



**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 2019- 12**

**A RESOLUTION APPROVING LAND USE CHANGE PERMIT NO. 2019-00003
A LAND USE CHANGE PERMIT FOR AMY AND LEO MORRISSETTE.
CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE ON A RIDGELINE
LOCATED AT LOT 25, TRAPPER'S CROSSING AT WILDCAT.**

WHEREAS, Amy and Leo Morrissette, represented by David Leinsdorf, have submitted a Land Use Change application for the construction of a single-family residence with an attached garage, in compliance with *Section 11-108: Standards for Development on Ridgelines, Gunnison County Land Use Resolution*.

The applicants provided a detailed ridgeline analysis, including detailed architectural drawings of the site profile, prepared by NCW & Associates, Inc. titled, "Lot 25, Trapper's Crossing At Wildcat", dated January 8, 2019. The drawings and site plans, as noted above, depict the location, form and scale of the proposed structures in relation to the existing trees on the parcel and the ridgeline vantage locations on State Highway 135.

A restrictive covenant, attached as "Exhibit A," will ensure, in perpetuity, the existence and replacement of the natural vegetation on the applicant's property used for screening. The residence will not be visually obtrusive, and shall be significantly screened through the use of dark siding and exterior colors that blend with surrounding natural terrain. The residence is not visible from a municipal ridgeline vantage and minimally visible from State Highway 135.

The distance between the subject parcel and the closest point on the ridgeline vantage is significant, 2.5 miles, and the duration of the visibility is of so short a period of time that those factors will limit the visibility of the proposed residence from the ridgeline vantage, pursuant to *Section 11-108: Standards for Development on Ridgelines C. Ridgeline Visibility*.

The site is located on Lot 25, Trapper's Crossing at Wildcat, approximately 2.5 miles from CR 12 on Wildcat Trail, southwest of Crested Butte; and

WHEREAS, after a review of the visual analysis, all information, documentation and related to it, and an on-site visit, the Gunnison County Planning Commission did, after a public hearing on April 5, 2019 forward a Recommendation of approval of that application to the BOCC with certain Findings and Conditions:

FINDINGS:

1. The Commission has classified the application as a Minor Impact Project, based upon the impact classification found in *Section 6-102: Projects Classified as Minor Impact Projects F. Development Requiring Detailed Ridgeline Vantage Visibility Analysis*.
2. A detailed visual ridgeline analysis titled "Lot 25, Trapper's Crossing At Wildcat", prepared by NCW & Associates, Inc., dated January 8, 2019 was submitted with the application.
3. The information and analysis indicate that the proposed structure, under the definition of "ridgeline vantage," may be visible from State Highway 135 only when traveling north.
4. Pursuant to *Section 11-108: Standards for Development on Ridgelines, I. Exceptions* the Planning Commission finds by clear and convincing evidence that significant screening exists and that the building site meets or exceeds the following standard:



d. *If Significant Screening Exists and is Protected, Decision Shall Be Made by Board.* If the Planning Commission finds that the project does not meet the first three requirements of this section, but that any building on the ridgeline shall be significantly screened by existing (as opposed to new) natural vegetation on the applicant's property, of such volume, density and species of tree cover, after provision of defensible space for wildfire hazard, so that no part of the building that is partially visible shall be visibly obtrusive from any ridgeline vantage, at any time of year, the Commission shall so note in a recommendation to the Board, and the Board shall be the decision making body. If approved, the approval shall include:

1. *Recorded Covenant, Easement or Agreement.* A recorded mechanism (e.g. protective covenant, conservation easement, bonding agreement) acceptable to the County must be provided to ensure, in perpetuity, the existence and replacement of the natural vegetation on the applicant's property used for screening; and
2. *Minimal Visual Impact.* When significant screening exists and is protected, the building on the ridgeline shall have minimal visual impact and:
(a.) *Is Not Obtrusive or Visible From A Municipal Ridgeline Vantage.*

Must comply with both of the following standards:

- (1.) *Obtrusiveness.* The building will blend in with its surroundings and will not stand out in the context of its surroundings nor draw attention to itself; and
- (2.) *Municipal Ridgeline Vantage.* The building will not be visible with the naked eye from a municipal ridgeline vantage; and
- (b.) *Must Not be Visible from Ridgeline Vantage or Visibility is Only Momentary.* Must comply with and with one of the following standards:
 - (1.) *Distance from Ridgeline Vantage(s).* The building will not be visible with the naked eye from near or distant ridgeline vantages; or
 - (2.) *Number and Length or Duration of Ridgeline Vantages.* The number and length or duration of public road ridgeline vantages from which the building will be visible are so small that the building will be visible only momentarily to passersby.

5. A restrictive covenant was submitted, ensuring, in perpetuity, the existence and replacement of the natural vegetation on the subject property, attached as "Exhibit A".
6. The Planning Commission conducted a site visit on March 15, 2019. The Commission members visited the building site and viewed the site from the ridgeline vantage location on State Highway 135. The Commission members noted that the site seemed to be below the main ridge and was intentionally moved to create more of a tree buffer. From the vantage points, nothing at the building site was visible. The site will not be easily visible or obtrusive due to the earth tone color scheme and there is a significant distance from any of the vantage points on State Highway 135.
7. The Commission finds that there is significant vegetative screening existing on the property located behind the proposed residence and will not be visually obtrusive.
8. The elevation difference between the building site and the ridgeline vantage on State Highway 135 is greater than 150 feet.
9. The proposed structures on the ridgeline shall have minimal visual impact. The residence will not stand out among its surroundings, nor draw attention to itself, through the use of dark siding and exterior colors that blend with surrounding natural terrain. Additionally, rusted metal or another



comparably unobtrusive material shall be used for the roof material. The residence will not be visible from a municipal ridgeline vantage and may be minimally visible from State Highway 135. No shiny metal roof shall be allowed, as identified in the restrictive covenant.

10. All exterior lighting shall be directed downward, as identified in the restrictive covenant.
11. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Planning Office file relative to this application; including all comments at the public hearing, exhibits, references and documents as included therein.
12. This permit may be revoked or suspended if Gunnison County determines that any material fact set forth herein or represented by the applicant was false or misleading, or that the applicant failed to disclose facts necessary to make any such fact not misleading.
13. The removal or material alteration of any physical feature of the property (geological, topographical or vegetative) relied on herein to mitigate a possible conflict shall require a new or amended land use change permit.
14. Approval of this use is based upon the facts presented and implies no approval of similar use in a different location and with different impacts on the environment and community. Each such future application shall be required to be reviewed and evaluated on its own facts, subject to its compliance with current regulations, and its impact to the County.

CONDITIONS:

1. This permit is limited to activities described within the "Project Description" of this application, and as depicted on the Site Plan submitted as part of this application. Expansion or change of this use will require either an application for amendment of this permit, or submittal of an application for a new permit, in compliance with applicable requirements of the *Gunnison County Land Use Resolution*.
2. A restrictive covenant ensuring, in perpetuity, the existence and replacement of the natural vegetation on the subject property, attached as "Exhibit A," shall be executed prior to approval by the Board. The restrictive covenant shall be recorded contemporaneously with the Board Resolution, within the Office of the Gunnison County Clerk and Recorder.
3. This permit may be revoked or suspended if Gunnison County determines that any material fact set forth herein or represented by the applicant was false or misleading, or that the applicant failed to disclose facts necessary to make any such fact not misleading.
4. The removal or material alteration of any physical feature of the property (geological, topographical or vegetative) relied on herein to mitigate a possible conflict shall require a new or amended land use change permit.
5. Approval of this use implies no approval of any such similar use on any other parcel. Review of this application has considered the impact of this proposed use in the context of cumulative impacts to the environment and the community in the context of its compliance with County land use standards.
6. Approval of this use is based upon the facts presented and implies no approval of a similar use in a different location and with different impacts on the environment and community. Each such future application shall be required to be reviewed and evaluated on its own facts, subject to its compliance with current regulations, and its impact to the County.



NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that Land Use Change Permit No. 2019-00003, for Amy and Leo Morrissette is approved as a Minor Impact, subject to each and all conditions of the decision document, as identified above, and;

THIS APPROVAL is effected noting that decision documentation includes, but is not limited to, the application and the entire Community and Economic Development Department Land Use Change Permit application file relative to this application. This approval is founded on each individual finding and requirement. Should the applicant successfully challenge any such finding or requirement, this approval is null and void.

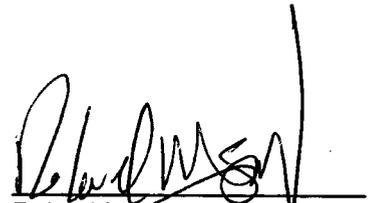
THIS RESOLUTION AND THE APPROVAL GRANTED HEREBY shall not be effective unless and until a copy is recorded in the Office of the Clerk and Recorder of Gunnison County.

INTRODUCED by Commissioner Jonathan Houck, seconded by Commissioner Roland Mason, and passed on this 21 day of May, 2019.

BOARD OF COUNTY COMMISSIONERS


Jonathan Houck,
Chairperson

John Messner,
Commissioner


Roland Mason,
Commissioner

ATTEST:

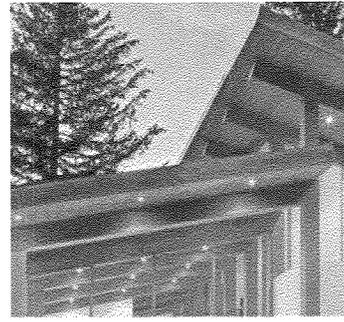

Gunnison County Clerk and Recorder



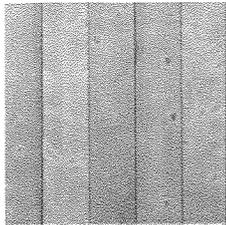
Morrisette Residence – Lot 25, Trappers Crossing at Wildcat
Materials List – Design Review Submittal
11/14/2018



Standing Seam Roof – Classic Bronze color



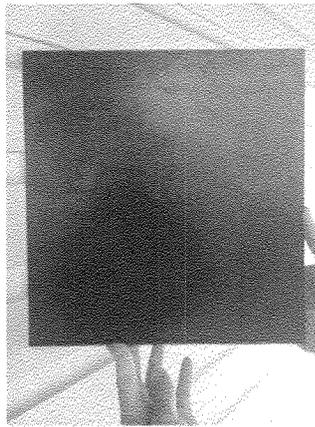
Glulam beams, col. and trim stained dark brown



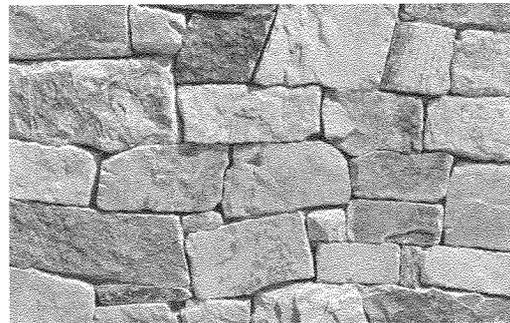
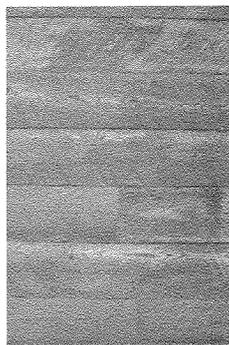
Light Brown Cedar Soffit



Black/Dark Grey Metal Panel Siding



Horizontal Wood Siding
Treated using Shou Sugi Ban (Wood Charring)



Stone Siding



Window Color, Kolbe Corbeau

Exhibit A

