

**CITY OF FORT COLLINS
TYPE 1 ADMINISTRATIVE HEARING
FINDINGS AND DECISION**

HEARING DATE: January 30, 2014

PROJECT NAME: Nathan's Subdivision Project Development Plan/Final Plan

CASE NUMBER: FDP130030

APPLICANT: Barry Schram
2620 Bush Creek Drive
Fort Collins, CO 80528

OWNER: Barry Schram
2620 Bush Creek Drive
Fort Collins, CO 80528

HEARING OFFICER: Kendra L. Carberry

PROJECT DESCRIPTION: This is a consolidated Project Development Plan and Final Plan (PDP/FP) to remove an existing structure, replat a single lot and split it into two lots, and establish building envelopes for two detached single family homes. The property is located on Cowan Street north of the intersection of East Laurel Street and Cowan Street. The current lot size is 10,990 square feet (0.25 acres), and the two proposed lots are to be approximately 5,630 square feet and 5,360 square feet.

SUMMARY OF DECISION: Approved

ZONE DISTRICT: Neighborhood Conservation, Medium Density (N-C-M)

HEARING: The Hearing Officer opened the hearing at approximately 5:30 p.m. on January 30, 2014, in Conference Room A, 281 North College Avenue, Fort Collins, Colorado.

EVIDENCE: During the hearing, the Hearing Officer accepted the following evidence: (1) Planning Department Staff Report; and (2) application, plans, maps and other supporting documents submitted by the applicant (the Land Use Code, the Comprehensive Plan and the formally promulgated policies of the City are all considered part of the record considered by the Hearing Officer).

TESTIMONY: The following persons testified at the hearing:

From the City: Noah Beals

From the Applicant: Barry Schram

From the Public: Laura Olive

FINDINGS

1. Evidence presented to the Hearing Officer established the fact that the hearing was properly posted, legal notices mailed and notice published.
2. The PDP/FP complies with the applicable General Development Standards contained in Article 3 of the Code.
 - a. The PDP/FP complies with Section 3.2.1, Landscaping and Tree Protection, because the City Forester approved the tree mitigation plan.
 - b. The PDP/FP complies with Section 3.2.2, Access, Circulation and Parking, because: sidewalk connections are provided from the public sidewalk to the front of each building envelope; each lot has a two-car wide driveway that leads the front building envelope; and both driveways are accessed from the street.
 - c. The PDP/FP complies with Section 3.4.7(C), Determination of Landmark Eligibility, because: in a letter dated July 1, 2008, the City Preservation Planner stated that the Chair of the Landmark Preservation Commission and the Director of Advance Planning have determined that the property is not eligible for individual designation as a Fort Collins Landmark, nor is it designated on the National or State Registers of Historic Places, either individually or as a contributing element of a district.
 - d. The PDP/FP complies with Section 3.5.1, Building and Project Compatibility, because both building envelopes are in compliance with applicable standards.
3. The PDP/FP complies with the applicable General Development Standards contained in Article 4 of the Code for the N-C-M zone district.
 - a. The PDP/FP complies with Section 4.8(B), Permitted Uses, because single-family detached residences are a permitted use in the N-C-M zone district.
 - b. The PDP/FP complies with Section 4.8(D), Land Use Standards, because both lots are greater than the minimum lot size for single-family detached dwellings, and both building envelopes meet the allowable floor area requirements.
 - d. The PDP/FP complies with Section 4.8(E)(1), Minimum Lot Width, because both lots exceed the required minimum lot width of 40'.
 - e. The PDP/FP complies with Section 4.8(E)(2), Minimum Front Yard Setback, because both building envelopes exceed the minimum front yard setback of 15'.
 - f. The PDP/FP complies with Section 4.8(E)(3), Minimum Rear Yard Setback, because both building envelopes exceed the minimum rear yard setback of 15'.
 - g. The PDP/FP complies with Section 4.8(E)(4), Minimum Side Yard Setback, because both building envelopes meet the required minimum side yard setback of 5'.

h. The PDP/FP complies with Section 4.8(F)(1)(c), Building Design, because the portions of the building envelopes labeled "garage" are set back an additional 10' from the front of the building envelope.

DECISION

Based on the foregoing findings, the Hearing Officer hereby enters the following rulings:

1. The PDP/FP is approved as submitted.

DATED this 7th day of February, 2014.



Kendra L. Carberry
Hearing Officer



ITEM NO FDP130030

MEETING DATE January 30th, 2014

STAFF Noah Beals

ADMINISTRATIVE HEARING OFFICER

STAFF REPORT

PROJECT: Nathan's Subdivision combined Project Development Plan, PDP and Final Plan, FP #FDP130030,

APPLICANT: Barry Schram
2620 Bush Creek Drive
Fort Collins, CO 80528

OWNER: Barry Schram
2620 Bush Creek Drive
Fort Collins, CO 80528

PROJECT DESCRIPTION:

This is a request for consideration and approval of a combined Project Development Plan and Final Plan (PDP/FP), Nathan's Subdivision, FDP130030. The project site is located on Cowan Street north of the T-intersection of E Laurel Street and Cowan Street. The current lot size is 10,990 sq. ft. or .25 acres.

The project proposal is to remove the existing structure, replat a single lot and split it into two lots, and establish building envelopes for two detached single family homes. The lot is zoned Neighborhood Conservation, Medium Density (N-C-M) District. The two proposed lots are to be approximately 5,630 square feet and 5,360 square feet.

RECOMMENDATION: Staff recommends approval of Nathan's Subdivision combined Project Development Plan and Final Plan, FDP130030.

EXECUTIVE SUMMARY:

The approval of Nathan's Subdivision combined Project Development Plan and Final Plan complies with the applicable requirements of the City of Fort Collins Land Use Code (LUC), more specifically:

- Nathan's Subdivision combined PDP/FP complies with required process located in Division 2.2 – Common Development Review Procedures for Development Applications of Article 2 – Administration.
- Nathan's Subdivision combined PDP/FP complies with relevant standards located in Article 3 – General Development Standards.

- Nathan's Subdivision combined PDP/FP complies with relevant standards located in Division 4.8, Neighborhood Conservation, Medium Density District (N-C-M) of Article 4.

COMMENTS:

1. Background:

The subject property was included in the original City boundary map of 1873.

The property currently consists of mostly open yard with an existing detached single family building used as a rental home. The site is landscaped with typical residential plantings consisting of mostly grass and some trees.

The surrounding zoning and land uses are as follows:

Direction	Zone District	Existing Land Use
North	Neighborhood Conservation, Medium Density (N-C-M)	Residential: Multi-Family (Villages on Cowan Street)
South	Neighborhood Conservation, Medium Density (N-C-M)	Place of Worship: Templo Gethsemani Cladic
	Medium Density Mixed-Use (M-M-N)	Residential: Single Family Detached
East	Neighborhood Conservation, Medium Density (N-C-M)	Residential: Single Family Detached and Two Family Attached
		Public Right-of-Way: Cowan Street
West	Neighborhood Conservation, Medium Density (N-C-M)	Residential: Single Family Detached

Zoning History (most recent to past):

- The property is currently located in the Neighborhood Conservation, Medium Density District (N-C-M). The property was zoned N-C-M in 1991. The adoption of the City's Land Use Code and rezoning in 1997 continued the N-C-M District. Recent code changes to the N-C-M zone were adopted on March 5th, 2013 pertaining to the implementation of the Eastside and Westside neighborhoods character study.

- In 1991 new zone districts were created that included the N-C-M district. At the time of adoption of the new zone districts to the City's zoning code this site was rezoned to N-C-M.
- In 1965 the property was zoned Medium Density (RM) in accordance with the zoning code at that time.
- Prior to the RM zoning it was zoned Residence (B) in accordance with the zoning code at the time. This zoning took place sometime between 1929 and 1964.
- In 1929 when the City adopted its first zoning code the property was zoned Commercial (E).

2. **Compliance with Article 4 of the Land Use Code – Neighborhood Conservation, Medium Density District (N-C-M):**

The project complies with all applicable Article 4 standards as follows:

A. **Section 4.8(A) and (B) – Permitted Uses**

The proposed land use is consistent with the Purpose and Permitted Uses of the Neighborhood Conservation, Medium Density District.

B. **Section 4.8(D) – Land Use Standards**

- 1) Section 4.8(D)(1) sets a minimum lot size for single-family detached at 5,000 square feet. The proposed plat demonstrates that both lots to be created meet this standard. Lot 1 is 5,630 square feet and Lot 2 is 5,360 square feet.
- 2) Section 4.8(D)(2) established design standards of the structures to be built. In regards to the structures the building envelopes are the only part that is under consideration and both envelopes are in compliance.
 - At the time the building permit application is submitted the other standards of this section will be reviewed for compliance by the Zoning Department.

C. Section 4.8(E) – Dimensional Standards

- 1) Section 4.8(E)(1) requires a minimum lot width of 40 feet for single-family detached lots. The two lots to be created are both in compliance with the standard with Lot 1 at 53 feet and Lot 2 at 52 feet in width.
- 2) Section 4.8(E)(2) requires a minimum 15 feet front yard setback. The building envelope on Lot 1 is setback 15.7 feet and the building envelope on Lot 2 is setback 15.9 feet from the right-of-way. Each building envelope is in compliance with the required front yard setback.
- 3) Section 4.8(E)(3) requires a minimum 15 feet setback from the rear property line. The proposed building envelopes comply with the standard with Lot 1 setback 33.8 feet and Lot 2 setback 69 feet from the rear property lines.
- 4) Section 4.8(E)(4) requires a minimum 5 feet side yard setback. The proposed building envelopes comply with the standard with Lot 1 setback 5 feet and Lot 2 setback 5 feet from the side property lines.
 - In conjunction with this building setback Section 3.8.19(A)(5) allows cantilevered floor areas to project 2 feet into a required side yard setback. The cantilevered portions of these building do not project more than 2 feet into the setback.

D. Section 4.8(F) – Development Standards (N-C-M)

- 1) Section 4.8(F)(1)(c) requires accessory buildings and attached garages to be setback an additional 10 feet from the front wall of the principal building. On both Lot 1 and Lot 2 the portions of the building envelopes labeled garage are setback an additional 10 feet from the other front portion of the building envelope.

3. **Compliance with Article 3 of the Land Use Code – General Development Standards:**

The project complies with all applicable General Development Standards; with the following relevant comments provided:

A. Division 3.2 – Site Planning and Design Standards

- 1) 3.2.1 Landscaping and Tree Protection:

- A detailed tree mitigation plan is provided with this combined PDP/FP in coordination with and approval from the City Forester.

2) 3.2.2 Access, Circulation and Parking:

- Sidewalk connections are provided from the public sidewalk to the front of each building envelope.
- Each lot has a two-car wide driveway that leads to the front building envelope. These driveways are accessed from the street because there is no alley access to either of the new lots.

B. Division 3.4 – Historic and Cultural Resources

1) 3.4.7(C) Determination of Landmark Eligibility:

- In a letter dated July 1, 2008 and addressed to the owner of the property the City Preservation Planner stated that the Chair of the Landmark Preservation Commission and the Director of Advance Planning have determined that the property is not eligible for individual designation as a Fort Collins Landmark, nor is it designated on the National or State Registers of Historic Places, either individually or as a contributing element of a district. Therefore, the existing structures on site can be demoed.

C. Division 3.5 – Building Standards

1) 3.5.1 Applicability:

- This section contains building structure standards that regulate residential buildings and only apply if the standard is not already set forth specifically in the assigned Zone District section. In regards to the structures the building envelope is the only part that is under consideration with this proposal. Both envelopes are in compliance with applicable standards.
- At the time the building permit application is submitted the other standards of this section will be reviewed for compliance by the Zoning Department.

4. Findings of Fact/Conclusion:

In evaluating the request for the Nathan's Subdivision Combined Project Development Plan and Final Plan, FDP130030, staff makes the following findings of fact:

- A. Nathan's Subdivision combined PDP/FP complies with the process located in Division 2.2 – Common Development Review Procedures for Development Applications of Article 2 – Administration.
- B. Nathan's Subdivision combined PDP/FP complies with the relevant standards located in Article 3 – General Development Standards.
- C. Nathan's Subdivision combined PDP/FP complies with the relevant standards located in Division 4.8, Neighborhood Conservation, Medium Density District (N-C-M) of Article 4.

RECOMMENDATION:

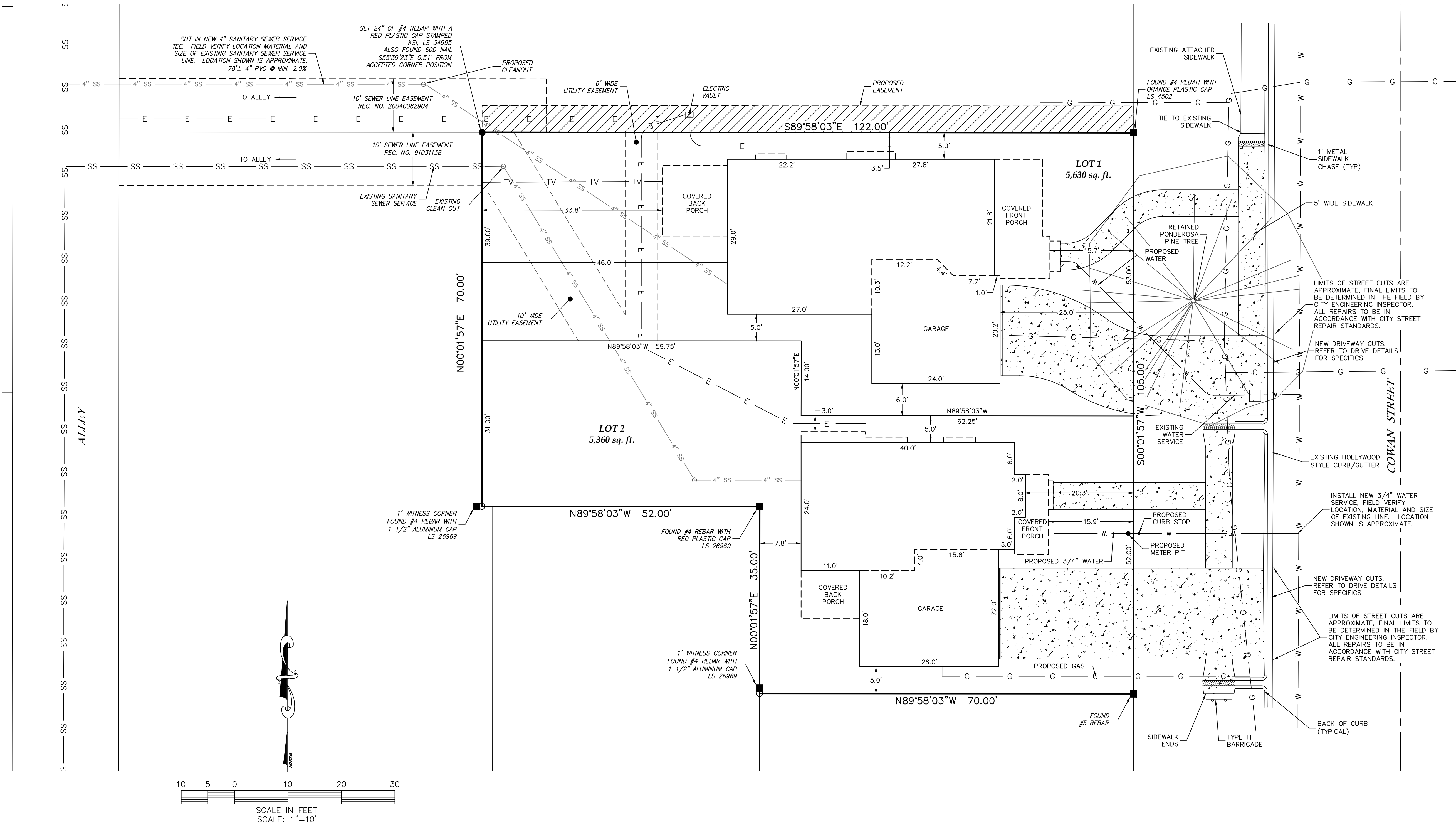
Staff recommends approval of Nathan's Subdivision combined Project Development Plan and Final Plan, FDP130030.

ATTACHMENTS:

- 1. Project Plan Set
- 2. Plat
- 3. Letter from Historic Preservation Planner

SITE PLAN, NATHAN'S SUBDIVISION

Being Part Of Block 186, Town of Fort Collins, Colorado,
Located In The Northeast Quarter Of Section 13, Township 7 North, Range 69 West Of The 6th P.M.,
City Of Fort Collins, County Of Larimer, State Of Colorado



NOTES:

- IT IS THE RESPONSIBILITY OF THE OWNER AND/OR CONTRACTOR TO VERIFY ALL DIMENSIONS, ELEVATIONS AND HEIGHT REGULATIONS (WHICH MAY AFFECT BUILDING SETBACKS) PRIOR TO CONSTRUCTION.
- ALL UTILITIES SHOWN ARE EXISTING UNLESS OTHERWISE NOTED

PLAN INDEX:

- Sheet 1 – Site Plan
- Sheet 2 – Existing Conditions
- Sheet 3 – Utility Plan
- Sheet 4 – Grading Plan
- Sheet 5 – Existing Tree Summary and Mitigation Report
- Sheet 6 – Landscape Plan
- Sheet 7 – Construction Details – Sanitary Sewer and Water
- Sheet 8 – Construction Details – Stormwater
- Sheet 9 – Construction Details – Streets

PLANNING CERTIFICATE

APPROVED BY THE DIRECTOR OF COMMUNITY DEVELOPMENT AND NEIGHBORHOOD SERVICES (CDNS) OF THE CITY OF FORT COLLINS, COLORADO ON THIS _____ DAY OF _____ 20____

DIRECTOR OF CDNS

DATE:	1/7/2014
FILE NAME:	2009368SITEPLAN
SCALE:	1"=10'
DRAWN BY:	SRW
CHECKED BY:	LP

KING SURVEYORS

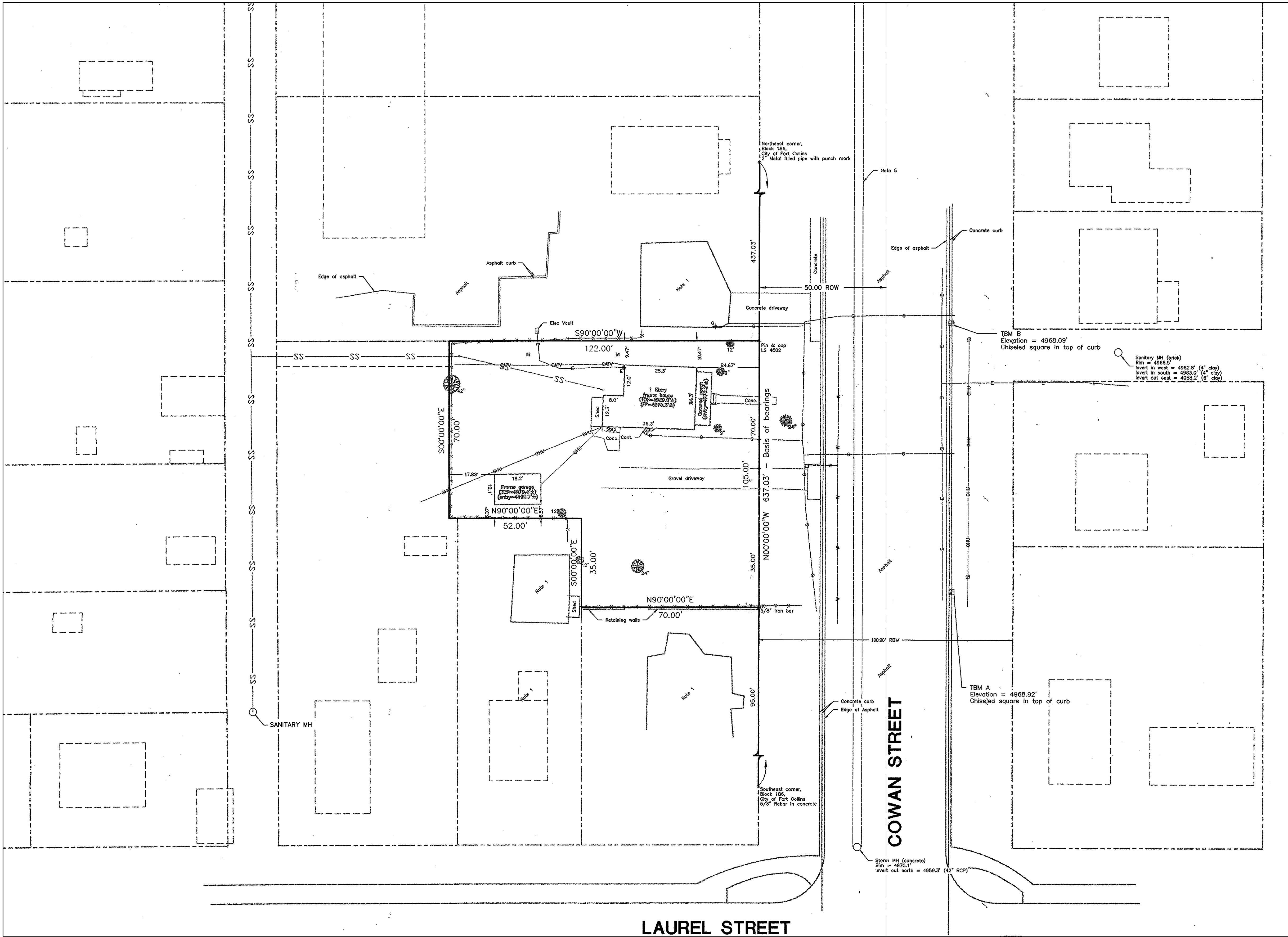
650 E. Garden Drive | Windsor, Colorado 80550
phone: (970) 686-5011 | fax: (970) 686-5821

DATE:	
REVISIONS:	

SITE PLAN, NATHAN'S SUBDIVISION
FOR
LAMAR VALLEY CRAFTSMAN
2620 BRUSH CREEK DRIVE
FORT COLLINS, CO 80528

PROJECT #:
2009368

EXISTING CONDITIONS



DATE:	1/7/2013
FILE NAME:	2009368SITEPLAN
SCALE:	1"=10'
DRAWN BY:	SRW
CHECKED BY:	LP

KING SURVEYORS
650 E. Garden Drive | Windsor, Colorado 80550
phone: (970) 686-5011 | fax: (970) 686-5821

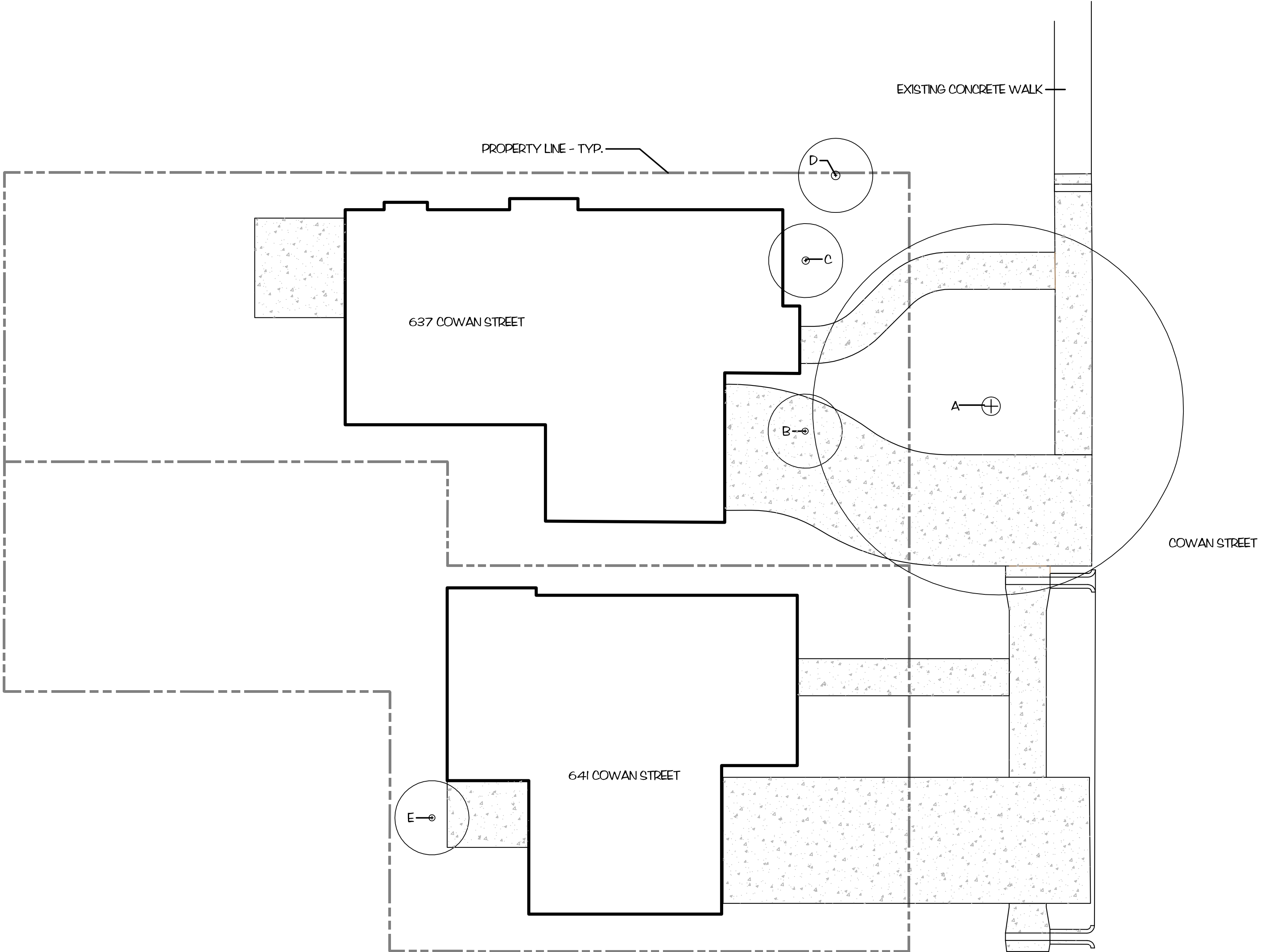


DATE:	
REVISIONS:	

EXISTING CONDITIONS, NATHAN'S SUBDIVISION
FOR
LAMAR VALLEY CRAFTSMAN
2620 BRUSH CREEK DRIVE
FORT COLLINS, CO 80528

PROJECT #:
2009368

2



EXISTING TREE SUMMARY AND MITIGATION VALUE					
#	Species	Common Name	Size/diameter	Condition	Tree mitigation value
A	<i>Pinus ponderosa</i>	Ponderosa pine	30" dbh	fair to good	1 to 4.5
B	<i>Juniperus scopulorum</i>	Rocky Mountain juniper	14" dbh	fair	1 to 1.5
C	<i>Juniperus scopulorum</i>	Rocky Mountain juniper	12" dbh	fair	1 to 1
D	<i>Juniperus scopulorum</i>	Rocky Mountain juniper	10" dbh	fair	1 to 1
E	<i>Picea pungens</i>	Colorado spruce	14" dbh	fair	1 to 2

TREES TO BE REMOVED AND MITIGATION VALUE					
#	Species	Common Name	Size/diameter	Condition	Tree mitigation value
B	<i>Juniperus scopulorum</i>	Rocky Mountain juniper	14" dbh	fair	1 to 1.5
C	<i>Juniperus scopulorum</i>	Rocky Mountain juniper	12" dbh	fair	1 to 1
E	<i>Picea pungens</i>	Colorado spruce	14" dbh	fair	1 to 2
TOTAL REMOVED TREE MITIGATION VALUE:					5



The Horticulture Consultant

Well versed in Colorado landscape plants and conditions...

Specializing in:

*Problem diagnosis

*Problem solving

*Plant ID, and care info

*Certified arborist

*Landscape design

Loretta Mannix

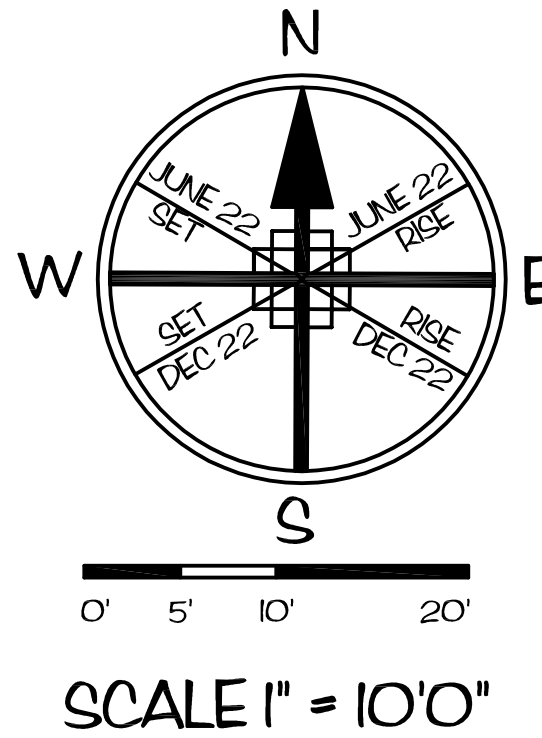
23370 County Road 3

Loveland, Colorado

407-8695

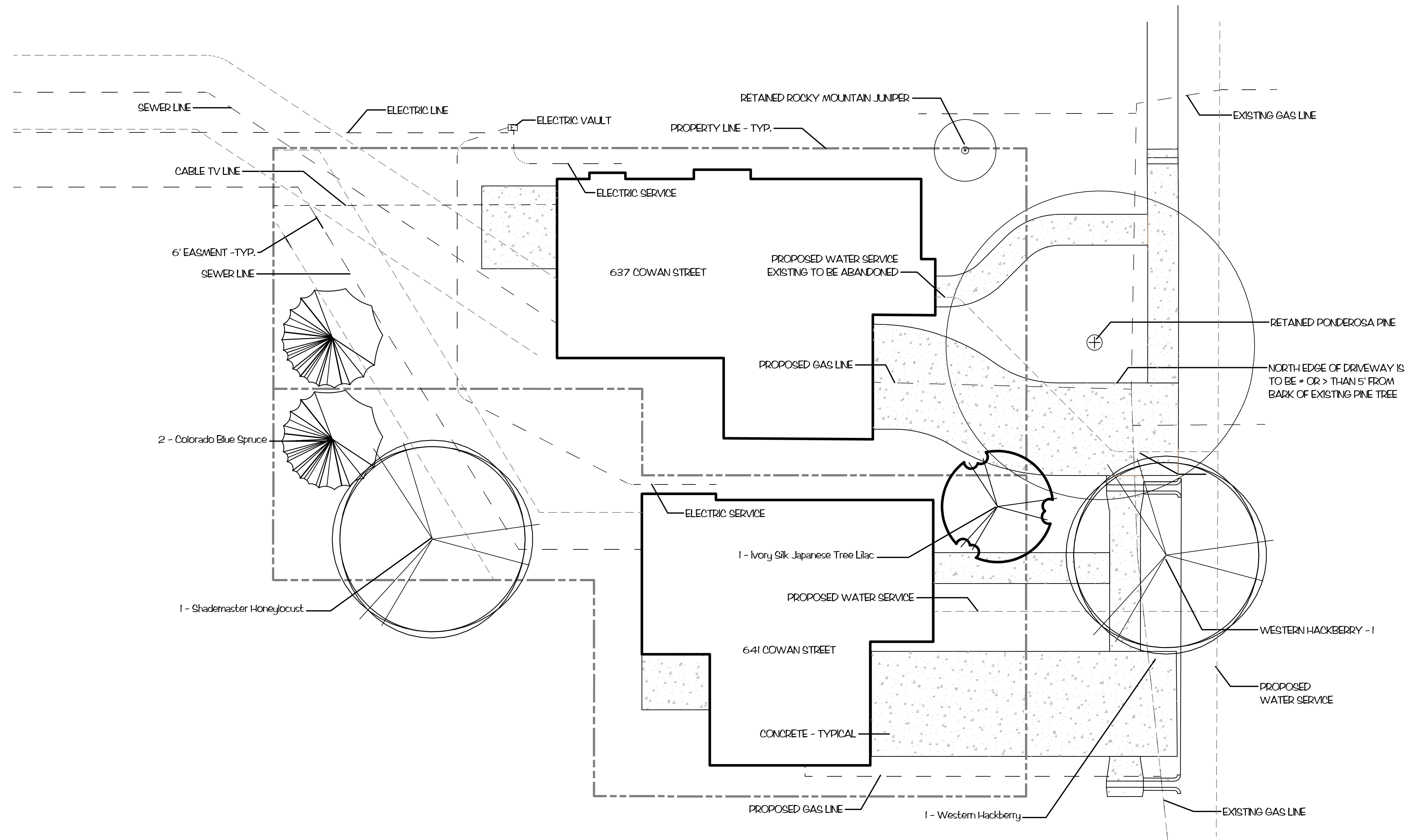
www.thehortconsult.com

NATHAN'S SUBDIVISION
for Lamar Valley Craftsman
637 - 641 COWAN STREET
FORT COLLINS, COLORADO
CONTACT: Barry Schram - 970-690-8626



EXISTING TREE SUMMARY
AND MITIGATION REPORT

ISSUE DATE: 10 - 2 - 2013
SHEETS: 5 OF 9
DRAWN BY: LORETTA MANNIX
REVISED: 11 - 4 - 2013, 11 - 14 - 2013,
1 - 6 - 2014



NOTES:

- A permit must be obtained from the City forester before any trees or shrubs as noted on this plan are planted, pruned or removed on the public right-of-way. This includes zones between the sidewalk and curb, medians and other city property. This permit shall approve the location and species to be planted. Failure to obtain this permit may result in replacing or relocating trees and a hold on certificate of occupancy.
- Within the drip line of any protected existing tree, there shall be no cut or fill over a four-inch depth unless a qualified arborist or forester has evaluated and approved the disturbance.
- All protected existing trees shall be pruned to the City of Fort Collins Forestry standards.
- Prior to and during construction, barriers shall be erected around all protected existing trees with such barriers to be of orange fencing a minimum of four (4) feet in height, secured with metal T-posts, no closer than six (6) feet from the trunk or one-half of the drip line, whichever is greater. There shall be no storage or movement of equipment, material, debris or fill within the fenced tree protection zone.
- During the construction stage of development, the applicant shall prevent the cleaning of equipment or material or the storage and disposal of waste material such as paints, oils, solvents, asphalt, concrete, motor oil or any other material harmful to the life of a tree within the drip line of any protected tree or group of trees.
- No damaging attachment, wires, signs or permits may be fastened to any protected tree.
- The installation of utilities, irrigation lines or any underground fixture requiring excavation deeper than six (6) inches shall be accomplished by boring under the root system of protected existing trees at a minimum depth of twenty-four (24) inches. The auger distance is established from the face of the tree (outer bark) and is scaled from tree diameter at breast height as described in the chart below.

PROPOSED TREE AND MITIGATION VALUE				
Quan.	Species/Cultivar	Common Name	Ht/Cal.	Tree mitigation value
1	<i>Syringa reticulata</i> Ivory Silk	Ivory Silk Japanese Tree Lilac	2.5" cal.	1
1	<i>Geditsia triacanthos</i> Shademaster	Shademaster Honeylocust	3" cal.	1
2	<i>Picea pungens</i>	Colorado Spruce	8' ht.	2
1	<i>Celtis occidentalis</i>	Western Hackberry	3" cal.	1
TOTAL ADDED TREE MITIGATION VALUE:				5



The
Horticulture
Consultant

Well versed in
Colorado
landscape plants and
conditions...

Specializing in:

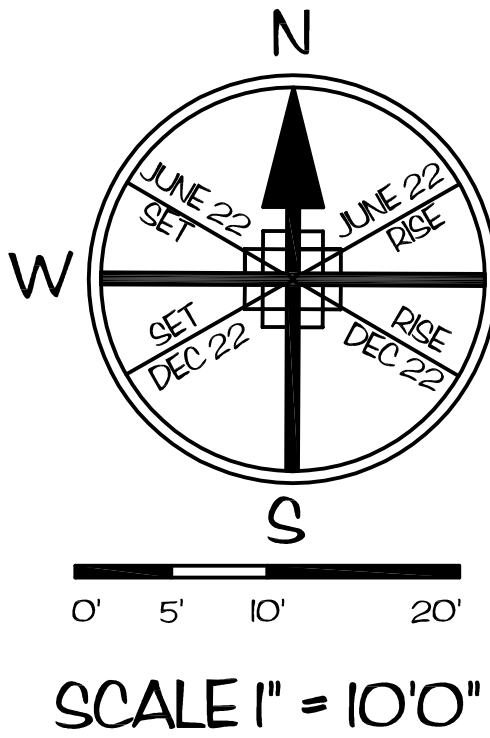
- *Problem diagnosis
- *Problem solving
- *Plant ID, and care info
- *Certified arborist
- *Landscape design

Loretta Mannix
23370 County Road 3
Loveland, Colorado
407-8695

www.thehortconsult.com

NATHAN'S SUBDIVISION
for Lamar Valley Craftsman
637 - 641 COWAN STREET
FORT COLLINS, COLORADO

CONTACT: Barry Schram - 970-690-8626



LANDSCAPE PLAN

ISSUE DATE: 10 - 2 - 2013
SHEETS: 6 OF 9
DRAWN BY: LORETTA MANNIX
REVISED: 11 - 4 - 2013, 11 - 14 - 2013
1 - 6 - 2014

STATEMENT OF OWNERSHIP AND SUBDIVISION:

Know all persons by these presents, that the undersigned owner(s) of the following described land:

Being part of Block 186, City of Fort Collins recorded January 16, 1873 as Book 1 at Page 48 at Reception No. 1727 of the records of Larimer County Recorder, located in the Northeast Quarter (NE1/4) of Section Thirteen (13), Township Seven North (T.7N.), Range Sixty-nine West (R.69W.) of the Sixth Principal Meridian (6th P.M.), City of Fort Collins, County of Larimer, State of Colorado and being more particularly described as follows:

COMMENCING at the Southeast corner of said Block 186 and assuming the South line of said Block 186 as bearing North 89°55'40" West being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2007, a distance of 400.00 feet with all other bearings contained herein relative thereto;

THENCE North 00°01'57" East along the East line of said Block 186 a distance of 95.03 feet to the POINT OF BEGINNING;

THENCE North 89°58'03" West a distance of 70.00 feet;
THENCE North 00°01'57" East a distance of 35.00 feet;
THENCE North 89°58'03" West a distance of 52.00 feet;
THENCE North 00°01'57" East a distance of 70.00 feet;
THENCE South 89°58'03" East a distance of 122.00 feet to the East line of said Block 186;
THENCE South 00°01'57" West along the East line of said Block 186 a distance of 105.00 feet to the POINT OF BEGINNING.

... (which above described tract contains 10,990 Square Feet or 0.252 Acres, more or less)

for themselves and their successors in interest NATHAN'S SUBDIVISION have caused the above described land to be surveyed and subdivided into lots, tracts and streets as shown on this Plat to be known as NATHAN'S SUBDIVISION, subject to all easements and rights-of-way now of record or existing or indicated on this Plat. The rights and obligations of this Plat shall run with the land.

CERTIFICATE OF DEDICATION:

The Owner does hereby dedicate and convey to the City of Fort Collins, Colorado (hereafter 'City'), for public use, forever, a permanent right-of-way for street purposes and the 'Easements' as laid out and designated on this Plat; provided, however, that (1) acceptance by the City of this dedication of Easements does not impose upon the City a duty to maintain the Easements so dedicated, and (2) acceptance by the City of this dedication of streets does not impose upon the City a duty to maintain streets so dedicated until such time as the provisions of the Maintenance Guarantee have been fully satisfied. The streets dedicated on this Plat are the fee property of the City as provided in Section 31-23-107 C.R.S. The City's rights under the Easements include the right to install, operate, access, maintain, repair, reconstruct, remove and replace within the Easements public improvements consistent with the intended purpose of the Easements; the right to install, maintain and use gates in any fences that cross the Easements; the right to mark the location of the Easements with suitable markers; and the right to permit other public utilities to exercise these same rights. Owner reserves the right to use the Easements for purposes that do not interfere with the full enjoyment of the rights hereby granted. The City is responsible for maintenance of its own improvements and for repairing any damage caused by its activities in the Easements, but by acceptance of this dedication, the City does not accept the duty of maintenance of the Easements, or of improvements in the Easements that are not owned by the City. Owner will maintain the surface of the Easements in a sanitary condition in compliance with any applicable weed, nuisance or other legal requirements.

Except as expressly permitted in an approved plan of development or other written agreement with the City, Owner will not install on the Easements, or permit the installation on the Easements, of any building, structure, improvement, fence, retaining wall, sidewalk, tree or other landscaping (other than usual and customary grasses and other ground cover). In the event such obstacles are installed in the Easements, the City has the right to require the Owner to remove such obstacles from the Easements. If Owner does not remove such obstacles, the City may remove such obstacles without any liability or obligation for repair and replacement thereof, and charge the Owner the City's costs for such removal. If the City chooses not to remove the obstacles, the City will not be liable for any damage to the obstacles or any other property to which they are attached.

The rights granted to the City by this Plat inure to the benefit of the City's agents, licensees, permittees and assigns.

MAINTENANCE GUARANTEE:

The Owner hereby warrants and guarantees to the City, for a period of two (2) years from the date of completion and first acceptance by the City of the improvements warranted hereunder, the full and complete maintenance and repair of the improvements to be constructed in connection with the Development which is the subject of this Plat. This warranty and guarantee is made in accordance with the City Land Use Code and/or the Transitional Land Use Regulations, as applicable. This guarantee applies to the streets and all other appurtenant structures and amenities lying within the rights-of-way, Easements and other public properties, including, without limitation, all curbing, sidewalks, bike paths, drainage pipes, culverts, catch basins, drainage ditches and landscaping. Any maintenance and/or repair required on utilities shall be coordinated with the owning utility company or department.

The Owner shall maintain said improvements in a manner that will assure compliance on a consistent basis with all construction standards, safety requirements and environmental protection requirements of the City. The Owner shall also correct and repair, or cause to be corrected and repaired, all damages to said improvements resulting from development-related or building-related activities. In the event the Owner fails to correct any damages within thirty (30) days after written notice thereof, then said damages may be corrected by the City and all costs and charges billed to and paid by the Owner. The City shall also have any other remedies available to it as authorized by law. Any damages which occurred prior to the end of said two (2) year period and which are unrepaired at the termination of said period shall remain the responsibility of the Owner.

REPAIR GUARANTEE:

In consideration of the approval of this final Plat and other valuable consideration, the Owner does hereby agree to hold the City harmless for a five (5) year period, commencing upon the date of completion and first acceptance by the City of the improvements to be constructed in connection with the development which is the subject of this Plat, from any and all claims, damages, or demands arising on account of the design and construction of public improvements of the property shown herein; and the Owner furthermore commits to make necessary repairs to said public improvements, to include, without limitation, the roads, streets, fills, embankments, ditches, cross pans, sub-drains, culverts, walls and bridges within the right-of-way, Easements and other public properties, resulting from failures caused by design and/or construction defects. This agreement to hold the City harmless includes defects in materials and workmanship, as well as defects caused by or consisting of settling trenches, fills or excavations.

Further, the Owner warrants that he/she owns fee simple title to the property shown hereon and agrees that the City shall not be liable to the Owner or his/her successors in interest during the warranty period, for any claim of damages resulting from negligence in exercising engineering techniques and due caution in the construction of cross drains, drives, structures or buildings, the changing of courses of streams and rivers, flooding from natural creeks and rivers, and any other matter whatsoever on private property. Any and all monetary liability occurring under this paragraph shall be the liability of the Owner. I further warrant that I have the right to convey said land according to this Plat.

Notice Of Other Documents:

All persons take notice that the Owner has executed certain documents pertaining to this Development which create certain rights and obligations of the Development, the Owner and/or subsequent Owners of all or portions of the Development site, many of which obligations constitute promises and covenants that, along with the obligations under this Plat, run with the land. The said documents may also be amended from time to time and may include, without limitation, the Development Agreement, Site And Landscape Covenants, Final Site Plan, Final Landscape Plan, and Architectural Elevations, which documents are on file in the office of the City clerk of the City and should be closely examined by all persons interested in purchasing any portion of the Development site.

OWNER:

By: Barry M. Schram Date:

NOTARIAL CERTIFICATE

STATE OF ss.
COUNTY OF ss.

The foregoing instrument was acknowledged before me by Barry M. Schram, this

day of , 20.

My commission expires (SEAL)

Witness my hand and official seal.

Notary Public

NATHAN'S SUBDIVISION

Being Part Of Block 186, Town of Fort Collins, Colorado, Located In The Northeast Quarter Of Section 13, Township 7 North, Range 69 West Of The 6th P.M., City Of Fort Collins, County Of Larimer, State Of Colorado

LIEHOLDER:

By: Jim Schmidt Date:

NOTARIAL CERTIFICATE

STATE OF ss.
COUNTY OF ss.

The foregoing instrument was acknowledged before me by Jim Schmidt, this day of , 20.

My commission expires

Witness my hand and official seal. (SEAL)

Notary Public

APPROVED AS TO FORM, CITY ENGINEER

By the City Engineer of the City of Fort Collins, Colorado this day of A.D., 20.

City Engineer

PLANNING APPROVAL

By the Director of Planning the City of Fort Collins, Colorado this day of A.D., 20.

Director of Planning

ATTORNEY'S CERTIFICATION:

I hereby certify that this Subdivision Plat has been duly executed as required pursuant to Section 2.2.3(C)(3)(a) through (e) inclusive of the Land Use Code of the City of Fort Collins and that all persons signing this Subdivision Plat on behalf of a corporation or other entity are duly authorized signatories under the laws of the State of Colorado. This Certification is based upon the records of the Clerk and Recorder of Larimer County, Colorado as of the date of execution of the plat and other information discovered by me through reasonable inquiry and is limited as authorized by Section 2.2.3(C)(3)(f) of the Land Use Code.

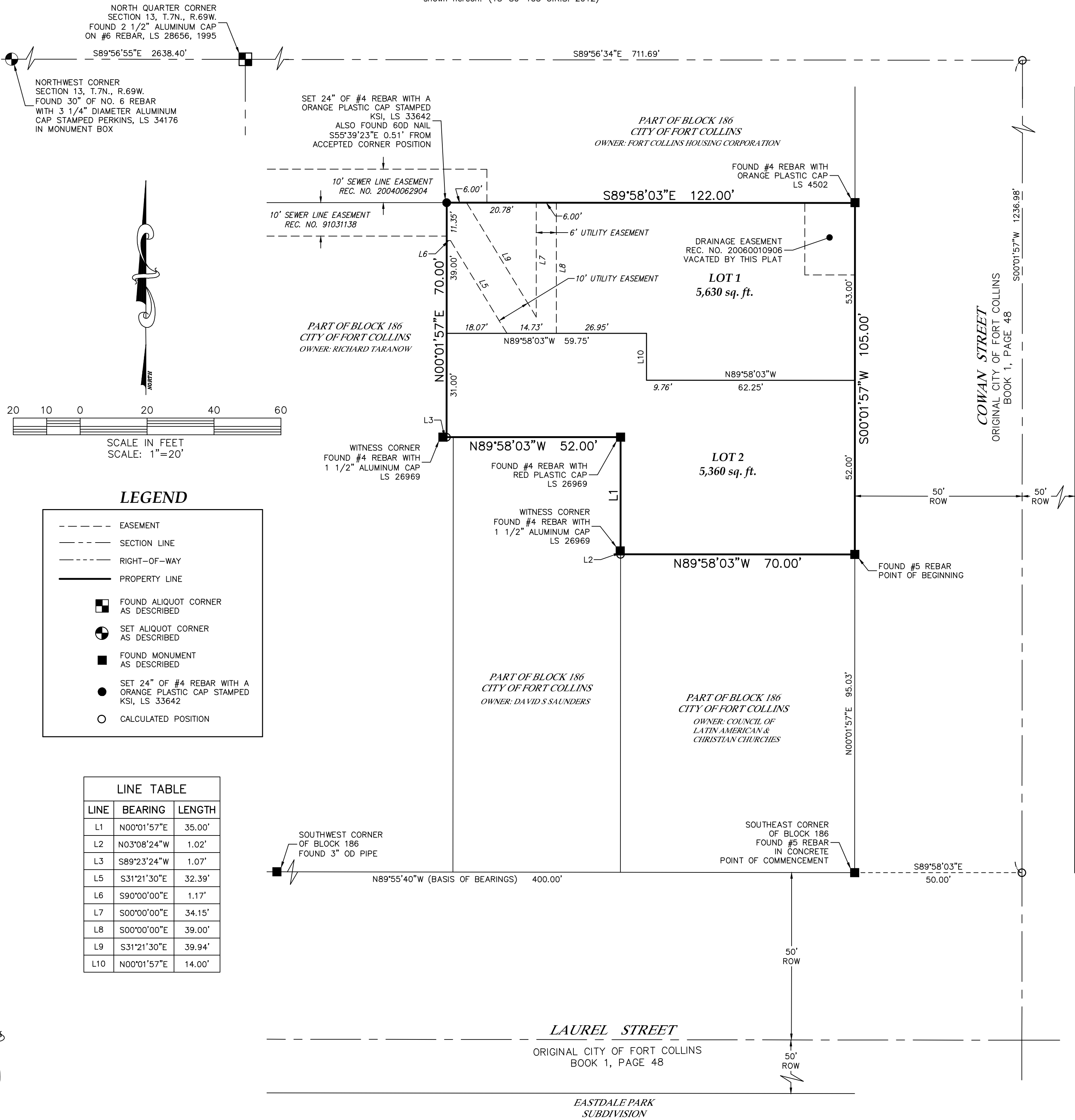
Attorney:

Address:

Registration No.:



VICINITY MAP
SCALE: 1"=1000'



TITLE COMMITMENT NOTE

This survey does not constitute a title search by King Surveyors to determine ownership or easements of record. For all information regarding easements, rights-of-way and title of records, King Surveyors relied upon Title Policy Number FC25119762, dated 10-30-2013 at 5:00 PM as prepared by LAND TITLE GUARANTEE COMPANY to delineate the aforesaid information.

NOTES

- Entire property is in flood zone 'X', "area determined to be outside the 0.2% annual chance of floodplain" per City of Fort Collins website fcgov.com and per FEMA flood map 08069C0979G revised June 17, 2008. For further information, call City of Fort Collins Utilities, phone (970) 221-6700.
- Entire property is in zoning is Neighborhood Conservation, Medium Density District (NCM).

SURVEYOR'S STATEMENT

I, Lawrence S. Pepek, a Colorado Registered Professional Land Surveyor, do hereby state that this Subdivision Plat was prepared from an actual survey under my personal supervision, that the monumentation as indicated hereon were found or set as shown, and that the foregoing plat is an accurate representation thereof, all this to the best of my knowledge, information and belief.

Lawrence S. Pepek — On Behalf Of King Surveyors
Colorado Registered Professional
Land Surveyor #33642

DATE:
12/03/2011

FILE NAME:
2009368SUB

SCALE:
1"=20'

DRAWN BY:
CSK

CHECKED BY:
LSP

KING SURVEYORS
650 E. Garden Drive | Windsor, Colorado 80550
phone: (970) 686-5011 | fax: (970) 686-5821

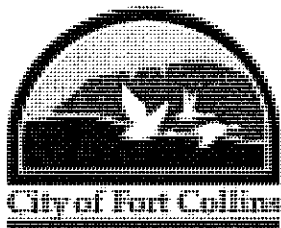


DATE:					

NATHAN'S SUBDIVISION
FOR
LAMAR VALLEY CRAFTSMAN
2620 BUSH CREEK DRIVE
FORT COLLINS, CO 80528

PROJECT #:
2009368

1
SHEET 1 OF 1



Advance Planning
281 N College Ave
PO Box 580
Fort Collins, CO 80522-0580

970.221.6376
970.224.6111 fax
970.224.6002 TDD
fcgov.com/advanceplanning

July 3, 2008

Barry Schram
Via email

Re: Determination of Eligibility, 637 Cowan

Dear Mr. Schram:

As you are aware, the property at 637 Cowan was recently reviewed under Chapter 14, Article IV of the Fort Collins Municipal Code, for its eligibility for designation as a Fort Collins Landmark.

After evaluating the significance and the historic integrity of the residence, the Chair of the Landmark Preservation Commission and the Director of Advance Planning have determined that the property is not eligible for individual designation as a Fort Collins Landmark, nor is it designated on the National or State Registers of Historic Places, either individually or as a contributing element of a district.

Therefore, you may alter or demolish the buildings without further Historic Preservation review, once you have complied with all other applicable City requirements.

Please contact me if you have any questions regarding this decision.

Sincerely,

Alyson McGee, Preservation Planner
Advance Planning Department
P.O. Box 580
Fort Collins, CO 80522-0580
(970) 221-6597
Email: amcgee@fcgov.com