

Based on site visits, historical imagery and the submitted site plan drawing, it appears that land disturbance has exceeded one acre (RV storage areas, tent sites, retaining walls). All land disturbance which has occurred on site since February 2008 is part of a Larger Common Plan of Development and is considered for Water Quality Capture Volume. Identify as such in the letter of intent and that all required engineering documents will be submitted with the site development plan. The drainage report must address the historical/undeveloped condition.

Letter of Intent

**Application for Variance of Use
May 31, 2019**

**Rocky Top RV Park & Campground
Rocky Top RV Storage**

G&D Enterprises, Corp.
10090 West Highway 24
Green Mountain Falls, Colorado 80819
Owner: Daniel P. Nieman

I. Owner/Applicant and Consultant.

G&D Enterprises, Corp. is owned by Daniel P. Nieman. The Owner/Applicant and Consultant contact information is as follows:

Applicant:

Daniel P. Nieman
P.O. Box 215
Green Mountain Falls, Colorado 80819
(989) 430-8065

Owner:

G&D Enterprises, Corp.
10090 West Highway 24
Green Mountain Falls, Colorado 80819
(719) 684-9044

Consultant:

Debra Eiland, Esq.
Law Offices of Debra Eiland, P.C.
24 S. Weber Street, Suite 300
Colorado Springs, Colorado 80903
(719) 471-1545
edeбра@qwest.net

II. Site Location, Size and Zoning.

The property located at 10090 West Highway 24, Green Mountain Falls, Colorado contains a motel and RV park/campground. Pursuant to the El Paso County Assessor's records for Parcel #8309200011, the motel and a storage warehouse were built in 1947, and the RV park/campground was built in 1950. The motel has 15 rooms, including the laundry and Manager's quarters, and the RV park/campground has had as many as 72 campsites for trailers and RVs, and additional sites for tent camping.

In addition to the motel and RV park/campground, Mr. Nieman plans to operate an RV storage business at the property. The property consists of approximately 9.30 acres.¹ The RV storage business will be located along the lower southern side of the property along Highway 24, and will be a separate business from the historic motel and

¹The Assessor's records show the property area to be 9.21 acres, which appeared on a Survey Plat recorded on January 27, 1997, under Reception Number 97902111. That acreage was subsequently amended by a Boundary Line Agreement recorded on February 19, 2004, at Reception Number 204028584. The change to 9.30 acres, based on that Boundary Line Agreement, is reflected in a full Boundary Survey and Land Survey Plat deposited with the El Paso County Clerk & Recorder's office on December 29, 2017, at Reception Number 217900261.

RV/campground business occupying the upper middle to northern side of the property.

The property is zoned C-2. A parcel map showing the location of the property is included with this application.

III. Request and Justification.

Mr. Nieman purchased the property on June 27, 2017. The property has been home to a small motel since 1947, and an RV park/campground since 1950. Pursuant to the Administrative Determination dated March 5, 2019 (ADM-18-029), the motel is a legal non-conforming use. However, due to the expansion of the campsites since the Land Use Code became effective, a variance is required to legalize the RV park and campground use. Mr. Nieman is applying for a use variance to legalize the RV park/campground, and to also conduct an RV storage business on the property.

This will require a photometric plan as part of the subsequent site development plan.

IV. Existing and Proposed Facilities, Structures, Roads, etc.

Access to the property is provided from Highway 24 via a short CDOT owned frontage road and two driveway entrances (one paved and one gravel). Both driveway entrances are wide enough to accommodate large RVs and emergency vehicles. The paved driveway entrance provides access to the motel and RV park/campground, as well as the southeast RV storage lot. The gravel driveway entrance provides access to the northwest RV storage lot. Copies of the CDOT access permit applications for these driveways are attached in Appendix A.

Once the CDOT access permit is obtained, please provide copy.

The motel and RV park/campground are located on the upper two-thirds of the property. The motel has 15 rooms, including the laundry and Manager's quarters, and the RV park/campground currently has 60 RV and trailer sites and 7 tent campsites. Amenities include electric, Internet/Wifi, water and sewer hookups at each site, two dump stations, a fenced dog park, a recreation room, bathrooms, and laundry building, and a covered patio/BBQ area.

A 12' x 16' building will be constructed for bathrooms to serve the tent sites. A children's playground will be added above the dog park. Three light poles with security cameras will be added near the tent site, the northwest corner of the property, and below campsites 9 and 10. All lights will be shielded and equipped with dusk-to-dawn sensors. Upgraded electric, water, and sewer connections will be installed at campsites 49-60, and the electric lines and connection to the well shed will also be upgraded.

Campers access their campsites via private internal roads with a posted speed limit of 10 mph. Ample parking, including ADA accessible parking, is provided at the campsites and in front of the motel office. Mr. Nieman intends to install 16' x 30' cement pads on each of the campsites over the next several years.

FYI, These should be included with the drainage report

The RV storage lot area is located on the lower third of the property facing Highway 24, is generally flat, and consists of two gravel parking areas. The RV storage lots will be located on either side (northwest and southeast) of the paved driveway

How may RV's can be stored?

entrance. The southeast storage lot is accessed via the established paved driveway, is fenced on all sides, and is locked. The northwest storage lot is accessed via the gravel driveway, and will be similarly fenced and locked for security.

A parking area for storage lot customers will be provided on the northwest storage lot, and will include ADA accessible parking. The small weather shelter/bus stop on the corner of the northwest storage lot will be removed. Three pre-existing legally non-conforming signs for the motel and RV/campground business are located along the southern boundary of the property.

V. Waiver Requests.

This is an additional application requiring a Board of Adjustment hearing.

The Applicant expects to apply for a setback variance for campsites 10-32 along the north and east property lines, and for campsites 37, campsites 52-54, and the 7 tent sites along the west property line. The properties adjoining the north and east boundary lines where campsites 10-32 are located are vacant land with no residences. The entire property, including the north and east property lines, is fenced with a 4 foot wire fence. The west property line adjoins Lucky 4 Road, and is partially fenced with a 5' wooden privacy fence. The Applicant will extend this wooden privacy fence to the corner of the retaining wall above campsite 54 to provide screening for adjoining property owners.

Campsites 10-32, 37, and 52-54 were in place and used for several decades before Mr. Nieman purchased the property. These campsites generate revenue of approximately \$235,000 per year. The tent sites generate revenue of approximately \$17,000 per year. Given the configuration of the property, it will not be possible to relocate these campsites to meet the setback requirements without eliminating the campsites across from them.

Only structures need to meet the setback.

Mr. Nieman purchased the property on June 27, 2017. The purchase price of the property was partially based on the revenue generating value of these campsites. Without the revenue from these campsites, it will be impossible for the business to cover its expenses.

If a setback variance is not granted, the cost to preserve campsites 10-32, 37, and 52-54 will be exorbitant. The campsites across from campsites 10-32 will have to be moved back, and considerable grading, backfill, drainage infrastructure, and a substantial retaining wall would be necessary to shore up the slope behind them. The campsites adjoining campsites 37 and 52-54 would have to be shifted, and campsite 60 would be eliminated. The electric, water, and sewer hookups at each site would have to be moved. Mr. Nieman estimates it will cost approximately \$300,000 to complete this work, and that he will lose a year's worth of business revenue. It will not be possible to preserve the tent sites due to the existing drainage path and slope across from those sites.

The recreation camp definition does not allow for this, it will have to be made as a waiver to the Land Development Code in front of the Board of County Commissioners.

VI. Criteria for Approval of Use Variance.

- A. The proposed use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the surrounding area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and County.**

The upper two-thirds of the property has been used as an RV park/campground since 1950. The adjoining properties to the north and east of the RV park/campground are vacant land. Rocky Top is open year round, and allows extended stays of up to 6 months. Extended stays at Rocky Top provide an important resource to the community. Some examples of the campers who have taken advantage of the extended stay policy are:

- Families looking for property or a home to buy
- Fire Evacuees - Families camp at Rocky Top while their homes are being built or rebuilt because of fires and other disasters.
- Families whose spouse/children are receiving medical treatment
- Loggers, storm chasers, seasonal or temporary workers
- Veterans seeking services from a VA provider
- Students and workers from Charis Bible College
- Military awaiting deployment or transfers
- Retirees visiting families
- People going thru a divorce, or a death in the family
- Employment transfer or searching for a new job in the area
- Seasonal campers, summer here and winter in warmer climates

In the motel or the campground?

Caretakers quarters are not allowed in the C-2 zoning district. This use must also be added to the request. Only one is allowed, see specific use standards in Ch.5.2.13.

Mr. Nieman and two full-time staff live on-site. Because Mr. Nieman and his staff live at the campground full time, they are able to ensure that the facilities and grounds are kept clean and in good repair. They also monitor the grounds on a regular basis to ensure adherence to the campground rules including, but not limited to, an evening noise curfew. The campground Rules and Regulations are included in Appendix B.

In addition to the noise curfew, generators are not allowed at any time. Campers are advised of campground boundaries and are prohibited from entering neighboring properties so as not to disturb the peace and quiet enjoyment of the neighbors. The campground enforces a speed limit of 10 mph for all vehicles on the premises. The campground provides a laundry room, showers, washing station, two sanitary sewer

dump station for RVs, and regular trash pickup to ensure proper sanitation and waste disposal.

The properties adjoining the RV park/campground on the north and south are vacant land. The northern and southern property boundaries are enclosed with a 4' high wire fence.

The proposed RV storage business is consistent with the pre-existing RV park/campground use, and with the commercial zoning of the property. An RV storage business on the lower southern side of the property, along the U.S. Highway 24 frontage, will also be harmonious and compatible with the character of the neighborhood. Another existing RV storage business is similarly located on U.S. Highway 24 frontage a short distance west of the subject property.²

Include all proposed uses with the variance in your traffic generation.

The RV storage business will be contained wholly within the boundaries of the subject property, and is easily and safely accessible from the adjoining highway. A maximum of 4 customers are expected to visit the RV storage site on any given day, creating minimal traffic to and from the business. The proposed RV storage business will not negatively impact any future development to the area, and will not negatively impact the health, safety, or welfare of the inhabitants of the area or the County.

B. The proposed use will be able to meet air, water, odor or noise standards established by County, State or federal regulations during construction and upon completion of the project.

This activity did occur.

Mr. Nieman is not expanding the total area of the RV park/campground and will not be performing any construction activities that will impact air or water quality, or result in additional odors or noise. The proposed RV storage business will generate minimal traffic, and will require a minimal amount of initial grading, followed by annual road and lot maintenance. The use will meet air, water, odor and noise standards at all times during construction and upon completion of the project.

is additional grading proposed?

C. The proposed use will not adversely affect property values in the

in Based on site visits, it appears that land disturbance has exceeded over an acre. Additional engineering documentation will be required with the site development plan.

The RV park/campground will be operated in the same way it has for the past 50+ years. As such, property values in the immediate area will not be impacted by granting the requested use variance to legalize that use.

Because the proposed RV storage use is similar to the existing RV/campground use and will be located along U.S. Highway 24 frontage on a commercially zoned

²Leggett's RV Storage, LLC, 10550 W. Highway 24, Green Mountain Falls, CO.

Areas have been graded, retaining walls constructed, and a new building is proposed to be constructed. This statement is incorrect. Please revise.

property, it will have no adverse affect on property values in the immediate area. The proposed use is expected to enhance the value of the subject property.

D. The proposed use will comply with all regulations of the El Paso County Land Development Code and all County, State and Federal regulations except those portions varied by this action.

Rocky Top RV Park/Campground and Rocky Top RV Storage will at all times comply with all regulations of the County Land Development Code, and all County, State and Federal regulations, except those portions varied by approval of the requested use variance.

E. The proposed use will not adversely affect wildlife or wetlands.

The proposed use is not located within a Federally protected wetland, and no impact to endangered species is expected due to the fact that no new development, infrastructure or construction is planned.

F. The applicant has addressed all off-site impacts.

The applicant is aware of no existing off-site impacts from either the RV park/campground or the proposed RV storage business. All campground activities and all RV storage and related activities will be conducted on-site. Entry to and exit from the RV park/campground and the storage business is from Highway 24, and is separated a reasonable and safe distance from the Highway by a short frontage road. A pre-existing private gravel road (Lucky 4 Road) runs past the west property line, and is screened by a natural berm, a 4 foot concrete block retaining wall, and a 5' wooden privacy fence that will be extended to the retaining wall above campsite 54.³ All lighting will be shielded from neighboring properties, and will be equipped with dusk-to-dawn sensors.

This is too high, a 9 foot fence needs to meet the building setback. Ch. 6.2.1.C.4.

G. The site plan for the proposed variance of use will provide for adequate parking, traffic circulation, open space, fencing, screening, and landscaping.

The RV park/campground and the proposed RV storage business will be contained wholly within the boundaries of the subject property. Access to the property

³All retaining walls on the Rocky Top property are 4' or less in height. Pursuant to Pikes Peak Regional Building Department regulations, permits are needed for retaining walls *greater* than 4' in height. No permit is required for an accessory structure of less than 200 square feet, and no permit is required for fences less than 7 feet in height. See, Pikes Peak Regional Building Department website at: <https://www.pprbd.org/Information/HomeownerPermit>.

is provided from Highway 24 via a short frontage road and two driveway entrances. The driveway entrances and access road are sufficiently wide to accommodate large RVs and emergency vehicles.

Campers access their campsites via internal private roads with a posted speed limit of 10 mph. All roads and campsites are configured to safely accommodate larger RVs and emergency vehicles. Ample parking, including ADA accessible parking, is provided at the campsites, in front of the motel office, and at tent sites 4-7.

Trash receptacles are located in five places within the campground, and will be screened with a wooden fence enclosure. The entire perimeter of the property is fenced with a 4 foot wire fence. The west boundary line between the tent sites and Lucky 4 Road is also fenced with a 5' wooden privacy fence, which will be extended to the retaining wall behind campsite 54.

The RV storage lots are or will be fenced and locked. Parking spaces for storage lot customers, including ADA accessible spaces, will be located on the northwest storage lot. No more than 4 customers per day are expected to visit the lots. A pre-existing private gravel road (Lucky 4 Road) runs past the west property line, and is screened by a natural berm, a 4 foot concrete block retaining wall, and a 5' wooden privacy fence.

The property contains existing trees and natural vegetation that provide adequate screening and landscaping. The property also contains an enclosed dog park, and ample open space between the proposed RV storage area and the existing motel and RV park/campground.

H. Sewer, water, storm water drainage, fire protection, police protection, and roads will be available and adequate to serve the needs of the proposed variance of use as designed and proposed.

The RV park/campground has water and sewer hookups at each site, two dump stations, a fenced dog park, two bathhouse and laundry buildings, and a dish washing station. A 12' x 16' building will be constructed for bathrooms to serve the tent sites.

No water or sanitary sewer disposal will be used or needed for the RV storage business. Mr. Nieman recently installed some concrete block retaining walls and french drains along or near the west property line to help control erosion from recent flooding, and runoff from the neighboring property to the west. The previously existing drainage pathways on the property were not altered.

Access to the RV park/campground and the RV storage business will be provided via an existing frontage road from Highway 24 previously approved and

If you installed the concrete blocks to redirect storm water, which historically flowed through the site, then the existing drainage pathways have been altered. These two statements are contradicting. The altered drainage pattern must be addressed in the drainage report, which is to be submitted with the site development plan.

constructed by the Colorado Department of Transportation (“CDOT”). RV storage customers will access the storage lots via two driveway entrances, both of which can accommodate large RVs and emergency vehicles. The roads, driveways, and storage lots will be maintained annually or as needed by surface grading and the addition of gravel where needed. This routine maintenance will not result in any adverse impacts.

The property is served by the Green Mountain Falls Fire Protection District and the El Paso County Sheriff’s Department. The response time to emergency calls is about 5 minutes.

I. The strict application of any of the provisions of the El Paso County Land Development Code would result in peculiar and exceptional practical difficulties or undue hardship on either the owner or the contract purchaser of the property.

The southern side of the property proposed for the RV storage use is currently producing no income, although Mr. Nieman must pay for taxes and insurance, and otherwise maintain that part of the property along with the remainder of the parcel. The existing motel and RV park/campground is in need of significant and expensive maintenance and repairs. The cost of this work will exceed the regular income of the business for several years, and place an undue financial burden and hardship on Mr. Nieman if he is unable to put the rest of the property to a profitable use. The proposed RV storage business will help alleviate this hardship by providing much needed extra income that will be used to make the necessary repairs more quickly, and pay for regular maintenance. Without this additional source of income, the repairs and maintenance will be delayed, which may adversely impact the safety of the motel and RV park/campground, the viability of the business, and the aesthetics of the property to the surrounding neighbors.

The use is currently in use, without any approval from El Paso County.

APPENDIX A

COLORADO DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ACCESS PERMIT APPLICATION

Issuing authority application acceptance date:

Instructions:

Please print or type

- Contact the Colorado Department of Transportation (CDOT) or your local government to determine your issuing authority.
- Contact the issuing authority to determine what plans and other documents are required to be submitted with your application.
- Complete this form (some questions may not apply to you) and attach all necessary documents and Submit it to the issuing authority.
- Submit an application for each access affected.
- If you have any questions contact the issuing authority.
- For additional information see CDOT's Access Management website at <https://www.codot.gov/business/permits/accesspermits>

1) Property owner (Permittee) G&D Enterprises, Corp.		2) Applicant or Agent for permittee (if different from property owner) Daniel P. Nieman, President															
Street address 10090 West Highway 24		Mailing address P.O. Box 215															
City, state & zip Green Mtn Falls CO 80819	Phone # (719) 684-9044	City, state & zip Green Mtn Falls CO 80819	Phone # (required) (989) 430-8065														
E-mail address Karan@rockytopco.com		E-mail address if available rocko928@hotmail.com															
3) Address of property to be served by permit (required) 10090 West Highway 24, Green Mountain Falls, CO 80819																	
4) Legal description of property: If within jurisdictional limits of Municipality, city and/or County, which one? <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:12.5%;">county</td> <td style="width:12.5%;">subdivision</td> <td style="width:12.5%;">block</td> <td style="width:12.5%;">lot</td> <td style="width:12.5%;">section</td> <td style="width:12.5%;">township</td> <td style="width:12.5%;">range</td> </tr> <tr> <td>Teller</td> <td></td> <td></td> <td></td> <td>9</td> <td>13</td> <td>68</td> </tr> </table>				county	subdivision	block	lot	section	township	range	Teller				9	13	68
county	subdivision	block	lot	section	township	range											
Teller				9	13	68											
5) What State Highway are you requesting access from? Highway 24		6) What side of the highway? <input checked="" type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W															
7) How many feet is the proposed access from the nearest mile post? 4330 feet <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input checked="" type="checkbox"/> W from: 291		How many feet is the proposed access from the nearest cross street? _____ feet <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W from: _____															
8) What is the approximate date you intend to begin construction? 6/1/2019																	
9) Check here if you are requesting a: <input type="checkbox"/> new access <input type="checkbox"/> temporary access (duration anticipated: _____) <input type="checkbox"/> improvement to existing access <input type="checkbox"/> change in access use <input type="checkbox"/> removal of access <input type="checkbox"/> relocation of an existing access (provide detail)																	
10) Provide existing property use Motel and RV Park/Campground																	
11) Do you have knowledge of any State Highway access permits serving this property, or adjacent properties in which you have a property interest? <input type="checkbox"/> no <input type="checkbox"/> yes, if yes - what are the permit number(s) and provide copies: _____ and/or, permit date: _____ Unknown. Request is to permit two existing driveway access points off HWY 24 frontage Rd.																	
12) Does the property owner own or have any interests in any adjacent property? <input checked="" type="checkbox"/> no <input type="checkbox"/> yes, if yes - please describe: _____																	
13) Are there other existing or dedicated public streets, roads, highways or access easements bordering or within the property? <input type="checkbox"/> no <input checked="" type="checkbox"/> yes, if yes - list them on your plans and indicate the proposed and existing access points.																	
14) If you are requesting agricultural field access - how many acres will the access serve? N/A																	
15) If you are requesting commercial or industrial access please indicate the types and number of businesses and provide the floor area square footage of each.																	
	business/land use	square footage	business square footage														
Rocky Top Motel & RV Park/Campground		362,002															
Rocky Top RV Storage (New Use)		44,000															
16) If you are requesting residential development access, what is the type (single family, apartment, townhouse) and number of units?																	
	type	number of units	type number of units														
N/A																	
17) Provide the following vehicle count estimates for vehicles that will use the access. Leaving the property then returning is two counts.																	
Indicate if your counts are <input type="checkbox"/> peak hour volumes or <input checked="" type="checkbox"/> average daily volumes.		# of passenger cars and light trucks at peak hour volumes 20	# of multi unit trucks at peak hour volumes														
# of single unit vehicles in excess of 30 ft.		# of farm vehicles (field equipment) 0	Total count of all vehicles 0 20														

18) Check with the issuing authority to determine which of the following documents are required to complete the review of your application.

- a) Property map indicating other access, bordering roads and streets.
- b) Highway and driveway plan profile.
- c) Drainage plan showing impact to the highway right-of-way.
- d) Map and letters detailing utility locations before and after development in and along the right-of-way.
- e) Subdivision, zoning, or development plan.
- f) Proposed access design.
- g) Parcel and ownership maps including easements.
- h) Traffic studies.
- i) Proof of ownership.

1- It is the applicant's responsibility to contact appropriate agencies and obtain all environmental clearances that apply to their activities. Such clearances may include Corps of Engineers 404 Permits or Colorado Discharge Permit System permits, or ecological, archeological, historical or cultural resource clearances. The CDOT Environmental Clearances Information Summary presents contact information for agencies administering certain clearances, information about prohibited discharges, and may be obtained from Regional CDOT Utility/Special Use Permit offices or accessed via the CDOT Planning/Construction-Environmental-Guidance webpage: <https://www.codot.gov/programs/environmental/resources/guidance-standards/environmental-clearances-info-summary-august-2017/view>

2- All workers within the State Highway right of way shall comply with their employer's safety and health policies/procedures, and all applicable U.S. Occupational Safety and Health Administration (OSHA) regulations - including, but not limited to the applicable sections of 29 CFR Part 1910 - Occupational Safety and Health Standards and 29 CFR Part 1926 - Safety and Health Regulations for Construction.

Personal protective equipment (e.g. head protection, footwear, high visibility apparel, safety glasses, hearing protection, respirators, gloves, etc.) shall be worn as appropriate for the work being performed, and as specified in regulation. At a minimum, all workers in the State Highway right of way, except when in their vehicles, shall wear the following personal protective equipment: High visibility apparel as specified in the Traffic Control provisions of the documentation accompanying the Notice to Proceed related to this permit (at a minimum, ANSI/ISEA 107-1999, class 2); head protection that complies with the ANSI Z89.1-1997 standard; and at all construction sites or whenever there is danger of injury to feet, workers shall comply with OSHA's PPE requirements for foot protection per 29 CFR 1910.136, 1926.95, and 1926.96. If required, such footwear shall meet the requirements of ANSI Z41-1999.

Where any of the above-referenced ANSI standards have been revised, the most recent version of the standard shall apply.

3- The Permittee is responsible for complying with the Revised Guidelines that have been adopted by the Access Board under the American Disabilities Act (ADA). These guidelines define traversable slope requirements and prescribe the use of a defined pattern of truncated domes as detectable warnings at street crossings. The new Standards Plans and can be found on the Design and Construction Project Support web page at: <https://www.codot.gov/business/civilrights/ada/resources-engineers>

If an access permit is issued to you, it will state the terms and conditions for its use. Any changes in the use of the permitted access not consistent with the terms and conditions listed on the permit may be considered a violation of the permit.

The applicant declares under penalty of perjury in the second degree, and any other applicable state or federal laws, that all information provided on this form and submitted attachments are to the best of their knowledge true and complete.

I understand receipt of an access permit does not constitute permission to start access construction work.

Applicant or Agent for Permittee signature

Print name

Date

Daniel P. Nieman

Daniel P. Nieman

May 29, 2019

If the applicant is not the owner of the property, we require this application also to be signed by the property owner or their legally authorized representative (or other acceptable written evidence). This signature shall constitute agreement with this application by all owners-of-interest unless stated in writing. If a permit is issued, the property owner, in most cases, will be listed as the permittee.

Property owner signature

Print name

Date

Daniel P. Nieman

Daniel P. Nieman, President

May 29, 2019

COLORADO DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ACCESS PERMIT APPLICATION

Issuing authority application acceptance date:

Instructions:

- Contact the Colorado Department of Transportation (CDOT) or your local government to determine your issuing authority.
- Contact the issuing authority to determine what plans and other documents are required to be submitted with your application.
- Complete this form (some questions may not apply to you) and attach all necessary documents and Submit it to the issuing authority.
- Submit an application for each access affected.
- If you have any questions contact the issuing authority.
- For additional information see CDOT's Access Management website at <https://www.codot.gov/business/permits/accesspermits>

Please print or type

1) Property owner (Permittee) G&D Enterprises, Corp.		2) Applicant or Agent for permittee (if different from property owner) Daniel P. Nieman, President															
Street address 10090 West Highway 24		Mailing address P.O. Box 215															
City, state & zip Green Mtn Falls CO 80819	Phone # (719) 684-9044	City, state & zip Green Mtn Falls CO 80819	Phone # (required) (989) 430-8065														
E-mail address Karan@rockytopco.com		E-mail address if available rocko928@hotmail.com															
3) Address of property to be served by permit (required) 10090 West Highway 24, Green Mountain Falls, CO 80819																	
4) Legal description of property: If within jurisdictional limits of Municipality, city and/or County, which one? <table style="width: 100%; border: none;"> <tr> <td style="border: none;">county</td> <td style="border: none;">subdivision</td> <td style="border: none;">block</td> <td style="border: none;">lot</td> <td style="border: none;">section</td> <td style="border: none;">township</td> <td style="border: none;">range</td> </tr> <tr> <td style="border: none;">Teller</td> <td style="border: none;"></td> <td style="border: none;"></td> <td style="border: none;"></td> <td style="border: none;">9</td> <td style="border: none;">13</td> <td style="border: none;">68</td> </tr> </table>				county	subdivision	block	lot	section	township	range	Teller				9	13	68
county	subdivision	block	lot	section	township	range											
Teller				9	13	68											
5) What State Highway are you requesting access from? Highway 24		6) What side of the highway? <input checked="" type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W															
7) How many feet is the proposed access from the nearest mile post? 4825 feet <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input checked="" type="checkbox"/> W from: 291		How many feet is the proposed access from the nearest cross street? 110 feet <input type="checkbox"/> N <input type="checkbox"/> S <input checked="" type="checkbox"/> E <input type="checkbox"/> W from: Lucky 4 Road															
8) What is the approximate date you intend to begin construction? 6/1/2019																	
9) Check here if you are requesting a: <input type="checkbox"/> new access <input type="checkbox"/> temporary access (duration anticipated: _____) <input type="checkbox"/> improvement to existing access <input type="checkbox"/> change in access use <input type="checkbox"/> removal of access <input type="checkbox"/> relocation of an existing access (provide detail)																	
10) Provide existing property use Motel and RV Park/Campground																	
11) Do you have knowledge of any State Highway access permits serving this property, or adjacent properties in which you have a property interest? <input type="checkbox"/> no <input type="checkbox"/> yes, if yes - what are the permit number(s) and provide copies: _____ and/or, permit date: _____ Unknown. Request is to permit two existing driveway access points off HWY 24 frontage Rd.																	
12) Does the property owner own or have any interests in any adjacent property? <input checked="" type="checkbox"/> no <input type="checkbox"/> yes, if yes - please describe: _____																	
13) Are there other existing or dedicated public streets, roads, highways or access easements bordering or within the property? <input type="checkbox"/> no <input checked="" type="checkbox"/> yes, if yes - list them on your plans and indicate the proposed and existing access points.																	
14) If you are requesting agricultural field access - how many acres will the access serve? N/A																	
15) If you are requesting commercial or industrial access please indicate the types and number of businesses and provide the floor area square footage of each.																	
	business/land use	square footage	business square footage														
	Rocky Top Motel & RV Park/Campground	362,002															
	Rocky Top RV Storage (New Use)	44,000															
16) If you are requesting residential development access, what is the type (single family, apartment, townhouse) and number of units?																	
	type	number of units	number of units														
	N/A																
17) Provide the following vehicle count estimates for vehicles that will use the access. Leaving the property then returning is two counts.																	
Indicate if your counts are <input type="checkbox"/> peak hour volumes or <input checked="" type="checkbox"/> average daily volumes.		# of passenger cars and light trucks at peak hour volumes	# of multi unit trucks at peak hour volumes														
		8															
# of single unit vehicles in excess of 30 ft.	# of farm vehicles (field equipment)	Total count of all vehicles															
0		8															

18) Check with the issuing authority to determine which of the following documents are required to complete the review of your application.

- a) Property map indicating other access, bordering roads and streets.
- b) Highway and driveway plan profile.
- c) Drainage plan showing impact to the highway right-of-way.
- d) Map and letters detailing utility locations before and after development in and along the right-of-way.
- e) Subdivision, zoning, or development plan.
- f) Proposed access design.
- g) Parcel and ownership maps including easements.
- h) Traffic studies.
- i) Proof of ownership.

1- It is the applicant's responsibility to contact appropriate agencies and obtain all environmental clearances that apply to their activities. Such clearances may include Corps of Engineers 404 Permits or Colorado Discharge Permit System permits, or ecological, archeological, historical or cultural resource clearances. The CDOT Environmental Clearances Information Summary presents contact information for agencies administering certain clearances, information about prohibited discharges, and may be obtained from Regional CDOT Utility/Special Use Permit offices or accessed via the CDOT Planning/Construction-Environmental-Guidance webpage: <https://www.codot.gov/programs/environmental/resources/guidance-standards/environmental-clearances-info-summary-august-2017/view>

2- All workers within the State Highway right of way shall comply with their employer's safety and health policies/procedures, and all applicable U.S. Occupational Safety and Health Administration (OSHA) regulations - including, but not limited to the applicable sections of 29 CFR Part 1910 - Occupational Safety and Health Standards and 29 CFR Part 1926 - Safety and Health Regulations for Construction.

Personal protective equipment (e.g. head protection, footwear, high visibility apparel, safety glasses, hearing protection, respirators, gloves, etc.) shall be worn as appropriate for the work being performed, and as specified in regulation. At a minimum, all workers in the State Highway right of way, except when in their vehicles, shall wear the following personal protective equipment: High visibility apparel as specified in the Traffic Control provisions of the documentation accompanying the Notice to Proceed related to this permit (at a minimum, ANSI/ISEA 107-1999, class 2); head protection that complies with the ANSI Z89.1-1997 standard; and at all construction sites or whenever there is danger of injury to feet, workers shall comply with OSHA's PPE requirements for foot protection per 29 CFR 1910.136, 1926.95, and 1926.96. If required, such footwear shall meet the requirements of ANSI Z41-1999.

Where any of the above-referenced ANSI standards have been revised, the most recent version of the standard shall apply.

3- The Permittee is responsible for complying with the Revised Guidelines that have been adopted by the Access Board under the American Disabilities Act (ADA). These guidelines define traversable slope requirements and prescribe the use of a defined pattern of truncated domes as detectable warnings at street crossings. The new Standards Plans and can be found on the Design and Construction Project Support web page at: <https://www.codot.gov/business/civilrights/ada/resources-engineers>


If an access permit is issued to you, it will state the terms and conditions for its use. Any changes in the use of the permitted access not consistent with the terms and conditions listed on the permit may be considered a violation of the permit.

The applicant declares under penalty of perjury in the second degree, and any other applicable state or federal laws, that all information provided on this form and submitted attachments are to the best of their knowledge true and complete.

I understand receipt of an access permit does not constitute permission to start access construction work.

Applicant or Agent for Permittee signature 	Print name Daniel P. Nieman	Date May 29, 2019
---	--------------------------------	----------------------

If the applicant is not the owner of the property, we require this application also to be signed by the property owner or their legally authorized representative (or other acceptable written evidence). This signature shall constitute agreement with this application by all owners-of-interest unless stated in writing. If a permit is issued, the property owner, in most cases, will be listed as the permittee.

Property owner signature 	Print name Daniel P. Nieman, President	Date May 29, 2019
---	---	----------------------

APPENDIX B

Rocky Top Campground Rules and Regulations

1. Our office hours are **(Summer) 9:00 AM-8:00 PM or (Winter) 9:00 AM-6:00 PM**. Registration must be accomplished on arrival and payment is due in advance of your stay here. Checkout time for the campground is 12:00 PM and strictly enforced. You may be responsible for an additional day of site rent if you do not vacate your site by 12:00 PM on the day of your departure.
2. Rec Room hours are **(Summer) 10:00 AM-8:00 PM or (Winter) 9:00 AM-6:00 PM**. **All children 14 years old and younger must have parental supervision**. Alcoholic beverages are not allowed inside the rec room. Do not move any of the game tables or remove games and/or game pieces from the rec room.
3. A maximum of two vehicles per site are allowed and they must be parked in the site you are paying for. If a 2nd vehicle will not fit on your site, you will need to ask management where you should park, and you will be charged \$3.00/day or \$50.00/month for additional parking. If there is not room for your guest to park on your site, please contact the office to be advised where they should park.
4. Quiet hours are observed from **10:00 PM till 8:00 AM**. The volume of noise or music must be low enough that it will not disturb others. Generators are not to be used in the park. **ABSOLUTELY NO FIREWORKS OR FIREARMS ARE TO BE DISCHARGED AT ANY TIME!!!**
5. In the event that you have guests visit you and they want to use campground amenities, or stay overnight, the office must be notified. A fee may apply for that usage.
6. Please use the utilities designated for your space only unless directed by the management of Rocky Top.
7. Quiet pets, under control and on a leash at all times, are welcome. All pets are to be walked on designated pet walks or on the roads throughout the campground. Pets are not to be left unattended in or around vehicles or campsites at any time. Dog houses are not allowed on sites. Pets left unattended in your RV or tent must be quiet in your absence. All pet's solid messes must be cleaned up immediately, including your site. If you are seen by any Rocky Top employee not picking up pet messes, you may be charged a \$50.00 cleanup fee for each incident. **Absolutely no pets are permitted in buildings**. If pet messes are left on your site when you check out, your credit card on file will be charged a \$50.00 cleanup fee.
8. Guests not on sewer hookups are required by law to retain all waste water in a suitable container. These containers are to be emptied only at the dump station. Dishes are not to be washed in the upper restrooms/showers. The lower restrooms have a dish washing station available only during summer season for your use. No washing of any vehicles or servicing (oil change) is permitted on this property.
9. The speed limit throughout the park is **10 MPH**. ATV's and dirt bikes (except for Rocky Top's maintenance ATV) are not to be ridden for pleasure riding on Rocky Top's property.
10. Rocky Top is surrounded by private property. Please respect others' property by keeping all people and pets inside our fence.

11. All sites must be kept neat and free of clutter. Only items used for camping are allowed to be left outside on your site.
12. Parents **MUST** accompany small children to the washrooms and showers. Children under 18 are subject to a 10:00 PM curfew unless accompanied by parents.
13. **STATE LAW DOES NOT ALLOW SMOKING IN ANY PUBLIC BUILDING. VIOLATION OF THIS LAW ON ROCKY TOP'S PROPERTY WILL RESULT IN A CHARGE TO YOU OF \$250.00 ON THE CREDIT CARD YOU HAVE PROVIDED BELOW.**
14. If you use the campgrounds during the colder months you will need to heat tape your water hose and plug in both your heat taped water hose and our heat taped water hydrant. If any damage results because of freezing due to your negligence then you will be responsible for any repairs to the facility, for any loss of business that may occur, and any inconvenience to other campers due to the problems you cause. **Any damages to Rocky Top property will be charged to the credit card you provided below.**
15. Vandalism will not be tolerated, and violators will be prosecuted.
16. Excessive use of alcohol with disruptive behavior or any evidence of illegal drugs will result in law enforcement being called and you and others with you will be asked to leave the property immediately.
17. Campfires are permitted in fire rings only. **FIRE RINGS ARE NOT TO BE MOVED.**
18. Garbage is to be placed into the dumpsters provided to keep wild animals away from campers.
19. The equipment, apparatus and facilities furnished are solely for the convenience of guests and **ALL PERSONS USING SAME DO SO AT THEIR OWN RISK. MANAGEMENT WILL NOT BE RESPONSIBLE FOR ACCIDENTS, INJURIES OR LOSS OF PROPERTY BY FIRE, THEFT, WIND OR ANY ACT OF GOD. MANAGEMENT WILL NOT BE RESPONSIBLE FOR LOSS OF MONEY OR VALUABLES OF ANY KIND.**
20. Management reserves the right to refuse service to anyone or make changes or supplement these rules as may be necessary. Violation of **ANY** of these rules may result in eviction **WITHOUT REFUND.**

FYI – We have cameras throughout the property for your safety.

Please help us to keep our facility clean, neat and comfortable for all our guests. **THANK YOU** for your support to make everyone's stay at Rocky Top Motel and Campground a pleasant experience.

letter of intent_v2-redline.pdf Markup Summary

Unlocked (18)

The properties adjoining the RV park/campground on the north and south are vacant land. The northern and southern property boundaries are enclosed with a 4 high wire fence.

The proposed RV storage business is consistent with the pre-existing RV park/campground use, and with the commercial zoning of the property. An RV camp business on the lower southern side of the property, along the U.S. Highway 24 frontage, will also be harmonious and consistent with the character of the neighborhood. Another existing RV storage business is similarly located on U.S. Highway 24 frontage a short distance west of the subject property.

Include all proposed uses with the variance in your traffic generation.

The RV storage business will be contained wholly within the boundaries of the subject property, and is easily and safely accessible from the adjoining highway. A maximum of 4 RV's are expected to visit the RV storage site on any given day creating minimal traffic to and from the business. The proposed RV storage business will not negatively impact any future development in the area, and will not negatively impact the health, safety, or welfare of the inhabitants of the area or the County.

The proposed use will be able to meet all water, odor or noise standards established by County, State or federal regulations during construction and upon completion of the project.

Mr. Norman is not expanding the total area of the RV park/campground and is not performing any construction activities that will impact air or water quality, or result in additional grading.

Subject: Engineer
Page Label: 6
Lock: Unlocked
Author: dsdgrimm
Date: 6/17/2019 1:07:10 PM
Status:
Color: ■
Layer:
Space:

Include all proposed uses with the variance in your traffic generation.

Setback.

applicant expects to apply for a setback variance for parcels 10-32 along 4 east property line, and for parcels 10-32, 10-34, and 10-37. The setback variance is needed to allow the parcels to be used properly. The parcels adjoining the north and east boundary parcels 10-32 are located on vacant land with no road access. The entire building is located on a 5' wide easement with a 4 foot fence along the adjacent Lucky 4 Road, and is partially fenced with a 5' wooden fence. The applicant will extend the existing privacy fence to the corner of the 5' above parcels 54 to provide screening for adjoining property owners.

parcels 10-32, 37, and 34-36 were in place and used for several decades before purchased the property. These parcels have a maximum value of \$125,000 per acre. The set back variance is needed to allow the parcels to be used properly. Given the configuration of the property, it will not be possible to complete the setback requirements without the need for a setback variance from them.

When purchased the property on June 27, 2018, the purchase price of the parcels is based on the revenue generated from these parcels. Revenue from these parcels will be responsible for the business to sustain.

Setback variance is not granted, the cost to preserve parcels 10-32, 37, 34, and 36. The parcels across from parcels 10-32 will have no air, and combustible grading, trash, drainage infrastructure, and a retaining wall would be necessary to shore up the slope behind them. The

Subject: Callout
Page Label: 4
Lock: Unlocked
Author: dsdkendall
Date: 6/17/2019 10:32:30 AM
Status:
Color: ■
Layer:
Space:

Only structures need to meet the setback.

business will be contained wholly within the boundaries of the parcels 10-32, 37, and 34-36. The parcels are easily and safely accessible from the adjoining highway. A maximum of 4 RV's are expected to visit the RV storage site on any given day creating minimal traffic to and from the business. The proposed RV storage business will not negatively impact any future development in the area, and will not negatively impact the health, safety, or welfare of the inhabitants of the area or the County.

Proposed use will be able to meet all water, odor or noise standards established by County, State or federal regulations during construction and upon completion of the project. This activity did occur.

Mr. Norman is not expanding the total area of the RV park/campground and will not perform any construction activities that will impact air or water quality, or result in additional grading.

Proposed use will not adversely affect property values in the immediate area.

campground will be operated in the same way it has for the past

Subject: Callout
Page Label: 6
Lock: Unlocked
Author: dsdkendall
Date: 6/17/2019 10:39:17 AM
Status:
Color: ■
Layer:
Space:

This activity did occur.

County, State or federal regulations during construction of the project.

area of the RV park/campground and will not impact air or water quality, or result in additional grading, followed by annual road and maintenance, and will not negatively impact the health, safety, or welfare of the inhabitants of the area or the County.

Proposed use will be able to meet all water, odor or noise standards established by County, State or federal regulations during construction and upon completion of the project. is additional grading proposed?

Mr. Norman is not expanding the total area of the RV park/campground and will not perform any construction activities that will impact air or water quality, or result in additional grading.

Proposed use will not adversely affect property values in the immediate area.

campground will be operated in the same way it has for the past

Subject: Callout
Page Label: 6
Lock: Unlocked
Author: dsdkendall
Date: 6/17/2019 10:40:47 AM
Status:
Color: ■
Layer:
Space:

is additional grading proposed?

County, State or federal regulations during construction of the project.

area of the RV park/campground and will not impact air or water quality, or result in additional grading, followed by annual road and maintenance, and will not negatively impact the health, safety, or welfare of the inhabitants of the area or the County.

Proposed use will be able to meet all water, odor or noise standards established by County, State or federal regulations during construction and upon completion of the project.

Mr. Norman is not expanding the total area of the RV park/campground and will not perform any construction activities that will impact air or water quality, or result in additional grading.

Proposed use will not adversely affect property values in the immediate area.

campground will be operated in the same way it has for the past

Subject: Cloud+
Page Label: 7
Lock: Unlocked
Author: dsdkendall
Date: 6/17/2019 10:45:35 AM
Status:
Color: ■
Layer:
Space:

This is too high, a 9 foot fence needs to meet the building setback. Ch. 6.2.1.C.4.

practical difficulties or undue hardship to either the owner or the current purchaser of the property.

The northeast side of the property proposed for the RV storage use is currently zoned as residential. Although Mr. Nieman must pay for taxes and insurance, and ensure that the parcel of property along with the remainder of the property, the RV storage use is not a use of the property in violation of the zoning ordinance and rules. The cost of this work will exceed the requirements of the zoning for several years, but since the parcel is located behind the property on the east side of the road, it is unlikely that the use of the property to a purpose other than the storage of vehicles will be a use of the property in violation of the zoning ordinance.

Since the use of the site to store the recreational vehicles is not a use of the site in violation of the zoning ordinance, the use of the site to store the recreational vehicles will not be a use of the site in violation of the zoning ordinance. Without the additional source of income, Mr. Nieman's business will be impacted, which may ultimately impact the viability of the site and participation in the viability of the business, and the success of the property to surrounding neighbors.

The use is currently in use, without approval from El Paso County.

Subject: Callout
Page Label: 9
Lock: Unlocked
Author: dsdkendall
Date: 6/17/2019 10:47:13 AM
Status:
Color: ■
Layer:
Space:

The use is currently in use, without any approval from El Paso County.

adjacent property, and is easily and safely accessible from the adjoining highway. A minimum of 10 feet of buffer is required to be maintained between the proposed use and any other use of the property. The proposed RV storage business will not require more than 10 feet of buffer from the adjacent property, and will not require more than 10 feet of buffer from the adjacent property.

B. The proposed use will be able to meet all water, odor or noise standards established by County, State or Federal regulations during construction and upon completion of the project.

Mr. Nieman is not expanding the total area of the RV park/campground and will not be expanding the existing parking area or existing parking spaces or existing recreational vehicles. The proposed RV storage business will generate noise, odors, and will require a minimum of 10 feet of buffer from the adjacent property. The proposed use will not require more than 10 feet of buffer from the adjacent property.

C. The proposed use will not adversely affect wetlands or water resources. The proposed use will not require more than 10 feet of buffer from the adjacent property.

The RV park/campground will be located in the same area as the existing RV park/campground. The proposed use will not require more than 10 feet of buffer from the adjacent property.

Because the proposed RV storage use is located in the existing RV park/campground area and will be located along U.S. Highway 24/ Fortrage on a conveniently zoned area.

Tugboat RV Storage, LLC, 10309 W. Highway 24, Green Mountain Falls, CO
P/E/PL/No. No. 14/08 Letter of Intent (Re: RV Top Site Variance) Page 4 of 9

Subject: Engineer
Page Label: 6
Lock: Unlocked
Author: dsdgrimm
Date: 6/17/2019 10:57:45 AM
Status:
Color: ■
Layer:
Space:

Based on site visits, it appears that land disturbance has exceeded over an acre. Additional engineering documentation will be required with the site development plan.

Areas have been graded, retaining walls constructed, and a new building is proposed to be constructed. This statement is incorrect. Please revise.

property, it will have no adverse effect on property values in the immediate area proposed use is a request for a variance.

D. The proposed use will comply with all regulations of the El Paso County Land Development Code and all County, State and Federal regulations except those portions waived by this action.

Rocky Top RV Park/Campground and Rocky Top RV Storage will all comply with all regulations of the County Land Development Code, and all State and Federal regulations, except those portions waived by approval of the requested use requests.

E. The proposed use will not adversely affect wildlife or wetlands.

The proposed use is not located within a Federally designated wetland, an area of critical habitat, or a riparian area. The proposed use is not located in an area of critical habitat, or a riparian area. The proposed use is not located in an area of critical habitat, or a riparian area.

F. The applicant has addressed all off-site impacts.

Subject: Engineer
Page Label: 7
Lock: Unlocked
Author: dsdgrimm
Date: 6/17/2019 11:02:12 AM
Status:
Color: ■
Layer:
Space:

Areas have been graded, retaining walls constructed, and a new building is proposed to be constructed. This statement is incorrect. Please revise.

of fires and other disasters.
children are receiving medical treatment
seasonal or temporary workers
from a VA provider
from Charis Bible College
ment or transfers
1
orce, or a death in the family
searching for a job in the area
time here and winter in warmer climates
staff live on-site. Because Mr. Nieman and his staff
are able to ensure that the facilities and grounds
They also monitor the grounds on a regular basis to

Caretakers quarters are not allowed in the C-2 zoning district. This use must also be added to the request. Only one is allowed, see specific use standards in Ch.5.2.13.

Subject: Callout
Page Label: 5
Lock: Unlocked
Author: dsdkendall
Date: 6/17/2019 11:21:29 AM
Status:
Color: ■
Layer:
Space:

Caretakers quarters are not allowed in the C-2 zoning district. This use must also be added to the request. Only one is allowed, see specific use standards in Ch.5.2.13.

RV park/campground
RV park/campground
and stays of up to 6
close to the community.
extended stay policy
In the motel or the campground?
homes are being

In the motel or the campground?

Subject: Callout
Page Label: 5
Lock: Unlocked
Author: dsdkendall
Date: 6/17/2019 11:29:02 AM
Status:
Color: ■
Layer:
Space:

In the motel or the campground?

The recreation camp definition does not allow for this, it will have to be made as a waiver to the Land Development Code in front of the Board of County Commissioners.

able with the surrounding area, character of the neighborhood, not detrimental to the health, safety, or welfare of the County.

has been used as an RV park/campground to the north and east of the RV park/campground, and allows extended stays of up to 6 weeks an important resource to the community, taken advantage of the extended stay policy

The recreation camp definition does not allow for this, it will have to be made as a waiver to the Land Development Code in front of the Board of County Commissioners.

Subject: Callout
Page Label: 5
Lock: Unlocked
Author: dsdkendall
Date: 6/17/2019 12:07:41 PM
Status:
Color: ■
Layer:
Space:

The recreation camp definition does not allow for this, it will have to be made as a waiver to the Land Development Code in front of the Board of County Commissioners.

VAR185 and RV storage address use are property.

Facilities, Structures, Roads, etc.

is provided from Highway 24 via a short CDOT owned y entrances (one paved and one gravel). Both driveway accommodate large RVs and emergency vehicles. The ides access to the motel and RV park/campground, as age lot. The gravel driveway entrance provides access to Copies of the CDOT access permit applications for these endix A. **Once the CDOT access permit is obtained, please provide copy.**

campground are located on the upper two-thirds of the camp, including the laundry and Manager's quarters, and only has 60 RV and trailer sites and 7 tent campsites. med/HV, water and sewer hookups at each site, two ark, a recreation room, bathrooms, and laundry building, l.

be constructed for bathrooms to serve the tent sites. A cided above the dog park. Three light poles with security a tent site the northeast corner of the nonresidential

The motel and RV park/campground are located on the upper two-thirds of the property. The motel has 15 rooms, including the laundry and Manager's quarters, and the RV park/campground currently has 60 RV and trailer sites and 7 tent campsites. Amenities include electric, internet/WiFi, water and sewer hookups at each site, two dump stations, a fenced dog park, a recreation room, bathrooms, and laundry building, and a covered pet/BBQ area.

A 12' x 6' building will be constructed for bathrooms to serve the tent sites. A children's playground will be added above the dog park. Three light poles with security cameras will be added above the tent site, the northeast corner of the property, and below campsites 9 and 10. All lights will be shielded and equipped with dual-color sensors. Upgraded electric, water, and sewer connections will be installed at campsites 42-55, and the electric lines and connections to the well shed will also be upgraded.

Compass access from the campground to the dog park is provided with a paved gravel trail of 10 mph. Ample parking, including ADA accessible parking, is provided at the campsites and in front of the motel office. Mr. Nieman intends to install 16' x 20' cement pads on each of the campsites over the next several years.

The RV storage lot area is located on the lower third of the property being Highway 24, is generally flat, and consists of two gravel parking areas. The RV storage lot will be located on either side (northwest and southeast) of the paved driveway.

VAR185 Letter of Intent (Rocky Top Use Variance) Page 3 of 9

to sewer, water, electric water drainage, the protection, police protection, and roads will be updated and adequate to serve the needs of the present and future development.

The RV park/campground has water and sewer hookups at each site, two dump stations, a fenced dog park, recreation room, bathrooms, and laundry building, and a covered pet/BBQ area. A 12' x 6' building will be constructed for bathrooms to serve the tent sites. A children's playground will be added above the dog park. Three light poles with security cameras will be added above the tent site, the northeast corner of the property, and below campsites 9 and 10. All lights will be shielded and equipped with dual-color sensors. Upgraded electric, water, and sewer connections will be installed at campsites 42-55, and the electric lines and connections to the well shed will also be upgraded.

Compass access from the campground to the dog park is provided with a paved gravel trail of 10 mph. Ample parking, including ADA accessible parking, is provided at the campsites and in front of the motel office. Mr. Nieman intends to install 16' x 20' cement pads on each of the campsites over the next several years.

The RV storage lot area is located on the lower third of the property being Highway 24, is generally flat, and consists of two gravel parking areas. The RV storage lot will be located on either side (northwest and southeast) of the paved driveway.

VAR185 Letter of Intent (Rocky Top Use Variance) Page 3 of 9

How may RV's can be stored?

locked for security.

ers will be provided on the northwest side parking. The small weather shelter/bus je lot will be removed. Three pre-existing l and RV/campground business are located rty.

This is an additional application requiring a Board of Adjustment hearing. a setback-variance for campsites 49-52 along campsites 37, campsites 52-54, and the 7 tent operties adjoining the north and east boundary are vacant land with no residences. The entire party lines, is fenced with a 4 foot wire fence, ad, and is partially fenced with a 5' wooden his wooden privacy fence to the corner of the

Subject: Engineer
Page Label: 3
Lock: Unlocked
Author: dsdgrimm
Date: 6/17/2019 12:38:20 PM
Status:
Color: [REDACTED]
Layer:
Space:

Once the CDOT access permit is obtained, please provide copy.

Subject: Engineer
Page Label: 3
Lock: Unlocked
Author: dsdgrimm
Date: 6/17/2019 4:01:57 PM
Status:
Color: [REDACTED]
Layer:
Space:

FYI, These should be included with the drainage report

Subject: Engineer
Page Label: 8
Lock: Unlocked
Author: dsdgrimm
Date: 6/17/2019 4:07:49 PM
Status:
Color: [REDACTED]
Layer:
Space:

If you installed the concrete blocks to redirect storm water, which historically flowed through the site, then the existing drainage pathways have been altered. These two statements are contradicting. The altered drainage pattern must be addressed in the drainage report, which is to be submitted with the site development plan.

Subject: Callout
Page Label: 3
Lock: Unlocked
Author: dsdkendall
Date: 6/17/2019 9:32:50 AM
Status:
Color: [REDACTED]
Layer:
Space:

This will require a photometric plan as part of the subsequent site development plan.

Subject: Callout
Page Label: 3
Lock: Unlocked
Author: dsdkendall
Date: 6/17/2019 9:34:26 AM
Status:
Color: [REDACTED]
Layer:
Space:

How may RV's can be stored?

Subject: Callout
Page Label: 4
Lock: Unlocked
Author: dsdkendall
Date: 6/17/2019 9:36:03 AM
Status:
Color: [REDACTED]
Layer:
Space:

This is an additional application requiring a Board of Adjustment hearing.

Based on site visits, historical imagery and the submitted site plan drawing, it appears that land disturbance has exceeded one acre (RV storage areas, tent sites, retaining walls). All land disturbance which has occurred on site since February 2008 is part of a Larger Common Plan of Development and is considered for Water Quality Capture Volume. Identify as such in the letter of intent and that all required engineering documents will be submitted with the site development plan. The drainage report must address the historical/undeveloped condition.

Letter of Intent

Subject: Engineer
Page Label: 1
Lock: Unlocked
Author: dsdgrimm
Date: 6/18/2019 7:06:51 AM
Status:
Color: ■
Layer:
Space:

Based on site visits, historical imagery and the submitted site plan drawing, it appears that land disturbance has exceeded one acre (RV storage areas, tent sites, retaining walls). All land disturbance which has occurred on site since February 2008 is part of a Larger Common Plan of Development and is considered for Water Quality Capture Volume. Identify as such in the letter of intent and that all required engineering documents will be submitted with the site development plan. The drainage report must address the historical/undeveloped condition.