

VACATION AND REPLAT (RECOMMEND APPROVAL)

J. J. J. J. moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. VR235
PEYTON RANCHES FILING NO. 1A

WHEREAS, Fridah Joanitah Wood did file an application with the El Paso County Planning and Community Development Department for approval of a Vacation and Replat request to legalize a parcel of land that was split off from a previously platted lot within the RR-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 April 16, 2026; 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 Section 7.2.3.C.4 of the Land Development Code ("Code") (as amended):

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 Engineering Criteria Manual ("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 Fridah Joanitah Wood for approval of a Vacation and Replat to allow legalizing a parcel of land that was split off from a previously platted lot within the RR-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 Final Plat.
4. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the appropriate El Paso County staff.
5. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, 4/18/2025 as provided by the County Attorney's Office.

NOTATIONS

1. The following fees are required to be paid to El Paso County at the time of Final Plat recordation:
 - a. Park fees in lieu of land dedication for regional parks in the amount of \$460.00 to and no urban park fees.
 - b. Fees in lieu of school land dedication in the amount of \$185.00 shall be paid for the benefit of Peyton School District 23.
2. Final Plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.
3. 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 No. 24-377), 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.

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)

Blaine Brew	aye / no / non-voting / recused / absent
Michael Brewer	aye / no / non-voting / recused / absent
Sarah Brittain Jack	aye / no / non-voting / recused / absent
Jim Byers	aye / no / non-voting / recused / absent
Jay Carlson	aye / no / non-voting / recused / absent
Suzanne Casagrande	aye / no / non-voting / recused / absent
Maribeth Emrick	aye / no / non-voting / recused / absent
Becky Fuller	aye / no / non-voting / recused / absent
Eric Moraes	aye / no / non-voting / recused / absent
Bryce Schuettpelez	aye / no / non-voting / recused / absent
Tim Trowbridge	aye / no / non-voting / recused / absent
Christopher Whitney	aye / no / non-voting / recused / absent
Jason Wulf	aye / no / non-voting / recused / absent

The Resolution was adopted by a vote of 6 to 0 by the El Paso County Planning Commission, State of Colorado.

DONE THIS 16th day of April, 2026 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: 
Chair

EXHIBIT A

A Portion Of Lot 104, Peyton Ranches Subdivision As Recorded In Plat Book V-2 At Page 66 As Conveyed In The Warranty Deed Recorded In Reception No. 217059638 Of The Records Of El Paso County, Colorado More Particularly Described As Follows:

Beginning At The Southeast Corner Of Said Lot 104, Also Being A Point On The West Line Of Chaparral Loop East, Thence S 88°50'42" W, A Distance Of 630.00 Feet Along The South Line Of Said Lot 104 To The Southwest Corner Thereof;

Thence N 05°28'04" E, A Distance Of 606.45 Feet Along The West Line Of Said Lot 104;

Thence N 86°08'34" E, A Distance Of 621.74 Feet Along The North Line Of Said Lot 104 To A Point On The East Line Thereof Also Being A Point On The West Line Of Said Chaparral Loop East;

The Following Three (3) Courses Are Along The East Line Of Said Lot 104 Also Being The West Line Of Said Chaparral Loop East:

Thence Southerly, 126.34 Feet Along The Arc Of A Curve Concave To The West To A Point Tangent, Said Arc Having A Radius Of 670.00 Feet, A Central Angle Of 10°48' 14" And Being Subtended By A Chord That Bears S 05°50'07" W, 126.15 Feet;

Thence S 11°14'03" W, A Distance Of 205.38 Feet To A Point Of Curve To The Left;

Thence Southerly, 308.19 Feet Along The Arc Of Said Curve, Said Arc Having A Radius Of 730.00 Feet, A Central Angle Of 24°11'22" And Being Subtended By A Chord That Bears S 00°51'38" E, 305.91 Feet To The Southeast Corner Of Said Lot 104 And The Point Of Beginning;

Containing 374,350 Sf (8.594 Acres), More Or Less

