

COMMISSIONERS:
CAMI BREMER (CHAIR)
CARRIE GEITNER (VICE-CHAIR)

HOLLY WILLIAMS
STAN VANDERWERF
LONGINOS GONZALEZ, JR.

PLANNING & COMMUNITY DEVELOPMENT

TO: El Paso County Planning Commission
Thomas Bailey, Chair

FROM: Ashlyn Mathy, Planner I
Edward Schoenheit, Engineer I
Meggan Herington, AICP, Executive Director

RE: Project File Number: VR-22-013
Project Name: 1384 Buckwood Ln - Vacation and Replat
Parcel Number: 7111101042

OWNER:	REPRESENTATIVE:
Murphys Custom Homes Sarah Martin sarahmurphy@murphyscustomhomes.com (719) 233-2883	Murphys Custom Homes Sarah Martin sarahmurphy@murphyscustomhomes.com (719) 233-2883

Commissioner District: 1

Planning Commission Hearing Date:	7/6/2023
Board of County Commissioners Hearing Date:	8/1/2023

EXECUTIVE SUMMARY

A request by Murphys Custom Homes for approval to Vacate and Replat one (1) residential lot into four (4) residential lots. In doing this process, the applicant is proposing to replat the lots into the four (4) lot original configuration. The 3.81-acre property is zoned RR-0.5 (Residential Rural), and is located at the northwest terminus of Buckwood Lane, approximately one tenth of a mile from the intersection of Buckwood Lane and Fawnwood Road.



A. WAIVERS/DEVIATIONS/AUTHORIZATION

Waiver(s)/Deviation(s): None associated with this project.

Authorization to Sign: Final Plat and any other documents necessary to carry out the intent of the Board of County Commissioners.

B. APPROVAL CRITERIA

Section 7.2.3.C, Actions Vacating or Altering a Recorded Plat, Replat, of the El Paso County Land Development Code (2022) (“Code”) states that a replat, “involves two actions, the vacation of the portion of the subdivision plat where the change is proposed...and approval of a new subdivision plat.” The Code goes on to define a replat as providing a replat of a subdivision or lots in a subdivision, in which the original subdivision is substantially modified, or additional lots are created. In approving a replat, the following findings shall be made:

- The replat complies with the Code, and the original conditions of approval associated with the recorded plat;
- No nonconforming lots are created, and in the case of existing nonconforming lots, the nonconformity is not increased;
- The replat is in keeping with the purpose and intent of the Code;
- The replat conforms to the required findings for a minor or major subdivision, whichever is applicable;
- 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;
- The approval will not adversely affect the public health, safety, and welfare; and
- Where the lots or parcels are subject to any CC&Rs or other restrictions, that any potential conflict with the CC&Rs or other restrictions resulting from the replat has been resolved.

C. LOCATION

North:	RR-0.5 (Residential Rural)	Single Family Residence
South:	RR-0.5 (Residential Rural)	Single Family Residence
East:	RR-0.5 (Residential Rural)	Single Family Residence
West:	RR-0.5 (Residential Rural)	Single Family Residence

2880 INTERNATIONAL CIRCLE
OFFICE: (719) 520 – 6300



COLORADO SPRINGS, CO 80910
PLNWEB@ELPASOCO.COM

D. BACKGROUND

The subject property and area were platted by plat number 2257 known as “Woodmoor Filing 1”. It was originally platted as four lots known as lots 6, 7, 14, and 15. The subject property, after the original plat, has been combined and separated over the years. Under plat number 13052, known as “Westview at Woodmoor”, the four lots went through a Vacate and Replat process that brought it to one lot. Currently, the one lot is 3.81 acres, and the homeowners would like to go through the Vacate and Replat process to bring the property from one lot back to four lots.

E. ANALYSIS

1. Land Development Code Compliance

The subject property will meet the zoning requirements for RR-0.5 and will meet the minimum lot size requirement of 0.5-acre minimum. Additionally, the current residence meets the zoning requirements. The replat has met all required findings that are necessary for a minor subdivision.

2. Zoning Compliance

The replat will create four lots that conform to the standards of the RR-0.5 (Residential Rural) zoning district. The RR-0.5 (Residential Rural) zoning district density and dimensional standards are as follows:

- Width (front line setback): 100 ft
- Front setback*+: 25 ft
- Side setback*: 10 ft
- Rear setback*+: 25 (5) ft
- Maximum Lot Coverage: None
- Maximum Height: 30 ft

** Agricultural stands shall be setback a minimum of 35 feet from all property lines.*

+ The side yard setback for an accessory structure shall be 10 feet, unless the structure is at least 60 from the front property line or nearest road right of way, where a 5 feet setback is allowed. In no instance shall an accessory structure be closer to the front property line than the principal structure.



F. MASTER PLAN COMPLIANCE

1. Your El Paso County Master Plan

a. **Placetype Character:** Suburban Residential

Suburban Residential is characterized by predominantly residential areas with mostly single-family detached housing. This placetype can also include limited single-family attached and multifamily housing, provided such development is not the dominant development type and is supportive of and compatible with the overall single-family character of the area. The Suburban Residential placetype generally supports accessory dwelling units. This placetype often deviates from the traditional grid pattern of streets and contains a more curvilinear pattern.

Although primarily a residential area, this placetype includes limited retail and service uses, typically located at major intersections or along perimeter streets. Utilities, such as water and wastewater services are consolidated and shared by clusters of developments, dependent on the subdivision or area of the County.

Some County suburban areas may be difficult to distinguish from suburban development within city limits. Examples of the Suburban Residential placetype in El Paso County are Security, Widefield, Woodmen Hills, and similar areas in Falcon.

Recommended Land Uses:

Primary

- *Single-family Detached Residential with lots sizes smaller than 2.5 acres per lot, up to 5 units per acre*

Supporting

- *Single-family Attached*
- *Multifamily Residential*
- *Parks/Open Space*
- *Commercial Retail*
- *Commercial Service*
- *Institutional*

Please see the map series attachment for a depiction of the placetype character in the area.



Analysis:

The subject property has a single-family residence, which is a primary land use for the placetype from the master plan. The proposal is to replat this as the original four lots, which not only is supported by the zoning lot size, but additionally, would be supported by the master plan. Suburban residential is composed of single-family residences with lot sizes ranging from 2.5 acres or smaller.

b. Area of Change Designation: Minimal Change: Developed

The character of these areas is defined by a lack of development and presence of significant natural areas. These areas will experience some redevelopment of select underutilized or vacant sites adjacent to other built-out sites, but such redevelopment will be limited in scale so as to not alter the essential character. New development may also occur in these areas on previously undeveloped land, but overall, there will be no change to the prioritized rural and natural environments.

Please see the map series attachment for a depiction of the area of change designation in the area.

Analysis:

The subject property will see development in areas that are underdeveloped or vacant. New developments are to be expected, however at this point no development is proposed at the current vacant lots being created with this project.

c. Key Area Influences: Tri-Lakes Area

Tri-Lakes is the northern gateway into the County along Interstate 25 and Highway 83. It is situated between Pike National Forest, the United States Air Force Academy, and Black Forest. With significant suburban development and some mixed-use development, this Key Area supports the commercial needs of many of the residents in northern El Paso County. Tri-Lakes also serves as a place of residence for many who commute to work in the Denver Metropolitan Area. It is also an activity and entertainment center with the three lakes (Monument Lake, Wood-moor Lake, and Palmer Lake) that comprise its namesake and direct access to the national forest. Tri-Lakes is the most well-established community in the northern part of the County with a mixture of housing options, easy access to necessary commercial goods and services, and a variety of entertainment opportunities. Future development in this area should align with the existing character and strengthen the residential, commercial, employment, and entertainment opportunities in the adjacent communities of Monument, Palmer Lake, and Woodmoor.



Please see the map series attachment for a depiction of the key area designation in the area.

Analysis:

The key area supports growth as this area mentions the growth supporting the residential, commercial, or employment opportunities. If the lots were to be developed with single-family residences this would be supported by the master plan.

d. Other Implications (Priority Development, Housing, etc.)

Not applicable.

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. Relevant policies are as follows:

***Goal 1.1** – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.*

***Goal 1.3** – Promote awareness of environmental issues associated with water use.*

***Policy 2.1.3** – Communicate and gather input on complex, and at times, contentious water and land use considerations.*

***Goal 4.1** – Develop an understanding of the differences in water supply sources, and any water quality issues within the County.*

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 2 of the Plan, which is an area anticipated to experience growth by 2040. The following information pertains to water demands and supplies in Region 2 for central water providers:

The Plan identifies the current demand for Region 2 to be 7,532 acre-feet per year (AFY) (Figure 5.1) with a current supply of 13,607 AFY (Figure 5.2). The projected demand in 2040 for Region 2 is at 11,713 AFY (Figure 5.1)



with a projected supply of 20,516 AFY (Figure 5.2) in 2040. The projected demand at build-out in 2060 for Region 2 is at 13,254 AFY (Figure 5.1) with a projected supply of 20,756 AFY (Figure 5.2) in 2060. This means that by 2060 a surplus of 7,502 AFY is anticipated for Region 2.

3. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a low wildlife impact potential. Colorado Parks and Wildlife have the following comments:

Colorado Parks and Wildlife have concerns about trees being removed due to the trees being nesting sites for different species and have the potential to be historic nests in the area. Next, they have concerns about fencing in the area because they can lead to animal accidents, entanglements, or death. Additionally, they have concerns related to Black Bears in the area, as they are prevalent in the Front Range. Various recommendations were made on how to reduce human and wildlife contact with not only Black Bears but other animals in addition to not feed any wildlife. Lastly, they proposed a noxious weed mitigation plan for any disturbed soil at the subject property.

The Master Plan for Mineral Extraction (1996) identifies no significant resources in the area of 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.

Please see the Parks Section below for information regarding conformance with The El Paso County Parks Master Plan (2013).

Please see the Transportation Section below for information regarding conformance with the El Paso County 2016 Major Transportation Corridors Plan (MTCP).

G. PHYSICAL SITE CHARACTERISTICS

1. **Hazards:** No hazards were found to be associated with this project.
2. **Floodplain:** The property is not located in a FEMA floodplain and is located in Zone X, outside the 500-year floodplain in an area of minimal flood hazard.

2880 INTERNATIONAL CIRCLE
OFFICE: (719) 520 – 6300



COLORADO SPRINGS, CO 80910
PLNWEB@ELPASOCO.COM

- 3. Drainage and Erosion:** The property is located within the Crystal Creek drainage basin, which is included in the El Paso County Drainage Basin Fee program. Drainage basin fees in the amount of \$6,683.22 were previously paid on 12/8/1994 during a previous plat action (Plat #8998). Bridge fees did not apply at the time of previous platting and will be due in the amount of \$1,156 per impervious acre, totaling \$1,017.28 to be paid at the time of plat recordation. A drainage report was submitted with the replat, identifying minimal drainage impacts to adjacent lots with the proposed subdivision. No public improvements are required for this project. Water quality and detention facilities are not required due to the nature and size of the lots.

- 4. Transportation:** Public road access for the four lots will be from Buckwood Lane, Wildwood Way, and Doewood Drive, all of which are paved, rural local roads maintained by the County. Future lot purchasers will be required to obtain a County driveway access permit.

A traffic impact study was not required for the subdivision in accordance with El Paso County Engineering Criteria Manual (ECM). The three new lots and homes will have a negligible impact on daily traffic on the surrounding roads. The subdivision is subject to the El Paso County Road Impact Fee Program (Resolution No. 19-471, as amended). Road impact fees shall be paid in full at the time of subsequent building permits if not paid at the time of final plat recordation.

H. SERVICES

1. Water

Sufficiency: Sufficient
Quality: Sufficient
Quantity: Sufficient
Dependability: Sufficient

Attorney's summary: The State Engineer's Office has made a finding of adequacy and has stated water can be provided without causing injury to decreed water rights. The County Attorney's Office has made a recommendation for a finding of conditional sufficiency with regards to water quantity and dependability. El Paso County Public Health has made a favorable recommendation regarding water quality sufficiency.

2880 INTERNATIONAL CIRCLE
OFFICE: (719) 520 – 6300



COLORADO SPRINGS, CO 80910
PLNWEB@ELPASOCO.COM

2. Sanitation

Sanitation is provided by Woodmoor Water and Sanitation District.

3. Emergency Services

The property is within the Tri-Lakes Monument Fire Protection District.

4. Utilities

Mountain View Electric Association
Upper Black Squirrel Creek GWMD

5. Metropolitan Districts

Not applicable.

6. Parks/Trails

Fees in lieu of park land dedication in the amount of \$1,840 for regional fees and \$1,160 for urban park fees will be due at the time of recording the replat.

7. Schools

Fees in lieu of school land dedication in the amount of \$1,232 will be due at the time of recording the replat.

I. APPLICABLE RESOLUTIONS

See attached resolution.

J. 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 7.2.3.C, Actions Vacating or Altering a Recorded Plat, Replat, of the El Paso County Land Development Code (2022) staff recommends 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

2880 INTERNATIONAL CIRCLE
OFFICE: (719) 520 – 6300



COLORADO SPRINGS, CO 80910
PLNWEB@ELPASOCO.COM

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 plat.
4. 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 Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
5. 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.
6. The 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 El Paso County Road Impact Fee Program Resolution (Resolution No. 19-471), 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.
7. Bridge fees in the amount of \$1,017.28 shall be paid at the time of plat recordation for the Crystal Creek drainage basin (FOMO5300).

NOTATION

1. Final plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.



K. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified eighteen (18) adjoining property owners on June 19, 2023, for the Planning Commission and Board of County Commissioners meetings. Responses will be provided at the hearing.

L. ATTACHMENTS

Map Series

Vicinity Map

Letter of Intent

Plat Drawing

State Engineer's Letter

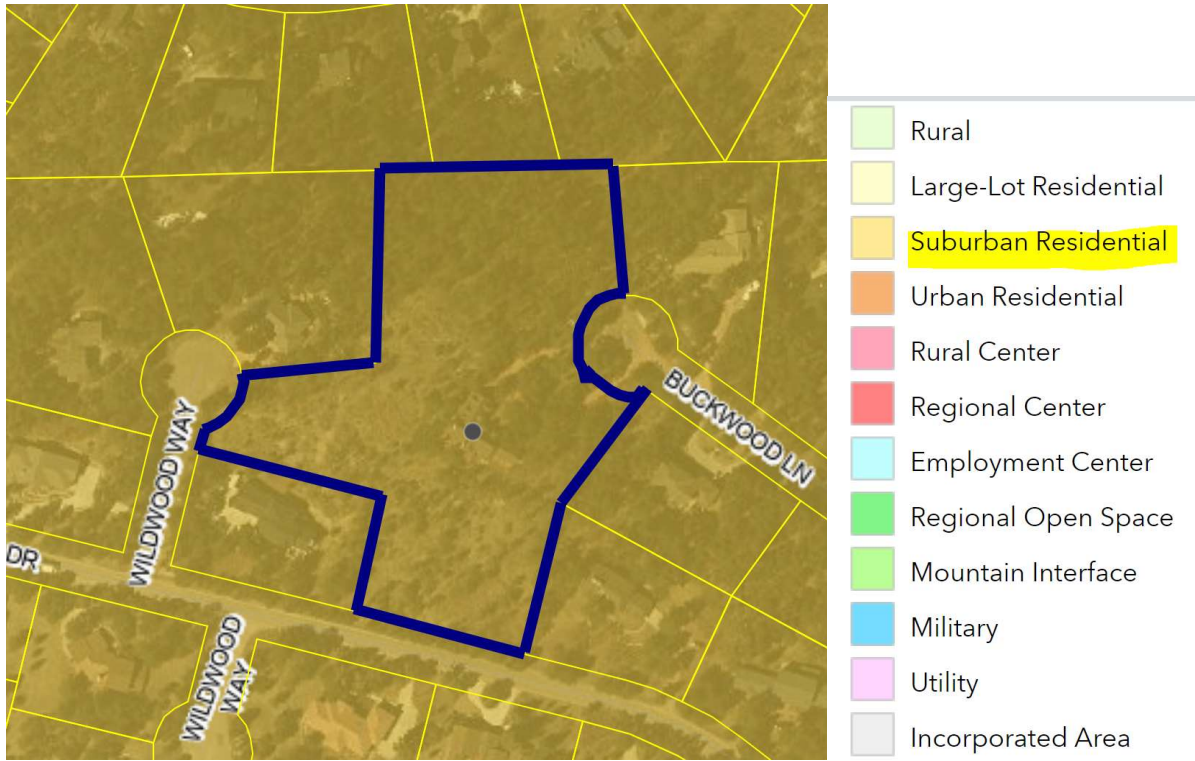
County Attorney's Letter

Draft Resolution

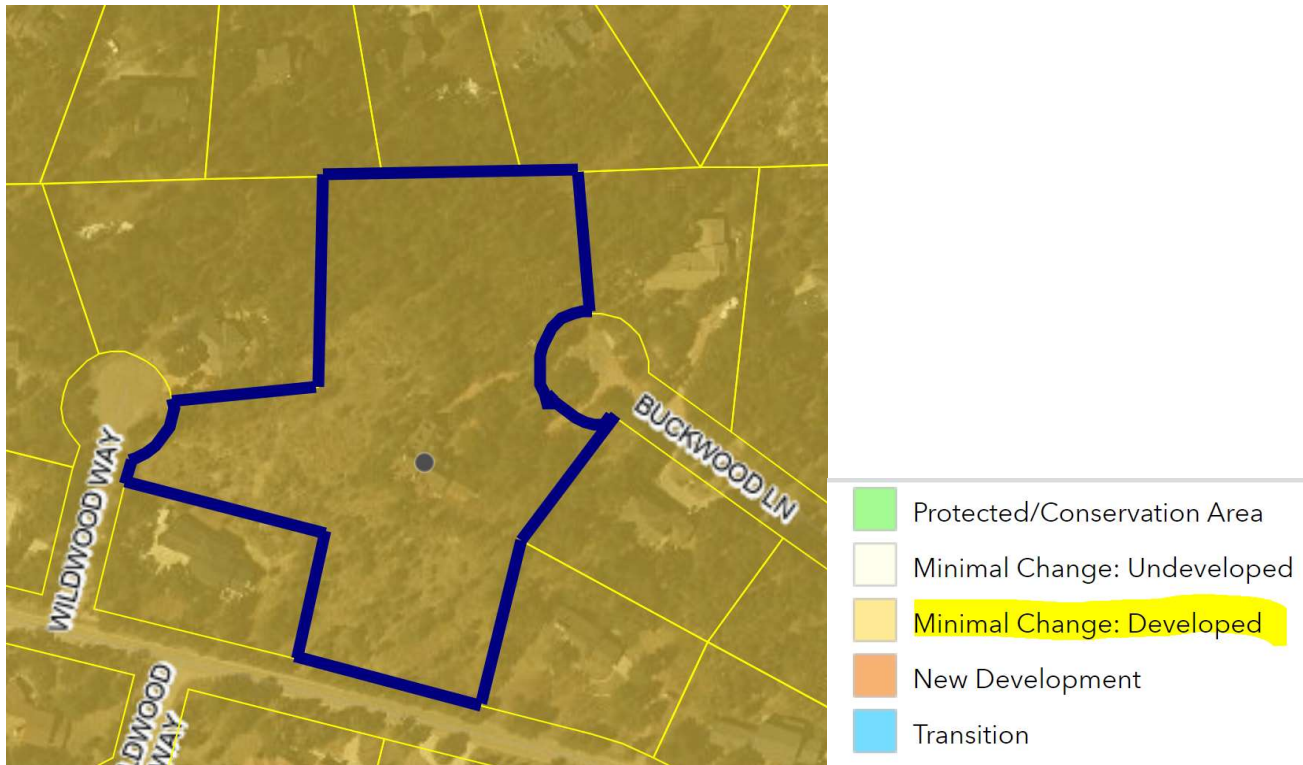


Map Exhibit (VR-22-013)

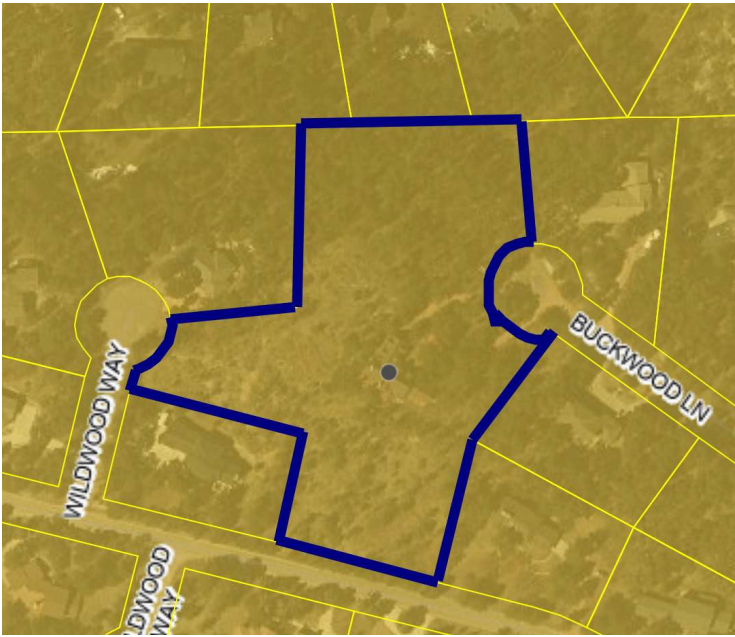
Placetype Area Map:



Area of Change Map:



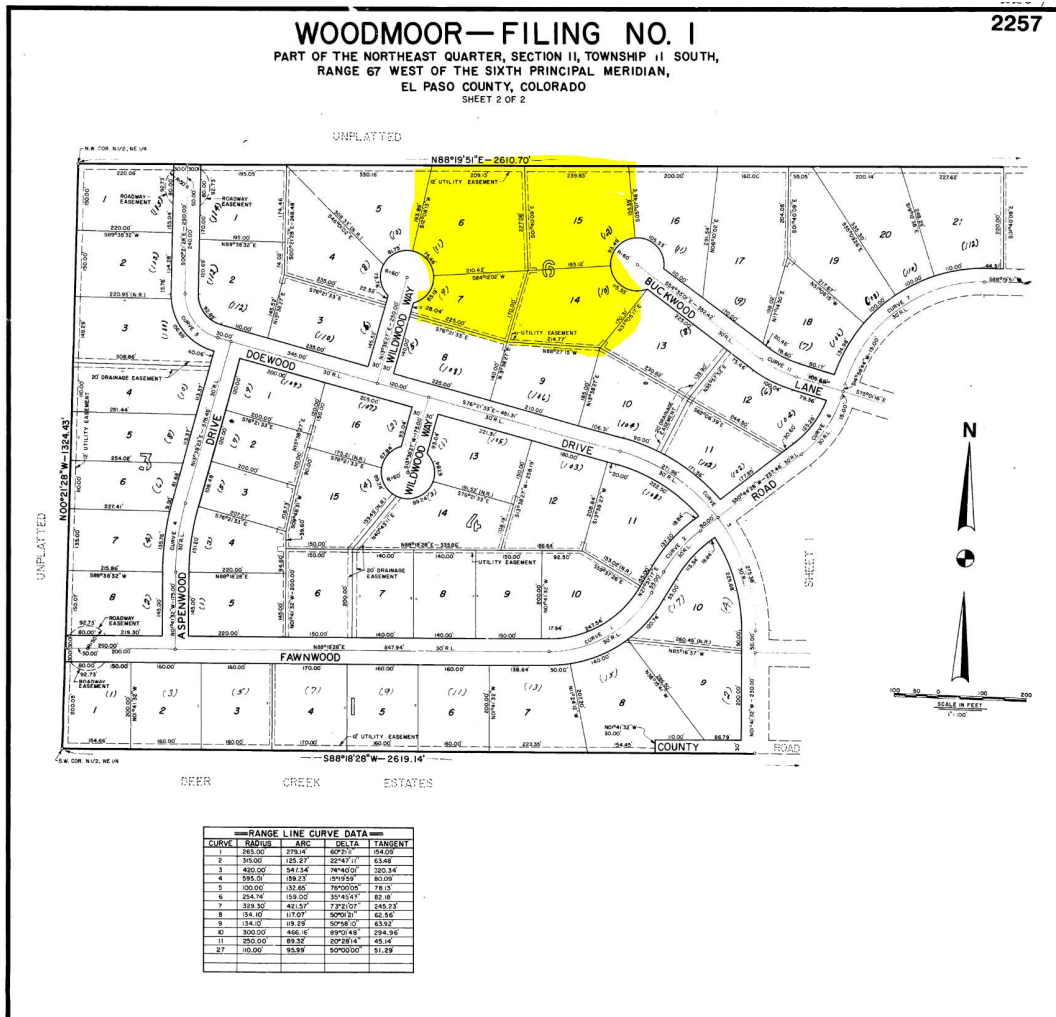
Key Change Area Map:



- Military Installations
- Potential Areas for Annexation
- Enclaves or Near Enclaves
- Small Towns & Rural Communities
- Fountain Creek Watershed Flood Control & Greenway District
- Forested Area
- Pikes Peak Influence Area
- Tri-Lakes Area
- Colorado Springs Airport/Peterson Field
- Uncommon Natural Resources

Plats:

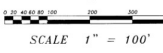
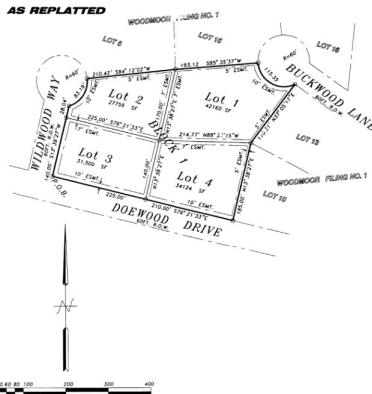
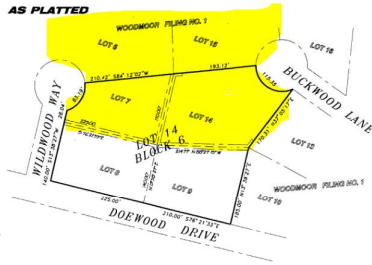
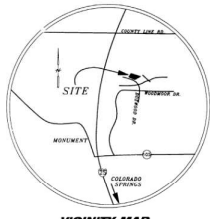
Plat No. 2557:



Nicholas H. Nance Subdivision- Filing No. 1

8998

A Replat of Lot 14 of Block 6, WOODMOOR - FILING NO. 1, in the County of El Paso, State of Colorado.



Flows	455G
sewer	554G
park	554G
drainage	45,000.00

Exemptions:
Unless shown greater in width, both sides of all side lot lines are hereby platted with a five (5) foot easement and both sides of all rear lot lines with a seven (7) foot easement for drainage and parking. Utilities only, all front lot lines are hereby platted with a ten (10) foot easement for drainage, parking and public utilities only, with sole responsibility for maintenance being vested with adjacent property owners.

Know All Men, These Presents
That Nicholas H. Nance and Ruth H. Nance Revocable Trust, being the owners of a portion of the Northeast Quarter (NE 1/4), Section 11, Township 11 South, Range 67 West, of the 6th P.M. 1/4, in El Paso County, Colorado;
Also known as: Lots 7, 8, 9 and 14 in Block 6, in WOODMOOR - FILING NO. 1, El Paso County, Colorado, recorded in the Public Records of El Paso County, Colorado, in Book 217, Page 237, and in Book 217, Page 237, and in Book 3056 at Page 745 and recorded again August 14, 1978 in Book 3073 at Page 434, and more particularly described as follows:
Beginning at the most Southwesterly corner of Lot 14, Block 6, WOODMOOR FILING NO. 1, also being the intersection of the Right-of-Way line of the Northeastern line of Doe Wood Drive and the Southwestern line of Willow Way (hereinafter referred to as the "Point of Beginning"), said point being the intersection of the Northeastern line of Doe Wood Drive, a distance of 432.00 feet, said point being the most Southwesterly corner of Lot 10, Block 6, WOODMOOR FILING NO. 1; (2) 129°18'37" clockwise to the Westerly line of said Lot 10 a distance of 185.00 feet, said point being the Westerly corner point of Lot 10 and 15, Block 6, WOODMOOR FILING NO. 1; (3) 103°37'07" clockwise to the Westerly line of said Lot 11 a distance of 170.31 feet, said point being the Northern common corner of Lot 13 and 14, Block 6, WOODMOOR FILING NO. 1; (4) 118°10'00" clockwise to the Northern line of Duckwood Lane, a distance of 115.35 feet, the chord of which bears N 59°28'27"W, a distance of 101.28 feet to the Eastern corner common to Lots 14 and 15, Block 6, WOODMOOR FILING NO. 1; (5) 82°30'37" clockwise to the Southern line of said Lot 15, a distance of 163.72 feet to the Southwesterly common corner of Lot 8 and 15, Block 6, WOODMOOR FILING NO. 1; (6) 84°17'00" clockwise to the Southern line of said Lot 8, a distance of 210.42 feet, to a point coincident with the right-of-way line of the Curved Side of Willow Way; (7) thence on a curve to the right Southwesterly said curve having a radius of 60 feet, a central angle of 79°20'29" for an arc distance coincident with the Right-of-Way line of the Curved Side of Willow Way, 83.12 feet to the point of which bears S 30°20'29"W, a distance of 78.88 feet; (8) S 18°30'17"W, coincident with the Southwesterly Right-of-Way line of Willow Way a distance of 168.04 feet, to the Point of Beginning containing 3.11 acres of land, more or less.

In Witness Whereof
The above owners, Nicholas H. Nance and Ruth H. Nance Revocable Trust, have caused said tract of land to be replatted into lots and easements as shown on the Plat, which sets forth the boundaries and dimensions thereof, said tract to be replatted shall be known as 'Nicholas H. Nance Subdivision - Filing No. 1' in El Paso County, Colorado.

The aforementioned has executed this presents this 7th day of December, 1994, A.D.

Nicholas H. Nance
Ruth H. Nance
Nicholas H. Nance
Ruth H. Nance

STATE OF COLORADO }
COUNTY OF EL PASO } ss.

The above and foregoing statement was acknowledged before me this 7th day of December, 1994, A.D.
WITNESS MY HAND AND OFFICIAL SEAL
Notary Public
4-10-95
Cassie M. Whitlock
111 S. Taper Street 214
El Paso, Colorado 80901

Surveyor's Statement
The undersigned Registered Land Surveyor in the State of Colorado does hereby certify that this replat has been prepared in accordance with Title 38 of the Colorado Revised Statutes 1973, as amended, and that said plat does accurately show the described tract of land and the subdivision thereof to the best of his knowledge and belief.
This 27th day of September, 1994 By: *[Signature]*

Alessi and Associates, Inc.
Appraisers • Engineers • Surveyors
202 East Cheyenne Mountain Boulevard
Colorado Springs, CO 80906
JOB NO. 843883

Notes:

1. Basis of bearing relative to the North Right-of-Way line of Doe Wood Drive as platted, Woodmoor - Filing No. 1, 2/7/73 137 E.
2. This survey does not constitute a title search by Alessi and Associates, Inc. to determine ownership or easements of record. For all information regarding easements, Right-of-Way and title of Record, Alessi and Associates, Inc. relied on Title Commitment No. 8405923 issued by Brown Title of Colorado Springs, Inc. and dated August 30, 1994 at 8:30 A.M.
3. The Department of Transportation must be contacted prior to the establishment of any driveway.
4. All structural foundations shall be located and designed by a Professional Engineer, currently registered in the State of Colorado.
5. Water and sewage treatment is provided by the Woodmoor Water and Sanitation District.
6. 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.
7. No vehicular access will be permitted to Lot 3 from Doe Wood Drive.

Legend:
Set #4 Retain with Aluminum Cap
Found #4 Retain

County Approval:
Approved by the El Paso County Chairman of the Board of County Commissioners this 17th day of December, 1994, A.D.
Joni C. Howells
Chairman of Board

Approved by the El Paso County Planning Department this 22nd day of December, 1994, A.D.
[Signature]
Planning Director

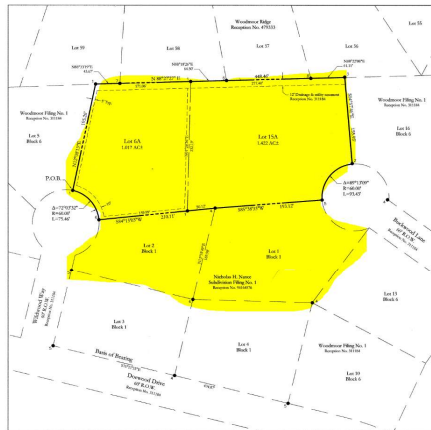
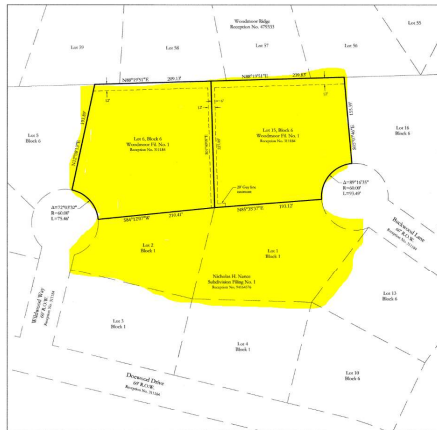
Revelation:
STATE OF COLORADO }
COUNTY OF EL PASO } ss.

I hereby certify that this instrument was filed for record in my office at 11:24 A.M. O'Clock on this 27th day of September, 1994, A.D. and is duly recorded in Plat Book 3433, at Page 52 of the Records of El Paso County, Colorado
Reception No. 94144576
Adele W. Schmidt, Recorder
Fee: 10.00
By: *[Signature]*

WOODMOOR FILING NO. 1B

A REPLAT OF LOTS 6 & 15, BLOCK 6, WOODMOOR FILING NO. 1
EL PASO COUNTY, COLORADO

13043



Legend:
Proposed Boundary Line (Plat)
Existing Boundary Line (Plat)
Existing Easement Line
Adjacent Property Line

Monument Legend:
Iron pipe 1 1/2" diameter
Iron pipe 1 1/4" diameter
Iron pipe 1 1/8" diameter
Iron pipe 1" diameter
Iron pipe 3/4" diameter
Iron pipe 1/2" diameter
Iron pipe 1/4" diameter
Iron pipe 1/8" diameter
Iron pipe 1/16" diameter

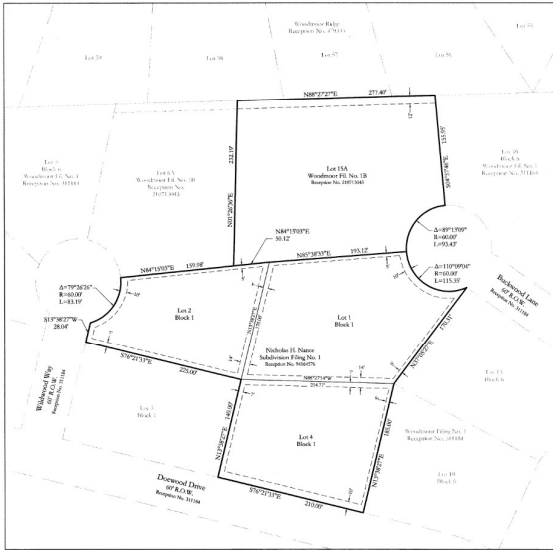
Surveyor's Statement:
I, the undersigned, being a duly Licensed and Registered Land Surveyor in the State of Colorado, do hereby certify that this replat has been prepared in accordance with Title 38 of the Colorado Revised Statutes 1973, as amended, and that said plat does accurately show the described tract of land and the subdivision thereof to the best of his knowledge and belief.
This 27th day of September, 1994 By: *[Signature]*

PROBROS LAND SURVEYING, Inc.
WOODMOOR FILING NO. 1B - Final Plat
RECEIVED 10 26 1994
DATE 10/26/94

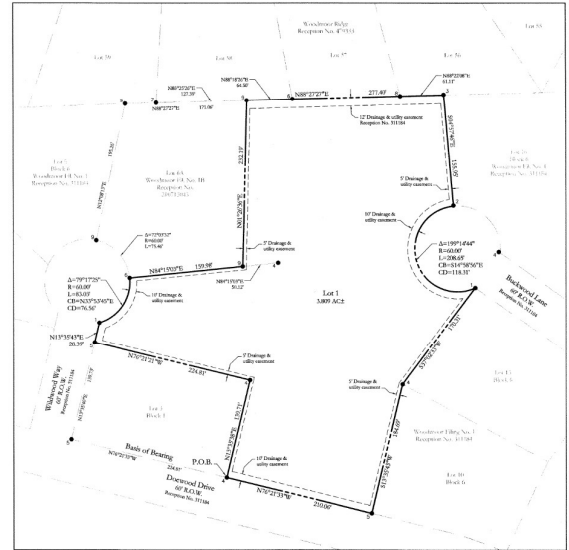
WESTVIEW AT WOODMOOR

13052

A VACATION & REPLAT OF LOTS 1, 2 & 4, BLOCK 1, NICHOLAS H. NANCE SUBDIVISION FILING NO. 1
AND LOT 15A, WOODMOOR FIL. NO. 1B, EL PASO COUNTY, COLORADO



AS PLATTED
Dimensions shown are recorded



AS VACATED & REPLATTED
Dimensions shown are field measured
(Unless otherwise shown)

- Legend:**
- Proposed Boundary Line (Digital)
 - Existing Boundary Line (P&P)
 - Proposed Easement Line
 - Adjacent boundary lines

- Monument Legend:**
- Found 4\"/>

Surveyor's Statement:

The undersigned Registered Land Surveyor in the State of Colorado, does hereby state and declare that the accompanying plat has been prepared under the supervision and accurately shows the described tract of land and subdivisions thereof and declares that to his opinion the representations of Title 38 of the Colorado Revised Statutes, 1973, are complied, have been met to the best of his knowledge and belief, subject to laws in control and control title search and examination rights doctrine.



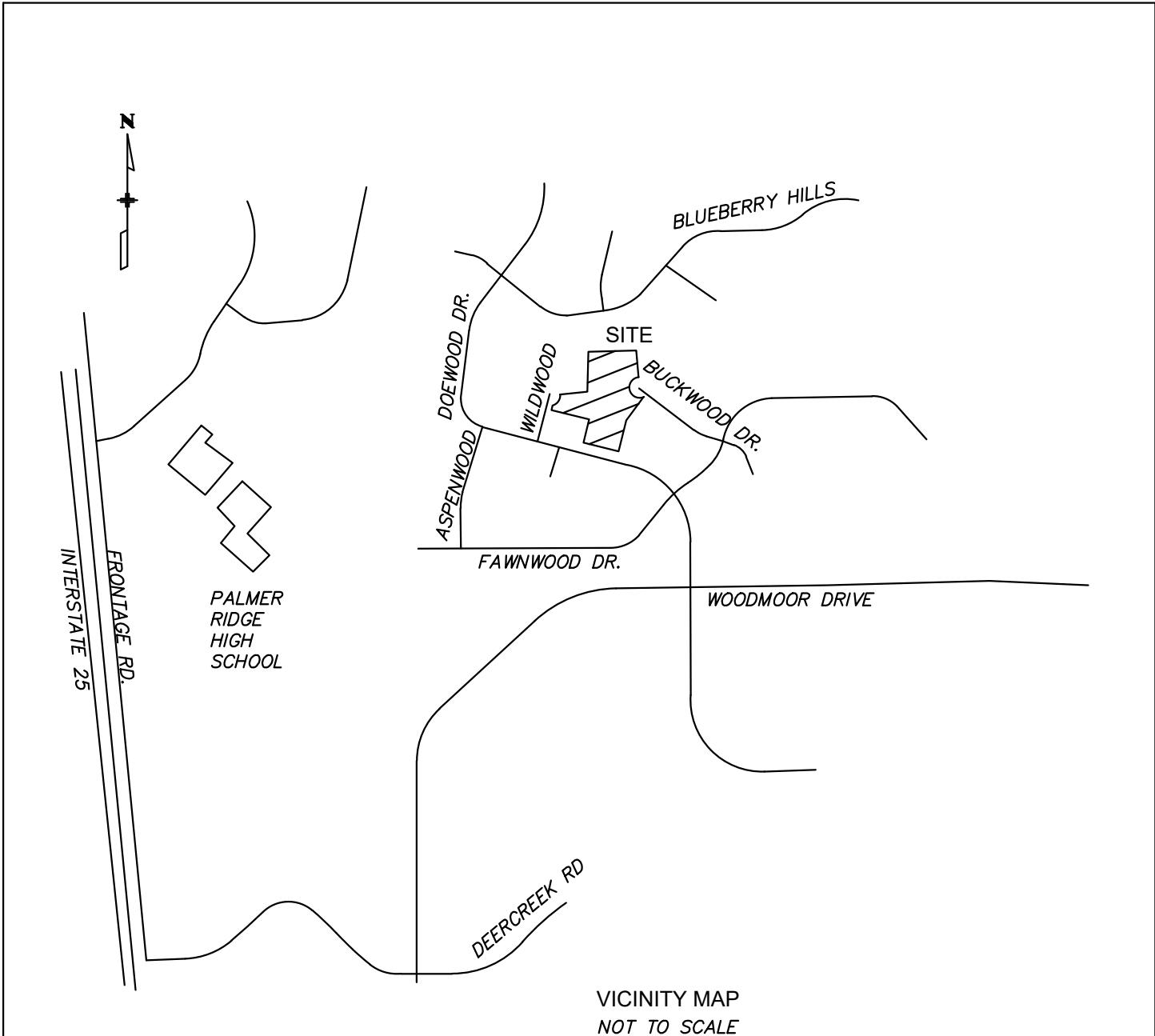
This survey is null and void without the surveyor's original signature and impression in ink.

SHEET 2 OF 2

BROOKS
LAND SURVEYING
P.C.
5000 Holmes Pk., Colorado Springs, CO 80919 (719) 531-0099

Westview at Woodmoor - Final Plat

DRAWN BY: MB	DATE: 03/01/2011
CHECKED BY: JMB	DATE: 03/01/2011



VICINITY MAP
NOT TO SCALE

<p>VICINITY MAP WESTVIEW AT WOODMOOR FIL. NO. 2 MONUMENT, CO</p>	<p>DWG: 1384 BUCKWOOD SCALE: NTS DATE: 6/30/22 DRAWN: THK CHECKED: KMO PROJECT: 22018</p>	<p>LWA LAND SURVEYING, INC. 953 E. FILLMORE STREET COLORADO SPRINGS, CO 80907 TELEPHONE (719) 636-5179 FAX (719) 636-5199</p>	<p>REVISIONS:</p>
--	---	---	-------------------

Murphy's Custom Homes Inc.
We Build your Dreams

WESTVIEW AT WOODMOOR FILING 1A
LETTER OF INTENT

OWNER/DEVELOPER:

Murphy's Custom Homes
Tim Murphy 719-360-7792
timmurphy@murphyscustomhomes.com
Sarah Martin 719-233-2883
sarahmartin@murphyscustomhomes.com
13710 Struthers Road, Suite 105B
Colorado Springs, CO 80921

PCD FILING #: VR-22-13

SITE LOCATION: 1384 Buckwood Lane, Monument, CO 80132

SIZE: 3.809 acres

ZONING: RR-0.5

TAX SCHEDULE NUMBER: 7111101042

INTRODUCTION: The owners intend to subdivide a single lot into 4 rural residential lots. The minimum lot size will be 0.5 acres as required by the existing zoning. There is an existing residence and associated drive on the east and central area of the parcel in what will become Lot 1. Commitment letters have been obtained for all necessary utilities and there will be no disturbance to the site at this time.

PROPOSAL: The application covered by this Letter of Intent includes a Replat for the proposed subdivision of the single lot into four rural residential lots.

THE PLAN: The existing site will be subdivided into Westview at Woodmoor Filing No 2 Lots 1 through 4. Lot 1 will retain its current access off of Buckwood Lane. Lot 2 will be accessed off of Doewood Drive. Lot 3 will be accessed off of Wildwood Way. Lot 4 will be accessed off of Buckwood Lane. Development of the subdivided lots is not included in this submission and lot specific development plans have not yet been started. Grading can be expected when the individual lots are later developed. Commitments have been obtained for utilities (including water, sewer, gas, and electric) for the subdivided lots.

EXISTING AND PROPOSED FACILITIES: There is an existing residence and associated drive on the east and central portion of the site which will remain. No proposed structures are included in this application. This lot will meet all required setbacks for the proposed plat layout.

13710 Struthers Rd, Suite 105B, Colorado Springs, CO 80921
719-233-2883 email:sarahmartin@murphyscustomhomes.com

Murphy's Custom Homes Inc.
We Build your Dreams

WAIVER REQUESTS: No waivers are requested for this replat.

TRANSPORTATION: Private driveways will provide access to existing public roads for the 4 proposed lots.

TRAFFIC: A traffic memo will not be required for this project. A traffic impact study is not required in accordance with ECM Appendix B.1.2.D as all criteria is met. Traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution 19-471).

DRAINAGE: A Final Drainage Report has been prepared for Westview at Woodmoor Filing No. 2. The purpose of this report is to identify and analyze the onsite and offsite drainage patterns and to ensure that post development runoff is routed through the site safely and in a manner that satisfies the requirements set forth by the El Paso County Drainage Criteria Manual.

UTILITIES: Per commitment letters, The Woodmoor Water & Sanitation District will provide water and sewer services for this subdivision, Mountain View Electric has committed to provide electrical services to the proposed lots, Black Hills Energy will provide gas for this subdivision once it is approved.

GEOLOGY AND SOILS: A soil, geology and wastewater study has been prepared for the subdivision by CTL Thompson dated September 20, 2022. This report found that there were no geotechnical or geologic constraints that would preclude construction of single-family residences. The primary geotechnical concern is the presence of sporadic lenses of expansive claystone bedrock which can be mitigated with proper planning, engineering, design, and construction.

CRITERIA FOR APPROVAL:

- This replat complies with the El Paso County LDC and the original conditions of approval associated with the recorded plat. The site is within the right by use for the current RR-0.5 zoning.
- No nonconforming lots are created with the proposed replat.
- The replat is in keeping with the purpose and intent of the Code. The replat conforms to the required findings for a minor subdivision. This 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. These required items have been uploaded to EDARP and revisions will be made, if necessary.

Murphy's Custom Homes Inc.

We Build your Dreams

- Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM. All lots will have direct access to existing public roads.
- The approval will not adversely affect public health, safety, and welfare. The proposed subdivision was evaluated for soil and topographic hazards and was found to be compatible with the identified hazard of the presence of sporadic lenses of expansive claystone bedrock as long as the hazard is mitigated with proper planning, engineering, design, and construction. Increased runoff expected from this proposed site will not be significant. Methods for fire protection comply with Chapter 6 of the Land Development Code. A fire protection report and wildfire hazard mitigation report have been provided for this development.
- There are no conflicts with CC&Rs or other restrictions resulting from the replat.

ADDITIONAL NOTES:

-Offsite impacts are expected to be minimal and, therefore, offsite improvements should not be necessary for this project.

The County is charging various fees to mitigate the impacts of this proposed subdivision.

-All applicable sections of Chapter 6 & 8 of the Land Development Code are met by this project.

-The applicant has met with the Forestry Department and the HOA in order to begin the necessary mitigation measures.

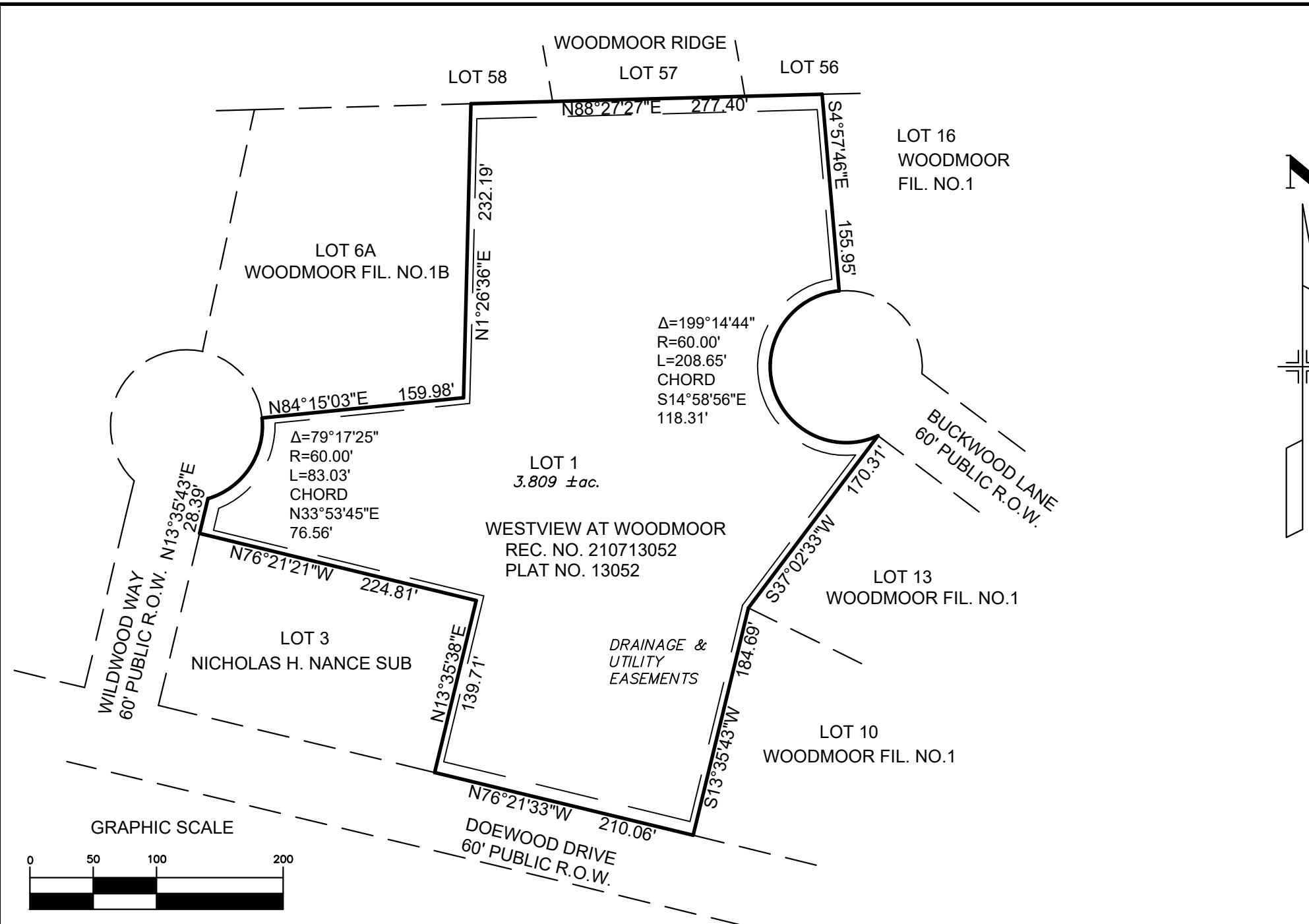
-Road impact fees will be due at building permits for new construction on lots.

-Individual lot owners will be responsible for construction of future driveways and for maintaining the property once the replat is completed.

-No commercial mining deposits have been identified within the proposed subdivision.

WESTVIEW AT WOODMOOR FILING NO. 1A

A REPLAT OF LOT 1, WESTVIEW AT WOODMOOR
IN THE NORTHEAST QUARTER OF SECTION 11
TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH P.M.
EL PASO COUNTY, COLORADO



AS PLATTED
PLAT NO. 13052

NOTES:

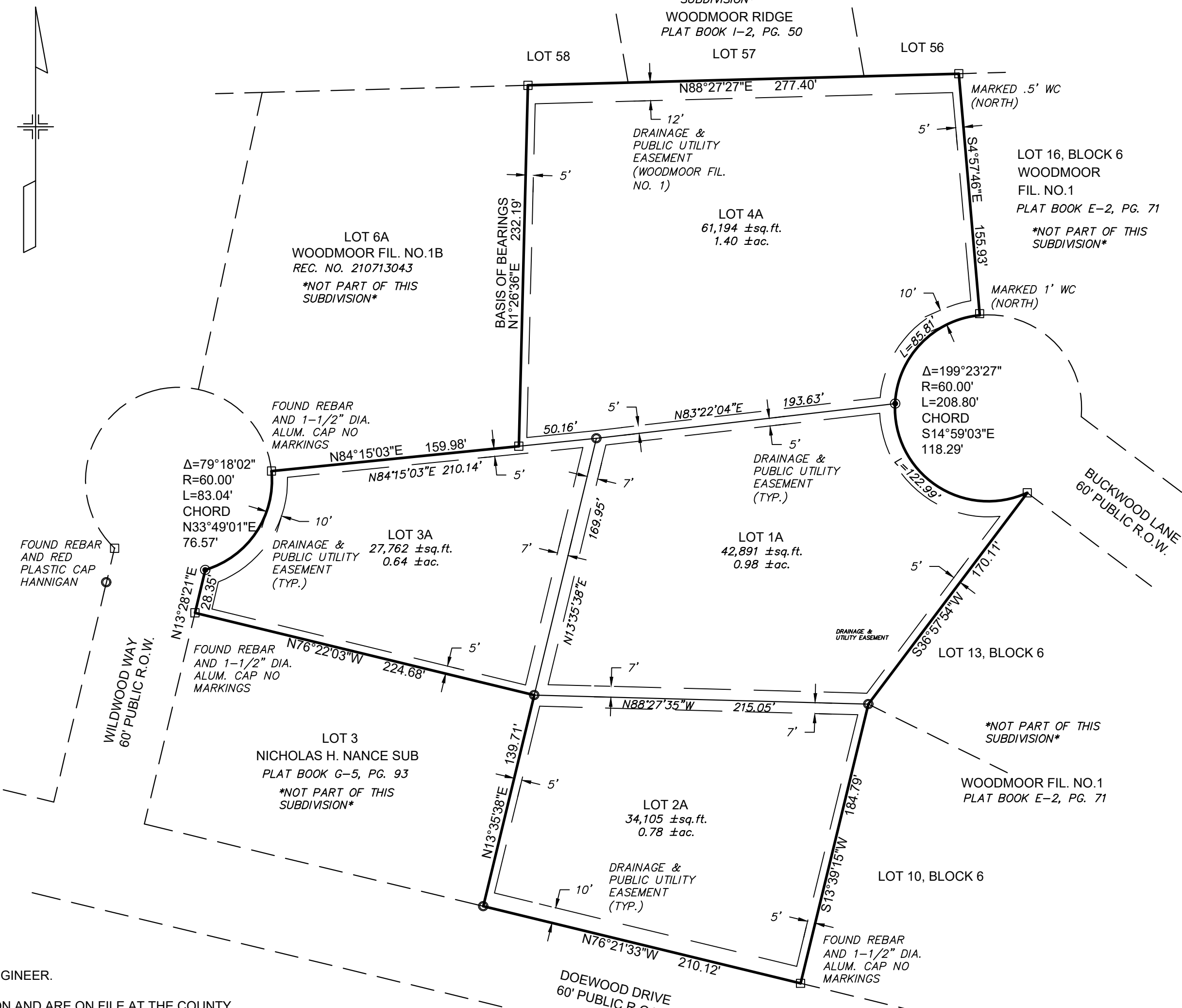
- MONUMENTS
 - FOUND A 1/2" DIAMETER REBAR
 - FOUND A REBAR AND ORANGE PLASTIC CAP PLS 37928 OR AS NOTED.
 - SET A 5/8" DIAMETER REBAR, 18" IN LENGTH WITH A 1-1/2" DIAMETER ALUMINUM CAP "LWA PLS 28658. MONUMENTS ARE FLUSH WITH THE GROUND UNLESS NOTED OTHERWISE
- RESEARCH FOR RECORDED RIGHTS OF WAY AND EASEMENTS WAS DONE BY LAND TITLE GUARANTEE COMPANY, FILE NO. SR55103105 EFFECTIVE DATE JANUARY 27, 2022. THIS DRAWING DOES NOT CONSTITUTE A TITLE SEARCH BY KEVIN M. O'LEARY OR LWA LAND SURVEYING INC.
- PROPERTY MAY BE SUBJECT TO ADDITIONAL EASEMENTS AND AGREEMENTS AS STATED IN THE TITLE COMMITMENT.
- UNITS OF MEASURE ARE U.S. SURVEY FEET.
- THE BASIS OF BEARINGS FOR THIS SURVEY IS THE WEST LINE OF LOT 4A, N1°26'36"E - 232.19'. THE DIRECTION IS BASED ON THE WESTVIEW AT WOODMOOR PLAT AND THE LINE IS MONUMENTED BY REBAR AND ORANGE PLASTIC CAPS PLS 37928.

NOTES:

- STRUCTURAL FOUNDATIONS ON THE LOTS 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.
- ALL PROPERTY OWNERS ARE RESPONSIBLE FOR MAINTAINING PROPER STORM WATER DRAINAGE IN AND THROUGH THEIR PROPERTY. PUBLIC DRAINAGE EASEMENTS AS SPECIFICALLY NOTED ON THE PLAT SHALL BE MAINTAINED BY THE INDIVIDUAL LOT OWNERS UNLESS OTHERWISE INDICATED. 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 WITHIN SAID EASEMENTS, AS CONSTRUCTED BY THE BUILDER, IN A MANNER THAT WOULD CAUSE ADVERSE DRAINAGE IMPACTS TO PROPERTIES. STRUCTURES, FENCES, MATERIALS OR LANDSCAPING THAT COULD IMPEDE THE FLOW OR RUNOFF SHALL NOT BE PLACED IN DRAINAGE EASEMENTS.
- MAILBOXES SHALL BE INSTALLED IN ACCORDANCE WITH ALL EL PASO COUNTY AND UNITED STATES POSTAL SERVICE REGULATIONS.
- THIS PROPERTY IS SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WOODMOOR FILING NO. 1, BY BEING A REPLAT THEREOF AS RECORDED IN BOOK 2421 AT PAGE 215 OF THE EL PASO COUNTY RECORDS.
- 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 ADDRESSES EXHIBED ON THIS PLAT ARE 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.
- THE SUBDIVIDER AGREES ON BEHALF OF HIMSELF AND ANY DEVELOPER OR BUILDER SUCCESSORS AND ASSIGNEES THAT THE SUBDIVIDER AND/OR SAID SUCCESSORS AND ASSIGNEES SHALL BE REQUIRED TO PAY TRAFFIC IMPACT FEES IN ACCORDANCE WITH THE EL PASO COUNTY ROAD IMPACT FEE PROGRAM RESOLUTION (RESOLUTION 19-471) 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 THE SALE OF THE PROPERTY.
- THIS PROPERTY IS LOCATED WITHIN AND SERVICED BY THE MOUNTAIN VIEW ELECTRIC ASSOCIATION SERVICE DISTRICT, THE TRI-LAKES MONUMENT FIRE PROTECTION DISTRICT, LEWIS PLAMER SCHOOL DISTRICT NO. 38, THE BLACK HILLS ENERGY CORPORATION SERVICE DISTRICT AND WOODMOOR WATER AND SANITATION.
- DRAINAGE EASEMENTS: NO PERMANENT DWELLING UNIT, TEMPORARY OR PERMANENT STRUCTURES, INCLUDING SHEDS AND OUT BUILDING, WATER WELL OR WASTEWATER TREATMENT SYSTEM MAY BE CONSTRUCTED IN THE DRAINAGE EASEMENTS SHOWN ON THIS PLAT. DRAINAGE CULVERTS AND FENCES THAT DO NOT BLOCK OR IMPEDE STORM WATER RUNOFF ARE ALLOWED IN AND ACROSS DRAINAGE EASEMENTS.
- A "GEOLOGIC HAZARD EVALUATION AND SOILS AND FOUNDATION INVESTIGATION PROPOSED WESTVIEW AT WOODMOOR FILING NO. 1A, EL PASO COUNTY, COLORADO", CTL THOMPSON INC., PROJECT NO. CS19579-120, DATED SEPTEMBER 20, 2022 IS HELD UNDER THE WESTVIEW AT WOODMOOR FILING NO. 1A AT THE EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT. GEOLOGIC HAZARDS THAT WOULD PRECLUDE THE PROPOSED DEVELOPMENT WERE NOT FOUND TO BE PRESENT AT THIS SITE. GEOLOGIC CONSTRAINTS ARE POTENTIALLY PRESENT, AND INCLUDE: SPORADIC LENSES OF EXPANSIVE CLAYSTONE BEDROCK AND POTENTIAL FOR EXPANSIVE/SETTLEMENT PRONE SOILS. THESE GEOLOGIC AND ENGINEERING CONDITIONS ARE RELATIVELY COMMON TO THE AREA AND CAN BE SATISFACTORILY MITIGATED THROUGH PROPER ENGINEERING, DESIGN, AND CONSTRUCTION PRACTICES.
- THIS PROPERTY IS LOCATED WITHIN ZONE X "AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN" AS DETERMINED BY THE FLOOD INSURANCE RATE MAP NUMBER 08041C0276G, EFFECTIVE DATE DECEMBER 7, 2018.
- FIRE PROTECTION REPORT RECOMMENDATIONS, AS A CONDITION OF APPROVAL OF THIS PLAT BY THE BOARD OF COUNTY COMMISSIONERS, NO CONVEYANCE, SALE OR TRANSFER OF TITLE OF LOTS 1-4 IDENTIFIED HEREON, SHALL BE MADE, NOR ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY BE ISSUED BY EL PASO COUNTY, UNTIL SUCH TIMES AS THE FOLLOWING HAS BEEN ACCOMPLISHED BY THE PROPERTY OWNER. A LETTER OF COMPLIANCE HAS BEEN RECEIVED FROM THE COLORADO STATE FOREST SERVICE, FIRE DEPARTMENT, FIRE MARSHALL, OR OTHER QUALIFIED PROFESSIONAL STATING PRACTICES DESIGNATED TO REDUCE WILDFIRE HAZARDS HAS BEEN COMPLETED IN ACCORDANCE WITH THE WILDLAND FIRE AND HAZARD MITIGATION PLAN. SUCH WORK MAY INCLUDE, BUT IS NOT NECESSARILY LIMITED TO THE FOLLOWING: *FOREST WIDE THINNINGS, *FUELBREAK THINNINGS, *PRUNINGS, *DEBRIS DISPOSAL.

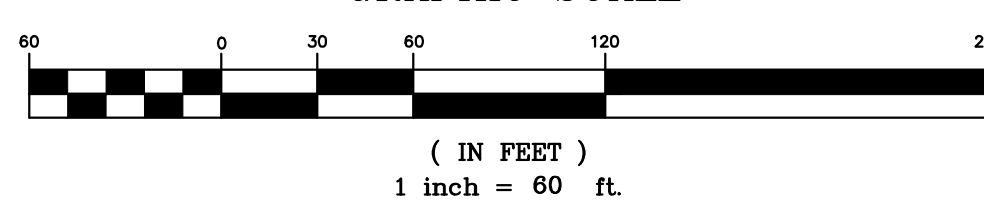
EASEMENTS:

UNLESS SHOWN GREATER IN WIDTH, SIDE AND REAR LOT LINES ARE HEREBY PLATTED WITH A FIVE (5) FOOT EASEMENT FOR DRAINAGE AND PUBLIC UTILITIES ONLY; FRONT LOT LINES ARE HEREBY PLATTED WITH A TEN (10) FEET EASEMENT FOR DRAINAGE AND PUBLIC UTILITIES ONLY; THE SOLE RESPONSIBILITY FOR MAINTENANCE OF THE EASEMENT AREAS IS VESTED WITH THE PROPERTY OWNERS.



AS RE-PLATTED

GRAPHIC SCALE



SURVEYOR'S CERTIFICATION:

I, KEVIN M. O'LEARY, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE ON THE DATE OF THE SURVEY, BY ME OR UNDER MY DIRECT SUPERVISION AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON; THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:10,000; AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO DEALING WITH MONUMENTS, SUBDIVISION, OR SURVEYING OF LAND AND ALL APPLICABLE PROVISIONS OF THE EL PASO COUNTY LAND DEVELOPMENT CODE.

I ATTEST THE ABOVE ON THIS ___ DAY OF _____, 2023.

KEVIN M. O'LEARY
COLORADO REGISTERED PLS #28658
FOR AND ON BEHALF OF
LWA LAND SURVEYING, INC.

DATE

LOT SUMMARY TABLE:

TOTAL GROSS ACREAGE	3.81 ACRES	100%
4 RESIDENTIAL LOTS	3.81 ACRES	100%
GROSS DENSITY	1.05 DU/AC	
NET DENSITY	1.05 DU/AC	
TOTAL NET ACREAGE:	3.81 ACRES	100%

CHAIR, BOARD OF COUNTY COMMISSIONERS DATE

DIRECTOR PLANNING AND COMMUNITY DEVELOPMENT DATE

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 _____, 2023, AND IS DULY RECORDED AT RECEPTION NO. _____ OF THE RECORDS OF EL PASO COUNTY, COLORADO.

STEVE SCHLEIKER
BY: _____
COUNTY CLERK AND RECORDER

FEE: _____

SURCHARGE: _____

FEES:

DRAINAGE FEES: _____

BRIDGE FEES: _____

SCHOOL FEES: _____

PARK FEES: _____

PREPARED BY

LWA LAND SURVEYING, INC.

953 E. FILLMORE STREET
COLORADO SPRINGS, COLORADO 80907
Phone (719) 636-5179
REVISED 1/20/23
JUNE 30, 2022
PROJECT 2201B
BUCKWOOD.DWG SHEET 1 OF 1

BE IT KNOWN BY THESE PRESENTS:

THAT MURPHY'S CUSTOM HOMES, INC., TIM MURPHY, PRESIDENT IS THE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND, TO WIT:

LOT 1, WESTVIEW AT WOODMOOR, EL PASO COUNTY, COLORADO AS SHOWN ON THE SUBDIVISION PLAT THEREOF RECORDED UNDER RECEPTION NO. 210713052 OF THE EL PASO COUNTY RECORDS.

CONTAINING 3.81 ACRES, MORE OR LESS

OWNERS CERTIFICATE

THE UNDERSIGNED, BEING ALL 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 AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF WESTVIEW AT WOODMOOR FILING NO. 1A. ALL PUBLIC IMPROVEMENTS REQUIRED BY THIS LAND USE ACTION ARE HEREBY DEDICATED TO PUBLIC USE AND SAID OWNER DOES 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 MURPHY'S CUSTOM HOMES, INC HAS EXECUTED THIS INSTRUMENT THIS ___ DAY OF _____, 2023.

MURPHY'S CUSTOM HOMES, INC.
TIM MURPHY, PRESIDENT

NOTARIAL:

STATE OF COLORADO) SS
COUNTY OF EL PASO)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ___ DAY OF _____, 2023 BY TIM MURPHY, PRESIDENT MURPHY'S CUSTOM HOMES, INC.

MY COMMISSION EXPIRES: _____
NOTARY PUBLIC

BOARD OF COUNTY COMMISSIONERS APPROVAL:

THIS PLAT FOR WESTVIEW AT WOODMOOR FILING NO. 1A WAS APPROVED FOR FILING BY THE EL PASO COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS ON THIS ___ DAY OF _____, 2023, SUBJECT TO ANY NOTES SPECIFIED HEREON AND ANY CONDITIONS INCLUDED IN THE RESOLUTION OF APPROVAL. THE DEDICATIONS OF LAND TO THE PUBLIC AND EASEMENTS ARE ACCEPTED.



March 14, 2023

Ryan Howser
El Paso County Development Services Department
2880 International Circle, Suite 110
Colorado Springs, CO 80910

RE: 1384 Buckwood Ln - Vacation and Replat
Sec. 11 Twp. 11S, Rng. 67W, 6th P.M.
Water Division 2, Water District 10
CDWR Assigned Subdivision No. 30569

Dear Mr. Howser,

We have received an update to the above-referenced proposal to create a subdivision in El Paso County. According to the materials, it appears that a parcel of 3.8± acres in size will be split into four approximately equal sized lots. This office has no record of any existing wells located on the property. The proposed source of water supply and wastewater disposal is to be served by the Woodmoor Water and Sanitation District ("District").

Water Supply Demand

The updated submittal information included a Water Supply Information Summary, Form No. GWS-76, which noted that the development anticipates a water demand of 1.312 acre-feet for all four residences. This equates to the standard rate of 0.328 acre-feet/year per household.

Please note that standard water use rates, as found in the Guide to Colorado Well Permits, Water Rights, and Water Administration, are 0.3 acre-foot/year for each ordinary household, 0.05 acre-foot/year for four large domestic animals, and 2.2 acre-foot/year for each acre of lawn and garden irrigation.

Source of Water Supply

The proposed water supplier is Woodmoor Water and Sanitation District; the applicant provided a September 26, 2022 letter where the District conditionally agrees to provide 1.434 acre-feet/ year to the proposed development.


State Engineer's Office Opinion

Pursuant to Section 30-28-136(1)(h)(II) C.R.S., it is the opinion of this office that the proposed water supply can be provided without causing injury to decreed water rights, and the supply is expected to be adequate. The applicant should be expected to finalize the water supply commitment with the District prior to final approval from the County. Should you or the applicant have questions regarding any of the above, please feel free to contact me directly.



1384 Buckwood Ln
March 14, 2023
Page 2 of 2

Sincerely,

A handwritten signature in black ink, appearing to read "Ivan Franco". The signature is fluid and cursive, with the first name "Ivan" being more prominent than the last name "Franco".

Ivan Franco, P.E.
Water Resource Engineer

cc: Division 2 Engineer
District 10 Water Commissioner

County Attorney

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
Stan VanderWerf, District 3
Longinos Gonzalez, Jr., District 4
Cami Bremer, District 5

June 15, 2023

VR-22-13 Westview at Woodmoor Filing No. 1A
Vacation and Replat

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

WATER SUPPLY REVIEW AND RECOMMENDATIONS

Project Description

1. This is a Vacation and Replat proposal by Murphy's Custom Homes, Inc. ("Applicant"), to subdivide an approximately 3.81-acre lot into 4 single-family lots. The property is zoned RR-0.5 (Residential Rural).

Estimated Water Demand

2. Pursuant to the *Water Supply Information Summary* ("WSIS"), the Applicant estimates its annual water needs to serve this subdivision at 1.312 acre-feet/year for four lots. The Applicant estimates annual household use at 0.328 acre-feet per lot, with no additional estimated demand for irrigation, which results in a total annual water demand of 1.312 acre-feet for Westview at Woodmoor Filing No. 1A. Based on these figures, the Applicant must provide a supply of 393.6 acre-feet of water (1.312 acre-feet/year x 300 years) to meet the County's 300-year water supply requirement for the subdivision.

Proposed Water Supply

3. The Applicant has provided for the source of water to derive from the Woodmoor Water & Sanitation District No. 1. The *Water Resources Report* ("Report") estimates the total annual water demand for the subdivision at 1.312 acre-feet/year, consisting solely of household use with no estimated demand for irrigation. The *Report* indicates that the District's decreed Denver Basin water rights annual entitlement available for use totals 6,322.4 acre-feet per year. This amount is in addition to exchange water rights and senior surface water rights owned by the District. The total water commitment to serve existing development from Denver Basin water

ASSISTANT COUNTY ATTORNEYS

as of 2022 is 2,575 annual acre-feet. "...[T]he District has an excess of 3,747 af/yr of Denver Basin water rights annual entitlement available for future water commitments."

4. The Woodmoor Water & Sanitation District No. 1 District provided a letter of commitment dated September 26, 2022 for Westview at Woodmoor Filing No. 1A (identified as the 1384 Buckwood Lane Re-Plat in the letter), in which the District committed to providing water service for the 4 single family homes in an annual amount of 1.434 acre-feet per year. This commitment is contingent upon the Applicant entering into a Supplemental Water Service agreement with the District and complying with all District rules, regulations, specifications, and policies.

State Engineer's Office Opinion

5. In a letter dated March 14, 2023, the State Engineer's Office reviewed the application to subdivide the 3.8 +/- acres into 4 single-family lots. The State Engineer stated that "[t]he proposed source of water supply...is to be served by the Woodmoor Water and Sanitation District ("District")." The State Engineer noted the estimated water demand of 1.312 acre-feet per year for the subdivision. Further, the State Engineer stated that "[p]ursuant to Section 30-28-136(1)(h)(II) C.R.S., it is the opinion of this office that the proposed water supply can be provided without injury to decreed water rights, and the supply is expected to be adequate. The applicant should be expected to finalize the water supply commitment with the District prior to final approval from the County."

Recommended Findings

6. Quantity and Dependability. Applicant's water demand for Westview at Woodmoor Filing No. 1A is 1.312 acre-feet per year for a total demand of 393.6 acre-feet for the subdivision for 300 years, to be supplied by Woodmoor Water & Sanitation District No. 1. **Based on the District's available water supply of approximately 3,747 annual acre-feet, the County Attorney's Office recommends a finding of sufficient water quantity and dependability for Westview at Woodmoor Filing No. 1A.**

7. Quality. The water quality requirements of Section 8.4.7.B.10 of the Code must be satisfied. Section 8.4.7.B.10.g. of the Code allows for the presumption of acceptable water quality for projects such as this where water is supplied by an existing Community Water Supply operating in conformance with Colorado Primary Drinking Water Regulations unless there is evidence to the contrary.

8. Basis. The County Attorney's Office reviewed the following documents in preparing this review: the *Water Supply Information Summary* provided March 13, 2023, the *Water Resources Report* dated January 17, 2023, the *Woodmoor Water & Sanitation District No. 1* letter dated September 26, 2022, and the *State Engineer Office's Opinion* dated March 14, 2023. 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 all future owners of lots within this filing shall be advised of, and comply with, the conditions, rules, regulations, limitations, and specifications set by the District.
- B. Prior to recording the final plat, Applicant must provide proof that it has entered into an approved Supplemental Water Service Agreement with the District.

cc: Ashlyn Mathy, Planner I

VACATION AND REPLAT (RECOMMEND APPROVAL)

_____ moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. VR-22-013

1384 BUCKWOOD LANE - VACATION AND REPLAT

WHEREAS, Sarah Martin did file an application with the El Paso County Planning and Community Development Department for approval of a vacation and replat to vacate one lot and replat it as four lots, back to its original configuration within the RR-0.5 (Residential Rural) zoning district 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 this Commission on July 6, 2020; 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; and
7. 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.

WHEREAS, in approving a vacation and replat of a subdivision, the El Paso County Planning Commission and Board of County Commissioners shall find that the application meets the criteria of approval listed in Land Development Code 7.2.3(C)(4) ("Code"):

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

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 Sarah Martin for approval of the Vacation and Replat to allow a vacation of one lot to be replatted as four lots within the RR-0.5 (Residential Rural) zoning district be approved by the Board of County Commissioners with 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 plat.
4. 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 Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
5. 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.
6. The 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 El Paso County Road Impact Fee Program Resolution (Resolution No. 19-471), 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.
7. Bridge fees in the amount of \$1,017.28 shall be paid at the time of plat recordation for the Crystal Creek drainage basin (FOMO5300).

NOTATIONS

1. Final plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.

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.

_____ seconded the adoption of the foregoing Resolution.

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

Thomas Bailey	aye / no / non-voting / recused / absent
Sarah Brittain Jack	aye / no / non-voting / recused / absent
Jay Carlson	aye / no / non-voting / recused / absent
Becky Fuller	aye / no / non-voting / recused / absent
Jeffrey Markewich	aye / no / non-voting / recused / absent
Brandy Merriam	aye / no / non-voting / recused / absent
Eric Moraes	aye / no / non-voting / recused / absent
Kara Offner	aye / no / non-voting / recused / absent
Bryce Schuettpeiz	aye / no / non-voting / recused / absent
Wayne Smith	aye / no / non-voting / recused / absent
Tim Trowbridge	aye / no / non-voting / recused / absent
Christopher Whitney	aye / no / non-voting / recused / absent

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

DONE THIS 6th day of July 2023 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: _____
Thomas Bailey, Chair

EXHIBIT A

LOT 1, WESTVIEW AT WOODMOOR, EL PASO COUNTY, COLORADO AS SHOWN ON
THE SUBDIVISION PLAT THEREOF RECORDED UNDER RECEPTION NO. 210713052
OF THE EL PASO COUNTY RECORDS.

CONTAINING 3.81 ACRES, MORE OR LESS