



Above: Canterbury Improvement Association Chairman Chris Davis was one of six people who spoke at the Aug. 23 Board of County Commissioners meeting against the proposed rezoning of Jackson Ranch from minimum 5-acre lots to 2.5-acre lots. "As Planning Commissioner Allan Creely said July 19, "there is no noticeable benefit to this plan," Davis said. After two hours, the commissioners voted to continue the hearing to the Sept. 27 meeting. *Photo courtesy of El Paso Board of County Commissioners live stream video, <http://bcc.elpasoco.com/Pages/LiveVideo.aspx>.*

Jackson Ranch rezoning application continued to Sept. 27

Jackson Ranch is northeast of the intersection of Higby Road and Rollercoaster Road and west of Shahara Road in Canterbury Estates. At their Aug. 23 meeting, the commissioners listened for over two hours to arguments for and against the proposed rezoning within Jackson Ranch from RR-5 to RR-2.5, which would double the currently zoned built-out density.

The three resolutions presented had been approved by the El Paso County Planning Commission on July 19. See www.ocn.me/v16n8.htm#epcpc.

A key component of the arguments on both sides in this hearing was the 2000 Tri-Lakes Comprehensive Plan (Tri-Lakes Plan) and whether or not the proposed rezoning and associated changes were in compliance with the intentions of this document. See <http://adm.elpasoco.com/Development%20Services/Pages/ComprehensivePlans.aspx> and click on Tri-Lakes Comprehensive Plan (2000).

Dave Jones of Land Resource Associates represented the Brown family and Four Gates Land Development LLC. He spoke in favor of changing the zoning to RR-2.5, or minimum 2.5-acre lots. He said

Above: This is the area discussed in the three land use applications concerning Jackson Ranch to be heard by the Board of County Commissioners on Sept. 27. *Map courtesy of El Paso County Development Services.*

the applicant was still proposing to include a 100-foot setback where only a 25-foot setback would be required, in the lots on the north and east borders of the subdivision.

Six representatives of the neighboring Canterbury Improvement Association argued for keeping the zoning at RR-5, or minimum 5-acre lots. With prior approval from the county, two of them provided testimony via video recording instead of in person.

Resident Beven Page said, "When we bought our property in Canterbury, county officials assured us that the Tri-Lakes Comprehensive Plan was a key social contract for all Tri-Lakes residents to rely upon for community growth, to be used as guidance for zoning decisions."

He read this aloud from the comprehensive plan: "Development emphasis should be on rural and/or rural residential uses that focus on harmonizing with the natural rolling hills and open character of the area. This sub-area should remain primarily rural and/or rural residential with lot sizes averaging a minimum of five acres."

Other public comments opposing the rezoning included:

- Canterbury Estates is almost the only development in this area that adhered to the Tri-Lakes Plan zoning recommendations. The 2.5-acre lot developments that were brought in around us later should never have been allowed by the county.
- The 125 people who put great effort into the Tri-Lakes Plan should not be ignored.
- This plan is not compatible with adjoining neighborhoods.

- Septic fields located 100 feet from shallow wells drilled in sandy soil could contaminate the wells.
- This (rezoning) has been done in pieces so limited public notice was initially required (Jackson Ranch Phase 1 was rezoned to RR-2.5 in 2014).

Chair Sallie Clark and Commissioner Dennis Hisey both stated that they had unanswered questions. Then, at the request of the applicant, the commissioners voted unanimously that Jackson Ranch Phase 2 Rezone, Jackson Ranch Preliminary Plan Amendment, and Jackson Ranch Filing 2 Final Plat should be continued to the Sept. 27 BOCC meeting.

Ballot question for internet provision approved

On Aug. 23, the commissioners approved a resolution to submit a ballot question to the registered electors of El Paso County in November. This resolution would give the county the authority to partner or coordinate with other service providers for the provision of high-speed internet, cable television, and telecommunication services to residential, commercial, nonprofit, government or other subscribers. Specific wording for the ballot question had not been finalized.

El Paso County IT Executive Director Jeff Eckhart said approval of the measure would restore authority and flexibility that was taken away by state statutes in 2006. It did not mean that the county was getting into the broadband business, however. He said people are having trouble with broadband service, but the county is currently handcuffed by legislation. If voters approve this measure, as they have in a majority of other counties in Colorado, it would create more efficiency.

Public Information Officer Dave Rose said, "Commissioner Darryl Glenn has constituents in his district who live in very nice homes and are employed in high-tech industries, and it's disappointing for them to come in and say, 'Yeah, but my kids have to go to Starbucks to be able to do their homework.'" Similar issues exist in more remote areas like Black Forest, Calhan, Monument, and Palmer Lake, Clark said.

Commissioner Peggy Littleton emphasized that while approval of this ballot measure would improve market conditions for private providers to build more connections to residences and businesses, it would not create additional costs to citizens unless they opted individually to sign up for services from providers in the future.

Sanctuary Pointe entrance to Baptist Road

At its Aug. 9 meeting, the BOCC unanimously approved a partial release of a subdivision bond for public improvements related to Sanctuary Pointe.

Elite Properties of America Inc., doing business as Classic Companies, agreed to construct the Baptist Road improvements at the entrance to the new Sanctuary Pointe subdivision. The new road, Sanctuary Rim Drive, will intersect Baptist Road from the north side, between Roller Coaster Road and Red Fox Lane/Longmeadow Lane.

County Engineer Jennifer Irvine's report said that all the required public and preliminary inspections were complete, and she recommended release of \$124,609 subdivision guaranteed funds. The remaining \$29,793 will be retained for two years for the defect warranty period.

Drug rehab group home questioned

A Canterbury Estates resident spoke during public comments at the Aug. 23 meeting about BOCC Resolution 14-243. He said it redefined drug and alcohol addiction as disabilities and/or handicaps, and it subsequently extended state law privileges to group homes where drug and alcohol addiction recovery is allowed to operate in single-family residences.

He was concerned about incidents that have happened on a group home property in Canterbury that makes him and his neighbors feel unsafe. He said there is a lack of support or responsible oversight on this facility from the county or any other entities, and the company that owns the residence has retained an attorney to challenge Canterbury Improvement Association's authority to enforce its own covenants.

Clark said the BOCC would follow up about compliance with state or federal law to see if anything could be done. County Attorney Amy Folsom said that Resolution 14-243 was definitely not the county's idea but that it was forced upon the county by the Department of Justice and the federal government after the denial of a land use application.

See related topic in Tri-Lakes Monument Fire Protection District article on page 16.

See <http://bcc.elpasoco.com/Pages/default.aspx> for future BOCC agendas.

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Woodmoor Improvement Association Board of Directors, Aug. 24

Residents want action on illegal grow house; water main project averts failure

By Jackie Burhans

The Woodmoor Improvement Association (WIA) board met on Aug. 24 with a larger than usual audience in attendance. The owners wanted to discuss the illegal grow house on Augusta Drive. The board also heard a presentation on the water main relocation project, and other director reports. Secretary and Community Affairs Director Jennifer Cunningham was absent.

Illegal grow house

A number of residents spoke during the owners' comments portion of the agenda to ask what was happening with the illegal grow house on Augusta Drive in Woodmoor. Owners indicated that they have been dealing with issues for the past eight months, including safety issues and fire hazards. They noticed unidentified trucks, an illegal electrical line running into the house, industrial air conditioning units, and a fence that does not meet WIA's design standards. Residents wanted to know why it was taking so long to take action on covenant violations, whether the Homeowners Association (HOA) could require a clause in

rental agreements about marijuana growing, and whether WIA could change the covenants to address the issue.

President Stensland explained that the federal Drug Enforcement Agency (DEA) had been in touch but hadn't shared any information besides photos. WIA was briefed by the DEA and asked that no action be taken on covenant violations until the DEA could put together a larger case involving other houses in El Paso County and elsewhere in the state. Now that the situation is out in the open, the WIA will move forward on covenant violations such as weeds, illegal fences, exposed trash, etc. Stensland noted that the HOA attorney has been advised and is working with the board to try to prevent this from happening again. The board is in the process of rewriting its governing documents that haven't changed since 1998, as they need 66 percent of the owners to vote. Residents asked if WIA has everyone's email and Stensland noted that WIA has some emails but this will require volunteers to go door to door.

Water main relocation

Architectural Control Committee and Commons Area Ad-

ministrators Bob Pearsall presented an update on the water main relocation project approved by the board in July. The water main was relocated so that it was completely on WIA property. Due to engineering requirements, the 2-inch tap was replaced with a 1.5-inch tap, which lowered the Renewable Water Investment Fee (RWIF) paid by WIA by \$139.40 per month. Service to The Barn was down from Aug. 11 to Aug. 15; the nearby town homes were out for two hours over a four-day period. There was no impact on the middle school.

A two-meter system was installed to separate domestic use from irrigation use, which is expected to save \$163 in monthly fees. Upon excavation it was discovered that the existing water main "saddle" was extremely rusted and/or corroded to the point of near failure. To remove the saddle, a section of the water main was replaced with the help of Woodmoor Water and Sanitation, which supplied the materials at cost and donated the labor to remove the section of water main using a hydraulic chainsaw. The total reduction in fees is expected to be around \$305 per