

Boulder County Land Use Department

Courthouse Annex Building 2045 13th Street - PO Box 471 - Boulder, Colorado 80302 Phone: 303-441-3930 - Fax: 303-441-4856 Email: planner@bouldercounty.org Web: www.bouldercounty.org/lu Office Hours: Monday — Friday 8:00 a.m. to 4:30 p.m. Closed Tuesdays 8 a.m. to 10 a.m.

| S | haded Areas | for Staff Only | |
|--------------|-------------|----------------|--|
| Intake Stamp | | | |
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Application Form

| Project Number | | To Sopposite | Project Name | A De Pri | | | | |
|--|---|--|--|---------------|-------|---|--|--|
| | | | | | | | | |
| No Application Deadline | Application Deadline: First Wednesday of the | | Application Deadline: Second Wednesday of the Month | | | | | |
| Limited Impact Special Use Limited Impact Special Use Waiver Site Plan Review Site Plan Review Waiver Subdivision Exemption Exemption Plat 1041 State Interest Review Other: | | | ☐ Preliminary Plan ☐ Final Plat ☐ | | ☐ Ro | zoning ad/Easement Vacation cation and Extent ad Name Change | | |
| 222 | ocation(s)/Street Address(es) 333 ROX BURY DR. | | | | | | | |
| BOULD | EA, CO.E | 35036 |)2_ | 2 | | | | |
| Subdivision Name TR NBR 12 | 8 158 17. | 2-17 | 8 FOOTHILLS | | | | | |
| Lot(s) Block(s) | Section(s) | | Township(s) 1 NORTH Range(s) 71 WEST | | | | | |
| Area in Acres 9.4 Existing Zonin | g Exist | Section(s) Township(s) 1 NORTH Range(s) 71 WEST Existing Use of Property PRIMARY RESIDENCE Number of Proposed Lots | | | | | | |
| Proposed Water Supply | Prop | osed Sewag | ge Disposal Method | | | | | |
| Applicants: | | | | | | | | |
| Applicant/Property Owner BENJAN | IN FOSTE | =R | Email Address foster oucar edu | | | eucar.edu | | |
| Mailing Address 333 ROXBUA | MR. | | | | | | | |
| City BOULDER State CC | Zip C | ode 80 | 302 | 303-497 | -1595 | Fax | | |
| Applicant/Property Owner/Agent/Consultant | | | | Email Address | | | | |
| Mailing Address | | | | | | | | |
| City State | Zip C | ode | | Phone | | Fax | | |
| Agent/Consultant | | | | Email Address | | | | |
| Mailing Address | | | | L | | | | |
| City State | Zip C | ode | | Phone | | Fax | | |

Certification (Please refer to the Regulations and Application Submittal Package for complete application requirements.)

Certify that I am signing this Application Form as an owner of record of the property included in the Application. I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge. I understand that all materials required by Boulder County must be submitted prior to having this matter processed. I understand that public hearings or meetings may be required. I understand that I must sign an Agreement of Payment for Application processing fees, and that additional fees or materials may be required as a result of considerations which may arise in the processing of this docket. I understand that the road, school, and park dedications may be required as a condition of approval.

I understand that I am consenting to allow the County Staff involved in this application or their designees to enter onto and inspect the subject property at any reasonable time, without obtaining any prior consent.

 $All\ landowners\ are\ required\ to\ sign\ application.\ If\ additional\ space\ is\ needed,\ attach\ additional\ sheet\ signed\ and\ dated.$

| Signature of Property Owner /S | Printed Name 🕳 . | | Date |
|--------------------------------|------------------|--------|------|
| Dun C. F. To | BENJAMIN | FOSTER | |
| 122-41 100 | Printed Name | | Date |
| Signature of Property Owner | Printed Name | | Date |
| | | | |

The Land Use Director may waive the landowner signature requirement for good cause, under the applicable provisions of the Land Use Code.

Site Plan Review Fact Sheet

The applicant(s) is/are required to complete each section of this Site Plan Review (SPR) Fact Sheet even if the information is duplicated elsewhere in the SPR application. Completed Fact Sheets reduce the application review time which helps expediate the Director's Determination. Please make duplicates of this SPR Fact Sheet if the project involves more than two structures.

Structure #1 Information

| Type of Structure: (e.g. residence, studio, barn, etc.) | | | CARI | PORT | |
|--|--|---|------------------------|------------------------|---------|
| (e.g | ~~~ | | C/ 11 1/ | Deconstruction: | |
| (Finished + Unf | | ng Floor Area: | 2729 | Deconstruction. | |
| (misrica i om | | je if attached.) | sq.ft. | | sq. ft. |
| Are new floor area | | | | | |
| Control of the Contro | OFF THE OWNER DESIGNATION OF THE OWNER OF THE OWNER. | NAMES OF TAXABLE PARTY OF TAXABLE PARTY OF TAXABLE PARTY. | NAME OF TAXABLE PARTY. | the table below) | |
| Proposed F | loor Area (Nev | v Construction | Only) | Residential | |
| | Finished | Unfinished | Total | Non-Residenti | al |
| | | | | Height | |
| Basement: | sq.ft. | sq.ft. | sq.ft. | (above existing grade) | |
| | | | | Exterior | |
| First Floor: | sq. ft. | sq. ft. | sq. ft. | Wall Material | |
| | | | | Exterior | |
| Second Floor: | sq.ft. | sq.ft. | sq.ft. | Wall Color | |
| Garage: | | | | 2 5 | ASPHALT |
| Detached Attached | sq. ft. | sg.ft. | sq.ft. | Roofing Material | SHINGLE |
| CARPORT | | 1100 | 1100 | D . C | |
| Covered Deck: | sg.ft. | Sq.ft. | 400 sq.ft. | Roofing Color | |
| | | | | | |
| Total: | sq.ft. | sq.ft. | sq.ft. | Total Bedrooms | |

Structure #2 Information

| - 1 | | | | NAME OF TAXABLE PARTY O | CONTRACTOR DESCRIPTION OF THE PROPERTY OF THE | ALTO AND DESCRIPTION OF THE PARTY OF THE PAR |
|-----|--------------------|--------------------------------|-----------------------------------|--|---|--|
| | (e.g. | Type residence, stud | of Structure: dio, barn, etc.) | WORK | SHOP | |
| | | | ng Floor Area: | 2220 | Deconstruction: | |
| | (Finished + Unfi | nished square | feet including e if attached.) | 2729 sq.ft. | | sq. ft. |
| | Are new floor area | | | | cur? | 39.10 |
| | | | | | the table below) | |
| | Proposed F | loor Area (Nev | v Construction | Only) | Residential | |
| | | Finished | Unfinished | Total | ☐ Non-Resident | ial |
| | | | | | Height | |
| | Basement: | sq.ft. | sq.ft. | sq.ft. | (above existing grade) | |
| | | 253 | | | Exterior | , |
| | First Floor: | Sq.ft. | sq.ft. | sq.ft. | Wall Material | |
| | | | | | Exterior | |
| | Second Floor: | sq.ft. | sq.ft. | sq.ft. | Wall Color | |
| | Garage: | | | | | ASPHALT |
| | Detached Attached | sq.ft. | sq.ft. | sa,ft, | Roofing Material | SHINGLE |
| | Attached | | | | | |
| | Covered Deck: | sg.ft. | sa.ft. | sa.ft. | Roofing Color | |
| | abroica been | 39,16 | 30.11. | 34.10 | | |
| | Total: | sq.ft. | sq.ft. | sq.ft. | Total Bedrooms | |
| | rotar. | 34.10 | 34,11, | 34.10. | Libraracarooms | CONTRACTOR OF THE PARTY OF THE |

| | Project Identification: |
|---|----------------------------|
| - | Project Name: |
| | Property Address/Location: |
| | Current Owner: |
| | Size of Property in Acres: |

Determining Floor Area

Floor Area is measured in terms of square feet. The total square footage is as everything within the exterior face of the outside walls which includes garages and basements. The shaded area on the diagram indicates the area counted as square feet.



Residential vs. Non-Residential Floor Area

Residential floor area includes all attached and detached floor area (as defined in Article 18-162) on a parcel, including principal and accessory structures used or customarily used for residential purposes, such as garages, studies, pool houses, home offices, workshops, gazebos, and carports under 200 square feet each, up to 400 square feet total. Barns used for agricultural purposed are not considered residential floor area.

Note: If an existing wall(s) and/or roof(s) are removed and a new wall(s)/roof(s) are constructed, the associated floor area due to the new wall(s)/roof(s) are considered new construction and must be included in the calculation of floor area for the Site Plan Review and shown on this Fact Sheet.

If a Limited Impact Special Review is required, then call 303-441-3930 and ask for a new Preapplication conference for the Limited Impact Special Review.

Grading Calculation

Cut and fill calculations are necessary to evaluate the disturbance of a project and to verify whether or not a Limited Impact Special Review (LISR) is required. A LISR is required when grading for a project involves more than 500 cubic yards (minus normal cut/fill and backfill contained within the foundation footprint).

If grading totals are close to the 500 yard trigger, additional information may be required, such as a grading plan stamped by a Colorado Registered Professional Engineer.

Earth Work and Grading

This worksheet is to help you accurately determine the amount of grading for the property in accordance with the Boulder County Land Use Code. Please fill in all applicable boxes.

Note: Applicant(s) must fill in the shaded boxes even though foundation work does not contribute toward the 500 cubic yard trigger requiring Limited Impact Special Use Review. Also, all areas of earthwork must be represented on the site plan.

Earth Work and Grading Worksheet:

| | Cut | Fill | Subtotal |
|--|-----------------------|---------------------------|----------------------|
| Driveway and Parking Areas | | | |
| Berm(s) | | | |
| Other Grading | | | |
| Subtotal | | | Вс |
| * If the total in Box 1 is grea required. | ter than 500 cubic ya | ırds, then a Limited Impa | ct Special Review is |
| | Cut | 1.000 | Total |
| Foundation | | | |
| | | foundation excavation | |

Excess Material will be Transported to the Following Location:

| | _ | |
|--------------------------------------|------|--|
| Excess Materials Transport Location: | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

Narrative

Use this space to describe any special circumstances that you feel the Land Use Office should be aware of when reviewing your application, including discussion regarding any factors (listed in Article 4-806.2.b.i) used to demonstrate that the presumptive size limitation does not adequately address the size compatibility of the proposed development with the defined neighborhood. If more room is needed, feel free to attach a separate sheet.

| BOTH | STRUCTUR | ES h | SILL | BE | BUILT | ON | EXISTING | GRADE |
|------|----------|------|------|----|-------|----|----------|-------|
| | CAVATION | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

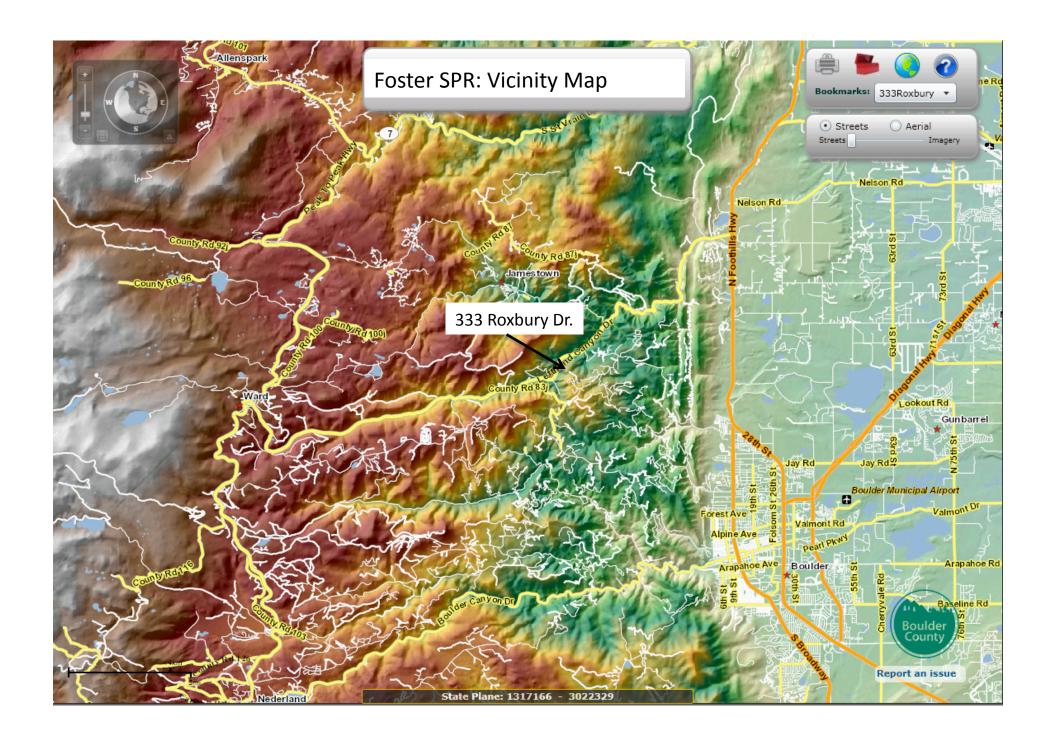
Is Your Property Gated and Locked?

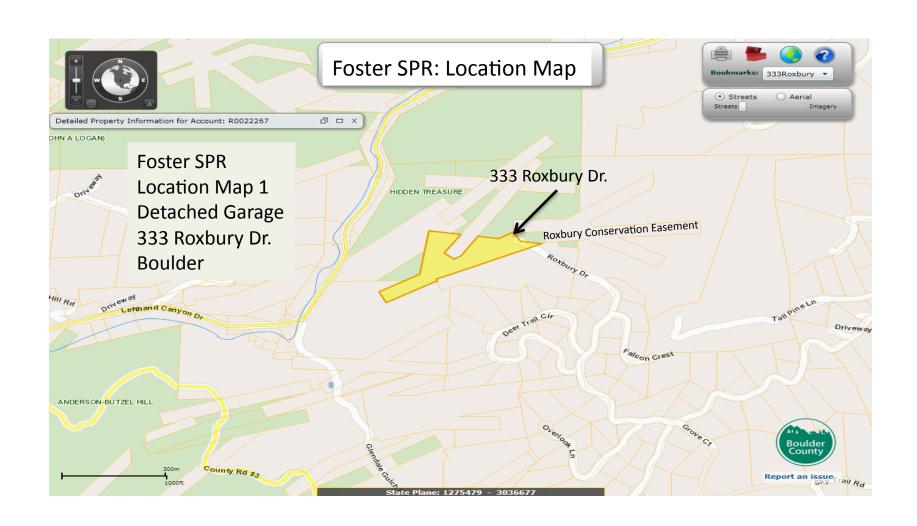
Note: If county personnel cannot access the property, then it could cause delays in reviewing your application.

Certification

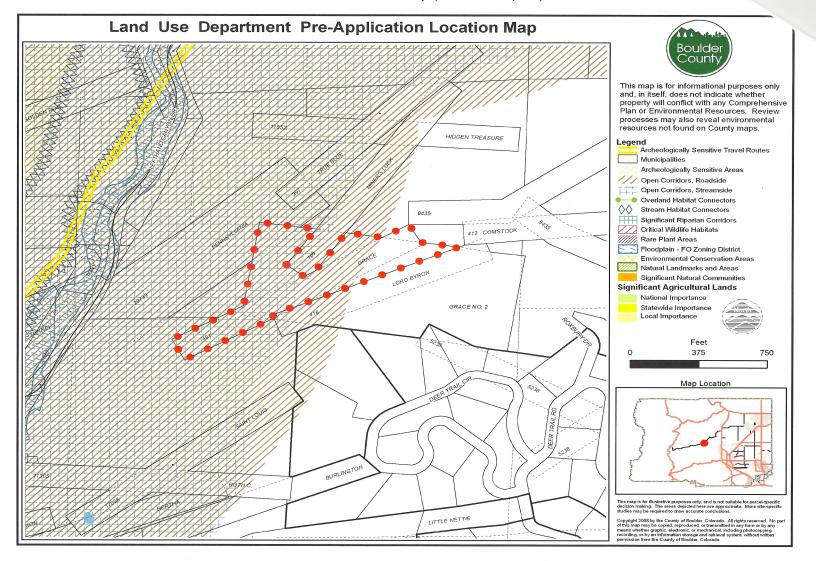
I certify that the information submitted is complete and correct. I agree to clearly identify the property (if not already addressed) and stake the location of the improvements on the site within four days of submitting this application. I understand that the intent of the Site Plan Review process is to address the impacts of location and type of structures, and that modifications may be required. Site work will not be done prior to issuance of a Grading or Building Permit.

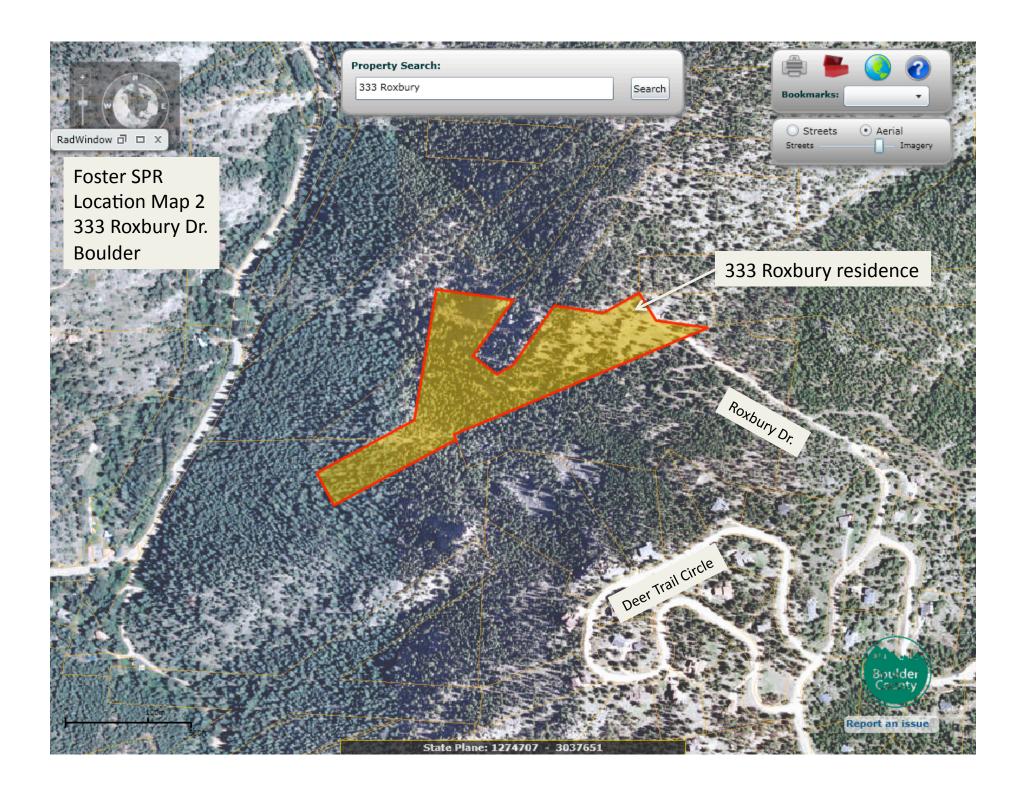
| Signature James - T. Forter | Date |
|-----------------------------|------|
| | |

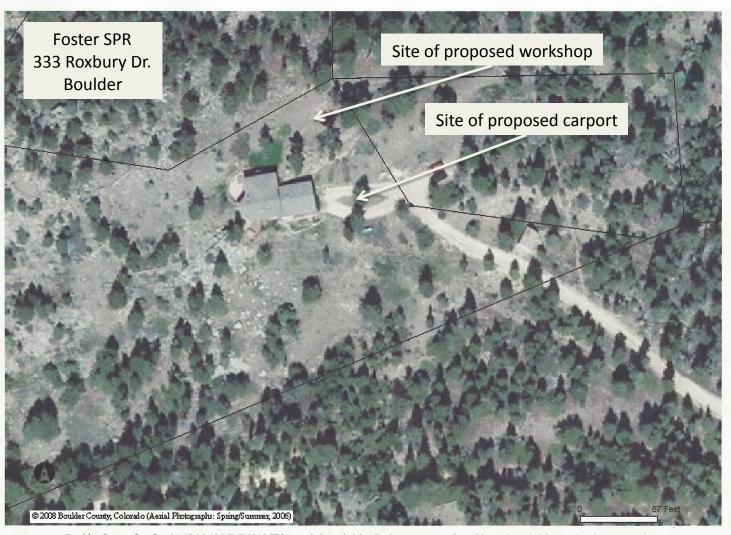




Foster SPR: Location Map (333 Roxbury Dr.)







Boulder County Sun Sep 21 17:05:12 MDT 2008 This map is intended for display purposes only and is not intended for any legal representations



Boulder County Clerk, CO

0304952 Page: 1 of 1 DF: \$0.00

WARRANTY DEED

Benjamin T. Foster and Susan Q. Foster, whose street address is 333 Roxbury Drive, City of Boulder, County of Boulder and State of Colorado, for consideration of less than five hundred dollars, in hand paid, hereby sell and convey to the Benjamin T. Foster Living Trust dated December 2, 2009, and any amendments thereto, Benjamin T. Foster and Susan Q. Foster, Trustees or any acting successor, and the Susan Q. Foster Living Trust dated December 2, 2009, and any amendments thereto, Susan Q. Foster and Benjamin T. Foster, Trustees or any acting successor, as TENANTS-IN-COMMON, whose address is 333 Roxbury Drive, City of Boulder, County of Boulder, and State of Colorado, the following real property to wit:

Lot 59, Block 2, Meadowlark Filing No. 3, County of Boulder, State of Colorado

also known by street and number as 2152 Tulip Street, Longmont, Colorado 80501

with all appurtenances and warrants title to the same, except for taxes for the current year, a lien but not yet due and payable, and those specific Exceptions described by reference to recorded documents as reflected in the title Documents accepted by Buyer in accordance with section 8a [Title Review], of the contract dated May 23, 2003 between the parties. The singular number shall include the plural, the plural the singular and the use of any gender shall be applicable to all genders.

| Signed this 9th day of December, 2009. | |
|--|-----------------|
| Sy- I Fith | Suran Stock |
| Benjamin T. Foster | Susan Q. Foster |
| STATE OF COLORADO) | |

The foregoing instrument was acknowledged before me this 9th day of December 2009, by Benjamin T. Foster and Susan Q. Foster.

Witness my hand and official seal. My commission expires: 05/15/2010

BENNETT BRAVERMAN Notary Public State of Colorado

COUNTY OF BOULDER

My Commission Expires May 15, 2010

Bennett Braverman Notary Public

Consideration less than \$500; no documentary fee required

OUIT CLAIM DEED

STATE DOCUMENTARY FEE

APR 29 1986

THIS DEED, Made this 18th day of October between John D. Diffenbaugh and Carolyn G. Diffenbaugh, Trustees under Declaration of Trust dated

April 7, 1977, f/b/o John D. Diffenbaugh and Carolyn G. Diffenbaugh, *County of Pitkin Colorado, grantor(s), and

Grantors.

Benjamin T. Foster and Susan Q. Foster

whose legal address is P.O. Box 243, Jamestown, CO 80455

County of Boulder

and State of Colorado, grantee(s),

WITNESSETH, That the grantor(s), for and in consideration of the sum of

DOLLARS

the receipt and sufficiency of which is hereby acknowledged, ha remised, released, sold, conveyed and QUIT CLAIMED, and by these presents do remise, release, sell, convey and QUIT CLAIM unto the grantee(s), heirs, successors and assigns, forever, all the right, title, interest, claim and demand which the grantor(s) ha in and to the real property, together with and State of improvements, if any, situate, lying and being in the Colorado, described as follows:

That this is a deed without consideration. That Grantors, without consideration, hereby grant, bargain, sell and convey to Grantees, their heirs and assigns, all right, title and interest in and to all of the following real estate described, situated in the Gold Hill Mining District, County of Boulder, State of Colorado, to wit:

The Grace Lode Mining Claim, U.S. Survey #491, Gold Hill Mining District, being a part of Section 5, Township 1 North, Range 71 West, and Grace No. 2 Lode 20487, Gold Hill Mining District; TOGETHER with all and singular, the mines, minerals, lodes and veins within the lines of said claim, and their dips and spurs and all dumps, plants, fixtures, improvements, rights, privileges and appurtenances thereunto in anywise belonging.

also known by street and number as:

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the grantor(s), either in law or equity, to the only proper use, benefit and behoof of the grantee(s), heirs and assigns forever.

IN WITNESS WHEREOF, The grantor(s) ha executed this deed on the date set forth above:

STATE OF COLORADO,

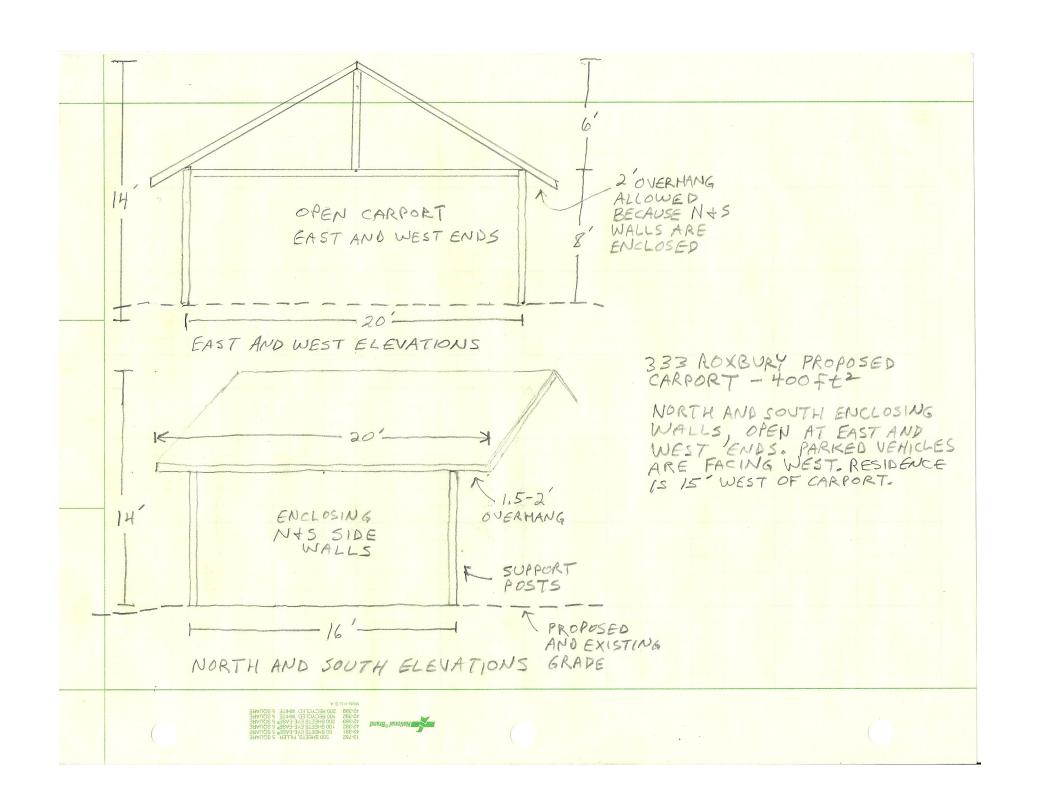
SS.

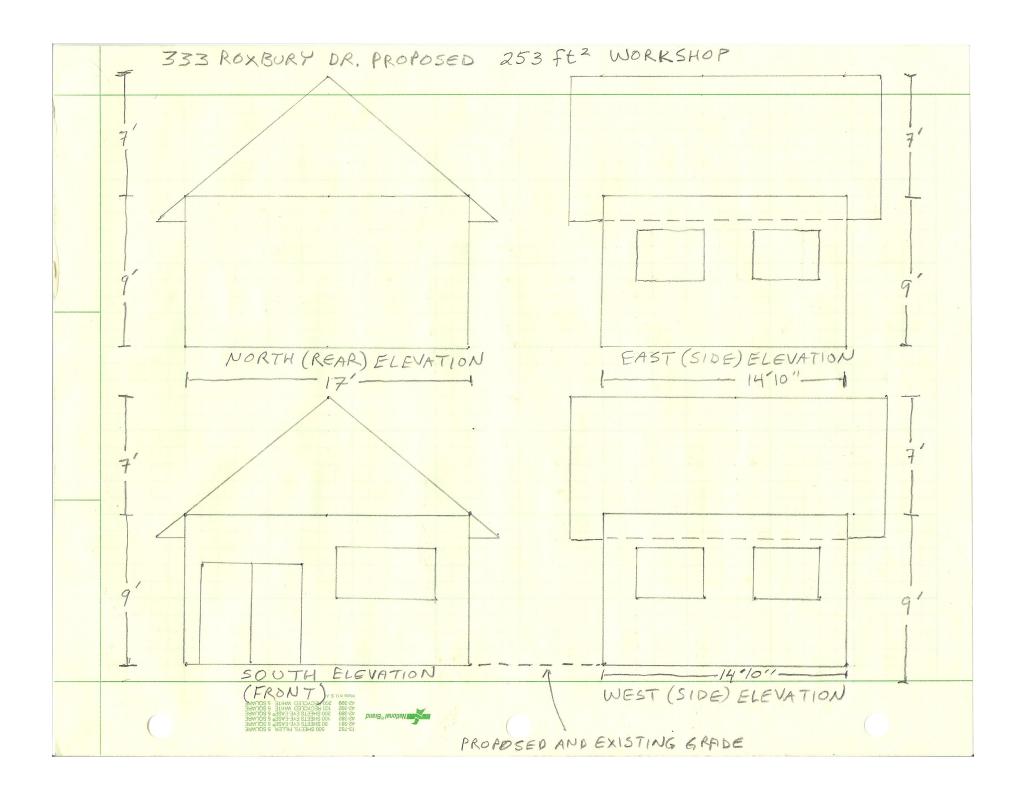
County of Pitkin The foregoing instrument was acknowledged before me this 18th day of

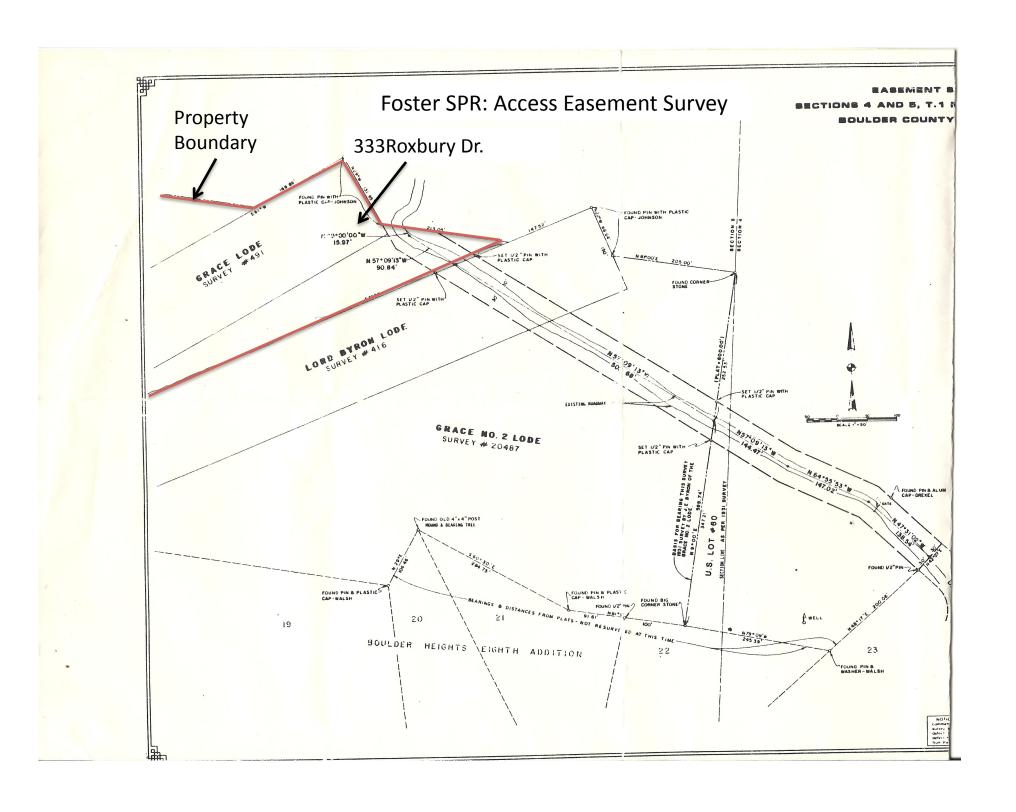
April

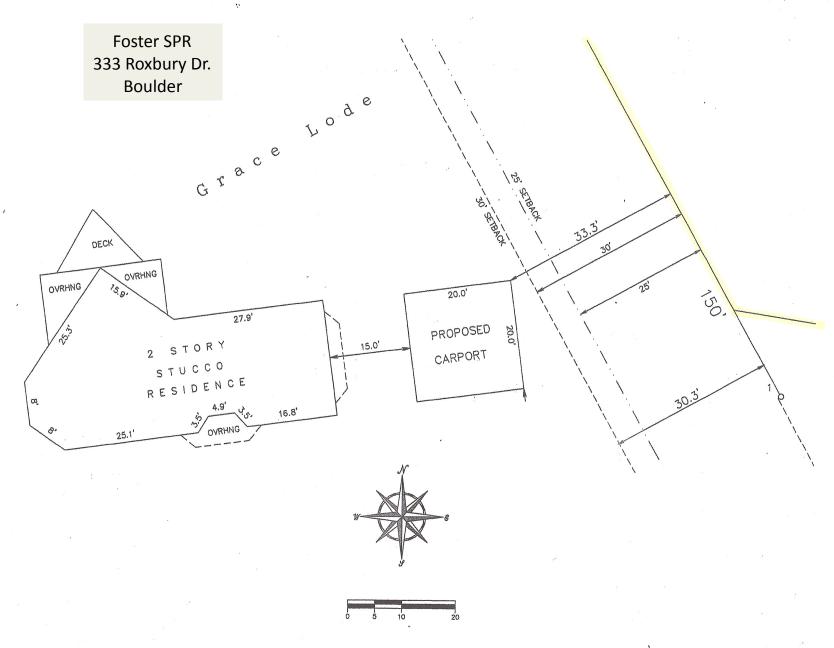
, 1986

333 ROXBURY PROPOSED 4005 CARPORT WALLS ON NORTH AND SOUTH SIDES ALLOW 2' ROOF OVERHANG, HENCE THE 24'N/S ROOF DIMENSION PLAN VIEW DRIP EDGE EAST END (OPEN) 4 N. WALL S. Wall 20 SUPPORT WEST END (OPEN) POSTS 1

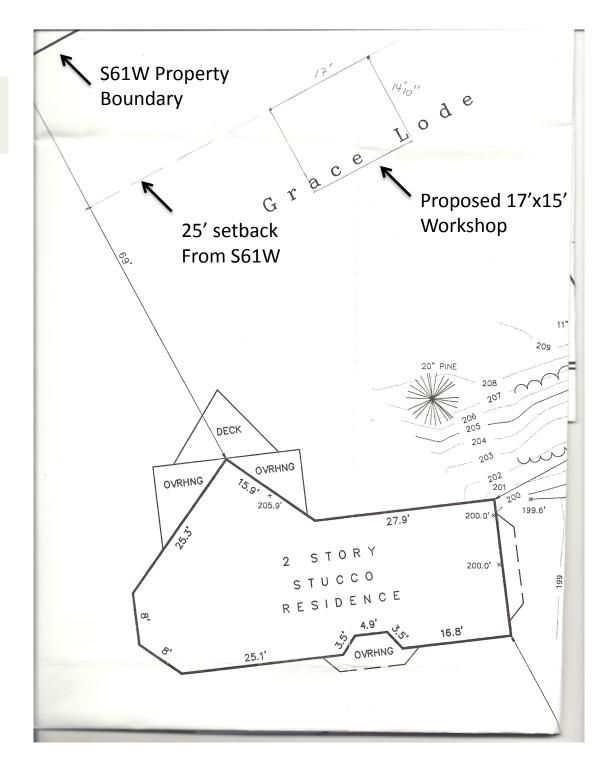








Foster SPR 333 Roxbury Dr. Boulder



000810705 12/09/86 09:36 AM REAL ESTATE RECORDS F1446 CHARLOTTE HOUSTON BOULDER CNTY CO RECORDER

81

ROAD MAINTENANCE AND EASEMENT AGREEMENT

This Poad Maintenance and Easement Agreement is entered into by and between Benjamin T. Foster and Susan Q. Foster (hereinafter referred to as the Fosters) and Boulder Heights, Inc. (hereinafter referred to as Boulder Heights).

WHEREAS, the Fosters own that Real Property in the County of Boulder.

State of Colorado described as:

The Grace Lode Mining Claim U.S. Survey No. 401, Gold Hill Mining District, being a part of Sec. 5, Township 1 North, Range 71 West, and Grace No. 2 Lode 20487, Gold Hill Mining District; and

WHEREAS, Boulder Heights owns the land adjoining the Fosters' land, such land being described as lots 3, 4, 5, and 6 in Sec. 4 and lot 60 in Sec. 5. Township 1 North, Range 71 West, Boulder County, State of Colorado; and

WHEREAS, Boulder Heights agrees to grant an easement for ingress, egress, and public utilities which is more particularly described on Exhibit A attached hereto and incorporated herein by reference; and

WHEREAS, the Fosters and Boulder Heights wish to set forth herein the terms of their agreement concerning improvement and maintenance of said easement,

NOW, THEREFORE, in consideration of the premises, the parties agree as follows:



74

- Easement. Boulder Heights grants unto Benjamin T. Foster and Susan Q.
 Foster a non-exclusive easement for ingress, egress, and public utilities, which easement is described on Exhibit A attached hereto and incorporated herein by reference.
- 2. <u>Improvement.</u> The Fosters shall have the right to improve the easement. Such improvement shall be done at the Fosters' cost. No specific improvements are required but it is agreed that the Fosters shall have the right to improve said easement to such a state as to allow for construction of an improvement on their property and to allow for regular access to their property by non four-wheel drive vehicles.

3. Maintenance.

a. During such period of time that the Fosters use the easement across Boulder Heights land, and Boulder Heights agents, employees, and invitees use such easement for occasional and intermittent passage, the Fosters shall be responsible for 100 percent of the maintenance costs, if any, on such easement; provided, however, that the Fosters shall not be obligated to maintain the easement unless they so desire.

b. At such time as Boulder Heights' agents, employees, and invitees begin to use the easement in a manner which exceeds occasional and intermittent use, then Boulder Heights and the Fosters shall agree between themselves, based on fairness and on amount and type of use, the respective amounts which each should pay for minimum maintenance. Minimum maintenance is herein defined to be that amount of maintenance needed to allow regular access by non four-wheel drive vehicles, including emergency vehicles. It also includes necessary snow removal to allow winter access, and periodic grading needed. If they cannot agree, then they shall share 50/50 the costs of such minimal maintenance; provided, however, that if the use of either party or that party's agents or invitees is the sole cause of the need for a specific repair, then such specific repair shall be paid 100 percent by that party.

- c. Before undertaking any maintenance beyond the minimum defined above, the party who wants to initiate such maintenance shall first consult with the other party and obtain such party's consent. If consent is not given, then such maintenance may only be undertaken if the party who wishes to have the maintenance performed is willing to pay 100 percent of the costs.
- 3. Agreement runs with land. This Road Maintenance and Easement Agreement shall run with the land and shall be binding upon the parties, their heirs, successors, and assigns.

4. Miscellaneous.

- a. This agreement may only be modified in writing.
- b. This agreement shall be binding on the parties and their successors in interest.
- c. A waiver of any term herein shall not be construed as a

3-4

continuing waiver.

d. In the event of court action concerning this agreement, the prevailing party shall be entitled to recover his reasonably incurred attorney's fees.

Dated this Aday of Munder 1986.

SELL

BOULDER HEIGHTS, INC.

William N. Stasick, President

Benjamin T. Foster

Susan Q. Foster

STATE OF COLORADO) ss. COUNTY OF BOULDER)

Witness my hand and official seal.

Notar, Public

4



Post Office Box 471 + Boulder, Colorado 80306

Land Use Department

Administrative Services Building, 2nd Roor + Boulder, Colorado 80302 + (303) 441-3930

June 1, 1988

Benjamin T, and Susan Q. Foster P.O. Box 243 Jamestown, CO 80455

Dear Mr. and Mrs. Foster:

The purpose of this letter is to certify that at a meeting of the Board of County Commissioners of the County of Boulder, State of Colorado, duly called and held on May 31, 1988, in consideration of the request described as

Docket #SE-88-10 - Lord Byron/Grace Boundary Line Adjustment Request: Approval to move boundary lines within the Lord Byron and Grace Lodes, creating two parcels of 10 acres and 11 acres from two existing parcels of four acres and 17 acres

Location: NE 1/4 of Section 5, TIN, R71W, northwest of Bouider Heights and approximately I/4 mile west of Roxbury Drive

the following action was taken:

The Board of County Commissioners of the County of Boulder, State of Colorado, APPROVED the request for boundary line adjustment

subject to the following conditions:

That usual post-approval requirements of Section 8-901 of the Boulder County Subdivision Regulations be met.

In order to finalize this action, the applicant must complete certain post-approval requirements. The specific requirements for this docket are shown on the memorandum which is attached or was given to you at the Board of County Commissioners meeting. If these requirements are not completed within six months, the approval will expire and become void.

if you have any questions concerning this action, please feel free to contact me at the Planning Office at 441-3930.

Sincerely,

Rosi Evans, Planner, Operational Division

RE/bb

Josephine W. Heath County Commissioner

Ronald K. Slewari County Commissions

