



**ARAPAHOE COUNTY**  
PUBLIC WORKS & DEVELOPMENT

# **Forest Rim Estates Subdivision Filing No 2. Preliminary Plat PP23-001**

## **Board of County Commissioners Public Hearing**

### **October 8, 2024**





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**Applicant:** The Roderic N. and Jane E.  
Guilford Revocable Trust

**Project Proposal:** Subdivide 31.15 acres  
into 10 lots and two tracts

**Project Location:** 25501 E. Kettle Avenue,  
Forest Rim Estates Subdivision, Lot 3

**Staff:** Sue Liu - Case Engineer & Doug Stern -  
Road and Bridge Infrastructure Manager

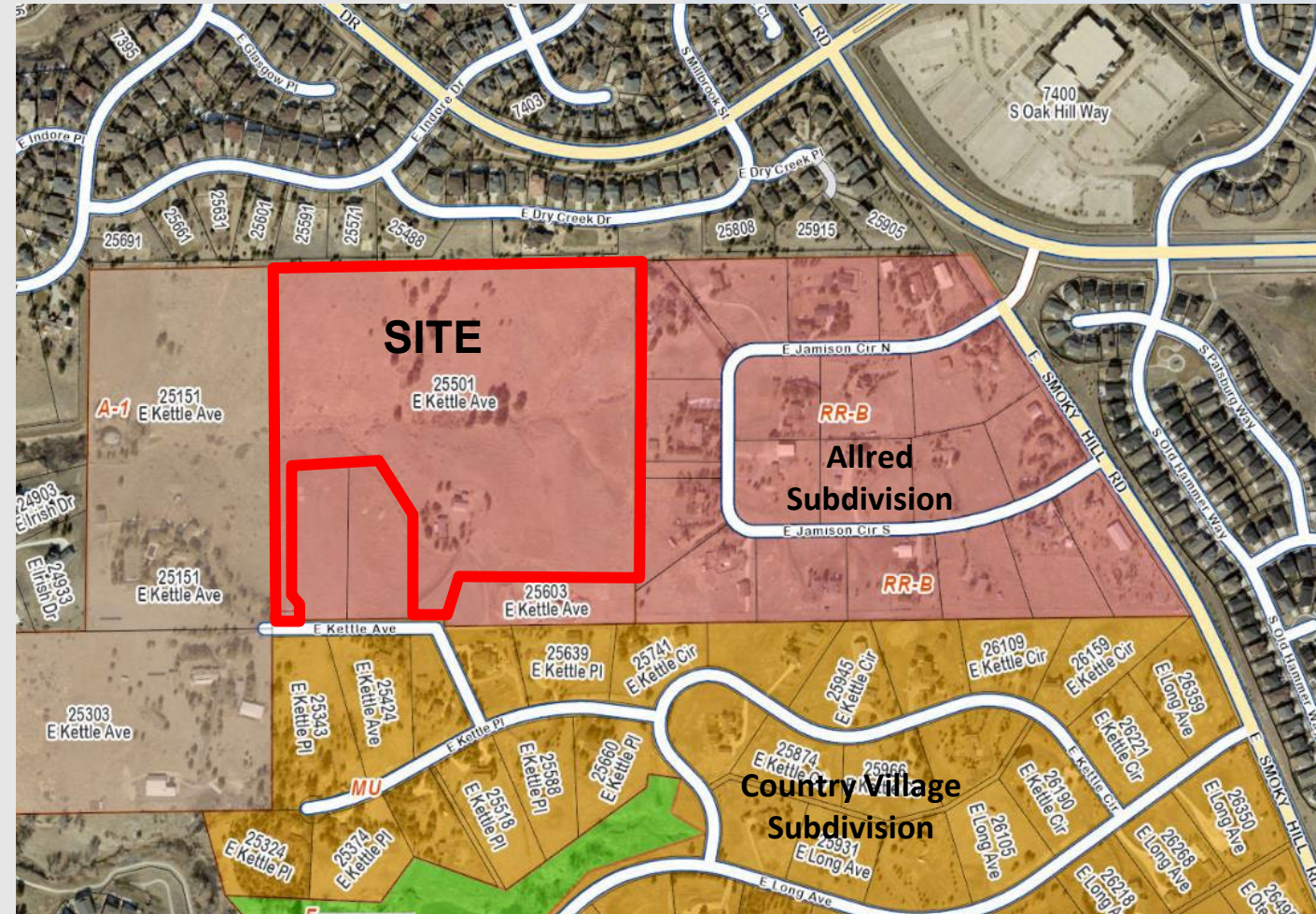


# Vicinity & Zoning Map



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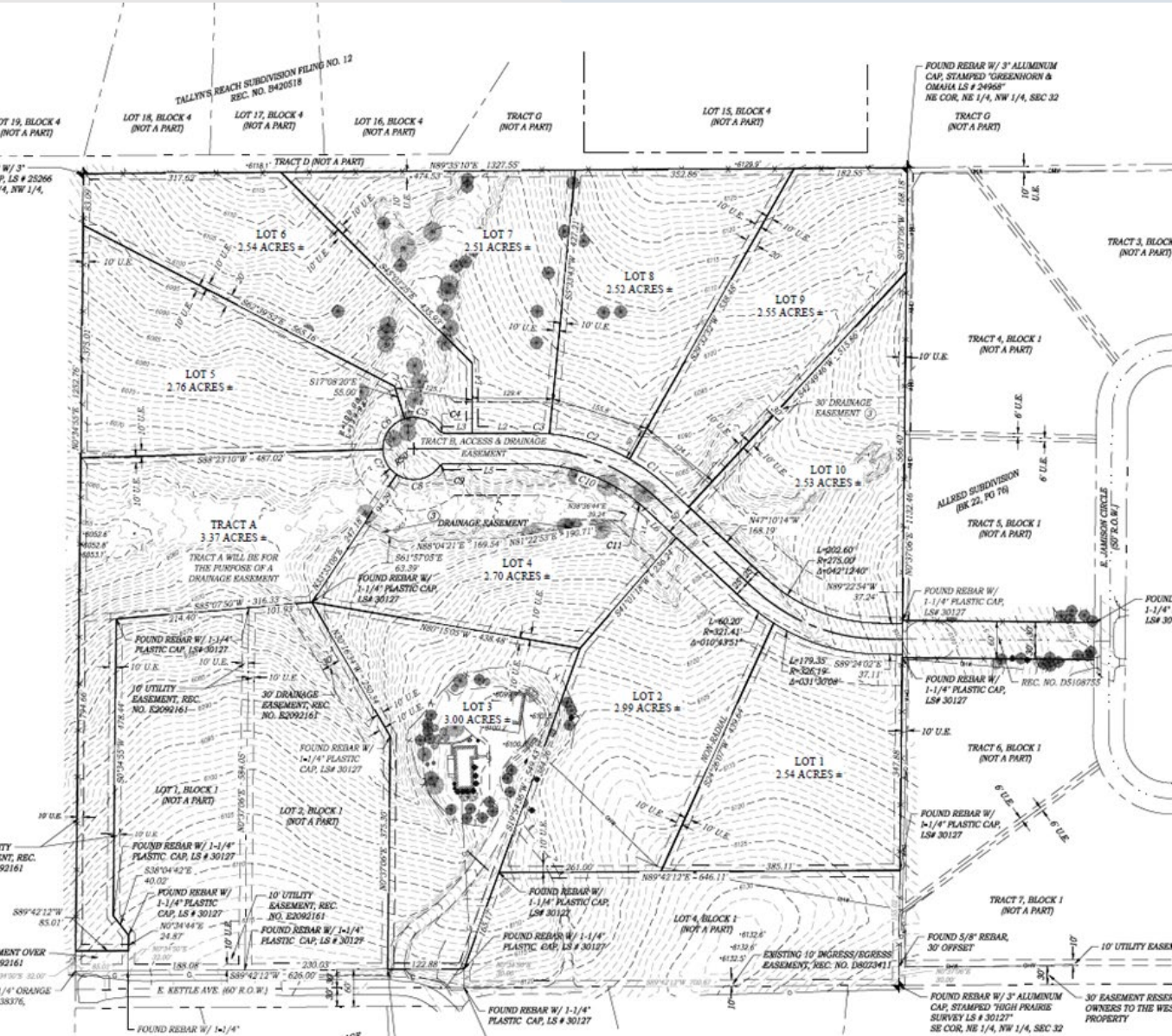
- Zoned: RR-B, Rural Residential-B)
- Surrounding properties: Allred subdivision (RR-B), Country Village Subdivision (MU), single-family residential (A-1), single-family residential – City of Aurora.



# Preliminary Plat



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- 31.15 acres
- 10 SFR lots, 2 tracts – Tract A for drainage, utilities, and emergency access and Tract B for a private roadway, drainage, and utilities.
- Access from E. Jamison Circle – located in the Allred Subdivision 60-foot width with a 50-foot access road would be built.
- Allred Subdivision Plat – delineates this point of access and labeled as “reserved for future roadway”



# Comprehensive Plan & Land Development Code



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- The subject site is located in the Comp Plan's land use category of Urban Residential/Single-Family Detached and Attached.
- The land use category density is from 1 to 8 dwelling units per gross acre. The project's proposed density is 0.32 du/ac which doesn't align with the SF detached designation.
- Long Range division recognizes the difference in density but since the zoning is in place this division would not object.
- Consistent with LDC:
  - Meets minimum lot size, minimum lot widths
  - Adequate access to the parcel.
  - Development can be served (well water, on-site septic, utilities)
  - Development can be served by sheriff, fire, schools)
  - Compatible with the surrounding area.



# Referral and Public Comment



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- Referral comments received.

State Water Engineer - determined that the water supply is adequate and can be provided without causing injury.

Arapahoe County Health Department - no concerns of the use of On-Site Wastewater Treatment System (OWTS) for the proposed lots

Cherry Creek School District: Cash-in-lieu of land dedication for public school sites value is \$31,837.00. This will be addressed at the time of the final plat.

South Metro Fire District: Wants a water cistern on-site, residential structures to have sprinkler systems, and minimum slopes in the development to be 6%.

Colorado Parks and Wildlife: Requested surveys to occur before construction or between March 15 – August in consideration of nesting raptors and burrowing owls. Requesting Weed Management Plan and wildlife-friendly fencing.



# Public Comment/Neighborhood Meeting



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- Neighborhood Meeting – held on October 26, 2003, 14 attended.
- Public Comments
  - Increased traffic: Adds 10 lots. With future and existing vehicular trips, staff believes that E. Jamison Circle will meet the rural local trip volume threshold required.
  - Road maintenance: E. Jamison Circle has inadequate road infrastructure and lacks maintenance, especially during winter.
  - Damage to road during construction: Applicant has indicated that the contractors will be required to repair any damage caused to this road.
  - Water supply: effect on the water supply for surrounding properties.
  - Notification: not notified during the referral process.
  - Wildlife and trees: Impacts and removal.
  - Drainage: impact surrounding development.



# Conditions of Approval



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1. Prior to the signature of the final copy of these plans, the applicant will address all Public Works and Development Staff comments.
2. Prior to the signature of the final plat, the 30' x 30' sight triangle easements at the entrance of E. Jamison shall be dedicated or conveyed to the County by the property owners of Tract 5 and Tract 6 of the Allred Subdivision.
3. Prior to the signature of the final plat, the property owner/Applicant shall grant the five-foot easements of the access road to the property owners of Tract 5 and Tract 6 of the Allred Subdivision.
4. Prior to the signature of the final plat, the Applicant shall address the South Metro Fire Rescue and Xcel Energy's requirements.
5. Prior to the signature of the final plat, a weed management plan shall be provided for review and approval by the County Planning Division.
6. If earthmoving is to occur between March 15 and August 31, a burrowing owl survey shall be conducted before earthmoving occurs. This survey shall be submitted to the County Planning Division and Colorado Parks and Wildlife for review and approval.
7. If the start of construction occurs during the raptor nesting season, a nesting raptor survey shall be conducted prior to the start of construction to identify active nests within 0.25 miles of the project workspace. In the event that an active raptor nest is discovered at the time of construction, the Applicant shall notify the Colorado Parks and Wildlife and identify appropriate measures in order to minimize impacts. This survey shall be submitted to the County Planning Division and the Colorado Parks and Wildlife for review and approval.
8. All subdivision fencing shall use Colorado Parks and Wildlife's recommended wildlife-friendly fencing.





# Conclusion



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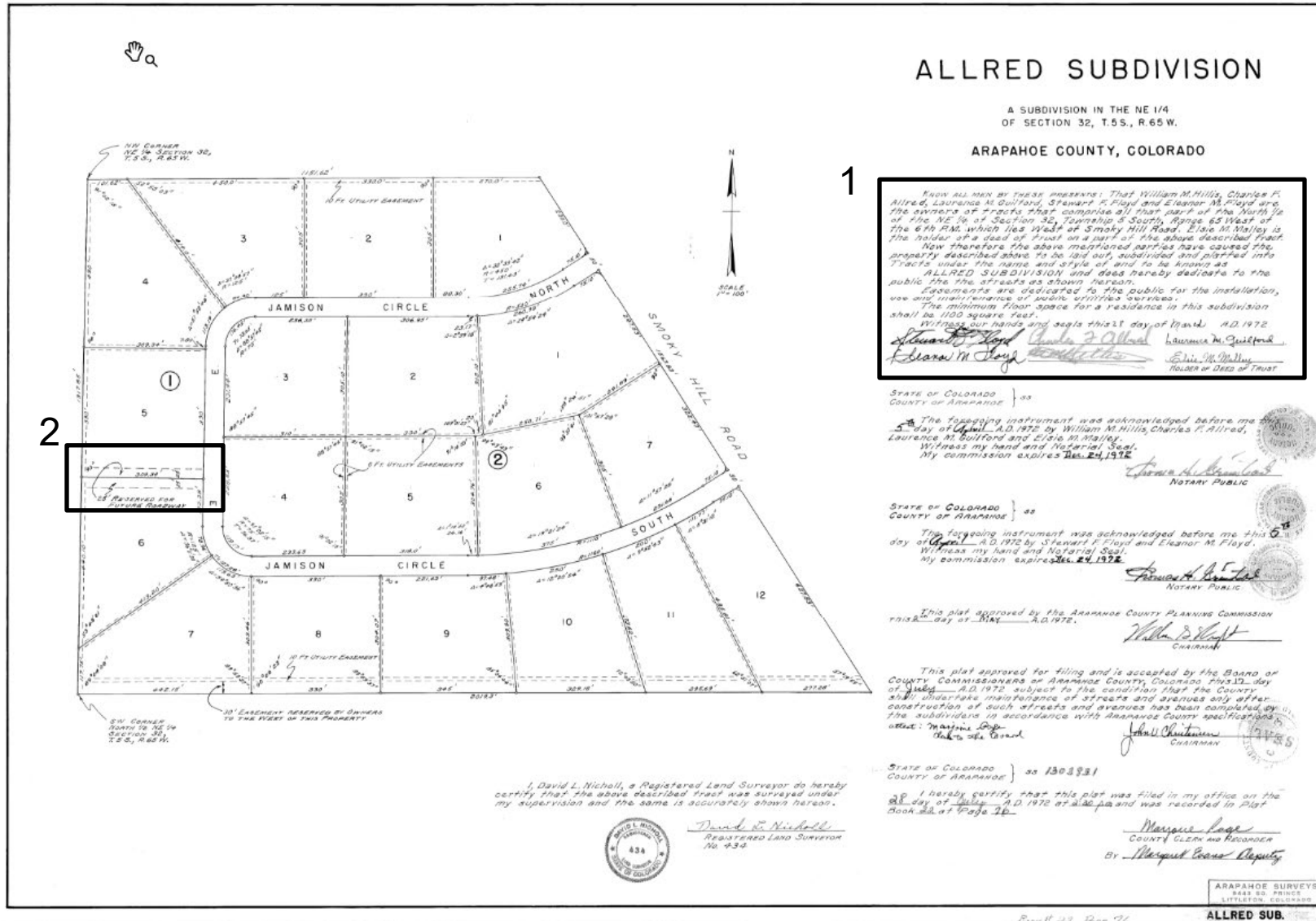
- Based on the findings in the staff report, staff is recommending approval for the Preliminary Plat.



# Allred Subdivision, Recorded July 1972



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- 1 – Dedication Language
- 2 – Reservation for Future Roadway



# 1 - Dedication Language



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KNOW ALL MEN BY THESE PRESENTS; That William M. Hillis, Charles F. Allred, Laurence M. Guilford, Stewart F. Floyd and Eleanor M. Floyd are the owners of tracts that comprise all that part of the North 1/2 of the NE 1/4 of Section 32, Township 5 South, Range 65 West of the 6th R.M. which lies West of Smoky Hill Road. Elsie M. Malley is the holder of a deed of trust on a part of the above described tract.

Now therefore the above mentioned parties have caused the property described above to be laid out, subdivided and platted into Tracts under the name and style of and to be known as

ALLRED SUBDIVISION and does hereby dedicate to the public the the streets as shown hereon.

Easements are dedicated to the public for the installation, use and maintenance of public utilities services.

The minimum floor space for a residence in this subdivision shall be 1100 square feet.

Witness our hands and seals this 28 day of March A.D. 1972

Stewart F. Floyd Charles F. Allred Laurence M. Guilford  
Eleanor M. Floyd William M. Hillis Elsie M. Malley  
HOLDER OF DEED OF TRUST

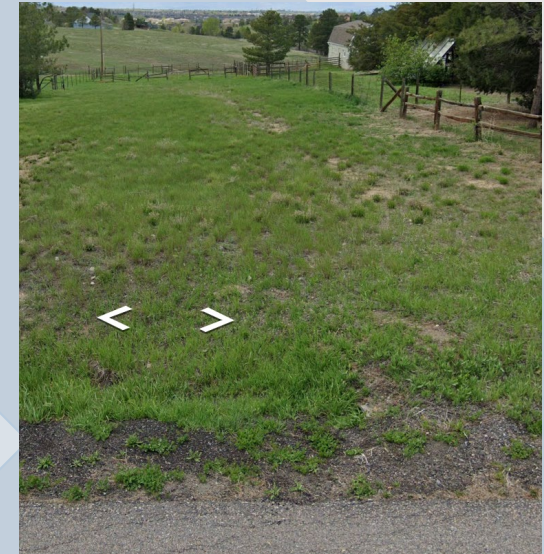
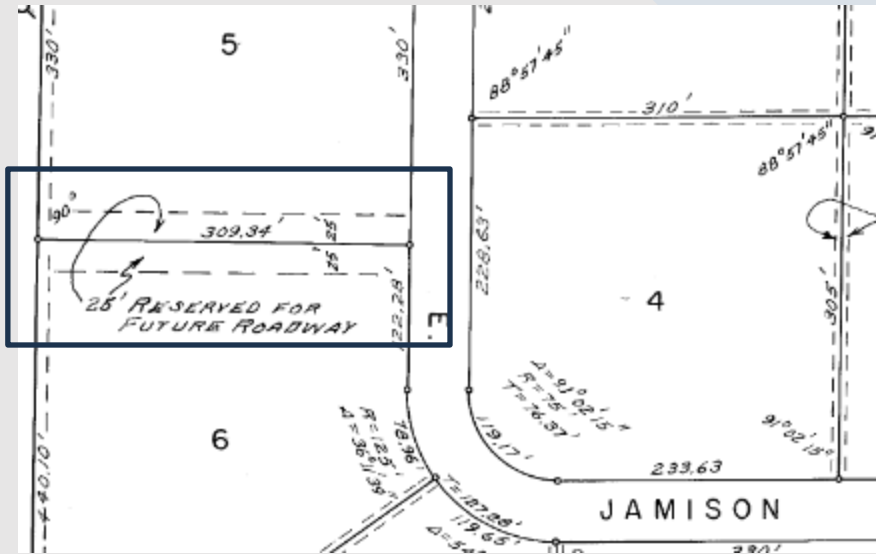
- William M. Hillis and Laurence M. Guilford are signers of the dedication and owners of portions of the land being subdivided
- Land is subdivided into Tracts (which are referred to in many documents as Lots)
- Owners dedicate public streets (E Jamison Circle N and E Jamison Circle S)
- Easements dedicated for public utilities; 10-ft perimeter, 6-ft internal between tracts
- The 50-ft access is not mentioned in the dedication
- Only publicly dedicated land are the two roadways
- Only easements granted for public use are the utility easements



# 2 - Reservation of Future Roadway



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- 50-ft Reservation for Future Roadway is open land, fenced at a 60-ft width
- To indicate this type of reservation on a subdivision plat is uncommon and has led to confusion
- Tracts 5 and 6 were originally sold as the platted Tracts **less 30-ft width for each**
- The 60-ft wide access is tax parcel and Tracts 5 and 6 were all originally sold by William M. Hillis





# Chain of Title for 60-ft Access Parcel

(AIN 2071-32-1-02-013)

Date	Reception No.	Grantor(s)	Grantee(s)
10.04.1972	Bk. 2064, Pg. 554	<b>William M. Hillis</b>	Laurence M. Guilford
06.23.2008	B8071919	Roderic N. Guilford, Personal Representative of Laurence M. Guilford, deceased	Roderic N. Guilford and Joan M. Schulman
06.30.2009	B9070496	Roderic N. Guilford	Roderic N. Guilford and Jane E. Guilford, Trustees of the Roderic N. and Jane E. Guilford Revocable Trust
09.23.2015	D5108755	Joan M. Schulman	Roderic N. Guilford and Jane E. Guilford, Trustees of the <b>Roderic N. and Jane E. Guilford Revocable Trust</b>

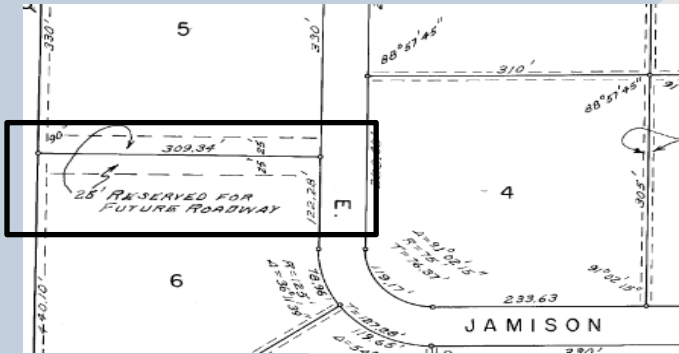
## Chain of Title Summary:

Hillis to Laurence Guilford  
 Roderic Guilford (as Personal Representative of father's estate) to himself and Joan Schulman  
 Roderic Guilford to Roderic & Jane Guilford Revocable Trust (release of his previous interest)  
 Joan Schulman to Roderic & Jane Guilford Revocable Trust (release of her previous interest)

## Parcel Description:

All right, title and interest in and to: The South 30 feet of Tract 5, and the North 30 feet of Tract 6, Block 1, ALLRED SUBDIVISION; except an individual undivided ten-sixteenth of all oil, gas and minerals within said parcel conveyed.

**Current Owners: Roderic N. and Jane E. Guilford Revocable Trust**

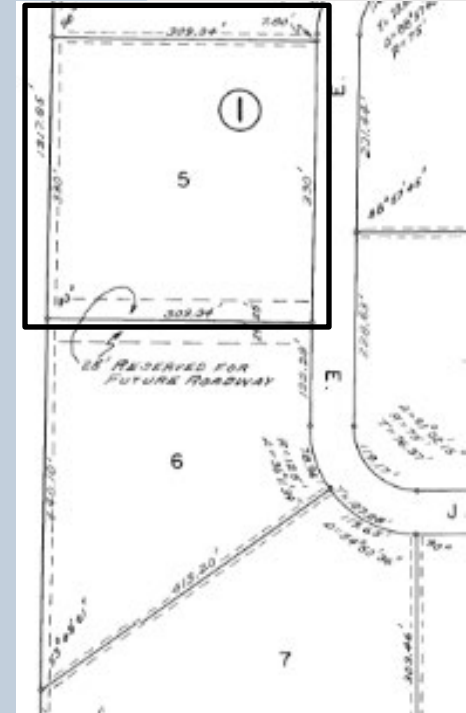


# Chain of Title for Tract 5 (AIN 2071-32-1-02-005)



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Date	Reception No.	Grantor(s)	Grantee(s)
11.10.1972	Bk. 2074, Pg. 475	<b>William M. Hillis</b>	Josephus and Geertruda Van Zonneveld
09.21.1990	Bk. 6011, Pg. 427	Josephus and Geertruda Van Zonneveld	Herbert M. Engdahl and Lou Ann Engdahl
12.30.1992	Bk. 6757, Pg. 268	Herbert M. Engdahl and Lou Ann Engdahl	Mark R. Engdahl
07.08.1994	Bk. 7625, Pg. 247	Mark R. Engdahl	Lloyd Kaipainen
09.18.1998	A8149135	Lloyd Kaipainen	Valerie Wittmeier-Kinney and Paul T. Kinney
09.08.1999	A9146684	Valerie Wittmeier-Kinney and Paul T. Kinney	Scott Patrick Dodd and Suzanna L. Darley
09.14.2000	B0117367	Scott Patrick Dodd and Suzanne L. Darley	Darley/Dodd Revocable Trust
04.06.2001	B1051723	Darley/Dodd Revocable Trust	Suzanna L. Darley and Scott P. Dodd
11.05.2002	B2210462	Scott Patrick Dodd and Suzanna L. Darley aka Suzanne L. Darley	<b>Darley/Dodd Revocable Trust</b>



## Parcel Description:

Lot 5, Block 1, ALLRED SUBDIVISION, EXCEPT the South 30 feet thereof, County of Arapahoe, State of Colorado

**Current Owners: Darley/Dodd Revocable Trust**





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# Chain of Title for Tract 6 (AIN 2071-32-1-02-006)



Date	Reception No.	Grantor(s)	Grantee(s)
07.30.1975	Bk. 2358, Pg. 236	<b>William M. Hillis</b>	Max Hilterbrand and Myrtle Hilterbrand
07.30.1975	Bk. 2358, Pg. 237	Max Hilterbrand and Myrtle Hilterbrand	Walter A. Walko and Louise R. Walko
03.31.1976	Bk. 2432, Pg. 719	Walter A. Walko and Louise R. Walko	Vantage Custom Homes, Inc.
08.09.1976	Bk. 2479, Pg. 744	Vantage Custom Homes, Inc.	Walter A. Walko and Louise R. Walko
03.19.1997	A7055640	Walter A. Walko and Louise R. Walko,	Walter A. & Louise R. Walko, Trustee, or their successors, under the Louise R. Walko Living Trust
02.20.2001	B1023233	Walter A. & Louise R. Walko, Trustee, or their successors, under the Louise R. Walko Living Trust	Albert H. McCarthy
03.26.2003	B1023233	Gary Dean McCarthy as Personal Representative of the Estate of Albert H. McCarthy, deceased	<b>Gary Dean McCarthy</b>

## Parcel Description:

Lot 6, Block 1, ALLRED SUBDIVISION, EXCEPT the North 30 feet thereof, County of Arapahoe, State of Colorado

**Current Owners: Gary Dean McCarthy**



# Conclusion



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- Based on the review of County records, we are confident that the applicants have access to the proposed Forest Rim Subdivision Filing No. 2,
- The 50-ft wide reservation or future roadway was never effectuated,
- The 60-ft wide access was sold prior to the sale of either Tracts (Lots) 5 or 6, and
- Tracts 5 and 6 were sold without the platted South 30 feet and North 30 feet, respectively.

