

Tract A Arfsten Rd
Larkspur, CO 80118
State Parcel Number 2773-340-01-001

January 6, 2020

Request to Waive Application Fee

Dear Board of County Commissioners:

We request your approval to waive the \$700 replat submittal application fee for the above mentioned property. As discussed in more detail in the narrative, we recently came across a potential issue regarding the property and conflicting County records. Our lot appears to be unusable because it is plotted as a "tract" instead of "lot" and the planning department will not allow us to build a residence on a "tract" even though it is zoned and assessed as residential.

After meeting with the Planning Committee, it appears Tract A was intended to be set aside for a park, open space, or school in accordance with the 6% public land dedication that was in place in 1969. The land was never conveyed or reserved to Douglas County, but records that could have told us how this property became available for private sale were destroyed in a fire. As private purchasers; we relied on available legal documents, a title search, HOA documents, and other records like the RR zoning before we purchased Tract A for our future home. There is nothing recorded that indicates any encumbrance. Furthermore, it appears "tract" and "lot" are used interchangeably by different Douglas County entities. Several single-family residence properties in the El Dorado Acres subdivision, as well as adjacent properties, have a legal description in Douglas County records as "Tracts" instead of "Lots."

The Planning Committee suggested we seek your approval to rename our property "Lot 32" as opposed to "Tract A." I am respectfully requesting that the \$700 fee be waived since we are not trying to change the zoning or intended use of the lot. We are merely trying to overcome the lack of records caused by the fire and the fact that "tract" vs. "lot" is used inconsistently and could not be relied on to determine a potential encumbrance. Additionally, renaming the property from "Tract A" to "Lot 32" requires minimal planning and engineering review as it is simply a clarification to prevent future confusion. Thank you for your time and consideration.

Sincerely,

Mitchell and Jennifer Dawson