



REZONING/DENSITY TRANSFER APPLICATION

Planning & Development Services
 455 Mountain Village Blvd.
 Mountain Village, CO 81435
 970-728-1392
 970-728-4342 Fax
 cd@mtnvillage.org

Revised 2.26.18

REZONING/DENSITY TRANSFER APPLICATION			
APPLICANT INFORMATION			
Name: Nicole Y. Pieterse, Atty.		E-mail Address: nicole.rplaw@gmail.com	
Mailing Address: PO Box 2673		Phone: 970-708-0411	
City: Telluride	State: CO	Zip Code: 81435	
Mountain Village Business License Number: 005396			
PROPERTY INFORMATION			
Physical Address: 650 Mountain Village Boulevard #C		Acreage: 797 square feet	
Zone District: Village Center	Zoning Designations: Efficiency Lodge	Density Assigned to the Lot or Site: Lodge	
Legal Description: CONDOMINIUM UNIT C, LE CHAMONIX CONDOMINIUMS (see title commitment submitted herewith)			
Existing Land Uses: residential condominium			
Proposed Land Uses: same			
OWNER INFORMATION			
Property Owner: JDBL.K, LLC		E-mail Address: jtkappes@mac.com	
Mailing Address: 4 Victoria Bluff		Phone: (843) 816-3501	
City: Bluffton	State: SC	Zip Code: 29910	
DESCRIPTION OF REQUEST			
Rezone/Density Transfer - Le Chamonix Condominium Unit C (from Efficiency Lodge to Lodge)			

Narrative

Unit C, Le Chamonix Condominiums Rezone/Density Transfer from Efficiency Lodge to Lodge Unit

The proposed rezone and concurrent density transfer to officially designate Le Chamonix Unit C as a Lodge unit meets the requirements set forth in Sections 17.3.8, 17.4.9 and 17.4.10 of the Community Development Code and should be approved for the following reasons:

1. The proposed rezoning is in general conformance with the goals, policies and provisions of the Comprehensive Plan because Lodge Units are identified in the Comprehensive Plan as an appropriate use within this location (Village Center) of Mountain Village (“MV”).
2. The proposed rezoning is consistent with MV Zoning and Land Use Regulations because: Lodge units are an allowed use (by right) in the Village Center zone district and Unit C meets the spatial requirements of a Lodge unit (living area, separate bedroom, 2 separate baths and a full kitchen).
3. The proposed rezoning meets the Comprehensive Plan project standards for the Village Center Subarea and would not have any impact on future coordination with development of surrounding parcels.
4. The proposed rezoning is consistent with public health, safety and welfare, as well as efficiency and economy in the use of land and its resources because Unit C is actually used as a Lodge Unit, which for years has been consistent with and does not adversely impact surrounding uses, public health, safety or welfare.
5. The proposed rezoning is justified because Unit C was either improperly designated an Efficiency Lodge Unit and/or conditions have changed such that Unit C is better characterized as a Lodge Unit as opposed to an Efficiency Lodge Unit. For example: Unit C contains a full kitchen and was expanded, remodeled and re-platted, with MV authorization, in 2015 consistent with a Lodge Unit. The Comprehensive Plan contemplates a rezoning because the use is appropriate for the Subarea.
6. Adequate public facilities and services are available to serve the intended land uses because the proposed rezone does not contemplate any change in how Unit C is

actually used. Accordingly, the rezone will not require any additional public facilities or services.

7. The proposed rezoning will not create vehicular or pedestrian circulation hazards or cause parking, trash or service delivery congestion because the proposed rezone does not contemplate any additional traffic and a dedicated parking space already exists for Unit C.
8. The proposed rezoning of Unit C to a Lodge Unit meets all applicable Town regulations and standards as set forth above.
9. Unit C's owner will acquire .25 person equivalents of density in order to meet the person equivalents requirements of a Lodge Unit.
10. Le Chamonix Condominiums do not have on-site property management or any hotel-like amenities (i.e., no front desk, spa facilities, conference space, valet parking, concierge service, room service, etc.).
11. Unit C has a dedicated space assigned to it in the Heritage Plaza Building.

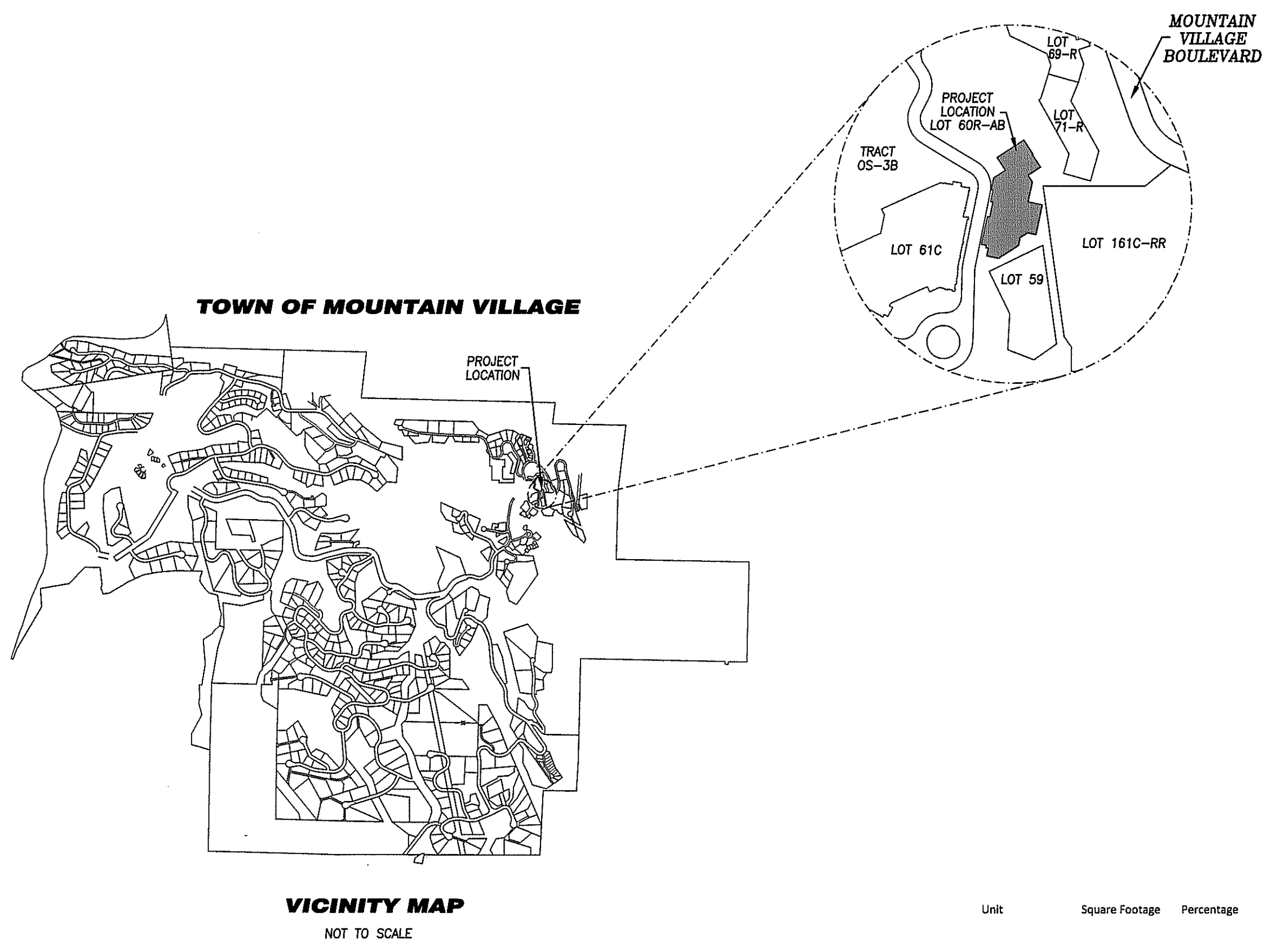
Respectfully submitted 12/31/19

442332
 REPLAT
 LE CHAMONIX CONDO ASSN,
 JDBL.K LLC
 TO
 REPLAT
 LA CHAMONIX CONDOS
 UNIT C

State of Colorado)
 County of San Miguel) ss
 Filed for Record at 11:00 O'Clock
 A.M. MAY 4, 2016
 and duly recorded in plat
 book PLAT 1 page 4797-4798

M. Kathleen Erie
 County Clerk & Recorder
 By: *[Signature]* Deputy
 Fees: 21.00

442332
 Page 1 of 2
 SAN MIGUEL COUNTY, CO
 M. KATHLEEN ERIE, CLERK-RECORDER
 05-04-2016 11:00 AM Recording Fee \$21.00



Unit	Square Footage	Percentage	Unit Classification for purposes of voting only
Unit A	1,109	6.5%	Residential
Unit B	482	2.8%	Residential
Unit C	797	4.7%	Residential
Unit D	1,531	9.0%	Residential
Unit E	1,375	8.1%	Residential
Unit F	1,711	10.1%	Residential
Unit G1	1,255	7.4%	Commercial
Unit G2	910	5.4%	Commercial
Unit H	2,159	12.7%	Commercial
Unit I	3,783	22.3%	Commercial
	1,832	10.8%	Residential
	16,944	100%	

MORTGAGEE CONSENT:

The undersigned Alpine Bank, a Colorado Banking Corporation, as a Beneficiary of that certain Deed of Trust dated March 20, 2013 which constitutes a lien upon Unit C, recorded at Reception No. 427373 in the Official Records, hereby consents to the Unit C Expansion and re-plat of real property as depicted on this Map amendment.

Alpine Bank, a Colorado Banking Corporation
 By: *[Signature]*
 Printed Name: Todd Baize
 Title: Vice President
 STATE OF COLORADO
 COUNTY OF SAN MIGUEL)ss

Acknowledged, subscribed and sworn to before me this 1 day of March, 2016
 by Todd Baize as Vice President of Alpine Bank, a Colorado Banking Corporation.

My commission expires April 12, 2016
 Witness my hand and official seal.

NICOLE Y. PIETERSE
 NOTARY PUBLIC
 STATE OF COLORADO
 My Commission Expires 04/12/16

[Signature]
 Notary Public

TOWN APPROVAL:

I, Stan Van Nimmen, as the Community Development Director of Mountain Village, Colorado, do hereby certify that this Map has been approved by the Town in accordance with the Community Development Code as a staff subdivision.

[Signature] Date: 3-26-16
 as Community Development Director

TITLE INSURANCE COMPANY CERTIFICATE:

Land Title Guarantee Company does hereby certify that we have examined the title to the property that is the subject of this Map and have determined that title to the same is currently vested in the name of JDBL.K, LLC, a Colorado limited liability company and is free and clear of all liens and taxes, except those taxes for the current year, including all taxes now or heretofore assessed, due or payable and further except as follows: Deed of trust recorded at Reception No. 427373.

[Signature] Date: 3/21/16
 Title Insurance Company Representative

COUNTY TREASURER'S CERTIFICATE:

I certify that according to the records in the San Miguel county Treasurer's office, there are no liens against Unit C for unpaid State, county or municipal taxes, assessments or other amounts certified to the County Treasurer for collection.

Dated this 18th day of March, 2016.
[Signature]
 San Miguel County Treasurer

RECORDER'S CERTIFICATE:

This Condominium Map was filed for record in the office of the San Miguel County Clerk and Recorder on this 4th day of MAY, 2016,
 at Plat Book 433-438
 Page 4797-4798
 Reception No. 442332
 Time 11:00 A.M.

[Signature]
 San Miguel County Clerk

CERTIFICATE OF OWNERSHIP (cont.):

IN WITNESS WHEREOF, the Association and Owner execute this Map amendment as of March 4, 2016, 2016.

ASSOCIATION: *[Signature]*
 Le Chamonix Condominium Association, a Colorado nonprofit corporation.
 Printed Name: Bob Gleason
 Title: President
 STATE OF COLORADO
 COUNTY OF SAN MIGUEL)ss

Acknowledged, subscribed and sworn to before me this 4 day of March, 2016
 by Bob Gleason, as the President of Le Chamonix Condominium Association, a Colorado nonprofit corporation.
 My commission expires 4/28/2020
 Witness my hand and official seal.

[Signature]
 Notary Public

NICOLE Y. PIETERSE
 NOTARY PUBLIC
 STATE OF COLORADO
 NOTARY ID 19964000311
 MY COMMISSION EXPIRES APRIL 12, 2020

OWNER:
 JDBL.K, LLC
 By: *[Signature]*
 Jonathan T. Kappes, Manager
 STATE OF COLORADO
 COUNTY OF SAN MIGUEL)ss

Acknowledged, subscribed and sworn to before me this 14 day of March, 2016
 by Jonathan T. Kappes as the Manager of JDBL.K, LLC, a Colorado limited liability company.

My commission expires 4/12/2020
 Witness my hand and official seal.

[Signature]
 Notary Public

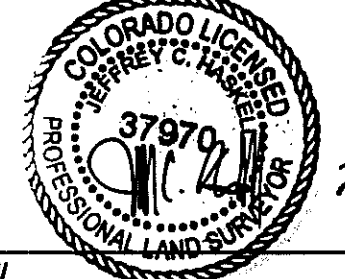
NICOLE Y. PIETERSE
 NOTARY PUBLIC
 STATE OF COLORADO
 NOTARY ID 19964000311
 MY COMMISSION EXPIRES APRIL 12, 2020

SURVEYOR'S CERTIFICATE:

I, Jeffrey C. Haskell, being a Registered Land Surveyor in the State of Colorado, do hereby certify that this map and survey of the FIRST AMENDMENT TO LE CHAMONIX CONDOMINIUMS AMENDED AND RESTATED CONDOMINIUM MAP (the "Map") (i) was made under my direct supervision, responsibility and checking; (ii) is true and accurate to the best of my knowledge and belief; (iii) is clear and legible; (iv) contains all the information required by C.R.S. 38-33.3-209; and (v) that all monuments and markers were set as required by Articles 50 and 51 of Title 38, C.R.S.

Dated this 29th day of February, 2016.

[Signature]
 Jeffrey C. Haskell
 PLS 37970



CERTIFICATE OF OWNERSHIP:

KNOW ALL PERSONS BY THESE PRESENTS THE FOLLOWING:

1. JDBL.K, LLC a Colorado limited liability company ("Owner"), is the owner of CONDOMINIUM UNIT C, LE CHAMONIX CONDOMINIUMS, ACCORDING TO THE AMENDED AND RESTATED CONDOMINIUM MAP RECORDED OCTOBER 1, 2003 IN PLAT BOOK 1 AT PAGE 3190, AND AS DEFINED AND DESCRIBED IN THE CONDOMINIUM DECLARATION RECORDED DECEMBER 29, 1986 IN BOOK 432 AT PAGE 774 AS RERECORDED JANUARY 5, 1987 IN BOOK 433 AT PAGE 118, COUNTY OF SAN MIGUEL, STATE OF COLORADO ("Unit C").

(The above-referenced map and declaration for Le Chamonix Condominiums and all amendments and supplements thereto are referred to respectively herein as the "Map" and the "Declaration" and collectively as the "Governing Documents.")

2. The Owner has elected to create additional floor area within Unit C and to expand Unit C's boundaries as depicted hereon ("Unit C Expansion"), and to cause the Governing Documents to be amended pursuant to the appropriate sections of the Declaration.

3. Pursuant to its authority and according to the relevant provisions of the Declaration, the Le Chamonix Condominium Association, a Colorado nonprofit corporation ("Association") acting through its Board of Managers, and with approval of the Association members and Le Chamonix Unit owners and their lenders in accordance with the Declaration and C.R.S. 38-33.3-217, has approved and does hereby approve the Unit C Expansion, this Map amendment, and the related Fifth Amendment to the Declaration of Covenants, Conditions and Restrictions for Le Chamonix Condominiums recorded in the office of the San Miguel County Clerk and Recorder ("Official Records") on the same date as this Map amendment at Reception No. 442332 ("Fifth Declaration Amendment") of the Official Records.

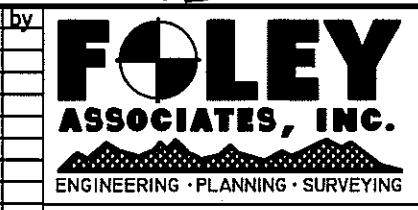
4. Association property incorporated into the Unit C Expansion was transferred to Owner by Quit Claim on the same date as this Map amendment at Reception No. 442332 of the Official Records.

5. All other terms and conditions contained in the Governing Documents, not specifically modified or altered by this Map amendment, shall remain unmodified and shall continue in full force and effect.

First Amendment to Le Chamonix Condominiums Amended and Restated Condominium Map, located on Lot 60R-AB, Town of Mountain Village.

Project Mgr:	Rev.	Description	Date	By
JH				
Technician:	MC			
Checked by:	KV			
Start date:	04/01/2015			

PAGE 4797



970-728-6153 970-728-6050 fax
 P.O. BOX 1385
 125 W. PACIFIC, SUITE B-1
 TELLURIDE, COLORADO 81435



SCALE: 1"=4'

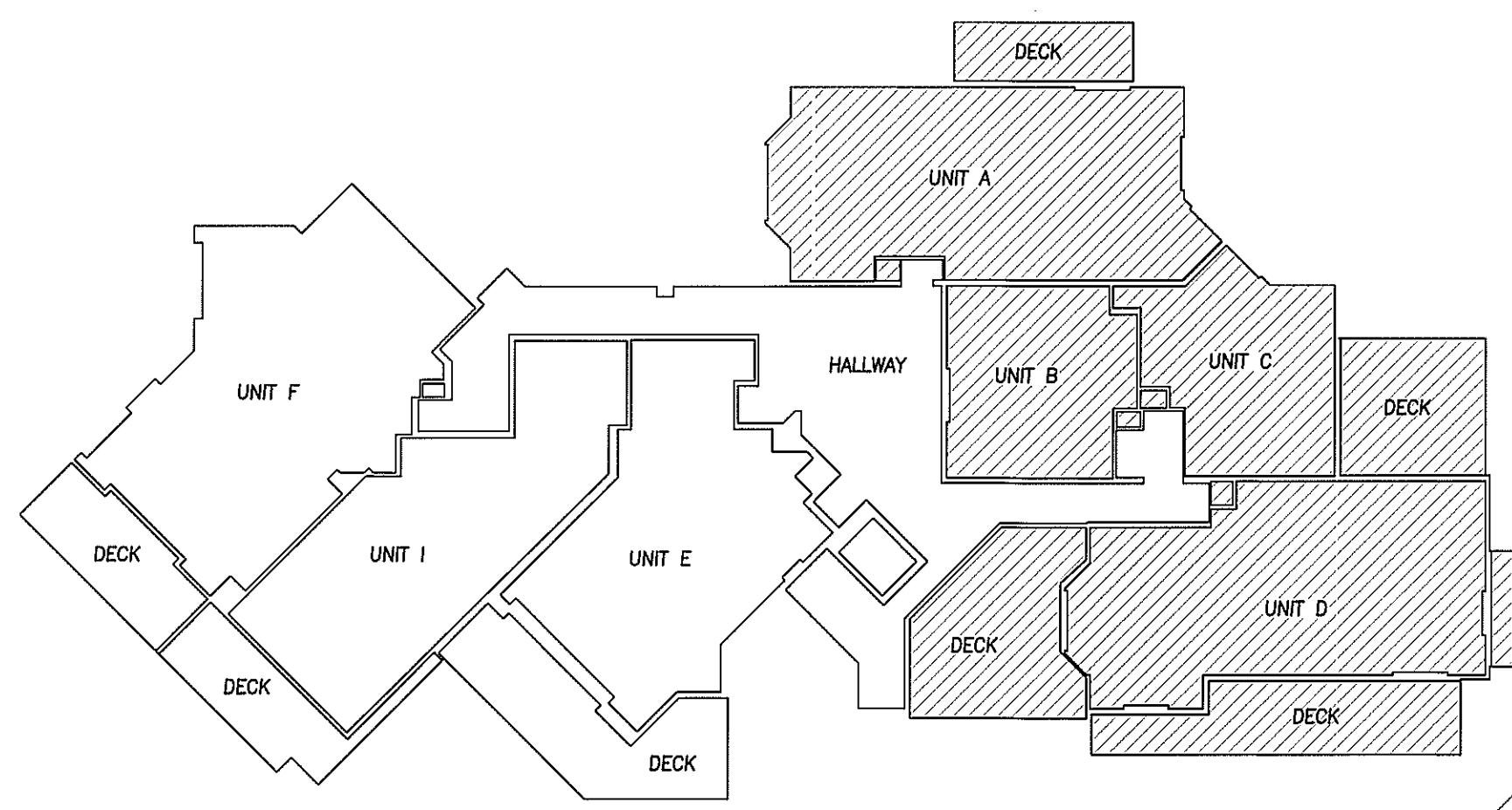
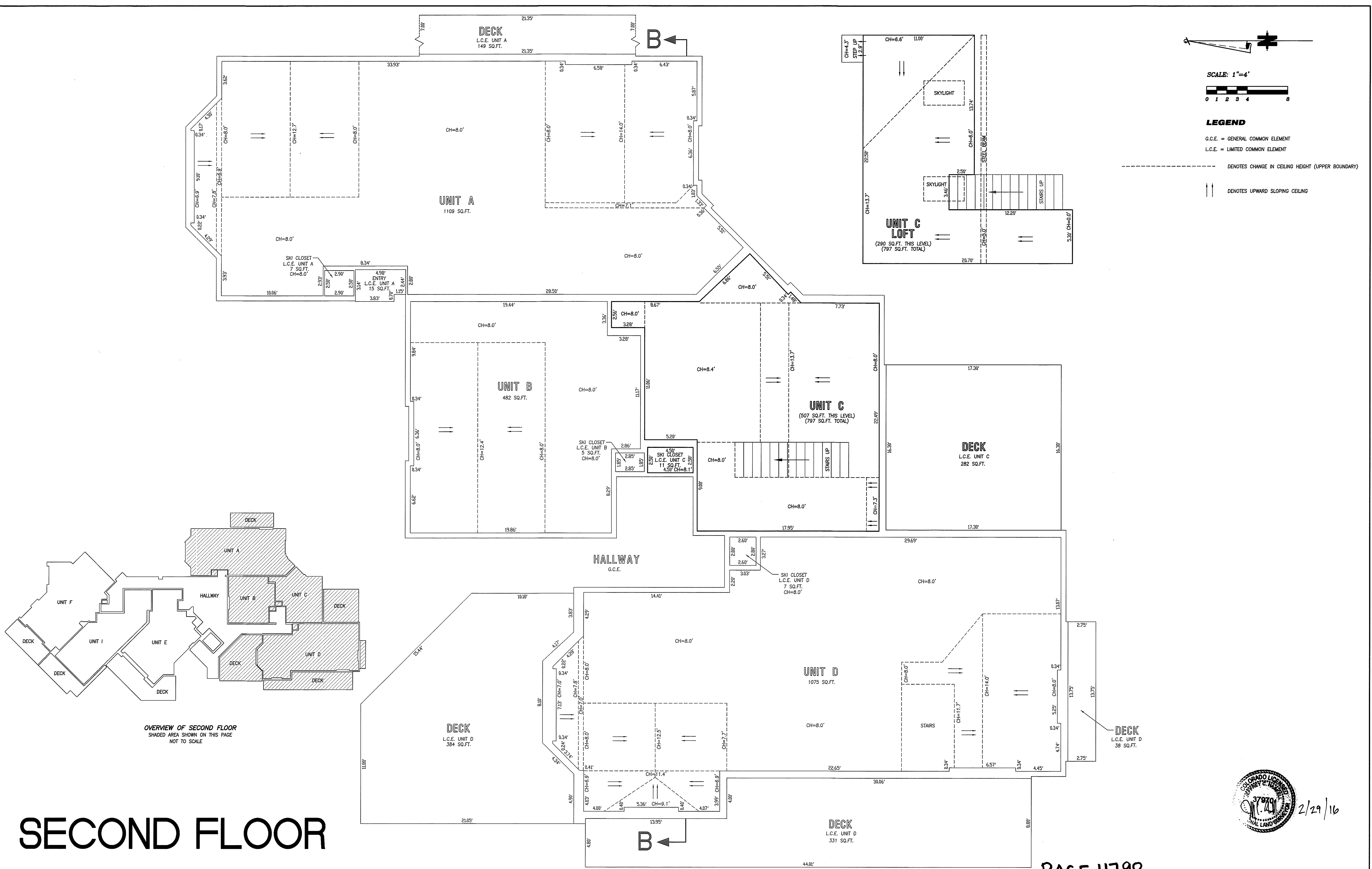


LEGEND

G.C.E. = GENERAL COMMON ELEMENT
L.C.E. = LIMITED COMMON ELEMENT

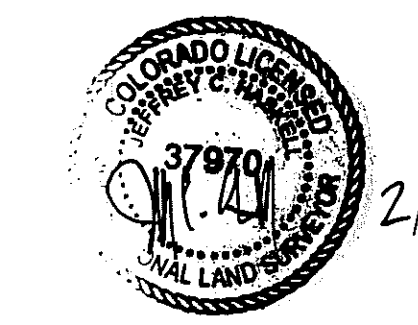
--- DENOTES CHANGE IN CEILING HEIGHT (UPPER BOUNDARY)

|| DENOTES UPWARD SLOPING CEILING



OVERVIEW OF SECOND FLOOR
SHADED AREA SHOWN ON THIS PAGE
NOT TO SCALE

SECOND FLOOR



PAGE 4798

First Amendment to Le Chamonix Condominiums Amended and Restated Condominium Map,
located on Lot 60R-AB, Town of Mountain Village.

Project Mgr:	JH	Rev.	description	date	by
Technician:	MC				
Checked by:	KV				
Start date:	04/01/2015				



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P.O. BOX 1385
125 W. PACIFIC, SUITE B-1
TELLURIDE, COLORADO 81435