



TOWN OF SNOWMASS VILLAGE

ADMINISTRATIVE MODIFICATION APPLICATION

An administrative modification is a staff-level review procedure that allows minor changes to be made to certain dimensional limitations or other design features to address technical constraints or unanticipated circumstances that arise during final design or during actual construction.

GENERAL DATA REQUIREMENTS

Date: _____

Name of Owner: _____

Address: _____ Phone: _____ Email: _____

Name of Applicant (if different than owner): _____

Address: _____ Phone: _____ Email: _____

Physical Address of Property: _____

Legal Description: _____

EXISTING CONDITION INFORMATION

Present Zoning: _____

Lot Area (sq.ft.): _____ Building Setbacks (ft.): _____

Allowable Floor Area Ratio per Zoning or PUD Plan: _____

Square Footage of All Areas Calculated as Floor Area by Code: _____

Existing Building Height (if applicable): _____

of Parking Spaces and Bedrooms (if applicable): _____

PROPOSAL DATA (Only fill in those that apply)

Proposed Building Setbacks: _____

Proposed Floor Area: _____

Proposed Building Height: _____

Proposed Envelope Adjustment: _____

Proposed Parking Space Size: _____

Proposed Minor Amendment to PUD, Subdivision, Building Lot
or Minor Use Change: _____

Other: _____

DESCRIBE YOUR PROPOSED ADMINISTRATIVE MODIFICATION

PROVIDE THE FOLLOWING ADDITIONAL INFORMATION

1. **Minimum Contents.** The minimum contents for any application, as specified in Section 16A-5-40 (b), Minimum Contents. The Land Use and Development Code can be found here: https://library.municode.com/co/snowmass_village/codes/municipal_code?nodeId=CH16ALOUSDECO
2. **Improvement Survey.** If deemed necessary in the discretion of the Planning Director, an improvements survey showing the location and dimensions of all existing structures, streets, alleys, easements, drainage areas, irrigation ditches, public and private utilities and other significant features within the property.
3. **Site Plan.** A site plan of the subject property, showing existing improvements and proposed development features that are relevant to the review of the proposed administrative modification application. As necessary, the applicant shall also submit such other written or graphic information as is necessary to describe the proposed modification, such as a sketch of those elements of the proposed structure for which an administrative modification is requested.
4. **Other Information.** The Planning Director may request the applicant to submit such other information as is necessary to evaluate the impacts of the application. Examples of the information that may be requested are elevations of proposed structures, analysis of the traffic impacts of the proposed use or evaluation of the environmental impacts of the proposed use.
5. **Base Fee.** The application shall be accompanied by the applicable base fee from the Building and Planning Department's fee schedule. The applicant shall reimburse the Town for such amounts in excess of the base fee as determined by the Planning Director. The reimbursement to the Town by the applicant shall be due and payable within fifteen (15) days of the date of billing.

NO APPLICATION WILL BE PROCESSED UNTIL ALL REQUIRED INFORMATION IS PROVIDED.

REASONS FOR REQUESTING THIS ADMINISTRATIVE MODIFICATION

1. Are there any unforeseen circumstances which warrant a modification?

2. Are there any substantial impacts on the surrounding properties?

3. For an adjustment to a building envelope does the modification allow for:

a) Better conformance to the standards of this development code?

b) Less vegetation to be removed from the site?

c) Better access to the site?

4. Other reasons?

RULES OF PROCEDURE

The following procedures shall apply to an application for an administrative modification. These procedures are illustrated in Figure 5-8 Administrative Modification Application Procedures in Section 16A-5-250 of the Land Use and Development Code.

1. **Pre-Application Conference.** Attendance at a pre-application conference is optional prior to submission of an administrative modification application.
2. **Submission of Application.** The applicant shall submit an application to the Planning Director that contains the materials specified in Subsection (c) Application Contents.
3. **Process Determination.** Within 10 days after the pre-application meeting or after the application is deemed complete, the Planning Director shall decide if the application can be processed administratively or if it must be forwarded to the Planning Commission as the decision-maker.
4. **Administrative Staff Review.** Staff review of the application shall be accomplished, as specified in Section 16A-5-50, Staff Review of Application. For applications being processed by the Planning Director, no public notice shall be required. Notice of the issuance of the Planning Director's approved administrative modification, including copy of the record of decision, shall be provided to the Planning Commission.
5. **Action By Planning Director.** The Planning Director shall approve, approve with conditions or deny the application, considering the relevant materials and testimony and the standards in Subsection (d) Review Standards.
6. **Action by Decision-Making Body.** The following procedure shall apply to an application for administrative modification if, due to its scale or potential impacts upon surrounding properties or due to the nature and intensity of the proposed activity or use, it is determined by the Planning Director to warrant referral to the Planning Commission for final determination. This procedure shall apply regardless of whether the Planning Director refers the application prior to or after formal staff review.
7. **Referral to Planning Commission.** If, during the staff review any issues arise that cannot be resolved to the satisfaction of the Planning Director or the applicant, then the staff shall refer the application within thirty (30) days to the Planning Commission pursuant to Subsection (5) Action by Decision-Making Body. Public notice that an application for administrative modification has been referred to the Planning Commission shall be given pursuant to Section 16A-5-60(b), Manner and Timing of Notice.
8. **Appeal.** A decision by the Planning Director or Planning Commission on an administrative modification may be appealed, pursuant to Section 16A-5-80, Appeals. The appeal shall be referred to the Town Council, which shall consider the matter pursuant to Section 16A-5-80 (d), Procedure.
9. **Recording.** If the Planning Director or Planning Commission approves the administrative modification, the applicant shall, within thirty (30) days of the date of said approval, cause the written decision notice or resolution, with applicable exhibits, to be recorded in the records of the County Clerk and Recorder.

ADMINISTRATIVE MODIFICATION MUNICIPAL CODE PURPOSE:

An administrative modification is a staff-level or Planning Commission review procedure that allows minor changes to be made to certain dimensional limitations or other design features in order to address technical constraints or unanticipated circumstances that arise prior to or during final design and actual construction. Activities that shall not be considered administrative include changes to the overall character of the project, changes that substantially increase trip generation or the demand for public facilities and changes that are inconsistent with a condition or a representation of the project's original approval, or that require granting a further variation from that granted in the original approval.

An administrative modification shall only be granted for the following types of activities:

1. **Setback.** The intrusion of a building or an above-grade structure into a required setback by one foot (1') or less for new construction in a manner that exceeds the limitations established in Section 16A-3-200 (b), Construction in Required Setbacks and Outside Designated Building Envelopes.
2. **Floor Area.** An increase in the maximum allowable floor area of a structure by no more than two percent (2%) or fifty (50) sq. ft., whichever is less.
3. **Building Height.** An increase in a building's height by one foot (1') or less.
4. **Parking Space Size.** A decrease in the size of a required parking space by one foot (1') or less.
5. **Crawl Space or Attic Space.** A crawl space or attic space that is greater than five and one-half feet (5 1/2') at any point when rational construction methods will not allow compliance with the maximum height of five and one-half feet (5 1/2'), provided that the Planning Director may impose reasonable conditions to limit or restrict the use of said space.
6. **On-Grade or Below-Grade Structures.** The projection of an on-grade or below-grade structure into a required setback in a manner that exceeds the limitations established in Section 16A-3-200 (b) (1), Structures on or Below Finished Grade. The Planning Director may impose reasonable conditions to ensure that such structures will not hinder road maintenance and snow plowing operations and will have minimal visual impacts, and to ensure that the owner indemnifies the Town against any damage that may occur to said structures.
7. **Building Outside of Established Envelope.** An encroachment outside of building envelope where a building or portion thereof was previously constructed.
8. **Adjustment to Building Envelope.** Adjustment of a building envelope to correct an existing condition or to allow it to better conform to the standards of this Development Code, such as by allowing less vegetation to be removed from the site, helping to lessen impacts from drainage or site grading, or permitting better access to the site to be provided.
9. **Administrative Amendments.** An administrative amendment to any other design feature of an approved PUD, subdivision or building lot, or an administrative amendment to the uses approved for a PUD.
10. **Interim SPA (SPA-1 and SPA-2) Authorization.** Improvements to existing development within Specially Planned Area (SPA-1 and SPA-2) and Governmental Specially Planned Area zone districts that have not been reviewed pursuant to the procedures and standards of Article V, Division 3, Planned Unit Development, provided: a) the improvements are necessary for the maintenance and repair or remodeling of an existing building; b) there will be no change in type of use except as may be accessory to or customary in connection with the existing principal use(s) of the building; c) the total square footage of the floor space of the building is not increased by more than ten percent (10%) or five hundred (500) square feet, whichever is less, except in the case of Governmental Specially Planned Areas it shall be ten percent (10%) of the building floor space; d) the proposed improvements will be consistent with Section 16A-4-340, Building Design Guidelines to Preserve Community Character; and e) all future development improvements within the property proposed

after an initial administrative modification approved by means of a) through d) above shall be reviewed pursuant to the procedures and standards of Article V, Division 3, Planned Unit Developments. The Planning Director may require the preparation of an interim site development and land use plan and may impose reasonable conditions to ensure that such structures will not change the basic character of existing buildings or surrounding areas or have a substantially adverse impact upon surrounding properties.

11. **Site Disturbance Outside Building Envelope.** Earth berms located outside the building envelope which do not satisfy the criteria specified within Section 16A-4-320(b)(2)a, Earth Berm Outside Building Envelope. The Planning Director may impose reasonable conditions to ensure that such berm will be located and designed to reasonably fit the site and to minimize the visual impact upon surrounding property owners.

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