

**TOWN OF ERIE**

Community Development Department – Planning Division
 645 Holbrook Street – PO Box 750 – Erie, CO 80516
 Tel: 303.926.2770 – Fax: 303.926.2706 – Web: www.erieco.gov

LAND USE APPLICATION

Please fill in this form completely. Incomplete applications will not be processed.

STAFF USE ONLY

FILE NAME:

FILE NO:

DATE SUBMITTED:

FEES PAID:

PROJECT/BUSINESS NAME: Paul and Kimberly Zilis

PROJECT ADDRESS: 12170 Jasper Road, Erie, CO 80516

PROJECT DESCRIPTION: Single Family Residence

LEGAL DESCRIPTION (attach legal description if Metes & Bounds)

See Legal Description attached as Exhibit A

Subdivision Name: N/A

Filing #: N/A Lot #: 146513000028 Block #: N/A Section: 13 Township: 1N Range: 69W

OWNER (attach separate sheets if multiple)

Name/Company: Paul and Kimberly Zilis

Contact Person: Paul Zilis

Address: 12170 Jasper Road

City/State/Zip: Erie, CO 80516

Phone: 303-618-0650

Fax:

E-mail: paulzilis05@gmail.com

AUTHORIZED REPRESENTATIVE

Company/Firm: Front Range Land Solutions

Contact Person: Rosi Dennett

Address: 210 Lincoln Street

City/State/Zip: Longmont, CO 80501

Phone: 303-682-9729

Fax:

E-mail: rosidennett@gmail.com

MINERAL RIGHTS OWNER (attach separate sheets if multiple)

Name/Company:

Address:

City/State/Zip:

MINERAL LEASE HOLDER (attach separate sheets if multiple)

Name/Company:

Address:

City/State/Zip:

LAND-USE & SUMMARY INFORMATION

Present Zoning: Rural Residential

Proposed Zoning: Rural Residential

Gross Acreage: 4.4

Gross Site Density (du/ac): 1 Dwelling Unit/4.4 acres

Lots/Units Proposed: 1

Gross Floor Area: 3,700 sq. ft.

SERVICE PROVIDERS

Electric: Xcel Energy

Metro District: n/a

Water (if other than Town): Left Hand Water District

Gas: Xcel Energy

Fire District: Mountain View

Sewer (if other than Town): Septic

PAGE TWO MUST BE SIGNED AND NOTARIZED

DEVELOPMENT REVIEW FEES			
ANNEXATION		SUBDIVISION	
<input type="checkbox"/> Major (10+ acres)	\$ 4000.00	<input type="checkbox"/> Sketch Plan	\$ 1000.00 + 10.00 per lot
<input checked="" type="checkbox"/> Minor (less than 10 acres)	\$ 2000.00	<input type="checkbox"/> Preliminary Plat	\$ 2000.00 + 40.00 per lot
<input type="checkbox"/> Deannexation	\$ 1000.00	<input type="checkbox"/> Final Plat	\$ 2000.00 + 20.00 per lot
COMPREHENSIVE PLAN AMENDMENT		<input type="checkbox"/> Minor Subdivision Plat	\$ 2000.00
<input type="checkbox"/> Major	\$ 3000.00	<input type="checkbox"/> Minor Amendment Plat	\$ 1000.00 + 10.00 per lot
<input type="checkbox"/> Minor	\$ 1200.00	<input type="checkbox"/> Road Vacation (constructed)	\$ 1000.00
ZONING/REZONING		<input type="checkbox"/> Road Vacation (paper)	\$ 100.00
<input checked="" type="checkbox"/> Rezoning	\$ 1700.00 + 10.00 per acre	SITE PLAN	
<input type="checkbox"/> PUD Rezoning	\$ 1700.00 + 10.00 per acre	<input type="checkbox"/> Residential	\$ 1400.00 + 10.00 per unit
<input type="checkbox"/> PUD Amendment	\$ 1700.00 + 10.00 per acre	<input type="checkbox"/> Non-Resi. (>10,000 sq. ft.)	\$ 2200.00
<input type="checkbox"/> Major PD Amendment	\$ 3700.00 + 10.00 per acre	<input type="checkbox"/> Non-Resi. (>2,000 sq. ft.)	\$ 1000.00
<input type="checkbox"/> Minor PD Amendment	\$ 500.00	<input type="checkbox"/> Non-Resi. (<2,000 sq. ft.)	\$ 200.00
SPECIAL REVIEW USE		<input type="checkbox"/> Amendment (major)	\$ 1100.00
<input type="checkbox"/> Major	\$ 1000.00	<input type="checkbox"/> Amendment (minor)	\$ 350.00
<input type="checkbox"/> Minor	\$ 400.00	VARIANCE	
<input type="checkbox"/> Oil & Gas	\$ 1200.00	SERVICE PLAN	
		\$ 10,000.00	

All fees **include** both Town of Erie Planning & Engineering review. These fees **do not include** referral agency review fees, outside consultant review fees, or review fees incurred by consultants acting on behalf of staff. See Town of Erie Municipal Code, Title 2-10-5 for all COMMUNITY DEVELOPMENT FEES.

The undersigned is fully aware of the request/proposal being made and the actions being initiated on the referenced property. The undersigned understand that the application must be found to be complete by the Town of Erie before the request can officially be accepted and the development review process initiated. The undersigned is aware that the applicant is fully responsible for all reasonable costs associated with the review of the application/request being made to the Town of Erie. Pursuant to Chapter 7 (Section 7.2.B.5) of the Unified Development Code (UDC) of the Town of Erie, applicants shall pay all costs billed by the Town for legal, engineering and planning costs incurred by staff, including consultants acting on behalf of staff, necessary for project review. By this acknowledgement, the undersigned hereby certify that the above information is true and correct.

Owner: [Signature] Date: 11/6/18
 Owner: [Signature] Date: 11/6/18
 Applicant: [Signature] Date: 11/6/18

STATE OF COLORADO)
 County of Boulder) ss.

The foregoing instrument was acknowledged before me this 6th day of November, 2018
 by Paul and Kimberly Zilis.

My commission expires: 1/24/22
 Witness my hand and official seal.

CYNTHIA L. MCMURE
 Notary Public
 State of Colorado
 Notary ID # 20064028567
 My Commission Expires 07-24-2022

EXHIBIT "A"

PARCEL A:

ALL THAT PORTION OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO. DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 13; THENCE SOUTH ALONG THE WEST LINE OF SAID SECTION, A DISTANCE OF 1323.60 FEET; THENCE NORTH 89°49' EAST 1689.55 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°49' EAST 140.00 FEET; THENCE SOUTH, 312.00 FEET; THENCE SOUTH 89°49' WEST 140.00 FEET; THENCE NORTH 312.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL B:

THE WEST HALF OF THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT PORTION OF THE SOUTH HALF OF THE NORTHWEST QUARTER OR SECTION 13, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO. DESCRIBED AS FOLLOWS:

BEGINNING AT A STEEL PIN ON THE WEST LINE OF SAID SECTION 13, FROM WHICH THE NORTHWEST CORNER OF SECTION 13 BEARS NORTH 1323.60 FEET; THENCE NORTH 89°49' EAST 1689.48 FEET MORE OR LESS, TO A POINT THAT IS WEST 330.00 FEET FROM THE NORTHERLY PROLONGATION OF THE WEST LINE OF THAT CERTAIN PARCEL OF LAND CONVEYED TO CLIFF W. MARSHALL, ETC., BY DEED RECORDED JUNE 5, 1961, IN BOOK 1185, PAGE 12, RECORDS OF BOULDER COUNTY BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 89°49' EAST 330.00 FEET TO THE INTERSECTION OF THE PROLONGATION OF THE WEST LINE OF SAID MARSHALL'S LAND; THENCE SOUTHERLY ALONG THE WEST LINE OF MARSHALL'S LAND AND THE SOUTHERLY PROLONGATION THEREOF 1201.99 FEET; THENCE NORTH 86°18' WEST 126.39 FEET; THENCE NORTH 89°15' WEST 130.00 FEET; THENCE SOUTH 89°42' WEST 73.82 FEET TO A POINT THAT IS SOUTH 1192.56 FEET FROM THE TRUE POINT OF BEGINNING; THENCE NORTH 1192.56 FEET TO THE TRUE POINT OF BEGINNING; EXCEPT THAT PORTION AS DESCRIBED IN INSTRUMENT RECORDED FEBRUARY 10, 1971 ON FILM 722 AS RECEPTION NO. 967254 AND KNOWN AS PARCEL A ABOVE, ALL IN THE COUNTY OF BOULDER, STATE OF COLORADO.

Paul and Kimberly Zilis
12170 Jasper Road
Erie, CO 80516

November 1, 2018

Board of Trustees
Town of Erie
645 Holbrook
PO Box 750
Erie, CO 80516

RE: Annexation

Dear Trustees:

My wife and I have own a home just west of Town boundaries at 12170 Jasper Road. We have recently done major renovations and we would like to annex our property into the Town of Erie. As the Town's water attorney, I have advised the Planning Department that I will recuse myself from the annexation and land use processes. I know that would not make a difference, but I want to avoid any appearance of impropriety.

We have hired a consultant, Rosi Dennett of Front Range Land Solutions, to represent us in the process and we will make no contact with Town staff regarding this matter. I am only sending this letter of interest under our names because I have been informed that it is required in the annexation process. I appreciate your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Zilis", with a stylized flourish at the end.

Paul Zilis

COME NOW, Paul and Kimberly Zilis (jointly, "Owners"), and hereby declare as follow:

WHEREAS, Paul Zilis is currently the water attorney for the Town of Erie, and the Owners desire to recuse themselves from the processes to avoid any appearances of impropriety.

OWNERS:

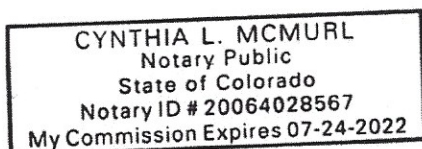
By: Paul Zilis
Paul Zilis

By: Kimberly Zilis
Kimberly Zilis

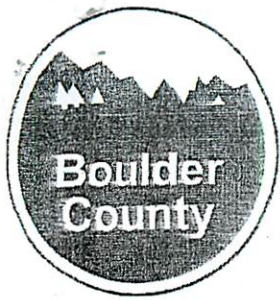
STATE OF COLORADO)
) ss
COUNTY OF BOULDER)

Subscribed and sworn to before me this 1st day of November, 2018, by Paul and Kimberly Zilis, Owners.

My commission expires: 7/24/22



Cynthia McNeil
Notary Public



Land Use Department

Courthouse Annex

2045 13th Street • 13th & Spruce Streets • Boulder, Colorado 80302 • (303) 441-3930
<http://www.bouldercounty.us/lu/>

October 13, 2007

Paul Zilis
1498 Orchard Ave.
Boulder CO 80304

**RE: LIMITED AND CONDITIONAL CONFIRMATION OF BUILDING LOT STATUS
(THAT SUBJECT PARCEL WAS LEGALLY CREATED PURSUANT TO THEN-
APPLICABLE COUNTY ZONING AND SUBDIVISION REGULATIONS AND
POLICIES), REGARDING PROPERTY IDENTIFIED BY PARCEL NUMBER
146513000028 (12170 Jasper Rd.)**

Dear Mr. Zilis:

The Land Use Department has researched the history of the creation of the following parcel consisting of approximately 4.4 acres of land, located in Section 13, T1N, R69W, as further described in this letter ("the Parcel"). The Land Use Department's research has been based on the deeds and related materials which you have provided to the Land Use Department for this purpose, as well as on pertinent information contained in the applicable County zoning and subdivision regulations and in the official Land Use Department files. The resulting building lot determination, as further set forth in this letter, below, is considered *limited and conditional* to the extent that it confirms *only* that the Parcel was legally created. The Parcel is thus *eligible for potential development* as a building lot. *Since other County regulations need to be met before a building permit can be issued for development on the Parcel, this letter does not state, represent, or guarantee that the Parcel can be developed or improved for any particular structure or use.*

Specifically, based on its research noted above, the Land Use Department has determined that the Parcel was legally created under the then-applicable County zoning and subdivision regulations and policies, and *to that extent* is eligible for designation as a building lot by Boulder County. The Parcel is presently identified by Parcel Number 146513000028 and Account Number R0052452 and is currently owned by Paul and Kimberly Zilis. The Parcel is described on the deed recorded at Reception Number 1074344 on November 16, 1990. The parcel was described on deed recorded at Reception Number 893371 on October 9, 1963. Presently, the Parcel is in the Rural Residential (RR) Zoning District. The Parcel, as it currently exists and is described, was legally divided and met the applicable County zoning minimum lot size at the time of its creation.

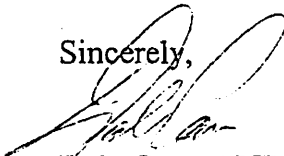
Owners and prospective purchasers of, and interest holders in, the Parcel, are expressly hereby advised that any future development of the Parcel will in all likelihood require the

following, additional approvals, which may or may not be granted depending on the applicable regulations: issuance of a County building permit; compliance with applicable County regulations which are prerequisite to the issuance of a building permit; and discretionary zoning or land use review to approve certain uses, changes of use, structures, or changes to structures. For example, issuance of a building permit requires proof of legal access which is capable of being physically developed to meet County standards exists to the Parcel; proof that legal sources of water and sanitation are available; and resolution of any issues related to floodplain, soil type, drainage, and topography. The Boulder County Land Use Code may require Site Plan Review, Development Plan Review, Special Use Review, Subdivision or Subdivision Exemption approval, and/or other discretionary land use authorizations prior to any approval of building permits. Such building permit and land use reviews for structures and uses permitted in the Rural Residential District may be issued subject to the requirements of the Boulder County Land Use and Building Codes as they are in effect at the time of permit issuance.

The foregoing determination that the Parcel is eligible for building lot designation is made based upon the Land Use Code of Boulder County as it is adopted and in effect at the time of this determination. ***This determination is expressly limited and conditioned as set forth herein, and does not constitute a basis for the legal or equitable vesting of zoning, land use, or development rights of any kind in the Parcel.*** Only the actual issuance of a building permit for a specific structure and use at a specific location and substantial construction undertaken under that permit, or the approval of a site-specific development plan following County subdivision or special use review, can vest the right to undertake, pursue, expand, alter, or maintain a particular improvement, development, or use of the Parcel.

If you have further questions, please feel free to contact me.

Sincerely,



Dale Case, AICP

cc: section file, Assessor, letter log, BLD-07-143

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL A:

ALL THAT PORTION OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 11; THENCE SOUTH ALONG THE WEST LINE OF SAID SECTION, A DISTANCE OF 1121.60 FEET; THENCE NORTH 89°49' EAST, 1689.55 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°49' EAST, 140.00 FEET; THENCE SOUTH, 112.00 FEET; THENCE SOUTH 89°49' WEST, 140.00 FEET; THENCE NORTH 112.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL B:

THE WEST HALF OF THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT PORTION OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

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EXCEPT THAT PORTION AS DESCRIBED IN INSTRUMENT RECORDED FEBRUARY 10, 1971 ON FILM 722 AS RECEPTION NO. 967254 AND KNOWN AS PARCEL A ABOVE,

ALL IN THE COUNTY OF BOULDER, STATE OF COLORADO.

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