

TOWN OF SNOWMASS VILLAGE

ADMINISTRATIVE MODIFICATION APPLICATION

An administrative modification is a staff-level review procedure that allows minor changes to be made to certain dimensional limitations or other design features in order to address technical constraints or unanticipated circumstances that arise during final design or during actual construction.

GENERAL DATA REQUIREMENTS

Date: _____
Name of Owner: _____
Address: _____ Phone: _____
Name of Applicant (if different than owner): _____
Address: _____ Phone: _____
Physical Address of Property: _____
Legal Description: _____

EXISTING CONDITION INFORMATION

Present Zoning: _____
Lot Area (sq.ft.): _____ Building Setbacks (ft.): _____
Allowable Floor Area Ratio per Zoning or PUD Plan: _____
Square Footage of All Areas Calculated as Floor Area by Code: _____
Existing Building Height (if applicable): _____
of Parking Spaces and Bedrooms (if applicable): _____

PROPOSAL DATA

(Only fill in those that apply)

Proposed Building Setbacks: _____
Proposed Floor Area: _____
Proposed Building Height: _____
Proposed Envelope Adjustment: _____
Proposed Parking Space Size: _____
Proposed Minor Amendment to PUD, Subdivision, Building Lot
or Minor Use Change: _____
Other: _____

DESCRIBE YOUR PROPOSED ADMINISTRATIVE MODIFICATION

PROVIDE THE FOLLOWING ADDITIONAL INFORMATION

1. **Disclosure of Ownership.** A certificate from a title insurance company or attorney licensed in the State which shall set forth the names of all owners of property included in the application and shall include a list of all mortgages, judgments, liens, contracts, easements or agreements of record that affect the property. At the Town's option, the holders or owners of such mortgages, judgments, liens, contracts, easements or agreements of record may be required to consent to the application before it is acted upon by the Town.
2. **Vicinity Map.** An eight and one-half inch by eleven inch (8 1/2" x 11") vicinity map locating the subject parcel within the Town of Snowmass Village.
3. **Other Maps.** All other maps required for the application shall be prepared at a scale of one inch equals one hundred feet (1" = 100') or larger, on sheets no larger than thirty inches by forty-two inches (30" x 42"), with an unencumbered margin of one and one-half inches (1.5") on the left hand side of the sheet and one-half inch (0.5") around the other three (3) sides of the sheet. Sheets of twenty-four by thirty-six inches (24" x 36") are preferred. If it is necessary to place information on more than one (1) sheet, an index shall be included on the first sheet. Report-size versions of all maps, reduced to a sheet size of no greater than eleven inches by seventeen inches (11" x 17"), shall also be submitted.
4. **Site Plan.** A site plan of the subject property, showing existing improvements and proposed development features that are relevant to the review of the proposed administrative modification application. As necessary, the applicant shall also submit such other written or graphic information as is necessary to describe the proposed modification, such as a sketch of those elements of the proposed structure for which an administrative modification is requested.
5. **Improvement Survey.** An improvement survey, showing the location and dimensions of all existing structures, streets, alleys, easements, drainage areas, irrigation ditches, public and private utilities and other significant features within the property or proximate to the project area shall be required as may be determined necessary by the Planning Director to ensure adequate review of the application.
6. **List of Adjacent Owners.** Applicants proposing to adjust a building envelope, extend an on-grade or below-grade structure into a required setback, obtain interim SPA (SPA-1 and SPA-2) authorization or to amend a use in an approved PUD shall submit a list of all owners of property that is located within three hundred (300) feet of the subject property. The list of persons shall be compiled pursuant to Section 16A-5-60(b)(2)a, Source of list.
7. **Base Fee.** The application shall be accompanied by the applicable base fee from the Building and Planning Department's fee schedule. The applicant shall reimburse the Town for such amounts in excess of the base fee as determined by the Planning Director. The reimbursement to the Town by the applicant shall be due and payable within fifteen (15) days of the date of billing.

8. **Other Information.** The Planning Director may request the applicant to submit such other information as is necessary to evaluate the impacts of the administrative modification application. Examples of the information that may be requested are elevations of proposed new or remodeled structures, analysis of the traffic impacts of the proposed use, or evaluation of the environmental or fiscal impacts of the proposed use.

NO APPLICATION WILL BE PROCESSED UNTIL ALL REQUIRED INFORMATION IS PROVIDED.

REASONS FOR REQUESTING THIS ADMINISTRATIVE MODIFICATION

1. Are there any technical constraints which warrant a modification?

2. Are there any unanticipated circumstances that have arisen which warrant a modification?

3. For an adjustment to a building envelope does the modification allow for:

a) Better conformance to the standards of this development code?

b) Less vegetation to be removed from the site?

c) Better access to the site?

4. Other reasons?

RULES OF PROCEDURE

The following procedures shall apply to an application for an administrative modification (see attached figure: Administrative Modification Application Procedures).

1. **Pre-Application Conference.** Attendance at a pre-application conference is optional prior to submission of an administrative modification application.
2. **Submission of Application.** The applicant shall submit an application to the Planning Department
3. **Staff Review and Notice.** Staff review of the application shall be accomplished, as specified in Section 16A-5-50, Staff review of application. For an application proposing to adjust a building envelope, extend an on-grade or below-grade structure into a required setback, obtain interim SPA (SPA-1 and SPA-2) authorization or to amend a use in an approved PUD, the applicant shall provide notice by Certified Mail to all of property that is located within three hundred (300) feet of the subject property. The notice that is mailed shall contain sufficient graphic and written material to fully describe the administrative modification proposal and state that the Planning Director will take action on the application within fifteen (15) days after the date of the mailing.
4. **Action By Planning Director.** Following the notice period, the Planning Director shall issue a written decision notice approving, approving with conditions, or denying the application, based on the following standards:
 - a. **Unforeseen Circumstances.** The proposed modification shall be the result of circumstances that could not have been anticipated by the applicant, such as technical or engineering considerations discovered during actual construction that could not reasonably be anticipated during the original approval process; and
 - b. **Insubstantial Impacts.** Any adverse impacts on surrounding properties from the proposed modification shall be insubstantial.
5. **Referral to Planning Commission.** If, during the staff review or during the public hearing, any issues arise that cannot be resolved to the satisfaction of the staff or the applicant, then the staff shall refer the application to the Planning Commission, which shall approve, approve with conditions, or deny the application, based on the standards in Section 16A-5-260(4) above. Public notice that an application for administrative modification has been referred to the Planning Commission shall be given by publication, mailing and posting of notice, pursuant to Section 16A-5-60(b), Manner and Timing of Notice.
6. **Appeal.** A decision by the Planning Director on an administrative modification may be appealed, pursuant to Section 5-170 of the Code. The appeal shall be referred to the Town Council, which shall consider the matter pursuant to Section 5-170 (D) of the Code.
7. **Recording.** If the Planning Director shall approve the administrative modification, the applicant shall, within thirty (30) days of the date of said approval, cause the written decision notice to be recorded in the records of the County Clerk and Recorder.

An administrative modification shall only be granted for the following types of activities:

1. **Setback.** The intrusion of a building or an above-grade structure into a required setback by one foot (1') or less for new construction.
2. **Floor Area.** An increase in the maximum allowable floor area of a structure by no more than two percent (2%) or fifty (50) sq. ft., whichever is less.
3. **Building Height.** An increase in a building's height by one foot (1') or less.
4. **Parking Space Size.** A decrease in the size of a required parking space by one foot (1') or less.
5. **Crawl Space or Attic Space.** A crawl space or attic space that is greater than five and one-half feet (5 1/2') at any point when rational construction methods will not allow compliance with the maximum height of five and one-half feet (5 1/2'), provided that the Planning Director may impose reasonable conditions to limit or restrict the use of said space.
6. **On-Grade or Below-Grade Structures.** The projection of an on-grade or below-grade structure into a required setback in a manner that exceeds the limitations established in Section 3-160 B (2) of the Snowmass Village Municipal Code (the Code). The Planning Director may impose reasonable conditions to ensure that such structures will not hinder road maintenance and snow plowing operations and will have minimal visual impacts, and to ensure that the owner indemnifies the Town against any damage that may occur to said structures.
7. **Building Outside of Established Envelope.** An intrusion into a required setback, where a building or portion thereof was previously constructed outside of the established building envelope for the lot.
8. **Adjustment to Building Envelope.** Adjustment of a building envelope to correct an existing condition or to allow it to better conform to the standards of the Code, such as by allowing less vegetation to be removed from the site, helping to lessen impacts from drainage or site grading, or permitting better access to the site to be provided.
9. **Administrative Amendments.** An administrative amendment to any other design feature of an approved PUD, subdivision or building lot, or an administrative amendment to the uses approved for a PUD. Activities that shall not be considered administrative include changes to the overall character of the project, changes that substantially increase trip generation or the demand for public facilities, and changes that are inconsistent with a condition or a representation of the project's original approval, or that require granting a further variation from that granted in the original approval.
10. **Interim SPA (SPA-1 ad SPA-2) Authorization.** Improvements to existing development within Specially Planned Area (SPA-1 and SPA-2) and Governmental Specially Planned Area zone districts that have not been reviewed pursuant to the procedures and standards of Article V, Division 3, Planned Unit Development, provided: 1) the improvements are necessary for the maintenance and repair or remodeling of an existing building; 2) there will be no change in type of use except as may be accessory to or customary in connection with the existing principal use(s) of the building; 3) the total square footage of the floor space of the building is not increased by more than ten percent

(10%) or five hundred (500) square feet, whichever is less, except in the case of Governmental Specially Planned Areas it shall be ten percent (10%) of the building floor space; 4) the proposed improvements will be consistent with Section 16A-4-340, Building design guidelines to preserve community character; and 5) all future development improvements within the property shall be reviewed pursuant to the procedures and standards of Article V, Division 3, Planned Unit Developments. The Planning Director shall require the preparation of an Interim Site Development and Land Use Plan and may impose reasonable conditions to ensure that such structures will not change the basic character of existing building or surrounding areas or have a substantially adverse impact upon surrounding properties.

11. **Site Disturbance Outside Building Envelope.** Earth berms located outside the building envelope which do not satisfy the criteria specified within Section 16A-4-320(b)(2)a. Earth berm outside building envelope. The Planning Director may impose reasonable conditions to ensure that such berm will be located and designed to reasonably fit the site and to minimize the visual impact upon surrounding property owners.

P:\Forms\Admin. Mod