



# EL PASO COUNTY

Department of Planning  
& Community Development

MEGGAN HERINGTON, EXECUTIVE DIRECTOR

## SUMMARY MEMORANDUM

TO: El Paso County Board of County Commissioners  
FROM: Planning & Community Development  
DATE: 3/13/2025  
RE: SF2423 Rolling Hills Estates Filing No. 3

### Project Description

A request by Debra Osban for approval of a 9.72-acre Final Plat creating one single-family lot. A Waiver of Section 8.4.7.B.7.b, requiring that the water supply be sufficient for 300 years is requested. The item was heard on the consent agenda on February 20, 2025, Planning Commission hearing, and was recommended for approval with a vote of 9-0. The property is zoned RR-5 (Residential Rural) and is located north of Schriever Air Force Base, one mile south of Highway 94 and east of South Page Road. (Parcel No. 3418001018) (Commissioner District No. 4)

### Notation

Please see the Planning Commission Minutes and the project manager's staff report for staff analysis. There is no opposition to the request.

### Planning Commission Recommendation and Vote

Trowbridge moved / Whitney seconded to recommend approval of the Final Plat, Rolling Hills Estates Filing No. 3, utilizing the resolution attached to the staff report with 5 conditions, 4 notations, 1 waiver, and a recommended finding of sufficiency with regard to water quality, quantity, and dependability, that this item be forwarded to the Board of County Commissioners for their consideration. The item was heard as a consent agenda item. The motion was approved (9-0).

### Discussion

Whitney asked for clarification in regard to the Waiver. Ms. Seago responded that the well was legally installed in 1972, which predates the County's 1986 requirement to meet the 300-year rule.

### Attachments

1. Planning Commission Minutes from 02/20/2025.
2. Signed Planning Commission Resolution.
3. Planning Commission Staff Report.
4. Draft BOCC Resolution.



# EL PASO COUNTY

Department of Planning  
& Community Development

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## EL PASO COUNTY PLANNING COMMISSION

### MEETING RESULTS (UNOFFICIAL RESULTS)

Planning Commission (PC) Meeting

Thursday, February 20<sup>th</sup>, 2025, El Paso County Planning and Community Development Department  
2880 International Circle, Colorado Springs, Colorado – Second Floor Hearing Room

**REGULAR HEARING at 9:00 A.M.**

**PC MEMBERS PRESENT AND VOTING:** THOMAS BAILEY, SARAH BRITTAIN JACK, JIM BYERS, JAY CARLSON, BECKY FULLER, ERIC MORAES, BRYCE SCHUETTELZ, TIM TROWBRIDGE, AND CHRISTOPHER WHITNEY.

**PC MEMBERS PRESENT AND NOT VOTING:** (NONE)

**PC MEMBERS ABSENT:** JEFF MARKEWICH AND WAYNE SMITH.

**STAFF PRESENT:** MEGGAN HERINGTON, JUSTIN KILGORE, LORI SEAGO, JESSICA MERRIAM, KARI PARSONS, ED SCHOENHEIT, CHARLENE DURHAM, JOSEPH SANDSTROM, GILBERT LAFORCE, RYAN HOWSER, JEFF RICE, JOE LETKE, CHRISTINA PRETE, AND MIRANDA BENSON.

**OTHERS PRESENT AND SPEAKING:** NINA RUIZ.

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### 1. REPORT ITEMS

**Mr. Kilgore** advised the board that the next PC Hearing is Thursday, March 6<sup>th</sup>, 2025, at 9:00 A.M.

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### 2. PUBLIC COMMENT FOR ITEMS NOT ON THE HEARING AGENDA

(NONE)

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### 3. CONSENT ITEMS

**A. Adoption of Minutes** for meeting held on January 16<sup>th</sup>, 2025.

**PC ACTION: THE MINUTES WERE APPROVED AS PRESENTED BY UNANIMOUS CONSENT (9 - 0)**

**IN FAVOR: (9)** Bailey, Brittain Jack, Byers, Carlson, Fuller, Moraes, Schuettelz, Trowbridge, Whitney.  
**IN OPPOSITION: (0)** None.

**B. VR246**

**HOWSER**

**VACATION AND REPLAT  
KETTLE CREEK ESTATES FILING NO. 2**

A request by J + M Investments, LLC, for approval of a 5.13-acre Vacation and Replat creating two single-family residential lots from one single-family residential lot. The property is zoned RR-2.5 (Residential Rural) and is located at 10245 Otero Avenue. (Parcel No. 6228005048) (Commissioner District No. 1)

**NO PRESENTATION, PUBLIC COMMENT, OR DISCUSSION.**

**PC ACTION: CARLSON MOVED / SCHUETTELZ SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3B, FILE NUMBER VR246, FOR A VACATION AND REPLAT, KETTLE CREEK ESTATES FILING NO. 2, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH FOUR (4) CONDITIONS, FOUR (4) NOTATIONS, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9 - 0).**

**IN FAVOR: (9)** Bailey, Brittain Jack, Byers, Carlson, Fuller, Moraes, Schuettpelz, Trowbridge, Whitney.  
**IN OPPOSITION: (0)** None.

**C. PUDSP226**

**PARSONS**

**PLANNED UNIT DEVELOPMENT/PRELIMINARY PLAN  
VILLAGES AT STERLING RANCH EAST**

A request by Classic SRJ Land, LLC, for approval of a Map Amendment (Rezoning) of 39.06 acres from RR-5 (Residential Rural) to PUD (Planned Unit Development) with approval of a Preliminary Plan illustrating 54 attached, and 173 detached single-family lots, 18 tracts, including 8.40 acres of open space, utilities and drainage provisions, and 3.45 acres of land dedicated for private roads. The property is located at the southeast corner of the intersection of Briargate Parkway and Sterling Ranch Road. (Parcel Nos. 5200000553 and 5200000573) (Commissioner District No. 2)

**NO PRESENTATION OR PUBLIC COMMENT.**

**DISCUSSION: Mr. Trowbridge** noted that he thought it was interesting that the PUD had Additional Dwelling Units (ADU's) included in the plan and that he would be interested in seeing how that will develop further in the future. **Mr. Bailey** agreed about it being an anomaly to a PUD plan but that he thinks they should expect to see it more in the future.

**PC ACTION: SCHUETTELZ MOVED / BRITAIN JACK SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3C, FILE NUMBER PUDSP226, FOR A PLANNED UNIT DEVELOPMENT/PRELIMINARY PLAN, VILLAGES AT STERLING RANCH EAST, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH SEVEN (7) CONDITIONS, FIVE (5) NOTATIONS, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9 - 0).**

**IN FAVOR: (9)** Bailey, Brittain Jack, Byers, Carlson, Fuller, Moraes, Schuettpelz, Trowbridge, Whitney.  
**IN OPPOSITION: (0)** None.

D. SF2417

LETKE

**FINAL PLAT  
MISFITS CREW ESTATES FINAL PLAT**

A request by Mark E. McDonald and Amanda E. Enloe for approval of a Final Plat to create three single-family residential lots. The 35.72-acre property is zoned RR-5 (Residential Rural) and is located on the north side of Hodgen Road and .32 miles west of Thompson Road. (Parcel No. 6124000013) (Commissioner District No. 1)

**NO PRESENTATION, PUBLIC COMMENT, OR DISCUSSION.**

**PC ACTION: FULLER MOVED / TROWBRIDGE SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3D, FILE NUMBER SF2417 FOR A FINAL PLAT, MISFITS CREW ESTATES FINAL PLAT, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH FIVE (5) CONDITIONS, FIVE (5) NOTATIONS, ONE (1) WAIVER, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9 - 0).**

**IN FAVOR: (9)** Bailey, Brittain Jack, Byers, Carlson, Fuller, Moraes, Schuettpelez, Trowbridge, Whitney.  
**IN OPPOSITION: (0)** None.

E. SF2423

PARSONS

**FINAL PLAT  
ROLLING HILLS ESTATES FILING NO. 3 FINAL PLAT**

A request was made by Debra Osban for approval of a 9.72-acre Final Plat to create one single-family residential lot. The property is zoned RR-5 (Residential Rural) and is located north of Schriever Air Force Base, one (1) mile south of Highway 94 and east of South Page Road, Peyton, Colorado. (Parcel No. 3418001018) (Commissioner District No. 2)

**NO PRESENTATION OR PUBLIC COMMENT.**

**DISCUSSION:** Mr. Whitney asked for clarification regarding the water sufficiency waiver being requested by the applicant. Ms. Seago explained that the water supply provisions in the Land Development Code detail numerous requirements that pertain to the quality, quantity and dependability of the water supply based on State statutes. Statute also dictates that a Final Plat cannot be approved of without a finding of sufficiency. Statute does not dictate how that finding is distinguished, therefore, El Paso County adopted the water provisions of the Code to comply. Within that water provision is the 300-year rule which requires applicants to provide proof that the subdivision can provide water for 300 years. The subject parcel was illegally created at some point and a well was placed on the lot which predates many of the modern water provision codes. It was therefore allowed to be permitted in 1972. Current law does allow the applicant to continue to use the well on the property without being required to comply with today's standards. She recommended that it was in the applicant's best interest to request a waiver of the 300-year water rule. She further clarified that the request is not a waiver of the sufficiency finding but is a waiver of the 300-year water rule. Based on the history of the rate of water pumped from the well on the lot, as well as the demand of water needed, it does meet the requirements for water sufficiency. Mr. Bailey thanked County staff for their hard work and research. Mr. Trowbridge noted that the well permit is for domestic use only and cannot be used for agriculture or irrigation purposes. He asked if the applicant would need to apply for a new permit if the current well failed or needed to be replaced in the future. Ms. Seago did not know those specific requirements.

**PC ACTION: TROWBRIDGE MOVED / WHITNEY SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3E, FILE NUMBER SF2423 FOR A FINAL PLAT, ROLLING HILLS ESTATE FILING NO. 3 FINAL PLAT, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH FIVE (5) CONDITIONS, FOUR (4) NOTATIONS, ONE (1) WAIVER, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9 - 0).**

**IN FAVOR: (9)** Bailey, Brittain Jack, Byers, Carlson, Fuller, Moraes, Schuettpelz, Trowbridge, Whitney.  
**IN OPPOSITION: (0)** None.

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**4. CALLED-UP CONSENT ITEMS**

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(NONE)

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**5. REGULAR ITEMS**

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**A. SF2415**

**LETKE**

**FINAL PLAT  
BERISFORD SUBDIVISION FINAL PLAT**

A request by Christopher Berisford and Amy Berisford for approval of a Final Plat to create four single-family residential lots. The 19.88-acre property is zoned RR-5 (Residential Rural), which permits 5-acre lots. The lots will be 4.97 acres in size. The property is located on the north side of East Goshawk Road, approximately one mile north of the intersection of Goshawk Road and Hodgen Road. (Parcel No. 5123000026) (Commissioner District No. 1)

**STAFF & APPLICANT PRESENTATIONS.  
NO PUBLIC COMMENT.**

**DISCUSSION: Mr. Schuettpelz** stated for the record that he does know the owners of this request and has personally worked with them in the past but does feel he can still be an impartial vote for the board. **Mr. Trowbridge** asked if a Rezone was approved for a commercial plot on the corner of Hodgen Rd. and Meridian Rd. **Mr. Letke** stated that he was unfamiliar with that project, but that he believed it was rezoned, and that the GIS map had not yet been updated to reflect that change. **Mr. Kilgore** clarified that it was rezoned for the Winsome project. **Mr. Trowbridge** asked if the applicant has in the past completed any forest mitigation practices since this lot is in the Black Forest area. **Ms. Nina Ruiz**, with Vertex Consulting Services, representing the applicant, answered that yes, the applicant has in the past completed some fire mitigation practices, but the Forestry Management Plan and the Wildfire Hazard Mitigation Plan for the project require additional practices to be completed with the construction of each residence to ensure proper defensible space. **Mr. Trowbridge** asked about sufficient driveway spacing based on the plans provided showing the shared road in the center. **Ms. Ruiz** confirmed that there is sufficient driveway spacing based on a traffic study completed by LSC who was hired on by the applicant.

**PC ACTION: CARLSON MOVED / BYERS SECONDED TO RECOMMEND APPROVAL OF REGULAR ITEM 5A, FILE NUMBER SF2415 FOR A FINAL PLAT, BERISFORD SUBDIVISION FINAL PLAT, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH SIX (6) CONDITIONS, FIVE (5) NOTATIONS, ONE (1) WAIVER, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY,**

**QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9 - 0).**

**IN FAVOR: (9)** Bailey, Brittain Jack, Byers, Carlson, Fuller, Moraes, Schuettpez, Trowbridge, Whitney.  
**IN OPPOSITION: (0)** None.

**B. MP232**

**PRETE**

**AMENDMENT TO COUNTY MASTER PLAN  
JIMMY CAMP CREEK DRAINAGE BASIN PLANNING STUDY**

A request by the El Paso County Department of Public Works for adoption of the Jimmy Camp Creek Drainage Basin Planning Study as an amendment to and component of the El Paso County Master Plan. The Jimmy Camp Creek drainage basin is approximately 67.1 square miles, approximately 29.7 square miles of which lie within the unincorporated County. The watershed is generally bounded by Garrett Road to the north, Blaney Road to the east, Old Pueblo Road to the South, and Powers Boulevard to the west. (Commissioner District Nos. 2 and 4)

**STAFF PRESENTATION.  
NO PUBLIC COMMENT.**

**DISCUSSION: Mr. Bailey** asked about future projects related to this Master Plan. **Mr. Rice** listed a handful of upcoming projects they are expecting, including additional drainage studies and a possible Drainage Master Plan.

**PC ACTION: TROWBRIDGE MOVED / MORAES SECONDED TO ADOPT REGULAR ITEM 5B, FILE NUMBER MP232, AN AMENDMENT TO THE COUNTY MASTER PLAN, JIMMY CAMP CREEK DRAINAGE BASIN PLANNING STUDY, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH TWO (2) CONDITIONS AND TWO (2) NOTATIONS. THE MOTION TO ADOPT PASSED (9 - 0).**

**IN FAVOR: (9)** Bailey, Brittain Jack, Byers, Carlson, Fuller, Moraes, Schuettpez, Trowbridge, Whitney.  
**IN OPPOSITION: (0)** None.

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**6. NON-ACTION ITEMS**

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**(NONE)**

**MEETING ADJOURNED** at 9:46 A.M.

**Minutes Prepared By:** Jessica Merriam

FINAL PLAT (RECOMMEND APPROVAL)

TROWBRIDGE moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. SF2423

ROLLING HILLS ESTATES FILING NO. 3 FINAL PLAT

WHEREAS, Debra Osban did file an application with the El Paso County Planning and Community Development Department for approval of a Final Plat for the Rolling Hills Estates Filing No. 3 Final Plat 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, a public hearing was held by this Commission on February 20, 2025; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the Master Plan for the unincorporated area of the County, presentation and 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, comments by the general public, and comments by the El Paso County Planning Commission members during the hearing, this Commission finds as follows:

1. The application was properly submitted for consideration by the Planning Commission;
2. Proper posting, publication, and public notice were provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;
5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;
6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations.

7. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, when approving a Final Plat, the Planning Commission and Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 7.2.1.D.3.f of the Land Development Code ("Code") (as amended):

1. The Subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
2. The Subdivision is in substantial conformance with the approved Preliminary Plan;
3. The Subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;
4. Either a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of Subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6)(a)] and the requirements of Chapter 8 of the Code, or, with respect to applications for Administrative Final Plat approval, such finding was previously made by the BoCC at the time of Preliminary Plan approval;
5. A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations [C.R.S. § 30-28-133(6)(b)] and the requirements of Chapter 8 of the Code;
6. All areas of the proposed Subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed Subdivision is compatible with such conditions [C.R.S. § 30-28-133(6)(c)];
7. Adequate drainage improvements are proposed that comply with State Statute [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of the Code and the Engineering Criteria Manual ("ECM");
8. 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 ECM;
9. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed Subdivision;
10. The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code;
11. Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the Subdivision in accordance with applicable requirements of Chapter 8 of the Code;



12. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed Subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the Subdivision will be adequately mitigated;
13. The Subdivision meets other applicable sections of Chapter 6 and 8 of the Code; and
14. The extraction of any known commercial mining deposit shall not be impeded by this Subdivision [C.R.S. §§ 34-1-302(1), et seq.].

WHEREAS, a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of Subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6)(a)] and the requirements of Chapter 8 of the Code.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of Debra Osban for approval of a Final Plat for the Rolling Hills Estates Filing No. 3 Final Plat be approved by the Board of County Commissioners with the following conditions and notation:

#### CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.
3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the Final Plat.
4. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the appropriate El Paso County staff.
5. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated January 31, 2025, as provided by the County Attorney's Office.

#### NOTATIONS

1. The following fees are required to be paid to El Paso County at the time of Final Plat recordation:
  - a. Drainage Fees in the amount of \$6547.37, and bridge fees in the amount of \$103.74 for the Livestock Company basin.
  - b. Park fees in lieu of land dedication for regional parks, Area 4, in the amount of \$505.00.
  - c. Fees in lieu of school land dedication in the amount of \$185.00 shall be paid for the benefit of Ellicott School District No. 22.

2. Final Plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.
3. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference is held with Planning and Community Development Inspections and a Construction Permit is issued by the Planning and Community Development Department.
4. The El Paso County Road Impact Fee Program Resolution (Resolution Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the No. 24-377), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at Final Plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.

AND BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein be forwarded to the El Paso County Board of County Commissioners for its consideration.

WHITNEY seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: (circle one)

Thomas Bailey	<u>aye</u> / no / non-voting / recused / absent
Sarah Brittain Jack	<u>aye</u> / no / non-voting / recused / absent
Jim Byers	<u>aye</u> / no / non-voting / recused / absent
Jay Carlson	<u>aye</u> / no / non-voting / recused / absent
Becky Fuller	<u>aye</u> / no / non-voting / recused / absent
Jeffrey Markewich	aye / no / non-voting / recused / <u>absent</u>
Eric Moraes	<u>aye</u> / no / non-voting / recused / absent
Bryce Schuettpeiz	<u>aye</u> / no / non-voting / recused / absent
Wayne Smith	aye / no / non-voting / recused / <u>absent</u>
Tim Trowbridge	<u>aye</u> / no / non-voting / recused / absent
Christopher Whitney	<u>aye</u> / no / non-voting / recused / absent

The Resolution was adopted by a vote of 9 to 0 by the El Paso County Planning Commission, State of Colorado.

DONE THIS 20th day of February 2025 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By:   
Thomas Bailey, Chair

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EXHIBIT A

**LEGAL DESCRIPTION**

THE SOUTH ONE-HALF OF THE SOUTH ONE-HALF OF LOT 8 IN ROLLING HILLS RANCH ESTATES, FILING NO. 1, COUNTY OF EL PASO, STATE OF COLORADO.

**CONTAINING** 9.724 ACRES OR 423,600 SQUARE FEET, MORE OR LESS.

SURVEYOR'S NOTE: ROLLING HILLS RANCH ESTATES, FILING NO. 1, RECORDED JULY 18, 1966 IN BOOK 12, PAGE 72, IN THE OFFICE OF THE EL PASO COUNTY CLERK AND RECORDER.

## Planning and Community Development

**Meggan Herington, AICP, Executive Director**  
 Planning and Community Development  
 2880 International Circle, Ste. 110  
 Colorado Springs, CO 80910  
 PLNWEB@ElPasoCO.com  
 PlanningDevelopment.ElPasoCO.com

**Board of County Commissioners**  
 Holly Williams, District 1  
 Carrie Geitner, District 2  
 Bill Wysong, District 3  
 Cory Applegate, District 4  
 Cami Bremer, District 5

**TO: El Paso County Planning Commission**  
**Thomas Bailey, Chair**

**FROM: Kari Parsons, Principal Planner**  
**Joseph Sandstrom, Associate Engineer**

**RE: Project File Number: SF2423**  
**Project Name: Rolling Hills Estate Filing No. 3**  
**Parcel Number: 3418001018**

OWNER:	REPRESENTATIVE:
Debra Osban 839 Queride Dr. Colorado Springs, CO 80909	Drexel, Barrell & Co. 101 Sahwatch St., Ste 100 Colorado Springs, CO 80903

**Commissioner District: 4**

<b>Planning Commission Hearing Date:</b>	<b>2/20/2025</b>
<b>Board of County Commissioners Hearing Date:</b>	<b>3/13/2025</b>

### EXECUTIVE SUMMARY

A request by Debra Osban for approval of a 9.72-acre Final Plat creating one single-family residential lot. The property is zoned RR-5 (Residential Rural) and is located north of

Schriever Air Force Base, one (1) mile south of Highway 94 and east of South Page Road. A Waiver of Section 8.4.7.B.7.b, requiring that the water supply be sufficient for 300 years is requested.

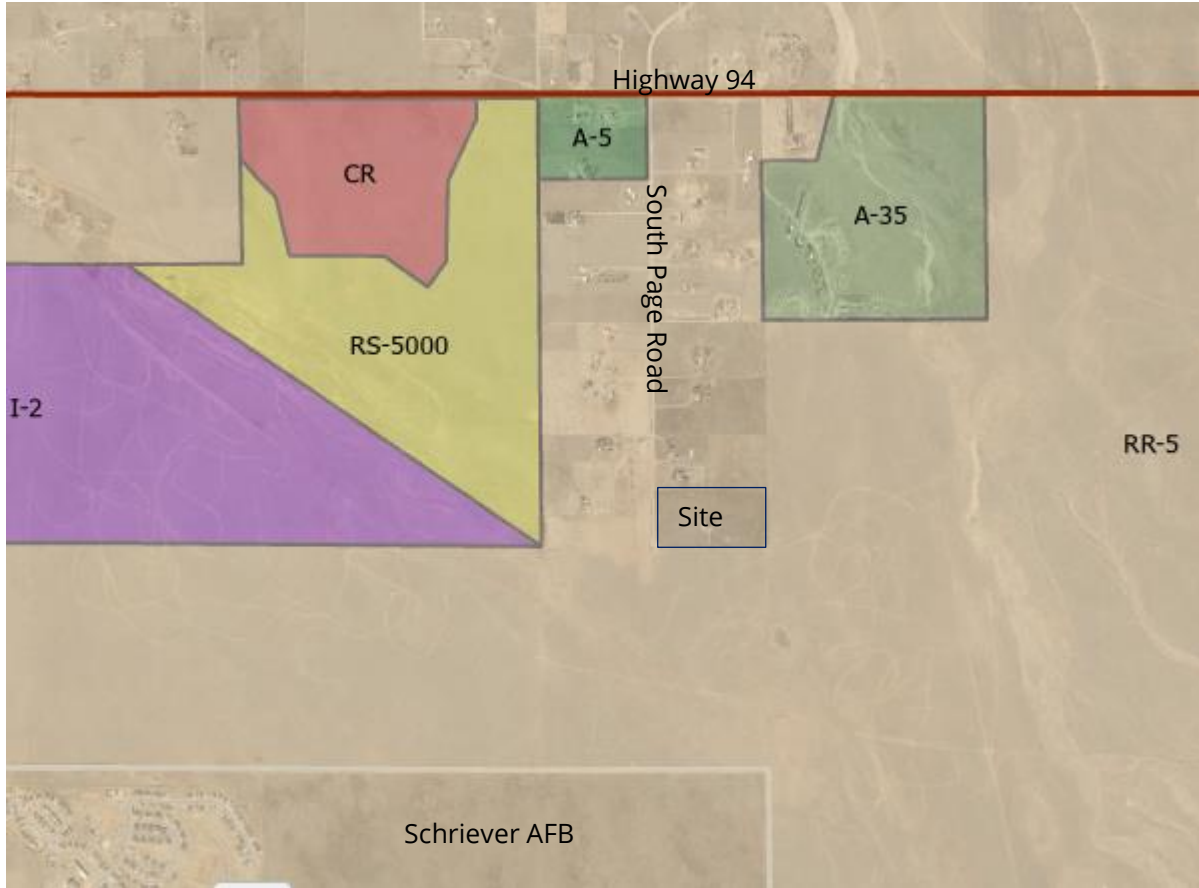


Figure 1: Vicinity map



**A. AUTHORIZATION TO SIGN:** Final Plat and any other documents necessary to carry out the intent of the Board of County Commissioners.

**B. APPROVAL CRITERIA**

In approving a Final Plat, the BoCC shall find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (as amended):

- *The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;*
- *The subdivision is consistent with the purposes of this Code;*
- *The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;*
- *A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6)(a)] and the requirements of Chapter 8 of this Code (this finding may not be deferred to Final Plat if the applicant intends to seek administrative Final Plat approval);*
- *A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with state and local laws and regulations, [C.R.S. § 30-28-133(6) (b)] and the requirements of Chapter 8 of this Code;*
- *All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions. [C.R.S. § 30-28-133(6)(c)];*
- *Adequate drainage improvements complying with State law [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM are provided by the design;*
- *The location and design of the public improvements proposed in connection with the subdivision are adequate to serve the needs and mitigate the effects of the development;*
- *Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;*
- *The proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; (2) incorporating site*



*planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities;*

- *Necessary services, including police and fire protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;*
- *The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code; and*
- *Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8;*
- *Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated;*
- *The subdivision meets other applicable sections of Chapter 6 and 8; and*
- *The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§ 34-1-302(1), et seq.]*

**C. LOCATION**

North:	RR-5 (Residential Rural)	Undeveloped
South:	RR-5 (Residential Rural)	Undeveloped
East:	RR-5 (Residential Rural)	Undeveloped
West:	RR-5 (Residential Rural)	Single-family

**D. BACKGROUND**

The property was platted as Lot 8, (36-acres) Rolling Hills Ranch Filing No. 1 in 1966. In 1968, Lot 8 was divided into 2 parcels by deed. In 1972, a water well was permitted by the State Engineers’ Office and placed on the southernmost portion of Lot 8 which is now the subject property).



Section 1.15 of the El Paso County Land Development Code defines a “Legal Lot” as:

“A lot, parcel or tract of land created by a legal conveyance of the lot, parcel or tract prior to July 17, 1972; a lot, parcel or tract shown on a subdivision plat which was approved and recorded prior to July 17, 1972, according to the subdivision regulations in effect at the time of approval; a lot, parcel or tract created by legally prepared survey dated prior to July 17, 1972; a lot, parcel or tract created by approval of the County commissioners in conformance with the subdivision regulations in effect at the time of approval; a lot, parcel or tract created by a contract for deed or signed but unrecorded deed, each dated prior to July 17, 1972; a parcel exempted from subdivision by the Board of County Commissioners (BoCC), or any parcel of 35 acres or more, which, when created, did not cause a parcel of less than 35 acres to remain; a parcel created by any court pursuant to the law of eminent domain, operation of law, or by order of any court if the BoCC has been given timely notice and opportunity to join in the action; a parcel modified or reduced in size due to land acquisition by a governmental entity.”

El Paso County Board of Commissioners adopted Subdivision Regulations in 1972. In 1978, lot 8 was split again by deed, creating four (4) parcels from the original Lot 8, outside of the subdivision process. The subject property's current configuration is known as the south half of the south half of Lot 8 Rolling Hills Ranch Filing No. 1. The property was zoned Residential Rural (RR-5) in 1983. The applicant is requesting to legalize the subject property, utilize the existing well, and construct a single-family residence.

## **E. ANALYSIS**

### **1. Land Development Code and Zoning Analysis**

The Final Plat application meets the Final Plat submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 of the El Paso County Land Development Code (as amended), if the Waiver below is granted.

The applicant requests a Waiver from Section 8.4.7.B.7.b of the Code, requiring that the water supply be sufficient for 300 years. The water supply for the subdivision comes from an existing well permitted by the State in 1972 (see attached Waiver request with well permit).

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The State Engineer's Office interprets that the creation of one lot with an existing well does not qualify as a "subdivision" as defined in section 30-28-101 (10)(a), C.R.S. The State Engineer's Office provided a cursory review of the well permit and did not note any concerns. The El Paso County Public Health Department has determined that a recommendation for a finding of sufficiency in terms of water quality is not required (see attached letters).

The County Attorney's Office provided an analysis and a recommendation for water sufficiency for quantity and dependability for 100 years. A 300-year finding cannot be made due to unavailable water documentation. The 300-year rule was adopted by the El Paso County Board of County Commissioners (BOCC) on November 20, 1986, and exceeds the State's 100-year rule.

Pursuant to section 8.4.7.A.3 of the Code, the Planning Commission may recommend and the BoCC may, on a case-by-case basis, waive any or all of the requirements of this section pursuant to a Waiver application; however, the finding of sufficiency for the quality, quantity, and dependability for water supplies shall not be waived. The Waiver request, if approved, is to allow a 100-year water supply for the subdivision instead of requiring a 300-year water supply.

In approving a Waiver from any of the subdivision design standards and requirements, the Board of County Commissioners shall find that the Waiver meets the criteria for approval outlined in Section 7.3.3 (Waivers) of the Code:

- *The waiver does not have the effect of nullifying the intent and purpose of this Code;*
- *The waiver will not result in the need for additional subsequent waivers;*
- *The granting of the waiver will not be detrimental to the public safety, health, or welfare or injurious to other property;*
- *The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable to other property;*
- *A particular non-economical hardship to the owner would result from a strict application of this Code;*
- *The waiver will not in any manner vary the zoning provisions of this Code; and*
- *The proposed waiver is not contrary to any provision of the Master Plan.*

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The RR-5 (Residential Rural) zoning district is intended to accommodate low-density, rural, single-family residential development. The density and dimensional standards for the RR-5 (Residential Rural) zoning district are as follows:

- Minimum lot size: 5 acres
- Minimum width at the front setback line: 200 feet
- Minimum setback requirement: front 25 feet, rear 25 feet, side 25 feet<sup>3</sup>
- Maximum lot coverage: 25%
- Maximum height: 30 feet

<sup>3</sup> *Agricultural stands shall be setback a minimum of 35 feet from all property lines.*

The proposed Final Plat includes a 9.72-acre lot which meets the zoning standards of the RR-5 zoning district.

## **F. MASTER PLAN COMPLIANCE**

### **1. Your El Paso County Master Plan**

#### **a. Placetype Character:** Large-Lot Residential

*The Large-Lot Residential placetype consists almost entirely of residential development and acts as the transition between placetypes. Development in this placetype typically consists of single-family homes occupying lots of 2.5 acres or more, and are generally large and dispersed throughout the area so as to preserve a rural aesthetic. The Large-Lot Residential placetype generally supports accessory dwelling units as well. Even with the physical separation of homes, this placetype still fosters a sense of community and is more connected and less remote than Rural areas. Large-Lot Residential neighborhoods typically rely on well and septic, but some developments may be served by central water and waste-water utilities. If central water and wastewater can be provided, then lots sized less than 2.5 acres could be allowed if; 1.) the overall density is at least 2.5 acres/lot, 2.) the design for development incorporates conservation of open space, and 3.) it is compatible with the character of existing developed areas.*

*Conservation design (or clustered development) should routinely be considered for new development within the Large-Lot Residential placetype to provide for a similar level of development density as existing large-lot areas while maximizing the preservation of contiguous areas of open space and the protection of environmental*



features. While the Large-Lot Residential placetype is defined by a clear set of characteristics, the different large-lot areas that exist throughout the County can exhibit their own unique characters based on geography and landscape.

### **Recommended Land Uses:**

#### *Primary*

- *Single-family Detached Residential (Typically 2.5-acre lots or larger)*

#### *Supporting*

- *Parks/Open Space*
- *Commercial Retail (Limited)*
- *Commercial Service (Limited)*
- *Agriculture*

**Analysis:** The property is located within the Large Lot Residential placetype. The Large Lot Residential placetype comprises the County's rural residential neighborhoods with a minimum of 2.5-acre lot sizes. The properties to the north and east exceed the 2.5-acre minimum lot size and are undeveloped. The property to the west is 38-acres, has a single-family residence, and includes grazing for livestock. The proposed subdivision exceeds the minimum lot size and has been in the same configuration since 1978. A single-family residence is anticipated to be constructed, conserving the majority of the property as undeveloped, post Final Plat Recordation, if approved. Relevant goals and objectives are as follows:

**Objective LU3-1** – *Development should be consistent with the allowable land uses set forth in the placetypes first and second to their built form guidelines.*

**Objective HC2-6** – *Continue to carefully analyze each development proposal for their location, compatibility with the natural environment, and cohesion with the existing character.*

**Specific Strategies** - *Within the Large-Lot Residential placetype, conservation design should be primarily utilized for preserving El Paso County's rural character, defined by large swaths of open space with minimal development.*



## 2. Water Master Plan Analysis

The El Paso County Water Master Plan (2018) has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes. The relevant policy is as follows:

***Policy 6.0.1 - Continue to require documentation of the adequacy or sufficiency of water, as appropriate, for proposed development.***

The Water Master Plan includes demand and supply projections for central water providers in multiple regions throughout the County. The property is located within Planning Region 4c of the Plan, which contains a projected growth area by 2060 located between Highway 94 and Highway 24. The subject property is served by an existing well and is not anticipated to be served by a central water provider. The following information pertains to water demands and supplies in Region 4c for central water providers:

The Plan identifies the current demand for Region 4c to be 2,970 acre-feet per year (AFY) (Figure 5.1) with a current supply of 2,970 AFY (Figure 5.2). The projected demand in 2040 for Region 4c is at 3,967 AFY (Figure 5.1) with a projected supply of 3,027 AFY (Figure 5.2) in 2040. The projected demand at build-out in 2060 for Region 4c is at 4,826 AFY (Figure 5.1) with a projected supply of 3,027 AFY (Figure 5.2) in 2060. This means that by 2060 a deficit of 1,799 AFY is anticipated for Region 4c.

See the Water section below for a summary of the water findings and recommendations for the proposed subdivision.

## 3. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a low wildlife impact potential. El Paso County Community Services Department, Environmental Services Division, and the Colorado Parks and Wildlife were each sent referrals and have no outstanding comments.

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The Master Plan for Mineral Extraction (1996) does not identify valued deposits in the subject parcels. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, no severed mineral rights exist.

The Community Services Department Parks Division has provided the following response:

*“The 2022 El Paso County Parks Master Plan shows no parks, trails, or open space directly impacted by the proposed subdivision. The proposed Highway 94 Primary Regional Trail is located approximately one mile north of the site, located on the south side of East Highway 94. There are no nearby parks or open spaces, and the site is located within an area of the County identified in the Parks Master Plan as a candidate regional park or open space area. As no park lands or trail easement dedications are necessary for this 1-lot Final Plat, El Paso County Parks staff recommends fees in lieu of land for regional park purposes. The Park Advisory Board has elected not to review and endorse minor subdivision applications, so these comments are being provided administratively.*

*Recommend to the Planning Commission and Board of County Commissioners that approval of the Rolling Hills Ranch Estates Filing No. 3 Final Plat includes the following condition: require fees in lieu of land dedication for regional park purposes in the amount of \$505.”*

Please see the Transportation Section below for information regarding conformance with the 2024 Major Transportation Corridor Plan (MTCP).

## **G. PHYSICAL SITE CHARACTERISTICS**

### **1. Hazards**

No hazards were identified in the Geotechnical Investigation, by ProTeX – the PT Xperts, LLC, dated January 8, 2024, that precludes development.

### **2. Floodplain**

FEMA Flood Insurance Rate Map panel number FIRM Panels 08041C0805G, effective date December 7, 2018, shows the site is not within a regulatory floodplain.

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### **3. Drainage and Erosion**

The proposed project is located within the Livestock Company (CHWS0400) drainage basin, which is an unstudied basin with basin and bridge fees. Basin and bridge fees shall be paid at the time of Final Plat recordation. The site generally drains to the south into a tributary that flows into Black Squirrel Creek. According to the drainage report, there is one single-family residence proposed with less than 1 acre of disturbance and there are no anticipated drainage impacts to the downstream or surrounding properties. There is no requirement for detention based upon the proposed single-family residence. A grading and erosion control plan was not required.

### **4. Transportation**

The property is located south of State Highway 94 between Curtis Road and Peyton Highway and is being platted into one single-family residential lot. The lot will obtain access from South Page Road which is a public, unpaved roadway. A Transportation Impact Study was not required pursuant to the Engineering Criteria Manual (ECM) Section B.1.2.d.

The El Paso County 2024 Major Transportation Corridors Plan, by reference to the State Highway 94 Access Management Plan (2012) details improvements along State Highway 94 which is about one mile north of the property. The improvements will not have a direct impact on this property. The property will be subject to the El Paso County Road Impact Fee Program (Resolution 24-377, as amended).

## **H. SERVICES**

### **1. Water**

Water will be provided by an existing individual onsite well. Water sufficiency has been analyzed with the review of the proposed subdivision. The applicant has shown a sufficient water supply for the required 100-year period. The State Engineer and El Paso County Public Health will not provide a recommendation that there is an adequate water supply in terms of quality, and quantity, as the agencies have indicated the legalization on a single lot is outside of their purview. The County Attorney's Office has recommended that the proposed subdivision has an adequate water supply in terms of quantity and dependability for a period of 100-years.



**2. Sanitation**

Wastewater treatment is provided by an existing individual onsite wastewater treatment system (OWTS).

**3. Emergency Services**

The property is within the Ellicott Fire Protection District, which is committed to providing fire protection services to the proposed development. The District was sent a referral and has no outstanding comments.

**4. Utilities**

Mountain View Electric Association (MVEA) will provide electrical service. MVEA was sent a referral for the plat application; MVEA had no outstanding comments.

**5. Parks/Trails**

Fees in lieu of park land dedication in the amount of \$505.00 for regional fees will be due at the time of recording the Final Plat.

**6. Schools**

Fees in lieu of school land dedication in the amount of 185.00 shall be paid to El Paso County for the benefit of Ellicott School District No. 22 at the time of plat recording

**I. RECOMMENDED CONDITIONS AND NOTATIONS**

Should the Planning Commission and Board of County Commissioners find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (as amended) staff recommends the following conditions and notations:

**CONDITIONS**

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer’s Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County



Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.

3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the Final Plat.
4. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the appropriate El Paso County staff.
5. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated January 31, 2025, as provided by the County Attorney's Office.

#### **NOTATIONS**

1. The following fees are required to be paid to El Paso County at the time of Final Plat recordation:
  - a. Drainage Fees in the amount of \$6,547.37 and bridge fees in the amount of \$103.74 for the Livestock Company basin.
  - b. Park fees in lieu of land dedication for regional parks, Area 4, in the amount of \$505.00.
  - c. Fees in lieu of school land dedication in the amount of \$185.00 shall be paid for the benefit of Ellicott School District No. 22.
2. Final Plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.
3. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference is held with Planning and Community Development Inspections and a Construction Permit is issued by the Planning and Community Development Department.
4. The El Paso County Road Impact Fee Program Resolution (Resolution Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and

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assignees that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the No. 24-377), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at Final Plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.

#### **J. PUBLIC COMMENT AND NOTICE**

The Planning and Community Development Department notified four adjoining property owners on February 4, 2025, for the Planning Commission and Board of County Commissioner meetings. Responses will be provided at the hearing.

#### **K. ATTACHMENTS**

Letter of Intent  
Waiver Request  
Plat Drawing  
State Engineer's Letter  
County Attorney's Letter  
EPC Health Letter  
Draft Resolution

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# Drexel, Barrell & Co.

December 31, 2024

El Paso County Planning & Community Development  
**Attn: Kari Parsons, Planner III**  
2880 International Circle  
Colorado Springs, CO 80910  
719-373-8562 direct

Engineers/Surveyors

Colorado Springs  
Lafayette

101 Sahwatch St., Ste 100  
Colorado Springs, CO 80903

719 260-0887

**RE: Letter of Intent & Justification Statement  
Rolling Hills Ranch Estates Filing No. 3  
Parcel No. 3418001018**

Ms. Parsons,

Please accept this letter of intent and the enclosed supplemental material as Drexel, Barrell & Co's application and request for approval of the Final Plat for Rolling Hills Ranch Estates Filing No. 3 to legalize one lot utilizing an existing well and requesting a waiver for water supply sufficiency, on behalf of Debra Osban.

1. Owner: Debra Osban  
839 Queride Dr.  
Colorado Springs, CO 80909  
(719) 243-0544  
[office@bearrootsbuilders.com](mailto:office@bearrootsbuilders.com)

Applicant: Drexel, Barrell & Co.  
101 Sahwatch St., Ste 100  
Colorado Springs, CO 80903  
Applicant Representative: Tim McConnell  
(719) 260-0887  
[tmccConnell@drexelbarrell.com](mailto:tmccConnell@drexelbarrell.com)

## 2. Site Location

- Property Address: 525 S. Page Rd.  
Peyton, CO 80915
- Legal Description: Lot 1 Rolling Hills Estates Filing No. 3
- Size: 9.72 Acres
- Zoning: RR-5
- Parcel Number: 3418001018

3. Drexel, Barrell & Co. is submitting this Letter of Intent on the behalf of the landowner, Debra Osban, for the Final Plat for the above referenced site.

#### 4. Site Use:

The existing site is a vacant residential lot. The proposed use for the site is the construction of one single-family residence on the property in accordance with the RR-5 zoning. El Paso County Road Impact Fees apply to this property and will be due at building permit.

#### 5. Project Specifics:

The site was never officially platted. The property is under application to be platted at this time. The proposed site will consist of a single residential home with some driveway work.

#### 6. Utilities

Site has existing electrical utilities installed. A proposed leach field and septic system is to be installed. Existing water to the site is provided by well water. A waiver request is attached to this LOI for Section 8.4.7 (B) of the Land Development Code for water supply sufficiency to meet the needs of the subdivision for 300 years due to the age of the existing on-site well.

#### 7. Traffic

With there being only one residence added to this property, additional traffic over the existing load is not anticipated. Per ECM B.1.2.D this project satisfies all criteria to be exempt from a Traffic Impact Study.

#### 8. Parking

Parking is not required for a residential property

#### 9. Variances

No variances are being requested for this project.

#### 10. Site constraints

There are no wetlands on the proposed site. There are no protected species habitat on the site. The site is not within any floodplain. There are no geological constraints for the site.

#### 11. Proposed improvements

There are no proposed public improvements. The only proposed private improvement is the septic system, which will be permitted separately.

#### 12. Community outreach

The applicant has not and will not make any efforts for community outreach.

### **Criteria for Approval**

Per section 7.2.1.D.2.e in the Land Development Code, this project meets the following criteria:

#### **1. The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;**

The single-family residence is consistent with the El Paso County Master Plan's Vision, Core Principles and Goals. A single-family residence on a large piece of property is consistent with the surrounding land uses and with the zoning that it is located in (RR-5) and this area is identified as Large-Lot Residential Placetype in the Master Plan. This proposed plat meets Master Plan goals 1.1, 1.3, 1.4, 2.1, 2.2, 2.3, 5.4, 6.1, 9.1 & 9.2.

**2. The subdivision is in substantial conformance with the approved preliminary plan;**

There is no approved preliminary plan.

**3. The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;**

The subdivision design standards and regulations are met. The subdivision design standards set out in Chapter 8 of the Land Development Code are met, including but not limited to:

- adequate provision for traffic, drainage, and open space;
- provision of properly designed roads to provide for safe and convenient vehicular circulation and identification of required road improvements;
- adequate provision for water, sewer and other utilities;
- ensuring that structures will harmonize with the physical characteristics of the site; ensuring that land is of adequate size and configuration for the purpose for which it is intended to be used

**4. A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of this Code;**

The water supply for this project is provided by an existing well. We are requesting a waiver for a finding of water sufficiency due to the original date of the well installation. See attached waiver request.

**5. A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with state and local laws and regulations, [C.R.S. §30-28-133(6) (b)] and the requirements of Chapter 8 of this Code;**

Sewage disposal for this project is to be a new proposed septic system. This septic system has been designed in the report "Soil Profile Evaluation," by ProTex, January 10, 2024.

**6. All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions [C.R.S. §30-28-133(6)(c)];**

The Geotechnical Investigation prepared by ProTex indicates that no geologic hazards were identified that would preclude development of the project. Native soils may be used as fill. Groundwater was not encountered in the test borings.

**7. Adequate drainage improvements complying with State Statute [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM;**

No drainage improvements are proposed for this site. The site will be graded away from the single-family residence as recommended by the Geotechnical report. As specified in the Drainage Letter, the flows for the site increase minimally and will be directed in the same flow patterns as existing. Under an acre of disturbed area is proposed.

**8. Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;**

One full movement access point is proposed in the form of a driveway into this Lot. This driveway will be private and maintained by the homeowner.

**9. Necessary services, including police and fire protection, recreation, utilities, and transportation system, are or will be available to serve the proposed subdivision;**

Mountain View Electric Association already serves this parcel with electricity. No natural gas will be provided to the site. Water is being served by an existing on-site well. Sanitary sewage is being treated by a proposed on-site septic system. Ellicott Fire Protection District will provide fire protection services and Fire Station 1 is 7 miles west of the site. The County Sheriff will provide police protection. The proposed Highway 94 Primary Regional Trail is located approximately one mile north of the site. There are no nearby parks or open space, and the site is located within an area of the County identified in the Parks Master Plan as a candidate regional park or open space area. No transportation system is necessary.

**11. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;**

The Ellicott Fire Protection District has adequate capacity to provide fire protection to the proposed Lot. A Fire Protection Report is included with this submittal.

**12. Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8;**

There are no proposed off-site improvements, therefore no off-site impacts.

**13. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated.**

Fees are to be paid in lieu of land dedication for regional park purposes.

**14. The proposed subdivision meets other applicable sections of Chapter 6 and 8;**

The proposed subdivision meets the applicable sections of the Code.

**15. The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§ 34-1-302(1), et seq.]**

This proposed development will not impede any commercial mining deposit.

We trust you find our application for the Rolling Hills Ranch Estates Filing No. 3 Final Plat acceptable. We look forward to working with the County in processing the application and submittal package. Please call if you have any questions or require any additional information.

Respectfully,

A handwritten signature in black ink, appearing to read "Tim D. McConnell". The signature is fluid and cursive, with a large initial "T" and "M".

*Drexel, Barrell & Co.*  
Tim D. McConnell, P.E.  
President



# Drexel, Barrell & Co.

January 22, 2025

Engineers/Surveyors

## Waiver Request-1

Colorado Springs  
Lafayette

Project Name: **Rolling Hills Ranch Estates Filing No. 3**

File number: **SF2423**

A waiver from the standards of or in Section: **LDC 8.4.7 (B), Information Regarding Sufficient Quantity of Water**

101 Sahwatch St., #100  
Colorado Springs, CO 80903

719 260-0887

A waiver is requested from meeting the requirements of the Land Development Code regarding annual water sufficiency and the requirement that the water supply be sufficient to meet the needs of the subdivision for 300 years.

A well was installed October 18, 1972 on the above mentioned property under The Colorado Division of Water Resources Permit Number 54800 (no court decree or groundwater determination was required to obtain the permit). The well was installed to draw from the Arapahoe aquifer and was identified as a non-tributary, non-renewable aquifer. The existing well is permitted for household use only and shall not be used for irrigation or other purposes.

### **LDC 7.3.3 - Criteria for Approval of Waivers:**

A waiver from standards shall be approved only upon the finding, based upon the evidence presented in each specific case, that:

- The waiver does not have the effect of nullifying the intent and purpose of this Code; ***The waiver request will not nullify the intent or purpose of the Code.***
- The waiver will not result in the need for additional subsequent waivers; ***No other waivers are required.***
- The granting of the waiver will not be detrimental to the public safety, health, or welfare or injurious to other property; ***The waiver request is only for the use of an existing permitted well in use since 1972 and will not be detrimental to the public safety, health, or welfare or injurious to other property.***
- The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable to other property;
- A particular non-economical hardship to the owner would result from a strict application of this Code; ***Not granting the waiver request would be a hardship in not allowing the owners to construct their new house in a timely manner as***

*planned.*

- The waiver will not in any manner vary the zoning provisions of this Code; ***The requested waiver will not vary the zoning provisions of this Code due to the age of the permitted well.***

and

- The proposed waiver is not contrary to any provision of the Master Plan. ***The waiver request is not contrary to the Master Plan as the area is defined as large-lot residential use, which will not change.***



COLORADO DIVISION OF WATER RESOURCES

101 Columbine Bldg., 1845 Sherman St.  
Denver, Colorado 80203

RECEIVED

NOV 1 '72

WATER RESOURCES  
STATE ENGINEER  
COLO.

THIS FORM MUST BE SUBMITTED  
WITHIN 60 DAYS OF COMPLETION  
OF THE WORK DESCRIBED HERE-  
ON. TYPE OR PRINT IN BLACK  
INK.

WELL COMPLETION AND PUMP INSTALLATION REPORT

PERMIT NUMBER 54800

WELL OWNER Gary M. Mooney

SE 1/4 of the SW 1/4 of Sec. 18

ADDRESS 618 Alexander Hr  
Colo Spgs Colo.

T. 14 S, R. 63 W, 6 P.M.

DATE COMPLETED Oct 18, 19 72

HOLE DIAMETER

8 in. from 1 to 325 ft.

\_\_\_\_\_ in. from \_\_\_\_\_ to \_\_\_\_\_ ft.

\_\_\_\_\_ in. from \_\_\_\_\_ to \_\_\_\_\_ ft.

WELL LOG

From	To	Type and Color of Material	Water Loc.
0	2	Soil	
2	8	Gravel	
8	34	Clay	
34	167	Sand + Clay Strips	X
167	260	Blue Clay	
260	264	Sand	X
264	290	Sand Rock	
290	325	Blue Clay	

CASING RECORD:

Plain Casing

Size 4 1/2 & kind plas from 1' <sup>above surface</sup> to 160 ft.

Size 4 1/2 & kind plas from 180 to 260 ft.

Size \_\_\_\_\_ & kind \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ ft.

Perforated Casing

Size 4 1/2 & kind plas from 160 to 180 ft.

Size 4 1/2 & kind plas from 260 to 325 ft.

Size \_\_\_\_\_ & kind \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ ft.

GROUTING RECORD

Material Cement

Intervals 6' - 35'

Placement Method \_\_\_\_\_

GRAVEL PACK: Size 3/8

Interval 35' - 325'

TEST DATA

Date Tested Oct 18, 19 72

Static Water Level Prior to Test 166' ft.

Type of Test Pump \_\_\_\_\_

Length of Test 4 hrs

Sustained Yield (Metered) 2 1/2 GPM

Final Pumping Water Level 315'

TOTAL DEPTH 325'

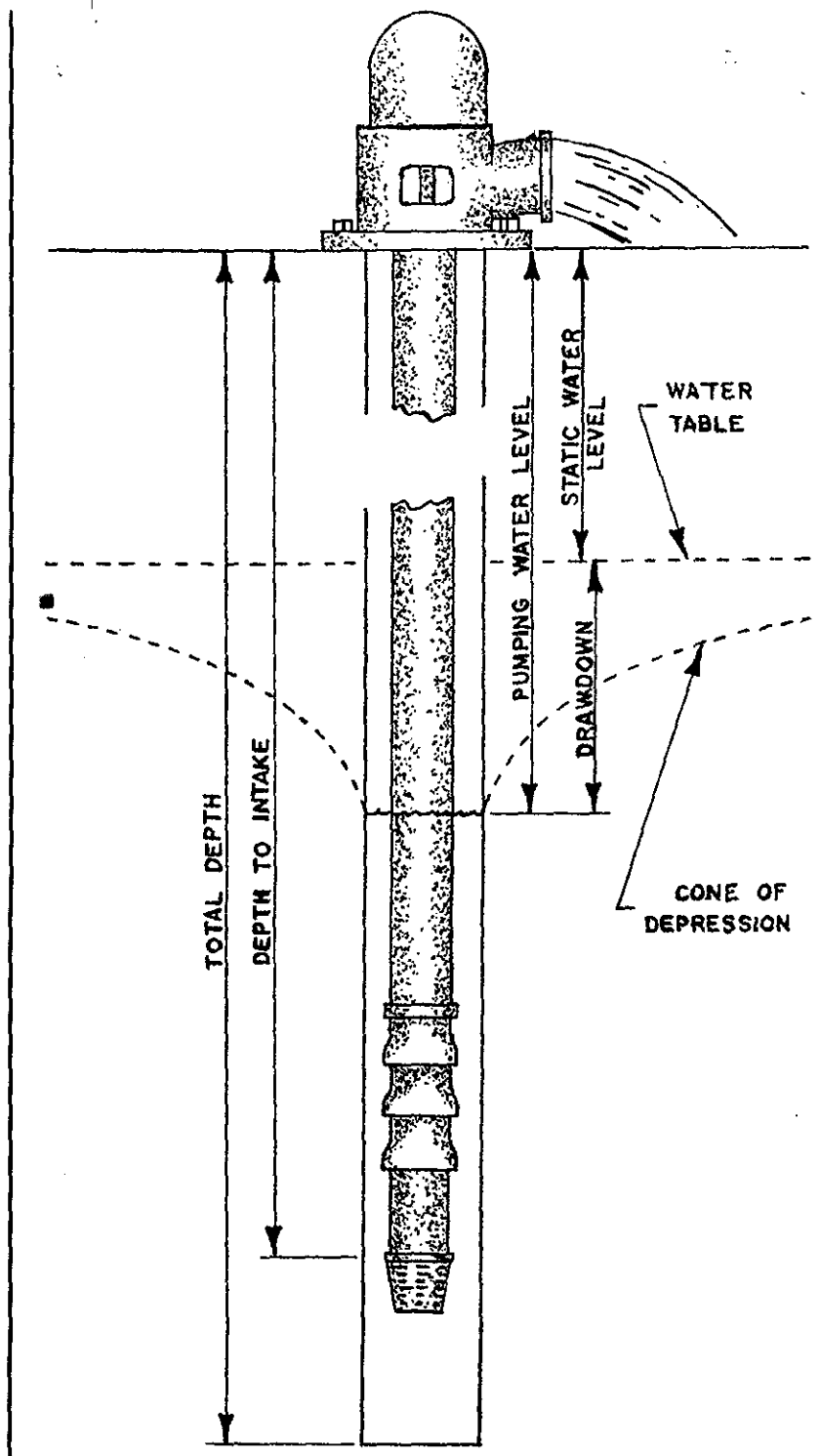
Use additional pages necessary to complete log.  
BOCC Report Packet

**PUMP INSTALLATION REPORT**

Pump Make \_\_\_\_\_  
 Type \_\_\_\_\_  
 Powered by \_\_\_\_\_ HP \_\_\_\_\_  
 Pump Serial No. \_\_\_\_\_  
 Motor Serial No. \_\_\_\_\_  
 Date Installed \_\_\_\_\_  
 Pump Intake Depth \_\_\_\_\_  
 Remarks \_\_\_\_\_

**WELL TEST DATA WITH PERMANENT PUMP**

Date Tested \_\_\_\_\_  
 Static Water Level Prior to Test \_\_\_\_\_  
 Length of Test \_\_\_\_\_ Hours  
 Sustained yield (Metered) \_\_\_\_\_ GPM  
 Pumping Water Level \_\_\_\_\_  
 Remarks \_\_\_\_\_



**CONTRACTORS STATEMENT**

The undersigned, being duly sworn upon oath, deposes and says that he is the contractor of the well or pump installation described hereon; that he has read the statement made hereon; knows the content thereof, and that the same is true of his own knowledge.

Signature Ed Mateyka License No. 69

State of Colorado, County of E. Pass SS

Subscribed and sworn to before me this 21 day of October, 1972.

My Commission expires: My Commission Expires May 25, 1975, 19    .

Notary Public Vna Mateyka

**BOCC Report Packet**

des

RECEIVED  
MAY 20 1972  
WATER RESOURCES  
ENGINEER  
C.D.O.

TYPE OR PRINT IN BLACK INK. APPLICATION MUST BE COMPLETED BEFORE ACCEPTANCE.

APPLICATION FOR:

- A PERMIT TO USE GROUND WATER
- A PERMIT TO CONSTRUCT A WELL REPLACEMENT FOR NO. \_\_\_\_\_
- A PERMIT TO INSTALL A PUMP
- OTHER \_\_\_\_\_

GROUND WATER TO BE USED FOR:

- DOMESTIC (1) \_\_\_\_\_ COMMERCIAL (4) \_\_\_\_\_
- LIVESTOCK (2) \_\_\_\_\_ INDUSTRIAL (5) \_\_\_\_\_
- MUNICIPAL (8) \_\_\_\_\_ IRRIGATION (6) \_\_\_\_\_
- OTHER \_\_\_\_\_

APPLICANT x Gary M. Mooney

Street Address x 618 Alexander Hwy SE

City & State x Colo. Spring Colo.

Telephone No. x 635-1186

NAME OF AQUIFER GROUND WATER IS TO BE OBTAINED

FROM: Alluvium

PROPOSED TOTAL DEPTH OF WELL 350 Ft.

ESTIMATED MAXIMUM PUMPING RATE 15 GPM

AVERAGE ANNUAL AMOUNT OF GROUND WATER TO BE

APPROPRIATED ✓ Acre-feet

ANTICIPATED GROUT PROGRAM

Material Cemented

Intervals 0-35

Placement Method ✓

PROPOSED CASING:

Plain 4 1/2 in. from 0 ft. to 300 ft.  
 Perf. 4 1/2 in. from 300 ft. to 350 ft.

Driller M. B. Dullery Co No. 69

Address Plz. Calkin Colo. 80808

WELL LOCATION

COUNTY EL PASO

SE 1/4 of the SW 1/4 of Section 18

T. 14 S, R. 63 W, 6 P.M.

IN ADDITION TO THE ABOVE, THE WELL MUST BE LOCATED WITH REFERENCE TO GOVERNMENT SURVEY CORNERS, MONUMENTS OR SECTION LINES BY DISTANCE AND BEARING (DOMESTIC WELLS MAY BE LOCATED BY LOT, BLOCK, & SUBDIVISION.)

\_\_\_\_\_ ft. from \_\_\_\_\_ section line

(North or South)

\_\_\_\_\_ ft. from \_\_\_\_\_ section line

(East or West)

LOT \_\_\_\_\_ BLOCK \_\_\_\_\_ FILING # \_\_\_\_\_

SUBDIVISION \_\_\_\_\_

Ground Water Basin \_\_\_\_\_

Water Mgmt. Dist. \_\_\_\_\_

Anticipated drilling date Apr 1972

Owner of land on which well is located:

x Gary M. Mooney

Other water rights on this land NONE

x Gary M. Mooney  
Signature of Applicant

23910

IF WELL IS USED FOR IRRIGATION, BACK SIDE OF THIS APPLICATION MUST BE COMPLETED.

FOR OFFICE USE ONLY

CONDITIONS OF APPROVAL

APPLICATION APPROVED: VALID FOR ONE (1) YEAR AFTER DATE ISSUED UNLESS EXTENDED FOR GOOD CAUSE SHOWN TO THE ISSUING AGENCY.

PERMIT NO. 54800

DATE ISSUED MAR 31 1972

[Signature]  
STATE ENGINEER

BY Barlan W. Ebers

# ROLLING HILLS RANCH ESTATES FILING NO. 3

A REPLAT OF A PORTION OF LOT 8 OF ROLLING HILLS RANCH ESTATES FILING NO. 1,  
 LOCATED IN THE SOUTHWEST QUARTER OF SECTION 18 TOWNSHIP 14 SOUTH, RANGE 63 WEST  
 OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO

BE IT KNOWN BY THESE PRESENTS:

THAT DEBRA K. OSBAN, BEING THE OWNERS OF THE FOLLOWING DESCRIBED TRACT OF LAND, TO WIT:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 18, TOWNSHIP 14 SOUTH, RANGE 63 WEST OF THE 6TH P.M.; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH ONE-HALF OF THE SOUTH ONE-HALF OF LOT 8 IN ROLLING HILLS RANCH ESTATES, FILING NO. 1, COUNTY OF EL PASO, STATE OF COLORADO,

THE ABOVE DESCRIPTION IS AS SHOWN ON THE INFORMATIONAL COMMITMENT ISSUED BY CORE TITLE GROUP LLC, FILE NO. 1884COR, AMENDMENT NO. 1884COR-C2, WITH A COMMITMENT DATE OF SEPTEMBER 5, 2024 AT 7:30 AM.

LOT 8 IS AS SHOWN ON THE SUBDIVISION PLAT THEREOF RECORDED IN PLAT BOOK 1-2 AT PAGE 72 OF THE RECORDS OF EL PASO COUNTY.

SAID PARCEL OF LAND CONTAINS 423,600 S.F., OR 9.724 ACRES, MORE OR LESS.

**OWNERS CERTIFICATE:**

THE UNDERSIGNED, BEING THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS IN THE LAND DESCRIBED HEREIN, HAVE LAID OUT, SUBDIVIDED, AND PLATTED SAID LANDS INTO LOTS AND EASEMENTS FOR PUBLIC UTILITIES AND DRAINAGE PURPOSES AS SHOWN OR NOTED HEREON UNDER THE NAME AND SUBDIVISION OF ROLLING HILLS RANCH ESTATES FILING NO. 3. ALL PUBLIC IMPROVEMENTS REQUIRED BY THIS LAND USE ACTION ARE HEREBY DEDICATED TO PUBLIC USE AND SAID OWNERS DO HEREBY COVENANT AND AGREE THAT THESE PUBLIC IMPROVEMENTS WILL BE CONSTRUCTED TO EL PASO COUNTY STANDARDS AND THAT PROPER DRAINAGE AND EROSION CONTROL FOR THE SAME WILL BE PROVIDED AT SAID OWNER'S EXPENSE. ALL TO THE SATISFACTION OF THE BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO. UPON ACCEPTANCE BY RESOLUTION, ALL PUBLIC IMPROVEMENTS SO DEDICATED WILL BECOME MATTERS OF MAINTENANCE BY EL PASO COUNTY, COLORADO. THE UTILITY EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED FOR PUBLIC UTILITIES, COMMUNICATION SYSTEMS AND OTHER PURPOSES AS SHOWN HEREON. THE ENTITIES RESPONSIBLE FOR PROVIDING THE SERVICES FOR WHICH THE EASEMENTS ARE ESTABLISHED ARE HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTIES FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES.

**IN WITNESS WHEREOF:**

THE AFOREMENTIONED DEBRA K. OSBAN, HAS EXECUTED THIS INSTRUMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2024.

DEBRA K. OSBAN

**NOTARIAL:**

STATE OF COLORADO )  
 ) SS  
 COUNTY OF EL PASO )

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2024 BY DEBRA K. OSBAN

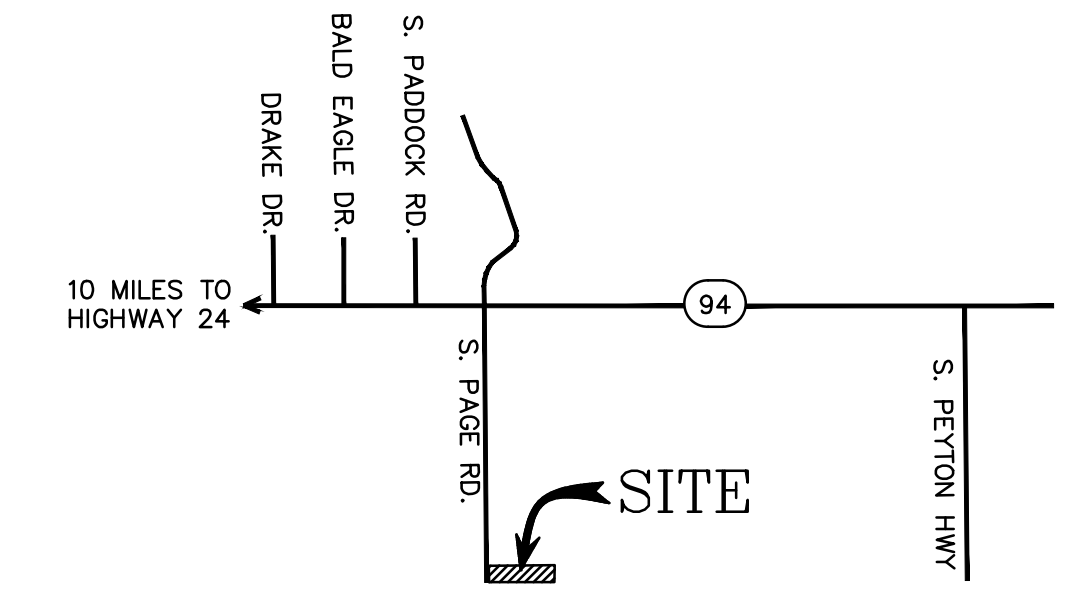
MY COMMISSION EXPIRES: \_\_\_\_\_  
 NOTARY PUBLIC

**SURVEY NOTES:**

- THE BEARINGS AS SHOWN HEREON ARE DERIVED FROM 3-90 SECOND (EPOCH) GPS OBSERVATIONS, AVERAGED, AND IS BASED UPON THE CONSIDERATION THAT THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 14 SOUTH, RANGE 63 WEST OF THE SIXTH P.M., MONUMENTED AT THE S 1/4 CORNER OF SAID SECTION 18 BY A FOUND 2.5" ALUMINUM CAP, MARKED AS SHOWN, AND AT THE SOUTHWEST CORNER OF SAID SECTION 18 BY A FOUND 2.5" ALUMINUM CAP, MARKED AS SHOWN, BEARS S89°04'45"W, 2643.03 FEET.  
 NOTE: BASIS OF BEARINGS AND ACTUAL DIMENSIONS MAY VARY FROM THE RECORDED PLAT DUE TO ROTATIONAL ANALYSIS OF BOUNDARY LINES AND ACCEPTED FOUND MONUMENTS FROM PREVIOUS SURVEYS.
- THE LINEAL UNIT OF MEASURE IS THE U.S. SURVEY FOOT. ALL MONUMENTS FOUND OR SET ARE WITHIN 0.1'+/- OF THE GROUND SURFACE, UNLESS NOTED OTHERWISE.
- PER FLOOD INSURANCE RATE MAP (FIRM) PANEL NO. 08041C0805G, WITH AN EFFECTIVE DATE OF 12/7/2018, THE SUBJECT PROPERTY LIES WITHIN ZONE X, AREA OF MINIMAL FLOOD HAZARD.
- SURVEY FIELD WORK WAS COMPLETED ON JULY 22, 2024.
- "NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON".
- ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO C.R.S. §18-4-50B.
- THE UNDERSIGNED HAS RELIED UPON CORE TITLE GROUP LLC, INFORMATIONAL COMMITMENT, FILE NO. 1884COR, AMENDMENT NO. 1884COR-C2, WITH A COMMITMENT DATE OF SEPTEMBER 5, 2024 AT 7:30 AM FOR OWNERSHIP AND FOR THE PURPOSE OF SHOWING RECORDED EASEMENTS AND RIGHTS-OF-WAY ACROSS THE SUBJECT PROPERTY. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY DREXEL, BARRELL & CO. TO DETERMINE OWNERSHIP AND EASEMENTS OF RECORD.

**PLAT NOTES:**

- THIS MINOR SUBDIVISION CREATES ONE (1) LOT.
- THIS PROPERTY IS PART OF THE ELLICOTT METROPOLITAN DISTRICT, RECORDED UNDER RECEPTION NO. 97015577 OF THE EL PASO COUNTY RECORDS.
- THIS PROPERTY IS SUBJECT TO THE DECLARATION OF PROTECTIVE COVENANTS FOR ROLLING HILLS RANCH ESTATES, FILING NO. 1, RECORDED IN BOOK 2148, PAGE 507, AND THE AMENDMENT THEREOF RECORDED IN BOOK 2238, PAGE 658 OF THE EL PASO COUNTY RECORDS.
- THE SUBDIVIDER/DEVELOPER IS RESPONSIBLE FOR EXTENDING UTILITIES TO EACH LOT, TRACT OR BUILDING SITE.
- THIS PROPERTY'S WATER SERVICE IS PROVIDED BY WELL, AS SHOWN HEREON THIS SURVEY, ESTABLISHED BY WELL PERMIT NUMBER 54800 OF THE COLORADO DIVISION OF WATER RESOURCES, ISSUED MARCH 31, 1972. THIS PROPERTY IS LOCATED WITHIN THE BLACK SQUIRREL WATERSHED.
- THIS PROPERTY'S WASTEWATER SERVICE IS PROVIDED BY SEPTIC, CONFORMING TO THE REQUIREMENTS, STANDARDS, AND RECOMMENDATIONS OF THE EL PASO COUNTY HEALTH AUTHORITY, PER THE PROTECTIVE COVENANTS FOR ROLLING HILLS RANCH ESTATES, FILING NO. 1 RECORDED IN BOOK 2148, PAGE 507 OF THE EL PASO COUNTY RECORDS.
- ELECTRIC SERVICE FOR THIS MINOR SUBDIVISION IS PROVIDED BY MOUNTAIN VIEW ELECTRIC ASSOCIATION, SUBJECT TO THE PROVIDERS RULES, REGULATIONS AND SPECIFICATIONS.
- STRUCTURAL FOUNDATIONS ON THE LOT IN THIS SUBDIVISION SHALL BE DESIGNED BY A COLORADO REGISTERED PROFESSIONAL ENGINEER.
- THE FOLLOWING REPORTS HAVE BEEN SUBMITTED IN ASSOCIATION WITH THE PRELIMINARY PLAN OR FINAL PLAT FOR THIS SUBDIVISION AND ARE ON FILE AT THE COUNTY DEVELOPMENT SERVICES DEPARTMENT: DRAINAGE REPORT; WATER RESOURCES REPORT; WASTEWATER DISPOSAL REPORT; GEOLOGY AND SOILS REPORT; FIRE PROTECTION REPORT; WILDFIRE HAZARD REPORT, NATURAL FEATURES REPORT AND NOXIOUS WEED MANAGEMENT PLAN.
- PROPERTY OWNERS ARE RESPONSIBLE FOR MAINTAINING PROPER STORM WATER DRAINAGE IN AND THROUGH THEIR PROPERTY. HOMEBUILDERS ARE RESPONSIBLE TO ENSURE PROPER DRAINAGE AROUND STRUCTURES, INCLUDING ELEVATIONS OF FOUNDATIONS AND WINDOW WELLS IN RELATION TO SIDE LOT DRAINAGE EASEMENTS AND SWALES. HOMEOWNERS SHALL NOT CHANGE THE GRADE OF THE LOT OR DRAINAGE SWALES AS CONSTRUCTED BY THE BUILDER, IN A MANNER THAT WOULD CAUSE ADVERSE DRAINAGE IMPACTS TO PROPERTIES. STRUCTURES, FENCES, MATERIALS OR LANDSCAPING SHALL NOT IMPEDE THE DRAINAGE FLOW OR RUNOFF.
- MAILBOXES SHALL BE INSTALLED IN ACCORDANCE WITH ALL EL PASO COUNTY AND UNITED STATES POSTAL SERVICE REGULATIONS.
- THE DEVELOPER SHALL COMPLY WITH FEDERAL AND STATE LAWS, REGULATIONS, ORDINANCES, REVIEW AND PERMIT REQUIREMENTS, AND OTHER AGENCY REQUIREMENTS, IF ANY, OF APPLICABLE AGENCIES INCLUDING, BUT NOT LIMITED TO, THE COLORADO DEPARTMENT OF WILDLIFE, COLORADO DEPARTMENT OF TRANSPORTATION, U.S. ARMY CORP. OF ENGINEERS, THE U.S. FISH AND WILDLIFE SERVICE REGARDING THE ENDANGERED SPECIES ACT.
- THE ADDRESS EXHIBITED ON THIS PLAT IS FOR INFORMATIONAL PURPOSES ONLY. THEY ARE NOT THE LEGAL DESCRIPTION AND ARE SUBJECT TO CHANGE.
- INDIVIDUAL LOT PURCHASERS ARE RESPONSIBLE FOR CONSTRUCTING DRIVEWAYS, INCLUDING NECESSARY DRAINAGE CULVERTS PER LAND DEVELOPMENT CODE SECTION 6.3.3.C.2 AND 6.3.3.C.3. DUE TO THEIR LENGTH OR GRADE, SOME OF THE DRIVEWAYS WILL NEED TO BE SPECIFICALLY APPROVED BY THE FIRE DISTRICT AND ECM ADMINISTRATOR. NO DRIVEWAY SHALL BE ESTABLISHED UNLESS AN ACCESS PERMIT HAS BEEN GRANTED BY EL PASO COUNTY.
- THIS PROPERTY IS LOCATED WITHIN AND SERVICED BY THE ELLICOTT FIRE PROTECTION DISTRICT.
- GEOLOGIC NOTE:  
 THE FOLLOWING LOTS HAVE BEEN FOUND TO BE IMPACTED BY GEOLOGIC HAZARDS. MITIGATION MEASURES AND A MAP OF THE HAZARD AREA CAN BE FOUND IN THE REPORT BY PROTEX, DATED JUNE 8, 2024, IN FILE NO. PCD SF2423, AVAILABLE AT THE EL PASO COUNTY PLANNING DEVELOPMENT DEPARTMENT.
- THIS PROPERTY IS LOCATED WITHIN ZONE X "AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN" AS DETERMINED BY THE FLOOD INSURANCE RATE MAP (FIRM) PANEL NO. 08041C0805G, EFFECTIVE DATE: DECEMBER 7, 2018.
- THE EAST, NORTH, AND WEST EXTERIOR SUBDIVISION BOUNDARIES HEREBY PLATTED WITH A 20 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT. THE SOUTH BOUNDARY IS PLATTED WITH A 30 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT. THE SOLE RESPONSIBILITY FOR MAINTENANCE OF THESE EASEMENTS IS HEREBY VESTED WITH THE INDIVIDUAL PROPERTY OWNER(S).
- THE SUBDIVIDER(S) AGREE(S) ON BEHALF OF HIM/HERSELF AND ASSIGNEES THAT SUBDIVIDER AND/OR SAID SUCCESSORS AND ASSIGNS SHALL BE REQUIRED TO PAY TRAFFIC IMPACT FEES IN ACCORDANCE WITH THE EL PASO COUNTY ROAD IMPACT FEE PROGRAM RESOLUTION (RESOLUTION NO. 19-471), OR ANY AMENDMENTS THERE TO, AT OR PRIOR TO THE TIME OF BUILDING PERMIT SUBMITTALS.
- LAND DEVELOPMENT CODE: THIS PROPERTY IS ZONED RR-5.
- THE RIGHT OF WAY (EASEMENT) GRANTED MOUNTAIN VIEW ELECTRIC ASSOCIATION BY BOOK 2413, PAGE 893, AND BOOK 2455, PAGE 09 IS AMBIGUOUS, AND DIFFICULT TO ESTABLISH WITH CERTAINTY, AN EXACT LOCATION OF SAID EASEMENT. BOOK 2455, PAGE 09 CALLS OUT THE "S1/2 OF THE S1/2 OF LOT 8 IN ROLLING HILLS RANCH ESTATES FILING #1". BOOK 2413, PAGE 893 CALLS "A STRIP OF LAND TWENTY (20) FEET IN WIDTH...A CENTERLINE RUNNING THROUGH THE CENTER OF THE EXISTING POLES; AND A LINE BELONGING TO MOUNTAIN VIEW ELECTRIC ASSOCIATION, INC. AND PRESENTLY LOCATED: W1/2 SECTION 18 TOWNSHIP 14 SOUTH RANGE 63 WEST. ALL POWER POLES ON THE SUBJECT PROPERTY WERE LOCATED AT THE TIME OF THIS SURVEY AS SHOWN IN THE DETAIL FOR BOOK 2413, PAGE 893.  
 NOTE: THE RIGHT OF WAY (EASEMENT) GRANTED MOUNTAIN VIEW ELECTRIC ASSOCIATION BY BOOK 3649, PAGE 398 IS BLANKET IN NATURE AND IS NOT PLOTTABLE. SPECIFICALLY PERTAINING TO THIS PROPERTY, THE DOCUMENT REFERS TO "A STRIP OF LAND 20 FEET IN WIDTH...BEING 10 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE, TO WIT: THE W1/2 AND THE NE1/4 OF SECTION 18..." THE SUBJECT PROPERTY IS LOCATED IN THE WEST 1/2 OF SECTION 18.
- THE NON-REVOCABLE PUBLIC IMPROVEMENT EASEMENT SHOWN AT THE END OF PAGE ROAD CUL-DE-SAC IS INTENDED FOR TURN AROUND AND EMERGENCY RESPONSE PURPOSES. AT SUCH TIME PAGE ROAD IS EXTENDED BY THE ADJACENT PROPERTY OWNER/DEVELOPER AND ACCEPTED BY THE COUNTY, THE NON-REVOCABLE PUBLIC IMPROVEMENT EASEMENT FOR THE CUL-DE-SAC WILL BE VACATED, LEAVING A STANDARD STREET ROW AND THE CUL-DE-SAC IMPROVEMENTS WILL BE REMOVED AND REPLACED WITH A STANDARD STREET SECTION. THE EASEMENT VACATION, CUL-DE-SAC REMOVAL AND STANDARD STREET SECTION CONSTRUCTION AND SITE RESTORATION IS THE RESPONSIBILITY OF THE OWNER/DEVELOPER EXTENDING PAGE ROAD.



**VICINITY MAP**  
 NOT TO SCALE

**PLANNING AND COMMUNITY DEVELOPMENT DIRECTOR CERTIFICATE:**

THIS PLAT FOR ROLLING HILLS RANCH ESTATES FILING NO. 3 WAS APPROVED FOR FILING BY THE EL PASO COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2024, SUBJECT TO ANY NOTES SPECIFIED HEREON AND ANY CONDITIONS INCLUDED IN THE RESOLUTION OF APPROVAL. THE DEDICATIONS OF LAND TO THE PUBLIC, EASEMENTS FOR UTILITIES AND PUBLIC IMPROVEMENTS, ARE ACCEPTED.

\_\_\_\_\_  
 CHAIR, BOARD OF COUNTY COMMISSIONERS DATE

\_\_\_\_\_  
 DIRECTOR, EL PASO PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT DATE

**SURVEYOR'S STATEMENT:**

THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, HEREBY STATES AND DECLARES THAT THE ACCOMPANYING PLAT AS DRAWN, REFLECTS THE RESULTS OF A SURVEY MADE UNDER MY RESPONSIBLE CHARGE AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON; THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:10,000, AND THAT THIS PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS PERTAINING TO LAND SURVEYING OF TITLE 38 OF THE COLORADO REVISED STATUTES, 1973, AS AMENDED, AND ACCURATELY SHOWS THE DESCRIBED TRACT OF LAND, AND SUBDIVISION THEREOF, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF. THIS PLAT IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

\_\_\_\_\_  
 PETER VAN STEENBURGH DATE:  
 PLS NUMBER 37913  
 FOR AND BEHALF OF  
 DREXEL BARRELL & CO.

**CLERK AND RECORDER'S CERTIFICATE:**

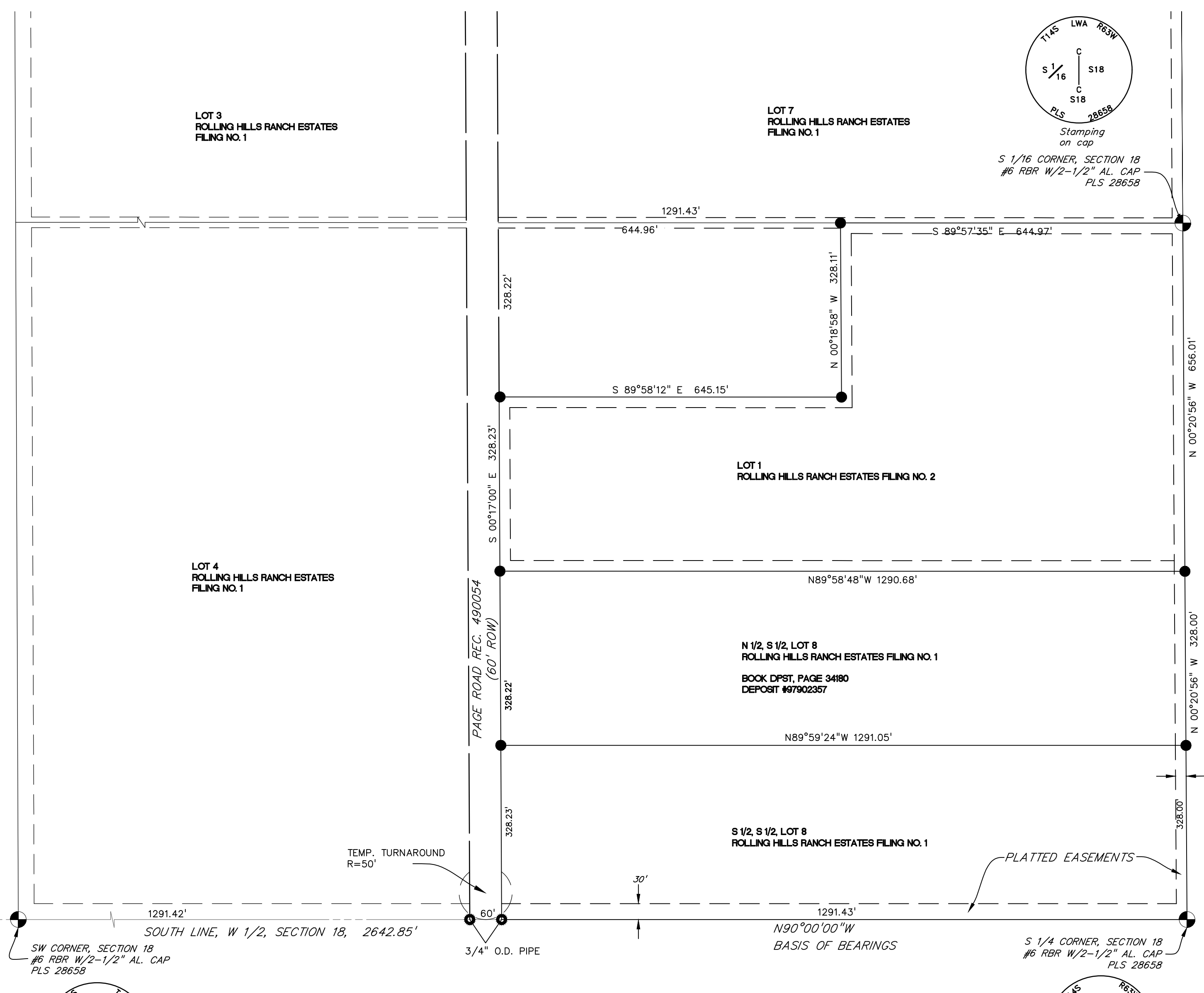
STATE OF COLORADO )  
 ) )SS  
 COUNTY OF EL PASO )  
 I HEREBY CERTIFY THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE AT \_\_\_\_\_ O'CLOCK, \_\_\_\_\_ M., THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2024 AND IS DULY RECORDED UNDER RECEPTION NUMBER \_\_\_\_\_ OF THE RECORDS OF EL PASO COUNTY, COLORADO.  
 STEVE SCHLEIKER  
 FEE: \_\_\_\_\_  
 BY: \_\_\_\_\_ SURCHARGE: \_\_\_\_\_  
 COUNTY CLERK AND RECORDER

**FEES:**

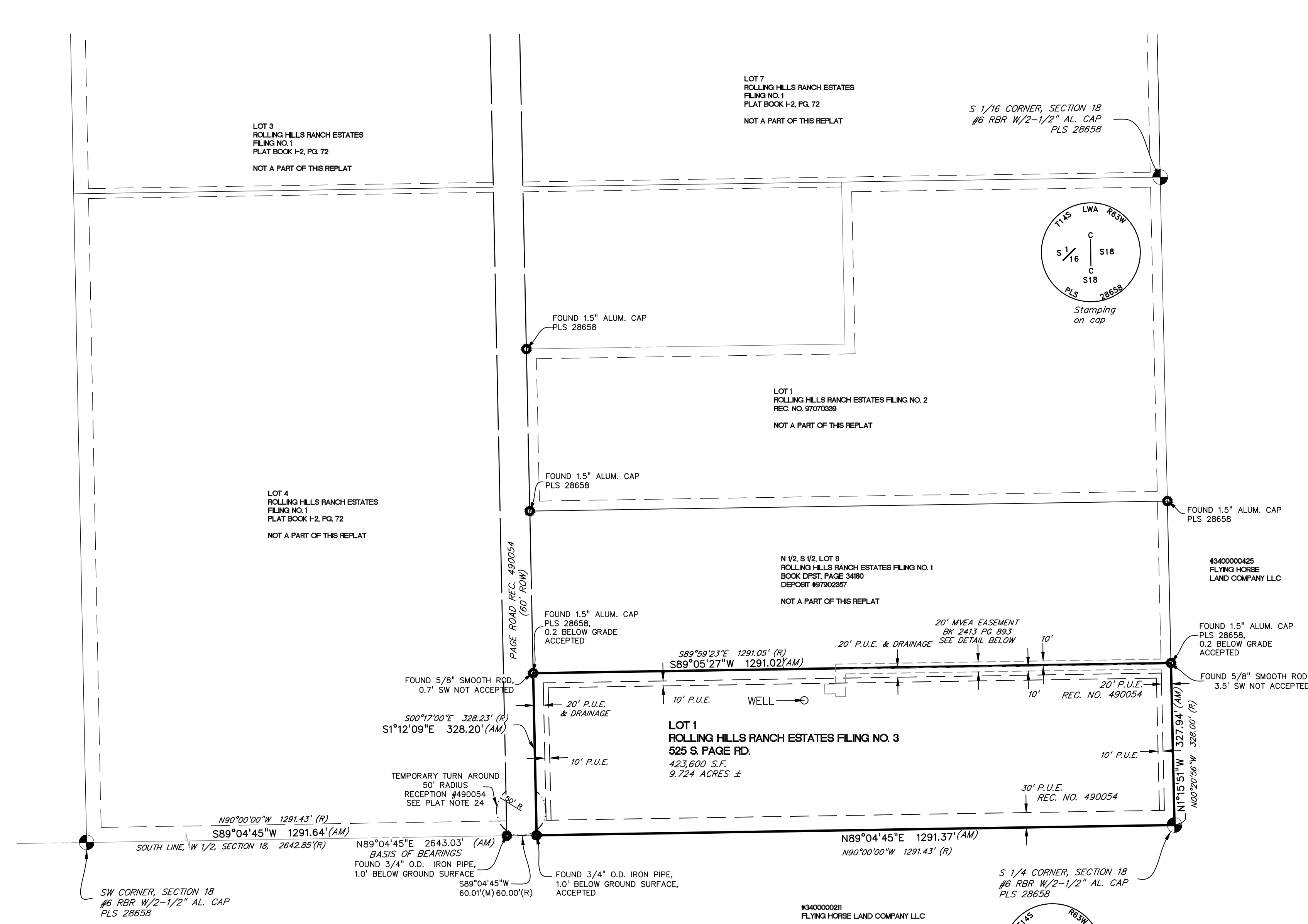
LIVESTOCK COMPANY DRAINAGE BASIN FEE:	\$7,038.36
BRIDGE FEE:	\$111.72
SCHOOL FEE:	\$240.00
REGIONAL PARK FEE:	\$505.00

# ROLLING HILLS RANCH ESTATES FILING NO. 3

A REPLAT OF A PORTION OF LOT 8 OF ROLLING HILLS RANCH ESTATES FILING NO. 1, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 18 TOWNSHIP 14 SOUTH, RANGE 63 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO



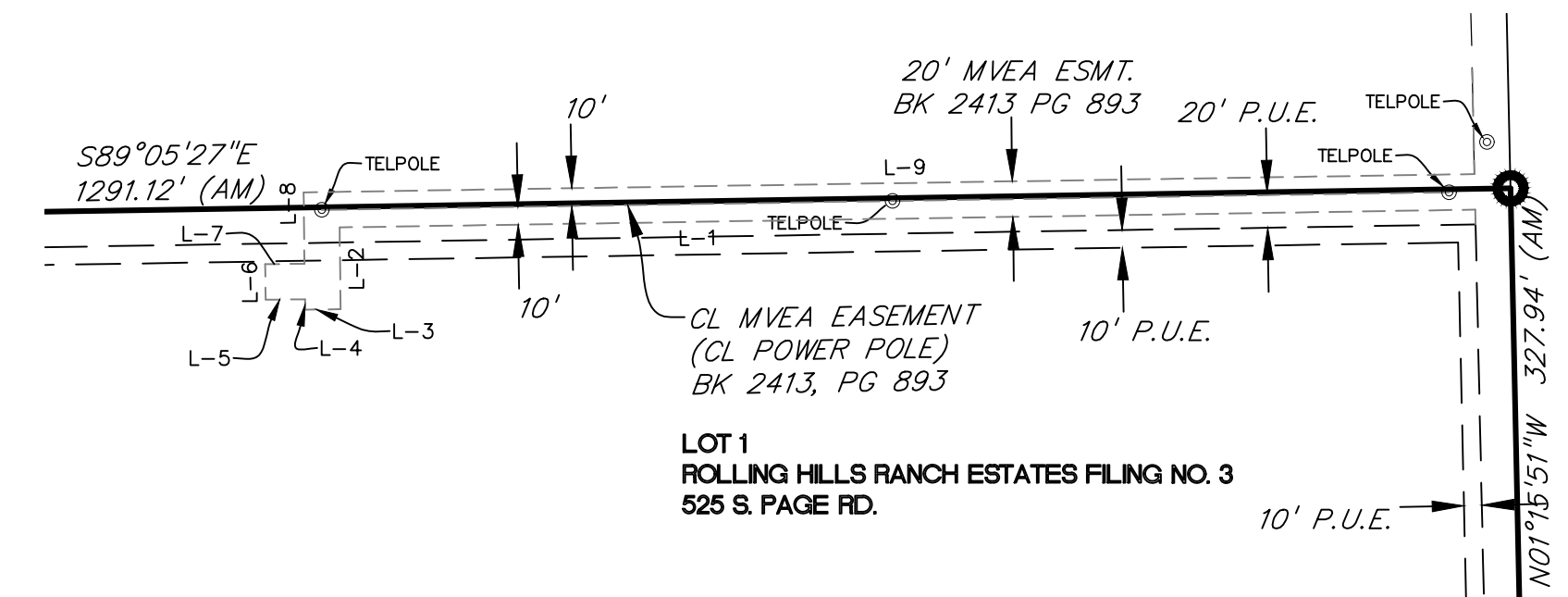
AS PLATTED



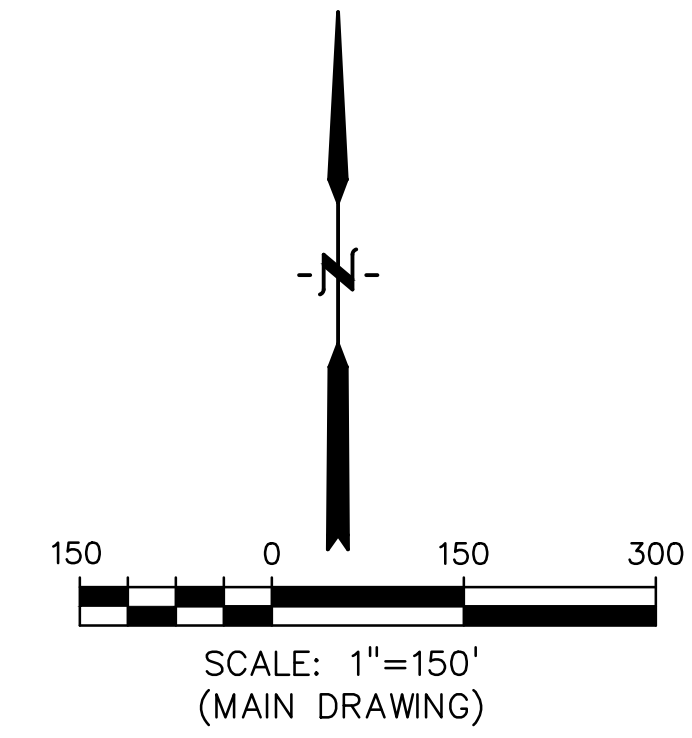
REPLATTED

- Legend**
- FOUND SURVEY MONUMENT AS INDICATED ○
  - RECORD DIMENSION PER ROLLING HILLS ESTATES FILING NO 2 (R)
  - MEASURED DIMENSION (AM)
  - SQUARE FEET S.F.
  - RIGHT OF WAY R.O.W.
  - PUBLIC UTILITY EASEMENT P.U.E.
  - SURVEY PLAT BOUNDARY \_\_\_\_\_
  - RIGHT OF WAY LINE \_\_\_\_\_
  - ADJACENT LOT LINE \_\_\_\_\_
  - EASEMENT LINE \_\_\_\_\_

LINE #	LENGTH	DIRECTION
L-1	639.31'	N89°06'22"E
L-2	46.01'	S0°43'53"E
L-3	20.00'	N89°16'07"E
L-4	5.85'	S0°43'53"E
L-5	22.10'	N89°15'38"E
L-6	20.00'	S0°44'22"E
L-7	22.10'	N89°15'38"E
L-8	40.10'	S0°43'53"E
L-9	659.13'	N89°06'22"E



MVEA EASEMENT BOOK 2413 PAGE 893  
SCALE: 1"=100'





October 16, 2024

Scott Weeks  
El Paso County Planning and Community Development  
Transmission via EDARP portal

**Re: Osban Final Plat EA2472 SF2423**  
**SE ¼, SW ¼ Section 18, T14S, R63W of the 6th PM**  
**Water Division 2, Water District 10**

Dear Scott Weeks:

We have reviewed your September 27 submittal concerning the above referenced proposal to legalize Lot 8, Rolling Hills Ranch Estates Filing No. 1, a parcel of 9.72 acres with an existing well, permit no. 54800.

This submittal does not qualify as a “subdivision” as defined in section 30-28-101(10)(a), C.R.S. Therefore, pursuant to the State Engineer’s March 4, 2005 and March 11, 2011 memorandums to county planning directors, this office only performed a cursory review of the referral information. The parcel is served by an existing well, which is permitted for household use only. The groundwater shall not be used for irrigation or other purposes.

Should you have any questions, please contact me at 303-866-3581.

Sincerely,

Melissa A. van der Poel, P.E.  
Team 237 Supervisor

cc: Water well permit no. 54800



Office of the County Attorney – Civil Division

Kenneth R. Hodges, County Attorney  
719-520-6485  
Centennial Hall  
200 S. Cascade, Suite 150  
Colorado Springs, CO 80903  
www.ElPasoCo.com

Board of County Commissioners  
Holly Williams, District 1  
Carrie Geitner, District 2  
Bill Wysong, District 3  
Cory Applegate, District 4  
Cami Bremer, District 5

January 31, 2025

SF-24-23 Rolling Hills Ranch Estates Filing No. 3

Reviewed by: Lori L. Seago, Senior Assistant County Attorney  
April Willie, Paralegal

WATER SUPPLY REVIEW AND RECOMMENDATIONS

Project Description

1. This is a proposal for approval of Rolling Hills Ranch Estates Filing No. 3, an application by Debra K. Osban (“Applicant”) for a residential lot for a single-family residence on a parcel of 9.72 acres of land (the “property”). The property is zoned RR-5 (Rural Residential). The purpose of the application is to legalize a lot previously created through an illegal subdivision.

Estimated Water Demand

2. Pursuant to the *Water Supply Information Summary* (“WSIS”), the water demand for the single residential lot is estimated to 0.33 acre-feet/year for household use. Based on this total demand, Applicant must be able to provide a supply of 99 acre-feet of water (0.33 acre-feet per year x 300 years) to meet the County’s 300-year water supply requirement.

Proposed Water Supply

3. The property is currently served by a well under well permit no. 54800, which was issued in 1972 for household use only (no irrigation). According to the Water Resource Report dated December 2024, the well draws from the Denver aquifer. The well permit does not identify the aquifer.

The well permit application estimated a maximum pumping rate of 15 gallons per minute (gpm). A pump installation report filed for a replacement pump in July 2024 showed a pumping rate of approximately 11 gpm.

ATTORNEYS

### State Engineer's Office Opinion

4. In a letter dated October 16, 2024, the State Engineer declined to review the application for water supply sufficiency pursuant to their policy determining that single-lot plats do not qualify as subdivisions.

### Waiver Request

5. Applicant submitted a waiver request dated January 22, 2025 requesting a waiver of the Land Development Code ("Code") requirements "regarding annual water sufficiency and the requirement that the water supply be sufficient to meet the needs of the subdivision for 300 years." The waiver request states that the well was installed to drill from the Arapahoe aquifer and that no court decree or groundwater determination regarding water rights was required to obtain the well permit.

6. Under state law, the Board of County Commissioners ("Board") is required to find that a final plat application proposes a water supply that is sufficient in terms of quality, quantity and dependability. This finding cannot be waived. The Board may, however, waive any of the Code provisions it adopted to implement this statutory requirement. These include, but are not limited to, requirements regarding documentation and the content of applications, as well as the requirement that evidence be provided that the proposed water supply is sufficient to serve the subdivision for 300 years.

7. The well serving this proposed subdivision was established before the water sufficiency provisions of the Code were adopted (in 1986) and before Colorado adopted its current laws and regulations regarding the allocation of and determining rights to use groundwater in the Denver Basin aquifers (also in 1986). The well permit was approved in accordance with the rules in place at the time and remains valid. The State Engineer's Office has not advised that the well needs to be re-permitted or that a groundwater rights determination must be obtained.

8. The County Attorney's Office recommends that the Board grant a waiver from the requirements in Section 8.4.7 of the Code, including the requirement the proposed water supply be adequate to serve the proposed subdivision for 300 years.

### Recommended Findings

9. **Quantity and Dependability. Based on the foregoing discussion, the County Attorney's Office recommends a finding of sufficient water quantity and dependability for Rolling Hills Ranch Estates Filing No. 3.**

10. The water quality requirements of Section 8.4.7.B.10.g. of the El Paso County Land Development Code must be satisfied. **El Paso County Public Health shall provide a recommendation as to the sufficiency of water quality.**



11. **Basis.** The County Attorney's Office reviewed the following documents in preparing this review: a Water Resources Report dated December, 2024, the Water Supply Information Summary, the State Engineer's Office Opinion dated October 16, 2024, and the waiver request dated January 22, 2025. The recommendations herein are based on the information contained in such documents and on compliance with the requirements set forth below. ***Should the information relied upon be found to be incorrect, or should the below requirements not be met, the County Attorney's Office reserves the right to amend or withdraw its recommendations.***

**REQUIREMENTS:**

A. Applicant and its successors and assigns shall comply with all requirements of well permit no. 54800, the Colorado Division of Water Resources, and Colorado law.

cc: Kari Parsons, Project Manager, Planner



Prevent • Promote • Protect

Environmental Health Division  
1675 W. Garden of the Gods Road  
Suite 2044  
Colorado Springs, CO 80907  
(719) 578-3199 *phone*  
(719) 578-3188 *fax*  
[www.elpasocountyhealth.org](http://www.elpasocountyhealth.org)

### Osban, SF-24-23

Please accept the following comments from El Paso County Public Health regarding the project referenced above:

- The existing 9.2-acre is proposed to be served water from a private well, and new onsite wastewater treatment system (OWTS) is proposed for wastewater service.
- A finding for sufficiency in terms of water quality is not required for legalization of this 1 lot final plat submittal.
- The ProTex Engineering Geotechnical Investigation Report dated January 8, 2024, and the ProTex Soil Profile Evaluation dated January 10, 2024, were reviewed for the determination of installing an OWTS on the site. The lot was found to be suitable for the installation of a conventional OWTS. An OWTS Permit is required as well as full compliance with the El Paso County Board of Health OWTS Regulations.
- Radon resistant construction building techniques/practices are encouraged to be used in this area. The EPA has determined that Colorado, and El Paso County area have potentially higher radon levels than other areas of the country.

Mike McCarthy  
El Paso County Public Health  
719-332-5771  
[mikemccarthy@elpasoco.com](mailto:mikemccarthy@elpasoco.com)  
17November2024

RESOLUTION NO. 25-

BOARD OF COUNTY COMMISSIONERS  
COUNTY OF EL PASO, STATE OF COLORADO

APPROVAL OF A FINAL PLAT  
ROLLING HILLS ESTATES FIL. NO. 3 (SF2423)

WHEREAS, Debra Osban did file an application with the El Paso County Planning and Community Development Department for the approval of a Final Plat for the Rolling Hills Estates Fil No. 3 Subdivision 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, a public hearing was held by the El Paso County Planning Commission on February 20, 2025, upon which date the Planning Commission did by formal resolution recommend approval of the Final Plat application; and

WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on March 13, 2025; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the Master Plan for the unincorporated area of the County, presentation and 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, comments by the general public, comments by the El Paso County Planning Commission Members, and comments by the Board of County Commissioners during the hearing, this Board finds as follows:

1. The application was properly submitted for consideration by the Planning Commission;
2. Proper posting, publication, and public notice were provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;
5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;
6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations.

7. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, when approving a Final Plat, the Planning Commission and Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 7.2.1.D.3.f of the Land Development Code (as amended):

1. The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
2. The subdivision is in substantial conformance with the approved Preliminary Plan;
3. The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;
4. Either a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6)(a)] and the requirements of Chapter 8 of the Code, or, with respect to applications for administrative Final Plat approval, such finding was previously made by the BoCC at the time of Preliminary Plan approval;
5. A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations, [C.R.S. § 30-28-133(6)(b)] and the requirements of Chapter 8 of the Code;
6. All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. § 30-28-133(6)(c)];
7. Adequate drainage improvements are proposed that comply with State Statute [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of the Code and the ECM;
8. 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 ECM;
9. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;
10. The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code;
11. Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8 of the Code;

12. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated;
13. The subdivision meets other applicable sections of Chapter 6 and 8 of the Code; and
14. The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§ 34-1-302(1), et seq.].

WHEREAS, a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6)(a)] and the requirements of Chapter 8 of the Code or as waived; and

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, hereby approves the Final Plat application for the Rolling Hills Estates Fil No. 3 Subdivision;

BE IT FURTHER RESOLVED that the following conditions and notations shall be placed upon this approval:

#### CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.
3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the Final Plat.
4. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the appropriate El Paso County staff.
5. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated January 31, 2025, as provided by the County Attorney's Office.

#### NOTATIONS

1. The following fees are required to be paid to El Paso County at the time of Final Plat recordation:

- a. Drainage Fees in the amount of \$6547.37, and bridge fees in the amount of \$103.74 for the Livestock Company basin.
  - b. Park fees in lieu of land dedication for regional parks, Area 4, in the amount of \$505.00.
  - c. Fees in lieu of school land dedication in the amount of \$185.00 shall be paid for the benefit of Ellicott School District No. 22.
2. Final Plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.
  3. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference is held with Planning and Community Development Inspections and a Construction Permit is issued by the Planning and Community Development Department.
  4. The El Paso County Road Impact Fee Program Resolution (Resolution Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the No. 24-377), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at Final Plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.

AND BE IT FURTHER RESOLVED that the record and recommendations of the El Paso County Planning Commission be adopted.

DONE THIS 13<sup>th</sup> day of March 2025 at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS  
OF EL PASO COUNTY, COLORADO

ATTEST:

By: \_\_\_\_\_  
Chair

By: \_\_\_\_\_  
County Clerk & Recorder

EXHIBIT A

LEGAL DESCRIPTION

THE SOUTH ONE-HALF OF THE SOUTH ONE-HALF OF LOT 8 IN ROLLING HILLS RANCH ESTATES, FILING NO. 1, COUNTY OF EL PASO, STATE OF COLORADO.  
CONTAINING 9.724 ACRES OR 423,600 SQUARE FEET, MORE OR LESS.  
SURVEYOR'S NOTE: ROLLING HILLS RANCH ESTATES, FILING NO. 1, RECORDED JULY 18, 1966 IN BOOK 12, PAGE 72, IN THE OFFICE OF THE EL PASO COUNTY CLERK AND RECORDER.