

SAN JUAN REGIONAL PLANNING COMMISSION
AGENDA
January 16, 2024
San Juan County Courthouse

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.

7:00 PM Roll Call of Members and Minutes

Minutes of August 15, 2023
Planning Commission Board Appointments
2023 Planning Commission Financial Report
2023 Secretary Payment

7:20 PM Improvement Permit Application:

Richard Smiley dba Silverton Glamping LLC, Eastern Star Placer MS 17680 and Animas Mill Site MS 1566 Sketch Plan Application for the development of a Glamping Resort located near the southern boundary with the Town of Silverton

7:50 PM Improvement Permit Application:

Adam and Spencer Rex dba Kendall Mountain House LLC. Forst Lode MS 18463 Sketch Plan Application for the development of a single-family dwelling and associated utility improvements and Vacation Rental on Kendall Mountain adjacent to CR 33

8:20 PM Improvement Permit Application:

Charles V. and Bruce A Hoch, Gladstone Girl MS 17271 Sketch Plan Application for the development of a single-family dwelling, shed, driveway and associated utility improvements in Minnehaha area adjacent to CR 51

OTHER:

Times listed above are approximate.

Discussion of an agenda item may occur before or after the assigned time.

ADJOURN: Next Regular Meeting – 6:30 PM, Tuesday February 20, 2024

Join Zoom Meeting

<https://zoom.us/j/92136473203>

Meeting ID: 921 3647 3203

One tap mobile

+16699006833,,92136473203# US (San Jose)

+12532158782,,92136473203# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 921 3647 3203

The San Juan Regional Planning Commission met virtually via zoom and in the Commissioner room on August 15, 2023, at 7:04 PM with roll call showing the following attendance:

| | | | |
|---------------|---|----------------|--------|
| Bev Rich | X | Ken Safranski | X |
| Jim Weller | X | Melissa Childs | Absent |
| Sallie Barney | X | Austin Lashley | X |
| Jim Harper | X | | |

Also present via Zoom were Bev Rich, Jim Harper, Adam Rex, Spencer Rex, Alan Jones, Avalanche Hazard Overview Management, and various participants on phones. Chairperson Jim Weller, Ken Safranski, Austin Lashley and Sallie Barney, Colby & Leslie Barrett, Lisa Adair, Keegan Finney Architect (for David Cole), and William Tookey, County Administrator and Chris Tookey, Secretary were present in the Commissioners Room.

MINUTES June 20, 2023

Jim Weller made a motion to approve the minutes of June 20, 2023, with a second from Austin Lashley. The motion passed unanimously with a show of hands.

MINUTES July 18, 2023

Ken Safranski made a motion to approve the minutes of July 18, 2023, with a second from Jim Weller. The motion passed unanimously with a show of hands.

IMPROVEMENT PERMIT APPLICATION: FEENEY ARCHITECT APPLICANT FOR OWNER DAVID COLE, MINERAL KING MS 2051 PRELIMINARY/FINAL APPLICATION FOR THE DEVELOPMENT OF A SINGLE-FAMILY DWELLING AND ASSOCIATED UTILITY IMPROVEMENTS LOCATED IN PROSPECT GULCH ADJACENT TO CR 35.

William Tookey, Land Use Administrator, and architect Keegan Feeny representing the applicant were present to answer questions regarding the development of a 1000 sf cabin and associated utility improvements on the Mineral King MS 2051. The property is in Prospect Gulch and will be accessed by CR 35.

The Planning Commission had previously reviewed the Sketch Plan for this project and recommended conditional approval to the County Commissioners who reviewed and conditionally approved the project. The applicant has provided an Addendum to the original application that clarifies some avalanche concerns raised by the County Commissioners and modified the site plan. After discussion, Ken Safranski made a motion to recommend to the County Commissioners to approve the Preliminary and Final Plan with the eight proposed conditions of approval. Jim Harper seconded the motion and the motion passed unanimously with a show of hands.

A letter was sent to the County Commissioners.

IMPROVEMENT PERMIT APPLICATION: ADAM REX, FORST LODGE MS

18463 PRELIMINARY FINAL APPLICATION FOR THE DEVELOPMENT OF A SINGLE-FAMILY DWELLING AND ASSOCIATED UTILITY IMPROVEMENTS ON KENDALL MOUNTAIN ADJACENT TO CR 33.

William Tookey, Land use Administrator, gave updated information to the Planning Commissioners. They had previously reviewed the Sketch Plan application for the project and sent the recommendation to the County Commissioners. The County Commissioners reviewed and approved the Sketch Plan Application with conditions. The Commissioners denied the Vacation Rental after determining that the proposed plan presented did not adequately provide for safe access. Adam Rex, the owner, was present on Zoom to answer any questions.

After discussion, questions and presentations from the Land Use Administrator and the owner/applicant Adam Rex, Ken Safranski made a motion to recommend to the San Juan County Commissioners that they approve the proposed the County Improvement Permit Application and Preliminary Final Plan with the eleven proposed conditions of approval. Sallie Barney seconded, and the motion passed unanimously with a show of hands.

A letter was sent to the San Juan County Commissioners.

PLANNED UNIT DEVELOPMENT SKETCH PLAN FOR A PROPOSED SILVER CLOUD LODGE LOCATED NEAR MILL CREEK IN THE CHATANOOGA AREA NEAR HWY 550.

William Tookey, Land Use Administrator, and the owner/applicant Colby Barrett were present to answer questions for a PUD Sketch Plan for a proposed Silver Cloud Lodge. After the presentation for the proposed Silver Cloud Lodge, Ken Safranski made a motion to recommend to the San Juan County Commissioners that they approve this PUD Sketch Plan with the eight proposed conditions of approval. Jim Harper seconded; the motion passed unanimously with a show of hands.

A letter was sent to the San Juan County Commissioners.

The meeting was adjourned at 9:20 PM.

Respectfully Submitted,

Christine M. Tookey, Secretary

Approved _____

MEMORANDUM

January 15, 2024

TO: San Juan Regional Planning Commission

FR: William A. Tookey

RE: Eastern Star Placer MS #17680 and Animas Mill Site MS #1566B

Richard Smiley dba Silverton Glamping has submitted an Improvement Permit application for the development and operation of a Glamping Resort and associated utilities on the Animas MS-1566B and Eastern Star Placer 17680. The total acreage is 41.72 acres. The development will be divided into 4 units. The first location is a 1.6 acre tract identified as Riverside. The site would contain 8 units, a mixture of miner style tents and geodesic domes. One of the 8 units will serve as the check-in office. The septic system, water cistern and propane tank will be located on this site as well. The second location is a 7.37 acre tract identified as Kendall Mountain Meadow. This site would provide an additional 8 units, again a mixture of tents and domes. Also proposed for the site is a composting toilet or porta potty. The third location is identified as 1.37 acre tract identified as Aspen Grove. This site would provide an additional 8 units. The units would be smaller tents. The fourth location is a 3.23 acre tract identified as Sunset Vista Cliff. This site would provide a mixture of tents and domes for a total of 8 units. Additional improvements to the sites would include portable solar and outdoor fire pits. A total of 32 tent/dome units are being requested in the application as Phase I. The applicant plans to develop the property in two phases. This Improvement Permit Application is just for the requested Phase I improvements. The applicant has provided for information only his plans for Phase II. Phase II improvements will require an additional improvement permit application, review and approval.

The property is located just outside of the southeastern boundary of the Town of Silverton and will be accessed from 10th Street across the railroad tracks and continue along the road that has historically served the property. The property will also be accessed from 14th Street to Country Road 33 to the driveway that currently serves the property.

The property is currently owned by Jo Ann Vota Sandell et al. and the taxes are current. Mr. Smiley has the consent of the current ownership to submit an improvement permit application for the property.

The application fees have been paid.

The adjacent landowners have been notified via US Mail of the proposed Improvement Permit application. The list of adjacent property owners and copy of the letter are included.

Mountain Zoning District. The property is located within the Mountain Zoning District. Any development located within the Mountain Zoning District is a Use Subject to Review and requires a minimum site of 5 acres. The property is 41.72 acres. The

applicant will need to confirm that all improvements meet the minimum setback of 30 ft. from private property and 20 ft. from public property. The property is also located within the Town/County Zone of Mutual Interest Overlay District and the Scenic Corridor Overlay District.

Town/County Zone of Mutual Interest Overlay District. The intent of this Mutual Interest Overlay is to provide a cooperative review process for proposed development and uses in the County which are adjacent to the Town of Silverton where it is anticipated that Town streets, water, sewer, and other public services might be extended; and/or may be subject to annexation by the Town at some point in the future. The Town of Silverton has been notified of this Improvement Permit Application and they have received a copy of it.

Scenic Preservation Overlay District. The Scenic Preservation Overlay District includes any site within 1,500 feet of the centerline of the track of the Durango and Silverton Narrow Gauge Railroad. The site must be designed in a manner that protects the environmental assets of the area and done in a manner which minimizes impacts upon scenic views or vistas and protects historical assets. Additional setbacks, landscaping, screening, or design requirements may be required by the County in order to preserve the natural, pristine appearance of the area and to minimize the visual impact to view sheds and view corridors.

The applicant has substantially met the requirements for application submittals as required by 3-102 Requirements for Uses and Improvements.

All applications for review will be examined initially to determine whether the proposal is consistent with the County's Master Plan.

The Master Plan notes that private property rights are respected in San Juan County.

Master Plan Goal LU-2 Focus future development on mining claims into growth corridors that are environmentally suitable, where public services are available and that provide feasible opportunity for growing the community and the economy.

Master Plan Strategy LU-2.1 Encourages future development in the economic corridors which include the upper Animas Valley from Silverton to Eureka, Cement Creek from Silverton to Gladstone and the South County Line to just above the Mill Creek Subdivision. I believe this application is attempting to meet the intent of the Master Plan.

- a. Adequate potable water is available or can be developed to safely support the proposed use.

The applicant plans to haul Town of Silverton potable water to underground cistern with a capacity of 5000 to 5500 gallons. He estimates that the cistern

capacity will provide at least one week of water for the resort. The applicant will need to provide a will serve letter from the Town of Silverton.

- b. Adequate sewage disposal can be provided to support the proposed use.

The applicant plans on installing a septic system to service the Riverside Tract. For the other tracts he plans on using composting toilets or porta potties. The applicant will need to submit a On-Site Waste Water Treatment Application to the La Plata County Public Health.

- c. Will the proposed use have any adverse impact on public or private property in the vicinity of the development?

The proposed improvements should have minimal impact on the adjoining properties. Adjoining property owners have been notified and at this time I have received one comment in total support of the project.

- d. Will the proposed use have any adverse effect on scenic values, historic sites or structures, air or water or environmental quality, wildlife, erosion or other geological conditions?

The applicant has included a scenic quality report. Th planting of willows could provide some additional screening for the site. However, when you look at the sight in context with neighboring RV Parks the tents and domes should have minimal impact. I do have concerns with the visual impact of portable toilets. I would recommend that composting toilets be used instead and that they are located in structures using earthtone building materials.

It does not appear that there are any historic structures on site. Development would need to be stopped and a historic review of the site would be required if any historic artifacts were discovered during construction.

The improvements should create minimal adverse impacts upon wildlife. All solid waste, garbage and refuse must be kept within wildlife/bear-resistant containers until it is properly disposed of at the Transfer station. The applicant should also provide wildlife/bear resistant food storage lockers.

- e. Adequate road access exists or can be developed to ensure access appropriate to the use.

The applicant will access the property via a private driveway off of CR 33 and from 10th Street.

- f. The design and development of the site shall preserve, insofar as possible, the natural terrain and drainage of the land, the existing topsoil and existing

vegetation. Disturbed areas shall be revegetated with native plant species certified weed free as soon as possible after disturbance in order to prevent the establishment and dominance of non-native invasive species.

The proposed improvements are primarily temporary structures and will have minimal impact on the natural terrain and drainage of the land. All disturbances will be revegetated with native plant species certified to be weed free.

- g. Sites subject to hazardous conditions, for example avalanche, flood, land slide, rock fall, mud flow, open mine shaft, corrosive water, etc, shall be identified and shall not be built upon or used until satisfactory plans have been approved by the County for eliminating or appropriately mitigating such hazards. The provisions of Chapters 8, 9, 10 and 11 shall govern the evaluation of those natural hazards covered by such provisions.

This site is located in an avalanche hazard area. However the operation is planned for seasonal use only and all structures with the avalanche hazard zone will be removed during the winter season.

It appears that all structures will be constructed outside of the FEMA identified flood zones.

- h. The applicant shall permit continued public access to any historic public trails that cross the property.

If any historic trails are identified they will need to be added to the certified survey plat.

- i. Individual building sites shall be placed on the Town of Silverton's utility billing system for water and refuse when water is hauled to the site., Any applicant who shows that it is obtaining water from an approved permitted well or is purchasing water from an acceptable source of potable water other than the Town of Silverton may be permitted to be placed on the Town of Silverton's billing system for refuse only.

The applicant will be required to be placed on the Town's utility billing system for water and refuse.

The applicant plans to use propane gas or wood fireplace/stoves for heating the units. For fire safety and air quality issues I would recommend that only propane heating systems be allowed.

If the applicant plans on having individual or communal fire pits or rings, they should also be fueled by propane gas.

The applicant will also need to provide a plan for fire prevention and fire protection for the site. His plans would need to be reviewed and approved by the Fire Chief and Sheriff.

The Planning Commission has the option to recommend approval as submitted, denial, or approval with condition.

Should the Planning Commission choose to recommend approval, they should do so with the following conditions prior to the issuance of a land use 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 Eastern Star Placer MS #17680 and Animas Mill Site MS #1566B 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 proposed improvements are identified and staked on site by a Colorado Licensed Surveyor.
5. That a cumulative impact report be completed prior to the Preliminary/Final review.
6. That the applicant be placed on the Town of Silverton's Utility billing system for water and refuse.
7. The failure to comply with these conditions shall be grounds for the revocation of this Improvement Permit.
8. Any other conditions that the Planning Commission deems necessary.



SAN JUAN COUNTY
COLORADO
1557 GREENE STREET
P.O. BOX 466
SILVERTON, COLORADO 81433
PHONE 970-387-5766 admin@sanjuancolorado.us

January 5, 2024

To Whom It May Concern:

This letter is to inform you that Richard Smiley dba as Silverton Glamping, LLC has submitted and Improvement Permit application to allow for the development and operation of a Glamping Resort including a total of 32 Miners style tent and geodesic dome units and associated utilities on the Animas MS-1566B and Eastern Star Placer 17680.

San Juan County Zoning and Land Use Regulations require that property owners within 1500 feet be notified of the application. A copy of the application can be reviewed in the office of the County Clerk, located at 1557 Greene St. Silverton, Colorado or via San Juan County's web page at <https://sanjuancounty.colorado.gov/> Copies of the application can also be reviewed upon request via the email listed above.

It is anticipated that this application will be reviewed by the Planning Commission during their meeting of January 16, 2024.

It is further anticipated that the application will be reviewed by the County Commissioners during their regular meeting of February 14, 2024.

If you have any comments or questions about the application, you may contact me by phone, mail or email listed above. You may also provide written or oral comments to the Planning Commission and to the County Commissioners.

If you have any questions or comments, please contact me at your earliest convenience.

Sincerely,

A handwritten signature in black ink that reads "William A. Tookey". The signature is written in a cursive style.

William A. Tookey
Land Use Administrator

Application for Improvement Permit
Sketch Plan Submittal - Silverton Glamping, LLC.



Location:

Eastern Star Placer 17680 & Animas MS-1566 Silverton, CO 81433

Applicant:

Silverton Glamping, LLC
Attn: Richard Smiley
PO Box 1492 Craig, CO 81626
970-366-8796

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 - d. Enlarged Site Plan
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11. Avalanche Hazard Mitigation
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13. Conclusion

Cover Letter and Introduction

Hello,

My name is Richard Smiley, and I am really excited to submit this application as a significant step towards realizing my lifelong dream of operating a glamping resort in the breathtaking San Juan Mountains. This area has always held a special place in my heart, and I am honored to have the opportunity to contribute to this region.

As a native of Colorado and a resident of the Steamboat/Craig area, I have developed an appreciation for the natural wonders that our state has to offer.

My personal passions align seamlessly with the vision I have for this resort. I am an avid lover of the great outdoors, spending my free time camping, snowboarding, hiking, and mountain biking. It is this connection to nature that has fueled my desire to create a glamping resort, allowing others to experience the magic of the San Juan Mountains in a comfortable and sustainable manner.

I am firmly committed to implementing sustainable business practices and being a responsible steward of the land. Our project will be characterized by its low environmental impact, environmentally friendly design, and dedication to preserving the natural beauty of the Silverton area. I am also committed to supporting the local community by employing local labor and sourcing supplies from the area when possible, which will not only create job opportunities but also boost the local economy.

I envision our guests as ambassadors of the region, exploring the town of Silverton, shopping in local stores, dining in local restaurants, and further spreading the word about how incredible Silverton is to visit. By doing so, our resort will serve as a catalyst for economic growth, generating tax revenue that can be reinvested into the community. In essence, our business aims to foster a relationship between nature, people, and the local economy.

Thank you for considering my application, and I look forward to the opportunity to discuss this project further.

Sincerely,

Richard Smiley

Application for Improvement Permit

San Juan County, Colorado
Application for Improvement Permit

| | | APPROVAL CHECKLIST | | Initial | Date |
|--|--------------------------------|--|--|-----------------|------|
| Approval | Name | Richard Smiley | | | |
| | Address | PO Box 1492, Craig, CO 81626 970-366-8796 Phone | | | |
| Owner | Name | Silverton Glamping, LLC | | | |
| | Address | 2000 S. Colorado Blvd. tower 4 Suite 1000, Denver, CO 80222 | | | |
| | Phone | | | | |
| Child/owner | Name | | | | |
| | Address | | | | |
| | Phone | | | | |
| | Legal Description of Property: | Arimas MS-1566, Eastern Star Placer 17680 | | | |
| Township 41N, Range 7W, Section 20 | | Zoning Compatibility | | | |
| Nature of Improvement Planned: | | State Mining Permit | | | |
| A glamping resort consisting of 8 luxurious tents along the river. | | Owner Notification | | | |
| | | Avalanche Hazard | | | |
| | | Geologic Hazard | | | |
| | | Floodplain Hazard | | | |
| | | Wildfire Hazard | | | |
| | | Mineral Resource Impact | | | |
| | | Wildlife Impact | | | |
| | | Historic Site Impact | | | |
| | | Watershed Gearance | | | |
| | | County Building Inspector | | Building Permit | |
| State Electrical Inspector | | Electrical Permit | | | |
| Land Use Zone: Town-County Mutual | | San Juan Basin Health Unit | | | |
| Applicant Signature: Richard Smiley | | Sewage Disposal: Test | | | |
| Date Application Requested | | Design | | | |
| Date Submitted for Permit | | Central Sewage Collection | | | |
| Date Permit Issued | | State Division of Water Resources | | | |
| Date Permit Denied | | Adequate Water Source | | | |
| Reason for Denial | | Well Permit | | | |
| | | Central Water Distribution | | | |
| | | U.S. Forest Service/BLM | | | |
| | | Access Approval | | | |
| | | State Division of Highways | | | |
| | | Driveway Permit | | | |
| Receipt | | FEE PAYMENT | | | |
| Application | | Amount | | | |
| Building Permit | | Date | | | |
| Subdivision/PL D | | | | | |
| Hearing Notice | | | | | |
| | | Subdivision Variance | | | |
| | | Subdivision Approval | | | |

Proof of Consent

OWNER AGREEMENT

This document provides Silverton Glamping, LLC. proof of binding, irrevocable consent to pursue all land use and improvement permits required to complete the Silverton Glamping project.

All owners of the Eastern Star Placer 17680 and Animas MS-1566 hereby agree to this binding and irrevocable consent.

Signed:

Jo Ann Vota Sandell 10/02/2023

Jo Ann Vota Sandell

William J Sandell 10/02/2023

William J Sandell

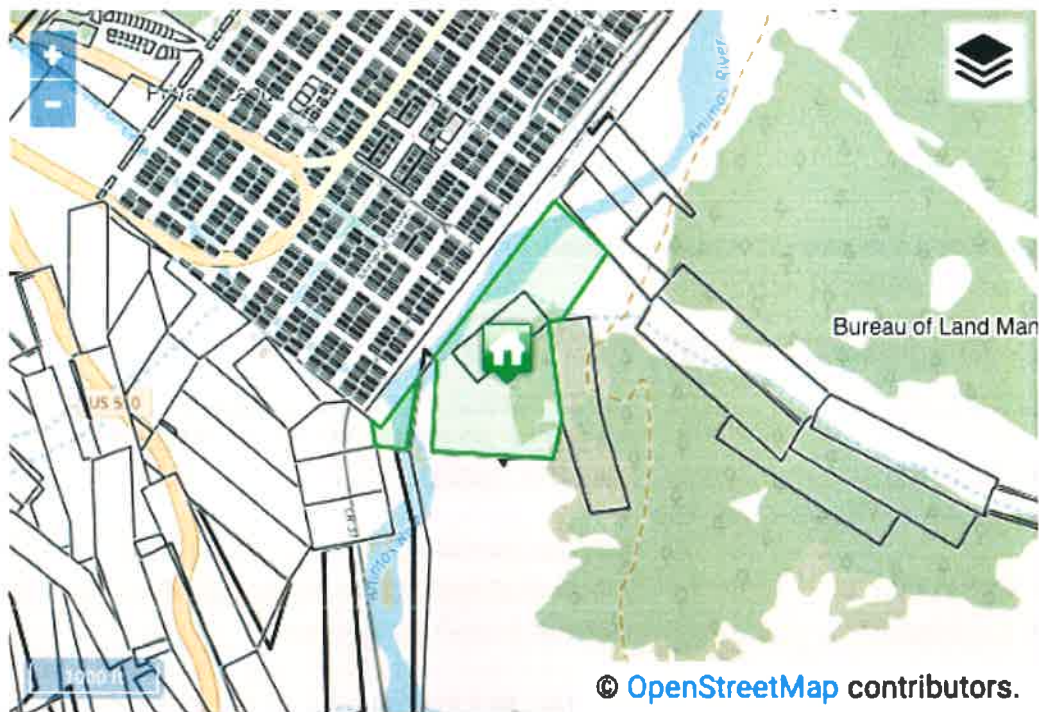
Michael Sandell 10/02/2023

Michael Sandell

Sara Sandell Takahashi 10/02/2023

Sara Sandell Takahashi

Map of Adjacent Landowners within 1500 ft.



List of Adjacent Landowners within 1500 ft.

This list was obtained from Kim Buck, the county assessor.

| Address | Owner |
|---|---|
| SILVERTON, CO 81433 | DURANGO & SILVERTON NARROW GAUGE RAILROAD; RICK SILVERMAN |
| SILVERTON, CO 81433 | SAN MIGUEL POWER ASSOCIATION INC; FINANCE - LANCE LEHIGH |
| 715 EMPIRE ST, SILVERTON, CO 81433 | DAILEY ROBERT ET AL; ANDERSON LOIS ANNE |
| 741 EMPIRE ST, SILVERTON, CO 81433-5060 | YAMAGIWA KEVIN JR & JAMI |
| 962 MINERAL ST, SILVERTON, CO 81433 | LANTZ JAY G & SHARON L |
| SILVERTON, CO 81433 | KNOX AMBER P ; POSTA DAVID A |
| SILVERTON, CO 81433 | SANDELL JO ANN VOTA ET AL; WILLIAM J SUSAN L MICHAEL L |
| 840 COUNTY ROAD 33, SILVERTON, CO 81433 | BROWN GEORGE T & COLLEEN M RLT |
| SILVERTON, CO 81433 | AGUA CUERVO LLC A COLO CORP |
| SILVERTON, CO 81433 | PERKINS DAVID & SHANA |
| COUNTY ROAD 31, SILVERTON, CO 81433 | SULTAN MOUNTAIN LLC |
| SILVERTON, CO 81433 | DERAMO JASON & TAMMY |
| 731 EMPIRE ST, SILVERTON, CO 81433-5060 | FRIES WILLIAM D & KELLI |
| 1028 CEMENT ST, SILVERTON, CO 81433-5032 | LOVATO KAREN & GARY; LYLE AARYN |
| TBD CEMENT ST (between 10th & 11th Streets), SILVERTON, CO 81433 | GIBSON ALISHA M |
| 1003 CEMENT ST, SILVERTON, CO 81433 | WILLIAMSON MARK T; TESCHER SARAH ELIZABETH |
| TBD MINERAL ST (between 10th & 11th Streets), SILVERTON, CO 81433 | MILLIGAN SEAN & JESSICA; MACKLIN SUSAN & DONALD |
| 1011 CEMENT ST, SILVERTON, CO 81433-5032 | YANKO JEREMY T |
| 1019 CEMENT ST, SILVERTON, CO 81433-5032 | CANFIELD FREDERICK W |
| 936 EMPIRE ST, SILVERTON, CO 81433-5056 | PFOTENHAUER FAMILY TRUST; KRISTOPHER & STEPHANIE |
| 924 EMPIRE ST, SILVERTON, CO 81433 | FASCHING FRED; DAILEY PATTY |
| 920 EMPIRE ST, SILVERTON, CO 81433-5056 | CONRAD BRUCE T |

| | |
|---|--|
| 902 EMPIRE ST, SILVERTON, CO 81433-5056 | COOK CASEY C HERITAGE TRUST; c/oCASEY C COOK |
| 911 MINERAL ST, SILVERTON, CO 81433-5092 | FULTON KIRSTEN PERCE REVOCABLE LIVING TRUST; GEORGE |
| 921 MINERAL ST, SILVERTON, CO 81433 | S & KAREN LEE PERCE |
| 939 MINERAL ST, SILVERTON, CO 81433 | MALIN KELLY A; DOELGER SARAH E |
| 957 MINERAL ST, SILVERTON, CO 81433 | MC CLURE THELMA; c/oGAY MCCLURE LOVE |
| 967 MINERAL ST, SILVERTON, CO 81433-5092 | GALLEGOS NELLIE B |
| 957 MINERAL ST, SILVERTON, CO 81433 | LEMMONS KEVIN G & CRYSTAL K |
| 962 MINERAL ST, SILVERTON, CO 81433 | LANTZ JAY G & SHARON L |
| 956 MINERAL ST, SILVERTON, CO 81433 | MYERS TODD ET AL |
| 944 MINERAL ST, SILVERTON, CO 81433 | HJERMSTAD MARGARET L |
| TBD MINERAL ST (between 9th & 10th Streets), SILVERTON, CO 81433 | PERCE REVOCABLE LIVING TRUST; GEORGE S & KAREN LEE PERCE SHERWOOD LIVING TRUST DTD 7-13-2020; c/oJERRY L & CYNTHIA A SHERWOOD |
| 905 CEMENT ST, SILVERTON, CO 81433 | TRUSTEES |
| 907 CEMENT ST, SILVERTON, CO 81433 | TEMPLE APRIL |
| 939 CEMENT ST, SILVERTON, CO 81433 | OTTO WILLIAM C & GAIL E |
| 957 CEMENT ST, SILVERTON, CO 81433-5040 | RENOWDEN RONALD & BARBARA |
| 969 CEMENT ST, SILVERTON, CO 81433-5040 | ROMERO DAVID C & MARGARET A |
| 441 E 10TH ST, SILVERTON, CO 81433 | GALENA MOUNTAIN CORP |
| TBD MINERAL ST (between 8th & 9th Streets), SILVERTON, CO 81433 | DAILEY PATRICIA; FASCHING FRED |
| 817 CEMENT ST, SILVERTON, CO 81433 | SAN JUAN COUNTY HISTORICAL SOCIETY STILLWELL CHRISTOPHER J; STILLWELL BROOKE A |
| 305 E 9TH ST, SILVERTON, CO 81433 | WATSON MARK & DARLENE |
| 852 MINERAL ST, SILVERTON, CO 81433 | |
| TBD MINERAL ST (between 8th & 9th Streets), SILVERTON, CO 81433 | QUINTA RICHARD A TRUST |
| 830 EMPIRE ST, SILVERTON, CO 81433-5061 | WEGERT JESS L |
| 820 EMPIRE ST, SILVERTON, CO 81433-5061 | BRANCH LINDA VEE |
| 804 EMPIRE ST, SILVERTON, CO 81433-5061 | LANIS THOMAS |
| 821 MINERAL ST, SILVERTON, CO 81433-5091 | DAVENPORT CALVIN T & MEGAN E |
| 825 MINERAL ST, SILVERTON, CO | DAVENPORT MEGAN & CALVIN |

| | |
|---|--|
| 81433-5091 | |
| 829 MINERAL ST, SILVERTON, CO 81433 | GALLOWAY MAVIS I & SAM E |
| TBD MINERAL ST (between 8th & 9th Streets), SILVERTON, CO 81433 | JAMISON STARR D |
| 867 MINERAL ST, SILVERTON, CO 81433-5091 | REITER ROBERT JOHN |
| 852 EMPIRE ST, SILVERTON, CO 81433 | SPRINGER MICHAEL W & MICHELLE L |
| 848 GREENE ST, SILVERTON, CO 81433 | GFS HOSPITALITY LLC |
| 805 EMPIRE ST, SILVERTON, CO 81433 | TIBBETTS DEE A |
| 821 EMPIRE ST, SILVERTON, CO 81433-5061 | CHARLES W & DIANE V PLEVICH LT DTD 3-14-2022 |
| 833 EMPIRE ST, SILVERTON, CO 81433-5061 | EVANS THOMAS M & NELSON CAROLE |
| 847 EMPIRE ST, SILVERTON, CO 81433-5061 | SILVERTON ESTATE LLC |
| 859 EMPIRE ST, SILVERTON, CO 81433 | GREEN CAREY W JR & BARBARA K |
| 869 EMPIRE ST, SILVERTON, CO 81433 | HORN SONJA I & JONATHON C |
| 824 GREENE ST, SILVERTON, CO 81433 | MILLER MICHAEL |
| E 8TH ST, SILVERTON, CO 81433 | PRICE MARTY JOE & KIMBERLY A |
| 754 GREENE ST, SILVERTON, CO 81433-5070 | COLEMAN THOMAS R & JAYNIE E CHAMBERS JERELD WILLIAM; CHAMBERS |
| 740 GREENE ST, SILVERTON, CO 81433 | DANA ANN |
| 706 GREENE ST, SILVERTON, CO 81433 | SAN MIGUEL POWER ASSOCIATION |
| 755 EMPIRE ST, SILVERTON, CO 81433-5060 | RHOADES TERRY S |
| 705 EMPIRE ST, SILVERTON, CO 81433-5060 | RHOADES REBECCA J |
| 731 EMPIRE ST, SILVERTON, CO 81433-5060 | JARAMILLO LADONNA L & AMOS D |
| 715 EMPIRE ST, SILVERTON, CO 81433 | RHOADES REBECCA J |
| 741 EMPIRE ST, SILVERTON, CO 81433-5060 | JARAMILLO LADONNA L & AMOS D |
| 768 EMPIRE ST, SILVERTON, CO 81433-5060 | KUHLMAN ERNEST F & JUDY R |
| 742 EMPIRE ST, SILVERTON, CO 81433-5060 | BREWER KARL AND KATIE |
| 722 EMPIRE ST, SILVERTON, CO 81433 | WILSON ROBERT D & MARYLENE F |
| 765 MINERAL ST, SILVERTON, CO 81433 | LANG RYAN ALLEN & VIRGINIA LEE |
| TBD EMPIRE ST (between 7th & 8th Streets), SILVERTON, CO 81433 | SERBOUSEK KRIS & ROBYN |
| TBD EMPIRE ST (between 7th & 8th Streets), SILVERTON, CO 81433 | TOWN OF SILVERTON |

| | |
|--|---|
| 741 MINERAL ST, SILVERTON, CO 81433 | KORDICH JACOB; KORDICH JAMES |
| 743 MINERAL ST, SILVERTON, CO 81433-5090 | NEIGHBORS AC |
| 727 MINERAL ST, SILVERTON, CO 81433 | BUERGER BRIAN; KAASCH-BUERGER GLORIA |
| 733 MINERAL ST, SILVERTON, CO 81433-5090 | CAVENDER PIANO STUDIOS INC |
| TBD MINERAL ST (between 7th & 8th Streets), SILVERTON, CO 81433 | KETTERHAGEN BILL; MAST MEGAN |
| TBD MINERAL ST (between 7th & 8th Streets), SILVERTON, CO 81433 | OSTLUND ANNE-BRITT; SCHENK MARKUS |
| 764 MINERAL ST, SILVERTON, CO 81433 | BRUNING BRYAN / KOCHENDERFER KATE |
| TBD MINERAL ST (between 7th & 8th Streets), SILVERTON, CO 81433 | EQUITY TRUST CO CUSTODIAN; FBO DEAN LECKIE IRA |
| TBD MINERAL ST (between 7th & 8th Streets), SILVERTON, CO 81433 | SUKI LLC |
| TBD MINERAL ST (between 7th & 8th Streets), SILVERTON, CO 81433 | PATRICK DAWSON |
| 710 MINERAL ST, SILVERTON, CO 81433 | MAPLE MOUNTAIN BUILDERS LLC |
| 707 CEMENT ST, SILVERTON, CO 81433 | GRAY MATTHEW DEAN |
| TBD CEMENT ST (between 7th & 8th Streets), SILVERTON, CO 81433 | WANATKA EMIL M & KRISTINA T |
| 735 CEMENT ST, SILVERTON, CO 81433 | BURTON MICHAEL J |
| TBD CEMENT ST (between 7th & 8th Streets), SILVERTON, CO 81433 | HARTLE LOGAN |
| 753 CEMENT ST, SILVERTON, CO 81433 | RICHTER LINDSEY B; GRASSO FABIO A SHAPIRO STACEY INGEBRITSON; SHAPIRO SEBASTIAN |
| 769 CEMENT ST, SILVERTON, CO 81433 | SILVER SUMMIT INC; SILVER SUMMIT RV PARK |
| 640 MINERAL ST, SILVERTON, CO 81433 | |
| TBD MINERAL ST (between 6th & 7th Streets), SILVERTON, CO 81433 | VAN BUREN DALE & DIANE TRUST |
| TBD MINERAL ST (between 6th & 7th Streets), SILVERTON, CO 81433 | VAN BUREN DALE & DIANE TRUST |
| 664 GREENE ST, SILVERTON, CO 81433-5074 | LOKEY JIM AND AMY |
| TBD GREENE ST (between 5th & 6th Streets), SILVERTON, CO 81433 | EATON PETER BRITTEN JR |
| TBD EMPIRE ST (between 5th & 6th Streets), SILVERTON, CO 81433 | EATON PETER BRITTEN JR |
| 418 GREENE ST, SILVERTON, CO 81433 | TOWN OF SILVERTON |
| 414 GREENE ST, SILVERTON, CO 81433-5072 | TOWN OF SILVERTON |
| 315 GREENE ST, SILVERTON, CO | WHISTLE STOP / DETOUR MANAGEMENT LLC; |

| | |
|---|---|
| 81433-5064 | WHISTLE STOP GAS STATION |
| TBD GREENE ST (between 3rd & 4th Streets), SILVERTON, CO 81433 | TOWN OF SILVERTON |
| TBD EMPIRE ST (between 3rd & 4th Streets), SILVERTON, CO 81433 | TOWN OF SILVERTON |
| TBD MINERAL ST (between 2nd & 3rd Streets), SILVERTON, CO 81433 | TOWN OF SILVERTON |
| TBD EMPIRE ST (between 2nd & 3rd Streets), SILVERTON, CO 81433 | TOWN OF SILVERTON |
| TBD GREENE ST (between 2nd & 3rd Streets), SILVERTON, CO 81433 | FM4 LLC |
| TBD EMPIRE ST (between 2nd & 3rd Streets), SILVERTON, CO 81433 | TOWN OF SILVERTON |
| TBD GREENE ST (between 1st & 2nd Streets), SILVERTON, CO 81433 | SWANSON GERALD & NANCY R TRUST |
| TBD GREENE ST (between 1st & 2nd Streets), SILVERTON, CO 81433 | TOWN OF SILVERTON |
| TBD MINERAL ST (between 1st & 2nd Streets), SILVERTON, CO 81433 | TOWN OF SILVERTON |
| TBD CEMENT ST (between 1st & 2nd Streets), SILVERTON, CO 81433 | TOWN OF SILVERTON |
| 542 MINERAL ST, SILVERTON, CO 81433 SILVERTON, CO 81433 | LOKEY JIMMY LEE & AMY PACIFICORP; c/oPROPERTY TAX DEPT |
| TBD EMPIRE ST (between 4th & 5th Streets), SILVERTON, CO 81433 | TOWN OF SILVERTON |
| 414 GREENE ST, SILVERTON, CO 81433-5072 | TOWN OF SILVERTON |
| 347 CEMENT ST, SILVERTON, CO 81433 | TOWN OF SILVERTON |

Project Narrative

Applicant Name and Address:

Silverton Glamping, LLC
Attn: Richard Smiley
2000 S. Colorado Blvd, Tower 1, Suite 10000, Denver, CO 80222, United States
970-366-8796

Project Location:

Eastern Star Placer 17680 & Animas MS-1566 Silverton, CO 81433

Legal Description:

ANIMAS M S - 1566 B, EASTERN STAR PLACER 17680, Township 41N Range 7W, Section 20

Proposed Development:

Phase one:

For the first phase of this project we propose a glamping resort with units spread out widely across 4 different sections of the Eastern Star Placer. Our goal is to provide as much space and privacy as possible per tent, while simultaneously offering premium glamping amenities. There will be some common gathering areas with outdoor fire rings, and games like corn hole, can jam, etc.

The first location for glamping units is along the northwest side (town side) of the Animas River. To reference this area of the development throughout this proposal, we named it Riverside. It is approximately 1.6 acres, which gives a density of .2 acres per unit. Riverside is located on the north side of the Eastern Star Placer. All the units in Riverside will be removed during the wintertime to accommodate avalanche safety and scenic corridor concerns. There will be a mixture of geodesic domes, and historic miner style tents (both pictured later in proposal.) These tents will be built on decks. For utilities, these will have a toilet and shower (connected to an engineered septic), propane stove, a propane grill, and a basic solar system to allow guests to turn on a light and charge electronics. This section of land will be the location of our check-in office/tent (included in the 8 unit count) and a portable shower house. The onsite manager will be located here. We chose this section of land to use first because it has the easiest access for guests and emergency vehicles, and is the best location for our check-in area. We believe guests on this side of the river will really enjoy watching the train go by, the riverfront scenery, and walking distance to town and the train.

Another ideal location for glamping is the opposite side of the river on the southeast section of the property. In this section there is a meadow that is out of sight from the town of Silverton, offering more privacy for guests, less light pollution, incredible starry nights, and amazing views. According to Google Earth, this meadow is approximately 7.37 acres. For referencing this area, we named it Kendall Mountain Meadow. As a part of phase one, we'd like to offer 8 additional

units in this location. That equates to .92 acres per unit. The existing road is rougher than the town side, but is still accessible for trucks, SUVs, or anything with a decent bit of ground clearance. We will use similar structures (domes and tents.) Utilities for these units will include a wood stove, a composting toilet or portapotty, an outdoor propane fire pit, and basic solar for charging electronics.

There is a beautiful aspen grove just above the meadow offering increased privacy, and a more wooded experience for guests with this preference. It measures approximately 1.37 acres. We named this section Aspen Grove. Tents in this location will be hidden by the trees from town and the scenic corridor, and guests will have a short hike to reach their tent. In the fall they will be surrounded by beautiful gold leaves. We would like to offer smaller tents in Aspen Grove with basic amenities. These tents will have nearby shared composting toilets, no showers, and no solar. Although the tents here are smaller with more basic amenities, guests will still be arriving to a tent that is already setup with a bed. We'd like to have up to 8 units here, which is a density of .17 acres per tent.

The last location we would like to have glamping is on the cliff directly adjacent to Aspen Grove. This cliff offers a great view of town, the mountains to the west, and the sunset. It measures 3.24 acres. We named it Sunset Vista Cliff. We'd like to place 8 units here, which is a density of .4 acres per tent. The structures will be either historic miner tents or geodesic domes. Utilities will include an enclosed composting toilet, basic solar for lights and charging electronics, a wood/propane stove for heating, and an outdoor fire pit.

We have designed the entire resort to be low impact to the natural environment, low density, and respectful to the maintaining the beauty and serenity of the area. Everything built in phase one can easily be removed to restore the land to its original condition.

Phase Two:

In order to be fully transparent I'd like to disclose our long term vision, and briefly discuss phase two of the project. After recouping some capital from our initial investment, we'd like to improve the existing road on the east side of the river. By doing so it will allow all vehicle types to access the Mountain Meadow section of the property. In this meadow, or on the cliff located directly above (named Sunset Vista Cliff), we would like to build a barndominium type structure that will serve as the central brain of the operation. The barndo will have a gathering space and check-in area in the bottom floor. It would also have a fully functional bathroom with a few toilets and showers for the guests. We'd like to have some fun amenities such as an indoor golf simulator, and pool tables. It will be connected to solar power, a well, and a septic system. Upstairs will be a living space for the camp host and/or workers. This will allow us to greatly reduce the amount of water we truck, and have a more permanent solution for storage in the winter time. We've already discussed avalanche concerns in person with Chris Wilbur, and we believe we have found a safe build location. We are not ready with full plans to include in this proposal, but we wanted to disclose long term visions for the property.

Zoning:

Town/County mutual zone.

Acreage:

41.72 acres.

Water Service:

Underground water storage tanks with hauled water to the property will be buried in close vicinity to the tents on Riverside. They will have the required setback from the septic components.

The tents located on Kendall Mountain Meadow, Sunset Vista Cliff, and Aspen Grove will be dry during phase one.

Sewer Service:

Phase One:

An onsite septic system is proposed for the resort and will be located on Riverside above the floodplain as shown on the included site plan. There will be RV style hookups so the tents can be easily disassembled in the winter time. We have spoken with Dudley Ashwood, P.E. about the feasibility of the septic system on the phone, and he will finish the design once the project is approved to proceed.

The units on the opposite side of the river will utilize high end composting toilets (Sunmar) or porta potties (option 2) supplied and serviced by a local vendor.

Phase 2:

As stated above, we'd like to build a barndominium and improve the road on the southeast side of the property in the future. This barndo will have a septic system, and a few bathrooms/showers for guests on this side of the river.

Power:

Most glamping units will have a basic solar setup for electricity. This solar setup will power lights and charging for phones and other devices. The solar setup will be screened from the scenic corridor of town and the railroad through fencing and natural landscaping.

Solar will be supplied from either Goal Zero or Jackery. We will buy complete solar kits that will have a 100-200 watt solar panel, and 500-2000 watt battery storage.

Heating:

Most glamping units will have a propane gas or wood fireplace/stove inside for heating purposes. The propane tanks will be buried, and serviced by Silverton LP Gas. Propane is the preferred heat source, but we will use wood stoves in the locations where propane is not feasible.

For the basic/smaller units, no heat will be provided.

Phone:

The entire property has excellent cell phone service.

Access from County Roads:

The west side of the land (Riverside) is accessed from town by taking 10th street across the railroad tracks, then following the road SW until arriving at the front gate of the property. The road is existing, in great condition, and easily accessible for all vehicle types and emergency services.

The east side of the land (Kendall Meadow and Aspen Grove) is accessed by taking County Road 33 .45 miles up Kendall Mountain, then turning onto an existing private road. This road is suitable for SUV's, trucks, and higher clearance vehicles in its current condition. For phase one we would like to use this road in its current condition to access the tents. For any guests who do not have a capable vehicle, or would prefer, we will offer a ride in one of our business vehicles to the tent.

As mentioned above, we would like to improve the road so it is passable to all vehicles in the future. For the moment, however, we'd like to use it in its current condition.

Exterior Lighting

Exterior lighting will be incorporated near the glamping units, and along the pathway between units for safety purposes. Pathway lighting will be solar powered. All lighting will be in compliance with San Juan County Dark Sky requirements.

Solid Waste Management

Trash disposal services will be provided by Bruin Waste Management. On site trash will be contained within the provided dumpster until removal to the transfer station. Proper bear-smart protocols will be utilized and signage will be displayed to inform guests about said protocols.

Landscaping

Revegetation and landscaping will be provided in accordance with requirements of San Juan County to preserve the natural appearance of the scenic corridor and minimize impact of views. Due to the natural landscaping of the area, a defensible space is already in place with little to no combustible ground cover, and very few shrubs near the build sites.

Surveying:

A boundary survey for this lot was done by Brian Dirk Hatter of Southwest Land Surveying. A copy of this survey is included with this application. Mr. Hatter will also be surveying in the tent locations, and mapping the floodplains and geohazards.

Subsurface Conditions:

Due to the fact all structures are temporary tents/domes, we believe no subsurface tests will be required for the building. For the septic system, we will utilize Trautner Geotech LLC or whoever our septic engineer advises.

Building Envelope and Siting:

There are multiple proposed glamping unit build sites in this proposal. All building envelopes will be surveyed by Dirk Hatter.

The first site will be along the west side of the Animas river (Riverside) on the Eastern Star Placer, as shown on the included site plan.

The second build site will be on the southeast section of the Eastern Star Placer in the secluded meadow (Kendall Mountain Meadow) as shown in the included site plan.

The third build site will be on the southeast section of the Eastern Star Placer in the aspens (Aspen Grove) as shown in the included site plan.

The fourth build site will be on the southeast section of the Eastern Star Placer on the cliff (Sunset Vista Cliff) as shown in the included site plan.

All the siting takes into consideration the safest locations due to natural hazards, and best utilizes the natural topography and causes the least impact to vegetation.

County Avalanche Map:

Some of the build site of this phase of the proposal is within the Idaho Gulch slide path. We recognize the risk of avalanches, and for the safety of everyone, we will not do operations during times of avalanche risk. Our proposal is for a seasonal glamping operation, and no operations will be conducted when avalanche risk is present. All structures within avalanche risk zones will be taken down during the winter.

County Geohazards Map:

The sketch plan for this project has been overlaid onto the county geohazards map, which is included in the application. Surveyor Dirk Hatter will do the official version of this map after the sketch plan meeting. According to the County Geohazards Map, a portion of the proposed build site appears to be in the "pf" area or physiographic floodplain defined as "an area experiencing frequent erosion and deposition from streamflow. Areas defined probably encompass most of the 100 year floodplain, but mapping is not based on stream discharge records." All the structures built outside of the 100 year floodplain should be safe from this hazard. For the tents marked on the edge of the 100 year floodplain, we plan to mitigate the risk by building on decks elevated a few feet off the ground, and having the onsite management closely watch weather. If flooding is a risk, we will alert our guests and evacuate to higher ground if necessary.

Foundation:

The proposed structures will be placed on wooden decks. The decks will be built with treated wood, and built to all necessary building codes.

Elevation:

The proposed sites sit at approximately 9255 ft. This elevation was obtained from GPS data from Google Earth.

Structure Size and Height:

We are proposing two different primary structures: a historic miner styled tent, and a geodesic dome.

Historic Miner Styled Tent: These will be 16'x25' and built on a 16'x32' deck. The total footprint of each tent is 512 sq ft. and the inner tent is 400 sq ft. The maximum height of the peak of the tent is 10'5", which is well beneath the county structure height of 35 feet. Pictures of the proposed materials and aesthetic are included in this proposal.

Geodesic Dome: The domes will be built on 16'x32' decks for an overall footprint of 512 sq ft. The actual dome structure will have a 16' diameter, or 189 sq ft. The dome peak height is 9.5 ft which is well beneath the county limit of 35 feet.

Other Tents: We would like permission to utilize other sizes and models of tents that are of similar colors and materials as the style proposed above. For example, there are smaller versions of the miner tents that may work better for individual travelers. In the aspen grove, we may need to utilize smaller tents to fit between trees. These smaller tents will only be used in the heavily treed areas, hidden from all scenic corridors.

Building Materials and Style:

The choice to utilize historic styled miner tents and geodesic domes reflect the culture and history of San Juan County. By showcasing historic canvas miner tents with themed art and decorations, we are paying homage to the mining heritage that built this county. The geodesic domes are a more luxurious option for travelers who wish to have a premium experience, and the large windows and skylights showcase the breathtaking beauty of the San Juan Mountains. We will use colors that blend in with the natural scenery, and integrate well with the requirements of the scenic corridor.

Renderings have been included for both unit types, which shows the proposed appearance and are included in the scenic quality report for review.

The proposed materials list includes:

- Forest Green colored canvas for geodesic domes
- Autumn Gold colored canvas for historic miner tents.

Historic Structures

There are no historic structures on the property.

Project Plan

Overall Vicinity Map

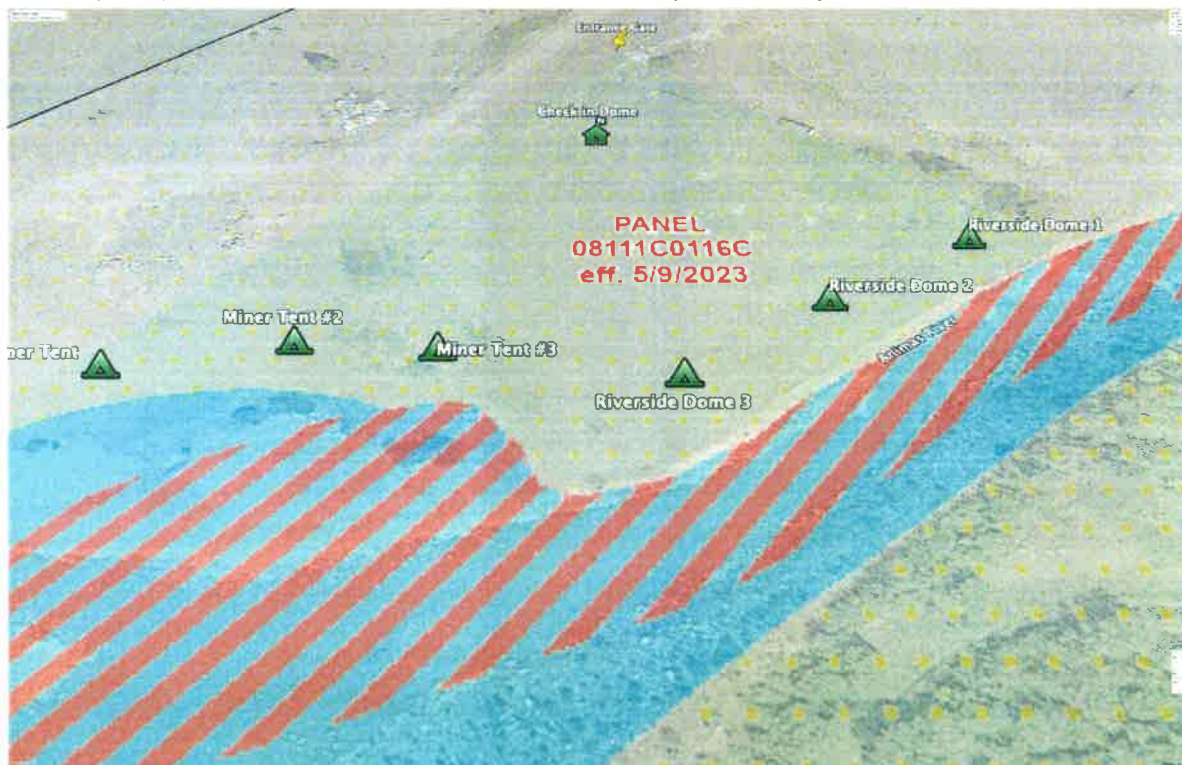


This is taken from the San Juan County GIS. We are proposing to develop the phase one glamp sites in the four areas highlighted on the map above.

Riverside Vicinity Map & FEMA Flood Overlay



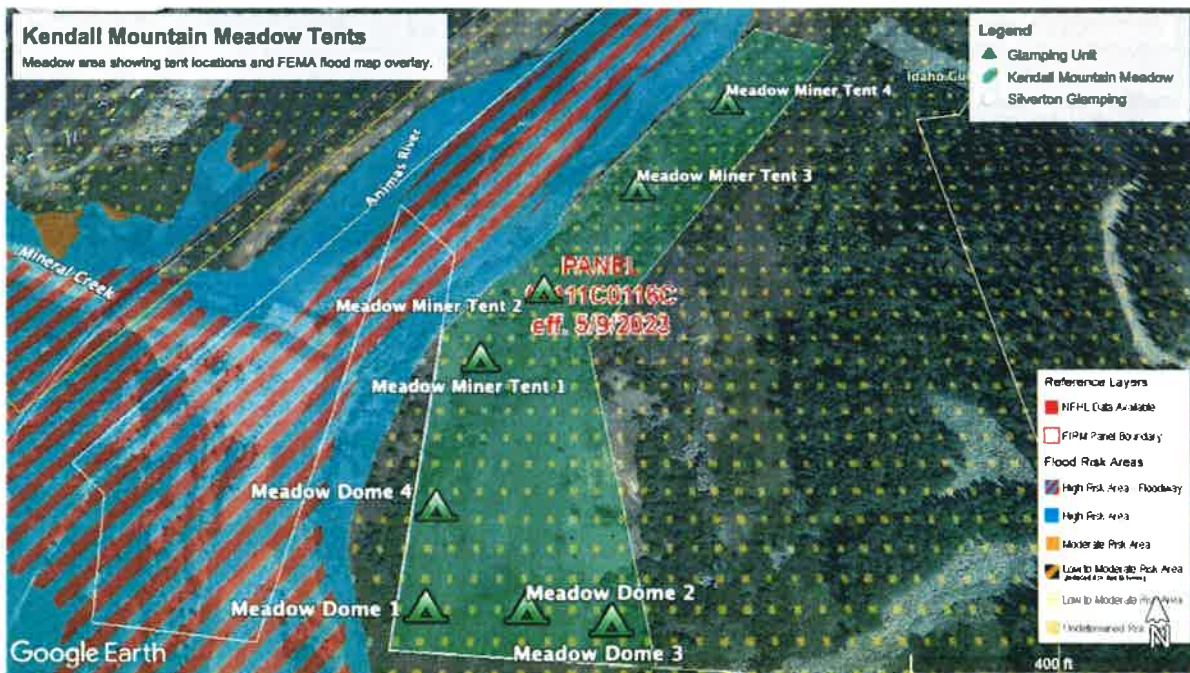
Above is a google earth image showcasing approximate tent locations, septic (brown), and cistern (blue.) Below is Riverside with the FEMA flood plain overlay.



Kendall Mountain Meadow Vicinity Map & FEMA Flood Overlay



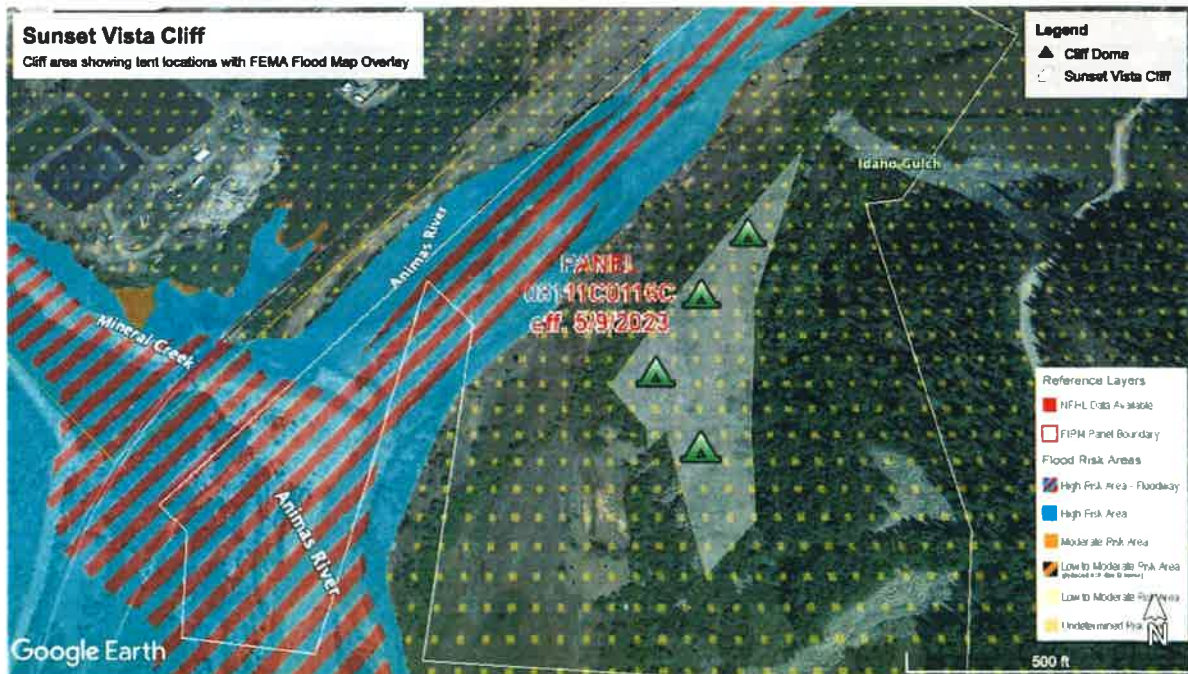
Pictured above is Kendall Mountain Meadow, and the approximate locations of our glamping units. Pictured below is the same graphic, with the FEMA flood zone overlay.



Sunset Vista Cliff Vicinity Map & FEMA Flood Overlay



Pictured above is Sunset Vista Cliff, and the approximate locations of our glamping units. Pictured below is the same graphic, with the FEMA flood zone overlay.



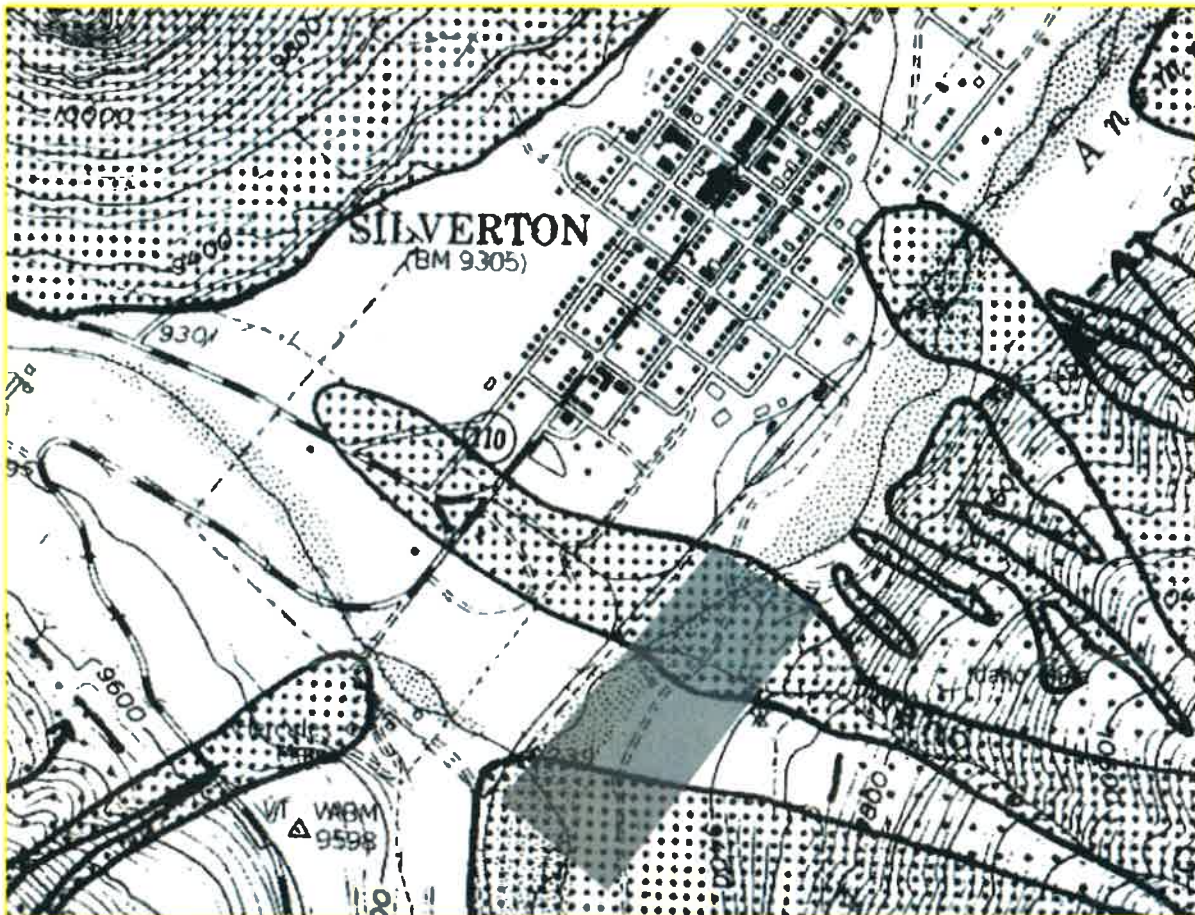
Aspen Grove Vicinity Map & FEMA Flood Overlay



The picture above is the Aspen Grove section with the flood zone overlay. It will have 6-8 basic tents. The picture below is the same aerial image without the flood overlay.

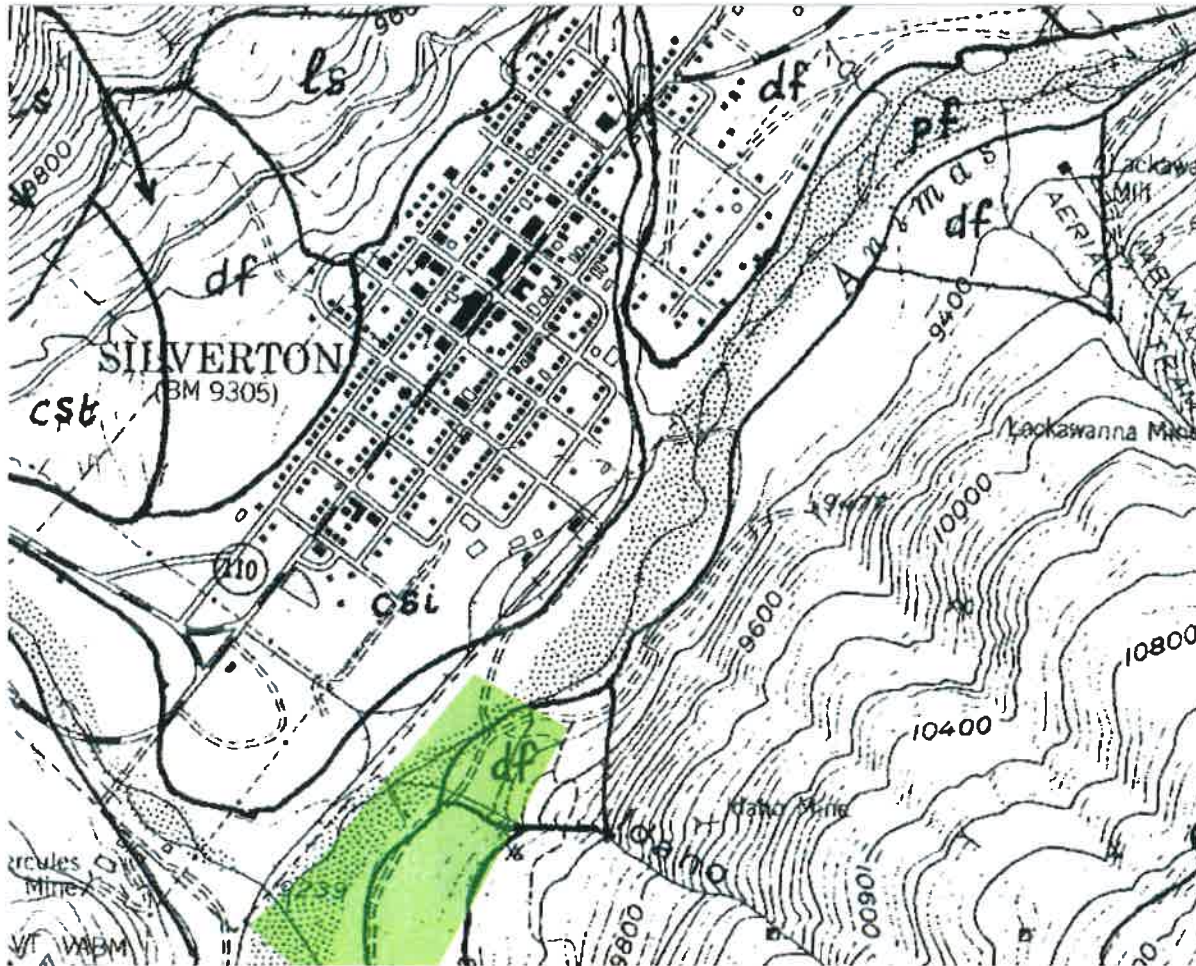


Sketch Plan with Avalanche Map and Mitigation



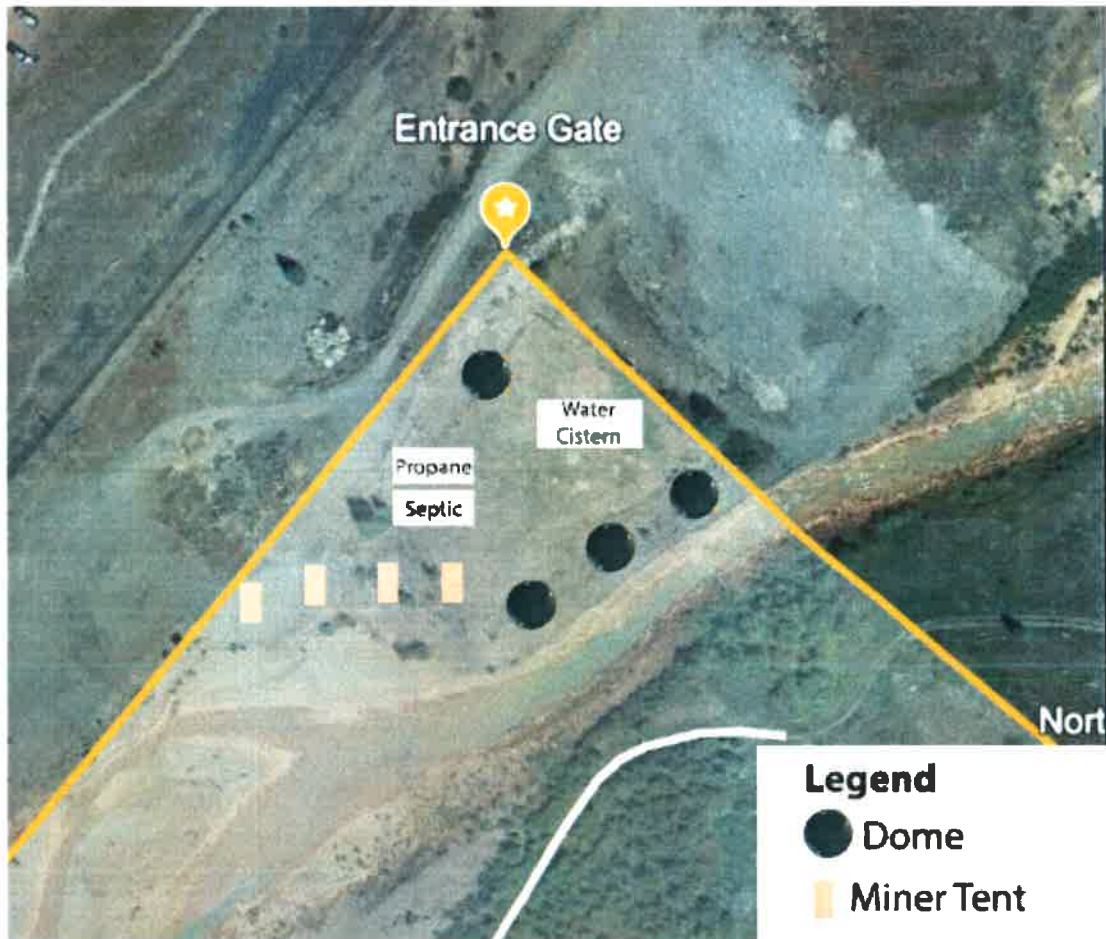
The highlighted area is the approximate boundaries of the Eastern Star Placer. As you can see, the build site is clearly within the avalanche path of the Idaho Gulch. As stated previously, we will avoid all avalanche danger by not operating during times of avalanche risk. During the winter months, all the glamping units will be taken down and put into storage.

Sketch Plan with County Geo Hazards Map



The highlighted area shows the approximate property boundary overlaid on the county geo hazards map. Dirk Hatter will be doing the official survey overlay after the sketch plan meeting. According to the County Geohazards Map, a portion of the proposed build site appears to be in the "pf" area or physiographic floodplain defined as "an area experiencing frequent erosion and deposition from streamflow. Areas defined probably encompass most of the 100 year floodplain, but mapping is not based on stream discharge records." All the structures built outside of the 100 year floodplain should be safe from this hazard. For the tents marked on the edge of the 100 year floodplain, we plan to mitigate the risk by building on decks elevated a few feet off the ground, and having the onsite management closely watch weather. If 100 year flooding is a risk, we will alert our guests and evacuate to higher ground if necessary.

Enlarged Site Plan



Natural features such as riparian areas, wetlands, fens, tarns, springs, streams, rivers, ponds, lakes shall be protected from development with adequate setbacks for any building and other site improvements; minimum required setbacks are:

Rivers and Streams: 40 feet for residential development. Fens: 30 feet for all development.

Septic Rules

Each lot to be served by an on-site soil absorption sewage disposal system shall contain a minimum depth of 8 feet from the surface of the ground to impermeable bedrock, and a minimum depth of 8 feet from the surface of the ground to the surface of groundwater (based upon annual high water level). Each site must also be at least 100 feet from any supply well, at least 50 feet from any stream or water course, and at least 10 feet from any dwelling or property line. Septic must be 25 feet away from any cistern.

Septic System Design

An initial phone call consultation has been done with Dudley Atwood, PE. We plan to utilize him as our septic engineer. The application below for the San Juan Basin Public Health OWTS will be submitted once our plan is approved so that we do not incur a cost without the ability to build.

SAN JUAN BASIN
public health

281 Sawyer Drive, Ste. 300 | Durango, CO 81301
502 South 8th Street | Pagosa Springs, CO 81347
970.247.5702 | sjbpublichealth.org

On-Site Wastewater Treatment System (OWTS) Permit Application

Owner: Silverton Glamping, LLC. ATTN Richard Smiley Phone: 970-366-8796
 Project Address (street, town/city, zip): Eastern Star Placer, Silverton CO 81433
 Assessor's Parcel #* 48290000010034 Subdivision: _____ Lot#: _____
 Lot Size: 41.72 (acres) # of Dwellings: 8 # of Bedrooms: 8 Water Supply: Cistern
 List Commercial Uses (e.g., office, factory, event venue): Glamping Resort with RV style septic hookups
 Owner's Mailing Address: PO BOX 1492, Craig CO 81626
 Owner's Email Address: glampingsilverton@gmail.com
 For detailed parcel information please visit your county assessor's website or see your property tax statement

On-site Wastewater Treatment System (OWTS) Permit Types

Choose the most applicable permit type from the list below and check the box in upper-left corner

| | |
|--|---|
| <input checked="" type="checkbox"/> <p>New Construction - (\$1023.00) <i>For new OWTS and complete system replacement</i></p> <ul style="list-style-type: none"> Contact Registered Soil Technician and/or Professional Engineer (PE) or system designer for analysis and design development. A PE may be required dependent on site and soil conditions. A design must be submitted to SJBPH. SJBPH must have payment and application to review designs for permit issuance. | <input type="checkbox"/> <p>Alteration - (\$973.00) <i>For changes/additions to existing permitted OWTS</i></p> <ul style="list-style-type: none"> Contact Registered Soil Technician and/or Professional Engineer (PE) or system designer for analysis and design development. A PE may be required dependent on site and soil conditions. A design must be submitted to SJBPH. SJBPH must have payment and application to review designs for permit issuance. |
| <input type="checkbox"/> <p>Change Of Use - (\$473.00) <i>For expanded use (e.g., bedroom count) of an existing permit without system modifications, OR new service connections (e.g., garages, shops) added to an existing permit</i></p> <ul style="list-style-type: none"> For expanded use, provide a certification report from a Professional Engineer (PE) or system designer. For new service connections, provide a proposed site plan and describe scope of work below. Change of Use does NOT allow for connection of new uses (e.g., second dwellings, ADUs) unless the system was originally designed for it – use Alteration instead | <input type="checkbox"/> <p>Minor Repair - (\$373.00) <i>For replacement of OWTS components with no change to permitted use</i></p> <ul style="list-style-type: none"> Submit application with payment, transfer of title inspection report (if available) and a simple site plan showing location of repairs. List repairs/scope of work below (e.g. tank replacement, aerators, pipe repairs, etc.) A permit is NOT required for repair of components that do not provide treatment (e.g., fencing, tank lids, inspection ports) |

Please describe in detail work to be completed:
Construction of an OWTS for 8 glamping units. The units will have RV style septic hookups so they can easily be taken down in the winter months.

Acknowledge: (1) This application does not guarantee that an On-site Wastewater Treatment System ("OWTS") can be installed or a building permit issued; (2) The issuance of the OWTS permit does not imply any warranty by San Juan Basin Public Health as to the operation of the OWTS; (3) The OWTS must be constructed in accordance with the San Juan Basin Public Health On-site Wastewater Treatment System Regulations and any Conditions of Approval set by SJBPH; and (4) The owner of the property assumes the responsibility and liability for the proper maintenance of the OWTS.

Owner's Signature: _____ Date: _____

Submit completed application to eh@sjbpublichealth.org or at one of our office locations.

**This is NOT a permit; this application does not authorize construction or repairs.
 All OWTS construction/repair work must be performed by an installer licensed by SJBPH.**

Water Source

We plan to bury a 5000-5500 gallon underground cistern and haul water to the site. The cistern will be placed beyond the required setback from the septic components (25+ feet from septic 10+ feet from property lines.) The calculation for this size of cistern is:

Average shower 8 minutes

Low flow shower head is 1.5 gallons per minute

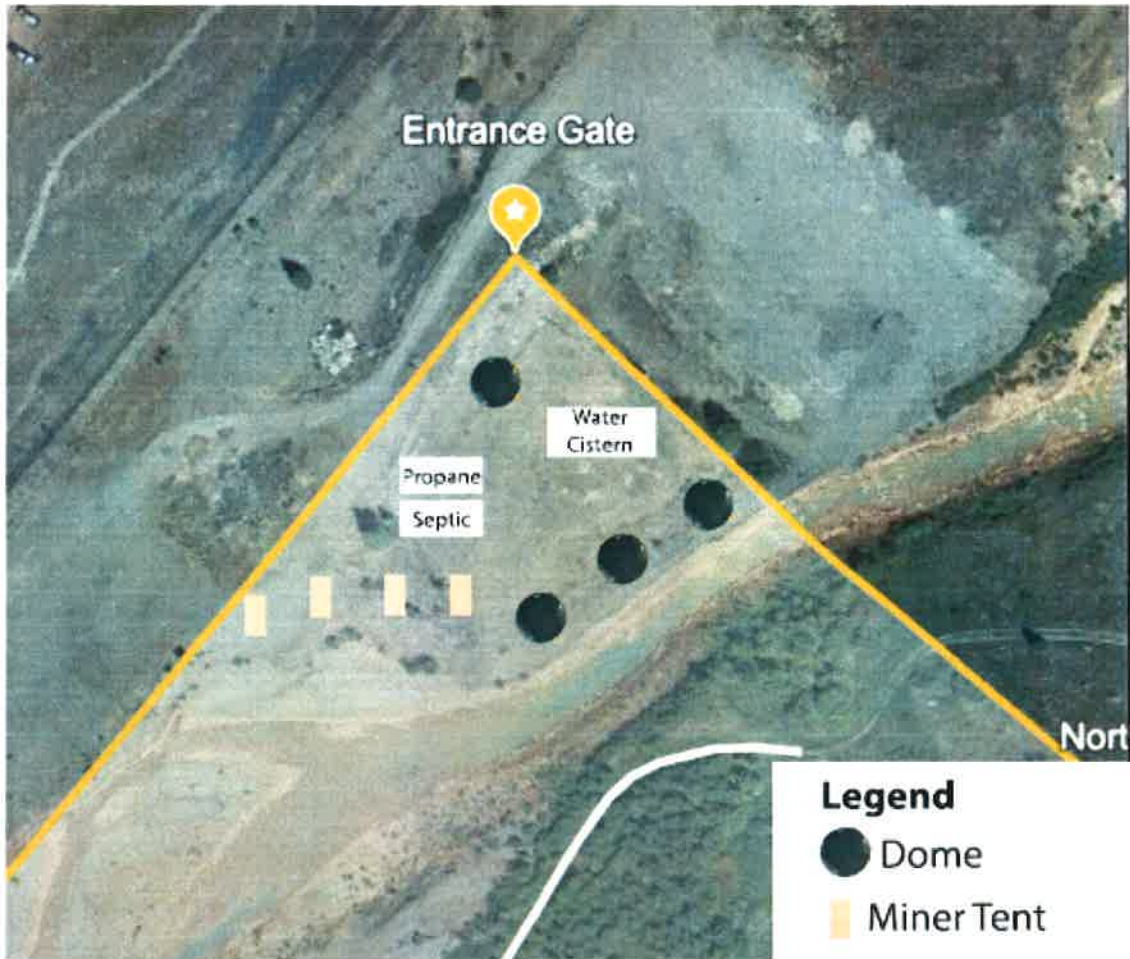
= 12 gallons per shower

12 gallons per shower * 48 showers per day = 576 gallons/day

576 gallons per day * 7 days = 4032 gallons per week.

A 5000 gallon cistern would supply us with more than enough water for the week including toilet flushes, etc. We will supply 5 gallon drinking jugs or bottled water for guests also. Not all tents will have the ability to

All plumbing will be run underground. During the winter all lines will be winterized, and capped. I have spoken to John Sites regarding a will-serve letter for the water from the town of Silverton. Please see the picture below.



John Sites

to me ▾

Wed, Oct 25, 1:30 PM ☆ ↶ ⋮

Hi Richard,

Yes, bulk **water** sales are possible to customers in the County. See attached.

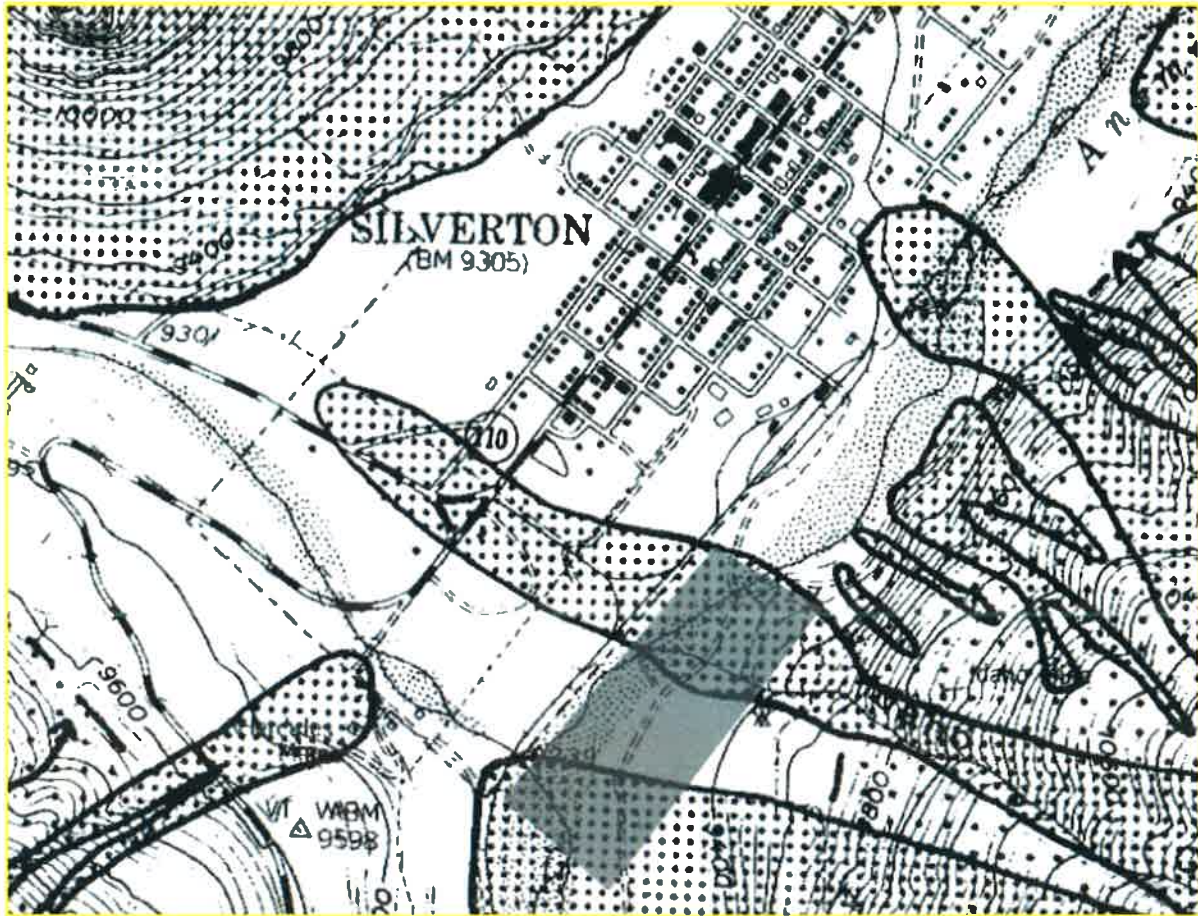
You will coordinate with the Town to pick up **water**. We would probably fill a truck with a **water** tank from a hydrant.

It is physically possible to pipe **water** to this location but I would start with getting a rough estimate on cost of construction and what the Train thinks about running **water** under their right of way. If you are still interested, we can continue the discussion. You, as the developer, would be responsible for all associated costs.

Thanks,

John D. Sites, cwp
Director of Public Works, Town of Silverton
P.O. Box 250
1450 Greene Street
Silverton, CO 81433
970-946-6839

Avalanche Hazard Mitigation



As previously mentioned, the highlighted area is the approximate boundaries of the Eastern Star Placer. As you can see, the build site is clearly within the avalanche path of the Idaho Gulch. As stated previously, we will avoid all avalanche danger by not operating during times of avalanche risk. During the winter months, all the glamping units will be taken down and put into storage.

Scenic Quality Report

Introduction and Site Location

Silverton Glamping

San Juan County regulations state the following:

“All developments shall be required to submit a scenic quality report at the time of sketch plan submission.”

The following is a scenic quality report for the proposed Silverton Glamping Depot, located on the Eastern Star Placer 17860, Silverton CO 81433.

The project is within the Town County Mutual Zone, and is easily accessible for all vehicle types and emergency response services from 10th street.

Project Site and Proposed Location



Build site current condition photos. See sections below for photos with superimposed structures.



Visibility of the Resort From Train and Town of Silverton



Left: Current View from Town/Train

The domes and historic miner themed tents will be visible from the train tracks and the town of Silverton. The Riverside area of the build has few trees or natural screening available. With the build site being adjacent to town, there is already much development in the area including an RV park on the other side of the train track. We plan to use colors that integrate beautifully with the environment, “forest green” for the domes and “autumn gold” for the miner tents. See photos in the sections below. Our goal is to build a top notch, beautiful glamping resort that provides significant value to San Juan County. We hope to showcase the breathtaking beauty of the area to our guests, from the high mountain peaks to the incredible starry nights. We aim to be excellent stewards of the land, both in our building choices and the way we conduct daily business. This resort will not be an eyesore or detract from the incredible beauty of the area.



Left: View from town with domes superimposed.

Visibility of the Resort from Highway 550

The photo below shows what the tents will look like from the Highway 550 overlook. The glamping structures will be visible, but due to their natural colors and building materials, they will not stand out or be an eyesore.



Left: Same photo as above, but zoomed in greatly so that structures can be seen.

Views from the Proposed Tents



Location of Structure Minimizes Visibility from Public Lands and Existing Trails

The county scenic quality regulations require the following information:

“Evidence shall be provided to show that the location of the structure is designed to minimize the visual impacts, and that it does not detract from the scenic quality of adjacent, public lands, existing trails, or historic resources.”

Due to the natural topography of this build site, it is impossible to completely minimize visual impact of any structure. However, we have chosen building materials and colors that blend in consciously with the natural environment to minimize the visual impact from the scenic corridor. Also, due to the close proximity to the town of Silverton, there are many existing businesses and structures within line of sight, including an RV park nearby. Silverton Glamping would be a low-impact, seasonal business. We would also be great stewards of the land, our immediate efforts would be to clean up large piles of cement left on the property, and large quantities of junk/trash that have been an eyesore previously. Between the cleanup of the property, and the landscaping investments we plan to make to make the glamping resort more beautiful, we would be improving the overall beauty of the land, while being careful to maintain the natural beauty.

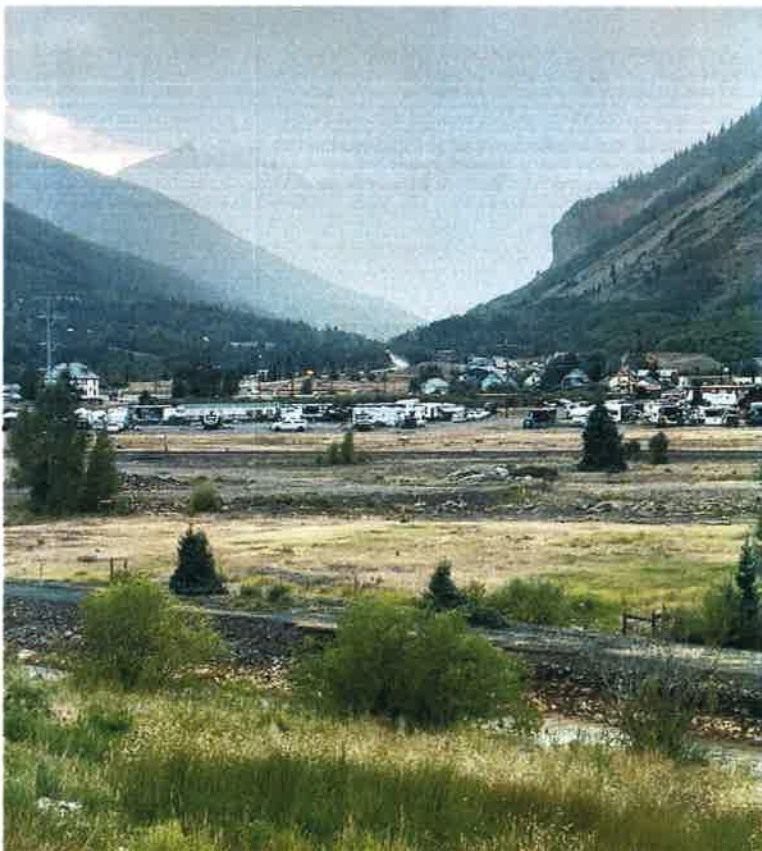
Building Design and Natural Topography and Vegetation

County regulations require that the scenic quality report includes information regarding the following:

“Evidence to demonstrate that the site improvements are designed and or oriented in ways that allow them to blend in with, and utilize the natural topography and vegetation. The report shall include, but not be limited to, site, photos, sketches, photo, simulations, and or three-dimensional models at an appropriate scale.”

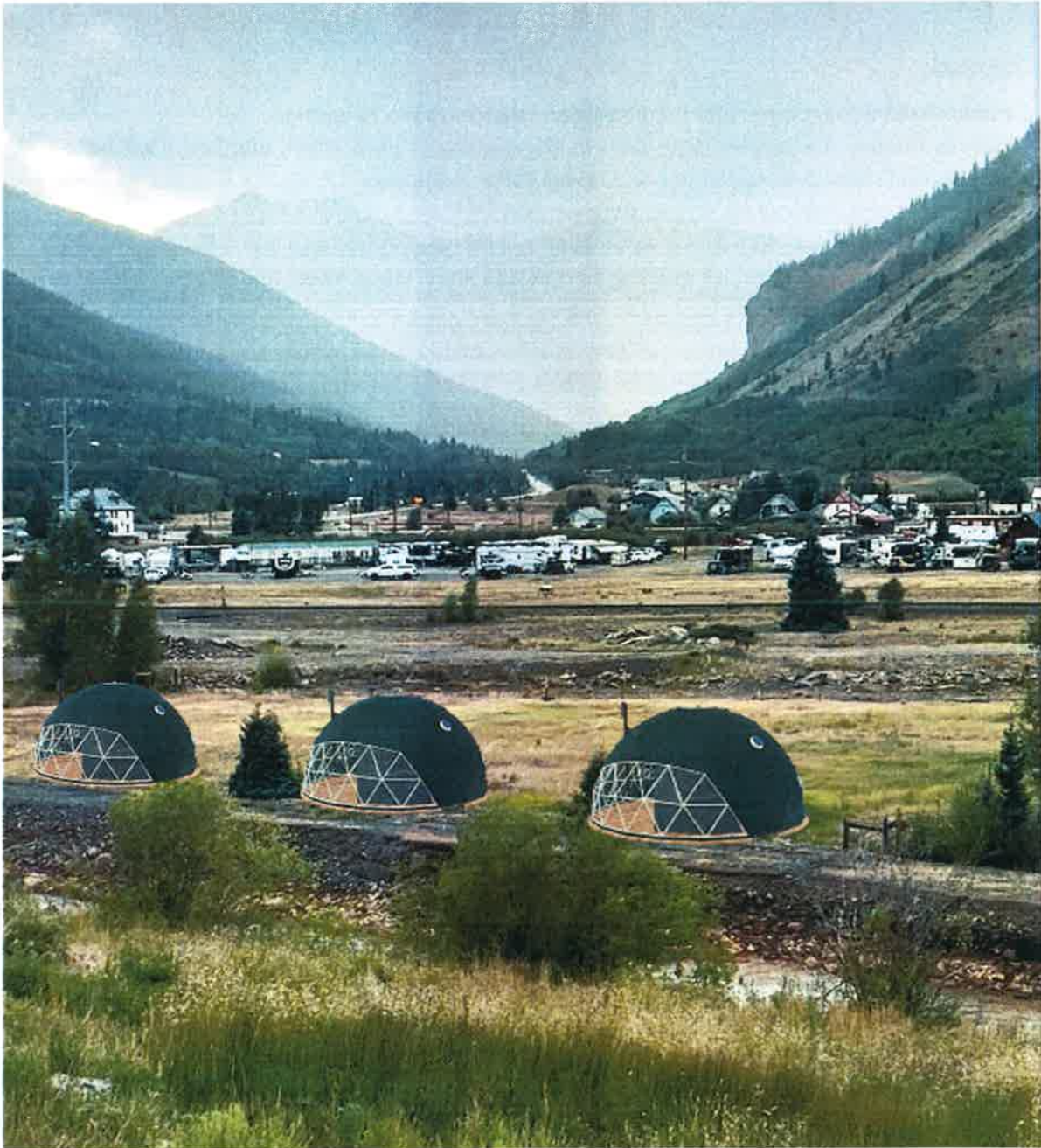
As stated above, due to the natural topography of this Riverside build site, it is impossible to completely minimize visual impact of any structure in this location. However, we have chosen building materials and colors that blend in consciously with the natural environment to minimize the visual impact from the scenic corridor. Also, due to the close proximity to the town of Silverton, there are many existing businesses and structures within line of sight, including an RV park nearby. Silverton Glamping would be a low-impact, seasonal business. We would also be great stewards of the land, our immediate efforts would be to clean up large piles of cement left on the property, and large quantities of junk/trash that have been an eyesore previously.

Between the cleanup of the property, and the landscaping investments we plan to make to make the glamping resort more beautiful, we would be improving the overall beauty of the land, while being careful to maintain the natural beauty.



Left: View of the build site. Many businesses are within the viewshed of the train's scenic corridor.

Below: Domes superimposed on the buildsite.



Topsoil, Utilities, Lighting and Driveways

Topsoil:

County regulations require that the project show include the following:

"Plans to remove and save topsoil, prior to any grading or excavation, and how it will be replaced and reused for regrading and revegetation purposes."

A portion of the topsoil dug during excavation will be used to regrade into a flat parking area. The remainder will be used for grading the sewage lines, water lines, and plants/vegetation.

Utilities:

County regulations require that the project show include the following:

Location and installation of utilities in ways that will minimize impacts to the viewshed and natural environment.

Small, portable solar systems will be installed at each tent to provide phone/device charging, and lighting inside the tent. Solar powered pathway lighting will be placed for safety. We plan to use Jackery or Goal Zero solar kits, with 100-200 watt panels and a 500 watt to 2000 watt battery depending on the glamping unit. (pictured below.) A 1000 Wh battery can run a lamp for 65 hours, and do 100 iphone charges. In extended periods without sunlight, the glampers simply wouldnt have the ability to charge their phone or turn on a light. As with all other aspects, we are designing this system to be highly portable and easily removable in winter months.



Glamping units will be heated by propane fireplace or stove, and will run off a large underground central propane tank. Propane will be supplied by Silverton LP Gas. Each unit will also have an exterior propane fire pit. During the winter all gas will be turned off, and connections will be marked, capped, and placed underground.

Water will be trucked in and stored in an underground cistern. A pump will be installed to get the water to the units. All piping will be underground. Each unit will have a propane hot water heater. During the winter all water systems will be winterized.

The Riverside tents will have connected to the septic system. The septic system will have RV style hookups. This will allow us to easily disconnect all the tents for storage in the winter. Other tents will have a Sunmar off grid composting toilet, or a portapotty serviced by a local provider.

Exterior Lighting:

County regulations require that the project show include the following:

“Exterior lighting shall preserve the dark sky environment and view of the stars. Provisions, regarding shielding of exterior lighting to prevent direct visibility of lightbulbs from offsite, directing of all exterior lighting toward either the ground, or the surface of a building and prohibiting high intensity, sodium vapor, or similar lighting.”

Silverton Glamping is a huge advocate of protecting the dark sky community in San Juan County. We plan to use milky way photographs to market the resort, and host photographers who love taking night images at the property. Our domes will have skylights above the beds so guests can admire the stars. With that said, we understand the importance of adhering to dark sky standards. No high intensity exterior lighting will be used. Solar powered pathway lighting that is dark sky compliant will be in place between the tents for safety purposes. Windows will have curtains, and guests will be asked to use the curtains during the nighttime.



Left: This photo was taken from the Eastern Star Placer in September 2023.

Driveway:

County regulations require that the project show include the following:

“Design and construction plans for roads and associated structures that bear a logical relationship to existing topography to minimize the need for cuts and fills.”

This section of the property has a very wide pre-existing driveway suitable for all cars and emergency vehicles. No work will need to be done for the driveway. See photo below.



Building Materials

Geodesic Domes:

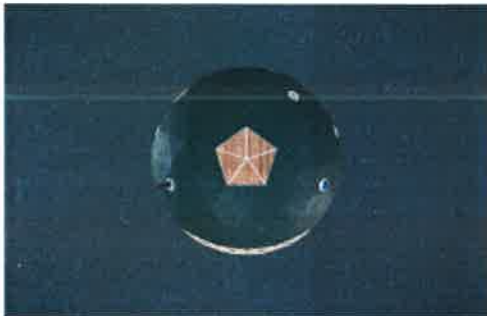
The domes will be forest green colored to blend in with the natural surroundings. The picture below is a 3d rendering of the dome structure. We've also included photos of similar domes in other glamping resorts.



Front



Inside



Top



Overview front



Rear



Side



These photos are of geodesic domes in other glamping sites across the world.

Historic Miner Tents

The photo below is the miner tent we plan to build. This picture is another resort, but the building materials and appearance will be similar.



The photo below shows what the tent will look like in the actual surroundings.



Below are a few historical photos showcasing the miner tents of the gold rush era. We hope to pay homage to Silverton's rich mining history using similar styled building structures.



Cumulative Impact Report

The county code requires we demonstrate how our project aligns with the County Master Plan, and how our development impacts our neighbors and community.

How does Silverton Glamping align with the County Master Plan?

“All applications for review under this Chapter will be examined initially to determine whether the proposal is consistent with the County's Master Plan.”

Chapter 3: Economic Vitality

- 1) *Small businesses thrive. Small businesses fit with the character and spirit of the community and will remain the economic engines of the community, providing the basis for year-round prosperity and job growth. We are a small business owned by two long-time Coloradans. We love Silverton for its incredible beauty, historic culture/buildings, the train, and its spirit of wild west adventure. We want to share this love of town with the guests of our resort, and help them experience all that it has to offer. Our resort will cater to adventurous types, and those just looking to get away and enjoy the mountains. Guests will shop in stores, eat at restaurants, drink at breweries, rent jeeps, and do other local activities. We will quickly become integrated with local business owners and recommend their products and services with our concierge. Overall we foresee a great benefit to the local economy and businesses.*
- 2) *Fast math potential economic impact of Silverton Glamping:*
 - a) 50 people staying on property each day multiplied by
 - b) Breakfast \$12
 - c) Lunch \$12
 - d) Dinner \$15
 - e) 1 adult beverage or coffee \$6
 - f) Bike rental, jeep rental, shopping for souvenirs, or other activity \$50
 - g) \$95/day/person * 50 people
 - h) Total \$4750/day x 140 day operating season (memorial day to October 15).
 - i) Total \$665,000 additional dollars spent in the local economy.... Conservatively.
This is not considering the jobs created, taxes we will pay, etc.
- 3) *Tourism expands and diversifies. Tourism markets are continually expanded. Opportunities for mountain recreation, adventure, education and competition generate excitement and attract visitors and residents. Our glamping resort perfectly aligns with Silverton's culture of mountain adventure and tourism.*

If consistent with the Master Plan, all applications will be reviewed to determine whether, based upon the objective facts contained within the record before the reviewing body:

- (a) *The proposal will have any adverse impact on public health, safety, morals or welfare.*

Silverton Glamping resort should have no adverse impact on public health, safety, morals, or welfare. It is a very low impact development, with sustainable technologies such as solar and compost toilets.

(b) Adequate potable water is available or can be developed to safely support the proposed use, including fire control and suppression.

We will have a potable water cistern on the Riverside section of the land. Each dome not equipped with running water can have a 5 gallon water dispenser or bottles for drinking. Fire suppression will be handled by a fire extinguisher in each tent.

(c) Adequate sewage disposal can be provided to support the proposed use.

In phase one we are planning to have a septic system on the Riverside section with flushing toilets. For the units without running water we will have Sunmar composting toilets (highly recommended by other luxury glamping resort owners.)

(d) The proposed use will have any adverse effect on public or private property in the vicinity of the development.

The resort is surrounded on 3 sides by business and private property. Our closest neighbor is a RV park. To the north is a vacant parking lot. On the east side of the land there is a cabin above. This cabin would be about 600 feet away from the nearest tent, up a very steep hill, and through a densely forested area. We aim to be good neighbors by enforcing quiet time hours, and keeping activities a respectable distance away from the property boundary on this side. The south side of the land is bordered by BLM.

(e) The proposed use will have any adverse effect on scenic values, historic sites or structures, air or water or environmental quality, wildlife (including habitat, food sources, migration routes, hunting, etc.), erosion or other geological conditions.

As discussed in the Scenic Quality Report, Silverton Glamping Resort will be seen from some viewsheds. We have been careful in choosing natural colors and building materials, and also selection structures that blend well with the natural scenery. There are no historic structures on the property. There should be no adverse effects on air or water quality. There should be no adverse effects on wildlife beyond any other normal campground.

(f) Adequate road access exists or can be developed to ensure access appropriate to the use, including access for emergency services. "Adequate access" shall require proof that any access is either a public San Juan County road or state highway or else a

private road or other access which meets the following minimum standards:

The Riverside (closest to town) section of this property can be accessed easily via 10th street. It is easily accessible to all vehicle types. The other side of the river has an existing road that connects to CR33. It is a bit rougher than the other side, but can be easily traversed with trucks, SUVs, jeeps, or backcountry capable emergency vehicles.

(h) Adequate utilities are or can be made available for the proposed use, unless deemed unnecessary or not practical.

Silverton Glamping tents/domes will have utilities beyond normal campgrounds. Most of our units will have heat provided by either wood or propane stoves. Basic solar systems (Jackery or Goal Zero 500-2000 watt systems) will provide the ability to charge electronics and lights. If there is a prolonged period without sun, then the guests will not be able to charge their devices.

(i) Adequate emergency services exist to serve the proposed use, unless deemed unnecessary or not practical.

Silverton Glamping is a 5 minute or less drive from EMS and fire services.

(j) There are natural hazards which may adversely affect the site or the proposed use of the site, (see Chapters 8-11 of this Code).

As discussed above, there are natural hazards present in this location. The land is in the slide path of the Idaho Gulch, but we are mitigating this concern by not operating during avalanche season, and removing our structures. Being near the river, there are also flood concerns. We are mitigating flood concerns by not building any structures within the 100 year flood zone (1%) as designated by FEMA flood maps.

MEMORANDUM

January 16, 2024

TO: San Juan Regional Planning Commission

FR: William A. Tookey

RE: Forst Lode MS 18463

Adam Rex had previously submitted an Improvement Permit application for the development of 2000 Sq. Ft. cabin, vacation rental and associated utility improvements on the Forst Lode MS 18463. The property is located on Kendall Mountain and will be accessed by Country Road 33. The Improvement Permit Application was approved with conditions and the Vacation Rental was denied.

An Improvement Permit Application has been submitted to amend the previously approved request. The amended request would include the construction of a 3-bedroom, 3 bath single family dwelling of up to 3900 sq. ft. The footprint of the house would remain the same as the original 2000 sq. foot cabin but would include a loft and a covered porch. The application also requests the use of the property during the summer months as a vacation rental and during the winter months to be used only guests that are brought to the property by qualified guides.

The property ownership has changed and is currently owned by Adam Rex and Spencer Rex dba Kendal Mountain House LLC and the taxes are current.

The application fees have been paid.

The adjacent landowners have been notified via US Mail of the proposed Improvement Permit application. The list of adjacent property owners and copy of the letter are included.

Mountain Zoning District requires a minimum parcel or lot area of 5 acres with a setback of 20 feet from public lands and 30 feet from private property lines. The Forst Lode is 10.36 acres. The proposed cabin would exceed the setback requirements.

The applicant has substantially met the requirements for application submittals as required by 3-102 Requirements for Uses and Improvements.

All applications for review will be examined initially to determine whether the proposal is consistent with the County's Master Plan.

Master Plan Strategy LU-2.1 Encourages future development in the economic corridors which include the upper Animas Valley from Silverton to Eureka, Cement Creek from Silverton to Gladstone and the South County Line to just above the Mill Creek Subdivision. And Strategy LU-2.2 Identify areas in the growth corridors that are suitable for residential use considering natural hazards, habitat resources, scenic impacts and sensitivity to

residential land uses. The proposed development is not located in the identified growth corridors. However, the Master Plan notes that private property rights are respected in San Juan County. The Plan also states that residential development on mining claims are to be built in low-visibility places outside of environmentally sensitive areas, leaving visible ridgelines and other scenic resources undeveloped and minimizing the impacts on the environment. I believe this application is attempting to meet the intent of the Master Plan.

- a. Adequate potable water is available or can be developed to safely support the proposed use.

The applicant plans to collect water from a spring on the property and store it in a 1500 gallon cistern located in the basement of the house. The applicant has submitted a Notice of Intent to Mak Absolute for water rights on the spring.

- b. Adequate sewage disposal can be provided to support the proposed use.

The applicant has submitted an On-Site Wastewater Treatment Permit Application to San Juan Basin Health.

- c. Will the proposed use have any adverse impact on public or private property in the vicinity of the development?

The proposed improvements should have minimal impact on the adjoining properties. Adjoining property owners have been notified and at this time I have not received any comments from them.

- d. Will the proposed use have any adverse effect on scenic values, historic sites or structures, air or water or environmental quality, wildlife, erosion or other geological conditions?

- 1. The applicant has included a scenic quality report. It appears that the cabin has been located to minimize the visual impact. The applicant did construct a 30' story pole on the cabin site and was unable to see the pole from US 550.**
- 2. I do not believe that the site has any historic significance, but an historical review of the site would be required prior to development of the property.**
- 3. The improvements should create minimal adverse impacts upon wildlife. All solid waste, garbage and refuse must be kept within the building, in a separate secure enclosed area or in wildlife/bear-resistant containers until it is properly disposed of at the Transfer station.**

- e. Adequate road access exists or can be developed to ensure access appropriate to the use.

The applicant will access the property via CR 33.

- f. The design and development of the site shall preserve, insofar as possible, the natural terrain and drainage of the land, the existing topsoil and existing vegetation. Disturbed areas shall be revegetated with native plant species certified weed free as soon as possible after disturbance in order to prevent the establishment and dominance of non-native invasive species.

The proposed improvement will preserve, insofar as possible, the natural terrain and drainage of the land. All disturbances will be revegetated with native plant species certified to be weed free.

- g. Sites subject to hazardous conditions, for example avalanche, flood, land slide, rock fall, mud flow, open mine shaft, corrosive water, etc., shall be identified and shall not be built upon or used until satisfactory plans have been approved by the County for eliminating or appropriately mitigating such hazards. The provisions of Chapters 8, 9, 10 and 11 shall govern the evaluation of those natural hazards covered by such provisions.

A portion of the property is located in an avalanche hazard area. However, the cabin would be constructed outside of the Avalanche Hazard. Access to the site would require crossing avalanche paths that could put the occupants and emergency responders at risk.

The County Geohazards Map identifies that the cabin will be built on a talus slope.

- h. The applicant shall permit continued public access to any historic public trails that cross the property.

I do not believe that there are any public trails other than CR 33 that cross the property. I will need to do a site visit to identify any historic public trails that may cross the property. If any trails are identified, they will need to be added to the certified survey plat.

- i. Individual building sites shall be placed on the Town of Silverton's utility billing system for water and refuse when water is hauled to the site., Any applicant who shows that it is obtaining water from an approved permitted well or is purchasing water from an acceptable source of potable water other than the Town of Silverton may be permitted to be placed on the Town of Silverton's billing system for refuse only.

The applicant will be required to be placed on the Town's utility billing system for refuse.

VACATION RENTAL

The applicant has requested that the property be allowed for use as a vacation rental only during the summer season.

The County Zoning and Land Use Regulations require the following:

1. That adequate emergency communications and off-street dedicated parking are available at all times to guests.

The property does have cell phone access and will also have satellite internet. There will be two dedicated off-street parking spaces available on site during the summer and fall season. There are no dedicated off-street parking spaces available during the winter. The qualified guiding company would be responsible for the parking of vehicles.

2. The proposed rental is safely accessible year-round not only to occupants but to emergency services as well.

The applicant would mitigate the avalanche danger by requiring that guests be escorted to the property by a qualified backcountry guide.

The Planning Commission has two separate items to make a recommendation on. The first is the amendment to the improvement permit to allow for the construction of a 3900 sq. ft. single-family dwelling. The second is the use of the property for a vacation rental. The Planning Commission has the option to recommend approval as submitted, denial, or approval with condition.

Should the Planning Commission choose to recommend approval of the improvement permit to construct a single-family dwelling on the Forst Lode, 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 Forst 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.
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. 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.

5. That the Deer Park Trail and CR 33 be identified on the certified survey site and signed by a Colorado Licensed Surveyor.
6. That the proposed improvements are identified and staked on site by a Colorado Licensed Surveyor.
7. That the applicant be placed on the Town of Silverton's Utility billing system for refuse.
8. That the septic system be engineered and permitted.
9. That the on-site water be tested for potability and measured for volume.
10. The failure to comply with these conditions shall be grounds for the revocation of this Improvement Permit.
11. Any other conditions that the Planning Commission deems necessary.

Should the Planning Commission choose to recommend approval of the improvement permit to allow for a vacation rental and commercial use they should do so with the following conditions prior to the issuance of an Improvement Permit:

1. That the vacation rental be allowed only between May 1st and October 31st.
2. That off-street parking be designated on the property.
3. That the commercial use of the property from November 1st and April 30th shall only be allowed if the guests are escorted to and from the property by a qualified backcountry guide that has adequate experience and training in avalanche safety.
4. That the applicant develops avalanche risk procedures that would include prohibiting access to the cabin or leaving the cabin during extreme avalanche danger, emergency evacuations, and adequate food, water and heat for unexpected extended stays.
5. That the applicant obtains a sales tax license from the Colorado Department of Revenue and collects sales tax and lodging tax as required.
6. That the applicant submits a renewal application annually providing the number and dates that the cabin was occupied for commercial purposes. Proof of insurance to operate a vacation rental. Qualifications of the guide(s) and proof of their insurance and licensing or permit as necessary.
7. That the applicant fully and completely understands and complies with these conditions. Failure to do so will result in the revocation of the use of the property as a vacation rental/commercial property.

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

The Planning Commission could also recommend approval for a summer seasonal vacation rental and denial of a winter commercial use.

Should the Planning Commission choose to deny the vacation rental/commercial use they should do so for the following reasons:

1. Off-street dedicated parking spaces are not available at all times as required by Section 4-110.21(iii)(a).
2. The proposed vacation rental is not safely accessible for guests and emergency responders as required by Section 4-110.21(iii)(b).



SAN JUAN COUNTY
COLORADO
1557 GREENE STREET
P.O. BOX 466
SILVERTON, COLORADO 81433
PHONE 970-387-5766 admin@sanjuancolorado.us

January 5, 2024

To Whom It May Concern:

This letter is to inform you that Adam and Spencer Rex dba as Kendall Mountain LLC. has applied to amend their previously approved Improvement Permit to construct a 2000 sq. ft. single-family cabin with associated utility improvements on and vacation rental on the Forst Lode MS 18463 located on County Road 33 in Kendall Gulch. The application to amend their Improvement Permit would allow for the construction of a 3900 sq. ft. cabin and to allow the cabin to be used as a vacation rental during the summer months and to be used only by those that are accompanied by a qualified backcountry guide.

San Juan County Zoning and Land Use Regulations require that property owners within 1500 feet be notified of the application. A copy of the application can be reviewed in the office of the County Clerk, located at 1557 Greene St. Silverton, Colorado or via San Juan County's web page at <https://sanjuancounty.colorado.gov/> Copies of the application can also be reviewed upon request via the email listed above.


It is anticipated that this application will be reviewed by the Planning Commission during their meeting of January 16, 2024.

It is further anticipated that the application will be reviewed by the County Commissioners during their regular meeting of February 14, 2024.

If you have any comments or questions about the application, you may contact me by phone, mail or email listed above. You may also provide written or oral comments to the Planning Commission and to the County Commissioners.

If you have any questions or comments, please contact me at your earliest convenience.

Sincerely,


William A. Tookey
Land Use Administrator

San Juan County Colorado Application for Improvement Permit

Applicant: Adam Rex and Spencer Rex

Date: 1/1/2024

Property: Forst Lode Claim

Description of build: 3 bed, 3 bath house, up to 3900sqft

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San Juan County Colorado Application for Improvement Permit

Applicant: Adam Rex and Spencer Rex

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Application for Improvement Permit

New York County, Colorado

Application for Improvement Permit

| APPROVAL CHECKLIST | | Initial | Date |
|---|-----------------------------------|---------|------|
| Name: Adam and Spencer Rex | Land Use Administration | | |
| Address: PO Box 178 Escalante UT 84726 | Ownership of Surface | | |
| Phone: same as above | Ownership of Minerals | | |
| Address: 801-618-1119 | Validity Map | | |
| Name: Adam Rex | Certified Survey Plat | | |
| Address: PO Box 178 Escalante UT 84726 | Monumented lot | | |
| Legal Description of Property: Forst Lodge, Mineral Survey #18463 | Base Plat Map | | |
| | Plans and Drawings | | |
| | Head System Relationship | | |
| | Zoning Compatibility | | |
| | State Mining Permit | | |
| | Drainage Notification | | |
| | Geotechnical Hazard | | |
| | Geological Hazard | | |
| | Fluvial Hazard | | |
| | Wildfire Hazard | | |
| | Mineral Resource Impact | | |
| | Wildlife Impact | | |
| | Historic Site Impact | | |
| | Wetlands Impact | | |
| | County Building Inspector | | |
| | Building Permit | | |
| | State Director of Inspection | | |
| | Divisional Permit | | |
| | Sanitary Sewer Hook-Up Fee | | |
| | Sanitary Disposal Fee | | |
| | Design | | |
| | General Sewage Collection | | |
| | State Division of Water Resources | | |
| | Acquire Water Source | | |
| | Well Permit | | |
| | General Water Distribution | | |
| | U.S. Forest Service BLM | | |
| | Water Approval | | |
| | State Division of Highways | | |
| | Divisional Permit | | |
| Receipt | DEPARTMENT | | |
| | Application | | |
| | Building Permit | | |
| | Valid Home P.L.D. | | |
| | Homeowner Notice | | |
| | Subdivision Notices | | |
| | Subdivision Approval | | |
| | PLD Approval | | |

- up to 3400 sqft cabin
- Septic System
- Propane heating system
- Driveway and parking area
- Solar Panels and battery electrical system
- Water piping to cisterns to store water

Spencer Rex

Background/Updates

Adam Rex previously obtained an improvement permit to build a 2000 square foot house on the Forst Lode Claim on September 14th 2022. During this process, permission to use the house as a vacation rental was proposed and denied by the county commissioners. Denial of our application was because our plan of access for guests during the winter wasn't deemed safe by the commission.

In this new application, we are asking for 3 changes to the approval already received. The first is to increase the square footage of the house to up to 3900 square feet. The increase is due to the addition of a loft and a covered porch, the footprint of the actual house hasn't changed. The second approval will be for home access for guests in the winter. The third is for vacation rental usage of the house in the summer. Additional details are in the project overview and commercial use sections.

Since obtaining the initial improvement permit, ownership of the Forst Lode was transferred from Adam Rex's name to Kendall Mountain House LLC, which is owned by Adam and Spencer Rex.

Project Overview

This application is to build up to a 3900 sqft, 3 bed, 3 bath house on Kendall Mountain, just off of County Rd 33. Adam is a licensed general contractor from Escalante Utah and will be building the house himself. Adam has over 20 years of experience building upscale homes in Lake Tahoe, California and in Escalante, Utah. Some examples of his work include the Escalante Cliff House and Birch Creek House in Escalante Utah (escalantecliffhouse.com & birchcreekhouse.com).

We're seeking permission to use the house as a normal vacation rental in the summer. In the winter, the house will only be used by guests who are guided to the property by a back country guiding company who is permitted to guide on Kendall Mountain, such as San Juan Expeditions. These are the standards to which similar back country lodges in the area operate.

The house will be invisible from county road 33 or highway 550. We put story poles up on the property that are higher than the house will be, and we couldn't see them from either road.

The cumulative impact of the house on the surrounding properties will be very small for the simple fact that most of the surrounding land is BLM land. Within 1500' of the property, there are only 2 other properties, the Manson Claim and the Lady Forst Claim and both of those claims have no improvements.

This house will be completely off the grid and will be built in such a way as to cause minimal disturbance to the beautiful mountain landscape surrounding it. Water will be drawn from a spring on the property that will be piped to the house and stored in a 1500-gallon cistern in the basement of the house. This water will be used for domestic uses as well as for firefighting if the need arise.

Wastewater will be treated on site using a waste water treatment system.

For electricity, solar panels will be installed on the roof with batteries in the basement. For house heat, water heaters, stove and oven we will use propane. The propane tank will be 500 gallons and will sit just to the side of the house.

The development will be in compliance with San Juan County Dark Skies Regulations and San Juan County Fire Regulations.

Commercial Use

Winter

During the winter, the property will operate as a back country lodge and only be accessible via snow machine or skis. The only paying customers that will access the house in the winter will be escorted by guides that are licensed to guide on Kendall Mountain. We have a commitment from San Juan Expeditions to provide this service for us.

Parking for guests in the winter will be coordinated by the company escorting the guests, which is a service they provide to all their guests. The company will be responsible for moving vehicles for snow plow operations.

Summer and Fall

The house will be accessible during the summer/fall by 4WD/OHV. We will ensure that there is parking for at least 2 vehicles at the house and make it a rule that guests aren't allowed to park on CR33. We will reserve the right to cancel bookings if the fire danger in the area becomes extreme so as to not endanger our guests or first responders.

Spring

We anticipate that there will be a mud season in the spring where getting to the house will be impossible. Depending on the year we think this'll be sometime in the April-June timeframe. The house will remain unoccupied during mud season so that we or our guests aren't tearing up the road or getting stuck going to and from the house.

Scenic Quality Report

Overview

In February 2023 we went to the Forst Lode claim to erect a 30' story pole with an orange hunting vest on the proposed build site. 30' was chosen as this will be the max height for the house. It was immediately obvious that the trees surrounding the house are much higher than 30'. After setting up the pole, we went to try and spot it from CR33 and highway 550. As the pictures below show, it was impossible to see the story pole from either CR33 or highway 550, at an spot along those roads. After completing this exercise, we're confident that the finished house will be invisible from view, even after clearing trees around the house to lessen the fire hazard.



Figure 1. The location of the proposed building location, marked with the 30' story pole.

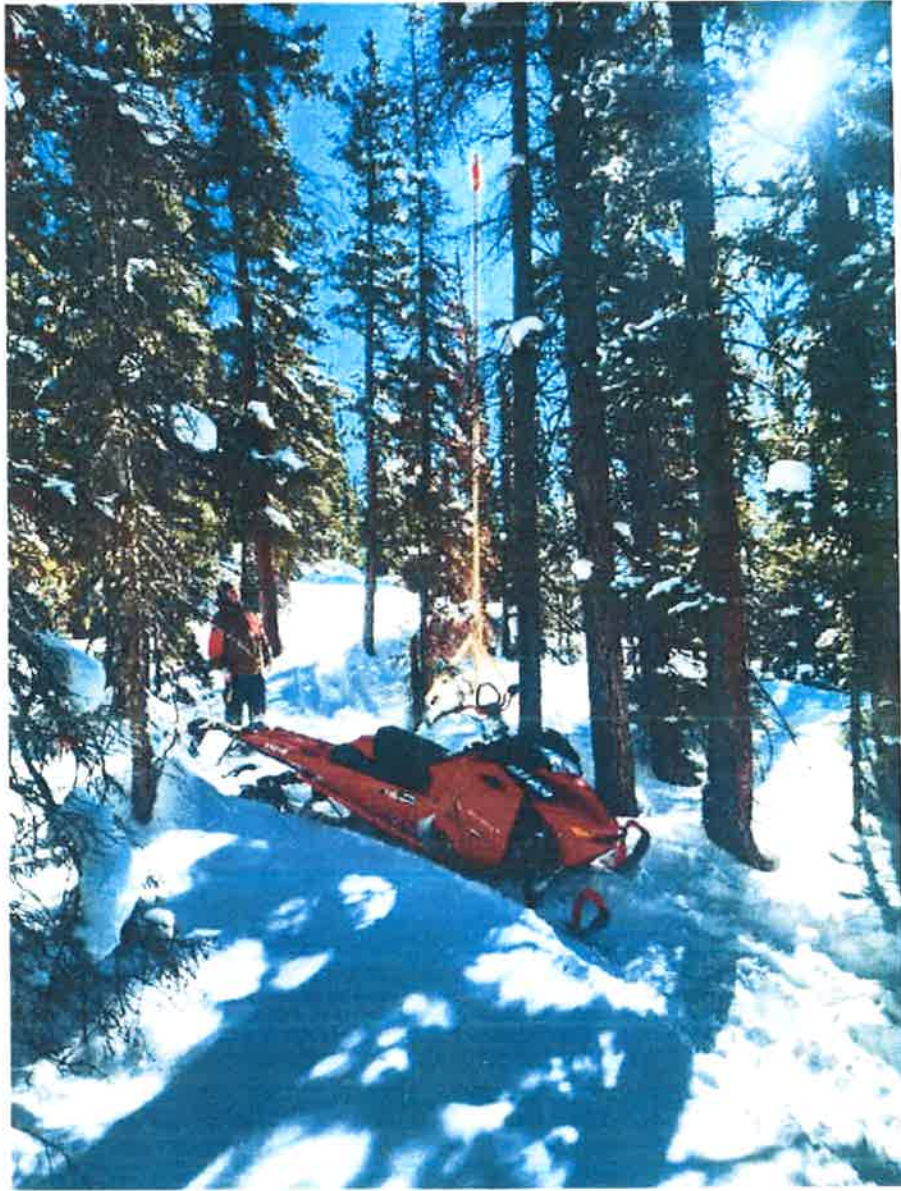


Figure 2. The location of the proposed building location, looking west.



Figure 3. The location of the proposed building location, looking west.



Figure 4. The location of the proposed building location, as seen from county road 33. There was no other location on the road from which one can see the building site. This is the closest spot to the build site.



Figure 5. Showing that the direction of the photo in figure 4 is looking SW towards the build site from county road 33.

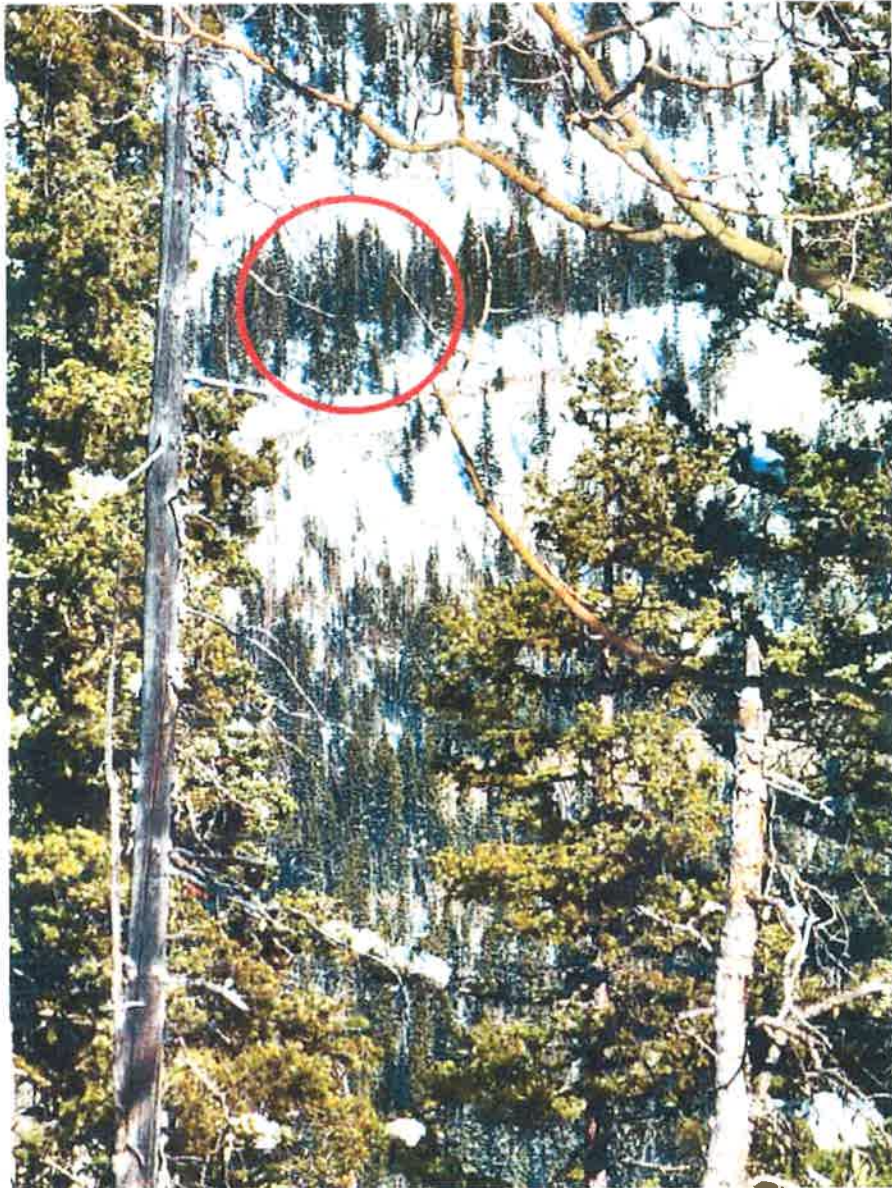


Figure 6. A 10x zoom photograph taken from highway 550 looking NW across the Animas river. The red circle indicates the area where the story pole is. We were not able to visually locate the story pole from highway 550.

Cumulative Impact Report

Summary

The building of a house on the Forst Lode Claim will not have a large impact on surrounding land owners. This is mostly because there are only 2 claims within 1500ft of the ALO map produced for this project by Kim Buck. Those claims are the Lady Forst Claim and the Manson Claim. The details and description of the Claims are below. The data gathered for this report are the same as other cumulative impact reports that Lisa Adair has done in the past.

Manson Claim

This claim is owned by Adam Rex (49%) and Michael Steadman (51%). The land is accessible as CR33 passes through it. The claim is 8.99 acres and contains some avalanche zone and geologic hazard zone. The property is mostly wooded with some clearing and is all below 11000ft. This property has no improvements on it and is unlikely to be built on for the simple fact that I, Adam Rex, own half of it and I have no desire to develop it.

Lady Forst Claim

This claim is owned by William Rogers (100%). The land is accessible as CR33 passes through it. The claim is 8.25 acres and contains some avalanche zone and very little geologic hazard zone. The property is mostly wooded with some clearing and is before the Forst Lode claim as you drive from Silverton up CR33. This property has no improvements on it but could probably be built on some time in the future.

Building Permit Application



Building Permit Application

Address of Job Site: County Rd 33 TBD - Forst Lodge

Class of Work:

NEW ADDITION ALTERATIONS REPAIR MOVE OTHER

Property Owner: Adam and Spencer Rex Phone: 435-618-1119

Mailing Address: PO Box 178

City: Escalante State: UT Zip Code: 84726

Email Address: RexExcavation@gmail.com

Contractor: Adam Rex

Phone: 435-618-1119

Legal Description:

LOT NO(S) 12463 BLOCK ZONE (If Applicable) ADDITION:

Hazard: NONE FLOOD AVALANCHE SLOPE

Structural Information:

Req. if NEW Structure: Survey Provided: YES NO Plot Plan Provided: YES NO

Designed By:

LICENSE #

SQFT <3900

HEIGHT <30'

TOTAL UNITS 1

TOTAL ROOMS 3

Describe All Work To Be Done:

Construction of a 3 bed, 3 bath, ~3900sqft house with the associated water works and septic system

Printed Name: Spencer Rex

Signature: Spencer Rex

Date: 12-27-23

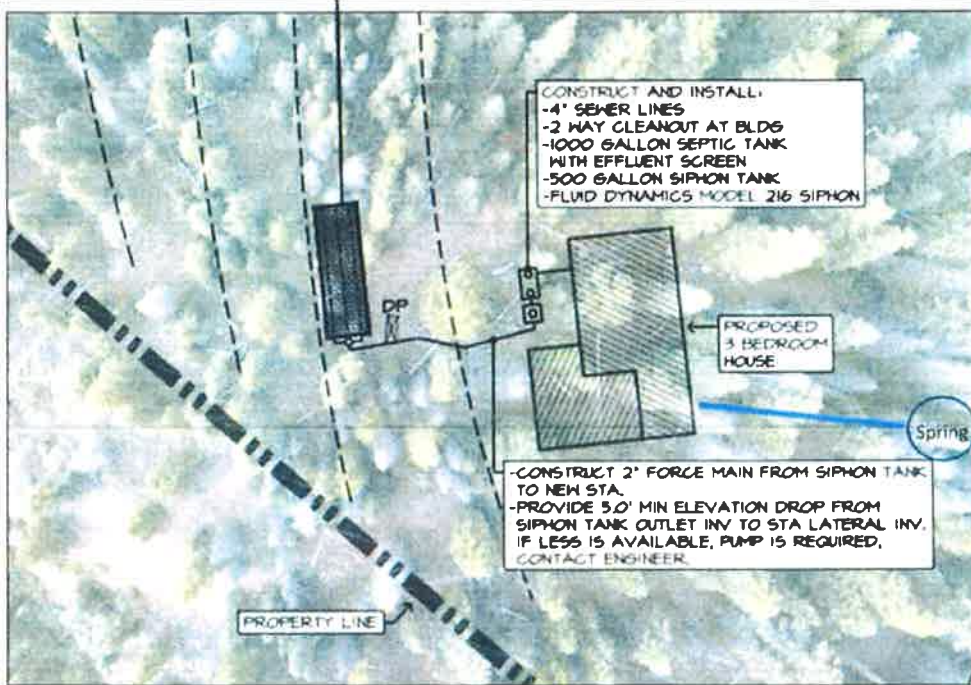
(Staff Use ONLY)

Total Estimated Valuation of Work: \$ (Including Labor and Materials)

Estimated Permit Fee: \$

Basic Plan Map

- CONSTRUCT NEW SOIL TREATMENT AREA (STA) (UNLINED SAND FILTER BED WITH PRESSURE DISTRIBUTION)
- EXCAVATE 12' X 30' BED INTO FRACTURED BEDROCK, MIN 60" DEEP
- THOROUGHLY FRACTURE BEDROCK BY MECHANICAL/BLASTING MEANS TO RESULT IN FREE DRAINING CONDITIONS BELOW BED
- FILL BED WITH 36" MIN OF "SAND FILTER TREATMENT MEDIA" (SEE SAND SPECIFICATIONS ELSEWHERE)
- PLACE 8" LIFT OF 3/4" WASHED CRUSHED OR SCREENED STONE
- CONSTRUCT PRESSURE DISTRIBUTION SYSTEM (SEE NOTES ELSEWHERE)
- PLACE 4" LIFT OF 3/4" WASHED CRUSHED OR SCREENED STONE COVER
- COVER BED WITH GEOTEXTILE FABRIC
- COVER WITH 12" MIN SANDY LOAM / TOPSOIL. GRADE SYSTEM AREA TO DRAIN, AND ESTABLISH FINAL VEGETATIVE COVER (ALPINE MIX)



ALL LOCATIONS MAY VARY

LOCATE WELL/CISTERN
MIN 50' FROM SEPTIC TANK
MIN 100' FROM STA

WATER SUPPLY, TO BE DETERMINED
EXISTING DATA FROM SAN JUAN COUNTY GIS
OR 8/27/22 AERIAL PHOTOGRAPHY
ALL LOCATIONS ARE APPROXIMATE ONLY



dudley ashwood, p.e.

civil engineer

1010 North 1st Street, Suite 100
P.O. Box 128000, Silverton, CO 81062

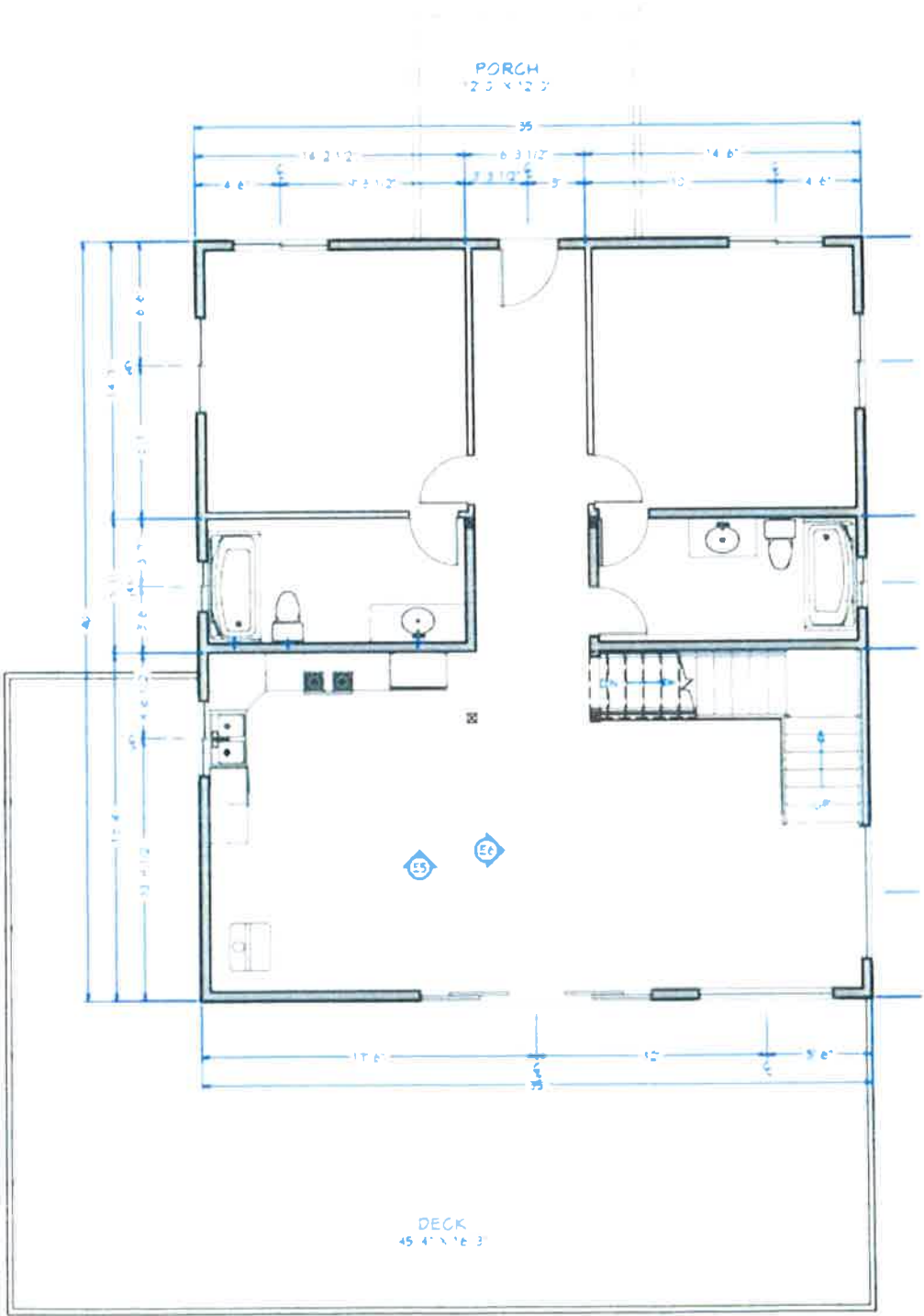
SITE PLAN

PROPERTY OF REX ADAM
CR 33 - MS 18463 - FORST
SILVERTON, CO

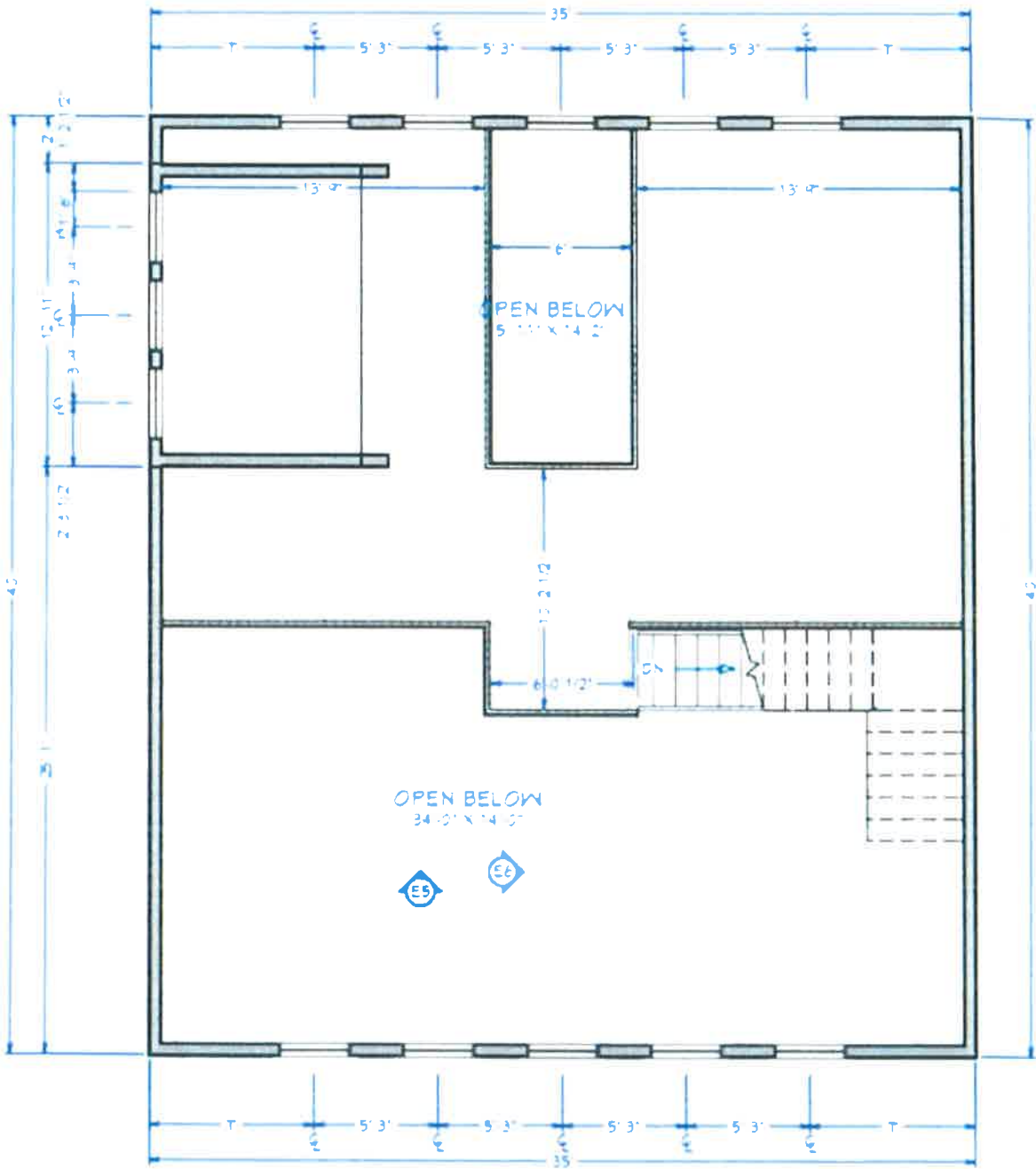
SEPTEMBER 12, 2023
SCALE 1" = 40'



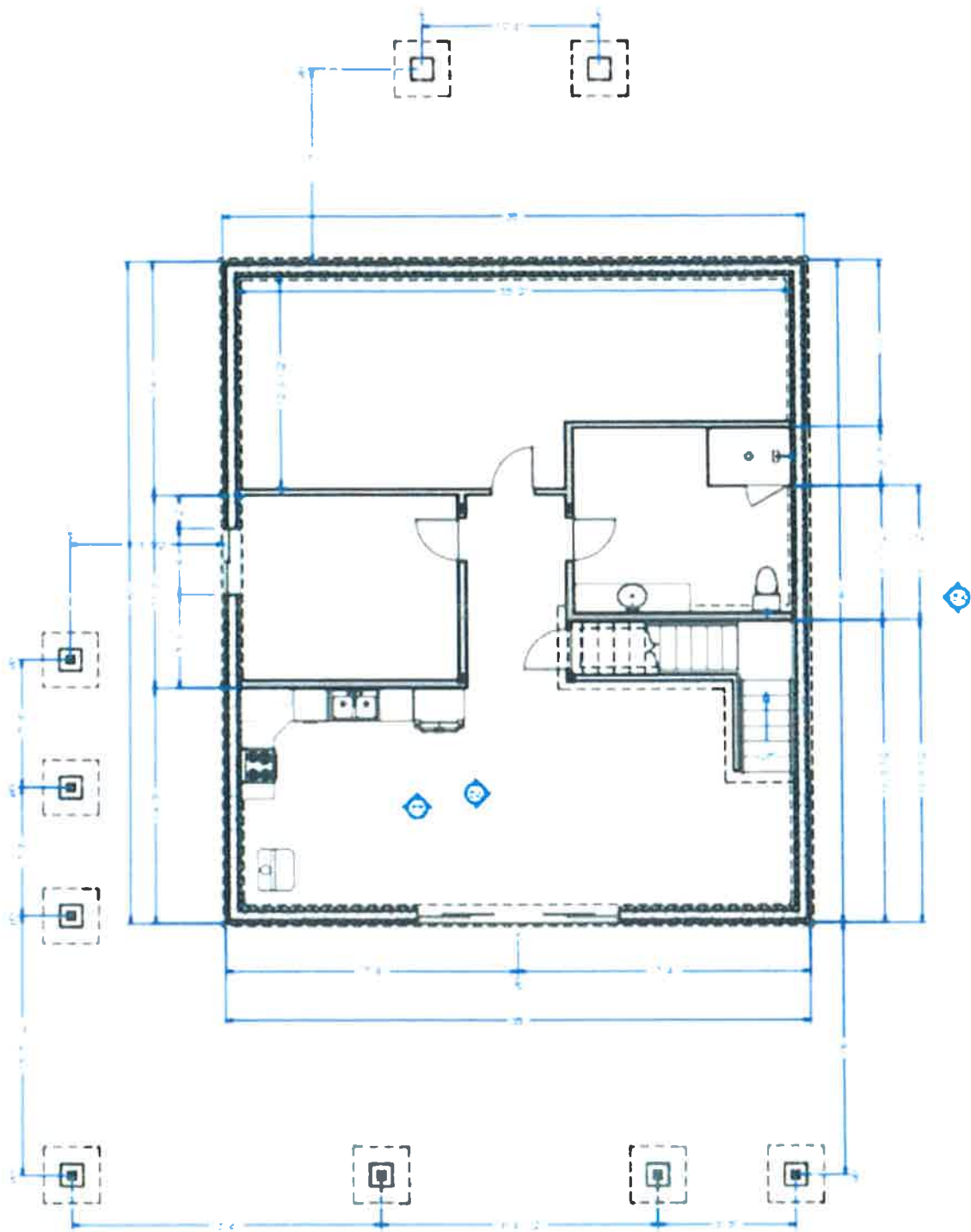
Plans and Drawings



1st Floor



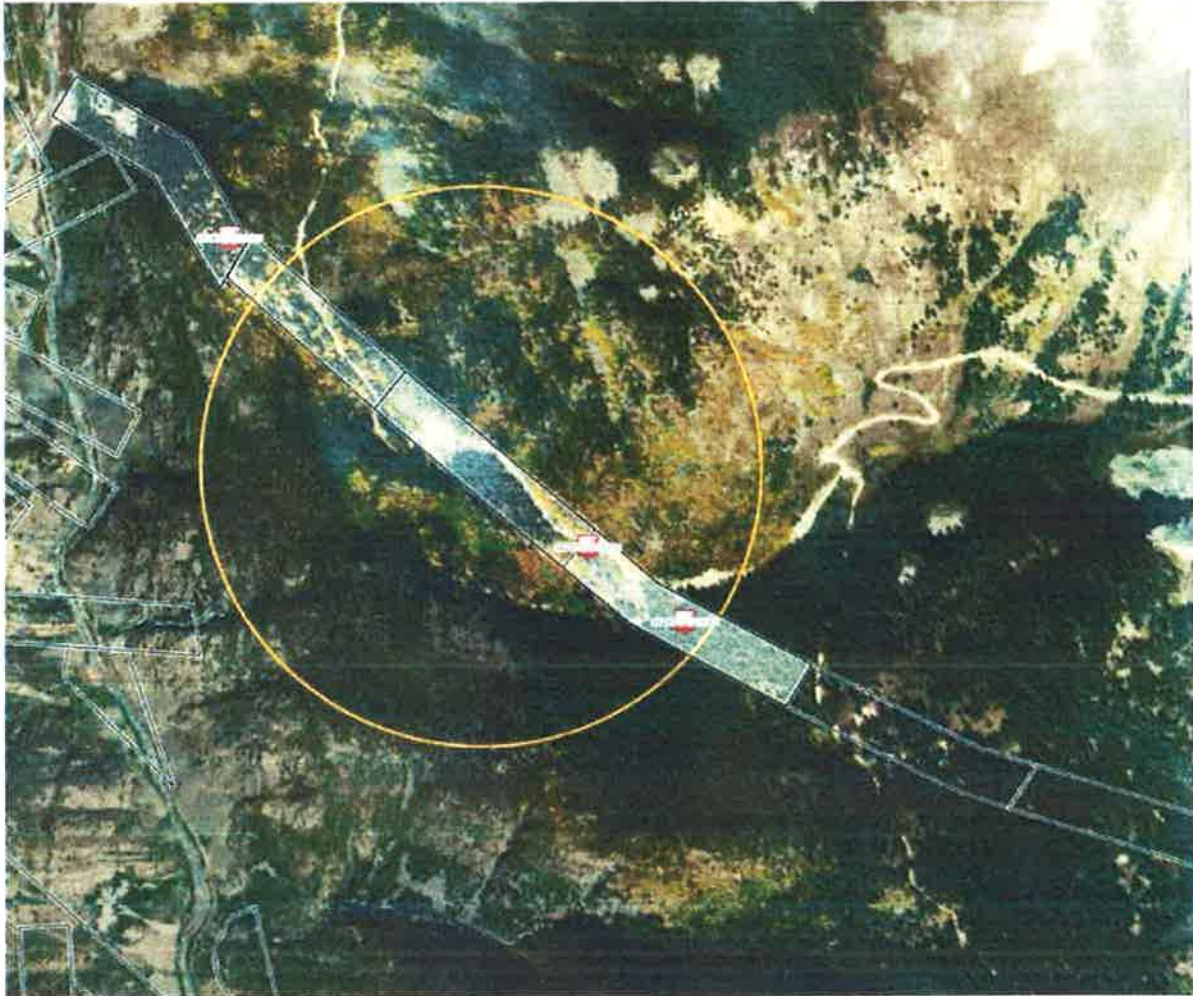
Loft





The exterior colors of the house will match this building's exterior colors giving the house a "Mountain Modern" style.

Owner Notification



These images and this list were provided to me by Kimberly Buck, San Juan County Assessor.



| Account | Situs Address | Owner | MailingAddress | Legal Description | Website |
|---------|--|-----------------------|--|---|---|
| N2159 | TBD COUNTY ROAD 33, SILVERTON, CO 81433 | RUGERS WILLIAM | 15 CARDINAL AVE - W SAND LAKE, NY 12196- 2100 | LADY FORST - 18463, LIMESTONE - 18463 | https://property.spatalest.com/co/sanjuan/#/property/48290000010037 |
| N2165 | TBD COUNTY ROAD 33, SILVERTON, CO 81433 | STEADMAN MICHAEL N | PO BOX 1552 - BOULDER, UT 84716-1552 | MANSON - 18463 UND 51% INT IN 8.99 ACRES | https://property.spatalest.com/co/sanjuan/#/property/48290000010045 |
| N2210 | TBD COUNTY ROAD 33, SILVERTON, CO 81433 | REX ADAM | PO BOX 178 - ESCALANTE, UT 84726-0178 | FORST - 18463, MANSON - 18463 UND 49% INT | https://property.spatalest.com/co/sanjuan/#/property/48290000010452 |

Sewage Disposal



September 12, 2023

NEW ON-SITE WASTEWATER TREATMENT SYSTEM

PROPERTY OF REX ADAMS
 CR 33 MS 18463
 SILVERTON, CO

A new on-site wastewater treatment system (OWTS) is planned to serve a new 3 bedroom house on this property. The planned home site is in the north-central portion of the property. The OWTS will consist of a Septic Tank and a Soil Treatment Area (STA). The STA is planned to the west of the homesite, in a wooded area, in sloping terrain grading to the west where terrain grades are mild, in the 10 +/- % range.

Site soils within the planned STA are shallow, fractured bedrock, and require the use of a single pass sand filter for the STA. Bedrock must be excavated and thoroughly fractured by mechanical/blasting means to result in free draining conditions below the STA. The STA is planned to be constructed as a single pass sand filter, with siphon dosing.

This OWTS is designed in compliance with the requirements of the San Juan Basin Public Health (SJBPD) OWTS 2018 Regulations ⁽¹⁾

STA location:

- 37°46'983" N 107°39'513 W +/-
- elevation 10,400 feet
- USDA/NRCS soils are reported as Rock outcrop - Snowdon
- mean annual precipitation: 25 to 40 inches
 - parent material: rock
 - landform: mountain slope
 - slope: west 10 +/- %

Soils nearby the planned STA are shallow stony loam over fractured bedrock
(Soil Type R-0)(Table 10-1A⁽²⁾)

Wastewater Flow: Table 6-1⁽²⁾: Residential, 3 bedrooms: $Q_D = 450$ gpd

Septic Tank: Table 9-1⁽²⁾: provide 1000 gallon septic tank with effluent screen

Siphon Tank: provide 500 gallon tank

Proposed STA: single pass sand filter with Drainrock Bed and Siphon Dosing Pressure

Distribution (provide 30-72" distal head)

Soil Type: from visual and tactile inspection: unweathered bedrock, Table 10-1A⁽²⁾: **Soil Type is R-0**

- STA: Single pass sand filter required, with "Preferred Sand": LTAR = 1.0 gpd/sf Table 10-1A⁽²⁾
- C&J (Durango) currently acceptable
- STA area required = 450 gpd / 1.00 gpd/sf = 450 sf
- STA Size Adjustment/Application: no size adjustments apply
- STA area required = 450 sf
- provide 12' bed width
- bed length = 450 sf / 12 = 37.5, provide bed length = 38'
- pressure distribution (see attached OSI worksheet)

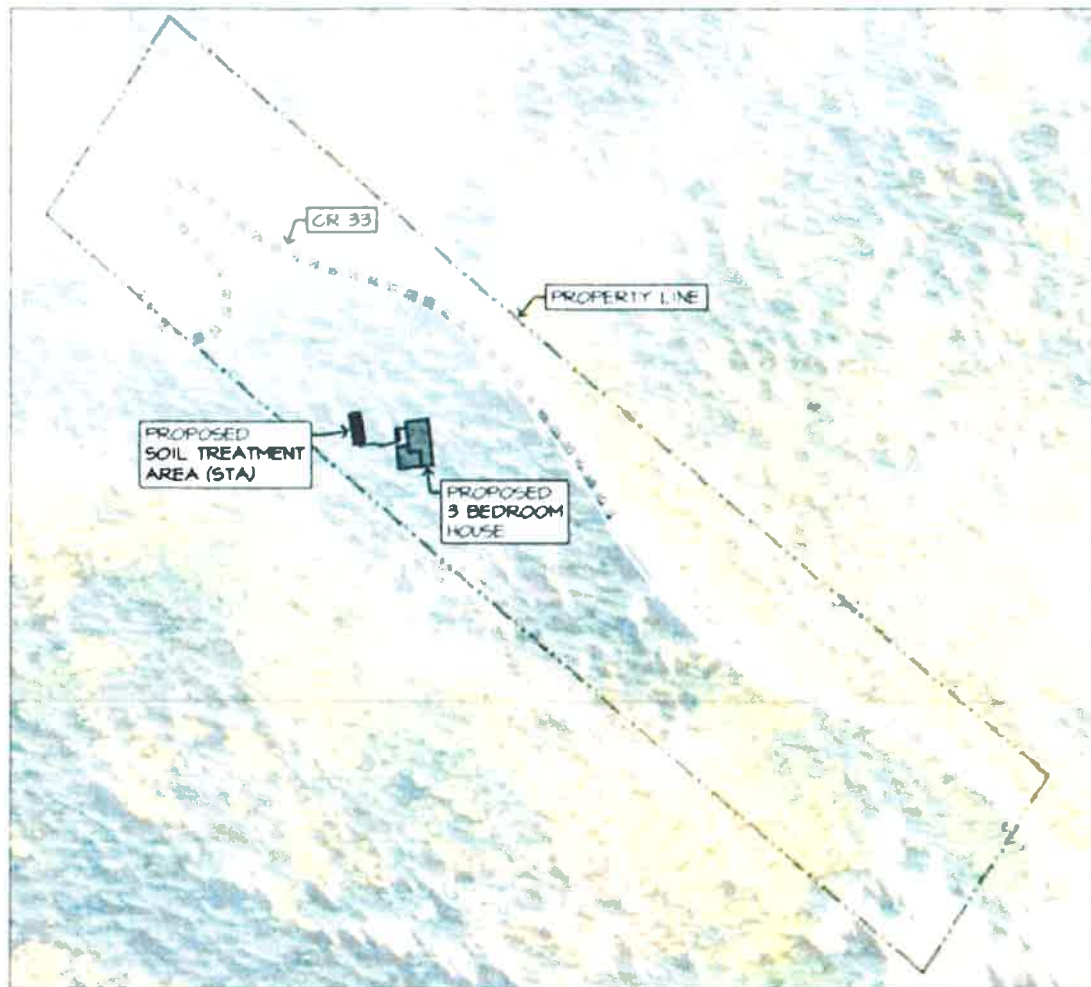
dudley ashwood, p.e.

c i v i l e n g i n e e r

- provide minimum 5' grade elevation drop from siphon tank invert to STA manifold invert for distal head = 3' +/- (see attached OSI worksheet)
- dose volume = $5' \times 5' \times 17\frac{7}{12}" \times 7.48 = 265$ gallons
- design flow = 450 gpd
- dose frequency = $450 \text{ gpd} / 265 \text{ gal} = 1.7$ times per day
- dose length = $265 \text{ gal} / 43.6 \text{ gpm} = 6$ minutes
- provide:
 - provide 1000 gallon septic tank with effluent screen
 - 500 gallon siphon tank with siphon
 - Soil Treatment Area:
 - 12' x 38' single pass sand filter bed : STA A = 456 SF
 - siphon dosing pressurized effluent distribution
 - 3 - 1.5" sch 40 pvc laterals w/ 3/16" orifice @ 4' o.c.

- All OWTS work shall be inspected and certified by the design engineer





WATER SUPPLY, TO BE DETERMINED
 EXISTING DATA FROM SAN JUAN COUNTY GIS
 OR 8/27/22 AERIAL PHOTOGRAPHY
 ALL LOCATIONS ARE APPROXIMATE ONLY



dudley ashwood, p.e.
 civil engineer

LOCATION PLAN

PROPERTY OF REX ADAM
 CR 33 - MS 18463 - FORST
 SILVERTON, CO

SEPTEMBER 12, 2023
 SCALE 1" = 200'



ON-SITE WASTE WATER TREATMENT PERMIT

| APPLICANT | PROPERTY OWNER | INSTALLER |
|--|--|-----------|
| ADAM REX PO BOX 178 ESCALANTE, UT 84726-0355 (435) 618-1119 | ADAM REX PO BOX 178 ESCALANTE, UT 84726-0355 (435) 618-1119 | |

ADDRESS: MINERAL SURVEY NUM 18463
PERMIT TYPE: CONSTRUCTION

PARCEL #: 48290000010452-S
SUBDIVISION:

LOT #:
DWELLING UNITS: 1
SITE EVAL LTAR: 1.0
DEPTH: 12"

LOT SIZE (ACRES): 14.74
BEDROOMS: 3
LIMITING ZONE: Fractured Bedrock
WATER SUPPLY: Well

SEPTIC TANKS: 1000 gal + 500 gal
DESIGN FLOW: 450 GPD
DISTRIBUTION: Pressure Siphon
SOIL TREATMENT: 2" force main
12' x 38' bed
36" minimum preferred sand layer at base of excavation
12" of 3/4" washed rock above sand layer
Three 1.5" laterals embedded in rock layer
3/16" orifices every 48" at 6 O'clock
Cover rock with geotextile
Top with at least 12" of topsoil

WORK DESCRIPTION: New OWTS for 3 BDR on raw land

SPECIAL CONDITIONS

"Preferred sand media" as defined in Regulation 43.11.C.2.d.(2) must be used as sand filter material. A GRADATION OF MATERIAL IS REQUIRED PRIOR TO INSPECTION.

At least 6" of gravel, rock or other material must be placed below the pipe. The gravel, rock or other material must fill around the pipe and be at least 2" above the top of the distribution pipe.

The system must meet pressure dosing requirements as defined in Regulation 43.10.E.3, including a distal operating head of 30-72 inches. A wet test of the dosing system is required at the time of construction inspection.

AUTHORIZATION TO BEGIN CONSTRUCTION OR REPAIRS

The submitted design and above specifications are authorized for construction, subject to the above special conditions. All provisions of the SJBPB On-site Wastewater Treatment System regulations must be complied with whether specified herein or not. The granting of this permit does not give authority to violate or cancel any other state or local law or regulation governing construction or land use.

Jasmine Park
Authorized By

9.22.23
Date

FINAL INSPECTION

The above system has been inspected and found to comply with the requirements as described on the issued permit.

DUDLEY ASHWOOD
1961 THUNDERBIRD RD
HESPERUS, CO 81326

System Designed by (name, company, phone)

Finalized By

Date

Adequate Water Source

Notice of Intent to Make Absolute

N.O.I. # _____
(Assigned by SWCD)

The below identified applicant hereby notices its intent to make absolute an increment of the Animas Service Area conditional water right decreed in Case No. 06CW127 consistent with the terms and conditions decreed therein. Use additional pages as needed.

Applicant Information:

Name: **Adam Rex** Telephone: **435-618-1119**

Email Address: **rexexcavation@gmail.com**

Mailing Address: **PO Box 178 Escalante Utah 84726**
(The approved NOI will be mailed to this address)

Prospective Water Right Increment Information:

Proposed Use of Water (e.g. domestic, irrigation, commercial):

Domestic

Proposed Source (groundwater, surface water):

Surface Water

Proposed Place of Use (include parcel # if possible):

4829000010452

Anticipated Amount of Depletions (number of acres irrigated, stock use, domestic surface area, and pond evaporation, etc. in the time periods per the 06CW127 decree). Please carry out to the 6th decimal place:

We want to use the water from a spring on my property for a 4 bedroom, 2 bathroom home on said property.

The applicant is advised and recognizes that the execution of this Notice of Intent to Make Absolute confers no right, title, or interest in water beyond the right to perfect an increment of the Animas Service Area conditional water right consistent with the decree in Case No. 06CW127.

Applicant is hereby given authority by Southwestern Water Conservation District and La Plata County to file an application to make the conditional water right absolute pursuant to the terms and conditions in Case No. 06CW127. The Southwestern Water Conservation District and La Plata County reserve the right to file opposition to such claim if deemed necessary.


Signed for the Applicant, (Title)

3-6-23
(Date)

Adam Rex

Printed Name

Governmental Endorsements:

La Plata County

(Date)

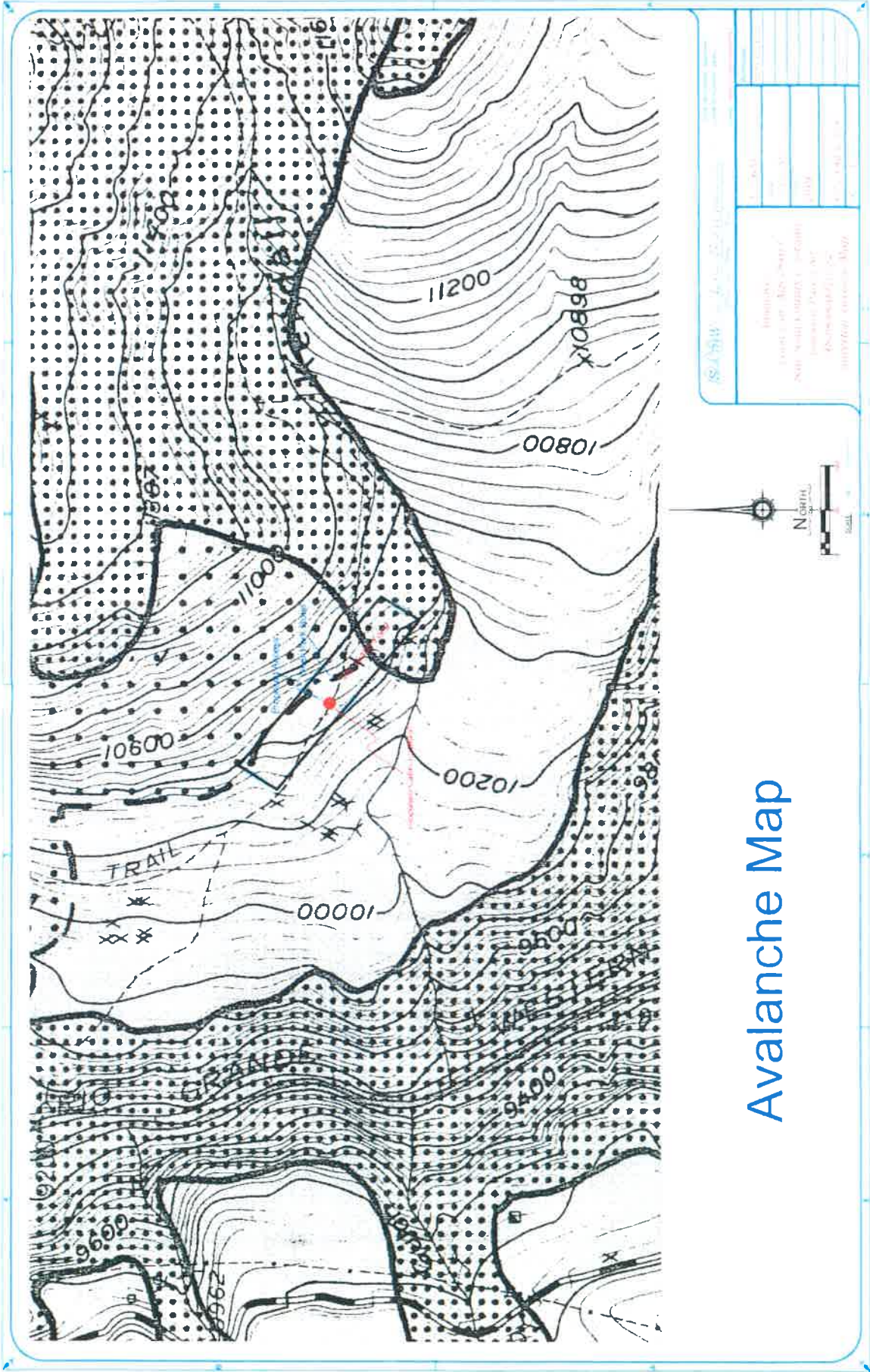
Printed Name

SWCD

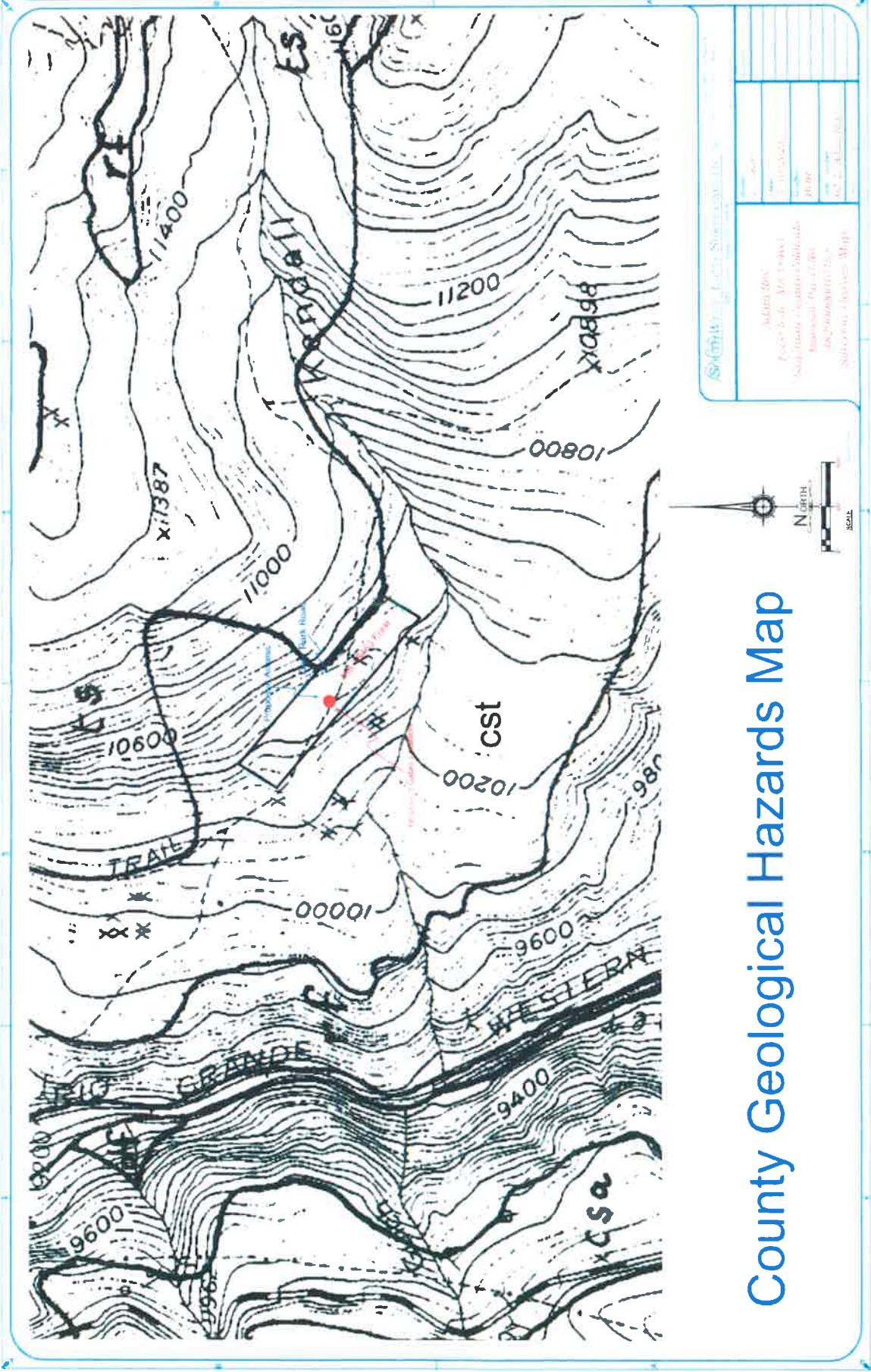
(Date)

Printed Name

Survey, Geologic Hazard, Avalanche Hazard Maps



Avalanche Map



County Geological Hazards Map

San Juan Board of County Commissioners

Re: First Lode Backcountry Lodge

To the respected San Juan Board of County Commissioners,

San Juan Expeditions is the only year-round guide service headquartered in Silverton, uniquely qualified to share our world-class backyard with locals, visitors, and return clients. Offering programs to match any experience level, from novice to expert, SJE looks forward to having our AMGA educated & professionally certified guides foster an unforgettable experience for all clients in Silverton.

Our commitment extends beyond guiding adventures; we proudly support various local businesses, including local establishments like Avalanche Brewery, The Coffee Bear, Eureka Station, and numerous other year-round restaurants that contribute to the vibrancy of Silverton. In addition to fostering partnerships with local restaurants, we collaborate with and operate programs from various lodging locations, such as huts off of Red Mtn Pass, and maintain partnerships like the Avon Hotel, the Wyman Hotel, and the Silverton Lodge. This ongoing support is rooted in our dedication to sustaining the long-term viability of Silverton's year-round economy.

We anticipate supporting the build of the Forest Lode Property on Kendall Mountain. In collaboration with Adam and Spencer, we aim to guide guests to and from the lodge during winter months, weather and avalanche conditions permitting. With existing BLM and Forest Service permits, we can currently guide to and from the lodge.

During winter, our team of 14-18 guides, all equipped with Wilderness First Responder Certifications, AMGA Ski Guide Courses or AIARE certifications, and many with EMT certifications, play a vital role. Some guides also engage in Search and Rescue with Silverton Medical Rescue. Opening the opportunity to guide guests to the lodge not only benefits our business but also offers more terrain options for locals and visitors seeking guided experiences, creating unforgettable moments for all.

For client parking, we utilize the designated parking area next to our office at 1303 Greene St. Overnight parking is managed with adherence to our RED ALERT SYSTEMS. We kindly request the approval of the County Commissioners for the proposed use of the house as a backcountry lodge in winter, emphasizing guided access only in the winter. This approval would not only enhance our business and provide more employment for our local guides but also contribute positively to the entire community.

Sincerely,

Sarah Moore

San Juan Expeditions Manger

Office: 970.460.6065

MEMORANDUM

January 16, 2024

TO: San Juan Regional Planning Commission

FR: William A. Tookey

RE: Gladstone Girl

Charles and Bruce Hoch have submitted an Improvement Permit application for the development of a 1000 Sq. Ft. cabin, storage shed, driveway and associated utility improvements on the Gladstone Girl MS 17271. The property is located near Gladstone and will be accessed by Country Road 51.

The property is currently owned by Charles V. Hoch and Bruce A. Hoch. They also own the adjoining Golden Eagle.

The application fees have been paid.

The adjacent landowners have been notified via US Mail of the proposed Improvement Permit application. The list of adjacent property owners and copy of the letter are included.

Mountain Zoning District requires a minimum parcel or lot area of 5 acres with a setback of 20 feet from public lands and 30 feet from private property lines.

The Gladstone Girl is specified by the applicant to be 4.82 acres. The Gladstone Girl survey specifies that the acreage is 3.59 neither meets the minimum lot area.

The proposed cabin would exceed the setback requirements.

The proposed development is above 11,000 feet in elevation and will need to meet the limitations of floor area of 1000 sq. ft. for the cabin and 200 sq. ft for the shed.

The proposed development is located within the Historic Preservation Zone.

The applicant has substantially met the requirements for application submittals as required by 3-102 Requirements for Uses and Improvements.

All applications for review will be examined initially to determine whether the proposal is consistent with the County's Master Plan.

Master Plan Strategy LU-2.1 Encourages future development in the economic corridors which include the upper Animas Valley from Silverton to Eureka, Cement Creek from Silverton to Gladstone and the South County Line to just above the Mill Creek Subdivision. And Strategy LU-2.2 Identify

areas in the growth corridors that are suitable for residential use considering natural hazards, habitat resources, scenic impacts and sensitivity to residential land uses. The proposed development is not located in the identified growth corridors. However, the Master Plan notes that private property rights are respected in San Juan County. The Plan also states that residential development on mining claims are to be built in low-visibility places outside of environmentally sensitive areas, leaving visible ridgelines and other scenic resources undeveloped and minimizing the impacts on the environment. I believe this application is attempting to meet the intent of the Master Plan.

- a. Adequate potable water is available or can be developed to safely support the proposed use.

The applicant has obtained conditional approval for surface water rights from Minnehaha Creek. The applicant would divert water to a holding pond. The applicant would demonstrate use and file for absolute water rights. If for some reason the applicant is unable to secure absolute water rights they would install a storage tank and haul water to the property.

- b. Adequate sewage disposal can be provided to support the proposed use.

The applicant will install an engineered and permitted septic system on the site. The applicant will need to submit a permit application to La Plata County Public Health.

- c. Will the proposed use have any adverse impact on public or private property in the vicinity of the development?

The proposed improvements should have minimal impact on the adjoining properties. Adjoining property owners have been notified and at this time I have not received any comments from them.

- d. Will the proposed use have any adverse effect on scenic values, historic sites or structures, air or water or environmental quality, wildlife, erosion or other geological conditions?

- 1. **The applicant has included a scenic quality report. It appears that the cabin has been located to minimize the visual impact. The applicant should construct a story pole on the cabin site equal to the maximum height of the cabin to better determine what the potential visual impact may be. The driveway may create a visual impact on the area as well.**

- 2. **I do not believe that the site has any historic significance, but I have not may a visit to the site. If it appears that there is any potential that the site has any historical significance or historic artifacts on site, the Historic**

Review Committee would need to visit the site for review and recommendation prior to the issuance of the permit. If any artifacts are discovered during construction the project would be shut down until the Historic Review Committee has the opportunity to review the site.

3. The improvements should create minimal adverse impacts upon wildlife. All solid waste, garbage and refuse must be kept within the building, in a separate secure enclosed area or in wildlife/bear-resistant containers until it is properly disposed of at the Transfer station.

e. Adequate road access exists or can be developed to ensure access appropriate to the use.

The applicant will access the property via CR 51. An Easement has been granted to the applicant to allow for access via the Gold Bar No. 3 Lode.

f. The design and development of the site shall preserve, insofar as possible, the natural terrain and drainage of the land, the existing topsoil and existing vegetation. Disturbed areas shall be revegetated with native plant species certified weed free as soon as possible after disturbance in order to prevent the establishment and dominance of non-native invasive species.

The proposed improvement will preserve, insofar as possible, the natural terrain and drainage of the land. All disturbances will be revegetated with native plant species certified to be weed free.

g. Sites subject to hazardous conditions, for example avalanche, flood, land slide, rock fall, mud flow, open mine shaft, corrosive water, etc., shall be identified and shall not be built upon or used until satisfactory plans have been approved by the County for eliminating or appropriately mitigating such hazards. The provisions of Chapters 8, 9, 10 and 11 shall govern the evaluation of those natural hazards covered by such provisions.

It appears that the property is not located within an avalanche zone.

It appears that the proposed development is identified on the Geologic Hazard Map as csa-Accelerated colluvial slopes. Accelerated colluvial slopes are the most continuously active of the colluvial slopes. The soil experiences continuous creep or episodic surface erosion from gullyng during summer thunderstorms and remains thin over all but the base area of the slope. It is recommended that a geotechnical study be completed to determine adequate foundation and construction.

The Wildfire Hazard requires that the applicant be in compliance with 4-110.13 and 4-110.15. of the Zoning and Land Use Regulations.

- h. The applicant shall permit continued public access to any historic public trails that cross the property.

I am not aware that there are any public trails that cross the property. I will need to do a site visit to identify any historic public trails that may cross the property. If any trails are identified, they will need to be added to the certified survey plat.

- i. Individual building sites shall be placed on the Town of Silverton's utility billing system for water and refuse when water is hauled to the site., Any applicant who shows that it is obtaining water from an approved permitted well or is purchasing water from an acceptable source of potable water other than the Town of Silverton may be permitted to be placed on the Town of Silverton's billing system for refuse only.

The applicant will be required to be placed on the Town's utility billing system for refuse. Should the applicant haul water to the site they will then be required to be placed on the Town's utility billing system for water.

The applicant has also requested a Variance or an Exemption to the minimum 5 acre requirement. The County has previously approved such variances for properties that are slightly less than the minimum 5 acre requirement. Section 1-111.5 of the Zoning and Land Use Regulations allows that "Nonconforming lots, pursuant to pre-existing subdivision plats of record at the time of passage of this resolution, may be built upon providing that all other relevant district requirements are met." While the property in question is not part of a pre-existing subdivision the purpose of the regulation has been used to justify allowing development on a parcel that is slightly smaller than required. However, 3.59 acres is considerably smaller than previously approved parcels.

The applicant also owns the adjoining Golden Eagle property. To meet the minimum lot area, it is staff's recommendation that the applicant consolidate the Gladstone Girl and Golden Eagle MS #17271 into on parcel. This would bring the application into compliance with the minimum lot area it would also help to minimize impacts to the area. Also, Section 1-107.1 requires 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. As long as both properties are under current ownership it could be extremely difficult to develop the Golden Eagle.

The Planning Commission has two separate items to make a recommendation on. The first is the improvement permit to allow for the construction of a single-family dwelling. The second is for a variance or exemption concerning minimum land area. The Planning Commission has the option to recommend approval as submitted, denial, or approval with condition.

Should the Planning Commission choose to recommend approval of the improvement permit to construct a single-family dwelling on the Gladstone Girl, 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 Gladstone Girl 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. That a On-Site Wastewater Treatment Permit application be submitted to the La Plata County Public Health Department.
4. The Land Use Administrator visits the site prior to the Preliminary/Final review.
5. That the proposed improvements are identified and staked on site by a Colorado Licensed Surveyor.
6. The driveway will need to be staked by a Colorado Licensed Surveyor. Grade and width specification concerning the driveway be provided and that the visual impact of the driveway be considered.
7. A Cumulative Impact Report will need to be completed prior to Preliminary/Final Plan Appearance.
8. That a geotechnical study be completed to determine adequate foundation and construction prior to the issuance of a building permit.
9. That the applicant be placed on the Town of Silverton's Utility billing system for refuse.
10. The failure to comply with these conditions shall be grounds for the revocation of this Land Use Permit.
11. Any other conditions that the Planning Commission deems necessary.

December 13th, 2023

San Juan County Planning Commission
ATTN: Willy Tookey, County Administrator
1557 Greene St
PO Box 466, Silverton, CO 81433

Subject: Application for Improvement Permit – Sketch Plan Review

Proposed Hoch Cabin located at Gladstone Girl Lode Mining Claim, Mineral Survey No. 17271, Eureka Mining District, San Juan County, Colorado.

Dear Willy and Commissioners,

This submittal has been prepared to describe the proposed improvements at Gladstone Girl Lode and Golden Eagle Lode sharing the same MS# 17271, both claims owned by brothers Charles V. Hoch and Bruce A. Hoch.

The attached documents have been prepared for a San Juan County Application for Improvement Permit as a "Sketch Plan Review". The Applicant requests review of this project by the Planning Commission at their meeting on December 19, 2023, and to consider approval to begin the development of a driveway which would allow us to dig test pits for necessary geotechnical reports and septic design.

The proposed improvements consist of a 921 SF cabin, 158 SF attached uncovered deck, 200 SF accessory building, and associated utility improvements, all of which can be accessed by a new driveway off County Road 51.

Additionally, attached in this submittal is a request in writing for a variance or exemption of the 5 acre minimum for improvement, or a boundary adjustment to join the Gladstone Girl and Golden Eagle into 1 mining claim.

Thank you for your consideration of this application for improvements. Please contact Charles Hoch if you have any questions.

Sincerely,



Charles V Hoch
970-759-5960

To whom it may concern,

Allow us to introduce ourselves and provide some insight into our aspirations for enhancing the Gladstone Girl Lode located in Minnehaha Gulch. We, Charlie and Bruce Hoch, grew up in Pagosa Springs but have since settled in Durango, CO. Our spouses, Olivia and Rachel, complement our lives; Olivia, a former nurse in the neonatal ICU at Mercy Hospital in Durango, and Rachel, an active contributor to non-profit organizations. Together with Olivia, Charlie is a proud father to two daughters, Lillian and Emily. Professionally, Bruce and I have been in product development for over ten years, using our creativity to invent new products across countless industries.



Our connection to Colorado runs deep, having spent the majority of our lives here. Our journey with Silverton began in 2004, where I, Charlie, will never forget my first day at 13,000ft watching the sunrise while I strapped into my snowboard in the backcountry for my first time. The course of my life was forever changed after that morning. For over 15 years, we've been drawn to Silverton for its skiing and snowboarding opportunities and Charlie spent three epic years living on Greene Street in Silverton from 2007 to 2010. The aspiration to own a cabin in the San Juans has always been a cherished goal of ours. During summer, we're often found hiking and riding dirt bikes across the San Juans, while winter sees us indulging in our greatest passion: snowboarding and snowmobiling. We take the risks associated with remote recreation seriously, continually enhancing our skills in avalanche safety and first aid.

Our quest for a mountain property began in 2016. After several attempts on other mining claims, the opportunity to acquire the Gladstone Girl Lode presented itself, and we seized it, recognizing its potential for fulfilling county and district building requirements. In November 2022, following thoughtful deliberation and savings, we decided to move forward with the purchase due to its ideal location and natural surroundings. Then in October 2023, we were lucky enough to acquire the neighboring claim, Golden Eagle Lode. Both initially purchased under our personal names, we plan to transfer ownership to our LLC, ensuring this property remains a family legacy for generations.

As outdoor enthusiasts, we deeply value and strive to protect nature. Our planning process is mindful of preserving the natural environment and scenic beauty of Minnehaha Gulch. While the cabin will be a new addition, we aim for minimal impact, integrating it seamlessly into the landscape.

This place is more than just a vacation spot to us; it's where we intend to spend considerable time with our family and friends, embracing the area's epicness year round. We are active in the San Juan community and even own property in Silverton's economic district, hinting at our future business endeavors in the town.

We eagerly await your feedback and look forward to collaborating in this building venture. Thank you for considering our application.

Sincerely, The Hoch Family

Application for Improvement Permit

Sketch Plan Submittal

The Hoch Cabin

TBD CR 51 Gladstone Girl MS #17271
San Juan County, CO



Applicants:

Charles V Hoch
26 Boulder View Dr
Durango, CO 81301
970-759-5960

&

Bruce A Hoch
42 Boulder View Dr
Durango, CO 81301
970-769-2117

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San Juan County Application for Improvement Permit

San Juan County, Colorado
Application for Improvement Permit

| | | APPROVAL CHECKLIST | | Initial | Date |
|--|-----------------|-----------------------------------|--------------|----------------------|------|
| Applicant | Name | Charles V Hoch & Bruce A Hoch | | | |
| | Address | 26 Boulder View Dr | | | |
| | | Durango, CO 81301 | 970-759-5960 | Phone | |
| Owner | Name | Same as applicant | | | |
| | Address | Same as applicant | | | |
| | | | Phone | | |
| Contractor | Name | TBD | | | |
| | Address | | | | |
| | | | Phone | | |
| Legal Description of Property: | | Road System Relationship | | | |
| Gladstone Girl Lode Mining Claim, Mineral Survey No 17271 | | Zoning Compatibility | | | |
| | | State Milling Permit | | | |
| | | Owner Notification | | | |
| | | Avalanche Hazard | | | |
| | | Geologic Hazard | | | |
| | | Floodplain Hazard | | | |
| | | Wildfire Hazard | | | |
| | | Mineral Resource Impact | | | |
| | | Wildlife Impact | | | |
| | | Historic Site Impact | | | |
| Watershed Gearance | | | | | |
| Township 12 N, Range 7W, Section 21 | | County Building Inspector | | | |
| Nature of Improvement Planned: | | Building Permit | | | |
| Proposed single-family cabin and shed structure, with associated utility and access improvements | | State Electrical Inspector | | | |
| | | Electrical Permit | | | |
| Land Use Zone: Mountain Zone | | San Juan Basin Health Unit | | | |
| Applicant Signature | | Sewage Disposal: Test | | | |
| | | Design | | | |
| Date Application Requested | | Central Sewage Collection | | | |
| Date Submitted for Permit | | State Division of Water Resources | | | |
| Date Permit Issued | | Adequate Water Source | | | |
| Date Permit Denied | | Well Permit | | | |
| Reason for Denial | | Central Water Distribution | | | |
|  | | U.S. Forest Service-BLM | | | |
| | | Access Approval | | | |
| | | State Division of Highways | | | |
| Receipt | | FEE PAYMENT | | | |
| | Application | Amount | Date | Driveway Permit | |
| | Building Permit | | | | |
| | Subdivision-PUD | | | Subdivision Variance | |
| | Hearing Notice | | | Subdivision Approval | |
| | | | | PUD Approval | |

Warranty Deeds

Gladstone Girl Lode, Deed

154845
Page 1 of 2
SAN JUAN COUNTY, COLORADO
LADONNA L. JARAMILLO, RECORDER
11-02-2022 03:52 PM Recording Fee \$18.00

State Documentary Fee
\$8.50 11-02-2022

State Documentary Fee

SPECIAL WARRANTY DEED

Date: November 2, 2022

THIS DEED, Made this 2nd Day of November, 2022

\$ 8.50

Between ROBERT I. WILLIAMS, WILLIAM A. KAELIN, JEANNETTE J. KAELIN and JOSEPH J. KAELIN

of the County of Alameda and State of California, grantor

and CHARLES V. HOCH and BRUCE A. HOCH

whose legal address is 26 Boulder View Dr
Durango, CO 81301

of the County of La Plata and State of Colorado, grantee

WITNESSETH, That the grantor for and in consideration of the sum of
-----TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION-----
the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents
does grant, bargain, sell, convey and confirm, unto the grantee, their heirs and assigns forever, not in tenancy in common but in
joint tenancy, all the real property together with improvements, if any, situate, lying and being in the County of San Juan and
State of Colorado described as follows:

The GLADSTONE GIRL Lode Mining Claim, Mineral Survey No. 17271, Eureka Mining District, San
Juan County, Colorado.

LESS AND EXCEPT any portion of the above named mining claim, within overlapping senior mining
claims whether excepted or not in the patent for the above described Gladstone Girl Lode Mining
Claim.

As known by street and number as: TBD CR 51 Gladstone Girl
Silverton, CO 81433

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining,
and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right,
title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained
premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the
grantee, their heirs and assigns forever. The grantor, for himself, his heirs, personal representatives, successors does covenant,
and agree that the grantor shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and
peaceable possession of the grantee, their heirs and assigns, against all and every person or persons lawfully claiming the whole
or any part thereof, by, through or under the grantor, except 2022 taxes due and payable in the year 2023.
Subject to Statutory Exceptions as defined in CRS § 38-30-113(5).

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all
genders.



11-02-2022

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

Robert I. Williams
ROBERT I. WILLIAMS

William A. Kaelin by Robert I. Will as Attorney-in-Fact
WILLIAM A. KAE LIN BY ROBERT I. WILLIAMS AS ATTORNEY IN FACT

Jeannette J. Kaelin by Robert I. Williams as Attorney-in-Fact
JEANNETTE J. KAE LIN BY ROBERT I. WILLIAMS AS ATTORNEY IN FACT

Joseph J. Kaelin by Robert I. Williams as Attorney in Fact
JOSEPH J. KAE LIN BY ROBERT I. WILLIAMS AS ATTORNEY IN FACT

STATE OF COLORADO
COUNTY OF LA PLATA

The foregoing instrument was acknowledged before me this 22ND Day of September, 2022.

By: ROBERT I. WILLIAMS INDIVIDUALLY AND AS ATTORNEY IN FACT FOR WILLIAM A. KAE LIN,
JEANNETTE J. KAE LIN and JOSEPH J. KAE LIN

My commission expires July 21, 2025

Witness my hand and official seal
Renee Jo Friedenberg
Notary Public

RENEE JO FRIEDENBERG
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20174030807
MY COMMISSION EXPIRES 07/21/2025

Golden Eagle Lode, Deed

RECORDED DATE: 11/16/23
COUNTY: San Juan
REC. NO. 155741

WARRANTY DEED

THIS DEED, Made this 13th Day of November, 2023
Between **MARY SUE PAGE and NINA PAGE AKA NINA FAYE PAGE**
of the County of San Juan and State of New Mexico, grantor
and **CHARLES V HOCH and BRUCE A HOCH**

State Documentary Fee
Date November 15, 2023
13.50

whose legal address is: 36 Boulder View Drive
Silverton, CO 81401
of the County of La Plata and State of Colorado, grantee

WITNESSETH, That the grantor for and in consideration of the sum of
..... **TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION**

The receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, their heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of San Juan and State of Colorado described as follows:

The **GOLDEN EAGLE LODGE**, Mineral Survey No. 17271, Eureka Mining District, San Juan County Colorado.
LESS AND EXCEPT any portion of the above named mining claim, within overlapping senior mining claims whether excepted or not in the patent for the above described Lodes Mining Claims.

As known by street and number as: **TBD CR 51 GOLDEN EAGLE**
Silverton, CO 81433

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversions and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee, their heirs and assigns forever. The grantor, himself, his heirs and personal representatives, does covenant, grant, bargain, and agree to and with the grantee, their heirs and assigns, that at the time of the executing and delivery of these presents, he is well seised of the premises above conveyed, his good, true, perfect, absolute and indivisible owner of substance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, leases, taxes, assessments, encumbrances and restrictions of whatever kind or nature so ever, except: 2023 taxes due and payable in the year 2024. Subject to Statutory Exceptions as defined in CRS § 38-30-113(5).

The grantor shall and will **WARRANT AND FOREVER DEFEND** the above bargained premises in the quiet and peaceable possession of the grantee, their heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

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

Mary Sue Page
MARY SUE PAGE
Nina Page
NINA PAGE AKA NINA FAYE PAGE



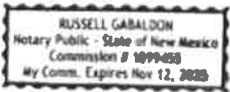
STATE OF NEW MEXICO
COUNTY OF SAN JUAN

The foregoing instrument was acknowledged before me this 13th Day of November, 2023

By: **MARY SUE PAGE and NINA PAGE AKA NINA FAYE PAGE**

My commission expires: Nov. 12, 2025

Witness my hand and official seal
[Signature]
Notary Public



WARRANTY DEED

Project Narrative

Applicant Name

Charles V Hoch & Bruce A Hoch of Durango, CO

Project Location

The Golden Eagle & Gladstone Girl Lode Mining Claims, Mineral Survey No. 17271, Eureka Mining District, San Juan County, Colorado. As known by street and number as: TBD CR 51 Gladstone Girl Silverton, CO 81433

Proposed Development

Driveway and Single Family Residential Cabin with Garage and Separate Storage Shed and associated utility improvements.

Zoning

Mountain Zoning District

Acerage

4.82 acres (8.552 effective acres when combined with Golden Eagle)

Water Service

The applicant has obtained conditional approval for an increment of the Animas Service Area in surface water right to use surface water and the Minnehaha Creek as their primary water source for their cabin. The applicant plans to divert water and construct a water holding pond located approximately 150-200 feet east of the proposed cabin, which is shown on the plans included with this application. Documentation for conditional approval is included with this application for reference.

Once the applicant has put the water to beneficial use and collected data, they will go through the process of obtaining a decree from the Division 7 Water Court. If for whatever reason the surface water right cannot be adjudicated as absolute by the Division 7 Water Court, the applicant will install a water storage tank and haul water to the property.

Sewer Service

The applicant has received conditional feasibility approval to implement an Onsite Wastewater Treatment System (OWTS) from Trautner Geotech. As noted in the feasibility study, access to the property is limited because of the absence of a road; however based on aerial photos and the known local topography and geology, Jason Deem notes he is confident that the soil should conform to Regulation #43. Jason continues to affirm if it is found the soil cannot conform to Regulation #43 after proper equipment can access the site, other acceptable methods can be implemented to create a conforming OWTS.

Applicants are looking for construction approval of the Driveway Permit (included with this Sketch Plan Submittal), this will allow for test pit and septic design work to be properly completed.

Power

The cabin will operate independently from the grid and rely on solar energy harnessed by panels, which will be situated on the roof for optimal sunlight absorption. Most appliances, including the water heater, are intended to run on electricity. The kitchen stove will run on propane. In case of power outages or solar panel malfunctions, the applicant plans to utilize a propane backup generator. The generator's location is indicated on the site plan accompanying the application, and the applicant will transport medium-sized propane tanks to the property as necessary to power the generator.

Phone

The applicant plans to have a portable remote Starlink satellite on site at all times for internet connectivity improving the safety and welfare of the applicant and users in the area.

Heating

Wood will be the primary source of heat for the proposed cabin. The applicant plans to use a wood burning stove as the primary source of heat for the cabin. Firewood will be hauled to the site.

Exterior Lighting

For safe egress, there will be exterior lighting however, it will be minimal to ensure the beautiful dark sky is not polluted. Exterior lighting will conform with the current requirements of San Juan County Dark Sky code.

Solid Waste Management

The applicant will be responsible for trash removal from the property. On-site trash will be contained within the building or within a wildlife/bear-resistant trash receptacle at all times until it is disposed of at the Transfer Station for the required fee.

Landscaping

Revegetation and landscaping screening can be provided by the applicant in accordance with the requirements of San Juan County to preserve the natural appearance of the area. Regardless of the fact the proposed cabin will not be visible from any county road or existing structures (and likely any future potential structures) it's the applicants' pride to keep the build site naturally safe and aesthetic. The applicant will create a defensible space around the proposed cabin by removal of combustible ground cover and thinning of trees and shrubs near the cabin, as recommended by the Colorado State Forest Service Firewise Practices.

Access

The property is accessed by County Road 51 via County Road 53 via County Road 110 (Cement Creek Road) approximately 6 miles north of the town of Silverton and approximately 1 mile north of the base of Silverton Mountain Ski Area. The proposed cabin will be accessed by a new driveway connected to the first switchback of County Road 51. The applicant has proposed 4 variations for connecting the Golden Eagle Lode to County Road 51; these options can be found in Section 4.G) Driveways of the Scenic Quality Report. The proposed driveway may utilize a recorded easement deed through Gold Bar No. 3 Lode USMS No. 15061A.

The applicant has submitted an application for a possible BLM Right of Way to connect County Road 51 and the new proposed access road driveway. The BLM Right of Way application and timeline of progress is included in this Sketch Plan.

The driveway will comply with all road requirements and all comments received by the County Department Supervisor pertaining to required culvert, turning radius, soil, gravel, setbacks and respected easements.

Surveying

For the purposes of this Sketch Plan, the applicant has utilized survey data by Southwest Land Surveying LLC. via County Record #147955. The applicant has also received and approved a proposal from Southwest Land Surveying LLC to conduct a certified survey of the Golden Eagle and Gladstone Girl Lodes to be completed in the spring of 2024.

Subsurface Conditions

Subsurface conditions will be tested and recorded by Trautner Geotech LLC once a Driveway Permit is issued, and the driveway is constructed to allow a site visit. The final design for the proposed cabin foundation will take into consideration the characteristics of the soils, slopes and potential geological hazards in a manner intended to protect the health, safety and welfare of the applicant and users in the area.

Foundation

The intended foundation for the proposed cabin will consist of a foundation with stem wall and strip footers, and potentially pier and spot footers, that will extend below frost depth and 12" minimum below native grade. The deck will include wood posts with concrete spot footings that will extend below frost depth.

Building Envelope:

The proposed cabin site and building envelope will be located Southeast of County Road 51 and South of the Minnehaha Creek. The creek is far removed and positioned lower in elevation in its closest proximity to the site, separated by a steep slope. The proposed site best utilizes the natural topography, with the cabin situated on a lesser sloped bench that contains less vegetation, which will require less disturbance at the building site. The cabin site also promotes a good balance of privacy, safe and feasible driveway access, and constructability.

County Geohazards Map

The applicant was unable to find a Geohazard Map on the San Juan County website or through other search methods that included the location of the Gladstone Girl Lode. This leads the applicant to the assumption that the mining claim is not located in a Geo-Hazardous area. The applicant did however find soil data maps which are included in the Proposed Site Plan within this application.

County Avalanche Map

Based on the information and maps found on the San Juan County website or through other search methods, the applicant has concluded that the proposed building site is not in an avalanche hazard zone. Key Map Reference [San Juan County Avalanche Atlas 1976.pdf](#)

Elevation at Structure

The floor elevation of the proposed cabin is approximately 11,070 feet. The San Juan County Land Use Code section 4.20 Square Footage Limitations requires a maximum floor area of 1,000 SF for residential development above 11,000 feet in elevation.

Structure Size

The proposed cabin design has a floor area of 921 SF with a 158 SF uncovered deck. Since the deck is uncovered and more than 30 inches above grade, the 158 SF is calculated at 50% of the actual area, so a total of 79 SF, making the combined floor area 1,000 SF.

Structure Height

The proposed cabin will have a height of 28'5".

Deck/Porch Information

The deck will be 158 SF and more than 30 inches above the front grade. It will include wood posts with concrete spot footings that will extend below the required 12" frost depth.

Construction Style

The simple a-frame form and wood siding material selection most reflect the classic mountain contemporary style, with a focus on the surrounding views to the South and Southeast by orienting the cabin and deck towards the views of Storm Peak and Velocity Basin.

Building Plans

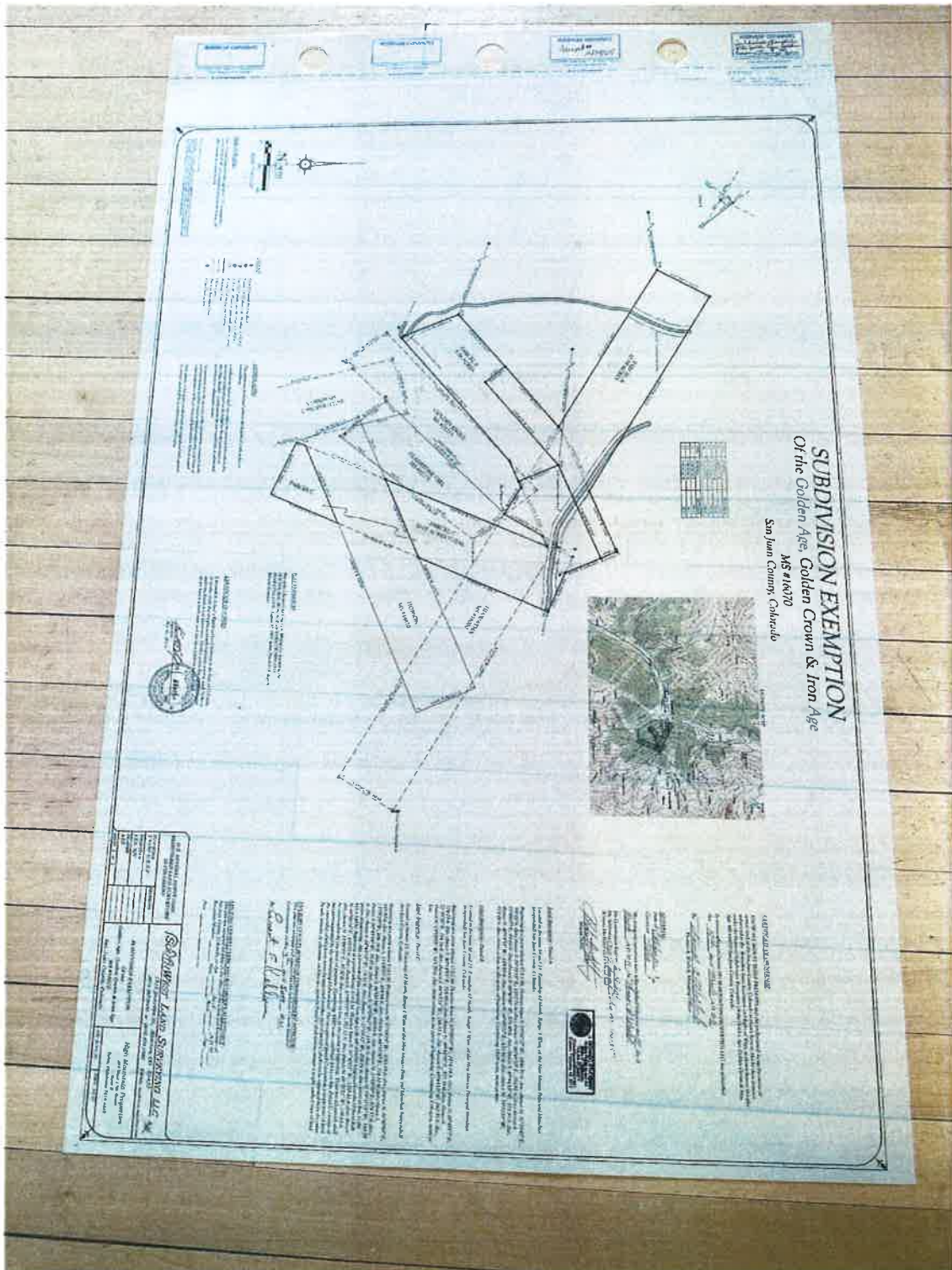
Preliminary building plans for the proposed cabin are included in the Proposed Site Plan section of this Sketch Plan application.

Building Materials

The applicant plans to use colors and materials that embody the local area and mining history. A colorized rendering of the cabin, which shows proposed building materials and design vernacular, is included in the Scenic Quality Report for your review. The proposed materials consist of the following:

- Wood for upper siding
- Dark colored metal roof with matching trim
- Dark colored window frames to match metal
- Metal posts and railing at deck
- Low-reflective glass
- Native rock for retaining walls

Survey Drawing by Southwest Land Surveying LLC
San Juan County Record #147955



Gladstone Girl Lode, Attributes

Legal Description: The Gladstone Girl Lode Mining Claim, Mineral Survey No. 17271, Eureka Mining District, San Juan County, Colorado.

As known by street and number as: TBD CR 51 Gladstone Girl Silverton, CO 81433

| GISid | Schedule | Seq | PreviousSchedule | ClaimName | MineralSurvey |
|-------|----------------|-----|------------------|----------------|---------------|
| 3590 | 47750210050012 | 1 | n/a | GLADSTONE GIRL | 17271 |

Patent

42937

| Acres_Legal | Road_Distance | Elev_MIN | Elev_MAX | Elev_MEAN | Slope_MIN | Slope_MAX | Slope_MEAN |
|-------------|---------------|----------|----------|-----------|-----------|-----------|------------|
| 4.82 | 260 | 11000 | 11231 | 11099 | 3 | 66 | 30 |

| TaxDistrict | EconomicArea | MiningDistrict | Twp | Rng | Sec | Aspect_MIN | Aspect_MAX | Aspect_MEAN | X_Coord | Y_Coord | Shape_Length | Shape_Area |
|-------------|--------------|------------------------|-----|-----|-----|------------|------------|-------------|-------------|-------------|--------------|-------------|
| 101 | at large | EUREKA MINING DISTRICT | 42 | 7 | 21 | 0 | 358 | 263 | 2381512.782 | 1451563.931 | 2205.830969 | 209924.1377 |

| ScheduleQty | ClaimsPerSurvey | AbstractCode | AbstractDescription | MineralEstate |
|-------------|-----------------|--------------|-----------------------|---------------|
| 1 | 2 | 5140 | Patented Mining Claim | unsevered |

Golden Eagle Lode, Attributes

Legal Description: The Gladstone Girl Lode Mining Claim, Mineral Survey No. 17271, Eureka Mining District, San Juan County, Colorado.

As known by street and number as: TBD CR 51 Gladstone Girl Silverton, CO 81433

| GISid | Schedule | Seq | PreviousSchedule | ClaimName | MineralSurvey |
|-------|----------------|-----|------------------|--------------|---------------|
| 3825 | 47750210050007 | 1 | n/a | GOLDEN EAGLE | 17271 |

| Patent |
|--------|
| 42937 |

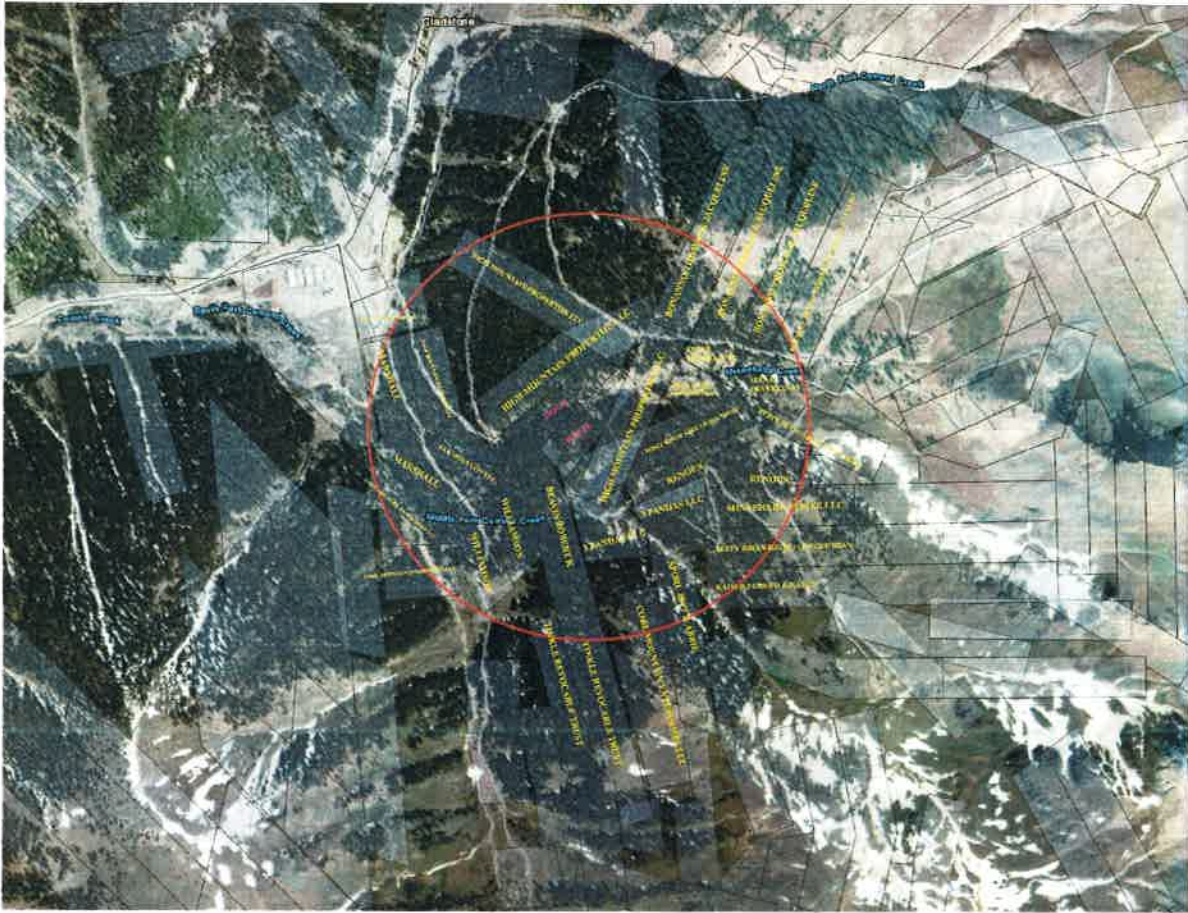
| Acres_Legal | Road_Distance | Elev_MIN | Elev_MAX | Elev_MEAN | Slope_MIN | Slope_MAX | Slope_MEAN |
|-------------|---------------|----------|----------|-----------|-----------|-----------|------------|
| 5.82 | 47 | 10782 | 11240 | 10998 | 0 | 57 | 34 |

| TaxDistrict | EconomicArea | Mining District | Twp | Rng | Sec | Aspect_MIN | Aspect_MAX | Aspect_MEAN | X_Coord | Y_Coord | Shape_Length | Shape_Area |
|-------------|--------------|------------------------|-----|-----|-----|------------|------------|-------------|-------------|-------------|--------------|-------------|
| 101 | at large | EUREKA MINING DISTRICT | 42 | 7 | 21 | -1 | 351 | 241 | 2381273.677 | 1451666.039 | 2920.10 | 204501.1234 |

| ScheduleQty | ClaimsPerSurvey | AbstractCode | AbstractDescription | MineralEstate |
|-------------|-----------------|--------------|-----------------------|---------------|
| 2 | 2 | 5140 | Patented Mining Claim | unsevered |

Combined Acres

| Combined Acres_Legal | Combined Effective Acres |
|----------------------|--------------------------|
| 10.64 | 8.557 |



List of Adjacent Landowners within Approximately 1,500 ft Radius

- JOY MANUFACTURING CO C/O JOY GLOBAL INC, 135 S 84TH ST STE 300 - MILWAUKEE, WI 53214
- MARSHALL BERTRAND A LLC, PO BOX 856 - SILVERTON, CO 81433-0856
- CORE MOUNTAIN ENTERPRISES LLC, PO BOX 856 - SILVERTON, CO 81433-0856
- JAA MOUNTAIN LLC, PO BOX 856 - SILVERTON, CO 81433-0856
- WILLIAMSON LORENA J REV TRUST, 409 PASADENA DR - LAWRENCE, KS 66049-1993
- HIGH MOUNTAIN PROPERTIES LLC, 205 W 17TH ST APT E - TULSA, OK 74119-4645
- BEAVIS ROBERT K, 5605 COMETA PL NE - ALBUQUERQUE, NM 87111-1411
- BONANNO THOMAS & JACQUELINE, 250 E PARK AVE - DURANGO, CO 81301-5041
- BEHNKEN TRUST / BEHNKEN JAMES G & ANNALISA P, 1605 MONTE LARGO DR NE - ALBUQUERQUE, NM 87112-4892
- SPEAR FRANKLIN M, 5728 92ND ST - LUBBOCK, TX 79424-4537
- PERCE REVOCABLE LIVING TRUST / GEORGE S & KAREN LEE PERCE, PO BOX 1264 - TUBAC, AZ 85646-1264
- AIKEN JAMES AND ROSEMARY, PO BOX 764 - IGNACIO, CO 81137-0764

- RENOUX, PO BOX 4922 - RIO RICO, AZ 85648-4922
- 3 PANDAS LLC, 6225 HOOD MESA TRL - FARMINGTON, NM 87401-2391
- MINNEHAHA ALPINE LLC, 5612 128TH ST SW - MUKILTEO, WA 98275-5538
- SEELY BRIAN DAVID / LOUGEE RYAN, PO BOX 8003 - ASPEN, CO 81612-8003
- KAISER JAMES D & NANCY, 68095 TUMBLEWEED RD - MONTROSE, CO 81403-8679
- SPORL JEFF & ABBIE, 157 FANTANGO RD - DURANGO, CO 81301-7022
- TINKLE REVOCABLE TRUST C/O GRETCHEN TINKLE, 7720 BAXTER DR - BELLEVILLE, IL 62223-2663

Proposed Site Plan

The applicant has identified a low impact building site on the Gladstone Girl Lode at Coordinates 37.88710° N, 107.64372° W, where the topography is somewhat level and there is a “bare patch” of down trees. Building in this location will have less impact on the beautiful terrain because the trees have naturally fallen creating the perfect secluded and hidden building site. This location is also very isolated from viewpoints and possible future neighboring improvements due to the 2 ravines to the North and South of the proposed building site.

This “bare patch” is easily identified on the County GIS map and Google Earth:



Here is an aerial photo of the proposed building area:



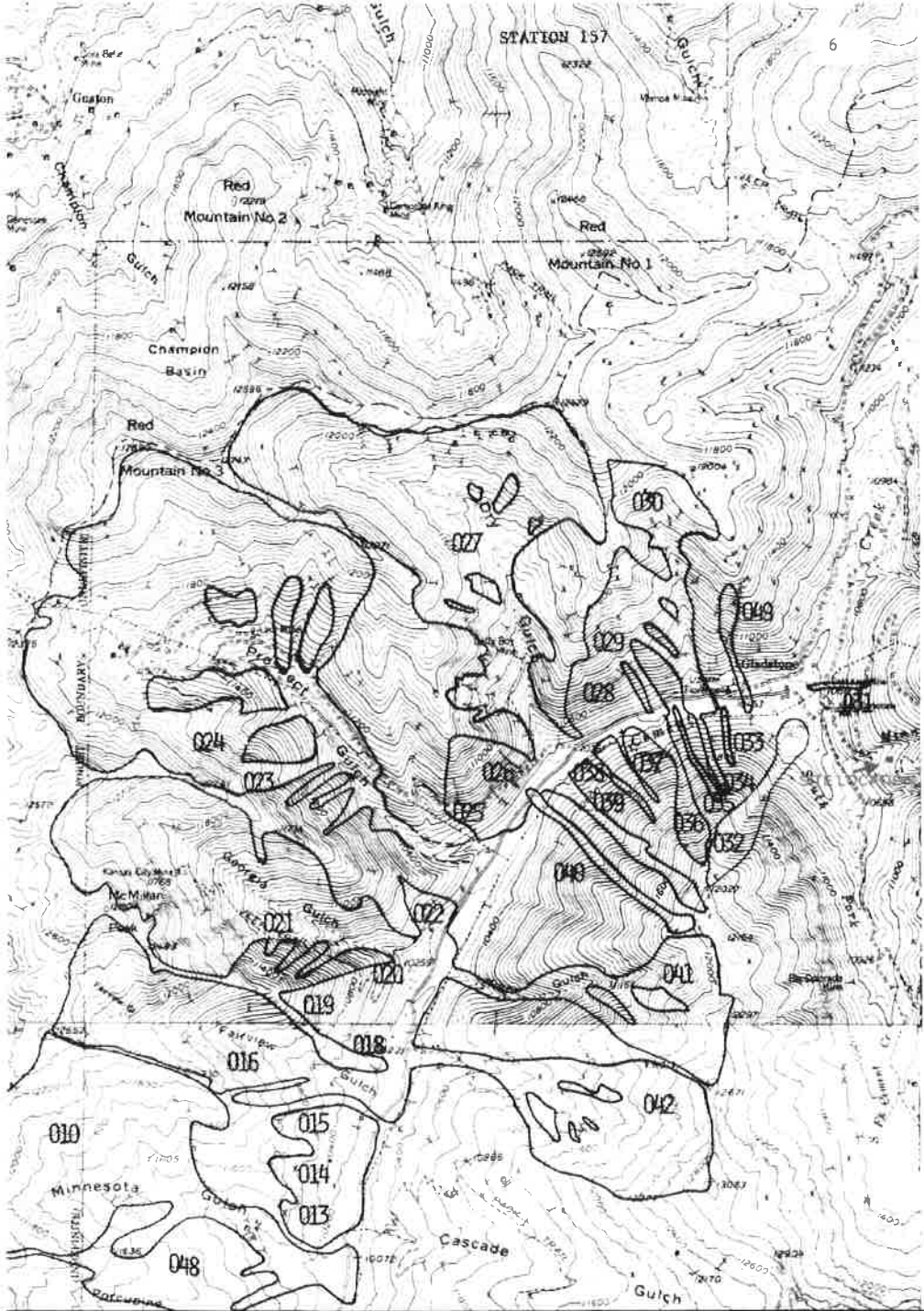
Vicinity Map



Site Location with County Avalanche Map

Map Reference

San Juan County Avalanche Atlas 1976.pdf





52

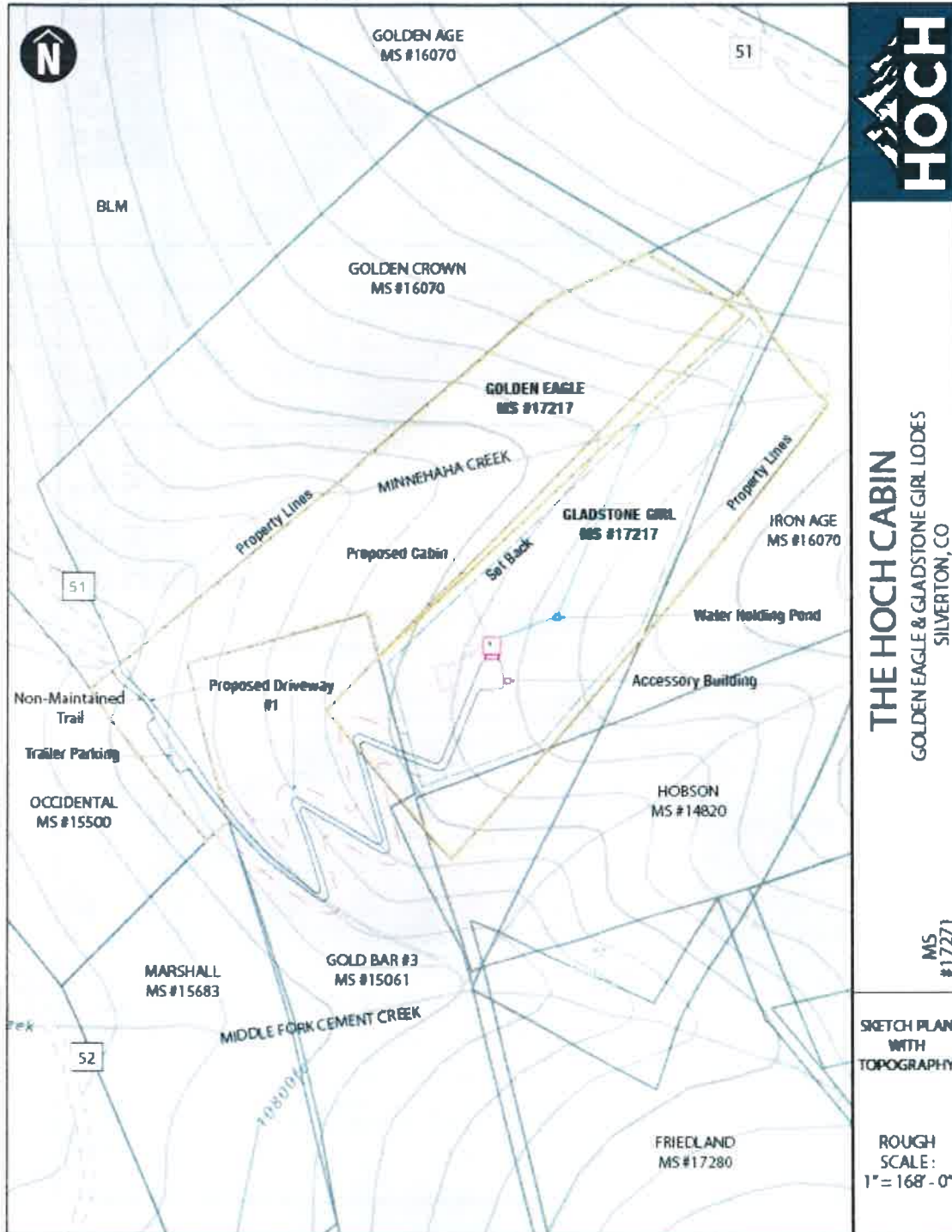
051

SITE LOCATION

039

040

Sketch Plan with Topography

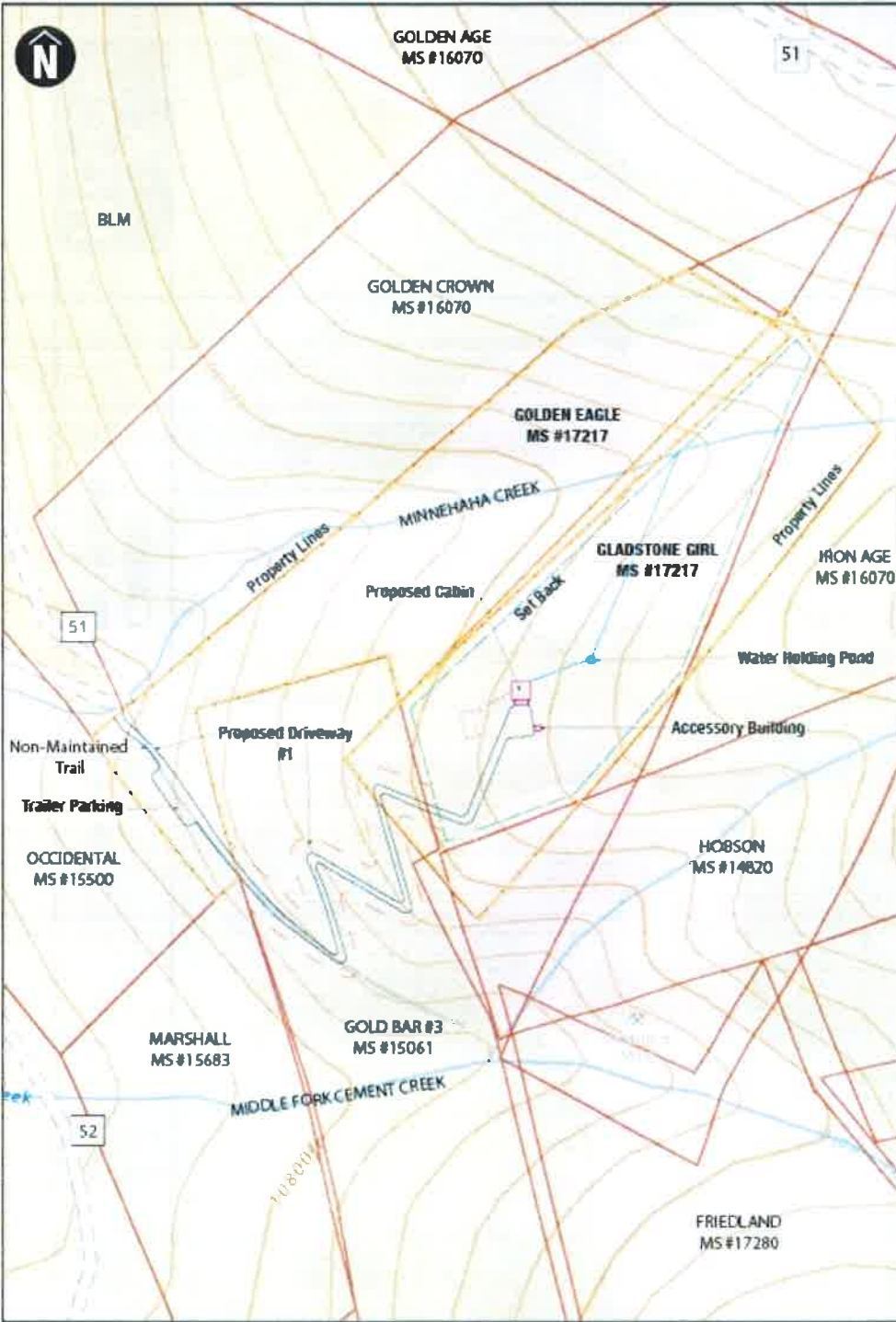


THE HOCH CABIN
 GOLDEN EAGLE & GLADSTONE GIRL LODES
 SILVERTON, CO

MS
 #17271

SKETCH PLAN
 WITH
 TOPOGRAPHY

ROUGH
 SCALE:
 1" = 168' - 0"



THE HOCH CABIN

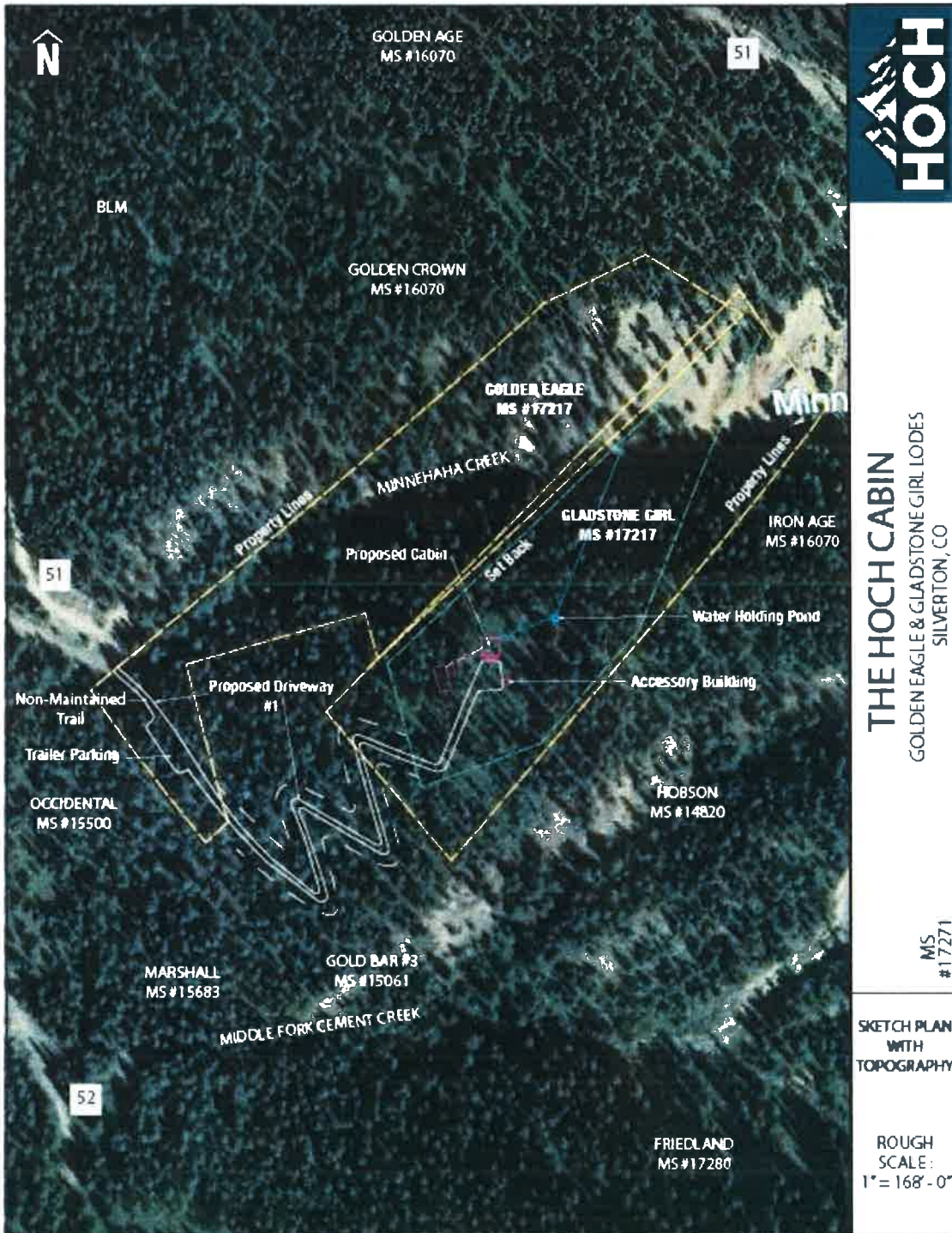
GOLDEN EAGLE & GLADSTONE GIRL LODES
SILVERTON, CO

MS #17217

SKETCH PLAN WITH TOPOGRAPHY

ROUGH SCALE:
1" = 168' - 0"

Sketch Plan with Aerial Images



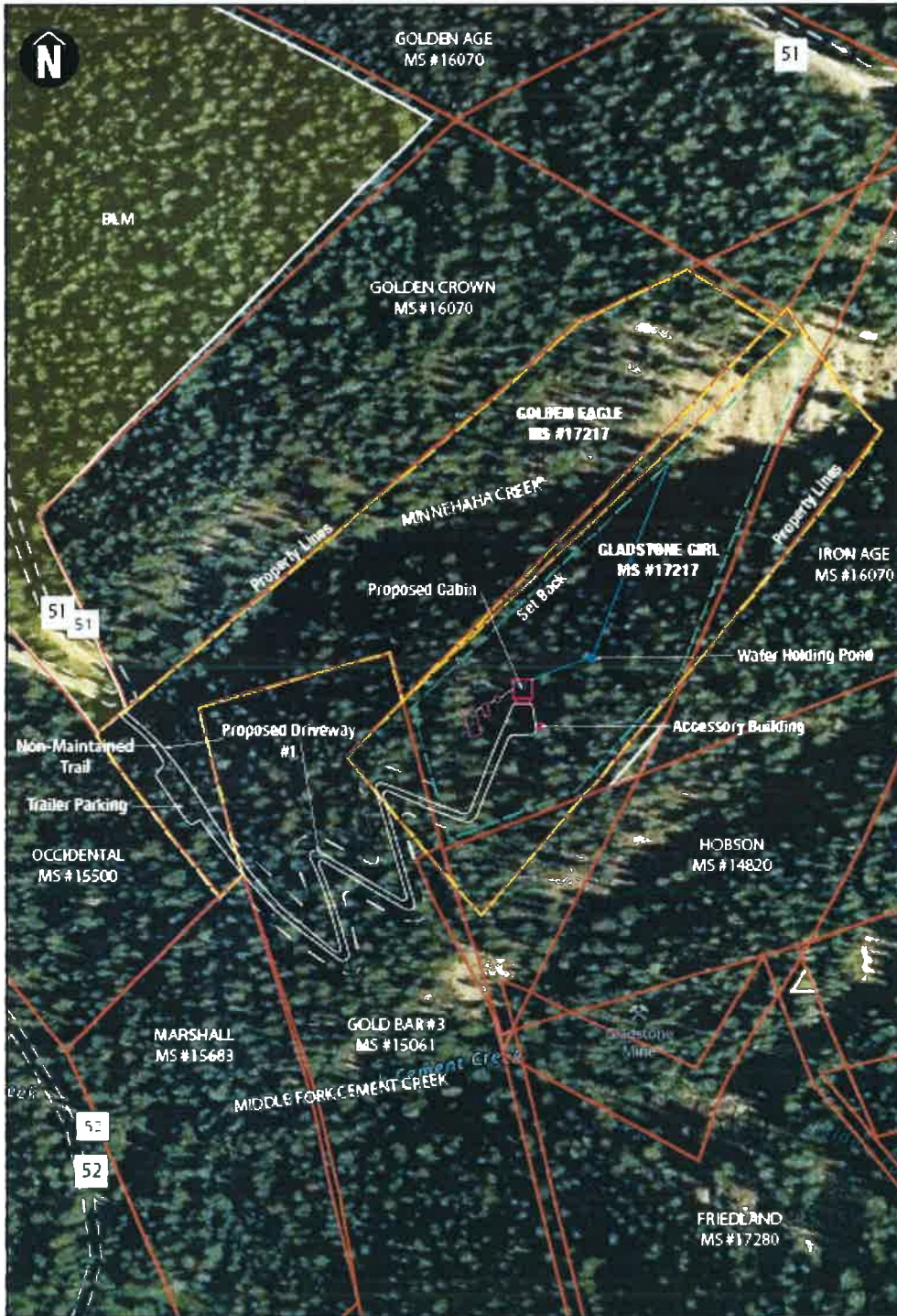
THE HOCH CABIN

GOLDEN EAGLE & GLADSTONE GIRL LODES
SILVERTON, CO

MS #17271

SKETCH PLAN WITH TOPOGRAPHY

ROUGH SCALE: 1" = 168' - 0"



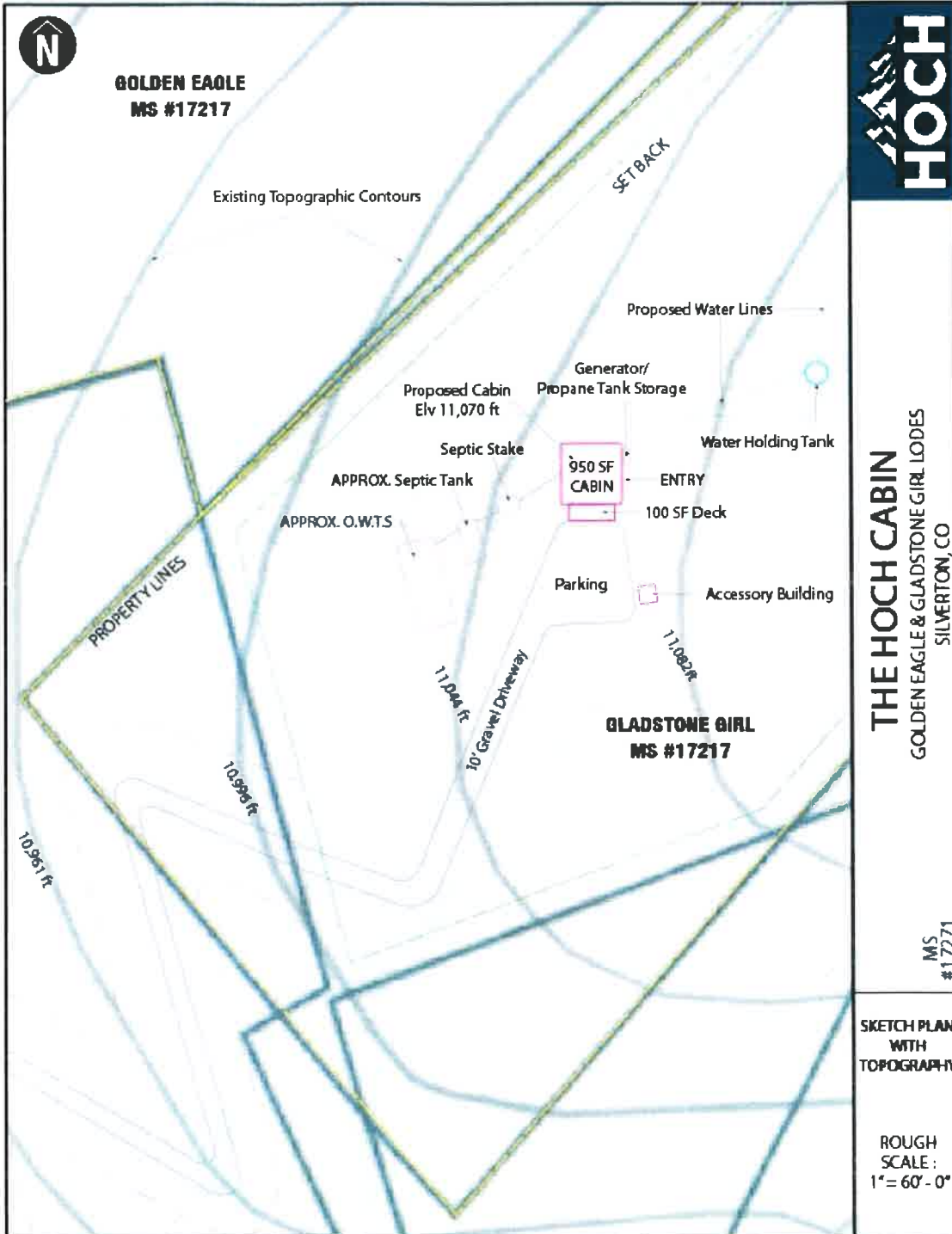
THE HOCH CABIN
 GOLDEN EAGLE & GLADSTONE GIRL LODES
 SILVERTON, CO

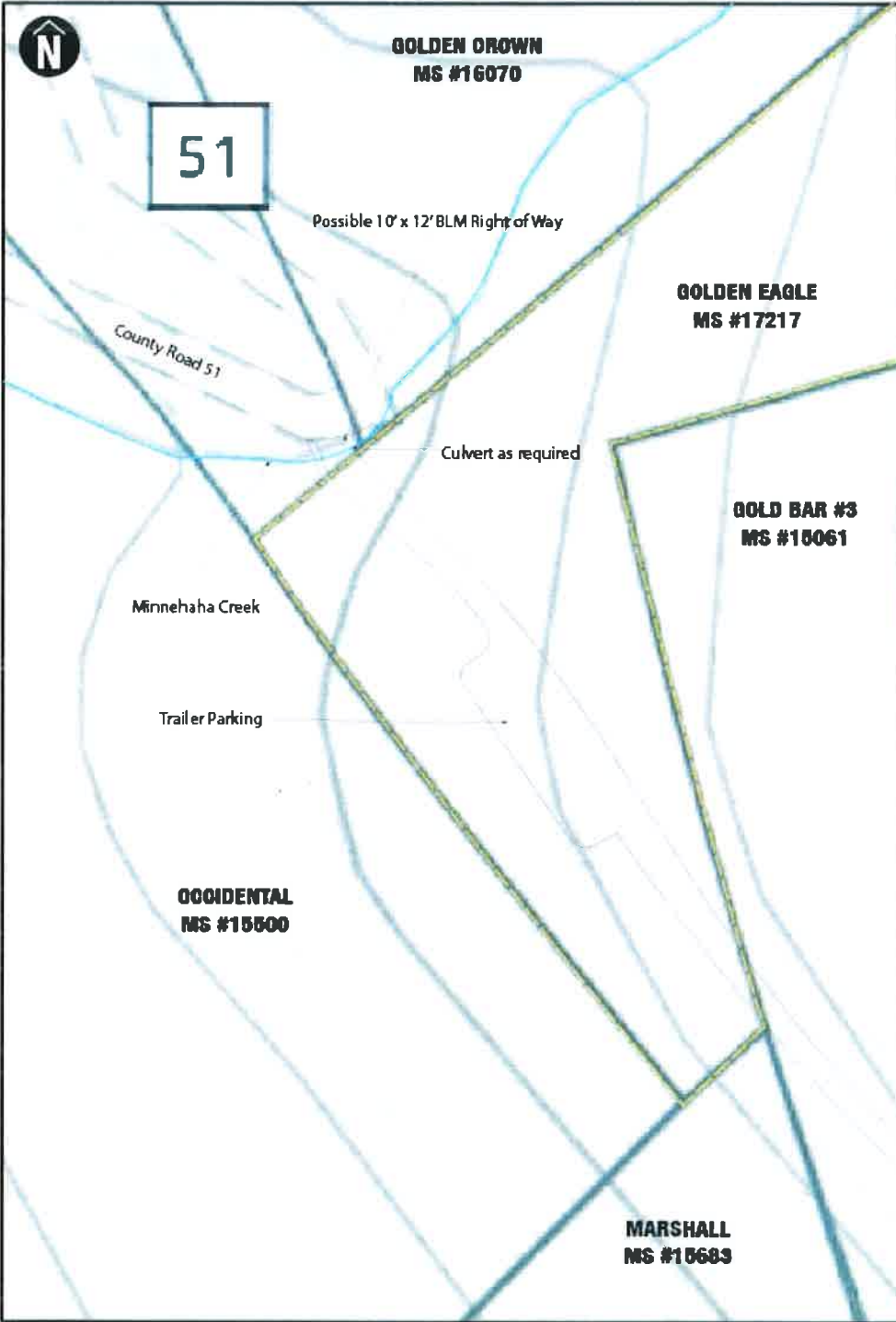
MS #17271

SKETCH PLAN WITH TOPOGRAPHY

ROUGH SCALE: 1" = 168' - 0"

Enlarged Site Plan





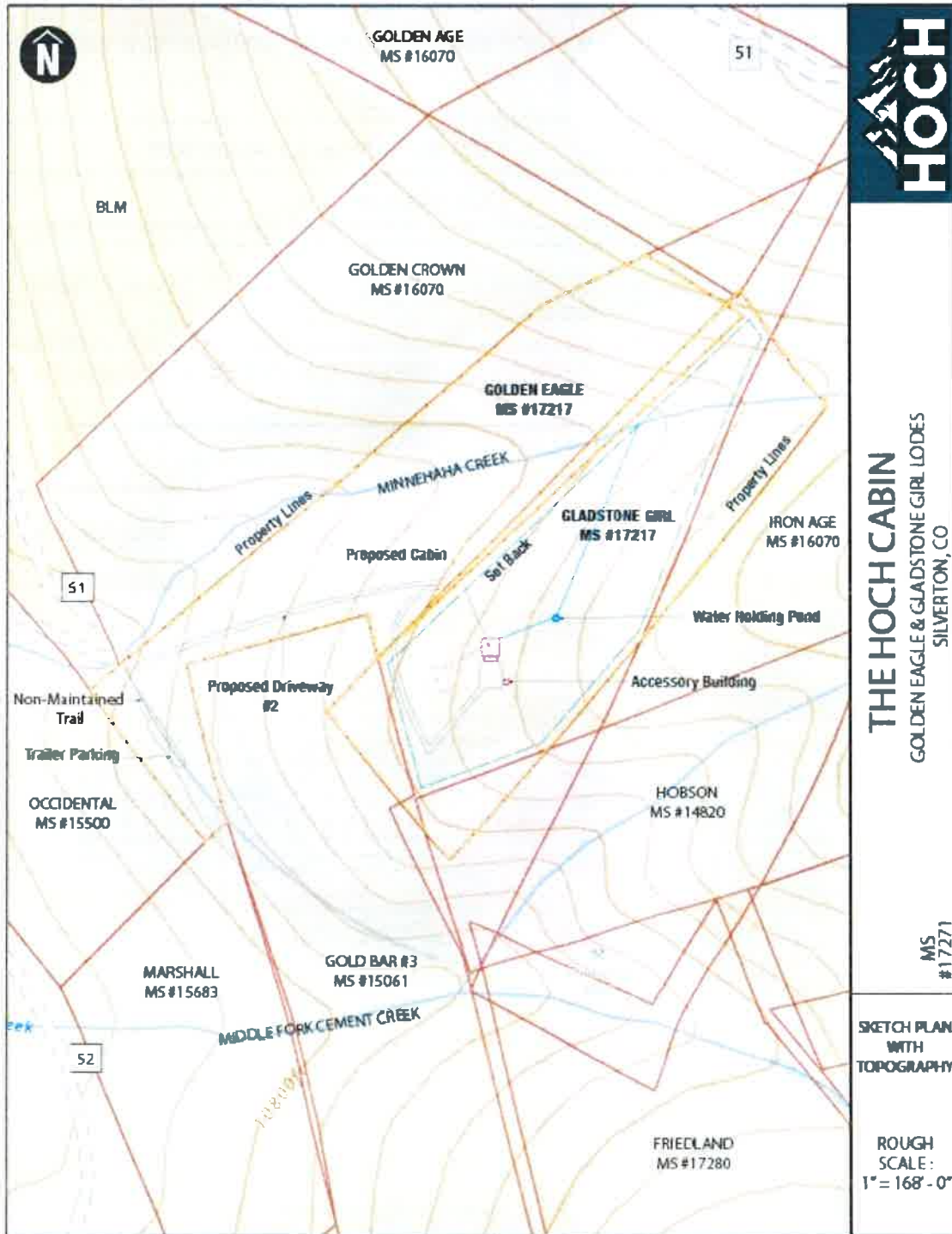
THE HOCH CABIN
 GOLDEN EAGLE & GLADSTONE GIRL LODGES
 SILVERTON, CO

MS
 #17271

SKETCH PLAN
 WITH
 TOPOGRAPHY

ROUGH
 SCALE:
 1" = 60' - 0"

Proposed Second Option Access Driveway



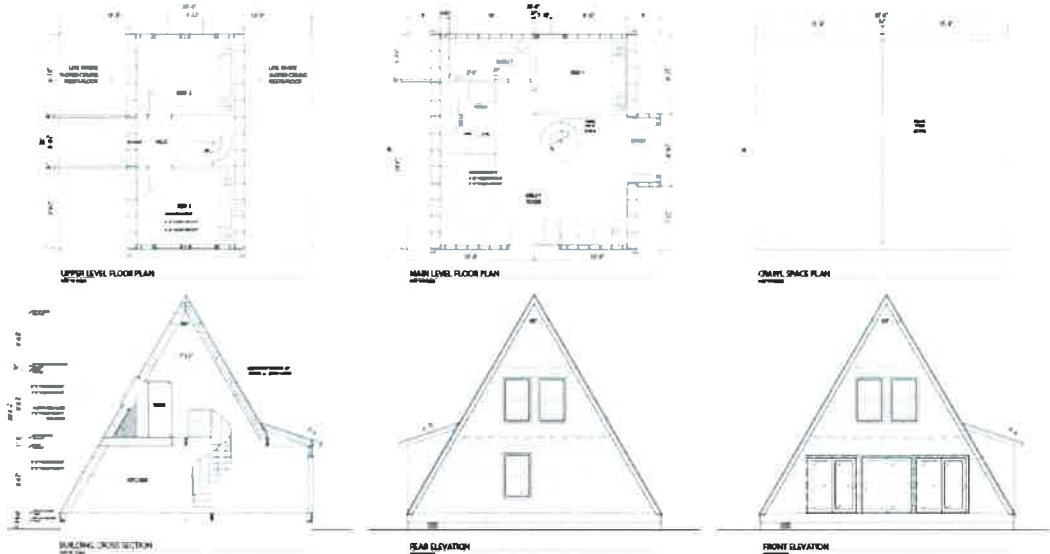
Floor Plans

The proposed cabin will be constructed with high grade materials and engineering, produced by Avrame USA. <https://www.avrameusa.com/>

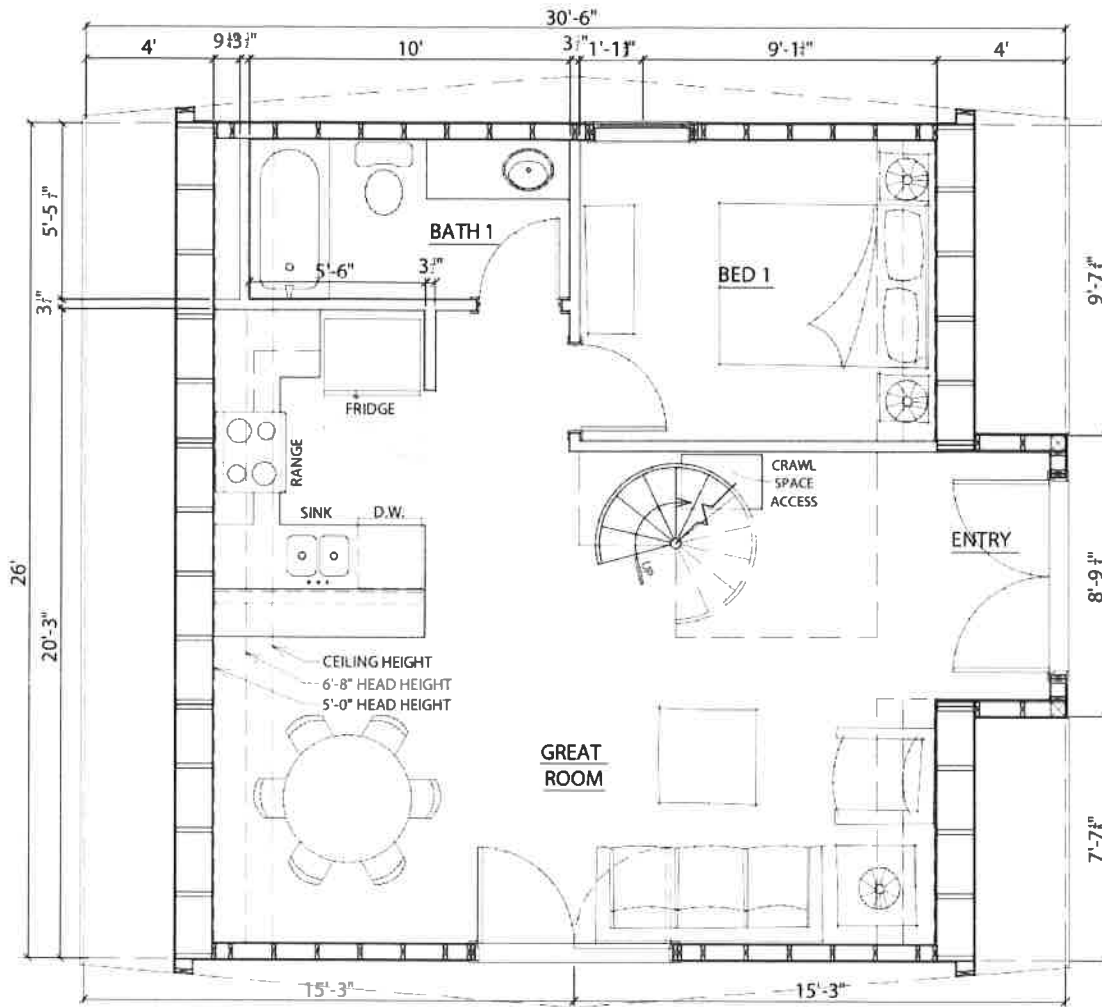
| | |
|------------------|-----------------------------------|
| Snow Load Rating | 150 lbs - 200 lbs per square foot |
| Wind Load Rating | 120 miles per hour |



TRIO 075

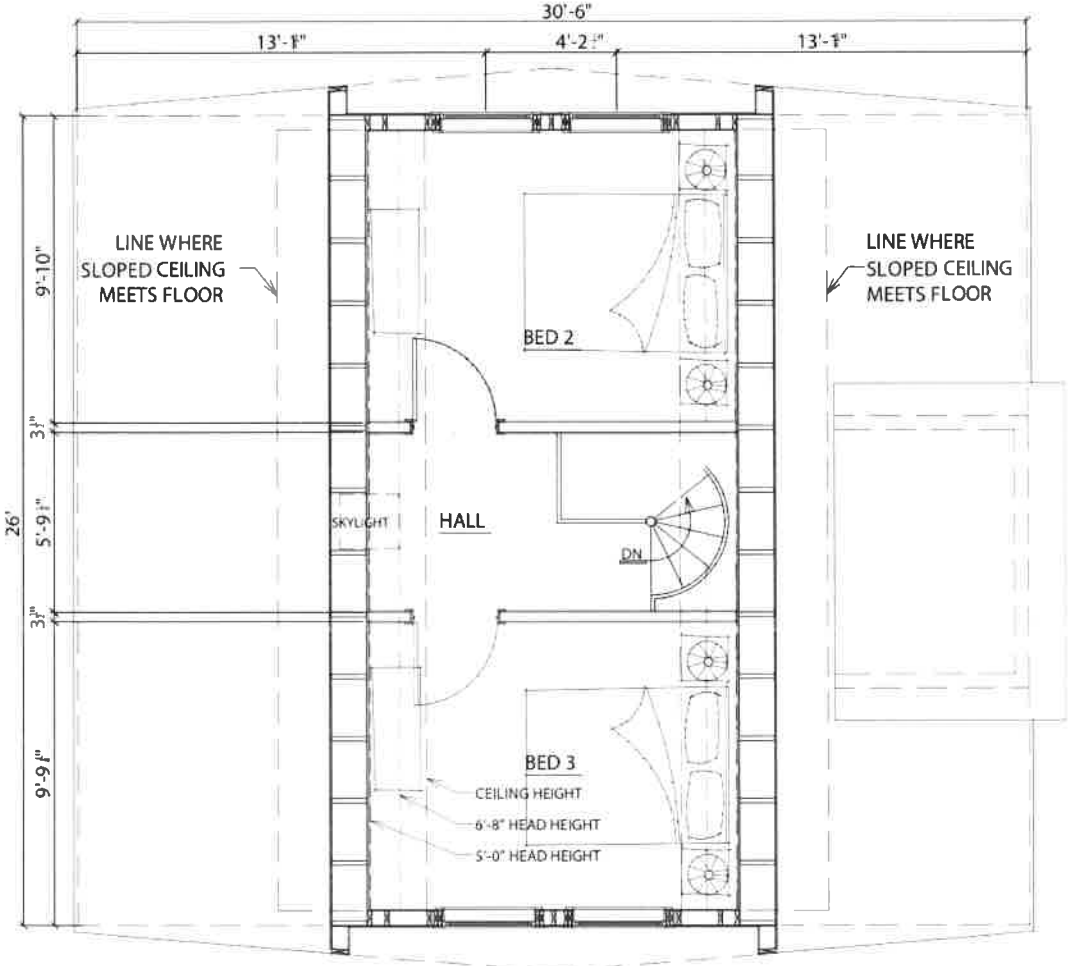


Main Level Floor Plan



MAIN LEVEL FLOOR PLAN
NOT TO SCALE

Upper Level Floor Plan

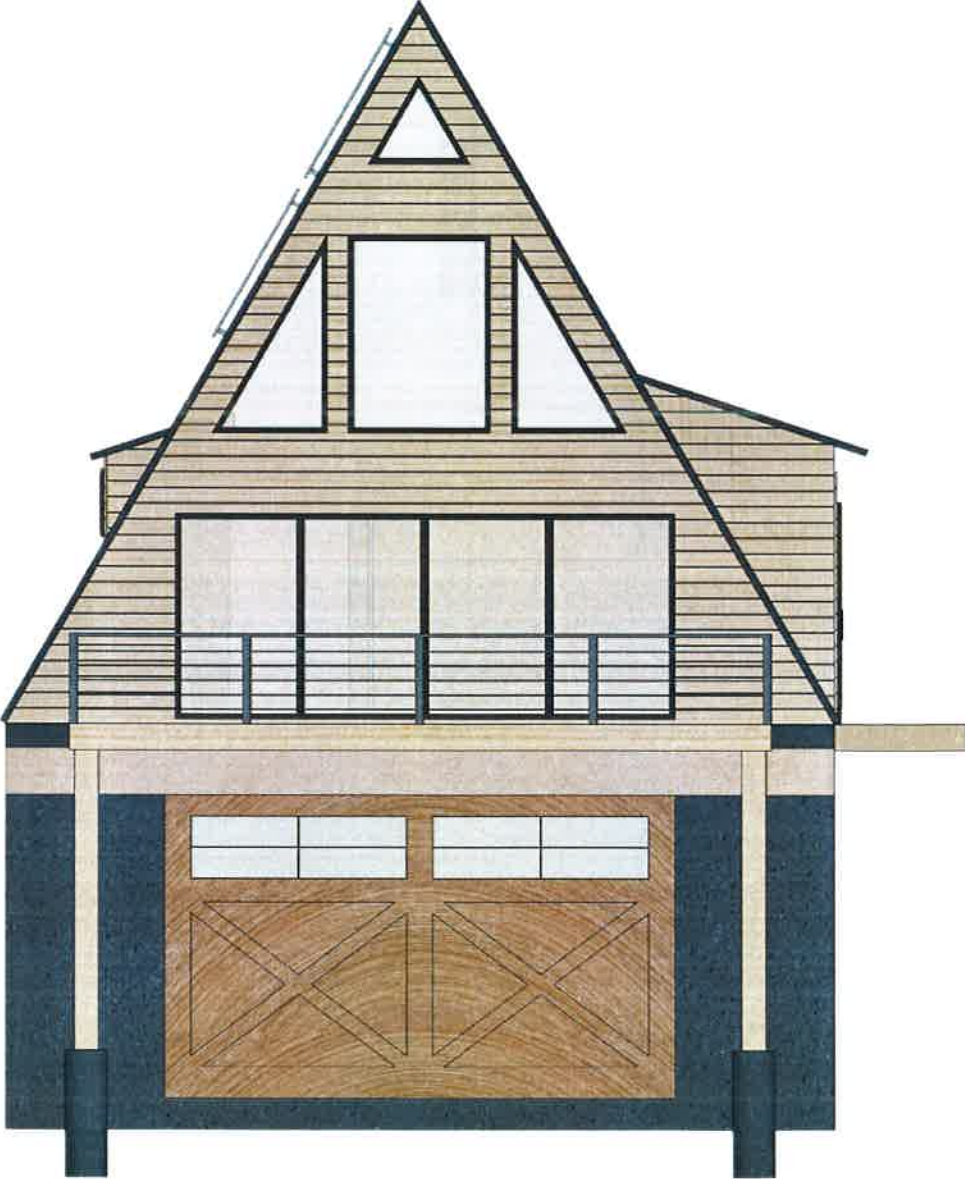


UPPER LEVEL FLOOR PLAN

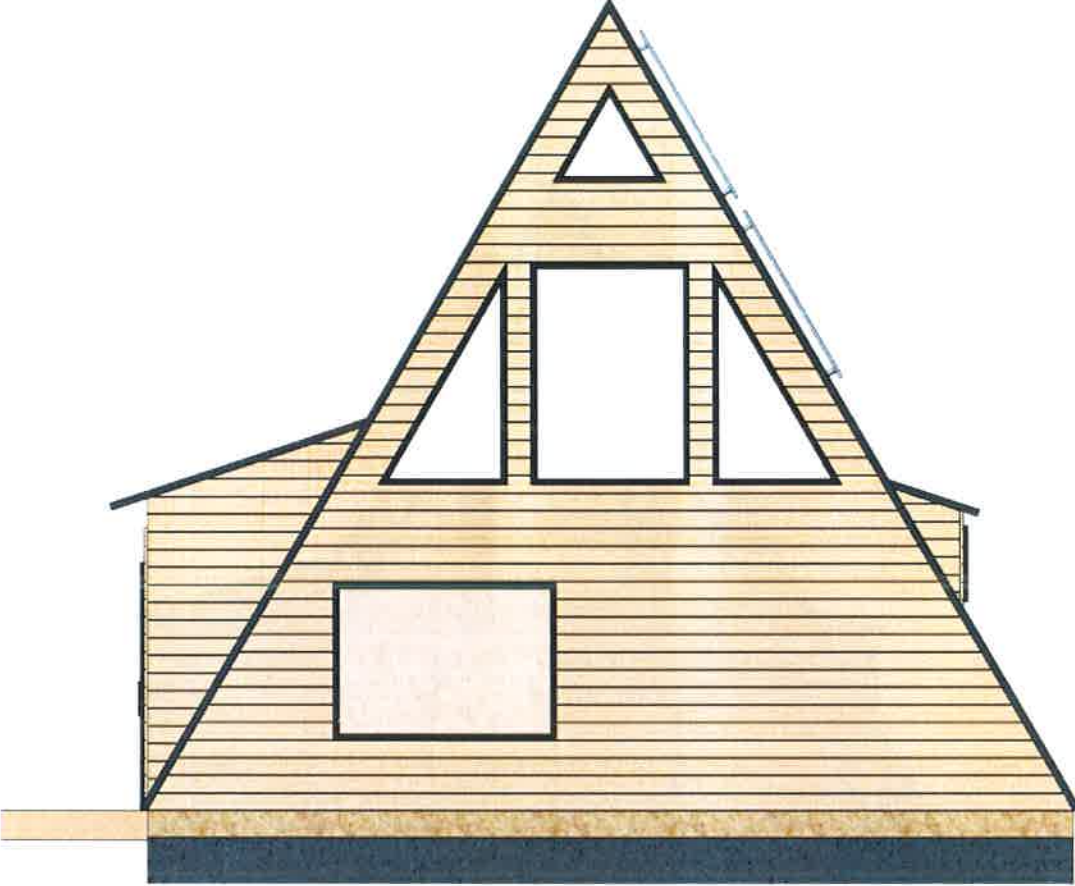
NOT TO SCALE

Building Elevations

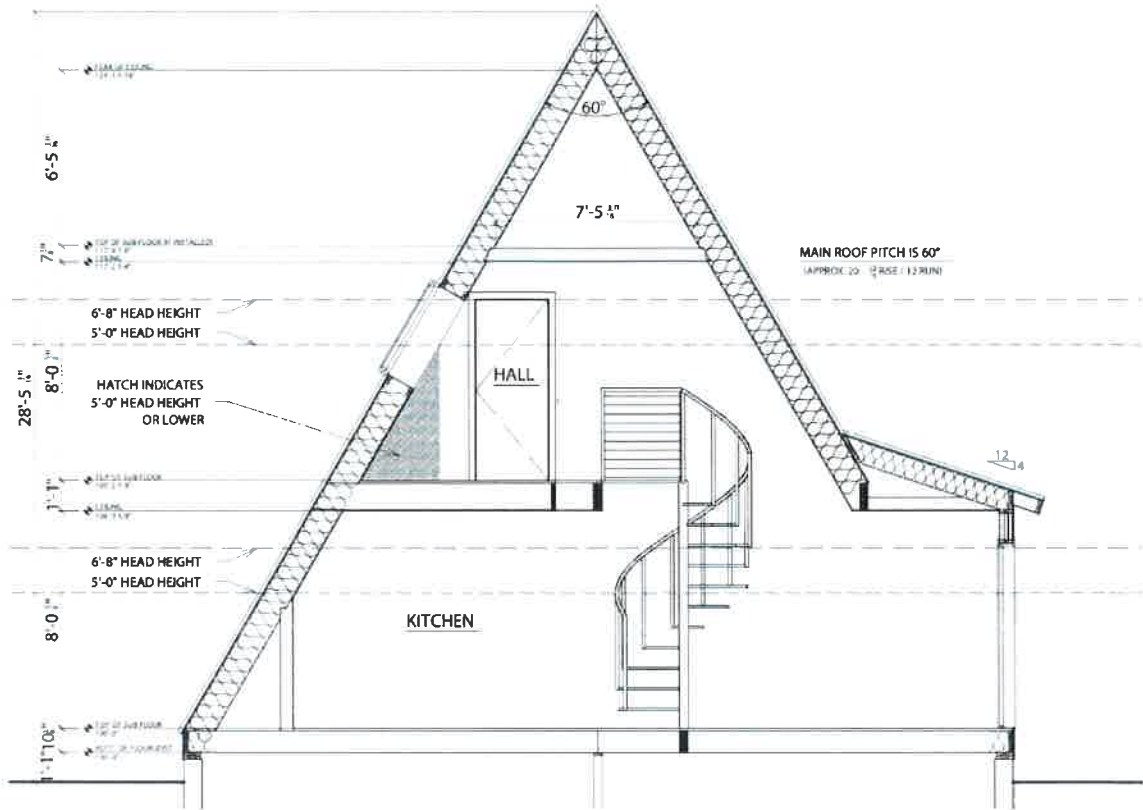
Front Elevation



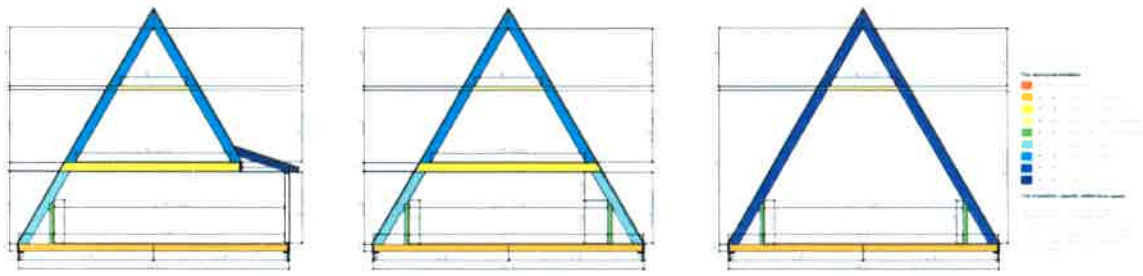
Rear Elevation



Building Cross Section



BUILDING CROSS SECTION
NOT TO SCALE



Trio Truss Dimensions



Building Concept Renders with Topography



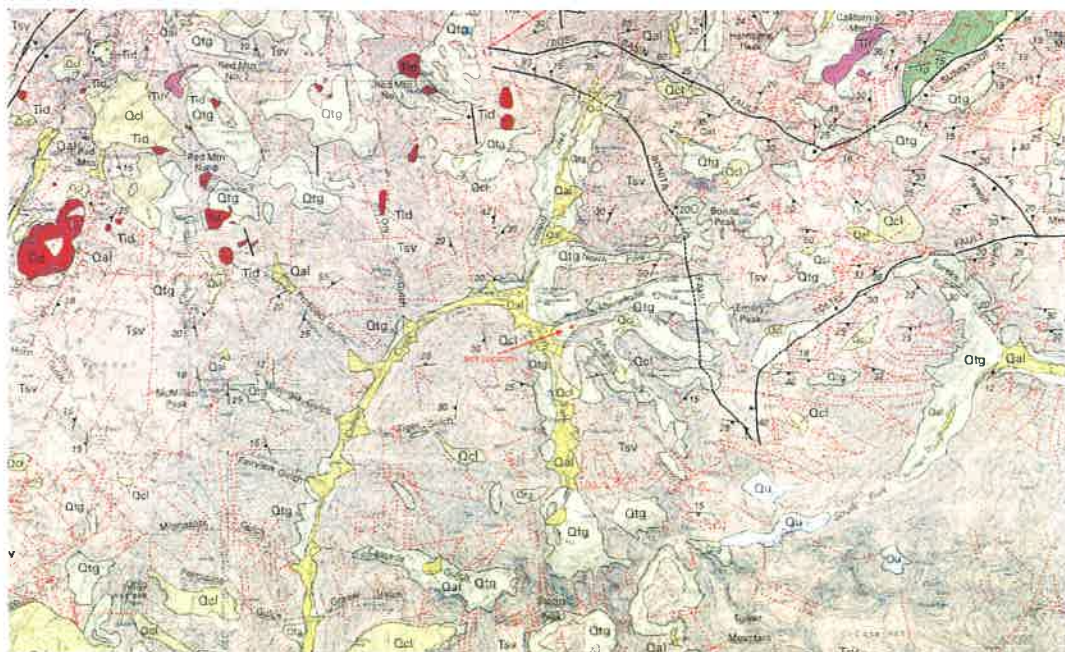
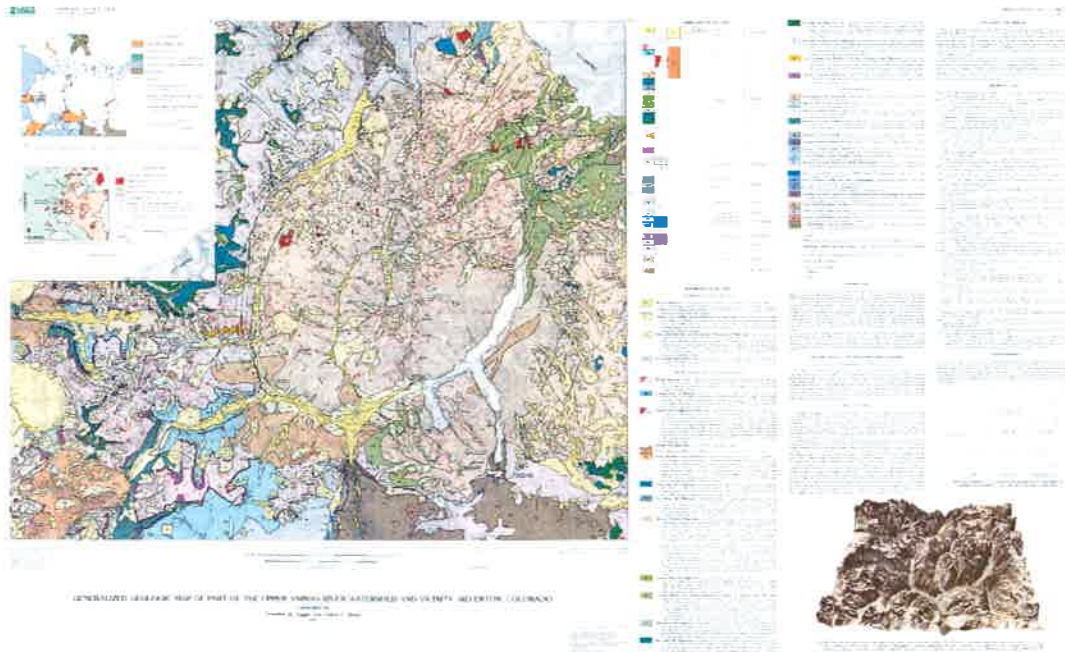




Soil Data

The applicant is requesting permit approval to build the access driveway to obtain detailed soil data. Without proper access the applicant has located the public data below.

[GENERALIZED GEOLOGIC MAP OF PART OF THE UPPER ANIMAS RIVER WATERSHED AND VICINITY, SILVERTON, COLORADO](#)



San Juan Basin Public Health Septic Permit Application

SAN JUAN BASIN
public health

281 Sawyer Drive, Ste. 300 • Durango, CO 81303
502 South 8th Street • Pagosa Springs, CO 81447
970.247.5702 • sjbpublichealth.org

On-Site Wastewater Treatment System (OWTS) Permit Application

Owner: Charles V Hoch & Bruce A Hoch Phone: 970-759-5960
 Project Address (street, town/city, zip): Gladstone Girl Lode MS#17271
 Assessor's Parcel #* 47750210050012 Subdivision: _____ Lot#: _____
 Lot Size: 4.82 (acres) # of Dwellings: 1 # of Bedrooms: 1 + loft Water Supply: Surface Water
 List Commercial Uses (e.g., office, factory, event venue): None
 Owner's Mailing Address: 26 Boulder View Dr Durango, CO 81301
 Owner's Email Address: chashoch@gmail.com
 For detailed parcel information please visit your county assessor's website or see your property tax statement

On-site Wastewater Treatment System (OWTS) Permit Types

Choose the most applicable permit type from the list below and check the box in upper-left corner

| | |
|---|--|
| <input checked="" type="checkbox"/> New Construction - (\$1023.00) <i>For new OWTS and complete system replacement</i> <ul style="list-style-type: none"> Contact Registered Soil Technician and/or Professional Engineer (PE) or system designer for analysis and design development. A PE may be required dependent on site and soil conditions. A design must be submitted to SJBPH. SJBPH must have payment and application to review designs for permit issuance. | <input type="checkbox"/> Alteration - (\$973.00) <i>For changes/additions to existing permitted OWTS</i> <ul style="list-style-type: none"> Contact Registered Soil Technician and/or Professional Engineer (PE) or system designer for analysis and design development. A PE may be required dependent on site and soil conditions. A design must be submitted to SJBPH. SJBPH must have payment and application to review designs for permit issuance. |
| <input type="checkbox"/> Change Of Use - (\$473.00) <i>For expanded use (e.g., bedroom count) of an existing permit without system modifications, OR new service connections (e.g., garages, shops) added to an existing permit</i> <ul style="list-style-type: none"> For expanded use, provide a certification report from a Professional Engineer (PE) or system designer. For new service connections, provide a proposed site plan and describe scope of work below. Change of Use does NOT allow for connection of new uses (e.g., second dwellings, ADUs) unless the system was originally designed for it – use Alteration instead | <input type="checkbox"/> Minor Repair - (\$373.00) <i>For replacement of OWTS components with no change to permitted use</i> <ul style="list-style-type: none"> Submit application with payment, transfer of title inspection report (if available) and a simple site plan showing location of repairs. List repairs/scope of work below (e.g. tank replacement, aerators, pipe repairs, etc.) A permit is NOT required for repair of components that do not provide treatment (e.g., fencing, tank lids, inspection ports) |

Please describe in detail work to be completed: _____
Construction of new OWTS for a new 1,000 SF single-family in San Juan County, CO
March 31, 2023

Acknowledge: (1) This application does not guarantee that an On-site Wastewater Treatment System ("OWTS") can be installed or a building permit issued; (2) The issuance of the OWTS permit does not imply any warranty by San Juan Basin Public Health as to the operation of the OWTS; (3) The OWTS must be constructed in accordance with the San Juan Basin Public Health On-site Wastewater Treatment System Regulations and any Conditions of Approval set by SJBPH; and (4) The owner of the property assumes the responsibility and liability for the proper maintenance of the OWTS.

Owner's Signature:  Date: March 31, 2023

Submit completed application to eh@sjbpublichealth.org or at one of our office locations.

This is NOT a permit; this application does not authorize construction or repairs.
All OWTS construction/repair work must be performed by an installer licensed by SJBPH.

Trautner Geotech Wastewater Feasibility Letter



April 26, 2023

Charlie Hoch
970.759.5960
chashoch@gmail.com

Project No. 57866WT

Subject: Onsite Wastewater Treatment System Feasibility Evaluation
Gladstone Girl Claim #17271
Silverton, San Juan County, Colorado

Dear Mr. Hoch

As requested, Trautner Geotech performed a limited Onsite Wastewater Treatment System (OWTS) feasibility assessment for the proposed residence at the subject property. The services were performed as a supplemental service in accordance with our proposal to you dated April 7, 2023, Proposal No. 23138P. Our observations and findings are discussed in greater detail below.

Project Site and Geomorphology

The approximate 4.8-acre project site is currently vacant. The project site is located off Picayune Gulch Road approximately 5 miles northeast of Silverton, Colorado. The project site location is shown below.



Figure 1: Project Site Location. Adapted from Google Earth (Image Date 9/11/2019).

649 TECH CENTER DR DURANGO, CO
970-259-5095

95 N HENRY ST, CORTEZ, CO
970-529-2020

We have not provided a site reconnaissance of the project area due to the current winter conditions; however, we are providing a limited discussion of the site conditions based on our review of publicly available information and our experience in the area. The project site consists of a somewhat rectangular parcel south of County Road 51 in the Minnehaha Basin. The project site is shown below.



Figure 2: Site Location Schematic. Adapted from San Juan County Public GIS Portal.

Based on our review of the USGS digital elevation model topography (apps.nationalmap.gov/3depdem/) the ground surface across the site is moderately to steeply sloping down to the east-northeast then steeply sloping down to the north and northwest into Minnehaha Creek. Vegetation consists of relatively dense coniferous trees except on the steeper slopes down into the creek.

OWTS Feasibility

We have not yet been able to access the site with excavation equipment to perform a subsurface exploration. Based on our review of photographs, aerial photographs and the Geologic Map of the Ironton Quadrangle, the site appears to lie within an area mapped as Quaternary aged talus deposits except in the Minnehaha Creek drainage where Burns Formation volcanics may be exposed (Burbank and Luedke, 1964). The talus deposits typically consist of relatively coarse colluvial material that is transported via weathering and erosion. The talus material is likely underlain by the Burns Formation identified in the drainage. The talus material likely contains greater than 35 percent rock sized material and is likely not suitable for effluent treatment per the CDPHE Regulation #43.

Although the soil may not be suitable per Regulation #43, we feel a conforming OWTS is likely feasible for the site given the relatively large size of the property. Design of the OWTS for the site may require a mounded sand filter or below grade unlined sand filter if a relatively flat area cannot be identified to accommodate a mound. Prior to design and final determination of the OWTS type, a full site reconnaissance and excavation of at least two exploratory test pits must be completed adjacent to the proposed soil treatment area (STA). A site and soil evaluation per the requirements of Regulation #43 will be necessary prior to completion of OWTS design documents.

Limitations

This limited feasibility assessment was completed in accordance with generally accepted principles and practices in this area at this time. We make no warranty either express or implied. The opinions outlined in this letter are based on limited data and do not include detailed field reconnaissance or subsurface exploration. A site and soil evaluation per the requirements of Regulation #43 will be required prior to preparation of the final OWTS Design.

If you have any questions or need additional information, please feel free to contact us.

Respectfully submitted,
TRAUTNER GEOTECH



Jason A. Deem, P.G.
Principal Engineering Geologist

Notice of Intent to Make Absolute

Notice of Intent to Make Absolute

N.O.I. # 49

(Assigned by SWCD)

The below identified applicant hereby notices its intent to make absolute an increment of the Animas Service Area conditional water right decreed in Case No. 06CW127 consistent with the terms and conditions decreed therein. Use additional pages as needed.

Applicant Information:

Name: Charles V Hoch and Bruce Hoch Telephone: 9707595960

Email Address: chashoch@gmail.com

Mailing Address: 26 Boulder View Dr Durango, CO 81301

(The approved NOI will be mailed to this address)

Prospective Water Right Increment Information:

Proposed Use of Water (e.g. domestic, irrigation, commercial):

Domestic use in 1 cabin, irrigation of 1 acre for lawns & gardening, fire protection

Proposed Source (groundwater, surface water):

Surface water & Minnehaha Creek

Proposed Place of Use (include parcel # if possible):

The Gladstone Girl Lode Mining Claim, Mineral Survey No. 17271. Parcel #47750210050012


Anticipated Amount of Depletions (number of acres irrigated, stock use, domestic surface area, and pond evaporation, etc. in the time periods per the 06CW127 decree):

Table 1 - Proposed NOI Depletions for Application
Applicant: Hoch

| Time Period | Depletion Rates (cfs) | | Total Depletion (cfs) |
|-------------------------------------|--|--|-----------------------|
| | Domestic 1 home with individual sewer using surface water | Irrigation 1 acre of land at 8,100 feet and above using surface water | |
| January 1 through January 31 | 0.000081 | 0.000000 | 0.000081 |
| February 1 through February 28 (29) | 0.000081 | 0.000000 | 0.000081 |
| March 1 through March 31 | 0.000081 | 0.000000 | 0.000081 |
| April 1 through April 14 | 0.000081 | 0.000202 | 0.000283 |
| April 15 through April 30 | 0.000081 | 0.000202 | 0.000283 |
| May 1 through May 31 | 0.000081 | 0.004032 | 0.004113 |
| June 1 through June 14 | 0.000081 | 0.007124 | 0.007205 |
| June 15 through June 30 | 0.000081 | 0.007124 | 0.007205 |
| July 1 through July 14 | 0.000081 | 0.006650 | 0.006731 |
| July 15 through July 31 | 0.000081 | 0.006650 | 0.006731 |
| August 1 through August 31 | 0.000081 | 0.004975 | 0.005056 |
| September 1 through September 30 | 0.000081 | 0.004015 | 0.004096 |
| October 1 through October 31 | 0.000081 | 0.001203 | 0.001284 |
| November 1 through November 30 | 0.000081 | 0.000000 | 0.000081 |
| December 1 through December 31 | 0.000081 | 0.000000 | 0.000081 |

The applicant is advised and recognizes that the execution of this Notice of Intent to Make Absolute confers no right, title, or interest in water beyond the right to perfect an increment of the Animas Service Area conditional water right consistent with the decree in Case No. 06CW127.

Applicant is hereby given authority by Southwestern Water Conservation District and La Plata County to file an application to make the conditional water right absolute pursuant to the terms and conditions in Case No. 06CW127. The Southwestern Water Conservation District and La Plata County reserve the right to file opposition to such claim if deemed necessary.



Signed for the Applicant, (Title)

4/6/2023

(Date)

Charles V Hoch

Printed Name

Governmental Endorsements:



La Plata County

5-11-23

(Date)

Kevin Hall, Interim CD Director

Printed Name



SWCD

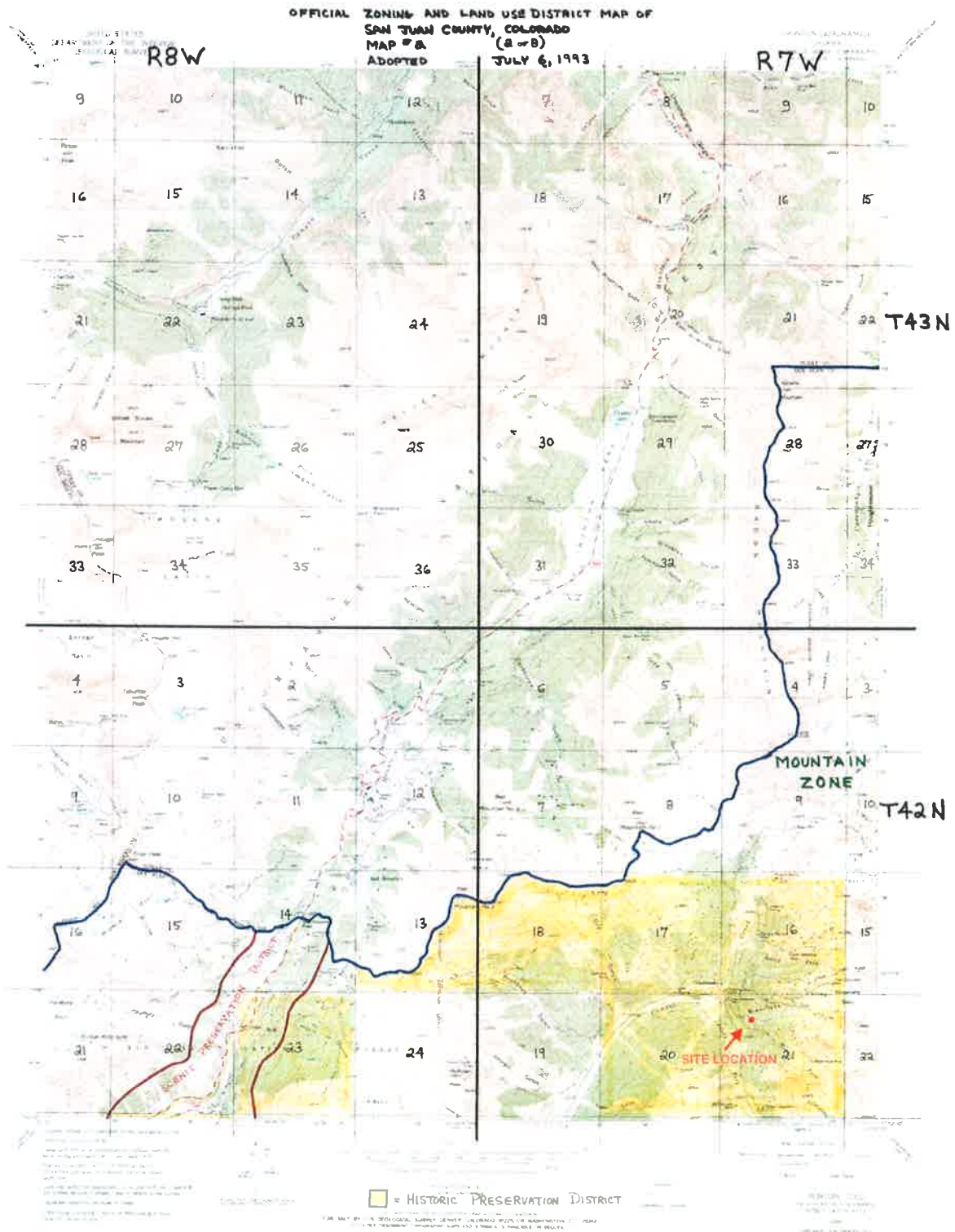
4/25/23

(Date)

STEVE WOLFF

Printed Name

County Zoning Map #2



Easement Deed Via Gold Bar No. 3 Lode

149648
Page 1 of 3
SAN JUAN COUNTY, COLORADO
LADONNA L. JARAMILLO, RECORDER
08-18-2014 01:20 PM Recording Fee \$21.00

EASEMENT DEED

For Ten Dollars (\$10.00) cash received, and other good and valuable consideration, **Leonard Beavis and Mary H. Beavis (together, "Grantor")**, of 4400 Avenida del Sol NE, Albuquerque, NM 87110, does hereby grant and convey to:

Joseph Kaelin, William A. & Jeannette J. Kaelin, and Robert I. Williams, c/o Robert I. Williams, 5400 Broadway Terrace #207, Oakland, CA 94618, and their successors and assigns (together, "Grantee"),

A permanent, perpetual and non-exclusive access and utility easement ("Easement") across the Gold Bar No. 3 Lode USMS No. 15061A, to the Gladstone Girl Lode USMS No. 17271.


Such non-exclusive Easement shall be located centered upon the centerline of the as-built location of the proposed road alignment crossing the Gold Bar No. 3 Lode, as generally shown on attached Exhibit A. Such Easement shall be the width permitted by the US Bureau of Land Management ("BLM") and/or San Juan County, and will permit construction of a primitive road over which 4-wheel drive pick-up trucks can safely operate. Wherever practicable, such Easement shall be no wider than twelve feet, although such width may be expanded up to fifty feet in places to allow for cutting and filling needed for construction of embankments for such primitive road, to maneuver around trees and for any passing turn-outs required by San Juan County. During construction, Grantee shall wherever practical minimize cutting of live trees to the minimum required for the Easement. After construction, the easement width shall be defined as the area between the top of the cut-bank slope, extending across the driveway centerline, to the toe of the embankment fill slope. Provided, the centerline length of the Easement as built shall not exceed 1100 feet.

Provided further, Grantee shall obtain any required advance US Bureau of Land Management written approval of the Easement and provide proof of the same to Grantor, before any construction or use of the Easement. (For example, the BLM may require a less steep or narrower easement.)

Provided further, the Easement shall not be constructed so as to unreasonably block or diminish the existing somewhat level Potential Cabin Site as shown on attached Exhibit A (though the Easement may provide access to such Site). Thus, the Easement will be constructed to pass through the southern edge of such Site.

Grantee's use of the Easement shall be further restricted as follows: Except for limited construction periods permitting Grantee to construct the road itself and then a cabin on Grantee's Gladstone Girl Lode, Grantee shall utilize no vehicle heavier than conventional pick-up trucks, automobiles and SUVs on the Easement, nor shall Grantee park any vehicle on the Easement except for short-term emergency purposes (eg, tire-changing). Grantee shall maintain the Easement from any serious erosion (e.g., large ruts) as a condition of further use.

The Easement shall be perpetual in effect such that it will continue even if ownership of any affected property changes.



Leonard Beavis



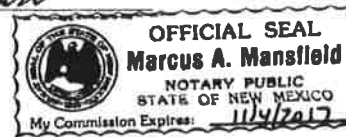
Mary H. Beavis

STATE OF NEW MEXICO)
County of Bernalillo)ss

The foregoing document was acknowledged before me this 11 day of August, 2014 by Leonard Beavis.

WITNESS my hand and official seal.
My commission expires: 11/4/2017

M. A. Mansfield
Notary Public



STATE OF NEW MEXICO)
County of Bernalillo)ss

The foregoing document was acknowledged before me this 11 day of August, 2014 by Mary H. Beavis.

WITNESS my hand and official seal.
My commission expires: 11/4/2017

M. A. Mansfield
Notary Public

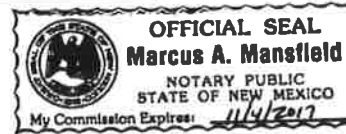
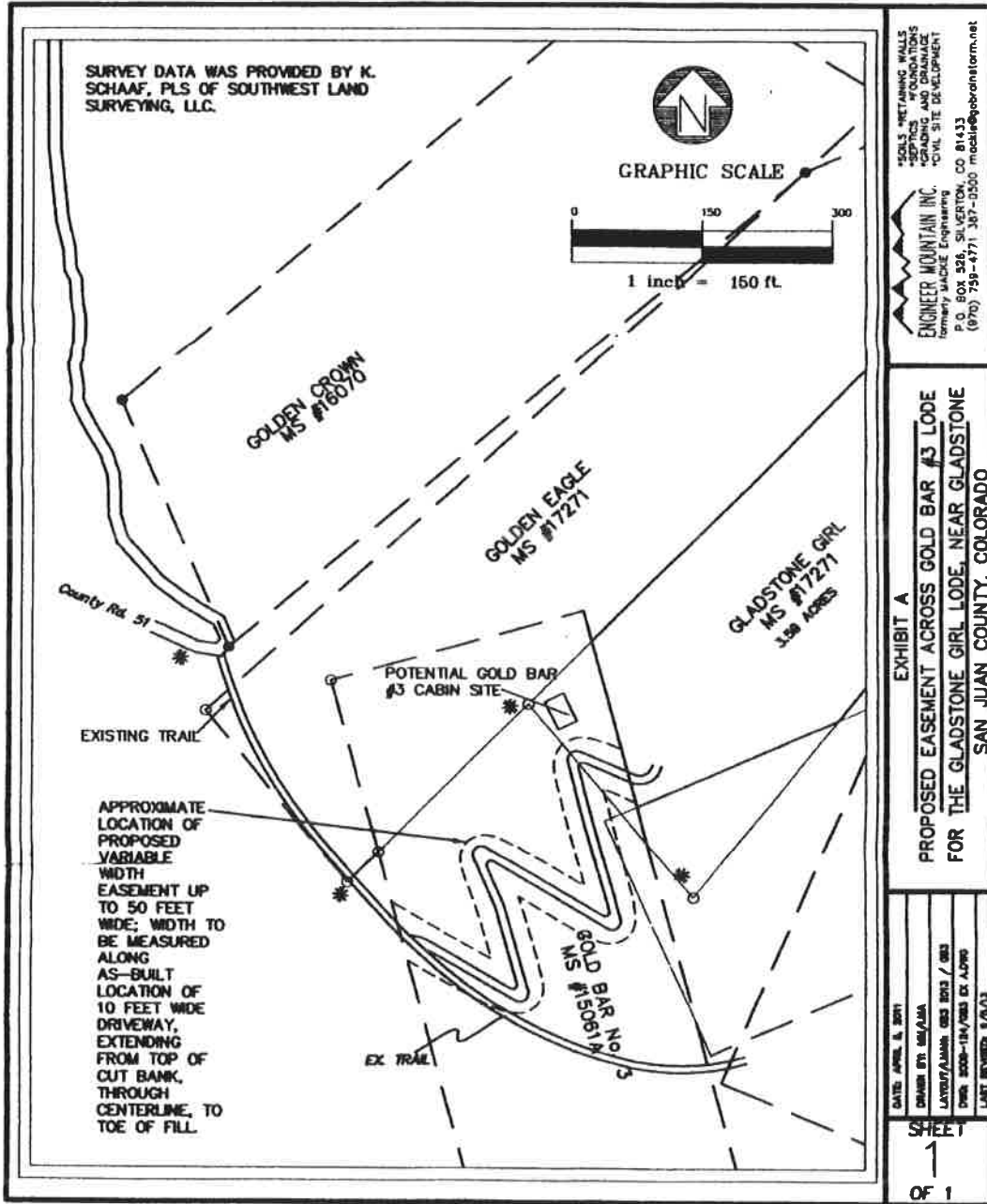


EXHIBIT A



San Juan County Driveway & Road Access Permit Form

SAN JUAN COUNTY, COLORADO
DRIVEWAY AND ROAD ACCESS PERMIT

Improvement
Permit No. _____

Applicant: Charles V Hoch & Bruce A Hoch
26 Boulder View Dr
Durango, CO 81301

Location of Proposed Driveway or Access on County Road No. 51:
County Road 51 touches the property at the west corner of the Golden Eagle
Lode. The proposed driveway would start at the first switchback of CR 51
where it would cross the Mineehaha creek and head south on the old mining road
before turning east and switchbacking uphill.

Description of Proposed Driveway or Access, including materials to be used:
The proposed driveway will be approximately 10 feet wide and will consist of
native gravel and soil and be constructed with as minimal cut and fill as
possible. The driveway will have a culvert and/or other drainage
improvements deemed necessary.

Comment and Recommendations of County Road Supervisor:

Terms and Conditions of Issuance of Permit (or reason for denial):

Permit Approved _____ or Denied _____ Date: _____
Land Use Administrator: _____

San Juan County Relationship to County Road & State Highway Systems Forms

BOARD OF COUNTY COMMISSIONERS San Juan County

P.O. Box 466

Silverton, Colorado 81433

970-387-5671

RELATIONSHIP OF PROPERTY TO COUNTY ROAD AND STATE HIGHWAY SYSTEMS

I, the undersigned, applicant engaged in the processing of Application for Improvement Permit No. _____, San Juan County, Colorado, do hereby acknowledge the following facts:

1. The real property' which is the subject of said application is on this date located approximately 1600 ft from County Road No. 110, the nearest designated and publicly maintained county road.
2. Said County Road No. 110 is on this date maintained on an year-round basis by San Juan County.
3. The real property which is the subject of said application is on this date located approximately 7.5 miles from Colorado State Highway No. 550, the nearest designated state or federal highway.
4. Said Colorado State Highway No. 550 is on this date maintained on a year-round basis by either San Juan County or the Colorado Division of Highways.
5. A Driveway Permit will be necessary for any private access or egress relating to said real property which intersects any designated Colorado State Highway or Federal Highway.

Signed and dated this 27 day of March, 2023.



ATTEST:

Applicant

Position:

BOARD OF COUNTY COMMISSIONERS

San Juan County

P.O. Box 466

Silverton, Colorado 81433

970-387-5671

RELATIONSHIP OF PROPERTY TO COUNTY ROAD AND STATE HIGHWAY SYSTEMS

I, the undersigned, applicant engaged in the processing of Application for Improvement Permit No. _____, San Juan County, Colorado, do hereby acknowledge the following facts:

1. The real property' which is the subject of said application is on this date located approximately 600 ft from County Road No. 51, the nearest designated and publicly maintained county road.
2. Said County Road No. 51 is on this date maintained on an seasonal basis by San Juan County.
3. The real property which is the subject of said application is on this date located approximately 7.5 miles from Colorado State Highway No. 550, the nearest designated state or federal highway.
4. Said Colorado State Highway No. 550 is on this date maintained on a year-round basis by either San Juan County or the Colorado Division of Highways.
5. A Driveway Permit will be necessary for any private access or egress relating to said real property which intersects any designated Colorado State Highway or Federal Highway.

Signed and dated this 27 day of March, 2023.

day

month

year



ATTEST:

Applicant

Position:

BLM Right-of-Way

It is inconclusive to the applicant if a BLM Right-of-Way is required or not. Southwest Land Surveying LLC will conduct a certified survey of the Golden Eagle and Gladstone Girl Lodes to be completed in the spring of 2024.

However, to be thorough, the applicant has started the paperwork for requesting a right-of-way permit with the BLM. The application was first submitted on 10/5/2022. A historical timeline of progress is written below and the FORM 299 Application is attached. Based on conversations with BLM representatives working on the application the applicant expects the right-of-way to be issued in the spring of 2024.

Megan Mast of the BLM has offered to speak with the commissioners on the progress of our application and likelihood of approval. Her contact info is below:

- 970-387-9871
- mmast@blm.gov

History of Progress:

10/5/2022 - Mailed hard copy of STANDARD FORM 299 (REV. 3/2020) to the BLM Gunnison Field Office Attention Christopher Kittle.

3/24/2023 - Christopher Kittle confirmed by email his receipt of the hard copy of our STANDARD FORM 299 (REV. 3/2020).

~10/10/2023 - The applicant spoke with Christopher Kittle over the phone and he confirmed he would be sending an email to Megan Mast, Outdoor Recreation Planner for the BLM based in Silverton, CO to push our project request forward.

10/16/2023 - Megan Mast called the applicant and they spoke about the request and application for the BLM Right of Way.

11/28/2023 - The applicant was informed by Megan Mast that our FORM 299 Application was lost by the BLM. Megan requested a new application.

11/29/2023 - The applicant completed and submitted a new and updated FORM 299 Application. The application was sent to both Megan and Christopher. Speaking with Christopher and Megan they both confirmed and promised our seniority would be honored since Chris has a record of our communications. The updated FORM 299 Application is attached in this Sketch Plan Submittal.

12/13/23 - Case number assigned by Megan Mast : COCO106341399

Standard Form 299 - Case # COCO106341399

STANDARD FORM 299 (REV. 3/2020)

APPLICATION FOR TRANSPORTATION, UTILITY SYSTEMS, TELECOMMUNICATIONS AND FACILITIES ON FEDERAL LANDS AND PROPERTY

FORM APPROVED
OMB Control Number: 0596-0249
Expiration Date: 2/28/2023

FOR AGENCY USE ONLY

NOTE: Before completing and filing the application for an authorization (easement, right-of-way, lease, license or permit), the applicant should completely review this package, including instructions, and schedule a pre-application meeting with representatives of the agency responsible for processing the application. Each agency may have specific and unique requirements to be met in preparing and processing the application. Many times, with the help of the agency representative, the application can be completed at the pre-application meeting.

Application Number

Date Filed

1. Name and address of applicant
Charles Hoch
26 Boulder View Dr
Durango, CO 81301

2. Name and address of authorized agent if different from item 1

3. Applicant telephone number and email:
970-759-5960
chashoch@gmail.com

Authorized agent telephone number and email:

4. As applicant are you? (check one)

- a. Individual
- b. Corporation*
- c. Partnership/Association*
- d. State Government/State Agency
- e. Local Government
- f. Federal Agency

* If checked, complete supplemental page

5. Specify what application is for: (check one)

- a. New authorization
- b. Renewing existing authorization number
- c. Amend existing authorization number
- d. Assign existing authorization number
- e. Existing use for which no authorization has been received *
- f. Other*

* If checked, provide details under item 7

6. If an individual or partnership are you a citizen(s) of the United States? Yes No

7. Project description (describe in detail: (a) Type of use or occupancy; (b) related structures and facilities; (c) physical specifications (Length, width, grading, etc.); (d) term of days/years needed; (e) time of year of use or operation; (f) Volume or amount of product to be transported; (g) duration and timing of construction; and (h) temporary work areas needed for activity/construction (Attach additional sheets, if additional space is needed.)

- a) Gravel access road connecting County Road 51 and the Golden Eagle Lode Mining Claim for a proposed residential cabin in San Juan County to be built on the Gladstone Girl Lode Mining Claim. Gladstone Girl is accessed via Golden Eagle, both mining claims are owned by the applicant.
- b) n/a
- c) 10' long x 12' wide / 0% flat grade. Will comply with all road requirements and all comments received by the County Department Supervisor and BLM pertaining to required culvert, turning radius, soil, gravel, setbacks, and respected easements.
- d) Perpetual term
- e) Year round use. The road will be snowmobile access only in the winter months.
- f) Unsure. Minimal due to the small size of the right-of-way
- g) Ideally building in spring of 2024 and should be build in 72 hours or less.
- h) none

8. Attach a map covering area and show location of project proposal.

9. State or Local government approval Attached Applied for Not Required

10. Nonrefundable application fee Attached Not required To be determined by agency

11. Does project cross international boundary or affect international waterways? Yes No (if "yes," indicate on map)

12. Give statement of your technical and financial capability to construct, operate, maintain, and terminate system for which authorization is being requested.

Our family has already invested a significant amount of time and money into the land and preliminary work and is dedicated to completing construction and has full financial and technical capability to construct, operate, maintain the access road within the BLM right-of-way we are requesting.

13a Describe other alternative locations considered.

Our mining claims are landlocked and this is the shortest, easiest access point to both properties.

b Why were these alternatives not selected?

Alternative options would be far more costly, complicated, and have a much larger impact on the beautiful mountain terrain.

c Give explanation as to why it is necessary to use or occupy Federal assets (lands or buildings).

Without this access right-of-way we would be unable to access our property other than by foot.

14 List authorizations and pending applications filed for similar projects which may provide information to the authorizing agency. (Specify number, date, code, or name).

A Notice of Intent to Make Absolute for water rights was endorsed by government officials on 4/25/23 and 5/11/2023 for the Gladstone Girl Lode, Case No. 06CW127. We will also be submitting our Sketch Plan Application for Improvement Permit for the proposed residential cabin to the San Juan County planning commission in December of 2023.

15 Provide statement of need for project, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits.

a) Estimated cost to construct the 10' x 12' road is \$4500. Estimated annual cost to maintain is \$225 or 5% of original cost.
b) Cost to construct next best alternative is unknown but estimated to be \$100,000+ and would require cooperation from other land owners. c) May also provide access to East parts of Gold Bar #3, Occidental, & Marshall Mining Claims for maintenance.

16 Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles.

Road will provide feasibility for 1, 950 sq ft residential cabin that will sleep 4-6 people. No other impact on the social, economic, or rural lifestyles is predicted.

17 Describe likely environmental effects that the proposed project will have on: (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) the control or structural change on any stream or other body of water; (e) existing noise levels; and (f) the surface of the land, including vegetation, permafrost, soil, and soil stability, and, (g) historic or archaeological resources or properties.

a) none b) none c) none d) a culvert will be required to cross the Minniehaha Creek within the 10' long right-of-way. This will not impact the control, structure, quality, or quantity of the creek. e) none f) the road will cover the surface of the land but will be designed to protect the natural resources. h) none

18 Describe the probable effects that the proposed project will have on: (a) populations of fish, plant life, wildlife, and marine life, including threatened and endangered species, and (b) marine mammals, including hunting, capturing, collecting, or killing these animals.

a) none
b) none

19 State whether any hazardous material, as defined in this paragraph, would be used, produced, transported or stored on or in a federal building or federal lands or would be used in connection with the proposed use or occupancy. "Hazardous material" shall mean: (a) any hazardous substance under section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9601(14); (b) any pollutant or contaminant under section 101(33) of CERCLA, 42 U.S.C. § 9601(33); (c) any petroleum product or its derivative, including fuel oil and waste oil; and (d) any hazardous substance, extremely hazardous substance, toxic substance, hazardous waste, ignitable, reactive or corrosive material, pollutant, contaminant, element, compound, mixture, solution or substance that may pose a present or potential hazard to human health or the environment under any applicable environmental laws. The holder shall not store any hazardous materials at the site without prior written approval from the authorized officer. This approval shall not be unreasonably withheld. If the authorized officer provides approval, this permit shall include, or in the case of approval provided after this permit is issued, shall be amended to include specific terms addressing the storage of hazardous materials, including the specific type of materials to be stored, the volume, the type of storage, and a soil plan. Such terms shall be proposed by the holder and are subject to approval by the authorized officer.

NONE

20 Name all the Federal Department(s)/Agency(ies) where this application is being filed.

Bureau of Land Management - Gunnison Field Office

I HEREBY CERTIFY That I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and believe that the information submitted is correct to the best of my knowledge.

Signature of Applicant

Date

11/29/2023

Title 18, U.S.C. Section 1001 makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

Scenic Quality Report

1. Introduction and Site Location

San Juan County regulations state the following:

All residential development shall be required to submit a Scenic Quality Report at the time of sketch plan submittal.

The following is a Scenic Quality Report for the proposed Hoch Cabin, located on Gladstone Girl Lode, MS #17271, near Minnehaha Creek, San Juan County, Colorado. This property is accessed off County Road 51 which is maintained seasonally and accessed via County Road 110 which is accessed year-round. County Road 110 is plowed where it intersects with Country Road 51. The applicant will be limited to seasonal vehicular access and snowmobile or hiking access during winter months.

A [Vicinity Map](#) showing the general project location is included in this application for reference.

2. Project Site and Proposed Cabin Location

County regulations require that this Scenic Quality Report adhere to the following:

The designated view sheds shall include natural and historic features as seen from and toward the site. Provide written descriptions of these view sheds and how they will be preserved. Existing site photos and graphic depictions of the proposed development shall be submitted so that staff, the Planning Commission and the Board of County Commissioners can assess the visual impacts of the project on the view shed and the effectiveness of proposed mitigation measures.

Visibility of The Proposed Cabin From County Road 51

- Proposed cabin will not be visible from the first switchback of county road 51.



- It is possible you may see a roof peak across the ravine from County Road 51 if looking closely. Measures will be taken to preserve trees on the North side of the proposed cabin to reduce visual impact.



Visibility of The Proposed Cabin From County Road 110 (CEMENT CREEK)

- The top point of the roof of the proposed cabin may be slightly visible from County Road 110. Measures will be taken to preserve trees on the west side of the building envelope to reduce and hopefully eliminate visual impact.



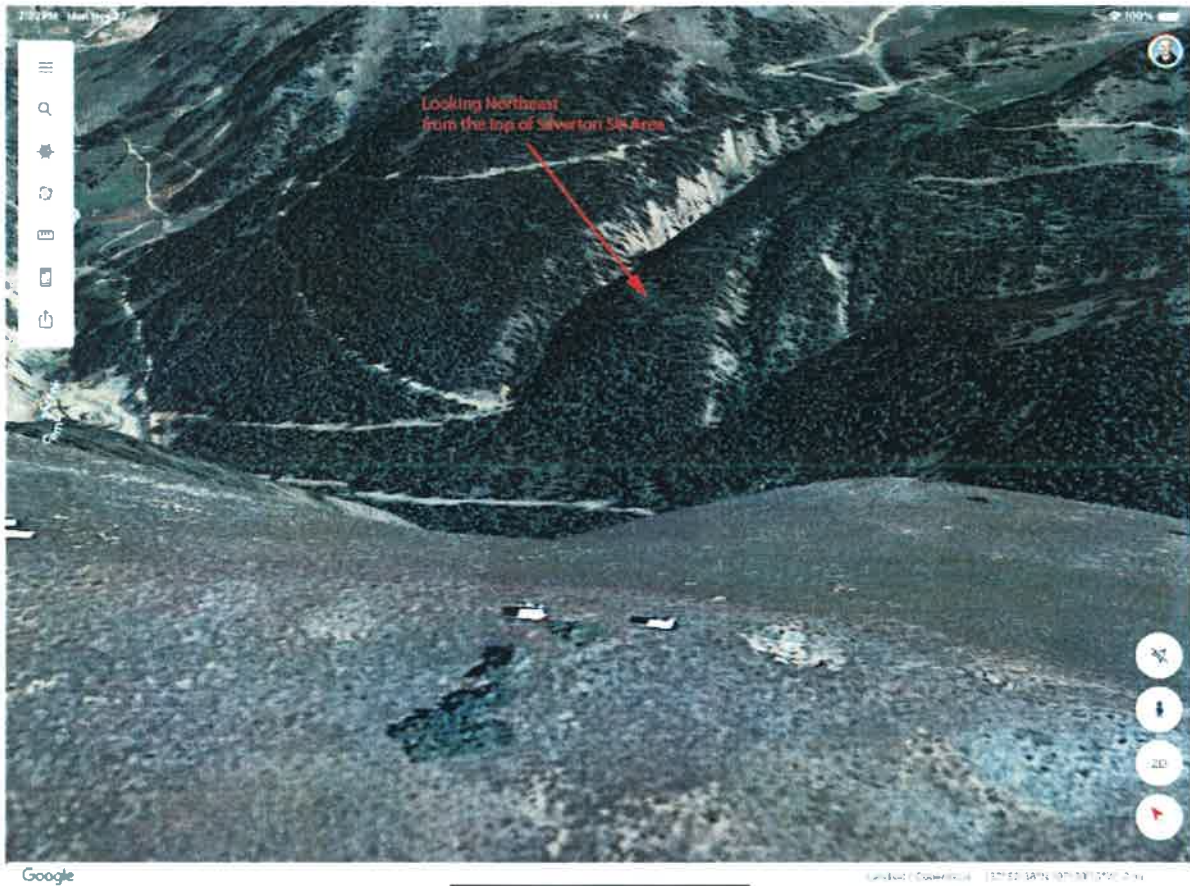
Visibility of The Proposed Cabin From County Road 52 (VELOCITY BASIN)

- Proposed Cabin will not be visible from County Road 52 in any area.



Visibility of The Proposed Cabin From Silverton Ski Area

- The proposed cabin may be visible from the top of Silverton Ski Area. Measures will be taken to preserve trees on the west and south west side of the building envelope to reduce visual impact. Other known structures can be seen from the ski area and the applicant does not believe this view shed will impact the experience of skiers and snowboards at Silverton Ski Area.



Views From The Proposed Cabin Build Site

South



West



East



North



3. Location of Structure Minimizes Visibility from Public Lands & Existing Trails

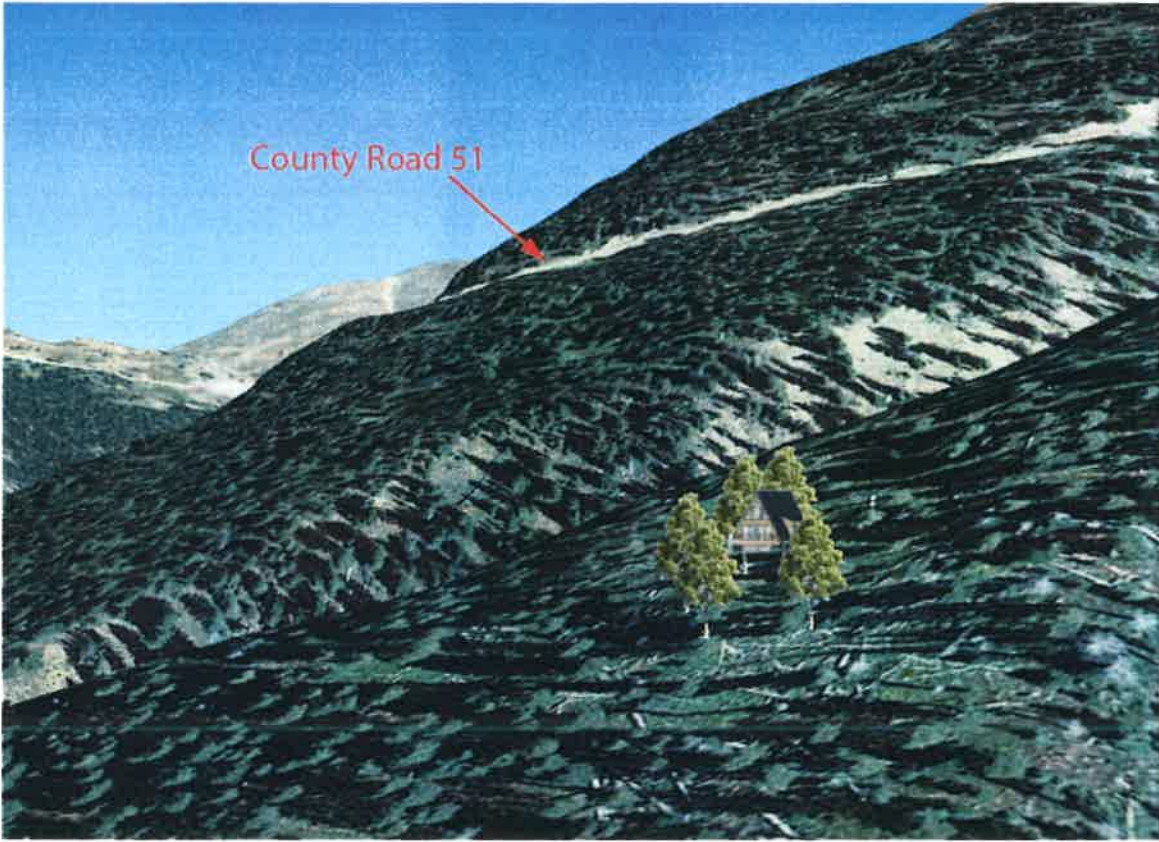
The County Scenic Quality regulations require the following information:

Evidence shall be provided to show that the location of the structure is designed to minimize the visual impacts and that it does not detract from the scenic quality of adjacent public lands, existing trails or historic resources.

Notable in the maps provided in the aerial sketch plans and in the above photos in [Section 2](#), evidence has been provided that the applicant has chosen a building site that will reduce the visual impacts from nearly all locations related to adjacent public lands, existing trails, and historic resources.

4. Building Design and The Natural Topography and Vegetation







Topsoil, Utilities, Lighting and Driveways

A. Topsoil

County regulations require that the project should include the following:

Plans to remove and save topsoil, prior to any grading or excavation, and how it will be replaced and reused for re-grading and re-vegetation purposes

The topsoil removed at the cabin site during excavation will be reused as backfill and building pad for the cabin or used in the grading of the new driveway. Any additional removed topsoil will be used for vegetation and landscaping as desired by the applicant and/or required by the County.

B. Utilities

County regulations require that the project should include the following:

Location and installation of utilities in ways that will minimize impacts to the view shed and natural environment.

The above attached aerial drawings depict the location of the proposed water and O.W.T.S. sewer locations. The 3D drawings of the proposed cabin in this Scenic Quality Report show the installation of solar panels on the west side of the cabin roof for the purposes of off-grid electricity. The applicant will adhere to any and all guidelines provided by the County in regards to utilities on the property.

C. Septic

An on-site wastewater treatment system (OWTS) is proposed for the cabin and will be located west of the cabin as shown on the included site plan. The septic system will be engineered by a Colorado licensed professional engineer in accordance with San Juan Basin Public Health regulations.

Due to limited vehicular site access, and until conditional approval of the Driveway Permit (included with this Sketch Plan Submittal), the test pits and septic design have not been completed. However, the septic engineer has [provided a letter](#) of feasibility for the proposed OWTS on the property. The San Juan Basin Public Health permit application and feasibility letter are included with this application.

D. Water

The applicant has obtained conditional approval for an increment of the Animas Service Area in surface water right to use surface water AND the Minnehaha Creek as their primary water source for their cabin. The applicant plans to divert water and construct a water holding pond located approximately 150-200 feet east of the proposed cabin, which is shown on the plans included with this application. [Documentation](#) for conditional approval is included with this application for reference.

Once the applicant has put the water to beneficial use and collected data, they will go

through the process of obtaining a decree from the Division 7 Water Court. If for whatever reason the surface water right cannot be adjudicated as absolute by the Division 7 Water Court, the applicant will install a water storage tank and haul water to the property.

E. Power/Heating

The cabin will operate independently from the grid and rely on solar energy harnessed by panels, which will be situated on the roof for optimal sunlight absorption. Most all appliances, including the water heater, are intended to run on electricity. The kitchen stove will run on propane. In case of power outages or solar panel malfunctions, the applicant plans to utilize a propane backup generator. The generator's location is indicated on the site plan accompanying the application, and the applicant will transport medium-sized propane tanks to the property as necessary to power the generator.

Wood will be the primary source of heat for the proposed cabin. The applicant plans to use a wood burning stove as the primary source of heat for the cabin. Firewood will be hauled to the site.

F. Exterior Lighting

County regulations require that the project should include the following:

Exterior lighting shall preserve the Dark Sky environment and view of the stars. Provisions requiring shielding of exterior lighting to prevent direct visibility of light bulbs from off-site, directing of all exterior lighting toward either the ground or the surface of a building and prohibiting high intensity sodium vapor or similar lighting.

The proposed exterior lighting for the project will be incorporated in all locations necessary to safely access the cabin and uncovered deck. All exterior lighting will be fully shielded, will be compatible with the rural mountain character of the area, and will be in conformance with the San Juan County Dark Sky requirements.

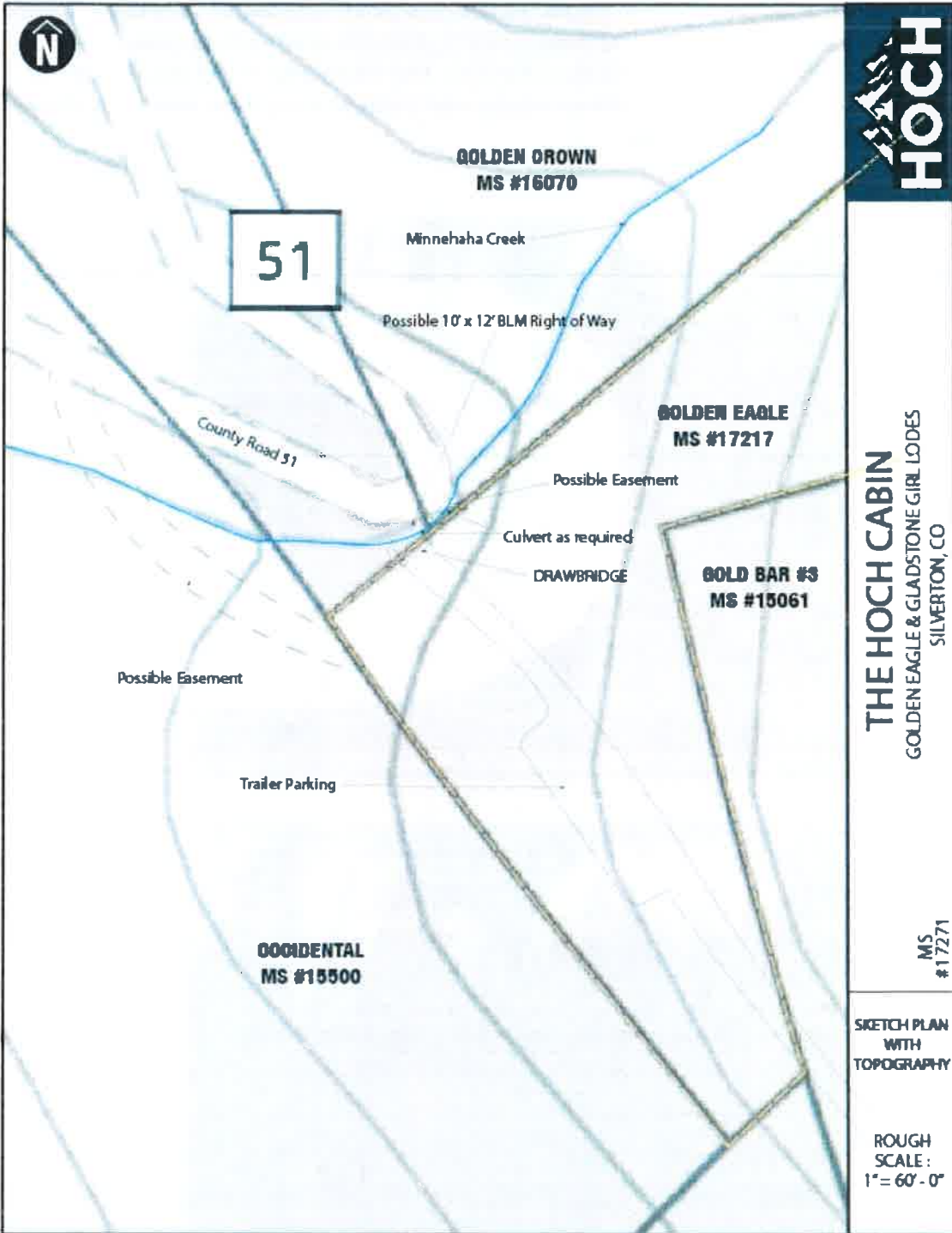
G. Driveways

County regulations require that the project should include the following:

Design and construction plans for roads and associated structures that bear a logical relationship to existing topography to minimize the need for cuts and fills.

The above attached aerial and topo drawings in the site plan depict the locations of 2 possible access driveways. The applicant, of course, only plans to build 1 access driveway and is continuing to explore the best route with the least impact on the land's natural topography. The applicant has consulted with Louie from the County Road Department and he has confirmed both driveways are within reason of being built and it would be up to the applicant to choose the preferred route. Once the applicant has received permit approval to build the access driveway, they will then consult with various road and excavation companies to quote and build the access road that bears a logical relationship to existing topography to minimize the need for cuts and fills and is the shortest length to reduce visual impact while building a road that is a reasonable grade.

While the applicant awaits eminent approval of their BLM Right-of-Way permit, the applicant is proposing the temporary construction of a drawbridge to cross the Minnehaha Creek between County Road 51 and the Golden Eagle property line. This section is roughly 10' long by 12' wide. The drawbridge would reside 100% on the applicants property and only touch the south edge of County Road 51 while in use. Once the applicant receives the BLM Right-of-Way permit or an easement from a neighboring mining claim, then the applicant will remove the drawbridge and finish their permanent road. The enlarged map below shows the 4 proposed options for connecting County Road 51 to the Golden Eagle Lode.



THE HOCH CABIN
 GOLDEN EAGLE & GLADSTONE GIRL LODGES
 SILVERTON, CO

MS #17271

SKETCH PLAN WITH TOPOGRAPHY

ROUGH SCALE: 1" = 60' - 0"

The applicant has used photoshop to create renders of what the proposed drawbridge may look like. It would be constructed to look like historic mining parts found around the area in order to blend in and not disrupt the scenic beauty of the area. The drawbridge allows the applicant to move forward with the construction of their access road without having to be held up by the time consuming BLM application process.

Down Position:



Up Position:



5. Building Materials

The applicant plans to use colors and materials that embody the local area and mining history. A colorized rendering of the cabin, which shows proposed building materials and design vernacular, is included in Section 4 of this Scenic Quality Report for your review. An example photo of the proposed cabin is attached below for reference. These are the colors and materials we intend on using:



Scenic Quality Report Conclusion

This project aims to conform to the County Scenic Quality and Building Regulations as shown in this report and is believed to do so as summarized below:

- The applicant has chosen a building site that will have less impact to the natural landscape and overall visibility while still having a buildable site and maintaining reasonable access from County Road 51.
- The cabin is built into the hillside which helps to minimize the overall and perceived height.
- All proposed utilities will be installed to minimize visual obstructions.
- The material palette allows the structure to blend and not compete with its natural surroundings.

Thank you for your review and consideration of the proposed Hoch Cabin located on the Gladstone Girl Lode near the Minnehaha Gulch. If you have any questions or need additional information, please contact Charlie Hoch at (970) 759-5960.

Request for Acre Variance or Exemption

December 13th, 2023

**San Juan County Planning Commission
ATTN: Willy Tookey, County Administrator
1557 Greene St
PO Box 466, Silverton, CO 81433**

Subject: Request for Variance or Exemption to the 5 Acreage Minimum

Dear Willy and Commissioners,

I am writing to request a variance or exemption to County Land Use Code 1-113 ZONING AND OVERLAY DISTRICT STANDARDS, .1 MOUNTAIN ZONING AND DISTRICT STANDARDS, (a) Size, Minimum parcel or lot area: five (5) acres, on behalf of our property.

Our property, the Gladstone Girl Lode, is just shy of the 5-acre minimum requirement, but we believe that it should be considered for an exemption due to its placement along the mountain and our ownership of the neighboring mining claim, the Golden Eagle Lode. We are confident that it is highly unlikely that anyone would build near us, given the nature of the land and the proposed improvement site location relevant to the adjacent landowners' access and the surrounding steep ravines created by the Minnehaha Creek and Middle Fork Cement Creek.

Furthermore, the code .5 NONCONFORMING LOTS is located within the same section of the San Juan County Land Use Code 1-113 ZONING AND OVERLAY DISTRICT STANDARDS, .1 MOUNTAIN ZONING AND DISTRICT STANDARDS, where the minimum parcel or lot area requirement is stated. Specifically, it is subsection (e) of the same section, which states:

".5 NONCONFORMING LOTS: Nonconforming lots, pursuant to pre-existing subdivision plats of record at the time of passage of this resolution, may be built upon providing that all other relevant district requirements are met."

This subsection provides an exception for nonconforming lots, which were created through pre-existing subdivision plats of record at the time of the passage of the resolution. If a mining claim was patented prior to the passage of this resolution, and the subdivision plat of record reflects the creation of your lot, then it may be considered a nonconforming lot and may be eligible for the exception. We believe that this code should apply to our property, given the fact that our claim was patented prior to the enforcement of the 5-acre minimum requirement as shown in the 1904 Survey Plat attached on page 15 of this Improvement Application.

Additionally, it is noted that there was an improvement granted to build a cabin on the below mining claim, Marshall NEY MS mineral survey #15683. The Marshall is 4.6 acres according to GIS parcel attributes. We believe the allowance of the Marshall cabin improvement is a similar variance request to ours.

We would like to explain the hardships we face in complying with the 5-acre minimum requirement. We have invested a considerable amount of money in acquiring the Gladstone Girl because the potential building site is not only ideal for our family but the site aligns with the other county and district requirements for cabin sites being that it is secluded and hidden in the trees. We have considered other options such as adjusting the borders to join the Golden Eagle and Gladstone Girl, which we are willing to apply for should the exemption not be granted, however this would impact our ability to resell the Golden Eagle in the future should we fall on hard times.

We are willing and able to comply with any other relevant county and district requirements and regulations in order to be granted this exemption or variance. We believe that our property is unique and deserves special consideration, given its location and history. We hope that you will give our request your full consideration and grant us the exemption or variance that we are requesting.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Hoch', with a stylized flourish extending to the right.

Charles V Hoch
970-759-5960