TO: **El Paso County Planning Commission**

Timothy L. Trowbridge, Chair

FROM: **Joseph Letke, Planner**

Bret Dilts, PE, Senior Engineer

RE: **Project File Number: VR261**

Project Name: AFT Ranch Vacation and Replat

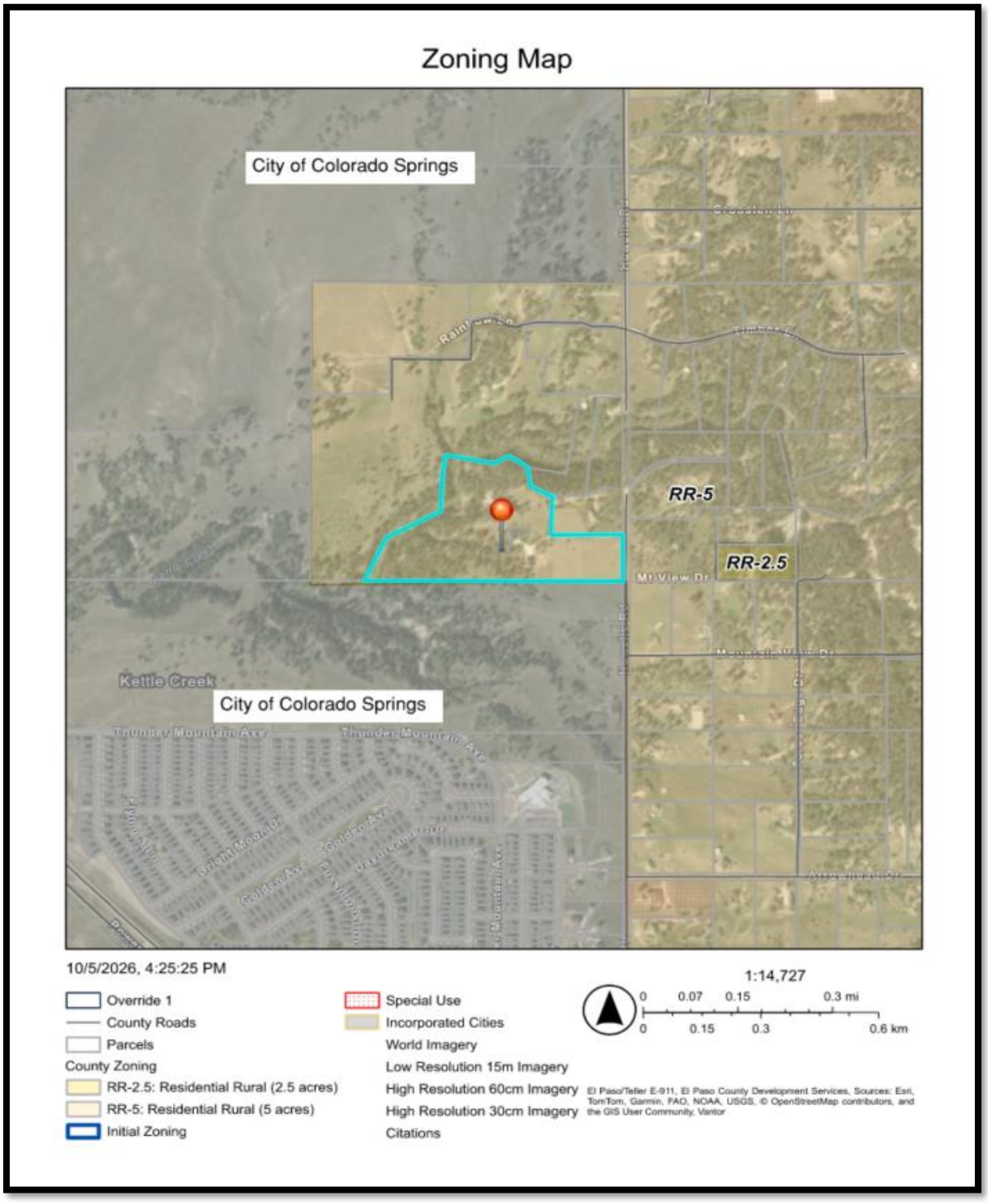
Parcel Number: 6215401003

Commissioner District: 1

OWNER:	**APPLICANT:**
Charles R Shea Living Trust Nancy K Shea Living Trust 11520 Howells Road Colorado Springs, CO 80908-3736	Charles R Shea Nancy K Shea 11520 Howells Road Colorado Springs, CO 80908-3736
Planning Commission Hearing Date:	11/5/2026
Board of County Commissioners Hearing Date:	12/10/2026

EXECUTIVE SUMMARY

A request by Charles R Shea and Nancy K Shea Living Trust for approval of a 34.030 -acre Vacation and Replat creating two (2) residential lots. The property is zoned RR-5, and the two proposed lots will be 28.44-acres and 5.05-acres in size. The subject property is located on Howells Road and is approximately 0.12 miles north of the intersection of Howells Road and Mountain View Drive. (Parcel No. 6215401003) (Commissioner District No. 1)



A. AUTHORIZATION TO SIGN: Final Plat and any other documents necessary to carry out the intent of the Board of County Commissioners.

B. APPROVAL CRITERIA

The Planning Commission and Board of County Commissioners (BoCC) shall determine that the following criteria for approval outlined in Section 7.2.3.C of the El Paso County Land Development Code (as amended) have been met to approve a Vacation and Replat:

- *The replat complies with this Code, and the original conditions of approval associated with the recorded plat;*
- *No nonconforming lots are created, and in the case of existing nonconforming lots, the nonconformity is not increased;*
- *The replat is in keeping with the purpose and intent of this Code;*
- *The replat conforms to the required findings for a minor or major subdivision, whichever is applicable;*
- *Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;*
- *The approval will not adversely affect the public health, safety, and welfare; and*
- *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*

C. LOCATION

North:	RR-5 (Residential Rural)	Residential
South:	City of Colorado Springs	Residential
East:	RR-5 (Residential Rural)	Residential
West:	RR-5 (Residential Rural)	Residential

D. BACKGROUND

The property was initially zoned on January 3, 1955, and platted as Lot 1 of the AFT Ranch Subdivision Filing 1 on August 18, 2015 (PCD File No. MS151). The applicant is requesting to Replat the one 34.030 -acre lot into two lots proposed at 28.44-acres and 5.05-acres in size. Both lots exceed the 5-acre lot size minimum as required by the RR-5 zoning district. Lot 1A will take access from Howells Road via a flagpole connecting east to west. Lot 2B will take direct access from Howells Road. Lastly, it is noted that the existing residential home and accessory structures will be contained within Lot 1A.

E. LAND DEVELOPMENT CODE AND ZONING ANALYSIS

The proposed Vacation and Replat will create two residential lots that will conform to the standards of the RR-5 (Residential Rural) zoning district. The RR-5 (Residential Rural) zoning district density and dimensional standards are as follows:

- Minimum Lot Size: 5 acres
- Minimum width at the front setback line: 200 feet
- Minimum setback requirements: front 25 feet, rear 25 feet, side 25 feet
- Maximum lot coverage: None
- Maximum height: 30 feet

F. MASTER PLAN COMPLIANCE

1. Your El Paso County Master Plan

a. **Placetype Character**: Large-Lot Residential

The Large-Lot Residential placetype consists almost entirely of residential development and acts as the transition between placetypes. Development in this placetype typically consists of single-family homes occupying lots of 2.5 acres or more, and are generally large and dispersed throughout the area so as to preserve a rural aesthetic. The Large-Lot Residential placetype generally supports accessory dwelling units as well. Even with the physical separation of homes, this placetype still fosters a sense of community and is more connected and less remote than Rural areas. Large-Lot Residential neighborhoods typically rely on well and septic, but some developments may be served

by central water and wastewater utilities. If central water and wastewater can be provided, then lots sized less than 2.5 acres could be allowed if; 1.) the overall density is at least 2.5 acres/lot, 2.) the design for development incorporates conservation of open space, and 3.) it is compatible with the character of existing developed areas.

Conservation design (or clustered development) should routinely be considered for new development within the Large-Lot Residential placetype to provide for a similar level of development density as existing large-lot areas while maximizing the preservation of contiguous areas of open space and the protection of environmental features. While the Large-Lot Residential placetype is defined by a clear set of characteristics, the different large-lot areas that exist throughout the County can exhibit their own unique characters based on geography and landscape.

Recommended Land Uses:

Primary

- *Single-family Detached Residential (typically 2.5-acre lots or larger)*

Supporting

- *Parks/Open Space*
- *Commercial Retail (Limited)*
- *Commercial Service (Limited)*
- *Agriculture*

Analysis:

The subject property is located within the Large-Lot Residential placetype. This placetype provides guidance and recommendation that if development is to occur, residential lots will be typically 2.5-acres or greater. The two lots being created will be above this recommendation and exceed the zoning lot size requirement.

In a greater regional context, the property is located approximately 0.4-miles from the city limits of the City of Colorado Springs. This northeastern section of the city has undergone significant residential growth through the development of the North Fork and Wolf Ranch Subdivisions. It is not expected that the level of growth seen in these city developments will

occur on this property, however if suburban growth does occur the Master Plan recommends close partnership and coordination with city officials to ensure smart and sustainable growth.

In conclusion, given the proposed lot sizes, the adjacent properties level of development, and the physical features of the property the request is generally consistent with the Large Lot Residential placetype.

b. Area of Change Designation: Minimal Change: Undeveloped

The character of these areas is defined by a lack of development and presence of significant natural areas. These areas will experience some redevelopment of select underutilized or vacant sites adjacent to other built-out sites, but such redevelopment will be limited in scale so as to not alter the essential character. New development may also occur in these areas on previously undeveloped land, but overall there will be no change to the prioritized rural and natural environments.

Analysis:

The subject property is located within the undeveloped area of change designation. This characteristic is defined by a lack of development with some specific pockets of land undergoing redevelopment. The property is located near city suburban level development, so it is noted that the Master Plan provides general guidance, but does not anticipate all regional and municipal growth patterns.

The Master Plan provides recommendation that if development is to occur that it prioritizes rural and natural environments. Given that the proposal is for large residential lots with no planned disturbance of the floodplain and natural forest canopy areas the request is generally consist with the defined area of change.

c. Key Area Influences: The property is not located within a key area.

2. Water Master Plan Analysis

The El Paso County Water Master Plan (2018) has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage

best practices for water demand management through the comprehensive planning and development review processes. Relevant policies are as follows:

> ***Goal 1.1 –*** *Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.*
>
> ***Goal 1.3 –*** *Promote awareness of environmental issues associated with water use.*

See the Water section below for a summary of the water findings and recommendations.

3. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a low wildlife impact potential. However, Lot 1A contains a wildlife protection no-build area due to the proximity to Kettle Creek and presence of the Preble's Meadow Jumping Mouse. Colorado Parks and Wildlife and El Paso County Environmental Division were each sent a referral and have no outstanding comments.

The Master Plan for Mineral Extraction (1996) identifies eolian deposits in the area of the subject parcels. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, no severed mineral rights exist.

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

During review of the Vacation and Replat geological hazards were identified and have been detailed on the plat as note No. 22. The note details that individual soils investigations and foundation designs for all new building sites are required and that basements are not permitted unless site-specific data regarding potential ground water issues are resolved. The Colorado Geological Survey provided comment during the review of the Vacation and Replat and has since stated they have no further comment regarding the proposal. Lastly, a portion of the property is located within a regulated Flood Zone, however it will be contained within Lot 1A which has an

existing residential home. The proposal does not show intent to disturb the floodplain, and have been labeled as no-build areas on the Final Plat drawings.

2. Floodplain

This site contains a defined Zone AE floodplain as determined by the Federal Emergency Management Agency (FEMA) Flood Rate Insurance Map (FIRM) number 08041C0295G and 08041C507G, which have an effective date of December 7, 2018. This floodplain runs along the western edge of the site.

3. Drainage and Erosion

The property is in the Kettle Creek Drainage Basin (FOMO3000) which is a part of the El Paso County Drainage Basin Fee program. Drainage fees are due at the time of Final Plat; this basin does not have any bridge fees.

Storm runoff generally drains to the west across the site before entering Kettle Creek. Due to the minimal disturbance of the proposed development, there are not any adverse drainage impacts anticipated. There are no additional stormwater facilities being constructed with this application.

4. Transportation

A Traffic Impact Study was not required per the ECM Appendix B.1.2.D exemption, as the subdivision is not expected to generate more than 100 trips per day or more than 10 peak hour trips. The parcel obtains access from Howells Road, which is a rural local road owned and maintained by El Paso County. Lot 1A will have access to Howells Road through a 40-foot access easement. Lot 1B will have direct access to Howells Road. No County public improvements were determined to be required for Howells Road with this application.

The Road Impact Fee as approved by Resolution 25-377 will be assessed at the last land-use approval.

H. SERVICES

1. Water

Water sufficiency has been analyzed with the review of the proposed subdivision. The applicant has shown a sufficient water supply for the required 300-year period. The State Engineer and the County Attorney's Office have recommended that the proposed subdivision has an adequate water supply in terms of quantity and dependability. El Paso County Public Health has recommended that there is an adequate water supply in terms of quality.

2. Sanitation

Wastewater is provided by on-site waste water systems.

3. Emergency Services

The property is within the Black Forest Fire Protection District, which is committed to providing fire protection services to the proposed development. The District was sent a referral and has no outstanding comments.

4. Utilities

Electric service is provided by Mountain View Electric and natural gas is provided by Black Hills Energy.

5. Metropolitan Districts

The property is not within a Metropolitan District.

6. Parks/Trails

Fees in lieu of park land dedication in the amount of $1,010.00 for regional park fees (Region Park Area 2) will be due at the time of recording the Final Plat.

7. Schools

Fees in lieu of school land dedication in the amount of $168.00 shall be paid to El Paso County for the benefit of District 20 at the time of recording the Final Plat.

I. STATUS OF MAJOR ISSUES

No major issues.

J. RECOMMENDED CONDITIONS AND NOTATIONS

Should the Planning Commission and Board of County Commissioners find that the request meets the criteria for approval outlined in Section 7.2.3.C of the El Paso County Land Development Code (as amended) staff recommends 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 Vacation and Replat.
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, dated October 1, 2026, 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. Drainage Fees in the amount of $4,287.30 and bridge fees in the amount of $0 for the Kettle Creek Drainage basin (FOMO3000).
    b. Park fees in lieu of land dedication for regional parks (Regional Park Area 2) in the amount of $1,010.00.
    c. Fees in lieu of school land dedication in the amount of $168.00 shall be paid for the benefit of District 20.
2. Final Plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.
3. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference is held with Planning and Community Development Inspections and a Construction Permit is issued by the Planning and Community Development Department.
4. 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. 25-377), 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.

K. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified thirteen adjoining property owners on October 21, 2026 for the Planning Commission and Board of County Commissioners meetings. Responses will be provided at the hearing.

L. ATTACHMENTS

Map Series

Letter of Intent

Plat Drawing

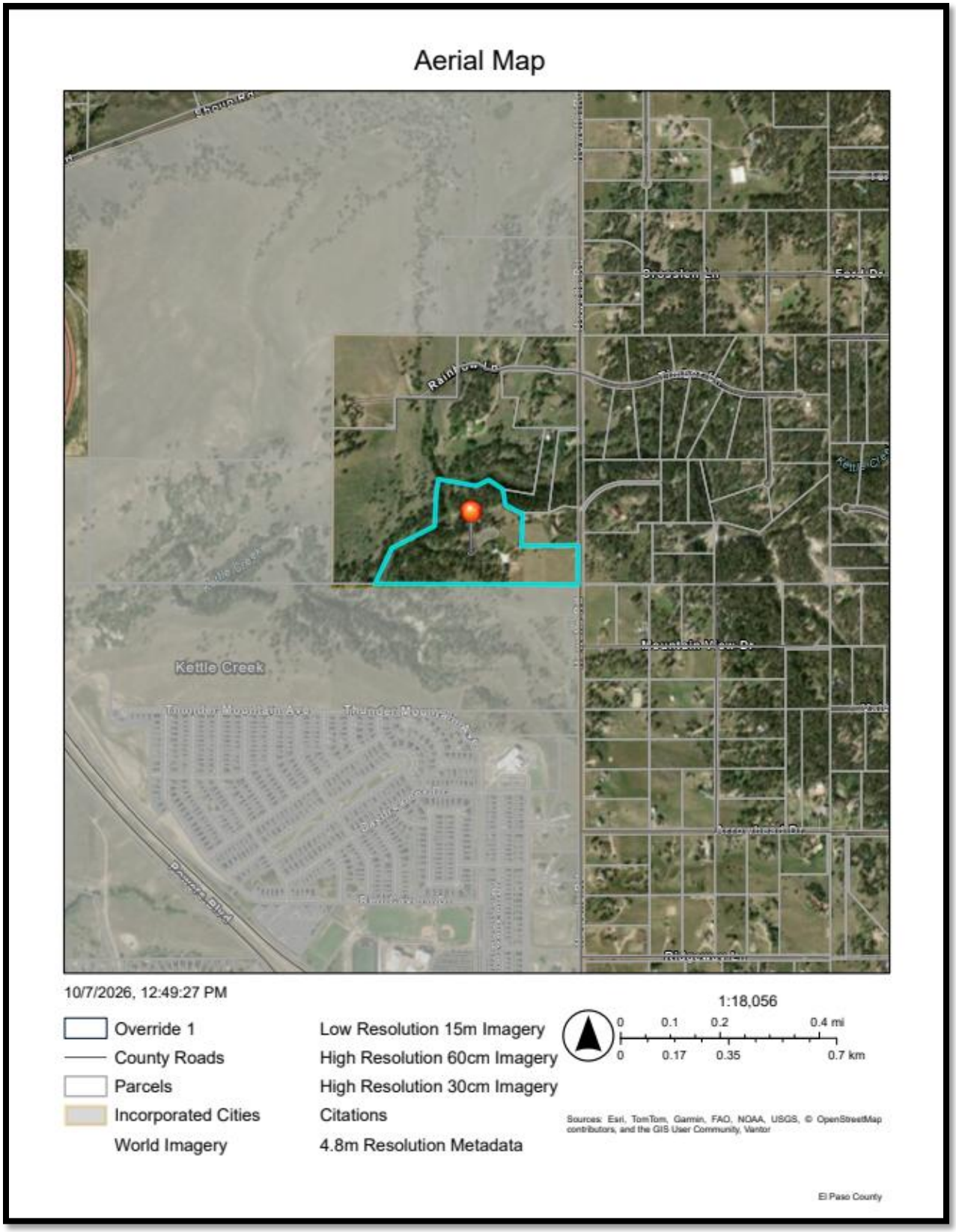
State Engineer's Letter

County Attorney's Letter

Public Health Department's Letter

Draft Resolution

MAP SERIES


Aerial Map
Kettle Creek
10/7/2026, 12:49:27 PM
1:18,056
0 0.1 0.2 0.4 mi
0 0.17 0.35 0.7 km
Override 1
County Roads
Parcels
Incorporated Cities
World Imagery
Low Resolution 15m Imagery
High Resolution 60cm Imagery
High Resolution 30cm Imagery
Citations
4.8m Resolution Metadata
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Vantor
El Paso County

Zoning Map



10/5/2026, 4:25:25 PM

1:14,727

0 0.07 0.15 0.3 mi

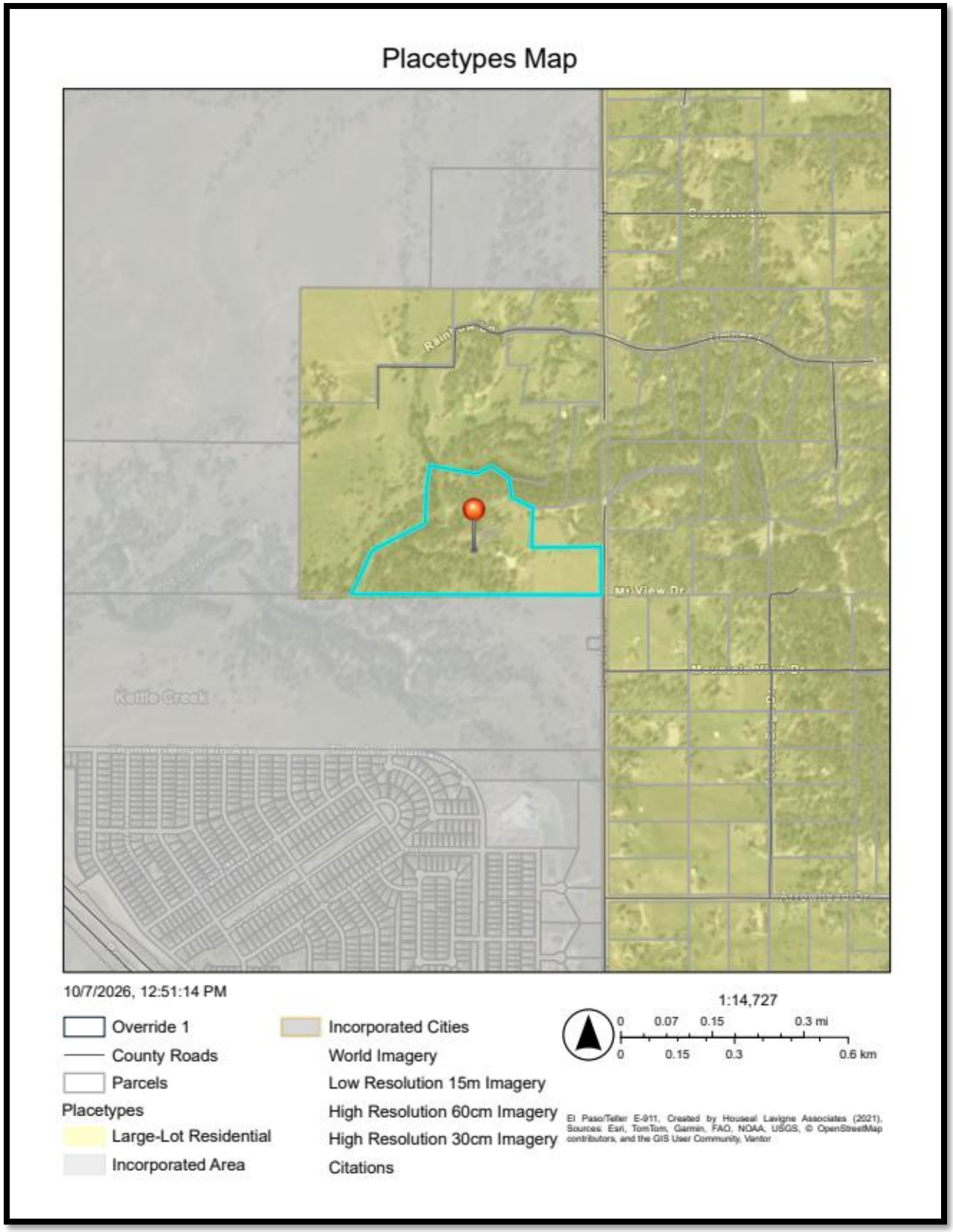
0 0.15 0.3 0.6 km

- Override 1
- County Roads
- Parcels

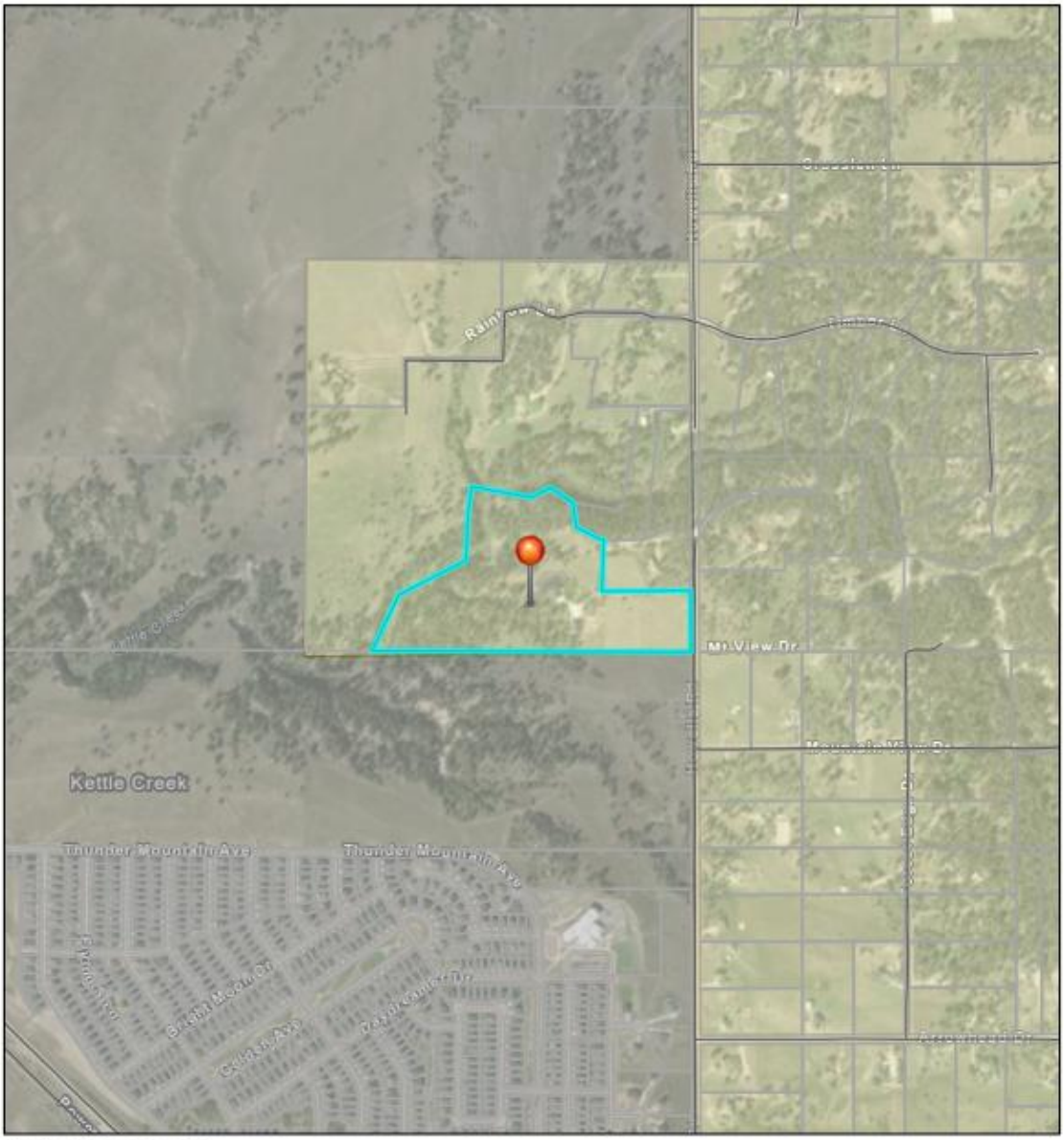
County Zoning

- RR-2.5: Residential Rural (2.5 acres)
- RR-5: Residential Rural (5 acres)
- Initial Zoning
- Special Use
- Incorporated Cities
- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations

El Paso/Teller E-911, El Paso County Development Services, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Vantor


Placetypes Map
Rainbow Dr
Mt View Dr
Kettle Creek
10/7/2026, 12:51:14 PM
1:14,727
0 0.07 0.15 0.3 mi
0 0.15 0.3 0.6 km
Override 1
County Roads
Parcels
Placetypes
Large-Lot Residential
Incorporated Area
Incorporated Cities
World Imagery
Low Resolution 15m Imagery
High Resolution 60cm Imagery
High Resolution 30cm Imagery
Citations
El Paso/Teller E-911, Created by Houseal Lavigne Associates (2021), Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Vantor

Areas of Change Map



~~January 29, 2026~~
Revised June 24, 2026

El Paso County Planning Department
2880 International Circle, Suite 110
Colorado Springs, CO 80910

RE: Letter of Intent
AFT Ranch Filing No. 2
EA25121-PCD File VR261
11520 Howells Rd., Colorado Springs, CO 80908
Parcel No. 62154-01-003

Gentlemen:
This letter serves as our Letter of Intent for the above-mentioned minor subdivision replat and Filing No. 2. Detailed information on this request is as follows:

Applicant:
Charlie and Nancy Shea for Charles R. and Nancy K. Shea Living Trust and AFT Ranch LLC, Nancy K. Shea, Mgr.
11520 Howells Rd., Colorado Springs, Colorado 80908
719-499-6531 crs@crshea.com
719-244-6592 nancys@crshea.com

Dave V. Hostetler, PLS
Land Development Consultants, inc.
3898 Maizeland Rd., Colorado Springs, CO 80909
719-528-6133 x109 dhostetler@ldc-inc.com

Logan L. Langford, P.G.
Entech Engineering, Inc. 505 Elkton Dr., Colorado Springs, CO 80907
719-531-5599 x106 llangford@entechengineers.com

Owner(s):
Charles R. and Nancy K. Shea Living Trust, 11520 Howells Rd., Colorado Springs, CO 80908,
719-499-6531, crs@crshea.com
719-244-6592, nancys@crshea.com

Site location: 11520 Howells Rd., Colorado Springs, Colorado 80908

Property Tax Schedule: 62154-01-003

Size: 34.347 acres, Zoned RR-5

Proposed Development-PCD File VR261:

The proposed request is to replat a 34.347-acre (AFT Ranch Filing No. 1, Lot 1) into two lots. The current zoning allows for 5-acre lots within the zone district. The Lot 1 will be divided into 2 lots. One lot to the western section of the land, a second lot on the southeast section of the land. The proposed replat will include Lot 1A within the western region of the project site of 29 acres, Lot 1B within the southeastern region of the project site of 5.310 acres. AFT Ranch, Filing No.1 consisted of 2 lots; lot 1 was 34.347 acres and Lot 2 was 5.327 acres. The replat (Filing No. 2) consists of Lot 1A and Lot 1B.

Configuration of the lots are shown on the Site Plan (Plat) document that has been uploaded.

The current state water allocation will allow up to 5 wells on the entire parcel consisting of 39.647 acres. The Augmentation Plan and recorded Decree of the Water Court Division 2, Case Nos: 2013CW2 (Div 2) and 2013CW3 (Div 1) recorded 6/19/2014 No. 214049357 verifies this allocation. The Decree will be uploaded on EDARP.

The application for a minor subdivision complies with El Paso County review criteria for a minor subdivision, as stated in El Paso County Land Development Code Chapter 7 and C.R.S. 30-28-133. Relationship to surrounding land uses is compatible to adjacent properties. The majority of the neighbors in this area are rural property owners, as is the current zoning on this parcel. After the subdivision application is granted, these lots will still all be rural lots with single family residences in keeping with the design intent of this portion of the County Master Plan.

1) Conformance with Master Plan. The El Paso County Master Plan defines this parcel in Black Forest as a forested area, in a Minimal Change-Undeveloped area of change and Large Lot Residential Placetype. The Large Lot Residential Placetype consists almost entirely of residential development and acts as the transition between placetypes. As part of the Forested Areas Key Area, new development in these locations should be of a lower intensity to mitigate any impacts on the Forest, properly manage stormwater, provide safe access to major roads and state highways for the traveling public and emergency response vehicles and adhere to the strictest building codes to prevent any hazards such as fires and soils erosion related to poor planning, design and construction. The owner and the design team have taken care to ensure this proposed development addresses the requirements and goals for this key area by dividing the site into 2 lots within the current RR-5 zone. Concerns regarding fires, soil erosion, and access to major roads are all addressed in the plan for this minor subdivision replat, with most of these concerns being addressed on either the plat or the Letter of Intent in our submission package. The seamless connection between the natural environment and small-scale, low intensity development is critical to their identity.

   The forestry management is addressed in the Forestry Management Section of "Natural Resources, Forestry Management and Fire Protection Plan" by the applicants and their representative Thomas Flynn, Certified Arborist with Front Range Arborists.

   Goal 2.2.1 The impact for this development on drainage is as follows:

1. The new home/structure will be constructed on the newly created 5-acre lot.

2. Any future subdivision of the larger lot to create additional lot or lots (such as AFT Ranch Filing No. 3) will require a new final drainage letter (FDR).

3. Kettle Creek drainage fee for 2026 is $14,733.00 per impervious acre. Applicants are aware that upon approval and recording of the minor subdivision replat known as AFT Ranch Filing 2, they will need to pay park, school, and drainage fees based on the 2026 schedule. Applicants will defer road impact and driveway access permit fees until time of building permit.

4. Instead of a drainage letter prepared by a licensed engineer, Staff will accept a note on the Letter of Intent "LOI" that is prepared, signed, and dated by the applicant.

5. The new home will cause no adverse impacts to adjacent or downstream properties with respect to stormwater runoff.

6. The Calculated Fee is for one additional lot which is created by AFT Ranch Filing No. 2, since the size of the new lot is 5 acres, a 25% reduction in the calculated drainage fee is allowed; calculated fee must use 2026 value. This site is in the Kettle Creek drainage basin. The 2026 Kettle Creek Drainage Fee is $14,733.00 per impervious acre. The impervious area for Lot 1B is .388 acre. $14,733.00 x .388 = $5,716.40 x .75 =$4,287.30.

Goal 4.1 Transportation Network. Howells Road is a 2-lane gravel road going north from Old Ranch Road. Howells Road dead ends immediately north of the subject property. This replat should have no impact on the county transportation network.

Goal 5.3 Ensuring Adequate Provision of Utilities. Utilities are being provided by well water. Refer to Decree of Water Court Division 2, Case Nos.: 2013CW2 (Div 2) and 2013CW3 (Div 1).

Goal 5.3.1 Gas and Electric is supplied by local utility companies. Commitment letters from Black Hills Energy and Mountain View Electric Association will be included in the documents contained in this submission. Both gas and electric are currently adjacent to the proposed 5 acres (Lot 1B) and are present at the residences on Lot 1 and Lot 2 of the AFT Ranch, Filing No. 1 recorded August 19, 2105.

Goal 5.3.2 On Site Wastewater treatment will be through individual septic systems. See OWTS Report prepared by Entech Engineering dated January 29, 2026.

2) The minor subdivision replat is consistent with the purposes of the Land Development Code ("Code"), i.e., to promote predictability, consistency and efficiency in the land development process for all residents and business interests.

Policy 1.1 Promote consistency in land development. This site is consistent with RR-5 zone district and the development has lot sizes consistent with adjacent sites.

Policy 1.2 The submission for this minor subdivision replat as a public process provides the opportunity to protect the nearby community and neighboring residents with adjacent property notifications sent as required. To our knowledge, there have been no comments from adjacent property owners.

Policy 1.3 All policies to provide adequate water, sewerage and public access to the area surrounding this minor subdivision replat have been addressed in the appropriate engineering reports that are included in this application. This minor subdivision replat does not prevent any public health, safety or general welfare concerns for other citizens and businesses in the area. The preparation of all engineering reports and design of this minor subdivision replat have addressed reasonable standards for design in the County. Proper legal descriptions have been included in all documentation, and specifically in the Plat that has been submitted as part of this application.

3) The minor subdivision replat is in conformation with the subdivision design standards and regulations and meets all planning, engineering and surveying requirements of the County for maps, data, surveys, analysis, studies, reports, plans, designs, documents and other supporting materials to the best of all parties knowledge, belief and opinion, and as described in Chapter 8 of El Paso County Land Development Code ("LDC").

Specific code references that are applicable to this application are:

8.2 Conformity with Plans and Standards. The lot being subdivided into two lots is to stay within development standards for smaller subdivisions.

8.3 Restrictions Associated with the Plat. The access to each lot will be by a private driveway that will be constructed to allow fire department access and turnaround space for fire department vehicles. Both private driveways are accessed from Howells Road on the eastern property boundary.

8.4 Design Considerations and Standards respectively. The existing residence and barn on Lot 1A to the west of Howells Rd. will be accessed by a 40' wide private driveway with public utility easement. The 40' wide driveway is the access and legally part of Lot 1A which is considered a flag lot. Per LDC 8.4.3.B.4 a flag lot requires a minimum width of the pole to be 30'. The area of the pole is 0.5396 acres and not included in the overall size of Lot 1A. Lot 1B will be accessed directly off Howells Rd. Lot 1B home site will be constructed in an area under one acre disturbance.

4) A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of minor subdivision replat 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. The Water Resources Report for The AFT Ranch, EPC Parcel #62154-01-003, has been submitted which addresses the requirements of quantity (already established by the Water Decree), quality and dependability for the type of minor subdivision replat proposed, supported by a Water Decree from District Court, Water Division 2, State of Colorado, Case Nos. 2013CW2 (Div 2) and 2013CW3 (Div 1). Water will be provided by a new well to Lot 1B.

5) The proposed Lot 1B will utilize private septic system and leach field to be in compliance with current El Paso County Health Department regulation and shall comply with required distances to the new well. The "no build area easement" on Lot 1B will not allow the OWTS per the notes on the final plat.

6) Wastewater Study contained within this submission from Entech Engineering dated January 29, 2026 which shows the system will comply with state and local law and regulations as shown in [C.R.S. § 30-28-133(6) (b)]. Septic permit will be obtained by the homeowner or General Contractor at time of the building permit to show location of the new well and the new septic system at time of building permit and site plan review by El Paso County.

7) All areas of the proposed minor subdivision replat, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions [C.R.S. § 30-28-133(6)(c)]. As shown in the Soils and Geology Study dated January 29, 2026, prepared by Entech Engineering, Inc., the site was found to be suitable for the proposed development. General site conditions, soils, topography and geologic conditions have been addressed by Entech Engineering in the Onsite Wastewater Study dated January 29, 2026.

8) This proposed minor subdivision replat will not have any public improvements.

9) Howells Rd. is a County maintained road that can be accessed directly from Lot 1A private driveway and Lot 1B being created with the replat. Lot 1B will take direct access to Howells Rd.

10) Per the notes from Development Services Engineer, Jalal Saleh, at the EA meeting on Wednesday, November 19, 2025, page 6 TRAFFIC NOTES: No traffic study is required. Per ECM Appendix B.1.2.D states: Vehicular Traffic (1) Daily vehicle trip-end generation is less than 100 or the peak hour trip generation is less than 10; (2) there are no additional proposed minor or major roadway intersections on major collectors, arterials, or State Highways; (3) the increase in the number of vehicular trips does not exceed the existing trip generation by more than 10 peak hour trips or 100 daily trip ends; (4) the change in the type of traffic to be generated (i.e., the addition of truck traffic) does not adversely affect the traffic currently planned for and accommodated within, and adjacent to, the property; (5) acceptable LOS on the adjacent public roadways, accesses, and intersections will be maintained; (6) no roadway or intersection in the immediate vicinity has a history of safety or accident problems; and (7) there is no change of land use with access to a State Highway. Based on these guidelines, no traffic study is required.

11) The proposed minor subdivision replat to create one additional lot generates minimal additional traffic to Howells Rd. which is a gravel dead end road. EPC Road Impact Fees will apply for new homes. EPC Road Impact Fees for single family detached dwelling currently is $4,101.00 paid at time of Building Permit. The EPC RIF will be higher in 2026.

12) All necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be available to serve the proposed minor subdivision replat. Police and fire protection are covered by El Paso County. Electric utilities will be provided by Mountain View Electric Association ("MVEA"). Electrical is currently overhead

and underground serving Lot 1 and Lot 2 of Fil No 1. Providing power to Lot 1B can be achieved. Natural gas to be provided by Black Hills Energy. Both electric and gas services will occur as part of Lot 1B home construction process. Black Hills Energy natural gas service is located in the N/E corner of the proposed Lot 1B. The entire property has been allocated for the use of five wells within the State's augmentation plan and Decree. The Fire Protection for the site meets Section 6.3.3 of the El Paso County Land Development Code. Black Forest Fire District station located at Burgess Road and Teachout Road is less than 4 miles east of the proposed minor subdivision replat. At the time of the home construction, the proposed home on Lot 1B will be constructed in accordance with the Adopted Fire and Building Code Standards.

13) The Forest Management and Fire Protection Plan Appendix D, according to the CSFS Colorado Wildfire Risk Map, the site is at low to moderate risk for wildfire. Appendix E of the same report also references the Wildland Urban Interface (WUI) Worksheet. This report also details the locations, equipment and staffing of the Black Forest Fire Department.

14) As there are no added public facilities or infrastructure in this proposed minor subdivision replat, we believe there is no need for financial guarantee through SIA or mitigation of financial impacts.

15) There are no known commercial mining deposits to be extracted from this parcel/subdivision and as such this shall not impede any commercial mining deposits, as referenced in [C.R.S. §§ 34-1-302(1), et seq.].

16) AFT Ranch Subdivision Filing No. 1 was recorded August 19, 2015, at 11:21 am; Reception No. 215713667. Construction on Lot 2 commenced immediately with a single-family dwelling. Construction on Lot 1 commenced in 2016 with a barn/guest house and horse facility. Construction on Lot 1 of a single-family dwelling commenced in 2019. Protection of environmental features and consideration of the wildlife habitat zone/no-build area and drainage easement were observed and followed during development and construction.

We have made every effort to address all requirements for this request, and we are available to answer any additional questions that may arise from the County on any aspects of this request for a minor subdivision replat.

Respectfully,

Charlie and Nancy Shea
~~Dated: January 29, 2026~~
Revised: June 24, 2026

AFT RANCH SUBDIVISION FILING NO. 2

A VACATION AND REPLAT OF LOT 1, "AFT RANCH SUBDIVISION FILING NO. 1",
BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 12 SOUTH,
RANGE 66 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO

BE IT KNOWN BY THESE PRESENTS:

That CHARLES R. SHEA LIVING TRUST and NANCY K. SHEA LIVING TRUST being the owners of the following described tract of land to wit:

A tract of land being a portion of the Southeast Quarter of Section 15, Township 12 South, Range 66 West of the 6th P.M., situate in El Paso County, Colorado, described as follows:

Lot 1, AFT RANCH SUBDIVISION FILING NO. 1 (Reception No. 215713667, El Paso County, Colorado records);

Containing 34.030 acres (1,482,356 square feet), more or less.

OWNERS' CERTIFICATE:

The undersigned, being all the owners of the land described herein, have laid out, subdivided, and platted said land into lots and easements as shown hereon under the name and subdivision of AFT RANCH SUBDIVISION FILING NO. 2. The utility easements shown hereon are hereby dedicated for public utilities and communication systems and other purposes as shown hereon. The entities responsible for providing the services for which the easements are established are hereby granted the perpetual right of ingress and egress from and to adjacent properties for installation, maintenance, and replacement of utility lines and related facilities.

CHARLES R. SHEA LIVING TRUST

_____
Charles R. Shea, Trustee

NANCY K. SHEA LIVING TRUST

_____
Nancy K. Shea, Trustee

NOTARIAL:

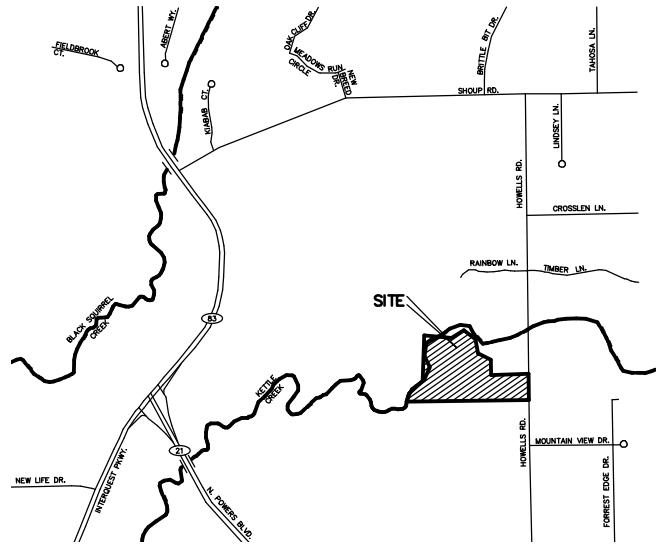
STATE OF COLORADO }
COUNTY OF EL PASO } SS

Acknowledged before me this _____ day of _____, 20_____ by Charles R. Shea, Trustee of CHARLES R. SHEA LIVING TRUST and Nancy K. Shea, Trustee of NANCY K. SHEA LIVING TRUST.

My commission expires _____

Witness my hand and seal

_____
Notary Public



NOTES:

1. This survey does not constitute a title search by LDC, Inc. to determine ownership or easements of record. For all information regarding easements, rights-of-way and title of record, LDC, INC. relied upon an ALTA Commitment for Title Insurance, prepared by EMPIRE TITLE on behalf of STEWART TITLE GUARANTY COMPANY, Commitment Number 2816483, dated January 2, 2026 at 8:00 a.m.
2. All property owners are responsible for maintaining proper storm water drainage in and through their property. Public drainage easements as specifically noted on the plat shall be maintained by the individual lot owners unless otherwise indicated. Homebuilders are responsible to ensure proper drainage around structures, including elevations of foundations and window wells in relation to side-lot drainage easements and swales. Homeowners shall not change the grade of the lot or drainage swales within said easements, as constructed by the builder, in a manner that would cause adverse drainage impacts to properties. Structures, fences, materials or landscaping that could impede the flow of runoff shall not be placed in drainage easements.
3. No driveway shall be established unless an access permit has been granted by El Paso County. Individual lot purchasers are responsible for constructing driveways, including necessary drainage culverts from Howell Road per Land Development Code Section 6.3.3.C.3. Due to their length. Some of the driveways will need to be specifically approved by the Black Forest Fire Protection District.
4. All structural foundations shall be located and designed by a Professional Engineer, currently registered in the State of Colorado, with site specific soils and foundation investigations for any proposed structure(s). CGS recommends that if proposed improvements are associated with either lot, ENTECH ENGINEERING, INC. will review its location relative to the No-Build Zone and determine whether a slope stability analysis is required.
5. The following reports have been submitted and are on file at the County Development Services Department: Soils and Geology Report; Findings of Fact, Conclusions of Law, Judgment and Decree for Water; Fire Mitigation Plan; Wastewater Disposal Report.
6. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of 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 related to the listed species (e.g. Preble's Meadow Jumping Mouse).
7. The addresses (11520) exhibited on this plat are for informational purposes only. They are not the legal descriptions and are subject to change.
8. Mailboxes shall be installed in accordance with all El Paso County and United States Postal Service regulations.
9. Individual wells are the responsibility of each property owner. Permits for individual wells must be obtained from the State Engineer who by law has the authority to set conditions for the issuance of these permits. Water in the Denver Basin Aquifers is allocated based on a 300-year aquifer life. Applicants, the Home Owners Association and all future owners in the subdivision should be aware that the water supply based on wells in a given Denver Basin Aquifer may be less than either the 100 years or 300 years used for allocation indicated due to anticipated water level declines. Furthermore, the water supply plan should not rely soley upon non-renewable aquifers. Alternatively renewable water resources should be acquired and incorporated in a permanent water supply plan that provides future generations with a water supply.
10. Sewage treatment is the responsibility of each individual property owner. The El Paso County Department of Health and Environment must approve each system and, in some cases the Department may require an engineer designed system prior to permit approval. These systems may cost more to design, install, and maintain.
11. A portion of this property is located within Flood Zone AE with base flood elevations determined, in Flood Zone Z, areas of 500-year flood, areas of 100-year flood with average depths of one foot or areas with drainage less then one square mile and in Flood Zone X determined to be outside the 500-year floodplain as determined by the FEMA Flood Insurance Rate Maps, Community Map Numbers 08041C0295 G and 08041C0507 G, effective date December 7, 2018. No structures or new fences are permitted within the designated Floodplain areas.

NOTES (CONT.):

12. At the time of approval of this project, this property is located within the Black Forest Fire Protection District. The owner of any lot should contact the fire district to determine the exact development requirements relative to the adopted Fire Code. Due to wildfire concerns, homeowners are encouraged to incorporate wildfire fuel break provisions as recommended by the Colorado State Forest Service and illustrated through publications available through the State Forest Service. A letter of compliance has been received from the Colorado State Forest Service, Fire Department, Fire Marshall or other qualified professional stating practices designed to reduce wildfire hazards has been completed in accordance with the Wildland Fire and Hazard Mitigation Plan. Such work may include, but is not necessarily limited to the following: forest wide thinnings; fuelbreak thinnings; prunings; debris disposal.
13. The FEMA 100-year flood plain line is dedicated to El Paso County as a drainage easement with the restrictions of no-build and no storage of material.
14. There are two (2) lots within this Minor Subdivision Vacation and Replat Final Plat. Lot 1A is built out as a residential-developed lot.
15. The 300-ft no build/no construction zone to be designated as a wildlife habitat protection zone as well as a multi-use trail corridor with final twenty-five (25') foot wide trail easement location to be approved by USWFS and land owner.
16. The 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 El Paso County Road Impact Fee Program Resolution (Resolution No. 25-337), 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 in plat notes to ensure that a title search would find the fee obligation before sale of the property.
17. The Private No Build Area (AS REPLATTED) as defined by document as Preservation Area (Reception No. 216034424, El Paso County, Colorado records) for each lot is identified by lineal footage, direction and approximate square footage. The Private No Build Area is intended to protect the land owners privacy and views. The Private No Build Area is to remain as pasture or open space and is not to be used for any type of structure, OWTS, or storage of anything including farm implements, vehicles, RV's, horse/stock trailers or any other kind of trailers. The Private No Build Area may be used for agricultural purposes including pasture for farm animals, crops and vegetation such as trees native to the area. Private No Build Areas are enforced by the owners and not El Paso County.
18. Lineal units shown hereon are US Survey Feet
19. Basis of Bearings: All bearings are based on the Westerly line of A & E SUBDIVISION (Plat Book K-3, Page 102, El Paso County, Colorado records), monumented by a found rebar with aluminum cap marked L.S. #2692 at the Northwesterly corner and Southwesterly corner angle point, and a line between them assumed to bear S09°43'46"W, a distance of 716.71 feet.
20. Unless otherwise indicated, side, front and rear lot lines are hereby platted on either side with a ten foot Public Utility and Drainage Easement unless otherwise indicated. All exterior subdivision boundaries are hereby platted with a twenty foot Public Utility and Drainage Easement. The sole responsibility for maintenance of these easements is hereby vested with the individual property owners.
21. Gas and Electric: The subdivider/developer is responsible for extending utilities to each lot, tract or building site. Gas and electric service for this subdivision is provided by BLACK HILLS ENERGY and MOUNTAIN VIEW ELECTRIC ASSOCIATION respectively, subject to the District's (Provider's) rules, regulations and specifications.
22. Soil and Geologic Conditions: Areas within this subdivision have been found to be impacted by potential geologic constraints as detailed in the Soils and Geology Study for 11520 Howells Road (AFT RANCH SUBDIVISION FILING NO. 2) prepared by ENTECH ENGINEERING, INC. and dated January 29, 2026. The report is available in the El Paso County Planning and Community Development Department records (www.epcdevplanreview.com) under File Number VR261. The Study includes mapping of any potential hazard areas within the subdivision. A description of affected lots, potential constraints and mitigation measures are listed below. Individual soils investigations and foundation designs for all new building sites and septic systems are required once building locations have been determined. Should groundwater or bedrock be encountered within 6 feet of the surface, designed on-site wastewater systems are required. Wastewater absorption fields must be located at least 100 feet from any well, 50 feet from drainages, floodplains or ponded areas and 25 feet from dry gulches. Scour erosion and slope stability: It appears that no-build areas are associated with Kettle Creek and the area between the proposed lots. No basements are allowed unless the engineer provides site-specific data about any problems expected with groundwater fluctuations (Engineer Criteria Manual (ECM) C.2 Geologic Hazards Report F.5). If deemed necessary, a four-season monitoring program is a reliable way to determine groundwater fluctuations, as site-specific soil investigations are typically limited to data from the month of drilling.

SURVEYOR'S CERTIFICATION:

I David Hostetler, a duly registered Professional Land Surveyor in the State of Colorado, do hereby certify that this plat truly and correctly represents the results of a survey made on date of survey, by me or under my direct supervision and that all monuments exist as shown hereon; that mathematical closure errors are less than 1:10,000; and that said plat has been prepared in full compliance with all applicable laws of the State of Colorado dealing with monuments, subdivision, or surveying of land and all applicable provisions of the El Paso County Land Development Code.

I attest the above on this _____ day of _____, 20____.

David V. Hostetler
Colorado Professional Land Surveyor No. 20681

BOARD OF COUNTY COMMISSIONERS CERTIFICATE:

This plat for AFT RANCH SUBDIVISION FILING NO. 2 was approved for filing by the El Paso County,

Colorado Board of County Commissioners on the _____ day of _____, 20____, subject to any notes specified hereon and any conditions included in the resolution of approval.

ATF RANCH SUBDIVISION FILING NO. 1 name in entirety is vacated and amended for the areas described by this replat subject to all covenants, conditions and restrictions recorded against and appurtenant to the original plat recorded in the Office of the El Paso County Clerk and Recorder under Reception No. 215713667.

The dedications of land to the public easements are accepted.

_____ _____
Chair, Board of County Commissioners — Date

_____ _____
Planning and Community Development Director — Date

RECORDING:

STATE OF COLORADO }
COUNTY OF EL PASO } SS

I hereby certify that this instrument was filed for record in my office at _____ o'clock ____.M.,

this _____ day of _____, 20____ A.D., and is duly recorded under

Reception No. _____ of the records of El Paso County, Colorado.

Steve Schleiker, Recorder

SURCHARGE: _____

FEE: _____

BY: _____
Deputy

FEES:

Park Fee: _____ Drainage Fee: $3,382.23

School Fee: _____ Bridge Fee: _____

Owner of Record at time of platting:

CHARLES R. SHEA LIVING TRUST and
NANCY K. SHEA LIVING TRUST
11520 Howells Road,
Colorado Springs, CO 80908-3736
Phone (719) 499-6531

PCD FILE NO.: VR261

According to Colorado law, you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

CALL BEFORE YOU DIG . . .
811
DIAL 811
48 HOURS BEFORE YOU DIG, CALL UTILITY LOCATORS FOR LOCATING AND MARKING GAS, ELECTRIC, WATER AND COMMUNICATIONS

REVISIONS

No.	Description	By	Date
1	DATA CLARIFICATION	DVH	02/23/26
2	COUNTY COMMENTS	DVH	04/01/26/26/26

H Scale: N/A
V Scale: N/A
Designed By: N/A
Drawn By: ATP
Checked By: DVH
Date: 11/25/25

Land Development Consultants, Inc.
PLANNING • SURVEYING
www.ldc-inc.com • TEL: (719) 526-6133 • FAX: (719) 526-6848
3886 MAZELAND ROAD • COLORADO SPRINGS, CO 80909

FINAL PLAT
AFT RANCH SUBDIVISION
FILING NO. 2

Project No.: 23013

Sheet: 1 of 2

E:\Projects\LDC Company\2023\23013\Drawings\Plat\23013 ATF Ranch Subd Filing No 2 PLAT SHEET 1 OF 2.dwg 12/22/25 8:25 AM

AFT RANCH SUBDIVISION FILING NO. 2

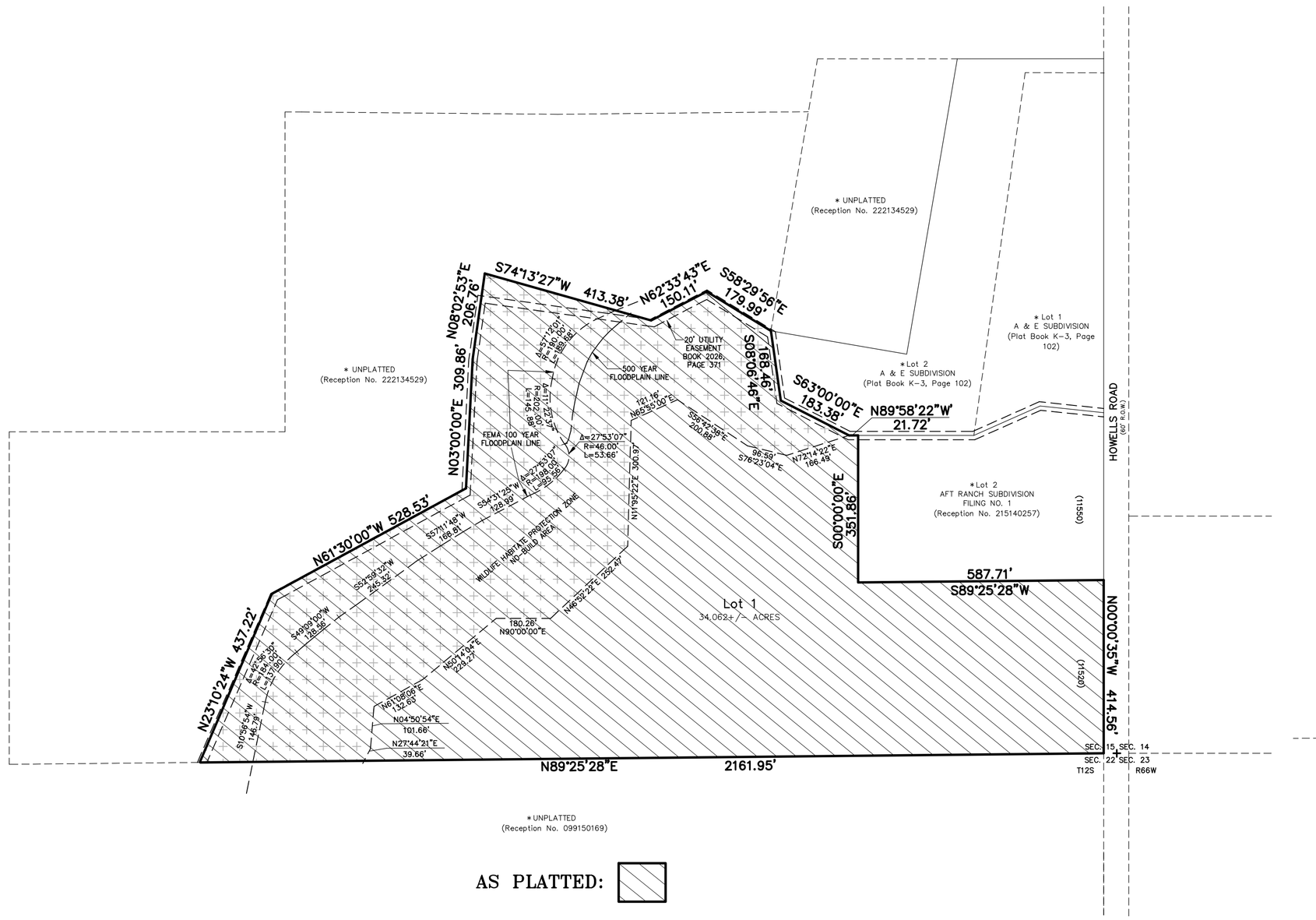
A VACATION AND REPLAT OF LOT 1, "AFT RANCH SUBDIVISION FILING NO. 1",
BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 12 SOUTH,
RANGE 66 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO

FOUND SURVEY MONUMENTS				
ID	TYPE/SIZE	CAP DIAMETER/COLOR/TYPE	STAMPED	GROUND RELATIONSHIP + ABOVE/ – BELOW
1	U/K	3–1/4" ALUMINUM CAP	RLS 10377	FLUSH
2	NO. 4 REBAR	1" RED PLASTIC CAP	RLS 25968	–0.1'
3	U/K	1–1/2" ALUMINUM CAP	RLS 10377	–0.3'
4	U/K	BUZZ UNDER ROAD SURFACE	U/K	–1.0'+/–
5	NO. 4 REBAR	1" RED PLASTIC CAP	RLS 25968	–0.1'
6	NO. 4 REBAR	1" RED PLASTIC CAP	RLS 25968	–0.1'
7	1" IRON PIPE	BARE	N/A	FLUSH
8	U/K	1–1/2" ALUMINUM CAP	RLS 25968	FLUSH
9	U/K	1–1/2" ALUMINUM CAP	RLS 25968	FLUSH
10	NO. 4 REBAR	1" RED PLASTIC CAP	RLS 25968	–0.1'
11	U/K	1–1/2" ALUMINUM CAP	2692	FLUSH
12	NO. 4 REBAR	1" RED PLASTIC CAP	RLS 25968	FLUSH
13	NO. 4 REBAR	1" RED PLASTIC CAP	RLS 25968	FLUSH
14	NO. 4 REBAR	1" RED PLASTIC CAP	RLS 25968	FLUSH
15	U/K	1–1/2" ALUMINUM CAP	LW PE&LS 2692	FLUSH
16	NO. 4 REBAR	1" RED PLASTIC CAP	RLS 25968	FLUSH
17	NO. 4 REBAR	1" RED PLASTIC CAP	RLS 25968	FLUSH
18	NO. 4 REBAR	1" RED PLASTIC CAP	RLS 25968	FLUSH
19	NO. 4 REBAR	1" RED PLASTIC CAP	RLS 25968	FLUSH
20	NO. 4 REBAR	1" RED PLASTIC CAP	RLS 25968	–0.1'
21	NO. 4 REBAR	1" RED PLASTIC CAP	ILLEGIBLE	FLUSH

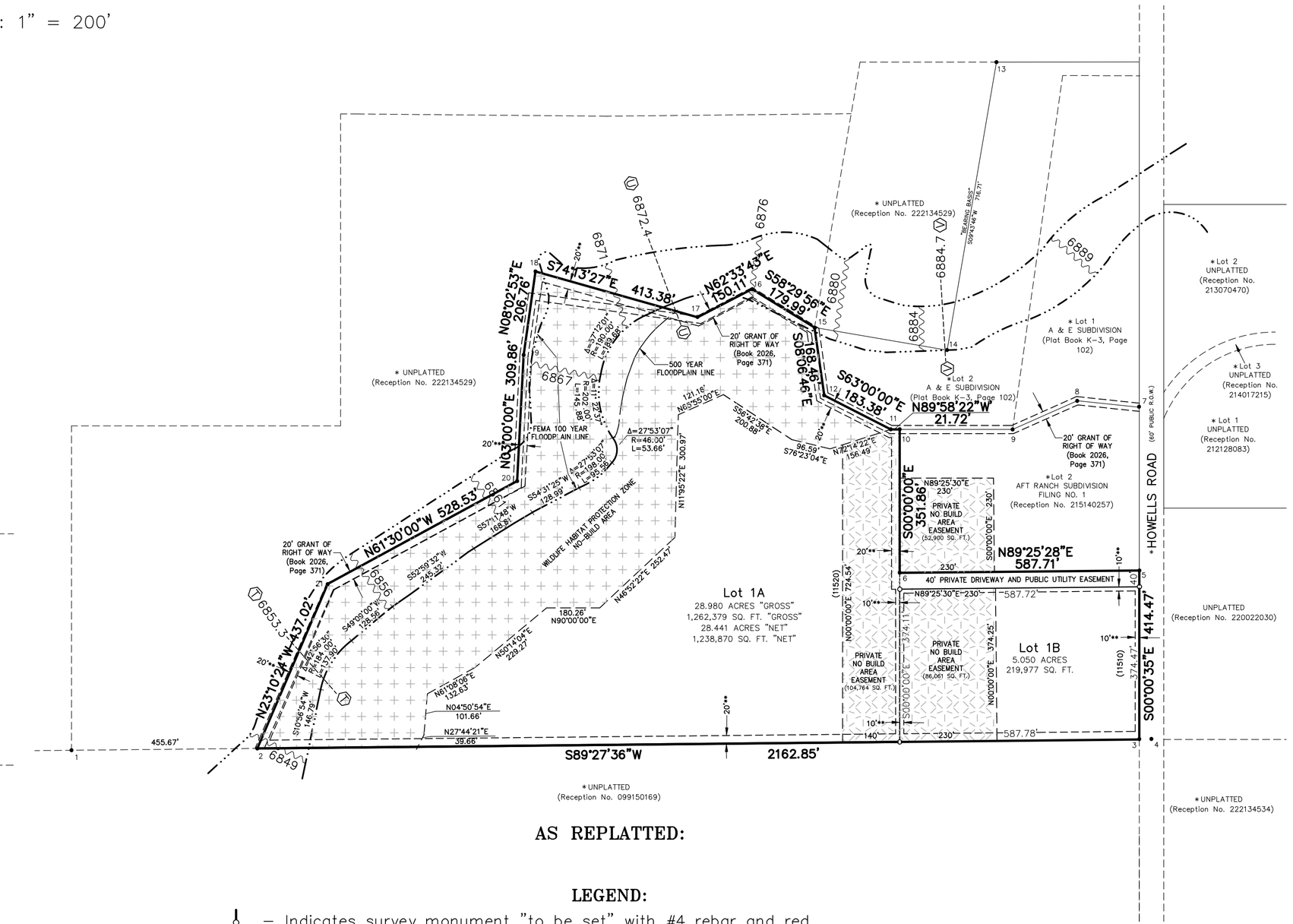
N

200' 0 200' 400'

SCALE: 1" = 200'



AS PLATTED:



AS REPLATTED:

LEGEND:

- – Indicates survey monument "to be set" with #4 rebar and red plastic cap, PLS No. 20681 flush w/ground, except where noted otherwise
- – Indicates survey monument found as noted
- – Indicates boundary line
- * – Indicates "not a part of this subdivision"
- (11520) – Indicates lot address
- 6849 – Indicates Base Flood Elevation Line/Elevation
- 6853.3 – Indicates Flood Elevation Cross Sections/Elevation with 1% Annual Chance
- – Indicates FEMA 100–Year Flood Plain
- 10'**, 20'** – Indicates platted Public Utility and/or Drainage Easement per Note 20, Sheet 1 of 2
- – Indicates Wildlife Habitat Protection Zone NO BUILD AREA
- – Indicates PRIVATE NO BUILD AREA Easement

PCD FILE NO.: VR261

According to Colorado law, you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

CALL BEFORE YOU DIG . . .
811
DIAL 811
48 HOURS BEFORE YOU DIG, CALL UTILITY LOCATORS FOR LOCATING AND MARKING GAS, ELECTRIC, WATER AND WASTEWATER

REVISIONS

No.	Description	By	Date
1	DATA CLARIFICATION	DVH	02/23/26
2	COUNTY COMMENTS	DVH	04/01,06/25/26

H Scale: 1" = 200'
V Scale: N/A
Designed By: N/A
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FINAL PLAT
AFT RANCH SUBDIVISION
FILING NO. 2

Project No.: 23013
Sheet: 2 of 2

LDCINASLOC Company\LDC Data\2000\2023\13 - AFT Ranch Bold 1\Surveying\Working\23013 COVER SHEET (WORKING) 12232025 WCS.dwg

COLORADO
Division of Water Resources
Department of Natural Resources

June 23, 2026

Joe Letke
El Paso County Planning & Community Development
Email Address: JoeLetke@elpasoco.com

Re: AFT Ranch Subdivision Filing No. 2 - Vacate and Replat of Lot 1, Filing 1
Sec. 15, Twp. 12S, Rng. 66W, 6th P.M.
Water Division 2, Water District 10
CDWR Assigned Referral No. 34622 (Filing 1 is under No. 23643)

Dear Joe Letke:

We have reviewed your submittal for a lot line vacate and replat of the AFT Ranch Subdivision. According to the materials, the Filing No. 1 currently consists of 2 lots: Lot 1 is 34.347 +/- acres, and Lot 2 is 5.327 +/- acres. For this vacate and replat, Lot 1 will be subdivided into two lots, with Lot 1a becoming 29 acres, and 1B (also known as Lot 3 in the submitted materials) as 5.310 acres. The submittal does not include Lot 2 in any of the changes.

Water Uses and Demand

According to Water Supply Information Summary received in the submittal, the estimated water demand for the entire subdivision is 3 acre-feet per year consisting of the following:

- 2 acre-feet/year for two single family dwellings
    - The watering of 2 acres of home gardens and lawns (included in this 2 acre-feet/year)
    - The watering of 2 head of stock (included in this 2 acre-feet/year)
- 1 acre-foot/year for one guest house

Please note that standard water use rates, as found in the *Guide to Colorado Well Permits, Water Rights, and Water* Administration, are the following:

- 0.3 acre-foot/year for each ordinary household,
- 0.05 acre-foot/year for four large domestic animals, and
- 0.05 acre-foot/year for each 1,000 square feet of lawn and garden irrigation.

Using the above standard amounts would estimate that irrigation of 2 acres of home garden and lawns would use about 4.36 acre-feet of water per year. Combining this amount with 2 large domestic animals and 3 single-family dwellings would bring estimated water demand to 5.281 acre-feet per year.

Water Supply

The proposed source of water is individual on-lot wells producing from the not-nontributary Denver aquifer that will operate pursuant to the decree and plan for augmentation in the Division 2 Water Court case no. 2013CW0002.

The plan for augmentation decreed in case no. 2013CW0002 allows for the maximum annual diversion from the Denver aquifer, for 300 years, depending on the number of wells constructed, as follows:

- One, two, or three wells: 1.094 acre-feet per well
- Four wells: 1.001 acre-feet per well
- Five wells: 0.801 acre-foot per well

There are three well permits currently serving the existing subdivision following the 2013CW0002 decreed amounts: 79187-F (Lot 2), 80236-F and 82423-F (Lot 1). The permits have conditions regarding the following maximum annual volume pumped:

> The average annual amount of ground water to be withdrawn from the existing wells shall not exceed 1.094 acre-feet (356,481 gallons).

> The combined annual amount, together with the other Denver aquifer wells in paragraph 29B of the decree in case no. 2013CW02, shall not exceed 4.004 acre-feet per year (1,304,707 gallons).

The existing permitted conditions align with the decree's maximum annual volume pumped if there are three or fewer wells constructed on the property.

According to the information with the Water Supply Information Summary Sheet, a fourth well is anticipated to be constructed. Therefore, pursuant to the decree in case no. 2013CW0002, the existing wells under well permit nos. 79187-F (Lot 2), 80236-F (Lot 1), and 82423-F (Lot 1) will need to file well permit applications to re-permit the wells to allow up to the maximum withdrawal of 1.001 acre-feet/year per well. The well owners can submit GWS-44 Residential Well Permit Applications for their well permit(s) to update the corresponding annual amounts decreed in the 2013CW0002 Water Court Case. A fourth well permit for the proposed Lot 1b cannot be issued until all three existing wells are repermitted for the lower annual amount.

Based on 2013CW0002, each of the wells may be used to, "supply water for indoor uses in a single family dwelling on each lot, for commercial uses (sanitary and drinking water only), for a stand-alone office or guest cottage, for a hot tub/spa and/or swimming pool, for stock water, for landscape irrigation, for dust suppression, for fire-fighting, and for augmentation of depletions in this plan for augmentation through ISDS return flows." Currently, there are two well permits issued for Lot 1, the plat included in the submittal indicates both wells will remain on the new Lot 1a. The permits indicate that each well can serve one single family dwelling.

Please note that the decree restricts the number of households per well permit to "a single family dwelling." Please review our Guideline 2016-1 Concerning Water Supplies for Auxiliary Living Spaces to determine if the AUD would be considered a second single family dwelling, or if it could be considered an extension of the main home that could be served by an existing well permit already serving one of the single family dwellings. If the Auxiliary Living Space (AUD) mentioned in the submittal is **not** currently served solely by

one of the wells constructed on the property it may or may not need to be served by a separate well based on the scenarios below:

- If the AUD **is** considered an extension of the main home based on the above Guideline 2016-1, a well permit issued for one single family dwelling could be used to supply water to both a single family dwelling as well as the AUD.
- If the AUD **is not** considered an extension of the main home based on the above Guideline 2016-1, the AUD would need to be served by a separate permitted well or other water source.

The proposed source of water for this subdivision is a bedrock aquifer in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water. According to section 37-90-137(4)(b)(I), C.R.S., "Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years." Based on this **allocation** approach, the annual amounts of water decreed in 2013CW0002 are equal to one percent of the total amount, as determined by rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

The *El Paso County Land Development Code*, Section 8.4.7.(B)(7)(b) states:

> "(7) Finding of Sufficient Quantity
>
> (b) Required Water Supply. The water supply shall be of sufficient quantity to meet the average annual demand of the proposed subdivision for a period of 300 years."

The State Engineer's Office does not have evidence regarding the length of time for which this source will "meet the average annual demand of the proposed subdivision." However, treating El Paso County's requirement as an **allocation** approach based on 300 years, and using the existing two wells on Lot 1a combined with the new proposed well for Lot 1b, the allowed average annual amount of withdrawal 1.001 acre-feet/year per well from 3

wells is 3.003 acre-feet/year, which is greater than the estimated annual demand for this subdivision (3 acre-feet/year).

Applications for on-lot well permits, submitted by an entity other than the current water right holder, must include evidence that the applicant has acquired the right to the portion of water being requested on the application.

State Engineer's Office Opinion

Based upon the above and pursuant to section 30-28-136(1)(h)(I), C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights on the condition the wells under well permit nos. 79187-F, 80236-F and 82423-F file an application to be repermitted to the updated maximum annual amount of 1.001 acre-feet/year.

Our opinion that the water supply is **adequate** is based on our determination that the amount of water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

Our opinion that the water supply can be **provided without causing injury** is based on our determination that the amount of water that is legally available on an annual basis, according to the statutory **allocation** approach, for the proposed uses is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision.

Our opinion is qualified by the following:

The Division 2 Water Court has retained jurisdiction over the final amount of water available pursuant to the above-referenced decree, pending actual geophysical data from the aquifer.

The amounts of water in the Denver Basin aquifer, and identified in this letter, are calculated based on estimated current aquifer conditions. The source of water is from a non-renewable aquifer, the allocations of which are based on a 100-year aquifer

life. The county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 300 years used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.

Should you have any questions, please contact Katie of this office at Katharine.Anderson@state.co.us.

Sincerely,

Ailis A. Thyne

Ailis Thyne, P.E.

Water Resources Engineer

EC: File for well permit nos. 79187-F, 80236-F and 82423-F

EL PASO COUNTY
Office of the County Attorney
Civil Division

KENNETH R. HODGES, COUNTY ATTORNEY

Nathan J. Whitney, First Assistant County Attorney | Steven A. Klaffky, Chief Deputy County Attorney

October 1, 2026

VR-26-1 AFT Ranch Subdivision Filing No. 2

Reviewed by: Lori L. Seago, Senior County Attorney
April Willie, Paralegal

WATER SUPPLY REVIEW AND RECOMMENDATIONS

Project Description

1. This is a proposal for approval of AFT Ranch Subdivision Filing No. 2, a lot line vacate and replat application by Charles and Nancy Shea ("Applicant") which consist of 2 lots on 35 acres (the "property"). The project subdivides Lot 1, AFT Ranch Subdivision Filing No. 1 into two lots (1A and 1B). The property is zoned RR-5 (Rural Residential).

Estimated Water Demand

2. According to the Water Supply Information Summary, the estimated demand for each of three dwelling units is 1.0 acre-foot/year, to include indoor household use, irrigation, and stock watering, for a total subdivision demand of 3.0 acre-feet/year. The Water Resource Report clarifies that indoor household is estimated to demand 0.26 acre-feet/year per dwelling unit, with up to 0.751 acre-feet/year used for other permitted uses such as irrigation, stock watering swimming pool, dust suppression, and firefighting, resulting in a total subdivision demand of 3.033 acre-feet/year. Based on this total demand, Applicant must be able to provide a supply of 909.9 acre-feet of water (3.033 acre-feet per year x 300 years) to meet the County's 300-year water supply requirement.

Proposed Water Supply

3. The Applicant has provided for the source of water to derive from up to three (3) wells, including two existing on Lot 1A (Well Permit Nos. 80236-F & 82423-F), withdrawing from the not-nontributary Denver aquifer as provided in the Findings of Fact, Conclusions of Law, Judgment and Decree in Division 2 Case No. 2013CW2 and Augmentation Plan. The Decree allocated 9.0 acre-feet of Denver aquifer water per year for 300 years to the overlying 39 acres of property, of which this property is a part. The Augmentation Plan allows water to be withdrawn from the Denver aquifer through up to five wells. There are three wells currently serving the existing subdivision, with one well expected to be drilled with this filing. Based on the estimation of four wells in the Denver aquifer, the Augmentation plan allows for the maximum of 1.001 acre-feet per well for up to four wells, for a total pumping period of 300 years.

The approved Augmentation Plan has a term of 300 years and requires that septic system return flows be used for replacement during the pumping period for the approved wells. To ensure adequate return flows, at least one well must be serving an occupied single-family dwelling that is generating return flows. All 1,130 acre-feet of the Laramie-Fox Hills aquifer water shall be reserved for the replacement of post-pumping depletions under the plan for augmentation.

State Engineer's Office Opinion

4. In a letter dated June 23, 2026, the State Engineer stated that "[t]he proposed source of water is individual on-lot wells producing from the not-nontributary Denver aquifer…" There are currently three well permits serving the existing subdivision, 79187-F (Lot 2), 80236-F and 82423-F (Lot 1) with a fourth well planned to be drilled. Based on the Augmentation plan, these wells need to file well permit applications to re-permit the wells to allow up to the maximum withdrawal of 1.001 acre-feet/year per well. A fourth well permit for proposed Lot 1b cannot be issued until all wells are repermitted for the lower annual amount."

Finally, the State Engineer stated that, "… pursuant to 30-28-136(1)(h)(I), C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights on the condition the wells under well permit nos. 79187-F, 80236-F and 82423-F file an application to be repermitted to the updated maximum annual amount of 1.001 acre-feet/year."

Recommended Findings

5. Quantity and Dependability. Applicant's water demand for the AFT Ranch Subdivision Filing No. 2 is 3.033 acre-feet per year for 300 years for a total demand of 909.9 acre-feet for the subdivision for 300 years. The Augmentation Plan allows for up to five wells on the overlying property, however, this subdivision will result in four wells at this time, limited to an annual withdrawal of 1.001 acre-feet per well for 300 years.

Based on the water demand of 3.033 acre-feet/year for 300 years, the AFT Ranch Subdivision Filing No. 2 and the Augmentation Plan permitting withdrawals in that nearly that amount, the County Attorney's Office recommends a finding of sufficient water quantity and dependability for the AFT Ranch Subdivision Filing No. 2, providing each well pumps no more than 1.001 acre-feet per year.

6. The water quality requirements of Section 8.4.7.B.10.g. of the El Paso County Land Development Code must be satisfied. **El Paso County Public Health shall provide a recommendation as to the sufficiency of water quality.**

7. Basis. The County Attorney's Office reviewed the following documents in preparing this review: a Water Resources Report dated August 27, 2026, the Water Supply Information Summary, the State Engineer's Office Opinion dated June 23, 2026, and Findings of Fact, Conclusions of Law, Judgment and Decree in Division 2 Case No. 2013CW2 and Augmentation Plan. The recommendations herein are based on the information contained in

such documents and on compliance with the requirements set forth below. ***Should the information relied upon be found to be incorrect, or should the below requirements not be met, the County Attorney's Office reserves the right to amend or withdraw its recommendations.***

REQUIREMENTS:

A. Applicant and its successors and assigns shall comply with all requirements of the Findings of Fact, Conclusions of Law, Judgment and Decree in Division 2 Case No. 2013CW2 and Augmentation Plan, specifically, that water withdrawn from the Denver aquifer shall not exceed 1.001 acre-feet per year for 300 years. Depletions during pumping shall be replaced by individual on-lot non-evaporative septic systems.

B. The County prefers that when there is an augmentation plan, Applicant create a homeowners' association ("HOA") for the purpose of enforcing covenants and assessing any necessary fees related to compliance with the water determinations and replacement plans for the property. For minor subdivisions such as this, however, Applicant may elect to solely rely on the covenant provisions required below and forego creation of an HOA.

C. Applicant shall create restrictive covenants upon and running with the property which shall advise and obligate future lot owners of this subdivision and their successors and assigns regarding all applicable requirements of Findings of Fact, Conclusions of Law, Judgment and Decree in Division 2 Case No. 2013CW2 and Augmentation Plan, including the limitations on diversions and use of water for each well and lot, the requirement to meter and record all well pumping, and information on how records are to be recorded.

Covenants shall address the following:

1) Identify the water rights associated with the property. The Covenants shall reserve 900.9 acre-feet of not-nontributary Denver aquifer water pursuant to Findings of Fact, Conclusions of Law, Judgment and Decree in Division 2 Case No. 2013CW2 and Augmentation Plan to satisfy El Paso County's 300-year water supply requirement for the two (2) lots and three (3) wells of AFT Ranch Subdivision Filing No. 2. The Covenants shall further identify that 300.3 acre-feet of Denver aquifer water is allocated to Lot 1B and 600.6 acre-feet is allocated to Lot 1A. Said reservations shall not be separated from transfer of title to the property and shall be used exclusively for primary water supply. Applicants must reserve 678 acre-feet of Laramie-Fox Hills aquifer water for post pumping obligations related to the three (3) wells in this subdivision.

2) Advise of responsibility for costs. The Covenants shall advise the lot owners and their successors and assigns of their obligations regarding the costs of operating the plans for replacement, which include pumping of the Denver wells in a manner to replace depletions during pumping.

3) Require non-evaporative septic systems and reserve return flows from the same. The Covenants shall require each lot owner to use a non-evaporative septic system to ensure that return flows from such systems are made to the stream system to replace actual depletions during pumping and shall state that said return flows shall not be separately sold, traded, assigned, or used for any other purpose. The Covenants more specifically shall require that at least one well must be serving an occupied single-family dwelling that is generating return flows. The Covenants shall also include the following or similar language to ensure that such return flows shall only be used for replacement purposes: "Return flows shall only be used for replacement purposes, shall not be separated from the transfer of title to the land, and shall not be separately conveyed, sold, traded, bartered, assigned, or encumbered in whole or in part for any other purpose."

4) Address future lot conveyances. The following or similar language shall be included in the Covenants to address future conveyances of the lots subsequent to the initial conveyance made by Applicant/Declarant:

> "The water rights referenced herein shall be explicitly conveyed; however, if a successor lot owner fails to so explicitly convey the water rights, such water rights shall be intended to be conveyed pursuant to the appurtenance clause in any deed conveying said lot, whether or not Findings of Fact, Conclusions of Law, Judgment and Decree in Division 2 Case No. 2013CW2 and Augmentation Plan and the water rights therein are specifically referenced in such deed. The water rights so conveyed shall be appurtenant to the lot with which they are conveyed, shall not be separated from the transfer of title to the land, and shall not be separately conveyed, sold, traded, bartered, assigned or encumbered in whole or in part for any other purpose. Such conveyance shall be by special warranty deed, but there shall be no warranty as to the quantity or quality of water conveyed, only as to the title."

5) Advise of monitoring requirements. The Covenants shall advise the future lot owners of this subdivision and their successors and assigns of their responsibility for any metering and data collecting that may be required regarding water withdrawals from existing and future wells in the Denver and Laramie-Fox Hills aquifers.

6) Address amendments to the covenants. The Covenants shall address amendments using the following or similar language:

> "Notwithstanding any provisions herein to the contrary, no changes, amendments, alterations, or deletions to these Covenants may be made which would alter, impair, or in any manner compromise the water supply for the AFT Ranch Subdivision Filing No. 2 pursuant to Findings of Fact, Conclusions of Law, Judgment and Decree in Division 2 Case No. 2013CW2 and Augmentation Plan. Further, written approval of any such proposed amendments must first be obtained from the El Paso County Planning and Community Development Department, and

as may be appropriate, by the Board of County Commissioners, after review by the County Attorney's Office. Any amendments must be pursuant to the Colorado Ground Water Commission approving such amendment, with prior notice to the El Paso County Planning and Community Development Department for an opportunity for the County to participate in any such determination."

7) Address termination of the covenants. The Covenants shall address termination using the following or similar language:

"These Covenants shall not terminate unless the requirements of Findings of Fact, Conclusions of Law, Judgment and Decree in Division 2 Case No. 2013CW2 and Augmentation Plan are also terminated by the Colorado Ground Water Commission and a change of water supply is approved in advance of termination by the Board of County Commissioners of El Paso County."

D. Applicant and its successors and assigns shall reserve in any deeds of the Property Denver aquifer water in the decreed amount of 600.6 acre-feet for Lot 1A and 300.3 acre-feet for Lot 1B. Said reservations shall recite that this water shall not be separated from transfer of title to the Property and shall be used exclusively for primary and replacement supply. Each lot must reserve 226 acre-feet of Laramie-Fox Hills aquifer water for post pumping obligations.

E. Applicant and its successors and assigns shall convey by recorded warranty deed these reserved Denver and Laramie-Fox Hills aquifer water rights at the time of lot sales. Specifically, Applicant and future lot owners shall convey sufficient water rights in the Denver and Laramie-Fox Hills aquifers underlying the respective lots to satisfy El Paso County's 300-year water supply requirement and the augmentation plan.

Any and all conveyance instruments shall also recite as follows:

For the water rights and return flows conveyed): "These water rights conveyed, and the return flows therefrom, are intended to provide a 300-year water supply, and replacement during and after pumping, for each of the lots of the AFT Ranch Subdivision Filing No. 2. The water rights so conveyed and the return flows therefrom shall be appurtenant to each of the respective lots with which they are conveyed, shall not be separated from the transfer of title to the land, and shall not be separately conveyed, sold, traded, bartered, assigned, or encumbered in whole or in part for any other purpose. Such conveyance shall be by special warranty deed, but there shall be no warranty as to the quantity or quality of water conveyed, only as to the title."

F. Applicant and its successors and assigns shall submit a Declaration of Covenants, Conditions, and Restrictions, form deeds, and any plat notes required herein to the Planning and Community Development Department and the County Attorney's Office for review, and the same

shall be approved by the Planning and Community Development Department and the County Attorney's Office prior to recording the final plat. Said Declaration shall cross-reference Findings of Fact, Conclusions of Law, Judgment and Decree in Division 2 Case No. 2013CW2 and Augmentation Plan and shall identify the obligations of the individual lot owners thereunder.

G. Applicant and its successors and assigns shall record all applicable documents, including but not limited to Findings of Fact, Conclusions of Law, Judgment and Decree in Division 2 Case No. 2013CW2 and Augmentation Plan, agreements, assignments, and warranty deeds regarding the water rights, and Declaration of Covenants in the land records of the Office of the Clerk and Recorder of El Paso County, Colorado.

H. Applications for well permits submitted by persons other than the Applicant must include evidence that the permittee has acquired the right to the portion of the water being requested.

I. The following plat note shall be added that addresses the State Engineer's admonition to advise landowners of potential limited water supplies in the Denver Basin:

> "Water in the Denver Basin aquifers is allocated based on a 100-year aquifer life; however, for El Paso County planning purposes, water in the Denver Basin aquifers is evaluated based on a 300-year aquifer life. Applicant and all future owners in the subdivision should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than either the 100 years or 300 years used for allocation indicated due to anticipated water level declines. Furthermore, the water supply plan should not rely solely upon non-renewable aquifers. Alternative renewable water resources should be acquired and incorporated in a permanent water supply plan that provides future generations with a water supply."

J. If Applicant plans to use the wells under permit numbers 79187-F, 80236-F and 82423-F, proof shall be provided that the well has been repermitted pursuant to the Augmentation plan.

cc: Joe Letke, Project Manager, Planner

Environmental Health Review Comments

VR261: AFT Ranch Vacate and Replat

Please accept the following comments from El Paso County Public Health (EPCPH) regarding the project referenced above:

- Subdivision of existing 34.347-acre lot into Lot 1 = 29 acres with an existing 2019 2-bedroom residence and Lot 2 = 5.310 acre with future residence to be built. Per submitted documents Lot 1 has an existing well and onsite wastewater treatment system (OWTS). EPCPH review includes water quality finding, wastewater review, and additional public health impacts as necessary.

- There is a finding for sufficiency in terms of water quality. The analytical results dated May 29, 2026 by RESPEC with results by Colorado Analytical Laboratories and Hazen Research Inc, met the drinking water standards required by Colorado Primary Drinking Water Regulations as verified by EPCPH.

    - The water test results showed a Langelier index indicative of moderate corrosivity. While this is within the acceptable range for drinking water, corrosive water can leach heavy metals (such as lead and copper) from plumbing systems and household pipes. This leaching could pose long-term health risks if the water is consumed regularly, it is recommended that in home point of use filters be utilized.

- The ENTECH Wastewater Study dated January 29, 2026, was reviewed and found the site is suitable for OWTS installations. OWTS's on the site will likely require design by professional engineer and will likely require Operation and Maintenance for the life of the OWTS.

- New development will require individual submissions of new OWTS permit applications as required by El Paso County Public Health for any structure to be served by an OWTS system. Full compliance with Chapter 8 of the Board of Health Regulations governing Onsite Wastewater Treatment Systems in effect at time of submission is required. Minimum OWTS installation setbacks must be maintained both internal and external to the property lines.

- Radon resistant construction techniques/practices are encouraged to be used in this area. The EPA has determined that Colorado, and the El Paso County area have potentially higher radon levels than other areas of the country.

El Paso County Public Health
1675 W. Garden of the Gods Rd., Suite 2044 | Colorado Springs, CO 80907
(719) 578-3199 phone | (719) 575-8664 fax

Revised 11.2025, Accessibility checked 11.13.2025

- Earthmoving activity in excess of one acre, but less than twenty-five acres, will require a Construction Activity Permit from El Paso County Public Health. Visit https://www.elpasocountyhealth.org/licenses-permits-inspections-water-testing/air-quality/ for additional information.

For any additional questions or comments, please contact us at HEAEH_Landuse@elpasoco.com. While every effort is made for timely responses, allow 2 to 3 business days for a response from our field staff.

VACATION AND REPLAT (RECOMMEND APPROVAL)

_____ moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. VR261
AFT RANCH VACATE AND REPLAT

WHEREAS, Charles R Shea and Nancy K Shea Living Trust did file an application with the El Paso County Planning and Community Development Department for approval of a Vacation and Replat request to create two lots 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 November 5, 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, this Commission further finds that the application meets the criteria of approval listed in Section 7.2.3.C.4 of the Land Development Code ("Code") (as amended), as follows:

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, that the El Paso County Planning Commission recommends that the petition of Charles R Shea and Nancy K Shea Living Trust for approval of a Vacation and Replat to allow two lots within the RR-5 (Residential Rural) zoning district meets the criteria of approval listed in Section 7.2.3.C.4 of the Land Development Code and 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, dated October 1, 2026, 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. Drainage Fees in the amount of $4,287.30 and bridge fees in the amount of $0 for the Kettel Creek Drainage basin.
    b. Park fees in lieu of land dedication for regional parks (Regional Park Area 2) in the amount of $1,010.00.
    c. Fees in lieu of school land dedication in the amount of $168.00 shall be paid for the benefit of District 20.
2. Final Plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.
3. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference is held with Planning and Community Development Inspections and a Construction Permit is issued by the Planning and Community Development Department.
4. 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. 25-377), 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.

BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein shall 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)

Thomas Bailey	aye / no / non-voting / recused / absent
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
Suzanne Casagrande	aye / no / non-voting / recused / absent
Mae Emrick	aye / no / non-voting / recused / absent
Eric Moraes	aye / no / non-voting / recused / absent
Bryce Schuettpelz	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 _____ to _____ by the El Paso County Planning Commission, State of Colorado.

DONE THIS 5th day of November 2026 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: _____
Chair

EXHIBIT A

PROPERTY DESCRIPTION:
That CHARLES R. SHEA LIVING TRUST and NANCY K. SHEA LIVING TRUST being the owners of the following described
tract of lond to wit:
A tract of land being a portion of the Southeast Quorter of Section 15, Township 12 South, Ronge 66 West of the
P.M., situate in El Paso County, Colorado, described as follows:
6th
Lot 1, AFT RANCH SUBDIVISION FILING NO. 1 (Reception No. 215713667, El Paso County, Colorado records):
Containing 34.030 acres (1,482,356 square feet), more or less.