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Submittal Review/Staff Report -Minor Subdivision

Project Name: MS 24-001 Hilgren

Applicant(s): Kirk Hilgren

Consultant: Matt Koch- Cornerstone Land Surveying

Request: Requesting approval for minor subdivision that will create a total of 2 lots.

Lot 1: 23 Acres 1,002,095 square feet

Lot 2: 6.00 Acres 261,114 square feet

The subject property is located in the Agricultural Rural Zone District, on County Road 95, in Florence

Utility Companies that will service this minor subdivision:

Black Hills Energy

Atmos Gas

Century Link Telephone

Spectrum Cable Television

Florence Fire District

Florence City Water

Onsite Waste water

Zoning District Development Requirements:

4.4.5 DEVELOPMENT REQUIREMENTS:

4.4.5.1 Minimum lot area: 4.5 Acres

4.4.5.2 Maximum lot coverage: 15%

4.4.5.4 Minimum lot width: 300 feet

**Meets requirements*

Improvements:

Lot 2:

- Dwelling
- Garage
- Sheds x 2

Applicants Waiver/Variance Requests:

1. Fremont County Subdivision Regulations, Appendix 1, I. Design Standards, A. Wherever possible, the depth of lots should not be greater than twice its width.
 - The lot currently does not meet the FCSR design standards., “Whenever possible, the depth of lots should not be greater than twice its width”, this can not be met. The layout allows for positive use and larger sizes for

possible ag use. Please allow us to discuss with the Planning Commission. The layout is the agreed upon layout by the owner and the future purchaser of Lot 1.

Applicants Deferment Requests:

1. The applicant is requesting a deferment from the Perc test until development on Lot 2.
2. The applicant is requesting a deferment from the Drainage Plan & Report until the development of Lot 1.

Applicants Contingency Requests:

1. The applicant is requesting the access permits for Lot 2 be a contingency item.

Comments Received:

County Engineer: I have reviewed the subject application and recommend approval of the drainage plan deferment. A drainage report is unwarranted at this time because there will be no change in the drainage discharge peak flow from the development as proposed, since there is no proposed change in imperviousness on either lot. If approved, said deferment should be noted on the final plat with submittal of the drainage plan due upon application for a building permit

Fremont County Building Official: An On-site Wastewater Treatment System (OWTS) box was checked. The applicant is requesting to defer the testing requirement until application of a building permit for a dwelling. Although this department has no records of the subject property, due to the size of the lot being created (23.00 Acres) it appears it will be able to accommodate an OWTS. Therefore, there are no objections to the requested deferral.

Fremont County Department of Transportation: The applicant will be required to submit a driveway access permit for the new lot. In viewing the map of the existing home, it is clear there are two access points from CR 95, so the lot with the existing home will be required to submit 2 access permits for that lot, one for each point of access from CR 95

Planning & Zoning Department Recommendations:

Variance Requests:

Planning and Zoning **does not recommend** this variance.

As per Fremont County Subdivision Regulations, Appendix 1, I. Design Standards, A. Wherever possible, the depth of lots should not be greater than twice its width.

Deferment Requests:

Planning and Zoning does **recommend** all three deferments.

1. Per Subdivision Regulations of Fremont County, Colorado Section XIII D General Information #8.

- DRAINAGE PLAN AND REPORT. Department recommends that a note be on the plat stating “at time of development, drainage plan and report is required.”
- 2. Per Subdivision Regulations of Fremont County, Colorado Section XIII E ADDITIONAL REQUIREMENTS #1.
 - Address Issuance application applied for at time of development on Lot 1.
- 3. Per Subdivision Regulations of Fremont County, Colorado Section XIII E ADDITIONAL REQUIREMENTS #3.
 - Driveway access applied for and approved at time of development of Lot 1.

Contingency Requests:

Planning and Zoning does **recommend** this contingency.

1. Per Subdivision Regulations of Fremont County, Colorado Section XIII E ADDITIONAL REQUIREMENTS #3.
 - Driveway access permits (for both access points) applied for and approved for Lot 2 before recording of the mylar.



FREMONT COUNTY
Project Engineer
615 Macon Avenue, Room 203b
Canon City, Colorado 81212
Office (719) 276-7367 Cell (719) 792-9372
Email: j.bunderson@fremontco.com

January 15, 2024

Daniel Victoria, Director
Fremont County Department of Planning and Zoning
615 Macon Avenue, Room 210
Canon City, CO 81212

Subject: Hilgren Subdivision MS 24-001

I have reviewed the subject application and recommend approval of the drainage plan deferment. A drainage report is unwarranted at this time because there will be no change in the drainage discharge peak flow from the development as proposed, since there is no proposed change in imperviousness on either lot.

If approved, said deferment should be noted on the final plat with submittal of the drainage plan due upon application for a building permit.

If you have questions or need further assistance, please don't hesitate to contact me.

Thank you.

J Bunderson

J K Bunderson
Fremont County Engineer

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PUBLIC UTILITY, IRRIGATION COMPANY, IMPROVEMENT DISTRICT & EASEMENT
OF RECORD NOTIFICATION LETTER

TO: UTILITY CO'S
FROM: CORNERSTONE LAND SURVEY INC
Name of Subject Property Owner / Applicant
DATE: 1-2-24
Reference: HILGREN SUB
Project Name

This is to inform you that the Subject Property Owner, listed above, has made an application for the action as marked below with the Fremont County Department of Planning and Zoning (Department):

- ☒ - Minor Subdivision ☐ - Preliminary Plan ☐ - Vacation of a Public R-O-W
☐ - Vacation of Interior Lot Line & Utility / Drainage Easement
☐ - Lot Line Adjustment ☐ - Boundary Line Adjustment

The subject property, as referenced above is located at 1306 C.R. 95 FLORENCE, CO
General Location or Address (Vicinity Map Exhibit A)

The subject property is legally described as: Portion of SW 1/4
Sec. 28, T. 19 S. R. 69 W
☐ Check here if legal description is attached as Exhibit B.

☒ A copy of the proposed subdivision and or re-plat drawing has been enclosed with this mailing.

Minor Subdivision, Preliminary Plan and Vacation of Public R-O-W applications are always first heard by the Fremont County Planning Commission (Commission) and then the Fremont County Board of County Commissioners (Board). Normally Vacation of Interior Lot Line, Lot Line Adjustment and Boundary Line Adjustment applications are administrative reviews and only reviewed by the Department.

If you would like to attend either the Commission or Board meeting, please contact the Department of Planning and Zoning for the date and time of meetings:

Telephone 719-276-7360 Email: planning@fremontco.com

These meetings are held in room LL3 (lower level Board Meeting Room) of the Fremont County Administration Building, 615 Macon Avenue, Cañon City, Colorado. You and or your representative (*representative documentation may be required*) may attend the meeting to present your oral comments or written comments will be accepted at the meeting or prior to the meeting at the Department of Planning and Zoning (Department) in Room 210 of the Administration Building. Oral comments cannot be accepted except at the meeting at which the application is to be heard.

If you would like further information regarding the application you can contact the Department by telephone at (719) 276-7360, facsimile (719) 276-7374 or by email at planning@fremontco.com to schedule an appointment to review the application. For further reference regarding the governing regulations:

the Fremont County Zoning Resolution may be viewed on the Internet at
<http://www.fremontco.com/planningandzoning/zoningresolution.shtml>
and the Fremont County Subdivision Regulations may be viewed on the Internet at
<http://www.fremontco.com/planningandzoning/subdivisionregulations.shtml>
Public Utility, Irrigation Company, Improvement District and or Easement of Record Notification Form 10/3/2016

The Department, Commission and Board would welcome your comments regarding this application and will include written comment, on or accompanied by this form, in the Commission or Board's review packet if received by the Department with enough time to include prior to finalization of the review packets. Please complete the following information with any written comments or can be used as the "sign in" sheet at a meeting that you intend to attend and provide oral comments. Only written comments can be accepted by the Department for administrative reviews and must be received by the Department within ten (10) days of your acknowledged receipt of this notification.

Failure to provide written comment prior to the meeting, written comment at the meeting or oral comment at the meeting at which the application is to be heard or written comment on administratively reviewed applications will result in the Department, Commission and Board assuming that you have no comments with regard to the submitted application.

Entity Name: 8/act /ATA Colorado Zlcvic, LLC Name of contact person: Craig Carter
Title: PUNIC Telephone: 97-262-6882 Email: craig.carter@bluehillcorp.com
Mailing Address: 3 Ho 4614 LN City: Canon City State: CO Zip: 81212

Does your entity currently service the subject property? ☒ Yes — ☐ No

Will your entity be able to service the subject property as proposed by the subdivision or re-plat?
☒ Yes — ☐ No Please explain

Our entity has the following comments and or recommendations regarding the proposed action:

thv z currently has RHE Seswie. Lot can be se^n 4/0^ Cit ST"

Craig D. Carter 1/9/24
Signature of Authorized Entity Representative Date



FREMONT COUNTY BUILDING DEPARTMENT

**615 MACON AVENUE, ROOM 212
CAÑON CITY, COLORADO 81212
OFFICE (719) 276-7460
FAX (719) 276-7461**



TO: Planning and Zoning

ATTN: Dan Victoria, Director
Danielle Adamic, Planning Coordinator

FROM: Wyatt Sanders, Fremont County Building Official
Fremont County Environmental Health

SUBJECT: MS 24-001, Hilgren Minor Subdivision

DATE: 23 January 2024

This department has received an application MS 24-001, Hilgren Minor Subdivision located at 1306 County Road 95 in the Florence area of Fremont County. There are no violations against this property by this department.

Question #31 on page 7 of the application. What is the sewage disposal source for each proposed lot?

An On-site Wastewater Treatment System (OWTS) box was checked. The applicant is requesting to defer the testing requirement until application of a building permit for a dwelling. Although this department has no records of the subject property, due to the size of the lot being created (23.00 Acres) it appears it will be able to accommodate an OWTS. Therefore, there are no objections to the requested deferral.



Planning and Zoning Department

615 Macon Avenue Room 210, Canon City, Colorado 81212

Telephone (719) 276-7360 / Facsimile (719) 276-7374

Email planning@fremontco.com

Inspection Checklist

Date 1/31/2024

Project Name: MS 24-001 Hilgren Subdivision

Any Current Permits? ☐ Yes or ☒ No

Any Past Permits? ☐ Yes or ☒ No

Current Violation? ☒ Yes or ☐ No

Past Violations ☐ Yes or ☒ No

VISUAL OBSERVATIONS CHECKLIST

of buildings: 5

Types: Mobile Home; Garage; 3 Sheds

SMM on site? No

Does the site plan match site conditions? No

Structures Code/Zoning Compliant: Yes

Land Use Compliant: No

Notes/Concerns

At the time of our inspection, the JTD has been removed.

Kyle Yarberry

January 31, 2024

Mike Fowler

January 31, 2024

Allen Zadroga

January 31, 2024

Home



COLORADO

Division of Water Resources

Department of Natural Resources

Water Division 2 - Main Office

February 6, 2024

Planning Director
Fremont County Planning and Zoning
615 Macon Ave. Room 210
Canon City, Colorado 81212

Re: MS 24-001 Hilgren Minor Subdivision

Dear Sir/ Madam,

This letter is provided as a courtesy comment as this proposal does not involve a subdivision requiring comment by the State Engineer's Office pursuant to C.R.S. 30-28-101(10)(a). Therefore, pursuant to the State Engineer's March 4, 2005 memorandum to county planning directors, this office will only perform a cursory review of the referral information and provide comments. The comments provided herein cannot be used to guarantee a viable water supply plan or infrastructure, the issuance of a well permit, or physical availability of water.

The submittal indicates the above-proposed Minor Subdivision Application on behalf of Kirk Hilgren for that certain parcel identified below and located within the SW1/4, Section 28, Township 19 South, Range 68 West of the Sixth P.M, Fremont County, State of Colorado, being designated and more particularly described as follows:

- Fremont County Parcel Number 98205021, addressed as 1306 CR 95, Florence, CO 81226

The purpose of this Minor Subdivision Application is to divide the existing 29± acre parcel into two (2) lots, being identified as Lot 1, 23± acres as proposed; and Lot 2, 6± acres as proposed shown upon the applicant-submitted *Hilgren Subdivision* Plat.

History:

According to our records, there are no known registered groundwater wells or surface water rights upon the subject parcel.

Compliance:

Applicant did not provide requested *Fremont County's Division of Water Resources Information Form* as requested within application item 30; however, did indicate the source of water for each parcel will be furnished by municipal water provided by the Penrose Water District. Resultantly, according to the submittal, this action does not involve expanded or changed use of groundwater. Therefore, the Division of Water Resources does not recommend disapproval of this application



based solely on a legal source of water to each parcel. The DWR does not have any further applicable comments to provide to the county regarding the proposed action at this time.

Please contact me with any questions or concerns by email at ivan.valles@state.co.us

Sincerely,

Ivan Valles
Water Data Analyst - Division 2

EC: Monica Long, GIS Specialist/Data & Compliance Team Lead- Division 2
Dan Henrichs, West Regional Lead Water Commissioner, Division 2
Groundwater Information Team, Division 2



Fremont County Department of Transportation

1170 Red Canyon Road • Cañon City, Colorado 81212
Phone: 719-276-7430 • Fax: 719-275-2120

1.4.2024

Fremont County Planning & Zoning
615 Macon Ave., Room 210
Cañon City, CO 81212

RE: MS 24-001 Hilgren Subdivision

Dear Mr. Victoria,

The FCDOT has reviewed the application and have the following comments:

- The applicant will be required to submit a driveway access permit for the new lot.
- In viewing the map of the existing home, it is clear there are two access points from CR 95, so the lot with the existing home will be required to submit 2 access permits for that lot, one for each point of access from CR 95.

Should you have any questions or need further assistance, feel free to contact us.

Sincerely,

Michael Whitt

Michael Whitt
FCDOT Director

Joanne Kohl

From: Annette Reed-Pugh
Sent: Monday, January 29, 2024 7:32 AM
To: Joanne Kohl; Minor/Major Subdivision
Cc: Dan Victoria; Danielle Adamic; Ernie Martinez
Subject: RE: Resubmittal for MS 24-001 Hilgren Subdivision

Good morning,

We are okay with the applicant submitting access permits once complete, as long as it is understood that they must apply for the permits, as anyone taking access from a County roadway must submit a driveway access permit as per our regulations.

Thank you,

*Annette Reed-Pugh
Fremont County DOT
719-276-7430*

*The Devil whispered in my ear: "You are not strong enough to survive the storm".
I whispered in the Devil's ear: "I am the Storm". ~unknown*

From: Joanne Kohl <joanne.kohl@fremontco.com>
Sent: Wednesday, January 24, 2024 9:30 AM
To: Minor/Major Subdivision <MinorSubdivision@fremontco.com>
Cc: Dan Victoria <dan.victoria@fremontco.com>; Danielle Adamic <danielle.adamic@fremontco.com>; Ernie Martinez <ernie.martinez@fremontco.com>
Subject: Resubmittal for MS 24-001 Hilgren Subdivision

Good Morning,

Attached is the resubmittal for MS 24-001 Hilgren Subdivision. I will send the rest in a second email since this one is a large file. Please provide any comments by February 7, 2024. Please contact our office if you have any questions or if we can be of further assistance.

Thank You,
Joanne



Joanne Kohl
Planning and Zoning Department
615 Macon Avenue Room 210
Canon City, CO 81212
Telephone (719) 276-7360

Email joanne.kohl@fremontco.com

Home

Cornerstone Land Surveying, LLC
1022 Phay Ave., Canon City, CO 81212
719-275-8881 - cssurveying90@gmail.com

Fremont County

JAN 24 2024

Planning & Zoning

1-25-24

re: Hilgren MS - 24-001

- 1.) The lot currently does not meet the FCSR design standards., “Whenever possible, the depth of lots should not be greater than twice its width”, this can not be met. The layout allows for positive use and larger sizes for possible ag use. Please allow us to discuss with the Planning Commission. The layout is the agreed upon layout by the owner and the future purchaser of Lot 1.
- 2.) Please make the access permits a contingency item.
- 3.) Plat has been corrected. All improvements are shown and the creek at the southwest corner has been shown.
- 4.) Fire form has been added.
- 5.) Plat has been revised.
- 6.). Comments are noted and redlines have been corrected.

Sincerely,



Matt Koch
Cornerstone Land Surveying

Home

HILGREN SUB
SEPTIC

THE SITE WILL CONSIST OF 2 LOTS, ONE THAT HAS AN EXISTING RESIDENCE.

BOTH LOTS WILL USE SEPTIC SYSTEMS, LOT 2 HAS AN EXISTING SYSTEM THAT HAS HAD NO ISSUES AND HAS BEEN PUMPED ON A REGULAR BASES. ALL ADJACENT LOTS WITH RESIDENCES HAVE SEPTIC SYSTEMS.

WE REQUEST THE REQUIRED PERC TEST TO BE DEFERED UNTIL DEVELOPMENT OF LOT 1.

31.1

[Home](#)

HILGREN SUB
DRAINAGE

THE SITE WILL CONSIST OF 2 LOTS, ONE THAT HAS AN EXISTING RESIDENCE.

THE SITE DRAINS FROM EAST TO WEST WITH A DRAINAGE RUNNING NORTH SOUTH ADJACENT TO THE WEST LINE WITH A CROSSING AT THE SOUTHWEST CORNER,

WE REQUEST TO DEFER THE ENGINEERED DRAINAGE REPORT UNTIL DEVELOPMENT OF LOT 1 DUE TO THE IMPACTS BEING DIFFERENT DEPENDING WHERE ON THE LOT A NEW STRUCTURE IS PLACED. THE SUBDIVISION IS SPLITTING THE PARCEL IN TWO AND THE VACANT LOT WILL BE PURCHASED AND HELD TO A FUTURE DATE DOR DEVELOPMENT.

29.1

Home



FREMONT COUNTY MINOR SUBDIVISION APPLICATION

1. Project Name: HILGREN SUBDIVISION
2. Name: KIRK HILGREN
Mailing Address: 1306 C.R. 95, FLORENCE, CO 81226
Telephone Number: _____ Facsimile Number: _____
Email Address: hb6c997g1@yahoo.com 719-280-3275
3. Name: _____
Mailing Address: _____
Telephone Number: _____ Facsimile Number: _____
Email Address: _____
4. Name: CORNERSTONE LAND SURVEYING
Mailing Address: 1022 PHAY, CANON CITY, CO 81212
Telephone Number: 719-275-8881 Facsimile Number: _____
Email Address: CSURVEYING9@GMAIL.COM

Please read prior to completion of this application

The Minor Subdivision Application is a one (1) time exemption from the Sketch Plan, Preliminary Plan and Major Subdivision (*Final Plat*) procedures. The Minor Subdivision Application allows for the creation of two (2) or three (3) lots from a parent parcel. One (1) Minor Subdivision may be allowed for a lot, tract or parcel that has not been previously platted as a Minor or a Major Subdivision or any portion thereof. If the parent parcel has been previously platted or subdivided in whole or in part as a Minor Subdivision or a Major Subdivision, then all appropriate Sketch Plan, Preliminary Plan and Major Subdivision requirements shall be met rather than Minor Subdivision. In processing a Minor Subdivision all lot size and width requirements as per the Fremont County Zoning Resolution (FCZR), Zoning Maps and Appendix 1 and 2 of the Fremont County Subdivision Regulations (FCSR) regarding lot and street design shall be met.

Any application which is not complete or does not include all minimum submittal requirements will not be accepted by the Fremont County Department of Planning and Zoning (Department). Further, any application that is inadequately prepared, or is incomplete, may be subject to postponement (*until an adequate submittal is provided*) of placement on an agenda of the Fremont County Planning Commission (Commission).

The applicant shall provide **one (1) original document, four (4) copies, and an electronic copy (either CD or flash/thumb drive)** of the application and all of its attachments. After submittal, the Department will review the application and all attachments and prepare a Department Submittal Deficiency and Comment Letter (D & C Letter). The letter will state the submittal

deficiencies, Department comments and or questions about the application, which must be addressed by the applicant. In addition the letter will note the number of revised application packets that must be supplied to the Department in order to place the application on an agenda of the Commission.

Attachments can be made to this application to provide expanded narrative for any application item including supportive documentation or evidence for provided application item answers. Please indicate at the application item that there is an attachment and label it as an exhibit with the application item number, a period and the number of the attachment for that item (*as an example, the first attached document providing evidence in support of the answer given at application item number 22 would be marked - Exhibit 22.1, the fifth attached document supporting the narrative provided for application item 22 would be marked - Exhibit 22.5*).

An application fee set by the Board of County Commissioners (Board) shall accompany this application.

An additional full application fee will be charged to the applicant, as per resolution approved by the Board, if all deficiencies, as per the initial D & C Letter, are not adequately addressed or provided. Each subsequent D & C Letter, based on resubmitted items, will result in another full application fee. All such fees shall be paid along with the deficiency submittal, prior to any further review of the application.

If the application is approved by the Board with contingencies and the contingencies cannot be met within the specified time frame (*normally 6 months*), an additional fee will be charged, as per resolution approved by the Board, to the applicant for each request for extension of the contingency deadline. All such fees shall be paid along with a written request, explaining the need for extension, prior to being placed on a Board meeting agenda for consideration of the request. Extensions must be requested prior to the expiration of the specified time frame.

The Department, The Commission and/or The Board may require additional information at any time during the application process as may be deemed necessary in order to review the application adequately, to determine if the application is in compliance with all applicable regulations and make an informed decision with regard to recommendations, approval or disapproval of the application.

For specific regulatory requirements the applicant should refer to the appropriate sections of the Fremont County Subdivision Regulations (FCSR) and the Fremont County Zoning Resolution (FCZR). In addition, consideration shall be given to the Fremont County Master Plan (FCMP), as the Department will consider it in the review of Minor Subdivision applications which could result in the need for additional information from the applicant.

For further reference the Fremont County Zoning Resolution may be viewed on the Internet at

<http://www.fremontco.com/planningandzoning/zoningresolution.pdf>

and the Fremont County Subdivision Regulations may be viewed on the Internet at
<http://www.fremontco.com/planningandzoning/forms/subdivisionregulations.pdf>

5. Has the subject property been previously platted? ☐ Yes --- ☒ No If yes, please explain the circumstances. _____
6. The total number of properties involved in the subject property prior to this application for minor subdivision are ONE
7. The total number of lots as a result of this minor subdivision are TWO
8. What is the existing size of the subject property prior to this application?
Acreage 29.0 Square Footage 1263240
9. What is the proposed size of each lot after platting?
a. Acreage 23.0 Square Footage 1001878
b. Acreage 6.0 Square Footage 261362
c. Acreage _____ Square Footage _____
10. What is the current Zone District for the subject property?
The subject property is currently located in the AR Zone District.
11. Is there a proposal to change the current zoning classification for any portion of the subject property? Yes ☐ --- No ☒ If yes, please state what change is proposed. _____
12. What is the current land use of the subject property?
This current land use of the subject property is ☒ conforming ☐ non-conforming with the current zone district requirements. Please explain: RESIDENTIAL
- If the current use is a non-conforming use and proposed to remain on the subject property, an application for "non-conforming use status" shall be filed with the Department and copy shall be attached to this application as Exhibit 12.1. ☐ An exhibit has been attached. *It should be noted that if this use is determined not to be a non-conforming use, said use shall be removed from the subject property.* NA
13. What is the proposed land use of the subject property? RESIDENTIAL
This proposed land use of the subject property will be ☒ conforming ☐ non-conforming with the current or proposed zone district requirements. Please explain: ONE NEW RESIDENCE
14. Does the subject property contain any existing structures that will remain on the property after subdivision? ☒ Yes --- ☐ No. If yes, the proposed lot(s) housing the existing structures must comply with the development requirements of the proposed zone district

regarding the structures; please provide all setback dimensions for each structure from the proposed lot lines and the percentage of the lot coverage for each lot which will continue to house an existing structure: F = 354' R = 465 S = 98'

S = 135'

0.04% cov.

15. Does each proposed lot have an adequate building site, taking into consideration setback and lot coverage requirements for the proposed zone district, building restriction lines, flood plains and other natural features, and existing and proposed easements? ☒ Yes --- ☐ No If no, how is the lot to be used? _____

16. Have all General, Lot, Access, Street Design, Engineering, Sewage Disposal, Easement and Open Space Standards and or Specifications of the FCSR Appendix 1 been met by this proposal? ☐ Yes --- ☒ No If no, please list each standard or specification and provide a regulation citing which will not be met and provide an explanation as to why it will not be met. FCSR APPENDIX 1, I. DESIGN STANDARDS

WHENEVER POSSIBLE DEPTH NOT GREATER THAN TWICE WIDTH. THIS CAN NOT BE MET.

17. What is the name and or number of the public right-of-way(s) that will provide access to each proposed lot? F.C.R. 95 - PAVED

18. Is the public right-of-way(s) proposed to provide access to the subject property a ☒ County, ☐ State or ☐ Federal right-of-way? Documentation evidencing a "right of access" shall be attached to this application for each proposed lot or for the subdivision as a whole, as may be appropriate, marked as Exhibit 18.1. ☐ An exhibit has been attached. N/A

19. Will each proposed lot have adequate frontage on the public right-of-way? ☒ Yes --- ☐ No If no, please provide a copy of an executed deed for ingress and egress, which shall be attached to this application and shall be marked as Exhibit 19.1. ☐ An exhibit has been attached.

20. A copy of the most current deed of record of the subject property must be attached to this application, marked as Exhibit 20.1 (☐ An exhibit has been attached.) and can be found recorded in the Fremont County Clerk and Recorder's Office as follows:

In Book _____ at Page _____ and under Reception Number 954935

21. A title insurance commitment or policy with an effective date within thirty (30) days of the application submittal date, for each property involved in this application shall be attached to this application, marked as Exhibit 21.1. ☐ An exhibit has been attached. (an updated title insurance commitment or policy shall be provided prior to recording of the subdivision plat for any application that was granted an extension of approval or as applicable by regulation, this could result in further requirement of the applicant, by the Department, prior to recording of the plat):

Document Number 1969843 Effective Date of Document 12-22-23

22. As per the FCSR Section XIII., D., 1b., an executed Ratification, Consent and Release Form (forms are provided by the Department for execution with the initial D & C Letter) shall be provided for each outstanding mortgage, deed of trust, lien, judgment or the like for each property involved in a minor subdivision application prior to recording of the plat. Will any property involved in this application require a form to be executed and submitted? ☐ Yes -- ☒ No If answered yes please list and identify the documents that will require RCR forms.

23. All easements of record on involved properties must be vacated prior to application submittal or shown on the proposed plat and labeled or noted as to use, recording information, location and size through appropriate survey information. Please answer the following questions and provide a brief description of each easement noted.

- a. Do the properties involved in this application have easements of record as per the submitted title commitment? ☒ Yes --- ☐ No If answered yes, please identify each easement along with recording information and describe which properties it affects and how they are affected. SOUTHERN Colo. POWER - REC. No
259 544
IS GENERAL AND DOES NOT CHANGE. OFF AND
ALONG THE SOUTH LINE
- b. Do the properties involved in this application have easements not of record? ☐ Yes --- ☒ No If answered yes, please identify each easement along with identification of which properties are affected and how they are affected.
- c. Are any easements proposed to be vacated by this application? ☐ Yes --- ☒ No If answered yes, please identify the easement and provide a statement as to why a vacation of the easement is necessary. Also provide a statement as to whether or not the easement currently contains improvements.
- d. Are any easements proposed to be relocated by this application? ☐ Yes --- ☒ No If answered yes, please identify the easement and provide an explanation as to why relocation is necessary.
- e. Are any new easements proposed by this application? ☒ Yes --- ☐ No If answered yes, please identify the easement and provide a description of the easement.
PER REGULATION.
- f. Do any existing easements contain improvements? ☒ Yes --- ☐ No If answered yes, please identify the easement and describe the improvements. POWER LINE

24. As per the FCSR Section XIII., D., 2., a tax certificate issued by the Fremont County Treasurer shall be provided indicating that all ad valorem taxes for the subject property for all years prior to the year in which the plat is to be recorded have been paid. Said Certificate shall be attached and marked as Exhibit 24.1. ☒ An exhibit has been attached.

Date of Tax Certificate 2-13-23

25. Does the subject property lie within an area that has been under mined as depicted by the Colorado Department of Natural Resources, Colorado Geological Survey "Mining and Surface Features Maps" or any known active or inactive under ground mine? ☐ Yes --- ☒ No Please explain: _____

26. Does the subject property contain any of the following natural features and how may they be affected (*explain*) by this proposal?

a. Bodies of water	<u>NO</u>	Effect	_____
b. Natural water courses	<u>YES</u>	Effect	<u>NONE</u>
c. Dry gulches or drainage ways	<u>NO</u>	Effect	_____
d. Bluffs or cliffs	<u>NO</u>	Effect	_____
e. Fault lines or other geologic hazards	<u>NO</u>	Effect	_____
f. FEMA flood hazard area	<u>YES</u>	Effect	<u>NONE</u>

27. In accordance with the FCSR Section XIII., D., 3., a copy of the proposed plat shall be provided that locates, by providing dimensions from property lines and size by dimension, all improvements (*i.e. roads, driveways, sewer and water lines, other utility lines, septic systems, wells, structures, buildings, irrigation ditches, drainage structures etc.*), natural physical features (*i.e. soil type boundaries, bluffs, cliffs, debris fans, water courses, live streams, dry gulches, drainages etc.*), and easements and rights-of-way described in the title commitment or policy or any of the same known to exist without being of record, which effect or traverse the property. More than one drawing may be used, if more understandable. ☒ A copy of the plat as required has been attached and marked as Exhibit 27.1.

If no such items exist then a written statement to that effect regarding each category shall be provided by the project surveyor. _____

Project Surveyor Signature _____ Date _____

28. Topographic and soils information, sufficient to show the usability of the proposed lots for the purpose intended, with the source of information identified, shall be attached to this application, marked as Exhibit 28.1. ☒ An exhibit has been attached. Identify the source of information and provide a general synopsis of the information: NRCS

29. As per the FCSR Section XIII., D., 8. a Drainage Plan Map and Report for the subject property after subdivision, prepared, signed and sealed by a Colorado Registered Professional Engineer shall be attached to this application, marked as Exhibit 29.1. ☒ An exhibit has been attached.

DEFERMENT REQUESTED

30. What is the potable water source for each proposed lot? ☒ --- Public Water Supply;

Name of supplier CITY OF FLORENCE

If the potable water source is a water company or district, then documentation evidencing that the supplier has committed to supply water for the appropriate number of lots and uses shall be attached to this application, marked as Exhibit 30.1. ☐ --- Private Well or Spring? If the potable water source is a private well or spring then documentation from the Colorado Division of Water Resources evidencing that the proposed subdivision will comply with the rules and regulations of the Division shall be attached to this application, marked as Exhibit 30.1. ☐ An exhibit has been attached. Fremont County's Division of Water Resources Information Form for Subdivision Exemption has been completed and attached to this application. ☐ An exhibit has been attached.

31. What is the sewage disposal source for each proposed lot? ☐ --- Public Sanitary Sewer System; Name of provider _____

If the proposed source is a public sanitary sewer system, then documentation evidencing that the provider has committed to provide service for the appropriate number of lots and uses shall be attached to this application, marked as Exhibit 31.1. ☒ --- Onsite Wastewater Treatment Systems; If the proposed sources are onsite wastewater treatment systems for each lot then an Individual Wastewater Treatment System Report, as required by The FCSR Section XIII., D., 5b., shall be attached to this application, marked as Exhibit 31.1. ☒ An exhibit has been attached.

PERC TEST DEFERMENT REQUESTED

32. Does the subject property currently have irrigation rights? ☐ Yes --- ☒ No If yes, Name of Irrigation Company _____

Is the subject property encumbered by right of easement or right of use by any irrigation company? ☐ Yes --- ☐ No If yes, Name of Irrigation Company _____

As per the FCSR Section XIII., D., 10. If any property involved in a minor subdivision has irrigation rights, and is subject to easement or is physically traversed by an irrigation ditch, the irrigation company shall be sent notice of the proposed subdivision, by certified mail (return receipt requested) and a copy of said notice and mailing receipts shall be attached to this application, marked as Exhibit 32.1. ☐ An exhibit has been attached.

33. Does the subject property lie within a Fire Protection District? ☒ Yes --- ☐ No If yes, Name of District FLORENCE FIRE DIST

As per the FCSR Section XIII., D., 9., attach an executed copy of the Fremont County Fire Protection Plan Form from the appropriate Fire Protection District marked as Exhibit 33.1. ☒ An exhibit has been attached.

34. Does the subject property lie within a recreation district? ☐ Yes --- ☒ No If yes, Name of District _____

Does the subject property lie within one (1) mile of a recreation district? ☐ Yes --- ☒ No If yes, Name of District _____

As per the FCSR Section XIII., D., 11., a copy of the Fremont County Recreation District Comment Form shall be sent (*certified mail, return receipt requested*) to the appropriate recreation district, when the subject property is located within a recreation district or is located within one (1) mile of a recreation district. Evidence of said notice and mailing receipt shall be attached to this application, marked as Exhibit 34.1. ☐ An exhibit has been attached.

N/A

35. Based on the real estate records of the county, which include the records of the County assessor, and "requests for notification" filed by a mineral estate owner in the records of the County Clerk and Recorder, have the mineral interests of the subject property been severed?

☒ Yes --- ☐ No If yes, name of mineral interest owner _____

As per the FCSR Section XIII., D., 13., a notice of the proposed subdivision shall be sent (*certified mail return receipt requested*) to the severed mineral interest owner(s) not less than thirty (30) days before the date of the Commission meeting at which the application is anticipated to be heard. See Subdivision - Mineral Interest Owner Notification Form. Evidence of said notice and mail receipt shall be attached to this application, marked as Exhibit 35.1. ☒ An exhibit has been attached.

36. Do any persons or entities have any right of easement on or across the subject property? ☒ Yes --- ☐ No If yes, Name of Person(s) or Entity SOUTHEAST Power Co.

As per the FCSR Section XIII., D., 14., a notice of the proposed subdivision shall be sent (*certified mail return receipt requested*) to the easement beneficiary. Evidence of said notice and receipt shall be attached to this application, marked as Exhibit 36.1. ☒ An exhibit has been attached.

NOW BLACK HILLS

37. In accordance with the FCSR Section XIII., D., 14., proof (*certified mail with return receipt*) that all applicable utility companies (*companies that service the property currently or that will be required to service the property after subdivision*) were notified of this application. The notification shall include a copy of the Department form letter and a copy of the proposed plat provided by the applicant. Evidence of said notice and mailing receipts to all of the following, as applicable, shall be attached to this application and shall be marked as Exhibit 37.1. ☐ An exhibit has been attached.

Water source FLORANCE Mail date _____ Received date _____

Sanitation source — Mail date _____ Received date _____

Electrical source BLACK HILLS Mail date _____ Received date _____

Natural Gas source ATMOS Mail date _____ Received date _____

Telephone source CENTURY LINK Mail date _____ Received date _____

Cable Television source SPECTRUM Mail date _____ Received date _____

Other required notice — Mail date _____ Received date _____

38. Have at a minimum, six (6) copies of a plat drawing (24 x 36 inches) and six (6) reduced copies, (8½ x 11 inches or 11 x 17 inches), professionally drawn, as stipulated by the Fremont County Subdivision Regulations, Section XIII., A. and B., been submitted with this application? ☐ Yes --- ☐ No If all such requirements are not proposed to be met then, a

list of requested waivers, specifically citing the regulations for which waivers are being requested and justification for each requested waiver shall be attached hereto and marked as Exhibit 38.1. ☐ An exhibit has been attached. At a minimum, the following (*the Department, Commission or Board can require additional information*) shall be provided:

- a. Drawing scale, unless a different scale is approved by the Department prior to submittal, shall not be less than one (1) inch to one hundred (100) feet.
- b. Multiple sheets shall contain a key map showing the relationship of the individual sheets to each other. (*More than one sheet may be used if it is easier to express the required information, provided they are adequately labeled for identification*).
- c. Appropriate title-proposed subdivision name. *No subdivision, street or road in the County shall bear the same name or substantially similar name as another subdivision, street or road unless adjoining and using consecutive filing numbers or if the street or road is a continuation of an existing street or road or cul-de-sac street accessed from the primary roadway, (i.e. Court, Place, etc.). The Department shall have the authority to require applicant to change the proposed name if such name is substantially similar to the name of an existing subdivision, street or road in the County.*
- d. The sub-title of the Plat shall read: A portion of the (*aliquot description*) Section, Township, Range, Fremont County, Colorado or A Vacation and Re-plat of (*Lot(s), Block(s) of [Name of Subdivision]*), Fremont County, Colorado, as appropriate, dependent on whether or not the property being subdivided is un-platted or platted property.
- e. A note table with each note being individually labeled.
- f. A legend table with each symbol and line pattern being identified.
- g. The total acreage and the total number of lots contained within the subdivision being platted.
- h. The acreage and/or square footage for each proposed lot.
- i. The proposed lot and block layout, including lot and block numbers which shall be consecutively numbered.
- j. Name and address of the person, firm or organization preparing the drawing.
- k. The date of preparation of the plat and all revision dates to the submitted plat.
- l. A north arrow.
- m. A written and graphic scale.
- n. A vicinity map locating the proposed subdivision in relation to the surrounding area, streets and major natural features (*such as rivers, mountain peaks, and cliffs, etcetera*).
- o. All appropriate survey information on the plat shall show lengths to hundredths of a foot, and angles and bearings shall be shown to seconds of a degree.
- p. A survey tie from the proposed subdivision boundary to an aliquot survey monument.

- q. A statement identifying the basis of bearing for the proposed subdivision survey.
- r. The length and bearings for the exterior boundary lines of the proposed subdivision. For bearings and lengths for interior lot lines where the bearings and lengths are the same as the exterior lot lines, labeling is not required.
- s. All bearings and dimensions for irregularly shaped lots shall be provided for each lot.
- t. For proposed curved boundaries and all curves on the plat, sufficient data shall be given to enable the re-establishment of the curves on the ground. This curve data shall be shown in a table and shall include the following:
 - 1. Radius of curve.
 - 2. Central angle.
 - 3. Tangent.
 - 4. Arc length.
 - 5. Notation of non-tangent curves.
- u. Any non-radial lot lines or boundary lines shall be labeled.
- v. All survey monuments set and found, in preparation of the plat, shall be indicated on the plat as to location and type of monument, in a legend table.
- w. Any "Reference Monument" and or "Witness Corner" shall be appropriately labeled on the plat.
- x. At a minimum, the name, centerline bearing, distance and curve information along with width information shall be provided for all proposed and existing roadway rights-of-way that traverse or adjoin the subject property.
- y. The acreage and lineal footage proposed to be devoted to roadways.
- z. The location, width, length and identification label for all other public ways, easements and rights-of-way that traverse or adjoin the subject property.
- aa. All proposed easements shall be designated as to use, bearings and dimensions, or indicated by appropriate statements.
- bb. All legally described easements in the title insurance commitment or policy shall be located or if not applicable, a written statement to that effect.
- cc. Excepted parcels shown on the plat shall be shall be marked "Not included in this subdivision" or "Not included in this plat" as appropriate.
- dd. All existing easements shall be shown on the plat, labeled or noted as to use, size and location. In addition, all survey information and any recording information shall be provided. Any existing easement or right-of-way to be vacated, which is within the County's authority or ownership may be vacated by a note on the plat. Any existing easement not within the county's authority or ownership, shall be vacated or released by the appropriate authority or owner(s), and documentation shall be provided noting such.
- ee. The 100 year floodplain line shall be shown as per the FEMA FIRM map.

- ff. The Plat shall show building setback lines for all stem or flag lots or irregularly shaped lots that do not have the minimum lot width, as required by the Zone District of the property at the property frontage. Said building setback line shall be shown by a thin dashed line and shall be labeled as such. In addition, dimensions shall be provided along the side lot lines, which are adequate to locate the building setback lines.
- gg. Sites to be reserved or dedicated for open space, parks, playgrounds, schools or other public uses, other than easements shall be shown as outlots and shall be labeled with a statement as to the designated use.
- hh. Has all required Subdivision Plat Language (FCSR Section XIII., B., 34.) been provided?
☒ Yes --- ☐ No
39. Is this application for a condominium or townhouse plat? ☐ Yes --- ☒ No If yes, then the condominium or townhouse application addendum, in accordance with the FCSR Section XIII., C., shall be attached hereto and marked as Exhibit 39.1. ☐ An exhibit has been attached.
40. Any waiver(s) that is requested from the FCSR regarding this application shall be stated in written form, with the citing of the regulation for which the waiver is being requested along with an explanation as to why the waiver is necessary and attached to this application, marked as Exhibit 40.1. ☐ An exhibit has been attached.
41. Are there any existing deed restrictions on the property which might affect the subdivision of the subject property? ☐ Yes --- ☒ No If yes, provide copies of such documents marked as Exhibit 41.1. ☐ An exhibit has been attached.
42. Are there any proposed deed restrictions on the subject property that would be implemented as a portion of the County approval of the Minor Subdivision Application? ☐ Yes --- ☒ No If yes, provide copies of such documents marked as Exhibit 42.1. ☐ An exhibit has been attached.
43. Are there any proposed improvements regarding such items as streets, public water and sewer systems, stormwater drainage facilities and the like? ☐ Yes --- ☒ No Please explain. _____
-
- If yes, then the FCSR Sections X. (Utilities & Improvements – General Requirements) and XI. (Guarantee of Public Improvements) would apply to this application.
44. **PLEASE NOTE:** The following items (*but not limited to these items*), if not provided at the time of application, may be required to be provided to the Department after approval by the Board as contingency of approval items, if so required the items shall be provided prior to recording of the plat:
- a. Information adequate to enable the Department to compute addresses for the lots being platted. ☒ Provided (marked as Exhibit 44.a.1) --- ☐ Requested contingency item
- b. Closure sheets for each lot and the subdivision boundary. ☒ Provided (marked as Exhibit 44.b.1) --- ☐ Requested contingency item

- c. An approved County or Colorado Department of Transportation Access Permit(s) as may be appropriate. ☐ Provided (marked as Exhibit 44.c.1) --- ☒ Requested contingency item
- d. A detailed utility plan showing the proposed location of all utility and irrigation improvement locations, horizontal and vertical, as proposed by the developer, for all subdivisions where a new road, street or rights-of-way is proposed. The plan shall include the signatures of all utility providers, indicating their approval of such plan. ☐ Provided (marked as Exhibit 44.d.1) --- ☐ Requested contingency item *NA*
- e. An executed quit-claim deed with a deed restriction addressing the maintenance of any drainage facilities, drainage easements, rights-of-way etc., may be required, if applicable. Such deed is to be recorded at the time of recording of the plat, with all recording fees being at the expense of the applicant. ☐ Provided (marked as Exhibit 44.e.1) --- ☐ Requested contingency item *NA*
- f. Properly executed Ratification, Consent and Release Forms will be required for any outstanding mortgages, deeds of trust, liens, judgments or the like. ☐ Provided (marked as Exhibit 44.f.1) --- ☐ Requested contingency item *NA*
45. A submittal fee of \$ _____ is attached to this application (Check # _____ ☐ cash).

By signing this Application, the Applicant, or the agent/representative acting with due authorization on behalf of the Applicant, hereby certifies that all information contained in the application and any attachments to the Application, is true and correct to the best of Applicant's knowledge and belief.

Applicant understands that any required private or public improvements imposed as a contingency for approval of the application may be required as a part of the approval process.

Fremont County hereby advises Applicant that if any material information contained herein is determined to be misleading, inaccurate or false, the Board of Commissioners may take any and all reasonable and appropriate steps to declare actions of the Board regarding the Application to be null and void.

Signing this Application is a declaration by the Applicant to conform to all plans, drawings, and commitments submitted with or contained within this Application, provided that the same is in conformance with the Fremont County Zoning Resolution.

<i>Kirk Hilgren</i>	<i>Kirk Hilgren</i>	<i>8-9-23</i>
Applicant Printed Name	Signature	Date
<i>Kirk Hilgren</i>	<i>Kirk Hilgren</i>	<i>8-9-23</i>
Owner Printed Name	Signature	Date

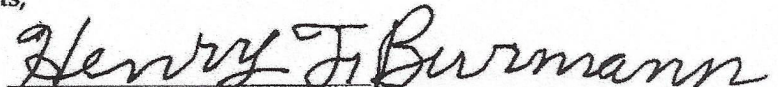


WARRANTY DEED

I, Henry Fletcher Burmann, for valuable consideration received, hereby grants, conveys to Kirk Hilgren, whose address is 1306 County Road 95, Florence, CO all of my interests in lands in 1306 County Road, 95, County of Fremont, State of Colorado:

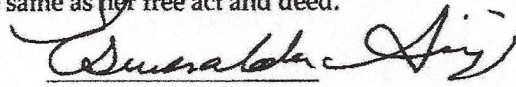
Surface only of a tract of land located in the SW1/4 of Section 28, Township 19 South, Range 69 West of the 6th P.M., described as follwos: Commencing at a point 825' East of the SW Corner of the SW1/4 of Section 28, the same being the SW Corner of the premises known as the Turkey Farm; thence North along the West line of said Turkey Farm 1980; thence West 638'; thence S. 1980'; thence East 638' to the point of Beginning, containing 30 acres more or less; excluding the Grantors entire interest in and to the reservoir located in the E. 30 roads of the SE1/4 of the NW 1/4 of the SW1/4, of said Section 28, which is reserved by Grantor.

SUBJECT TO all easements, restrictions of record and
TOGETHER with warranty covenants,


Henry Fletcher Burmann

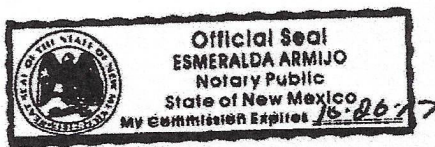
STATE OF NEW MEXICO)
) ss.
COUNTY OF SOCORRO)

On this 18th day of Sept., 2017, before me personally appeared Henry Fletcher Burmann, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed.


Notary Public

SEAL

My Commission Expires: 10-26-17



20.1

Home



Stewart Title Company dba Unified Title, A
Division of Stewart
120 N. 9th St, Ste A
Canon City, CO 81212
(719) 275-2435
Fax:

Date: December 19, 2023
File Number: 1969843
Property Address: 1306 County Road 95, Florence, CO 81226
Buyer/Borrower: Kirk Hilgren

Please direct all Title inquiries to:

Lori Plank
Phone:
Fax:
Email Address: LPlank@unifiedtitle.com

Please direct all Closing inquiries to:

Becky Miller
Phone: (719) 275-2435
Fax: (970) 237-5481
Email Address: bmillier@unifiedtitle.com

WIRED FUNDS ARE REQUIRED ON ALL CASH PURCHASE TRANSACTIONS. PLEASE FEEL FREE TO CONTACT THE ESCROW OFFICE AS NOTED ABOVE.

We Appreciate Your Business and Look Forward to Serving You in the Future.

21.1

Home