

**RESOLUTION NO. 20-79****BOARD OF COUNTY COMMISSIONERS  
COUNTY OF EL PASO, STATE OF COLORADO****APPROVE FINAL PLAT FOR WOLFF RUN ESTATES MINOR SUBDIVISION  
(MS-19-008)**

**WHEREAS, Gregory and Tanya Wolff did file an application with the El Paso County Planning and Community Development Department for the approval of a final plat for the Wolff Run Estates Subdivision for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and**

**WHEREAS, a public hearing was held by the El Paso County Planning Commission on February 4, 2020, upon which date the Planning Commission did by formal resolution recommend approval of the final plat application; and**

**WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on February 25, 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, comments by the El Paso County Planning Commission Members, and comments by the Board of County Commissioners during the hearing, this Board finds as follows:**

- 1. The application was properly submitted for consideration by the Planning Commission.**
- 2. Proper posting, publication, and public notice were provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners.**
- 3. The hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, all pertinent facts, matters and issues were submitted and reviewed, and all interested persons were heard at those hearings.**
- 4. All exhibits were received into evidence.**

5. The subdivision is in general conformance with the goals, objectives, and policies of the Master Plan.
6. The subdivision is in substantial conformance with the approved preliminary plan.
7. The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of El Paso County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials.
8. A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(1)] and the requirements of Chapter 8 of the Land Development Code.
9. A public sewage disposal system has been established or, 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 the Land Development Code.
10. 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)].
11. Adequate drainage improvements are proposed that comply with State Statute [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of the Land Development Code and Engineering Criteria Manual.
12. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision.
13. Final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Land Development Code.
14. 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 of the Land Development Code.
15. 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 Subdivision Improvements Agreement so the impacts of the subdivision will be adequately mitigated.

16. The subdivision meets other applicable sections of Chapters 6 and 8 of the Land Development Code.
17. The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§34-1-302(1), et. seq.].
18. The proposed subdivision of land conforms to the El Paso County Zoning Resolutions.
19. For the above-stated and other reasons, the proposed subdivision is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, hereby approves the final plat application for the Wolff Run Estates Subdivision;

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

**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 final plat.
4. The Applicant shall submit the Mylar to Enumerations for addressing.
5. 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.

6. Access (driveway) permits will be required for each access to an El Paso County owned and maintained roadway. Access permits are obtained from the El Paso County Planning and Community Development Department.
7. 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. 18-471), 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.
8. Drainage fees for the Monument Branch basin in the amount of \$7,629.93 shall be paid at time of plat recordation. Drainage and bridge fees for the Smith Creek basin in the amounts of \$699.10 and \$93.82, respectively, shall be paid at the time of final plat recordation.
9. Park fees in lieu of land dedication for regional parks (Area 2) in the amount of \$912.00 shall be paid at the time of plat recordation. No urban park fees are due with this minor subdivision.
10. Fees in lieu of school land dedication in the amount of \$612.00 shall be paid to El Paso County for the benefit of Academy School District No. 20 at the time of final plat recording.
11. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.
12. All driveways shall comply with Appendix D of the adopted 2009 IFC for Fire Department access.

#### **NOTATION**

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 the record and recommendations of the El Paso County Planning Commission be adopted.

DONE THIS 25th day of February, 2020, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS  
OF EL PASO COUNTY, COLORADO

ATTEST:

By:



County Clerk & Recorder

By:

Chair

A cursive signature is written over a horizontal line, representing the signature of the Board of County Commissioners Chair.

EXHIBIT A

**LAND DESCRIPTION** – WOLFF RUN ESTATES (PCD FILE NO. MS198)

THAT GREGORY S. WOLFF AND TANYA R. WOLFF ARE THE OWNERS OF THE FOLLOWING DESCRIBED TRACT OF LAND, TO WIT:

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4 IN TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE 6TH P.M.; WHOSE LOCATION AND BOUNDARIES ARE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 9, OVERLOOK ESTATES AS RECORDED IN PLAT BOOK B-2 AT PAGE 73 OF THE RECORDS OF EL PASO COUNTY, COLORADO;

THENCE N89°47'32"E 329.69 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 4;

THENCE S01°01'10"E, 1260.94 FEET ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 4 TO THE NORTH LINE OF OLD NORTH GATE ROAD;

THENCE S89°57'50"W, 15.43 FEET ALONG THE NORTH LINE OF SAID OLD NORTH GATE ROAD TO A POINT OF CURVE TO THE LEFT;

THENCE 239.67 FEET ALONG SAID CURVE TO THE LEFT ON SAID OLD NORTH GATE ROAD HAVING A RADIUS IS 526.81 FEET, A CENTRAL ANGLE 26°04'18", WHOSE LONG CHORD BEARS S76°55'41"W, 237.65 FEET TO A POINT TANGENT;

THENCE S64°06'31"W, 85.53 FEET ALONG THE NORTH LINE SAID OLD NORTH GATE ROAD TO THE SOUTHEAST CORNER OF LOT 7, SAID OVERLOOK ESTATES;

THENCE N01°11'54"W, 1350.95 ALONG THE EAST BOUNDARY OF SAID OVERLOOK ESTATES TO THE POINT OF BEGINNING,

COUNTY OF EL PASO, STATE OF COLORADO.

CONTAINING 9.705 ± ACRES MORE OR LESS.