-110.1)
- c. Protect of historic assets? (1-114.3, 2-110.1)
- d. Protect of scenic views and vistas? (1-114.2, 1-115.1, 1-116.4, 2-110.1)
- e. Protect cultural assets? (2-110.1)
- f. Protect against natural hazards? (2-110.2 and .3)
- g. Protect environmental assets? (1-114.2, 1-115.1 1-116.4)
- h. Address soils, slopes, geologic hazards? (1-114.4, 1-115.2, 1-116.5)
- i. Adequately address access incl. roads, drives, parking? (1-114.5, 1-116.6)
- j. Protect water purity? (1-115.1)
- k. Preserve access to mineral development? (1-116.3)





1.  $\frac{1}{2} \times 100 = 50$   
 2.  $\frac{1}{3} \times 100 = 33.33$   
 3.  $\frac{1}{4} \times 100 = 25$   
 4.  $\frac{1}{5} \times 100 = 20$   
 5.  $\frac{1}{6} \times 100 = 16.67$   
 6.  $\frac{1}{7} \times 100 = 14.29$   
 7.  $\frac{1}{8} \times 100 = 12.5$   
 8.  $\frac{1}{9} \times 100 = 11.11$   
 9.  $\frac{1}{10} \times 100 = 10$



100%

at 100%

at 100%



100%

100%

100%

100%

100%

100%



7



Est. ...

Est. ...



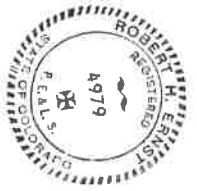
Scale 1" = 200'  
September 1966

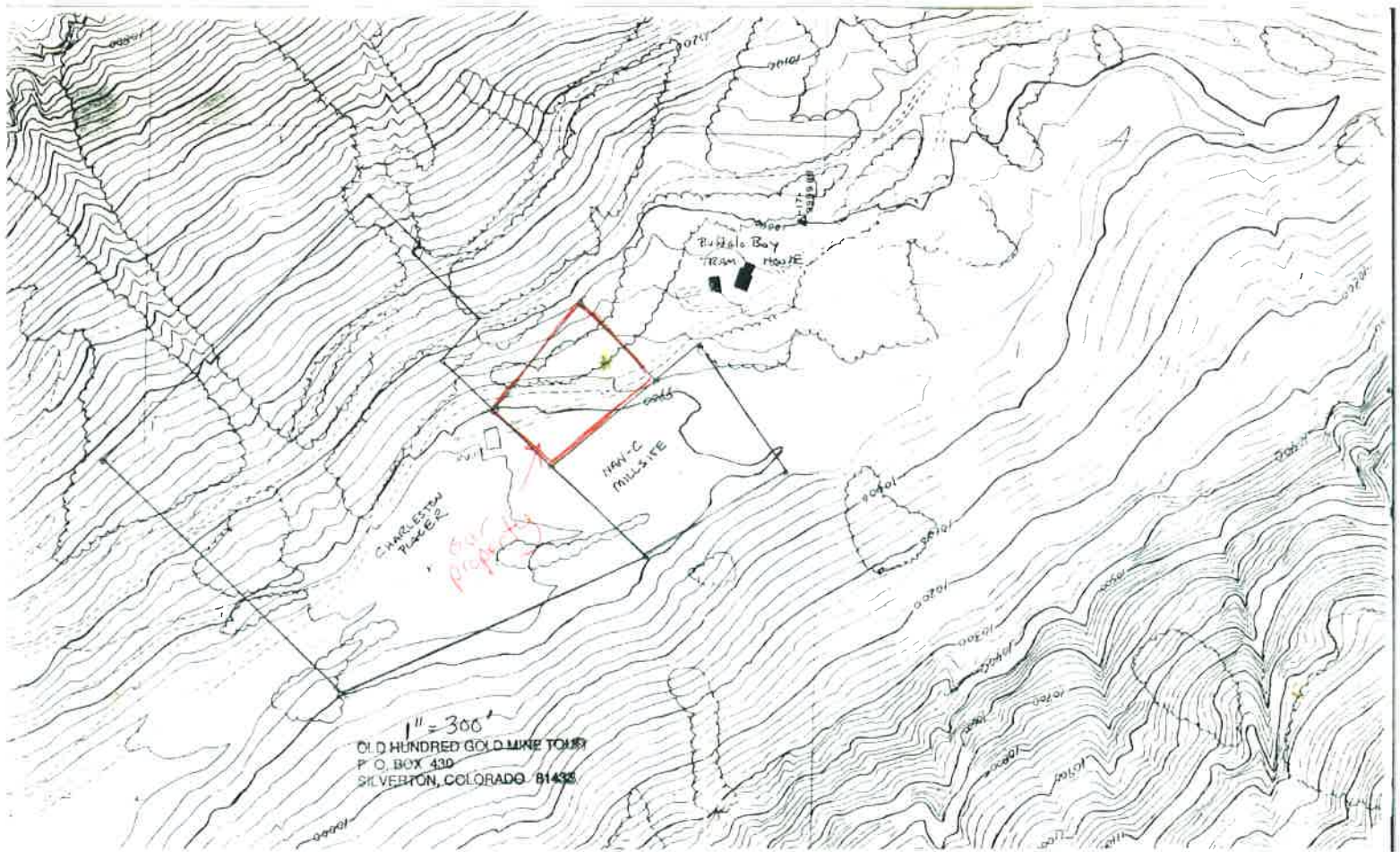
A tract of land located in Gunnison Gulch, San Juan County, Colorado and more particularly described as follows:

Beginning at a point whence the centerline of the Dumas Tunnel bears S 59° 30' E a distance of 341.0 feet and whence the Stoner Gulch U.S. L.V. bears S 56° 34' 10" W a distance of 1776.20 feet, thence from said point of beginning S 45° 00' W a distance of 330.0 feet to the North Line of the Nan C Hill Site (U. S. Survey No. 12765);  
thence N 30° 16' W a distance of 421.1 feet along said North Line to corner No. 5 of said Nan C Hill Site;  
thence N 40° 30' E a distance of 277.0 feet along the westerly line of the Charleston Placer (Survey No. 12765);  
thence S 49° 30' E a distance of 477.6 feet to the point of beginning.

The above described tract contains 2.708 acres more or less.  
This is to certify that the above plat was prepared from field notes of actual surveys made by me or under my supervision and that the same is true and correct to the best of my knowledge and belief.

Robert H. Ernst  
Reg. No. 12765  
Col. Dep. No. 4979





*\* well & septic permits - original to Pete 10-25-06*  
*structure*

Form No. GWS-25

**OFFICE OF THE STATE ENGINEER  
COLORADO DIVISION OF WATER RESOURCES**

818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203  
(303) 866-3581

1374

WELL PERMIT NUMBER 270208  
DIV. 7    WD 30    DES. BASIN    MD

APPLICANT

Lot: Block: Filing: Subdiv EMMA MILLSITE

DAVID J AND BARBARA NOLAN  
~~3195 BISON CIR~~ P.O. Box 3751  
PINETOP, AZ 85935-

APPROVED WELL LOCATION

SAN JUAN COUNTY

1/4 SE 1/4 Section 12

Township 41 N Range 7 W New Mex P.M.

DISTANCES FROM SECTION LINES

Ft from Section Line  
Ft from Section Line

UTM COORDINATES (Meters, Zone: 13, NAD83)

Easting:                      Northing:

(928) 369-2091

**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 ensure 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)(I)
- 4) The use of ground water from this well is limited to fire protection, ordinary household purposes inside not more than 3 single family dwelling(s) the irrigation of not more than 1 acre of home gardens and lawns, and the watering of domestic animals. This well is to be located on the Emma Millsite San Juan County.
- 5) The pumping rate of this well shall not exceed 15 GPM.
- 6) Pursuant to Rule 6 2.3 of the Water Well Construction Rules, the well construction contractor shall submit the as-built well location on work reports required by Rule 17 3 within 60 days of completion of the well. The measured location must be accurate to 200 feet of the actual location. The location information must include either the 1/4, 1/4, Section, Township, Range and distances from section lines or a GPS location pursuant to the Division of Water Resources' guidelines.

*JTS 8/16/06*

APPROVED  
JST

*He A. Lopez*  
State Engineer

*Jeff Titus*  
By

Receipt No. 9702301

DATE ISSUED 08-16-2006

EXPIRATION DATE 08-16-2008



**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  
 fax: (303) 866-3589 http://www.water.state.co.us

Office Use Only

Form GWS-44 (02/2005)

**RESIDENTIAL** Note: Also use this form to apply for livestock watering

**Water Well Permit Application**

Review instructions on reverse side prior to completing form.  
 The form must be completed in black or blue ink or typed.

**1. Applicant Information**

Name of applicant  
 David John Nolan  
 Barbara Nolan  
 Mailing address  
 3195 Bison Cir  
 City State Zip code  
 P. netop AZ 85935  
 Telephone #  
 (930)

**2. Type Of Application (check applicable boxes)**

Construct new well  Use existing well  
 Replace existing well  Change or increase use  
 Change source (aquifer)  Resapplication (expired permit)  
 Other:

**3. Refer To (if applicable)**

Well permit # \_\_\_\_\_ Water Court case # \_\_\_\_\_  
 Designated Basin Determination # \_\_\_\_\_ Well name or # \_\_\_\_\_

**4. Location Of Proposed Well**

County  
 San Juan  
 Section Township Range E or W Principal Meridian  
 Emma MILSITE  
 Distance of well from section lines (section lines are typically not property lines)  
 Ft. from  N  S Ft. from  E  W  
 For replacement wells only - distance and direction from old well to new well  
 feet direction  
 Well location address (if applicable)

Optional: GPS well location information in UTM format  
 You must check GPS unit for required settings as follows:

Format must be UTM  
 Zone 12 or  Zone 13  
 Units must be Meters  
 Datum must be NAD83  
 Unit must be set to true north  
 Was GPS unit checked for above?  YES Remember to set Datum to NAD83  
 Easting: \_\_\_\_\_  
 Northing: \_\_\_\_\_

**5. Parcel On Which Well Will Be Located**

A. You must check and complete one of the following:  
 Subdivision: Name \_\_\_\_\_  
 Lot \_\_\_\_\_ Block \_\_\_\_\_ Filing/Unit \_\_\_\_\_  
 County exemption (attach copy of county approval & survey):  
 Name/# \_\_\_\_\_ Lot # \_\_\_\_\_  
 Parcel less than 35 acres, not in a subdivision, attach a deed with metes and bounds description recorded prior to June 1, 1972  
 Mining claim (attach a copy of the deed or survey): Emma Name/#  
 Parcel # 4829 012 001 0018  
 Square 40 acre parcel as described in Item 4  
 Parcel of 35 or more acres (attach a metes and bounds description or survey)  
 Other (attach metes & bounds description or survey and supporting documents)

B. # of acres in parcel 2.0 C. Are you the owner of this parcel?  
 YES  NO (if no - see instructions)

D. Will this be the only well on this parcel?  YES  NO (if no - list other wells)

E. State Parcel ID# (optional):  
 4829 012 001 0018

**6. Use Of Well (check applicable boxes)**

See instructions to determine use(s) for which you may qualify  
 A. Ordinary household use in one single-family dwelling (no outside use)  
 B. Ordinary household use in 1 to 3 single-family dwellings:  
 Number of dwellings: \_\_\_\_\_  
 Home garden/lawn irrigation, not to exceed one acre:  
 area irrigated \_\_\_\_\_ sq. ft.  acre  
 Domestic animal watering - (non-commercial)  
 C. Livestock watering (on farm/ranch/range/pasture)

**7. Well Data (proposed)**

Maximum pumping rate	gpm	Annual amount to be withdrawn	acre-feet
Total depth	feet	Aquifer	

**8. Water Supplier**

Is this parcel within boundaries of a water service area?  YES  NO If yes, provide name of supplier:

**9. Type Of Sewage System**

Septic tank / absorption leach field  
 Central system: District name:  
 Vault: Location sewage to be hauled to:  
 Other (attach copy of engineering design and report)

**10. Proposed Well Driller License #(optional):**

**11. Signature Of Applicant(s) Or Authorized Agent**

The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor 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.  
 Sign here (Must be original signature) \_\_\_\_\_ Date  
 2-28-06  
 Print name & title

**Office Use Only**

USGS map name	DWR map no.	Surface elev.
Receipt area only		
WE	WR	CW/CB
TOPO	MYLAR	SB5
DIV _____		WD _____ BA _____ MD _____

SAN • JUAN • BASIN  
**HEALTH**  
 DEPARTMENT

Permit # 0755  
 Year 2006

APPLICATION to INSTALL, CONSTRUCT, ALTER or REPAIR ONSITE WASTEWATER SYSTEM

Owner: D. & J. Fournier and Barbara Nelson Phone: 978-369-2091  
 Mailing Address: 3195 Basin Cr Pueblo AZ 85935  
 Site Address: Unit Millsite # 10030A Assessor's Parcel # 4829 01200 0018  
 Subdivision: Unit Una ms 10030B Unit \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_  
 Lot Size: 2 Acs Living Units: \_\_\_\_\_ Bedrooms: 2 Water Supply: \_\_\_\_\_

Date: 2-28-06 Owner's Signature: [Signature]  
 I acknowledge this application does not guarantee a permit to install an OSWS on a marginal lot and that the issuance of this permit does not imply any warranty by this department to the operation of the system. This system will be constructed in accordance with the San Juan Basin Health Department onsite wastewater system regulations.  
 Permit Fee: \$ 350 Perc Test Fee: \$ 225 Rec'd By: [Signature] Date: 3/30/06  
CR # 618-16575

PERMIT to INSTALL, CONSTRUCT, ALTER or REPAIR ONSITE WASTEWATER SYSTEM

Percolation Rate: 8 Min/Inch Limiting Zone: None Feet: \_\_\_\_\_  
 Soil Profile: Sandy Gravel/silt Slope %: 10 Requires Eng. Design: NO  
 From the application information & the site evaluation, the following minimum installation specifications are required:  
 Septic Tank: 1000 Equivalent Sizing: \_\_\_\_\_ 60% 75% 100%  
 Final Disposal: 254 Ft2 Lines: \_\_\_\_\_ Length: \_\_\_\_\_ Width: \_\_\_\_\_ Depth: 24-30'  
 Gravel-less chambers: \_\_\_\_\_ Number of Units: 26 Number of Rows: 2

COMMENTS:

- Maintain ALL set BACKS ; Property line, well, ect.
  - Place D-Box on level packed surface (see quick crest)
  - Install on contour of slope
  - Redirect upslope Run off
  - Using 26 standard Quick 4 Infiltrators  
MAKE 2 Rows of 13
  - Back Fill with Best quality native soil.
  - Remove large Rocks ; Boulders
- Brett Francis Environmental Health Specialist Date: 6-27-06

FINAL INSPECTION

The above system has been inspected and found to comply with the above requirements.

Pete Maisel 759-9291 Brett Francis 9/25/06

\*original avalanche study

Arthur I. Mears, P.E., Inc.  
Natural Hazards Consultants  
555 County Road 16  
Gunnison, CO 81230  
Tel/Fax: (970) 641-3236

September 23, 2005

Mr. Pete Maisel  
P.O. Box 826  
Silverton, CO 81433

RE: Nolan building sites, Cunningham Gulch

Dear Pete:

As you know, I investigated two potential building sites (the "Upper" and "Lower" sites on Figure 1) within the Nolan property in Cunningham Gulch yesterday. The reason for this site investigation was to assess the snow-avalanche hazard at the sites, to recommend the most viable site for building, and to discuss mitigation options. This report summarizes my observations and conclusions and should be used in conjunction with the attached topographic map (Figure 1).

#### General Information

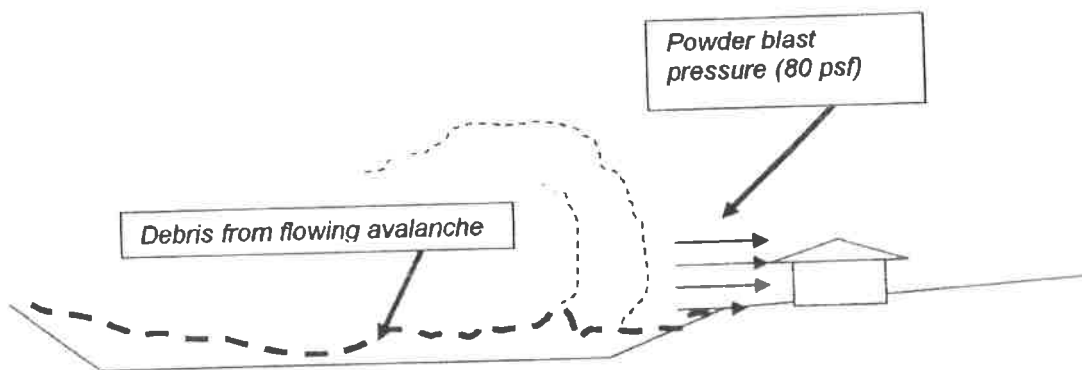
Both building sites are located within range of avalanches that can begin at approximately 12,600 feet elevation, some 2,700 feet above the valley floor. When large avalanche occur they will start as deep, wind-loaded slabs of dry snow that fracture at the upper elevations, accelerate, and fall over cliff bands located approximately 1,000 feet above. As they fall over the cliffs they will further accelerate, entrain air into the flow and form mixed-motion avalanches of dense flowing snow surrounded by a deep, low-density powder blast. The large avalanches will cross the valley floor and overrun both sites we visited. Details of the exposure are summarized below.

#### Lower Site (see Figure 1)

The lower site is located in the valley bottom a short distance east of the creek. This site will be impacted with flowing snow of relatively high density and destructive potential and powder blast. Based on my experience with structural avalanche protection at various sites in North America, South America and Europe, I feel it would be difficult to design an above-ground structure for the large impact pressures that would be associated with the design-magnitude, 100-year avalanche event at this location. Because of the large forces that would occur during design-magnitude avalanche conditions, I recommend this site be abandoned in favor of the upper site.

### Upper Site (see Figure 1)

The upper site is located just above the lower road and roughly 30 feet above the level of the floodplain. The site, nevertheless, is within range of powder blast when the large, dry-snow avalanche occurs. The majority of the denser, flowing avalanche will be deposited in the level valley floodplain which is approximately 500 feet wide. Powder blast will extend beyond (in a northeasterly direction) to and beyond the building site and into the forest. A house on the "upper site" will experience a uniform powder-blast pressure of 80 lbs/ft<sup>2</sup>, as illustrated in the sketch below.



Safe design of a building will require the powder-avalanche loads, which will act over the entire exposed surface area of the building, be accommodated in structural, foundation, window, and door design. It should be noted that these powder avalanche loads are much smaller than pressure from a denser flowing avalanche which would occur at the "lower site."

Localized avalanche hazard also exists on the opposite side of the valley. Avalanches from this west-facing slope will not be a design constraint at either the upper or lower site considered here because (a) the terrain is rougher and more broken up, thus large continuous snow slabs will not form, (b) the slope will generally be scoured by the prevailing winds also limiting the thickness of snow slabs, and (c) the terrain just above the two sites is concave and will tend to deflect any flowing snow to either side, away from the building sites.

Thank you for providing this opportunity to work with you. Please contact me if you have any questions.

Sincerely,

Arthur I. Mears, P.E.

Avalanche-control engineer

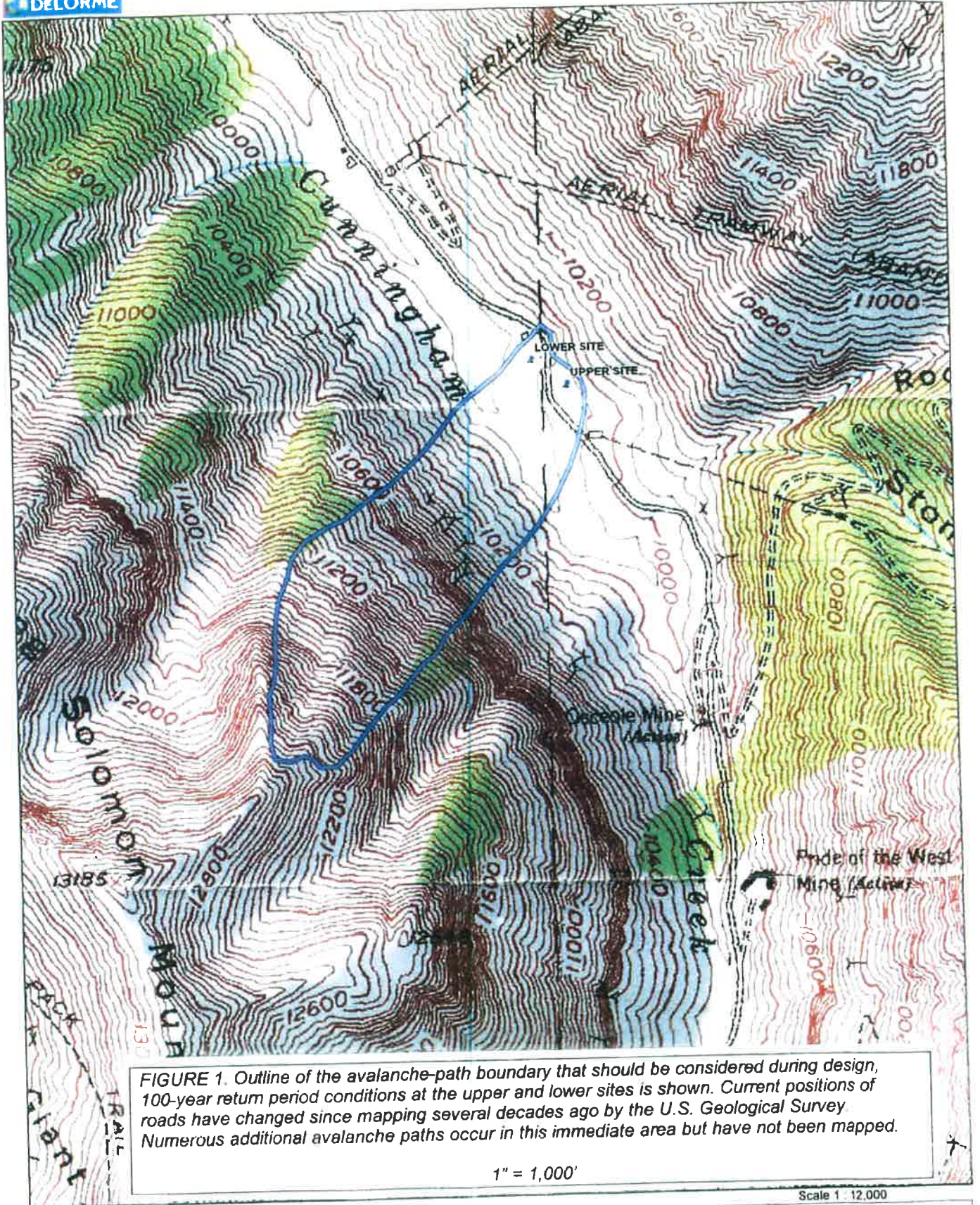
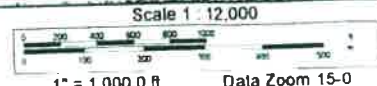


FIGURE 1. Outline of the avalanche-path boundary that should be considered during design, 100-year return period conditions at the upper and lower sites is shown. Current positions of roads have changed since mapping several decades ago by the U.S. Geological Survey. Numerous additional avalanche paths occur in this immediate area but have not been mapped.

1" = 1,000'







*A proof of ownership*

**PERSONAL REPRESENTATIVE'S DEED OF DISTRIBUTION**

**THIS DEED** is made by Barbara Carol Nolan, as Personal Representative of the Estate of David John Nolan, deceased, Grantor, to **Barbara Carol Nolan**, whose legal address is 2620 Cummings Drive, Oklahoma City, Oklahoma 73107, Grantees.

**WHEREAS**, the decedent died on December 7, 2017, and the Grantor was duly appointed Personal Representative of said Estate by the District Court in and for the County of San Juan, State of Colorado, Probate No. 2022PRO3003, on January 6, 2023, and is now qualified and acting in said capacity.

**NOW, THEREFORE**, pursuant to the powers conferred upon Grantor by the Colorado Probate Code, Grantor does hereby convey, assign, transfer, and release unto Grantee, and as the person entitled to distribution, all interest in and to the following described real property vested in the Grantor, situated in the County of San Juan, State of Colorado, to-wit:

A tract of land located in Cunningham Gulch, San Juan County, Colorado and more particularly described as follows:

Beginning at a point whence the centerline of the first timber section of the Emma Tunnel bears South 59° 30' East a distance of 590.0 feet;

Thence the Stoney Gulch U.S.L.M. bears South 56° 34' 30" East a distance of 1776.20 feet

“ from said point of beginning South 40° 00' West a distance of 330.0 feet to the North Line of the Nan C. Mill Site (U.S. Survey No. 17470B);

“ North 39° 16' West a distance of 410.0 feet along said North line to corner No. 5 of said Nan C. Mill Site; thence North 40° 30' East a distance of 257.2 feet along the Southerly line of the Charleston Placer (Survey No. 12365)

“ South 49° 30' East a distance of 400.6 feet to the point of beginning.

TOGETHER with all improvements, appurtenances, and any and all minerals including oil and gas, water and ditch rights, thereto, and SUBJECT TO: easements, reservations, and all matters of record.

ALSO KNOWN AS: 1325 County Road 4, Silverton, Colorado 81433-5047

Executed this 19 day of January, 2023.



IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.

*Barbara Carol Nolan*

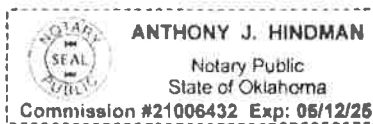
By:  
Barbara Carol Nolan, Personal Representative  
of the Estate David John Nolan

STATE OF *Oklahoma* )  
  ) ss  
COUNTY OF *Oklahoma* )

The foregoing Personal Representative's Deed of Distribution was acknowledged before me this 1<sup>st</sup> day of January, 2023, by Barbara Carol Nolan, Personal Representative of the Estate of David John Nolan, deceased.

Witness my hand and official seal.

My commission expires: *05/12/2025*



*[Handwritten Signature]*

Notary Public

Return to: Frank J Anesi  
835 E. 2<sup>nd</sup> Ave, #220  
Durango CO 81301

**BENEFICIARY DEED**

**BARBARA CAROL NOLAN**, as GRANTOR, whose legal address is 2620 Cummings Drive, Oklahoma City, Oklahoma, 73107 designate the following person as GRANTEE-BENEFICIARIES: **HEATHER LYNNE ROCK**, whose address is 553 Mountain View Drive, Lakeside Arizona, 85929; **ERIN ANACORTEZ NOLAN**, 61D Swedenborgsgatar, Uppsala, Sweden, 753 34; and **MEAGAN LODUSCA WILSON**, 2516 NW 26<sup>th</sup> Street, Oklahoma City, Oklahoma, 73107, as tenants in common. (Note to Assessor and Treasurer: All notices and tax statements should continue to be sent to Grantor.) and Grantor transfers, sells, and conveys to Grantee-Beneficiaries, the following described real property located in the County of San Juan, State of Colorado, to wit:

A tract of land located in Cunningham Gulch, San Juan County, Colorado and more particularly described as follows:

Beginning at a point whence the centerline of the first timber section of the Emma Tunnel bears South 59° 30' East a distance of 590.0 feet;

Thence the Stoney Gulch U.S.L.M. bears South 56° 34' 30" East a distance of 1776.20 feet

" from said point of beginning South 40° 00' West a distance of 330.0 feet to the North Line of the Nan C. Mill Site (U.S. Survey No. 17470B);

" North 39° 16' West a distance of 410.0 feet along said North line to corner No. 5 of said Nan C. Mill Site; thence North 40° 30' East a distance of 257.2 feet along the Southerly line of the Charleston Placer (Survey No. 12365)

" South 49° 30' East a distance of 400.6 feet to the point of beginning.

TOGETHER with all improvements, appurtenances, and any and all minerals including oil and gas, water and ditch rights, thereto, and SUBJECT TO: easements, reservations, and all matters of record.

ALSO KNOWN AS: 1325 County Road 4, Silverton, Colorado 81433-5047

THIS BENEFICIARY DEED IS REVOCABLE. IT DOES NOT TRANSFER ANY OWNERSHIP UNTIL THE DEATH OF THE GRANTOR.

Executed this 14 day of January, 2023.

□

*Barbara Carol Nolan*

Barbara Carol Nolan □

STATE OF *Oklahoma* )

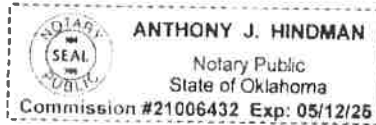
) ss.

County of *Oklahoma* )

The foregoing Beneficiary Deed was acknowledged before me this 19<sup>th</sup> day of January, 2023, by Barbara Carol Nolan.

WITNESS my hand and official seal.

My commission expires: May 12<sup>th</sup> 2025



*[Signature]*  
\_\_\_\_\_  
Notary Public

Return to: Anesi Law Firm  
835 E. 2<sup>nd</sup> Ave, #220  
Durango, CO 81301

# Certificate of Occupancy

## *San Juan County Building Department*

This Certificate issued pursuant to the requirements of Section 306 of the Uniform Building Code certifying that at the time of issuance this structure was in compliance with various regulations of San Juan County regarding building construction or use for the following:

Use Classification RESIDENTIAL Building Permit No. 1726

Group R-3 Type Construction MANUFACTURED LOGS Use Zone MOUNTAIN

Owner of Building JOHN & BARBARA NOLAN Address 1325 CR 4 CUNNINGHAM GULCH

Building Contractor \_\_\_\_\_ Address \_\_\_\_\_

Building Address \_\_\_\_\_

By: \_\_\_\_\_

Date 7-11-07

*Amos D. Jaramillo*

AMOS DEE JARAMILLO  
Building Official



**SURVEY NOTES:**

This plat represents a resurvey of that Tract of land described under Reception Number 135159 in the San Juan County, Colorado, Clerk's Office.

The Tract described under Reception Number 135159 is tied to the "first timber section of the Emma tunnel" and the "Stony Gulch Locating Monument".

The Emma Tunnel has been demolished. The only remaining evidence of the Emma Tunnel is several deteriorated roof planks and a drain pipe. The original tie point was likely destroyed. The tie shown herein is at the exposed end of the roof planks over the drain pipe. This tie is shown for information purposes only.

Corner 1 and 9 of the Charleston Placer were re-established from the original bearing object and bearing tree. The position of these corners match the original record by about one foot. We attempted to find the Stony Gulch Locating Monument based on the record tie from Corner 1 of the Charleston Placer. The record position falls in the County Road (Stony Pass) fill. Private records indicate a search was made in September of 1966 for the Stony Gulch Locating Monument, but it was not recovered.

We also attempted to find other corners of the Charleston Placer. The original record says Corner 2 falls in "slide rock" and a "dead 6 inch aspen" was scribed. This position falls in the County Road fill at a narrow slide rock area. The 6 inch aspen that was dead over one hundred years ago could not be recovered. Corner 3 falls on the southerly edge of a wide snow and slide rock area. The original record describes a 12 inch spruce bearing tree. The position of the bearing tree falls in the snow and slide rock area. A 12 inch stump was found in the slide area near the record position. No Post or Stone Mound could be recovered and was likely obliterated.

We based line 1-2 of the Charleston Placer on the re-established Corners 1 and 9 and set the property corners at the record position. No original evidence could be recovered to contradict this position.

Resource materials include, but are not limited to, the original records of the Charleston Placer, Una Mill Site and Nan C Mill Site, the deed recorded under Reception Number 135159 and other public and private records.

The location of subsurface utilities or features is unknown. Avalanche hazards are unknown. The client did not request easements of record be researched or shown.

**DESCRIPTION:**

That Tract of land recorded in the San Juan County, Colorado, Clerk's Office under Reception Number 135159, located in a non Sectioned area of San Juan County, Colorado, Animas Mining District in Cunningham Gulch, and being described herein to reflect the results of a survey as follows:

Commencing at Corner 1 of the Charleston Placer, Survey No. 12365, from which Corner 9 of said Charleston Placer bears N7°39'45"E a distance of 1713.95 feet;

Thence N40°30'E between Corners 1 and 2 of said Charleston Placer a distance of 403.50 feet to Corner 3 of the Una Mill Site, Survey No. 100366, being identical with Corner 5 of the Nan C Mill Site, Survey No. 174708 and the TRUE POINT OF BEGINNING;

Thence continuing N40°30'E a distance of 275.20 feet;  
Thence S49°30'E a distance of 400.00 feet;  
Thence S40°00'W a distance of 330.05 feet to the northeasterly boundary of the Nan C Mill Site, Survey No. 174708;  
Thence N39°16'W along the boundary of said Nan C Mill Site a distance of 410.00 feet to the point of beginning. Containing 2.71 acres more or less.

**SURVEYORS STATEMENT:**

This survey is subject to any facts that may be disclosed by a title search and abstract.

I hereby state this plat is based on a field survey made by me or under my direct supervision and that to the best of my professional knowledge, information, and belief, it correctly represents the facts found at the time of survey.

**NOTICE:** According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.

FRANK GIBBONS, J. 15-04  
Frank Gibbons, Colo. Reg. L.S. #23498

**COUNTY SURVEYOR'S CERTIFICATE**

Deposited this 15<sup>th</sup> day of June 2005 at 11:30 PM, in book \_\_\_\_\_ of the county surveyor's land survey plats at page \_\_\_\_\_ reception number \_\_\_\_\_

County Surveyor

© 2004 Gibbons - NBQ Inc. All rights reserved. This plot may not be copied or modified without written permission of Gibbons - NBQ Inc.

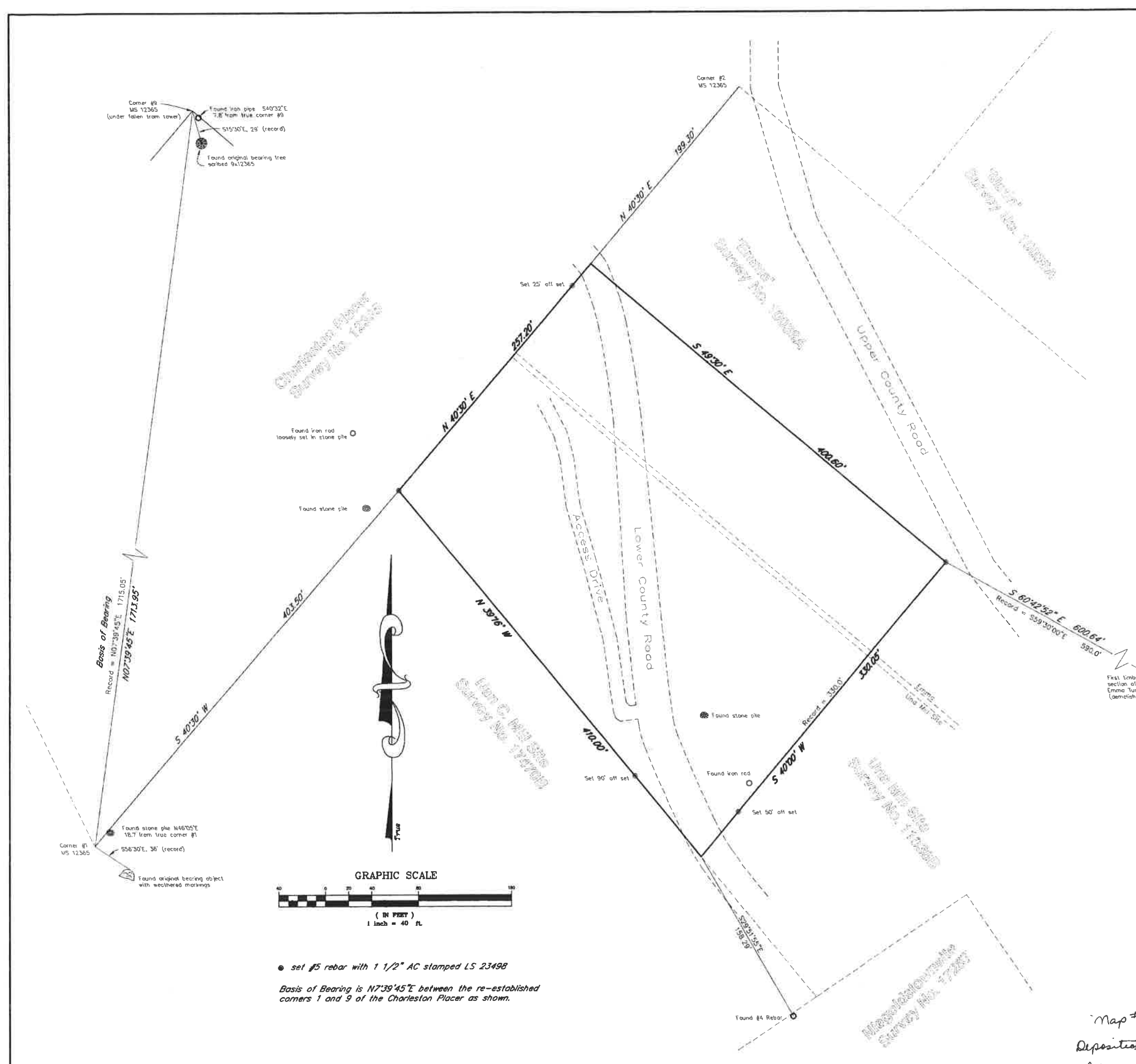
**Gibbons - NBQ Inc.**  
 Aerial Engineering Co. Inc.  
 P.O. Box 3178 DURANGO, CO. 81302

Boundary Resurvey of Rec. # 135159  
 Animas Mining District, Cunningham Gulch  
 in a Non Sectional Area of

San Juan County Colorado

Job: emmea.dwg	Drawn by: fg
Checked by:	Rev:
Scale: 1" = 40'	Date: 7-14-04

Map # 127  
Deposited 6-15-05  
Andrew J. ...



● set #5 rebar with 1 1/2" AC stamped LS 23498  
Basis of Bearing is N7°39'45"E between the re-established corners 1 and 9 of the Charleston Placer as shown.

## MEMORANDUM

November 19, 2024

TO: San Juan Regional Planning Commission

FR: William A. Tookey

RE: Improvement Permit/Variance GW Lode MS 1132

Travis Mohrman had previously submitted a Sketch Plan Improvement Permit Application for the development of a 20' X 8' 160 sq. ft. storage shed to be located on the GW Lode MS 1132. The property is located near Ophir Pass and will be accessed via a trail from Country Road 8. The Sketch Plan was reviewed by the Planning Commission and recommended to the Board of County Commissioners that it be conditionally approved. The Commissioners conditionally approved the Sketch Plan Application. One of the conditions was that the applicant receive a variance to Section 4-110.20 Square Footage Limitations. The applicant has submitted a Variance Request and it is included in the packet.

The property is currently owned by Travis Mohrman and the taxes are current.

The property is located within the **Mountain Zoning District** and meets the minimum lot area of 5 acres.

This application would amend the Improvement Permit previously approved for Mr. Robert D. Kingsley (Opus Hut) for the construction of a timber frame cabin, improvements to the existing trail and an accessory structure.

The elevation of the property is 11,750 ft. 4-110.20 Square Footage Limitations states that development located at or above 11,000 feet and below the alpine/tundra zone shall be limited to a maximum floor area of up to one thousand (1,000) square feet. A single-story, detached accessory building, no greater than 200 square feet would be allowed.

The current cabin is 2200 sq. ft. with an 800 sq. ft. footprint and an additional 400 sq. ft. with 200 sq. ft. footprint is attached. Also on site is a 150 sq. ft sauna. The current total square footage is 2750 sq. ft.

I believe any additional construction would not be in compliance with the current land use regulations. As such a variance to Section 4-110.20 Square Footage Limitations of the Zoning and Land Use Regulations would be required. Section 13-104 allows for variances to be granted by the Board of County Commissioners after completion of review by the Planning Commission and County Commissioners.

The Planning Commission has the option to recommend approval as submitted, approval with conditions or denial of this application to amend the current Improvement Permit.

Should the Planning Commission choose to recommend approval, they should do so with the following conditions prior to the issuance of an Improvement Permit.

1. That the applicant receives a variance to Section 4-110.20 Square Footage Limitations
2. That the applicant acknowledges that emergency services will not be available in a timely manner and perhaps not at all.
3. All improvements to the GW Lode shall fully and completely comply with, and strictly conform to, all terms, conditions and restrictions contained in the San Juan County Zoning and Land Use Regulation, all permits issued, and all applicable State and Federal rules and regulations.
4. The applicant shall fully and completely comply with the San Juan County Zoning and Land Use Regulation 4-110 Design and Development Standards for all Improvement and Use Permits.
5. If any historic artifacts are discovered on site during the excavation or construction, all work on the project will be stopped immediately until the Historic Review Committee or qualified archeologist can visit the site to document and preserve those artifacts.
6. That the proposed improvements are identified and staked on site.
7. That the Land Use Administrator or designee visits the site after the proposed improvement has been identified and staked on site
8. The failure to comply with these conditions shall be grounds for the revocation of this Improvement Permit.
9. That the applicant acknowledges that this is an amendment to the currently approved Improvement Permit and that all such approvals, restrictions and conditions will remain valid.
10. Any other conditions that the Planning Commission deems necessary.

Should the Planning Commission choose to deny they should do so on the basis that the square footage of the additional shed exceeds the square footage limitations for development above 11,000 feet in elevation.

The Planning Commission will also need to make a recommendation concerning the requested variance to Section 4-110.20 Square Footage Limitations.

The variance request is somewhat unique and should not set a precedent for future requests. First the improvements on the subject property were approved prior to the current regulations that limit development located at or above 11,000 feet to a maximum floor area of up to one thousand (1,000) square feet with a detached accessory building, no greater than 200 square feet. Second, this variance is for commercial use which would allow the Opus Hut to be more resilient with extra gear and supplies.







**SAN JUAN COUNTY  
APPLICATION FOR VARIANCE**

Travis Mohrman 646-853-3730  
Name of Property Owner Telephone

225 E Serapio Dr Telluride, CO 81435 tmohrman@gmail.com  
Owner's Mailing Address E-Mail

\_\_\_\_\_  
Name of Applicant (if different from Owner) Telephone

\_\_\_\_\_  
Applicant's Mailing Address (if different from Owner) E-Mail

3660 County Road 8, Silverton, CO 81433


\_\_\_\_\_  
Address of Subject Property

CHAPTER, ARTICLE AND SECTION of the Code for which the variance is requested:  
4-110.20 \_\_\_\_\_

Reason(s) for which the variance is requested: Existing structures exceed the current 1000 square footage limit because they were approved and built before the limit existed. I would like to build a storage shed of 160 square feet to store extra equipment and supplies, but the total square footage would be over the current limit of 1000 square feet + 200 square feet of detached accessory building.

Justification for variance request: The proposed shed would be very well hidden behind an existing building, and would not meaningfully contribute to visual or site impact beyond what currently exists. Nor would it change the number of guests that we host, or any other capacity changes. The existence of the shed would allow me to run the hut in a more resilient way by storing extra gear and supplies given that we are cutoff from most forms of resupply for the entirety of the winter.

Proposed time schedule for construction: Spring + Summer 2025

 11/7/2024  
Signature of applicant Date

OFFICIAL USE ONLY

Application Received By: \_\_\_\_\_ Date: \_\_\_\_\_

Hearing Scheduled for

Action taken by the Board of County Commissioner:

---

---

---

San Juan County, Colorado  
**Application for Improvement Permit**

		APPROVAL CHECKLIST	Initial	Date
Applicant	Name	Travis Mohrman		
	Address	225 E Senario Dr		
Owner	Address	Telluride CO 81435 646- Phone		
	Name	853-3770		
	Address	SAME		
L. Use	Name	SAME		
	Address	SAME		
	Phone			
Legal Description of Property:		Road System Relationship		
GW LOPE Mining Claim United States Survey No. 1132 Animas Mining District San Juan County, Colorado AKA 3660 county road & Silverton CO Township N. Range W. Section		Zoning Compatibility		
		State Mining Permit		
		Owner Notification		
		Avalanche Hazard		
		Geologic Hazard		
		Floodplain Hazard		
		Wildfire Hazard		
		Mineral Resource Impact		
		Wildlife Impact		
		Historic Site Impact		
Nature of Improvement Planned:		Watershed Gearance		
20' x 8' Storage Shed behind <del>and</del> existing buildings. Northside of current 10' x 20' building		County Building Inspector		
		Building Permit		
		State Electrical Inspector		
Land Use Zone:	Mountain Zoning	Electrical Permit		
Applicant Signature		San Juan Basin Health Unit		
Date Application Requested	08 30 2024	Sewage Disposal: Test		
Date Submitted for Permit		Design		
Date Permit Issued		Central Sewage Collection		
Date Permit Denied		State Division of Water Resources		
Reason for Denial		Adequate Water Source		
		Well Permit		
		Central Water Distribution		
		U. S. Forest Service/BLM		
		Access Approval		
		State Division of Highways		
Receipt	FEE PAYMENT	Driveway Permit		
	Application			
	Building Permit			
	Subdivision/PL D	Subdivision Variance		
	Hearing Notice	Subdivision Approval		
		PL D Approval		

SAN JUAN COUNTY

SUPPLEMENT TO APPLICATION FOR IMPROVEMENT AND LAND USE PERMITS

(Attach additional sheets as necessary)

County Land Use Regulations, the County Master Plan and relevant forms may be found on the County website: <http://www.sanjuancountycolorado.us/planning>

**NOTE: THIS CHECK LIST HAS BEEN PREPARED TO MAKE IT EASIER FOR APPLICANTS FOR LAND USE PERMITS TO DETERMINE WHAT IS REQUIRED BY SAN JUAN COUNTY FOR LAND USE APPROVAL. IF YOU DON'T THINK YOU CAN COMPLETE IT, CONSIDER HIRING A PROFESSIONAL TO ASSIST YOU. SEVERAL PROFESSIONALS ARE AVAILABLE IN SILVERTON OR ELSEWHERE WHO ARE FAMILIAR WITH THE COUNTY LAND USE CODE AND MIGHT BE ABLE TO ASSIST YOU IN COMPLETING YOUR APPLICATION. THE COUNTY PLANNER CANNOT COMPLETE THIS CHECK LIST FOR YOU!**

See Section 3-102 for a preliminary list of information required for all improvement and use permit applications.

---

**NOTE: NO LAND USE OR IMPROVEMENT PERMIT APPLICATION WILL BE REVIEWED BY THE SAN JUAN COUNTY PLANNING COMMISSION OR BOARD OF COUNTY COMMISSIONERS UNTIL THE LAND USE ADMINSTRATOR HAS CERTIFIED THAT THE APPLICATION IS COMPLETE AND CONTAINS ALL REQUIRED INFORMATION.**

---

1. A. Names/Addresses/telephone numbers/email addresses of all Owners of any interest in Property and a description of their interest (fractional ownership, mineral interests, easements, etc.)

Travis Mohrman - 100%  
225 E Scrapio Dr Telluride CO 81435  
646 453 3730 ~~444~~ tmohrman@gmail.com

B. Property Description/location/size (3-102.3): 3660 County Road 8  
Silverton, CO. Approx 10 Acres

- Proof of ownership or consent of all owners of any interest in the land (3-102.2)?  Y  N
- Proof of legal and adequate access for maximum use of proposed development and provision of emergency services consistent with the proposed use? (3-102.2, 3-102.12, 3-102.13, 4-103.3(f))  Y  N
- federal access permit if access is across federal land (3-102.13, 4-103.3(f)(ii))

easement if access is across private property owned by others (4-103.3(f)(ii))

County driveway permit if access is from adjacent County road or if access requires new intersection with or change to any County road (3-102.12)

State driveway permit if access is from adjacent State highway (3-102.12)

Road Use and Maintenance Agreement if multiple properties accessed from a private road (3-1-2.13, 4-103.3(f)(ii))

How does the applicant propose to get to and from the state highway system?

C. What is the proposed improvement or use? Storage Shed Approx 20' x 6'

D. Name and contact info for any contractor who will be working on the project.

Self Build by owner

E. Are there any existing structures or other improvements on the Property?  Y  N  
If yes, describe them in detail including nature or type of improvement, location, etc. and provide photographs of all such improvements. Main Building is on

3 story hvt. Approx 4600 sqft Footprint 2200 sqft. Attached 2 story building 200 sqft footprint. 400 sqft

F. Are there any historic structures, sites or artifacts known on the property?  Y  N  
If so, describe them in detail including nature or type, location, etc. and provide photographs of all such structures, sites and known artifacts. 150 sqft SAUNA.

G. Are all property taxes assessed against the property fully paid up (2-105.5, 3-102.18)?  Y  N  
If the Answer is NO, the application cannot be processed until all taxes are fully paid.

2. Applicable Land Use Zone: Mountain : elevation of property? 11,750

A. Is the proposed use consistent with the intent of the applicable zone as stated in the Code (see section 1-106.1 for statement of intent for each zone)?  Y  N

B. Is proposed development consistent with applicable zone regulations re density, minimum parcel size, setbacks (see 1-113)?  Y  N

C. If the proposed use is in the Mountain Zone (see 1-106.1):

- Does the proposed use adversely affect natural and scenic environment? If so, how? Shed is proposed to be behind existing structure, directly to the north. No additional visual impact.

- 
- Is the proposed use consistent with seasonal access?  Y  N
  - Is it within the alpine tundra ecosystem (see 1-107.1)?  Y  N Note: Residential development is prohibited within any alpine tundra ecosystem.
  - Is the applicant or any related person or entity the owner of any existing residence in the Mountain Zone?  Y  N If so, what existing property?
- 

Note: Under 1-107.1, if an applicant has an existing residential property in the Mountain Zone, any land use application cannot be processed as a use subject to review but must be reviewed using the criteria of the subdivision regulations in Chapter 7.

- D. If the proposed development is at or above 11,000 feet elevation, does it meet the limitations on square footage (4-110.20)?
- E. Is the proposed use a vacation rental?  Y  N If so, is it permitted under and consistent with the vacation rental regulations (4-110.21)?
- F. Is the proposed development a subdivision?  Y  N If so, see Chapter 7 of the Code for additional requirements.

3. Are any Overlay Zones applicable? (check all applicable)

- Scenic preservation – is property within 1500 ft of  SNGRR?  Hwy 550?  
 Alpine Loop? (1-107.4, 1-114)
- Mineral (see 1-107.5) – is property located within Sections 10, 13, 14, 15, 16, 17, 22  
25 of T 41 N, R 7 W? (1-116.1)
- Watershed Protection? (1-107.6)
- Town – County Mutual Interest (1-107.7) – is property ever likely to be connected to  
Town services or annexed into Town? (1-107.7, 1-117)
- Does the property likely cross a county line or is access from another County?

4. Master Plan Compliance (4-103.3):

- A. What provisions of Master Plan apply to area or to proposed use/development?

---



---



---

- B. Is the proposed development consistent with applicable Master Plan provisions? List applicable sections and explain how proposed development/use is consistent with those provisions?



5. Is County review of the application likely to cost the County more than the base review fee (see 2-104.1)?  Y  N If so, what additional services is the County likely to require in connection with its review of the application? \_\_\_\_\_

6. How many properties/parcels/claims are located within a relevant area for determination of cumulative impacts under (4-103.1 and .2)? \_\_\_\_\_ Describe the area deemed to be relevant and the basis for that determination \_\_\_\_\_

- A. How many other parcels are accessed via same road? \_\_\_\_\_
- B. How many other parcels are located within the same drainage basin or other relevant area and might be affected by drainage from the property? \_\_\_\_\_
- C. How many other parcels are located within the same air shed? \_\_\_\_\_
- D. Are any other parcels likely to obtain water from any underground source which is interconnected with any underground water source which is proposed to be tapped for water for use on the property? If so, how many? \_\_\_\_\_

7. Do any natural hazards pose a risk on the property or with regard to any access to the property? (check as applicable)

- Avalanche Hazard (Chapter 8)
- Geologic Hazard (Chapter 9)
- Floodplain Hazard (Chapter 10)
- Wildfire Hazard (Chapter 11)

Explain the nature of the natural hazards which may pose a risk in connection with the proposed development and how the applicant proposes to minimize or avoid such risks.

Proposed development is unoccupied storage space  
immediately adjacent to existing, approved  
structure.

8. Historic Impact Review (3-105) Might the proposed development have any impact on historic sites or assets located either on or off the property? (4-103.3(e)) If so, identify the historic sites

or assets which might be affected and explain how they might be affected and how the applicant proposes to avoid such effects. \_\_\_\_\_

9. Potential Health Impacts – Might the proposed use (when considered cumulatively with existing or potential development on all other properties within the relevant area – see number listed in 6 and in 6(a – d)above ) have any adverse impact on health of humans, wildlife or natural habitat or on environmental quality? (3-106, 4-103.3(a) and (e))

Y  N Wildlife

Y  N Dust, smoke, fumes, contaminants or air pollution

Y  N Noise

Y  N Water pollution

Y  N Adverse affect on quality of water for human consumption? (1-115.3)

Y  N Soil contamination, erosion, etc.

Y  N Hazardous materials/substances

Explain the nature of each potential impact and how the applicant proposes to minimize or avoid such risks. \_\_\_\_\_

10. Might the proposed development (when considered cumulatively with existing or potential development on all other properties within the relevant area – see number listed in 6(a) above) have any adverse impacts on County roads? (3-107)  Y  N

Explain the nature of each potential impact and how the applicant proposes to minimize or avoid such risks. \_\_\_\_\_

11. Might the proposed development (when considered cumulatively with existing or potential development on all other properties within the relevant area – see numbers listed in 6 and 6(a – d) above) have any adverse impacts on other property? (4-103.3(d))  Y  N

Explain the nature of each potential impact and how the applicant proposes to minimize or avoid such risks. \_\_\_\_\_

12. Might the proposed development (when considered cumulatively with existing or potential development on all other properties within the relevant area – see numbers listed in 6 and 6(a – d) above) have any adverse impacts on scenic values? (4-103.3(e))  Y  N

Explain the nature of each potential impact and how the applicant proposes to minimize or avoid such risks.

13. Might the proposed development (when considered cumulatively with existing or potential development on all other properties within the relevant area – see numbers listed in 6 and 6(a – d) above) have any adverse impacts on wildlife (habitat, food sources, migration, hunting, etc.)? (4-103.3(e))  Y  N

Explain the nature of each potential impact and how the applicant proposes to minimize or avoid such risks.

14. Might the proposed development (when considered cumulatively with existing or potential development on all other properties within the relevant area – see numbers listed in 6 and 6(a – d) above) have any adverse impacts on erosion or other natural condition? (4-103.3(e))  Y  N

Explain the nature of each potential impact and how the applicant proposes to minimize or avoid such risks.

15. Are Skyline Regulations (3-102.7, 4-110.18) applicable?  Y  N If yes, has the Applicant demonstrated compliance with Skyline regulations?  Y  N

Photos of existing property conditions (3-102.7(a))

Representations of proposed development against skyline (3-102.7(b))

Story poles (if necessary) (3-102.7(c))

16. Has the applicant provided a Scenic Quality Report (4-110.19)?  Y  N

16. Has Applicant provided proof of availability of adequate source of potable water for maximum potential use of proposed development, fire fighting and other purposes (3-102.8, 4-103.3(b))

Deeded water right

Central water system

Well permit

Water storage system

17. Has Applicant provided proof of adequate sewage disposal for maximum use of proposed development (3-102.10, 4-1-3.3(c))  Y  N

Central sewer system  existing or  new

Individual septic system permit

18. Has the Applicant provided proof of adequate utilities for maximum use of proposed development (4-103.3(g))?  Y  N

a. electric  SMPA service commitment

other \_\_\_\_\_

b. telephone communications  land line service commitment

cell phone service available

satellite phone service available

other

19. A. What emergency services might be required by the proposed development or its potential uses?

Fire

EMS

Law Enforcement

Mountain or back country rescue

Other \_\_\_\_\_

B. What are probable response times for any indicated emergency services?

Fire \_\_\_\_\_

EMS \_\_\_\_\_

Law Enforcement \_\_\_\_\_

Mountain or back country rescue \_\_\_\_\_

Other \_\_\_\_\_

C. Has the Applicant provided proof of availability of each emergency service which might be required for the proposed use (unless deemed unnecessary) (4-103.3(h))?

Explain how Applicant proposes to secure each emergency service which may be required by or in connection with the proposed development or its use?

---

---

---

---

D. If any emergency service listed is deemed unnecessary, explain why it is unnecessary? \_\_\_\_\_

---


20. Is Expert Assistance required for any portion of the County's review? If so, in what area and for what purpose?

21. Are any special permit conditions needed to:

- a. Protect of health, safety or welfare of general public? (2-110.1)
- b. Protect of persons or property? (2-110.1)
- c. Protect of historic assets? (1-114.3, 2-110.1)
- d. Protect of scenic views and vistas? (1-114.2, 1-115.1, 1-116.4, 2-110.1)
- e. Protect cultural assets? (2-110.1)
- f. Protect against natural hazards? (2-110.2 and .3)
- g. Protect environmental assets? (1-114.2, 1-115.1 1-116.4)
- h. Address soils, slopes, geologic hazards? (1-114.4, 1-115.2, 1-116.5)
- i. Adequately address access incl. roads, drives, parking? (1-114.5, 1-116.6)
- j. Protect water purity? (1-115.1)
- k. Preserve access to mineral development? (1-116.3)



Application for Improvement Permit

		APPROVAL CHECKLIST		Initial	Date
Applicant	Name	Travis Mohrman			
	Address	225 E Senapio Dr Telluride CO 81435 696-			
	Phone	853-3790			
Owner	Name	SAME			
	Address	SAME			
	Phone				
Contractor	Name	SAME			
	Address	SAME			
	Phone				
Legal Description of Property:		Road System Relationship			
GW LOPE Mining Claim United States Survey No. 1132 Animas Mining District San Juan County, Colorado AKA 3660 county road & Silverton CO Township N, Range W, Section		Zoning Compatibility			
		State Mining Permit			
		Owner Notification			
		Avalanche Hazard			
		Geologic Hazard			
		Floodplain Hazard			
		Wildfire Hazard			
		Mineral Resource Impact			
		Wildlife Impact			
		Historic Site Impact			
Watershed Gearance					
Nature of Improvement Planned:		County Building Inspector			
20' x 8' Storage Shed behind <del>and</del> existing buildings. Northside of current 10' x 20' buildings		Building Permit			
		State Electrical Inspector			
		Electrical Permit			
Land Use Zone: Mountain Zoning		San Juan Basin Health Unit			
Applicant Signature		Sewage Disposal: Test			
		Design			
		Central Sewage Collection			
Date Application Requested		08 30 2024			
Date Submitted for Permit					
Date Permit Issued					
Date Permit Denied					
Reason for Denial		State Division of Water Resources			
		Adequate Water Source			
		Well Permit			
		Central Water Distribution			
		U.S. Forest Service/BLM			
		Access Approval			
		State Division of Highways			
Receipt		FEE PAYMENT		Driveway Permit	
		Application			
		Building Permit			
		Subdivision/PL D			
		Hearing Notice			
		Subdivision Variance			
		Subdivision Approval			
		PL D Approval			

SAN JUAN COUNTY

SUPPLEMENT TO APPLICATION FOR IMPROVEMENT AND LAND USE PERMITS

(Attach additional sheets as necessary)

County Land Use Regulations, the County Master Plan and relevant forms may be found on the County website: <http://www.sanjuancountycolorado.us/planning>

NOTE: THIS CHECK LIST HAS BEEN PREPARED TO MAKE IT EASIER FOR APPLICANTS FOR LAND USE PERMITS TO DETERMINE WHAT IS REQUIRED BY SAN JUAN COUNTY FOR LAND USE APPROVAL. IF YOU DON'T THINK YOU CAN COMPLETE IT, CONSIDER HIRING A PROFESSIONAL TO ASSIST YOU. SEVERAL PROFESSIONALS ARE AVAILABLE IN SILVERTON OR ELSEWHERE WHO ARE FAMILIAR WITH THE COUNTY LAND USE CODE AND MIGHT BE ABLE TO ASSIST YOU IN COMPLETING YOUR APPLICATION. THE COUNTY PLANNER CANNOT COMPLETE THIS CHECK LIST FOR YOU!

See Section 3-102 for a preliminary list of information required for all improvement and use permit applications.

NOTE: NO LAND USE OR IMPROVEMENT PERMIT APPLICATION WILL BE REVIEWED BY THE SAN JUAN COUNTY PLANNING COMMISSION OR BOARD OF COUNTY COMMISSIONERS UNTIL THE LAND USE ADMINISTRATOR HAS CERTIFIED THAT THE APPLICATION IS COMPLETE AND CONTAINS ALL REQUIRED INFORMATION.

1. A. Names/Addresses/telephone numbers/email addresses of all Owners of any interest in Property and a description of their interest (fractional ownership, mineral interests, easements, etc.)

Travis Mohrman - 100%  
225 E Scarpio Dr Telluride CO 81435  
646 453 3730 ~~travis~~ tmohrman@gmail.com

B. Property Description/location/size (3-102.3): 3660 County Road 8  
Silverton, CO. Approx 10 Acres

- Proof of ownership or consent of all owners of any interest in the land (3-102.2)?  
 Y  N
- Proof of legal and adequate access for maximum use of proposed development and provision of emergency services consistent with the proposed use? (3-102.2, 3-102.12, 3-102.13, 4-103.3(f))  Y  N
- federal access permit if access is across federal land (3-102.13, 4-103.3(f)(ii))



Easement if access is across private property owned by others (4-103.3(f)(ii))

County driveway permit if access is from adjacent County road or if access requires new intersection with or change to any County road (3-102.12)

State driveway permit if access is from adjacent State highway (3-102.12)

Road Use and Maintenance Agreement if multiple properties accessed from a private road (3-1-2.13, 4-103.3(f)(ii))

How does the applicant propose to get to and from the state highway system?

C. What is the proposed improvement or use? Storage Shed Approx 20' x 20'

D. Name and contact info for any contractor who will be working on the project.

Self Build by owner

E. Are there any existing structures or other improvements on the Property?  Y  N  
If yes, describe them in detail including nature or type of improvement, location, etc. and provide photographs of all such improvements. Main Building is on

3 story hst. Approx 4600 sqft Footprint 2200 sqft. Attached 2 story building 200 sqft footprint. 400 sqft

F. Are there any historic structures, sites or artifacts known on the property?  Y  N  
If so, describe them in detail including nature or type, location, etc. and provide photographs of all such structures, sites and known artifacts. 150 sqft Sauna.

G. Are all property taxes assessed against the property fully paid up (2-105.5, 3-102.18)?  Y  N  
If the Answer is NO, the application cannot be processed until all taxes are fully paid.

2. Applicable Land Use Zone: Mountain : elevation of property? 11,750

A. Is the proposed use consistent with the intent of the applicable zone as stated in the Code (see section 1-106.1 for statement of intent for each zone)?  Y  N

B. Is proposed development consistent with applicable zone regulations re density, minimum parcel size, setbacks (see 1-113)?  Y  N

C. If the proposed use is in the Mountain Zone (see 1-106.1):

- Does the proposed use adversely affect natural and scenic environment? If so, how? Shed is proposed to be behind existing structure, directly to the north. No additional visual impact.

- 
- Is the proposed use consistent with seasonal access?  Y  N
  - Is it within the alpine tundra ecosystem (see 1-107.1)?  Y  N Note: Residential development is prohibited within any alpine tundra ecosystem.
  - Is the applicant or any related person or entity the owner of any existing residence in the Mountain Zone?  Y  N If so, what existing property?
- 

Note: Under 1-107.1, if an applicant has an existing residential property in the Mountain Zone, any land use application cannot be processed as a use subject to review but must be reviewed using the criteria of the subdivision regulations in Chapter 7.

D. If the proposed development is at or above 11,000 feet elevation, does it meet the limitations on square footage (4-110.20)?

E. Is the proposed use a vacation rental?  Y  N If so, is it permitted under and consistent with the vacation rental regulations (4-110.21)?

F. Is the proposed development a subdivision?  Y  N If so, see Chapter 7 of the Code for additional requirements.

3. Are any Overlay Zones applicable? (check all applicable)

Scenic preservation – is property within 1500 ft of  SNGRR?  Hwy 550?  
 Alpine Loop? (1-107.4, 1-114)

Mineral (see 1-107.5) – is property located within Sections 10, 13, 14, 15, 16, 17, 22  
 25 of T 41 N, R 7 W? (1-116.1)

Watershed Protection? (1-107.6)

Town – County Mutual Interest (1-107.7) – is property ever likely to be connected to  
 Town services or annexed into Town? (1-107.7, 1-117)

Does the property likely cross a county line or is access from another County?

4. Master Plan Compliance (4-103.3):

A. What provisions of Master Plan apply to area or to proposed use/development?

---



---



---

B. Is the proposed development consistent with applicable Master Plan provisions? List applicable sections and explain how proposed development/use is consistent with those provisions?

5. Is County review of the application likely to cost the County more than the base review fee (see 2-104.1)?  Y  N If so, what additional services is the County likely to require in connection with its review of the application? \_\_\_\_\_

6. How many properties/parcels/claims are located within a relevant area for determination of cumulative impacts under (4-103.1 and .2))? \_\_\_\_\_ Describe the area deemed to be relevant and the basis for that determination \_\_\_\_\_

- A. How many other parcels are accessed via same road? \_\_\_\_\_
- B. How many other parcels are located within the same drainage basin or other relevant area and might be affected by drainage from the property? \_\_\_\_\_
- C. How many other parcels are located within the same air shed? \_\_\_\_\_
- D. Are any other parcels likely to obtain water from any underground source which is interconnected with any underground water source which is proposed to be tapped for water for use on the property? If so, how many? \_\_\_\_\_

7. Do any natural hazards pose a risk on the property or with regard to any access to the property? (check as applicable)

- Avalanche Hazard (Chapter 8)
- Geologic Hazard (Chapter 9)
- Floodplain Hazard (Chapter 10)
- Wildfire Hazard (Chapter 11)

Explain the nature of the natural hazards which may pose a risk in connection with the proposed development and how the applicant proposes to minimize or avoid such risks.

Proposed development is unoccupied storage space immediately adjacent to existing, approved structure.

8. Historic Impact Review (3-105) Might the proposed development have any impact on historic sites or assets located either on or off the property? (4-103.3(e)) If so, identify the historic sites

or assets which might be affected and explain how they might be affected and how the applicant proposes to avoid such effects. \_\_\_\_\_

9. Potential Health Impacts – Might the proposed use (when considered cumulatively with existing or potential development on all other properties within the relevant area – see number listed in 6 and in 6(a – d)above ) have any adverse impact on health of humans, wildlife or natural habitat or on environmental quality? (3-106, 4-103.3(a) and (e))

Y  N Wildlife

Y  N Dust, smoke, fumes, contaminants or air pollution

Y  N Noise

Y  N Water pollution

Y  N Adverse affect on quality of water for human consumption? (1-115.3)

Y  N Soil contamination, erosion, etc.

Y  N Hazardous materials/substances

Explain the nature of each potential impact and how the applicant proposes to minimize or avoid such risks. \_\_\_\_\_

10. Might the proposed development (when considered cumulatively with existing or potential development on all other properties within the relevant area – see number listed in 6(a) above) have any adverse impacts on County roads? (3-107)  Y  N

Explain the nature of each potential impact and how the applicant proposes to minimize or avoid such risks. \_\_\_\_\_

11. Might the proposed development (when considered cumulatively with existing or potential development on all other properties within the relevant area – see numbers listed in 6 and 6(a – d) above) have any adverse impacts on other property? (4-103.3(d))  Y  N

Explain the nature of each potential impact and how the applicant proposes to minimize or avoid such risks. \_\_\_\_\_

12. Might the proposed development (when considered cumulatively with existing or potential development on all other properties within the relevant area – see numbers listed in 6 and 6(a – d) above) have any adverse impacts on scenic values? (4-103.3(e))  Y  N

Explain the nature of each potential impact and how the applicant proposes to minimize or avoid such risks. \_\_\_\_\_

13. Might the proposed development (when considered cumulatively with existing or potential development on all other properties within the relevant area – see numbers listed in 6 and 6(a – d) above) have any adverse impacts on wildlife (habitat, food sources, migration, hunting, etc.)? (4-103.3(e))  Y  N

Explain the nature of each potential impact and how the applicant proposes to minimize or avoid such risks. \_\_\_\_\_

14. Might the proposed development (when considered cumulatively with existing or potential development on all other properties within the relevant area – see numbers listed in 6 and 6(a – d) above) have any adverse impacts on erosion or other natural condition? (4-103.3(e))  Y  N

Explain the nature of each potential impact and how the applicant proposes to minimize or avoid such risks. \_\_\_\_\_

15. Are Skyline Regulations (3-102.7, 4-110.18) applicable?  Y  N If yes, has the Applicant demonstrated compliance with Skyline regulations?  Y  N

Photos of existing property conditions (3-102.7(a))

Representations of proposed development against skyline (3-102.7(b))

Story poles (if necessary) (3-102.7(c))

16. Has the applicant provided a Scenic Quality Report (4-110.19)?  Y  N

16. Has Applicant provided proof of availability of adequate source of potable water for maximum potential use of proposed development, fire fighting and other purposes (3-102.8, 4-103.3(b))

Deeded water right

Central water system

Well permit

Water storage system

17. Has Applicant provided proof of adequate sewage disposal for maximum use of proposed development (3-102.10, 4-1-3.3(c))  Y  N

Central sewer system  existing or  new

Individual septic system permit

18. Has the Applicant provided proof of adequate utilities for maximum use of proposed development (4-103.3(g))?  Y  N

a. electric  SMPA service commitment

other \_\_\_\_\_

b. telephone communications  land line service commitment

cell phone service available

satellite phone service available

other

19. A. What emergency services might be required by the proposed development or its potential uses?

Fire

EMS

Law Enforcement

Mountain or back country rescue

Other \_\_\_\_\_

B. What are probable response times for any indicated emergency services?

Fire \_\_\_\_\_

EMS \_\_\_\_\_

Law Enforcement \_\_\_\_\_

Mountain or back country rescue \_\_\_\_\_

Other \_\_\_\_\_

C. Has the Applicant provided proof of availability of each emergency service which might be required for the proposed use (unless deemed unnecessary) (4-103.3(h))?  
Explain how Applicant proposes to secure each emergency service which may be required by or in connection with the proposed development or its use?

---

---

---

---

D. If any emergency service listed is deemed unnecessary, explain why it is unnecessary? \_\_\_\_\_

---

---

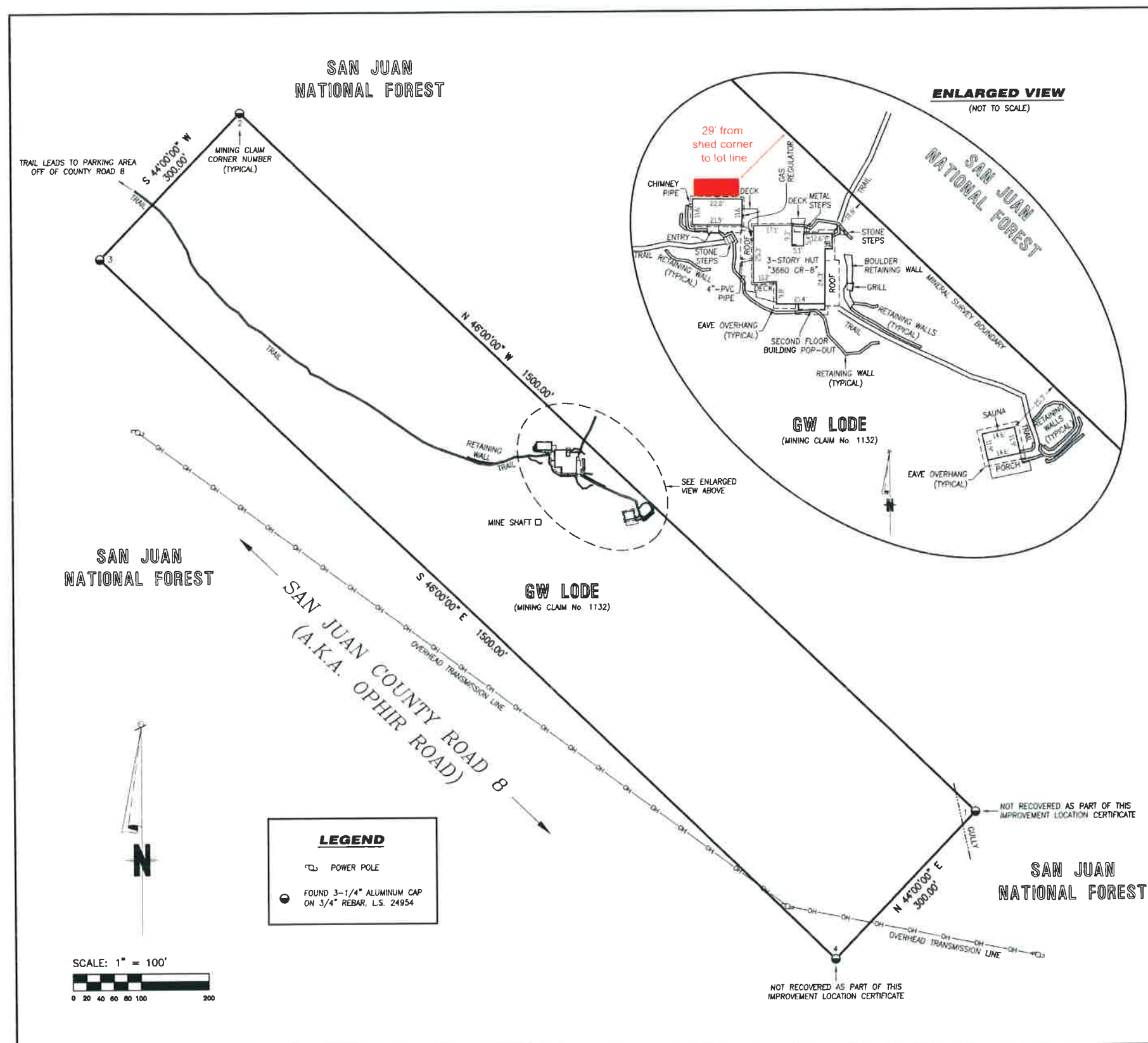
20. Is Expert Assistance required for any portion of the County's review? If so, in what area and for what purpose?

21. Are any special permit conditions needed to:

- a. Protect of health, safety or welfare of general public? (2-110.1)
- b. Protect of persons or property? (2-110.1)
- c. Protect of historic assets? (1-114.3, 2-110.1)
- d. Protect of scenic views and vistas? (1-114.2, 1-115.1, 1-116.4, 2-110.1)
- e. Protect cultural assets? (2-110.1)
- f. Protect against natural hazards? (2-110.2 and .3)
- g. Protect environmental assets? (1-114.2, 1-115.1 1-116.4)
- h. Address soils, slopes, geologic hazards? (1-114.4, 1-115.2, 1-116.5)
- i. Adequately address access incl. roads, drives, parking? (1-114.5, 1-116.6)
- j. Protect water purity? (1-115.1)
- k. Preserve access to mineral development? (1-116.3)



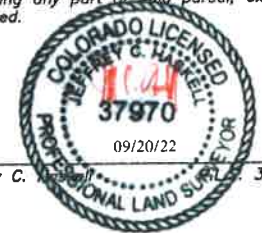




**IMPROVEMENT LOCATION CERTIFICATE:**

I hereby certify that this Improvement Location Certificate was prepared for Land Title Guarantee Company, that it is not a Land Survey Plat or Improvement Survey Plat, that it is not to be relied upon for the establishment of fence, building, or other improvement lines.

I further certify that the improvements on the below described parcel on this date September 15, 2022, except utility connections, are entirely within the boundaries of the parcel, except as shown, that there are no encroachments upon the described premises by improvements on any adjoining premises, except as indicated, and that there is no apparent evidence or sign of any easement crossing or burdening any part of said parcel, except as noted.



Jeffrey C. Jeffrey & H. H. Jeffrey 37970

**LEGAL DESCRIPTION:**

GW LODE MINING CLAIM, UNITED STATES SURVEY NO. 1132, ANIMAS MINING DISTRICT, SAN JUAN COUNTY, COLORADO.

**NOTES:**

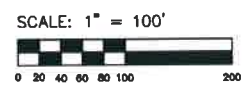
1. Easement research and legal description from Land Title Guarantee Company, Order No. OUC85008090, dated August 30, 2022 at 5:00 P.M.
2. According to FEMA Flood Insurance Rate Maps dated September 1, 1978, this parcel is not within the 100-year flood plain.
3. There exists an Acknowledgment of Conditions of Improvement Permit recorded May 22, 2007 under Reception No. 145701.
4. There exists a Grant of Easement set forth in instrument recorded October 3, 2011 under Reception No. 148174, allowing for a Public Trail Easement 10' wide, being 5' on each side of the centerline of the existing historic trail.

**NOTICE:**

According to Colorado law, you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

**LEGEND**

- POWER POLE
- FOUND 3-1/4" ALUMINUM CAP ON 3/4" REBAR, L.S. 24954



<p><b>Improvement Location Certificate</b></p> <p>GW Lode Mining Claim, U.S. Survey No. 1132, Animas Mining District, San Juan County, Colorado.</p>	<p>Project Mgr: JH</p> <p>Technician: MC</p> <p>Checked by: JZ</p> <p>Start date: 09/16/2022</p>	<p><b>FOLEY ASSOCIATES, INC.</b></p> <p>ENGINEERING PLANNING SURVEYING</p>	<p>970-728-6153 970-728-6050 fax</p> <p>PO Box 1385</p> <p>125 W. Pacific Ave., Suite B-1</p> <p>Telluride, Colorado, 81435</p>
	<p>Drawing path: dwp\05110 ILC 09-22.dwg</p>		