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December 26, 2022

El Paso County Development Services
2880 International Circle
suite 110
Colorado Springs, CO 80910

SUBJECT: Subdivision Plat of the Murr Subdivision located at 14090 80831

14090 Davis Rd is located East of Blaney Rd and West of Curtis Road, Davis Rd.

Owner information:

Erik and Sharon Murr
14090 Davis Rd.
Peyton, CO 80831
(719) 290-7665
smurr@contourmtg.com
Assessor's Parcel No.: 4333000016
Existing zone: RR-5

History:

This site is an unplatted section of land in eastern El Paso County.

There is currently a single family home and several out buildings on the southwest portion of the site (what will be proposed lot 4) with a drive that runs east from a private road running north from Davis Rd. The remainder of the property is agricultural land.

The site is surrounded on all sides by other plots of land also labeled as rural-residential. These sites are used much in the same way as this, as agricultural land or farmettes.

Request and Justification:

Our intent is to subdivide this existing property into 4 single family lots. The proposed subdivision is compatible with the surrounding properties. The lots will be consistent with the RR-5 zoning with respect to lot layout, land use, lot size, minimum building setbacks, water supply and wastewater disposal.

Please provide a full analysis of the review criteria of both a preliminary plan and a final plat with this application. Minor subdivision is required to meet the criteria for both a preliminary plan and a final plat. Some of the criteria is addressed in this letter; however, it is not clear. Master Plan analysis has not been included. For the Master Plan, at a minimum, please include analysis of the placetype, area of change, and key area, as well as the Water Master Plan and Parks Master Plan.

I would recommend copying and pasting the bullet points for the criteria from the Code and into this letter and providing a response to each.

Water and Sewer:

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 this Code. Water service is to be provided by individual on site wells operated under a State approved Water Augmentation Plan. According to the State Division of Water Resources, this site sits in Water Division 2, Water District 10. Water for the existing house is provided via the existing well, Permit 87143-F. The other lots will apply for well permits. Water usage will not exceed the statutory allocated amounts for the site.

An individual on-site sewage disposal system has been established for the existing residents and, 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 this Code. Waste water is intended to be treated via individual on-site septic systems designed, constructed and operated under State and County Health Department rules and regulations and in accordance with the Water Decree. When Lots 1-3 develop they will have an (individual) on-site, septic system with leach field. This is in line with the water master plan for the area. A listing of some of the policies of the Water Master Plan that are supported by the proposed development follow: Policy 4.1.3 – Support enhanced monitoring of sources of surface and tributary groundwater in the County. The referenced decree requires use of metering for the wells to insure compliance with the terms of the permit; Policy 6.2.1.2 – Encourage re-use of treated wastewater for irrigation and other acceptable uses when feasible. Both the existing residence and the three, new single-family residential lots will utilize onsite wastewater treatment systems which will provide “Return Flows” the environment as a condition of the groundwater findings and order and the well permit.

Electric:

Electric will be provided by Mountain View Electrical Association per their commitment letter on June 23rd, 2022. Said letter has been submitted with the subdivision packet.

Traffic Generation:

The development is expected to generate a total of 28 trips per day (Average weekday trips ends) and 3 trips in the peak hour based on 9.44 trips per unit for Single Family Detached Housing (according to Trip Generation, 10th Edition, 2017 by the Institute of Transportation Engineers). This number of trips is below the County threshold of 100 trips per day or 10 trips during the peak hour. Therefore, a Transportation Impact Study (TIS) is not required for the project. This development is subject to fees established by the El Paso County Road Impact Fee Program per El Paso County Resolution Number 19- 471. Traffic Impact Fees will be paid at time of building permit.

FEMA Floodplain:

Per FEMA Panel 08041CO780G, this site is not within the limits of a 100yr floodplain.

Request of Subdivision Applicability per LDC Chapters 7&8:

This proposed subdivision will be dividing the current 1 lot into 4 single family lots compatible with zoning RR-5. The lots will be given by the owners to their kids so that they can build single family residences of their choosing.

▪ CH 7:

- A Preliminary plan is not required as this is a “minor subdivision”.

- The subdivision is consistent with all design standards and regulations.
 - The new lots will be placed on the same well as the current residence and will install septic systems of their own when residences are built on the new lots.
 - There are no geological hazards present on the site or special precautions relevant to the site.
 - There are no drainage improvements required for the lots.
 - The site already falls under the jurisdiction of EPSO and is within the Falcon Fire Protection District.
 - The site complies with methods of fire protection as outlined in Chapter 6. A Letter will be included to show evidence of this.
 - There will be no offsite impacts as a result of this subdivision.
 - There are no required public facilities for this subdivision.
- CH 8:
- The land is suitable for development as there is a residence on the southwest corner of the existing site. There are no physical constraints that would deem this unsuitable for development. Entech's geohazard report (that accompanies this submittal) does list a couple of items; potential high ground water in the southeast corner of proposed lot 4 and a Hydrocompaction constraint. The report lists mitigations for both of these.
 - The land is safe for the intended purposes of single family housing. There are no major geological hazards that affect this site.
 - There are no slopes over 30% on the proposed lots or any other extreme geological hazards affecting this site.
 - Regarding roads and access, there is a planned private road to be installed along the south end of the three north lots to allow access to those lots.
 - There are no major plans to alter the landscape of the new lots with the exceptions of installing the private driveway and the residences themselves.
 - As far as we are aware, there are no structures or other areas located on the site that would qualify as archeological or historical.
 - As far as we are aware, there are no plans for differing land use on these lots.
 - As far as we are aware, these lots are not in the way of any major airways or airports and thus should not affect them.
 - As far as we are aware, there are no endangered species affected by these proposed changes.
 - As stated previously, this site is not within the limits of a 100yr floodplain per FEMA Panel 08041CO780G.
 - The current lot and proposed lots do not sit alongside any major arterial, thus do not need to worry about noise mitigation.
 - The current and proposed lots are not situated anywhere near a railroad.
 - This site is not located near enough to any major military outpost or installation and thus does not fall under any constraints detailed in LDC chapter 8.

Constraint's/Hazards:

As far as we are aware, there are no special features to this site that would result in constraints or hazards preventing development of the proposed new 4 lots.

Proposed Improvements:

The overall goal of this subdivision is to split the existing site into 4 lots. The owners will keep 1 lot and grant the remaining 3 to their children so they may build houses on them. There is a proposed private driveway that will be built along the south edge of the new three lots that will grant them access to these lots. Maintenance and repair of this driveway and any new residences will be the responsibility of the owners. A maintenance agreement accompanies this submittal.

We ask that El Paso County grant the subdivision request to RR-5. This will allow four single family lots to be replatted and the size will fit the surround properties.

Please contact our office with any questions, thank you

This reads as if you are requesting to rezone to RR-5.

Oliver E. Watts, Consulting Engineer, Inc.

Not sure what is meant by this. The property is surrounded by properties much larger than 5 acres?

By: _____
Erik Watts, Authorized Representative

You will need to request a waiver of LDC Sec. 8.4.3.B.2.e Minimum Frontage. Lots shall have a minimum of 30 feet of frontage on and have access from a public road, except where private roads are approved by the BoCC pursuant to waiver granted under Section 8.4.4 (E).

Sec. 7.3.3 Criteria for approval of waivers

A waiver from standards shall be approved only upon the finding, based upon the evidence presented in each specific case, that:

- The waiver does not have the effect of nullifying the intent and purpose of this Code;
- The waiver will not result in the need for additional subsequent waivers;
- The granting of the waiver will not be detrimental to the public safety, health, or welfare or injurious to other property;
- The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable to other property;
- A particular non-economical hardship to the owner would result from a strict application of this Code;
- The waiver will not in any manner vary the zoning provisions of this Code; and
- The proposed waiver is not contrary to any provision of the Master Plan.