



**PUBLIC NOTICE
BOARD OF ADJUSTMENT
Monday, April 17, 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: January 23, 2023 & February 27, 2023

3. REQUESTS / PUBLIC HEARINGS:

VAR2023-02 Victory Life Church Height Variance: A request by Seth Emerson of Kingdom Design Group (Applicant), and Gordon Jackson Foundation LLC (Property Owner) for a 15-foot height variance (from 30-feet required by MC §18.17.030 to 45-feet) to accommodate one two-story church building for Victory Life Church; the subject property is located north of the intersection of Highway 24 and Trout Creek Road on Sections 23 & 26, T12S, R69W of the 6th P.M., also known as "Gold Mountain" (5955 Trout Creek Road) in the Agricultural (AG) zone district.

4. REPORTS:

5. ADJOURN

WOODLAND PARK BOARD OF ADJUSTMENT

MEETING MINUTES – (Rescheduled to) January 24, 2023

City of Woodland Park, 220 W. South Avenue, Woodland Park, CO and by Zoom.

This meeting was a hybrid in-person and virtual electronic meeting. A Zoom link was posted on the front-page of the City website. Public input in the form of written comment submitted in advance of the meeting was encouraged and public comment in real time at the meeting was made.

1. ORDER AND ROLL CALL. Order was called at 6:31 p.m. with attendance as follows:

Present	Chairman Lou Ramon
Present	Vice Chairman Jim Rumsey
Present via Zoom	Regular Member Nick Abercrombie
Present	Regular Member Valerie Lundy
Present	Regular Member Kevin O'Neill
Staff Present	Planning Director/BOA Secretary Karen Schminke
	Senior Planner CJ Gates
	Planner II Dave Burgess
	City Attorney Nina Williams via Zoom

The Pledge of Allegiance was recited.

2. APPROVE MINUTES: No minutes presented.

3. REQUESTS / PUBLIC HEARINGS:

- A. 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.

Chair Ramon reviewed the meeting procedure, and handed out the checklist for variances.

CJ Gates, Senior Planner for the City of Woodland Park, introduced himself. He confirmed that all public notification requirements were met. Comments were received for this project, and the most recent letters of public comment were emailed today or placed on the members' desks tonight. Senior Planner Gates presented the staff report. Elk Grove Land Development seeks a five-foot height variance for the proposed five three-story buildings east of US Hwy 24 and south of Trull Road. The proposal surrounds the Elk Grove Townhomes and the property slopes significantly at the south end. The Woodland Park zoning map lists the property as Multi-Family Residential Suburban (MFS); the Future Land Use Map shows parts of the property as both single- and multi-family, which staff believes is in error as the wording of the 2030 Comp Plan defines this area as multi-family. He reviewed the City's definitions of height. The applicant's proposed site plan shows a 15' grade. The 10- and 12-unit structures are accessed from under the structures, there is no road access except for the entrance at the edge of the cul-de-sac. The other structures are accessed off the road. The buildings are proposed to have ground-level parking area, two levels of living space, and pitched roofs, totaling 34.5' tall. They will be taller than the existing Elk Grove Townhomes buildings, most of which are also three stories tall. Staff believes that the applicant meets requirements in Sections 18.06.020 and 18.06.040 and 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.

The board members clarified some items with Senior Planner Gates, including the street name as Aspen Grove Lane, and there is only one access point at the end of the buildings for the 10-unit and one for the 12-unit building; the resident must drive under and through the building in the garage to enter the building. The current townhomes appear taller than 30', but do not have variances. This variance request applies to all the proposed buildings regardless of the differences in slope changes on the site.

The applicant, Mr. Chip Platz, then presented his case. He compared his last application to this one. The previous application requested a 15' height variance, which was denied. He stated that at that time, the BoA asked him to reapply with a more detailed site plan and indicated they would be more considerate of a 5' height variance. Staff previously, and again recommends a 5' height variance due to the topography.

The BOA members had a lengthy discussion with the applicant, covering economics, consumer demand, floor height, construction requirements, fire and emergency access, topography, and roof pitch. The BOA ultimately agreed that the 5' variance to allow a maximum building height of 35' would apply to the currently proposed five buildings and not just select buildings.

Chair Ramon opened the public comment portion of the meeting.

Bill and Nita Ames, 77 Trull Road, live across from the townhomes. Mr. Ames first noted that both the Teller County Property Records page and Future Land Use Map (FLUM) indicate the zoning of Lots 12, 13 & 14 as Suburban Residential (SR), not MFS. Director Schminke clarified that the City of Woodland Park is the authority regarding how each of these parcels, including all of Elk Grove, which were zoned Multi-Family Residential Suburban by ordinance. Mr. Ames continued that he is concerned about increased traffic, congestion, pollution, and safety hazards in case of wildfire evacuation that 34 new units would create. Mrs. Ames added that her view would be affected.

Member Lundy clarified that the BOA can only review the height variance request and Senior Planner Gates added that if the applicant goes forward with the development, more public hearings will be held for a Conditional Use Permit for the proposed use.

Ed LeBlanc of Elk Grove Lane wrote a letter to the BOA and is concerned about density. He added that some of the existing Elk Grove Townhomes are three stories and about 35' high, but the end units are only two stories. He also acknowledged the elevation change on the roads is significant.

Member Lundy asked if the HOA approved this application submittal, Mr. Platz confirmed that he is the owner and declarant of the HOA. Mr. LeBlanc credited Mr. Platz with working with current residents but noted that the covenants do not restrict height.

Richard De La Torre of 140 Cirrus Court abuts the Elk Grove property. He is concerned about the precedent this height variance would set in terms of density, noted a July 2022 study that showed that Trull Road and Highway 24 are non-survivable evacuation routes, would like to see something proposed more in harmony with the existing structures, but noted that a realtor did list the property as multi-family.

Jobe and Chuck Reigel of 211 Elk Grove Lane confirmed the BOA did not receive their letters. Mrs. Reigel read her letter aloud. She noted that compared to the previous variance request, this proposes five buildings and double the square footage of disturbance, the setbacks do not appear to be met, and that although the MFS zone allows a density of up to eight units per acre, this density is not required. Mr. Reigel mirrored Jobe's comments and added that the view would be damaged, the land is beautiful as it is, that if we apply rules like that of barren land it should go across the street, he wondered if funds go dry who cleans it up, that this is all about the money as 34 units will net the builder \$25 million, the previous developer/owner only planned 12-13 more units, Mr. Platz doesn't need to stack buildings, he's had to evacuate twice and that is a true hazard, and encouraged the maximum height to be 30 feet. He dared Mr. Platz to keep bullying the residents and the BOA, as he had previously in the meeting, by threatening to donate the land to Habitat for Humanity.

Jennifer Pitus of 110 Cirrus Court sent a letter to the BOA. She agrees with Mr. DeLaTorre and the Reigels that wildfire evacuation is a real concern. She gave a personal example of being trapped in Mountain Shadows during the Waldo Canyon Fire, and how fast the Black Forest and Marshall Fires spread. Adding 34 units to this roadway will be detrimental. She does not see a need for a height variance, adding that the BOA may not stop development but they can control height. The road is too narrow to be a safe two-way street. She does not believe it's necessary to grant a height variance just to add more units.

Chair Ramon closed the public comment period and reminded the BOA that they are only to consider that this case is a height variance. Planning Director Schminke clarified that Woodland Park is the keeper of the zoning map, and all the lots involved in this request are zoned MFS. Chair Ramon noted that maximum density is not guaranteed, but it is allowed. He asked the City Attorney legal advice on how only consider height and to not think about the whole issue granting a variance not injurious to public welfare. City Attorney Williams noted that the checklist is to guide the decision. All findings must apply. Therefore, the BOA must only consider if the granting of the height variance would be injurious to the neighborhood or public welfare. Mr. Platz had nothing else to add.

Chair Ramon opened deliberations. Emergency access and fire suppression was brought up, but the Fire Chief did not have a concern and it was determined that the BOA cannot factor this concern in their decision if the Fire Chief does not have a concern.

The BOA then went over several criteria and noted they heard concerns from the public regarding fire implications and traffic impacts. Member Abercrombie noted that the BOA needed to separate their purview from Planning Commission, so they must only focus on the height variance request and not the proposed density. City Attorney Williams advised the BOA to make a motion with the decision, and after the hearing to have staff make note of their concerns that are not directly related to the requested height variance but instead pertain to other aspects of the project. They also came to a consensus that the height variance would apply to the currently proposed five buildings presented in the application. The staff report notes that the topography is the main reason for the height variance, the conditions exist on the entire site, and the request meets the standards for approval. Member O'Neill recommended more complete site photography for future considerations for better representation.

MOTION: Abercrombie moved and Rumsey seconded **to approve** 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.

YES: Abercrombie, Lundy, Nelson, Ramon. / NO: Rumsey. Motion PASSED 4-1.

4. REPORTS

Director Schminke thanked the BOA for sitting in on the review of the code updates. The next Planning Commission workshop is on Thursday, January 26th, at 6:30 p.m.

5. ELECTIONS

- A. **Chair:** Lou Ramon was nominated by Member Lundy and seconded by Member Abercrombie. He was unanimously elected.
- B. **Vice-Chair:** Nick Abercrombie was nominated by Member Lundy and seconded by Member O'Neill. He was unanimously elected.

Chairman Ramon thanked everyone for their hard work, commended Senior Planner Gates on his staff report, and reminded the Board that it has vacancies and they need to find two Alternate members.

6. ADJOURN. Chair Ramon adjourned the meeting at 9:26 p.m.

Approved by: _____
Lou Ramon, Chair *Date*

WOODLAND PARK BOARD OF ADJUSTMENT

MEETING MINUTES – February 27, 2023

*City of Woodland Park, 220 W. South Avenue, Woodland Park, CO and by Zoom.
This meeting was a hybrid in-person and virtual electronic meeting. A Zoom link was posted on the front-page of the City website. Public input in the form of written comment submitted in advance of the meeting was encouraged and public comment in real time at the meeting was made.*

1. ORDER AND ROLL CALL. Order was called at 6:31 p.m. with attendance as follows:

Present	Chairman Lou Ramon
Present	Vice Chairman Nick Abercrombie
Present	Regular Member Jim Rumsey
Present via zoom	Regular Member Valerie Lundy
Absent	Regular Member Kevin O'Neill
Staff Present	Planning Director/BOA Secretary Karen Schminke
	Senior Planner CJ Gates

The Pledge of Allegiance was recited.

2. APPROVE MINUTES: Approval of the January 23, 2023 Minutes

Chair Ramon asked the board if they had any questions or concerns with the meeting minutes that staff presented and the Board did not. Chair Ramon stated that his concerns that he had previously emailed to staff were not incorporated and asked Director Schminke a question regarding the level of detail of the minutes being presented.

Director Schminke explained that the variability of the minutes comes from which staff member completes the minutes.

The Board discussed level of detail within the minutes provided. Chair Ramon stated he had concerns on page two and three of the packet. On page two, "all buildings considered for the 35' variance and not just individual buildings" could be phrased better. On page 3, similarly it should be clarified that the variance would apply to the buildings in the variance application and not to whatever Mr. Platz may submit to the Planning Commission. The board discussed these concerns with the wording on page two and three and asked staff to revise the language and the Board can table approval until the next scheduled meeting.

Director Schminke explained that another option would be to revise and approve the minutes during meeting when they are presented or have staff check the recording of the meeting.

Chair Ramon stated he believes it would be best for staff to take another look at the minutes and not amend any language during the meeting tonight.

Director Schminke asked for more clarification on what the Board would like changed. Chair Ramon stated he sent specific edits to Director Schminke via email that he would like staff to incorporate.

MOTION: Rumsey made a motion based on recommendation and comments to be adjusted to table the minutes from the January 24th meeting to the next scheduled meeting or approve by a special meeting. Abercrombie seconded.

YES: Ramon, Abercrombie, Rumsey and Lundy / Motion PASSED unanimously

3. REQUESTS / PUBLIC HEARINGS:

4. REPORTS

Director Schminke updated the BOA that the Planning Department is now fully staffed and are in the final stages of purchasing a new permit tracking system to serve the City.

Director Schminke also thanked the BOA for their involvement with the Planning Commission Code Revision meetings.

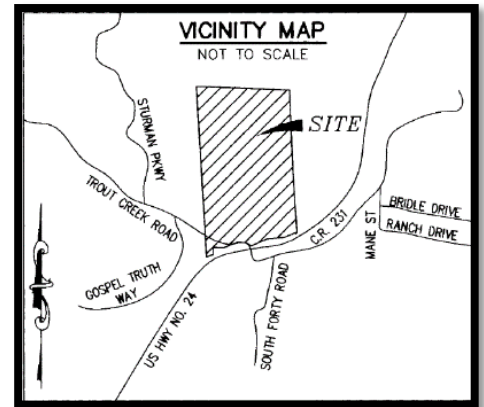
The Board asked question regarding the “Applications Under Review” page of the City Website. Director Schminke explained that all current and recent applications will be posted within this location of the website.

5. ADJOURN. Chair Ramon adjourned the meeting at 6:37 p.m.

Approved by: _____
Lou Ramon, Chair *Date*

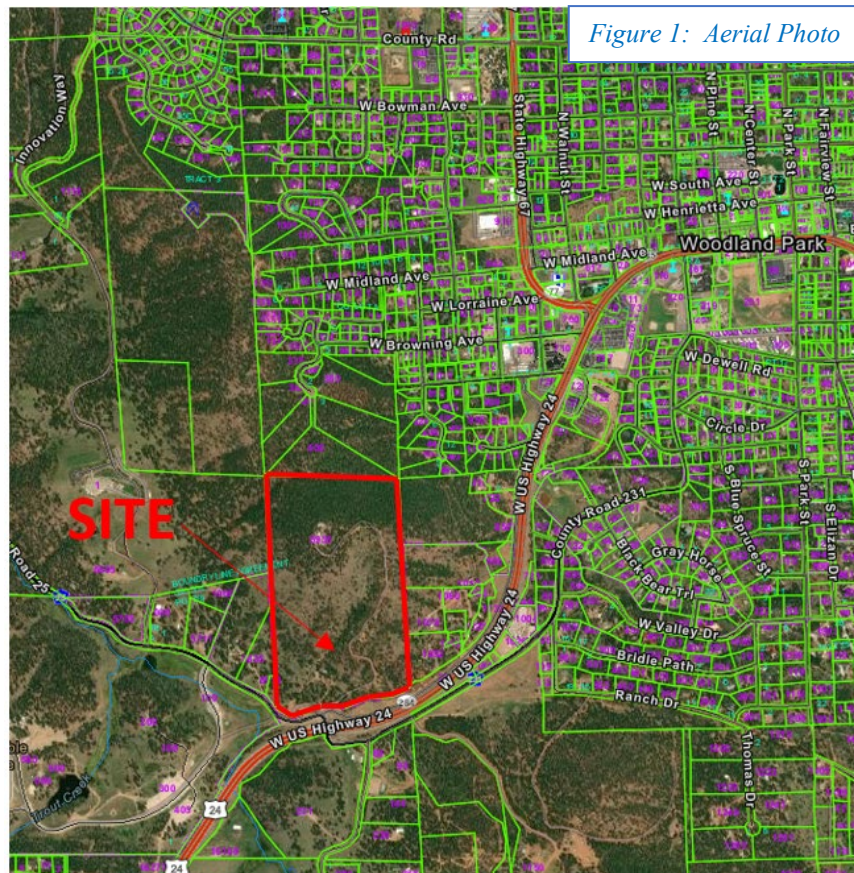
STAFF REPORT

PROJECT: VAR2023-02 Victory Life Church Height Variance
APPLICANT: Seth Emerson – KDG Architect
REQUEST: Vary Maximum Height Restriction from 30 feet to 45 feet for a new 2-story Church building
LOCATION: 5955 Trout Creek Road
ZONE: Agricultural (AG) District
STAFF: CJ Gates, Senior Planner



I. BACKGROUND

The subject property is 66.37 acres in size, zoned agriculture (AG) and is located north-east of the intersection of Trout Creek Road and Colorado State Highway 24 (Figure 1). Pikes Peak Real Estate Foundation is the owner of the subject property and the sole member of Gordon Jackson Foundation LLC. The subject property is a metes and bounds parcel that has never been platted. Currently existing on the subject property are power lines with easements that are owned and maintained by Colorado Springs Utilities. Victory Life Church is currently under contract to purchase the subject property.



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A Church can be sited in the AG zone district through a Conditional Use Permit (CUP) and Site Plan Review process, which will be heard by the Planning Commission and City Council.

II. CURRENT PROPOSAL

Victory Life Church is requesting a 15-foot height variance to increase the allowed building height from 30 feet to 45 feet to allow for the construction of a new 2-story Church building. Regarding the entitlement process, the applicant is seeking the height variance first. The applicant plans to apply for the CUP in conjunction with a site plan review in order to build the facility subsequent the BOA hearing.

Figure 2 below represent the proposed site plan for the church in the southern portion of the subject property. The figure includes topographic lines and outlines where the applicant is proposing to construct the church building and associated parking areas. A map of the entire parcel can be found in the application packet which is attached to this report.

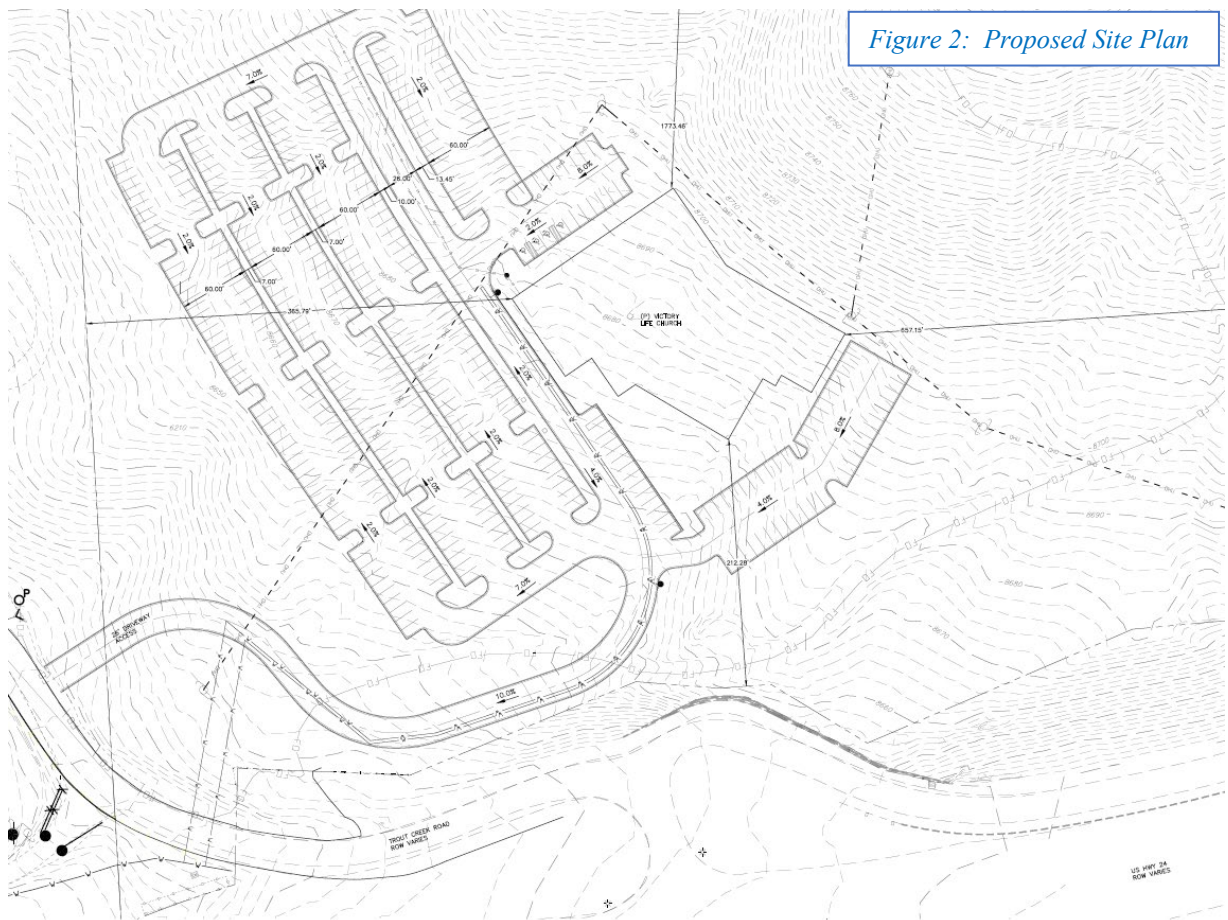
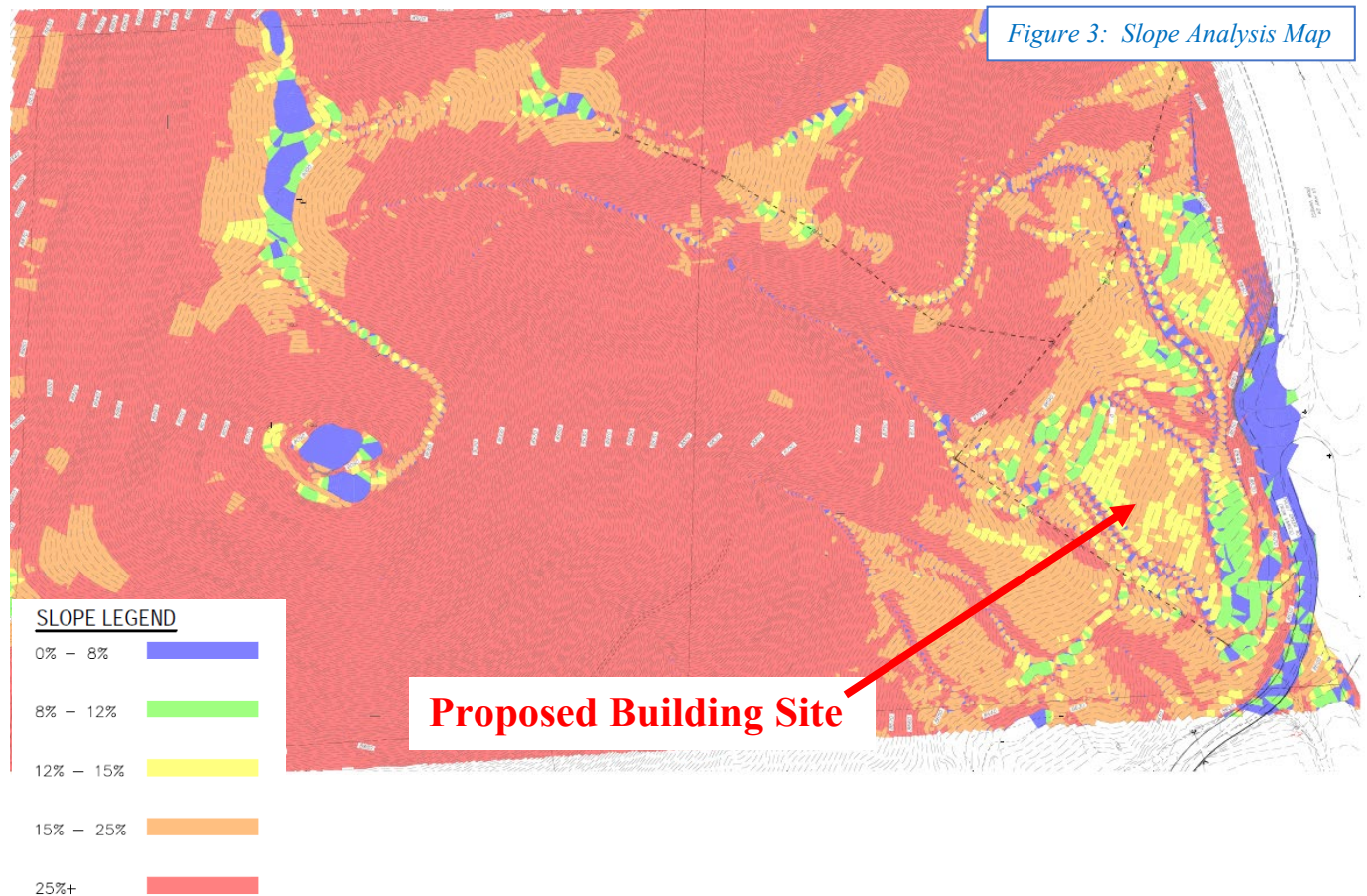


Figure 3 below is a snapshot of the slope analysis map. As showed on the map, each color indicates a different slope percentage that currently exists on the site. The color blue indicates the

STAFF REPORT

least amount of slope (0% - 8%) and red indicates the greatest amount of slope (25 %+). The slope analysis map indicates that a majority of the parcel has an existing slope of greater than 25%, especially the northern portion of the subject property.



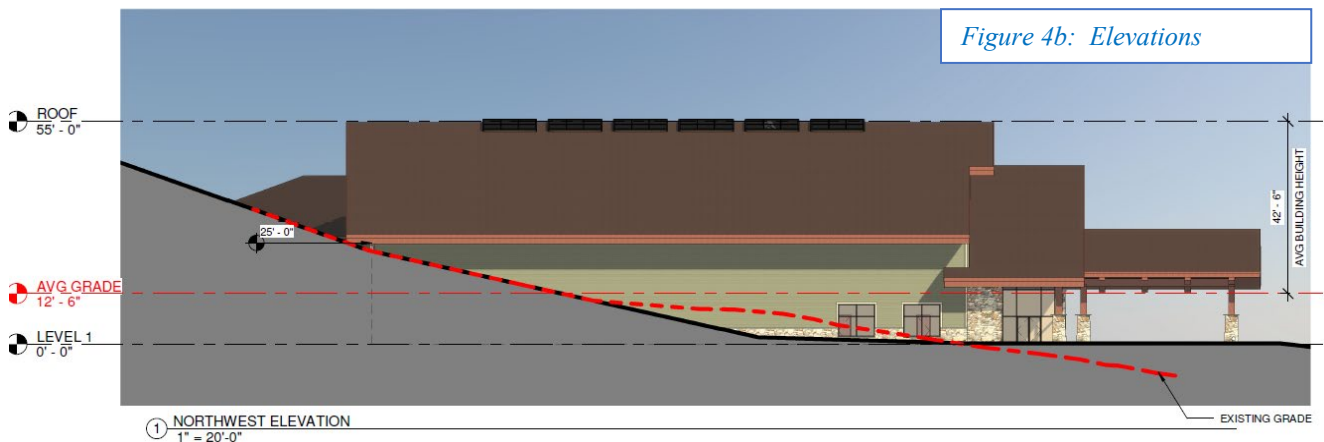
As seen on both Figures 2 & 3, the southern portion of the site is still subject to significant slopes. Also existing on the site are utility lines with associated access easements which reduces the access to a building area. The power lines and easements are owned and maintained by the City of Colorado Springs. With the combination of the topography of the site and existing power lines, the applicant is claiming the development area of this parcel is approximately 4 acres in size. In order to accommodate the exceptionally sloping topography of the site, the proposed building is planned to be built into the existing hillside and will include a walk-out condition at the main level of the building.

For reference, building height is measured as prescribed in Code section §18.06.080:

STAFF REPORT

"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."

The applicant has submitted color renderings of the building elevations for the proposed Church. In the figures 4a-4d below, the applicant has called out the average grade with a thin red dotted line. Measuring from the average grade to the highest point of the roof, the proposed Church would measure 42'-6" in height to the tallest part of the roof. Additionally, on figures 4c and 4d, the applicant has provided a dark dotted red line identifying the existing grade of the site at the proposed building location. This existing grade line illustrates the significant slopes found at the southern portion of the site.



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Figure 4c: Elevations

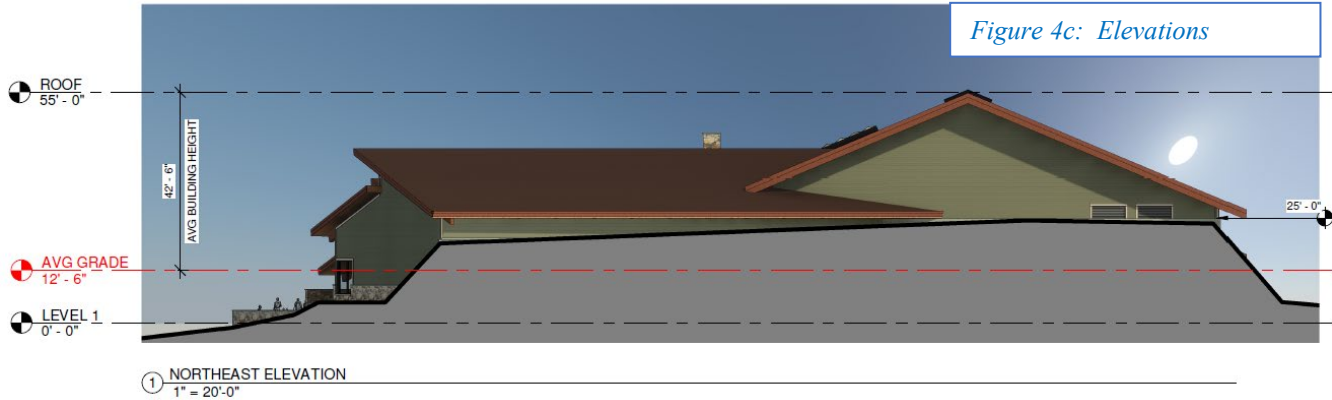


Figure 4d: Elevations



III. PROCESS

Zoning variances are subject to the requirements of *Chapter 18.60* of the Municipal Code. Section *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 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

STAFF REPORT

days prior to the hearing. Staff has received zero comments from citizens regarding the application.

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.

IV. APPLICATION for a VARIANCE

Section 18.60.020 requires the applicant to demonstrate how the variance meets all 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 on the northern portion of the property which makes that portion of the parcel unbuildable. As previously mentioned within the staff report, the building is proposed to be constructed on the southern portion of the site where the slopes are not a steep but are still significant.

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

- Staff found that the significant grade change as well as existing power lines and easements 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 deprive the applicant of the ability to construct the proposed Church on the subject property. This parcel is zoned AG and Churches, synagogues, and other places of worship are subject to a Conditional Use Permit. Per section 18.57 of the Woodland Park Municipal Code, the Conditional Use permit is a public hearing process that must be heard before the Planning Commission and ultimately approved by City Council. As previously noted, the applicant is presenting before the Board of Adjustment requesting a height variance prior to the Conditional Use Permit process.

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.*

STAFF REPORT

- If granted, Victory Life Church will not receive special privileges denied to other lands or structures in the same zone district. As previously noted, places of worship are subject to a conditional use permit process through the City of Woodland Park.

V. SECTION 18.60.050.A and B LIMITATIONS

Section 18.60.050 provides the following:

A. No nonconforming structures in the same district, and no permitted or nonconforming structures in other districts shall be considered grounds for the issuance of a variance.

B. Under no circumstances shall the board grant a variance to allow a use not permitted under the terms of this title in the district involved or any use expressly or by implication prohibited by the terms of this title in said district.

- The limitations of §18.60.050.B are met since places of worship are permitted through a conditional use permit under the terms of Title 18 within the AG 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.

VI. 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 February 23, 2022 and additional information was accepted by the City on March 23, 2022. Staff finds that the application demonstrates the existence of special conditions and circumstances peculiar to the land. Staff bases this on the lot's extreme topography and the existing power lines and associated easements. To resolve this issue, the Applicant is requesting a height variance to allow for the construction of the two-story Church.

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. With the significant grade change, the size of the variance request does not exceed the hardships found on the site.

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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.

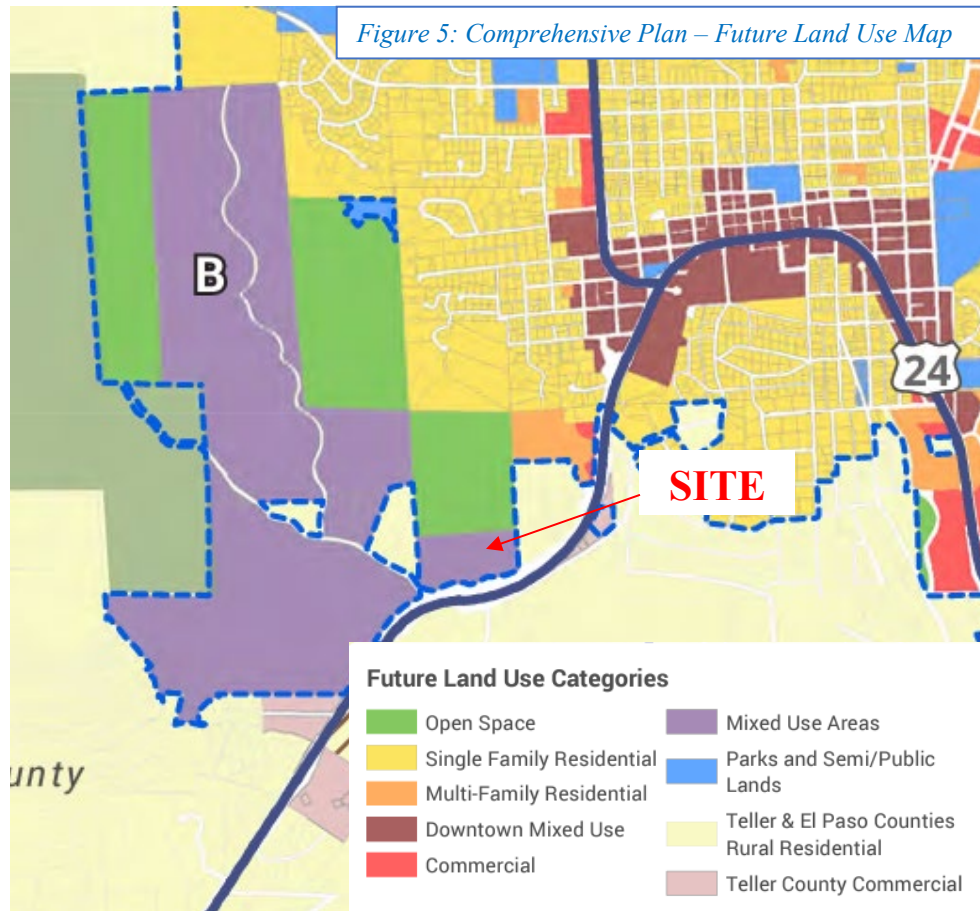
Analysis: Staff found that if granted, this variance will conform with the general purpose and intent of the comprehensive plan. As shown on the Comprehensive Plan's Future Land Use Map (Figure 5), the northern portion of the subject parcel is labeled at "open space" while the southern portion of the site where the proposed church would be constructed is labeled as "mixed use". The plan identifies several areas as "mixed use" and this site is associated with area B, which is defined as: "Area B is comprised of the approved Sturman PUD and Sanctuary PUD (Charis Bible College). The Sanctuary PUD will have event space, a café, educational facilities, and group quarter housing for students." Additionally, 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:

STAFF REPORT



VII. STAFF RECOMMENDATION

Staff recommends granting a 15-foot variance to allow for a maximum building height of 45' for construction of a two-story Church at 5955 Trout Creek Road.

Attachments

- A. Application

Planning Application Entry Form

[Print Record](#)[Go To Development Fees Receipt Form](#)

ID

[Open Permit Comments](#)

Permit Number 202302043

Project # EXT/Case # VAR2023-02

Public Hearing Required ☒

Date Received 2/23/2023

Date Routed 2/23/2023

Date Initial Permit Approved

*Date Permit Paid

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

Project Type VAR

Project Type Number 11

Project Classification Height Variance

Non-Profit, Residential or Commercial Non-Profit

NOTE: Above Field required only for SINS and TUPs

Project Name Victory Life Church - Height V

Site Address Number 5955

Site Address Name Trout Creek Rd.

Lot Number

Block Number

Subdivision 23-12-69 SE4SE4

Filing #

Applicant Business Name Victory Life Church

App First Name Seth

App Last Name Emerson

App Phone Number 719-685-6627

PO Box

Mailing Address Street # 178

Mailing Address Street Name Daisy St.

City Woodland Park

State CO

Zip Code 80863

Owner First Name Gordon Jackson Foun

Owner Last Name

Zone Class AG

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



2023 GENERAL APPLICATION

(Revised 1/1/2023)

received
2/23/2023

Project # 202302043

Case # VAR 2023-02

Fee(s): See City of Woodland Park
Fees Sheet (Plus publication/recording
fees, as applicable)

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 Seth Emerson
- b. Project Coordinator ☒ Property Owner ☐
- c. Mailing Address 178 Daisy Street, Woodland Park, CO 80863
- d. E-mail Address seth@kdgarchitect.com
- e. Phone Numbers Home _____ Work _____ Mobile (719)685-6627

2. Property Owner Information (if different from above)

- a. Name Gordon Jackson Foundation LLC Project Contact? Yes ☐ No ☒
- b. Mailing Address 315 E Pikes Peak Ave., Suite 120 Colorado Springs, CO 80903
- c. E-mail Address sclark@ppref.org
- d. Phone Numbers Home _____ Work (719)445-0605 Mobile _____

3. Site Information

- a. Site Address 5955 Trout Creek Road
- b. Lot _____ Block _____ Subdivision WP Central Area
- c. Property Zoning AG Lot Size 66.37 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 Victory Life Church - Woodland Park
- b. Brief Description of Project/Request Construct a new 2-story Church Building for Victory Life Church. A height variance of 15 feet is requested. Total height of 45 feet.

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.)

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.

 Executive Director, PPREF (Gordon Jackson Foundation LLC) _____ 2/21/2023

 Owner _____ Date _____

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.

 Seth Emerson _____ 02-21-2023

 Applicant _____ Date _____



BOARD OF ADJUSTMENT CHECKLIST FOR VARIANCES

FINDINGS: Per Chapter 18.60 (Variances) of the Woodland Park Municipal Code, the Board of Adjustment (“the board”) shall consider the application and grant or deny it according to the provisions of Chapter 18.60. In granting a variance, the board may prescribe appropriate conditions in conformity with Title 18.

Section 18.60.010. The application shall demonstrate existence of a hardship, such as:

- ☐ Exceptional narrowness, shallowness or shape of property.
- ☒ Exceptional topography of property.
- ☒ Other extraordinary or exceptional situation or condition peculiar to property.

Section 18.60.020. The applicant shall submit written application with a site plan for a variance demonstrating that all of the following conditions exist:

- ☒ There exists hardships which are peculiar to the land, structure, or building and are not applicable to other lands or structures in the same zone district.
- ☒ The hardships did not result from actions of the present or past owner/applicant.
- ☒ The literal interpretation of Title 18 would deprive the applicant/property owner of rights commonly enjoyed by other properties in the same zone district.
- ☒ If granted, the applicant/property owner will not confer special privileges denied to other lands or structures in the same zone district.

Section 18.60.040. The BOA shall make the following findings:

- A. That the representations in the application are valid.
- B. That the variance is justified and will make possible the reasonable use of the land or structure.
- C. That the variance will be in harmony with the general purpose and intent of the comprehensive plan and Title 18 and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



February 21, 2023

Mr. Samuel Clark
Pikes Peak Real Estate Foundation
315 E Pikes Peak Ave., Suite 120
Colorado Springs, CO 80903

Phone: 719.445.0605
Email: sclark@ppref.org

Mr. David Burgess
Woodland Park Planning & Building Department
PO BOX 9007
Woodland Park, CO 80866

RE: Board of Adjustments Height Variance – 5955 Trout Creek Road

Dear Mr. Burgess,

Pikes Peak Real Estate Foundation is the owner and sole member of Gordon Jackson Foundation LLC, which owns the property described as 5955 Trout Creek Road.

Victory Life Church currently has our property under contract to purchase, and is conducting their due diligence on the site to ensure they can bring their plans for the community to our property. They have notified us of their future design plans for the site and have our permission to request a height variance for the facility.

Please contact me if I can be of further assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Samuel Clark", written over a horizontal line.

Samuel Clark

Executive Director
Pikes Peak Real Estate Foundation

February 23, 2023

Letter of Intent

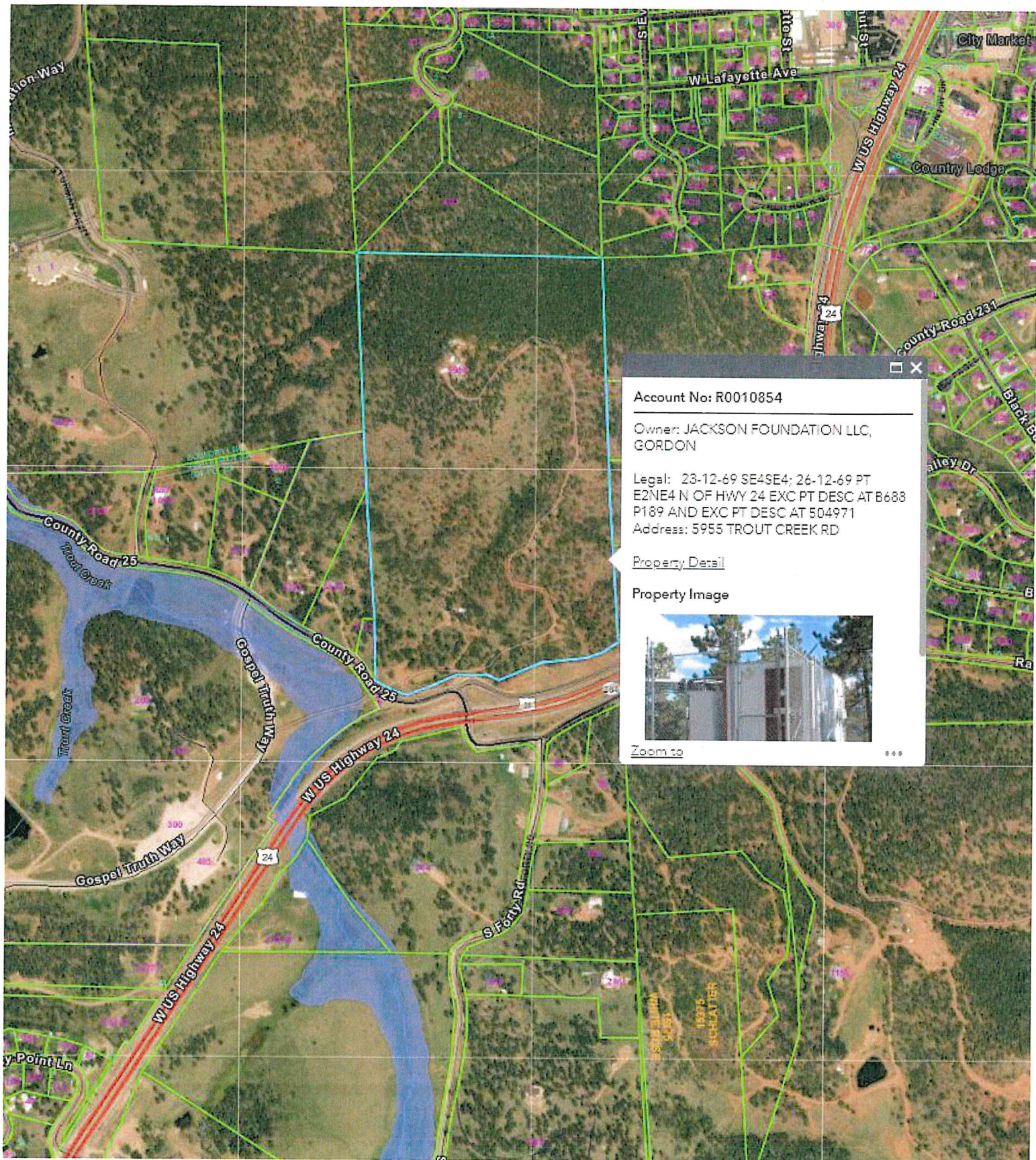
Project Description

Victory Life Church, whose representative is the Applicant, is seeking to purchase the land located at 5955 Trout Creek Road for the purpose of constructing a new Church Building. The land is zoned Agricultural (AG) and is located within the City of Woodland Park, North of the intersection of Highway 24 and Trout Creek Road. The property is bordered to the North by vacant land (zoned SR), to the East by a mix of Residential and vacant land (zoned MFS and unzoned within the City of Woodland Park) and to the West by a mix Residential and vacant land (unzoned within the City of Woodland Park) and Mixed Use Residential (zoned PUD).

In order to accommodate the exceptionally sloping topography of the site, the new Church Building will be built into the hillside and will have a walk-out condition at the Main level. Per the AG zoning, the maximum building height is 30 feet. Victory Life Church, whose representative is the Applicant, is requesting a variance to that code be granted to allow for the construction a new 2-story Church Building to a maximum height of 45 feet when measured to the highest point of the roof.

Justification of the 15 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 AG zone district. The existence of utility (power) lines, an access easement with the City of Colorado Springs and an extremely steep topography, with a grade of 37% immediately behind the utility (power) lines, greatly reduces the development area to approximately 4 acres. This has necessitated a reduced footprint and a second story to meet functional requirements of a Church Building and to reduce environmental impact. To adhere to the height requirement and desired mountain-western aesthetic, the building would need to be reduced to one story. This would negatively impact the functionality of the Building within the current programming, increase the footprint within the limited development area and increase the site disturbance.
2. The exceptionally sloping topography of the site, and other conditions which have contributed to a limited development area were not created by Victory Life Church, whose representative is the Applicant.
3. Subject to a Conditional Use permit, Churches, synagogues and other places of worship are permitted uses per Title 18.09.090 within all established districts of Woodland Park, including AG. Conditional Use permits have been granted to similar places of worship including but not limited to: Our Lady of the Woods Church, Woodland Park Church of the Nazarene and Mountain View United Methodist Church. These and other similar permitted uses have also been granted variances related to Architectural requirements for places of worship, in keeping with the desired mountain-western aesthetic, allowing for an increase in maximum allowed height within their respective districts. While the literal interpretation of Title 18 would not deprive the Applicant of rights commonly enjoyed by other properties specifically in the same zone district (AG), since places of worship are permitted within all established districts subject to a Conditional Use Permit, it would deprive the Applicant of rights granted to similar places of worship within established districts of Woodland Park.
4. If granted, Victory Life Church, whose representative is the Applicant, will not confer special privileges denied to other lands or structures in the same zone district.



Account No: R0010854

Owner: JACKSON FOUNDATION LLC,
GORDON

Legal: 23-12-69 SE4SE4; 26-12-69 PT
E2NE4 N OF HWY 24 EXC PT DESC AT B688
P189 AND EXC PT DESC AT 504971
Address: 5955 TROUT CREEK RD

[Property Detail](#)

[Property Image](#)

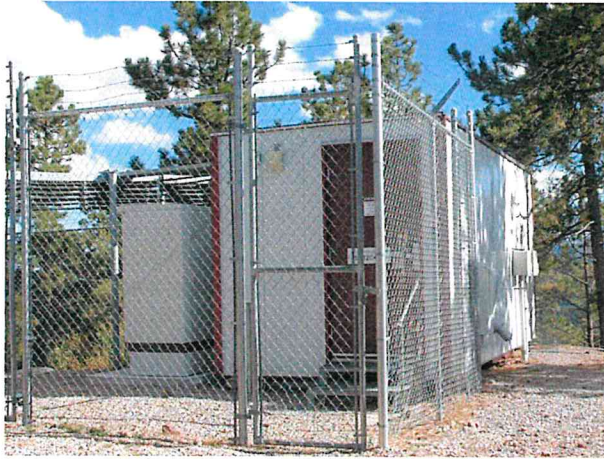


[Zoom to](#)

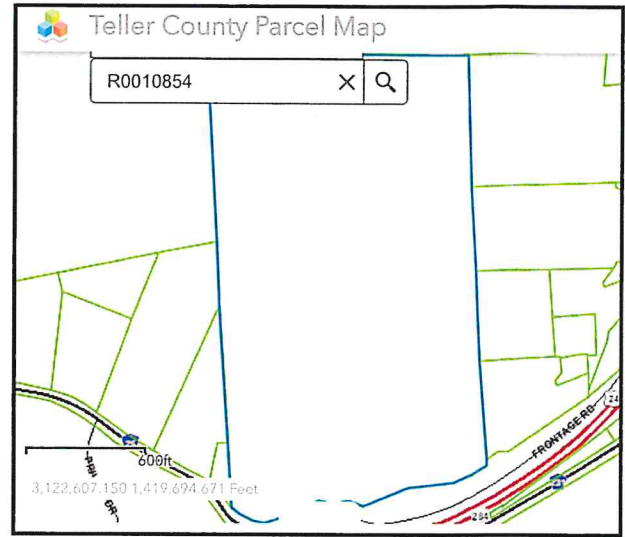
Teller County Property Records

Property Record

Acct No:R0010854



Map



[Show Full Screen Map](#)

Ownership

Account No	R0010854
Parcel Id	6029.261000010
Notice of Value	PDF of 2021 Notice of Value
Actual	\$544,393
Assessed	\$48,090
Acct Type	Mixed Use Comm
Owner Name	JACKSON FOUNDATION LLC, GORDON
Mailing Address	102 S TEJON ST STE 530 COLORADO SPRINGS, CO 809032236

Location

Physical Address	5955 TROUT CREEK RD
School Dist	RE-2
Acres	66.370000
Map No.	6029
Tax Dist	60
Area	WP CENTRAL AREA
Brief Legal	23-12-69 SE4SE4; 26-12-69 PT E2NE4 N OF HWY 24 EXC PT DESC AT B688 P189 AND EXC PT DESC AT 504971

Brief Legal Description is not intended for use on legal documents

Zoning

Zoned AG
Zoning Information (provided by City of Woodland Park for Questions call 719-687-5202)

Land Attributes

Land Type	Abst Code	Acres
Residential	1112	65.87
Commercial	2130	0.50

Building Information (provided by Assessor)

Building ID	1	Abst code	1212	Year built	1925
Occupancy	Single Family Residential	% Occ	100%	Adj Yr Blt	1925
Style	Ranch 1 Story	Baths	1.00	Remodeled	
SQFT	1066	Stories		% Remodeled	%
Bed Rooms	2.00	Story Ht	0	Roof Type	Gable
Rooms	4	Foundation	18 Concrete	Roof	Composition Shingle
Exterior	Frame Siding	Condition	Average	HeatType	Forced Air

Interior Drywall

Quality Fair

Inventory Bldg
Type

Description

Units

Year

Add On Shed Frame Average

1020

1925

Add On Masonry Sgl 1 Story Fireplace Average

1

1925

Building ID 2 Abst code 2230 Year built 1996

Occupancy Equipment Building % Occ 100% Adj Yr Blt 1996

Style Equipment Building Baths 0.00 Remodeled

SQFT 360 Stories 1 % %

Bed Rooms 0.00 Story Ht 8 Remodeled

Rooms 0 Foundation Roof Type Flat

Exterior Condition Average Roof

Interior HeatType Heat Pump Individual Unit

Quality Average

Building ID 4 Abst code 2230 Year built 1992

Occupancy Equipment Building % Occ 100% Adj Yr Blt 1992

Style Equipment Building Baths 0.00 Remodeled

SQFT 180 Stories 1 % %

Bed Rooms 0.00 Story Ht 8 Remodeled

Rooms 0 Foundation Roof Type Flat

Exterior Condition Average Roof

Interior HeatType Heat Pump Individual Unit

Quality Fair Plus

Building ID 5 Abst code 2230 Year built 1993

Occupancy Equipment Building % Occ 100% Adj Yr Blt 1993

Style Equipment Building Baths 0.00 Remodeled

SQFT 432 Stories 1 % %

Bed Rooms 0.00 Story Ht 8 Remodeled

Rooms 0 Foundation Roof Type Flat

Exterior Condition Average Roof

Interior HeatType Heat Pump Individual Unit

Quality Fair

Building ID 6 Abst code 2230 Year built 1992

Occupancy Equipment Building % Occ 100% Adj Yr Blt 1992

Style Equipment Building Baths 0.00 Remodeled

SQFT 160 Stories 1 % %

Bed Rooms 0.00 Story Ht 8 Remodeled

Rooms 0 Foundation Roof Type Flat

Exterior Condition Average Roof

Interior

HeatType

Heat Pump Individual
Unit

Quality

Fair

Transfers (provided by Assessor)

Sale Date	Reception No	Deed Type	Sale Price
05/15/2000	504972	Easement	\$0
02/15/2001	515591	Plat	\$0
04/16/2001	517057	Plat	\$0
01/29/2002	529392	Easement	\$0
10/26/2004	573005	Warranty Deed	\$0
12/31/2007	613958	Special Warranty Deed	\$0
05/21/2018	707824	Easement	\$0
05/21/2018	707825	Easement	\$0
05/21/2018	707826	Easement	\$0
05/21/2018	707827	Easement	\$0
05/21/2018	707897	Easement	\$0
05/21/2018	707898	Easement	\$0
12/02/2022	LS-000104	Survey	\$0

Building Permits

Date	Permit No.	Description	Permit Issued By
10/17/2000	A19390	Commercial	Teller County
05/09/2003	A25552	Commercial	Teller County
03/29/2007	A32466	Electric	Teller County
10/02/2009	A36738	On Site	Teller County

Property Tax History (provided by Treasurer)

Delinquent taxes are not shown on this website.

[Tax detail on Treasurers Web Site \(Note: Select Public User Login Button if prompted\).](#)

[Tax Payment Web site](#)

Authority	Mil Levy	Amount
TELLER COUNTY	14.64	\$644.01
RE-2 SCHOOL DIST	27.924	\$1,228.38
CITY OF WOODLAND PARK	15.75	\$692.84
NE TELLER COUNTY FIRE	14.718	\$647.45
RAMPART LIBRARY	4.119	\$181.20
UTE PASS REGIONAL HEALTH	3.99	\$175.52
TOTAL	81.14100	\$3,569.40

Tax Year	Tax Amount
2022	\$3,569.40
2021	\$3,882.56
2020	\$3,632.14

2019

\$3,607.56

2018

\$3,050.44

[About](#)

[Disclaimer](#)

[Contributors](#)

AERIAL TOPOGRAPHIC SURVEY – ASPEN VALLEY RANCH
SEC. 23, 25 & 26, T. 12 S., R. 69 W. OF THE 6th P.M., TELLER COUNTY, CO



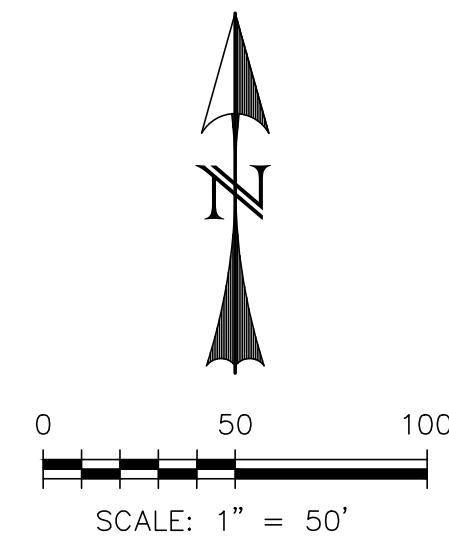
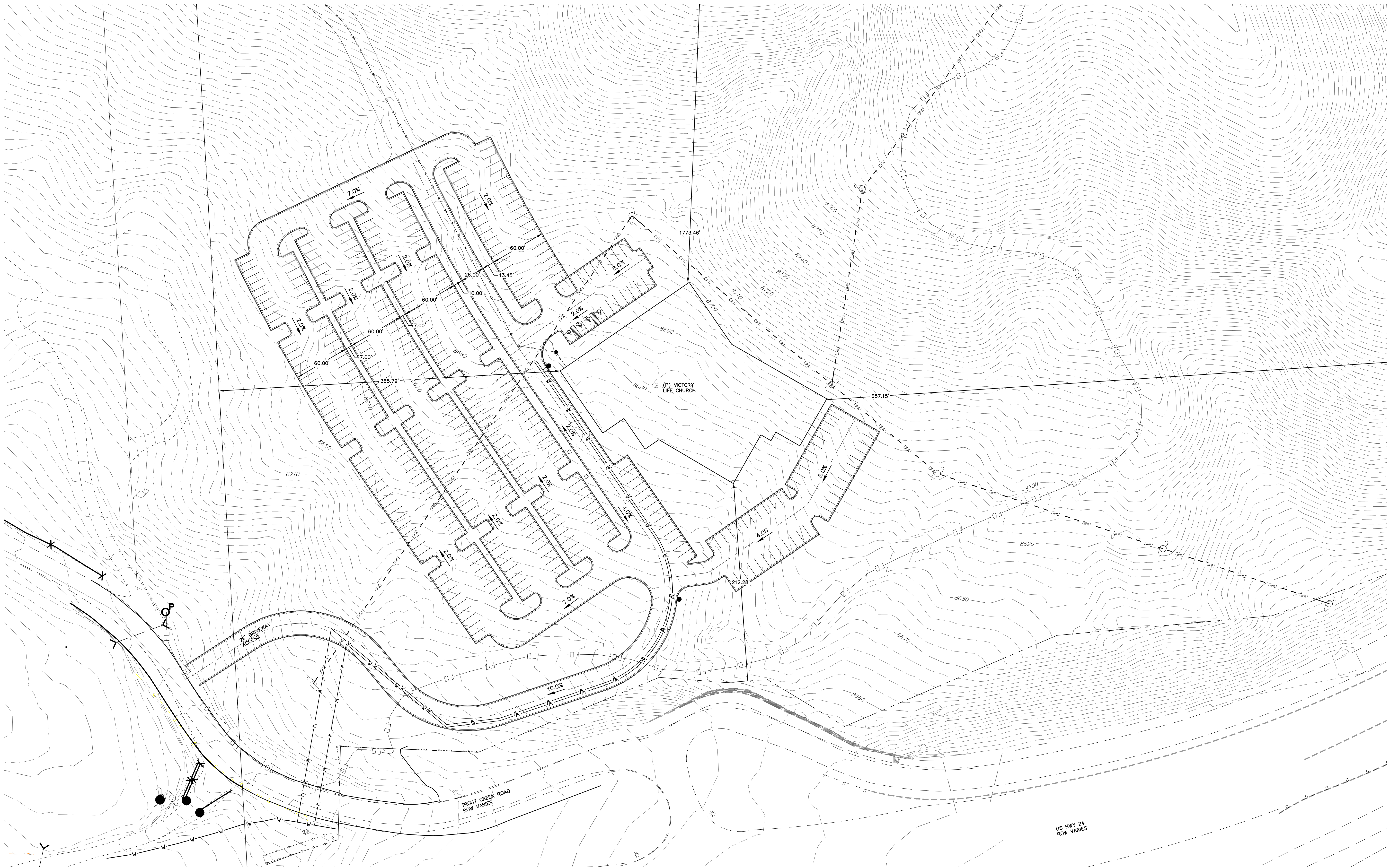
AERIAL TOPO SURVEY – ASPEN VALLEY RANCH
SEC. 25 & 26, T12S, R69W, TELLER CO., CO

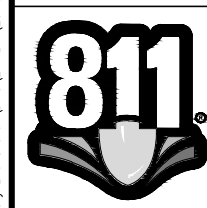
**RAMPART
SURVEYS**

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

DRAWING: 08097TOP.DWG

PAGE 1 OF 1





Know what's below.
Call 72 hours before you dig.

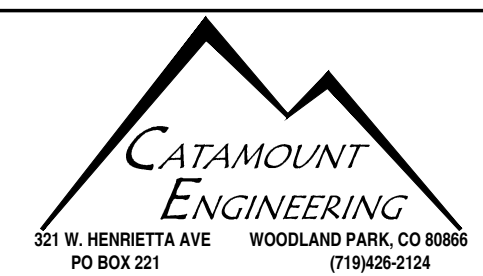
For more details visit:
www.call811.com

REV.	DESCRIPTION	DATE

PREPARED FOR:

VICTORY LIFE CHURCH

70 MORNING SUN DRIVE, STE. C
WOODLAND PARK, CO 80863



CATAMOUNT
ENGINEERING

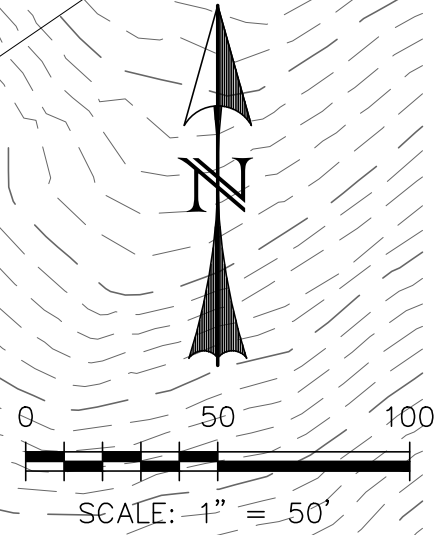
321 W. HENRIETTA AVE
WOODLAND PARK, CO 80866
PO BOX 221 (719) 428-2124

VICTORY LIFE CHURCH
SITE PLAN

DESIGNED BY: DLM	DRAWN BY: DLM
SCALE: 1" = 50'	DATE: 02/22/23
JOB NUMBER	SHEET
23-372	1 OF 1

W:\Customer\Submittal\Projects\23-372 Victory Life Church\Submittal\23-372_VLC_Site_Plan.dwg - Construction - Wednesday, February 22, 2023 9:18:29 AM - dlm

W:\Customer\Submittal\Projects\23-372 Victory Life Church\Submittal\23-372_VLC_Site_Plan.dwg - Construction



1. TOTAL SITE AREA = ###,###.## SF
EXISTING IMPERVIOUS AREA = ###,###.## SF
PROPOSED IMPERVIOUS AREA = ###,###.## SF

ALL ELEVATIONS ARE BASED UPON
NGS DESIGNATION B 174, NAVD88
VERTICAL DATUM.

23-12-69 SE4SE4; 26-12-69 PT E2NE4 N OF HWY 24 EXC PT
DESC AT B688 P189 AND EXC PT DESC AT 504971

OWNER: VICTORY LIFE CHURCH

ENGINEER: CATAMOUNT ENGINEERING
321 W. HENRIETTA AVE SUITE A
WOODLAND PARK, CO 80866
DAVID L. MIJARES, PE (719) 337-8351

WATER/SEWER: CITY OF WOODLAND PARK
UTILITY DEPARTMENT
220 W. SOUTH AVENUE
WOODLAND PARK, CO 80866
KIP WILEY (719) 687-5208

ELECTRIC: IREA/CORE
DAVID COKER
(720) 733-5486

GAS: BLACK HILLS ENERGY
(719) 546-5812

BAJA BROADBAND
WILLIAM TRUJILLO
William.Trujillo@tdstelecom.com

TELEPHONE: CENTURY LINK
BILL GATTI
(719) 502-1019

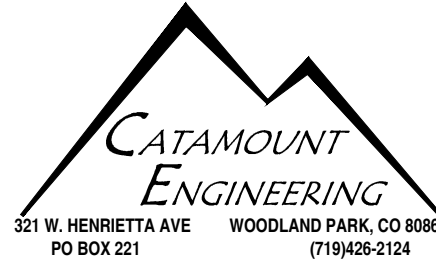
DATE	OWNER(S)
------	----------

DATE	CITY PLANNER
	CITY OF WOODLAND PARK

EXISTING	(E)
PROPOSED	(P)
BOUNDARY	_____
RIGHT-OF-WAY	=====
(E) CONTOUR, INDEX	_____100_____
(E) CONTOUR	_____
(P) CONTOUR, INDEX	=====100=====
(P) CONTOUR	_____
PARKING SPACE COUNT	(XX)

PREPARED FOR:
VICTORY LIFE CHURCH

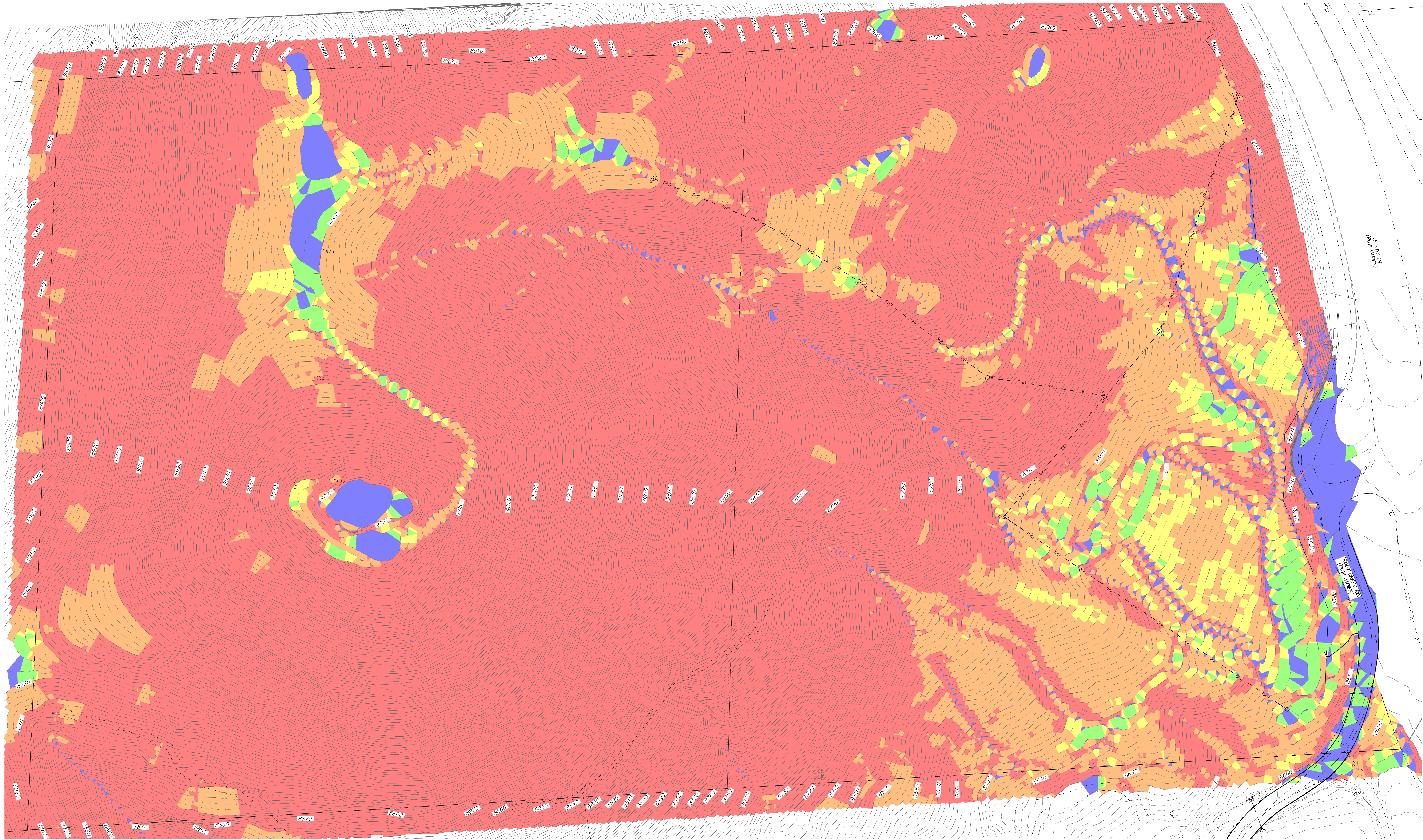
70 MORNING SUN DRIVE, STE C
WOODLAND PARK, CO 80863



VICTORY LIFE CHURCH

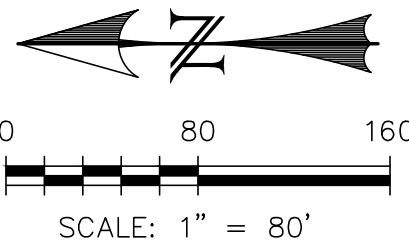
PRELIMINARY GRADING PLAN

DESIGNED BY:	DLM	DRAWN BY:	DLM
SCALE:	1" = 50'	DATE:	03/17/23
JOB NUMBER	SHEET		
22-372	1 OF 1		



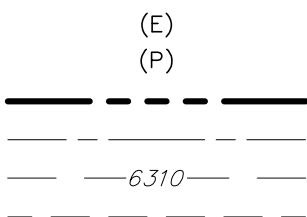
LAND SUITABILITY ANALYSIS COMPONENTS/NOTES/WRITTEN TEXT:

- a. SLOPE ANALYSIS:
-SLOPE ANALYSIS AND TOPOGRAPHY IS SHOWN ON THIS PLAN.
- b. VEGETATION AND WILDLIFE:
-THE EXISTING SITE HAS ALREADY HAD SOME PAD-SITE GRADING ON IT. IT HAS BEEN RESEED WITH A NATIVE SEED MIX. THERE ARE SEVERAL JUNIPER PINES ON THE HILLSIDE ABOVE THE SITE WHICH WILL NOT BE DISTURBED WITH THIS PROJECT.
- (1) THERE ARE NO KNOWN COLORADO FOREST SERVICE DEFINED ECOSYSTEMS ON THE SITE.
- (2) THE EXISTING SITE IS COVERED IN GRASSES. THE SURROUNDING AREA IS ALREADY DEVELOPED WITH RESIDENTIAL, OFFICE, AND INDUSTRIAL USES, THEREFORE THE RISK OF WILDFIRE IS VERY LOW FOR THIS SITE.
- (3) THERE ARE NO KNOWN WILDLIFE HABITAT OR MITIGATION CORRIDORS ON THIS SITE.
- c. GEOLOGY, SOILS, AND NATURAL FEATURES:
(1) CTL THOMPSON PREPARED A REPORT TITLED "GEOLOGIC HAZARDS EVALUATION AND GEOTECHNICAL INVESTIGATION, PIKES PEAK ATHLETICS AQUATICS CENTER, ELKTON DRIVE, COLORADO SPRINGS, CO.," DATED DECEMBER 4, 2015. THIS REPORT DID NOT IDENTIFY ANY GEOLOGIC HAZARDS BELIEVED TO PRECLUDE DEVELOPMENT FOR THE INTENDED USE. POTENTIAL GEOLOGIC HAZARDS THAT WERE IDENTIFIED THAT MAY POSE CONSTRAINTS TO DEVELOPMENT INCLUDE THE OCCURRENCE OF UNDOCUMENTED FILL AND EXPANSIVE SOILS, AND TO A LESSER EXTENT, ROCKFALL POTENTIAL ON THE WEST SIDE OF THE SITE. THERE ARE NO KNOWN UNDERGROUND MINES FOR THIS SITE.
- (2) EXISTING SOILS ON THE SITE CONSIST MOSTLY OF TRUCKTON LOAMY SAND (SCS MAP SYMBOL 95). THIS SOIL IS WELL-DRAINED AND PERMEABILITY IS MODERATELY RAPID. AVAILABLE WATER CAPACITY IS MODERATE. SURFACE RUNOFF IS SLOW, AND THE HAZARD OF EROSION IS MODERATE TO HIGH. THE SOIL IS WELL-SUITED FOR DEVELOPMENT.
- (3) THERE ARE NO STREAMBEDS OR NATURAL DRAINAGE FEATURES ON THE SITE. THERE ARE SEVERAL ROCK OUTCROPPINGS ADJACENT TO THE NORTH/NORTHWEST OF THE SITE. THESE OUTCROPPINGS WILL NOT BE DISTURBED WITH CONSTRUCTION. NO OTHER NATURAL OR MANMADE FEATURES WERE IDENTIFIED BY SPRINGVIEW.
- d. TOPOGRAPHIC MAP:
-TOPOGRAPHY IS SHOWN ON THE PLAN.



LEGEND

- EXISTING
PROPOSED
BOUNDARY
LOT LINE
(E) CONTOUR, INDEX
(E) CONTOUR



SLOPE LEGEND

- 0% - 8%
8% - 12%
12% - 15%
15% - 25%
25%+

REV.	DESCRIPTION	DATE



PREPARED FOR:
VICTORY LIFE CHURCH

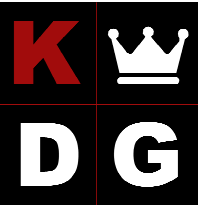
70 MORNING SUN DRIVE, STE. C
WOODLAND PARK, CO 80863



VICTORY LIFE CHURCH

SLOPE ANALYSIS

DRAWN BY:	MGP
SCALE:	1" = 50'
DATE:	03/08/23
JOB NUMBER	SHEET
23-372	1 OF 1



VLC NEW CHURCH FACILITY

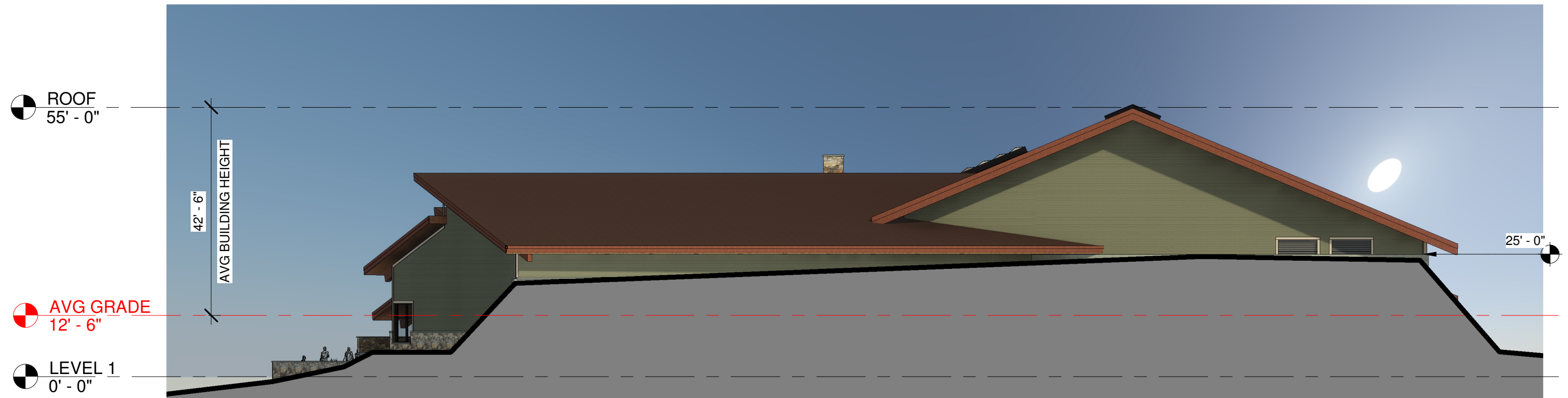
22-016
12/12/22

EXTERIOR
ELEVATIONS

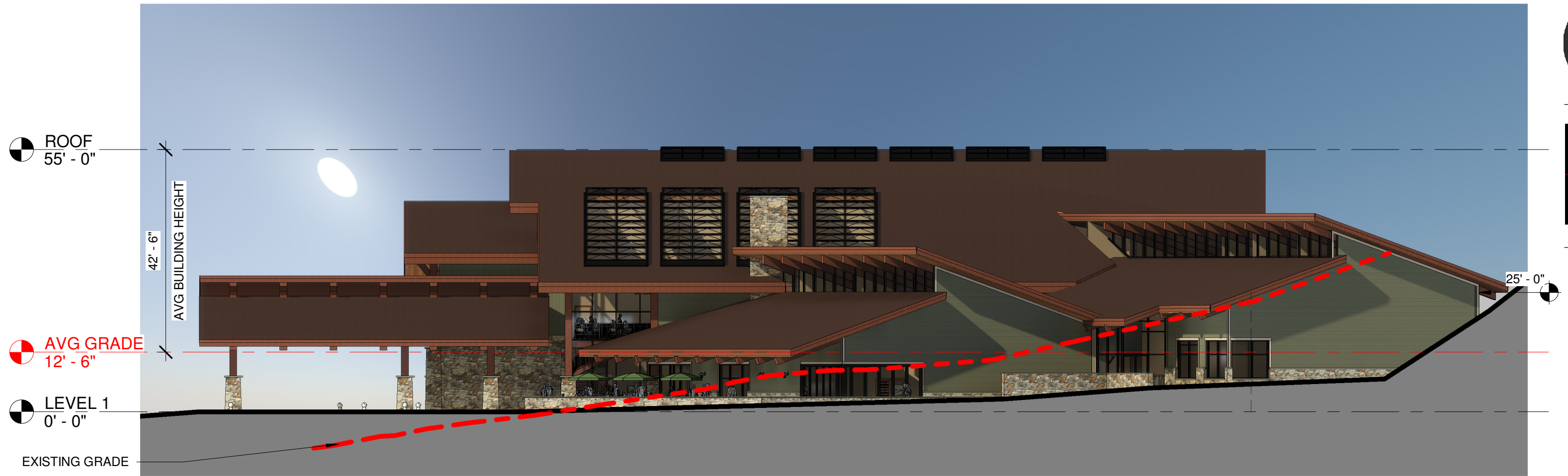
A5



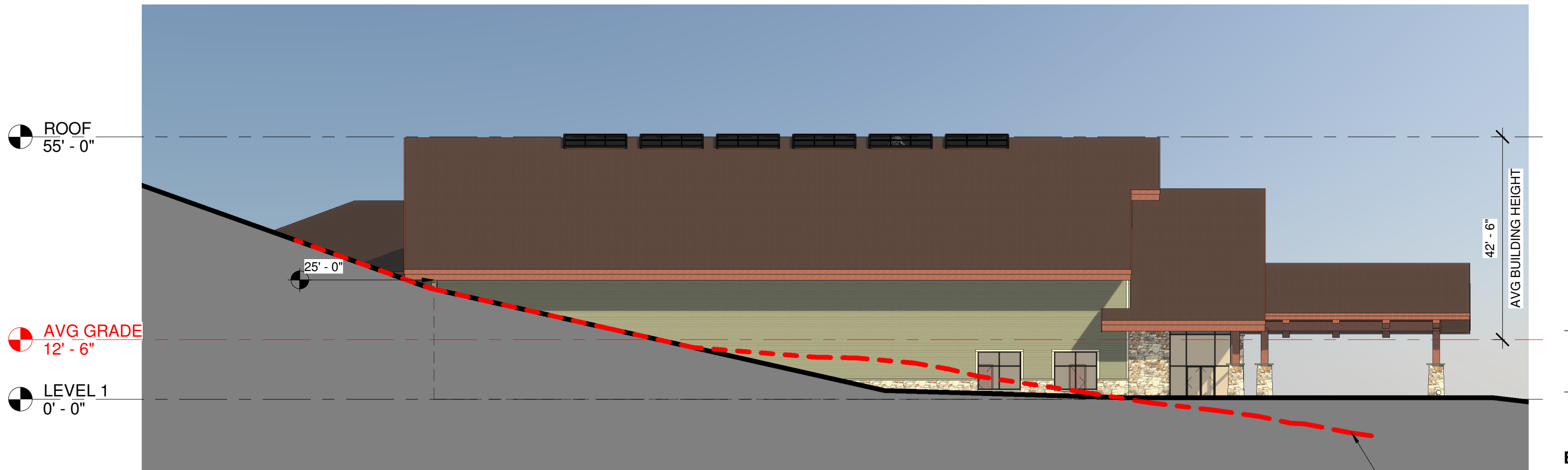
② SOUTHWEST ELEVATION
1" = 20'-0"



① NORTHEAST ELEVATION
1" = 20'-0"



② SOUTHEAST ELEVATION
1" = 20'-0"



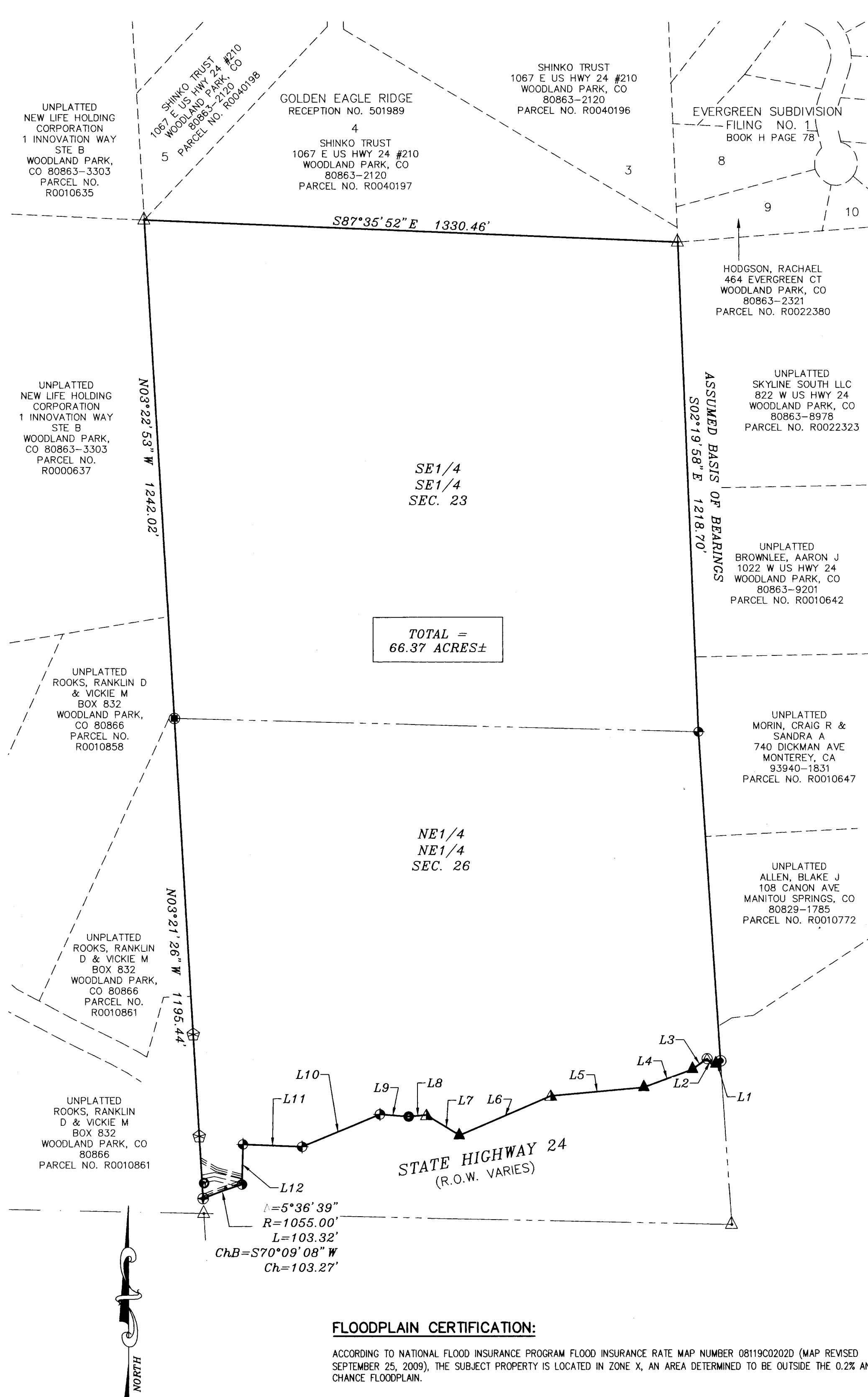
① NORTHWEST ELEVATION
1" = 20'-0"

22-016
12/12/22

EXTERIOR
ELEVATIONS

A6

ALTA/NSPS LAND TITLE SURVEY
THE SE1/4 OF THE SE1/4 OF SEC. 23 & A PORTION OF THE NE1/4 OF THE
NE1/4 OF SEC. 26, T.12.S., R.69W. OF THE 6th P.M., CITY OF WOODLAND PARK
TELLER COUNTY, COLORADO



0' 200' 400'
SCALE: 1" = 200'
JOB NO.: 22522
NOVEMBER 29, 2022

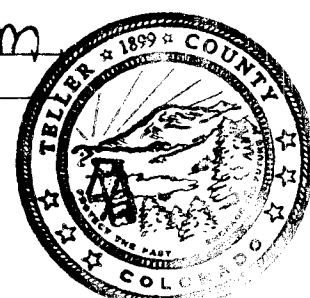
FLOODPLAIN CERTIFICATION:

ACCORDING TO NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP NUMBER 0819C02020 (MAP REVISED SEPTEMBER 25, 2009), THE SUBJECT PROPERTY IS LOCATED IN ZONE X, AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

MONUMENTED LAND SURVEY PLAT DEPOSITING CERTIFICATE:

DEPOSITED THIS 16th DAY OF December, 2022, A.D. AT 2:40 O'CLOCK PM
IN BOOK 19LS OF LAND SURVEY PLATS AT PAGE 89, DEPOSIT NUMBER 1732
OF THE RECORDS OF THE TELLER COUNTY CLERK AND RECORDER.

BY: Francis Ashton
DEPUTY COUNTY CLERK AND RECORDER



LEGEND:

- SET 5/8" REBAR AND ORANGE CAP STAMPED "RAMPART PLS 38560"
- FOUND REBAR AND 1-1/4" ORANGE CAP STAMPED "RAMPART PLS 26965"
- FOUND 3/4" REBAR AND 3-1/4" ALUMINUM CAP STAMPED "PLS 19625"
- △ FOUND 3/4" x 30" REBAR AND 2-1/2" ALUMINUM CAP STAMPED "RAMPART PLS 26965"
- ⊕ FOUND REBAR AND RED CAP STAMPED "RMLS LS 19625"
- ⬢ FOUND 3-1/4" CDOT ALUMINUM CAP STAMPED "PLS NO. 9014 PROJECT CXFC43-24-21"
- ▲ FOUND 3-1/4" CDOT ALUMINUM CAP STAMPED "PLS NO. 28276 PROJECT 89498"
- ▲ FOUND 3-1/4" CDOT ALUMINUM CAP STAMPED "PLS NO. 28276 PROJECT 89498" (2' WITNESS CORNER UNLESS OTHERWISE NOTED)
- ⊙ FOUND 3-1/4" CDOT BRASS CAP STAMPED "AWP5005-2" (R.O.W. MARKER)
- FOUND 1/2" IRON PIPE (NO CAP)
- ⊕ FOUND 5/8" REBAR (NO CAP)
- OVERHEAD ELECTRIC
- ⊕ POWER/UTILITY POLE
- GUY WIRE
- ⊕ WATER VALVE
- ⊕ WELL
- UNDERGROUND GAS
- WATER LINE
- FIBER OPTIC LINE
- BOOK 688 PAGE 189
RECEPTION NO. 504971
- GRAVEL
- CONCRETE

ZONING INFORMATION:

INFORMATION HEREIN OBTAINED BY THE TELLER COUNTY ASSESSOR'S OFFICE AND THE CURRENT CITY OF WOODLAND PARK ZONING ORDINANCE NO. 1383-2019 (SUPP. NO. 20-2021) PASSED NOVEMBER 19, 2020 AND UPDATED MARCH 3, 2021

PARCEL A ZONING: CITY CONTROLLED -AG

HEIGHT RESTRICTION: 30' MAXIMUM

SETBACKS:

(RESIDENTIAL OR GARAGE)	(ACCESSORY)
25' FRONT SETBACK	100' FRONT SETBACK
25' REAR SETBACK	100' REAR SETBACK
25' SIDE SETBACK	100' SIDE SETBACK

SURVEYOR'S CERTIFICATION:

TO: LEGACY TITLE HOLDING COMPANY, AN OKLAHOMA NONPROFIT CORPORATION, LAND TITLE GUARANTEE COMPANY AND OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY AND THEIR SUCCESSORS AND/OR ASSIGNS:

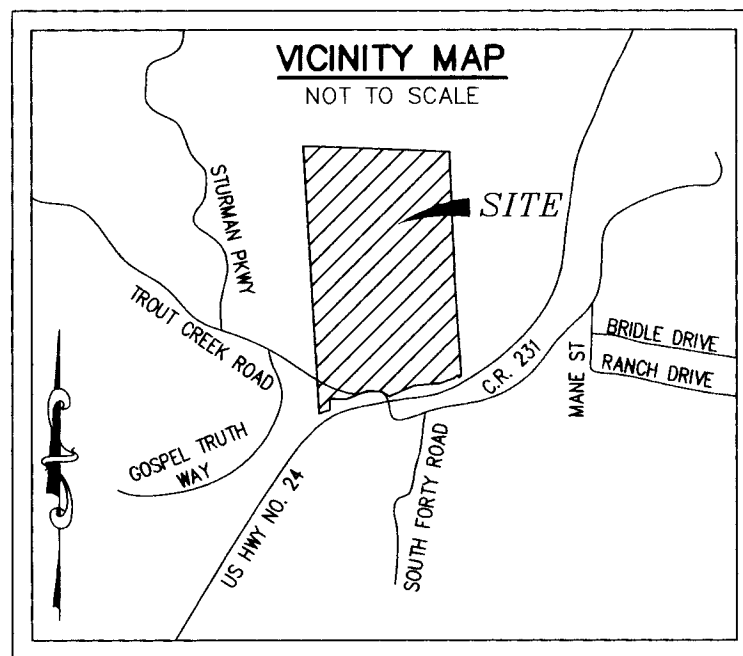
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS AND INCLUDES ITEMS 1, 3, 4, 6(a), 6(b), 7(a), 8, 11 (OBSERVED EVIDENCE), 11(b), 13, 16 AND 17 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON DECEMBER 1, 2022.



TO: ERIC SIMONSON DATE:
COLORADO PROFESSIONAL LAND SURVEYOR NO. 38560
FOR AND ON BEHALF OF RAMPART SURVEYS, LLC
P.O. BOX 5101
WOODLAND PARK, COLORADO 80866
719-687-0920

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.



LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S58°34'39" W	23.29'
L2	N38°01'42" W	22.36'
L3	S53°51'38" W	46.24'
L4	S70°00'35" W	129.48'
L5	S84°47'16" W	231.37'
L6	S66°45'56" W	247.59'
L7	N58°40'22" W	96.66'
L8	S85°55'19" W	44.68'
L9	N85°29'48" W	71.64'
L10	S67°30'14" W	210.00'
L11	N87°35'16" W	147.56'
L12	S01°25'17" W	99.93'

LEGAL DESCRIPTION:

THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23 AND THAT PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 26 LYING NORTH OF HIGHWAY 24 IN TOWNSHIP 12 SOUTH, RANGE 69 WEST OF THE 6TH P.M., TELLER COUNTY COLORADO, EXCEPT THOSE PORTIONS DESCRIBED IN DEED RECORDED AUGUST 30, 1993 IN BOOK 688 AT PAGE 189 AND MAY 16, 2000 AT RECEPTION NO. 504971.

SAID PARCEL CONTAINS 66.37 ACRES OF LAND, MORE OR LESS.

NOTES:

1.) ALL BEARINGS USED HEREIN ARE BASED UPON AN ASSUMED BEARING OF S0219°58'E, A DISTANCE OF 1218.70 FEET BETWEEN THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 12 SOUTH, RANGE 69 WEST OF THE 6TH P.M., AS MONUMENTED BY A 3/4"x30" REBAR AND 2-1/2" ALUMINUM CAP STAMPED "RAMPART PLS 26965" AND THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 12 SOUTH, RANGE 69 WEST OF THE 6TH P.M., AS MONUMENTED BY A 3-1/4" CDOT ALUMINUM CAP STAMPED "PLS 9014 PROJECT CXFC43-24-21".

2.) THE PROPERTY LINES AS DEPICTED ON THIS MAP ARE BASED ON THE DIMENSIONS AS SHOWN ON THE LAND SURVEY PLAT RECORDED IN BOOK 12LS OF LAND SURVEY PLATS AT PAGES 7 AND 8 UNDER DEPOSIT NO. 1146 ON DECEMBER 29, 2008 IN THE OFFICE OF THE TELLER COUNTY CLERK AND RECORDER. REFER TO SAID LAND SURVEY PLAT FOR ALL CAP DETAILS.

3.) THIS ALTA/NSPS LAND TITLE SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY RAMPART SURVEYS FOR EITHER OWNERSHIP OR EASEMENTS OF RECORD. FOR EASEMENTS OF RECORD SHOWN HEREON RAMPART SURVEYS RELIED UPON AN ALTA COMMITMENT ISSUED BY LAND TITLE GUARANTEE COMPANY ORDER NO. SC55107907 (EFFECTIVE DATE 09/13/2022 AT 5:00 P.M.) AS PROVIDED TO RAMPART SURVEYS BY THE CLIENT. NO OTHER EASEMENTS OF RECORD ARE SHOWN EXCEPT AS FOUND THEREIN. THE NUMBERS USED BELOW CORRESPOND WITH THE NUMBERS USED IN SCHEDULE B, PART II (EXCEPTIONS) IN THE ABOVE REFERENCED COMMITMENT:

1. - 7. RAMPART SURVEYS DID NOT ADDRESS THESE ITEMS.
8. THE PROPERTY IS SUBJECT TO EXISTING LEASES AND/OR TENANCIES.
9. THE PROPERTY IS SUBJECT TO A LEASE IN FAVOR OF INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION, A COLORADO CORPORATION, AS EVIDENCED IN LEASE RECORDED OCTOBER 13, 1983 UNDER RECEPTION NO. 316344. (AS SHOWN HEREON)
10. THE PROPERTY IS SUBJECT TO THE TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN GENERAL RIGHT-OF-WAY EASEMENT RECORDED APRIL 16, 1984 UNDER RECEPTION NO. 321761. (THIS EASEMENT DESCRIPTION IS TOO VAGUE TO PLOT ACCURATELY BUT APPEARS TO BE REFERRING TO THE OVERHEAD ELECTRIC LINE AS SHOWN HEREON)
11. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RIGHT-OF-WAY EASEMENT RECORDED SEPTEMBER 30, 1992 UNDER RECEPTION NO. 399792. (DOES NOT APPEAR TO AFFECT THE SUBJECT PROPERTY)
12. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RIGHT-OF-WAY EASEMENT RECORDED NOVEMBER 13, 1992 UNDER RECEPTION NO. 401513. (AS SHOWN HEREON)
13. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN EASEMENT/DRS RECORDED NOVEMBER 13, 1992 UNDER RECEPTION NO. 401514. (AS SHOWN HEREON)
14. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN GENERAL RIGHT-OF-WAY EASEMENT RECORDED DECEMBER 04, 1992 UNDER RECEPTION NO. 402155. (AS SHOWN HEREON)
15. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RULING OF REFEREE AND DECREE OF THE WATER COURT RECORDED SEPTEMBER 22, 2000 UNDER RECEPTION NO. 509810.
16. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN EASEMENT RECORDED OCTOBER 17, 1997 UNDER RECEPTION NO. 468374, AND RE-RECORDED NOVEMBER 21, 1997 UNDER RECEPTION NO. 469630. (THE BOUNDARY OF SAID EASEMENT IS NOT SPECIFICALLY DEFINED IN THE INSTRUMENT OF CONVEYANCE. (THE LIMITS OF THE ACTUAL FACILITY ARE SHOWN HEREON)
17. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN PERMANENT EASEMENT RECORDED MAY 16, 2000 UNDER RECEPTION NO. 504972. (AS SHOWN HEREON)
18. THE PROPERTY IS SUBJECT TO THE EFFECT OF ORDINANCE NO. 873, SERIES 2001, RECORDED MARCH 09, 2001 UNDER RECEPTION NO. 515591. (ANNEXATION)
19. THE PROPERTY IS SUBJECT TO EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON GOLD MOUNTAIN ADDITION ANNEXATION PLAT RECORDED APRIL 16, 2001 UNDER RECEPTION NO. 517057.
20. THE PROPERTY IS SUBJECT TO THE EFFECT OF ORDINANCE NO. 903, SERIES 2001, RECORDED AUGUST 23, 2001 UNDER RECEPTION NO. 522513.
21. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN EASEMENT AGREEMENT RECORDED FEBRUARY 06, 2002 UNDER RECEPTION NO. 529392. (DOES NOT AFFECT THE SUBJECT PROPERTY AND IS NOT SHOWN HEREON)
22. THE PROPERTY IS SUBJECT TO A LEASE IN FAVOR OF AMERICAN TOWERS, INC., A DELAWARE CORPORATION AS EVIDENCED IN MEMORANDUM OF LEASE RECORDED MAY 13, 2009, UNDER RECEPTION NO. 626358. (NOT PLOTTABLE)
23. THE PROPERTY IS SUBJECT TO THE EFFECT OF ORDINANCE NO. 1133, SERIES 2010, RECORDED AUGUST 13, 2010 UNDER RECEPTION NO. 637572.
24. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN EASEMENT AND ASSIGNMENT AGREEMENT RECORDED JUNE 25, 2018 UNDER RECEPTION NO. 707824. (AS SHOWN HEREON)
25. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN EASEMENT AND ASSIGNMENT AGREEMENT RECORDED JUNE 25, 2018 UNDER RECEPTION NO. 707825. (AS SHOWN HEREON)
26. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN EASEMENT AND ASSIGNMENT AGREEMENT RECORDED JUNE 25, 2018 UNDER RECEPTION NO. 707826. (AS SHOWN HEREON)
27. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN EASEMENT AND ASSIGNMENT AGREEMENT RECORDED JUNE 25, 2018 UNDER RECEPTION NO. 707827. (AS SHOWN HEREON)
28. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN EASEMENT AND ASSIGNMENT AGREEMENT RECORDED JUNE 25, 2018 UNDER RECEPTION NO. 707897. (AS SHOWN HEREON)
29. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN EASEMENT AND ASSIGNMENT AGREEMENT RECORDED JUNE 25, 2018 UNDER RECEPTION NO. 707898. (AS SHOWN HEREON)
30. THE PROPERTY IS SUBJECT TO SUCH EASEMENTS OR OTHER RIGHTS FOR THE ACCESS, MAINTENANCE, USE AND SUPPORT OF BUILDINGS AND IMPROVEMENTS SITUATED ON AND EXCEPTED FROM THE LAND DESCRIBED HEREIN, AS MAY BE IMPLIED FROM THE SEVERANCE OF THE TITLE TO BUILDING AND IMPROVEMENTS GRANTED TO THE CITY OF COLORADO SPRINGS AS DISCLOSED BY THE TELLER COUNTY ASSESSOR (PARCEL NO. R0047752).
- 4.) ALL LINE UNITS DEPICTED ON THIS ALTA/NSPS LAND TITLE SURVEY ARE U.S. SURVEY FEET.
- 5.) STRUCTURES ARE AS SHOWN HEREON.
- 6.) THERE IS NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELD WORK.
- 7.) THERE ARE NO KNOWN PROPOSED CHANGES IN STREET RIGHT-OF-WAY LINES, AND NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELD WORK.
- 8.) ALL SUBSTANTIAL FEATURES OBSERVED IN THE PROCESS OF CONDUCTING THE FIELD WORK ARE SHOWN HEREIN.

ALTA/NSPS-PORT. OF SEC. 23 & 26, T.12S., R.69W. OF THE 6th P.M.,
CITY OF WOODLAND PARK, TELLER COUNTY, COLORADO

RAMPART
SURVEYS, LLC

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

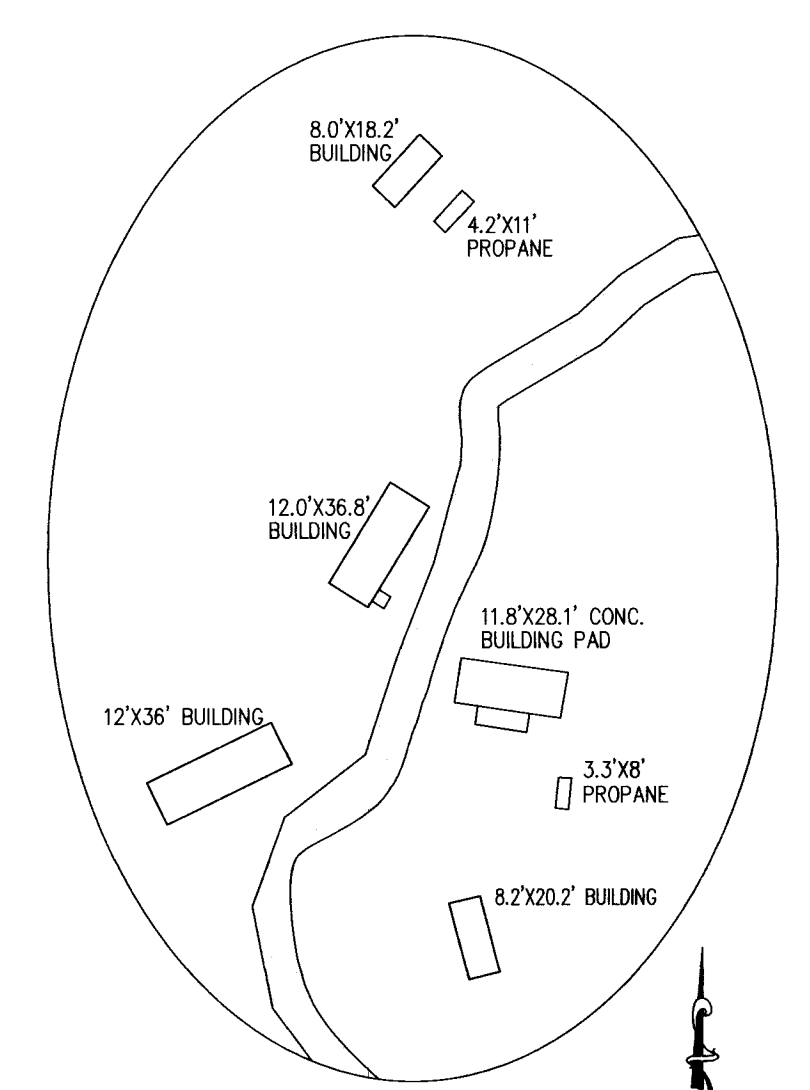
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LEGEND:

-
- EXCEPTIONS 12 & 13
GAS LINE EASEMENT
BK 637 PG 318
BK 637 PG 322
REC. NO. 401513
REC. NO. 401514
- EXCEPTION 14
UTILITY EASEMENT
BK 641 PG 296
REC. NO. 402155
- EXCEPTIONS 12 & 13
GAS LINE EASEMENT
BK 637 PG 318
BK 637 PG 322
REC. NO. 401513
REC. NO. 401514
- EXCEPTION 16
NATURAL GAS
FACILITIES
- DETAIL AREA "C"**
- SCALE: 1"=30'

DETAIL AREA "C"
SCALE: 1"=30'



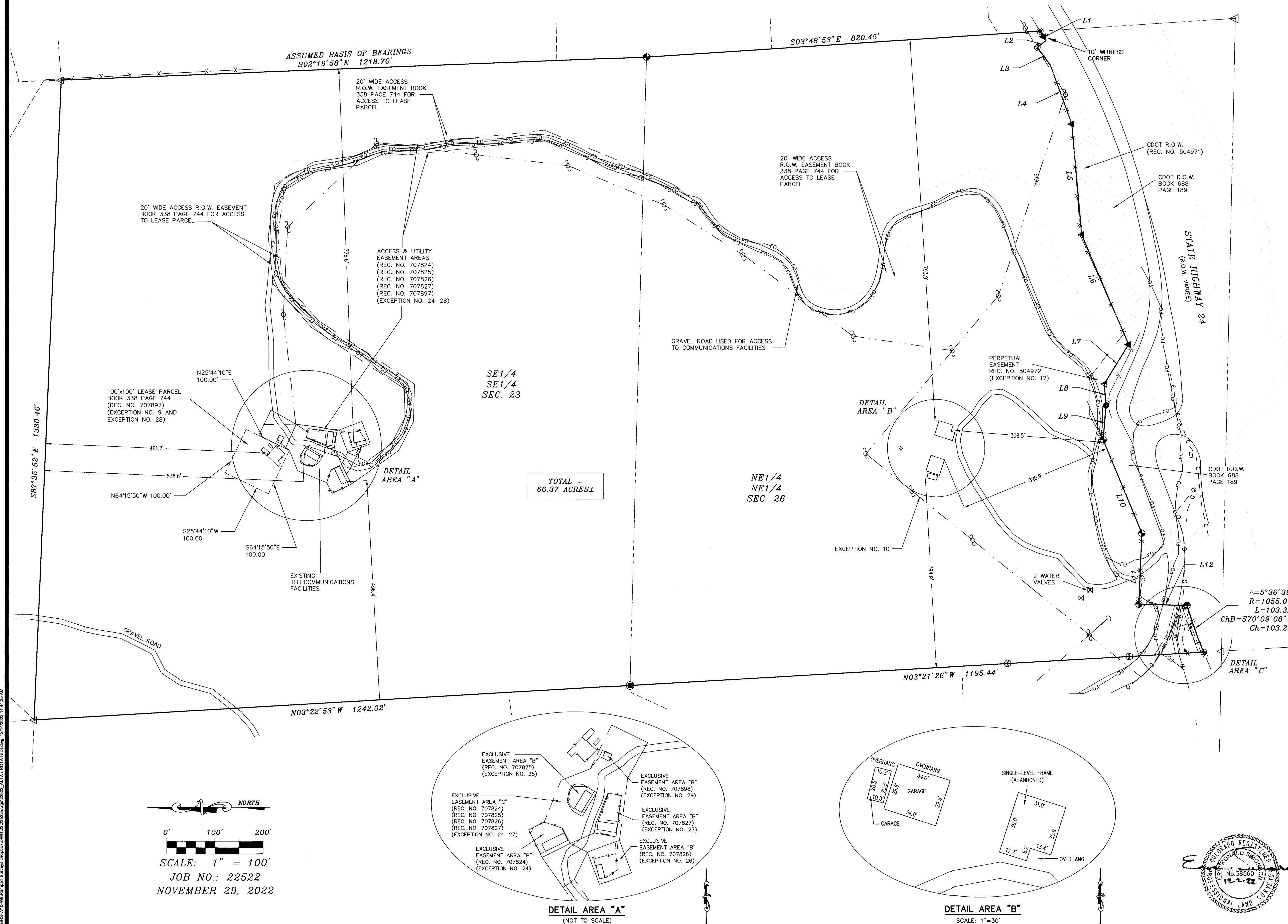
FACILITY BUILDINGS
SCALE: 1"=50'

RAMPART
SURVEYS, LLC

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

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