

Variance Staff Report

Date: September 15, 2025
To: Douglas County Board of Adjustment
Through: Douglas J. DeBord, County Manager
From: Terence T. Quinn, AICP, Director of Community Development *TQ*
CC: Carolyn Washee-Freeland, AICP, Senior Planner
Michael Cairry, Zoning Compliance Manager
Steven E. Koster, AICP, Assistant Director of Planning Services
Subject: **Woodmoor Mountain Ranch Filing 1, Lot 35 - Variance**
Project File: **VA2025-008**

Board of Adjustment Hearing: **September 16, 2025 @ 1:30 p.m.**
Continued to September 30, 2025 @ 1:30 p.m.

I. APPLICATION INFORMATION

A. Applicants

Michael and Loana Antonucci
1876 Mountain Ranch Road
Larkspur, Colorado 80118

B. Request

The applicants request approval of a variance to allow for a reduction to the street setback for two structures. The two structures subject to the variance are a garage that was recently constructed, and an existing shed. The subject property is located at 1876 Mountain Ranch Road, within the Woodmoor Mountain Ranch Filing 1 Subdivision.

The variance request will allow a reduction to the street setback for the two structures along the northwest and northeast property lines. Reductions from the northwest property line will be from 40 feet to 23.2 feet for the garage, and from 40 feet to 36.3 feet for the shed. Additionally, a small portion of the garage also encroaches into the street setback along the northeast property line. The street setback will be reduced from 40 feet to 39.3 feet on that side of the lot. The property is zoned Estate Residential (ER) and is 4.055 acres in size.

C. Location

The site is located at 1876 Mountain Ranch Road, in Larkspur, approximately one third of a mile west of S. Perry Park Road, and two miles north of the County's boundary with El Paso County. See the attached zoning map, vicinity map, and aerial map.

D. Development Standards

The property is zoned Estate Residential (ER) and is approximately 4.055 acres in size. The ER zoning setback for a street is 25 feet. The Woodmoor Mountain Ranch Filing 1 final plat states that the platted building setbacks for all front and back lot lines are 40 feet; and all side lot lines are 12 feet. Therefore, the 40-foot platted setback is applied for this property. The plat further notes that all land between building setback lines and lot lines are be subject to a utility easement.

II. CONTEXT

A. Background

The Woodmoor Mountain Ranch Filing 1 subdivision was established in 1971 and originally zoned Residential (R). The subdivision was later rezoned to Estate Residential (ER) during a countywide zoning effort. The ER street setback differs from the Woodmoor Mountain Ranch final plat. The ER street setback is 25 feet, and the platted setback for a street is 40 feet.

The property owners, Mr. and Mrs. Antonucci, purchased the property in 2022. The County Assessor's Office shows an 1,844 square foot (SF) single-family residence with an attached garage that was built in 1996.

The applicants are seeking a variance for a reduction in the platted street setback of 40 feet, for two structures recently constructed on the site. The structures are described as an existing 272 SF shed, constructed in 2023, and a 1,440 SF garage, constructed in 2025. The garage and the shed both encroach into the 40-foot street setback.

In 2024, the applicants hired a contractor (Peak Pole Barns), to build a 30-foot by 48-foot garage on the property. Peak Pole Barns applied for a building permit through the County and submitted permit application materials along with a surveyed site plan. The site plan showed the proposed location of a 30-foot by 48-foot sized garage sited on the property, outside of the 40-foot street setback. The County approved the site plan because the location met the zoning setback requirements and issued a building permit for the garage in May 2025.

In May 2025, Peak Pole Barns completed the structural portions of the building. At this point, the garage had been assembled with large support poles that were piled into the ground to support a roof system and 4 timber walls. The roof trusses and side walls were exposed as the structure was partially complete. On May 15, 2025, a second survey was completed and the surveyor notified Peak Pole Barns that the garage was located within the 40-foot street setback. Peak Pole Barns notified the Site Development Administration office (SDA) of the setback encroachment. It was at this point that the builder had stopped construction.

On June 25, 2025, the applicants submitted a variance request with the necessary application materials. The applicant also provided approval letters from utility providers, approving the setback and easement encroachment. The applicant submitted an approval letter from the Woodmoor Mountain HOA, approving the original location of the garage, which met setbacks. The applicant has indicated that the HOA will not make a decision on whether or not to approve the garage's setback encroachment until the County has decided on the variance request.

An improvements survey was provided with the application materials. The survey depicted two structures that encroached into the 40-foot street setback. The survey showed the garage located 16.8 feet into the northwest street setback, and 0.70 feet into the northeast street setback. The existing shed was shown to be located 3.70 feet into the northwest street setback.

The existing 272 SF shed was installed on the property by a Tuff Shed contractor in 2023. The applicants indicate that due to the size of the structure, their contractor stated that building permits were not required.

The applicants have provided more information regarding the construction process for both the garage and shed and how it resulted in this variance request in the attached narrative.

The applicants request that both structures remain in the current locations on the lot.

B. Adjacent Land Uses and Zoning

The property is located at 1876 Mountain Ranch Road, west of S. Perry Park Road, in Larkspur, and is zoned ER. Parcels adjacent to the property are zoned ER and Agricultural One (A-1). Vicinity, zoning, and aerial maps are contained in this report as an attachment.

Zoning and Land Use

Direction	Zoning	Land Use
North	Estate Residential	Residential
South	Agricultural One	Residential
East	Estate Residential	Residential
West	Estate Residential	Vacant Land

III. SITE CHARACTERISTICS

A. Site Characteristics and Constraints

The 4.055-acre site is located at 1876 Mountain Ranch Road and is generally located two miles north of El Paso County. Mountain Ranch Road is an unpaved private road, owned and maintained by the Woodmoor Mountain Improvement District. The Woodmoor Mountain Ranch Filing 1 subdivision borders the Pike National Forest to the west and large lot residential development to the north, south, and east, near S.

Perry Park Road. Vegetation on the property consists of native grass, pine trees and native shrubs.

Lot 35 is an irregularly shaped parcel with a triangular shape with two property lines that front Mountain Ranch Road. The rear of the property rises sharply in elevation ranging from 7,300 to 7,360 feet. The property slopes upward to the northwest into heavily forested foothills near the Pike National Forest. Mountain Ranch Road wraps around the front portion of the subject property and rises approximately 20 feet in elevation along the northwest property line.

IV. PUBLIC NOTICE AND INPUT

At least 14 days prior to the Board of Adjustment hearing, the applicant is required to mail a written notice by first-class mail to each abutting property landowner and post a notice on the land under consideration in compliance with Section 2606 of the Douglas County Zoning Resolution (DCZR).

Staff received two phone calls from the President of the Woodmoor Mountain HOA. He was concerned that should the variance request be approved by the Board of Adjustment, the HOA would need to take action against the applicants for the setback encroachment, as the garage in its present location does not comply with the HOA covenants.

Referral requests were sent to required referral agencies on June 27, 2025. Referral responses were due on July 7, 2025. Referral agencies did not provide comments for the applicant to address. All referral responses received are included in the referral response report attached to the staff report.

V. STAFF ANALYSIS

The following approval criteria for variances are set forth in Section 2603 of the DCZR:

2603.01: A variance shall be granted only upon the finding that a strict application of this resolution causes peculiar and exceptional practical difficulties or exceptional and undue hardship by reason of exceptional narrowness, shallowness, or shape of the specific parcel of land or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the land.

Staff Comment: The applicants indicate that due to the topography of the lot, the site has limited usable areas and stated: "We cannot use 90% of the property due to sitting on the side of Woodmoor Mountain." The applicants have not addressed how the topography of the lot makes it impractical to construct the garage in the originally approved location.

Regarding the location of the shed, the applicants stated: "The shed is sitting approximately 20 feet from out back door. This too is due to topography issues. The majority of the property is mountain with no flat place to put it other than where it sits."

2603.02: The applicant shall provide reasonable and adequate evidence that the variance request is not a self-imposed hardship which can be rectified by means other than relief through a variance.

Staff Comment: The applicants assert that both the garage and the shed were constructed within the street setback areas without their knowledge.

The applicants allege that the contractor for the garage did not build it in the correct location, although the contractor disputes this allegation. The applicants stated that they have considered demolishing a portion of the garage to bring it into compliance with the setback requirement, and they believe that doing so would affect the structural stability of the overall building, as well as cause a total economic loss of the structure.

According to the improvement survey, the shed is situated near the existing home and encroaches into the street setback approximately 3.70 feet on the northwest side of the property. The applicants indicate that they previously hired a Tuff Shed contractor to install the shed on the property and were unaware that the shed was constructed within the street setback. The Tuff Shed contractor did not obtain a building permit for construction of the shed.

2603.03: A variance may be granted provided that no substantial detriment to the public good is created and that the intent and purpose of this Resolution are not impaired.

Staff Comment: Should a variance be granted for the setback reduction, the applicants would need to meet the requirements of the Douglas County Building Code and Engineering's grading, erosion, and sediment control requirements. They will need to obtain all building inspections for the garage and provide an updated DESC application with a drainage/grading certification from a licensed professional engineer.

The applicants would need to contact Building Services to see if the shed will require a building permit, and work with Building Services to ensure the structure meets building codes.

2603.04: The concurring vote of three members of the Board of Adjustment shall be necessary for a variance.

VI. STAFF ASSESSMENT

If the Board determines that the applicants have demonstrated that the variance meets the criteria, then it may be granted. If not, the Board may deny the variance.

ATTACHMENTS	PAGE
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LAND USE APPLICATION

Please fill in this application form completely. An incomplete application will not be processed.

Note: Neither the Planning Commission nor the Board of County Commissioners should be contacted regarding an open application.

OFFICE USE ONLYPROJECT NAME: **Woodmoor Mountain Ranch Filing 1, Lot 35 - Variance Request**

PROJECT FILE #:

VA2025-008PROJECT TYPE: Poll Barn buildMARKETING NAME: Peak Barn BuildersSITE ADDRESS: 1876 Mountain Ranch Rd Larkspur CO 80118

OWNER(S):

Name(s): Loana & Michael AntonucciAddress: 1876 Mountain Ranch Rd Larkspur CO 80118Phone: 720.245.4960Email: Loana.antonucci@antonucci-insurance.com

AUTHORIZED REPRESENTATIVE (requires notarized letter of authorization if other than owner)

Name: _____

Address: _____

Phone: _____

Email: _____

PLANNING FEES:

\$500.00

ENGINEERING FEES:

TOTAL FEES:

RELATED PROJECTS:

Final Plat:144885

LEGAL DESCRIPTION:

Subdivision Name: Woodmoor MountainFiling #: _____ Lot #: 35 Block #: _____ Section #: _____ Township: DC Range: _____

STATE PARCEL NUMBER(S): _____

ZONING:

Present Zoning: residential estate

Proposed Zoning: _____

Gross Acreage: 4.055

Gross Site Density (DU per AC): _____

of Lots or Units Proposed: _____

SERVICE PROVIDERS:

Fire District: Larkspur

Metro District: _____

Gas: N/AWater: wellSewer: spetic tankElectric: Core

Roads:

☐

Public

☒

Private (please explain):

Woodmoor Moutain/ residential estate

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.***

Loana antonucci

Applicant Signature

06/18/2025

Date

Variance Request Narrative

Michael & Loana Antonucci /1876 Mountain Ranch Rd Larkspur, CO 80118

Request: We are requesting a variance approval for a reduction in street setbacks.

. For Mountain Ranch rd. Northeast Corner 40 feet to 39.3 Feet

. For Mountain Ranch rd. Northwest Corner 40 feet to 23.2 Feet Hardship

Description

1). In late 2024, we contracted in good faith for the building of a 48 x 30 garage (labeled "barn" on the enclosed survey) with Peak Barn Buildings of Colorado Springs. They presented the engineer's letter and directly opened the building permit with Douglas County at the time, approving the plot plan. Peak Builders started the project April 30th 2025, The builder had the survey company come out prior to the start of the building and put flags in the ground and mark the building location on the property with dimensions 48 x 30 in a specific location (per the plan turned in for permits). When the builder came to start the build and noticed that the flags, the surveyor had in place, were not in the location that the builder wanted the flags to be in, He stated to me and my husband, "why did he put the flags over there, they are not supposed to be there, He did not listen to me". He, builder, stated "well the surveyor can't get out here again till next week, I have to get started" and he started the build. The builder was ready for structural inspection after the 5-day mark of the build started. The Surveyor was also due to be back out at the site to remeasure the building on the plot plan for the second survey. This was per Douglas County requirements since the Barn is basically sitting on the set back line. Upon doing this the builder was informed he was not outside of the property setback.

We are seeking variance approval due to the exceptional situation of the contractor's error and topography issues. This was done without our, the homeowners, knowledge or awareness. We hired and entered into a building contract agreement, and this was established in good faith.

2). There is a small, secondary shed (labeled "shed" on the attached survey) in the same location on our property, that is unrelated to the building permit. We are requesting that the shed be included in the public hearing on the variance in question. This Shed is siting 3 feet into the setback. This again was entered into a construction agreement with Tuff sheds unbeknownst to us until now that we are not outside of the setbacks we thought and was also entered into good Faith contract for purchase, that we were in compliance.

Tuff sheds started at the time of purchase, because of the size of the shed no permits were needed and this is the reason for not knowing they were in the set back. The shed is sitting approximately 20 feet from out back door. This too is due to topography issues. The majority of the property is mountain with no flat place to put it other than where it sits.

For the large garage in question, it was constructed on site as a permanent structure and bolted down on 8' o/c 4 ply 2x6 Enduralam Columns Load bearing columns. In reviewing our options, it is clear that moving it would require to tear it down, causing permanent damage to the materials and a complete loss of investment.

3). There is a good distance between the edge of the garage structure on both streets and where the right of way begins on what is a rural residential road with limited traffic Keeping in mind this is a residential estate gated HOA. Where there is a good distance between the edge of the garage structure on both streets and where the right of way begins on what is a rural residential road with limited traffic and to be no future development from either the county or utilities.

UPDATE August 9, 2025:

On August 9, 2025, we dried in (covered the exposed wood) and finished putting the roof on to cover the exposed trusses. This Literally took 3 hours to complete. The Barn was a few hours away from being completed back in April by Peak Barn builders, as far as the structure goes. We had the new builder, MR HANDY HANDS RENOVATIONS DBA HANDY LAND SOLUTIONS, complete the work.

The building material was lying in the mud. We had it covered as best as we could. My husband had to make a decision to do this to salvage the structure and the materials lying on the ground from becoming more warped and damaged. We did this with the advice of our attorney, knowing we would be taking a risk of being asked to remove the structure partially or in its entirety. This was not done to be inherently divisive to the Douglas County Zoning, as we did not yet at the time of Drying in the Barn receive any variance, but merely just trying to salvage material and structure, not knowing where our expenses would land with the variance not yet been given and litigation with the builder. We only wanted to save the Barn from warping and splitting as it was already showing signs of doing. The build was in April, and it is now August, and the Variance is not for another month. My husband had to make a decision to try and save what we could. We either let the materials lay on the ground and become unusable or take the chance and put it up even though we may have to take it down. At that point we would either loss all the material and still tear it down or possibly obtain the Variance with Douglas County and save the material.

There has been no change with the dimensions of the barn from its original permitted plan provided to Douglas County.

We graciously ask for this variance for both the builders (Peak Pole Barns) Construction error and topography of our land. We cannot use 90% of the property due to sitting on the side of Woodmoor Mountain.

From: [Loana Antonucci](#)
To: [Loana Antonucci](#)
Subject: 1876 mountain ranch rd pics
Date: Wednesday, June 18, 2025 11:04:36 AM

























VARIANCE

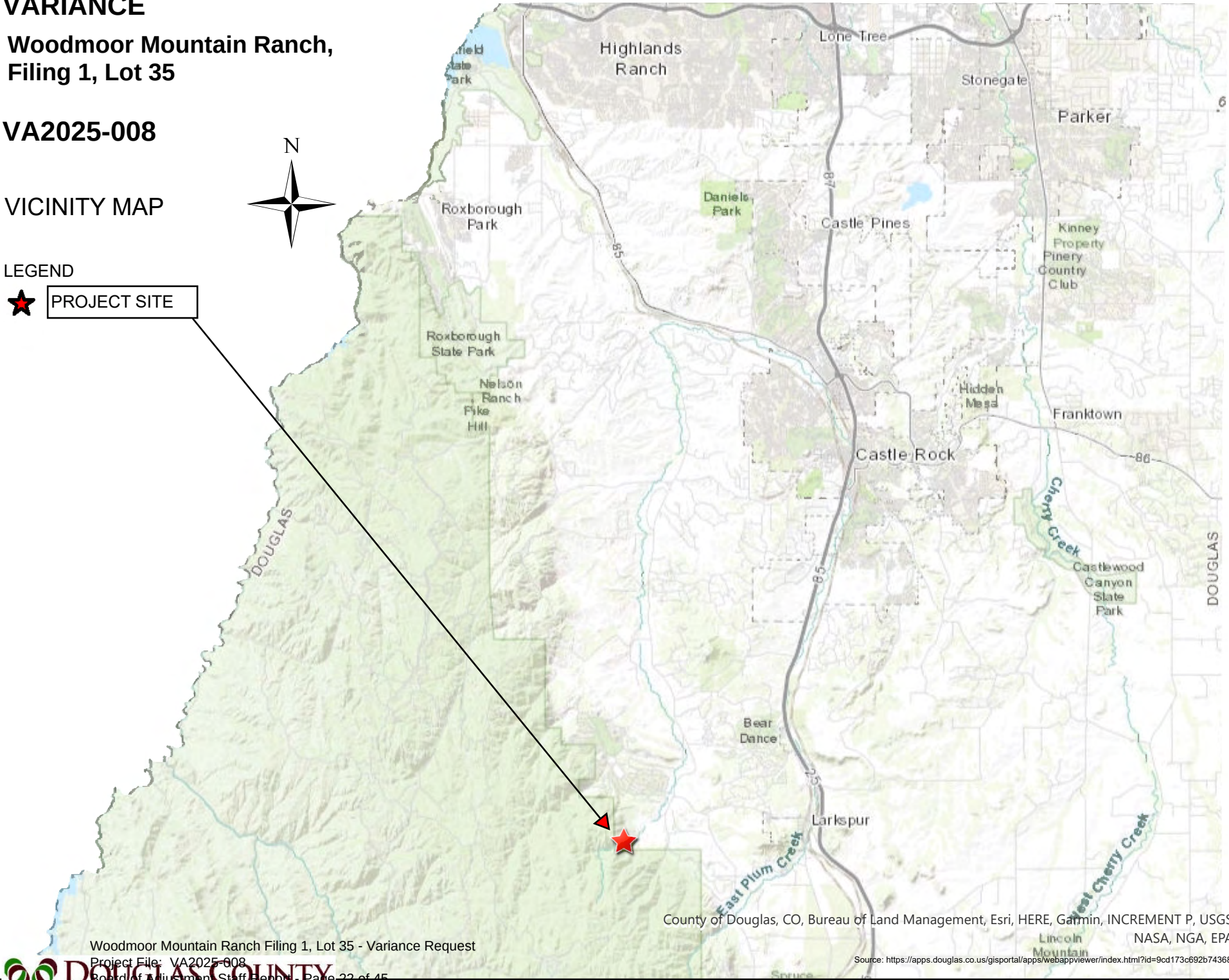
Woodmoor Mountain Ranch,
Filing 1, Lot 35

VA2025-008

VICINITY MAP

LEGEND

★ PROJECT SITE



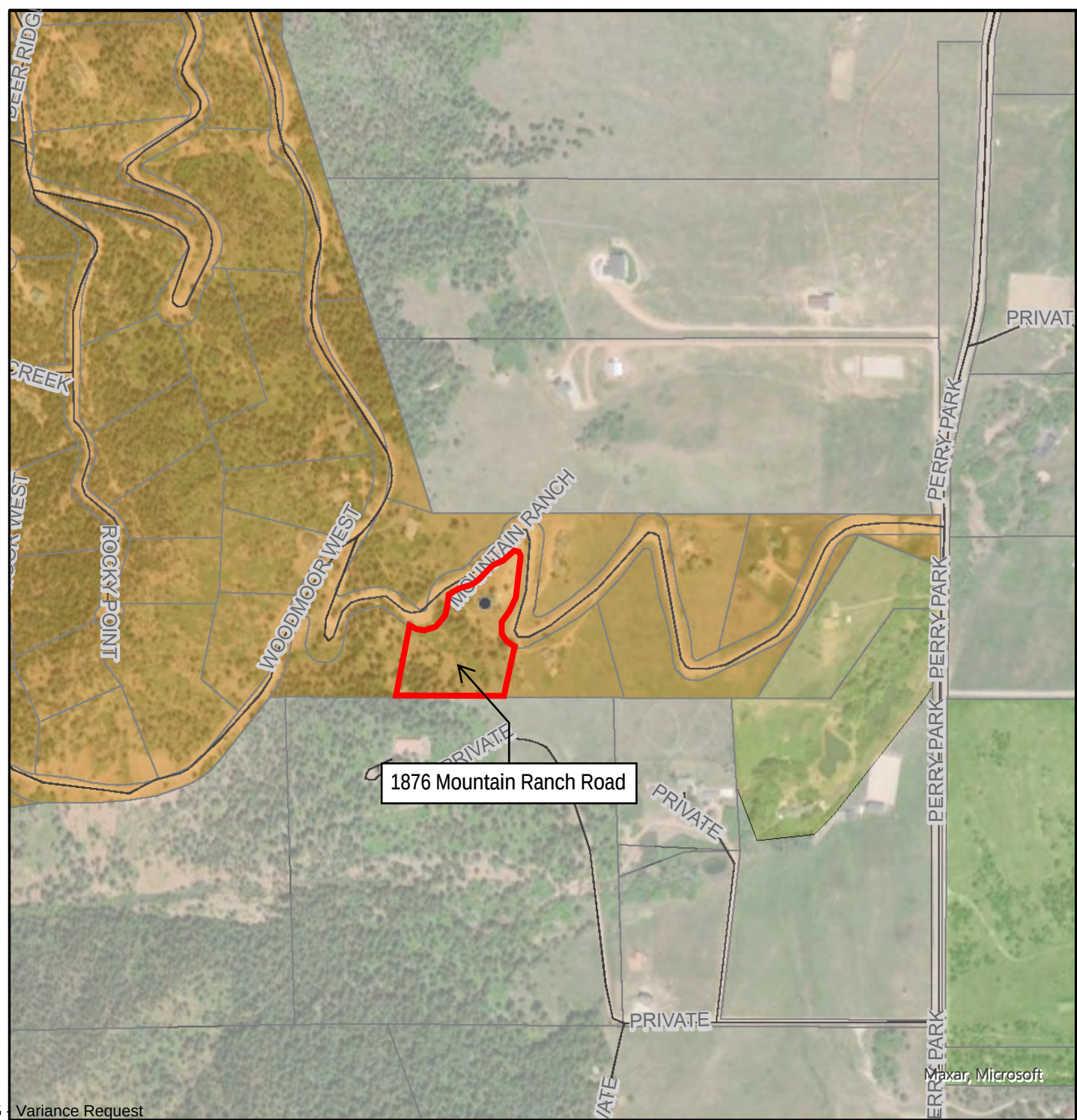
ZONING MAP

Woodmoor Mountain Ranch, Filing 1, Lot 35

VA2025-008



- LEGEND
- Roads
 - Major Roads
 - ▭ Parcels - PARCELS
 - ▭ A1 - AGRICULTURAL ONE
 - ▭ RR - RURAL RESIDENTIAL
 - ▭ ER - ESTATE RESIDENTIAL
 - ▭ OS - OPEN SPACE CONSERVATION



AERIAL MAP

Woodmoor
Mountain Ranch
Filing 1, Lot 35

VA2025-008



LEGEND

- Roads
- Major Roads
- Parcels - PARCELS



Referral Agency Response Report**Page 1 of 2****Project Name:** Woodmoor Mountain Filing 1, Lot 35**Project File #:** VA2025-008**Date Sent:** 06/27/2025**Date Due:** 07/07/2025

Agency	Date Received	Agency Response	Response Resolution
Addressing Analyst	06/27/2025	No Comment	No action necessary
Assessor	06/27/2025	No Comment	No action necessary
AT&T Long Distance - ROW	07/02/2025	Received: This is in response to your eReferral with a utility map showing any buried AT&T Long Line Fiber Optics near Mt Ranch Rd Larkspur, Colorado. The Earth map shows the project area in red and the buried AT&T Long Line Fiber Optics in yellow. Based on the address and/or map you provided, there should be NO conflicts with the AT&T Long Line facilities. Ann Barnowski Clearwater Consulting Group Inc 120 9th Avenue South, Suite 140 Nampa, ID 83651 Annbn@cwc64.com	No action necessary
Black Hills Energy		No Response Received	No action necessary
Building Services	07/03/2025	Received: The exterior wall, doors, windows, all openings shall comply with the Fire resistive rating requirements of the code. Please contact the building division for inspection and verification of the requirements.	Comments forwarded to the applicant

Referral Agency Response Report**Page 2 of 2****Project Name:** Woodmoor Mountain Filing 1, Lot 35**Project File #:** VA2025-008**Date Sent:** 06/27/2025**Date Due:** 07/07/2025

Agency	Date Received	Agency Response	Response Resolution
CenturyLink	07/01/2025	Received: we have received your request for an encroachment and have set up a Lumen project accordingly. Your project number is P866687, and it should be referenced in all emails sent in for review. Your project owner is Stephanie Canary, and they can be reached by email at Stephanie.Canary@lumen.com with any questions that you may have regarding this project. Ashley Viola, Project Coordinator Faulk & Foster 214 Expo Circle, Suite 7 West Monroe, LA 71291 Ashley.Viola@lumen.com	No action necessary
Comcast		No Response Received	No action necessary
CORE Electric Cooperative	07/02/2025	CORE approves variance	No action necessary
Engineering Services	07/01/2025	No comment	No action necessary
Woodmoor Mountain HOA		No Response Received	No action necessary
Xcel Energy-Right of Way & Permits	07/01/2025	No apparent conflict	No action necessary

REFERRAL RESPONSE REQUEST – VARIANCE

 Date sent: June 27, 2025

 Comments due by: July 7, 2025
Project Name: *Woodmoor Mountain Ranch Filing 1, Lot 35 –Variance*
Project File #: VA2025-008

Project Summary:

The applicant is requesting a street setback variance for two existing structures that encroach into the 40-foot street setback. Setback reductions from the northwest property line will be from 40 feet to 23.2 feet and 36.3 feet for the barn and shed respectively; and the street setback reduction from the northeast property line will be from 40 feet to 39.3 feet for the barn. The property is located at 1876 Mountain Ranch Road, Larkspur, CO (SPN: 2771-203-03-002). The property is zoned Estate Residential (ER) and is 4.055 acres in size.

Information on the identified development proposal located in Douglas County is enclosed. Please review and comment in the space provided.

☒	No Comment
☐	Please be advised of the following concerns:
☐	See letter attached for detail.
Agency:	Douglas County Public Works
Phone #:	303-660-7490
Your Name:	Ken Murphy, P.E.
Your Signature:	
	(please print)
Date:	01 JUL 2025

A Variance Hearing on this request will be held before the Douglas County Board of Adjustment on Tuesday, July 29, 2025 at 1:30 pm.

Sincerely,

Carolyn Washee-Freeland

Carolyn Washee-Freeland, AICP
 Senior Planner
 Enclosure

Carolyn Freeland

From: annb cwc64.com <annb@cwc64.com>
Sent: Wednesday, July 2, 2025 3:07 PM
To: Carolyn Freeland
Cc: CHOY, PAM; duanew cwc64.com; jt cwc64.com
Subject: Mt Ranch Rd Larkspur, Colorado Douglas County eReferral #VA2025-008
Attachments: Mt Ranch Rd Larkspur, Colorado.jpg

Hi Carolyn,

This is in response to your eReferral with a utility map showing any buried AT&T Long Line Fiber Optics near Mt Ranch Rd Larkspur, Colorado. The Earth map shows the project area in red and the buried AT&T Long Line Fiber Optics in yellow. Based on the address and/or map you provided, there should be NO conflicts with the AT&T Long Line facilities.

Please feel free to contact us with any questions or concerns.

Ann Barnowski
Clearwater Consulting Group Inc
120 9th Avenue South
Suite 140
Nampa, ID 83651
Annb@cwc64.com

The attached google earth maps are intended to show approximate locations of the buried AT&T long line fiber optic cable. The maps are provided for informational purposes only. In no way should the maps be used for anything other than general guidelines as to where the fiber is or is not and any other use of these maps is strictly prohibited.

-----Original Message-----

From: cfreeland@douglas.co.us <cfreeland@douglas.co.us>
Sent: Friday, June 27, 2025 2:40 PM
To: annb cwc64.com <annb@cwc64.com>
Subject: Douglas County eReferral (VA2025-008) Is Ready For Review

There is an eReferral for your review. Please use the following link to log on to your account:
<https://apps.douglas.co.us/planning/projects/Login.aspx>

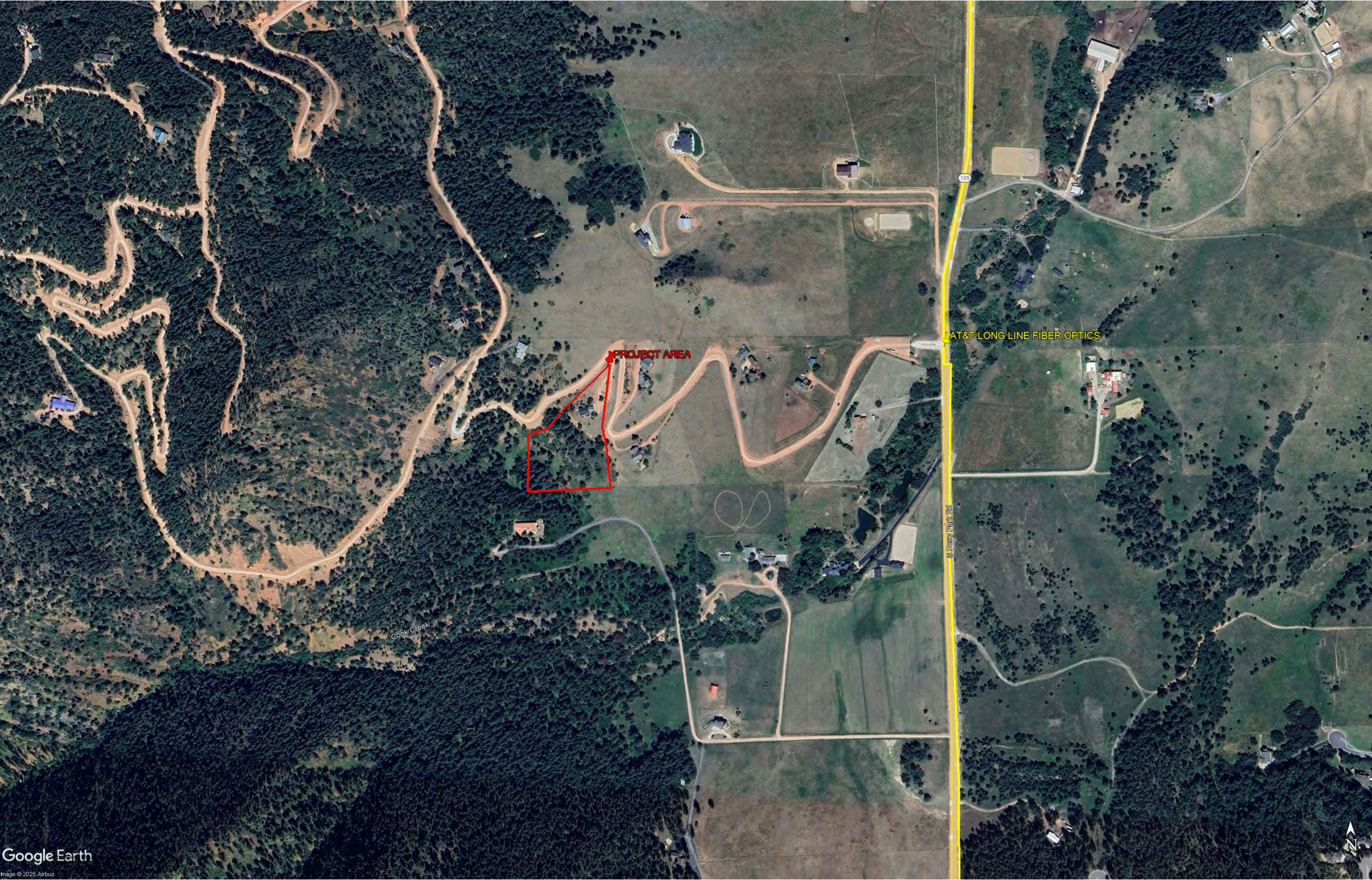
VA2025-008, Woodmoor Mountain Ranch Filing 1, Lot 35 - Variance Request

The applicant is requesting a street setback variance for two existing structures that encroach into the 40-foot street setback. Setback reductions from the northwest property line will be from 40 feet to 23.2 feet and 36.3 feet for the barn and shed respectively; and the street setback reduction from the northeast property line will be from 40 feet to 39.3 feet for the barn.

This referral will close on July 7, 2025.

If you have any questions, please contact me.

Sincerely,



PROJECT AREA

AT&T LONG LINE FIBER OPTICS

S. Perry Park Rd

105

Cook Creek

Cook Creek



Woodmoor Mountain ACC Check List

- **SITE PLAN WITH CONTOURS.** Must show location of construction on plot map of property showing setbacks to property line and must be from a licensed surveyor
- **LOCATION OF WELL, SEPTIC and LEACH FIELDS.** (There must be at least 100 feet separation between a well and any septic or leach field system to include neighbors—per Tri-County Health Regulations.)
- **DRIVEWAY ACCESS AND/OR NATURAL RESOURCE MODIFICATION** (Tree clearing and excavation plan)
- **FULL CONSTRUCTION DRAWING SET**
- **COLOR CHIPS FOR ALL EXTERIOR COLORS, AND/OR SAMPLE OF ROOF MATERIAL, FENCING OR OTHER PROJECT MATERIAL**
- **DUMPSTER/Trash removal Plan**
- **TOILET LOCATION** (toilet required by Tri-County Health/Douglas County)

The above list of documents, as applicable to your project, are required to obtain Architectural Control Committee approval of any structure, driveway, lot access road, retaining wall or fence on any lot or parcel within the Woodmoor Mountain development.

To obtain consideration /review of your plan, please submit all documents described above along with this form to any Board member to be discussed at the next scheduled Architectural Control Committee (ACC) meeting. The ACC will retain all documentation (do not submit originals).

The ACC will rule on your request based on the recorded covenants and your plans as submitted. Design, materials used in construction, color and location should reflect, and be in harmony with the nature of the community and setting.

Lot/ Parcel # 35 Owners Name Mike and Loana Antonucci
 Phone # 720.245.4960 Date 01/01/2025 Name of Contractor Bob McClure
 Contractor Phone # 719.494.6718 Start date Feb 24th 2025 Proposed Completion date April 4, 2025 weather permitting

FOR ACC USE ONLY			
APPROVAL / DENIAL	CIRCLE ONE		REASON
Design	<u>Approve</u>	Disapprove	N/A
Color	<u>Approve</u>	Disapprove	N/A
Location (setbacks)	<u>Approve</u>	Disapprove	N/A
Natural Resource Preservation	<u>Approve</u>	Disapprove	N/A
Well, Septic and Leach Field	<u>Approve</u>	Disapprove	N/A
Culvert Location	<u>Approve</u>	Disapprove	N/A
Trash Removal Plan & Toilet	<u>Approve</u>	Disapprove	N/A

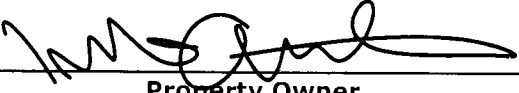
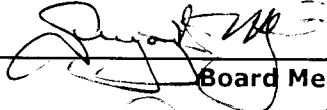
per the plot submitted 25 Mar 2025 in compliance with 40' setbacks

CONSTRUCTION REQUIREMENTS: SEE NEXT PAGE

CONSTRUCTION REQUIREMENTS:

1. Property owners are directly and financially responsible for the conduct of their contractors and any fines or consequences imposed by the Woodmoor Mountain HOA related to contractors'/builders' actions in the community.
2. Advise your contractors regarding our driving policy (voluntary one way system, uphill traffic courtesy right of way), speed limits and the operation of the gate.
3. Provide your trash disposal plan. The construction site must be kept reasonably clean and construction trash and/or materials must be secured from blowing onto adjacent private or community property.
4. Construction trash is NOT permitted in the dumpsters at the gate. Contractors must be informed that if they throw trash in the dumpsters or litter in the community, you could be fined.
5. Any damage caused by your contractors to the common road system, or gate is your responsibility and repairs will be at your expense. Any concrete spilled on the roads by concrete mixer trucks must be cleaned up and removed.
6. You are responsible for drainage from your property: drainage that damages the road will be repaired at your expense.
7. Construction noise may not exceed 75db(A) from 7:00 pm to 7:00 am and 80db(A) from 7:00 am and 7:00 pm per Douglas County Ordinance No. 0-991-001.
8. Prior to commencing work, a copy of all required Douglas County Permits must be on file with the Woodmoor Mountain ACC. Upon approval by Douglas County, the Site Improvement Survey must be filed with the ACC.

Compliance with the above requirements will ensure that your project has a minimal impact on the community and its residents

Signed:	 _____ Property Owner	01/01/2025 _____ Date
Signed:	 _____ Board Member President	9 Apr 25 _____ Date
Signed:	 _____ ACC Member President	9 Apr 25 _____ Date

WMHOA ACC approval date: 9 Apr 25



June 21, 2025

Loana Antonucci
6312 S. Fiddler's Green Circle, Suite 300E
Greenwopod Village, CO 80111

Sent To: loana.antonucci@antonucci-insurance.com
Copied to: Lumen Engineering

P866413
No Reservations/No Objection

No Comment/No Objection for: Adams County CO Variance & Encroachment Into Set-Back/ 1876 Mountain Ranch Road in Larkspur CO/ Woodmoor Mountain Plat, Lot 35, Douglas County CO/ Douglas PID# 2771-203-03-002

Dear Ms. Antonucci:

Qwest Corporation, d/b/a CenturyLink QC ("CenturyLink") has reviewed the request for comment on the project described above and has determined that it has No Comments/No Objections.

It is the intent and understanding of CenturyLink that this Letter of No Objection shall not reduce our rights to any existing easement or rights we have on this site or in the area.

This Letter of No Comment/No Objection response is submitted WITH THE STIPULATION that if CenturyLink facilities are found and/or damaged within the area as described, the Applicant will notify Lumen and bear the cost of relocation and repair of said facilities.

If you have any questions please contact Stephanie Canary at stephanie.canary@lumen.com or (352) 425-8763.

Sincerely yours,

CenturyLink Right of Way Team

The building is the “proposed garage” which is 6.2’ over the 40’ setback



June 11, 2025

Michael J. and Loana Antonucci
1876 Mountain Ranch Rd.
Larkspur, CO 80118

Re: Shed, well and garage porch encroachment into the Forty-foot (40') wide platted utility easement and Building Setback within Lot 35 Woodmoor Mountain Filing 1; County of Douglas, State of Colorado; T10S, R67W, Section 20 in the 6th P.M.

CORE Electric Cooperative does consent to the above requested encroachments into the Forty-foot (40') wide platted utility easement and Building Setback.

CORE Electric Cooperative does not relinquish any rights or easements pertaining to the existing overhead and future underground distribution facilities within the property or within the platted utility easements.

Should there be any questions, please feel free to contact me or Brooks Kaufman.

Sincerely,

A handwritten signature in blue ink, appearing to read "Shannon Kasper".

Shannon Kasper
Project Manager II



June 9th, 2025

Re: 1876 Mountain ranch rd. Larkspur, CO 80118

Comcast has reviewed the homeowners request to encroach with a pole barn into easement.
Comcast has no objections.

Feel free to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Moore".

Scott Moore
Construction Manager
Comcast

From: [Bob McClure](#)
To: [Loana Antonucci](#)
Subject: Fwd: Easement approval
Date: Thursday, June 5, 2025 3:16:15 PM

THis is the gas company

----- Forwarded message -----

From: **Martinez, Robyn M** <Robyn.M.Martinez@xcelenergy.com>
Date: Thu, Apr 10, 2025 at 11:36 AM
Subject: RE: Easement approval
To: Bob McClure <bob@peakpolebarns.com>

Hi Bob,

This location is outside of Xcel Energy's service territory, therefore, Xcel Energy has no comment.

Thank you,

Robyn Martinez

Xcel Energy | You. Us. Together.

Public Service Company of Colorado, PSCo

Right of Way & Permits Department

O: [303.716-2043](tel:303.716-2043)

E: robyn.m.martinez@xcelenergy.com

Division Agent/Lead: marc.a.mayorga@xcelenergy.com

From: Bob McClure <bob@peakpolebarns.com>
Sent: Thursday, April 10, 2025 8:23 AM
To: Martinez, Robyn M <Robyn.M.Martinez@xcelenergy.com>
Subject: Easement approval

EXTERNAL - STOP & THINK before opening links and attachments.

Robyn I need to get an approval letter from you to build a Pole barn at 1876 Mountain Ranch Road in Larkspur CO. The Owners are Loana and Mike Antonucii. I have attached a survey showing the building and property. Douglas county is requiring a letter of approval before they can Issue a permit for the project

--

Thanks,

Bob McClure

Peak Pole Barns 719-494-6718

bob@peakpolebarns.com

www.peakpolebarns.com

*** **Please Note and Update** ***

My email address has changed,

peakpolebarns@gmail.com will no longer be used

--

Thanks,

Bob McClure

Peak Pole Barns 719-494-6718

bob@peakpolebarns.com

www.peakpolebarns.com

*** **Please Note and Update** ***

My email address has changed,

peakpolebarns@gmail.com will no longer be used

Memorandum

Date: July 23, 2025

To: Douglas County Board of Adjustment

From: Terence T. Quinn, AICP, Director of Community Development *SK for TQ*

CC: Carolyn Washee-Freeland, AICP, Senior Planner
Michael Cairry, Zoning Compliance Manager
Steven E. Koster, AICP, Assistant Director of Planning Services

Subject: **Woodmoor Mountain Ranch Filing 1, Lot 35 – Variance – Supplemental Information**

Project File: VA2025-008

Board of Adjustment Hearing:**July 29, 2025 @ 1:30 p.m.**

Attached is an additional letter from Jason Kane, Attorney for Peak Pole Barns, regarding the variance request being heard by the Board of Adjustment on Tuesday, July 29, 2025, at 1:30 p.m.

Attachments

Jason Kane Letter dated July 23, 2025

July 23, 2025

Sent via email

Douglas County Board of Adjustment
Attn.: Carolyn Washee-Freeland, AICP
Senior Planner
cfreeland@douglas.co.us
Attn.: Christopher Pratt, Esq.
cpratt@douglas.co.us
Attn.: Michael Cairry
mcairy@douglas.co.us

Re: Woodmoor Mountain Ranch Filing 1, Lot 35 – Variance
VA2025-008
Michael and Loana Antonucci
1875 Mountain Ranch Road
Larkspur, CO 80118

All,

This firm represents Moss Rock LLC d/b/a Peak Pole Barns and Manufacturing ("Peak"). On or about January 9, 2025, Peak entered into a contract with Michael and Loana Antonucci (collectively "Antonuccis") to construct a garage for the Antonuccis. The above referenced variance request submitted by the Antonuccis pertains to the structure being constructed by Peak. While Peak does not object to the variance request, Peak does not agree with the premise being advanced by the Antonuccis for seeking the variance. In particular, the variance request incorrectly states the variance is being sought "due to the exceptional situation of the contractor's error." Any suggestion or allegation that Peak committed a "contractor error" is categorically false.

1401 Lawrence St., Suite 1600, Denver, CO 80202
Office: 303-968-7519
www.ransonkane.com

In short, the structure was built based on the location of the flags or survey markers that were in place at the time of construction. At no time did Peak move the flags or alter any of the surveying. Thus, no "contractor error" occurred in this case. This thinly veiled attempt to blame the contractor in order to obtain a variance should not be the basis for granting the variance. Rather, if any basis exists for granting a variance, it is the fact the building cannot be constructed in any other location on the premises, is approximately 75% complete, the encroachment on the setback has not faced any opposition, and the encroachment will not impair the public good or purpose of the Douglas County Zoning Resolution.

The Antonuccis' basis for seeking the variance ("contractor error") should be rejected, because no "contractor error" occurred in this case. The surveyor, David E. Archer & Associates, Inc., particularly Jack Bogdovich, has asserted their survey markers were altered after they were placed. (See attached Ex. 1.) Per Mr. Bogdovich, Ms. Antonucci admitted "she took the lathe down because she didn't want the HOA to see where the pins were." (Ex. 1.) Mr. Bogdovich also noticed "someone had set a 1/2 inch rebar with our cap on the east side of the driveway and moved a 5/8 inch rebar with our cap on the West that were not there" when the survey was first done. (Ex. 1.) When confronted, according to Mr. Bogdovich, Ms. Antonucci speculated the markers may have been hit by a skid steer; however, Mr. Bogdovich stated "one of them is set right up against a tree in the root and would be impossible to hit with a skid. The other was in the original position but missing the cap and had some small rocks stacked on it." (Ex. 1.) Peak never hit any markers with the skid steer.

Again, at no time did Peak do anything to alter the surveying. Peak will not be responsible for any additional expenses in the event the variance is not granted nor will Peak take any action without being compensated for its work. Peak has acted in accordance with the contract and did not commit any "contractor error." The structure was built per the survey markers that were in place at the time of construction.

Very truly yours,

A handwritten signature in black ink, appearing to read 'JK' or 'J Kane', with a long horizontal stroke extending to the right.

Jason Kane

Encl.: Ex. 1.



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

MAY 7, 2025

JOB NO. 2024-0675

Went out to stake setbacks and barn. Showed up at 1876 Mountain Ranch Road and the barn was already built. We had problems localizing so started shooting other pins. Every other pin I shot was hitting great besides the ones by the driveway/close to property line. While I was shooting other pins, Loana came out acting nervous and said that they might have hit some pins with their skid steer and I might have to reset them, which I found suspicious. She also said she puts the lath up and down every time she mows. Bob (of Peek Pole Barns) was saying when he was there all the "pins" were flagged but when I showed up this morning there was no lath to be seen. Someone had set a 1/2 inch rebar with our cap on the east side of the driveway and moved a 5/8 inch rebar with our cap on the West that were not there when I did the first survey. Not sure who all is involved with this but shot the building and all existing and wrong pins to prove what is going on.

Two of the pins I tied to along the west part of the road (the 2 pins are 27.17' apart) were missing the caps. I set them during the original survey. When brought up Loana stated that they may have gotten them with the skid steer. One of them is set right up against a tree in the root and would be impossible to hit with a skid. The other was in the original position but missing the cap and had some small rocks stacked on it.

05/08/25





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

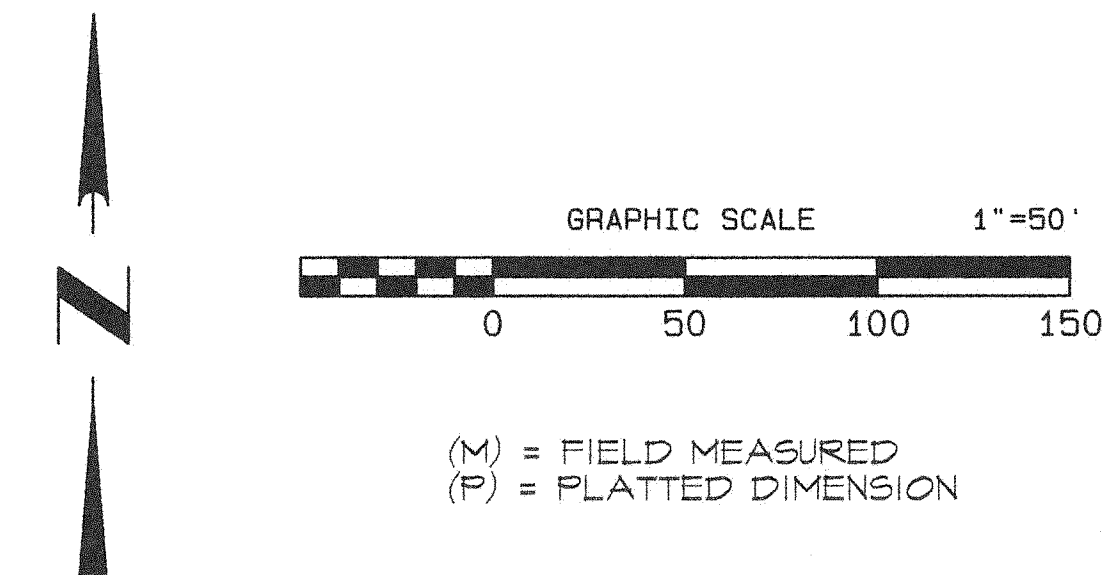
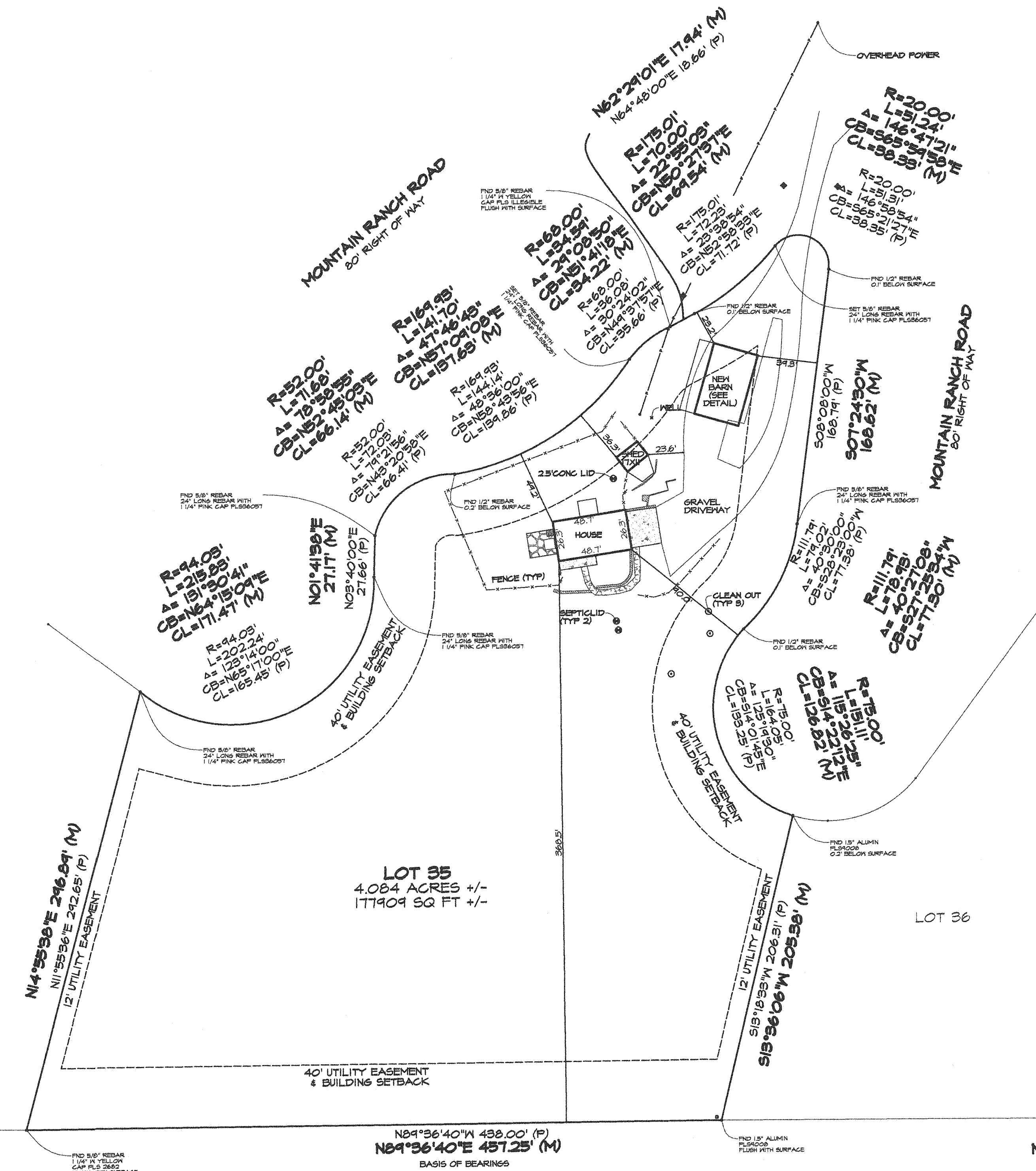
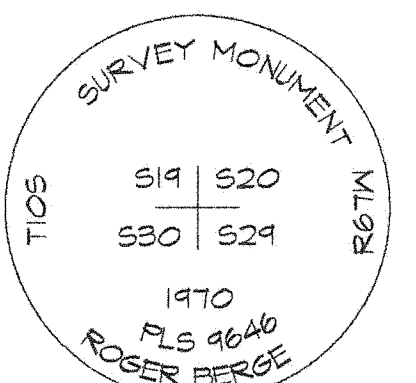
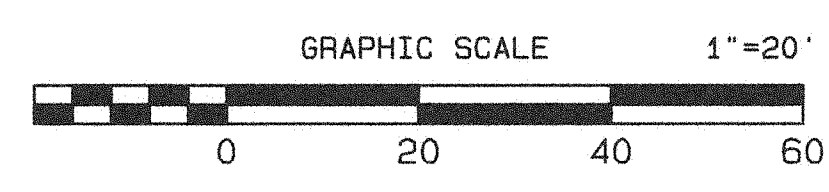
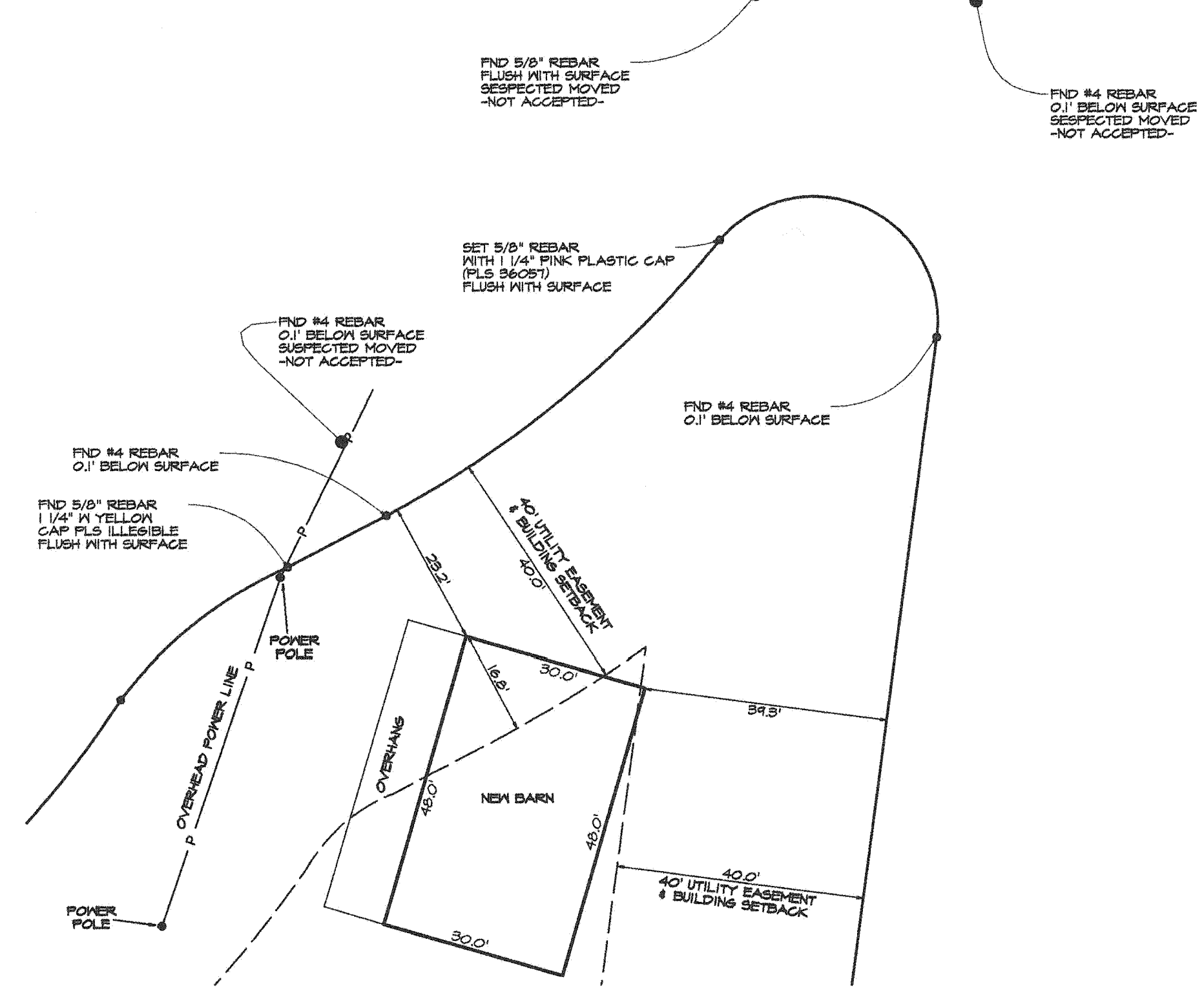
JULY 22, 2025

In September of 2024, I was on the property 4 different times. The first day we showed up I was able to find some property corners and I flagged them. On another day we went back to continue our work and the lathe was missing. Loana told me she took the lathe down because she didn't want the HOA to see where the pins were.

Jack Bogdovitz

Jack Bogdovitz 07-22-25

IMPROVEMENT SURVEY PLAT
In Section 20, Township 10 South, Range 67 West,
6th P.M., Douglas County, Colorado



- BASIS OF BEARINGS**
- Bearings are platted and based on the consideration that the South line of Lot 35, Woodmoor Mountain, Filing 1 Rec No 144885, County of Douglas, State of Colorado bears N89°36'40"E; as shown hereon between the identified monuments.
- NOTES:**
- This survey was performed without the benefit of a title insurance commitment or a title insurance policy. A title insurance commitment or a title insurance policy may disclose facts not reflected on this survey.
 - Corner monuments were set or found and accepted as indicated hereon.
 - Client did not want easements or rights of way researched beyond the Platted Easements.
 - All measurements shown hereon are U.S. Survey Feet.
 - Conflicting boundary evidence (if any) is as shown. Encroachments (if any) are as shown hereon. Fence lines (if any) are not indicative of property lines and are as shown hereon.
 - 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.
 - Any person who knowingly removes, alters or defaces any public land survey monument or land boundary monument or accessory commits a Class Two (2) Misdemeanor pursuant to a Colorado State Statute CRS 18-4-508.

PROPERTY DESCRIPTION:

LOT 35, WOODMOOR MOUNTAIN, FILING 1
SECTION 20, TOWNSHIP 10 SOUTH, RANGE 67 WEST
DOUGLAS COUNTY, COLORADO.

CERTIFICATE OF SURVEY:

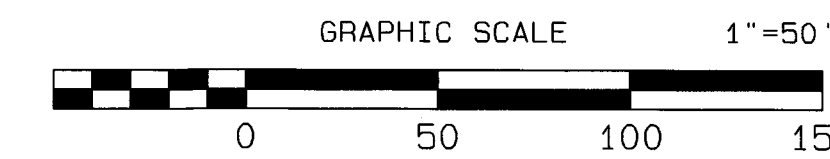
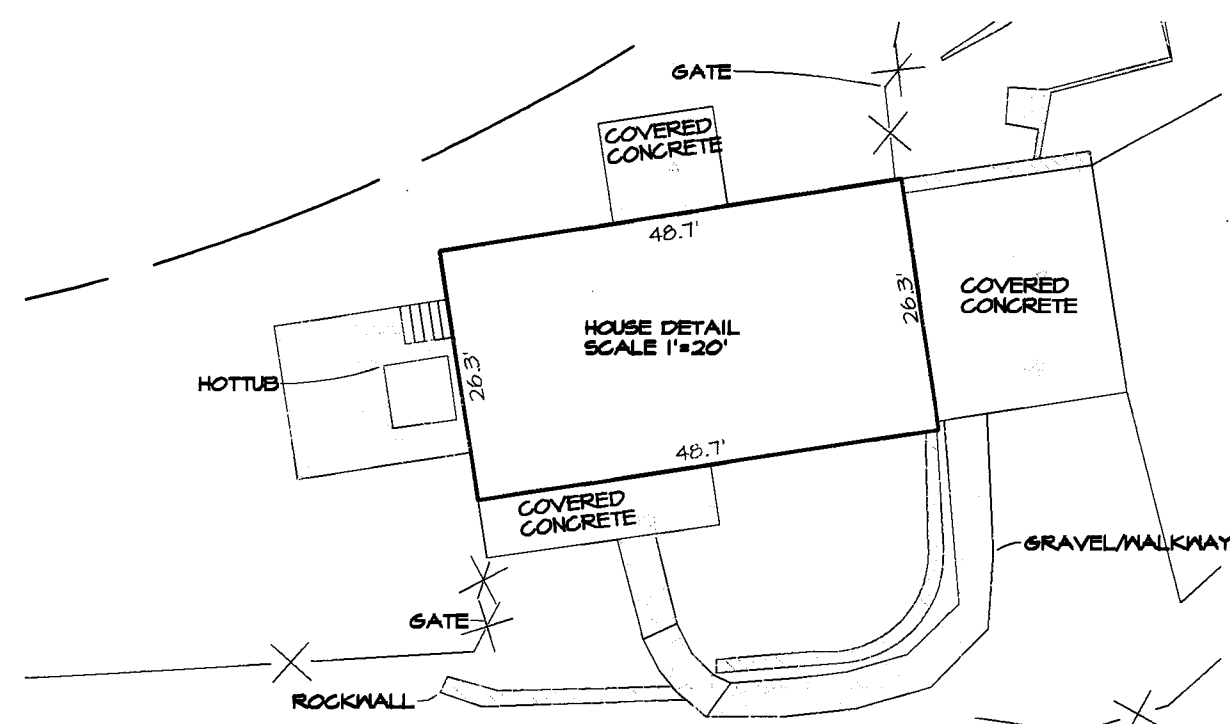
I, Darrell Eugene Roberts, a duly registered Professional Land Surveyor practicing in the State of Colorado, do hereby certify to Loana Antonucci that on May 15, 2025, a survey was made under my direct supervision, of 1876 Mountain Ranch Road, Douglas County, Colorado. The survey was made on the ground using the normal standard of care of Professional Land Surveyors, and is based upon the professional land surveyor's knowledge, information and belief, that it is in accordance with applicable standards of practice and that this plat accurately represents said survey. It is not a guaranty or warranty, either expressed or implied. The location and dimensions of all buildings, buildings under construction, improvements, platted easements and rights of way in evidence or known to me and encroachments by or on the premises are accurately shown. This survey does not constitute a title search by David E. Archer and Associates, Inc. of the property shown and described hereon to determine:

- Ownership of the tract of land.
- Compatibility of this description with those of adjacent tracts of land.
- Rights of way, easements and encumbrances of record affecting this tract of land.

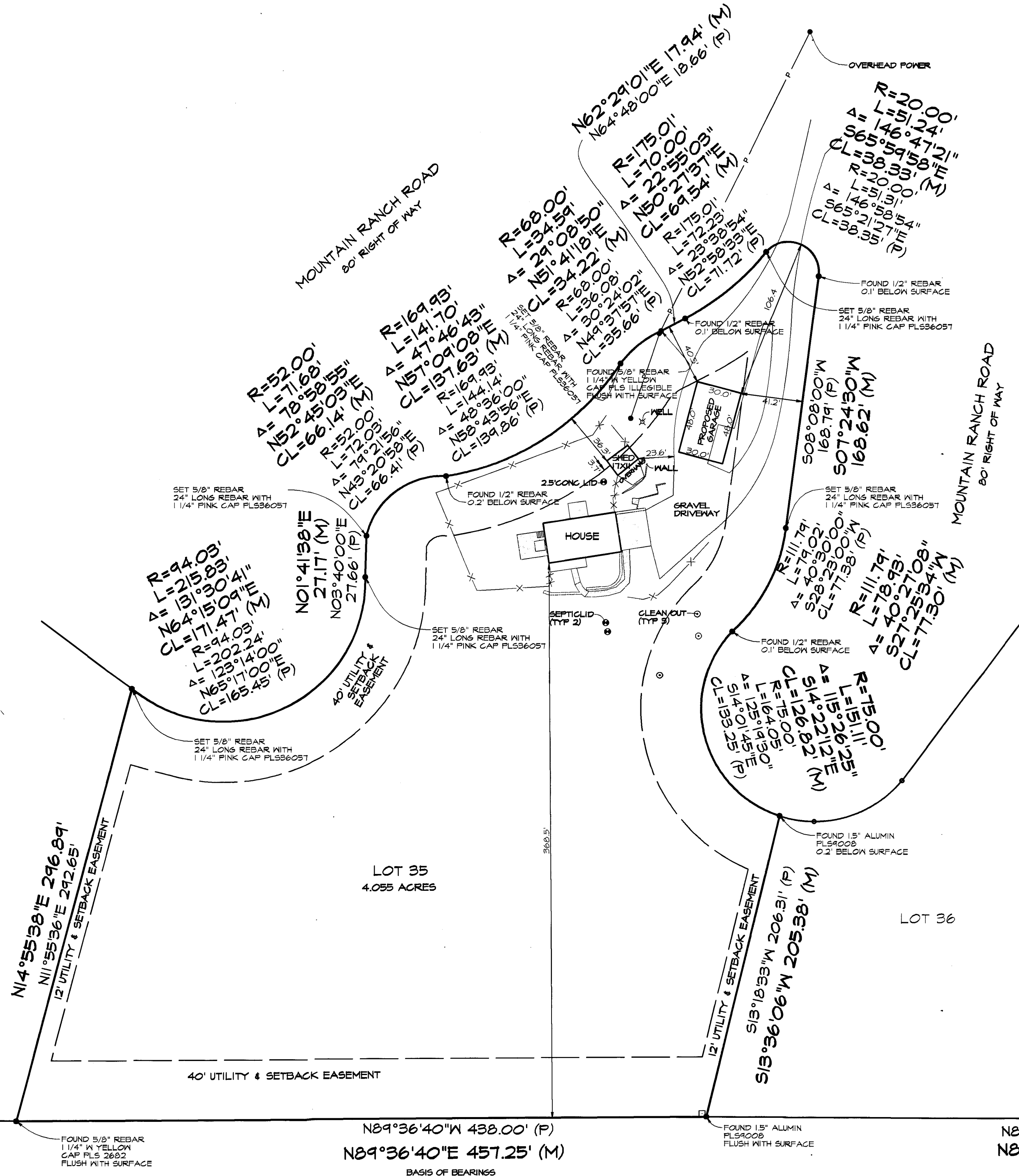
Signed
Darrell Eugene Roberts for and on behalf of David E. Archer & Associates Inc.

REVISIONS	 DAVID E. ARCHER & ASSOCIATES, INC. LAND DEVELOPMENT CONSULTING SURVEYING & ENGINEERING PHONE (303) 688-4642 105 WILCOX ST. CASTLE ROCK, COLORADO 80104	 IMPROVEMENT SURVEY PLAT 1876 MOUNTAIN RANCH ROAD In Sec. 20, Township 10 South, Range 67 West 6th P.M., Douglas County, Colorado.
DATE 5-15-25	DATE 5-15-25	CLIENT LOANA ANTONUCCI
DRAWN BY	CHECKED BY	JOB NUMBER 24-0675
APPROVED BY		Sheet 1 of 1

IMPROVEMENT SURVEY PLAT
In Section 20, Township 10 South, Range 67 West,
6th P.M, Douglas County, Colorado



(M) = FIELD MEASURED
(P) = PLATTED DIMENSION



BASIS OF BEARINGS

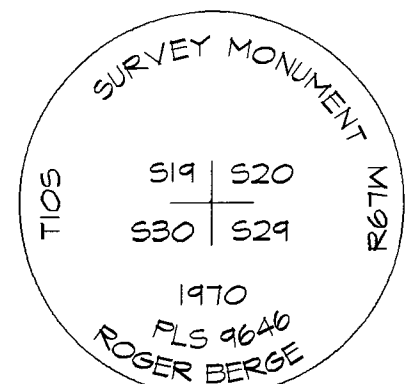
Bearings are platted and based on the consideration that the South line of Lot 35, Woodmoor Mountain 1, Rec No 1971144885, County of Douglas, State of Colorado bears N89°36'40\"/>

NOTES:

1. This survey was performed without the benefit of a title insurance commitment or a title insurance policy. A title insurance commitment or a title insurance policy may disclose facts not reflected on this survey.
2. Corner monuments were set or found and accepted as indicated hereon.
3. Client did not want easements or rights of way researched beyond the Platted Easements.
4. All measurements shown hereon are U.S. Survey Feet.
5. Conflicting boundary evidence (if any) is as shown. (none)
Encroachments: Shed is in Utility & Setback Easement are as shown hereon.
6. Platted layout does not close.

PROPERTY DESCRIPTION:

Lot 35, Woodmoor Mountain 1,
Recorded September 15, 1971 Rec No 1971144885
In Section 20, Township 10 South, Range 67 West,
County of Douglas, State of Colorado



CERTIFICATE OF SURVEY:

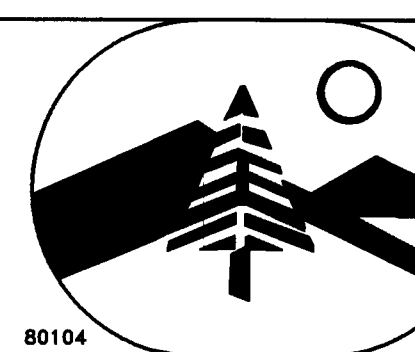
I, Darrell Eugene Roberts, a duly registered Professional Land Surveyor practicing in the State of Colorado, do hereby certify to Loana Antonucci that on September 18, 2024, a survey was made under my direct supervision, of 1876 Mountain Ranch Road, Douglas County, Colorado. The survey was made on the ground using the normal standard of care of Professional Land Surveyors, and is based upon the professional land surveyor's knowledge, information and belief, that it is in accordance with applicable standards of practice and that this plat accurately represents said survey. It is not a guaranty or warranty, either expressed or implied. The location and dimensions of all buildings, buildings under construction, improvements, platted easements and rights of way in evidence or known to me and encroachments by or on the premises are accurately shown. This survey does not constitute a title search by David E. Archer and Associates, Inc. of the property shown and described hereon to determine:
1. Ownership of the tract of land.
2. Compatibility of this description with those of adjacent tracts of land.
3. Rights of way, easements and encumbrances of record affecting this tract of land.

Signed 
Darrell Eugene Roberts for and on behalf of David E. Archer & Assoc.

"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	ADDED PROPOSED
	GARAGE HOA 09-24-25


DAVID E. ARCHER & ASSOCIATES, INC.
LAND DEVELOPMENT CONSULTING
SURVEYING & ENGINEERING
PHONE (303) 685-4642
105 WILCOX ST. CASTLE ROCK, COLORADO 80104



TITLE	IMPROVEMENT SURVEY PLAT
SCALE	AS SHOWN
DATE	10-1-24
BY	DLL
APPROVED	
CLIENT	Loana Antonucci
JOB NUMBER	24-0675
Sheet	1 of 1