

DELTA COUNTY BOARD OF ADJUSTMENT

**Administration Building – Board Room
560 Dodge St., Delta, CO 81416
Thursday, June 23, 2022 @ 5:30 p.m.**

**Mark Roeber, Chair
Brett Hilling, Vice-Chair**

Carl Holm, Director

Instructions for Public Participation:

The public can join the meeting remotely by registering in advance of the meeting at:

https://us02web.zoom.us/meeting/register/tZ0ufu6grDliE9LFgFpKEZBzav8fdG_U3gf

After registering, you will receive a confirmation email containing information about joining the meeting.

You can also obtain a copy of the agenda for this meeting at:

<https://www.deltacounty.com/AgendaCenter/Delta-County-Board-of-Adjustment-8>

REGULAR AGENDA

5:30 P.M. – CALL TO ORDER

ROLL CALL

Mike Twamley, District 1
Brett Hilling, District 2
Mark Roeber, District 3

A. ANNUAL MEETING

1. Election of Officers

- a. Chair
- b. Vice-Chair

2. 2022 Meeting Schedule

B. PUBLIC COMMENTS

This is time set aside for the public to comment on matters not on the agenda. The Chair may set a time limit for speakers.

C. AGENDA ADDITIONS, DELETIONS, AND CORRECTIONS

The Board of Adjustment Secretary will announce changes to the agenda that arose after posting of the agenda.

CERTIFICATION OF POSTING

On June 16, 2022, at 4:00 PM, Angie Kemp did post the above AGENDA as public notice of the June 23, 2022 meeting. The official notice is placed on the front entrance of the Delta County Courthouse located at 501 Palmer, Delta, Colorado and a courtesy copy is sent to the Delta County website at www.deltacounty.com.

D. SCHEDULED ITEMS

1. Meeting Minutes

- a. May 26, 2022

RECOMMENDATION: Approve the action minutes as presented

2. PLN22-032 (S. Brown)

Consider a variance to reduce the required lot size for one lot in the A-35 zoning district; from 35 acres minimum to approximately 1.5 acres (Lot 2). The subject property is a 40-acre parcel located at 6183, 6177 & 6067 Townsend Road (Parcel: 345715400018), Delta.

RECOMMENDATION: Staff recommends that the Board of Adjustments (BOA):

- a) Consider required variance criteria and findings as they apply to PLN22-032 (S. Brown);
- b) Provide direction to either Approve, Conditionally Approve, or Deny a lot size variance(s) for one (1) lot in the A-35 zoning designation located 6067, 6177 & 6183 Townsend Road (Parcel: 345715400018/Brown); and
- c) Authorize the Director to prepare a resolution reflecting the BOA direction, including evidence relative to the required findings, and conditions (as applicable).

3. PLN22-057 (Kent)

Consider a variance to reduce the required lot size from 35 acres in the A-35 zoning district to 5.001 acres for Lot 1; Lot 2 would retain 36.026 acres. The subject property is located at 13420 County Road 265, Paonia (Parcel: 292303400003).

RECOMMENDATION: Staff recommends that the Board of Adjustments (BOA) Continue PLN22-057/Kent until such time that the following issues are addressed, prior to the BOA considering a variance that will lead into a Minor Plat subject to Administrative Review:

- a. Provide proof of an adequate water supply for all lots being created, which includes 6 units plus out-structures. If the State does not approve a revised well permit and/or Augmentation Plan to serve multiple lots, then the applicants needs to provide evidence that a water tap is available for the new lot.
- b. Provide proof that there are permitted septic system(s) that will not be impacted by the new property lines, and that the septic systems meet the minimum setbacks from property lines, well, road, and waterways.
- c. Provide confirmation from the U.S. Forest Service on whether or not the Private Road Easement is adequate for access to the property considering the intensification, or, submit an updated easement to reflect an adequate access to serve multiple lots/parcels with multiple structures.

E. BOARD COMMENTS, REQUESTS AND REFERRALS

This is time set aside for the Board of Adjustments to comment, request, or refer a matter that is not on the agenda for future consideration.

CERTIFICATION OF POSTING

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F. DEPARTMENT REPORT

This is time set aside for the Director to report on matters affecting the Department.

ADJOURNMENT

Adjourn to a Regular Meeting on Thursday, July 21, 2022 at 5:30 pm in Delta.

CERTIFICATION OF POSTING

On June 16, 2022, at 4:00 PM, Angie Kemp did post the above AGENDA as public notice of the June 23, 2022 meeting. The official notice is placed on the front entrance of the Delta County Courthouse located at 501 Palmer, Delta, Colorado and a courtesy copy is sent to the Delta County website at www.deltacounty.com.



REGULAR BOARD OF ADJUSTMENTS MEETING MINUTES
DELTA COUNTY
560 DODGE ST, DELTA, CO 81416
May 26, 2022

Chairman Mark Roeber called the meeting to order at 5:38p.m. in the Administration Building Commissioner's Meeting Room.

ROLL CALL

Board of Adjustments Members in Attendance:

Brett Hilling, District 2
Mark Roeber, District 3

Members Absent:

Mike Twamley, District 1

Planning Staff in Attendance:

Delta County Community Development & Natural Resource Director, Carl Holm
Delta County Planning & Community Development Planner I, Kate Kelly
Delta County Planning & Community Development Planner I, Angie Kemp
Delta County Planning & Community Development Administrative Assistant, Kim Henderson

A. ANNUAL MEETING

1. Election of Officers

- a. Chair
- b. Vice-Chair

2. 2022 Meeting Schedule

Brett Hilling moved to continue the Annual Meeting to the June 23, 2022 Meeting. Mark Roeber stepped down and seconded the motion.

Motion carried unanimously.

B. PUBLIC COMMENT

None

C. AGENDA ADDITIONS, DELETION, AND CORRECTIONS

None

D. SCHEDULED ITEMS:

Item #1: Meeting Minutes for April 28, 2022.

Approved as presented.

Item #2: PLN21-023/Gash

Consider a variance to reduce the required lot size for three lots in the A-35 zoning district; from 35 acres minimum to (Lot 1) 15.1-acres (Lot 2) 19.2-acres, and (Lot 3) 25.7-acres. The subject property is a 58.13-acre parcel located on Kiser Creek Road (Parcel: 319513300016), Cedaredge.

RECOMMENDATION: Staff recommends that the Board of Adjustment (BOA):

- a. Consider required variance criteria and findings as they apply to PLN21-023 (Gash);
- b. Provide direction to either Approve, Conditionally Approve, or Deny a lot size variance(s) for three (3) lots in the A-35 zoning designation located at 18151 Kiser Creek Road (Parcel: 319513300016); and
- c. Authorize the Director to prepare a Resolution reflecting the BOA direction, including evidence relative to the required findings, and conditions (as applicable).

Angie Kemp presented the project.



The Board asked questions of staff and the applicant – Robert Gash was in attendance.

Brett Hilling moved to approve PLN21-023 with staff recommended findings and conditions. Mark Roeber stepped down as Chair and seconded the motion.

Motion carried unanimously.

Item #3

PLN21-026/High Desert Partners

Consider a variance to reduce the required lot size from 35 acres in the A-35 zoning district to 5.0 acres for Lot 2; Lot 1 would retain 43.577 acres. The subject property is located at 38962 Pitkin Road, Paonia (Parcel: 324302100040).

RECOMMENDATION: Staff recommends that the Board of Adjustment (BOA):

- a. Consider required variance criteria and findings as they apply to PLN21-026/Pitkin Mesa West Subdivision (High Desert Partners);
- b. Provide direction to either Approve, Conditionally Approve, or Deny lot size variance(s) for one (1) lot (5.0 acres) in the A-35 zoning designation located at 38962 Pitkin Road (Parcel: 324302100040); and
- c. Authorize the Director to prepare a Resolution reflecting the BOA direction, including evidence relative to the required findings, and conditions (as applicable).

Kate Kelly presented the project.

The Board asked questions of staff and Mr. Charles Stewart (Representing Attorney for Mr. Norris was in attendance). Mr. Tyler Norris (Applicant) attended via Zoom.

Brett Hilling moved to approve PLN21-026 with staff recommended findings and conditions. Mark Roeber stepped down as Chair and seconded the motion.

Motion carried unanimously.

Item #4

PLN21-056/Clark

Consider a variance reducing the required setback from 15-feet to approximately 7-feet for adjusting an interior property line between two parcels; Parcel #344718300016 and Parcel #344718302002. The property is located at 40270 & 40386 Cottonwood Creek Road, Crawford.

RECOMMENDATION: Staff recommends that the Board of Adjustment (BOA):

- a. Consider the variance findings as they apply to PLN21-056/Clark; and
- b. Provide direction to either Approve, Conditionally Approve, or Deny variance for setback requirements, reducing the required setback from an interior property line from 15-feet to approximately 7-feet; and
- c. Authorize the Director to prepare a Resolution reflecting the BOA direction, including evidence relative to the required findings, and conditions (as applicable).

Kate Kelly presented the project.

Brett Hilling moved to approve PLN21-056 with staff recommended findings and conditions. Mark Roeber stepped down as Chair and seconded the motion.

Motion carried unanimously.

Item #5

PLN22-041/R. Morris

Consider a variance to reduce the required lot size for one lot in the A-20 zoning district; from 20 acres minimum to approximately 6.5 acres (Lot 2). The subject property is a 56.90-acre parcel located at 19454, 19444, & 19448 Highway 65 (Parcel: 319308400068), Cedaredge.

RECOMMENDATION: Staff recommends that the Board of Adjustment (BOA):

- a. Consider required variance criteria and findings as they apply to PLN22-041/R. Morris;



- b. Provide direction to either Approve, Conditionally Approve, or Deny lot size variance(s) for one (1) lot in the A-20 zoning designation located at 19454, 19444, & 19448 Highway 65 (Parcel: 319308400068); and
- c. Authorize the Director to prepare a Resolution reflecting the BOA direction, including evidence relative to the required findings, and conditions (as applicable).

Angie Kemp presented the project.

The Board asked questions of staff and the applicant – Robert and Roxie Morris were in attendance.

Brett Hilling moved to approve PLN22-042 with staff recommended findings and conditions, excluding the condition of the Plat note requirement of “No Further Subdivision” on the Final Plat. Mark Roeber stepped down as Chair and seconded the motion.

E. BOARD COMMENT, REQUESTS AND REFERRALS

Mark Roeber commented on the joint work session held Wednesday June 22nd with the Board of County Commissioners (BoCC) and Planning Commission. It was noted that the BoCC is planning to delete the restriction from further subdivision in perpetuity. However, the BoA suggested maybe it not be deleted but rather restricted for 10-20 years.

F. DEPARTMENT REPORT

None

Meeting adjourned at 6:20 p.m.

The next meeting will be held on Thursday, June 23, 2022 at 5:30 pm in the Delta County Administration Building, Delta, CO.

Respectfully submitted by:
Administrative Assistant, Kim Henderson



DELTA COUNTY

PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

**Board of Adjustment
Board Room
560 Dodge Street, Delta, CO 81416**

Thursday, June 23, 2022 @ 5:30 p.m.

PLN22-032 (S. Brown)

Consider a variance to reduce the required lot size from 35 acres minimum to approximately 1.5 acres (Lot 2) in the A-35 zoning district. The subject property is a 40-acre parcel located at 6183, 6177 & 6067 Townsend Road (Parcel: 345715400018), Delta.

PROJECT INFORMATION:

Property Owner: William F. Brown and Reta Karen Brown Revocable Living Trust
Applicant: Steven W. Brown
Site Address(s): 6067, 6177 & 6183 Townsend Road
Parcel ID/Acct: 3457154000018 /R0145573
Parcel Size: 40 Acres
Zoning: A-35

RECOMMENDATION:

Staff recommends that the Board of Adjustments (BOA):

- a) Consider required variance criteria and findings as they apply to PLN22-032 (S. Brown);
- b) Provide direction to either Approve, Conditionally Approve, or Deny lot size variance(s) for one (1) lot in the A-35 zoning designation located at 6067, 6177, & 6183 Townsend Road (Parcel 345715400018/ Brown); and
- c) Authorize the Director to prepare a resolution reflecting the BOA direction, including evidence relative to the required findings, and conditions (as applicable).

SUMMARY/DISCUSSION:

Mr. and Mrs. Brown, owners, are seeking a 2-lot subdivision (Minor Plat) from an approximately 40-acre parcel with frontage on G Road and Townsend Road (County Roads, County Maintained). The site is utilized as residential and agricultural land with irrigated fields, agricultural outbuildings, and residences including; 6067, 6177 and 6067 Townsend Road. The expressed purpose is to split one of the residences from the family farm for their son (applicant).

The zoning is A-35, so, the minimum acreage for subdividing this parcel is 35 acres per lot. The subdivision has been designed to create two (2) lots:

Lot 1 (38.5 Acres) – Includes an existing residence (6183 & 6177 Townsend Road) and the irrigated agricultural land, plus some agricultural buildings. Tri-County domestic water taps #641 and #586 serve the lot. There is existing shared access for these homes taken off of Townsend Road. Lot 1 meets the 35-acre lot size minimum requirement in A35 zoning.

Lot 2 (1.5 Acres) – Includes an existing residence with frontage on Townsend Road (6067 Townsend Road). Lot 2 does not meet the standards for acreage set forth in the LUC for the A-35 zone so a variance is required. Tri-County domestic water tap # 641 serves this home. Existing individual access is taken off of Townsend Road. The lot contains all services including septic. Because Lot 2 does not meet the minimum requirements per the zoning designation, a variance is required to create the 1.5-acre lot.

The Land Use Code requires minimum setbacks (all structures, including septic) of 25 feet from the edge of ROW for all roads (public and private) and 15 feet from all interior property lines. In addition, a setback of 25 feet is required from the edge of any ditch, and 50 feet from the top of bank of a river, stream, or creek. The new boundary lines for Lot 2 shall create no non-conformities with the existing structures.

Staff finds that existing structures meet required setbacks from the new property lines. The northern property line of Lot 2 is irregular shaped due to an existing irrigation ditch that runs along the proposed property line. There are trees that create a natural boundary from residential yard to ag field, but a small section of ag land is included in Lot 2 with this proposed subdivision. The amount of disturbed ag can be viewed as minimal, since the entire lot will only be 1.5-acres, and the majority is contiguous with a non-irrigated developed strip that runs along the eastern property line of the parcel. Since the site is developed, there would not be much impact irrigated lands on Lot 1.

Engineering will have an opportunity to assess the subdivision and may request additional Right-of-Way (ROW) along the frontage abutting the two (2) County Roads (G Road and Townsend Road). A Plat is required to illustrate the centerline of the improved road surfaces as well as existing rights-of-way.

The County generally requests dedication of right-of-way to the centerline of the roadway, except any land already dedicated and depending on the conditions for that area (e.g., steep slopes). Dedications are to be Fee Simple Title. Any other form (easement, road petition, etc.) requires the underlying land owner to continue paying property taxes even though they are not able to use that land.

PROCESS

Variances are presented at a public hearing to the Board of Adjustments (BOA) for either Approval, Approval with Conditions, or Denial considering the required criteria (4) and findings (3). Staff finds there are no unique physical conditions and the parcel could be subdivided if the BOA finds that it meets the required criteria and findings. Lot sizes of properties in the surrounding area vary broadly. Therefore, the primary question is if the BOA finds that the hardship criteria/findings are met.

The LUC requires the concurring vote of three members of a 3-member BOA, meaning actions by the BOA must be unanimous in order to pass. Once a decision has been made by the BOA, the process will either proceed with the Subdivision process if approved, or, if denied, the applicant will have 10 (calendar) days to appeal the BOA's decision to the Board of County Commissioners (BoCC). If the BOA finds that variance(s) can be approved, then staff recommends two (2) conditions.

Pursuant the LUC, Minor Plat (2-lot subdivisions) are handled Administratively, which means that the Director of Community Development and Natural Resources makes a final decision. If there is road dedication, however, the application will go before the Board of County Commissioners (BoCC) for acceptance or the dedication and the plat (with dedication shown). The Director nor the BoCC cannot act on the Minor Plat until/unless the Variance is approved. The application checklist requested enough detail, professionally drawn, for the BOA to be able to make a fully informed decision on the variance. The Site Plan is attached. (**Attachment**).

FINDINGS

The Land Use Code (LUC) includes four (4) criteria that must *all* be met for granting a variation of lot size. In addition, there are three (3) findings that must *all* be met to allow a variance of land use regulation. These criteria/findings are listed below with an initial assessment by staff:

Variation to Lot Size (Criteria): Chapter 3, Section 1.A.3 of the LUC states that the County may approve the creation of new lots that do not conform to the size requirements provided they meet four (4) criteria:

1. *The subdivision conforms to all other requirements of the Delta County Land Use Code.*

Staff finds that the site has existing structures that meet the setback requirements to the proposed boundary lines. The Land Use Code calls for minimizing impact to irrigated ag lands. All structures are existing, there is no development proposed, and the majority of irrigated ag fields will be retained with Lot 1. The water purveyor (Tri-County) has provided proof that adequate domestic water is available to serve all lots. Access shall be built to County standards and permitted as a residential access.

2. *The new lots have at least the minimum dimensions set out in the standards for the UGA zoning district (75-foot width, 30-foot frontage).*

Both lots conform to the minimum dimension standards.

3. *The size and configuration of the new lot minimizes disturbance or development of irrigated agricultural portions of a property, and does not interfere with wildlife habitat.*

The Land Use Code calls for minimizing impact to irrigated ag lands. All structures are existing, there is no development proposed, and the majority of irrigated ag fields will be retained with Lot 1.

4. *The Final Plat is annotated such that no further subdivision of each lot created by this subsection is allowed.*

If variance(s) is/are approved, the LUC requires a condition that restricts further subdivision. The BoCC has expressed concern with restriction in perpetuity. Staff recommends a plat note *restricting further subdivision* for 20 years where a variance to lot size is required.

Variance (Findings): Chapter 10, Section 2 of the LUC states that no variance shall be authorized unless the Board of Adjustment (BOA) makes three findings:

1. *Due to the exceptional narrowness, shallowness, or shape of the subject property on the effective date of this Code, or exceptional topographic conditions, or other extraordinary and exceptional situation or condition of the subject property, the strict application of a regulation in this Code would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the owner of the subject property.*

The question is if the BOA finds that holding to the strict regulations for A35 zoning “*would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the owner of the subject property.*”

2. *A variance from strict application of the regulations at issue would relieve such difficulties or hardship.*

Pursuant to the Land Use Code, adequacy to sunlight for solar energy devices installed after January 1980 can be a possible consideration in determining difficulty or hardship. Staff finds that there is no solar on the property to be considered in determining difficulty or hardship.

3. *The requested variance would not create a substantial detriment to the public good or substantially impair the intent and purpose of this Code.*

Zoning is applied broadly, but we recognize that it may not fit every situation. Lot sizes vary greatly in this immediate area.

The variance process affords an avenue to request a smaller lot if required criteria/findings can be justified (e.g., physical constraint, hardship). Staff interprets that the exception for a variation to lot size is to create a single exception to address a unique situation.

Findings/Hardship

The ability to approve any variance depends largely on defining *unnecessary/undue* hardship. There is no simple formula for determining, what is enough. Hence, the BOA holds a quasi-judicial hearing and renders a decision based on evidence presented.

Hardship should be more than mere inconvenience or a preference for a more lenient standard. An applicant should demonstrate how their situation compares to others subject to the same restriction in the vicinity of their project. For example, 1) does strict compliance with the Code totally prevent improvement of the property in a manner which is reasonable, customary and consistent with other properties in the area; or (2) are there conditions peculiar to the property that cause practical difficulty in strict compliance with the ordinance, due to significant or unjustified expense in light of the scope of the project, destruction or demolition of attractive features of the property, or similar reasons?

An unnecessary hardship should be peculiar to the subject property, not general to the neighborhood or the applicant's personal circumstances. A hardship should not result from actions taken by the applicant or property owner (self-created). For example, the alleged practical difficulty was not created as a result of any action taken by the applicant or predecessors in interest of the property which was unlawful, or which could have been reasonably foreseen to create difficulty in complying with the ordinance for future improvements.

Another way of looking at variances is if granting it would create special privilege to this property that would not be granted to another property with similar conditions (size, shape) in the same zoning designation. Also, that because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of this Code is found to deprive subject

property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

Arguments that tend to be legally successful include the following:

1. That the particular physical surroundings, shape or topographical condition of the specific property involved would bring particular hardship upon the owner (not just a mere inconvenience), if the strict letter of the zoning regulation were to be carried out;
2. That the conditions upon which the petition for variance relates would not be applicable generally to other property within the same zoning district;
3. That the purpose of the variance is not based exclusively upon a desire to make more money out of the property;
4. That the alleged difficulty or particular hardship has not been created by any person presently having an interest in the property or by the applicant;
5. That the granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;
6. That the proposed variance will not:
 - a. Impair an adequate supply of light and air to adjacent property;
 - b. Substantially increase the hazard from fire or other dangers to said property or adjacent property;
 - c. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Town/City;
 - d. Diminish or impair property values within the neighborhood;
 - e. Unduly increase traffic congestion in the public streets and highways;
 - f. Create a nuisance; or
 - g. Result in an increase in public expenditures.
7. That the variance requested is the minimum variance that will make possible the reasonable use of the land, building or structure.

CONDITIONS

If the BOA finds that the variance can be approved per the required findings, the BOA could apply conditions to address issues as part of the subdivision review. Staff has identified items that will be addressed as part of the subdivision, prior to accepting the Final Plat:

1. The Minor Plat shall illustrate the centerline of the improved road surface. County Engineer shall determine if Right-of-Way (ROW) is to be dedicated for G Road Townsend Road. Dedications to Delta County require acceptance by the BoCC in Fee Simple Title.
2. The final plat shall be annotated such that no further subdivision of either lot created by this subsection is allowed. [Pursuant to Chapter 3, Section 1.A.3.d (Variations to Lot Size-Criteria)].

OTHER AGENCY INVOLVEMENT

The Land Use Application form was submitted on March 8, 2022. A letter and checklist, along with supplemental forms from the Development Application were sent to the applicant. The completed forms were turned in on April 5, 2022 along with a fee for the variance hearing.

The variance process itself does not generally involve other agencies. However, a public notice was sent to neighboring property owners, interested parties, and posted on the subject property. When/If a subdivision is processed, it will be referred to adjacent property owners and agencies for a 21-day comment period which could affect the subdivision.

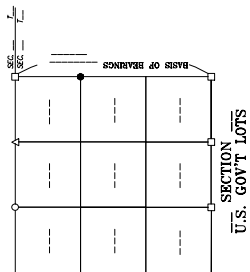
Attached material: list, in order as attached

- Site Plan
- Site Plan with Aerial
- Site Plan Detail

LEGEND
UTILITY EASEMENT
PROPERTY BOUNDARY LINES
IRRIGATION DITCH/DRAINAGE
ROAD RIGHT OF WAY
PAVED ROAD
GRAVEL ROAD
BLDG. SETBACK
STRUCTURAL EASEMENT
CULVERT
ELECTRICAL LINE
WATER LINE
TELEPHONE LINE
SEWER LINE
EXISTING SECTION CORNER, AS INDICATED.
EXISTING 1/4 OR 1/16 CORNER, AS INDICATED.
1/4 CORNER SET, A & 1/4" GAL. METAL CAP
EXISTING PROPERTY CORNER, AS INDICATED.
ADJACENT PROPERTY CORNER, NO. 5 BEAR BY P.L.S. 1481L.
EXISTING STRIPPER CORNER OR PROPERTY LINE
STRIPPER CORNER TO PROPERTY CORNER SET, NO. 5 BEAR AND 1 1/2" GAL. METAL CAP BY P.L.S. 1481L.
EXISTING FENCE LINE
RAIL RIGHT-OF-WAY BEING INDICATED BY THE NAME OF RAILROAD, AS SHOWN.

VICINITY MAP

SURVEY CONTROL DETAIL



This is not a Legal Survey, nor is it intended to be or replace a Legal Survey.

LOT 1 ACREAGE DATA

DEDICATED ROW: 0.85 ACRES - G RD.
DEDICATED ROW: 0.35 ACRES - TOWNSEND RD.
LOT 1: 37.30 ACRES
LOT 2: 1.50 ACRES

LOT 1 & 2: 40.00 ACRES TOTAL

SITE ACREAGE DATA

PROP. UTILITY EASEMENT: 0.00 ACRES
LOT 1: 1.5 ACRES

LOT 1A: 33.56 ACRES TOTAL

PLAT NOTES

Owner Name: WILLIAM F BROWN AND RETA KAREN BROWN
Parcel Number: 345715400018
LOT #1
38.50
ACRES
1,677,060 SQ.FT.

PLAT MAP OF BROWN MINOR - SUBDIVISION

LOCATED IN THE SE1/4 SE1/4, SECTION 15,
T 15 S, R 96 W, SIXTH PRINCIPAL MERIDIAN,
DELTA, COLORADO.

SEWER: SEPTIC

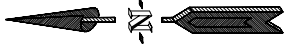
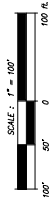
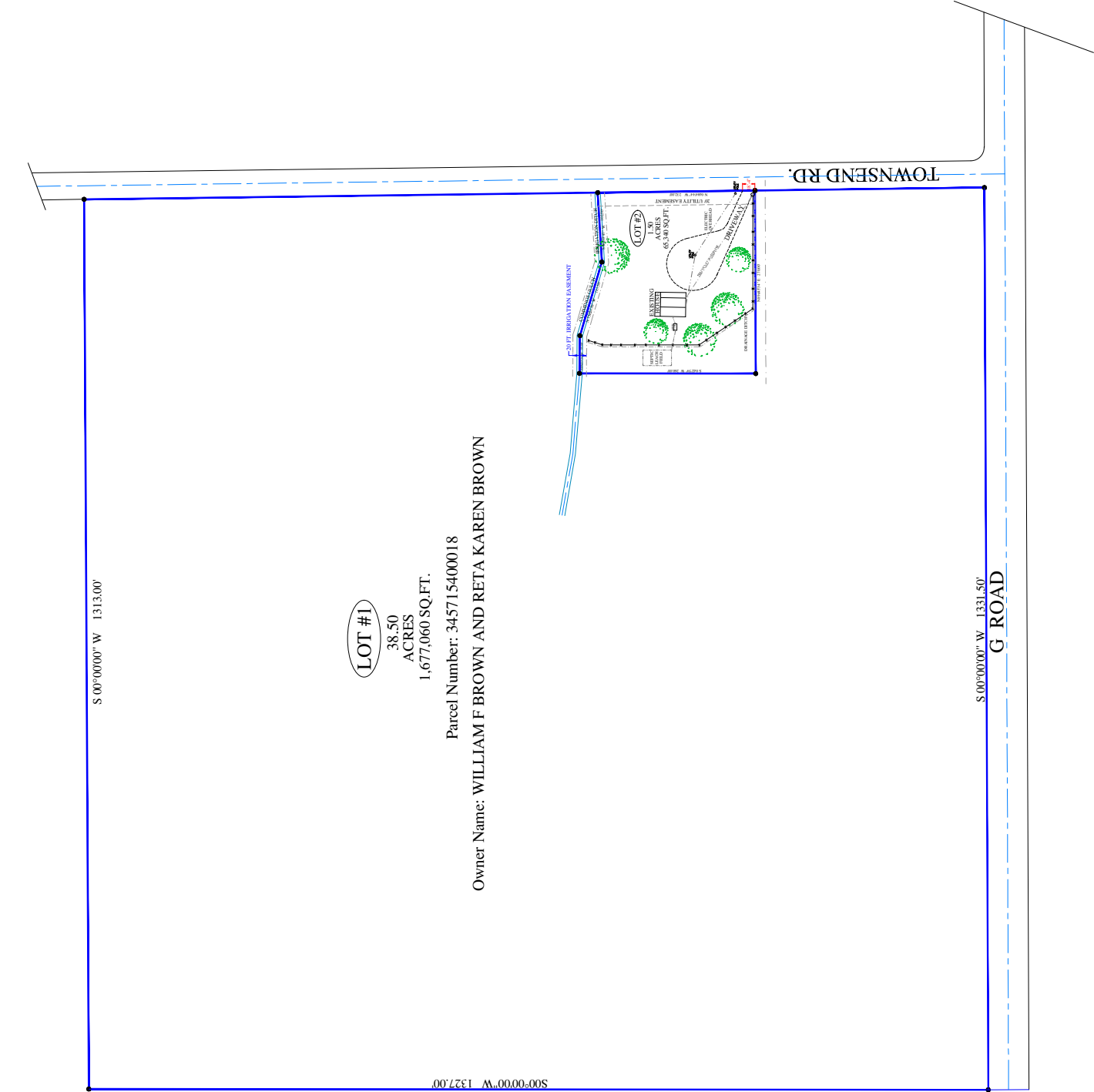
ELECTRICITY: DMEA

WATER: TRI-COUNTY

PLAT MAP

DISCLAIMER:
WEST TECH DESIGNS/ DOUG CANNON WILL
NOT BE RESPONSIBLE FOR ANY ERRORS OR
OMISSIONS IN THIS SURVEY. THE USER
CONSTRUCTS THIS SURVEY AT HIS/HER OWN
RISK. WEST TECH DESIGNS/ DOUG CANNON
WILL BE HELD HARMLESS FROM & NOT LEGALLY
RESPONSIBLE FOR ANY CLAIMS THAT ARISE
FROM DESIGN, SURVEY AND CONSTRUCTION.

PRELIMINARY PLANS
NOT FOR CONSTRUCTION
APPROVAL PENDING



WEST.TECH DESIGNS
ARCHITECTURAL & CIVIL CAD DRAFTING

CELL:(970) 258-0485

REV B

REV DATE:
A 03/16/22
B 04/29/22
C
D
E

REVISIONS

CIVIL DESIGNER:
DESIGN/DRAFTER:
ENGINEER:
CONTRACTOR:

OWNER:
STEVE BROWN

G ROAD
DELTA, CO. 81416

MINOR SUB-DIVISION

BROWN
PROJECT

PLAN SCALE: 1" = 100'
SHEET 1 OF 1

SITE

LEGEND

UTILITY EASEMENT	— — — — —
PROPERTY BOUNDARY LINES	— — — — —
IRRIGATION DITCH/DRAINAGE	— — — — —
ROAD RIGHT OF WAY	— — — — —
PAVED ROAD	— — — — —
GRAVEL ROAD	— — — — —
BLDG. SETBACK	— — — — —
STRUCTURAL EASEMENT	— — — — —
CULVERT	— — — — —
ELECTRICAL LINE	— — — — —
WATER LINE	— — — — —
TELEPHONE LINE	— — — — —
SEWER LINE	— — — — —
EXISTING SECTION CORNER, AS INDICATED.	⊙
EXISTING 1/4 OR 1/16 CORNER, AS INDICATED.	◈
1/4 CORNER SET, A 3 1/4" DIA. METAL CAP	◈
EXISTING PROPERTY CORNER, AS INDICATED.	○
PROPERTY CORNER SET, A NO. 5 REBAR AND 1 1/2" DIA. METAL CAP BY P.L.S. 14621.	●
EXISTING WITNESS CORNER OR PROPERTY LINE MARKER, AS INDICATED.	□
WITNESS CORNER TO PROPERTY CORNER SET, A NO. 5 REBAR AND 1 1/2" DIA. METAL CAP BY P.L.S. 14621.	■
EXISTING FENCE LINE.	— x — x —
ROAD RIGHT-OF-WAY BEING DEDICATED TO THE CITY OF DELTA, 0.36 ACRES, MORE OR LESS, AS SHOWN.	////



TOWNSEND RD.

DISCLAIMER:
RED DESIGNS / DOUG CANNON WILL NOT BE RESPONSIBLE FOR ANY AND ALL CONSTRUCTION DOCUMENTATION AND WILL BE HELD HARMLESS FROM & NOT LEGALLY RESPONSIBLE FOR ANY AND ALL CONSTRUCTION FROM DESIGN CRITERIA AND CONSTRUCTION.

PRELIMINARY PLANS
NOT FOR CONSTRUCTION
APPROVAL PENDING

SITE NOTES

Parcel Number: 345715400018
Zoning: Agricultural 35 (A-35)
House: 1,249 SQ. FT.

REVISIONS

REV	DATE:
A	04/18/22
B	04/29/22
C	
D	
E	

REV B

WEST.TECH DESIGNS
ARCHITECTURAL & CIVIL CAD DRAFTING
CELL:(970) 258-0485

PROJECT
BROWN
MINOR SUB-DIVISION
6067
TOWNSEND RD.
DELTA, CO. 81416

CIVIL DESIGNER:	DESIGN/DRAFTER:	ENGINEER:	CONTRACTOR:	OWNER:
				STEVE BROWN
DATE:				

PLAN SCALE: 1" = 20'
SHEET 1 OF 1

SITE

SITE ACREAGE DATA

DEDICATED ROW: 0.85 ACRES - GRD.
DEDICATED ROW: 0.35 ACRES - TOWNSEND RD.
LOT 1: 37.30 ACRES
LOT 2: 1.50 ACRES
LOT 1 & 2: 40.00 ACRES TOTAL

GENERAL NOTES

SEWER: SEPTIC
ELECTRICITY: DMEA
WATER: TRI-COUNTY

SITE PLAN

PLAT MAP
OF
BROWN
MINOR - SUBDIVISION

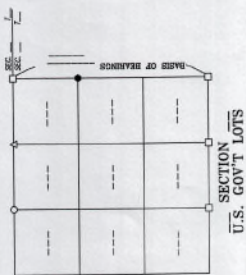
LOCATED IN THE SE1/4 SE1/4, SECTION 15,
T 15 S, R 96 W, SIXTH PRINCIPAL MERIDIAN,
DELTA, COLORADO.

This is not a Legal Survey, nor is it intended to be or replace a Legal Survey.

LEGEND	
UTILITY EASEMENT	---
PROPERTY BOUNDARY LINES	---
IRRIGATION DITCH/DRAINAGE	---
ROAD RIGHT OF WAY	---
PAVED ROAD	---
GRAVEL ROAD	---
BLDG. SETBACK	---
STRUCTURAL EASEMENT	---
CULVERT	---
ELECTRICAL LINE	---
WATER LINE	---
TELEPHONE LINE	---
SEWER LINE	---
EXISTING SECTION CORNER, AS INDICATED.	---
EXISTING 1/4 OR 1/8 CORNER, AS INDICATED.	---
1/4 CORNER SET, A.S. 1/4" DIA. METAL CAP	---
EXISTING PROPERTY CORNER, AS INDICATED.	---
PROPERTY CORNER SET, A.S. 1/4" DIA. METAL CAP	---
PROPERTY CORNER SET, A.S. 1/4" DIA. METAL CAP	---
EXISTING WITHIN CORNER OR PROPERTY LINE	---
MARKER, AS INDICATED.	---
WITNESS CORNER TO EASEMENT CORNER SET	---
A.S. 1/4" DIA. METAL CAP AND 1/2" DIA. METAL CAP	---
IN P.L.S. 1481.	---
EXISTING FENCE LINE.	---
ROAD BUILT-UP WAY BEING INDICATED	---
PLANNED ROAD OR TRAIL, AS SHOWN.	---

VICINITY MAP

SURVEY CONTROL DETAIL



This is not a Legal Survey, nor is it intended to be or replace a Legal Survey.

LOT 1 ACREAGE DATA

DEDICATED ROW: 0.85 ACRES - G RD.
DEDICATED ROW: 0.35 ACRES - TOWNSEND RD.
LOT 1: 37.30 ACRES
LOT 2: 1.50 ACRES

LOT 1 & 2: 40.00 ACRES TOTAL

SITE ACREAGE DATA

PROP. UTILITY EASEMENT: 0.00 ACRES
LOT 1: 1.5 ACRES

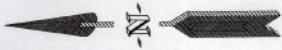
LOT 1A: 33.56 ACRES TOTAL

PLAT MAP OF BROWN MINOR - SUBDIVISION

LOCATED IN THE SE1/4 SEC 15,
T 15 S, R 96 W, SIXTH PRINCIPAL MERIDIAN,
DELTA, COLORADO.

GENERAL NOTES

SEWER: SEPTIC
ELECTRICITY: DMEA
WATER: TRI-COUNTY



WEST.TECH DESIGNS
ARCHITECTURAL & CIVIL CAD DRAFTING
CELL:(970) 258-0485

PROJECT
BROWN
MINOR SUB-DIVISION
G ROAD
DELTA, CO. 81416

CIVIL DESIGNER:
DESIGN/DRAWN:
ENGINEER:
CONTRACTOR:
OWNER:
STEVE BROWN

PLAN SCALE: 1" = 100'
SHEET 1 OF 1

SITE

REV
A

REVISIONS
REV
DATE:
A 03/16/22
B
C
D
E

PLAT NOTES

UNCL LINES
WEST TECH DESIGNS / DOUG CANNON WILL
PROVIDE DRAFTING SERVICES ONLY FOR
THIS PROJECT. THE CLIENT IS RESPONSIBLE
FOR ANY CLAIMS THAT ARISE
FROM DESIGN CRITERIA AND CONSTRUCTION.

PRELIMINARY PLANS
NOT FOR CONSTRUCTION
APPROVAL PENDING



STAFF REPORT

Board of Adjustment

**Board Room
560 Dodge Street, Delta, CO 81416**

Thursday, June 23, 2022 @ 5:30 p.m.

PLN22-057/Kent

Consider a variance to reduce the required lot size from 35 acres in the A-35 zoning district to 5.001 acres for Lot 1; Lot 2 would retain 36.026 acres. The subject property is located at 13420 County Road 265, Paonia (Parcel: 292303400003)

PROJECT INFORMATION:

Property Owner: Northumberland Group LLC
Applicant: Stephen C Kent
Representative: Randy Wilmore (Wilmore & Company)
Site Address(s): 13420 County Road 265, Paonia
Parcel ID/Acct: 292303400003/R025397
Parcel Size: 41.028 Acres
Zoning: A-35

RECOMMENDATION:

Staff recommends that the Board of Adjustments (BOA) Continue PLN22-057/Kent until such time that the following issues are addressed, prior to the BOA considering a variance that will lead into a Minor Plat subject to Administrative Review:

- a. Provide proof of an adequate water supply for all lots being created, which includes 6 units plus out-structures. If the State does not approve a revised well permit and/or Augmentation Plan to serve multiple lots, then the applicant needs to provide evidence that a water tap is available for the new lot.



- b. Provide proof that there are permitted septic system(s) that will not be impacted by the new property lines, and that the septic systems meet the minimum setbacks from property lines, well, roads, and waterways.
- c. Provide confirmation from the U.S. Forest Service on whether or not the Private Road Easement is adequate for the access to the property considering the intensification, or, submit an updated easement to reflect an adequate access to serve multiple lots/parcels with multiple structures.

SUMMARY:

The application (PLN22-057) is for a 2-lot subdivision (Minor Plat). The proposed Site Plan illustrates splitting the property into two parcels; existing easements for access, as well as utilities, have been illustrated for both Lots.

The subject property is located off of County Road 265, which is a Forest Service Road (maintained by the U.S. Forest Service), approximately 17.4 miles northerly of Paonia. There are multiple existing structures (two residences (one on each lot), four cabins, and two sheds) on the property. There is also a well depicted on the Plat with a 40' x 40' Well Maintenance Easement and a 20' wide Waterline Maintenance Easement to the proposed Lot 1. No right-of-way dedication is proposed or necessary as the road is not a County maintained road and the property does not have direct access to the road. Currently, the Private Road Easement serves multiple parcels.

Zoning for the parcel is A-35, which requires a minimum parcel size of 35 acres. The subdivision is designed to separate approximately 5-acres located in the middle of the southern property line as follows:

- Lot 1 (5.001 Acres). Consists of one dwelling unit. The property consists of heavily wooded areas with no irrigated agricultural land. A variance is required since Lot 1 does not meet the minimum acreage.
- Lot 2 (36.026 Acres). Consists of five units including four (4) cabins. There are also two out buildings ("sheds"). An existing well (Permit #218244) is located on this lot with a proposed 20-foot easement to Lot 1. It appears that there is a small portion (approximately 2-acres) of the lot that is irrigated agricultural land. There is a septic system that has been installed on the lot (2001), however, there is no evidence that the system is permitted. Lot 2 would consist of the remaining 36+ acres, so no variance is required for that lot.

Subdivisions require proof of an adequate water supply for all lots created. There is an existing well (Permit #218244) that is being proposed as the domestic water source for both lots, with an easement from Lot 2 to Lot 1. However, the permit is limited to fire protection, ordinary household purposes inside not more than *three (3)* single-family dwellings, the irrigation of not more than one (1) acre of home gardens and lawns, and the watering of domestic animals. As noted above, there are six units (dwellings + cabins) plus out buildings existing on the property.

A well cannot be shared across property lines without an approved Augmentation Plan through the State. Proof of water will require an Augmentation Plan approved by the



State to utilize an existing well (Permit #218244) for both lots *as developed*. Current conditions exceed the limitations established in the well permit, so this also needs to be address in a revised Well permit for the additional development. Cisterns are not considered an adequate water supply for residential uses.

The Land Use Code requires minimum setbacks (all structures, including septic) of 25-feet from the edge of ROW for all roads (public and private) and 15-feet from all interior property lines. In addition, a setback of 25-feet is required from the edge of any ditch, and 50-feet from the top of bank of a river, stream, or creek.

As of right now, information has not been provided for staff to confirm the location of the septic system. There is a requirement that all septic systems be at a minimum 150-feet away from any well located on a property.

Staff is recommending the matter be continued to provide additional information. Alternatively, the BOA could take action to approve, conditionally approve, or deny the variance. This report attempts to address the required variation to lot size criteria and variance findings based on the information available. However, the report does not include any conditions. If the BOA approves the application (with or without conditions), the issue noted in this report will need to be addressed in order for the Director to approve the subdivision (Minor Plat).

DISCUSSION:

On March 25, 2022, Randy Wilmore (Wilmore & Company) submitted a Pre-Application Form to the Planning Department on behalf of Mr. Stephen Kent. The form was for the proposal of a 2-Lot Subdivision (Minor Plat). Staff discussed the application with Mr. Wilmore, explaining that a variance would be required for the proposed split. It was noted that other items might need to be addressed if issues come up through the process.

On April 14, 2022, Staff sent a letter informing Mr. Kent and Mr. Wilmore of the process, including documents that would be needed to process the Variance and the Subdivision. Staff expressed concern for the existing U.S. Department of Agriculture Forest Service Private Road Easement (Reception #551096) that is currently the access easement to the property. Staff recommended that the applicant contact the Uncompahgre and Gunnison National Forest Service Supervisor's Office to discuss the easement and whether or not it would need to be updated to reflect multiple lots with multiple structures.

On April 27, 2022, a Land Use Application was submitted with a Plat reflecting a 2-Lot Subdivision (Minor Plat). The subdivision is designed to separate approximately 5-acres (Lot 1) from the southern portion of the parcel. Lot 2 would consist of the remaining 36+ acres. The applicant also submitted a copy of the well permit for the property.

The subject property is one of four (4) parcels created from the Kent/Phillippe Improvement Survey Plat H.E. Survey No. 281 (Reception #730458). All parcels of the



said Plat are over 35-acres (zoned A-35) and are surrounded by United States Forest Service Property.

PROCESS

Variances are presented at a public hearing to the Board of Adjustments (BOA) for either Approval, Approval with Conditions, or Denial considering the required criteria (4) and findings (3). Staff finds there are no unique physical conditions; however, the parcel could be subdivided if the BOA finds that it meets the required criteria and findings.

The LUC requires the concurring vote of three members of a 3-member BOA, meaning actions by the BOA must be unanimous in order to pass. Once a decision has been made by the BOA, the process will either proceed with the Subdivision process if approved, or, if denied, the applicant will have 10 (calendar) days to appeal the BOA's decision to the Board of County Commissioners (BoCC). If the BOA approves the variance, the Minor Plat could be handled Administratively by the Director of Planning.

Pursuant to the LUC, Minor Plats (2-lot subdivisions) are handled Administratively, which means that the Director of Community Development and Natural Resources makes the final decision. The Director cannot act on the Minor Plat until/unless the Variance is approved. The application checklist requested enough detail, professionally drawn, for the BOA to be able to make a fully informed decision on the variance.

The Land Use Code (LUC) includes four (4) criteria that must *all* be met for granting a variation of lot size. In addition, there are three (3) findings that must *all* be met to allow a variance of land use regulation. These criteria/findings are listed below with an initial assessment by staff:

Variation to Lot Size (Criteria): Chapter 3, Section 1.A.3 of the LUC states that the County may approve the creation of new lots that do not conform to the size requirements provided they meet four (4) criteria:

1. *The subdivision conforms to all other requirements of the Delta County Land Use Code.*

Staff finds that the site is already developed. However, there is concern with the well permit (#218244), Septic System, and Private Road Easement.

The well is existing on Lot 2 and is proposed to be used as the domestic water source for Lot 1. The well is currently limited to the following: fire protection, ordinary household purposes inside not more than three (3) single family dwellings, the irrigation of not more than one (1) acre of home gardens and lawns, and the watering of domestic animals. Currently, there are six (6) existing structures on this parcel. With that being said, the well permit will need to be updated to show that domestic water from the well can be served to all six (6) structures. There is also the matter of Senate Bill 20-155 (SB20-155), which does not allow for an existing well to be used as a domestic water source for multiple



lots/parcels without an Augmentation Plan being approved by the State. This will also need to be addressed.

There is a Septic System installed on the property but a letter from Environmental Health (EH) (dated July 18, 2001) states that the OWTS permit expired. There is also a note on file from EH that the system was installed without final approval. The application for OWTS stated that the system would be used for one (1) seasonal 3-bedroom frame cabin. With six (6) existing structures, EH cannot confirm if the system is being used for all six structures or if it is even capable of supporting all existing structures. The septic system will need to be inspected by a Licensed Engineer to confirm that the system can support the development.

Although the access is existing, there is an easement in place through the U.S. Forest Service that will need to be reviewed by the Forest Service. Currently, the easement states: "this easement shall continue for as long as the property served is used for a private residence." As there are multiple structures placed on the property, Staff feels the easement needs to be updated to address the intensification of the property to the Forest Service Road and ensure that adequate access is in place for the development.

2. *The new lots have at least the minimum dimensions set out in the standards for the UGA zoning district (75-foot width, 30-foot frontage).*

Neither Lot 1 or Lot 2 have frontage to any County road. Therefore, the only frontage to County Road 265 is through the Private Road Easement (Rec. #551096). The easement is approximately 142.5-feet long and 16-feet wide (8-feet on each side of the centerline). With that being said, the easement would need to be widened to accommodate the 30-foot of frontage requirement for the lots. Other minimum dimensions are met, as the width measures approximately 155-feet at its narrowest part.

3. *The size and configuration of the new lot minimizes disturbance or development of irrigated agricultural portions of a property, and does not interfere with wildlife habitat.*

The current proposal does not disturb any irrigated portions of the property. With that being said, Staff will need confirmation from Parks & Wildlife on the habitat that is present in this area, if any.

4. *The Final Plat is annotated such that no further subdivision of each lot created by this subsection is allowed.*

If a variance is approved, the BOA could apply a condition that requires including a Plat note reflecting this restriction.



Variance (Findings): Chapter 10, Section 2 of the LUC states that no variance shall be authorized unless the Board of Adjustment (BOA) makes three findings:

1. *Due to the exceptional narrowness, shallowness, or shape of the subject property on the effective date of this Code, or exceptional topographic conditions, or other extraordinary and exceptional situation or condition of the subject property, the strict application of a regulation in this Code would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the owner of the subject property.*

Staff finds that there are no exceptional circumstances that affect this property that would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the owner of this property.

2. *A variance from strict application of the regulations at issue would relieve such difficulties or hardship.*

The applicant has not provided any information in regards to the request for the variance that would address any such difficulties or hardship placed on the applicant if the variance was denied.

3. *The requested variance would not create a substantial detriment to the public good or substantially impair the intent and purpose of this Code.*

Zoning is applied broadly, but we recognize that it may not fit every situation. All of the abutting properties have at least 35 acres, outside of the Forest Service Lands, and are zoned A-35.

The variance process affords an avenue to request a smaller lot if required criteria/findings can be justified (e.g., physical constraint, hardship). At this time, Staff cannot support the approval of the variance until the above issues are addressed and all requirements of development (access, address, domestic water, etc.) can be met and the appropriate infrastructure is available for each lot.

This is a critical part in determining if a variance should be approved or denied. As such, staff recommends that the BOA continue this matter until such time that the applicant can address the above listed issues and meet the minimum requirements as laid out in the Code for a variance.

OTHER AGENCY INVOLVEMENT

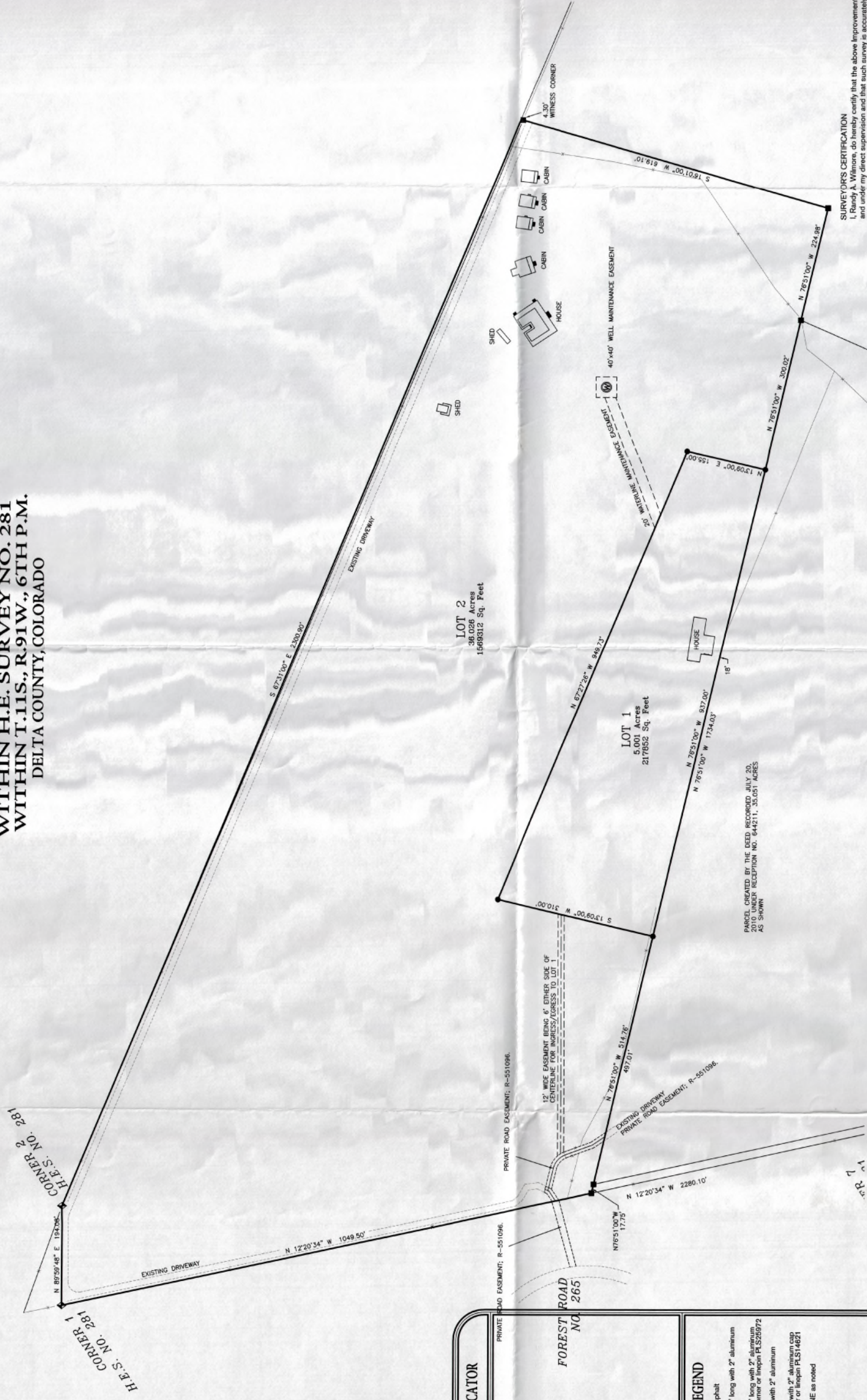
The variance process itself does not generally involve other agencies. However, a public notice was sent to neighboring property owners and posted on the subject property. When/If a subdivision is processed, it will be referred to adjacent property owners and agencies for a 21-day comment period. Comments received could become recommended revisions to the plat.



Attached material: list, in order as attached

- Site Plan (Minor Plat)
- Site Plan (Minor Plat) with Aerial

**NORTHERLAND MINOR SUBDIVISION
WITHIN H.E. SURVEY NO. 281
WITHIN T.11S., R.91W., 6TH P.M.
DELTA COUNTY, COLORADO**



SURVEYORS CERTIFICATION
I, Randy A. Wilmore, do hereby certify that the above Improvement Survey Plat has been surveyed by me and under my direct supervision and that such survey is accurately represented herein, and that all visible improvements and easements of record are shown herein, and is based upon my knowledge, information and belief, and is in accordance with applicable standards of practice and is not a guaranty or warranty, either expressed or implied.

Date: _____ Signed: _____
COLORADO PROFESSIONAL LAND SURVEYOR #25972

FIELD CREW: RAW	DRAFTER: RAW	CHECKED BY: KC
--------------------	-----------------	-------------------

WILMORE & COMPANY
PROFESSIONAL LAND SURVEYING, INC.

406 Grand Avenue
P.O. Box 1652
Palo Alto, Colorado 81428

970.927.4700 PHONE
970.260-4130 PHONE
www.wilmorelandsurveying.com

EMAIL: randy@wilmorelandsurveying.com

W&C

*Boundaries
Defining*

NOTE: According to California law any legal action based upon a defect in this survey must be commenced within three years after such defect is discovered. In no event may any action based upon any defect in this survey be commenced more than ten years from the date shown on the certification hereon.

J22072FINAL	25 MARCH 2022
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NORTHUMBERLAND MINOR SUBDIVISION
WITHIN H.E. SURVEY NO. 281
WITHIN T.11S., R.91W., 6TH P.M.
DELTA COUNTY, COLORADO

AREA LOCATOR

FOREST ROAD
NO. 265

SITE

TYPICAL LEGEND

- Set Mag Nail in Asphalt
- Set 5/8" rebar 30" long with 2" aluminum cap PLS25972
- Set 5/8" rebar 30" long with 2" aluminum cap as Witness corner or linepin PLS25972
- Found 5/8" rebar with 2" aluminum cap PLS14621
- Found 5/8" rebar with 2" aluminum cap as Witness corner or linepin PLS14621
- ◆ ORIGINAL STONE as noted

—x—	Fencelines
—E—	Electric (overhead)
—UE—	Electric (underground)
—W—	Water line
— — —	Easement

BASIS OF BEARINGS:

SCALE 1"=100 U.S. SURVEY FEET



NORTHERLAND MINOR SUBDIVISION
WITHIN H.E. SURVEY NO. 281
WITHIN T.11S., R.91W., 6TH P.M.
DELTA COUNTY, COLORADO



AREA LOCATOR

SITE

TYPICAL LEGEND

- Set Mag. Nail in Asphalt
- Set 5/8" rebar 30' long with 2" aluminum cap PLS 25972
- Set 5/8" rebar 30' long with 2" aluminum cap as Witness cap or Illinois PLS 25973
- Found 5/8" rebar with 2" aluminum cap PLS 1624
- Found 5/8" rebar with 2" aluminum cap as Witness cap or Illinois PLS 140
- ORIGINAL STONE SET

- Fencelines
- Electric (overhead)
- Electric (underground)
- Water line
- Easement

BASIS OF BEARINGS:

SCALE 1"=100 U.S. SURVEY FEET

SURVEYOR'S CERTIFICATION
I, Randy A. Wilmore, do hereby certify that the above Improvement Survey Plat has been surveyed by me and under my direct supervision and that such survey is accurately represented hereon, and that all visible improvements and easements of record are shown hereon, and is based upon my knowledge, information and belief, and is in accordance with applicable standards of practice and is not a guaranty or warranty, either expressed or implied.

Date: Signed:
COLORADO PROFESSIONAL LAND SURVEYOR #25972

WILMORE & COMPANY
PROFESSIONAL LAND SURVEYING, INC.
408 Grand Avenue
P.O. Box 1062
Pawnee, Colorado 81428
970.527.4200 PHONE
970.560.4150 PHONE
www.wilmorelandsurveying.com
EMAIL: randy@wilmorelandsurveying.com

Defining Boundaries

NORTHERLAND MINOR SUBDIVISION
WITHIN H.E. SURVEY NO. 281
WITHIN T.11S., R.91W., 6TH P.M.
DELTA COUNTY, COLORADO

122072FINL 25 MARCH 2022