

**KRISTIN ESTATES
MINOR SUBDIVISION**

LETTER OF INTENT

PCD FILE NO.: SF2521

May 22, 2025

APPLICANT-OWNER/CONSULTANT INFORMATION:
OWNER/APPLICANT

GWH LLC
Michael Butler
6574 N. Academy Blvd.,
Colorado Springs, CO 80918
Mbutler451@gmail.com

PLANNING/ENGINEERING

Kimley-Horn & Associates
Attn: Kevin Kofford, PE
2. North Nevada Avenue, Suite 900
Colorado Springs, CO 80903
Email: kevin.kofford@kimley-horn.com
Phone: 719-453-0181

SURVEYING

Land Development Consultants, LLC
3135 Lehman Drive,
Colorado Springs, CO 80106
dkupferer@ldc-inc.com
719-528-6133

Residential Rural

LOCATION, ACREAGE, PARCEL ID INFO, & ZONING

The application for a minor subdivision final plat includes Parcel No. 3412000026. The proposed subdivision is located near the northeast corner of the intersection of Highway 94 and N Log Road (see vicinity map). The total acreage of the site is ±60.004ac. Currently Zoned Rural Residential 5 (RR-5). With the address of 23218 Highway 94.



REQUEST

The application is to submit a minor subdivision final plat application of 60.004 acres with the zone designation of RR-5 zone. The application includes the following request:

- Approval to subdivide Parcel No. 3412000026.
- Subdivide said parcel to eight (8) 5-acre lots, one (1) 7.5-acre lot, and one (1) 9-acre lot for a total of ten (10) residential lots

JUSTIFICATION

Private roads require approval of a waiver of the subdivision criteria. Please add this request (LDC Chp 7.3) and discuss the following:

The applicant requests the following Goals:

Goal 1.1 - Ensure compliance with all applicable laws, rules, and regulations.
Goal 1.3 - Encourage the use of private roads.

8.4.3. *Division of Land, Block, Lot, and Tract Layout Standards*

(A) *Division of Land Standards*

(1) *Minimum Frontage for Division of Land. A division of land shall have a minimum of 60 feet frontage on a public road.*

(e) *Minimum Frontage. Lots shall have a minimum of 30 feet of frontage on and have access from a public road, except where private roads are approved by the BoCC pursuant to waiver granted under Section 8.4.4 (E).*

8.4.4

(2) *Private Roads Require Waiver. The use of private roads is limited and allowed only by waiver. In granting a waiver to allow private roads, the BoCC shall make written findings supporting the use of private roads and may require the owner to enter into a Private Road Maintenance Agreement or create covenants whereby the lot owners are required to maintain the private roads.*

Additionally, a waiver of 6.3.3.C.2.c of the Code to allow a single access point, where two access routes are required, may be needed due to the length of the cul-de-sac and need for an ECM deviation.



6.3.3.C.2.c Two Access Routes Required. Access to a planned building area shall be provided by a minimum of 2 separate routes in accordance with the requirements of this Code and the ECM if the cul-de-sac exceeds the length allowed by the ECM.

Goal 1.4 - Continue to encourage policies that ensure “development pays for itself”.

The minor subdivision final plat will provide an opportunity for the developer to construct additional residential uses in response to the expanding need for residential use. Initial rezone was completed under File No. P2312, approved under Resolution No. 24-209. The proposed subdivision to subdivide the parcel into eight (8) 5-acre lots, one (1) 7.5-acre lot, and one (1) 9-acre lot for a total of ten (10) residential lots is with the RR-5 zone. The proposed lots respond to the required 5-acre minimum.

Residential lots allow the developer to maintain consistency in use with adjacent properties which vary from RR-5 zoning to A-35 zoning. The is accessed via an existing 60-foot ingress/egress access easement from State Highway 94.

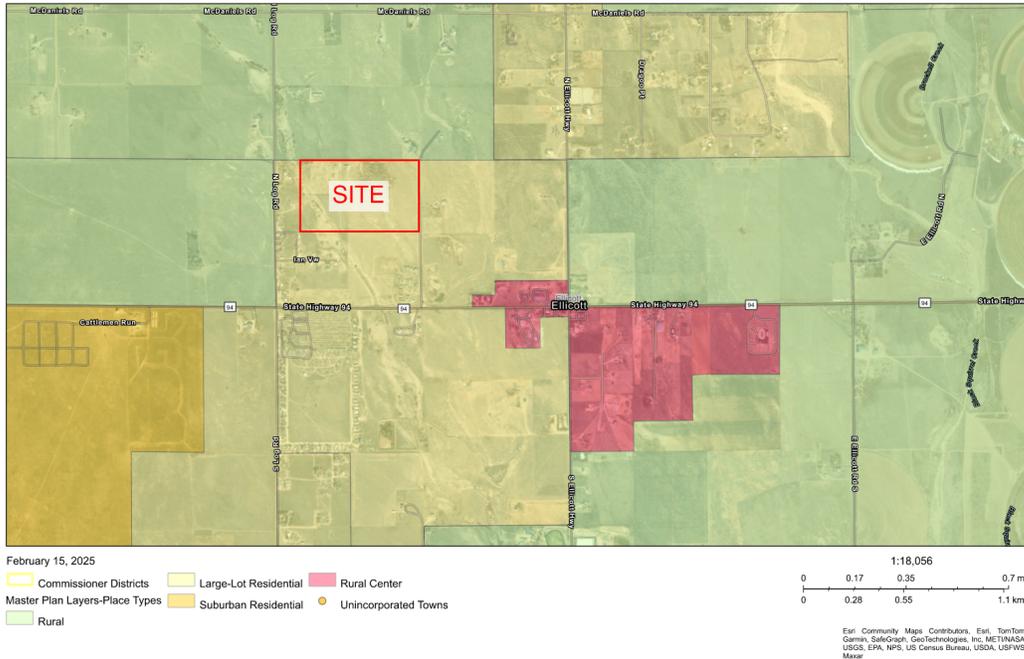
Rural and Remote Areas: In rural and remote areas landscaping, screening and erosion control measures shall be tailored to the nature and character of the area and the type of facility or structure contemplated. Site-specific landscaping shall, at a minimum, include revegetation of disturbed areas with materials Indigenous to the site or otherwise adaptable.

PLACETYPES	LAND USES																					
	Agriculture	Farm/Homestead	Estate	Single-Family Detached	Single-Family Attached	Multifamily	Alwed Use	Restaurant	Commercial Retail	Commercial Service	Tourism Commercial	Entertainment and Arts	Office	Light Industrial/Business Park	Heavy Industrial	Military Operation	Parks and Open Space	Natural and Paleontological	Institutional	Utility		
Rural	●	●	○																		●	○
Large Lot	○		●					○	○								○					
Suburban				●	○	○			○	○							○					○
Urban Residential				●	●	●	○	○	○	○			○				○					○
Rural Center				●	○	○		●	●	●												●
Regional Center					○	●	○	●	●	●			●	○								○
Employment Center								○	○	○			●	●	●							
Regional Open Space																	●	●				
Mountain Interface				○				○	○	○	○					●	●				○	
Military				○	○	●		○	○	○		○	●	●		●	○				○	
Utility																	○					●

● Primary Land Use: More prominent and play a pivotal role in characterizing that placetype
 ○ Supporting Land Use: Less prevalent and serve to support the primary land use.

Placetypes

PLACE TYPES



Rural Character

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

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

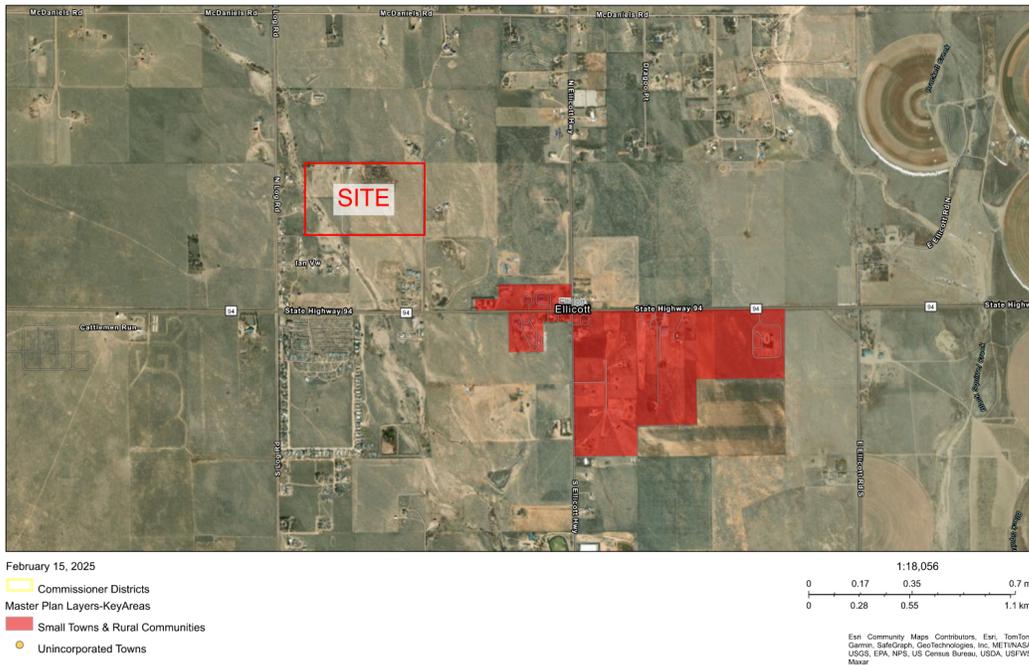
This info is accurate however it is not relevant to your specific request. I would recommend removing.

set of characteristics, the different large-lot areas that exist throughout the County can exhibit their own unique characters based on geography and landscape.

- The RR-5 Zone is consistent with this placetype
- Minimal lot area will be larger than 5-acres per unit
- Single Family Detached Residential will be the primary land use designation
- The proposal would provide for the land uses in relation to existing and predicted patterns of growth in the area.
- The proposal is consistent with available and necessary services.
- The minor-subdivision would have no impact on any currently approved sketch plans.

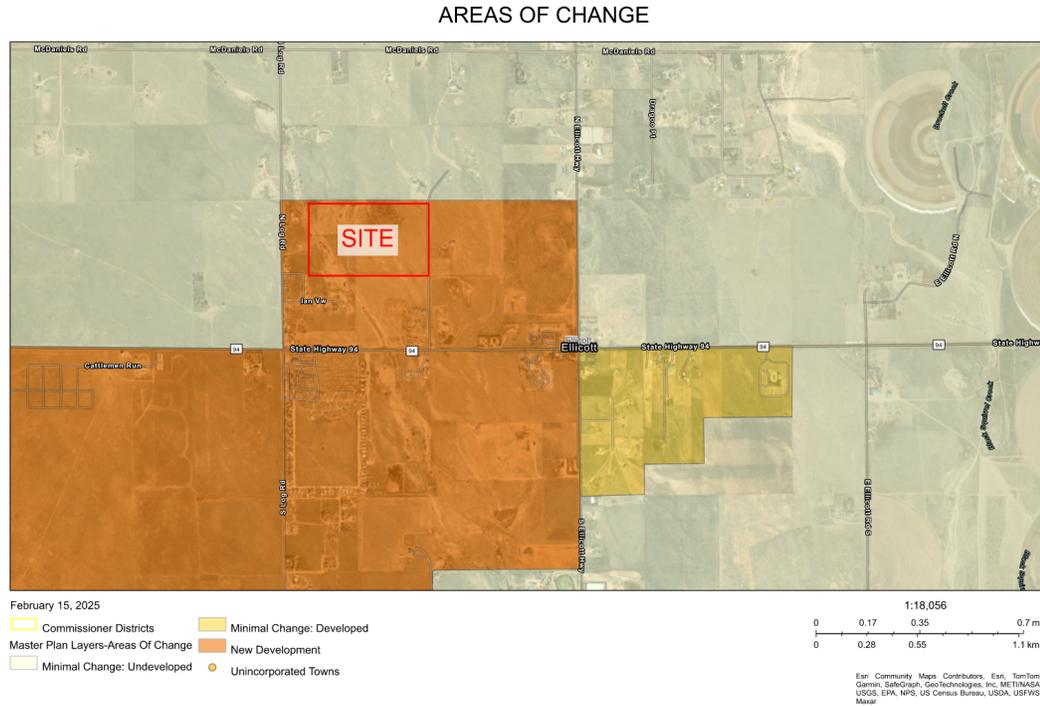
Key Areas:

KEY AREAS



The property is not located within the ten (10) classifications of key areas. However, it is adjacent to the Small Town & Rural Communities Key Area. This Key Area includes both incorporated and unincorporated communities in El Paso County. The unincorporated areas include the adjacent town of Ellicott and other communities. Regardless of municipal status, all of these places function as a community that supports the needs of a significant portion of the County’s rural population.

Areas of Change:



Kristin Estates is located in the area expected for “New Development”. These areas will be significantly transformed as new development takes place on lands currently largely designated as undeveloped or agricultural areas. Undeveloped portions of the County that are adjacent to a built-out area will be developed to match the character of that adjacent development or to a different supporting or otherwise complementary one such as an employment hub or business park adjacent to an urban neighborhood.

The site contains two (2) residential buildings with a private drive, ingress/egress easement (existing) from State Highway 94. Each resident will be designated in individual lots and will share a private drive for a total of ten (10) lots.

I recommend adding more info/detail to this section. The master plan provides valuable insight and justification for development in these areas.

Please state whether the 2 existing buildings will remain or be removed.

Informational Note: Per criteria, a roadway is needed to service more than 3 lots.

In V2 please provide a site plan showing the structures and setback distances. Please note RR-5 only permits 1 principal residence.

LDC:
Driveway — A facility for the passage of vehicles that provides access from a public or private road to no more than 3 lots.

Road, Private — Privately-owned and privately maintained road provided for by a tract, easement or other legal means, typically serving more than 3 lots, parcels, or tracts that do not have frontage on a public road right-of-way. Access to these facilities by the public is restricted. Like public roads, these facilities shall be built to public road standards, unless otherwise dictated by provisions within this Code.

Sec. 7.2.D.f Final Plat Approval

Criteria for Approval. In approving a final plat, the approving authority shall find that:

- The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;

It is noted that the subdivision is in conformance with the goals, objectives, and policies of Your El Paso Master Plan and is within the zone designation of RR-5.

- The subdivision is in substantial conformance with the approved preliminary plan;

Due to the subdivision being a minor subdivision a preliminary plan is not required as stated in Section 7.2.1.C.2.b.

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

It is noted that the subdivision is consistent with the subdivision design standards and regulation review through El Paso County's Planning and Engineering Review Criteria.

- 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;

Water findings have been established and can be reviewed to meet all Chapter 8 review standards under the "Water Resources Report" submittal.

- 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;

Each undeveloped lot will be responsible for establishing their own well and septic system. Existing houses have an established well and leach field, to remain.

- 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)];

Please add which lots are impacted and any specific mitigation measures. Will these areas be no-build etc?

↙ **This site was found to be suitable for the proposed development, which will consist of rural residential lots and associated site improvements. Areas were encountered where the geologic conditions will impose some constraints on development and land sue. These include areas of floodplains and seasonally shallow groundwater areas. Based on the proposed development plan these areas will have minor impacts on the developable area. Soils report was prepared by ENTECH Engineering, Inc.**

- 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;

A drainage report has been provided. Due to the required onsite improvements disturbing over an acre, water quality and detention is required for this project. A full spectrum extended detention basin is proposed for the project, and is located within the southeastern two lots of the proposed site.

Note: This will be a road

- 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;

Include what entity will be maintaining the private roadway(s) and whether a maintenance agreement will be recorded.

Access will be provided by one (1) existing private gravel drives via a proposed Tract dedicated for access and utilities. A standard turnaround will be provided at the end of the private drive. The private roads connects to an existing private gravel road with a 60 foot "Non-Exclusive Access and Public Utility Easement" (Recordation No. 096141186) which has existing access from Highway 94.

Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision.

All services will be provided by respective commitments provided in herein this submittal package.

- The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;

The Final Plat illustrates access and efficient spacing for fire protection measurements.

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

There will be no off-site improvements.

- 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.

A cistern easement shall be reserved for Ellicott Fire, as needed. A private detention pond will be constructed on site and will be maintained by property owners.

- The subdivision meets other applicable sections of Chapter 6 and 8;

The subdivision meets other applicable sections of Chapters 6 and 8

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

An Affidavit of Notification to Severed Mineral Estate Owner was presented upon initial submittal of the Rezone application submitted concurrently with the Minor Subdivision Plat. This Affidavit is included in this Final Plat submission.

Ellicott Metro District is "a community involved sports program" and does not administer utilities. Did you mean the "Upper Black Squirrel Creek Ground Water District" ? Please review.

19; Res. No. 19-

Water Master Plan.

Under the Colorado Revised Statutes, Title 32. This property is within the Ellicott Utilities district boundary and will consistently follow the rules and regulations per the El Paso County Water Master Plan,

Ellicott Utilities district

Sufficient water supply has been clarified and is provided through existing private wells. The wells have been permitted per quantity and quality standards set forth in the State water supply standards. See Water Resource report.

OWTS (On-site Wastewater Treatment Systems).

Wastewater systems:

Wastewater will be provided via on-site leach fields and will be compliant with EPC/CDPHE code.

leach fields and

Electric:

Electric service will be provided through Mountain View Electric.

Gas:

Services will be provided by Mile High Propane; each individual lot owner will be responsible for contracting with Mile High Propane.

Natural or Physical Site Features:

The Zone Change and Subdivision/Final Plat will support the preservation of the natural features and drainages of the site and surrounding lands:

The rezone has been approved. Please remove throughout to avoid confusion.

The site is located within the Ellicott Consolidated drainage basin (CHBS1200). Data provided by Muller Engineering Company; (1988)



The topography of the site includes rolling hills with one drainage way, extending from northeast to southwest through the property. The existing drainageways are broad and without a defined flowline; no erosion is anticipated.

Majority of the area is within the minimal flood hazard "Zone X" per the National Flood Hazard Layer FIRMette. The westerly portion of the property is within the Zone AE with BFE/Depth ranging from 6072 – 6042 feet (08041C0807G & 08042C0809G)

National Flood Hazard Layer FIRMette



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT



SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) Zone A, B, A99
- With BFE or Depth Zone AE, AD, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes, Zone X
- Area with Flood Risk due to Levee Zone D

OTHER AREAS

- NO SCREEN Area of Minimal Flood Hazard Zone X
- Effective LOMRs
- Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

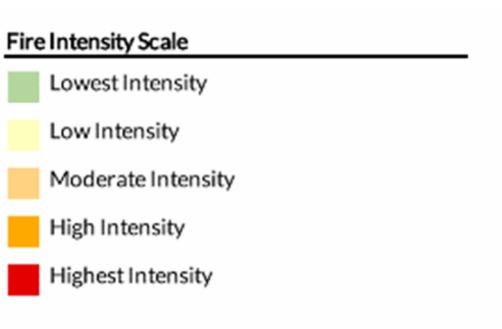
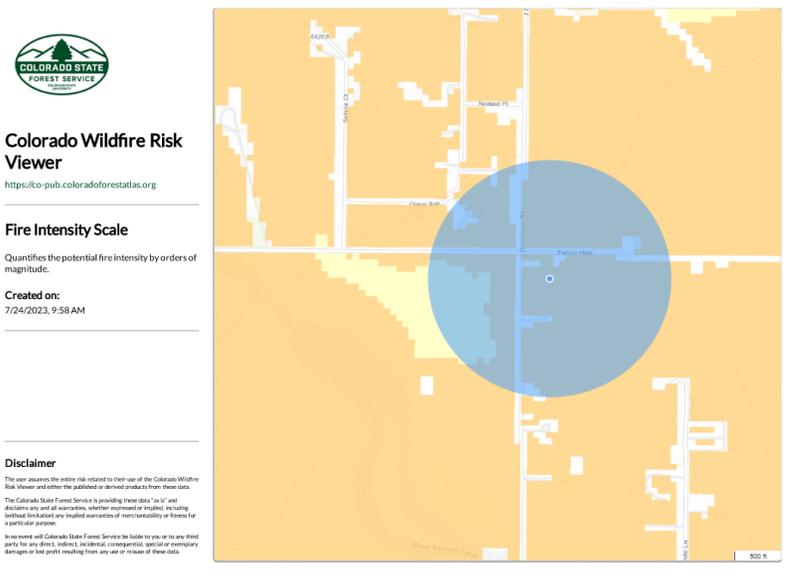
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 2/24/2023 at 2:54 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Wildlife:

Wildlife impacts are not anticipated with this project.

The Site is mapped as low to moderate per the wildfire risk public viewer.



Final Plat

Community Outreach:

Summarizing any community outreach efforts by the applicant that have occurred or are planned as part of the request.

- Adjacent owner notification letters will be sent out by the county upon the zoning application. No additional community outreach has been conducted on the zone change to date.

Traffic

A traffic study was completed and approved January 31, 2023. Site-generated traffic estimates are determined through a process known as trip generation. Rates and equations are applied to the proposed land use to estimate traffic generated by the development during a specific time interval. The acknowledged source for trip generation rates is the *Trip Generation Manual*¹ published by the Institute of Transportation Engineers (ITE). ITE has established trip rates in nationwide studies of similar land uses. For this study, Kimley-Horn used the ITE Trip Generation Report average rates that apply to Single-Family Detached Housing (ITE Code 210) for traffic associated with this development. The following **Table 1** summarizes the estimated trip generation for the project (calculations attached).

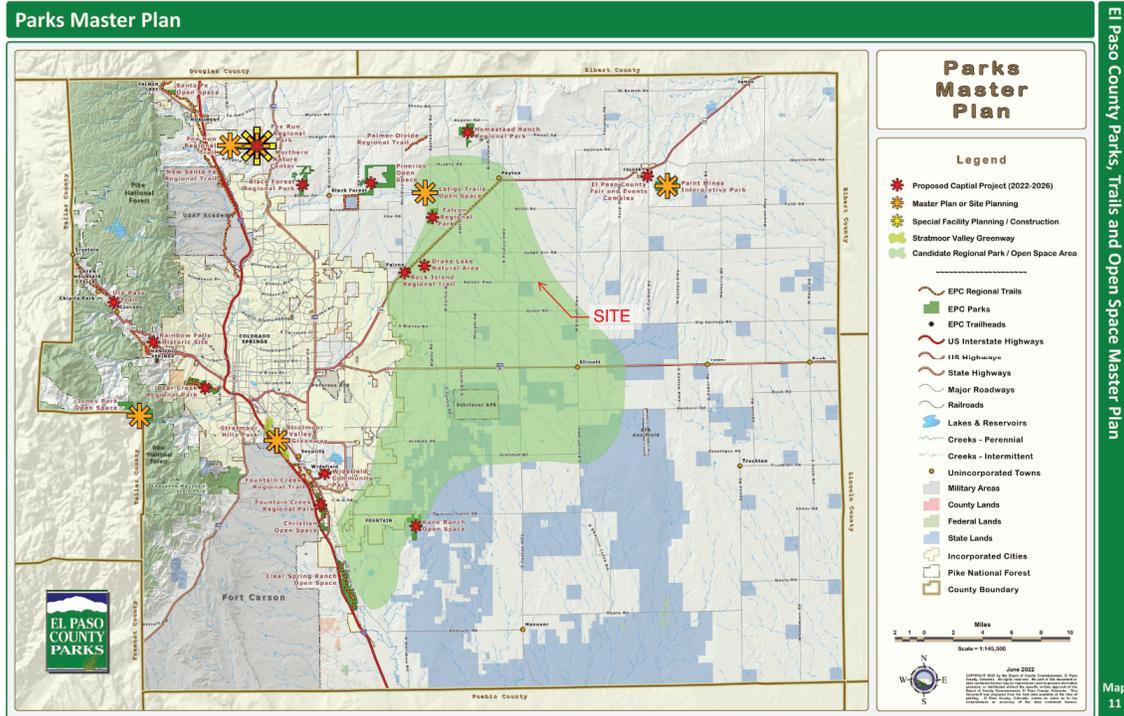
Table 1 –Project Traffic Generation

Use	Size (Units/SF)	Weekday Vehicles Trips						
		Daily	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Single Family Detached Housing - (ITE 210)	12 Units	114	2	6	8	7	4	11

As shown in the table and based on ITE Trip Generation calculations 23218 Highway 94 is anticipated to generate approximately 114 weekday daily trips, in which eight (8) of these trips would occur during the morning peak hour and 11 trips would occur during the afternoon peak hour. This is an assumption for 12 lots. The actual proposal proposed ten (10) lots which would reduce these estimates even more. Additionally a CDOT Access Permit will need to be obtained and agreed upon prior to construction.

¹ Institute of Transportation Engineers, *Trip Generation Manual*, Tenth Edition, Washington DC, 2017.

Parks Master Plan



The site can is located in the “Candidate for Regional Park/Open Space Areas”.

The site is adjacent to State Lands that are to be preserved as open space. The Overall properties are to remain larger than 5-acre parcels and will provide additional open space that can be utilized for connectivity.

V1_Letter of Intent.pdf Markup Summary

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2 (3)

Page 2

Residential Rural

Parcel No. 3412000026. The proposed location of Highway 84 and Loop Road (see City Zone Residential Rural Residential (RR-5)).

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Residential Rural

Private roads require approval of a waiver of the subdivision criteria. Please add this request (LDC Chp 7.3) and discuss the following:

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8.4.3. Division of Land, Block, Lot, and Tract Layout Standards

(A) Division of Land Standards
(1) Minimum Frontage for Division of Land. A division of land shall have a minimum of 60 feet frontage on a public road.

(e) Minimum Frontage. Lots shall have a minimum of 30 feet of frontage on and have access from a public road, except where private roads are approved by the BoCC pursuant to waiver granted under Section 8.4.4 (E).

8.4.4
(2) Private Roads Require Waiver. The use of private roads is limited and allowed only by waiver. In granting a waiver to allow private roads, the BoCC shall make written findings supporting the use of private roads and may require the owner to enter into a Private Road Maintenance Agreement or create covenants whereby the lot owners are required to maintain the private roads.

REQUEST

The application is to submit a minor designation of RR-5 zone. The application includes the following:

- Approval to subdivide Parcel
- Subdivide said parcel to eight total of ten (10) residential lots.

JUSTIFICATION

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3 (1)



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Additionally, a waiver of 6.3.3.C.2.c of the Code to allow a single access point, where two access routes are required, may be needed due to the length of the cul-de-sac and need for an ECM deviation.

6.3.3.C.2.c Two Access Routes Required. Access to a planned building area shall be provided by a minimum of 2 separate routes in accordance with the requirements of this Code and the ECM if the cul-de-sac exceeds the length allowed by the ECM.

4 (2)



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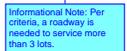


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If central water and wastewater can be provided, then lots sized less than 2.5 acres could be allowed if; 1.) the overall density is at least 2.5 acres/lot, 2.) the design for development incorporates conservation of open space, and 3.) it is compatible with the character of existing developed areas

6 (5)

was easement (existing) will share a private drive



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Informational Note: Per criteria, a roadway is needed to service more than 3 lots.



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I recommend adding more info/detail to this section. The master plan provides valuable insight and justification for development in these areas.

employment hub or business park adjacent to an urban residential building with a private drive. Ingress/egress easements will be designated in individual lots and will share a

Please state whether the 2 existing buildings will remain or be removed.

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Please state whether the 2 existing buildings will remain or be removed.

In V2 please provide a site plan showing the structures and setback distances. Please note RR-5 only permits 1 principal residence.

Colorado Springs, CO 80903

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In V2 please provide a site plan showing the structures and setback distances. Please note RR-5 only permits 1 principal residence.

Driveway — A facility for the passage of vehicles that provides access from a public or private road to no more than 3 lots.

Road, Private — Privately-owned and privately maintained road provided for by a tract, easement or other legal means, typically serving more than 3 lots, parcels, or tracts that do not have frontage on a public road right-of-way. Access to these facilities by the public is restricted. Like public roads, these facilities shall be built to public road standards, unless otherwise dictated by provisions within this Code.

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LDC:
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8 (3)

required onsite improvements is required for this project. A full the project, and is located within
Note: This will be a road
y public rights-of-way or recorded his Code and the ECM;
ravel drives via a proposed Tract and will be provided at the end existing private gravel road with by Easement" (Recordation No. 94.

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Note: This will be a road

Include what entity will be maintaining the private roadway(s) and whether a maintenance agreement will be recorded.

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Please add which lots are impacted and any specific mitigation measures. Will these areas be no-build etc?

Include what entity will be maintaining the private roadway(s) and whether a maintenance agreement will be recorded.

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Include what entity will be maintaining the private roadway(s) and whether a maintenance agreement will be recorded.



Subject: Planner
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The rezone has been approved. Please remove throughout to avoid confusion.



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Ellicott Metro District is "a community involved sports program" and does not administer utilities. Did you mean the "Upper Black Squirrel Creek Ground Water District" ? Please review.



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OWTS (On-site Wastewater Treatment Systems).



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