

APRIL 20, 2021

Town of Eagle Planning Department

Chad Phillips
200 Broadway
PO Box 609
Eagle, CO 81631

**RE: PUD Minor Variance – Collins Residence
1028 Hernage Creek Road, Eagle, CO**

On behalf of the owners Mick and Kathrine Collins, NDG Architecture is submitting the following Minor Modification (Variance) to the Eagle Ranch PUD, specifically for the building envelope size restriction in the Uplands district.

Per the Design Guidelines and the PUD for Eagle Ranch certain lots have setbacks and certain lots have what would be referred to as “self-prescribed” building envelopes. The building envelopes are self-prescribed in the way that the restrictions dictate what is included and what is not included as well as the maximum of 16,500 sq. ft.. (Refer to section 2.2.1& 2.2.1.1 below)

The project site is fairly steep with a couple of areas greater than 30% grade (which is a no build zone for Eagle Ranch) with main views to the west and north. Uniquely to this lot is the front property line is not contiguous with the adjacent property lines as it steps back by 15', forcing a building area to be further back and further up the steep slope.

We started out with the proposed site plan having a building envelope of approximately 22,560 sq. ft.. which allowed us to grade out areas of the site and tier boulder walls rather than having a multitude of walls and higher walls. Also, because of the slope and the requirements of the guidelines for siting the home we needed to have a longer switchback driveway, which is not typical in Eagle Ranch. This was discussed at length during our first DRB meeting and the DRB determined the 16,500 sq. ft. max was a PUD requirement and we would need to stay within. We came back to DRB with another plan (indicated as Final Approved) which had all elements of the developed lot within the 16,500 sq. ft.. To achieve this we needed to steepen the driveway from an 8% max to a 9% max, add in additional boulder walls, removed tiered walls and create taller walls, and create a lower level patio surrounded by boulder wall. Some members of the DRB were concerned even though we show the 16,500 sq. ft. envelope it would creep further to get the boulder walls to work. Upon further discussion it was agreed this was certainly a hardship lot and have less boulder walls and tiered walls rather than high



would probably work out better. The DRB suggested we work with the Town to see about getting a variance to the PUD for the larger building envelope as a hardship.

We believe this lot should fall under a hardship to develop within the 16,500 sq. ft. for the following reasons:

1. Steepness of the lot and the amount of 30% or greater grade which is not permitted as building area.
2. The discontiguous lot line being pushed 15' further into the steep site.
3. Design guidelines shape and restrict the design in certain ways.

With the support of the DRB we feel this request is appropriate and warranted as a hardship.

We appreciate your consideration in reviewing the request. If you should have any questions please do not hesitate to contact me at (970) 471-0698 or bnutkins@ndg-inc.com .

Sincerely,

A handwritten signature in black ink. The first name "Bill" is written in a cursive script, followed by a surname that appears to start with "Nutkins" in a similar script style.

Bill Nutkins, NCARB, AIA
NDG Architecture
PO Box 634
Edwards, CO 81632

2.2.1 Building Envelope and/or Setbacks

The Annexation Agreement with the Town of Eagle determines the buildable area on Uplands homesites in one of two ways. On homesites larger than $\frac{1}{2}$ acre (21,780 square feet) and that are situated in native vegetation areas of Parcels K, L and M, homes, all improvement locations are to be contained within a dedicated Building Envelope. On homesites situated on historically cultivated lands and any homesite less than $\frac{1}{2}$ acre (21,780 square feet), homes and improvement locations are governed by setbacks from property lines.

2.2.1.1 Building Envelope Governed Homesites

Building Envelope governed homesites are those so designated on the Building Envelope Exhibit to the Final Plat. As part of the Preliminary Plan submittal, the owner of such lots will designate a Building Envelope not to exceed 16,500 square feet as follows:

- 1) The Building Envelope should be compact in shape to retain as much contiguous natural vegetation as practicable.
- 2) Building Envelopes may not include slopes greater than 30% gradient.
- 3) All disturbance shall be contained within the Building Envelope, including but not limited to site grading, construction impacts, buildings, driveways, walkways, patios, retaining walls, outbuildings, and landscaped areas.
- 4) Permitted actions outside the Building Envelope are limited to the following:
 - a. Street cut and fill slopes and utility crossings to be promptly revegetated to a natural condition;
 - b. Noxious weed control.
- 5) No other grading, disturbance, structures, vegetation manipulation, or landscaping shall be permitted on lands outside the Building Envelope without prior approval by the Town of Eagle and the DRB.
- 6) Prior to any construction on the site, the Building Envelope will be fenced with an approved construction fence that shall be maintained throughout the construction process.
- 7) Placement of buildings within the Building Envelope must also respect building setbacks as described in Sect 2.2.1.2 Setback Governed Homesites below.