



**PUBLIC NOTICE
BOARD OF ADJUSTMENT
RESCHEDULED TO
Tuesday, January 24, 2023, 6:30 P.M.
Council Chambers – 220 W. South Avenue
Woodland Park, Colorado
AGENDA**

This is a hybrid Zoom and in-person meeting. To Zoom - link from the City calendar at the bottom of the front page of the City website (www.city-woodlandpark.org). Public input is important to the Board and written comments are encouraged and should be submitted to the Secretary in advance of the meeting. Individuals wishing to be heard during the Public Hearing are encouraged to be prepared and will generally be limited to five (5) minutes, unless otherwise approved by the Chairman, in order to allow everyone the opportunity to be heard. Public comments are expected to be constructive. Please sign in to speak on a particular agenda item. For more information, call 719-687-5202.

1. ORDER & ROLL CALL

2. MINUTES: None

3. REQUESTS / PUBLIC HEARINGS:

VAR2022-07: Elk Grove Land Development Height

Variance: A request by Harold Platz of Elk Grove Land Development LLC (Property Owner & Applicant) for a 5-foot height variance (from 30 feet required by MC §18.14.030 to 35 feet) to accommodate five three-story buildings to develop 34 residential condominium units on Lots 10-14 and Tract B & C, Elk Grove Townhomes Filing No. 1, in the Multi-Family Suburban (MFS) zone.

4. REPORTS

5. ELECTIONS

A. Chair

B. Vice-Chair

6. ADJOURN



**PUBLIC NOTICE
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STAFF REPORT

PROJECT: VAR2022-07 Elk Grove Land Development Height Variance

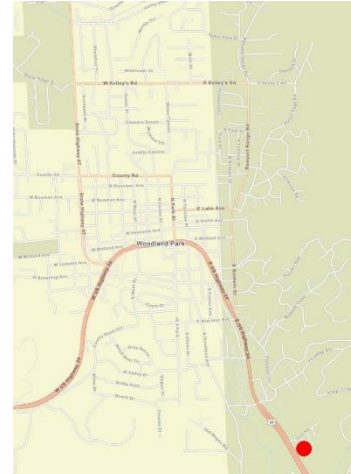
APPLICANT: Chip Platz – Elk Grove Development, LLC

REQUEST: Vary Maximum Height Restriction from 30 feet to 35 feet for five 3-story residential condominium buildings

LOCATION: Lots 10-14, Tract B & C Elk Grove Townhomes Filing No. 1

ZONE: Multi-Family Residential Suburban (MFS) District

STAFF: CJ Gates, Senior Planner



I. BACKGROUND

Elk Grove Land Development, LLC is requesting a 5-foot height variance to increase the allowed building height from 30 feet to 35 feet for five 3-story residential condominium buildings. The applicant is proposing 3 structures containing 4 units each, one 10 unit structure, and one 12 unit structure for a total of 34 condominium units.

The MFS zone district limits density to 8 dwelling units per acre. The first phase of Elk Grove that has previously been constructed consists of a total of 12 condominium units. Including the 12 units already constructed, a total of 34 units remain that could be built for a grand total of 46 allowable units. The multifamily use will require a Conditional Use Permit and Site Plan Review, which will be heard by the Planning Commission and City Council.

Regarding the entitlement process, the applicant is seeking the height variance first as the proposed height is key to the density needed for the viability of the project. The proposal calls for five structures that each have 2-stories of living space with a story of parking below the living space. The parking level is partially enclosed as it is set into the hillside on the northern side of the structures.

Elk Grove Land Development, LLC previously requested a height variance to construct two 43-foot 3-inch (43'-3") tall condominium buildings at this site. The item was presented to the Board of Adjustment (BoA) at a public hearing on August 15, 2022. The BoA voted to disapprove the application for variance as requested because the variance was not in harmony with the general purpose and intent of the Comprehensive Plan and the BoA did not believe that the literal interpretation of Title 18 would deprive the applicant property owner of rights commonly enjoyed.

Building height is measured as prescribed in Code section **§18.06.080**

"Height of building" means the vertical distance from the finished grade (average finished elevation of the ground around the structure) to the highest point of the roof."

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The subject property is located east of US Highway 24 and south of Trull Road (See Figure 1). There are commercial uses at this intersection (Swiss Chalet Restaurant and U-Haul/Great Outdoors Adventures) and single family homes up Trull Road to the east. The first phase of Elk Grove was constructed over fifteen years ago and consists of 12 townhomes (three building with four units each). The balance of the Elk Grove property (outlined in yellow in Figure 1) contains topography that slopes from the east downhill toward the west with the most significant slopes occurring at the southern end. Figure 2 provides an illustration of the sloping terrain.



Figure 1: Aerial Photo

STAFF REPORT



Figure 2: From Elk Grove Ln Looking south into site

STAFF REPORT

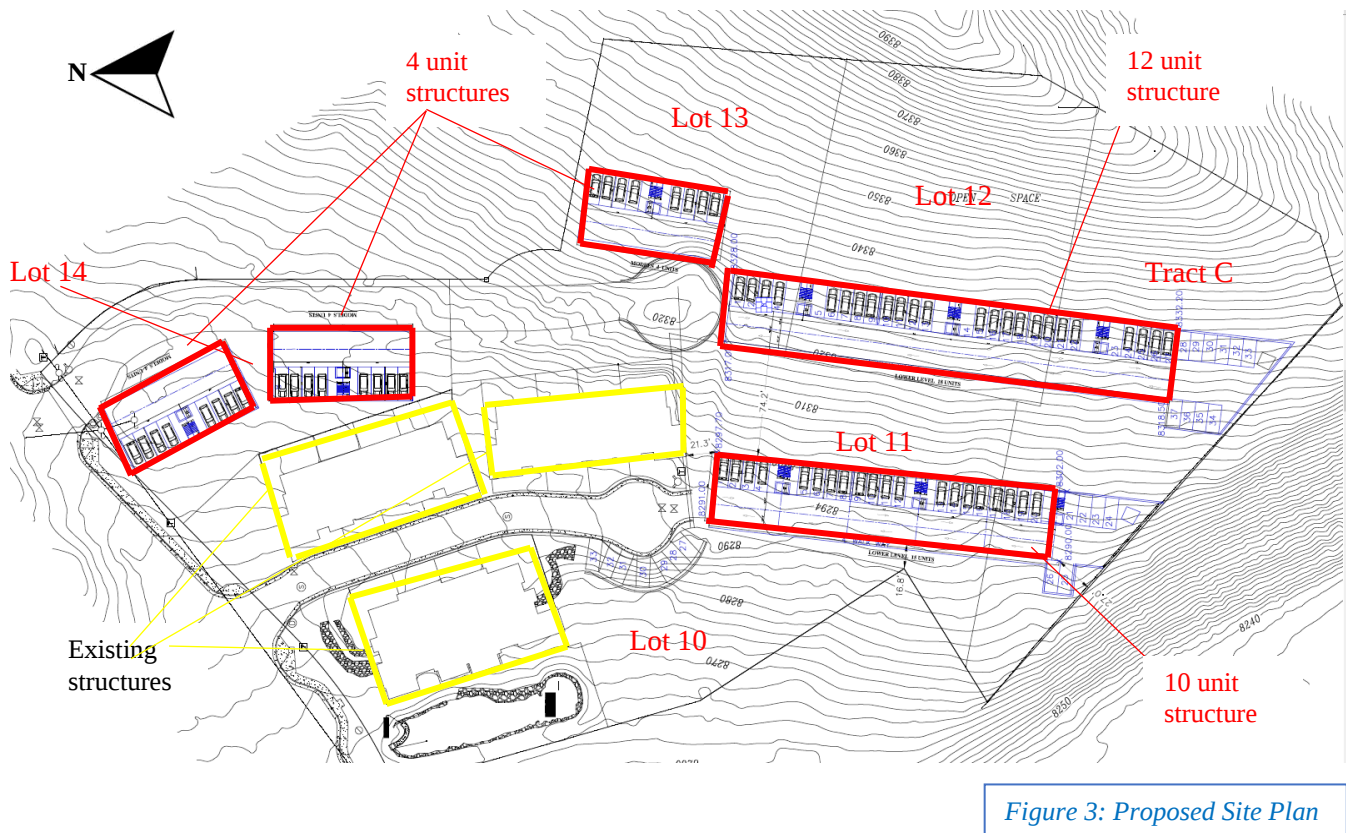


Figure 3 above is the applicant's proposed site plan. The structures outlined in yellow are the existing condominiums and the structures outlined in red represent the proposed condominium buildings. As seen in Figure 3, when looking at the topographical lines, the 10 and 12 unit structures located at the southern end of the site and the 4 unit structure to the east will experience the most elevation change thus requiring the variance. As also shown on the site plan, the 10 unit structure will be constructed at the end of the existing privately owned Elk Grove Lane cul-de-sac. The other proposed structures will require the extension of Aspen Grove Lane as a private street ending in a cul-de-sac. In order to accommodate the sloping topography of the site, the applicant as proposed a garage level on each building. The garages are proposed to be open on the front (west) side for parking access and the back (east) side will be constructed into the hillside. Vehicle access to the southern end of the 10 and 12 unit structures is by driving the entire length of the parking level that is the bottom story of the structure.

II. PROCESS

Zoning variances are subject to the requirements of *Chapter 18.60* of the Municipal Code. §18.60.010 states that where by reason of exceptional narrowness, shallowness, shape, topography, or other extraordinary or exceptional situation or condition peculiar to a particular piece of property, the strict application of any provision of *Title 18 Zoning* would result in exceptional, demonstrable, unnecessary hardship, the Board of Adjustment (BoA) has the power

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to grant a variance from such strict application so as to relieve such demonstrable difficulties or hardships. If a variance is granted, the BoA may prescribe appropriate conditions in conformity with the Zoning Regulations (§18.60.060). Before granting a variance, the BoA must make the findings specified in §18.60.040. Also, unless the limitations of §18.60.050.A and B are met (see below), a variance cannot be granted.

Notice of the BoA public hearing was sent to adjacent property owners at least ten days prior to the public hearing, signs were posted on the property for at least ten days immediately prior to the public hearing, and a public notice was published in the Pikes Peak Courier at least seven days prior to the hearing. Staff has received 12 comments from citizens regarding the application all of which are included in the packet.

The Application was referred to the City Utilities/Public Works Director, the City Attorney, the City Inspector, the Fire Department, and the Woodland Park Police Department. Staff received one comment that was a “No Comment” from the Woodland Park Utilities Department.

III. POWER TO GRANT VARIANCE

Analysis: §18.06.020 Requires the applicant to demonstrate how the variance meets the following conditions:

1. That there exists special conditions and circumstances of the type specified in Section 18.60.010, which are peculiar to the land, structure, or building involved and which are not applicable to other lands or structures in the same district;

- Staff found that special conditions and circumstances do exist due to the significant topographical slope of the site. At what appears to be the most extreme point along the proposed structure primarily located on lots 12, 13, and tract C, the grade change between the highest and lowest point of the structure is approximately 15 feet. While for the structure primarily on lot 11, and tract C the grade change is closer to 12 feet.

2. The said special conditions and circumstances do not result from the actions of the applicant;

- Staff found that the significant grade change on site is a special circumstance, and was not caused by actions of the applicant.

3. That literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of these regulations;

- Staff found that the denial of the variance would likely reduce the size and quantity of units on the property. The existing condos along Elk Grove Lane have a total of three stories. However, due to how they are set into the hillside (see Figure 4), they appear as two-story buildings when viewed from the front and rear of the structures. The proposed

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structures are similar to what has previously been constructed on Elk Grove Lane in that they are all 3-story buildings. Due to the manner the City of Woodland Park measures the height of structures and the steeper topography of the site, the proposed buildings will be taller in height than what is existing currently within the Elk Grove development.

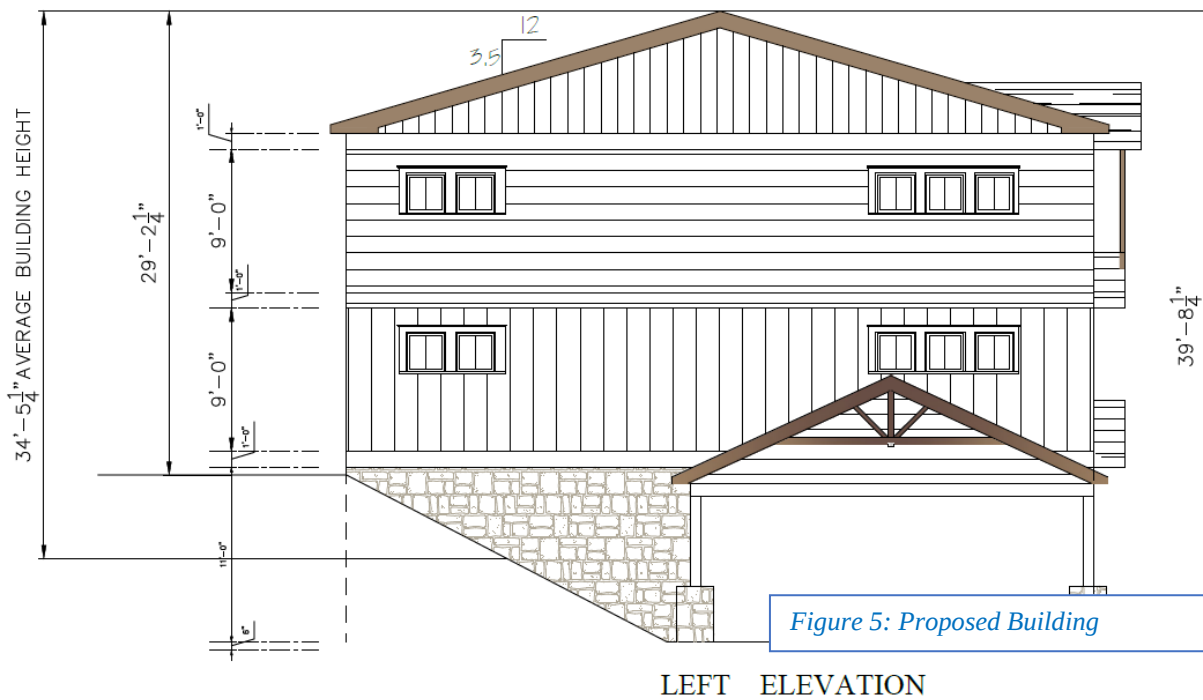


Figure 4: Elk Grove Townhouse Building

4. That granting the variance requested will not confer on the applicant any special privilege that is denied by the board to other lands or structures in the same district.

- Based on elevations provided by the applicant, it appears that the proposed buildings with 2-stories of living space over the parking level, is similar to those on surrounding properties. The similarities include all the buildings are a total of 3-stories in height, are constructed so they are set into the hillside, and with a 5' height variance the proposed buildings could be constructed on the portion of the site where the steeper terrain occurs.

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IV. SECTION 18.60.050.A and B LIMITATIONS

The limitations of §18.60.050.B are met since a residential multifamily dwelling units use is permitted through a conditional use permit under the terms of *Title 18* within the MFS zone district. Also, limitations of §18.60.050.A are met because no nonconforming use of lands or structures in the same district, and no permitted or nonconforming use of land or structure in other districts, have been used as grounds for the issuance of this variance.

V. FINDINGS

The BoA shall consider each application and grant or deny it according to the provisions of Municipal Code §18.60.040. Findings are provided below, complete with staff's analysis. In granting a variance, the BoA may prescribe appropriate conditions in conformity with Municipal Code *Title 18*.

18.60.040.A. That the representations in the application are valid.

Analysis: Staff found the representations in the application valid. A written application complete with fee was submitted on November 14, 2022 and additional information was accepted by the City on December 1, 2022. Staff finds that the application demonstrates the existence of special conditions and circumstances peculiar to the land and building involved. Staff bases this on the lot's extreme topography. To resolve this issue, the Applicant is requesting a height variance to allow for the product and number of units required for developmental viability.

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18.60.040.B. That the reasons set forth in the application justify the granting of the variance that will make possible the reasonable use of the land or structure.

Analysis: Staff found the justification provided by the application was sufficient for staff to recommend granting the variance as requested. The significant grade change, and preservation of existing trees should be considered, the size of the variance request does not exceed the hardships found on the site.

18.60.040.C. That the granting of the variance will be in harmony with the general purpose and intent of the comprehensive plan and Title 18 Zoning and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Analysis: If granted, this variance will partially conform with the general purpose and intent of the comprehensive plan. As shown on the Future Land Use Map (Figure 5), the western portion of the site is designated for multifamily residential and the eastern portion (Lots 12-14) is designated for single family residential. Page 21 of the *Envision Woodland Park 2030* comprehensive plan provides the following guidance for using the Future Land Use Map:

WOODLAND PARK FUTURE LAND USE MAP DESCRIPTION

The Future Land Use Map provides guidance for rezoning requests, annexation proposals, new development, and redevelopment projects within the City limits. Its purpose is to honor the City's existing zoning map while providing both direction and flexibility for a sustainable balance of uses in future development or redevelopment proposals. Comments and direction provided by the community have been incorporated in land use descriptions and designations. Within the unincorporated areas of Teller County surrounding Woodland Park, the map identifies the type of low impact growth that may occur within the planning area and at the gateways to Woodland Park.

The Future Land Use Map identifies locations for the most appropriate future land use within the broad categories. The land use designation of each area is based on what is currently in place; what the community would like to see more of; and identification of harmonious uses that do not infringe on the existing land uses. Water use is a major consideration in land use planning and ensures that a diversity of land uses are planned for with the amount of water available. A more detailed description of each land use designation is listed below:

The entire site is zoned Multi-Family Residential Suburban (MFS) (see Figure 6 for the Zoning Map) and, if granted, the variance would facilitate the development of multifamily dwelling units which can be permitted at this location through a conditional use permit and site plan review. The proposed use (condominiums) are similar to the adjacent use of townhomes along Elk Grove Lane in that both are types of attached dwelling units and both are 3-stories in height.

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Figure 5: Comprehensive Plan – Future Land Use Map

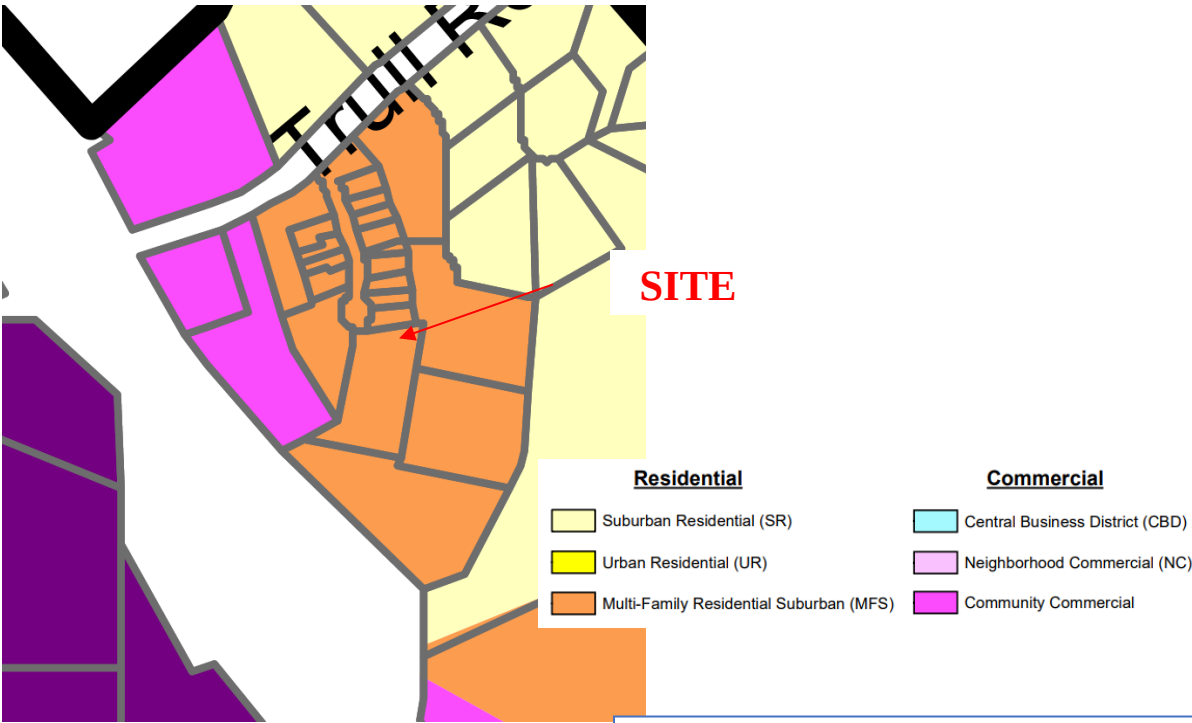


Figure 6: Zoning Map

STAFF REPORT

VI. STAFF RECOMMENDATION

Staff recommends approval of the 5-foot variance to allow for a maximum building height of 35' with the condition that the buildings are a maximum of 3 stories (floors) in height including the parking level.

Attachments

- A. Application
- B. Elk Grove Townhomes Filing No. 1 Subdivision Plat
- C. Citizen Comments

Planning Application Entry Form

Print Record



ID

Go To Development Fees Receipt Form



Open Permit Comments

Permit Number 202211295

Project # EXT/Case # VAR2022-07

Public Hearing Required ☒

Date Received 11/4/2022

Date Routed 11/14/2022

Date Initial Permit Approved

*Date Permit Paid 11/4/2022

*NOTE: If Non-profit enter Date Approved in Date Permit Paid field for report

Project Type VAR

Project Type Number 11

Project Classification Height VAR

Non-Profit, Residential or Commercial Residential

NOTE: Above Field required only for SINS and TUPs

Project Name Elk Grove Land Development

Site Address Number

Site Address Name

Lot Number 10-14 & Tract B & C

Block Number

Subdivision Elk Grove Townhome

Filing # 1

Applicant Business Name Elk Grove Land Devel

App First Name Harold (Chip)

App Last Name Platz

App Phone Number 203-610-0086

PO Box

Mailing Address Street # 300

Mailing Address Street Name Sunny Glen Court

City Woodland Park

State CO

Zip Code 80863

Owner First Name Elk Grove Land Devel

Owner Last Name Registered Agents Inc

Zone Class MFS

Applicant Project Value \$0.00

Date CO Requested

Temp CO Auth Approved

Date Temp CO Expires

UTILITIES SECTION

Tap Allocation Date

Allocation Exp Date

Water Tap #

Sewer Tap #

Tap Paid Date

Tap Exp Date

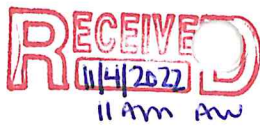
Taps Refunded ☐

Inside/Outside User

Meter Installed ☐

Filed in Area

Senior Planner



2022 GENERAL APPLICATION
(Revised 1/1/2022)

Project # 202211295
Case # VAR 2022-07
Fee(s): See City of Woodland Park
Fees Sheet (Plus publication/recording
fees, as applicable)
BOA fee = \$338.00

Type of Application (Check one or more as applicable)

- | | | |
|---|---|---|
| ☐ Site Plan Review Permitted Use | ☐ Special Use Permit | ☐ Preliminary Plat |
| ☐ Site Plan Review Conditional Use | ☐ Planned Unit Development (PUD) | ☐ Exemption Plat |
| ☐ Conditional Use Permit | ☐ PUD Amendment | ☐ Final Plat |
| ☐ Zoning Change | ☐ Appeal | ☐ Townhouse Plat |
| ☐ Extension of Development | ☒ Variance | ☐ Condominium Plat |

1. Applicant Information

- a. Applicant Name Harold Platz
- b. Project Coordinator ☐ Property Owner ☒
- c. Mailing Address 300 Sunny Glen Court Woodland Park CO 80863
- d. E-mail Address chipplatz@aol.com
- e. Phone Numbers Home _____ Work 203-610-0086 Mobile 203-610-0086

2. Property Owner Information (if different from above)

- a. Name Elk Grove Land Development LLC Project Contact? Yes ☒ No ☐
- b. Mailing Address C/O Registered Agents Inc. 30 N Gould St, Ste R, Sheridan WY.
- c. E-mail Address chipplatz@aol.com
- d. Phone Numbers Home _____ Work 203-610-0086 Mobile 203-610-0086 80801

3. Site Information

- a. Site Address Lot 10-14, Tract B + C Elk Grove Townhomes
- b. Lot 10-14 Block _____ Subdivision Elk Grove Townhomes Filing #
- c. Property Zoning MFS Lot Size 4.81 Acres ☒ Square Feet ☐

- 4. Is the property subject to covenants?** Yes ☒ No ☐ If yes, then submit copy of covenants and current contact for HOA. It is the responsibility of the landowner to submit HOA approval with this application.

5. Project Information

- a. Project Name Elk Grove Land Development LLC
- b. Brief Description of Project/Request Construct 5 2 story buildings to create 34 residential condominium units. A height variance of 15 ft is requested. Total height of 35.
- Project Narrative (On a separate sheet provide additional project details and how the proposal complies with the applicable code requirements, which can be found in Section 8 of this application.)

5. Consultant Information (if applicable)

a. Architect

- i. Project Contact Mike Bramlett
- ii. Firm Name JR Engineering
- iii. Physical Address 5475 Tech Center Dr., Ste 235 Colorado Springs, CO 80919
- iv. Mailing Address 5475 Tech Center Dr., Ste 235 Colorado Springs, CO 80919
- v. E-mail Address mbramlett@jrengineering.com
- vi. Phone Numbers: Business 719-593-2593 Mobile 719-659-7679

b. Engineer

- i. Project Contact Mike Bramlett
- ii. Firm Name JR Engineering
- iii. Physical Address 5475 Tech Center Dr., Ste 235 Colorado Springs, CO 80919
- iv. Mailing Address 5475 Tech Center Dr., Ste 235 Colorado Springs, CO 80919
- v. E-mail Address mbramlett@jrengineering.com
- vi. Phone Numbers: Business 719-593-2593 Mobile 719-659-7679

c. Planner

- i. Project Contact Anilia Agaraj
- ii. Firm Name Anilia Agaraj
- iii. Physical Address 2 Strang Road Derby CT 06418
- iv. Mailing Address 2 Strang Road Derby CT 06418
- v. E-mail Address _____
- vi. Phone Numbers: Business _____ Mobile 203 278 1644

d. Surveyor

- i. Project Contact Eric Simonson
- ii. Firm Name Rampart Surveys LLC
- iii. Physical Address 1050 Tamarac Parkway Woodland Park CO. 80863
- iv. Mailing Address P.O Box 5101 WoodLand Park, CO 80866
- v. E-mail Address eric@rampartls.com
- vi. Phone Numbers: Business 719 687 0920 Mobile _____

e. Other (specify role) Designer

- i. Project Contact Chip Platz
- ii. Firm Name H&P Builders LLC
- iii. Physical Address 280 Post Rd Fairfield Ct 06824
- iv. Mailing Address 280 Post RD Fairfield CT 06824
- v. E-mail Address chipplatz@aol.com
- vi. Phone Numbers: Business _____ Mobile 203 610 0086

6. Submittal Requirements

The following items must be included at time of submittal (in addition to items on the submittal checklists) or the application will not be processed (additional copies may be requested).

Type of Application	24" x 36" Plan Set	11" x 17" Plan Set	Adobe Acrobat Portable Document Format (.pdf) electronic Plan Set on a flash drive	Warranty Deed or Title Policy	List of adjoining property owners within 150'	Copies of reports (narrative, traffic study, drainage, etc.)
All Types	1	1	1	1	1	1

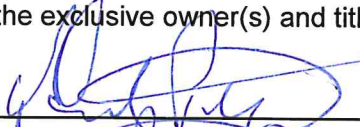
7. Applicable Code Sections

The following are the applicable code sections by type of application and are for assisting applicants in completing the required project narrative. The City of Woodland Park's Municipal Code can be found at www.city-woodlandpark.org/Charter&Code. Subdivision requirements are in Title 17 and Zoning is in Title 18 of the Municipal Code.

Type of Application	Applicable Code Sections
Site Plan Review Permitted Use	Chapters 18.34, 18.33 and 18.39
Site Plan Review Conditional Use	Chapters 18.34, 18.57, 18.33 and 18.39
Conditional Use Permit	Chapter 18.57 plus applicable site plan regulations
Zoning Change	There are no specific standards, but the applicant should provide supporting argument for a zoning change, including how it complies with the Comprehensive Plan
Special Use Permit	Chapter 18.61 plus applicable site plan regulations
Planned Unit Development	Chapters 18.30, 18.33, 18.39, Sections 17.20.070, and 17.20.080
Appeal	Chapter 18.54
Variance	Chapter 18.60
Preliminary Plat	Chapter 17.20 plus applicable subdivision sections
Exemption Plat	Section 17.52.030 plus applicable subdivision sections
Final Plat	Chapter 17.24 plus applicable subdivision sections
Townhouse Plat	Chapter 17.32 plus applicable subdivision sections
Condominium Plat	Chapter 17.32 plus applicable subdivision sections

8. Certification of Ownership

I (We) do hereby declare and affirm that I (we) am (are) the exclusive owner(s) and title holder(s) of the above described property.

 Harold Platz member  Date 11/4/2022
 Owner

 Harold Platz  Date 11/4/2022
 Owner

9. Certification: The undersigned applicant certifies under oath and under penalties of perjury that the information found in the application is true and accurate to the best of their knowledge.

I certify that I understand that the proposed development is in accordance with all provisions of the City of Woodland Park's Municipal Code and other applicable regulations.

  Harold Platz Date 11/4/2022
 Applicant

Elk Grove Height Variance

Dec 1, 2022

Letter of Intent

Project Description

Elk Grove Land Development LLC owns the remaining undeveloped lots and tracts (Lot 10-14, Tract B & C, 4.81 acres) within Elk Grove Subdivision. The undeveloped land is located within the City of Woodland Park, southeast of Trull Road. Swiss Chalet and Highway 24 border the property to westsouthwest and Aspen Acres Filing No. 2 and Lot 1 Gator Mountain Subdivision border the property to southeast – east. The land is zone Multi-Family Suburban (MFS).Elk Grove Height Variance R1 June 21, 2022.

The initial development Elk Grove, 12 Townhome units and the private Elk Grove Lane, were constructed 15-20 years ago but the full development was never completed due to market forces. The remaining land has sat idle since that time.

To complete the development of Elk Grove, Elk Grove Land Development LLC wishes to construct five 3 story buildings with the first story to be parking under units. (34 condominium units, 7.7 DU/Ac.). Each building will be split into individual condominium units. As shown on the site plan, one 3 story building will be at the end of the existing privately owned Elk Grove Lane cul-de-sac, which the land owner has a right to access. The other 3 story buildings will require the extension of Aspen Grove Lane as a private street ending in a cul-de- sac. The two buildings is placed near Trull Road and the other two 3 story building is situated at the end of the cul-de-sac.

In order to accommodate the exceptionally sloping topography of the site, buildings will have a garage level under the condominium floors on the front side while the back side of the garages are buried into the hillside on some buildings. Each building will have elevators to provide access to the condominium floors

Per the MFS zoning the maximum building height is 30 feet. The applicant is requesting a variance to that code be granted to allow the applicant to construct the five - 3 story buildings to a maximum height of 35 feet when measured from the top of the roof ridge.

Justification of the 5 foot variance to maximum building height:

1. There are hardships which are peculiar to this land that are not applicable to other lands in the MFS zone district. The severe slope of the land and its direction parallel to the private street alignments creates a very small development area. Because of this small area a third floor has been added to the 3 story buildings to increase the number of condominium units per building. The site is heavily treed with mature pines. Because of this, the owner has proposed the three story buildings to limit the amount of trees that will be removed due to disturbance and wildland fire mitigation. To adhere to the height requirement by limiting the buildings to two story, 4 additional building would be required to maintain unit density. While it may not even be possible to add another building to the site, to do so would greatly increase the site disturbance causing significantly more trees to be removed and the need for very large retaining walls.

2. The severe slope of the land and its direction parallel to the private street alignments were not created by present or past owners.

3. All properties in the MFS zone have the right to a density up to 8 DU/AC.
4. I am reapplying as the board suggested to reconsider the height. Base camp was hired by the town to review and came up with a conclusion of a 5 ft variance.
5. Reconfigured to get a height variance of 5 ft.



ELK GROVE TOWNHOMES FILING NO. 1
A REPLAT OF LOT 3A, SWISS CHALET SUB. AND VACATED SHERIDAN LANE
LOCATED IN THE W 1/2 OF SECTION 30, T. 12 S., R. 68 W. OF THE 6TH P.M.
IN THE CITY OF WOODLAND PARK, TELLER COUNTY, COLORADO

KNOW ALL MEN BY THESE PRESENTS:

THAT ELK GROVE VILLAGE, LLC, A COLORADO LIMITED LIABILITY COMPANY, MARC MURPHY, MANAGER, BEING THE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND:

TO WT:

LOT 3A, SWISS CHALET SUBDIVISION (A COMBINATION OF LOT 3R, SWISS CHALET SUBDIVISION AS RECORDED UNDER RECEPTION NUMBER 470031 AND A PORTION OF LOT 8, ASPEN ACRES AS RECORDED UNDER RECEPTION NUMBER 171116) AND VACATED SHERIDAN LANE AS RECORDED UNDER RECEPTION NUMBER 547745, ALL OF THE RECORDS OF THE TELLER COUNTY CLERK AND RECORDER AND LOCATED IN THE WEST ONE-HALF (W 1/2) OF SECTION 30, TOWNSHIP 12 SOUTH, RANGE 68 WEST OF THE 6TH P.M., IN THE CITY OF WOODLAND PARK, TELLER COUNTY, COLORADO AND CONTAINING 5.87 ACRES OF LAND, MORE OR LESS.

DEDICATION:

THE UNDERSIGNED OWNER HAS CAUSED SAID PARCELS TO BE REPLATTED INTO LOTS, TRACTS AND EASEMENTS AS SHOWN ON THE PLAT. THE UNDERSIGNED DOES HEREBY GRANT UNTO THE CITY OF WOODLAND PARK THOSE EASEMENTS AND AREAS FOR PUBLIC USE SHOWN ON THE PLAT. THE SOLE RIGHT AND AUTHORITY TO RELEASE OR CONVEY ALL OR ANY SUCH EASEMENTS AND AREAS FOR PUBLIC USE SHALL REMAIN EXCLUSIVELY VESTED IN THE CITY OF WOODLAND PARK. ALL EASEMENTS SHALL RETAIN THE RIGHT OF INGRESS AND EGRESS FOR CONSTRUCTION AND MAINTENANCE OF IMPROVEMENTS. NO PERMANENT STRUCTURES EXCEPT FENCING SHALL BE ALLOWED ON ANY EASEMENT. THIS TRACT OF LAND AS HEREIN PLATTED SHALL BE KNOWN AS "ELK GROVE TOWNHOMES FILING NO. 1" IN THE CITY OF WOODLAND PARK, TELLER COUNTY, COLORADO.

IN WITNESS WHEREOF:

THAT ELK GROVE VILLAGE, LLC, A COLORADO LIMITED LIABILITY COMPANY, HAS EXECUTED

THIS INSTRUMENT THIS 17 DAY OF JUNE, 2004, A.D.

MARC MURPHY, MANAGER

STATE OF COLORADO }
COUNTY OF TELLER }

THE ABOVE AND AFOREMENTIONED INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 17th DAY OF

June, 2004, A.D., by MARC MURPHY, MANAGER, ELK GROVE VILLAGE, LLC,

A COLORADO LIMITED LIABILITY COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL:

MY COMMISSION EXPIRES: 7/31/2006

NOTARY PUBLIC

RECORDING:

STATE OF COLORADO }
COUNTY OF TELLER }

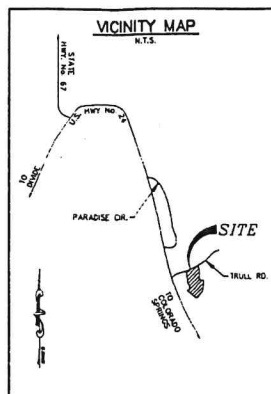
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE AT 12:55 O'CLOCK P. M.,

THIS 18th DAY OF JUNE, 2004, A.D., AND IS DULY RECORDED IN PLAT BOOK N/A AT

PAGE N/A UNDER RECEPTION NUMBER 567133 OF THE RECORDS OF TELLER COUNTY, COLORADO.

FEES \$20.00

BY: JULIANA MASTERS, Deputy Clerk
TELLER COUNTY CLERK AND RECORDER



APPROVAL BY THE PLANNING COMMISSION:

APPROVED BY THE PLANNING COMMISSION FOR THE CITY OF WOODLAND PARK, COLORADO THIS 8th

DAY OF APRIL, 2004, A.D.

Steve Randolph
CHAIRMAN
PLANNING COMMISSION

ATTEST: Amphol
RECORDING SECRETARY

APPROVAL BY THE CITY COUNCIL:

THIS PLAT AND THE DEDICATION TO THE PUBLIC OF THE PUBLIC WAYS SHOWN HEREON, AND THE PUBLIC UTILITY EASEMENTS AS SHOWN ARE HEREBY ACCEPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WOODLAND PARK, COLORADO, THIS 15th DAY OF APRIL, 2004, A.D.

MAYOR

ATTEST: Cindy Morse
CITY CLERK

COUNTY TREASURER:

ALL TAXES ASSESSED AND DUE ON THE PROPERTY DESCRIBED ABOVE HAVE BEEN PAID IN FULL.

SIGNED THIS 18th DAY OF JUNE, 2004, A.D.

Nancy A. Tolson, Deputy Treasurer
TELLER COUNTY TREASURER

NOTES:

1. NO BUILDING PERMITS SHALL BE ISSUED FOR BUILDING SITES WITHIN THIS PLAT UNTIL ALL REQUIRED FEES HAVE BEEN PAID AND ALL REQUIRED PUBLIC IMPROVEMENTS AND UTILITIES HAVE BEEN INSTALLED AS SPECIFIED BY THE CITY OF WOODLAND PARK OR ALTERNATIVELY, UNTIL ACCEPTABLE ASSURANCES GUARANTEEING THE PAYMENT OF THE FEES AND THE COMPLETION OF ALL REQUIRED PUBLIC IMPROVEMENTS AND UTILITIES HAVE BEEN PLACED ON FILE WITH THE CITY OF WOODLAND PARK. ALL EXPENSES INVOLVED IN NECESSARY IMPROVEMENTS TO THE WATER SYSTEM, GAS SERVICE, ELECTRICAL SERVICE, DRAINAGE SYSTEM, SANITARY SEWER SYSTEM AND STREET SYSTEM SHALL BE FINANCED BY THE SUBDIVIDER, NOT THE CITY. THE APPROVAL OF THIS PLAT MAY BE WITHDRAWN IF ALL CONDITIONS OF APPROVAL ARE NOT MET.

2. ALL BEARINGS USED HEREIN ARE BASED UPON AN ASSUMED BEARING OF S04°45'57"W, A DISTANCE OF 299.56' BETWEEN A 1" (O.D.) IRON PIPE AT THE MOST EASTERLY ANGLE POINT IN THE EASTERLY LINE OF LOT 3A, SWISS CHALET SUBDIVISION AS RECORDED UNDER RECEPTION NO. 470031 OF THE RECORDS OF THE TELLER COUNTY CLERK AND RECORDER AND A REBAR AND YELLOW CAP STAMPED "LS 12043" AT THE NEXT ANGLE POINT SOUTH OF SAID MOST EASTERLY ANGLE POINT OF SAID LOT 3A.

3. THIS PLAT DOES NOT CONSTITUTE A TITLE SEARCH BY RAMPART SURVEYS FOR EITHER OWNERSHIP OR EASEMENTS OF RECORD. RAMPART SURVEYS RELIED ON TITLE COMMITMENT NO. 812573, EFFECTIVE DATE OF FEBRUARY 9, 2004 AT 8:00 A.M., ISSUED BY COMMONWEALTH LAND TITLE INSURANCE COMPANY, FOR OWNERSHIP AND EASEMENTS OF RECORD.

4. THE PROPERTY IS SUBJECT TO ALL RIGHTS OF WAY AND EASEMENTS, INCLUDING, BUT NOT LIMITED TO THOSE FOR ROADS, DITCHES, WATERWAYS, UTILITIES, DRAINAGE, PIPELINES, RAILROADS, AND AVIGATION. (TITLE COMMITMENT NO. 812573, SCHEDULE B-EXCEPTIONS, ITEM NO. 7)

5. THE PROPERTY IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, (DELETING ANY RESTRICTIONS INDICATING ANY PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN) AS CONTAINED IN INSTRUMENT RECORDED JUNE 5, 1957 IN BOOK 275 PAGE 427; RELEASE AND MODIFICATION RECORDED IN BOOK 277 PAGE 373, AND JULY 1, 1998 AT RECEPTION NO. 478301, AND ANY AND ALL AMENDMENTS AND SUPPLEMENTS THERETO. (TITLE COMMITMENT NO. 812573, SCHEDULE B-EXCEPTIONS, ITEM NO. 8)

6. THE PROPERTY SHALL BE SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR ELK GROVE TOWNHOMES RECORDED UNDER RECEPTION NO. 567133 OF THE RECORDS OF THE TELLER COUNTY CLERK AND RECORDER.

7. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS AND OBLIGATIONS OF ORDINANCE 541, SERIES 1991 RECORDED MAY 19, 1992 IN BOOK 606 PAGE 98 AND DECEMBER 30, 1992 IN BOOK 646 PAGE 117. (TITLE COMMITMENT NO. 812573, SCHEDULE B-EXCEPTIONS, ITEM NO. 9)

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9. THE PROPERTY IS SUBJECT TO EACH AND EVERY RIGHT OF ACCESS TO AND FROM STATE HIGHWAY NO. 24, SAID ACCESS RIGHTS HAVING BEEN CONVEYED TO THE STATE DEPARTMENT OF HIGHWAYS BY DEED RECORDED AUGUST 28, 1975 IN DRAWER 17 CARD 940. (TITLE COMMITMENT NO. 812573, SCHEDULE B-EXCEPTIONS, ITEM NO. 11)

10. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS AND OBLIGATIONS OF UTILITY REIMBURSEMENT AGREEMENTS RECORDED AUGUST 6, 1998 AT RECEPTION NO. 480000 AND 480001. (TITLE COMMITMENT NO. 812573, SCHEDULE B-EXCEPTIONS, ITEM NO. 12)

11. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS AND OBLIGATIONS OF VACATION RECORDED JANUARY 3, 2002 AT RECEPTION NO. 528045. (TITLE COMMITMENT NO. 812573, SCHEDULE B-EXCEPTIONS, ITEM NO. 13)

12. THE THICKNESS OF THE COMMON WALLS BETWEEN OR SEPARATING THE INDIVIDUAL UNITS IS 12 INCHES. GCA = GENERAL COMMON AREA AND LCA = LIMITED COMMON AREA. "GENERAL COMMON AREA" SHALL MEAN AND REFER TO AREAS WHICH MAY BE USED BY BOTH THE INDIVIDUAL LOT OWNERS AND THE HOMEOWNERS ASSOCIATION, TOGETHER WITH ALL THE IMPROVEMENTS LOCATED WITHIN TRACT A AND OWNED BY THE HOMEOWNERS ASSOCIATION. "LIMITED COMMON AREA" SHALL MEAN AND REFER TO THE YARD AREAS WITHIN LOTS 1 THROUGH 8, AND ARE FOR THE EXCLUSIVE USE OF THE RESPECTIVE LOT/TOWNHOME OWNER AS DEFINED BY THE ELK GROVE TOWNHOME COVENANTS AS DESCRIBED ABOVE IN NOTE 6.

13. ALL OF THE BUILDING TIE DISTANCES THAT ARE SHOWN ON THE PLAT ARE MEASURED PARALLEL TO THE SIDE LOT LINES.

14. TRACT B SHALL BE USED FOR DRAINAGE AND DETENTION AND SHALL BE PRIVATELY MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

15. TRACT C SHALL BE PRIVATE OPEN SPACE AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

SURVEYOR'S CERTIFICATION:

THE UNDERSIGNED REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, HEREBY CERTIFIES THAT THE ACCOMPANYING PLAT WAS SURVEYED AND DRAWN UNDER HIS DIRECT RESPONSIBILITY AND SUPERVISION AND ACCURATELY SHOWS THE DESCRIBED TRACT OF LAND AND SUBDIVISION THEREOF, AND THAT THE REQUIREMENTS OF TITLE 38 OF THE COLORADO REVISED STATUTES, 1973 AS AMENDED, HAVE BEEN MET TO THE BEST OF HIS KNOWLEDGE AND BELIEF. THIS MAP SUBSTANTIALLY DEPICTS THE LOCATION AND THE HORIZONTAL MEASUREMENTS OF UNITS, THE UNIT DESIGNATIONS, AND THE BUILDING DESIGNATION OF THE UNITS.

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 THE CERTIFICATION SHOWN HEREON.

Kevin F. Lloyd
26965
6-15-04

KEVIN F. LLOYD
COLORADO PROFESSIONAL
LAND SURVEYOR NO. 26965
FOR AND ON BEHALF OF
RAMPART SURVEYS, INC.

DATE
REVISED: JUNE 15, 2004
MARCH 5, 2004

ELK GROVE TOWNHOMES FIL. NO. 1, SEC. 30,
T12S, R68W OF THE 6TH P.M., TELLER CO., CO.

RAMPART
SURVEYS

P.O. Box 5101
Woodland Park, CO. 80866
(719) 687-0920

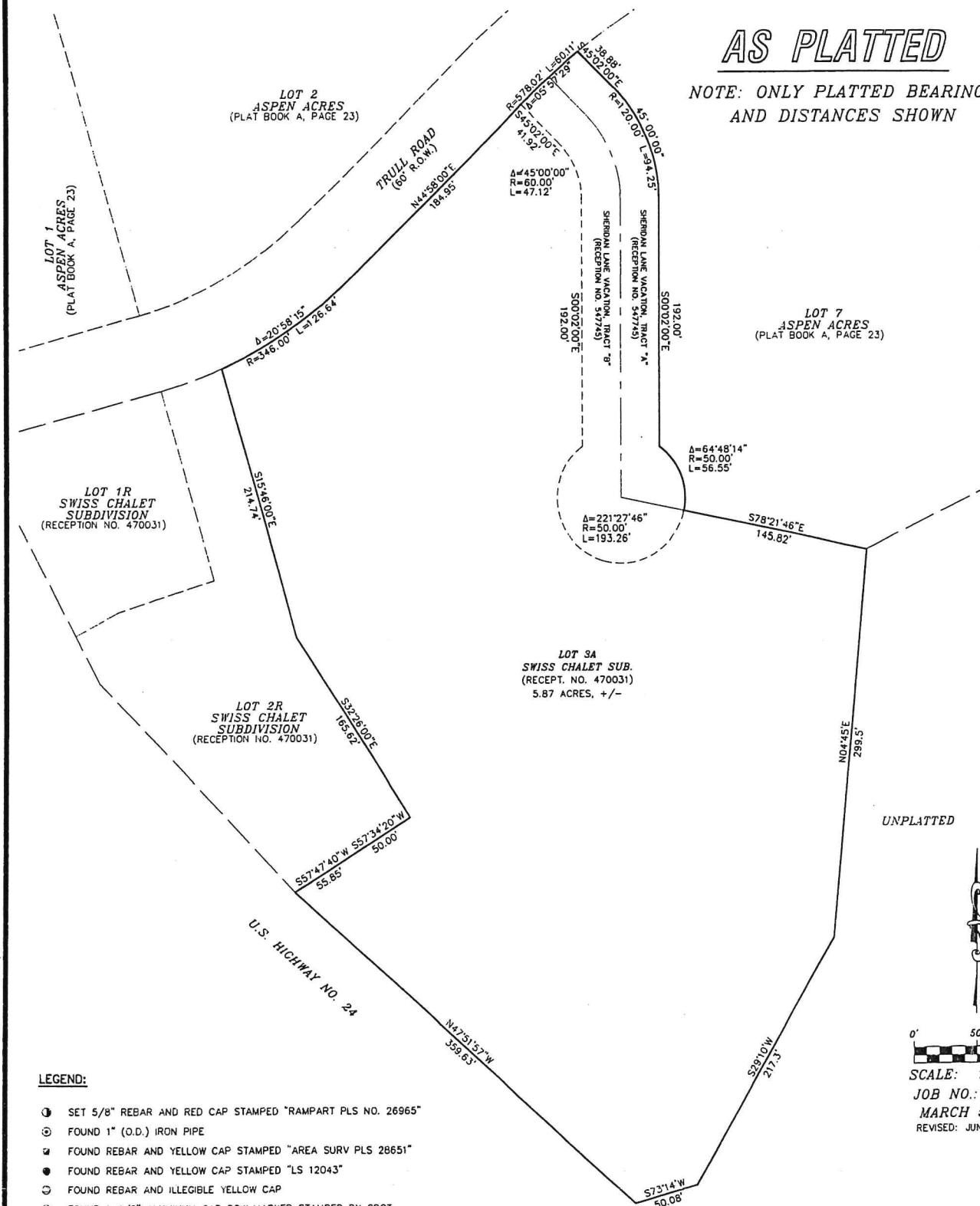
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ELK GROVE TOWNHOMES FILING NO. 1

A REPLAT OF LOT 3A, SWISS CHALET SUB. AND VACATED SHERIDAN LANE
LOCATED IN THE W 1/2 OF SECTION 30, T. 12 S., R. 68 W. OF THE 6TH P.M.
IN THE CITY OF WOODLAND PARK, TELLER COUNTY, COLORADO

AS PLATTED

NOTE: ONLY PLATTED BEARINGS
AND DISTANCES SHOWN



AS REPLATTED

NOTE: ONLY MEASURED BEARINGS
AND DISTANCES SHOWN

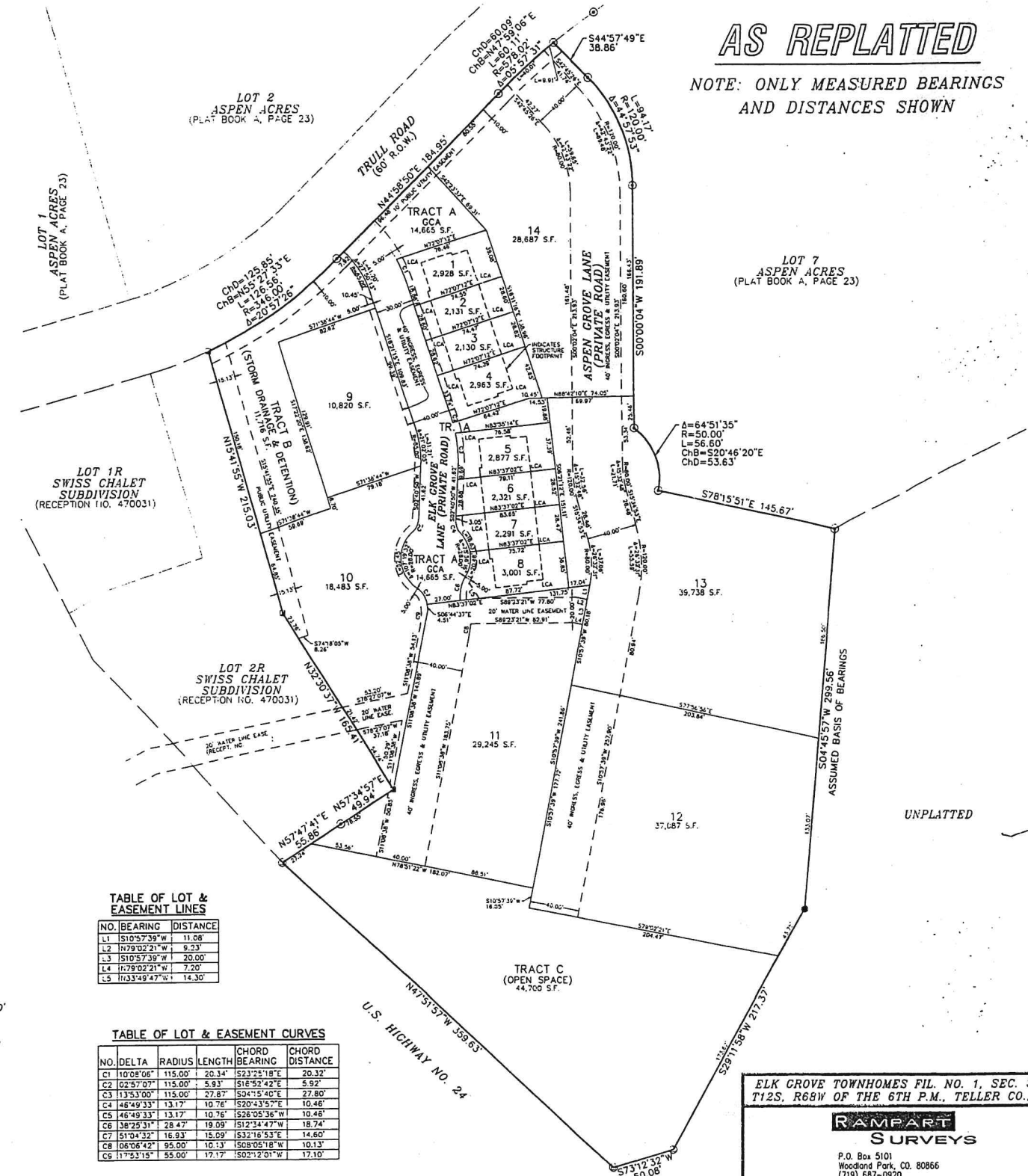


TABLE OF LOT & EASEMENT LINES

NO.	BEARING	DISTANCE
L1	S10°57'39"W	11.08'
L2	N79°02'21"W	9.33'
L3	S10°57'39"W	20.00'
L4	N79°02'21"W	7.20'
L5	N33°49'47"W	14.30'

TABLE OF LOT & EASEMENT CURVES

NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	10°08'06"	115.00'	20.34'	S23°25'18"E	20.32'
C2	02°57'07"	115.00'	5.93'	S16°52'42"E	5.92'
C3	135°33'00"	115.00'	27.85'	S04°15'40"E	27.80'
C4	48°49'33"	13.17'	10.76'	S20°43'57"E	10.46'
C5	46°49'33"	13.17'	10.76'	S28°05'36"W	10.46'
C6	38°25'31"	28.47'	19.09'	S12°34'47"W	18.74'
C7	51°04'32"	16.93'	15.09'	S32°16'53"E	14.60'
C8	06°06'42"	95.00'	10.13'	S08°05'18"W	10.13'
C9	17°53'15"	55.00'	17.17'	S02°12'04"W	17.10'

LEGEND:

- ① SET 5/8" REBAR AND RED CAP STAMPED "RAMPART PLS NO. 26965"
- ② FOUND 1" (O.D.) IRON PIPE
- ③ FOUND REBAR AND YELLOW CAP STAMPED "AREA SURV PLS 28651"
- ④ FOUND REBAR AND YELLOW CAP STAMPED "LS 12043"
- ⑤ FOUND REBAR AND ILLEGIBLE YELLOW CAP
- ⑥ FOUND 1-1/2" ALUMINUM CAP ROW MARKER STAMPED BY CDOT

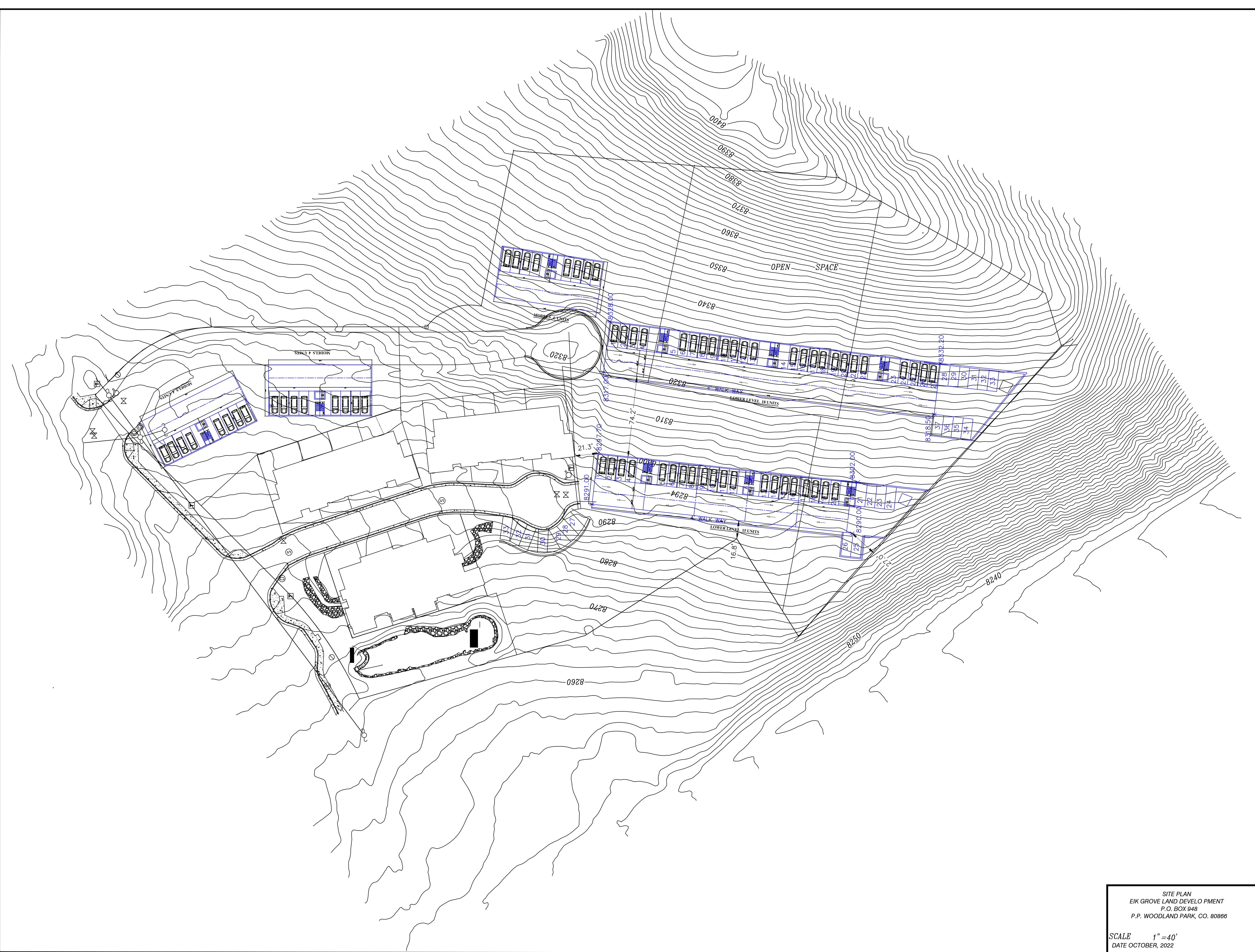
ELK GROVE TOWNHOMES FIL. NO. 1, SEC. 30,
T12S, R68W OF THE 6TH P.M., TELLER CO., CO.

RAMPART
SURVEYS

P.O. Box 5101
Woodland Park, CO. 80866
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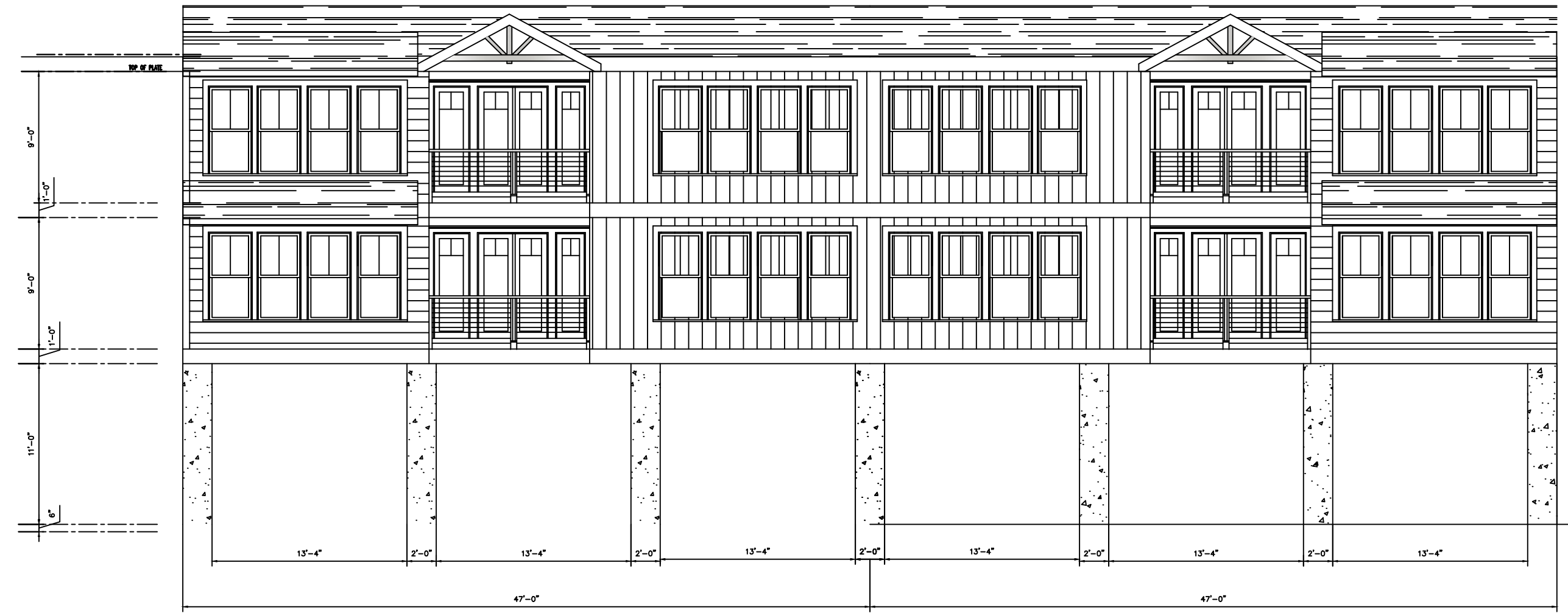
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PAGE 2 OF 2



SITE PLAN
EIK GROVE LAND DEVELOPMENT
P.O. BOX 948
P.P. WOODLAND PARK, CO. 80866

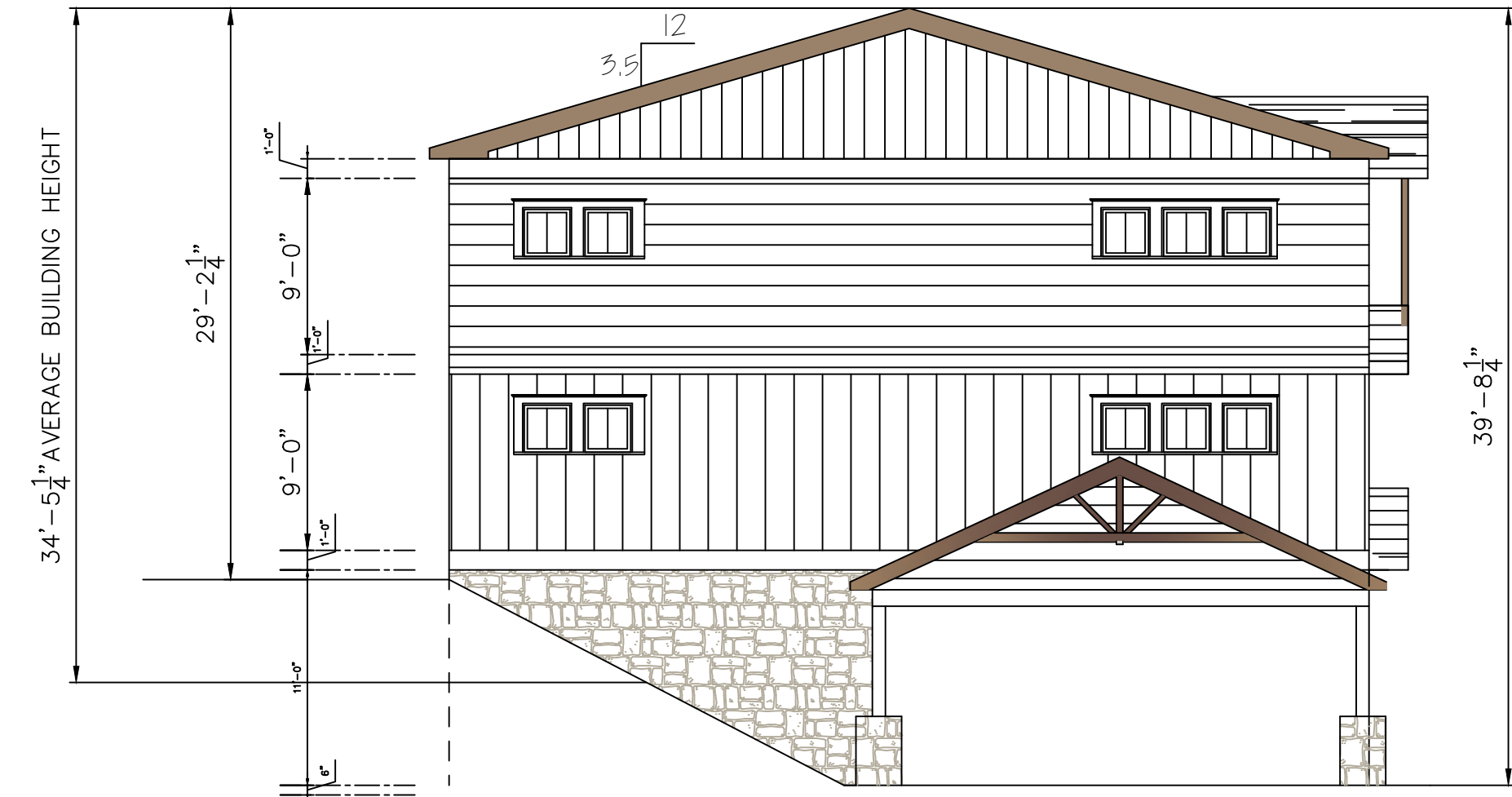
SCALE 1" = 40'
DATE OCTOBER, 2022



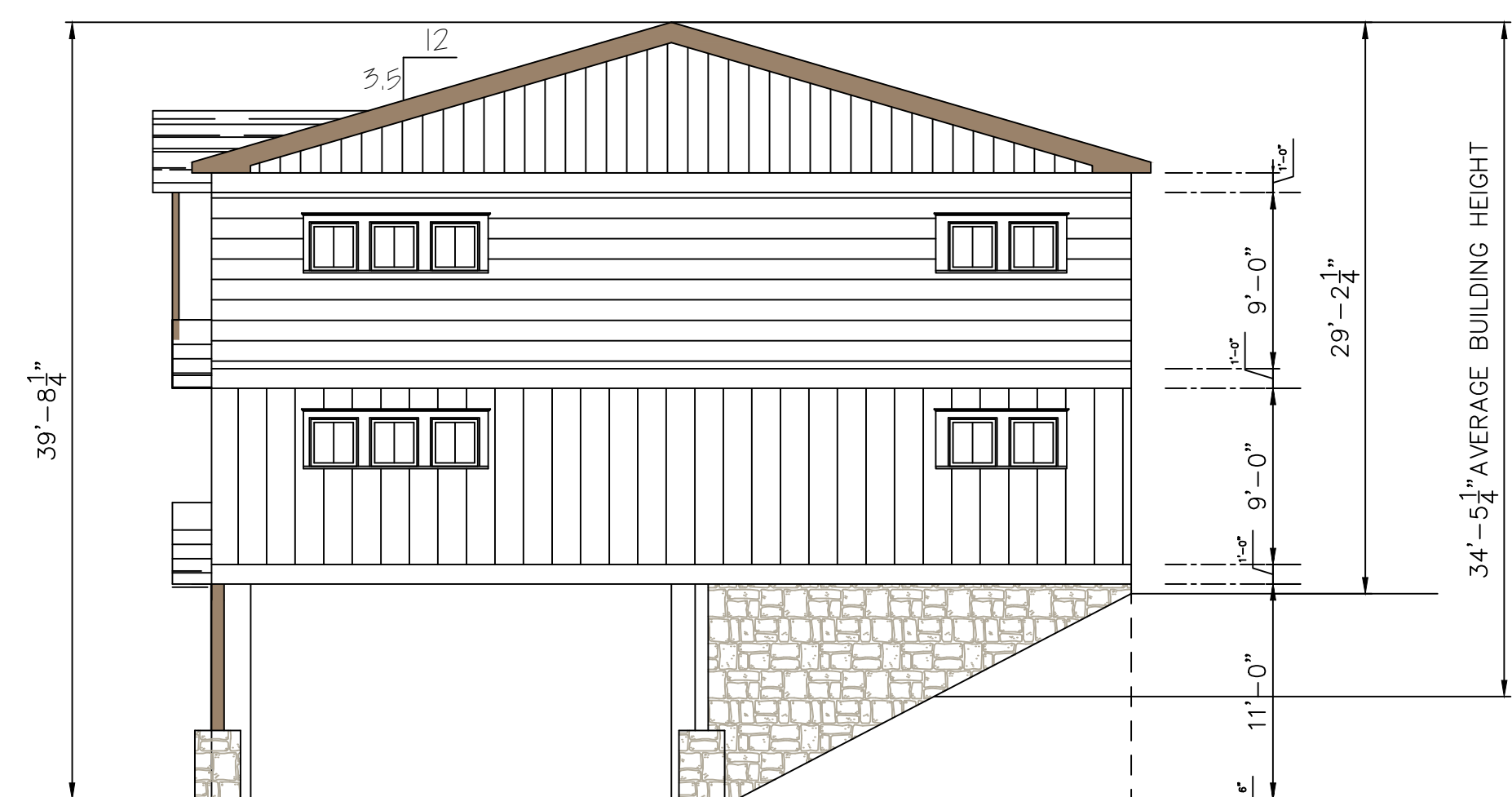
PROPOSED FRONT ELEVATION



PROPOSED REAR ELEVATION



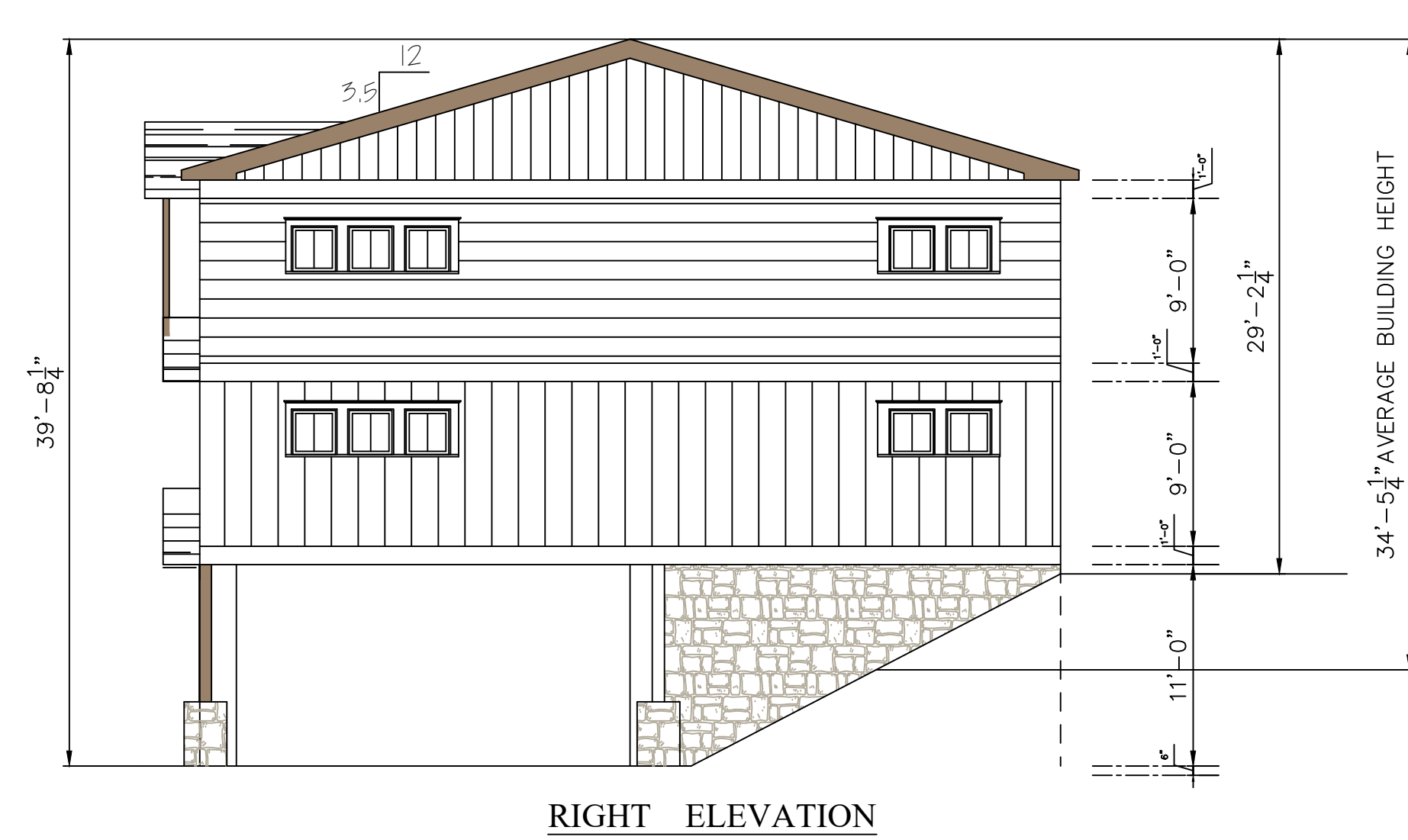
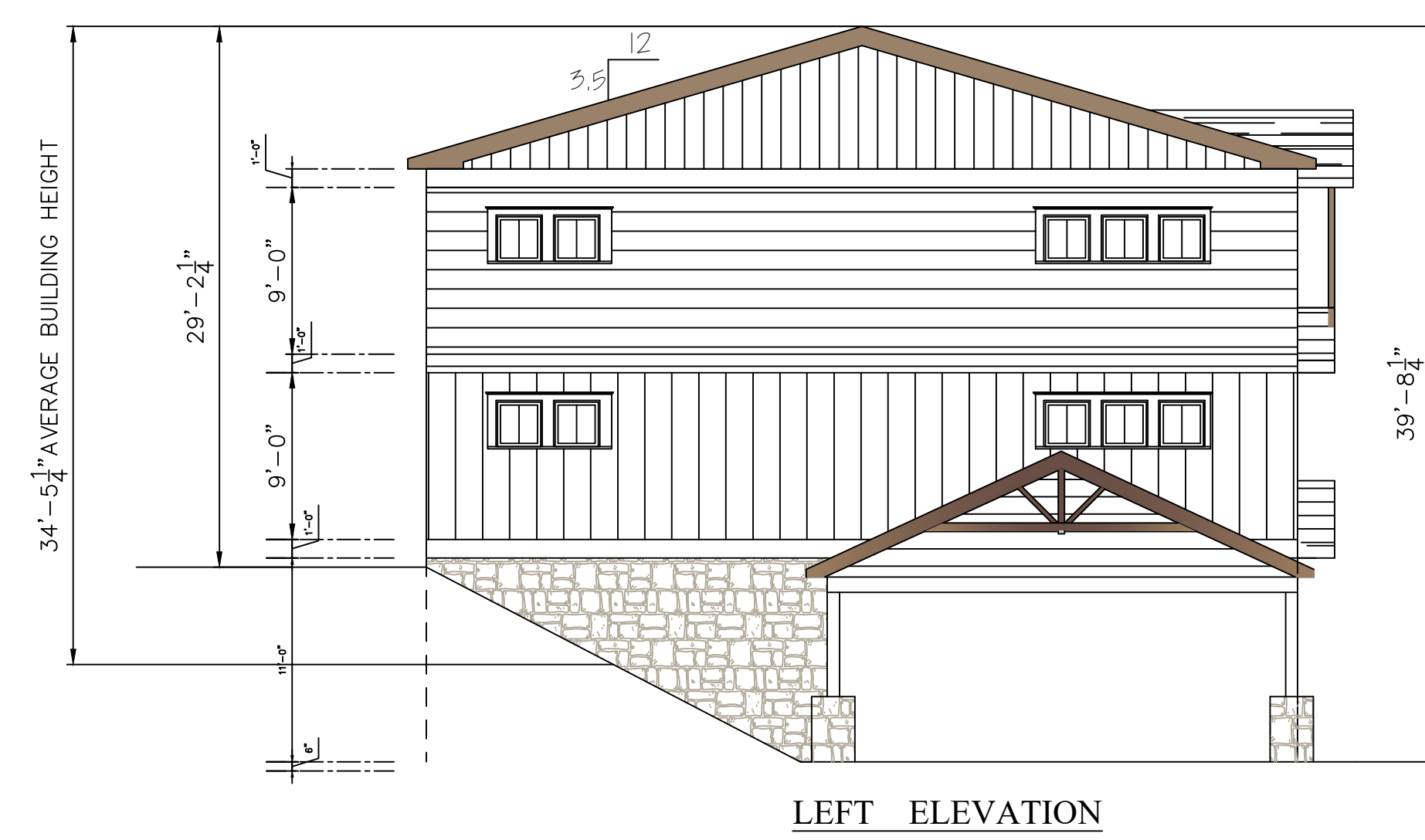
LEFT ELEVATION



RIGHT ELEVATION

EIK GROVE LAND DEVELOPMENT
P.O. BOX 948
WOODLAND PARK CO. 80866
ELEVATIONS
4 UNITS

SCALE : 1/8" = 1'-0"
DATE OCTOBER, 2022



EIK GROVE LAND DEVELOPMENT
P.O. BOX 948
WOODLAND PARK CO. 80866
ELEVATIONS
10 UNITS

SCALE : 1/8"=1'-0"
DATE OCTOBER, 2022

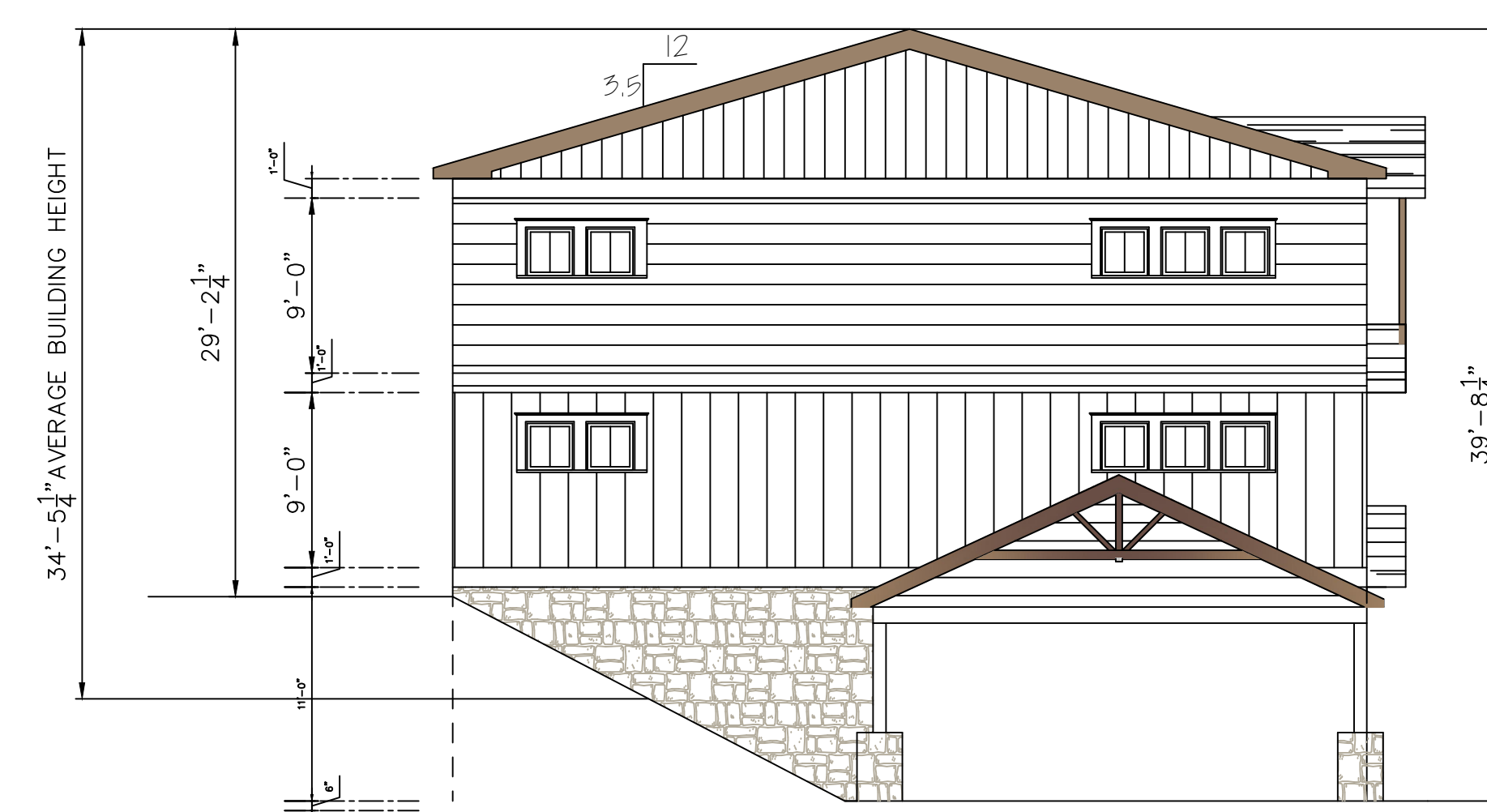
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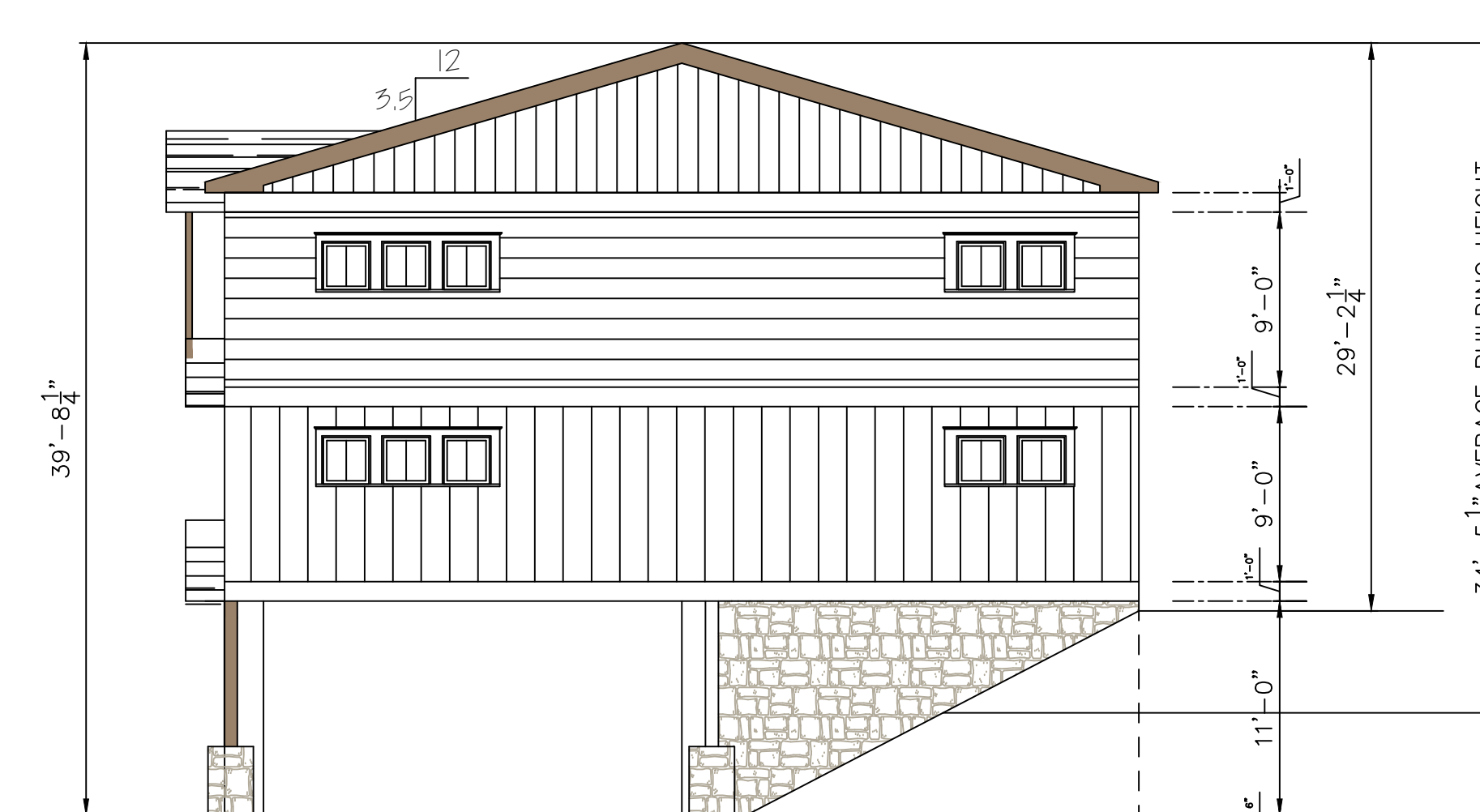
PROPOSED FRONT ELEVATION



PROPOSED REAR ELEVATION



LEFT ELEVATION



RIGHT ELEVATION

EIK GROVE LAND DEVELOPMENT
P.O. BOX 948
WOODLAND PARK CO. 80866
ELEVATIONS
12 UNITS

SCALE : 1/8" = 1'-0"
DATE OCTOBER, 2022

ELK GROVE TOWNHOMES FILING NO. 1

A REPLAT OF LOT 3A, SWISS CHALET SUB. AND VACATED SHERIDAN LANE LOCATED IN THE W 1/2 OF SECTION 30, T. 12 S., R. 68 W. OF THE 6TH P.M. IN THE CITY OF WOODLAND PARK, TELLER COUNTY, COLORADO

KNOW ALL MEN BY THESE PRESENTS:

THAT ELK GROVE VILLAGE, LLC, A COLORADO LIMITED LIABILITY COMPANY, MARC MURPHY, MANAGER, BEING THE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND:

TO WIT:

LOT 3A, SWISS CHALET SUBDIVISION (A COMBINATION OF LOT 3R, SWISS CHALET SUBDIVISION AS RECORDED UNDER RECEPTION NUMBER 470031 AND A PORTION OF LOT 8, ASPEN ACRES AS RECORDED UNDER RECEPTION NUMBER 171116) AND VACATED SHERIDAN LANE AS RECORDED UNDER RECEPTION NUMBER 547745, ALL OF THE RECORDS OF THE TELLER COUNTY CLERK AND RECORDER AND LOCATED IN THE WEST ONE-HALF (W 1/2) OF SECTION 30, TOWNSHIP 12 SOUTH, RANGE 68 WEST OF THE 6TH P.M., IN THE CITY OF WOODLAND PARK, TELLER COUNTY, COLORADO AND CONTAINING 5.87 ACRES OF LAND, MORE OR LESS.

DEDICATION:

THE UNDERSIGNED OWNER HAS CAUSED SAID PARCELS TO BE REPLATTED INTO LOTS, TRACTS AND EASEMENTS AS SHOWN ON THE PLAT. THE UNDERSIGNED DOES HEREBY GRANT UNTO THE CITY OF WOODLAND PARK THOSE EASEMENTS AND AREAS FOR PUBLIC USE SHOWN ON THE PLAT. THE SOLE RIGHT AND AUTHORITY TO RELEASE OR CONVEY ALL OR ANY SUCH EASEMENTS AND AREAS FOR PUBLIC USE SHALL REMAIN EXCLUSIVELY VESTED IN THE CITY OF WOODLAND PARK. ALL EASEMENTS SHALL RETAIN THE RIGHT OF INGRESS AND EGRESS FOR CONSTRUCTION AND MAINTENANCE OF IMPROVEMENTS. NO PERMANENT STRUCTURES EXCEPT FENCING SHALL BE ALLOWED ON ANY EASEMENT. THIS TRACT OF LAND AS HEREIN PLATTED SHALL BE KNOWN AS "ELK GROVE TOWNHOMES FILING NO. 1" IN THE CITY OF WOODLAND PARK, TELLER COUNTY, COLORADO.

IN WITNESS WHEREOF:

THAT ELK GROVE VILLAGE, LLC, A COLORADO LIMITED LIABILITY COMPANY, HAS EXECUTED

THIS INSTRUMENT THIS 17 DAY OF JUNE, 2004, A.D.

MARC MURPHY, MANAGER

STATE OF COLORADO }
COUNTY OF TELLER }

THE ABOVE AND AFOREMENTIONED INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 17th DAY OF

June, 2004, A.D., before me, Teresa M. Huggins, Notary Public, State of Colorado.

A COLORADO LIMITED LIABILITY COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL:

MY COMMISSION EXPIRES: 7/31/2006

NOTARY PUBLIC

RECORDING:

STATE OF COLORADO }
COUNTY OF TELLER }

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE AT 12:55 O'CLOCK P. M.,

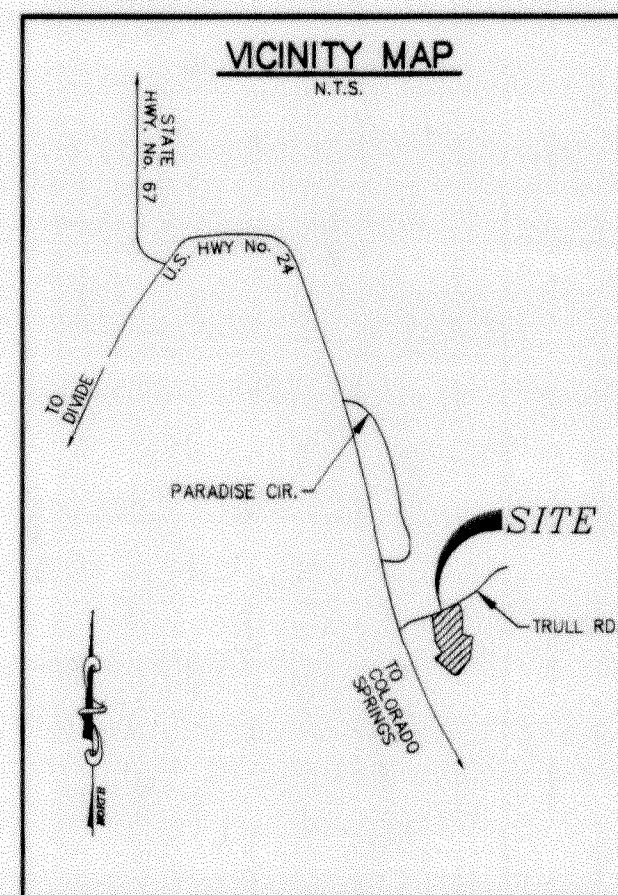
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PAGE N/A UNDER RECEPTION NUMBER 567133 OF THE RECORDS OF TELLER COUNTY, COLORADO.

FEES: \$20.00

BY: Juliana Nolas Deputy Clerk

TELLER COUNTY CLERK AND RECORDER

**APPROVAL BY THE PLANNING COMMISSION:**

APPROVED BY THE PLANNING COMMISSION FOR THE CITY OF WOODLAND PARK, COLORADO THIS 8th

DAY OF APRIL, 2004, A.D.

Sam Rando
CHAIRMAN
PLANNING COMMISSION

ATTEST: Amey Kozic
RECORDING SECRETARY

APPROVAL BY THE CITY COUNCIL:

THIS PLAT AND THE DEDICATION TO THE PUBLIC OF THE PUBLIC WAYS SHOWN HEREON, AND THE PUBLIC UTILITY EASEMENTS AS SHOWN ARE HEREBY ACCEPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WOODLAND PARK, COLORADO, THIS 15th DAY OF APRIL, 2004, A.D.

MAYOR

ATTEST: Cindy Moore
CITY CLERK

COUNTY TREASURER:

ALL TAXES ASSESSED AND DUE ON THE PROPERTY DESCRIBED ABOVE HAVE BEEN PAID IN FULL.

SIGNED THIS 18th DAY OF JUNE, 2004, A.D.

Nancy A. Nolan, Deputy Treasurer
TELLER COUNTY TREASURER

NOTES:

1. NO BUILDING PERMITS SHALL BE ISSUED FOR BUILDING SITES WITHIN THIS PLAT UNTIL ALL REQUIRED FEES HAVE BEEN PAID AND ALL REQUIRED PUBLIC IMPROVEMENTS AND UTILITIES HAVE BEEN INSTALLED AS SPECIFIED BY THE CITY OF WOODLAND PARK OR ALTERNATIVELY, UNTIL ACCEPTABLE ASSURANCES GUARANTEEING THE PAYMENT OF THE FEES AND THE COMPLETION OF ALL REQUIRED PUBLIC IMPROVEMENTS AND UTILITIES HAVE BEEN PLACED ON FILE WITH THE CITY OF WOODLAND PARK. ALL EXPENSES INVOLVED IN NECESSARY IMPROVEMENTS TO THE WATER SYSTEM, GAS SERVICE, ELECTRICAL SERVICE, DRAINAGE SYSTEM, SANITARY SEWER SYSTEM AND STREET SYSTEM SHALL BE FINANCED BY THE SUBDIVIDER, NOT THE CITY. THE APPROVAL OF THIS PLAT MAY BE WITHDRAWN IF ALL CONDITIONS OF APPROVAL ARE NOT MET.

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11. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS AND OBLIGATIONS OF VACATION RECORDED JANUARY 3, 2002 AT RECEPTION NO. 528045. (TITLE COMMITMENT NO. 812573, SCHEDULE B-EXCEPTIONS, ITEM NO. 13)

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13. ALL OF THE BUILDING TIE DISTANCES THAT ARE SHOWN ON THE PLAT ARE MEASURED PARALLEL TO THE SIDE LOT LINES.

14. TRACT B SHALL BE USED FOR DRAINAGE AND DETENTION AND SHALL BE PRIVATELY MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

15. TRACT C SHALL BE PRIVATE OPEN SPACE AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

SURVEYOR'S CERTIFICATION:

THE UNDERSIGNED REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, HEREBY CERTIFIES THAT THE ACCOMPANYING PLAT WAS SURVEYED AND DRAWN UNDER HIS DIRECT RESPONSIBILITY AND SUPERVISION AND ACCURATELY SHOWS THE DESCRIBED TRACT OF LAND AND SUBDIVISION THEREOF, AND THAT THE REQUIREMENTS OF TITLE 38 OF THE COLORADO REVISED STATUTES, 1973 AS AMENDED, HAVE BEEN MET TO THE BEST OF HIS KNOWLEDGE AND BELIEF. THIS MAP SUBSTANTIALLY DEPICTS THE LOCATION AND THE HORIZONTAL MEASUREMENTS OF UNITS, THE THE UNIT DESIGNATIONS, AND THE BUILDING DESIGNATION OF THE UNITS.

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 THE CERTIFICATION SHOWN HEREON.

Kevin F. Lloyd
26965
6-15-04

KEVIN F. LLOYD
COLORADO PROFESSIONAL
LAND SURVEYOR NO. 26965
FOR AND ON BEHALF OF
RAMPART SURVEYS, INC.

DATE

REVISED: JUNE 15, 2004

MARCH 5, 2004

ELK GROVE TOWNHOMES FIL. NO. 1, SEC. 30,
T12S, R68W OF THE 6TH P.M., TELLER CO., CO.

**RAMPART
SURVEYS**

P.O. Box 5101
Woodland Park, CO. 80866
(719) 687-0920

DRAWING: 0402401.DWG

PAGE 1 OF 2

**DESIGNER OF SUBDIVISION:**

PINNACLE DESIGNWORKS, INC.
750 EAST HIGHWAY 24, BUILDING 1
WOODLAND PARK, COLORADO 80863
(719) 687-5990

SUBDIVIDER/OWNERS:

ELK GROVE VILLAGE, LLC
PO BOX 590
CRIPPLE CREEK, COLORADO 80813
(719) 689-2142

PROFESSIONAL LAND SURVEYOR:

KEVIN F. LLOYD
RAMPART SURVEYS, INC.
P.O. BOX 5101
WOODLAND PARK, COLORADO 80866
(719) 687-0920

ELK GROVE TOWNHOMES FILING NO. 1

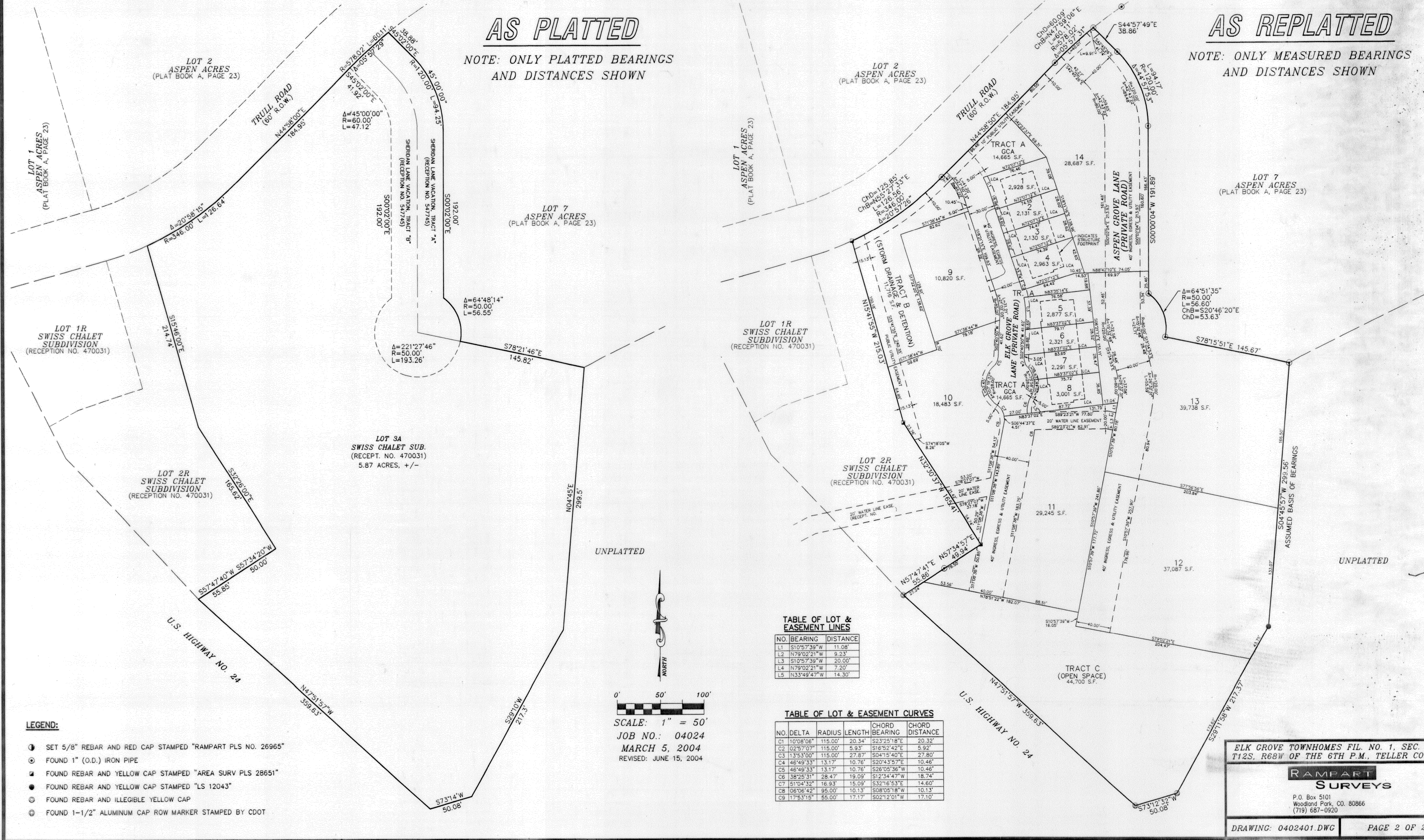
A REPLAT OF LOT 3A, SWISS CHALET SUB. AND VACATED SHERIDAN LANE
LOCATED IN THE W 1/2 OF SECTION 30, T. 12 S., R. 68 W. OF THE 6TH P.M.
IN THE CITY OF WOODLAND PARK, TELLER COUNTY, COLORADO

AS PLATTED

NOTE: ONLY PLATTED BEARINGS
AND DISTANCES SHOWN

AS REPLATTED

NOTE: ONLY MEASURED BEARINGS
AND DISTANCES SHOWN



From: [A Ames](#)
To: [Christopher Gates](#)
Subject: Elk Grove Land Development
Date: Friday, January 13, 2023 8:26:25 AM
Attachments: [Elk Grove Jan 13 2023 letter.docx](#)
[July 2022 ltr from residents on Elk Grove Lane.pdf](#)

[EXTERNAL]

Hi CJ,

It was nice meeting with you yesterday. Thank you for your quick response to our request.

Attached is our letter for the meeting on Jan 23 and also a letter that was submitted by the residents on Elk Grove Lane.

thank you,
Anita Ames

From: [kathleen clifton](#)
To: [Christopher Gates](#)
Subject: Opposing variance request for Elk Grove Village Development plan
Date: Sunday, January 15, 2023 6:52:26 PM

[EXTERNAL]

Dear CJ and Board,

As a nearby resident of the proposed condominium development on Trull Road in Woodland Park I am writing to express my opposition to granting any variance request by the developer. To maintain the integrity of the community, your responsibility is to adhere to all of the building code requirements and limitations currently in place in our city.

Thank you for including my statement of opposition in the Jan. 23 meeting of the Woodland Park Board of Adjustment.,

Sincerely,
Kathleen A. Clifton

From: [Richard De La Torre](#)
To: [Christopher Gates](#)
Subject: VAR2022-07
Date: Friday, January 13, 2023 9:48:22 AM
Attachments: [ElkGrove VAR2022-07 Objection -2.pdf](#)

[EXTERNAL]

Mr. Gates,

Attached, please find our response to the Elk Grove Height Variance; VAR2022-07.

Your consideration to the effect greatly appreciated.

Richard De La Torre
e: rdlt2511@gmail.com
POB 906
Woodland Park, Colorado 80866
c: 915 449 2910

From: [Janet Gould](#)
To: [mary hocevar](#)
Cc: [Christopher Gates](#)
Subject: Re: MuniCode - EGV Revised Development
Date: Tuesday, January 10, 2023 10:48:44 AM
Attachments: [image001.png](#)
[image001.png](#)
[image001.png](#)

[EXTERNAL]

Ed L., Do you know what “density up to 8 DU/AC” means?

Janet
Sent from my iPhone

On Jan 10, 2023, at 10:46 AM, mary hocevar <mary.hocevar@yahoo.com> wrote:

To the Board of Adjustment,

The Woodland Park City Municipal Code 18.14.005 (Purposes MFS) states, "The *maximum density* of these dwelling units shall be 8 dwelling units per acre".

Maximum does NOT mean guaranteed, therefore, there is *no guarantee of 8 dwelling units per acre*.

Item 3 - Chip is correct when he states he "has the right to a density *up to* 8DU/AC."

Woodland Park's Municipal Code was designed to protect its citizens quality of life, property owner rights and guide future growth and development within the city. All while keeping in mind the mountain living environment Woodland Park citizens embrace. To that end, the *maximum density* of 8 dwelling units was determined to be sufficient for the MFS zone.

If, however, the existing topography and grade is such that 8 units/acre can NOT be built without overly destroying the surrounding environment, character and natural setting of the area, then the *developer will need to adjust his plans*. Maybe 7, 6 or 5 units/acre would be profitable while preserving the integrity of the area.

It is not the responsibility of Woodland Park to guarantee X number of dollars profit for any developer. It is, however, the City's responsibility to uphold the spirit of the MuniCode while assisting a developer with his project.

When Chip paid his \$110K for this land, one assumes *he performed his due diligence* to determine the profitability of further developing it within the existing conditions mentioned in Items 1 & 2.

The question here is NOT how to put 8 DU/AC on this property, but how much profit does this developer need to pocket? There is a balance to be had here between developer's profits and Woodland Park's environment.

Respectfully submitted, Mary and Alan Hocevar; Homeowners 245 Elk Grove Ln.

On Monday, January 9, 2023 at 08:42:37 AM MST, Christopher Gates <cgates@city-woodlandpark.org> wrote:

Good Morning,

Not a problem at all, Please see attached for the most recent application.

Karen is the Planning Director here with the City and I am the new Senior Planner. I will be the lead on this project but Karen will still be overseeing it. Please let me know if you have any other questions! Thank you.

Respectfully,

C.J. Gates

Senior Planner
City of Woodland Park

220 W. South Avenue

cgates@city-woodlandpark.org

O: (719) 687 5209

C: (719) 412-2177



From: mary hocavar <mary.hocavar@yahoo.com>
Sent: Sunday, January 8, 2023 8:29 AM
To: Christopher Gates <cgates@city-woodlandpark.org>; cjgates@city-woodlandpark.org
Subject: EGV Revised Development Plans

[EXTERNAL]

Good Morning CJ,

Could I see Chip Platz's revised EGV development plans Monday the 9th? Is Karen Schmenke still overseeing this project or do you have it now?

Thanks, Mary. Hocavar, 245 Elk Grove Ln., Homeowner



From: [Janet Gould](#)
To: [Christopher Gates](#)
Subject: Input for January 23, 2023 Board of Adjustment Meeting
Date: Monday, January 16, 2023 9:31:19 PM

[EXTERNAL]

Hello CJ,

I am writing to provide my input for the January 23, 2023 Board of Adjustment Meeting.

Below, I have forwarded the input I sent to Karen for the BOA meeting on August 15, 2022 when the Board considered the developer's request for a 14 foot height variance. Since I wrote this e-mail, the City has been forced to provide fire services for Charis due to religious tax exemption statutes. So the fire issues are even more serious than when I first wrote.

I oppose the 5 foot height variance for the following reasons:

1. The fire issues are definitely exacerbated with increased density of people who live in this area. If the developer is allowed his 5 foot height variance to build all the additional buildings he proposes, I can't see how reasonable fire services can be provided. This issue is especially concerning as the developer indicated at our last HOA meeting that he foresees these buildings housing elderly residents.
2. The proposed buildings do not conform to our HOA covenants which require compatibility with existing townhomes in terms of size, style and cost. The new buildings are not even townhomes but are condominiums which, according to the plans, look nothing like our existing townhomes.
3. The proposed buildings will destroy the character of our neighborhood. While other building height variances approved for the apartments and Charis blend into the environment due to being built on a downslope, these proposed buildings will all be built on an upslope. Right now, when driving by on Hwy 24, you can hardly tell that our townhomes are here. These buildings will be easily visible from Hwy 24, will stand out like a sore thumb, and will change the entire appearance of Woodland Park as a whole. I, for one, do not want Woodland Park to look like a ski town with multi-story condominiums popping up here or anywhere else in town for that matter. If an exception is made for this developer, it will establish a precedent for other developers on the future.
4. In my townhome, I enjoy visits from forest wildlife of foxes, raccoons, squirrels, Chipmunks, birds, rabbits, deer and an occasional bear. I believe the proposed buildings will not only destroy surrounding forest but will interfere with my enjoyment of nature here as well.
5. Our neighbors on Trull Road and Cirrus Road will have their views impacted as well being blocked from basic internet services.

Thank you for your attention to this matter,

Janet L. Gould

140 Elk Grove Lane

Woodland Park, CO 80863

(719) 660-7554

From: Janet Gould <jballet@msn.com>
Sent: Saturday, July 30, 2022 5:56 PM
To: kschminke@city-woodlandpark.org <kschminke@city-woodlandpark.org>
Subject: Input for August 15, 2022 Board of Adjustment Meeting

Dear Ms. Schminke,

Although I have already provided some input for this meeting in a letter signed off on by four homeowners of Elk Grove Village Townhomes that was hand delivered to your office on July 29, 2022, I have some additional input for you.

I have lived here in Woodland Park for 34 years, and I have had to evacuate three times due to wildfire proximity. Luckily, the home(s) I have lived in never burnt down. Because of that, and in accordance with the City Charter, I think we need to ensure that any new buildings constructed fall within sustainable fire capabilities. This sustainability needs to include both the ability of the Woodland Park Fire Department to service the new buildings as well as adequate planning for fire evacuation when needed.

Our neighbor, Mary Hocevar, corresponded with Chief Lambert who advised that he reviews plans for all new developments. At the time of the correspondence, he indicated that he planned to meet with city staff to go over the plans for Elk Grove Village, but he did not know when that meeting might take place. He also shared that he wasn't sure that the ladder truck available to the city would have the capacity to service buildings as high as requested and to get into and out of our subdivision. If this meeting hasn't taken place before the August 15th meeting, then I think the Board of Adjustment meeting needs to be postponed to await input from the Fire Chief on this extremely important issue. If it does take place, then I hope you plan to present the findings of that meeting during our August 15th meeting.

The second part of the fire issue is having an adequate evacuation plan for the city. I recently read an article which described Teller County as one of the two areas in our state which does not have adequate evacuation protocols. Since we have been surrounded on all sides by the Hayman Fire, the Waldo Canyon Fire, and others, I think it is imperative that we make sure that city services aren't strained by unnecessary building heights. Further, since Trull Road is the only road into and out of our subdivision, traffic congestion in the event of an evacuation needs to be taken into consideration.

In a recent Courier article on June 29, 2019 relative to Charis' requests for height variances and tax exemptions, Chief Lambert says that whenever expansions take place at Charis, then the city receives more emergency calls. And although the fire department has the resources to service the buildings at the new height, they don't have funding for staff to do so. I understand this issue will be taken up by City Council at the August 4, 2022 meeting. If city fire services are already too limited to meet the need for the requested Charis expansion/tax exemption, then fire services are also too limited to meet the height variance request for Elk Grove Village.

Thank you for your attention to this matter, and I look forward to meeting with you on August 15th,

Janet L. Gould

140 Elk Grove Lane

From: [mary hocevar](#)
To: [Christopher Gates](#)
Subject: MuniCode - EGV Revised Development
Date: Tuesday, January 10, 2023 10:46:41 AM
Attachments: [image001.png](#)

[EXTERNAL]

To the Board of Adjustment,

The Woodland Park City Municipal Code 18.14.005 (Purposes MFS) states, "The *maximum density* of these dwelling units shall be 8 dwelling units per acre".

Maximum does NOT mean guaranteed, therefore, there is *no guarantee of 8 dwelling units per acre*.

Item 3 - Chip is correct when he states he "has the right to a density *up to* 8DU/AC."

Woodland Park's Municipal Code was designed to protect its citizens quality of life, property owner rights and guide future growth and development within the city. All while keeping in mind the mountain living environment Woodland Park citizens embrace. To that end, the *maximum density* of 8 dwelling units was determined to be sufficient for the MFS zone.

If, however, the existing topography and grade is such that 8 units/acre can NOT be built without overly destroying the surrounding environment, character and natural setting of the area, then the *developer will need to adjust his plans*. Maybe 7, 6 or 5 units/acre would be profitable while preserving the integrity of the area.

It is not the responsibility of Woodland Park to guarantee X number of dollars profit for any developer. It is, however, the City's responsibility to uphold the spirit of the MuniCode while assisting a developer with his project.

When Chip paid his \$110K for this land, one assumes *he performed his due diligence* to determine the profitability of further developing it within the existing conditions mentioned in Items 1 & 2.

The question here is NOT how to put 8 DU/AC on this property, but how much profit does this developer need to pocket? There is a balance to be had here between developer's profits and Woodland Park's environment.

Respectfully submitted, Mary and Alan Hocevar; Homeowners 245 Elk Grove Ln.

On Monday, January 9, 2023 at 08:42:37 AM MST, Christopher Gates <cgates@city-woodlandpark.org> wrote:

Good Morning,

Not a problem at all, Please see attached for the most recent application.

Karen is the Planning Director here with the City and I am the new Senior Planner. I will be the lead on this project but Karen will still be overseeing it. Please let me know if you have any other questions! Thank you.

Respectfully,

C.J. Gates

Senior Planner
City of Woodland Park

220 W. South Avenue

cgates@city-woodlandpark.org

O: (719) 687 5209

C: (719) 412-2177



From: mary hocevar <mary.hocevar@yahoo.com>
Sent: Sunday, January 8, 2023 8:29 AM

To: Christopher Gates <cgates@city-woodlandpark.org>; cjgates@city-woodlandpark.org
Subject: EGV Revised Development Plans

[EXTERNAL]

Good Morning CJ,

Could I see Chip Platz's revised EGV development plans Monday the 9th? Is Karen Schmenke still overseeing this project or do you have it now?

Thanks, Mary. Hocesvar, 245 Elk Grove Ln., Homeowner

January 11, 2023

Mr. C J Gates, Senior Planner

City Of Woodland Park
200 W. South Avenue

Woodland Park, CO 80863

Dear Mr. Gates,

Concerning the height variance requested by Chip Platz for his proposed development at Elk Grove

Townhomes Subdivision, I strongly disagree with granting the variance according to the reasons listed below.

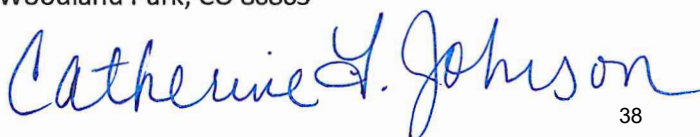
1. Fire Truck Ingress/Egress - Elk Grove Lane is too narrow for fire truck access and maneuvering.
2. Fire Protection For 35 Foot Buildings - Does Woodland Park Fire Department have an available ladder truck and staffing in case of fire?
3. Additional Height – Elevator Shafts, HVAC Equipment, Parpet Walls, Outdoor Furniture, Umbrellas, Pergolas
4. Traffic Considerations – Additional height creates one more level of density.
5. Potential Evacuation Risks In Case Of Fire Or Emergency - With the proposed number of units and assuming 2 vehicles per unit plus overflow parking, in an emergency, this could add an unsafe number of vehicles attempting to evacuate from 3 dead end roads, Trull Road, Elk Grove Lane and Cirrus Court. This overabundance of vehicles trying to access Trull Road to Highway 24 in an emergency could be catastrophic. Keep in mind that Trull Road is our only road out of Elk Grove & Cirrus Court in order to access Highway 24 to evacuate, not to mention those who live on Trull Road.
6. Noise Ordinance – Proposed height variance means more density and a concern for excessive and unwanted noise.
7. Blocking Internet & Phone Signals to existing residences on Elk Grove Lane & Trull Road.

I respectfully submit my concerns to you and thank you for your consideration.

Catherine F. Johnson

225 Elk Grove Lane

Woodland Park, CO 80863



From: [THOMAS KERNS](#)
To: [Christopher Gates](#)
Subject: VAR2022-07
Date: Monday, January 9, 2023 4:42:08 PM

[EXTERNAL]

To whom it may concern,
We definitely are NOT in favor of a yes vote on the height variance! We bought this townhome particularly, because of the beautiful surroundings ! We do not think it would add to the woodsy appeal of Woodland Park to start allowing taller condominiums that you generally find in larger cities! We will all have to be on top of things in order to keep Woodland Park from looking like a big city suburb!

Sincerely,
Tom and Carol Kerns
145 Elk Grove Lane
Woodland Park, Co 80853

January 13, 2023

CJ Gates
Senior Planner
Woodland Park City Planning
200 W. South Avenue
Woodland Park, Co. 80863

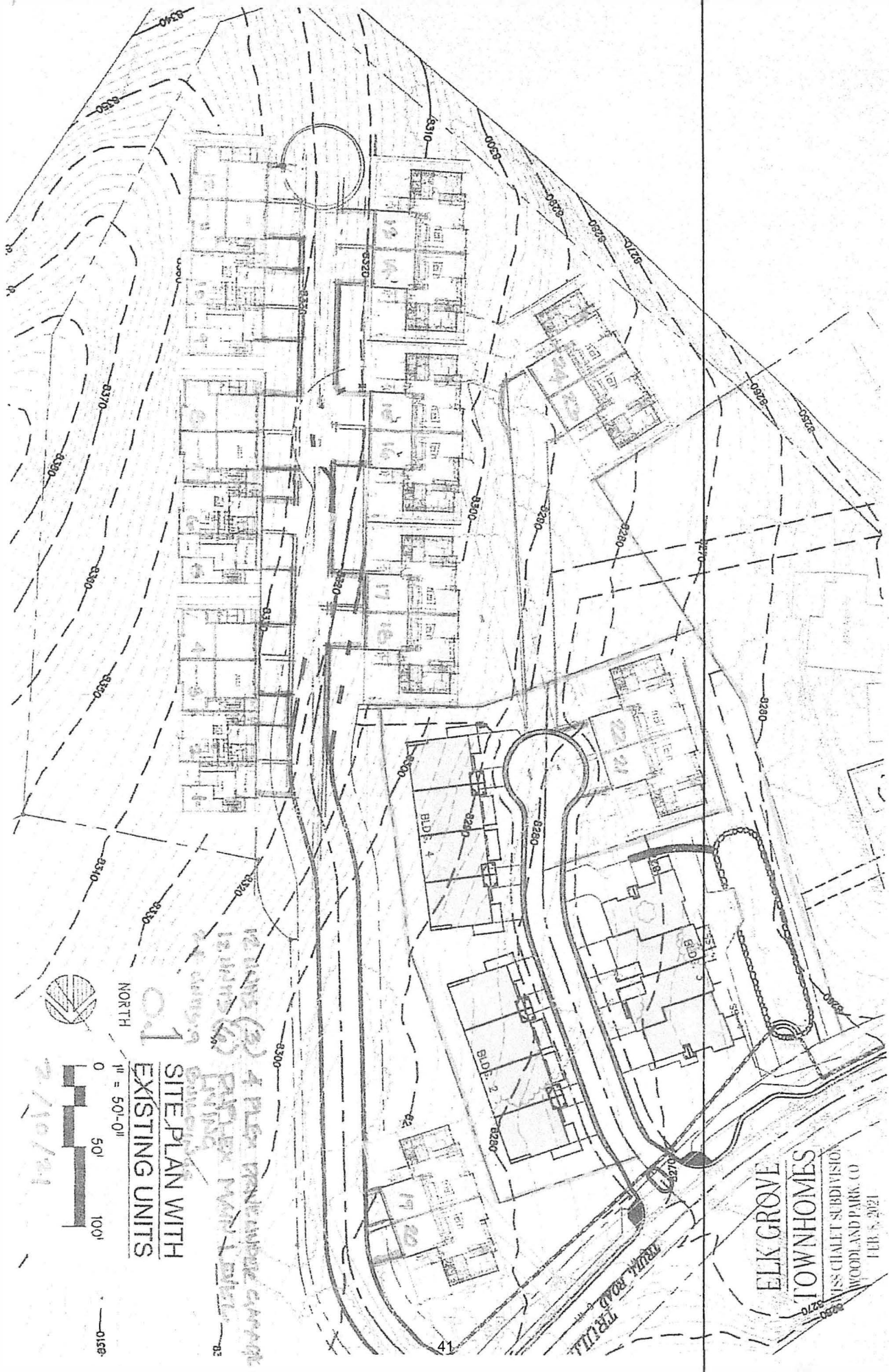
Dear Mr. Gates,

Concerning the height variance requested by Chip Platz for his proposed development At Elk Grove Town Homes Subdivision, we strongly disagree with granting the variance. Our reasons are listed below.

- . Fire Truck ingress/egress- Elk Grove Lane is too narrow for fire truck access and maneuvering.
- . Blocking internet & phone signals to existing residences on Cirrus Ct.
- . Additional height- Elevator shafts & HVAC equipment would add even more height than asked for.
- . Traffic Considerations- Additional height creates more density. Thirty plus units with Additional parking spaces adds more cars in an already congested area of two dead streets. This number of vehicles trying to access Trull and Hwy. 24 in an emergency could be catastrophic.
- . **Also attached is the plat that we were all told future building would be like.** Twenty-four units of like kind construction per our restrictive covenants.(pg.41 section 10.1 comparable style)



Ed LeBlanc
#110 Elk Grove Lane



567132 06/18/2004 12:55PM Page 46 of 62
 Patricia Crowson, Clerk & Recorder, Teller County, CO

units, any additional buildings to be constructed shall be of comparable style, size, quality and cost in relation to those buildings existing on the Property at the time of expansion except for such alterations or modifications as may be approved by the Department of Veterans Affairs or the Federal Housing Administration. All buildings and improvements located in any annexed area shall be substantially completed prior to annexation. By accepting a deed to a Lot, each Owner hereby grants to Declarant a right to expand the Project and to modify the Owner's Proportionate Share and right, title and interest in the Common Area accordingly, as set forth in this Article, and to assign and allocate Limited Common Areas and to exercise any and all development rights, special Declarant rights and other rights described herein. Any such expansion shall be subject only to this Article and Article XI, Section 11.2 and shall not make or constitute any amendment or modification in this Declaration except as provided in this Article. Any expansion hereunder shall comply with C.R.S. 38-33.3-209 and 210.

10.2 Procedure for Expansion. Such expansion may be accomplished by the filing for record by Declarant with the Clerk and Recorder of the county in which the Project is located, no later than seven (7) years from the date of the recording of this Declaration, an amendment or amendments to this Declaration containing a legal description of the land area to be added to the Project, together with any supplemental plats which may be required hereby and by C.R.S. 38-33.3-209, whether by new plat or certification. Any such amendment or amendments to this Declaration shall also contain a listing of the number of Lots to be contained in the expanded portion of the Project and shall assign an identifying number to each new Lot thereby created, shall reallocate each Owner's Proportionate Share, and shall describe any Common Areas and, except as otherwise provided herein, any limited common areas thereby created and designate the Lot to which each is allocated to the extent required by C.R.S. 38-33.3-208. The expansion may be accomplished in "phases" by successive amendments.

10.3 Effect of Expansion.

(a) In the event of such expansion, the definitions used in this Declaration shall automatically be expanded to encompass and refer to the Project as so expanded; e.g., "Property" shall mean the real property described on Exhibit "A" hereto plus any additional real property added by any amendment to this Declaration; similarly, "Common Area" and "Lots" shall include those areas located within the real property described on Exhibit "A" hereto, as well as those so designated on any amendment or supplemental plat relating to any real property which is annexed pursuant to this Article. References to this Declaration shall mean this Declaration as so amended. Every Owner of a Lot in the area shall, by virtue of such ownership and upon recordation of the amendment, be a member of the Association and shall be entitled to the same rights and privileges and subject to the same duties and obligations as any other Association member. The recording with the Clerk and Recorder of the county in which the Property is located of a amendment to this Declaration incident to any expansion shall operate automatically to grant, transfer and convey to all of the Owners of the Lots, located within the Property and the part of the Expansion Property added thereby, their respective, appurtenant, undivided rights, titles, interests, privileges, duties and obligations in and to both the existing Common Area and the new Common Area, if any, added to the Property as a result of such expansion; provided, however, assessments for Lots within the annexed area shall commence as set forth in Section 4.8 of Article IV hereof, but no part of the

s:\legal\lr2\murphy\elk.dec3

tjw 6/2/4 5343.002

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From: [Lynn Maloney](#)
To: [Christopher Gates](#)
Subject: variance request objection
Date: Saturday, January 14, 2023 4:24:00 PM

[EXTERNAL]

January 15, 2023

CJ Gates
Woodland Park
220 W. South Ave.
Woodland Park, CO 80866

Dear CJ,

My husband and I reside at 135 Cirrus Court; we object to the condo development for many reasons. Since the owner of that property was unable to get a height variance before to accommodate two 3-story buildings and one 2-story building ON TOP OF GARAGES, he is now asking for a height variance for FIVE 3-story buildings. Thus because he did not get 44 ft variance he requested before, he has now added **two additional** buildings which now has a greater impact on the surroundings.

The Woodland Park City Ordinance Title 18-Zoning Chapter 18.60 – Variances Section 18.60.040 – Findings, paragraph C. states “That the granting of the **variance will be in harmony with the general purpose and this title and will not be injurious to the neighborhood of otherwise detrimental to the public welfare**”.

Section 18.60.050 – Limitations, paragraph A. states “No conforming structures in the same district and no permitted or nonconforming structures in other districts shall be considered grounds for the issuance of a variance. Paragraph B. “Under no circumstance shall the board grant a variance

We do care about our community and carefully selected the location based on its quiet peaceful setting. Thank you.

Sincerely,

Lynn and Andy Maloney

From: [Jane Scanlon](#)
To: [Christopher Gates](#)
Cc: [Peter Scanlon](#)
Subject: Opposing variance request for Elk Grove Village Development Plan
Date: Sunday, January 15, 2023 11:02:44 AM

[EXTERNAL]

To the Woodland Park Board of Adjustment:

As a nearby resident of the proposed condominium development on Trull Road in Woodland Park I am writing to express my opposition to granting any variance request by the developer of Elk Grove Condominiums. To maintain the integrity of the community, your responsibility is to adhere to all of the building code requirements and limitations currently in place in our city.

Thank you for including my statement of opposition in the Jan. 23 meeting of the Woodland Park Board of Adjustment.,

Sincerely,

Jane and Peter Scanlon
 620 Sunny Glen Court
 Woodlan Park, CO

--

upload image



Jane Scanlon

Certified Nature & Forest Therapy Guide

Above the Clouds Forest Bathing

M: (515)991-7412

A: Woodland Park, CO

W: <https://www.abovethecloudsforestbathing.com/> E: jane.scanlon6@gmail.com

E: jane@abovethecloudsforestbathing.com



From: arnie@sparnins.com
To: [Christopher Gates](#)
Subject: Concern about VAR2022-07: Elk Grove Land Development Height Variance
Date: Monday, January 16, 2023 3:28:28 PM

[EXTERNAL]

I'm submitting this letter to express my concern about VAR2022-07: Elk Grove Land Development Height Variance. This variance should not be approved. It sets a terrible precedence in eroding our zoning regulations.

To maintain the integrity of neighborhoods, consistent compliance with building codes is essential. In a community where mountain views are our greatest asset, enforcement of the maximum height by zoning district is critically essential.

All developers are aware of the zoning regulations and they should design their developments consistent with the regulations. It is a conscious design choice. Granting a variance only serves to diminish the value of neighboring properties and the overall character of the community.

It is also worth noting that the setting of the Swiss Chalet restaurant is one of the most iconic impressions that residents and visitors have of Woodland Park. Encasing this area with high-rise townhouses only serves to destroy this welcoming view to our mountain community.

Please include my statement of opposition in your upcoming Woodland Park Board of Adjustment meeting on 1/23/23. A confirmation of receipt of this letter is also appreciated.

Thank you,

Arnie Sparnins, Sunny Glen Subdivision

STAFF REPORT PACKET ADDENDUM

Board of Adjustment Members,

My apologies that these two letters were accidentally omitted from your meeting packet; you received their email messages, but not the associated attachments. Please let me know if you have any questions.

- C.J. Gates, Senior Planner

ATTACHMENTS

Comment letter from Mr. & Mrs. Ames

Comment letter from Mr. & Mrs. De Le Torre

January 13, 2023

CJ Gates
Woodland Park
220 W. South Ave.
Woodland Park, CO 80866

Dear CJ,

My husband and I reside at 77 Trull Rd which is directly across from the proposed development. As we stated before and we will keep stating, we are objecting to this development for many reasons.

Since the owner of that property was unable to get a height variance before to accommodate two 3-story buildings and one 2-story building ON TOP OF GARAGES, he is now asking for a height variance for FIVE 3-story buildings! So because he did not get 44 ft variance he requested before, he has now added **two additional** buildings which now has a greater impact on the surrounding forest!

The Woodland Park City Ordinance Title 18-Zoning Chapter 18.60 – Variances Section 18.60.040 – Findings, paragraph C. states “That the granting of the ***variance will be in harmony with the general purpose and this title and will not be injurious to the neighborhood of otherwise detrimental to the public welfare***”.

Section 18.60.050 – Limitations, paragraph A. states “No conforming structures in the same district and no permitted or nonconforming structures in other districts shall be considered grounds for the issuance of a variance. Paragraph B. “Under no circumstance shall the board grant a variance

We had been told the buildings would be similar to the townhomes that are already in place on Elk Grove Lane. The proposed buildings in NO WAY look like those! They look like condos that are in Denver. As someone stated in a meeting regarding the STRs, this development is not designed “to protect the character of our neighborhood”>

As stated before in a letter submitted (copy attached), this proposed development/buildings is wrong in so many ways for the location and this is only a portion of the reasons to deny the request from the developer.

Respectfully submitted,

Bill Ames
Bill Ames

Anita Ames
Anita Ames

RICHARD & LAURA DE LA TORRE
140 Cirrus Court Woodland Park CO. 90863 · 915 4492910

Email · Rdl2511@GMAIL.COM · Ldelat57@GMAIL.COM

Mr. CJ GATES
Senior City Planner
City of Woodland Park
220 W. South
Woodland Park, CO. 80866
cgates@city-woodlandpark.org

January 11, 2023

REF: VAR2022-07: ELK GROVE LAND DEVELOPMENT HEIGHT VARIANCE

MR. GATES

Thank you for the opportunity to submit comment for the upcoming Planning and Zoning meeting scheduled for 6:30 pm Monday, January 23, 2023, as adjacent property owners and neighbors to the Elk Grove Community.

We object to the ongoing height variance and development as previously submitted and reviewed on Monday, August 15, 2022, regarding the Elk Grove Land Development LLC , Mr. Harold Platz (property owner) and Mike Bramlett of JR Engineering (Applicant)

Our objections are as listed:

1. The requested build is for 34 residential units ; Per my count there are 41 units.
2. Height regulations above 30 feet jeopardized protection from fire hazards in a highly flammable environment, limiting firefighting equipment capabilities; addition to requiring fire official certification and the use of specialized equipment; too include possible specialized construction and internal suppression considerations in the buildings as a adequate supplement.
3. Variance, impedes and destroys resident, commercial and public views.
4. Variance, destroys the "Character of the Neighborhood"; not conducive to the existing and future development.
5. Variance, destroys safety in the Neighborhood in relation to population density, exceeding multi-family resident population as a per acre criteria and capabilities.
6. Variance, effects the quality of life, livability, parking, traffic congestion injurious to residents adjacent to Trull Road; (Cirrus Ct).
7. Variance contributes to increased density in an already "Non-survivable" evacuation route already threatening Woodland Park equal to or greater than

Evergreen, Colorado as defined by the U.S. Census Bureau population publication and geospatial roadway data, updated July 26, 2022. Woodland Park is listed as number two “Non-Survivable Evacuation routes in a wildfire-prone area.

8. Variance, opens the door to future development not conducive and incompatible to the existing developments in Woodland Park and neighboring subdivisions.
9. Variance, impedes existing internet line of sight and satellite communications for neighboring residents.
10. Variance, violates the established Declaration of Covenants, Conditions, and Restrictions for the Elk Grove Village Townhomes section X. Phased Development sub section 10.1 Right to Expand: “buildings to be constructed shall be of comparable style, size and cost in relation to those building existing on the property” too include density and general conformity to the surrounding community.
11. Variance, MC 18.14.030 –shall be in harmony with the general purpose and intent of the comprehensive plan; approval will violates the intent and opens doors to possible litigation.
12. Variance, will be injurious to the neighboring Elk Grove Village residents and respective property values.
13. Variance, shall severely impact water and snow melt runoff, reflective of a high density multifamily complex.
14. Variance, severely impacts forest density, devastating the natural habitat and native wildlife. (bear, deer, mountain lion, bobcat, squirrels, chipmunks, and migratory flyways). Requiring an impact study.
15. Variance, negatively impact the quality of life in Woodland Park, paving the road for future urban sprawl, straining environmental resources, natural habitat, infrastructure, water, sewer, electrical, natural gas, etc.

Respectfully submitted by :

Richard De La Torre

Laura De La Torre
