

BOARD OF COUNTY COMMISSIONERS FOR  
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION FOR ZONING HEARING DECISION - CASE #PRC2013-00013 DOMENICO  
SUBDIVISION

Resolution 2014-023

WHEREAS, on the 13<sup>th</sup> day of January, 2014, the Board of County Commissioners, held a public hearing on the application of Victor and Monica Domenico, Case #PRC2013-00013; and,

WHEREAS, this case involved an application for: 1) a Minor Subdivision to create one lot consisting of .773 of an acre in the A-1 Zone District; & 2) Rezoning approximately .24 of an acre from I-2 to A-1 on the following described property:

PARCEL NUMBER: 0182501200020

APPROXIMATE LOCATION: 7040 Elizabeth Street

LEGAL DESCRIPTION: SECT, TWN, RNG: 1-3-68 DESC: BEG 533/65 FT W  
AND 102/3 FT N OF NE COR OF SW4 NW4 1/3/68 TH W 127/15 FT TH N  
127/15 FT TH E 127/15 FT TH S 127/15 FT TO BEG 0/37A

WHEREAS, substantial testimony was presented by members of the public and the applicant; and,

WHEREAS, the Adams County Planning Commission held a public hearing on the 12<sup>th</sup> day of December, 2013, and forwarded a recommendation of APPROVAL to the Board of County Commissioners based on the following:

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that based upon the evidence presented at the hearing and the recommendations of the Department of Planning and Development and the Planning Commission, the application in this case be hereby **APPROVED** based upon the following findings of fact and subject to the fulfillment of the following conditions precedent and stipulations by the applicant:

1. The Zoning Map amendment is consistent with the Adams County Comprehensive Plan.
2. The Zoning Map amendment is consistent with the purposes of these standards and regulations.
3. The Zoning Map amendment will comply with the requirements of these standards and regulations.
4. The Zoning Map amendment 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.

3  
3  
1

23

5. The final plat is consistent with the Adams County Comprehensive Plan and any available area plan.
6. The final plat is consistent with the purposes of these standards and regulations.
7. The final plat is in conformance with the subdivision design standards.
8. 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.
9. The applicant has provided evidence that a public/private sewage disposal system has been established.
10. 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 as described by the Colorado Geological Survey and the Tri-County Health Department.
11. The applicant has provided evidence that adequate drainage improvements comply with these standards and regulations.
12. The overall density of development within the proposed subdivision conforms to the zone district density allowances.
13. 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.
14. Sewer, water, storm water drainage, fire protection, police protection, and roads are to be available and adequate to serve the needs of the proposed use(s) as designed and proposed.

### CONDITIONS OF APPROVAL

#### Conditions Precedent:

1. The applicant shall submit the final executed mylar with all corrections within twenty-one (21) days of approval by the Board of County Commissioners.

#### Note to the Applicant:

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

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Henry \_\_\_\_\_ Aye  
Tedesco \_\_\_\_\_ Aye  
Hansen \_\_\_\_\_ Aye  
Commissioners

STATE OF COLORADO     )  
County of Adams         )

I, Karen Long, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 13<sup>th</sup> day of January, A.D. 2014.

County Clerk and ex-officio Clerk of the Board of County Commissioners  
Karen Long:



By:



Deputy

# Domenico Subdivision

<b>Project Number:</b>	<b>PRC2013-00013</b>
<b>Planning Commission Hearing Date:</b>	<b>12/12/2013 at 6:00 p.m.</b>
<b>Board of County Commissioners Hearing Date:</b>	<b>01/13/2014 at 10:00 a.m.</b>

Case Manager: Chris LaRue

Case Technician: Genevieve Pizinger

Applicant:

DOMENICO VICTOR A AND MONICA A  
7040 ELIZABETH ST  
DENVER, CO 802297515

Owner:

DOMENICO VICTOR A AND MONICA A  
7040 ELIZABETH ST  
DENVER, CO 802297515

Representative:

Location: 7040 ELIZABETH ST

Parcel Number: 0182501200018

Request: 1) a Minor Subdivision to create one lot consisting of .773 of an acre in the A-1 Zone District; & 2) Rezoning approximately .24 of an acre from I-2 to A-1.

## HEARINGS

### Planning Commission

### Board of County Commissioners

Date: 12/12/2013

Action:

Date:

Action:

Review for Tracking:

Map Updated by:

Approved By:

Date: 01/13/2014

Action:

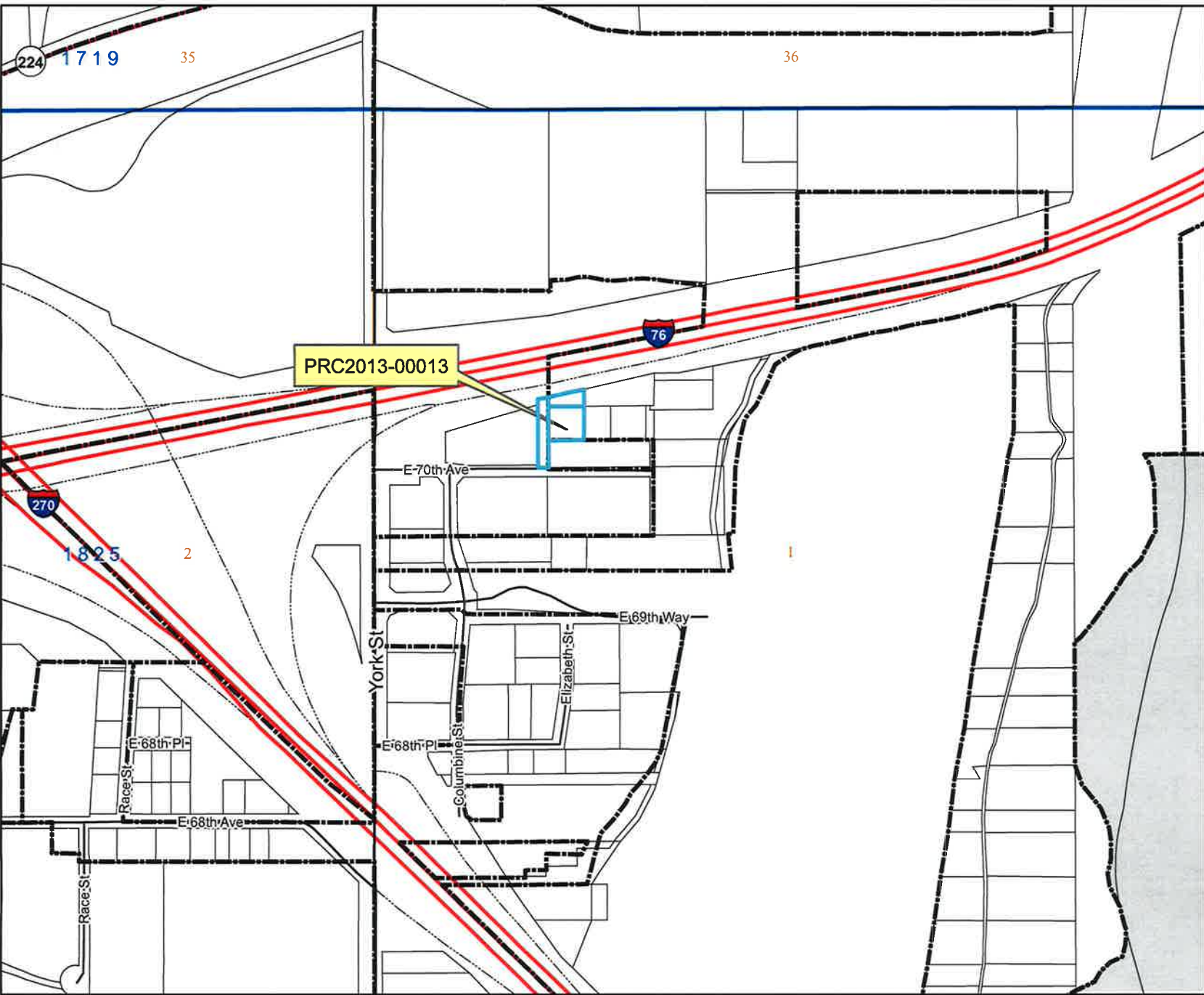
Date:

Action:

Date:

Date:

Date:



**LEGEND**

- ★ Special Zoning Conditions
- 3 Section Numbers
- Railroad
- Major Water
- Zoning Line
- ▭ Sections
- ▨ Airport Noise Overlay
- ▭ Incorporated Areas

**Domenico Subdivision**  
**PRC2013-00013**



For display purposes only.



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



182501200018

182501200020

182501200068

1825

I-2

I-1

E 70th Ave

A-1

I-2



182501200018

182501200020

182501200068

1825

E-70th Ave



182501200018

1825

182501200020

182501200068

E70thAve





**PLANNING AND DEVELOPMENT DEPARTMENT  
STAFF REPORT**

**Board of County Commissioners**

**January 13, 2014**

<b>Case No.: PRC2013-00013</b>	<b>Case Name: Domenico Subdivision</b>
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Owner's Name:	Victor and Monica Domenico
Applicant's Name	Victor and Monica Domenico
Applicant's Address:	7040 Elizabeth Street, Denver, CO 80229
Location of Request:	7040 Elizabeth Street, Denver, CO 80229
Nature of Request:	1) a Minor Subdivision to create one lot consisting of .773 of an acre in the A-1 Zone District; & 2) Rezoning approximately .24 of an acre from I-2 to A-1.
Site Size:	.773 of an acre
Zone District:	A-1, Agricultural & I-2, Industrial
Proposed Use:	Single Family Residential with garages
Existing Use:	Single Family Residential with garages
Hearing Date(s):	<b>PC: December 12, 2013 (6:00pm)</b> <b>BoCC: January 13, 2013 (10:00am)</b>
Report Date:	December 18, 2013
Case Manager:	Christopher C. La Rue <i>CLR</i>
Staff Recommendation:	<b>APPROVAL</b> with 14 Findings of Fact, 1 Condition Precedent and 1 Note
PC Recommendation:	<b>APPROVAL</b> with 14 Findings of Fact, 1 Condition Precedent and 1 Note

**SUMMARY OF PREVIOUS APPLICATION**

- There are building permits on file for the structures on site. The garage was built in 1964 and the house was built in 1961.
- A variance was issued in 1981 for ingress and egress through private drives to the parcels east of this site.
- Case # PRA2013-00002, Domenico was approved by the Board of Adjustment on November 7, 2013. The request was for the following: 1) Variance of 1.73 acres from the required 2.5 acre minimum lot size to allow an A-1 zoned lot to be .773 of an acre pursuant to Section 3-08-07-01; 2) Variance of 8.5% from the maximum allowed lot coverage of 12.5% to allow 21% lot coverage on approximately .773 of an acre within the

A-1 Zone District pursuant to Section 3-08-07-06-03; 3) Variance of 95 feet from the 100 foot setback requirement to allow a garage to be 5 feet from the front setback pursuant to Section 3-08-07-04-01; and 4) Variance of 5 feet from the 10 side setback to construct a garage 5 feet from the side property line pursuant to Section 3-08-07-04-02.

### **SUMMARY OF APPLICATION**

The applicant is requesting 1) a Minor Subdivision to create one lot consisting of .773 of an acre in the A-1 Zone District; and 2) a Rezoning approximately .24 of an acre from I-2 to A-1. The surrounding area is zoned A-3 and A-1. The site is located east of York Street, south of I-76, and north of East 70<sup>th</sup> Avenue. The sites are zoned A-1 and I-2 and are a total of .773 of an acre in size (33,671.88 square feet). The surrounding area consists of similarly zoned Industrial and A-1 parcels. The Comprehensive Plan designates this site and surrounding area as Industrial.

Onsite are an existing single-family home and a detached garage. The applicants wish to construct a second garage consisting of 2,700 square feet. The applicant states he wishes to construct a new garage because he has several cars, motorcycles, farm implements, etc. in a few different garages that he is currently renting. He would like to be able to keep these items inside and out of the weather on his own property and not continue to pay rent. The new garage would be proposed to have taller and wider doors than the existing garage to accommodate wider farm tractors during the winter. The applicant also likes to restore vehicles as a hobby, and the existing garage is largely used up by this activity.

Currently, the site consists of three lots. Two of the lots are already zoned A-1 and the third lot is zoned I-2. One of the existing A-1 lots is .37 of an acre (16,117.2 square feet) and contains an existing 3,048 square foot single family home with an attached garage. The other A-1 lot is .11 of an acre (4,791.6 square feet) and contains an existing 1,300 square foot garage. The third lot is .24 of an acre (10,454.4 square feet) and is zoned I-2. That lot does not contain any structures and acts as an access driveway. All of the lots were created in the 1960s and are considered legal non-conforming lots with respect to their size and configuration.

The appearance and use of the property will remain the same as it has for the last fifty years. Combing all three lots into one lot (consolidating small non-conforming lots) may potentially facilitate future re-development for commercial/industrial purposes on this lot in accordance with the Comprehensive Plan designation for this site and surrounding area. It is also important to note by ultimately rezoning the I-2 portion to A-1, no new single-family home entitlements would be granted as the site is already developed with one single-family home. Given the existing mix of uses in the area, the applicant's proposal would be compatible with the area and neighborhood. Directly to the east of the site the properties are zoned A-1 and used in an identical fashion as proposed by the applicant.

#### Referral Comments

The Colorado Geological Survey, Commerce City, and the Urban Drainage & Flood Control District all responded without concerns. Xcel Energy requested language be depicted upon the plat.

The Adams County Transportation Department requested some right-of-way be dedicated upon the plat. The Transportation Department did not have an objection to the applicant proceeding with the subdivision plat as long as a level 1 drainage plan is submitted at time of building permit application. It was also stated the applicant is consolidating 3 existing lots into one single parcel. The result would be a flag lot, where the existing driveway intersects with East 70<sup>th</sup> Avenue. No other portion of the site – with the exception of the driveway - is adjacent to East 70<sup>th</sup> Avenue. The driveway is a gravel material that transitions to pavement as it approaches East 70<sup>th</sup> Avenue. They also state East 70<sup>th</sup> Avenue does not have curb, gutter, and sidewalk installed along the northern portion of the street. The Transportation Section states due to geography and the configuration of the site, there is no physical location where curb, gutter, and sidewalk structures would be able to exist along the new subdivision. If sidewalk existed, then the only street improvement that could be enforced on this site per the subdivision regulations would be the installation of a curb cut. Ultimately they state the regulations regarding the construction of street improvements would not apply to this case.

#### Staff Recommendation

As of the report date, staff has not received any negative comments regarding this case. One citizen from the area wrote a letter in support of the applicant's request. By ultimately combining the lots the applicant would be making a non-conforming situation better. In addition, it might be easier to develop the site in the future as one lot should the applicants ever considering re-developing or selling the property. The site would continue to be used as it has for the past fifty years, just with the addition of an outbuilding. Given the mix of uses in the area, the applicant's proposal would be consistent with the area and neighborhood. Staff is recommending Approval to include 14 Findings of Fact, 1 Condition Precedent and 1 Note.

### **CITIZEN COMMENTS**

The following e-mail was received on October 8, 2013 from Steven McWilliams:

Chris

This is actually a good idea to combine the lots together and simplify the land use. I have owned property in this area since 1993 and have seen the problems with the transition from residential (AG) to the industrial use. In fact the Welby Reservoir subdivision that I was recently involved with cleaned up the same sort of problems.

Vic has been a good neighbor that has kept his property well and I support his request for the minor subdivision as presented.

Steven McWilliams

New Design Construction

2350 East 70<sup>th</sup> Avenue  
Denver, Colorado 80229  
303-286-8500 Extension 402

### PLANNING COMMISSION UPDATE

The Planning Commission previously heard this case on December 12, 2013 and recommended unanimous approval. No citizen testimony was presented during the hearing. During the hearing the applicant stated they wished to have a little more time to be able to turn in the final mylar. Specifically, they were hoping to have six months to submit the final mylar. It was indicated the properties to the east had changed hands and unfortunately, it had been difficult to track down the correct person to agree to the easement change across the property. The applicant indicated no one was opposed to the plat, they just wanted to find the right person. Staff indicated thy mylar should be recorded within 30 days of approval to ensure the subdivision was properly recorded. As a result, it was suggested the applicant would be required to submit the mylar within 21 days of approval by the Board of County Commissioners. If the easement issue is not resolved before the Board of County Commissioners hearing, then staff suggests the case can move forward with the existing easement configuration. The result would be the garage would have to be reduced to roughly half the size (1,350 square feet) of the original proposal (2,700 square feet) to keep it out of the easement area. Alternatively, the applicant could submit an application for an administrative plat correction in the future once the easement is adjusted. The Planning Commission and staff are recommending approval based upon the following:

Staff Recommendation:	<b>Approval to include 14 findings, 1 condition precedent &amp; 1 Note</b>
PC Recommendation:	<b>Approval to include 14 findings, 1 condition precedent &amp; 1 Note</b>

### RECOMMENDED FINDINGS OF FACT FOR APPROVAL

1. The Zoning Map amendment is consistent with the Adams County Comprehensive Plan.
2. The Zoning Map amendment is consistent with the purposes of these standards and regulations.
3. The Zoning Map amendment will comply with the requirements of these standards and regulations.
4. The Zoning Map amendment 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.
5. The final plat is consistent with the Adams County Comprehensive Plan and any available area plan.
6. The final plat is consistent with the purposes of these standards and regulations.

7. The final plat is in conformance with the subdivision design standards.
8. 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.
9. The applicant has provided evidence that a public/private sewage disposal system has been established.
10. 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 as described by the Colorado Geological Survey and the Tri-County Health Department.
11. The applicant has provided evidence that adequate drainage improvements comply with these standards and regulations.
12. The overall density of development within the proposed subdivision conforms to the zone district density allowances.
13. 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.
14. Sewer, water, storm water drainage, fire protection, police protection, and roads are to be available and adequate to serve the needs of the proposed use(s) as designed and proposed.

### **RECOMMENDED CONDITIONS OF APPROVAL**

#### **Recommended Conditions Precedent:**

1. The applicant shall submit the final executed mylar with all corrections within twenty-one (21) days of approval by the Board of County Commissioners.

#### **Recommended Note to the Applicant:**

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



Planning and Development Department

12200 Pecos Street, Westminster, CO 80234

PHONE 303.453.8800 FAX 303.453.8829

## MEMORANDUM

To: Board of County Commissioners  
From: Christopher C. La Rue, Senior Planner  
Subject: Domenico Subdivision / Case # PRC2013-00013  
Date: January 13, 2014

If the Board of County Commissioners does not concur with the staff recommendation of Approval, the following findings may be adopted as part of a decision of Denial:

### ALTERNATIVE RECOMMENDED FINDINGS

1. The Zoning Map amendment is not consistent with the Adams County Comprehensive Plan.
2. The Zoning Map amendment is not consistent with the purposes of these standards and regulations.
3. The Zoning Map amendment will not comply with the requirements of these standards and regulations.
4. The Zoning Map amendment is not compatible with the surrounding area, not harmonious with the character of the neighborhood, would be detrimental to the immediate area, would be detrimental to the future development of the area, and would be detrimental to the health, safety, or welfare of the inhabitants of the area and the County.
5. The final plat is not consistent with the Adams County Comprehensive Plan and any available area plan.
6. The final plat is not consistent with the purposes of these standards and regulations.
7. The final plat is not in conformance with the subdivision design standards.
8. 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.
9. The proposed subdivision is not compatible with the surrounding area, not harmonious with the character of the neighborhood, would be detrimental to the immediate area, would be detrimental to the future development of the area, and would be detrimental to the health, safety, or welfare of the inhabitants of the area and the County.
10. The conditional use is not consistent with the purposes of these standards and regulations.

11. The conditional use will not comply with the requirements of these standards and regulations including, but not limited to, all applicable performance standards.
12. The conditional use is not compatible with the surrounding area, is not harmonious with the character of the neighborhood, would be detrimental to the immediate area, would be detrimental to the future development of the area, and would be detrimental to the health, safety, or welfare of the inhabitants of the area and the County.
13. The conditional use permit has not addressed all off-site impacts.
14. The site is not suitable for the conditional use including adequate usable space, adequate access, and absence of environmental constraints.



**PLANNING AND DEVELOPMENT DEPARTMENT  
STAFF REPORT**

**Planning Commission**

**December 12, 2013**

<b>Case No.: PRC2013-00013</b>	<b>Case Name: Domenico Subdivision</b>
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Owner's Name:	Victor and Monica Domenico
Applicant's Name	Victor and Monica Domenico
Applicant's Address:	7040 Elizabeth Street, Denver, CO 80229
Location of Request:	7040 Elizabeth Street, Denver, CO 80229
Nature of Request:	1) a Minor Subdivision to create one lot consisting of .773 of an acre in the A-1 Zone District; & 2) Rezoning approximately .24 of an acre from I-2 to A-1.
Site Size:	.773 of an acre
Zone District:	A-1, Agricultural & I-2, Industrial
Proposed Use:	Single Family Residential with garages
Existing Use:	Single Family Residential with garages
Hearing Date(s):	<b>PC: December 12, 2013 (6:00pm)</b> <b>BoCC: January 13, 2013 (10:00am)</b>
Report Date:	November 18, 2013
Case Manager:	Christopher C. La Rue <i>CL</i> <i>AM</i>
Staff Recommendation:	<b>APPROVAL</b> with 14 Findings of Fact, 1 Condition Precedent and 1 Note

**SUMMARY OF PREVIOUS APPLICATION**

- There are building permits on file for the structures on site. The garage was built in 1964 and the house was built in 1961.
- A variance was issued in 1981 for ingress and egress through private drives to the parcels east of this site.
- Case # PRA2013-00002, Domenico was approved by the Board of Adjustment on November 7, 2013. The request was for the following: 1) Variance of 1.73 acres from the required 2.5 acre minimum lot size to allow an A-1 zoned lot to be .773 of an acre pursuant to Section 3-08-07-01; 2) Variance of 8.5% from the maximum allowed lot coverage of 12.5% to allow 21% lot coverage on approximately .773 of an acre within the A-1 Zone District pursuant to Section 3-08-07-06-03; 3) Variance of 95 feet from the 100 foot setback requirement to allow a garage to be 5 feet from the front setback pursuant to



Section 3-08-07-04-01; and 4) Variance of 5 feet from the 10 side setback to construct a garage 5 feet from the side property line pursuant to Section 3-08-07-04-02.

### **SUMMARY OF APPLICATION**

The applicant is requesting 1) a Minor Subdivision to create one lot consisting of .773 of an acre in the A-1 Zone District; and 2) a Rezoning approximately .24 of an acre from I-2 to A-1. The surrounding area is zoned A-3 and A-1. The site is located east of York Street, south of I-76, and north of East 70<sup>th</sup> Avenue. The sites are zoned A-1 and I-2 and are a total of .773 of an acre in size (33,671.88 square feet). The surrounding area consists of similarly zoned Industrial and A-1 parcels. The Comprehensive Plan designates this site and surrounding area as Industrial.

Onsite are an existing single-family home and a detached garage. The applicants wish to construct a second garage consisting of 2,700 square feet. The applicant states he wishes to construct a new garage because he has several cars, motorcycles, farm implements, etc. in a few different garages that he is currently renting. He would like to be able to keep these items inside and out of the weather on his own property and not continue to pay rent. The new garage would be proposed to have taller and wider doors than the existing garage to accommodate wider farm tractors during the winter. The applicant also likes to restore vehicles as a hobby, and the existing garage is largely used up by this activity.

Currently, the site consists of three lots. Two of the lots are already zoned A-1 and the third lot is zoned I-2. One of the existing A-1 lots is .37 of an acre (16,117.2 square feet) and contains an existing 3,048 square foot single family home with an attached garage. The other A-1 lot is .11 of an acre (4,791.6 square feet) and contains an existing 1,300 square foot garage. The third lot is .24 of an acre (10,454.4 square feet) and is zoned I-2. That lot does not contain any structures and acts as an access driveway. All of the lots were created in the 1960s and are considered legal non-conforming lots with respect to their size and configuration.

The appearance and use of the property will remain the same as it has for the last fifty years. Combing all three lots into one lot (consolidating small non-conforming lots) may potentially facilitate future re-development for commercial/industrial purposes on this lot in accordance with the Comprehensive Plan designation for this site and surrounding area. It is also important to note by ultimately rezoning the I-2 portion to A-1, no new single-family home entitlements would be granted as the site is already developed with one single-family home. Given the existing mix of uses in the area, the applicant's proposal would be compatible with the area and neighborhood. Directly to the east of the site the properties are zoned A-1 and used in an identical fashion as proposed by the applicant.

#### Referral Comments

The Colorado Geological Survey, Commerce City, and the Urban Drainage & Flood Control District all responded without concerns. Xcel Energy requested language be depicted upon the plat.

The Adams County Transportation Section requested some right-of-way be dedicated upon the plat. The Transportation Department did not have an objection to the applicant proceeding with the subdivision plat as long as a level 1 drainage plan is submitted at time of building permit application. It was also stated the applicant is consolidating 3 existing lots into one single parcel. The result would be a flag lot, where the existing driveway intersects with East 70<sup>th</sup> Avenue. No other portion of the site – with the exception of the driveway - is adjacent to East 70<sup>th</sup> Avenue. The driveway is a gravel material that transitions to pavement as it approaches East 70<sup>th</sup> Avenue. They also state East 70<sup>th</sup> Avenue does not have curb, gutter, and sidewalk installed along the northern portion of the street. The Transportation Section states due to geography and the configuration of the site, there is no physical location where curb, gutter, and sidewalk structures would be able to exist along the new subdivision. If sidewalk existed, than the only street improvement that could be enforced on this site per the subdivision regulations would be the installation of a curb cut. Ultimately they state the regulations regarding the construction of street improvements would not apply to this case.

#### Staff Recommendation

As of the report date, staff has not received any negative comments regarding this case. One citizen from the area wrote a letter in support of the applicant's request. By ultimately combining the lots the applicant would be making a non-conforming situation better. In addition, it might be easier to develop the site in the future as one lot should the applicants ever considering re-developing or selling the property. The site would continue to be used as it has for the past fifty years, just with the addition of an outbuilding. Given the mix of uses in the area, the applicant's proposal would be consistent with the area and neighborhood. Staff is recommending Approval to include 14 Findings of Fact, 1 Condition Precedent and 1 Note.

### **CASE ANALYSIS**

#### **REVIEW CRITERIA (Rezoning):**

1. The Zoning Map amendment is consistent with the Adams County Comprehensive Plan.
  - a. Yes.
2. The Zoning Map amendment is consistent with the purposes of these standards and regulations.
  - a. Yes.
3. The Zoning Map amendment will comply with the requirements of these standards and regulations.
  - a. Yes.
4. The Zoning Map amendment 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.
  - a. Yes.

#### **REVIEW CRITERIA (Final Plat):**

1. The final plat is consistent with the Adams County Comprehensive Plan and any available area plan.  
Yes
2. The final plat is consistent with the purposes of these standards and regulations.  
Yes
3. The final plat is in conformance with the subdivision design standards.  
Yes
4. 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.  
Yes
5. The applicant has provided evidence that a public/private sewage disposal system has been established.  
Yes
6. 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 as described by the Colorado Geological Survey and the Tri-County Health Department.  
Yes
7. The applicant has provided evidence that adequate drainage improvements comply with these standards and regulations.  
Yes
8. The overall density of development within the proposed subdivision conforms to the zone district density allowances.  
Yes
9. 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.  
Yes
10. Sewer, water, storm water drainage, fire protection, police protection, and roads are to be available and adequate to serve the needs of the proposed use(s) as designed and proposed.  
Yes

Staff Recommendation:

**Approval to include 14 findings, 1 condition precedent & 1 Note**

### **RECOMMENDED FINDINGS OF FACT FOR APPROVAL**

1. The Zoning Map amendment is consistent with the Adams County Comprehensive Plan.
2. The Zoning Map amendment is consistent with the purposes of these standards and regulations.
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11. The applicant has provided evidence that adequate drainage improvements comply with these standards and regulations.
12. The overall density of development within the proposed subdivision conforms to the zone district density allowances.
13. 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.
14. Sewer, water, storm water drainage, fire protection, police protection, and roads are to be available and adequate to serve the needs of the proposed use(s) as designed and proposed.

## RECOMMENDED CONDITIONS OF APPROVAL

### Recommended Conditions Precedent:

1. The applicant shall submit the final executed mylar with all corrections prior to the Planning Commission hearing of December 12, 2013 as requested by Adams County.

### Recommended Note to the Applicant:

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

## CITIZEN COMMENTS

The following e-mail was received on October 8, 2013 from Steven McWilliams:

Chris

This is actually a good idea to combine the lots together and simplify the land use. I have owned property in this area since 1993 and have seen the problems with the transition from residential (AG) to the industrial use. In fact the Welby Reservoir subdivision that I was recently involved with cleaned up the same sort of problems.

Vic has been a good neighbor that has kept his property well and I support his request for the minor subdivision as presented.

Steven McWilliams

New Design Construction  
2350 East 70<sup>th</sup> Avenue  
Denver, Colorado 80229

303-286-8500 Extension 402

## COUNTY AGENCY COMMENTS

### ADAMS COUNTY BUILDING SECTION:

No comments provided.

### ADAMS COUNTY CODE ENFORCEMENT:

No comments provided.

### ADAMS COUNTY PARKS DEPARTMENT:

No comments provided.

### ADAMS COUNTY SHERIFF'S OFFICE:

No comments provided.

**ADAMS COUNTY TREASURER’S OFFICE**

Sir:

Taxes on the above property are current through this year.

Therefore, the Adams County Treasurer’s has no issue with the granting of the minor subdivision.

Thank you for checking with us.

Kenneth Sigley  
Tax Sale and Redemptions  
Adams County Treasurer's Office  
4430 South Adams County Parkway Suite C2436  
Brighton CO 80601  
Phone: (720) 523-6376  
E-Mail: [ksigley@adcogov.org](mailto:ksigley@adcogov.org)

**PUBLIC WORKS DEPARTMENT:**

Regional Drainage

*Flood Insurance Rate Maps – FIRM Panel 08001C0604H*, Federal Emergency Management Agency, March 5, 2007.

*Flood Hazard Area Delineation – South Platte River Adams County, Colorado*. Prepared for the Urban Drainage and Flood Control District, Adams County, City of Brighton, City of Commerce City, City of Thornton, Metro Wastewater Reclamation District, Denver Water, and the South Adams County Water and Sanitation District. Prepared by CDM. April 2005. Sheet 24.

*Major Drainageway Planning South Platte River in Adams County, Colorado – Phase B Report*. Prepared for the Urban Drainage and Flood Control District, Adams County, City of Brighton, City of Commerce City, Denver Water Department, Metro Wastewater Reclamation District, City of Thornton, and the South Adams County Water and Sanitation District. Prepared by CDM. April 2002. Sheet 5.

*54<sup>th</sup> and Pecos Outfall Systems Planning Study Preliminary Design*. Prepared for the Urban Drainage and Flood Control District, and Adams County. Prepared by Hydro-Triad, Ltd. February 1989. Sheet 12.

According to the above references, the site is not located within a designated flood hazard zone and there are no proposed regional drainage facilities that affect the site.

Right-of-Way

<u>Road</u>	<u>Type</u>	<u>Right of Way*</u>		
		<u>existing</u>	<u>proposed</u>	<u>requested</u>

East 70<sup>th</sup> Avenue      local      20-ft ½ width 30-ft 1/2width      10-ft

**\* Right-of-Way is measured from either section line or street center line.**

- A. According to the County roadway inventory, East 70<sup>th</sup> Avenue is classified as a local roadway. A dedication of 10-ft of additional right-of-way is requested.
- B. The applicant (or their technical representative) shall be responsible for implementing corrections to the plat document.
- C. Per Item No. 11 of the checklist, submit an owner's title policy dated within the last thirty (30) days.
- D. Show & label all existing easements and rights-of-way referenced in owner's title policy.
- E. Per the Plat Notes, show the location of the 8-foot utility easement.
- F. Revise the lot label of Parcel B to Lot 1.
- G. Dedicate the Southerly 10-feet of Lot 1 for right-of-way purposes (see above).

Access

- A. The adjacent properties east of the Domenico project appear to have access through the site. Confirm there were approvals granted previously that exempt the property from having to construct a public roadway.
- B. The new plat document will need to include notes regarding the use of the access easement.

As long as the project is under 1-acre of disturbed area, a SWMP would not be applicable. In regards to the Level 2 storm drainage study, you are correct in the interpretation of the regulation that this document would not be applicable to this case (providing that the total impervious area of the new construction does not exceed the value stated in the regulation). As a result, the Transportation Department does not have an objection to you proceeding with the subdivision plat. Please have your client prepare the Level 1 requirement at time of building permit application. If there are any questions, let me know.

This e-mail is in response to your question today regarding the Domenico case. From my understanding, the applicant is consolidating 3 existing lots into one single parcel. The result will be a flag lot, where the existing driveway intersects with East 70<sup>th</sup> Avenue. No other portion of the site – with the exception of the driveway - is adjacent to East 70<sup>th</sup> Avenue. The driveway is a gravel material that transitions to pavement as it approaches East 70<sup>th</sup> Avenue.

I do not believe that the regulations regarding the construction of street improvements would apply to this case. In addition, the current access situation does conform to County requirements (*Adams County Development Regulations – Chapter 5 Subdivision Design – Section 5-03-03-09 ACCESS TO LOTS BY PUBLIC*).

As you are aware, East 70<sup>th</sup> Avenue does not have curb, gutter, and sidewalk installed along the northern portion of the street. Due to geography and the configuration of the site, there is no physical location where curb, gutter, and sidewalk structures would be able to exist along the new

subdivision. If sidewalk existed, than the only street improvement that could be enforced on this site per the subdivision regulations would be the installation of a curb cut.

### **REFERRAL AGENCY COMMENTS**

#### **Responding without Concerns:**

*Colorado Geological Survey*  
*Commerce City*  
*Urban Drainage & Flood Control District*

#### **Responding with Concerns:**

*Xcel Energy*  
In letters dated October 30, 2013 and October 25, 2013 language was included that needs to be depicted upon the plat.

#### **Notified but not Responding /Considered a Favorable Response:**

*CDOT*  
*Colorado Division of Wildlife*  
*Comcast*  
*Denver Water*  
*Metro Wastewater Reclamation*  
*North Washington Fire District*  
*Qwest Communications*  
*RTD*  
*USPS*  
*Welby Heritage Foundation HOA*  
*West Adams Soil Conservation District*  
*Xcel Energy*





## MEMORANDUM

To: Planning Commission  
From: Christopher C. La Rue, Development Review Planner II  
Subject: Domenico Subdivision / Case # PRC2013-00013  
Date: December 12, 2013

If the Planning Commission does not concur with the staff recommendation of Approval, the following findings may be adopted as part of a decision of Denial:

### ALTERNATIVE RECOMMENDED FINDINGS

1. The Zoning Map amendment is not consistent with the Adams County Comprehensive Plan.
2. The Zoning Map amendment is not consistent with the purposes of these standards and regulations.
3. The Zoning Map amendment will not comply with the requirements of these standards and regulations.
4. The Zoning Map amendment is not compatible with the surrounding area, not harmonious with the character of the neighborhood, would be detrimental to the immediate area, would be detrimental to the future development of the area, and would be detrimental to the health, safety, or welfare of the inhabitants of the area and the County.
5. The final plat is not consistent with the Adams County Comprehensive Plan and any available area plan.
6. The final plat is not consistent with the purposes of these standards and regulations.
7. The final plat is not in conformance with the subdivision design standards.
8. 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.
9. The proposed subdivision is not compatible with the surrounding area, not harmonious with the character of the neighborhood, would be detrimental to the immediate area, would be detrimental to the future development of the area, and would be detrimental to the health, safety, or welfare of the inhabitants of the area and the County.
10. The conditional use is not consistent with the purposes of these standards and regulations.

11. The conditional use will not comply with the requirements of these standards and regulations including, but not limited to, all applicable performance standards.
12. The conditional use is not compatible with the surrounding area, is not harmonious with the character of the neighborhood, would be detrimental to the immediate area, would be detrimental to the future development of the area, and would be detrimental to the health, safety, or welfare of the inhabitants of the area and the County.
13. The conditional use permit has not addressed all off-site impacts.
14. The site is not suitable for the conditional use including adequate usable space, adequate access, and absence of environmental constraints.

## Explanation of Requests

The Victor Domenico Family has a 2192'+ sq.ft. home served with public water and sewer with a detached 1,300'+ sq.ft. garage on 3 legal parcels totaling .773 acres at 7040 E. Elizabeth St. The property abuts I-76, and is in a mixed use area of I-1 and A-1 zoning with older and newer homes and light industrial uses. The property connects to E. 70<sup>th</sup> Ave. by 1 of the parcels (I-1 zoning, .24 ac.), and the 2<sup>nd</sup> (.1 ac.) and 3<sup>rd</sup> (.37 ac.) parcels with the home and existing garage has A-1 zoning. There is also an easement thru Mr. Domenico's parcels providing legal access to a home to the east (7044 Elizabeth St.) that was allowed in Case #s 48-81-E & A-32-81. To graphically illustrate conditions on the property and in the area, a zoning map of properties in the area is copied at the end of this Explanation with the Domenico parcels outlined.

The Domenico Family wants to construct a second 2,700'+ sq.ft. garage, and simplify the access easement to the adjacent property to the east. The access easements can be simplified by making an agreement with the neighboring homeowner, which Mr. Dominico is in the process of doing. However, in order to construct a second garage, 4 Variances are needed, then if these are granted, the I-1 zoned parcel has to be rezoned to A-1 and the 3 parcels have to be combined into a 1 Lot Minor Subdivision. The Variances needed are as follows:

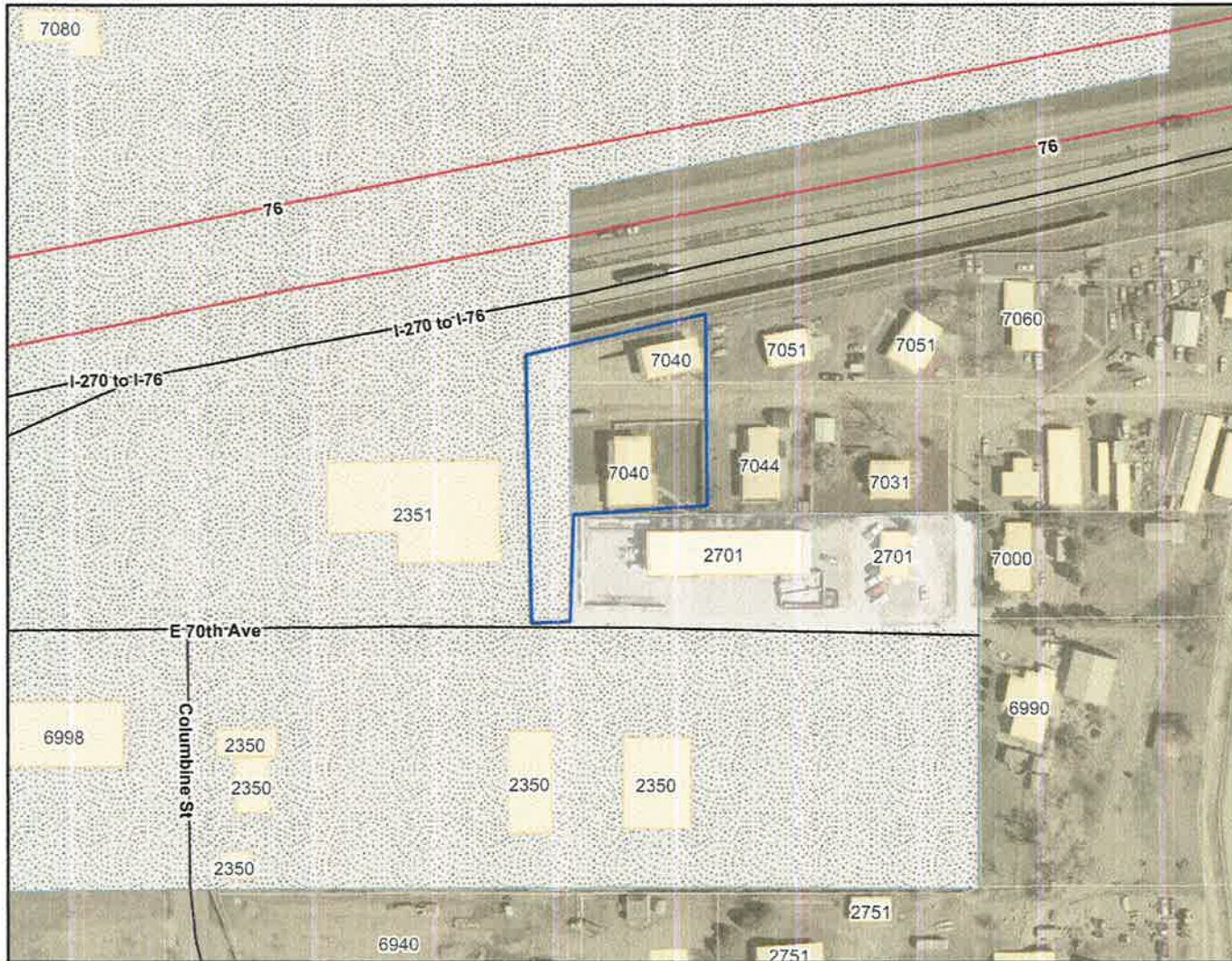
1. Lot Size - The minimum lot size in A-1 zoning is 2.5 acres, but since all the Domenico's own is .773 acres, a variance of 1.73 acres is needed for all of the property to be included a 1-lot Minor Subdivision.
2. Lot Coverage - The maximum lot coverage in A-1 zoning is 12.5%. With the proposed garage the coverage would be 18.4%, but to allow flexibility in the garage size, a variance of 7.5% is requested for up to 20% lot coverage.
3. Front Setback - The property abuts I-76, and even though there is no access to I-76, this is considered a front setback. A 5' setback from the r-o-w line is requested and this would place the north wall of the proposed garage 20'+ from the sound wall within the I-76 r-o-w.
4. Side Setback - The minimum side setback in A-1 zoning is 10', and variance to allow a 5' setback from the west property line is requested. This is what would be allowed on the adjacent I-1 zoned property, and what would be allowed on this parcel, if this parcel remained in I-1 zoning or was within any residential zoning category.

Other information in regard to the property and the proposed land use approvals are:

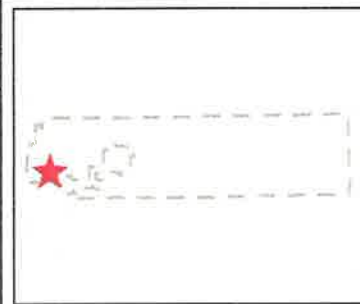
1. Soils-Geologic Conditions - According to the Soil Survey of Adams County by the USDA SCS, soils on the property area "VoA"- Voan loamy sand, 0 to 3%, which generally have only slight limitations for low foundations. Most of the property is already developed with the existing home and garage, and no new construction is proposed, except for the garage. No Soil-Geologic Report has been prepared, but prior to construction of this garage, the Building Department will be consulted on the need for on-site soil tests and design of the garage's support.
2. Fire Protection - Fire hydrants are along E. 70<sup>th</sup> Ave., the property is located within the North Washington Fire Protection District (NWFPD), and the District's requirements will be followed for any future building construction and operations on the property.
3. Water and Sewer - Provided by North Washington Street Water and Sanitation District.
4. Gas and Electric Services - Provided by Xcel Energy.
5. Floodplains, Drainage, Grading, Storm Water Management Plan (SWMP), and SWMP Permit - The property is not within any 100-year floodplain. The only addition of impervious area planned is the 2,700'± sq.ft. second garage, and this minor addition of impervious area is not expected to require preparation, review, or approval of a Drainage/Grading/SWMP.
6. Public Road Improvements and R-O-W Dedication -The property fronts on E. 70<sup>th</sup> Ave., and no improvements are needed or proposed. If r-o-w dedication for E. 70<sup>th</sup> Ave. is needed to match existing r-o-w, it will be conveyed.

In conclusion, the variances, A-1 rezoning, and minor subdivision are compatible and not detrimental with the surrounding zoned properties in the area, the Comprehensive Plan, or to the health, safety, or welfare of the inhabitants of the area, and are consistent with the purposes and requirements of the County's Standards and Regulations given the existing conditions in the area and the property. Approval of these requests is a logical and reasonable approach for this property, and preferable to the existing mixture of zoning categories and parcel sizes. The Dominco family requests a favorable recommendation from the County Staff, Variances' approval by the Board of Adjustment, and a favorable Planning Commission recommendation and approval by the Board of County Commissioners of the proposed zoning and minor subdivision.

# Domenico 7040 E. 70th Avenue



Map center: 3152617, 1725462



## Legend

- County Boundary
- Adjacent Counties
- Township
- Streets**
  - Hwy outline
  - Road outline
  - Interstates
  - US, State Hwys
  - Tollways
  - Streets/Roads
- Parcel Address Labels**
- Residential Buildings
- Parcels**
- Zoning**
  - A-1
  - A-2
  - A-3
  - AV
  - C-0
  - C-1
  - C-2
  - C-3
  - C-4
  - C-5
  - CO
  - DIA
  - I-1
  - I-2
  - I-3
  - M-H
  - PL
  - P-U-D
  - P-U-D(P)
  - R-1-A
  - R-1-C

Scale: 1:1,969

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

## Chris LaRue

---


**From:** Mark Omoto  
**Sent:** Tuesday, November 12, 2013 9:40 AM  
**To:** Chris LaRue  
**Subject:** RE: Domenico Variance, Rezoning, Minor Sub Requests - Access - 7040 Elizabeth Street

Hello Chris,

Please see the highlighted portions of previous e-mails below.

Sincerely,

Mark Omoto | Adams County Government | Transportation | 4430 South Adams County Parkway | 1st floor,  
Suite W2000B | Brighton, CO 80601 | 720-523-6859

 Please consider the environment before printing this email.

**From:** Chris LaRue  
**Sent:** Friday, November 08, 2013 4:02 PM  
**To:** Mark Omoto  
**Subject:** RE: Domenico Variance, Rezoning, Minor Sub Requests - Access - 7040 Elizabeth Street

Just to confirm then, you guys are not requiring the submittal and approval of street construction and drainage plans as part of the subdivision?

Thanks,  
Chris

**Christopher C. La Rue** | Senior Planner  
Adams County Planning and Development Department  
4430 South Adams County Parkway | 1st Floor, Suite W2000A | Brighton, CO 80601 720.523.6858  
[clarue@adcogov.org](mailto:clarue@adcogov.org)

**From:** Mark Omoto  
**Sent:** Thursday, October 24, 2013 4:06 PM  
**To:** 'Adcocons@aol.com'  
**Cc:** Chris LaRue; victor.domenico@dtrucks.com  
**Subject:** RE: Domenico Variance, Rezoning, Minor Sub Requests - Drainage and R-O-W Dedication.

Hello Bob,

Thank you for the explanation. As long as the project is under 1-acre of disturbed area, a SWMP would not be applicable. In regards to the Level 2 storm drainage study, you are correct in the interpretation of the regulation that this document would not be applicable to this case (providing that the total impervious area of the new construction does not exceed the value stated in the regulation). As a result, the Transportation Department does not have an objection to you proceeding with the subdivision plat. Please have your client prepare the Level 1 requirement at time of building permit application. If there are any questions, let me know.

Sincerely,

Mark Omoto | Adams County Government | Transportation | 4430 South Adams County Parkway | 1st floor,  
Suite W2000B | Brighton, CO 80601 | 720-523-6859

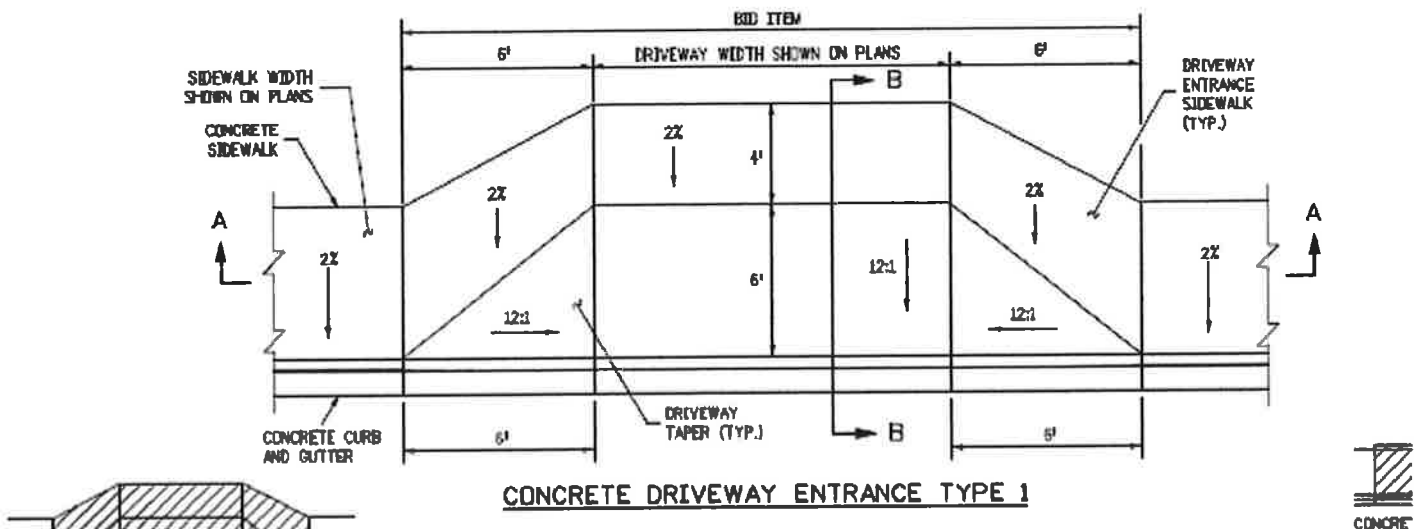
Please let me know if you have an alternative interpretation or any questions. Thank you.

Sincerely,

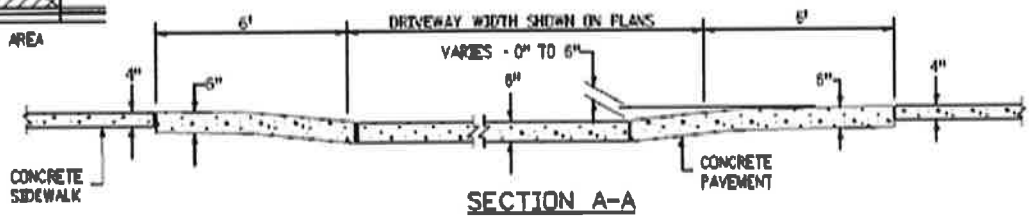
Mark Omoto | Adams County Government | Transportation | 4430 South Adams County Parkway | 1st floor, Suite W2000B | Brighton, CO 80601 | 720-523-6859

 Please consider the environment before printing this email.

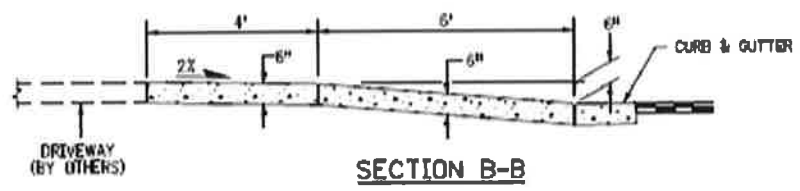




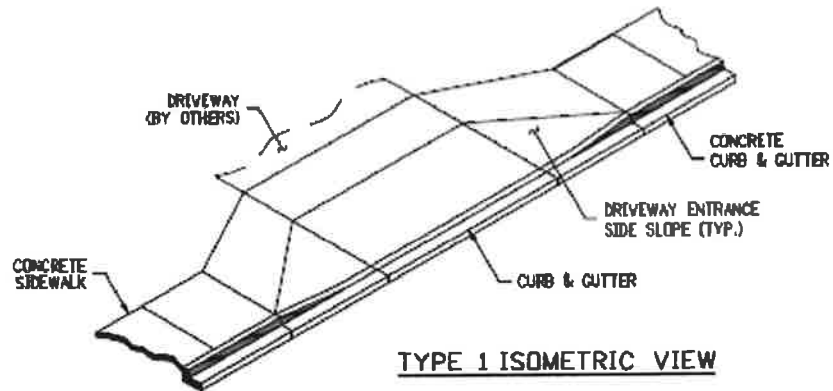
**CONCRETE DRIVEWAY ENTRANCE TYPE 1**



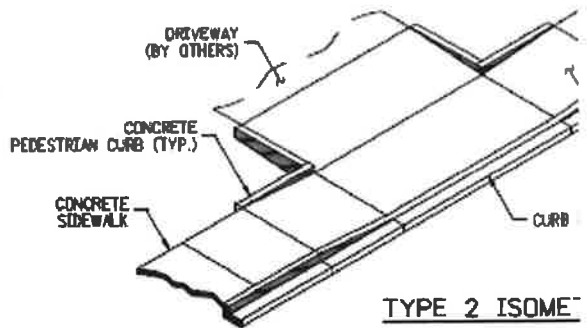
**SECTION A-A**



**SECTION B-B**



**TYPE 1 ISOMETRIC VIEW**



**TYPE 2 ISOMETRIC VIEW**

Computer File Information	
Creation Date: 07/04/12	Initials: DD
Last Modification Date: 07/04/12	Initials: LTA
Full Path: www.coloradodot.info/business/designsupport	
Drawing File Name: 609010304.dgn	
CAD Ver.: MicroStation VB Scale: Not to Scale Units: English	

Sheet Revisions	
Date:	Comments
(R-X)	
(R-X)	
(R-X)	
(R-X)	

**Colorado Department of Transport**  
 4201 East Arkansas Avenue  
 Denver, Colorado 80222  
 Phone: (303) 757-9083  
 Fax: (303) 757-9820

**Project Development Branch** D



## Chris LaRue

---

**From:** Mark Omoto  
**Sent:** Thursday, October 24, 2013 4:06 PM  
**To:** 'Adcocons@aol.com'  
**Cc:** Chris LaRue; victor.domenico@dtrucks.com  
**Subject:** RE: Domenico Variance, Rezoning, Minor Sub Requests - Drainage and R-O-W Dedication.

Hello Bob,

Thank you for the explanation. As long as the project is under 1-acre of disturbed area, a SWMP would not be applicable. In regards to the Level 2 storm drainage study, you are correct in the interpretation of the regulation that this document would not be applicable to this case (providing that the total impervious area of the new construction does not exceed the value stated in the regulation). As a result, the Transportation Department does not have an objection to you proceeding with the subdivision plat. Please have your client prepare the Level 1 requirement at time of building permit application. If there are any questions, let me know.

Sincerely,

Mark Omoto | Adams County Government | Transportation | 4430 South Adams County Parkway | 1st floor,  
Suite W2000B | Brighton, CO 80601 | 720-523-6859

 Please consider the environment before printing this email.

---

**From:** [Adcocons@aol.com](mailto:Adcocons@aol.com) [<mailto:Adcocons@aol.com>]  
**Sent:** Thursday, October 24, 2013 1:16 PM  
**To:** Mark Omoto  
**Cc:** Chris LaRue; [victor.domenico@dtrucks.com](mailto:victor.domenico@dtrucks.com); [adcocons@aol.com](mailto:adcocons@aol.com)  
**Subject:** Domenico Variance, Rezoning, Minor Sub Requests - Drainage and R-O-W Dedication.

Mark,

Mr. Domenico owns 3 existing legally created parcels in A-1 and I-1 zoning with an address of 7040 Elizabeth Avenue. This is his home site property that is occupied by his home, garage with adjacent outside concrete and compacted hard surface gravel parking area, front and rear lawn areas around the home, miscellaneous fencing, and a gravel driveway that accesses his garage and home from 70th Ave. The accompanying map illustrates existing conditions on the property.

The above cases are to allow Mr. Domenico to combine 3 existing parcels with 2 different zoning categories (A-1 and I-1) into a 1 lot-.773 acre subdivision in A-1 zoning, and to construct a small additional 2,700 sq.ft garage on the property on the existing outside surface parking area. The parcels are not within any apparent or designated 100 year floodplain, there are no existing on-site or off-site drainage problems in the area, and the proposed construction wouldn't change existing drainage conditions on the site or adversely affect adjacent properties. Based on these facts, I would request you confirm that County Regulations (Table 9.1- Level of Drainage Study Required) do not require a formal (Level 2) Storm Drainage Study & Plan or SWMP to be submitted for review and approval of these land use requests.

Finally, I also understand that John Wolken is requesting 10' of additional right-of-way on 70th Avenue from that portion of the property that connects onto 70th Ave.. Mr. Domenico has no objection to dedicating this right-of-way on 70th Avenue from that portion of his proposed subdivision abutting 70th Avenue, and I will have this dedication included on the proposed minor subdivision plat.

If you have any questions on the above, or we need to discuss these further, please let me know and I'd be glad to come in and discuss any questions you may have.

Bob Fleming

# Adams County Transportation Department

## Referral Case Comments

**Date:** October 28, 2013  
**Referral Case:** Domenico  
**Case Number:** PRA2013-00002  
**Document Number:** 4794563

---

### Regional Drainage

*Flood Insurance Rate Maps – FIRM Panel 08001C0604H*, Federal Emergency Management Agency, March 5, 2007.

*Flood Hazard Area Delineation – South Platte River Adams County, Colorado*. Prepared for the Urban Drainage and Flood Control District, Adams County, City of Brighton, City of Commerce City, City of Thornton, Metro Wastewater Reclamation District, Denver Water, and the South Adams County Water and Sanitation District. Prepared by CDM. April 2005. Sheet 24.

*Major Drainageway Planning South Platte River in Adams County, Colorado – Phase B Report*. Prepared for the Urban Drainage and Flood Control District, Adams County, City of Brighton, City of Commerce City, Denver Water Department, Metro Wastewater Reclamation District, City of Thornton, and the South Adams County Water and Sanitation District. Prepared by CDM. April 2002. Sheet 5.

*54<sup>th</sup> and Pecos Outfall Systems Planning Study Preliminary Design*. Prepared for the Urban Drainage and Flood Control District, and Adams County. Prepared by Hydro-Triad, Ltd. February 1989. Sheet 12.

According to the above references, the site is not located within a designated flood hazard zone and there are no proposed regional drainage facilities that affect the site.

### Right-of-Way

<u>Road</u>	<u>Type</u>	<u>Right of Way*</u>		<u>requested</u>
		<u>existing</u>	<u>proposed</u>	
East 70 <sup>th</sup> Avenue	local	20-ft ½ width	30-ft 1/2width	10-ft

\* Right-of-Way is measured from either section line or street center line.

- A. According to the County roadway inventory, East 70<sup>th</sup> Avenue is classified as a local roadway. A dedication of 10-ft of additional right-of-way is requested.
- B. The applicant (or their technical representative) shall be responsible for implementing corrections to the plat document.
- C. Per Item No. 11 of the checklist, submit an owner's title policy dated within the last thirty (30) days.

- D. Show & label all existing easements and rights-of-way referenced in owner's title policy.
- E. Per the Plat Notes, show the location of the 8-foot utility easement.
- F. Revise the lot label of Parcel B to Lot 1.
- G. Dedicate the Southerly 10-feet of Lot 1 for right-of-way purposes (see above).

**Access**

- A. The adjacent properties east of the Domenico project appear to have access through the site. Confirm there were approvals granted previously that exempt the property from having to construct a public roadway.
- B. The new plat document will need to include notes regarding the use of the access easement.

**Brigitte Grimm**  
TREASURER



**Treasurer's Office**  
4430 S. Adams County Parkway  
2nd Floor, Suite C2436  
Brighton, CO 80601-8219  
PHONE 720.523.6160  
FAX 720.623.6175  
[www.adcogov.org](http://www.adcogov.org)

October 7, 2013

To: Christopher C. La Rue, Development Review Planner  
Case Manager on Case for Domenico minor subdivision request, PRC2013-00013  
Re: Parcel Nos. 0182501200018, 0182501200020, and 0182501200068

Sir:

Taxes on the above property are current through this year.

Therefore, the Adams County Treasurer's has no issue with the granting of the minor subdivision.

Thank you for checking with us.

**Kenneth Sigley**  
Tax Sale and Redemptions  
Adams County Treasurer's Office  
4430 South Adams County Parkway Suite C2436  
Brighton CO 80601  
Phone: (720) 523-6376  
E-Mail: [ksigley@adcogov.org](mailto:ksigley@adcogov.org)

# COLORADO GEOLOGICAL SURVEY

1500 Illinois St  
Golden, Colorado 80401  
(303) 384-2655



October 28, 2013

Karen Berry  
Acting State Geologist

Christopher LaRue  
Adams County Planning & Development Department  
4430 S. Adams County Parkway, Suite W2000A  
Brighton, CO 80601-8216

**Location:**  
SW¼ NW¼ Section 1,  
T3S, R68W of the 6<sup>th</sup> P.M.

**Subject: Domenico Minor Subdivision and Rezoning (PRC2013-00013), and  
Domenico lot size, coverage and setback variances (PRA2013-00002)  
Adams County, CO; CGS Unique No. AD-14-0004**

Dear Chris:

Colorado Geological Survey has completed its site visit and review of the above-referenced minor subdivision, rezoning, and variance applications. I understand the applicant's ultimate goals are to (1) construct a 2700± sq. ft. detached garage west of the existing garage, and (2) "simplify the access easement to the adjacent property to the east." With this referral, I received an Explanation of Requests and a set of two plat drawings (unsigned, undated), and a Rezoning/Site Plan/Variance/Minor Subdivision drawing (ADCO Consulting, revised August 27, 2013).

I agree with the applicant's statement that there are no geologic hazards or geotechnical constraints that would preclude construction of the proposed garage. Since this is the only proposed physical improvement, CGS has no objection to approval of the one-lot subdivision, rezoning, and variance requests as submitted.

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

Sincerely,

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

Jill Carlson, C.E.G.  
Engineering Geologist

**Chris LaRue**

---

**From:** Bill DeGroot [bdegroot@udfcd.org]  
**Sent:** Thursday, October 24, 2013 1:09 PM  
**To:** Chris LaRue  
**Subject:** Referral comments for Project Number PRC2013-00013, Domenico Subdivision

We have no comments to offer.





**Right of Way & Permits**

1123 West 3<sup>rd</sup> Avenue  
Denver, Colorado 80223  
Telephone: 303.571.3308  
Facsimile: 303.571.3660  
donna.l.george@xcelenergy.com

October 30, 2013

Adams County  
Department of Planning and Development  
4430 South Adams County Parkway  
1<sup>st</sup> Floor, Suite W2000A  
Brighton, CO 80601-8216

Attn: Chris LaRue

**Re: Domenico Subdivision, Case # PRC2013-00013**

Public Service Company of Colorado (PSCo) has reviewed the plans for **Domenico Subdivision** and requests the following be shown on the plat as indicated in the plat notes:

- all eight-foot (8') front-lot and side-lot easements; and
- PSCo easement recorded in Book 1015, Page 375 in Adams County

It is also requested the easement recorded in Book 920, Page 324 in Adams County be shown on the plat.

Please be aware PSCo owns and operates existing natural gas and electric distribution facilities within the subject property. The property owner/developer/contractor must contact the **Builder's Call Line at 1-800-628-2121** and complete the application process for any new natural gas or electric service, or modification to existing facilities. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the **Utility Notification Center at 1-800-922-1987** to have all utilities located prior to any construction.

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

Sincerely,

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



**Right of Way & Permits**

1123 West 3<sup>rd</sup> Avenue  
Denver, Colorado 80223  
Telephone: **303.571.3306**  
Facsimile: 303.571.3660  
donna.l.george@xcelenergy.com

October 25, 2013

Adams County  
Department of Planning and Development  
4430 South Adams County Parkway  
1<sup>st</sup> Floor, Suite W2000A  
Brighton, CO 80601-8216

Attn: Chris LaRue

**Re: Domenico, Case # PRA2013-00002**

Public Service Company of Colorado (PSCo) has reviewed the plans for **Domenico**. Please be aware PSCo owns and operates existing natural gas and electric distribution facilities within the subject property. The property owner/developer/contractor must contact the **Builder's Call Line at 1-800-628-2121** and complete the application process for any new natural gas or electric service, or modification to existing facilities. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document.

As a safety precaution, PSCo would like to remind the developer to call the **Utility Notification Center at 1-800-922-1987** to have all utilities located prior to any construction.

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

Sincerely,

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



## Chris LaRue

---

**From:** Adcocons@aol.com  
**Sent:** Thursday, November 07, 2013 9:27 AM  
**To:** Donna.L.George@xcelenergy.com  
**Cc:** rwbayersurveying@hotmail.com; Ian Cortez; Chris LaRue; adcocons@aol.com  
**Subject:** Domenico Subdivision, Case # PRC2013-00013

Donna,

Thanks for your comments. We'll delete the extraneous item, and make the other revisions per your email. If you determine there is a gas line easement thru the property, or one is needed, please let me know.

Bob Fleming

In a message dated 11/6/2013 2:27:22 P.M. Mountain Standard Time, [Donna.L.George@xcelenergy.com](mailto:Donna.L.George@xcelenergy.com) writes:

Hello Bob,

Please see my responses in blue to your questions below.

Thank you for your questions,

**Donna George**

Xcel Energy | Responsible By Nature, Contract Right-of-Way Referral Processor, Right of Way and Permits

1123 West 3rd Avenue, Denver, CO 80223 IP: 303-571-3306 | F: 303-571-3660

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**From:** [Adcocons@aol.com](mailto:Adcocons@aol.com) [<mailto:Adcocons@aol.com>]  
**Sent:** Tuesday, November 05, 2013 9:43 AM  
**To:** George, Donna L  
**Cc:** [clarue@adcogov.org](mailto:clarue@adcogov.org); [victor.domenico@dtrucks.com](mailto:victor.domenico@dtrucks.com); [adcocons@aol.com](mailto:adcocons@aol.com)  
**Subject:** Re: FW: Domenico Subdivision, Case # PRC2013-00013

Ms George,

Per your letter on the above case (Attachment #1), I've attached a pdf of a draft of Sheet 2 of the revised plat (Attachment #2). Book 1015, Page 375 is in the NW1/4 SE1/4 of Section 22, T.1S., R67W. which is "miles" from this site. We did place Book 920, Page 324 on the plat drawing, although it appears to be on the adjacent property to the east.

1. Are we correct on the location of Book 1015-Page 375 as not being near this property, or is there some other easement you are referencing? Upon my review of this proposed plat, this was noted on Sheet 1 that starts with "any activity involving..." — I did not request this to be on this plat and since it is actually not in this area, I would think it could be stricken from this plat; do you know how it got on there in the first place? It might be a mistake?
2. Are we correct on the location of Book 920-Page 324? If we are, is it relevant to put this easement on the plat? thank you for showing this easement; this one was relevant because I was not sure if it came onto the property or not; we show a 2" gas distribution line in our GIS program which appears to come into the property and also indicates this is the easement; but because our program is schematic and it doesn't show all property lines, I wasn't sure where everything was with respect to the east property line, etc. Because it appears there is a gap between the easement and the property, we'll have to look into if this needs an easement to get the rest of

the line covered since it crosses through multiple properties. When the Builder's Call Line is contacted, be sure to have the Designer get the Right-of-Way department involved, okay?

3. We've also shown the 8' easements on the lot lines, except the north lot line that would encroach into buildings. Are the easements we've shown what Xcel wants on the plat and do they need to be conveyed specifically to Xcel, or can they be just general utility easements? We are okay without an easement along the north lot line; the other easements are perfect (thank you!), and the easements can be general (dry) utility easements.

Thanks,

Bob Fleming

## Chris LaRue

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**From:** Hasenbalg-Long, Caitlin - CD [clong@c3gov.com]  
**Sent:** Thursday, October 31, 2013 4:56 PM  
**To:** Chris LaRue  
**Subject:** PRC2013-00013

Hello Chris,

Thank you for allowing the City of Commerce City the opportunity to comment on land use cases than may impact the City. City staff has reviewed case number PRC2013-00013, and have no comments.

Please feel free to contact me with any questions you may have.

Regards,

Caitlin Hasenbalg Long  
City Planner  
Commerce City Community Development  
7887 East 60th Avenue  
Commerce City, CO 80022  
303-227-8782

## Chris LaRue

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**From:** Steven McWilliams [smcwilliams@newdesignconstruction.com]  
**Sent:** Tuesday, October 08, 2013 4:04 PM  
**To:** Chris LaRue  
**Subject:** Domenico Subdivision PRC 2013-00013

Chris

This is actually a good idea to combine the lots together and simplify the land use. I have owned property in this area since 1993 and have seen the problems with the transition from residential (AG) to the industrial use. In fact the Welby Reservoir subdivision that I was recently involved with cleaned up the same sort of problems.

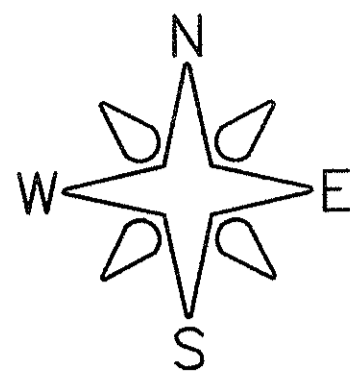
Vic has been a good neighbor that has kept his property well and I support his request for the minor subdivision as presented.

Steven McWilliams

New Design Construction  
2350 East 70<sup>th</sup> Avenue  
Denver, Colorado 80229

303-286-8500 Extension 402

**DOMENICO - REZONING / SITE PLAN / VARIANCE / MINOR SUBDIVISION**



**SCALE: 1"=20'**

FOUND 3" ALUMINUM CAP, CDDT, P.L.S. 27259 (N.E. COR. REISH SUBDIVISION)

TOTAL BUILDING COVERAGE: 6195 SQ. FT. OR 18.4 %

LEGAL DESCRIPTION: PROPOSED MINOR SUBDIVISION

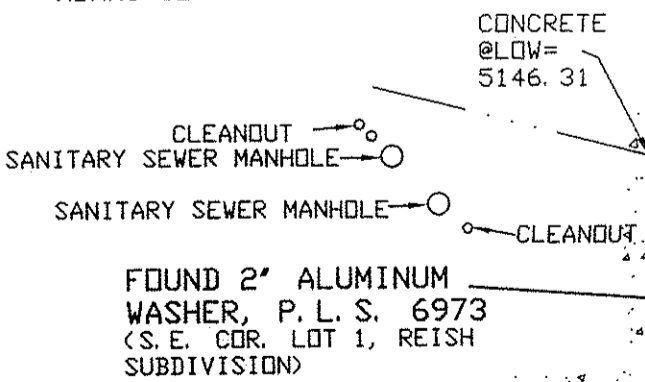
THAT PART OF THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 68 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 1, THENCE NORTH 89°54'11" EAST ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 1, A DISTANCE OF 620.15 FEET TO THE SOUTHEAST CORNER OF REISH SUBDIVISION AS RECORDED IN FILE 16 AT MAP 553, ADAMS COUNTY RECORDS AND THE POINT OF BEGINNING; THENCE NORTH 00°07'48" EAST ALONG THE EAST LINE OF SAID REISH SUBDIVISION AND ALONG THE NORTHERLY EXTENSION OF SAID EAST LINE, A DISTANCE OF 257.70 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF INTERSTATE 76; THENCE NORTH 79°26'34" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 176.62 FEET; THENCE SOUTH 00°28'49" WEST A DISTANCE OF 186.88 FEET; THENCE SOUTH 89°56'56" WEST PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 1, A DISTANCE OF 132.41 FEET TO THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 1, THENCE SOUTH 00°07'48" WEST ALONG SAID WEST LINE, A DISTANCE OF 103.00 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 1, THENCE SOUTH 89°54'11" WEST ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 1, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING. CONTAINS 33,651 SQUARE FEET OR 0.773 ACRES MORE OR LESS.

BASIS FOR BEARINGS:

THE EAST LINE OF REISH SUBDIVISION RECORDED IN FILE 16 AT MAP 553, ADAMS COUNTY RECORDS BEARS N00°07'48"E. ALL BEARINGS ARE RELATIVE THERETO. MONUMENTS ARE AS SHOWN HEREON.

**LOT 1, REISH SUBDIVISION**

(FILE 16, MAP 553, ADAMS COUNTY RECORDS)



**EAST 70TH AVENUE**

**ADCO CONSULTING**

2090 EAST 104TH AVENUE, SUITE 202  
THORNTON, COLORADO 80233-4316  
(720)2312-5822 FAX: 1 866 461-1065

CAD FILE: AD13075A/AD13075A.DWG REVISIONS:  
REVISED 08-23-2013 TO LEGAL DESCRIPTIONS /  
REVISED 08-27-2013 ADD SOFT'S /

**DOMENICO - REZONING / SITE PLAN / VARIANCE / MINOR SUBDIVISION**

THAT PART OF THE NORTHWEST ONE-QUARTER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.

FOUND #3 REBAR & CAP, LIND, P.L.S. 2730

**LEGEND**

- DENOTES: SET #5 REBAR & CAP, BAYER - P.L.S. 6973
- DENOTES: FOUND MONUMENT AS DESCRIBED HEREON
- P — DENOTES: OVERHEAD ELECTRICAL LINE
- T — DENOTES: OVERHEAD TELECOMMUNICATION LINE
- X — DENOTES: FENCE LINE
- DENOTES: CONCRETE
- (P) DENOTES: PLATTED BEARING AND/OR DISTANCE
- (M) DENOTES: MEASURED BEARING AND/OR DISTANCE
- (D) DENOTES: DESCRIBED BEARING AND/OR DISTANCE

LEGAL DESCRIPTION: PARCEL A PROPOSED REZONING FROM 1-1 TO A-1

SECT, TWN, RNG: 1-3-68 DESC: BEG AT SE COR SW4 NW4 NW4 SEC 1 TH N 265 FT M/L TO S ROW HWY 3 TH S 79D 26M W 40/7 FT TH S 257/3 FT M/L TO S LN SD SW4 NW4 NW4 TH E 40 FT TO BEG 0/24A

LEGAL DESCRIPTION: PARCEL A (LEGAL FROM ADAMS COUNTY PARCEL #0182501200068, EXISTING)

SECT, TWN, RNG: 1-3-68 DESC: BEG AT SE COR SW4 NW4 NW4 SEC 1 TH N 265 FT M/L TO S ROW HWY 3 TH S 79D 26M W 40/7 FT M/L TO S LN SD SW4 NW4 NW4 TH E 40 FT TO BEG 0/24A

LEGAL DESCRIPTION: PARCEL B (LEGAL FROM ADAMS COUNTY PARCEL #0182501200018, EXISTING)

SECT, TWN, RNG: 1-3-68 DESC: BEG AT A PT 660/80 FT W AND 229/45 FT N OF NE COR SW4 NW4 SEC 1 TH E 127/15 FT TH N 50/5 FT M/L TO A PT ON SLY BDRY OF HWY ROW TH S 79D 26M W ALG ROW 130/75 FT M/L TH S 26 FT TO POB 0/1 1A

LEGAL DESCRIPTION: PARCEL C (LEGAL FROM ADAMS COUNTY PARCEL #0182501200020, EXISTING)

SECT, TWN, RNG: 1-3-68 DESC: BEG 533/65 FT W AND 102/3 FT N OF NE COR OF SW4 NW4 1/3/68TH W 127/15 FT TH N 127/15 FT TH E 127/15 FT TH S 127/15 FT TO BEG 0/37A

LEGAL DESCRIPTION: PROPOSED 20' WIDE ACCESS EASEMENT (REPLACES EXISTING EASEMENTS)

A PARCEL OF LAND BEING A PART OF THE NORTHWEST ONE-QUARTER OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, REISH SUBDIVISION, AS RECORDED IN FILE 16 AT MAP 553, ADAMS COUNTY RECORDS, THENCE NORTH 00°07'48" EAST ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 191.73 FEET; THENCE NORTH 79°26'34" EAST A DISTANCE OF 85.27 FEET; THENCE SOUTH 89°31'11" EAST A DISTANCE OF 89.32 FEET; THENCE SOUTH 00°28'49" WEST A DISTANCE OF 20.00 FEET; THENCE NORTH 89°31'11" WEST A DISTANCE OF 87.38 FEET; THENCE SOUTH 79°26'34" WEST A DISTANCE OF 66.76 FEET TO A POINT 20 FEET EAST OF THE EAST LINE OF SAID LOT 1; THENCE SOUTH 00°07'48" WEST PARALLEL WITH SAID EAST LINE, A DISTANCE OF 185.07 FEET TO THE NORTH RIGHT-OF-WAY LINE OF EAST 70TH AVENUE; THENCE SOUTH 89°54'11" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 20.00 FEET TO THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 1; THENCE NORTH 00°07'48" EAST ALONG SAID SOUTHERLY EXTENSION, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING. CONTAINS 7,155 SQUARE FEET OR 0.164 ACRES MORE OR LESS

BASIS FOR BEARINGS:

THE EAST LINE OF LOT 1, REISH SUBDIVISION RECORDED IN FILE 16 AT MAP 553, ADAMS COUNTY RECORDS BEARS N00°07'48"E. ALL BEARINGS ARE RELATIVE THERETO. MONUMENTS ARE AS SHOWN HEREON.

LEGAL DESCRIPTION: FROM BOOK 4156, PAGE 755, ADAMS COUNTY RECORDS (EXISTING EASEMENT)

THAT PLAINTIFF, FLEET REAL ESTATE FUNDING CORP., IS HEREBY GRANTED A PERPETUAL EASEMENT FOR PURPOSES OF INGRESS AND EGRESS OVER THE REAL PROPERTY DESCRIBED AS: A PARCEL OF LAND 40 FEET IN WIDTH, LOCATED IN THE SE1/4 OF THE SW1/4 OF THE NW1/4 OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 68 WEST, OF THE 6TH P.M. IN ADAMS COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE SW1/4 OF THE NW1/4 OF THE NW1/4, OF SAID SECTION 1, THENCE NORTH ALONG THE EAST LINE OF SAID SW1/4 NW1/4 NW1/4 A DISTANCE OF 265 FEET, MORE OR LESS, TO THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 3, THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 3 SOUTH 79 DEGREES 26' WEST, A DISTANCE OF 40.7 FEET, THENCE SOUTH A DISTANCE OF 257.3 FEET, MORE OR LESS, TO THE SOUTH LINE OF THE SAID SW1/4 NW1/4 NW1/4, THENCE SOUTH 89 DEGREES 39' EAST ALONG SAID SOUTH LINE A DISTANCE OF 40 FEET, TO THE POINT OF BEGINNING; THE ABOVE DESCRIBED PARCEL CONTAINS 0.24 ACRES, MORE OR LESS, SUBJECT TO THE 1961 GENERAL AND MOFFAT TUNNEL TAXES AND ALL SUBSEQUENT TAXES THEREAFTER LEVIED, WHICH EASEMENT SHALL BE APPURTENANT TO OWNERSHIP OF THE PROPERTY DESCRIBED AS:

THAT PART OF THE NORTH ONE-HALF NORTHWEST ONE-QUARTER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, ADAMS COUNTY, COLORADO, DESCRIBED AS: BEGINNING AT THE SOUTHWEST CORNER SAID NORTH ONE-HALF NORTHWEST ONE-QUARTER; THENCE N90 DEGREES 00'00" ON AN ASSUMED BEARING ALONG THE SOUTH LINE SAID NORTH ONE-HALF NORTHWEST ONE-QUARTER A DISTANCE OF 660.21 FEET TO THE SOUTHEAST CORNER OF THE WEST ONE-HALF NORTHWEST ONE-QUARTER NORTHWEST ONE-QUARTER SAID SECTION 1; THENCE N00 DEGREES 19'38" EAST ALONG THE EAST LINE WEST ONE-HALF NORTHWEST ONE-QUARTER NORTHWEST ONE-QUARTER SECTION 1, A DISTANCE OF 102.30 FEET; THENCE N90 DEGREES 00'00" PARALLEL WITH THE SOUTH LINE SAID NORTH ONE-HALF NORTHWEST ONE-QUARTER A DISTANCE OF 132.75 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING N90 DEGREES 00'00" E A DISTANCE OF 100.00 FEET; THENCE N00 DEGREES 19'38" PARALLEL WITH SAID EAST LINE OF WEST ONE-HALF NORTHWEST ONE-QUARTER A DISTANCE OF 127.15 FEET; THENCE S90 DEGREES 00'00" PARALLEL WITH THE SOUTH LINE OF SAID NORTH ONE-HALF NORTHWEST ONE-QUARTER A DISTANCE OF 100.00 FEET; THENCE S00 DEGREES 19'38" PARALLEL WITH SAID EAST LINE A DISTANCE OF 127.15 FEET TO THE TRUE POINT OF BEGINNING. COUNTY OF ADAMS, STATE OF COLORADO.

THAT PART OF THE NORTH ONE-HALF NORTHWEST ONE-QUARTER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, ADAMS COUNTY, COLORADO, DESCRIBED AS: BEGINNING AT THE SOUTHWEST CORNER SAID NORTH ONE-HALF NORTHWEST ONE-QUARTER; THENCE N90 DEGREES 00'00" ON AN ASSUMED BEARING ALONG THE SOUTH LINE SAID NORTH ONE-HALF NORTHWEST ONE-QUARTER A DISTANCE OF 660.21 FEET TO THE SOUTHEAST CORNER OF THE WEST ONE-HALF NORTHWEST ONE-QUARTER NORTHWEST ONE-QUARTER SAID SECTION 1; THENCE N00 DEGREES 19'38" EAST ALONG THE EAST LINE WEST ONE-HALF NORTHWEST ONE-QUARTER NORTHWEST ONE-QUARTER SECTION 1, A DISTANCE OF 102.30 FEET; THENCE N90 DEGREES 00'00" PARALLEL WITH THE SOUTH LINE SAID NORTH ONE-HALF NORTHWEST ONE-QUARTER A DISTANCE OF 132.75 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING N90 DEGREES 00'00" E A DISTANCE OF 100.00 FEET; THENCE N00 DEGREES 19'38" PARALLEL WITH SAID EAST LINE OF WEST ONE-HALF NORTHWEST ONE-QUARTER A DISTANCE OF 127.15 FEET; THENCE S90 DEGREES 00'00" PARALLEL WITH THE SOUTH LINE OF SAID NORTH ONE-HALF NORTHWEST ONE-QUARTER A DISTANCE OF 100.00 FEET; THENCE S00 DEGREES 19'38" PARALLEL WITH SAID EAST LINE A DISTANCE OF 127.15 FEET TO THE TRUE POINT OF BEGINNING. COUNTY OF ADAMS, STATE OF COLORADO.

SCALE:	DATE:	DRW BY:	CKD BY:	PROJ NO:
1"=20'	JULY 12, 2013	G.A.B.	R.B.	2013-075A
BOOK:	PAGE:	FILE NO:	SHEET NO:	
673	7	1-38-128L	1 OF 1	