

Date: 29 Sep 2020

## NOTICE TO ADJACENT PROPERTY OWNERS

1. This letter is being sent to you because Brian Peterson, Tom Puskas, and Mike Hershey are proposing a land use reconfiguration in El Paso County at the referenced locations (see Item #3). This information is being provided to you prior to a submittal with the county. Please direct any questions on the proposal to the referenced contact in Item #2.

Prior to any public hearing on this proposal, a notification of the time and place of the public hearing will be sent to the adjacent property owners by the El Paso County Planning Department. At that time, you will be given the El Paso County contact information, the file number, and an opportunity to respond either for, against, or expressing no opinion in writing or in person at the public hearing for this proposal.

2. For questions specific to this project, please contact:

**Owners/Applicants:**

Brian and Tibby Peterson  
17390 Shiloh Pines Dr  
Monument, CO 80132  
(719) 244-7391

**Project Consultants:**

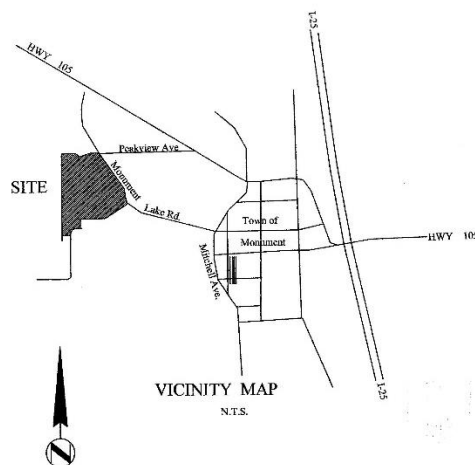
Jerome W Hannigan & Associates Inc  
19360 Spring Valley Rd  
Monument, CO 80132  
(719) 481-8292

**3. Site Addresses:**

17390 Shiloh Pines Dr,  
17410 Shiloh Pines Dr, &  
3125 Monument Lake Rd  
Monument, CO 80132

4. Request and Justification: Rezone and Minor Subdivision to create one new lot. Mr. Peterson bought 3.94 acres from Mr. Puskas and the referenced lots are being reconfigured to meet county requirements for the subdivision of Mr. Puskas's property. No buildings or improvements to the property are planned or are being requested in this action. Please see enclosed narratives.

5. Waiver Request: None.



6. Vicinity map showing adjacent property owners enclosed:

Adjacent owners: (29 Sep 2020)

1) John & Michelle McMurray  
17340 Shiloh Pines Dr  
Monument CO, 80132-7915

2) Todd & Charlan Poirson  
18115 Sunburst Dr  
Monument CO, 80132-8297

3) Mark Berry & Shannon Leslie  
18145 Sunburst Dr  
Monument CO, 80132-8297

4) Richard & Brienne Stotts  
18175 Sunburst Dr  
Monument CO, 80132-8297

5) Donna Gill  
3555 Sunstar Ct  
Monument CO, 80132-8251

6) Brad & Laura Hogan  
3545 Sunstar Ct  
Monument CO, 80132-8251

7) SUNSTAR HOLDING LLC  
3555 Sunstar Ct  
Monument CO, 80132-8251

8) IBAT FBPO EVA HORNUNG IRA  
3475 Peak View Blvd  
Monument CO, 80132

9) Kathryn Van Der Gugten  
PO BOX 2744  
Monument CO, 80132-2744

10) Timothy & Kristine Coffin  
18505 Cloven Hoof Dr  
Palmer Lake, CO 80133

11) DONLAND PROPERTIES LLC  
13850 S Perry Park Rd  
Larkspur CO, 80118-6505

12) Douglas & Susan Yoder  
PO BOX 2122  
Monument CO, 80132-2122

13) Jeffery Selvig  
PO BOX 2024  
Monument CO, 80132-2122

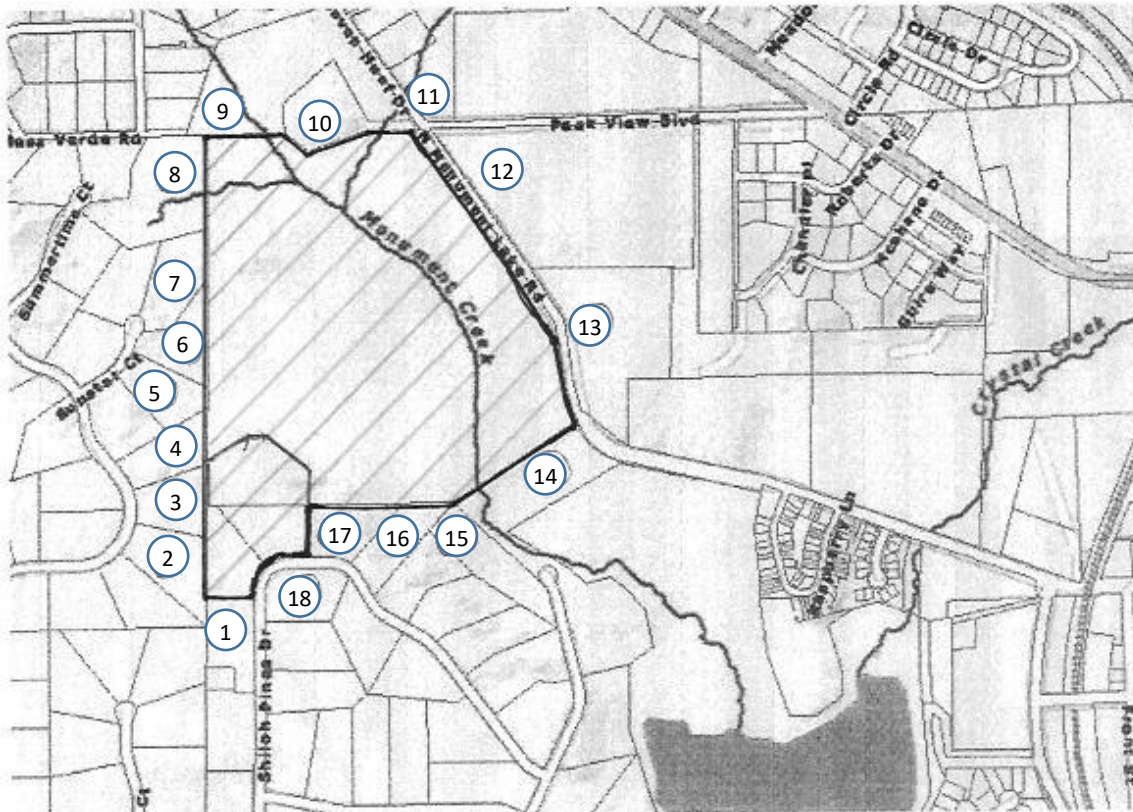
14) FERREIRA PAULO SERGIO TRUST  
17475 Oxbridge Rd  
Monument CO, 80132-7910

15) Alan & Brenda Longshore  
17480 Oxbridge Rd  
Monument CO, 80132-7909

16) Leo & Terry Rector  
17520 Shiloh Pines Dr  
Monument CO, 80132-7917

17) Dan & Victoria Sullivan  
17470 Shiloh Pines Dr  
Monument CO, 80132-7915

18) Steven Fiala  
17415 Shiloh Pines Dr  
Monument CO, 80132-7916



## Letter of Intent - Re-zone and Replat Application

Attn: El Paso County Land Development Department

22 September 2020

### **Owners/Applicants:**

Brian and Tibby Peterson  
17390 Shiloh Pines Dr  
Monument, CO 80132  
(719) 244-7391

Thomas J Puskas  
PO Box 1112  
Monument, CO 80132  
(719) 963-3339

### **Project Consultants:**

Jerome W Hannigan & Associates Inc  
19360 Spring Valley Rd  
Monument, CO 80132  
(719) 481-8292

Glenn Brooke  
PO Box 77162  
Colorado Springs, CO 80970  
(719) 637-0522

Brian and Tibby Peterson own and reside on Lot 27, Block 1, Shiloh Pines Subdivision which is located in the northern part of the County, just northwest of Monument Lake. Adjoining Peterson to the east is Lot 28, Block 1, which belongs to Mike Hershey. Their adjoining neighbor to the north is Mr. Tom Puskas who owns and resides on a tract of 74.4 acres located in Sections 15 and 16, Township 11 South, Range 67 West of the 6th Principal Meridian. The Puskas tract is unplatted, used for grazing and zoned RR-5 (County original zoning) and the Peterson and Hershey Lots in Shiloh Pines are 2.50 acres and zoned RR 2.5.

Peterson has purchased a parcel from Puskas via quit claim deed adjoining Peterson that is 3.94 acres in area. The parcel has no access to a public road. This would reduce the Puskas tract to 70.46 acres. The 3.94 acre parcel has a topographic and vegetation similarity to the Shiloh Pines lots in that it is higher and forested while the remainder of the Puskas tract is lower and mostly grass. Monument Creek traverses the Puskas tract draining southeasterly into Monument Lake.

The Petersons envision one day possibly building another house on the acquired parcel. This would require public road access and appropriate zoning. The logical location for an access is a flag that runs southeasterly in the approximate location of the current common Peterson/Hershey property line to Shiloh Pines Drive. This involves the Hershey lot which will be replatted as part of the application. Note that there are no current plans to build and this does not include approval for any structures.

There appear to be three tasks to be accomplished: First, split off 3.94 acres from the Puskas tract. It is proposed that the remainder parcel will remain unplatted. Second, rezoning that 3.94 acre tract from RR-5 to RR-2.5 while also rezoning the remaining Puskas tract from the current RR-5 to A-35. And third, platting and replatting all three parcels into three newly configured lots which maintain the existing lot access points and create one new access for the proposed new lot.

Regarding the 70.46 acre remaining Puskas tract, this property has been operated as a boarding facility for horses for a significant number of years (1 residence was constructed in 1885, the other in 1952). The applicant continues to operate as such with no intentions of doing otherwise. The quantity of existing residences and outbuildings on the Puskas lot is not in character with the traditional understanding of how RR-5 parcels are developed in El Paso County.

The existence of Monument Creek meandering through the Puskas property causes a significant portion of the parcel to be incapable of development as residential property due to a floodplain designation. There have been anecdotal references to a previous owner pursuing development of this parcel into 5 acre properties. As told to the current owner a development of this type was strongly discouraged due to the existence of Monument Creek and the respective floodplain.

The RR-5 designation causes the potential of future hardship on the parcel. As has been explained to Puskas by EPC zoning, a special use permit could be issued with limitations imposed on the use of the property which may not be consistent with the current use. In addition, one residence would be required to be designated the primary residence, the other designated as existing non-conforming. The primary would be allowed to have building permits issued to it for repair or addition, the existing non-conforming would not. The existing RR-5 zoning allows for the subdivision of this parcel by a future owner to a number of 5 acre parcels which is not something Puskas considers acceptable and wishes to have the historical and appropriate use of the property maintained.

As the Puskas parcel has existed as an agricultural entity, a compatible zone designation of A-35 is requested. No waivers are expected to be needed for the rezoning.

The newly created 3.94 acre lot will be provided with water from an individual well. Sufficient water has been transferred from Puskas to Peterson for that purpose. An ISDS will handle waste. Other utilities are already onsite. Both the original lots 27 & 28 are in the Forest View Acres Water District and will remain so. The Puskas tract is not in the District therefore the new lot is not proposed to be annexed into the District. To comport with the new lot arrangement, the District Boundary will be amended.

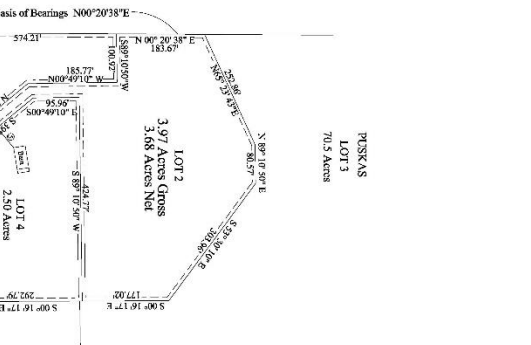
Please direct questions to Brian Peterson (719-244-7391) or Jerry Hannigan (719-481-8292).

**A Rezoning of Parcels in Sections 15 and 16,  
T 11 S, R 67 W of the 6th P.M., El Paso County, Colorado.**



<b>KEYWORD</b> 1045-2H Problem Zoning		<b>January 7, 1997</b> <b>HANNIGAN™ ASSOCIATES, INC.</b> <b>LAND REZONING AND LAND DEVELOPMENT CONSULTING</b> 1540 SHOREWAY BLVD. #200 NORTHGATE, COLORADO 80061-1803 719-481-8292 • FAX: 719-481-9071	<b>TITLE</b> <b>REZONING MAP for PETERSON'S REPLAT in Sections 15 &amp; 16, T11S, R67W, 6th P.M. El Paso County, Co.</b> <b>CLIENT</b> Brian Peterson 173-0000
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A Minor Subdivision and a Vacation and Replat of Parcels in Sections 15 and 16, T 11 S, R 67 W of the 6th P.M., El Paso County, Colorado.

[illegible]

Wishes my hand and official seal:  
My commission expires: \_\_\_\_\_  
Notary Public

any to  
2018 applies to any other specimen taken on any  
and any Contributor include in the Association of Approval, Lots 27 and 28, Block 1  
Shallow Pines Southview are viewed in their entirety and required to show historical  
Community, coalfields and fisheries received regular and appropriate to the original  
Lots 27 and 28 will therefore apply to Lots 1 and 3 respectively of this Peterson  
Reprint.

**SURVEYOR'S CERTIFICATE:**

County Clerk and Recorder:  
James W. Herington  
Colorado P.O.S. 24629

I hereby certify that this instrument was filed for record in my office at \_\_\_\_\_  
 \_\_\_\_\_ m. this \_\_\_\_\_ day of \_\_\_\_\_, 2018 and is duly recorded  
 at Reception No. \_\_\_\_\_ of this record of El Paso County  
 Colorado.

**Chuck Hooverman**  
County Clerk & Recorder

Reed & Bridge Press  
Drouin Press

PCD File # XXXX-XXXX

2350 BERING VALLEY BLVD  
MONROVIA, CALIFORNIA 91201-3113  
TEL: 818-292-8742 FAX: 818-481-9071

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Client: Brian & Thibby Petersen  
El Paso County, Colorado.  
15 & 16, T1S1R67W, 6th P.M.

1000/100	1.2-40-1	Qm	1000/100	1.2-40-1



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16) Leo & Terry Rector  
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Total Postage and Fees \$4.10

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18) Steven Fiala  
17415 Shiloh Pines Dr  
Monument CO, 80132-7916

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions