

**RESOLUTION NO. PZ 08-18**  
**Series of 2018**

**A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, RECOMMENDING THE APPROVAL OF A LEVEL III DEVELOPMENT APPLICATION FOR THE APPROVAL OF A NEW MULTI-FAMILY RESIDENTIAL UNIT DECK, 34 CROWN COURT, DILLON, COLORADO; AND, SETTING FORTH DETAILS IN RELATION THERETO.**

**WHEREAS**, the Planning and Zoning Commission of the Town of Dillon (“**Planning Commission**”) has received a Level III Development Application from Jeffrey and Eleni Kistler (the “**Owners**”) for a deck within a multi-family residential development (“**Application**”), consisting of a new ten (10) foot by ten (10) foot, second level deck at 34 Crown Court, or more specifically located on Unit 2385 Lookout Ridge Townhomes Phase 2, Dillon, Colorado; and

**WHEREAS**, the Planning Commission has determined that the Application is complete; and

**WHEREAS**, following the required notice, a public hearing on the Application was held on June 6<sup>th</sup>, 2018, before the Planning Commission; and

**WHEREAS**, following the public hearing the Planning Commission has made certain findings of fact regarding the Application and has determined that certain conditions which are reasonable and necessary to and relate to impacts created by the development should attach to the approval of the Application for a deck within a multi-family residential development.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, AS FOLLOWS:**

Section 1. That the Planning Commission, following the required notice, held a public hearing on June 6<sup>th</sup>, 2018 on the Application, and following said public hearing makes the following findings of fact:

- A. That the Application is complete.
- B. That the Application meets the applicable Town of Dillon Municipal Code (“Code”) requirements.
- C. That the Application is compatible with the Mixed Use Zoning District, is compatible with surrounding uses, and is designed to complement similar such decks within the multi-family residential development.

D. That the Application is in general compliance with the Town of Dillon Comprehensive Plan.

Section 2. That the Planning Commission hereby approves the Application and the Level III Development Permit for the deck within a multi-family residential development located at 34 Crown Court, Lookout Ridge Townhomes, Dillon, Colorado with the following conditions:

- A. The deck shall meet the requirements set forth by the Lookout Ridge Townhomes Home Owners Association.
- B. The deck is limited to ten (10) feet by ten (10) feet, and shall match the existing neighboring deck on the building in general appearance and style, color, and materials.
- C. Lights shall be shielded so beams or rays of light will not shine directly onto surrounding residential properties (Sec. 16-4-60, Dillon Municipal Code).

**APPROVED AND ADOPTED THIS 6<sup>th</sup> DAY OF JUNE, 2018 BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO.**

**PLANNING AND ZONING COMMISSION,  
TOWN OF DILLON**

By: \_\_\_\_\_  
\_\_\_\_\_, Chairperson

ATTEST:

By: \_\_\_\_\_  
Corrie Woloshan, Secretary to the Commission

**PLANNING AND ZONING COMMISSION ACTION ITEM  
STAFF SUMMARY  
JUNE 6, 2018 PLANNING AND ZONING COMMISSION MEETING**

**DATE:** June 1, 2018

**AGENDA ITEM NUMBER:** 5

**ACTION TO BE CONSIDERED:**

Consideration of Resolution No. PZ 08-18, Series of 2018.

**SUMMARY:**

The owner of 34 Crown Court would like to install a second level 10'x10' deck on the north side of the unit. 34 Crown Court is the middle unit of a building which has 5 units. The end unit on the north end of the building already has a similar second story deck.

The code requires that decks in a multi-family residential setting be reviewed by the Planning & Zoning Commission in order to ensure the local neighborhood can attend a public hearing and make comments.

The HOA has approved the proposed deck and limited the size of the deck.

**PUBLIC NOTICE:**

The Town properly noticed the public hearing in the newspaper, sent out a mailing to properties within 300' and posted the site within the 7-14 day required notice period.

**ZONING:**

The proposed lots are located within the Mixed Use (MU) Zone District.

**COMPLIANCE WITH DILLON COMPREHENSIVE PLAN:**

The deck addition is in conformance with the goals of the Town of Dillon Comprehensive Plan.

**ACTION REQUESTED:** Motion, Second, Roll Call Vote.

Resolutions require the affirmative vote of a majority of the members present.

**STAFF MEMBER RESPONSIBLE:** Dan Burroughs, Town of Dillon

**FIRST AMENDMENT TO:  
 LOOKOUT RIDGE TOWNHOMES  
 PHASE II**

LOCATED IN THE E 1/2 SECTION 7, T5S, R77W,  
 6TH P.M. TOWN OF DILLON, SUMMIT COUNTY, COLORADO  
 A PORTION OF A TRACT RECORDED AT RECEPTION NO. 517459  
 AND ALL OF A TRACT RECORDED AT RECEPTION NO. 541964

**PLANNING AND ZONING APPROVAL**

THE PLAT OF: FIRST AMENDMENT TO LOOKOUT RIDGE TOWNHOMES, PHASE II, IS HEREBY APPROVED BY THE DILLON PLANNING AND ZONING COMMISSION ON THIS 11<sup>TH</sup> DAY OF JUNE, 2001.

TOWN OF DILLON PLANNING AND ZONING COMMISSION

BY: [Signature]  
 CHAIRMAN

ATTEST: [Signature]  
 SECRETARY

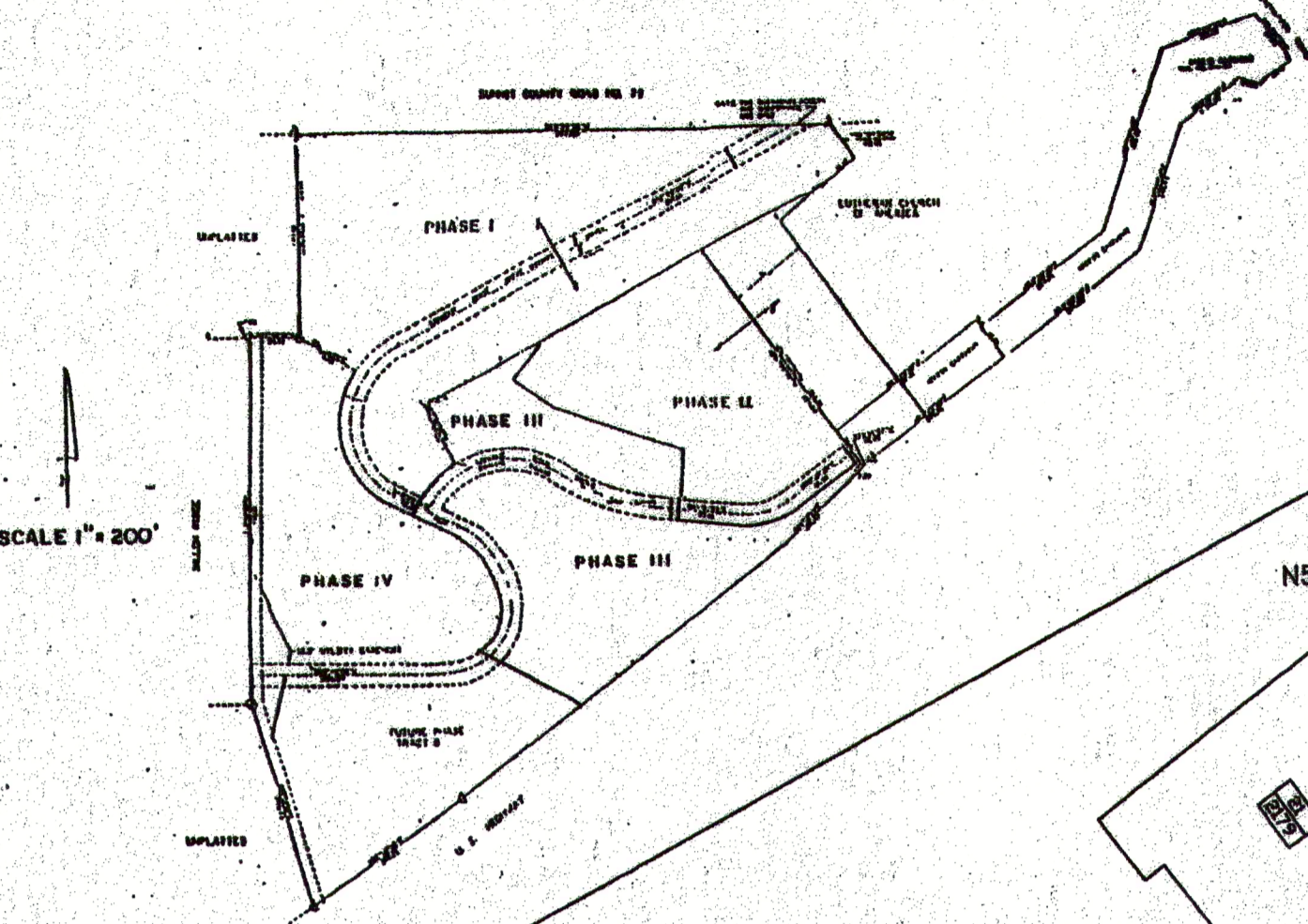
**TITLE COMPANY'S CERTIFICATE**

LAND TITLE GUARANTEE COMPANY, DOES HEREBY CERTIFY THAT IT HAS EXAMINED THE TITLE TO ALL LANDS AS SHOWN HEREON AND TITLE TO SUCH LANDS IS IN THE DEDICATOR FREE AND CLEAR OF ALL LIENS, TAXES, AND ENCUMBRANCES, EXCEPT AS FOLLOWS:

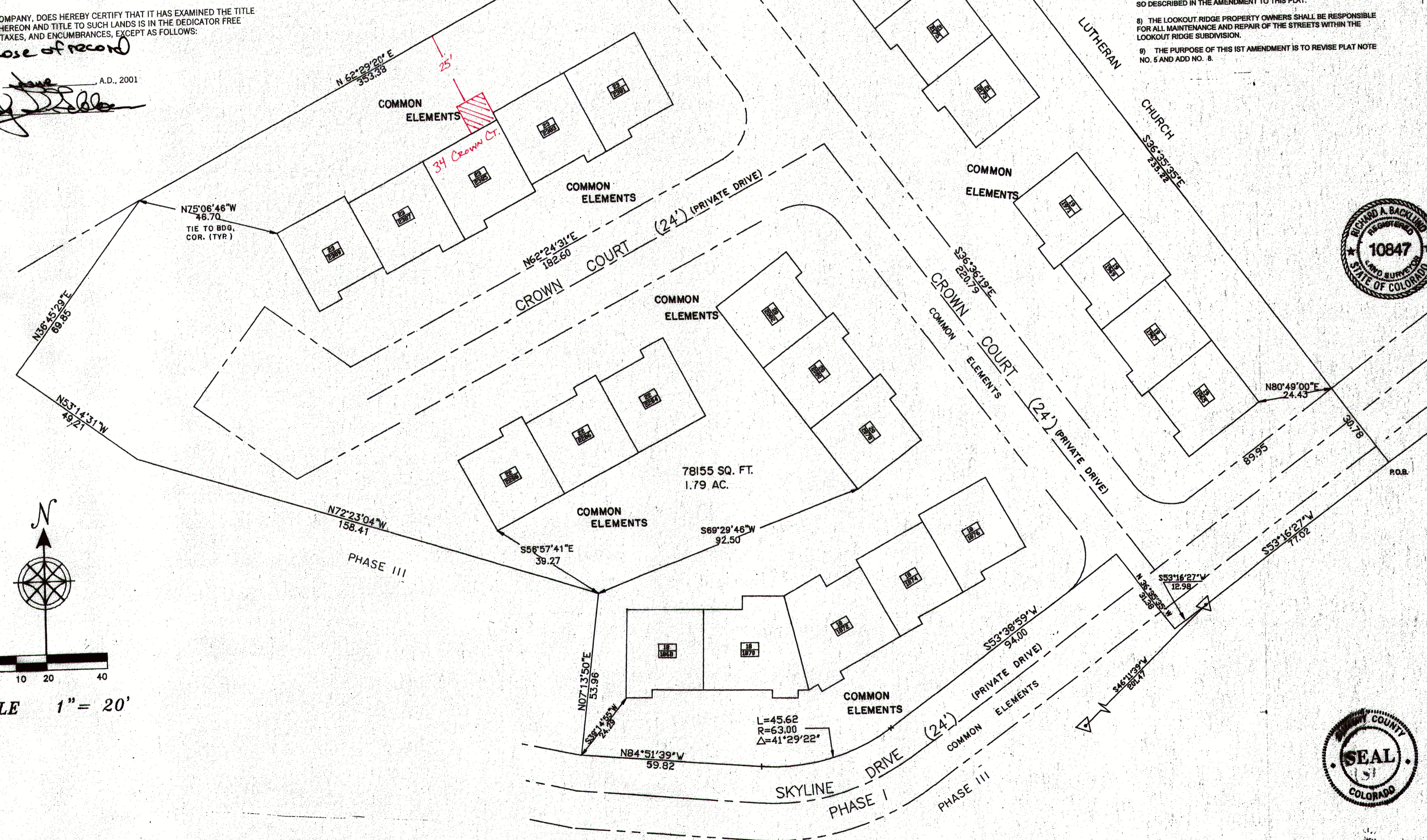
those of record  
 DATED THIS 27<sup>TH</sup> DAY OF June, A.D., 2001

BY: [Signature]  
 AGENT

**VICINITY MAP**



**LOOKOUT RIDGE  
 PHASE I**



- NOTES:**
- 1) PREPARATION DATE: APRIL 26, 2001.
  - 2) THE ACCESS ONTO COUNTY ROAD 79 SHALL BE FOR EMERGENCY VEHICLES ONLY. NORMAL DAILY TRAFFIC OR CONSTRUCTION TRAFFIC FROM THE DEVELOPMENT SHALL NOT GAIN ACCESS ONTO OR FROM COUNTY ROAD 79. THE ONLY EXCEPTION SHALL BE THE MAINTENANCE VEHICLE NEEDED TO REMOVE SNOW DURING THE WINTER SEASON.
  - 3) THE GATE SHALL BE OF THE TYPE THAT CAN ONLY BE OPENED WITH A KEY. A TOUCH PAD SYSTEM SHALL NOT BE USED.
  - 4) THE LOOKOUT RIDGE PROPERTY OWNERS SHALL BE RESPONSIBLE FOR ALL MAINTENANCE, REPAIR, AND REPLACEMENT OF THE GATE. IF THE GATE IS REMOVED FOR WHATEVER REASON, SUMMIT COUNTY RETAINS THE RIGHT TO CLOSE OFF THIS ACCESS UNTIL THE GATE IS REPLACED.
  - 5) LOOKOUT RIDGE DRIVE AND SKYLINE DRIVE ARE PRIVATE DRIVES TO BE MAINTAINED BY THE HOME OWNER'S ASSOCIATION TO PROVIDE INGRESS AND EGRESS TO HOME OWNERS AND INVITEES.
  - 6) THE AREAS SHOWN ON THIS PLAT AS "COMMON ELEMENTS" ARE OWNED BY THE LOOKOUT RIDGE TOWNHOMES ASSOCIATION, INC. AND ARE SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR LOOKOUT RIDGE TOWNHOMES RECORDED ON \_\_\_\_\_ IN THE OFFICE OF THE SUMMIT COUNTY CLERK AND RECORDER.
  - 7) THE AREAS DESCRIBED ON THIS PLAT AS "FUTURE PHASE", SHALL BE SUBJECT TO THE SPECIAL DECLARANT RIGHTS AUTHORIZED TO THE DECLARANT IN THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR LOOKOUT RIDGE TOWNHOMES RECORDED ON \_\_\_\_\_ IN THE OFFICE OF THE SUMMIT COUNTY CLERK AND RECORDER. NONE OF THE PROPERTY DESCRIBED AS "FUTURE PHASE" SHALL BE A PART OF THE COMMON ELEMENTS UNTIL SO DESCRIBED IN THE AMENDMENT TO THIS PLAT.
  - 8) THE LOOKOUT RIDGE PROPERTY OWNERS SHALL BE RESPONSIBLE FOR ALL MAINTENANCE AND REPAIR OF THE STREETS WITHIN THE LOOKOUT RIDGE SUBDIVISION.
  - 9) THE PURPOSE OF THIS 1ST AMENDMENT IS TO REVISE PLAT NOTE NO. 5 AND ADD NO. 8.

**DEDICATION**

KNOW ALL MEN BY THESE PRESENTS THAT LOOKOUT RIDGE HOMEOWNERS ASSOCIATION, INC., THE UNDERSIGNED, BEING THE OWNER OF THE PROPERTY DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED AT RECEPTION NO. 541964 IN THE OFFICE OF THE SUMMIT COUNTY CLERK AND RECORDER; THENCE S63°16'27"W A DISTANCE OF 80.00 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL; THENCE N36°35'35"W ALONG THE WEST BOUNDARY LINE OF SAID PARCEL A DISTANCE OF 31.38 FEET TO AN ANGLE POINT ON THE BOUNDARY LINE OF LOOKOUT RIDGE TOWNHOMES PHASE I AS FILED FOR RECORD IN SAID OFFICE OF THE SUMMIT COUNTY CLERK AND RECORDER; THENCE ALONG THE BOUNDARY OF SAID PHASE I FOR THE FOLLOWING THREE COURSES:  
 1) S63°36'59"W A DISTANCE OF 94.00 FEET;  
 2) 46.82 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 41°29'22" AND A RADIUS OF 63.00 FEET;  
 3) N84°51'39"W A DISTANCE OF 59.82 FEET;  
 THENCE N07°19'50"E A DISTANCE OF 63.96 FEET; THENCE N72°23'04"W A DISTANCE OF 158.41 FEET; THENCE N83°14'31"W A DISTANCE OF 49.21 FEET; THENCE N30°45'29"E A DISTANCE OF 68.86 FEET TO A POINT ON SAID BOUNDARY OF LOOKOUT RIDGE TOWNHOMES PHASE I; THENCE N82°29'20"E ALONG SAID PHASE I BOUNDARY A DISTANCE OF 363.38 FEET; THENCE S83°16'27"W A DISTANCE OF 78.16 FEET TO THE NORTHEAST CORNER OF SAID PARCEL DESCRIBED AT RECEPTION NO. 541964; THENCE S33°35'35"E A DISTANCE OF 266.00 FEET TO THE POINT OF BEGINNING, CONTAINING 78155 SQUARE FEET OR 1.79 ACRES, MORE OR LESS.

HAVE LAID OUT, PLATTED AND SUBDIVIDED SAME AS SHOWN ON THIS PLAT AND UNDER NAME AND STYLE OF FIRST AMENDMENT TO LOOKOUT RIDGE TOWNHOMES PHASE II, AND BY THESE PRESENTS DO HEREBY DEDICATE TO THE TOWN OF DILLON, UTILITY EASEMENTS FOR THE PERPETUAL USE OF THE PUBLIC.

LOOKOUT RIDGE HOMEOWNERS ASSOCIATION, INC.  
 BY: [Signature]  
 WARREN M. DYKE, PRESIDENT

**ACKNOWLEDGEMENT**

STATE OF COLORADO )  
 COUNTY OF SUMMIT ) SS.  
 THE FOREGOING OWNER'S CERTIFICATE WAS ACKNOWLEDGED BEFORE ME THIS 27 DAY OF June, 2001 A.D., BY WARREN M. DYKE AS PRESIDENT OF LOOKOUT RIDGE HOMEOWNERS ASSOCIATION, INC.  
 WITNESS MY HAND AND OFFICIAL SEAL  
[Signature]  
 JIMMY ANN THOMPSON  
 CLERK PUBLIC  
 MY COMMISSION EXPIRES: 5/22/05

**REVISOR'S CERTIFICATE**

RICHARD A. BACKLUND, BEING A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE PLAT AND SURVEY OF FIRST AMENDMENT TO LOOKOUT RIDGE TOWNHOMES, PHASE II, WAS MADE BY ME AND UNDER MY SUPERVISION AND THAT BOTH THE PLAT AND SURVEY ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.  
 DATE: June 8, 2001  
[Signature]  
 RICHARD A. BACKLUND, COLORADO L.S. NO. 10847  
 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 THE CERTIFICATION SHOWN HEREON.

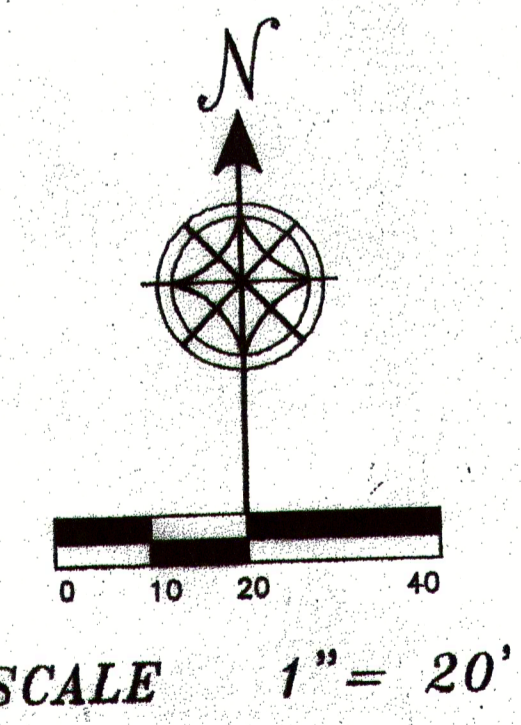
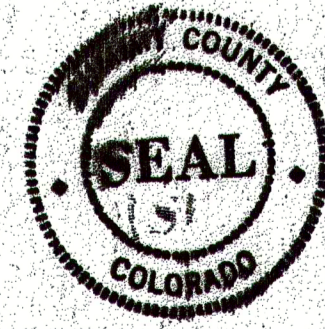
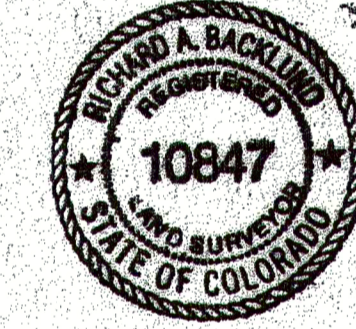
**TOWN COUNCIL APPROVAL**

THIS PLAT OF LOOKOUT RIDGE TOWNHOMES, PHASE II, IS HEREBY APPROVED BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO.  
 DATED THIS 14<sup>TH</sup> DAY OF June, A.D. 2001  
 TOWN COUNCIL, TOWN OF DILLON  
 BY: [Signature]  
 MAYOR  
 ATTEST: [Signature]  
 CLERK/DEPUTY

NOTE: THIS RESUBDIVISION PLAT HAS BEEN APPROVED BY THE PLANNING AND ZONING COMMISSION AND TOWN COUNCIL OF THE TOWN OF DILLON FOR THE LIMITED PURPOSE OF FACILITATING THE TRANSFER OF OWNERSHIP OF THE RESULTING LOTS OR PARCELS, AND IS NOT TO BE CONSTRUED AS PERMITTING ANY USE OF THE RESULTING LOTS OR PARCELS, WHEN CONSIDERED AS A UNIT, WHICH COULD NOT HAVE BEEN MADE OF THE PREVIOUSLY EXISTING LOT OR PARCEL, JUST AS IF NO RESUBDIVISION THEREOF HAD OCCURRED. REFERENCE SHOULD BE MADE TO THE RESOLUTION OF THE TOWN COUNCIL APPROVING THE RESUBDIVISION PLAT (SUCH BEING RESOLUTION NO. \_\_\_\_\_ OF 19\_\_\_\_) ON FILE IN THE OFFICES OF THE TOWN OF DILLON, AND ALL ORDINANCES, RESOLUTIONS AND REGULATIONS REFERENCED THEREIN FOR FURTHER EXPLANATION OF THE LIMITATIONS OF THESE APPROVALS.

**CLERK AND RECORDER'S CERTIFICATE**

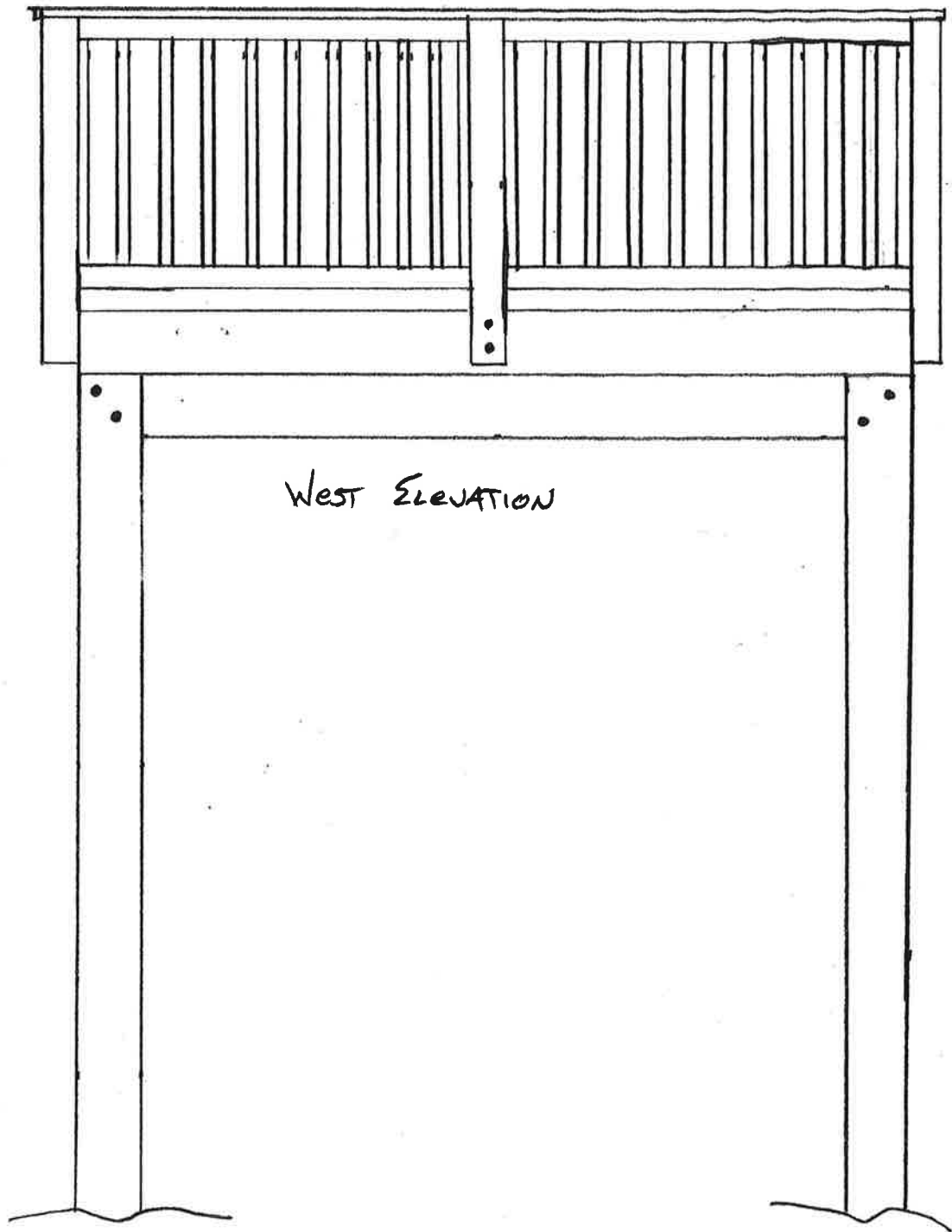
THIS PLAT WAS ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF THE COUNTY OF SUMMIT, COLORADO, ON THIS 27 DAY OF June, 2001, A.D. AT 1:55 PM, AND DULY FILED FOR RECORD UNDER RECEPTION NO. 555932  
[Signature]  
 SUMMIT COUNTY CLERK AND RECORDER / DEPUTY



BACKLUND LAND SURVEYS  
 P.O. BOX 614  
 FRISCO, CO. 80443  
 PHONE (970) 668-3730

Case B 159 A

2/18

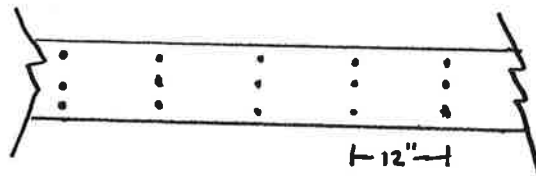


10" DIAMETER LOG POSTS  $\approx$  13' ABOVE GRADE  
 POSTS ON PIERS 48" BELOW GRADE

- (3) 2x10 BEAM
- 2x10 JOISTS - CANTILEVER  $\leq$  24"  
16" O.C.
- 2x10 LEDGER

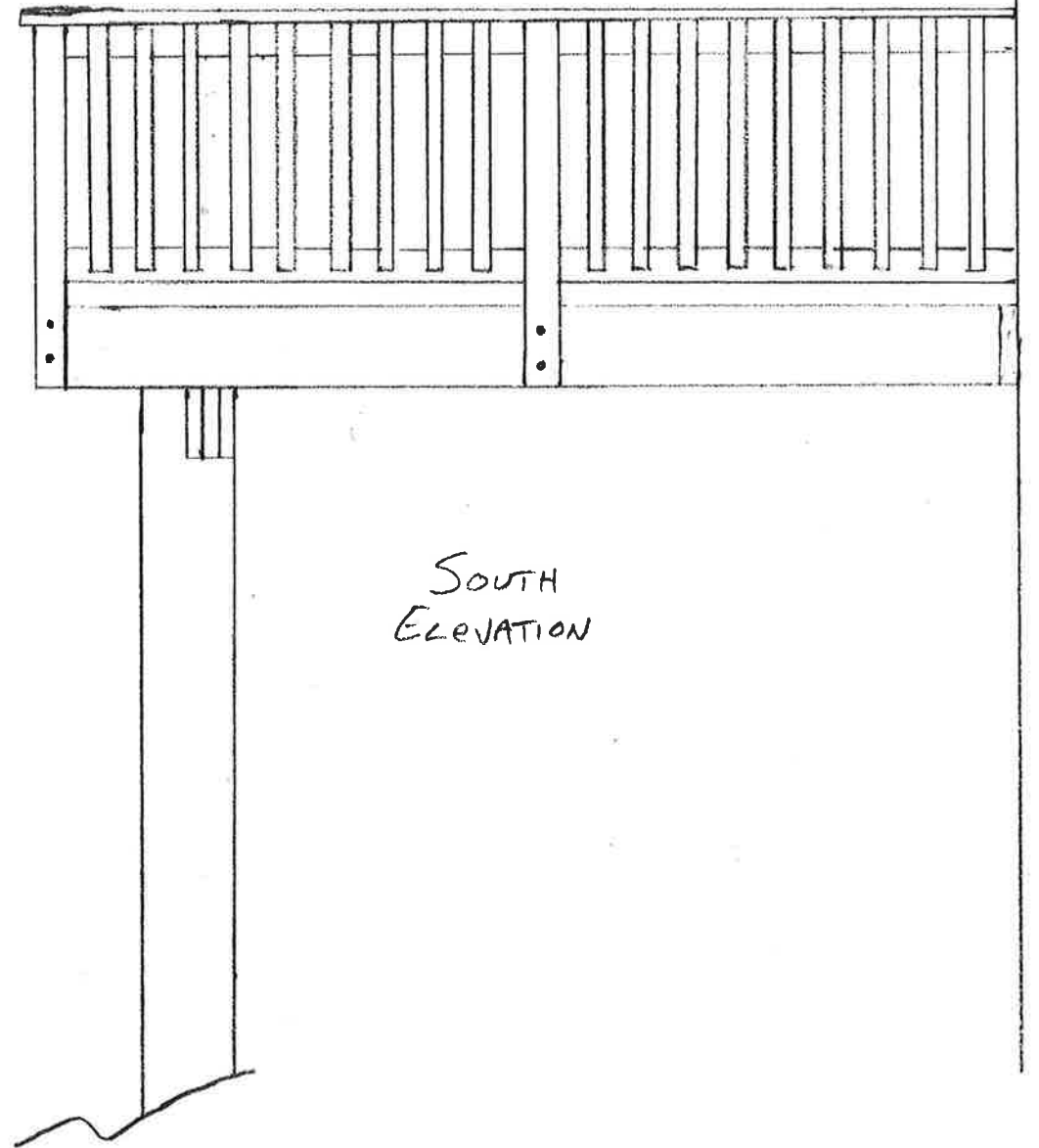
RAILING 42" TALL  
 4x4 POSTS  
 2x2 BALLUSTERS 5" O.C.  
 2x4 RAIL

LEDGER DETAIL



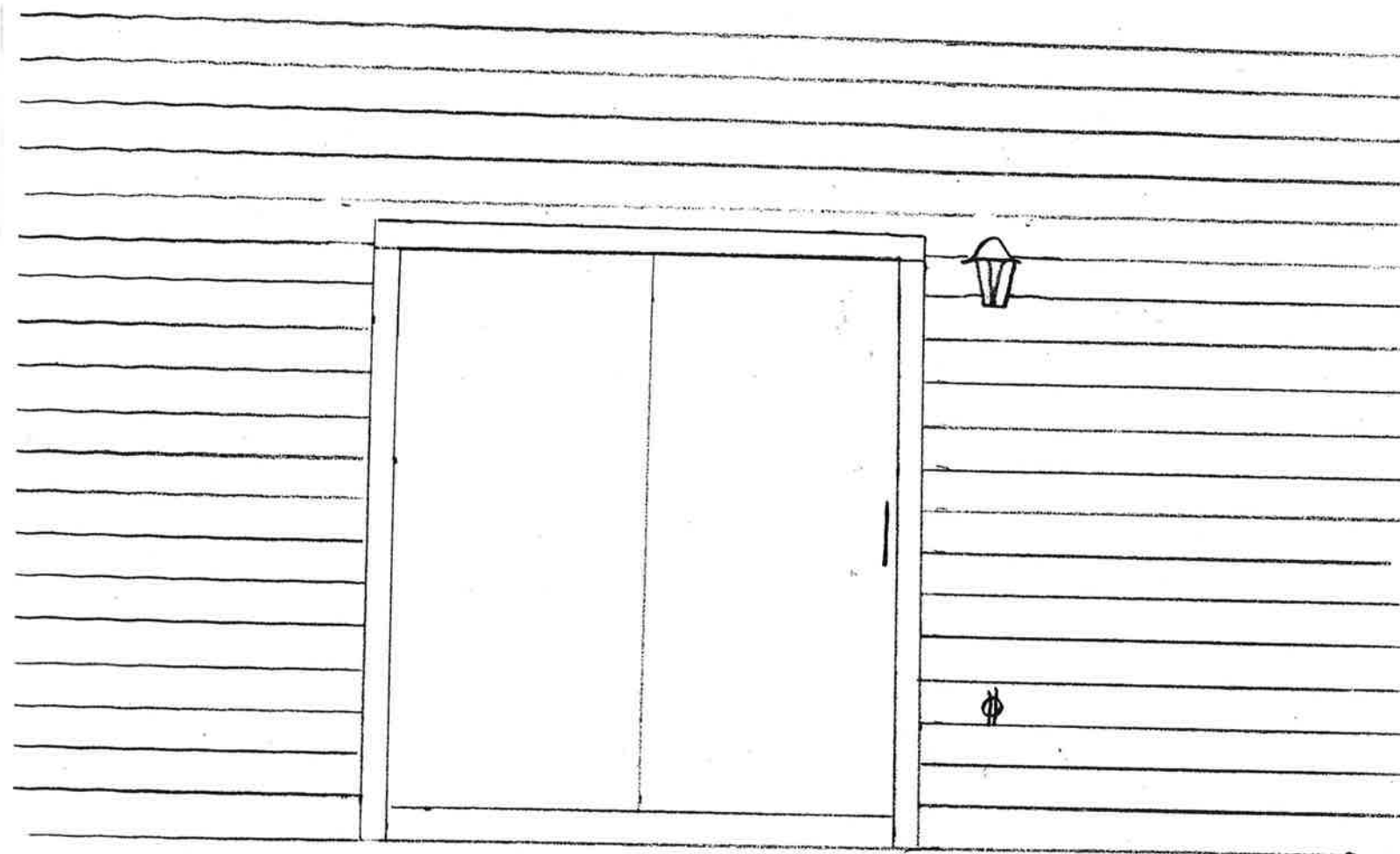
$\frac{1}{2}'' = 1'$

34 CROWN CT  
 LOOKOUT RIDGE TOWNHOMES  
 JEFF KISTLER



House

SOUTH ELEVATION



STANDARD VINYL SLIDING PATIO DOOR  
60" W x 80" H

TRIM WILL BE 1" x 4" CEDAR STAINED TO MATCH COMPLEX  
DOOR WILL BE FRAMED 4" TO 6" ABOVE DECK FOR DRAINAGE

PATIO LIGHT & GFCI TO BE INSTALLED BY ELECTRICIAN

# SITE AND CONSTRUCTION PHOTOS OF PROPOSED DECK AT 34 CROWN COURT



EXISTING DECK AT 30 CROWN CT.  
(PROPOSED DECK WILL MATCH)



EXISTING DECK AT 30 CROWN CT  
(PROPOSED DECK WILL MATCH)



EXISTING DECK IN ANOTHER BUILDING  
SIMILAR CONSTRUCTION



VIEW OF PROPOSED SITE WITH EXISTING



VIEW OF PROPOSED SITE



VIEW OF PROPOSED SITE

April 27, 2018

Town of Dillon Planning and Zoning Commission  
275 Lake Dillon Drive  
Dillon, CO 80435

Attention Town of Dillon Planning and Zoning Commission;

The homeowner, Jeff Kistler, of 34 Crown Ct. Dillon, CO 80435 would like to build a modest wood deck on his townhome at the above-mentioned address. Jason Staberg of Ptarmigan Mountain Services has been contracted to do the work if approved by the commission and Town Council.

The homeowner began the process by inquiring with the Lookout Ridge Townhomes Board president, Chip Lambert, and the property management representative, John Murtha of Wilderrest HOA. After discussion of the location and size of the proposed deck, the homeowner obtained approval to seek design and pricing for the deck addition. The Board provided in writing its requirements for what would be approved by the HOA. The major stipulations included; the deck must match the existing second story decks in the complex in construction style, size and stain. The existing decks are no larger than 10'x10' and the stain color and manufacturer was provided. A design and price was agreed upon between the homeowner and contractor and the process for the approval of the Level III development permit with the Town of Dillon began.

Jeff Kistler is asking to have a 10' x 10' square deck with a standard railing, be built off of the back of his townhome. The deck would be built to match an existing deck, in aesthetics and materials, that is on the same elevation of his complex, one unit to the northeast. Photos of the existing deck have been included. To complete this project the existing window will be removed and a standard sliding patio door will be installed. This door will also match in finish and manufacturer the existing patio doors in the complex. Additionally, a Dark Sky compliant wall mounted fixture and GFCI receptacle will be installed on the exterior of the unit. Both fixture and receptacle will match the existing units of the complex.



# SITE AND CONSTRUCTION PHOTOS OF PROPOSED DECK AT 34 CROWN COURT



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(PROPOSED DECK WILL MATCH)



EXISTING DECK AT 30 CROWN CT  
(PROPOSED DECK WILL MATCH)



EXISTING DECK IN ANOTHER BUILDING  
SIMILAR CONSTRUCTION



VIEW OF PROPOSED SITE WITH EXISTING



VIEW OF PROPOSED SITE



VIEW OF PROPOSED SITE

**From:** Jeffrey Kistler [jeffrey.kistler@gmail.com](mailto:jeffrey.kistler@gmail.com)  
**Subject:** Fwd: HOA Approval Request for Deck on 34 Crown Court  
**Date:** April 6, 2018 at 8:19 AM  
**To:** Jason Staberg [jasonstaberg@gmail.com](mailto:jasonstaberg@gmail.com)



Jason,

Here is the HOA approval email for the deck. It lists the approval requirement which we discussed.

Jeff

----- Forwarded message -----

**From:** John Murtha <[murthaj@wildernest.com](mailto:murthaj@wildernest.com)>  
**Date:** Tue, Feb 6, 2018 at 11:12 AM  
**Subject:** HOA Approval Request for Deck on 34 Crown Court  
**To:** Jeffrey Kistler <[jeffrey.kistler@gmail.com](mailto:jeffrey.kistler@gmail.com)>

Hi Jeff,

The has approved your request, subject to the following conditions:

1. The deck conforms in all respects to all other decks attached to Crown Court buildings.  
Specifically:
  - a. The height is the exact height as neighboring decks
  - b. The depth and width from the back of the home is the same depth as other decks.
  - c. Railing height is in conformity with other decks.
2. The materials and styles used are effectively identical to materials and styles used on neighboring decks.
3. It will be stained using the same stain (brand and color) used on the other decks in the community.
4. The GFI will be covered with the appropriate conforming color as other trim.

The conditions are solely to reflect uniformity in materials, workmanship and appearance with the rest of the community. The board is very happy to encourage any homeowner to improve their property in such a manner and am very happy that you are making this investment in your home.

Let me know if you have any questions. Wildernest can assist you with providing the info for the materials needed to conform to the rest of the community.

Thank you.

John P. Murtha | Wildernest | Community Association Manager  
[204 Wildernest Road](#) | PO Box 1069 Silverthorne, CO 80498  
P: [970.513.5600](tel:970.513.5600) | E: [murthaj@wildernest.com](mailto:murthaj@wildernest.com)  
HOA Mgmt: [www.wildernesthoa.com](http://www.wildernesthoa.com) | Lodging: [www.wildernest.com](http://www.wildernest.com)  
Follow us: [facebook.com/wildernest](https://facebook.com/wildernest)



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