

NOTICE OF PUBLIC HEARING

TOWN OF PALMER LAKE

Notice is hereby given that Palmer Lake Board of Adjustments will hold a public hearing on Tuesday, May 7, 2024, at 5:00 pm at the Palmer Lake Town Hall, 28 Valley Crescent, Palmer Lake, to consider a variance for zero feet of street frontage for a single-family home to be constructed, located with access from Forest View Road, Palmer Lake, parcel 7109000032. A copy of the complete application is on file at the Town office, 42 Valley Crescent, Palmer Lake, at 719-481-2953. /s/ Dawn A. Collins, Town Clerk



42 Valley Crescent
 PO Box 208
 Palmer Lake, CO 80133
 719-481-2953 - Office

Office Use Only	
Case Number:	_____
Date:	<u>4/17/24</u>
Fees:	<u>\$200</u> (non-refundable)
Check #:	<u>2620</u>
Rec'd By:	<u>Tom</u>
Application Complete:	<u>WAC</u> <u>BOA 5/7</u>

Note: Allow up to 10 days for review and requires a minimum of 15 days for publication and property posting.

Variance Application Form

Name of Applicant/Property Owner: Michael D. Miller

Address: 8 Maryland Avenue, Apt. 1A, Annapolis, MD 21401 Phone#: (703) 400-3954

Email: mikemiller19@me.com

Name of Proposal: Request for street variance to vacant R1 5.0 acre parcel with recorded grant of easement

Legal Description or Address: Tract in SW4NW4 SEC 09-11-67 AS FOLS, COM AT NE COR OF SD SW4NW4, TH WLY ALG N LN OF SD SW4NW4 778.47 FT, TH ANG L88<43'10" SLY 501.00 FT FR POB, TH CONT ON LAST MENT COURSE 407.96 FT, ANG L87<49'17" SELY 532.04 FT, ANG L 92<09'23" NLY 407.94 FT, TH ANG L 97<50'37" NWI 535.76 FT TO POB TAX PARCEL # 7109000032 (see attached Exhibit A and El Paso County Tax Parcel)

This is a Variance – A deviation from Subdivision or Zoning Regulations. This consists of a written request which, if it affects the design of a subdivision, must be so noted on the appropriate Plat.

Please fill out the appropriate submission checklist to complete the application. R1 gone.

Current Zoning and Uses of Surrounding Property:	N: <u>RA</u>	<u>Residential Agricultural-Single Home</u>
	E: <u>El Paso Cnty</u>	<u>Low Density Residential-Single Home</u>
	S: <u>El Paso Cnty</u>	<u>Low Density Residential-Single Home and Bari</u>
	W: <u>El Paso Cnty</u>	<u>Low Density Residential-Single Home and Bari</u>

State your variance request exactly as you would like it approved, including the benefit to yourself, neighborhood and the community.

A variance request for the 5.0 acre parcel lot zoned R1 with recorded grant of easement plotted without street frontage with easement necessary for new construction.



42 Valley Crescent
PO Box 208
Palmer Lake, CO 80133
719-481-2953 - Office

Please state the regulation/code that directly relates to the variance request.

Chapter 17.24 R1 Low Density Residential Zone

Explain how the variance would benefit to the health, safety, appearance, and general welfare of the community, if granted.

As a result of the variance, the community will gain productive members of the community.

Explain how adjacent properties will be affected if the variance is granted.

The easement existed prior to the adjacent property owners purchased and was fully disclosed.

Adjacent property owners will gain friendly neighbors.

State how strict application of the zoning would place an unusual and unnecessary hardship on you and/or other parties involved.

The recent purchase of the R1 zoned property already plotted without a street front easement is both unusual and has created an unnecessary hardship on the new owner should the request be denied as it is a required ordinance for submittal of a land use permit application for the intended new construction on said property.

Do you own any adjoining lots? If so, how many and what are the square footage of these adjoining lots?

No, not applicable.



42 Valley Crescent
PO Box 208
Palmer Lake, CO 80133
719-481-2953 - Office

As owner/applicant, I affirm the information contained in this application is accurate, and I agree to the above conditions.

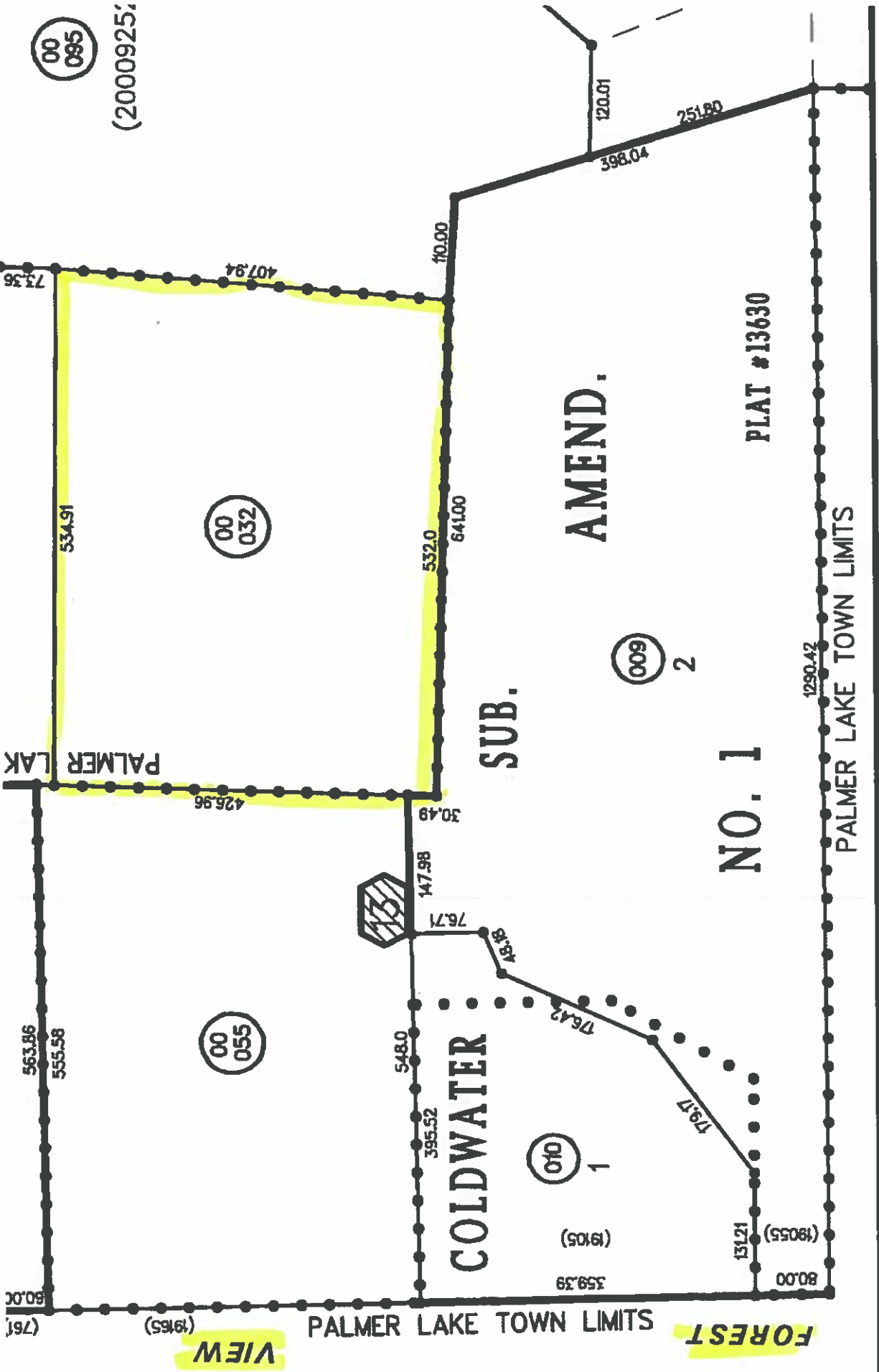
Applicant Signature: *MD Miller* Date: 16 APRIL 2024

If the applicant is not the owner:

As owner of the above property, I agree to this application.

Owner - Print: MICHAEL D. MILLER

Owner - Signature: *MD Miller* Date: 16 April 2024



VIEW

FOREST

PALMER LAKE TOWN LIMITS

(76)

(1915)

(19105)

(19055)

00 085

(2000925)

00 032

00 055

009 2

010 1

359.39

NO. 1

PLAT #13630

AMEND.

SUB.

COLDWATER

PALMER LAK

PALMER LAKE TOWN LIMITS

EL PASO COUNTY - COLORADO

7109000032
09-11-67

Total Market Value
\$189,850

OVERVIEW

Owner: D&B MILLER FAMILY TRUST, C/O ALLEN MILLER, BEVERLEY MILLER
Mailing Address: PO BOX 567 PALMER LAKE CO, 80133-0567
Location: 09-11-67
Tax Status: Taxable
Zoning: R1
Plat No: -
Legal Description: TRACT IN SW4NW4 SEC 9-11-67 AS FOLS, COM AT NE COR OF SD SW4NW4, TH WLY ALG N LN OF SD SW4NW4 778.47 FT, TH ANG L 88<43'10" SLY 501.00 FT FOR POB, TH CONT ON LAST MENT COURSE 407.96 FT, ANG L 87<19'17" SELY 532.04 FT, ANG L 92<09'23" NLY 407.94 FT, TH ANG L 87<50'37" NWLY 535.76 FT TO POB

MARKET & ASSESSMENT DETAILS

	Market Value	Assessed Value
Land	\$189,850	\$52,970
Improvement	\$0	\$0
Total	\$189,850	\$52,970

No buildings to show.

LAND DETAILS

Sequence Number	Land Use	Assessment Rate	Area	Market Value
1	VACANT LAND, 5.0 TO 9.99	27.900	5 Acres	\$189,850

SALES HISTORY

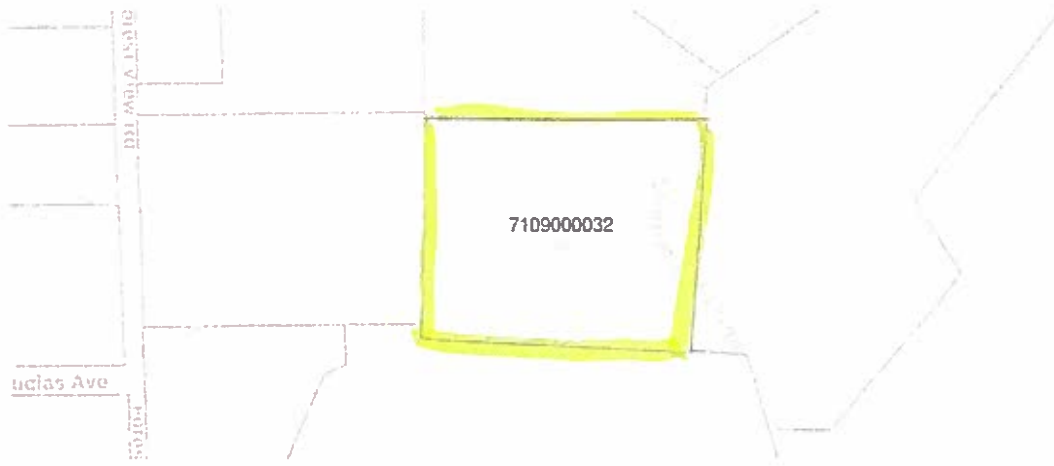
	Sale Date	Sale Price	Sale Type	Reception
+	05/30/2017	\$0	-	217061801
+	12/17/2012	\$0	-	212150146
	10/26/1993	\$54,900	Arms-Length Sale	-

TAX ENTITY AND LEVY INFORMATION

County Treasurer Tax Information

Tax Area Code: PEF Levy Year: 2023 Mill Levy: 68.991

Taxing Entity	Levy	Contact Name/Organization	Contact Phone
EL PASO COUNTY	6.862	FINANCIAL SERVICES	(719)520-6400
EPC ROAD & BRIDGE SHARE	0.165	-	(719)520-6498
TOWN OF PALMER LAKE	21.238	DAWN A COLLINS	(719)481-2953
EPC-PALMER LAKE ROAD & BRIDGE SHARE	0.165	-	(719)520-6498
LEWIS-PALMER SCHOOL DISTRICT #38	37.500	BRETT RIDGWAY	(719)488-4705
PIKES PEAK LIBRARY DISTRICT	3.061	RANDALL A GREEN	(719)531-6333



Disclaimer

We have made a good-faith effort to provide you with the most recent and most accurate information available. However, if you need to use this information in any legal or official venue, you will need to obtain official copies from the Assessor's Office. Do be aware that this data is subject to change on a daily basis. If you believe that any of this information is incorrect, please call us at (719) 520-6600.

RETURN RECORDED DOCUMENT TO:
Michael D. Miller
8 Maryland Avenue, Apt. 1A, Annapolis, MD 21401

Document Fee: \$20.30

GENERAL WARRANTY DEED

THIS GENERAL WARRANTY DEED, dated 30th day of January, 2024, is made between D&B Miller Family Trust ("Grantor"), of the County of El Paso and the State of Colorado.

AND

Michael D. Miller ("Grantee"), of the County of Anne Arundel and the State of Maryland, whose legal address is 8 Maryland Avenue, Apt. 1A, Annapolis, MD 21401.

WITNESS, that the Grantor(s), for and in consideration of TWO HUNDRED THREE THOUSAND AND 00/100 DOLLARS (\$203,000.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, and convey unto the Grantee, IN SEVERALTY and the heirs, successors and assigns of the Grantee forever, all the real property, together with fixtures and improvements located thereon, if any, situate, lying and being in the County of El Paso and State of Colorado, described as follows:

FOR LEGAL DESCRIPTION SEE EXHIBIT A

ALSO KNOWN AS: TBD Forest View Road, Palmer Lake, CO 80133

TOGETHER WITH, all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor(s), either in law or in equity, of, in and to the above-bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantee, and the heirs, successors and assigns of the Grantee forever. The Grantor, for the Grantor and the heirs, successors and assigns of the Grantor, warrants title to the same, subject to the Statutory Exceptions

EXECUTED AND DELIVERED by Grantor on the date first set forth above.

D & B Miller Family Trust

by: Allen D. Miller
Allen D. Miller, Trustee

by: Beverley B. Miller
Beverley B. Miller, Trustee

State of: Colorado

County Of El Paso

}
} ss.
}

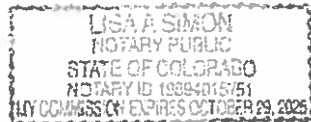
The foregoing instrument was subscribed, sworn to, and acknowledged before me this January 30th, 2024, by Allen D. Miller and Beverley B. Miller, Trustees of the D&B Miller Family Trust

My Commission expires 10/29/25

Witness my hand and official seal.

[Signature]
Notary Public

**If tenancy is unspecified, the legal presumption shall be tenants in common (C.R.S. 38-31-101)



RETURN RECORDED DOCUMENT TO:
Michael D. Miller
8 Maryland Avenue, Apt. 1A, Annapolis, MD 21401

Document Fee: \$20.30

GENERAL WARRANTY DEED

THIS GENERAL WARRANTY DEED, dated 30th day of January, 2024, is made between D&B Miller Family Trust ("Grantor"), of the County of El Paso and the State of Colorado.

AND

Michael D. Miller ("Grantee"), of the County of Anne Arundel and the State of Maryland, whose legal address is 8 Maryland Avenue, Apt. 1A, Annapolis, MD 21401.

WITNESS, that the Grantor(s), for and in consideration of TWO HUNDRED THREE THOUSAND AND 00/100 DOLLARS (\$203,000.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, and convey unto the Grantee, **IN SEVERALTY** and the heirs, successors and assigns of the Grantee forever, all the real property, together with fixtures and improvements located thereon, if any, situate, lying and being in the County of El Paso and State of Colorado, described as follows:

FOR LEGAL DESCRIPTION SEE EXHIBIT A

ALSO KNOWN AS: TBD Forest View Road, Palmer Lake, CO 80133

TOGETHER WITH, all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor(s), either in law or in equity, of, in and to the above-bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantee, and the heirs, successors and assigns of the Grantee forever. The Grantor, for the Grantor and the heirs, successors and assigns of the Grantor, warrants title to the same, subject to the Statutory Exceptions

EXECUTED AND DELIVERED by Grantor on the date first set forth above.

D & B Miller Family Trust

by: Allen D. Miller
Allen D. Miller, Trustee

by: Beverley B. Miller
Beverley B. Miller, Trustee

State of: Colorado

County Of El Paso

}
} ss.
}

The foregoing instrument was subscribed, sworn to, and acknowledged before me this January 30th, 2024, by Allen D. Miller and Beverley B. Miller, Trustees of the D&B Miller Family Trust

My Commission expires: 10/29/25

Witness my hand and official seal.

[Signature]
Notary Public

** If tenancy is unspecified, the legal presumption shall be tenants in common (C.R.S. 38-31-101)

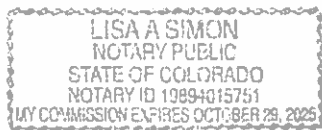


Exhibit 'A'

A tract of land located in a portion of the SW 1/4 of the NW 1/4 of Section 9, Township 11 South, Range 67 West of the 6th P.M., in the Town of Palmer Lake, El Paso County, Colorado, more particularly described as follows: Beginning at the Northeast corner of said SW 1/4 of the NW 1/4 of Section 9; Thence in a Westerly direction along the North line of said SW 1/4 NW 1/4 a distance of 778.47 feet; Thence angle left 88 degrees 43 minutes 10 seconds in a Southerly direction 501.00 feet for the True Point of Beginning of Tract to be hereby described; Thence continue on last mentioned course, a distance of 407.96 feet; Thence angle left 87 degrees 19 minutes 17 seconds in Southeasterly direction 532.04 feet; Thence angle left 92 degrees 09 minutes 23 seconds in a Northerly direction 407.94 feet; Thence angle left 87 degrees 50 minutes 37 seconds in a Northwesterly direction 535.76 feet to the True Point of Beginning of said tract, TOGETHER WITH a non-exclusive easement for ingress and egress as described and defined in Grant of Easement recorded in Book 5225 at Page 476, County of El Paso, State of Colorado.

Boundary lines are only approximate

----- Natural drainage



SUBJECT
Miller

Miller

Structure

Brown

Fitzgerald

Parco

Forest View Road

Access off Existing Driveway

ADJACENT