

# Memorandum

DATE: **SEPTEMBER 20, 2024** TO: DOUGLAS COUNTY BOARD OF COUNTY COMMISSIONERS THROUGH: DOUGLAS J. DEBORD, COUNTY MANAGER Skforto TERENCE T. QUINN, AICP, DIRECTOR OF COMMUNITY DEVELOPMENT FROM: CC: MATT JAKUBOWSKI, AICP, CHIEF PLANNER JEANETTE BARE, AICP, CURRENT PLANNING MANAGER STEVEN E. KOSTER, AICP, ASSISTANT DIRECTOR OF PLANNING SERVICES SUBJECT: ADDITIONAL CORRESPONDENCE **OAK BLUFF PRELIMINARY PLAN** 

## PROJECT FILE: SB2019-038

Attached are additional items received following submittal of the Board staff report, including:

- Public Comments received by County Staff.
- The applicant revised the preliminary plan exhibit to include a correction to a plan note and plan labels referring to the timing of the termination of an off-site temporary construction easement.

From: Matt Jakubowski
Sent: Friday, September 20, 2024 1:47 PM
To: 'Daniel W. Warhola'
CC: Julie Warhola; rnmhagan@msn.com; braceit4u@aol.com; Valerie Ickes; ickes.jp@gmail.com; Denise
Hutter; Brian Hutter; cwyatt257@hotmail.com; matthew.weippert@gmail.com
Subject: RE: Oak Bluff subdivision
Attachments: PreliminaryPlan-Revised9-20-24.pdf

Good Afternoon Warhola's, Hagan's, and Mr. Collins,

I will include your below comments in the public file for the Oak Bluff Preliminary Plan and provide to the applicant. Additionally, I will provide your comments to the Board prior to the hearing as part of their packets.

The below bullets provide some clarification of issues raised in your comments:

- The Rural Residential (RR) zone district setback is 25 feet. The 50-foot-wide area hatched on the plan represents the applicant's self-imposed no-build area, not the setback. In each case, however, the setback/no-build area applies only to structures. The applicant is allowed to install roads, driveways, fences, berms, and landscaping with the 25-foot setback or the 50-foot buffer.
- Consistent with the approved replat at Rec.#2022063701, the EVA is strictly for emergency vehicle access and
  resident emergency evacuation. The Temporary Construction Easement is only for construction of the EVA and
  installation of utilities that might be needed to go in the EVA. The EVA is not to be used for general construction
  access or everyday access and is to dissolve when the road and drainage related to the EVA is accepted by
  County Engineering. The text as shown on the 7-31-24 version of the plan is a typographical error. The applicant
  has corrected the text for note #7 and the EVA label on Sheet 3 and 5 to reflect what was approved as part of
  the replat. The revised version of the plan is attached. In addition, see note #5 on the preliminary plan that
  refers to use of the EVA.

Finally, the applicant will be requesting a continuance of the item to October 8<sup>th</sup>. There is a very full agenda on September 24<sup>th</sup>. Since Oak Bluff and Sundown are the last two items on the agenda, there was a good chance of the items not being reached. The applicant decided to continue in advance of the hearing, and I wanted to let you know as well so you can arrange your schedules.

Regards,

Matt

Matt Jakubowski, AICP | Chief Planner Douglas County Department of Community Development Planning Services Division Address | 100 Third St., Castle Rock, CO 80104 Phone | 303-660-7460 Email | mjakubow@douglas.co.us

From: Daniel W. Warhola <dwarhola@gmail.com>
Sent: Wednesday, September 18, 2024 9:32 PM
To: Matt Jakubowski <mjakubow@douglas.co.us>
Cc: Julie Warhola <juliemwarhola@gmail.com>; rnmhagan@msn.com; braceit4u@aol.com; Valerie Ickes
<valerieickes@gmail.com>; ickes.jp@gmail.com; Denise Hutter <cohutter@msn.com>; Brian Hutter
<BrianDKA@gmail.com>; cwyatt257@hotmail.com; matthew.weippert@gmail.com
Subject: Re: Oak Bluff subdivision

Dear Matt,

Thank you for your email.

We have significant concerns with this proposed plan. This plat places the development road and cul de sac in very close proximity to the Warhola's and the Hagan's lots, which will be considerable noise for us and the other neighbors on the north side of the Oak Bluff development. It does not seem that the proposed road, Barrel Cactus Point, meets the county required setbacks. It is also unclear to us why the only proposed road needs to come on top of our property lines, especially when there are over 100 acres to develop.

We also agreed in our previous commissioner hearing that the EVA would not be used for construction, only to build the EVA. The wording on the plat states it will be used for construction purposes until the Oak Bluff subdivision roads and drainage are completed and approved. This wording allows the developer to use the EVA easement for the entire construction period of Oak Bluff, which could take years. This proposal is not what we agreed to with the county commissioners back in 2022. This would allow significant construction traffic through the Burning Tree Ranch subdivision on Burning Tree Drive, and cause safety concerns and other issues for our community. Further, this type of construction activity would cause significant stress to the animals that live directly adjacent to this EVA.

Lastly, in addition to the number of houses proposed near the north side (looks like up to nine), building a seven foot berm would significantly hinder our current views. We have requested in previous correspondence that the developers not block our views of Pikes Peak.

We understand Mr. Carroll's and Mr. Westfall's right to make money and develop this land. However, this proposal is not neighborly or considerate to those on the north side of Oak Bluff. This will significantly decrease our property values, our views, and remove the peace and quiet, which many of us moved into the Burning Tree Ranch rural residential area to acquire.

We believe that the county and the commissioners look out for the benefit of all homeowners when considering these types of significant changes to what has existed for years. We are hopeful that our financial investments and our family homes will be considered and honored through this development process.

To that end, we are asking, and would greatly appreciate, that the north side of the Oak Bluff development be replatted and laid out in a way that is more considerate of us and our property values. We ask that the county not allow the new development to be laid out this way and bring significant noise, a road, and houses on top of our property lines. We also ask that you work to maintain our historically quiet area and not block the views that we bought when building or purchasing our homes.

Sincerely,

Dan and Julie Warhola 8682 Burning Tree Drive

Richard and Marilyn Hagan 8818 Burning Tree Drive

Jeff Collins 8618 Burning Tree Drive

On Mon, Sep 16, 2024 at 8:55 AM Matt Jakubowski <<u>mjakubow@douglas.co.us</u>> wrote:

HI Julie,

Yes - attached is the most recent version of the plan the applicant is presenting to the Board. I have also attached a secondary exhibit that shows a proposed berm and tree plan related to the EVA.

Matt

Matt Jakubowski, AICP | Chief Planner

**Douglas County Department of Community Development** 

Planning Services Division Address | 100 Third St., Castle Rock, CO 80104 Phone | 303-660-7460

Email | mjakubow@douglas.co.us

From: Julie Warhola <juliemwarhola@gmail.com</p>
Sent: Saturday, September 14, 2024 9:54 AM
To: Matt Jakubowski <<u>mjakubow@douglas.co.us</u>
; <u>rnmhagan@msn.com</u>; Daniel W. Warhola <<u>dwarhola@gmail.com</u>
; <u>braceit4u@aol.com</u>; Valerie Ickes <<u>valerieickes@gmail.com</u>
; <u>ickes.jp@gmail.com</u>; Denise Hutter
<<u>cohutter@msn.com</u>
; Brian Hutter <<u>BrianDKA@gmail.com</u>
; <u>cwyatt257@hotmail.com</u>;
matthew.weippert@gmail.com
Subject: Oak Bluff subdivision

Good morning, Matt!

Hope you are doing well!

We understand there is an upcoming county commissioner hearing regarding the proposed Oak Bluff subdivision that is neighboring the Burning Tree Ranch community in Franktown. Would you please "reply all" with a copy of the proposed Oak Bluff community plan that will be presented to the county commissioners on the 24th at 2:30pm?

Thank you so much!

Julie Warhola











