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Land Planning • Land Surveying • Land Development Consulting

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Add PCD File No. MS197

Letter of Intent  
**WOODARD MINOR SUBDIVISION**

Woodard Minor Subdivision is a proposed two lot Minor Subdivision located at 6385 Vessey Road, Colorado Springs, Colorado, 80908. The approximately 14 acre property is owned by Janice Woodard and lies on the south side of Vessey Road just less than one half mile west of Black Forest Road. The property is within Section 6, T12S, R65W of the 6th PM, El Paso County. Existing zoning is RR-5, permitting minimum 5.0 acre lots. Surrounding zoning is also RR-5 although some parcel areas are less. Most of those are legal non conforming parcels because they were created by deed prior to zoning. This is an area within which the Black Forest fire destroyed many homes and the Woodard home was unfortunately one of them. Several neighbors have been able to rebuild and Jessie will do so as well, once the proposed 5 acre lot can be sold.

Woodard Minor Subdivision will consist of a 5.0 acre lot which will access from Coolwell Drive to the south and an ~~8.6 acre lot retaining the Vessey Road access~~ that will remain the owner's homesite. A Waiver of the required 60' minimum frontage on a public road is requested for the new 5 acre lot. The area the original home occupied is the same area that the new home will occupy. There is a barn and a loafing shed here together with a small grouping of pines that survived the fire.

2 waivers, Section 8.4.3.A.1 and Section 8.4.3.C.2.e

The plat also defines two Tracts, neither of which are building sites. Tract A is just less than a third of an acre lying on the northwest side of the property and adjoining a 3.5 acre homesite with schedule number 52060-00-054. Although owned by Woodard, this sliver lies outside a fence and the adjoining stated they believed they had some claim to it. A price was established and a deed offered but the transaction remains unfulfilled. The adjoiner is using this area and now has buildings on it. We plat this Tract in anticipation of completing the sale and transfer. Alternately, removal of the buildings, relocation of the fence and occupation by Woodard will occur. In either case Tract A will be deeded to one or the other as appropriate, to be joined with their parent parcel.

Tract B is 6420 square feet in area and lies along the southern boundary of the property adjoining a 3.5 acre parcel at 6360 Coolwell Drive with schedule number 52060-00-066. The owner of this parcel is providing an easement for ingress and egress from Coolwell Drive to the new 5.0 acre lot. Tract B will be deeded to this adjoiner in exchange for the access easement. A curious fact in this neighborhood is the deed existence of 15 foot wide strips along many of the property lines which were evidently intended to become 30 foot wide access ways for future parcels. In many cases those areas were not deeded as rights of way for public, or specific private use and so their availability today can be somewhat unclear. This new perpetual access easement addresses that concern, creates a shorter, safer driveway and provides the neighbor with an equal area of additional land directly behind their house, thereby increasing their useable back yard.

(2)

Water has been adjudicated through Water Court (Case 18CW3035) which establishes the availability of a 300 year supply for both lots and implements an Augmentation Plan. In accordance with the Order and Decree, the existing well (on the 8.6 acre lot) has already been re-permitted. The existing septic system that served the earlier house remains fully functional and will continue to serve the new house on the 8.6 acre lot. A new well and septic system will be installed on the 5.0 acre lot once a homesite is established.

Soils on the property are generally Kettle gravelly loamy sand, 3 to 8 percent slopes (map unit 40) according to the USDA SCS Soil Survey of El Paso County area issued June 1981. These soils have only slight limitations for building construction and leach fields. This soil type and limitations are confirmed by the Soils Report prepared by Geoquest, LLC for the foundation design of the proposed new house on the 8.6 acre lot.

There are no Geologic Hazards that would preclude construction of a single family residence on either of these two lots. Slopes are well below 30 percent. Per FIRM #08041CO315G, dated December 07, 2018, there is no mapped 100 year floodplain on the property. Colorado Geological Survey Open File Report 03-6 states, in part, "No occurrences of radioactive minerals have been reported from the Black Forest quadrangle..." Although not specifically addressed in that report, radon gas is present in many soils throughout El Paso County and may be encountered at this location. For that reason, testing should be incorporated into future building plans so as to permit appropriate mitigation measures should they be found desirable.

Electricity is provided by Mountain View Electric and natural gas is provided by Black Hills Energy. Both will continue to serve the 2 lots. Land line telephone service is available from Century Link if desired. Finally, the property is within the Black Forest Fire Rescue Protection District which has a stated response time of less than 8 minutes.

The property is in the Kettle Creek (FOMO3000) drainage basin. This basin has drainage basin fees of \$9,909 per impervious acre. Please identify the fees owed in the letter of intent. Refer to ECM appendix L for procedure on how to calculate the fees. Note that large lots (2.5 acres and greater) qualify for a 25% reduction in drainage fees. Also provide a statement confirming that the drainage will not adversely affect the surrounding or downstream properties

Augmentation Plan defined in Water Resource Report. Covenants will need to be created, a note added to plat, and covenants reviewed by County Attorney prior to recording.

The issue with Tract A needs to be resolved prior to re-submittal. A plat cannot create a non-conformity, currently as proposed, accessory units without a primary, does not meet setbacks, and tracts are for no-build areas. This must be resolved as a civil matter prior to further review. Tract B, this property can be transferred by deed as well prior to re-submittal, rather than creating a tract to later transfer.

