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**RESOLUTION NO. 20-315**

**BOARD OF COUNTY COMMISSIONERS  
COUNTY OF EL PASO, STATE OF COLORADO**

**SUBDIVISION EXEMPTION FOR FALCON FIRE NO. 3 SUBDIVISION  
EXEMPTION (EX-20-002)**

WHEREAS, Section 30-28-101(10)(d), C.R.S., as amended, authorizes the Board of County Commissioners pursuant to resolution to exempt from the requirements of the subdivision regulations any division of land if the Board of County Commissioners determines that such division is not within the purposes of the statutory provisions governing subdivisions; and

WHEREAS, the Falcon Fire Protection District, has applied for an exemption from the El Paso County Subdivision Regulations; and

WHEREAS, the Falcon Fire Protection District intends to utilize this 5.424 acre parcel solely for a Fire Station and associated administrative offices; and

WHEREAS, a public hearing was held by this Board on August 25, 2020; and

WHEREAS, the El Paso County Board of County Commissioners has found the proposed division does not fall within the purposes of the Colorado statutory provisions concerning subdivisions;

WHEREAS, based on the evidence, testimony, exhibits, study of the Master Plan for the unincorporated area of the County, comments of the El Paso County Planning and Community Development Department, comments of public officials and agencies, and comments from all interested parties, this Board finds as follows:

1. That the exemption is consistent with and conforms to the El Paso County Land Development Code and the Master Plan.
2. That the exemption is a division of land determined not to be within the purpose of C.R.S. §§30-28-101, et. seq.
3. That 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 Land Development Code and the Engineering Criteria Manual.
4. That the size, location, and availability of services to the proposed lots or parcels are reasonable, appropriate, and customary for the proposed use.

5. That no beneficial purpose would be served by requiring the platting of the subject property.

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, hereby approves the petition by the Falcon Fire Protection District, for a Subdivision Exemption of a 5.424 acre parcel of property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference;

BE IT FURTHER RESOLVED the following conditions shall apply to this approval:

**CONDITIONS**

1. The land survey plat, as approved by the Board of County Commissioners, shall be deposited in the El Paso County Clerk and Recorder's Office.
2. Approval of a site development plan and an access permit is required prior to initiating construction activities associated with the new fire station and remodeling of the existing fire station to change the use to administrative offices.
3. The proposed use shall comply with all requirements of the El Paso County Land Development Code and all County, State, and federal regulations except for those portions varied by this action.

DONE THIS 25<sup>th</sup> day of August 2020, at Colorado Springs, Colorado.

ATTES  
By:   
County Clerk & Recorder



BOARD OF COUNTY COMMISSIONERS  
OF EL PASO COUNTY, COLORADO

By:   
Chair

Resolution No. 20-315

EXHIBIT A

April 13, 2020 JUNE 19, 2020 THIS LEGAL DESCRIPTION DESCRIBES THE PROPERTY OWNED BY THE FALCON FIRE PROTECTION DISTRICT AT THIS LOCATION

PROJECT NO. 20005

FALCON FIRE PROTECTION DISTRICT

ADMINISTRATION AND STATION 3

LEGAL DESCRIPTION

A tract of land in the East half of Section 12, Township 13 South, Range 65 West of the 6th PM, County of El Paso, State of Colorado, said tract being a portion of the former Chicago, Rock Island and Pacific Railroad Right-of-Way (CRI & P) more particularly described as follows:

Beginning at the most Westerly corner of N.J.O. FILING NO. 1, as recorded in Plat Book H-5 at Page 23 of the records of the Clerk and Recorder's Office of said El Paso County also being on the Westerly line of Old Meridian Road;

Thence S39°58'07"E along the Westerly line of said N.J.O. FILING NO. 1, 150.00 feet;

Thence S50°04'00"W along a line 150.00 feet South of and parallel to the Northerly right-of-way line of said former CRI & P Railroad, 30.00 feet to the Northwesterly corner of State Highway 24 CDOT Parcel 23A as recorded at Reception No. 201178610 of said records;

Thence S39°58'07"E along the Southwesterly line of said Parcel 23A, a distance of 70.82 feet to a point on the Northwesterly line of State Highway 24 CDOT Parcel 23 as recorded at Reception No. 201178610 of said records;

The following 2 courses are along said Northwesterly line:

1. S04°25'05"W a distance of 40.81 feet;
2. S50°04'00"W a distance of 864.01 feet to a point on the Easterly Right of Way line of Meridian Road;

The following 2 courses are along said Easterly Right of Way line:

1. N39°56'24"W a distance of 143.61 feet to a point of curve;

2. Along the arc of said curve to the right having a central angle of  $04^{\circ}37'23''$ , a radius of 1320.00 feet for an arc distance of 106.51 feet to a point on said Northerly Right of Way line;

Thence  $N50^{\circ}04'00''E$  along said Northerly right-of-way line, a distance of 458.13 feet to the Southerly corner of 7th Street as platted in the TOWN OF FALCON, as recorded in Plat Book B at Page 37 of said records;

Thence  $N39^{\circ}56'00''W$  along the Westerly right of way line of said 7th Street, 20.00 feet;

Thence  $N50^{\circ}04'00''E$  along the Southeasterly line of Block 21 in said TOWN OF FALCON and its Westerly extension, 460.00 feet to a point on the Westerly right of way line of Old Meridian Road (platted as 6th Street);

Thence  $S39^{\circ}56'00''E$  along said Westerly right of way line, 20.00 feet to the POINT OF BEGINNING.

Containing 5.424 acres, more or less.