

# Attachment 7

*Alan Richman*

*Planning Services*

*Box 3613 Aspen, Colorado 81612*

*Phone/Fax (970)920-1125*

*arichman@sopris.net*

October 21, 2004

Ms. Suzanne Wolff, Senior Planner  
Pitkin County Community Development Department  
130 South Galena Street  
Aspen, Colorado 81611

**RE: CONFIRMATION OF STAFF INTERPRETATION**

Dear Suzanne,

I represent Mr. Robert B. Harper, who is desirous of entering into a contract to purchase Lot 8-B of the Aspen River Valley Ranch, located along Lower River Road in unincorporated Pitkin County. Lot 8-B is comprised of approximately 10.3 acres of land located above Lower River Road and the Denver and Rio Grande Railroad Right-of Way (Parcel 8-B.1), approximately 5.5 acres of land located below the road and railroad right-of-way but below Highway 82 (Parcel 8-B.2), and a one-half interest in approximately 2.7 acres of land located above Highway 82 (Parcel 8-B.3), shown on the attached map.

Recently I met with you to discuss the County's position regarding this property. You then discussed this property with other members of the Community Development Department and with the County Attorney at a staff meeting.

Based on these discussions, you have informed me that the County considers the 5.5 acre portion of the property (Parcel 8-B.2) to be a separate legal parcel from the 10.3 acre portion of the property (Parcel 8-B.1), due to the fact that the County purchased the Denver and Rio Grande Railroad Right-of Way in fee simple. Therefore, even though Mr. Harper may purchase Lot 8-B as a single parcel, he would be able to convey these two areas as separate legal parcels and would not violate the County's subdivision regulations if he did so. However, the development right for Lot 8B would be assigned to Parcel 8-B.2, and Parcels 8-B.1 and 8-B.3 could not acquire a development right, due to the restriction against further development imposed by the lot split that created Lot 8-A and Lot 8-B. Furthermore, you told me the County would not require Mr. Harper to adjust the lot lines for the 5.5 acre portion of the property (Parcel 8-B.2) to bring it into compliance with the 10 acre minimum lot size of the AFR-10 zone district, since this land area is already a legal parcel.

If I have accurately described the results of these discussions, I would appreciate it if you would have Lance Clarke sign in the space I have provided below, so I may have a record of this interpretation for the file on this property.

000002



Ms. Suzanne Wolff

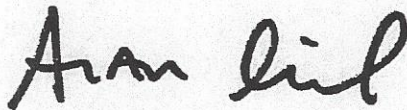
October 21, 2004

Page Two

Thank you very much for your assistance in this matter.

Very truly yours,

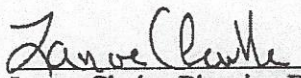
**ALAN RICHMAN PLANNING SERVICES**



Alan Richman, AICP

I have reviewed the above written material. I hereby confirm that the County considers the 5.5 acre portion of Lot 8-B (Parcel 8-B.2) to be a separate legal parcel from the 10.3 acre portion of Lot 8-B (Parcel 8-B.1). I also confirm that these two parcels may be conveyed as two separate parcels and doing so would not violate the County's subdivision regulations. However, the development right for Lot 8B would be assigned to Parcel 8-B.2, and Parcels 8-B.1 and 8-B.3 could not acquire a development right, due to the restriction against further development imposed by the lot split that created Lot 8-A and Lot 8-B. Finally, I confirm that the County would not require the lot lines of the 5.5 acre portion of the property (Parcel 8-B.2) to be adjusted to bring it into compliance with the 10 acre minimum lot size of the AFR-10 zone district, since this portion of the property is already a legal parcel.

**PITKIN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT**

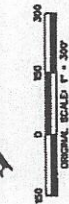


10/21/04  
Lance Clarke, Planning Director

000003

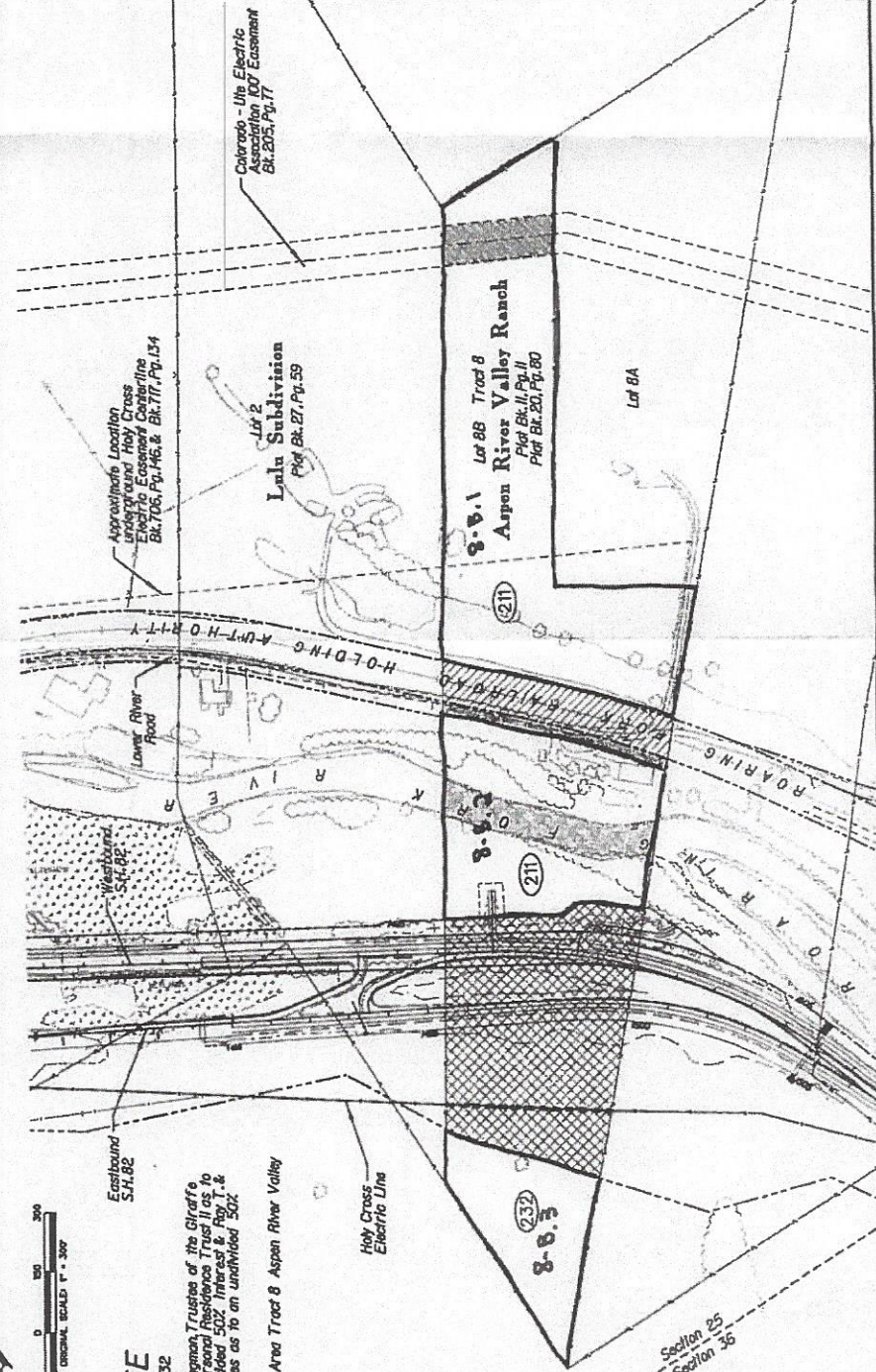


- Holy Cross Electric Line - 0.09 Acres +/-
- Right of Way S.H.82 - 6.24 Acres +/-
- Roaring Fork River - 1.02 Acres +/-
- Colorado - Ute Association 100' Easement Bk.205, Pg.77 - 0.64 Acres +/-
- Lower River Road - 0.40 Acres +/-
- Roaring Fork Railroad Holding Authority - 1.34 Acres +/-



**\*NOTE**

Parcel 232  
 Cattle Wagon, Trustee of the Graffe  
 1992 Personal Residence Trust II as to  
 an undivided 50% Interest & Roy. T. &  
 Sandy was as to an undivided 50%  
 Interest.  
 Common Area Tract 8 Aspen River Valley  
 Ranch



**\*NOTE**

Parcel 211  
 Cattle Wagon, Trustee of the Graffe  
 1992 Personal Residence Trust II.  
 Lot 8B Tract 8 Aspen River Valley Ranch.

NOTE:  
 THIS EXHIBIT DOES NOT REPRESENT A  
 MONUMENTED LAND SURVEY. IT IS INTENDED  
 ONLY TO DEPICT THE EFFECTED PROPERTY.

**100 CENTENNIAL**  
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 10522 WEST TOLLER DRIVE,  
 LITTLETON, CO. 80127 (303) 948-4