

Board of County Commissioners Meeting

Tuesday, August 23, 2016

Hearing Room 1, First Floor

AGENDA

The Tuesday meeting of the Board of County Commissioners (The Board) is an open meeting in which the Board approves contracts, expends funds, hears testimony, makes decisions on land use cases and takes care of other county matters. The public is welcome to attend.

The Board meeting has three parts: Public Comment, the Business Meeting and the Public Hearing.

General Procedures

Agenda items will normally be considered in the order they appear on this agenda. However, the Board may alter the agenda, take breaks during the meeting, work through the noon hour; and even continue an item to a future meeting date.

Public Comment (8:00 a.m.)

The Board welcomes your comments; During the public comment time, members of the public have three minutes to present views on county matters that are not included on the Hearing Agenda. The public comment time is not for questions and answers: it is your time to express your views.

Please note that you are always welcome to communicate with the Board on the county's Web site (www.jeffco.us), by e-mail (commish@jeffco.us), by phone (303-271-8525), fax (303-271-8941) or US mail (100 Jefferson County Parkway, Golden, CO 80419). You can also meet your Commissioners at numerous community events such as town hall meetings, homeowner associations and chamber meetings.

Business Meeting

Call to Order

Pledge of Allegiance

Approval of Minutes Dated August 9, 2016

Tuesday, August 23, 2016 (continued)

Consent Agenda

CONSENT AGENDA PROCEDURES - Items on the Business Meeting Consent Agenda generally are decided by the Board without further discussion at the meeting. However, any Board member may remove an item from the Business Meeting Consent Agenda. The Board is not required to take public comment on removed items, but may request additional information and input.

1. **Resolution CC16-324** Expenditure Approval Listings Dated August 18, 2016 - Accounting
2. **Resolution CC16-325** Ratification of Expenditure Approval Listings Dated August 11, 2016 - Accounting
3. **Resolution CC16-326** Bi-Weekly Payroll Register - Accounting
4. **Resolution CC16-327** Abatement/Refund of Property Taxes - Board of Equalization
5. **Resolution CC16-328** Appointment to the Jefferson County Community Development Advisory Board - Board of County Commissioners
6. **Resolution CC16-329** Appointments to the Tri-County Workforce Development Board - Board of County Commissioners
7. **Resolution CC16-330** Appointment to the Jefferson County Juvenile Review Board - Board of County Commissioners
8. **Resolution CC16-331** Appointment to Jefferson County Board of Review - Board of County Commissioners
9. **Resolution CC16-332** Commercial Property Assessed Clean Energy (C-Pace) Program - Board of County Commissioners
10. **Resolution CC16-333** Grant Application and Acceptance - Colorado Department of Transportation, Office of Transportation Safety for Law Enforcement Assistance Funding (LEAF) - Sheriff
11. **Resolution CC16-334** Grant Application and Acceptance - Colorado Department of Transportation, Office of Transportation Safety for Checkpoint Colorado DUI Enforcement Funds - Sheriff

Tuesday, August 23, 2016 (continued)

12. **Resolution CC16-335** Payroll and Payment Certifications for the Month of June 2016 - Human Services
13. **Resolution CC16-336** Public Trustee Second Quarter 2016 Report Dated August 9, 2016 - Public Trustee
14. **Resolution CC16-337** Contract - A-1 Chipseal Company for 2016 Open Space Minor Asphalt Removal and Replacement Services (NTE \$112,484.15) - Open Space
15. **Resolution CC16-338** Contract - Concrete Express, Inc. for Design and Construction Services for Mount Galbraith Hall Dam Removal (\$506,103.50) - Open Space
16. **Resolution CC16-339** Contract First Amendment - Felsburg Holt & Ullevig, Inc. for Construction Design Support Services for Wadsworth/Wateron Intersection Project (Amendment for an Additional NTE \$113,000.00 for total revised NTE \$533,000.00) - Transportation and Engineering
17. **Resolution CC16-340** Amend and Modify License Fee Under Cable TV License Agreement - Qwest Broadband Services, Inc. d/b/a CenturyLink - Transportation and Engineering
18. **Resolution CC16-341** Cable TV License Agreement - TDS Baja Broadband LLC - County Attorney
19. **Resolution CC16-342** Agreement - Urban Drainage and Flood Control District - Adams County - City of Wheat Ridge - City of Golden Regarding Funding of Flood Hazard Area Delineation for Clear Creek - Transportation and Engineering
20. **Resolution CC16-343** Seventh Lease Amendment - Fairlanes Shopping Center, LLC for Space at 6510 Wadsworth Boulevard Units 300, 310 and 320 in Arvada for Use by the Motor Vehicle Division - Facilities
21. **Resolution CC16-344** First Contract Renewal - AFL Maintenance Group, Incorporated dba American Facility Maintenance Group for Annual Janitorial Services (NTE \$732,906.72) - Facilities
22. **Resolution CC16-345** Second Lease Amendment - State of Colorado, Department of Labor and Employment, Division of Vocational Rehabilitation - Facilities

Tuesday, August 23, 2016 (continued)

- 23. **Resolution CC16-346** Purchase Agreement - Anthony Marino Family Trust for 4295 McIntyre Street, Golden - Facilities

Other Contracts and Resolutions for which Notice was not possible may be considered.

Regular Agenda - No Agenda Items

Public Hearing

There are two parts to the Public Hearing Agenda: the Hearing Consent Agenda and the Regular Hearing Agenda.

Items are listed on the Hearing Consent Agenda because no testimony is expected. In the event a Commissioner or any member of the public wishes to testify regarding an item on the Consent Agenda, the item will be removed and considered with the Regular Hearing Agenda.

Unless otherwise stated by the Chair, a motion to approve the Hearing Consent Agenda shall include and be subject to staff’s findings, recommendations, and conditions as listed in the applicable Staff Report.

Hearing Consent Agenda

- 24. **Resolution CC16-323**
Case Number: 16-116847SV: Service Plan
Case Name: Aspen Park Metropolitan District Material Modification
Applicant: Aspen Park Metropolitan District
Location: Generally located on the Northwest Corner of U.S. Highway 285 and Davis Avenue, Section 12, Township 6 South, Range 71 West
Approximate Area: 20 Acres
Purpose: To set a formal hearing date of September 20, 2016 for consideration of a Material Modification to a Special District Service Plan.
Case Manager: Christiana Farrell

Tuesday, August 23, 2016 (continued)

25. Resolution CC16-322

Case Number: 16-111661RZ: Rezoning
Case Name: H Manufacturing Official Development Plan
Owner/Applicant: Von and Chase Honnecke
Location: 767 Nile Street, Section 1, Township 4 South, Range 70 West
Approximate Area: 0.70 Acre
Purpose: To rezone from Planned Development (PD) to Planned Development (PD) to allow a larger industrial building.
Case Manager: Christiana Farrell

The public is entitled to testify on items under the Public Hearing Regular Agenda. Information on participation in hearings is provided in the County's brochure, *"Your Guide to Board of County Commissioners Hearings."* It may be obtained on the rack outside the hearing room or from the County Public Information Office at 303-271-8512.

Hearing Regular Agenda

26. Resolution CC16-321

Case Number: 14-118664PF: Preliminary and Final Plat
Case Name: Iroquois Trail Subdivision
Owner/Applicant: Kevin David and Rebecca Susan Sproul
Location: 33616 Mohican Trail, Section 6, Township 7 South, Range 71 West
Approximate Area: 40.22 Acres
Purpose: To subdivide the property into 2 lots for single-family detached units.
Case Manager: Nathan Seymour

(continued)

Tuesday, August 23, 2016 (continued)

Reports

County Commissioners

County Manager

County Attorney

Adjournment

Jefferson County does not discriminate on the basis of race, color, national origin, sex, religion, age, disability or sexual orientation in the provision of services. Disabled persons requiring reasonable accommodation to attend or participate in a County service, program or activity should call 303-271-5000 or TDD 303-271-8071. We appreciate a minimum of 24 hours advance notice so arrangements can be made to provide the requested auxiliary aid.

Board of County Commissioners meetings can be viewed on a television monitor in the cafeteria on the lower level of the Jefferson County Administration and Courts Facility. Also, you may use the cafeteria tables there to work or gather until the Board is ready to hear your case. Board meetings and hearings are recorded and available on the county's Web site at www.jeffco.us.

COMMISSIONERS' MINUTES OF AUGUST 9, 2016

The Board of County Commissioners of the County of Jefferson, State of Colorado, met in regular session on August 9, 2016 in the Jefferson County Government Center, Golden, Colorado. Commissioner Libby Szabo, Chairman presided. Commissioner Donald Rosier, Commissioner Casey Tighe and Tracy Emerson, Deputy Clerk to the Board, were present.

Commissioner Libby Szabo, Chairman called the meeting to order.

STAFF PRESENT:

Ralph Schell, County Manager
Ellen Wakeman, County Attorney

APPROVAL OF MINUTES

Following a general discussion, the Board upon motion of Commissioner Rosier, duly seconded by Commissioner Tighe and by unanimous vote, approved the Minutes of August 2, 2016.

CONSENT AGENDA

The Board approved the following Resolutions:

1. **Resolution CC16-307** Expenditure Approval Listings Dated August 4, 2016 - Accounting
2. **Resolution CC16-308** Expenditure Approval Listings Dated August 11, 2016 - Accounting
3. **Resolution CC16-309** Abatement/Refund of Property Taxes – Board of Equalization
4. **Resolution CC16-310** Ratification of Grant Application and Acceptance - Colorado Department of Public Safety, Division of Criminal Justice for the FY2016 Byrne/JAG Competitive Law Enforcement Grant – Sheriff
5. **Resolution CC16-311** West Laurel Park - Community Park Playground Grant Request - Open Space
6. **Resolution CC16-312** Contract Renewal - Roller and Associates, Inc. for Auctioneering Services - Accounting

7. **Resolution CC16-313** Agreement - Federal Aviation Administration (FAA) for Transfer of Entitlement Funds from Jefferson County to the City of Burlington - Airport

8. **Resolution CC16-314** Purchase Order - Kone, Inc. to Upgrade the Elevator at the Parfet Building (\$153,779.00) - Facilities

9. **Resolution CC16-315** First Amendment to Contract - Martin Marietta Materials, Inc. for 2015 Asphalt and Concrete Repairs (additional NTE amount of \$108,556.78 for total revised contract amount NTE \$1,099,652.48) - Facilities

10. **Resolution CC16-316** Policy Manual Part 2, Chapter 2, Section 1 Regarding Board and Commission Appointments, Policy Manual Part 2, Chapter 2, Section 17 Regarding Sustainability Commission Policy, Part 2, Chapter 2, Section 2 Regarding Liquor Licensing Authority and Part 2, Chapter 2, Section 4 Regarding Cultural Council - Board of County Commissioners

11. **Resolution CC16-317** Policy Manual Part 2, Chapter 2, Section 3 Regarding the Open Space Advisory Committee Policy, Part 2, Chapter 2, Section 16 Regarding the Fairgrounds Advisory Committee Policy, Part 2, Chapter 2, Section 15 Regarding the CSU Extension Advisory Committee Policy - Parks

12. **Resolution CC16-318** Policy Manual Part 2, Chapter 2, Section 13 Regarding the Audit Committee Policy - Finance and IT

13. **Resolution CC16-319** Policy Manual Part 2, Chapter 2, Section 8 Regarding the Board of Review Policy, Part 2, Chapter 2, Section 9 Regarding the Planning Commission Policy, Part 2, Chapter 2, Section 14 Regarding the Historical Commission Policy - Development and Transportation

14. **Resolution CC16-320** Policy Manual Part 2, Chapter 2, Section 4 Regarding Tri-County Workforce Development Board Policy and Part 2, Chapter 2, Section 7 Regarding the Community Services Advisory Board Policy - Human Services

REGULAR AGENDA- No Agenda Items

PUBLIC HEARING CONSENT AGENDA – No Agenda Items

PUBLIC HEARING REGULAR AGENDA – No Agenda Items

REPORTS

The Commissioners' reported attending various meetings and events including the Conifer 285 Tourism and Transportation meeting, National Night Out neighborhood picnics and met with the dedicated members from the Board of Adjustments.

A recent highlight for the Commissioners' was accepting a donation of a large, hand-knitted American flag from the Warm Hearts Warm Babies organization. The flag will be framed and displayed for citizen viewing.

The Commissioners' also promoted the exciting plans for the Jeffco Fair and Festival scheduled for August 11 – 14, 2016.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned.

Attest:

Board of County Commissioners of
the County of Jefferson, Colorado

Tracy Emerson, Deputy Clerk

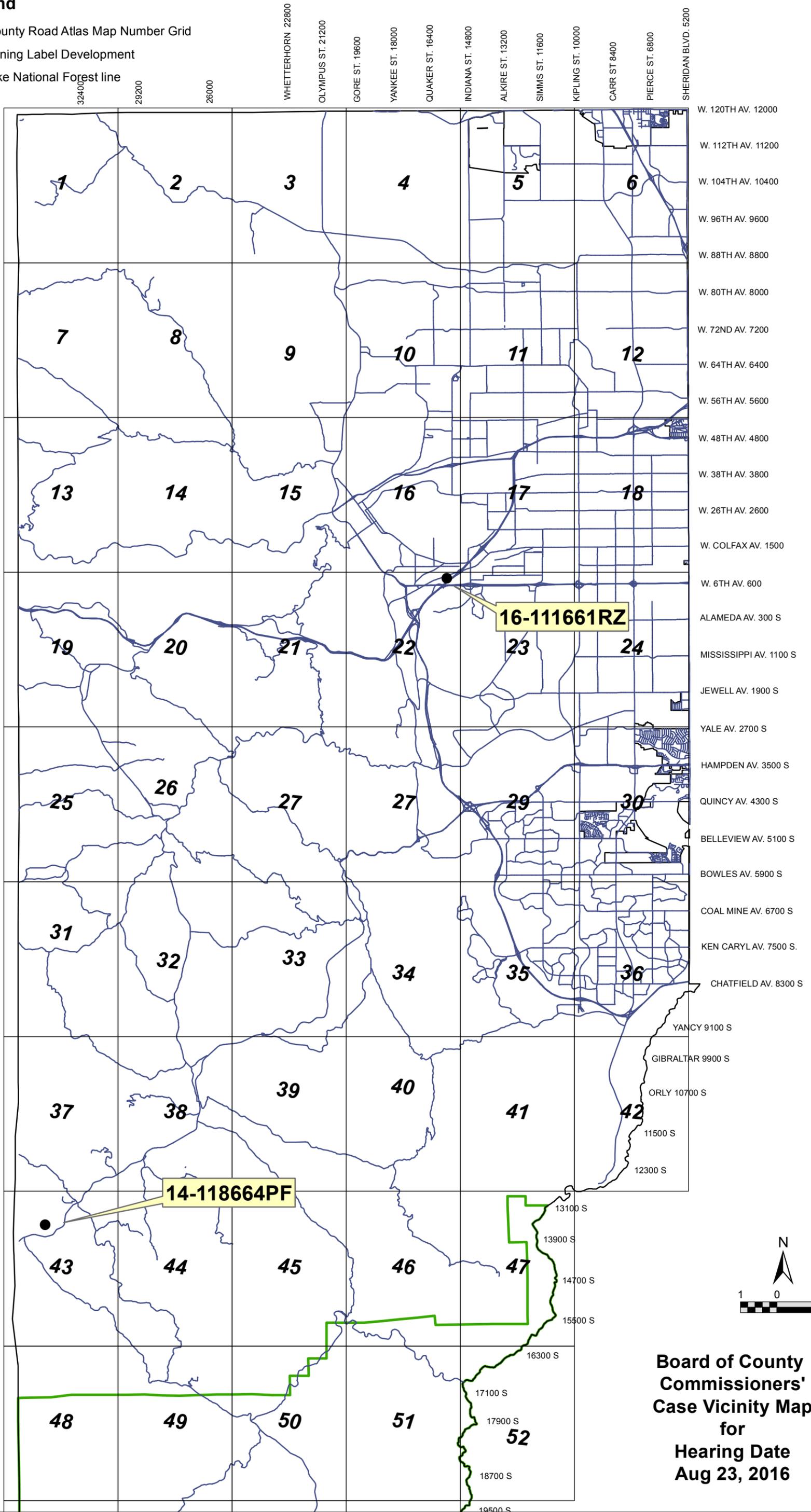
Libby Szabo, Chairman

Legend

— County Road Atlas Map Number Grid

● Zoning Label Development

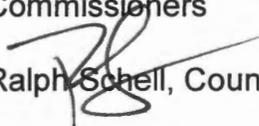
□ Pike National Forest line



**Board of County
Commissioners'
Case Vicinity Map
for
Hearing Date
Aug 23, 2016**

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM:  Ralph Schell, County Manager

DIST: Tim Kauffmann, County Treasurer

RE: EXPENDITURE APPROVAL LISTINGS

DATE: August 23, 2016

Staff Recommendation:

Approve the Expenditure Approval Listings dated August 18, 2016
Resolution No.

CC 16 - 3 2 4**Background:**

The Board of County Commissioners has reviewed all claims presented for Audit and allowance to the Board as represented on said Expenditure Approval Listings and the Board of County Commissioners find that all said claims as represented on said Expenditure Approval Listings shall be allowed, and, hereby, directs the County Treasurer to pay same.

Further, the staff has reviewed all claims and certify that all claims are valid
And are in order to be paid.

Prepared by: Kay Aberle, Accounting Supervisor, X8532, Jefferson County Accounting Division

Reviewed by: Deborah Freischlag, Director of Accounting, X8529, Jefferson County Accounting Division

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM: Ralph Schnell, County Manager

DIST: Tim Kauffmann, County Treasurer

RE: Ratification of Expenditure Approval Listing dated August 11, 2016

DATE: August 23, 2016

Staff Recommendation:

BCC hereby ratifies the Expenditure Approval Listings dated August 11, 2016 that were prepared by the Accounting Division and reviewed and approved by the County Manager or his designee, and ratifies payment of the same by the County Treasurer.

Resolution No.

CC 16 - 325

Background:

The Board of County Commissioners has reviewed all claims presented for Audit and allowance to the Board as represented on said Expenditure Approval Listings and the Board of County Commissioners find that all said claims as represented on said Expenditure Approval Listings shall be allowed, and, hereby, directs the County Treasurer to pay same.

Further, the staff has reviewed all claims and certify that all claims are valid and are in order to be paid.

Prepared by: Sheri Haxton, Administrative Coordinator, x8559, Jefferson County Accounting Division

Reviewed by: Deborah Freischlag, Director of Accounting, x8542, Jefferson County Accounting Division.

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM:  Ralph Schell, County Manager

DIST: Ralph Schell, Tim Kauffman, Accounting

RE: BI-WEEKLY PAYROLL REGISTER

DATE: August 16, 2016

Staff Recommendation:

Approve the issuance of county warrants as listed on this Bi-Weekly Payroll Register for period ending August 6, 2016.

Resolution No. **CC 16 - 326**

Background:

Payroll warrants and ACH Direct Deposit Notifications have been prepared in accordance with current Personnel Action forms and time sheets received in the Financial Control Division by the required deadlines and all applicable taxes and deductions have been withheld therefrom. A summary register of these claims has been circulated and thereby presented for audit and allowance by the Board of County Commissioners. The Board of County Commissioners hereby directs the County Treasurer to pay same.

Prepared By: Jefferson County Accounting Division

MEMORANDUM

TO: The Board of County Commissioners
FROM: Board of Equalization
CC: Ellen G. Wakeman, County Attorney
RE: Abatement/Refund of Property Taxes

Staff Recommendation:

Resolved, that the Board of County Commissioners approves the findings and recommendations of the board-appointed referee denoted in the corresponding abatement resolutions and adopts those findings and recommendations as its final action on these abatement appeals.

<u>CASE NO.</u>	<u>PETITIONER</u>	<u>TAXES ABATED/ REFUNDED</u>
A16-048	Arvada House Preservation Ltd Partnership	\$0.00
A16-146	Timothy J. Blum	\$0.00
A15-242	Grossman Ventures LLC	\$0.00
A15-209	David Jones	\$0.00
A16-023	Felecia Dawn Powell-Londono	\$0.00
A16-175	Prewitt Family Trust	\$0.00
A16-161	Simon Salais	\$0.00
A16-173	Kraig Stiegelmeier	\$0.00
A16-105	David E. Wilson	\$0.00
A16-117	407 S Fifth Ave LLC	\$0.00
A16-112	7823 W 38th Ave LLC	\$0.00

Resolution No. CC 16 - 3 2 7

Background:

Final Board action on 11 abatement petitions, \$0.00 to be refunded. Taxpayers have filed abatement petitions, alleging that their property has been overvalued or that their tax levy is illegal. The Assessor recommended that the petitions be denied and a hearing was held before a board-appointed referee. The referee also recommended denial of the petitions. The Board is taking final action on said petitions by accepting or rejecting the referee's recommendations.

If unsatisfied with this Board's action, a taxpayer may appeal further to the State Board of Assessment Appeals.

Prepared by: Casie Stokes, Assistant County Attorney *CS*
Distribution: Board of Equalization

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM: 
Ralph Schell,
County Manager

RE: Appointment to Jefferson County Community Development Advisory Board

DATE: August 23, 2016

Staff Recommendation:

Approves the appointment of Colin Larson as a regular member on the Jefferson County Community Development Advisory Board.

Approves the term of this appointment to be effective Date of this Resolution and to expire March 31, 2020 or until reappointed or replaced by the Board of County Commissioners.

Resolution No.

CC 16 - 328

Distribution:

Original returned to: Janice Fredricksen

Copies to: Kat Douglas, Community Development

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners
FROM:  Ralph Schell
County Manager
RE: Appointments to Tri-County Workforce Development Board
DATE: August 23, 2016

Staff Recommendation:

Approves the appointment of Ramon Ornelas and the reappointments of Bill Downing, Molly Duall, Kristie LaRose and Joleen Pinkoczi as regular members of on the Tri-County Workforce Development Board.

Approves the term of these appointments to be effective Date of this Resolution, and to expire March 31, 2018, or until reappointed or replaced by the Board of County Commissioners.

Resolution No. **CC 16 - 3 2 9**

Distribution:

Original returned to: Janice Fredricksen

Copies to: Nate Walker, Workforce

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM:  Ralph Schell,
County Manager

RE: Appointment to Jefferson County Juvenile Review Board

DATE: August 23, 2016

Staff Recommendation:

Approves the appointment of Jeffery Krause as an alternate member on the Jefferson County Juvenile Review Board to represent the Jefferson County Public School District

Approves the term of this appointment to be effective Date of this Resolution, appointee shall serve until reappointed or replaced by the Board of County Commissioners.

Resolution No.

CC 16 - 330

Distribution:

Original returned to: Janice Fredricksen

Copies to: Lori Lucero-Ferman, Justice Services

MEMORANDUM

AGENDA ITEM 8

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM:  Ralph Schell,
County Manager

RE: Appointment to Jefferson County Board of Review

DATE: August 23, 2016

Staff Recommendation:

Approves the appointment of Steven Persichetti as an alternate member on the Jefferson County Board of Review.

Approves the term of this appointment to be effective August 23, 2016, and to expire March 31, 2017, or until reappointed or replaced by the Board of County Commissioners.

Resolution No.

CC 16 - 3 3 1

Distribution:

Original returned to: Janice Fredricksen

Copies to: Connie Archuleta, Building Department

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM:  Ralph Schell, County Manager

RE: C-Pace Program

DATE: August 23, 2016

Staff Recommendation: That the Board of County Commissioners of Jefferson County, authorizes the Colorado New Energy Improvement District to conduct the Program as defined in section 32-20-103 C.R.S. in Jefferson County. Further, that the Chairman is authorized to execute any and all contracts and other documents required to facilitate operation of the Program in the County.

Resolution No. CC 16 - 3 3 2

Background: SB 16-171 was enacted into law to amend certain provisions of the Colorado New Energy Improvement District legislation §32-20-101 C.R.S. et. seq., which is administered under the name of the Colorado C- PACE Program.

The Program as defined in section 32-20-103 C.R.S. (the "Program") was established to provide the means for low cost financing of new energy developments for participating owners of eligible property. The property on which the improvements are made is subject to a special assessment which is paid as part of the annual property tax bill on the property.

The Colorado New Energy Improvement District may only conduct the Program in Jefferson County if the Board of County Commissioners authorizes it to do so by resolution.

BCC Briefing Presented on: June 20 and August 2, 2016

Fiscal Impact: n/a

Original returned to: Deborah Churchill, BCC Office

Distribution: n/a

BCC HEARING ROUTING FORM (non-purchasing items)

Contacts: Originating Division and Contact: County Commissioners Phone: 303.271.8525
 County Attorney Contact: Joanne Kortendick Phone: 303.271.8955

C-PACE Resolution

ROUTING					
O R D E R	Division	Authorized Signatures Name/Initials	Date Rec'd	Date Frw'd	Comments
()	Originator				
()	Division Director				
(1)	Department Director				
(2)	County Attorney	<i>Joanne Kortendick</i>	8-4	8-4	
()	Elected Official	<i>Debra...</i>			
(3)	BCC Agenda Coordinator	<i>...</i>			

09/02/2009

MEMORANDUM

AGENDA ITEM 10

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM:  Ralph Schell, County Manager

RE: Application and Acceptance of Law Enforcement Assistance Grant Funding (LEAF)

DATE: August 23, 2016

Staff Recommendation: The Jefferson County Board of Commissioners (BCC) approves the grant application for Law Enforcement Assistance Funding (LEAF) for overtime enforcement of impaired driving laws, ratifies the execution of the application by Sheriff Jeff Shrader, and approves the acceptance of grant funding between the Jefferson County Sheriff's Office and the Colorado Department of Transportation, Office of Transportation Safety. Further, the BCC authorizes the execution of any grant documents and directs that the funds be included in the supplemental appropriation to the Sheriff's Office 2016 budget.

Resolution No. **CC 16 - 3 3 3**

Background:

In Colorado, impaired driving related traffic crashes claim hundreds of lives each year. Numerous studies have led the National Highway Traffic Safety Administration (NHTSA) and the Colorado Department of Transportation to endorse a policy of sustained DUI enforcement and sobriety checkpoints to combat and deter the impaired driver. Jefferson County Sheriff's Office has applied for and been awarded \$27,900 in overtime pay and employer-paid taxes to be utilized in 2016 for additional patrols seeking out impaired drivers.

Fiscal Impact: No fiscal impact.

Prepared by: Katherine Takai, Grants Administrator
Jefferson County Sheriff's Office, extension 5593

Distribution
Original returned to: Clerk of the Board

Copies to: Katherine Takai, Sheriff's Office Support Services
Tina Davros, Sheriff's Office Director of Asset Management
Andrea Amundson, Accounting
Joanne Kortendick, County Attorney
Erin Collard, Budget

RETROACTIVE GRANT APPLICATION APPROVAL ROUTING FORM

Parties to Contract: Jefferson County and the Colorado Department of Transportation (CDOT), Office of Transportation Safety (OTS)

Third Party Authorized Rep: _____

Phone: _____

Fax: _____

Third Party Tax I.D.: _____

Remittance Address: _____

Process Dates: Must be executed by BCC: 8/23/2016 Deadline to County Administrator: 8/15/2016

26Contacts: Originating Department/Contact: Sheriff's Office/ Katherine Takai Phone: x 5120

Purchasing Department/Contact: n/a Phone: _____

County Attorney/Contact: Joanne Kortendick/David Wunderlich Phone: x8955

MANDATORY ACCOUNT INFORMATION		Total Amount: \$27,900.00
Account Number: <u>926304</u>	Project: <u>Law Enforcement Assistance Fund (LEAF)</u>	Funds Available: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Multi-Year Contract: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Amount of Contract Budgeted in Current Year: \$0.00	

ROUTING

O R D E R	Department	Authorized Signatures Name/Initials (*)	Date Rec'd	Date Frw'd	Comments
1	Originator (**)	Katherine Takai/ <i>KT</i>	8/11/16	8/11/16	
2	Patrol Project Director	Lt. Dan Aten/ <i>DA</i>	8-11-16	8-11-16	
3	Division Chief	Scott Pocsik/ <i>SP</i>	8-11-16	8-11-16	
4	Dir. of Asset Management	Tina Davros/ <i>TD</i>	8/12/16	8/12/16	
5	Div Chief Support Svc	Dan Gard/ <i>DG</i>	08.12.16	08.12.16	
6	Undersheriff	Raymond Fleenor/ <i>RF</i>	8/15	8/15	
7	Other Accounting	Andrea Amundson			Courtesy Copy for Files
8	County Manager	Ralph Schell			
9	County Attorney	Joanne Kortendick/ <i>JK</i>	8/15	8/15	D. WUNDERLICH FOR J.K.
10	BCC Agenda Coordinator	Janice Fredricksen/ <i>JF</i>			Electronic Resolution Memo

INSTRUCTIONS

- 1 Number the left hand column in the order in which the contract is to be routed. (The above listing represents the typical routing for a construction bid.)
- (*) Initials of reviewer indicate that the contract is acceptable and ready for BCC action, from reviewer's perspective.
- (**) Signature of authorized department contact for contractual questions.

MEMORANDUM

AGENDA ITEM 11

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM:  Ralph Schell, County Manager

RE: Application and Acceptance of Checkpoint Colorado DUI Enforcement Grant Funds

DATE: August 23, 2016

Staff Recommendation: The Jefferson County Board of Commissioners approves the grant application for Checkpoint Colorado DUI enforcement funds, ratifies the execution of the application by Sheriff Jeff Shrader, and approves the acceptance of grant funding between the Jefferson County Sheriff's Office and the Colorado Department of Transportation, Office of Transportation Safety. Further, authorize the execution of any grant documents and direct that the funds be included in the supplemental appropriation to the Sheriff's Office 2016 budget.

Resolution No. **CC 16 - 334**

Background:

In Colorado, impaired driving related traffic crashes claim hundreds of lives each year. Numerous studies have led the National Highway Traffic Safety Administration (NHTSA) and the Colorado Department of Transportation to endorse a policy of sustained DUI enforcement and sobriety checkpoints to combat and deter the impaired driver. Jefferson County Sheriff's Office has applied for and been awarded \$35,000 in overtime pay and employer-paid taxes and \$6,750 in equipment to be utilized in 2016 for DUI enforcement checkpoints.

Fiscal Impact: No fiscal impact.

Prepared by: Katherine Takai, Grants Administrator
Jefferson County Sheriff's Office, extension 5593

Distribution
Original returned to: Clerk of the Board

Copies to: Katherine Takai, Sheriff's Office Support Services
Tina Davros, Sheriff's Office Director of Asset Management
Andrea Amundson, Accounting
Joanne Kortendick, County Attorney
Erin Collard, Budget

RETROACTIVE GRANT APPLICATION APPROVAL ROUTING FORM

Parties to Contract: Jefferson County and the Colorado Department of Transportation (CDOT), Office of Transportation Safety (OTS)

Third Party Authorized Rep: _____

Phone: _____

Fax: _____

Third Party Tax I.D.: _____

Remittance Address: _____

Process Dates: Must be executed by BCC: 8/23/2016 Deadline to County Administrator: 8/15/2016

Contacts: Originating Department/Contact: Sheriff's Office/ Katherine Takai Phone: X5120

Purchasing Department/Contact: n/a Phone: _____

County Attorney/Contact: Joanne Kortendick/David Wunderlich Phone: x8955

MANDATORY ACCOUNT INFORMATION		Total Amount: \$41,750.00
Account Number: <u>926314</u>	Project: <u>FY 2017 Checkpoint Colorado</u>	Funds Available: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Multi-Year Contract: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Amount of Contract Budgeted in Current Year: \$0.00	

ROUTING

O R D E R	Department	Authorized Signatures Name/Initials (*)	Date Rec'd	Date Frw'd	Comments
1	Originator (**)	Katherine Takai/ <i>KT</i>	8/11/16	8/11/16	
2	Patrol Project Director	Lt. Dan Aten/ <i>DA</i>	8/11/16	8/11/16	
3	Division Chief	Scott Pocsik/ <i>SP</i>	8-11-16	8-11-16	
4	Dir. of Asset Management	Tina Davros/ <i>TD</i>	8/12/16	8/12/16	
5	Div Chief Support Svc	Dan Gard/ <i>DG</i>	8/12/16	8/12/16	
6	Undersheriff	Raymond Fleer/ <i>RF</i>	8/15	8/15	
7	Other Accounting	Andrea Amundson			Courtesy Copy for Files
8	County Manager	Ralph Schell			
9	County Attorney	Joanne Kortendick/ <i>JK</i>	8/16/16	8/16/16	By DAVID WUNDERLICH
10	BCC Agenda Coordinator	Janice Fredricksen/ <i>JF</i>			Electronic Resolution Memo

INSTRUCTIONS

- 1 Number the left hand column in the order in which the contract is to be routed. (The above listing represents the typical routing for a construction bid.)
- (*) Initials of reviewer indicate that the contract is acceptable and ready for BCC action, from reviewer's perspective.
- (**) Signature of authorized department contact for contractual questions.

M E M O R A N D U M

TO: Honorable Chairman and Members of the Board of County Commissioners
FROM:  Ralph Schell, County Manager
DIST: Lynn A. Johnson
RE: PAYROLL AND PAYMENT CERTIFICATIONS
FOR THE MONTH OF JUNE 2016

Staff Recommendation:

Resolved, that the Board of County Commissioners approves the Divisions of Community Assistance, and Children, Youth and Families' payrolls and payments for the month of June 2016.

Resolution No.

CC 16 - 3 3 5

Background:

Section 26-1-123(3)(a), C.R.S. 1973 as amended, requires the County Board of County Commissioners to administer the Human Services' fund pursuant to rules and regulations adopted by the State Department. State Department regulations require all County Division payrolls, defined as "listings of multiple payees on a form providing warrant number, name of payee, and amount of warrant" be certified by the County Director and Chairman of the Board of County Commissioners upon approval by the Board. The June 2016 payrolls and payments have been certified by Lynn A. Johnson, and are temporarily placed in the possession of the Clerk to the Board of County Commissioners pending action on this resolution.

STATE OF COLORADO)
) S.S.
COUNTY OF JEFFERSON)

I, Lynn A. Johnson, Executive Director of the Department of Human Services for Jefferson County, Colorado, hereby certify that the payments herein set forth by the Divisions of Community Assistance, and Children, Youth and Families have been reviewed by staff to be true and accurate payments made to the respective payee(s), and totaling the sum of \$7,318,025.54 for the month of June 2016.

August 8, 2016
Date

Lynn A. Johnson
Director

STATE OF COLORADO)
) S.S.
COUNTY OF JEFFERSON)

I, Libby Szabo, Chairman of the Board of County Commissioners of Jefferson County, Colorado, hereby certify that the payment(s) as set forth herein have this date been approved, and warrant(s) in payment thereof ordered issued upon the programs as listed for the month of June 2016, totaling the sum of \$7,318,025.54.

Date

Chairman

MEMORANDUM

AGENDA ITEM 13

TO: Honorable Chairman and Members of the Board of County Commissioners
FROM: Margaret Chapman, Public Trustee
RE: Public Trustee Second Quarter 2016 Report Dated August 9, 2016
DATE: August 23, 2016

Recommendation: That the Board of County Commissioners approves the Public Trustee's Quarterly Report for the second Quarter of 2016 and authorizes the Chairman to sign the report.

Resolution No. CC 16 - 336

Background: Section 38-37-104(3) of the C.R.S. provides that the Public Trustee quarterly make and file a report with the Board of County Commissioners which contains a full and complete statement under oath of all transactions of the office of the Public Trustee and the Board of County Commissioners is required to approve said report prior to payments of funds in excess of staff salaries and benefits and incidental expenses for conduct of the Public Trustee's office to the County Treasurer. The Treasurer is required to place such funds in a Public Trustee salary fund.

At the expiration of each year, the County Treasurer shall, out of any moneys in the Public Trustee salary fund and not otherwise, pay to the Public Trustee such an amount, if any, as may be still due the public trustee on account of the Public Trustee's salary for that year just expired, such payment to be made only upon the certificate of the board stating the amount of such salary still remaining due and unpaid. The balance of said fund shall thereupon be transferred to the general fund of the County.

Prepared by: Margaret Chapman, Public Trustee

Distribution

Original returned to: Clerk to the Board
Copies to: Margaret Chapman, Public Trustee
Gay Ummel, Assistant County Attorney

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners
FROM:  Ralph Schell, County Manager
DIST: Clerk to Board, Matthew Cox, Steve Snyder, Deborah Freischlag
RE: **2016 Open Space Minor Asphalt Removal and Replacement Services**
Open Space Division

Staff Recommendation: Approve the contract between Jefferson County and **A-1 Chipseal Company** in an amount not to exceed **\$112,484.15** for minor asphalt removal and replacement services. The County's authorized representative is Matthew Cox, or other person as may be designated by the Department Director or County Manager.

Contract Term: All work will be completed on or before 120 days following notice to proceed.

Resolution No.

CC 16 - 337

Background: The Open Space Division requires the removal and replacement of damaged asphalt at Apex Park east trailhead parking lot, Van Bibber Park east trailhead parking lot and South Valley View trail. These services will prolong the life cycle of asphalt entry roads, parking lots and a trail that are under the management of Jefferson County Open Space.

Purchasing advertised this project and invited multiple firms to submit a bid; one (1) contractor responded. A-1 Chipseal Company submitted an acceptable bid and met all County requirements. Payment will be made for actual quantities completed and accepted in place.

Fiscal Information: Funding for this expenditure was approved in the 2016 CIP budget. This is within the scope and budget for this project.

BCC Briefing Presented By: Tom Hoby on July 12, 2016.

Originator: Agenda memo prepared by Joe Weickenand, Purchasing, Ext. 8595

Original returned to: Joe Weickenand, Purchasing

Copies w/o contract to: Tom Hoby, Director of Open Space
Sam Bican, Risk Management

Approvals	Steve Snyder, County Atty Tom Hoby, Division & Dept Dir.	Approved: 8/2/16, 4:58pm Approved: 8/3/16, 8:26am
Agenda Coordinator Review		X Check <i>MS</i>
Final Signatory	BCC	
Vendor	A-1 Chipseal Company	
End User	Open Space	
Type (Contract, PO, etc)	Contract	
Dollar Value	NTE \$112,484.15	
Term	The Contractor shall begin the Work on or before the date set forth in the notice to proceed (the "Start Date") and fulfill all of its obligations within 120 calendar days from the notice to proceed (the "Completion Date"). The notice to proceed will also set forth the Start Date and the Completion Date (together, the "Contract Time").	
Description	2016 Open Space Minor Asphalt Removal and Replacement Services.	
Purchasing Agent	Joe Weickenand	

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners
FROM: ~~Ralph Schell~~, County Manager
DIST: Clerk to Board, Tom Hoby, Steve Snyder, Deborah Freischlag
RE: **Contract for Mount Galbraith Hall Dam Removal**
 Open Space Division

Staff Recommendation: Approve an expenditure in the amount of **\$506,103.50** to **Concrete Express, Inc.** for design and construction services to remove the Mount Galbraith Hall Dam. The County's authorized representative is Amy Ito, or other person as may be designated by the Department Director or County Manager.

Contract Term: All work will be completed on or before June 8th, 2017.

Resolution No. **CC 16 - 338**

Background: The State Water Engineer's office has determined the Mount Galbraith Hall Dam is out of compliance and unsafe. This project will remedy this situation by eliminating the dam and provide greater safety to the immediate area and residents downstream in a flood event.

Purchasing advertised this project and invited five firms to submit a proposal; one (1) contractor responded. Concrete Express, Inc. submitted the only proposal and met all County requirements.

Fiscal Information: Funding for services performed in 2016 was approved in the 2016 CIP budget. Funding for services in 2017 is contingent upon approval of the 2017 budget. This is within the budget and scope for this Contract.

BCC Briefing Presented By: Tom Hoby on April 26, 2016.

Originator: Agenda memo prepared by Joe Weickenand, Purchasing, Ext. 8595

Original returned to: Joe Weickenand, Purchasing

Copies w/o contract to: Amy Ito, Planning Manager, Open Space
 Scot Grossman, Open Space
 Sam Bican, Risk Management

Approvals	Steve Snyder, County Atty Tom Hoby, Division and Dept Dir.	Approved: 8/10/16, 11:11am Approved: 8/10/16, 9:48am
Agenda Coordinator Review		X Check <i>AMS</i>
Final Signatory	BCC	
Vendor	Concrete Express, Inc.	
End User	Open Space	
Type (Contract, PO, etc)	Contract for design and construction services to remove the Mount Galbraith Hall Dam	
Dollar Value	\$506,103.50	
Term	The Contractor shall complete the Work and fulfill all of its other obligations on or before June 8th, 2017.	
Description	Design and construction services to remove the Mount Galbraith Hall Dam	
Purchasing Agent	Joe Weickenand	

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners
FROM: Ralph Schell, County Manager
DIST: Clerk to the Board, Brad Bauer, Kourtney Hartmann, Deborah Freischlag
RE: First Contract Amendment for Construction Design Support Services for Wadsworth/Waterton Intersection Project
Transportation & Engineering

Staff Recommendation: Approve the contract amendment between Jefferson County and Felsburg Holt & Ullevig, Inc. here in an amount not to exceed \$113,000.00 for Construction Design Support Services, for a revised total not to exceed contract amount of \$533,000.00.

Contract Term: Extended through December 31, 2017.

Resolution No. CC 16 - 339

Background: The County previously entered into an agreement with Felsburg Holt & Ullevig, Inc. for Design Support Services for Wadsworth/Waterton Intersection Project. On December 17th, 2015, the Board of County Commissioners approved the original contract.

Traffic from the Roxborough Park developments in Douglas County and the employees at Lockheed Martin Space Systems Corporation have significantly impacted the safety and operations at the South Wadsworth Boulevard and Waterton Road intersection. Transportation and Engineering requires professional construction design support services for reconstructing the Wadsworth/Waterton Road intersection.

A request for proposal was released in 2013 and Felsburg Holt & Ullevig, Inc submitted the proposal most advantageous to the County. The request for proposal included construction design support services that were anticipated to begin in 2016. This amendment incorporates the cost for those services into the contract.

Fiscal Information: Funding for these services is in the approved budget for 2016. Funding for services in 2017 is contingent upon approval of the 2017 budget. This amendment is within the budget and scope for this project.

BCC Briefing Presented By: Jeanie Rossillon on January 19, 2016 and August 2, 2016

Originator: Agenda memo prepared by Joe Weickenand, Purchasing, Ext. 8595

Original returned to: Joe Weickenand, Purchasing

Copies w/o amendment to: Jeanie Rossillon, Department Director
 Steve Durian, Division Director
 Sam Bican, Risk Management

Approvals	Kourtney Hartmann, County Atty. Jeanie Rossillon, Dept Dir. Steve Durian, Division Dir.	Approved: 8/10/16, 5:04pm Approved: 8/10/16, 4:44pm Approved: 8/10/16, 4:27pm
Agenda Coordinator Review		N/A <i>ams</i>
Final Signatory	BCC	
Vendor	Felsburg Holt & Ullevig, Inc..	
End User	Transportation & Engineering	
Type (Contract, PO, etc)	Contract Amendment	
Dollar Value of Contract Amendment	NTE \$113,000.00	
Term	Contract completion extended through December 31, 2017.	
Description	1st Amendment of Contract for Construction Design Support Services.	
Purchasing Agent	Joe Weickenand	

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM: Ellen Wakeman, County Attorney

RE: Resolution to Amend and Modify License Fees Under Cable TV License Agreement with Qwest Broadband Services, Inc. d/b/a CenturyLink

DATE: August 23, 2016

Staff Recommendation: Resolve to implement a gross revenue multiplier license fee structure, calculated at 2.25% of gross revenue generated within unincorporated Jefferson County by Qwest Broadband Services Inc. d/b/a CenturyLink ("CenturyLink"). Further resolve that the County authorizes the Chairman to execute an amendment to the License Agreement between the County and Quest Broadband Services, Inc. dated August 1, 2014 (the "Agreement") in a form approved by the County Attorney's Office to clarify definitions and billing procedures.

Resolution No. CC 16 - 340

Background: Under the Agreement, CenturyLink agreed to pay \$0.05 per linear foot of cable TV lines installed in unincorporated Jefferson County by November 30 each year. The Agreement allows the County to move to a license fee based on a percentage of gross revenue with 90 days' written notice to CenturyLink provided that all cable service providers within the County are charged the same percentage gross revenue license fee. The County has negotiated a 2.25% gross revenue license fee with the other Cable TV providers within the County.

BCC Briefing Presented on: August 9, 2016

Fiscal Impact: The implementation of a gross revenue structure will increase annual license fees collected from CenturyLink.

Original returned to: David Wunderlich

Distribution: Dixie Shear
Siivi Melorango

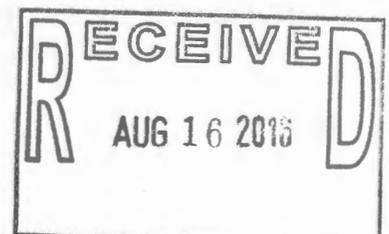
BCC HEARING ROUTING FORM (non-purchasing items)

Contacts: Originating Division and Contact: Jeanie Rossillon Phone: 303-271-8545
 County Attorney Contact: David Wunderlich Phone: 303-271-8939

Amend and Modify License Fees under Cable TV Licens Agreement with Qwest Broadband Services, Inc. d/b/a CenturyLink

ROUTING					
O R D E R	Division	Authorized Signatures Name/Initials	Date Rec'd	Date Frw'd	Comments
(1)	Originator	David Wunderlich <i>DW</i>		8/6	
(2)	Department Director	Jeanie Rossillon <i>JR</i>		8/14	
(3)	County Manager	Ralph Schell			
(4)	BCC Agenda Coordinator	Janice Fredricksen <i>JF</i>			

09/02/2009



M E M O R A N D U M

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM: Ellen Wakeman, County Attorney

RE: Cable TV License Agreement with TDS Baja Broadband LLC

DATE: August 23, 2016

Staff Recommendation: Authorize the Cable TV License Agreement (the "Agreement") between the County and TDS Baja Broadband LLC ("TDS") with a license fee of 2.25% of Gross Revenue, as defined in the Agreement, after execution by TDS and approval by the County Attorney's Office.

Resolution No.**CC 16 - 341**

Background: TDS and the County are parties to an expired Cable TV License Agreement dated June 1, 1998 (the "1998 Agreement") which continues month-to-month by an amendment between the County and TDS dated June 1, 2013. In April of 2016, the County determined that license fees for Cable License Agreements would be calculated as a percentage of Licensee Gross Revenue to be consistent with other jurisdictions. The new Agreement with TDS shall replace the 1998 Agreement, streamline permitting processes, and allow for a license fee of 2.25% of Gross Revenue. The initial term of the Agreement shall be five (5) years and the County shall have the option to renew for one five (5) year renewal term.

BCC Briefing Presented on: August 9, 2016

Fiscal Impact: The 2.25% Gross Revenue license fee is estimated to increase fees over current amount of fees collected annually from TDS.

Original returned to: David Wunderlich

Distribution: Dixie Shear
Siivi Melorango

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM:  Ralph Schell, County Manager

RE: **Agreement Regarding Funding of Flood Hazard Area Delineation for Clear Creek**

DATE: August 23, 2016

Staff Recommendation: Resolved, that the Board of County Commissioners hereby approves the Agreement Regarding Funding of Flood Hazard Area Delineation (FHAD) for Clear Creek between the Urban Drainage and Flood Control District (UDFCD), Adams County (ADAMS), City of Wheat Ridge (WHEAT RIDGE), City of Golden (GOLDEN) and Jefferson County (COUNTY).

Resolution No. **CC 16 - 342**

Background: The Board of County Commissioners is asked to consider an agreement with UDFCD, ADAMS, WHEAT RIDGE and GOLDEN for the preparation of a FHAD for Clear Creek.

BCC Briefing Presented on: June 21, 2016.

Fiscal Impact: Project Funds are being provided by budget supplemental to the 2016 Budget.

The breakdowns of the estimated share of costs for the project are as follows:

	<u>FHAD Percentage Share</u>	<u>FHAD Contribution</u>
UDFCD	67.58%	\$100,000
ADAMS	13.51%	\$20,000
WHEAT RIDGE	8.78%	\$13,000
GOLDEN	2.70%	\$4,000
COUNTY	7.43%	\$11,000

Original returned to: Clerk to the Board

Distribution:

- Andrea Amundson, Accounting
- Kourtney Hartmann, County Attorney's Office
- Jeanie Rossillon, Development and Transportation
- Steve Durian, Transportation and Engineering
- Mike Vanatta, Transportation and Engineering

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM:  Ralph Schell, County Manager

RE: Seventh Lease Amendment between Jefferson County and Fairlanes Shopping Center, LLC for Space at 6510 Wadsworth Boulevard, Units 300,310 and 320 in Arvada, for Use by the Motor Vehicle Division

DATE: August 23, 2016

Staff Recommendation: Execute the Seventh Amendment between the County and Fairlanes Shopping Center, LLC, for 7,663 rentable square feet of leased space used by the Motor Vehicle Division at 6510 Wadsworth Blvd. in Arvada, CO.

Resolution No. **CC 16 - 3 4 3**

Background: The County entered into a lease agreement dated December 6, 1990, for the use of space by Motor Vehicle at 6510 Wadsworth Blvd in Arvada. The 7th Amendment for the 7,633 RSF of space would continue this lease from January 1, 2017 until December 31, 2021, with the ongoing right to terminate the lease with nine months' notice to landlord, if the County acquires or constructs a building to accommodate Arvada Motor Vehicle's use or consolidates this operation into another County Facility. As part of this amendment, the landlord has agreed to provide \$22,300 to the County for replacing carpet in the employee areas and the window blinds in the public area, spend \$25,000 to repave the service drive behind the units, place outside security lighting on the rear of the motor vehicle office and provide lighting and install a door in areas adjacent the County office. Rent would decrease from \$14.01 per RSF, or \$107,359.63, to \$13.50 per RSF, or \$103,450.50, for year 1. The rent would escalate \$.50 per RSF annually through 2019, then increase \$.25 per RSF through the expiration date. The County would have one option to renew with 6 month notice prior to the end of the effective term.

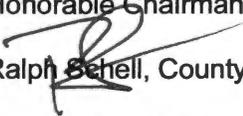
BCC Briefing Presented on: August 2, 2016 by Mark Danner

Fiscal Impact: \$103,450.50 for 2017

Original returned to: Clerk to the Board, Dunton Commercial Real Estate

Distribution: Faye Griffin, Clerk and Recorder
Sarah Robinson, Accounting
Kurtis Behn, Assistant County Attorney
Nathalie Cole, Assessors
Mark Danner, Facilities & Construction Management

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners
FROM:  Ralph Schell, County Manager
DIST: Clerk to Board, Mark Danner, Kurt Behn, Deborah Freischlag
RE: First Contract Renewal - Janitorial Services
Facilities and Construction Management

Staff Recommendation: Approve the renewal of the contract between Jefferson County and **AFL Maintenance Group, Incorporated dba American Facility Maintenance Group** in an amount not to exceed **\$732,906.72** for annual janitorial services. The County's authorized representative is the Division Director, or other person as may be designated by the Deputy County Manager or County Manager.

Contract Term: The renewal term shall be August 29, 2016, to and included August 28, 2017.

Resolution No. **CC 16 - 344**

Background: Jefferson County requires the continuation of annual janitorial services for an additional year.

The original contract was approved by the BCC on August 18, 2015 and allows for three one-year optional renewals. This request represents the first renewal option.

The vendor has requested a 2.27% increase in pricing for the renewal term. Facilities staff has determined this amount to be reasonable and acceptable.

Fiscal Information: Funding for this expenditure was approved in the 2016 OPS budget. This is within the scope and budget for this project.

BCC Briefing Presented By: Mark Danner on August 2, 2016.

Originator: Agenda memo prepared by Joe Weickenand, Purchasing, Ext. 8595

Original returned to: Joe Weickenand, Purchasing

Copies w/o contract to: Mike DeWolfe, Facilities
 Sam Bican, Risk Management

Approvals	Kurt Behn, County Atty. Kate Newman, Deputy County Mgr. Mark Danner, Division Dir.	Approved: 8/4/16, 2:21pm Approved: 8/4/16, 4:08pm Approved: 8/4/16, 10:57am
Agenda Coordinator Review		X Check <i>MS</i>
Final Signatory	BCC	
Vendor	AFL Maintenance Group, Incorporated dba American Facility Maintenance Group	
End User	FACM	
Type (Contract, PO, etc)	Contract Renewal	
Dollar Value	\$732,906.72	
Term	The renewal term shall be August 29, 2016, to and included August 28, 2017.	
Description	6217Z-FA - 2016 Janitorial Services Contract Renewal AFL.	
Purchasing Agent	Joe Weickenand	

M E M O R A N D U M

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM:  Ralph Schell, County Manager

RE: Second Lease Amendment between Jefferson County and the Division of Vocational Rehabilitation

DATE: August 23, 2016

Staff Recommendation: Execute the Second Amendment between the County and the State of Colorado, acting by and through the Department of Labor and Employment, Division of Vocational Rehabilitation.

Resolution No. **CC 16 - 345**

Background: The County entered into a lease agreement beginning January 1, 2007, for 4,795 rentable square feet of space in a County owned building in Suite 1400, 3500 Illinois Street, Golden, Colorado (Laramie Building). The 1st lease amendment expires December 31, 2016. Because of Vocational Rehabilitation's close association with services offered by Workforce Development, the State is exercising its 2nd and final option to extend the lease for an additional five years, until December 31, 2021. Rent to the County has been adjusted to align with the anticipated actual costs of operating the building. From January 1, 2017 to December 31, 2017, rent would be \$5,993.75 per month, \$71,925.00 for the year or \$15.00 per RSF. The lease payments would then increase \$.50 per RSF annually until the expiration date.

BCC Briefing Presented on: August 2, 2016 by Mark Danner

Fiscal Impact: None

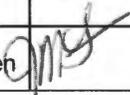
Original(s) returned to: Tim Doiel, Facilities & Construction Management for State of Colorado signatures.

Distribution: Lynn Johnson, Human Services
Laura Waggoner, Accounting
Kurtis Behn, Assistant County Attorney
Mark Danner, Facilities & Construction Management

BCC HEARING ROUTING FORM (non-purchasing items)

Contacts: Originating Division and Contact: FACM – Tim Doiel Phone: 5017
 County Attorney Contact: Kurt Behn Phone: 8923

*Second Lease Amendment between Jefferson County and the
Division of Vocational Rehabilitation*

ROUTING					
O R D E R	Division	Authorized Signatures Name/Initials	Date Rec'd	Date Frw'd	Comments
(1)	Originator	Tim Doiel 		8/16/16	After County's signature, return 5 Originals to Tim Doiel attain State's execution
(2)	Division Director	Mark Danner 	8-4-16	8-4-16	
(4)	Department Director	Kate Newman 	8/16/16		
(3)	County Attorney	Kurt Behn 	8/5	8/5	
()	Elected Official				
(5)	BCC Agenda Coordinator	Janice Fredricksen 			

M E M O R A N D U M

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM: Ralph Schell, County Manager

RE: Purchase Agreement for 4295 McIntyre Street, Golden

DATE: August 23, 2016

Staff Recommendation:

WHEREAS, the Board of County Commissioners finds that the County property located at approximately 4295 McIntyre Street, Golden, Colorado, as more particularly described in the Purchase Agreement (the "Property") will not be useful or necessary to County functions presently or in the future for public projects; and

WHEREAS, the Anthony Marino Family Trust (the "Buyer") has offered to purchase the Property; and

WHEREAS, T-Mobile West Corporation holds an existing cell tower lease ("Site Lease") on the property that the Buyer wishes to assume as the new property owner.

NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners hereby approves and authorizes the sale of the Property, including the Site Lease, to the Anthony Marino Family Trust for Six Hundred Thousand Dollars (\$600,000) pursuant to the Purchase Agreement.

BE IT FURTHER RESOLVED, that the Board of County Commissioners hereby waives the requirements set forth in Part 6, Chapter 3, Section 2C(2) of the County's Policies and Procedures relating to the advertisement of the sale of the Property.

Resolution No.**CC 16 - 3 4 6**

Background: The County obtained the Property at the intersection of West 44th Avenue and McIntyre Street in 2006 pursuant to a Rule and Order, as a result of a finding that the County's condemnation of a portion of the parcel for right of way would leave an uneconomic remainder. There was an existing cell tower lease on the Property when it was acquired by the County

in 2006. The Buyer owns the adjacent real property and has offered to purchase the Property. The Property was not actively for sale, but the Buyer is the most logical person to utilize this parcel of land. The County will retain the right of way for McIntyre Street as well as additional right of way necessary for the future development of a trail/sidewalk along McIntyre Street.

BCC Briefing Presented on: August 2, 2016

Fiscal Impact: Additional revenue of approximately \$600,000, less closing costs, will be generated at closing which is anticipated to occur in the Fall of 2016.

Original returned to: Clerk to the Board (1) and Mark Danner (1)

Distribution:

- / Mark Danner, Director Facilities and Construction Mgmt
- Tim Doiel, Facilities and Construction Management
- Kourtney Hartmann, County Attorney's Office
- Kurt Behn, County Attorney's Office

**CASE SUMMARY
Consent Agenda**

BCC Hearing Date: August 23, 2016 (to set formal hearing date)

16-116847SV Service Plan

Case Name: Aspen Park Metropolitan District Material Modification

Applicant: Aspen Park Metropolitan District

Location: Generally located on the Northwest Corner of U.S. Highway 285 and Davis Avenue
Section 12, Township 6 South, Range 71 West

Approximate Area: 20 Acres

Purpose: **To set a formal hearing date of September 20, 2016 for consideration of a Material Modification to a Special District Service Plan.**

Case Manager: Christiana Farrell

CASE SUMMARY
Consent Agenda

PC Hearing Date: August 3, 2016

BCC Hearing Date: August 23, 2016

16-111661RZ Rezoning

Case Name: H Manufacturing Official Development Plan

Owner/Applicant: Von and Chase Honnecke

Location: 767 Nile Street
Section 1, Township 4 South, Range 70 West

Approximate Area: 0.70 Acre

Purpose: **To rezone from Planned Development (PD) to Planned Development (PD) to allow a larger industrial building.**

Case Manager: Christiana Farrell

Issues:

- None

Recommendations:

- **Staff:** Recommends APPROVAL subject to conditions
- **Planning Commission:** Recommends APPROVAL subject to conditions

Interested Parties:

- None

Level of Community Interest: Low

Representative: Von and Chase Honnecke

General Location: Colfax and Nile Street

Case Manager Information: Phone: 303-271-8740 e-mail: cfarrell@jeffco.us

It was moved by Commissioner **HAMMOND** that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION
COUNTY OF JEFFERSON
STATE OF COLORADO

August 3, 2016

RESOLUTION

<u>16-111661RZ</u>	Rezoning
Case Name:	H Manufacturing Official Development Plan
Owner/Applicant:	Von and Chase Honnecke
Location:	767 Nile Street Section 1, Township 4 South, Range 70 West
Approximate Area:	0.70 Acre
Purpose:	To rezone from Planned Development (PD) to Planned Development (PD) to allow a larger industrial building.
Case Manager:	Christiana Farrell

The Jefferson County Planning Commission hereby recommends **APPROVAL WITH CONDITIONS** of the above application on the basis of the following facts:

1. That the factors upon which this decision is based include evidence and testimony and staff findings presented in this case.
2. The Planning Commission finds that:
 - A. The proposal is in general conformance with the Comprehensive Master Plan because it meets all applicable sections of the Plan policies.
 - B. The proposed land uses are compatible with existing and allowable land uses in the surrounding area because the building sizes and uses are comparable to surrounding properties.
 - C. The proposed land uses will not result in significant impacts to the health, safety, and welfare of the residents and landowners in the surrounding area.
3. The following is a condition of approval:

- A. Recordation of a revised Official Development Plan in accordance with the red-marked print dated August 3, 2016.

Commissioner **BURKE** seconded the adoption of the foregoing Resolution, and upon a vote of the Planning Commission as follows:

Commissioner	Rogers	Aye
Commissioner	Harris	Aye
Commissioner	Hammond	Aye
Commissioner	Hatton	Aye
Commissioner	Burke	Aye
Commissioner	Schiche	Aye

The Resolution was adopted by **unanimous** vote of the Planning Commission of the County of Jefferson, State of Colorado.

I, Bonnie Benedik, Administrative Assistant for the Jefferson County Planning Commission, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Jefferson County Planning Commission at a regular hearing held in Jefferson County, Colorado, August 3, 2016.



Bonnie Benedik
Administrative Assistant

Staff Report

PC Hearing Date: August 3, 2016

BCC Hearing Date: August 23, 2016

16-111661RZ Rezoning

Case Name: H Manufacturing Official Development Plan

Owner/Applicant: Von and Chase Honnecke

Location: 767 Nile Street
Section 1, Township 4 South, Range 70 West

Approximate Area: 0.70 Acre

Purpose: **To rezone from Planned Development (PD) to Planned Development (PD) to allow a larger industrial building.**

Case Manager: Christiana Farrell

Representative: Von and Chase Honnecke

Existing Use: Vacant

BACKGROUND/UNIQUE INFORMATION:

This is a request to rezone from Planned Development (PD) to Planned Development (PD) to allow a larger industrial building for the owner/applicant's sheet metal business. The existing Pleasant View Official Development Plan (ODP) allows for light manufacturing industrial uses, but limits the size of any building to a maximum of 11,400 square feet. The applicant is proposing to build a 15,000 square foot building to house the equipment needed for their sheet metal fabrication company. The only changes to the existing ODP are the size of buildings allowed, and the setbacks.

This property is located within the Central Plains Area Plan, and is recommended for automotive, neighborhood commercial, and research and development uses. The intent of the recommended land use is to provide a central automotive-oriented area while also allowing for neighborhood commercial, office and light industrial uses. The applicant's custom sheet metal business would be considered light industrial in nature and therefore supported by the Plan.

The subject property is approximately 30,375 square feet in size and located near the intersection of Colfax and Nile Street. It is surrounded by similarly sized parcels, several of which also have buildings that are 15,000 square feet or larger. *Camping World* RV Storage in Golden is located directly to the southwest, and *Planet Honda* Car Dealership is north of the property just across Colfax. A Property Merger and Site Development Plan would be required prior to the construction of any buildings.

SURROUNDING ZONING/LAND USE:

	Adjacent Zoning	Land Use
North:	Commercial – One (C-1)	Commercial
South:	City of Golden	Commercial/Industrial
East:	Commercial – One (C-1)	Commercial
West:	City of Golden	Commercial/Industrial

NOTIFICATION:

A community meeting was held for this rezoning application on April 18, 2016 at the property. One citizen, the neighbor to the north, was in attendance to ask questions about what type of business is being proposed. No concerns were voiced regarding this application.

As a requirement of the Jefferson County Zoning Resolution, the following notice was provided for this proposal:

1. Notification of this proposed development was mailed to property owners within a 500-foot radius of the site and to Homeowners’ Associations and Umbrella Groups located within a 1-mile radius of the site. The initial notification was mailed at the time of the 1st referral. Additional notification was mailed 14 days prior to the Planning Commission Hearing identifying the scheduled hearings dates for both the Planning Commission Hearing and the Board of County Commissioners’ Hearing.
2. Sign(s), identifying the dates of both the Planning Commission Hearing and the Board of County Commissioners’ Hearing, were provided to the applicant for posting on the site. The sign(s) were provided to the applicant with instructions that the site be posted 14 days prior to the Planning Commission Hearing.
3. Notification of the hearings before the Planning Commission and the Board of County Commissioners’ was published in the Denver Post – Golden/Foothills Hub on July 21, 2016.

The Homeowners’ Associations and Umbrella Groups that received notification are as follows:

- Amberwick
- Applewood POA
- Daniels-Welcheste HOA
- Jefferson County Horsemen ASSN
- Mesa View Estates
- Rolling Hills East HOA
- Save The Mesas INC
- Sixth Ave West HOA
- Sixth Ave West Estates
- Sixth Ave West Townhome One ASSN
- Sixth Ave West Townhouses II

During the processing of the application, Staff has received no responses in objection to the proposal.

**COMPREHENSIVE MASTER PLAN ASSESSMENT:
Area Plan: Central Plains Area Plan**

	Land Use	Physical Constraints	Community Resources	Infrastructure, Water and Services
Conformance	X(1)	X (2)	X (3)	X (4)
Non-Conformance				

Services: Pleasant View Fire Protection District
Pleasant View Water and Sanitation District

ANALYSIS OF PLAN:

1. Land Use:

Areas of Conformance:

a. All Development

The Comprehensive Master Plan (CMP) encourages development that is appropriate to the area, and specifically recommends infill and redevelopment projects to improve the vitality of the community, to reduce sprawl and to increase tax benefits to the County.

This rezoning would result in development which is appropriate to the area, would comply with the Plan recommendations, and would be considered an infill development.

b. Area Recommendation

The subject property is located within Area 20 of The Central Plains Area Plan and is recommended for automotive uses including the sale, storage, servicing and repair of automobiles and recreational vehicles. The intent of the recommended land use is to provide a central automotive-oriented area while also allowing for neighborhood commercial, office and light industrial uses.

The applicant's proposal to rezone to allow a larger building for light industrial uses would be consistent with the Plan's recommended land use for this site.

Summary of Analysis: *The proposed rezoning to allow a larger building for a custom sheet metal business is comparable with the surrounding properties and is within the recommendation of the Central Plains Area Plan.*

2. Physical Constraints: The Comprehensive Master Plan describes physical constraints as those physical features that due to safety concerns may potentially restrict where and how development occurs. Physical Constraints include geologic hazards and constraints, floodplains, wetlands, wildfire, radiation, landfills, abandoned mines, and wildlife habitat.

Areas of Conformance:

a. General

The Plan states that development should not aggravate, accelerate, or increase the level of risk from natural hazards.

The rezoning application was referred to the County Geologist, Planning Engineering, and Jefferson County Public Health, all of which expressed no concerns with the application. The property is not within a floodplain, nor are there significant slopes or geologic hazards.

Summary of Analysis: *No hazards have been identified on the property. The proposal complies with this section of the Plan.*

3. Community Resources: The Community Resources chapter contains policies that relate to historic structures or sites, scenic corridors, natural features, air quality, light, odor and noise pollution, open space and trails.

Areas of Conformance:

a. Visual Resources

The Plan strives to mitigate the visual impact of new development in visually sensitive areas.

The subject property is not indicated to be within a visually sensitive area. Building height is limited to 35' maximum; the same height presently allowed on the property under the existing PD zone district.

b. Air, Light, Odor, and Noise

A goal of the Plan is to encourage the effective management of air quality and the impacts of light, odor and noise.

Air, light, odor and noise impacts associated with a light industrial fabrication business such as this would be comparable to the impacts associated with the other surrounding light industrial, automotive, and commercial developments. Temporary noise impacts resulting from construction activities should be expected.

Summary of Analysis: *The proposed rezoning will have minimal affects on the air, light, odor and noise to the surrounding developments. Visual impacts would be related to new buildings and/or the building height, which could already occur under the present zoning.*

4. Infrastructure, Water & Services: The applicable elements of this chapter include Transportation, Water and Wastewater, and Services.

Areas of Conformance:

a. Transportation

The Plan states that the County should ensure that the transportation system will have the capacity to support future population growth while maintaining an acceptable level of service.

The applicant submitted a traffic letter stating that they will only have eight employees and two delivery trucks maximum each day. There is no auto repair or customers that will visit the site to buy products because this location will only be fabrication and not any retail. Planning Engineering and Transportation and Engineering agree that with the estimated trip generation maximum will be less than 50 trips per day; no further traffic analysis is required for the rezoning. During the subsequent Site Development Plan process, improvements will be required along Nile Street to meet the local street standards.

b. Water & Wastewater

The Plan strives to protect the quality and quantity of water resources in the County.

Stormwater runoff will be addressed at the time of Site Development Plan. The development will be required to meet the standards of the Jefferson County Storm Drainage Design and Technical Criteria Manual; including employing runoff reduction practices, water quality and control, Best Management Practices, and controlling vector-borne diseases such as West Nile Virus.

c. Services

A goal of the CMP is to ensure existing Services are sufficient for proposed new development.

The property will be served by the Pleasant View Fire Protection District and Pleasant View Water and Sanitation District, who have submitted "will serve" letters.

Summary of Analysis: *Nile Street has sufficient capacity to accommodate this proposal, and the water and sewer providers have submitted "will serve" letters. The proposal complies with this section of the Plan.*

COMPATIBILITY:

Staff believes this proposal is compatible with the allowed and existing land uses in the general vicinity.

The proposed building size of 15,000 square feet would be consistent with the industrial and automotive buildings on surrounding properties. The written restrictions also require similar setbacks and height limitations to that of the surrounding area.

SUMMARY OF STAFF POSITION:

Staff supports the proposed rezoning request because of the compatibility of the building size, and because the development utilizes existing infrastructure. Furthermore, the proposed land use will be in conformance with the Plan's recommended land use.

PLANNING COMMISSION:

Planning Commission Recommendation (Resolution Dated August 3, 2016, Attached):

Approval	_____
Approval with Conditions	<u> X (6-0) vote </u>
Denial	_____

The case was scheduled on the consent agenda for the Planning Commission Hearing. No citizens offered public testimony, and the case remained on the consent agenda. The Planning Commission voted unanimously to recommend approval with conditions of the rezoning application.

FINDINGS/RECOMMENDATIONS:

Staff recommends that the Board of County Commissioners find that:

- 1. The proposal is in general conformance with the Comprehensive Master Plan because it meets all applicable sections of the Plan policies;**
- 2. The proposed land uses are compatible with existing and allowable land uses in the surrounding area because the building sizes, and uses are comparable to surrounding properties; and,**
- 3. The proposed land uses will not result in significant impacts to the health, safety, and welfare of the residents and landowners in the surrounding area.**

And;

Staff recommends that the Board of County Commissioners APPROVE Case No. 16-111661RZ subject to the following conditions:

- 1. Recordation of an Official Development Plan in accordance with the red-marked print dated August 23, 2016.**

COMMENTS PREPARED BY:

Christiana Farrell



Christiana Farrell, Senior Planner, AICP
August 11, 2016

Jefferson County Land Use Case Management

CASE DATES SUMMARY

Case Number: **16-111661 RZ**

Case Type: **Rezoning**

Pre-application Meeting Date: **March 17, 2016**

Community Meeting Date: **April 18, 2016**

Applicant Makes Complete Submittal: **June 8, 2016**

Case Sent on First Referral: **June 9, 2016**

All Responses Provided to Applicant: **July 8, 2016**

Determination That Case Should Proceed to Hearing: **July 14 2016**

County Staff Determination: **X**

Applicant's Request: **X**

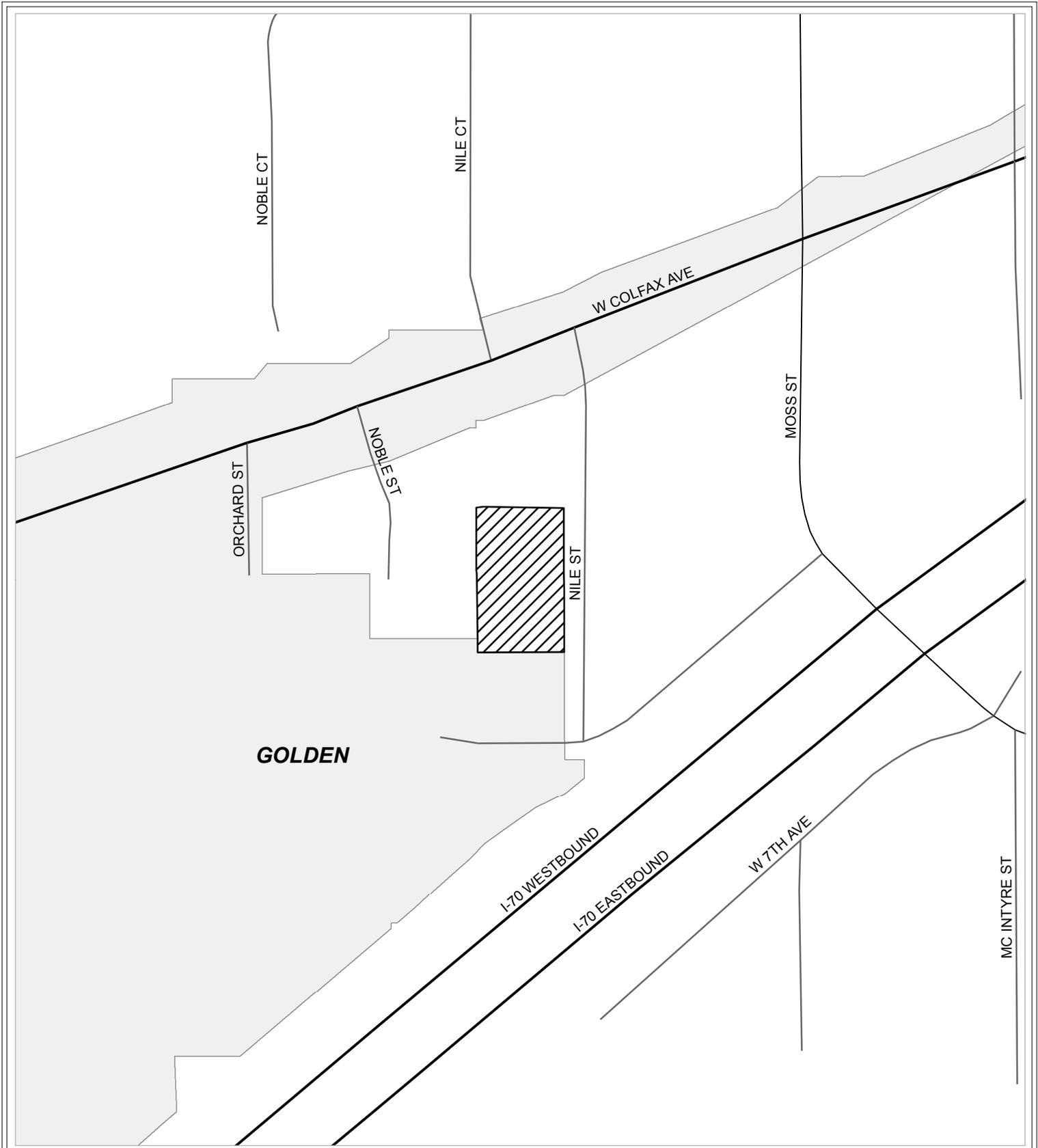
COUNTY COMMISSIONER'S CERTIFICATE:

This Official Development Plan, titled H Manufacturing Official Development Plan, was approved the _____ day of _____ 201____, and is accepted by the Board of County Commissioners this _____ day of _____

BOARD OF COUNTY COMMISSIONERS:

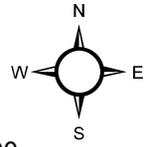
Chairman

Clerk



Case Number: 16-111661RZ
Location: Section 1, T4S, R70W

EXHIBIT A - GRAPHIC



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EXHIBIT B - LEGAL DESCRIPTION

Case No. 16-111661RZ

Street Location of Property 767 Nile Street

Is there an existing structure at this address?

Yes X No _____

Type the legal description and address below.

Parcel A:

Lots 29 to 33 Inclusive, Block 6,
Pleasant View, and the East 8 feet of Vacated Alley Adjoining lots 29 Through 33 in
Block 6, Pleasant View
County of Jefferson, State of Colorado.

Parcel B:

Lots 34, 35, 36 and 37, Block 6.
Together with the East Half of Vacated Alley Adjacent Thereto,
Pleasant View,
County of Jefferson, State of Colorado

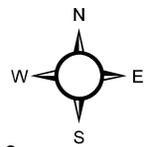
Advise of Ortho Map No. 16 Section 1 Township 4 S. Range 70 W.

Calculated Acreage 0.68 Acres Checked by: Ben Hasten

Address Assigned (or verified) 767 Nile Street



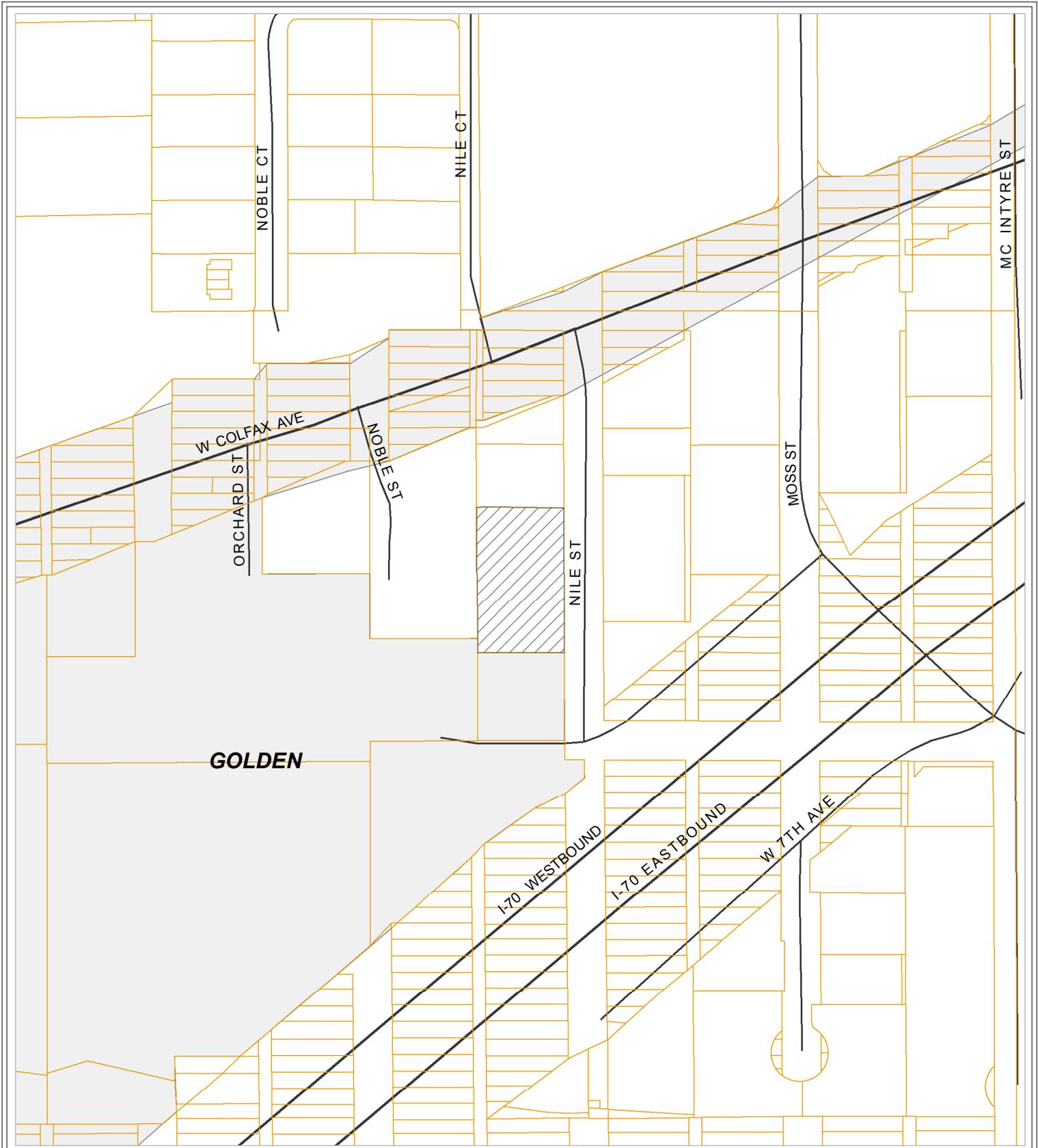
Case Number: 16-111661RZ
Location: Section 1, T4S, R70W



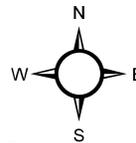
200 0 200 400 Feet



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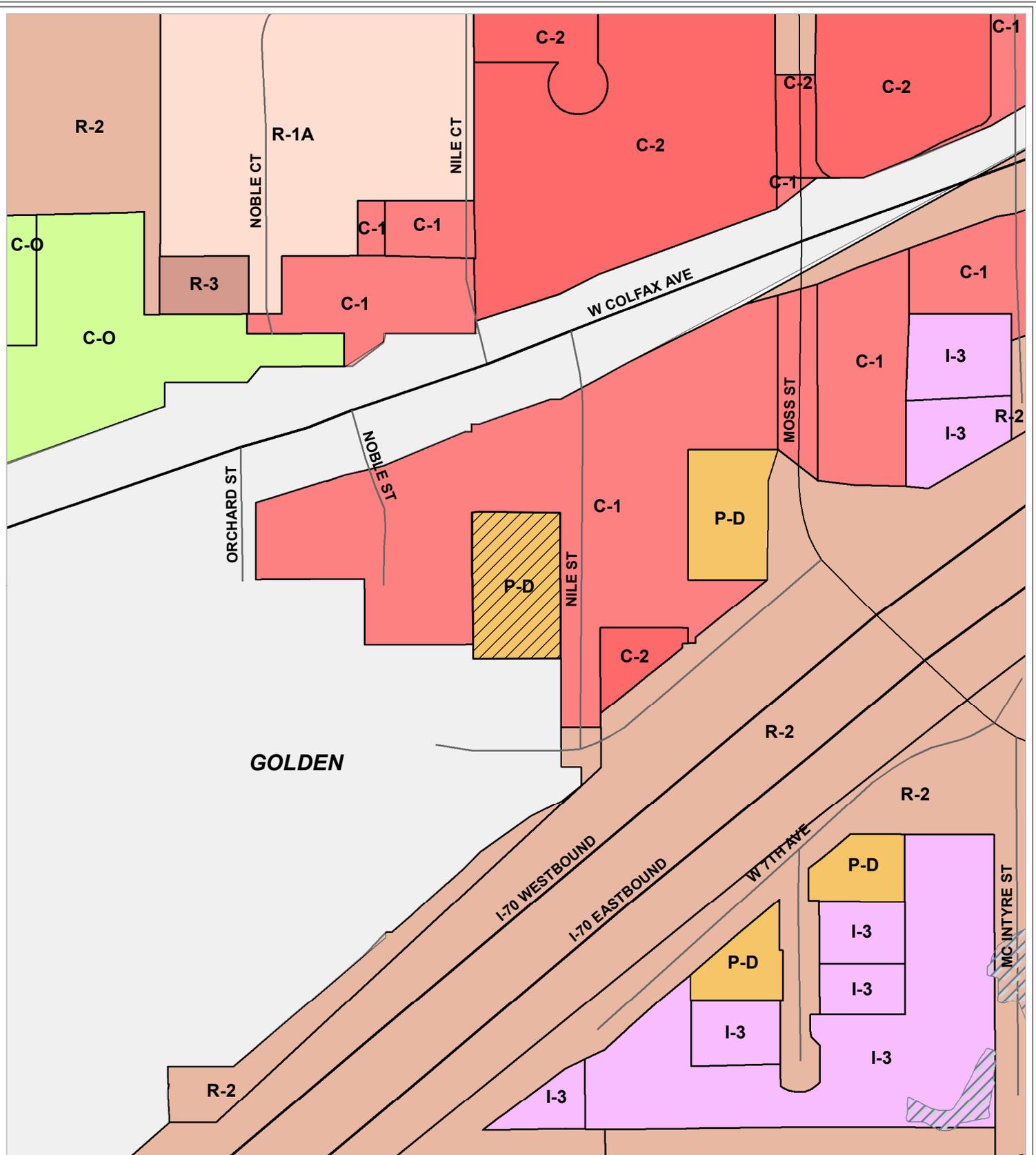
Case Number: 16-111661RZ
Location: Section 1, T4S, R70W



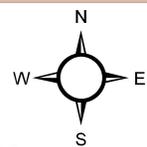
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Case Number: 16-111661RZ
Location: Section 1, T4S, R70W



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ELECTRONIC REFERRAL

JEFFERSON COUNTY, COLORADO

Documents related to a Rezoning have been submitted to Jefferson County Planning and Zoning. This case is beginning the first referral part of the process and your agency's comments are requested. Please review the specific electronic documents related to the first referral found **here**. Comments should be submitted via e-mail to the case manager by the due date below.

Case Number: **16-111661RZ**

Case Name: **767 Nile Street**

General Location: **Colfax and Nile Street**

Address: **767 Nile Street**

PIN: **40-013-10-024**

Case Type: **Rezoning**

Type of Application: **Proposal to rezone to amend existing ODP to allow a larger industrial building**

Case Manager: **Christiana Farrell**

Comments Due: **June 30, 2016**

Case Manager Contact Information: **cfarrell@jeffco.us** **303-271-8740**

Additional information related to this case can be viewed **here**. Some of the links on this page that may be helpful are the links to the case file (public documents), to the Jeffco mapping system (jMap) and to the case tracking system (general application details).

<u>Jeffco:</u> Building Safety Open Space Cartography Addressing Geologist T&E Public Health Zoning Administration Planning Engineering Long Range Road and Bridge 2	<u>External:</u> Xcel Comcast CenturyLink Post Office Pleasant View Water & San Pleasant View Fire Protection Dist Pleasant View Metro Dist RTD Urban Drainage	<u>HOA:</u> AMBERWICK APPLEWOOD POA DANIELS-WELCHESTER HOA JEFFERSON COUNTY HORSEMENS ASSN MESA VIEW ESTATES ROLLING HILLS EAST HOA SAVE THE MESAS INC SIXTH AVE WEST SIXTH AVE WEST ESTATES SIXTH AVE WEST TOWNHOME ONE ASSN SIXTH AVE WEST TOWNHOUSES II
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ADDRESSING

MEMO

To: Christiana Farrell
FROM: Philip Taylor
SUBJECT: 16-111661RZ 767 Nile Street
DATE: 6/23/2016

Addressing offers the following comments on this proposal:

1. The purpose of this Rezoning is to amend the existing ODP to allow a larger industrial building for sheet metal business.
2. Access is off of Nile Street. There is a valid existing address in the addressing database, 767 Nile Street. This address will not change with this Rezoning.
3. If the applicant wishes to build a large industrial building that is built over lot lines as the ODP depicts, a merger will be required to remove interior lot lines.

Please let me know if you have any questions.



June 10, 2016

Jefferson County Planning and Zoning Department
Ms. Christiana Farrell
100 Jefferson County Parkway, Suite 3550
Golden, Colorado 80419-3550

Re: Case Number 16-111661RZ – 767 Nile Street

Dear Ms. Farrell:

This letter will acknowledge receipt of your submittal regarding the above referenced property.

Please be advised that the above referenced property is in an area served by The Consolidated Mutual Water Company (Company) and is subject to compliance with the Company's rules, regulations and requirements. Also be advised that the above referenced property lies within the service area of the Pleasant View Water and Sanitation District and is also subject to the District's rules, regulations and requirements.

The Company's rules, regulations and requirements require that each **separate structure be served by a separate tap and meter**, and in order to receive domestic water service, **the properties must also front a Company main**.

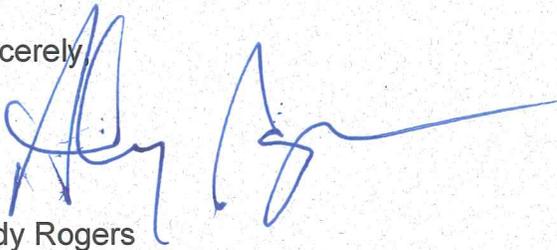
A meeting must be scheduled directly with the Company's Engineering Section at (303) 238-0451 for an in depth review of the proposed project specific to domestic water and fire protection service requirements.

Jefferson County Planning and Zoning Department
Ms. Christiana Farrell
June 10, 2016
Page 2 of 2

Fire protection requirements should be obtained from Pleasant View Department and those requirements forwarded to this office by the Fire District at the earliest possible time. We can then determine if additional system improvements would be required to meet the demands set forth by the Fire District.

If you should have any questions or comments regarding this correspondence, please contact this office.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Andy Rogers', with a long horizontal flourish extending to the right.

Andy Rogers
Project Engineer

cc: Chris P. Malmgren, Pleasant View Fire Department
David Councilman, Pleasant View Water and Sanitation District
Michael E. Queen, CMWCo President
Zach Queen, CMWCo Superintendent of Distribution
Kim M. Medina, Stocks Record/Tap Administrator

MEMORANDUM

TO: Christiana Farrell, Case Manager
FROM: Steve Krawczyk, Planning Engineering
DATE: July 12, 2016

RE: **16-111661RZ;** Application for a Rezoning at 767 Nile Street - near the intersection with Colfax and Nile street - To allow a larger Warehouse/Manufacturing Building.

These comments are based upon the requirements of the Land Development Regulation (LDR). If the developer plans to request waivers of certain LDR requirements in lieu of complying with these comments, the request must be submitted in writing. The request should identify the specific regulation(s) which need(s) to be deleted or modified and the reasons for such request. Staff supports going to a PD zoning if the applicant is only interested in rezoning to allow for a industrial building.

Note: The applicant may be required to obtain approval of a Site Development plan process prior to approval of the any building permits.

REZONING COMMENTS

1. Traffic Analysis: The proposed uses appear to restrict the trip generation to less than 1,000 trips per day. Using the 8 Edition of the ITE Trip Generation Report, it is estimated that the proposed development has a potential to produce approximately 50 vehicles trips per day. If the applicant agrees to identify street improvements such as curb, gutter and sidewalk along the frontage during the SDP process, no traffic impact analysis is required.
2. Access Permit – Proposed: An access permit may be required by the Colorado Department of Transportation (CDOT) due to increased vehicle use on the existing road intersecting with State Highway 40. A copy of the approved permit and construction plans, if required, or evidence that a permit is not required, shall be submitted to this office. It should not be construed that the improvements required by CDOT in any way automatically reduce or eliminate any other road improvements required by the County pursuant to the LDR. (Section 2.3 of the State Highway Access Code)
3. Site Development Plan: The applicant needs to be aware that prior to the issuance of a building permit, a Site Development Plan triggered by the rezoning is required. Please see Zoning Resolution Section 1.1 for more detail on the requirements for the Site Development Plan.

CONCLUSION

These initial case comments are based solely upon the submitted preliminary application package. They are intended to make the applicant aware of regulatory requirements. Failure by Planning Engineering to note any specific item does not relieve the applicant from conforming to all County regulations. Furthermore, if the proposed site layout and design are altered substantially during subsequent County land development processes (rezoning, platting, exemptions, additional submittals), Planning Engineering reserves the right to modify these initial comments or add appropriate additional comments. The applicant should respond to these comments. If there are any questions please contact Steve Krawczyk at 303-271-8736.

SK:
Attachment/Enclosure
c: File

Memorandum

To: Christiana Farrell
Planner

From: Patrick O'Connell
Geologist

Date: July 5, 2016

Re: 767 Nile Street, Case No. 16-111661RZ

The intent of the application is to rezone to allow for commercial uses. I have the following comment.

1. The site is not within a zoned or unzoned geologic hazard area and reports are not required with the rezoning process.

Christiana Farrell

From: AutoMailer@jeffco.us
Sent: Friday, June 17, 2016 4:39 PM
To: Christiana Farrell
Cc: Nancy York
Subject: Agency Response

Address: 767 Nile Street
Case Number: 16 111661 RZ
Review: Open Space
Review Results: No Comment (no further review)
Scheduled End Date: 07/08/2016
Signoff Date: 06/17/2016
Process Comments:
Case Type: Rezoning: Official Development Plan (ODP)
Reviewer: Nancy York
Case Description: Rezone to amend existing ODP to allow larger industrial building for sheet metal business.

This Email has been automatically generated, do not reply to sender:
If you have any Review questions, contact Nancy York

If you have any technical questions contact tgagnon@jeffco.us



PLEASANT VIEW METROPOLITAN DISTRICT FIRE DEPARTMENT

955 Moss St. Golden, CO 80401

Phone: (303) 279-4361 Fax: (303) 278-3430

June 20, 2016

Jefferson County Planning and Zoning Department
100 Jefferson County Parkway, Suite 3550
Golden, Colorado 80419-3550

Attn: Christiana Farrell Case Manager
Contact Info: cfarrell@jeffco.us 303-271-8740

RE: Preliminary Application – 767 Nile Street, Golden CO
Case Number 16-111661RZ

RE: Proposal to rezone to amend existing ODP to allow a larger industrial building.

This will acknowledge receipt of your email regarding the above referenced property.

This property is within the Pleasant View Metropolitan District and fire protection services will be provided by Pleasant View Fire Department. Fire service will be provided as long as provision of the International Fire Code, 2015 edition, including amendments, are met in development.

The water plan, fire hydrant locations, and fire apparatus access shall be addressed as development occurs. Acceptable plans will show the building construction type, building height, and current fire hydrant locations. The plans must also show that all portions of the exterior of the building can be reached within 150 feet of the 24 foot wide access lane. Buildings taller than 30 feet will have additional access requirements.

Permits are required from the fire department for core and shell, all work on automatic fire protection systems, all work on automatic fire detection systems, and for storage of hazardous materials.

Pleasant View Fire Department reserves the right to provide additional comments/requirements at the time when plans are submitted and reviewed per applicable codes and amendments.

Pleasant View Metropolitan District has no objection to the proposal to rezone to amend existing ODP to allow a larger industrial building.

If you have any questions regarding this correspondence, please contact me 303-279-4361 extension 301 or e-mail.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Chris Malmgren', with a long horizontal flourish extending to the right.

Chris P. Malmgren
Fire Chief

MEMO

TO: Christiana Farrell
Jefferson County Planning and Zoning Division

FROM: Terri Leichtweis
Jefferson County Environmental Health Services Division

DATE: June 13, 2016

SUBJECT: Case #16-111661 RZ
Chase Honnecke
767 Nile St

The applicant has met the public health requirements for the proposed rezoning of this property.

PROPOSAL SUMMARY

Proposal to rezone to amend existing ODP to allow a larger industrial building

COMMENTS

Jefferson County Public Health (JCPH) has provided comments on August 28, 2003 and March 15, 2015 regarding previous planning cases for this property. We have reviewed the documents submitted by the applicant for this site development plan process and have the following updated comments:

The applicant must submit the following documents or take the following actions prior to a ruling on the proposed site development plan of this property. **NOTE:** Items marked with a “✓” indicate that the document has been submitted or action has been taken. **Please read entire document for requirements and information. Please note additional documentation may be required.**

✓	Date Reviewed	Required Documentation/Actions	Refer to Sections
✓	06/10/16	Submit a will serve letter from the Water and Sanitation District to provide proof of public water and sewer services in accordance with the Jefferson County Zoning Resolution and Land Development Regulation (LDR) Section 21 and 22.	Water/Wastewater

WATER/WASTEWATER

The applicant has provided a letter dated January 13, 2015 from the Pleasant View Water and Sanitation District stating that sanitary sewer services are available to this proposed development.

The applicant has provided a Jefferson County Certificate of Water and Service Availability that has been signed by Consolidated Mutual Water stating that public water is available to this proposed development

ENVIRONMENTAL SITE ASSESSMENT

Although not required for the rezoning process, JCPH has reviewed the Environmental Questionnaire and Disclosure Statement dated April 25, 2016. The applicant checked "No" on all categories of environmental concern on the cover sheet. From this information it does not appear that any environmental factors exist which would negatively impact the property.

AIR

A fugitive dust permit is not required for the development of this site. However, the developer must use sufficient control measures and have a dust control plan in place to minimize any dust emissions during demolition, land clearing and construction activities. This department will investigate any reports of fugitive dust emissions from the project site. If confirmed, a notice of violation will be issued with appropriate enforcement action taken by the State.

Please be advised that a vehicle tracking pad or equivalent should be placed at egress points to prevent off property transport of materials during construction.

The Colorado Department of Public Health and Environment, Air Quality Control Commission Regulation No. 8, Part B, Asbestos Control requires that all buildings that are going to be remodeled, renovated, and or demolished must have a full inspection by a current Colorado-certified asbestos building inspector before conducting any work and must obtain a Demolition Permit. Based on the results of the inspection, if asbestos is detected, the applicant must obtain an Asbestos Abatement Permit from the Asbestos Section at the Colorado Department of Public Health and the Environment (303.692.3100). All building materials that will be impacted that contain asbestos that is friable or will become friable during the remodel, renovation, or demolition in quantities over the volume of a 55-gallon drum must be removed prior to any work. The asbestos removal must be done by a certified asbestos removal contractor (General Abatement Contractor) using trained and certified asbestos abatement workers prior to demolition.

Please contact Dave Volkel at 303.271.5730 for more information about this process.

Certain manufacturing processes allowed under the proposed zoning for this site may require an Air Emissions Permit and or an Air Pollutant Emissions Notice that would be obtained from the Colorado Department of Public Health and Environment, Air Pollution Control Division, 303.692.3100.

HAZARDOUS MATERIALS

Any waste materials generated from manufacturing or repair operations must be properly contained and stored on the site prior to transporting to an approved recycling or disposal facility. On site disposal of any such materials is prohibited. Sufficient control measures to prevent any spillage from impacting the area must be in place.

NOISE

The Colorado Revised Statutes (Sections 25-12-101 through 108) stipulate that commercial areas must comply with the following maximum noise levels 25 feet from the property lines:

- 60dB(A) from 7:00 a.m. to 7:00 p.m.
- 55dB(A) at all other times.

REGULATED FACILITIES

Certain commercial uses may be subject to plan reviews, inspections, licensing and/or permitting by this Department, or referred to State agencies. Regulated uses include the following: Auto Repair/Auto Body and Manufacturing Processes.



100 Jefferson County Parkway, Suite 3500, Golden, Colorado 80419-3500
303.271.8459 • Fax 303.271.8490 • http://jeffco.us/highways

Jefferson County, Colorado
Transportation & Engineering Division

P&Z REFERRAL T&E RESPONSE

To: P&Z Case Manager From:

Case #: Due Date:

Property Address or PIN:

- Amanda Attempt Result & Attachments:**
- Comments Sent = T&E wants 2nd referral
 - Complete = Do Not send further referrals
 - No Comments = Do Not send further referrals
 - Additional information, plans, etc are also attached in Amanda

Drainage

T&E is currently working on a project in the area. See attached information.

Other Notes:

No Concerns

Right-of-Way / Roadway Corridor Expansion Projects

Land owner will need to refund County \$ for ROW purchased in for
This amount **must** be paid before plat is recorded and/or plans are approved and released for construction.

Documentation attached in Amanda Documentation to follow

Additional ROW needed for upcoming T&E project. Plan sheet attached with required width/area.

Fee-in-lieu of adjacent roadway construction preferred, due to planned construction by the County. Please have the applicant submit a cost estimate.

Other Notes:

No Concerns

Traffic Operations / Transportation Planning

	Included in referral	Reviewed		Comments
		No	Yes	
Traffic study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No comments regarding the rezoning. Comments to consider at the time of SDP are below: - Local Street Standard updates abutting the property - Based on the estimate of no more than 40 trips/day, the applicant is not required to submit a traffic analysis.
Signage & striping plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Signal plans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Trails or sidewalks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Street road plans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> No Concerns				

Derek Schuler - Traffic/Trans Engineer
Yelena Onnen - Transportation Planning

Additional Comments

Name

Comments

Christiana Farrell

From: Yelena Onnen
Sent: Tuesday, July 12, 2016 9:20 AM
To: Christiana Farrell
Cc: Steve Krawczyk
Subject: 767 Nile St Development

Hello Christiana,

Steve and I discussed this case this morning. We think we need a little more information regarding the land use to confirm projected trips:

- Will there be customers who visit the warehouse?
- Will people be dropping off vehicles for repair?

Trip generation estimate based on current information:

- 8 employees: 2.2 to 4.3 trips/employee/day – The applicant estimated 2 trips/employee/ day because his employees do not leave during the day, but this is a low estimate compared to ITE rates.
- Single family home: ITE Trip Gen is 10/trips/day/unit.

Total: 27.6 to 44.4 trips/day. The applicant estimated under 40 trips/day. If there is auto repair, however, the trips would go up significantly.

ITE Average Weekday Trip Estimates:

- General light industrial 3.2 trips/employee
- Manufacturing 2.2 trips/employee
- Warehousing 4.3 trips/employee
- Auto Repair 18 trips/1000 SF; 19 trips/service stall

Thanks,
Yelena

Yelena Onnen | Transportation Planner

Jefferson County Colorado | Transportation & Engineering
100 Jefferson County Pkwy, Suite 3500, Golden, CO 80419
(303) 271-8497 | yonnen@jeffco.us



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

June 15, 2016

Jefferson County Planning and Zoning
100 Jefferson County Parkway, Suite 3550
Golden, CO 80419

Attn: Christiana Farrell

Re: 767 Nile Street Rezone, Case # 16-111661RZ

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the request for the **767 Nile Street Rezone**. Public Service Company has no objection to this proposed rezone, contingent upon Public Service Company of Colorado's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

As the project progresses, the property owner/developer/contractor must contact the **Builder's Call Line** at 1-800-628-2121 or <https://xcelenergy.force.com/FastApp> (register so you can track your application) and complete the application process for any new gas or electric service, or modification to existing facilities. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities

If you have any questions about this referral response, please contact me at (303) 571-3306.

Donna George
Contract Right of Way Referral Processor
Public Service Company of Colorado

PRE APPLICATION ZONING REVIEW MEMO

Date: July 12, 2016
To: Christiana Farrell, Senior Planner
From: Sarah Rosenberg, Planner
Re: Rezone and amend existing ODP to allow larger industrial building for sheet metal business
Case no. 16-111661RZ

I have the following comments on this case:

1. The property is currently zoned Planned Development.
2. Water & sewer service is provided by Pleasant View Water & Sanitation District.
3. The property is within the Pleasant View Metropolitan District.
4. Prior to the placement, erection, or construction of any new structures, signs, fences, retaining walls, etc., on this property, all required permits must be obtained from the County.

Thank you,

Sarah Rosenberg, Planner

Zoning Change Cover Letter

To whom it may concern,

The property owners are as follows:

Von Honnecke
(303)910-8181
530 S Coors Ct, Lakewood, CO 80228
Von@shsheetmetal.com

And

Chase Honnecke
(303)929-8370
22654 Anasazi Way, Golden, CO 80401
Chonneck@gmail.com

The property address is:
767 Nile St, Golden, CO 80401

Parcel # 40-013-10-024

Zoning Information:

Type: P-D

Case: 99015026RZP1

Condition:

BPR: 104/44

ODP: Pleasant View

This is a proposal to correctly zone the above property in order to eventually construct a warehouse/manufacturing facility for H Manufacturing Company. We have chosen to buy the land in order to expand into a larger facility.

The access to the property will be from Nile St, very similar to how the access is currently. During construction of the building we will have Colorado Pipe and Concrete tap water and sewer lines into the municipal water and sewer. We will most likely upgrade the current electrical grid to bring in the correct amount of electricity for our needs. Also we will tap into the current Xcel Energy natural gas lines for heating purposes.

We are trying to bring more stable jobs to this area

Thank You

Chase Honnecke

Von Honnecke and Chase Honnecke
767 Nile Street
Golden, CO 80401

WARRANTY DEED

THIS DEED, Made on March 8, 2016 between
Trigrama Sol, LLC, A Colorado Limited Liability Company
of the County of Jefferson, State of Colorado, grantor(s), and
Von Honnecke and Chase Honnecke
whose legal address is 767 Nile Street, Golden, CO 80401
of the County of Jefferson and State of Colorado, grantee(s):

WITNESS, That the grantor(s), for and in consideration of the sum of Three Hundred Sixty Thousand And No/100 DOLLARS (\$360,000.00), the receipt and sufficiency of which are hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm unto the grantee(s), AS JOINT TENANTS, their heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Jefferson, State of Colorado, described as follows:

LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" AND MADE A PART HEREOF

as known by street and numbers: 767 Nile Street, Golden, CO 80401

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto the grantee(s), their heirs and assigns forever. And the grantor(s), for themselves, their heirs, and personal representatives, do covenant, grant, bargain, and agree to and with the grantee(s), their heirs and assigns, that at the time of the ensembling and delivery of the presents, they are well seized of the premises above conveyed, had good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple and have good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except for:

for general taxes and assessments for the year 2016 and subsequent years; and subject to easements, covenants, reservations, restrictions and rights of way of record.

The grantor(s) shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee(s), their heirs and assigns, against all and every person or persons lawfully claiming the whole of any part thereof. Wherever used herein, the plural references shall be construed to be singular references and singular references shall be construed to be plural references where the context requires and all references of gender and person shall be construed to refer to the grantor or grantors identified herein regardless of the context.

IN WITNESS WHEREOF, the grantor(s) have executed this deed on the date set forth above.

Trigrama Sol, LLC, A Colorado Limited Liability Company

BY: 

Lucinda Findling
General Manager

State of Colorado
County of Jefferson

On March 8, 2016 before me, the undersigned a Notary Public in and for said County and State, personally appeared Lucinda Findling, General Manager of Trigrama Sol, LLC, A Colorado Limited Liability Company personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

of the County of Jefferson and State of Colorado, grantee(s).

WITNESS, That the grantor(s), for and in consideration of the sum of Three Hundred Sixty Thousand And No/100 DOLLARS (\$360,000.00), the receipt and sufficiency of which are hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm unto the grantee(s), AS JOINT TENANTS, their heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Jefferson, State of Colorado, described as follows:

LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" AND MADE A PART HEREOF

as known by street and numbers: 767 Nile Street, Golden, CO 80401

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances unto the grantee(s), their heirs and assigns forever. And the grantor(s), for themselves, their heirs, and personal representatives, do covenant, grant, bargain, and agree to and with the grantee(s), their heirs and assigns, that at the time of the ensembling and delivery of the presents, they are well seized of the premises above conveyed, had good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple and have good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except for:

for general taxes and assessments for the year 2016 and subsequent years; and subject to easements, covenants, reservations, restrictions and rights of way of record.

The grantor(s) shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee(s), their heirs and assigns, against all and every person or persons lawfully claiming the whole of any part thereof. Wherever used herein, the plural references shall be construed to be singular references and singular references shall be construed to be plural references where the context requires and all references of gender and person shall be construed to refer to the grantor or grantors identified herein regardless of the context.

IN WITNESS WHEREOF, the grantor(s) have executed this deed on the date set forth above.

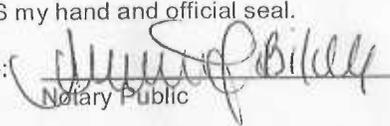
Trigrama Sol, LLC, A Colorado Limited Liability Company

BY: 
Lucinda Findling
General Manager

State of Colorado
County of Jefferson

On March 8, 2016 before me, the undersigned a Notary Public in and for said County and State, personally appeared Lucinda Findling, General Manager of Trigrama Sol, LLC, A Colorado Limited Liability Company personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature: 
Notary Public

JENNIFER BILEK
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 20114066335
MY COMMISSION EXPIRES OCTOBER 17, 2019

My Commission expires: October 17, 2019

JEFFERSON COUNTY CERTIFICATE OF WATER AND SEWER SERVICE AVAILABILITY

Note to Applicant: A building permit will not be issued without this Certificate signed by the District or Agency supplying services. Expires one year from date of approval by authorizing agent.

767 Nile St

4/19/2016

Job Address

Date

Lots 29-37 Pleasant View Sub.

Legal Description

Commercial

Use of Building

Chase Honnecke

22654 Anasazi Way Golden 80401

303-929-8370

Owner

Address

Telephone

See reverse side for facilities requiring Health Department Plan Review

SEWER

Pleasant View Water and Sanitation District

Name of Sanitation District or Agency

Sewer Service Availability

Sewer Service NOT Available

Individual Septic Permit No. _____

Comments or Conditions: Sewer Service is available subject to the rules, regulations and requirements of the District and the Metro Wastewater Reclamation District.

I hereby certify that availability of service is as indicated above.

Rebecca White

4/19/16

Signature of Authorized Agent

Date

Jefferson County Health
Or Zoning Department

Signature

Date

WATER

Consolidated Mutual Water

Name of Water District or Agency

Water Service Available

Water Service NOT Available

Colorado Well Permit No. _____

Comments or Conditions: Water service is available subject to compliance with the company's Rules, Regulations and Requirements for such Service.

I hereby certify that availability of service is as indicated above.

Humm Medina

Signature of Authorized Agent

Date

Jefferson County Health
Or Zoning Department

Signature

Date



PLEASANT VIEW METROPOLITAN DISTRICT FIRE DEPARTMENT

955 Moss St. Golden, CO 80401

Phone: (303) 279-4361 Fax: (303) 278-3430

April 20, 2016

Chase Nonnecke
1444 W. Maple
Denver, CO 80223

Contact Info: Email – CHASEHONNECKE@gmail.com Phone – 303-733-7040

RE: Fire Protection, for the property located at 767 Nile Street Golden, CO 80401. Parcel ID 40-013-10-024.
Case Number 16-104535PA

This will acknowledge request for fire protection regarding the above referenced property.

This property is within the Pleasant View Metropolitan District and fire protection services will be provided by the Pleasant View Fire Department. Fire service will be provided as long as the provision of the International Fire Code, 2012 edition, including all amendments, are met in the development.

The water plan, fire hydrant locations, and fire apparatus access shall be addressed as development occurs. Acceptable plans will show the building construction type, building height, and current fire hydrant locations with current fire flow to meet the fire flow requirements in the 2012 IFC. The plans must also show that all portions of the exterior of the building can be reached within 150 feet of the 24 foot wide access lane. Buildings taller than 30 feet will have additional access requirements.

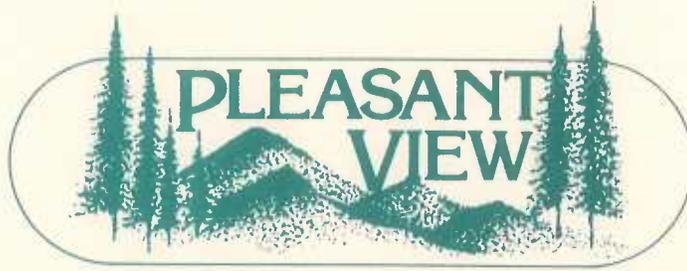
Pleasant View Fire Department reserves the right to provide additional comments/requirements at the time when plans are submitted and reviewed per applicable codes and amendments.

If you have any questions regarding this correspondence, please contact me 303-279-4361 extension 301 or e-mail at cmalmgren@pleasantviewfire.org

Respectfully,

A handwritten signature in cursive script, appearing to read 'Chris Malmgren'.

Chris P. Malmgren
Fire Chief



January 13, 2015

Re: 767 Nile St

To Whom It May Concern:

This letter is to certify sewer service will be provided by Pleasant View Water and Sanitation District for the following property; 767 Nile St..

Additional capacity is available in the area subject to the rules, regulations and requirements of the Pleasant View Water & Sanitation District & Metro Wastewater Reclamation District. Main extensions will be required at developer's expense.

If you have questions please call 303-279-3391.

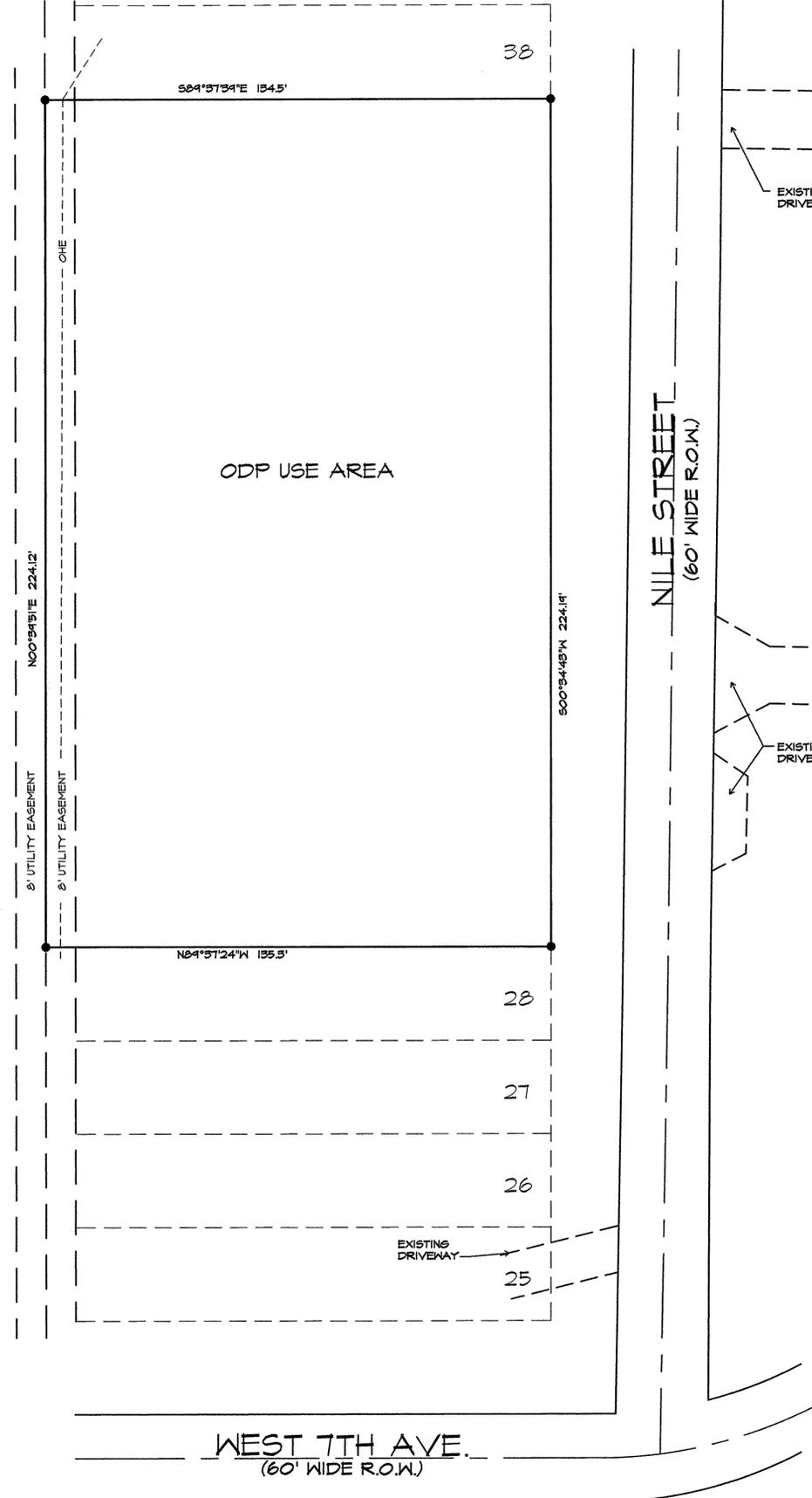
Thank you,

A handwritten signature in cursive script that reads "Rebecca White". The signature is written in dark ink and is positioned above the printed name and title.

Rebecca White
Office Manager

PLEASANT VIEW OFFICIAL DEVELOPMENT PLAN

MAP NUMBER: 78
CASE NUMBER: 99015026RZP1



WRITTEN RESTRICTIONS:

A. TITLE AND NAMES

- This ODP was prepared by:
Gray Design Group of Colorado, Inc.
445 Union Boulevard, Suite 100
Lakewood, Co. 80228
August 23, 1999
- The name of this development is Pleasant View.

B. STATEMENT OF INTENT

The owner of the property, Dyco Real Estate Inc., proposes to construct a single building a maximum of 11,400 square feet on a speculative basis, with the intent of leasing it to a single tenant or multiple tenants who require Office/Warehouse facilities or space of a similar nature.

C. PERMITTED USES

- Storage of commodities manufactured, processed or fabricated on this site. Equipment, supplies and materials used in the manufacture or the resale of any commodities on the premises. Storage of any materials or equipment will be facilitated within a legally constructed building. (11,400 S.F. maximum)
- Manufacturing, processing or fabrication of parts for electronic equipment, business equipment or medical equipment. (11,400 S.F. maximum)
- Light manufacturing, processing or fabrication of commodities except those uses which are listed as permitted uses or have impacts similar to permitted uses in the Industrial-One, Industrial-Two or Industrial-Four Districts. All such manufacturing, processing or fabrication shall be completely enclosed within a legally constructed building. (11,400 S.F. maximum)
- Other similar industrial uses which are not more detrimental to the highest and best use of land in this district than the permitted uses listed above. (11,400 S.F. maximum)
- The assembly of machines or equipment manufactured or sold on the premises. (11,400 S.F. maximum)
- Repair and/or maintenance of small machinery or appliances. (11,400 S.F. maximum)
- Rental services, but not including equipment with motors of more than twenty (20) horsepower. (4000 S.F. maximum)
- Printing establishments. (4000 S.F. maximum)
- Micro-cell or repeater telecommunications facility. (11,400 S.F. maximum)
- Roof and/or building mounted low power telecommunications facility. See also Architectural Design Item #4.
- Office/Warehouse: mixed uses, or Storage. (6600 S.F. maximum; office. See also C 13).
- Warehousing or Storage of any commodities except the following: (11,400 S.F. maximum)
 - Live animals, commercial explosives or bulk storage of flammable liquids or gases.
 - Warehousing of junk, including machinery or vehicles not in operating condition, will be permitted within the building only.
- One dwelling unit within the building. (1900 S.F. maximum)
- Temporary Uses:
Temporary construction trailers are permitted, provided they are removed from the site within 30 days of issuance of the Certificate of Occupancy (C.O.).

D. LOT AND BUILDING STANDARDS

- No building or structure shall exceed 35 feet in height.
- The maximum building Ground Floor Area, shall be 11,400 square feet.

LOT STANDARDS

- Minimum lot size shall be 30,254 square feet or 0.694 acres.
- Setbacks for building:
 - Front: 50 feet minimum
 - Sides: 15 feet minimum
 - Rear: 10 feet minimum
- Fifty-Five Foot Vision Clearance Triangle:
Trees, hedges, shrubs, fences, walls and other structures, and facilities and devices over 42 inches in height that would obstruct a driver's vision within a 55 foot safety triangle of any public street intersection will not be permitted.

E. PARKING REQUIREMENTS

- Warehousing, storage facilities and similar uses:
Minimum of 1 space for each employee plus 1 space per 2000 square feet G.L.A.
- Manufacturing, processing or fabrication facilities: 1 space per 2 employees of maximum employment per shift.
- Offices: 3.3 spaces per 1000 square feet G.L.A.
- Service and rental: 5.5 spaces per 1000 square feet G.L.A.
- Minimum Parking Space Size 9' x 18'.

F. FENCES AND RETAINING WALLS

- Maximum height of fence shall be 8 feet.
- Fence permits are required for the construction of any fence over 42 inches in height.
- Any retaining wall over 30" requires a miscellaneous zoning permit.
- Any retaining wall greater than 36 inches in height needs to be designed and certified by a Professional Engineer, for structural stability unless the retaining wall is shown on the approved grading and drainage plan.
- No barbed wire or electrified fence shall be permitted.
- No fences are permitted in the streetscape landscape area.
- Where fences are adjacent to residential uses, it will be limited to wood, masonry or stucco construction and be 40% sightproof.

G. LIGHTING

- Lighting shall not cast glare on adjacent or neighboring properties or streets.
- Pole lights shall be downcast, cut-off type not to exceed 20 feet in height.
- Building mounted lights must be directed downward or toward the building.

H. SIGNS

- Project Entry Signs:
 - 1 double-faced sign or 1 single-faced sign per collector street entrance.
 - Maximum Size: 52 square feet per face for collector street frontage.
 - Maximum Height: 6 feet from grade. If placed on a berm, berm height is included in measurement.
 - Minimum Setback: 1 foot from any property line.
 - Sign Type: Monument, no pole signs are permitted.
- Directional/Parking Lot Signs:
 - Traffic signs are permitted as needed to ensure safe access throughout the site.
 - On-site directional/informational signs not exceeding 4 square feet, double faced or single faced are permitted. Signs shall not exceed 3 ft in height.
- Building/Tenant Wall Signs:
 - Number allowed: 2 per tenant, or up to two building faces.
 - Maximum size: 48 square feet for single tenant or two tenant use; 16 square feet, per tenant, for three or more multiple-tenant-use. Maximum total signage shall be 100 square feet.
- Temporary Signs:
 - Number allowed: Ground sign: 1 sign per collector street frontage, or building mounted sign: 2 signs.
 - Maximum size: Ground sign: 100 square feet per face for collector street frontage. Building mounted real estate signage: 100 square feet each face, single faced. The signs may be double-faced.
 - Maximum height: 12 feet from grade, including berm height.
 - Minimum setbacks: 8 feet from any property line.
 - Lighting: No illumination is permitted.
 - Time limit: The removal of all temporary signs associated with the sales or construction of the project shall occur upon removal or closure of the on-site sales office. No time limit for vacancy signs.

I. OPEN SPACE AND LANDSCAPING

- The minimum percentage of landscaped area shall be 20%.
- Between the back of curb or edge of road and the property line (ROW), a minimum average of 1 tree for every 30 linear feet of street frontage will be required. No more than 10% of the total lot area or 2800 S.F. (whichever is smaller) shall be exposed gravel or mulch.
- The following minimum sized apply wherever landscaping is required:
 - Deciduous Shade Trees - 2 1/2" caliper
 - Evergreen Trees - 6' height
 - Ornamental Trees - 1 1/2" caliper
 - Shrubs - 5 gallon container
 - Deciduous Ornamental Trees - 1 1/2" caliper
- To encourage a mixture of sizes in other areas, up to 50% of the required plant material may be reduced to the size set forth in 3 above, if plant quantity is increased by 50%.
- Maximum amount of high water consumption sod (i.e. bluegrass) shall be 20% of landscaped area.
- Two ornamental trees may be substituted for 1 required tree.
- Rear yard may be up to 100% rock mulch.
- Trash enclosures shall be screened from view from the street with a minimum of two evergreen trees per side.
- A minimum of 20% of trees and shrubs shall be evergreen.

J. PARKING LOT BUFFER:

- Provide a landscaped strip at least 10 feet wide between the parking lot and street.
- All land area disturbed by grading, except for cuts into competent bedrock, shall be re-vegetated with adequate vegetative cover within 12 months of the disturbance. All finish grading shall emulate natural conditions with all cut and fill slopes blended back into natural grade with smooth, rounded transitions rather than distinct, angular grade breaks.
- Side Yard buffers to adjacent land uses will consist of one tree and one shrub per 30' linear ft. within an eight foot strip except at rear yard as noted above.

K. OUTDOOR STORAGE

- No outdoor storage will be permitted.
- Trash containers shall be screened from public view with wood, masonry or stucco, being 90% sight proof. (See also Open Space and Landscaping Item #8).

L. ARCHITECTURAL DESIGN

- The structure will be constructed of integral-colored, split-faced, and smooth faced coarse aggregate masonry block, anodized aluminum storefronts and painted vehicle access doors.
- Architectural style of the building shall be contemporary with the color of the masonry block used to break up the large expanse of wall. Color shall be grays, reds or tans as defined by color of aggregate of masonry, with accent (less than 10% of each facade) colors of blue, yellow, or green.
- Building parapets will be utilized to screen rooftop mechanical units on the front and sides of the building; and with parapets or opaque metal roof-mounted screens at the rear of the building.
- All roof and/or wall mounted telecommunications equipment will be fully integrated into the building Architectural type or completely screened by the building parapet wall.

M. ADDITIONAL GENERAL STANDARDS

- Every use shall be operated so that it does not emit an obnoxious odor or degree of heat, glare, radiation, dust, smoke or fumes beyond the property line.
- No materials or wastes shall be deposited upon any lot in such form or manner that they may be transferred off the lot by natural causes or forces.
- Other issues not specifically addressed herein will be addressed by those standards in the zoning resolution for the district most similar to this ODP.

LEGAL DESCRIPTION - PER DEED:

LOTS 29 TO 33 INCLUSIVE, BLOCK 6, PLEASANT VIEW, AND THE EAST 8 FEET OF VACATED ALLEY ADJOINING LOTS 29 THROUGH 33 IN BLOCK 6, PLEASANT VIEW, COUNTY OF JEFFERSON, STATE OF COLORADO

AND

LOTS 34, 35, 36, AND 37, BLOCK 6, TOGETHER WITH THE EAST HALF OF THE VACATED ALLEY ADJACENT THERETO, PLEASANT VIEW, COUNTY OF JEFFERSON, STATE OF COLORADO.

LEGAL DESCRIPTION - AS SURVEYED:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORADO CONSISTING OF LOTS 29 THRU 37 (INCLUSIVE), BLOCK 6, PLEASANT VIEW (PLAT BOOK 2, PAGE 66 OF THE JEFFERSON COUNTY RECORDS) TOGETHER WITH THE EAST ONE-HALF OF THE 16 FEET WIDE VACATED ALLEY (RECEPTION NO. 79030237 OF THE JEFFERSON COUNTY RECORDS) ADJACENT THERETO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE 6TH P.M., BEING A ONE-HALF INCH SQUARE ROD SET FLUSH WITH THE SURFACE, FROM WHENCE THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 1 BEARS S.00°11'50"W. WITH ALL BEARINGS HEREIN RELATIVE THERETO; THENCE S.65°06'03"W., A DISTANCE OF 756.57 FEET TO THE NORTHEAST CORNER OF SAID LOT 37, BLOCK 6, PLEASANT VIEW, ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE S.00°03'02"E., A DISTANCE OF 224.19 FEET;
THENCE S.89°52'48"W., A DISTANCE OF 135.30 FEET;
THENCE N.00°05'16"E., A DISTANCE OF 224.12 FEET;
THENCE N.89°51'06"E., A DISTANCE OF 134.50 FEET TO THE TRUE POINT OF BEGINNING;
CONTAINS 30239 SQUARE FEET OR 0.694 ACRES, MORE OR LESS.

COUNTY COMMISSIONER'S CERTIFICATE:
This Official Development Plan, titled PLEASANT VIEW, was approved the 15th day of FEBRUARY 2000, and is accepted by the Board of County Commissioners this 29th day of March 2000.

BOARD OF COUNTY COMMISSIONERS:

David M. Jones
Chairman
Mark Dison
Clerk
SEAL
JEFFERSON COUNTY
COLORADO

CLERK AND RECORDER'S CERTIFICATE:

Accepted for filing in the Office of the County Clerk and Recorder of Jefferson County at Golden, Colorado on this 29th day of March 2000 at 15:07:43 o'clock P.M.
Jeffery D. Jones
Jefferson County Clerk and Recorder
By: *Allen J. Jones*
Deputy Clerk

STANDARD FLEXIBILITY STATEMENT:

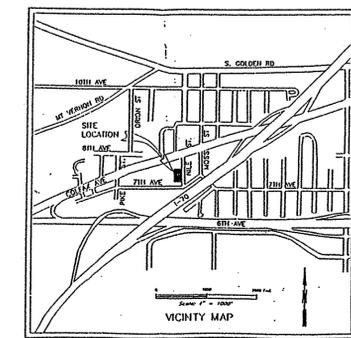
The graphic drawings contained within this Official Development Plan are intended to depict general locations and illustrate concepts of the textual provisions of this Official Development Plan. In granting plat approval, the Board of County Commissioners may allow minor variations for the purpose of establishing:

- Final road alignments
- Final configuration of lot and tract sizes and shapes
- Final building envelopes
- Final access and parking locations
- Landscaping adjustments

APPLICABILITY STATEMENT:

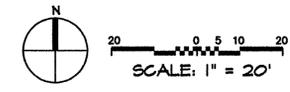
Except as expressly provided otherwise in this Official Development Plan, development of this property shall conform to the Jefferson County Zoning Resolution in effect at the same time of platting and building permit application.

We, *Mark and Vanda Dison* as owners of the land affected by this Planned Development, accept and approve all conditions set forth herein.
Signature *Mark Dison* as president of Dyco Real Estate Inc. Date: 3/27/00
Signature *Vanda L. Dison* as secretary of Dyco Real Estate Inc. Date: 3/27/00



gray
Architects + Planners

445 Union Boulevard
Lakewood, Colorado 80228
Fax 303.763.7153
Telephone 303.763.7566



CASE SUMMARY
Regular Agenda

PC Hearing Date: July 27, 2016

BCC Hearing Date: August 23, 2016

14-118664PF Preliminary and Final Plat

Case Name: Iroquois Trail Subdivision

Owner/Applicant: Kevin David and Rebecca Susan Sproul

Location: 33616 Mohican Trail
Section 6, Township 7 South, Range 71 West

Approximate Area: 40.22 Acres

Purpose: **To subdivide the property into 2 lots for single-family detached units.**

Case Manager: Nathan Seymour

Issues:

- Concerns were regarding water, potential for forest fires, need for fire mitigation in the subdivision and legal access.

Alternative Standard Request:

- 16-108302WR - to allow relief from the requirement to provide Offsite Utility, Drainage and Emergency Access Easements across private roads (Mohican Trail and Red Sparrow Trail) that connect to County maintained roads (15.A.1.a.(3) of the Land Development Regulation).

Recommendations:

- **Staff:** Recommends APPROVAL subject to conditions
- **Planning Commission:** Recommends APPROVAL subject to conditions

Interested Parties:

- Concerned citizens

Level of Community Interest: Medium

General Location: Located North of US Hwy 285 between Red Sparrow Trail and Glen Drive

Case Manager Information: Phone: 303-271-8751 e-mail: nseymour@jeffco.us

It was moved by Commissioner **MOORE** that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION
COUNTY OF JEFFERSON
STATE OF COLORADO

July 27, 2016

RESOLUTION

14-118664PF **Preliminary and Final Plat**
Case Name: Iroquois Trail Subdivision
Owner/Applicant: Kevin David and Rebecca Susan Sproul
Location: 33616 Mohican Trail
 Section 6, Township 7 South, Range 71 West
Approximate Area: 40.22 Acres
Purpose: **To subdivide the property into 2 lots for single-family detached units.**
Case Manager: Nathan Seymour

The Jefferson County Planning Commission hereby recommends **APPROVAL WITH CONDITIONS** of the above application on the basis of the following facts:

1. That the factors upon which this decision is based include evidence and testimony and staff findings presented in this case.
2. The Planning Commission finds that:
 - A. The proposal conforms to the Land Development Regulation because all applicable regulations have been satisfied as indicated within this report.
3. The following are conditions of approval:
 - A. Submittal of a title insurance commitment update with an effective date less than 45 days prior to the recording of the plat which depicts no new owners or encumbrances. Said title insurance commitment shall be approved by the County Attorney's Office.
 - B. The subdivision improvements agreement and Exhibit "A: being approved as to form by the County Attorney's Office.

- C. Recordation of the Plat mylars being prepared in accordance with the red-marked print dated July 27, 2016.
- D. Payment of \$600 for fees-in-lieu of park land dedication. This fee should be submitted on a separate check made payable to Jefferson County Treasurer.
- E. Payment of \$400 for fees-in-lieu of school land dedication. This fee should be submitted on a separate check made payable to Jefferson County Treasurer.
- F. Submittal of a current tax certificate from the County Treasurer's Office indicating that all ad valorem taxes applicable to Iroquois Trail Subdivision for prior years have been paid.
- G. Resolution of Planning Engineering's comments dated May 3, 2016.
- H. The recordation of a Fire Cistern Easement Agreement that includes the legal description and exhibit.
- I. The plat should be amended to provide an access agreement from lot 2 to lot 1 to the west prior to final recordation of the plat.

Commissioner **HAMMOND** seconded the adoption of the foregoing Resolution, and upon a vote of the Planning Commission as follows:

Commissioner	Rogers	Aye
Commissioner	Moore	Aye
Commissioner	Harris	Aye
Commissioner	Hammond	Aye
Commissioner	Hatton	Aye
Commissioner	Westphal	Aye
Commissioner	Schiche	Aye

The Resolution was adopted by **unanimous** vote of the Planning Commission of the County of Jefferson, State of Colorado.

I, Bonnie Benedik, Administrative Assistant for the Jefferson County Planning Commission, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Jefferson County Planning Commission at a

Jefferson County Planning Commission Resolution
Case #14-118664PF
July 27, 2016
3 of 3

regular hearing held in Jefferson County, Colorado, July 27, 2015.



Bonnie Benedik
Administrative Assistant

Staff Report

PC Hearing Date: July 27, 2016

BCC Hearing Date: August 23, 2016

14-118664PF Preliminary and Final Plat

Case Name: Iroquois Trail Subdivision

Owner/Applicant: Kevin David and Rebecca Susan Sproul

Location: 33616 Mohican Trail
Section 6, Township 7 South, Range 71 West

Approximate Area: 40.22 Acres

Purpose: **To subdivide the property into 2 lots for single-family detached units.**

Case Manager: Nathan Seymour

Representative: Kevin David and Rebecca Susan Sproul

Zoning: Agricultural Two (A-2)

BACKGROUND/UNIQUE INFORMATION:

The site consists of one private residence and a barn, which will remain. This development is located in a rural area characterized by gentle to steep slopes, ranging from 5% to 30%. Vegetation consists primarily of native grasses and a mixture of deciduous trees around the existing residence and throughout the 40 acres.

The A-2 zone district requirements and the Jefferson County Land Development Regulation are applicable to this development. The zoning allows for a single-family dwelling and barns with a minimum lot size of 10 acres. The existing home on Lot 2 will remain and the existing barn is proposed to remain on Lot 1. The intent of the subdivision is to provide 2 single-family detached dwelling units, one on a 30-acre lot (Lot 1) and the other on a 10-acre lot (Lot 2).

There are public improvements required for this development. The applicant will be required to provide fire cistern improvements. Water will be provided by well. Sanitary service will be provided by individual onsite wastewater treatment systems. Access to Lot 2 will be taken from the west via Mohican Trail (private road) that connects to a publicly maintained road, Iroquois Trail. Access to Lot 1 will be taken from the east via Red Sparrow Trail that connects to US Highway 285.

NOTIFICATION:

As a requirement of the Jefferson County Land Development Regulation, the following notice was provided for this proposal:

1. Notification of this proposed development was mailed to property owners within a 1,320 foot (1/4 mile) radius of the site and to Homeowners' Associations and Umbrella Groups located within a two-mile radius of the site. The initial notification was mailed at the time of the 1st referral. Additional notification was mailed 14 days prior to the Planning Commission Hearing identifying the scheduled hearing dates for both the Planning Commission Hearing and the Board of County Commissioners Hearing.
2. Sign(s), identifying the dates of both the Planning Commission Hearing and the Board of County Commissioners' Hearing, were provided to the applicant for posting on the site. The sign(s) were provided to the applicant with instructions that the site be posted 14 days prior to the Planning Commission hearing.

The Homeowners' Associations and Umbrella Groups that received notification are as follows:

- Conifer Area Council
- Douglass Ranch POA
- Elk Falls POA
- Golden View Acres HOA
- Jefferson County Horseman's Assoc.
- Preserve our Mountain Community
- Wandcrest Park HOA

During the processing of the application, Staff **has** received responses in objection to the proposal.

During the 1st referral, Staff received concerns from two of the property owners who use Red Sparrow Trail as access to their residence. It was their opinion that Lot 1 could not take access via Red Sparrow Trail. After much discussion and debate the parties consented to drafting an easement agreement which laid out the conditions of maintenance and the applicant's initial contribution for use of the road.

During the processing of the Alternative Standard request Staff received written comments from concerned citizens. Their concerns were directed at water, potential for forest fires, fire mitigation for an existing barn structure in the subdivision and legal access. With the installation of the sprinkler system in the new residence and the 10,000-gallon fire cistern within the subdivision, the proposed development will be aiding in the mitigation of future forest fires in the subdivision as well as the surrounding local area. Regarding legal access, the concerned citizens expressed that the "legal access" easement agreement along Red Sparrow Trail should have included them, and as a result is illegal. Staff's position is that, according to research performed by Staff; the applicant does have legal access as needed to proceed with the Preliminary and Final Plat for the proposed subdivision.

ISSUES ANALYSIS:

	Layout/Design	Access/Roads	Water/San. & Utilities	Fire Protection	Drainage	Hazards	Sensory Impacts	Wildlife/Landscaping
Acceptable	X(1)	X(2)	X(3)	X(4)	X(5)	X(6)	X(7)	X(8)
Unacceptable								

Services: Elk Creek Fire Protection District

SUMMARY OF ACCEPTABLE ISSUES:

1. Layout/Design:

The proposed configuration of the lots is in compliance with Section 14.A. of the Jefferson County Land Development Regulation.

The minimum lot size is being met per the requirement of the A-2 zoning.

2. Access/Roads/Streets:

Lot 2 of the proposed residential development will use a private road, Mohican Trail, that connects to the public road, Iroquois Trail. Lot 1 of the proposed residential development will use a private road, Red Sparrow Trail that connects to the public road, US Hwy 285.

Legal access review (14-103347AR) was completed by Staff for this property. It was determined that there was sufficient access to this subdivision. After some discussions and mediation concerning access, the users of Red Sparrow Trail (primary access) recorded an easement agreement which laid out the conditions of maintenance and the applicant's initial contribution for use of the road. Although the users of Red Sparrow Trail recorded an easement agreement, the land owners were not willing to sign an Offsite Utility, Drainage and Emergency Access Easement; therefore, the applicant was forced to seek relief.

The Director of Planning and Zoning granted the following Alternative Standard:

- Section 15.A.1.a.(3) of the Land Development Regulation to allow relief from the requirement to provide Offsite Utility, Drainage and Emergency Access Easements across private roads (Mohican Trail and Red Sparrow Trail) that connect to County maintained roads.

The Alternative Standard request was granted for a number of reasons. Both private roads (Mohican Trail and Red Sparrow Trail) serve as primary access to the proposed subdivision as well as other existing residences. Additionally, the applicant will be providing safety improvements required by the Elk Creek Fire Protection District, which include the installation of a 10,000-gallon fire cistern and a sprinkler system for residential structures at the time of building permit. Historically there have been subdivisions where the dedication of an emergency access easement over the external roads has been an issue. There is a long standing Staff policy related to this issue, and foremost is Staff's position that the requirement for external easements should not be used by adjoining property owners as a means to stop development. The reality of the situation is that the applicant has the rights in place to use the existing private roads for access to this proposed subdivision. In addition, in an emergency situation, the Fire Protection District (and other service providers) will utilize the road as necessary, regardless of whether there is an easement in place or not.

Due to the cistern and fire sprinkler improvements, Elk Creek Fire Protection District granted an alternate standard for private roads that did not require improvements pursuant to Section 3.7.8.3. of the Transportation Design and Construction Manual and supported the Alternative Standard request for relief from providing the offsite emergency access easements.

3. Water and Sanitation/Utilities:

Water supply for each lot will be served by on-site water wells, under the augmentation plan approved by the Division 1 Water Court in Case No. 2002CW389. The Office of the State Engineer indicated with the letter dated April 12, 2016, that the proposed water supply will not cause material injury to

decreed water rights and is adequate, so as long as the plan for augmentation is operated according to its decreed terms and conditions.

Onsite Waste Water Treatment Systems will be utilized for each lot.

Utilities are available for this subdivision. IREA will provide electricity and Colorado Natural Gas will provide natural gas.

The 15' easement requested by IREA has been granted by the applicant and is shown on the Plat document.

4. Fire Protection:

Elk Creek Fire has deemed the proposal to be acceptable and will provide fire protection for the subject property. The proposed subdivision will be required to provide a 10,000-gallon fire cistern in addition to the requirement to have an automatic fire suppression sprinkler system installed at the time of building permit.

There is a recorded Fire Cistern Easement to the benefit of the Fire Protection District. This affirms that the applicant is willing to install a cistern as required and this improvement will be a part of the Subdivision Improvement Agreement. However, the applicant did not include the legal description with the recorded easement and will have to re-record said easement. As such, the recordation of the fire cistern easement is listed as a condition of Plat approval. A Plat note will be included stating that a fire sprinkler system for residential structures will be required at the time of building permit.

Colorado State Forest Service has determined that all future structures or additions to existing structures will be required to provide wildfire mitigation by the creation of defensible space. In addition, Fuel Break Thinning is required along private drives and is listed as a restriction in the covenant and plat restriction on conveyance, sale or transfer on the Plat document.

5. Drainage:

The submitted Drainage Report was deemed to be acceptable. Pursuant to Sections 3.3.6 and 3.3.7 of the Jefferson County Storm Drainage Design and Technical Criteria, an administrative variance for detention and water quality was granted by Planning and Zoning.

At the time of future land disturbance permit, both lots will be evaluated to determine if there is a need to provide water quality and stormwater runoff detention.

6. Hazards:

This site is not in an identified geohazard area. The applicant's depiction of the no-build areas coupled with the required restrictions on the plat documents will serve to ensure that the geologic hazards at this site are adequately mitigated.

A Mountainous Terrain Plat Restriction has been added to the plat to ensure that geotechnical issues are properly addressed at the time of building permit.

7. Sensory Impacts:

The proposed project is not expected to have undue, acoustical, ocular or olfactory impacts. As proposed, the development complies with Section 26 of the Land Development Regulation.

8. Wildlife/Landscaping:

The proposal is not expected to have a significant impact on wildlife. A referral was sent to the Division of Wildlife; however, Planning Staff has not received any response to date.

Landscape plans are not required with this Plat. It should be noted that at the time of land disturbance permit there will be a requirement to preserve as much of the existing vegetation on the site by minimizing the amount of disturbance as much as possible.

ADDITIONAL REQUIREMENTS:

1. Park and School Requirements:

Park and school fees are required with this proposal. There is an existing dwelling unit on Lot 2 of this plat; therefore, the net change in density for this filing is 1 additional dwelling unit.

The fee applicable to this subdivision is as follows:

- Single family detached unit (mountains greater than 5 acres) = \$1,000 * 1 = \$1,000

Total = \$1,000

The break down for park and school fee distribution is 60% and 40% respectively. The Park and school fees are calculated as follows:

Park Fee = (\$1,000)(60%) = \$600

School Fee = (\$1,000)(40%) = \$400

The payment of the park and school fees is listed as a condition of plat approval.

2. Performance Guarantee and Subdivision Improvements Agreement:

The public improvements will be guaranteed by Plat restriction. At this time, the subdivision improvements agreement has not been approved as to form by the County Attorney's Office, and the Exhibit "A" to be attached to the subdivision improvements agreement has not been finally approved. Approval of the subdivision improvements agreement and Exhibit "A" are listed as conditions of approval for this development.

PLANNING COMMISSION:

Planning Commission Recommendation (Resolution Dated July 27, 2016 Attached):

Approval	_____
Approval with Conditions	X (7-0) vote
Denial	_____

There were several citizens that attended the Planning Commission Hearing and one concerned citizen that testified on this application. The testimony from the citizen was related to legal access from the east (Red Sparrow Trail) for all of Lot 1. After hearing all testimony and questioning both the applicant and Staff, the Planning Commission decided to recommend approval with an additional condition that required access from the west across Lot 2 to Lot 1 to assure access for all of Lot 1. This requirement is listed as a condition of Plat approval.

Since the Planning Commission Hearing, the concerned citizen has submitted correspondence (attached) questioning the legality of the existing access from the west for the entire subdivision. Staff's position is that there is access along a private road (Mohican Trail) from the west to the subdivision.

FINDINGS/RECOMMENDATIONS:

Staff recommends that the Board of County Commissioners find that the proposal conforms to the Land Development Regulation because all applicable regulations have been satisfied as indicated within this report.

And;

Staff recommends that the Board of County Commissioners APPROVE Case No. 14-118664PF subject to the following conditions:

1. Submittal of a title insurance commitment update with an effective date less than 45 days prior to the recording of the plat which depicts no new owners or encumbrances. Said title insurance commitment shall be approved by the County Attorney's Office.
2. The subdivision improvements agreement and Exhibit "A" being approved as to form by the County Attorney's Office.
3. Recordation of the Plat mylars being prepared in accordance with the red-marked print dated August 23, 2016.
4. Payment of \$600 for fees-in-lieu of park land dedication. This fee should be submitted on a separate check made payable to Jefferson County Treasurer.
5. Payment of \$400 for fees-in-lieu of school land dedication. This fee should be submitted on a separate check made payable to Jefferson County Treasurer.
6. Submittal of a current tax certificate from the County Treasurer's Office indicating that all ad valorem taxes applicable to Iroquois Trail Subdivision for prior years have been paid.
7. Resolution of Planning Engineering's comments dated May 3, 2016.
8. Recordation of a Fire Cistern Easement Agreement that includes the legal description and exhibit.
9. Recordation of an access and utility easement to the benefit of the created lots and the future lot owners (from Lot 2 to Lot 1 to the east).

Staff further recommends that the Board of County Commissioners authorize the Chairman to sign the Subdivision Improvements Agreement once approved as to form by the County Attorney's Office.

COMMENTS PREPARED BY:



Nathan Seymour, Civil Planning Engineer
August 16, 2016

Jefferson County Case Management

CASE DATE SUMMARY

Case Number: **14-118664PF**

Case Type: **Preliminary and Final Plat**

Formal Application Submitted: **September 29, 2014**

Case Sent on First Referral: **September 29, 2014**

Referral Responses Provided to Applicant: **October 29, 2014**

Case Sent on Second Referral: **February 18, 2016**

Referral Responses Provided to Applicant: **March 28, 2016**

Determination that Case should proceed to Hearing(s): **July 6, 2016**

County Staff Determination: **X** Applicant's Request:



IROQUOIS TRAIL SUBDIVISION

A SUBDIVISION OF A PARCEL OF LAND AND PORTIONS OF LOTS 68 - 74, ROSEMONT SUBDIVISION, BEING LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 6, TOWNSHIP 7 SOUTH, RANGE 71 WEST OF THE SIXTH PRINCIPAL MERIDIAN COUNTY OF JEFFERSON, STATE OF COLORADO. SHEET 1 OF 2

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, BEING THE OWNERS AND HOLDER OF DEED OF TRUST OF THOSE LANDS DESCRIBED BELOW, HAS LAID OUT, SUBDIVIDED AND PLATTED THE SAME INTO LOTS AND EASEMENTS, AS SHOWN HERON UNDER THE NAME AND STYLE OF IROQUOIS TRAIL SUBDIVISION, AND DO, BY THESE PRESENTS, OF ITS OWN FREE WILL AND VOLUNTARILY, WITHOUT COERCION, THREAT OR BUSINESS COMPULSION, GRANT, DEDICATE AND CONVEY TO THE COUNTY OF JEFFERSON, STATE OF COLORADO, ALL EASEMENTS, EXCEPT THOSE OF PRIOR RECORD, AS SHOWN HERON, AND GRANT AND CONVEY TO THE COUNTY OF JEFFERSON AN EASEMENT OVER ANY AND ALL PRIVATE ACCESS DRIVES AND RIGHTS-OF-WAY FOR THE PURPOSE OF PASSAGE OF SERVICE VEHICLES AND PASSAGE OF ALL VEHICLES AND PEDESTRIANS DURING AN EMERGENCY SITUATION. IT IS EXPRESSLY UNDERSTOOD THAT THE ACCEPTANCE OF THE DEDICATION OF THIS EASEMENT IS NOT TO BE CONSTRUED AS AN ACCEPTANCE BY THE COUNTY OF SAID PRIVATE ACCESS DRIVES AND RIGHTS-OF-WAY FOR ANY OTHER PURPOSE INCLUDING MAINTENANCE PURPOSES.

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 6, TOWNSHIP 7 SOUTH, RANGE 71 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING A PARCEL OF LAND RECORDED AT RECEPTION NO. F1425910 AND RECEPTION NO. 2013003880; COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 6, AS ESTABLISHED BY JOSEPH K. FICKLIN (L.S. #5274), WHENCE THE NORTHWEST CORNER OF SAID SECTION 6 BEARS NORTH 41°44'45" WEST, A DISTANCE OF 1796.77 FEET AND THE WEST ONE-QUARTER CORNER OF SAID SECTION 6 BEARS SOUTH 41°25'28" WEST, A DISTANCE OF 1844.25 FEET; THENCE NORTH 89°03'34" EAST, A DISTANCE OF 25.13 FEET; THENCE NORTH 00°37'28" WEST, A DISTANCE OF 31.59 FEET; THENCE NORTH 00°37'28" WEST, A DISTANCE OF 34.95 FEET; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 1331.35 FEET; THENCE SOUTH 00°47'44" EAST, A DISTANCE OF 436.70 FEET; THENCE SOUTH 54°34'17" WEST, A DISTANCE OF 21.22 FEET, TO A POINT OF CURVATURE; THENCE 113.38 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 72.27 FEET A CENTRAL ANGLE OF 89°53'28", AND A CHORD OF 102.11 FEET BEARING SOUTH 09°31'18" WEST; THENCE SOUTH 35°34'35" EAST, A DISTANCE OF 62.15 FEET; THENCE SOUTH 89°58'56" WEST, A DISTANCE OF 274.54 FEET; THENCE SOUTH 00°46'04" EAST, A DISTANCE OF 226.97 FEET; THENCE SOUTH 89°59'56" WEST, A DISTANCE OF 419.27 FEET; THENCE SOUTH 09°17'53" WEST, A DISTANCE OF 1304.72 FEET, TO A POINT OF CURVATURE; THENCE 118.87 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 855.00 FEET A CENTRAL ANGLE OF 07°57'57", AND A CHORD OF 118.77 FEET BEARING NORTH 83°06'18" WEST, TO A POINT OF CURVATURE; THENCE 74.76 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1172.59 FEET A CENTRAL ANGLE OF 03°39'11", AND A CHORD OF 74.75 FEET BEARING NORTH 77°17'43" WEST; THENCE NORTH 77°04'21" WEST, A DISTANCE OF 67.85 FEET; THENCE NORTH 75°23'46" WEST, A DISTANCE OF 124.91 FEET; THENCE NORTH 75°38'59" WEST, A DISTANCE OF 58.62 FEET, MORE OR LESS, TO A POINT ON THE WEST LINE OF LOT 68, ROSEMONT SUBDIVISION; THENCE NORTH 00°11'19" WEST, ALONG SAID WEST LINE, A DISTANCE OF 56.26 FEET; THENCE NORTH 75°32'00" WEST, A DISTANCE OF 16.00 FEET; THENCE NORTH 00°11'19" WEST, A DISTANCE OF 547.12 FEET; THENCE NORTH 00°30'14" WEST, A DISTANCE OF 1348.64 FEET, MORE OR LESS, TO THE POINT OF BEGINNING; SAID DESCRIBED TRACT CONTAINING 40.22 ACRES, MORE OR LESS.

MOUNTAINOUS TERRAIN PLAT RESTRICTION:

PRIOR TO THE ISSUANCE OF EACH BUILDING PERMIT, A GEOTECHNICAL ENGINEER, LICENSED IN THE STATE OF COLORADO AND EXPERIENCED IN DESIGN AND CONSTRUCTION IN MOUNTAINOUS TERRAIN, SHALL CERTIFY TO THE COUNTY THE FOLLOWING:

- 1. THAT A GEOTECHNICAL STUDY, INCLUDING A TEST BORING OR EXCAVATION HAS BEEN CONDUCTED ON THE SPECIFIC LOT TO WHICH THE BUILDING PERMIT REFERENCES. A DETERMINATION HAS BEEN MADE AS TO THE DESIGN CRITERIA FOR STRUCTURE FOUNDATIONS, RETAINING WALLS, SITE GRADING, AND SUBSURFACE DRAINAGE NECESSARY TO ASSURE THE SAFETY AND STRUCTURAL INTEGRITY FOR ALL BUILDINGS AND STRUCTURES AS DEFINED IN SECTION 1 OF THE JEFFERSON COUNTY ZONING RESOLUTION.
2. THAT THE PROPOSED SITE GRADING, BUILDING FOOTPRINT AND LOCATION OF INDIVIDUAL SEWAGE DISPOSAL SYSTEM COMPONENTS ARE CONFIGURED SUCH THAT ADEQUATE LONG-TERM SLOPE STABILITY IS PROVIDED.
3. THAT THE PLANS SUBMITTED TO THE JEFFERSON COUNTY BUILDING DEPARTMENT HAVE BEEN REVIEWED AND/OR PREPARED BY THE SUBJECT ENGINEER AND THAT HE HAS VERIFIED THAT SAID PLANS MEET OR EXCEED THE CRITERIA SET FORTH IN PARAGRAPHS 1. AND 2. ABOVE.

BEFORE THE COUNTY PERFORMS A FINAL INSPECTION PURSUANT TO THE COUNTY BUILDING CODE, AN ENGINEER, LICENSED IN THE STATE OF COLORADO AND EXPERIENCED IN EVALUATING SLOPE STABILITY IN MOUNTAINOUS TERRAIN, SHALL VERIFY AND CERTIFY THAT THE ACTUAL CONSTRUCTION OF THE FOUNDATION AND SUBSURFACE DRAINAGE SYSTEM MEETS THE SPECIFICATION IN THE PLANS AS SUBMITTED IN THE BUILDING PERMIT APPLICATION.

HOLDER OF DEEDS OF TRUST CERTIFICATE:

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, BEING THE HOLDERS OF DEEDS OF TRUST OF THOSE LANDS DESCRIBED HERON, HAVE LAID OUT THE SAME INTO LOTS AND EASEMENTS, AS SHOWN HERON.

DENVER COMMUNITY FEDERAL CREDIT UNION
BY: _____
NAME: _____ TITLE: _____

BY: _____
NAME: _____ TITLE: _____
STATE OF _____)
COUNTY OF _____) sss

THE FOREGOING DEDICATION AND FOREGOING COVENANT AND PLAT RESTRICTION ON CONVEYANCE, SALE, OR TRANSFER WERE ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20__ BY _____

AS _____ AND _____, AS _____ OF DENVER COMMUNITY FEDERAL CREDIT UNION.

WITNESS MY HAND AND SEAL.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

COVENANT AND PLAT RESTRICTION ON CONVEYANCE, SALE OR TRANSFER

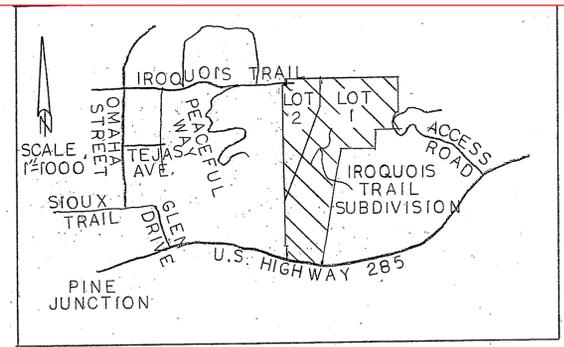
AS A CONDITION OF APPROVAL OF THIS PLAT BY THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY AND TO MEET THE REQUIREMENTS OF SECTION 30-28-137, C.R.S., AS AMENDED, NO CONVEYANCE, SALE, OR TRANSFER OF TITLE OF LOT 1 IDENTIFIED HERON, SHALL BE MADE, NOR SHALL ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY BE ISSUED UNTIL A CERTIFICATE OF COMPLIANCE HAS BEEN GRANTED BY THE COUNTY OF JEFFERSON, STATE OF COLORADO, DULY RECORDED BY THE CLERK AND RECORDER OF SAID SAME COUNTY, CERTIFYING THAT:

THOSE PUBLIC IMPROVEMENTS RECORDED UNDER RECEPTION NUMBER 2016034967 OF THE RECORDS OF THE JEFFERSON COUNTY CLERK AND RECORDER, HAS BEEN PROPERLY DESIGNED, ENGINEERED, CONSTRUCTED AND ACCEPTED AS MEETING THE STANDARDS OF THE COUNTY OF JEFFERSON, APPLICABLE SPECIAL DISTRICTS, AND APPLICABLE SERVICING AUTHORITIES.

THESE RESTRICTIONS ON CONVEYANCE, SALE OR TRANSFER OF TITLE OF LOT 1 SHALL RUN WITH THE LAND AND SHALL EXTEND TO AND BE BINDING UPON THE HEIRS, EXECUTORS, LEGAL REPRESENTATIVES AND ASSIGNS OF THE SUBDIVIDER AND SHALL BE ENFORCEABLE PURSUANT TO THE PROVISIONS OF SECTION 30-28-137, C.R.S., AS AMENDED.

APPROVED, COVENANTED, AND AGREED TO AS CONSIDERATION FOR FINAL PLAT APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS THIS ____ DAY OF _____, 20__.

As a condition of approval of this plat by the Board of County Commissioners of Jefferson County and to meet the requirements of Section 30-28-137, C.R.S., as amended, no conveyance, sale, or transfer of title of this entire subdivision, or of any lot, lots, tract or tracts of land identified hereon, shall be made, nor shall any building permit or certificate of occupancy be issued by the County of Jefferson until a CERTIFICATE OF COMPLIANCE has been granted by the County of Jefferson, State of Colorado, duly recorded by the Clerk and Recorder of said same County, certifying that:
a) Those public improvements as set forth in Exhibit A of the Subdivision Improvements Agreement, recorded under Reception Number _____ of the records of the Jefferson County Clerk and Recorder, or that portion of said improvements as shall be necessary to totally serve specific lot(s) or tract(s) covered by a particular Certificate of Compliance, have been properly designed, engineered, constructed and accepted as meeting the standards of the County of Jefferson, applicable special districts, and applicable servicing authorities, or that a substituted security or collateral authorized pursuant to Section 30-28-101, C.R.S. as amended, has been submitted to and accepted by the County of Jefferson, which is sufficient in the judgment of the County to assure completion of all public improvements as set forth in Exhibit A of said Subdivision Improvements Agreement recorded under Reception Number _____ or any portion thereof necessary to serve the specific lot(s) or tract(s) to be covered by a particular Certificate of Compliance and to assure said improvements are completed in accordance with reasonable design and time specifications.
b) With respect to the lots identified hereon, the Colorado State Forest Service has issued a letter of compliance stating practices designed to reduce wildfire hazards have been completed. Such work may include, but is not necessarily limited to the following:
- Fuelbreak thinning
Provided, however, that a conveyance, sale or transfer of a specific lot(s) or tract(s) of land identified hereon may be made prior to compliance with the above provisions where the Subdivider(s) and the proposed transferee, who must also qualify as a "Subdivider" under the provisions of Section 30-28-137, C.R.S., as defined in Section 30-28-101(9), C.R.S., and the Board of County Commissioners of Jefferson County have executed an amendment to the Subdivision Improvements Agreement whereby the transferee Subdivider agrees to comply with the same requirements and restrictions of this COVENANT AND PLAT RESTRICTION ON CONVEYANCE, SALE OR TRANSFER.
These restrictions on conveyance, sale or transfer of title of this entire subdivision or any lot, lots, tract or tracts of land identified hereon shall run with the land and shall extend to and be binding upon the heirs, executors, legal representatives and assigns of the Subdivider(s) and shall be enforceable pursuant to the provisions of Section 30-28-137, C.R.S., as amended.



NOTES:

- 1. THE PLAT CONSISTS OF 2 SINGLE FAMILY LOTS. ONLY ONE RESIDENTIAL DWELLING IS PERMITTED ON EACH SINGLE FAMILY LOT.
2. DIMENSIONS IN PARENTHESIS () ARE THOSE PER DEED RECORDED AT RECEPTION NO. F1425910 AND DIMENSIONS IN SQUARE BRACKETS [] ARE THOSE PER DEED RECORDED AT BOOK 1042 PAGE 149 WHEN DIFFERENT FROM THOSE MEASURED IN THE FIELD.
3. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEPACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
4. NOTICE: 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 CERTIFICATION SHOWN HERON.
5. BASIS OF BEARING IS THE NORTHERLY LINE OF SUBJECT PROPERTY, BETWEEN THE #5 REBAR WITH 1-1/2" ALUMINUM CAP (L.S. #5274) FOUND AT THE NORTHWEST CORNER OF SUBJECT PROPERTY AND THE #5 REBAR WITH 1-1/2" ALUMINUM CAP (L.S. 5274) FOUND AT THE NORTHEAST CORNER OF SUBJECT PROPERTY, SAID BEARING IS ASSUMED TO BE NORTH 90°00'00" EAST, PER DEED RECORDED AT RECEPTION NO. F1425910, AS SHOWN HERON.
6. THE LIMITS OF THE 100 - YEAR FLOODPLAIN DO NOT EXIST WITHIN THE BOUNDARY OF THIS SUBDIVISION.
7. NO BUILDING PERMIT SHALL BE ISSUED FOR ANY DWELLING STRUCTURE ON ANY LOT WHERE DRIVEWAY CONSTRUCTION PLANS ARE REQUIRED BY JEFFERSON COUNTY UNTIL THE DRIVEWAY CONSTRUCTION PLANS HAVE BEEN SUBMITTED TO THE COUNTY AND HAVE BEEN FOUND TO COMPLY WITH COUNTY REGULATIONS.
8. DISTANCES ON THIS PLAT ARE EXPRESSED IN U.S. SURVEY FEET AND DECIMALS THEREOF. A U.S. SURVEY FOOT IS DEFINED AS EXACTLY 1200/3937 METERS. ALL BEARINGS SHOWN HERON ARE IN DEGREES-MINUTES-SECONDS.
9. * INDICATES THOSE LOTS IN WHICH FINAL GRADING MAY INFLUENCE DRAINAGE PATTERNS. PRIOR TO ISSUANCE OF A BUILDING PERMIT ON SUCH MARKED LOTS, A SITE GRADING PLAN CONSISTENT WITH THE INTENT OF THE OVERLOT GRADING PLAN WILL BE REQUIRED BY THE PLANNING AND ZONING DIVISION. IN ADDITION, NO BUILDING PERMITS SHALL BE ISSUED FOR STARRED LOTS UNTIL SUCH TIME AS IT HAS BEEN DETERMINED THAT THE STRUCTURE IS IN COMPLIANCE WITH THE RESTRICTIONS WITHIN THE APPROVED CONSTRUCTION PLANS.
10. THE APPROVED DRAINAGE PLANS FOR IROQUOIS TRAIL SUBDIVISION ARE ON FILE WITH THE JEFFERSON COUNTY PLANNING AND ZONING DIVISION. THE "DRAINAGE SYSTEM" INCLUDES THE DRAINAGE FACILITIES, DETENTION POND(S) AND ASSOCIATED APPURTENANCES AS DESCRIBED ON THE APPROVED DRAINAGE PLANS. NO MODIFICATIONS TO THE DRAINAGE SYSTEM SHALL BE ALLOWED WITHOUT PRIOR APPROVAL FROM JEFFERSON COUNTY. THE DRAINAGE SYSTEM SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION. THE DRAINAGE SYSTEM SHALL BE MAINTAINED BY THE SUBDIVIDER, ITS SUCCESSORS OR ASSIGNS UNTIL SUCH TIME AS THE HOMEOWNERS ASSOCIATION ACCEPTS SUCH RESPONSIBILITY.
11. TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS SPECIFIED UNDER THE PASSAGEWAY EASEMENT AGREEMENT BY AND BETWEEN DONALD R. BLACK, JR. AND JANA L. BLACK AND DELORES OVERHOLT RECORDED JULY 11, 1991 AT RECEPTION NO. 91062060.
12. A CISTERN EASEMENT AGREEMENT WHICH AFFECTS THE PLAT IS RECORDED AT RECEPTION NO. 2016034967. THE AGREEMENT IS BETWEEN THE ELK CREEK FIRE PROTECTION DISTRICT AND THE OWNERS OF THE IROQUOIS TRAIL SUBDIVISION AND CONSENTED TO BY THE OWNERS OF THE IROQUOIS TRAIL SUBDIVISION. THE AGREEMENT PROVIDES THAT THE SUBDIVISION IS RESPONSIBLE FOR 10,000 GALLONS OF WATER FOR FIRE PROTECTION. THE WATER STORAGE MAY BE IN ONE OR MORE FIRE CISTERNS. SAID AGREEMENT ESTABLISHES INSTALLATION AND MAINTENANCE RESPONSIBILITIES OF A 10,000 GALLON CISTERN(S) FOR THE FIRE PROTECTION PURPOSES FOR THIS SUBDIVISION.

13. No Building permit shall be issued for a dwelling structure on any lot until fire sprinkler plans for that structure have been reviewed and approved by the fire protection district. At the time of building permit application, a letter from the fire protection district shall be submitted to the Planning and Zoning Division indicating that said fire sprinkler plans have been approved.

OWNER / SUBDIVIDER:

KEVIN DAVID SPROUL REBECCA SUSAN SPROUL
COUNTY OF JEFFERSON)
) SS
STATE OF COLORADO)
THE FOREGOING DEDICATION AND THE FOREGOING COVENANT AND PLAT RESTRICTION ON CONVEYANCE, SALE OR TRANSFER WERE ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20__ BY KEVIN DAVID SPROUL AND REBECCA SUSAN SPROUL.
WITNESS MY HAND AND OFFICIAL SEAL
NOTARY PUBLIC _____
MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATE:

I, BENJAMIN A. PITSKER, A PROFESSIONAL LAND SURVEYOR LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY OF IROQUOIS TRAIL SUBDIVISION WAS MADE BY ME OR DIRECTLY UNDER MY SUPERVISION ON OR ABOUT THE 29TH DAY OF APRIL, 2014, AND THAT THE SURVEY IS BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF, IT HAS BEEN PREPARED IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, THE SURVEY IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED, AND THE ACCOMPANYING PLAT ACCURATELY AND PROPERLY SHOWS SAID SUBDIVISION AND THE SURVEY THEREOF.

BENJAMIN A. PITSKER P.L.S. #19618

TITLE COMPANY CERTIFICATE:

I, _____ AS AUTHORIZED AGENT OF THE UNDERSIGNED TITLE COMPANY, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE OF LANDS HERIN DEDICATED AND SHOWN ON THIS PLAT; AND THE TITLE OF SUCH LANDS IS IN THE DEDICATOR(S), FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES, EXCEPT AS SHOWN IN TITLE COMMITMENT NO. _____, REVISION NO. _____ ISSUED BY FIDELITY NATIONAL TITLE COMPANY, WITH AN EFFECTIVE DATE OF _____, 20__.

AS AUTHORIZED AGENT OF FIDELITY NATIONAL TITLE COMPANY

REVIEW CERTIFICATE:

REVIEWED BY JEFFERSON COUNTY PUBLIC HEALTH THIS ____ DAY OF _____, 20__.

PUBLIC HEALTH

REVIEWED BY THE PLANNING COMMISSION THIS ____ DAY OF _____, 20__.

CHAIRMAN

ACCEPTANCE CERTIFICATE:

THE FOREGOING PLAT IS APPROVED FOR FILING; AND CONVEYANCE OF THE EASEMENTS IS ACCEPTED BY THE COUNTY OF JEFFERSON, STATE OF COLORADO, THIS ____ DAY OF _____, 20__.

CLERK CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

CLERK AND RECORDER'S CERTIFICATE:

ACCEPTED FOR FILING IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF JEFFERSON COUNTY AT GOLDEN, COLORADO, THIS ____ DAY OF _____, 20__.

COUNTY CLERK AND RECORDER

BY: DEPUTY CLERK.

MAP PREPARED: 29 APRIL, 2014

REVISION BLOCK
REVISION 1) 12 DECEMBER, 2014
REVISION 2) 12 APRIL, 2016

PREPARED BY: PITSKER AND ASSOCIATES 26689 PLEASANT PARK ROAD BUILDING A, SUITE 200 CONIFER, COLORADO 80433 PH. (303) 674-6018/FAX (303) 838-7174

IROQUOIS TRAIL SUBDIVISION

A SUBDIVISION OF A PARCEL OF LAND AND PORTIONS OF LOTS 68 - 74, ROSEMONT SUBDIVISION,
BEING LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 6,
TOWNSHIP 7 SOUTH, RANGE 71 WEST OF THE SIXTH PRINCIPAL MERIDIAN
COUNTY OF JEFFERSON,
STATE OF COLORADO.
SHEET 2 OF 2



This is plat requirement for a county easement

25' Utility and Drainage Easement and Private Access Drive

*LOT 1
30.12 AC.

A 50' Access and Utility Easement shall be provided along the northern boundary of Lot 2.

*LOT 2
10.10 AC.

FIRE CISTERN EASEMENT LINE DATA

Bearing	Distance
L28 S 68°17'51" W	31.37
L29 S 21°42'09" E	30.00
L30 N 68°17'51" E	31.37

CENTERLINE 30' ROADWAY EASEMENT RECEPTION NO. 84054481 LINE DATA

Bearing	Distance
L16 S 73°52'12" W	11.78
L17 S 27°49'12" W	32.09
L18 S 41°13'48" E	38.78

CENTERLINE 30' ROADWAY EASEMENT RECEPTION NO. 84054481 CURVE DATA

Delta	Radius	Arc Length
C1 46°03'00"	104.05'	83.63'
C2 69°03'00"	67.79'	81.70'

FIRE CISTERN EASEMENT CURVE DATA

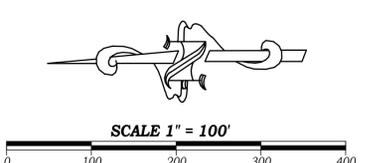
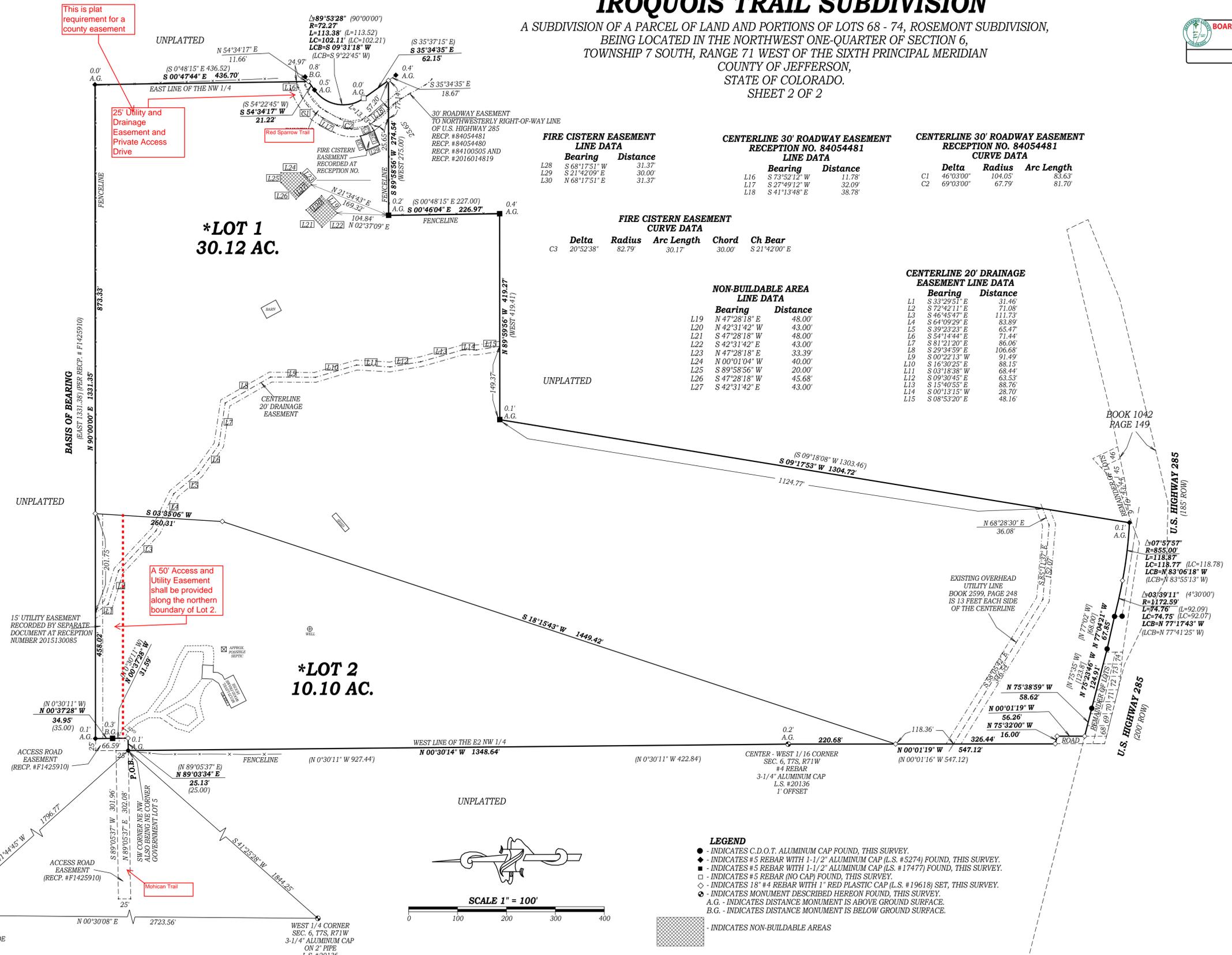
Delta	Radius	Arc Length	Chord	Ch Bear
C3 20°52'38"	82.79'	30.17'	30.00'	S 21°42'00" E

NON-BUILDABLE AREA LINE DATA

Bearing	Distance
L19 N 47°28'18" E	48.00'
L20 N 42°31'42" W	43.00'
L21 S 47°28'18" W	48.00'
L22 S 42°31'42" E	43.00'
L23 N 47°28'18" E	33.39'
L24 N 00°01'04" W	40.00'
L25 S 89°58'56" W	20.00'
L26 S 47°28'18" W	45.68'
L27 S 42°31'42" E	43.00'

CENTERLINE 20' DRAINAGE EASEMENT LINE DATA

Bearing	Distance
L1 S 33°29'51" E	31.46'
L2 S 72°42'11" E	71.08'
L3 S 46°45'47" E	111.73'
L4 S 64°09'29" E	83.89'
L5 S 39°23'23" E	65.47'
L6 S 54°14'44" E	71.44'
L7 S 81°21'20" E	86.06'
L8 S 29°34'59" E	106.68'
L9 S 00°22'13" W	91.49'
L10 S 16°30'25" E	88.15'
L11 S 03°18'38" W	68.44'
L12 S 09°30'45" E	63.53'
L13 S 15°40'55" E	88.76'
L14 S 00°13'15" W	28.70'
L15 S 08°53'20" E	48.16'



- LEGEND**
- - INDICATES C.D.O.T. ALUMINUM CAP FOUND, THIS SURVEY.
 - ◆ - INDICATES #5 REBAR WITH 1-1/2" ALUMINUM CAP (L.S. #5274) FOUND, THIS SURVEY.
 - - INDICATES #5 REBAR WITH 1-1/2" ALUMINUM CAP (L.S. #17477) FOUND, THIS SURVEY.
 - - INDICATES #5 REBAR (NO CAP) FOUND, THIS SURVEY.
 - ◇ - INDICATES 18" #4 REBAR WITH 1" RED PLASTIC CAP (L.S. #19618) SET, THIS SURVEY.
 - - INDICATES MONUMENT DESCRIBED HEREON FOUND, THIS SURVEY.
 - A.G. - INDICATES DISTANCE MONUMENT IS ABOVE GROUND SURFACE.
 - B.G. - INDICATES DISTANCE MONUMENT IS BELOW GROUND SURFACE.
 - [Hatched Box] - INDICATES NON-BUILDABLE AREAS

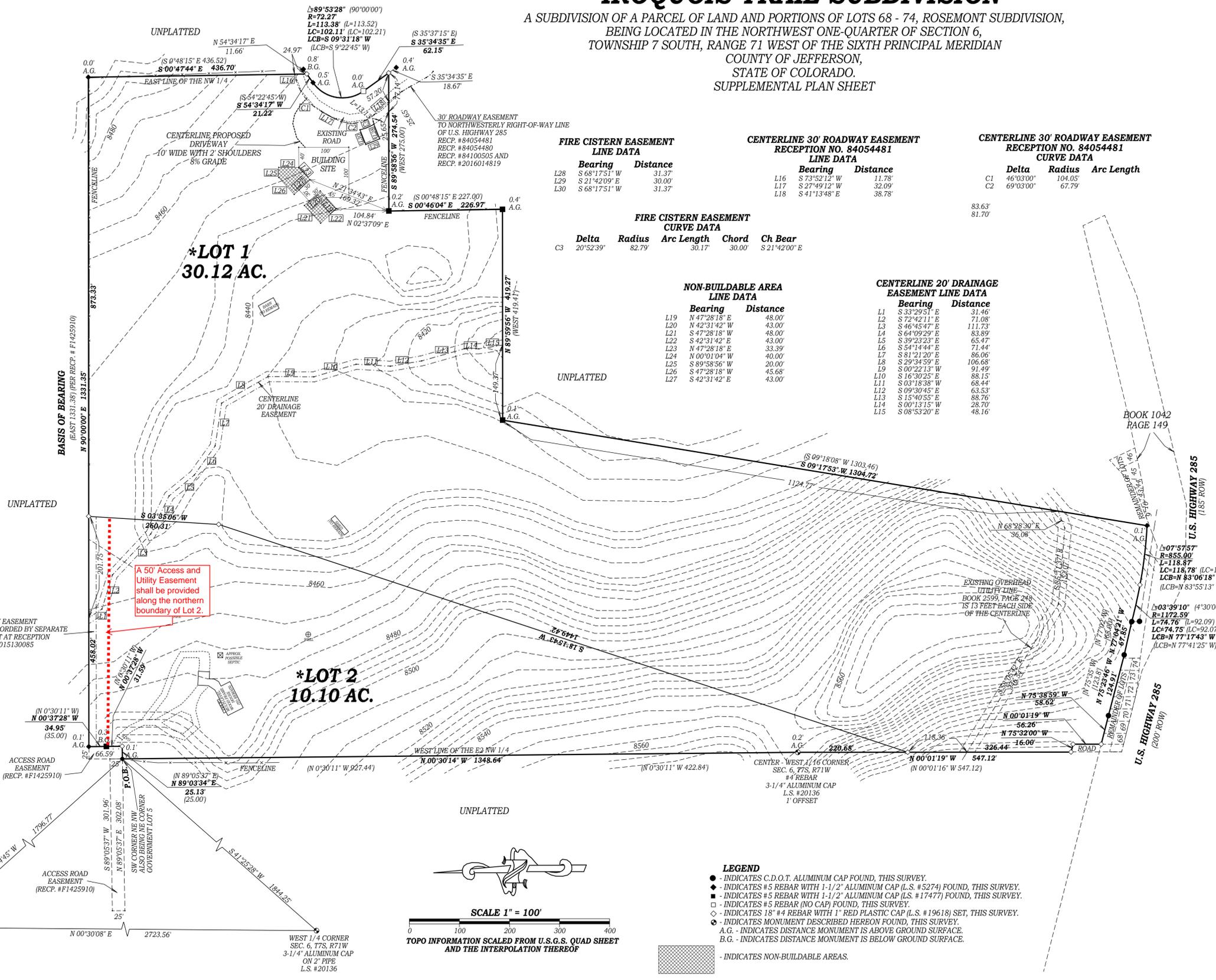
REVISION BLOCK

REVISION 1) 12 DECEMBER, 2014
REVISION 2) 12 APRIL, 2016

MAP PREPARED: 29 APRIL, 2014

IROQUOIS TRAIL SUBDIVISION

A SUBDIVISION OF A PARCEL OF LAND AND PORTIONS OF LOTS 68 - 74, ROSEMONT SUBDIVISION,
BEING LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 6,
TOWNSHIP 7 SOUTH, RANGE 71 WEST OF THE SIXTH PRINCIPAL MERIDIAN
COUNTY OF JEFFERSON,
STATE OF COLORADO.
SUPPLEMENTAL PLAN SHEET



FIRE CISTERN EASEMENT LINE DATA

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CENTERLINE 30' ROADWAY EASEMENT RECEPTION NO. 84054481 CURVE DATA

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FIRE CISTERN EASEMENT CURVE DATA

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NON-BUILDABLE AREA LINE DATA

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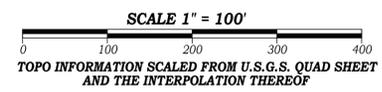
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L14 S 00°13'15" W	28.70
L15 S 08°53'20" E	48.16

15' UTILITY EASEMENT TO BE RECORDED BY SEPARATE DOCUMENT AT RECEPTION NUMBER 2015130085

A 50' Access and Utility Easement shall be provided along the northern boundary of Lot 2.

- LEGEND**
- - INDICATES C.D.O.T. ALUMINUM CAP FOUND, THIS SURVEY.
 - ◆ - INDICATES #5 REBAR WITH 1-1/2" ALUMINUM CAP (L.S. #5274) FOUND, THIS SURVEY.
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 - A.G. - INDICATES DISTANCE MONUMENT IS ABOVE GROUND SURFACE.
 - B.G. - INDICATES DISTANCE MONUMENT IS BELOW GROUND SURFACE.
 - INDICATES NON-BUILDABLE AREAS.



MAP PREPARED: 29 APRIL, 2014

REVISION BLOCK

REVISION 1) 12 DECEMBER, 2014
REVISION 2) 29 OCTOBER, 2015
REVISION 3) 12 APRIL, 2016

Section 25: Agricultural District

(orig. 3-26-13)

A. Intent and Purpose

1. The Agricultural Zone Districts are intended to provide for limited farming, ranching and agriculturally related uses while protecting the surrounding land from any harmful effects. (orig.3-26-13)
2. Contained in this section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements for each specific agricultural zone district. (orig.3-26-13)
3. The Agricultural Zone Districts are divided as follows: (orig.3-26-13)
 - a. Agricultural-One (A-1)
 - b. Agricultural-Two (A-2)
 - c. Agricultural-Thirty Five (A-35)
4. A revision in March, 1972, increased the minimum land area for the Agricultural-One district to 5 acres. (orig.3-26-13)
5. A revision in March, 1972, increased the minimum land area for the Agricultural-Two district to 10 acres. (orig.3-26-13)

B. Permitted Uses (orig. 3-26-13)

Uses	A-1	A-2	A-35
Single Family Dwelling, Barn, Stable, Silo.	X	X	X
General Farming, including grains, fruit, vegetables, grasses, hay, livestock raising, and the keeping and boarding of horses. See general requirements below.	X	X	X
Poultry hatcheries and farms, fish hatcheries and dairy farms.	X	X	X
Greenhouse and nursery, including both wholesale and retail, provided products sold are raised on the premises.	X	X	X
Forestry farming, including the raising of trees for any purpose.	X	X	X
Fur farm and raising of rabbits, chinchillas and other similar animals.	X	X	X
Public Park, Class I public recreation facilities, Class II public recreation facilities are permitted only if the site is in compliance with the current minimum lot size requirement.	X	X	X
Veterinary hospital	X	X	X
Cemetery, mausoleum, mortuary and related uses.	X	X	X
Beekeeping operations	X	X	X
Oil and gas drilling and production subject to the Drilling and Production of Oil and Gas Section of this Zoning Resolution, except where located within a subdivision platted and recorded in the records of the Clerk and Recorder.	X	X	X
Telecommunications Land Uses shall comply with the provisions of the Telecommunications Uses Section of this Zoning Resolution.	X	X	X
Energy Conversion Systems (ECS) land uses shall comply with the provisions of the Alternative Energy Resources Section of the Zoning Resolution.	X	X	X
Water supply reservoir and irrigation canal	X	X	X

C. Accessory Uses (orig. 3-26-13)

Uses	A-1	A-2	A-35
Accessory structures including private garage, storage shed, corral, pens, and runs.	X	X	X
Roadside stand for operation during not more than 6 months in each year for the sale of farm products raised or produced on the premises, provided such stands are located no less than 30 feet distance from any street, highway, or right-of-way line.	X	X	X
Private building and kennels for housing dogs, cats or similar domestic pets. On legal non-conforming lots or parcels of 1 acre or less in size, the maximum total number of dogs, cats and similar domesticated pets which may be kept shall be 3. Litters of puppies or kittens may be kept until weaned.	X	X	X
Temporary storage of defensible space, associated fuel break and forest management thinning in accordance with defensible space, fuel break and forest management programs as specified in this Zoning Resolution and Land Development Regulation.	X	X	X
Home Occupations provided the requirements and conditions of the Board of Adjustment or the Home Occupations Section of this Zoning Resolution are met.	X	X	X
Accessory uses per the Accessory Use Section of the Zoning Resolution.	X	X	X

D. Special Uses (orig. 3-26-13)

Uses	A-1	A-2	A-35
Sewage treatment plant	X	X	X
Religious Assemblies and related uses, rectory, parish house and school.	X	X	X
Radio, television and microwave transmission and relay towers and equipment; meteorological data collection towers and equipment; low power, micro-cell and repeater telecommunications facilities, including antenna and towers.	X	X	X
Cable television reception station	X	X	X
A group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender.	X	X	X
Group, foster or communal home, residential treatment center, community residential home, home for social rehabilitation, assisted living residence, personal care boarding home, specialized group facility, receiving home for more than 4 foster home residents, residential child care facility or shelter from domestic violence, licensed or certified by state if applicable, in which 7 or more residents who are not legally related live and cook together as a single housekeeper unit not located within 750 of another similar type home or shelter.	X	X	X
State licensed daycare center or preschool or nursery.	X	X	X
Arborist or tree service	X	X	X
Natural resource transportation and conveyance systems	X	X	X
Public Kennel or cattery	X	X	X
Public riding academy or stable	X	X	X
Limited sawmill operation use in support of Pine Beetle Control	X	X	X
Camps, campgrounds, picnic grounds, and lodges or other similar facilities. Specific conditions and limitations for use, including maximum periods of visitor occupancy and types or maximum numbers of occupied vehicles or sites, will be established as terms of the Special Use approval.	X	X	X
Oil and gas drilling and production, where located within a subdivision platted and recorded in the records of the Clerk and Recorder. Such operations shall conform to the standards contained in the Drilling and Production of Oil and Gas Section of the Zoning Resolution, except as modified in the resolution approving the Special Use.	X	X	X
Class I, II, III Commercial Recreational Facilities. Class II public recreational facilities on sites which do not meet the current minimum lot size requirement. Class III public recreational facilities.	X	X	X

Uses	A-1	A-2	A-35
Limited sawmill operation use in support of defensible space, associated, fuel break and forest management programs as required under the Zoning Resolution and Land Development Regulations.	X	X	X
Trap, skeet or rifle range		X	X
Recycling transfer station, Type I or Type II: the facility shall only accept trees and slash generated from local efforts associated with regulatory/ voluntary defensible space, fuel break and forest management plans, and Pine Beetle control programs.		X	X
Dangerous and wild animal ranching, training, sales and exhibition provided that the property is 10 acres or greater and such use is in compliance with the General Provisions and Regulations Section of this Zoning Resolution.		X	X

E. Lot and Building Standards (orig. 3-26-13)

Districts	Front Setback		
	Primary Structure/Garage		All Other Accessory Structure
A-1, A-2, A-35	50 ft.		Livestock – 75 ft. Pens/Runs/Structures ¹ – 100 ft. All Other Accessory Building – 50 ft.
Districts	Side Setback		
	Primary Structure/Garage		All Other Accessory Structure
	Side	Side to Street	
A-1, A-2, A-35	30 ft.	50 ft.	Livestock – 75 ft. Pens/Runs/Structures ¹ – 100 ft. All Other Accessory Building – 50 ft.
Districts	Rear Setback		
	Primary Structure/Garage		All Other Accessory Structure
A-1, A-2, A-35	50 ft.		50 ft.

¹ Applied to all pens, runs, and structures utilized for fur farms, poultry farms, kennels and catteries.

Districts	Building Height	Lot Size (see a & b below)
A-1	35 ft.	5 Acre (217,800 s.f.)
A-2	35 ft.	10 Acre (435,600 s.f.)
A-35	35 ft.	35 Acre (1,524,600 s.f.)

1. Lot Standards

- a. The minimum lot area for any use permitted in this district shall be the lot size stated above unless the lot falls within the provisions set forth in the Enforcement and Administrative Exceptions Section of this Zoning Resolution. (orig.3-26-13)
- b. The minimum lot area for a lot developed through the rural cluster process shall be as set forth in the Land Development Regulation. (orig.3-26-13)

F. Fences

1. Maximum Fence Height: 7 feet. (orig.3-26-13)
2. Fence permits are required for any fence over 42 inches in height. (orig.3-26-13)
3. Electric fences are permitted provided the electrical fence device is in compliance with Colorado State Department of Agriculture specifications. No electric fence is allowed as boundary or perimeter fence on lot lines abutting residential zone districts. (orig.3-26-13)

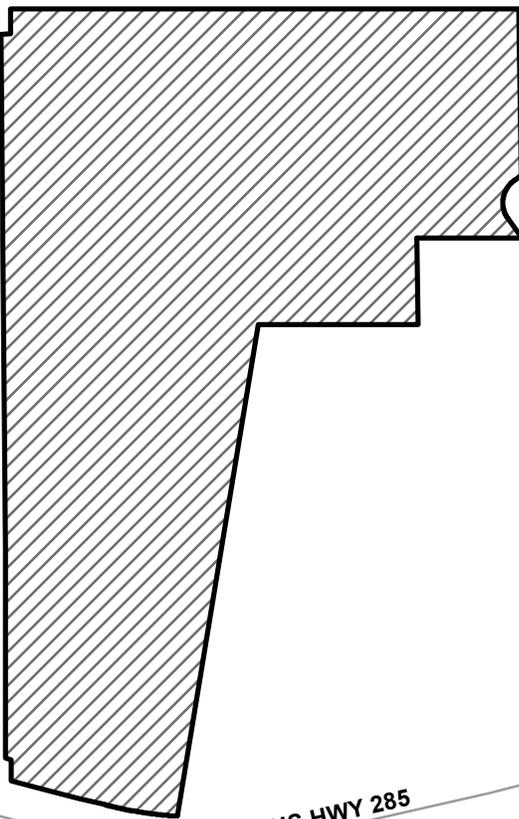
4. Fences on corner lots must comply with the vision clearance triangle requirements as specified in the Definitions Section of this Zoning Resolution. (orig.3-26-13)
5. On adjacent lots where allowed fence heights differ, the lower height restriction shall govern. (orig.3-26-13)

G. General Requirements

1. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig.3-26-13)
2. Corner lots must comply with the vision clearance triangle requirements as specified in the Definitions Section of this Zoning Resolution. (orig.3-26-13)
3. No structure may be erected placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig.3-26-13)
4. Manure shall not be allowed to accumulate so as to cause a hazard to the health, safety or welfare of humans and/or animals. The outside storage of manure in piles shall not be permitted within 100 feet of the front lot line and 50 feet of the side and rear lot lines. (orig.3-26-13)
5. Stallions shall be kept in a pen, corral or run area enclosed by a 6 foot chain link fence, or material equal or greater in strength, except when it is necessary to remove them for training, breeding or other similar purposes. (orig.3-26-13)
6. On legal non-conforming lots or parcels of 1 acre or less in size, the following is the density per acre limitation for horses, mules, donkeys, sheep, cattle, goats, swine, buffalo, beefalo and other large domesticated animals: (orig.3-26-13)
 - a. The minimum square footage of open lot area available to animals (does not include lawns, gardens, driveways, recreation facilities, etc), not including the dwelling shall be 9,000 square feet for the first animal and 6,000 square feet for each additional animal. The total number of such animals that may be kept shall not exceed 4 per 1 acre. (orig.3-26-13)
 - b. Offspring of animals on the property may be kept until weaned. (orig.3-26-13)

IROQUOIS TRL
IROQUOIS TRL

PEACEFUL
WAY



S US HWY 285

S US HWY 285

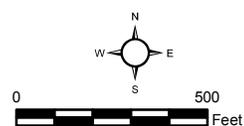
S US HWY 285

STONE CHIMNEY LN

JUBILEE TRL

JUBILEE TRL

Case Number: 14-118664PF
Location: Sec 6, T7S, R71W

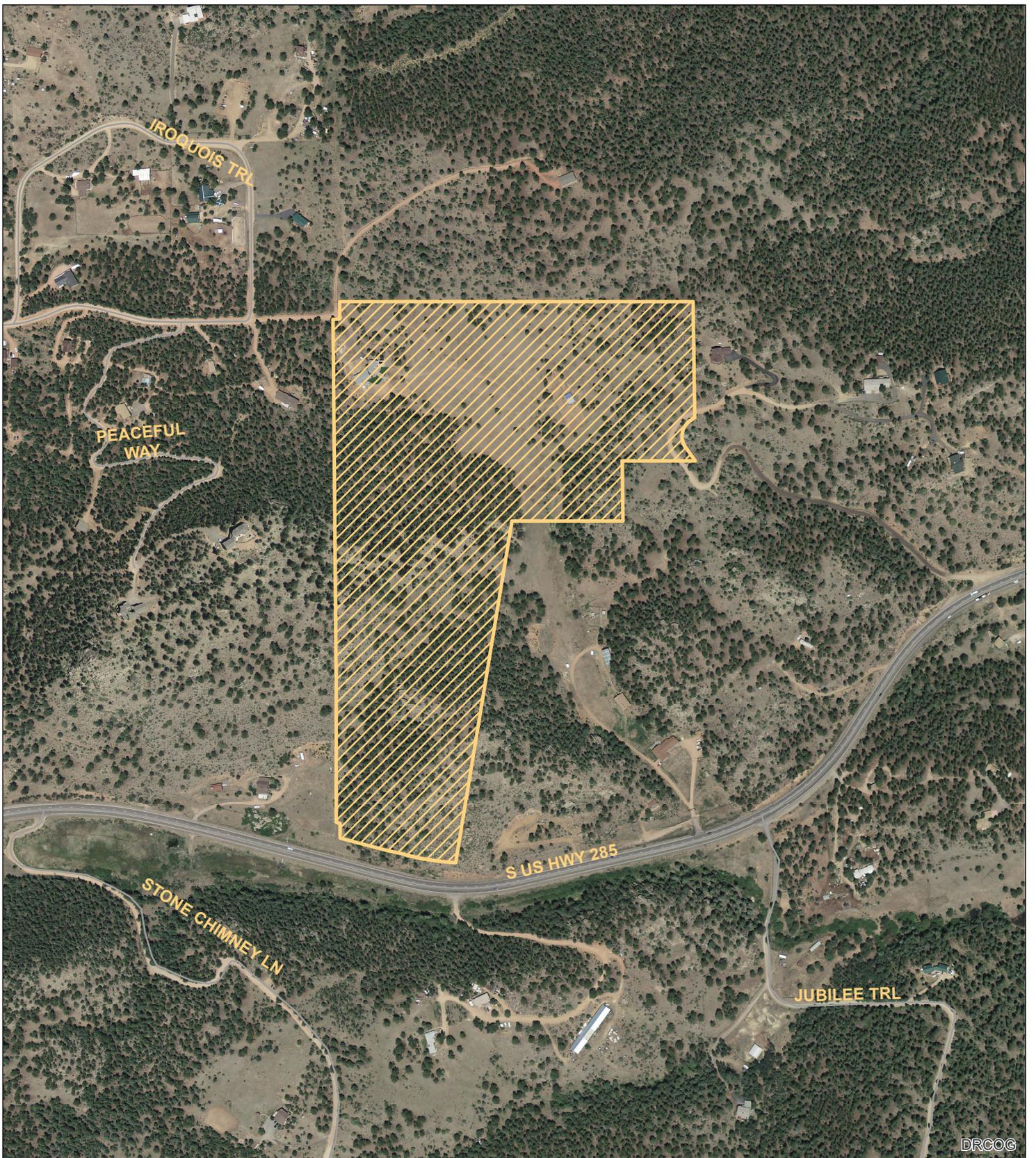


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Vicinity

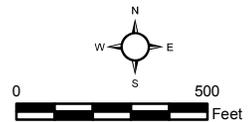
1:6,000

Plot: 2014-11-05



DRCOG

Case Number: 14-118664PF
Location: Sec 6, T7S, R71W

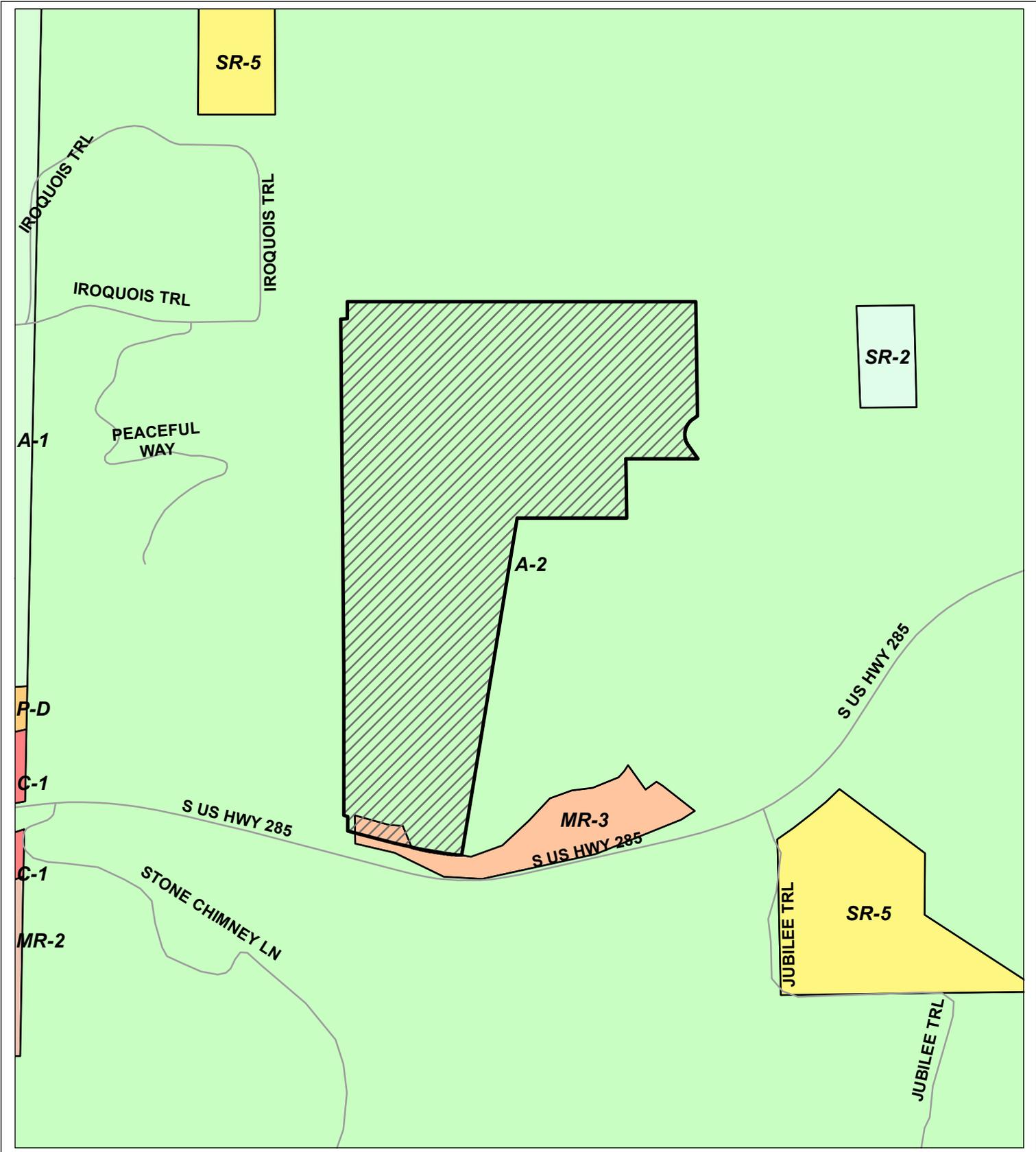


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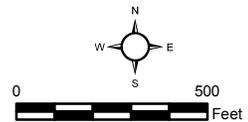
2012 Photography

1:6,000

Plot: 2014-11-05



Case Number: 14-118664PF
Location: Sec 6, T7S, R71W



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Zoning

1:6,000

Plot: 2014-11-05

Administrative Decision Memorandum

Date: June 27, 2016

16-108302WR Alternative Standards/Requirements
Related Cases: Preliminary and Final Plat (14-118664PF)

Owner/Applicant: Kevin and Rebecca Sproul

Location: 33444 Iroquois Trail, North of State Hwy 285 near the intersection of Iroquois Trail and Peaceful Way

Purpose: **To allow relief from the requirement to provide Offsite Utility, Drainage and Emergency Access Easements across private roads that connect to County maintained roads (Section 15.A.1.a.(3) of the Land Development Regulation).**

Case Manager: Nathan Seymour

Background / Discussion:

The applicant is currently in a Preliminary and Final Plat process to subdivide the property, creating two (2) single-family detached lots; one lot is 10 acres and the other lot is 30 acres. The proposed plat is entitled Iroquois Trail Subdivision. The existing home which sits on the proposed 10-acre lot (Lot 2) will continue to take access from the west. The access is by County maintained roads up to the intersection of Iroquois Trail and Cheyenne Court, and by private road (Mohican Trail) for approximately 1500' to the western boundary of the subdivision (see attached graphic, highlighted in yellow). The 30-acre lot (Lot 1) is proposed to take access from the east off US Hwy 285, along a private road recently named Red Sparrow Trail (see attached graphic, highlighted in green). The zoning for the property is Agricultural-Two (A-2).

Section 15.A.1.a.(3) of the Land Development Regulation, states: "Easements for private streets/roads exterior to the subdivision boundaries shall be dedicated to the County of Jefferson by easement deed in a form acceptable to the Office of the County Attorney. The dedication to the County shall be limited to emergency and service vehicle access and drainage and utility purposes". During the processing of Preliminary and Final Plat, the applicant submitted the following Alternative Standard request:

1. To allow relief from the requirement to provide Offsite Utility, Drainage and Emergency Access Easements across private roads (Mohican Trail and Red Sparrow Trail) that connect to County maintained roads (Section 15.A.1.a.(3) of the Land Development Regulation).

Applicant's Rationale:

The applicant's rationale for the Alternative Standard request is that notification was sent out to users of the road and due to the fact that there were objections and individuals who did not want to grant the County an easement through their property, the Alternative Standard request should be allowed.

Applicable Regulations:

Section 2.B.2 of the Jefferson County Land Development Regulation allows the Director of Planning and Zoning the authority to make decisions on any request for Alternative Standards/Requirements, unless the specific provision indicates that a decision is to be made by the Board of County Commissioners. The following shall be considered for Alternative Standards/Requirements of the Land Development Regulation:

- a. The applicant can demonstrate that alternate solutions or designs will not be detrimental to or contrary to the Purpose of this Regulation and will be in harmony with the general purpose and intent of the provision for which a waiver is sought.
- b. The applicant can demonstrate that strict compliance with such provision would be impossible, impractical or undesirable.

Referral:

This request was sent on a 1-week referral to internal agencies including Planning Staff, Open Space and Planning Engineering. The internal referrals resulted in no objections or concerns with the request. Additionally, an external referral was sent to Elk Creek Fire Protection District. The Fire Protection District provided a response supporting the request for relief with conditions as it pertains to this request.

Notification:

The Alternative Standard request was sent to adjacent property owners and registered homeowners associations per Level 1 Notification procedures. Staff did receive a few phone calls and an email response from a few concerned citizens which are discussed further in the analysis section of this report..

Analysis:

Staff is supportive of the Alternative Standards request. Staff findings are based upon the following:

1. The request was discussed at the Staff Meeting dated April 27, 2016. As discussed above, there are two points of access to the property. Both access points are for a primary legal access route for not only the applicant but other full time residences. As a part of the request for relief, the applicant is willing to provide safety improvements as suggested by the Fire Protection District. These improvements include adding a 10,000 gallon fire cistern and installing a sprinkler system for the new residence on proposed Lot 1. Staff is of the opinion the opinion that providing these improvements would result in a safer situation for the all of the properties in the vicinity of the subdivision. The improvements will be required as a part of the subdivision process.

The applicant has already recorded Fire Cistern Easement to the benefit of the Fire Protection District. This affirms that the applicant is willing to install a cistern as required and this improvement will be a part of the Subdivision Improvement Agreement. A plat note will be included stating that a fire sprinkler system will be required at the time of building permit.

2. Several property owners provided comments related to the requested Alternative Standard. Staff was able to address the majority of the comments from the citizens over the phone, as most were basic in nature and resulted in no further concerns. One property owner did provide some email correspondence outlining why they are in opposition to the approval of the Alternative Standards. In Staff's opinion, the objections from this property owner were less related to the Alternative Standard request (to not dedicate an easement to the County) and more focused on why there should not be an additional residence constructed in the area. The correspondence has been attached.

There were citizens who opposed this Alternative Standard request; their concerns were directed at water, potential for forest fires, fire mitigation of an existing barn structure in the subdivision and legal access. With the installation of the sprinkler system in the new residence and the 10,000-gallon fire cistern within the subdivision, the proposed development will be aiding in the mitigation of future forest fires in the subdivision as well as the surrounding local area. Regarding legal access, the concerned citizens expressed that the "legal access" easement agreement along Red Sparrow Trail should have included them, and as a result is illegal (see attached graphic showing the area of contention). Staff's position is that this is a civil issue and should be worked out amongst the neighbors prior to scheduling this case for hearing.

Due to the comments from concerned citizens, Technical Support and Research provided an update to the legal parcel research (14-103347AR) memo to include an additional property owner having legal access via the Red Sparrow Trail. It is staffs opinion that the applicant has legal access to both lots over private roads based on the research performed.

3. There were no objections to this request from referral agencies. See Planning Staff comments dated May 5, 2016 and Open Space Comments dated May 3, 2016.
4. Over the years there have been several subdivisions where the dedication of an emergency access easement over the external roads has been an issue. There is a long standing Staff policy related to this issue, and foremost is Staff's position that the requirement for external easements should not be used by adjoining property owners as a means to stop development. The reality of the situation is that the applicant has the rights in place to use the existing private roads for access to this proposed subdivision. In addition, in an emergency situation, the Fire Protection District (and other service providers) will utilize the road as necessary, regardless of whether there is an easement in place or not.

Staff Recommendation:

For the reasons indicated within this report, Staff recommends **approval** of the applicant's request subject to the installation of the 10,000-gallon fire cistern (a public improvement required with the Plat) and a note placed on the Plat document indicating the installation of the fire sprinkler systems at the time of building permit.

Decision:

Pursuant to Section 2.B.2 of the Jefferson County Land Development Regulation, the Director of Planning and Zoning may allow the following Alternative Standard/Requirement during the processing of the Preliminary and Final Plat, Iroquois Trail Subdivision, Case No. 14-118664PF:

1. To allow relief from the requirement to provide Offsite Utility, Drainage and Emergency Access Easements across private roads (Mohican Trail and Red Sparrow Trail) that connect to County maintained roads (Section 15.A.1.a.(3) of the Land Development Regulation).

Alternative Standard Granted subject to the installation of the 10,000-gallon fire cistern (a public improvement required with the Plat) and a note placed on the Plat document indicating the installation of the fire sprinkler systems at the time of building permit.

Alternative Standard Granted with Changes _____

Alternative Standard Denied



John Wolforth
Director of Planning and Zoning

06-30-16
Date

Approved by Mike Schuster (Assistant Director) acting on behalf of
John Wolforth (Director) in his absence

REVIEWED
By Charles Barthel at 11:07 am, Jun 30, 2016



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Jefferson County CO
 Jefferson County Colorado



Author:
 Date: 6/7/2016

ELECTRONIC REFERRAL

JEFFERSON COUNTY, COLORADO

Documents related to a Preliminary and Final Plat have been submitted to Jefferson County Planning and Zoning. This case is now beginning the 1st Referral part of the process. Please review the specific electronic documents related to the 1st Referral found [here](#). Comments on the Preliminary and Final Plat should be submitted electronically to the case manager by the due date below.

Case Number: 14-118664PF
Case Name: 33444 Iroquois Trail
Address: 33444 Iroquois Trail
General Location: North of State Hwy 285, near the intersection of Iroquois Trail and Peaceful Way
Case Type: Preliminary and Final Plat
Type of Application: To subdivide a 40 acre lot containing 1 residential home into one 10 acre lot and one 30 acre lot.
Comments Due: **Monday October 20,2014**
Case Manager: Nathan Seymour
Case Manager Contact Information: nseymour@jeffco.us 303.271.8751

The entire case file for this application can be viewed [here](#).

Referrals:

Internal Agencies:

Planning Engineering
Zoning Administration
Addressing
Cartography
County Geologist
Public Health
Open Space
Weed and Pest
JeffCo Historical Commission
Transportation and Engineering
Road & Bridge
Assessor

External Agencies:

Elk Creek FPD
Division of Water Resources, State Engineer's Office
Colorado Geological Survey
Department of Health
Colorado Historical Society
Division of Wildlife
Colorado State Forest Service
Soils Conservation District
Xcel
Public Service
Century Link
IREA
Post Office

Adjacent HOA'S:

Conifer Area Council
Douglass Ranch POA
Elk Falls POA
Golden View Acres HOA
Jefferson County Horseman's
Preserve Our Mountain Community
Wandcrest Park POA

Adjacent Property Owners:

See list in Community Notification Folder (50)

ADDRESSING

MEMO

To: Nathan Seymour
FROM: Patricia Romero
SUBJECT: 14-118664PF 33444 Iroquois Trail
DATE: February 29, 2016

Addressing offers the following comments on this proposal:

1. The purpose of this Preliminary and final Plat is to subdivide an existing 40 acre lot into one 10 acre and one 30 acre lot.
2. Access for lot 2 is currently off of Mohican Trail. There is a valid existing address, 33616 Mohican Trail, in the addressing database.
3. The road used for access to lot 2 was renamed Mohican Trail.
4. The road used for access to lot 1 was renamed Red Sparrow Trail. All the parcel owners who use this road for access were readdressed off of Red Sparrow Trail. Lot 1 will receive a Red Sparrow Trail address.
5. Please label both new road names of the final Plat before recording. Please spell out the full road name and type, Mohican Trail and Red Sparrow Trail.
6. The new addresses for lot 1 will be available when the Plat is approved and recorded.

Please let me know if you have any questions.

INTEROFFICE MEMORANDUM

July 21, 2016

To: Nathan Seymour, Case Manager

From: Kathy Sewolt, County, Assessor's Office

Case Name: **Iroquois Trail**

Case #: **14-118664PF**

The legal description and ownership match the records as of July 21, 2016.

If I can be of further assistance, please call me at 303-271-8645

MEMORANDUM

FROM: Nathan Seymour, Planning Engineering
DATE: 5/3/16

RE: 14-118664PF; Preliminary and Final Plat – 33444 Iroquois Trail

These comments have been based upon the application package and the requirements of the Jefferson County Land Development Regulation (LDR), the Jefferson County Zoning Resolution (ZR), the Jefferson County Storm Drainage Design and Technical Criteria (Storm Drainage Criteria) and the Jefferson County Roadway Design Manual (Roadway Manual).

PRELIMINARY AND FINAL PLAT COMMENTS

1. Fire District Comments – An Emergency Access Easement and a Cistern is being required as well as the future home to be sprinkled. If it is confirmed that a Fire cistern is required, construction plans and an Exhibit A will need to be prepared and submitted for review.
2. Prior to the time of building permit and during the land disturbance permit process the site will be evaluated to determine what if any additional drainage improvements may be required.
3. Prior to recordation of the plat the following hard copies will be required.
 - 3 - signed and stamped construction documents (if required)
 - 2 - signed and stamped copies of the drainage report
 - 1 - copy of the exhibit A

CONCLUSION

The applicant should respond to these comments. If there are any questions please contact Nathan Seymour at 303-271-8751.



ELK CREEK FIRE PROTECTION DISTRICT

11993 South Blackfoot Road P.O. Box 607 Conifer, CO 80433

February 24, 2016

Jefferson County Planning and Zoning
100 Jefferson County Parkway
Suite 3550
Golden, Colorado 80419-3550

Re: 33444 Iroquois Trail

The Elk Creek Fire Protection District has inspected the off-site access leading to the above-mentioned address proposal to sub-divide and has determined that the off-site access is **not acceptable** for emergency vehicle use due to narrow width (in some places less than 12' where 20 is required) and excessive slope of the roadway. The proposed access is being shown off of a private drive off of Hwy 285, not off of Iroquois Trail.

In order for the Elk Creek Fire District to support a variance of the offsite access the District shall require the installation of an automatic fire suppression sprinkler system. The automatic fire suppression sprinkler system shall be installed in accordance with the National Fire Protection Association *Standard 13D*. The system shall be subject to approval and acceptance test required by the Fire District. Additionally, if access is approved off of this private roadway a 10,000 gallon cistern will be required for water supply since there is no water in the area for fire protection.

If a variance is requested it shall be in written form.

Please contact my office if I can be of further assistance.

Sincerely,

Shelley Hunter
Fire Marshal
Elk Creek Fire Dept.

Nathan Seymour

From: Shelley Hunter [shunter@elkcreekfire.org]
Sent: Monday, May 02, 2016 3:19 PM
To: Nathan Seymour
Subject: Re: Iroquois Trail Subdivision - Comments requested
Attachments: 33444 Iroquois Trail.pdf

As previously noted on the attached document, the residence on this site will also require a 13D sprinkler system and to be noted on the plat.

Everything else has been approved.

Sincerely,

Shelley

On Wed, Apr 27, 2016 at 4:07 PM, Nathan Seymour <nseymour@co.jefferson.co.us> wrote:

Shelley,

I've attached a few documents regarding the Iroquois Trail Subdivision Plat to include the easement agreement, fire cistern construction plans, emergency access request letter and copy of the plat document.

Please take a look at the documents and provide comments by May 4, 2016.

Please confirm that:

- Elk Creek Fire Easement is adequate for your needs
- Fire Cistern Plans are adequate for you needs
- You have no objection to the waiver of not providing an offsite Utility, Drainage and Emergency Access Easement
- You have no outstanding comments regarding the plat.

Thank you in advance for your time.

Nathan Seymour



ELK CREEK FIRE PROTECTION DISTRICT
CISTERN EASEMENT AGREEMENT

mg
21-

THIS AGREEMENT, made this 14 day of April, 2016 is by and between Kevin David Sproul whose legal address is 33444 Iroquois Trail, Pine Colorado 80470 (hereinafter referred to as "Grantor"), and the Elk Creek Fire Protection District, a Colorado Special District (hereinafter referred to as the "District") which maintains its main office at 11993 South Blackfoot Road, P.O. Box 607, Conifer, Colorado 80433.

1-3

RECITALS

WHEREAS, Grantor is the owner of the property described in Exhibit "A" attached hereto and incorporated herein by reference (hereinafter referred to as the "Property"); and

WHEREAS, a fire cistern (hereinafter referred to as the "Cistern") is required to be constructed by the Grantor on the Property; and

WHEREAS, the Cistern will be installed for fire protection purposes, including providing water for fire protection within the Property; and

WHEREAS, the parties acknowledge that providing access to the Cistern to ensure the availability of water for fire protection is essential to the fire protection needs of the Property and in the best interest of its residents; and

WHEREAS, the parties desire to enter into this Agreement in order to establish their rights and responsibilities with respect to the Cistern;

NOW, THEREFORE, in consideration of the mutual promises of the parties as set forth herein, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. GRANT OF EASEMENT. Grantor hereby grants, bargains, sells and conveys unto the District a perpetual nonexclusive easement for the purposes stated herein, including but not limited to, ingress and egress to and from the Cistern over and under that portion of the property described in Exhibit "B" attached hereto and incorporated herein by reference.
2. MAINTENANCE. Except for damage which is the direct result of its own negligence or the negligence of its employees or volunteers, the District shall have no obligation of any kind to repair, maintain, service or check the operation of the cistern. Maintenance and repair of the Cistern shall be the responsibility of the owner(s) of the property as described in Exhibit "A".
3. GRANT OF WATER USAGE RIGHTS. Grantor, for himself, his successors and assigns, hereby grants to the District a perpetual right to utilize water from the Cistern for fire protection needs.

#1

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4. AUTHORITY. Each individual signing this Agreement in a representative capacity represents and warrants that he/she has full authority and authorization to sign on behalf of the entity for which he/she signs and to bind such entity to fulfill the responsibilities set forth herein.

5. AMENDMENT AND RECORDING. This agreement shall be recorded and shall not be altered, modified or amended, in whole or in part, except by an instrument in writing, signed by all parties hereto and likewise recorded.

6. TERM. This Agreement shall run with the land and bind the successors and assigns of each of the parties hereto.

7. GOVERNING LAW. This Agreement shall be governed by the laws of the State of Colorado.

8. EFFECTIVE DATE. Notwithstanding the date of signing by any particular party hereto, this Agreement shall be effective when signed by all parties hereto.

WITNESS are hands and official seals on the date(s) set forth below.

GRANTOR

Name: Kevin Davis Sproull Date: 4/14/16
Signature: [Handwritten Signature]

ELK CREEK FIRE PROTECTION DISTRICT
Name: [Handwritten Signature] Date: 4/14/16
Signature: [Handwritten Signature] Title: Fire Chief

Fwd: Meeting Wednesday at 1? Iroquois Trail Plat

Kevin Sproul [ksproul1967@aol.com]

Sent: Monday, April 18, 2016 4:45 PM

To: Staples Copy Center #1429

Begin forwarded message:

From: Shelley Hunter <shunter@elkcreekfire.org>
Date: April 12, 2016 at 3:26:22 PM MDT
To: Kevin Sproul <ksproul1967@aol.com>
Subject: Re: Meeting Wednesday at 1? Iroquois Trail Plat

Just a reminder for the waiver request from you so I can close this portion out.

Thanks,
Shelley

On Tue, Apr 5, 2016 at 2:59 PM, Kevin Sproul <ksproul1967@aol.com> wrote:
Thanks will do.

On Apr 5, 2016, at 2:56 PM, Shelley Hunter <shunter@elkcreekfire.org> wrote:

Nathan,

Chief McLaughlin has approved the road as is currently is so no modifications will be required on the road. We do not need to meet tomorrow.

Kevin, what I need from you is the request to waive the private driveway requirements based on the other improvements that you are doing on the property. The Fire Code requires waivers to be requested in writing for our records. You can send that via email and I will have Chief McLaughlin sign it. Everyone will get a copy for your records as well.

Please let me know if you have any questions.

Shelley

On Mon, Apr 4, 2016 at 3:05 PM, Nathan Seymour <nseymour@co.jefferson.co.us> wrote:

Thank you. I'll plan to be there unless I hear otherwise from you.

From: Shelley Hunter [mailto:shunter@elkcreekfire.org]
Sent: Monday, April 04, 2016 3:05 PM
To: Nathan Seymour
Cc: Kevin Sproul

PITSKER AND ASSOCIATES

PROFESSIONAL LAND SURVEYORS

26689 Pleasant Park Road

Building A, Suite 200

Conifer, Colorado 80433

PH (303) 674-6018 / FAX (303) 838-7174

FILE NO. 14-151

FIRE CISTERN

14 APRIL, 2016

LEGAL DESCRIPTION

FIRE CISTERN EASEMENT

AN EASEMENT FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF A FIRE CISTERN OVER, ACROSS, UNDER AND ON A PORTION OF LOT 1, IROQUOIS TRAIL SUBDIVISION, COUNTY OF JEFFERSON, STATE OF COLORADO, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1, IROQUOIS TRAIL SUBDIVISION;

THENCE SOUTH $89^{\circ}58'56''$ WEST, ALONG THE SOUTHERLY LINE OF SAID LOT 1, A DISTANCE OF 77.14 FEET, MORE OR LESS, TO A POINT ON THE WESTERLY LINE OF A 30' ROADWAY EASEMENT RECORDED AT RECEPTION NO. 84054481;

THENCE NORTHERLY, ALONG SAID WESTERLY LINE, THE FOLLOWING TWO (2) COURSES:

1) NORTH $41^{\circ}13'48''$ WEST, A DISTANCE OF 25.65 FEET, TO A POINT OF CURVATURE;

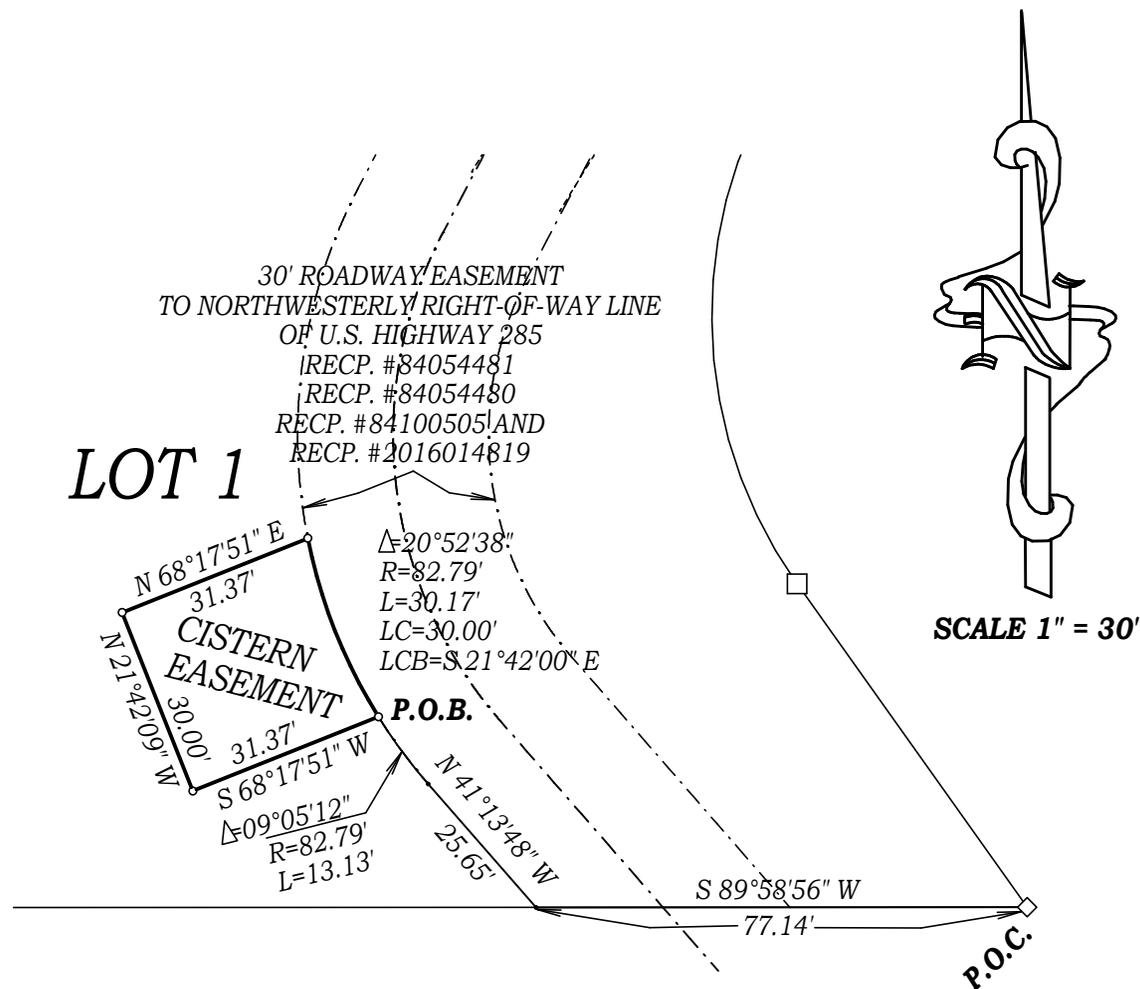
2) 13.13 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 82.79 FEET AND A CENTRAL ANGLE OF $09^{\circ}05'12''$, TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH $68^{\circ}17'51''$ WEST, A DISTANCE OF 31.37 FEET;

THENCE NORTH $21^{\circ}42'09''$ WEST, A DISTANCE OF 30.00 FEET;

THENCE NORTH $68^{\circ}17'51''$ EAST, A DISTANCE OF 31.37 FEET, MORE OR LESS, TO A POINT ON THE WESTERLY LINE OF A 30' ROADWAY EASEMENT RECORDED AT RECEPTION NO. 84054481 AND TO A POINT OF CURVATURE;

THENCE 30.17 FEET, MORE OR LESS, ALONG SAID WESTERLY LINE AND THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 82.79 FEET A CENTRAL ANGLE OF $20^{\circ}52'38''$, AND A CHORD OF 30.00 FEET BEARING SOUTH $21^{\circ}42'00''$ EAST, TO THE POINT OF BEGINNING.



Memorandum

To: Nate Seymour
Engineer

From: Patrick O'Connell
Geologist

Date: February 29, 2016

Re: 33444 Iroquois Trail, Case No. 14-11866PF

I reviewed the submitted documents for this plat. I have the following comment.

1. The applicant requested a deferral of the geologic and geotechnical reports. The Mountainous Terrain Plat Restriction has been included on the plat. Given the plans, anticipated materials and the note to be added, I support this request.
2. The property is located within the Mountain Ground Water Overlay District. There is one existing home on Lot 2 (30 acres) while proposed Lot 1 (10 acres) is vacant. There are two well permits (146775 for Lot 1 & 293876 for Lot 2) on 40 acres. Based on this data, it appears the water requirement will not exceed the 0.10 acre feet per acre per year threshold as described in Section 21 of the LDR. Well Permit 78013 (augmented) is permitted for domestic uses, stock watering and filling a 500 ft² pond with a total annual amount of 0.354 af. Well permit 293876 is permitted for household uses only. If the water requirement exceeds 0.10 acre feet per acre per year, an Aquifer Test in accordance with Section 21 of the LDR is required with the plat application. Based on the information provided, an Aquifer Test is not required with this plat.
3. Based on data in the attached Water Availability Analysis, there is an adequate water supply in terms of quantity in the 911 acre basin.

Water Availability Analysis of the Proposed Developo

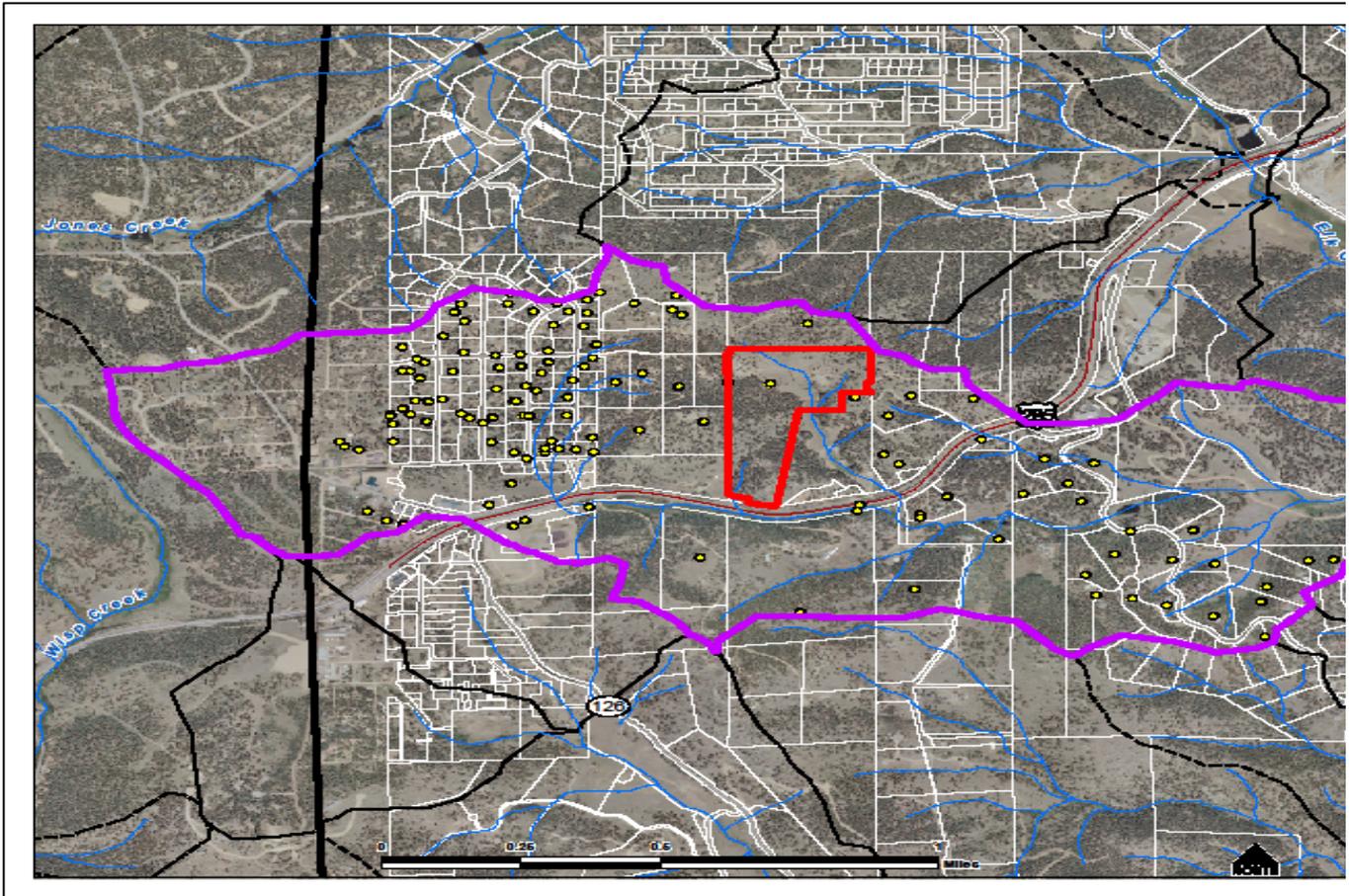


Table 1: Estimate of Available Groundwater Resources in the Basin

Description	Variable or Equation
Basin area	A
Average depth to groundwater in the basin (based on well permit data)	B
Average depth of wells (based on well permit data)	C
Saturated thickness of aquifer exposed to wells	$D=C-B$
Estimated average porosity of aquifer	E
Basin Aquifer Group - alluvium	
Basin Aquifer Group - highly fractured	
Basin Aquifer Group - intrusive	
Basin Aquifer Class - pikes peak	
Basin Aquifer Group - metamorphic	
Estimated amount of groundwater in storage	$F=A*D*E$
Effective yield of groundwater to wells	G
Estimate of groundwater in storage available to wells that are less or equal to the average depth	$H=F*G$
Estimate of groundwater stored in the basin aquifer per foot of saturated thickness	$I=A*E*1\text{-foot thick}$

Table 2: Analysis of Groundwater Withdrawal, Recharge, and Consumptive Use from Existing

Equation or Variable	J
Type of Wells in Basin	Number of wells in Basin
Domestic - household use portion	34
Domestic - livestock watering (4 animals*10 gpd*365 days)	
Domestic - irrigation portion (1-acre*28 inches of water per year)	
Domestic (household use, irrigation, domestic livestock)	34
Household Use	103
Commercial	8
Municipal (see comments for well af breakdown)	0
Totals	145

*Wells may be associated with augmentation plan that allow for a lower withdrawal

Table 3: Estimate of Annual Groundwater Recharge to the Basin from Precipitation

Description	Variable or Equation
Basin area	A
Mean annual precipitation based on NWS RFS data	P
Average annual precipitation	$Q=(P/12)*A$
Estimated percent of annual precipitation that goes into groundwater recharge	R
Estimate of annual groundwater recharge to the basin from precipitation	$S=Q*R$

Table 4: Ground Water Resource Impact of Proposed Development

Equation or Variable	J
Well Type Associated With Proposed Development	Number of Proposed Wells
Domestic (household use, irrigation, domestic livestock)	0
Household Use	1
Commercial	0
Municipal	0
Totals	1

*Wells may be associated with augmentation plan that allow for a lower withdrawal than typical well type

Table 5a: Water Availability Analysis on the Basin Based on Existing and Proposed Developm

Description	Variable or Equation
Consumptive use impact of existing development (e)	O_e
Consumptive use impact of proposed development (p)	O_p
Consumptive use impact of existing and proposed development (t)	O_t
Estimate of groundwater recharge to the basin from precipitation	S
Groundwater Budget=Groundwater Recharge-Total Consumptive Use	$T=S-O_t$
*If groundwater budget value (T) is positive then the water supply appears to be adequate	
*If groundwater budget value (T) is negative then the depth to water level will increase over time	

Table 5b: Impact on the Basin Based on Existing and Proposed Development With 0 Recharge

Description	Variable or Equation
Estimated percent of aquifer depletion based on consumptive use of proposed development	$U=O_p/H$
Theoretical "annual average basin wide" drop in water level due to consumptive use of proposed development with 0 recharge from precipitation	$V=O_p/l$
Theoretical time it would take to drain the saturated thickness of the basin by the consumptive use of the existing and proposed development with 0 recharge from precipitation	$W=D/((O_t)/l)$

Table 5c: Impact on the Basin Based on Existing and Proposed Development Including Estimated Recharge

Description	Variable or Equation
Theoretical time it would take to drain the saturated thickness of the basin by the consumptive use of the existing and proposed development with estimated precipitation recharge	$X=D/((T)/l)$

Table 6a: Water Availability Analysis on the Basin Based Existing, on Build out of Platted Lots

Description	Variable or Equation
Number of lots in basin	Y
Number of vacant lots in basin	Z
Number of wells associated with proposed development	J
Consumptive use impact of build out of vacant lots	$AA=Z*K(1-M)$

Table 6b: Impact on the Basin Based on Build out of Platted Lots and Proposed Development

Description	Variable or Equation
Theoretical "annual average basin wide" drop in water level due to consumptive use at full build out based on platted lots and proposed development with 0 recharge from precipitation	$AB=(O_t+AA)/l$
Theoretical time it would take to drain the saturated thickness of the basin by the consumptive use at full build out based on platted lots, existing, and proposed development with 0 recharge from precipitation	$AC=D/((O_t+AA)/l)$

Table 6c: Impact on the Basin Based on Build out of Platted Lots and Proposed Development

Description	Variable or Equation
-------------	----------------------

Theoretical time it would take to drain the saturated thickness of the basin by the consumptive use at full build out based on platted lots, existing, and proposed development with estimated precipitation recharge	$AD=D/((ITI+AA)/I)$
---	---------------------

Table 7a: Water Availability Analysis on the Basin Based on Build out of Platted Lots, Additio

Description	Variable or Equation
Number of lots in basin	Y
Number of vacant lots in basin	Z
Number of wells associated with proposed development	J
Number of additional lots allowed based on zoning	AE
Consumptive use impact of existing development	O_e
Consumptive use impact of build out of vacant lots	AA
Consumptive use impact of build out of lots allowed by zoning	$AF=AE*K(1-M)$
Consumptive use impact of proposed development	O_p

Table 7b: Impact on the Basin Based on Build out of Platted Lots, Additional Lots Allowed by

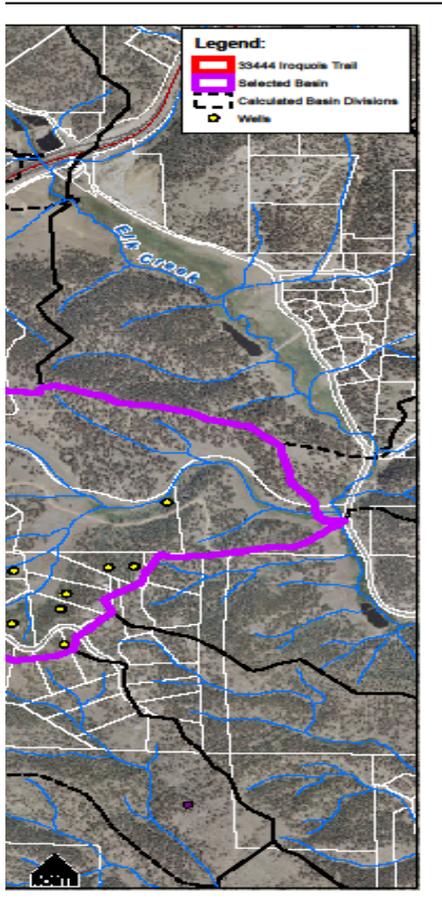
Description	Variable or Equation
Theoretical "annual average basin wide" drop in water level due to consumptive use at full build out based on platted lots, allowed by zoning, and proposed development	$AG=(O_t+AA+AF)/I$
Theoretical time it would take to drain the saturated thickness of the basin by the consumptive use at full build out based on platted lots, allowed by zoning, existing, and proposed development with 0 precipitation recharge	$AH=D/((O_t+AA+AF)/I)$

Table 7c: Impact on the Basin Based on Build out of Platted Lots, Additional Lots Allowed by

Description	Variable or Equation
Theoretical time it would take to drain the saturated thickness of the basin by the consumptive use at full build out based platted lots, allowed by zoning, existing, and proposed development with estimated precipitation recharge	$AI=D/((ITI+AA+AG)/I)$

Comments:

Development on the Basin Groundwater Resources



Case Name: 33444 Iroquois Trail
 Case Number: 14-118664PF
 Date Prepared: 10/20/2014

GIS Calculated
 Parameters
 Auto Calculated

Value	Units
911	acres
76	feet
311	feet
235	feet
2.0%	
2%	% of basin
0%	% of basin
58%	% of basin
0%	% of basin
42%	% of basin
4282	acre feet
50%	
2141	acre feet
18.22	acre feet per foot

g Wells in Basin

K	L=J*K	M	N=L*M	O _e =L-N
Estimated amount of groundwater withdrawal in acre feet per year	Estimated amount of groundwater withdrawal in acre feet per year	Estimated percent returned to recharge groundwater	Estimated amount of groundwater recharge in acre feet per year	Estimated Consumptive Use of Water in acre feet per year
0.3	10.2	84%	8.6	1.6
0.04	1.5	0%	0.0	1.5
0.66	22.4	10%	2.2	20.2
1	34.0	32%	10.8	23.2
0.3	30.9	84%	26.0	4.9
0.3	2.4	84%	2.0	0.4
15.50	0.0	84%	0.0	0.0
	67.3		38.8	28.5

Value	Units
911	acres
17	inches
1291	acre feet
3.5%	
45.2	acre feet

K	L=J*K	M	N=L*M	O _p =L-N
Estimated amount of groundwater withdrawal in acre feet per year	Estimated amount of groundwater withdrawal in acre feet per year	Estimated percent returned to recharge groundwater	Estimated amount of groundwater recharge in acre feet per year	Estimated Consumptive Use of Water in acre feet per year
1	0.0	32%	0.00	0.00
0.354	0.4	84%	0.30	0.06
varies	0.0	84%	0.00	0.00
varies	0.0	84%	0.00	0.00
	0.4		0.30	0.06

;

ient

Value	Units
28.5	acre feet per year
0.06	acre feet per year
28.6	acre feet per year
45.2	acre feet per year
16.6	acre feet per year

e From Precipitation

Value	Units
0.00%	
0.00	feet
150	years

ated Recharge From Precipitation

Value	Units
258	years

s and Proposed Development

Value	Units
192	lots
28	lots
1	wells
1.59	acre feet per year

t Including 0 Recharge From Precipitation

Value	Units
1.7	feet
142	years

: Including Estimated Recharge From Precipitation

Value	Units
-------	-------

235	years
-----	-------

Annual Lots Allowed by Zoning and Proposed Development

Value	Units
192	lots
28	lots
1	wells
23	lots
28.5	acre feet per year
1.59	acre feet per year
1.30	acre feet per year
0.06	acre feet per year

Zoning and Proposed Development With 0 Recharge From Precipitation

Value	Units
1.7	feet
136	years

Zoning and Proposed Development With Estimated Recharge From Precipitation

Value	Units
220	years

Nathan Seymour

From: Gallamore, L M [LM.Gallamore@colostate.edu]
Sent: Friday, February 19, 2016 1:37 PM
To: Nathan Seymour
Subject: Fw: 14-118664PF Electronic 2nd Referral 33444 Iroquois Trail

Importance: High

Nathan Seymour, Jefferson County Planning & Zoning:

The Colorado State Forest Service - Golden District has reviewed the 2nd Referral of the above referenced case. Our review comments of October 24, 2014 have been previously submitted, and the recommendations concerning wildfire mitigation are still current. We have no additional information or comments at this time.

Allen Gallamore, SAF Certified Forester # 3121
District Forester
CSFS-Golden
1504 Quaker Street
Golden CO 80401
303-279-9757 x 302
303-278-3899 fax

From: Debbie McIntyre [<mailto:dmcintyr@co.jefferson.co.us>]
Sent: Thursday, February 18, 2016 9:29 AM
Subject: 14-118664PF Electronic 2nd Referral 33444 Iroquois Trail

ELECTRONIC REFERRAL

JEFFERSON COUNTY, COLORADO

Documents related to a Preliminary and Final Plat have been submitted to Jefferson County Planning and Zoning. This case is now beginning the 2nd Referral part of the process. Please review the specific electronic documents related to the 2nd Referral found [here](#). Comments on the Preliminary and Final Plat should be submitted electronically to the case manager by the due date below.

Case Number: 14-118664PF
Case Name: 33444 Iroquois Trail
Address: 33444 Iroquois Trail
General Location: North of State Hwy 285, near the intersection of Iroquois Trail and Peaceful Way
Case Type: Preliminary and Final Plat
To subdivide a 40 acre lot containing 1 residential home into one 10 acre lot and one 30 acre lot.
Comments Due: **Thursday March 3rd, 2016**
Case Manager: Nathan Seymour
Case Manager Contact Information: nseymour@jeffco.us 303.271.8751

The entire case file for this application can be viewed [here](#).



October 30, 2014

Jefferson County Planning and Zoning Department
Nathan Seymour, Case Manager
100 Jefferson County Parkway, Suite 3550
Golden, Colorado 80419-3550

Golden District
1504 Quaker Street
Golden, Colorado 80401-2956
(303) 279-9757
FAX: (303) 278-3899

Dear Mr. Seymour,

In reference to Jefferson County Land Development Regulations, the Golden District has comments (below) concerning wildfire mitigation under **Case 14-118664PF, Preliminary-Final Plat Combination to subdivide the 40 acre property into 2 lots – 10 acres and 30 acres** (33444 Iroquois Trail, Pine, CO 80470; Township 7 South, Range 71 West). This property was previously listed as **Case 13-111330PA**.

This property has low to severe fire danger. Low fire danger is found in the open grass and meadows, moderate fire danger is found in open grown ponderosa pine, and severe fire danger can be found in more dense conifer forests (ponderosa pine and Douglas-fir) and steeper slopes. Fuel mitigation should be part of the development requirements in order to reduce the hazard to physical improvements (several existing and planned structures) of the site, and to firefighters who may be responding a wildland fire on or threatening this property.

In order to mitigate these hazards, we recommend that all forested areas on the property along any planned roads or driveways should be generally thinned to the current CSFS guidelines² for shaded fuelbreaks. There are areas of denser forest close to the existing and planned development areas that could be thinned to reduce the wildfire hazard, but do not need to be required at this time.

In addition, all future structures or additions to existing structures should have a **defensible space** created to Jefferson County regulatory requirements¹.

If the landowner needs additional technical assistance with addressing these recommendations, they can request our office's assistance. CSFS personnel can provide on the ground assistance at our current hourly work rate and materials costs. The landowner can also seek assistance from one of Jefferson County's authorized private contractors for defensible space implementation.

If you have any questions or comments, please contact me at 303-279-9757, ext. 302.

Sincerely,

Allen Gallamore, SAF CF# 3121
Golden District Forester

1. Colorado State Forest Service, *6.302 Creating Wildfire Defensible Zones*, http://www.csfs.colostate.edu/library/pdfs/fire/fire_fact_sheets/06302.pdf
2. Colorado State Forest Service, *Fuelbreak Guidelines for Forested Subdivisions and Communities*, <http://www.csfs.colostate.edu/library/pdfs/fire/fuelbreakguidelines.pdf>



COLORADO
Division of Water Resources
Department of Natural Resources

1313 Sherman Street, Room 821
Denver, CO 80203

April 12, 2016

Nathan Seymour
Jefferson County Planning and Zoning
Transmission via email: nseymour@jeffco.us

Re: Iroquois Trail Subdivision
Case Number 14-118664PF (33444 Iroquois Trail)
Pt. W½ Section 6, T7S, R71W, 6th P.M.
Water Division 1, Water District 80

Dear Mr. Seymour:

We have reviewed the above referenced proposal to subdivide 40.29 acres into two residential lots. Lot 1 will be approximately 30.19 acres in size. Lot 2 will be approximately 10.10 acres in size and will contain an existing residence. Our office most recently provided comments on the subject proposal in a letter dated March 2, 2016. Since that time, the applicant has provided additional information to this office. Based on the additional information, this office is providing revised comments.

Water Supply Demand

The estimated water requirements for Lot 1 were given as 0.12 acre-feet per year for household use. This amount appears to actually be the projected consumptive use for Lot 1. Based on the referenced well permit, water requirements for Lot 1 are anticipated to be 0.354 acre-feet per year. The estimated water requirements for Lot 2 were given as 0.27 acre-feet per year for household use. The total water requirement for the subdivision is therefore estimated as 0.624 acre-feet per year.

Source of Water Supply

The proposed water supply for Lot 1 is a new well to be constructed, and the proposed water supply for Lot 2 is an existing well constructed under well permit no. 146775 and re-permitted under permit no. 78911-F that is currently serving the existing residence.

Well permit no. 78911-F was issued pursuant to Section 37-91-137(2), C.R.S., for the change/expansion of use of an existing well constructed under permit no. 146775 on the condition that the well is operated in accordance with the plan for augmentation decreed in case no. 2002CW389. Permit no. 78911-F allows the use of the well for ordinary household purposes inside one single-family dwelling.

Well permit no. 78013-F was issued to construct a well on Lot 2 and has since expired due to lack of evidence of well construction and pump installation. The lot owner will need to obtain a new well permit for Lot 2 prior to construction and operation of a well for that lot. It is anticipated that



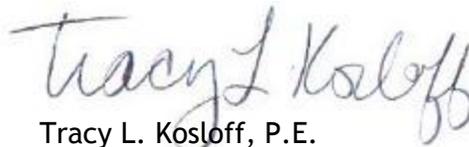
this office can issue a permit for a well to be operated in accordance with the plan for augmentation decreed in case no. 2002CW389. Based on the existing augmentation certificate, a new well permit could be issued for the withdrawal of up to 0.354 acre-feet of water per year for ordinary household use inside one single-family dwelling, the watering of up to four large domestic animals, and the filling of a 500-square-foot pond.

The applicant has confirmed that a well was not constructed under well permit no. 293876 and the permit has been expired.

State Engineer's Office Opinion

Based on the above, and pursuant to Section 30-28-136(1)(h)(I), C.R.S., it is our opinion that the proposed water supply can be provided without causing material injury to decreed water rights, and is adequate, so long as the plan for augmentation is operated according to its decreed terms and conditions. Note that paragraph 7 of the decree prohibits diversions from a participating well until such time as a valid well permit is issued pursuant to the decreed augmentation plan. If you or the applicant have any questions regarding this matter, please contact Sarah Brucker of this office for assistance.

Sincerely,



Tracy L. Kosloff, P.E.
Water Resource Engineer

Cc: Subdivision file no. 23557
Well permit file nos. 78013-F, 78911-F & 293876

TLK/srb: Iroquois Trail Subdivision (Jefferson)



Nathan Seymour

From: Bill Shaw [bshaw@coloradonaturalgas.com]
Sent: Tuesday, October 28, 2014 3:52 PM
To: Nathan Seymour
Subject: RE: 14-118664PF - Electronic Referral -33444 Iroquois Trail

This doesn't effect CNG at all. Mains are clear and there is only a service to the house. BS

From: Nathan Seymour [mailto:nseymour@co.jefferson.co.us]
Sent: Tuesday, October 28, 2014 2:47 PM
To: Bill Shaw
Subject: RE: 14-118664PF - Electronic Referral -33444 Iroquois Trail

Thank you

From: Bill Shaw [mailto:bshaw@coloradonaturalgas.com]
Sent: Tuesday, October 28, 2014 2:27 PM
To: Nathan Seymour
Subject: RE: 14-118664PF - Electronic Referral -33444 Iroquois Trail

Thanks Nathan,

I have forwarded this to my District Manager in the Pine Office.

He will get back to me shortly, but I don't anticipate any issues.

Thank you,

Bill Shaw
Colorado Natural Gas, Inc.

From: Nathan Seymour [mailto:nseymour@co.jefferson.co.us]
Sent: Tuesday, October 28, 2014 2:21 PM
To: Bill Shaw
Subject: FW: 14-118664PF - Electronic Referral -33444 Iroquois Trail

Bill,

I wanted to make sure you had a chance to look at this preliminary and final plat at 33444 Iroquois Trail. You can find the files by following the links below. I accidentally left you off on the 1st referral so please let me know at your earliest convenience if you have any concerns.

Thanks,

Nathan Seymour

Civil Planning Engineer
Jefferson County Planning & Zoning
100 Jefferson County Parkway, Suite 3550
Golden, Colorado 80419-3550
(303) 271-8751 FAX: (303) 271-8744



Brooks Kaufman
Lands and Rights of Way Director

October 14, 2014

Nathan Seymour
Jefferson County
Planning and Zoning Department
100 Jefferson County Parkway, Suite 3550
Golden, Colorado 80419-3550

Re: 33444 IROQUOIS TRAIL
Case No.: 14-118664PF

Dear Mr. Seymour:

The Association has reviewed the contents in the above-referenced referral response packet. We reviewed the project for maintaining our existing facilities, utility easements, electric loading, and service requirements. We are advising you of the following concerns and comments:

The Association has existing overhead electric facilities on the subject property. The Association will maintain these existing utility easements and facilities unless otherwise requested by the applicant to modify them under the Association's current extension policies.

The Association is requesting a fifteen-foot (15') wide easement for the existing overhead facilities that serve the existing home on the future Lot 1. Since the applicant is subdividing the existing 40 acres in to two lots, the Association is requesting the easement for the existing facilities. (**Attached easement document**) An addition note; the future Lot 1 will need to provide an easement for future Lot 2 to extend electrical facilities.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brooks Kaufman", with a long horizontal flourish extending to the right.

Brooks Kaufman
Lands and Rights-of-Way Director

INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION

5496 N. U.S. Highway 85, P.O. Drawer A / Sedalia, Colorado 80135

Telephone (720)733-5493

bkaufman@irea.coop



R \$21.00
D \$0.00

2015130085

12/08/2015 01:39:21 PM 3 Page(s)

JEFFERSON COUNTY, Colorado

21.00
QB

For IREA Use Only	
Section <u>6</u>	Township <u>7S</u>
Range <u>71W</u>	
W/O # _____	
Grid # _____	
IROQUOIS TRAIL LOT 1	

1-3

INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION
5496 North U.S. Highway 85, P.O. Drawer A
Sedalia, Colorado 80135
303-688-3100

GENERAL RIGHT-OF-WAY EASEMENT
(Overhead & Underground Combination Access)

KNOW ALL MEN BY THESE PRESENTS, that REBECCA SUSAN AND KEVIN DAVID SPROUL

Grantor, for a good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant unto THE INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION, a Colorado Corporation (hereinafter called the "Association"), whose address is 5496 North U.S. Highway 85, Sedalia, Colorado 80135, and to its successors or assigns, a right-of-way and easement 15 feet in width for the construction and continued operation, maintenance, inspection, repair, alteration, and replacement of an electric transmission and/or distribution line or system attached to poles or other supports, together with guys and other attachments, underground cables, wires, conduits, manholes, splicing boxes, testing terminals located on the surface or underground, and other attachments and incidental equipment and appurtenances upon, over, under, and across the following premises belonging to the said Grantor situated in the County of JEFFERSON and State of Colorado, and more particularly described as follows:

See attached Legal Description and Exhibit

Together with all rights of ingress and egress necessary for the full and complete use, occupation, and enjoyment of the easement hereby granted, and all rights and privileges incident thereto, including, for the installation and maintenance of said line, the right to cut, trim, and remove trees, brush, overhanging branches, shrubbery, and other obstruction that may interfere with or threaten to endanger the operation, maintenance, and repair of said line or system; to place location markers on the surface, on or beyond said right-of-way and easement for the said underground facilities, where appropriate; to license, permit, or otherwise agree to the joint use or occupancy of the line or system, whether overhead or underground, by any other person, association, or corporation for electrification or communication purposes; and to open and close any fences crossing said right-of-way and easement or, when agreed to by Grantor, to install gates and stiles in said fences; and together with the right to use that portion of the adjoining premises of Grantor during surveying, construction, maintenance, repair, removal or replacement of said utility lines and related fixtures and devices as may be required to permit the operation of standard utility construction or repair machinery. The work of installing and maintaining said lines and fixtures shall be done with care; the surface along the easement shall be restored substantially to its original level and condition.

The undersigned agrees that all poles, wires, and other facilities installed upon, over, under, or across the above described lands by the Association shall remain the property of and may be removed at the option of the Association.

Grantor for himself/herself, his/her heirs, executors, administrators, successors, and assigns, while reserving the right to use said strip of land for all purposes not inconsistent with the rights herein granted to said Association, hereby covenants that no structures shall be erected, or combustible material or property shall be permitted, on said strip, and that the said strip shall not be used in any manner which will interfere with or damage the facilities installed pursuant to this grant, or interfere with the maintenance, repair, and replacement of said facilities.

The undersigned covenants that he/she is the owner of the above-described lands and that the said lands are free and clear of encumbrances and liens of whatsoever character except the following:

2

EXHIBIT A

PITSKER AND ASSOCIATES

PROFESSIONAL LAND SURVEYORS

26689 Pleasant Park Road

Building A, Suite 200

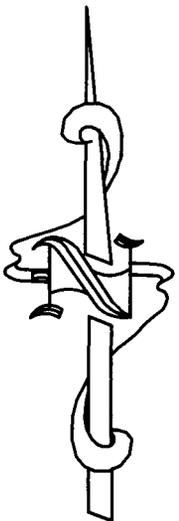
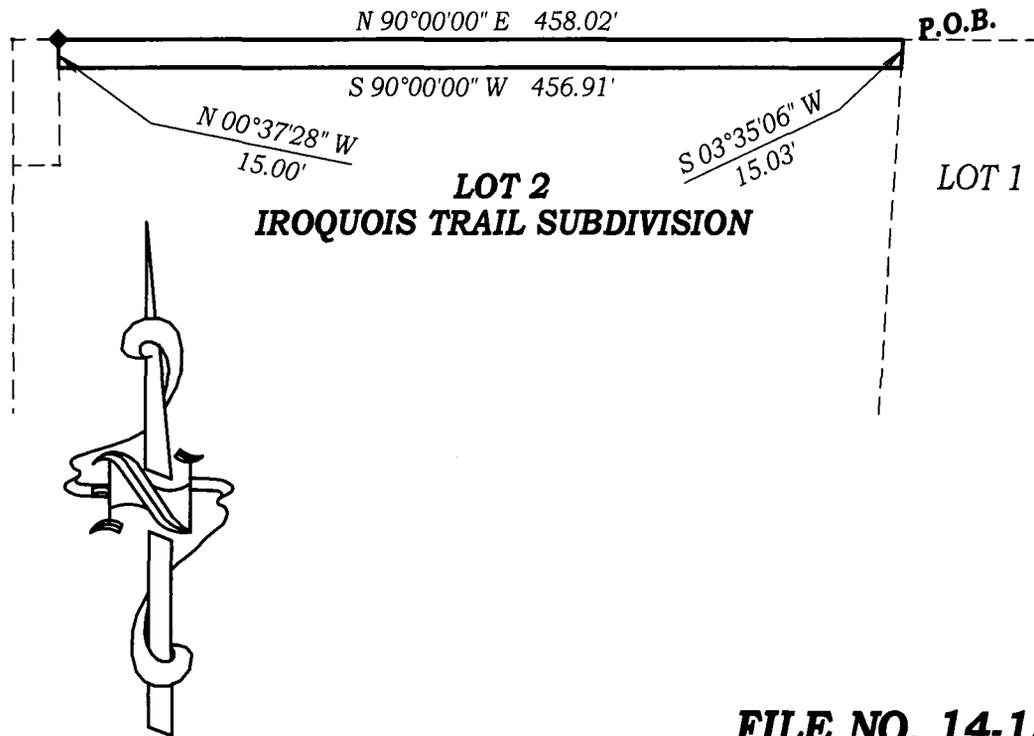
Conifer, Colorado 80433

PH (303) 674-6018 / FAX (303) 838-7174

FILE NO. 14-151
20 JANUARY, 2015
IREA EASEMENT

LEGAL DESCRIPTION

A PORTION OF LOT 2, IROQUOIS TRAIL SUBDIVISION, COUNTY OF JEFFERSON, STATE OF COLORADO, SAID PORTION OF LOT 2 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2, IROQUOIS TRAIL SUBDIVISION;
 THENCE SOUTH 03°35'06" WEST, ALONG THE EASTERLY LINE OF SAID LOT 2, A DISTANCE OF 15.03 FEET;
 THENCE SOUTH 90°00'00" WEST, A DISTANCE OF 456.91 FEET, MORE OR LESS, TO A POINT ON THE WESTERLY LINE OF SAID LOT 2;
 THENCE NORTH 00°37'28" WEST, ALONG THE WESTERLY LINE OF SAID LOT 2, A DISTANCE OF 15.00 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF SAID LOT 2;
 THENCE NORTH 90°00'00" EAST, ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 458.02 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.



SCALE 1" = 100'

FILE NO. 14-151
IREA EASEMENT

IN WITNESS WHEREOF, the undersigned have set their hands and seals this 2nd day of February, 2015.

In the presence of

Kevin David Sproul
Printed Name of Owner

[Signature]
Signature

STATE OF COLORADO)
County of Jefferson) ss.

Rebecca Susan Sproul
Signature

The foregoing instrument was acknowledged before me this 2 day of February, 2015, by
Kevin David Sproul + Rebecca Susan Sproul

Witness my hand and official seal.

JUDITH McCLURE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19974002574
MY COMMISSION EXPIRES 02/20/17

My Commission expires: 2/20/17
Judith McClure
Notary Public

Nathan Seymour

From: Kevin Sproul [ksproul1967@aol.com]
Sent: Friday, April 01, 2016 12:43 PM
To: Nathan Seymour
Subject: Fwd: Iroquoise tr subdivision

Begin forwarded message:

From: Kaufman Brooks <BKaufman@Irea.Coop>
Date: April 1, 2016 at 11:51:37 AM MDT
To: Kevin Sproul <ksproul1967@aol.com>
Subject: RE: Iroquoise tr subdivision

Kevin

Thank you for providing the recorded easement. Please make sure it is shown on the replat of the property. The Association has no further comments.

Respectfully

Brooks Kaufman
Lands and Rights-of-Way Director
Intermountain Rural Electric Association
5496 N U.S. Hwy 85
P.O. DRAWER A
Sedalia, CO 80135
Office (303) 688-3100 ext 5493
Direct (720) 733-5493
Fax (720) 733-5868
Cell (303) 912-0765
bkaufman@irea.coop

P please consider the environment before printing



From: Kevin Sproul [<mailto:ksproul1967@aol.com>]
Sent: Friday, April 01, 2016 11:43 AM
To: Kaufman Brooks
Subject: Iroquoise tr subdivision

Nathan Seymour

From: AutoMailer@jeffco.us
Sent: Friday, February 26, 2016 10:06 AM
To: Nathan Seymour
Cc: Regina Elsner
Subject: Agency Response

Address: 33444 Iroquois Trail
Case Number: 14 118664 PF
Review: Open Space
Review Results: Comments Sent (no further review)
Scheduled End Date: 03/03/2016
Signoff Date: 02/26/2016
Process Comments: JCOS has no comments or concerns on this referral.
Case Type: Preliminary - Final Plat: Single Family Detached
Reviewer: Regina Elsner
Case Description: To subdivide an existing 40 acre lot into one 10 acre and one 30 acre lot.

This Email has been automatically generated, do not reply to sender:
If you have any Review questions, contact Regina Elsner

If you have any technical questions contact tgagnon@jeffco.us

MEMO

TO: Nathan Seymour
Jefferson County Planning and Zoning Division

FROM: Tracy Volkman
Jefferson County Environmental Health Services Division

DATE: February 25, 2016

SUBJECT: Case #14-118664 PF
Randy Boyd
33444 Iroquois Trail

The applicant has met the public health requirements for the proposed platting of this property.

PROPOSAL SUMMARY

Plat to subdivide a 40 acre lot containing 1 residential home into one ten (10) acre lot and one thirty (30) acre lot

BACKGROUND

Jefferson County Public Health (JCPH) provided comments dated August 12, 2013 and October 20, 2014 regarding the platting process for this property.

COMMENTS

We have reviewed the documents for this proposed platting process and have the following comments:

The applicant must submit the following documents or take the following actions prior to a ruling on the proposed platting of this property. NOTE: Items marked with a “✓” indicate that the document has been submitted or action has been taken. **Please read entire document for requirements and information.** Please note additional documentation may be required.

✓	Date Reviewed	Required Documentation/Actions	Refer to Sections
✓	8-12-13	Submit a Proof of Water that demonstrates that the water source is legally available for the proposed development in accordance with the County Zoning Resolution and LDR Section 21.B.2.a (1) (b).	Water
	Did not complete Standard 5	Submit a completed Water Supply Report Summary Standards 4.a (2) through (4), 5 and 7.	Water

✓	Date Reviewed	Required Documentation/Actions	Refer to Sections
	and 7 and requested a waiver of Standard 7.		
✓	02-25-16	Submit a completed Water Supply Information Summary form.	Water
✓	02-25-16	Provide clarification to verify that well permit 293876 is the legal source of water for the existing single family residence on proposed Lot 1.	Well Permits
✓	10-10-14	Submit an Onsite Wastewater Report in accordance with LDR Section 22. B.2	Wastewater
✓	02-24-16	Submit a Sensory Impact Assessment in accordance with the LDR Section 26 and must be prepared by a qualified professional planner, certified industrial hygienist, or landscape architect or engineer, registered in the State of Colorado.	Sensory Impact
✓	10-06-14	Submit an Environmental Questionnaire and Disclosure Statement packet, in accordance with LDR Section 30, if applicable.	Environmental Site Assessment

WATER (Land Development Regulation (LDR) 21)

JCPH reviewed the well water supply report. The applicant did not provide information for Standard 5 and 7 of the Water Supply Report Summary and has requested a waiver requested a waiver for Standard 7 (well water supply report preparation and signature). We defer the waiver request decision to Planning and Zoning.

Based on our review of the water supply information provided by the applicant, we believe the applicant has demonstrated a legal and adequate supply of water for human health and sanitation. This Department advises all parties to note that the long-term dependability of any water supply in Colorado, be it surface water, ground water, or a combination of surface water and ground water, cannot be guaranteed. All ground water and surface water supplies are subject to fluctuations in precipitation. During periods of drought, it will be necessary to carefully manage all uses of water so that the basic water supply needs for human health can be met.

Our review of the information that was submitted revealed the following:

- Lab results for water quality parameters listed in LDR Section 21C were provided. Additional information regarding water quality is provided in the water quality section below.
- According to the Well Water Supply form completed by the applicant, the expected water requirement of the subdivision at full build-out will be 0.120 acre feet per year.
- Expected water requirements of the proposed subdivision at full build-out is based on the amount of water allowed under each well permit: Lot 1 per well permit 78013-F is limited to 0.354 acre feet per year. For additional details see well permit section below; Lot 2 per well permit 78911-F is limited to ordinary household purposes inside one single family

dwelling (Typical use per engineering studies is 280 gallons per day or 1/3 acre feet per year)

- Estimated consumptive use of water by the proposed subdivision is up to 0.120 acre feet per year. Augmentation Certificate Number 00054 certifies the holder is entitled to receive 0.120 acre feet per year of augmentation water. The augmentation certificate references well permit 291590 which has been replaced by well 78013-F for Lot 1. Augmentation Certificate Number 00071 certifies the holder is entitled to receive 0.27 acre feet per year of augmentation water. The augmentation certificate references well permit 146775 which has been cancelled and replaced by Well 78911-F.
- Water Supply Report Summary Standards 5 and 7 were blank.
- Water Supply Information Summary which is required for subdivisions of land was blank.
- A waiver request for the requirement for a Well Water Supply Report prepared and signed by a professional geologist qualified in the field of water resource engineering.
- Total Estimated Water Requirements for the subdivision is 24 gallons per day or 0.12 acre feet per year according to the Water Supply Summary form completed by the applicant.

Water Quality

Analytica Group and Water Test Wholesale provided copies of the groundwater sampling analyses that were conducted in 2014 from a representative well. We have reviewed the reports and find that all parameters were below the applicable maximum contamination standards.

Well Permits

A copy of well permit 78013-F issued by the Colorado Division of Water Resources (CDWR) on March 25, 2015 was provided as the legal potable water source for the proposed thirty (30) acre tract, proposed Lot 1. This well permit allows water to be used for household purposes inside one single-family dwelling, the watering of not more than four head of large domestic animals/livestock and the filling of a 500 square foot pond. The average annual amount of ground water to be appropriated shall not exceed 0.354 acre-feet. The issuance of this permit cancels well permit 291590. A totalizing flow meter must be installed on this well and maintained in good working order. A copy of the Headwater Authority of the South Platte ("HASP") Certificate Number: 00054 issued on January 31, 2014 was provided and allows 0.120 acre feet per year of water to be augmented/diverted. This HASP references Water Court Case 2002CW389 and lists Well 291590 (see Exhibit B.2 Well Permit) which has been cancelled and replaced by Well 78013-F.

A copy of well permit 78911-F issued March 19, 2015 by the CDWR was provided as the legal water supply source for proposed Lot 2 of 10.10 acres located at 33444 Iroquois Trail. This well is limited to ordinary household purposes inside one single family dwelling and shall not be used for irrigation or other purposes. The average annual amount of ground water to be appropriated shall not exceed 0.27 acre-feet. This permit cancels well permit 146775. The augmentation certificate number is 00071. A totalizing flow meter must be installed on this well and maintained in good working order. A copy of the Headwater Authority of the South Platte ("HASP") Certificate Number: 00071 issued on February 6, 2015 was provided and allows 0.029 acre feet per year of water to be augmented/diverted. This HASP references Water Court Case 2002CW389 and lists Well Permit# 146775 which has been cancelled and replaced by Well 78911-F.

Water Court Case 2002CW389 was submitted as proof that the applicant has a legal right to the water for the proposed lots.

Water Documents reviewed:

Water Supply Report Summary
 Waiver Request Letter dated December 5, 2015
 Water Supply Summary for the Iroquois Trail Subdivision
 Well permit 78911-F issued March 19, 2015
 Well permit 78013-F issued by the CDWR on March 25, 2014
 HASP Augmentation Certificate Number 00054 dated January 31, 2014
 HASP Augmentation Certificate Number 00071 issued on February 6, 2015
 Water Court Decree 2002CW389
 Supplemental Test Report for well 78911-F (formerly well 146775)
 Well Completion and Pump Installation Report Permit Number 78911-F (formerly well 78911-F)
 Water Well Permit Application dated March 2, 2015
 Laboratory Results by the Analytica Group dated November 6, 2014
 Laboratory Results by Water Test Wholesale dated April 1, 2014

WASTEWATER (LDR 22)

An Onsite Wastewater Report (Form 6001) as described in Section 22 B of the LDR was not submitted to this Department for review as requested. However, an Onsite Wastewater Treatment System and Subsurface Investigation report dated March 7, 2014 prepared by Eastbound and Westbound Environmental Consulting Project # 2014008 was submitted for review. This report will satisfy this Department's request for the Onsite Wastewater Report. The proposed lots will meet this Department's minimum lot size requirement of five acres for the development with individual wells and onsite wastewater treatment systems. At the time of development of the proposed thirty (30) acre lot, an onsite wastewater treatment system permit must be obtained from JCPH and must comply with the Onsite Wastewater Treatment System Regulation of Jefferson County.

This Department has records of an existing individual sewage disposal system that was installed in 1991 to serve a 4-bedroom single family dwelling at 33444 Iroquois Trail (Permit 13727, Folder 04-102923 Old OW).

SENSORY IMPACT ASSESSMENT (LDR 26)

This Department has reviewed the Sensory Impact Report dated December 2, 2014. This report complies with requirements set forth in Section 26 of the Jefferson County Land Development Regulation.

The Colorado Revised Statutes (Sections 25-12-101 through 108) stipulate that maximum residential noise levels must comply with the following 25 feet from the property line:

- 55dB(A) between 7:00 a.m. and 7:00 p.m.
- 50dB(A) at all other times.

ENVIRONMENTAL SITE ASSESSMENT (LDR 30)

This Department has reviewed the Environmental Questionnaire and Disclosure Statement dated May 2, 2014. The applicant checked "No" on all categories of environmental concern on the cover sheet. From this information it does not appear that any environmental factors exist which would negatively impact the property.

AIR

Regulation No. 1 of the Colorado Air Quality Control Commission may require the developer to obtain a fugitive dust permit from the Colorado Department of Public Health and Environment, Air Quality Division and use the best available control technology (BACT) to mitigate dust problems during demolition, land clearing and construction activities on Tract B. This department will investigate any reports of fugitive dust emissions from the project site. If confirmed, a notice of violation will be issued with appropriate enforcement action taken by the State. Contact John Moody at 303.271.5714 or Dave Volkel at 303.271.5730 for more information on this process.

The Colorado Department of Public Health and Environment, Air Quality Control Commission Regulation No. 8, Part B, Asbestos Control requires that all buildings that are going to be remodeled, renovated, and or demolished must have a full inspection by a current Colorado-certified asbestos building inspector before conducting any work and must obtain a Demolition Permit. Based on the results of the inspection, if asbestos is detected, the applicant must obtain an Asbestos Abatement Permit from the Asbestos Section at the Colorado Department of Public Health and the Environment (303.692.3100). All building materials that will be impacted that contain asbestos that is friable or will become friable during the remodel, renovation, or demolition in quantities over the volume of a 55-gallon drum must be removed prior to any work. The asbestos removal must be done by a certified asbestos removal contractor (General Abatement Contractor) using trained and certified asbestos abatement workers prior to demolition.

Please contact John Moody at 303.271.5714 or Dave Volkel at 303.271.5730 for more information about this process.

NOISE

The Colorado Revised Statutes (Sections 25-12-101 through 108) stipulate that maximum residential noise levels must comply with the following 25 feet from the property line:

- 55dB(A) between 7:00 a.m. and 7:00 p.m.
- 50dB(A) at all other times.

RADON

It is highly recommended to design all new dwelling units in Jefferson County with radon resistant construction according to the Environmental Protection Agencies Model Standards and Techniques for Control of Radon in New Residential Buildings, March 1994.

Nathan Seymour

From: Cory Day
Sent: Monday, September 29, 2014 2:32 PM
To: Nathan Seymour
Subject: RE: 14-118664PF - Electronic Referral

Jefferson County Road and Bridge has no questions or concerns for this case. This parcel of land is well beyond our maintenance boundaries and apparently will have little or no impact to maintained roads.



Cory Day | Supervisor Senior

Jefferson County Colorado | Road & Bridge, District IV
13008 Parker Ave, Pine, CO 80470
Work: 303-271-5243 Fax: 303-838-7273
Email: cday@jeffco.us | www.jeffco.us

From: Kristi Anderson
Sent: Monday, September 29, 2014 10:05 AM
To: Mike Schuster; Bev Evans; Patricia Romero; Ed Wieland; Pat OConnell; Tracy R. Volkman; Megan Deffner; Dennis Dempsey; Alicia Doran; Lindsay Townsend; Kathy Sewolt; Cory Day
Cc: Jeremy Cohen; Kay Taylor; Ben Hasten; Craig Sanders; Nancy York; Patricia Krmpotich; Charles Barthel; Nathan Seymour; Aaron McLean
Subject: 14-118664PF - Electronic Referral

ELECTRONIC REFERRAL

JEFFERSON COUNTY, COLORADO

Documents related to a Preliminary and Final Plat have been submitted to Jefferson County Planning and Zoning. This case is now beginning the 1st Referral part of the process. Please review the specific electronic documents related to the 1st Referral found [here](#). Comments on the Preliminary and Final Plat should be submitted electronically to the case manager by the due date below.

Case Number: 14-118664PF
Case Name: 33444 Iroquois Trail
Address: 33444 Iroquois Trail
General Location: North of State Hwy 285, near the intersection of Iroquois Trail and Peaceful Way
Case Type: Preliminary and Final Plat
Type of Application: To subdivide a 40 acre lot containing 1 residential home into one 10 acre lot and one 30 acre lot.
Comments Due: **Monday October 20, 2014**
Case Manager: Nathan Seymour
Case Manager Contact Information: nseymour@jeffco.us 303.271.8751

The entire case file for this application can be viewed [here](#).



Jefferson County, Colorado
Transportation & Engineering Division

100 Jefferson County Parkway, Suite 3500, Golden, Colorado 80419-3500
☎ 303.271.8459 • Fax 303.271.8490 • <http://jeffco.us/highways>

P&Z REFERRAL T&E RESPONSE

To: From:

Case #: Due Date:

Property Address or PIN:

- Amanda Attempt Result & Attachments:**
- Comments Sent = T&E wants 2nd referral
 - Complete = Do Not send further referrals
 - No Comments = Do Not send further referrals
 - Additional information, plans, etc are also attached in Amanda

Drainage

T&E is currently working on a project in the area. See attached information.

Other Notes:

No Concerns

Right-of-Way / Roadway Corridor Expansion Projects

Land owner will need to refund County \$ for ROW purchased in for

This amount **must** be paid before plat is recorded and/or plans are approved and released for construction.

Documentation attached in Amanda Documentation to follow

Additional ROW needed for upcoming T&E project. Plan sheet attached with required width/area.

Fee-in-lieu of adjacent roadway construction preferred, due to planned construction by the County. Please have the applicant submit a cost estimate.

Other Notes:

No Concerns

Traffic Operations / Transportation Planning

	Included in referral	Reviewed		Comments
		No	Yes	
Traffic study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
Signage & striping plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Signal plans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Trails or sidewalks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Street road plans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> No Concerns				

Additional Comments

Comments

Name



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3660
donna.l.george@xcelenergy.com

September 30, 2014

Jefferson County Planning and Zoning Division
100 Jefferson County Parkway, Suite 3550
Golden, CO 80419-3550

Attn: Nathan Seymour

Re: 33444 Iroquois Trail, Case # 14-118664PF

Public Service Company of Colorado (PSCo) has reviewed the subdivision plat for **33444 Iroquois Trail** and has **no apparent conflict**. This development is outside Xcel Energy's service territory.

If you have any questions about this referral response, please contact me at (303) 571-3306.

Donna George
Contract Right of Way Referral Processor
Public Service Company of Colorado

JOHN J. VIERTHALER

ATTORNEY AT LAW

U.S. BANK BUILDING
8441 WEST BOWLES AVENUE, SUITE 240
LITTLETON, COLORADO 80123

(303) 972-4448

ADMITTED IN COLORADO
AND PENNSYLVANIA

TOLL FREE
1-888-972-4448

FACSIMILE
(303) 978-0621

E-MAIL
JJVLAW@CONCENTRIC.NET

October 28, 2014

Mr. Nathan Seymour
Case Manager
Jefferson County
Planning and Zoning Division
100 Jefferson County Parkway, #3550
Golden, CO 80419-3550

RE: **Application of Rebecca and Kevin Sproul**
Case # 14-103347AR
33444 Iroquois Trail

Dear Mr. Seymour:

Beverly and Bruce Kroeker who are users of the easement in question, have asked that I review the above referenced Application. After review of the same I would report as follows:

The easement granting deeds are:

1. Overholt, Lundy, Moberg (Reception No. 84054481);
2. Lundy, Moberg (Reception No. 84054480); and
3. Senter (Reception No. 84100505).

Most applicable and of particular interest, is the description of the area then owned by Overholt, which was served by the easement in question. That area is described in each of the three easement granting deeds as a rectangular parcel being 695.13 feet by 483.61 feet by 695.00 feet and 470.02 feet. Each of the granting deeds above referenced contain an allowance of the served properties being further subdivided “..

Mr. Nathan Seymour
October 28, 2014
Page Two

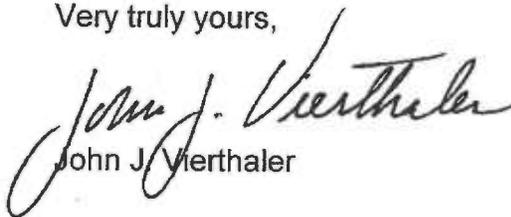
but so long as the improvements fall within the below described boundaries ..." (for example, the rectangular Overholt parcel as above described in the case in question). It is this rectangular parcel which now lies in the area sought by the Applicants to be further subdivided.

The present parcels owned by the Applicants do not constitute a further subdivision where improvements fall within the rectangular Overholt parcel. It should be noted that the purpose of the granted access to the rectangular Overholt parcel was for the purpose of training horses in a corral which was so used by Overholt. This corral area can be seen on an ariel photo to be supplied. Please note that Overholt was the Grantor to Black, who is the Grantor to the Applicants. The conveyance to Applicants contained no conveyances of easements other than Iroquois Trail. Furthermore, at no time was the easement access to Overholt ever used as ingress and egress to a dwelling structure.

I would like to point out the current easement owners have spent substantial sums of moneys in maintenance and upgrading of the subject easement. It would be inequitable to impose a further burden on this easement by permitting the Applicants' use of the easement when no further use was intended by the Grantors thereof. As such and for the foregoing reason, my clients oppose the subject Application.

I am available at any time should you wish to further review the applicable deeds, maps and photographs pertaining to the subject Application.

Very truly yours,



John J. Vierthaler

JJV/lh

C: Beverly and Bruce Kroeker

Nathan Seymour

From: Kevin Enneking [kenneking@generalair.com]
Sent: Tuesday, October 07, 2014 1:26 PM
To: Nathan Seymour
Subject: case 14-118664pf

Received your card in the mail. I am the owner of 13435 s hwy 285, According to my records when I purchased that property the road easement is only for four lots. This is a private road, not county maintained. Let me ask this question, if he thinks that he has access thru my property for his property then I MUST HAVE access to my place from his land? Correct? It cant just work one way. This driveway has a slope greater than 20%, EXTREMELY TRECHEROUS , I should know I plow it. Sure would be nice to drive across his level lot over to my place when it snows. In fact I believe the county would not approve this driveway plan today if it was submitted. Look, he can subdivide all he wants, but he needs to use his own right of way from his property. I have read notes from the file and of the ones I read nobody has been out to inspect the property, have you?

In the interest of safety , road erosion , dust and dirt , environmental damage , increased wear and tear on the environment, this issue needs to be discussed at length. Please contact me 720 341 9434.

Kevin Enneking

Nathan Seymour

From: Curt Gruchow [3labdoc@gmail.com]
Sent: Tuesday, May 10, 2016 9:55 AM
To: Nathan Seymour
Subject: 33444 Iroquois Trail Case # 16-108302WR

Mr. Seymour:

In researching past documents pertaining to this property's requests, I am concerned that my adjacent property at 13545 S US Highway 285 has never been notified by the county of pending variances, agreements, and waivers until the recent postcard.

Having performed additional research, in a letter dated March 24, 2014, from Cartographic Supervisor, Mike Greer, found in the county records search, he lists five properties (including Sprouls) with access through the 285 private access road. This is **incorrect** information. Ours is the 3rd property on the road with access, directly south of Sprouls, and any access by Sprouls and those property sections at higher altitude, must access through an easement on the NE corner of our property. The total properties with access to this private drive is, therefore, six. As the holder of the original Overholt easement, it was and is still in existence to grant us access to this NE section of our property.

Further research reveals a "legal agreement" in which the five other properties discuss and agreed on access and maintenance of the roadway. This agreement is invalid as our interest in the access and easements has not been represented.

At this time, further access has **not been requested nor granted through that easement**, nor has permission for county control, easement, or maintenance being granted.

For this reason and others previously discussed, we are opposing the waiver request and ongoing construction on Lot 1 of the proposed subdivision of 33444 Iroquois Trail. We look forward to talking to you tomorrow in greater detail.

Curtis Ronald Gruchow
Wendy Jo Gruchow

Nathan Seymour

From: Wendy Gruchow [wgruchow@gmail.com]
Sent: Friday, May 06, 2016 9:09 AM
To: Nathan Seymour
Subject: RE: Case Number 16-108302WR Case Name 33444 Iroquois Trail

Mr. Seymour,

I am submitting this letter per your instructions. Thank you for returning my call and for our conversation.

I am writing to express my opposition to the waiver request for:
Case # 16-108302WR Case Name 33444 Iroquois Trail
Pine, CO 80470

My property shares a significant border to the property in question. I have multiple concerns with the waiver request.

One of the paramount concerns is the fire danger posed to all of the property owners in the vicinity. Residents of mountain communities know the inherent danger and great responsibility one must take with regard to fire. Adding an additional structure to an area with already limited access on a narrow, poorly maintained drive, that is often unnavigable during winter months, increases this risk for all. Granting a county easement does not mean this drive will be county maintained. Therefore it would be traveled by more cars and likely left in even more disrepair.

More importantly, Mr. Sproul himself, the individual requesting the waiver, has set multiple, illegal, **fires** on the property, which the Elk Creek fire department had to respond to through my property, in order to extinguish. Mr. Sproul's blatant and unlawful disregard for all of the neighbors is evident. Putting a cistern on the property does nothing to prevent the man from exhibiting his already established behavior. The fact that he has served on a fire department makes this even more deplorable!

One of the requirements to develop the property is the installation of a cistern. However, I also understand the cistern is the sole responsibility of the property owner, and not that of the fire department. Mr. Sproul's history gives no indication of regard for fire danger, thus upkeep, maintenance, or care of the cistern is not guaranteed, able to be monitored, or likely to be enforced.

The second concern pertains to the well permit. I have water rights and adjudicated springs on my property. Currently I have adequate water. However, I have not seen the study by the water company and the potential impact that an additional well in such close proximity to mine could cause. I am not doubting the company found water, but I am concerned that an additional well would have significant impact on surrounding wells, especially those *downstream*.

A third concern is, in November, Mr. Sproul stated he contacted, by registered mail, those parties who have property access off the 285 access road. An easement through my property ENABLES those parties and grants me access, however I did NOT receive such a letter. Mr. Sproul has given the county incorrect information.

The Jefferson County postcard, delivered the first week of May, is the first notification of ANY sort I have received.

I would request no waiver be granted.

At the very least, further study is necessary by the county in regard to this waiver request, especially now that you have been made aware of Mr. Sproul's activity that endangers all surrounding property in such a beautiful tinderbox.

Thank you,

Wendy Gruchow
13545 US Highway 285
Pine, CO 80470
wgruchow@gmail.com
303-817-9281

Nathan Seymour

From: Curt Gruchow [3labdoc@gmail.com]
Sent: Wednesday, June 15, 2016 4:05 PM
To: Nathan Seymour
Subject: 33444 Iroquois Replat and Waiver

Mr. Seymour,

Thank you for your follow-up. At this time, we will decline the proposed meeting with the Sproul's, concerning the replat and waiver request at 33444 Iroquois Trail. The proposed meeting would be unnecessary, as our position has been made clear on this issue. To restate, the current Plat proposal isolates nearly all of the proposed "Lot 1" without legal and emergency access. The only access is via a private road which was never intended for the use it is currently getting and the proposed Plat will make a bad situation worse.

The Plat, as currently proposed, would actually encourage use of an Easement through our property in an illegal manner. Access to about twenty-seven acres of the proposed "Lot 1" can only be gained illegally across an easement which was never intended for such purpose. That use would most likely escalate over time, to other areas, as the lot's boundaries are extended. Approximately 3 acres of legal access would therefore be extended to 30.

The emergency access easement waiver and proposed cistern will not improve fire department access to any new or existing structures and further subdivision of the Iroquois property could actually limit emergency access with additional fences and property owners.

Jefferson County should reject the Plat as currently proposed because it lacks legal and adequate emergency access.

Thank you for attention to the details of this matter.

Curt and Wendy Gruchow

Nathan Seymour

From: John Wolforth
Sent: Sunday, August 07, 2016 1:09 PM
To: Nathan Seymour
Cc: Charles Barthel; Mike Schuster; Kourtney Hartmann; Eric Butler
Subject: Fwd: Case # 14-118664PF, 33616 Mohican Trail subdivision

Begin forwarded message:

From: Jeanie Rossillon <jrossill@co.jefferson.co.us>
Date: August 6, 2016 at 6:20:16 AM MDT
To: commish3 <commish3@co.jefferson.co.us>
Cc: John Wolforth <jwolfort@co.jefferson.co.us>
Subject: RE: Case # 14-118664PF, 33616 Mohican Trail subdivision

Good Morning Commissioner Rosier,
As Mr. Gruchow notes, this land use case is on your land use agenda on August 23rd, This email will be placed in the case file.

I will also notify the other commissioners that Mr. Gruchow plans to speak about the case during public comment on Tuesday.

Jeanie

From: commish3
Sent: Friday, August 05, 2016 7:57 PM
To: John Wolforth; Jeanie Rossillon
Subject: Fwd: Case # 14-118664PF, 33616 Mohican Trail subdivision

DONALD ROSIER, P.E.
Jefferson County Commissioner
Sent via my mobile office.

----- Original message -----

From: Curt Gruchow <3labdoc@gmail.com>
Date: 8/5/16 7:11 PM (GMT-07:00)
To: commish3 <commish3@co.jefferson.co.us>
Cc: Wendy Gruchow <wgruchow@gmail.com>
Subject: Case # 14-118664PF, 33616 Mohican Trail subdivision

Mr. Rosier,

I reside, with my wife and 2 children, in District 3 of unincorporated Jefferson County in the mountain community of Pine Junction, and have owned my house and property in the District since 1995.

I am writing to you, the County Commissioner representing my district, to inform you that I plan to attend the Board of County Commissioners meeting next Tuesday, August 9th at 8:00 a.m. I will speak during the public comment time of the meeting. At that time, I will also provide the Board with written documentation. I realize I do not need to be on the agenda prior to speaking, but I would like to give you some background on my topic before that day.

The case, which will be heard before the Board of County Commissioners on August 23, 2016, pertains to a 40 acre, privately owned, A-2 parcel that is in the process of a proposed plat for subdivision into a 10 acre parcel and a 30 acre parcel.

I will be addressing the legal access to the property. One of the first steps to the pre-application process, is for planning and zoning to confirm LEGAL access to all resulting lots in order for the formal application to be submitted. Yet, this application has proceeded in spite of the lack of evidence of this legal access. This is why I am addressing you. I am in objection to this plat and subdivision due to the lack of legal access to the ENTIRETY of the property.

The property is somewhat unique in that all legal access is entirely through private easements. The property was formed by a combination of two adjacent properties with 2 differing access points, one on the east side and one on the west side. According to the private easement documents, legal descriptions and acreage are set for the areas that may be accessed. During the Planning and Zoning Commission hearing on July 27th, I presented evidence concerning the eastern easements. The commission's lawyer, Eric Butler, specifically questioned "whether staff directly addressed whether access from the east provides access to the entirety of (the proposed) Lot 1". It was the opinion of Planning and Zoning staff (confirmed by case manager Nathan Seymour of Planning and Zoning) that this access was to a limited area, approximately 4.2 acres of the proposed 30 acre subdivision. This set a critical precedent pertaining to this case.

The wording of easements for the western access, almost identical in verbiage but differing in legal description to the eastern easements, again gives specific legal descriptions of the property to be accessed and lists this as 10.003 acres. Because the precedent set by the Planning and Zoning Commission acknowledges access to ONLY 4 acres from the east, it follows, that legal access has only been granted to 10 acres from the west. The remaining 26 acres has no verifiable legal access and, therefore, cannot be subdivided according to C.R.S. 30-28133.1. The suggested personal easement does not solve this legal access conundrum.

I am quite aware of the problem that this information presents for the Planning and Zoning department and the dilemma that is presented to the applicant. But, as the Planning and Zoning Commission chairman stated at the end of the July hearing, "from our counsel's advise, we're restricted to determine whether or not the two replatted areas have legal access." The precedent set by the decision concerning the eastern easements applies equally to the western easements; this is something that has not been addressed.

Thank you in advance for looking into this case, viewing my upcoming documents and hearing my testimony.

Sincerely,

Curt Gruchow

Case #14-118664PF, 33616 Mohican Trail

I address you today on a case that will be heard by this Board on August 23rd. The case involves a 40 acre, A-2 parcel that is in the process of a proposed plat for subdivision into a 10 acre parcel and a 30 acre parcel. It appears this parcel lacks legal access to allow subdivision.

My property shares nearly a half mile of property line with the proposed subdivision. My property has been crossed for emergency firefighting access to proposed Lot 1 of the subdivision, so I continue to be concerned about its limited Legal and Emergency access.

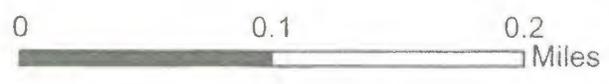
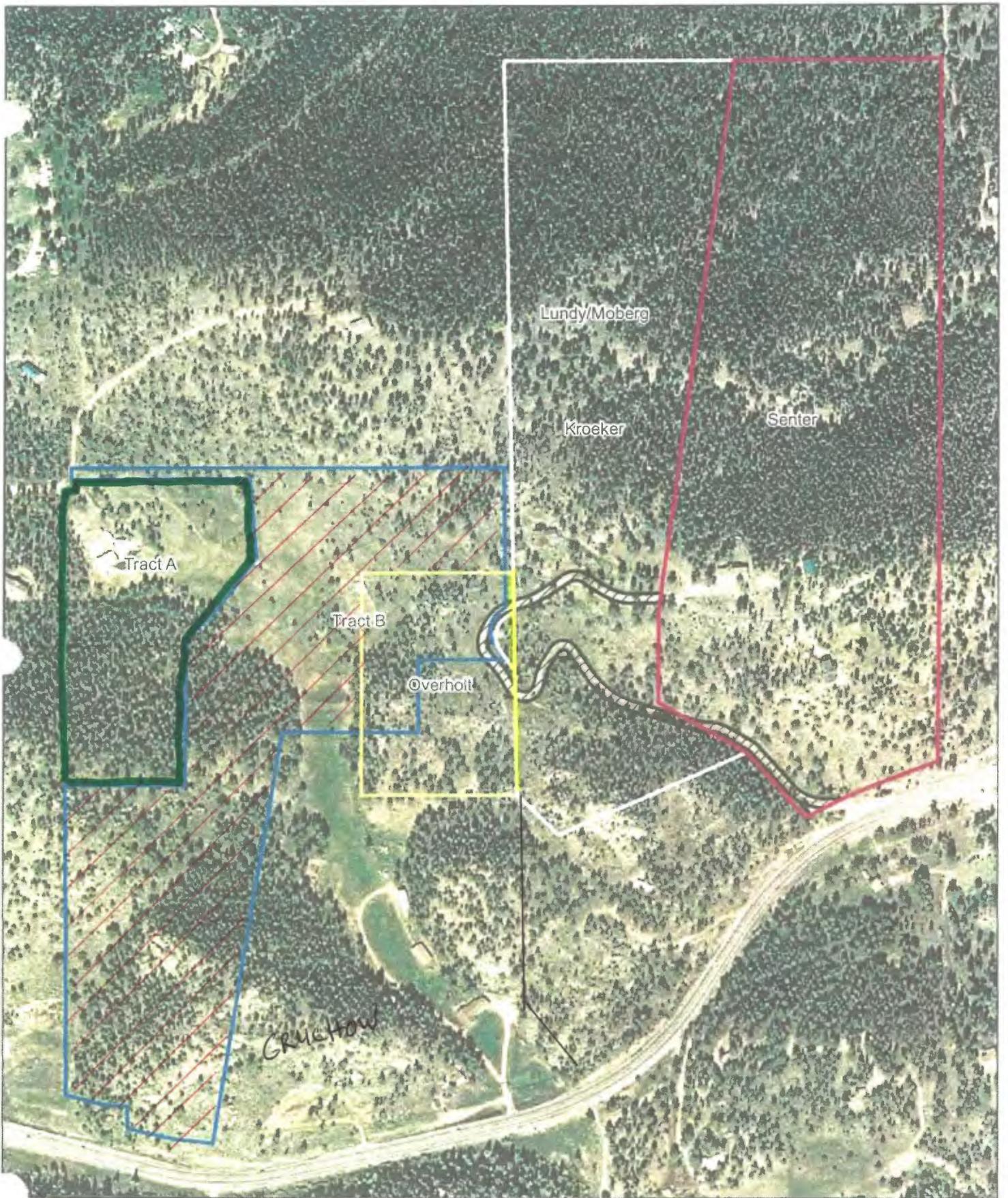
I have provided pertinent documents. This property is unique in that ALL legal access is through private easements. The property was formed by a combination of two adjacent properties with two different access points, one on the east and one on the west. The private easement documents set legal descriptions and acreage for the areas that may be accessed. Based on this information, it is apparent that legal access is only available to approximately 14 of the 40 acres involved in this proposed subdivision. The remaining central 26 acres have NO documented LEGAL access.

During the Planning and Zoning Commission meeting on July 27th, I disputed legal access from the eastern easements. The Planning and Zoning department repeatedly stated, "we believe the applicant has legal access." Only after direct questioning from the Commissioners' attorney, Eric Butler, in which he asked this specific question, "... whether staff directly addressed whether access from the east provides access to the entirety of (the proposed) Lot 1" was the rest of the information given. It was then confirmed by Planning and Zoning case manager Nathan Seymour, that this access was to a limited area, approximately five acres of the proposed 30 acre lot. This set a critical precedent for this case.

I have evaluated western access and easements. The nature is similar to the eastern easements. They give specific legal descriptions of the property to be accessed and list it as 10.003 acres. The very specific and paramount question that follows for the Planning and Zoning department is "Did staff directly address if access from the west provides legal access to the ENTIRETY of all 40 acres of 33616 Mohican Trail?"

If it does not, the proposed subdivision cannot meet the requirement of C.R.S. 30-28133.1 which states: No person may submit an application for subdivision approval to a local authority unless the subdivision plan or plat provides that all lots and parcels created by the subdivision will have access to the state highway system in conformance with the state highway access code. I, therefore, petition the Board of County Commissioners to decline this proposed plat.

Curt Gruchow
August 9, 2016



-  Iroquois Legal Access
-  Red Sparrow Legal Access
-  No Identified Legal Access

DEED OF ROAD EASEMENT

900

STATE OF COLORADO)
) KNOW ALL MEN BY THESE PRESENTS
COUNTY OF JEFFERSON)

1-3

THAT Richard Matthew Murphy, 3167 E. Long Circle So., Denver, Colorado 80122, hereinafter referred to as Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, hereby GRANTS, BARGAINS, SELLS AND CONVEYS to Dolores Overholt, 13545 S Hwy 285, Pine, Colorado 80470, hereinafter referred to as Grantee, and to her heirs, personal representatives, successors and assigns, a non-exclusive perpetual easement for road access on, over and across the land described and referred to in an instrument captioned Legal Description of Road Easement and in a Map, all recorded May 14, 1984 as Reception No. 84044532 of the records of the Clerk and Recorder of Jefferson County, Colorado, insofar as said easement lies on, over and/or across the real property owned by Grantor in the W/2NW/4 of Section 6, Township 7 South, Range 71 West, of the 6th P.M., Jefferson County, Colorado, which property is more specifically described on Exhibit "A" attached hereto and made a part hereof, together with all rights and privileges as are necessary or incidental to the reasonable and proper use of such easement.

The easement granted herein is for the purpose of providing Grantee, her guests, invitees, successors and/or assigns, ingress and egress to and from the following described property presently owned by Grantee in Jefferson County, Colorado, to wit:

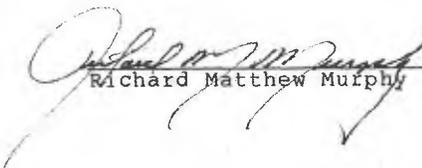
A tract of land situated in the E/2NW/4 of Section 6, Township 7 South, Range 71 West., of the 6th P.M., Jefferson County, Colorado, more particularly described as follows:

Beginning at the southwest corner of the NE/4NW/4 as established by Joseph K. Ficklin, Jr., (L.S. #5274); Thence n 89°05' 37" E, 25.00 Ft.; Thence N 0°30' 11" W, 31.59 Ft.; Thence East, 546.79 Ft.; Thence S 4° 54'37" E, 245.09 Ft.; Thence S 36° 41'40" W, 211.47 Ft.; Thence S 48° 41'10" W, 120.77 Ft., Thence South 465.90 Ft., Thence West, 367.27 Ft. to the west line of the said E/2NW/4 of said section 6; Thence N 0°30'11" W, 927.44 to the point of beginning, containing 10.003 acres more or less.

Said easement is for the benefit of and appurtenant to Grantee's above described real property.

Said easement shall constitute a covenant running with all of the above described land and shall be binding upon Grantor's heirs, personal representatives, successors and assigns.

IN WITNESS WHEREOF, this instrument is executed this 3rd day of August, 1987.


Richard Matthew Murphy

STATE DOCUMENTARY FEE
\$10.00
OCT 30 1987

Green
Legal
Box
Description

EXHIBIT A

Attached to that certain Deed of Road Easement
from Richard Matthew Murphy, as Grantor, to
Dolores E. Overholt, as Grantee.

3

Township 7 South, Range 71 West of the 6th P.M.
Section 6: E/2SE/4NW/4NW/4
Jefferson County, Colorado

Exhibit "A" to Deed dated June 29, 1983 concerning an easement for roadway, Donald M. Overholt, William N. Lundy, Sr. and Kris I. Moberg, to owners of properties described below:

The easements are for the use of owners of properties served by the road, which properties are described below. The properties may be further divided, but so long as the improvements fall within the below described boundaries, the road shall serve them. All properties described below are in Jefferson County, Colorado.

A tract of land lying in the North 1/2 of Section 6, Township 7 South, Range 71 West, 6th P.M., Jefferson County, Colorado

described as:

Beginning at the North 1/4 corner of Section 6, Township 7 South, Range 71 West, 6 Thence South 1°07'15" East along the North-South centerline of said Section 6 a distance of 1602.01 feet to Northeast corner of said Tract, which is the TRUE POINT OF BEGINNING THENCE continuing South 1°07'15" East along the North-South centerline a distance 695.13 feet, THENCE Due West a distance of 483.61 feet, THENCE Due North a distance 695.00 feet, THENCE Due East a distance of 470.02 feet to the TRUE POINT OF BEGINNING

Part of the North 1/2 of Section 6, Township 7 South, Range 71 West of the 6th P.M., Jefferson County, Colorado more particularly described as follows:

BEGINNING at the North 1/4 corner of said Section 6; thence North 89° 44'23" East along the North line of the Northeast 1/4 of said Section 6, 714.91 feet; thence South 07° 43'34" West, 1,733.99 feet; thence due South 290.00 feet; thence South 60° 29'43" East, 317.00 feet; thence South 65° 53'53" West, 637.13 feet; thence North 46° 28'08" West, 180.91 feet to the North-South centerline of said Section 6; thence North 01° 07'15" West along said centerline, 389.27 feet; thence North 35° 37'15" West, 80.62 feet to the point of curvature of a circular curve of radius 72.27 feet; thence right along the arc of said circular curve, bearing right, 113.52 feet to the point of tangency of said curve the chord of which bears North 09° 22'45" East, 102.21 feet; thence North 54° 22'45" East, 32.82 feet to the North-South centerline of said Section; thence North 01° 07'15" West along said centerline, 1,722.35 feet, more or less, to the POINT OF BEGINNING.

A tract of land situated in the W1/4 of the NE1/4 of Section 6, Township 7 South, Range 71 West of the 6th P.M., which tract lies on the Northwestern side of U. S. Highway #285 and is more particularly described as follows:

BEGINNING at the Northeast corner of said W1/4 NE1/4; thence along the East line of said W1/4 NE1/4, S0°12'14"W, 2195.93 feet, more or less, to said Northwestern right-of-way line; thence Southwesterly along the said Northwestern right-of-way line the following courses and distances:
1. S69°45'35"W, 199.66 feet;
2. thence 127.32 feet along the arc of a circular curve to the left having a radius of 1191.59 feet, a central angle of 6°07'30" and the chord of which bears S66°41'50"W, 127.32 feet;
3. thence 123.69 feet along the arc of a circular curve to the left having a radius of 918.6 feet, a central angle of 7°42'54" and the chord of which bears S62°48'42"W, 123.60 feet;
thence leaving said right-of-way and proceeding N42°09'43"W, 275.90 feet;
thence N60°29'43"W, 317.00 feet;
thence due North 290.00 feet;
thence N7°43'34"E, 1733.99 feet to the North line of said W1/4 NE1/4;
thence N89°44'23"E, 650.00 feet to the POINT OF BEGINNING.

RECEPTION NO. 84054481
06/13/84 08:30 6.00
RECORDED IN
COUNTY OF JEFFERSON
STATE OF COLORADO

(Overholt)

(LUNDY/H. CENTER)

(Beneficial & CENTER)

2

9

Yellow Box
Legal Description

Recorded at _____ o'clock _____ M.,
Reception No. _____

RECEPTION NO. 84054481
06/13/84 08:30 6.00
RECORDED IN
COUNTY OF JEFFERSON
STATE OF COLORADO

State Documentary Fee
to be Collected
JUN 12 1984

THIS DEED, Made this 29th day of June, 1983.

between Donald M. Overholt, William N. Lundy, Sr., and Kris I. Moberg

of the --- County of Jefferson and state of
Colorado, of the first part, and the owners, guests, heirs and assigns of the properties
described in Exhibit "A"

whose legal address is % ERA Evergreen Real Estate, 4610 S. Highway 73, Evergreen 80439

of the --- County of Jefferson and state of
Colorado, of the second part.

WITNESSETH That the said parties of the first part, for and in consideration of the sum of
TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS
to the said parties of the first part in hand paid by the said parties of the second part, the receipt whereof
is hereby confessed and acknowledged, have remised, released, sold, conveyed and QUIT CLAIMED, and by these
presents do remise, release, sell, convey and QUIT CLAIM unto the said parties of the second part, their heirs,
successors and assigns, forever, all the right, title, interest, claim and demand which the said parties of the first part
have in and to the following described lot or parcel of land, situate, lying and being in the --- County
of Jefferson and State of Colorado, to wit:

An easement for roadway, ~~44 feet~~ ^{thirty} feet wide, situate in the SE 1/4 NW 1/4 of
Section 6, Township 7 South, Range 71 West of the 6th P.M., being
15 feet on each side of the following described centerline:
Beginning at the North Quarter corner of said Section 6; thence
S 1°07'15" E 1703.28 feet to the TRUE POINT OF BEGINNING; thence
S 73°52'12" W 11.78 feet; thence 83.83 feet along a 104.05 foot
radius curve to the left with a 46°03' central angle and the chord
of which bears S 50°50'24" W 81.39 feet; thence S 27°49'12" W 32.09
feet; thence 81.70 feet along a 67.79 foot radius curve to the left
with a 69°03' central angle and the chord of which bears S 6°42'00"
E 76.85 feet; thence S 41°13'48" E 51.97 feet; thence 20.74 feet
along a 102.42 foot radius curve to the right with a central angle
of 11°36'; and the chord of which bears S 35°25'48" E 20.70 feet;
thence S 29°37'48" E 55.58 feet; thence 18.39 feet along a 43.96
foot radius curve to the left with a 23°58'11" central angle and the
chord of which bears S 41°36'54" E 18.26 feet to a point S 1°07'15"
E 277.35 feet from the TRUE POINT OF BEGINNING.

also known as street and number

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto
belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the
said parties of the first part, either in law or equity, to the only proper use, benefit and behoof of the said parties of
the second part, their heirs and assigns forever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hand
and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Donald M. Overholt (SEAL)
William N. Lundy, Sr. (SEAL)
Kris I. Moberg (SEAL)

STATE OF COLORADO,

County of Jefferson } ss.

The foregoing instrument was acknowledged before me this 29th day of June
1983 by Donald M. Overholt

My commission expires Jan. 26, 1987. Witness my hand and official seal.

Marie O. Thomas
Notary Public

Marie O. Thomas
28845 Cedar Circle
Evergreen, CO 80439

NOTARY PUBLIC
STATE OF COLORADO
Marie O. Thomas
Notary Public

County of Jefferson) ss.

The foregoing instrument was acknowledged before me this 7th day of July,
1983 by William N. Lundy, Sr. and Kris I. Moberg.

My Commission Expires: November 3, 1984

Marie O. Thomas
Notary Public

10837 misc

1-2

8

SUPPLEMENTAL INFORMATION

- Approximately 61 acres were owned by Overholts. Tract A (10 acres) was sold to the Blacks, 1987. An additional Tract B (30 acres) was also sold to the Blacks, 1991. Gruchows bought the remaining 21 Overholt acres, 1995. Sprouls purchased the Black's 40 acres in 2002.
- Only Tract A had documented legal access from Iroquois Trail (now Mohican Trail).
- Tract B never acquired legal access to Iroquois Trail.
- There are multiple easements on both the east (3) and west side (at least 4, possibly as many as 10) affecting the Mohican property.
- The Planning and Zoning Commission mandated that the Applicant must grant access from the western parcel (proposed Lot 2) to the remainder (proposed Lot 1) for subdivision to proceed. This does NOT address whether the Applicant has legal access to the entirety of the property in the first place.
- This plat process has been ongoing for 2 years. Certified mail notification did not include us in this process until the Planning and Zoning hearing July 27, 2016, despite the fact that our property borders more of the applicant's property than any others. Attached is the list of addresses notified by the Planning and Zoning Department and the Applicant.
- An "easement agreement" was produced in 2015 by all other eastern easement properties involved. We were not included in any discussion. This agreement does NOT change the pre-existing restriction of access from the east to an approximately 4.2 acre parcel. It's purpose involved primarily road maintenance.
- Given the fact that the western easements specify the legal description of an area of approximately 10.003 acres, my specific question for the Planning and Zoning Department is "Did staff directly address if access from the west provides legal access to the ENTIRETY of all 40 acres of 33616 Mohican Trail?"

West Entrance

1. Christopher and Nancy Neher
13284 Cheyenne Ct.
Pine CO 80470
2. Robert and Dianna Cummings
33973 Iroquois Tr.
3. Lisa and Robert Murnan
33623 Iroquois Tr.
4. Timothy Condon Lindsay Donaldson
33553 Iroquois Tr.
5. John and Louise Sprout
33573 Iroquois Tr.
6. Terry Huber
33624 Iroquois Tr.
7. Paul Flores
7771 W. Alder Drive
Littleton CO 80128
8. Coney and Betty Toole
13330 Peaceful Way
9. Kiera Troy and Sean Eric Yager
33974 Iroquois Tr.
10. Steven and Leslie Condo
13324 Cheyenne Ct.

East Entrance

- A. Kevin and Mabel Enneking
13435 S US Hwy 285
Pine CO 80470
- B. Bruce and Beverly Kroeker
13475 S US Hwy 285
- C. Christine Vandine
13455 S. US Hwy 285
- D. Billie Jean Brennecke
1706 Hopkins Ave
Clemons IA 50051

MEMORANDUM

TO: Bev Evans
Pre-Development Review Coordinator

FROM: Mike Greer, PLS *MG*
Cartographic Supervisor

DATE: March 17, 2014

SUBJECT: Case No. 14-103347AR
Parcel 71-062-00-017 / 33444 Iroquois Trail
Cartographic Review

I have finished my review of the documents provided by the applicant and other documents and deeds that I have collected to determine if the above named parcel has access to a County or State maintained road sufficient to plat.

The applicant has access from the end of County maintained Iroquois Trail in Highland Pines Subdivision per a series of *Deeds of Road Easements* recorded at Reception No's. 87133479 thru 87133482.

There is no width stated on the easement deeds; however one of the grantors on the above named deeds previously granted a 25-foot wide easement across the northerly portion of his property and other deeds in the chains of title for the encumbered parcels note the access as being 25-feet in width.

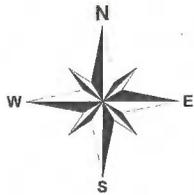
All deeds referenced are recorded in the records of the Jefferson County Clerk and Recorder. These conclusions are based on the information provided by the client and research of the Jefferson County records. This information may not be all inclusive and additional information could alter the conclusions. No field check was made.

CC: Nathan Seymour, Civil Planning Engineer, Case Manager 13-113301PA
Legal Parcel Research Case No. 03-106146AR
Exemption from Platting Case No. E55-6-86

MAP 71-06



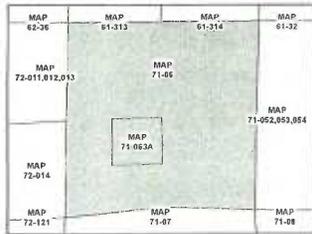
Jim Everson
Assessor



FEET

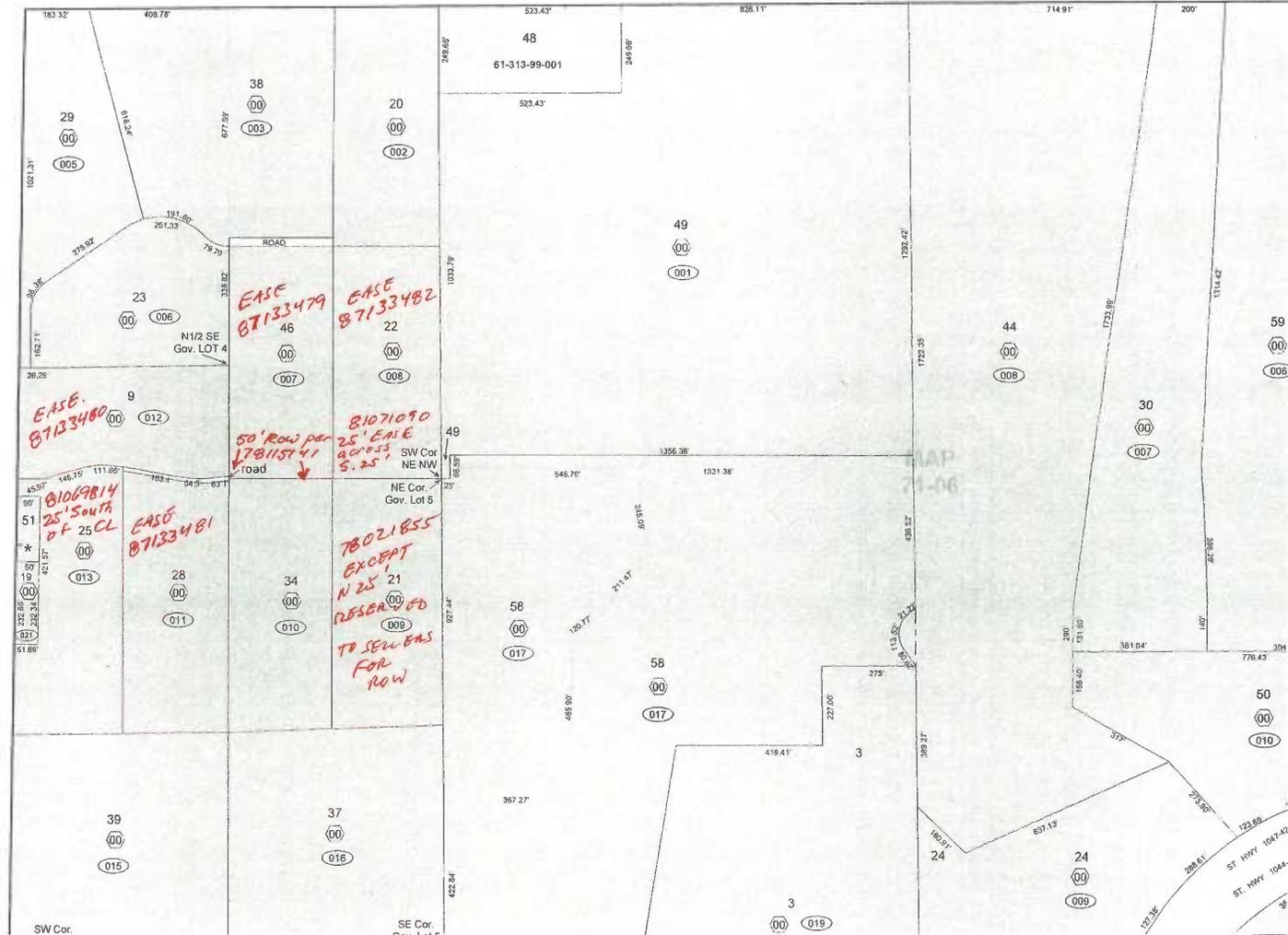
0 200 400 600

(Initially plotted at 1 inch = 200 feet, or 1:2,400)



MAP INDEX

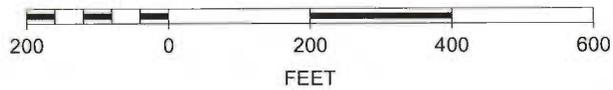
R 72 W R 71 W R 70 W R 69 W



14-103347AR 2010 ortho



SCALE 1 : 3,238



Page two
Deed of Road Easement
Richard Matthew Murphy, Grantor
Dolores Overholt - Grantee

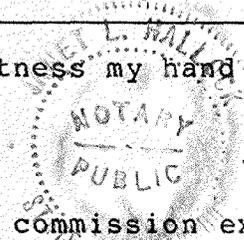
2

ACKNOWLEDGEMENT

State of Colorado)
) ss:
County of Bonner)

The foregoing instrument was acknowledged before me this 3rd
day of August, 1987, by Richard M. Murphy

Witness my hand and official seal.



L. Hall
Notary Public

My commission expires:

8/4/87

EXHIBIT A

Attached to that certain Deed of Road Easement
from Richard Matthew Murphy, as Grantor, to
Dolores E. Overholt, as Grantee.

3

Township 7 South, Range 71 West of the 6th P.M.
Section 6: E/2SE/4NW/4NW/4
Jefferson County, Colorado

DEED OF ROAD EASEMENT

900

STATE OF COLORADO)
) KNOW ALL MEN BY THESE PRESENTS
COUNTY OF JEFFERSON)

1-3

THAT John L. Dorlac and Juanita J. Dorlac, 2280 I 1/4 Rd, Grand Junction, Colorado 81505, hereinafter referred to as Grantors, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, hereby GRANT, BARGAIN, SELL AND CONVEY to Dolores Overholt, 13545 S Hwy 285, Pine, Colorado 80470, hereinafter referred to as Grantee, and to her heirs, personal representatives, successors and assigns, a non-exclusive perpetual easement for road access on, over and across the land described and referred to in an instrument captioned Legal Description of Road Easement and in a Map, all recorded May 14, 1984 as Reception No. 84044532 of the records of the Clerk and Recorder of Jefferson County, Colorado, insofar as said easement lies on, over and/or across the real property owned by Grantors in the W/2NW/4 of Section 6, Township 7 South, Range 71 West, of the 6th P.M., Jefferson County, Colorado, which property is more specifically described on Exhibit "A" attached hereto and made a part hereof, together with all rights and privileges as are necessary or incidental to the reasonable and proper use of such easement.

The easement granted herein is for the purpose of providing Grantee, her guests, invitees, successors and/or assigns, ingress and egress to and from the following described property presently owned by Grantee in Jefferson County, Colorado, to wit:

A tract of land situated in the E/2NW/4 of Section 6, Township 7 South, Range 71 West., of the 6th P.M., Jefferson County, Colorado, more particularly described as follows:

Beginning at the southwest corner of the NE/4NW/4 as established by Joseph K. Ficklin, Jr., (L.S. #5274); Thence n 89 05' 37" E, 25.00 Ft.; Thence N 0 30' 11" W, 31.59 Ft.; Thence East, 546.79 Ft.; Thence S 4 54'37" E, 245.09 Ft.; Thence S 36 41'40" W, 211.47 Ft.; Thence S 48 41'10" W, 120.77 Ft., Thence South 465.90 Ft., Thence West, 367.27 Ft. to the west line of the said E/2NW/4 of said section 6; Thence N 0 30'11" W, 927.44 to the point of beginning, containing 10.003 acres more or less.

Said easement is for the benefit of and appurtenant to Grantee's above described real property.

Said easement shall constitute a covenant running with all of the above described land and shall be binding upon Grantors' heirs, personal representatives, successors and assigns.

Grantor's shall not be responsible for improving, repairing or maintaining the easement and/or the existing road described herein.

IN WITNESS WHEREOF, this instrument is executed this 13th day of October, 1987.

John L. Dorlac
John L. Dorlac

Juanita J. Dorlac
Juanita J. Dorlac

STATE DOCUMENTARY FEE
100
OCT 30 1987
Collected

Page two
Deed of Road Easement
John L. & Juanita J. Dorlac, Grantors
Dolores Overholt - Grantee

2

ACKNOWLEDGEMENT

State of Colorado)
County of Mesa) ss:
)

The foregoing instrument was acknowledged before me this 13th
day of October, 1987, by John L. Dorlac

Witness my hand and official seal.

Joyce A. Aiken
Notary Public Joyce A. Aiken
P.O. Box 3112
Grand Junction, Co. 81502

My commission expires: June 22, 1989.

RECEPTION NO. 87133479

ACKNOWLEDGEMENT

State of Colorado)
County of Mesa) ss:
)

The foregoing instrument was acknowledged before me this 13th
day of October, 1987, by Juanita J. Dorlac

Witness my hand and official seal.

Joyce A. Aiken
Notary Public Joyce A. Aiken
P.O. Box 3112
Grand Junction, Co. 81502

My commission expires: June 22, 1989.

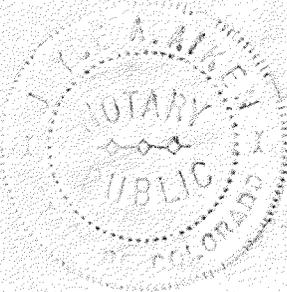


EXHIBIT A

Attached to that certain Deed Of Road Easement
From John L. Dorlac and Juanita J. Dorlac, as Grantors,
to Dolores E. Overholt, as Grantee.

3

Township 7 South, Range 71 West of the 6th P.M.
Section 6: W/2SE/4 of Lot 4
Jefferson county, Colorado

MEMORANDUM

TO: Bev Evans
Pre-Development Review Coordinator

FROM: Mike Greer, PLS
Cartographic Supervisor

DATE: March 24, 2014

SUBJECT: Case No. 14-103347AR
Parcel 71-062-00-017 / 33444 Iroquois Trail
Cartographic Review # 2

Per my memo of March 17, 2014 it was determined that the applicants, Rebecca and Kevin Sproul, do have access from the west thru Highland Pines Subdivision to a County or State maintained road sufficient to plat. That review was based on Exemption from Platting Case No. E55-6-86 but Mr. Sproul was actually concerned with access from the southeast directly off of highway US 285.

The Sprouls and four other property owners have 30-feet of deeded access to US 285 per the easements recorded at Reception No's 84054480, 84054481 and 84100505. The four existing houses on the private road have US 285 addresses. Per Jefferson County Policies and Procedures the road will need to be renamed.

The parcels that also benefit from the access easements are:

- Parcel 71-061-00-010 / 13435 S US Hwy 285
- Parcel 71-061-00-006 / 13445 S US Hwy 285
- Parcel 71-061-00-007 / 13455 S US Hwy 285
- Parcel 71-061-00-008 / 13475 S US Hwy 285

All deeds referenced are recorded in the records of the Jefferson County Clerk and Recorder. These conclusions are based on the information provided by the client and research of the Jefferson County records. This information may not be all inclusive and additional information could alter the conclusions. No field check was made.

CC: Nathan Seymour, Civil Planning Engineer, Case Manager 13-113301PA
Patricia Romero, Addressing Specialist
Legal Parcel Research Case No. 03-106146AR
Exemption from Platting Case No's. E95-12-79, E35-3-84, E55-6-86,
E41-7-91 & EA41-7-91

M E M O R A N D U M

TO: Nathan Seymour
Civil Planning Engineer

FROM: Mike Greer, PLS *MG*
Cartographic Supervisor

DATE: November 10, 2014

SUBJECT: Case No. 14-103347AR
Parcel 71-062-00-017 / 33444 Iroquois Trail
Cartographic Review # 3

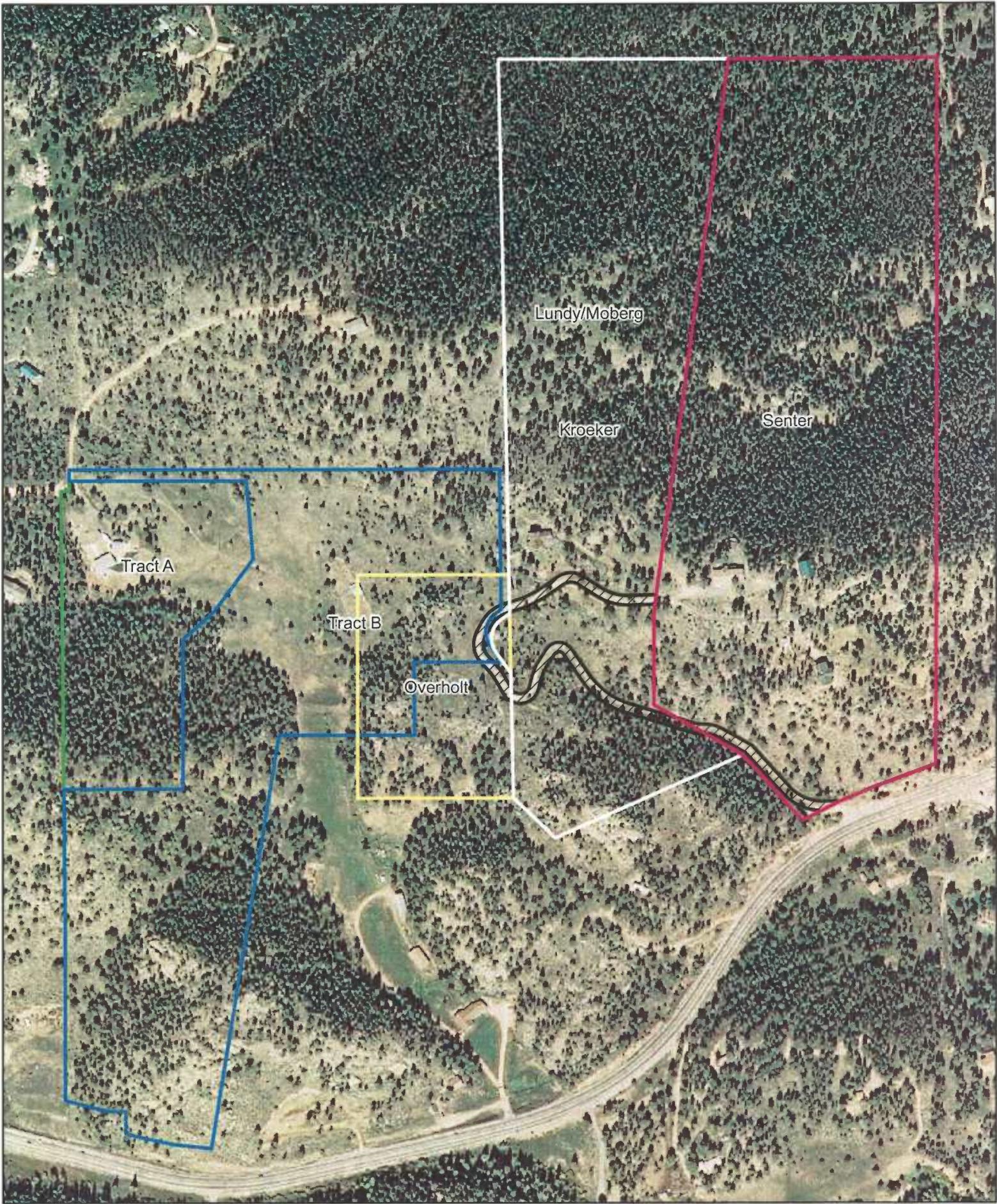
I have revisited My March 24, 2014 memo and conclusion that the applicants for Case No. 14-118664PF, Rebecca and Kevin Sproul, have access directly off of highway US 285 from the southeast.

This re-review was per the letter to you from attorney John J. Vierthaler dated October 27, 2014 that points out that the three easements I mentioned (Reception No's 84054480, 84054481 and 84100505) all have the same statement on them which reads *The properties may be further divided, but so long as the improvements fall within the below described boundaries, the road shall serve them.*

After review with legal staff of the easement deeds and the Preliminary Plat document submitted in Case No. 14-118664PF it is obvious the proposed house (Exhibit A) is not within the "Overholt" rectangular parcel (aerial photo) described in the easements, **and the Sprouls do not currently have access from the southeast as I previously stated.**

The four existing houses on the private road have US 285 addresses. Per Jefferson County Policies and Procedures the road will need to be named.

Cc: Bev Evans, Pre-Development Review Coordinator
Patricia Romero, Addressing Specialist
Legal Parcel Research Case No. 03-106146AR
Exemption from Platting Case No's. E95-12-79, E35-3-84, E55-6-86,
E41-7-91 & EA41-7-91



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Miles



MEMORANDUM

TO: Nathan Seymour
Civil Planning Engineer

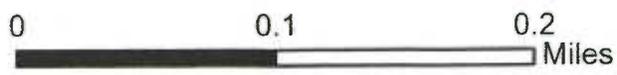
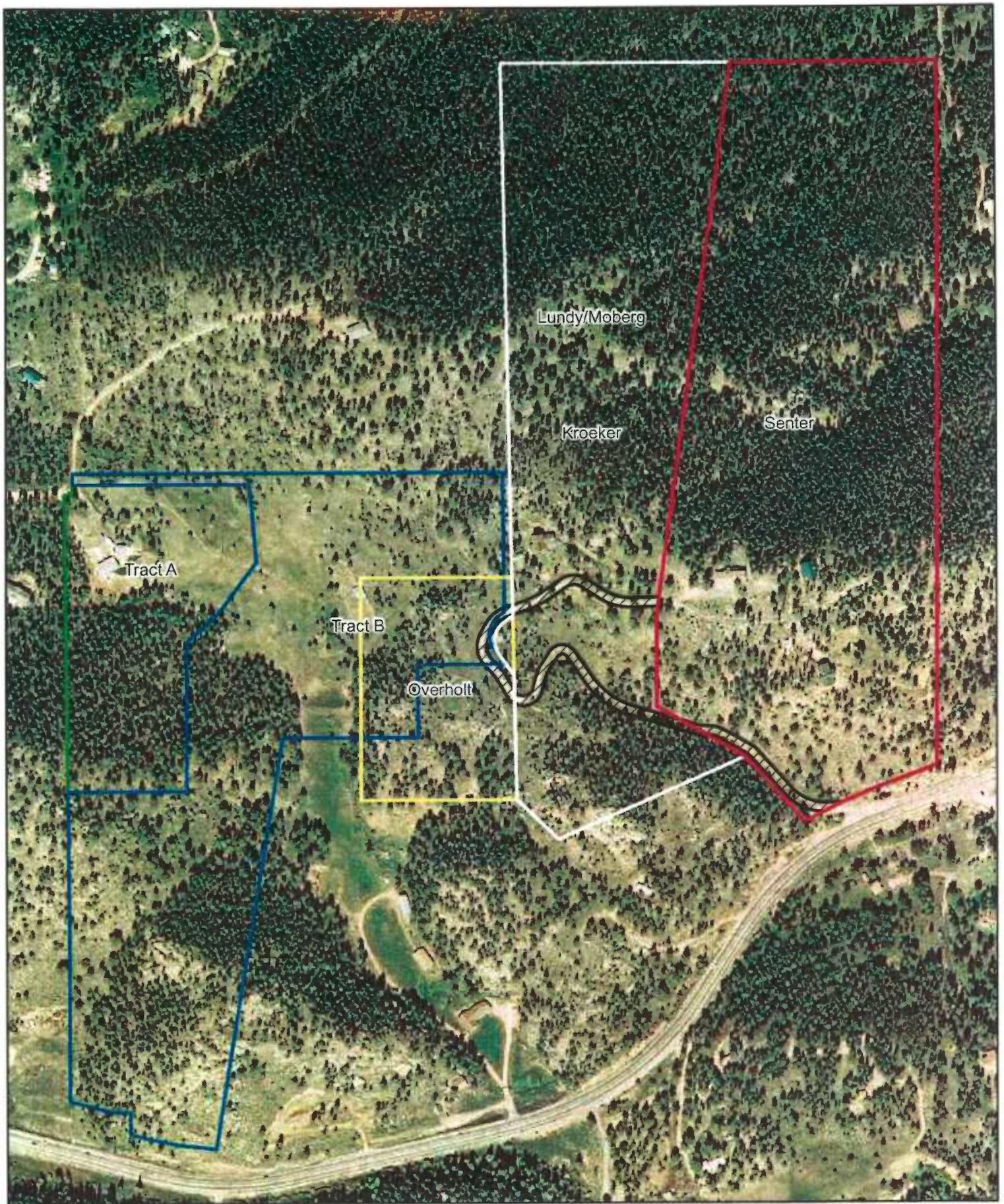
FROM: Mike Greer, PLS *MG*
Cartographic Supervisor

DATE: February 6, 2015

SUBJECT: Case No. 14-103347AR
Parcel 71-062-00-017 / 33444 Iroquois Trail
Cartographic Review # 4

To clarify my Carto review # 3 dated November 10, 2014 for this case; the Sprouls do have access to the Overholt parcel and would be able to obtain building and grading permits if they were to build their house and all accessory units within that boundary. See the attached aerial photo.

Cc: Bev Evans, Pre-Development Review Coordinator
Patricia Romero, Addressing Specialist
Legal Parcel Research Case No. 03-106146AR
Exemption from Platting Case No's. E95-12-79, E35-3-84, E55-6-86,
E41-7-91 & EA41-7-91



MEMORANDUM

TO: Nathan Seymour
Civil Planning Engineer

FROM: Mike Greer, PLS *MG*
Cartographic Supervisor

DATE: February 20, 2015

SUBJECT: Case No. 14-103347AR
Parcel 71-062-00-017 / 33444 Iroquois Trail
Cartographic Review # 5

Staff and legal staff met with Bruce Kroeker today to discuss the interpretation of the 1984 easements. My February 6, 2015 memo interpretation was *the Sprouls do have access to the Overholt parcel (the rectangle) and would be able to obtain building and grading permits if they were to build their house and all accessory units within that boundary.*

Mr. Kroeker thru a letter from his attorney, John J. Vierthaler, dated October 28, 2014 interprets the easement to be for the rectangle only and by interpreting the easement to allow a building within the rectangle but containing other land, the parties would be expanding the use of the easement by allowing the platting process to be completed.

County staff understands that there could be different interpretations of the easement at issue and Mr. Kroeker can make a good argument about the intent of the easement at the Planning Commission and Board of County Commissioners hearings. It is my understanding that there has been a lack of communication between the applicants and their neighbors to the east. The only way for this to be solved is to open the lines of communication. County staff encourages the applicant to work with the neighbors to resolve the access issues prior to any public hearings before the Planning Commission and Board of County Commissioners.

The County does offer a free mediation service if the access issue and any others that arise cannot be worked out amicably.

Cc: Bev Evans, Pre-Development Review Coordinator
Patricia Romero, Addressing Specialist
Legal Parcel Research Case No. 03-106146AR
Exemption from Platting Case No's. E95-12-79, E35-3-84, E55-6-86,
E41-7-91 & EA41-7-91

MEMORANDUM

TO: Nathan Seymour
Civil Planning Engineer

FROM: Mike Greer, PLS *MG*
Survey Research Analyst

DATE: June 2, 2016

SUBJECT: Case No. 14-103347AR
Cartographic Review # 6

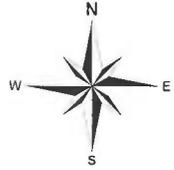
The owners of AIN/Parcel ID 71-062-00-019 / 13545 S US Hwy 285, Curtis and Wendy Gruchow, own a portion of the "Overholt" parcel that has been the center of attention for this case. See Exhibits A and B.

The Gruchow's as successor's to the Overholt's who had an easement over what is now named Red Sparrow Trail also benefit from the 30-foot wide *easement for roadway* recorded at Rec. No's. 84054480 and 84100505.

EXHIBIT A

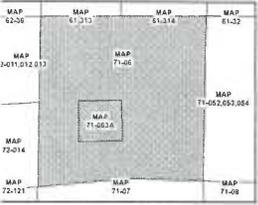


Ron Sandstrom
Assessor



FEET

0 200 400 600
Graphically plotted at 1 inch = 200 feet, or 1:2,400



MAP INDEX

R 70 W	R 71 W	T 2 S	06	05	04	03	02	01
		T 3 S	07	08	09	10	11	12
		T 4 S	18	17	16	15	14	13
		T 5 S	19	20	21	22	23	24
		T 6 S	30	29	28	27	26	25
		T 7 S	31	32	33	34	35	36

SECTION INDEX



QUARTER SECTIONS
1, 2, 3, and 4 are Quarter Section Codes
6, 8, C, and D are Quarter-Quarter Section Codes

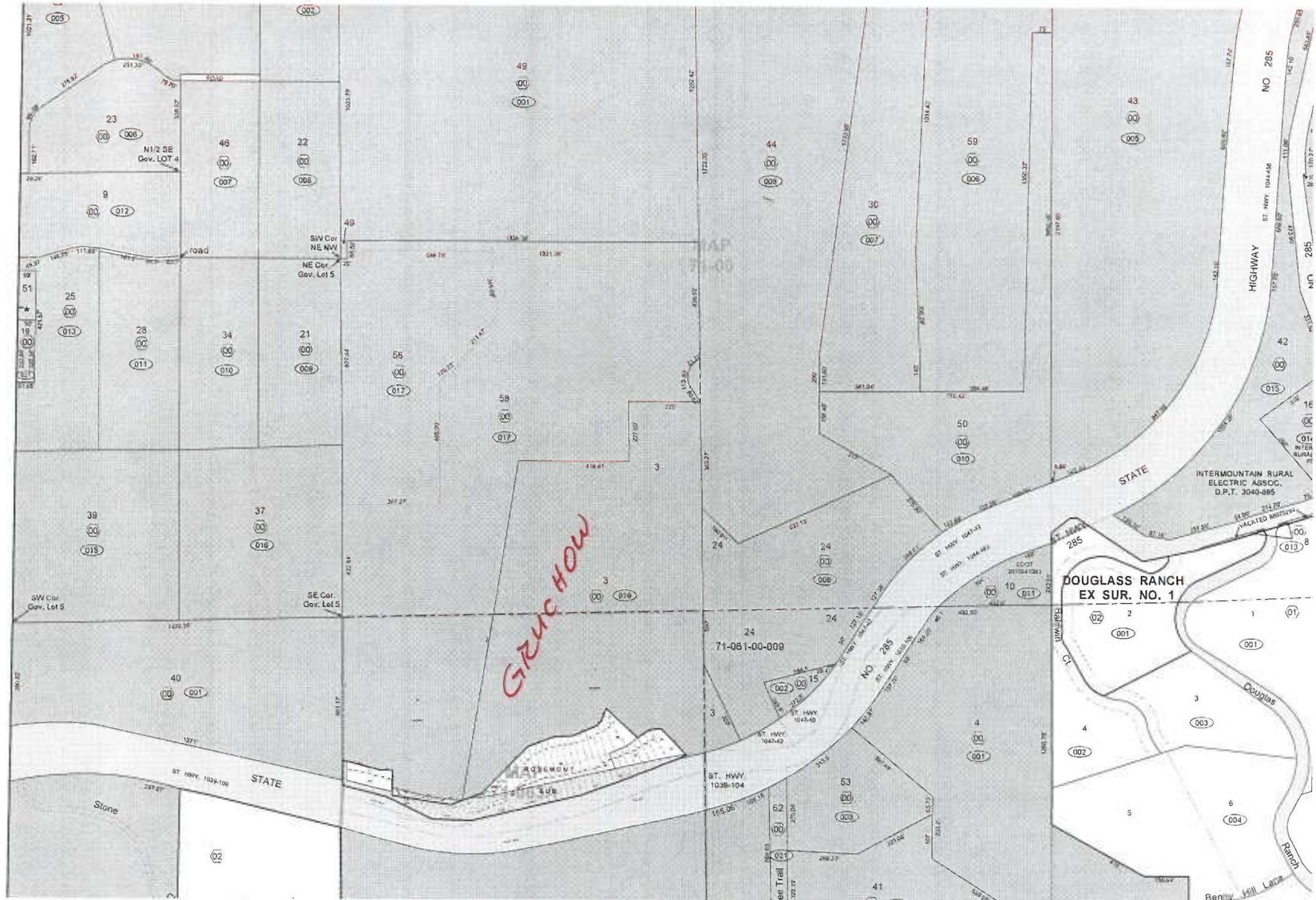
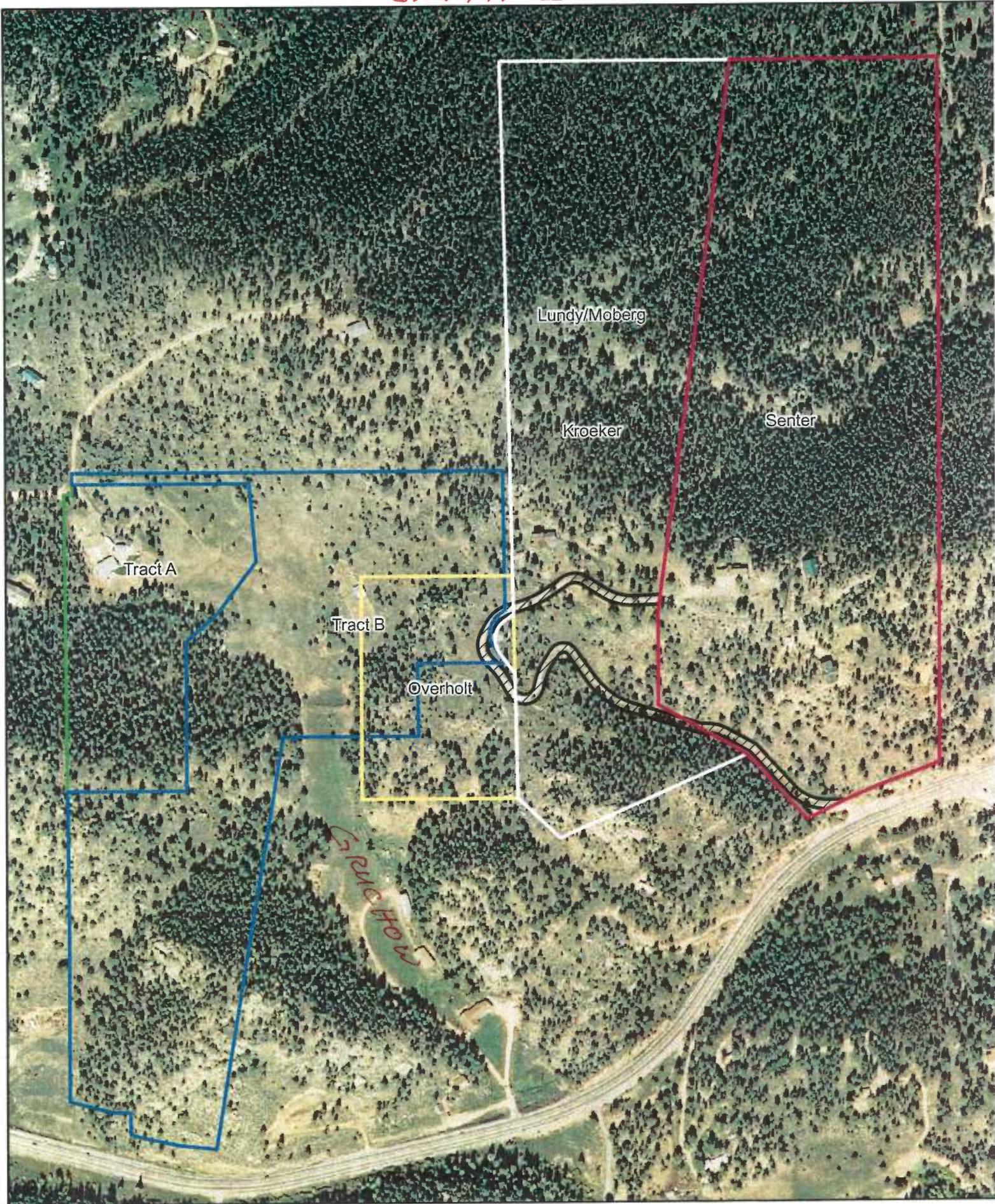


EXHIBIT B



N

0

0.1

0.2

Miles



EASEMENT AGREEMENT

SLB
81.10

1-13

1. PARTIES. The parties to this Agreement are Bruce and Beverly Kroeker (the “**Kroekers**”), Rebecca and Kevin Sproul (the “**Sprouls**”), Christy and Robert Seabourne (the “**Seabournes**”), Kevin and Mabel Enneking (the “**Ennekings**”), Al and Jean Brennecke (the “**Brenneckes**”).

2. RECITALS AND PURPOSE.

A. This Agreement arises out of a reciprocal easement that touches the properties owned by the above parties in Jefferson County, Colorado. The easement provides access to several of the residences owned by the above parties, and has been defined by the three attached deeds (Exhibit A), recorded in the real property records of the Jefferson County Clerk and Recorder at Reception Numbers 84054480, 84054481, and 84100505 respectively (the “**Driveway Easement**”). Several of the parties (excluding the Sprouls) have previously contributed to the costs of constructing the Driveway Easement. The Driveway Easement provides that the easement is limited to use by the owners of the properties defined in the Driveway Easement, which provides a condition:

The easements are for the use of the owners of properties served by the road, which properties are described below. The properties may be further divided, but so long as the improvements fall within the below described boundaries [described at page 2 of the Driveway Easement, page 2, as recorded at Reception 84054481], the road shall serve them. . . .

B. With regard to the property now owned by the Sprouls, the dominant estate of the Driveway Easement is defined as a specific use area, which area is only a portion of the property now owned by the Sprouls (the “**Sproul Easement Area**”). The Sproul Easement Area is legally described in the second full paragraph of the Driveway Easement recorded at Reception No. 84054481. The Sprouls have filed a Development Proposal Application to Jefferson County, No. 14-118664PF (the “**Sproul Development Proposal**”) to subdivide their existing 40.22 acre parcel into two smaller parcels of 10.10 acres and 30.12 acres (approximate). The Sprouls propose to build a house and improvements within the portion of their 30.12 acre parcel located within the Sproul Easement Area, and to access their new home by using the Driveway Easement.

C. The parties desire to enter this Agreement to confirm that the Sprouls and their successors will only use the Driveway Easement to serve a dwelling and supporting improvements located within the Sproul Easement Area and allow use of the Driveway Easement to access such dwelling and improvements; to require the Sprouls to contribute to the Driveway Easement costs; and to require all parties to enter a maintenance agreement regarding the Driveway Easement.

Now, therefore, in consideration of the mutual promises contained in this Agreement, the parties covenant and agree to the terms and conditions set forth in the following paragraphs.

3. LIMITED ACCESS. With regard to the property now owned by the Sprouls, access using the Driveway Easement is limited to improvements located within the Sproul Easement

Area. "Improvements" include but are not limited to structures and roads. The Sprouls are prohibited from using the Driveway Easement to access any dwelling and Improvements owned by the Sprouls (or their successors or assigns) constructed outside of the Sproul Easement Area. Nevertheless, in consideration of the other elements of this Agreement, the Sprouls may access their currently constructed barn via the Driveway Easement, even though a portion of the barn extends outside of the boundary of the Sproul Easement Area described in the Driveway Easement. 2

4. LEGAL USE AND FENCING. Nothing in this Agreement is intended to prohibit the Sprouls and their successors and assigns from using the balance of their property (the 30.12 acre parcel described in section B of the Recitals above) for lawful activities consistent with occupancy of a single-family dwelling in similar Jefferson County mountain neighborhoods, and nothing in this Agreement is intended to prevent the Sprouls from fencing all or a part of their exterior property lines, as long as no fencing, gates, or other obstructions are placed on the Driveway Easement.

5. NO ADDITIONAL SUBDIVISION. The Sprouls shall not subdivide the Sproul Easement Area. The Driveway Easement will not be used to serve any further subdivision of the property owned by the Sprouls.

6. SPROUL CONTRIBUTION FOR DRIVEWAY. The Sprouls shall pay Six Thousand and no/100 Dollars (\$6,000.00) for their pro-rata portion of the construction costs of the Driveway Easement. Such payment shall be made to the law firm of Lyons Gaddis Kahn Hall Jeffers Dworak & Grant, P.C., in trust for the Kroekers, the Brenneckes, the Ennekings, and the Seabournes, within five (5) business days of the execution of this Agreement. By their signature below, each owner warrants that the law firm is authorized to receive payment from the Sprouls on their behalf.

7. MAINTENANCE AGREEMENT. The Sprouls will pay one fifth (1/5th) of the legal fees incurred to prepare a maintenance agreement regarding the Driveway Easement. All parties to this Agreement shall enter into the Driveway Easement maintenance agreement whereby each party will agree to contribute a pro rata share of the maintenance costs for maintaining the Driveway Easement.

8. RELEASE OF OBJECTIONS. Within five (5) business days of the execution of this Agreement, the Seabournes, Ennekings, Brenneckes and Kroekers shall release their objections to the Sproul Development Proposal application to Jefferson County, No. 14-118664PF, on a letter to the Jefferson County Planning Department to be prepared by counsel for the Sprouls, Montgomery Little & Soran, PC. The letter is attached as Exhibit B.

9. AGREEMENT SHALL RUN WITH THE LAND. This Agreement shall be a servitude running with the land of each property owner signing below, and shall be recorded in the real property records of the Jefferson County Clerk and Recorder, so that this Agreement encumbers the title of the current owners and their successors, heirs and assigns.

10. ASSIGNMENT. This Agreement shall not be assigned or delegated except with the

prior written consent of the parties.

11. EXHIBITS. All exhibits referred to in this Agreement are, by this reference, incorporated in this Agreement for all purposes.

12. ADDITIONAL DOCUMENTS OR ACTION. The parties agree to execute any additional documents and to take any additional action necessary to carry out this Agreement.

13. INTEGRATION AND AMENDMENT. This Agreement represents the entire agreement between the parties and there are no oral or collateral agreements or understandings. This Agreement may be amended only by an instrument in writing signed by the parties.

14. WAIVER OF BREACH. The waiver by any party to this Agreement of a breach of any term or provision of this Agreement shall not operate or be construed as a waiver of any subsequent breach by any party.

15. ATTORNEYS' FEES. If any party breaches this Agreement, the breaching party shall pay all of the non-breaching party's reasonable attorneys' fees and costs in enforcing this Agreement whether or not legal proceedings are instituted.

16. BINDING EFFECT. This Agreement shall inure to the benefit of, and be binding upon, the parties, and their respective legal representatives, successors, heirs and assigns; provided, however, that nothing contained in this paragraph shall be construed to permit the assignment of this Agreement except as otherwise specifically authorized in this Agreement.

17. GOVERNING LAW. This Agreement shall be governed by the laws of the State of Colorado.

18. COUNTERPARTS. This Agreement may be executed in several counterparts and, as so executed, shall constitute one Agreement, binding on all the parties even though all the parties have not signed the same counterpart. Any counterpart of this Agreement which has attached to it separate signature pages, which altogether contain the signatures of all the parties, shall be deemed a fully executed instrument for all purposes.

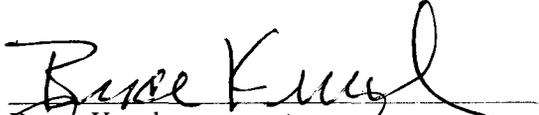
19. SEVERABILITY. If any provision of this Agreement is declared to be invalid, void or unenforceable by a court of competent jurisdiction, such provision shall be deemed to be severable, and all other provisions of this Agreement shall remain fully enforceable, and this Agreement shall be interpreted in all respects as if such provision were omitted.

[Signatures on next page]

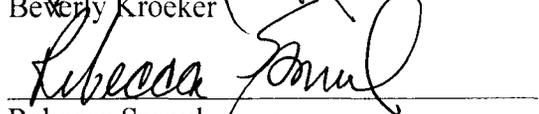
3

DATED. January 30, 2016.

4


Bruce Kroeker


Beverly Kroeker


Rebecca Sproul


Kevin Sproul

Kevin Enneking

Mabel Enneking

Christy Seabourne

Robert Seabourne

Jean Brennecke

Al Brennecke

EXHIBIT A – [THE THREE DEEDS RECORDED IN 1984]

EXHIBIT B – [LETTER TO THE JEFFERSON COUNTY PLANNING DEPARTMENT]

DATED. January 30, 2016.

Bruce Kroeker

Beverly Kroeker

Rebecca Sproul

Kevin Sproul

Kevin Enneking

Mabel Enneking

Christy Seabourne

Robert Seabourne



Jean Brennecke



Al Brennecke

EXHIBIT A – [THE THREE DEEDS RECORDED IN 1984]

EXHIBIT B – [LETTER TO THE JEFFERSON COUNTY PLANNING DEPARTMENT]

5

DATED. January 30, 2016.

Bruce Kroeker

Beverly Kroeker

Rebecca Sproul

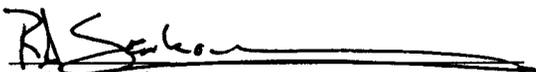
Kevin Sproul

Kevin Enneking

Mabel Enneking



Christy Seabourne



Robert Seabourne

Jean Brennecke

Al Brennecke

EXHIBIT A – [THE THREE DEEDS RECORDED IN 1984]

EXHIBIT B – [LETTER TO THE JEFFERSON COUNTY PLANNING DEPARTMENT]

20

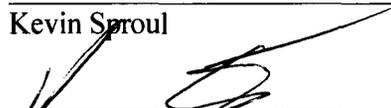
DATED. January 30, 2016.

Bruce Kroeker

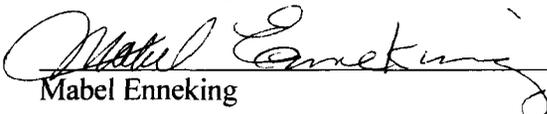
Beverly Kroeker

Rebecca Sproul

Kevin Sproul



Kevin Enneking



Mabel Enneking

Christy Seabourne

Robert Seabourne

Jean Brennecke

Al Brennecke

EXHIBIT A – [THE THREE DEEDS RECORDED IN 1984]

EXHIBIT B – [LETTER TO THE JEFFERSON COUNTY PLANNING DEPARTMENT]

7

State Documentary Fee
 \$10.00 Collected
 JUN 12 1984

THIS DEED, Made this 29th day of June, 1983,
 between Donald M. Overholt, William N. Lundy, Sr., and Kris I. Moberg
 of the _____ County of Jefferson and state of
 Colorado, of the first part, and the owners, guests, heirs and assigns of the properties
 described in Exhibit "A"
 whose legal address is % ERA Evergreen Real Estate, 4610 S. Highway 73, Evergreen 80439

1-2

8

of the _____ County of Jefferson and state of
 Colorado, of the second part.
 WITNESSETH, That the said parties of the first part, for and in consideration of the sum of
TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS
 to the said parties of the first part in hand paid by the said parties of the second part, the receipt whereof
 is hereby confessed and acknowledged, have remised, released, sold, conveyed and QUIT CLAIMED, and by these
 presents do remise, release, sell, convey and QUIT CLAIM unto the said parties of the second part, their heirs,
 successors and assigns, forever, all the right, title, interest, claim and demand which the said parties of the first part
 have in and to the following described lot or parcel of land, situate, lying and being in the _____ County
 of Jefferson and State of Colorado, to wit:

¹⁰ ~~THIRTY~~ **THIRTY** feet wide, situate in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of
 Section 6, Township 7 South, Range 71 West of the 6th P.M., being
 115 feet on each side of the following described centerline:
 Beginning at the North Quarter corner of said Section 6: thence
 S 1°07'15" E 1703.28 feet to the TRUE POINT OF BEGINNING; thence
 S 73°52'12" W 11.78 feet; thence 83.83 feet along a 104.05 foot
 radius curve to the left with a 46°03' central angle and the chord
 of which bears S 50°50'24" W 81.39 feet; thence S 27°49'12" W 32.09
 feet; thence 81.70 feet along a 67.79 foot radius curve to the left
 with a 69°03' central angle and the chord of which bears S 6°42'00"
 E 76.85 feet; thence S 41°13'48" E 51.97 feet; thence 20.74 feet
 along a 102.42 foot radius curve to the right with a central angle
 of 11°36'; and the chord of which bears S 35°25'48" E 20.70 feet;
 thence S 29°37'48" E 55.58 feet; thence 18.39 feet along a 43.96
 foot radius curve to the left with a 23°58'11" central angle and the
 chord of which bears S 41°36'54" E 18.26 feet to a point S 1°07'15"
 E 277.35 feet from the TRUE POINT OF BEGINNING.

also known as street and number
 TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto
 belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the
 said parties of the first part, either in law or equity, to the only proper use, benefit and behoof of the said parties of
 the second part, their heirs and assigns forever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hand
 and seal the day and year first above written.
 Signed, Sealed and Delivered in the Presence of
 _____ (SEAL)
 _____ (SEAL)
 _____ (SEAL)
 _____ (SEAL)

STATE OF COLORADO,
 County of Jefferson) ss.
 The foregoing instrument was acknowledged before me this 29th day of June
 1983 by Donald M. Overholt

My Commission Expires
 My Commission Expires Jan. 26, 1987
 PUBLIC

Carol Ann Thomas
 28845 Cedar Circle
 Evergreen, CO 80439

NOTARY PUBLIC
 STATE OF COLORADO
 My Commission Expires
 Notary Public

County of Colorado) ss.
 County of Jefferson)
 The foregoing instrument was acknowledged before me this 7th day of July,
 1983 by William N. Lundy, Sr. and Kris I. Moberg.
 My Commission Expires: November 3, 1984

 Notary Public

10837 misc

Exhibit "A" to Deed dated June 29, 1983 concerning an easement for roadway, Donald M. Overholt, William N. Lundy, Sr. and Kris I. Moberg, to owners of properties described below:

The easements are for the use of owners of properties served by the road, which properties are described below. The properties may be further divided, but so long as the improvements fall within the below described boundaries, the road shall serve them. All properties described below are in Jefferson County, Colorado.

9

A tract of land lying in the North 1/2 of Section 6, Township 7 South, Range 71 West, 6th P.M., Jefferson County, Colorado described as:

2

(Overholt)

Beginning at the North 1/4 corner of Section 6, Township 7 South, Range 71 West, 6 Thence South 1°07'15" East along the North-South centerline of said Section 6 a distance of 1602.01 feet to Northeast corner of said Tract, which is the TRUE POINT OF BEGINNING continuing South 1°07'15" East along the North-South centerline a distance 695.13 feet, THENCE Due West a distance of 483.61 feet, THENCE Due North a distance 695.00 feet, THENCE Due East a distance of 470.02 feet to the TRUE POINT OF BEGINNING

Part of the North 1/2 of Section 6, Township 7 South, Range 71 West of the 6th P.M., Jefferson County, Colorado more particularly described as follows:

(LUNDY/HERBERT)

BEGINNING at the North 1/4 corner of said Section 6; thence North 89° 44'23" East along the North line of the Northeast 1/4 of said Section 6, 714.91 feet; thence South 07° 43'34" West, 1,733.99 feet; thence due South 290.00 feet; thence South 60° 29'43" East, 317.00 feet; thence South 65° 53'53" West, 637.13 feet; thence North 46° 28'08" West, 180.91 feet to the North-South centerline of said Section 6; thence North 01° 07'15" West along said centerline, 389.27 feet; thence North 35° 37'15" West, 80.62 feet to the point of curvature of a circular curve of radius 72.27 feet; thence right along the arc of said circular curve, bearing right, 113.52 feet to the point of tangency of said curve the chord of which bears North 09° 22'45" East, 102.21 feet; thence North 54° 22'45" East, 32.82 feet to the North-South centerline of said Section 6; thence North 01° 07'15" West along said centerline, 1,722.35 feet, more or less, to the POINT OF BEGINNING.

A tract of land situated in the W 1/2 of the NE 1/4 of Section 6, Township 7 South, Range 71 West of the 6th P.M., which tract lies on the Northwesterly side of U. S. Highway #285 and is more particularly described as follows:

(Beneficial & (SEATER)

BEGINNING at the Northeast corner of said W 1/2 NE 1/4; thence along the East line of said W 1/2 NE 1/4, S0°12'14"W, 2195.93 feet, more or less, to said Northwesterly right-of-way line; thence Southwesterly along the said Northwesterly right-of-way line the following courses and distances:
1. S69°45'35"W, 199.66 feet;
2. thence 127.32 feet along the arc of a circular curve to the left having a radius of 1191.59 feet, a central angle of 6°07'30" and the chord of which bears S66°41'50"W, 127.32 feet;
3. thence 123.69 feet along the arc of a circular curve to the left having a radius of 918.6 feet, a central angle of 7°42'54" and the chord of which bears S62°48'42"W, 123.60 feet;
thence leaving said right-of-way and proceeding N42°09'43"W, 275.90 feet;
thence N60°29'43"W, 317.00 feet;
thence due North 290.00 feet;
thence N7°43'34"E, 1733.99 feet to the North line of said W 1/2 NE 1/4;
thence N89°44'23"E, 650.00 feet to the POINT OF BEGINNING.

RECEPTION NO. 84054481 6.00
06/13/84 08:30
RECORDED IN
COUNTY OF JEFFERSON
STATE OF COLORADO

Recorded at _____ o'clock _____ M., _____
Reception No. _____

RECEPTION NO. 84054480
06/13/84 08:30 9.00
RECORDED IN
COUNTY OF JEFFERSON
STATE OF COLORADO

9.00
State Documentary Fee
No Fee Collected
JUN 12 1984

THIS DEED, Made this 7th day of July, 1983,

between William N. Lundy, Sr. and Kris I. Moberg

of the _____ County of _____ and state of _____
Colorado, of the first part, and the owners, guests, heirs and assigns of the properties
described in Exhibit "B"

whose legal address is C/O ERA Real Estate, 4610 S. Highway 73, Evergreen, Colorado 80439

of the _____ County of Jefferson and state of
Colorado, of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of
TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS WALLARS
to the said parties of the first part in hand paid by the said parties of the second part, the receipt whereof
is hereby confessed and acknowledged, have remised, released, sold, conveyed and QUIT CLAIMED, and by these
presents do remise, release, sell, convey and QUIT CLAIM unto the said parties of the second part, their heirs,
successors and assigns, forever, all the right, title, interest, claim and demand which the said parties of the first part
have in and to the following described lot or parcel of land situate, lying and being in the _____ County
of Jefferson and State of Colorado, to wit:

Per attached Exhibit "A"

also known as street and number

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto
belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the
said parties of the first part, either in law or equity, to the only proper use, benefit and behoof of the said parties of
the second part, their heirs and assigns forever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hand
and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

William N. Lundy, Sr. (SEAL)
Kris I. Moberg (SEAL)

(SEAL)

STATE OF COLORADO,
County of Jefferson } ss.

The foregoing instrument was acknowledged before me this 7th day of July
1983, by William N. Lundy, Sr. and Kris I. Moberg

My commission expires Nov. 3, 1984. Witness my hand and official seal.

Marie O. Lyman
P.O. Box 1991
Evergreen, Co. 80439
Notary Public.

10837 Misc

RECEPTION NO. 84054480
06/13/84 08:30 9.00
RECORDED IN
COUNTY OF JEFFERSON
STATE OF COLORADO

EXHIBIT "A" TO DEED FROM WILLIAM N. LUNDY, SR.
AND KRIS I. MØBERG
TO THE OWNERS, GUESTS, HEIRS AND
~~ASSIGNS~~ OF THE PROPERTIES DESCRIBED
IN EXHIBIT "B"

An easement for roadway, thirty feet wide, situate in the $\frac{W\frac{1}{2}NE\frac{1}{4}}$ of Section 6, Township 7, South, Range 71 West of the 6th P.M., being 15 feet on each side of the following described centerline: Beginning at the North Quarter of said Section 6; thence S $1^{\circ}07'15''$ E 1980.63 feet to the TRUE POINT OF BEGINNING; thence 86.29 feet along a 43.96 foot radius curve to the left with a central angle of $112^{\circ}28'13''$ and the chord of which bears N $70^{\circ}09'54''$ E 73.09 feet; thence N $13^{\circ}55'48''$ E 32.32 feet; thence 48.89 feet along a 151.25 foot radius curve to the right with a central angle of $18^{\circ}31'12''$ and the chord of which bears N $23^{\circ}11'24''$ E 48.68 feet; thence N $32^{\circ}27'00''$ E 44.80 feet; thence 63.55 feet along a 32.31 foot radius curve to the right with a central angle of $112^{\circ}42'00''$ and the chord of which bears N $88^{\circ}48'00''$ E 53.79 feet; thence S $34^{\circ}51'00''$ E 104.94 feet; thence 158.80 feet along a 236.72 foot radius curve to the left with a central angle of $38^{\circ}26'15''$ and the chord of which bears S $54^{\circ}04'08''$ E 155.84 feet; thence S $73^{\circ}17'15''$ E 222.62 feet to a point on the Westerly line of that tract of land described in Book 2328 at Page 36, which point is S $1^{\circ}07'15''$ E 1722.35 feet; thence N $89^{\circ}49'07''$ E 451.72 feet; thence due South 290 feet; and thence S $60^{\circ}29'43''$ E 145.00 feet from the North Quarter of said Section 6.

An easement for roadway, thirty feet wide, situate in the $\frac{W\frac{1}{2}NE\frac{1}{4}}$ of Section 6, Township 7 South, Range 71 West of the 6th P.M., being 15 feet on each side of the following described centerline: Beginning at the North Quarter corner of said Section 6; thence S $1^{\circ}07'15''$ E 1703.28 feet to the TRUE POINT OF BEGINNING of the centerline herein described; thence N $73^{\circ}52'12''$ E 10.00 feet to the point of curvature of a curve to the left; thence 118.94 feet along the arc of said curve having a radius of 366.00 feet through a central angle of $18^{\circ}37'12''$ to the point of tangency; thence N $55^{\circ}15'00''$ E 48.00 feet to the point of curvature of a curve to the right; thence 70.50 feet along the arc of said curve having a radius of 59.77 feet through a central angle of $67^{\circ}35'00''$ to the point of tangency; thence S $57^{\circ}10'00''$ E 65.00 feet to the point of curvature of a curve to the left; thence 97.00 feet along the arc of said curve having a radius of 162.28 feet through a central angle of $34^{\circ}15'00''$; thence N $88^{\circ}35'00''$ E 88.58 feet to a point on the Westerly line of that tract described in Book 2328 at Page 36, said point being S $01^{\circ}07'15''$ E 1722.35 feet; thence N $89^{\circ}49'07''$ E 451.72 feet; thence N $07^{\circ}43'34''$ E 41.20 feet from said North Quarter corner of Section 6, said point being the Point of Terminus.

Exhibit "B" to Deed dated July 7, 1983 from William N. Lundy, Sr. and
~~Kris I. Moberg~~ to the owners of properties listed below

The easements are for the use of owners of properties served by the road, which
properties are described below. The properties may be further divided, but so
long as the improvements fall within the below described boundaries, the road
shall serve them. All properties described below are in Jefferson County, Colorado.

3

12

(Overholt)

A tract of land lying in the North 1/2 of Section 6,
Township 7 South, Range 71 West, 6th P.M.,
Jefferson County, Colorado
described as:

Beginning at the North 1/4 corner of Section 6, Township 7 South, Range 71 West, 6
Thence South 1°07'15" East along the North-South centerline of said Section 6 a di
stance of 1602.01 feet to Northeast corner of said Tract, which is the TRUE POINT OF BEGI
THENCE continuing South 1°07'15" East along the North-South centerline a distance
695.13 feet, THENCE Due West a distance of 483.61 feet, THENCE Due North a distanc
695.00 feet, THENCE Due East a distance of 470.02 feet to the TRUE POINT OF BEGINN

Part of the North 1/2 of Section 6, Township 7 South, Range 71 West of
the 6th P.M., Jefferson County, Colorado more particularly described
as follows:

BEGINNING at the North 1/4 corner of said Section 6;
thence North 89° 44'23" East along the North line of the Northeast 1/4
of said Section 6, 714.91 feet;
thence South 07° 43'34" West, 1,733.99 feet;
thence due South 290.00 feet;
thence South 60° 29'43" East, 317.00 feet;
thence South 65° 53'53" West, 637.13 feet;
thence North 46° 28'08" West, 180.91 feet to the North-South centerline
of said Section 6;
thence North 01° 07'15" West along said centerline, 389.27 feet;
thence North 35° 37'15" West, 80.62 feet to the point of curvature of
a circular curve of radius 72.27 feet;
thence right along the arc of said circular curve, bearing right, 113.52
feet to the point of tangency of said curve the chord of which bears
North 09° 22'45" East, 102.21 feet;
thence North 54° 22'45" East, 32.82 feet to the North-South centerline
of said Section;
thence North 01° 07'15" West along said centerline, 1,722.35 feet, more
or less, to the POINT OF BEGINNING.

(LUNDY/MOBERG)

A tract of land situated in the W1/2 of the NE1/4 of Section 6, Town-
ship 7 South, Range 71 West of the 6th P.M., which tract lies on
the Northwesterly side of U. S. Highway #285 and is more particularly
described as follows:

BEGINNING at the Northeast corner of said W1/2 NE1/4;
thence along the East line of said W1/2 NE1/4, S0°12'14"W, 2195.93 feet,
more or less, to said Northwesterly right-of-way line;
thence Southwesterly along the said Northwesterly right-of-way line
the following courses and distances:
1. S69°45'35"W, 199.66 feet;
2. thence 127.32 feet along the arc of a circular curve to the
left having a radius of 1191.59 feet, a central angle of 6°07'30"
and the chord of which bears S66°41'50"W, 127.32 feet;
3. thence 123.69 feet along the arc of a circular curve to the left
having a radius of 918.6 feet, a central angle of 7°42'54" and
the chord of which bears S62°48'42"W, 123.60 feet;
thence leaving said right-of-way and proceeding N42°09'43"W, 275.90
feet;
thence N60°29'43"W, 317.00 feet;
thence due North 290.00 feet;
thence N7°43'34"E, 1733.99 feet to the North line of said W1/2 NE1/4;
thence N89°44'23"E, 650.00 feet to the POINT OF BEGINNING.

(Beneficial to (SENER))

RECEPTION NO. 84054480
06/13/84 08:30 9.00
RECORDED IN
COUNTY OF JEFFERSON
STATE OF COLORADO

Recorded at _____ o'clock _____ M.,
Reception No. _____

RECEPTION NO. 84100505
10/26/84 08:45 9.00
RECORDED IN
COUNTY OF JEFFERSON
STATE OF COLORADO

9.00
STATE DOCUMENTARY FEE
10/26/84
10/26/84

13

1-3

THIS DEED, Made this 18th day of May, 1984

between Everett G. Senter, Jr.

of the County of Jefferson and state of Colorado, of the first part, and the owners, guests, and heirs of the properties described in Exhibit "B".

whose legal address is c/o ERA Real Estate, 4610 S. Hwy 73, Evergreen, Colorado 80439

of the County of Jefferson and state of Colorado, of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of

TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS DOLLARS,
to the said party of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, have remised, released, sold, conveyed and QUIT CLAIMED, and by these presents do remise, release, sell, convey and QUIT CLAIM unto the said party of the second part, THEIR heirs, successors and assigns, forever, all the right, title, interest, claim and demand which the said party of the first part have in and to the following described lot or parcel of land situate, lying and being in the County of Jefferson and State of Colorado, to wit:

Per attached Exhibit "A"

also known as street and number

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining and all the estate, right, title, interest and claim whatsoever, of the said party of the first part, either in law or equity, to the only proper use, benefit and behoof of the said parties of the second part, their heirs and assigns forever.

IN WITNESS WHEREOF, The said party of the first part have hereunto set their hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Everett G. Senter, Jr. [SEAL]

[SEAL]

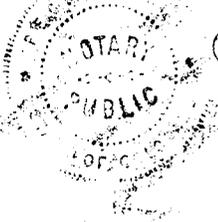
[SEAL]

STATE OF COLORADO,

County of Jefferson ss.

The foregoing instrument was acknowledged before me this 15th day of October 1984, by Everett G. Senter, Jr.

My commission expires 4-24, 1986. Witness my hand and official seal.



Deputy Notary
11275 Canyon
Hawthorne, Co. 80215

Notary Public.

9.00

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RECEPTION NO. 84100505
10/26/84 08:45 9.00
RECORDED IN
COUNTY OF JEFFERSON
STATE OF COLORADO

EXHIBIT "A" TO DEED FROM EVERETT G.
SENER, Jr.
TO THE OWNERS, GUESTS, AND HEIRS OF
THE PROPERTIES DESCRIBED IN EXHIBIT
"B"

An easement for roadway, ~~thirty~~ feet wide, situate in the $W\frac{1}{2}NE\frac{1}{4}$ of Section 6, Township 7 South, Range 71 West of the 6th P.M., being 15 feet on each side of the following described centerline: Beginning at the North Quarter corner of said Section 6; thence S $1^{\circ}07'15''$ E 1722.35 feet; thence N $89^{\circ}49'07''$ E 451.72 feet; thence due South 290 feet; thence S $60^{\circ}29'43''$ E 145.00 feet to the TRUE POINT OF BEGINNING; thence S $86^{\circ}58'26''$ E 32.54 feet; thence 46.21 feet on a 100 foot radius curve to the right with a $26^{\circ}28'43''$ central angle and the chord of which bears S $73^{\circ}44'04''$ E 45.80 feet; thence S $60^{\circ}29'43''$ E 102.31 feet; thence S $42^{\circ}09'43''$ E 172.66 feet; thence 124.00 feet on a 150 foot radius curve to the left with a $47^{\circ}21'56''$ central angle and the chord of which bears S $65^{\circ}50'41''$ E 120.50 feet; thence S $89^{\circ}31'39''$ E 20.61 feet, more or less, to the Northwesterly right-of-way line of U. S. Highway #285.

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Exhibit "B" to deed dated May 18, 1984 from Everett G. Senter, Jr. to the owners of the properties listed below

The easements are for the use of owners of properties served by the road, which properties are described below. The properties may be further divided, but so long as the improvements fall within the below described boundaries, the road shall serve them. All properties described below are in Jefferson County, Colorado.

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A tract of land lying in the North 1/2 of Section 6, Township 7 South, Range 71 West, 6th P.M., Jefferson County, Colorado described as:

RECEPTION NO. 84100505
10/26/84 08:45 9.00
RECORDED IN
COUNTY OF JEFFERSON
STATE OF COLORADO

Beginning at the North 1/4 corner of Section 6, Township 7 South, Range 71 West, 6 Thence South 1°07'15" East along the North-South centerline of said Section 6 a distance of 1602.01 feet to Northeast corner of said Tract, which is the TRUE POINT OF BEGINNING; thence continuing South 1°07'15" East along the North-South centerline a distance 695.13 feet, THENCE Due West a distance of 483.61 feet, THENCE Due North a distance 695.00 feet, THENCE Due East a distance of 470.02 feet to the TRUE POINT OF BEGINNING

(Overholt)

Part of the North 1/2 of Section 6, Township 7 South, Range 71 West of the 6th P.M., Jefferson County, Colorado more particularly described as follows:

BEGINNING at the North 1/4 corner of said Section 6;
thence North 89° 44'23" East along the North line of the Northeast 1/4 of said Section 6, 714.91 feet;
thence South 07° 43'34" West, 1,733.99 feet;
thence due South 290.00 feet;
thence South 60° 29'43" East, 317.00 feet;
thence South 65° 53'53" West, 637.13 feet;
thence North 46° 28'08" West, 180.91 feet to the North-South centerline of said Section 6;
thence North 01° 07'15" West along said centerline, 389.27 feet;
thence North 35° 37'15" West, 80.62 feet to the point of curvature of a circular curve of radius 72.27 feet;
thence right along the arc of said circular curve, bearing right, 113.52 feet to the point of tangency of said curve the chord of which bears North 09° 22'45" East, 102.21 feet;
thence North 54° 22'45" East, 32.82 feet to the North-South centerline of said Section;
thence North 01° 07'15" West along said centerline, 1,722.35 feet, more or less, to the POINT OF BEGINNING.

(LUDY/MAGERS)

Jefferson County

Planning and Zoning Division



14-118664PE

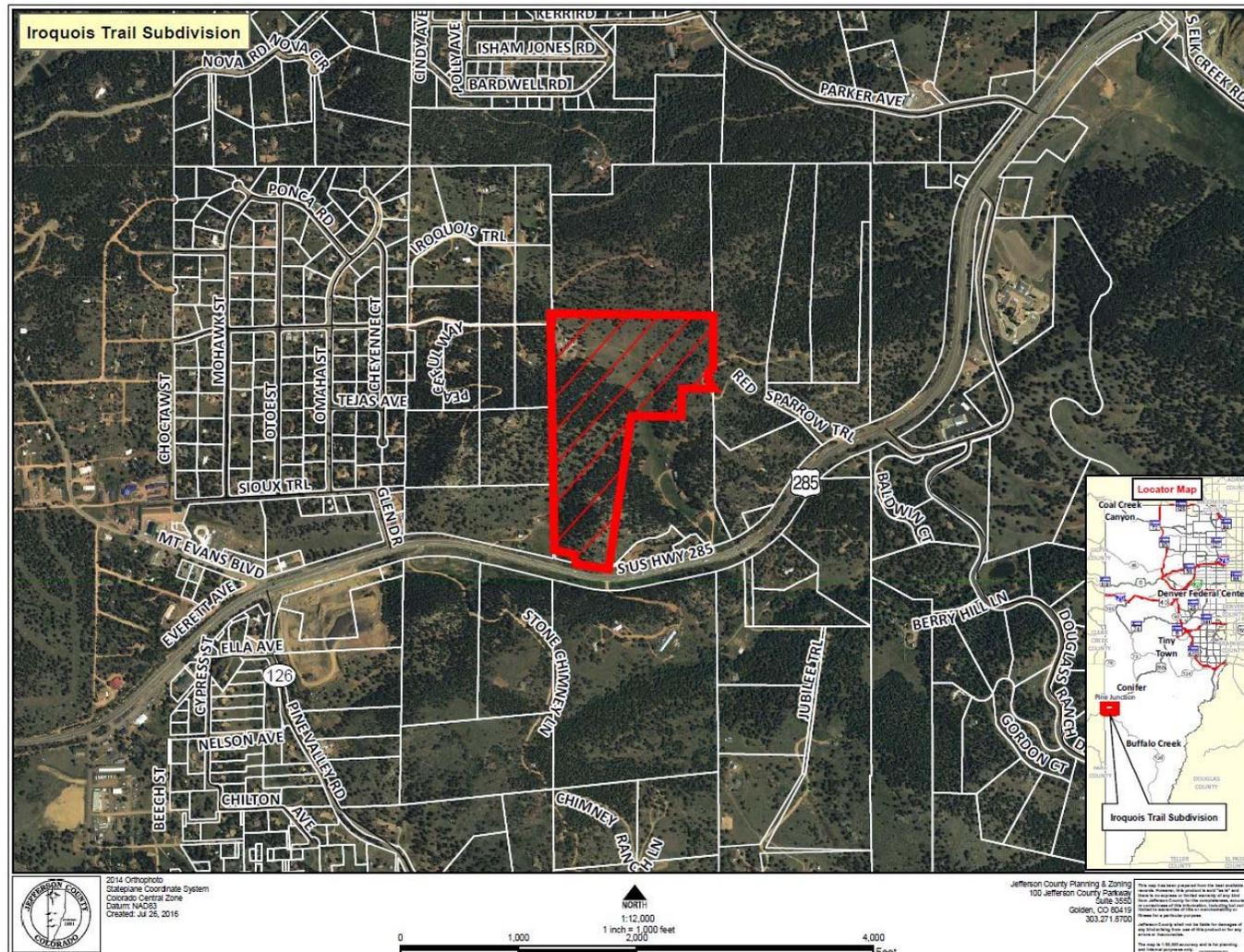
Iroquois Trail Subdivision Preliminary & Final Plat

Case Manager: Nathan Seymour



Background

- Intent – To subdivide into 2 lots



Jefferson County

Planning and Zoning Division



Background

- **Conformance with Regulations**
 - Zoning (A-2)
 - Land Development Regulation
 - Legal Access

Jefferson County

Planning and Zoning Division



Background

- **Access**

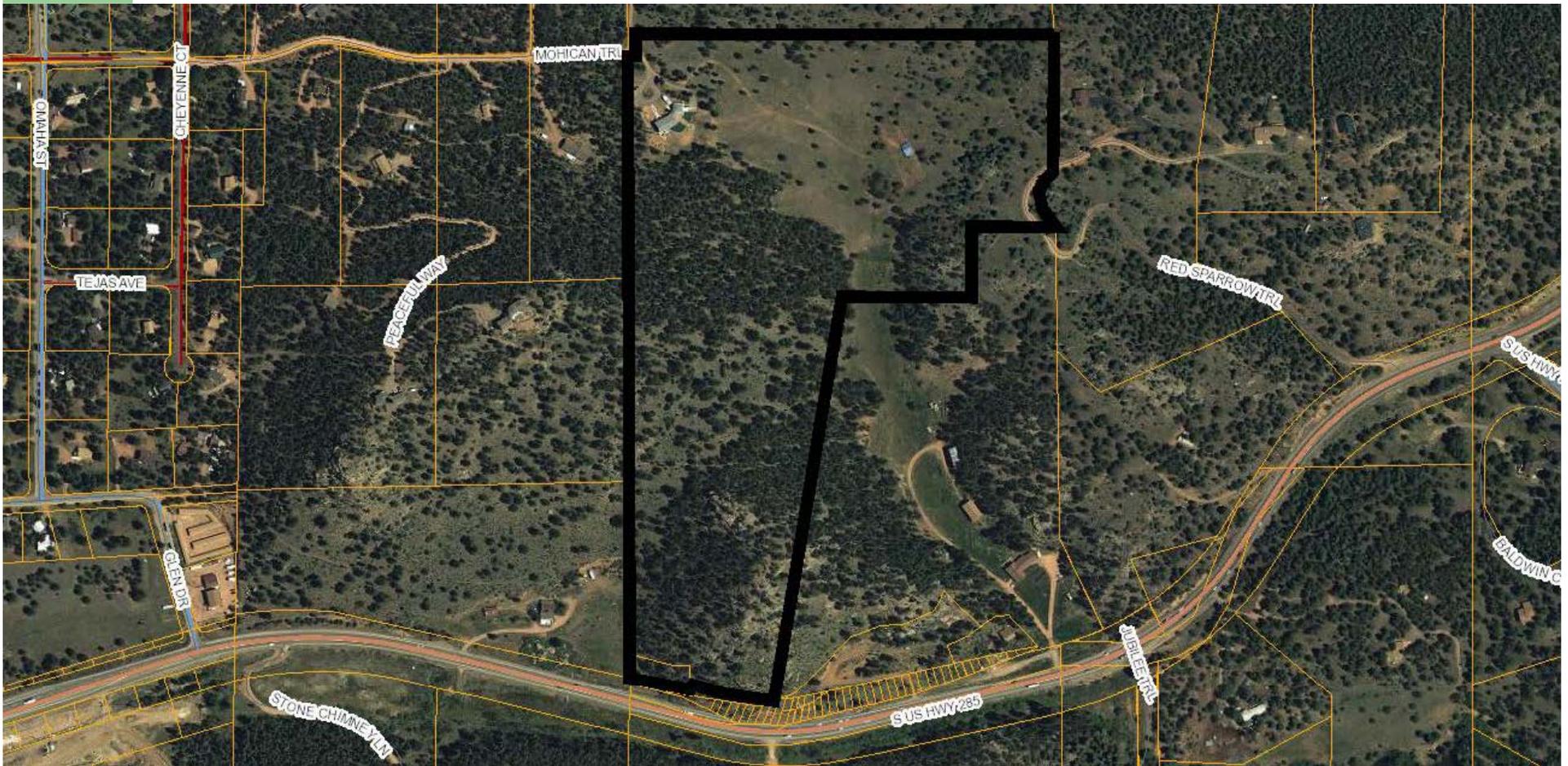


Jefferson County

Planning and Zoning Division



Background



Jefferson County

Planning and Zoning Division



Overview

- **Utilities**

- Water - Well
- Sewer – ISDS
- Electricity – IREA
- Gas – Colorado Natural Gas

Jefferson County

Planning and Zoning Division



Overview

- **Fire Protection**
- **Park and School Fees**
- **Performance Guarantee/SIA**
- **Notification**

Jefferson County

Planning and Zoning Division



Citizens Concerns

- **Access, Fire Threat, Water Supply**
- **Staff Response**
 - Fire District Approval
 - Fuel Break/Defensible Space
 - DWR/Augmented Well Permit/WAA
 - Legal Access
 - Easement Agreement



Recommendation

- **Staff Recommends Approval**
 - Subject to the conditions listed in the Staff report