

**W. ARAPAHOE COUNTY PLANNING COMMISSION**  
**PUBLIC HEARING**  
**August 2, 2022**  
**6:30 P.M.**

**SUBJECT: PM22-001 – TIEDEMAN MINOR SUBDIVISION**

**MOLLY ORKILD-LARSON, PRINCIPAL PLANNER**

**JULY 25, 2022**

**LOCATION:**

The subject properties are Parcels 6 and 7 of the Watkins Ranch subdivision. These parcels are located in Commissioner District No. 3 and zoned Agricultural-1 (A-1).



**Vicinity and Zoning Map**

**ADJACENT SUBDIVISIONS, ZONING, AND LAND USES:**

North:	Single family residential, zoned A-1
South:	Single family residential, zoned A-1
East:	Single family residential, zoned A-1
West:	Single family residential, zoned A-1

## **PROPOSAL:**

The applicant is seeking approval to combine Parcels 6 and 7 and re-subdivide them into three lots ranging in size from 20 to 25 acres.

## **RECOMMENDATION:**

Staff recommends the application be approved based on the findings and subject to the conditions of approval outlined herein.

## **I. BACKGROUND**

The Watkins Ranch Land Survey Plat consists of 16 parcels and was deposited with the Arapahoe County Clerk and Recorder in 2003. All parcels within this development are a minimum of 35 acres in size and therefore required no formal platting process (Senate Bill 35).

## **II. DISCUSSION**

Staff review of this application included a comparison of the proposal to: 1) applicable policies and goals outlined in the Comprehensive Plan; 2) Minor Subdivision Regulations; and, 3) analysis of referral comments.

### **1. The Comprehensive Plan**

Comprehensive Plan (Comp Plan): The subject parcels are located within the Urban Reserve. The intent of this area is to reserve the land for future development at an urban density. The Watkin Ranch was established before the Comp Plan's Planning Reserve/Tier I and Urban Reserve were created in 2012 and 2018, respectively. The proposed subdivision doesn't meet the intent of Urban Reserve but meets the zone district's minimum lot size requirement of 19 acres.

This proposal complies with the Comp plan as follows:

GOAL PSF 1 – Ensure an Adequate Water Supply in Terms of Quantity and Quality for Existing and Future Development

*The three residential lots depicted on the proposed plat will each be served by individual water wells. The Colorado Division of Water Resources has determined that the water supply is adequate and can be provided without causing injury.*

Policy PFS 4.3 - Require Adequate Wastewater Treatment

*The proposed plat has been reviewed by the Tri-County Health Department and this agency has no objection of using On-site Wastewater Treatment Systems (OWTS) for the development.*

GOAL PFS 6 – Ensure the Adequacy of Electric, Natural Gas, Telephone, Cable and Internet in Existing and New Development

*The proposal can be served by CenturyLink and Xcel Energy.*

GOAL PFS 7 – Ensure Existing and New Development have Adequate Police and Fire Protection Utilities in Existing and New Development

*The Arapahoe County Sheriff's Office and Bennett-Watkins Fire District will serve this development.*

GOAL PFS 9 – Ensure that the Educational Needs of Existing and New Developments Are Met

*The site will be served by Bennett School District. The school district reviewed the minor subdivision plat application and is requesting cash-in-lieu for schools.*

2. Land Development Code – Subdivision Regulations

A Minor Subdivision follows the Final Plat process, as outlined in Section 5-6.3 of the Land Development Code. A Minor Subdivision may be approved upon the finding by the Board that the application meets the following criteria:

1. Provide for a public water supply.

*All the lots will be served by water wells and the State Water Engineer has determined that the water supply is adequate and water supply can be provided without causing injury.*

2. Provide for a public sewage disposal system.

*All lots will be served by On-site Wastewater Treatment System (OWTS). Tri-County Health Department has no objection to site being served by septic systems as long as regulations are followed.*

3. Provide evidence to show that all areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified by the subdivider and that the proposed uses of these areas are compatible with such conditions.

*The Colorado Geological Survey had no comments on this development.*

4. Comply with all applicable zoning regulations governing the property as adopted by the Board of County Commissioners.

*The proposed application meets the zoning regulations.*

5. Comply with the Mineral Resource Areas in the Regulation for Areas of Special Interest as adopted in the Arapahoe County Zoning Regulations.

*The Mineral Resource Map does not cover the subject site (Map B-8).*

6. Provide evidence that the school district can serve the development.

*The school district can serve the plat and is requesting cash-in-lieu for schools.*

### 3. Referral Comments

Comments received during the referral process are as follows:

<b>Referral Agency</b>	<b>Comments</b>
Arapahoe County Assessor	No comments received.
Arapahoe County Engineering Services Division	The Division of Engineering Services recommends this case favorably provided the applicant addresses their comments.
Arapahoe County Mapping	Applicant working with this division to address their comments.
Arapahoe County Zoning	No comments.
Arapahoe County Open Spaces	No comments received.
Arapahoe County Sheriff	This agency has no comments.
Arapahoe County Library District	No comments received.
Colorado Geologic Survey	This agency has no objections.
Colorado Parks and Wildlife	No comments received.
Bennett – Watkins Fire District	The district has no concerns provided the access to reach the new parcel from the nearest County maintained roadway meets or exceeds the requirements set forth in Appendix R. <i>The County's engineering division indicates that this application complies with this requirement.</i>
Post Office Growth Coordinator	No comments received.
Bennett Post Office	No comments received.
Bennett School District	The district is requesting cash-in-lieu fee of \$2,079.09.
Byers Parks and Recreation District	No comments received.
Tri-County Health Department	TCHD has no objection to the new lot being served by an OWTS provided that the system is permitted, inspected and operated in accordance with TCHD's current OWTS Regulation. According to TCHD records, it appears that the proposed lot lines will meet the required setbacks from the existing OWTS and the new OWTS will also need to meet setback requirements from all lot lines.

West Arapahoe Conservation District	No comments received.
Unincorporated Arapahoe County Economic development (UACED)	This agency has no comments.
Centurylink	This agency has no objections.
Xcel Energy	This agency has commented that there is no apparent conflict.
Colorado Division of Water Resources	This agency has determined that the water supply is adequate and water supply can be provided without causing injury.
US Army Corp of Engineers	No comments received.
Arapahoe East End Advisory Committee	One committee member: no concerns on this application.

4. Cash in Lieu of Land Dedication

The Land Development code requires land dedication for public schools, public parks and other public purposes, or cash-in-lieu instead of land dedication, with any subdivision. The cash-in-lieu amounts for parks and other public purposes are based on the assumed land value of \$20,000 per acre in rural areas of the County. Bennett School District is requesting \$2,079.09 cash-in-lieu. Based on those values, total cash-in-lieu of land dedication will be:

Bennett School District: \$2,079.09

Public Parks: \$355.20

Other Public Purposes: \$14.80

Total cash-in-lieu: \$2,449.09

**STAFF FINDINGS:**

Staff has visited the site and reviewed the plans, supporting documentation, and referral comments in response to this application. Based on the review of applicable policies and goals, as set forth in the Comp Plan, review of the subdivision regulations and analysis of referral comments, our findings include:

1. The proposed Minor Subdivision generally complies with the Arapahoe County Comprehensive Plan.
2. The proposed Minor Subdivision complies with the Approval Standards contained in Section 5-6.3 enumerated in the Arapahoe County Land Development Code.

3. The proposed Minor Subdivision complies with the Intent Requirements contained in Section 5-6.6 enumerated in the Arapahoe County Land Development Code.

**STAFF RECOMMENDATION:**

Considering the findings and other information provided herein, staff recommends approval of Case No. PM22-001 Tiedeman Minor Subdivision, with conditions of approval:

1. Prior to signature of the final copy of these plans, the applicant will address all Public Works and Development Staff comments.
2. Prior to recording the final mylar, the applicant shall pay a total cash-in-lieu fee of \$2,449.09. This cash-in-lieu fee shall be distributed as follows: Bennett School District: \$2,079.09; Public Parks: \$355.20; and Other Public Purposes: \$14.80.

The Planning Commission has alternatives that include the following:

1. Recommend approval of the proposed Minor Subdivision.
2. Continue to a date certain for more information.
3. Recommend denial of the proposed Minor Subdivision.

**CONCURRENCE:**

The Public Works and Development Planning and Engineering Services Division have reviewed the application and the Arapahoe County Public Works and Development Department is recommending approval of this case.

**PLANNING COMMISSION DRAFT MOTIONS – PM22-001, TIEDEMAN MINOR SUBDIVISION:**

**Conditional Recommendation to Approve**

In the case of PM22-001, Tiedeman Minor Subdivision, I have reviewed the staff report, including all exhibits and attachments and have listened to the applicant's presentation and the public comment as presented at the hearing and hereby move to recommend approval of this application based on the findings in the staff report, subject to the following conditions:

1. Prior to signature of the final copy of these plans, the applicant will address all Public Works and Development Staff comments.
2. Prior to recording the final mylar, the applicant shall pay a total cash-in-lieu fee of \$2,449.09. This cash-in-lieu fee shall be distributed as follows: Bennett School District: \$2,079.09; Public Parks: \$355.20; and Other Public Purposes: \$14.80.

***Staff provides the following Draft Motions listed below as general guidance in preparing an alternative motion if the Planning Commission reaches a different determination:***

Recommendation to Deny

In the case of PM22-001, Tiedeman Minor Subdivision, I have reviewed the staff report, including all exhibits and attachments and have listened to the applicant's presentation and the public comment as presented at the hearing and hereby move to recommend denial of this application based on the following findings:

1. *State new findings in support of denial as part of the motion.*

Continue to Date Certain:

In the case of PM22-001, Tiedeman Minor Subdivision I move to continue the hearing to [date certain], 6:30 p.m., to obtain additional information and to further consider the information presented.

Engineering Staff Report  
Referral Comments  
Applicants Response Letter  
Exhibits





ARAPAHOE COUNTY  
COLORADO'S FIRST

**Arapahoe County**  
**Public Works and Development**  
**Planning Division**  
6924 S. Lima Street  
Centennial, Colorado 80112  
Phone: 720-874-6650  
[www.arapahoegov.com](http://www.arapahoegov.com)

## Land Development Application

This form must be complete.

Land Development Application materials received after 2pm shall be date stamped received the following business day.

<b>APPLICANT NAME:</b> Deborah K. Iliff Bakarich	<b>ADDRESS:</b> 1173 W. Fork Way Watkins, CO 80137  <b>PHONE:</b> 303-919-7579 <b>EMAIL:</b> dbakarich@netecin.net	<b>CONTACT:</b> 303-919-7579 Debbie  <b>TITLE:</b> owner
<b>OWNER(S) OF RECORD NAME(S):</b> Dave and Angie Tiedeman/Nick and Debbie Bakarich	<b>ADDRESS:</b> 1173 W. Fork Way 1001 W. Fork Way  <b>PHONE:</b> 303-919-7579 <b>EMAIL:</b> dbakarich@netecin.net/tufftiedeman@aol.com	<b>SIGNATURE(S):</b>    
<b>ENGINEERING FIRM NAME:</b> <del>Altura Land Consultants</del> Colorado ILC Services	<b>ADDRESS:</b> <del>6950 S. Tucson Way, Unit C</del> <del>Centennial, CO 80112</del> 3000 Lawrence St. Ste 111 Denver CO 80205 <b>PHONE:</b> <del>303-921-9537</del> 303-668-7546 <b>EMAIL:</b> <del>martin@alturaland.com</del> jen@coloradoilc.com	<b>CONTACT:</b> <del>Martin Brauns</del> Felix Chavez felix@coloradoilc.com <b>TITLE:</b> survey manager

Pre-Submittal Case Number: Q 21 - 088

Pre-Submittal Planner: Molly Orkild-Larson

Pre-Submittal Engineer: Joseph Boateng

State Parcel ID No. (AIN no.): 1979-01-1-00-009/ 1979-04-1-00-010

Parcel Address or Cross Streets: 1173 and 1001 W. Fork Way

Subdivision Name & Filing No: Watkins Ranch /lot 6 and 7

EXISTING		PROPOSED
<b>Zoning:</b>	A-1	A-1
<b>Project Name:</b>	Bakarich/Tiedeman	Bakarich/Tiedeman minor subdivision
<b>Site Area (Acres):</b>	35 acres each lot	20 acres after minor subdivision
<b>Density (Dwelling Units/Acre):</b>	1 dwelling per lot of 35 acres	1 dwelling per new 20 acres
<b>Building Square Footage:</b>	1173 W. Fork Wy-4062 Sq. Feet/ 1001 W. Fork Way-2623 Sq. Feet	TBD
<b>Disturbed Area (Acres):</b>	N/A	NA

### CASE TYPE (S)

☒ minor subdivision



### THIS SECTION IS FOR OFFICE USE ONLY

<b>Case No:</b>		<b>Assigned Planner:</b>		<b>Assigned Engineer:</b>	
<b>TCHD Fee:</b>	\$	<b>Planning Fee(s):</b>	\$	<b>Engineering Fee(s):</b>	\$

This land use application shall be submitted with all required application fees. Incomplete applications will not be accepted. Submittal of this application does not establish a vested property right in accordance with C.R.S. 24-68-105(1). Processing and review of this application may require the submittal of additional information, subsequent reviews, and/or meetings, as outlined in the Arapahoe County Land Development Code.



August 24, 2021

Arapahoe County Public Works & Development

Planning Division

6924 S. Lima St.

Centennial, CO 80112

RE: New Lot in Watkins Ranch

Dear Public Works & Development:

Nick and Debbie Bakarich is proposing to sell 10 acres of their 35 acres at 1173 W. Fork Way in Unincorporated Arapahoe County to Dave and Angie Tiedeman at 1001 W. Fork Way so 1001 W Fork Way. 1001 W. Fork Way can subdivide their new 35+10 acres into 2 lots of 20 acres and 25 acres so they can give/sell their son a 20 acre lot to build 1 house on. The subdividing process will then be handled and coordinated by Dave and Angie Tiedeman at 1001 W. Fork Way.

The lots 1173 and 1001 W. Fork Way are in Watkins Ranch Subdivision. Currently 1173 W. Fork Way (39° 43' 58.99" N, 104° 33' 1.49" W) is zoned A-1 and 1001 W. Fork Way (39° 43' 53.77 " N, 104° 33' 6.21" W) is zoned A-1.

The new lot will be added to the current Watkins Ranch Subdivision and conform to the home owners association already established in Watkins Ranch Subdivision.

Sincerely,



Nick and Debbie Bakarich

1173 W. Fork Way

Watkins, CO 80137

303-919-7579



CenturyLink

2/17/2022

Arapahoe County Colorado  
ATTN: Molly Orkild-Larson, Principal Planner  
Morkild-larson@arapahoegov.com  
(720) 874-6658

PM-22-001  
No Objection

**SUBJECT:** Request for review of minor subdivision plat relating to Lots 6 and 7, Watkins Ranch subdivision, Watkins, Arapahoe County, Colorado

**ADDRESS:** 1173 W Fork Way, Watkins CO 80137/1001 W Fork Way, Watkins CO 80137

**APN:** 1979-01-1-00-009/ 1979-04-1-00-010

To Whom It May Concern:

Qwest Corporation d/b/a CENTURYLINK QC ("CenturyLink") has reviewed the request for the subject Minor Subdivision Plat and has determined that it has no objections with respect to the areas proposed for modification as shown and/or described on Exhibit "A", said Exhibit "A" attached hereto and incorporated by this reference.

It is the intent and understanding of CenturyLink that this action shall not reduce our rights to any existing easement or rights we have on this site or in the area.

This response is submitted WITH THE STIPULATION that if CenturyLink facilities are found and/or damaged within the subject area as described, the Applicant will bear the cost of relocation and repair of said facilities.

Sincerely yours,

Diane Willatto  
Network Infrastructure Services  
CenturyLink  
P840748



39.7328, -104.5537

No concerns, no objection to approval

**Public Works and Development**

6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611

[www.co.arapahoe.co.us](http://www.co.arapahoe.co.us)

**Planning Division**

**Referral Routing**

**Case Number / Case Name:** PM22-001, Tiedeman Minor Subdivision  
**Planner:** Molly Orkild-Larson  
**Engineer:** Joseph Boateng  
**Date sent:** February 11, 2022  
**Date to be returned:** March 7, 2022

Arapahoe County Agencies			Citizen's Organizations		
<input checked="" type="checkbox"/>	Assessor / Arapahoe County (Residential)	Karen Hart	<input type="checkbox"/>	CCNA-Cherry Creek Neighborhoods Ass.	
<input type="checkbox"/>	Attorney / Arapahoe County	Robert Hill	<input checked="" type="checkbox"/>	UACED	
<input type="checkbox"/>	Building / Arapahoe County		<input type="checkbox"/>	Four Square Mile Neighborhood	
<input checked="" type="checkbox"/>	Engineering / Arapahoe County	Joseph Boateng	<input type="checkbox"/>	South Metro Chamber of Commerce	
<input checked="" type="checkbox"/>	Mapping / Arapahoe County	Karen Kennedy	<b>Conservation District</b>		
<input type="checkbox"/>	Oil & Gas / Arapahoe County	Diane Kocis	<input type="checkbox"/>	Deer Trail Conservation District	
<input checked="" type="checkbox"/>	Open Space / Arapahoe County	Roger Harvey	<input checked="" type="checkbox"/>	West Arapahoe Conservation District	
<input checked="" type="checkbox"/>	Planning / Arapahoe County	Molly Orkild-Larson	<b>Transportation</b>		
<input checked="" type="checkbox"/>	Sheriff / Arapahoe County	1 to Scott Sickafoose 1 to Glenn Thompson	<input type="checkbox"/>	CDOT / State Highway Dept- Region 1	Richard Solomon
<input type="checkbox"/>	Weed Control / Arapahoe County	Russell Johnson	<input type="checkbox"/>	E-470 Authority	Peggy Davenport
<input checked="" type="checkbox"/>	Zoning / Arapahoe County	Caitlyn Cahill	<input type="checkbox"/>	RTD	Chris Quinn
<b>Referral Agencies</b>			<input type="checkbox"/>	Denver International Airport	Jeannette Hilare
<input type="checkbox"/>	Architectural Review Committee		<b>Utilities: Gas, Electric &amp; Phone</b>		
<input checked="" type="checkbox"/>	Arapahoe Library District	Linda Speas	<input checked="" type="checkbox"/>	Centurylink/Phone	
<input checked="" type="checkbox"/>	CGS Colorado Geological Survey-Soils	Jill Carlson	<input type="checkbox"/>	Conoco Phillips / Gas Pipeline	
<input type="checkbox"/>	County		<input type="checkbox"/>	XCEL	Donna George
<input checked="" type="checkbox"/>	Colorado Parks and Wildlife	Matt Martinez	<input checked="" type="checkbox"/>	CORE	Brooks Kaufman
<input type="checkbox"/>	Town		<b>Water / Sanitation / Stormwater / Wetlands</b>		
<input type="checkbox"/>	DRCOG		<input type="checkbox"/>	North Kiowa Bijou Water Management	Andrew McClary
<input checked="" type="checkbox"/>	Bennett Fire District	Caleb Connor	<input checked="" type="checkbox"/>	U.S. Army Corp. of Engineer	Ellison Koonce
<input type="checkbox"/>	Metro District		<input checked="" type="checkbox"/>	Division of Water Resources	Joanna Williams
<input checked="" type="checkbox"/>	Post Office Growth Coordinator Bennett Post Office	Jason Eddleman	<input type="checkbox"/>	SEMSWA	
<input checked="" type="checkbox"/>	Byers Park and Recreation District		<input checked="" type="checkbox"/>	Mile High Flood District	
<input checked="" type="checkbox"/>	School District – Bennett	Robin Purdy	<input checked="" type="checkbox"/>	East End Advisory	
<input checked="" type="checkbox"/>	Tri-County Health Department	Sheila Lynch	<input type="checkbox"/>	Colorado Department of Public Health and Environment (CDPHE)	
<input type="checkbox"/>	HOMEOWNER'S ASSOCIATIONS				

The enclosed case has been submitted to the Arapahoe County Planning Office for consideration. Because of the possible effect of the proposed development upon your area, the case is being referred for your comment. Please examine this request and, after review, check the appropriate line and return to the Arapahoe County Planning Office on or before the date indicated above.

COMMENTS:		SIGNATURE
<input checked="" type="checkbox"/>	Have NO Comments to make on the case as submitted	Jill Carlson, Colorado Geological Survey / carlson@mines.edu
<input type="checkbox"/>	Have the following comments to make related to the case:	

## Molly Orkild-Larson

---

**From:** Deb Deitchel <dkdeitchel@tds.net>  
**Sent:** Sunday, February 20, 2022 6:37 PM  
**To:** Molly Orkild-Larson  
**Subject:** RE: PM22-001, Tiedman Minor Subdivision Referral Review  
**Attachments:** Referral Routing Sheet[5160].pdf

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Molly,

I have reviewed the documents in reference to PM22-001 and it looks as though the two families have worked the land division out among themselves and that it complies with county mandates. I have no concerns about this moving forward.

Thank you,  
Deb Deitchel  
East End Advisory



---

**From:** [Molly Orkild-Larson](#)  
**Sent:** Saturday, February 12, 2022 9:01 AM  
**To:** [Molly Orkild-Larson](#)  
**Cc:** [Terri Maulik](#); [Michelle Lengyel](#); [Kim Lynch](#); [Land Use Submittals](#)  
**Subject:** PM22-001, Tiedman Minor Subdivision Referral Review

All:

## Molly Orkild-Larson

---

**From:** Victoria Flamini <VictoriaFlamini@BennettFireRescue.org>  
**Sent:** Monday, February 14, 2022 10:11 AM  
**To:** Molly Orkild-Larson  
**Cc:** Terri Maulik; Michelle Lengyel; Kim Lynch; Capt. Caleb Conner  
**Subject:** RE: PM22-001, Tiedman Minor Subdivision Referral Review

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Molly,

BWFR does not have any concerns with the proposed subdivision plans to create a 3<sup>rd</sup> lot for a single family residence out of the 2 existing lots (1173 W. Fork Way and 1001 W. Fork Way) provided that the access to reach the new parcel from the nearest county maintained roadway as well as the driveway to serve the new residence meets or exceeds the requirements set forth in Appendix R. This subdivision is served by a network of private, non-county maintained, roads so proper road construction meeting these requirements and ongoing maintenance are imperative to emergency access.

Let me know if you have any questions.

Thanks,

*Victoria*

Victoria Flamini

Life Safety Division | Fire Inspector I

Fire & Life Safety Educator

Bennett-Watkins Fire Rescue

303-644-3572 – Headquarters (x1673)

303-815-8350 – Cell

720-893-7673 – Direct

303-644-3401 – Fax



[www.BennettFireRescue.org](http://www.BennettFireRescue.org)

*COVID-19: No contact options for conducting business with the District are available. Payments and submittal documents can be deposited in the front door mail slot. Staff can provide assistance by phone and can complete many tasks through email. We also have information and a variety of forms available on our website [www.bennettfirerescue.org](http://www.bennettfirerescue.org) to further assist you. We appreciate your patience and support during this time.*

This email and any files transmitted with it may contain PRIVILEGED or CONFIDENTIAL information and may be read or used only by the intended recipient. If you are not the intended recipient of the email or any of its attachments, please be advised that you have received this email in error and that any use, dissemination, distribution, forwarding, printing, or copying of this email or any attached files is strictly prohibited. If you have received this email in error, please immediately purge it and all attachments and

notify the sender by reply email or contact the sender at the number listed.

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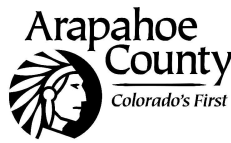
**From:** Molly Orkild-Larson <MOrkild-Larson@arapahoegov.com>

**Sent:** Saturday, February 12, 2022 9:02 AM

**To:** Molly Orkild-Larson <MOrkild-Larson@arapahoegov.com>

**Cc:** Terri Maulik <TMaulik@arapahoegov.com>; Michelle Lengyel <MLengyel@arapahoegov.com>; Kim Lynch <KLynch@arapahoegov.com>; Land Use Submittals <LandUseSubmittals@arapahoegov.com>

**Subject:** PM22-001, Tiedman Minor Subdivision Referral Review



**Public Works and Development**

6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611

[www.co.arapahoe.co.us](http://www.co.arapahoe.co.us)

**Planning Division**

**Referral Routing**

<b>Case Number / Case Name:</b>	<b>PM22-001, Tiedeman Minor Subdivision</b>
<b>Planner:</b>	<b>Molly Orkild-Larson</b>
<b>Engineer:</b>	<b>Joseph Boateng</b>
<b>Date sent:</b>	<b>February 11, 2022</b>
<b>Date to be returned:</b>	<b>March 7, 2022</b>

Arapahoe County Agencies		Citizen's Organizations	
<input checked="" type="checkbox"/>	Assessor / Arapahoe County (Residential)	Karen Hart	
<input type="checkbox"/>	Attorney / Arapahoe County	Robert Hill	
<input type="checkbox"/>	Building / Arapahoe County		
<input checked="" type="checkbox"/>	Engineering / Arapahoe County	Joseph Boateng	
<input checked="" type="checkbox"/>	Mapping / Arapahoe County	Karen Kennedy	
<input type="checkbox"/>	Oil & Gas / Arapahoe County	Diane Kocis	
<input checked="" type="checkbox"/>	Open Space / Arapahoe County	Roger Harvey	
<input checked="" type="checkbox"/>	Planning / Arapahoe County	Molly Orkild-Larson	
<input checked="" type="checkbox"/>	Sheriff / Arapahoe County	1 to Scott Sickafoose 1 to Glenn Thompson	
<input type="checkbox"/>	Weed Control / Arapahoe County	Russell Johnson	
<input checked="" type="checkbox"/>	Zoning / Arapahoe County	Caitlyn Cahill	
<b>Referral Agencies</b>			
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<input checked="" type="checkbox"/>	CGS Colorado Geological Survey-Soils	Jill Carlson	
<input type="checkbox"/>	County		
<input checked="" type="checkbox"/>	Colorado Parks and Wildlife	Matt Martinez	
<input type="checkbox"/>	Town		
<input type="checkbox"/>	DRCOG		
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<input checked="" type="checkbox"/>	Tri-County Health Department	Sheila Lynch	
<input type="checkbox"/>	HOMEOWNER'S ASSOCIATIONS		
		<b>Conservation District</b>	
<input type="checkbox"/>		Deer Trail Conservation District	
<input checked="" type="checkbox"/>		West Arapahoe Conservation District	
		<b>Transportation</b>	
<input type="checkbox"/>		CDOT / State Highway Dept- Region 1	Richard Solomon
<input type="checkbox"/>		E-470 Authority	Peggy Davenport
<input type="checkbox"/>		RTD	Chris Quinn
<input type="checkbox"/>		Denver International Airport	Jeannette Hilare
		<b>Utilities: Gas, Electric &amp; Phone</b>	
<input checked="" type="checkbox"/>		Centurylink/Phone	
<input type="checkbox"/>		Conoco Phillips / Gas Pipeline	
<input type="checkbox"/>		XCEL	Donna George
<input checked="" type="checkbox"/>		CORE	Brooks Kaufman
		<b>Water / Sanitation / Stormwater / Wetlands</b>	
<input type="checkbox"/>		North Kiowa Bijou Water Management	Andrew McClary
<input checked="" type="checkbox"/>		U.S. Army Corp. of Engineer	Ellison Koonce
<input checked="" type="checkbox"/>		Division of Water Resources	Joanna Williams
<input type="checkbox"/>		SEMSWA	
<input checked="" type="checkbox"/>		Mile High Flood District	
<input checked="" type="checkbox"/>		East End Advisory	
<input type="checkbox"/>		Colorado Department of Public Health and Environment (CDPHE)	

The enclosed case has been submitted to the Arapahoe County Planning Office for consideration. Because of the possible effect of the proposed development upon your area, the case is being referred for your comment. Please examine this request and, after review, check the appropriate line and return to the Arapahoe County Planning Office on or before the date indicated above.

COMMENTS:		SIGNATURE
<input checked="" type="checkbox"/>	Have NO Comments to make on the case as submitted	Glenn Thompson, Bureau Chief, Arapahoe County Sheriff's Office
<input type="checkbox"/>	Have the following comments to make related to the case:	



April 20, 2022

Molly Orkild-Larson  
Arapahoe County Public Works and Development  
[morkild-larson@arapahoegov.com](mailto:morkild-larson@arapahoegov.com)

**RE:** Tiedman Minor Subdivision  
Case No. PM22-001  
Part of Section 4, T4S, R64W, 6<sup>th</sup> P.M.  
Lots 6 and 7, Watkins Ranch  
Water Division 1, Water District 1

Dear Ms. Orkild-Larson:

We have reviewed the additional information received by this office on April 14, 2022 regarding the above referenced referral. The Applicant is proposing to subdivide approximately 70 acres into three lots of approximately 20 acres, 24.333 acres and 25.405 acres.

### **Water Supply Demand**

The Water Supply Information Summary Sheets states the proposed water demand for each lot is to be 1.58 acre-feet per year for two residences, ½ acre of lawn and garden irrigation and the watering of 3 livestock, for a total water demand of 4.74 acre-feet per year.

### **Source of Water Supply**

According the letter dated February 1, 2022 from Patrick, Miller, Noto Waterlaw (“Water Supply Letter”), the proposed water supply for Lot 1 is the existing well operating under permit no. 235790. Permit no. 235790 was issued on August 29, 2001 pursuant to C.R.S. 37-92-602(3)(b)(II)(A) as the only well on 35 acres described as Lot 6, Watkins Ranch. The well is permitted to withdraw 3.1 acre-feet per year of groundwater from the not-nontributary Denver aquifer that was vacated from Division 1 Water Court Case no. 81CW409, to be used for fire protection, ordinary household purposes inside not more than three (3) single family dwellings, the watering of poultry, domestic animals and livestock on a farm or ranch and the irrigation of more than one (1) acre of home gardens and lawns.

According the Water Supply Letter, the proposed water supply for Lot 2, with an existing home, is the existing well operating under permit no. 247718. Permit no. 247718 was issued on February 19, 2003 pursuant to C.R.S. 37-92-602(3)(b)(II)(A) as the only well on 35 acres described as Lot 7, Watkins Ranch. The well is permitted to withdraw 3.1 acre-feet per year of groundwater from the not-nontributary Denver aquifer that was vacated from Division 1 Water Court Case no. 81CW409, to be used for fire protection, ordinary household purposes inside not more than three (3) single family dwellings, the watering of poultry, domestic animals and livestock on a farm or ranch and the irrigation of more than one (1) acre of home gardens and lawns.

The Water Supply Letter states that wells 235790 and 247718 will comply with the requirements of section 37-92-602(3)(b)(IV), C.R.S. With the adoption of Senate Bill 20-155 on July 2, 2020, section 37-92-602(3), C.R.S. was amended to allow an existing exempt well issued pursuant to section 37-





92-602(3)(b)(II)(A) to retain its presumption of non-injury after the land on which the well is located has been divided, subject to the following requirements:

1. The existing wells may only be used on one lot each and must be the only exempt well serving such lot. This restriction should be included in the plat notes for this subdivision, including reference to the specific lot on which the well is located and used. Based on the Water Supply Letter the plat note should limit well 235790 to only serving Lot 1 and limit well 247718 to only serving Lot 2.
2. The wells must continue to be used in accordance with the permitted terms and conditions.
3. No additional exempt well permits would be allowed to be constructed on or to claim the land area encumbered by well permit nos. 235790 and 247718, which is the 70 acres within the proposed subdivision. This restriction should be included in the plat notes for this subdivision and should state that no additional exempt well permits will be allowed within the subdivision.

The proposed water source for Lot 3 is a proposed well to be constructed on Lot 3 in the nontributary Arapahoe aquifer that would be operated pursuant to Division 1 Water Court case no. 81CW410.

The decree granted in Division 1 Water Court Case no. 81CW410, allows for the withdrawal of 185 acre-feet per year of groundwater from the Arapahoe aquifer FHWS Well A-1 underlying 622 acres (of which the proposed subdivision is a part). According a letter dated March 22, 2022 from John M. Sittler, the Applicant's attorney, ("Attorney Letter") the applicants each own 2 acre-feet per year (4 acre-feet per year total) of groundwater from the Arapahoe aquifer decreed in case no. 81CW410 and a new Arapahoe aquifer well will be drilled on Lot 3 to withdraw the decreed water. The decreed location for FHWS Well A-1 appears to be on proposed Lot 3, or within 200 feet of Lot 3. According to the Attorney Letter, the Applicants have the legal right to divert water at the decreed well location (FHWS Well A-1), as do other multiple owners of the water rights decreed in case no. 81CW410, so long as the other owners acquire or condemn a right-of-way across the Applicants' property.

The proposed source of water for this subdivision is a bedrock aquifer in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water. According to 37-90-137(4)(b)(I), C.R.S., "Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years." Based on this allocation approach, the annual amounts of water decreed in 81CW410 are equal to one percent of the total amount, as determined by rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

Applications for well permits, submitted by an entity other than the decree holder, must include evidence that the applicant has acquired the right to the portion of water being requested on the application.

#### State Engineer's Office Opinion

Based upon the above and pursuant to section 30-28-136(1)(h)(I), C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights. In order to make the requirement of section 37-92-602(3)(b)(II)(A) clear the plat notes specified above should be added.

Our opinion that the water supply is **adequate** is based on the legal opinion from the Applicant's attorney that the Applicants have a legal right to construct well FHWS Well A-1 on Lot 3 in order to withdraw their interest in the Arapahoe aquifer decreed in case no. 81CW410.

Our opinion that the water supply is **adequate** is based on our determination that the amount of water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

Our opinion that the water supply can be **provided without causing injury** is based on our determination that the amount of water that is legally available on an annual basis, according to the statutory **allocation** approach, for the proposed uses is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision

Our opinion is qualified by the following:

The Division 1 Water Court has retained jurisdiction over the final amount of water available pursuant to the above-referenced decree, pending actual geophysical data from the aquifer.

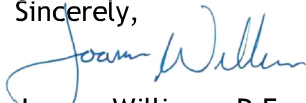
**The amounts of water in the Denver Basin aquifer, and identified in this letter, are calculated based on estimated current aquifer conditions. The source of water is from a non-renewable aquifer, the allocations of which are based on a 100 year aquifer life. The county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 100 years used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.**

#### **Additional Comments**

Arapahoe County has requested information on the 300-year availability of the groundwater that is the source of supply to this subdivision. Treating the available supply under an **allocation** approach based on three hundred years, the allowed average annual amount of withdrawal for the proposed Lots 1 and 2, of 3.1 acre-feet/year per lot would be reduced to one third of that amount, or 1.03 acre-feet/year per lot, which is not greater than the annual demand for this subdivision. Treating the available supply under an **allocation** approach based on three hundred years, the allowed average annual amount of withdrawal of for the proposed Lot 3 of 4 acre-feet/year would be reduced to one third of that amount, or 1.33 acre-feet/year, which is not greater than the annual demand for this subdivision. This information is being provided to Arapahoe County for informational purposes only and does not affect our comments and opinions on the adequacy of the subdivision water supply plan as stated above.

Should you or the Applicant have any questions, please contact Ailis Thyne of this office at [ailis.thyne@state.co.us](mailto:ailis.thyne@state.co.us).

Sincerely,



Joanna Williams, P.E.  
Water Resource Engineer

Ec: Subdivision file: 29090  
File permit nos. 235790 and 247718



March 3, 2022

Molly Orkild-Larson  
Arapahoe County Public Works and Development  
6924 S. Lima Street  
Centennial, CO 80112

RE: Tiedman Minor Subdivision, PM22-001  
TCHD Case No. 7525

Dear Ms. Orkild-Larson,

Thank you for the opportunity to review and comment on the minor subdivision to divide two 35-acre lots into three 20-acre lots located at 1011 and 1173 W Fork Way. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations and principles of healthy community design. After reviewing the application, TCHD has the following comments.

**On-Site Wastewater Treatment System (OWTS) – Lot Line Adjustment**

Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment. Our records indicate the presence of an On-Site Wastewater Treatment Systems (OWTS) on each of the subject properties. Tri-County Health Department Regulation Number O-17, Table 6 requires minimum horizontal distances to site features including property lines. The applicant should ensure that the proposed lot line adjustments meet all required setbacks. A copy of the regulation can be found here <http://www.tchd.org/DocumentCenter/View/4570/Regulation-O-17-Final-Version---Aug-22-2017?bidId=>. OWTS records can be found by searching here <http://www.tchd.org/642/Septic-Systems-Property-Records-Search>. According to TCHD records, it appears that the proposed lot lines will meet the required setbacks from the existing OWTS.

**On-Site Wastewater Treatment System (OWTS) – New or Expanded**

Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment. TCHD has no objection to the property being served by an OWTS provided that the system is permitted, inspected and operated in accordance with TCHD's current OWTS Regulation. Based on the applicant's description, a permit for the installation and final approval of the OWTS is required. In order to start the process, the applicant may contact TCHD Aurora East Office, 15400 E. 14th Place - Suite 115, Aurora, CO 80011, 303-341-9370. More information is available at <http://www.tchd.org/269/Septic-Systems>.

Tiedman Minor Subdivision  
March 3, 2022  
Page 2 of 2

Please feel free to contact me at 720-200-1575 or [kboyer@tchd.org](mailto:kboyer@tchd.org) if you have any questions about TCHD's comments.

Sincerely,

A handwritten signature in cursive script, appearing to read 'K Boyer', followed by a horizontal line.

Kathy Boyer, REHS  
Land Use and Built Environment Specialist III

cc: Sheila Lynch, Dylan Garrison, TCHD



**Public Works and Development**  
6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611  
[www.co.arapahoe.co.us](http://www.co.arapahoe.co.us)

## Planning Division Referral Routing

<b>Case Number / Case Name:</b>	<b>PM22-001, Tiedeman Minor Subdivision</b>
<b>Planner:</b>	<b>Molly Orkild-Larson</b>
<b>Engineer:</b>	<b>Joseph Boateng</b>
<b>Date sent:</b>	<b>February 11, 2022</b>
<b>Date to be returned:</b>	<b>March 7, 2022</b>

Arapahoe County Agencies			Citizen's Organizations		
<input checked="" type="checkbox"/>	Assessor / Arapahoe County (Residential)	Karen Hart	<input type="checkbox"/>	CCNA-Cherry Creek Neighborhoods Ass.	
<input type="checkbox"/>	Attorney / Arapahoe County	Robert Hill	<input checked="" type="checkbox"/>	UACED	
<input type="checkbox"/>	Building / Arapahoe County		<input type="checkbox"/>	Four Square Mile Neighborhood	
<input checked="" type="checkbox"/>	Engineering / Arapahoe County	Joseph Boateng	<input type="checkbox"/>	South Metro Chamber of Commerce	
<input checked="" type="checkbox"/>	Mapping / Arapahoe County	Karen Kennedy			
<input type="checkbox"/>	Oil & Gas / Arapahoe County	Diane Kocis	<b>Conservation District</b>		
<input checked="" type="checkbox"/>	Open Space / Arapahoe County	Roger Harvey	<input type="checkbox"/>	Deer Trail Conservation District	
<input checked="" type="checkbox"/>	Planning / Arapahoe County	Molly Orkild-Larson	<input checked="" type="checkbox"/>	West Arapahoe Conservation District	
<input checked="" type="checkbox"/>	Sheriff / Arapahoe County	1 to Scott Sickafoose 1 to Glenn Thompson	<b>Transportation</b>		
<input type="checkbox"/>	Weed Control / Arapahoe County	Russell Johnson	<input type="checkbox"/>	CDOT / State Highway Dept- Region 1	Richard Solomon
<input checked="" type="checkbox"/>	Zoning / Arapahoe County	Caitlyn Cahill	<input type="checkbox"/>	E-470 Authority	Peggy Davenport
<b>Referral Agencies</b>			<input type="checkbox"/>	RTD	Chris Quinn
<input type="checkbox"/>	Architectural Review Committee		<input type="checkbox"/>	Denver International Airport	Jeannette Hilare
<input checked="" type="checkbox"/>	Arapahoe Library District	Linda Speas	<b>Utilities: Gas, Electric &amp; Phone</b>		
<input checked="" type="checkbox"/>	CGS Colorado Geological Survey-Soils	Jill Carlson	<input checked="" type="checkbox"/>	Centurylink/Phone	
<input type="checkbox"/>	County		<input type="checkbox"/>	Conoco Phillips / Gas Pipeline	
<input checked="" type="checkbox"/>	Colorado Parks and Wildlife	Matt Martinez	<input type="checkbox"/>	XCEL	Donna George
<input type="checkbox"/>	Town		<input checked="" type="checkbox"/>	CORE	Brooks Kaufman
<input type="checkbox"/>	DRCOG		<b>Water / Sanitation / Stormwater / Wetlands</b>		
<input checked="" type="checkbox"/>	Bennett Fire District	Caleb Connor	<input type="checkbox"/>	North Kiowa Bijou Water Management	Andrew McClary
<input type="checkbox"/>	Metro District		<input checked="" type="checkbox"/>	U.S. Army Corp. of Engineer	Ellison Koonce
<input checked="" type="checkbox"/>	Post Office Growth Coordinator Bennett Post Office	Jason Eddleman	<input checked="" type="checkbox"/>	Division of Water Resources	Joanna Williams
<input checked="" type="checkbox"/>	Byers Park and Recreation District		<input type="checkbox"/>	SEMSWA	
<input checked="" type="checkbox"/>	School District – Bennett	Robin Purdy	<input checked="" type="checkbox"/>	Mile High Flood District	
<input checked="" type="checkbox"/>	Tri-County Health Department	Sheila Lynch	<input checked="" type="checkbox"/>	East End Advisory	
<input type="checkbox"/>	HOMEOWNER'S ASSOCIATIONS		<input type="checkbox"/>	Colorado Department of Public Health and Environment (CDPHE)	

The enclosed case has been submitted to the Arapahoe County Planning Office for consideration. Because of the possible effect of the proposed development upon your area, the case is being referred for your comment. Please examine this request and, after review, check the appropriate line and return to the Arapahoe County Planning Office on or before the date indicated above.

COMMENTS:		SIGNATURE
<input checked="" type="checkbox"/>	Have NO Comments to make on the case as submitted	<u>James Shelley/UACED Executive Director</u> <i>James Shelley</i>
<input type="checkbox"/>	Have the following comments to make related to the case:	



**Right of Way & Permits**

1123 West 3<sup>rd</sup> Avenue  
Denver, Colorado 80223  
Telephone: **303.571.3306**  
Facsimile: 303. 571. 3284  
donna.l.george@xcelenergy.com

March 17, 2022

Arapahoe County Public Works and Development  
6924 South Lima Street  
Centennial, CO 80112

Attn: Molly Orkild-Larson

**Re: Tiedeman Minor Subdivision, Case # PM22-001**

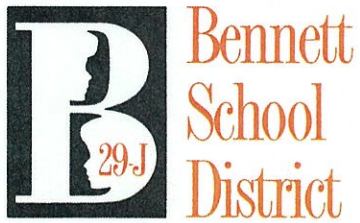
Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the minor subdivision for **Tiedeman** and has **no apparent conflict**.

Please be aware PSCo owns and operates existing electric distribution facilities in the proposed project area. The property owner/developer/contractor must complete the application process for any new electric service, or modification to existing facilities via [xcelenergy.com/InstallAndConnect](http://xcelenergy.com/InstallAndConnect). It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details.

If additional easements need to be acquired by separate PSCo document, a Right-of-Way Agent will need to be contacted.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

Donna George  
Right of Way and Permits  
Public Service Company of Colorado dba Xcel Energy  
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com



**DISTRICT OFFICES**

615 Seventh Street • Bennett, Colorado 80102 8015  
(303) 644 3234 • (303) 571 1104 • FAX (303) 644 4121

**Tiedeman Minor**

**June 28, 2022**

**This letter is being written to address impact of the extra lot at Tiedeman Minor. Bennett School District has policy in place that address the expectations for land dedications, cash-in-lieu, and land use impact statements.**

**We are asking for \$2,079.09. Please see attached calculations.**

**Sincerely,**

**Mrs. Robin Purdy  
Superintendent of Schools**

**Mr. Keith Yaich  
Chief Financial Officer**



# B29J - Student Yield, Land Dedication and Fee-In\_Lieu Calculators -Tiedeman Minor

Student Yield Calculator			Elementary		Middle		High		Total
Housing Unit Type	Density	Dwelling Units	Generation Rate	Students	Generation Rate	Students	Generation Rate	Students	Students
Single Family Detached	1 - 7.99	1	0.29	0.3	0.15	0.15	0.16	0.2	0.6
Single Family Attached (Condo, Townhome, Plex)	8 - 14.99	0	0.14	0	0.06	0	0.08	0	0.28
Multifamily (Apartments)	15+	0	0.07	0	0.03	0	0.04	0	0.14
Totals			1						0.6

Acreage Calculator	Units	Acreage Multiplier	Acreage Owed	Fee Multiplier	Fee Owed
Single Family Detached Units (SFD)	1	0.0162	0.0162	\$2,079.09	\$ 2,079.09
Single Family Attached Units (SFA)	0	0.0075	0	\$964.84	\$ -
Multifamily Units (MF)	0	0.0038	0	\$482.42	\$ -
Totals			0.0162	Or	\$ 2,079.09

May 3, 2022

Molly Orkild-Larson, Senior Planner  
Arapahoe County, Current Planning Division  
6924 South Lima Street  
Centennial, Colorado 80112

**Re: Tiedeman Subdivision  
Response to Referral Comments (Case No. 2-PM22-001)**

Dear Molly:

Thank you for taking the time to review the Tiedeman Subdivision in Watkins, Arapahoe County, Colorado. We received the comments and feedback, Please see the following pages for responses to comments. If you have any questions, please feel free to reach out by phone at 303-919-7579. We look forward to making this project a success with Arapahoe County.

Sincerely,  
Debbie Bakarich/Dave Tiedeman

**Century Link-Diane Willatto/Network Infrastructure Services**

Qwest Corporation d/b/a CENTURYLINK QC ("Century Link") has reviewed the request for the subject Minor Subdivision Plat and has determined that it has no objections with respect to the areas proposed for modification as shown and/or described attached hereto and incorporated by this reference.

It is the intent and understanding of CenturyLink that this action shall not reduce our rights to any existing easement or rights we have on this site or in the area.

This response is submitted WITH THE STIPULATION that if CenturyLink facilities are found and/or damaged within the subject area as described, the Applicant will bear the cost of relocation and repair of said facilities.

**RESPONSE:** Comments Noted. We will abide by the stipulation. Thank you.

**Arapahoe County Planning Division/Referral Routing-Jill Carlson, Colorado Geological Survey-carlson@mines.edu**

Have NO comments to make on the case as submitted, Signed by Jill Carlson, Colorado Geological [Survey/Carlson@mines.edu](mailto:Survey/Carlson@mines.edu)

**RESPONSE:** Comments Noted. Thank you.

**East End Advisory/Deb Deitchel**

Hi Molly,

I have reviewed the documents in reference to PM22-001 and it looks as though the two families have worked the land division out among themselves and that it complies with county mandates. I have no concerns about this moving forward.

Thank you,

Deb Deitchel

East End Advisory

**RESPONSE:** Comment Noted. Thank you.

**Bennett Fire Rescue/Victoria Flamini-303-815-8350**

Hi Molly,

BWFR does not have any concerns with the proposed subdivision plans to create a 3<sup>rd</sup> lot for a single family residence out of the 2 existing lots (1173 W. Fork Way and 1001 W. Fork Way) provided that the access to reach the new parcel from the nearest county maintained roadway as well as the driveway to serve the new residence meets or exceeds the requirements set forth in Appendix R. This subdivision is served by a network of private, non-county maintained, roads so proper road construction meeting these requirements and ongoing maintenance are imperative to emergency access.

Let me know if you have any questions.

Thanks,

**Victoria**

Victoria Flamini

Life Safety Division | Fire Inspector I

Fire & Life Safety Educator

Bennett-Watkins Fire Rescue

303-644-3572 – Headquarters (x1673)

303-815-8350 – Cell

720-893-7673 – Direct

303-644-3401 – Fax

[www.BennettFireRescue.org](http://www.BennettFireRescue.org)

**RESPONSE:** Comment Noted. The access will conform to the requirements, the property will be accessed from 12<sup>th</sup> place which is Watkins Ranch private road, which that road is accessed by the county road Quail Run Rd. or County Road 6. Thank you.

**Arapahoe County Referral Routing\Glenn Thompson, Bureau Chief, Arapahoe County Sheriff's Office**

Have NO Comments to make on the case as submitted/Glenn Thompson, Bureau Chief, Arapahoe County Sheriff's Office

**RESPONSE:** Comment Noted. Thank you.

**COLORADO Division of Water Resources\Joanna Williams, P.E.-Ailis Thyne,**  
**[ailis.thyne@state.co.us](mailto:ailis.thyne@state.co.us)**

We have reviewed the information received by this office on February 11, 2022 regarding the above referenced referral. The Applicant is proposing to subdivide approximately 70 acres into three lots of approximately 20 acres, 24.333 acres and 25.405 acres.

**Water Supply Demand**

The Water Supply Information Summary Sheets state the proposed water demand for each lot is be 1.58 acre-feet per year for two residences, ½ acre of lawn and garden irrigation and the watering of 3 livestock, for a total water demand of 4.74 acre-feet per year.

**Source of Water Supply**

According the Water Supply Letter, the proposed water supply for Lot 1 is the existing well operating under permit no. 235790. Permit no. 235790 was issued on August 29, 2001 pursuant to C.R.S. 37-92-602(3) (b) (II) (A) as the only well on 35 acres described as Lot 6, Watkins Ranch. The well is permitted to withdraw 3.1 acre-feet per year of groundwater from the not-nontributary Denver aquifer that was vacated from Division 1 Water Court Case no. 81CW409, to be used for fire protection, ordinary household purposes inside not more than three (3) single family dwellings, the watering of poultry, domestic animals and livestock on a farm or ranch and the irrigation of more than one (1) acre of home gardens and lawns.

According the Water Supply Letter, the proposed water supply for Lot 2 with an existing home is the existing well operating under permit no. 247718. Permit no. 247718 was issued on February 19, 2003 pursuant to C.R.S. 37-92-602(3) (b) (II) (A) as the only well on 35 acres described as Lot 7, Watkins Ranch. The well is permitted to withdraw 3.1 acre-feet per year of groundwater from the not-nontributary Denver aquifer that was vacated from Division 1 Water Court Case no. 81CW409, to be used for fire protection, ordinary household purposes inside not more than three (3) single family dwellings, the watering of poultry, domestic animals and livestock on a farm or ranch and the irrigation of more than one (1) acre of home gardens and lawns.

The Water Supply Letter states that wells 235790 and 247718 will comply with the requirements of section 37-92-602(3) (b) (IV), C.R.S. With the adoption of Senate Bill 20-155 on July 2, 2020, section 37-92-602(3), C.R.S. was amended to allow an existing exempt well issued pursuant to section 37-92-602(3)(b)(II)(A) to retain its presumption of non-injury after the land on which the well is located has been divided, subject to the following requirements:

1. The existing wells may only be used on one lot each and must be the only exempt well serving such lot. This restriction should be included in the plat notes for this subdivision, including reference to the specific lot on which the well is located and used.
2. The wells must continue to be used in accordance with the permitted terms and conditions.
3. No additional exempt well permits would be allowed to be constructed on or to claim the land area encumbered by well permit nos. 235790 and 247718. This restriction should be included in the plat notes for this subdivision.

The proposed water source for Lot 3 is a proposed well to be constructed on Lot 3 in the nontributary Arapahoe aquifer that would be operated pursuant to Division 1 Water Court case

no. 81CW410.

The decree granted in Division 1 Water Court Case no. 81CW410, allows for the withdrawal of 185 acre-feet per year of groundwater from the Arapahoe aquifer FHWS Well A-1 underlying applicants each own 2 acre-feet per year (4 acre-feet per year total) of groundwater from the Arapahoe aquifer decreed in case no. 81CW410 and a new Arapahoe aquifer well will be drilled on Lot 3 to withdraw the decreed water. The decreed location for FHWS Well A-1 appears to be on the proposed Lot 3 or within 200 feet of Lot 3. Information showing proof of the ownership of the 4 acre-feet per year of groundwater from the Arapahoe aquifer decreed in case no. 81CW410 was not provided with the information submitted. In addition, the Applicant has not provided evidence that they have the right to the sole decreed well location, given that they are multiple owners of the water rights decreed in case no. 81CW410.

State Engineer's Office Opinion

Based on the above and pursuant to Section 30-28-136(1)(h)(I), C.R.S., the State Engineer's Office has not received enough information to render an opinion regarding the potential for causing material injury to decreed water rights, or the adequacy of the proposed water supply.

Prior to further review of the subdivision water supply plan the following information is required:

1. The applicant must demonstrate ownership of the 4 acre-feet per year of groundwater from the Arapahoe aquifer decreed in case no. 81CW410. In addition, the Applicant must provide evidence that they have the right to the sole decreed well location, given that they are multiple owners of the water rights decreed in case no. 81CW410.

Should you or the Applicant have any questions, please contact Ailis Thyne of this office at [ailis.thyne@state.co.us](mailto:ailis.thyne@state.co.us).

**RESONSE:** Comments Noted, We will abide by these comments, the Water Attorney has attached proof of ownership to water supply in his submission.

**John Sittler**

**Associate Attorney**

[sittler@waterlaw.com](mailto:sittler@waterlaw.com)

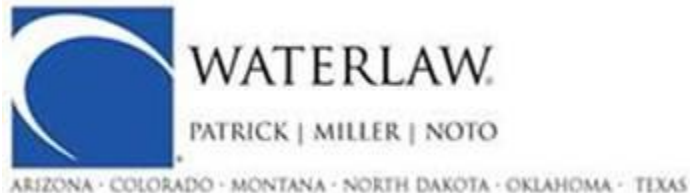
229 Midland Avenue

Basalt, CO 81621

(970) 920.1030 tel

(970) 927.1030 fax

[www.waterlaw.com](http://www.waterlaw.com)



**Tri-County Health Department\Kathy Boyer, REHS Land Use and Built Environment Specialist III\720-200-1575 or [kboyer@tchd.org](mailto:kboyer@tchd.org)**

Thank you for the opportunity to review and comment on the minor subdivision to divide two 35-acre lots into three 20-acre lots located at 1011 and 1173 W Fork Way. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations and principles of healthy community design. After reviewing the application, TCHD has the following comments.

**On-Site Wastewater Treatment System (OWTS) – Lot Line Adjustment**

Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment. Our records indicate the presence of an On-Site Wastewater Treatment Systems (OWTS) on each of the subject properties. Tri-County Health Department Regulation Number O-17, Table 6 requires minimum horizontal distances to site features including property lines. The applicant should ensure that the proposed lot line adjustments meet all required setbacks. A copy of the regulation can be found here

<http://www.tchd.org/DocumentCenter/View/4570/Regulation-O-17-Final-Version---Aug-22-2017?bidId=>. OWTS records can be found by searching here

<http://www.tchd.org/642/Septic-Systems-Property-Records-Search>. According to TCHD records, it appears that the proposed lot lines will meet the required setbacks from the existing OWTS.

**On-Site Wastewater Treatment System (OWTS) – New or Expanded**

Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment. TCHD has no objection to the property being served by an OWTS provided that the system is permitted, inspected and operated in accordance with TCHD's current OWTS



Regulation. Based on the applicant's description, a permit for the installation and final approval of the OWTS is required. In order to start the process, the applicant may contact TCHD Aurora East Office, 15400 E. 14th Place - Suite 115, Aurora, CO 80011, 303-341-9370. More information is available at <http://www.tchd.org/269/Septic-Systems>.

Please feel free to contact me at 720-200-1575 or [kboyer@tchd.org](mailto:kboyer@tchd.org) if you have any questions about TCHD's comments.

Sincerely,  
Kathy

**RESPONSE:** Comments Noted. Proposing OWTS and we will adhere to the standards set forth by the Tri-County Health Department. Thank You

**Arapahoe County Referral Routing/UACED,James Shelley**

Have NO Comments to make on the case as submitted.

**RESPONSE:** Comments Noted. Thank you

**Xcel Energy Right of Way and Permits/Donna George, Right of Way and Permits, 303-571-3306, [donna.l.george@xcelenergy.com](mailto:donna.l.george@xcelenergy.com)**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the minor subdivision for Tiedeman and has no apparent conflict.

Please be aware PSCo owns and operates existing electric distribution facilities in the proposed project area. The property owner/developer/contractor must complete the application process for any new electric service, or modification to existing facilities via [xcelenergy.com/InstallAndConnect](http://xcelenergy.com/InstallAndConnect). It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details.

If additional easements need to be acquired by separate PSCo document, a Right-of-Way Agent will need to be contacted.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

**RESPONSE:** Comment noted. We will conform to the comments by calling 811 to locate utilities before any construction. Thank you.