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El Paso County, CO



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**RESOLUTION NO. 24-371**

**BOARD OF COUNTY COMMISSIONERS**

**COUNTY OF EL PASO**

**STATE OF COLORADO**

**APPROVAL OF A VACATION AND REPLAT  
PONDEROSA PINE ESTATES (VR2324)**

WHEREAS, Clifford A Joyner did file an application with the Planning and Community Development Department of El Paso County for approval of a Vacation and Replat of Ponderosa Pine Estates 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 September 5, 2024, upon which date the Planning Commission did by formal resolution recommend approval of the Vacation and Replat; and

WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on September 26, 2024; 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 hearings before the Planning Commission and the Board of County Commissioners of El Paso County.
3. The hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, all pertinent facts, matters and issues were submitted and reviewed, and all interested persons were heard at those hearings.
4. All exhibits were received into evidence.
5. That the Vacation and Replat complies with the El Paso County Land Development Code and the original conditions of approval associated with the recorded plat.

6. No nonconforming lots are created and, in the case of existing nonconforming lots, the degree of nonconformity is not increased.
7. That the Vacation and Replat conforms to the required findings for a Minor or Major Subdivision, whichever is applicable.
8. That 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)(1)] and the requirements of Chapter 8 of the Land Development Code.
9. Where the lots or parcels are subject to any Covenants, Conditions and Restrictions (CC&Rs) or other restrictions, the Vacation and Replat will not result in a conflict with the CC&Rs or other restrictions unless specifically approved by the Homeowners Association or controlling authority.
10. The Vacation and Replat is in general conformance with the goals, objectives, and policies of the Master Plan.
11. 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.
12. The proposed Replat of land conforms to the El Paso County Zoning Resolutions.
13. For the above-stated and other reasons, the proposed Vacation and Replat is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, hereby approves the Vacation and Replat of Ponderosa Pine Estates;

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

**CONDITIONS**

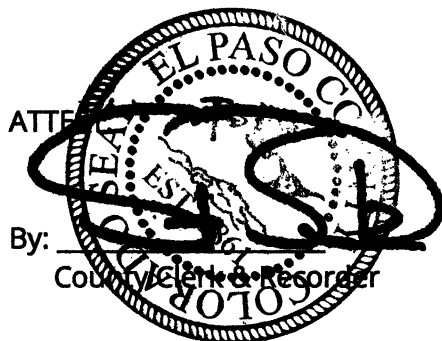
1. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the El Paso County Planning and Community Development Department.
2. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated 8/15/2024, as provided by the County Attorney's Office.

**NOTATIONS**

1. Final Plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired, unless an extension is approved.
  
2. The following fees are required to be paid to El Paso County at the time of plat recordation:
  - a. Drainage Fees in the amount of \$4,350.69 shall be paid for the Palmer Lake Drainage Basin. There are no bridge fees associated with this drainage basin.
  - b. Park fees shall be paid in lieu of land dedication for regional parks in the amount of \$2,020.00 (Area 1) and urban park fees shall be paid in the amount of \$1,212.00 (Area 1).
  - c. Fees in lieu of school land dedication in the amount of \$1,232.00 shall be paid for the benefit of the Lewis Palmer School District No. 38.

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

DONE THIS 26th day of September 2024 at Colorado Springs, Colorado.



BOARD OF COUNTY COMMISSIONERS  
OF EL PASO COUNTY, COLORADO

By: Carli Bremer  
Chair

EXHIBIT A

Lots 1 and 2, Morgan Subdivision No. 1, County of El Paso, State of Colorado.  
And containing 3.07 acres