



Archuleta County Development Services Department
ARCHULETA COUNTY PLANNING COMMISSION AGENDA
County Commissioners Meeting Room, 398 Lewis Street
Public is welcome and encouraged to attend.

REGULAR PLANNING COMMISSION MEETING FOR JUNE 22, 2016, 6PM

ROLL CALL

CONSENT:

OLD BUSINESS:

NEW BUSINESS:

Smith Rezoning Agricultural/Ranching (AR) To Commercial (C), 2025/2083 E US HWY 160 (PLN16-040).

Kenneth D. Smith, represented by Duke Eggleston, Eggleston Kosnik LLC, has applied to rezone a 5.17 acre tract of land at 2025/2083 E US HWY 160, Pagosa Springs, from Agricultural/Ranching (AR) to Commercial (C). The parcel of land located in the SW ¼ Section 8, T35N, R1W, NMPM, is more particularly described by metes and bounds.

Documents: [PLN16-040_SMITH_REZONING-PC_20160622-STAFF_REPORT.PDF](#), [PLN16-040_A1-SMITH_REZONING-AREAMAPS.PDF](#), [PLN16-040_A2-REVIEWCOMMENTS.PDF](#), [PLN16-040_A3-SMITH_APPLICANTS NARRATIVE_SUPPORTINGMATERIAL.PDF](#), [PLN16-040_A4-SMITH_REZONING-PLOT_PLAN_2004.PDF](#), [PLN16-040_A5-LEGAL_DESCRIPTION_FOR_SMITH_PROPERTY.PDF](#)

REPORTS, ANNOUNCEMENTS:

NEXT MEETING

Regular Meeting July 27, 2016, 6pm
Policy Meeting August 10, 2016, 6pm

ADJOURN

Work Session On Community Plan (As Time Allows)

Please Note: Agenda items may change order during the meeting; it is strongly recommended to attend the meeting at the start time indicated.



Archuleta County
Development Services—Planning Department
1122 HWY 84
P. O. Box 1507
Pagosa Springs, Colorado 81147
970-264-1390
Fax 970-264-3338

MEMORANDUM

TO: Archuleta County Planning Commission

FROM: John C. Shepard, AICP; Planning Manager

DATE: June 22, 2016

RE: Smith Rezoning Agricultural/Ranching (AR) to Commercial (C), in SW ¼ Section 8, T35N, R1W NMPM, at 2025/2083 E US HWY 160 (PLN16-040).

EXECUTIVE SUMMARY

Kenneth D. Smith, represented by Duke Eggleston, Eggleston Kosnik LLC, has applied to rezone a 5.17 acre tract of land at 2025/2083 E US HWY 160, Pagosa Springs, from Agricultural/Ranching (AR) to Commercial (C). The parcel of land located in the SW ¼ Section 8, T35N, R1W, NMPM, is more particularly described by metes and bounds.

REVIEW PROCEDURE

The *Archuleta County Land Use Regulations* (Section 3.1.7) provide for rezoning initiated by a property owner or the Board of County Commissioners. Submittal Requirements are outlined in Section 3.1.7.2. The Planning Commission shall review and make recommendation on a proposed zone map amendment based in general upon the provisions of the Regulations and specific criteria.

Public notice was scheduled to be published in the *Pagosa Springs Sun*, was posted on site, and mailed to adjacent property owners as required.

DISCUSSION

Kenneth D. Smith owns 5.17 acres on US Highway 160 east of Pagosa Spring, which is used by Smithco Enterprises, LLC, as a contractor's yard. There is also a vacant office/retail structure on the site. Adjacent to the site is a Veterinary clinic to the north (zoned Commercial), residences across US Highway 160 (zoned Residential), and a 32 acre agricultural parcel also owned by the Applicant (also zoned Agricultural/Ranching).

The *Archuleta County Community Plan* of 2001 provides guidance for future development. The Future Land Use Map considers this area as Tier 2 meeting some but not all criteria for future development. In Chapter 5, Land Use and Growth Management, Policy 8 states "Locate new commercial development in designated areas to minimize commercial strip development". The

Joint Town County Planning Commission Zoning Discussion 2010 map designates the area as a Mixed-Use Corridor, suitable for changes to zoning, in the Joint Influence Area.

This area was zoned Agricultural/Ranching (AR) when countywide zoning was adopted in 2006. The AR Zoning District is intended to be generally consistent with the Very Low Density Residential Future Land Use designation. The Commercial (C) Zoning District is intended to be generally consistent with the Commercial land use district in the Community Plan, and provide for all types of commercial activities. Building Contractors and Equipment is a Conditional use in the AR and the C zoning districts. While a few Commercial uses are permitted in the AR zone, in general most Retail and Office uses are only permitted in Commercial or Industrial zones. Uses by Right and Conditional Uses listed in Table 3 for the C zone include, in part:

- Dwellings (CUP)
- RV Park (CUP)
- Adult-Oriented Uses (CUP)
- Bar or Tavern (CUP)
- Bed and Breakfast (CUP)
- Car wash
- Child Care Center
- Clubs and Lodges
- Drive-In Use (CUP)
- Entertainment Facilities and Theaters
- Equipment Rental and Sales (CUP)
- Financial Institution
- Firewood Related Wood Product Sales
- Gasoline Station (CUP)
- Grocery Store, Large (CUP)
- Grocery Store, Small
- Health and Athletic Club
- Kennel (CUP)
- Lodging Establishment
- Lodging Units (CUP)
- Medical and Dental Offices and Clinics
- Mortuary and Funeral Home
- Office, General (CUP)
- Office, Professional
- Personal and Business Service Shops
- Printing and Publishing (CUP)
- Restaurant
- Retail, Convenience Store
- Retail Establishment, Large (CUP)
- Retail Use (5,000sf-25,000sf)
- Shopping Center (CUP)
- Vehicle Minor Repair, Servicing and Maintenance
- Veterinary Facilities, Small Animal Clinic
- Veterinary Hospital
- Building Contractors and Equipment (CUP)
- Recycling Facility (CUP)
- Vehicle Major Repair, Servicing and Maintenance (CUP)
- Warehouse, Mini-storage (CUP)
- Workshop and Custom Small Industry (CUP)
- Campground (CUP)
- Limited Indoor Recreation Facility
- Limited Outdoor Recreation Facility (CUP)
- Marijuana Establishment

While a Contractor's yard would be treated the same in AR or C zoning (Conditional Use), the office/retail structure is considered non-conforming in the AR zone. When that use is discontinued for more than one year, the "grandfathered" status lapses and only a permitted use of that structure would be permitted (Sec. 1.3.3.2 of the Land Use Regulations). The existing

site is also out of compliance with current requirements to screen Outdoor Storage (Sec. 5.4.2.6(1)) and for Dark-Sky compliant lighting (Sec. 5.4.4).

The criteria in Section 3.1.7.3 of the Land Use Regulations guide a decision to amend the Official Zoning Map. Applicant provides their case for the proposal in their Narrative (attached). These include, in part:

- Criteria (4) that the existing zone classification is in error. Applicant contends that “it was an error not to include this parcel as “Commercial,” based on both its historical and then current uses.” The online zoning map was also inconsistent, with text that seemed to designate part of the parcel as Commercial with AR green color. However, when the Official Zoning Map was adopted in 2006, the County gave property owners one year to correct any errors found in the map and this inconsistency was not challenged. Also, a Building Contractor is treated the same in Agricultural/Ranching or Commercial zones, and the office building could have been used for that use.
- Applicant also addresses other review criteria, stating that the change of zone is in conformance with the Community Plan (Criteria 5), compatible with the surrounding area (6), there will be economic benefits to the community (7), that adequate infrastructure is available to serve the type of uses allowed (8), will not adversely affect the area (9) and that the rezoning will not create a spot zone (10) since the property directly adjacent to the north is also zoned Commercial.

No public comments have been received. The application was referred to local utilities and regulatory agencies for review, as provided in Section 2.2.5. Comments received prior to preparation of this staff report include:

- County Engineering and Pagosa Fire Protection District had no objections.
- CDOT Access Manager noted that Applicants will need to file a new access permit.
- Town of Pagosa Springs Planning Director noted that the property is within the Town’s statutory 3-mile planning radius, and had been considered for Mixed Use zoning. Even with Commercial zoning adjacent, these parcels would be an island inconsistent with neighboring residential property. Re-zoning to Commercial may affect neighboring properties, since future users would have a right to any use permitted in the Commercial zone. All possible Commercial uses must be considered, not just the current uses.

RECOMMENDATION AND FINDINGS

Based on evidence provided, staff recommends the Planning Commission find that:

- a. The application meets the review criteria for rezoning in Section 3.1.7.3 of the *Archuleta County Land Use Regulations*, and

And that the Planning Commission recommend approval of the Smith Rezoning from Agricultural/Ranching (AR) to Commercial (C), in SW ¼ Section 8, T35N, R1W NMPM, at 2025/2083 E US HWY 160., with the following conditions:

1. This approval shall be contingent on bringing the site into compliance with the Site Development Standards in Sec. 5.4.2.6 (Outdoor Storage) and 5.4.4 (Outdoor Lighting) in the *Archuleta County Land Use Regulations*.
2. The Official Zoning Map shall be amended and filed with the County Clerk and Recorder.

PROPOSED MOTION

I move to recommend approval to the Board of County Commissioners, of the request to rezone to Commercial zoning, with Finding A and Conditions 1-2 of the staff report.

ATTACHMENTS.

Attachment 1: Area Maps

Attachment 2: Review Comments

Attachment 3: Applicant's Narrative and Supporting Material

Attachment 4: Property Plot Plan (2004)

Attachment 5: Property Legal Description

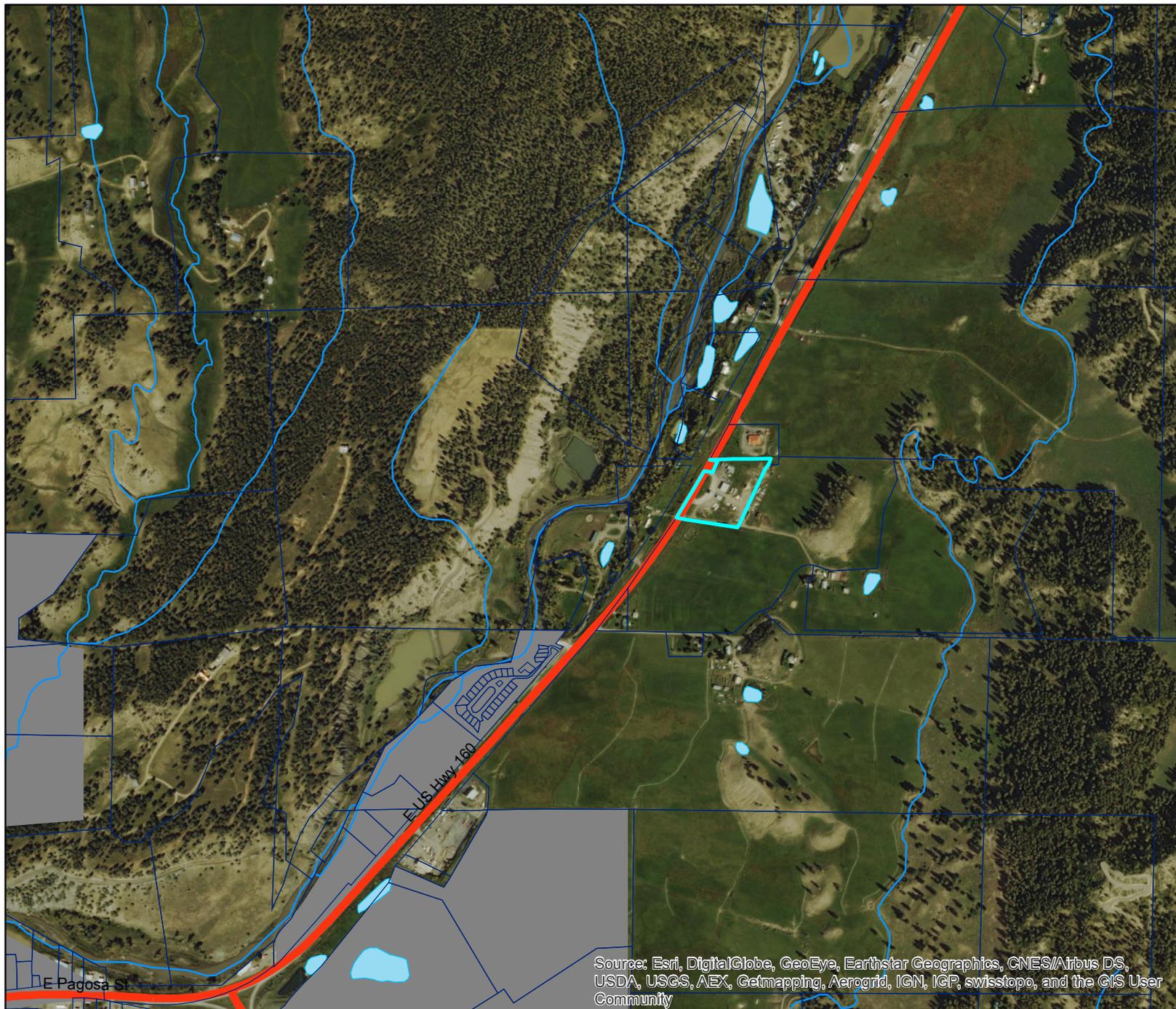


Site Map

16-040
Smith
Rezoning

Legend

- Parcels
- Highway
- Primary Road
- Lakes
- Rivers
- Pagosa Springs
- Project Location



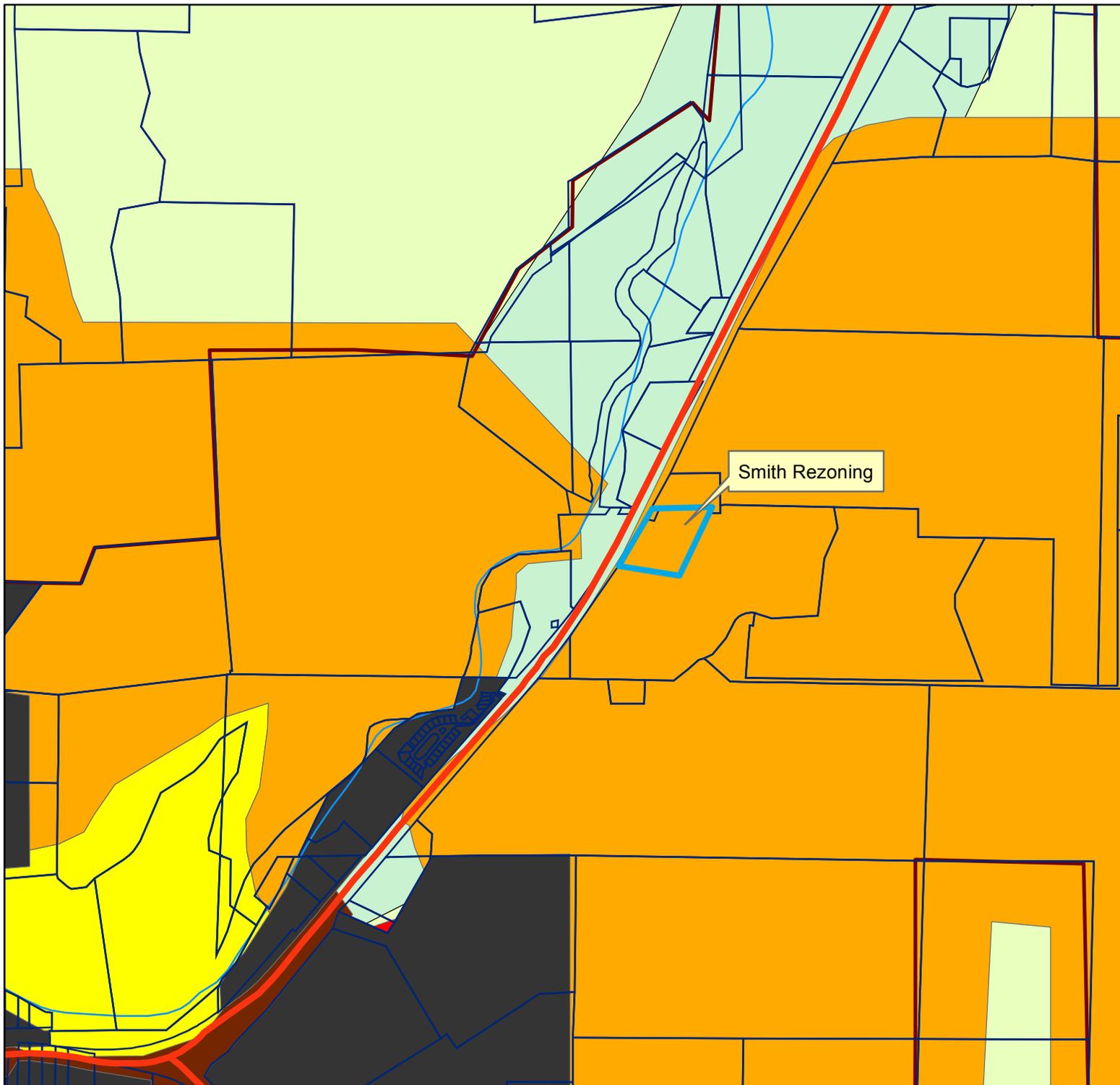
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



440 220 0 440 Feet



Archuleta Community Plan (2001) Detail: Future Land Use



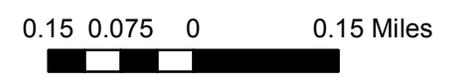
Legend

- Major Roads
- Parcels
- Rivers & Streams
- Lakes
- Critical Wildlife Habitat
- Migration Corridor
- Joint Planning Area
- Pagosa (2009)
- Tier 1
- Tier 2
- Industrial Park
- Commercial Area
- Future Landuse**
- High density residential
- Medium density residential
- Low density residential
- Very low density residential
- Public land
- Village Center



Detail of map developed 21 Sept 2011

Archuleta County Development Services
10 May 2016





Site Map

16-040
Smith
Rezoning

Legend

- Parcels
- Highway
- Primary Road
- Lakes
- Rivers
- Pagosa Springs

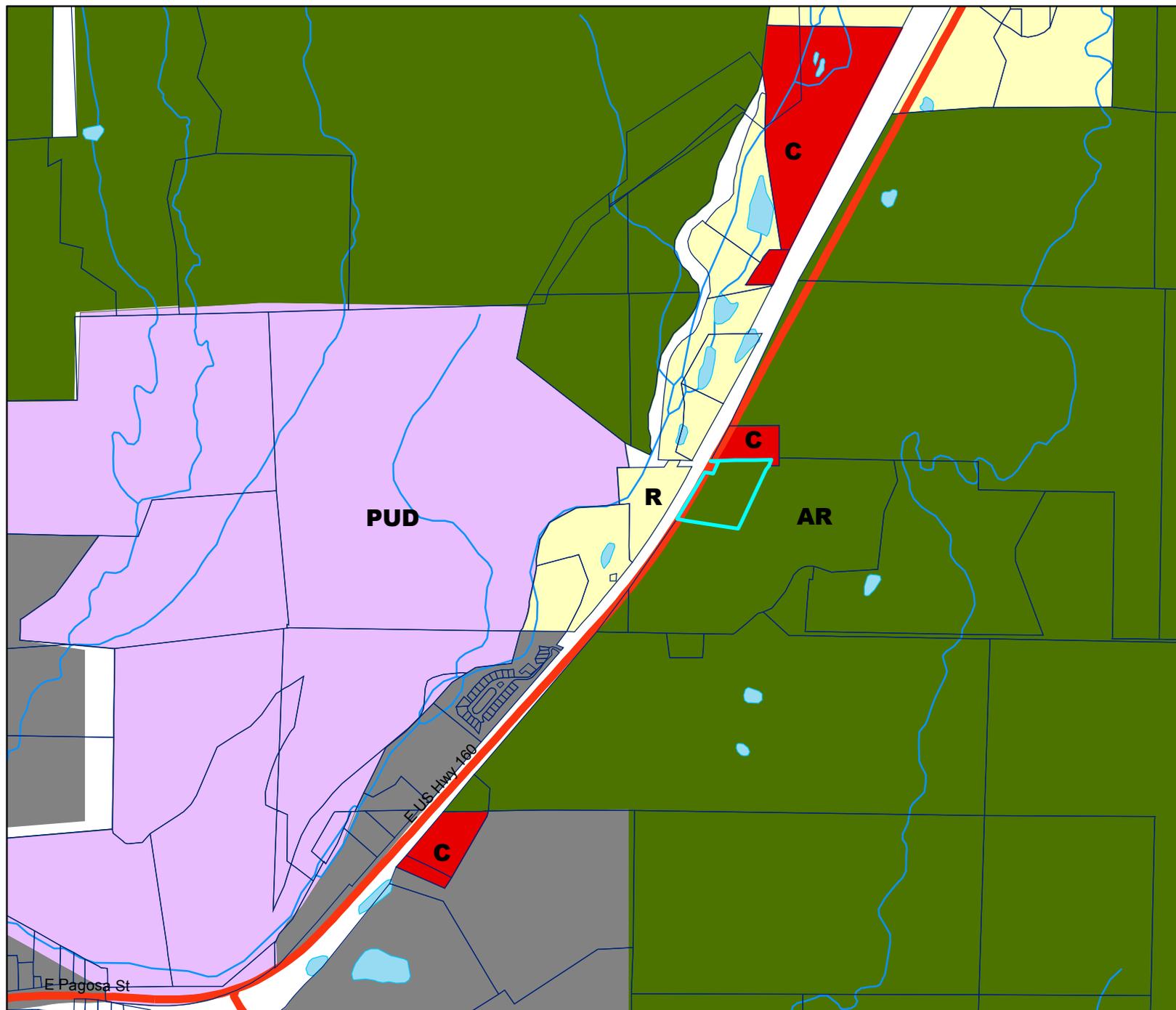
Zoning Map 2011

Zoning Districts

- Agriculture Forestry (AF)
- Agriculture Ranching (AR)
- Agricultural Estate (AE)
- Rural Residential (RR)
- Residential (R)
- Mobile Home Park (MHP)
- Commercial (C)
- Industrial (I)
- PUD
- Project Location



440 220 0 440 Feet



This map has been produced using various geospatial data sources. The information displayed is intended for general planning purposes and the original data will routinely be updated. No warranty is made by Archuleta County as to the accuracy, reliability or completeness of this information. Consult actual legal documentation and/or the original data source for accurate descriptions of locations displayed herein.



Site Map

16-040
Smith
Rezoning

Legend

-  Parcels
-  Highway
-  Project Location



90 45 0 90 Feet



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



551 Hot Springs Boulevard
Post Office Box 1859
Pagosa Springs, CO 81147
P: 970.264.4151
F: 970.264.4634

Town of Pagosa Springs
Planning Department

Date: June 3, 2016
To: John Shepard, Archuleta County Planning Manager
Re: 2025 E. Hwy 160 rezoning to Commercial

Hello John,

This correspondence is in response to the application for rezoning 2025 E. Hwy 160 from the Agricultural Ranching district to a Commercial zoning district. This proposal is within the Town's 3-mile planning radius map and had been considered for Mixed Use zoning in the 2010 Joint Town/County zoning discussions.

The subject property is within the County's Agricultural Ranching (AR) zoning district with existing Residential zoning on the north side of Hwy 160 opposite this property, and Agricultural Ranching zoning to the west and south and one parcel of Commercial zoning to the east.

For the Archuleta County Planning Commissions consideration, following are observations and comments regarding the rezoning proposal:

- 1) If rezoned to commercial, this parcel and the adjacent parcel to the east would be an island of commercial zoning in this area, and would be inconsistent with current adjacent property zoning and future zoning considerations.
- 2) The investment in physical infrastructure and structures specific to the current use of the property is fairly minimal, which is beneficial for future re-development considerations.
- 3) The current use is a non-conforming use in the AR district that could be allowed to operate as it has historically, however, with limitations on expansions of the operations and infrastructure investments. Expansion of commercial facilities and uses may have a negative impact on the surrounding properties.
- 4) Re-zoning to commercial may affect the neighboring properties when future allowed "commercial" uses are invested and operated on the property.
- 5) If re-zoning to commercial is granted, this would be a good time (and the only time) to require proper buffering and screening of the site from the Hwy and neighboring properties as a contingency of re-zoning.
- 6) The applicant is requesting zoning to match the current use of the property, however, the current use of the property appears to be more in line with an industrial use and zoning, not commercial. Re-zoning to industrial could have future negative consequences to neighboring property owners if the property were to be sold and the new owner invested in an allowed "use by right" industrial business.
- 7) The County assessors use classification is specific to property tax assessments based on the current use of the property and should not be considered as justification for rezoning properties.
- 8) The reasoning of rezoning due to "Error" in previous and current zoning designations should be considered in the context that new zoning designations are not necessarily based on current uses, however, based on best future zoning and use considerations. This is especially true on properties that have a relatively small investment specific to the current use, that would permit a financially feasible redevelopment of the property.

- 9) The County's commercial zoning definition has a wide breath of allowed uses, please consider all the future possibilities of allowed uses that are allowed in the commercial district.

Please contact me with any questions.

Thank You, Respectfully,

*James Dickhoff
Town of Pagosa Springs
Planning Department Director
Po Box 1859
551 Hot Springs Blvd.
Pagosa Springs, Co. 81147
970-264-4151 x225*

jdickhoff@pagosasprings.co.gov

John Shepard

From: Heinlein - CDOT, Jo <jo.heinlein@state.co.us>
Sent: Wednesday, June 01, 2016 11:16 AM
To: John Shepard
Subject: Re: COUNTY REVIEW: PLN16-040 Smith Rezoning, 2025/2083 E US HWY 160

John,

They will need to file a new access permit application for this project.

Thanks, \

Jo Heinlein

Access Manager
Region 5 - Traffic & Safety



COLORADO
Department of Transportation
Office of Communications

P 970.385.3626 | F 970.385.8361
3803 N. Main Ave., Suite 100, Durango, CO 81301
jo.heinlein@state.co.us | <http://www.codot.gov/business/permits/accesspermits>



Confidentiality Disclaimer: This message may contain confidential information and is intended only for individual(s) named. If you are not the intended recipient you are not authorized to disseminate, distribute or copy this email. Please notify the sender immediately if you have received this email by mistake and delete this email from your system. Thank you.

John Shepard

From: Yari Arceneaux
Sent: Monday, May 16, 2016 2:12 PM
To: John Shepard
Subject: RE: COUNTY REVIEW: PLN16-040 Smith Rezoning, 2025/2083 E US HWY 160

Hi John,

The Engineering Department does not have any issues with the re-zoning.

Thanks,

Yari Davis
Archuleta County
Engineering Technician
Phone: (970)264-8404
Fax: (970)264-6815
Email: yarceneaux@archuletacounty.org



Pagosa Fire Protection District



May 27, 2016

Review of Land Use Permit Application:

Project: Smith Re-Zoning

Address: 2025/2083 East Highway 160

Applicant: Kenneth D. Smith

Fire District Comments:

The Pagosa Fire Protection District has no objections to the proposed rezoning of this property.

Randy Larson

Fire Chief

PROJECT NAME: Smith Rezoning Application
SUBMITTED TO: Archuleta County Planning Department
SUBMITTED BY: Eggleston Kosnik LLC

Location, Property Description and History

Applicant Kenneth D. Smith is the owner of a 5.17 acre parcel of land on U.S. Highway 160 East, utilized by various tenants including his company, Smithco Enterprises, LLC. Long time residents still sometimes refer to the property as the Relay Station Motel. Over the years, the property has been a motel, gas station and Truck Stop, various retail businesses and restaurant. Most recently a portion of the property has been used for Smithco's business offices, with another portion the former home of Voormi's retail shop and offices.

The property is currently assessed and taxed as a commercial property. (See Attached Assessor's Notice). Importantly, when Applicant was informed that the property was not formally zoned "commercial," the County website and map indicated otherwise (clicking on the property revealed Smith as the owner and the zoning designation was "Commercial," though the shading was part green and red, not fully red – see attached email). Similarly, the commercial uses are so ingrained (and previously confirmed by the county website/map), that Applicant's independent 2011 appraisal of the property states that the Zoning is (C) Commercial, and that its highest and best use is "Commercial/Retail." (See Attached Appraisal Summary).

This is not a typical rezoning request, as the Applicant is NOT proposing any new or change in use of the property; it is simply to bring the erroneous zoning designation in compliance with historical and current uses of the property.

Proposal

Applicant is applying to formally "re-zone" the property as permitted under Section 3.1.7 of the Code. Applicant requests that it be formally zoned "Commercial" and requests that the County Zoning Map be amended to reflect the proper zoning, based on the historical and current uses of the parcel.

One of the standards to formally rezone the property is Section 3.1.7.3.4, based on "Error." When the County Zoning Map was adopted, it was an error not to include this parcel as "Commercial," based on both its historical and then current uses. Please note, as indicated above, that the text of county website/map listed Smithco as the owner and the zoning as commercial...it is fair to say that the color of the map was wrong, but the text was correct, and the County should simply change the color of the map instead of the text). Based on the above and Section 3.1.7.3.4 of the Code, the application should be granted.

Although meeting additional standards should not be necessary, the application does meet numerous other review criteria in the Code for rezoning. The property is properly rezoned under Sections 3.1.7.3.5 (conformance with policies/plans for the area), 3.1.7.3.6 (Compatibility), 3.1.7.3.7 (economic benefits), 3.1.7.3.8 (adequate infrastructure), 3.1.7.3.9 (no adverse effect) and 3.1.7.3.10 (no isolated zoning). The attached site plan from 2004, which remains accurate as to the existing site improvements, demonstrates

that site meets existing standards for commercial setbacks, paved concrete driveway access, etc.

The directly adjacent property is zoned Commercial, and thus there is precedent for commercial zoning in the area

In addition, the County and Town have already indicated that the future uses and growth of the highway corridor are appropriate for commercial uses/zoning. The Joint Town County Planning Commission Map shows this property located in the "Mixed Use Corridor," with anticipated commercial/retail uses for the Smithco Property and all adjacent properties in the corridor.

For all of the above reasons, the application should be granted. Upon approval of the application, the Applicant requests that the Official Zoning Map of the County be amended pursuant to Section 3.1.7.4 of the Code.

SUMMARY OF SALIENT FACTS AND CONDITIONS

Date of Inspection: November 23, 2011
 Effective Date of Appraisal: November 23, 2011

Property Appraised: 2025/2083
 East U.S. Highway 160
 Located within
 SW4 Sec.8, T35N, R1W
 Archuleta County, Colorado

Property Size: 5.17 Acres

Owner of Record: Kenneth D. Smith

Purpose of the Appraisal: To determine market value
 "as is" for purpose of current value
 determination

Appraisal completed for
 Exclusive Use of: Bank of the San Juans
 Attn: David Musser
 305 Hot Springs Blvd.
 Pagosa Springs, CO 81147

Zoning: (C) Commercial

Property Rights Appraised: Fee Simple

Present Use: Retail & Commercial

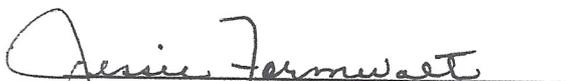
Highest & Best Use: Commercial/Retail

Cost Approach: [REDACTED]

Income Approach: Not Included

Market Approach: [REDACTED]

Certification of Value: [REDACTED]


 Jessie Formwalt, CG1832
 Colorado Certified General
 Real Estate Appraiser
 Date Signed: December 6, 2011

REAL PROPERTY NOTICE OF VALUATION

ARCHULETA COUNTY ASSESSOR
 449 SAN JUAN ST
 P.O. BOX 1089
 PAGOSA SPRINGS, CO 81147

THIS IS NOT A TAX BILL

PROTEST HEARING DATES

Protests by Mail: May 1, 2013 to June 1, 2013
 Protests in Person: May 1, 2013 to June 1, 2013

AT:

ARCHULETA COUNTY ASSESSOR
 449 SAN JUAN ST
 P.O. BOX 1089
 PAGOSA SPRINGS, CO 81147
 PHONE: (970) 264-8310
 FAX: (970) 264-8319
OFFICE HOURS: 8:00 am to 4:00 pm

SMITH KENNETH D
 PO BOX 1452
 PAGOSA SPRINGS CO 81147-1452


40-31

| TAX YEAR | TAX AREA CODE | PARCEL ID | ACCOUNT ID | DATE OF NOTICE |
|---|---------------|---|-----------------|---------------------------|
| 2013 | 5TD | 570108300029 | R012993 | 05/01/2013 |
| PROPERTY ADDRESS | | LEGAL DESCRIPTION (May be incomplete) | | |
| 2025 E US HWY 160 PAGOSA SPRINGS, CO 81147 | | RURAL Sec: 8 Twn: 35 Rng: 1W A TRACT OF LAND LOCATED IN THE SW4 | | |
| PROPERTY CLASSIFICATION | | PRIOR YEAR ACTUAL VALUE | + OR - CHANGE | CURRENT YEAR ACTUAL VALUE |
| COMMERCIAL | | \$289,890 | \$-2,050 | \$287,840 |
| TOTALS | | \$289,890 | \$-2,050 | \$287,840 |
| PROPERTY CHARACTERISTICS | | | | |
| Actual Area: 5.1700 | | | | |
| Building characteristics are for the FIRST BUILDING ONLY!! If property has more than one building, see Assessor for additional info. | | | | |
| Please refer to "TOTALS" for your full property value. | | | | |

ARCHULETA COUNTY ASSESSOR RETURN THIS LOWER PORTION TO THE ASSESSOR'S OFFICE FOR PROTEST
 Natalie Woodruff

The assessment rate for residential property is projected to be 7.96%, § 39-1-104.2(3), C.R.S. A change in the projected residential assessment percentage is not grounds for protest or abatement of taxes, § 39-5-121(1), C.R.S. Generally, all other property, including vacant land, is assessed at 29%, § 39-1-104(1), C.R.S.

The tax notice you receive next January will be based on the current year actual value. If the Senior Citizen or Disabled Veteran Property Tax Exemption has been applied to your residential property, it is not reflected in the current year actual value shown above.

**You have the right to protest the classification and/or valuation of your property.
 Please refer to the reverse side of this notice for additional information.**

YOU HAVE THE RIGHT TO PROTEST YOUR REAL PROPERTY VALUE OR ITS CLASSIFICATION

| TAX YEAR | TAX AREA CODE | PARCEL ID | ACCOUNT ID | DATE OF NOTICE |
|---|---------------|---|------------|----------------|
| 2013 | 5TD | 570108300029 | R012993 | 05/01/2013 |
| PROPERTY ADDRESS | | LEGAL DESCRIPTION (May be incomplete) | | |
| 2025 E US HWY 160 PAGOSA SPRINGS, CO 81147 | | RURAL Sec: 8 Twn: 35 Rng: 1W A TRACT OF LAND LOCATED IN THE SW4 | | |

Building Infomation

Building # CO-3

| | | Exterior 2 | | Feature Areas | | |
|------------|----------------|-------------|----------------------|---------------------------|------|----------------|
| Use | COMMERCIAL | Exterior 2% | | Description | SqFt | Tax% Adj. SqFt |
| Building | CO-3 | Interior 1 | DRYWALL | PTO - Patio | 12 | |
| Type | OFFICE ABV AVG | Interior 2 | | FOP - Finished Open Porch | 356 | |
| Quality | AVERAGE | Interior 2% | | BAS - Base Area | 1513 | |
| Total Area | 1881 | Floor 1 | SHT VINYL | TOT - Total Gross Area | 1881 | 80 1621 |
| Year Built | 1971 | Floor 2 | CARPET | | | |
| Stories | 1 | Floor 2% | 50 | | | |
| Bedrooms | 0 | Heat | GAS-AIR DUCTED | | | |
| Bathrooms | 0 | Roof | GABLE/HIP-MODULAR MT | | | |
| Exterior 1 | BD/BATTEN | | | | | |

Building# CO-2

| | | Exterior 2 | | Feature Areas | | |
|------------|-------------|-------------|-----------------|------------------------|------|----------------|
| Use | COMMERCIAL | Exterior 2% | | Description | SqFt | Tax% Adj. SqFt |
| Building | CO-2 | Interior 1 | MINIMUM | BAS - Base Area | 2400 | |
| Type | GARAGE FAIR | Interior 2 | | TOT - Total Gross Area | 2400 | 100 2400 |
| Quality | AVERAGE | Interior 2% | | | | |
| Total Area | 2400 | Floor 1 | CONC FINSH | | | |
| Year Built | 1990 | Floor 2 | CARPET | | | |
| Stories | 1 | Floor 2% | 50 | | | |
| Bedrooms | 0 | Heat | GAS-FORCED AIR | | | |
| Bathrooms | 0 | Roof | SHED-MODULAR MT | | | |
| Exterior 1 | MOD METAL | | | | | |

Building# CO-1

| | | Exterior 2 | | Feature Areas | | |
|------------|-------------------|-------------|----------------------|------------------------|------|----------------|
| Use | COMMERCIAL | Exterior 2% | | Description | SqFt | Tax% Adj. SqFt |
| Building | CO-1 | Interior 1 | DRYWALL | CAN - Canopy | 756 | |
| Type | SERV STATN - COMM | Interior 2 | | BAS - Base Area | 896 | |
| Quality | AVERAGE | Interior 2% | | TOT - Total Gross Area | 1652 | 54 1123 |
| Total Area | 1652 | Floor 1 | CARPET | | | |
| Year Built | 1990 | Floor 2 | CARPET | | | |
| Stories | 1 | Floor 2% | 50 | | | |
| Bedrooms | 0 | Heat | GAS-CONVECTION | | | |
| Bathrooms | 0 | Roof | GABLE/HIP-MODULAR MT | | | |
| Exterior 1 | PREFAB PNL | | | | | |

Parcel #: 570108300029 Account #: R012993
 Tax Area: 5TD Deed Acres: 5.17
 Use: Commercial

No Pictures Found

Owner:

SMITH KENNETH D

Mailing Address:

PO BOX 1452
 PAGOSA SPRINGS, CO 81147-1452

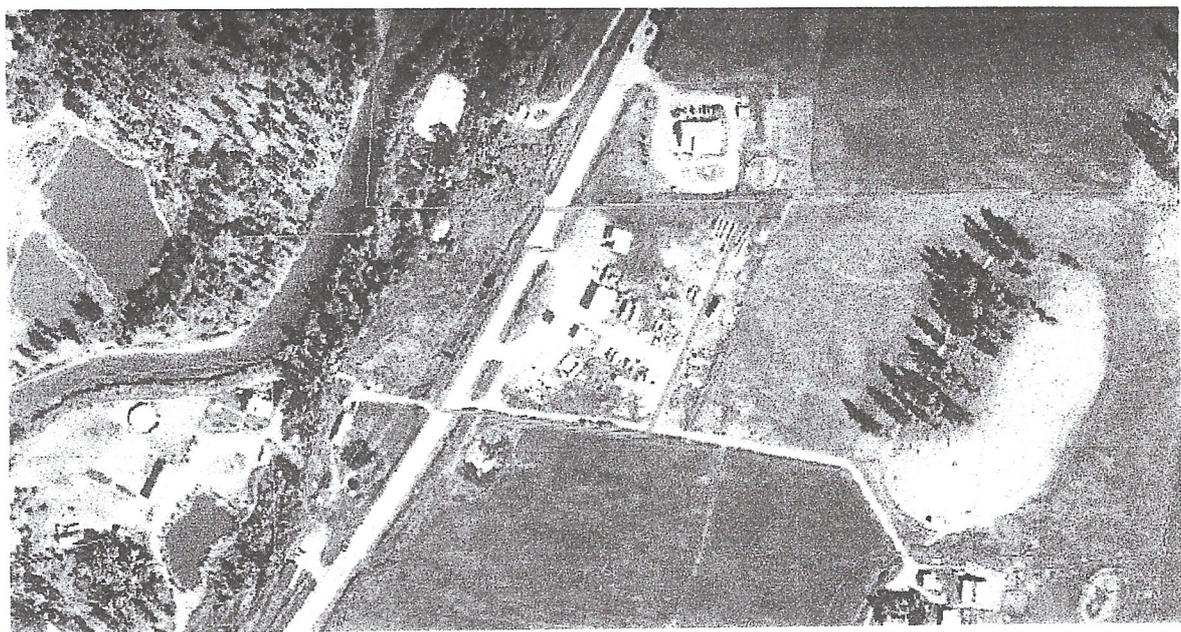
Situs Address:

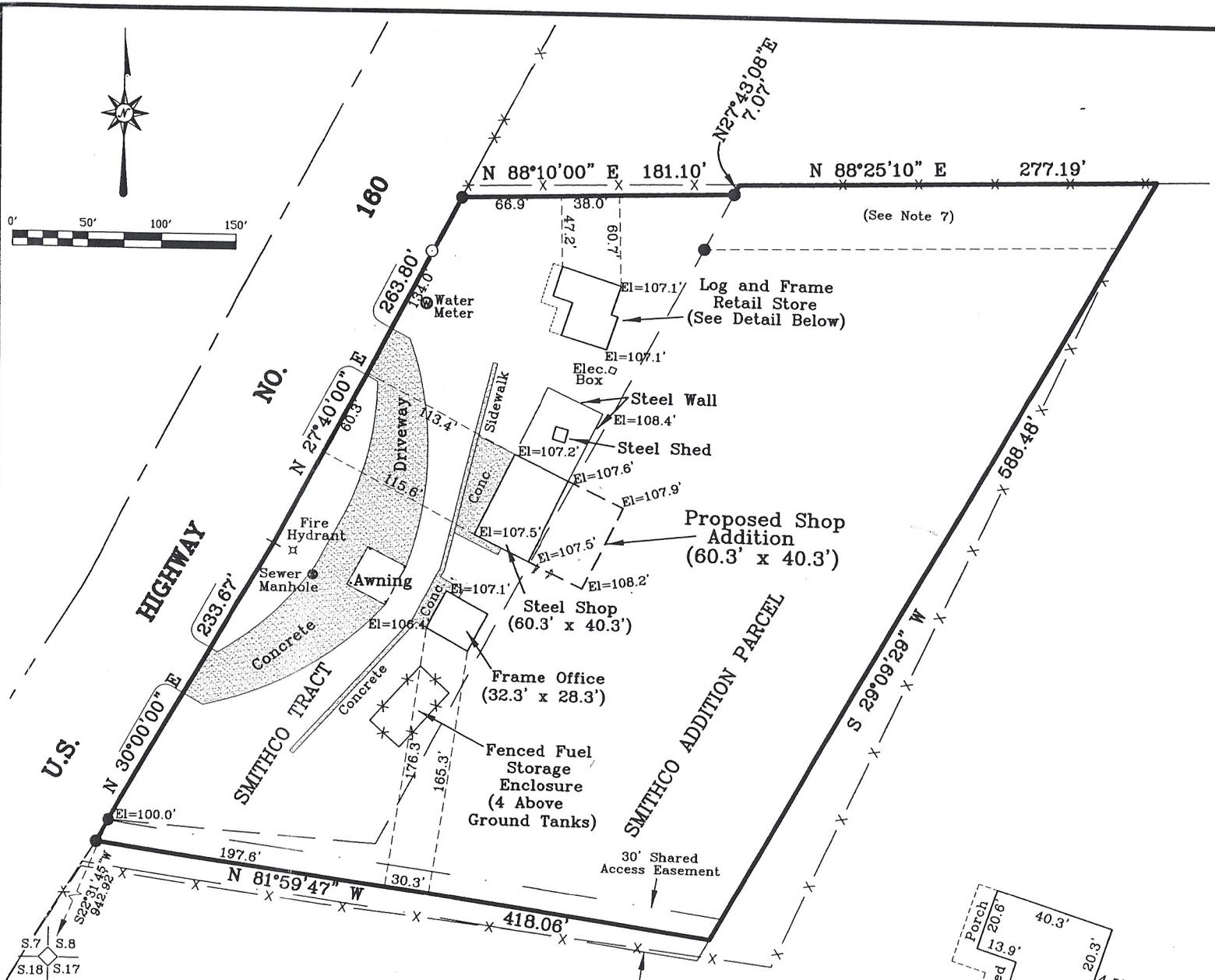
Locator Description:

RURAL Sec: 8 Twn: 35 Rng: 1W A TRACT OF LAND LOCATED
 IN THE SW4

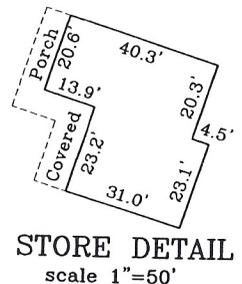
| | | | | | |
|---------------------------|-----------------------|--------------|---|------------|------------------|
| 2015 Values | | | Tax Distribution Based on 2014 Taxable Value: \$83,470.00 | | |
| Total Actual Value | Total Taxable Value | | | | |
| \$287,840.00 | \$83,470.00 | | | | |
| | 2015 Values Breakdown | | | | |
| Use | Taxable Value | Actual Value | Taxing Authority | Dollars | Mills Percent |
| SPEC. PURPOSE LAND | \$15,890.00 | \$54,800.00 | San Juan Water Conservancy | \$26.46 | 0.317 0.51% |
| SPEC. PURPOSE-IMPROVEMENT | \$67,580.00 | \$233,040.00 | Southwest Water Conservancy | \$30.72 | 0.368 0.6% |
| | | | Upper San Juan Library District | \$126.04 | 1.51 2.44% |
| | | | Town of Pagosa General | \$207.17 | 2.482 4.02% |
| | | | Improvement District | | |
| | | | Upper San Juan Health Service | \$326.87 | 3.916 6.34% |
| | | | Pagosa Area Fire Protection | \$342.06 | 4.098 6.63% |
| | | | Pagosa Area Water Only | \$509.83 | 6.108 9.89% |
| | | | Archuleta County | \$1,532.84 | 18.364 29.72% |
| | | | School Dist 50 | \$2,054.95 | 24.619 39.85% |
| | | | Total | \$5,156.94 | 61.782 100% |

[Tax Distribution Details](#)





NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.



LEGEND:

- = 1/2" rebar w/cap (LS 23894)
- = 5/8" rebar w/cap (LS 8974)
- ◇ = 3" Pipe with Alum. Cap (LS 9009)
- = Easement Limits (as noted)
- = Property Boundary
- - - = Previous Boundary

NOTES:

1. Property owners - Ken and Diane Smith.
2. Property Address - 2083 East Highway No. 160.
3. There are no oil or gas wells within 150 feet of the proposed addition to the shop, as shown hereon.
4. Elevations shown hereon are relative and based on the assumption that the elevation on top of the monument at the southwest corner of the Smithco Tract is at an elevation of 100.0'.
5. 30' Shared Access easement along the south boundary of this property is for the benefit of Brown Land and Cattle Company and the Smithco Property.
6. This property is served by central water and sewer administered by Pagosa Area Water and Sanitation District and Pagosa Springs Sanitation District, respectively.
7. The northerly portion of the Smithco Addition Parcel as shown hereon, is currently involved in litigation. None of the existing nor proposed improvements associated with this property are located within this disputed area.

I hereby certify that this plot plan is based on the field notes of an actual survey performed by me or under my direct supervision and the information shown hereon is strictly conformable thereto.



| | | | |
|--------------|-----------|--|--|
| REVISIONS | | Plot Plan of | |
| Rev.06/23/04 | | SMITHCO CONSTRUCTION PROPERTY | |
| | | in SW4 SW4 Sec. 8, T. 35 N., R. 1 W., N.M.P.M., Archuleta County, Colorado | |
| SCALE | 1" = 100' | SURVEYED BY DLM | |
| DATE | 06/16/04 | DRAFTED BY DLM | |
| CLIENT | Ken Smith | DAVIS ENGINEERING SERVICE, INC. P.O. BOX 1208 PAGOSA SPRINGS, COLORADO 81147 PHONE: (970) 264-5055 FAX: (970) 264-9210 | |
| | | FILED P04823 | |

Legal Description for Smith Property:

A parcel of land located in the SW ¼ Section 8, T35N, R1W, NMPM, more particularly described by metes and bounds as follows:

Assuming that the west boundary of tract described under Reception Number 95004216, being common with the right of way of U.S. Highway 160, bears N 30°00'00" E, and N 27°40'00" E, as described, then beginning at the southwest corner of said tract (Rec. No. 95004216), whence the Southwest Corner of said Section 8, a properly marked 3" brass cap on and iron pipe (LS 9009), bears S 22°31'45" W, 942.92 feet distant; thence N 30°00'00" E, 217.00 feet along the west boundary of said tract (Rec. No. 95004216) to an angle point therein; thence N 27°40'00" E, 263.80 feet along the west boundary of said tract (Rec. No. 95004216) to the northwest corner thereof, which corner is identical with the southwest corner of that certain strip of land described under Reception Number 20803775; thence N 27°40'00" E, 8.93 feet along the west boundary of said strip, to the northwest corner thereof, which corner is identical with the northwest corner of the parcel herein described; thence N. 88°41'03" E, 180.20 feet along the north boundary of said strip; thence N 88°25'10" E, 277.19 feet along the north boundary of said strip to the northeast corner thereof, which corner is identical with the northeast corner of the parcel herein described; thence S 29°09'29" W, 50.10 feet along the east boundary of said strip to the southeast corner thereof, which corner is identical with the north corner of that certain tract of land described under Reception Number 20503315; thence S 24°19'24" W, 523.18 feet along the east boundary of said tract (Rec. No. 20503315) to the southeast corner thereof, which corner is identical with the southeast corner of the parcel herein described; thence N 81°59'47" W, 47.28 feet along the south boundary of said tract (Rec. No. 20503315) to the southwest corner thereof, which corner is identical with the southeast corner of that certain parcel of land described under Reception Number 20005317; thence N 81°59'47" W, 418.06 feet along the south boundary of said parcel (Rec. No. 20005317) to the southwest corner thereof, which corner is identical with the southwest corner of the parcel herein described; thence N 30°00'00" E, 16.67 feet along the west boundary of said parcel (Rec. No. 20005317) to the point of beginning.

The parcel herein described contains 5.17 acres, more or less.

As described by David L. Maley, a duly registered land surveyor in the State of Colorado, Certificate Number 23894, 7/11/08.