



Archuleta County
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MEMORANDUM

TO: Archuleta County Planning Commission

FROM: John C. Shepard, AICP; Planning Manager

DATE: March 27, 2019

RE: Pagosa Hills Subdivision No. 3 Amendment 2019-01 MLLA final plat, a replat of Lot 73, (PLN19-098)

EXECUTIVE SUMMARY

James Guglielmino, represented by Murrey Surveying, has applied for Final Plat approval of the **Pagosa Hills Subdivision No. 3 Amendment 2019-01 Minor Lot Line Adjustment** (MLLA), a replat of Lot 73, which was split in half by Resolution of the Board of County Commissioners 11/7/77. Vested owners are James Guglielmino and Janice L. McIntyre. The MLLA creates Lot 73EZ with an existing home and Lot 73WZ as a building site, with an address of 337 Brookhill Dr. The property is zoned county Residential (R) with a minimum lot size of 8,000 square feet.

REVIEW PROCEDURE

Section 4.6 of the *Archuleta County Land Use Regulations* provides for Plat Amendments, including re-platting, through the subdivision review process outlined in Section 4.1. For a Minor Subdivision, resulting in three or fewer parcels, Planning Commission makes a recommendation on the Final Plat, with final approval by the Board of County Commissioners in a public hearing. Sketch Plan review is not required for a Minor Lot Line Adjustment (MLLA).

DISCUSSION

The first phase of Pagosa Hills Subdivision was approved by the Board of County Commissioners in 1970, with a replat in 1978, and was annexed to the Town of Pagosa Springs in 1983. This property was originally part of Pagosa Hills Subdivision No. 2, approved in 1971, then as Pagosa Hills Subdivision No. 3 also in 1971. There is a note on the Assessor's copy of the recorded plat that several lots (2, 65, 66, 69, 70, 71, 72, 73, 74) were approved by County Commissioners resolutions to be split in half 11/7/77 (which the O&E report omits). While preparing the site for an accessory garage/2nd dwelling unit, Applicant became aware of the 1977 lot split, and is proposing the lot line adjustment for a better building site given the area of steep slopes.

The *Archuleta County Community Plan* of 2001, Future Land Use Map, designates this area for High Density Residential development. Pagosa Hills Subdivision, outside the Town of Pagosa Springs, was zoned county Residential (R), with adoption of countywide zoning in 2006. The Town of Pagosa Springs recently annexed the RV park on the adjacent lot to the south. Water is provided by the Pagosa Area Water & Sanitation District (PAWSD) and sewer service provided by Pagosa Springs Sanitation and General Improvement District (PSSGID).

Both lots meet the minimum 60' minimum lot width and remain well over the 8,000 sq. foot minimum lot size in the R zone (Table 4, *Archuleta County Land Use Regulations*). Applicant has adjusted the common lot line to follow the center line of the existing driveway to the home on the east half of the lot (new Lot 73EZ), which will become a shared driveway, with a utility easement from Brookhill Drive. While current standards (Section 6.6 of the Land Use Regulations) call for a 20'-wide utility easement along all road frontages and 10' either side of other lot lines, no utility providers requested new easements at those locations.

Review comments received include:

- The County Surveyor had technical comments on the plat (3/02/19). Applicant's surveyor revised the plat to address these comments (3/08/19). The County Surveyor will need to confirm revisions when he is back in town.
- Gene Tautges with PSSGID identified a private sewer line serving the RV park south of this property, but was uncertain it is in the existing side lot line easement. Tautges recommends the sewer line be located, but that may not be possible until the snow melts.
- PAWSD had no objections, and noted a mapping fee will be assessed.
- Pagosa Fire Protection District stated no objections.
- County Engineering had no objections.

Staff comments include:

- Sec 5.1.3.4 states: "Side lot lines shall be substantially at right angles or radial to road right-of-way lines.
- Sec 6.6.2 states that "Easements for existing utilities shall be provided in appropriate locations."
- Applicant did not provide a copy of Covenants nor approval by the Pagosa Hills POA.

The County Clerk & Recorder has suggested that certifications on final plats be revised as required by Section 4.4.2.2 to better reflect the approval process, especially with delays between Board approval and recordation while signatures are collected on the mylar copy of the final plat. The revised plat is in substantial conformance with this requirement.

RECOMMENDATION AND FINDINGS

Based on evidence provided, staff recommends the Planning Commission find that:

- a. The application does meet the review criteria for development in the Planned Unit Development (PUD) district, in Section 3.1 of the *Archuleta County Land Use Regulations*, and
- b. The application does meet the review criteria for an Amended Plat, in Section 4.6 of the *Archuleta County Land Use Regulations*, and

That the Planning Commission recommend approval of the **Guglielmino/McIntyre request** for final plat approval of the **Pagosa Hills Subdivision No. 3 Amendment 2019-01 Minor Lot Line Adjustment (MLLA)**, a replat of Lot 73, creating Lots 73EZ and 73WZ at 337 Brookhill Dr. (PLN19-098), with the following conditions:

- 1. The plat be revised if required by the County Surveyor.
- 2. Prior to recording the plat, the existing sewer line identified by PSSGID shall be located, and if within either lot outside an existing easement then a standard 20'-wide utility easement be placed on the plat following that line.

PROPOSED MOTION

I move to recommend Approval to the Board of County Commissioners, of the Pagosa Hills Subdivision No. 3 Amendment 2019-01 MLLA Final Plat, with Findings A and B and Conditions #1-#2 of the staff report.

ATTACHMENTS.

- Attachment 1: Area Maps
- Attachment 2: Review Comments & CCRs
- Attachment 3: Applicant Narrative
- Attachment 5: Proposed Amended Plat (3/08/2019)