



**COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT**

CASE NO.: PLT2017-00001

CASE NAME: PEAK VIEW ESTATES FINAL PLAT

TABLE OF CONTENTS

EXHIBIT 1 – BOCC Staff Report

EXHIBIT 2- Maps

- 2.1 Aerial Map
- 2.2 Zoning Map
- 2.3 Simple Map
- 2.4 Comprehensive Plan

EXHIBIT 3- Applicant Information

- 3.1 Applicant Written Explanation
- 3.2 Applicant Final Plat
- 3.3 Applicant Site Plan

EXHIBIT 4- Referral Comments

- 4.1 Referral Comments (Development Services)
- 4.2 Referral Comments (Division of Water)
- 4.3 Referral Comments (Geological Survey)
- 4.4 Referral Comments (Tri-County Health)
- 4.5 Referral Comments (CDOT)
- 4.6 Referral Comments (Thornton Fire)

EXHIBIT 5- Citizen Comments

- 5.1 Fetter
- 5.2 Leopold
- 5.3 Szymanski

EXHIBIT 6- Associated Case Materials

- 6.1 Request for Comments
- 6.2 Public Hearing Notice
- 6.3 Newspaper Publication
- 6.4 Referral Agency Labels
- 6.5 Property Owner Labels
- 6.6 Posting Certificate



**COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT
STAFF REPORT**

Board of County Commissioners

July 3, 2018

Exhibit 1-Staff Report

CASE No.: PLT2017-00001		CASE NAME: Peak View Estates Final Plat
Owner's Name:	Marek and Elzbieta Jarosinski	
Applicant's Name:	Marek and Elzbieta Jarosinski	
Applicant's Address:	13831 Downing Street, Brighton, CO 800602	
Location of Request:	13831 Downing Street	
Nature of Request:	A minor subdivision (final plat) to create two lots on approximately 10.32 acres in the A-1 Zone District	
Zone District:	Agriculture-1 (A-1)	
Site Size:	Approximately 10 acres	
Proposed Uses:	Residential	
Existing Use:	Residential	
Hearing Date(s):	PC: June 14, 2018/ 6:00 pm BOCC: July 3, 2018/ 9:30 am	
	Report Date: June 19, 2018	
Case Manager:	Emily Collins <i>EAC</i>	
Staff Recommendation:	APPROVAL with 11 findings-of-fact and 1 condition	
PC Recommendation:	APPROVAL with 11 findings-of-fact and 1 condition	

SUMMARY OF PREVIOUS APPLICATIONS

In 1999, the Board of County Commissioners (BOCC) approved the rezoning of a 37 acres of property from Agriculture-3 (A-3) to A-1 and a subdivision (Peak View Estates Subdivision) to create five lots of five acres each and one lot of ten acres. The subject request is the Lot 6 of the Peak View Subdivision with ten acres.

In 2001, the County approved a building permit for a single-family residence on the subject property. This existing dwelling is approximately 2,309 square feet.

In 2007, the property owner, and current applicant, submitted a subdivision application request to create two lots from the ten acre lot. This request was canceled due to lack of sufficient water supply to service development on the property.

In 2008, after obtaining a water rights decree from the Weld County District Court (Division I Water Court), the property owner re-applied to subdivide the property to create two lots. The BOCC denied this request.

In 2017, the Board of Adjustment approved a variance from the lot depth to width ratio to allow the applicant to proceed with a request to subdivide the subject property and create two lots from the existing 10 acre lot.

SUMMARY OF APPLICATION

Background:

Mr. Marek Jarosinski, the property owner and applicant, is requesting a minor subdivision (final plat) to create two 5-acre residential lots from an existing 10-acre lot. Currently, there is a single-family dwelling on the property. This single-family dwelling will remain on lot 2 of the proposed minor subdivision. The property abuts two local streets to the east and west; specifically, Downing Street to the east and Washington Street to the west. Both of the two lots will have access onto Downing Street (See Exhibit 3.2). The surrounding properties to the north and east of the property are developed as single-family residential. The property to the south is undeveloped. The properties to the west are located in the City of Thornton and are vacant.

Site Characteristics:

The property was platted on March 29, 1999 (Case # 12-99-Z-P) as part of the Peak View Estates Subdivision. This subdivision was approved for six lots.

Records on file show the existing single-family dwelling and an attached garage on the property was constructed in 2001. The property is served by individual well and onsite wastewater treatment system (septic). A portion of the site was previously developed with oil and gas infrastructure which was plugged and abandoned in 2015. The property also contains several easements for drainage and utilities, underground oil and gas pipelines, as well as a reserved area for the German Ditch.

A majority of the site is within the 100-year floodplain as well as the 100-year floodway. Approximately 8.38 acres of the site is within the floodplain boundaries.

Development Standards and Regulations Requirements:

The proposed final plat conforms to the criteria for approval for a final plat outlined in Section 2-02-18-03-05 of the County's Development Standards. These standards include conformance to the County's Comprehensive Plan, the subdivision design standards, evidence of adequate water and sewer supply, adequate drainage improvements, and adequate public infrastructure to

support development of the site. Per Section 5-03-03 of the County's Development Standards and Regulations, subdivision plats and lot dimensions are required to conform to requirements of the zone district in which the property is located. In addition, all lots created by a subdivision shall have access on a County maintained right-of-way. The subject property is zoned Agriculture-1 (A-1). Per Section 3-08-07 of the Adams County Development Standards and Regulations, the minimum lot size permitted in the A-1 zone district is two and a half (2.5) acres. The proposed plat consists of two 5-acre lots. Each lot exceeds the required minimum of two and a half acres conforming to the minimum lot size required for development in the A-1 zone district. The applicant has also provided evidence of adequate water and sewer supply to service the property. The application documents included a water rights decree from Weld County District Court (i.e Division I Water Court) demonstrating adequate water supply for the site. The State Division of Water Resources reviewed the decree and confirmed the proposed subdivision has demonstrated evidence of adequate water supply to support potential development on the property. Tri-County Health Department also reviewed the subject request and stated a new on-site wastewater treatment system could be located on the new residential lot (Lot 1); thus satisfying evidence of adequate sanitation facilities to support development on the property. The two lots will also have access to a public right-of-way, Downing Street, which abuts the property to the east.

Per Section 5-03-03-06 of the County's development standards, no lot shall have an average depth greater than three (3) times the average width of the lot. The proposed subdivision consists of lot depths that are six times greater than the width. The approximate width of the lots is 184 feet and the proposed depth is 1,223 feet. However, the Board of Adjustment has approved a variance to allow the lot to depth ratio as proposed. In addition to the lot to depth ratio, a minimum lot width of one-hundred and fifty feet is required for residential lots served by individual well and septic. The property is served by well and septic and each of the proposed lots shown on the plat conforms to the minimum lot width requirements.

The plat submitted with the application shows areas of land reserved strictly as drainage and utility easements, floodplain and floodway easements, as well as oil and gas line easements. The oil and gas line easements are currently functional. Lot I of the proposed subdivision plat contains a thirty foot-wide easement for ingress and egress, and a three inch natural gas pipeline which traverses the property from the east to the west. In addition, Lot 1 was previously developed with an oil and gas well, which was plugged and abandoned in 2015. The abandonment report has been recorded with the Adams County Clerk and Recorder and noted on the plat.

Subdivision Improvements Agreement:

Per Section 5-02-05 of the County's Development Standards and Regulations, a Subdivision Improvements Agreement (SIA) is required with approval of a final plat if there are associated public infrastructures. Staff reviewed the request and determined there are no required public infrastructure improvements, and therefore no SIA is required.

Future Land Use Designation/Comprehensive Plan:

The future land use designation on the property is Parks and Open Space. Per Chapter 5 of the County's Comprehensive Plan, the goals of the Parks and Open Space future land use

designation are to provide for public parks, trails, and open space. The primary objectives of these areas are to provide land for recreation and enjoyment, provide areas for wildlife, and preserve especially sensitive, beautiful, or historic areas. A majority of the property is in a floodplain area which limits development on the property. These restricted areas will be preserved and serve as open space which will further the goals of the Open Space areas.

The majority of the surrounding property to the north and south are also designated as Parks and Open Space. The properties to the west are designated as Activity Center. The properties to the southwest of the site are located in the City of Thornton and currently vacant. The properties to the east are designated as Estate Residential and developed as single-family dwelling dwellings on two and a half acre or larger lots.

A number of the properties to the north, south and east of the site are also located in a floodplain. The Big Dry Creek and German Ditch run through a majority of these properties. One of the primary objectives of the Parks and Open Space future land use designation is to protect environmentally sensitive areas. As part of the request, the County is requesting a thirty-foot trail easement along the western portion of the lots. Dedication of this easement will enhance protection of sensitive areas on the property and support the County's provision of recreational amenities.

Surrounding Zoning Designations and Existing Use Activity:

Northwest A-2 Vacant	North A-1 Residential	Northeast A-1 Residential
West City of Thornton Vacant	Subject Property A-1 Residential	East A-1 Residential
Southwest City of Thornton Vacant	South A-3 Vacant	Southeast A-1 Residential

Compatibility with the Surrounding Land Uses:

The subject request to create two residential lots of approximately 5 acres will conform to the surrounding properties and lot sizes. The average lot size of the properties directly north of the subject site is 5 acres, which are similar to the proposed lots. The average lot sizes of the properties to the east are approximately 3.5 acres in size.

Planning Commission Update:

The Planning Commission (PC) considered this case on June 14, 2018 and recommended approval of the request with a 4-1 vote. Commissioner Buzek was the dissenting vote.

The City of Thornton's Infrastructure and Floodplain Manager spoke at the hearing and requested the PC to include a condition of approval on the plat to require the applicant to dedicate a 100' foot riparian buffer easement along the Big Dry Creek located on the western section of the property, and a 30 foot right-of-way dedication along Washington Street. Staff has

included a condition of approval to ensure these request from the City is completed prior to approval of any building permit for the property.

At the hearing, the PC asked the applicant to respond to public comments received during the referral review regarding the ability to construct a new dwelling that will be compatible in size and in architecture to the surrounding residential homes. The PC also requested staff to confirm that there is proof to support the provision of adequate water supply for additional development on the property. The applicant informed the PC a 2,500 square foot single-story dwelling can be constructed on the buildable area on the proposed vacant lot which will also be similar in size to the adjacent single-family dwellings. Staff informed the PC that the State Division of Water Resources reviewed the request and stated there is adequate water supply to support one additional dwelling on the property.

Referral Comments:

The Adams County Development Review Engineering reviewed the subject request and stated a portion of the site is located within a special floodplain delineated area. Any construction activity in these areas will require approval of a floodplain use permit.

The Colorado Division of Water Resources reviewed the request and stated the proposed subdivision has adequate water supply. Tri-County Health Department also reviewed the request and had no concerns and stated any new on-site wastewater treatment systems for Lot 1 of the plat will require approval of a septic permit. Colorado Geological Survey, Thornton Fire Department, and the Colorado Department of Transportation also reviewed the request and had no concerns.

The City of Thornton requested additional right-of-way dedication along Washington Street and a riparian easement of 100 feet on each side of the Big Dry Creek.

PC and Staff Recommendations:

Based upon the application, the criteria for a minor subdivision final plat, and a recent site visit, the PC and staff recommends Approval of this request with 11 findings-of-fact, 1 condition, and 1 note.

RECOMMENDED FINDINGS OF FACT

1. The final plat is consistent and conforms to the approved sketch plat.
2. The final plat is in conformance with the subdivision design standards.
3. The applicant has provided evidence that a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards.

4. The applicant has provided evidence that a public sewage disposal system has been established and, if other methods of sewage disposal are proposed, adequate evidence indicating that the system complies with state and local laws and regulations.
5. The applicant has provided evidence to show all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified by the applicant and the proposed uses of these areas are compatible with such conditions.
6. The proposed or constructed drainage improvements are adequate and comply with these standards and regulations.
7. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or financially guaranteed through cash-in-lieu or a subdivision improvements agreement so the proposed subdivision will not negatively impact the levels of service of the County.
8. The final plat is consistent with the Adams County Comprehensive Plan and any available area plan.
9. The final plat is consistent with the purposes of these standards and regulations.
10. The overall density of development within the proposed subdivision conforms to the zone district density allowances.
11. The proposed subdivision is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County. The proposed subdivision has established an adequate level of compatibility by:
 - a. Incorporating natural physical features into the development design and providing sufficient open spaces considering the type and intensity of use;
 - b. Incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County;
 - c. Incorporating physical design features in the subdivision to provide a transition between the project and adjacent land uses through the provision of an attractive entryway, edges along public streets, architectural design, and appropriate height and bulk restrictions on structures;
 - d. Incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the project design; and
 - e. Incorporating public facilities or infrastructure, or cash-in-lieu, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of the County services and facilities.

Recommended Condition of Approval:

1. Prior to the issuance of a building permit on Lots 1 and 2 of the Big Dry Creek Subdivision, the applicant shall provide documentation demonstrating completion of dedication of a 30 foot right-of-way along Washington Street and a 100 foot riparian buffer easement along each side of the section of Big Dry Creek.

Notes to the Applicant:

1. All applicable building, zoning, health, engineering, and fire codes shall be adhered to with this request.

ALTERNATIVE FINDINGS OF FACT FOR DENIAL

1. The final plat is not consistent and conforms to the approved sketch plat.
2. The final plat is in not conformance with the subdivision design standards.
3. The applicant has not provided evidence that a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards.
4. The applicant has not provided evidence that a public sewage disposal system has been established and, if other methods of sewage disposal are proposed, adequate evidence indicating that the system complies with state and local laws and regulations.
5. The applicant has not provided evidence to show all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified by the applicant and the proposed uses of these areas are compatible with such conditions.
6. The proposed or constructed drainage improvements are not adequate and comply with these standards and regulations.
7. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have not been constructed or financially guaranteed through cash-in-lieu or a subdivision improvements agreement so the proposed subdivision will not negatively impact the levels of service of the County.
8. The final plat is not consistent with the Adams County Comprehensive Plan and any available area plan.
9. The final plat is not consistent with the purposes of these standards and regulations.
10. The overall density of development within the proposed subdivision does not conform to the zone district density allowances.

11. The proposed subdivision is not compatible with the surrounding area, not harmonious with the character of the neighborhood, detrimental to the immediate area, detrimental to the future development of the area, and detrimental to the health, safety, or welfare of the inhabitants of the area and the County. The proposed subdivision has established an adequate level of compatibility by:
- a. Incorporating natural physical features into the development design and providing sufficient open spaces considering the type and intensity of use;
 - b. Incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County;
 - c. Incorporating physical design features in the subdivision to provide a transition between the project and adjacent land uses through the provision of an attractive entryway, edges along public streets, architectural design, and appropriate height and bulk restrictions on structures;
 - d. Incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the project design; and
 - e. Incorporating public facilities or infrastructure, or cash-in-lieu, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of the County services and facilities.

CITIZEN COMMENTS

Notifications Sent	Comments Received
37	3

Notices were sent to all property owners and residents within 1,000 feet radius of the site. As of writing the staff report, three people have responded to the notice expressing opposition to the request. Specifically expressing concerns with the limited buildable area of the proposed Lot 1 and ability to construct a dwelling that would not decrease property values of the surrounding single-family residences. The surrounding property owners also expressed concerns inadequate water supply and possible contamination of the water well if a structure is constructed near the existing oil and gas infrastructure.

The site plan submitted with the application shows a two-story dwelling (approximately 2,500 square feet) can be constructed on the proposed new lot, and development of such a single-family dwelling will be compatible with the existing single-family developments in the area. The surrounding existing single-family dwellings range in size from 2,353 to 4,540 square feet.

REFERRAL AGENCY COMMENTS

Responding with Concerns:

None

Responding without Concerns:

Colorado Division of Water Resources

Colorado Geological Survey

Tri-County Health Department

CDOT

Thornton Fire Department

Notified but not Responding / Considered a Favorable Response:

Adams 12 Five Star Schools

Century Link

City of Thornton

Comcast

German Ditch Company

Metro Wastewater

North Metro Fire District

Regional Transportation District

Wadley Farms HOA

Xcel Energy



Peak View Estates Minor Subdivision
PLT2017-00001

Exhibit 2.1



For display purposes only.

LEGEND

- ★ Special Zoning Conditions
- 3 Section Numbers
- Railroad
- Major Water
- Zoning Line
- Sections

Zoning Districts

A-1	A-2	A-3	R-E	R-1-A	R-1-C	R-2	R-3	R-4	M-H	C-0	C-1	C-2	C-3	C-4	C-5	I-1	I-2	I-3	CO	PL	AV	DIA	P-U-D	P-U-D(P)	Airport Noise Overlay
-----	-----	-----	-----	-------	-------	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	----	----	----	-----	-------	----------	-----------------------



This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy



LEGEND

- ★ Special Zoning Conditions
- 3 Section Numbers
- Railroad
- Major Water
- Zoning Line
- Sections

Zoning Districts

- A-1
- A-2
- A-3
- R-E
- R-1-A
- R-1-C
- R-2
- R-3
- R-4
- M-H
- C-0
- C-1
- C-2
- C-3
- C-4
- C-5
- I-1
- I-2
- I-3
- CO
- PL
- AV
- DIA
- P-U-D
- P-U-D(P)
- Airport Noise Overlay

Peak View Estates Minor Subdivision

Exhibit 2.2

PLT2017-00001

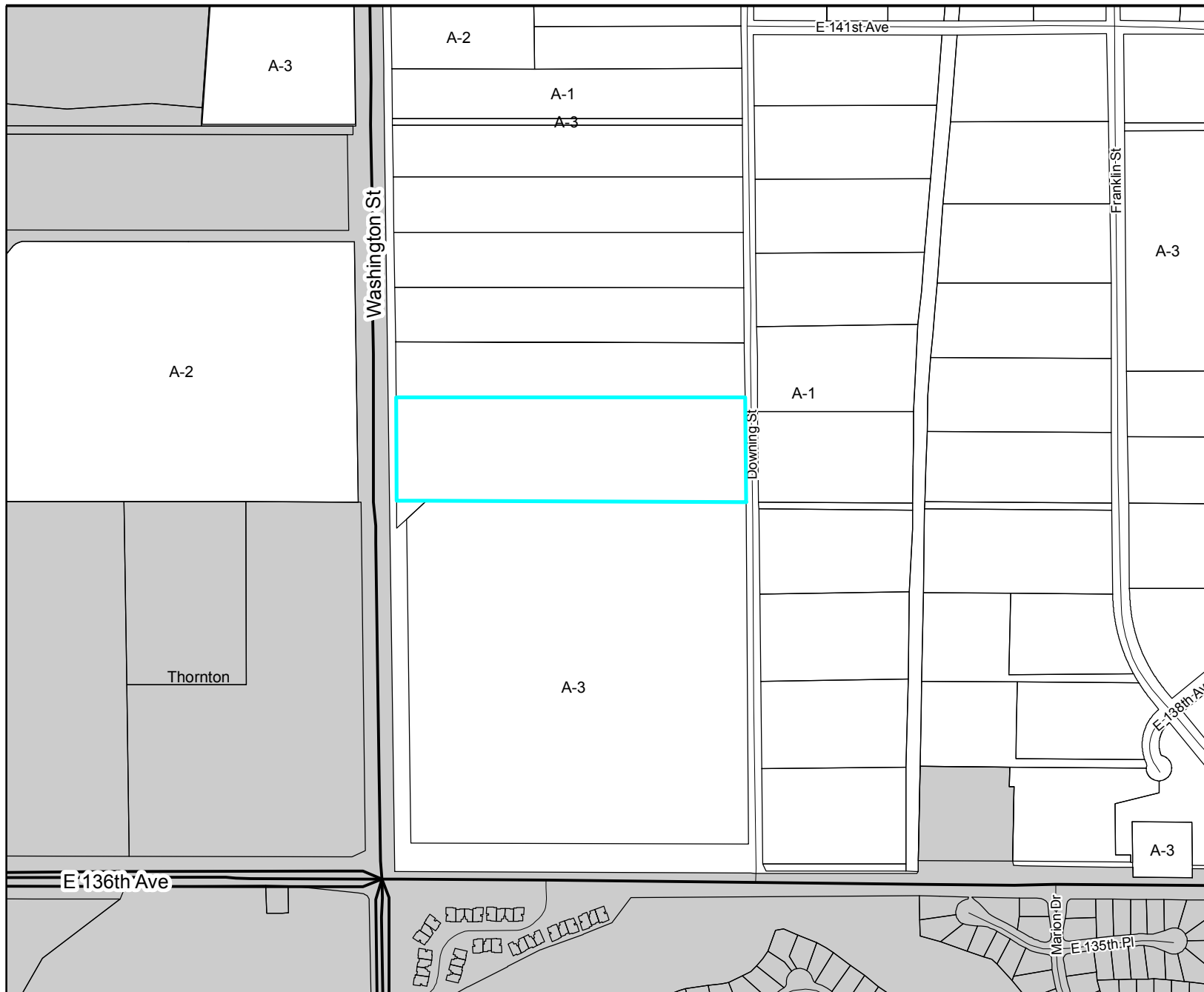


For display purposes only.



ADAMS COUNTY
COLORADO

This map is made possible
by the Adams County GIS
group, which assumes no
responsibility for its accuracy



LEGEND

- ★ Special Zoning Conditions
- 3 Section Numbers
- Railroad
- Major Water
- Zoning Line
- Sections
- Zoning Districts**
 - A-1
 - A-2
 - A-3
 - R-E
 - R-1-A
 - R-1-C
 - R-2
 - R-3
 - R-4
 - M-H
 - C-0
 - C-1
 - C-2
 - C-3
 - C-4
 - C-5
 - I-1
 - I-2
 - I-3
 - CO
 - PL
 - AV
 - DIA
 - P-U-D
 - P-U-D(P)
 - Airport Noise Overlay

Peak View Estates Minor Subdivision

PLT2017-00001

Exhibit 2.3

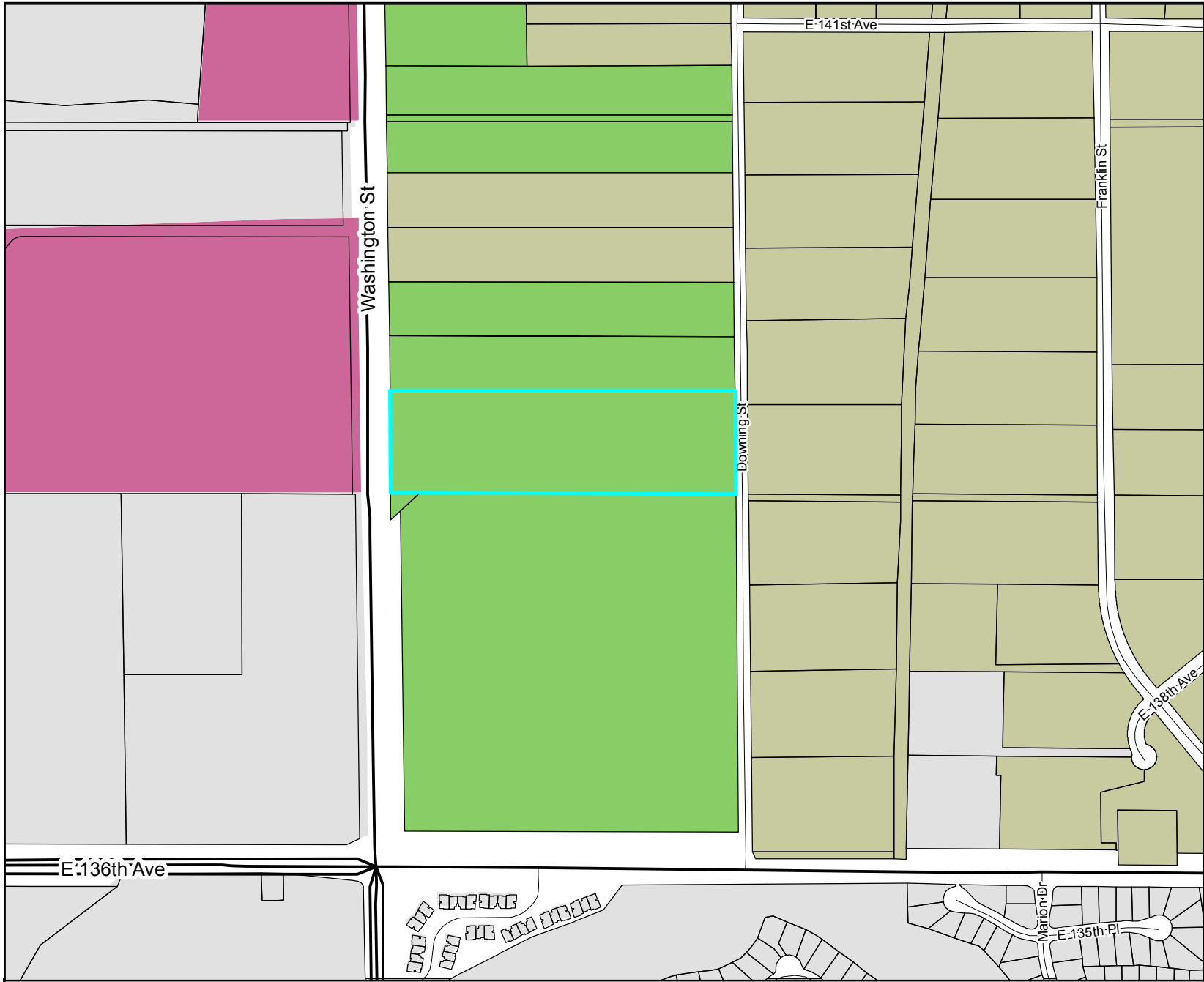


For display purposes only.



ADAMS COUNTY
COLORADO

This map is made possible
by the Adams County GIS
group, which assumes no
responsibility for its accuracy



LEGEND

- ★ Special Zoning Conditions
- 3 Section Numbers
- Railroad
- Major Water
- Zoning Line
- Sections

Zoning Districts

- A-1
- A-2
- A-3
- R-E
- R-1-A
- R-1-C
- R-2
- R-3
- R-4
- M-H
- C-0
- C-1
- C-2
- C-3
- C-4
- C-5
- I-1
- I-2
- I-3
- CO
- PL
- AV
- DIA
- P-U-D
- P-U-D(P)
- Airport Noise Overlay

Peak View Estates Minor Subdivision

Exhibit 2.4

PLT2017-00001



For display purposes only.



This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy

ITEM 4

WRITTEN EXPLANATION OF THE PROJECT

Minor subdivision-final of Lot 6, Peak View Estates, containing 10.32 acres into two 5.16 acre lots (and out lots for floodplain protection).

In 2015 the oil well, tank and separator were removed from the north side of Lot 6. The abandonment report was filed with Adams County and a copy is included with this application. Since this well has been closed the location of the building envelope and access was able to be redesigned and is included in the site plan in this application.

The resulting 5+ acre lots (including out lots) are in keeping with the Peak View Estates lot size range of 5 acres and the zone district (A-1) minimum size of 2.5 acres. Utilities are available and water supply has been deemed adequate. All the documentation is included in this application and should present itself as a simple subdivision now that the well has been closed.

A conceptual review meeting was conducted in April 2016 and a copy of the meeting report is included in this application. All comments/questions from the meeting are addressed in this application.

A Level 1 drainage study was completed as requested and the resulting report is attached to this application. A traffic study was not required since it did not meet the threshold (more than 20 trips per day) for the criteria of a study. One house = 9.5 trips per day.

DRY CREEK SUBDIVISION

A SUBDIVISION OF LOT 6, PEAK VIEW ESTATES, BEING A PART OF THE
SOUTHWEST ONE-QUARTER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 68 WEST
OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.
SHEET 2 OF 2

CASE NO.: PLT 2017-00001

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, BEING THE OWNER(S) OF LOT 6, OF THE PEAK VIEW ESTATES, BEING A PART OF THE SOUTHWEST ONE-QUARTER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN. COUNTY OF ADAMS, STATE OF COLORADO, AS RECORDED IN FILE 18, MAP 36, ADAMS COUNTY RECORDS. CONTAINS: 10.326 ACRES, MORE OR LESS, HAS BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF DRY CREEK SUBDIVISION. EXECUTED THIS _____ DAY OF _____, 2018.

MAREK JAROSINSKI AND ELZBIETA JAROSINSKI:

MAREK JAROSINSKI

ELZBIETA JAROSINSKI

ACKNOWLEDGEMENT:

STATE OF COLORADO }
COUNTY OF ADAMS } ss

THE FOREGOING WAS ACKNOWLEDGED BY ME THIS _____ DAY OF _____, 2018, BY MAREK JAROSINSKI AND ELZBIETA JAROSINSKI.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

MY ADDRESS IS: _____

BASIS FOR BEARINGS:

THE EAST BOUNDARY LINE OF LOT 1 & 2 OF PEAK VIEW ESTATES, BEING PART OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN IS ASSUMED TO BEAR S00°31'04"E. ALL OTHER BEARINGS ARE RELATIVE THERETO. ALL MONUMENTS ARE SHOWN HEREON.

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 LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

FOR OWNERSHIP OF THIS TRACT OF LAND, EASEMENTS AND/OR ENCUMBRANCES AFFECTING THIS TRACT OF LAND, R.W. BAYER & ASSOCIATES RELIED UPON COMMONWEALTH LAND TITLE INSURANCE COMPANY COMMITMENT NO. 598-H0491469-023-DR5 AMENDMENT NO. 3, DATED FEBRUARY 23, 2018.

SURVEYOR'S CERTIFICATE:

I, RAYMOND W. BAYER, A REGISTERED LAND SURVEYOR, REGISTERED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THERE ARE NO ROADS, PIPELINES, IRRIGATION DITCHES, OR OTHER EASEMENTS IN EVIDENCE OR KNOWN BY ME TO EXIST ON OR ACROSS THE HEREIN BEFORE DESCRIBED PROPERTY, EXCEPT AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT THIS SURVEY WAS PERFORMED BY ME OR UNDER MY DIRECT RESPONSIBILITY, SUPERVISION AND CHECKING, AND THAT THIS PLAT ACCURATELY REPRESENTS SAID SURVEY, AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON.

RAYMOND W. BAYER, REG. P.L.S. NO. 6973

APPROVALS:

PLANNING COMMISSION APPROVAL:

APPROVED BY THE ADAMS COUNTY PLANNING COMMISSION THIS _____ DAY
OF _____, 2018.

CHAIR

BOARD OF COUNTY COMMISSIONERS APPROVAL:

APPROVED BY THE ADAMS COUNTY BOARD OF COUNTY COMMISSIONERS THIS _____ DAY
OF _____, 2018.

CHAIR

CERTIFICATE OF THE CLERK AND RECORDER:

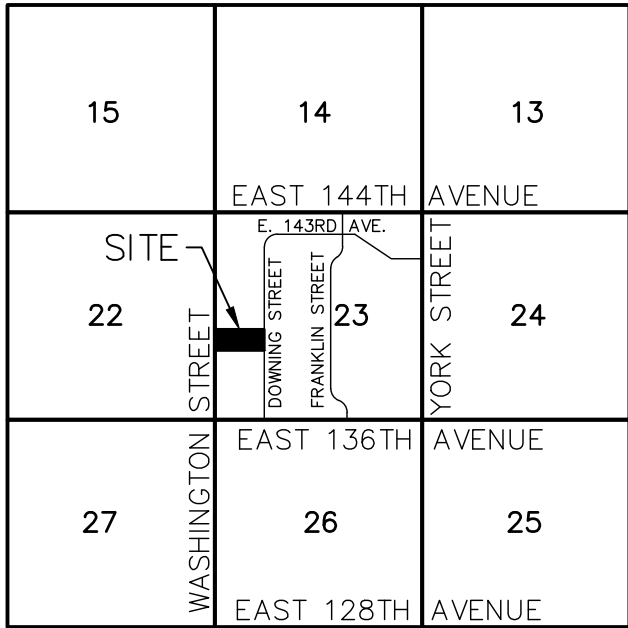
THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER, IN THE STATE OF COLORADO, AT _____; _____, M., ON THE _____ DAY
OF _____, A.D., 2018.

BY: _____
DEPUTY COUNTY CLERK AND RECORDER

RECEPTION NO. _____

VICINITY MAP

N.T.S.



ADAMS COUNTY PLAT NOTES:

1. THE POLICY OF THE COUNTY REQUIRES THAT MAINTENANCE ACCESS BE PROVIDED TO ALL STORM DRAINAGE FACILITIES TO ASSURE CONTINUOUS OPERATIONAL CAPABILITY OF THE SYSTEM. THE PROPERTY OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE FACILITIES INCLUDING INLETS, PIPES, CULVERTS, CHANNELS, DITCHES, HYDRAULIC STRUCTURES, AND DETENTION BASINS LOCATED ON THEIR LAND UNLESS MODIFIED BY A SUBDIVISION DEVELOPMENT AGREEMENT. SHOULD THE OWNERS FAIL TO ADEQUATELY MAINTAIN SAID FACILITIES, THE COUNTY SHALL HAVE THE RIGHT TO ENTER SAID LAND FOR THE SOLE PURPOSE OF OPERATIONS AND MAINTENANCE. ALL SUCH COSTS WILL BE ASSESSED TO THE PROPERTY OWNERS.
2. TEN FOOT WIDE UTILITY EASEMENTS ARE HEREBY GRANTED ON PRIVATE PROPERTY ADJACENT TO PUBLIC STREETS AS SHOWN ON THIS PLAT. THESE EASEMENTS ARE DEDICATED FOR THE INSTALLATION, MAINTENANCE AND REPLACEMENT OF ELECTRIC, GAS, TELEVISION AND TELECOMMUNICATIONS FACILITIES. UTILITIES SHALL ALSO BE PERMITTED WITHIN SAID EASEMENTS.
3. CONTAMINATION OF SOILS AND GROUNDWATER FROM THE OIL WELL, SEPARATOR, TANK BATTERY AND PIPELINE MAY EXIST. ADEQUATE INVESTIGATIONS SHOULD BE MADE TO ASSURE CURRENT AND FUTURE OWNERS THAT ANY RESIDUAL CONTAMINATION IS AT OR BELOW APPROPRIATE LEVELS. THE COLORADO OIL AND GAS COMMISSION HAS IDENTIFIED APPROPRIATE LEVELS OF HYDROCARBONS IN SOILS. THE COGC SHOULD BE CONTACTED FOR ADDITIONAL INFORMATION ON DETERMINING APPROPRIATE LEVELS. IF THE INVESTIGATIONS INDICATE THAT CONTAMINATION OF SOILS AND GROUNDWATER IS PRESENT ABOVE "ACCEPTABLE LEVELS" APPROPRIATE CLEANUP ACTIONS SHOULD BE COMPLETED.
4. ACCESS TO THE SITE OF A FORMER WELL, ABANDONED PER WELL ABANDONMENT REPORT RECORDED AT RECEPTION NO. 2016000101315 MUST CONTINUE TO BE ALLOWED FOR ITS OWNER.

PLAT NOTES FROM PEAK VIEW ESTATES:

WATER SUPPLY RESTRICTIONS:

DRY CREEK SUBDIVISION SHALL HAVE WATER SUPPLIED FROM INDIVIDUAL ON-LOT WELLS FROM THE UPPER ARAPAHOE AQUIFER SUBJECT TO THE FOLLOWING RESTRICTIONS:

1. ALL INDIVIDUAL WELLS SHALL BE DRILLED TO FULLY PENETRATE THE PRODUCING SANDS. THIS IS ESTIMATED AT 300 FEET FOR THE LOWER ARAPAHOE AQUIFER.
2. THE WATER SUPPLY FOR LOT 6, PEAK VIEW ESTATES - LOT 6 SHALL BE ALLOWED TO DRILL AN INDIVIDUAL LOWER ARAPAHOE WELL, WHICH SHALL BE ALLOWED TO PUMP UP TO 1.32 ACRE FEET OF WATER PER YEAR OVER THE 100 YEAR LIFE OF THE AQUIFER. THE USE OF THIS WELL SHALL BE LIMITED TO SERVING ORDINARY HOUSEHOLD USE AND NO MORE THAN 17,112 SQUARE FEET OF IRRIGATION USES ON THAT LOT.
3. IT SHALL BE THE OWNER'S RESPONSIBILITY TO MEET THE CURRENT 300 YEAR WATER SUPPLY PLAN AND ESTABLISH THE WATER USAGE FOR LOTS 1 AND 2 AS SHOWN ON THIS PLAT.
4. THE WATERING OF LARGE DOMESTICATED ANIMALS SUCH AS HORSES OUTSIDE THE DWELLING SHALL BE ALLOWED IF THE AMOUNT OF OUTSIDE IRRIGATION IS REDUCED. FOUR ANIMALS MAY BE WATERED FOR EACH 1000 SQUARE FEET OF OUTSIDE IRRIGATION AREA RELINQUISHED.

INDIVIDUAL SEWAGE DISPOSAL SYSTEM REQUIREMENTS:

1. NO LEACH FIELD AND/OR OTHER PARTS OF AN INDIVIDUAL SEWAGE DISPOSAL SYSTEM SHALL BE ALLOWED WITHIN 50 FEET OF THE GERMAN DITCH
2. PERCOLATION TESTS AND LOT SPECIFIC INDIVIDUAL SEWAGE SYTEM DESIGN SHALL BE REQUIRED FOR EACH LOT PRIOR TO OR WITH APPLICATION FOR A HOME'S BUILDING PERMIT ON THAT LOT.
3. AMPLE SPACE WILL BE DEDICATED FOR A PRIMARY INDIVIDUAL SEWAGE DISPOSAL SYSTEM (ISDS) OUTSIDE THE FLOODPLAIN AREA AND DEDICATED SPACE FOR A SECONDARY ISDS OUTSIDE THE FLOODPLAIN AREA, UP TO 10,000 SQUARE FEET. ACTUAL SIZE AND LOCATION WILL BE DETERMINED AT THE TIME OF FINAL DESIGN AND ISDS APPLICATION.

GERMAN DITCH RESTRICTIONS:

1. THE EASEMENT ALONG THE DOWNHILL SIDE OF THE GERMAN DITCH SHALL BE 30' FROM THE DOWNHILL DITCH BANK. THE EASEMENT ALONG THE UPHILL SIDE SHALL BE 20' FROM THE UPHILL DITCH BANK OF THE GERMAN DITCH.
2. AN EASEMENT IS REQUIRED TO CROSS THE GERMAN DITCH WITH ANY STRUCTURE, FENCE OR CULVERT. AN EASEMENT MAY BE REQUIRED FROM THE GERMAN DITCH AND RESERVOIR COMPANY AT A COST DETERMINED BY THE DITCH COMPANY.
3. ANY FENCING OR GATES WITHIN THE EASEMENT ARE TO BE PRE-APPROVED BY THE GERMAN DITCH AND RESERVOIR COMPANY.
4. NO STRUCTURES, TREES, SHRUBS OR BUSHES CAN EXIST WITHIN THE EASEMENT.
5. A 60 INCH CULVERT, EITHER METAL OR CONCRETE IS REQUIRED FOR ANY CROSSING EASEMENT AND MUST BE PRE-APPROVED BY THE DITCH COMPANY.
6. PROPERTIES ARE SUBJECT TO AN EASEMENT FOR OPERATIONS AND MANAGEMENT OF THE GERMAN DITCH AND RESERVOIR COMPANY. ACCESS MAY BE LIMITED ACROSS THE EASEMENT. ALL STRUCTURES, PLANTING AND USE OF THE PROPERTY WITHIN THE EASEMENT ARE SUBJECT TO REVIEW AND APPROVAL BY THE GERMAN DITCH AND RESERVOIR COMPANY.
7. NO SURFACE WATER OR STORM WATER SHALL BE DISCHARGED INTO THE GERMAN DITCH.
8. NO FENCING MATERIALS OR POSTS ARE TO BE IN THE DITCH UNLESS PRE-AUTHORIZED BY THE GERMAN DITCH COMPANY.
9. ANY GATES WHICH CROSS THE EASEMENT ARE REQUIRED TO BE METAL DOUBLE GATES, MEASURING 10 FEET AND 12 FEET.

FOUNDATION RESTRICTIONS:

1. FOUNDATIONS OF STRUCTURES SHALL BE DESIGNED BY A QUALIFIED FOUNDATION ENGINEER BASED ON INDIVIDUAL SOILS TEST AT THE STRUCTURE LOCATION.
2. IT IS STRONGLY RECOMMENDED THAT FOUNDATION DRAINS BE INSTALLED FOR ALL DWELLINGS WITH BASEMENTS.

BIG DRY CREEK FLOODPLAIN RESTRICTIONS (3-37-07-01)

A FLOODPLAIN USE PERMIT IS REQUIRED FOR ANY STRUCTURE, FACILITY, FILL, DEVELOPMENT, STORAGE OR PROCESSING OF MATERIALS OR EQUIPMENT, OR CHANGE IN THE CHANNEL OF A WATERCOURSE IN THE BIG DRY CREEK FLOOD CONTROL OVERLAY ZONE DISTRICT. THESE USES MAY ONLY BE PERMITTED IF THE USE MEETS THE REQUIREMENTS OF THESE STANDARDS AND REGULATIONS INCLUDING ALL APPLICABLE PERFORMANCE STANDARDS.

PERMITTED USES IN THE FLOOD CONTROL OVERLAY ZONE DISTRICT (3-37-07-02) ON THIS PARCEL INCLUDE

1. AGRICULTURAL USES NOT REQUIRING STRUCTURES, FACILITIES, FILL, STORAGE OR PROCESSING OF MATERIALS, OR CHANGE IN THE CHANNEL OF A WATERCOURSE, SUCH AS GENERAL FARMING, PASTURE, TRUCK FARMING, FORESTRY, SOD FARMING, AND WILD CROP HARVESTING.
2. ACCESSORY RESIDENTIAL USES, SUCH AS LAWNS, GARDENS, DRIVEWAYS, AND PLAY AREAS.
3. PUBLIC AND PRIVATE RECREATIONAL USES NOT REQUIRING STRUCTURES, FACILITIES, FILL, STORAGE OR PROCESSING OF MATERIALS, OR CHANGE IN THE CHANNEL OF A WATERCOURSE, SUCH AS PARKS, SWIMMING POOLS, GOLF COURSE, DRIVING RANGES, PICNIC GROUNDS, WILDLIFE AND NATURE PRESERVES, GAME FARMS, FISH HATCHERIES, SHOOTING PRESERVES, TARGET RANGES, TRAP AND SKEET RANGES, AND HUNTING, FISHING AND HIKING AREAS.
4. UTILITY FACILITIES SUCH AS: FLOWAGE AREAS, TRANSMISSION LINES, (NOT INCLUDING SUPPORT TOWERS), PIPELINES, WATER MONITORING DEVICES, AND ROADWAYS (WHICH DO NOT REQUIRE FILL AND NOT INCLUDING BRIDGES).
5. BARBED WIRE AND SPLIT RAIL FENCE. OTHER TYPES OF FENCES SUCH AS WOODEN PRIVACY AND OTHER SOLID SCREEN TYPES ARE ALLOWED ONLY IF NECESSARY FOR SAFETY OR SECURITY REASONS PROVIDED THE FENCE IS SPECIALLY DESIGNED TO MINIMIZE IMPEDING THE FLOW OF FLOOD WATERS, ACCUMULATION OF DEBRIS OR BEING SUBJECT TO BEING EASILY MOVED DURING FLOOD PERIODS. THE DEVELOPER SHALL OBTAIN A BUILDING PERMIT FOR ALL FENCES. FENCE DESIGNS WHICH MEET THE ABOVE CRITERIA, SUCH AS CERTAIN "BREAKAWAY" FENCING OR FENCING WITH SLATTED DESIGN ALLOWING WATER TO PASS THROUGH WILL BE ALLOWED IF PROPERLY CERTIFIED BY A REGISTERED PROFESSIONAL ENGINEER AS MEETING THE IDENTIFIED PERFORMANCE STANDARDS.

FLOODWAY RESTRICTIONS (3-37-07-06)

ALL FENCES IN THE FLOODWAY SHALL REQUIRE A FLOODPLAIN USE PERMIT.

STRUCTURES OR BUILDINGS OF ANY KIND ARE NOT ALLOWED IN THE DESIGNATED FLOODWAY AREA.

CITY OF THORNTON PERPETUAL EASEMENT (BOOK 3931 PAGE 21) FOR WASHINGTON STREET AND BIG DRY CREEK

CITY OF THORNTON EASEMENT LIMITS AS DEFINED ARE RESERVED FOR FUTURE REVIEW DUE TO PROSPECTIVE INFRASTRUCTURE PROJECTS AND COORDINATION WITH NOTED ADAMS COUNTY FLOODWAY ZONE RESTRICTIONS.

FIRE CODE RESTRICTIONS:

THERE IS NO REQUIREMENT FOR WATER FOR FIRE FIGHTING PURPOSES IF SINGLE RESIDENTIAL HOME IS LOCATED ON MORE THAN 5 ACRES OF LAND.

THE MINIMUM SEPARATION BETWEEN THE PRINCIPAL DWELLING AND ANY OUTBUILDINGS SHALL BE 100 FEET.

MINERAL RIGHTS:

1. PROCEEDS OBTAINED AND LIABILITIES INCURRED FROM THE PEAK VIEW ESTATES MINERAL RIGHTS WILL BELONG TO AND BE THE RESPONSIBILITY OF THE LOT OWNER FROM WHICH THE PRODUCING WELL IS LOCATED.
2. OIL WELL DRILLING SEE RESTRICTIONS
3. THE OIL SEPARATOR TANK AND WELL PER NOTES 2 AND 3 OF THE OIL WELL DRILLING SITE RESTRICTIONS AS SHOWN ON PEAK VIEW ESTATES HAVE BEEN ABANDONED PER ABANDONMENT REPORT RECORDED AT RECEPTION NO. 2016000101315.

ACCESS RIGHTS TO WASHINGTON STREET ARE RESTRICTED FOR LOTS 1 AND 2 OF THIS PLAT.

PREPARED BY:
R.W. BAYER & ASSOCIATES, INC.
2090 EAST 104TH AVENUE
SUITE 200
THORNTON, CO 80233
(303)452-4433

DATE PREPARED: NOVEMBER 19, 2016

CAD FILE: M16080/M16080P.DWG

REVISIONS: MISC. TEXT CORRECTIONS 12/8/16

ADDITIONAL CORRECTIONS 12/22/16

MISC.CHANGES PER COUNTY/CLIENT 4/7/17

MISC. TEXT CORRECTIONS PER CLIENT 5/15/17

ADDITIONAL CORRECTIONS 2/8/18

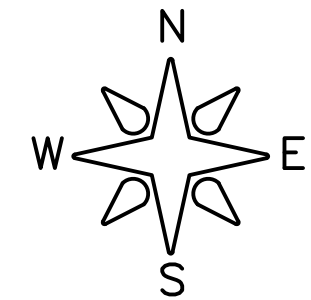
UPDATED TITLE AND NOTES 3/1/18

CHANGED SUBD. NAME 5/3/18

DRY CREEK SUBDIVISION

A SUBDIVISION OF LOT 6, PEAK VIEW ESTATES, BEING A PART OF THE
SOUTHWEST ONE-QUARTER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 68 WEST
OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.
SHEET 2 OF 2

CASE NO.: PLT 2017-00001



SCALE: 1" = 100'

LEGEND

- DENOTES: EXISTING #4 REBAR, & CAP, BAYER, P.L.S. 6973
- ⊙ DENOTES: ABANDONED WELL
- M DENOTES: METERING STATION
- ▨ DENOTES: APPROXIMATE FLOODWAY AREA
- ▩ DENOTES: APPROXIMATE FLOODPLAIN AREA

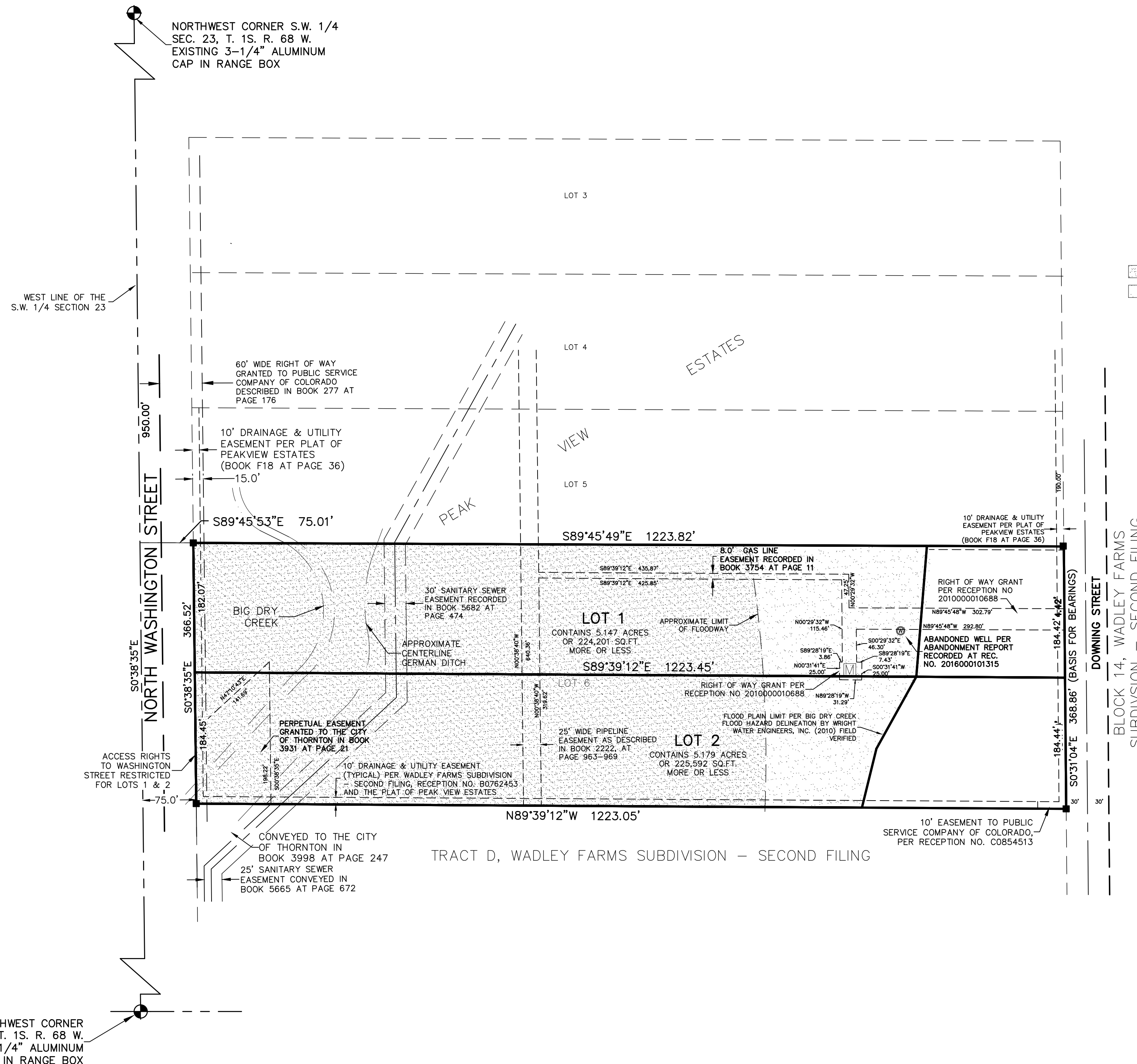
SETBACKS:

- LOT 1 - 13,851 DOWNING STREET
- 30 FEET FRONT
- 10 FEET SIDE
- 20 FEET REAR

FLOOD PLAIN ACREAGE: 4.298 ACRES ±

- LOT 2 - EXISTING HOUSE,
13831 DOWNING STREET

FLOOD PLAIN ACREAGE: 4.099 ACRES ±



TRACT D, WADLEY FARMS SUBDIVISION - SECOND FILING

DOWNING STREET
BLOCK 14, WADLEY FARMS
SUBDIVISION - SECOND FILING

PREPARED BY:
R.W. BAYER & ASSOCIATES, INC.
2090 EAST 104TH AVENUE, SUITE 200
THORNTON, CO 80233
(303)452-4433
DATE PREPARED: NOVEMBER 19, 2016
CAD FILE: M16080/M16080P.DWG
REVISIONS: SCALE BAR, FONTS & EASEMENTS 11/22/16
MISC. EASEMENT CORRECTIONS 12/8/16
MISC. LABEL CORRECTIONS 12/22/16
MISC. CHANGES PER COUNTY/CLIENT 4/7/17
ADDED APPROX. GAS LINE LOCATIONS
& BLDG ENVELOPE 10/18/17
MISC. REVISIONS PER COUNTY 12/11/17
ADDITIONAL REVISIONS 2/8/18
REMOVED TRAIL EASEMENT 2/23/18
CHANGED SUBD NAME & ADDED F.P. ACREAGE 5/3/18

Exhibit 3.3

WEST LINE OF THE
S.W. 1/4 SECTION 23

— N89°45'53"W 75.01'

S0°38'35"E
NORTH WASHINGTON STREET

50°38'35"E 366.52'

50°38'35"E

50°38'35"

10' DRAINAGE &
UTILITY EASEMENT

10' DRAINAGE & UTILITY EASEMENT
(TYPICAL) PER WADLEY FARMS
SUBDIVISION SECOND FILING

10' EASEMENT TO PUBLIC
SERVICE COMPANY OF
COLORADO PER RECEPTION
NO. C0854513

SOUTHWEST CORNER
SEC.23, T. 1S. R. 68 W.
EXISTING 3 $\frac{1}{4}$ " ALUMINUM
CAP IN RANGE BOX

CONVEYED TO THE CITY
OF THORNTON IN
BOOK 3998 AT PAGE 247

25 SANITARY SEWER
EASEMENT CONVEYED IN
BOOK 5665 AT PAGE 672

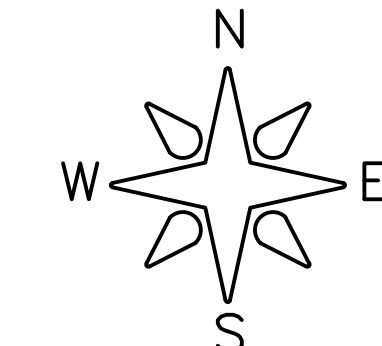
CAD FILE: M16080/M16080B.DWG
REVISIONS:

R.W. BAYER & ASSOCIATES, INC.

2090 EAST 104TH AVENUE, SUITE 200
THORNTON, COLORADO 80233-4316
(303) 452-4433 FAX: (303) 452-4515

SITE PLAN
















LOT 6, PEAK VIEW ESTATES, BEING A PART OF THE SOUTHWEST ONE-QUARTER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.



0 25' 50' 100'

SCALE: 1" = 50'

LEGEND

 DENOTES: EXISTING #4 REBAR, & CAP, BAYER, P.L.S. 6973
 DENOTES: PROPOSED WELL
 DENOTES: METERING STATION
 DENOTES: CONCRETE
 DENOTES: DCP 3" PIPELINE (RAW NATURAL GAS)
 DENOTES: KAUFFMAN 3" PIPELINE (RAW NATURAL GAS)
 DENOTES: GAS RIGHT OF WAY AND EASEMENT FOR LASSO OIL AND GAS LLC
 DENOTES: PERMANENT PIPELINE EASEMENT FOR ASSOCIATED NATURAL GAS COMPANY
 DENOTES: PIPELINE EASEMENT FOR BYRON OIL INDUSTRIES, INC.
 DENOTES: PERPETUAL EASEMENT TO THE CITY OF THORNTON
 DENOTES: PERPETUAL EASEMENT TO THE CITY OF THORNTON
 DENOTES: DRAINAGE/UTILITY EASEMENT PER PLAT OF PEAKVIEW ESTATES
 DENOTES: PUBLIC SERVICE COMPANY OF COLORADO EASEMENT
 DENOTES: PERPETUAL EASEMENT TO THE CITY OF THORNTON
 DENOTES: APPROXIMATE FLOODWAY AREA
 DENOTES: APPROXIMATE FLOODPLAIN AREA

ZONING FOR THIS LOT IS A1.
MINIMUM LOT SIZE: 2.5 ACRES
MINIMUM LOT WIDTH: 150 FEET
MINIMUM SETBACK FRONT: 30 FEET
MINIMUM SETBACK REAR: 20 FEET
MINIMUM SETBACK SIDE: 10 FEET
MINIMUM AREA DWELLING (1-STORY): 1200 SQ.FT.

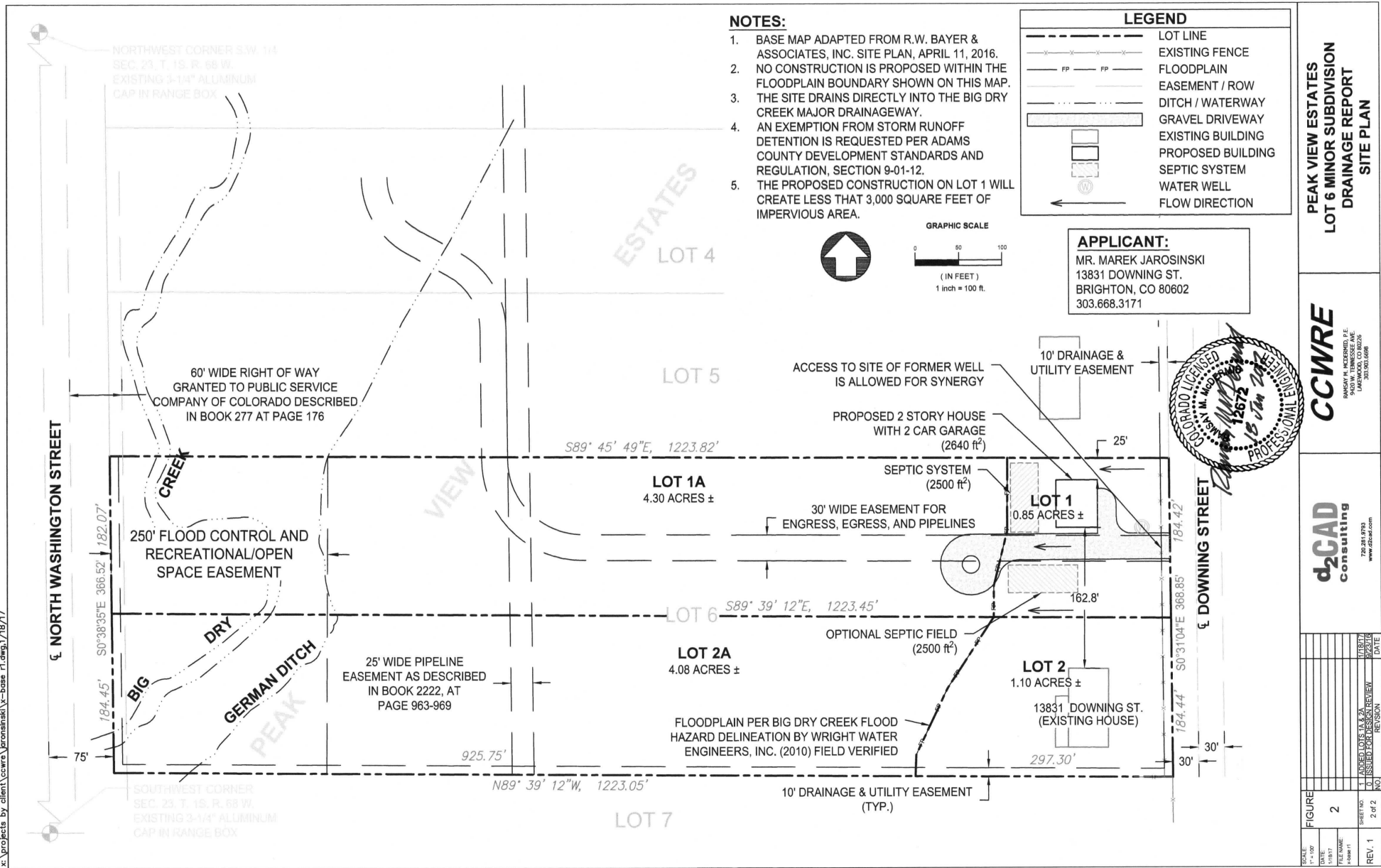
BLOCK 14, WADLEY FARMS
SUBDIVISION – SECOND FILING

DOWNING STREET

30 S0°31'04"E 368.85' (BASIS FOR BEARINGS)

10' EASEMENT TO PUBLIC
SERVICE COMPANY OF COLORADO,
PER RECEPTION NO. C0854513

SCALE: 1"= 50'	DATE: MARCH 1, 2018	DRW BY: J.E.B.	CKD BY: R.B.	PROJ. NO: 2016-080
BOOK: DC	PAGE:	FILE NO: 23-18-083L	SHEET:	1 OF 1





Development Review Team Comments

Date: 2/24/17

Project Number: PLT2017-00001

Project Name: Peak View Estates Minor Subdivison

For submission of revisions to applications, a cover letter addressing each staff review comment must be provided. The cover letter must include the following information: restate each comment that requires a response and provide a response below the comment; respond to each comment with a description of the revisions and the page of the response on the site plan. And identify any additional changes made to the original document other than those required by staff.

Please submit 1 hard copy and 1 electronic copy to Community and Economic Development. The re-submittal form (included) is required for documents to be accepted.

Commenting Division: Development Services, Planning

Name of Reviewer: Emily Collins

Email: ecollins@adcogov.org

PLN1. This request is for a subdivision replat (minor subdivision final plat) to create 2 lots on approximately 10.32 acres.

PLN2. The subject property is zoned Agriculture-1 (A-1). All lots must conform to the minimum requirements of the zone district pursuant to Section 3-08-07-01.

- a. The minimum lot size shall be 2.5 acres.
- b. The minimum width shall be 150 ft for properties served by well and septic.

PLN3. While setbacks are not reviewed as part of the subdivision plat, please note that all new dwellings must conform to the setbacks outlined in Section 3-08-07-03.

- a. Primary structures (dwellings) shall be setback a minimum of 30 feet from a front property line/ 10 feet from a side/ 20 feet from a rear property line.
- b. Accessory structures shall be setback a minimum of 10 feet behind the dwelling or 100 feet from a front property line/ 10 feet from a side/ 10 feet from a rear property line.
- c. The minimum floor area for any new dwelling is 1,200 square feet.
- d. Additionally, please note that a Traffic Impact Fee will be assessed at time of building permit for each new dwelling. Please see Section 5-06 for current fee schedule.

PLN4. Water and Sewer Provisions

- a. All subdivisions require evidence of adequate water supply and sewage disposal.
 - i. **See additional comments in PLN8.**
- b. The Colorado Division of Water Resources reviewed the request and determined adequate water supply is available based on an allocation approach.

PLN5. Oil and Gas Well

- a. Section 4-06-01-02-01-12: where a new home is constructed within 300 feet of an existing oil and gas well, the property owner shall submit a signed waiver.
- b. Section 4-10-02-03-02: 250 foot buffer in the form of an easement on the final plat, no permanent structures within the buffer area.
- c. Future septic fields must be a minimum of 100 feet from well.
- d. **An abandonment report was submitted with this application. The above referenced setbacks for structures do not apply to abandoned wells.**

PLN6. Comprehensive Plan Designation (Parks and Open Space):

- a. Primary uses in this category are public parks, trails and open space. In most cases, land uses in this category will be open to the public.
- b. Development is limited to recreational facilities and maintenance and other facilities that serve the site.
- c. The primary objectives of these areas are to provide land for recreation and enjoyment, provide areas for wildlife, and preserve especially sensitive, beautiful, or historic areas.

PLN7. Criteria for Approval, Section 2-02-18-03-05

1. Consistent with sketch plan
2. Conforms with subdivision design standards
3. Sufficient water supply
4. Sufficient sewage disposal
5. All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified by the applicant and the proposed uses of these areas are compatible with such conditions.
6. Adequate drainage facilities
7. Adequate public infrastructure or cash-in-lieu
8. Consistent with Comprehensive Plan
9. Consistent with development standards and regulations
10. Overall density conforms to zone district allowances
11. Compatible with surrounding area, harmonious with character of the neighborhood, not detrimental to future development or to health, safety, and welfare of inhabitants of the area.

PLN8. Subdivision Design Standards, Section 5-03

- a. Design to consider Comprehensive Plans, zoning, and general character of the area, and adjacent land uses.

- b. Design to preserve natural areas
- c. **Design not to encroach into floodplains (5-03-02-06)**
 - a. Portions of a lot which are inundated by a 100-year floodplain may be platted as easements or outlots.
 - b. **All developable lots affected by a 100-year flood shall meet the minimum zone district requirements. The proposed developable lots do not conform to the minimum 2.5 acre requirement.**
- d. Lot dimensions shall conform to zone district requirements.
- e. **Lots shall be capable of being lawfully developed.**
 - a. **No subdivision shall create lots physically unsuitable for improvement due to steepness, size, shape, location of watercourses, problems of sewage disposal, drainage, driveway grades, or other natural physical conditions.**
- f. All lots using Individual Sewage Disposal Systems shall be approved by Tri-County Health.
 - a. **Please see comments from 2008 case and provided responses.**
 - b. **Please demonstrate adequate area for septic systems and conformance with applicable floodplain setbacks.**
- g. **Lot depth to width ratio**
 - a. **No lot shall have an average depth greater than three times the average width unless the lot width is a minimum of four-hundred-twenty-five (425) feet.**
 - b. **Proposed lots do not conform to this requirement.**
- h. All lots shall front and have access on a dedicated, constructed and maintained public road.

PLN9. Land Dedication is requirement with a final plat submittal pursuant to Section 5-05.

- a. **Public Land Dedication fees are required with a final plat. \$809.71 is the PLD fee for the proposed subdivision (see attached). This fee must be submitted prior to scheduling public hearings.**
- b. **Subdivision Improvements Agreement is required with a final plat for any required public infrastructure. Engineering has indicated the existing roadways and rural cross-section do not require curb, gutter, or sidewalk.**

PLN10. Natural Resource Conservation Overlay District (NRCO), Section 3-38

- a. **The entire parcel is located within the NRCO and a majority of the site is located in both floodplain and floodway.**
- b. The purpose of the NRCO is to provide for protection of natural, wildlife, agricultural, and cultural resources.
- c. These areas generally include 1) important wildlife areas, 2) designated floodplains, or 3) important reservoir sites to provides wetland and habitat areas.

PLN11. **Other comments:**

- a. On page 1 of the plat, please correct “Adams County Public Works Department” to Community and Economic Development Department.
- b. Please change BOCC signature block to “Chair”
- c. **Please provide documentation that all easement holders are aware of proposed subdivision and have no issues or concerns with future development on site.**
- d. **Based on the minimum required 2.5 acres of developable area and the maximum lot width to depth ratio, the proposed subdivision does not conform to the County’s design standards and regulations.**

Commenting Division: Development Services, Engineering:

Name of Review: Greg Labrie

Email: glabrie@adcogov.org

ENG1: Flood Insurance Rate Map – FIRM Panel # (08001C0303H), Federal Emergency Management Agency, March 5, 2007. According to the above reference, a portion of the project site is located within a special flood hazard delineated area. If construction activity occurs in this area of the project site, a floodplain use permit will be required.

ENG2: The applicant shall be responsible to ensure compliance with all Federal, State, and Local water quality construction requirements. The project site is not within the County's MS4 Stormwater Permit area. The installation of erosion and sediment control BMPs are expected.

ENG3: No building permits will be issued until the plat and associated documentation have been reviewed, approved and recorded by Adams County.

Commenting Division: Development Services, Right-Of-Way

Name of Review: Marissa Hillje

Email: mhillje@adcogov.org

ROW1: The site of abandoned well was not indicated on the plat as required by the Adams County Right-of-Way Department.

ROW2: The well abandonment report was not recorded at the office of the Adams County Clerk and Recorder and the reception number was not reference on the plat as required by the Right-of-Way Department.

ROW3: A note was not included on the plat indicating that access to the site of the former well must continue to be allowed for its owner. This note is required to be added to the plat.

ROW4: In conjunction with preparation of the plat, a title commitment should be secured to determine whether or not any other easements impact the property. The surveyor should provide a note indicating reliance on said title commitment.

ROW5: The Legal Description within the title commitment does not match the Legal Description shown on the subdivision plat. Please revise commitment to match.

ROW6: Add the Case No. PLT2017-00001 at the upper right-hand corner of the sheet.

ROW 7: Move the Dedication Statement to the left column.

ROW8: Please remove all language after the subdivision plat title within the dedication statement.

ROW9: Please confirm location of item #8 of the Schedule B- Section 2 Exceptions of the title commitment. Location per the easement deed seems to be different than what is shown.

ROW10: If the location of any of the easements defined within the Schedule B- Section 2 Exceptions of the title commitment are not shown on the plat, please provide a statement or general note as to why (i.e. Exception 11- Rec No: 2013000080129).

ROW11: Please address note #2 and #3 of the oil well drilling restrictions as shown on Peak View Estates plat.

ROW12: Please address the Mineral Rights note shown on Peak View Estates plat.

ROW13: Please include the Fire code Restrictions note as shown on Peak View Estates plat.

ROW14: Please remove the two (2) random arrow heads within the NW corner of LOT 1A.

Commenting Division: Parks and Open Space

Name of Review: Aaron Clark

Email: aclark@adcogov.org

PRK 1: Parks requests a 30' trail easement along Washington Street in order to accommodate future needs for a trail or sidewalk

Commenting Division: Development Review, Environmental Analyst

Name of Review: Jen Rutter

Email: jrutter@adcogov.org

PRK 1: Although the property is located within the NRCO, residential uses are exempt. However, much of the property is located in the floodway and floodplain, so building restrictions will apply.

Commenting Division: Development Services Building and Safety

Name of Review: Justin Blair

Email: jblair@adcogov.org



COLORADO
Division of Water Resources
Department of Natural Resources

1313 Sherman Street, Room 821
Denver, CO 80203

January 30, 2017

Emily Collins
Adams County Planning and Development Department
Transmission via email: ECollins@adcogov.org

**RE: PLT2017-00001 - Peak View Estates
Section 23, T1S, R68W, 6th P.M.
Water Division 1, Water District 2**

Dear Ms. Collins:

We have reviewed your January 27, 2017 submittal concerning the above referenced proposal to subdivide Lot 6, Peak View Estates, containing 10.32 acres, into two residential lots. Sewage will be provided through individual on-lot Sewage Disposal Systems. Lot 1 has an existing house and well, which is currently operated under permit no. 236119. We previously commented on this proposal on December 1, 2008, under case no. PLT2008-00029.

Source of Water Supply

The referral information did not include a water supply plan. Based on the water supply plan submitted by Elzbieta Jarosinski as part of the November 17, 2008 referral for PLT2008-00029 the proposed source of water is individual on lot wells producing from the nontributary Lower Arapahoe aquifer and the nontributary Laramie-Fox Hills aquifer, that will operate pursuant to the decree granted in Division 1 Water Court case no. 2007CW230. The allowed average annual withdrawal decreed in case no. 2007CW230 is shown in Table 1 below:

Table 1

Aquifer	Average Annual Withdrawal based on 100 year allocation approach
Lower Arapahoe	1.8 acre-feet
Laramie-Fox Hills	0.7 acre-feet

The proposed sources of water for this subdivision are bedrock aquifers in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which these sources will be a physically and economically viable sources of water. According to 37-90-137(4)(b)(I), C.R.S., "Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years." Based on this allocation approach, the annual amounts of water decreed in 2007CW230 are equal to one percent of the total



amount, as determined by rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

In the *Adams County Development Standards and Regulations*, Effective April 15, 2002, Section 5-04-05-06-04 states:

“Prior to platting, the developer shall demonstrate that...the water supply is dependable in quantity and quality based on a minimum useful life of three-hundred (300) years. A minimum 300-year useful life means the water supply from both a static and dynamic basis will be viable for a minimum 300-year period. The static analysis shall include evaluation of the volume of water that is appropriate for the proposed subdivision. The dynamic analysis shall evaluate whether the appropriate water supply is sustainable for three-hundred (300) years, giving consideration to the location and extent of the aquifer, as well as impacts caused by both current and future pumping by others from the aquifer.”

The State Engineer’s Office does not have evidence regarding the length of time for which these sources will be “dependable in quantity and quality.” However, treating Adams County’s requirement as an allocation approach based on three hundred years, the allowed average annual amounts of withdrawal shown in Table 1 above would be reduced to one third of those amounts. To meet the 300-year allocation approach the applicant proposes to split the decreed water evenly between the lots and utilize the Lower Arapahoe aquifer for a period of 200 years and the Laramie-Fox Hills aquifer for a period of 100 years. The proposed annual and total withdrawals for each lot, from each aquifer, are shown in Table 2 below:

Table 2

	Lower Arapahoe Annual withdrawal (acre-feet)	Lower Arapahoe Total Withdrawal (based on 200 years of pumping) (acre-feet)	Laramie-Fox Hills Annual withdrawal (acre-feet)	Laramie-Fox Hills Total Withdrawal (based on 100 years of pumping) (acre-feet)
Lot 1	0.45	90	0.35	35
Lot 2	0.45	90	0.35	35
Total	0.9	180	0.70	70

Therefore, the water may be withdrawn in those annual amounts for the specified allocation periods. The State Engineer’s Office has no comment on the quality of the water supply or the required ‘dynamic analysis’ to evaluate whether the appropriate water supply is sustainable for three hundred years.



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

Water Supply Demand

According to the information previously submitted, the water requirements for wells constructed into the Lower Arapahoe aquifer will be 0.45 acre-feet annually per lot, consisting of 0.30 acre-feet/year for in house use, 0.1 acre-feet/year for irrigation of 2,000 square feet of home gardens and lawns, and 0.05 acre-feet/year for the watering of 4 large domestic animals. The water requirements for wells constructed into the Laramie-Fox Hills aquifer will be 0.35 acre-feet annually per lot, consisting of 0.30 acre-feet/year for in house use, 0.025 acre-feet for irrigation of 500 square-feet of home gardens and lawns and 0.025 acre-feet/year for the watering of 2 large domestic animals. The Applicant may substitute outside uses based on a ratio of 500 square-feet of lawn and garden for 2 large domestic animals. The proposed uses are consistent with the decreed uses.

The Applicant has an existing well constructed under well permit no. 236119, into the Laramie-Fox Hills aquifer. According to the decree granted in case no. 2007CW230 the applicant will cancel the exempt well permit and re-permit the well pursuant to the terms of the decree.

State Engineer's Office Opinion

Based upon the above and pursuant to Section 30-28-136(1)(h)(I), C.R.S., it is our opinion that the previously proposed water supply is adequate and can be provided without causing injury to decreed water rights, **if existing well 236119 is repermited pursuant to the decree for the annual withdrawal and uses specified above, prior to subdivision approval. If the water supply plan has changed since the prior submittal a revised water supply plan must be provided to our office for review.**

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

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

Our opinion is qualified by the following:

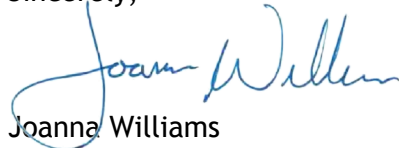


The Division 1 Water Court has retained jurisdiction over the final amount of water available pursuant to the above-referenced decree, pending actual geophysical data from the aquifer.

The amounts of water in the Denver Basin aquifers, and identified in this letter, are calculated based on estimated current aquifer conditions. For planning purposes the county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 300 years used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.

Should you or the Applicant have any questions, please contact me at 303-866-3581 x8265.

Sincerely,



Joanna Williams
Water Resource Engineer

cc: Subdivision File 21328
Permit file 236119



COLORADO GEOLOGICAL SURVEY

1801 19th Street
Golden, Colorado 80401



Karen Berry
State Geologist

February 21, 2017

Emily Collins
Adams County
Community & Economic Development
4430 S. Adams County Parkway, Suite W2000A
Brighton, CO 80601

Location:
NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23,
T1S, R68W of the 6th P.M.
39.9471, -104.9758

Subject: Peak View Estates Minor Subdivision
Project Number PLT2017-00001; Adams County, CO; CGS Unique No. AD-17-0013

Dear Ms. Collins:

Colorado Geological Survey has reviewed the Peak View Estates minor subdivision referral. I understand the applicant proposes two lots on 10.3 acres located at 13831 Downing Street, Brighton. With this referral, I received a request for CGS review (January 27, 2017), a written explanation (undated), a Level 1 Drainage Study and Drainage Report Site Plan (CCWRE, January 18, 2017), and a set of two Peak View Estates Lot 6 Corrected Plat sheets (R.W. Bayer & Associates, December 22, 2016).

The site is not undermined, does not contain steep slopes, and does not contain, nor is it exposed to, any geologic hazards that would preclude the existing and proposed residential use and slight increase in density. CGS therefore has no objection to approval of the two-lot minor subdivision as proposed.

Flooding and erosion hazards. Most of the western portion of both proposed lots is located within the Big Dry Creek 100-year flood hazard zone. The flood hazard boundary appears to be correctly delineated on the plat, and proposed building envelopes are located outside of the mapped flood hazard zone. CGS recommends that improvements be set back as far as possible from the flood zone boundary to reduce the risk of damage not just from rising floodwaters but also erosion.

Geotechnical constraints. According to available geologic mapping (Trimble and Machette, 1979, Geologic map of the greater Denver area, Front Range Urban Corridor, Colorado: U.S.G.S., Miscellaneous Investigations Series Map I-856-H, scale 1:100,000), the site is underlain by Broadway and Piney Creek alluvium, or sand, silt, clay and gravel river deposits associated with Big Dry Creek. Potential development constraints that will need to be evaluated as part of a geotechnical investigation for any future improvements include, but are not necessarily limited to 1) loose, low-strength sands and silts, 2) hydrocompaction, or collapse under loading and wetting, 3) swelling soils, depending on the clay content of the alluvium, and 4) shallow groundwater and basement feasibility.

Thank you for the opportunity to review and comment on this project. If you have questions or require additional review, please call me at (303) 384-2643, or e-mail carlson@mines.edu.

Sincerely,

A handwritten signature in black ink, appearing to read "Jill Carlson".

Jill Carlson, C.E.G.
Engineering Geologist



February 22, 2017

Emily Collins
Adams County Planning
4430 South Adams County Pkwy
Brighton, CO 80601-8218

RE: Peak View Estates, PLT2017-00001
TCHD Case No. 4246

Dear Ms. Collins,

Thank you for the opportunity to review and comment on the minor subdivision to create 2 lots at 13831 Downing Street. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations and principles of healthy community design. After reviewing the application, TCHD has the following comments.

On-Site Wastewater Treatment Systems (OWTS)

Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment. TCHD has records for a permitted On-Site Wastewater Treatment System (OWTS) serving the existing residence at 13831 Downing Street. The OWTS serving the proposed Lot 1 must be permitted, inspected, and approved under TCHD's current OWTS Regulation. After dividing the property, if either of the parcels are sold, a Use Permit must be obtained through TCHD. For more information on the Use Permit process contact your nearest TCHD office or go to <http://www.tchd.org/269/Septic-Systems>.

Please feel free to contact me at 720-200-1593 or mweakley@tchd.org if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Weakley", with a stylized flourish at the end.

Michael Weakley
Water Program Supervisor

cc: Sheila Lynch, Monte Deatrich, TCHD

Shannon McDowell

From: Warren Brown [wbrown@tchd.org]
Sent: Thursday, December 11, 2008 11:02 AM
To: Shannon McDowell
Cc: Carol MacLennan; Monte Deatrich; Hope Dalton
Subject: Peak View Estates Lot 6 Amended (PLT2008-00029). 13831 Downing Street TCHD Case #2070

December 11, 2008

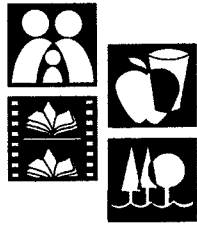
Shannon:

Tri-County Health Department (TCHD) previously commented on this case in our letter dated June 22, 2007. I have attached a copy of that letter for your reference. The plat note we requested regarding possible soil contamination from the oil well, separator, tank battery and pipeline has been added to the plat provided with the referral.

In our 6/22/07 letter we had requested a receipt from the owner stating that the septic tank has been pumped and inspected. We continue to recommend that the owner provide a copy of this receipt to the undersigned.

Warren S. Brown, P.E.
Public Health Engineer
Tri-County Health Department
7100 E. Belleview Avenue
Suite 102
Greenwood Village, CO 80111-1628
Phone: (303) 846-6225 Fax: 303-741-4021
wbrown@tchd.org

12/12/2008



Tri-County Health Department

Serving Adams, Arapahoe and Douglas Counties

Richard L. Vogt, M.D.
Executive Director

June 22, 2007

Shannon McDowell
Adams County Planning and Development Department
12200 Pecos Street
Westminster, CO 80234

Re: PLT2007-00023 Peak View Estates Lot 6 Amendment
13831 Downing Street
Final Plat to create two lots from one and create two outlots on 10.32 acres in the
A-1 Zone District
TCHD Case #1652

Dear Ms. McDowell:

Tri-County Health Department (TCHD) issued a "will serve" letter, dated May 5, 2006. That letter was based upon creating two lots of approximately 5.162 acres each. The current amended plat creates two "buildable" lots (1 and 2) and 2 outlots (1A and 2A), located within the floodplain that will be sold with the "buildable lots".

The owner previously stated that they would not construct an Individual Sewage Disposal System (ISDS) for lot 6A (now Lot 1) until the existing oil well is capped. TCHD stated in our May 5, 2006 letter that the requirement for the individual sewage disposal system (ISDS) building envelope on lot 6A (now Lot 1) in our October 29, 2002 letter will still apply; however, since the oil well will be plugged and abandoned, the ISDS envelope may be located less than 100 feet from the oil well. Upon the provision of the three plat notes on ISDS, TCHD will not require that an ISDS envelope be designated on the proposed Lot 1, with the understanding that the owner will have the well properly plugged and abandoned in accordance with the rules of the Colorado Oil and Gas Commission (COGC) and that a report confirming this be provided to TCHD at the time of application for the ISDS permit.

TCHD Regulation Number I-02 requires that septic tanks be pumped and inspected every four years. We recommend that the owner provide a receipt indicating that the septic tank for the existing home at 13831 Downing Street has been pumped and inspected within the last four years.

Contamination of soils and groundwater from the existing oil well, separator, tank battery, and the pipeline may exist on the lots. TCHD recommends that a plat note be provided stating the following:

Contamination of soils and groundwater from the oil well, separator, tank battery and pipeline may exist. Adequate investigations should be made to assure current and future owners that any residual contamination is at or below appropriate levels. The Colorado Oil and Gas Commission has identified appropriate levels of hydrocarbons in soils. The COGC should be contacted for additional information on determining appropriate levels. If the investigations indicate that contamination of soils and groundwater is present above "acceptable levels" appropriate cleanup actions should be completed.

If you have any questions, please call me at (303) 846-6225 or email at wbrown@tchd.org.

Sincerely,



Warren S. Brown, P.E.
Public Health Engineer

Cc: Monte Deatrich, Carol MacLennan, TCHD

Emily Collins

From: Loeffler - CDOT, Steven [steven.loeffler@state.co.us]
Sent: Thursday, February 16, 2017 10:27 AM
To: Emily Collins
Subject: PLT2017-00001, Peak View Estates

Emily,

I have reviewed the referral named above for a minor subdivision to create 2 lots, located at 13831 Downing Street, and have no objections.

Thank you for the opportunity to review this referral.

Steve Loeffler
Permits Unit



P 303.757.9891 | F 303.757.9886
2000 S Holly Street, Denver, CO 80222
steven.loeffler@state.co.us | www.codot.gov | www.cotrip.org

Emily Collins

From: Bob Sullivan [Bob.Sullivan@cityofthornton.net]
Sent: Friday, January 27, 2017 7:08 PM
To: Emily Collins
Subject: RE: PLT2017-00001 Peak View Estates Minor Subdivision

The Thornton Fire Department does not have any comments regarding this submittal.

Bob Sullivan

Interim Fire Marshal
Thornton Fire Department
9500 Civic Center Drive
Thornton, CO 80229

Office: 303-538-7651
Fax: 303-538-7660
Email: bob.sullivan@cityofthornton.net

www.cityofthornton.net



From: Laurie Davidson
Sent: Friday, January 27, 2017 2:54 PM
To: Bob Sullivan <Bob.Sullivan@cityofthornton.net>
Subject: FW: PLT2017-00001 Peak View Estates Minor Subdivision

From: Emily Collins [<mailto:ECollins@adcogov.org>]
Sent: Friday, January 27, 2017 2:14 PM
To: 'CSIMMONDS@MWRD.DST.CO.US' <CSIMMONDS@MWRD.DST.CO.US>; 'chris.quinn@rtd-denver.com' <chris.quinn@rtd-denver.com>; 'George, Donna L' <Donna.L.George@xcelenergy.com>; DevelopmentSubmittals <developmentsubmittals@cityofthornton.net>; 'brandyn.wiedrich@centurylink.com' <brandyn.wiedrich@centurylink.com>; 'sgosselin@northmetrofire.org' <sgosselin@northmetrofire.org>; 'matt.schaefer@adams12.org' <matt.schaefer@adams12.org>; FireDept <FireDept@cityofthornton.net>; 'thomas_lowe@cable.comcast.com' <thomas_lowe@cable.comcast.com>; 'CGS_LUR@mines.edu' <CGS_LUR@mines.edu>; 'joanna.williams@state.co.us' <joanna.williams@state.co.us>; 'Steve Loeffler' <Steven.loeffler@state.co.us>; 'wadleyfarmshoa@msn.com' <wadleyfarmshoa@msn.com>; 'landuse@tchd.org' <landuse@tchd.org>; 'Laurel Broten' <lbroten@tchd.org>
Cc: Ian Cortez <ICortez@adcogov.org>; Greg Labrie <GLabrie@adcogov.org>; Justin Blair <jblair@adcogov.org>; Eric Guenther <EGuenther@adcogov.org>; Jen Rutter <JRutter@adcogov.org>; Brigitte Grimm <BGrimm@adcogov.org>; Laura Garcia <LGarcia@adcogov.org>; Christine Francescani <CFrancescani@adcogov.org>; Aaron Clark

Exhibit 5.1

Emily Collins

From: 3039314450@pm.sprint.com
Sent: Wednesday, February 15, 2017 3:09 PM
To: Emily Collins; jamesfetter@yahoo.com; jmdf28@yahoo.com

Sent from my mobile.

Dear Emily Collins, AICP
Case Manager

Our names are James and Jeanine Fetter. We are writing to you about:

Case Name:
Peak View Estates

Case Number: PLT2017-00001

WE ARE IN TOTAL AND COMPLETE OPPOSITION TO THIS CASE.
This was attempted a few years back, by this same property owner and it was unanimously opposed, nothing has changed.

The building sight is NOT suitable for this project; largely due to the 30 FOOT WIDE EASEMENT RUNNING DIRECTLY DOWN THE CENTER OF THAT PROPERTY!
THIS WOULD ONLY ALLOW A SIGNIFICANTLY SMALLER HOUSE THAT WOULD HAVE TO BE VERY CLOSE TO THE PROPERTY LINE.
THIS WOULD ELIMINATE THEIR ABILITY TO BUILD A HOUSE THAT WOULD MATCH THE SIZE, SCALE AND VALUE OF THE HOUSES ON THAT SIDE OF THE STREET...THEREFORE, SIGNIFICANTLY OUT OF CHARACTER WITH ALL OF THE HOUSES...THUS POTENTIALLY DEVALUING ALL OF THOSE PROPERTIES.
Also, there would be flood plain issues for any outbuildings in that particular spot.

In addition, please help me understand why they are creating "A Minor Subdivision to create 2 lots pursuant to Section 2-02-18..." to what end does this achieve?

Emily, we are reaching out to you for help. We would very much appreciate your help in correcting a potential wrong; if this project is allowed to go through... I am very convinced that it will negatively impact our property values in our beautiful area.

Thank you very much Emily,
James and Jeanine Fetter 303-931-4450

Please acknowledge receipt of this message...Thank you again.

Emily Collins

From: Deanna Leopold [DeannaLeopold@msn.com]
Sent: Tuesday, February 07, 2017 8:55 PM
To: Emily Collins
Subject: PLT-2017-00001

Emily,

We are 100% against this subdivision request.

The intention of Mr. Jarosinski to build yet another home for resale is clearly self serving and for personal wealth and enrichment.

We struggle with enough water to do our daily activities and he would be drilling yet another well and tapping into the same drinking glass. Just how many straws before none of us have any water. I don't know where the "water supply being adequate" statement came from but take a survey of the existing homeowners and I imagine they beg to differ with that statement.

We also believe that this will set a precedent for future requests for subdivision and before you know it people will be having multiple homes on their acreages.

No No and No please do not allow this to happen.

Deanna Leopold

Emily Collins

From: Amanda Szymanski [amandaszymanski@gmail.com]
Sent: Wednesday, February 01, 2017 2:56 PM
To: Emily Collins
Subject: Request at 13831 Downing St.

Good Afternoon Ms. Collins,

My name is Amanda Szymanski and I live at 13981 Downing St. I received your letter in the mail in regards to Marek and Elzbieta's request to create 2 lots. I am writing to you because I strongly urge you to NOT allow this request.

Peak view estates was divided into 6 lots for the intention of only allowing 6 homes. It was made very clear in our paperwork that no one is allowed to partition their land, sell it to someone else, and then thus allowing them to build on it. If you allow this, what is stopping anyone else in Peak View Estates from partitioning their property, selling it off and allowing the new buyer to then build on the newly created lot?

Everyone else in Peak View Estates has roughly 5+ acres, Marek was granted 10 acres because everyone else felt it was "fair" to give him more land since he would be the one with the physical wells placed on it. No where was it stated or understood that he would then request to divide his land into 2 lots.

I also feel it is not acceptable for another home to be built so close to the wells. This house would be sitting directly on top of where they use to be. They would need to dig to place septic and drill for a well as all homes in Peak View Estates are on septic and well water. There have been plenty of research papers published about the dangers and contamination to ones well water. I am not willing to risk potential contamination to my family's water.

My family and I feel very strongly that this is NOT acceptable and should NOT be allowed. I would greatly appreciate some follow up in regards to this request made by Marek and Elzbieta. Thank you very much for your time and consideration.

I look forward to hearing from you.

Kindly,

Amanda

--

Dr. Amanda Szymanski, AuD, CNIM, CCC-A, F-AAA

Phone: (424)-64-NEURO

Email: amanda@hopesteel.io

Web: www.hopesteel.io



Community & Economic
Development Department
www.adcogov.org



4430 South Adams County Parkway
1st Floor, Suite W2000B
Brighton, CO 80601-8218
PHONE 720.523.6800
FAX 720.523.6967

Request for Comments

Case Name:	Peak View Estates
Case Number:	PLT2017-00001

January 27, 2017

Adams County Planning Commission is requesting comments on the following request:

A Minor Subdivision (final plat) to create 2 lots pursuant to Section 2-02-18 of the Adams County Development Standards and Regulations.

This request is located at **13831 DOWNING ST.**

The Assessor's Parcel Number is **0157323301006**

Applicant Information **MAREK AND ELZBIETA JAROSINSKI**
13831 DOWNING ST
BRIGHTON, CO 80602

Please forward any written comments on this application to the Department of Community and Economic Development at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 (720) 523-6800 by **02/22/2017** in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to ECollins@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates will be forwarded to you for your information. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Emily Collins, AICP
Case Manager

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Erik Hansen
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Mary Hodge
DISTRICT 5

Community & Economic
Development Department
www.adcogov.org



4430 South Adams County Parkway
1st Floor, Suite W2000B
Brighton, CO 80601-8218
PHONE 720.523.6800
FAX 720.523.6967

Public Hearing Notification

Case Name:	Peak View Estates
Case Number:	PLT2017-00001
Planning Commission Hearing Date:	06/14/2018 at 6:00 p.m.
Board of County Commissioners Hearing Date:	07/03/2018 at 9:30 a.m.

May 18, 2018

A public hearing has been set by the Adams County Planning Commission and the Board of County Commissioners to consider the following request:

A Minor Subdivision (final plat) to create 2 lots in the Agriculture-1 (A-1) zone district pursuant to Section 2-02-18.

This request is located at approximately **13831 DOWNING STREET**

The Assessor's Parcel Number is **0157323301006**

Applicant Information: **MAREK AND ELIZBIETA JAROSINSKI**
13831 DOWNING STREET
BRIGHTON, CO 80602

The hearing will be held in the Adams County Hearing Room located at 4430 South Adams County Parkway, Brighton CO 80601. This will be a public hearing and any interested parties may attend and be heard. The Applicant and Representative's presence at these hearings is requested. If you require any special accommodations (e.g., wheelchair accessibility, an interpreter for the hearing impaired, etc.) please contact the Adams County Community and Economic Development Department at 720-523-6800 (or if this is a long distance call, please use the County's toll free telephone number at 1-800-824-7842) prior to the meeting date. For further information regarding this case, please contact the Department of Community and Economic Development, 4430 S. Adams County Parkway, Brighton, CO 80601, 720-523-6800. This is also the location where maps and/or text certified by the Planning Commission may be viewed. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Emily Collins, AICP
Case Manager

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Erik Hansen
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Mary Hodge
DISTRICT 5

NOTICE OF PUBLIC HEARING FOR LANDUSE

NOTICE IS HEREBY GIVEN, that an application has been filed by **MAREK AND ELIZBIETA JAROSINSKI** Case # **PLT2017-00001** requesting: **A Minor Subdivision (final plat) to create 2 lots in the Agriculture-1 (A-1) zone district pursuant to Section 2-02-18** on the following property:

LEGAL DESCRIPTION:

LOT 6, PEAK VIEW ESTATES TRACT C WADLEY FARMS SUBDIVISION, SECOND FILING. A SUBDIVISION OF PART OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN. COUNTY OF ADAMS, STATE OF COLORADO.

(The above legal description was provided by the applicant and Adams County is not responsible for any errors and omissions that may be contained herein and assumes no liability associated with the use or misuse of this legal description.)

APPROXIMATE LOCATION: **13831 DOWNING STREET**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Adams County Planning Commission in the Hearing Room of the Adams County Government Center, 4430 S. Adams County Parkway, Brighton, CO – 1st Floor, on the **14th day of June, 2018**, at the hour of 6:00 p.m., where and when any person may appear and be heard and a recommendation on this application will be forwarded to the Board of County Commissioners.

NOTICE IS FURTHER GIVEN, that a public hearing will be held by the Adams County Board of County Commissioners in the Hearing Room of the Adams County Government Center, 4430 S. Adams County Parkway, Brighton, CO – 1st Floor, on the **3rd day of July, 2018**, at the hour of 9:30 a.m., to consider the above request where and when any person may appear and be heard.

For further information regarding this case, please contact **Emily Collins** at the Department of Community and Economic Development, 4430 S. Adams County Pkwy, Brighton, CO 80601, 720.523.6820. This is also the location where the maps and/or text certified by the Planning Commission may be viewed.

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS
STAN MARTIN, CLERK OF THE BOARD

TO BE PUBLISHED IN THE May 31, 2018 ISSUE OF THE Westminster Window and Northglenn/ Thornton Sentinel

Please reply to this message by email to confirm receipt or call **Shayla Christenson** at 720.523.6800.

Exhibit 6.4

ADAMS 12 FIVE STAR SCHOOLS
Attn: MATT SCHAEFER - PLANNING MANAGER
1500 E. 128TH AVENUE
THORNTON CO 80241

Adams County
Attn: Planning Addressing
PLN

Adams County Construction Inspection
Attn: PWCI .
PWCI

Adams County Development Services - Building
Attn: Justin Blair
4430 S Adams County Pkwy
Brighton CO 80601

Adams County Treasurer: Send email
Attn: Adams County Treasurer
bgrimm@adcogov.org

Century Link, Inc
Attn: Brandyn Wiedreich
5325 Zuni St, Rm 728
Denver CO 80221

CITY OF THORNTON
Attn: JASON O'SHEA
9500 CIVIC CENTER DR
THORNTON CO 80229

CITY OF THORNTON
Attn: JIM KAISER
12450 N WASHINGTON
THORNTON CO 80241

CITY OF THORNTON
Attn: Lori Hight
9500 CIVIC CENTER DRIVE
THORNTON CO 80229

Code Compliance Supervisor
Attn: Eric Guenther
eguenther@adcogov.org

COLO DIV OF WATER RESOURCES
Attn: Joanna Williams
OFFICE OF STATE ENGINEER
1313 SHERMAN ST., ROOM 818
DENVER CO 80203

COLORADO DEPT OF TRANSPORTATION
Attn: Steve Loeffler
2000 S. Holly St.
Region 1
Denver CO 80222

COLORADO GEOLOGICAL SURVEY
Attn: Jill Carlson
1500 Illinois Street
Golden CO 80401

Colorado Geological Survey: CGS_LUR@mines.edu
Attn: Jill Carlson
Mail CHECK to Jill Carlson

COMCAST
Attn: JOE LOWE
8490 N UMITILLA ST
FEDERAL HEIGHTS CO 80260

COUNTY ATTORNEY- Email
Attn: Christine Francescani
CFrancescani@adcogov.org

Engineering Department - ROW
Attn: Transportation Department
PWE - ROW

Engineering Division
Attn: Transportation Department
PWE

GERMAN DITCH CO. & RESERVOIR
Attn: JOHN HOWARD
8679 WCR 4
BRIGHTON CO 80603

METRO WASTEWATER RECLAMATION
Attn: CRAIG SIMMONDS
6450 YORK ST.
DENVER CO 80229

NORTH METRO FIRE DISTRICT

Attn: Steve Gosselin
101 Lamar Street
Broomfield CO 80020

NS - Code Compliance

Attn: Augusta Allen

Parks and Open Space Department

Attn: Nathan Mosley
mpedrucci@adcogov.org
aclark@adcogov.org

REGIONAL TRANSPORTATION DIST.

Attn: CHRIS QUINN
1560 BROADWAY SUITE 700
DENVER CO 80202

SHERIFF'S OFFICE: SO-HQ

Attn: MICHAEL McINTOSH
nblair@adcogov.org, aoverton@adcogov.org; mkaiser@adcog
snielson@adcogov.org

Sheriff's Office: SO-SUB

Attn: SCOTT MILLER
TFuller@adcogov.org, smiller@adcogov.org
aoverton@adcogov.org; mkaiser@adcogov.org

THORNTON FIRE DEPARTMENT

Attn: Chad Mccollum
9500 Civic Center Drive
THORNTON CO 80229-4326

WADLEY FARMS HOA

Attn: Bob Olivier
PO BOX 1208
EASTLAKE CO 80614

Xcel Energy

Attn: Donna George
1123 W 3rd Ave
DENVER CO 80223

Xcel Energy

Attn: Donna George
1123 W 3rd Ave
DENVER CO 80223

Exhibit 6.5

ADAMS COUNTY
4430 SOUTH ADAMS COUNTY PKWY
BRIGHTON CO 80601-8204

GENEVA/PACIFIC THORNTON LLC
7500 E ARAPAHOE ROAD SUITE 345
CENTENNIAL CO 80112

BAUER LARRY A AND
BAUER JENNY A
13989 FRANKLIN STREET
BRIGHTON CO 80602-6397

GENEVA/PACIFIC THORNTON LLC
7500 E ARAPAHOE ROAD
CENTENNIAL CO 80112

BOESPFLUG MICHELLE AND
BOESPFLUG MICHAEL
13968 DOWNING ST
BRIGHTON CO 80602-6348

GEORGE MALCOLM L
13638 DOWNING ST
BRIGHTON CO 80602-6342

CITY OF THORNTON
9500 CIVIC CENTER DR
THORNTON CO 80229

GRAHAM RICKEY L AND
GRAHAM EMILY F
13988 DOWNING ST
BRIGHTON CO 80602

DEINES MARNA L
13731 FRANKLIN ST
BRIGHTON CO 80602

HERZ KARL P AND
HERZ CHRISTINA
13901 FRANKLIN ST
BRIGHTON CO 80602

DENVER PREMIUM OUTLETS LLC C/O
SIMON PREMIUM OUTLETS/ATTN DARRLY GUGIG
60 COLUMBIA RD BLD B 3RD FLOOR
MORRISTOWN NJ 07960

ISABELLE ESTATES INC
864 W SOUTH BOULDER RD UNIT 200
LOUISVILLE CO 80027-2410

EATHERTON DAVID S AND SHERALYN
13729 FRANKLIN ST
BRIGHTON CO 80602

JAROSINSKI MAREK AND ELZBIETA
13831 DOWNING ST
BRIGHTON CO 80602-6345

EJW LIMITED PARTNERSHIP ET AL
C/O SIMON PROPERTY TAX
PO BOX 6120
INDIANAPOLIS IN 46206-6120

JMA FAMILY LIMITED PARTNERSHIP
9110 WASHINGTON ST
DENVER CO 80229-4305

FEOLA DEBORAH L
13939 FRANKLIN ST
BRIGHTON CO 80602

KOWALSKY JAMES B AND
KOWALSKY JACQUELINE CAHILL
13969 FRANKLIN ST
BRIGHTON CO 80602

FETTER JAMES L AND
FETTER JEANINE M
13901 DOWNING ST
BRIGHTON CO 80601

LEOPOLD RODNEY E AND
LEOPOLD DEANNA L
PO BOX 221
EASTLAKE CO 80614-0221

MAHON R DAVID AND
MAHON NILSA GUERREO
13839 FRANKLIN ST
BRIGHTON CO 80602

SMITH JOHN R AND
SMITH BARBARA L
13838 DOWNING ST
BRIGHTON CO 80602-6346

MAHON R DAVID AND
MAHON NILSA GUERRERO
13839 FRANKLIN ST
BRIGHTON CO 80602

SPRENGER JOHN S
13871 DOWNING ST
BRIGHTON CO 80602

MILINAZZO RICHARD C
MILINAZZO MICHELLE K
13941 DOWNING STREET
BRIGHTON CO 80602

SURBRUGG RICHARD C AND
SURBRUGG KAREN K
1451 E 138TH AVE
BRIGHTON CO 80602

NYHOLM STEWART E AND
NYHOLM CHRISTINE M
13789 FRANKLIN STREET
BRIGHTON CO 80602

SWARTZ RICHARD STANLEY JR AND
SWARTZ HEATHER COLLEEN
8751 CR 36.5
PLATTEVILLE CO 80651-9222

OLIVER ROBERT D
13748 DOWNING ST
BRIGHTON CO 80602

SZYMANSKI THOMAS J AND
SZYMANSKI AMANDA G
13981 DOWNING ST
BRIGHTON CO 80602-6347

OLIVIER ROBERT D
13748 DOWNING ST
BRIGHTON CO 80602

THORNCREEK CHURCH OF THE NAZARENE
PO BOX 1282
EASTLAKE CO 80614-1282

OLIVIER ROBERT D AND
OLIVIER ILONA J
13748 DOWNING ST
BRIGHTON CO 80601-6344

WELLS FARGO BANK N A
C/O CUSTOMER SERVICE X2504-017
1 HOME CAMPUS
DES MOINES IA 50328-0001

PATTERSON GARY STEVEN AND
PATTERSON RICHELLE RENEE
13788 DOWNING STREET
BRIGHTON CO 80601

ROSENDAHL JAMIE M/JAMES J AND
HILL KATHLEENA M
13878 DOWNING ST
BRIGHTON CO 80602-6346

SMITH JOHN R AND
SMITH BARBARA L
13838 DOWNING ST
BRIGHTON CO 80602

CERTIFICATE OF POSTING



I, Emily Collins do hereby certify that I had the property posted at

13831 Downing St.

on May 27, 2018

in accordance with the requirements of the Adams County Zoning Regulations

Emily Collins

Emily Collins