

Exemption Amendment Staff Report

Date: March 27, 2025
To: Douglas County Board of County Commissioners
Through: Douglas J. DeBord, County Manager
From: Terence T. Quinn, AICP, Director of Community Development *TQ*
CC: Eric Pavlinek, Principal Planner
Jeanette Bare, AICP, Planning Manager
Steven E. Koster, AICP, Assistant Director of Planning Services
Subject: Hier Exemption, 1st Amendment
Project File: EX2025-001

Board of County Commissioners Meeting:

April 8, 2025 @ 2:30 p.m.

I. EXECUTIVE SUMMARY

The request is for approval of an exemption amendment to legalize two parcels on 18.31 acres. The two parcels were established via a warranty deed recorded in 2007 and this action constituted a violation of the County's Subdivision Resolution, rendering these two parcels ineligible for building or other types of development permits. The site is located approximately a half mile southwest of the intersection of North US Highway 85 and State Highway 67 in Sedalia.

The proposed exemption amendment is within the Sedalia Rural Community as identified in Section 4 of the 2040 Douglas County Comprehensive Master Plan (CMP).

II. APPLICATION INFORMATION

A. Applicants

Loni Clifford
PO Box 343
Sedalia, Colorado 80135

Ice Tong Land & Cattle Company LLC
PO Box 349
Sedalia, Colorado 80135

B. Applicant's Representative

Kevin Archer
David E Archer & Associates, Inc
105 Wilcox Street
Castle Rock, Colorado 80104

C. Request

The applicants request approval of an exemption amendment of 2 residential parcels on 18.31 acres. Parcel A1 is 2.36-acres in size; Parcel A2 is 15.95-acres in size. The purpose of the exemption amendment is to legalize the two parcels. Both parcels are in the Rural Residential (RR) Zone District.

D. Process

In accordance with Section 903 of the Douglas County Subdivision Resolution (DCSR), the request must comply with one of five listed criteria to be exempted from the definition of the term subdivision. Specifically, Section 903.05 authorizes subdivision exemption when parcels are created through a deed recorded in the Office of Douglas County Clerk and Recorder that the Board determines is not within the purposes of the Subdivision Resolution.

E. Location

The project area is located in Sedalia, southwest of the intersection of North US Highway 85 and State Highway 67. Vicinity, zoning, and aerial maps which show site location and existing conditions are attached to the staff report.

III. CONTEXT

A. Background

Parcel A was established in 2000 as part of a two-lot subdivision exemption (Hier Exemption) approved by the Board. Parcel B of that exemption was subsequently developed as the Sedalia United States Post Office facility (4195 Douglas Avenue). The current exemption amendment request is to legalize the split of Parcel A into two parcels.

B. Adjacent Land Uses and Zoning

The exemption amendment request is located in Sedalia and is adjacent to other properties zoned Sedalia Community District, Sedalia Downtown District, Agricultural One, and RR. The following table reflects those zone districts and land uses surrounding the project area.

Zoning and Land Use

Direction	Zoning	Land Use
North	Sedalia Community District Sedalia Mixed Industrial	Residential, Commercial
South	Agricultural One	Residential
East	Sedalia Downtown District	Residential
West	RR	Residential, Ranching

IV. PHYSICAL SITE CHARACTERISTICS

A. Site Characteristics and Constraints

The site is bounded on the north by downtown Sedalia. No existing physical conditions are present that constrain future residential development for each parcel.

B. Access

Proposed Parcel A1 is provided access by an existing access easement through an adjacent metes and bounds parcel that connects to Huxtable Street. Proposed Parcel A2 has direct access to Douglas Avenue. Public Works Engineering (Engineering) reviewed the request and does not have any concern.

C. Drainage and Erosion

No stormwater or other improvements are required. Drainage, Erosion, and Sediment Control (DESC) permits are required for residential construction.

D. Floodplain

No floodplain areas exist on the site.

V. PROVISION OF SERVICES

A. Fire Protection

The parcels are served by West Douglas County Fire Protection District. The fire district reviewed the request and had no concerns.

B. Sheriff Services

The Douglas County Sheriff's Office provides police protection to the site and surrounding area.

C. Water

The source of water for each parcel will be individual wells. The water supply for proposed Parcel A1 will be a new well drilled to the Denver aquifer. The Colorado Division of Water Resources has confirmed receipt of a new well permit application for this parcel. The water supply for proposed Parcel A2 will be from a well that currently is being constructed in accordance with well permit number 89161-F.

D. Sanitation

The source of sewer for each parcel will be septic systems. Future residential development located on each parcel will need septic permits in conjunction with the building permit process. The Douglas County Health Department had no comment on the application.

E. Utilities

Area utility service providers are available to each parcel. No utility dedications are required as part of the exemption amendment process. Any utility easements required for future buildings will need to be dedicated by separate document.

VI. STAFF ANALYSIS

Staff has evaluated the exemption amendment request in accordance with Article 9 of the Subdivision Resolution. Per Section 903.05, the Board may authorize subdivision exemption under specific circumstances, where it is determined that the applicant is not circumventing subdivision. In this case, deeds for the two parcels were executed and recorded in 2007. While no specific approval standards are required for exemption

requests, the review process ensures that water, sewer, access, and other basic services are available for the proposed exempt parcels. In this case, such utilities and services are available. Each parcel is sufficiently sized to meet required zoning setbacks and provide for individual well and septic systems.

VII. STAFF ASSESSMENT

Staff has evaluated the exemption amendment request in accordance with Article 9 of the Subdivision Resolution. Should the Board find that the criteria for the exemption amendment are met, the following proposed conditions should be considered for inclusion in the motion:

1. Prior to recordation of the exemption exhibit, technical corrections to the exhibit shall be made to the satisfaction of Douglas County.
2. All commitments and promises made by the applicant or the applicant's representative during the public meeting and/or agreed to in writing and included in the public record have been relied upon by the Board of County Commissioners in approving the application; therefore, such approval is conditioned upon the applicant's full satisfaction of all such commitments and promises.

<u>ATTACHMENTS</u>	<u>PAGE</u>
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LAND USE APPLICATION

Please complete, sign, and date this application. Return it with the required items listed on the Submittal Checklist to planningsubmittals@douglas.co.us. Submittals may also be mailed or submitted in person to Planning Services. **NOTE: The Planning Commission or the Board of County Commissioners should not be contacted regarding an open application.**

OFFICE USE ONLY**PROJECT TITLE:** **Hier Exemption. 1st Amendment****PROJECT NUMBER:** **EX2025-001****PROJECT TYPE:** Exemption Plat**MARKETING NAME:** _____**PRESUBMITTAL REVIEW PROJECT NUMBER:** PS2024-084**PROJECT SITE:**Address: No Address and 4210 Douglas AvenueState Parcel Number(s): 2353-144-00-033 and 2353-144-00-032

Subdivision/Block#/Lot# (if platted): _____

PROPERTY OWNER(S):Name(s): Loni L Clifford Ice Tong Land and Cattle Company, LLCAddress: 618 Lacy Road, Billings MT, 59101 PO Box 349, Sedalia, CO 80135Phone: _____ 303-660-0600Email: llclif5@gmail.com polson@icetong.net

AUTHORIZED REPRESENTATIVE: (Notarized Letter of Authorization is required from the property owner, unless the owner is acting as the representative)

Name: David E Archer & Associates, Inc Kevin ArcherAddress: 105 Wilcox Street, Castle Rock, CO 80104Phone: 303-688-4642Email: karcher@davidearcher.com

To the best of my knowledge, the information contained on this application is true and correct. I have received the County's information sheet regarding the *Preble's Meadow Jumping Mouse*.



Applicant Signature

12-30-24

Date



DAVID E. ARCHER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS & ENGINEERS

105 Wilcox Street * Castle Rock, CO 80104
PHONE (303) 688-4642 * FAX (303) 688-4675 * karcher@davidearcher.com

PROJECT NARRATIVE
For
HIER EXEMPTION AMENDMENT
Parcel A

Parcel A of the Hier Exemption was split into two parcels, a 2.36 acre parcel sold to Loni Clifford and the 15.95 acre parcel sold to Ice Tong Land and Cattle in 2006. The split was done without the approval of Douglas County and are therefore not legal parcels. The purpose of this Exemption Amendment is to legalize the Parcels created by the 2006 transactions. The following is a history of Parcel A.

The following provides a timeline for the ownership of Parcel A of the Hier Exemption and the changes made to it.

In 2000 the Hier Exemption, Reception Number 00058868, was approved creating Parcels A (18.311 Acres) and B (1.406 Acres). The property owners at the time were Louise B. Hier, George R. Hier and Joyce Hier. Louise is the mother of George, and George and Joyce are married. Louise had a half interest in the property and George and Joyce had a half interest. After the Exemption was approved Parcel B was sold and is now the site of a Post Office.

Parcel A of the Hier Exemption remained owned by Louise B. Hier, George R. Hier and Joyce Hier. On November 12, 2003 a ½ interest in Parcel A was transferred from George R Hier and Joyce Hier to the Joyce E. Hier Revocable Trust under a quit claim deed recorded at reception number 2003162889. On October 23, 2003, a ½ interest in Parcel A Louise B. Hier transferred her undivided ½ interest to the Louise B. Hier Trust under a quit claim deed recorded at reception number 2003154822

Then on December 27, 2006, The Joyce E. Hier Revocable Trust transferred the western 2.36 acres to the Louise B. Hier Trust Under a quit claim deed recorded at reception number 2007000588. Also on December 27, 2006 the Joyce E. Hier Revocable Trust and the Louise B. Hier Trust transferred the remaining 15.95 acres of Parcel A to Ice Tong Land and Cattle LLC under a Warranty Deed recorded at reception number 2007000586.

Ice Tong Land and Cattle LLC removed 0.16 acres off of the east end of Parcel A and combined it with an existing parcel also owned by Ice Tong Land and Cattle LLC to create a 0.5 Parcel recorded at Reception number 2007073765 on September 14, 2007. There is currently a Site Improvement Plan being processed by Douglas County on this parcel. The remaining 15.79 acres of Parcel A were quit claimed to Ice Tong Land and Cattle LLC under reception number 2007073764.

On October 10, 2010, the Louise B. Hier Trust transferred the 2.36-acre Parcel to Loni L Clifford under a quit claim deed “Family transfer” recorded at reception number 2010071616. Loni is the granddaughter of Louise B. Hier. Loni’s Parcel is accessed via an easement through the adjacent parcel recorded at reception number 2024033344. The 2.36 acres parcel currently has a couple sheds and is used primarily for agricultural purposes, including raising 4-H market goats, horses and chickens.

In the time that Loni owned this parcel there have been multiple easements granted over the property. The easements include a Temporary Construction Easement, a Permanent Easement, and an Access Easement to Dominion Water and Sanitation District. An additional access easement was granted for the property to the west.

Comprehensive Master Plan Land Use Reference Map

Comprehensive Master Plan Areas

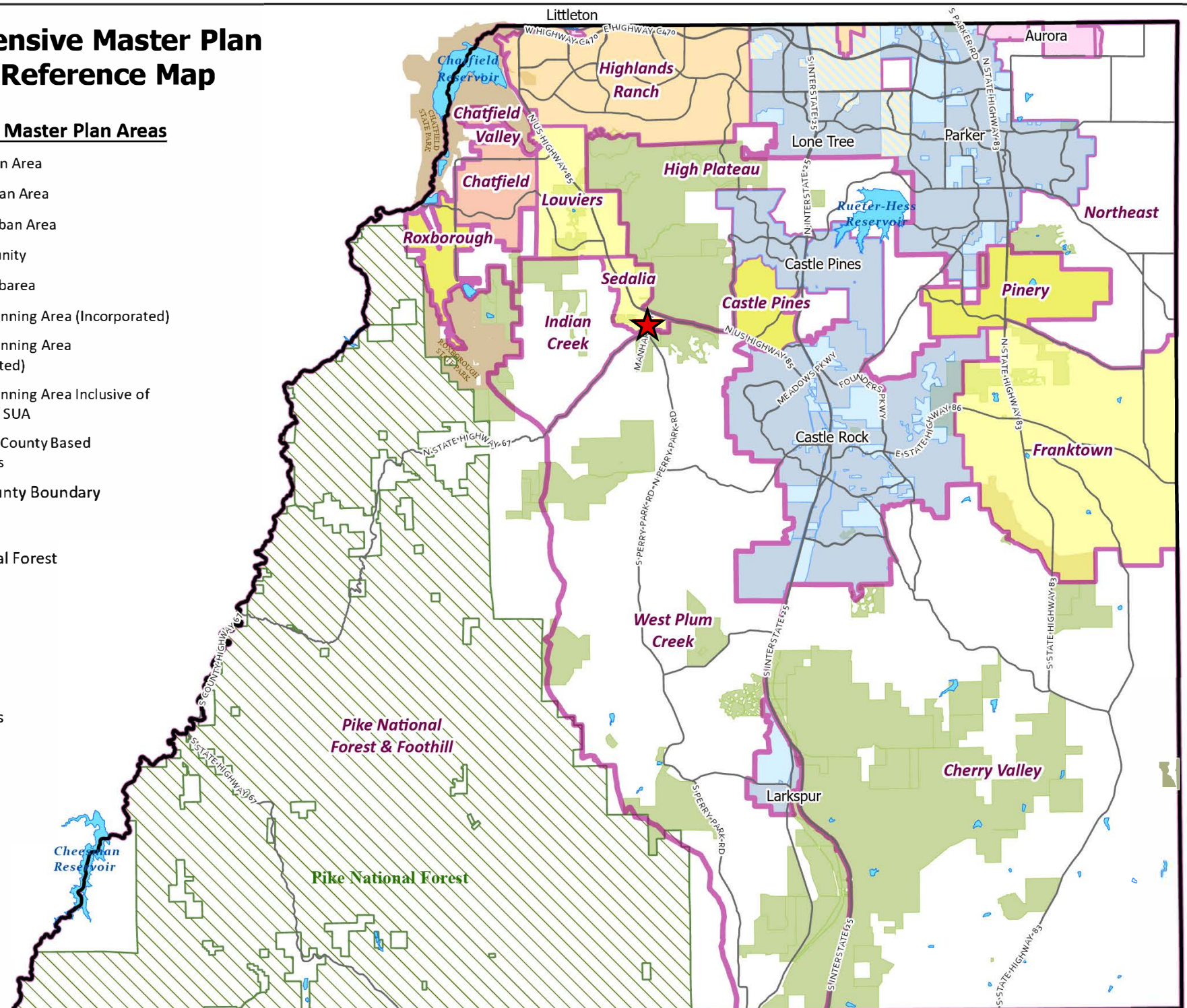
- Primary Urban Area
- Chatfield Urban Area
- Separated Urban Area
- Rural Community
- Nonurban Subarea
- Municipal Planning Area (Incorporated)
- Municipal Planning Area (Unincorporated)
- Municipal Planning Area Inclusive of County PUA / SUA
- Non-Douglas County Based Municipalities
- Douglas County Boundary

Parks

- Pike National Forest
- State Parks
- Open Space
- Lakes

Roadways

- Major Roads



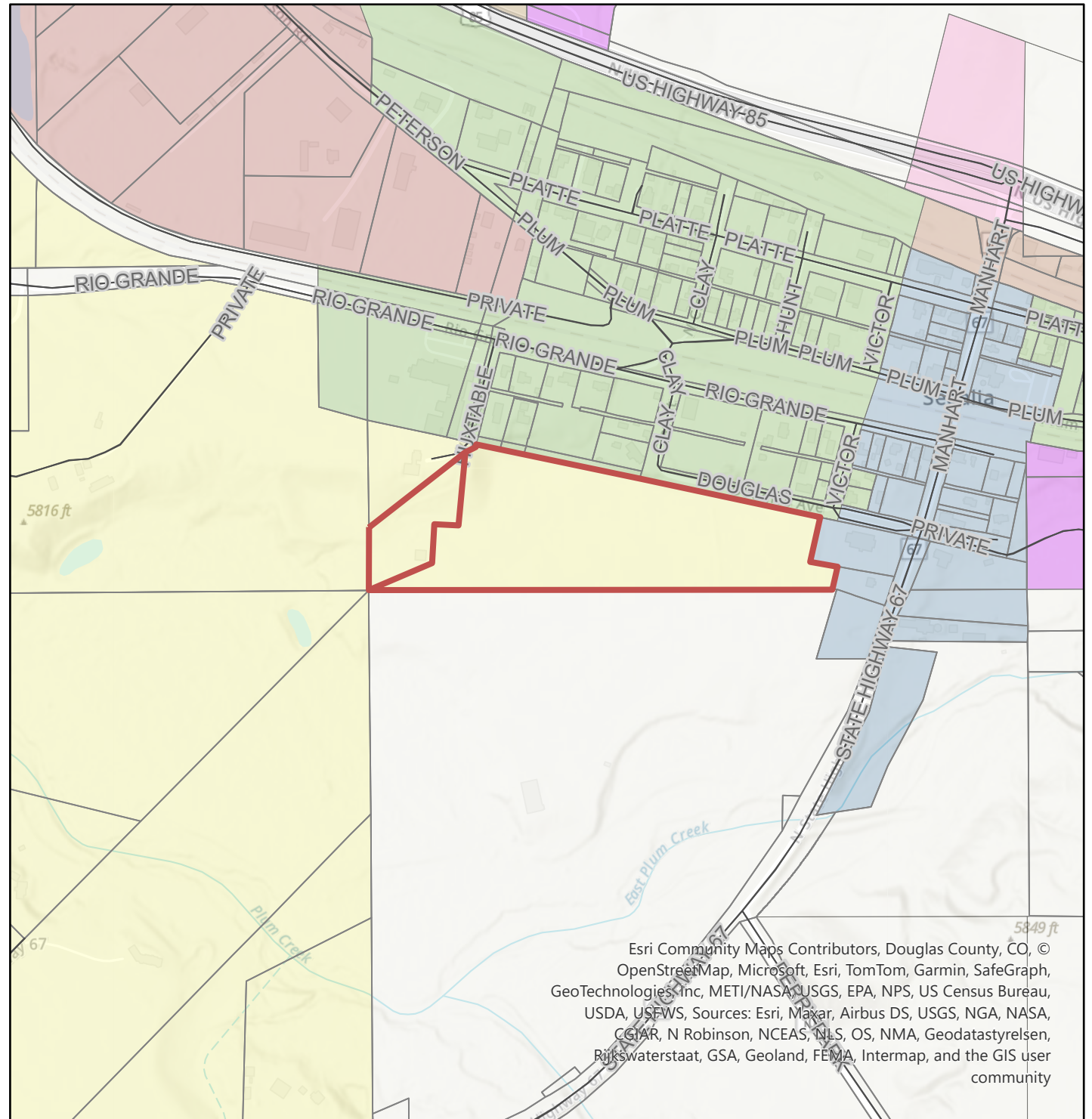
Hier Exemption, 1st Amendment

EX2025-001 Zoning Map



LEGEND

- Roads
- Major Roads
- Parcels - PARCELS
- A1 - AGRICULTURAL ONE
- RR - RURAL RESIDENTIAL
- B - BUSINESS
- LI - LIGHT INDUSTRIAL
- CMTY - SEDALIA COMMUNITY
- D - SEDALIA DOWNTOWN
- HC - SEDALIA HIGHWAY COMMERCIAL
- MI - SEDALIA MIXED INDUSTRIAL
- PD - PLANNED DEVELOPMENT



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 OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph,
 GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau,
 USDA, USFWS, Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA,
 CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen,
 Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user
 community

Date Saved: 3/25/2025 1:19 PM

Source: <https://apps.douglas.co.us/gisportal/apps/webappviewer/index.html?id=9cd173c692b7436891bd0bd025cbcc2c>

Hier Exemption, 1st Amendment

EX2025-001
Aerial Map



- LEGEND
- Roads
 - Major Roads
 - ▭ Parcels - PARCELS



Esri Community Maps Contributors, Douglas County, CO, OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS, Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NGEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community

Referral Agency Response Report**Page 1 of 1****Project Name:** Hier Exemption, 1st Amendment**Project File #:** EX2025-001**Date Sent:** 1/16/2025**Date Due:** 1/30/2025

Agency	Date Received	Agency Response	Response Resolution
Addressing Analyst	1/21/2025	No comment.	No action necessary.
Assessor	1/21/2025	No comment.	No action necessary.
Building Services	01/17/2025	No comment.	No action necessary.
Colorado Division of Water Resources	01/31/2025	Summary of response: The State provided comments related to the existing well located on proposed Parcel A2.	The source of water for each parcel will be individual wells. The water supply for proposed parcel A1 will be a new well drilled to the Denver aquifer. The water supply for proposed parcel A2 will be from a well that currently is being constructed in accordance with the existing well permit. Future residential development located on each parcel will need to provide well permits in conjunction with the building permit process.
Douglas County Health Department	01/29/2025	No comment.	The source of sewer for each parcel will be septic systems. Future residential development located on each parcel will need to provide septic permits in conjunction with the building permit process.
Engineering Services	01/23/2025	Summary of response: Engineering requested a copy of the existing access easement for review.	The applicant provided the existing access easement and Engineering did not have any additional comments. Existing access can be provided to both parcels.
Sedalia Water & Sanitation District		No Response Received.	
West Douglas County FD	01/29/2025	Summary of response: No concerns to this project as proposed.	No action necessary.



January 30, 2025

Eric Pavlinek

Douglas County Planning Services

Transmission via email: epavlinek@douglas.co.us

**Re: Case Number: EX2025-001, Hier Exemption, 1st Amendment
Subdivision Exemption Amendment**

Part of the S ½ of the SE ¼ of Section 14, Twp. 7S, Rng. 68W, 6th P.M.
Water Division 1, Water District 8

Dear Eric Pavlinek,

We have received your January 16, 2025 submittal concerning the application to legalize an unapproved split of land on two parcels that were part of Hier Exemption EX01-001 (Parcel ID Nos. 235314400032 and 235314400033) and located in the S ½ of the SE ¼ of Section 14, Twp. 7S, Rng. 68W, 6th P.M., Douglas County.

This referral does not appear to qualify as a “subdivision” as defined in section 30-28-101(10)(a), C.R.S. Therefore, pursuant to the State Engineer’s March 4, 2005 and March 11, 2011 memorandums to county planning directors, this office will only perform a cursory review of the referral information and provide informal comments. The comments do not address the adequacy of the water supply plan for this project or the ability of the water supply plan to satisfy any County regulations or requirements. In addition, 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.



No proposed water supply or water demands were included in the application, therefore, the proposed water supply and water demands are unknown.

A review of our records indicates well permit no. 23547-F is located on proposed Lot A-2 of this amended subdivision exemption. Well permit no. 23547-F was issued on June 1, 1978 for irrigation use as an alternate point of diversion to well permit no. 5895-F, with an annual withdrawal amount of 60 acre-feet and a maximum pumping rate of 220 GPM. Additionally, well permit no. 23547-F was issued under the condition that the Applicant must file an application in division 1 Water Court for a change of water right for the well to be used as an alternate point of diversion to well permit no. 5895-F. It appears that an application was made under water court division 1 case no. 12CW75 for a change of water right and proposed plan for augmentation. However, case no. 12CW75 was subsequently dismissed on May 29, 2013. **Well permit no. 23547-F cannot be used unless a valid permit is obtained and the well is included in a water court approved augmentation plan. If a valid well permit and augmentation plan for the well cannot be obtained, the well must be plugged and abandoned in accordance with the Water Well Construction Rules 2 CCR 402-2 and a Well Abandonment Report must be filed.**

A well application was also received under application receipt no. 10033513 on December 28, 2023 requesting domestic uses on proposed parcel A-1. The application is currently in a “Application Information Requested” status due to questions regarding parcel creation. Our office will hold this application until the Applicant provides to our office documentation that the county has approved the amended subdivision amendment, at which time, we will act upon the application.

Our office has no additional comments on the subdivision exemption amendment application.

Please contact Mike Matz at 303-866-3581 x8241 or at michael.matz@state.co.us with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ioana Comaniciu', written in a cursive style.

for Ioana Comaniciu, P.E.

Water Resources Engineer

Ec: Referral no. 32656

File for permit no. 23547-F

Eric Pavlinek

Subject: RE: Referral EX2025-001 Response

From: Matz - DNR, Michael <michael.matz@state.co.us>

Sent: Monday, March 17, 2025 6:44 PM

To: Eric Pavlinek <epavlinek@douglas.co.us>

Cc: Jeanette Bare <JBare@douglas.co.us>; Comaniciu - DNR, Ioana <ioana.comaniciu@state.co.us>; Gonzales - DNR, Debra <debra.gonzales@state.co.us>

Subject: Re: Referral EX2025-001 Response

Good evening Eric,

Looking at permit no. 89161-F, we do see that this permit was issued on May 30, 2024 for "domestic, irrigation, stockwatering purposes, and augmentation of depletions occurring pursuant to case no. 13CW3065, either directly or after storage". It does appear that this well is to be located on Lot A-2.

Regarding well permit application receipt no. 10033513 that was applied for on Lot A-1, that permit is currently in an "application information requested" status. Since we cannot issue an exempt well permit for a parcel until it has been legally created, our office will review and act upon the application once the lot has been legally created and a complete application is received by our office. While we also can't guarantee permits over the phone or email, the allowable uses would be based on the amount of Denver aquifer water available for appropriation under the parcel (i.e. the number of single family dwellings, specific amount of lawn/garden irrigation and number of large domestic animals to be watered). A preliminary look at the aquifer hydrogeology report appears to show there would be enough Denver water available for some outdoor uses, but we will need to complete the review after the parcel is created to provide a more definite answer.

Let me know if you have any follow up questions.

Best,

Mike Matz
Water Resources Engineer



P 303.866.3581 x 8241

1313 Sherman Street, Room 821, Denver, CO 80203

michael.matz@state.co.us | www.colorado.gov/water

January 29, 2025

Eric Pavlinek
100 Third St.
Castle Rock, CO 80104

RE: EX2025-001

Dear Eric Pavlinek,

Thank you for the opportunity to review and comment on the referenced Exemption Request. Douglas County Health Department (DCHD) staff have reviewed the application for compliance with pertinent environmental and public health regulations. After reviewing the application, DCHD has no comments.

Please feel free to contact me at 720-907-4897 or smccain@douglas.co.us if you have any questions about our comments.

Sincerely,



Shania McCain
Environmental Health Specialist I
Douglas County Health Department

HIER EXPEMPTION, 1ST AMEND
IN SECTION 14, TOWNSHIP 7 SOUTH,
RANGE 68 WEST OF THE 6th P.M.,
DOUGLAS COUNTY, COLORADO
18.31 ACRES 2 RESIDENTIAL PARCELS EX2025-XX

UNPLATTED
ZONE= RB
USB= RESIDENTIAL

THAT PART OF TH SE 1/4
REC. NO. 2010071614
0.044 ACRES +/-
4,081 SQ FT +/-

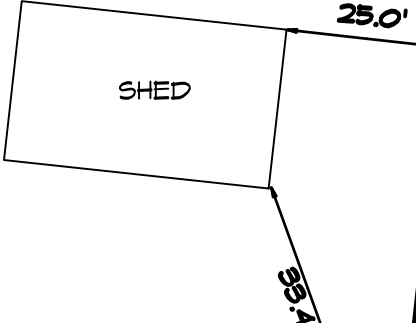
TRACT IN SE 1/4
14-T7S-R68W

provide us with a copy of this access
easement across the McKinney/Cancino
& Ice Tong Land & Cattle Company, LLC
properties

16' ACCESS EASEMENT
REC. NO. 2024033347

ACCESS EASEMENT
REC. NO. 2019006557
0.152 ACRES +/-
6,615 SQ FT +/-

PARCEL A1
2.36 ACRES



PERMANENT EASEMENT
REC. NO. 2019006557
0.04 ACRES +/-
1,736 SQ FT +/-

PERMANENT EASEMENT
REC. NO. 2019006557
2.082 ACRES +/-
90,684 SQ FT +/-

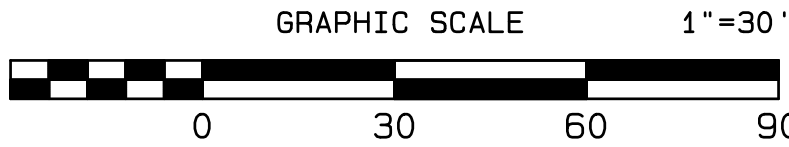
TEMPORARY EASEMENT
REC. NO. 2019006557
2.221 ACRES +/-
97,022 SQ FT +/-

PARCEL B
TEMPORARY EASEMENT
REC. NO. 2019006557
0.022 ACRES +/-
952 SQ FT +/-

PERMANENT EASEMENT
REC. NO. 2019006557
0.051 ACRES +/-
2,232 SQ FT +/-

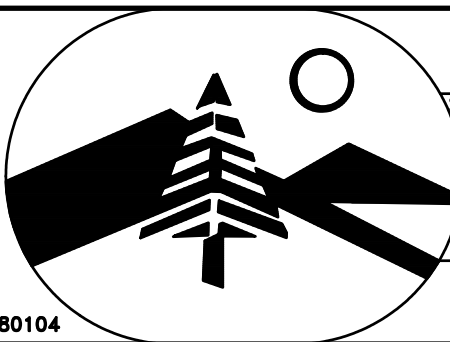
PARCEL A
TEMPORARY EASEMENT
REC. NO. 2019006557
0.033 ACRES +/-
1,438 SQ FT +/-

"NOTICE: According to Colorado law you must commence any legal
action based upon any defect in this survey within three years
after you first discover such defect. In no event, may any
action based upon any defect in this survey be commenced more
than ten years from the date of the certification shown hereon."



REVISIONS	

DAVID E.
ARCHER
& ASSOCIATES, INC.
LAND DEVELOPMENT CONSULTING
SURVEYING & ENGINEERING
PHONE (303) 688-4642
105 WILCOX ST. CASTLE ROCK, COLORADO 80104



TITLE	
HIER EXPEMPTION, 1ST AMEND IN SECTION 14, TOWNSHIP 7 SOUTH, RANGE 68 WEST OF THE 6th P.M., DOUGLAS COUNTY, COLORADO	
SCALE AS-SHOWN DATE 1-2-25 DRN DLL APVD. [Signature]	CLIENT Loni Clifford
Sheet 3 of 3	JOB NUMBER 24-0848

Eric Pavlinek

Subject: RE: Hier Exemption, 1st Amendment

From: Chuck Smith <CSmith@douglas.co.us>

Sent: Wednesday, February 26, 2025 9:22 AM

To: Kevin Archer <karcher@davidearcher.com>; Eric Pavlinek <epavlinek@douglas.co.us>; Loni Clifford <llclif5@gmail.com>; Doug Polson <polson@icetong.net>

Subject: RE: Hier Exemption, 1st Amendment

Good Morning All,

Engineering has reviewed the latest submittal and have no additional comments - thanks

Chuck Smith, CFM | Engineer III – Douglas County Engineering
Douglas County Department of Public Works Engineering
Engineering Services

Address | 100 Third St., Castle Rock, CO 80104

Main | 303-660-7490

Email | CSmith@douglas.co.us

From: Kevin Archer <karcher@davidearcher.com>

Sent: Friday, February 21, 2025 4:29 PM

To: Eric Pavlinek <epavlinek@douglas.co.us>; Loni Clifford <llclif5@gmail.com>; Doug Polson <polson@icetong.net>

Cc: Chuck Smith <CSmith@douglas.co.us>

Subject: Re: Hier Exemption, 1st Amendment

Eric,

Please see the attached documents for the second submittal addressing the referral comments.

Please let us know if you need any additional information.

Thanks

Kevin

Eric Pavlinek

From: j.oravez <j.oravez@westdouglasfire.org>
Sent: Wednesday, January 29, 2025 4:43 PM
To: k.telfer; Eric Pavlinek
Subject: Re: Hier Exemption, 1st Amendment

I thought I already submitted this response but I must not have quick submit. I have no concerns over the proposal and I am fine with it.

I will try it again in the system and update it.

John Oravez - Chief
WDCFPD

On Jan 29, 2025 at 4:11 PM, Eric Pavlinek <epavlinek@douglas.co.us> wrote:

Good afternoon, John and Kevin:

Just a friendly reminder that the referral period for project EX2025-001 will conclude tomorrow, January 30, 2025. This request proposes to legalize two parcels as shown on the attached exhibit.

Attached are the following documents:

- Referral Response Request
- Applicant's project narrative
- Exemption Exhibit

Please let me know if you have any questions.

Thanks,

Eric Pavlinek | Principal Planner
Douglas County Department of Community Development
Planning Services Division
Address | 100 Third St., Castle Rock, CO 80104
Direct | 303.814.4377 Main | 303.660.7460
Email epavlinek@douglas.co.us



DAVID E. ARCHER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS & ENGINEERS
105 WILCOX STREET * CASTLE ROCK, CO 80104 * PHONE (303) 688-4642

March 24, 2025
Job No. 24-0848

Eric Pavlinek
Principal Planner
Douglas County – Planning Services
100 Third St. Suite #200
Castle Rock, CO 80104

RE: Hier Exemption, 1st Amendment
EX2025-001

Dear Eric,

We have revised the submittal documents as requested in your letter dated January 31, 2025.
The following is our written response to those comments.

Planning Services

The redlines provided have been addressed and notes made on the redlined copy.

Engineering Services

The redlines have been addressed and the requested documents included.

Colorado Division of Water Resources

Well Permit 89161-f was issued May 30, 2024 for “domestic, irrigation, stockwatering purposes, and augmentation of depletions occurring pursuant to case no. 13CW3065, either directly or after storage”. This well is located on Parcel A2

Also a well application has been applied for but until the parcel is legalized through this process the application is on hold.

All the other comments received had no comment.

Please let me know if you have any additional comments.

Thank you,



Kevin E. Archer, P.E.

G:\Drawings\2024\24-0848\Exemption\EXEMPTION PLAT 24-0848.pro
Fri Feb 21 16:18:34 2025

EXISTING PARCEL

PROPERTY DESCRIPTION – PARCEL A

A Tract of land situated in the Southeast 1/4 of Section 14, Township 7 South, Range 68 West of the 6th Principal Meridian, Douglas County, Colorado, more particularly described as follows:
Beginning at the Southwest corner of said Southeast 1/4 and considering the South line of said Southeast 1/4 to bear S86°18'30"E with all bearings contained herein relative thereto;
Thence S86°18'30"E along said South line a distance of 1958.66 feet;
Thence N25°52'47"E a distance of 80.00 feet;
Thence N76°15'14"W a distance of 208.43;
Thence N15°54'37" a distance of 179.06 feet to the South Right of Way line of Douglas Avenue;
Thence N74°05'23"W along said South Right of Way line a distance of 1426.65;
Thence S55°19'11"W a distance of 545.73 feet to the West line of said Southeast 1/4;
Thence S03°32'30"W along said West line a distance of 248.64 feet to point of beginning. Containing 18.311 acres, more or less.

NEW PARCELS

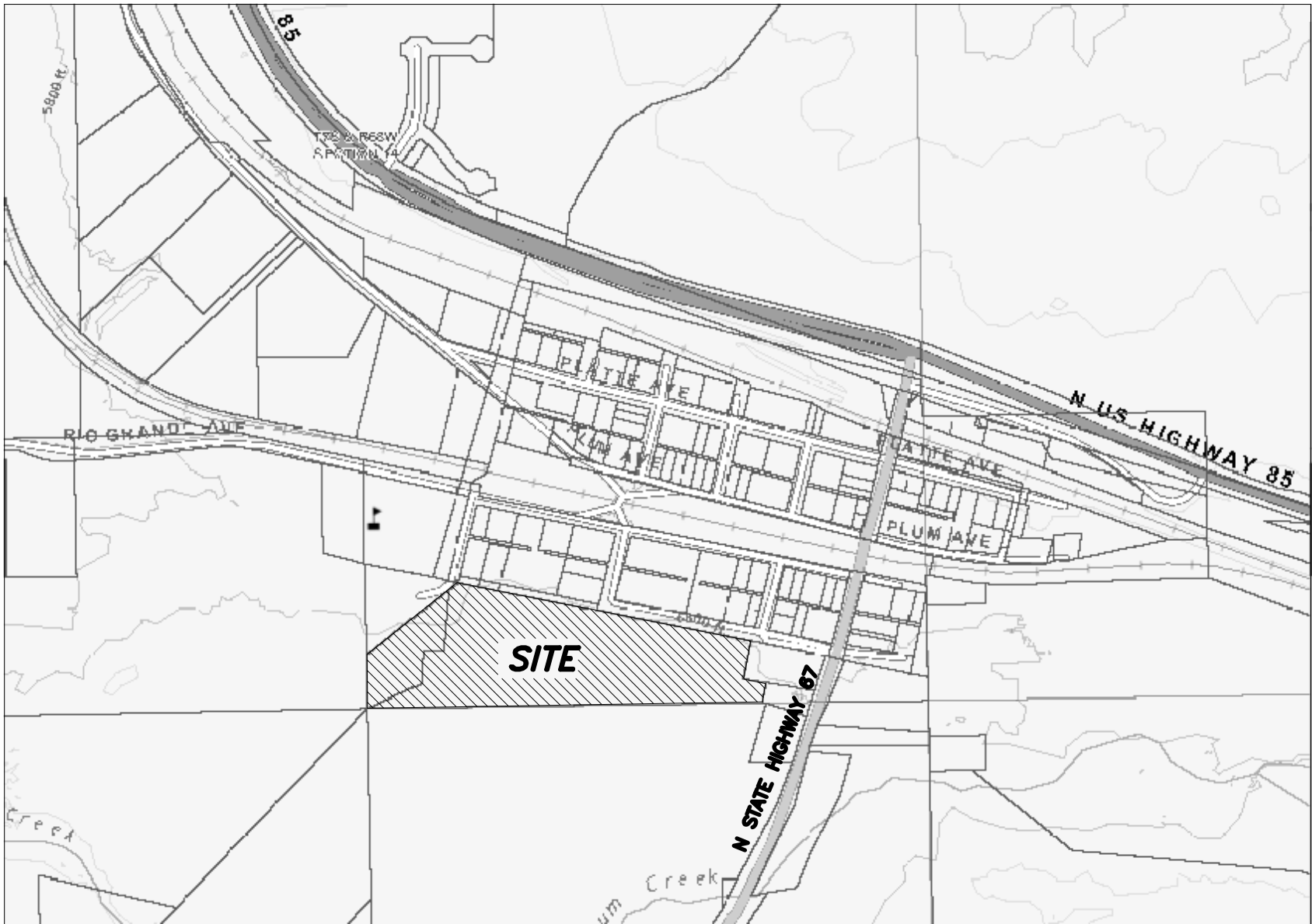
PROPERTY DESCRIPTION – PARCEL A1

A tract of land situated in the South 1/2 of the Southeast 1/4 of Section 14, Township 7 South, Range 68 West of the 6th Principal Meridian, Douglas County, Colorado, being a part of Parcel A, Hier Exemption and being more particularly described as follows:
Beginning at the Southwest corner of the Southeast 1/4 of said Section 14 and considering the South line of said Southeast 1/4 to bear S86°18'30"E with all bearings contained herein relative thereto;
Thence N70°10'55"E a distance of 277.05 feet;
Thence N06°23'21"E a distance of 154.78 feet;
Thence S83°50'15"E a distance of 96.90 feet;
Thence N08°37'01"E a distance of 292.85 feet;
Thence S55°19'11"W a distance of 489.72 feet to the West line of said Southeast 1/4;
Thence S03°32'30"W along said West line a distance of 248.64 feet to the point of beginning;
Containing 2.36 acres, more or less.

PROPERTY DESCRIPTION – PARCEL A2

A tract of land situated in the South 1/2 of the Southeast 1/4 of Section 14, Township 7 South, Range 68 West of the 6th Principal Meridian, Douglas County, Colorado, being a part of Parcel A, Hier Exemption and being more particularly described as follows:
Commencing at the Southwest corner of the Southeast 1/4 of said Section 14 and considering the South line of said Southeast 1/4 to bear S86°18'30"E with all bearings contained herein relative thereto;
Thence S86°18'30"E along said South line a distance of 1958.66 feet;
Thence N25°52'47"E a distance of 80.00 feet;
Thence N76°15'14"W a distance of 208.43 feet;
Thence N15°54'37"E a distance of 179.06 feet to the South line of Douglas Avenue;
Thence N74°05'23"W along said South line a distance of 1426.65 feet;
Thence S55°19'11"W a distance of 56.01 feet;
Thence S08°37'01"W a distance of 292.85 feet;
Thence N83°50'15"W a distance of 96.90 feet;
Thence S06°23'21"W a distance of 154.78 feet;
Thence S70°10'55"W a distance of 277.05 feet to the point of beginning;
Containing 15.95 acres, more or less.

HIER EXEMPTION, 1ST AMENDMENT
IN SECTION 14, TOWNSHIP 7 SOUTH, RANGE 68 WEST OF THE 6th P.M.,
DOUGLAS COUNTY, COLORADO
18.31 ACRES 2 RESIDENTIAL PARCELS EX2025-001



VICINITY MAP

SCALE: 1"=750'

APPLICANTS

PARCEL A2
ICE TONG LAND & CATTLE COMPANY LLC
4210 DOUGLAS AVE
SEDALIA CO 80135

PARCEL A1
LONI L CLIFFORD
PO BOX 343
SEDALIA, CO 80135

BASIS OF BEARINGS

Bearings are based on the consideration that the South line of the NW 1/4 of the NE 1/4 of Section 21 bears S89°49'15"E as shown hereon between the identified monuments.

SURVEYOR'S CERTIFICATE

I, Darrell E Roberts, a duly registered Professional Land Surveyor in the State of Colorado, do hereby certify that this exemption exhibit truly and correctly represents the results of a survey made on (date of survey), by me or under my direct supervision and that all monuments exist as shown hereon; that mathematical closure errors are less than 1:50,000 (second order); and that said exhibit has been prepared in full compliance with all applicable laws of the State of Colorado dealing with monuments, subdivisions or surveying of land and all applicable provisions of the Douglas County Subdivision Resolution.

I attest the above on this _____ day of _____, 20____.

Darrell Eugene Roberts for and on behalf of David E. Archer & Assoc. Inc.,
Professional Land Surveyor # 36037

CLERK AND RECORDER

STATE OF COLORADO)
COUNTY OF DOUGLAS)SS

I hereby certify that this exemption was filed in my office on this _____ day of _____, 20____ A.D., at _____ a.m./p.m., and was recorded at Reception # _____.

Douglas County Clerk and Recorder


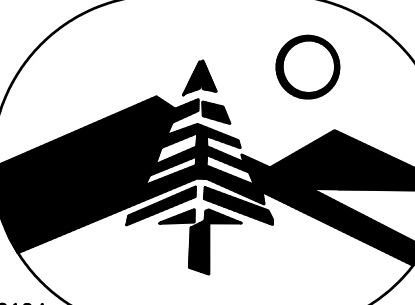
DIRECTOR OF COMMUNITY DEVELOPMENT

This exemption was approved by the Douglas County Board of County Commissioners on _____, 20____, Motion # _____

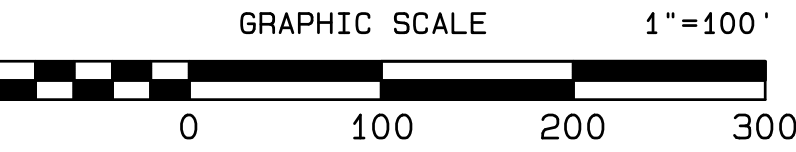
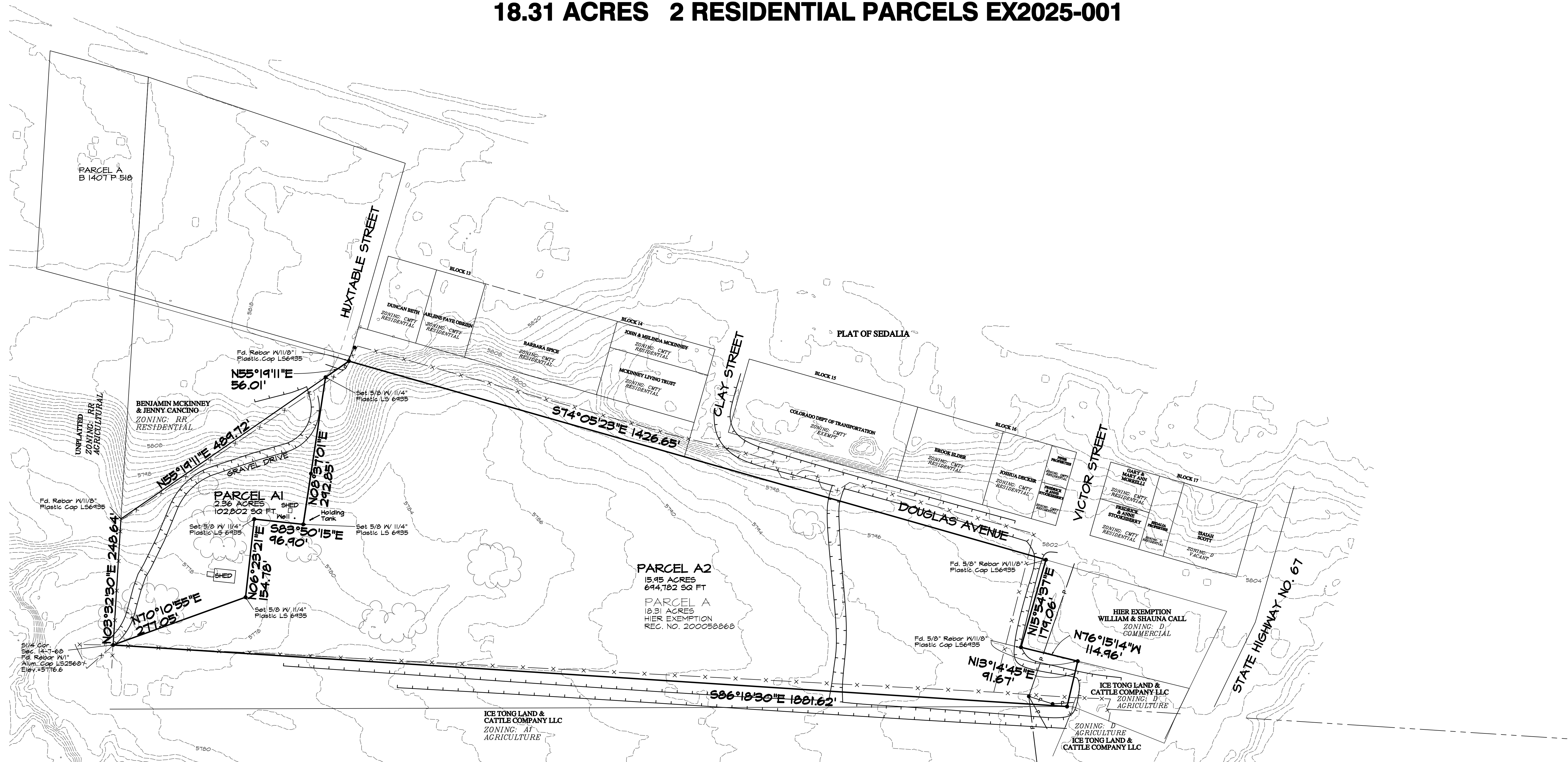
Accepted for recordation by: _____ Date _____
Director of Community Development

SHEET INDEX

SH. 1 COVER SHEET
SH. 2 PARCEL EXHIBIT
SH. 3 PARCEL DETAILS

REVISIONS	 	SCALE DATE 11-13-24 BY CHKD APVD.	PROJECT HIER EXEMPTION, 1ST AMEND IN SECTIONS 14, TOWNSHIP 7 SOUTH, RANGE 68 WEST OF THE 6th P.M., DOUGLAS COUNTY, COLORADO
	LAND DEVELOPMENT CONSULTING SURVEYING & ENGINEERING PHONE (303) 688-4642 105 WILCOX ST. CASTLE ROCK, COLORADO 80104		CLIENT Loni Clifford
			JOB NUMBER 24-0848
			Sheet 1 of 3

HIER EXEMPTION, 1ST AMENDMENT
IN SECTION 14, TOWNSHIP 7 SOUTH, RANGE 68 WEST OF THE 6th P.M.,
DOUGLAS COUNTY, COLORADO
18.31 ACRES 2 RESIDENTIAL PARCELS EX2025-001

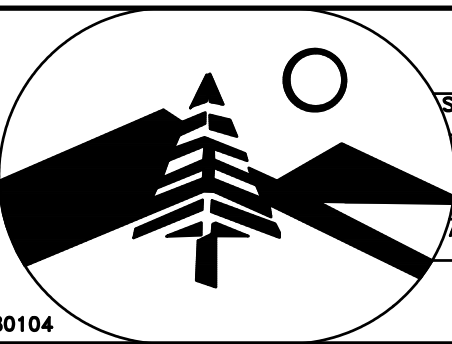


G:\Drawings\2024\24-0848\Exemption\EXEMPTION PLAT 24-0848.pro
Fri Feb 21 16:18:51 2025

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

REVISIONS

DAVID E. ARCHER
& ASSOCIATES, INC.
LAND DEVELOPMENT CONSULTING
SURVEYING & ENGINEERING
PHONE (303) 688-4642
105 WILCOX ST. CASTLE ROCK, COLORADO 80104



SCALE	AS SHOWN
DATE	11-18-24
DRN.	
CHKD.	
APVD.	

TITLE	HIER EXEMPTION, 1ST AMENDMENT IN SECTIONS 14, TOWNSHIP 7 SOUTH, RANGE 68 WEST OF THE 6th P.M., DOUGLAS COUNTY, COLORADO
CLIENT	Loni Clifford
SHEET	2 of 3
JOB NUMBER	24-0848

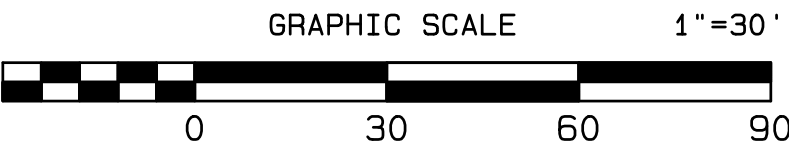
**HIER EXEMPTION, 1ST AMENDMENT
IN SECTION 14, TOWNSHIP 7 SOUTH,
RANGE 68 WEST OF THE 6th P.M.,
DOUGLAS COUNTY, COLORADO
18.31 ACRES 2 RESIDENTIAL PARCELS EX2025-001**

**BENJAMIN MCKINNEY
& JENNY CANCINO
ZONING: RR
RESIDENTIAL**

**UNPLATTED
ZONING: RR
AGRICULTURAL**

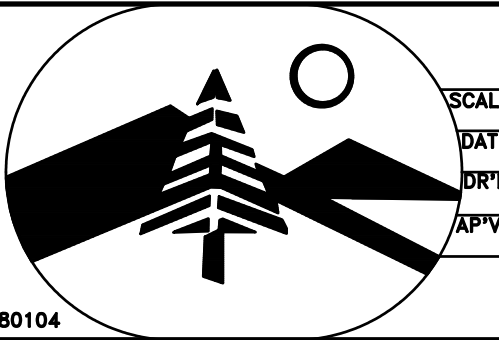
LINE	BEARING	DISTANCE
L1	S55°19'11"W	34.49'
L2	S15°27'25"E	19.80'
L3	S73°58'05"W	61.47'
L4	S71°42'33"W	85.73'
L5	S22°21'37"W	65.75'
L6	S26°04'14"W	60.10'
L7	S30°04'35"W	21.30'
L8	S19°21'07"W	26.09'
L9	S15°24'19"W	50.44'

LINE	RADIUS	ARC	DELTA	CHORD BEARING	CHORD
C1	81.76'	127.61'	89°25'29"	S29°15'20"W	115.04'
C2	130.60'	112.49'	49°20'56"	S47°02'05"W	109.04'
C3	111.25'	64.56'	33°14'58"	S32°01'48"W	63.66'



REVISIONS

**DAVID E.
ARCHER**
& ASSOCIATES, INC.
LAND DEVELOPMENT CONSULTING
SURVEYING & ENGINEERING
PHONE (303) 688-4642
105 WILCOX ST. CASTLE ROCK, COLORADO 80104



SCALE AS-SHOWN
DATE 1-2-25
BY: D.E.A.
APPROVED:

**HIER EXEMPTION, 1ST AMEND
IN SECTION 14, TOWNSHIP 7 SOUTH,
RANGE 68 WEST OF THE 6th P.M.,
DOUGLAS COUNTY, COLORADO**

CLIENT
Loni Clifford

SHEET 3 of 3
JOB NUMBER
24-0848

"NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon."