



Town of Nederland Board of Zoning Adjustment

AGENDA

Monday, November 8th, 2010 ~ 7:30 pm
Nederland Community Center
750 Highway 72 North

- 1) Call to Order**
- 2) Roll Call**
- 3) Approval of minutes from February 11, 2010**
- 4) Scheduled Business**
 - a. Appeal – Building Permits #10NED-00011 and #10NED-00012
(259 and 261 West Fourth St.)
 - b. Discussion of future BZA meeting schedule
- 5) Other business**
- 6) Adjournment**



*TOWN OF NEDERLAND
BOARD OF ZONING ADJUSTMENT
Nederland Community Center
750 Hwy 72*

February 11, 2010

7:00 PM

1) Roll Call

Present: Mark Moll, Denise Jackson, Debbie Davenport, Mark Stringfellow, Steve Taylor, Ken MacFerrin

Debbie Davenport excused herself from the Board to present the first application to the Board.

2) Scheduled Business

A. PUBLIC HEARING TO CONSIDER an application for a setback variance at 235 E. Fifth St

Debbie Davenport, presented on behalf of Charles and Edith Wood, to the BZA.

They are requesting to be allowed to add a deckS on the east side of the house. They also want to make a main floor addition to house. There will not be a square footage increase on the footprint but will increase the size of the home. Additionally they would like to add a gable roof to the south because on the second floor as there is a bedroom that has a low ceiling and if they are able to make the change it will increase the view and the solar gain.

They feel there are unique circumstances to the lot as there is a narrow north end to the lot. The south part of the site is steep and the driveway comes in on the south. Because of the shape and steepness of the site, the house is on the north side. It would have been almost impossible to meet the setback requirements due to the conditions of the site.

They do not believe the change will alter the nature of the neighborhood. The proposed changes will not impact the views of the neighbors. They feel this is the least modification possible to accomplish their goals.

Commissioner Jackson asked when the house was built. It was built in 1978. It was pointed out that the improvements will improve the solar gain to the home. They are considering adding solar panels to the improved roof design. Members of the Board believed this met goals of the town by encouraging a more environmentally friendly design. It would reduce the need for air conditioning too by allowing cross ventilation.

The rear yard setbacks are the only ones they are having a difficult time meeting.

Staff said this would be an expansion of a nonconforming use.

The Board discussed the fact that they are not supposed to allow variances to nonconforming lots unless it brings the house more into conformance.

Since they are not increasing the footprint of the building, most BZA members did not feel it was problematic to grant this request.

16-232: powers of the BZA read by the Chairman.

1. Unique circumstances: the applicant made the case that this was applicable as to be able to meet the driveway criteria.
2. Topography: the BZA agreed this was applicable
3. Applicable
4. Agreed that this would not impact the neighbors, would not be changing the essential character of the neighborhood
5. Minimum variance that will afford relief and the least modification possible

Denise Jackson pointed out 16-232 allowed the bza to modify to allow access to sunlight for solar energy devices.

The architect said this would apply to this property's proposed modifications.

A motion was made by Ken to allow expansion of existing

structure for allowing access to sunlight for solar energy devices.

Chairman Stringfellow seconded the motion.

A roll call vote of the board resulted in the motion passing unanimously.

The chairman allowed a five minute recess and the Board reconvened at 8:04PM .

B. Public Hearing to consider an application for setback variances submitted by the Nederland Community Library

Matt Chiodini, with Oz Architecture, explained how the library site met the requirements for a variance to the setback requirements. They are requesting zero setbacks on the east side of the building and a 13.5 setback on the north side.

First, they feel they met the unique characteristics component as the creek runs through the middle front of site and the easement for a trail on the site is required by the town.

The library is trying to build their new building on land they purchased and combined with donated land from the neighbors. The library is being built with the intent of meeting the future needs of Nederland. They originally hoped to have a 6000 sq ft building but have scaled it back to 4800 sq ft for this lot.

The applicant explained that when the library received the land vacated by the Town, the Maurers kept ten feet of the vacated land to bring their own property into compliance.

Character of the neighborhood includes the fire dept and two churches. They have a parking agreement with the Calvary Church

They are also asking for a zero lot line to allow large visibility on Second Street and to allow a covered entry to the library.

16-33 allows reduction in 25-foot setback to 50% if the abutting properties are not in compliance as they are here.

Staff is not opposed to the setback variance request to the north side, as it will be in line with the rest of the neighborhood.

Staff is against the request for the zero foot setback request for the other side. He offered a solution that would meet the 5-foot requirement.

The original setback on the front should have been 25 feet on the back but the code can allow 13'6" due to the neighbors but they are requesting that be further reduced to four feet.

The Library Foundation representatives were asked if they had spoken with the Maurer family about working with the library on this item as they share the property line that the need the setback.

They have no problem with setback variance on the rear lot line.

The Chairman recommended they approach the Maurer Family about the 10-foot lot line on the north. The Foundation said it was not possible to work with them in the timeline they have set for building the library.

The Board of Zoning Adjustment questioned how is this was not a self-imposed hardship. The applicant said they feel the building needs to be safe and the covered entry way is part of providing that. They are also providing a trail for the town. They feel this is not a self-imposed hardship.

BZA members pointed out this hardship was only because they wanted to put a 4000 sq ft building on a lot that is not large enough. They again asked the applicant to explain how the hardship was not created by the applicant and why it needs to be a building this size on this lot.

The applicant said they could not afford a larger site and that this was the smallest building they could build to serve the community. They do not want to have a second floor as they will not have the staff to monitor a second floor.

Barnett said that as a Trustee he feels the library provides a service to the town that should allow some leeway in the criteria.

Staff said the BZA could approve a variance for the 3rd St side of the building and not the East side and that would give them time to bring their design into conformance.

The Foundation said the 10 -foot trail easement they gave the

town also created a hardship for their proposed building, as they have to maintain an eight-foot lot line still.

Their proposed building would be out of compliance on the roof by two feet and the column by 5 feet.

BZA member had a hard time justifying that the library could not redesign the building to bring it into conformance.

Bringing the roof and column into compliance would help the BZA approve the applicant.

The BZA asked the applicant if they wanted this item to be continued while they redesigned the building and/or worked with the Maurer Family.

The applicant agreed to modify the building to have the roof and the column if the BZA could approve the request for the back lot line.

If they were not granted the variance then they would not be able to build a building large enough for the needs of the community.

The trail is to connect 2nd St to 3rd St. to connect the community center to the bus station. They looked at putting it in other spots on the site but nothing was feasible.

The applicant said it is the needs of the community that are driving the need for this building to be built as planned. Members of the board said they could still do a 2nd floor. The library disagreed with them on this point as it would cost more and require more staffing.

The requirement for a rear-setback in Neighborhood Commercial is 15 feet.

The BZA was struggling to find a defensible reason to allow the request without setting a precedent for other applicants. The applicant argued that as this was a public use and the constraints were put on them by the town's request for the trail and the creek running through the path.

The applicant said if this was approved, then a new library was at risk of not happening.

The Chairman recommended the BZA make a motion and vote on it to give the applicant direction on what to do.

A motion was made by MacFerrin to approve the application for a 4 foot setback (9'6" variance to the requirement) on the north side and zero setback on the east (5 foot variance on the east). The motion was seconded by Chairman Stringfellow.

A roll call vote of the Board resulted in the motion failing with Commissioners MacFerrin, Moll, and Davenport, and Stringfellow voting against the measure and Commissioner Taylor voting for it.

The Board of Zoning Adjustment members said they felt that the applicant had not met the burden of proof.

- 3) Other Business
- 4) Adjournment at 9:40 PM

TOWN OF NEDERLAND

Mark Stringfellow, Chairman

ATTEST:

Christi Icenogle, Town Clerk



**AGENDA INFORMATION
MEMORANDUM
TOWN OF NEDERLAND
BOARD OF ZONING ADJUSTMENT**

Meeting Date: Nov. 8, 2010

Initiated By: /s/ Alisha Reis
Dept: Planning & Zoning
Action Discussion

AGENDA ITEM: Appeal – Building Permits #10NED-00011 and #10NED-00012 (259 and 261 West Fourth St.)

SUMMARY: Property owner Paul Rewinkel has requested a hearing to appeal the July 13, 2010 denial by Building Official Eric Pendley and former Zoning Administrator Cheri Andersen of building permits for his above-named properties. Letter of appeal and the denial letter, citing reasons for denial, are attached. Representatives for the Town and the property owner will be in attendance at the Nov. 8 hearing to present information to the Board.

CONSIDERATIONS:

The concurring vote of four (4) members of the Board of Zoning Adjustment shall be necessary in order to reverse any order of an administrative official (Section 16-231).

Within a reasonable time from the hearing, the Board shall render its written decision. The Board of Zoning Adjustment may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and shall make such order, requirement, decision or determination as in its opinion ought to be made in the premises and to that end has all the powers of the officer from whom the appeal is taken (N.M.C., Section 16-233).

ALTERNATIVES:

1. The Board may reverse the denial of the building permits.
2. The Board may affirm the denial of the building permits.

Written findings of fact must be drafted upon either decision.

ATTACHMENTS:

- Applications for building permits #10NED-00011 and #10NED00012
- July 13, 2010 letter of denial of permits, signed Andersen and Pendley
- July 23, 2010 request for hearing for appeal of denial, signed Mark Cohen (applicant's attorney)
- All Municipal Code sections cited in said letters

THE COHEN LAW GROUP

A Professional Corporation

MARK COHEN

Of Counsel

JEFFREY D. COHEN, J.D., LL.M., C.P.A.
ALSO AT THE THE COHEN LAW FIRM, P.C.

ALISON L. CHOY KILMER, J.D., M.B.A.
SIERRA K. SWEARINGEN, J.D.

April 27, 2010

Certified Mail, RRR
No. 7009 3410 0000 8388 4669

Town of Nederland
Attn: Mary
PO Box 396
Nederland, CO 80466

RE: Rewinkel Building Permit Applications

Dear Mary:

Enclosed are two building permit applications signed by Paul Rewinkel for his properties at 259 and 261 W. Fourth Street. The following documents are also enclosed:

1. A check for \$1,000.00. If the application fee is more, please let me know and we will submit additional funds ASAP. If we have overpaid, the Town can hold the money to cover future costs related to these projects or refund it by sending a check made payable to Mr. Rewinkel to me.
2. Plot plan drawing for 259 W. 4th Street and 4 sets of plans.
3. Plot plan drawing for 261 W. 4th Street and 4 sets of plans.
4. Deed of Easement to address access issue previously raised by Mr. Stevens. (This is not an admission that we agree with his contentions on this issue).

We understand that the Town may not approve these applications. Our goal is to get them processed so we can go to the BZA and then to the District Court if necessary before another warm weather season passes.

Thank you.

Sincerely,
THE COHEN LAW GROUP
A Professional Corporation



MARK COHEN

MSC:wth

TOWN OF NEDERLAND PERMIT APPLICATION

Permit #: 10NED-00011

PROPERTY OWNER PAUL REWINKEL	PHONE 303-258-9147
MAILING ADDRESS 2847 Ridge Rd. Nederland 80466	303-898-6730
CONTRACTOR / CONTACT PERSON SAME	PHONE 303-898-6730
CONTRACTOR ADDRESS City, State, and Zip SAME	LICENSE NUMBER OWNER/Builder
LICENSED PLUMBER NOVAR Plumbing + Heating, Inc.	LICENSE NUMBER 179930 Active #1691
LICENSED ELECTRICIAN COOPER Elec LLC	LICENSE NUMBER 25748 Active #6956
MECHANICAL CONTRACTOR TAYLOR Heating Inc.	LICENSE NUMBER YES PENVAK + BOULDER
JOB ADDRESS 261 West 4th St.	
SUBDIVISION Old TOWN	PARCEL#
	LOT 2A BLOCK 20
Description of work:	

IMPORTANT - COMPLETE ALL ITEMS AND MARK ALL APPLICABLE BOXES

A. SQUARE FOOTAGE Main Floor <u>410</u> Add. Floors <u>—</u> Basement <u>—</u> Crawlspace <u>—</u> Covered Porch <u>—</u> Decks <u>—</u> Garage <u>—</u> Other <u>—</u>		B. PROPOSED USE <u>Residential</u> <input checked="" type="checkbox"/> One Family / Duplex <input type="checkbox"/> Multi Family - Enter number of units - _____ <input type="checkbox"/> Hotel, motel, or dormitory - Enter number of units - _____ <input type="checkbox"/> Garage - Single ___ Double ___ Attached ___ Detached ___ <input type="checkbox"/> Carport - Attached ___ Detached ___ <input type="checkbox"/> Patio - Attached ___ Detached ___ <input type="checkbox"/> Basement - Partial ___ Full ___ Finished ___ Unfinished ___ <input type="checkbox"/> Fireplace - Masonry ___ 0-Clearance ___ <input type="checkbox"/> Other _____ <u>Commercial</u> <input type="checkbox"/> Shell Only <input type="checkbox"/> Tenant Finish <input type="checkbox"/> Remodel / Addition <input type="checkbox"/> New Building		C. DEMOLITION <input type="checkbox"/> Site Plan <u>As Need</u> <input type="checkbox"/> State Permit <u>by piece</u> <input type="checkbox"/> Asbestos Permit D. TYPE OF IMPROVEMENT <input type="checkbox"/> New Building <input type="checkbox"/> Addition <input checked="" type="checkbox"/> Remodel \ Finish <input checked="" type="checkbox"/> Repair, replacement <input type="checkbox"/> Fence <input type="checkbox"/> Other _____			
E. FEES: <input checked="" type="checkbox"/> Permit Fee: _____ <input checked="" type="checkbox"/> Electrical Fee: _____ <input checked="" type="checkbox"/> Plan Review: _____ <input type="checkbox"/> Use Tax: _____ <input type="checkbox"/> County Tax: _____ <input type="checkbox"/> Water Tap: _____ <input type="checkbox"/> Sewer Tap: _____ <input type="checkbox"/> Other: _____ Total Fees: _____ Please check box when paid		G. CONSTRUCTION TYPE <input checked="" type="checkbox"/> Wood Frame <input type="checkbox"/> Structural Steel <input type="checkbox"/> Masonry <input type="checkbox"/> Other _____ NOTES: <u>2X6 per engineer</u>		I. TYPE OF SEWAGE DISPOSAL <input checked="" type="checkbox"/> Public <input type="checkbox"/> Individual (Septic tank) J. TYPE OF WATER SUPPLY <input type="checkbox"/> Private <input checked="" type="checkbox"/> Public K. OCCUPANCY Classification <u>Residential</u> Construction Type _____ <input type="checkbox"/> Separated <input type="checkbox"/> Non-Separated		L. MISCELLANEOUS Number of stories <u>ONE</u> Lot Size <u>3202</u> Parking Spaces <u>two</u> Enclosed _____ Outdoors <u>X</u> M. RESIDENTIAL ONLY # of Bedrooms _____	
F. TOTAL VALUE Building Valuation \$ <u>70,000</u> Use Tax Valuation \$ _____		H. HEATING FUEL TYPE <input checked="" type="checkbox"/> Gas LP or <u>NG</u> <input type="checkbox"/> Electricity <input type="checkbox"/> Solar <u>FUTURE</u> <input type="checkbox"/> Other _____					

The applicant, his agents and employees shall comply with all the rules, restrictions and requirements of the Town and Building Codes governing location, construction and erection of the above proposed work for which the permit is granted. The Town or its agents are authorized to order the immediate cessation of construction at anytime a violation of the codes or regulations appears to have occurred. Violation of any of the codes or regulations applicable may result in the revocation of this permit.

Buildings MUST conform with plans, as submitted to the Town. Any changes of plans or layout must be approved prior to the changes being made. Any change in the use or occupancy of the building or structure must be approved prior to proceeding with construction.

The applicant is required to call for inspections at various stages of the construction, and in accordance with the aforesaid rule, the applicant shall give the building inspector not less than one day's notice to perform such activities.

In the event construction is not commenced within 180 days of issuance of this permit, then the same is automatically void. Cessation of work for a period of 180 continuous days shall also cause this permit to be void. Permits are not transferable.

SIGNATURE OF APPLICANT <i>Paul Rewinkel</i>	DATE <u>4.22.10</u>	APPROVED TOWN OFFICIAL	DATE
APPROVED BUILDING INSPECTION	DATE	APPROVED ZONING AND PLANNING	DATE
APPROVED PUBLIC WORKS	DATE	APPROVED FIRE DISTRICT	DATE

RECEIPT

Receipt #: 00128

Town of Nederland
BUILDING DIVISION
PO Box 396
303-258-3266 Fax 303-258-1240

Permit #: 10NED-00011
Application Type: New / Single Family Residential - Detached / Residential
Address: 261 West 4th
 Nederland, CO

Payment Method: CHECK
Reference No.: 3016
Amount Paid: \$500.00
Payment Date: 2010-05-03 09:47:45

Payment From: Paul rewinkel
Fund Transfer To: 10NED-00011
Cashier: Mary Williams
Comments: \$500.00 towards plan review
Owner Info: Paul Rewinkel
 2847 Ridge Rd
 Nederland, CO 80466

Work Description: 410sqft one story
Valuation: \$70000.00

Fee Item	Account Code	Amount
Plan Review Fee		\$500.00
Total Fee Amount:		\$500

Other Payment(s): \$0.00
Balance: \$2,156.95

Signed in: Williams
Sign Out
My Dashboard
Monday, May 3, 2010
Nederland



Permits

10NED-00011

My Dashboard
New Permit
Search Permits

[Make a Payment](#) | [Make a Refund](#) | [Back to Permits](#)

261 West 4th

Reports

Activity Reports
Fee Payment by Account
Inspections Reports
CO Data Report
Subdivisions Report
Census Report
Performance Report
HBA Report

Date	Description	Charge	Payment	Balance
05/03/10	County Tax (.65%)	227.50	0.00	227.50
05/03/10	Nederland Permit Fee	836.03	0.00	1,063.53
05/03/10	Nederland Use Tax (3%)	1,050.00	0.00	2,113.53
05/03/10	Plan Review Fee	543.42	0.00	2,656.95
05/03/10	check [edit] Payment (check 3016)	0.00	500.00	2,156.95

Management

Manage Contractors
Manage Subdivisions

Current Balance: 2,156.95

Help

Report a Problem
User's Manual

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DEED OF EASEMENT

Paul J. Rewinkel, 2847 Ridge Road, Nederland, Colorado 80466 ("Grantors"), for one dollar and other valuable consideration, receipt of which is hereby acknowledged, does hereby sell, convey, and quitclaim unto Paul J. Rewinkel, 2847 Ridge Road, Nederland, Colorado 80466 ("Grantee"), and Grantee's heirs, successors, assigns and personal representatives, an easement ("the Easement") across Grantors' real property for pedestrian access and access by emergency personnel.

Grantors' property is commonly known as 259 W. Fourth Street, Nederland, Colorado, and is legally described as:

LOT 3A BLK 20 NEDERLAND AS DESCRIBED IN REC NO 2905634 BCR
PROPERTY ADDRESS: 000259 W 4TH ST NEDERLAND (ASSESSOR'S
PARCEL 158313232011)

Grantee's property is commonly known as 261 W. Fourth Street, Nederland, Colorado, and is legally described as

LOT 2A BLK 20 NEDERLAND AS DESCRIBED IN REC NO 2905634 BCR
PROPERTY ADDRESS: 000261 W 4TH ST NEDERLAND (ASSESSOR'S
PARCEL 58313232010)

The Easement shall be a perpetual easement appurtenant to Grantee's property, and shall inure to the benefit of Grantee's heirs, successors, assigns, and personal representatives, subject to the conditions set forth herein.

Grantee's use of the Easement shall not be exclusive, and Grantors and their heirs, successors, assigns, personal representatives, guests and invitees shall have an equal right to the use of the Easement, without interfering with Grantee's use of the easement set forth herein.

Executed this _____ day of _____, 2010.


Paul J. Rewinkel, GRANTOR

STATE OF COLORADO)
) ss
COUNTY OF BOULDER)

The foregoing Deed of Easement was acknowledged before me this 21 day of April, 2010, by PAUL J. REWINKEL, a person then known to me.



NOTARY PUBLIC

MARK S. COHEN
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 10/10/2011


PAUL J. OR SUSAN L. REWINKEL
ROCKY MOUNTAIN LOGCRAFTERS
2847 RIDGE RD 258-9147
NEDERLAND, CO 80466

3016

Date 4-27-10

82-7458/3070
01

Pay to the Order of Town of Nederland \$ 1,000⁻
ONE THOUSAND Dollars

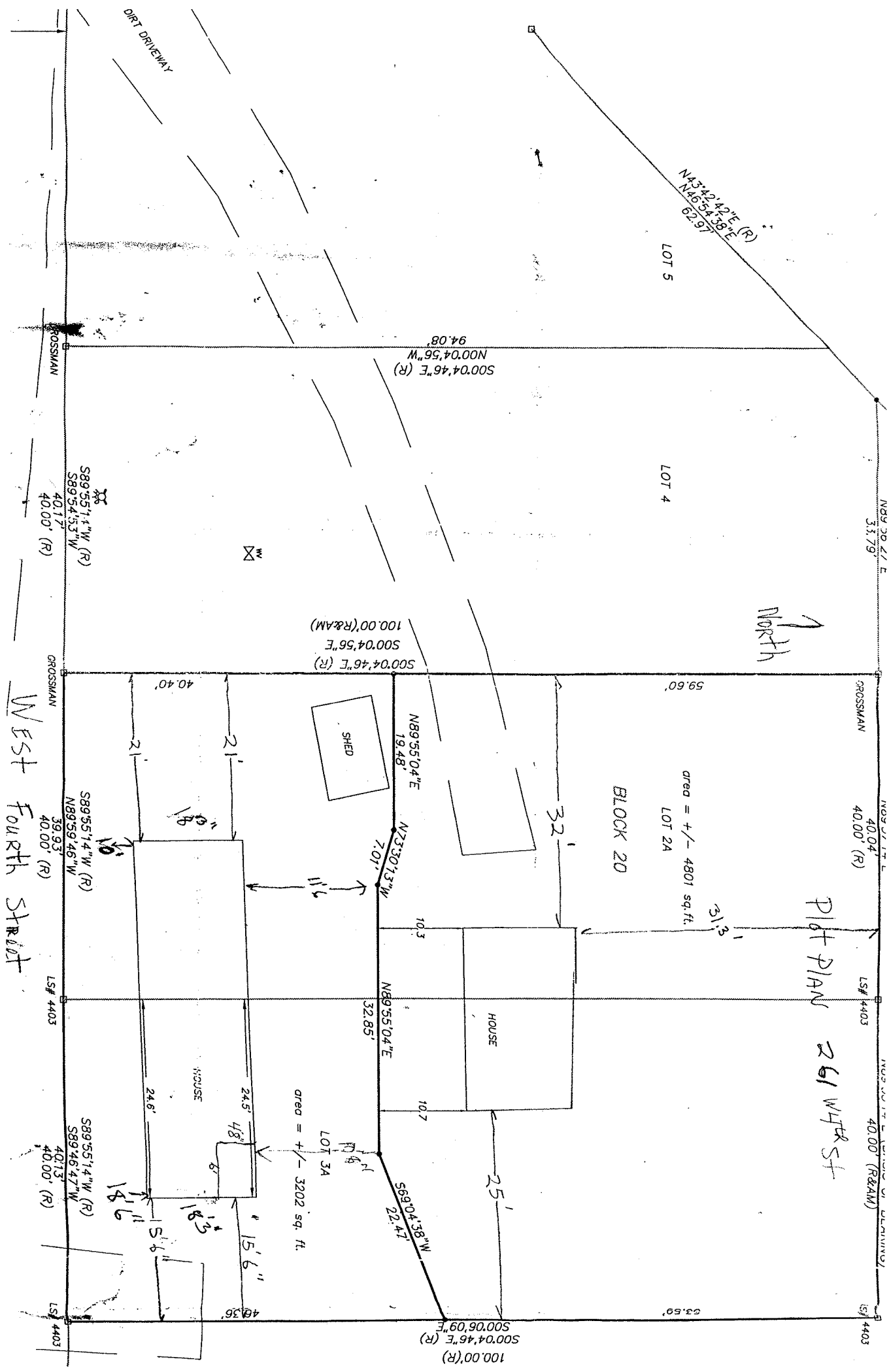
 Security features are included. Details on back.



UofC Federal Credit Union
2960 Diagonal Highway
Boulder, CO 80301-1412
303.443.4672 800.429.7626
uofcu.com

For Building Permit 259 261 Paul Rewinkel MP

⑆307074580⑆1008000096945⑈03016



West Fourth Street

PLAT PLAN 261 WEST ST

TOWN OF NEDERLAND PERMIT APPLICATION

Permit #: 10NED-00012

PROPERTY OWNER <u>PAUL REWINKEL</u>	PHONE <u>303-258-9147</u>
MAILING ADDRESS <u>2847 Ridge Rd, Nederland 80466</u>	<u>303-898-6730</u>
CONTRACTOR / CONTACT PERSON <u>SAME</u>	PHONE <u>303-898-6730</u>
CONTRACTOR ADDRESS City, State, and Zip <u>SAME</u>	LICENSE NUMBER <u>OWNER/Builder</u>
LICENSED PLUMBER <u>NOVAK Plumbing + Heating Inc</u>	LICENSE NUMBER <u>179980 Active# 1691</u>
LICENSED ELECTRICIAN <u>COOPER Elec. LLC</u>	LICENSE NUMBER <u>25748 Active# 6556</u>
MECHANICAL CONTRACTOR <u>Taylor Heating Inc</u>	LICENSE NUMBER <u>Yes Denver + Boulder</u>
JOB ADDRESS <u>259 West Fourth St.</u>	
SUBDIVISION <u>Old town</u>	PARCEL#
	LOT <u>3A</u>
	BLOCK <u>20</u>

Description of work:

IMPORTANT - COMPLETE ALL ITEMS AND MARK ALL APPLICABLE BOXES

A. SQUARE FOOTAGE Main Floor <u>780</u> Add. Floors <u>—</u> Basement <u>—</u> Crawlspace <u>—</u> Covered Porch <u>—</u> Entry Decks <u>5 ea</u> Steps <u>—</u> Garage <u>—</u> Other <u>—</u>		B. PROPOSED USE <u>Residential</u> <input checked="" type="checkbox"/> One Family / Duplex <input type="checkbox"/> Multi Family - Enter number of units - <u>—</u> <input type="checkbox"/> Hotel, motel, or dormitory-Enter number of units - <u>—</u> <input type="checkbox"/> Garage - Single <u>—</u> Double <u>—</u> Attached <u>—</u> Detached <u>—</u> <input type="checkbox"/> Carport - Attached <u>—</u> Detached <u>—</u> <input type="checkbox"/> Patio - Attached <u>—</u> Detached <u>—</u> <input type="checkbox"/> Basement - Partial <u>—</u> Full <u>—</u> Finished <u>—</u> Unfinished <u>—</u> <input type="checkbox"/> Fireplace - Masonry <u>—</u> 0-Clearance <u>—</u> <input type="checkbox"/> Other <u>—</u> Commercial <input type="checkbox"/> Shell Only <input type="checkbox"/> Tenant Finish <input type="checkbox"/> Remodel /Addition <input type="checkbox"/> New Building		C. DEMOLITION <input type="checkbox"/> Site Plan <u>175 Needed</u> <input type="checkbox"/> State Permit <u>By piece</u> <input type="checkbox"/> Asbestos Permit D. TYPE OF IMPROVEMENT <input type="checkbox"/> New Building <input type="checkbox"/> Addition <input checked="" type="checkbox"/> Remodel / Finish <input checked="" type="checkbox"/> Repair, replacement <input type="checkbox"/> Fence <input type="checkbox"/> Other <u>—</u>			
E. FEES: <input type="checkbox"/> Permit Fee: <u>—</u> <input checked="" type="checkbox"/> Electrical Fee: <u>—</u> <input checked="" type="checkbox"/> Plan Review: <u>—</u> <input type="checkbox"/> Use Tax: <u>—</u> <input type="checkbox"/> County Tax: <u>—</u> <input type="checkbox"/> Water Tap: <u>—</u> <input type="checkbox"/> Sewer Tap: <u>—</u> <input type="checkbox"/> Other: <u>—</u> Total Fees: <u>—</u>		G. CONSTRUCTION TYPE <input checked="" type="checkbox"/> Wood Frame <input type="checkbox"/> Structural Steel <input type="checkbox"/> Masonry <input type="checkbox"/> Other <u>—</u> NOTES: <u>2x6 per engineer</u>		I. TYPE OF SEWAGE DISPOSAL <input checked="" type="checkbox"/> Public <input type="checkbox"/> Individual (Septic tank) J. TYPE OF WATER SUPPLY <input type="checkbox"/> Private <input checked="" type="checkbox"/> Public K. OCCUPANCY Classification <u>Residential</u> Construction Type <u>—</u> <input type="checkbox"/> Separated <input type="checkbox"/> Non-Separated		L. MISCELLANEOUS Number of stories <u>ONE</u> Lot Size <u>4800</u> Parking Spaces <u>TWO</u> Enclosed <u>—</u> Outdoors <u>X</u>	
F. TOTAL VALUE Building Valuation \$ <u>70,000</u> Use Tax Valuation \$ <u>—</u>		H. HEATING FUEL TYPE <input checked="" type="checkbox"/> Gas LP or <u>(NG)</u> <input type="checkbox"/> Electricity <input type="checkbox"/> Solar <u>FUTURE</u> <input type="checkbox"/> Other <u>—</u>		M. RESIDENTIAL ONLY # of Bedrooms <u>—</u>			

The applicant, his agents and employees shall comply with all the rules, restrictions and requirements of the Town and Building Codes governing location, construction and erection of the above proposed work for which the permit is granted. The Town or its agents are authorized to order the immediate cessation of construction at anytime a violation of the codes or regulations appears to have occurred. Violation of any of the codes or regulations applicable may result in the revocation of this permit.

Buildings **MUST** conform with plans, as submitted to the Town. Any changes of plans or layout must be approved prior to the changes being made. Any change in the use or occupancy of the building or structure must be approved prior to proceeding with construction.

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SIGNATURE OF APPLICANT <u>Paul Rewinkel</u>	DATE <u>4.22.10</u>	APPROVED TOWN OFFICIAL	DATE
APPROVED BUILDING INSPECTION	DATE	APPROVED ZONING AND PLANNING	DATE
APPROVED PUBLIC WORKS	DATE	APPROVED FIRE DISTRICT	DATE

RECEIPT

Receipt #: 00129

Town of Nederland
BUILDING DIVISION
PO Box 396
303-258-3266 Fax 303-258-1240

Permit #: 10NED-00012
Application Type: New / Single Family Residential - Detached / Residential
Address: 259 West 4th Street
 Nederland, CO

Payment Method: CHECK
Reference No.: 3016
Amount Paid: \$500.00
Payment Date: 2010-05-03 10:04:10

Payment From: Paul Rewinkel
Fund Transfer To: 10NED-00012
Cashier: Mary Williams
Comments: portion of plan review
Owner Info: Paul Rewinkel
 2847 Ridge Raod
 Nederland, CO 80466

Work Description: 780sqft one story
Valuation: \$70000.00

Fee Item	Account Code	Amount
Plan Review Fee		\$500.00
Total Fee Amount:		\$500

Other Payment(s): \$0.00
Balance: \$2,156.95

Signed in: Williams
Sign Out
My Dashboard
Monday, May 3, 2010
Nederland



Permits

10NED-00012

My Dashboard
New Permit
Search Permits

Make a Payment | Make a Refund | Back to Permits

259 West 4th Street

Reports

Activity Reports
Fee Payment by Account
Inspections Reports
CO Data Report
Subdivisions Report
Census Report
Performance Report
HBA Report

Date	Description	Charge	Payment	Balance
05/03/10	County Tax (.65%)	227.50	0.00	227.50
05/03/10	Nederland Permit Fee	836.03	0.00	1,063.53
05/03/10	Nederland Use Tax (3%)	1,050.00	0.00	2,113.53
05/03/10	Plan Review Fee	543.42	0.00	2,656.95
05/03/10	check [edit] Payment (check 3016)	0.00	500.00	2,156.95

Management

Manage Contractors
Manage Subdivisions

Current Balance: 2,156.95

Help

Report a Problem
User's Manual

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PAUL J. OR SUSAN L. REWINKEL
ROCKY MOUNTAIN LOGCRAFTERS
2847 RIDGE RD 258-9147
NEDERLAND, CO 80466

3016

Date 4-27-10


82-7458/3070
01

Pay to the
Order of

Town of Nederland \$ 1,000

ONE THOUSAND

Dollars

 Security features
are included
Details on back



UofC Federal Credit Union
2960 Diagonal Highway
Boulder, CO 80301-1412
303.443.4672 800.429.7626
uofcfcu.com

For

Building Permit 259 261

Paul J. Rewinkel MP

⑆ 307074580⑆ 1008000096945⑆ 03016

DEED OF EASEMENT

Paul J. Rewinkel, 2847 Ridge Road, Nederland, Colorado 80466 ("Grantors"), for one dollar and other valuable consideration, receipt of which is hereby acknowledged, does hereby sell, convey, and quitclaim unto Paul J. Rewinkel, 2847 Ridge Road, Nederland, Colorado 80466 ("Grantee"), and Grantee's heirs, successors, assigns and personal representatives, an easement ("the Easement") across Grantors' real property for pedestrian access and access by emergency personnel.

Grantors' property is commonly known as 259 W. Fourth Street, Nederland, Colorado, and is legally described as:

LOT 3A BLK 20 NEDERLAND AS DESCRIBED IN REC NO 2905634 BCR
PROPERTY ADDRESS: 000259 W 4TH ST NEDERLAND (ASSESSOR'S
PARCEL 158313232011)

Grantee's property is commonly known as 261 W. Fourth Street, Nederland, Colorado, and is legally described as

LOT 2A BLK 20 NEDERLAND AS DESCRIBED IN REC NO 2905634 BCR
PROPERTY ADDRESS: 000261 W 4TH ST NEDERLAND (ASSESSOR'S
PARCEL 58313232010)

The Easement shall be a perpetual easement appurtenant to Grantee's property, and shall inure to the benefit of Grantee's heirs, successors, assigns, and personal representatives, subject to the conditions set forth herein.

Grantee's use of the Easement shall not be exclusive, and Grantors and their heirs, successors, assigns, personal representatives, guests and invitees shall have an equal right to the use of the Easement, without interfering with Grantee's use of the easement set forth herein.

Executed this _____ day of _____, 2010.


Paul J. Rewinkel, GRANTOR

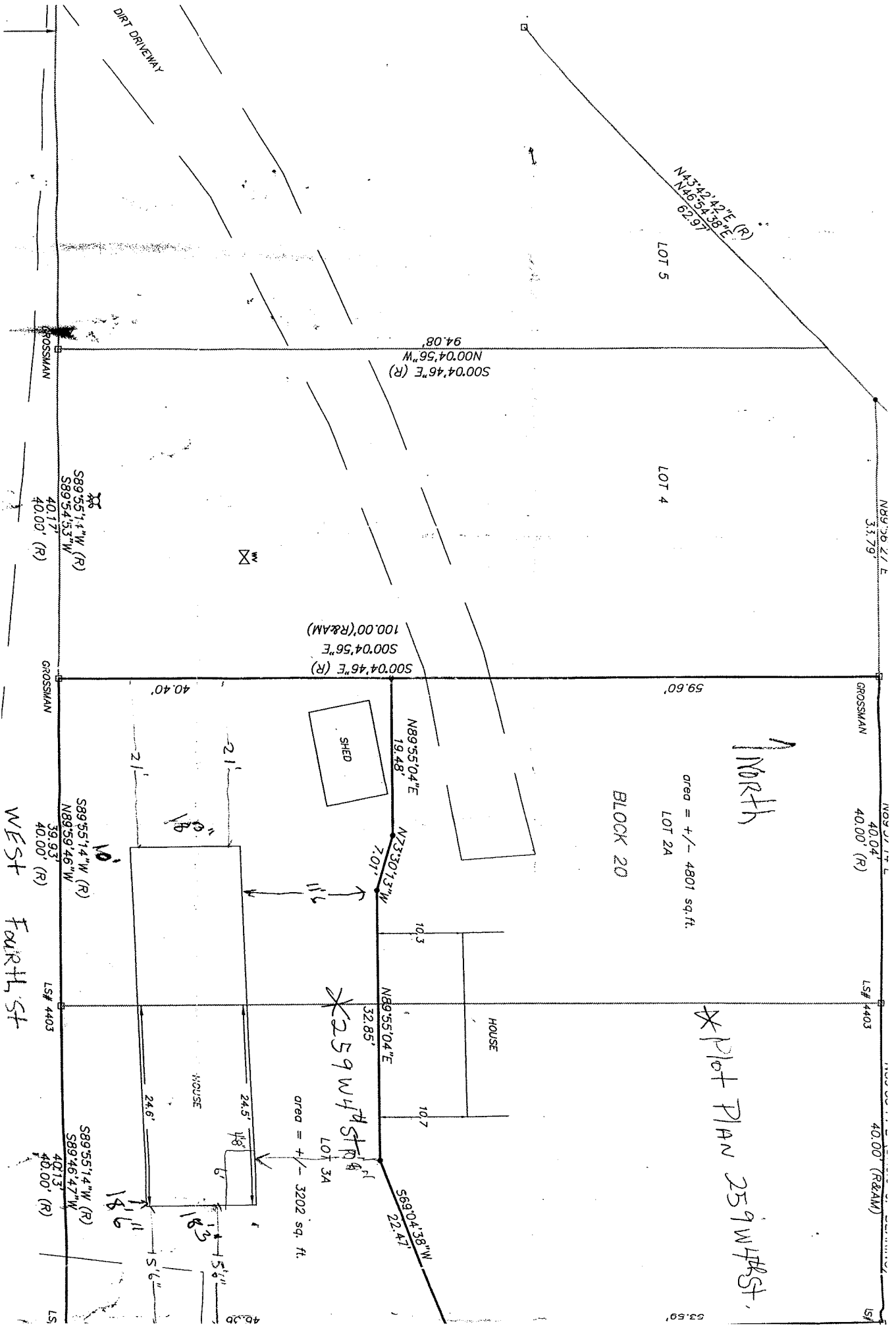
STATE OF COLORADO)
) ss
COUNTY OF BOULDER)

The foregoing Deed of Easement was acknowledged before me this 21 day of April, 2010, by PAUL J. REWINKEL, a person then known to me.



NOTARY PUBLIC

MARK S. COHEN
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 10/10/2011



N43°42'12"E (R)
N65°54'38"E
62.97'

LOT 5

LOT 4

N89°26'21"E
31.79'

N05°11'17"E
40.04'

LS# 4403

40.00' (R&AM)

LS#

500°04'46"E (R)
N00°04'56"W
94.08'

500°04'46"E (R)
S00°04'56"E
100.00' (R&AM)

S89°55'14"W (R)
S89°54'53"W
40.17'

S89°55'14"W (R)
S89°59'46"W
39.93'

S89°55'14"W (R)
S89°59'46"W
40.00' (R)

S89°55'14"W (R)
S89°46'47"W
40.13'

WEST FOURTH ST

North

area = +/- 4801 sq. ft.
LOT 2A

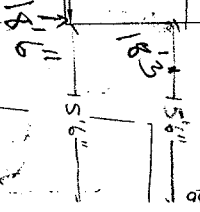
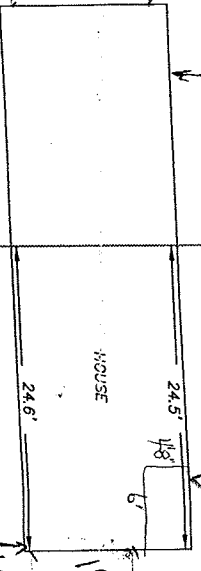
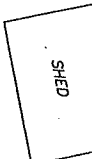
BLOCK 20

area = +/- 3202 sq. ft.
LOT 3A

259 West St

Plot Plan 259 West

DIRT DRIVEWAY



LS

63.59'

THE COHEN LAW GROUP

A Professional Corporation

MARK COHEN

Of Counsel

JEFFREY D. COHEN, J.D., LL.M., C.P.A.
ALSO AT THE THE COHEN LAW FIRM, P.C.

ALISON L. CHOY KILMER, J.D., M.B.A.
SIERRA K. SWEARINGEN, J.D.

April 27, 2010

Certified Mail, RRR
No. 7009 3410 0000 8388 4669

Town of Nederland
Attn: Mary
PO Box 396
Nederland, CO 80466

RE: Rewinkel Building Permit Applications

Dear Mary:

Enclosed are two building permit applications signed by Paul Rewinkel for his properties at 259 and 261 W. Fourth Street. The following documents are also enclosed:

1. A check for \$1,000.00. If the application fee is more, please let me know and we will submit additional funds ASAP. If we have overpaid, the Town can hold the money to cover future costs related to these projects or refund it by sending a check made payable to Mr. Rewinkel to me.
2. Plot plan drawing for 259 W. 4th Street and 4 sets of plans.
3. Plot plan drawing for 261 W. 4th Street and 4 sets of plans.
4. Deed of Easement to address access issue previously raised by Mr. Stevens. (This is not an admission that we agree with his contentions on this issue).

We understand that the Town may not approve these applications. Our goal is to get them processed so we can go to the BZA and then to the District Court if necessary before another warm weather season passes.

Thank you.

Sincerely,
THE COHEN LAW GROUP
A Professional Corporation



MARK COHEN

MSC:wth

