## GENERAL PROVISIONS:

- *A STATEMENT ESTABLISHING THE PURPOSE AND INTENT OF THE PUD ZONING DISTRICT*
- *AUTHORITY*

*THIS PUD IS AUTHORIZED BY CHAPTER 4 OF THE EL PASO COUNTY LAND DEVELOPMENT CODE, ADOPTED PURSUANT TO THE COLORADO PLANNED UNIT DEVELOPMENT ACT OF 1972, AS AMENDED.*

- *APPLICABILITY*

*THE PROVISIONS OF THIS PUD SHALL RUN WITH THE LAND. THE LANDOWNERS, THEIR SUCCESSORS, HEIRS, OR ASSIGNS SHALL BE BOUND BY THIS DEVELOPMENT PLAN, AS AMENDED AND APPROVED BY THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR OR BOARD OF COUNTY COMMISSIONERS.*

- *ADOPTION*

*THE ADOPTION OF THIS DEVELOPMENT PLAN SHALL EVIDENCE THE FINDINGS AND DECISIONS OF THE EL PASO COUNTY BOARD OF COUNTY COMMISSIONERS THAT THIS DEVELOPMENT PLAN FOR EAGLE FOREST PUD IS IN GENERAL CONFORMITY WITH THE EL PASO COUNTY MASTER PLAN, EL PASO COUNTY POLICY PLAN AND APPLICABLE SMALL AREA PLAN(S); IS AUTHORIZED UNDER THE PROVISION OF THE EL PASO COUNTY LAND DEVELOPMENT CODE; AND THAT THE EL PASO COUNTY LAND DEVELOPMENT CODE AND THIS DEVELOPMENT PLAN COMPLIES WITH THE COLORADO PLANNED UNIT DEVELOPMENT ACT OF 1972, AS AMENDED.*

- *RELATIONSHIP TO COUNTY REGULATIONS*

*THE PROVISIONS OF THIS DEVELOPMENT PLAN SHALL PREVAIL AND GOVERN THE DEVELOPMENT OF EAGLE FOREST PUD, PROVIDED, HOWEVER, THAT WHERE THE PROVISIONS OF THIS DEVELOPMENT PLAN DO NOT ADDRESS A PARTICULAR SUBJECT, THE RELEVANT PROVISIONS OF THE EL PASO COUNTY LAND DEVELOPMENT CODE, AS AMENDED AND IN EFFECT AT THE TIME OF THE PUD PLAN APPROVAL (OR OWNER ACKNOWLEDGE THE PUD CHANGES WITH THE CODE), OR ANY OTHER APPLICABLE RESOLUTIONS OR REGULATIONS OF EL PASO COUNTY, SHALL BE APPLICABLE.*

- *ENFORCEMENT*

*TO FURTHER THE MUTUAL INTEREST OF THE RESIDENTS, OCCUPANTS, AND OWNERS OF THE PUD AND OF THE PUBLIC IN THE PRESERVATION OF THE INTEGRITY OF THIS DEVELOPMENT PLAN, THE PROVISIONS OF THIS PLAN RELATING TO THE USE OF LAND AND THE LOCATION OF COMMON OPEN SPACE SHALL RUN IN FAVOR OF EL PASO COUNTY AND SHALL BE ENFORCEABLE AT LAW OR IN EQUITY BY THE COUNTY WITHOUT LIMITATION ON ANY POWER OR REGULATION OTHERWISE GRANTED BY LAW.*

- *CONFLICT*

*WHERE THERE IS MORE THAN ONE PROVISION WITHIN THE DEVELOPMENT PLAN THAT COVERS THE SAME SUBJECT MATTER, THE PROVISION WHICH IS MOST RESTRICTIVE OR IMPOSES HIGHER STANDARDS OR REQUIREMENTS SHALL GOVERN.*

- *MAXIMUM LEVEL OF DEVELOPMENT*

*THE TOTAL NUMBER OF DWELLINGS OR THE TOTAL COMMERCIAL, BUSINESS, OR INDUSTRIAL INTENSITY SHOWN ON THE DEVELOPMENT PLAN FOR DEVELOPMENT WITHIN THE SPECIFIED PLANNING AREAS IS THE MAXIMUM DEVELOPMENT REQUESTED FOR PLATTING OR CONSTRUCTION (PLUS ANY APPROVED DENSITY TRANSFERS). THE ACTUAL NUMBER OF DWELLINGS OR LEVEL OF DEVELOPMENT MAY BE LESS DUE TO SUBDIVISION OR SITE DEVELOPMENT PLAN REQUIREMENTS, LAND CARRYING CAPACITY, OR OTHER REQUIREMENTS OF THE BOARD OF COUNTY COMMISSIONERS.*

- *PROJECT TRACKING*

*AT THE TIME OF ANY FINAL PLAT APPLICATION, THE APPLICANT SHALL PROVIDE A SUMMARY OF THE DEVELOPMENT, TO DATE, TO DEVELOPMENT SERVICES DEPARTMENT, IN ORDER TO ASSURE MAXIMUM DEVELOPMENT LIMITS ARE NOT EXCEEDED.*

## GENERAL NOTES:

*1. ALL STREETS SHALL BE CONSTRUCTED TO EL PASO COUNTY STANDARDS, DEDICATED TO EL PASO COUNTY FOR AND UPON ACCEPTANCE BY EL PASO COUNTY SHALL BE MAINTAINED BY EL PASO COUNTY DEPARTMENT OF TRANSPORTATION.*

*2. CONTOUR INTERVALS SHOWN ON PLAN ARE 2'.*

*3. PUBLIC UTILITY/DRAINAGE EASEMENTS ARE PROPOSED TO BE PROVIDED ON ALL LOTS AS FOLLOWS:*

*a. FRONT: TWENTY (20) FEET*

*b. SIDE: FIFTEEN (15) FEET*

*c. REAR: TWENTY (20) FEET*

*d. STREETS: FIVE (5) FEET EASEMENT*

*e. SUBDIVISION PERIMETER: TWENTY (20) FEET*

*4. BUILDING ENVELOPES HAVE BEEN ESTABLISHED FOR EACH LOT AS SHOWN ON SHEET 2 AND BUILDING SETBACKS FOUND IN DESIGN STANDARDS SECTION H(2).*

*5. MAXIMUM DENSITY ON THIS SITE SHALL BE LIMITED TO 9 LOTS.*

*6. WITHOUT REQUIRING A MAJOR OR MINOR PUD PLAN AMENDMENT, LIMITED REDESIGN FLEXIBILITY IS ALLOWED IN THE PLATTING STAGE, AND LOT LINES MAY BE MOVED UP TO 20 FEET FROM THE CURRENTLY SHOWN LOCATIONS. IN CASES WHERE THE LOT LINES ARE MOVED, IN ORDER TO MAINTAIN AN EQUIVALENT SIZE BUILDING AREA, THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR MAY AUTHORIZE SETBACK CHANGES AS INDICATED IN THE DESIGN STANDARDS.*

*7. LOT 1 WILL ACCESS EAGLE FOREST DRIVE UPON FINAL CONSTRUCTION OF THE ROADWAY. NO ACCESS TO SHOUP ROAD WILL BE ALLOWED.*

*8. THE FOLLOWING REPORTS HAVE BEEN SUBMITTED IN ASSOCIATION WITH THE PRELIMINARY PLAN FOR THIS SUBDIVISION AND ARE ON FILE AT THE COUNTY DEVELOPMENT SERVICES DEPARTMENT: TRAFFIC IMPACT STUDY; PRELIMINARY AND FINAL DRAINAGE REPORT; PRELIMINARY GROUND WATER INVESTIGATION; PERFORMANCE REPORT / SEWAGE DISPOSAL EVALUATION; PRELIMINARY GEOLOGY AND SURFACE SOILS EVALUATION; WILDFIRE HAZARD AND MITIGATION REPORT; NATURAL FEATURES REPORT AND PREBLE'S JUMPING MOUSE HABITAT ASSESSMENT.*

~~*9. THIS PROPERTY IS SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR EAGLE FOREST SUBDIVISION AS RECORDED AT RECEPTION NO. ________ OF THE RECORDS OF THE OFFICE OF THE EL PASO COUNTY CLERK AND RECORDER AND THE BYLAWS OF EAGLE FOREST HOME OWNERS ASSOCIATION RECORDED AT RECEPTION NO. ________ OF SAID EL PASO COUNTY RECORDS.*~~

*10. AT THE TIME OF APPROVAL OF THIS PROJECT, THIS PROPERTY IS LOCATED WITHIN THE BLACK FOREST FIRE/RESCUE PROTECTION DISTRICT, WHICH HAS ADOPTED A FIRE CODE REQUIRING RESIDENTIAL FIRE SPRINKLER REQUIREMENTS FOR COVERED STRUCTURES OVER 6000 SQUARE FEET IN SIZE, AND OTHER FIRE MITIGATION REQUIREMENTS DEPENDING UPON THE LEVEL OF FIRE RISK ASSOCIATED WITH THE PROPERTY AND STRUCTURES. THE OWNER OF ANY LOT SHOULD CONTACT THE FIRE DISTRICT TO DETERMINE THE EXACT DEVELOPMENT REQUIREMENTS RELATIVE TO THE ADOPTED FIRE CODE. DUE TO WILDFIRE CONCERNS, HOMEOWNERS ARE ENCOURAGED TO INCORPORATE WILDFIRE FUEL BREAK PROVISIONS AS RECOMMENDED BY THE COLORADO STATE FOREST SERVICE AND ILLUSTRATED THROUGH PUBLICATIONS AVAILABLE THROUGH THE STATE FOREST SERVICE.*

*11. SOIL AND GEOLOGY CONDITIONS: THE REPORT: PRELIMINARY GEOLOGY AND SURFACE SOILS EVALUATION BY JOHN HIMMELREICH & ASSOCIATES JANUARY 24, 2005 AND A REVIEW LETTER BY CORNELL ENGINEERING DATED JUNE 15, 2020 HAVE BEEN SUBMITTED AND REVIEWED BY EL PASO COUNTY AND COLORADO GEOLOGICAL SURVEY AND CAN BE FOUND IN FILE PUD SP206 AT THE EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT. THE HIMMELREICH REPORT NOTES THE FOLLOWING "POTENTIAL" GEOLOGIC HAZARDS AND THAT THESE ARE "RELATIVELY COMMON TO THE REGION AND ARE MITIGATED BY EMPLOYING PROPER PLANNING, INVESTIGATION, DESIGN AND CONSTRUCTION PRACTICES": 1) EROSION; 2) FLOODING (IN BURGESS CREEK DRAINAGE); 3) STABILITY OF CUT SLOPES; 4) SETTLEMENT OF THE SURFICIAL DEPOSITS, POSSIBLY EXPANSIVE BEDROCK; AND 5) PRESENCE OF CORROSIVE MINERALS. THE REPORT ALSO NOTES THAT "FOR INDIVIDUAL STRUCTURES, MITIGATION OF SUBSURFACE DRAINAGE PROBLEMS USUALLY TAKES THE FORM OF PERIMETER DRAINS AROUND FOUNDATIONS". MITIGATION MEASURES, INCLUDING AND MAPPING CAN BE FOUND IN THE REPORT.*

*FOLLOWING REVIEW OF THE HIMMELREICH REPORT, THE COLORADO GEOLOGICAL SURVEY MADE THE FOLLOWING RECOMMENDATIONS:*

*1. SITE-SPECIFIC FOUNDATION INVESTIGATION AND TESTING SHOULD BE CONDUCTED FOR EACH BUILDING PRIOR TO BUILDING TO DETERMINE SUBSURFACE GEOLOGIC CHARACTERISTICS THAT MAY IMPACT FOUNDATION DESIGN (EXPANSIVE SOILS, SHALLOW GROUNDWATER, ETC.).*

*2. SITE-SPECIFIC SEPTIC INVESTIGATIONS, INCLUDING PERCOLATION TESTING, SHOULD BE DONE PRIOR TO BUILDING TO DETERMINE DESIGN PARAMETERS, AND WHETHER SPECIAL ENGINEERED SYSTEMS ARE NEEDED. SEPTIC LOCATIONS SHOULD REMAIN OUT OF DRAINAGE SWALES.*

*3. MINIMAL GROUND DISTURBANCE AND BEST MANAGEMENT PRACTICES DURING CONSTRUCTION SHOULD TAKE PLACE TO MINIMIZE EROSION. PROMPT RESEEDING SHOULD FOLLOW CONSTRUCTION TO RE-ESTABLISH GROUND COVER AND REDUCE NOXIOUS WEED GROWTH.*

*4. BUILDING SITES SHOULD BE LOCATED IN AREAS WHERE BUILDING AND SEPTIC FOOTPRINTS WILL NOT ENCROACH ON THE NATURAL DRAINAGE SWALES OR DRAINAGE EASEMENTS.*

*12. ONSITE WATER TREATMENT SYSTEMS (OWTS): THE REPORT: PERFORMANCE REPORT/SEWAGE DISPOSAL EVALUATION FOR EAGLE HEIGHTS SUBDIVISION BY FRONT RANGE GEOTECHNICAL, INC. JANUARY 24, 2005 AND A REVIEW LETTER BY CORNELL ENGINEERING DATED JUNE 15, 2020 HAVE BEEN SUBMITTED AND REVIEWED BY EL PASO COUNTY AND COLORADO GEOLOGICAL SURVEY. THE CORNELL ENGINEERING LETTER STATED: "THE ORIGINAL REPORT DOES NOT CONFORM TO CURRENT, SITE SPECIFIC OWTS EVALUATION GUIDELINES (PERCOLATION TESTS VERSUS PROFILE PITS). THEREFORE, SITE SPECIFIC INVESTIGATIONS AND DESIGNS (AS NECESSARY) WILL BE REQUIRED FOR EACH LOT PRIOR TO CONSTRUCTION OF EACH PROPOSED SINGLE-FAMILY RESIDENCE."*

## SITE DATA:

| | |
|---|---|
| OWNER / APPLICANT: | EAGLE FOREST DEVELOPMENT, LLC<br>4920 NORTHPARK LOOP<br>COLORADO SPRINGS, CO 80918 |
| TAX SCHEDULE NUMBER: | 52080-00-071 |
| PARCEL SIZE: | 44.2 ACRES |
| CURRENT AND PROPOSED ZONE: | P.U.D. |
| CURRENT USE: | ONE SINGLE FAMILY HOME |
| PROPOSED LAND USE: | SINGLE FAMILY RESIDENTIAL |
| NUMBER OF LOTS: | 9 |
| TOTAL LOT AREA: | 34.2 ACRES |
| GROSS DENSITY | 0.20 DU/AC |
| NET DENSITY | 0.26 DU/AC |
| AREA OF RIGHT OF WAY | 4.41 ACRES |
| OPEN SPACE – TRACT A | 5.4 ACRES |
| OPEN SPACE – RESIDENTIAL LOTS OUTSIDE BUILDING ENVELOPES | 17.4 ACRES |
| NO-BUILD AREA | 7.79 ACRES BURGESS CREEK AND DESIGNATED DRAINAGE EASEMENTS |

# EAGLE FOREST SUBDIVISION
# PUD AND PRELIMINARY DEVELOPMENT PLAN

### A PORTION OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M. EL PASO COUNTY, COLORADO

**A. PROJECT DESCRIPTION:**
EAGLE FOREST PUD IS A 9 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION WITH AN OPEN SPACE TRACT AND A TOTAL AREA OF 44.19 ACRES LOCATED IN BLACK FOREST.

**B. PERMITTED PRINCIPAL USES:**
1. SINGLE FAMILY DWELLING
2. ATTACHED GARAGE OF 1,200 SF MAXIMUM.
3. ALL USES SHALL PROVIDE SUFFICIENT OFF-STREET PARKING BASED ON EL PASO COUNTY LAND DEVELOPMENT CODE (EPCLDC).
4. THE USE OF ANY PROPERTY AS A CHILD CARE CENTER, FAMILY CARE HOME OR GROUP HOME SHALL BE SUBJECT TO THE REGULATIONS OF CHAPTER 5 OF THE EL PASO COUNTY LAND DEVELOPMENT CODE, AS MAY BE AMENDED IN THE FUTURE.
5. THE EXISTING STRUCTURES ON LOT 1: SINGLE FAMILY RESIDENCE AND ACCESSORY STRUCTURES EXISTING AS OF THE RECORDING OF THIS PUD.
6. OPEN SPACE
7. ACCESSORY USES AS DEFINED WITHIN THIS PUD

**C. PROHIBITED USES:**
1. SHORT-TERM RENTALS (LESS THAN 30 DAYS OF CONSECUTIVE RENTAL) OF ANY ACCESSORY LIVING QUARTERS.
2. CONSTRUCTION OF ANY KIND OUTSIDE THE BUILDING ENVELOPE EXCEPT AS AUTHORIZED AND PERMITTED BY THE PIKES PEAK REGIONAL BUILDING DEPARTMENT, EL PASO COUNTY DEVELOPMENT SERVICES AND THE EFACC.
3. OUTSIDE STORAGE OF MORE THAN 1 RV.
4. OUTSIDE STORAGE OF AN RV OR OTHER VEHICLE, WHETHER OPERABLE OR NOT, ON ANY AREA NOT INTENDED FOR VEHICULAR PARKING.
5. OUTSIDE STORAGE OF AN RV OR SIMILAR VEHICLE LOCATED BETWEEN THE FRONT OF THE RESIDENCE AND THE ADJACENT ROADWAY.
6. OUTSIDE STORAGE OF ATV'S, SNOWMOBILES, TRAILERS, BOATS, LARGE COMMERCIAL TRUCKS OR HEAVY EQUIPMENT, INOPERABLE PASSENGER VEHICLES, LAWN AND GARDEN EQUIPMENT OR ANY OTHER ITEMS THAT ARE UNSIGHTLY THAT MAY BE VIEWED FROM ANY INTERIOR ROADWAY, HOME, LOT OR COMMON AREA.
7. ANY STRUCTURE OUTSIDE A DESIGNATED BUILDING ENVELOPE
8. MARIJUANA CLUBS AND MARIJUANA GROW FACILITIES
9. MOBILE OR MANUFACTURED HOMES
10. HORSE RIDING AND HORSE FACILITIES OR OTHER LIVESTOCK AS DEFINED IN EPC LDC SECTION 1.15
11. HORSE BARNS, CORRALS AND STABLES

**D. TEMPORARY USES:**
TEMPORARY USES SHALL BE SUBJECT TO THE REGULATIONS OF CHAPTER 5 OF THE EL PASO COUNTY LAND DEVELOPMENT CODE, AS MAY BE AMENDED IN THE FUTURE.
1. MODEL HOME/SUBDIVISION SALES OFFICE
2. GARAGE/YARD SALES
3. A REASONABLE NUMBER OF NEATLY KEPT, ENCLOSED TRAILERS MAY BE USED TEMPORARILY ONLY DURING CONSTRUCTION TO STORE EQUIPMENT, TOOLS, AND/OR BUILDING MATERIALS OR FOR A FIELD OFFICE.

**E. PERMITTED ACCESSORY USES:**
ACCESSORY USES SHALL BE SUBJECT TO THE REGULATIONS OF CHAPTER 5 OF THE EL PASO COUNTY LAND DEVELOPMENT CODE, AS MAY BE AMENDED IN THE FUTURE. ACCESSORY USES THAT REQUIRE A SITE PLAN OR A SITE DEVELOPMENT PLAN SHALL BE SUBMITTED TO EPC COMMUNITY DEVELOPMENT DEPARTMENT ALONG WITH DOCUMENTATION OF EFACC APPROVAL.
ACCESSORY USES FOR RESIDENTIAL LOTS:
1. ALLOWED ACCESSORY USES TO BE APPROVED BY THE EFHOA AND REVIEWED BY THE EFACC. SIZE AND LOCATION MAY BE FURTHER RESTRICTED BY THE EF COVENANTS.
2. ALL ACCESSORY USES TO BE LOCATED WITHIN DESIGNATED BUILDING ENVELOPE EXCEPT BY EFHOA APPROVAL.
3. DOMESTIC ANIMAL KEEPING OF UP TO 4 PETS EXCLUDING CHICKENS, PIGEONS OR BEE KEEPING. THE EPC LDC HAS ADDITIONAL RESTRICTIONS REGARDING ANIMAL KEEPING THAT APPLY TO THIS PROPERTY.
4. RESIDENTIAL HOME OCCUPATION DEFINED AS AN ACCESSORY COMMERCIAL ACTIVITY OR BUSINESS SERVICE CONDUCTED ON THE SITE OF A DWELLING UNIT, ONLY BY RESIDENTS OF THE DWELLING UNIT, IN A MANNER CLEARLY INCIDENTAL TO THE RESIDENTIAL CHARACTER OF THE SITE AND SURROUNDING NEIGHBORHOOD. OUTSIDE STORAGE OF MATERIAL OR EQUIPMENT IN SUPPORT OF SAID HOME OCCUPATION IS PROHIBITED.
5. IRRIGATED LAWN AND/OR GARDEN OF NO MORE THAN 3,000 SQUARE FEET.

**F. ACCESSORY STRUCTURES:**
ACCESSORY STRUCTURES MUST COMPLY WITH THE DIMENSIONAL STANDARDS IN SECTION G OF THE GUIDELINES AND SHALL BE SUBJECT TO THE REGULATIONS RELATING TO ACCESSORY STRUCTURES OF CHAPTER 5 OF THE EL PASO COUNTY LAND DEVELOPMENT CODE, AS MAY BE AMENDED IN THE FUTURE. RESIDENTIAL ACCESSORY STRUCTURES ARE RESTRICTED TO THE FOLLOWING:
1. ACCESSORY BUILDINGS SHOULD NOT BE LOCATED CLOSER TO A ROAD THAN THE MAIN BUILDINGS UNLESS THERE IS A COMPELLING SITE SPECIFIC REASON AS DETERMINED BY THE EFACC.
2. DETACHED GARAGE OF 2,000 SF MAXIMUM WITH A BUILDING HEIGHT NOT TO EXCEED HEIGHT OF PRIMARY RESIDENCE.
3. ONE STORAGE SHED PER RESIDENTIAL LOT OF NO MORE THAN 1,000 SF.
4. GAZEBO
5. DECK (ATTACHED OR DETACHED, COVERED OR UNCOVERED)
6. SWIMMING POOL, HOT TUB, TENNIS COURT, OR SIMILAR PRIVATE RECREATION FACILITIES.
7. FENCE, WALL OR HEDGE
8. SMALL SATELLITE DISHES.
9. ACCESSORY LIVING QUARTERS AS AN ACCESSORY BUILDING/SECONDARY STRUCTURE
10. SOLAR ENERGY SYSTEMS

**G. SIGNS:**
SIGNS ARE ALSO REGULATED BY THE EPC LDC. AND SECTION 22 OF THE EF COVENANTS.
PERMITTED SIGNS:
1. ENTRYWAY DEVELOPMENT IDENTIFICATION SIGNS
2. ADDRESS SIGNS ON RESIDENCES LIMITED TO 6 SQUARE FEET
3. INDIVIDUAL TEMPORARY SALES SIGNS WHICH WILL NOT EXCEED 6 SQUARE FEET (NO EXTERIOR ADVERTISING OR GRAPHICS ALLOWED).

**H. FENCE STANDARDS:**
FENCING SHALL BE SUBJECT TO SECTION 22 OF THE COVENANTS, THE EPC LDC AND DESIGN CRITERIA ESTABLISHED BY THE ARCHITECTURAL CONTROL COMMITTEE. THE FOLLOWING ADDITIONAL FENCING GUIDELINES ALSO APPLY:
1. FENCING SHOWN ON THE DEVELOPMENT PLAN TO BE BUILT BY THE DEVELOPER IS ALLOWED.
2. PRIVACY FENCING SHALL BE ALLOWED UP TO BUT NOT TO EXCEED AN ENCLOSED AREA OF TWELVE THOUSAND (12,000) SQUARE FEET. PRIVACY FENCING SHALL NOT PROTRUDE BEYOND THE BUILDING ENVELOPE. ALLOWED PRIVACY FENCING MATERIALS WILL BE CEDAR OR REDWOOD IN NATURAL WOOD COLOR WITH PICKETS UP TO EIGHT FEET IN HEIGHT AND SIX INCHES IN WIDTH. PAINTING OF PRIVACY FENCING WILL NOT BE ALLOWED, ALTHOUGH CLEAR-COAT OR PIGMENTED STAINING FOR WEATHER-PROTECTION IS ENCOURAGED. FENCING OVER 7 FT TALL REQUIRES A BUILDING PERMIT.
3. TEMPORARY FENCING ASSOCIATED WITH CONSTRUCTION AND/OR EROSION CONTROL IS ALLOWED.
4. FENCES AND WALLS SHALL NOT BE ESTABLISHED WHERE THEY WOULD IMPEDE THE DRAINAGE ESTABLISHED BY AN APPROVED DRAINAGE PLAN OR WITHIN AN EASEMENT IN A MANNER SO THAT THE USE OF THE EASEMENT IS UNNECESSARILY IMPEDED.
5. PERIMETER FENCING ALONG PROPERTY LINES IS ALLOWED ONLY AS SPECIFICALLY APPROVED BY EFACC.
6. NO CHAIN LINK OR SIMILAR HEAVY MESH FENCING WILL BE ALLOWED IN EAGLE FOREST SUBDIVISION.
7. DOG RUNS SHALL BE ALLOWED UP TO BUT NOT TO EXCEED AN ENCLOSED AREA OF 400 SQUARE FEET, AND A MAXIMUM OF SIX FEET IN HEIGHT. DOG RUNS SHALL BE CONSTRUCTED WITH THE SAME MATERIALS AS ENTRY ACCENT OR PERIMETER FENCING WITH THE ADDITION OF WIRE SCREEN AND WILL NOT BE PERMITTED AT THE STREET SIDE OF HOMES.

**I. DIMENSIONAL STANDARDS:**
1. **MAXIMUM BUILDING HEIGHT**: 35 FEET AS DEFINED IN SECTION 1.15 OF THE EL PASO COUNTY LAND DEVELOPMENT CODE
2. **SETBACKS**
EACH LOT HAS SPECIFIC SETBACKS AS INDICATED BELOW AND/OR ON THE PUD DEVELOPMENT PLAN. LOT LINES MAY BE MOVED UP TO 20 FEET FROM THE CURRENTLY SHOWN LOCATIONS. IN CASES WHERE THE LOT LINES ARE MOVED, IN ORDER TO MAINTAIN AN EQUIVALENT SIZE BUILDING AREA, THE EPC PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT (EPCPCDD) DIRECTOR MAY AUTHORIZE SETBACK CHANGES WITHIN THE MINIMUMS ESTABLISHED BELOW. THE FOLLOWING SHALL BE MINIMUM SETBACKS UNLESS THE BUILDING ENVELOPES SHOWN ON THE FINAL PLAT ARE MORE RESTRICTIVE:
- FRONT: 25 FEET
- SIDE: 25 FEET
- REAR: 35 FEET

VARIANCES FROM THE SETBACKS DELINEATED BY THE BUILDING ENVELOPES SHOWN ON THE PUD AND PRELIMINARY PLAN SHALL BE APPROVED BY THE EFACC. FOLLOWING EFACC APPROVAL, APPLICANT SHALL SUBMIT DOCUMENTATION OF SUCH APPROVAL TO THE EPCPCDD FOR VERIFICATION SO THAT RESIDENTIAL SITE PLANS AND/OR BUILDING PERMITS MAY BE APPROVED. VARIANCE REQUESTS THAT PROPOSE SETBACKS THAT ARE LESS THAN THE MINIMUM SETBACKS LISTED ABOVE SHALL BE APPROVED BY THE EFACC. FOLLOWING EFACC APPROVAL, APPLICANT MAY SUBMIT DOCUMENTATION OF SUCH APPROVAL ALONG WITH A REQUEST FOR ADMINISTRATIVE RELIEF (UP TO 20% REDUCTION IN SETBACKS) WHICH MAY BE APPROVED ADMINISTRATIVELY BY THE EPCPCDD DIRECTOR OR A FOR A VARIANCE WHICH, IF A HARDSHIP IS DEMONSTRATED, MAY BE APPROVED BY THE EPC BOARD OF ADJUSTMENT.

### TRACT TABLE

| TRACT | SIZE | USE | OWNERSHIP | MAINTENENCE |
|---|---|---|---|---|
| A | 5.4 ac. | OPEN SPACE / DRAINAGE | EAGLE FOREST HOA | EAGLE FOREST HOA |

3. **MINIMUM LOT WIDTH**
EACH RESIDENTIAL LOT SHALL HAVE A MINIMUM WIDTH OF 200 FEET IN AT LEAST ONE PORTION OF THE LOT.

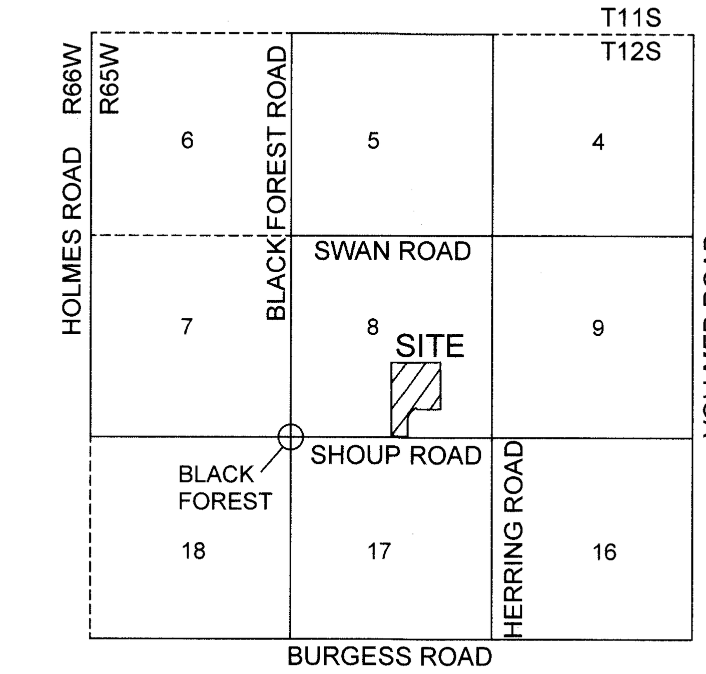
**J. LOT SIZES:**
THE PUD DEVELOPMENT PLAN AND THE FINAL PLAT ESTABLISH THE LOT SIZES. NO SUBDIVISION OF ANY LOT WILL BE PERMITTED IF SUCH SUBDIVISION RESULTS IN THE CREATION OF ADDITIONAL BUILDING LOTS. EACH RESIDENTIAL LOT SHALL HAVE A MINIMUM LOT AREA OF 3 ACRES.

**K. OPEN SPACE TRACT A:**
ALLOWED USES:
1. UNDERGROUND FIRE PROTECTION CISTERN
2. EMERGENCY VEHICLE PULL-OFF
3. OTHER RECREATIONAL FACILITIES AS APPROVED BY THE EFACC

OWNERSHIP/USAGE/MAINTENANCE/ACCESS:
1. USAGE SHALL BE LIMITED TO THE DECLARANT, OWNERS, RESIDENTS, GUESTS AND INVITEES OF EFPUD AND THE OWNER OF LOT 1 HANNASCH SUB UNLESS THE EFHOA DEFAULTS ON THE TRANSFERRING DEED OF TRUST.
2. OWNERSHIP TO BE TRANSFERRED BY DEED OF TRUST TO EAGLE FOREST HOMEOWNERS ASSOCIATION (EFHOA) AT TIME OF FINAL PLAT RECORDATION.
3. MAINTENANCE WILL BE THE RESPONSIBILITY OF THE EFHOA.
4. ACCESS LIMITED TO EMERGENCY AND MAINTENANCE VEHICLES

**L. STREETS:**
EAGLE FOREST DRIVE WILL PROVIDE ACCESS TO ALL LOTS IN EFPUD AND WILL BE A PAVED PUBLIC STREET DESIGNED TO EPC RURAL LOCAL RESIDENTIAL STANDARDS. EAGLE FOREST DRIVE WILL HAVE A 60' ROW WITH 28' ASPHALT WIDTH AND 2' SHOULDERS. PUBLIC IMPROVEMENT EASEMENTS WITH 5' WIDTH WILL BE LOCATED ON EACH SIDE OF THE ROAD. MAINTENANCE OF EAGLE FOREST DRIVE WILL BE PROVIDED BY EL PASO COUNTY.

**M. ARCHITECTURAL CONTROL COMMITTEE REVIEW/COVENANTS:**
ALL IMPROVEMENTS WITHIN EFPUD SHALL BE SUBJECT TO THE DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS AND CHARGES FOR EAGLE FOREST SUBDIVISION, INCLUDING THE ARCHITECTURAL CONTROL COMMITTEE REGULATIONS.




VICINITY MAP
NTS

Chuck Broerman 02/23/2022 09:47:23 AM Doc $0.00 4 Rec $43.00 Pages El Paso County, CO 222026410

## PROPERTY DESCRIPTION:

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6th P.M., EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 8, N00°10'49"W - 1982.45 FEET. THE DIRECTION IS BASED ON THE LAND SURVEY PLAT BY UNITED PLANNING AND ENGINEERING, DATED NOVEMBER 23, 2004, DEPOSIT NUMBER 204900192 AND
THE LINE IS MONUMENTED BY A 2-1/2" DIAMETER ALUMINUM CAP LS #11624 ON THE SOUTH AND A REBAR AND CAP LS 25629 ON THE NORTH.

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 8;
THENCE N00°10'49"W ON THE WEST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SHOUP ROAD AND THE POINT OF BEGINNING OF THE TRACT DESCRIBED HEREIN; THENCE CONTINUE N00°10'49"W ON THE WEST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 1952.45 FEET;
THENCE N89°03'26"E A DISTANCE OF 1298.11 FEET;
THENCE S00°20'14"E A DISTANCE OF 1244.75 FEET TO THE NORTHEAST CORNER OF LOT 1, THE S. HANNASCH SUBDIVISION NO. 1A, AS SHOWN ON THE SUBDIVISION PLAT THEREOF RECORDED UNDER RECEPTION NO. 207712645 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER;
THENCE S89°22'23"W ON THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 622.03 FEET TO THE MOST EASTERLY CORNER OF TRACT A OF SAID S. HANNASCH SUBDIVISION NO. 1A;
THE FOLLOWING FOUR (4) COURSES ARE ALONG THE NORTHERLY AND WESTERLY BOUNDARY OF SAID TRACT;
1.) THENCE N39°59'42"W A DISTANCE OF 60.00 FEET;
2.) THENCE S 50°00'18"W A DISTANCE OF 132.81 FEET TO A POINT OF CURVE;
3.) THENCE ON THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 330.00 FEET, THROUGH A CENTRAL ANGLE OF 50°00'00" AN ARC DISTANCE OF 287.98 FEET TO A POINT OF TANGENT;
4.) THENCE S00°00'18"W A DISTANCE OF 362.97 FEET TO THE SOUTHWEST CORNER OF SAID TRACT;
THENCE CONTINUE S00°00'18"W A DISTANCE OF 60.00 FEET TO A POINT ON THE AFORESAID NORTHERLY RIGHT OF WAY LINE OF SHOUP ROAD;
THENCE S89°01'22"W ON SAID NORTHERLY RIGHT OF WAY LINE A DISTANCE OF 418.94 FEET TO THE POINT OF BEGINNING.

THE DESCRIBED TRACT CONTAINS 44.193 ACRES, MORE OR LESS.

### OWNER:

EAGLE FOREST DEVELOPMENT, LLC HAS EXECUTED THIS INSTRUMENT THIS 28 DAY OF February 2022.

[signature]
EAGLE FOREST DEVELOPMENT, LLC

### NOTARIAL:

STATE OF COLORADO) SS
COUNTY OF EL PASO)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 28th DAY OF February 2022 BY EAGLE FOREST DEVELOPMENT, LLC

MY COMMISSION EXPIRES: 4/20/2025 [signature] NOTARY PUBLIC

ELAINE SILVER
Notary Public
State of Colorado
Notary ID # 19964016561
My Commission Expires 04-20-2025

### OWNERSHIP CERTIFICATION:

I/WE Land Title A (ONE OF THE FOLLOWING: TITLE COMPANY, TITLE ATTORNEY, ATTORNEY AT LAW) DULY QUALIFIED, INSURED, OR LICENSED BY THE STATE OF COLORADO, DO HEREBY CERTIFY THAT I/WE HAVE EXAMINED THE TITLE OF ALL LANDS DEPICTED AND DESCRIBED HEREON AND THAT TITLE TO SUCH LAND IS FEE SIMPLE BY Owner AT THE TIME OF THIS APPLICATION. NOTARIZED SIGNATURE

[signature] Elizabeth Hall
Assistant Vice President

### NOTARIAL:

STATE OF COLORADO) SS
COUNTY OF EL PASO)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 17th DAY OF January 2022 BY Elizabeth Hall as Assistant Vice President of Land Title

MY COMMISSION EXPIRES: 9-26-22 Leah Hauck NOTARY PUBLIC

LEAH HAUCK
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20184036199
My Commission Expires September 26, 2022

### COUNTY APPROVALS:

THIS PRELIMINARY / PUD DEVELOPMENT PLAN HAS BEEN REVIEWED AND FOUND TO BE COMPLETE AND IN ACCORDANCE WITH THE (BOARD RESOLUTION OR MOTION # AND DATE) APPROVING THE PUD AND ALL APPLICABLE EL PASO COUNTY REGULATIONS.

[signature] BOARD OF COUNTY COMMISSIONERS DATE [signature] PLANNING DIRECTOR DATE 2/10/2022

### RECORDING:

STATE OF COLORADO) SS
COUNTY OF EL PASO)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT MY OFFICE AT ____ O'CLOCK ___ M., THIS ___ DAY OF __________, 2021, AND IS DULY RECORDED AT RECEPTION NO. __________ OF THE RECORDS OF EL PASO COUNTY, COLORADO.

CHUCK BROERMAN

BY: __________
COUNTY CLERK AND RECORDER

FEE: __________

SURCHARGE: __________

"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."

REVISIONS:
COUNTY COMMENTS 4-1-21
CHAPTER 6-14-21

LWA LAND SURVEYING, INC.
953 E. FILLMORE STREET
COLORADO SPRINGS, CO 80907
TELEPHONE (719) 636-5179 FAX (719) 636-5199

DWG: EAGLE FOREST PUD
SCALE: VARIES
DATE: 1/21/21
PROJECT NO. 11065

SHEET 1 OF 4

EAGLE FOREST SUBDIVISION
PUD\PRELIM DEV. PLAN
EAGLE FOREST DEVELOPMENT, LLC
EL PASO COUNTY, CO