

December 19, 2022

Routt County Commissioners and Routt County Planning Commission  
522 Lincoln Avenue, Suite #30  
Steamboat Springs, CO  
80487

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Dear Commissioners Corrigan, Redmond and Melton; and Commissioner-Elect Macys:

I am writing you about a request for variance at 29400 County Road 14, Steamboat Springs, 80487 in Routt County, also called Fair Acres Ranch. Planning Project # PL20220098. The variance is asking to allow the owners to build a secondary residence on the property, outside the 300ft requirement and above 800 livable sq ft, while keeping the original historic home as well.

I have lived near Fair Acres Ranch most of my life. I too value the historical significance of the original House, Barn, and Outbuildings used for the stagecoach stop; and as the original ranch of Routt County homesteaders Bill and Dorothy Thorne. To be clear, I do not want to see any of the original historic buildings destroyed. I am instead asking to follow existing zoning laws, which allow the owners to construct an accessory dwelling with no more than 800 sq ft of habitable space located within 300 feet of the existing historic house. This can be done without a variance, and without destroying the original historic home.

Here are the reasons I feel this is the best solution:

First and foremost, I would first like to point out that the property owners have blatantly ignored the entire process for petitioning for a variance - because construction of the unapproved second home started several months ago on or around September 2022 and has continued to-date. It has also continued after the owners became aware of the first notice mailed on 11-15-22 to all adjacent property owners. This notice was to inform them of the variance proposal, open public comment period, and hearing scheduled for the variance prior to any approval being granted.

They've already built a gravel road, excavated a foundation, poured the concrete foundation and walls, and have recently started wood framing as of today, 12-19-22. I would like to express deep concerns that they didn't immediately halt all construction when they found out an approved variance would be required before building could begin. I'm also disappointed the Routt County Planning Commission (or other related entities) haven't issued an immediate cease and desist to stop all construction related activities until the process for approving a variance has been correctly followed. It is for this reason, and others listed below, that I am asking you to oppose granting this variance and allowing the property owners to get away with ignoring this entire process.

The current owners purchased this property last year in 2021. At the time they purchased the property they had a chance to do due diligence to find out the property had historical buildings that could not be demolished; and that additional home construction was not allowed outside the limits of the current county zoning laws referenced above. They also would have known that the original 2774 sq ft farmhouse was recently remodeled by the previous owner and had a family of 5 living there full-time with no issues. I would encourage all of you to tour this house before deciding that it may be too "old" to live in as others may have suggested. It's a beautifully restored home that still holds onto its rich antique heritage, while also having modernized infrastructure and amenities. The extensive remodel also helped increase the property value by almost \$1 million dollars from the 2015 purchase price of \$1.2 million to last year's sale price of \$2.1 million, according to Zillow.

The location the owners have been building the unapproved home on is also at the East end of the property that's furthest away from the existing buildings. There's no existing infrastructure to tap into without digging several different trenches across the entire length of the property. It will also most likely require drilling an additional water well, which would be unnecessary. The previous owner had already drilled a new water well location near the red outbuilding/garage that he constructed in 2019-2020. It makes more sense to utilize this well, along with the existing power, propane, and cable infrastructure on the already developed portion of the property for any new secondary or accessory dwellings to be built.

There are also un-addressed environmental concerns for the far East end of the property. As someone who used to irrigate those hay fields for many years, I know first-hand that there are many nesting sage grouse and other native birds that use the "quiet" part of the property furthest away from the road and closest to Grouse Creek. Before any variance is approved to construct a dwelling that far East, I feel an environmental study must be conducted this spring to see how many nesting migratory birds use that part of the property. I also concede that the study may not be accurate, because their habitat has already been disturbed by unauthorized construction. There are also many deer and several hundred head of Elk that use that area, primarily in the spring and fall. Moving the proposed secondary dwelling back West within 300ft of the other buildings would minimize this wildlife disturbance for the future. It's also worth noting that throughout this fall while excavation and dirt stockpiling was taking place, no sediment fences or other visible erosion controls were used to prevent loose soil and sediment from flushing into Grouse Creek (a Yampa Tributary) this upcoming Spring 2023.

In closing, I feel the owners had the chance to purchase many other Routt County properties for sale in 2021 that did not have historical buildings or restrictions for building a large new home. They had the chance to do their due diligence before purchasing the property, and they also had the chance to petition for a variance the correct way – waiting for public input and approval from Routt County before starting any construction.

It's not enough to levy a monetary fine for several months of intentional and repeated non-compliance. That will only raise the cost of building the home by a tiny fraction of a percent, which is what I believe the owners are hoping for. I believe the only way for the variance approval process to be truly fair and non-biased would be to order the owners to cease all new construction, destroy all unapproved foundations and framing outside the 300ft radius, and reclaim the disturbed area with clean topsoil back to its existing grade and vegetation. After that has been completed, and environmental/wildlife studies have been conducted by a non-biased 3<sup>rd</sup> party, then they can re-petition for a variance.

Approving this variance will set a very dangerous precedent - that it's okay to ignore the rules in hopes the commissioners will rubber stamp it after the fact. Your decision will also affect every other property in Routt County with historical buildings on it. There are more than enough ways to build a reasonable secondary dwelling without granting an additional variance or destroying the historic home. I hope the Commissioners deny the variance and ask the owners to follow existing zoning laws instead.

Allan D Brown, Bruce G Brown, Janelle K Hoaglund

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