

# Aspen Heights Subdivision

## Filing No. 9

### LEGAL DESCRIPTION:

A REPLAT OF LOTS 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 37, 38, 39, 40, 124, 125, 159, 168, 169, 203, 204, 205, 207 AND 208, STEAMBOAT LAKE FILING NO. 7 AND EAST PARCEL 'G', ASPEN HEIGHTS SUBDIVISION FILING NO. 2 AND OUTLOT 'A' AND OUTLOT 'F', ASPEN HEIGHTS SUBDIVISION FILING NO. 6

### PROJECT DESCRIPTION

This proposed subdivision, located within the original Steamboat Lake Subdivision, Filing Number 7 in North Routt County, includes twenty-five LDR lots within Steamboat Lake Filing No. 7, Outlots A and F, Aspen Heights Subdivision Filing No. 6--two parcels left over from a prior replat--and East Parcel G, Aspen Heights Subdivision Filing No. 2. We propose a Consolidation Replat of this land into a two lots, with Lot 1 comprising 7.57 acres and Lot 2 comprising 5.06 acres of contiguous land, as defined by Routt County Zoning Regulations and as allowed by Routt County Resolution #95-P-84. The new lots will be rezoned to Mountain Residential Estates.

Outlots A and F were created by the consolidation replat of Aspen Heights Subdivision Filing 6. These two parcels were deemed unbuildable at that time in their current state. From the Aspen Heights F6 (ACTIVITY PS2011-011) packet produced by Routt County Planning: Staff Comments 2. "The applicant stated that Outlot "A" and Outlot "F" are not to be built upon **until further lot consolidations have been completed**. Staff recommends the plat note to this effect be a required condition of approval." These Outlots have always been intended to be included in future consolidations, with approval from Routt County. We now have acquired enough original Steamboat Lake 7 lots to combine with the Aspen Heights F6 Outlots to create two new lots within the proposed Aspen Heights F9.

All Steamboat Lake Filing No. 7 lots and parcels not part of this subdivision will remain as currently platted. All utility easements located within the perimeter of this subdivision will be vacated. New easements will be dedicated: fifteen-foot wide easements along lot lines fronting roads for installation and maintenance of public utilities, plus snow removal and storage; ten-foot wide easements along other property lines for drainage and installation and maintenance of public utilities.

In the original Steamboat Lake Subdivisions all easements for utilities and drainage were 10 feet wide around the perimeter of all lots. In the year 2000--in our understanding at the request of utility providers--new consolidation replats were required to have 15 foot easements along all lot lines fronting roads for public utilities, drainage, snow removal and storage. The August 3, 2000 Routt County Planning Commission packet for Resubdivision No. 1, Steamboat Lake Filing #7, under Vacation of Internal Utility and Drainage Easements states: "1. There shall be ten foot (10') wide utility and drainage easements along the new perimeter lot lines, consistent with the original Steamboat Lake Filing 7 Plat, and a 15' wide utility easement along all lot lines fronting on roads, and shall be dedicated appropriately." Since that time, all consolidation

replats in the Steamboat Lake Subdivisions that we have knowledge of have followed this new standard of easement widths. We do not know if or when Routt County codified the requirement of 15' easements along roads into the governing documents.

Lot 1 will be accessed from RCR 129 via Horse Shoe lane, an existing 36-foot wide right of way that currently terminates at a cul-de-sac. This road has already been partially improved to provide access for Lots 1 and 2, Aspen Heights Subdivision Filing No. 5. We propose a vacation of the entire existing cul-de-sac and an additional 150 feet +/- of Horse Shoe Lane as shown on the preliminary plat and a separate legal description. A new cul-de-sac is proposed at the new end of Horse Shoe Lane to provide a "Public Right of Way for Turnaround". This new cul-de-sac has been approved by Routt County Road and Bridge. Access to remaining unbuildable Steamboat Lake Sub. Filing 7 lots 20, 21, 22, 34, 35 and 36 will be preserved via Horse Shoe Lane.

Lot 2 will have access from RCR 129 via the previously built roads Antelope Way and Crazy Horse Way, or potentially via Sandy Creek Drive and Bighorn way. An easement for a "Public right of way for turnaround" exists on what is currently part of Steamboat Lake Filing 7 Lot 125, at the end of Crazy Horse Way. this Turnaround easement was approved by the County for Aspen Heights Subdivision Filing No. 6. Our intent is to for this easement to remain as it currently exists on the new plat for Aspen Heights Subdivision Filing No. 9

Routt County owns the original right-of-way's in the Steamboat Lake Subdivisions, but the County does not build nor maintain any of the roads. As part of the approval process for this application, Routt County Road and Bridge will determine road improvement requirements.

The current LDR zoning requires that lots be served by a central sewer system, which is not available in this area.. The "Upper Elk Valley Community Plan" (Sec. 2.6.4 Policies) and the "Routt County Master Plan" (Section 4.3.H. Policies) encourage the consolidation of smaller parcels in the Steamboat Lake Subdivision into contiguous 5+acre parcels that meets the acreage requirement for the use of On-Site Wastewater Treatment Systems (OWTS)

Currently there are no wells within the boundaries of the new subdivision. It is expected that a new well will be drilled by the future owners of each of the lots created by this consolidation replat. Attached is a letter from Megan Sullivan, P.E. of the Colorado Division of Water Resources, responding to our inquiry seeking confirmation that a well permit can be can be obtained—a requirement on the Routt County Planning Submittal Checklist for Stagecoach/Steamboat Lake Consolidation. The future parcel qualifies for an "exempt" well permit under the qualifications described by Ms. Sullivan.

Attached is a "Geologic Hazard Evaluation" by Western Slope Geotech regarding the two lots within the proposed Aspen Heights Filing No. 9, and a slope analysis map produced by Emerald Mountain Surveys, Inc. The report from Western Slope Geotech states: ***"Based on the proposed development, our site observations and review of available mapping, WSG does not believe there are geologic conditions associated with the site that are considered excessively hazardous or would render the proposed development unfeasible."***

Also attached is a 2002 report of "Water Body Setbacks for Steamboat Lake Subdivision filing 5, 7 & 8, by Eric Thayer, P.E. Mr. Thayer determined that the proposed Lot 1 has two water bodies within its boundaries: the Middle Tributary of Ways Gulch and the North Tributary of Ways Gulch—which flank the lot on two sides. As the two Water Bodies are approximately 400 feet apart, the required setback of 50 feet from all "activity" will not present a problem. There are no identified water bodies within the boundaries of Lot 2.

The project is not within a mapped “skyline” area per Routt County GIS Mapping, thus it is not subject to Routt County Planning Department “Skyline Development Guidelines”.

The Consolidation Replat process was conceived by Routt County Planning Department in the late 1990’s. It allows for the consolidation of smaller Steamboat Lake Subdivision lots into a 5-acre+ lots that can be built upon. One of the primary reasons for the creation of this consolidation plat process was to solve the problem of rampant illegal camping that was primarily occurring in Steamboat Lake Subdivision Filings 5-8, between Willow Creek and Steamboat Lake State Park. Camping has been essentially eliminated as many of the original lots have been absorbed into 5-acre+ lots

We believe this subdivision is consistent with the goals and policies of the Routt County Master Plan and the Upper Elk River Community Plan. We have shown that the land, in terms of geological, physical and other environmental conditions, is suitable for MRE zoning. By downzoning the property to MRE and creating lots that can legally be built upon, we are reducing density in an area that is not within a “Growth Center”. We are continuing to mitigate the historical problem of illegal camping and we have given multiple owners of original Steamboat Lake lots the opportunity to sell by creating a market for their lots. We can think of no disadvantages of this proposed subdivision compared to what currently exists. The Steamboat Lake Subdivisions were originally platted in the early 1970’s as a dense resort development that included almost two thousand lots with amenities including a golf course, a clubhouse and a ski hill. The originating developer quickly went bankrupt, leaving most of the project undeveloped. Our proposed subdivision is continuing the transformation of the Steamboat Lake Subdivision into a healthy and vibrant residential community that is appropriate for its location.

EXISTING	PROPOSED
28 lots/parcels 0.45 acres (avg.) LDR zoning	2 Lots 6.40 acres (avg.) MRE zoning

Included in this application are:

1. A legal description.
2. A preliminary plat of the new subdivision prepared by Emerald Mountain Surveys, Inc. of Steamboat Springs, CO.
3. An Existing Conditions Plan prepared by Emerald Mountain Surveys, Inc.
4. A legal description for a proposed partial vacation of Horse Shoe Lane.
5. A “Geologic Hazard Evaluation”, by Western Slope Geotech of Steamboat Springs CO.
6. A slope analysis of Lot 1 prepared by Emerald Mountain Surveys, Inc. of Steamboat Springs, CO.
7. A letter from Megan Sullivan of the Colorado Division of Water Resources responding to our inquiry regarding a submittal check-off requirement for “Confirmation from the Colorado Division of Water Resources that a well permit can be obtained”.
8. A study of water bodies for original Steamboat Lake Filings No. 5, 7 and 8 by Eric Thayer, P.E. of Steamboat Springs (produced for Bell Properties, LLC, an affiliated company).
9. Copies of letters sent to Atmos Energy, Lumen/CenturyLink, Yampa Valley Electric Association/Luminate, Comcast/Xfinity and Steamboat Lake Water and Sanitation District,

requesting their approval to vacate existing utility easements within the boundaries of this subdivision. All the utilities have granted their approval.

10. A "Narrative to Vacate Easements" by Emerald Mountain Surveys, Inc.
11. Proof of ownership—a Title Commitment issued by Stewart Title of Colorado, Steamboat Springs Division.
12. A Statement of Authority for Bola Enterprises, Inc.

Submittal requirements not included with this application.

1. *Soil percolation tests* will not be performed for this subdivision to determine the suitability for individual septic disposal systems. Instead, the plat will include a note stating: "The viability of these lots for individual septic disposal systems and the availability of permits for individual septic disposal systems has not been established." This has been allowed for prior consolidation plats.
2. *Water analysis* per Sec. 4.5.2.B.4 of the Routt County Subdivision Regulations. No water quality analysis has been done, as there has been no water development on the site to date. The water quality in this area from prior wells and springs has always been excellent, with filtration only for sediment typically needed. Also, modern in-home water treatment is available for any water quality problem that might exist.
3. *Engineered plans for all utilities.* Water and OWTS systems will occur on-site as installed by future owners. Telephone and electric lines are available by extension off of main lines.
4. *Engineered plan and profile for all new public streets and Common Roads.* A driveway is planned on the right of way of Horse Shoe Lane beyond the previously built turnoff to Lot 1, Aspen Heights Sub. Filing 5. This driveway will include a turnaround near the proposed right of way vacation at the end of Horse Shoe Lane, per Routt County Road and Bridge analysis. No other improvements are currently planned for this subdivision.

## **PROPERTY OWNER/ APPLICANT**

Bola Enterprises, Inc.  
P.O. Box 773630  
Steamboat Springs CO 80477  
[bobhagerty@icloud.com](mailto:bobhagerty@icloud.com)  
(303) 548-5256

## **CONSULTANTS:**

### SURVEYOR

Emerald Mountain Surveys, Inc.  
P.O. Box 774812  
Steamboat Springs CO 80477

### ENGINEER (SOILS/ GEOHAZARD)

Western Slope Geotech  
PO Box 775164  
Steamboat Springs CO 80477

### ENGINEER (WATER BODY LOCATION)

Eric Thayer, P.E.  
1211 Ridge View Drive  
Steamboat Springs CO