



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

BOULDER COUNTY PLANNING COMMISSION PUBLIC HEARING

December 14, 2022 at 1:30 p.m.

Hybrid Public Meeting

STAFF RECOMMENDATION

STAFF PLANNER: Jonathan Tardif, Planner I

Docket V-22-0002: Peters Vacation

Proposal: Request to vacate a portion of an existing public right of way and combine it with the existing parcel at 5377 Marshall Road.
Location: 5377 Marshall Road (Parcel no. 157721000010) approximately 0.30 miles northeast of the intersection of S Foothills Highway and Marshall Road, in Section 21, T1S, R70W.
Zoning: Rural Residential (RR) Zoning District
Owners/Applicants: Daniel Peters

PACKET CONTENTS

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Application Materials (Attachment A)	A1 – A14
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SUMMARY

The applicant is requesting to vacate a portion of an existing public right-of-way (ROW) and combine it with the existing parcel at 5377 Marshall Road. The portion of the ROW to be vacated is located directly adjacent to the southern property line of the property at 5377 Marshall Road. The parcel and ROW are located within the old Marshall townsite, which was impacted by the Marshall Fire in December 2021.

DISCUSSION

History: In 2000, the subject property completed a similar ROW vacation. The primary residence was destroyed in a fire and the reconstruction of the structure was encroaching on the front setback. Dockets V-00-0001 and SE-00-0001 note that the property line adjustment was only located in front of the primary residence, as the nonconforming accessory dwelling unit had not been destroyed. In this case of the Marshall Fire of December 2021 both structures were destroyed, and the vacation request is intended to rectify the outstanding setback issues related to the nonconforming accessory dwelling unit.

Subject Request: The subject ROW is directly in front of the subject parcel at 5377 Marshall Road. The parcel and ROW are located within the old Marshall townsite, which was impacted by the Marshall Fire in December 2021. Both structures present on the site (primary residence and a nonconforming accessory dwelling unit) were destroyed in the fire. Proposed reconstruction of the structures as allowed through Article 19-500 has identified existing conflicts with setback requirements on the subject parcel. In providing a recommendation of approval to the Board of County Commissioners, the proposed ROW vacation will rectify existing setback encroachments and provide a pathway forward for the redevelopment of the property. If approved, the applicant shall be required to provide an updated survey and legal description for the property reflecting the requested vacated ROW.

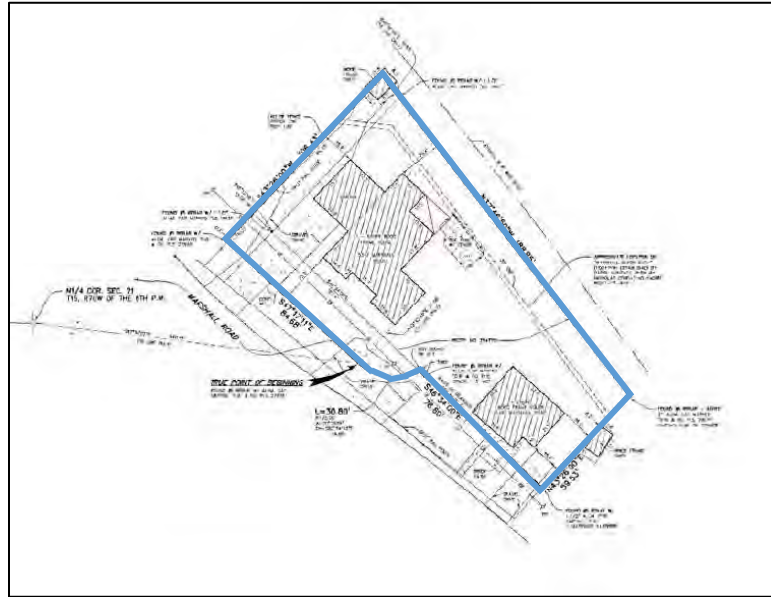


Figure 1: Site Plan identifying the existing property boundaries in blue

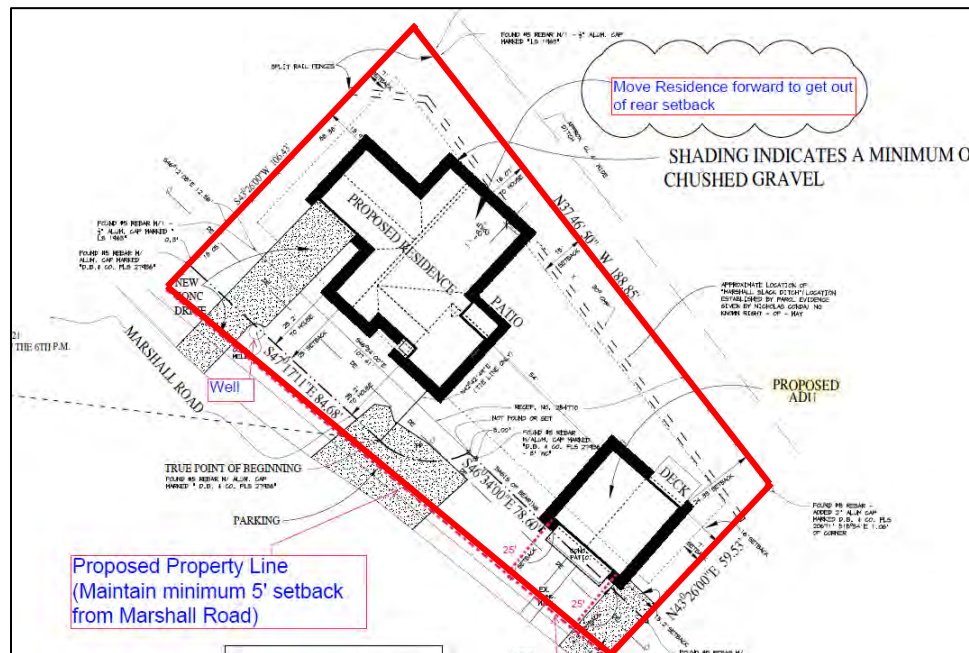


Figure 2: Proposed property boundaries via ROW vacation in red

REFERRALS

This application was referred to the typical agencies, departments, and adjacent property owners. The deadline for agencies and departments to respond was November 17, 2022.

Xcel Energy: Xcel Energy has reviewed the application materials and noted that an easement shall be acquired for the existing public utilities present in the location of the proposed ROW vacation.

Boulder County Parks & Open Space – Natural Resource Planner: The Natural Resource Planner reviewed the application materials and determined they have no natural resource concerns with the proposal. Vegetation along the Goodhue Ditch could support movements of the federally threatened Preble's Meadow Jumping Mouse, and the elimination or trimming of this vegetation would effectively remove this habitat. The activity of rebuilding the structures, and their future use, must be contained within the boundary of the subject parcel. This boundary should be demarcated on-the-ground before construction begins, and also cannot be used for construction staging during rebuilding.

Boulder County Development Review Team – Access & Engineering: The Access & Engineering planner reviewed the application materials and determined that the Access & Engineering team supports the vacation request as proposed. No public road improvements exist in the ROW proposed for the vacation and the Public Works Department has no future plans to develop the ROW. The vacation of the ROW does not preclude any parcels from having legal access.

Agencies that responded with no conflict: Mountain View Fire Protection District, Boulder County Building Safety & Inspection Services Team, and Boulder County Public Health.

Agencies that did not submit a response: Boulder County Long Range Planning team, Boulder County Assessor, Boulder County Surveyor, and the Goodhue Ditch Company.

Adjacent Property Owners: Notices were sent to 93 property owners. To date, staff received 2 public comments in response: 1 stating no conflict with the planning application; and 1 in support of the planning application.

VACATION REVIEW

Section 10-100 of the Boulder County Land Use Code sets the standards for Vacations of Public Roads, Alleys, and Easements. Staff has reviewed the criteria and finds the following:

- (A) **Public roads, alleys, and easements may be vacated after consideration at a public hearing by both the Planning Commission and the Board of County Commissioners.**

This docket will be heard by Planning Commission on December 14, 2022. After the Planning Commission makes a recommendation on the vacation request, staff will schedule a public hearing before the Board of County Commissioners, which will ultimately make a decision as to whether to approve the vacation request.

Therefore, staff finds this criterion can be met.

- (B) **Unless otherwise noted, the portions of the road or alley vacated will be divided down the centerline and added to the respective adjacent property.**

The application requests to vacate a portion of the public ROW and combine it with the existing parcel at 5377 Marshall Road. The portion of the ROW that is requested to be

vacated is directly adjacent to the subject parcels lot line and does not involve the subdivision of land between multiple parcels.

Therefore, as conditioned, staff finds this criterion is not applicable.

(C) Application and processing requirements for vacations are included in Article 3.

The submitted application materials meet the requirements found in Article 3. In accordance with Article 3, staff referred the application to applicable referral agencies and all property owners within 1,500 feet of the subject property. The application will be heard at a public hearing before the Planning Commission on December 14, 2022, and thereafter by the Board of County Commissioners. Public testimony will be taken at both hearings.

Therefore, staff finds this criterion is met.

(D) Following approval or conditional approval of a Vacation, the applicant shall submit to the Land Use Department all necessary documents.

The applicants shall comply with all conditions of approval prior to recordation of a Resolution vacating the subject rights-of-way, including providing a new deed, a survey, and associated legal description to Community Planning & Permitting Staff for review, approval, and recordation.

Therefore, as conditioned, staff finds this criterion can be met.

(E) The Vacation becomes effective upon recordation of the Board's resolution of approval with the Boulder County Clerk and Recorder's office.

- 1. Prior to recordation, the applicant must comply with and complete all conditions of approval.**
- 2. The Land Use Department staff shall record the Commissioner's resolution of approval with the Clerk and Recorder's office within 1 year of the Commissioners' approval unless otherwise specified.**

If the vacation is approved by the Board of County Commissioners, upon completion of post approval requirements, Community Planning & Permitting staff will record a copy of the Board's Resolution of Approval with the Boulder County Clerk & Recorder.

Therefore, as conditioned, staff finds this criterion can be met.

RECOMMENDATION

Staff has determined that the proposal can meet all the applicable criteria of the Boulder County Land Use Code for Vacation of Public Roads, Alleys, and Easement. Therefore, staff recommends that the Planning Commission recommend that the Board of County Commissioners ***conditionally approve docket V-22-0002: Peters Vacation*** with the following conditions:

1. The applicant shall meet all the post approval requirements within one year after the date of the Board of County Commissioners' Resolution approving this vacation. This Resolution and associated documents shall also be recorded by Community Planning & Permitting Staff with the County Clerk and Recorder's Office within this one-year timeframe. This vacation approval shall not be considered final or effective until this recordation. Finally, this vacation

approval shall expire if recordation does not occur within the required one-year timeframe (unless an extension is granted).

2. The applicant shall work with the public utility provider (Xcel Energy) to establish an easement for the public utilities located within the existing ROW to be vacated.
3. The applicant shall be subject to the terms, conditions, and commitments of record and in the file for docket **V-22-0002: Peters Vacation.**



Boulder County Land Use Department

Courthouse Annex Building
2045 13th Street • PO Box 471 • Boulder, Colorado 80302
Phone: 303-441-3930 • Fax: 303-441-4856
Email: planner@bouldercounty.org
Web: www.bouldercounty.org/lu
Office Hours: Mon., Wed., Thurs., Fri. 8 a.m. to 4:30 p.m.
Tuesday 10 a.m. to 4:30 p.m.

Shaded Areas for Staff Only

Intake Stamp

Application Form

Project Number		Project Name	
<input type="checkbox"/> Limited Impact Special Use <input type="checkbox"/> Limited Impact Special Use Waiver <input type="checkbox"/> Modification of Special Use <input type="checkbox"/> Site Plan Review <input type="checkbox"/> Site Plan Review Waiver <input type="checkbox"/> Subdivision Exemption <input type="checkbox"/> Exemption Plat <input type="checkbox"/> 1041 State Interest Review <input type="checkbox"/> Other:	Application Deadline: First Wednesday of the Month <input type="checkbox"/> Variance <input type="checkbox"/> Appeal	Application Deadline: Second Wednesday of the Month <input type="checkbox"/> Sketch Plan <input type="checkbox"/> Preliminary Plan <input type="checkbox"/> Final Plat <input type="checkbox"/> Resubdivision (Replat) <input type="checkbox"/> Special Use/SSDP	<input type="checkbox"/> Rezoning <input checked="" type="checkbox"/> Road/Easement Vacation <input type="checkbox"/> Location and Extent <input type="checkbox"/> Road Name Change
Location(s)/Street Address(es) 5377 MARSHALL ROAD, BOULDER, CO 80305			
Subdivision Name			
Lot(s)	Block(s)	Section(s) 21	Township(s) 1S Range(s) 70
Area in Acres	Existing Zoning	Existing Use of Property Road ROW	Number of Proposed Lots
Proposed Water Supply		Proposed Sewage Disposal Method	

Applicants:

Applicant/Property Owner DANIEL B. PETERS		Email Address DBPETERS33@COMCAST.NET	
Mailing Address 31779 HILLTOP ROAD			
City GOLDEN	State COLORADO	Zip Code 80403	Phone 907-903-8629 Fax NONE
Applicant/Property Owner/Agent/Consultant		Email Address	
Mailing Address			
City	State	Zip Code	Phone Fax
Agent/Consultant		Email Address	
Mailing Address			
City	State	Zip Code	Phone Fax

Certification (Please refer to the Regulations and Application Submittal Package for complete application requirements.)

I certify that I am signing this Application Form as an owner of record of the property included in the Application. I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge. I understand that all materials required by Boulder County must be submitted prior to having this matter processed. I understand that public hearings or meetings may be required. I understand that I must sign an Agreement of Payment for Application processing fees, and that additional fees or materials may be required as a result of considerations which may arise in the processing of this docket. I understand that the road, school, and park dedications may be required as a condition of approval.

I understand that I am consenting to allow the County Staff involved in this application or their designees to enter onto and inspect the subject property at any reasonable time, without obtaining any prior consent.

All landowners are required to sign application. If additional space is needed, attach additional sheet signed and dated.

Signature of Property Owner <i>Daniel B. Peters</i>	Printed Name DANIEL B. PETERS	Date 9/19/22
Signature of Property Owner	Printed Name	Date

The Land Use Director may waive the landowner signature requirement for good cause, under the applicable provisions of the Land Use Code.



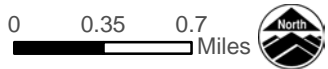
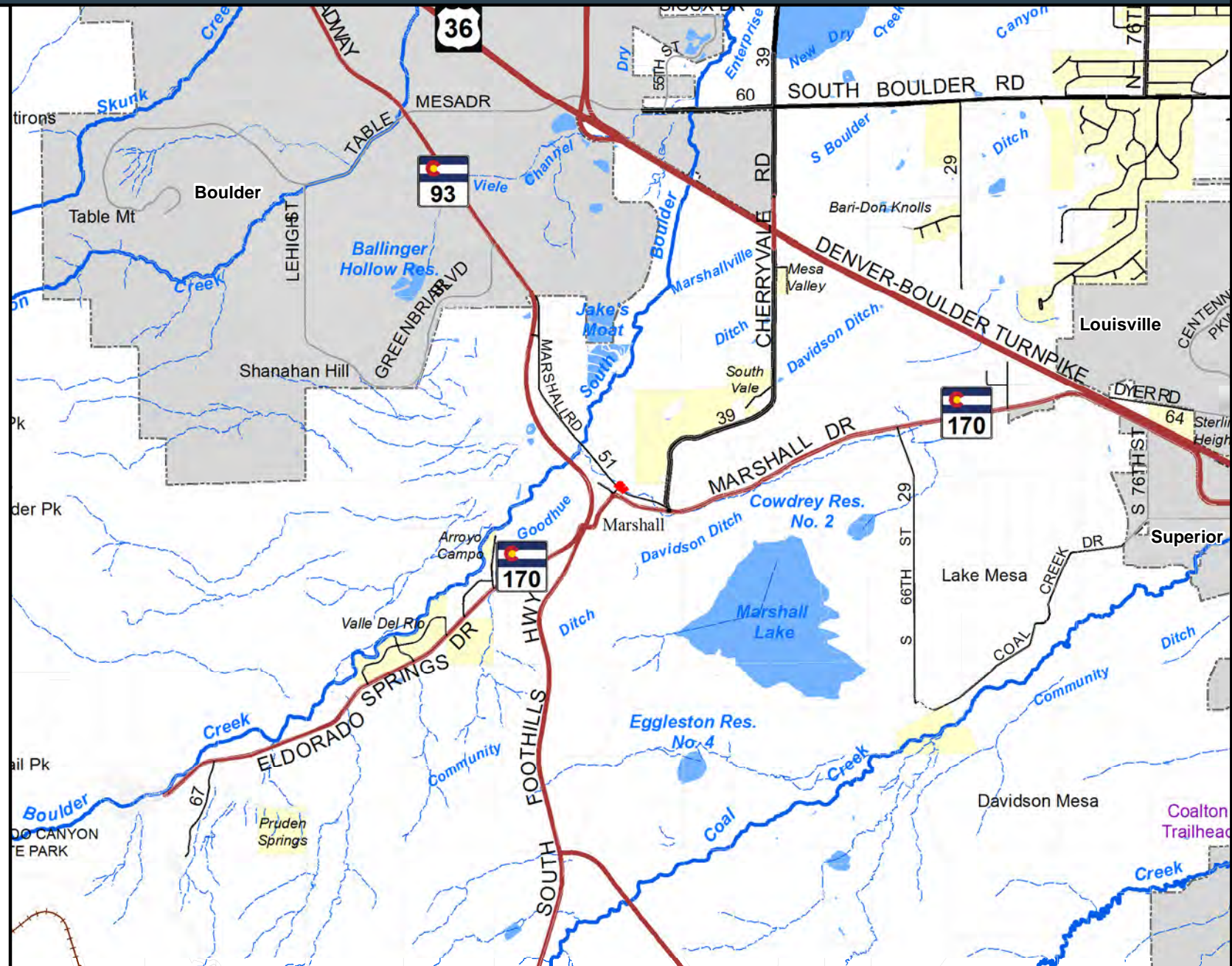
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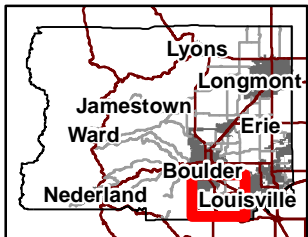
Vicinity

5377 Marshall

- Subject Parcel
- Municipalities
- Subdivisions**
- Subdivisions



Area of Detail Date: 8/17/2022



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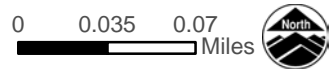
Location

5377 Marshall

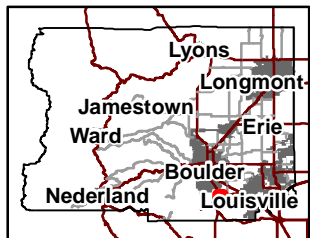
Subject Parcel

Subdivisions

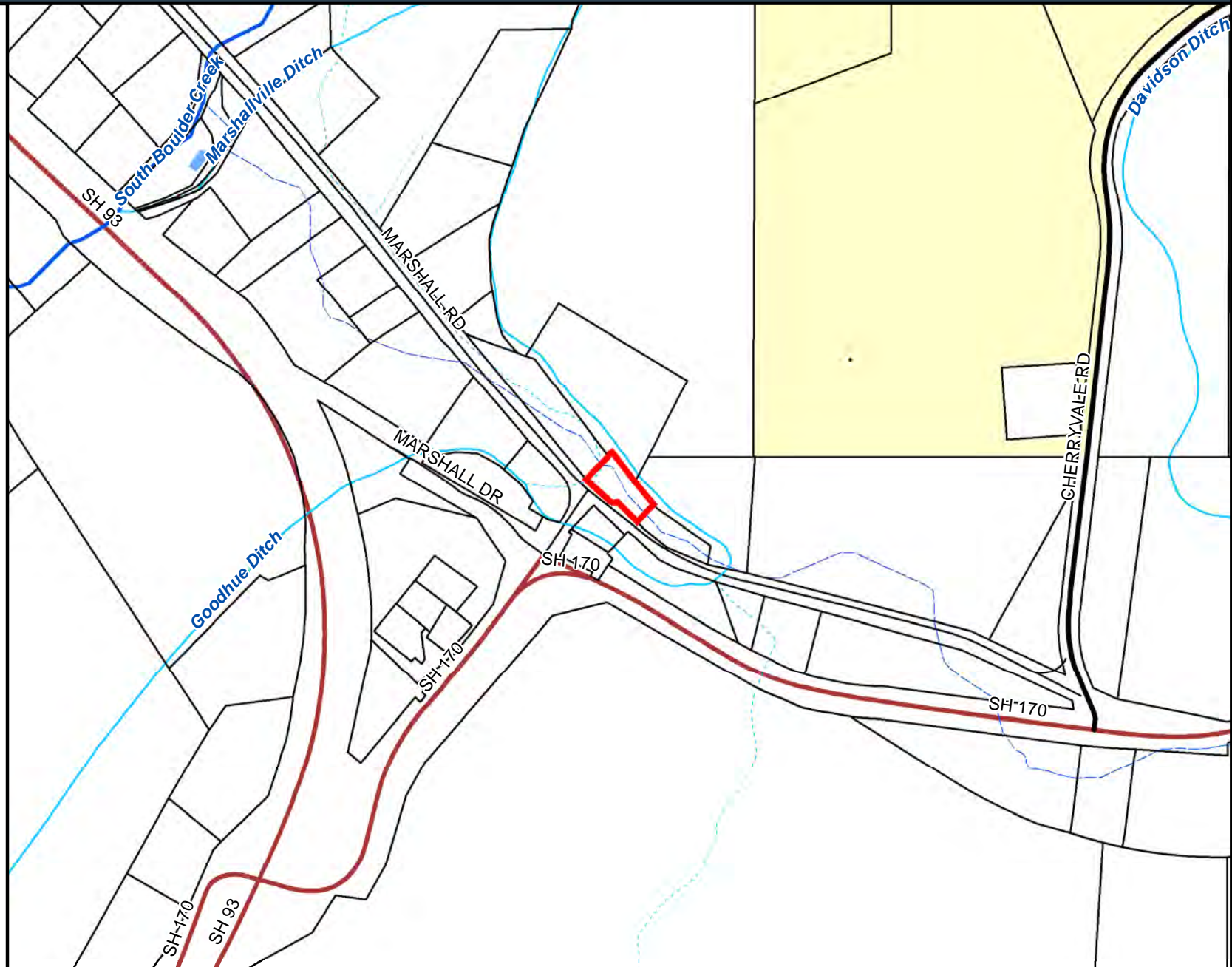
Subdivisions



Area of Detail Date: 8/17/2022



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Aerial

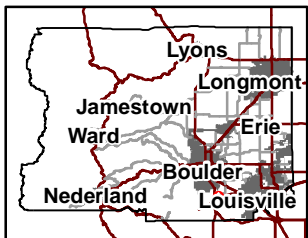
5377 Marshall

 Subject Parcel

0 0.0025 0.005
Miles



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Aerial

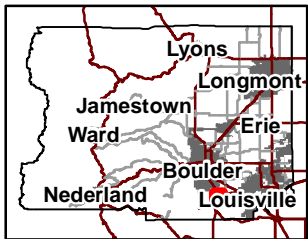
5377 Marshall

 Subject Parcel

0 0.05 0.1 Miles



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Comprehensive Plan

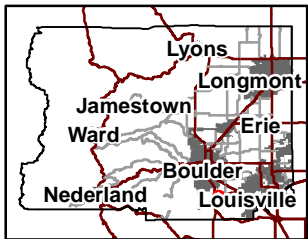
5377 Marshall

- Subject Parcel
- Environmental Conservation Areas
- Riparian Areas
- Wetlands
- High Biodiversity Areas**
 - B2: Very High Biodiversity Significance
 -
 - Rare Plant Areas

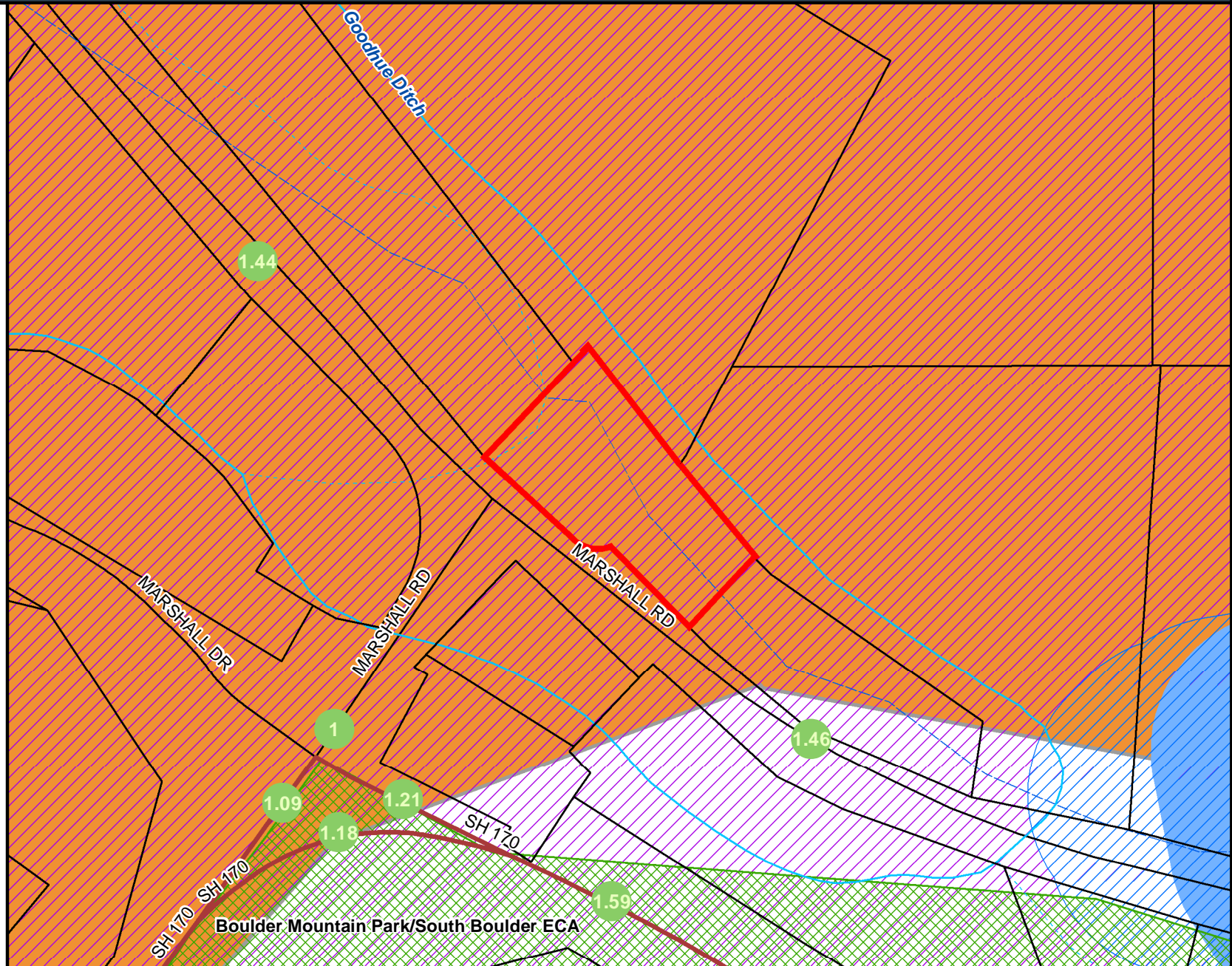
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Miles



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Elevation Contours

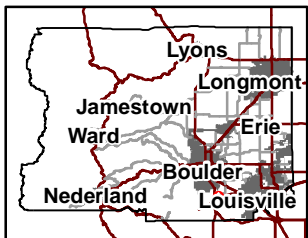
5377 Marshall

- ▭ Subject Parcel
- Contours 40'
- Contours 2'

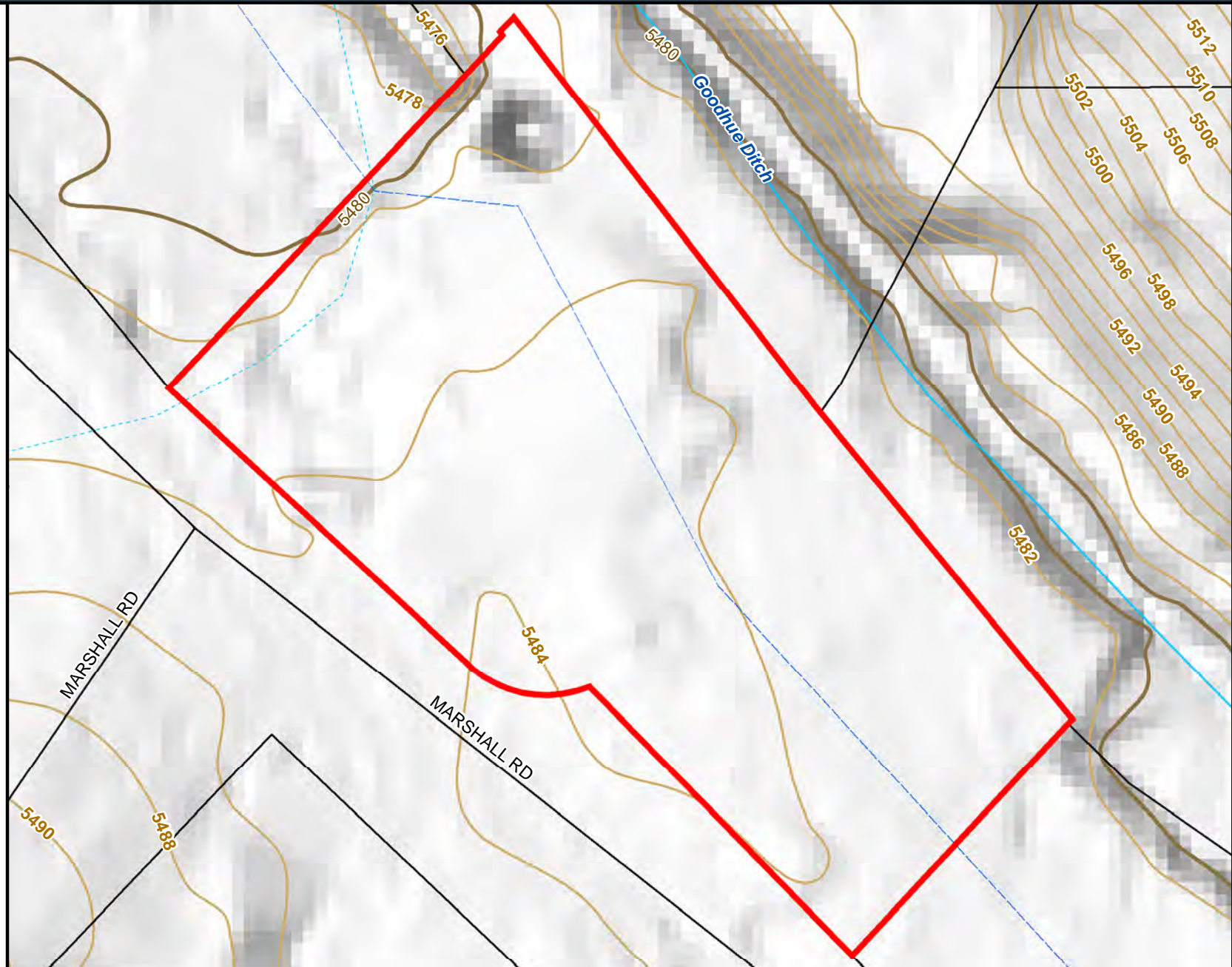
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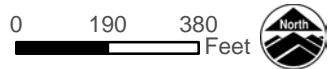
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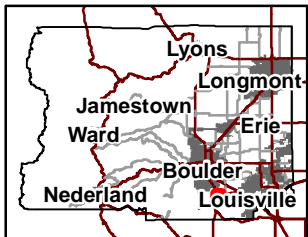
Geologic Hazards

5377 Marshall

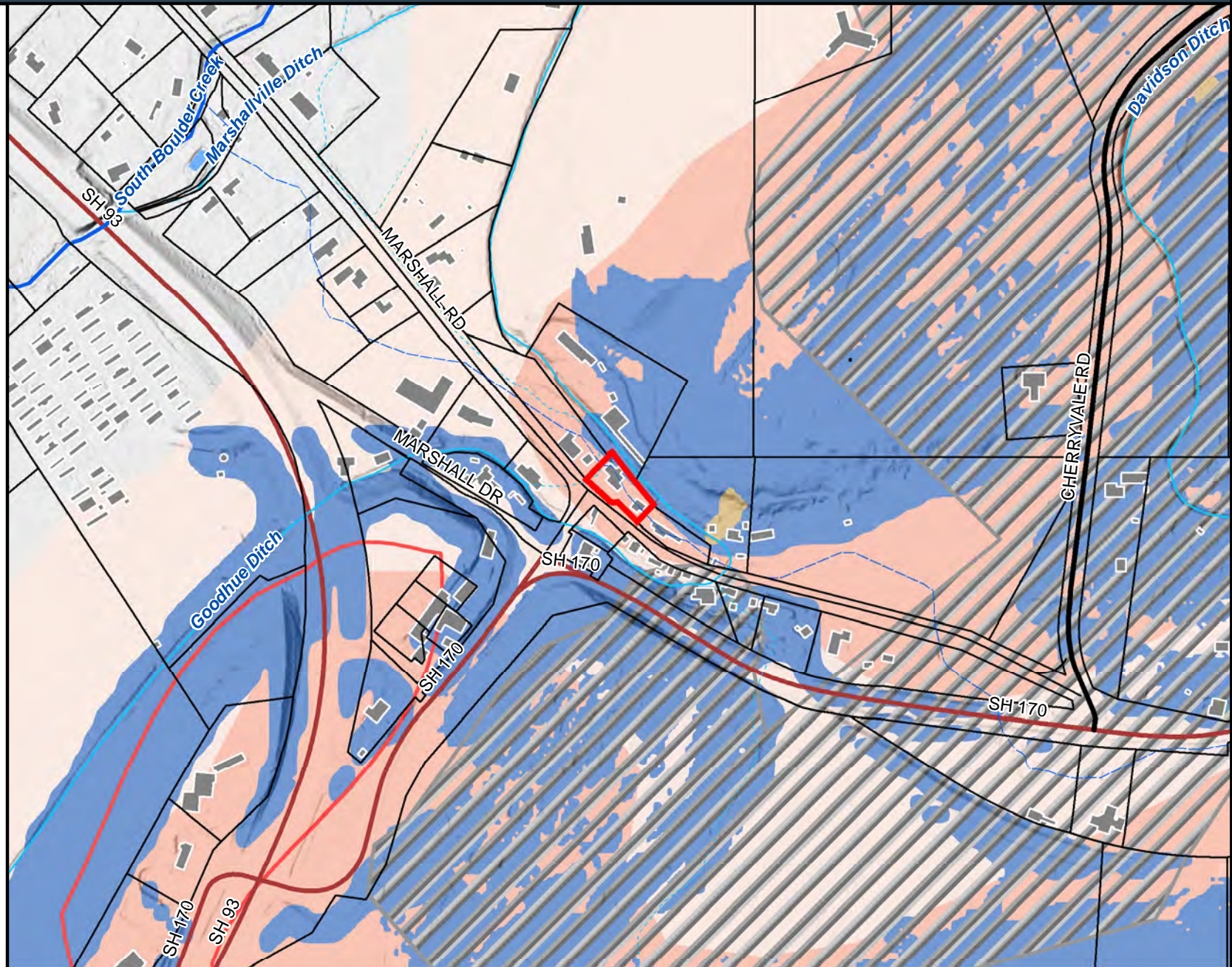
- Subject Parcel
- Extent of Abandoned Coal Mines
- High Swelling Soil Potential
- Moderate Swelling Soil Potential



Area of Detail Date: 8/17/2022



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Prebles

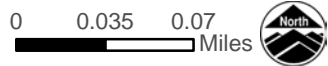
5377 Marshall

Subject Parcel

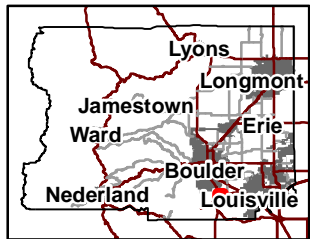
Note: This map's legend shows all Preble's Priority Zones as mapped by Boulder County. The subject property may not contain all zones. Refer to the USFWS Memo dated 9/17/03 to determine when projects require review by USFWS for Preble's.

Prebles

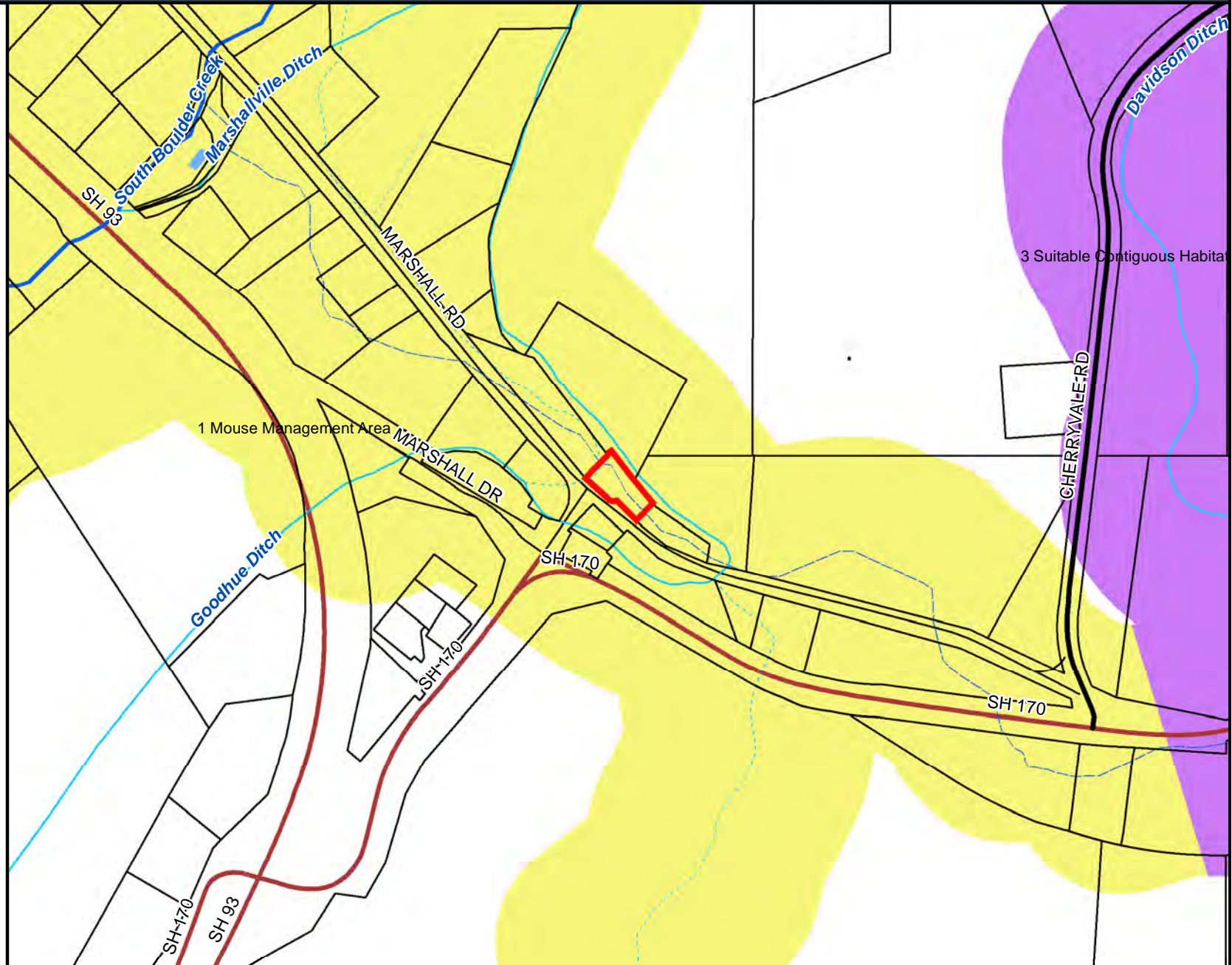
- Zone 1 Mouse Management Area
- Zone 3 Suitable Contiguous Habitat



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Public Lands & CEs

5377 Marshall

Subject Parcel

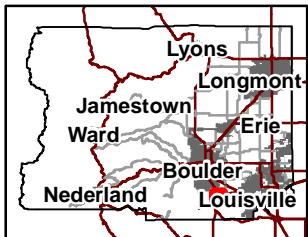
Boulder County Open Space

- County
- Conservation Easement
- OSMP Properties

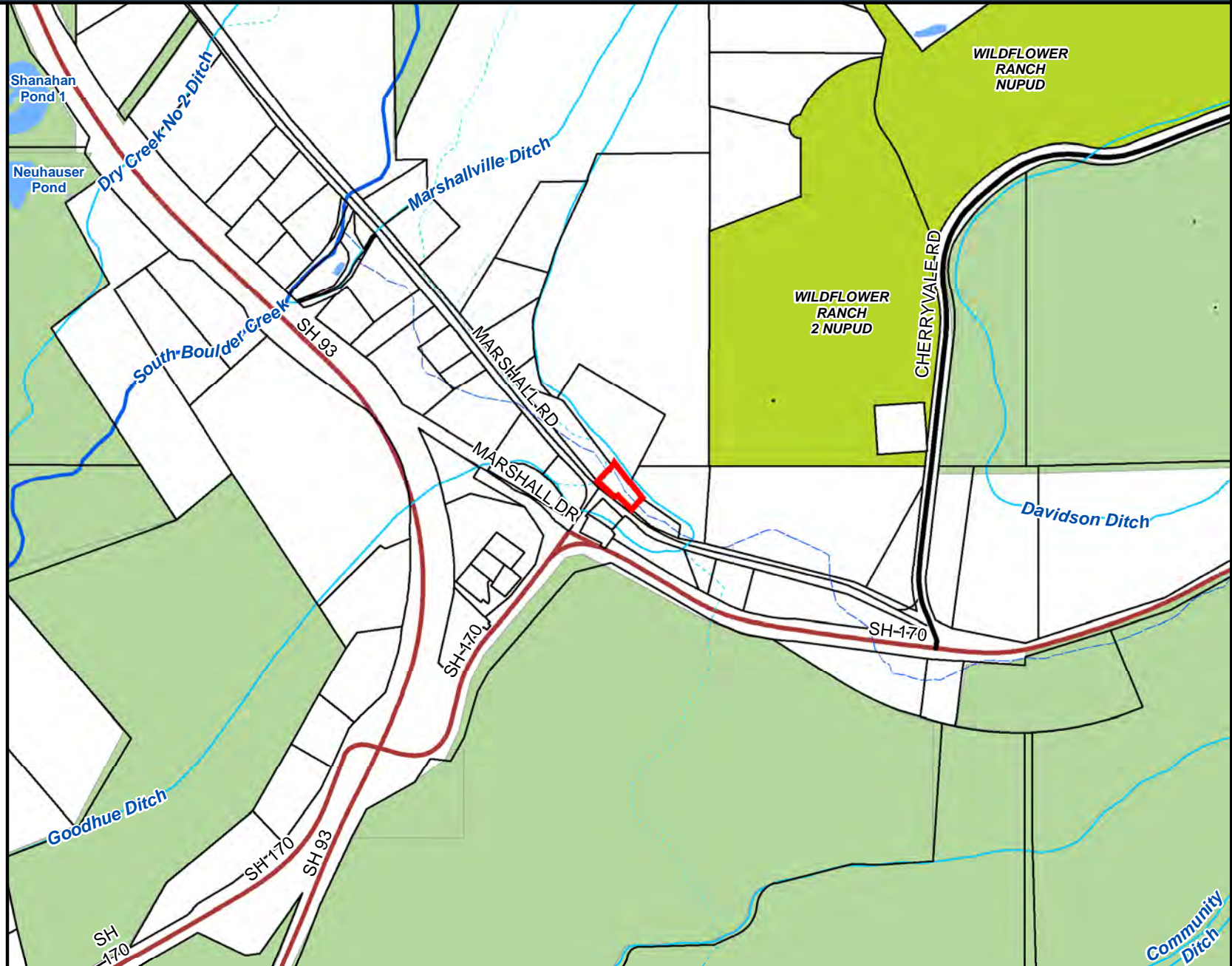
0 0.05 0.1 Miles



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Zoning

5377 Marshall

Subject Parcel

Zoning Districts

Agricultural

Business

Manufactured Home

Rural Residential

Ditch Setbacks

20 feet

50 feet

Major Road Setbacks

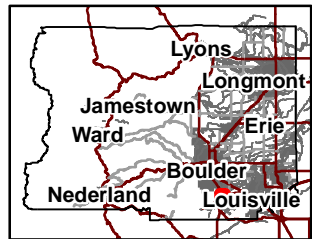
90 feet

110 feet

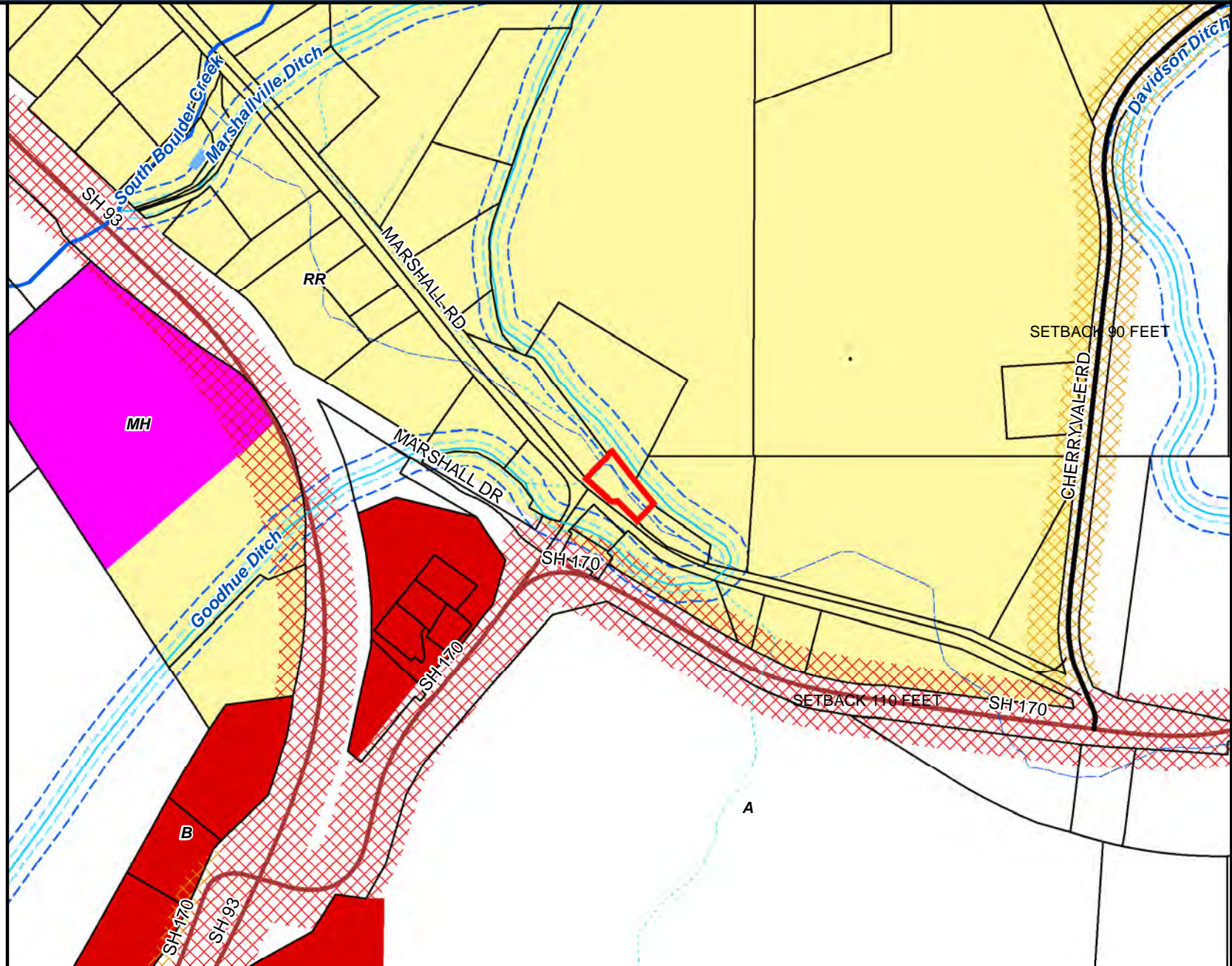
0 190 380 Feet



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ROAD AND EASEMENT VACATION APPLICATION
5377 MARSHALL ROAD, BOULDER, CO, 80305
WRITTEN STATEMENT

My name is Daniel B. Peters and I lived at 5377 Marshall Road until it was destroyed in the Marshall Fire on 12/30/21. I am currently residing in a rental home while I work through the process of permitting and rebuilding my Main House and my Guest House (ADU).

I am applying for a Road and Easement Vacation because my ADU, which was constructed in the 1950's, does not meet the required front setback of 25-feet and I would like to resolve a "long-standing structural encroachment into the rights-of-way".

Without approval of my Road and Easement Vacation request, the Boulder County Community Planning and Permitting Department has informed me that I should not submit a Building Permit Application because it will not be approved, and therefore, I cannot start to rebuild on my property.

Due to a fire in 1999, the previous owner of my property obtained a Road and Easement Vacation (BOCC Resolutions 2000-58 & 2000-60) for the Main House, but the resolutions did not modify the property line in front of the ADU, presumably because the ADU did not burn during the 1999 fire. Consequently, the roadway right-of-way is currently 3.2' to 4.3' away from the front of my ADU as shown in the attached Existing Site Plan drawing. As can also be seen in the drawing, the front patio is within the roadway easement.

I have attached a second drawing that shows my Proposed Site Plan. I have made minor modifications to the two structures to take advantage of the allowable Presumptive Size Maximum (PSM) for my property. The ADU has actually decreased from 880 square feet to 865 square feet (sf) but the Main House has increased from 2371 sf to 2622 sf, which totals to just under my allowable PSM of 3488 sf.

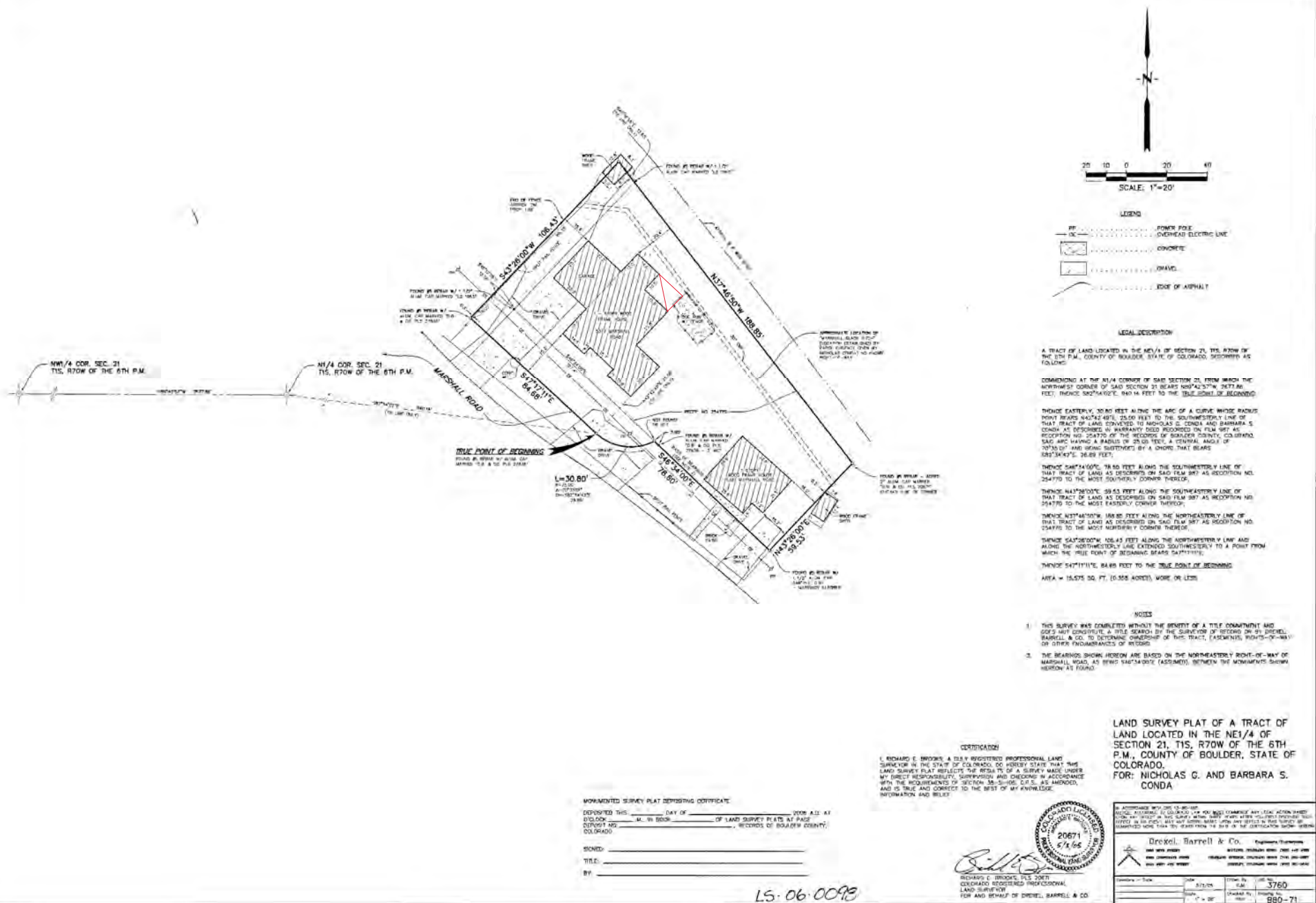
As can be seen in the second drawing, my specific request to the BOCC is to shift the property line in front of my ADU by 25-feet towards Marshall Road to provide me with the required setback. Rather than having an odd-shaped property line, I am further requesting that this line be extended at the same angle to the property corner at the front of the Main House. This will allow me to 1) move my Main House forward to meet the required setback behind the house; 2) have my existing well located within my property; and 3) locate within my property the existing landscaped and parking areas in front of my houses that I take responsibility for maintaining.

Given that there is 1) no public interest in the proposed vacated area; 2) no historical maintenance activities or access requests by the County in the proposed vacated area; and 3) that the proposed vacated area does not facilitate any new development but just allows reconstruction of what was there prior to the Marshall Fire; I hereby request your prompt approval of my proposal so that I can move forward with applying for a Building Permit and then start construction on my property.

Thank you for your consideration,



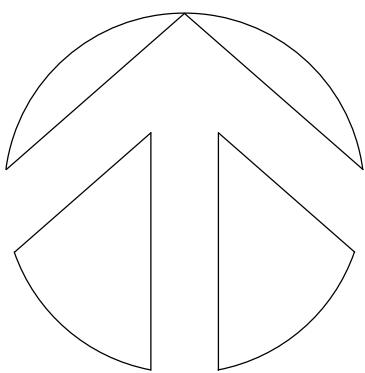
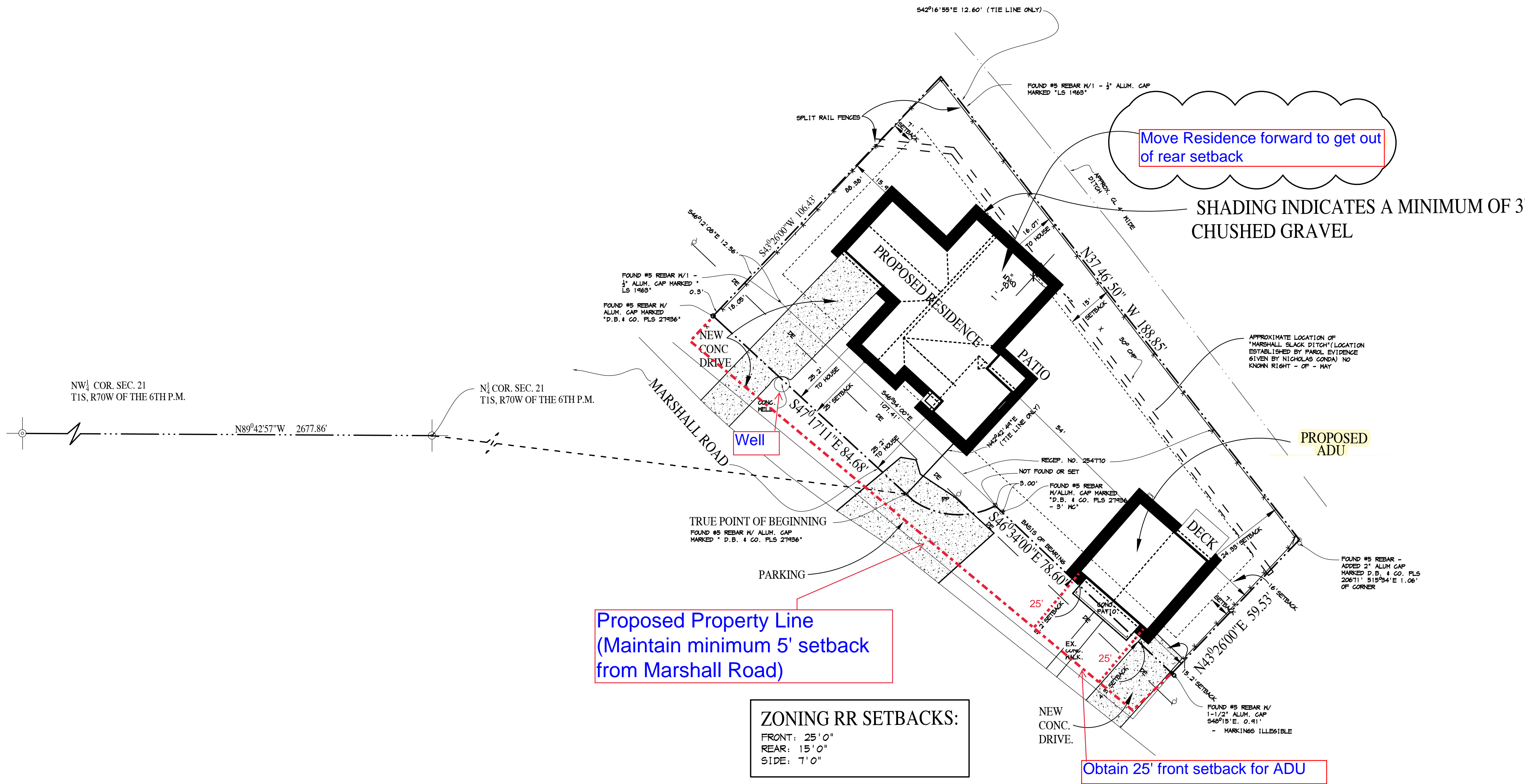
Daniel B. Peters



THESE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF DWDESIGNLLC AND SHALL NOT BE USED AT ANY OTHER LOCATION OTHER THAN THAT SPECIFIED ON THE TITLE BLOCK OR EXCEPT BY WRITTEN AGREEMENT WITH DWDESIGNLLC.
PLANS STAMPED OR NOTED "PERMIT SET", "BID SET", OR "PRELIMINARY" SHALL NOT BE USED FOR CONSTRUCTION. ONLY PLANS STAMPED OR NOTED "CONSTRUCTION SET" ISSUED AND DATED ACCORDINGLY ARE TO BE USED FOR ANY CONSTRUCTION PHASE. IT SHALL BE THE SOLE RESPONSIBILITY OF THE OWNER AND CONTRACTOR TO VERIFY THAT PLANS USED FOR CONSTRUCTION ARE STAMPED OR NOTED ACCORDINGLY.

OBJECTIVES

- 1. Obtain 25' front setback for ADU
- 2. Move Residence forward several feet to get out of rear setback
- 3. Get Well located within property line



S I T E

P L A N
PRELIMINARY
NOT FOR CONSTRUCTION
8-31-2022

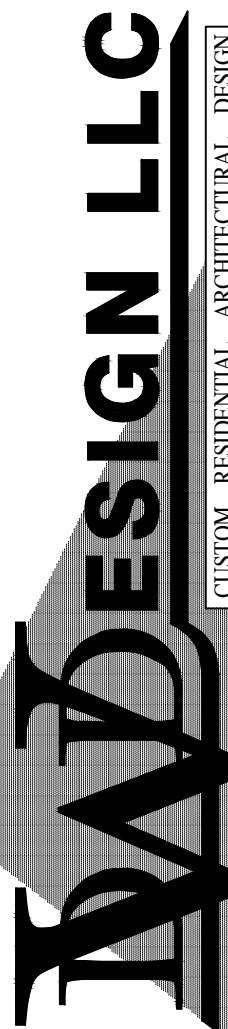
PROPOSED RESIDENCE

5377 MARSHAL ROAD
BOULDER COLORADO

PROJECT
3451-22

SHEET

A1 OF 8



DOUG WERBACH (720-289-4032) DWDesignllc@outlook.com

December 1, 2022

TO: Jonathan Tardif, Planner I; Community Planning & Permitting, Development Review Team - Zoning

FROM: Ian Brighton, Planner II; Community Planning & Permitting, Development Review Team – Access & Engineering

SUBJECT: Docket # V-22-0002: Peters Vacation
5377 Marshall Road

The Development Review Team – Access & Engineering staff has reviewed the above referenced docket and has the following comments:

1. The Development Review Team supports the vacation request as proposed. No public road improvements exist in the right-of-way (ROW) proposed for vacation and the Public Works Department has no future plans to develop the ROW. The vacation of the ROW does not preclude any parcels from having legal access.
2. There is no evidence of an existing Access Permit. An Access Permit will be issued at the time of Building Permit review. No special application procedure is necessary, the Access Permits will be issued concurrently with the Building Permit.

This concludes our comments at this time.

Building Safety & Inspection Services Team**MEMO**

TO: Jonathan Tardif, Planner I
FROM: Michelle Huebner, Plans Examiner Supervisor
DATE: November 2, 2022

RE: Referral Response, Docket VAR-22-0005: Hellen Setback Variance. Variance request to reduce the supplemental setback from Jay Road along the northern property line from 110' to approximately 90' for construction of an approximately 1,040-square-foot detached garage.

Location: 4189 N 57th Street

Thank you for the referral. We have the following comments for the applicants:

1. Building Permit. A building permit, plan review, and inspection approvals is required for the proposed garage.

Please refer to the county's adopted 2015 editions of the International Codes and code amendments, which can be found via the internet under the link:

2015 Building Code Adoption & Amendments, at the following URL:

<https://assets.bouldercounty.org/wp-content/uploads/2017/03/building-code-2015.pdf>

2. **Design Wind and Snow Loads.** The design wind and ground snow loads for the property are 155 mph (Vult) and 40 psf, respectively.
1. **Electric vehicle charging outlet.** Boulder County Building Code requires:
 - a. R329.1 Electric vehicle charging pre-wire option. In addition to the one 125-volt receptacle outlet required for each car space by NEC Section 210.52(G)(1.), every new garage or carport that is accessory to a one- or two-family dwelling or townhouse shall include at least one of the following, installed in accordance with the requirements of Article 625 of the Electrical Code:
 - i. A Level 2 (240-volt) electric vehicle charging receptacle outlet, or
 - ii. Upgraded wiring to accommodate the future installation of a Level 2 (240-volt) electric vehicle charging receptacle outlet, or

- iii. Electrical conduit to allow ease of future installation of a Level 2 (240-volt) electric vehicle charging receptacle outlet.
2. **Ignition-Resistant Construction and Defensible Space.** Please refer to Section R327 of the Boulder County Building Code for wildfire hazard mitigation requirements, including ignition-resistant construction and defensible space. A separate referral response will be forthcoming from one of the county's wildfire mitigation specialists.
3. **Plan Review.** The items listed above are a general summary of some of the county's building code requirements. A much more detailed plan review will be performed at the time of building permit application, when full details are available for review, to assure that all applicable minimum building codes requirements are to be met. Our Residential Plan Check List and other Building Safety publications can be found at: <https://assets.bouldercounty.org/wp-content/uploads/2017/03/b24-residential-plan-check-list.pdf>

If the applicants should have questions or need additional information, we'd be happy to work with them toward solutions that meet minimum building code requirements. Please call (720) 564-2640 or contact us via e-mail at building@bouldercounty.org

TO: Jonathan Tardif, Community Planning & Permitting Department
FROM: Ron West, Natural Resource Planner
DATE: November 17, 2022
SUBJECT: Docket V-22-0002, Peters, 5377 Marshall Road

Staff has reviewed the submitted materials. Although there are several Comprehensive Plan natural resource designations on this parcel, the vacation, per se, would result in no significant impacts to any of these.

However, prior to the Marshall Fire, aerial photos show that there were uses and yard maintenance up to the edge of the Goodhue Ditch. These uses also encroached onto two adjoining properties.

Vegetation along the Goodhue Ditch could support movements of the federally threatened Preble's Meadow Jumping Mouse, and the elimination or trimming of this vegetation would effectively remove this habitat. The activity of rebuilding the structures, and their future use, must be contained within the boundary of the subject parcel. This boundary should be demarcated on-the-ground before construction begins, and also cannot be used for construction staging during rebuilding.

Tardif, Jonathan

From: noreply_accela@bouldercounty.org
Sent: Wednesday, November 16, 2022 1:22 PM
To: Tardif, Jonathan
Subject: V-22-0002 - Public Health Water Quality - Environmental Review

The Public Health Water Quality - Environmental Review workflow task for V-22-0002 has been updated to **No Comments/No Conflict** and the following comments entered:

null

Please see the Accela record for more information.

email sent by EMSE: PLN_Referrals_Entered



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930

Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

MEMO TO: Referral Agencies, FPD and Adjacent Property Owners
 FROM: Jonathan Tardif, Planner I
 DATE: November 2, 2022
 RE: Docket V-22-0002

Docket V-22-0002: Peters Vacation

Request: Vacation request to vacate a portion of an existing public right of way and combine it with the existing parcel at 5377 Marshall Road.

Location: 5377 Marshall Road (Parcel no. 157721000010) approximately 0.30 miles northeast of the intersection of S Foothills Highway and Marshall Road, in Section 21, Township 1S, Range 70W.

Zoning: Rural Residential (RR) Zoning District

Applicant/Owner: Daniel Peters

A Vacation (V) may be requested in order for public rights of way to be conveyed to adjacent property owners. The Vacation process includes a public hearing before the Planning Commission and Board of County Commissioners. All adjacent property owners and holders of liens, mortgages, easements or other rights in the subject property are notified of these hearings.

The Community Planning & Permitting staff, Planning Commission, and County Commissioners value comments from individuals and referral agencies. Please check the appropriate response below or send a letter to the Community Planning & Permitting Department via mail (PO Box 471, Boulder, CO 80306) or email to planner@bouldercounty.org. All comments will be made part of the public record and given to the applicant. Only a portion of the submitted documents may have been enclosed; you are welcome to call the Community Planning & Permitting Department at 303-441-3930 or email planner@bouldercounty.org to request more information. If you have any questions regarding this application, please contact me at 303-441-1352 or email jtardif@bouldercounty.org to request more information.

Please return responses to the above address by **November 17, 2022**.

(Please note that due to circumstances surrounding COVID-19, application timelines and deadlines may need to be modified as explained in the CPP Notice of Emergency Actions issued March 23, 2020 (see <https://boco.org/covid-19-cpp-notice-20200323>)).

☒ We have reviewed the proposal and have no conflicts.
☐ Letter is enclosed.

Signed LuAnn Penfold PRINTED Name LuAnn Penfold
 Agency or Address Mountain View Fire District



Right of Way & Permits

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

November 29, 2022

Boulder County Community Planning and Permitting
PO Box 471
Boulder, CO 80306

Attn: Jonathan Tardif

Re: Peters Vacation, Case # V-22-0002

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the documentation for **Peters Vacation**. Please be aware PSCo owns and operates existing overhead electric distribution facilities within the proposed right-of-way to be vacated, for which an easement must be acquired.

The property owner/developer/contractor must contact Bill Schulz, Right of Way Agent, at either william.a.schulz@xcelenergy.com or 720-425-9377.

For any modification to existing facilities, the property owner/developer/contractor must complete the application process via xcelenergy.com/InstallAndConnect.

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



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 Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

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Please return responses to the above address by November 17, 2022.

(Please note that due to circumstances surrounding COVID-19, application timelines and deadlines may need to be modified as explained in the CPP Notice of Emergency Actions issued March 23, 2020 (see <https://boco.org/covid-19-cpp-notice-20200323>).

☒ We have reviewed the proposal and have no conflicts.
☐ Letter is enclosed.

Signed Charles Demarest PRINTED Name Charles Demarest
 Agency or Address 1568 Marshall Rd, Boulder, CO 80305
303 931 3330

Tardif, Jonathan

From: Ask A Planner <no-reply@wufoo.com>
Sent: Thursday, November 17, 2022 10:02 AM
To: LU Land Use Planner
Subject: [EXTERNAL] Ask a Planner - Laura Schmonsees - v-22-0002 - 5378 Marshall Rd

Boulder County Property Address : 5378 Marshall Rd If your comments are regarding a specific Docket, please enter the Docket number: v-22-0002

Name: Laura Schmonsees

Email Address: lkschmoo73@gmail.com

Phone Number: (208) 201-6926

Please enter your question or comment: This is a reasonable request to change the lot lines to match the actual historical property in relation to the road. I support this proposal.

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.