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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

**TO: El Paso County Planning Commission
Jim Egbert, Chair**

**FROM: Gabe Sevigny, Planner I
Beck Grimm, Engineer I
Craig Dossey, Executive Director**

**RE: Project File #: I-18-001
Project Name: Rocky Top Resources Rezone
Parcel Nos.: 6429101029, 6429101030, 6429101031**

OWNER:	REPRESENTATIVE:
Rocky Top Resources, Inc. Frederick D Martin 1755 E Las Vegas Street Colorado Springs, CO 80903	Land Development Consultants, Inc. David H. Hostetler 3898 Maizeland Road Colorado Springs, CO 80909

Commissioner District: 5

Planning Commission Hearing Date:	9/4/2018
Board of County Commissioners Hearing Date:	9/25/2018

EXECUTIVE SUMMARY

A request by Rocky Top Resources, Inc., for approval of a map amendment (rezone) from the RR-0.5 (Residential Rural) zoning district to the I-3 (Heavy Industrial) zoning district. The three (3) parcels, totaling 45.42 acres, are located southeast of the Interstate 25 and Highway 24 interchange and are within Sections 28 and 29 in Township 14 South, Range 66 West of the 6th P.M. The parcels are not included within a comprehensive planning area.

The applicant is proposing to continue to use the property as a recycling facility, more specifically as a wood waste recycling and composting operation. The existing recycling center is not an allowed use in the RR-0.5 (Residential Rural) zoning district. The use has been in operation and was approved pursuant to a variance of use (VA-01-



010), which was approved by the Board of County Commissioners on September 23, 2004. The variance of use included a condition that the approval would expire 10 years from the date of the Board of County Commissioners' approval. The variance expired on September 23, 2014.

Recycling facilities are only an allowed use in the I-3 (Heavy Industrial) and M (Obsolete) zoning districts. Therefore, the applicant is proposing to rezone the property to the I-3 zoning district. The applicant will also be required to complete a site development plan in order to authorize any planned future growth of the operation.

A. REQUEST/WAIVERS/MODIFICATIONS/AUTHORIZATION

Request: A request for a map amendment (rezone) approval from the RR-0.5 (Residential Rural) zoning district to the I-3 (Heavy Industrial) zoning district.

Waiver(s)/Modification(s): There are no waivers or modifications associated with the request.

Authorization to Sign: There are no associated documents requiring a signature by the Board of County Commissioners' President.

B. Planning Commission Summary

Request Heard:

Recommendation:

Waiver Recommendation:

Vote:

Vote Rationale:

Summary of Hearing:

Legal Notice:

C. APPROVAL CRITERIA

In approving a Map Amendment (rezoning), the following findings shall be made:

- The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;
- The rezoning is in compliance with all applicable statutory provisions including, but not limited to C.R.S §30-28-111 §30-28-113, and §30-28-116;
- The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and
- The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.

D. LOCATION

North: M (Industrial)

Towing and Salvage Yard

South: M (Industrial)

Heavy Equipment Storage and Operations

East: City of Colorado Springs
West: City of Colorado Springs

Warehouse
Waste Management Recycling Facility

E. BACKGROUND

The lots were created legally through the recording of a final plat, Valley Gardens, in 1904. A vacation and replat was approved administratively in 2006 under reception number 206006560. The County initiated zoning of this area from unzoned to the A-1 (Garden Home Half Acre) zoning district in 1942. Subsequent nomenclature changes have renamed the A-1 zoning district to the RR-0.5 (Rural Residential) zoning district.

A variance of use (VA-04-010) was approved in 2004 for a wood recycling and composting facility, with a condition of approval for an expiration of the variance of use ten (10) years from the Board of County Commissioners approval date. The variance expired September 23, 2014. An Early Assistance meeting was conducted in December 2018 to discuss with county staff actions for renewing the variance of use or rezoning the property to the proper zoning for a wood recycling and composting facility. The proper use classification is for a recycling center, pursuant to the definitions included in Chapter 1 of the Land Development Code.

El Paso County Code Enforcement received complaints of camping on the property in February, 2018. Recreational Camps are not a permitted use in the RR-0.5 or M zoning districts, unless a special use or variance of use is applied for and approved by the Board of County Commissioners. If the application for a map amendment is approved, Recreational Camping will still not be an allowed use in the I-3 zoning district and would require approval of a variance of use application by the Board of County Commissioners. The applicant has made necessary phone calls to the Sheriff's department at the onset of any new camps setting up on the property and continues to work with El Paso County Code Enforcement to accommodate inspections of the property to confirm that camping is not occurring on the property. As of the date of preparation of this report, no illegal camping is occurring on the parcels.

The subject parcels are surrounded by similar heavy industrial uses; therefore, residential development, pursuant to the current RR-0.5 zoning, is not appropriate and would not be compatible with the other uses in the area. The parcels are also located within close proximity to Interstate 25 and Highway 24, which could create noise constraints for a residential development.

F. ANALYSIS

1. Land Development Code Analysis

The rezone request complies with Section 5.3.5(B) of the Code, as the operation has existed in the same location for the past 14 years and similar development of similar

uses has occurred around this site, resulting in a substantial change in the character of the neighborhood since the land was originally zoned.

Should the request be approved, Recommended Condition of Approval No. 1 addresses compliance with federal and state laws, regulations, ordinances, review and permit requirements and other agency requirements. The requirement for the submittal of a site development plan, as required by Recommended Condition of Approval No. 3, will ensure compliance with applicable provisions of the Code.

The current land use and proposed continuation of land use is compatible with existing and permitted land uses in all directions. Other properties in the area include similar heavy industrial uses.

The site is suitable for the intended use. The applicant is required to submit a site development plan to verify that they meet the standards as described in Chapter 5 of the Code.

2. Zoning Compliance

The density and dimensional standards established within the I-3 (Heavy Industrial) zoning district as identified in Chapter 5, Table 5-5, of the Code are as follows:

- Minimum zoning district area - 40 acres
 - The three parcels in this application total 45.42 acres.
- Minimum lot size - One (1) acre
 - The application consists of 3 parcels, each is over one (1) acre.
- Setbacks - 30 feet from front, rear and side
 - All existing structures will comply with the setbacks. Any future expansion or modification will be subject to the application process under the Code.
- Maximum building height - 40 feet
 - None of the existing structures are over 40 feet in height. Any future expansion or modification will be subject to the application process under the Code.
- Maximum lot coverage- 25%
 - The existing recycling facility does not exceed the maximum lot coverage. Any future expansion or modification will be subject to the application process under the Code.
- Additional setback required when adjacent to residential zoned districts of 175 feet.
 - According to the zoning map, there is adjacent property zoned RR-0.5 (Residential Rural). The current structures on the subject property are located approximately 550 feet from the residential zoning district. Any future development would be required to meet the 175 foot setback requirement, unless the applicant requests a setback reduction from the El Paso County Planning and Community development Executive Director pursuant to the Code. The residentially zoned property is used

as Colorado Department of Transportation (CDOT) right-of-way. Therefore, there are no existing residential homes nor is it likely that residential development will occur in the foreseeable future on the adjoining residentially zoned property.

3. Policy Plan Analysis

The El Paso County Policy Plan (1998) has a dual purpose; it serves as a guiding document concerning broader land use planning issues, and provides a framework to tie together the more detailed sub-area elements of the County Master Plan.

Relevant policies are as follows:

Policy 2.1.8- *Carefully consider all proposed land uses adjacent to interstate highways, railroads, military training areas, and in designated flight zones to protect them from associated disruptive noise levels.*

The parcels are located adjacent to two major roadways, Interstate 25 and Highway 24, which could trigger noise mitigation if the parcel were developed for residential uses pursuant to the current residential zoning. The proposed rezoning of the property from residential to industrial will allow continued use and potential future development of the property in a manner that is much more compatible with the two major roadways.

Policy 6.1.3- *Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use, and access.*

The existing use of the parcels as a recycling facility is generally compatible with the other industrial land uses in every direction.

Policy 5.1.12- *Discourage or prevent land uses which threaten the long-term operating viability of critical infrastructure, such as the airport and industrial areas which must grow to accommodate new primary jobs for the County's growing population.*

Goal 7.1- *Reasonably accommodate unique and special uses which provide value to the greater community and which can be made consistent with surrounding uses.*

Policy 7.3.3- *Specifically encourage the recycling of yard and other clean organic wastes in the County*

Per ***Policy 5.1.12***, ***Goal 7.1***, ***Policy 7.3.3***, the continued operation of the Rocky Top Resources, Inc., recycling facility not only serves to benefit the employees that work onsite, but it also helps to serve many other small businesses in the region, such as, landscaping companies and grass mowing operations, by offering yard waste recycling services. The operation of the facility has made an impact on the community by providing a place for customers, whether they are an individual property owner or a

business owner, to drop off grass clippings, pallets, soil, branches, and other yard waste to be recycled into usable soil, ground coverings, and fertilizer.

As noted in Recommended Condition of Approval No. 3, the applicant is required to submit a site development plan for expansion of current operation. The site development plan application is approved administratively to verify if the proposed plan for using the parcels is in compliance with the requirements of Chapter 6 of the Code. Based upon the previously approved variance of use, neighboring land uses, and the reduced potential for development of the property for residential uses, staff recommends that legalizing the existing use via approval of a map amendment (rezone) would be more appropriate for these parcels. Staff has no concerns with regard to compatibility with neighboring areas or with regard to the uses on the immediately adjacent parcels. Staff recommends that a finding of consistency with the Policy Plan can be made.

4. Small Area Plan Analysis

The property is not located within the boundaries of a small area plan.

5. Other Master Plan Elements

The proposed map amendment (rezoning) is consistent with or does not create negative impacts to elements depicted on the El Paso County Wildlife Habitat Descriptors Map (1996), the El Paso County Community Services Parks Master Plan (2014), the Master Plan for Mineral Extraction (1996), and the El Paso County 2016 Major Transportation Corridors Plan Update.

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

A soil, geology, and geologic hazard study was not required with this map amendment (rezoning) request.

2. Wildlife

Potential impacts to wildlife are moderately low as depicted in the El Paso County Wildlife Descriptors Map (1996).

3. Floodplain

FEMA Flood Insurance Rate Map (FIRM) panel 08041C0741F shows that a majority of the site lies within Zone AE, an area determined to be within the 100-year floodplain.

4. Drainage and Erosion

The site is located within the Spring Creek drainage basin. Although the Spring Creek drainage basin is a fee basin, no drainage or bridge fees will be required for this

rezone since there is no platting action. A drainage report was not required with this rezone; however, a drainage report has been requested with the concurrent site development plan application. No public improvements are required with this rezone request.

5. Transportation

The site is accessed off of East Las Vegas Street. A traffic memorandum/study was not required with this rezone; however, a traffic memorandum/study has been requested with the concurrent site development plan application. No public roadway improvements will be required with this rezone request.

H. SERVICES

1. Water

A finding of water sufficiency is not required with map amendment (rezoning) requests. An individual well, permit number 62684, has served and will continue to serve this development.

2. Sanitation

A request for review was sent to the El Paso County Health. Their comments were:

- No known public health issues associated with the request
- Future proposed plans not directly related to the request will require detailed water and wastewater plans to be submitted for their review
- Proximity to central wastewater must be explored, and is required prior to issuing a permit for the installation of an onsite wastewater treatment system (OWTS)
- Portable chemical toilets are only approved for temporary use. Work staff must have access to a restroom connected to an approved wastewater treatment system.

The applicant is required to submit a Site Development Plan per conditions of approval. A detailed water and wastewater plan will be required as a part of that submittal.

3. Emergency Services

The property is within Stratmoor Hills Fire Protection District. The District received a referral to review the application and no comments were provided.

4. Utilities

The property is served by Colorado Springs Utilities for electric and gas. Colorado Springs Utilities has committed to continue to serve the parcels.

5. Metropolitan Districts

This property is not within a metropolitan district

6. Parks/Trails

El Paso County Community Services, Parks Division, was sent a referral. Parks provided a comment requesting that the applicant contact the City of Colorado Springs Parks Department, since the City not only maintains the Fountain Creek Trail that runs through the property, but is also actively working on potential trail connections in the area. Land dedication and fees in lieu of park land dedication is not required for a rezone application.

7. Schools

Land dedication and fees in lieu of school land dedication is not required for a map amendment (rezone) application.

I. APPLICABLE RESOLUTIONS

Approval Page 27
Disapproval Page 28

J. STATUS OF MAJOR ISSUES

There are no major outstanding issues.

K. RECOMMENDED CONDITIONS AND NOTATIONS

Should the Planning Commission and the Board of County Commissioners find that the request meets the criteria for approval outlined in Section 5.3.5 (Map Amendment, Rezoning) of the El Paso County Land Development Code (2018), staff recommends the following conditions and notations.

CONDITIONS

1. The property owners shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include, but are not limited to: the Colorado Parks and 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 threatened species.
2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the I-3 (Heavy Industrial) zoning district and with the applicable sections of the Land Development Code and Engineering Criteria Manual.
3. The applicant shall apply for and receive approval of a site development plan, within 120 days of the date of approval. The due date may be administratively extended by the Planning and Community Development Department Director if the Director

determines that the applicant is making a good faith effort to obtain site development plan approval.

NOTATIONS

1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said petition. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.
2. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.

L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 10 adjoining property owners on August 15, 2018, for the Planning Commission hearing. Responses will be provided at the hearing.

M. ATTACHMENTS

Vicinity Map
Letter of Intent
Rezone Map
Code Enforcement Notice of Violation

El Paso County Parcel Information

File Name:

Zone Map No.:

PARCEL	NAME
6429101031	ROCKY TOP RESOURCES INC
6429101029	ROCKY TOP RESOURCES INC
6429101030	ROCKY TOP RESOURCES INC

Date:

ADDRESS	CITY	STATE
1755 E LAS VEGAS ST	COLORADO SPRINGS	CO
1755 E LAS VEGAS ST	COLORADO SPRINGS	CO
1755 E LAS VEGAS ST	COLORADO SPRINGS	CO

ZIP	ZIPLUS
80903	4323
80903	4323
80903	4323



Please report any parcel discrepancies to:
 El Paso County Assessor
 1675 Garden of the Gods Rd
 Colorado Springs, CO 80907
 (719) 520-6600



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3898 Maizeland Road
Colorado Springs, CO 80909

Phone: 719-528-6133
Fax: 719-528-6848

Surveying • Planning

www.ldc-inc.com

Revised July 20, 2018

**El Paso County Planning and Community Development Department
2880 International Circle
Colorado Springs, CO 80910**

Attn: Gabe Sevigny (Nina Ruiz)

**Re: Rezone Letter of Intent – ROCKY TOP RESOURCES, INC., 1755 E. Las Vegas Street
APN 64291-01-029, 030 and 031**

LAND DEVELOPMENT CONSULTANTS, INC. is representing Fred Martin of ROCKY TOP RESOURCES, INC. in this application for a rezone from RR-0.5 Residential to I-3 Heavy Industrial for a planned use classification as a Recycling Facility.

Use Variances were approved by the BOCC in the past to allow this operation within the existing RR-0.5 zone, are now expired and will no longer be granted. This request is being made to bring ROCKY TOP RESOURCES, INC. in compliance with its current uses on the property.

This site is located Southeast of the intersection of E. Las Vegas Street and the MLK Bypass. It consists of a series of “combined” platted tracts, with exceptions for CDOT, City and/or County rights-of-way. Fountain Creek runs along the Southwest of the site and Spring Creek runs along the East. A large number of mature trees exist along both these drainages and will serve as a good natural sight buffer. Surrounding zones are mainly County RR-0.5, M and I-3, and City M-1, M-2 and PF, with many of the properties being vacant.

The I-3 Heavy Industrial Zone category includes manufacturing, research facilities, warehousing, offices, mineral resources conversion operations, communications, and recycling operations. Within each County zone, principal permitted uses (uses allowed by right) and special or conditional uses (uses requiring approval) are noted. The I-3 zoning district is intended to accommodate manufacturing and industrial uses, which may include related outside storage of raw or finished materials, that are already on-site. This area is unlikely to develop as residential or agricultural due to it being located in a high industrial area and also is within a floodplain. The County has deemed this property and its planned uses appropriate for this zone, therefore, this request is consistent with the County Policy Plan, subject to an immediately-subsequent Site Development Plan formal submittal to follow approval of this zone change request.

Dimensional standards for this zone are as follows: Minimum Area – 40 acres; Minimum Setbacks – Front 30 feet, Rear 30 feet, Side 30 feet; Maximum Coverage – 25%; Maximum Structure Height Formula – a plane with a pitch of 2 feet horizontal to 1 foot vertical beginning 25 feet above all property lines using the mean property line elevations as the datum . . . these standards will be met for existing and proposed structures at time of said Site Development Plan submittal.

In regards to criteria for general conformance Section 5.3.5(B) approval, we offer the following: The value to the community at-large is that the industrial uses supply employment for area residents, allow a place to take their desired recycling efforts and generate revenue into the local economy. The landscape materials storage and recycling drop-off supplies jobs to local retail, truckers and operators. The wildlife habitats that are to remain undisturbed are utilized by El Paso County Parks via the granted Easement for the Fountain Creek Regional Trail. This area provides community recreation and nature/wildlife education. The rezone will be in compliance with all existing and proposed structures and uses statutory provisions, therefore it will be compatible with the existing and permitted land uses.

The primary access point off of E. Las Vegas Street is an existing 30' Private Access Easement as an approved driveway entrance/exit located approximately in the middle of the property. The existing access off of E. Las Vegas Street has an existing gate approximately 300' from the Street's intersection. This will allow trucks and vehicles to more easily pull off Las Vegas Street without blocking traffic and creating an unsafe situation. The number of employee vehicles on-site are an average of 15. On-site vehicles and equipment include: front end loaders (6) of various sizes; grinders (3); delivery trucks, semis with trailers (6); dump/roll-off trucks (6); trailers (2); water truck (1). Vehicular site use count is estimated at 300/day weekdays and 500-600/day on Saturdays in the summer time, and approximately one-third of that during the winter time. A Traffic Memo and/or Traffic Study (as also addressing the applicability of traffic impact fees) will be required at time of said Site Development Plan submittal.

About one-fourth of the site lies in the Fountain Creek Floodway. The Western portion of the adjacent property has been modified to reflect improvements that were made with the construction of the Bypass, taking some portions out of the designated floodway. The area remaining in the floodway may be fenced off and used for grazing. A good portion of the site is within the 100-year floodplain. The rest of the site is within the 500 year floodplain which presents no restrictions to this type of use. No wetlands were found to be present on the site. The understory beneath the existing cottonwood trees consist of upland grasses dominated by non-native smooth brome grass and various upland herbaceous weedy species such as Kochia, flixweed, and goosefoot and do not qualify as a wetland plant community. The noted waterways are jurisdictional and activities within the ordinary high water mark would be subject to regulation by the U.S. Army Corps of Engineers. No activities are proposed within said ordinary high water mark at this time, and as such, a permit from the U.S. Army Corps of Engineers is not required. A Drainage Report will be required at the time of said Site Development Plan submittal.

The existing commercial well and septic system (portable restroom sanitary units) handle the needs of the work day hours business. At the present time, the portable restroom sanitary units are a temporary condition to be upgraded to an acceptable septic system at time of said Site Development Plan submittal.

As mentioned with past Use Variance requests, this 44.8 +/- acre site has the potential to expand with much more room for safer operations. The intent is to provide an office building with customer parking towards the front (north) end of the site. This will be a single-story manufactured building. The retail mulch and landscaping material area will also be up along Las Vegas Street. This is more accessible to retail customers and is the more attractive part of the business. It consists of organized piles of various types and color of mulch and landscaping materials. In the future, if the 100 year floodplain is filled with proper permitting and approval, these retail areas may move across the drive to the Northwestern portion of the site. This will make them more visible to the general public as they drive along the Bypass. Concrete or asphalt pads will be laid under the piles to keep the underlying soil from mixing in with the finished products.

An employee building, also single-story manufactured, will be adjacent to the office. This will house bathrooms, lockers and a lunchroom for the anticipated maximum of 18 employees. A 5,000 sq.ft. shop and 1,440 sq.ft. shop/storage building are also anticipated within the next few years. The processing area, where most of the work will be done and which will produce the most noise, will be back behind the future shop building. On-site storage of collection dumpsters will be limited to an area along Spring Creek. This area is heavily treed so it will be well screened. Lumber piles, which are the most unattractive portion of the operation, will be screened with branch piles.

Applicant: Fredrick D. Martin
c/o ROCKY TOP RESOURCES, INC.
1755 E. Las Vegas Street
Colorado Springs, CO 80903-4323
(719) 579-9103

Thank you for your consideration,



LDC, Inc. by David V. Hostetler
dhostetler@ldc-inc.com

File: 04048 Rezone LOI.doc
DVH

REZONE MAP: RR-0.5 RESIDENTIAL TO I-3 HEAVY INDUSTRIAL ZONE



PROPERTY DESCRIPTION: 1755 E. LAS VEGAS STREET

PARCEL 1: TRACTS 1 AND 2 IN VALLEY GARDENS, AND ALL THAT PORTION OF WEST STREET VACATED BY RESOLUTION NO. 04-545 RECORDED DECEMBER 12, 2006 UNDER RECEPTION NO. 206179579, BEING A PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 29, AND THE WEST HALF OF SECTION 28 IN TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO, EXCEPT THAT PORTION CONVEYED TO THE COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO RECORDED JANUARY 10, 1984 IN BOOK 3823 AT PAGE 439, AND EXCEPT THAT PORTION CONVEYED TO THE DEPARTMENT OF TRANSPORTATION STATE OF COLORADO RECORDED MAY 5, 1992 IN BOOK 5973 AT PAGE 205.

PARCEL 2: TRACTS 7, 8, 9 AND 12 IN VALLEY GARDENS, BEING A PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 29, AND THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 28 IN TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO,

EXCEPTING FROM THE ABOVE DESCRIPTION THAT PORTION THEREOF CONVEYED BY B.W. BABCOCK TO A.G. PINELLO AND RECORDED IN BOOK 539 AT PAGE 485 IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF EL PASO COUNTY, COLORADO, AND FURTHER EXCEPTING THE RIGHT OF WAY CONVEYED TO THE CITY OF COLORADO SPRINGS BY DEED RECORDED IN BOOK 1000 AT PAGE 316 IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF EL PASO COUNTY, COLORADO, COUNTY OF EL PASO, STATE OF COLORADO,

. . . AND . . .

TRACTS G AND H AND TRACTS E, I AND K, RYAN'S SUBDIVISION, COUNTY OF EL PASO, STATE OF COLORADO, EXCEPTING FROM ALL THE FOREGOING PARCELS THOSE PORTIONS CONTAINED IN FINDINGS, ORDER AND DECREE RECORDED IN BOOK 3823 AT PAGE 439, WARRANTY DEED TO THE DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO RECORDED IN BOOK 5973 AT PAGE 205 AND IN WARRANTY DEED TO JAY A. RINGLER RECORDED IN BOOK 6354 AT PAGE 339, EL PASO COUNTY, COLORADO,

NOW KNOWN AS TRACT 7 IN VALLEY GARDENS IN ACCORDANCE WITH ADMINISTRATIVE VACATION OF INTERIOR LOT LINES AS RECORDED JANUARY 17, 2006 AT RECEPTION NO. 206006560 . . . CONTAINING 45 "GROSS" ACRES, MORE OR LESS.

OWNER:
 ROCKY TOP RESOURCES, INC.
 ATTN: FREDRICK D. MARTIN
 1755 E. LAS VEGAS STREET
 COLORADO SPRINGS, CO 80903-4323
 (719) 579-9103

APPLICANT:
 LAND DEVELOPMENT CONSULTANTS, INC.
 ATTN: DAVID V. HOSTETLER
 3898 MAIZELAND ROAD
 COLORADO SPRINGS, CO 80909
 (719) 528-6133

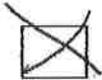
LDC, Inc.
 PLANNING, SURVEYING
 3898 MAIZELAND ROAD
 COLORADO SPRINGS, CO. 80909
 (719) 528-6133
 FAX (719) 528-6848

DWN BY: SLG	DATE: 01/09/18
CK'D BY: DVH	REF. NO.: 04048EXH_RZ

REVISIONS			
NO.	DESCRIPTION	DATE	BY
1	COUNTY/CSU COMMENTS	5/10/18	DVH
2	COUNTY/CSU COMMENTS	7/20/18	DVH
PROJECT NUMBER 04048			

EL PASO COUNTY

CODE ENFORCEMENT LAND DEVELOPMENT/ORDINANCE VIOLATION COMPLAINT FORM (1-7A)



Please check the box if you wish to remain anonymous.

DATE 3-10-18

ADDRESS/LOCATION OF THE COMPLAINT 1755 E. Las Vegas St.

PROPERTY OWNER/TENANT (if known) MJ + M LLLP

PLEASE DESCRIBE THE NATURE OF THE COMPLAINT: This is 35 acres of residential land and trash is all blowing out of their property all over. It smells like a sewage dump. It is a eyesore and unhealthy for the home owners and businesses to breath. It is not zoned for a land fill or dump. It is zoned Indus/Residential.

COMPLAINANT'S CONTACT INFORMATION (OPTIONAL):

Name: _____

Phone No: _____

NOTE:

- Code Enforcement may need to contact you for additional information. Your contact information will not be disclosed if submitting this complaint anonymously (box must be checked).
- Weeds must be at least 9 inches tall to be considered a violation, and on property of less than 2 1/2 acres.

El Paso County Development Services Department
2880 International Circle, Colorado Springs, CO 80910
Phone 719-520-6300 | Fax 719-520-6695