AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Lot Cluster Agreement and Declaration; Wendy Tomli

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

Wendy Tomlinson lot cluster : Lots 8,10,12,14, 16 East Side of 3rd Ave, LaVeta Placer, Pitkin, Co

Fiscal Impact:

Submitted by: Beth Baker **Submitter's Email Address:** bbaker@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok db 4/30/20

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 4/30/2020 Certificate of Insurance Required

Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 5/1/2020

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: 5

Agenda Date: 5/5/2020

Revised April 2015

TO: BOCC
FROM: Beth Baker (Community Development Staff)
RE: Lot Cluster Application

Wendy Tomlinson has applied to cluster her lots in the LaVeta Placer: Lots 8,10,12,14, and 16- LaVeta Placer.

- The taxes are current on the lots
- The utility companies have agreed to the cluster
- The application has been reviewed and approved by both the Director of Community and Economic Development and the County Attorney

You may view the Department file using the link:

- http://204.132.78.100/citizenaccess/
- Click on Projects
- Search by Application Number- LUC-20-00018
- Click on File
- Click on Attachment
- Click on View- any attachment

Please call with any questions.

Thanks,
Beth Baker
Manager of Administrative Services
Community and Economic Development
970-641-0360
bbaker@gunnisoncounty.org

Gunnison County
COLORADO

LOT CLUSTER AGREEMENT AND DECLARATION

Date of Meeting_____(filled in by staff)

THIS LOT CLUSTER AGREEMENT AND DECLARATION is made between the Board of County Commissioners of the County of Gunnison, Colorado (hereinafter "Gunnison County")

and Wendy Tomlinson **(Owner)** _____ **(Owner)**

_____ **(Owner)** _____ **(Owner)**

RECITALS:

Legal Description: Complete – please attach if too long

91 3rd Avenue PARCEL #3691-091-06-009
Lots 8, 10, 12, 14, 16 EAST Side 3rd avenue LaVeta Placer,
Pitkin #484742 #541796

and any adjacent street or alley that is or may be vacated.,
County of Gunnison
State of Colorado

2. This *Lot Cluster Agreement and Declaration* is made for good, valuable and sufficient consideration, including the creation of a single parcel by the clustering of the above described properties.

NOW, THEREFORE, it is agreed that:

1. Gunnison County, Colorado and Owner, on behalf of themselves, their respective heirs, successors, personal representatives and assigns, hereby declare that the real property described above shall hereafter be and is combined into one parcel to be maintained as one new integrated parcel and single building lot and further declare that no portion of such new parcel constituting less than the entire new parcel may be conveyed, mortgaged or encumbered or otherwise transferred without prior compliance with applicable subdivision requirements including but not limited to the *Gunnison County Land Use Resolution*.

2. This *Lot Cluster Agreement and Declaration* does not independently change or amend any fee,

assessment or charge regarding any service to such real property.

3. This *Lot Cluster Agreement and Declaration* is made for the benefit of Gunnison County, Colorado, and shall run with the land in perpetuity. Nothing in this *Lot Cluster Agreement and Declaration* is or shall be construed to be a waiver of applicable County Building, Sewage Disposal System, Land Use Change or other permit requirements.

4. This *Lot Cluster Agreement and Declaration* shall not have effect until it is recorded, at the cost of the Applicant, with the Clerk and Recorder of Gunnison County, Colorado.

5. The lot cluster approved by recordation of this *Lot Cluster Agreement and Declaration* does not result in a guarantee of approval of an Individual Septic System Permit application or approval of a variance from the *Gunnison County Individual Sewage Disposal System Regulations*.

6. Approval of this lot cluster is subject to the terms of the utility companies potentially affected by this action. The companies' comments are attached to, and are hereby incorporated as part of this *Lot Cluster Agreement and Declaration*.

Date: 3/12/2020 Wendy Tomlinson
Owner

Date: _____ _____
Owner

Date: _____ _____
Owner

Date: _____ _____
Mortgage or Lien Holder

STATE OF COLORADO)
)ss
COUNTY OF ~~GUNNISON~~ CHAFFEE)

The foregoing instrument was acknowledged before me this 12th day of March 2020 by Wendy Tomlinson **(Owner/s).**

Witness my hand and official seal.

My Commission expires: July 28, 2022

James L. Treat
Notary Public

Address: 225 "G" Street
Salida, CO 81201

JAMES L. TREAT
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20104027145
MY COMMISSION EXPIRES JULY 28, 2022

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

The foregoing instrument was acknowledged before me this _____ day of _____20___ by _____ **(Mortgage/Lien Holder).**

Witness my hand and official seal.

My Commission expires: _____

_____
Notary Public

Address:

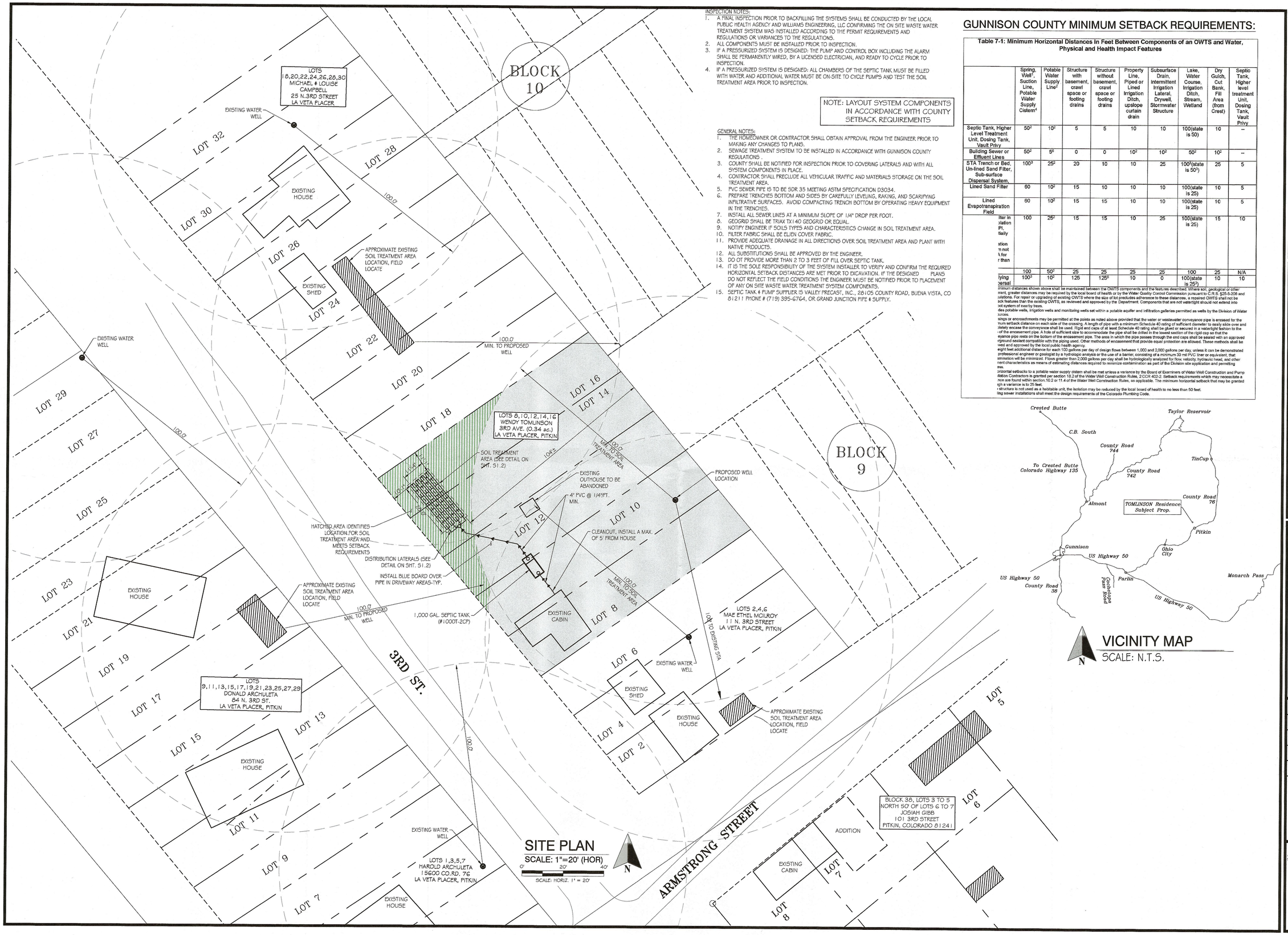
Date: _____

_____	_____	_____
Jonathan Houck Chairperson	Roland Mason Commissioner	John Messner Commissioner

Board of County Commissioners
Gunnison County, Colorado

Attest:

_____
Gunnison County Clerk and Recorder



SITE PLAN
SCALE: 1"=20' (HOR)
0' 20' 40'
SCALE: HORIZ. 1" = 20'

VICINITY MAP
SCALE: N.T.S.

INSPECTION NOTES:

1. A FINAL INSPECTION PRIOR TO BACKFILLING THE SYSTEMS SHALL BE CONDUCTED BY THE LOCAL PUBLIC HEALTH AGENCY AND WILLIAMS ENGINEERING, LLC CONFIRMING THE ON SITE WASTE WATER TREATMENT SYSTEM WAS INSTALLED ACCORDING TO THE PERMIT REQUIREMENTS AND REGULATIONS OR VARIANCES TO THE REGULATIONS.
2. ALL COMPONENTS MUST BE INSTALLED PRIOR TO INSPECTION.
3. IF A PRESSURIZED SYSTEM IS DESIGNED: THE PUMP AND CONTROL BOX INCLUDING THE ALARM SHALL BE PERMANENTLY WIRED, BY A LICENSED ELECTRICIAN, AND READY TO CYCLE PRIOR TO INSPECTION.
4. IF A PRESSURIZED SYSTEM IS DESIGNED: ALL CHAMBERS OF THE SEPTIC TANK MUST BE FILLED WITH WATER AND ADDITIONAL WATER MUST BE ON-SITE TO CYCLE PUMPS AND TEST THE SOIL TREATMENT AREA PRIOR TO INSPECTION.

NOTE: LAYOUT SYSTEM COMPONENTS IN ACCORDANCE WITH COUNTY SETBACK REQUIREMENTS

GENERAL NOTES:

1. THE HOMEOWNER OR CONTRACTOR SHALL OBTAIN APPROVAL FROM THE ENGINEER PRIOR TO MAKING ANY CHANGES TO PLANS.
2. SEWAGE TREATMENT SYSTEM TO BE INSTALLED IN ACCORDANCE WITH GUNNISON COUNTY REGULATIONS .
3. COUNTY SHALL BE NOTIFIED FOR INSPECTION PRIOR TO COVERING LATERALS AND WITH ALL SYSTEM COMPONENTS IN PLACE.
4. CONTRACTOR SHALL PRECLUDE ALL VEHICULAR TRAFFIC AND MATERIALS STORAGE ON THE SOIL TREATMENT AREA.
5. PVC SEWER PIPE IS TO BE SDR 35 MEETING ASTM SPECIFICATION D3034.
6. PREPARE TRENCHES BOTTOM AND SIDES BY CAREFULLY LEVELING, RAKING, AND SCARIFYING INFILTRATIVE SURFACES. AVOID COMPACTING TRENCH BOTTOM BY OPERATING HEAVY EQUIPMENT IN THE TRENCHES.
7. INSTALL ALL SEWER LINES AT A MINIMUM SLOPE OF 1/4" DROP PER FOOT.
8. GEOGRID SHALL BE TRIAX TX140 GEOGRID OR EQUAL.
9. NOTIFY ENGINEER IF SOILS TYPES AND CHARACTERISTICS CHANGE IN SOIL TREATMENT AREA.
10. FILTER FABRIC SHALL BE ELJEN COVER FABRIC.
11. PROVIDE ADEQUATE DRAINAGE IN ALL DIRECTIONS OVER SOIL TREATMENT AREA AND PLANT WITH NATIVE PRODUCTS.
12. ALL SUBSTITUTIONS SHALL BE APPROVED BY THE ENGINEER.
13. DO OT PROVIDE MORE THAN 2 TO 3 FEET OF FILL OVER SEPTIC TANK.
14. IT IS THE SOLE RESPONSIBILITY OF THE SYSTEM INSTALLER TO VERIFY AND CONFIRM THE REQUIRED HORIZONTAL SETBACK DISTANCES ARE MET PRIOR TO EXCAVATION. IF THE DESIGNED PLANS DO NOT REFLECT THE FIELD CONDITIONS THE ENGINEER MUST BE NOTIFIED PRIOR TO PLACEMENT OF ANY ON SITE WASTE WATER TREATMENT SYSTEM COMPONENTS.
15. SEPTIC TANK & PUMP SUPPLIER IS VALLEY PRECAST, INC., 26105 COUNTY ROAD, BUENA VISTA, CO 81211 PHONE # (719) 395-6764, OR GRAND JUNCTION PIPE & SUPPLY.

GUNNISON COUNTY MINIMUM SETBACK REQUIREMENTS:

Table 7-1: Minimum Horizontal Distances in Feet Between Components of an OWTS and Water, Physical and Health Impact Features

	Spring, Well[1], Suction Line, Potable Water Supply Cistern[4]	Potable Water Supply Line[2]	Structure with basement, crawl space or footing drains	Structure without basement, crawl space or footing drains	Property Line, Piped or Lined Irrigation Ditch, upslope curtain drain	Subsurface Drain, Intermittent Irrigation Lateral, Drywell, Stormwater Structure	Lake, Water Course, Irrigation Ditch, Stream, Wetland	Dry Gulch, Cut Bank, Fill Area (from Crest)	Septic Tank, Higher level treatment Unit, Dosing Tank, Vault Privy
Septic Tank, Higher Level Treatment Unit, Dosing Tank, Vault Privy	50[2]	10[2]	5	5	10	10	100(state is 50)	10	--
Building Sewer or Effluent Lines	50[2]	5[6]	0	0	10[2]	10[2]	50[2]	10[2]	--
STA Trench or Bed, Un-lined Sand Filter, Sub-surface Dispersal System,	100[3]	25[2]	20	10	10	25	100[3](state is 50[7])	25	5
Lined Sand Filter	60	10[2]	15	10	10	10	100(state is 25)	10	5
Lined Evapotranspiration Field	60	10[2]	15	15	10	10	100(state is 25)	10	5
ilter in ilation PI, tially ation n not A for r than	100	25[2]	15	15	10	25	100(state is 25)	15	10
	100	50[2]	25	25	25	25	100	25	N/A
lying persal	100[3]	10[2]	125	125[5]	10	0	100(state is 25[7])	10	10

inimum distances shown above shall be maintained between the OWTS components and the features described. Where soil, geological or other rrant, greater distances may be required by the local board of health or by the Water Quality Control Commission pursuant to C.R.S §25-8-206 and ulations. For repair or upgrading of existing OWTS where the size of lot precludes adherence to these distances, a repaired OWTS shall not be ack features than the existing OWTS, as reviewed and approved by the Department. Components that are not watertight should not extend into ot systems of nearby trees.

des potable wells, irrigation wells and monitoring wells set within a potable aquifer and infiltration galleries permitted as wells by the Division of Water ources.

sings or encroachments may be permitted at the points as noted above provided that the water or wastewater conveyance pipe is encased for the num setback distance on each side of the crossing. A length of pipe with a minimum Schedule 40 rating of sufficient diameter to easily slide over and tightly encase the conveyance shall be used. Rigid end caps of at least Schedule 40 rating shall be glued or secured in a watertight fashion to the of the encasement pipe. A hole of sufficient size to accommodate the pipe shall be drilled in the lowest section of the rigid cap so that the eyance pipe rests on the bottom of the encasement pipe. The area in which the pipe passes through the end caps shall be sealed with an approved rground resistant compatible with the piping used. Other methods of encasement that provide equal protection are allowed. These methods shall be wed and approved by the local public health agency.

eight feet additional distance for each 100 gallons per day of design flows between 1,000 and 2,000 gallons per day, unless it can be demonstrated professional engineer or geologist by a hydrologic analysis or the use of a barrier, consisting of a minimum 30 mil PVC liner or equivalent, that mmination will be minimized. Flows greater than 2,000 gallons per day shall be hydrologically analyzed for flow velocity, hydraulic head, and other nent characteristics as means of estimating distances required to minimize contamination as part of the Division site application and permitting ess.

orizontal setbacks to a potable water supply cistern shall be met unless a variance by the Board of Examiners of Water Well Construction and Pump ilation Contractors is granted per section 18.2 of the Water Well Construction Rules, 2 CCR 402-2. Setback requirements which may necessitate a nce are found within section 10.2 or 11.4 of the Water Well Construction Rules, as applicable. The minimum horizontal setback that may be granted igh a variance is to 25 feet.

structure is not used as a habitable unit, the isolation may be reduced by the local board of health to no less than 50 feet.

ling sewer installations shall meet the design requirements of the Colorado Plumbing Code.

ISSUED FOR OWTS PERMIT	2/5/20

WILLIAMS ENGINEERING LLC
400 NORTH MAIN STREET
GUNNISON, COLORADO 81230
PH: (970) 641-2469
EMAIL: rwilliams@wecs.com

ON-SITE WASTEWATER TREATMENT SYSTEM

WENDY TOMLINSON
LOT 8,10,12,14,16
3RD STREET LA VETA PLACER
PITKIN, CO 81241

DRAWN BY:	SLB
CHECKED BY:	RLW
SCALE:	AS NOTED
MOST CURRENT DATE:	2/5/20
JOB NO.	4014
SHEET:	S1.1

ENGINEER'S STAMP

ROBERT L. WILLIAMS REGISTERED PROFESSIONAL ENGINEER 13275 STATE OF COLORADO

2/5/20