

## **RECORD OF ADMINISTRATIVE ACTION**

### **APPROVAL OF A VACATION AND REPLAT FOR ROMENS SUBDIVISION FILING NO. 1A (VR252)**

WHEREAS, Terry and Amy Abernathy, did file an application with the El Paso County Planning and Community Development Department for the approval of a Vacation and Replat for the Romens Subdivision Filing No. 1A for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, pursuant to § 30-28-133.5 (1.5), C.R.S., a Board of County Commissioners may delegate to one or more County administrative officials the authority to approve or deny final plats, amendments to final plats, and correction plats provided certain criteria have been met; and

WHEREAS, § 2.2.4 of the El Paso County Land Development Code ("Code"), amended by the Board of County Commissioners of El Paso County, Colorado ("Board") on August 27, 2019 pursuant to Resolution No. 19-329, delegates to the Planning and Community Development Department Director ("Director") the authority to approve Final Plats, Vacations, Replats, and Final Plat amendments pursuant to the provisions of the Code; and

WHEREAS, on May 1, 2025, the Director reviewed the studies, reports, plans, designs, documents and other supporting materials submitted with respect to the above application; and

WHEREAS, based on the evidence, exhibits, consideration of the master plan for the unincorporated area of the County, comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, and comments by the general public, the Director finds as follows:

1. The application was properly submitted for consideration by the Planning and Community Development Department Executive Director.

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2. Proper publication, and public notice were provided as required by law for the administrative review of the application by the Planning and Community Development Department Director.
3. The administrative review of the application by the Planning and Community Development Department Director was extensive and complete, all pertinent facts, matters and issues were submitted and reviewed, and all interested persons were provided a fourteen-day (14) time period to submit comments.
4. All exhibits were received into evidence.

WHEREAS, in approving a Vacation and Replat of a Subdivision, the Planning and Community Development Department Director finds that the application meets the criteria of approval listed in Section 7.2.3.C.4 of the Land Development Code ("Code") (as amended):

1. The Replat complies with the Code and the original conditions of approval associated with the recorded Plat;
2. No nonconforming lots are created, and in the case of existing nonconforming lots, the nonconformity is not increased;
3. The Replat is in keeping with the purpose and intent of the Code;
4. The Replat conforms to the required findings for a Minor or Major Subdivision, whichever is applicable;
5. Legal and physical access is provided to all parcels by public rights-of-way or recorded easement acceptable to the County in compliance with the Code and the Engineering Criteria Manual ("ECM");
6. The approval will not adversely affect the public health, safety, and welfare; and
7. Where the lots or parcels are subject to any CC&Rs or other restrictions, that any potential conflict with the CC&Rs or other restrictions resulting from the Replat has been resolved.

The El Paso County Planning and Community Development Department Director, therefore,  
APPROVES the final plat application for the Romens Subdivision Filing No. 1A subdivision.

DONE THIS 30<sup>th</sup> day of April, 2025, at Colorado Springs, Colorado.

MEGGAN HERINGTON, EXECUTIVE DIRECTOR  
EL PASO COUNTY PLANNING AND COMMUNITY  
DEVELOPMENT DEPARTMENT



EXHIBIT A

**LEGAL DESCRIPTION**

Lots 1, 2 and 3, Romens Subdivision, County of El Paso, State of Colorado.

(Per the Special Warranty Deed recorded under Reception No. 224099998)