PROJECT DESCRIPTION

Summary – I am making application to Larimer County for a special review to determine whether or not my vacation rental, currently being compliant in 2012 and 2013, per written letter by Larimer County Community Development Division is compliant today. I am attaching a copy of the letter dated July 10, 2013 with the last two paragraphs circled holding me in compliance.

Review Criteria – Ii am providing all of the information that is requested in the first two pages of the submittal requirements and all will be attached.

Existing Conditions – The current condition is that I am abiding by the criteria set forth in a meeting between myself and the county planner, Michael Whitley, Tony Brooks Code Compliance Inspector, Eric Fried, building Inspector, and lastly Doug Ryan, REHS, that I accept no more bookings until the matter is resolved; but that I am allowed to keep the bookings that I currently have.

Operation – Hours and days of operation vary from year to year. Taking the last five years and averaging number of days occupied is 135 days per year. Number of employees is just my husband and myself; owners. I occasionally hire a cleaning person to assist me and be a local response person if we are on vacation. Number of residence is one single family dwelling. There is no outdoor display or storage area proposed. There are no special events outside normal operation allowed.

Infrastructure – This item is not relevant as the structure is not going to be changed, existing utilities are the same, electricity is Town of Estes Park. I am on propane as no natural gas is available in the area.

Proposed changes and improvements – No new proposed buildings, so no proposed uses of new buildings nor additions. There are no buildings being removed.

Traffic and access. There is no change to access from Meadowview Drive. The surface of the drive way is crushed asphalt coming off crushed asphalt from Meadowview Drive. There is an estimated traffic plan in a separate report compiled on an estimated basis as is future oriented.

Other information – I am voluntarily changing the amount of guests allowed. I originally allowed 12, then last year reduced it to 10, and to be in compliance with Environmental Health Considerations with well and septic, am reducing the maximum number of guests to 8, which is currently allowed for three bedrooms, two per room plus two.

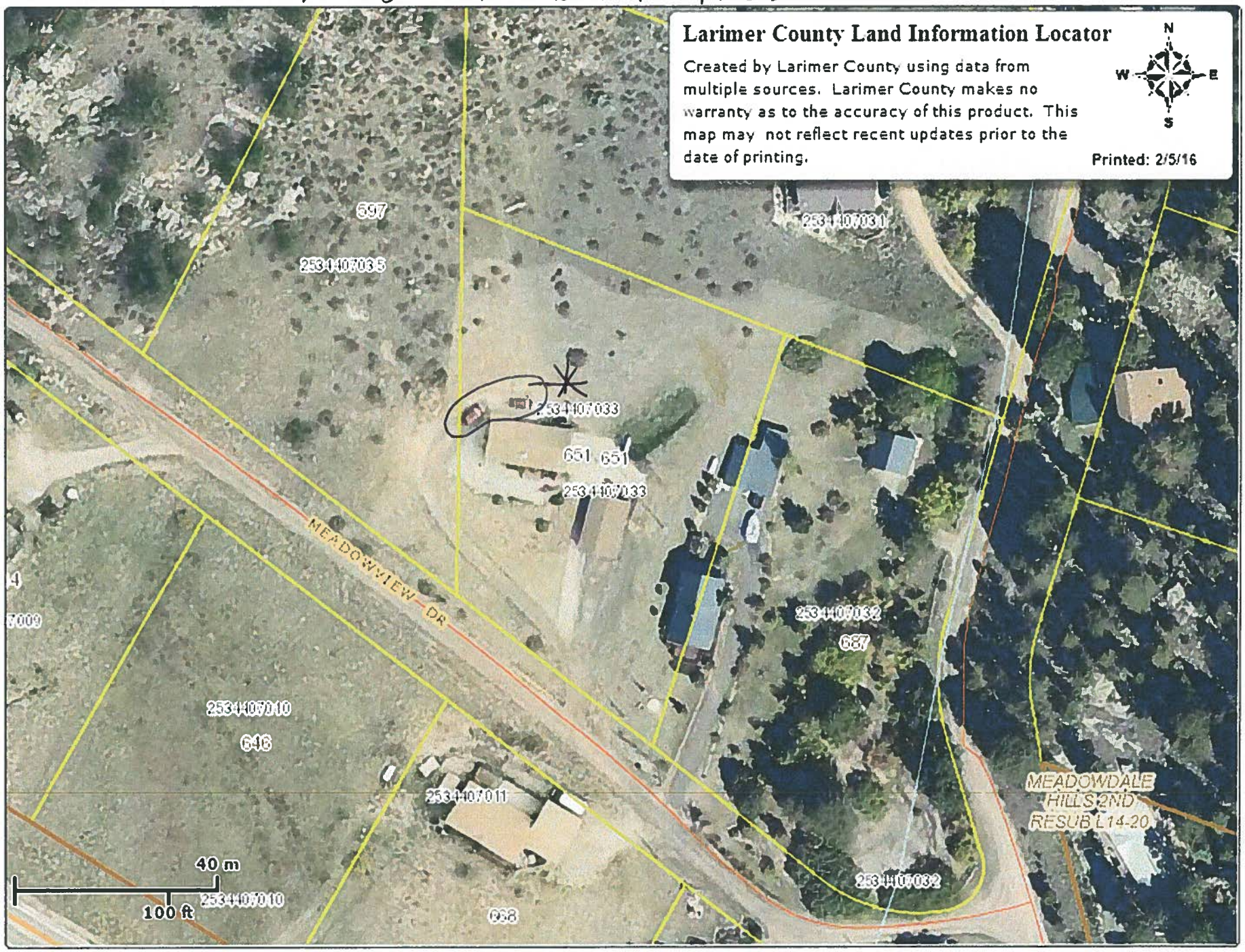
PARKING PLAN

My property's plot plan has the description of parking designations. I am also enclosing the photo from google maps of the property showing two cars parked to the rear of the house. I have two parking spaces in the rear, room for 1-2 cars on the north side, and I allow one car to park on the north side of the garage. I have a drive way in front of the garage that also has spaces for two cars to park; but I do NOT allow anyone to park in front of the garage as my neighbor, Mr. Sprouse has told me that seeing cars makes him angry and most of the time because people park in the back, he doesn't even know if people are there. This was spoken to me in a verbal conversation in October 2015.

My property because of acreage and elevations, etc. has lots of room for parking that would not cause any impact on the neighborhood. However; out of respect to my neighbor I have not allowed any parking that would be visible to him to negate any possibility of complaint. Because my guest allowance is being reduced to a maximum of 8, most parties would have 1-2 cars total as I don't always have the maximum amount of guests. I would say in years past that the average amount of guests would be 6.

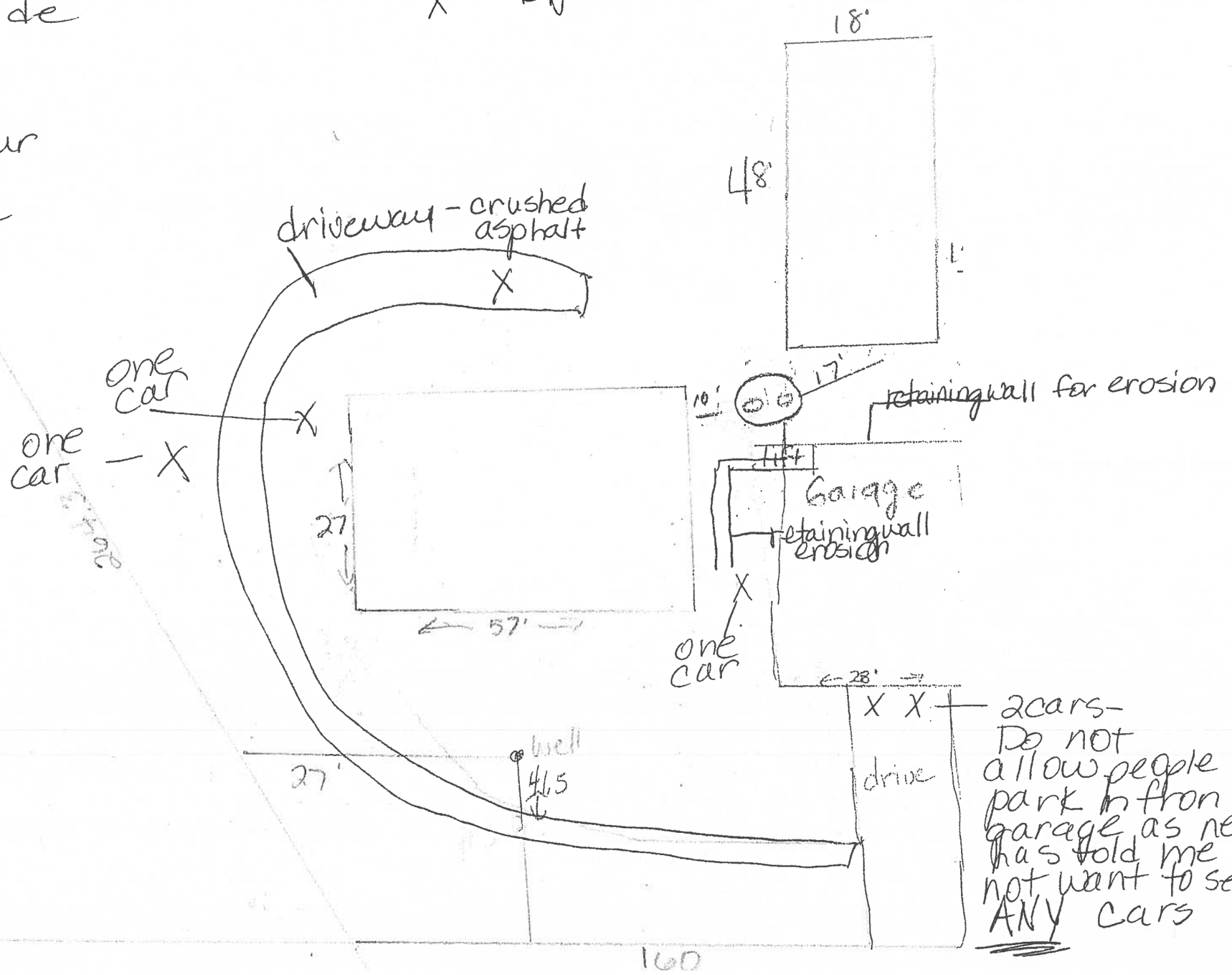
Also, in 2012 the compliance department sent someone to photograph the parking at my property and no cars were visible. This was a random spot check. There may have not even been a guest staying at that time or they were parked behind the house.

* 2 cars behind house



One car behind house. Two on north side of house. One in north side of garage. That is four cars out of Mr. Krouse's view. There will normally be one or two cars maximum for an average of 140 days per year

Parking Plan
X - one car



WATER SUPPLY REPORT

I have enclosed the information that I was told to get from the Division of Water Resources, David Nettles in Greeley, CO regarding my well. It is enclosed with three copies.

I can only speculate as to how much water usage a maximum of 8 people staying an average of 135 days per year would use, as the house in the past averaged out to 6 people average per stay in the span of a year. Since I don't have a water meter, I am going to use my water bill in a winter month as we are a household of 6, based on a three month average at 4000 gallons for 31 days or 29 gallons per day x 135 = 48,000 gallons for 12 months.

Laundry is not done at this location and there is no outdoor watering as the landscape is xeriscape.

WRJ-25-75

COLORADO DIVISION OF WATER RESOURCES

818 Centennial Bldg., 1313 Sherman St.
Denver, Colorado 80203

TYPE OR PRINT IN BLACK INK. COPY OF ACCEPTED STATEMENT MAILED ON REQUEST.

STATE OF COLORADO
COUNTY OF LARIMER } SS.

AFFIDAVIT

~~86-08-87 12:50 P~~
133107 1.00
TTL 1.00
CHFRUF 1.00
CHG 0.00
TTM 1
CI-1 7A6511

RECEIVED
JUN-8 1987

____ STATEMENT OF BENEFICIAL USE OF GROUND WATER
x AMENDMENT OF EXISTING RECORD
____ LATE REGISTRATION

PERMIT NUMBER 68693

LOCATION OF WELL

THE AFFIANT(S) Dennis E. Hall and Cheryl D. Hall
whose mailing address is 5908 Red Cedar Drive
City Bellvue, Colorado 80512 (STATE) (ZIP)

County Larimer
SE ¼ of the SE ¼, Section 34
Twp. 5 N (N OR S), Rng. 72 W (E OR W), 6th P M

being duly sworn upon oath, deposes and says that ~~he~~ (they) ~~is~~ (are) the owner(s) of the well described hereon; the well is located as described above, at distances of _____ feet from the _____ (NORTH OR SOUTH) section line and _____ feet from the _____ (EAST OR WEST) section line; water from this well was first applied to a beneficial use for the purpose(s) described herein on the ____ day of _____, 19____; the maximum sustained pumping rate of the well is _____ gallons per minute, the pumping rate claimed hereby is _____ gallons per minute; the total depth of the well is _____ feet; the average annual amount of water to be diverted is _____ acre-feet; for which claim is hereby made for _____ purpose(s); the legal description of the land on which the water from this well is used is _____ of which _____ acres are irrigated and which is illustrated on the map on the reverse side of this form; that this well was completed in compliance with the permit approved therefor; this statement of beneficial use of ground water is filed in compliance with law; ~~he~~ (they) ~~has~~ (have) read the statements made hereon; knows the content thereof; and that the same are true of ~~his~~ (their) knowledge.

(COMPLETE REVERSE SIDE OF THIS FORM)

Signature(s) Dennis E. Hall Cheryl D. Hall
DENNIS E. HALL CHERYL D. HALL

Subscribed and sworn to before me on this 4th day of June, 19 87 by DENNIS E. HALL and CHERYL D. HALL.

My Commission expires: 12/3/90
(SEAL)

Julie McCurdy
NOTARY PUBLIC

76511

FOR OFFICE USE ONLY

Court Case No. _____
Prior. _____ Mo. ____ Day ____ Yr. ____
Div. 1 Cty. 35
Sec. ____ ____ ¼, ____ ¼, ____ ¼,
Well Use 0
Dist. 04 Basin ____ Man. Dis. ____

ACCEPTED FOR FILING BY THE STATE ENGINEER OF COLORADO PURSUANT TO THE FOLLOWING CONDITIONS:

ACCEPTED FOR A CHANGE IN OWNERSHIP ONLY

JUL 13 1987
DATE

Jim A. Danielson
STATE ENGINEER

Melanie Laird
BY

PERMIT NO. 68693

NO STATEMENT OF BENEFICIAL USE HAS BEEN RECEIVED. THIS FORM IS BEING FILED IN LIEU OF THE STATEMENT OF BENEFICIAL USE. THIS DOES NOT CONSTITUTE EVIDENCE OF BENEFICIAL USE, NOR DOES IT ESTABLISH A WATER RIGHT. ANY FURTHER ACTION ON THIS PERMIT MUST BE PRECEEDED BY AN ACCEPTABLE STATEMENT OF BENEFICIAL USE.

NAME George M. & Helen L. Miller

ADDRESS 2 Pohlmann Lane, CITY Jennings ST. Mi. ZIP 63101

WELL LOC. R. 72W T. 5N S. 34 1/4 SE 1/4 SE 6 P.M.

DISTANCES 890 FT. FROM (~~NORTH~~, SOUTH) SECTION LINE

910 FT. FROM (EAST, ~~WEST~~) SECTION LINE

DATE WELL COMPLETED 9/?/73

TOTAL DEPTH OF WELL 125 FT.

STATIC WATER LEVEL 28 FT.

PUMPING RATE 2 G.P.M.

ANNUAL APPROPRIATION 1/2 ACRE FT.

ACRES TO BE IRRIGATED 0

USE CODE 0

DIV. 1, CO. 35, DIST. 04, BASIN ___, MAN. DIST. ___

4/6/73

WRJ-5-72

COLORADO DIVISION OF WATER RESOURCES

101 Columbine Bldg., 1845 Sherman St., Denver, Colorado 80203

RECEIVED APR 17 '73 WATER RESOURCES STATE ENGINEER COLO.

PERMIT APPLICATION FORM

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

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

( ) REPLACEMENT FOR NO. _____

( ) OTHER _____

(1) APPLICANT - mailing address

NAME George M. & Helen L. Miller

STREET 2 Pohlmann Lane

CITY Jenning, Missouri (State) (Zip)

TELEPHONE NO. 314-388-1497

(2) LOCATION OF PROPOSED WELL

County LARIMER

SE ¼ of the SE ¼, Section 34

Twp. 5 N, Rng. 72 W, 6th P.M.

(3) WATER USE AND WELL DATA

Proposed maximum pumping rate (gpm) 1

Average annual amount of ground water to be appropriated (acre-feet): ½

Number of acres to be irrigated: None

Proposed total depth (feet): 150

Aquifer ground water is to be obtained from: GRANITE

Owner's well designation _____

GROUND WATER TO BE USED FOR:

(X) HOUSEHOLD USE ONLY - no irrigation (0)
( ) DOMESTIC (1) ( ) INDUSTRIAL (5)
( ) LIVESTOCK (2) ( ) IRRIGATION (6)
( ) COMMERCIAL (4) ( ) MUNICIPAL (8)

( ) OTHER (9) _____

(4) DRILLER

Name Ernest C. Young

Street P.O. Box 692

City Estes Park, Colo (State) 80517 (Zip)

Telephone No. 586-3646 Lic. No. 495

FOR OFFICE USE ONLY: DO NOT WRITE IN THIS COLUMN

Receipt No. 462800 /

Basin _____ Dist. _____

CONDITIONS OF APPROVAL

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

Approved for household use only, for one (1) single family dwelling and not to be used for irrigation. The return flow from the use of this well must be returned to the same stream system in which the well is located.

DED

APPLICATION APPROVED

PERMIT NUMBER 68693

DATE ISSUED MAY 1 1973

EXPIRATION DATE MAY 1 1975

E. J. Sniper (STATE ENGINEER)

BY _____

I.D. 1-4 COUNTY 35

Memorandum

TO: Tony Brooks, Code Compliance Inspector, Eric Fried, Chief Building Official, Michael Whitley, Planner II, Doug Ryan, Environmental Health Planner

FROM: Cheryl Anderson

RE: 651 Meadowview Drive special review for Vacation Rental

Dear Sirs;

I have gone through the Special review submittal requirements. I am submitted them on February 8, 2016 in order to go with the schedule for that date for review.

I am also submitting to you for your consideration a letter that I received on July 10, 2013 from Eric Fried. He had called me to let me know that Mr. Sprouse has sent another letter of complaint for code compliance after he had received the correspondence from me that was sent on to him on August 20, 2012 with the results of our code compliance meeting. A year after he received notification that I was considered in compliance he sent another complaint. I was send this letter via Amy White, a code compliance tech. I have circled the last two paragraphs for your consideration but it stated that the county cannot hold me to a stricter understanding that has developed since 2012 and that the issue is resolved and no further action is planned. Because Mr. Sprouse and wife complained the same complaint again in 2015, action was taken and I am now held to a special review.

Mr. Fried was not a zoning compliance officer in 2013 as you know, but this was referred to him because he had handled the issue in 2012 and was a code compliance officer in charge at that time. If a code compliance officer does not have the authority to meet with people to either find them in compliance or out of compliance, what is their authority? If this could only have been decided by the county commissioners, that should have been communicated to me in 2012. If a special review process was not yet designated for 2012 am I to be held to the current standard even though it was not in place when I went through the process?

My last question is in regard to the amount of the application fee. I have talked to two other people who met with zoning compliance regarding their vacation rental. They were told the fee for a special review was $1600. The last one was winter of 2014. I don't understand a difference of $4200 for the same thing a year later. I am writing a check for $5800 but would like this explained and also since I found this document, how I can be held to a higher accountability or a stricter understanding?

SITE LIGHTING PHOTOMETRIC PLAN

There are currently a total of 2 exterior lights that are attached to the house at front and back entrance. There are two exterior lights at both side entrances of the detached garage. These lights are attached to the structure.

There is no other exterior lighting such as a light on a light pole or separate lighting.

I have given my neighbor, Scott Sprouse the determination as to whether the light on the south side of the garage could be left on when the property is not in use to be used as a security light and he indicated he doesn't care if the light is left on or shut off as it doesn't disturb them. I have no preference and have left it up to him.

SEWAGE DISPOSAL REPORT and SOILS REPORT

Since I am not seeking to allow more than 8 guests; which fits the formula for the Estes Valley of two guests per room plus two, I am not seeking to expand the septic system. The house is in use an average of 135 days per year compared to a 365 residence if rented out on a 31 day x 12 month basis.

I spoke with Doug Ryan again on February 5 and told him of my intentions not to seek a review for over 8 guests. Also, the house is occupied approximately 135 days per year, not 365.

TRAFFIC MEMO

Based on a five year average usage of 135 days per year, at an average car per day estimated at two cars for a total of 8 people making two trips per day on the short amount of road usage from Highway 36 to 651 Meadowview Drive, I am estimating 275 trips per 365 days per year. This is significantly less than the neighbor to the south who has two cars and would estimate their road use as more than twice as much for the same amount of road in terms of mileage. I can estimate the year round rental across the road, which averages 4 cars traveling twice a day for 365 days at 1460 trips per year.

DRAINAGE MEMO

This property was constructed in 1987. I believe the garage was constructed in 1988 or 1989.

In 2001 I built a retaining wall behind the garage to promote proper drainage away from the east side of the garage as the sloping elevation needed support.

In the spring of 2013 I completed a retaining wall on the north side of the garage as some of the siding was being covered by dirt. This retaining wall held up entirely during the September 2013 flood. This is the maximum test any property could have for soils and erosions. My property was the property that all homeowners on the lower Pine Tree Drive used to be able to enter and exit Meadowdale Hills until Pine Tree was repaired months later. We replaced the culvert right after the flood as part of it was exposed after torrential rain. The property itself sustained no erosion or damage. I had no losses of property nor any insurance claims for flood as this house is not in a flood plain.

FIRE PROTECTION PLAN

I met with the Estes Park Fire Marshal, Marc W. Robinson regarding the Fire Protection Plan. He communicated the synopsis of our meeting with Eric Fried of the Larimer County Building Department. He stated that since our home is a single family dwelling a sprinkler system is not required as it is not a commercial hotel or business.

Meadowdale Hills is within four miles of the fire station on 901 N. Saint Vrain Avenue in Estes Park.