

# ***LETTER OF INTENT***

## ***Johnson Estates Filing No. 1***

### ***Minor Subdivision – Final Plat***

**Owner:** ***Delroy Johnson***  
14502 Highway 83  
Colorado Springs, CO 80921  
(719) 352-9833

**Applicant/  
Consultant:** ***Classic Consulting, LLC***  
619 N. Cascade Ave., Suite 200  
Colorado Springs, CO 80903  
Marc A. Whorton, P.E.  
(719) 785-2802

**Tax Schedule No.** 61000-00-157

#### **REQUEST:**

Minor Subdivision/Final Plat containing four rural residential lots on 28.65 ac. All lots will be 5.0 ac. minimum in size per the current RR-5 zoning. All lots will access a single paved driveway within a 30' private access and public utility easement. The current CDOT permit allows for the proposed four lots to access at the current location at Highway 83. Previously approved waivers related to private access and lot configuration support this request. This request meets all other intent of the LDC for a Minor Subdivision and the current RR-5 zoning as follows:

LDC 7.2.1.C.1 Applicability – This final plat will result in the creation of four lots that do not discernably impact the surrounding properties, environmental resources or public facilities. No land use change is proposed and the large lot rural residential use is consistent with the surrounding properties.

Master Plan – This minor subdivision and final plat remains consistent with the Master Plan land use of large lot rural residential RR-5 zoning.

Small Area Plan - This minor subdivision and final plat remains consistent with the Black Forest Small Area Plan showing land use of large lot rural residential within the current RR-5 zoning district.

Water Master Plan – This minor subdivision meets all requirements of the County Water Master Plan as documented in the water resources report prepared by JDS Hydro Consultants.


Expand on each Master plan element and cite specific goals and policies of each document that are relevant to this project. Explain, in detail, how the project satisfies each cited goal.

## **SITE DESCRIPTION:**

This letter is prepared to provide sufficient information in support of a Minor Subdivision – Final Plat for a 28.65 acre parcel. Four total rural residential lots are planned for the property which currently has the owners home and a single driveway connection to Highway 83. The three additional residential homes proposed will take access from the same driveway and all lots be a minimum of 5.0 ac. in size. No land use change proposed.

The site is located in a portion of section 34, township 11 south, range 66 west of the sixth principal meridian, El Paso County, Colorado. More specifically, located 0.64 miles north of the intersection of Highway 83 and Old North Gate Rd., west side of Highway 83, south of unplatted residential property (zoned RR-5) and due east of the Rosholt Retreat Subdivision (zoned RR-5). The entire property is zoned RR-5.

The property is dimensionally constrained, with only 575 feet of frontage to Highway 83 and the remaining 4,600+ feet perimeter of the property being adjacent to private residential land with no other access to a public road. It is also limited to the current single access point to Highway 83. Given these constraints and to meet the intent of the zoning code dimensional standards, one lot will have direct frontage to Highway 83 while the other three will not have direct frontage to a public roadway. Ownership and maintenance of a private driveway with access to all four lots will be handled with special agreement prepared with the Final Plat.

 Minor Subdivision

In November 2020, three subdivision waivers for this property were approved by BOCC. (See Resolution 20-393 under reception number 220182496) The approved waivers include the following:

- Waiver 1: Waiver for private road (per definition, a driveway cannot serve more than 3 lots – LDC 8.4.4.E.2) Proposing 4 lots
- Waiver 2: Waiver for private roads to meet County standards (LDC 8.4.4.E.3) Proposing private road design criteria similar to driveway criteria
- Waiver 3: Minimum lot frontage (8.4.3.C.2.E) Not all lots will have direct frontage to Highway 83 based on shape of property and limited access allowed to Highway 83.

The intent of the waivers is to provide a safe, reasonable private access to four rural, heavily forested residential lots without significant disturbance to the natural setting. Thus, these waivers only deal with private access and lot configuration and meet all other intent of the LDC.

studies, reports, plans, designs, documents, and other supporting materials;

- Either a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6)(a)] and the requirements of Chapter 8 of this Code, or, with respect to applications for administrative final plat approval, such finding was previously made by the BoCC at the time of preliminary plan approval;
- A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations, [C.R.S. § 30-28-133(6)(b)] and the requirements of Chapter 8 of this Code;
- All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. § 30-28-133(6)(c)];
- Adequate drainage improvements are proposed that comply with State Statute [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM;
- 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;
- Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;
- The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;
- Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8;
- Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated;
- The subdivision meets other applicable sections of Chapter 6 and 8; and
- The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§ 34-1-302(1), et seq.]

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El Paso County Road Impact Fee method: Each lot will pay full fee of \$3,830 at building permit

Letter of Intent should be revised to address findings from all associated reports, such as soils report, water resources, etc. Findings from those reports should be summarized and any mitigation recommended should be identified in the Letter of Intent. More information is needed. Please revise.