

**TOWN OF SILT**  
**PLANNING AND ZONING COMMISSION AGENDA**  
**Tuesday, January, 9th 2024 6:30 P.M.**  
**MUNICIPAL COUNCIL CHAMBERS**  
**HYBRID MEETING**

<b>ESTIMATED TIME</b>	<b>ELECTRONIC AGENDA ITEM</b>	<b>PUBLIC HEARING/ ACTION</b>	<b>ELECTRONIC LOCATION AND PRESENTOR</b>
	<b>Agenda</b>		<b>Tab A</b>
<b>6:30 5 min</b>	<b>Call to Order</b>		<b>Chair Williams</b>
	<b>Roll Call</b>		
	<b>Pledge of Allegiance</b>		
<b>6:35 5 min</b>	<b>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</b>		
<b>6:40 5 min</b>	<b>Consent agenda –</b>  1. Minutes of the December 5 <sup>th</sup> 2023 Planning & Zoning Commission meeting	<b>Action Item</b>	<b>Tab B Chair Williams</b>
	<b>Conflicts of Interest</b>		
	<b>Agenda Changes</b>		
<b>6:45 30 min</b>	<b>Executive Session &amp; Ethics Training</b>		
<b>7:15 20 min</b>	<b>Laestadian Church – Annexation with Recommendation to the Board</b>		<b>Tab C Planner Chain</b>
<b>7:35 20 min</b>	<b>Javier Caro</b>		<b>Tab D Manager Centeno</b>
<b>7:55 10 min</b>	<b>Planners Report</b>	<b>Update</b>	<b>Tab Planner Chain</b>
<b>8:05 5 min</b>	<b>Commissioner Comments</b>		
	<b>Adjournment</b>		

The next regularly scheduled meeting of the Silt Planning & Zoning Commission is tentatively set for Tuesday, February 7th 2024, 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**  
**December 5, 2023 – 6:30 P.M.**  
**HYBRID MEETING**

The Silt Planning and Zoning Commission held their regularly scheduled meeting on Tuesday, December 5, 2023. The meeting was called to order at 6:41 PM.

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<b>Roll call</b>	Present	Chair Lindsey Williams Commissioner Robert Doty Vice Chair Michael Bertaux Commissioner Eddie Aragon Commissioner Jennifer Stepisnik Alternate Vanessa Westmoreland (Remote) Alternate Dana Wood
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Also present were Contract Planner Mark Chain, Public Works Director Trey Fonner and Community Development Manager Nicole Centeno

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**Pledge of Allegiance**

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**Consent Agenda**

1. Minutes of the November 8, 2023 Planning & Zoning Commission meeting.

Vice Chair Bertaux made a motion to approve the consent agenda as presented. Second by alternate Stepisnik; the motion carried unanimously.

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**Conflicts of Interest** – There were no conflicts of interest.

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**Agenda Changes** – There were no agenda changes.

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**Silt Water Treatment Plant – Site Plan Review**

Manager Centeno introduced this project. She stated this is the project that the Town has been working on for over a year and that it has been a high priority for the Town. Essentially, the Town will be replacing the water treatment plan for reasons stated numerous times. There is no change to the zone district. She indicated that many of the technical items have been reviewed and examined a number times with the priority to be as cost-efficient as necessary. Dewberry Engineering Consultants who did the heavy lifting for the project has a memo attached the staff report as well as the entire engineering and specification drawings.



She indicated that the location is west of the Frontage Road south of interstate I – 70. Related to conformance with the Comprehensive Plan, Centeno noted that the updated water treatment plant would meet the needs of the community. However, she did want to note that this particular property was designated as Recreation/Commercial and may have been incorrectly noted during the comprehensive plan process.

Centeno thought that with all the input this project has been well-thought-out and will meet the needs of the Town as the Town grows and moves forward in the future.

Centeno summarize a number of items including:

- recommended conditions were on page 12 of the staff report.
- Review fees have been waived
- the extensive engineering documents are for design review only and are not final construction plans
- Centeno also wanted to make it clear that the planning commission is the deciding body for a site plan review unless appealed.

In wrapping up, Centeno asked if there are any questions from the Planning Commission. Chair Williams asked if the Public Works Director Trey Fonner wanted to comment. Trey said they welcomed any questions and that the Town hopes to start construction in the next couple of months. Alternate Wood asked how many people this would serve in the future. Fonner indicated that the updated plant would be able to supply 2 million gallons a day in order take the Town 20 years into the future.

Commissioner Doty had some questions regarding the plans and the environmental review process. Director Fonner indicated that the CDPHE requires a review and they are aware of construction around the trees and grass areas. He also indicated that the construction time horizon will be about 1.5 years from initiation of construction.

After some more questions Fonner indicated that the project had undergone value engineering from the very beginning and he wanted the Commission to know that what they call the “3<sup>rd</sup> train” which is an additional water treatment element had been cut out to save some of costs.

Alternate Westmoreland asked about the cost of the project. Fonner said that the original estimate was in the neighborhood of \$28 million and that the value engineering had help reduce this to \$24 million.

Chair Williams open the public hearing at 6:57 PM. There were no comments from the public. The public hearing was closed us at 6:58 PM.

Commissioner Stepisnik made a motion to approve the Silt Water Treatment Plan Site Plan Review with Staff Conditions. Second by Commissioner Bertaux. The motion passed unanimously, with the below 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 notifies the Town Department of Community Development, with any changes that are being proposed, from the final approved plans and/or original submittal.*



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

4) *That this approval is not for construction, but rather approval for the use of the land and general Site Plan. Actual licensing and permitting will be a separate process.*

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## **Marioni Annexation**

Manager Centeno introduced this project. It is a single lot located between Main Street and Home Avenue at the west end of the Town. This property has been owned by the Marioni's for some time and it has most recently been used for storage of some of their construction materials. There have previously been connections for both water and sewer, but nothing active at this time. Municipal utilities are available. The property is not an enclave.

Staff first became aware of this when there was a building permit application discussion initiated with the County. County staff indicated that the owner should talk to the Town about annexing to the municipality. Now this application is coming forward.

The proposed zone district for this property would be R-2. The applicant wants to develop a single-family house. That aligns with zoning. This property is also in close proximity to the Main Street Plaza PUD which will probably be developing in the near future. The comprehensive plan indicates this property as having a Service and Commercial Support designation. Given the surrounding land uses, this designation does not make total sense. However, it would align with existing zoning in the area and those uses and staff generally supports the application.

Manager Centeno wanted the Commission to be aware that there are no water rights which come specifically with the property. The application would appear to meet the requirements of annexation and zoning into the R – 2 zone District. Also, the Town does not necessarily want to deal with uses that would be allowed in the County for such a small property that already functions as an existing part of the Town neighborhood. Staff recommends that the Planning Commission recommend to the Board of Trustees that the property be considered eligible for annexation and that a resolution of Substantial Compliance be prepared for a Board consideration in anticipation of annexation.

Steve Wiseley asked to be recognized. He indicated that he has helped the Marioni's in the past with development matters. Jorge and Israel Marioni were also present. Steve said that the property has historically been a small storage yard and permanent construction on the site as opposed to a storage area would be a good idea.

Chair Williams opened the public hearing at 7:06 PM. No one from the public was present to speak regarding the application. The public hearing was closed at 7:07 PM.

After discussion, Vice Chair Bertaux recommended that the property be annexed and zoned with the conditions and findings outlined in the staff report. Second by Commissioner Aragon; the motion passed unanimously, 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 provides any additional requested documents and pay any remaining fees, prior to proceeding to the next step in the process of annexation and/or building.*

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## **Rislende Amended Preliminary Plan**

Planner Chain introduced this project. Representing the applicants were Doug Pratte, Mitchell Weimer and Dennis Carruth (virtually). Chain went over his staff report and the changes that had been proposed by the applicant. He said the changes are relatively minor. They were to expand the area for Tract 1, eliminate a small portion of the loop road so that only 2 access points came out onto the frontage Road, the depth of the loop road north to south would be slightly reduced and Tract 8 – the Island – would be split into two tracts. One would be for use associated with the Event Center and the other would be under control of the future HOA.

One of the main reasons for the amendment was to enlarge the area for the multifamily housing complex as originally proposed by Mr. Carruth. This change would be for approximately 72 units to 100 units. However, the total number of residential for the entire project would not be modified. Finally, Chain noted that the number of units per acre for the lodging/residential/mixed use tracts would have to be modified through a zoning modification later on that as these lots were now slightly larger so the number of units per acre would have to be slightly modified to maintain total overall dwelling units indicated for those tracts.

Chain said that no basic engineering was being modified and in fact that these changes would probably be beneficial to the frontage road area. He also noted that the traffic study had been updated and that each entry point on the frontage road would require a right-hand deceleration Lane but no left-hand deceleration Lane for entering into those particular access points.

He recommended approval with conditions. He also noted that a public hearing would need to be held in front of the Board of Trustees in order to complete the process.

Doug Pratte gave a brief presentation. He said that the applicants are already working on the final plat documents. He noted that the density requirements as mentioned by Chain would be met further on down the approval line.

Alternate Wood asked about the price point of the project. Dennis Carruth noted that 40% of the units would be one-bedroom units with sizes of 700- 800 ft.<sup>2</sup> and 60% would be two-bedroom units at a size of 1000 - 1200 ft.<sup>2</sup>. He said that they do not have final architectural drawings yet. He said that the market rate would be suitable for the Silt area. On further discussion, Carruth noted that is not sure he will even be the developer at the end of the day. In the past he and the Town have assisted potential applicants in trying to get state funding and tax credits to help reduce project costs. He emphasized he wanted to do a quality project in keeping with the property and the comprehensive plan. He was hoping a number of units would be below market value and in the past he did have a conversation with Habitat for Humanity.

Vice chair Bertaux asked if the units were all rentals. Chair Williams asked Dennis Carruth to walk the Commission through the reason for the request to modify the multifamily portion of the project from 72 units to 100 units. Dennis indicated they were looking at the infrastructure, livability of the units and the market demand and the cost of amenities. He also indicated that they had been working at one time with a major employer. Mitchell Weimer said that he had thought that Dennis had done an excellent job with the project. He said that there always been



100 units in this portion of the Rislende the property. He also said that the Rislende ownership group did not want more multifamily units than were originally approved. You want to make clear that only the potential property ownership lines were being moved around.

Vice chair Bertaux said he was a bit surprised at the mix and why it was rental units only. Dennis Carruth spoke more about the project background. Commissioner Doty asked if this original mix is changed does the time schedule itself get affected. Mitchell indicated that it should not affect the phasing. He said he hopes to be in front of the Commission perhaps in April or May for a site plan review on the Beacon part of the project which will be located in Tract 3 near the frontage Road. And he was hoping that the event center would come in for a review of probably 6 to 12 months after that. There was then some more discussion on the project.

Commissioner Williams opened up the public hearing at 6:48 PM. Derek Hanrahan asked to speak. He said he was the Mayor pro-tem of the Board of Trustees and said he was generally in favor the project especially for the mixed-use area near the highway. He did have some concerns that it may be an entirely rental community. He thought that could lead the area to be more transient in nature. He said he liked the event Center but that he was concerned with the affordability issue. He was hoping that conversation with Habitat for Humanity could go well.

Vice chair Bertaux predicted that they may come back for more discussion. He thinks the community would be better if there was some ownership potential in the multifamily area. He thinks that good “communities” are partly made by those who have equity at stake.

Vice chair Williams closed the hearing at 7:42 PM. She also said she wanted to make a statement about the development in the future. She thought that some of the affordability comments were tough given the fact that the Town code does not presently require affordable housing as part of the as development requirements. There was then some more discussion. Doug Pratte said he was hoping that the Rislende the group and get a good management company help with the operation of the area.

After more discussion, Vice chair Bertaux made a motion to approve the amended Rislende they Preliminary Plan with the following conditions as noted by staff. Second by Commissioner Aragon; the motion passed unanimously.

*Note: conditions of approval from the staff report are below:*

- 1. All representations made in the application, in writing and during the public hearing process are to be considered conditions of approval.*
- 2. That the Town Attorney prepare a new resolution which includes the previous conditions of approval (the previous resolution is in the application).*
- 3. That as part of the Final Plat application the ARADA and the PUD Zoning Guide be adjusted after a public hearing process to make sure all total residential unit counts and density requirements are in conformance with the original plan.*



## Planner Update

Planner Chain said he wanted to make a statement or two about affordable housing before going on to the regular planner update issues. He indicated that for the past number of years especially in the Roaring Fork Valley and including the Colorado River Valley and other parts of the state that many of multifamily projects are rental oriented in nature as opposed to being a mix of rental and individual ownership. He said part of this was because of the builder liability statute that was passed a number of years ago. He said it is happening statewide and, in some cases, even nationwide for other reasons.

After some more discussion, Chain went back to the formal planner update.

1421 Frontage Road. Chain said that this property is 15 acres to the west of the Holiday Inn. The person with the contract on the property has been in touch with the Town before and now indicated that they have been talking to Valley View Hospital about providing 100 or more multifamily units on the site and they would be making a schematic presentation of the Board in the near future.

River Run Storage. Chain indicated that he had had conversations with Ray Nielsen about an updated plan and it is going in a better direction, especially related to the landscaping design. But he did say that there was more engineering to work through on the project.

Rislende. Chain indicated that he and some staff members have already met with Mitchell and the Rislende Design Team related to the Final Plan Application.

Heron's Nest. Chain indicated that an application for PUD Rezoning and annexation and Subdivision Sketch Plan was in the works and application should be submitted within the next month or shortly thereafter.

Manager Centeno talked briefly about the tree lighting event.

Code Enforcement. Centeno noted that the Town is training a code enforcement officer and he is a new hire. She explained if there are some complaints related to the zoning issues to please contact Community Development.

Camario. Infrastructure installation continues to proceed on Camario. The sewer mains have previously been installed.

Family Dollar. There have been some administrative problems with finishing up the project. These include punch list items to correct plus more serious issues such as some unlicensed contractors were used and some construction items were covered up before proper inspections were made.

River Trace. 2 of the buildings are now finished and the next two are undergoing building permit review.

Water Treatment Plant. There was a long meeting on engineering standards, grading etc.

River Run. Centeno noted that there were some issues identified previously and that Trey and she had met with some property owners in the single-family homes related to concerns that are being addressed.



The Bank. As plans have not been updated, the owner will probably have to re-notice and start over the Site Plan Review process.

Food Trucks. There will be another food truck site plan review in the next month or two.

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### **Commissioner Comment**

Vice Chair Bertaux indicated that “Habitat” is constructing some units in Silt. Bertaux said that he had been there to help out and they are building 12 units in Town.

Commissioner Doty noted that while the Herons Nest Project could be helpful to many involved there will still be a lot of items to update and deficiencies to correct.

Alternate Wood wanted to thank Manager Centeno for her work on River Run. Chair Williams thanked the Town for the Christmas Party and for inviting the Planning Commission.

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### **Adjournment**

Vice Chair Bertaux made a motion to adjourn. Second by Stepisnik. Meeting adjourned at 8:27 PM.

Respectfully submitted,

Approved by the Planning Commission

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Mark Chain  
Planner

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Lindsey Williams  
Chair



**Town of Silt Planning Commission Meeting**

**Tuesday January 9, 2024 6:30 PM**

**Laestadian Church/Jurmu Annexation and Initial Zoning**

**Updated Planners report**

**01/03/2024**

<b>Name of Project</b>	Laestadian Lutheran Church of the Roaring Fork Valley (LLCRV)/Jurmu Annexation and Initial zoning
<b>Applicant</b>	LLCRV PO Box 681 Silt, CO 81652
<b>Owner of Property</b>	Mathew and Susan Jurmu 901 County Road 231 Silt, CO 81652
<b>Owner Representative/ Land Planner</b>	Logan Jurmu 248 Lupine Drive Newcastle, CO 81647
<b>Civil Engineer</b>	Sopris Engineering 502 Main Street, Suite A3 Carbondale, CO 81623
<b>Project Attorney</b>	Eric Gross, Esq.
<b>Project Architect</b>	NA
<b>Water Engineer</b>	None at this time
<b>Property Location</b>	901 CR 231 and 1849 N 1 <sup>st</sup> Street
<b>Existing Zoning</b>	Rural (Garfield County)
<b>Surrounding Land Uses</b>	<b>West</b> – Agriculture – <b>North</b> – Agriculture <b>South</b> – Agate and Single Family residential <b>East</b> – Agriculture
<b>Surrounding Zoning</b>	<b>South:</b> PUD – Residential (Town of Silt) West, East and North – Rural (Garfield County)
<b>Proposed Use</b>	Proposed Use – irrigated lawn in short-term.
<b>Area of Parcel Subject to application</b>	0.723 Acres
<b>Existing Use</b>	Irrigated lawn
<b>Silt Comprehensive Plan</b>	Agricultural/Residential Rural Reserve
<b>Parcel &amp; Reception Numbers</b>	2179-041-00-632 and 2179-041-00-183
<b>Legal Description</b>	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.<sup>2</sup> 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 a recommendation to the Board on what action should be taken. The Board then holds 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.<sup>2</sup> in size. Present lot sizes are:

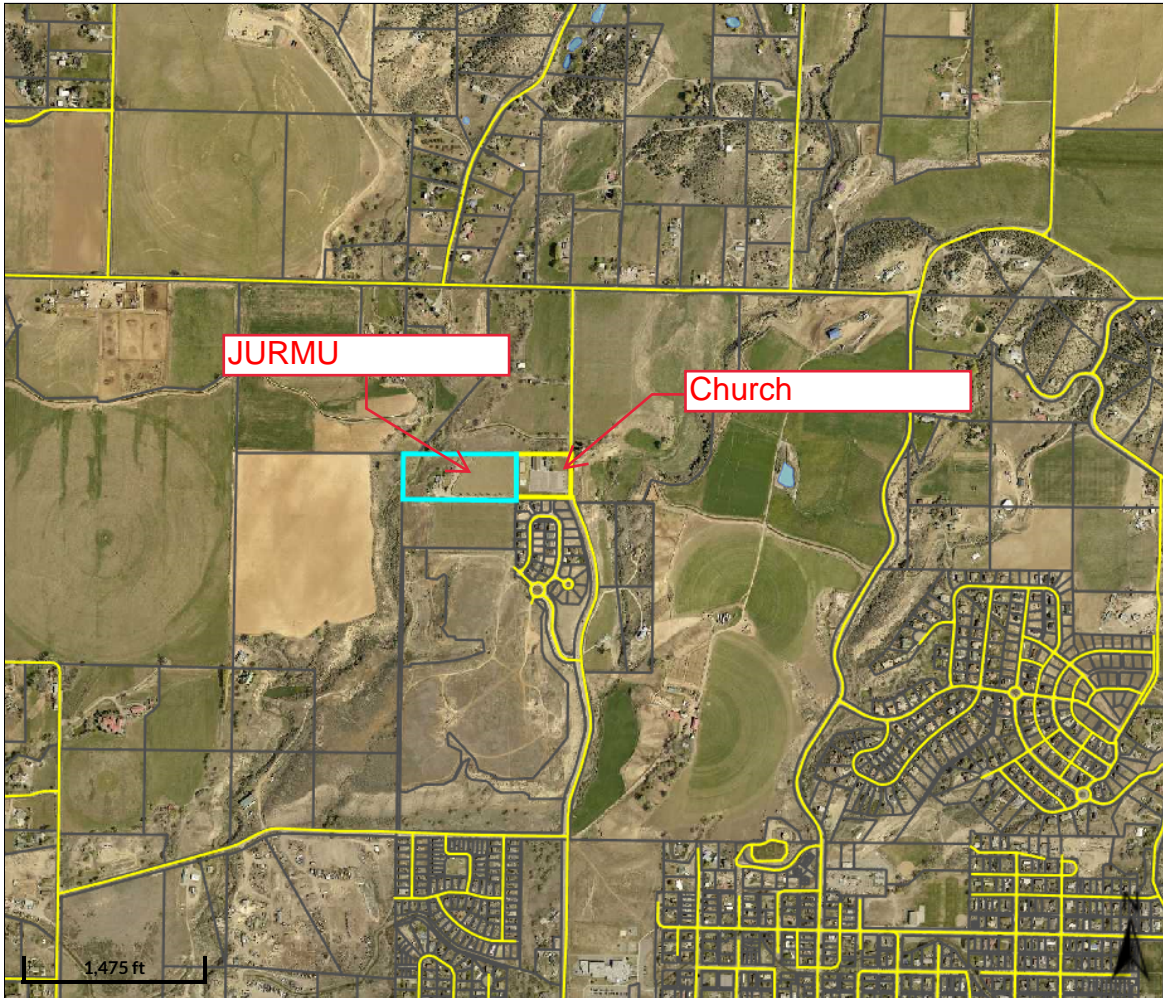
- Church property: 3.008 ac.
- Jurmu Property: 6.992 ac.



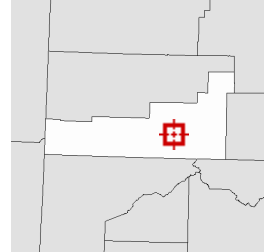
# LLCRFV-JURMU LOCATION MAP

## 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

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### **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 line adjustment 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 specific timeline 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 Agricultural-Rural (AG) Zone District. This is appropriate given that the Church Property is presently zoned "Agricultural-Rural", and this 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 and can be handled at the staff level.

**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. 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. However, it was noted that the congregation is growing part of the rationale for obtaining this property is for some type of future use.



## LAND USE CHART

Land Use Designation	Description/Characteristics	Locational Criteria
<p><b>Agricultural/Rural Residential Reserve</b></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 &amp; 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>



**Concerns noted at last meeting during the public hearing.** Concerns were noted by some neighbors at the public hearing. As a result of that meeting, some Commissioners recommended that the Church and the petitioner reach out to the neighbors. That apparently has been done. I have been provided with a church/neighborhood meeting agenda (meeting held 12/11/23) and meeting notes taken by the representatives of the church. This information is attached.

**Planner Comment.** *As one can see the documentation a number of issues were brought up. Some are easy to understand. Such as the parking lot/outdoor lighting and the need for some type of landscaping or privacy buffer which actually would depend on the type of usage, timing of events etc. But because of what appears to be lack of communication between the various parties this may be a good idea.*

*Community Development Staff and the Public Works director went to examine possible drainage issues occurring from the town hydrant when flushing of the dead end water system occurs. However, the Public Works Director said that that hydrant has not been flushed in the last two years and location of the Hydrant and the grading cause us to believe that the town hydrant is not the cause of any flooding in the basement that may occur at 1744 Belgian Loop. I did not see ditches in close proximity, but sometimes ditches do leak. I assume there may be a possibility that perhaps foundation drains or other mitigation methods may not have been used during construction of the site.*

*I am not sure if recreation equipment ending up in a neighbors yard is a significant impact but it may be a nuisance. One future concern may be construction noise that could occur in the neighborhood during new construction/expansion. It is my experience that often times churches and nonprofit groups use volunteer labor that tends to be available after work in the evening in the warm weather months and on weekend time periods. Perhaps this should be defined in an annexation/development agreement.*

*Much depends on what is actually being proposed. That's why I am recommending that any new development/construction, expansion of outside use areas, parking etc. be subject to a site plan review process. This would allow the church to closely examine the development plan and provide appropriate buffer – whether it be a landscape buffer, privacy fence, berm or other solution. Ironically, the church could ask for a building permit at the present time and probably would not be subject to site plan review procedures.*

## **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. This was discussed at the last meeting. The water rights held by the applicant is BLM/Grass Valley Reservoir water. It is my understanding this cannot be transferred to the town. However, appropriate shares can be transferred to the new owner they can cause that area to be irrigated as long as it is undeveloped. You cannot be transferred to the Town for domestic use.



- c. Development Plan as noted previously, there are no immediate plans for improvements, but it does appear that according to recent discussions that there will be construction and expansion in the future (see neighborhood meeting notes).

**Planner Comment.** *Precise plans are not known at this time. That's why I am recommending a Site Plan Review process. Details to take care of all possibilities can be described in an Annexation Agreement*

- 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 Agricultural Rural Zone District would prevent significant compatibility issues. However, there does appear to have been neighbor relation issues and I am not sure if it is because of lack of communication or expectations of church congregation uses at the urban/rural interface. That's why I am recommending a say plan review process and annexation agreement.
- 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.

**Planner Comment.** *Town Staff has been in touch with Garfield County to ensure that a 30 foot strip that was previously legally described as private property but appears to extend into the middle of the County Road right-of-way is accepted for dedication by the County.*

## 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 Agricultural – Rural (AG) 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. However, due to church/neighbor conflicts, a future review of any development such as a Site Plan Review Process where there is oversight by the Planning Commission and neighbors have an awareness of the development plan and ability to make comments should be considered as a requirement of annexation.
- 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 Agricultural – Rural Zone District with the following conditions:

1. All representations of the applicant made in writing, application materials and verbally at the Planning Commission meeting or that are reflected in the meeting minutes are considered part of the application and are binding on the applicant.
2. That the property should be placed into the Agricultural – Rural Zone (AG) District
3. That water rights pertinent to the share of use by the Transfer Parcel be used to irrigate the Transfer Parcel as long as that is used as open space, lawn, recreation or other uses which do not include a physical structure or pavement
4. That any development of the Transfer Parcel or expansion of use on the presently owned LLCRFV Parcel including expansion of the existing structure, construction of a new structure, enlargement of parking area or any type of open space/play area be subject to a Site Plan Review per Chapter 17.42 of the Silt Municipal code
5. That an Annexation Agreement be drawn up by the Town Attorney which addresses these and any other matters deemed pertinent by the Town Attorney or Board of Trustees.

### **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).

### **Exhibits:**

- draft resolution
- neighborhood meeting agenda and notes (from applicant)
- Application and related exhibits originally included as part of 11/8/23 staff report



**TOWN OF SILT PLANNING AND ZONING COMMISSION  
RESOLUTION NO. PZ-1  
SERIES OF 2024**

**A RESOLUTION OF THE TOWN OF SILT PLANNING AND ZONING COMMISSION  
REGARDING THE ANNEXATION AND INITIAL ZONING OF A 0.723 ACRE PARCEL  
OF LAND OWNED BY MATTHEW AND SUSAN JURMU WEST OF COUNTY ROAD  
231 INTO THE MUNICIPAL BOUNDARIES OF THE TOWN OF SILT, GARFIELD  
COUNTY, STATE OF COLORADO**

**WHEREAS**, on or about October 16, 2023, the Laestadian Lutheran Church of the Roaring Fork Valley and Matthew and Susan Jurmu (hereinafter referred to as "Petitioners") submitted an Annexation Application, a Petition for Annexation, and Affidavit of Circulator and related documents for that real property specifically described on Exhibit "A" attached hereto and known as the LLCRFV Annexation; or more generally known as the "Property"; and

**WHEREAS**, Petitioners owns 100% of the Property proposed for annexation; and

**WHEREAS**, Petitioners made a request to be added into the Towns Agricultural – Rural Zone District; and

**WHEREAS**, on or about November 8, 2023, the Planning & Zoning Commission considered the Annexation Petition and Application materials for the Property, including a Lot Line Adjustment Plat which will be considered at a future time and held a public hearing to take citizen comment; and

**WHEREAS**, the Silt Planning and Zoning Commission held a second public hearing on January 9, 2024 to further review the proposed annexation, additional materials provided by the petitioners and members of the public; and

**WHEREAS**, the Silt Planning and zoning Commission adopted a resolution recommending to the Board of Trustees that they annex the subject property with conditions and that the property be included into the Agricultural – Rural Zone District.

**NOW, THEREFORE BE IT RESOLVED BY THE PLANNING AND ZONING OF THE  
TOWN OF SILT, COLORADO RECOMMEND TO THE BOARD OF TRUSTEES,  
THAT:**

Section 1. The Board of Trustees of the Town of Silt should annex the subject party subject to the following conditions;



1. All representations of the applicant made in writing, application materials and verbally at the Planning Commission meeting or that are reflected in the meeting minutes are considered part of the application and are binding on the applicant.
2. That the property should be placed into the Agricultural – Rural Zone (AG) District
3. That water rights pertinent to the share of use by the Transfer Parcel be used to irrigate the Transfer Parcel as long as that is used as open space, lawn, recreation or other uses which do not include a physical structure or pavement
4. That any development of the Transfer Parcel or expansion of use on the presently owned LLCRFV Parcel including expansion of the existing structure, construction of a new structure, enlargement of parking area or any type of open space/play area be subject to a Site Plan Review per Chapter 17.42 of the Silt Municipal code
5. That an Annexation Agreement be drawn up by the Town Attorney which addresses these and any other matters deemed pertinent by the Town Attorney or Board of Trustees.

**INTRODUCED, READ AND APPROVED** at a regular meeting of the planning and zoning commission of the Town of Silt, Colorado held on the ninth day of January, 2024.

ATTEST:

TOWN OF SILT

\_\_\_\_\_  
Planning Chair Lindsey Williams

\_\_\_\_\_  
Town Clerk Sheila M. McIntyre, CM



## EXHIBIT A

### 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°53'03E. A DISTANCE OF 1382.21 FEET; THENCE S.00°37'54E. ALONG THE EASTERLY BOUNDARY LINE OF SAID LOT 2 A DISTANCE OF 315.00 FEET; THENCE LEAVING SAID EASTERLY BOUNDARY S.89°23'49W ALONG THE SOUTHERLY BOUNDARY LINE OF SAID LOT 2 A DISTANCE OF 100.00 FEET; THENCE LEAVING SAID SOUTHERLY BOUNDARY N.00°37'54W. A DISTANCE OF 315.00 FEET, TO THE NORTHERLY BOUNDARY LINE OF SAID LOT 2; THENCE N.89°23'49E. 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.



## **12-11-23 Neighborhood Meeting Agenda**

- Welcome
- Introductions
  - Hanna & Darren expansion committee
  - Matt & Logan from previous public meeting
  - Few other members from our board or building committees
- Purpose of the meeting
  - Meet with you all to provide more detail on our possible addition
  - Hear your comments & questions, & address any concerns
  - As it was recommended at the public meeting a couple months ago, we are hosting this to be fully transparent on what our expansion plans are
- Background
  - We wish to expand our seating capacity with a new sanctuary for the future and convert this existing space into a reception and dining hall (show site plan)
  - Add more parking on our existing lot
  - Extend western boundary 100' to retain the playground and green space
  - The building and parking expansion could fit on our lot as is, but would severely limit our green space
  - We are not intending to increase our membership by any large jumps, our growth would happen organically over time
  - The Silt planning dept can approve our building addition without any public hearing
  - Only the annexation of more land into the town triggers a public announcement and comment period for all the neighbors prior to being approved
- Questions, Comments, Concerns?
  - During the annexation process we were surprised to learn there was some negative feedback from a couple of the surrounding properties



## Meeting Notes

All neighbors were invited South and East of the church via flyer hand delivered

Neighborhood attendees:

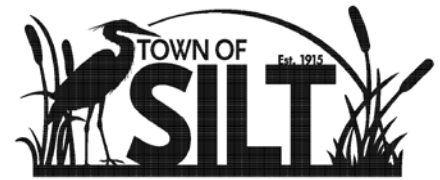
Jennifer Stepisnik – 1744 Belgian Loop

Brian & Nancy Nichols – 1757 Belgian Loop

### Comments/ Concerns

- Parking lot lighting too bright and on too late
- Drainage issues from hydrant & runoff causing flooding in the basement of 1744 Belgian Loop
- Speeding drivers (was not clear where but assumption is on the private drive between the church and the neighborhood – not church property)
- Possible unsupervised activities going on at the church, it is not the neighbor's responsibility to supervise
- Lack of communication about events going on such as weddings
- Recreation equipment ending up in yard of 1744 Belgian Loop
- Need a landscaping or privacy buffer between the neighborhood and church
- Lack of transparency about what the church is intending to do with the property annexation
- Concerns about construction noise going on too late during future remodel





## 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. 7<sup>th</sup> 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. 7<sup>th</sup> 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. 7<sup>th</sup> 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



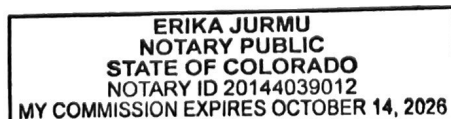
STATE OF COLORADO     )  
  ) §  
COUNTY OF GARFIELD    )

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.



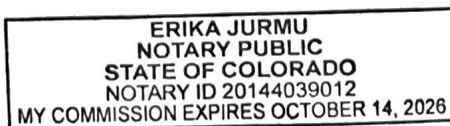
STATE OF COLORADO )  
 ) §  
COUNTY OF GARFIELD )

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, 1<sup>st</sup> 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. 1<sup>st</sup> 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", is written in a cursive style.

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

SET P.K. NAIL &  
1.25" METAL WASHER  
FLUSH IN GROUND  
STAMPED  
"SOPRIS ENG. LLC"  
"PLS #28643"

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

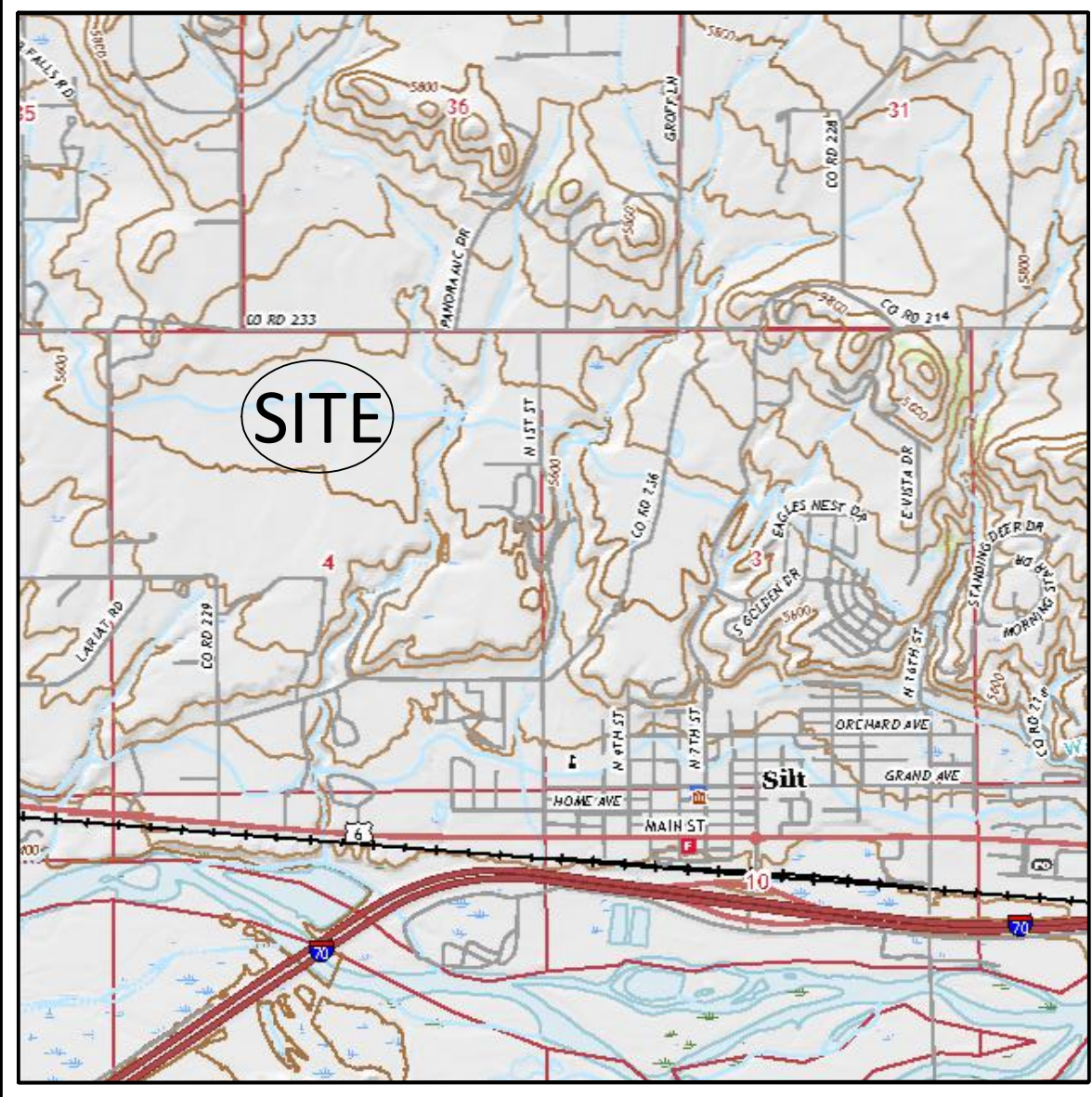
DATED

### CLERK AND RECORDER'S CERTIFICATE

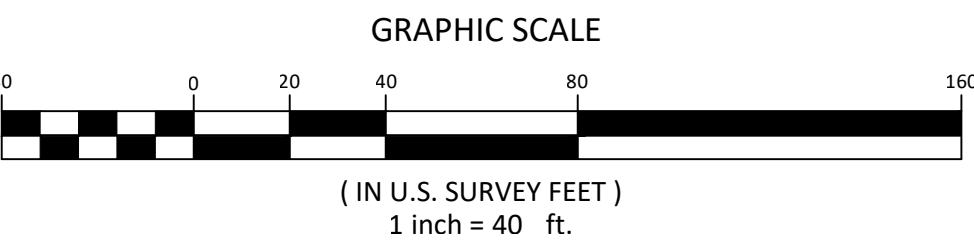
THIS ANNEXATION PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE CLERK AND RECORDER OF  
GARFIELD COUNTY,

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 )

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 )

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:

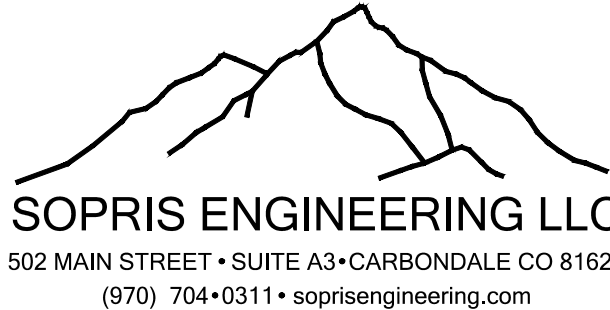
BEGINNING AT A POINT ON THE SECTION LINE COMMON TO SAID SECTIONS 3 AND 4 WHENCE THE NORTHEAST CORNER OF SAID SECTION 4 BEARS N. 00°37'54"W. 1318.33 FEET; THENCE ALONG SAID SECTION LINE S. 00°37'54"E. 315.00 FEET; THENCE DEPARTING SAID SECTION LINE S. 89°23'49"W. 416.00 FEET; THENCE N. 00°37'64"W. 315.00;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

COUNTY OF GARFIELD  
STATE OF COLORADO

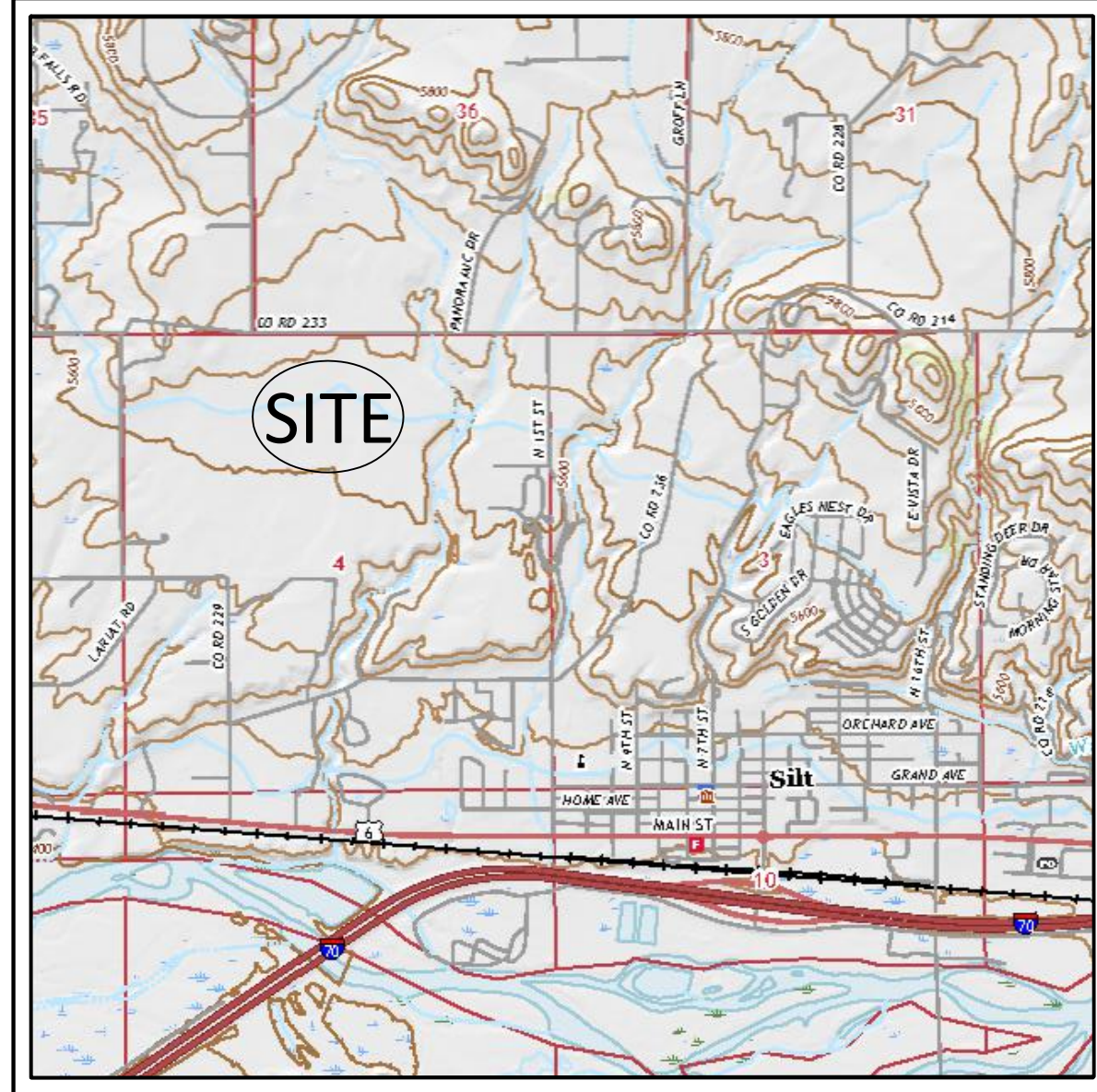
SAID TRACT CONTAINING 131,040 SQUARE FEET OR 3.008 ACRES, MORE OR LESS.

NOTES

- DATE OF SURVEY: JULY 2004, JUNE 2015, FEBRUARY 2023.
- DATE OF PREPARATION: FEBRUARY 2023, OCTOBER 2023.
- BASIS OF BEARING: A BEARING OF N 0° 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 HEREBY 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



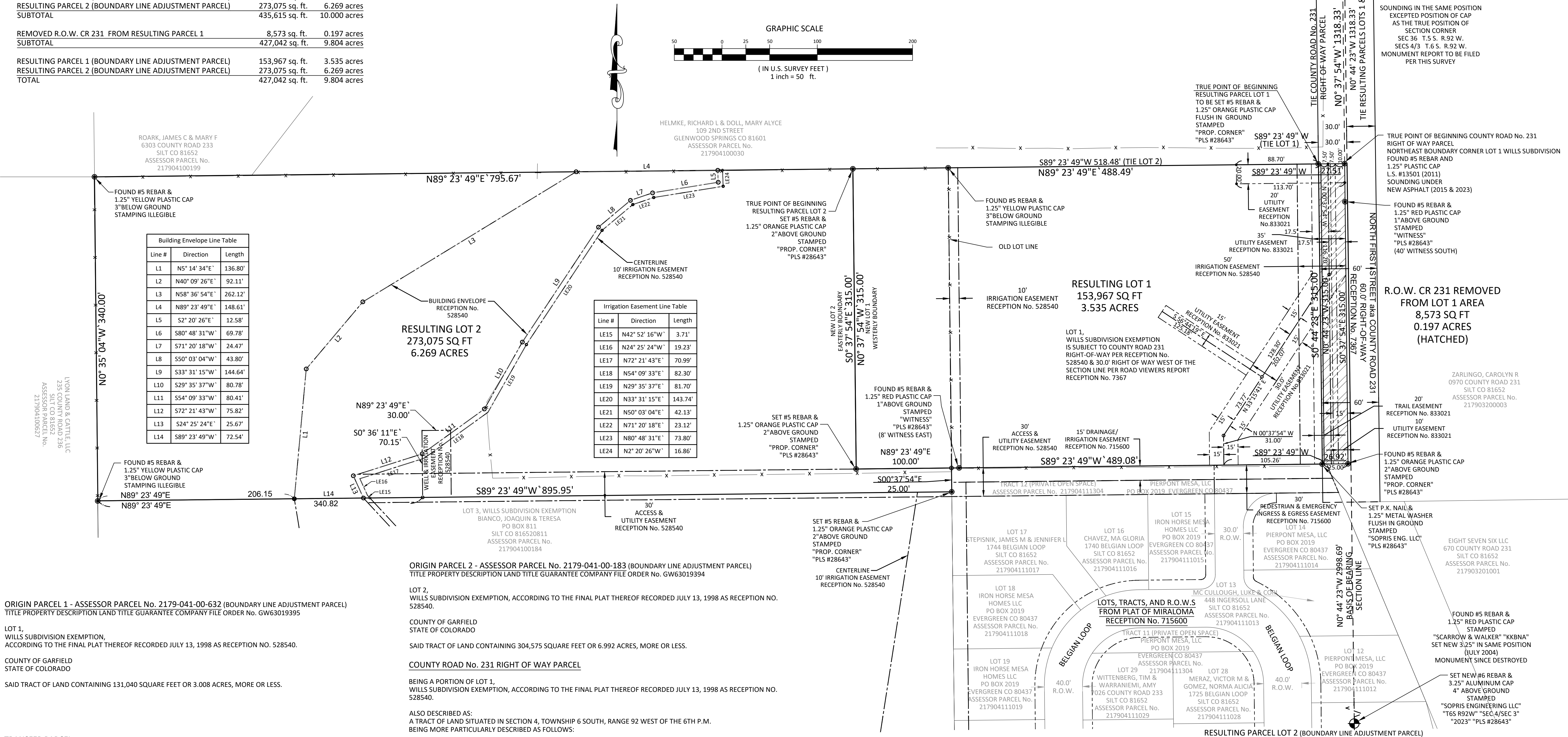
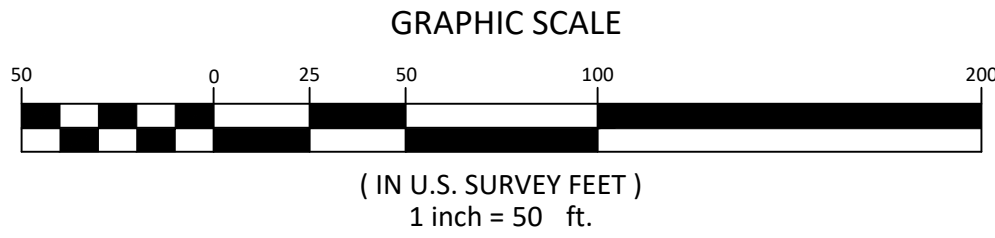
LOT 1 & LOT 2 WILLS SUBDIVISION EXEMPTION-BOUNDARY LINE ADJUSTMENT PLAT

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





**TOWN OF SILT  
PLANNING COMMISSION STAFF REPORT  
January 9, 2024**

**PUBLIC HEARING ACTION ITEM - FENCE SIGN EXCEPTION**

<b>Applicant:</b>	Javier Caro
<b>Request:</b>	Fence Exception
<b>Physical Address:</b>	559 N. 4 <sup>th</sup> Street
<b>Property Owner:</b>	Javier Caro 559 N. 4 <sup>th</sup> Street Silt, CO 81652
<b>Date Submitted:</b>	11/16/2023
<b>Zone District:</b>	R-2
<b>Proposed Zoning:</b>	No change is requested.
<b>Public Notice:</b>	Public Notice Satisfied
<b>PUD/Code Allowance:</b>	Silt Municipal Code does not allow for electric/hydraulic fences or gates or fences exceeding 48” adjacent to a street, without a fence exception.
<b>Applicant’s Request:</b>	
<b>Lot Size:</b>	8,631 square feet



## Vicinity Map:



## Pertinent Silt Municipal Code Sections:

### 15.24.030 - Materials for fences, retaining walls and screening devices.

*A. An applicant for a fence, retaining wall or screening device shall construct same of durable materials that require low maintenance, are architecturally compatible with the primary building on the site and are aesthetically pleasing as viewed from the street. The following materials may be used:*

- 1. Masonry walls with stucco or other acceptable finish or constructed from masonry block units with an indigenous pattern or finish;*
- 2. Stone or rock, or a dense material designed to emulate stone or rock, which does not include a thin, flat material such as patterned asphalt roofing material or a mural on concrete;*
- 3. Wooden fences constructed from newly milled lumber that is pressure treated, or milled, treated native wood. Slab lumber, used lumber or rough-hewn lumber is not acceptable without the planning and zoning commission's special review of the construction detail(s) and material(s);*
- 4. Chain link fence, constructed with round metal posts and top rail (color shall be dark or natural, if coated);*



5. Concrete painted an earth tone color (retaining walls only); and

6. Other materials that can withstand exposure to the weather and are aesthetically pleasing, as approved by the town administrator or his designee.

*B. Barbed wire, razor wire, slab wood, rough-hewn wood or wood with bark still attached, electric, or other fences not described in this section, are not permitted. An applicant who wishes to use such materials may submit a fence exception application in accordance with this code, and request that the planning and zoning commission, at a regularly scheduled meeting, consider the applicant's reasons for such appeal. If applicant installs such a fence as contemplated by this section either without a permit or prior to the commission's ruling, the applicant automatically loses his right to an appeal and must remove the fence within seven days of the town's notice to applicant. Violations will be enforced in accordance with [Chapter 1.12](#) of the Silt Municipal Code.*

#### **15.24.040 - Heights of fences, retaining walls or screening devices in all residential districts.**

*Except as otherwise provided for in this code, the maximum height of fences, retaining walls, or screening devices, or combination thereof, shall be as follows in all residential zone districts:*

*A. Forty-two inches on the property line or 48 inches at a minimum five-foot setback, from the property line in any yard adjoining a public street;*

*B. Forty-two inches on the property line or 48 inches at a minimum 5-foot setback for any portion of side yard or rear yard fence that extends into the setback adjoining a public street;*

*C. Six feet in rear yards and side yards, where these areas do not adjoin a public street;*

*D. The height of fences, retaining wall, or screening devices shall be measured from the top of the curb of the adjoining street or the top of the crown of the adjoining street or alley where no curb exists;*

*E. If the elevation of the yard is above or below the elevation of the street, the maximum height of a fence in that yard shall be six feet, except as otherwise stated for yards that adjoin public streets and alleys;*

*F. No property owner may artificially lower or raise his lot, by cutting, filling or other means, in order to avoid the provisions of this section.*



#### **15.24.060 - Exceptions—Special review.**

*A. Any person may apply to the planning and zoning commission for an exception to the provisions of Section 15.24, regarding type, size, height, and location of fences, retaining walls and screening devices. Additionally, an applicant may appeal a decision or interpretation made by the town administrator or designee regarding the provisions of the aforementioned sections.*

*B. An exception may be granted if the fence, retaining wall or screening device will result in a harmonious addition to the community, otherwise complies with this chapter, and is consistent with the following guidelines:*

*1. Fence, retaining wall or screening device height shall be limited to the lowest possible height in order to achieve the intended result, and in no case shall residential fences exceed six feet in height;*

*2. Fence, retaining wall or screening device shall not negatively detract from the adjacent properties or the surrounding visual corridors;*

*3. Fence, retaining wall or screening device shall be designed to accommodate the existing topography of the site;*

*4. Fence, retaining wall or screening device shall be located completely within the applicant's property;*

*5. Fence, retaining wall or screening device shall not create a hazard to pedestrian traffic, vehicular traffic, or any use of a public property, including, but not limited to, pedestrian, access and drainage easements.*

*C. An applicant requesting a fence exception shall submit to the town a complete fence permit application on a form provided by the town, and a statement by the applicant detailing the type of exception requested, for consideration by the planning and zoning commission in a regularly scheduled meeting.*

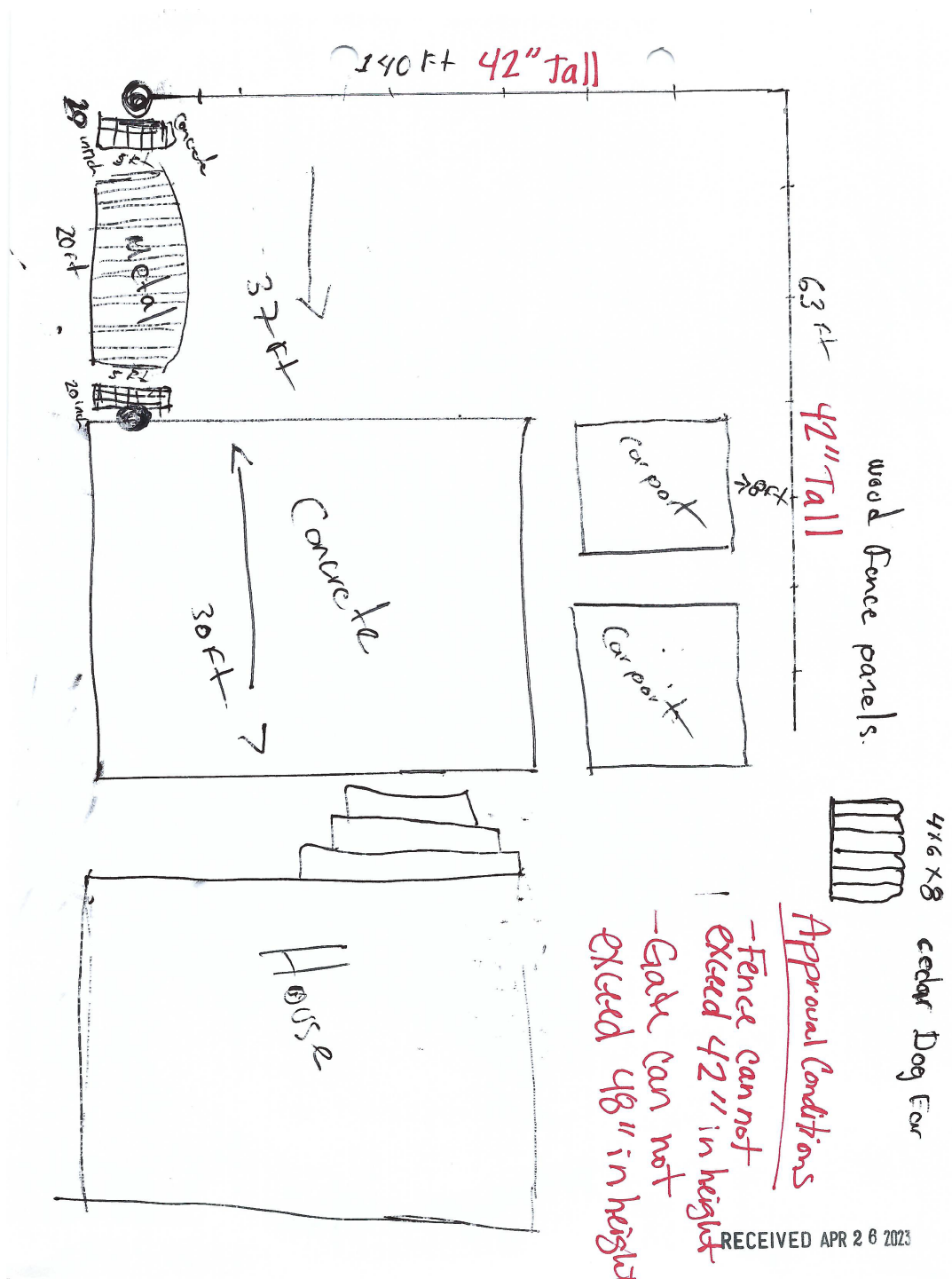
*1. The applicant for a fence exception shall submit to the town a fee equal to the fence permit fee, as established by the board annually or more often as necessary;*

*2. Submittals shall be in conformance with this chapter;*

*3. Applicant shall publicly notice the fence exception in a manner of a zoning variance, per this code.*



Staff report for Caro Fence Exception  
Planning & Zoning Commission Meeting 1/9/24





## Fence Installed:









## Previous Communications About Fence Height & Exception Requirements:



231 N. 7<sup>th</sup> Street / P.O. Box 70 / Silt, CO 81652  
Phone: 970-876-2353 / Fax: 970-876-2937

March 9, 2018

Mr. and Mrs. Javier Caro  
559 N. 4<sup>th</sup> Street  
Silt, CO 81652

Dear Mr. and Mrs. Caro:

Thank you for coming into the Community Development Department office today to speak to me about your property located at 559 N. 4<sup>th</sup> Street. This department understands that you recently purchased the property at this address. Through our discussion and a search of the files in this office, staff determined that the Town issued no permits for the existing covered deck, the two existing carports, the existing RV dump station and water connection, and the existing chain link fence. Thank you for filling out an application to bring these existing features into compliance with the Silt Municipal Code. The building inspector will review your application and schedule a site visit to determine what, if anything, you may need to modify in order to meet the 2015 International Residential Code (IRC).

It appears that the chain link fence exceeds the height allowable in front yards (42"), and since a prior owner installed the fence without a permit, it must either be removed or you may apply to the Planning & Zoning Commission to request that it remain. You indicated that you wished to build a gate, due to the number of people that are using your driveway as a turnaround. Included in this correspondence is a fence exception application that you may complete and return to this office, and there is a chance that you may be on the April 4 Planning & Zoning Commission agenda.

If you have any questions regarding this correspondence, please do not hesitate to call, come into the office, or email ([communitydevelopment@townofsilt.org](mailto:communitydevelopment@townofsilt.org)).

Sincerely,

Janet Ahluse, Community Development Director

CC: Mike Styk, Building Inspector; file



## **Staff Comments:**

The applicant applied for a permit to install a fence on April 26, 2023, which was approved per the submitted plans. On October 2<sup>nd</sup>, Town Staff followed up with Mr. Caro to determine whether this project was completed, so an inspection could take place. An inspection was scheduled for October 4<sup>th</sup>, once Mr. Caro confirmed that the project was complete.

Upon inspection on October 4<sup>th</sup>, Town Staff determined that the project was not constructed per approved plans. The proposed and approved permit was for a 42” cedar panel fence and 48” metal gate. The fence that was actually installed is 54” plastic paneling and the gate ranges from 44”-61.5” with a hydraulic locking system.

The fence doesn’t meet code and deviates significantly from what was approved, especially with the hydraulic locking gate. Town Staff found the best course of action to be the removal of the non-approved fence and installation of the approved fence or an application for a fence exception, to be presented to the Planning and Zoning Commission.

Overall, despite Mr. Caro not following the approved plans and only asking for permission after the fact, the installed fence does not seem to disrupt the surrounding properties.

Town Staff recommends approval, but wants to re-iterate to Mr. Caro that in the future, approvals are to be abided by and after the fact permissions will not be tolerated or accepted.

## **Planner Recommendations:**

Staff recommends approval of the Caro Fence Exception, with the following conditions:

- 1) That if approved, the applicant provides the Community Development Department with a revised detailed plan of what was installed.
- 2) That the fence be located entirely on the applicant’s property; and not installed in designated/recorded easements.
- 3) 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.
- 4) That applicant will provide any additional requested documents and pay any remaining fees, prior to the final fence permit approval.



- 5) That all future fencing proposals will require a permit and fence exception, if required.
- 6) That the applicant installs a Knox Box / Key Switch per the fire departments requirements.
- 7) That the applicant and any future property owners allow the Town access to utilities and the meter if necessary.

**Recommended Motion: I move to approve the Caro Fence Exception, at 559 N. 4<sup>th</sup> Street, with the conditions noted above or verbally added during this meeting.**



**TOWN OF SILT  
RESOLUTION NO. PZ- 2  
SERIES OF 2024**

**A RESOLUTION OF THE PLANNING AND ZONING COMMISSION  
APPROVING THE CARO FENCE EXCEPTION AT 559 N. 4<sup>TH</sup> STREET,  
WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO**

**WHEREAS**, The Town of Silt (“Application”) submitted an application for a fence exception on or about November 16, 2023, requesting to receive an approval for a fence built out of compliance of the approved site plan and Silt Municipal Code; and

**WHEREAS**, Legal Description reads Section: 3 Township: 6 Range: 92 Subdivision: JOWELL ADD. #2 Lot:1 AND: -Lot2, also known as 559 N. 4<sup>th</sup> 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 January 9, 2024; and

**WHEREAS**, upon proper consideration there is a finding that it is reasonable to approve the proposed application, as 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 Fence Exception at 559 N. 4<sup>th</sup> Street, within the Town of Silt, Colorado (“Town”) subject to the following conditions:

- 1) That if approved, the applicant provides the Community Development Department with a revised detailed plan of what was installed.
- 2) That the fence be located entirely on the applicant’s property; and not installed in designated/recorded easements.
- 3) 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.
- 4) That applicant will provide any additional requested documents and pay any remaining fees, prior to the final fence permit approval.



- 5) That all future fencing proposals will require a permit and fence exception, if required.
- 6) That the applicant installs a Knox Box / Key Switch per the fire departments requirements.
- 7) That the applicant and any future property owners allow the Town access to utilities and the meter if necessary.

**INTRODUCED, READ AND APPROVED** at a regular meeting of the Planning and Zoning Commission of the Town of Silt, Colorado held on the 9th day of January, 2024.

ATTEST:

TOWN OF SILT

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Chair Lindsey Williams

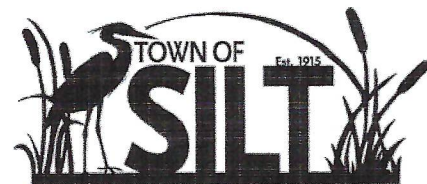
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Community Development Manager, Nicole Centeno



# Town of Silt Community Development

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



## 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"/> Re-Subdivision Final Plan
<input type="checkbox"/> Easement Agreement	<input 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 checked="" type="checkbox"/> Zoning Variance	<input type="checkbox"/> Other: _____	

**Project Name:** Javier Caro

**Project Description / Property Information:**

Address: 5590 4th St. Parcel ID Number: \_\_\_\_\_

Legal Description (attach additional sheets if necessary): \_\_\_\_\_

Access to Property: \_\_\_\_\_

Acreage or Square Footage: \_\_\_\_\_ Existing Land Use Designation: \_\_\_\_\_

Proposed Land Use Designation: \_\_\_\_\_

Existing Zoning: R2 Proposed Zoning: Not Change

Proposed Use / Intensity of Use: Fence exception

**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)

RECEIVED NOV 15 2023



**Project Team Information** (fill in all that apply) (add additional sheets of needed):

**Property Owner(s):** Name: Javier Caro Phone: \_\_\_\_\_

Company: \_\_\_\_\_ Fax: \_\_\_\_\_

Address: 559 W 4th St.

**Authorized Rep.:** Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Company: \_\_\_\_\_ Fax: \_\_\_\_\_

Address: \_\_\_\_\_

**Engineer/Designer:** Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Company: \_\_\_\_\_ Fax: \_\_\_\_\_

Address: \_\_\_\_\_

**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.

Javier Caro § \_\_\_\_\_  
Name (printed)

559 W 4th St.  
Address

(970) 300-85-56 Fax \_\_\_\_\_  
Phone

Signature [Signature]

Type of Identification \_\_\_\_\_

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

**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.

RECEIVED NOV 16 2023<sup>2</sup>



Property Owner Affidavit

I/We, Javier Caro, 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)

Javier Caro  
Name (printed)

\_\_\_\_\_  
Name (printed)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

559 4th st.  
Phone

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Fax

\_\_\_\_\_  
Fax

[Signature]  
Signature

\_\_\_\_\_  
Signature

Co DL 05-116-0497  
Type of Identification

Garfield  
County of \_\_\_\_\_)

Colorado  
State of \_\_\_\_\_)

ss. \_\_\_\_\_

Sworn to and subscribed before me this 16 day of \_\_\_\_\_  
(fill in day)

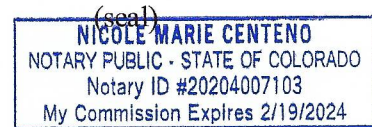
November, 2023  
(fill in month) (fill in year)

By Nicole Centeno  
(name printed)

Witness my hand and official seal.

\_\_\_\_\_  
Notary Public

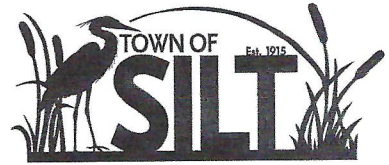
My Commission expires: 2-19-24





# Town of Silt Community Development

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



## LAND USE ACTIVITY IMPACT STATEMENT

Name of Applicant: Javier Caro Date: 11-16-23

Location of Property: 559 W 4th St-

Land Use Request: Fence Variance

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 No
2. Is your request compatible with the Silt Comprehensive Plan? Yes/No  
Is not really affective with the comprehensive plan  
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.  
Your request is not changing the residential designation we are just asking for a fence Variance
4. How is your request desirable for the Town of Silt?  
We installed the gate to add protection to our house
5. Detail any real or possible environmental, town service, or other impacts your request may have.  
We thinks this is a possitive impact - it looks nice and is Safe



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.

- 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.)

will install POX box that will give access to emergency services to the town

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

I applied for the permit of the fence but I did not know that I will get in trouble adding the electrical hydraulic gate. a couple years ago someone entered to our property and stole our car and also people turn around all time right there as you know there is a dead end street. Sorry for not following Rules I did this for my family safety.