

APPLICATION FORM FOR ZONING

(Revised 12/29/2015)

Lana Gallegos, Senior Planner 970-524-1729
Cindy Schwartz, Assistant Planner 970-524-1750

DATE APPLICATION SUBMITTED: _____

NAME OF SUBDIVISION: Miller

NAME OF OWNER: Roy Miller **PHONE:** (970) 242 -5370

MAILING ADDRESS: PO BOX 2016, Eagle, CO 81631-2016

EMAIL ADDRESS: jon.mueller@elamconstruction.com

PROPOSED ZONING: Development Resource

ZONE APPLICATION FEE: \$250 **DEPOSIT:** \$250

TOTAL PAID: \$ _____ **CK#** _____ **DATE** _____

Payment of fees:

1. Town Manager, or their authorized designee, has authority to increase or decrease the deposit amount required according to project complexity and estimated costs required for outside services, including but not limited to, general counsel and water attorney fees, engineering fees, plat check fees, recording fees, and publication fees.

2. Deposits may be required to be increased prior to proceeding with processing of application if it is determined costs will exceed said deposit.

3. All fees incurred above deposit amounts are still the responsibility of the applicant as required by the Gypsum Municipal Code even if approval is denied or application is withdrawn.

4. Permit fees cover town planning staff review time and all Planning Commission and Town Council hearings.

5. Deposit cover items, including but not limited to, town engineer review times, outside engineer review times, general counsel and water attorney fees, publication notices, postage/ mailing notices, plat check fees, updates to GIS system, and updates to the town zoning map.

6. Any outstanding fees due to the Town must be paid before any additional land use applications will be accepted.

7. Combined submissions, such as annexation and sketch plans, or preliminary and final, shall be accompanied by a combined fee. (Ord. 2010-23)

ITEMS TO BE INCLUDED, BUT NOT LIMITED TO, ARE:

Application and submitted materials are to be submitted no later than 60 days prior to the scheduled Planning Commission meeting. In addition, the following must be completed:

Please initial that the items have been submitted.

JM Permit fee \$250 (All costs incurred by the Town in reviewing the application must be reimbursed by the applicant prior to final action by the Town. Professional services subject to reimbursement include, Town Engineer, Town Attorney, etc...)

JM (1) copy of a letter giving reasons the zoning should be granted, impacts to area being rezoned (traffic, parking, roads, water, sewer, emergency services, school, etc...)

TO BE (1) copy of current title certificate and deeds showing owners of land for which change is requested. **Include mineral right owner(s) on the plat.**

JM A copy of list of names, addresses and zoning of owners of all properties within 300 feet of the proposed zoned property. Please provide 2 sheets of mailing labels.

JM (3) 11' x 17" maps to scale showing the land in question, location, legal description of boundaries, location and existing use of all buildings, utility easements, drainage easements or natural drainage features, hazardous areas, setbacks, street names, etc.

JM Any other items that may be necessary as per the Planning Department.

JM All information has been submitted electronically on a disk (PDF).

POSTING NOTICE

18.16.060 - Notice requirements

Certain zoning actions require a public hearing, notice of which shall be given in the manner and within the times set forth in the following notice requirements:

Type of Action	Hearing Requirement	Notice in Newspaper	Service or Mailing	Posting
Planned Unit Development (PUD)				

PUD Preliminary Plan (18.08.150)	Town Council	15 days	15 days	15 days
Amendments to PUD (18.08.180)	Town Council	15 days	15 days	15 days
Maintenance of Common Property (18.08.030)	Town Council	N/A	15 days	N/A
Conditional Use Permit	None	N/A	N/A	N/A
Suspension/Revocation (18.12.050)	Planning and Zoning Commission	No	10 days	No
Revocation (18.16.040(c))	Town Council	Optional	7 days	Optional
Special Use Permit (18.12.040)	Planning and Zoning Commission	10 days	10 days	10 days
Suspension/Revocation (18.12.050)	Planning and Zoning Commission	No	10 days	No
Revocation (18.16.040(c))	Town Council	Optional	7 days	Optional
Variance (18.13.030)	Planning and Zoning Commission	10 days	10 days	10 days
Appeal	Board of Adjustment	10 days	10 days	10 days
Revocation (18.16.040(c))	Town Council	Optional	7 days	Optional
Location and Extent (18.14)	None	N/A	N/A	N/A
Zoning Code and Map Amendments (18.15.040)				
Text, Not Site Specific	Planning and Zoning Commission	15 days	None	None
Site Specific Amendment	Planning and Zoning Commission	15 days	15 days	15 days
Text, Not Site Specific	Town Council	15 days	None	None
Site Specific Amendment	Town Council	10 days	10 days	10 days
Notice of Violation/Corrective Action Order, Nonemergency (18.16.040(c))	None	None	30 days	30 days (alternative)
Revocation of Building Permit (18.16.040(c))	Town Council	Optional	10 days	Optional
Stop Work Order (18.16.040(c))	None	None	Immediate	Immediate
Appeals (18.16.050)	Board of Adjustment	10 days	10 days	10 days

18.16.070 – Posting

- (a) **Responsibility.** Posting of a sign on the property giving notice of any public hearing shall be the responsibility of the applicant. Staff shall advise the applicant in writing within five business days of receipt of the application of this posting requirement and the location and number of signs required for the application. All signs must be prepared by or for the applicant at the applicant's expense. All signs must be posted on the property not less than 15 or not less than ten days prior to the scheduled public hearing as set forth in section 18.16.060. The applicant must take a clear and distinct photograph of the sign(s) and submit the photograph(s) to the planning department immediately upon posting the property. No later than noon on Friday prior to the scheduled public hearing, the applicant shall present a certificate of posting in the following form to the planning department.

(b) Certificate of posting.

Certificate of Posting

I hereby certify under oath that a sign (or signs (_____)) was posted on the property known by street and number as _____ on _____, 20_____, at least ten days prior to the public hearing on the Application for _____ for this property as shown in the photograph(s) submitted in support of this Certificate as notice of this public hearing before the Planning and Zoning Commission/Board of Adjustment/Town Council on _____, 20_____ at _____ .m.

Dated this _____ day of _____, 20_____.

Applicant

State of Colorado)
) ss.
County of Eagle)

Subscribed and sworn to before me this _____ day of _____, 20_____ by _____ as Applicant.

My commission expires _____.

Notary Public

Failure to present the certificate of posting and submit the photograph(s) will result in a rescheduling of the public hearing and require a new posting of the property.

(c) Sign specifications. A sign not less than three feet by four feet in size erected on posts no lower than four feet above natural grade and legible from the nearest dedicated public right-of-way. Title of sign shall be in letters not less than five inches high. Said sign shall be removed by the applicant within two weeks of the conclusion of the public hearing. A sample format for the sign is as follows:

** A sign may also be purchased from the town for a fee of \$100.

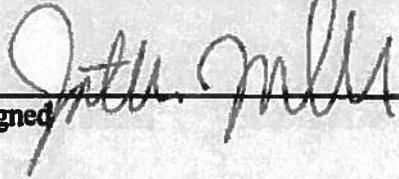
NOTICE OF PUBLIC HEARING
(CASE NUMBER)

Notice is hereby given that the property upon which this sign is posted shall be considered for approval of a _____ at a public hearing pursuant to the Town of Gypsum Zoning Code. Further information concerning this application or proposal may be obtained by calling the Planning Department Office at (970) 524-7514.

The hearing is to be held before the _____ on the _____ day of _____ (Month), _____ (Year), in the Council Chambers, 50 Lundgren Boulevard, Gypsum, Colorado at 7:00 p.m., or as soon thereafter as the matter may be heard. The general public may attend the public hearing to hear issues and to express their opinions.

I have read the application form for Zone approval and understand it is my responsibility to provide the proper officials with the information as outlined in this application. I also understand it is my responsibility to attend or have someone represent this project at the Planning Commission and Town Council meetings.

I UNDERSTAND THAT APPLYING FOR THIS ZONING DOES NOT GIVE ANY GUARANTEE THAT THE ZONING WILL BE APPROVED.

Signed 

Date 9/8/2016

ZONE CHECKLIST (to be completed by Town of Gypsum):

Name of Subdivision _____

Zone application due 60 days before Planning Commission Meeting

Date turned in: _____

Planning Commission public hearing date: _____

Town Council public hearing date: _____

Agencies need to respond within 21 days from date of mailing: _____

Distributed to: _____ **Date:** _____

Town Planner _____

Town Manager _____

Town Engineer _____

Public Works Director _____

Town Attorney- Bob Cole _____

Town Water Attorney- Ramsey Kropf _____

Town Water Engineer- Tom Zancanella _____

Additional distribution:

Town of Eagle _____ Eagle Cty Comm. Dev. _____

Eagle County School _____ Bureau of Land Mgmt. _____

Division of Wildlife _____

Public Hearing Notice mailed to adjacent land owners
(for Planning Commission Public Hearing) _____

Date emailed to Reader Board & Eagle Valley Enterprise
(for Planning Commission Public Hearing) _____

Public Hearing Notice mailed to adjacent land owners
(for Town Council Public Hearing Notice) _____

Date emailed to Reader Board & Eagle Valley Enterprise
(for Town Council Public Hearing Notice) _____



556 Struthers Ave. • Grand Junction • Colorado • 81501 • Phone (970) 242-5370 • Fax (970) 245-7716

August 29th, 2016

Lana Gallegos, Senior Planner
Town of Gypsum
50 Lundgren Boulevard
PO BOX 130
Gypsum, CO 81637

Letter – Annexation, Special Use Permit and Zoning Change

Dear Staff,

Please find the enclosed applications including Annexation Information Packet, Zoning Applications, and a Special Use Permit Application for the proposed Coyote Pit located in Dotsero, Colorado. Legal Description of the site is within Sections 5, 31, & 32, 49 of T4 T5, R86W of the 6th PM. This mining and processing of sand and gravel is estimated to have a potential of 10-20 year life span dependent on the amount of needed resource for the I-70 corridor in Eagle County. We are excited to open this operation up to the surrounding community, developers, and contractors, as a reliable new source for aggregate materials and construction services for asphalt and concrete materials. We have operated in Eagle, Colorado for the past several years, however, directly out of a competitor's pit. This opportunity will allow us to sell our own aggregates to the contractors, concrete operations, and directly to the public under our own operating style, pricing, and commitment to the community. There are numerous benefits that our operation will provide to the community including economic growth, strategic development and the ability to provide local contractors with a new source of construction materials to the Town of Gypsum and surrounding areas. Likewise, there will also be some impacts that may be of concern.

Enclosed you will also find a copy of the Division of Reclamation Mining and Safety (DRMS) Application Packet. This application submitted to the DRMS also identifies the impacts associated with our proposed operation and the mining and operation schematics within this application for the Town of Gypsum Special Use Permit. These impacts include environmental, visual, noise, and traffic. Please review the packet and if you have any additional questions in regards to the operation we will gladly response in an adequate fashion.

Thank you for your time. Please do not hesitate to contact me with any questions.

Submitted By,

A handwritten signature in black ink, appearing to read "Jonathan Mueller".

Jonathan Mueller
Environmental Compliance Coordinator

Lana Gallegos

From: Karl Berger <windriver@vail.net>
Sent: Tuesday, September 6, 2016 11:22 AM
To: Jon Mueller; Jay Taylor
Cc: Lana Gallegos
Subject: Re: Coyote Pit Authority Letter

Hi Jon and Lana,

The bargain sale and deed from Vickie Hogue was for an old right of way from the 1920's for the Colorado River Road.

The road was to be located on the east side of the river before it was moved to the west side. It was transferred to Vicky Hogue, Kenneth Schultz's daughter by Kenneth Schultz.

The quit claim deeds for Neilsen and Coyote River Ranch references the vacant parcel between Jay and I. I received an executed quit claim deed from the heirs of R.A. Neilsen for that parcel and am transferring that to Jay Taylor as part of our access agreement.

As for the title report, I am not sure they have copies of them. Miller will have a current one, paid by Coyote Ranch, in the next week or 2. Jay may have one for his property.

Millers property will be purchased by Coyote Ranch once we are annexed into Gypsum. I have no other desire for uses other than the current use as residential property. There are 2 mobile homes there, one residential home, and several storage outbuildings. There is a well with a leach field currently in place for water and sewer purposes. I will produce a summary for Miller's once I talk with Roy and see what his zoning is, etc.

I will send this along to Jay to sign the authorization letter and he can give you a summary of his property and proposed uses, if any at this time. He might be able to provide the title report for his land as well. Not sure what his quit claim deeds are for. Perhaps he can explain that. I'll include him on this email.

Karl Berger

On Sep 2, 2016, at 2:34 PM, Jon Mueller wrote:

Karl,

Attached is authorization letters for Taylor and Miller for me to represent them for the process. Could you get these signed? I thought I only need yours for the Special Use Permit, but I need theirs for the zoning applications too. Also, Lana responded to my submittal with several items needing revision but one question I wanted to see if you could help me out with is: this is from Lana,

- Deeds – I am having difficulty piecing together what these various deeds and agreements relate to. Please provide me detail on what the Bargain and Sale with Hogue is for, deed and agreement between Nielsen and Karl, and the quit claim deeds on Taylor? Does some of these items address the piece of land between Karl's and Taylor's? If there still is no connection here we may still have a continuity issue. The clearer the information the easier it will be on the attorney's determining contiguity.

Also she says that she didn't get the Title Report for Taylor or Miller properties, let me know if we can get her those. And finally summary letters for each property describing the following:

- The summary letter needs to describe the land uses on the current property, why they want to annex, how is it being served in terms of water/sewer/utilities, existing zoning, what do they now want to do on the property, how is it accessed, etc... Think of it as having to tell a stranger a small story about each one of the properties. If I sent this info off to our attorney's in Denver and Aspen they would have no clue what is currently on these properties, why they want to annex, and what do they want to do on the properties, etc... I did not get a title report for Taylor or Miller's properties.

If you will just give a quick synopsis of each property for what the land is currently doing, then I'll throw together a summary report for each.

Thanks Karl,

Jon Mueller
Environmental Compliance Coordinator
Elam Sand & Gravel
556 Struthers Avenue – GJ / CO 81501
Office: (970)-242-5370
Mob: (970)-261-5782
Jon.Mueller@elamconstruction.com
<image004.png>

From: Jon Mueller
Sent: Monday, August 29, 2016 3:05 PM
To: windriver@vail.net
Cc: Greg Monger <Greg.Monger@elamconstruction.com>
Subject: Coyote Pit Authority Letter

Hey Karl,

I think this is the last piece I need before Rich gets the last Annexation map either tonight or tomorrow before I submit the whole caboodle. If you wouldn't mind signing the letter and either scan or I'm planning on going up there on Thursday to submit all this so maybe I could grab it from you then

Thanks Karl,

Let me know

Jon Mueller
Environmental Compliance Coordinator
Elam Sand & Gravel
556 Struthers Avenue – GJ / CO 81501
Office: (970)-242-5370
Mob: (970)-261-5782
Jon.Mueller@elamconstruction.com
<image001.png>

<Coyote Pit Authority Letter - Taylor.doc><Coyote Pit Authority Letter - Miller.doc>

Total Control Panel

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To: lane@townofgypsum.com

[Remove this sender from my allow list](#)

From: windriver@vail.net

You received this message because the sender is on your allow list.