

Date: Monday, July 13, 2026

Time: 3:00 PM

Location: Hybrid - In-Person: Hearing Room 1st Floor, 200 West Oak Street, Fort Collins or Virtual, Zoom Link:
https://larimer-org.zoom.us/webinar/register/WN_D8P-0l0zSeOD5bMaz2QAYQ

Land Use Hearing Agenda

Call to Order

Pledge of Allegiance

Public Hearing Consent Items

Will not be discussed unless requested by Commissioners or members of the audience.

1. Extension of Data Center Moratorium
2. Bartel Easement Vacation, File No. 26-LAND4554
3. Meadows at Prospect Storage Appeals, File No. 26-GNRL0585
4. Klawiter Appeal, File No. 26-GNRL0587

Public Hearing Discussion Items

1. HB26-1239 Rubbish Ordinance Update First Reading, File No. 26-CODE0293
2. Acott Amended Plat and Boundary Line Adjustment & Easement Vacation, File No. 26-LAND4538

Addendums

1. Extension of Data Center Moratorium
2. HB26-1239 Rubbish Ordinance Update First Reading, File No. 26-CODE0293
3. Klawiter Appeal, File No. 26-GNRL0587

Adjourn

In accordance with the Americans with Disabilities Act (ADA), Larimer County will provide reasonable accommodations to qualified individuals with disabilities who need assistance. Language translation services are also available upon request. Services can be coordinated with at least 7 business days notice. Please email planningcirt@larimer.org or call (970) 498-7683 or Relay Colorado 711. "Walk-in" requests for auxiliary aids and services will be accommodated to the extent possible but may not be available without advance notice.

De conformidad con la Ley de Estadounidenses con Discapacidades (ADA), el Condado de Larimer proporcionará adaptaciones razonables a personas calificadas con discapacidades que necesiten asistencia. También hay servicios de traducción de idiomas disponibles bajo petición. Los servicios pueden coordinarse con al menos 7 días hábiles de anticipación. Por favor envíe un correo electrónico a planningcirt@larimer.org o llame al (970) 498-7683 o al Relay Colorado 711. Las solicitudes "sin cita previa" de ayudas y servicios auxiliares se atenderán en la medida de lo posible, pero podrían no estar disponibles si no se avisa con antelación.

To: Board of County Commissioners

From: Jenny Axmacher, Planning Manager

Hearing Date: July 13, 2026

Re: BCC Hearing –Extension of Moratorium on Data Center Facilities

Background

This item was originally approved at the January 27, 2026 Admin Matters meeting at 9:00 a.m. A recording of that meeting can be found here:

<https://www.youtube.com/watch?v=XOBwdU0Q4fU>

The moratorium was then extended to August 25, 2026 during a Land Use Hearing on February 9, 2026. A recording of the meeting can be found here:

<https://www.youtube.com/watch?v=URFMFqDK0zc>

A work session to seek feedback from the Board of County Commissioners was conducted on June 29, 2026. A recording of that work session can be found here:

<https://www.youtube.com/watch?v=J0rUVvjkB8>

Currently before the Board of County Commissions for consideration is an extension of the previously approved moratorium for six additional months or until February 25, 2027.

To date, Staff have conducted informational interviews to identify lessons learned with other jurisdictions at the municipal, county, and state levels; researched multiple example codes; compiled pertinent information from institutions and publications; and gathered perspectives from other County departments.

A University of Denver graduate student has been gathering and examining peer codes, definitions, and conducting research into common issues. Staff published a public survey to obtain public input and comments that received excellent participation.

Staff have presented to, and received feedback from, the Larimer County Environmental Science Advisory Board, Agricultural Advisory Board, and Planning Commission, and anticipate meeting with the Natural Resources Advisory Board and Economic Workforce Development Board.



In conducting this research and after meeting with the Board of County Commissioners the complexity of this issue is readily apparent. Staff appreciate that the Commissioners want to take a nuanced approach to these regulations and Staff want to make sure we have the appropriate amount of time to finish this task. While Staff is hopeful that the full six months is not needed to bring a code update, it seemed prudent to limit the number of times an extension is sought. Staff is requesting to extend the moratorium until February 25, 2027.

Development Services Team Recommendation:

The Development Services Team recommend that the Board of County Commissioners approve extending the moratorium until February 25, 2027, to allow staff additional time to research and propose appropriate Land Use Code regulations to govern this type of use.

Suggested Motion:

I move that the Board of County Commissioners approve the resolution to extend the temporary moratorium on data center facilities until February 25, 2027.

Attachments

- ***Attachment A – Resolution to Establish a Temporary Moratorium on Data Center Facilities***

<u>TITLE:</u>	Bartel Easement Vacation
<u>REQUEST:</u>	Easement vacation request to vacate a 14-foot-wide utility easement.
<u>LOCATION:</u>	179 Greyrock View Dr. Bellvue, CO 80512
<u>APPLICANTS/PROPERTY OWNERS:</u>	Betsy Bartel 179 Greyrock View Dr. Bellvue, CO 80512
<u>STAFF CONTACTS:</u>	Justin Currie, Planning Bruen Johnson, Engineering Ashton Brodahl, Health Department
<u>FILE NUMBER:</u>	26-LAND4554
<u>BCC HEARING DATE:</u>	July 13, 2026
<u>STAFF REPORT DATE:</u>	June 25, 2026
<u>NOTICE GIVEN:</u>	1) Newspaper Publication 2) First Class Mailing to surrounding property owners within 500 feet 3) Posting on the Larimer.gov website 4) Posting in the officially designated area of the Larimer County Administrative Services Building no less than twenty-four hours in advance of the hearing.
<u>SITE DATA:</u>	
Parcel Numbers:	1823205021
Total Development Area:	7.53 acres
Existing Number of Lots:	1
Proposed Number of Lots:	1
Number of Existing Dwelling Units:	1
Existing Land Use:	Single-unit Dwelling
Proposed Land Use:	Single-unit Dwelling
Existing Zoning:	O-Open
Adjacent Zoning:	O-Open
Adjacent Land Uses:	Single-unit Residential & Vacant Land
Services:	
Access:	Greyrock View Dr. [Public]
Water:	On-Site Well
Sewer:	On-Site Septic
Fire Protection:	Rist Canyon Volunteer Fire Department

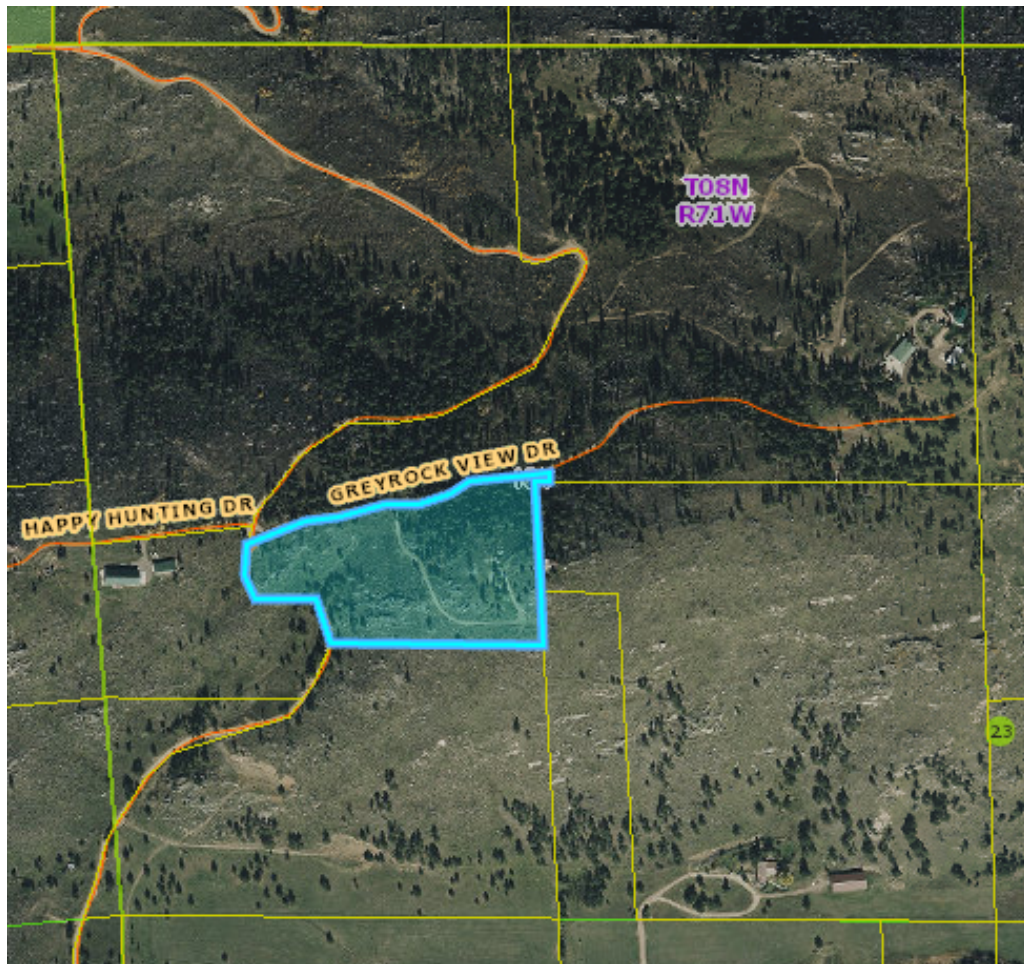


Figure 2: Aerial image of subject properties
Source: Larimer County GIS

EASEMENT VACATION REVIEW CRITERIA:

The Larimer County Land Use Code (Section 6.5.8.D.1) allows for the approval of a plat modification, specific to Easement Vacations, if the following review criteria are met:

- A. Approval of the vacation request will not leave any land adjoining the right-of-way without an established public road or private access easement connecting the land with another established public road, or without utility or drainage services;**

This criterion has been met. This request is to vacate an existing 14-foot-wide utility easement located on lot 21 of the Stratton Park Estates Subdivision 1st filing. This request does not include the vacation of any public right-of-way. Vacating the easement will not leave the subject property or any adjacent properties without access to public right-of-way or without utility or drainage services. The remainder of the perimeter of the property will retain its existing public dedicated easements, allowing utilities to access and service lot.

B. The recommendations of referral agencies have been considered;

Referral agencies, including affected utilities, had no concerns about the proposed request. Additionally, the only utility provider, Poudre Valley REA, have signed off on the proposal via the utility check sheet. Referral responses are attached to this report as Attachment C and the utility check sheet is attached as Attachment B.

C. Any right-of-way that is vacated will be divided equally between the lots on each side, unless it can be demonstrated that all of the right-of-way was originally taken from one parcel. In that case, the right-of-way will be returned to that parcel. Property owners on each side of the right-of-way may agree to divide the vacated right-of-way differently but must sign deeds to transfer ownership after the county commissioners approve the vacation.

This request does not include right-of-way vacation; therefore, this criterion is not applicable.

D. Right-of-way vacations must also meet requirements of C.R.S. 43-2-303

This request does not include right-of-way vacation; therefore, this criterion is not applicable.

REFERRAL AGENCY COMMENTS:

The following Larimer County referral agencies have reviewed the proposal. The Utility Check Sheet was completed and signed by Poudre Valley REA. There are no issues or concerns with the proposed request.

- The **Engineering Department (Development Review)** stated that they have no concerns with the request.
- The **Health Department** stated that they have no concerns with the request.

REVIEW AGENICES NOTIFIED BUT DID NOT PROVIDE COMMENTS:

Referral agencies that did not provide comments are assumed to have no concerns on the request:

- Poudre Valley REA

NEIGHBORHOOD NOTIFICATION:

Postcards were mailed to 7 property owners within 500 feet of the subject property to notify them of this request via First Class Mail. As of the date of this report (June 25, 2026), no comments from neighboring property owners have been received.

SUMMARY AND CONCLUSIONS:

The proposed Easement Vacation meets all the applicable criteria in Section 6.5.8.D.1. The Development Services Team is in support of the proposed easement vacation as it will not negatively impact access, utility servicing, or would be expected to negatively impact adjacent parcel owners. Therefore, the request is supported by the Development Services Team.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends **approval of the Bartel Easement Vacation File No. 26-LAND4554**

SUGGESTED MOTIONS:

I move that the Board of County Commissioners approve Bartel Easement Vacation, File No. 26-LAND4554.

ATTACHMENTS:

- A. Easement Legal Description and Renderings
- B. Utility Check Sheet
- C. Referral Agency Comments

ATTACHMENT A

Easement Legal Description and Renderings

TRI-PEAKS

306 E. Elizabeth St. • Fort Collins • Colorado • 80524

office (970) 232-9482

cthew@tri-peaks.com

Exhibit A – Bartel Easement Vacation

A parcel of land being a portion of Lot 21, Stratton Park Estates 1st Filing recorded at Reception No. 968819 on August 19, 1969 of the Larimer County records, situate in the Northwest 1/4 of Section 23, Township 8 North, Range 71 west of the 6th P.M., County of Larimer, State of Colorado, being more particularly described as follows:

The east 14 feet of said Lot 21.

Except the north 25 feet, being a part of a 50 foot private road easement to remain, and the south 7 feet, being a part of a 14 foot utility easement to remain.

Said parcel contains 6,640 square feet (0.152 acres), more or less. An illustration for this description is attached hereto and made a part hereof.

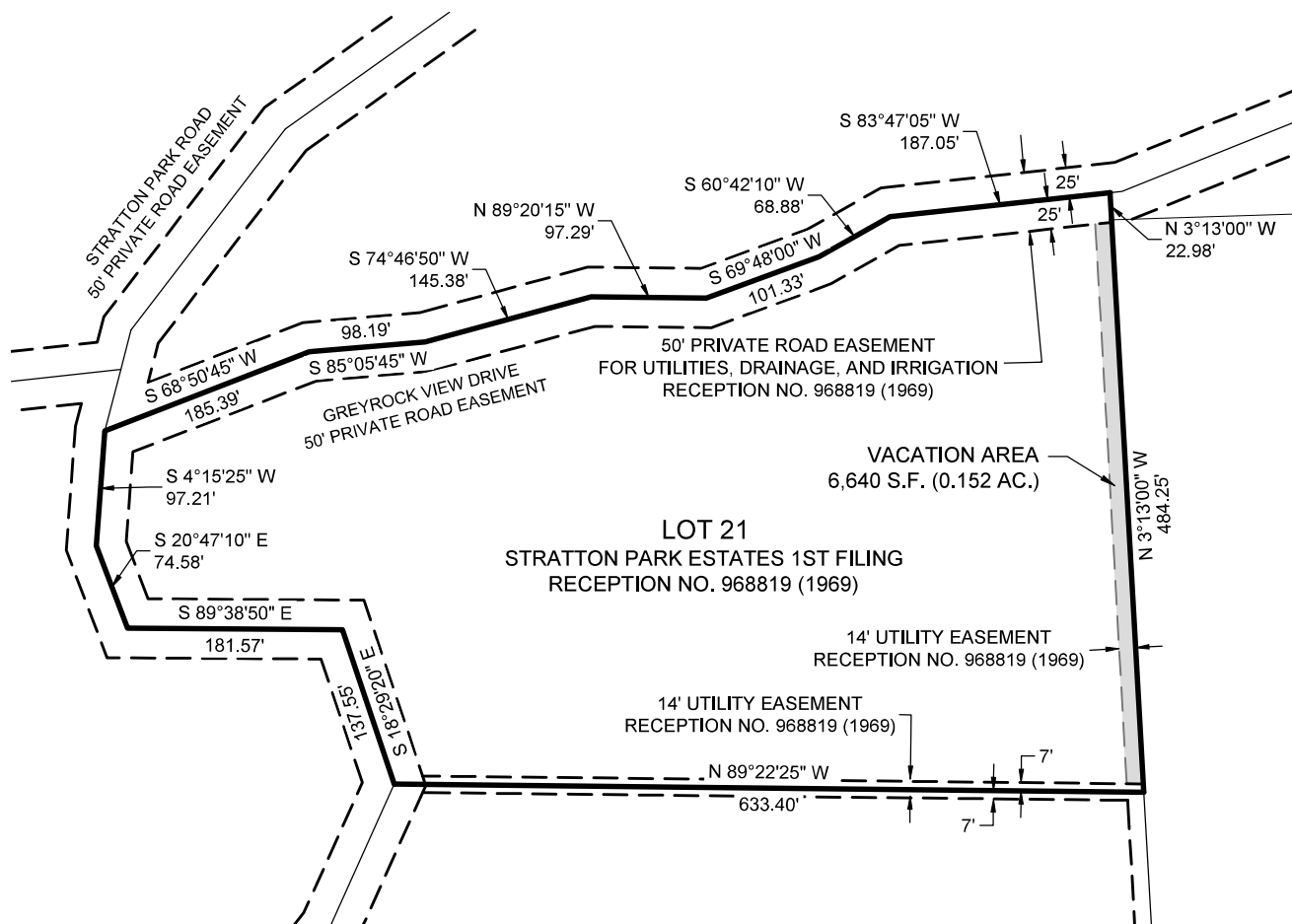
The author of this description is Christopher L. Thew a registered Professional Land Surveyor licensed to practice in the State of Colorado. The description was written for the Bartel-Cire Amended Plat/Boundary Line Adjustment File#25-Land 4530 on behalf of TRI-PEAKS, LLC on February 14, 2025 under job number W23-092 and is not to be construed as representing a monumented land survey.



Christopher L. Thew PE-PLS
Colorado PLS #38692

ILLUSTRATION

SITUATE IN THE NW 1/4 OF SECTION 23, T8N, R71W OF THE 6TH P.M.
COUNTY OF LARIMER, STATE OF COLORADO



SCALE: 1" = 160'

C:\Users\thwc\OneDrive\2023 JOBS\W23-092 BARTEL\DWG\W23-092.dwg

January 14, 2025 - 1:12pm

SHEET 2 OF 2

PROJECT # W23-092

Date	Revisions	Prepared for:
		BETSY BARTEL
		TRI-PEAKS, LLC
		306 E. ELIZABETH STREET
		FORT COLLINS COLORADO
		(970) 232-9482
		cthew@tri-peaks.com

ATTACHMENT B

Utility Check Sheet



UTILITIES CHECK SHEET

COMMUNITY DEVELOPMENT | PLANNING

PLEASE PROVIDE THE UTILITY COMPANIES WITH A SITE PLAN AND A PROJECT DESCRIPTION

YOU CAN SEND OUT MULTIPLE COPIES OF THIS PAGE- PLEASE IGNORE SECTIONS THAT ARE NOT APPLICABLE TO YOUR PROPERTY

PROPERTY ADDRESS AND/OR PARCEL #: *200 Aspen Park Lane, Bellvue, Colorado 80512*
APPLICANT NAME & EMAIL ADDRESS: *Jorda G. Cire & Alexia M. Cire (jodycire@yahoo.com)*
ENGINEER/SURVEYOR CONTACT (IF APPLICABLE): *Chris Thew - Tri Peaks*

WATER DISTRICT (SKIP THIS SECTION IF USING A WELL):

COMMENTS:

SIGNATURE:

N/A

DATE:

SANITATION DISTRICT (SKIP THIS SECTION IF PROPOSING ON-LOT SEPTIC):

COMMENTS:

SIGNATURE:

N/A

DATE:

INTERNET/PHONE (IF APPLICABLE):

COMMENTS:

SIGNATURE:

N/A

DATE:

ELECTRICITY | Poudre Valley REA requires any existing facilities (overhead or underground) to have a 10 foot easement on both sides of the facilities. The facilities or the easement boundaries must be shown on the plat. Platting is subject to the rights of the existing facilities.

SIGNATURE:

Garrett R. Ham

DATE:

1/15/26

GAS (IF APPLICABLE):

COMMENTS:

SIGNATURE:

N/A

DATE:

DITCH COMPANY (IF APPLICABLE):

COMMENTS:

SIGNATURE:

N/A

DATE:

OTHER:

COMMENTS:

SIGNATURE:

N/A

DATE:



UTILITIES CHECK SHEET

COMMUNITY DEVELOPMENT | PLANNING

PLEASE PROVIDE THE UTILITY COMPANIES WITH A SITE PLAN AND A PROJECT DESCRIPTION

YOU CAN SEND OUT MULTIPLE COPIES OF THIS PAGE- PLEASE IGNORE SECTIONS THAT ARE NOT APPLICABLE TO YOUR PROPERTY

PROPERTY ADDRESS AND/OR PARCEL #: *216 Aspen Park Lane, Bellvue, Colorado, 80512*

APPLICANT NAME & EMAIL ADDRESS: *Jordan G. Cive & Alexia M. Cive (jodycive@yahoo.com)*

ENGINEER/SURVEYOR CONTACT (IF APPLICABLE): *Chris Thew - Tri Peaks*

WATER DISTRICT (SKIP THIS SECTION IF USING A WELL):

COMMENTS:

N/A

SIGNATURE: _____

DATE: _____

SANITATION DISTRICT (SKIP THIS SECTION IF PROPOSING ON-LOT SEPTIC):

COMMENTS:

N/A

SIGNATURE: _____

DATE: _____

INTERNET/PHONE (IF APPLICABLE):

COMMENTS:

N/A

SIGNATURE: _____

DATE: _____

ELECTRICITY

COMMENTS:

Poudre Valley REA requires any existing facilities (overhead or underground) to have a 10 foot easement on both sides of the facilities. The facilities or the easement boundaries must be shown on the plat. Platting is subject to the rights of the existing facilities.

SIGNATURE: *Yann R. Hume*

DATE: *1/15/20*

GAS (IF APPLICABLE):

COMMENTS:

N/A

SIGNATURE: _____

DATE: _____

DITCH COMPANY (IF APPLICABLE):

COMMENTS:

N/A

SIGNATURE: _____

DATE: _____

OTHER:

COMMENTS:

N/A

SIGNATURE: _____

DATE: _____

ATTACHMENT C

Referral Agency Comments

LARIMER COUNTY | PLANNING DEPARTMENT

P.O. Box 1190, Fort Collins, Colorado 80522-1190, 970.498.7683, Larimer.org

TO: Betsy Bartel
btsbartel@gmail.com

FROM: Justin Currie, Planner II,
Larimer County Planning Department

DATE: May 5, 2026

SUBJECT: Bartel Easement Vacation Review, File #26-LAND4554

Dear Ms. Bartel,

Thank you for your submittal, Planning staff distributed the plans to several other Larimer County departments and non-county referral agencies. Copies of the comments received are attached to this letter for reference.

The Planning Department has no concerns or comments.

Referral Agency Comments:

Comments were received from the following agencies:

- Code Compliance Division (Approved)
- Larimer County Health Dept. (Approved)
- Larimer County Eng. Dept. (Approved)

No comments were received on the easement vacation from Poudre Valley REA.

If you have any questions about the review comments, please contact the reviewer directly.

All the comments are based on the information submitted and we may have additional comments on the next submittal.

Please call me at (970) 498-7695 or e-mail me at curriejp@larimer.org if you have any questions.

Justin Currie,
Planner II



MEMORANDUM

TO: Justin Currie, Larimer County Planning Department

FROM: Bruen Johnson, Larimer County Engineering Department

DATE: April 20, 2026

SUBJECT: Bartel Easement Vacation
File # 26-LAND4554

BT

Project Description/Background:

Easement Vacation of an existing easement along 2 lot lines. This application is in conjunction with an Amended Plat and Boundary Line Adjustment #25-LAND4530

Review Criteria:

Larimer County Engineering Department development review staff members have reviewed the materials per the criteria found in the Larimer County Land Use Code (LCLUC), Larimer County Rural Area Road Standards (LCRARS), and Stormwater Design Standards (LCSDS).

Comments:

1. We do not expect that approval of this application will result in changes to the site drainage. If drainage patterns are changed, a drainage plan should be submitted for review and approval.
2. Notification and approval from the relevant utility authorities is required if any easements are being vacated in association with the lot line consolidation.
3. Existing access points shall not be adversely impacted.

Staff Recommendation:

The above comments need to be noted, otherwise this department does not have any issues or concerns with this proposal. Please feel free to contact me at [\(970\) 498-5776](tel:9704985776) or email me at johnsobs@co.larimer.co.us if you have any questions.





Justin Currie <curriejp@co.larimer.co.us>

Bartel Easement Vacation; 26-LAND4554

1 message

Ashton Brodahl <brodahah@co.larimer.co.us>

Tue, Apr 28, 2026 at 9:02 AM

To: Justin Currie <curriejp@co.larimer.co.us>

Cc: Lea Schneider <schneils@co.larimer.co.us>

Hi Justin,

The Larimer County Health Department has reviewed the Easement Vacation request to vacate an existing easement along two lot lines. We understand this application is related to the Amended Plat/Boundary Line Adjustment (25-LAND4530), for which our office provided comments on January 29, 2026. No development was proposed as part of this application.

The applicant intends to vacate the utility easement on the eastern property line. The residence is supported by a well (permit #154659) and an on-site wastewater treatment system (OWTS) installed in 1995. According to the Site Map, the septic system is located within the easement proposed for vacation.

Our office supports the vacation of this easement because portions of the septic system are located within its current boundaries, and the vacation would address this concern. Our office will defer to the utility providers regarding any specific concerns or access related to the vacation of the eastern easement.

Thank you,

Ashton



Ashton Brodahl (*she/her*)
Environmental Health Specialist II

Department of Health & Environment
1525 Blue Spruce Drive, Fort Collins, CO 80524
W: (970) 498-7798 | Mobile/Text: (970)732-9503
abrodahl@larimer.org | www.larimer.gov/health

TITLE: Meadows at Prospect Storage Appeals

REQUEST: Appeal to the following code standards for the outdoor RV and boat storage facility proposed under the Meadows at Prospect Storage Site Plan application (File No. 25-ZONE3764):

1. Section 4.6.7.E.1 – To permit the use of the TrueGrid paving system in lieu of concrete or asphalt throughout the fenced storage area.
2. Section 4.6.7.H – To waive the requirement for electric vehicle parking spaces.
3. Section 4.6.9 – To waive the requirement for bicycle parking.

LOCATION: 1700 SE Frontage Rd
Fort Collins, CO 80525

OWNER: Mustang Acres LLC
1500 Park Street
Castle Rock, CO 80109

APPLICANTS: Bryce Willaby
Kimley-Horn and Associates
3325 S Timberline Road
Fort Collins, CO 80525

STAFF CONTACTS: Jacy McNulty, Planning
Conner Sheldon, Engineering
Lea Schneider, Health Department

FILE: 26-GNRL0585

BCC HEARING DATE: July 13, 2026

STAFF REPORT DATE: June 25, 2025

NOTICE GIVEN: 1) Newspaper Publication
2) First Class Mailing to surrounding property owners within 500 feet
3) Posting on the Larimer.org website
4) Posting in the officially designated area of the Larimer County Administrative Services Building no less than twenty-four hours in advance of the hearing.

SITE DATA:

Parcel Number: 8722200020

Total Development Area:	48.25 acres
Existing Land Use:	Vacant
Proposed Land Use:	Outdoor Storage
Existing Zoning:	Commercial Corridor (CC)
Surrounding Zoning:	Commercial Corridor (CC) & Rural Residential (RR-2)
Services:	
Access:	SE Frontage Road
Road Classification:	Maintained by CDOT
Water:	ELCO Water District
Sewer:	Boxelder Sanitation District
Fire Protection:	Poudre Fire Authority

VICINITY MAP



Figure 1- Vicinity Map

DISCUSSION:

The subject property, located at 1700 SE Frontage Road, consists of approximately 48.25 acres. The parcel is unplatted and described by metes and bounds, meaning it is not located within a recorded subdivision. The property is zoned Commercial Corridor (CC) and is located within the Timnath Growth Management Area (GMA).

The property is currently vacant and undeveloped. The applicant and property owner are proposing to develop the site into an outdoor RV and boat storage facility through the Site Plan review process under the Meadows at Prospect Storage application (File No. 25-ZONE3764). The Site Plan application is being reviewed concurrently with this appeal administratively by staff. The proposed outdoor storage use will occupy approximately 16.8 acres in the southeastern portion of the parcel, with the remaining acreage of the site not included as part of this development. At this time, no current or future development plans have been proposed for the remainder of the 48.25-acre parcel outside of the approximately 16.8-acre area designated for the outdoor storage facility.

The proposed development includes approximately 589 storage spaces, consisting of 338 covered spaces and 251 uncovered spaces for recreational vehicles, boats, trailers, and similar vehicles. The facility will operate as a secure self-storage use with automated gated access and no on-site office or employees.

As part of the Site Plan application, the applicant has submitted an appeal requesting deviations from three development standards applicable to the project. Specifically, the applicant is requesting approval of the following:

1. Section 4.6.7.E.1 – To permit the use of the TrueGrid permeable paving system in lieu of concrete or asphalt throughout the fenced storage area.
2. Section 4.6.7.H – To waive the requirement for electric vehicle parking spaces.
3. Section 4.6.9 – To waive the requirement for bicycle parking.

The applicant states that the requested appeals are intended to better align site improvements with the operational characteristics of an outdoor storage facility, which differs from traditional commercial development in terms of occupancy, trip generation, and duration of customer visits.

The request to utilize the TrueGrid paving system would apply only within the fenced storage areas used for parking and storing recreational vehicles and boats. The access drive serving the site, from the SE Frontage Road entrance to the secured front gate, would continue to be constructed with conventional asphalt pavement.

The requests to waive electric vehicle parking and bicycle parking requirements are based on the nature of the proposed use, which will not include an office or employment-generating components and is expected to generate infrequent, short-duration customer visits associated with storing and retrieving vehicles.

Throughout this report, references may be made to a reduction in the number of parking spaces otherwise required by Section 4.6.4 (Table 4-4) of the Land Use Code. That request is being addressed administratively through a Modification by the Planning Director or County Engineer in accordance with Section 4.6.6.A and is not part of this appeal request.

Additionally, references may be made to deviations from landscaping requirements contained in Section 4.7 of the Land Use Code. Those requests are being addressed separately through an Alternative Landscape Plan pursuant to Section 4.7.2.C.2 and are likewise not part of this appeal request.

No public comments had been received at the time this staff report was prepared. Nineteen (19) postcards were mailed via First Class Mail to property owners within 500 feet of the subject property to notify them of this request. Mailed notice of the public hearing was distributed concurrently with scheduling of the hearing on June 23, 2026, and sufficient time has not yet passed for comments to be received. Any comments received prior to the hearing will be provided to the Board of County Commissioners and entered into the record.

REVIEW CRITERIA:

ARTICLE 6.7.2.5 REVIEW CRITERIA FOR APPEALS TO DEVIATE FROM STANDARDS OR REQUIREMENTS OTHER THAN MINIMUM LOT SIZE

When considering whether to approve an appeal to deviate from standards or requirements of the Code, other than minimum lot size requirements, the County Commissioners may grant the appeal subject to safeguards and conditions with their findings concerning the following factors. The County Commissioners will consider each of the following factors and make findings pertaining to each one which, in their discretion, applies to the appeal:

A. Approval of the appeal will not subvert the purpose of the standard or requirement.

Staff found this criterion to be met. Approval of the appeal does not subvert the purpose of the applicable standards or requirements because the proposed deviations continue to achieve the underlying intent of the Code while providing an alternative means of compliance tailored to the site's design and operational needs. The use of the TrueGrid permeable paving system within the fenced storage area maintains the fundamental objectives of surfacing standards by providing a stable, all-weather, load-bearing surface for vehicle circulation and storage, while also advancing stormwater management and air quality goals through reduced runoff and fugitive dust compared to traditional gravel or impervious pavement. The waivers for electric vehicle and bicycle parking do not undermine transportation demand management objectives because these requirements are intended to support uses with meaningful commuter or visitor demand, which is not characteristic of this use type. Overall, the appeals preserve the intent of ensuring safe, functional development that protects environmental quality and public infrastructure, while allowing flexibility in how those outcomes are achieved.

B. Approval of the appeal will not be detrimental to the public health, safety, or property values in the neighborhood.

Staff found this criterion to be met. Approval of the requested appeals will not be detrimental to public health, safety, or property values in the surrounding neighborhood because the proposed modifications are designed to maintain or improve environmental and operational performance while remaining consistent with the low-intensity nature of the use. The TrueGrid permeable paving system is supported by both Engineering and Health & Environment staff as a means to reduce fugitive dust, limit sediment transport, and improve stormwater infiltration, all of which directly benefit air and water quality and reduce potential off-site impacts to adjacent properties. The system is also designed to support heavy vehicle loads and maintain stable internal circulation

for emergency and maintenance access, ensuring that public safety and site functionality are not compromised. Additionally, the Poudre Fire Authority reviewed the requested appeals and had no comments or objections, indicating the proposed modifications do not adversely affect emergency access or fire protection. The waiver of electric vehicle and bicycle parking requirements is not expected to create adverse impacts due to the limited staffing and low trip generation associated with an outdoor storage facility. Overall, the appeals are consistent with maintaining a clean, orderly, and well-managed site condition that avoids adverse effects on surrounding commercial and rural residential properties.

C. Approval of the appeal is the minimum action necessary.

Staff found this criterion to be met. Approval of the appeal is the minimum action necessary because the requested deviations are narrowly limited to addressing specific functional requirements of the proposed development and do not extend beyond what is required to achieve Code-compliant site operation. The use of the TrueGrid permeable paving system is confined to the fenced storage area and is necessary to provide a stable, load-bearing surface while addressing dust control, stormwater infiltration, and vehicle circulation needs without requiring full conventional paving across the site. Similarly, the waivers for electric vehicle and bicycle parking remove requirements that are not functionally warranted by the site's operational characteristics and therefore would not provide meaningful additional benefit if implemented. In each case, the appeals represent the least extensive modification needed to accommodate site design constraints while still meeting applicable health, safety, and environmental performance standards.

D. Approval of the appeal will not result in increased costs to the general public.

Staff found this criterion to be met. Approval of the appeal will not result in increased costs to the general public because the proposed deviations are fully contained within a private development and do not require the extension, expansion, or modification of public infrastructure or services beyond what is already planned or available for the site. The TrueGrid permeable paving system, as approved with conditions, is privately installed and maintained by the applicant, and does not create additional maintenance obligations for Larimer County or other public entities. Similarly, the waivers of electric vehicle and bicycle parking requirements eliminate private on-site improvements without shifting any associated costs to public agencies or taxpayers. Stormwater, access, and utility systems remain privately constructed or coordinated through existing infrastructure networks, ensuring that all development-related costs are borne by the applicant and not transferred to the general public.

E. Approval of the appeal is consistent with the intent and purpose of the Code.

Staff found this criterion to be met. Approval of the appeal is consistent with the intent and purpose of the Code because it maintains the fundamental objectives of the Larimer County Land Use Code—ensuring safe, functional development while protecting public health, safety, and environmental quality—while allowing flexibility in how those objectives are achieved for an outdoor storage use. The use of the TrueGrid permeable paving system advances the Code's intent by supporting effective stormwater management, reducing fugitive dust, and minimizing off-site environmental impacts, while still providing a stable, all-weather surface suitable for vehicle storage and emergency access. The waivers for electric vehicle and bicycle parking are consistent with the Code's intent to require such facilities where they are functionally warranted, as the proposed use generates limited demand for commuter-oriented or active transportation infrastructure. Taken together, the appeals apply Code standards in a context-sensitive manner that reflects the rural-urban interface setting and the operational characteristics of the development,

thereby achieving the underlying policy goals without imposing unnecessary or ill-fitting requirements.

REFERRAL AGENCY COMMENTS:

Larimer County Engineering Department:

The Engineering Department provided the following comments:

1. The Engineering Department has no comments regarding the appeals associated with electric vehicle parking, bicycle parking, or landscaping requirements.
2. Following coordination and discussions with the applicant, the Engineering Department supports the use of the TrueGrid permeable paving system within the fenced outdoor storage area.
3. If the requested appeals are approved, the associated Site Plan and Development Construction Plans under File No. 25-ZONE3764 shall be revised to accurately reflect the approved modifications.
4. The Drainage Report shall be updated if implementation of the TrueGrid paving system results in substantial grading modifications or drainage pattern changes.

Condition(s) of Approval: The routine maintenance shall be completed as needed for the TrueGrid paving system as signs of degradation occur including but not limited to windblown dust, pooling stormwater, sediment deposits on paved access, roads and other instances of evident deterioration.

The Larimer County Engineering Department recommends approval of the requested appeals, subject to the conditions of approval identified above.

Larimer County Health & Environment Department:

The Health Department provided the following comments:

The Health Department has no oversight responsibilities or recommendations regarding electric vehicle parking, bicycle parking, or landscaping requirements for the proposed outdoor storage use and defers to the Planning Department on those appeals. The department's primary concern relates to potential air quality impacts associated with access road surfacing.

The applicant provided technical information supporting the use of the TrueGrid permeable paving system within the fenced storage area. Based on the information provided, the system is designed to reduce gravel displacement, minimize the generation of fugitive dust, reduce mud and sediment tracking onto adjacent paved roads, and improve stormwater infiltration and water quality. The system also allows for snow removal operations and utilizes a commercial-grade permeable paving product intended for heavy vehicle applications.

The 2025 Site Plan does not currently identify TrueGrid as a proposed surfacing material; however, the Project Description dated May 29, 2026, indicates that the system is proposed within the fenced storage area. If the appeal is approved, the Site Plan shall be updated to clearly identify all areas proposed to utilize the TrueGrid paving system. Areas outside the fenced storage area, including access roads connecting to the Frontage Road, shall remain asphalt surfaced as proposed.

The Health Department recommends the following conditions if the paving appeal is approved:

1. The installed permeable paving system shall be the TrueGrid brand product as proposed by the applicant.
2. The TrueGrid ProPlus Commercial Permeable Paver model shall be installed for all access roads located within the fenced storage area.
3. Installation shall comply with the manufacturer's specifications for dust mitigation, including:
 - a. The base layer beneath the pavers shall consist of clean, hard, angular crushed aggregate uniformly sized between 1 inch and 1.5 inches.
 - b. The paver infill material shall consist of clean, washed, open-graded, hard stone ranging from 3/8 inch to 3/4 inch.
 - c. The infill material shall be limestone or a material of equivalent hardness greater than 3 Mohs to minimize fragmentation and degradation.
4. Routine maintenance of the TrueGrid paving system shall be performed as necessary to maintain its functionality and dust control performance. Maintenance activities shall address windblown dust, pooling stormwater, sediment accumulation on paved access roads, and any other evidence of deterioration or performance degradation.

The Health Department supports approval of the paving appeal subject to the conditions identified above and defers to the Planning Department regarding the remaining appeals.

Staff Note: An updated Site Plan has been provided since the Health & Environment Department's comments were received. The revised Site Plan is included as **Attachment B** and reflects updated information regarding the proposed use of the TrueGrid permeable paving system within the fenced storage area, as well as clarification of surfacing distinctions between permeable and asphalt-paved areas.

Larimer County Building Division:

The Building Division noted that its comments constitute a preliminary review only, with detailed code review to occur during building permit review under the currently adopted building codes. The Division emphasized that Building Code requirements, including accessibility requirements under the International Building Code, cannot be modified through the requested Land Use Code appeals. Initial comments indicated that the covered and uncovered storage areas may require accessible and van-accessible spaces if the storage spaces are interpreted as parking spaces under the Building Code. The Building Division also identified standard permitting requirements related to building permits, professional design, structural design criteria, contractor licensing, and construction inspections. Following issuance of these comments, Planning staff determined that the Building Division's accessibility concerns stemmed from a difference in interpretation between storage spaces and off-street parking spaces under the Land Use Code.

Staff Note: Staff anticipates receiving updated comments from the Building Division prior to the public hearing. If additional comments are received, an addendum or memorandum summarizing the updated Building Division comments and any resulting staff recommendations will be provided to the Board of County Commissioners in advance of the hearing.

Larimer County Environmental Planner:

The Larimer County Environmental Planner reviewed the proposed appeals and has no comments regarding this request.

Poudre Fire Authority:

Poudre Fire Authority reviewed the proposed appeals and has no comments regarding this request.

Town of Timnath:

The Town of Timnath reviewed the proposed appeals and has no objection to this request.

City of Fort Collins:

The City of Fort Collins reviewed the proposed appeals and has no comments regarding this request.

Agencies that do not provide comments are assumed to have no objections or concerns. The following referral agencies were referred this application, but did not return any comments:

- **Colorado Department of Transportation**

DEVELOPMENT SERVICES TEAM FINDINGS:

The Development Services Team finds that the requested appeals associated with the Meadows at Prospect Storage project (File No. 26-GNRL0585) are consistent with the applicable review criteria of the Larimer County Land Use Code. The Board's consideration is limited solely to the appeal requests, while the Site Plan is being processed concurrently through the administrative review process. Based on referral agency input, including support with conditions from Larimer County Engineering and the Health & Environment Department, the requested deviations are found to be reasonable, appropriately conditioned, and not detrimental to public health, safety, or welfare. The appeals do not subvert the intent of the applicable standards and are consistent with the purposes of the Code.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends **approval** of the Meadows at Prospect Storage Appeals, File No. 26-GNRL0585 subject to the following conditions:

1. The installed permeable paving system within the fenced storage area shall be the TrueGrid brand product as proposed by the applicant, with the TrueGrid ProPlus Commercial Permeable Paver model installed for all internal drive aisles and storage areas.
2. Installation of the TrueGrid permeable paving system shall comply with the manufacturer's specifications for dust mitigation, including:
 - a. The base layer beneath the pavers shall consist of clean, hard, angular crushed aggregate uniformly sized between 1 inch and 1.5 inches.
 - b. The paver infill material shall consist of clean, washed, open-graded, hard stone ranging from 3/8 inch to 3/4 inch.
 - c. The infill material shall be limestone or a material of equivalent hardness greater than 3 Mohs to minimize fragmentation and degradation.
3. Routine maintenance of the TrueGrid paving system shall be performed as necessary to maintain its functionality and dust control performance. Maintenance activities shall address, at

a minimum, windblown dust, pooling stormwater, sediment accumulation on paved access roads, and any other evidence of deterioration or performance degradation.

4. Approval of these appeals does not constitute approval of the associated Site Plan. Site Plan review and approval for the Meadows at Prospect Storage project (File No. 25-ZONE3764) shall be completed prior to the issuance of any building permits and prior to commencement of the outdoor storage use.
5. Prior to approval of the associated Site Plan, the applicant shall enter into a Development Agreement with Larimer County, in a form acceptable to the County, establishing the timing, responsibilities, and requirements for the future installation of required on-site and off-site improvements. The Development Agreement may include, as determined necessary by the County, provisions restricting lot sales, the issuance of additional building permits, or other measures to ensure completion of required improvements.

SUGGESTED MOTION:

I move that the Board of County Commissioners **approve** the Meadows at Prospect Storage Appeals, File No. 26-GNRL0585 subject to the conditions as recommended by staff.

ATTACHMENTS:

- A. Appeal Request
- B. Site Plan
- C. Referral Agency Comments
- D. TrueGrid Brochure

ATTACHMENT A

Appeal Request

May 29, 2026

Larimer County Planning Department
200 W. Oak Street
Fort Collins, CO 80521

**RE: Meadows at Prospect Storage
Board of County Commissioners Appeal Request – EV Parking, Bicycle Parking, Parking Lot
Landscaping, and TrueGrid**

To Jacy McNulty:

The project team is actively collaborating with County Staff and the County Director to approve a modification that reduces off-street parking requirements outlined from Table 4-4 to fewer than 10 spaces. This reduced parking design aligns with project needs and supports carpooling while meeting ADA accessibility requirements.

On behalf of the owner of the Meadows at Prospect Storage project, I am submitting this formal appeal regarding the following sections of the Larimer County Land Use Code:

- **Section 4.6.7.H:** Electric vehicle parking spaces
- **Section 4.6.9:** Bicycle Parking
- **Section 4.7.4.B:** Parking Lot Landscaping
- **Section 4.6.7.E.1:** Pavement Alternative

Below, the appeal sections are addressed in additional detail:

Section 4.6.7.H: Electric vehicle parking spaces:

- The facility sees intermittent customer access for short durations, leading to no demand for EV parking or charging amenities.
- The primary function of the facility is outdoor storage for recreational vehicles, boats, and other large vehicles. The owner does not wish to encourage extended occupancy, which EV amenities may inadvertently promote.
- Per Table 4-7, minimum EV charging requirements apply only when parking exceeds 10 spaces. This project plans for fewer than 10 off-street parking spaces, making this section of the code not applicable.

4.6.9: Bicycle Parking:

- The project's focus on large vehicle storage inherently discourages bicycle use. Moreover, limited foot traffic and the presence of large vehicles create potential safety concerns for bicycles on-site.
- Section 4.6.9.A.2 provides flexibility for the County Engineer to reduce bicycle parking requirements for sites unlikely to be accessed by bicycles. This exemption is applicable to the Meadows at Prospect Storage project.

4.7.4.B: Parking Lot Landscaping:

- The facility proposes using a cohesive TrueGrid pavement system within the storage area. A traditional parking lot is not proposed, as fewer than 10 parking spaces will be provided.
- An alternative landscape plan for the project is being developed in coordination with the County Director to ensure aesthetic harmony with the surrounding area while meeting project-specific needs.

4.6.7.E.1: Pavement Alternative:

- The TrueGrid paving system offers significant benefits, including reduced erosion and improved stormwater management due to its permeable design. These design considerations mitigate dust concerns and align with sustainability goals.
- This system will not negatively impact the previously submitted drainage or detention pond. Stormwater patterns will remain consistent with the drainage design and imperviousness of the TrueGrid will reflect that of asphalt as currently designed.
- TrueGrid is proposed exclusively within the fenced storage area; all other roadways will use asphalt.

The appeal request also meets the safeguards and conditions for the factors provided within Section 6.7.2.B.5 of the County Land Use Code.

a. Approval of the appeal will not subvert the purpose of the standard or requirement.

- **Bike Parking:** The project's nature as a storage facility inherently limits frequent bike traffic, as the primary users will likely arrive by car or truck. By allocating resources elsewhere, the purpose of safe and accessible transportation is still upheld.
- **EV Parking:** Limited EV parking is justified based on anticipated lack of demand for EV chargers at storage facilities, as visitors are typically not staying long enough to require charging. The appeal supports a more efficient allocation of infrastructure based on real usage.
- **Landscaping:** Modifying landscaping requirements can accommodate site constraints without reducing overall environmental benefits. Alternate landscaping strategies, such as native plants or compact designs, can still meet aesthetic and environmental goals within the alternative landscape plan.
- **Pavement Alternatives:** Using pavement alternatives (i.e. permeable pavers) fulfills the purpose of safety and durability while providing added environmental benefits such as stormwater management.

b. Approval of the appeal will not be detrimental to the public health, safety, or property values in the neighborhood.

- **Bike Parking:** Eliminating bike parking will not negatively impact public health or safety, as the facility's usage pattern does not involve significant bike traffic.
- **EV Parking:** The absence of EV parking would not detract from public welfare due to lack of demand for this type of facility. Adequate parking for all vehicles remains available without compromising safety or convenience.
- **Landscaping:** Adjusting landscaping standards ensures the site remains visually appealing while preventing excessively dense or costly plantings that could conflict with other needs (e.g., stormwater flow or maintenance). Property values and aesthetics stay intact and reflect adequate screening.
- **Pavement Alternatives:** Using environmentally friendly pavement materials can enhance public safety by reducing runoff pollution while maintaining durability and ease of use.

c. Approval of the appeal is the minimum action necessary.

- **Bike Parking:** The proposed reduction or elimination of bike parking is a practical adjustment that avoids overbuilding infrastructure for limited or nonexistent user demand. This ensures the facility provides only what is truly needed without additional, unnecessary elements.
- **EV Parking:** The absence of EV parking aligns with the anticipated demand and ensures efficient use of space and resources while maintaining adequate parking for users. The appeal represents a balanced approach without exceeding what is realistically necessary for the operation of a storage facility.
- **Landscaping:** The requested landscaping adjustments focus on making simple, effective changes to accommodate site constraints without compromising visual appeal, environmental impact, or overall site functionality. Only the essential modifications are requested to meet project needs.
- **Pavement Alternatives:** Opting for alternative paving reduces environmental impact while providing necessary durability and functionality. This ensures the project meets operational and environmental goals without excessive or redundant infrastructure.

d. Approval of the appeal will not result in increased costs to the public.

- **Bike Parking:** Reducing or eliminating bike parking will not impact public costs, as this is a private development and no additional public infrastructure or maintenance is required to support bike facilities that would remain underutilized.
- **EV Parking:** Unnecessary and unused infrastructure is avoided, saving public resources tied to energy grid expansion or maintenance for underutilized stations.
- **Landscaping:** Modifications to landscaping standards allow the private development to optimize design and cost efficiency without requiring public resources for excessive water usage, maintenance, or management.
- **Pavement Alternatives:** Utilizing pavement alternatives like permeable surfaces relies solely on the private developer's resources and aligns with sustainable practices, reducing potential environmental impact without shifting costs to public entities.

e. Approval of the appeal is consistent with the intent and purpose of the Code.

- **Bike Parking:** The intent of the Code is to provide safe transportation options, which can still be upheld without unnecessary bike facilities at a site ill-suited for substantial bike use.
- **EV Parking:** The adjustment supports the Code's intent to accommodate technological advancements without imposing requirements that overshoot user needs and facility types.
- **Landscaping:** Environmentally mindful and visually appealing modifications uphold the Code's purpose while balancing site constraints and sustainable practices.
- **Pavement Alternatives:** Alternate paving solutions align with Code priorities like environmental preservation, stormwater management, and site safety, enhancing the overall efficacy of compliance.

The Meadows at Prospect Storage project has been thoughtfully designed to reflect the unique needs of the facility while minimizing environmental impacts, ensuring ADA compliance, and maintaining compliance with County standards. We respectfully request these appeal items be granted based on the rationale provided above.

Thank you for your time and consideration. We hope to work collaboratively with the Board to achieve a solution that meets the unique needs of the facility and adheres to the County's overarching standards.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



Andy Reese
Project Manager

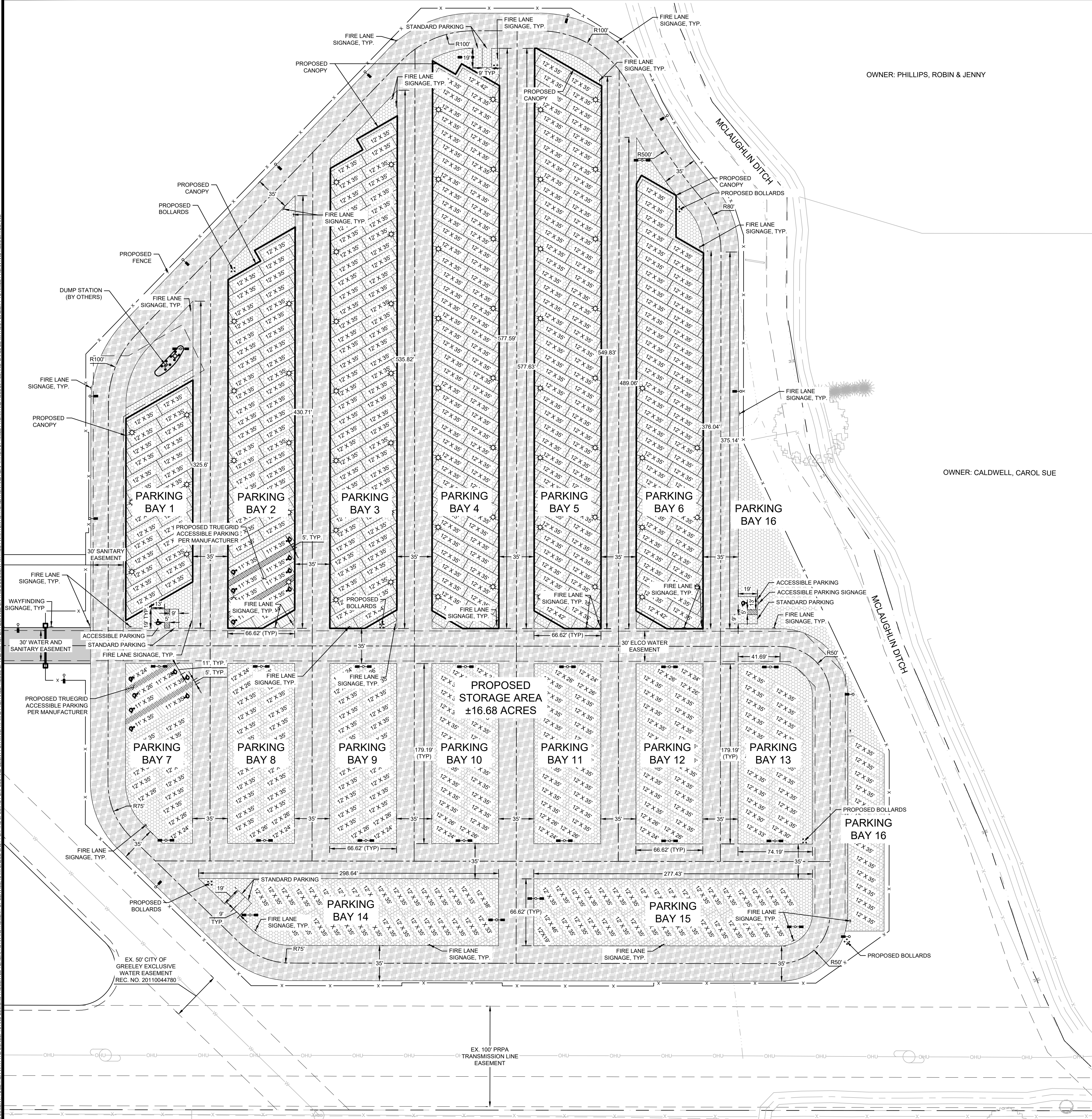


Bryce Willaby, P.E.
Project Engineer

ATTACHMENT B

Site Plan

K:\INCO_Civil\196938001 Meadows at Prospect Storage\CADD\PlanSheets\C-SITE-02.dwg
THIS DOCUMENT IS THE PROPERTY OF KIMLEY-HORN AND ASSOCIATES, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM KIMLEY-HORN AND ASSOCIATES, INC.



COVERED PARKING		
PARKING BAY	SPOT SIZE - NUMBER OF SPOTS	TOTAL
1	12' X 35' - 28	28
2	11' X 35' - 8 12' X 35' - 41 12' X 44' - 1	50
3	12' X 35' - 67 12' X 44' - 1	68
4	12' X 35' - 76 12' X 42' - 2	78
5	12' X 35' - 78 12' X 42' - 1	79
6	12' X 35' - 57 12' X 42' - 1	58
	TOTAL	361

OPEN PARKING		
PARKING BAY	SPOT SIZE - NUMBER OF SPOTS	TOTAL
7	11' X 24' - 1 11' X 26' - 2 11' X 35' - 4 12' X 24' - 1 12' X 26' - 2 12' X 35' - 11	21
8	12' X 24' - 2 12' X 26' - 4 12' X 35' - 20	26
9	12' X 24' - 2 12' X 26' - 4 12' X 35' - 20	26
10	12' X 24' - 2 12' X 26' - 4 12' X 35' - 20	26
11	12' X 24' - 2 12' X 26' - 4 12' X 35' - 20	26
12	12' X 24' - 2 12' X 26' - 4 12' X 35' - 20	26
13	12' X 30' - 2 12' X 33' - 1 12' X 35' - 20	23
14	12' X 33' - 2 12' X 35' - 29 12' X 38' - 1	32
15	12' X 19' - 1 12' X 35' - 34 12' X 46' - 1	36
16	12' X 35' - 13	13
	TOTAL	256

OFF-STREET PARKING	
STANDARD PARKING	6
ACCESSIBLE PARKING	2*
TOTAL PARKING	8

* REQUIRED ADA PARKING STALLS ARE BASED ON 8 SPACES, AS COORDINATED AND APPROVED WITH THE COUNTY AS PART OF A MINIMUM PARKING MODIFICATION.

LEGEND

--- PROPERTY LINE
--- EXISTING EASEMENT
[Pattern] PROPOSED TRUEGRID PARKING AREA PER MANUFACTURER
[Pattern] PROPOSED TRUEGRID ACCESSIBLE PARKING PER MANUFACTURER
[Pattern] PROPOSED TRUEGRID DRIVE AISLE PER MANUFACTURER
[Pattern] PROPOSED HEAVY DUTY FLEXIBLE ASPHALT
[Pattern] PROPOSED COVERED PARKING (SEE MANUFACTURER PLANS FOR CANOPY)
[Symbol] PROPOSED UNCOVERED PARKING
[Symbol] PROPOSED SITE LIGHTING (SEE ELECTRICAL PLANS)

PLAN NOTES

- REFER TO THE SITE ELECTRICAL PLAN FOR LOCATIONS OF PROPOSED LIGHT POLES, CONDUITS, AND ELECTRICAL EQUIPMENT.
- REFER TO CERTIFIED SITE SURVEY OR PLAT FOR EXACT LOCATION OF EXISTING EASEMENTS, PROPERTY BOUNDARY DIMENSIONS, AND ADJACENT RIGHT-OF-WAY & PARCEL INFORMATION.
- DIMENSIONS AND RADII ARE DRAWN TO THE EDGE OF ASPHALT OR TRUEGRID SURFACE, UNLESS OTHERWISE NOTED. DIMENSIONS ARE ROUNDED TO THE NEAREST TENTH FOOT, AND AREAS ARE ROUNDED TO THE NEAREST SQUARE FOOT.
- UNLESS OTHERWISE NOTED, THE CONTRACTOR SHALL BE RESPONSIBLE FOR RELOCATING EXISTING SITE IMPROVEMENTS THAT CONFLICT WITH THE PROPOSED WORK, INCLUDING BUT NOT LIMITED TO TRAFFIC SIGNS, LIGHT POLES, ABOVEGROUND UTILITIES, ETC. PERFORM WORK IN ACCORDANCE WITH GOVERNING AUTHORITIES REQUIREMENTS AND PROJECT SITE WORK SPECIFICATIONS. COST SHALL BE INCLUDED IN BASE BID.
- SEE DETAILS FOR ADDITIONAL INFORMATION REGARDING CURBS, WALKS, AND PAVEMENT SECTIONS.
- PAVEMENT AND SUBGRADE DESIGN RECOMMENDATIONS ARE BASED UPON GEOTECHNICAL REPORT PREPARED BY EARTH ENGINEERING CONSULTANTS DATED MARCH 21, 2025 AND ANY AMENDMENTS OR REVISIONS. REFERENCE DETAILS ON SHEET C7.0. SEE GEOTECHNICAL REPORT.
- PROPOSED AND EXISTING MANHOLE RIM ELEVATIONS ARE TO BE ADJUSTED TO 1" BELOW FINISHED GRADE, IF NEEDED, CONE SECTIONS SHALL BE ROTATED TO PREVENT LIDS BEING LOCATED WITHIN BICYCLE AND VEHICLE WHEEL PATHS.
- ALL SIGNAGE AND STRIPING SHALL CONFORM TO THE CURRENT VERSION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND LARIMER COUNTY DESIGN STANDARDS.
- FINAL EXTENTS OF FIRE MARKINGS AND FINAL LOCATIONS OF "NO PARKING/FIRE LANES" SIGN TO BE DETERMINED IN THE FIELD BY THE OWNER AND Poudre FIRE AUTHORITY.
- ALL FIRE LANES SHALL BE DESIGNED TO ACCOMMODATE HEAVY TRUCK TRAFFIC LOADING UP TO 80,000 POUNDS.
- ANY DAMAGED CURB, GUTTER AND SIDEWALK EXISTING PRIOR TO CONSTRUCTION, AS WELL AS STREETS, SIDEWALKS, CURBS AND GUTTERS, DESTROYED, DAMAGED OR REMOVED DUE TO CONSTRUCTION OF THIS PROJECT, SHALL BE REPLACED OR RESTORED TO LARIMER COUNTY URBAN AREA STREET STANDARDS (LCUASS) AT THE CONTRACTOR'S EXPENSE.
- REFER TO SITE AND LANDSCAPE PLANS FOR ADDITIONAL INFORMATION RELATED TO DECORATIVE PAVING, HARDSCAPES, AND OTHER SITE AMENITIES.
- SECURITY GATE TO COMPLY WITH INTERNATIONAL FIRE CODE AND Poudre FIRE AUTHORITY REQUIREMENTS AND CRITERIA.
- WAYFINDING SIGNAGE TO BE ATTACHED TO CANOPIES. CONTRACTOR TO VERIFY LOCATIONS WITH Poudre FIRE AUTHORITY.

PROPOSED SIGNAGE

STOP SIGN R1-1
ADA PARKING R7-8
VAN ACCESSIBLE ADA PARKING R7-8A
FIRE LANE R8-31A
FIRE ACCESS ROAD

KEY MAP
SCALE: 1"=750'

GRAPHIC SCALE IN FEET
0 25 50 100
SCALE: 1"=50'

811

Kimley»Horn
© 2026 KIMLEY-HORN AND ASSOCIATES, INC.
3325 SOUTH TIMBERLINE ROAD, SUITE 130
FORT COLLINS, COLORADO 80525 (970) 822-7911

DESIGNED BY: BAW
DRAWN BY: MKL
CHECKED BY: BAW
DATE: 06/10/2026

MEADOWS AT PROSPECT STORAGE
4401 E PROSPECT ROAD AND 1700 SE FRONTAGE ROAD
CONSTRUCTION PLANS

SITE PLAN ENLARGEMENT

PRELIMINARY
FOR REVIEW ONLY
NOT FOR CONSTRUCTION

PROJECT NO.
196938001

SHEET
C2.1
6 OF 35

ATTACHMENT C

Referral Agency Comments

MEMORANDUM

TO: Jacy McNulty, Larimer County Planning Department

FROM: Connor Sheldon, Larimer County Engineering Department

CS

DATE: June 17, 2026

SUBJECT: Meadows at Prospect Storage Appeals, File #26-GNRL0585

Project Description/Background:

Appeal to the following code standards for the outdoor RV and boat storage facility proposed under the Meadows at Prospect Storage application (File No. 25-ZONE3764):

1. Section 4.6.7.E.1 – To permit the use of the TrueGrid paving system in lieu of concrete or asphalt throughout the fenced storage area.
2. Section 4.6.7.H – To waive the requirement for electric vehicle parking spaces.
3. Section 4.6.9 – To waive the requirement for bicycle parking.

Review Criteria:

Larimer County Engineering Department development review staff members have reviewed the materials that were submitted to our office under these guidelines and per the criteria found in the Larimer County Land Use Code (LCLUC), Larimer County Urban Area Street Standards (LCUASS), Larimer County Stormwater Design Standards (LCSDS), and pertinent Intergovernmental Agreements.



Comments:

1. The engineering department has no comments on the appeals for Electric Vehicle Parking, Bicycle Parking, or Landscaping.
2. Following discussions with the applicant, the engineering department supports the use of the TrueGrid permeable paver system for use within the fenced storage area.
3. If the appeals are approved, the associated site plan and development construction plans under File #25-ZONE3764 will need to be updated to reflect the changes.
4. The drainage report may need to be updated if substantial grading or drainage changes are proposed as a part of utilizing TrueGrid.

Conditions of Approval:

1. The Routine maintenance shall be completed as needed for the TrueGrid paving system as signs of degradation occur including but not limited to windblown dust, pooling stormwater, sediment deposits on paved access, roads and other instances of evident deterioration.

Staff Recommendation:

The Larimer County Engineering Department supports approval of the appeal with the requirements and conditions of approval listed above. Please feel free to contact me at (970) 498-5702 or e-mail me at csheldon@larimer.org if you have any questions. Thank you.



LARIMER COUNTY | HEALTH AND ENVIRONMENT

1525 Blue Spruce Drive, Fort Collins, Colorado 80524, 970.498.6700, www.larimer.gov/health

TO: Jacy McNulty
Larimer County Planning Department

FROM: Lea Schneider 

DATE: June 11, 2026

SUBJECT: Meadows at Prospect Storage Parking Appeal - Second Submittal;
26-GNRL0585

The Health Department has reviewed the referral for an Appeal to the following code standards for a future outdoor RV and boat storage facility proposed under the Meadows at Prospect Storage application (File No. 25-ZONE3764):

- Section 4.6.7.H: Electric vehicle parking spaces
- Section 4.6.9: Bicycle Parking
- Section 4.7.4.B: Parking Lot Landscaping
- Section 4.6.7.E.1: Pavement Alternative proposed as TrueGrid paving system.

The Health Department has no related oversight or recommendations regarding parking and outdoor landscaping for outdoor storage use and defers to the Planning Department on the appeal. Our primary concerns relate to impacts to air quality related to the development's access road surfacing.

The TrueGrid paving system is being proposed as an alternative to paving requirements for internal access roads in Urban and Growth Management Areas. The applicant provided supporting documents regarding the TrueGrid design which includes a intricate system of pavers to reduce gravel compaction into the soil from load-bearing traffic and to lessen the generation of finer particulates that could become airborne over time, while also reducing the potential for mud and sediment deposits on exterior paved roads. This system also allows for a more permeable surface, which improves stormwater management and quality. Per the brochure, snow removal is also easily achievable. The brochure indicates that three different models are available, with ProPlus identified as the Commercial Paver. Per the TrueGrid specifications for dust mitigation, a "...clean, washed, open-graded, sharp, hard stone from 3/8" to 3/4" should be used as the infill." The "...specified stone infill shall be limestone or harder (> 3 Mohs) to further reduce fragmentation and degradation." With proper installation, the brochure states the paving system has the potential to be maintenance-free for 25-60 years.

The 2025 Site Plan does not identify TrueGrid as a proposed surfacing material; however, the Project Description dated May 29, 2026, indicates that the TrueGrid system is proposed for installation within the fenced storage area. If the TrueGrid

system were to be approved as an alternative to paving, it is assumed that all access roads currently identified as 'asphalt pavement' within the proposed perimeter fencing would be replaced with TrueGrid. The Project Description further states that all other roads would be surfaced with asphalt, which would include the access roads off of the Frontage Road. If the appeal is supported, an updated Site Plan should be provided identifying the areas to be surfaced with a the TrueGrid system.

To support the paving appeal, the following conditions should be applied:

1. The TrueGrid permeable pavers brand shall be the brand installed since it was the only system or material proposed as an alternative to the paving standard.
2. Specifically install the TrueGrid ProPlus Commercial Permeable Paver model for all access roads within the proposed commercial storage development's perimeter fencing.
3. The TrueGrid specifications shall be required for installation and dust mitigation which requires:
 - a. The base layer below the pavers shall be of crushed aggregate that is uniform in size, hard, angular, clean, and between 1 inch and 1.5 inches.
 - b. The paver infill shall be clean, washed, open-graded, sharp, hard stone ranging from 3/8 inch to 3/4 inch.
 - c. The hard stone paver infill shall be limestone or harder (> 3 Mohs) to further reduce fragmentation and degradation.
4. Routine maintenance shall be completed as needed for the TrueGrid paving system as signs of degradation occur including but not limited to windblown dust, pooling stormwater, sediment deposits on paved access, roads and other instances of evident deterioration.



FIRE PREVENTION AND
COMMUNITY RISK REDUCTION
102 Remington St
Fort Collins, CO 80524
(970) 416-2891

June 15, 2026

Applicant:

Byrce Willaby
Kimley-Horn and Associates
3325 S Timberline Rd
Fort Collins, CO 80525
970-852-6858
Bryce.willaby@kimley-horn.com

Owner:

J-B Investments Inc.
1435 Lake Dr
Loveland, CO 80538
720-530-7558
Mark.h@crimsonleaf.biz

Project Planner

Jacy McNulty, Planner II
970-498-7764
mcnultjb@co.larimer.co.us

RE: 26-GNRL0585_Meadows at Prospect Storage Parking Appeal

SUBMITTAL: Comment Letter #2

This review by Poudre Fire Authority (PFA) was conducted in accordance with requirements of the 2024 International Fire Code (IFC) as amended and adopted in the Larimer County Amendment/adoption documentation and free access to adopted codes can be found online:

<https://www.poudre-fire.org/programs-services/community-safety-services-fire-prevention/fire-code-adoption>

<https://codes.iccsafe.org/content/IFC2024V2.0>

COMMENT SUMMARY:

PFA has no comments regarding the parking appeal.

KATIE QUINTANA

Assistant Fire Marshal
102 Remington St. | Fort Collins, CO 80524
katie.quintana@poudre-fire.org
Cell: 970-294-6748



Jacy McNulty <mcnultjb@co.larimer.co.us>

26-GNRL0585 Environmental Comments

2 messages

Jared Seay <seayjk@co.larimer.co.us>
To: Jacy McNulty <mcnultjb@co.larimer.co.us>

Wed, Apr 1, 2026 at 1:59 PM

Hello Jacy,

We have no substantial comments on this case as we've already provided our feedback on the main case.

If the proposed landscaping standards are successfully appealed, we will review what other landscaping standards they must meet and comment on any needed revisions or changes separately. Please let them know they can request an alternative landscaping plan for other unrelated items or deviations.

Thanks,



Jared Seay (he/him)

Planner II

Community Development Department
200 W Oak St, Fort Collins, 80521 | 3rd Floor
Voicemail: (970) 498-7689
seayjk@co.larimer.co.us | www.larimer.gov

Please [click here](#) to view the most current version of the **Land Use Code**.

Pre-application meetings are required before applying, [click here](#) to submit a request. Please visit our [webpage](#) if you would like more information on the pre-application meeting process.

Use the Assessor's [Property Search Tool](#) to locate your zoning by selecting a property, click 'View on GIS Map', and click on the checkbox for Zoning Districts under the Layer List menu.

Jared Seay <seayjk@co.larimer.co.us>
To: Jacy McNulty <mcnultjb@co.larimer.co.us>

Tue, Jun 16, 2026 at 9:09 AM

Hello Jacy,

Based on the resubmittal information provided, the comments from the first submittal above remain the same.

We will review the alternative landscaping plan for 26-ZONE3853 once we receive it.

Thanks,



Jared Seay (he/him)
Planner II

Voicemail: 970-498-7689
Seayj@larimer.org | www.Larimer.org

- Please [click here](#) to view the most current version of the **Land Use Code**.
- Use the Assessor's [Property Search Tool](#) to locate your zoning by selecting a property, click 'View on GIS Map', and click on the checkbox for Zoning Districts under the Layer List menu.
- Pre-application meetings are required before applying for most planning processes, [click here](#) to submit a request. Please visit our [webpage](#) if you would like more information on the pre-application process.

[Quoted text hidden]



Development Review
281 North College Avenue
Fort Collins, CO 80524

970.221.6689
fcgov.com/developmentreview

June 15, 2026

Kimley-Horn & Associates
3325 S Timberline Rd
Suite 130
Fort Collins, CO 80525

RE: Meadows at Prospect Storage Parking Appeal - Second Submittal,
CRF260021

Please see the following summary of comments from City staff and outside reviewing agencies for your submittal of Meadows at Prospect Storage Parking Appeal - Second Submittal. If you have questions about any comments, you may contact the individual commenter or direct your questions through your Project Planner, Benjamin Hulberg, via phone at 970-221-6343 or bhulberg@fcgov.com.

Comment Summary:

Department: Planning Services

Contact: Benjamin Hulberg bhulberg@fcgov.com 970-221-6343

Topic: General

Comment Number: 2

06/15/2026: No further comments.

Department: Engineering Development Review

Contact: Reeves Wester rwester@fcgov.com

Topic: General

Comment Number: 1

06/09/2026: Engineering has no comments.

Department: Light And Power

Contact: Austin Kreager akreager@fcgov.com 970-224-6152

Topic: General

Comment Number: 1

03/25/2026: Light and Power has no comments. Thank you

Department: Environmental Planning

Contact: Clint Anders canders@fcgov.com

Topic: General

Comment Number: 1

06/12/2026: Environmental Planning has no new comments on the parking appeal.

03/31/2026: Any additional lighting for parking should not spill into the 50' irrigation ditch buffers. See comments from Environmental Planning for original project.

Department: Technical Services

Contact: Jeff County jcounty@fcgov.com 970-221-6588

Topic: General

Comment Number: 1

06/03/2026: We have no comments.

04/16/2026: We have no comments.



Jacy McNulty <mcnultjb@co.larimer.co.us>

Larimer County Planning Referral: #26-GNRL0585, Meadows at Prospect Storage Parking Appeal - Second Submittal

Chad Kemper <ckemper@timnathgov.com>
To: Jacy McNulty <mcnultjb@co.larimer.co.us>

Mon, Jun 8, 2026 at 2:39 PM

Good afternoon, Jacy.

The Town of Timnath has no objection to the requested Appeal to the Larimer County code standards for the outdoor RV and boat storage facility proposed under the Meadows at Prospect Storage application (File No. 25-ZONE3764).

Best,



Chad Kemper
Senior Planner
Tel: 970-224-3211 ext: 1304
ckemper@timnathgov.com



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MEMORANDUM

TO: Jacy McNulty, Planner
FROM: Alan Kee, Lead Plans Examiner
DATE: May 7th, 2026
RE: 26-GNRL0585 Meadows at Prospect Storage

This memo specifies preliminary concerns or requirements associated with the above-noted planning application and constitutes a surface review of the project only. In-depth plan review comments will be provided upon submission of a building permit application. The 2024 International Building Code (IBC), the 2023 National Electrical Code (NEC), Colorado Model Electric Ready and Solar Ready Code, and the State Wildfire Resiliency Code are currently administered by Larimer County

1. Applicant seeks an appeal of the minimum vehicle parking requirements in Article 4.6.4 (Table 4-4) of the Land Use Code to allow for no off-street vehicle parking for the Meadows at Prospect Storage application (File No. 25-ZONE3764), thereby rendering related provisions— including Articles 4.6.5 (Accessible Parking), 4.6.7.H (Electric Vehicle Parking), 4.6.9 (Bicycle Parking), and 4.7.4.B (Parking Lot Landscaping)— inapplicable.
2. Whether or not the Land Use Code for accessible parking is appealed, the Building Code, IBC 406.5, 1106, cannot be appealed. For an open parking structure having a total of 338 spaces, 8 accessible spots, and a minimum of 2 Van Accessible spots, including the painted access aisle, is required. For the parking lot having 251 spots, 7 accessible spots, and a minimum of 2 Van Accessible spots, including the painted access aisle, is required.
3. If planning approval is received, each building requires its own building permit. All plans submitted for permits shall be prepared and wet-stamped/sealed by a Colorado Licensed Architect and Colorado Professional Engineers (Structural, Mechanical, Electrical, as applicable). This includes fences over 7' tall and powered access gates.
4. Site design criteria include 115 mph Wind Speed Exposure C (V), 56.5 psf Ultimate Ground Snow Load (Pg (ult)) based on a 5114-foot elevation. Reductions are allowed if they are shown on the plans, such as ASD calculations and ASCE 7-22.
5. Current plans do not show an office, so the design meets the exceptions for no restroom facilities by being a parking garage without parking attendants.
6. For all new commercial buildings, a wet-stamped letter by a Colorado Licensed Land Surveyor must be provided on-site for the Building Inspector before or at the time of the footing inspection, verifying that the building is placed per the approved Site Plan.



7. A county-licensed General Contractor (Class A or B) is required to obtain a commercial permit. Anyone hired to do electrical or plumbing work must be duly state-licensed.
8. If the applicant wishes to confer with Building Staff-on-Call before submitting the building permit application and plans, they can call (970) 498-7660, email Building@larimer.org, or walk into our customer counter from 8 am to 4 pm, Monday to Friday.
9. These updated comments apply to both 26-GNRL0585 and 25-Zone3764 and do reflect updated requirements due to the 2024 Codes and Amendments.



Jacy McNulty <mcnultjb@co.larimer.co.us>

26-GNRL0585 - 1700 SE Frontage Rd - 2nd Submittal

Alan Kee <keera@co.larimer.co.us>
To: Jacy McNulty <mcnultjb@larimer.org>

Wed, Jun 3, 2026 at 4:50 PM

The Building Division does not support the use of the TrueGrid paving system in the areas required to be accessible parking and access aisles.

This comment has been added to the Energov Workflow and was not sent as a formal memo.

Thank you,



Alan Kee
Lead Plans Examiner

Community Development
200 W Oak St, Fort Collins, 80521 | 3rd Floor
W: (970)498-7665 | M: (970) 222-6597
keera@larimer.org | www.larimer.gov



Jacy McNulty <mcnultjb@co.larimer.co.us>

Meadows at Prospect Storage - TrueGrid Paving Accessibility

Alan Kee <keera@co.larimer.co.us>

Tue, Jun 16, 2026 at 4:22 PM

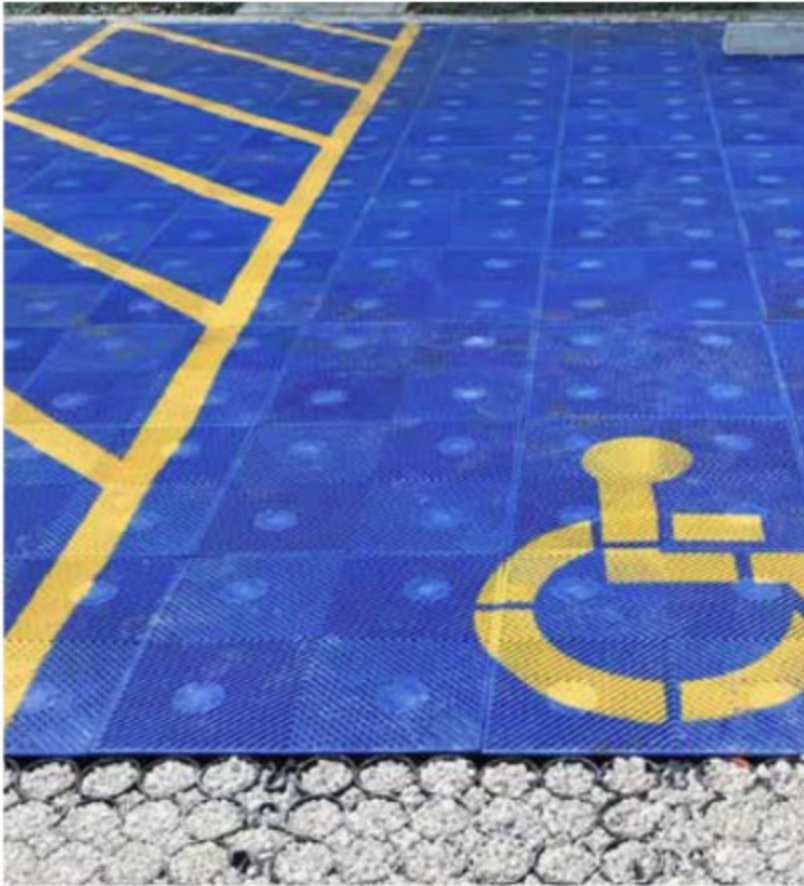
To: "Willaby, Bryce" <Bryce.Willaby@kimley-horn.com>

Cc: "Reese, Andy" <Andy.Reese@kimley-horn.com>, "Jacy McNulty (mcnultjb@co.larimer.co.us)" <mcnultjb@co.larimer.co.us>, Cody Heath <cody.h@crimsonleaf.biz>, Mark Heath <mark.h@crimsonleaf.biz>

Bryce,

Based on the previous information, I stand by my comment. That is not to say that Truegrid cannot provide options, but those details have not been provided. If you would like to propose how you will address parking and access aisles, I can review that. I will be on vacation and without email access from June 18th- July 6th.

Thank you.



Alan Kee
Lead Plans Examiner

Community Development
200 W Oak St, Fort Collins, 80521 | 3rd Floor
W: (970)498-7665 | M: (970) 222-6597
keera@larimer.org | www.larimer.gov

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Jacy McNulty <mcnultjb@co.larimer.co.us>

Meadows at Prospect Storage - TrueGrid Paving Accessibility

Alan Kee <keera@co.larimer.co.us>

Wed, Jun 17, 2026 at 9:57 AM

To: "Willaby, Bryce" <Bryce.Willaby@kimley-horn.com>

Cc: "Reese, Andy" <Andy.Reese@kimley-horn.com>, "Jacy McNulty (mcnultjb@co.larimer.co.us)" <mcnultjb@co.larimer.co.us>, Cody Heath <cody.h@crimsonleaf.biz>, Mark Heath <mark.h@crimsonleaf.biz>

Bryce,

It appears that you are only addressing the parking and accessible storage as Planning identified. Building will require additional space. Have you received the memo below? Like you, I am in meetings most of the day, but I will try to reach out during the opening you provided.

Has Wellington Fire made a recommendation on the TrueGrid in the drive aisles?



Alan Kee
Lead Plans Examiner

Community Development
200 W Oak St, Fort Collins, 80521 | 3rd Floor
W: (970)498-7665 | M: (970) 222-6597
keera@larimer.org | www.larimer.gov

[Quoted text hidden]



26-GNRL0585 Meadows at Prospect Storage.docx
51K



Jacy McNulty <mcnultjb@co.larimer.co.us>

Meadows at Prospect Storage - TrueGrid Paving Accessibility

Alan Kee <keera@co.larimer.co.us>

Wed, Jun 17, 2026 at 12:08 PM

To: Cody Heath <Cody.H@crimsonleaf.biz>

Cc: "Willaby, Bryce" <Bryce.Willaby@kimley-horn.com>, "Reese, Andy" <Andy.Reese@kimley-horn.com>, "Jacy McNulty (mcnultjb@co.larimer.co.us)" <mcnultjb@co.larimer.co.us>, Mark Heath <Mark.H@crimsonleaf.biz>

I will review this internally with the staff. Planning and the Director can not modify or waive Building Code requirements, that is the County Building Official's role. I will talk with our team and provide additional guidance.

Thank you,



Alan Kee
Lead Plans Examiner

Community Development
200 W Oak St, Fort Collins, 80521 | 3rd Floor
W: (970)498-7665 | M: (970) 222-6597
keera@larimer.org | www.larimer.gov

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ATTACHMENT D

TrueGrid Brochure



World's Strongest Permeable Pavers

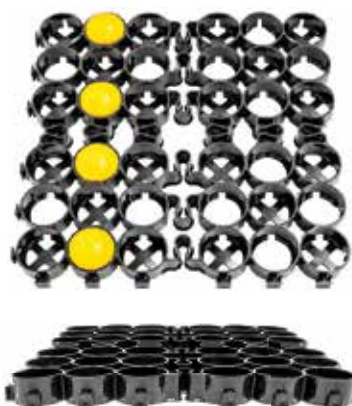
US Patent #8,734,049 | US and Foreign
Patents Pending

DRIVEN BY PURPOSE...

We have a clarity of purpose for our business: to challenge conventional thinking and disrupt traditional paving methods; to ultimately create a better, cleaner, less toxic environment for our kids.

By offering a simple new green technology that is easily actionable, together we can make an impact now. Less flooding. Cleaner air and water. Less heat. Less thermal pollution. Less waste in the landfill. Fewer toxins from runoff pollutants as well coal tar & asphalt. A more natural landscape.

PRO PLUS®



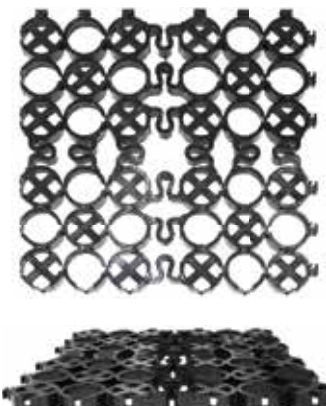
The Commercial
Paver

PRO LITE



The Residential
Paver

ROOT®



The Grass
Paver

WORKS IN ALL CLIMATES AND SOILS

STORM WATER DETENTION



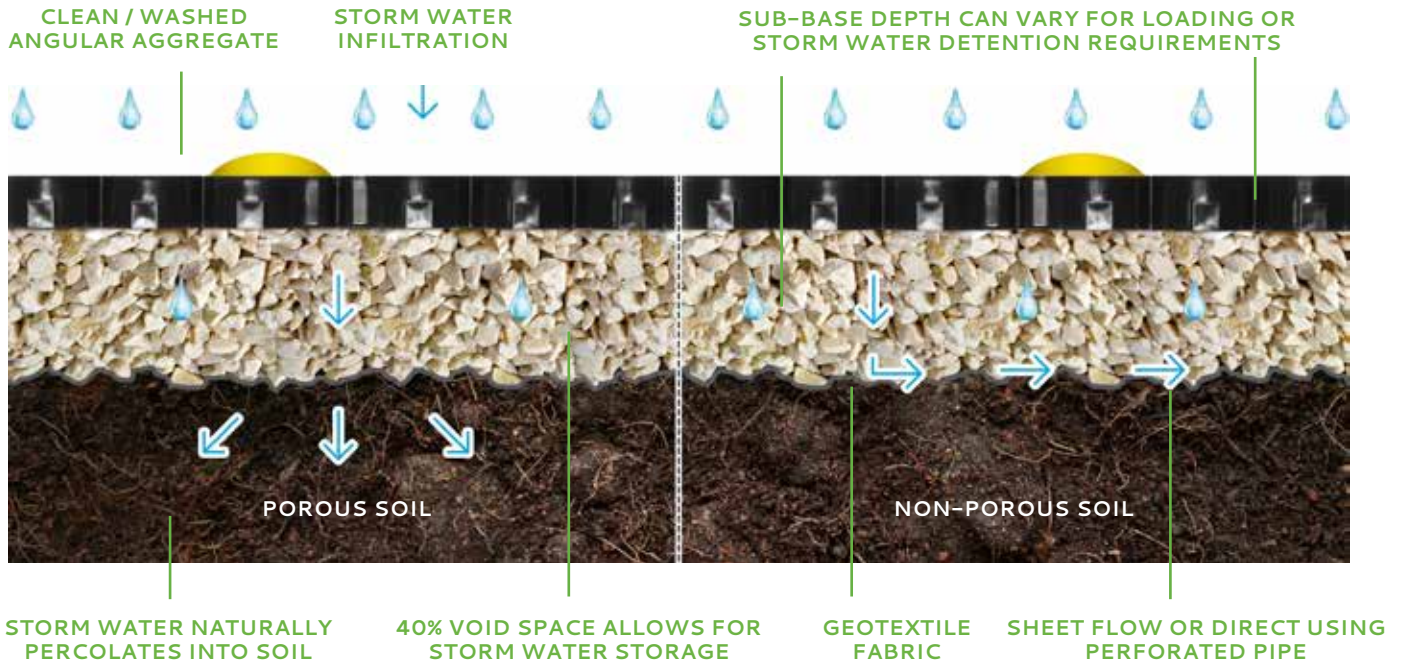
100% PERVIOUS COVER



1,300+ INCHES/HOUR INFILTRATION RATE



0.0 - 0.05 RUNOFF COEFFICIENT



HOW TO CALCULATE STORM WATER DETENTION CAPACITY

Detention Capacity = TRUEGRID Area (A) x Total Aggregate Depth (d) x 40% Void Space = $A \times d \times 0.40$

WHERE:

d = Depth of Sub-base + TRUEGRID Height

EXAMPLE:

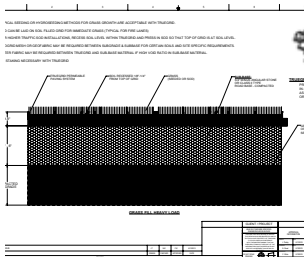
1 Acre Lot, TRUEGRID PRO PLUS, 8in Sub Base
Fill & Sub Base - $\frac{3}{4}$ " Clean/Washed Angular Stone
Detention Capacity = $A \times d \times 0.40$

WHERE:

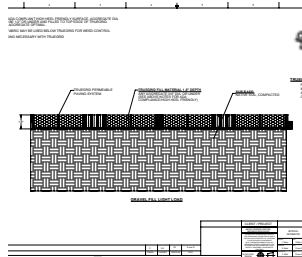
A = 1 Acre = 43,560 sf
d = 8 in + 1.8 in = 9.8 in = 0.8 ft
Detention Capacity = $43,560 \times 0.8 \times 0.4 = 13,939$ cf

Go to TECHNICAL INFO on TRUEGRIDpaver.com for typicals. Call for site specific questions: 1-855-355-GRID (4743)

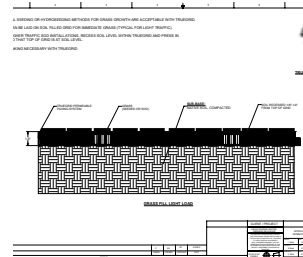
1. Grass Fill Heavy Load



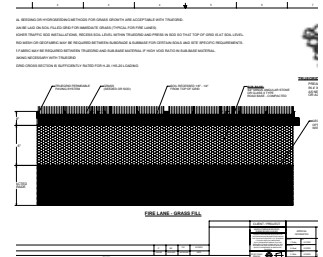
2. Gravel Fill Light Load



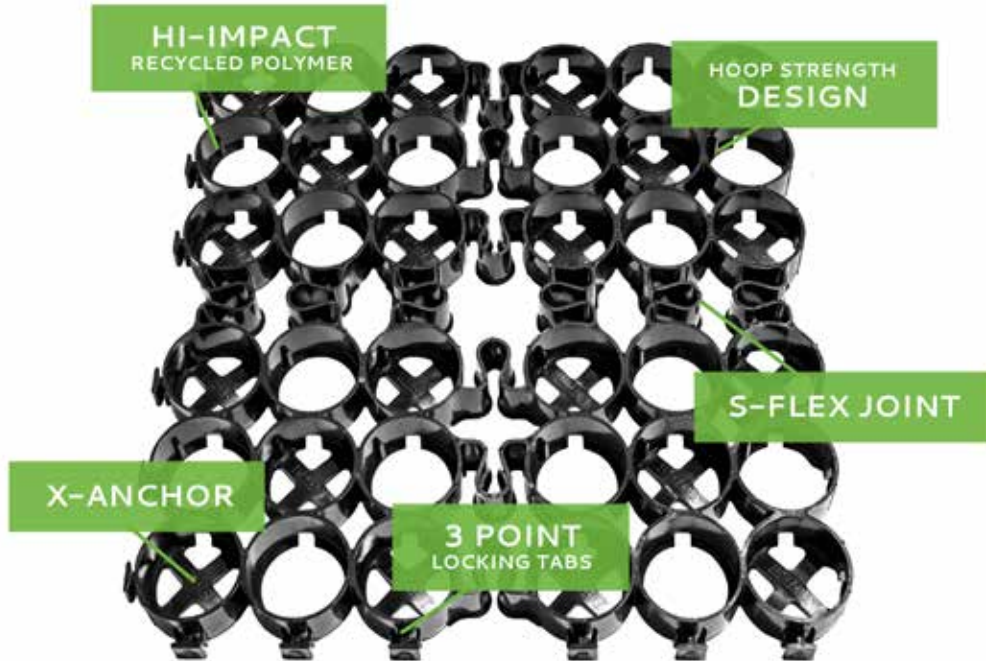
3. Grass Fill Light Load



4. Fire Lane



DESIGN FEATURES



U.S. Patent No. 8,734,049

The robust cells allow our 2 lb grid to handle over 1 million lbs per square foot load! No gravel migration, compaction or dust. **100% permeability.** The grid can be pressed together by hand, no tools, no clips. With the integral X-anchors, no staking is needed. A bottom flange prevents sinking. Other systems are either too flexible & weak & can't handle trucks or traffic; or too rigid because soils move and paving cracks! The S-Flex Joints solve these problems giving our grid the best of both. A versatile design for any climate or soil or weight or traffic load.

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GRAVEL FILL



GRASS FILL

INTRODUCTION TO THE TRUEGRID SYSTEM



In urban watersheds, almost all of the impervious surface area is represented by building rooftops and paved surfaces. In residential areas most of the paved area is represented by the roadway system and residential driveways. Parking lots and paved industrial storage areas represent an even larger portion of the impervious surface in commercial and industrial areas. Impervious pavements can produce two-thirds of the excess runoff in an urban catchment. Runoff from impervious pavements contributes a substantial loading of hydrocarbons and heavy metal pollutants, and contributes greatly to the increased temperature of surface runoff. In most urban jurisdictions, a paved roadway system with a traditional curb and gutter configuration provides a key component of the overall urban drainage system. Surface flow from adjoining tributary watersheds is conveyed directly into catch basin inlets and connected piping systems. In these traditional impervious paved systems, the runoff coefficient (runoff volume) is increased and the time of concentration is decreased resulting in increased peak rates of runoff. TRUEGRID provides a highly permeable stabilized surfaces that can be used for the movement and parking of vehicles (automobiles, trucks, construction equipment, aircraft, etc.) and storage of materials and equipment.

Drive on the surface, drain & detain stormwater below.

Compared to conventional pavement, the TRUEGRID system is designed to infiltrate storm water runoff instead of shedding it off the surface. TRUEGRID will reduce the amount of runoff by allowing water to pass through surfaces that would otherwise be impervious. The storm water passes through the load bearing surface and aggregate base that are selected based upon the intended application and required infiltration rate. Runoff is stored in the stone aggregate base course / storage layer, and allowed to infiltrate into the surrounding soil (functioning like an infiltration basin).

A TRUEGRID surface has very high initial surface infiltration rates and can immediately infiltrate and store rainfall and runoff from high intensity rainstorms. In many cases, direct runoff is completely eliminated. The surface infiltration rates for TRUEGRID will in most cases exceed 1,300 inches/hour. This is several orders of magnitude higher than all the rainfall intensities encountered in the Southwest and Midwest USA.



Compared to conventional pavement, the TRUEGRID system is designed to infiltrate storm water runoff instead of shedding it off the surface. TRUEGRID will reduce the amount of runoff by allowing water to pass through surfaces that would otherwise be impervious. The storm water passes through the load bearing surface and aggregate base that are selected based upon the intended application and required infiltration rate. Runoff is stored in the stone aggregate sub base course / storage layer, and allowed to infiltrate into the surrounding soil (functioning like an infiltration basin).

BASE LAYER CONSIDERATIONS FOR STORM WATER DETENTION

Crushed aggregate is commonly used as a base layer. Look for uniform size, hard, angular, clean, 1" to 1.5" (PRO PLUS/Commercial) and 3/4" to 1.25" (PRO LITE/Residential) open-graded stone. These materials are widely available and they are recommended for most TRUEGRID Permeable Paver applications. These materials will have a nominal porosity (volume of voids/total volume of base) over 0.32 and a storage capacity in the void space (volume of voids/volume of aggregate) approaching 40%. A 40% void space provides 0.4 cubic feet of storage capacity for each cubic foot of aggregate (the volume of the base will need to be 2.5 times the volume of water to be stored).

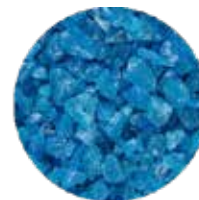
Base Material for Grass Infill Installations. Should be a ¾" minus, sandy gravel road base with a limited amount of fine material (3-8% passing #200). Although reducing the stormwater storage capacity to around 20%, this base will grow grass, support heavy loads, and drain.

TYPICAL BASE MATERIAL

A clean/washed, angular (no rounded) stone, uniform size, from hard sources (limestone or harder) is the recommended base material for under most TRUEGRID gravel filled applications.



ENDLESS GRAVEL FILL OPTIONS



THE VALUE TO THE TRUEGRID SYSTEM

Runoff volume reduction/elimination is achieved when TRUEGRID is placed over in situ soils and a defined volume of the water passing through the pavement is infiltrated into the angular stone base and soil subgrade below.

Peak runoff rate reduction is achieved when the volume of water passing through the TRUEGRID surface is “detained” for a defined period of time within the pavement cross-section and the open graded aggregate base layer beneath the pavement. The effective infiltration rate for the watershed is increased by trapping the water in the permeable surfaces and effectively increasing the time of concentration in the catchment area.

Pollutant removal. Infiltration of storm water runoff through the pavement surface will provide a degree of suspended solids removal followed by additional removal of colloidal solids and soluble pollutants in the aggregate base layer and subsoils. Sorption of metals to colloidal solids and within the pavement void matrix is another removal function. Soluble organic pollutants adsorbed within the pavement void matrix and the open graded aggregate base layer will be exposed to biodegradation over time.

TYPICAL POLLUTANT REMOVAL (%)

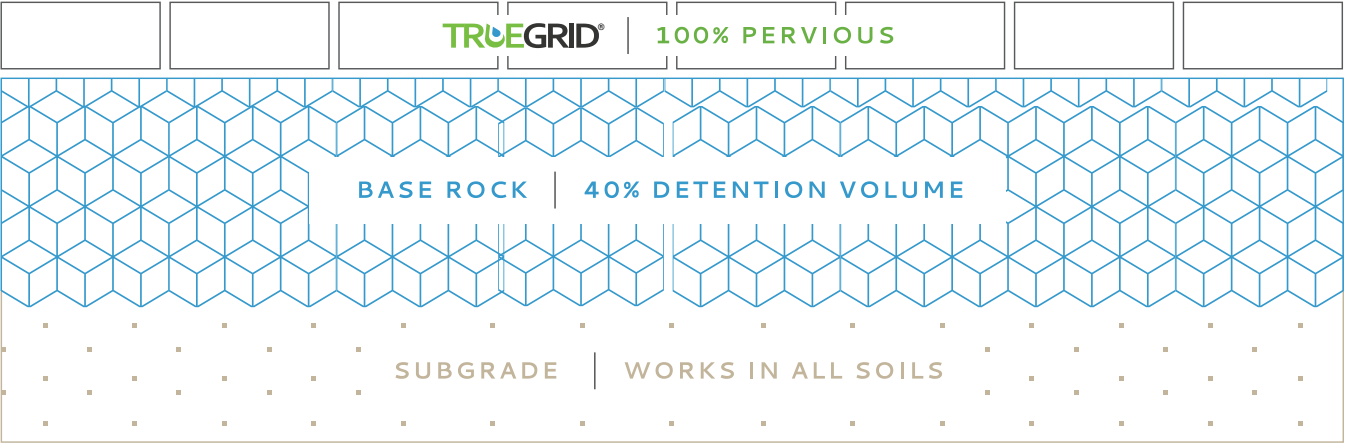
BMP TYPE	SUSPENDED SOLIDS	NITROGEN	PHOSPHOROUS	PATHOGENS	METALS
TRUEGRID	65 - 100	65 - 100	30 - 65	65 - 100	65 - 100
Dry Retention Basins	30 - 65	15 - 45	15 - 45	< 30	15 - 45
Retention Basins	50 - 80	30 - 65	30 - 65	< 30	50 - 80
Constructed Wetlands	50 - 80	< 30	15 - 45	< 30	50 - 80
Infiltration Basins	50 - 80	50 - 80	50 - 80	65 - 100	50 - 80
Infiltration Trenches / Dry Wells	50 - 80	50 - 80	15 - 45	65 - 100	50 - 80
Grassed Swales	30 - 65	15 - 45	15 - 45	< 30	15 - 45
Vegetated Filter Strips	50 - 80	50 - 80	50 - 80	< 30	30 - 65
Surface Sand Filters	50 - 80	< 30	50 - 80	< 30	50 - 80

Reduces Heat Island Effect. Heat Island Effect occurs in areas such as a city and industrial sites that have consistently higher temperatures than surrounding areas because of greater retention of heat. This retention of heat is due to buildings, concrete, and asphalt. Using TRUEGRID in these “hot spot” areas for pathways, parking lots, driveways, roofs...etc., reduces the absorb-ability of solar rays and thus helps steady and cool the natural environment.

High load bearing capacity. TRUEGRID is designed with the highest load capacities of any grid system and can withstand significant structural loads. TRUEGRID provides a stable and continuous load-bearing surface throughout parking areas.

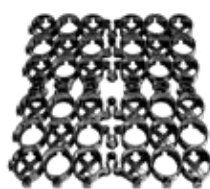
COMPETITION COMPARISON

SPECIFICATION	TRUEGRID	ROLL-OUT PLASTIC PAVERS	CONCRETE PAVERS
Strength (filled)	Over 17,000 psi	5730 psi	5000
Flexural Strength	High	None (rolled paver)	High
Weight (lbs/sf)	1.32	0.42	37
Tensile Strength	2,852 lbs	458 lbs	NA
Fill rock size	Up to ¾"	Up to ¾"	NA
Staking	Not Required	Required	NA
Installation	1,000 sf/hr	NA	Slow
Recycled content	100% post consumer	100%	0
Porosity	90%	90%	37%
Wall thickness	.250"/.150"	.104"	NA
Paver depth	1.8"	1.0"	2"
Cell Size (ID)	3.2"	2.15"	NA
Flexibility	Rigid w/ Flex joints	Flexible	Rigid
Adjoining cell walls	Yes	No	No
Flex joints	Yes	No	No
Joint type	Tab	Snap	None
Shear Transfer Strength	High	Low	None



GREEN

TRUEGRID Permeable Pavers are designed to provide design professionals with an eco-friendly alternative to concrete and asphalt and other impervious surfaces. Similar systems have been used in Europe for over 40 years and have been highly effective and accepted as a better alternative to impervious surfaces. TRUEGRID improved upon this concept and developed a stronger, more durable, USA made version that can handle any load and rigors concrete can handle....while being 100% permeable.



Made from 100% post-consumer recycled HDPE.

100% Permeable. Up to 100% of runoff water pollutants are removed via bioremediation.

Impact Scorecard

MEASURE THE DIFFERENCE



150K^{SF}
600 Car Lot

CO2 SAVED

967^{TONS}



PLASTIC RECYCLED

204K^{LBS}



STORMWATER DETAINED

40K^{CUBIC FT}



LEED Credit Opportunities

With **TRUEGRID**



STORMWATER
MANAGEMENT



RECYCLED
CONTENT



INNOVATION
& DESIGN



MATERIALS
& RESOURCES

Tons of CO2 emissions from the manufacturing of cement are eliminated. Millions of lbs of plastic are kept out of landfill and recycled from a consumable to a 60 year life cycle useful product. Detention is added and flooding from stormwater is reduced. Coal tar & asphalt toxins are eliminated.

TRUEGRID has kept more than **14,000,000 lbs** of plastic out of landfills ...so far

PRODUCTS

TRUEGRID® PRO PLUS®

THE COMMERCIAL PAVER



- Works with SuperSpot® Parking Markers
- Superior Patented Design
- Engineered for Heavy Loads & Heavy Traffic
- Industry-Best Strength
- Industrial or Commercial Applications
- H20, HS20 Rated

SPECIFICATIONS:

- Dimensions: 24" x 24" x 1.8" (4 sf)
- Pre-Assembled: 16 sf per layer (4' x 4' sheet of 4 grids)
- Compression Strength: Over 17,000 psi
- Permeability: 100%
- Material: 100% Post-Consumer Recycled HDPE
- Color: Black with UV Stabilizer

MORE:

- No Staking or Clips
- Works in All Climates & Soils
- May be Saw Cut



SUPERSPOT® AVAILABLE

COMMERCIAL APPLICATIONS:

- Parking Lots
- Equipment & Truck Yards
- Storage Lots
- Drive Lanes
- Roadways
- Fire Lanes
- Rig Sites
- Event Parking





SuperSpot® for TRUEGRID PRO PLUS

- Maintenance-Free Parking Markers
- Delineate Parking for Max Efficiency
- Create Arrows & Traffic Flow Markers
- High Visibility Profile
- Heavy Loads, Heavy Traffic
- Easy Snap-Lock Installation
- Never Stripe Again

SPECIFICATIONS:

- Support Ribs for Strength
- 0.90" Domed Profile
- UV Stabilized

PRODUCTS

TRUEGRID® PRO LITE

THE RESIDENTIAL PAVER



- Superior Patented Design
- Excellent Compression Strength. Best-in-class.
- Low traffic applications
- H20, HS20 Rated

SPECIFICATIONS:

- | | |
|-------------------------|--|
| · Dimensions: | 24" x 24" x 1.0" (4 sf) |
| · Pre-Assembled: | 16 sf per layer (4' x 4' sheet of 4 grids) |
| · Compression Strength: | Over 17,000 psi |
| · Permeability: | 100% |
| · Material: | 100% Post-Consumer Recycled HDPE |
| · Color: | Black with UV Stabilizer |

MORE:

- No Staking or Clips
- Works in All Climates & Soils
- May be Saw Cut
- Grass or Gravel Fill
- High Heel Friendly

SUPERSPOT® AVAILABLE



APPLICATIONS:

- Driveways
- Parking lots
- Event Parking
- Firelanes
- Grass Overflow Parking
- Community Green-Space
- Golf Cart Paths
- Walk/Bike Trails
- Pathways



PRODUCTS

TRUEGRID® ROOT®

THE GRASS PAVER



1"



- Advanced Patented Design
- Protects Grass from Rutting
- Fast, Easy Installation
- Usually Costs Less than Asphalt

SPECIFICATIONS:

- Dimensions: 24" x 24" x 1.0" (4 sf)
- Pre-Assembled: 16 sf per layer (4' x 4' sheet of 4 grids)
- Strength: Holds up to 10,000 lbs GVW
- Permeability: 100%
- Material: 100% Post-Consumer Recycled HDPE
- Color: Black with UV Stabilizer

MORE:

- Only Available Immediate Heavy Load Grass System
- Stabilized Grass Drains. No Runoff.
- 100% Recycled Plastic
- Little or No Maintenance
- 60-Year Lifespan



STRIPE AVAILABLE

APPLICATIONS:

- Grass Parking for Cars & Trucks
- Festival Site Protection
- Light Aircraft Runways & Taxiways
- Event Centers
- Paths & Trails
- Slope & Scour Protection
- RV & Boat Storage & Access
- Fairground Turf Support



APPLICATIONS OF ROOT



ROOT applications can include grass reinforcement for light vehicles and pedestrian areas for immediate protection. Projects include amphitheater areas, overflow parking, light and ultra-light aircraft runways, and driveway aprons.

ACCESSORIES

SUPERSPOT®

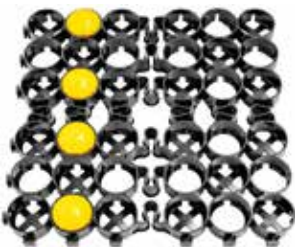
MAINTENANCE-FREE PARKING DELINEATORS

Delineate your parking spots with easy-to-pop-in SuperSpot parking markers. No-restriping. Long-term UV resistance. Multiple color options for standard parking, fire lanes, handicapped designated spaces. Highly visible.

PRO LITE



PRO PLUS



Reflector SuperSpot - Red & Yellow

Solar Powered LED SuperSpot - Red & White

SNOWSPOT

MAINTENANCE-FREE PARKING DELINEATORS FOR PRO PLUS

Delineate your parking spots with easy-to-pop-in SnowSpot parking markers. Flush with surface for worry-free snow plowing. No restriping. Long term UV resistant. Yellow or white for standard striping, blue for disabled-access spaces and red for firelanes.



The Plate

EASY-TO-USE PARKING SPOT IDENTIFIER FOR PRO PLUS

Identify your spaces with easy-to-pop-in PLATE markers. Long-term UV resistance. Multiple color options for standard signs. Highly visible. *Patent Pending*

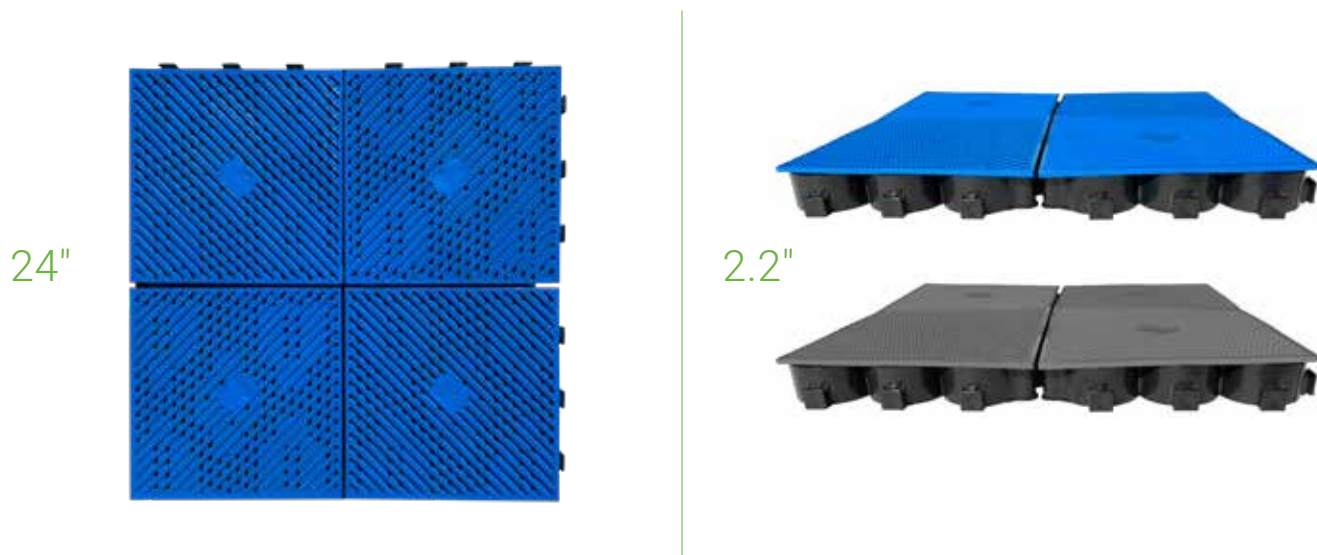
7.5"



ACCESSORIES

TRUEGRID® DECK®

THE PERMEABLE DECK PAVER



TRUEGRID DECK comes preassembled with TRUEGRID PRO PLUS. Comes in bright blue or charcoal gray.

- Gravel-Free
- 100% Permeable Parking, Walkways, Sidewalks and Handicapped Designated Spaces
- Commercial Strength
- Drains instantly

SPECIFICATIONS:

- Dimensions: 24" x 24" x 2.2" (4 sf)
- Pre-Assembled: 16 sf per layer (4' x 4' sheet of 4 grids)
- Permeability: 100%
- Material: 100% Post-Consumer Recycled HDPE
- Color: Bright Blue or Charcoal Gray

MORE:

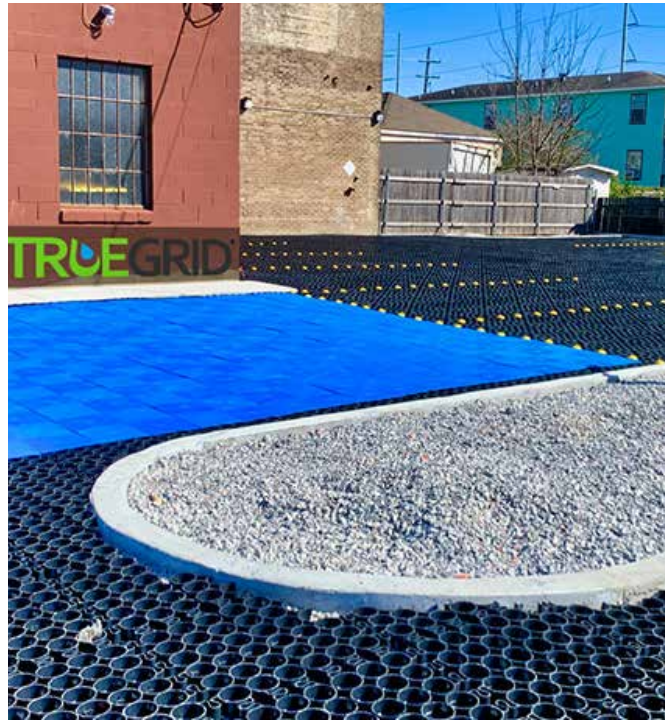
- Roll On with any wheel or caster
- Works in All Climates & Soils
- May be Saw Cut
- Super-Easy to Install
- High Heel Friendly

APPLICATIONS:

- Driveways
- Parking lots
- Event Parking
- Firelanes
- Grass Overflow Parking
- Community Green-Space
- Golf Cart Paths
- Walk/Bike Trails
- Pathways

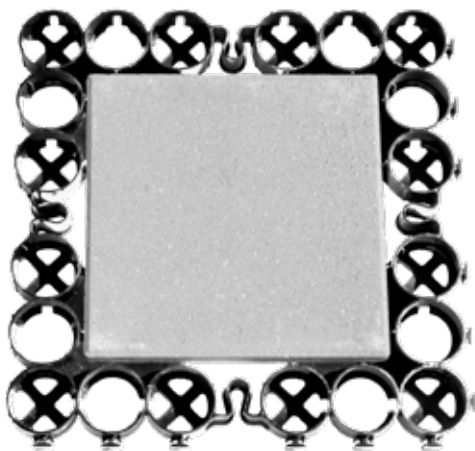


ACCESSORIES



ACCESSORIES

TRUEGRID® DECO



A modular décor element, the TRUEGRID DECO adds functional nuance to your design. Use square, round or irregular shaped step stones to build walkways, ribbon driveways or any stepping area to add character to your project. Use DECO alone or attach to the TRUEGRID PRO PLUS paving system to create unique projects that are not only pleasing to the eye but sustainable.

FEATURES:

- Fits most 16" x 16" x 2" or smaller stone pavers
- 100% Post-Consumer Recycled HDPE
- Fits square, round or any irregular shaped stones
- Connects with TRUEGRID PRO PLUS
- Border cells allow for gravel or grass fill
- Drain through and detain under grid
- Stone paver not included



SPECIFICATIONS:

- | | |
|------------------|---|
| · Dimensions: | 24" x 24" x 1.8" (4 sf) |
| · Pre-Assembled: | 16 sf (4' x 4') sheets (4 grids per sheet) |
| · Permeability: | 100% |
| · Material: | Recycled High Density Polyethylene (100% post-consumer) |
| · Color: | Black with UV Stabilizer |

APPLICATIONS:

- Walkways
- Driveways
- Poolside
- Garden Paths
- Light Commercial Parking
- Dog park paths
- Common areas walks
- Patios

ARCHITECTS



“Man is a phase of nature, and only as he is related to nature does he matter, does he have any account whatever above the dust.”

Frank Lloyd Wright

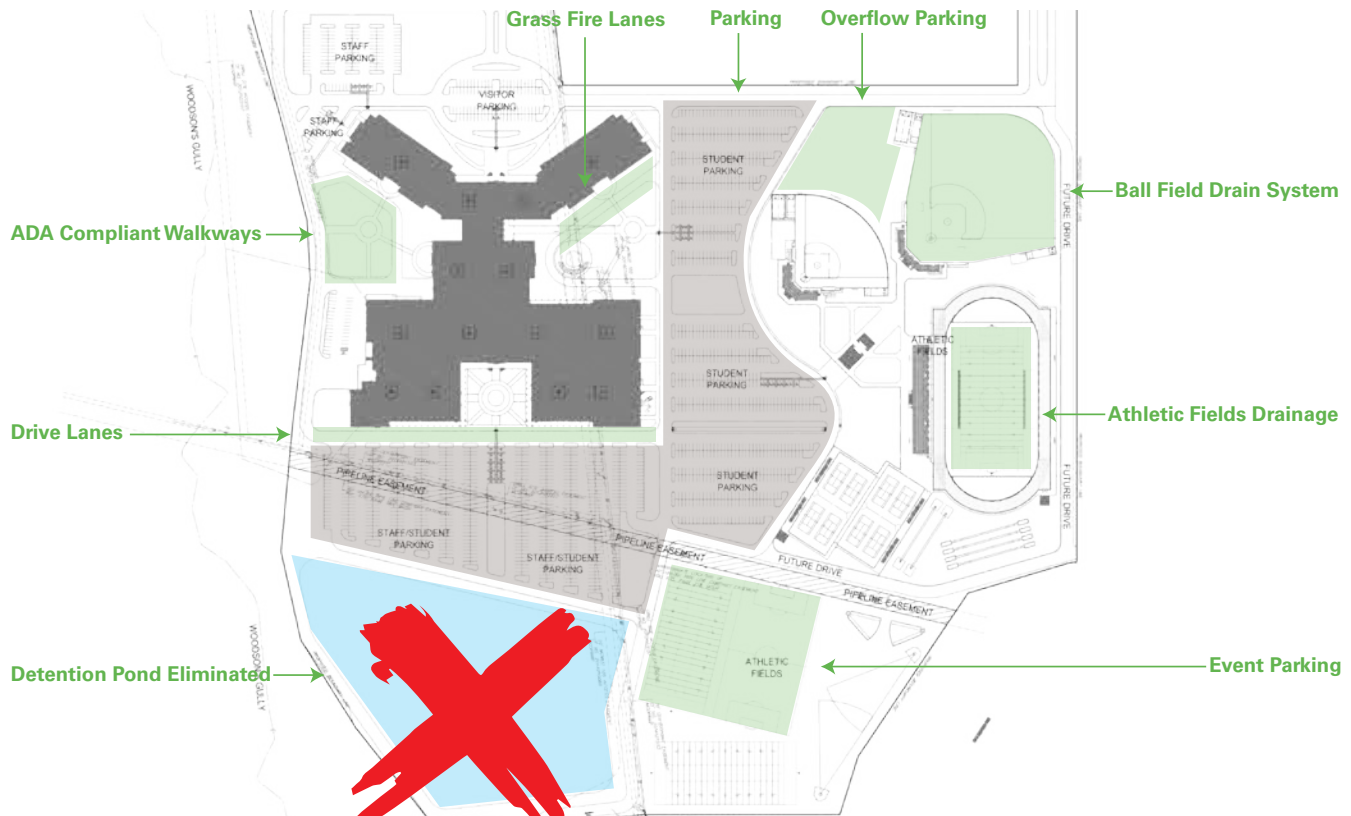
Endless Gravel Fill Options:



- Beauty
- Performance
- Sustainability

Achieve harmony & balance development with nature. Gain space for inspired functionality & green, creative livability. Retain & reuse stormwater onsite. Natural, upscale aesthetic. ADA compliance. Design with TRUEGRID.

DEVELOPERS



- 100% Land Utilization
- Durable & Pervious Cover
- Dollars

Save land & eliminate or reduce detention ponds. Drive on surface with detention under your parking lot. Maintenance-free 25 to 60 year life. Heavy traffic, heavy loads. TRUEGRID counts as 100% pervious cover. Construction costs up to 30% less than concrete. Sustainable, upscale natural aesthetic. LEED eligible. Build with TRUEGRID.



"Buy land, they're not making it anymore."

Mark Twain

ENGINEERS



“ Some people don’t like change, but you need to embrace change if the alternative is disaster.”

Elon Musk

- Detention
- Durability
- Dollars

Control flooding and manage stormwater. Best-in-class, engineered strength, structure & soil stabilization with TRUEGRID. Heavy traffic, heavy loads. H20, HS20 rated. 25+ year life. Save on construction costs (up to 50%) and land. Specify TRUEGRID.

CITY PROFESSIONALS



- Stormwater Management
 - Urban Heat Island (UHI) Reduction
 - Functional Green-Space
-

Reduce flooding and manage stormwater with TRUEGRID. Added detention volume. 100% pervious cover. Improved water quality & more parking. Cooler than asphalt or concrete. No gravel migration. Key tool in federal (EPA), state, county and city LID (Low Impact Development) guidelines and BMPs. Code with TRUEGRID.

1. Stormwater Detention Underneath



FLODOT UNDERPASS PROJECT

2. Drive on Durable Surface



CONTRACTORS



- Advantageous Price & Service Differentiator
 - Eco-Friendly Offering
 - Easy-to-Install
-

Gain a cost and speed advantage over conventional paving. Differentiate from competitors as a preferred TRUEGRID installer with a green, pervious, coded, less expensive paving system. Pave with TRUEGRID.

1. Grade the site



2. Lay, compact base



3. Drop the grid



4. Fill the grid



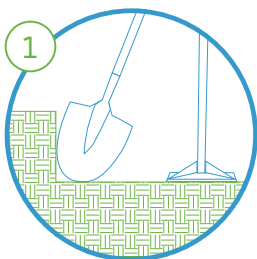
HORSE, LIVESTOCK, RANCH AND FARM



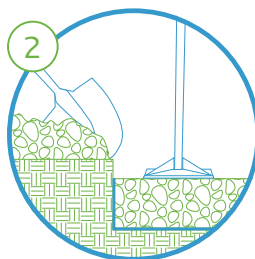
- Stops Mud in Paddocks. Maintenance-Free.
 - Thrush-Free Healthy Hooves.
 - No Standing Water. Drains Instantly.
-

TRUEGRID PRO PLUS® for Equine, Farm, & Ranch use offers an advanced patented design. Strong for heavy loads. Clydesdales to John Deere. Patented S-flex joints allow “crowning” of paddock surface for instant water draining. Stops digging. No ruts, mud or dust. Drains instantly. No standing water. Keeps area level or crowned as desired. Urine drains, reducing odor. Keeps bedding dry. No bacteria buildup. Supports heavy equipment loads & traffic.

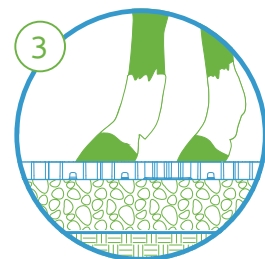
1. Scrape back, level, compact the area.



2. Lay filter fabric and ¾" minus base rock.



3. Lay PRO PLUS grid. Fill with soil.





PROJECTS

SUPERBOWL LI® – CLUB NOMADIC® POP-UP NIGHT CLUB

- 62,500 SF Parking Lot Installed in 10 Days
- 3-Story Metal Nightclub Installed in 60 Days
- 100% Land Use - TRUEGRID Lot Eliminated Detention Pond



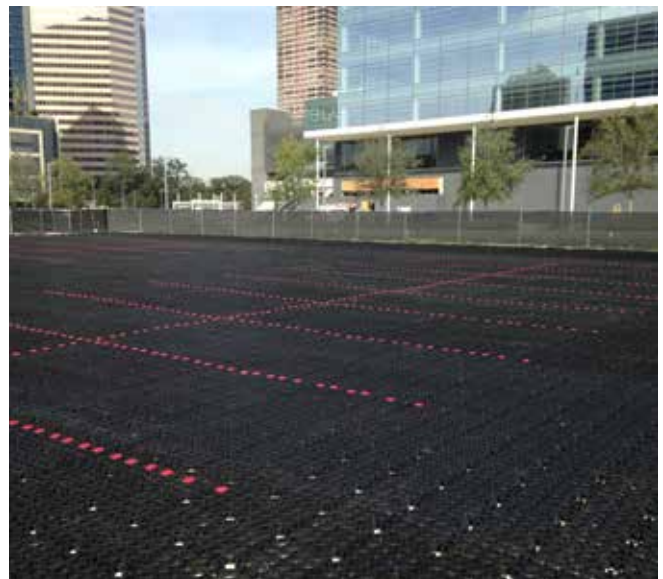
PROJECTS



Whole Foods Market®

"Great product. Went in quick. Our ADA compliant lot was down in time for the holidays."

John Fox (Construction Supervisor)



PROJECTS



Watering Restrictions

FACT

TRUEGRID can be filled with drought tolerant grasses, plants, and deep rooting ground cover for sites that want green space but are under watering restrictions. The photo on the left shows a native grass and plant fire lane in Colorado Springs. The photo on the right shows a stone infill fire lane at Houston's Hobby Airport – No watering or irrigation required.



Pocono Raceway®—NASCAR®

"The new installed walkways were a huge success with our fans. The ease of installation and maintenance... we intend to once again use TRUEGRID Pavers throughout. It's a great product and fits in with our sustainability efforts."

Brandon Igdalsky – CEO

PROJECTS



Fire Lane

"We've completed all the tests. As far as supporting the truck as a driving material, we didn't have any issues there. When we set the outriggers up, in a normal operation with the pads underneath the outrigger, we were able to take the truck to its extreme test with all the weight all on one side. So that test was a success. We then took the outriggers without the pads and to increase the concentrated load on the system. It even supported those."

Fire Chief McCaskill



Self-Storage

"We got pervious cover credit for our entire lot and eliminated the entire 2.5 acre detention pond."

Hank Daughtry - New Braunfels Self Storage

PROJECTS



U.S. Military

"They spec TRUEGRID because of its eco-friendliness as well as strength to handle anything."

Chris Smith- Gilmore Environmental Consulting



Heavy Commercial

FACT

YardCo is a 24 hour access truck parking facility located in Orlando, FL. TRUEGRID was utilized to eliminate the 2 acre detention pond that was required with asphalt on the 10 acre site. This provided an additional 75 parking spaces on the site bringing to total up to 265. What was once going to be a 2 acre detention pond is now additional revenue generating land all thanks to the permeability and detention volume provided by TRUEGRID.

PROJECTS



ROCKSTAR Energy Bike Park

The North Houston ROCKSTAR Energy Bike Park is the Largest BMX bike park in North America. 150K sf of PRO PLUS were spec'd and installed for 100% pervious cover, stormwater detention and the natural aesthetic that compliments the park.



Sloped Applications for Vehicles

For sloped projects such as driveways above 3 degrees (5%), additional anchoring is recommended — a minimum of 1 anchor per paver. For slopes above 20 degrees (36%), it is recommended to use a minimum of 2 anchors per paver.

PROJECTS



Snowplowing - Cold Climate Use

FACT

Snow melts faster on TRUEGRID and there is less ice buildup. TRUEGRID can be easily plowed, snow-blown or shoveled. Electric heating coils for snow melting (far right photo) can be placed under TRUEGRID for automated snow removal in residential and commercial applications.



Florida Aero Park

This aero club community stabilized their grass taxiways & perpendiculars, fuel stations, and some helipads to keep aircraft moving in all seasons and weather conditions. A better solution than asphalt, the grass-filled TRUEGRID looks naturally beautiful while supporting aircraft traffic.

TRUEGRID® CASE STUDY

PARKING LOT EXPANSION

AutoNation® car dealership increases inventory lot space while saving almost half a million dollars.

PROBLEM:

Design a solution that will allow AutoNation to expand its current car inventory lot without spending more money on land.

CHALLENGES:

High cost for concrete, detention pond and drainage system cost, maximize land utilization for space challenged dealership, stormwater detention requirements for site for flood prone areas.

SOLUTION:

100 extra spaces is a grand slam to the dealership. The entire detention pond was eliminated with the 100% pervious TRUEGRID system and by transferring all of the required stormwater detention volume into the base and the gravel filled grid. Rain infiltrates the surface at over 1000 inches/hour and there is no runoff. SuperSpot parking markers were used instead of striping paint for maintenance free stripping.

TRUEGRID® VS. CONCRETE

- Land Savings: 25,000 sq ft
- Construction Cost Savings: \$480k
- Elimination of separate detention pond
- 100% Pervious Cover Credit
- 100% Land Utilization
- Zero Stormwater Runoff
- 100 extra parking spaces gained on the 500 space lot



ESTIMATED SAVINGS USING TRUEGRID

CONSTRUCTION COSTS
(SQ FT OVER ENTIRE SITE VS. CONCRETE)

\$360,000

DETENTION POND & DRAINAGE
CONSTRUCTION SAVINGS

\$120,000

TOTAL SAVINGS

\$480,000

TRUEGRID® CASE STUDY

WORLD'S LARGEST PERMEABLE PARKING LOT

Manheim Auto saves four acres and improves urban heat and flood drainage conditions for Texas Hobby Clients and Community.

PROBLEM:

With a concrete design 4 acres of the 15.5-acre site were needed for a detention pond which would limit car storage capacity. Design a solution that will allow for more vehicle storage, combat concrete/asphalt heat and provide stormwater drainage relief in flood-prone Houston.

CHALLENGES:

To mitigate localized flooding, stormwater management code requires on-site detention. Not only does this limit land use, the high cost for concrete, detention pond construction and drainage is high. How to maximize land utilization for on-site vehicle storage, and meet stormwater detention requirements.

SOLUTION:

All 15.5 acres are now utilized for parking by using the PRO PLUS system with Stormwater detention under the parking surface. The 4-acre pond was eliminated. Manheim Texas Hobby now holds 1,000 more vehicles than before -- a significant advantage for clients who do business at the location. And, since no runoff reduces the chance of flooding, clients' investments in their vehicles are better protected. The TRUEGRID environmentally-friendly solution leaves no runoff and filters naturally to remove harmful hydrocarbons and pollutants which protects local aquifers.

TRUEGRID® VS. CONCRETE

- Total Land Available 625,000 SF
- Total Land Utilized 625,000 SF
- Land savings by eliminating detention pond: 4 Acres

- 100% Pervious Cover Credit
- 100% Land Utilization
- Zero Stormwater Runoff

- 1,000 Additional Vehicles Stored On-Site
- Less absorbed and reflected solar radiation

ESTIMATED SAVINGS USING TRUEGRID

CONSTRUCTION COSTS
(SQ FT OVER ENTIRE SITE VS. CONCRETE)

\$754,000

DETENTION POND & DRAINAGE
CONSTRUCTION SAVINGS

\$265,000

TOTAL SAVINGS

\$1,019,000



“Design is not just what it looks like and
feels like. Design is how it works.”

STEVE JOBS



6110 Abbott Drive
Omaha, NE 68110
© 2025

TRUEGRIDPAVER.COM

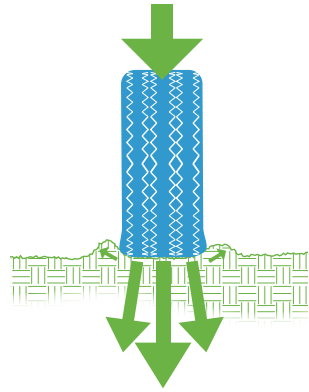
(855) 355-GRID

DUST ABATEMENT & EROSION MITIGATION

TRUEGRID® PERMEABLE PAVING FOR DUST AND EROSION CONTROL

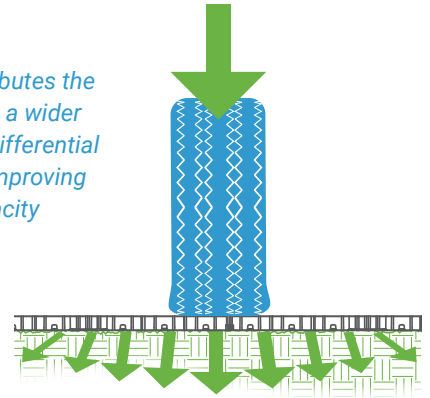
Dust-generation process is caused by two basic physical phenomena: pulverization and abrasion of surface materials by application of mechanical force through implements (wheels, blades, tracks, etc.) and entrainment of dust particles by the action of turbulent air currents.⁽¹⁾

Traffic on unconfined gravel and dirt areas produce concentrated loads and lateral movement of the wearing course. Concentrated loads cause pulverization and abrasion producing smaller particles. Lateral movement readies the particles for entrainment.



TRUEGRID® can suppress the fugitive dust associated with traditional gravel roads and other unconfined dirt and gravel surfaces (parking lots, haul yards, and emergency access).

TRUEGRID® distributes the load uniformly in a wider area diminishing differential settlement and improving bearing capacity



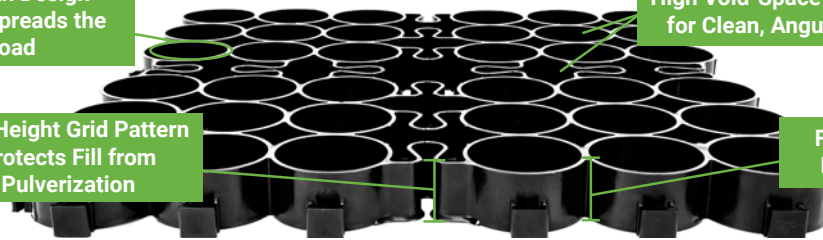
PRODUCT COMPONENT ENGINEERING

**Hoop-Strength Design
Distributes & Spreads the
Wheel Load**

**High Void-Space in Grid Allows
for Clean, Angular Stone Fill**

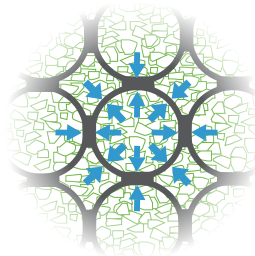
**Full-Height Grid Pattern
Protects Fill from
Pulverization**

**Full-Height Walls Prevent
Lateral Movement of Fill**

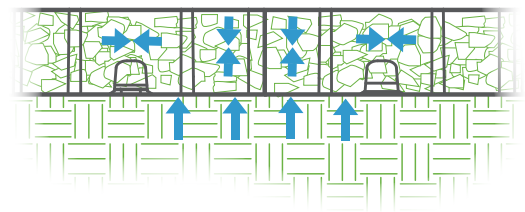


EROSION MITIGATION

TRUEGRID® cylinders and connecting grid wall contain the infill. Containment provides apparent cohesion to cohesionless infill.⁽²⁾ Vertical and horizontal stability eliminates lateral and vertical aggregate movement preventing fill loss due to wind, water, and vehicular traffic.



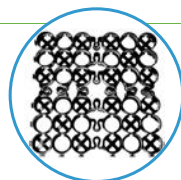
Product wall faces prevent lateral movement of aggregate fill.



Active earth pressures, passive earth pressures, and aggregate interlock prevent particle movement.

THREE PRIMARY WAYS TRUEGRID® MITIGATES DUST

- 1** TRUEGRID® diffuses the applied mechanical forces to the infill reducing pulverization and abrasion.
- 2** Infill is protected from wind and vehicle slipstream and lateral water entrainment.
- 3** Specified infill materials do not contain particles sizes that would contribute to fugitive dust.

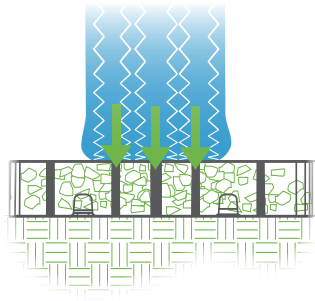


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DUST ABATEMENT & EROSION MITIGATION

TRUEGRID® PERMEABLE PAVING FOR DUST AND EROSION CONTROL

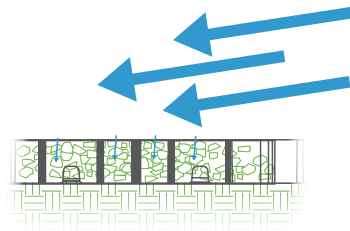
1 TRUEGRID® is a three-dimensional permeable paving system with cellular containment cylinders and joining wall units. The TRUEGRID® cylinders and void spaces act as both a load disbursement apparatus and a fill containment device.



Wheel loads are exerted primarily on the top surface of TRUEGRID® and dispersed through the co-joined walls, cylinders and grid. Fill material is contained and protected.



2 Entrainment of dust particles is nearly eliminated with TRUEGRID®. TRUEGRID® cylinders and co-joined walls protect the fill material from wind and vehicle slipstream. Rain and water entrainment only occurs downward.

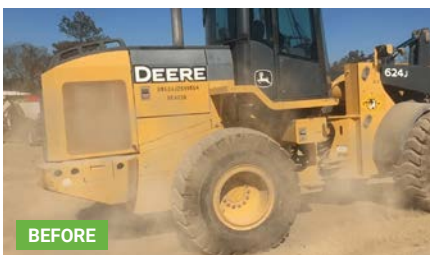


Fill material is protected from wind and water forces by TRUEGRID®'s vertical containment grid.

3 TRUEGRID® specifies clean, washed, open-graded, sharp, hard stone from 3/8" to 3/4" as the infill. Starting from this specification ensures fines (passing #200 / 75 µm sieve, or smaller) are not present in the infill thereby reducing any initial dust entrainment. Eliminating the other graded sieve sizes (#40 / 420 µm or less), also significantly reduces the chances of gravel degradation. The specified stone infill of limestone or harder (> 3 Mohs) reduces fragmentation and degradation on its own -- even prior to containment and protection.



Infill comprised of washed, hard, and open-graded stone reduces initial dust and lifelong dust caused by fragmentation and scraping.



Uncontained gravel is subject to concentrated loads, lateral movement, pulverization, and abrasion. Particles are moved by wind & vehicle slipstream.



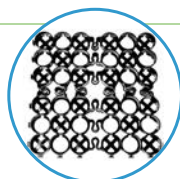
Dust abatement and mitigation is achieved by using clean, hard, open-graded stone in a TRUEGRID® permeable paver containment system.



TRUEGRID®'s three-dimensional design contains and protects infill from wheel loads and prevents wind & water erosion.

(1) EPA. Miscellaneous Sources, in Compilation of Air Pollutant Emission Factors, Volume 1: Stationary Point and Area Sources, AP-42, Fifth ed. Ch. 13.2, pp1-2. U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, North Carolina. (1995).

(2) Guan Zhao, Yenyu Chen, Philip K. Hopke, Thomas M. Holsen & Suresh Dhaniyala (2017) Characteristics of traffic-induced fugitive dust from unpaved roads, Aerosol Science and Technology, 51:11, 1324-1331, DOI: 10.1080/02786826.2017.1347251



TITLE: Klawiter Setback Variance

REQUEST: Appeal to Article 4.3.5.A.2.a. of the Larimer County Land Use Code to allow for existing retail shops and an existing apartment building to utilize on-site septic system(s) in lieu of connecting to City of Loveland Sanitation.

LOCATION: 4855 W. Eisenhower Blvd
Loveland, CO 80537; Located approximately 0.5 miles west of the intersection of Morning Drive and W. Eisenhower Blvd.

APPLICANTS: Wolfram Klawiter
3210 Morey Court
Loveland, CO 80537

Brent Balik
Chayah Consulting Group
2519 S. Shields Street
Suite 1K #987
Fort Collins, CO 80526

PROPERTY OWNER: Wolfram Klawiter
3210 Morey Court
Loveland, CO 80537

STAFF CONTACTS: Samantha Lasher, Planning
Lea Schneider, Health Department

FILE NUMBER: 26-GNRL0587

BCC HEARING DATE: July 13, 2026

STAFF REPORT DATE: June 30, 2026

NOTICE GIVEN: 1. Posting in the officially designated area of the Larimer County Administrative Services building no less than twenty-four hours in advance of the hearing
2. Posting on the Larimer.gov website
3. Newspaper Publication
4. First Class Mailing to surrounding property owners within 500 feet

SITE DATA:

Parcel Number: 95172-00-028
Land Area: 0.86 acres
Existing Land Use: Commercial and Multi-Unit Residential
Proposed Use: Commercial and Multi-Unit Residential
Surrounding Land Uses: Residential and City of Loveland owned property
Existing Zoning: CD – Commercial Destination

Surrounding Zoning:

CD – Commercial Destination, RR-2 – Rural Residential, Incorporated

Services:

Access:

W. Eisenhower Blvd (State Highway) and Langston Lane (Local, public road)

Water:

Loveland Water District

Sewer:

On-Site Septic Systems

Fire Protection:

Loveland Fire Rescue Authority



Figure 1- Vicinity Map (subject property outlined in blue)

Source: Larimer County GIS

PROJECT DESCRIPTION/BACKGROUND:

The subject property is located at 4855 W. Eisenhower Blvd (Highway 34) in Loveland, Colorado which is located approximately 0.5 miles west of the intersection of Morning Drive and W. Eisenhower Blvd. The subject property is unplatted, 0.86 acres in size, and zoned CD – Commercial Destination.

The property currently contains an approximate 1,667 square foot commercial retail building, with portions originally built in 1950, which is currently home to the Bluestone Shop and Papa Joe's Local Honey Shop, and a multifamily apartment building, built in 1956, according to the Larimer County Assessor's records. There are also various outbuildings, including a shed located on the eastern side of the property. The property currently utilizes two on-site septic systems for sewage disposal, with one

located west of the apartment building in the parking lot and one located east of the apartment building (See Figure 2).

Papa Joe's Local Honey Shop was added to the property and the Bluestone Shop was expanded without proper approval. The original multi-family residential building was constructed with three individual units and two internal garages. One of the garages was converted into a separate unit and the second garage was converted into a second bedroom for one of the three units without proper approval. The property owner is currently resolving these violations through the Site Plan Review process (File No. 25-ZONE3833) and the Expansion of a Nonconformity process (File No. 25-ZONE3833). Additionally, the Board of Adjustment recently approved the property owner's Setback Variance application for the existing commercial building to be 53 feet from the right-of-way centerline of Highway 34, where 100 feet is required and 11 feet from the front property line, where 25 feet is required, on May 26, 2026 (File No. 25-ZONE3831). The property owners intends to proceed with obtaining any required building permits upon approval of each application.

Since the property is located within the Loveland Growth Management Area (GMA), within an urban zoning district, and within a sewer district, the Land Use Code specifies that the uses must connect to public sewer. The applicants have requested an appeal to continue to use on-site septic systems in lieu of connecting to the City of Loveland Sanitation Department for public sewer. Please refer to comments provided by the Larimer County Health and Environment Department and the City of Loveland Sanitation Department for more information (Attachment D).

If this application is approved, the Department of Health and Environment will require a new septic system(s) to be installed and a preliminary engineered-designed septic system be provided as part of the next submittal for the Site Plan Review and Expansion of Nonconformity applications. This has been added as a condition of approval.

Postcards were mailed to eighteen (18) property owners within 500 feet of the subject property to notify them of this request via First Class Mail at the time the case was scheduled for a land use hearing. As of the date of this report (June 30, 2026), no comments from neighboring property owners have been received.



Figure 2- Aerial View of Site (subject property in blue, looking south, retail building outlined in green, apartment building outlined in yellow, and approximate location of septic systems labeled with red circles)

Source: Connect Explorer

REVIEW CRITERIA:

Appeal Review Criteria – Article 6.7.2.B.5.

When considering whether to approve an appeal to deviate from standards or requirements of the Code, other than minimum lot size requirements, the County Commissioner may grant the appeal subject to safeguards and conditions with their findings concerning the following factors. The County Commissioners will consider each of the following factors and make findings pertaining to each one which, in their discretion, applies to the appeal:

a. Approval of the appeal will not subvert the purpose of the standard or requirement.

The Land Use Code requires development in a Growth Management Area, urban zoning district, or sewer district to connect to public sewer. The Land Use Code allows for appeals to this requirement provided that on-site sewage treatment can be safely provided as indicated in the Land Use Code. The subject property is currently served by two on-site septic systems, according to the Department of Health and Environment. The City of Loveland Sanitation confirmed in an email dated March 11, 2026, that they have no concerns with the continued use of on-site septic systems and installation of new systems, and they will not require a wastewater connection (Attachment D). Additionally, the Department of Health and Environment confirmed with Loveland Sanitation that the closest sewer line is over 400 feet away, and therefore, it is not feasible to connect this property to public sewer (Attachment D).

While the Department of Health and Environment supports this appeal, they require the installation of

new on-site septic system(s), given the expansion of the retail operation and apartment building and the lack of records for the existing systems. Due to the constraints associated with the property, including proximity to the Big Thompson River, existing wetlands, portions of the property within flood hazard zones, and possible high ground water, a preliminary engineer-designed septic system proposal shall be provided (Condition No. 1). However, the Department of Health and Environment is comfortable supporting this appeal prior to a design being evaluated since there are limited options in this area. Approval of the appeal would not subvert the purpose of the standard or requirement based on the information provided by the applicant and referral agencies with the staff recommended conditions of approval listed below. Therefore, staff finds that this criterion has been met.

b. Approval of the appeal will not be detrimental to the public health, safety, or property values in the neighborhood.

Approval of the appeal will not be detrimental to public health, safety, or property values in the neighborhood. The Loveland Sanitation District did not have objections to the appeal and negative impacts on neighboring property values are not evident, as no community member comments regarding this proposal have been received. Although the Department of Health and Environment had no concerns with the subject property continuing the use of septic, due to the expanded use of the property and the fact that there are no existing septic records, they are requiring that new septic system(s) be installed. A preliminary engineer-designed septic system must be submitted to the Department of Health and Environment for review to ensure there are no negative impacts to the existing river, wetlands, and floodplain. This has been made a condition of approval (No. 1). Therefore, staff finds that this criterion has been met.

c. Approval of the appeal is the minimum action necessary.

Approval of the appeal is the minimum action necessary to allow the property owner to move forward with the concurrent applications for the expansion of the retail operation and expanded multi-family residential building on a property located in a growth management area, urban zoning district and sewer district. New septic system(s) will be required to be installed due to the expansion of the existing uses and due to the fact that there are no records of the existing septic systems (Condition No.1). Therefore, staff finds that this criterion has been met.

d. Approval of the appeal will not result in increased costs to the general public.

Staff does not expect that approval of the appeal will result in increased costs to the general public. The cost to submit a preliminary engineer-designed septic system and to install new septic systems, as required by the Department of Health and Environment, will be at the sole cost of the owner; therefore, staff finds that this criterion has been met.

e. Approval of the appeal is consistent with the intent and purpose of the Code.

Approval of the appeal is consistent with the intent and purpose of the Land Use Code which is fostering predictability in land development and establishing a process that efficiently and equitably applies the Land Use Code to individual sites while respecting property owner rights and the interests of Larimer County community members.

The existing apartment building was established prior to the establishment of zoning or building codes, and the Land Use Code allows the expansion of nonconforming uses, per Article 1.10. Papa Joe's Local Honey Shop was added to the property without proper approvals; however, the current zoning does allow General Retail uses or the expansion of existing retail with Site Plan Review approval. Therefore, the expanded uses are consistent with the zoning and uses in the area and granting this appeal is not

expected to change the character of the neighborhood. No community member comments have been received for this application. Per the Department of Health and Environment, a preliminary engineer-designed septic system must be submitted for evaluation to ensure adequate service. This requirement addresses on-site environmental constraints, including the property's proximity to wetlands and floodplain areas, and this has been added as a condition of approval (Condition No. 1). Therefore, it is Staff's assessment that this request meets the intent and purpose of the Land Use Code with the recommended conditions of approval; therefore, this criterion has been met.

INTERNAL REFERRAL AGENCY COMMENTS:

- The Department of Health and Environment indicated that per the submitted Site Plan, there appears to be two septic systems. One septic system is shown to the west of the apartment buildings in the gravel parking lot, and the other septic system is located east of the apartment building. The Department has no records for either septic system, as they may have been installed prior to the Department's existence. With no records, and the increase in bedrooms of the apartment structure and expansion of the retail space, the property will be required to install a new septic system(s). Due to the complexities associated with the property including proximity to the Big Thompson River, delineated wetland, and portions of the property within the floodway/floodplain, and possible high ground water, a preliminary engineer-designed septic system proposal shall be provided as part of the next submittal (Condition No. 1). For land uses in a Growth Management Area (GMA), public sewer is the preferred means for wastewater disposal. Though this property is within Loveland's GMA and within their 208 Wastewater Service boundary, the City of Loveland is not requiring sewer for the existing uses and will allow the continued use of septic systems.

EXTERNAL REFERRAL AGENCY COMMENTS:

- The City of Loveland Sanitation Department indicated that they have no concerns with the continued use of on-site septic systems, in addition to the construction of new septic systems, since the closest sewer line is over 400 feet from the property.

COMMUNITY MEMBER COMMENTS:

Community member notice was provided to 18 property owners within 500 feet of the subject property boundaries. As of the date of this report (June 30, 2026), no written community member comments have been received.

STAFF FINDINGS:

The requested appeal application meets the review criteria as discussed above. The Development Services Team recommends approval of the appeal request, as indicated in the following section.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends **approval of the Klawiter Appeal, File No. 26-GNRL0587**, subject to the following conditions:

1. The applicant must install a new septic system(s) for the existing uses, for which a septic permit(s) will be required. Prior to construction of the system(s), a preliminary engineer-designed septic system proposal shall be provided to the Department of Health and Environment as part of the next submittal for the associated Site Plan Review and Expansion of Nonconformity applications to ensure the system(s) will not negatively impact the adjacent river and wetlands.

SUGGESTED MOTION:

The Development Services Team moves that the Board of County Commissioners **approve** the Klawiter Appeal, File No. 26-GNRL0587, subject to the conditions of approval recommended by staff.

ATTACHMENTS:

- A. Applicant's Appeal Request
- B. Vicinity Map
- C. Site Plan with Existing Structures and Uses
- D. Referral Agency Comments

ATTACHMENT A

Applicant's Appeal Request

February 9, 2026

Sam Lasher
Planner II
Larimer County Community Development Department
200 W Oak St
Fort Collins, CO 80521

Subject: **4855 West Eisenhower Blvd.; Papa Joe's Local Honey & Blue Stone Shop Site Plan Review On-lot septic system in a Growth Management Area Appeal & Expansion of Nonconforming Use for an Existing Apartment Building** CCG Project No. 219001

Ms. Lasher:

Regarding the required appeal for the On-Site Sewage Treatment System in the Growth Management Area for the Papa Joe's Local Honey Shop, Blue Stone Shop, **and the expanded apartment building.** please consider this letter as part of the appeal and application for our initial submittal. Please route our submittal to all review authorities including the nearest city utility or public sanitation district and the City of Loveland Growth Management Area to get this appeal process started.

We will coordinate the On-lot septic system appeal with the required review authorities and the County during the review process. We will provide the necessary details outlined in the Site Plan process for the Appeal for On-Site Sewage Treatment Systems in the Growth Management Areas as the project progresses and we know who we should be coordinating the appeal with, and the formal appeal will be provided after we receive the first round of review comments.

Sincerely,

Reviewed By:

CHAYAH CONSULTING GROUP, LLC

Brent Balik
Project Manager

Cody A. Geisendorfer, PE
Principal Engineer

Project Description

Summary

There are no proposed improvements with this project, and the existing structures include two buildings, the existing shops include the Blue Stone Shop and Papa Joe's Local Honey, and this Site Plan Review is for Papa Joe's Local Honey shop that is approximately 160 square feet and expansion of the Blue Stone Shop. The building is accessed off Highway 34 (West Eisenhower Blvd) and the existing four (4) apartments are accessed off Langston Lane. The existing shops building has operated continuously since 2005 and will continue with this use and there is a 1 bedroom apartment under the Blue Stone Store, and the existing apartment building will also remain. All existing conditions are shown on the Site Plan, and Highway 34 and Langston Lane are paved. The existing shop's parking spaces are also paved, and access is off Hwy. 34, and the existing apartments have two accesses off Langston Lane, and the north access is concrete, and the south access is gravel, and the existing apartment drive isle and parking spaces are gravel.

The proposed use of this property has a minimal impact on existing and future development in the area and appeals from the Land Use Code for a Highway 34 setback variance is part of this submittal. There will be little to no impact on traffic as the users are existing tenants, and existing shop customers. The property is surrounded by other somewhat similar uses.

There would be no impact on the surrounding environment and wildlife, and the area is rural in nature. There is also no expected impact on traffic, emergency services, utilities, parking, or refuse areas. With the nature of the existing property being residential and small general retail businesses, there will not be any excessive noise or odor by the businesses.

PROJECT DESCRIPTION

The existing apartment building has an approximate square footage of 1,960 SF with a peak height of around 11 feet. The existing shop has an approximate square footage of around 1,947 SF with a peak height around 26 feet from the lower walk-out level on the south side.

Existing lighting for the site is mounted on the buildings, and one light pole adjacent to Langston Lane illuminates the apartment parking lot area and no additional site lighting is proposed. Existing landscaping includes trees and shrubs, and no additional landscaping is proposed.

The site is serviced by the City of Loveland Water District and uses on-site wastewater treatment systems, and Loveland Fire Rescue Authority serves the site.

Emergency access is provided off of Highway 34 and Langston Lane and there are two access off of Langston Lane for emergency access, and the south access is approximately 35' wide and the north access is approximately 22'-12' wide and there appear to be no fire hydrants adjacent to the site.

Normal business hours are Monday through Friday, 10 AM -6 PM for the Blue Stone shop, and Sunday 12 PM – 5 PM. Papa Joe's Local Honey is right next to it, and it is open 24/7, Monday – Sunday, and there will be 2 employees daily. There will be around 20 customers per day daily, and there will be minimal trucks and trailers for daily use on the property, about 3 per week on the property and no outdoor signage is proposed.

Stormwater drains from north to south on site and there is a stormwater crossing below Langston Lane that drains south. There is a portion of the existing apartment building in the flood fringe on the south end, and the southeast portion of the site consists of grass and a garden. The property is located in flood zones that go from 0.2% annual chance flood to a regulatory floodway. The Big Thompson River is adjacent to the southern portion of the site, and a Wetland Delineation Report has been provided with this submittal. There is a low point and headwall at the southern corner of the site, which is in the wetland region, and this is the drainage outfall for a portion of the site, and no stormwater improvements are proposed for the project, and the existing drainage patterns will remain the same.

PROJECT DESCRIPTION - APPEAL

Appeal to Article 4.3.5.A.2.a. of the Larimer County Land Use Code to allow for Papa Joe's Local Honey store, the Blue Stone Shop expansion, and the existing, expanded apartment building to utilize on-site septic system(s) in lieu of connecting to City of Loveland Sanitation.

Appeal Review Criteria

Review Criteria for Appeals to Deviate from Standards or Requirements Other Than Minimum Lots Size Requirements.

When considering whether to approve an appeal to deviate from standards or requirements of the Code, other than minimum lot size requirements, the County Commissioner may grant the appeal subject to safeguards and conditions with their findings concerning the following factors. The County Commissioners will consider each of the following factors and make findings pertaining to each one which, in their discretion, applies to the appeal:

- a. Approval of the appeal will not subvert the purpose of the standard or requirement.

It is not economically feasible for the applicant to connect to City of Loveland Sanitation. The property is within Loveland's Growth Management Area (GMA) and 208 Wastewater Service Boundary, and the City of Loveland is not requiring sewer for the existing uses and will allow the continued use of septic systems. All septic system staff review comments will be addressed with this application.

- b. Approval of the appeal will not be detrimental to the public health, safety, or property values in the neighborhood.

The existing septic system will continue to function adequately until future septic system improvements with this application are completed based on staff review comments and County code. There will not be an increase in septic service with this application beyond the expanded apartment building use and the existing and proposed septic systems will not have a negative impact on public Health, safety for property values in the neighborhood.

PROJECT DESCRIPTION - APPEAL

- c. Approval of the appeal is the minimum action necessary.

Due to City of Loveland Sanitation approving the septic system for the existing uses, and after septic system staff review comments are addressed with this application this appeal will be the minimum action necessary.

- d. Approval of the appeal will not result in increased costs to the general public.

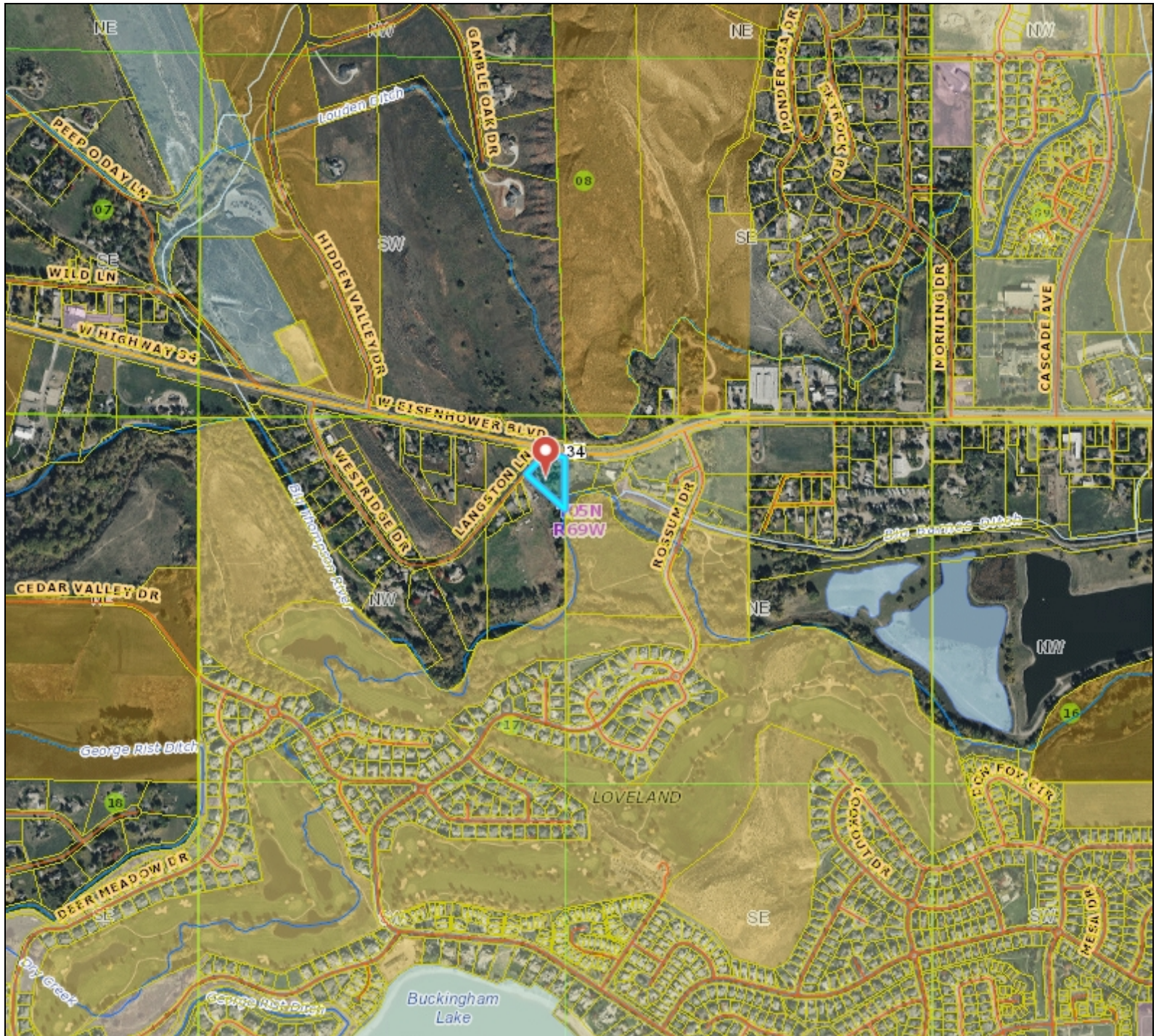
The existing septic system and future septic system improvements for this application and appeal will not increase the costs to the general public, the existing septic uses and proposed septic uses are the same.

- e. Approval of the appeal is consistent with the intent and purpose of the Code.

Based on City of Loveland Sanitation approving the septic system for the existing uses and staff review comments, a preliminary engineer designed septic system will be a part of the next submittal, and Development Review Standards for On-Site Wastewater Treatment System will be met.

ATTACHMENT B

Vicinity Map



Legend

- | | | |
|---|---|---|
|  Tax Parcels |  Incorporated Areas | Leta_2025_mosaic |
|  Railroads |  PLSS Township and Range |  Red: Band_1 |
|  Major Road System |  PLSS Sections |  Green: Band_2 |
|  Road System |  PLSS Quarter Sections |  Blue: Band_3 |
|  Lakes and Ponds |  City or Town | |

Notes

0.1 0 0.1 Miles

Scale
1: 12,000



Date Prepared: 5/12/2026 9:11:27 AM

This map was created by Larimer County GIS using data from multiple sources for informal purposes only. This map may not reflect recent updates prior to the date of printing. Larimer County makes no warranty or guarantee concerning the completeness, accuracy, or reliability of the content represented.

ATTACHMENT C

Site Plan with Existing Structures
and Uses

 SITE PLAN
1" = 30'



PROJECT # _____
 REVIEWED BY ENGINEERING _____ DATE _____
PLANNING _____ DATE _____
 APPROVED BY _____ DATE _____

CHECKED BY: CAG
DESIGNED BY: BRB
DRAWN BY: BRB
DATE: 09/26/25
SCALE : AS NOTED
PROJECT NO. : 219001

C1.0

ATTACHMENT D

Referral Agency Comments

TO: Samantha Lasher
Larimer County Planning Department

FROM: Lea Schneider 

DATE: March 20, 2026

SUBJECT: Klawiter Nonconformity Expansion; 25-ZONE3832
Klawiter Site Plan Review; 25-ZONE3833
Klawiter Appeal; 26-GNRL0587

Multiple land use applications have been submitted for parcel 9517200028 to evaluate existing development for compliance:

- **Klawiter Nonconformity Expansion 25-ZONE3832:** Expansion of a Nonconforming Use for the conversion of two garages in the original existing 1950s 3-unit apartment building to 1) a second bedroom for one of the apartments and to 2) a separate studio apartment, resulting in a 4-unit apartment building. The overall square footage (1,960 SF) of the building has not increased, but habitable space has increased 480 SF due to the garage conversions.
- **Klawiter Site Plan Review 25-ZONE3833:** Site Plan Review for Papa Joe's Local Honey Store (General Retail) in an existing building along Highway 34.
- **Klawiter Appeal 26-GNRL0587:** Appeal to Article 4.3.5.A.2.a. of the Larimer County Land Use Code to allow for Papa Joe's Local Honey store and the existing, expanded apartment building to utilize on-site septic system(s) in lieu of connecting to City of Loveland Sanitation.
- **Klawiter Setback Variances 25-ZONE3831:** Requested reduced setbacks from the centerline of Hwy 34 for both retail shops. The Health Department provided a separate set of comments for the setback variance.

Retail Operations. Per the Project Description, the existing retail shops, Blue Stone Shop and Papa Joe's Local Honey, have operated continuously at this location since 2005. There Project Description states that there are no changes proposed to the physical retail stores or the operations as part of the multiple reviews.

Normal business hours for Blue Stone are Monday through Friday, 10:00am to 6:00pm, and Sunday noon to 5:00pm. Papa Joe's Local Honey is open 24 hours per day, seven days a week. Reviewing Papa Joe's website, the retail store is actually a self-service stand. Retail honey products are stored in an outdoor chest on the retail shop porch. Customers select product then place their payment in an envelope that is inserted into a

mail slot of the shop's front door. Please clarify if there are any indoor retail sales conducted within Papa Joe's shop, or if all sales are completed via self-service.

For the purpose of evaluating the septic system, please provide additional information on the interior of the shops and occupancy:

- Blue Stone – store is accessible to the public; is there a restroom for employees and the public to access?
- Papa Joe's - Please provide information on what the interior space of the Papa Joe's shop includes and what activities occur within the structure (is there any plumbing in this shop? is bulk honey packaged here? is there a restroom in this shop? etc).
- The Project Description noted that there are two employees on-site, but it was not clear if these employees are only on-site for the Blue Stone shop, or if this includes Papa Joe's. Please elaborate on the number of employees at each shop per day.
- The Project Description also noted that there will be approximately 20 customers per day but it was not clear if this was for both retail shops or primarily the Blue Stone shop. Please clarify.

Residential Operation. Per the Project Description, the apartment structure includes four units. Research provided to the applicant noted that the original apartment building was built in 1956. In 2015, two garages were remodeled to create a second bedroom for one of the apartments, and a studio apartment was added to the original existing building footprint. As part of the septic system evaluation, please provide the number of bedrooms per apartment unit.

Wastewater. Per the submitted Site Plan, there appears to be two septic systems. One septic system is shown to the west of the apartment buildings in the gravel parking lot, and the other septic system is located east of the apartment building. The Health Department has no records for either septic system, as they may have been installed prior to the Larimer County Health Department's existence. With no records, and the increase in bedrooms of the apartment structure and retail space, the property will be required to install a new septic system(s). Due to the complexities associated with the property including proximity to the Big Thompson River, delineated wetland, and portions of the property within the floodway/floodplain, and possible high ground water, a preliminary engineer-designed septic system proposal shall be provided as part of the next submittal.

Wastewater Appeal. For land uses in a Growth Management Area (GMA), public sewer is the preferred means for wastewater disposal. Though this property is within Loveland's GMA and within their 208 Wastewater Service boundary, the City of Loveland is not requiring sewer for the existing uses and will allow the continued use of septic systems. Health will defer to Planning Department if additional information is necessary for the appeal.

Water. The property is supplied with public water service from Loveland Utilities. Health will defer to the comments provided by the corresponding utility district on any concerns with the current service for the proposed change of use.

Larimer County Health Department Plan Review. Per the website, it is understood that Papa Joe's Honey sells prepackaged honey from this location. It is not known if there is any processing/packaging conducted on-site at this location, or if processing/packaging occurs at another location. Please provide additional information on what occurs on-site. If honey is processed and packaged elsewhere, please provide that information as part of the next submittal. This information will help to evaluate the needs for the septic system as well if any additional Health Department Plan review is required for this location.

Noise. The existing uses are not anticipated to generate excess noise in the area. Please be advised that the Larimer County Noise Ordinance limits decibels levels at property lines for specific for commercial uses near residential properties. This property contains residential uses and is adjacent to other residential properties therefore the Larimer County Noise Ordinance's residential noise levels apply. Noise shall be limited to 55 A-weighted decibels at the subject property's property lines between 7am and 7pm, and below 50 dbA from 7pm to 7am.

Oil and Gas. A preliminary oil and gas well assessment was conducted using the Colorado Energy and Carbon Management Commission (ECMC) online mapping tool. No pending, producing, or plugged and abandoned oil and gas wells/facilities are located on or within 2,000 feet of the subject property.

Water Wells. A preliminary water well assessment was conducted using the Colorado Division of Water Resources online mapping tool. No registered pending, producing, or plugged and abandoned water wells were identified on the subject property.

Asbestos & Lead (if any remodel/upgrades required once planning applications completed). Asbestos consists of naturally occurring minerals that contain microscopic bundles of fibers. When materials containing asbestos are disturbed, asbestos is released into the air where it can be inhaled into the lungs and cause significant health problems. The same applies to lead-containing materials being disturbed during renovations. Exposure to lead is particularly harmful for young children and pregnant persons due to the negative developmental impacts with learning, behavior, hearing, and growth. Lead poisoning can also have long-term effects for adults such as decreased fertility and high blood pressure.

Per the Assessor records, the original apartment and retail space were constructed in the 1950s with no known abatement. Please note that buildings of any age can contain asbestos-containing materials (ACM) therefore it is unknown if these structures include ACM. ACM may be present in building materials for ceiling texturing, vinyl floor coverings and mastic, pipe insulation, heating and cooling duct insulation, ceiling tile, spackling compounds, roofing materials, etc. Buildings constructed prior to 1978 are also likely to contain lead-based paint. Since the structures were built in 1950s and 1978 with no known abatement, it may be necessary to determine if the internal water lines contain lead. Use of lead in pipes, solder, and other plumbing materials for water supply plumbing was not banned til 1986.

Please note that the Colorado Department of Public Health and Environment (CDPHE) requires inspection of ALL structures to be renovated or demolished be tested for ACM

by a certified Asbestos Building Inspector. If the amount of ACM exceeds any of the trigger levels for Single-Family Residential Dwellings, then the ACM must be removed and properly disposed of by a Colorado-certified General Abatement Contractor prior to remodel of the building. Testing for lead paint has similar requirements. Please note that these state-level requirements are in addition to any Larimer County Building Department permits. For additional information including a list of certified inspectors and contractors, notification and abatement permit applications, and other guidance documents, please refer to CDPHE's asbestos and lead websites:

<https://cdphe.colorado.gov/indoor-air-quality/asbestos>

<https://www.colorado.gov/pacific/cdphe/categories/services-and-information/lead>



Klawiter 25-ZONE3832; 25-ZONE3833; 26-GNRL0587

7 messages

Lea Schneider <schneils@co.larimer.co.us>
To: Samantha Lasher <lashersm@co.larimer.co.us>

Fri, Mar 20, 2026 at 4:29 PM

Sam,
Please see attached Health Comments. We are requesting additional information.
Thank you,
Lea



Lea Schneider, REHS (*she/her*)
Environmental Health Planner
Air Quality & Zoonotic Supervisor

Department of Health & Environment
1525 Blue Spruce Drive, Fort Collins, CO 80524
W: (970) 498-6777
lschneider@larimer.org | www.larimer.gov/health

Klawiter 25-ZONE3832 25-ZONE3833 26-GNRL0587.pdf
321K

Lea Schneider <schneils@co.larimer.co.us>
To: Samantha Lasher <lashersm@co.larimer.co.us>

Mon, Mar 23, 2026 at 10:38 AM

And I checked with Melissa that if we required new septic systems, Loveland sewer is still over 400 feet therefore new septs would be allowed.

Lea Schneider <schneils@co.larimer.co.us>
To: Samantha Lasher <lashersm@co.larimer.co.us>

Tue, Apr 7, 2026 at 8:00 AM

I feel comfortable supporting the appeal without a design since there is no other option for this area.

[Quoted text hidden]
[Quoted text hidden]



Samantha Lasher <lashersm@co.larimer.co.us>

Larimer County Planning Referral: #26-GNRL0587, Klawiter Appeal

Melissa Morin <Melissa.Morin@cityofloveland.org>
To: "lashersm@co.larimer.co.us" <lashersm@co.larimer.co.us>
Cc: Lea Schneider <schneils@co.larimer.co.us>

Wed, Mar 11, 2026 at 2:40 PM

(26-GNRL0587):

The Department has no concerns regarding the continued use of on-site septic.



Melissa Morin, PE

Civil Engineer II, Water Division
Utilities Department

Office: 970-962-3709

Cell: 970-222-2166

Fax: 970-962-3400



[Quoted text hidden]

<u>TITLE:</u>	Acott Amended Plat/Boundary Line Adjustment & Easement Vacation
<u>REQUEST:</u>	Amended Plat & Boundary Line Adjustment for several platted, UR-1 zoned parcels and a related request to vacate portion of a right-of-way within the Harrison's Sunny Slope Annex subdivision.
<u>LOCATION:</u>	4145 W County Road 38e Fort Collins, CO 80526; 5900 and 5901 Sunny Dr Fort Collins, CO 80526
<u>APPLICANTS:</u>	Judith Acott 4145 W County Road 38E, Fort Collins, CO 80526; Chrispher Thew, Tri-Peaks Land Surveying 306 E Elizabeth Fort Collins, CO 80524
<u>PROPERTY OWNER:</u>	Judith Acott 4145 W County Road 38E, Fort Collins, CO 80526
<u>STAFF CONTACTS:</u>	Jared Seay, Planning Bruen Johnson, Engineering Ashton Brodahl, Health Department
<u>FILE NUMBER:</u>	25-LAND4538
<u>BCC HEARING:</u>	July 13, 2026
<u>STAFF REPORT:</u>	June 30, 2026
<u>NOTICE GIVEN:</u>	1. Posting in the officially designated area of the Larimer County Administrative Services Building no less than twenty-four hours in advance of the hearing 2. Posting on the Larimer.org website 3. Newspaper Publication 4. First Class Mailing to surrounding property owners within 500 feet 5. Notice signs were posted on the property 14 days in advance of the hearing.

SITE DATA:

Parcel Numbers:	9607100012; 9607107007; 9607107006; and 9607100004
Land Area:	0.42; 0.09; 0.09; and 7.65 acres; Approximately 8.25 acres total
Existing Land Use:	Residential; Vacant Land
Proposed Use:	Single-unit Residential
Surrounding Land Uses:	Single-unit Residential; Vacant Land; Open Space
Existing Zoning:	Urban Residential 1 (UR-1)
Surrounding Zoning:	Urban Residential 1 (UR-1)
Access:	County Road 38E [Arterial]; Sunny Drive [Public]
Services:	

Water:
Sewer:
Fire Protection:

Spring Canyon Water District
Spring Canyon Sanitation
Poudre Fire Protection District

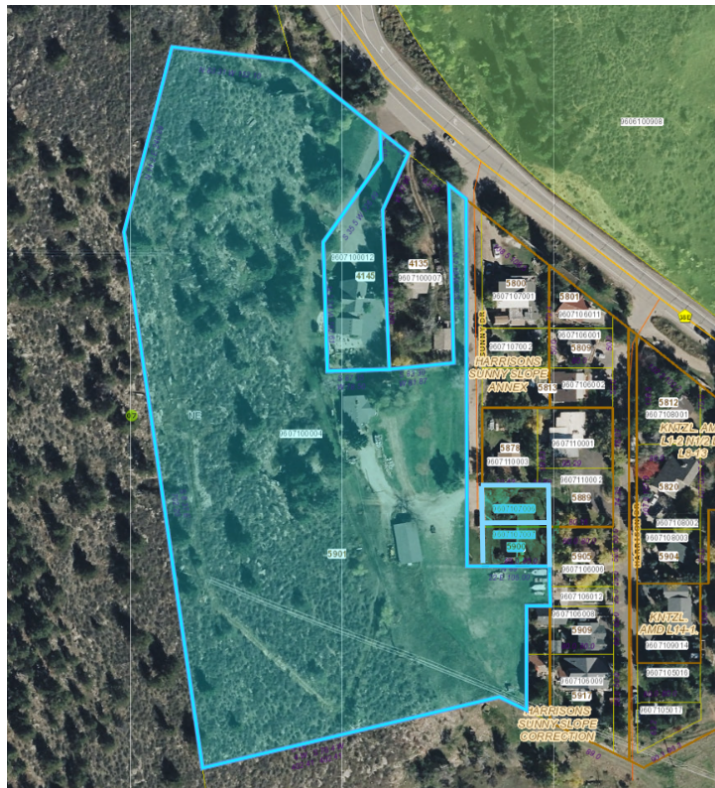


Figure 1- Vicinity Map

Source: Larimer County GIS, 2025 Aerial

DISCUSSION:

The Acott AP/BLA & Easement Vacation request involves four separate parcels, including 4145 W County Road 38e in Fort Collins, 5900 Sunny Drive. 5901 Sunny Drive in Fort Collins, as well as 1 unaddressed parcel. The addressed properties are also Lot 6 and 7 of the Harrison Sunny Slope subdivision, while the two others are described in metes-and-bounds and are mostly within the Acott Exemption. The parcels are all zoned Urban Residential 1 (UR-1) and are not located within any Growth Management Area (GMA).

There are currently three (3) single-unit homes total on the four (4) properties subject to this request, built in 1955, 1971, and 1978 according to the County Assessor's Office records. This request aims to formally recognize portions of the approximately 7-acre lot that were added to an adjacent lot without a planning process, reconfigure the existing lots to increase conformity of the lot sizes, and formally consolidate Lots 6 and 7 of the Harrison Sunny Slope Subdivision. The request also asks to vacate the southernmost portion of an existing, platted right-of-way Harrison's Sunny Slope Subdivision that immediately abuts Lots 6 and 7 to create more developable area. This right-of-way, Sunny Drive, was established with the subdivision, and therefore require a Right-of-Way vacation process through a county process to be removed. As such, the applicants have proposed new right-of-way to allow residents and emergency services better access.

Approval of this plan process would result in one less lot within Harrison's Sunny Slope, all additional non-platted portions of these lots formally recognized and allow for the three resultant lots to conform closer to or exceed the required lot size of the UR-1 zone district of 15,000 Square Feet.

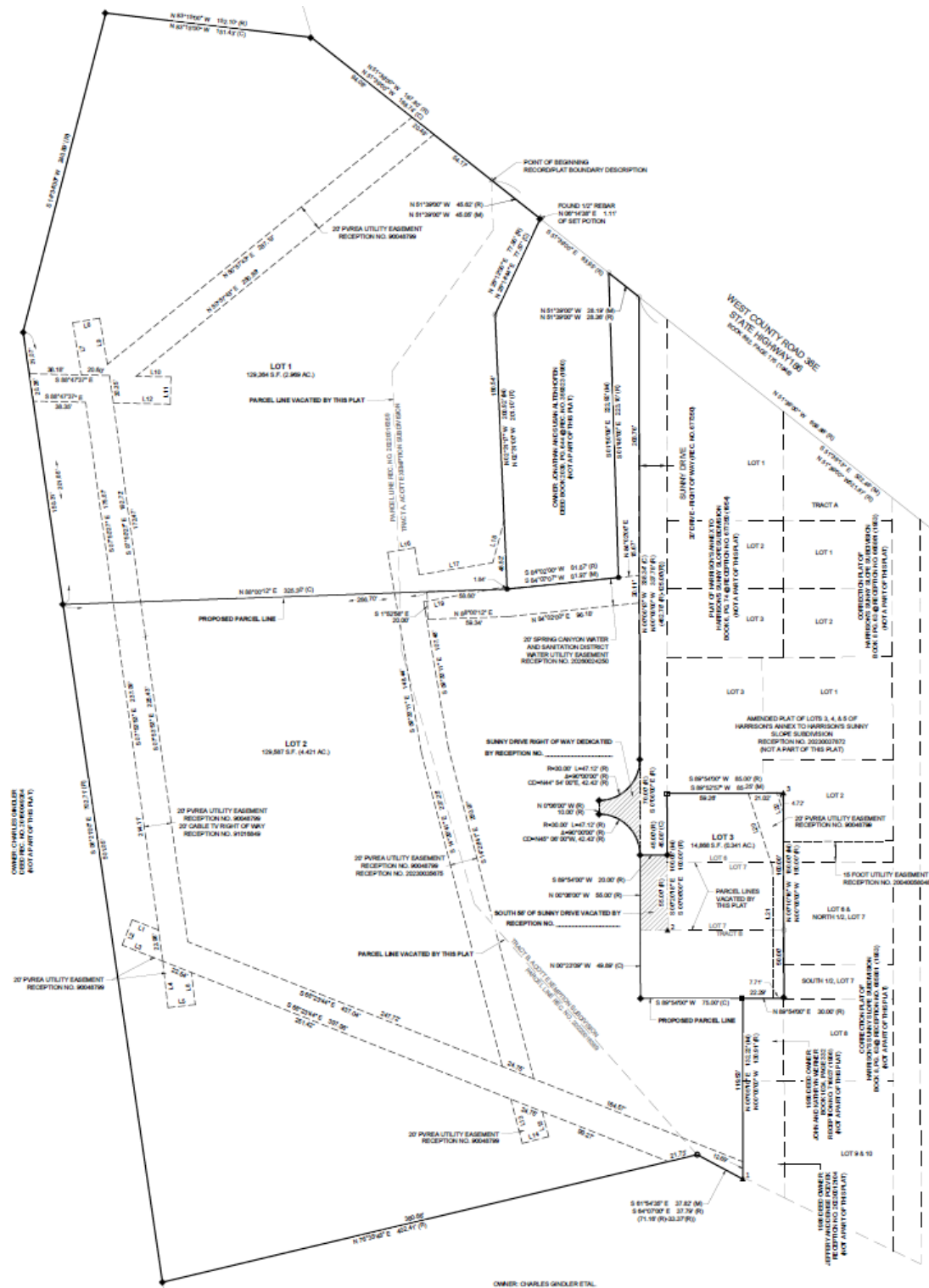


Figure 2- Site Plan

Source: Applicant AP & BLA Plat, also included in Attachment C

AMENDED PLAT REVIEW CRITERIA:

To approve an amended plat, the Board of County Commissioners shall consider the following review criteria and find that each criterion has been met or determined to be inapplicable:

a) No additional lots will be created by the amended plat.

The amount of lots will be reduced from four lots to three as a result of this planning process, therefore, Staff have found this criterion has been met.

- b) The resultant lots will meet the required minimum lot size of the applicable zoning district. If any of the lots are nonconforming with regards to the minimum lot size, the amended plat must not increase the nonconformity.**

The resultant lots will be altered in such a way that all lots will either be increased beyond their current non-conforming size or will exceed the minimum lot size required for the UR-1 zoning district. This would decrease or eliminate any non-conforming size status of these parcels. With the above considered, Staff have found this criterion has been met.

- c) The amended plat will not create a nonconforming setback for any existing building;**

The proposed adjustment will not create a nonconforming setback for any of the existing structures. Approval of the boundary adjustments will create greater setbacks for the lot abutting County Road 38e along the western lot line and allow for greater buildable space for an existing home with the merger of Lots 6 and 7 in Harrisons Sunny Slope Subdivision. Staff have found this criterion has been met.

- d) The amended plat will not adversely affect access, drainage or utility easements, or rights-of-way serving the property or other properties in the area;**

The amended plat is not expected to adversely affect drainage or utility easements on the property. Larimer County Engineering, who reviews and comments on drainage concerns, reviewed and did not object to the proposed Amended Plat/Boundary Line Adjustment provided that their comments and recommendations are followed. Xcel Energy, Poudre Valley REA, and Spring Canyon Water and Sanitation, the utilities that serve this site, have either commented that they do not have an objection to the proposed adjustments or signed off on the utility checklist prior to the submittal of this case to reserve or clarify the rights to their existing easements. These utilities and agencies referred did not object to this application, therefore, Staff have found this criterion to have been met.

A portion of the right-of-way for Sunny Drive has been proposed to be vacated as part of this application. A concurrent Right-of-Way Vacation request has been submitted and is discussed later in this document. The plans for the vacation would dedicate additional right-of-way elsewhere that would improve upon the existing ingress and egress of Sunny Drive if approved. Staff have found that there will not be any perceived negative impact on the Harrisons Sunny Slope Subdivision or Acott Exemption if this portion of the right of way is vacated.

- e) Any covenants, deed restrictions, or other conditions of approval that apply to the original lots must also apply to the resultant lots and be noted on the final plat.**

It is understood by the applicants that original covenants, deed restrictions, or conditions of approval that apply to both the Acott Exemption and Harrisons Sunny Slope Subdivision will still apply to their respective portions of land or lots that preceded the newly oriented sites. This has been acknowledged on the plat that the applicants have prepared. Therefore, Staff have found this criterion has been met.

BOUNDARY LINE ADJUSTMENT REVIEW CRITERIA:

To approve a boundary line adjustment, the Board of County Commissioners shall consider the following review criteria and find that each criterion has been met or determined to be inapplicable:

- a) The lots are “legal lots” as defined in Article 20.0, Rules of Interpretation and Definitions.**

All but one lot of the four subject to this proposal are considered “legal” lots. Following the approval of the Acott Exemption, additional acreage was added to from the western neighboring parcel to 5901

Sunny Drive. This alteration should have required an Amended Plat/Boundary Line Adjustment planning process. An application to this effect was never submitted, therefore this parcel is currently not considered “legal”. However, the Acott Amended Plat/Boundary Line Adjustment, File No. 26-LAND4538, is the same process that would have been required to formally add this extra acreage into the land from the Acott Exemption.

The Larimer County Land Use Code states that the Board of County Commissioners or the Planning Director has the right to allow an “illegally” created lot or portion thereof to be combined with one or more legal lots if it is deemed that the resultant lot(s) are consistent with the intent and purpose of this Code. Staff find that this planning process is the appropriate processes needed to legalize this property boundary adjustment. Therefore, Staff find that this request is consistent with the intent and purpose of the code, allowing this illegal lot to be corrected by approval of this Amended Plat/Boundary Line Adjustment application. Considering the above, Staff find that all lots would be legal if this application is approved, and this criterion will therefore be met.

b) No additional lots will be created by the adjustment;

No additional lots will be created by the adjustment, and overall, the number of lots will decrease by 1. Lots 6 and 7 of Harrisons Sunny Slope Subdivision are to be combined. This will help the resultant lot to decrease its non-conforming lot size and allow for more viable building area to accommodate future buildings and structures. Since the amount of lots will be reduced from four lots to three in this plan process, Staff have found this criterion has been met.

c) The lots are not in a subdivision, planned unit development, minor residential development, or exemption approved under previous subdivision regulations or in a minor land division, subdivision, conservation development, or planned land division;

In this case, some of the lots included in this request are located in a subdivision or exemption plat. However, the appropriate planning process to address adjustments of mutual property lines on a combination of both platted and unplatted lots is a combination Amended Plat/Boundary Line Adjustment process. As a result, while this criterion applies to the unplatted, metes-and-bounds parcels included in this request, it does not apply to the platted lots, which are addressed in the above criteria for an Amended Plat. As a result, Staff have found that this criterion has been met.

d) The resultant lots will meet the required minimum lot size and lot width to depth ratio standards of the applicable zoning district. (If either or both lots are nonconforming with respect to minimum lot size or lot width to depth ratio, the adjustment must not increase the nonconformity); and

The resultant lots will be altered in such a way that all lots will either be increased beyond their current non-conforming size or will exceed the minimum lot size required for the UR-1 zoning district. This would decrease or eliminate any non-conforming size status of these parcels. With the above considered, Staff have found this criterion has been met.

e) The adjustment will not create a nonconforming setback for any existing building.

The proposed adjustment will not create a nonconforming setback for any of the existing structures. Approval of the boundary adjustments will create greater setbacks for the lot abutting County Road 38e along the western lot line and allow for greater buildable space for an existing home with the merger of Lots 6 and 7 in Harrisons Sunny Slope Subdivision. Staff have found this criterion has been met.

EASEMENT VACATION REVIEW CRITERIA:

To approve an easement vacation application, the Board of County Commissioners must find that criteria a, b, c, and d have been met when applicable:

- a) **Approval of the vacation request will not leave any land adjoining the right-of-way without an established public road or private access easement connecting the land with another established public road, or without utility or drainage services;**

Staff have found this criterion to have been met. Approval of the vacation request will not leave any land adjoining the right-of-way without an established road, or without drainage or utility services. Lots 1-5 will still be able to use the existing access of Sunny Drive if the vacation is approved. An improved turnaround for residential and emergency use will be dedicated concurrently with the proposal via the Amended Plat/Boundary Line Adjustment Plat, creating better access to Sunny Drive. The proposed vacation request would only vacate the southernmost portion of Sunny Drive that abuts portions of lot 6 and all that is adjacent to Lot 7, as shown below:

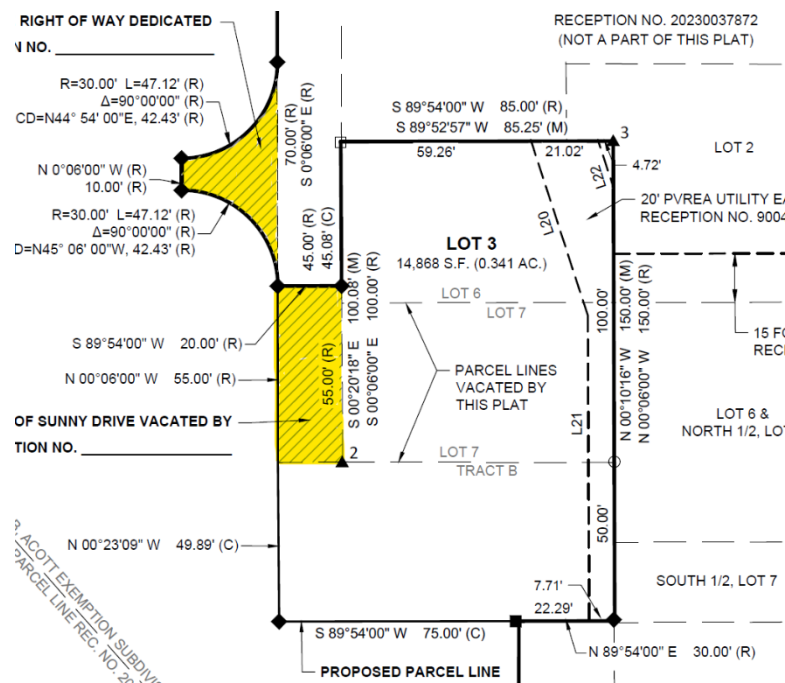


Figure 3- Excerpt of Right-of-Way to be Vacated
Source: Applicant AP & BLA Plat, also included in Attachment C

This would still grant access to all lots while dedicating a new, more sufficient turnaround for residential and emergency use. Considering Engineering's support and the fact that vacating the desired portion of the right-of-way would not leave the subject property or any adjacent properties without access to public right-of-way or established public road and will not have any impact on utility or drainage services, Staff have found this criterion to be met.

- b) **The recommendations of referral agencies have been considered;**

Staff find this criterion is met. Larimer County Department of Health and Environment staff initially asked for revisions on the request to show the acreage of the resultant parcels, among other questions. The applicants made the appropriate revisions and answered the questions to the satisfaction of Larimer County Department of Health and Environment staff.

Other referral agencies did not have revision requests for this proposal. The applicant is aware of the recommendations from these other referral agencies, including general drainage and transportation-related comments from the Larimer County Engineering Department. Considering that the applicants have addressed all concerns and will consider the provided recommendations moving forward, Staff have found this criterion to have been met.

- c) **Any right-of-way that is vacated will be divided equally between the lots on each side, unless it can be demonstrated that all of the right-of-way was originally taken from one parcel. In that case, the right-of-way will be returned to that parcel. Property owners on each side of the right-of-way may agree to divide the vacated right-of-way differently but must sign deeds to transfer ownership after the County Commissioners approve the vacation; and**

This request does include right-of-way vacation, and Staff have found this criterion to be met.

When a portion of a right-of-way is vacated in Larimer County, the resultant land is distributed to the lot who is in closest proximity right-of-way up until the right-of-way centerline. If this proposal was for the entirety of Sunny Drive right-of-way, the full width of the right-of-way would be evenly distributed between lots closest to it from the centerline. As this is only a partial vacation request and Sunny Drive abuts the western edge of the Harrisons Sunny Slope Subdivision, additional acreage from the vacated portion of the right-of-way will go to Lots 6 and 7, allowing for the proposed reconfiguration to occur.

- d) **Right-of-way vacations must also meet requirements of C.R.S. § 43-2-303.**

d1. Per C.R.S. § 43-2-303, the Board of County Commissioners of any county may vacate any roadway or any part thereof located entirely within said county if such roadway is not within the limits of any city or town.

This Right-of-Way is not incorporated into a city or town and is entirely contained within the county. Therefore, this sub-criterion of C.R.S. § 43-2-303 is met.

d2. (a) No platted or deeded roadway or part thereof or unplatted or undefined roadway which exists by right of usage shall be vacated so as to leave any land adjoining said roadway without an established public road or private-access easement connecting said land with another established public road.

Lots 1-5 will still be able to use the existing access of Sunny Drive. The proposed vacation request would only vacate the southernmost portion of Sunny Drive that abuts portions of lot 6 and all that is adjacent to Lot 7. This would still grant access to all lots while dedicating a new, more sufficient turnaround for residential and emergency use. The vacation of this right-of-way will not leave the subject parcels or adjacent lots without right-of-way ingress and egress or public road access, therefore, this sub-criterion of C.R.S. § 43-2-303 is met.

d2.(b) If any roadway has been established as a county road at any time, such roadway shall not be vacated by any method other than a resolution approved by the board of county commissioners of the county. No later than ten days prior to any county commissioner meeting at which a resolution to vacate a county roadway is to be presented, the county commissioners shall mail a notice by first-class mail to the last-known address of each landowner who owns one acre or more of land adjacent to the roadway. Such notice shall indicate the time and place of the county commissioner meeting and shall indicate that a resolution to vacate the county roadway will be presented at the meeting.

The vacation of this right-of-way will follow all required procedures outlined by C.R.S. § 43-2-303 for properly notifying neighbors adjacent to the site and developing a resolution, therefore, this sub-criterion is met.

d2.(c) If any roadway has been established as a municipal street at any time, such street shall not be vacated by any method other than an ordinance approved by the governing body of the municipality.

Sunny Drive is not a municipal street, therefore this sub-criterion is met.

d2.(d) If any roadway has been established as a state highway, such roadway shall not be vacated or abandoned by any method other than a resolution approved by the transportation commission pursuant to section 43-1-106(11).

Sunny Drive is not a state highway, therefore this sub-criterion is met.

d2.(e) Paragraphs (b), (c), and (d) of this subsection (2) shall not apply to any roadway that has been established but has not been used as a roadway after such establishment.

Sunny Drive is a roadway that as established by the creation of the Harrison's Sunny Slope Subdivision. It has been constructed and is in use as a roadway. Therefore, this sub-criterion is not applicable to this application and is met.

d2.(f) If any roadway is vacated or abandoned, the documents vacating or abandoning such roadway shall be recorded pursuant to the requirements of section 43-1-202.7.

Sunny Drive as the roadway has been constructed, is in use, and has not been vacated or abandoned. The portion of the right-of-way being vacated will be appropriately recorded. Therefore, this sub-criterion has been met.

d3. In the event of vacation under subsection (1) of this section, rights-of-way or easements may be reserved for the continued use of existing sewer, gas, water, or similar pipelines and appurtenances, for ditches or canals and appurtenances, and for electric, telephone, and similar lines and appurtenances.

As explained in above Criteria B, adjacent utilities have separately agreed to encroachment agreements with the applicant prior to this application being submitted. Utilities have signed off on the utility checklist for this application and are supportive of the approval of this right-of-way vacation without requiring a separate easement vacation for the easement that runs the periphery of Lot 14. Their easements will be maintained, therefore, this sub-criterion for C.R.S. § 43-2-303 has been met.

d4. Any written instrument of vacation or a resubdivision plat purporting to vacate or relocate roadways or portions thereof which remains of record in the counties where the roadways affected are situated for a period of seven years shall be prima facie evidence of an effective vacation of such former roadways. This subsection (4) shall not apply during the pendency of an action commenced prior to the expiration of said seven-year period to set aside, modify, or annul the vacation or when the vacation has been set aside, modified, or annulled by proper order or decree of a competent court and such notice of pendency of action or a certified copy of such decree has been recorded in the recorder's office of the county where the property is located.

This application will comply with the document retention requirements described within C.R.S. § 43-2-303. Therefore, this sub-criterion has been met.

DEVELOPMENT SERVICES TEAM COMMENTS:

The following referral agencies have reviewed the proposal and stated the following:

- The Larimer County Health Department stated that they have no objections to this request after having received clarifying revisions on the plat regarding resultant parcel acreages.
- The Larimer County Code Compliance Division stated that they did not object to this application as there are no known violations at this time.
- The Larimer County Building Division stated that they have no objections to this request.
- Poudre Fire Authority stated that they have no comments for the proposed plat amendment and boundary line Adjustments, per their comment letter.
- Spring Canyon Water & Sanitation did not provide a comment on this project, however, they did provide a comment on the utility checklist for this project preceding application. Spring Canyon Water and Sanitation do not object to this application as long as a 10-ft utility easement on either side of their respective water and sanitation lines are maintained. Per the plat of record, their comment regarding the easement will be met and easements will be maintained.
- Xcel Energy provided a no-conflict comment letter and stated that they do not have objections to the request.
- Poudre Valley REA did not comment on the application during referrals but did provide comments on their accompanying signature on the Utility Checklist. They stated that they do not object to the application as long as they may continually reserve the right for a 10-ft utility easement on either side of their respective lines at the parcel.
- The Colorado Division of Water Resources did not have any objections to this request.
- The Larimer County Engineering Department did not have opposition to this request.
- The Larimer County Surveying team initially had revisions for the applicants regarding the resultant Plat and accompanying closure data. These edits were resolved and the surveying team did not object to the request after these edits were finalized.

This request meets all needed referral requirements and standards to proceed with the application after revisions are finalized. There are no pending issues or concerns at this time. Referral comments are attached in their entirety in Attachment D.

Property owners within 500 feet of the subject property were notified of this request via postcard sent by First Class Mail. Notice signs were posted on the property. As of 6/29/2026, 1 comment was received by a neighboring property owner. The owner asked about the plan process to better understand what was occurring on the subject parcels. After this was clarified, this individual did not have any further comment on the case.

REVIEW AGENICES NOTIFIED BUT DID NOT PROVIDE COMMENTS:

Agencies that did not provide comments are assumed to have no objections or concerns:

- Larimer County Assessor's Office

- Larimer County Addressing
- Larimer County GIS
- Larimer County Environmental Planning
- Larimer County Department of Natural Resources
- U.S. Bureau of Reclamation
- U.S. Fish & Wildlife Service
- Bureau of Land Management
- CenturyLink/Lumen
- AT&T

STAFF FINDINGS:

Development Services Team staff have found that the requested Amended Plat/Boundary Line Adjustment and related Right-of-Way Vacation applications meet the review criteria as discussed above.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends approval of the Acott Amended Plat/Boundary Line Adjustment & Easement Vacation, File No. 26-LAND4538, subject to the following conditions:

1. Failure to comply with any conditions of this approval may result in reconsideration of the use and possible revocation of the approval by the Board of County Commissioners.
2. The approval of this Right-of-Way Vacation shall automatically expire in one year unless the applicant takes affirmative action consistent with this approval.
3. All conditions of approval shall be met and the Final Plat recorded by January 13th, 2027 - 6 months from hearing or this approval shall be null and void
4. Prior to the recordation of the Final Plat, the applicant shall make any required technical corrections required by the Larimer County Community Development Department, if noted.
5. The resultant lots are subject to any and all covenants, deed restrictions, or other conditions that apply to the original lots.

SUGGESTED MOTION:

I move that the Board of County Commissioners approve the Acott Amended Plat/Boundary Line Adjustment & Easement Vacation, File No. 26-LAND4538, subject to the conditions of approval recommended by staff.

ATTACHMENTS:

1. Attachment A – Applicant’s Project Description
2. Attachment B - Vacated Right-of-Way Description and Exhibit
3. Attachment C – AP & BLA Plat
4. Attachment D - Referral Agency Comments
5. Attachment E - Utility Checklist Signatures
6. Attachment F – Neighborhood Referral Comments

ATTACHMENT A

Applicant's Project Description

1/11/26: Project Description for BLA Application:

Judy Acott (owner of all three properties), and daughters Tamara Schmidt and Kelsey Friedman are coordinating this process on behalf of Judy Acott

Water and Sewer Information: All lots are on Septic Systems with no sewer service on any affected properties. Only Plat 1, 4145 county Rd 38E is on Spring Canyon water. All other properties are on Spring or Well water and not serviced by Spring Canyon water district at this time.

No new lots will be created; all amended lots meet minimum lot sizes. The amended plats will not create a nonconforming setback for any existing building.

We are requesting boundary line adjustments involving 4 parcels at the south end of Horsetooth Reservoir in Fort Collins, CO 80526. The Parcel 1 address is 4145 County Rd 38E with plat # 9607100012. Parcel 2 is an empty lot, plat # is 9607107006 is associated with Parcel 3 with plat # is 9607107007. Parcel 2 and 3 have the street address of 5900 Sunny Dr and Parcel 4, is plat # 9607100004, and the address is 5901 Sunny Dr, Fort Collins CO 80526

As part of your checklist, here is the brief description mentioned in action list request number three. Please see attached plat map. We are seeking to attach a portion of parcel 4 that is directly west of Parcel 1. (4145 WCR 38E) to Parcel 1. This will increase acreage for Parcel 1.

We would like to also attach the portion of land from Parcel 4, directly south of Parcel 3, to Parcel 3. This will increase the lot size of Parcel 3. This adjustment will improve the future improvement viability of Parcel 3. Additionally and to that end, we want to combine Parcel 3, 9607107007 and Parcel 2, 9607107006, into one lot for possible future improvements.

To clarify, we are seeking to attach the portion of Parcel 4 to Parcel 1 that is directly west of Parcel 1. The boundary line between the properties would run directly west from the Parcel 1 back property line. This will increase the lot size of Parcel 1 and reduce the size of Parcel 4.

Additionally, we are seeking to combine parcel 2 and 3 and add a small amount of property from Parcel 4 to Parcel 3 to allow Parcel 3 to be improved on in the future.

If there are any questions please contact our surveyor

Christopher L Thew, PE-PLS

TRI-PEAKS LLC

cthew@tri-peaks.com

www.tri-peaks.com

(970) 232-9482

Thank you, Judy Acott, owner, and daughters Tamara Schmidt, and Kelsey Friedman

Tamara Schmidt: tamara121876@gmail.com; 970 988 8091

Kelsey Friedman; Kfriedm@gmail.com; 512-825-8092

1/9/26 Revised: Applicant Judy Acott, resides 4145 County Rd 38E, Fort Collins CO, 80526. Judy Acott owns all properties that border this easement and are affected by this request to Vacate the easement.

Water and Sewer Information: All lots are on Septic Systems with no sewer service on any affected properties. All Properties are on Spring or Well water and not serviced by Spring Canyon water district at this time.

No new lots will be created; all amended lots meet minimum lot sizes. The amended plats will not create a nonconforming setback for any existing building.

Project Description to vacate easement directly in front of Parcel numbers: 9607107006 and 9607107007 (5900 Sunny Dr, Fort Collins, CO 80526) and create a Hammerhead turn around instead. The current roadway and driveway of parcel 9607100004 (5901 Sunny Dr, Fort Collins CO 80526)

The purpose of this request to vacate the easement directly west of Parcels 9607107006 and 9607107007 is to increase the future property improvement viability of these parcels.

At present, Sunny Dr dead ends into the fence line of 5901 Sunny Dr with no turn around available for vehicles. We request to vacate the easement directly west of 5900 Sunny Dr and combine it to the 5900 Sunny Drive plats (parcels 960707006 and 9607107007). We would create a Hammerhead turnaround using the current road and driveway of 5901 Sunny Dr (plat 9607100004) to create a viable vehicle turn around on Sunny Dr.

If there are any questions please contact our surveyor
Christopher L Thew, PE-PLS
TRI-PEAKS LLC
cthe@tri-peaks.com
www.tri-peaks.com
(970) 232-9482

Thank you, Judy Acott, owner, and daughters Tamara Schmidt, and Kelsey Friedman

Tamara Schmidt: tamara121876@gmail.com; 970 988 8091
Kelsey Friedman; Kfriedm@gmail.com; 512-825-8092

ATTACHMENT B

Vacated Right-of-Way Description
and Exhibit

Exhibit A –RIGHT OF WAY VACATION DESCRIPTION

A parcel of land being a portion of Sunny Drive's right of way as dedicated by the Plat of Harrison's Annex to Harrison' Sunny Slope Subdivision recorded at at Reception No. 677350 in 1954 of the Larimer County records, situate in the Northeast One-quarter (1/4) of Section 7, Township 6 North, Range 69 West of the 6TH Principal Meridian, County of Larimer, State of Colorado, being more particularly described as follows:

The south 55 feet of the said Sunny Drive's right of way.

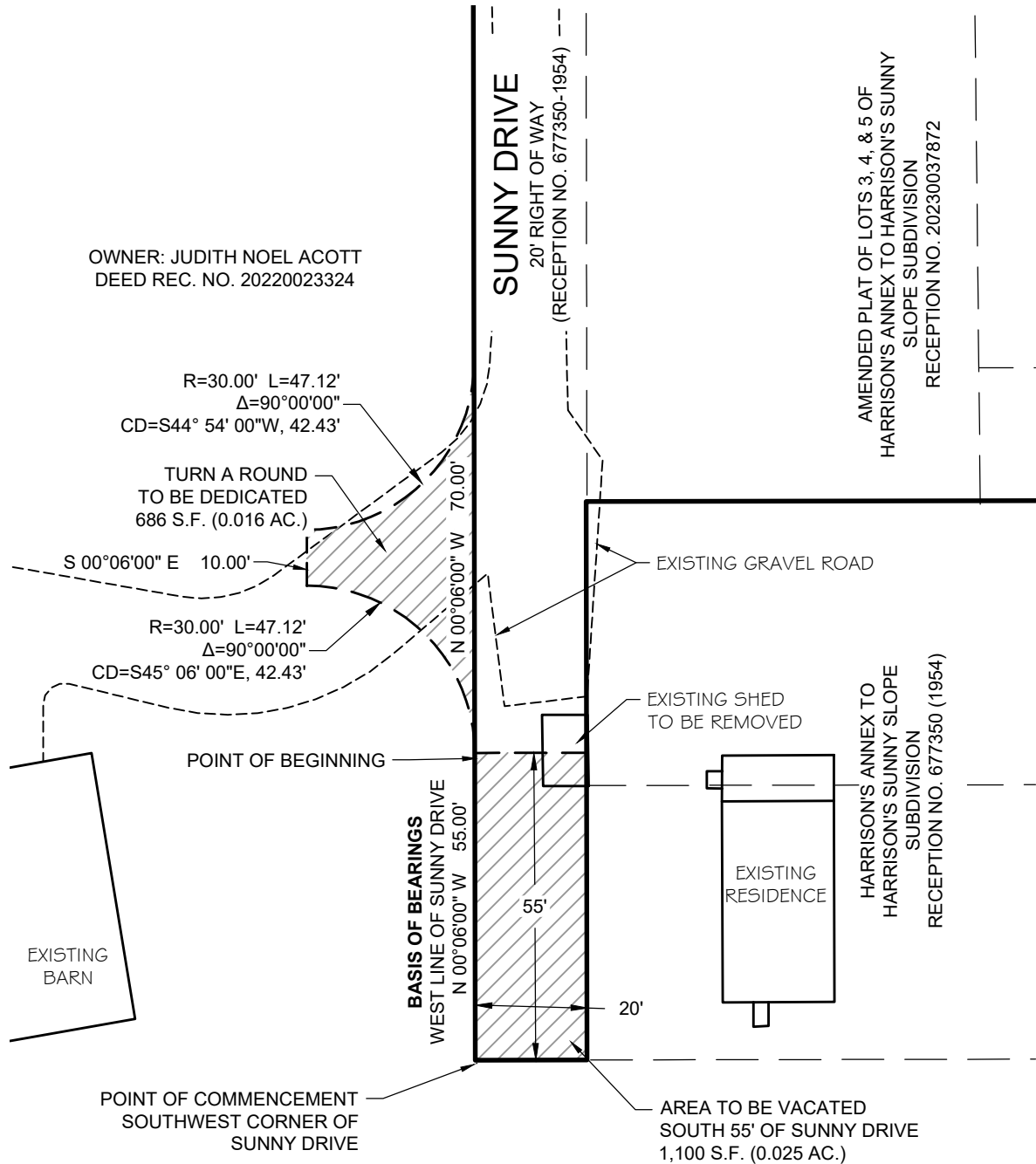
Said parcel contains 1,100 sq.ft. (0.025 acres) more or less and is subject to any existing easements and right of ways of record. An illustration for this description is attached hereto and made a part hereof.

The author of this description is Christopher L. Thew a registered Professional Land Surveyor licensed to practice in the State of Colorado. The description was written for the Acott Family on behalf of TRI-PEAKS, LLC on December 3, 2025 under job number W25-045 and is not to be construed as representing a monumented land survey.

Christopher L. Thew PE-PLS
Colorado PLS #38692

ILLUSTRATION

NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 6 NORTH, RANGE 69 WEST OF THE 6TH P.M.
COUNTY OF LARIMER, STATE OF COLORADO



SHEET 1 OF 2

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PROJECT # W25-045

Date	Revisions	Prepared for:
		ACOTT FAMILY
		TRI-PEAKS, LLC
		306 E. ELIZABETH STREET FORT COLLINS COLORADO (970) 232-9482 cthe@tri-peaks.com

ATTACHMENT C

Amended Plat & Boundary Line
Adjustment Plat

ACOTT AMENDED PLAT AND BOUNDARY LINE ADJUSTMENT FILE NO. 26-LAND4538
AN AMENDED PLAT OF LOTS 6 & 7 OF HARRISON'S ANNEX TO HARRISON'S SUNNY SLOPE SUBDIVISION, TRACTS A & B OF ACOTT EXEMPTION SUBDIVISION, AND A PARCEL OF LAND
SITUATE IN THE NORTHEAST ONE-QUARTER OF SECTION 7, TOWNSHIP 6 NORTH, RANGE 69 WEST OF THE 6TH P.M.
COUNTY OF LARIMER, STATE OF COLORADO

LEGAL DESCRIPTION (ORIGINAL PARCELS):

4145 WEST COUNTY ROAD 38E

A TRACT OF LAND SITUATE IN THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 6 NORTH RANGE 69 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO, BEING PARTICULARLY DESCRIBED AS FOLLOWS:
CONSIDERING THE EAST LINE OF SAID NORTHEAST 1/4 AS BEARING NORTH 00°06' WEST AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;
COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 7;
THENCE NORTH 00°06' WEST, 1196.20 FEET;
THENCE NORTH 51°39' WEST, 550.23 FEET;
THENCE SOUTH 01°48' EAST, 223.10 FEET;
THENCE SOUTH 84°02' WEST, 81.87 FEET TO THE TRUE POINT OF BEGINNING;
THENCE SOUTH 88°07'00" WEST, 78.50 FEET;
THENCE NORTH 01°53' WEST, 162.61 FEET;
THENCE NORTH 35°37' EAST, 126.49 FEET;
THENCE NORTH 02°01' WEST, 36.95 FEET MORE OR LESS TO THE SOUTHERLY RIGHT OF WAY LINE OF COUNTY ROAD 38 THENCE ALONG SAID RIGHT OF WAY LINE SOUTH 51°39' EAST, 45.62 FEET, THENCE SOUTH 25°12' WEST, 77.90 FEET,
THENCE SOUTH 02°31' EAST 201.10 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING.,
COUNTY OF LARIMER, STATE OF COLORADO

5900 SUNNY DRIVE

LOT 6 AND LOT 7 OF HARRISON'S ANNEX TO HARRISON'S SUNNY SLOPE SUBDIVISION LOCATED IN THE NE 1/4 OF SECTION 7, TOWNSHIP 6 NORTH, RANGE 69 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO.

5901 SUNNY DRIVE

CONSIDERING THE EAST LINE OF THE NE 1/4 OF SECTION 7, TOWNSHIP 6 NORTH, RANGE 69 WEST OF THE 6TH P.M., AS BEARING N. 00°06' W. AND WITH ALL BEARINGS HEREIN RELATIVE THERETO: BEGINNING AT A POINT ON THE EAST LINE OF SAID SECTION 7, FROM WHICH THE EAST QUARTER CORNER OF SAID SECTION 7 BEARS S. 00°06' E. 1196.20 FEET, THENCE N. 51°39' W. 521.87 FEET TO THE TRUE POINT OF BEGINNING;
THENCE S. 00°06' E. 462.78 FEET,
THENCE N. 89°54' E. 105 FEET,
THENCE S. 00°06' E. 195.53 FEET,
THENCE N. 84°07' W. 71.16 FEET,
THENCE N. 41°36' W. 244.88 FEET,
THENCE N. 16°05' 1/2' W. 192.04 FEET,
THENCE N. 01°53' W. 205.35 FEET,
THENCE N. 35°37' E. 126.49 FEET,
THENCE N. 02°01' W. 36.95 FEET TO THE SOUTHERLY LINE OF THE COUNTY ROAD RIGHT OF WAY,
THENCE S. 51°39' E. 45.62 FEET,
THENCE S. 25°12' W. 77.90 FEET,
THENCE N. 02°31' E. 201.10 FEET,
THENCE N. 84°02' E. 81.87 FEET,
THENCE N.01°48' W. 223.10 FEET,
THENCE S. 51°39' E. 28.36 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPTING THE PORTION CONVEYED BY QUIT CLAIM DEED RECORDED IN BOOK 1024, PAGE 332 AND SHOWN AT ENTRY NO. 94;

AND EXCEPTING A TRACT OF LAND SITUATE IN THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 6 NORTH RANGE 69 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO, BEING PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF SAID NORTHEAST 1/4 AS BEARING NORTH 00°06' WEST AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 7;
THENCE NORTH 00°06' WEST, 1196.20 FEET;
THENCE NORTH 51°39' WEST, 550.23 FEET;
THENCE SOUTH 01°48' EAST, 223.10 FEET;
THENCE SOUTH 84°02' WEST, 81.87 FEET TO THE TRUE POINT OF BEGINNING;
THENCE SOUTH 88°07'00" WEST, 78.50 FEET;
THENCE NORTH 01°53' WEST, 162.61 FEET;
THENCE NORTH 35°37' EAST, 126.49 FEET;
THENCE NORTH 02°01' WEST, 36.95 FEET MORE OR LESS TO THE SOUTHERLY RIGHT OF WAY LINE OF COUNTY ROAD 38
THENCE ALONG SAID RIGHT OF WAY LINE SOUTH 51°39' EAST, 45.62 FEET,
THENCE SOUTH 25°12' WEST, 77.90 FEET,
THENCE SOUTH 02°31' EAST 201.10 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING.,

AND EXCEPTING A TRACT OF LAND SITUATE IN THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 6 NORTH,RANGE 69 WEST OF THE SIXTH P.M., LARIMER COUNTY, COLORADO WHICH CONSIDERING THE EAST LINE OF THE SAID NORTHEAST 1/4 AS BEARING N 00° 06' W AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO IS CONTAINED WITHIN THE BOUNDARY LINES WHICH BEGIN AT THE NORTHWEST CORNER OF LOT 9,
HARRISON'S SUNNY SLOPE SUBDIVISION WHICH BEARS N 00° 06' W 1196.20 FEET AND AGAIN N 51° 39' W 387.79 FEET AND AGAIN S 00° 06' E 489.40 FEET FROM THE EAST 1/4 CORNER OF SAID SECTION 7 AND RUN THENCE S 00° 06' E 85.53 FEET TO THE SOUTHWEST CORNER OF LOT 10, HARRISON'S SUNNY SLOPE SUBDIVISION,
THENCE N 84° 07' W 33.37 FEET;
THENCE N 00° 06' W 70.91 FEET;
THENCE N 89°54' E 30.00 FEET TO THE POINT OF BEGINNING, AND CONTAINING THAT PERMANENT EASEMENT 10' IN WIDTH ALONG THE NORTHERLY BOUNDARY OF LOT 9, HARRISON'S ANNEX TO HARRISON'S SUNNY SLOPE SUBDIVISION,
COUNTY OF LARIMER, STATE OF COLORADO.

TOGETHER WITH A TRACT OF LAND SITUATE IN THE NE 1/4 OF SECTION 7, TOWNSHIP 6 NORTH, RANGE 69 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
CONSIDERING THE EAST LINE OF SAID NE 1/4 AS BEARING N 00°06' W AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;
COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 7;
THENCE N 00°06'W 1196.20 FEET;
THENCE N 51°39' W 659.88 FEET TO THE TRUE POINT OF BEGINNING;
THENCE CONTINUING N 51°39' W 167.80 FEET;
THENCE N 83°15' W 152.10 FEET;
THENCE S 14°34' W 240.89 FEET;
THENCE S 08°21' E 702.20 FEET;
THENCE N 78°35'48" E 402.41 FEET;
THENCE N 41°36' W 244.88 FEET;
THENCE N 16°05'30" W 192.04 FEET;
THENCE N 01°53' W 205.35 FEET;
THENCE N 35°37' E 126.49 FEET;
THENCE N 02°01' W 36.95 FEET TO THE TRUE POINT OF BEGINNING;
COUNTY OF LARIMER, STATE OF COLORADO.

(DEED PARCEL
BOOK 1983, PG 763 @ RECEPTION NO. 325349 (1979))
(TRACT A, ACOTT SUBDIVISION #S-127-77
(BOOK 1819, PG 184 @ REC. NO. 225393 (1977))

(DEED PARCELS
RECEPTION NO. 20220023325)
(LOTS 6 AND 7, HARRISON'S ANNEX TO
HARRISON'S SUNNY SLOPE SUBDIVISION
(BOOK 6, PAGE 74 @ REC. NO. 677350 (1954))

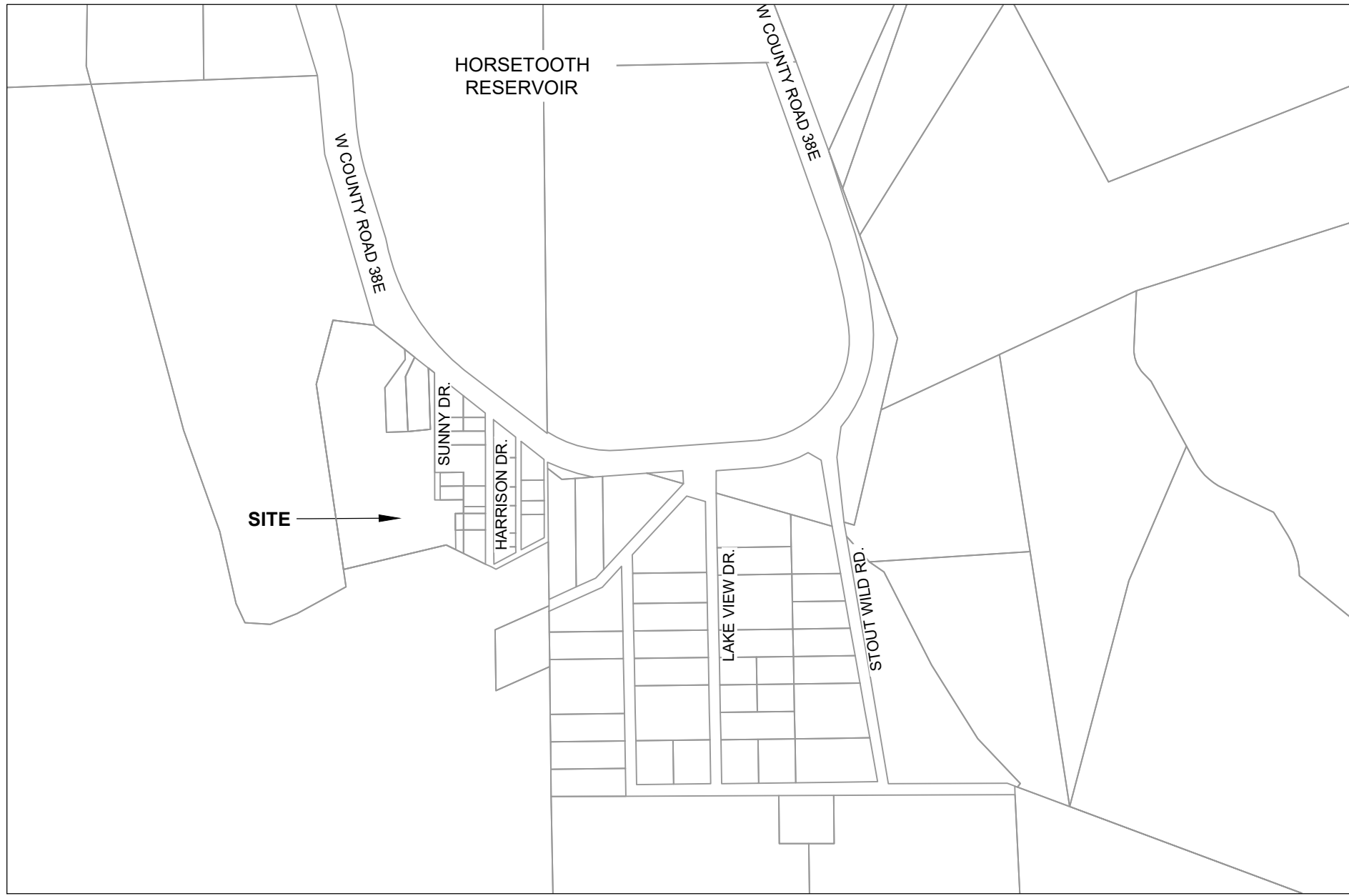
(DEED PARCELS
RECEPTION NO. 20220023324)
(TRACT B, ACOTT SUBDIVISION #S-127-77
(BOOK 1819, PG 184 @ REC. NO. 225393 (1977))

(EXCEPTION PARCEL
BOOK 1024, PG. 392 @ REC. NO. 716027 (1956))

(EXCEPTION PARCEL
BOOK 1983, PG 763 @ RECEPTION NO. 325349 (1979))

(1986 EXCEPTION PARCEL
RECEPTION NO. 20230012014)

(A PARCEL OF LAND
RECEPTION NO. 20220016359)



VICINITY MAP

SCALE: 1"=500'

NOTES

- THE LEGAL DESCRIPTION, EASEMENTS AND RIGHT OF WAYS FOR 4145 WEST COUNTY ROAD 38E ARE BASED ON A TITLE COMMITMENT PROVIDED BY GUARDIAN TITLE AGENCY AND STEWART TITLE GUARANTY COMPANY, COMMITMENT NUMBER: 3117525-02327, DATED MAY 21, 2025 AT 7:00AM.

- THE LEGAL DESCRIPTION, EASEMENTS AND RIGHT OF WAYS FOR 5900 SUNNY DRIVE ARE BASED ON A TITLE COMMITMENT PROVIDED BY GUARDIAN TITLE AGENCY AND STEWART TITLE GUARANTY COMPANY, COMMITMENT NUMBER: 3117525-02323, DATED MAY 19, 2025 AT 7:00AM.

- THE LEGAL DESCRIPTION, EASEMENTS AND RIGHT OF WAYS FOR 5901 SUNNY DRIVE ARE BASED ON A TITLE COMMITMENT PROVIDED BY GUARDIAN TITLE AGENCY AND STEWART TITLE GUARANTY COMPANY, COMMITMENT NUMBER: 3117525-02325, DATED MAY 21, 2025 AT 7:00AM.

- ADJACENT OWNERSHIP IS SHOWN PER LARIMER COUNTY ASSESSORS WEB SITE.

- BEARINGS ARE BASED ON THE EAST LINE OF OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 6 NORTH, RANGE 69 WEST OF THE 6TH P.M. TO HAVE THE ASSUMED BEARING OF N51°39'00"W BETWEEN THE EAST 1/4 CORNER OF SAID SECTION 7, BEING A FOUND 1989 3'-0/4" BRASS CAP ON A 2'-1/2" IRON PIPE MARKED AS SHOWN ON THIS PLAT, AND THE CALCULATED POSITION AS SHOWN ON THIS PLAT FOR THE BUREAU OF RECLAMATION MARKER BETWEEN SECTIONS 7 AND 8, BEING A SET 30" LONG 3/4" REBAR WITH A 2'-1/2" ALUMINUM CAP SET 3" BELOW GROUND LEVEL AND MARKED AS SHOWN ON THIS PLAT.

- LINEAR UNITS ARE SHOWN IN U.S. SURVEY FOOT.

- LOT 1 AND LOT 2 CREATED BY THIS ACTION SHALL BE SUBJECT TO THE SAME RESTRICTIONS, COVENANTS, AND REGULATIONS AS SET FORTH IN THE PLAT OF RECORD OF THE ACOTT EXEMPTION SUBDIVISION RECORDED AT BOOK 1819, PG 184 IN 1977.

- LOT 3 CREATED BY THIS ACTION SHALL BE SUBJECT TO THE SAME RESTRICTIONS, COVENANTS, AND REGULATIONS AS SET FORTH IN THE PLAT OF RECORD OF HARRISON'S ANNEX TO HARRISON'S SUNNY SLOPE SUBDIVISION RECORDED AT BOOK 6, PAGE 74 IN 1954.

- LOT 2 AND LOT 3 CREATED BY THIS ACTION SHALL BE SUBJECT TO AN EASEMENT THAT IS BLANKET IN NATURE FOR THE STOUT GULCH SPRING PIPELINES, RESERVOIRS AND STORAGE FACILITIES AS SET FORTH IN THE DEEDS RECORDED MAY 15, 1982 AT BOOK 1171 AND PAGE 572, SEPTEMBER 13, 1974 AT BOOK 1617 AND PAGE 304, AND MAY 24, 1980 AT BOOK 2039 AND PAGE 644.

- THE TOTAL AREA OF THE MEASURED PARCEL DESCRIBED ON THIS PLAT IS 336,818 SQ. FT. (7.732 AC.) MORE OR LESS.

- THE LEGAL DESCRIPTION PROVIDED IN THE DEDICATION STATEMENT ON THIS PLAT IS BASED ON THE ABOVE MENTIONED TITLE COMMITMENTS AND THE RECORD BEARINGS AND DISTANCES OF THE PARCEL CREATION DOCUMENTS AS SHOWN AND REFERENCED.

SURVEYORS CERTIFICATION:

I CHRISTOPHER L. THEW, A DULY LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ACOTT AMENDED PLAT AND BOUNDARY LINE ADJUSTMENT FILE NO. 26-LAND4538 WAS COMPLETED IN ACCORDANCE WITH THE APPLICABLE STANDARDS OF PRACTICE AND TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION TO THE BEST OF MY KNOWLEDGE. THIS DOCUMENT IS BASED UPON MY KNOWLEDGE, INFORMATION, AND BELIEF AND IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.
SURVEYOR: CHRISTOPHER L. THEW, PE-PLS (PLS# 38682)

SIGNATURE: _____ DATE: _____

BOUNDARY LINE ADJUSTMENT AGREEMENT:

I, (WE), THE UNDERSIGNED, WARRANTING THAT WE ARE THE ONLY RIGHTFUL OWNERS OF CERTAIN PARCELS OF LAND IN SECTION 7, TOWNSHIP 6 NORTH, RANGE 69 WEST, OF THE 6TH P.M., LARIMER COUNTY, COLORADO, AS MORE PARTICULARLY DESCRIBED ON THIS BOUNDARY SURVEY, AND ACKNOWLEDGING THE MUTUAL RECEIPT OF VALUABLE CONSIDERATION, DO HEREBY MAKE ADJUSTMENTS TO THE BOUNDARY LINES OF SAID PARCELS. THE DESIRED ADJUSTMENTS WILL NOT CREATE ANY ADDITIONAL PARCELS. THE BOUNDARY LINE ADJUSTMENTS AND REVISED PARCEL DESCRIPTIONS ARE SHOWN ON THIS BOUNDARY SURVEY.

OWNER: JUDITH NOEL ACOTT

STATE OF _____)

COUNTY OF _____) SS

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS DAY OF: _____.

BY: JUDITH NOEL ACOTT

NOTARY PUBLIC _____

MY COMMISSION EXPIRES _____

OWNER: JUDITH NOEL ACOTT

STATE OF _____)

COUNTY OF _____) SS

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS DAY OF: _____.

BY: JUDITH NOEL ACOTT

NOTARY PUBLIC _____

MY COMMISSION EXPIRES _____

APPROVAL OF SURVEY PLAT

THIS PLAT HAS BEEN REVIEWED AND IS HEREBY APPROVED AS TO FORM AS COMPLYING WITH ALL CURRENT SURVEY REQUIREMENTS OF LARIMER COUNTY AND OF STATE LAW PERTAINING TO PLATTING AND MONUMENTATION. THIS APPROVAL CONSTITUTES NEITHER A WARRANTY BY LARIMER COUNTY CONCERNING SUCH COMPLIANCE, NOR A RELEASE OR INDEMNITY OF THE SUBDIVIDER AND HIS SURVEYOR CONCERNING ANY NONCOMPLIANCE OF THIS PLAT WITH CURRENT SURVEY REQUIREMENTS.

DATE: _____

_____, COLORADO P.L.S. NO. _____

_____, LARIMER COUNTY ENGINEERING DEPARTMENT

BOARD OF COUNTY COMMISSIONERS APPROVAL:

APPROVED BY THE LARIMER COUNTY BOARD OF COUNTY COMMISSIONERS THIS DAY OF _____

ALL DEDICATIONS ARE HEREBY ACCEPTED ON BEHALF OF THE PUBLIC. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE OF RESPONSIBILITY BY THE COUNTY FOR CONSTRUCTION, REPAIR, OR MAINTENANCE OF ANY STREETS, HIGHWAYS, ALLEYS, BRIDGES, RIGHTS-OF-WAY OR OTHER IMPROVEMENTS DESIGNATED ON THIS PLAT.

CHAIRMAN ATTEST

CLERK OF THE BOARD

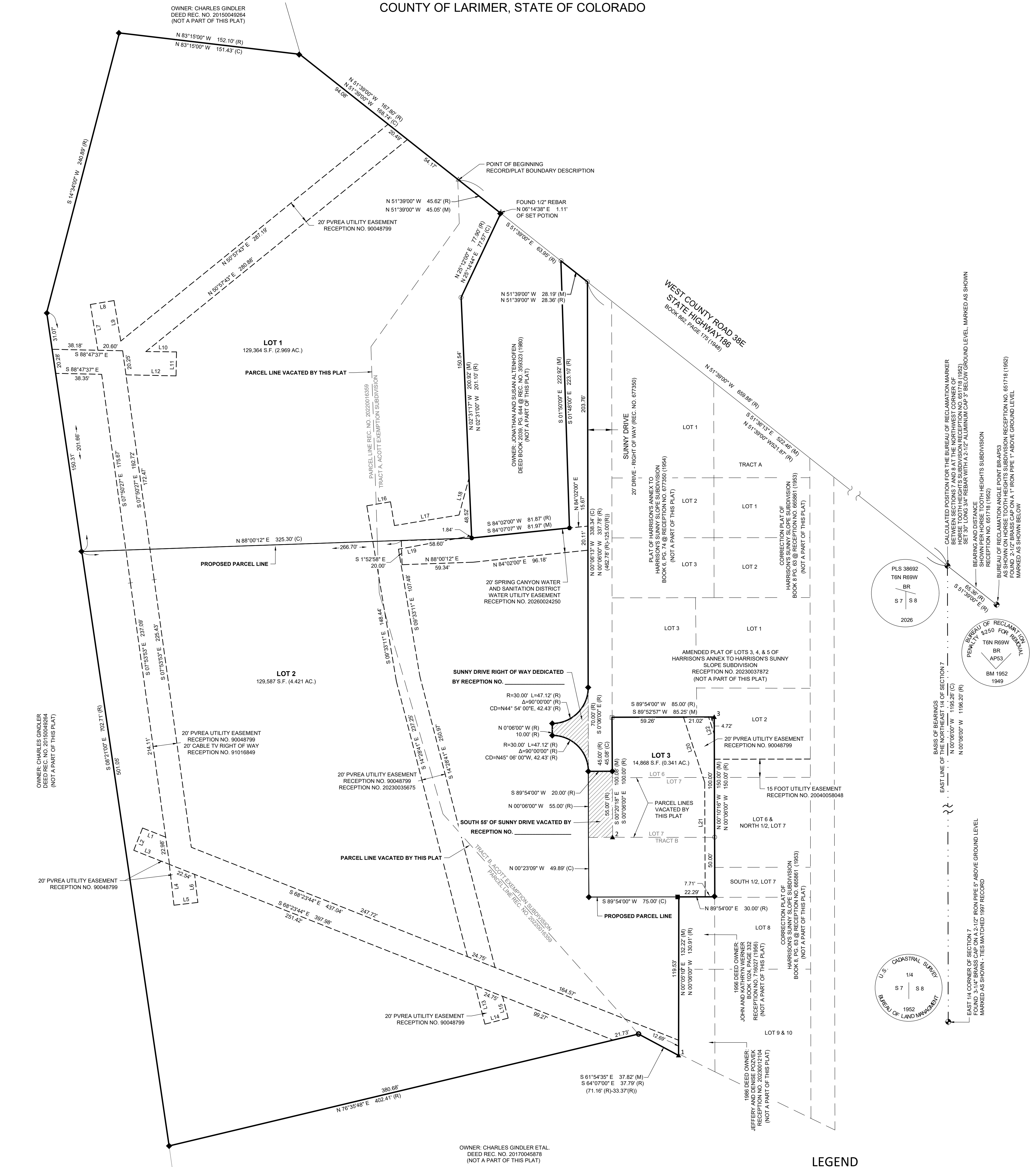
NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown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

ACOTT AMENDED PLAT AND BOUNDARY LINE ADJUSTMENT FILE NO.26-LAND4538

AN AMENDED PLAT OF LOTS 6 & 7 OF HARRISON'S ANNEX TO HARRISON'S SUNNY SLOPE SUBDIVISION, TRACTS A & B OF ACOTT EXEMPTION SUBDIVISION, AND A PARCEL OF LAND

SITUATE IN THE NORTHEAST ONE-QUARTER OF SECTION 7, TOWNSHIP 6 NORTH, RANGE 69 WEST OF THE 6TH P.M.

COUNTY OF LARIMER, STATE OF COLORADO



LINE TABLE		
LINE NO.	DIRECTION	DISTANCE
L1	N68° 23' 44\"W	20.72'
L2	S21° 36' 16\"W	20.00'
L3	S68° 23' 44\"E	32.04'
L4	N06° 35' 43\"W	33.29'
L5	S83° 24' 17\"W	20.00'
L6	N06° 35' 43\"W	23.54'
L7	S09° 24' 00\"E	38.70'
L8	S80° 36' 00\"W	20.00'
L9	S09° 24' 00\"E	34.24'
L10	S89° 20' 20\"E	25.57'

LINE TABLE		
LINE NO.	DIRECTION	DISTANCE
L11	S01° 12' 23\"W	20.00'
L12	S88° 47' 37\"E	41.77'
L13	S14° 28' 41\"E	33.42'
L14	S75° 31' 19\"W	20.00'
L15	S14° 26' 41\"E	18.84'
L16	S80° 26' 49\"W	20.00'
L17	N80° 42' 49\"E	54.60'
L18	N14° 57' 54\"E	32.20'
L19	N79° 36' 51\"E	62.03'
L20	S18° 01' 10\"E	57.75'

LINE TABLE		
LINE NO.	DIRECTION	DISTANCE
L21	S00° 15' 18\"E	95.05'
L22	S18° 01' 10\"E	15.33'

FOUND PUBLIC LAND SURVEY MONUMENT AS DESCRIBED

○ FOUND 3/8\" REBAR WITH OUT A CAP

△ FOUND 1/2\" REBAR WITH OUT A CAP

● FOUND 3/8\" REBAR WITH AN ILLEGIBLE PLASTIC CAP

○ FOUND 5/8\" REBAR WITH OUT A CAP

□ FOUND 1/2\" BOLT WITH 3/4\" SQUARE HEAD

■ FOUND 3/4\" REBAR WITH 2\" AL. CAP MARKED \"PLS38644 - 11W\"

▲¹ FOUND 1/2\" REBAR WITH 1\" PLASTIC CAP MARKED \"PLS 38644\"

▲² FOUND 1/2\" REBAR WITH 1\" PLASTIC CAP MARKED \"LS 10855 - BERUIER\"

▲³ FOUND 1/2\" REBAR WITH 1\" PLASTIC CAP MARKED \"WLS 37963\"

◆ SET 1/2\" REBAR WITH 1\" PLASTIC CAP MARKED \"PLS 38692\"

— PLAT/PARCEL LINE

— BOUNDARY LINE

— PROPOSED PARCEL LINE

— SECTION LINE

— EASEMENT LINE

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 herein.

C:\Users\Chris\OneDrive\Projects\2025_2026\W25-045_2026\W25-045.dwg June 21, 2025 - 6:05pm

SHEET
2
OF
2

TRI-PEAKS, LLC

308 E ELIZABETH STREET
FORT COLLINS COLORADO
(970) 232-9402
ctheff@tri-peaks.com

CLIENT: JUDITH ACOTT - 4145 W COUNTY ROAD 38E, FORT COLLINS CO 80526

PROJECT NO.: W25-045 DWG. DATE: 10-19-2025
DRAWN BY: CLT FIELD DATE: 5-29-2025

REVISION:
REVISION:
REVISION:
REVISION:

LEGAL DESCRIPTION (PARCEL 1):

4145 WEST COUNTY ROAD 38E - RECEPTION NO. 325349 (1979)

A TRACT OF LAND SITUATE IN THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 6 NORTH RANGE 69 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO, BEING PARTICULARLY DESCRIBED AS FOLLOWS:
CONSIDERING THE EAST LINE OF SAID NORTHEAST 1/4 AS BEARING NORTH 00°06' WEST AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;
COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 7;
THENCE NORTH 00°06' WEST, 1196.20 FEET;
THENCE NORTH 51°39' WEST, 550.23 FEET;
THENCE SOUTH 01°48' EAST, 223.10 FEET;
THENCE SOUTH 84°02' WEST, 81.97 FEET TO THE TRUE POINT OF BEGINNING; (POB 1)
THENCE SOUTH 88°07'00" WEST, 78.50 FEET;
THENCE NORTH 01°53' WEST, 162.61 FEET;
THENCE NORTH 35°37' EAST, 126.49 FEET;
THENCE NORTH 02°01' WEST, 36.95 FEET MORE OR LESS TO THE SOUTHERLY RIGHT OF WAY LINE OF COUNTY ROAD 38E THENCE ALONG SAID RIGHT OF WAY LINE SOUTH 51°39' EAST, 45.62 FEET;
THENCE SOUTH 25°12' WEST, 77.90 FEET;
THENCE SOUTH 02°31' EAST 201.10 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING,
COUNTY OF LARIMER, STATE OF COLORADO

LEGAL DESCRIPTION (PARCELS 2 AND 3):

5900 SUNNY DRIVE - RECEPTION NO. 2022023235

LOT 6 AND LOT 7 OF HARRISON'S ANNEX TO HARRISON'S SUNNY SLOPE SUBDIVISION LOCATED IN THE NE 1/4 OF SECTION 7, TOWNSHIP 6 NORTH, RANGE 69 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO.

LEGAL DESCRIPTION (PARCEL 4):

5901 SUNNY DRIVE - RECEPTION NO. 2022023324

CONSIDERING THE EAST LINE OF THE N.E. 1/4 OF SECTION 7, TOWNSHIP 6 NORTH, RANGE 69 WEST OF THE 6TH P.M., AS BEARING N. 00°06' W. AND WITH ALL BEARINGS HEREIN RELATIVE THERETO; BEGINNING AT A POINT ON THE EAST LINE OF SAID SECTION 7, FROM WHICH THE EAST QUARTER CORNER OF SAID SECTION 7 BEARS S. 00°06' E. 1196.20 FEET, THENCE N. 51°39' W. 521.87 FEET TO THE TRUE POINT OF BEGINNING;
(POB 2)
THENCE S. 00°06' E. 462.78 FEET;
THENCE N. 89°54' E. 105 FEET;
THENCE S. 00°06' E. 195.63 FEET;
THENCE N. 64°07' W. 71.16 FEET;
THENCE N. 41°36' W. 244.88 FEET;
THENCE N. 16°05 1/2' W. 192.04 FEET;
THENCE N. 01°53' W. 205.35 FEET;
THENCE N. 35°37' E. 126.49 FEET;
THENCE N. 02°01' W. 36.95 FEET TO THE SOUTHERLY LINE OF THE COUNTY ROAD RIGHT OF WAY;
THENCE S. 51°39' W. 45.62 FEET;
THENCE S. 25°12' W. 77.90 FEET;
THENCE 02°31' E. 201.10 FEET;
THENCE N. 64°07' W. 81.97 FEET, T
THENCE N. 01°48' W. 223.10 FEET;
THENCE S. 51°39' E. 28.36 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPTING THE PORTION CONVEYED BY QUIT CLAIM DEED RECORDED IN BOOK 1024, PAGE 332 AND SHOWN AT ENTRY NO. 94;

AND EXCEPTING A TRACT OF LAND SITUATE IN THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 6 NORTH RANGE 69 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO, BEING PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF SAID NORTHEAST 1/4 AS BEARING NORTH 00°06' WEST AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 7;
THENCE NORTH 00°06' WEST, 1196.20 FEET;
THENCE NORTH 51°39' WEST, 550.23 FEET;
THENCE SOUTH 01°48' EAST, 223.10 FEET;
THENCE SOUTH 84°02' WEST, 81.97 FEET TO THE TRUE POINT OF BEGINNING; (POB 1)
THENCE SOUTH 88°07'00" WEST, 78.50 FEET;
THENCE NORTH 01°53' WEST, 162.61 FEET;
THENCE NORTH 35°37' EAST, 126.49 FEET;
THENCE NORTH 02°01' WEST, 36.95 FEET MORE OR LESS TO THE SOUTHERLY RIGHT OF WAY LINE OF COUNTY ROAD 38E
THENCE ALONG SAID RIGHT OF WAY LINE SOUTH 51°39' EAST, 45.62 FEET;
THENCE SOUTH 25°12' WEST, 77.90 FEET;
THENCE SOUTH 02°31' EAST 201.10 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING,

AND EXCEPTING A TRACT OF LAND SITUATE IN THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 6 NORTH RANGE 69 WEST OF THE 6TH P.M., LARIMER COUNTY, COLORADO WHICH CONSIDERING THE EAST LINE OF THE SAID NORTHEAST 1/4 AS BEARING N 00° 06' W AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO IS CONTAINED WITHIN THE BOUNDARY LINES WHICH BEGIN AT THE NORTHWEST CORNER OF LOT 9, (POB 3)
HARRISON'S SUNNY SLOPE SUBDIVISION WHICH BEARS N 00° 06' W 1196.20 FEET AND AGAIN N 51° 39' W 387.79 FEET AND AGAIN S 00° 06' E 489.40 FEET FROM THE EAST 1/4 CORNER OF SAID SECTION 7 AND RUN THENCE S 00° 06' E 85.53 FEET TO THE SOUTHWEST CORNER OF LOT 10, HARRISON'S SUNNY SLOPE SUBDIVISION;
THENCE N 64° 07' W 33.37 FEET;
THENCE N 00° 06' W 70.91 FEET;
THENCE N 89° 54' E 30.00 FEET TO THE POINT OF BEGINNING, AND CONTAINING THAT PERMANENT EASEMENT 10' IN WIDTH ALONG THE NORTHERLY BOUNDARY OF LOT 9, HARRISON'S ANNEX TO HARRISON'S SUNNY SLOPE SUBDIVISION,
COUNTY OF LARIMER, STATE OF COLORADO.

TOGETHER WITH A TRACT OF LAND SITUATE IN THE NE 1/4 OF SECTION 7, TOWNSHIP 6 NORTH, RANGE 69 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO, BEING PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF SAID NE 1/4 AS BEARING N 00°06' W AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;
COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 7;
THENCE N 00°06' W 1196.20 FEET;
THENCE N 51°39' W 659.88 FEET TO THE TRUE POINT OF BEGINNING; (POB 4)
THENCE CONTINUING N 51°39' W 167.80 FEET;
THENCE N 83°15' W 152.10 FEET;
THENCE S 14°34' W 240.89 FEET;
THENCE S 89°21' E 702.20 FEET;
THENCE N 76°38'48" E 402.41 FEET;
THENCE N 61°38' W 244.88 FEET;
THENCE N 16°05'30" W 192.04 FEET;
THENCE N 01°53' W 205.35 FEET;
THENCE N 35°37' E 126.49 FEET;
THENCE N 02°01' W 36.95 FEET TO THE TRUE POINT OF BEGINNING;
COUNTY OF LARIMER, STATE OF COLORADO.

NOTES

- THE LEGAL DESCRIPTION, EASEMENTS AND RIGHT OF WAYS FOR 4145 WEST COUNTY ROAD 38E ARE BASED ON A TITLE COMMITMENT PROVIDED BY GUARDIAN TITLE AGENCY AND STEWART TITLE GUARANTY COMPANY, COMMITMENT NUMBER: 3117525-02327, DATED MAY 21, 2025 AT 7:00AM.

- THE LEGAL DESCRIPTION, EASEMENTS AND RIGHT OF WAYS FOR 5900 SUNNY DRIVE ARE BASED ON A TITLE COMMITMENT PROVIDED BY GUARDIAN TITLE AGENCY AND STEWART TITLE GUARANTY COMPANY, COMMITMENT NUMBER: 3117525-02323, DATED MAY 19, 2025 AT 7:00AM.

- THE LEGAL DESCRIPTION, EASEMENTS AND RIGHT OF WAYS FOR 5901 SUNNY DRIVE ARE BASED ON A TITLE COMMITMENT PROVIDED BY GUARDIAN TITLE AGENCY AND STEWART TITLE GUARANTY COMPANY, COMMITMENT NUMBER: 3117525-02325, DATED MAY 21, 2025 AT 7:00AM.

- ADJACENT OWNERSHIP IS SHOWN PER LARIMER COUNTY ASSESSORS WEB SITE.

- ALL UTILITIES AND FEATURES ARE SHOWN USING SURFACE EVIDENCE ONLY, AND UTILITY LOCATIONS PROVIDED BY ADEPT UTILITY LOCATORS ON 9-11-25.

- BEARINGS ARE BASED ON THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 6 NORTH, RANGE 69 WEST OF THE 6TH TO HAVE THE ASSUMED BEARING OF N51°39'00" BETWEEN THE EAST 1/4 CORNER OF SAID SECTION 7, BEING A FOUND 1958 3-1/4" BRASS CAP ON A 2-1/2" IRON PIPE MARKED AS SHOWN ON THIS I.L.C. AND THE CALCULATED POSITION FOR THE BUREAU OF RECLAMATION MARKER BETWEEN SECTIONS 7 AND 8 BASED ON THE BUREAU OF RECLAMATION ANGLE POINT BR-AP3 AND PLAT BEARINGS OF HORSE TOOTH HEIGHTS SUBDIVISION RECEPTION NO. 651718 (1952).

- LINEAR UNITS ARE SHOWN IN U.S. SURVEY FOOT.

- THE TOTAL AREA OF PARCEL 1 CONTAINS 336,509 SQUARE FEET (7.725 ACRES) MORE OR LESS.

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 herein.

IMPROVEMENT LOCATION CERTIFICATE - SITE INVENTORY MAP

SITUATE IN THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 6 NORTH, RANGE 69 WEST OF THE 6TH P.M.,
COUNTY OF LARIMER, STATE OF COLORADO

SCHEDULE B-2 EXCEPTIONS

4145 WEST COUNTY ROAD 38E (T1)

Order Number 3117525-02327

1. - 8. (LOCATION CANNOT BE DETERMINED BY RECORDED/PROVIDED DOCUMENTS)

9. EASEMENTS AND RIGHTS OF WAY AS CONVEYED IN DEED RECORDED MAY 15, 1982 AT RECEPTION NO. 818943.
RESTRICTIONS, COVENANTS, AGREEMENTS AND OBLIGATIONS AS SHOWN ON THE DENNIS W. ACOTT EXEMPTION PLAT RECORDED DECEMBER 6, 1977 AT RECEPTION NO. 225393 AND RE-RECORDED JULY 30, 2013 AT RECEPTION NO. 2013005626.
EXEMPTION PLAT DESCRIBES PARCELS AS SHOWN, NO EASEMENTS ARE SHOWN ON PLAT.

10. EASEMENTS, RIGHTS OF WAY, ROADS, NOTES, TERMS, CONDITIONS, PROVISIONS, RESTRICTIONS, COVENANTS, AGREEMENTS AND OBLIGATIONS AS SHOWN ON THE DENNIS W. ACOTT EXEMPTION PLAT RECORDED DECEMBER 6, 1977 AT RECEPTION NO. 225393 AND RE-RECORDED JULY 30, 2013 AT RECEPTION NO. 2013005626.
EXEMPTION PLAT DESCRIBES PARCELS AS SHOWN, NO EASEMENTS ARE SHOWN ON PLAT.

11. TERMS, CONDITIONS, PROVISIONS, AGREEMENTS, EASEMENTS, AND OBLIGATIONS SPECIFIED UNDER THE GRANT OF EASEMENT RECORDED JANUARY 7, 1980 AT RECEPTION NO. 344971.
LOCATION OF THE ROAD EASEMENT IS SHOWN ON THIS SURVEY. EASEMENT IS TERMINATED DO TO THE ROAD NOT BEING CONSTRUCTED WITHIN 5 YEARS OF THE 1980 GRANT.

12. TERMS, CONDITIONS, PROVISIONS, AGREEMENTS, EASEMENTS, AND OBLIGATIONS SPECIFIED UNDER THE POUDEUR VALLEY RURAL ELECTRIC ASSOCIATION, INC., RIGHT-OF-WAY EASEMENT RECORDED OCTOBER 23, 1990 AT RECEPTION NO. 90048799.
RECORDED OCTOBER 23, 1990 AT RECEPTION NO. 90048799.

13. TERMS, CONDITIONS, PROVISIONS, AGREEMENTS, EASEMENTS, AND OBLIGATIONS SPECIFIED UNDER THE CABLE TELEVISION RIGHT-OF-WAY AND EASEMENT AGREEMENT RECORDED APRIL 24, 1991 AT RECEPTION NO. 91016849.
A 20 FOOT RIGHT OF WAY EASEMENT IS SHOWN 10 FEET EACH SIDE OF POWER LINES AS CONSTRUCTED ALONG THE OVER HEAD WIRE ALIGNMENT AS DEFINED IN DOCUMENT.

14. TERMS, CONDITIONS, PROVISIONS, AGREEMENTS, EASEMENTS, AND OBLIGATIONS SPECIFIED UNDER THE MEMORANDUM OF UNDERSTANDING RECORDED NOVEMBER 6, 1991 AT RECEPTION NO. 91054545.
ENCROACHMENT IDENTIFIED IN MEMO DID NOT EXIST AT THE TIME FIELD WORK WAS PERFORMED.

15. TERMS, CONDITIONS, PROVISIONS, AGREEMENTS, EASEMENTS, AND OBLIGATIONS SPECIFIED UNDER THE ORDER TO INCLUDE LAND IN DISTRICT RECORDED OCTOBER 14, 2006 AT RECEPTION NO. 2005080603.
SPRING CANYON WATER AND SANITATION DISTRICT INCLUSION IS BLANKET IN NATURE.

16. TERMS, CONDITIONS, PROVISIONS, AGREEMENTS, EASEMENTS, AND OBLIGATIONS SPECIFIED UNDER THE POUDEUR VALLEY RURAL ELECTRIC ASSOCIATION, INC., RIGHT-OF-WAY EASEMENT UNDERGROUND RECORDED AUGUST 18, 2023 AT RECEPTION NO. 2023035675.
LOCATION OF UNDERGROUND 3 PHASE POWER LINE LOCATED IN FIELD AND SHOWN.

SCHEDULE B-2 EXCEPTIONS

5900 SUNNY DRIVE

Order Number 3117525-02323

1. - 8. (LOCATION CANNOT BE DETERMINED BY RECORDED/PROVIDED DOCUMENTS)

9. EASEMENTS, RIGHTS OF WAY, ROADS, NOTES, TERMS, CONDITIONS, PROVISIONS, RESTRICTIONS, COVENANTS, AGREEMENTS AND OBLIGATIONS AS SHOWN ON THE PLAT OF HARRISON'S ANNEX TO HARRISON'S SUNNY SLOPE SUBDIVISION RECORDED IN BOOK 6 AT PAGE 74.
PLAT IDENTIFIES SETBACKS AND RESTRICTIONS. 10 FOOT SIDE 20 FOOT BACK/FRONT SETBACKS.

10. EASEMENTS AS DESCRIBED IN DEED RECORDED DECEMBER 8, 1992 AT RECEPTION NO. 92079179, SUBJECT TO ANY TERMS AND CONDITIONS.
EASEMENTS REDEFINED BY EXCEPTION 11.

11. TERMS, CONDITIONS, PROVISIONS, AGREEMENTS, EASEMENTS, AND OBLIGATIONS SPECIFIED UNDER THE MEMORANDUM OF UNDERSTANDING EASEMENT CLARIFICATION AND ADDITION RECORDED NOVEMBER 20, 1995 AT RECEPTION NO. 95073363.
EASEMENTS SHOWN ON SURVEY.

12. TERMS, CONDITIONS, PROVISIONS, AGREEMENTS, EASEMENTS, AND OBLIGATIONS SPECIFIED UNDER THE GRANT OF EASEMENT AND RIGHT OF WAY RECORDED JUNE 16, 2004 AT RECEPTION NO. 2004005846.
EASEMENT SHOWN ON SURVEY.

SCHEDULE B-2 EXCEPTIONS

5901 SUNNY DRIVE

Commitment Number: 3117525-02325

1. - 8. (LOCATION CANNOT BE DETERMINED BY RECORDED/PROVIDED DOCUMENTS)

9. EASEMENTS AND RIGHTS OF WAY AS CONVEYED IN DEED RECORDED MAY 15, 1982 AT RECEPTION NO. 818943.
DESCRIBED AN EASEMENT FOR STOUT GULCH SPRING, PIPELINE, AND PUMPING PLANT AND ACCESS TO A ROAD ON THE WEST SIDE OF THE PARCEL.

10. EASEMENTS, RIGHTS OF WAY, ROADS, NOTES, TERMS, CONDITIONS, PROVISIONS, RESTRICTIONS, COVENANTS, AGREEMENTS AND OBLIGATIONS AS SHOWN ON THE DENNIS W. ACOTT EXEMPTION PLAT RECORDED DECEMBER 6, 1977 AT RECEPTION NO. 225393 AND RE-RECORDED JULY 30, 2013 AT RECEPTION NO. 2013005626.
EXEMPTION PLAT DESCRIBES PARCELS AS SHOWN, NO EASEMENTS ARE SHOWN ON PLAT.

11. TERMS, CONDITIONS, PROVISIONS, AGREEMENTS, EASEMENTS, AND OBLIGATIONS SPECIFIED UNDER THE POUDEUR VALLEY RURAL ELECTRIC ASSOCIATION, INC., RIGHT-OF-WAY EASEMENT RECORDED OCTOBER 23, 1990 AT RECEPTION NO. 90048799.
A 20 FOOT RIGHT OF WAY EASEMENT IS SHOWN 10 FEET EACH SIDE OF POWER LINES AS CONSTRUCTED ALONG THE OVER HEAD WIRE ALIGNMENT AS DEFINED IN DOCUMENT.

12. TERMS, CONDITIONS, PROVISIONS, AGREEMENTS, EASEMENTS, AND OBLIGATIONS SPECIFIED UNDER THE CABLE TELEVISION RIGHT-OF-WAY AND EASEMENT AGREEMENT RECORDED APRIL 24, 1991 AT RECEPTION NO. 91016849.
A 20 FOOT RIGHT OF WAY EASEMENT IS SHOWN 10 FEET EACH SIDE OF POWER LINES AS CONSTRUCTED ALONG THE OVER HEAD WIRE ALIGNMENT AS DEFINED IN DOCUMENT.

13. TERMS, CONDITIONS, PROVISIONS, AGREEMENTS, EASEMENTS, AND OBLIGATIONS SPECIFIED UNDER THE MEMORANDUM OF UNDERSTANDING RECORDED NOVEMBER 6, 1991 AT RECEPTION NO. 91054545.
ENCROACHMENT IDENTIFIED IN MEMO DID NOT EXIST AT THE TIME FIELD WORK WAS PERFORMED.

SET-BACKS

LOTS CREATED BEFORE 1973 - OPEN ZONING
SIDE 5 FEET
STREET/ROAD 25 FEET
REAR 10 FEET

SET BACK PER PLAT OF HARRISON'S ANNEX TO HARRISON'S SUNNY SLOPE SUBDIVISION (SHOWN)

SIDE 10 FEET
FRONT 20 FEET
BACK 20 FEET

CERTIFICATION:

I HEREBY CERTIFY THAT THIS IMPROVEMENT LOCATION CERTIFICATE WAS PREPARED FOR THE ACOTT FAMILY, THAT IT IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT, AND THAT IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES. THIS CERTIFICATE IS VALID ONLY FOR USE BY ACOTT FAMILY, AND DESCRIBES THE PARCEL'S APPEARANCE ON 5-29-2025.

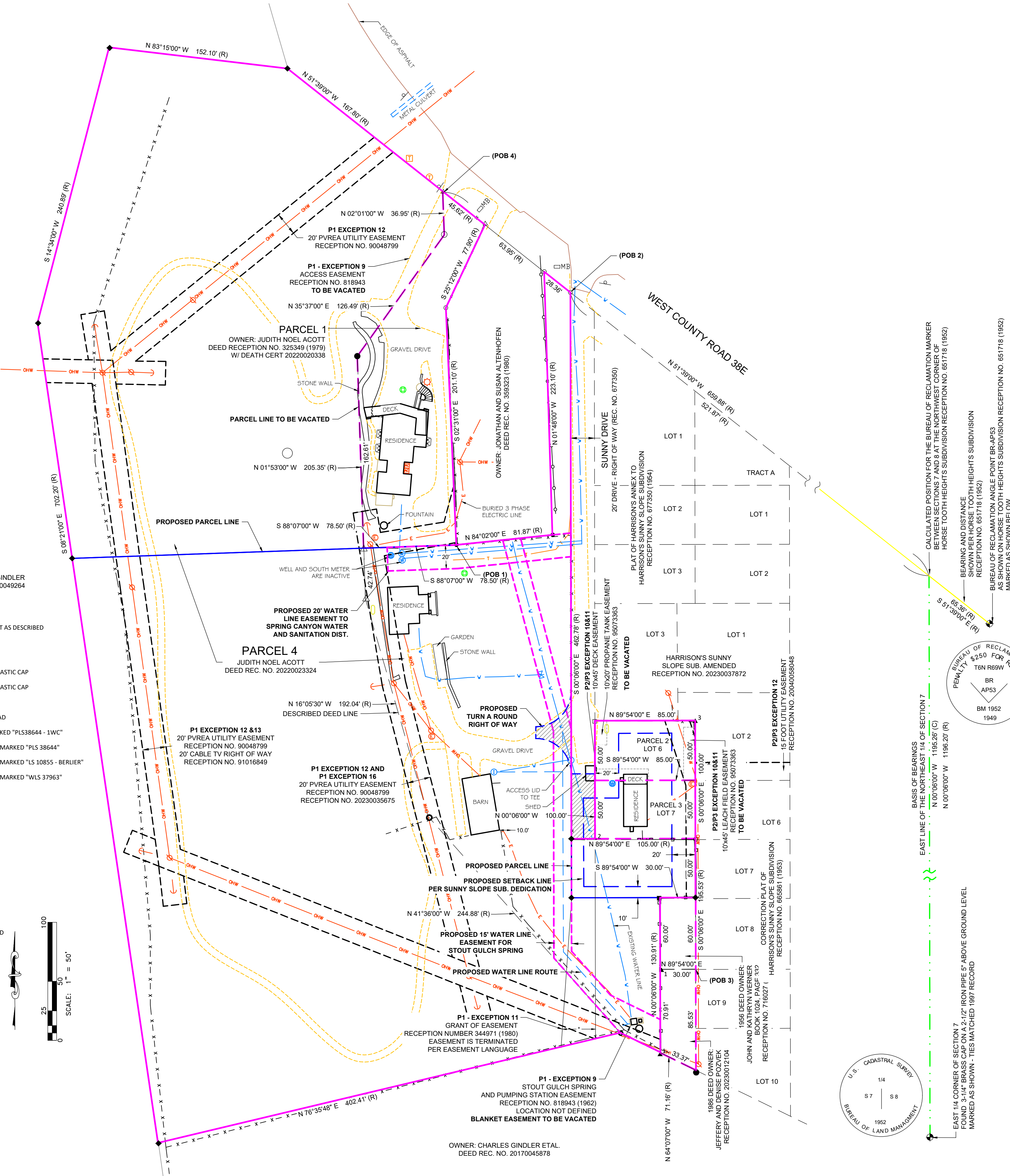
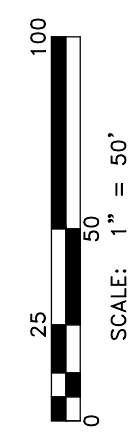
I FURTHER CERTIFY THAT THE IMPROVEMENTS ON THE ABOVE DESCRIBED PARCEL ON 5-29-2025, EXCEPT UTILITY CONNECTIONS, ARE ENTIRELY WITHIN THE BOUNDARIES OF THE PARCEL, EXCEPT AS SHOWN, THAT THERE ARE NO ENCROACHMENTS UPON THE PARCEL EXCEPT AS INDICATED, AND THAT THERE IS NO APPARENT EVIDENCE OR SIGN OF ANY EASEMENT CROSSING OR BURDENING ANY PART OF SAID PARCEL, EXCEPT AS NOTED.

BY: CHRISTOPHER L. HEW PE-PLS (PLS# 38692)
DATE: 7-7-2025



LEGEND

- FOUND PUBLIC LAND SURVEY MONUMENT AS DESCRIBED
- FOUND 3/8" REBAR WITH OUT A CAP
- FOUND 1/2" REBAR WITH OUT A CAP
- FOUND 3/8" REBAR WITH AN ILLEGIBLE PLASTIC CAP
- FOUND 1/2" REBAR WITH AN ILLEGIBLE PLASTIC CAP
- FOUND 5/8" REBAR WITH OUT A CAP
- FOUND 1/2" BOLT WITH 3/4" SQUARE HEAD
- FOUND 3/4" REBAR WITH 2" AL. CAP MARKED "PLS38664 - 1WC"
- FOUND 1/2" REBAR WITH 1" PLASTIC CAP MARKED "PLS 38664"
- FOUND 1/2" REBAR WITH 1" PLASTIC CAP MARKED "LS 10855 - BERLIER"
- FOUND 1/2" REBAR WITH 1" PLASTIC CAP MARKED "WLS 37963"
- AIR CONDITIONER
- ELECTRIC METER
- LIGHT POLE
- UTILITY POLE
- GUY WIRE
- TELECOMMUNICATION PEDESTAL
- TELECOMMUNICATION MANHOLE
- WATER METER
- WELL
- WATER SPIGOT
- STORM SEWER MANHOLE/SEPTIC TANK LID
- GAS METER
- SIGN
- MAIL BOX
- WINDOW WELL
- FENCE LINE - WOOD
- FENCE LINE - WIRE
- STORM SEWER LINE
- BOUNDARY LINE
- PARCEL LINE TO BE VACATED
- PROPOSED PARCEL LINE
- SECTION LINE
- EASEMENT LINE
- SET BACK LINE
- EASEMENT LINE TO BE VACATED
- PROPOSED EASEMENT
- PROPOSED RIGHT OF WAY



REVISION: 6-2-2025
REVISION: 5-29-2025

DWG DATE: 5-29-2025
CLT

PROJECT NO: W25-045
DRAWN BY: CLT

REVISION: 6-2-2025
REVISION: 5-29-2025

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REVISION: 6-2-2025
REVISION: 5-29-2025

ATTACHMENT D

Referral Agency Comments



Jared Seay <seayjk@co.larimer.co.us>

26-LAND4538 Comment Response Letter V1

2 messages

Jared Seay <seayjk@co.larimer.co.us>
To: Tamara Schmidt <tamara121876@gmail.com>, Judy Acott <Dacott@comcast.net>, Chris Thew <cthew@tri-peaks.com>, Kelsey Friedman <kfriedm@gmail.com>

Fri, Mar 13, 2026 at 4:37 PM

Hello,
Thank you for your participation in the referral process. The following synthesizes information from referral agencies on this process
[Next steps for this application can be found at the bottom of this email](#)

Internal Referral Agencies:

Larimer County **Public Health** has provided comments on your case. They are attached to this email for your review and are not summarized here because they are relatively lengthy.

Planning Comment:
Please work with health to resolve their requested revision of the site plan and speak with them about the existing septic and water systems at your parcels.

Larimer County Engineering Department & Floodplain Team said:
"The below comments shall be noted; otherwise, this department has no significant concerns with this proposal.
1. Existing access points shall not be adversely impacted. Existing driveway access points shall, where feasible, have direct access to the existing road network without necessitating new private access easements.
2. Existing drainage easements shall not be impacted.
3. Any construction shall not adversely alter the existing drainage patterns."

Larimer County Code Compliance Division said:
"There are no known violations at this time."

Our **Building Division** did not comment on this request and labled the review status as "BLD Review Not Necessary"

Our **Assessor's Office** state the following:
"No tax liens were found and all parent parcels are owned by the same person. No issues found at this time."

Our GIS team, **Addressing** team, **Environmental Planner**, and **Larimer County Natural Resources** did not comment on this application.

External Referral Agencies:

The Colorado State Division of Water Resources did not provide a comment on this project. Their comment is desired to ensure well permissions are correct for each site, and that altering the site boundaries will not leave a resultant lot without a corresponding well.

Spring Canyon Water & Sanitation did not provide a comment on this project.

Poudre Fire did provided a comment on this project. It is attached below.

Xcel Energy provided a letter of no conflict attached to this email for your review.

U.S. Bureau of Reclamation, U.S. Fish & Wildlife Service, and **Bureau of Land Management** did not provide comments on this request.

Poudre Valley REA, Centurylink/Lumen, and **AT&T** did not provide comments on this request.

Neighbor comments:

One (1) Neighbor comment was received for this request. It is attached below and I can chat with them to ask for their thoughts or clarify.

Next Steps:

The Division of Water Resources is an important referral agency in this case; I'd like to hear their comments to ensure Health's comments about wells are addressed. I have reached out to them for their comments on the matter and am waiting for a response.

Other commenters appear supportive of the proposal.

Because of its many moving parts and relative complexity, I believe this case is best reviewed by an applicable board (BOCC in this case) in early-to-mid May. This would also confirm whether we receive those additional comments on the plan case, ensuring there are no snags from Health's feedback. This is contingent upon us receiving the requested health revisions for timely review. Please communicate with **Ashton Brodahl** from our health department to discuss their comments regarding sanitation, well water, and minimum parcel acreage.

Thank you,



Jared Seay (he/him)
Planner II
Community Development Department
200 W Oak St, Fort Collins, 80521 | 3rd Floor
Voicemail: (970) 498-7689
seayjk@co.larimer.co.us | www.larimer.gov

Please [click here](#) to view the most current version of the **Land Use Code**.

Pre-application meetings are required before applying. [click here](#) to submit a request. Please visit our [webpage](#) if you would like more information on the pre-application meeting process.

Use the Assessor's **Property Search Tool** to locate your zoning by selecting a property, click 'View on GIS Map', and click on the checkbox for Zoning Districts under the Layer List menu.



Jared Seay (he/him)
Planner II
Community Development Department
200 W Oak St, Fort Collins, 80521 | 3rd Floor
Voicemail: (970) 498-7689
seayjk@co.larimer.co.us | www.larimer.gov

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Use the Assessor's **Property Search Tool** to locate your zoning by selecting a property, click 'View on GIS Map', and click on the checkbox for Zoning Districts under the Layer List menu.

7 attachments

- Building and Code Compliance Comments.pdf**
62K
- Engineering Comment.pdf**
85K
- Neighbor Comments via Larimer County Engage.pdf**
144K
- Assessors Office Comment.pdf**
115K
- Fire District Comment.pdf**
297K
- Xcel Comment.pdf**
85K
- Public Health Comment.pdf**
206K

Tamara Schmidt <tamara121876@gmail.com>
To: Jared Seay <seayjk@co.larimer.co.us>
Cc: Judy Acott <Dacott@comcast.net>, Chris Thew <cthew@tri-peaks.com>, Kelsey Friedman <kfriedm@gmail.com>

Sun, Mar 15, 2026 at 12:40 PM

Hi Jared,
Thanks for sending this over. I have reviewed the Health comments. I will reach out to Ashton Brodahl tomorrow to discuss their feedback on sanitation and wells.
Tamara
[Quoted text hidden]

Larimer County Planning Referral: #26-LAND4538, Acott AP/BLA & Easement Vacation

Megan deRoin <deroinm@co.larimer.co.us>
To: Jared Seay <seayjk@co.larimer.co.us>
Cc: "Cheryl Smith (Assessor)" <smithchl@co.larimer.co.us>

Thu, Feb 19, 2026 at 10:23 AM

Good morning Jared,

No tax liens were found and all parent parcels are owned by the same person. No issues found at this time.

Out of curiosity, we've seen a few of these Amended Plats/BLA come through in the past few months that have the Resultant Legal Descriptions on the plat itself. Has there been any changes to the process or standards on your end or is this a surveyor preference?

The reason I ask, is originally, that is how our team would determine what the project actually was classified as and who would work on it.

Also, just as an additional question, when these come in as AP/BLA and we see all parcels under the same ownership; is there a reason this is processed as an AP/BLA instead of a new subdivision plat? Is this due to additional costs to the customer or does it revolve around land use?

We're trying to clean up and clarify our in office processes, we appreciate any comments, insights or additional information you're able to provide.

Thank you,

Thank you,
Megan deRoin

Larimer County

Megan deRoin
GIS Specialist

Office of the Assessor
200 W Oak St, Fort Collins, CO 80522 | 2nd Floor
Office: (970) 496-7050 | Direct: (970) 496-7076
deroinm@larimer.org | www.larimer.gov/assessor

We welcome your feedback: [Customer Satisfaction Survey](#)

[Quoted text hidden]

- 5 attachments
-  9607100004 Summary_Main.pdf
23K

 9607107006 Summary_Main.pdf
22K

 9607100012 Summary_Main.pdf
23K

 9607107007 Summary_Main.pdf
23K

 6. Plat - 2026.01.29.pdf
928K

Referrals



Priority Order
0

Sort Order
0

County Parks - 14	Planners	PLN Under Review	02/19/2026	03/12/2026	
No comments yet...					
Code Compliance - 14	Amy White	CC Approved	02/19/2026	03/12/2026	03/01/2026
There are no known building code violations at this time. A Staff Report will not be generated; Applicant has not been notified.					
Assessor - 14	Planners	PLN Under Review	02/19/2026	03/12/2026	
No comments yet...					
Health Department - 14	Ashton Brodahl	HLTH Under Review	02/19/2026	03/12/2026	
No comments yet...					
Engineering - Development Review - 14	David Pringle	PW Approved	02/19/2026	03/12/2026	03/02/2026
No comments yet...					
Addressing - 14	Elissa Robb	PLN N/A	02/19/2026	03/12/2026	02/28/2026
No comments yet...					
Building Department - 14	Alan Kee	BLD Review Not Necessary	02/19/2026	03/12/2026	03/11/2026
No comments yet...					



Jared Seay <seayjk@co.larimer.co.us>

FOLLOW UP Larimer County Planning Referral: #26-LAND4538, Acott AP/BLA & Easement Vacation

Fuller - DNR, Kathleen <kathleen.fuller@state.co.us>
To: Jared Seay <seayjk@co.larimer.co.us>

Fri, Mar 13, 2026 at 4:04 PM

Hi Jared,

Thank you so much for the nudge and for the helpful information from your Health department. This is an interesting mix! I apologize for not getting a response sent to you timely.

Please find attached comments from the State Engineer's Office regarding 26-LAND4538.

If you have questions, please feel free to contact me directly.

Thank you,
Kate

[Quoted text hidden]

—
Kate Fuller
Water Resource Engineer



COLORADO
Division of Water Resources
Department of Natural Resources

P 303.866.3581 x 8245
1313 Sherman St., Suite 821, Denver, CO 80203
Kathleen.Fuller@state.co.us | dwr.colorado.gov

 26-LAND4538 Acott BLA(Larimer).pdf
175K



COLORADO
Division of Water Resources
Department of Natural Resources

March 13, 2026

Jared Seay, Planner II

Larimer County Community Development Department

Transmission via email: seayjk@co.larimer.co.us

Re: Acott AP/BLA and Easement Vacation

Plan Number: 26-LAND4538

Pt. E 1/2 Section 7, T6N, R69W, 6th P.M.

Water Division 1, Water District 3

Dear Mr. Seay:

We have reviewed the above referenced proposal for a combined amended plat/boundary line adjustment. The proposal will not create any additional lots, therefore the submitted material does not qualify as a “subdivision” as defined in section 30-28-101(10)(a), C.R.S. Accordingly, 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 comments regarding the proposed water supply. The comments will not state an opinion on the adequacy of the water supply or the ability of the water supply plan to satisfy any County regulations or requirements, and cannot be used to guarantee the issuance of a well permit or the physical availability of water.

The application seeks to adjust the boundary lines between four adjacent parcels of 0.42 acres (Subject Parcel 1 - 9607100012), 0.09 acres (Subject Parcel 2 - 9607107006), 0.09 acres (Subject Parcel 3 - 9607107007), and 7.65 acres (Subject Parcel 4 - 9607100004). The application also seeks to vacate a portion of a right-of-way within the Harrison’s Sunny Slope Annex subdivision. The resulting parcels are referred to as Resultant Lot 1, Resultant Lot 2, and Resultant Lot 6A.

The water supply for Subject Parcel 1 is an existing tap from Spring Canyon Water & Sewer District. It is presumed that this tap will continue to be the water supply for Resultant Lot 1.

The water supply for Resultant Lot 2 is reportedly water from Stout Gulch Spring and Pipeline (WDID 0301093). Stout Gulch Spring and Pipeline was decreed as not tributary to any



natural stream in civil action case no. CA-11217. The decree allows use of Stout Gulch Spring for stock and domestic use with a maximum withdrawal rate of 0.023 cfs.

According to records available through this office, the well with permit no. 295914 is located on Subject Parcel 4 and will also be located on Resultant Lot 2. Permit no. 295914 limits the use of the well to ordinary household purposes inside one single-family dwelling. The well cannot be used for irrigation or other purposes. Permit no. 295914 was issued pursuant to section 37-92-602(3)(b)(II)(A), C.R.S., as the only well on a tract of land of 2.0 acres. The proposed configuration of the parcel that the well will be located on will not match the parcel description in the permit file. The owners of well permit no. 295914 should be required to re-permit their well to match the configuration of the resulting parcel description.

According to records available through this office, the well with permit no. 136861 is located on Subject Parcel 2 and will also be located on Resultant Lot 6A. Permit no. 136861 limits the use of the well to ordinary household purposes inside one single-family dwelling. The well cannot be used for irrigation or other purposes. Permit no. 136861 was issued pursuant to section 37-92-602(3)(b)(II)(A), C.R.S., as the only well on a tract of land of 1.0 acres, described as Lot 7, Harrison Annex to Harrison Sunny Slope. The proposed configuration of the parcel that the well will be located on will not match the parcel description in the permit file. The owners of well permit no. 136861 should be required to re-permit their well to match the configuration of the resulting parcel description.

This office does not have any concerns regarding the proposed amended plat/boundary line adjustment. Should you or the applicant have any questions in this matter, please contact me at kathleen.fuller@state.co.us or 303-866-3581 ext. 8245.

Sincerely,



Kate Fuller, P.E.

Water Resources Engineer

Cc: Well permit file nos. 136861 and 295914

Referral file no. 34593

Acott AP/BLA & Easement Vacation; 26-LAND4538

1 message

Ashton Brodahl <brodahah@co.larimer.co.us>
To: Jared Seay <seayjk@co.larimer.co.us>
Cc: Lea Schneider <schnells@co.larimer.co.us>

Thu, Mar 12, 2026 at 1:26 PM

Hi Jared,

The Larimer County Health Department has reviewed the Amended Plat/Boundary Line Adjustment request to adjust several unplatted parcels with unplatted additions. The application is also requesting to vacate a portion of the right-of-way within the Harrison's Sunny Slope Annex Subdivision.

Please see attached for our comments.

Thank you,

Ashton



LARIMER
COUNTY



Public Health

Ashton Brodahl (she/her)
Environmental Health Specialist II

Department of Health & Environment
1525 Blue Spruce Drive, Fort Collins, CO 80524
W: (970) 498-7798 | Mobile/Text: (970) 732-4503
abrodahl@larimer.org | www.larimer.gov/health

 Acott AP_BLA & Easement Vacation; 26-LAND4538.pdf
111K



TO: Jared Seay
Larimer County Planning Department

FROM: Ashton Brodahl 

DATE: March 12, 2026

SUBJECT: Acott AP/BLA & Easement Vacation; 26-LAND4538

The Larimer County Health Department has reviewed the request for an Amended Plat/Boundary Line Adjustment (AP/BLA) involving parcels 9607100012 (4145 W County Road 38E), 9607100004 (5901 Sunny Dr), 9607107007 (5900 Sunny Dr), and 9607107006. It is understood that the applicants are also requesting an Easement Vacation with this application. The purpose of this application is to adjust property lines to improve future improvement viability, specifically for proposed Parcel 3.

Lot size. The AP/BLA Plat does not currently include the resultant lot acreage for any of the proposed parcel configurations. Please note that all resultant parcels must either meet the minimum lot size standard of 2.29 acres or increase the property's acreage beyond what it has historically been. Our office requests that the applicant provide resultant lot sizes for each of the proposed parcel configurations.

Wastewater. Per the Project Description, the subject properties are not connected to Spring Canyon Water & Sewer District (SCWSD) for wastewater but are supported by onsite wastewater treatment systems (OWTS).

The residence at 4145 W County Road 38E is served by an OWTS that was installed in 1978 for a 3-bedroom home. However, current records from the Assessor's Office and a recent building permit (23-RES0066) both indicate the residence now has 5 bedrooms; therefore, the septic system may be undersized. It is unclear per the Code Compliance research (26-REQ000044) whether these additional bedrooms were part of the original 1978 building permit (78-3335) or if they were added during the 2023 remodel. Please note that if any as-built or other building permits are required, the Health Department will review the existing OWTS as a part of that building permit process and, as part of that evaluation, may require the septic system to be upgraded.

The residence at 5901 Sunny Dr is supported by an OWTS last repaired in 1972 for a 2-bedroom home, and the residence at 5900 Sunny Dr is supported by an OWTS installed in 1971 for a 1-bedroom home.

All septic system components (tank, leachfield/absorption field, etc.) for each property must be entirely located within that property's proposed boundary lines. It is anticipated that the existing septic systems will not be negatively affected by the AP/BLA or easement vacation request, and would increase some parcels' lot size to accommodate any future development needs.

Water. The applicant provided that SCWSD provides water to the residence at 4145 W County Road 38E only. The District signed the Utility Check Sheet on 11/21/2025 and confirmed on 3/11/2026 that the District only serves 4145 W County Road 38E for water only. The other subject properties are supported by onsite wells; however, the applicant did not provide well permit numbers.

Using the Division of Water Resources (DWR) Well Permit Mapping Tool, our office identified two well permits registered under the property owner's last name (Acott): permit #174442 (expired) and permit #295914. Permit #295914 serves the residence at 5901 Sunny Drive and is limited to ordinary household use within one single-family dwelling with no other purposes or irrigation. Additionally, permit #136861 was found for 5900 Sunny Dr, also limited to ordinary household purposes inside a single-family dwelling with no other outside use. Well permit 136861 appears to be registered under a previous owner's name; therefore, it is recommended that the applicant file a "Change of Owner Name" form online with their office to update the contact information linked to the well, available at:

<http://dwr.state.co.us/eforms?search=change%20of%20owner%20name>. Our office will defer to the DWR for all requirements, questions, and concerns regarding water supply for the properties, including whether the AP/BLA impacts any existing water rights.



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303.571.3284
Donna.L.George@xcelenergy.com

March 2, 2026

City of Fort Collins Planning and Development Services
281 North College Avenue
Fort Collins, CO 80524

Attn: Jared Seay

Re: Acott, Case # 26-LAND4538

Public Service Company of Colorado's Right of Way & Permits Referral Desk has **no apparent conflict** with the AP/BLA and easement vacation for **Acott**.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

Although "branded" as Xcel Energy, the legal owner and operator of the utility facilities in Colorado is Public Service Company of Colorado. All utility facilities and related land rights, including fee property, easements, permits, etc., are owned by, operated by and held in the name of Public Service Company of Colorado, a Colorado Corporation.



David Pringle <pringldw@co.larimer.co.us>

Larimer County Planning Referral: #26-LAND4538, Acott AP/BLA & Easement Vacation

David Pringle <pringldw@co.larimer.co.us>

Mon, Mar 2, 2026 at 2:40 PM

To: Jared Seay <seayjk@co.larimer.co.us>

Jared,

The below comments shall be noted; otherwise, this department has no significant concerns with this proposal.

1. Existing access points shall not be adversely impacted. Existing driveway access points shall, where feasible, have direct access to the existing road network without necessitating new private access easements.
2. Existing drainage easements shall not be impacted.
3. Any construction shall not adversely alter the existing drainage patterns.

Best,

[Quoted text hidden]

--



David Pringle
Civil Engineer I

Engineering Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
W: (970) 498-7135
dpringle@larimer.org | www.larimer.org



FIRE PREVENTION AND
COMMUNITY RISK REDUCTION
102 Remington St
Fort Collins, CO 80524
(970) 416-2891

March 11, 2026

Applicant/ Owner:

Judith Acott
4145 W CR 38E
Fort Collins, CO 80526
dacott@comcast.net
970.227.0687

Project Planner

Jared Seay, Planner II
seayjk@co.larimer.co.us
970.498.7689

RE: 26-LAND4538 Acott AP/BLA & Easement Vacation

SUBMITTAL: Comment Letter #1

This review by Poudre Fire Authority (PFA) was conducted in accordance with requirements of the 2024 International Fire Code (IFC) as amended and adopted in the Larimer County Amendment/adoption documentation and free access to adopted codes can be found online:

<https://www.poudre-fire.org/programs-services/community-safety-services-fire-prevention/fire-code-adoption>
<https://codes.iccsafe.org/content/IFC2024V2.0>

COMMENT SUMMARY:

Poudre Fire Authority has no comments for the proposed plat amendment and boundary line adjustments. Please be advised that any future development must adhere to current Fire Code standards regarding emergency access, premise identification (addressing), and water supply for fire protection purposes.

Erika Seeling

Fire Safety Plan Reviewer
102 Remington St. | Fort Collins, CO 80524
erika.seeling@poudre-fire.org
Cell: 970.488.0595



Jared Seay <seayjk@co.larimer.co.us>

Re: 26-LAND4538 Comment Response Letter

41 messages

Ashton Brodahl <brodahh@co.larimer.co.us>

Wed, Mar 18, 2026 at 2:11 PM

To: Chris Thew <cthe@tri-peaks.com>

Cc: tamara121876@gmail.com, dacott@comcast.net, kfriedm@gmail.com, Jared Seay <seayjk@co.larimer.co.us>

Judy, Tamara, & Kelsey,

Thank you for the detailed information and for giving some background!

Regarding the residence at 4145 W. County Road 38E, the comments concerning bedroom count and septic system sizing were provided for your awareness, should future building permits be required. Please note that the septic system permit currently on file is for 3 bedrooms.

Thank you for bringing to my attention that the residence at 5901 Sunny Dr has received a recent repair. I was able to find that septic system record within our database. Based on the as-built, it is anticipated that the AP/BLA will not negatively affect the existing septic system.

As for the water supply for each of the residences, I also had the opportunity to review Division of Water Resources (DWR) comments from March 13th, which provided clarity, along with your email. It sounds like the DWR will require the existing well permits to be re-permitted to match the parcel description, which, at that time, you may be able to change ownership information; however, we would defer to the DWR for any requirements, questions, or concerns associated with re-permitting the existing wells.

Chris,

Thank you for the updated information. Although I was unable to find the BLA attachment, the details you provided indicate that the lots are either increasing in size or remaining above the required 2.29 acres.

I appreciate everyone's assistance with these updates.

Best regards,

Ashton Brodahl



Ashton Brodahl (*she/her*)
Environmental Health Specialist II

Department of Health & Environment
1525 Blue Spruce Drive, Fort Collins, CO 80524
W: (970) 498-7798 | Mobile/Text: (970) 732-9503
abrodahl@larimer.org | www.larimer.gov/health

On Mon, Mar 16, 2026 at 10:42 AM Chris Thew <cthe@tri-peaks.com> wrote:

Please see attached BLA. The Lot acreages are with the legal descriptions on page 1 and are as follows:

Resultant Lot 1 - 129,549 S.F. (2.974 ACRES) This increases in size.

Resultant Lot 2 - 193,210 S.F. (4.435 ACRES) This lot was borrowed from.

Lot 6a - 13,750 S.F. (0.316 ACRES) This increases in size.

Christopher L Thew, PE-PLS
TRI-PEAKS LLC
cthe@tri-peaks.com

www.tri-peaks.com
(970) 232-9482

Ashton,

I am reaching out regarding Public Health's comments on 26-LAND4538. This application was filed by my mother, Judy Acott who is on this email. My sister and I are helping her through this process. Let me know if a phone call may be better but I will provide explanations below to the items I believe need addressed.

Lot size: Chris Thew from Tri-PEAKS LLC will provide the lot size information requested.

Wastewater:

Residence at 4145 W. County Road 38E - This residence was built by my father in 1978 and has been a five a bedroom home up until 2023. My father passed away in 2021 and in 2023 my mother added an addition allowing her to have main floor living as she gets older, she is the only one living in this house. The 2023 work technically resulted in a four bedroom home with only three bedrooms truly functional as a bedroom.

Residence at 5901 Suny Drive - A brand new septic system and leach field were installed in the fall of 2025. This went through all formal approval processes with the county.

Water:

- Parcel 1 (4145 WCR 38E) served by Spring Canyon Water and Sewer as the water supply as noted.
- Parcel 2 (empty lot associated with parcel 3)
- Parcel 3 (5900 Sunny Drive) well permit 136861 registered under a previous owner. It was recommended that we file a "Change of Owner Name". It is not clear why this was not transferred at the time my father purchased this property but this property will be purchased by a family member in the next year and at that time the name on the well permit will be corrected.
- Parcel 4 (5901 Sunny Drive) well permit 295914 as described but this residence is currently served by Stout Gulch Spring and Pipeline (WDID 0301093) as outlined in information provided by Colorado Division of Water Resources who identified they have no concerns with the Vacate or the BLA.

Please let me know if this clarifies everything in your feedback or if a call would be helpful.

Thank you,
Judy, Tamara & Kelsey

Tamara Schmidt <tamara121876@gmail.com>

Fri, Mar 27, 2026 at 9:23 AM

To: Ashton Brodahl <brodahah@co.larimer.co.us>

Cc: dacott@comcast.net, kfriedm@gmail.com, Shaila Burgess <shailaburg@gmail.com>, Jared Seay <seayjk@co.larimer.co.us>

Hi Ashton,

I was hoping you may be able to help us determine where the septic tank and leach field are located for 5900 Sunny Drive. Do you know how we can find that information? There will be a remodel of that house taking place as soon as the BLA is finalized so any information you can provide would be greatly appreciated.

Thank you,

Tamara

[Quoted text hidden]

Ashton Brodahl <brodahah@co.larimer.co.us>

Fri, Mar 27, 2026 at 11:29 AM

To: Tamara Schmidt <tamara121876@gmail.com>

Cc: dacott@comcast.net, kfriedm@gmail.com, Shaila Burgess <shailaburg@gmail.com>, Jared Seay <seayjk@co.larimer.co.us>

Hi Tamara,

I can send you the septic permit that I believe is associated with 5900 Sunny Dr. This permit was from 1971. If you have any other questions, please let me know!

Thank you,

Ashton



Ashton Brodahl (*she/her*)
Environmental Health Specialist II

Department of Health & Environment
1525 Blue Spruce Drive, Fort Collins, CO 80524
W: (970) 498-7798 | Mobile/Text: (970)732-9503
abrodahl@larimer.org | www.larimer.gov/health

[Quoted text hidden]



1971 - HAE - OWTS for CORNWELL, LES in - Parcel 9607107007.pdf
968K

Tamara Schmidt <tamara121876@gmail.com>

Fri, Mar 27, 2026 at 11:32 AM

To: Ashton Brodahl <brodahah@co.larimer.co.us>

Cc: dacott@comcast.net, kfriedm@gmail.com, Shaila Burgess <shailaburg@gmail.com>, Jared Seay <seayjk@co.larimer.co.us>

Thank you so much!

[Quoted text hidden]

Jared Seay <seayjk@co.larimer.co.us>

Tue, Apr 28, 2026 at 4:37 PM

To: Chris Thew <cthe@tri-peaks.com>

Cc: Tamara Schmidt <tamara121876@gmail.com>, dacott@comcast.net, kfriedm@gmail.com, Shaila Burgess <shailaburg@gmail.com>

Hello All,

Attached below are Celine's comments on this case; she is the surveyor tasked with reviewing this plat.

These comments would need to be integrated into the AP/BLA Plat before we can schedule this case for a hearing. Unfortunately, we are past the noticing window for the May 18th Land Use Hearing. However, it should be possible to get this to the first hearing in June if edits can be confirmed and finalized by May 14th. May 15th is the last day I have to provide notice for that first June Hearing.

Thank you,



Jared Seay (*he/him*)

Planner II

Community Development Department
200 W Oak St, Fort Collins, 80521 | 3rd Floor
Voicemail: (970) 498-7689
seayjk@co.larimer.co.us | www.larimer.gov

Please [click here](#) to view the most current version of the **Land Use Code**.

Pre-application meetings are required before applying, [click here](#) to submit a request. Please visit our [webpage](#) if you would like more information on the pre-application meeting process.

Use the Assessor's [Property Search Tool](#) to locate your zoning by selecting a property, click 'View on GIS Map', and click on the checkbox for Zoning Districts under the Layer List menu.

[Quoted text hidden]



26-LAND4538 Surveyor Review Comments.pdf
386K

Tamara Schmidt <tamara121876@gmail.com>

Wed, Apr 29, 2026 at 6:59 AM

To: Jared Seay <seayjk@co.larimer.co.us>

Cc: Chris Thew <cthew@tri-peaks.com>, dacott@comcast.net, kfriedm@gmail.com, Shaila Burgess <shailaburg@gmail.com>

Thank you Jared, it is really disappointing to hear that this has been pushed out another month. We will connect with Chris today.

Thank you,
Tamara

[Quoted text hidden]

Jared Seay <seayjk@co.larimer.co.us>

Thu, Apr 30, 2026 at 9:39 AM

To: Ashton Brodahl <brodahah@co.larimer.co.us>

Hey Ashton,

Have you heard any updates on their well permit? I am wondering if this is resolved.

On Wed, Mar 18, 2026 at 2:11 PM Ashton Brodahl <brodahah@co.larimer.co.us> wrote:

[Quoted text hidden]

Jared Seay <seayjk@co.larimer.co.us>

Thu, May 14, 2026 at 1:16 PM

To: Chris Thew <cthew@tri-peaks.com>

Cc: Tamara Schmidt <tamara121876@gmail.com>, dacott@comcast.net, kfriedm@gmail.com, Shaila Burgess <shailaburg@gmail.com>

Hello All,

This message is specifically for Chris.

Chris, please see the attached Surveyor comment from Celine following her conversation with other surveying groups regarding standards for formatting Amended Plat and AP/BLA plats are to be formatted.



Jared Seay (he/him)
Planner II

Voicemail: 970-498-7689
Seayj@larimer.org | www.Larimer.org

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- Pre-application meetings are required before applying for most planning processes, [click here](#) to submit a request. Please visit our [webpage](#) if you would like more information on the pre-application process.

Community Development Office Closed May 14, 8am-1pm

The Community Development offices will be closed on Thursday, May 14 from 8:00am-1:00pm for an all-department staff retreat. No walk-in services will be available during that time, and there may be a delay in responses to phone calls and emails. No building inspections will be scheduled that day. We strive to provide excellent customer service, and our team will get back to you as soon as we can.

On Tue, Apr 28, 2026 at 4:37 PM Jared Seay <seayjk@co.larimer.co.us> wrote:

[Quoted text hidden]

2 attachments



26-LAND4538 Surveyor Review Comments vs2.pdf
387K



co.larimer.co.us Mail - AP_BLA Resultant legal descriptions.pdf
130K

Jared Seay <seayjk@co.larimer.co.us>
To: Chris Thew <cthew@tri-peaks.com>

Wed, May 27, 2026 at 4:27 PM

Hello Chris,

I am reaching out because the deadline for noticing the 6/22/26 BCC is this Friday.

I wanted to ask about the progress on the edits sent on the 14th and whether they would be made before then. If not, that's fine, but we'd need to have this case put on the docket for the next meeting if so [July 13th @ 3:00pm]



Jared Seay (he/him)
Planner II

Voicemail: 970-498-7689
Seayj@larimer.org | www.Larimer.org

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[Quoted text hidden]

Chris Thew <cthew@tri-peaks.com>
To: seayjk@co.larimer.co.us

Wed, May 27, 2026 at 4:54 PM

Jared,

I am trying. I do have everything done except the setting the Section corner and doing the monument record requested. I plan on doing in the field tomorrow and finalizing Friday. Is there a time cut off on Friday that the submittal needs to be in by?

Christopher L Thew, PE-PLS
TRI-PEAKS LLC

cthe@tri-peaks.com
 www.tri-peaks.com
 (970) 232-9482

Hello Chris,

[Quoted text hidden]

[Quoted text hidden]

Jared Seay <seayjk@co.larimer.co.us>

Thu, May 28, 2026 at 10:08 AM

To: Chris Thew <cthe@tri-peaks.com>, Celine Bromley <bromlecm@co.larimer.co.us>

Chris,

I'd personally want to see it by around Mid-day friday to review, but the main individual who needs to review it is Celine. I have CC'ed her on this chain to see if she'll be available after that time on Friday to confirm all edits match the previously requested changes.

Celine, would you be available after 12:00 pm tomorrow to review a plat if Chris is able to get one together? I am unaware if you'll be in the field.

Thank you both!



Jared Seay (he/him)
 Planner II

Voicemail: 970-498-7689

Seayj@larimer.org | www.Larimer.org

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[Quoted text hidden]

Celine Bromley <bromlecm@co.larimer.co.us>

Thu, May 28, 2026 at 1:55 PM

To: Jared Seay <seayjk@co.larimer.co.us>

Cc: Chris Thew <cthe@tri-peaks.com>

Hey Guys,

I am taking off for the weekend at 1100 am and in the field all morning tomorrow. I will be back Monday. We can schedule early morning or later in the afternoon because I might be in the field most of the day.

Thanks!



Celine Bromley, PLS
 Senior Surveyor

Engineering Department
 200 W Oak St, Fort Collins, 80521 |
 3rd Floor
 W: (970) 498-5706 | M: (970) 237-0937
bromlecm@co.larimer.co.us
www.larimer.org/engineering

[Quoted text hidden]

Jared Seay <seayjk@co.larimer.co.us>
 To: Celine Bromley <bromlecm@co.larimer.co.us>
 Cc: Chris Thew <cthe@tri-peaks.com>

Thu, May 28, 2026 at 2:04 PM

Celine & Chris,

I am fine with an earlier meeting time; however, I know Chris planned to work on it on Friday during the day, according to this email chain.

Chris, is there any way we might be able to have edits for the plat before 11:00 a.m.? I know that may be pushing it time-wise.



Jared Seay (he/him)
 Planner II

Voicemail: 970-498-7689
Seayj@larimer.org | www.Larimer.org

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[Quoted text hidden]

Christopher Thew <thewchristopher@gmail.com>
 To: Chris Thew <cthe@tri-peaks.com>, seayjk@co.larimer.co.us, bromlecm@co.larimer.co.us

Mon, Jun 1, 2026 at 6:49 AM

Please see attached responses to comments and supporting documents. I am sending this from my personal email because of the size of the files and capacity of my work email server, please reply all to confirm the submittal has been received.

Chris

On Mon, Jun 1, 2026 at 6:43 AM Chris Thew <cthe@tri-peaks.com> wrote:

Begin forwarded message:

Date: May 28, 2026 13:04
 From: seayjk@co.larimer.co.us
 To: bromlecm@co.larimer.co.us
 Cc: Chris Thew
 Subject: Re: 26-LAND4538 Comment Response Letter

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]



Jared Seay (he/him) Planner II

Voicemail: 970-498-7689
Seayj@lairmer.org | www.Larimer.org

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On Wed, May 27, 2026 at 4:54 PM Chris Thew <cthew@tri-peaks.com> wrote:

Jared,

I am trying. I do have everything done except the setting the Section corner and doing the monument record requested. I plan on doing in the field tomorrow and finalizing Friday. Is there a time cut off on Friday that the submittal needs to be in by?

Christopher L Thew, PE-PLS
 TRI-PEAKS LLC
cthew@tri-peaks.com
www.tri-peaks.com
 (970) 232-9482

Hello Chris,

I am reaching out because the deadline for noticing the 6/22/26 BCC is this Friday.

I wanted to ask about the progress on the edits sent on the 14th and whether they would be made before then. If not, that's fine, but we'd need to have this case put on the docket for the next meeting if so [July 13th @ 3:00pm]



Jared Seay (he/him) Planner II

Voicemail: 970-498-7689
Seayj@lairmer.org | www.Larimer.org

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On Thu, May 14, 2026 at 1:16 PM Jared Seay <seayjk@co.larimer.co.us> wrote:

Hello All,

This message is specifically for Chris..

Chris, please see the attached Surveyor comment from Celine following her conversation with other surveying groups regarding standards for formatting Amended Plat and AP/BLA plats are to be formatted.



Jared Seay (he/him)
Planner II

Voicemail: 970-498-7689
Seayj@larimer.org | www.Larimer.org

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Community Development Office Closed May 14, 8am-1pm

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[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

Thank you so much!

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

Lot 6a - 13,750 S.F.. (0.316 ACRES) This increases in size.

Christopher L Thew, PE-PLS
TRI-PEAKS LLC
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[Quoted text hidden]

8 attachments

 **AP-BLA.pdf**
1043K

 **Spring Canyon WSD EASEMENT.pdf**
719K

 **DEEDS.pdf**
518K

 **CLOSURE REPORTS.pdf**
609K

 **UPDATED MON RECS.pdf**
461K

 **Comment Responce.pdf**
313K

 **VACATION 5100.pdf**
709K

 **VACATION 4145.pdf**
853K

Celine Bromley <bromlecm@co.larimer.co.us>
To: Christopher Thew <thewchristopher@gmail.com>
Cc: Chris Thew <cthe@tri-peaks.com>, seayjk@co.larimer.co.us

Mon, Jun 1, 2026 at 7:56 AM

I can take a look at this tomorrow and get back to you.

Thanks!



Celine Bromley, PLS
Senior Surveyor

Engineering Department
200 W Oak St, Fort Collins, 80521 |
3rd Floor
W: (970) 498-5706 | M: (970) 237-0937
bromlecm@co.larimer.co.us
www.larimer.org/engineering

[Quoted text hidden]

Tamara Schmidt <tamara121876@gmail.com>
To: Jared Seay <seayjk@co.larimer.co.us>
Cc: Chris Thew <cthe@tri-peaks.com>, dacott@comcast.net, kfriedm@gmail.com

Wed, Jun 3, 2026 at 4:20 PM

Hi Jared,
Can you tell us the status of the BLA and hearing?

Thank you,
Tamara

[Quoted text hidden]

Jared Seay <seayjk@co.larimer.co.us>
To: Tamara Schmidt <tamara121876@gmail.com>
Cc: Chris Thew <cthe@tri-peaks.com>, dacott@comcast.net, kfriedm@gmail.com

Wed, Jun 3, 2026 at 4:48 PM

Hello Tamara,

We are in receipt of edits provided to the BLA from Chris. Our Surveyor, Celine, is reviewing them. This case did not meet the deadline to be noticed for the 6/22/26 3:00 p.m. hearing. The BLA Plat must be finalized before I can schedule this

case for hearing since it will be signed at the conclusion of that meeting. With the edits received and under review, I hope to bring this to the 7/13/26 3:00pm land use hearing if all checks out.

Thank you,



Jared Seay (he/him)
Planner II

Voicemail: 970-498-7689
Seayj@larimer.org | www.Larimer.org

- Please [click here](#) to view the most current version of the **Land Use Code**.
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[Quoted text hidden]

Jared Seay <seayjk@co.larimer.co.us>
To: Celine Bromley <bromlecm@co.larimer.co.us>

Tue, Jun 16, 2026 at 8:19 AM

Does this look ready on your end?



Jared Seay (he/him)
Planner II

Voicemail: 970-498-7689
Seayj@larimer.org | www.Larimer.org

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[Quoted text hidden]

Celine Bromley <bromlecm@co.larimer.co.us>
To: Jared Seay <seayjk@co.larimer.co.us>

Tue, Jun 16, 2026 at 8:43 AM

Did he send a revised plat? I am not seeing it in the email thread.



Celine Bromley, PLS
Senior Surveyor

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3rd Floor
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www.larimer.org/engineering

[Quoted text hidden]

Jared Seay <seayjk@co.larimer.co.us>
To: Celine Bromley <bromlecm@co.larimer.co.us>

Tue, Jun 16, 2026 at 8:50 AM

Did they send now?



Jared Seay (he/him) Planner II

Voicemail: 970-498-7689
Seayj@larimer.org | www.Larimer.org

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[Quoted text hidden]

8 attachments



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Comment Responce.pdf
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VACATION 5100.pdf
709K



VACATION 4145.pdf
853K

Celine Bromley <bromlecm@co.larimer.co.us>
To: Jared Seay <seayjk@co.larimer.co.us>

Tue, Jun 16, 2026 at 9:16 AM

yes, thanks.



Celine Bromley, PLS Senior Surveyor

Engineering Department
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bromlecm@co.larimer.co.us
www.larimer.org/engineering

[Quoted text hidden]

Jared Seay <seayjk@co.larimer.co.us>
To: Celine Bromley <bromlecm@co.larimer.co.us>

Tue, Jun 16, 2026 at 3:56 PM

Celine,

I re-reviewed this earlier against my standards and it appears to possess what I need to bring it forward from a planning perspective.

I need to file this for the hearing no later than the end of the day on 6/18/26. Are you able you confirm that everything looks good on your end before then? (or your requested edits if not?)

If all is well in what chris provided, I can ask them to have a plat produced, signed, and provide to us to have signed if approved at the hearing.



Jared Seay (he/him)
Planner II

Voicemail: 970-498-7689
Seayj@larimer.org | www.Larimer.org

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[Quoted text hidden]

Jared Seay <seayjk@co.larimer.co.us>
To: Celine Bromley <bromlecm@co.larimer.co.us>

Tue, Jun 16, 2026 at 3:57 PM

Chris* have a Mylar produced* - Sorry for the typos



Jared Seay (he/him)
Planner II

Voicemail: 970-498-7689
Seayj@larimer.org | www.Larimer.org

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[Quoted text hidden]

Celine Bromley <bromlecm@co.larimer.co.us>
To: Jared Seay <seayjk@co.larimer.co.us>

Wed, Jun 17, 2026 at 7:28 AM

Hi Jared,
Didn't get a chance to look at the Plat much-gonna do that now. So far I just have comments on one of the legal descriptions and the monument records. There is a '0' missing after the reception number on the third easement to be vacated in 'VACATION 4145'. On the monument records the index number usually comes before the index letter and there is no comma between them.

Thanks,



Celine Bromley, PLS
Senior Surveyor

Engineering Department
200 W Oak St, Fort Collins, 80521 |
3rd Floor

W: (970) 498-5706 | M: (970) 237-0937
bromlecm@co.larimer.co.us
www.larimer.org/engineering

[Quoted text hidden]

Celine Bromley <bromlecm@co.larimer.co.us>
 To: Jared Seay <seayjk@co.larimer.co.us>

Wed, Jun 17, 2026 at 7:36 AM

Plat is good



Celine Bromley, PLS
 Senior Surveyor

Engineering Department
 200 W Oak St, Fort Collins, 80521 |
 3rd Floor
 W: (970) 498-5706 | M: (970) 237-0937
bromlecm@co.larimer.co.us
www.larimer.org/engineering

[Quoted text hidden]

Jared Seay <seayjk@co.larimer.co.us>
 To: Celine Bromley <bromlecm@co.larimer.co.us>

Wed, Jun 17, 2026 at 8:24 AM

Celine,

Thanks for the update! I can have Christopher make those edits and print a plat for the upcoming hearing with those in mind.

[Quoted text hidden]

Jared Seay <seayjk@co.larimer.co.us>
 To: Chris Thew <cthe@tri-peaks.com>

Wed, Jun 17, 2026 at 8:33 AM

Hello Chris,

Celine affirmed in an email within this chain that your plat meets surveyor specifications. There are a few small edits noted from her above, but they can be done without another round of re-review. After those edits are made, you can have a Mylar created, signed, and provided to us. We'd then have the commissioners sign it following the hearing (pending its approval).

I will route this for the next available Land Use Hearing on 7/13. It will likely be on the discussion agenda. I'll send an email in the chain to Tamara and others stating my intention to do so. I will ask one of them to attend the hearing in that chain virtually or in person.

Thank you for your diligence in this matter. We appear to be close to the finish line.



Jared Seay (he/him)
 Planner II

Voicemail: 970-498-7689
Seayj@larimer.org | www.Larimer.org

- Please [click here](#) to view the most current version of the **Land Use Code**.
- Use the Assessor's [Property Search Tool](#) to locate your zoning by selecting a property, click 'View on GIS Map', and click on the checkbox for Zoning Districts under the Layer List menu.
- Pre-application meetings are required before applying for most planning processes, [click here](#) to submit a request. Please visit our [webpage](#) if you would like more information on the pre-application process.

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

From: **Celine Bromley** <bromlecm@co.larimer.co.us>

[Quoted text hidden]

[Quoted text hidden]

Jared Seay <seayjk@co.larimer.co.us>

Wed, Jun 17, 2026 at 8:41 AM

To: Tamara Schmidt <tamara121876@gmail.com>

Cc: Chris Thew <cthe@tri-peaks.com>, dacott@comcast.net, kfriedm@gmail.com

Tamara and All,

Celine, our Surveyor, affirmed in a separate email within this chain that your plat meets surveyor specifications. She noted a few small edits for Chris, but they don't require another round of re-review. After those edits, you can create, sign, and provide the Deeds and Mylar to us. We'd then have the commissioners sign it following the hearing (pending its approval). We will be recommending approval on the case as of this time.

I will route this for the next available Land Use Hearing at 3:00pm on 7/13. My notification deadline for this is tomorrow, so I'll draft up an email to our Admin team, CIRT, with that intent tomorrow morning. It will be on the discussion agenda. Can one of you attend this meeting virtually or in person?

Side Note:

We've had an influx of scammers using AI recently. These scammers use public data to create convincing emails that appear to come from our department in an attempt to trick you into sending them money.

Do not wire or send money to these individuals. They are most likely posing as me, CIRT, or a member of my management.

If you receive any messages asking for money, please forward them to me so I can report them. I believe the only applicable fees our CIRT team would reach out about at this point relate to recording the Mylar and Deeds required for this process if approved.

Thank you for your time and I hope to hear from you soon.



Jared Seay (he/him)
Planner II

Voicemail: 970-498-7689

Seayj@larimer.org | www.Larimer.org

- Please [click here](#) to view the most current version of the **Land Use Code**.
- Use the Assessor's [Property Search Tool](#) to locate your zoning by selecting a property, click 'View on GIS Map', and click on the checkbox for Zoning Districts under the Layer List menu.
- Pre-application meetings are required before applying for most planning processes, [click here](#) to submit a request. Please visit our [webpage](#) if you would like more information on the pre-application process.

[Quoted text hidden]

Kelsey Friedman <kfriedm@gmail.com>

Wed, Jun 17, 2026 at 2:08 PM

To: Jared Seay <seayjk@co.larimer.co.us>

Cc: Tamara Schmidt <tamara121876@gmail.com>, Chris Thew <cthe@tri-peaks.com>, DACOTT@comcast.net

Hi Jared,
Is this something Chris edits, completes, and sends over or something Tamara and I need to complete?
Thank you.
Sent from my iPhone

On Jun 17, 2026, at 7:41 AM, Jared Seay <seayjk@co.larimer.co.us> wrote:

[Quoted text hidden]

Chris Thew <cthew@tri-peaks.com>

Wed, Jun 17, 2026 at 2:33 PM

To: kfriedm@gmail.com

Cc: seayjk@co.larimer.co.us, tamara121876@gmail.com, dacott@comcast.net

Kelsey,

So the everything will be ready for signatures once I make a few minor revisions. I can have things ready to pick up Monday if you want to set up a time. Please confirm a time. I will provide everything to the county so they have the final version of everything provided to you.

Christopher L Thew, PE-PLS
TRI-PEAKS LLC
cthew@tri-peaks.com
www.tri-peaks.com
(970) 232-9482

Hi Jared,

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

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[Quoted text hidden]

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[Quoted text hidden]

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[Quoted text hidden]

Thank you so much!

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[Quoted text hidden]

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Regarding the residence at 4145 W.. County Road 38E, the comments concerning bedroom count and septic system sizing were provided for your

awareness, should future building permits be required. Please note that the septic system permit currently on file is for 3 bedrooms.

[Quoted text hidden]

[Quoted text hidden]

Tamara Schmidt <tamara121876@gmail.com>
To: Chris Thew <cthew@tri-peaks.com>
Cc: kfriedm@gmail.com, seayjk@co.larimer.co.us, dacott@comcast.net

Wed, Jun 17, 2026 at 3:26 PM

Hi Chris,
I will need to coordinate a time with you for Monday.

[Quoted text hidden]

Kelsey Friedman <kfriedm@gmail.com>
To: Tamara Schmidt <tamara121876@gmail.com>
Cc: Chris Thew <cthew@tri-peaks.com>, seayjk@co.larimer.co.us, DACOTT@comcast.net

Thu, Jun 18, 2026 at 7:30 PM

Hi Jared,
Just confirming that either Tamara, I, or both can attend this meeting virtually. Were you able to get this submitted for the July meeting? Chris will have corrections ready on Monday.
Sent from my iPhone

On Jun 17, 2026, at 2:27 PM, Tamara Schmidt <tamara121876@gmail.com> wrote:

[Quoted text hidden]

Jared Seay <seayjk@co.larimer.co.us>
To: Kelsey Friedman <kfriedm@gmail.com>
Cc: Tamara Schmidt <tamara121876@gmail.com>, Chris Thew <cthew@tri-peaks.com>, DACOTT@comcast.net

Mon, Jun 22, 2026 at 8:07 AM

Kelsey,

Thanks for letting me know that you or Tamara can attend. I was able to schedule this for the July meeting.



Jared Seay (he/him)
Planner II

Voicemail: 970-498-7689
Seayj@larimer.org | www.Larimer.org

- Please [click here](#) to view the most current version of the **Land Use Code**.
- Use the Assessor's [Property Search Tool](#) to locate your zoning by selecting a property, click 'View on GIS Map', and click on the checkbox for Zoning Districts under the Layer List menu.
- Pre-application meetings are required before applying for most planning processes, [click here](#) to submit a request. Please visit our [webpage](#) if you would like more information on the pre-application process.

[Quoted text hidden]

Tamara Schmidt <tamara121876@gmail.com>
To: Jared Seay <seayjk@co.larimer.co.us>, Shaila Burgess <shailaburg@gmail.com>
Cc: Kelsey Friedman <kfriedm@gmail.com>, Chris Thew <cthew@tri-peaks.com>, DACOTT@comcast.net

Mon, Jun 22, 2026 at 8:59 AM

Hi Jared,

I called and left you a message this morning. I am picking the documents up from Chris later today and I just want to make sure I am clear on next steps. It is my understanding that after I get the documents from Chris my mother needs to have them notarized and then I bring them to you. Can you confirm or if a conversation is better please give me a call at 970-988-8091.

Thank you,
Tamara
[Quoted text hidden]

Kelsey Friedman <kfriedm@gmail.com>

Mon, Jun 22, 2026 at 10:21 AM

To: Tamara Schmidt <tamara121876@gmail.com>

Cc: Jared Seay <seayjk@co.larimer.co.us>, Shaila Burgess <shailaburg@gmail.com>, Chris Thew <cthe@tri-peaks.com>, DACOTT@comcast.net

Thank you Jared, please let us know what else needs to occur before the meeting.

All the best,
Kelsey
Sent from my iPhone
[Quoted text hidden]

Chris Thew <cthe@tri-peaks.com>

Mon, Jun 22, 2026 at 2:04 PM

To: bromlecm@co.larimer.co.us

Cc: seayjk@co.larimer.co.us

Jared/Celine,

Attached is the revised Vacation for 4145. The comment was "There is a '0' missing after the reception number on the third easement to be vacated in 'VACATION 4145'." I believe I was missing a "2" in that reception number. The monument records have already been provided to the state. I am going to print everything as you have seen it todate, but please confirm the vacation document looks alright.

Christopher L Thew, PE-PLS
TRI-PEAKS LLC
cthe@tri-peaks.com
www.tri-peaks.com
(970) 232-9482

Hello Chris,

Celine affirmed in an email within this chain that your plat meets surveyor specifications.. There are a few small edits noted from her above, but they can be done without another round of re-review. After those edits are made, you can have a Mylar created, signed, and provided to us. We'd then have the commissioners sign it following the hearing (pending its approval).

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Thank you so much!

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[Quoted text hidden]

[Quoted text hidden]

Lot 6a - 13,750 S.F... (0.316
ACRES) This increases in size.

Christopher L Thew, PE-PLS
TRI-PEAKS LLC
cthew@tri-peaks.com
www.tri-peaks.com
(970) 232-9482

[Quoted text hidden]

Chris Thew <cthew@tri-peaks.com>

To: cthew@tri-peaks.com

Cc: bromlecm@co.larimer.co.us, seayjk@co.larimer.co.us

Mon, Jun 22, 2026 at 2:06 PM

Just realized the last emails didn't have the attachment. Sorry.

[Quoted text hidden]



4145 VACATION REV 6-22-24.pdf

861K

Jared Seay <seayjk@co.larimer.co.us>

To: bromlecm@co.larimer.co.us

Mon, Jun 22, 2026 at 2:26 PM

Celine,

Let me know if this works for you and they can turn around the mylar pretty quickly!

Thanks,



Jared Seay (he/him)
Planner II

Voicemail: 970-498-7689
Seayj@larimer.org | www.Larimer.org

- Please [click here](#) to view the most current version of the **Land Use Code**.
- Use the Assessor's **Property Search Tool** to locate your zoning by selecting a property, click 'View on GIS Map', and click on the checkbox for Zoning Districts under the Layer List menu.
- Pre-application meetings are required before applying for most planning processes, [click here](#) to submit a request. Please visit our [webpage](#) if you would like more information on the pre-application process.

[Quoted text hidden]

Celine Bromley <bromlecm@co.larimer.co.us>
To: Chris Thew <cthe@tri-peaks.com>
Cc: seayjk@co.larimer.co.us

Tue, Jun 23, 2026 at 8:09 AM

Thanks Chris,
Everything looks good to me. No further comments.



Celine Bromley, PLS
Senior Surveyor

Engineering Department
200 W Oak St, Fort Collins, 80521 |
3rd Floor
W: (970) 498-5706 | M: (970) 237-0937
bromlecm@co.larimer.co.us
www.larimer.org/engineering

[Quoted text hidden]

Tamara Schmidt <tamara121876@gmail.com>
To: Jared Seay <seayjk@co.larimer.co.us>, Shaila Burgess <shailaburg@gmail.com>
Cc: Kelsey Friedman <kfriedm@gmail.com>, Chris Thew <cthe@tri-peaks.com>, DACOTT@comcast.net

Wed, Jun 24, 2026 at 8:38 AM

Hi Jared,
All documents were dropped off yesterday.

Thank you,
Tamara

[Quoted text hidden]

Jared Seay <seayjk@co.larimer.co.us>
To: Tamara Schmidt <tamara121876@gmail.com>
Cc: Shaila Burgess <shailaburg@gmail.com>, Kelsey Friedman <kfriedm@gmail.com>, Chris Thew <cthe@tri-peaks.com>, DACOTT@comcast.net

Fri, Jun 26, 2026 at 8:07 AM

Thank you for letting me know!



Jared Seay (he/him) Planner II

Voicemail: 970-498-7689
Seayj@larimer.org | www.Larimer.org

- Please [click here](#) to view the most current version of the **Land Use Code**.
- Use the Assessor's [Property Search Tool](#) to locate your zoning by selecting a property, click 'View on GIS Map', and click on the checkbox for Zoning Districts under the Layer List menu.
- Pre-application meetings are required before applying for most planning processes, [click here](#) to submit a request. Please visit our [webpage](#) if you would like more information on the pre-application process.

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ATTACHMENT E

Utility Checklist Signatures



UTILITIES CHECK SHEET

COMMUNITY DEVELOPMENT | PLANNING

PLEASE PROVIDE THE UTILITY COMPANIES WITH A SITE PLAN AND A PROJECT DESCRIPTION

YOU CAN SEND OUT MULTIPLE COPIES OF THIS PAGE - PLEASE IGNORE SECTIONS THAT ARE NOT APPLICABLE TO YOUR PROPERTY

PROPERTY ADDRESS AND/OR PARCEL #:

APPLICANT NAME & EMAIL ADDRESS:

ENGINEER/SURVEYOR CONTACT (IF APPLICABLE):

WATER DISTRICT (SKIP THIS SECTION IF USING A WELL):

COMMENTS: Spring Canyon WSD requires existing utilities to have a 10 foot easement on both side of our existing underground line.

SIGNATURE:

Chris Olson

DATE:

11/21/2025

SANITATION DISTRICT (SKIP THIS SECTION IF PROPOSING ON-LOT SEPTIC):

COMMENTS: Spring Canyon WSD requires existing utilities to have a 10 foot easement on both side of our existing underground line.

SIGNATURE:

Chris Olson

DATE:

11/21/2025

INTERNET/PHONE (IF APPLICABLE):

COMMENTS:

SIGNATURE:

DATE:

ELECTRICITY (IF APPLICABLE):

COMMENTS:

Poudre Valley REA requires any existing facilities (overhead or underground) to have a 10 foot easement on both sides of the facilities. The facilities or the easement boundaries must be shown on the plat. Platting is subject to the rights of the existing facilities.

SIGNATURE:

BAF

DATE:

10/27/25

GAS (IF APPLICABLE):

COMMENTS:

SIGNATURE:

DATE:

DITCH COMPANY (IF APPLICABLE):

COMMENTS:

SIGNATURE:

DATE:

OTHER:

COMMENTS:

SIGNATURE:

DATE:

ATTACHMENT F

Neighborhood Referral Comments

26-LAND4538 Acott AP/BLA & Easement Vacation

Project Engagement			
VIEWS	PARTICIPANTS	RESPONSES	COMMENTS
382	2	1	1

What is your current stance on this case?

No data to display...

In order to help us understand how this application impacts you, please share the approximate location of your property. This can be where you live, work, own property or the property where you received the mailed notice of the public hearing.



Voicemail Comments

Hi, my name is Jeremy Deal. My grandparents live at 5,800 Sunny Drive. I was calling in regards to the parcel that we got in the mail about Project Acot AP slash BA and easement vacation. I'm not quite sure what this is. If you could give us a call back. Phone number here is (720) 838-0802. Again, this is for Terrence, Joseph Doyle. Mario Adell, 5,800 Sunny Drive, just trying to find out what exactly this is. Thank you. Have a good day. Bye-bye.

2/24/2026 

Published Addendum - This supporting material was received and incorporated into the agenda after the original posting, but more than 24 hours before the scheduled hearing.

Extension of Data Center Moratorium

ATTACHMENT A

Resolution to Establish a Temporary
Moratorium on Data Center Facilities

**RESOLUTION TO EXTEND THE TEMPORARY MORATORIUM
ON DATA CENTER FACILITIES IN LARIMER COUNTY, COLORADO**

WHEREAS, on April 7, 2026, the Board of County Commissioners of the County of Larimer, State of Colorado (the Board) adopted a Resolution to Establish a Temporary Moratorium on Data Center Facilities in Larimer County, Colorado, recorded with the Larimer County Clerk and Recorder at Reception No. 20260016505 (the Original Resolution), which established a temporary moratorium on the acceptance and processing of applications and pre-submittal activities for data center facilities in all of unincorporated Larimer County, effective through August 25, 2026, and which expressly reserved the right of Larimer County to extend the moratorium if additional time is needed to complete the regulatory process; and

WHEREAS, the Board of County Commissioners of the County of Larimer, State of Colorado, has authority to plan for and regulate the use of land pursuant to the Local Government Land Use Control Enabling Act, C.R.S. § 29-20-101, *et seq.*; C.R.S. § 30-11-101(2) concerning the adoption and enforcement of resolutions and ordinances regarding health, safety and welfare issues as otherwise prescribed by law; C.R.S. § 30-11-107 concerning powers of Boards of County Commissioners; C.R.S. § 30-28-115 concerning the promotion of health, safety, convenience, order and/or welfare of the community through land use regulations; and other applicable state and federal statutes and common law grants of authority to best protect and promote the health, safety, and general welfare of the present and future inhabitants of Larimer County, including but not limited to:

- Regulating development and activities in hazardous areas;
- Protecting lands from activities which would cause immediate or foreseeable material danger to significant wildlife habitat and would endanger a wildlife species;
- Providing for phased development of services and facilities;
- Regulating the use of land on the basis of the impact of the use on the community or surrounding areas; and
- Otherwise planning for and regulating the use of land so as to provide planned and orderly use of land and protection of the environment in a manner consistent with constitutional rights.

WHEREAS, pursuant to C.R.S. section 30-28-121, the Board may promulgate temporary regulations not to exceed six months, by resolution and without a public hearing, prohibiting or regulating in any part of or all of the unincorporated territory of the county, structures used or to be used for any business, residential, industrial or commercial purpose; and

WHEREAS, there has been significant interest in developing data center facilities within Larimer County, which are large-scale facilities designed to house computer systems and associated components such as telecommunications and storage systems; and

WHEREAS, data center facilities can have significant impacts on infrastructure, including demands on electrical power, water supply, telecommunications networks, and transportation systems, as well as potential impacts on surrounding land uses, natural resources, public services, and the character of the community; and

WHEREAS, the Larimer County Land Use Code does not currently contain specific regulations, standards, or definitions addressing the unique characteristics and impacts of data center facilities; and

WHEREAS, since adoption of the Original Resolution, Larimer County staff has been engaged in a comprehensive public process to develop appropriate definitions, standards, and conditions addressing the unique characteristics and impacts of data center facilities for adoption into the Larimer County Land Use Code, and that regulatory process has not yet been completed, such that additional time is needed to complete the process in a thorough and orderly manner; and

WHEREAS, the Board has determined that it is necessary to continue to temporarily suspend acceptance of applications for data center facilities while appropriate regulations, standards, and definitions can be developed and completed through a comprehensive public process involving the Larimer County Planning Commission and the Board; and

WHEREAS, based on the information presented and provided, the Board has determined that an extension of the temporary moratorium is necessary to ensure planned, orderly development of data center facilities consistent with the character and welfare of Larimer County by enacting appropriate regulations; and

WHEREAS, Larimer County reserves the right to further extend this moratorium if additional time is needed to complete the regulatory process.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LARIMER, STATE OF COLORADO THAT:

The temporary moratorium established by the Original Resolution is hereby extended, such that Larimer County shall not accept applications or engage in pre-submittal activities for data center facilities, including but not limited to planning applications, building permits, engineering permits, or other development applications related to data center facilities, and no such applications shall be accepted or processed by the Larimer County Planning and Community Development Department for an additional period of six (6) months, through and included February 25, 2027, or until appropriate definitions, standards and conditions can be considered by the Planning Commission for adoption into the Larimer County Land Use Code and adopted by the Board, whichever comes first, or unless further renewed or amended by separate action.

For purposes of this moratorium, a “data center facility” means a purpose-built structure, a substantial modification to an existing structure, or an integrated group of structures that is designed and used primarily to house computer servers, data storage systems, large scale digital data processing, and/or networking equipment, and associated infrastructure including but not limited to cooling systems, backup power systems, telecommunications facilities, and battery storage, sometimes referred to as Digital Infrastructure Facilities, Industrial-Scale Computing Facilities, or High-Intensity Computing Facilities typically operating on a scale requiring significant electrical power consumption, water consumption and/or infrastructure support. All other terms, conditions, and provisions of the Original Resolution not expressly modified herein are incorporated by reference and shall remain in full force and effect during the extended moratorium period.

This moratorium, as extended, is effective in all of unincorporated Larimer County.

The Board held an open meeting to allow public comment on the merits of extending the temporary moratorium imposed by the Original Resolution and to determine whether the moratorium should be terminated, extended, or otherwise amended. The hearing was held on July 13, 2026 in the Board's public Hearing Room, 1st Floor, 200 West Oak Street, Fort Collins, Colorado 80522. Notice of this hearing was published in a newspaper of general circulation in Larimer County at least 14 days prior to the hearing date.

This resolution shall be effective as of August 25, 2025, and shall expire on February 25, 2027, unless earlier terminated or further extended pursuant to statute.

DATED THIS DAY, _____.

THE BOARD OF COUNTY COMMISSIONERS
LARIMER COUNTY, COLORADO

Chair

ATTEST:

Deputy County Clerk

Published Addendum - This supporting material was received and incorporated into the agenda after the original posting, but more than 24 hours before the scheduled hearing.

HB26-1239 Rubbish Ordinance Update First Reading, File No. 26-CODE0293

MEMORANDUM

TO: Board of County Commissioners

FROM: Amy White, Code Compliance Supervisor

DATE: July 13, 2026

RE: HB26-1239 Rubbish Ordinance update

During the 2026 legislative session, HB26-1239, **County Enforcement Authority**, was passed and subsequently signed into law on May 29, 2026. The new legislation revised state-level requirements, prompting necessary amendments to the recently revised Rubbish Ordinance. Here is a summary of the major changes:

Key Statutory Changes – Rubbish Removal

- 1. Extended Warrant Timeline (Operational Win):** Something Code Compliance staff has been advocating for, the statutory deadline to execute an Entry and Seizure warrant for rubbish removal has been significantly extended from 10 days to 30 days after issuance. This allows our staff substantially more operational flexibility to complete a property clean-up pursuant to the Rubbish Ordinance.
- 2. Expanded Right-of-Way (ROW) Authority:** We now have the authority to compel property owners to remove rubbish from the public right-of-way immediately adjacent to their property. This authority is strictly limited to instances where the debris/junk was directly caused by or originated from the adjacent property owner.
- 3. Increased Administrative Cost Recovery:** Under the updated ordinance, the maximum administrative fee for forced cleanups has doubled from 5% to 10% of the total removal cost. Consistent with previous regulations, an additional 10% may be applied if the certification of a lien becomes necessary. Furthermore, this cost recovery mechanism is no longer limited strictly to Rubbish Ordinance violations and has been expanded to include all court-ordered cleanups.



Other Statutory Implications

1. **Zoning and Building Code Enforcement:** The bill targets the unlawful construction, alteration, or use of buildings and land that violate local county zoning regulations.
2. **Streamlined Legal Remedies & Higher Fines:** Rather than requiring multiple legal tracks, the bill allows county and district courts to issue both civil monetary penalties and injunctive relief (court orders to stop or fix a violation) within a single lawsuit.
3. **Enforcement Personnel:** The bill also expands who can serve a summons for a code violation to include local zoning enforcement personnel, removing the sole burden from the county sheriff.

Specific Changes include the following:

1. The second WHEREAS clause is amended to read:

WHEREAS, the Board has previously adopted local ordinances concerning the removal of rubbish from lots and tracts of land within Larimer County in both Ordinance 062020170001, dated December 5, 2016, and the amendment to Ordinance No. 062020170001, dated March 11, 2019 **and the Larimer County Regulations Relating to the Accumulation and Removal of Rubbish, dated March 23, 2026; and**

2. A third WHEREAS clause was added as follows:

WHEREAS, House Bill 26-1239 was signed into law on May 29, 2026, with an effective date of August 12, 2026; and

3. A fourth WHEREAS clause was added as follows:

WHEREAS, House Bill 26-1239 expands county enforcement authority over property violations by adding civil penalty and injunctive relief remedies, extending the warrant execution period to thirty days, and broadening the scope of rubbish removal authority to include adjacent public rights-of-way; and

4. Section 1. Authority was amended to remove existing language and add the following:

~~B The manner by which such an ordinance is enforced may be prescribed by the Board of County Commissioners and may include removal of rubbish performed by Larimer County~~

~~upon notice and failure of the property owner to remove rubbish. Pursuant to C.R.S. section 30-15-401(1)(a)(I)(A), as in effect now and hereafter amended, the reasonable costs incurred from any such removal by Larimer County may be assessed upon the lots and tracts from which rubbish has been removed, and collected in the same manner as other taxes. This authority extends to rubbish on any lot, parcel, or tract of land within unincorporated Larimer County, as well as to any public right-of-way immediately adjacent to such property to the extent the condition is caused by the property owner or occupant or originates from the property. The reasonable costs incurred from any such removal by Larimer County may be assessed upon the property from which rubbish has been removed and collected in the same manner as other taxes.~~

5. Section 3. Scope of Ordinance was amended to include the following:

This Ordinance shall apply within the unincorporated territory of Larimer County, Colorado, ~~including any public right-of-way immediately adjacent to property within the county to the extent a rubbish condition is caused by the property owner or occupant or originates from the property,~~ however, pursuant to C.R.S. section 30-15-401(1)(a)(I)(A), this Ordinance shall not apply to industrial tracts of land that are ten (10) or more acres in size, or to agricultural land currently in agricultural use, as defined in this Ordinance.

6. Section 5. Violations of this Ordinance was amended to add the following and delete existing verbiage:

~~It shall be unlawful for any property owner to allow the accumulation of rubbish on any lot, parcel, or tract of land, or on any public right-of-way immediately adjacent to such lot, parcel, or tract of land to the extent such condition is caused by the property owner or occupant or originates from the property, in the County except industrial tracts of ten or more acres and agricultural land which are excluded from this Ordinance.~~

~~It shall be unlawful for any property owner to allow the accumulation of rubbish on any lot, parcel or tract of land in the County except industrial tracts of ten or more acres and agricultural land which are excluded from this Ordinance.~~

7. Section 6. Procedure for Notice of Violations of this Ordinance, Section B was amended to add subsections b and c and update the following subsections:

b. ~~Describe any potential enforcement authority of the County, including any possible liens that may result from abatement costs and any civil penalties that may be imposed pursuant to C.R.S. section 30-15-401(2)(d), as in effect now and hereafter amended.~~

c. Identify whether the violation exists on the property, on a public right-of-way adjacent to the property, or both, and if on a public right-of-way, describe the basis for the County's determination that the condition was caused by or originates from the property owner or occupant.

b.d. Establish a correction deadline of thirty (30) days from the notice date. The Larimer County Community Development Director may, at their sole discretion, modify this timeframe as follows:

c.e.

i. If a hearing is requested by the Property Owner pursuant to Section **6(B)(e)(e)**:

1. The date of any requested hearing shall be as soon as practicable considering the Board's calendar. Written notice of the date of the hearing shall be sent via **first-class** mail to the Property Owner at least seven (7) business days prior to the date of the hearing.

8. Section 7. Administrative Entry & Seizure Warrant was amended as follows:

Subsection B. Requirements for filing of a Petition was amended to add subsection g and update the following subsections. Subsection E as update to add additional language:

g. If the rubbish to be removed is located on a public right-of-way adjacent to the property, evidence establishing that the condition was caused by the Property Owner or occupant or originates from the property.

f.h. Evidence that the Property Owner has received notice of the violation and has failed to abate the violation within the time prescribed by such notice.

g.i. A proposal about whether the rubbish to be removed should be disposed of or temporarily impounded.

Subsection E. Costs of Removal.

- a. ~~All reasonable costs associated with the removal of rubbish and impoundment, if ordered by the court, shall be paid by the property owner.~~
All reasonable costs associated with the removal of rubbish and impoundment, if ordered by the court, shall be paid by the property owner.
An additional ten percent (10%) of those removal costs shall also be assessed to cover inspection and other incidental expenses.

9. Section 8. Civil Penalties & Injunctive Relief was added as follows:

A. Civil Penalty Enforcement. Pursuant to C.R.S. section 30-15-401(2)(d), as in effect now and hereafter amended, in addition to the warrant and abatement procedures set forth in Section 7 of this Ordinance, the County may seek court-ordered civil penalties against a property owner who fails to abate violations of this Ordinance after written notice as provided in Section 6.

a. Upon a property owner's failure to abate a violation after written notice as set forth in Section 6, the County may request the County Court or District Court of Larimer County to impose a civil penalty of not less than one hundred dollars (\$100) nor more than two thousand six hundred fifty dollars (\$2,650) per day of the violation. Each day a violation continues is deemed a separate offense, and the penalty continues to accrue until the violation is fully remedied.

b. Any civil penalty ordered by the court and unpaid shall, as of recording, be a lien against the property on which the violation has been found to exist. If an assessment is not paid within thirty (30) days, the County Clerk and Recorder or County Attorney may certify the nonpayment to the Larimer County Treasurer, who shall collect the assessment together with a ten percent (10%) penalty for the cost of collection in the same manner as other taxes are collected. Any such lien must be recorded with the Clerk and Recorder of Larimer County. For purposes of this Section, "Property Owner" does not include a state agency.

B. Injunctive Relief and Court-Ordered Abatement. In addition to civil penalties, the County Attorney may bring an action in the County Court or District Court that has jurisdiction over the property for an order enjoining a violation, ordering the violation's restraint, removal, termination, or abatement by the property owner, and authorizing abatement by the County or its agent pursuant to C.R.S. section 30-15-401(2)(d)(IV), as in effect now and hereafter amended.

a. To bring an injunctive or abatement action, the County Attorney shall file a verified complaint. The court shall review the complaint, schedule a preliminary hearing no later than thirty (30) days after the complaint is filed, and direct issuance of a summons stating the time, date, and place of the hearing. The County shall serve the summons and complaint on the property owner in accordance with applicable rules of civil procedure at least ten (10) days prior to the hearing.

b. If the County is unable, after reasonable effort, to personally serve the summons and complaint, the County may post the summons and complaint on the property and mail them, by certified mail with return receipt requested, to the property owner's address in the records of the Larimer County Assessor as alternative service. Alternative service must be completed at least ten (10) days prior to the preliminary hearing. A property owner's failure to appear at a duly noticed preliminary hearing is grounds for the court to enter a default judgment against the property owner. For good cause shown, and prior to enforcement, the court may set aside an entry of default and the judgment entered thereon.

c. If the County abates a violation pursuant to a court order, the actual costs of abatement plus ten percent (10%) of such costs for inspection and other incidental costs shall be a lien against the property until paid, with priority over all other liens except general taxes and prior special assessments. If unpaid within thirty (30) days, the County Clerk and Recorder or County Attorney may certify the nonpayment to the County Treasurer, who shall collect the assessment together with a ten percent (10%) penalty for the cost of collection in the same manner as other taxes are collected.

C. Non-Exclusivity of Remedies. The County Attorney has the discretion to determine whether to pursue civil penalties, injunctive relief, the warrant/abatement process, or any combination thereof, or any other remedies available at law or in equity. None of these remedies are intended to be mutually exclusive.

10. Remainder of updates are housekeeping in nature as follows:

Section ~~8~~ 9. Other Remedies.

Section ~~9~~ 10. Severability.

Section ~~10~~ 11. Publication & Effective Date.

Section ~~11~~ 12. Supersession.

Effective this _____ day of _____, 202~~6~~5.

Published Addendum - This supporting material was received and incorporated into the agenda after the original posting, but more than 24 hours before the scheduled hearing.

Klawiter Appeal, File No. 26-GNRL0587

MEMORANDUM

TO: Larimer County Board of County Commissioners

FROM: Samantha Lasher, Planner II

DATE: July 13, 2026

RE: Klawiter Appeal, File No. 26-GNRL0587 – Revised Conditions of Approval

Condition of Approval No. 1, as noted in the staff report, has been revised to the following:

1. *The applicant shall install a new septic system(s) to serve the existing uses; a septic permit is required. Before approval of the septic permit(s), the applicant shall submit a preliminary engineer-designed septic system proposal to the Larimer County Department of Health and Environment with the next submittal for the associated Site Plan Review and Expansion of Nonconformity applications to demonstrate the system(s) will not negatively impact the adjacent river and wetlands.*

Staff has also added a second condition of approval:

2. *All terms of this appeal shall be completed within three years or the approval will automatically lapse.*

These updated conditions of approval do not affect staff's recommendation and will be reflected in the Findings and Resolution (F&R) if this application is approved.

