



## Huerfano County Board of County Commissioners Staff Report – Permit #23-028 Vacate Mohr Meeting Type – Action

Meeting Date: October 31.

### Request Summary

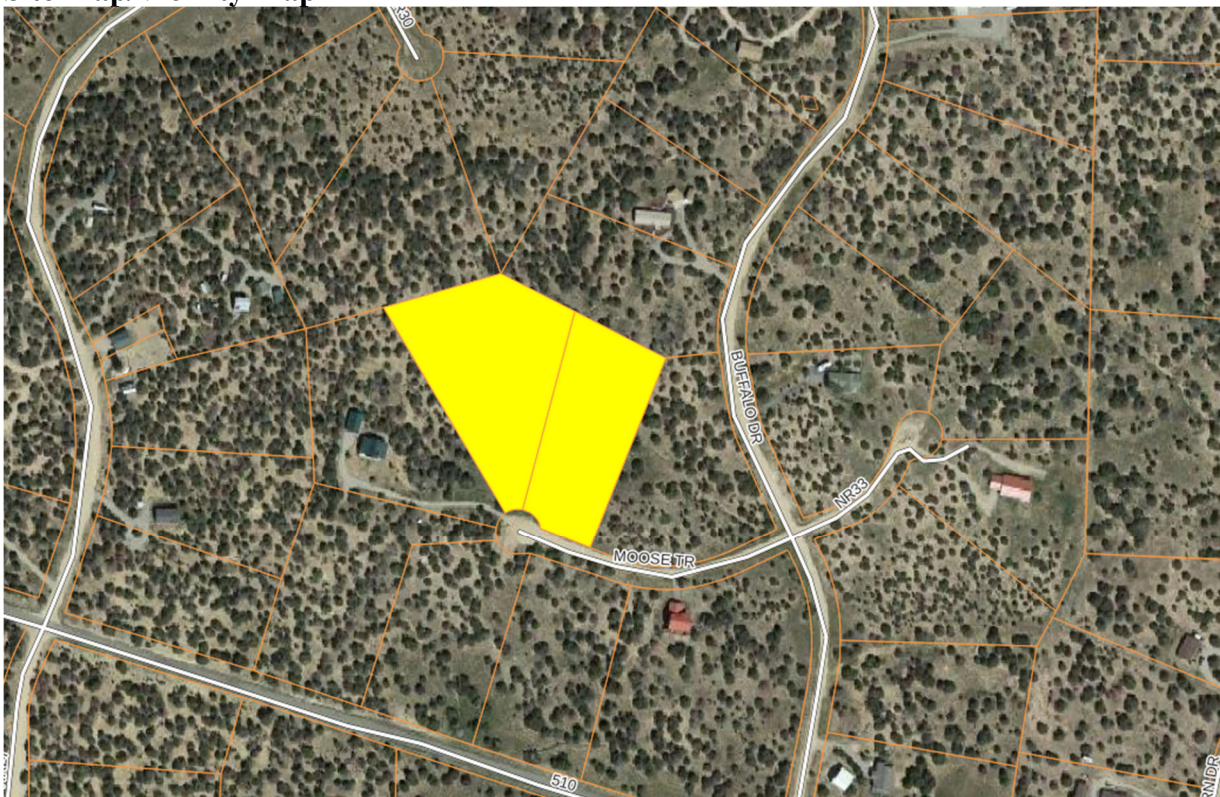
With this Application Johnathan Mohr (the Applicant) requests the following:

A vacation of lot line and utility easement pursuant to LUR Section §2.15 to vacate an internal lot line and utility easement to consolidate lots 69 (1.91 acres) and 70 (2.61 acres) in Navajo Ranch Estates to create a single lot 70A containing 4.53 acres. The site consists of two vacant parcels (Parcel Numbers 3339369 and 3339370). The 1985 amended subdivision plat for Navajo Ranch Estates (Map 285) establishes a 5-foot utility easement on either side of all side and rear lot lines.

The subject property is zoned Rural Residential. Zoning standards for this district are set forth in LUR Section §1.03.

**Landowner Intent:** Plan to build a pole barn and home on combined properties.

### Site Map/Vicinity Map



### Code References

The following Code Sections are applicable to this application and may be referenced by the Planning Commission in their evaluation of the request:

§2.15.01 Procedures for Vacating Plats, Roads and Easements

§2.15.02 Submittal requirements: Proof of ownership, copy of approved and recorded plat or easement and a vacated plat; narrative statement

§2.15.03 Criteria for Action on a Vacating Application

1. That the proposed vacating would not interfere with development of nor deny access via a public thoroughfare to existing structures within the recorded plat, adjoining properties, utility services or other improvements, nor deny access to structures, facilities or sites located beyond the plat or easement to be vacated.
2. That the proposed vacating would not cause undue hardship or inconvenience for any utility company, special district, neighboring landowner or tenant.
3. That the proposed vacating would not be likely to prove detrimental to the public health, safety or welfare of County residents.
4. That the proposed vacating would be consistent with all other provisions in these regulations.
5. That the proposed vacating would not cause undue financial hardship to Huerfano County nor deprive it of needed tax base.

### **Background**

This Application was received on July 13, 2023; Application Fees were received by the County; the applicant will be billed for public noticing fees. The Application was determined to be complete on July 13, 2023.

The Planning Commission reviewed this application on 7/27/2023. A motion was made to consider the application complete and set a date for a Joint Public Hearing at the regular meeting of the Board of County Commissioners on September 12, 2023.

A joint public hearing was held on October 10. The application was sent back to the Planning Commission for a recommendation.

On October 12, the Planning Commission made a recommendation to approve the application with the condition that the newly created parcel may not be subdivided in the future.

### **Application Materials**

1. Land Use Application
2. Narrative statement
3. Copy of approved and recorded plat or easement and a vacated plat
4. Proof of ownership

### **Criteria/Findings**

In order for a Vacation to be issued, the criteria described above in LUR Section 2.05.03 must be met.

Staff has notified San Isabel Electric and Navajo Western Water District regarding the vacation of the utility easement and is awaiting comment. There is no apparent conflict with the land use code or planned land uses that arises from the vacation of this lot line.

A Joint Public Hearing was held on October 10, 2023. No comments were received.

**Noticing:**

10 days notice in paper and to property owners within 500 ft.

Within 500 ft of these properties, there are 25 parcels with 20 unique owners.

**Potential Referral agencies**

- San Isabel Electric Association
- Navajo Western Water District
- Huerfano County fire district
- Huerfano County Health Department
- Huerfano County Road and Bridge Department
- School District
- Huerfano County Water Conservancy District
- HOA/POA - Navajo Ranch HOA (Dave Rogers?)

**Referral Comments**

Navajo Ranch HOA chairman, Randy Wilson, responded stating no opposition, and clarifying that the future separation of these lots would be prohibited by the HOA and that only one water tap would be allowed for the newly formed lot.

**Potential Conditions**

None recommended

**Commission Action Options:**

Make recommendation to BOCC.

**Recommendation options:**

1. **Approval** without any special conditions.
2. **Conditional Approval** with a description of the special conditions.
3. **Denial**, indicating for the record the reason(s) for such action.
4. **Continuation** until a future date to gather more information or obtain clarification or for any other relevant cause.

ACTION (by the authorized permitting authority):

Approved     Conditional Approval     Denial  
 Name \_\_\_\_\_ Signature \_\_\_\_\_  
 Title \_\_\_\_\_ Date \_\_\_\_\_  
 Comments \_\_\_\_\_  
 \_\_\_\_\_

Huerfano County Land Use Department  
401 Main Street, Suite 340, Attn: Land Use  
Walsenburg, Colorado 81089  
719-738-1220 ext. 103



### GENERAL LAND USE APPLICATION

Application File No.: 23-028  
Date Received: 7/12/23  
Received by: Shy Callinan  
Fees due: \$374 Date Paid 7/25/23

#### 1. ACTION(S) REQUESTED:

- Conditional Use Permit
  - Conditional Use Permit / Marijuana
  - Conditional Use Permit/ Oil, Gas or Uranium Exploration and/or Development
  - Rezoning
  - Variance
  - Subdivision Exemption
  - Plat Amendment
  - Lot Consolidation
  - Plat Correction
  - Right-of-Way or Easement Vacation
  - Other Actions (specify): \_\_\_\_\_
- Sign Permit
  - Temporary Use Permit
  - H.B. 1041 Text Amendment
  - H.B. 1041 Development Permit
  - H.B. 1041 Flood Plain Exemption
- PUD and Subdivisions:
- Sketch Plan
  - Preliminary Plan
  - Final Plat / Subdivision Improvement Agreement
  - Appeal of Denied Application

#### 2. APPLICANT AND OWNER INFORMATION:

Applicant Name: Jonathan Mohr  
Applicant's Mailing Address: 6891 Stillwater Drive Willis Tx 77318  
Applicant's Telephone: 713-553-7371 Email: See Below  
Name of Land Owner: Jonathan Mohr  
Land Owner's Mailing Address: 6891 Stillwater Drive Willis Tx 77318  
Land Owner's Telephone: 713-553-7371 Email: \_\_\_\_\_  
Navajoranchbuild6970@gmail

#### 3. PERMIT DETAILS:

Detailed project description/Scope of Work: Consolidat lot 69 + 70  
On moose trail in Navajo Ranch Estates

Parcel Area: 4.53 Total Acres; Zoning District(s): Rural Resident  
Parcel/Schedule Number(s): 3339369 + 3339370  
Parcel Address (optional): Lot 69 + 70  
Current/Proposed Land use (see §1.05 of the Land Use Code): Future Barndo

## GENERAL LAND USE APPLICATION

If project is in an HOA, HOA name: Navajo Ranch

If a Variance Request, please state the reason for the Variance(s): \_\_\_\_\_  
\_\_\_\_\_

Is all or a portion of the subject land located in a 100-year flood plain area (see FEMA floodplain map), or are there areas with slopes in excess of twenty percent (20%)?  YES  NO  NOT SURE

If YES, describe existing conditions: \_\_\_\_\_  
\_\_\_\_\_

Value of proposed project: 0

Will the proposed project require any State or Federal permits?  YES  NO

If YES, please list all permits or approvals required: \_\_\_\_\_  
\_\_\_\_\_

Additional pertinent information: \_\_\_\_\_  
\_\_\_\_\_

If a H.B. 1041 permit is required, for what matters of local concern and state interest? \_\_\_\_\_  
\_\_\_\_\_

### 4. CERTIFICATION BY THE APPLICANT:

I hereby certify that this Application is made with full knowledge of the design standards, all fees, procedures, public hearing and meeting requirements contained in the Huerfano County Land Use Regulations. Furthermore, I understand that all conditional use permits are non-transferrable, unless specifically approved by the Huerfano County Board of County Commissioners. The Board of County Commissioners may impose permit transfer fees as it deems appropriate. All documents submitted may be subject to internet publishing.

Signature of Applicant: Jonathan B. Mohr Date: \_\_\_\_\_

Printed name: Jonathan Mohr

### 5. ACTION (by the authorized permitting authority):

- Final Approval       Conditional Approval       Denial

Name \_\_\_\_\_ Signature \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

Comments \_\_\_\_\_

7-13-23

Dear Board member,

I am looking to remove the lot line in between the lots I own in Navajo Estates. The lots are 69 + 70.

I plan to build a pole barn and a home on these properties.

There is no negative implication to the removing of this lot line.

Also would like vacate the utility easement.

Thank you

Jonathan Mohr

6891 Willis Tx 77318

713-563-7871

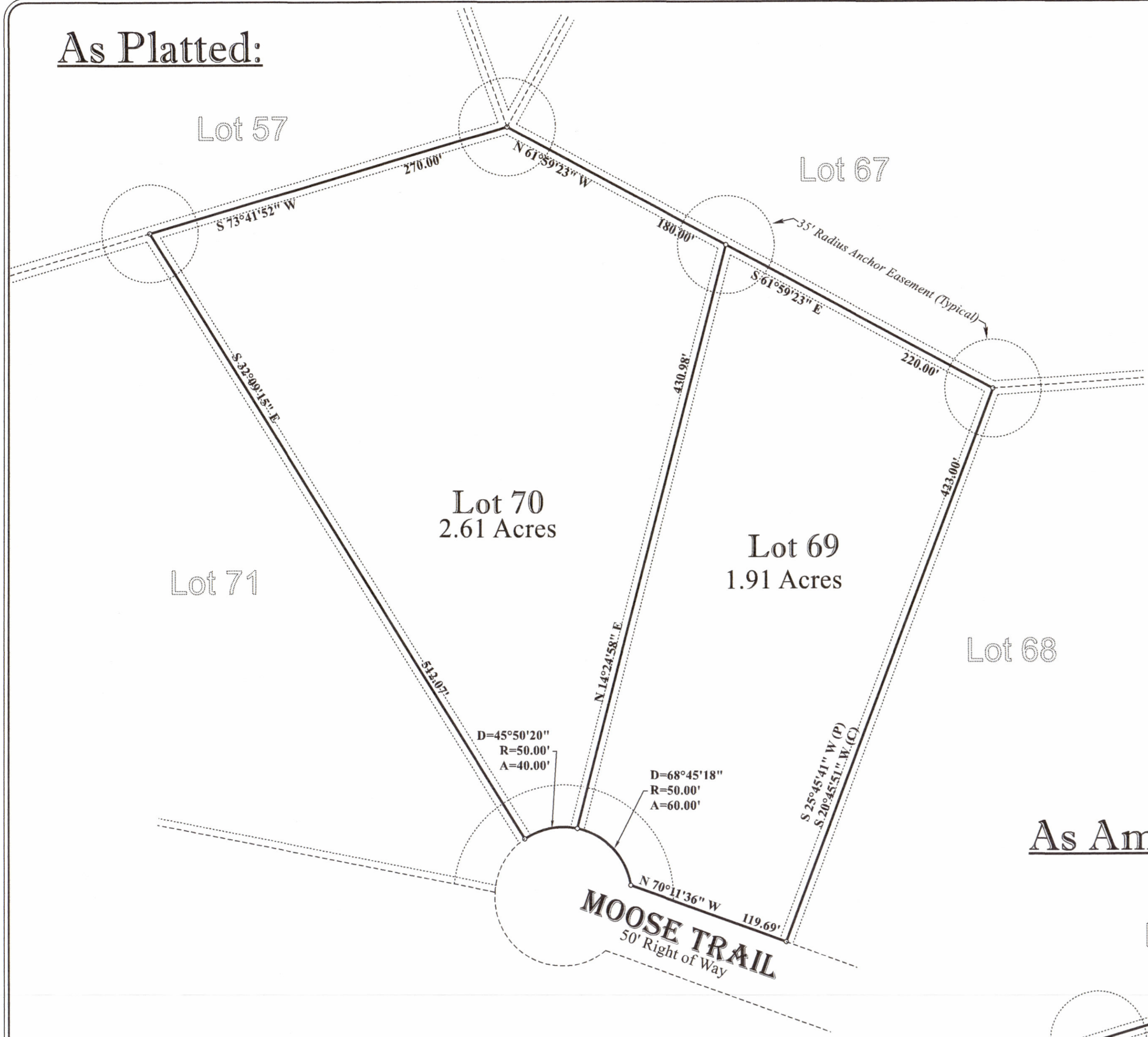
~~6210~~

wfd62102@gmail.com

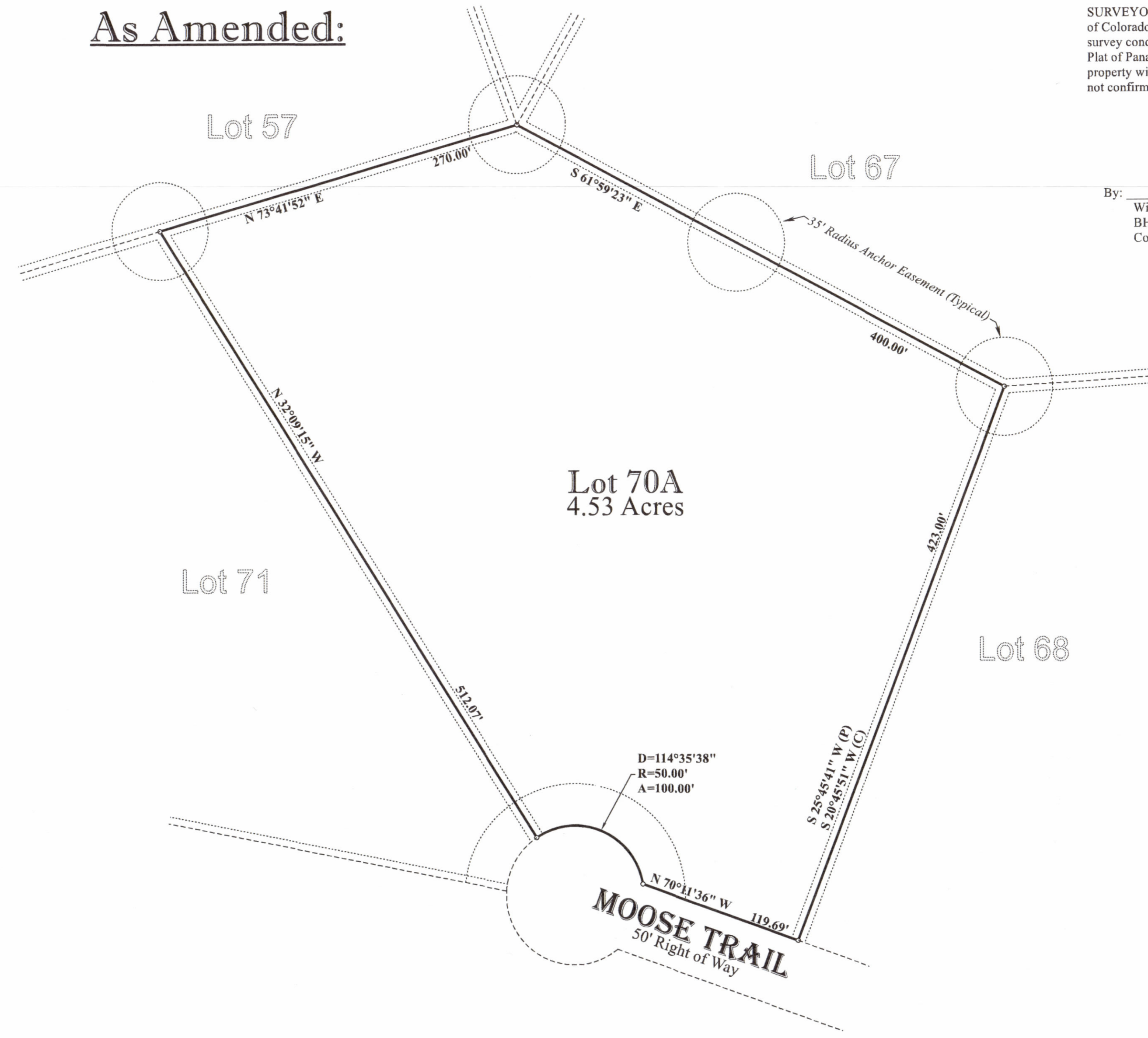
# MAP-AMENDMENT PLAT FOR JONATHAN MOHR

Lots 69 and 70, Navajo Ranch Estates  
County of Huerfano, State of Colorado

**As Platted:**



**As Amended:**



**LEGAL DESCRIPTION:**

Lots 69 and 70, Navajo Ranch Estates, County of Huerfano, State of Colorado being more particularly described as follows;

Beginning at the Southwest corner of Lot 70, Navajo Ranch Estates; Thence N 32° 09' 15" W along the West line of said Lot 70, a distance of 512.07 feet to the Northwest Corner of Lot 70; Thence N 73° 41' 52" E along the North line of Lot 70, a distance of 270.00 feet; Thence S 61° 59' 23" E along the North line of Lot 69 and 70, a distance of 400.00 feet to the Northeast corner of Lot 69; Thence S 20° 45' 51" W along the East line of Lot 69, a distance of 423.00 feet to the Northerly Right of Way line of Moose Trail; Thence along said right of way line the following Two (2) Courses;  
1) N 70° 11' 36" W, a distance of 119.69 feet  
2) On the Arc of a curve to the left, through a central angle of 114° 35' 38", whose radius is 50.00 feet and an arc length of 100.00 feet to the point of beginning. Containing 4.52 Acres more or less. TO KNOW BE KNOWN AS LOT 70A, NAVAJO RANCH ESTATES, COUNTY OF HUERFANO, STATE OF COLORADO.

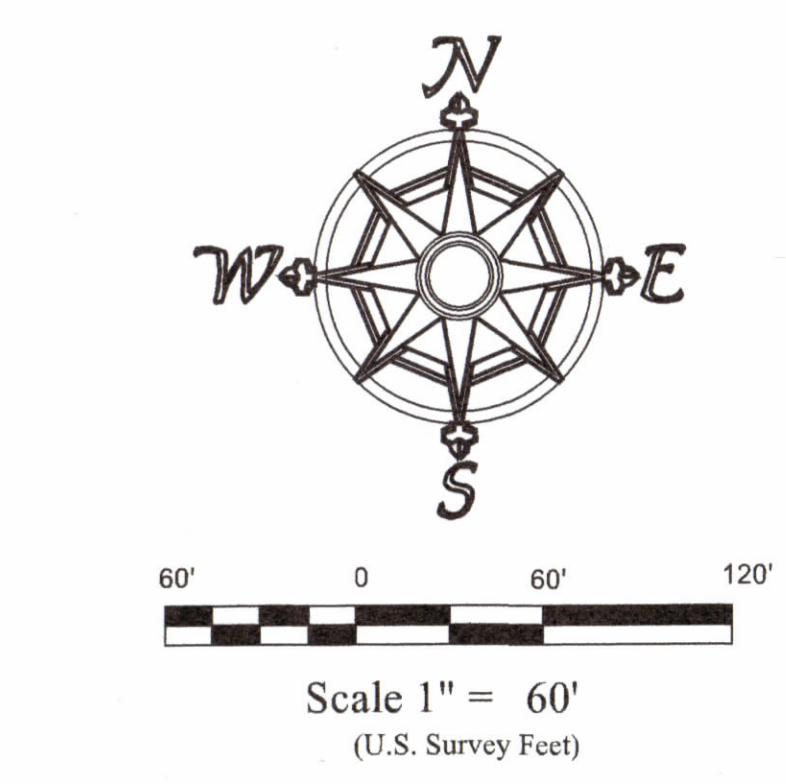
This is to Certify that this Map Amendment Plat, is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by the Board of County Commissioners, County of Huerfano, State of Colorado.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Chairperson of the Board


By: \_\_\_\_\_ Date: \_\_\_\_\_  
Attest: Clerk of the Board

**SURVEYORS CERTIFICATION:** I, William S. Bechaver, a Professional Land Surveyor registered in the State of Colorado, hereby certify to Jonathan Mohr, that this Map Amendment is not based upon an actual field survey conducted by me or under my responsible charge, but was prepared using information shown on the Plat of Panadero Development Filing No. 3, filed for record at the Huerfano County Clerk and Recorder. The property within this Map Amendment may or may not be presently monumented and if it is monumented I have not confirmed that the property pins are accurately located.

By: William S. Bechaver, PLS. 38103  
BH<sup>2</sup> Land Surveying, LLC  
Colorado City, Colorado



Note: All side and rear lot lines are subject to a five (5) foot utility easement lying five (5) feet on either side of Lot Lines.

 <b>BH<sup>2</sup> LAND SURVEYING</b> P.O. Box 20399, Colorado City, CO 81019 Phone: 719-676-2072 Email: bh2@ghvalley.net		
Scale 1" = 60'	Date: 7-11-2023	Drawn By: WSB
Sheet 1/1		Job No. 2023-067

ACCOUNT FILE MAINTENANCE

INQUIRY ONLY

Account 3339370 Flag R LEGAL DESCRIPTION Acres  
 Name MOHR, JONATHAN LOT 70 NAVAJO RANCH ESTATES  
 Address 1 6891 STILLWATER DRIVE 397-310-311(POA)  
 Address 2 WILLIS REC#339442 #339441 #341462  
 Address 3 350983 379555  
 Address 4 410562 427925  
 State/Zip TX 77318 0000

Property  
 Map Num 28-5157-292-05-070

Prev Name1 SHADLE, JENNIFER L  
 Prev Name2 PETERS, JENNIFER S

VALUES-ASSD TAXABLE EXEMPT  
 LAND 6993

Use 0100 City 00000 Subdv 0404  
 Anlys 000 Tax/Dst 1NS Zone 00

Exempt Late Filing Advrt Y Bnkprpt N TOTALS 6993  
 ACRES: Master Legal Value Ignore PP \$ 14508 Exemption N  
 00000000262 000 261 NOV # 2775 NOD #

CHANGES

Parcel On 09/20/2022 By COHUPTON CMD1-Value Change CMD2-Legal Change  
 Name On 09/20/2022 By COHUPTON CMD3-Both Changes CMD4-Sales Change  
 Values On 04/11/2011 By COHUPTON  
 Legal On 09/20/2022 By COHUPTON CMD22-Abort Entry HELP-More Details



ACCOUNT FILE MAINTENANCE

INQUIRY ONLY

Account 3339369 Flag R LEGAL DESCRIPTION Acres  
 Name MOHR, JONATHAN LOT 69 NAVAJO RANCH EST  
 Address 1 6891 STILLWATER DRIVE #344907 379555 410562  
 Address 2 WILLIS 427925  
 Address 3  
 Address 4  
 State/Zip TX 77318 0000  
 Property  
 Map Num 28-5157-292-05-069  
 Prev Name1 SHADLE, JENNIFER L  
 Prev Name2 PETERS, JENNIFER S.

VALUES-ASSD TAXABLE EXEMPT  
 LAND 3211

Use 0100 City 00000 Subdv 0404  
 Anlys 000 Tax/Dst 1NS Zone 00  
 Exempt Late Filing Advrt Y Bnkprpt N

TOTALS 3211

ACRES: Master Legal Value Ignore PP \$ 14508 Exemption N  
 00000000192 000 192 NOV # 2774 NOD #

CHANGES

Parcel On 09/20/2022 By COHUPTON CMD1-Value Change CMD2-Legal Change  
 Name On 09/20/2022 By COHUPTON CMD3-Both Changes CMD4-Sales Change  
 Values On 08/10/2010 By ELISHA  
 Legal On 09/20/2022 By COHUPTON CMD22-Abort Entry HELP-More Details



# Huerfano County Land Use and Building Department

401 Main St  
Walsenburg, CO 81089

(719) 738-1220, x506

**LU-23-028**

**Vacate**

**SITE ADDRESS:** NO SITUS ADDRESS

**PROJECT NAME:** Lot consolidation

**PARCEL:** 3339369 and 3339370

**PERMIT INFO:** Vacation of lot lines between lots 69 and 70 in Navajo Ranch Resorts

**APPLICANT:** Mohr, Jonathan  
6891 Stillwater Dr  
WILLIS, TX 77318  
713-553-7371

**OWNER:** Jonathan Mohr

Zone Rural Residential  
HOA Navajo Ranch Resorts

Acres: 4.52

VALUATION:	Quantity	Value	FEES:	Paid	Due
			Public Noticing	174.00	\$0.00
			Vacating of Plats Fee/Rights-of-Way/Easements	200.00	\$0.00

**CONDITIONS**

Parcels may not be re-subdivided in the future.

**Total:** **\$374.00** **\$0.00**

**ACTION (by the authorized permitting authority)**

Approved     Conditional Approval     Denial

Name \_\_\_\_\_

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Comments \_\_\_\_\_

Title \_\_\_\_\_