

**TOWN OF SILT
PLANNING AND ZONING COMMISSION AGENDA
WEDNESDAY, NOVEMBER 8th, 2023 6:30 P.M.
MUNICIPAL COUNCIL CHAMBERS
HYBRID MEETING**

ESTIMATED TIME	ELECTRONIC AGENDA ITEM	PUBLIC HEARING/ ACTION	ELECTRONIC LOCATION AND PRESENTOR
	Agenda		Tab A
6:30 5 min	Call to Order		Chair Williams
	Roll Call		
	Pledge of Allegiance		
6:35 5 min	Public Comments - Each speaker will limit comments to no more than three (3) minutes, with a total time of 30 minutes allotted to public comments, pursuant to Section 2.28.020 of the Silt Municipal Code		
6:40 5 min	Consent agenda – 1. Minutes of the October 5, 2023 Planning & Zoning Commission meeting	Action Item	Tab B Chair Williams
	Conflicts of Interest		
	Agenda Changes		
6:45 5 min	The Bank -Site Plan Review Continuance Request	Public Notice/ Action Item	Tab C Manager Centeno
6:50 15 min	Brew Zone – Special Use Permit	Public Notice/ Action Item	Tab D Manager Centeno
7:05 20 min	Jalisco Food Truck - Site Plan Review and Special Use Permit	Public Notice/ Action Item	Tab E Manager Centeno
7:25 25 min	Laestadian Church – Annexation	Public Notice/ Action Item	Tab F Planner Chain
7:50 10 min	Planners Report	Info item	Verbal Manager Centeno/Planner Chain
8:00 5 min	Commissioner Comments		
8:05	Adjournment		

The next regularly scheduled meeting of the Silt Planning & Zoning Commission is tentatively set for Tuesday, December 5th 2023, at 6:30 p.m. Items on the agenda are approximate and intended as a guide for the Planning and Zoning Commission. "Estimated Time" is subject to change, as is the order of the agenda. For deadlines and information required to schedule an item on the agenda, please contact the Town of Silt at 876-2353. Please be aware that this agenda is given to the public and to the Commission in electronic form. If you require a hard-copy, please request one before or after the scheduled meeting. Normal Town copying charges may apply. Thank you.

TOWN OF SILT
REGULAR PLANNING AND ZONING COMMISSION MEETING
October 17, 2023 6:30 P.M.
HYBRID MEETING

The Silt Planning and Zoning Commission held their regularly scheduled meeting on Tuesday, October 17, 2023. The meeting was called to order at 6:32 PM.

Roll call	Present	Chair Lindsey Williams (arrived at 6:40 PM) Commissioner Robert Doty Commissioner Michael Bertaux Commissioner Eddie Aragon Commissioner Jennifer Stepisnik (virtually) Commissioner Vanessa Westmoreland
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Also present were Town Planner Mark Chain, Community Development Manager Nicole Centeno

Pledge of Allegiance

Public Comments – Chris Classen requested to be recognized as he had to leave immediately for another engagement. He wanted to speak about the parking for the Bank Site Plan Review. He was concerned about the future parking arrangement from Main Street north to Home Avenue. He noted that there will need to be improvements done around the RFFTA parking area. He was curious what would happen to the 20-minute parking spaces as they are used for the liquor store and a marijuana establishment. He said that those 20-minute parking spaces are there for a reason there are usually winners and losers when parking is adjusted.

Consent Agenda

1. Minutes of the September 5, 2023 Planning & Zoning Commission meeting.

Commissioner Bertaux made a motion to approve the consent agenda as presented. Second by Commissioner Doty; the motion carried unanimously.

Conflicts of Interest – There were no conflicts of interest.

Agenda Changes – There were no agenda changes.

Vote of Vice Chair - This agenda item was moved to later on in the agenda because Chair Williams had not arrived at this time.

Fence Height Exception- Public Hearing

Community Development Manager Centeno introduced this agenda item. The applicants Lorena Mendoza and Jorge Madrigal were present. The request was to allow a fence up to 6 feet in height on the east side of their property which is adjacent to the North Otero right-of-way. Centeno noted that the property line is approximately 20 feet behind the sidewalk, on the other side of a Ditch/ drainage easement. There were other properties to the north and south that also contain a 6-foot-tall wooden privacy fence directly adjacent to the street – North Otero Boulevard. Because of these similar fences that have been granted construction staff concludes that the request would not negatively impact or detract from adjacent properties or the surrounding area. Staff recommended approval.

The public hearing was opened to comments from the public. Mrs. Garcia says that she supported the request. Mrs. Pinela said that the applicants are her neighbors and she also supports the request.

Commissioner Bertaux made a motion to approve the fence exception at 298 Grullo with conditions noted by staff. Second by Commissioner Doty. Motion passed unanimously.

Staff recommends approval of the Mendoza/Madrigal Fence Exception, with the following conditions:

- 1) That the proposed fence meets all applicable criteria in the Silt Municipal Code Chapter 15.24.
- 2) That the proposed fence be located entirely on the applicant's property; but not installed in designated/recorded easements.
- 3) That the fence exception is limited to the exact request as depicted in the applicant's submitted photograph/site plan.
- 4) That all representations of the applicant made in writing, application materials and verbally at the Planning Commission or Trustee meetings or that are reflected in the meeting minutes are considered to be part of the application and are binding on the applicant.
- 5) That applicant will provide any additional requested documents and pay any remaining fees, prior to installation and inspection of the approved fence.
- 6) That this approval is not for construction, but rather the exception of the height and location. Community Development will need to issue a permit before the installation of fence can occur.
- 7) That all future fencing proposals will require a permit and fence exception, if required.

Public Hearing – The Bank Restaurant Site Plan Review

Manager Centeno introduced this project. She noted to the commission that this application was not 100% complete. The applicant's engineer was not able to complete all items related to the

project though Centeno noted this information can be supplemented. She asked the Commission if they wanted to go through the application and then they can determine whether to act or continue the item to another time.

There was a quick discussion by the Commission, and they decided to review the report and try to get the whole picture of the application. Centeno gave a quick overview. Features of the application are below:

- Remove the dilapidated structure at 101 N. 7th St. and rebuild as necessary. Applicant wants to keep as much of the store brick as possible.
- The building would be a three-level building with one of those levels being underground.
- Setbacks are proposed and it was noted that setbacks in this district are established at time of site plan review.
- Lower level would be for food preparation and storage. Main floor would have the primary bar and dining as well as outside uses
- Second story would include rooftop dining.

Centeno noted that the Comprehensive Plan designation was “Downtown Area”. Centeno briefly went over staff findings and conclusions. Staff thinks this would be a good project for the Town and Centeno offered to work with the applicant to dot all “i’s” and cross all “t’s”. The Town Engineer, Public Works and Fire Department had already been involved in the review.

She noted that a Landscape Plan was required, and she also requested the applicant to submit a color palette. Regarding improvements and impact of the sidewalk the Town needs to have more information, especially how to deal with the RFTA bus stop that will have to be relocated for an undetermined period.

Centeno went over some preliminary comments from the Town Engineer and outlined issues such as street repair, location of water services, an operating plan is required for the business and parking information. Additional geotechnical information is required. Centeno noted that the Planning Commission is the approving body for a site plan review; but that no building permit would be issued until the town engineer signs off on all such matters including drainage, dry well information, construction details and similar items.

Centeno summarized the conditions of approval – there were 13 such conditions. She noted that this was a unique proposal and that citizens have been curious for a long time what would happen to this structure and property. There are also questions about location of the proposed wall as well as trash location.

Commissioner Bertaux had some questions and comments including:

- How much of the original brick could be used?
- A signage plan is needed
- Appears to be minimal landscaping, and only the bulb outs are included. The Town would need more.
- Would be good idea to get rid of the newspaper boxes in the area
- Using the walls for sound barriers would be a good idea.
- Use of outdoor heaters may be a waste of heat.

Chair Williams welcome the applicant and the architect and asked if Mr. Collins wanted to address the Commission. The owner/applicant, Richard Collins said he has lived for 18 years on Silt Mesa and he has always loved that building. Ryan Doremus of Thunderbowl Architects also

introduced himself and said he had been working for a year and ½ helping organize this project. They were trying to put together the best use for this site. He wishes to embrace the original design and name of the project – “The Bank”. An important part of the concept is the outdoor spaces. he was hoping to have creative uses for the outdoor area not just restaurant space – for example yoga classes, music, kids play area etc.

Ryan thought it was best to have the wall on the west part of the property and it could help protect the residential use that is adjacent to some degree. Related to parking, they are happy to accommodate handicap parking. However, there may be some issues accommodating accessibility with the grade relative to the sidewalk and street. He said they would work with Town Engineer and their team. His architect is Rick Barth and not everything has been fully vetted at this time.

Elevations were quickly discussed. There are two different styles of elevation including the use of brick and the color. Ryan hopes to utilize as much of the original brick as possible. He also hopes to be able include the shape of the original windows in the design which could also help delineate what is new from what is original.

Chair Williams asked if any of the commissioners had questions. Commissioner Doty thanked the applicant’s for choosing the property. He was wondering if there was to be any time limit for the entertainment. He thought that parking was an important issue as well as ADA compliant parking.

Commissioner Bertaux thinks this could be good project for the Town and appreciates the intent to keep features of the original building. Related to a stage for performances, he did not think this needed to be permanent. He commented that everybody thinks bricks are generally red, but he says there are many different colors of brick and he hopes that they can keep some of the original bricks, but this may be difficult. He said perhaps original brick could be incorporated into that west wall. He noted that parking may be at a premium, but all employees will need parking too. Perhaps eating the sidewalk could be a good idea related to accessibility.

Commissioner Westmoreland was wondering how food deliveries would be made and whether that would be in the middle of the street. Ryan said that they were looking at deliveries on a side door or side of the building.

There was some more discussion including having the main framework/skeleton of the building be steel and utilize some existing brick on the outside. Commissioner Bertaux also thought that some grants may be available for keeping some of the “historic” portions of the building.

Manager Centeno noted that perhaps a lease agreement would be a good place to start because the applicants may not know extensive details for a operating plan at this time.

Chair Williams open the public hearing at 8:21 p.m. There was no public comment. The public hearing was closed at 8:22 PM.

There was then some discussion on the next steps; whether there could be conditional approval or continuance. There was discussion on continuing the public hearing and project review until next meeting which is November 8th. Commissioner Aragon said he was hoping to have a complete application for review at that time. The project architect said he would not be available on November 8 but would like to have some form of approval with contingency on items that are still not finalized. Additional meeting dates were discussed. It was thought it was best to continue the meeting until November 8th and if necessary, an additional meeting date and time

could be determined at that time. Commissioner Bertaux made a motion to continue the public hearing until November 8th. Second by Commissioner Doty; motion passed unanimously.

Election of Vice chair

Manager Centeno summarized code requirements for election/appointment of the Vice Chair and that it was normally done in July. Centeno then identified the terms for each of the existing Commissioners.

Commissioner Aragon nominated Commissioner Berrtaux as Vice Chair. Second by Commissioner Stepisnik; the motion passed unanimously.

Planning Update

Planner Chain noted that an annexation for the Laestadian church would be coming forward at the November 8th meeting. Centeno said that presently two different food truck applications could also be considered at the November 8th meeting. She then talked briefly about special events such as the Main Street Trick or Treat, the Downtown Tree Lighting ceremony on November 21st and the fact that the Town now has an enforcement officer.

Adjournment

Commissioner Doty made a motion to adjourn. Second by Commissioner Bertaux. Meeting adjourned at 8:55 PM.

Respectfully submitted,

Approved by the Planning Commission

Mark Chain
Planner

Lindsey Williams
Chair



Community Development Department

MEMORANDUM

TO: Planning & Zoning Commissioners
FROM: Nicole Centeno, Community Development Manager
DATE: November 3, 2023
RE: "The Bank"

"The Bank" has requested a continuance of the Public Notice from the October 17, 2023 Planning and Zoning Meeting. The architect is unavailable to attend the November meeting, but will be present for the December meeting.

TOWN OF SILT
PLANNING COMMISSION STAFF REPORT
Public Hearing Action Item- Special Use Permit
Wednesday, November 8, 2023 6:30 PM

Project: Brewzone Special Use Permit
Location: 502 Front Street, Units 504 & 506 and 550 Front Street
Applicant: Rich Lynch, Dba All in Brewing, LLC
Owner: M&M Ventures
Current Zoning: B-3
Proposed Zoning: No Proposed Change
Present Land Use: Commercial Office and Retail Space
Proposed Land Use: Brewpub & Food Truck

Description of Request

Mr. Lynch was contacted by the State Liquor Board, stating that he was unable to have a financial interest in the two licenses that he obtained. He had a whole sale and retail license but due to state regulation, was not able to keep both in his name. He and his business partner are both listed as owners on the two different LLC's, so Mr. Lynch had a choice to remove himself and his partner from the two different LLC's, so they each had only one vested interest, or change his designation to the Silt location from a Brewery, to a Brewpub. Town staff explained that the changing from Brewery to Brewpub would now take the business from a use by right, to a special use, as a Brewpub designation is not described in the Town Code.

After receiving the requirements from the state, and the options from the Town Code, Mr. Lynch stated that he was not in too big of a hurry to open and wanted to keep both he and his partner on both LLC's, so he decided to change his use in Silt from a Brewery to Brewpub.

Overall, the business proposal is similar. The changes include, but are not limited to the following liquor licensing requirements and zoning use changes:

- Brewery does not require Town Liquor License, but a Brewpub does, so Mr. Lynch has applied for a Town Liquor License
- Brewery does not require that on site premise food be sold (just provided), however, a Brewpub does require that a minimum of 15% of all sales must be from food, annually.
- Brewery is only able to serve the beer that is being brewed and a Brewpub allows for the addition of wine and mixed-drinks.

With Mr. Lynch changing his liquor license to a Brewpub, rather than a brewery, the Town cannot keep his zoning designation as a brewery, which was a use by right. The Silt Municipal Code does not define Brewpub, so it is designated as “any use not described as a permitted use, special use or a prohibited use” is a special use permit. There are two other zoning use categories that could be similar enough to a Brewpub, however, both are a special use permit in a B-3 zone district as well, so a special use permit is the best option for Mr. Lynch to utilize for his business, at this location.

17.13.020 Appendix A |

TYPE OF BUSINESS	AG	R-1	R-2	R-3	B-I	B-1	B-2	B-3	PU	DMD
X = permitted use; SU = special use; PR = prohibited use										
Restaurants, delicatessens, fast food establishments or any establishment providing prepared food, including serving of alcoholic beverages as a secondary sale	PR	PR	PR	PR	SU	X	X	SU	PR	PR

17.13.020 Appendix A

TYPE OF BUSINESS	AG	R-1	R-2	R-3	B-I	B-1	B-2	B-3	PU	DMD
X = permitted use; SU = special use; PR = prohibited use										
Any use not described as a permitted use, special use or a prohibited use	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU

17.13.020 Appendix A |

TYPE OF BUSINESS	AG	R-1	R-2	R-3	B-I	B-1	B-2	B-3	PU	DMD
X = permitted use; SU = special use; PR = prohibited use										
Liquor stores, taverns, or bars whereby the majority of business is derived from the sale of alcohol	PR	PR	PR	PR	SU	X	X	SU	PR	PR

Operating Plan

All in brewing, LLC proposes to open a brewpub and food truck at 502 Front Street, Units 504 & 506, as well as 550 Front Street, the adjacent, vacant, lot to the east.

Mr. Lynch has provided the operating plan for the proposed business, with the below pertinent information:

- Hours of operation will be Wednesday, Thursday and Friday from 3pm – 9pm, Saturdays from noon to 8pm and Sundays from noon to 6pm. The hours of operation could change or be altered for private parties, however it is stated that the business will not operate past 10pm, to the general public.
- There will be indoor and outdoor seating, as well as a walk-in cooler and secured brewing area
- All in Brewing has stated that they will be compliant with all required liquor licensing, which will now require a Town Liquor License.
- This operation will be a small batch brewery, using an estimated 700 gallons per month
- Mr. Lynch does not believe that there will be any hazard to the community or wastewater plant, as the yeast is organic and once fermented then cleaned, the yeast is diluted, so it will no longer be active and safe for the Town water system.

- Hard liquor will be served, in a mix-drink capacity only.
- Bring your own food is encouraged and All in Brewing will provide snacks, such as pretzels and chips. Mr. Lynch is confident that his minimum of 15% of annual sales from food will be met regardless.
- The proposed fixed food truck will be hooked to the building utilities. There will be an option for guest food trucks to alternate in and out, creating a variety of options, however, the guest food truck will not be utilizing utilities. The guest food truck will be placed parallel to Front Street, directly in front of the fixed food truck, as the fixed food truck will not be operational while the guest food truck is present.
- Proper signage will be posted for liquor consumption
- Servers will obtain and uphold the “responsible servers” certification and not serve to anyone under the age of 21.
- Live music will be provided indoors and outdoors, weather dependent. Music will not exceed past 9pm and will not exceed the Town’s noise ordinance.
- A portion of the vacant lot will be set up with games, such as cornhole.
- There will be 24-hour surveillance of the brewery, both inside and outside

The Property

The property is located south of Main Street, on the 500 block of Front Street. The indoor rental space is approximately 3,000 square feet and the outdoor space is approximately 11,000 square feet.



Comprehensive Plan

The Comprehensive Plan, as amended in 2017, designates this parcel with a Commercial and Support Land Use Designation. Those properties within the Comprehensive Plan Land Use Designation of “Service and Commercial Support” are outside of the Town’s Downtown area, but are expected to have good visibility from Main Street and/or the I-70 corridor. The “Service and Commercial Support” designation is not expected to extend more than two blocks north of Highway 6. For this reason, it is appropriate to expect that these properties will provide the Town with solid retail and service commercial businesses, such as construction related businesses like supply companies, office-type businesses such as real estate offices, craftsmen type businesses such as cabinet makers, and other services such as auto repair and small appliance repair, hotels, and convenience stores. These properties should look inviting and aesthetically professional, and the structures should have a western appeal or theme if possible. This area is crucial for the Town’s employment picture, providing local jobs within the core of the community, and keeping the residents close to enjoy the time not spent working with their families and friends. While retail businesses may not be the main focus in the “Service and Commercial Support” area, it is important for the Town to encourage any business that provides clean commercial without air pollution, noise, undesired odor, vibration or wasted resources. As the Town and/or businesses grow(s), this Comprehensive Plan Land Use Designation will have to shrink in order to accommodate a larger “Downtown” area.

Staff Findings and Conclusions

Overall, staff finds that this application and proposal align with the comprehensive plan and expansion of the downtown area.

Town Staff believes that the brewpub and fixed food truck will draw local and traveling customers, helping to drive commerce in Silt.

Planner Recommendation

Staff recommends approval of the Special Use Permit, allowing All in Brewing to operate a Brewpub and fixed food truck, at the proposed location with the following conditions:

- 1) That all statements made by the applicant both in the application and in any meetings before the Planning and Zoning Commission be considered conditions of approval, unless modified in any subsequent conditions.
- 2) That the applicant obtains and follows all necessary liquor license requirements, for a Brewpub, from the State of Colorado and the Town of Silt. This includes proof that 15% of all on premise food and alcohol sales, consumed on site, has been satisfied. It’s Mr. Lynch’s responsibility to confirm with Town and State Liquor requirements that off premise food is allowed to be brought on site for consumption. All evidence of these approvals need to be submitted to the Town Clerk.
- 3) That the applicant obtains a building permit for all improvements within the structure as well as for any improvements for outdoor space.
- 4) That the applicant notifies the Town Community Development Department on any proposed changes over time and/or expansion of activities within the building

or anywhere else on the premises including areas for outside liquor consumption such as a patio. Said changes may require additional land use applications, permitting or licensing.

5) That the Applicant/Owner coordinate with the Public Works Director as part of the building permit process and make appropriate arrangements to mitigate any potential wastewater issues related to spoiled brewing affluent and/or other items that could adversely impact the Town's wastewater treatment system. A grease trap is required to be installed and inspected for any food truck that will be attached to the Town's system.

6) That the applicant acquires the proper licensing through Garfield County Public Health and the Town of Silt for the Business and Food Truck, prior to the Food Truck being placed on the property and operating.

7) That a food truck be open anytime that the Brewpub is serving alcohol to the public or at private gatherings. Said food truck needs to be within the fenced area, with proper required signage.

8) That the applicant provides any additional requested documents and pay any remaining fees, prior to operating business.

9) That the food truck not move location, without prior consent from the Town. The food truck will only run parallel to Front Street, aligning with the southeast corner of the building. The food truck will not be permitted to run perpendicular with Front Street, as this will not allow for the mitigation of noise to the adjacent properties to the north.

10) That the parking lot addition to the vacant lot have an access from the alley and an additional access point from 6th Street. There will be no access from Front Street, without further discussion and approval from the Town.

11) That this approval is not for construction, but rather approval for the use of the land. Additional licensing and permitting will be required separately.

Recommended Motion: I move to approve the Special Use Permit for All in Brewing LLC, to operate a Brewpub and fixed food truck at 502 Front Street, Units 504 & 506, as well as 550 Front Street, with the conditions noted above or verbally added during this meeting.



Community Development Department
231 N. 7th Street, Silt, CO 81652
(970) 876-2353 (office) (970) 876-2937 (fax)
www.TownOfSilt.org

Land Use Application Form

<input type="checkbox"/> Amended Plat	<input type="checkbox"/> Boundary Adjustment	<input type="checkbox"/> Subdivision Exemption
<input type="checkbox"/> Annexation	<input type="checkbox"/> Sketch Plan	<input type="checkbox"/> Floodplain Development
<input type="checkbox"/> Final Plan	<input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> Vacation of Right-of-Way
<input type="checkbox"/> Text Amendment	<input type="checkbox"/> Site Plan Review	<input type="checkbox"/> Metro District or Special District
<input type="checkbox"/> Easement Agreement	<input type="checkbox"/> Zoning or Rezoning	<input type="checkbox"/> Subdivision Improvement Agreement
<input type="checkbox"/> Preliminary Plan	<input checked="" type="checkbox"/> Special Use Permit	<input type="checkbox"/> ADA or ADA Amendment
<input type="checkbox"/> Zoning Variance	<input type="checkbox"/> Intergovernmental Agreement	Other: _____

Project Name: Allen Bay 'Bewzme' Project Description: Brewery, Brew Pub,
Owner's Name: Richell Lyh Owner's Number: 303 911 9165 Owner's Email Address: Allen.brewery11c@gmail
Address: 504, 506 front street Parcel ID Number: 217910220008
Legal Description (attach additional sheets if necessary): 10 township; 6 Range; 92 S1/4 division
Original waste Silt Block 15 lot 11 thru lot 14 also lots C, D.
Access to Property: 5th street, 6th street, front street
Acreage or Square Footage: 10,000 sq ft Existing Land Use Designation: Commercial
Proposed Land Use Designation: Commercial
Existing Zoning: B-3 Proposed Zoning: B-3
Proposed Use / Intensity of Use: Brew Pub / Food truck

Submittal Requirements:

- A completed original application with original signatures and two copies (2 full sets) shall be submitted to the department for review. The application shall include two sets of 24" x 36" plans, plats and other appropriate drawings. Full application must also be submitted in electronic format.
- In addition to this application, all information on the supplemental checklist must be submitted.
- Incomplete applications will not be accepted and will delay processing.
- When the documents are deemed adequate, additional copies as required by the department shall be submitted no less than ten (10) days before the public hearing.
- All documents submitted for Land Use Applications shall be collated and paper-clipped (no staples). All plans, plats or drawings shall be organized and submitted ready for review, to avoid delays in processing. Fees and Deposits are collected at the time of submittal.

STAFF USE ONLY

Pre-app conference: _____ (date) Fees: _____
Application Received: _____ (date) Deposits: _____
PZC approval: _____ (date) Date Fees Collected: _____
BOT approval: _____ (date)

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Billable Party Agreement

Property Owner(s) Name: MIKE MILLER Phone: 970 329-3419
Company: MDM Ventures Fax: _____
Address: 1435 Airport Rd Rifle, CO 81650
Authorized Rep.: Name: RICHARD LYNCH Phone: 303-910-9063
Company: All in Brewing LLC Fax: _____
Address: Po Box 1872 Rifle, CO 81650
Billable Party: Owner _____ Representative ✓

The Billable Party, by signing below, hereby agrees to reimburse the Town the actual costs to the Town plus 15% administrative fees for all billable staff time and contract services, including, but not limited to, planning, reviewing, inspecting, engineering, surveying and legal services rendered in connection with the applicant's request. A deposit will be required if deemed necessary by Town Staff. The Billable Party shall also reimburse the Town for the cost of making any corrections or additions to the master copy of the official Town map and for any fees for recording any plats and accompanying documents with the County Clerk and Recorder of Garfield County. The Billable Party agrees that interest shall be imposed at a rate of 5% per month on all balances not paid within thirty (30) days of the date of the statement. In addition to any and all remedies available to the Town and in the event the Town is forced to pursue collection of any amounts due and unpaid, the Town shall be entitled to collect attorney's fees and costs incurred in said collection efforts in addition to the amount due and unpaid.

Name (printed): RICHARD LYNCH
Address: 184 W. 26th St. Rifle CO 81650
Phone: 303 910 9063 Email: ALLinbrewingllc@gmail.com
Type of Identification: CO License Identification Number & Expiration: 15-211-0370
Signature: [Signature] Date: 10/2/2023
County of Garfield)
State of Colorado) §

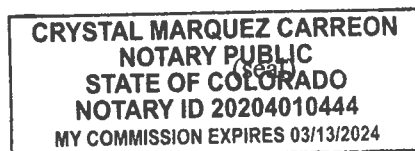
Sworn to and subscribed before me this 2 day of October, 2023
(Day) (Month) (Year)

By Crystal Marquez Carreon
(Notary Name)

Witness my hand and official seal

[Signature]
(Notary Signature)

Notary Public
My Commission Expires 03/13/2024



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Town of Silt Community Development

231 N. 7th Street, Silt Colorado 81652; (970)876-2353 ext. 110



LAND USE ACTIVITY IMPACT STATEMENT

Name of Applicant: ALL in Brewing LLC Date: 10/2/2023

Location of Property: 541 d 506 front street

Land Use Request: Brewing, Brew Pub, food truck

Please answer the following questions to the best of your ability. Attach additional pages as needed.

1. Is your request compatible with the Silt Municipal Code? Yes/No

2. Is your request compatible with the Silt Comprehensive Plan? Yes/No

If not, how is your request useful to the Town of Silt?

3. Explain how your request is compatible with the immediate area surrounding the site. THE AREA IS COMMERCIAL USE AREA

4. How is your request desirable for the Town of Silt?

THIS BRINGS MORE TAX INCOME, TOURISM TO SILT

5. Detail any real or possible environmental, town service, or other impacts your request may have.

NONE

6. Are there or have there ever been any landfills on any part of the property included in your request? Yes/ No

7. Please mark all the concerns or impacts listed below which apply to your request and give a brief statement about how you have addressed them.

N/A

- a. _____ traffic
- b. _____ town services (water, sewer, etc.)
- c. _____ signage
- d. _____ open space
- e. _____ schools
- f. _____ emergency services (police, fire, medical)
- g. _____ other utilities (electrical, etc.)
- h. _____ other (pollution, etc.)

Please list any other items or information which you feel would be of help in assessing your application.

TOWN OF SILT, PROOF OF PUBLIC NOTICE AND CERTIFICATE OF MAILING

Project: ALL in Brewing "Brewzone" Brew Pub, Food truck, tasting Room

I HEREBY AFFIRM THAT Public Notice requirements of the Silt Municipal Code have been met for the Public Hearing before the Silt Planning & Zoning Commission/Board of Trustees to be held on _____, 20__

In addition, I hereby affirm that on _____ day of _____, 20__, I mailed first class, certified return receipt, a true copy of the attached Public Notice by placing the same postage prepaid in the United States Mail at _____, Colorado, addressed to those property owners on the submitted and approved list.

The Town has been provided with the following:

1. Certificate(s) of Mailing (original mailing receipts and return receipts)
2. Proof of publication from a newspaper of general circulation within the Town showing that prior to the meeting, the Public Notice was advertised as required per Silt Municipal Code.
3. List of names and mailing addresses of all surrounding property owners within 200 feet of subject property.

RICHARD LYNCH
Name of Applicant (printed)

[Signature] 10/2/23
Signature of Applicant Date

County of Garfield
State of Colorado

ss.

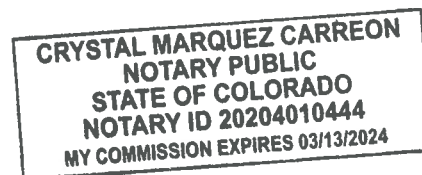
Sworn to and subscribed before me this 2 day of October, 2023.
(fill in day) (fill in month) (fill in year)

By RICHARD JOSEPH LYNCH
(name printed)

Witness my hand and official seal.

[Signature]
Notary Public

My Commission Expires: 03/13/2024



RECEIVED OCT 02 2023 6

Disclosure of Property Ownership

- ☐ If owner is an individual, indicate name exactly as it appears on the deed.
- ☒ If owner is a corporation, partnership, limited partnership or other business entity, name principals on a separate page. Please include articles of organization, partnership agreement, etc., as applicable.
- ☐ If owner is a land trust, name beneficiaries on a separate page.
- ☐ If applicant is a lessee, indicate the owner(s) on a separate page.
- ☐ If applicant is a contract purchaser, attach a copy of the contract and indicate the owner(s) on a separate page.

Please provide the name(s), mailing address(es), street address(es) and phone number(s) for all owners.

Property Owner Affidavit

I/We, M&M Ventures, Inc., being first duly sworn, depose and state under penalties of perjury that I am (we are) the owner(s) of the property described herein and which is the subject of the application and proposed hearings; that all answers provided to the questions in this application, and all sketches, data and all other supplementary matter attached hereto and made part of this application are honest and true to the best of my (our) knowledge and belief. I (we) understand that this application must be complete and accurate prior to a hearing being scheduled. I (we) authorize Town staff to visit the site as necessary for proper review of this application.

(If there are special conditions such as guard dogs, locked gates, restricted hours, etc., please give the name and phone number of the person(s) who can provide access to the site)

M&M Ventures Inc. by
Name (printed) Dan A. Meekin, VP

Name (printed)

1435 Airport Road

Rifle, CO 81650

Address

Address

(970) 379-3419 or (970) 309-6966

Phone

Phone

Fax

Fax

x Dan Meekin
Signature

Signature

CO DL 92-155-4117
Type of Identification

County of Garfield

State of Colorado

ss.

Sworn to and subscribed before me this 2 day of October, 2023
(fill in day) (fill in month) (fill in year)

By Nicole Centeno
(name printed)

Witness my hand and official seal

Notary Public

My Commission expires: 2-19-24

NICOLE MARIE CENTENO
NOTARY PUBLIC - STATE OF COLORADO
No (seal) #20204007103
My Commission Expires 2/19/2024

Authorized Representative

I/We further permit Richard Lynch & Hunt JV
DBA All in Army LLC to act as my/our representative
in any manner regarding this application, to answer any questions and to represent me/us at any meeting(s) and public
hearing(s) which may be held on this application.

NOTE: All correspondence will be sent to the authorized representative. It will be the representative's responsibility to
keep the owner(s) adequately informed as to the status of the application.

M & M Ventures Inc.
Name (printed)

1435 Airport Road

Rifle, CO 81650

Address

(970) 379-3419 or (970) 309-6966

Phone

Fax

[Signature]

Signature

CO DL 92-155-4117

Type of Identification

County of Garfield

State of Colorado

ss.

Sworn to and subscribed before me this 2 day of October, 2023.
(fill in day) (fill in month) (fill in year)

By Nicole Centeno
(name printed)

Witness my hand and official seal.

Notary Public

My Commission expires: 2-19-24

NICOLE MARIE CENTENO
NOTARY PUBLIC - STATE OF COLORADO
Notary ID #20204007103
My Commission Expires 2/19/2024

RECEIVED OCT 02 2023

BACK, DARYL JR & CAROLINE J
521 MAIN STREET
SILT CO 81652

GARCIA, ANGEL C & BERTHA E
159 RIVERBOAT DRIVE
NEW CASTLE CO 81647

JAMES, PATRICIA JOY FAMILY TRUST
PO BOX 13
SILT CO 81652

KOLBE, NATHANIEL M
1750 COUNTY ROAD 109
GLENWOOD SPRINGS CO 81601

M & M VENTURES INC
1435 AIRPORT ROAD
RIFLE CO 81650

M&M VENTURES INC.
1435 AIRPORT ROAD
RIFLE CO 81650

VELTUS, LOIS A
6651 COUNTY ROAD 115
GLENWOOD SPRINGS CO 81601

WALLACE, IAN B & JAMES A S II
1428 ANVIL VIEW AVE
RIFLE CO 81650

WALLACE, JAMES A S & IAN B
PO BOX 576
SILT CO 81652

Douglas Wight
P.O. Box 453
Silt CO 81652

Colorado River Fire
protection District
1850 Railroad Ave
Rifle CO 81650

Vanessa Westmoreland
121 N 6th St
Silt CO 81652

Cody Anderson
101 N 5th St
Silt CO 81652

Martha & Felipe Sanchez
146 Rabbit Road
Carbondale CO 81623

RECEIVED OCT 02 2023

Recorded at _____ o'clock _____ M.
Reception No. _____ Recorder.

WARRANTY DEED

THIS DEED, made on July 24, 2015,

Between **Alan D. Duncan**

of the County of MONTEZUMA, and State of CO, grantor, and

M & M Ventures Inc.

whose legal address is : 120 E. 3rd Street, Suite A, Rifle, CO, 81650

of the County of Garfield and State of CO, grantee:

WITNESSETH That the grantor for and in consideration of the sum of \$352,000.00 DOLLARS, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey and confirm unto the grantee, its successors and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Garfield and State of Colorado described as follows:

Lots C, D, 11, 12, 13 and 14
Block 15
Town of Silt

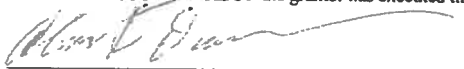
as known by street and number as: 502-506 Front Street Silt CO

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, its successors and assigns forever. And the Grantor, for himself, his heirs, and personal representatives, does covenant, grant, bargain, and agree to and with the Grantee, its successors and assigns, that at the time of the enrolling and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, 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, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except general taxes and assessments for the year 2015 and subsequent years and all those specific exceptions described by reference to recorded documents as reflected in Commonwealth Title Company's Commitment No. 1412046-1

The grantor shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the grantee, its successors 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 gender shall be applicable to all genders.

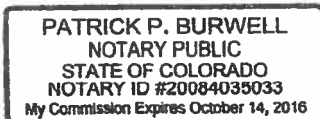
IN WITNESS WHEREOF the grantor has executed this deed on the date set forth above.


Alan D. Duncan

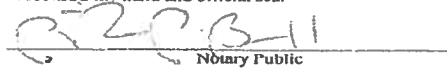
STATE OF COLORADO)
) ss.
COUNTY OF GARFIELD)

The foregoing instrument was acknowledged before me on July 24, 2015, by Alan D. Duncan.

My commission expires:



WITNESS my hand and official seal


Notary Public
127 East 5th Street
Rifle, CO 81650

Commonwealth File No. 1412046-1

Return to:
M & M Ventures Inc.
120 E. 3rd Street, Suite A
Rifle CO 81650

RECEIVED OCT 02 2015

COMMERCIAL LEASE

This Commercial Lease (the "Lease") is made on August 31, 2023 and is entered into by and between Landlord (as defined below) and Tenant (as defined below). In consideration of the payment of the Rent (as defined below); and the performance of the promises by Tenant set forth below, Landlord hereby leases to Tenant, and Tenant hereby accepts, the Premises (as defined below), subject to the terms and provisions set forth in the Lease.

PARTIES, PREMISES, AND DEFINED TERMS

1. **Landlord:** M&M Ventures Inc. (the "Landlord").
2. **Tenant:** Richard Lynch and Hong Xu dba All in Brewing LLC (the "Tenant").
3. **Premises:** Landlord hereby leases and demises to Tenant the following real property: 504-506 Front Street, and adjacent lot known as TBD Front Street, Silt, Colorado 81652 (the "Premises").
4. **Term:** Landlord leases the Premises to Tenant from twelve o'clock noon on the 1st day of September, 2023 and until 11:59 p.m. on the 31st day of August, 2028 (the "Term"). Subject to Tenant's performance of all obligations under the Lease, including, without limitation, payment of Rent and Additional Rent, Tenant shall enjoy quiet possession of the Premises.
5. **Rent:** The rental payment is Four Thousand and 00/100 Dollars (\$4,000.00) payable in advance to Landlord on the first day of each calendar month for that month's rental before twelve o'clock noon, without notice (the "Rent"). Unless otherwise provided in the Lease, all payments due under the Lease, including Additional Rent, shall be mailed, or delivered to Landlord at the following address: 1435 Airport Road, Rifle, Colorado 81650 or at such other place designated by written notice from Landlord. Rental payments are waived for September – November 2023. Landlord hereby acknowledges receipt of rent for December 2023 and last month's rent.
6. **Security Deposit:** Tenant has paid a security deposit (the "Security Deposit") in the amount of Four Thousand and 00/100 Dollars (\$4,000.00) to Landlord. Security Deposit to be held by Landlord without interest as security for performance by Tenant of Tenant's covenants and obligations under this lease, it being expressly understood that such deposit is not advance payment of rental or a measure of Landlord's damages in case of default by Tenant.
7. **Use:** The Premises shall be used for the primary business of **Brew Zone**, provided these uses conform with applicable zoning regulations. Tenant shall not, without the prior written consent of Landlord, permit the Premises to be used for any other purpose.
8. **Utilities:** Tenant shall pay all water, sewer, gas, electricity, trash, telephone and other services and utilities used by Tenant on leased premises. In the event that Tenant fails to pay any utility bills in a timely manner, Landlord may, at its sole discretion, pay the utility bills in order to protect the Premises. All amounts paid by Landlord on Tenant's behalf shall be immediately reimbursed by Tenant to Landlord. Tenant shall not conduct any operations or any other functions for which the Silt Municipal Code requires a Special Use Permit unless and until such permit is issued to Tenant and a copy has been provided to Landlord.
9. **Repairs and Maintenance of the Premises:** The Landlord shall maintain the foundation, exterior walls, and roof of the Premises in good repair. The Tenant agrees to keep all the other improvements (including plate glass and other windows, window frames, and doors) upon the Premises repaired and maintained in good order as described in the Lease. The Tenant shall keep all sidewalks on the Premises free and clear of ice and snow and mud, all landscape area shall be kept free of weeds per ordinances of the Town of Silt. Any fees incurred due to violation of these ordinances shall be the sole responsibility of the Tenant.
10. **Condition of Premises and Representations:** Tenant is familiar with the physical condition of the Premises. Except as may otherwise be provided in the Lease, Landlord makes no representations, or warranties as to the physical condition of the Premises, or its suitability for Tenant's intended use. The Premises are rented "as is," in current condition, and all warranties are hereby expressly disclaimed. Tenant understands and agrees that in the event actions, alterations, or improvements are required in order to bring the Premises into compliance with any local, state,

or federal laws and regulations because of Tenant's intended use, Tenant shall be solely responsible for any and all associated costs and expenses relative thereto. Tenant further indemnifies and agrees to hold Landlord harmless from any and all claims and liabilities that may arise by virtue of Tenant's use of the Premises in violation of any local, state, or federal laws and regulations.

11. Use of Premises: Tenant, in consideration of the leasing of the Premises, agrees as follows:

a. **Signage:** Tenant shall be permitted to erect a sign or signs upon the Premises, provided all signage is in compliance with any local or state laws and regulations. Tenant shall repair any damage to the Premises resulting from the removal of signs installed by the Tenant.

b. **Prohibitions:** Tenant shall not act in any manner that would interfere with, or be a nuisance to adjacent property owners, or adjacent tenants, or that would interfere with those other parties' quiet enjoyment of their premises. Said prohibition includes, but is not limited to, loud noises, loud music, noxious or unpleasant odors, and disruptive behavior or actions. Tenant shall not permit any portion of the Premises to be used in a manner that may endanger the person or property of Landlord or co-tenants. Tenant shall keep all portions of the Premises in a clean, safe, sanitary, and habitable condition.

c. **Hazardous Material Prohibited:** Tenant shall not cause or permit any hazardous material to be brought upon, kept or used in, or about the Premises by Tenant, its agents, employees, contractors, or invitees. If Tenant breaches the obligations stated in the preceding sentence, or if the presence of hazardous material on the Premises caused, or permitted by Tenant results in contamination of the Premises, or if contamination of the Premises by hazardous material otherwise occurs for which Tenant is responsible to Landlord for resulting damage, then Tenant shall indemnify, defend, and hold Landlord harmless from any and all resulting claims, judgments, damages, penalties, fines, costs, liabilities, or losses.

d. **Spills:** Interior and exterior grounds must be cleaned of any spills including, but not limited to, flammables and pollutants (e.g. gas, oil and grease).

e. **Lodging Prohibited:** Premises shall not be used for lodging including, but not limited to: campers, motorhomes and 5th wheel trailers.

f. **Restroom Use:** The toilets, wash basins and other restroom facilities shall not be used for any purpose other than that for which they were constructed. No foreign substances of any kind shall be placed in them. Any fees incurred due to violation of this rule shall be the sole responsibility of the Tenant.

12. Subletting or Assignment: Tenant shall not sublet the Premises or any part thereof, nor assign the Lease or any interest therein, without the prior written consent of Landlord. Such consent shall be at the sole discretion of Landlord. In the event an assignment or sublease is permitted, all payments from assignee or sublessee shall be made directly by said party to Landlord, and not through Tenant. Landlord shall be entitled to assign the Lease at Landlord's sole discretion.

13. Surrender of Premises: Tenant will return the Premises to Landlord at the expiration of the Term in as good order and repair as when Tenant took possession, normal wear and tear excepted.

14. Removal of Fixtures/Redelivery: Tenant shall remove, at the termination of the Lease, provided Tenant is not in Default, Tenant's moveable trade fixtures and other items of personal property that are not permanently affixed to the Premises. Any personal property of Tenant not removed within five (5) days following such termination shall, at Landlord's option, become the property of Landlord.

15. No Offset: Tenant shall have no right to withhold or set off any Rent or Additional Rent due Landlord.

16. Joint and Several Obligations of Tenant: In the event more than one person comprises Tenant, it is expressly understood and agreed that each person comprising Tenant is jointly and severally liable for any and all obligations of Tenant in the Lease.

17. **Default:** If Tenant is in arrears in the payment of any installment of Rent, or any portion thereof, or is in violation of any other covenants or agreements set forth in the Lease (a "Default") and the Default remains uncorrected for a period of three (3) days after Landlord has given written notice thereof pursuant to applicable law, then Landlord may, at Landlord's option, undertake any remedy or series of remedies authorized by Colorado law.

18. **Liability Indemnification/Insurance:** Tenant shall hold Landlord, Landlord's agents, and their respective successors and assigns, harmless and indemnified from all injury, loss, claims, or damage to any person or property while on the Premises, or any other part of landlord's property, or arising in any way out of Tenant's business, which is occasioned by a negligent, intentional, or reckless act, or omission of Tenant, its employees, agents, invitees, licensees, or contractors. Tenant shall maintain public liability insurance insuring Landlord and Landlord's agents, as their interest may appear, against all claims, demands, or actions for injury to or death arising out of any one occurrence, made by, or on behalf of any person, firm, or corporation, arising from, related to, or connected with the conduct and operation of Tenant's business, including, but not limited to, events on the Premises and anywhere upon landlord's property.

19. **Fire/Casualty Insurance:** Tenant shall maintain plate glass insurance covering all exterior plate glass in the Premises, fire, extended coverage, vandalism, and malicious mischief insurance and such other insurance as Tenant may deem prudent, covering all of Tenant's stock in trade, fixtures, furniture, furnishings, floor coverings, and equipment in the Premises.



20. **Insurance Requirements:** Tenant and Landlord shall, each at its own expense, maintain a policy or policies of comprehensive general liability insurance with respect to the respective activities of each in the Building with the premiums thereon fully paid on or before due date, issued by and binding upon some insurance company approved by Landlord, such insurance to afford minimum protection of not less than \$1,000,000 per occurrence for bodily injury and/or property damage or combination thereof and not less than \$2,000,000 aggregate for any one policy period. Landlord shall be listed as an additional insured on Tenant's policy or policies of comprehensive general liability insurance, and Tenant shall provide Landlord with current Certificates of Insurance evidencing Tenant's compliance with this Paragraph. Tenant shall obtain the agreement of Tenant's insurers to notify Landlord that a policy is due to expire at least thirty (30) days prior to such expiration. Landlord shall not be required to maintain insurance against thefts within the Leased Premises or the Building.

21. **Waiver of Liability:** Landlord and Landlord's agents and employees shall not be liable for, and Tenant waives all claims for, damage to property sustained by Tenant, employees, agents or contractors, or any other person claiming through Tenant, resulting from any accident in or upon the Premises or the property of which they shall be a part, including, but not limited to, claims for damage resulting from: (1) any equipment or appurtenances becoming out of repair; (2) Landlord's failure to keep the Premises in repair; (3) injury done or occasioned by wind, water, or other act of God; (4) any defect in, or failure of, plumbing, heating, or air-conditioning equipment, electric wiring, or installation thereof, gas, water and steam pipes, stairs, porches, railings, or walks; (5) broken glass; (6) the backing-up of any sewer pipe, or downspout; (7) the bursting, leaking, or running of any tank, tub, sink, sprinkler system, water closet, waste pipe, drain, or any other pipe or tank in, upon, or about landlord's property or Premises; (8) the escape of steam, or hot water; (9) water, snow, or ice being upon, or coming through the roof, skylight, doors, stairs, walks, or any other place upon, or near landlord's property, or the Premises, or otherwise; (10) the falling of any fixtures, plaster, or stucco; (11) fire or other casualty; and (12) any act, omission, or negligence of co-Tenants, or of other persons or occupants of the property, or of adjoining or contiguous buildings, or of adjacent or contiguous property.

22. **Indemnification Fees and Costs:** In case any claim, demand, action, or proceeding is made or brought against Landlord, its agents, or employees, by reason of any obligation on Tenant's part to be performed under the terms of the Lease or arising from any act of negligence of Tenant or its agents or employees, or which gives rise to Tenant's obligation to indemnify Landlord, Tenant shall be responsible for all costs and expenses, including, but not limited to, reasonable attorneys' fees incurred in defending or prosecution of the same, as applicable.

23. **Destruction, or Condemnation of Premises:** Landlord's and Tenant's duties and responsibilities are as follows when destruction or condemnation of the Premises occurs:

a. **Partial Destruction of the Premises:** In case of partial destruction of the Premises by fire, or other casualty, Landlord at its discretion may repair the Premises with reasonable dispatch after notice of said partial

Initials:  
Landlord Tenant

destruction. Tenant shall remain responsible for payment of Rent. Subparagraph (d) of this Paragraph 24 shall apply if Landlord determines that the partial destruction will not be repaired.

b. Premises Untenable: If the Premises are made totally untenable by fire, the elements, or other casualty, or if the building in which the Premises are located is partially destroyed to the point where Landlord, within a reasonable time, decides not to rebuild, or repair, then Subparagraph (d) of this Paragraph 24 shall apply.

c. Condemnation: If the whole or part of the Premises are taken by any authority for any public or quasi-public use, or purpose, then Subparagraph (d) of this Paragraph 24 shall apply. All damages and compensation awarded for any taking shall be the sole property of Landlord.

d. Termination of Term: Tenant agrees that if Landlord decides not to repair, or rebuild the Premises where the destruction has occurred as described in Subparagraphs (a) and (b) of this Paragraph 24, the Term hereby granted by the Lease shall cease and the Rent shall be prorated and payable up to the time of the cessation of the Term. A refund will be given for the balance of any Rent paid in advance for which Tenant did not have use of the Premises due to the cessation of the Term under the conditions of this Paragraph 24. Where the Premises have been taken due to condemnation as described in Subparagraph (c) of this Paragraph 24, the Term of the Lease shall cease and terminate upon the date that possession of the Premises is taken by the authority. Rent shall be prorated and payable up to the time of the cessation of the Term. Tenant shall not hold Landlord liable for any damages as a result of any of the acts or events described in this subparagraph.

24. Holdover: If, after the expiration of the Lease, Tenant shall remain in possession of the Premises and continue to pay Rent without a written agreement as to such possession, then such tenancy shall be regarded as a month-to-month tenancy, at a monthly rental, payable in advance, equivalent to the last month's Rent paid under the Lease, and subject to all the terms and conditions of the Lease.

25. Entry by Landlord: Landlord may enter the Premises at reasonable hours for reasonable purposes (such as repairs, inspections, or re-letting to prospective new tenants), upon reasonable notice to Tenant. Landlord may also enter the Premises in the event of emergency, without notice, or in the event of vacancy of the Premises.

26. Notices: All notices required to be sent under the Lease shall be in writing and either: (i) personally delivered, with proper proof of service; (ii) sent via U.S. first class mail, postage prepaid.; or (iii) sent via recognized overnight delivery service. All notices required to be sent to Landlord shall be sent or delivered to the address where the Rent is to be paid, and all notices required to be sent to Tenant shall be sent or delivered to the Premises, unless otherwise specified in the Lease. Notwithstanding the foregoing, all notices involving or concerning § 13-40-101, C.R.S., *et seq.* shall be delivered as provided by statute.

27. Attorneys' Fees: In the event Tenant or Landlord fails to perform any of its obligations under the Lease, or in the event a dispute arises concerning the meaning or interpretation of any provision of the Lease, the defaulting party, or the party not prevailing in such dispute, as the case may be, shall pay any and all costs and expenses incurred by the other party in enforcing or establishing its rights hereunder, including, without limitation, court costs and reasonable attorneys' fees.

28. Amendments and Termination: Unless otherwise provided in the Lease, the Lease may be amended, modified, or terminated only by a written instrument executed by Landlord and Tenant.

29. Waivers: No right under the Lease may be waived except by written instrument executed by the party who is waiving such right. No waiver of any breach of any provision contained in the Lease shall be deemed a waiver of any preceding or succeeding breach of that provision, or of any other provision contained in the Lease. No extension of time for performance of any obligations or acts shall be deemed an extension of the time for performance of any other obligations or acts.

30. Time of the Essence: Time is of the essence of the Lease, and each and all of its provisions.

SIGNATURES ON FOLLOWING PAGE

TENANT:


[Signature]

Richard Lyck
[Print Name]

Marygy Picket
[Title]

Date: 10/3/2023

LANDLORD:


[Signature]

Dan Meskin
[Print Name]

VP
[Title]

Date: 10/3/23

All checks and correspondence to Tenant shall be sent to:

All in Brewing LLC
11115 Affinity Court, Unit 2
San Diego, CA 92131

All checks and correspondence to Landlord shall be sent to:

M&M Ventures Inc.
1435 Airport Road
Rifle, CO 81650

Initials:  
Landlord Tenant

ALL IN-BREWING LLC

OPERATIONS PLAN

DBA "BREWZONE SILT "

10/02/2023

Owners / Operators

Richard Lynch

Hong Xu

504, 506 Front Street

Silt, CO 81652

Federal License # BR – CO - 21499

We are submitting this "Amended" Plan of operation for the brewery previously approved at 504, and 506 Front Street Silt.

There was an oversight on the side of the state when issuing us a separate liquor license in Rifle after our brewery application was already completed here in silt.

It appears that the brewery is taxed as a manufacturer and wholesaler and that bars and restaurants are considered retail sales licenses.

As individuals my partner and I cannot have interest in a retail and wholesale license in these categories at the same time by state law, however per the tax code a "Brew Pub" is considered retail due to "certain restrictions" in the license.

Our operations plan we submitted previously as a brewery will not change as the Brew Pub license allows for the brewing and distribution at our level to remain the same.

We are a brewery with a food truck and not a bar / restaurant.

The only change would be that we can serve a "Limited" amount of wine that we must buy through a wholesale supplier.

Richard Lynch

All In Brewing LLC

Managing Partner

ALL IN-BREWING LLC

OPERATIONS PLAN

DBA "BREWZONE SILT "

11/02/2023

Owners / Operators

Richard Lynch

Hong Xu

504, 506 Front Street

Silt, CO 81652

Federal License # BR – CO – 21499

State License # 03 - 20084

We are submitting this Explanation reason for applying for a special use permit for the brewery previously approved at 504, and 506 Front Street Silt.

There was an oversight on the side of the state when issuing us a hotel / restaurant License in Rifle after our brewery application was completed and approved here in silt.

Breweries in Colorado are categorized as manufacturer and wholesale operations and bars and restaurants are considered retail sales licenses. Owners cannot have financial interest in both so the state has had us change the brewery to a "Brew pub".

The only thing this changes for the state is that it limits us to brewing and wholesaling 1,000,000 gallons per year and selling 300,000 gallons to our "retail" business. This regulation keeps the larger breweries from wholesaling to themselves as retailers large amounts of product.

We are not changing our brewing operations, or previously submitted plans.

The town of Silt does not have a license for a "Brew pub" so the community development staff put us in the restaurant / Bar licensing category which requires a special use permit. Our operations plan we submitted previously as a brewery will not change as the Brew Pub license allows for the brewing and distribution at our level to remain the same.

The only difference in licensing is since we have food on-site, we will be permitted to sell wine and mixed drinks on a limited basis. We cannot and will not serve shots, martinis, or any drink of the sort. We can serve rum and coke, vodka and orange juice, slushy type drinks only.

A. Compliance of the application with this code; We are well within the restaurant / bar code as the town does not have licensing procedures for a "brew pub" as a use. We are still a brewery with food trucks as previously licensed for, our operations are not changing. As a "Brew pub" only 15% of the yearly gross must be food opposed to the hotel / restaurant licensing that requires an on-site kitchen and 25% food sales. There is not a requirement to have an on-site kitchen if you have a restaurant to use as a commissary kitchen and can cater the food in, but since we have been approved to have a fixed food truck on site and other trucks on occasions, we are well within the code.

B. Compatibility of the proposal with the character of the surrounding area; The surrounding area is commercial, and the off main street location makes it perfect for our use as a brewery with tasting room and food trucks. Silt we have the only brewery between palisade and Glenwood.

C. Desirability and need for the proposed use; This use will be unique as there is no other business like it in town and the feedback from the general public is excitement.

D. Encouragement of the most appropriate use of land throughout the town; Breweries bring tourist and hopefully will draw other businesses that can make silt a destination town.

E. Potential for adverse environmental influences that might result from the proposed use; There are no adverse environmental influences from this use.

F. Compatibility of the proposed use with the comprehensive plan; and

G. Adequate provision for ingress and egress of vehicular and other traffic; parking, servicing and loading/unloading; refuse and service areas; utilities; screening and buffering; signage; yards and open space; and any other items determined necessary or appropriate by the board.

Items F and G above were discussed at the previous hearing as the site plan, access, ingress, and egress has not been changed at all. We have more than ample parking both on the public streets and the lot we leased adjacent to the building in order to comply with this use. Ingress and egress for parking will be from 6th street, front street as well as the alley.

Utilities are existing on the north elevation of the building and will not change

Refuse area will be in the adjacent lot where it is currently located on the north east corner of the building.

As previously discussed, and approved, we agreed to install a privacy fence to shield the neighbors from noise and we have also agreed to position the food trailer as to accommodate the neighbor. We will also install railings around the licensed area per state and federal codes.

We have not chosen a fence yet but will submit for permitting once we decide. We will more than likely complete the exterior work in the spring and will open now on the inside only.

The same applies to signage, we are not sure where and what kind of sign we will install, once that decision is made, we will of course apply for approval at that time.

Respectfully submitted,

Richard Lynch

Nicole Centeno

From: allinbrewingllc <allinbrewingllc@gmail.com>
Sent: Friday, November 3, 2023 10:27 AM
To: Nicole Centeno
Subject: RE: Special Use Application

Nicole,

We would like to clarify the food truck operation at the brew pub. We plan to have our food truck on site as a fixed unit tied in to the utilities as previously discussed.

When guest food trucks set up at our location, they will not operate for more than 3 consecutive days and will not be permitted to dump in or use the facilities for waste.

All food trucks will need to be licensed and have their own waste procedures and secure proper licensing.

Thanks,

Rich

Sent from my Galaxy

----- Original message -----

From: Nicole Centeno <nicole@townofsilt.org>
Date: 11/2/23 12:16 PM (GMT-07:00)
To: allinbrewingllc <allinbrewingllc@gmail.com>
Subject: RE: Special Use Application

Hey Rich,

Just checking in, to see if you were able to get the below ready for me. I need to finish my staff report today.

Thanks,

Nicole

From: Nicole Centeno
Sent: Monday, October 30, 2023 6:49 PM

Previous Operating Plan That's Referenced In Revised Operating Plan

ALL IN-BREWING LLC

OPERATIONS PLAN

DBA "BREWZONE SILT"

8/30/2023

Owners / Operators

Richard Lynch

Hong Xu

504, 506 Front Street

Silt, CO 81652

State Manufacturer license # 03 – 15833

State wholesale license # 03 – 15834

Federal License # BR – CO - 21499

Please accept this control and operation plan for the proposed Brewery, tasting room and food truck for All in brewing LLC at 504 and 506 Front Street, Silt.

The Brewery will be in the 504 sections of the space. The beer storage and sales, will be in unit 506 side of the space. This includes wholesale and retail sales. The areas will be open to either side so the guests will be able to observe the brewing process. The brewing equipment will be protected by a railing to keep guest from entering the brewing area. The total interior square footage of the brewery and sales area is 3,000 square feet. All in Brewing has also secured the entire lot to the east of the building to assure plenty of private parking which is around 11,000 square feet. we do not feel we will need to expand parking any time in the near futures as our traffic varies.

All Brewing will be done on site per state and federal licensing and will be inspected by the state enforcement officer to assure compliance and to assure that the plans match our operations. The brewery is currently operating in Rifle Colorado for the past year. All In Brewing remains in good standing with the state liquor control board. As a manufacturer and distributor we follow federal and state regulations.

We are excited to move back to silt for the long term as this was the plan in 2021 and 2022. We will only be brewing and serving our beer recipes with no hard liquor being produced or sold under this license.

We are a small batch brewery and our experience has been that we will use less than 700 gallons of water per month at the brewery both for production and cleaning.

All left over grain is donated to local farmers for pig feed. For cleaning we use an oxygen based cleaner and sometimes an alkaline based cleaner as well as a food grade sanitizer for cleaning and sanitation. Our process presents no hazards to the community or sewer plant. As discussed with the utilities director in the past, our yeast is organic and once used in the fermenter and cleaned the yeast is so diluted with water and cleaner that it is no longer active and is extremely safe for the public sewer system. Our brewing system will be no larger than 4bbl (125 Gallons) as we believe in brewing many different types of beer at small batches.

Unit 506 is where the “walk in cooler” will be installed as well as a bar for serving. Breweries are typically not “hang outs” like a local Bar or pub would be. We have created a family atmosphere where people can bring their children, dogs, or even their own food from home and relax and play games while tasting our beers. Typically, most guests will choose a flight, taste 4 different beers in small glasses and then buy take out to consume at home. Others will enjoy a pint of two of something different or their favorite brew. We have not encountered any issues with guests leaving “buzzed” or intoxicated as may be the case where hard liquor is served.

All in Brewing encourages guests to bring take-out food, food from home or have food delivered to eat while tasting our beers. We also always have free snacks on hand such as pretzels, chips, etc. to ensure guests have food to snack on. One of the biggest reasons we are excited to be in silt is that we get to have a food truck at our location as well as we will be able to invite other food trucks to come to the brewery as to provide a selection of different foods and allow other food trucks vendors a chance to sell their goods. This enables our guests to be able to enjoy more of a meal type snack other than just pretzels and chips.

The food truck of course will be licensed by the Garfield county health department, will have a grease trap that will be cleaned weekly or bi weekly (depending on usage) by a certified vendor and will be parked on the north east corner of the building for convenience for our guests. As we planned previously, we intend to hook the food trailer / truck to the buildings electric and sewer in accordance with all Silt and state requirements and will be inspected and certified. This will ensure that there is no impact on the sewer system, storm drains or water supply.

Another exciting part of this location is the south facing patio that we intend for the space. This area will be a more private setting, we can provide better shade and best of all there are no homes within the vicinity of the patio. The outdoor area will be included in the licensing and will have a railing per state and federal licensing requirements with posted signs reading "no Alcohol beyond this point" Take out beer cannot be opened and consumed in the brewery or in public, all take out beer must be consumed off premises per state requirements.

All our servers have and will always complete the "responsible servers" course in order to serve and will be required to be over 21.

Our guests and followers have enjoyed live music at the brewery and we want to continue this in Silt. The space we are now in is a more downtown location where we feel it is responsible to the neighboring businesses and homes that the music be over by 9 P.M and since we are a family establishment the music will not be permitted to be too loud. We are also looking forward to working with the city on public events, providing our beer at these events as well as sponsorship and music. We will be far under the noise ordinance and do not see any negative impact to the community concerning the live music. We intend to have music inside as well as outside when weather permits.

All in brewing will also have licensing included in a section of the lot to the east just adjacent to the building for the food truck as well as an area where cornhole and other games can be played. We would also like to provide some shading of this area with approval from the planning and building departments. Per State and federal Law, a railing or fencing will need to be installed in this area to ensure that no consumption happens outside the licensed area. We will work with the city on the type of fencing used as to keep the aesthetics in line with the Silt building requirements.

The bar area as well as the patio area will be secured with 24hr security cameras that record. All in brewing owners and employees will monitor and enforce our rules and if we must, we will contact authorities to make sure of compliance by our patrons.

All In Brewing and its employees will monitor all areas to make sure compliance with all city and state laws are being followed. All take out beverages will be marked per state laws and will not be permitted to be opened inside the bar area or on the patio.

We feel this small batch brewery will be welcomed here in Silt and fits in to the comprehensive plan as not only a business that will provide a few good jobs but also will provide tax dollars to the city. We also believe the Brewery will attract more tourist that tend to seek out breweries and will provide more exposure to already established local businesses. We do have a solid silt following already as we have guest that come from silt to visit us in Rifle. The brewery will bring more people to the downtown area to enjoy and to have more options which brings diversity to the businesses that are already in silt. We will work with every business in town and will consider the city a “partner” and we really look forward to silt being our home finally and officially.

Our hours of operation May change according to weather of course; However, we will never be open to the public past 10:00 P.M. (Only for private parties) Last call will be 9:00 to 9:30 P.M. Typically.

Monday & Tuesday Closed

Wednesday, Thursday & Friday 3:00 PM To 9:00 P.M.

Saturday 12:00 P.M. To 8 P.M.

Sunday 12:00 P.M. To 6 P.M.

Sincerely,

Richard Lynch
All In Brewing LLC
Managing Partner

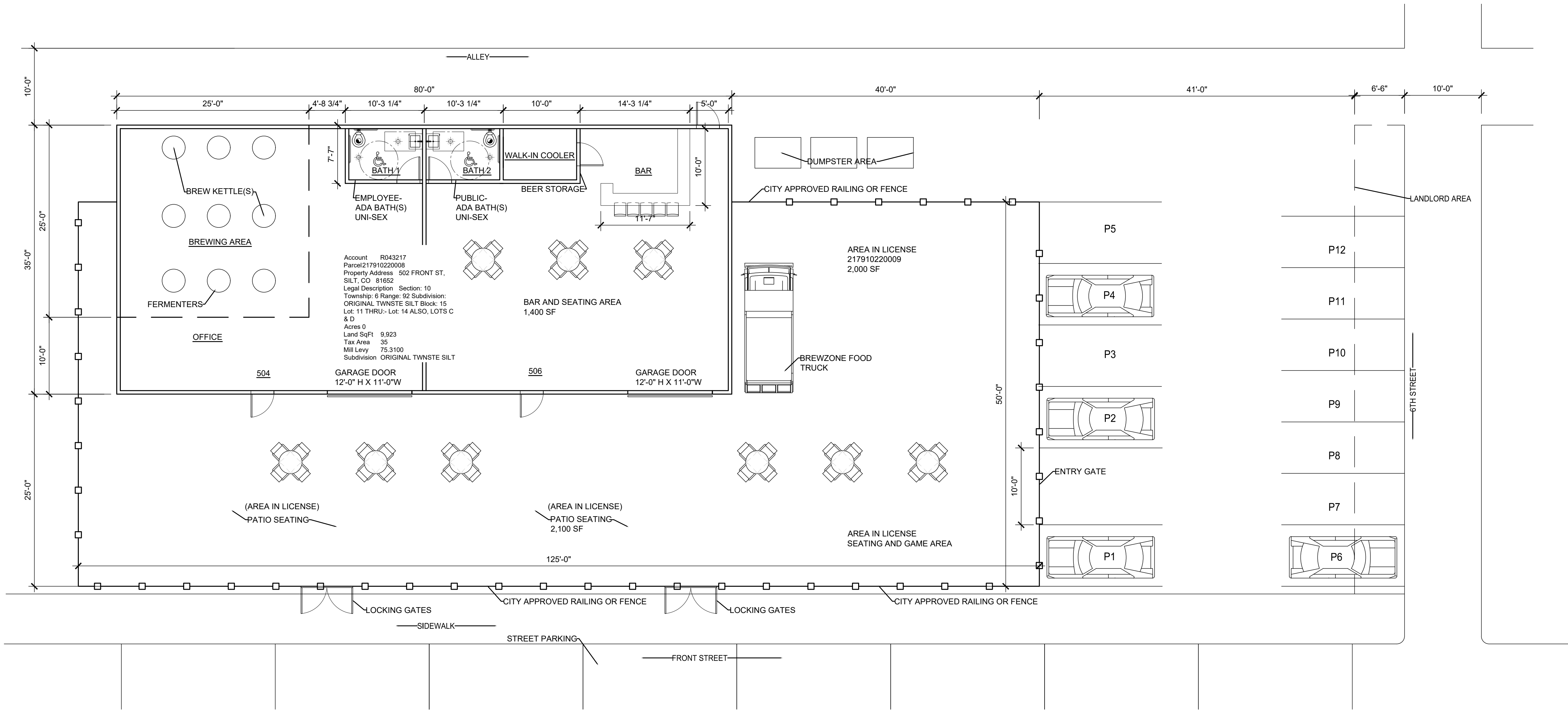
ALL IN BREWING
DBA "BREWZONE SILT"
RICHARD LYNCH
ALLINBREWINGLLC@GMAIL.COM
1-303-910-9063



Account R043217
Parcel 217910220008
Property Address 502 FRONT ST, SILT, CO 81652
Legal Description Section: 10 Township: 6 Range: 92 Subdivision: ORIGINAL TWNSTE SILT Block: 15 Lot: 11 THRU:- Lot: 14 ALSO, LOTS C & D
Acres 0
Land SqFt 9,923
Tax Area 35
Mill Levy 75.3100
Subdivision ORIGINAL TWNSTE SILT

ALLIN BREWING LLC
504 & 506 FRONT ST.
Silt, CO. 81652

GENERAL CONTRACTOR:
RICHARD LYNCH
ALLINBREWINGLLC@GMAIL.COM
1-303-910-9063



1 SITE PLAN
SCALE: 1/8" = 1'-0"

BREW ZONE SILT
504 & 506 FRONT STREET
SILT, CO. 81652

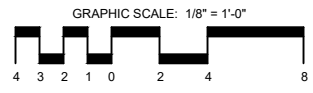
DRAWN BY: PAMELA SUDMEIER DESIGN

ISSUE DATE:
08-07-2023

SHEET TITLE

SITE PLAN

A-1.1



©PAMELASUDMEIERDESIGN
ALL DESIGNS, IDEAS, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND ARE THE PROPERTY OF PAMELA SUDMEIER DESIGN AND DEVELOPED FOR USE AND IN CONJUNCTION WITH THE SPECIFIC PROJECT. NONE OF THE IDEAS, DESIGNS, ARRANGEMENTS OR PLANS SHALL BE USED BY OR DISCLOSED TO FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN AUTHORIZATION OF PAMELA SUDMEIER DESIGN.

**TOWN OF SILT
RESOLUTION NO. PZ- 6
SERIES OF 2023**

**A RESOLUTION OF THE PLANNING AND ZONING COMMISSION
APPROVING THE OPERATION OF A BREWPUB AND FOOD TRUCK AT 502,
UNITS 504 AND 506, AS WELL AS 550 FRONT STREET, WITHIN THE TOWN
OF SILT, GARFIELD COUNTY, STATE OF COLORADO**

WHEREAS, All in Brewing submitted an application for a Special Use Application ("Application") on or about October 2, 2023 requesting that they be allowed to operate a Brewpub and Food Truck from 502 Front Street, units 504 & 506, as well as 550 Front Street; and

WHEREAS, Town Staff processed the application and forwarded the application as well as staff comments about the application and various memoranda to the Town Planning and Zoning Commission ("Commission"); and

WHEREAS, the commission reviewed and discussed the application at its regular meeting on November 8, 2023; and

WHEREAS, upon proper consideration there is a finding that it is reasonable to approve the proposed use, as it aligns with the 2017 Silt Comprehensive plan, and it doesn't appear to have any significant negative impact to adjacent properties.

NOW, THEREFORE BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF SILT, COLORADO, THAT: the Special Use Permit for a Food Truck and Brewpub is hereby granted for 502 (units 504 & 506) and 550 Front Street within the Town of Silt, Colorado ("Town") subject to the following conditions:

- 1) That all statements made by the applicant both in the application and in any meetings before the Planning and Zoning Commission be considered conditions of approval, unless modified in any subsequent conditions.
- 2) That the applicant obtains and follows all necessary liquor license requirements, for a Brewpub, from the State of Colorado and the Town of Silt. This includes proof that 15% of all on premise food and alcohol sales, consumed on site, has been satisfied. It's Mr. Lynch's responsibility to confirm with Town and State Liquor requirements that off premise food is allowed to be brought on site for consumption. All evidence of these approvals need to be submitted to the Town Clerk.
- 3) That the applicant obtains a building permit for all improvements within the

structure as well as for any improvements for outdoor space.

4) That the applicant notifies the Town Community Development Department on any proposed changes over time and/or expansion of activities within the building or anywhere else on the premises including areas for outside liquor consumption such as a patio. Said changes may require additional land use applications, permitting or licensing.

5) That the Applicant/Owner coordinate with the Public Works Director as part of the building permit process and make appropriate arrangements to mitigate any potential wastewater issues related to spoiled brewing affluent and/or other items that could adversely impact the Town's wastewater treatment system. A grease trap is required to be installed and inspected for any food truck that will be attached to the Town's system.

6) That the applicant acquires the proper licensing through Garfield County Public Health and the Town of Silt for the Business and Food Truck, prior to the Food Truck being placed on the property and operating.

7) That a food truck be open anytime that the Brewpub is serving alcohol to the public or at private gatherings. Said food truck needs to be within the fenced area, with proper required signage.

8) That the applicant provides any additional requested documents and pay any remaining fees, prior to operating business.

9) That the food truck not move location, without prior consent from the Town. The food truck will only run parallel to Front Street, aligning with the southeast corner of the building. The food truck will not be permitted to run perpendicular with Front Street, as this will not allow for the mitigation of noise to the adjacent properties to the north.

10) That the parking lot addition to the vacant lot have an access from the alley and an additional access point from 6th Street. There will be no access from Front Street, without further discussion and approval from the Town.

11) That this approval is not for construction, but rather approval for the use of the land. Additional licensing and permitting will be required separately.

INTRODUCED, READ AND APPROVED at a regular meeting of the Planning and Zoning Commission of the Town of Silt, Colorado held on the 8th day of November, 2023.

ATTEST:

TOWN OF SILT

Chair Lindsey Williams

Community Development Manager, Nicole Centeno

TOWN OF SILT
PLANNING COMMISSION STAFF REPORT
Public Hearing Action Item- Special Use Permit and Site Plan Review
Wednesday, November 8, 2023 6:30 PM

Project: Sazen de Jalisco
Location: 125 S. 7th Street
Applicant: Maria Sanchez
Owner: Erick Monroy
Current Zoning: B-3
Proposed Zoning: No Proposed Change
Present Land Use: Vacant Lot
Proposed Land Use: Food Truck

Description of Request

Mr. Monroy and his mother, Maria Sanchez, are proposing to operate a food truck from the vacant lot at 125 S. 7th Street.

This vacant lot was purchased by Mr. Monroy in 2022, with the intention of opening a restaurant or food truck. Since the purchase of the land, it was decided by the applicant that a food truck would be a good starting point for their endeavors.

Operating Plan

- Sazen de Jalisco will be open 6 days a week from 6:30am to 7pm, closed on Tuesdays. This will allow for the serving of breakfast, lunch and dinner options.
- The food being served includes, but is not limited to: tamales, burritos, barbacoa, tacos, quesabirria, enchiladas, sopas, gorditas, shredded beef tostadas, beef stew, chili rellenos and drinks such as coke products, water, horchata, pineapple etc...
- The food truck will have power; however, it will not be connected to Town utilities. Since the food truck will not be connected to water and/or sewer, the applicant will be hiring a third party for the following services:
 - o Trash receptacles will be two 96-gallon bins that will be emptied on a weekly basis. The applicant has also proposed a wooden storage enclosure for the bins to be secured and more aesthetically pleasing.
 - o Clean, potable water will be delivered to the food truck on a regular basis, as needed.

- Grey water, grease and all other waste will be emptied, without leakage to the property or adjacent properties, but a company that specializes in waste disposal.
- Garfield County Public Health approvals and requirements will be met.
- All preparation and cooking of food will take place on the food truck, not in a commissary kitchen.
- The food truck will be stationary and not mobile.
- The applicant has proposed to build a storage shed, under 200 sq feet, to store dry good that will be needed for the operation of the business.
- There is also a picnic shelter that the applicant would like to build on the premise, to allow for shade in the summer and weather protection for the winter. They would like to add sides and heaters during the winter months, if possible.

The Property

The property is located south of Main Street, on the 700 block of Front Street. The below picture is inaccurate, as the property is currently vacant. The existing structure shown on the picture has been removed.



Comprehensive Plan

The Comprehensive Plan, as amended in 2017, designates this parcel with a Commercial and Support Land Use Designation. Those properties within the Comprehensive Plan Land Use Designation of “Service and Commercial Support” are outside of the Town’s Downtown area, but are expected to have good visibility from Main Street and/or the I-70 corridor. The “Service and Commercial Support” designation is not expected to extend more than two blocks north of Highway 6. For this reason, it is appropriate to expect that these properties will provide the Town with solid retail and service commercial businesses, such as construction related businesses like supply companies, office-type businesses such as real estate offices, craftsmen type businesses such as cabinet makers, and other services such as auto repair and small appliance repair, hotels, and convenience stores. These properties should look inviting and aesthetically

professional, and the structures should have a western appeal or theme if possible. This area is crucial for the Town's employment picture, providing local jobs within the core of the community, and keeping the residents close to enjoy the time not spent working with their families and friends. While retail businesses may not be the main focus in the "Service and Commercial Support" area, it is important for the Town to encourage any business that provides clean commercial without air pollution, noise, undesired odor, vibration or wasted resources. As the Town and/or businesses grow(s), this Comprehensive Plan Land Use Designation will have to shrink in order to accommodate a larger "Downtown" area.

Staff Findings and Conclusions

Overall, staff finds that this application and proposal align with the comprehensive plan and expansion of the downtown area.

The picnic shelter, trash enclosure and storage shed will all be built by the same contractor, to allow for a consistency in appearance. The applicant understands that a building permit must be pulled and that a plan review for building code compliance must be met, prior to permitting approval for any of these structures.

The applicant has specified on their site plan, that there will be 3 parking spaces on their property, accessed off of the alley to the north. These parking spaces will be in a gravel area, and assigned by parking signs. After further conversation with the applicant, the angle and location in which those parking spaces are proposed might need to change, in order to ensure the safest and smoothest flow of traffic for their customers. The Town will work with the applicant, to find the best angle and location for those parking spaces/signs. There is also ample street parking at this location, so Town Staff does not see parking as an issue with this application request.

Planner Recommendation

Staff recommends approval of the Special Use Permit and Site Plan Review, allowing Sazen de Jalisco to operate a food truck business, at the proposed location with the following conditions:

- 1) That all statements made by the applicant both in the application and in any meetings before the Planning and Zoning Commission be considered conditions of approval, unless modified in any subsequent conditions.
- 2) That the applicant obtains a building permit for all improvements within the property, including but not limited to the picnic shelter, trash enclosure and storage shed.
- 3) That the applicant notifies the Town Community Development Department on any proposed changes over time and/or expansion of activities within the property, to ensure that it does not change the Special Use approval.
- 4) That the Applicant/Owner will apply for a permit and pay tap fees, if they chose to connect to the Town's water and wastewater services. A grease trap will also be required to be installed and inspected prior to attaching to the Town's system.

5) That the applicant acquires the proper licensing through Garfield County Public Health and the Town of Silt for the operation of the Food Truck.

6) That the applicant retains records of the water deliveries, and removal of waste (trash, grey water and grease), so the Town can audit records annually, or as often as needed.

6) That the applicant provides any additional requested documents and pay any remaining fees, prior to operating business.

7) That this approval is not for construction, but rather approval for the use of the land. Additional licensing and permitting will be required separately.

Recommended Motion: I move to approve the Special Use Permit and Site Plan Review for Sazen de Jalisco, to operate a food truck at 125 S. 7th Street, with the conditions noted above or verbally added during this meeting.

**TOWN OF SILT
RESOLUTION NO. PZ- 7
SERIES OF 2023**

**A RESOLUTION OF THE PLANNING AND ZONING COMMISSION
APPROVING THE OPERATION OF A FOOD TRUCK AT 125 S. 7th STREET,
WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO**

WHEREAS, Sazen de Jalisco submitted an application for a Special Use Application and Site Plan Review ("Application") on or about October 10, 2023 requesting that they be allowed to operate Food Truck business from 125 S. 7th Street; and

WHEREAS, Town Staff processed the application and forwarded the application as well as staff comments about the application and various memoranda to the Town Planning and Zoning Commission ("Commission"); and

WHEREAS, the commission reviewed and discussed the application at its regular meeting on November 8, 2023; and

WHEREAS, upon proper consideration there is a finding that it is reasonable to approve the proposed use, as it aligns with the 2017 Silt Comprehensive plan, and it doesn't appear to have any significant negative impact to adjacent properties.

NOW, THEREFORE BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF SILT, COLORADO, THAT: the Special Use Permit and Site Plan Review for a Food Truck is hereby granted for 125 S. 7th Street, within the Town of Silt, Colorado ("Town") subject to the following conditions:

- 1) That all statements made by the applicant both in the application and in any meetings before the Planning and Zoning Commission be considered conditions of approval, unless modified in any subsequent conditions.
- 2) That the applicant obtains a building permit for all improvements within the property, including but not limited to the picnic shelter, trash enclosure and storage shed.
- 3) That the applicant notifies the Town Community Development Department on any proposed changes over time and/or expansion of activities within the property, to ensure that it does not change the Special Use approval.

4) That the Applicant/Owner will apply for a permit and pay tap fees, if they chose to connect to the Town's water and wastewater services. A grease trap will also be required to be installed and inspected prior to attaching to the Town's system.

5) That the applicant acquires the proper licensing through Garfield County Public Health and the Town of Silt for the operation of the Food Truck.

6) That the applicant retains records of the water deliveries, and removal of waste (trash, grey water and grease), so the Town can audit records annually, or as often as needed.

6) That the applicant provides any additional requested documents and pay any remaining fees, prior to operating business.

7) That this approval is not for construction, but rather approval for the use of the land. Additional licensing and permitting will be required separately.

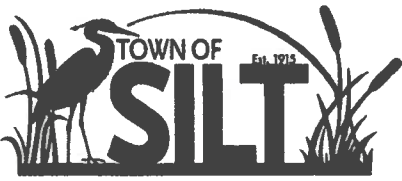
INTRODUCED, READ AND APPROVED at a regular meeting of the Planning and Zoning Commission of the Town of Silt, Colorado held on the 8th day of November, 2023.

ATTEST:

TOWN OF SILT

Chair Lindsey Williams

Community Development Manager, Nicole Centeno



Community Development Department
231 N. 7th Street, Silt, CO 81652
(970) 876-2353 (office) (970) 876-2937 (fax)
www.TownOfSilt.org

Land Use Application Form

<input type="checkbox"/> Amended Plat	<input type="checkbox"/> Boundary Adjustment	<input type="checkbox"/> Subdivision Exemption
<input type="checkbox"/> Annexation	<input type="checkbox"/> Sketch Plan	<input type="checkbox"/> Floodplain Development
<input type="checkbox"/> Final Plan	<input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> Vacation of Right-of-Way
<input type="checkbox"/> Text Amendment	<input checked="" type="checkbox"/> Site Plan Review	<input type="checkbox"/> Metro District or Special District
<input type="checkbox"/> Easement Agreement	<input type="checkbox"/> Zoning or Rezoning	<input type="checkbox"/> Subdivision Improvement Agreement
<input type="checkbox"/> Preliminary Plan	<input checked="" type="checkbox"/> Special Use Permit	<input type="checkbox"/> ADA or ADA Amendment
<input type="checkbox"/> Zoning Variance	<input type="checkbox"/> Intergovernmental Agreement	<input type="checkbox"/> Other: _____

Project Name: Sazon de Jalisco Project Description: Food Truck
Owner's Name: Erick F. Morray Owner's Number: 970 440 0488 Owner's Email Address: Erick.Morray21@icloud.com
Address: 125 S 7th Street Silt CO 81652 Parcel ID Number: 217910219008
Legal Description (attach additional sheets if necessary): Food Truck
Access to Property: _____
Acreage or Square Footage: 5,250 Existing Land Use Designation: _____
Proposed Land Use Designation: _____
Existing Zoning: D3 Proposed Zoning: N/A
Proposed Use / Intensity of Use: N/A

Submittal Requirements:

- A completed original application with original signatures and two copies (2 full sets) shall be submitted to the department for review. The application shall include two sets of 24" x 36" plans, plats and other appropriate drawings. Full application must also be submitted in electronic format.
- In addition to this application, all information on the supplemental checklist must be submitted.
- Incomplete applications will not be accepted and will delay processing.
- When the documents are deemed adequate, additional copies as required by the department shall be submitted no less than ten (10) days before the public hearing.
- All documents submitted for Land Use Applications shall be collated and paper-clipped (no staples). All plans, plats or drawings shall be organized and submitted ready for review, to avoid delays in processing. Fees and Deposits are collected at the time of submittal.

STAFF USE ONLY

Pre-app conference: _____ (date)	Fees: _____
Application Received: _____ (date)	Deposits: _____
PZC approval: _____ (date)	Date Fees Collected: _____
BOT approval: _____ (date)	



Billable Party Agreement

Property Owner(s): Name: Erick Francisco Munroy Phone: 970-440-0488
Company: Sazon De Jalisco Food Truck Fax: N/A
Address: 260 Dogwood Dr, Silt Co 81652
Authorized Rep.: Name: Maria Elba Sanchez Phone: 970 948-2143
Company: Sazon De Jalisco Food Truck Fax: N/A
Address: 260 Dogwood Dr, Silt Co 81652
Billable Party: Owner _____ Representative ✓

The Billable Party, by signing below, hereby agrees to reimburse the Town the actual costs to the Town plus 15% administrative fees for all billable staff time and contract services, including, but not limited to, planning, reviewing, inspecting, engineering, surveying and legal services rendered in connection with the applicant's request. A deposit will be required if deemed necessary by Town Staff. The Billable Party shall also reimburse the Town for the cost of making any corrections or additions to the master copy of the official Town map and for any fees for recording any plats and accompanying documents with the County Clerk and Recorder of Garfield County. The Billable Party agrees that interest shall be imposed at a rate of 5% per month on all balances not paid within thirty (30) days of the date of the statement. In addition to any and all remedies available to the Town and in the event the Town is forced to pursue collection of any amounts due and unpaid, the Town shall be entitled to collect attorney's fees and costs incurred in said collection efforts in addition to the amount due and unpaid.

Name (printed): Erick Francisco Munroy

Address: 260 Dogwood Dr, Silt Co 81652

Phone: 970 440 0488 Email: Erick.munroya1@icloud.com

Colorado Drivers License Erick
Type of Identification Signature

County of Garfield)

§

State of Colorado)

Sworn to and subscribed before me this 10 day of October, 2023
(Day) (Month) (Year)

By Crystal Beckie Ruiz-Sanchez Witness my hand and official seal _____
(Notary Name) (Notary Signature)

(seal)

Notary Public
My Commission Expires 11-07-2025

Crystal Beckie Ruiz-Sanchez
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID# 20174046058
MY COMMISSION EXPIRES 11/07/2025

Disclosure of Property Ownership

- ☒ If owner is an individual, indicate name exactly as it appears on the deed.
- ☐ If owner is a corporation, partnership, limited partnership or other business entity, name principals on a separate page. Please include articles of organization, partnership agreement, etc., as applicable.
- ☐ If owner is a land trust, name beneficiaries on a separate page.
- ☐ If applicant is a lessee, indicate the owner(s) on a separate page.
- ☐ If applicant is a contract purchaser, attach a copy of the contract and indicate the owner(s) on a separate page.

Please provide the name(s), mailing address(es), street address(es) and phone number(s) for all owners.

Property Owner Affidavit

I/We, Erick Monroy, being first duly sworn, depose and state under penalties of perjury that I am (we are) the owner(s) of the property described herein and which is the subject of the application and proposed hearings; that all answers provided to the questions in this application, and all sketches, data and all other supplementary matter attached hereto and made part of this application are honest and true to the best of my (our) knowledge and belief. I (we) understand that this application must be complete and accurate prior to a hearing being scheduled. I (we) authorize Town staff to visit the site as necessary for proper review of this application.

(If there are special conditions such as guard dogs, locked gates, restricted hours, etc., please give the name and phone number of the person(s) who can provide access to the site)

Erick F. Monroy
Name (printed)

260 Dogwood Dr, Silt Co 81652

Address

970 440 0488
Phone

N/A
Fax

[Signature]
Signature

Colorado Driver's License
Type of Identification

County of Garfield

State of Colorado

Maria Sanchez
Name (printed)

260 dogwood Dr Silt Co 81652

Address

970 948 2143
Phone

N/A
Fax

[Signature]
Signature

ss.

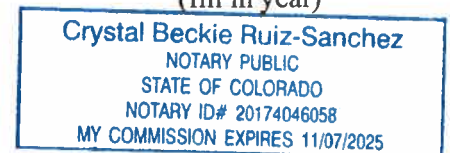
Sworn to and subscribed before me this 10 day of October, 2023
(fill in day) (fill in month) (fill in year)

By ~~Monroy~~ Erick F. Monroy
(name printed)

Witness my hand and official seal.
[Signature]
Notary Public

My Commission expires: 11-07-2025

(seal)



Authorized Representative

I/We further permit Erick Monroy permit Mara Sanchez to act as my/our representative in any manner regarding this application, to answer any questions and to represent me/us at any meeting(s) and public hearing(s) which may be held on this application.

NOTE: All correspondence will be sent to the authorized representative. It will be the representative's responsibility to keep the owner(s) adequately informed as to the status of the application.

Mara Sanchez
Name (printed)

260 Dogwood Dr

S.H., Co 81652
Address

970-948-2143
Phone

NA
Fax

[Signature]
Signature

Colorado Drivers License
Type of Identification

County of Garfield)

)

State of Colorado)

ss.

Sworn to and subscribed before me this 10 day of October, 2023.
(fill in day) (fill in month) (fill in year)

By Mara Sanchez
(name printed)

Witness my hand and official seal.

[Signature]
Notary Public

My Commission expires: 11-07-2025

Crystal Beckie Ruiz-Sanchez
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID# 20174046058
MY COMMISSION EXPIRES 11/07/2025

Public Notice Requirements

The Silt Municipal Code, Chapter 16.16 requires Public Notices for Land Use Application to be submitted to the newspaper and sent by certified, including return receipt mail, to property owners within 200 feet (not including rights-of-way, rivers, tributaries, or public parcels).

The Town will provide the Public Notice that the applicant will need to mail out. The Town will send the Public Notice to the newspaper. Once mailed, the applicant will need to provide the Town with the **original** certified mailing receipts and the return receipt mailings (green cards) need to be addressed to:

Town of Silt
Attn: Community Development
P.O. Box 70
Silt, CO 81652

Please note that the list of property owners within 200 need to be submitted at the time that the Land Use Application is submitted and all original documents need to be provided to the Town

The minimum public notice requirements are as follows:

Type of Land Use Application	P & Z Recommendation	P & Z Decision	1 st Resolution	2 nd Resolution	1 st Reading Ordinance	2 nd Reading Ordinance
Annexation	15 days	N/A	15 days	4 consecutive weekly	15 days	None (if continued)
Zoning/Rezoning	15 days	N/A	N/A	N/A	15 days	None (if continued)
Major Subdivision						
Sketch	N/A	N/A	15 days	N/A	N/A	N/A
Preliminary	15 days	N/A	15 days	N/A	N/A	N/A
Final	10 days	N/A	10 days	N/A	N/A	N/A
Minor Subdivision						
Sketch	10 days	N/A	N/A	N/A	N/A	N/A
Final	N/A	N/A	10 days	N/A	N/A	N/A
Planned Unit Development (See above for Major Subdivision)	See above	See above	See above	See above	See above	See above
Special Use Permit	N/A	15 days	15 days	N/A	N/A	N/A
Variance	N/A	10 days	N/A	N/A	N/A	N/A
Vacation of Right-of-Way	N/A	N/A	N/A	N/A	10 days	None (if continued)
Easement Agreement	N/A	N/A	10 days	N/A	N/A	N/A
ADA Amendment	N/A	N/A	10 days	N/A	N/A	N/A
SIA Amendment	N/A	N/A	10 days	N/A	N/A	N/A
Sign Exception	N/A	10 days	N/A	N/A	N/A	N/A
Comprehensive Plan Amendment	N/A	10 days	10 days	N/A	N/A	N/A
Site Plan Review	N/A	15 days	N/A	N/A	N/A	N/A

LAND USE APPLICATION FEES

Application	Fee	Deposit
Annexation	5+ Acres \$2,000 5 Acres or Less \$1,200	\$400
Annexation & Development Agreement Amendment	\$500	\$500
Boundary Adjustment/Lot Line	\$100	\$0
Condominiums (See Subdivision for Fees)	Varies	Varies
Easement Agreement and Amendments	\$500	\$500
Intergovernmental Agreement and Amendments	\$500	\$500
Major Subdivision-Sketch	\$500	\$500
Major Subdivision-Prelim	\$1,000	\$800
Major Subdivision-Final	\$600	\$500
Manufactured/Modular Home Park Permit	\$250	\$250
Minor Subdivision (PUD) -Sketch	\$500	\$500
Minor Subdivision (PUD)-	\$500	\$500
Minor Subdivision (PUD) -Final	\$500	\$500
Replat or Re-subdivision	\$500	\$0
Commercial/Multifamily Site Plan Review	\$500	\$0
Special Use Permit	\$350	\$250
Subdivision Exemption	\$250	\$0
Subdivision Improvement Agreement Amendment	\$400	\$400
Vacation of Right of Way	\$500	\$500
Variance	\$250	\$250
Zoning or Rezoning	\$600	\$500

****Deposits must be included with application submittal. The deposit is used as security for department staff and consultant time to review the project application. Applicant shall also pay for fees and charges incurred by the town, such as legal fees, planning fees, engineering fees, and filing or recording fees, plus an administrative fee of 15% of the total consultant charges.***

**** For a complete list of the fee schedule, to include items not listed above, please contact the Community Development Department at (970) 876-2353 ext 110***

ATTACHMENTS/EXHIBITS MUST BE COMPLETE FOR SUBMITTAL.

Incomplete applications **will not** be reviewed until deemed complete.

Checklist below for Office use only.

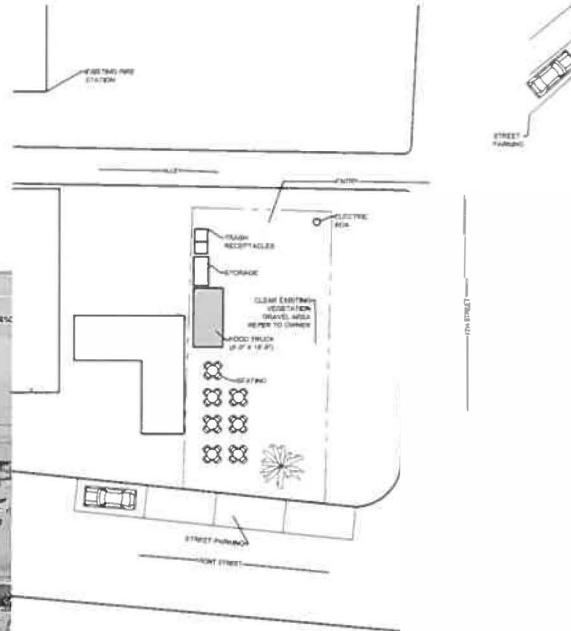
- 1] ☐ A legal description of the property
- 2] ☐ Evidence of legal ownership- May be a deed, title commitment, title insurance policy, or attorney's opinion of ownership
- 3] ☐ Letter of consent- Required if the Applicant is not the property owner
- 4] ☐ List of property owners within 200 feet. Call Garfield County Assessor's Office at 970-945-9134 for information
- 5] ☐ Impact statement (description of how the proposed land use complies with the Town of Silt Municipal Code and Comprehensive Plan)
- 6] ☐ A copy of the completed application in electronic format
- 7] ☐ Provide two (2) printed copies and one digital copy of the full application and 24x36 copies of the Site Plan, Annexation Map, Plat Proposal or any other required documents for the proposed land use. Once approved, the Town will determine if any additional copies will be required
- 8] ☐ Fee and Deposit Collected
- 9] ☐ Other required documents



EXISTING UTILITIES
IF REQUIRED



PLAT
SCALE: NTS



SITE PLAN
SCALE: NTS

ACCOUNT: R330113
PARCEL: 217910219008
PROPERTY ADDRESS: S.E.T. CO. 81852
LEGAL DESCRIPTION: SECTION 10 TOWNSHIP 6 RANGE
82 SUBDIVISION: ORIGINAL TWP. S.E.T. CO. 81852
19 AND LOT 25
ACRES: 10
LAND SQFT: 1,250
TAX AREA: 35
MILL LEVY: 75.3150
SUBDIVISION: ORIGINAL TWP. S.E.T.



FOOD TRUCK
SCALE: NTS

MARIA SANCHEZ
701 MAIN STREET
S.E.T. CO. 81852

ISSUE DATE:
10-06-2023

SHEET TITLE
SITE PLAN
A-1.1

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Town of Silt Community Development

231 N. 7th Street, Silt Colorado 81652; (970)876-2353 ext. 110



LAND USE ACTIVITY IMPACT STATEMENT

Name of Applicant: Enry Francisco Moray Date: 10/10/2023

Location of Property: 125 S 7th Street Silt Co 81652

Land Use Request: _____

Please answer the following questions to the best of your ability. Attach additional pages as needed.

1. Is your request compatible with the Silt Municipal Code? ☒ Yes ☐ No

2. Is your request compatible with the Silt Comprehensive Plan? ☒ Yes ☐ No

If not, how is your request useful to the Town of Silt?

3. Explain how your request is compatible with the immediate area surrounding the site. I had a site post performed and Everything is Compatible with the area. Everything is within the safety Code.

4. How is your request desirable for the Town of Silt?

I feel that people will enjoy our food we have been part of this Community for a while and are very fortunate to be able to serve this community.

5. Detail any real or possible environmental, town service, or other impacts your request may have. N/A

6. Are there or have there ever been any landfills on any part of the property included in your request? Yes/ No Yes Site prot.

7. Please mark all the concerns or impacts listed below which apply to your request and give a brief statement about how you have addressed them.

- a. _____ traffic
- b. _____ town services (water, sewer, etc.)
- c. _____ signage
- d. _____ open space
- e. _____ schools
- f. _____ emergency services (police, fire, medical)
- g. _____ other utilities (electrical, etc.)
- h. _____ other (pollution, etc.)

Please list any other items or information which you feel would be of help in assessing your application.

Nicole Centeno

From: crystal ruiz <c_ruiz13@hotmail.com>
Sent: Wednesday, November 1, 2023 4:07 PM
To: Nicole Centeno; mariasanchez122@yahoo.com
Subject: Operating plan

Hello Nicole,

Please see below I'm sorry it took so long

Operating plan

- Hours/Days of operation? 6:30 am to 7pm Sunday-Monday closed Tuesday
- Menu Items/Type of food and beverages? Smothered tamales, smothered burritos, barbacoa, tacos, quezabirria, enchiladas, sopas, gorditas, shredded beef tostadas, beef stew, chiles réyenos, coke products and fresh waters like example horchata, pineapple etc.
- Running on generator or electric? How and Where, if electric? We will be running on electric Xcel lol electric company will install meter on plant.
- Will cooking take place only on the food truck, or are you using a commissary kitchen for prep? Cooking will be done in food truck all the things will be done on food truck.
- How are you handling inclement weather? For the winter we will have a shed that is covered in a clear strong plastic and we will be using propane heaters to heat area where people will eat. Only the entrance will be opened and summer we will have the same shed but open Since it will be warm.
- Garfield Ct licensing info
 - No Water/Sewer hook-up, so how is grey water disposed? We will be hiring a company in rifle and they are going to be taking the dirty water and that same company will replace dirty water with clean water
 - Where are you getting water from? From the company from rifle that is supplying it
 - Grease Disposal? We are hiring also a company for grease disposal and they will come and take it to dispose of it
 - Do you have an approval from Nettie with GarCo Public Health? Not yet we are still working on all the paperwork and getting all of that approved however we have spoken about it. Once we have the approval we can begin contracts and I can get you copies of that.
- Will this food truck be mobile or stationary full time? It will be stationary full time.
- The parking on the lot is necessary, but I need to dig into the location and direction. Since it's one way, there needs to be enough space to backout and turn, so no parking signs will need to be behind the parked vehicles. We don't want anyone getting trapped in, especially if there was an emergency.
- You note a storage structure and wooden shelter, please expand and provide more details, as those need to go under a completely different plan review. I don't need building plans yet, but definitely more info- we want a small shed storage so we can store paper cups plates etc, and the other shelter will be for seating area.

- Below I am attaching the links to the Town Comp Plan and need you to touch on why and how this fits into that plan. Nothing too detailed, just an overview on why the community needs this :)
- I feel like our food truck and business fits into the comp plan because it is exclusively for our community residence it will allow people to have more variety of food to be able to consume and it will make people happy I feel it will bring a lot of good fortune to the town of silt and it will be a great addition.

Thank you

Get [Outlook for iOS](#)

Criteria for review of special use applications are:

A. Compliance of the application with this code;

We will try to be in compliance of the application with this code because downtown and service area need to be expanded and this would be a good area for expansion.

B. Compatibility of the proposal with the character of the surrounding area;

The compatibility with the character of the surrounding area is that we are a block away from main street and other food service areas, so it's a perfect location for proposal.

C. Desirability and need for the proposed use;

The desirability would be additional food options for the area & an extra breakfast area for community and outside worker.

D. Encouragement of the most appropriate use of land throughout the town;

This food truck will be perfect in this location because the off street and on street parking makes it the most appropriate use of the land throughout the town.

E. Potential for adverse environmental influences that might result from the proposed use;

Working towards no adverse environmental influences and we are in compliance and will continue to be in compliance with all town and garfield co. codes.

F. Compatibility of the proposed use with the comprehensive plan; and

The Comprehensive Plan states we need to expand downtown food and service area. We believe a block south from downtown/main street is the right expansion for the downtown area.

G. Adequate provision for ingress and egress of vehicular and other traffic; parking, servicing and loading/unloading; refuse and service areas; utilities; screening and buffering; signage; yards and open space; and any other items determined necessary or appropriate by the board.

The town has informed us that the proposed parking is not ideal for on site parking. We are working with the town to provide as much appropriate on-site parking as possible. We are working with the town to revamp the proposed parking.

Town of Silt Planning Commission Meeting

Wednesday November 8, 2023 6:30 PM

Laestadian Church/Jurmu Annexation and Initial Zoning

Planners report

10/31/2023

Name of Project	Laestadian Lutheran Church of the Roaring Fork Valley (LLCRV)/Jurmu Annexation and Initial zoning
Applicant	LLCRV PO Box 681 Silt, CO 81652
Owner of Property	Mathew and Susan Jurmu 901 County Road 231 Silt, CO 81652
Owner Representative/ Land Planner	Logan Jurmu 248 Lupine Drive Newcastle, CO 81647
Civil Engineer	Sopris Engineering 502 Main Street, Suite A3 Carbondale, CO 81623
Project Attorney	Eric Gross, Esq.
Project Architect	NA
Water Engineer	None at this time
Property Location	901 CR 231 and 1849 N 1 st Street
Existing Zoning	Rural (Garfield County)
Surrounding Land Uses	West – Agriculture – North – Agriculture South – Agate and Single Family residential East – Agriculture
Surrounding Zoning	South: PUD – Residential (Town of Silt) West, East and North – Rural (Garfield County)
Proposed Use	Proposed Use – irrigated lawn and short-term.
Area of Parcel Subject to application	0.723 Acres
Existing Use	Irrigated lawn
Silt Comprehensive Plan	Agricultural/Residential Rural Reserve
Parcel & Reception Numbers	2179-041-00-632 and 2179-041-00-183
Legal Description	Lot 2 of the wills Subdivision Exemption - Rec # 528540

I. Description of Request

the Laestadian Lutheran Church of the Roaring Fork Valley (Church) and adjacent property owners Mathew and Susan Jurmu propose to annex a portion of the adjacent Jurmu property approximately 31,500 ft.² in size (0.723 ac.) and have it added to the Church Property. There is no development plan

presently for this this property that would be added to the church. In order to accomplish this there needs to be the following:

- Annexation. The town would have to be willing to annex a portion of the Jurmu property.
- Initial zoning. Property to be annexed would have to have a Town zoning designation applied to that property.
- Boundary Line Adjustment. As part of the application the Town would also approve a lot line adjustment which would allow a portion of the Jurmu property to be added to the Church Property

The first step to accomplish this is to review an annexation request. As part of the annexation into a municipality, the property also needs to be zoned. The Planning Commission reviews annexations and initial requests for zoning and makes recommendation to the Board on what action should be taken. The Board then hold public hearings on the annexation and makes a final decision. After town approval, annexation documents, an Annexation and Development Agreement or any other necessary documents are recorded. Often times, property is not annexed into a municipality until a final development plan, subdivision process or other such land-use entitlement also goes through a review and process and is approved.

Initially, staff suggested that the Church and Jurmu family go to Garfield County and have them approve a lot split or lot line adjustment and then come in for annexation. There were some administrative issues related to the County taking this initial action. Bottom line, if there was a subdivision/lot split process through the County Land Use and Development Code, a lot to be created would need to meet County underlying zone district requirements including access requirements and minimum lot size. This would require a minimum of 2 acres for the property to be transferred. County procedures do allow them to work with an adjacent municipality or other jurisdiction in these types of land use cases. After discussion with the County Community Development Department it was decided that a land-use application should go through the Town of Silt and that the county would be a Review Agency for that application.

Boundary Line adjustments and dissolutions of boundary lines can be approved administratively by the Town.

II. Recent Project History

Both the Church and the Jurmu Properties are part of what was originally called the Wills Subdivision Exemption which was approved under County jurisdiction in 1998. As an FYI, Lot 3 of the Wills Exemption is the Northmost area of what is now Mira Loma, AKA Iron Horse. I am not sure of the entitlement history before that time.

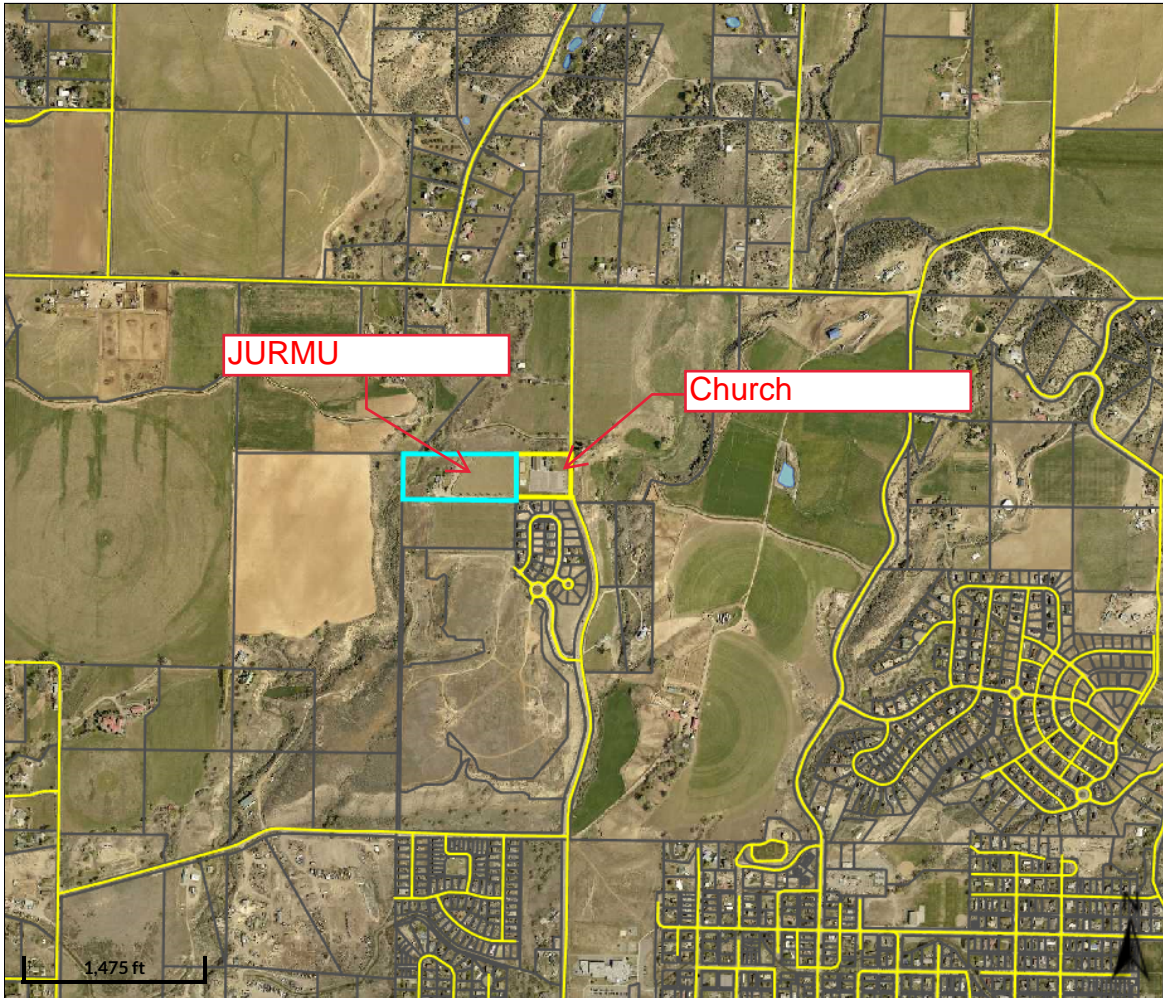
One building on the Church Property was first built in 1953. Another structure was built in 2002. The single-family house on the Jurmu Property was built in 1999 and is approximately 1,964 ft.² in size. Present lot sizes are:

- Church property: 3.008 ac.
- Jurmu Property: 6.992 ac.

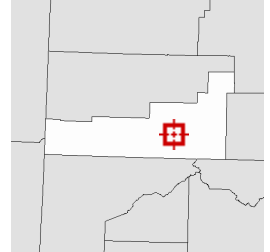
LLCRFV-JURMU LOCATION MAP

ANNEXATIONB AND ZONING







Created by: CHAIN



Overview



Legend

-  Parcels
-  Roads
-  Parcel/Account Numbers
-  Owner Name
-  Lakes & Rivers
-  County Boundary Line

Account Number	R200830	Physical Address	901 231 COUNTY RD	2019 Total Actual Value	\$912,930	Last 2 Sales Date	Price
Parcel Number	217904100183		SILT	81652		8/10/2021	\$851,500
Acres	7	Owner Address	JURMU, MATHEW & SUSAN			10/16/2019	\$530,000
Land SqFt	0						
Tax Area	020		901 COUNTY ROAD 231				
2019 Mill Levy	66.3370		SILT CO 81652				

Date created: 11/2/2023

Last Data Uploaded: 11/1/2023 10:44:20 PM

Developed by 

III. Silt Comprehensive Plan

The designation of the property is Agricultural/Rural/Residential/Reserve. These areas are generally located outside the Town Boundaries and it is assumed that they may develop on a small scale within the county. Sometimes they include environmentally sensitive areas and they generally are meant to be a transition between the urban/suburban densities of the Town and county lands. In this particular case, the proposed lot split would allow inclusion into an existing develop parcel for its future use.

The Land Use designation chart is attached. Inclusion of this area into the town would seem to be in conformance with the Comprehensive Plan as it can be served with town utilities in a cost-efficient manner and merged into an existing parcel that is presently developed.

IV. Applicable Municipal Code Sections.

Annexation: Chapter 16.08 of the Silt Municipal Code. Specifically:

- 16.08.040 – Annexation Petition and Annexation Map – Commission Public Hearing
- 16.08.050 – Annexation Petition and Annexation Application – Commission Action

Zoning: Any property proposing to be annexed into me a municipality must be zoned within a certain time according the state statute. From my quick research, I have not seen that understanding included in the SMC. Section 17.88.020 of the Town Code addresses amendments to the Zoning Map but this section assumes a change from an existing Zone District to some other zoning designation within the town.

Planner's Comment: Applicants have requested that the parcel to be annexed be placed in the Towns Rural Zone District. This is appropriate given that the Church Property is presently zoned "Rural", and the Rural Zone District is one of only 2 zone districts where churches are spelled out as a permitted use. (And churches also have the ability to be located in other zone districts of course).

Lot Line Adjustment and Lot Line dissolution.

- Section 16.04.590. This is an administrative procedure.

Summary of Required Planning Commission Action. Hold a public hearing and make a recommendation to the Board of Trustee's regarding the proposed annexation and initial zoning request.

V. Development Plan

There is no proposed development plan for this "transfer parcel" at this time. Please see the letter in the application. That area is basically a portion of an irrigated field/large yard and it has been represented that there is no present development plan for that area. In further discussions with the applicant, they did indicate that in the future it may be used perhaps as a play area for some of the kids whose families belong to the church or perhaps even parking if the church facility is expanded.

LAND USE CHART

Land Use Designation	Description/Characteristics	Locational Criteria
<p>Agricultural/Rural Residential Reserve</p> <p>Zone District: AG-RURAL</p>	<p>Those properties within the Comprehensive Plan Land Use Designation of “Agricultural/Rural Residential Reserve” are properties that may develop on a small scale within the County, but should not be subdivided to smaller than 1 unit per ten (10) acres, unless required to cluster with density between four (4) and eight (8) units per acre with central water and wastewater systems, and maintain the majority of property as open space or agricultural production. These areas are critical for the Town because they serve as a buffer between urban and rural land uses, and should remain such a buffer until the Town has adequately developed and/or re-developed its infill lots. Those lots that the County has subdivided into two (2) acre lots are generally not acceptable for annexation and development within the Town due to the difficult physical nature of infrastructure construction on small lots as well as the costs associated with such infrastructure construction. Further, the Town should discourage two (2) acre lots, as this size does not present a positive situation for the Town’s Planning & Zoning Commission and Board because these boards cannot easily review a project’s inclusion into the Town with respect to the Town’s Master Plans for water, wastewater, streets, trails, sidewalks, parks, open space and administration functions. Further, the properties in the Agricultural/Rural Residential Reserve areas typically have sensitive drainage and topographical features that limit the inclusion into the Town’s urban setting, since much of the land associated with a County subdivision must be preserved as jurisdictional wetlands, floodplain, slopes of greater than thirty (30) percent, irrigation ditches and the like. Occasionally, the interface between urban and rural land uses can present problems for both Town landowners and County landowners with regards to noise, traffic, agricultural activities, farm animals and dust, and for these reasons, the Town should be very careful in choosing parcels to annex, so as not to upset the balance between annexed and un-annexed land. Lastly, the Town should very carefully consider the mitigations regarding the inclusion of marijuana cultivation and marijuana products manufacturing, so as to preserve the rural character of these lands.</p>	<p>Located near the edge of the community, and sensitive areas such as river corridors, wildlife habitat and natural areas, typically in Growth Tiers 2 and 3. They are intended to serve as a transition between more intense urban land uses and natural features to be protected.</p>

Planner Comment. *Plans can change in the future and the possibility for some type of potential development should be covered in an Annexation Agreement. I would like the town to be prepared just in case the church decides to sell the property in the future.*

VI. **Issues related to annexation and property**

- a. Access. No issues with access. The church has a separate entrance off of County Road 231. The Jurmu residence has access via a 30-foot-wide access and utility easement as part of the Wills Subdivision Exemption and they also share that easement with the northern part of Mira Loma.

Planner Comment. *No concern here.*

- b. Water rights. The air photos I have examined suggests that this is an irrigated field. The applicants told me they have water rights. I have asked that they give us documentation of this and that portion of the water rights that has irrigated this part of the Jurmu property should be dedicated to the town. This should be accounted for in the Annexation Agreement.

- c. Development Plan as noted previously, there are no immediate plans for improvements and it has been represented that in the future perhaps a children's play area or perhaps parking may occur on this portion of the property. Application also says that any future development would have to abide by Town of Silt Municipal code.

Planner Comment. *Include a provision in any Annexation Agreement which guarantees that any development outside of a parking area comply with all Town regulations.*

- d. Compatibility. Nothing changes on site in the immediate future and I don't see any issues related to compatibility unless the church property is sold for development purposes in the future. I believe the allowed uses in the Rural Zone District would prevent any real non-compatibility issues. Any significant development would need to come in for a rezoning and such zoning and development plan would be reviewed at that time.
- e. Boundary Line Adjustment Plat. From how I read this plat, it appears that the original boundary of Lot #1 of the Wills Exemption (Church Parcel) may have extended out to the middle of the right-of-way and this Plat fixes that situation.

VII. **Planner Findings**

- 1. The 0.7723 parcel from the Jurmu parcel is eligible for annexation.
- 2. The Owners and Applicants have submitted an Annexation Map, a Petition for Annexation and related documents and request for inclusion into the Rural Zone District. This appears to be compatible with the Comprehensive Plan and the Surrounding area.

3. There is no specific development plan at this time. Any future development on the “Transfer Parcel” or the Church Parcel should will have to be reviewed according to the regulations in the Silt Municipal Code at that time.
4. An annexation Agreement should be drawn up by the Town Attorney for review and this Agreement should take a new account transfer of appropriate Water Rights and provisions for review of any potential future development plan.

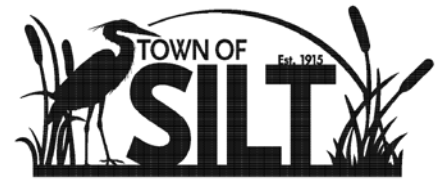
VIII. Planner Recommendations

Planning staff recommends approval of the Annexation and Initial zoning to the Rural Zone District with the following conditions:

1. That water rights pertinent to the share of use by the Transfer Parcel be dedicated to the Town of Silt.
2. That an Annexation Agreement be drawn up by the Town Attorney which addresses transfer of water rights to the Town, confirms a review process for any future development on the Transfer Parcel and any other matters that the Town Attorney or Board of Trustees find appropriate

Recommended Motion:

I recommend that the Board of Trustees **approve** the Annexation and Initial Zoning of the LLCRV/Jurmu Annexation with the conditions noted above (any modifications or additional conditions should be added to the motion).



Land Use Application Form

<input type="checkbox"/> Amended Plat	<input type="checkbox"/> Boundary Adjustment	<input type="checkbox"/> Subdivision Exemption
<input checked="" type="checkbox"/> Annexation	<input type="checkbox"/> Sketch Plan	<input type="checkbox"/> Floodplain Development
<input type="checkbox"/> Final Plan	<input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> Vacation of Right-of-Way
<input type="checkbox"/> Text Amendment	<input type="checkbox"/> Site Plan Review	<input type="checkbox"/> Re-Subdivision Final Plan
<input type="checkbox"/> Easement Agreement	<input checked="" type="checkbox"/> Zoning or Rezoning	<input type="checkbox"/> Subdivision Improvement Agreement
<input type="checkbox"/> Preliminary Plan	<input type="checkbox"/> Special Use Permit	<input type="checkbox"/> Annexation & Development Agreement
<input type="checkbox"/> Zoning Variance	<input type="checkbox"/> Other: _____	

Project Name: LLCRFV Boundary Line Adjustment

Project Description / Property Information:

Address: 1859 N 1st Street Parcel ID Number: 217904100632

Legal Description (*attach additional sheets if necessary*): See attached annexation map

Access to Property: Access to the property is an existing access on the east property line on 1st Street

Acreage or Square Footage: 3.53 acres Existing Land Use Designation: _____

Proposed Land Use Designation: _____

Existing Zoning: Rural Proposed Zoning: Rural

Proposed Use / Intensity of Use: Proposed land use remains unchanged. Typical week consists of church activities Sunday morning/evening and Wednesday evening

Submittal Requirements:

- Initially, a completed application with original signatures and four copies shall be submitted to the department for review. The application shall include four sets of 24" x 36" plans, plats and other appropriate drawings. Application must also be submitted in electronic format (MS Word).
- In addition to this application, all information on the supplemental checklist must be submitted.
- Incomplete applications will not be accepted and will delay processing.
- When the documents are deemed adequate, additional copies as required by the department shall be submitted ten (10) days before the public hearing.
- All documents submitted for public hearing shall be hole-punched, collated and paper-clipped (no staples). All plans, plats or drawings shall be folded to 8 1/2" x 11" and inserted into the collated application. Each individual application shall be banded together and ready for public distribution.

STAFF USE ONLY

Pre-app conference: _____ (date)	Application received: _____ (date)
Application complete: _____ (date)	File Number: _____
Fees: _____	Referrals Sent: _____ (date)
Deposits: _____	PZC approval: _____ (date)
Paid: _____ (date)	BOT approval: _____ (date)

Project Team Information (fill in all that apply) *(add additional sheets of needed)*:**Property Owner(s):** Name: Laestadian Lutheran Church of the Roaring Fork Valley Phone: 970-618-7752

Company: _____ Fax: _____

Address: 1859 N. 1st Street Silt, CO 81652**Authorized Rep.:** Name: Logan Jurmu Phone: 970-366-7119Company: Kimley-Horn Fax: _____Address: 248 Lupine Drive New Castle, CO 81647**Engineer/Designer:** Name: Mark Beckler, PLS (Surveyor) Phone: 970-704-0311Company: Sopris Engineering LLC Fax: _____Address: 502 Main Street Carbondale, CO 81623**Billable Party:** Owner ☒ Representative _____ Engineer _____

The Billable Party, by signing below, hereby agrees to reimburse the Town the actual costs to the Town plus 15% administrative fees for all engineering, surveying and legal services rendered in connection with the review of the Application. The Billable Party shall also reimburse the Town for the cost of making any corrections or additions to the master copy of the official Town map and for any fees for recording any plats and accompanying documents with the County Clerk and Recorder of Garfield County. The Billable Party agrees that interest shall be imposed at a rate of 1.5% per month on all balances not paid within thirty (30) days of the date of the statement. In addition to any and all remedies available to the Town and in the event the Town is forced to pursue collection of any amounts due and unpaid, the Town shall be entitled to collect attorney's fees and costs incurred in said collection efforts in addition to the amount due and unpaid.

Dan Lahti (Treasurer)

§ _____

Name (printed)

1859 N. 1st Street Silt, CO 81652

Address

(970) 989-3631

Phone

Fax _____

Signature _____

Type of Identification _____

Disclosure of Property Ownership

_____ If owner is an individual, indicate name exactly as it appears on the deed.

☒ If owner is a corporation, partnership, limited partnership or other business entity, name principals on a separate page. Please include articles of organization, partnership agreement, etc., as applicable.

_____ If owner is a land trust, name beneficiaries on a separate page.

_____ If applicant is a lessee, indicate the owner(s) on a separate page.

_____ If applicant is a contract purchaser, attach a copy of the contract and indicate the owner(s) on a separate page.

Please provide the name(s), mailing address(es), street address(es) and phone number(s) for all owners.

Jeremy Keranen (Chairman) 449 Ram Lane Silt, CO 81652 (970) 618-7752

Tom Jurmu (Secretary) 995 County Road 229 Silt, CO 81652 (970) 319-3211

Dan Lahti (Treasurer) 268 Fox Run Road Rifle, CO 81650 (970) 989-3631

Property Owner Affidavit

I/We, Laestadian Lutheran Church of the Roaring Fork Valley, being first duly sworn, depose and state under penalties of perjury that I am (we are) the owner(s) of the property described herein and which is the subject of the application and proposed hearings; that all answers provided to the questions in this application, and all sketches, data and all other supplementary matter attached hereto and made part of this application are honest and true to the best of my (our) knowledge and belief. I (we) understand that this application must be complete and accurate prior to a hearing being scheduled. I (we) authorize Town staff to visit the site as necessary for proper review of this application.

(If there are special conditions such as guard dogs, locked gates, restricted hours, etc., please give the name and phone number of the person(s) who can provide access to the site)

Jeremy Keranen

Name (printed)

449 Ram Lane; Silt, CO 81652

Address

(970) 618-7752

Phone

Fax

Jeremy Keranen
Signature

Type of Identification

County of Garfield)

State of Colorado)

Sworn to and subscribed before me this 19th day of July, 2023
(fill in day) (fill in month) (fill in year)

By Jeremy Keranen
(name printed)

Witness my hand and official seal.

Erika Jurmu
Notary Public

My Commission expires: 10/14/2023

Thomas Jurmu

Name (printed)

995 County Road 229; Silt, CO 81652

Address

Phone

Fax

Thomas Jurmu
Signature

ss.

(seal)

ERIKA JURMU
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20144039012
MY COMMISSION EXPIRES OCTOBER 14, 2026

Authorized Representative

I/We further permit Logan Jumu to act as my/our representative in any manner regarding this application, to answer any questions and to represent me/us at any meeting(s) and public hearing(s) which may be held on this application.

NOTE: All correspondence will be sent to the authorized representative. It will be the representative's responsibility to keep the owner(s) adequately informed as to the status of the application.

Jeremy Keranen
Name (printed)

449 Ram Lane

Silt, CO 81652

Address

(970) 618-7752

Phone

Fax

Jeremy Keranen
Signature

Type of Identification

County of Garfield)

State of Colorado)

ss.

Sworn to and subscribed before me this 19th day of July, 2023.
(fill in day) (fill in month) (fill in year)

By Jeremy Keranen
(name printed)

Witness my hand and official seal.

Erika Jumu
Notary Public

My Commission expires: 10/14/2026

ERIKA JURMU
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20144039012
MY COMMISSION EXPIRES OCTOBER 14, 2026

Authorized Representative

I/We further permit Logan Jurmu to act as my/our representative in any manner regarding this application, to answer any questions and to represent me/us at any meeting(s) and public hearing(s) which may be held on this application.

NOTE: All correspondence will be sent to the authorized representative. It will be the representative's responsibility to keep the owner(s) adequately informed as to the status of the application.

Jeremy Keranen
Name (printed)

449 Ram Lane
Address

Silt, CO 81652
Address

(970) 618-7752
Phone

Fax

Jeremy Keranen
Signature

Type of Identification

County of Garfield)

State of Colorado)

ss.

Sworn to and subscribed before me this 19th day of July, 2023.
(fill in day) (fill in month) (fill in year)

By Jeremy Keranen
(name printed)

Witness my hand and official seal.

Erika Jurmu
Notary Public

My Commission expires: 10/14/2026

ERIKA JURMU
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20144039012
MY COMMISSION EXPIRES OCTOBER 14, 2026

Below is an **example** of a Public Notice to be submitted to the newspaper and sent by certified, return receipt mail to property owners within 200 feet. The minimum public notice requirements are as follows:

Variances:	No less than 7 days prior to public hearing
All applications regarding a Planned Unit Development:	No less than 15 days prior to public hearing
Special Use:	No less than 15 days prior to hearing
Subdivision Exemption:	No less than 7 days prior to public hearing
Preliminary Plan:	No less than 7 days prior to public hearing
Comp Plan Amendment, Sketch Plan, Zoning, Rezone, Final Plan:	No less than 15 day prior to public hearing

Public Notices shall be published once per week, in a newspaper of general circulation, no less than the number of days as listed above. Public Notices to adjoining property owners shall be sent certified, return receipt and post-

Public Notice

You are hereby notified that the Town of Silt Planning & Zoning Commission/Board of Trustees will conduct a Public Hearing to consider the following application. The Public Hearing will be held on _____, 200__ at 7:00p.m. in Council Chambers at Silt Town Hall, 231 N. 7th Street.

Applicant:

Application Request:

Legal Description: (brief legal description is sufficient)

Common Description: (street address or general location)

For more information, contact the Town of Silt Community Development Department; PO Box 70, 231 N. 7th Street or call 970/876-2353. Please provide the name of the applicant and other notice information when asking department staff about this notice.

TOWN OF SILT, PROOF OF PUBLIC NOTICE AND CERTIFICATE OF MAILING

Project: LLCRFV Land Acquisition

I HEREBY AFFIRM THAT Public Notice requirements of the Silt Municipal Code have been met for the Public Hearing before the Silt Planning & Zoning Commission/Board of Trustees to be held on _____, 200__.

In addition, I hereby affirm that on _____ day of _____, 200__, I mailed first class, certified return receipt, a true copy of the attached Public Notice by placing the same postage prepaid in the United States Mail at _____, Colorado, addressed to those property owners on the attached list.

Attached are:

1. Certificate(s) of Mailing (green cards and return receipts)
2. Proof of publication from a newspaper of general circulation within the Town showing that prior to the meeting, the Public Notice was advertised as required per Silt Municipal Code.
3. List of names and mailing addresses of all surrounding property owners within 200 feet of subject property.

Name of Applicant (printed)

Signature of Applicant

Date

County of _____)

)

ss.

State of _____)

Sworn to and subscribed before me this _____ day of _____, _____ .
(fill in day) (fill in month) (fill in year)

By _____
Name (printed)

Witness my hand and official seal.

Notary Public

My Commission Expires: _____

LAND USE APPLICATION FEES

Application	Fee	Deposit	SMC Section
Annexation	\$1,200	\$400	16.13.040
Annexation & Development Agreement amendment	\$400	\$400	16.13.130
Boundary Adjustment/Lot Line	\$100	\$0	16.04.907
Condominiumization	See Major	Subdivision	16.05.110
Easement Agreement and Amendments	\$500	\$500	2.44.110
Intergovernmental Agreement and Amendments	\$500	\$500	2.44.100
Major Subdivision-Sketch Plan	\$500	\$500	16.04.120
Major Subdivision-Preliminary Plan	\$800	\$800	16.04.180
Major Subdivision-Final Plan	\$500	\$500	16.04.270
Sign Exception	\$70	\$0	
Fence Exception	\$70	\$0	
Replat or Re-subdivision	\$500	\$0	16.04.945
Site Plan Review- Commercial/Multi-Family	\$500	\$0	17.42.030
Special Use Permit	\$250	\$0	17.78.040
Minor Subdivision-Sketch/Final	\$500	\$500	16.04.906
Subdivision Improvement Agreement Amendment	\$400	\$400	16.04.315
Vacation of Right of Way	\$400	\$400	2.44.120
Zoning Variance	\$250	\$0	17.84.080
Zoning or Rezoning	\$500	\$100	16.12.410

****Deposits must be included with application submittal. The deposit is used as security for department staff and consultant time to review the project application. Applicant shall also pay for fees and charges incurred by the town, such as legal fees, planning fees, engineering fees, and filing or recording fees, plus an administrative fee of 15% of the total consultant charges.***

ATTACHMENTS/EXHIBITS MUST BE COMPLETE FOR SUBMITTAL.

Incomplete applications **will not** be reviewed until deemed complete.

Checklist below for Office use only.

- 1] _____ A legal description of the property.
- 2] _____ Evidence of legal ownership. May be a deed, title commitment, title insurance policy, or attorney's opinion of ownership.
- 3] _____ Letter of consent. Required if the Applicant is not the property owner.
- 4] _____ List of property owners within 200 feet. Call Garfield County Assessor's Office at 970/ 945-9134 for information.
- 5] _____ Impact statement (description of how the proposed land use complies with the Town of Silt Municipal Code and Comprehensive Plan).
- 6] _____ A copy of the completed application in electronic format (Microsoft Word).
- 7] _____ A diskette, compatible with the Town of Silt GIS system, must be submitted before final recording of land use action. Mylars will not be signed prior to submittal of GIS disk. (For GIS information, call the Community Development Department, (970)876-2353.) Please do not print Final Plat Mylars until you receive approval by Town staff.

Town of Silt Community Development

231 N. 7th Street, Silt Colorado 81652; (970)876-2353 ext. 108



LAND USE ACTIVITY IMPACT STATEMENT

Name of Applicant: Laestadian Lutheran Church of Roaring Fork Valley Date: 07/15/2023

Location of Property: 1859 N. 1st Street Silt, CO 81652

Land Use Request: Annexation of +/- 0.723 acres from adjacent landowner into above parcel

Please answer the following questions to the best of your ability. Attach additional pages as needed.

1. Is your request compatible with the Silt Municipal Code? ☒ Yes ☐ No

2. Is your request compatible with the Silt Comprehensive Plan? ☒ Yes ☐ No

If not, how is your request useful to the Town of Silt?

3. Explain how your request is compatible with the immediate area surrounding the site.

The boundary line adjustment is compatible with immediate area surrounding the site as the existing land use does not change. The church has been active in the area since 2014 with no detrimental impacts to the surrounding area.

4. How is your request desirable for the Town of Silt?

The boundary line adjustment will slightly increase the size of the property without an increase in use, thereby slightly increasing revenue for the Town.

5. Detail any real or possible environmental, town service, or other impacts your request may have.

It is possible that the church will propose an addition in the future. This addition will go through relevant Town review and will be subject to Town comment at that time.

200' PROPERTY OWNERS LIST

Each applicant must submit the mailing addresses of all property owners within 200 feet of the subject property or activity.

Name Pierpoint Mesa, LLC

Address _____

Mailing Address PO Box 2019

Town/City Evergreen, Colorado Zip 80437

Name Iron Horse Mesa Homes, LLC

Address _____

Mailing Address PO Box 2019

Town/City Evergreen, Colorado Zip 80437

Name Chavez, Ma Gloria

Address _____

Mailing Address 1740 Belgian Loop

Town/City Silt, Colorado Zip 81652

Name Stepisnik, James & Jennifer

Address _____

Mailing Address 1744 Belgian Loop

Town/City Silt, Colorado Zip 81652

PETITION FOR ANNEXATION

TO: THE TOWN CLERK AND THE BOARD OF TRUSTEES OF THE TOWN OF SILT,
COLORADO

The undersigned, in compliance with the "Municipal Annexation Act of 1965," C.R.S. §31-12-101 et seq., as amended, hereby petition(s) the Board of Trustees of the Town of Silt, Colorado, for annexation to the Town of Silt, the following described unincorporated territory located in the County of Garfield, State of Colorado, and more particularly described in Exhibit A, attached hereto and incorporated herein by this reference. In support of said Petition for Annexation, the undersigned submits the attached annexation map, and states and alleges as follows:

1. It is desirable and necessary that the property described in Exhibit A be annexed to the Town of Silt, Colorado.
2. The requirements of C.R.S. §§31.12-104 and 31-12-105, as amended, exist and have been met as follows:
 - a. Not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous with the Town of Silt, Colorado.
 - b. A community of interest exists between the Town and the area proposed to be annexed to the Town of Silt, Colorado.
 - c. The area proposed to be annexed is urban or will be urbanized in the near future.
 - d. The area proposed to be annexed is integrated or is capable of being integrated with the Town of Silt, Colorado.
 - e. In establishing the boundaries of the area proposed to be annexed, no real property held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, will be divided into separate parts or parcels without the written consent of the landowners.
 - f. In establishing the boundaries of the area proposed to be annexed, no real property held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, comprising twenty (20) acres or more (which together with the buildings and improvements situated thereon has a valuation for assessment in excess of \$200,000.00 for ad valorem tax purposes for the year next preceding the annexation) shall be included without the written consent of the landowners.
 - g. The property proposed for annexation is not presently part of any incorporated city or town, nor have annexation proceedings been commenced for the annexation of part of all of such property to another municipality.

h. The proposed annexation will not result in the detachment of real property from any school district and the attachment of same to another school district.

i. The proposed annexation will not have the effect of extending the municipal boundary more than three (3) miles in any direction in one (1) year.

3. The undersigned is the owner of 100 percent of the real property proposed to be annexed, and hereby consents to the establishment of the boundaries of this property as shown on the annexation plat submitted herewith.

4. No election for annexation to the Town of Silt, Colorado, has been initiated for the real property to be annexed hereunder within the preceding twelve (12) months.

5. The mailing address of the Petitioner is as follows:

1859 N 1st Street Silt, CO 81652

WHEREFORE, the undersigned requests that the Town approve the annexation of the territory to be annexed.

Signed this 19th day of July, 2023



STATE OF COLORADO)
) §
COUNTY OF GARFIELD)

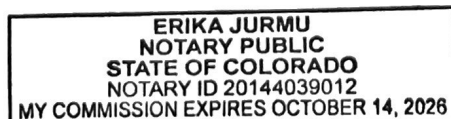
Acknowledged, subscribed, and sworn to before me this 19th day of July, 2023,
by Logan Jumu and _____.

WITNESS my hand and official seal.

My Commission expires: 10/14/2026.



Notary Public



AFFIDAVIT OF CIRCULATOR

STATE OF COLORADO)
) §
COUNTY OF GARFIELD)

The undersigned, being duly sworn, states as follows:

1. He is over 21 years of age;
2. He was the circulator of the Petition attached hereto; and
3. Each signature thereon is the signature of the person that it purports to be.

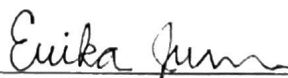


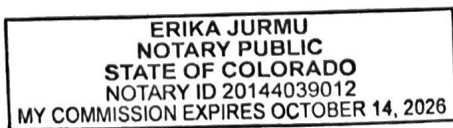
STATE OF COLORADO)
) §
COUNTY OF GARFIELD)

Acknowledged, subscribed, and sworn to before me this 19th day of July, 2023
by Logan Jumu.

WITNESS my hand and official seal.

My Commission expires: 10/14/2026.


Notary Public



TOWN OF SILT ANNEXATION APPLICATION

Name of Applicant: Laestadian Lutheran Church of the Roaring Fork Valley

Applicant's (Billing) Address: 1859 N. 1st Street Silt, CO 81652

Property Owner: Laestadian Lutheran Church of the Roaring Fork Valley

Address: 1859 N. 1st Street Silt, CO 81652

Attach Legal Description of Property to be annexed: Yes/No

Attach Annexation Map: Yes/No

Attach Vicinity Map (in 8.5 inch x 11 inch): Yes/No

Number of Acres or Square Feet included in Annexation Request: 0.723 acres

Present Zoning: Rural

Proposed Zoning: Rural

REQUIRED INFORMATION – 1-7 ON ATTACHED IMPACT CHECKLIST

Fee: \$1200 + Consultant fees + 15% Administrative fee (based on Consultant charges)

I certify that the information and exhibits herewithin submitted are true and correct to the best of my knowledge, and that in filing this application, I am acting with knowledge and consent of the person (s) listed above without whose consent the requested action cannot lawfully be accomplished.

Name (please print) Jeremy Keranen

Signature _____ Date _____

Address 449 Ram Lane; Silt, CO 81652

Capacity: (Owner, agent, surveyor, engineer, etc.) Owner

Date submitted: _____

Application complete? Yes/No

First Meeting Board of Trustee (date): _____

Second Meeting (Public Hearing) Board of Trustee (date): _____

ANNEXATION CHECKLIST

- _____ Conference/Application & Petition Forms given – date _____
- _____ Application and Petition Received – date _____
- _____ Fee payment
- _____ Letter of Intent
- _____ Proof of property ownership
- _____ Impact statement
- _____ Site location and Annexation maps
- _____ Petition signed
- _____ Copies for review and adjacent property owners with addressed envelopes
- _____ Staff review packets sent
- _____ Pre-Annexation Agreement (if applicable)
- _____ Schedule meeting for substantial compliance
- _____ Resolution of substantial compliance completed
- _____ Board of Trustee Meeting
- _____ Resolution of substantial compliance approved and signed
- _____ Public Hearing Date
- _____ Public Notice submitted to newspaper (once/wk for 4 wks, 1st 30 days prior)
- _____ Petition or resolution of compliance
- _____ Notice of hearing
- _____ Planning & Zoning Commission recommendation to Board of Trustees
- _____ Certified packets to review agencies 25 days before hearing
- _____ Notice
- _____ Petition
- _____ Resolution of substantial compliance
- _____ Impact report to engineer, county and attorney
- _____ Notice to adjacent property owners 10 days prior to hearing
- _____ Resolution of findings of fact prepared
- _____ Annexation ordinance prepared
- _____ 3 mylars received
- _____ Signature blocks ok
- _____ Signed by County Surveyor
- _____ Board of Trustees Public Hearing
- _____ Mylars signed (all signature blocks)
- _____ Resolution of findings of fact signed
- _____ Pre-Annexation Agreement signed (if applicable)
- _____ Mylars and annexation ordinance recorded
- _____ Ordinance received from Clerk and Recorder
- _____ Mylars delivered to public works

Town of Silt,

The Laestadian Lutheran Church of the Roaring Fork Valley (LLCRFV) located at 1859 N. 1st Street is proposing an annexation of 0.723 acres from the adjacent parcel west of current LLCRFV property.

The existing zoning of the LLCRFV property is RURAL per Town of Silt zoning map. The zoning being proposed would also fall under RURAL. The transfer parcel in its existing condition is a field and the proposed purpose wouldn't change in the future. The purpose for the purchase of the land is to create more green buffer space between the church property and the property owner to the west. Any proposed development on the parcel in the future will be subject to Town of Silt review.

The reason this deal is being done now is that the property owner to the west is a member of the church and amenable to the selling of the transfer parcel. The current property owner will be listing the property for sale soon, and it's unclear whether a future owner would be amenable to selling the parcel.

The parcel will also comply with the 2017 Town of Silt Comprehensive Plan. This area is noted as Agricultural/Rural Residential Reserve under the Comprehensive Plan and will appropriately fall under that category.

On behalf of the LLCRFV,

A handwritten signature in blue ink, appearing to read "Logan Jurmu". The signature is fluid and cursive, with the first name "Logan" and last name "Jurmu" clearly distinguishable.

Logan Jurmu

LLCRFV ANNEXATION NO.2

A PARCEL OF LAND SITUATED IN SE 1/4 NE 1/4 OF SECTION 4 TOWNSHIP 6 SOUTH, RANGE 92 WEST OF THE 6TH P.M.
TOWN OF SILT, COUNTY OF GARFIELD, STATE OF COLORADO.

SHEET 1 OF 1

PURPOSE STATEMENT

THE PURPOSE OF THIS ANNEXATION MAP IS TO SHOW THE ANNEXATION OF THE TRANSFER PARCEL

CERTIFICATE OF DEDICATION AND OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS THAT THE LAESTADIAN LUTHERAN CHURCH OF THE ROARING FORK VALLEY, BEING SOLE OWNER IN FEE SIMPLE OF ALL THAT REAL PROPERTY DESCRIBED AS FOLLOWS:

ANNEXATION PARCEL

A TRACT OF LAND SITUATED IN SECTION 4 TOWNSHIP 6 SOUTH, RANGE 92 WEST OF THE 6TH P.M. COUNTY OF GARFIELD, STATE OF COLORADO BEING A PORTION OF LOT 2 WILLS SUBDIVISION EXEMPTION, ACCORDING TO THE FINAL PLAT THEREOF RECORDED JULY 13, 1998 AS RECEPTION NO. 528540; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2 WILLS SUBDIVISION, WHENCE THE NORTHEAST CORNER SAID SECTION 4 BEARS N.16°53'03"E. A DISTANCE OF 1382.21 FEET; THENCE S.00°37'54"E. ALONG THE EASTERLY BOUNDARY LINE OF SAID LOT 2 A DISTANCE OF 315.00 FEET; THENCE LEAVING SAID EASTERLY BOUNDARY S.89°23'49"W ALONG THE SOUTHERLY BOUNDARY LINE OF SAID LOT 2 A DISTANCE OF 100.00 FEET; THENCE LEAVING SAID SOUTHERLY BOUNDARY N.00°37'54"W. A DISTANCE OF 315.00 FEET, TO THE NORTHERLY BOUNDARY LINE OF SAID LOT 2; THENCE N.89°23'49"E. ALONG SAID NORTHERLY BOUNDARY LINE A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

COUNTY OF GARFIELD
STATE OF COLORADO

SAID TRACT OF LAND CONTAINING 31,500 SQUARE FEET OR 0.723 ACRES, MORE OR LESS.

ALSO KNOWN AS TRANSFER PARCEL, ACCORDING TO THE LOT 1 AND LOT 2 WILLS SUBDIVISION EXEMPTION-BOUNDARY LINE ADJUSTMENT PLAT RECORDED AS RECEPTION NO. _____ OF THE THE GARFIELD COUNTY RECORDS.

DO BY THESE PRESENTS CONSENT TO THE ANNEXATION THEREOF TO THE TOWN OF SILT.

EXECUTED THIS _____ DAY OF _____, A.D.,
20_____.

LOT 2 OWNER: MATHEW JURMU AND SUSAN JURMU

BY: MATHEW JURMU

BY: SUSAN JURMU

STATE OF COLORADO }
COUNTY OF GARFIELD } SS

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME. THIS _____ DAY
OF _____, A.D. 2023, BY MATHEW JURMU AND SUSAN JURMU.

MY COMMISSION EXPIRES: _____

WITNESS MY HAND AND SEAL

ANNEXATION TABLE

TOTAL ANNEXATION PARCEL BOUNDARY	830.00'
ONE SIXTH (1/6) PARCEL BOUNDARY	138.33'
CONTIGUOUS TOWN BOUNDARY	315.00'

HELMKE, RICHARD L & DOLL, MARY ALYCE
109 2ND STREET
GLENWOOD SPRINGS CO 81601
ASSESSOR PARCEL No.
217904100030

LOT 2
273,075 SQ FT
6.269 ACRES
JURMU

FOUND #5 REBAR &
1.25" ORANGE PLASTIC CAP
2" ABOVE GROUND
STAMPED
"PROP. CORNER"
"PLS #28643"

LOT 3, WILLS SUBDIVISION EXEMPTION
BIANCO, JOAQUIN & TERESA
PO BOX 811
SILT CO 816520811
ASSESSOR PARCEL No.
217904100184

FOUND #5 REBAR &
1.25" ORANGE PLASTIC CAP
2" ABOVE GROUND
STAMPED
"PROP. CORNER"
"PLS #28643"

CENTERLINE
10' IRRIGATION EASEMENT
RECEPTION No. 528540

TRUE POINT OF BEGINNING
ANNEXATION PARCEL (TRANSFER PARCEL)

FOUND #5 REBAR &
1.25" YELLOW PLASTIC CAP
3" BELOW GROUND
STAMPING ILLEGIBLE

OLD LOT LINE &
TOWN OF SILT CITY LIMITS
PER RECEPTION No. 833021
(DASHED) TYP.

LLCRV PARCEL LOT 1
PER LOT 1 WILLS SUBDIVISION EXEMPTION PLAT-

3.535 ACRES +/-

10'
IRRIGATION EASEMENT
RECEPTION No. 528540

FOUND #5 REBAR &
1.25" RED PLASTIC CAP
1" ABOVE GROUND
STAMPED
"WITNESS"
"PLS #28643"
(8' WITNESS EAST)

30' ACCESS &
UTILITY EASEMENT
RECEPTION No. 528540

TRACT 12 (PRIVATE OPEN SPACE)
ASSESSOR PARCEL No. 217904111304

PEDESTRIAN & EMERGENCY
INGRESS & EGRESS EASEMENT
RECEPTION No. 715600

LOT 17
STEPISNIK, JAMES M & JENNIFER L
1744 BELGIAN LOOP
SILT CO 81652
ASSESSOR PARCEL No.
217904111017

LOT 18
IRON HORSE MESA
HOMES LLC
PO BOX 2019
EVERGREEN CO 80437
ASSESSOR PARCEL No.
217904111016

LOT 16
CHAVEZ, MA GLORIA
1740 BELGIAN LOOP
SILT CO 81652
ASSESSOR PARCEL No.
217904111016

LOT 15
IRON HORSE MESA
HOMES LLC
PO BOX 2019
EVERGREEN CO 80437
ASSESSOR PARCEL No.
217904111015

LOT 14
PIERPONT MESA, LLC
PO BOX 2019
EVERGREEN CO 80437
ASSESSOR PARCEL No.
217904111014

FOUND #5 REBAR AND
1.25" PLASTIC CAP
L.S. #13501 (2011)
SOUNDING UNDER
NEW ASPHALT
(2015 & 2023)

FOUND #5 REBAR &
1.25" RED PLASTIC CAP
1" ABOVE GROUND
STAMPED
"WITNESS"
"PLS #28643"
(40' WITNESS SOUTH)

ZARLINGO, CAROLYN R
0970 COUNTY ROAD 231
SILT CO 81652
ASSESSOR PARCEL No.
217903200003

20'
TRAIL EASEMENT
RECEPTION No. 833021
10'
UTILITY EASEMENT
RECEPTION No. 833021

FOUND #5 REBAR &
1.25" ORANGE PLASTIC CAP
2" ABOVE GROUND
STAMPED
"PROP. CORNER"
"PLS #28643"

TITLE INSURANCE COMPANY OR ATTORNEY'S CERTIFICATE:

DOES HEREBY CERTIFY THAT _____ HAS EXAMINED
THE TITLE TO ALL LANDS HEREIN DEDICATED AND SHOWN UPON THIS PLAT AND TITLE TO SUCH LAND IS
IN THE DEDICATOR FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES, EXCEPT AS FOLLOWS:

SIGNATURE

TITLE

DATE

BOARD OF TRUSTEES CERTIFICATE

THIS ANNEXATION MAP IS APPROVED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILT,
COLORADO THIS _____ DAY OF _____, A.D. 2023, FOR FILING WITH THE CLERK AND
RECORDER OF GARFIELD COUNTY, COLORADO AND FOR CONVEYANCE TO THE TOWN OF SILT FOR
THE PUBLIC DEDICATIONS SHOWN HEREON; SUBJECT TO THE PROVISION THAT APPROVAL IN NO
WAY OBLIGATES THE TOWN OF SILT FOR FINANCING OR CONSTRUCTION OF IMPROVEMENTS ON
LANDS, STREETS OR EASEMENTS DEDICATED TO THE PUBLIC EXCEPT AS SPECIFICALLY AGREED TO
BY THE BOARD OF TRUSTEES AND FURTHER THAT SAID APPROVAL SHALL IN NO WAY OBLIGATE THE
TOWN OF SILT FOR MAINTENANCE OF STREETS AND UTILITIES DEDICATED TO THE PUBLIC UNTIL
CONSTRUCTION OF IMPROVEMENTS THEREON HAVE BEEN COMPLETED TO THE SATISFACTION OF
THE BOARD OF TRUSTEES, AND THE APPLICABLE WARRANTY PERIOD HAS ENDED.

TOWN OF SILT

BY:

KEITH RICHEL, MAYOR

WITNESS MY HAND AND SEAL OF THE TOWN OF SILT, COLORADO

ATTEST:

TOWN CLERK

SURVEYOR'S STATEMENT

I, MARK S. BECKLER, L.S. No. 28643, A PROFESSIONAL LAND SURVEYOR LICENSED UNDER THE LAWS
OF THE STATE OF COLORADO, DO HEREBY STATE THAT THE LLCRFV ANNEXATION MAP NO. 2 FOR
THE ANNEXATION PARCEL, SHOWN HEREON, WAS PREPARED UNDER MY SUPERVISION ON THE
BASIS OF CERTAIN PLATS, DEEDS AND OTHER DOCUMENTS OF RECORD WHICH WERE AUGMENTED
WITH A FIELD INSPECTION CONDUCTED UNDER MY SUPERVISION AND THAT SUCH ANNEXATION MAP
IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY:

MARK S. BECKLER, L.S. No.28643

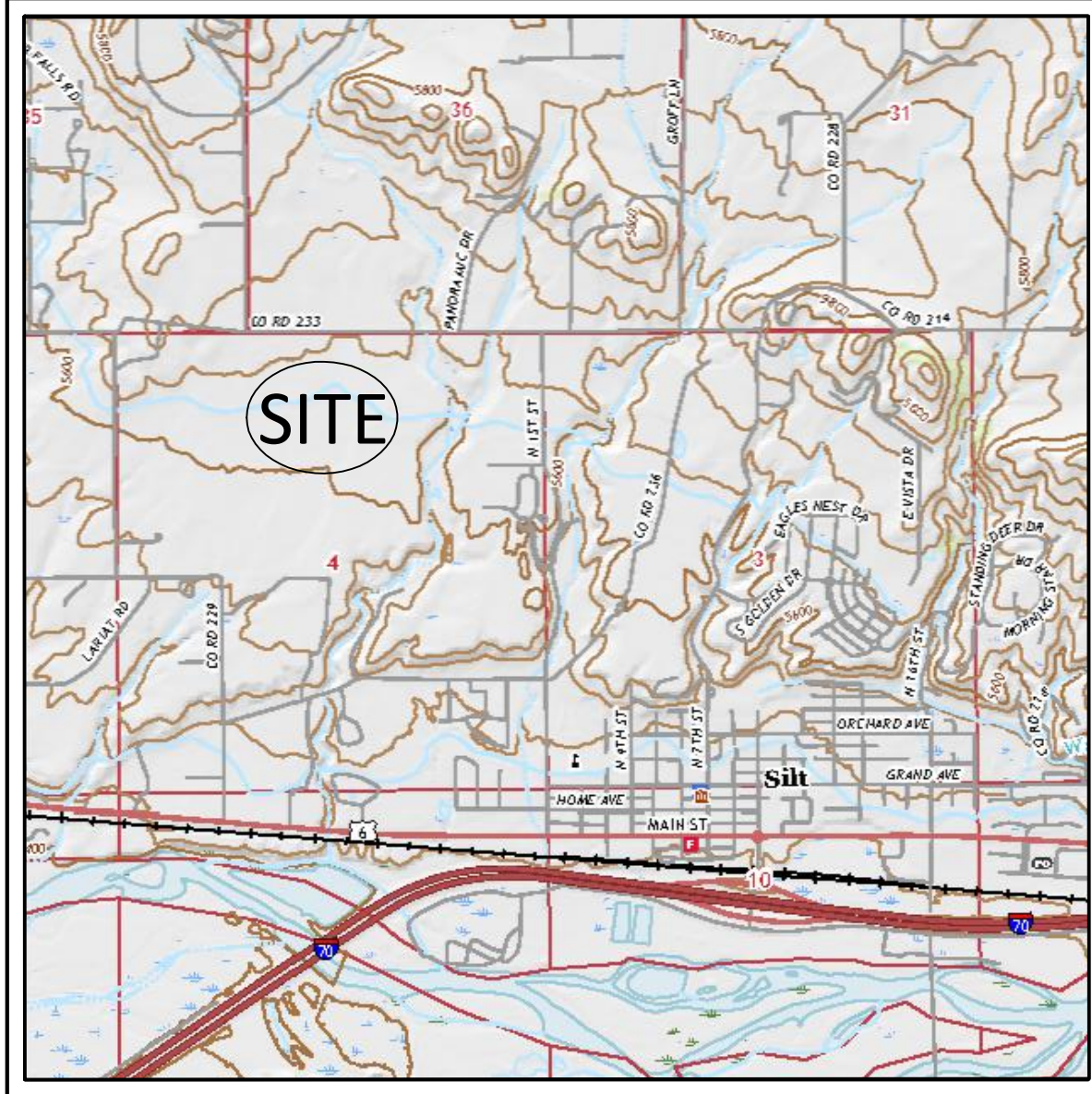
DATED

CLERK AND RECORDER'S CERTIFICATE

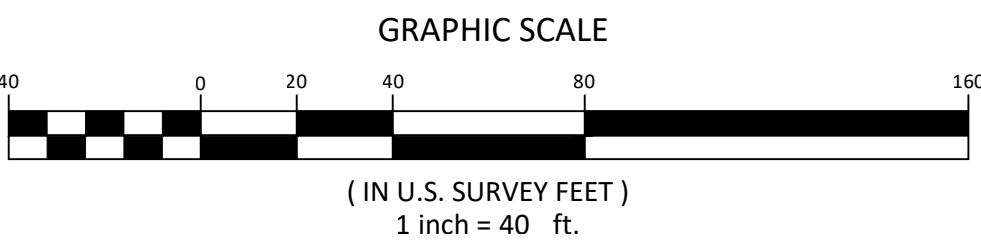
THIS ANNEXATION PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE CLERK AND RECORDER OF
GARFIELD COUNTY,

COLORADO, AT _____ O'CLOCK __M., THIS _____ DAY OF _____.

20____, IN BOOK _____, AT PAGE _____, RECEPTION NO. _____.



VICINITY MAP
SCALE: 1" = 2000'



NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL
ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS
AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION
BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN
YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

SOPRIS ENGINEERING LLC
502 MAIN STREET • SUITE A3 • CARBONDALE CO 81623
(970) 704-0311 • soprisengineering.com

LOT 1 & LOT 2 WILLS SUBDIVISION EXCEPTION-BOUNDARY LINE ADJUSTMENT PLAT
A PARCEL OF LAND SITUATED IN SE1/4NE1/4 OF SECTION 4 TOWNSHIP 6 SOUTH, RANGE 92 WEST OF THE 6TH P.M.
TOWN OF SILT, COUNTY OF GARFIELD, STATE OF COLORADO.

SHEET 1 OF 2
PURPOSE STATEMENT
THE PURPOSE OF THIS BOUNDARY LINE ADJUSTMENT IS TO RECONFIGURE SAID PARCELS TO
AS SHOWN ON SHEET TWO.

Land Use Table

ORIGIN PARCEL 1 (LOT 1, WILLS SUBDIVISION EXEMPTION)	131,040 sq. ft.	3.008 acres
ORIGIN PARCEL 2 (LOT 2, WILLS SUBDIVISION EXEMPTION)	304,575 sq. ft.	6.992 acres
TOTAL	435,615 sq. ft.	10.000 acres
TRANSFER PARCEL	31,500 sq. ft.	0.723 acres
RESULTING PARCEL 1 (BOUNDARY LINE ADJUSTMENT PARCEL)	162,540 sq. ft.	3.731 acres
RESULTING PARCEL 2 (BOUNDARY LINE ADJUSTMENT PARCEL)	273,075 sq. ft.	6.269 acres
SUBTOTAL	435,615 sq. ft.	10.000 acres
REMOVED R.O.W. CR 231 FROM RESULTING PARCEL 1	8,573 sq. ft.	0.197 acres
SUBTOTAL	427,042 sq. ft.	9.804 acres
RESULTING PARCEL 1 (BOUNDARY LINE ADJUSTMENT PARCEL)	153,967 sq. ft.	3.535 acres
RESULTING PARCEL 2 (BOUNDARY LINE ADJUSTMENT PARCEL)	273,075 sq. ft.	6.269 acres
TOTAL	427,042 sq. ft.	9.804 acres

PLAT NOTE

- 1) The properties included hereon are subject to the quit claim deed/boundary line adjustment affidavit documents recorded as Reception No. _____ and Reception No. _____ respectively, both of the Garfield County Records.

CERTIFICATE OF DEDICATION AND OWNERSHIP

THE UNDERSIGNED, BEING SOLE OWNERS IN FEE SIMPLE OF ALL THAT REAL PROPERTY SITUATED IN GARFIELD COUNTY, DESCRIBED AS FOLLOWS:

LOT 1,
WILLS SUBDIVISION EXEMPTION,
ACCORDING TO THE FINAL PLAT THEREOF RECORDED JULY 13, 1998 AS RECEPTION NO. 528540.

CONTAINING 131,040 SQUARE FEET OR 3.088 ACRES, MORE OR LESS

COUNTY OF GARFIELD
STATE OF COLORADO

AND

LOT 2,
WILLS SUBDIVISION EXEMPTION,
ACCORDING TO THE FINAL PLAT THEREOF RECORDED JULY 13, 1998 AS RECEPTION NO. 528540

CONTAINING 304,575 SQUARE FEET OR 6.992 ACRES, MORE OR LESS

COUNTY OF GARFIELD
STATE OF COLORADO

CONTAINING 10.08 ACRES, MORE OR LESS, HAVE BY THESE PRESENTS LAID OUT AND PLATTED THE SAME AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF AMENDED FINAL PLAT AND BOUNDARY LINE ADJUSTMENT OF LOT 1 AND LOT 2 WILLS SUBDIVISION EXEMPTION, AN EXEMPTION PLAT OF LANDS IN THE COUNTY OF GARFIELD. THE OWNERS DO HEREBY ADJUST THE COMMON BOUNDARY LINE BETWEEN LOT 1 AND LOT 2 AS SHOWN HEREON.

EXECUTED THIS ____ DAY OF _____, A.D., 2023.

LOT 1 OWNER: LAESTADIAN LUTHERAN CHURCH OF THE ROARING FORK VALLEY

BY _____, AS _____

STATE OF COLORADO)
COUNTY OF GARFIELD) SS

THE FOREGOING CERTIFICATE OF DEDICATION AND OWNERSHIP WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, A.D., 2023.

BY _____, AS _____
OF LAESTADIAN LUTHERAN CHURCH OF THE ROARING FORK VALLEY

MY COMMISSION EXPIRES: _____
WITNESS MY HAND AND OFFICIAL SEAL.

(SEAL)

NOTARY PUBLIC

LOT 2 OWNER: MATHEW JURMU AND SUSAN JURMU

BY: MATHEW JURMU

BY: SUSAN JURMU

STATE OF COLORADO)
COUNTY OF GARFIELD) SS

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME. THIS ____ DAY OF _____, A.D. 2023, BY MATHEW JURMU AND SUSAN JURMU.

MY COMMISSION EXPIRES: _____
WITNESS MY HAND AND OFFICIAL SEAL.

(SEAL)

NOTARY PUBLIC

ORIGIN PARCEL 1 - ASSESSOR PARCEL No. 2179-041-00-632 (BOUNDARY LINE ADJUSTMENT PARCEL)
TITLE PROPERTY DESCRIPTION LAND TITLE GUARANTEE COMPANY FILE ORDER No. GW63019395

LOT 1,
WILLS SUBDIVISION EXEMPTION, ACCORDING TO THE FINAL PLAT THEREOF RECORDED JULY 13, 1998 AS RECEPTION NO. 528540.

ALSO DESCRIBED AS:

A TRACT OF LAND SITUATED IN SECTION 4, TOWNSHIP 6 SOUTH, RANGE 92 WEST OF THE 6TH P.M. BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN BOOK 277 AT PAGE 322 AND IN BOOK 369 AT PAGE 175 IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

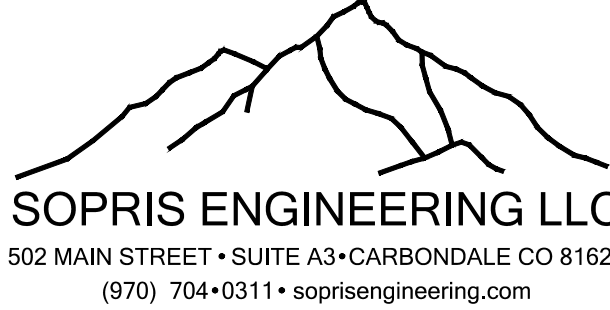
BEGINNING AT A POINT ON THE SECTION LINE COMMON TO SAID SECTIONS 3 AND 4 WHENCE THE NORTHEAST CORNER OF SAID SECTION 4 BEARS N. 00°37'54"W. 1318.33 FEET; THENCE ALONG SAID SECTION LINE S. 00°37'54"E. 315.00 FEET; THENCE DEPARTING SAID SECTION LINE S. 89°23'49"W. 416.00 FEET; THENCE N. 00°37'64"W. 315.00; THENCE N. 89°23'49" E. 416.00 FEET TO THE POINT OF BEGINNING.

COUNTY OF GARFIELD
STATE OF COLORADO

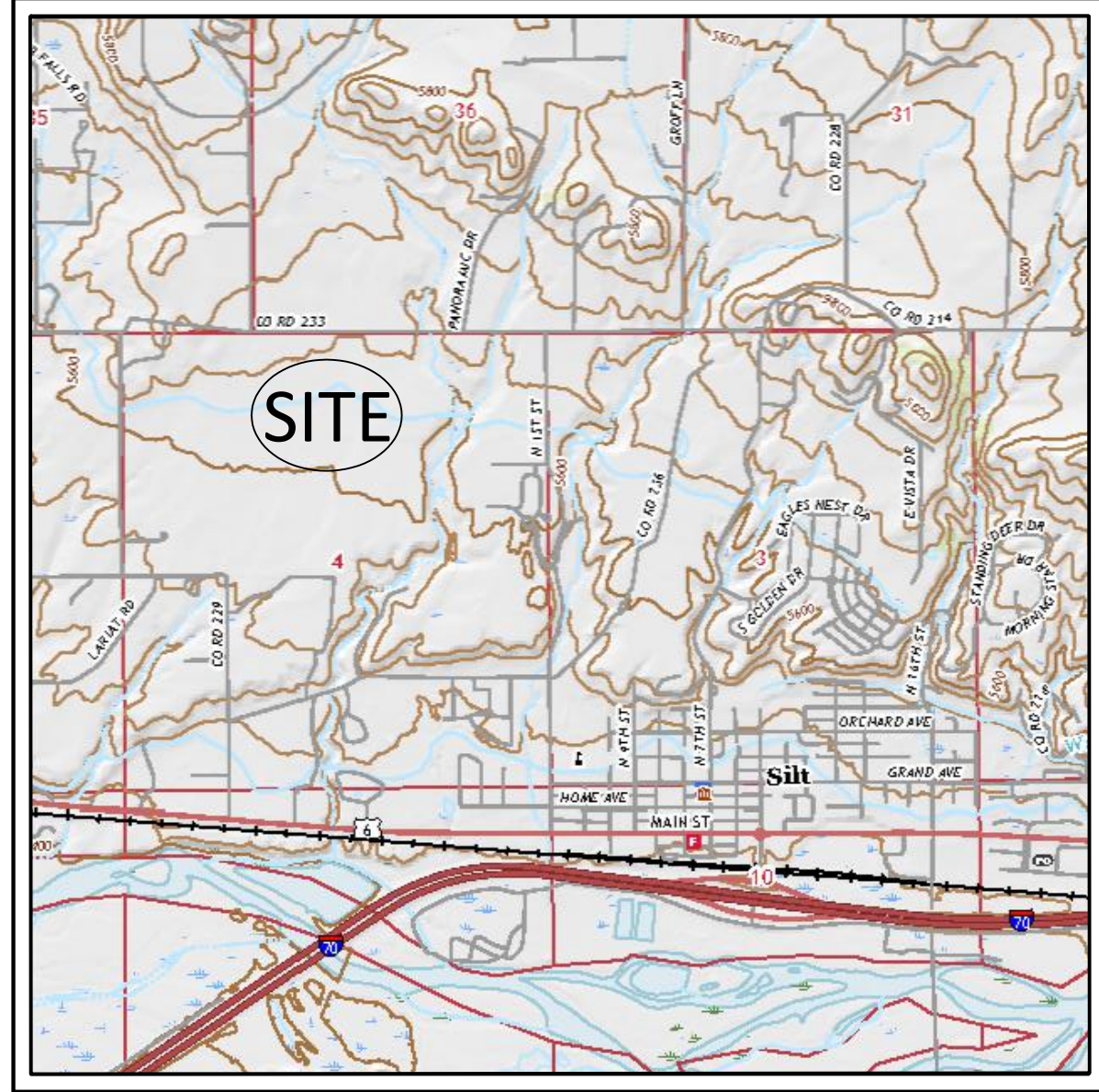
SAID TRACT CONTAINING 131,040 SQUARE FEET OR 3.008 ACRES, MORE OR LESS.

NOTES

- DATE OF SURVEY: JULY 2004, JUNE 2015, FEBRUARY 2023.
- DATE OF PREPARATION: FEBRUARY 2023, OCTOBER 2023.
- BASIS OF BEARING: A BEARING OF N0°44'45"W, BETWEEN THE FOUND 2" BRASS CAP FOUND 4" BELOW ASPHALT SURFACE (2005) MONUMENTING THE NORTHEAST BOUNDARY CORNER OF SECTION 4, AND THE SET 3.25" ALUMINUM CAP SET FOR EAST 1/4 CORNER MONUMENTING THE EAST ONE-QUARTER CORNER OF SECTION 4, AS SHOWN ON SHEET 2.
- BASIS OF SURVEY: THE GENERAL LAND OFFICE CADASTRAL SURVEY OF TOWNSHIP 6 SOUTH, RANGE 86, WEST OF THE 6TH PRINCIPAL MERIDIAN APPROVED JANUARY 05, 1888. THE GARFIELD COUNTY ROAD VIEWERS REPORT STATING FIELD OBSERVATION OF EAST LINE OF SECTION 4 ON MAY 04, 1888, AND RECORDED JULY 31, 1888 AS RECEPTION NO. 7367. THE ANTLERS ORCHARD DEVELOPMENT COMPANY'S PLAT NO. 1 RECORDED JULY 23, 1908 AS RECEPTION 37488. THE FINAL PLAT OF WILLS SUBDIVISION EXEMPTION RECORDED JULY 13, 1998 AS RECEPTION NO. 528540, THE ANNEXATION MAP TO THE TOWN OF SILT OF THE LAESTADIAN LUTHERN CHURCH OF THE ROARING FORK VALLEY RECORDED MARCH 22, 2013 AS RECEPTION NO. 833021 THE TITLE COMMITMENTS OUTLINED IN NOTE 5, VARIOUS DOCUMENTS OF RECORD, AND THE FOUND SURVEY MONUMENTS AS SHOWN.
- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SOPRIS ENGINEERING, LLC (SE) TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS OF WAY AND/OR TITLE OF RECORD, SE RELIED UPON THE ABOVE SAID ITEMS DESCRIBED IN NOTE 4 AND THE TITLE COMMITMENTS PREPARED BY LAND TITLE GUARANTEE COMPANY, FILE NO. GW63019395, (LOT 1) HAVING AN EFFECTIVE DATED OF JANUARY 30, 2023 & GW63019394 (LOT 2) HAVING AN EFFECTIVE DATE OF JANUARY 31, 2023.
- ALL EASEMENTS PER THE TITLE COMMITMENT REFERENCED IN NOTE 5 THAT CAN BE GRAPHICALLY DEPICTED, ARE SHOWN HEREON.
- THE LINEAR UNIT USED IN THE PREPARATION OF THIS PLAT IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.



TREASURER OF GARFIELD COUNTY



VICINITY MAP
SCALE: 1" = 2000'

TITLE CERTIFICATE

I, _____, AN AGENT AUTHORIZED BY A TITLE INSURANCE COMPANY, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO ALL LANDS SHOWN UPON THIS PLAT AND THAT TITLE TO SUCH LANDS IS VESTED IN LAESTADIAN LUTHERAN CHURCH OF THE ROARING FORK VALLEY, AND MATHEW JURMU AND SUSAN JURMU, FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES (INCLUDING MORTGAGES, DEEDS OF TRUST, JUDGMENTS, EASEMENTS, CONTRACTS AND AGREEMENTS OF RECORD AFFECTING THE REAL PROPERTY IN THIS PLAT), EXCEPT AS FOLLOWS:

AND ALL MATTERS OF RECORD SET FORTH UNDER SCHEDULE B-2 "EXCEPTIONS" BY THAT CERTAIN COMMITMENTS FOR TITLE INSURANCE DATED JANUARY 31, 2023 (FILE NO GW63019395) LOT 1 & JANUARY 30, 2023 (FILE NO GW63019394) LOT 2 AND ISSUED BY THE LAND TITLE GUARANTEE COMPANY UPON SATISFACTION OF ALL SCHEDULE B-1 "REQUIREMENTS" AS SET FORTH BY SAID COMMITMENT DATED THIS ____ DAY OF _____, A.D., 2023.

TITLE COMPANY:

(AGENT)

UTILITY COMPANIES CERTIFICATE

BY THE SIGNING OF THIS PLAT, EACH UTILITY COMPANY AGREES AND ACKNOWLEDGES ANY AND ALL ACCESS AND UTILITY EASEMENTS DEDICATED TO THE TOWN AND EACH UTILITY COMPANY HERBY WARRANTS THAT NO ABOVE GROUND VAULT, SPLICE BOX, TRANSFORMER, PEDESTAL OR OTHER ABOVE GROUND OR BELOW GROUND FACILITY WILL DIMINISH OR ALTER TOWN EASEMENTS.

QWEST COMMUNICATIONS

XCEL ENERGY

HOLY CROSS ELECTRIC

COMCAST CABLE

ADMINISTRATIVE LOT LINE ADJUSTMENT STAFF CERTIFICATE

THIS PLAT APPROVED BY THE TOWN ADMINISTRATOR OR HIS DESIGNEE OF THE TOWN OF SILT, COLORADO THIS ____ DAY OF _____, A.D. 20____, THE FILING WITH THE CLERK AND RECORDER OF GARFIELD COUNTY, COLORADO, OF THIS PLAT IN NO WAY IMPLIES THAT THE INFORMATION SHOWN HEREON IS TRUE AND ACCURATE BUT DOES INDICATE THAT THIS PLAT IS CONSIDERED AN ADMINISTRATIVE LOT LINE ADJUSTMENT PLAT SUBJECT TO REGULATION UNDER TOWN OF SILT 16.04.590 AND NOT SUBJECT TO REGULATION UNDER TOWN OF SILT SUBDIVISION REGULATIONS PER TITLE 16 OF THE SILT MUNICIPAL CODE AT THE TIME OF ITS FILING. THE TOWN ACCEPTS THE PUBLIC DEDICATIONS SHOWN HEREON, PROVIDED THAT SUCH ACCEPTANCE AND THE APPROVAL OF THIS PLAT IN NO WAY OBLIGATES THE TOWN OF SILT FOR FINANCING, CONSTRUCTION OR MAINTENANCE OF IMPROVEMENTS ON LANDS, STREETS, OR EASEMENTS DEDICATED TO THE PUBLIC EXCEPT AS OTHERWISE SPECIFICALLY AGREED TO BY THE TOWN.

TOWN OF SILT

BY: _____
TOWN ADMINISTRATOR OR HIS DESIGNEE

ATTEST: _____
TOWN CLERK

SURVEYOR'S CERTIFICATE

I, MARK S. BECKLER, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED UNDER THE LAWS OF THE STATE OF COLORADO, THAT THIS PLAT IS A TRUE, CORRECT AND COMPLETE BASIC CORRECTION EXEMPTION, AMENDED FINAL PLAT AND BOUNDARY LINE ADJUSTMENT OF LOT 1 & LOT 2 WILLS SUBDIVISION EXEMPTION, AS LAID OUT, PLATTED, DEDICATED AND SHOWN HEREON, THAT SUCH PLAT WAS MADE FROM AN ACCURATE SURVEY OF SAID PROPERTY BY ME OR UNDER MY SUPERVISION, AND CORRECTLY SHOWS THE LOCATION AND DIMENSIONS OF THE LOTS, EASEMENTS AND STREETS OF SAID AMENDED FINAL PLAT AS THE SAME ARE STAKED UPON THE GROUND IN COMPLIANCE WITH APPLICABLE REGULATIONS GOVERNING THE SUBDIVISION OF LAND.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL THIS ____ DAY OF _____, A.D., 2023.

MARK S. BECKLER, P.L.S. #28643

CLERK AND RECORDER'S CERTIFICATE

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE CLERK AND RECORDER OF GARFIELD COUNTY, COLORADO, AT O'CLOCK ____, ON THIS ____ DAY OF _____, 2023, AND IS DULY RECORDED AS RECEPTION NO. _____.

CLERK AND RECORDER

BY: _____
DEPUTY

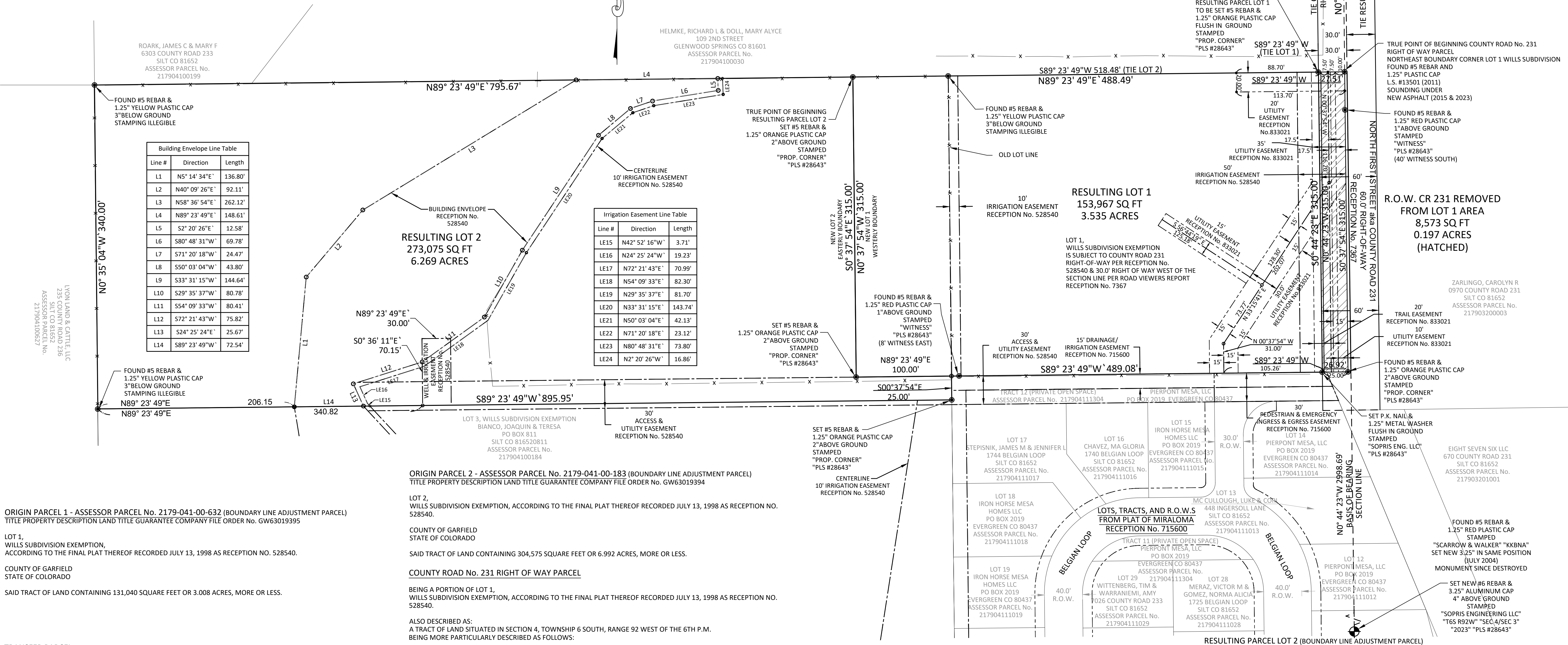
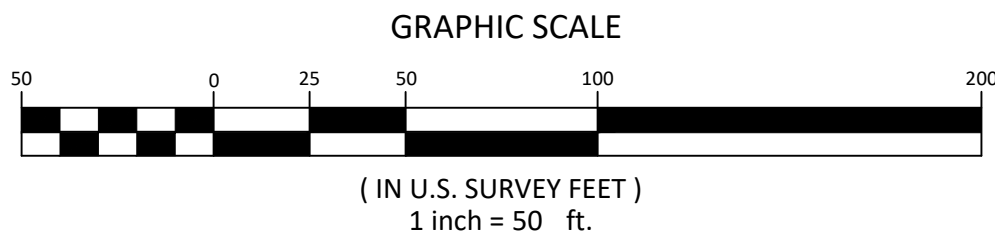
LOT 1 & LOT 2 WILLS SUBDIVISION EXEMPTION-BOUNDARY LINE ADJUSTMENT PLAT

A PARCELS OF LAND SITUATED IN SE1/4NE1/4 OF SECTION 4 TOWNSHIP 6 SOUTH, RANGE 92 WEST OF THE 6TH P.M.
TOWN OF SILT, COUNTY OF GARFIELD, STATE OF COLORADO.

SHEET 2 OF 2

Land Use Table

ORIGIN PARCEL 1 (LOT 1, WILLS SUBDIVISION EXEMPTION)	131,040 sq. ft.	3.008 acres
ORIGIN PARCEL 2 (LOT 2, WILLS SUBDIVISION EXEMPTION)	304,575 sq. ft.	6.992 acres
TOTAL	435,615 sq. ft.	10.000 acres
TRANSFER PARCEL	31,500 sq. ft.	0.723 acres
RESULTING PARCEL 1 (BOUNDARY LINE ADJUSTMENT PARCEL)	162,540 sq. ft.	3.731 acres
RESULTING PARCEL 2 (BOUNDARY LINE ADJUSTMENT PARCEL)	273,075 sq. ft.	6.269 acres
SUBTOTAL	435,615 sq. ft.	10.000 acres
REMOVED R.O.W. CR 231 FROM RESULTING PARCEL 1	8,573 sq. ft.	0.197 acres
SUBTOTAL	427,042 sq. ft.	9.804 acres
RESULTING PARCEL 1 (BOUNDARY LINE ADJUSTMENT PARCEL)	153,967 sq. ft.	3.535 acres
RESULTING PARCEL 2 (BOUNDARY LINE ADJUSTMENT PARCEL)	273,075 sq. ft.	6.269 acres
TOTAL	427,042 sq. ft.	9.804 acres



ORIGIN PARCEL 1 - ASSESSOR PARCEL No. 2179-041-00-632 (BOUNDARY LINE ADJUSTMENT PARCEL)
TITLE PROPERTY DESCRIPTION LAND TITLE GUARANTEE COMPANY FILE ORDER No. GW63019395

LOT 1,
WILLS SUBDIVISION EXEMPTION,
ACCORDING TO THE FINAL PLAT THEREOF RECORDED JULY 13, 1998 AS RECEPTION No. 528540.

COUNTY OF GARFIELD
STATE OF COLORADO

SAID TRACT OF LAND CONTAINING 131,040 SQUARE FEET OR 3.008 ACRES, MORE OR LESS.

TRANSFER PARCEL

A TRACT OF LAND SITUATE IN SECTION 4 TOWNSHIP 6 SOUTH, RANGE 92 WEST OF THE 6TH P.M.
COUNTY OF GARFIELD, STATE OF COLORADO BEING A PORTION OF LOT 2 WILLS SUBDIVISION EXEMPTION, ACCORDING TO THE FINAL PLAT THEREOF RECORDED JULY 13, 1998 AS RECEPTION No. 528540; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2 WILLS SUBDIVISION, WHENCE THE NORTHEAST CORNER SAID SECTION 4 BEARS N.16°53'03"E. A DISTANCE OF 1382.21 FEET; THENCE S.00°37'54"E. ALONG THE EASTERLY BOUNDARY LINE OF SAID LOT 2 A DISTANCE OF 315.00 FEET; THENCE LEAVING SAID EASTERLY BOUNDARY S.89°23'49"W ALONG THE SOUTHERLY BOUNDARY LINE OF SAID LOT 2 A DISTANCE OF 100.00 FEET; THENCE LEAVING SAID SOUTHERLY BOUNDARY N.00°37'54"W. A DISTANCE OF 315.00 FEET, TO THE NORTHERLY BOUNDARY LINE OF SAID LOT 2; THENCE N.89°23'49"E. ALONG SAID NORTHERLY BOUNDARY LINE A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

COUNTY OF GARFIELD
STATE OF COLORADO

SAID TRACT OF LAND CONTAINING 31,500 SQUARE FEET OR 0.723 ACRES, MORE OR LESS.

(ALL BEARINGS HEREIN RELATIVE TO A BEARING OF N.00°44'23"E. ALONG THE EAST BOUNDARY LINE OF THE SOUTH HALF OF THE NORTHEAST 1/4 AND LOT 1 OF SECTION 4.)
PROPERTY DESCRIPTION PREPARED FEBRUARY 20, 2023 BY SOPRIS ENGINEERING LLC, 502 MAIN STREET, CARBONDALE, COLORADO BASED UPON PREVIOUS PLATS OF RECORD, REFERENCED HEREON.

ORIGIN PARCEL 2 - ASSESSOR PARCEL No. 2179-041-00-183 (BOUNDARY LINE ADJUSTMENT PARCEL)
TITLE PROPERTY DESCRIPTION LAND TITLE GUARANTEE COMPANY FILE ORDER No. GW63019394

LOT 2,
WILLS SUBDIVISION EXEMPTION, ACCORDING TO THE FINAL PLAT THEREOF RECORDED JULY 13, 1998 AS RECEPTION No. 528540.

COUNTY OF GARFIELD
STATE OF COLORADO

SAID TRACT OF LAND CONTAINING 304,575 SQUARE FEET OR 6.992 ACRES, MORE OR LESS.

COUNTY ROAD No. 231 RIGHT OF WAY PARCEL

BEING A PORTION OF LOT 1,
WILLS SUBDIVISION EXEMPTION, ACCORDING TO THE FINAL PLAT THEREOF RECORDED JULY 13, 1998 AS RECEPTION No. 528540.

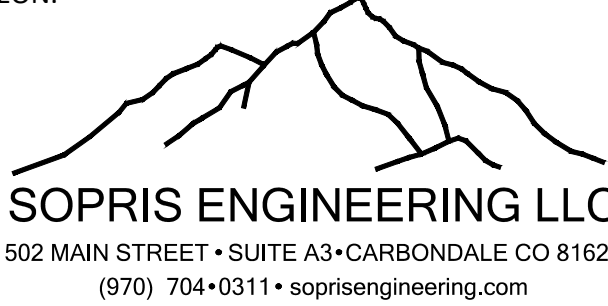
ALSO DESCRIBED AS:
A TRACT OF LAND SITUATED IN SECTION 4, TOWNSHIP 6 SOUTH, RANGE 92 WEST OF THE 6TH P.M.
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE BEING THE NORTHEAST BOUNDARY CORNER OF SAID LOT 1 WILLS SUBDIVISION, WHENCE THE NORTHEAST CORNER OF SAID SECTION 4 BEARS N. 00°37'54" W. 1318.33 FEET; THENCE S. 00°37'54" E. ALONG EAST BOUNDARY LINE OF LOT 1 WILLS SUBDIVISION 315.00 FEET TO THE SOUTHEAST BOUNDARY CORNER OF SAID LOT 1 WILLS SUBDIVISION; THENCE S. 89°23'49" W. ALONG THE SOUTHERLY BOUNDARY LINE OF SAID LOT 1 WILLS SUBDIVISION 26.92 FEET TO A POINT BEING 30.00 FEET WESTERLY OF THE EASTERLY SECTION LINE OF THE SOUTH 1/2 OF THE NORTHEAST QUARTER OF SECTION 4 ALSO BEING THE WESTERLY RIGHT OF WAY OF COUNTY ROAD No. 231; THENCE LEAVING SAID SOUTHERLY BOUNDARY LINE N. 00°44'23" W. ALONG SAID WESTERLY RIGHT OF WAY RUNNING PARALLEL TO AND 30.0' WESTERLY OF SAID EASTERLY SECTION LINE 315.00 FEET TO A POINT ON THE NORTHERLY BOUNDARY LINE OF SAID LOT 1 WILLS SUBDIVISION; THENCE N. 89°23'49" E. ALONG SAID NORTHERLY BOUNDARY LINE OF LOT 1 WILLS SUBDIVISION 27.51 FEET TO THE TRUE POINT OF BEGINNING.

COUNTY OF GARFIELD
STATE OF COLORADO

SAID TRACT OF LAND CONTAINING 8,573 SQUARE FEET OR 0.197 ACRES, MORE OR LESS.

(ALL BEARINGS HEREIN RELATIVE TO A BEARING OF N.44°23'00"W. ALONG THE EAST BOUNDARY LINE OF THE SOUTH HALF OF THE NORTHEAST 1/4 AND LOT 1 OF SECTION 4.)
PROPERTY DESCRIPTION PREPARED FEBRUARY 20, 2023 BY SOPRIS ENGINEERING LLC, 502 MAIN STREET, CARBONDALE, COLORADO BASED UPON PREVIOUS PLATS OF RECORD, REFERENCED HEREON.



RESULTING PARCEL LOT 1 (BOUNDARY LINE ADJUSTMENT PARCEL)

A TRACT OF LAND SITUATE IN SECTION 4 TOWNSHIP 6 SOUTH, RANGE 92 WEST OF THE 6TH P.M. COUNTY OF GARFIELD, STATE OF COLORADO BEING A PORTION OF LOT 1 & LOT 2 WILLS SUBDIVISION EXEMPTION, ACCORDING TO THE FINAL PLAT THEREOF RECORDED JULY 13, 1998 AS RECEPTION No. 528540; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER SAID SECTION 4 THENCE S.00°44'23"E. ALONG THE EAST SECTION LINE OF SAID SECTION 4 A DISTANCE OF 1318.33 FEET; THENCE LEAVING SAID SECTION LINE S.89°23'49"W. A DISTANCE OF 30.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY OF COUNTY ROAD No. 231 THE TRUE POINT OF BEGINNING; THENCE S.00°44'23"E ALONG SAID WESTERLY RIGHT OF WAY OF COUNTY ROAD No. 231 PARALLEL AN 30.00 FEET WEST OF SAID EAST SECTION LINE A DISTANCE OF 315.00 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF WILLS SUBDIVISION; THENCE LEAVING SAID WESTERLY RIGHT OF WAY LINE AND ALONG SAID SOUTHERLY BOUNDARY S.89°23'49"W. A DISTANCE OF 489.08 FEET; THENCE N.00°37'54"W. A DISTANCE OF 315.00 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF SAID WILLS SUBDIVISION; THENCE ALONG SAID NORTHERLY BOUNDARY F SAID WILLS SUBDIVISION N.89°23'49"E. A DISTANCE OF 488.49 FEET TO THE TRUE POINT OF BEGINNING ;

COUNTY OF GARFIELD
STATE OF COLORADO

SAID TRACT OF LAND CONTAINING 162,540 SQUARE FEET OR 3.535 ACRES, MORE OR LESS.

(ALL BEARINGS HEREIN RELATIVE TO A BEARING OF N.44°23'00"W. ALONG THE EAST BOUNDARY LINE OF THE SOUTH HALF OF THE NORTHEAST 1/4 AND LOT 1 OF SECTION 4.)
PROPERTY DESCRIPTION PREPARED FEBRUARY, 2023 BY SOPRIS ENGINEERING LLC, 502 MAIN STREET, CARBONDALE, COLORADO BASED UPON PREVIOUS PLATS OF RECORD, REFERENCED HEREON.

RESULTING PARCEL LOT 2 (BOUNDARY LINE ADJUSTMENT PARCEL)

A TRACT OF LAND SITUATE IN SECTION 4 TOWNSHIP 6 SOUTH, RANGE 92 WEST OF THE 6TH P.M. COUNTY OF GARFIELD, STATE OF COLORADO BEING A PORTION OF LOT 2 WILLS SUBDIVISION EXEMPTION, ACCORDING TO THE FINAL PLAT THEREOF RECORDED JULY 13, 1998 AS RECEPTION No. 528540; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER SAID SECTION 4 THENCE S.00°44'23"E. ALONG THE EAST SECTION LINE OF SAID SECTION 4 A DISTANCE OF 1318.33 FEET; THENCE LEAVING SAID SECTION LINE S.89°23'49"W. A DISTANCE OF 518.48 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF SAID WILLS SUBDIVISION THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID NORTHERLY BOUNDARY THE FOLLOWING THREE (3) COURSES:
1) S.00°37'54"E. A DISTANCE OF 315.00 FEET;
2) N.89°23'49"E. A DISTANCE OF 100.00 FEET;
3) S.00°37'54"E. A DISTANCE OF 25.00 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID WILLS SUBDIVISION; THENCE S.89°23'49"W. ALONG SAID SOUTHERLY BOUNDARY A DISTANCE OF 895.95 FEET TO THE SOUTHWEST BOUNDARY CORNER OF SAID WILLS SUBDIVISION; THENCE N.00°44'23"W. ALONG THE WESTERLY BOUNDARY LINE OF SAID WILLS SUBDIVISION A DISTANCE OF 340.00 FEET TO THE NORTHWEST BOUNDARY CORNER OF SAID WILLS SUBDIVISION; THENCE N.89°23'49"E. ALONG THE NORTHERLY BOUNDARY OF SAID WILLS SUBDIVISION 795.67 FEET TO THE TRUE POINT OF BEGINNING;

COUNTY OF GARFIELD
STATE OF COLORADO

SAID TRACT OF LAND CONTAINING 273,075 SQUARE FEET OR 6.269 ACRES.

(ALL BEARINGS HEREIN RELATIVE TO A BEARING OF N.00°44'23"W. ALONG THE EAST BOUNDARY LINE OF THE SOUTH HALF OF THE NORTHEAST 1/4 AND LOT 1 OF SECTION 4.)
PROPERTY DESCRIPTION PREPARED FEBRUARY 20, 2023 BY SOPRIS ENGINEERING LLC, 502 MAIN STREET, CARBONDALE, COLORADO BASED UPON PREVIOUS PLATS OF RECORD, REFERENCED HEREON.