



Re-submittal Form

Case Name/ Number: VSP2025-00016 / Wolfe Variance

Case Manager: Greg Barnes

Re-submitted Items:

- ☒ Development Plan/ Site Plan
- ☐ Plat
- ☐ Parking/ Landscape Plan
- ☐ Engineering Documents
- ☐ Subdivision Improvements Agreement (Microsoft Word version)
- ☒ Other: Response to Comments

*** All re-submittals must have this cover sheet and a cover letter addressing review comments.**

Please note the re-submittal review period is 21 days.

The cover letter must include the following information:

- Restate each comment that requires a response
- Provide a response below the comment with a description of the revisions
- Identify any additional changes made to the original document

For County Use Only:

Date Accepted:

Staff (accepting intake):

Resubmittal Active: ~~Engineering~~; Planner; ~~Right-of-Way~~; ~~Addressing~~; ~~Building Safety~~;

~~Neighborhood Services~~; Environmental; ~~Parks~~; ~~Attorney~~; ~~Finance~~; Plan Coordination

VSP2025-00016/ Wolfe Variance Re-submittal

- Development Plan/Site plan included
- Approval from Todd Creek Water District
- Picture of the landscape screening we intend to do along Boston St.
- Picture of the agricultural structure
- Comments Addressed Below

- 1) PLN01: I want to be certain that additional variance requests are not needed. Will you provide information on the site plan depicting the setback from East 157th Avenue?

-We will not be needing an additional variance request from E 157th Ave as we will have the building setback 10ft from the front of the home.

- 2) PLN02: Do you have any renderings or drawings of what the structure will look like? I think the Board may be interested in seeing the structure.

-Yes, we have provided a photo of the structure

- 3) PLN03: Would you be more specific about your plans to landscape the view of the proposed structure from Boston Street or East 157th Avenue?

-We have provided a photo example of the landscape screening we intend to use.

- 4) ENV1. Is water supply planned for the proposed building?

-We will not have water from the building. We are allowed to use potable water hose from the home per Todd Creek Village Water District.

- 5) ENV2. Applicant provided a water bill for the existing property. Applicant will need to communicate with Todd Creek Village regarding the proposed project and potential need for new services. Proof of availability of water service for the specific proposed project is required. This can be shown with a will-serve letter from the applicable provider.

-I have provided a letter from Don Summers at TCVMD water stating they allow watering of animals from its potable distribution system and the increase in water usage will be no problem. He also stated the waterline might run under the proposed structure but that the entire neighborhood is being transitioned and moving these water meters which will resolve that issue. We would not build the structure until this water meter is moved. We are already in contact with Don for this.

- 6) ENV3. Adams County Health Department (ACHD) regulates On-Site Wastewater Treatment Systems, also known as septic systems, through the issuance of permits to install, repair, expand, use, or operate a system. Per ACHD Regulation O-22, setback distances from septic tanks, pipes, and soil treatment areas (also called leach fields) must be maintained for proposed and existing structures. The regulation, including setback requirements, can be found at <https://adamscountyhealthdepartment.org/onsite-wastewater-treatment-systems-septic-systems>

-This will not apply to us, as our structure is much further away than the setback requirement.

-Manure Removal, Food Storage and pests. Manure is cleaned up and placed in a dedicated trash can daily, our HOA has approved of this. Hay and grain will be stored in the tack room inside the barn. We use croach for our pest control on our entire property and will be working with them on pest control in this area as well, ensuring everything used is safe for kids and pets.

- 7) Our main facilities are underground, the service drop is fed from the east end of the lot in the vicinity of their proposed barn. They would need private locates to verify the route and it may not need to be moved. If it is in the path moving it would be pretty simple since it is only one feed but may require the homeowner to pay for it. I can help facilitate that part with my team if necessary.

-We have already requested locates and will re-do the locates right before the structure is built to avoid this line. In the event the line cannot be avoided we will pay the cost and work with comcast to have that simple feed moved.

- 8) • There are 10' utility easements along the front lot lines, 5' along the side lot lines, and 8' along the rear lot lines. Though the barn has adequate setbacks of 15 feet, please note United Power's easement requirements: o No permanent structures are acceptable within the dry utility easements. United Power considers any structure that impedes the access, maintenance, and safety of our facilities a permanent structure. No exceptions can be allowed, and any encroachments could result in penalties. ♣ United Power may need to utilize these easements in the future and the hard surfaces would need to be removed or United Power may have to bore under the hard surfaces, both options at the expense of the member. ♣ Residential permanent structures include, but are not limited to, window wells, wing walls, retaining walls, basement walls, roof overhang, anything affixed to the house like decks, etc. • There is an underground secondary electric line from the transformer to the member's meter. United Power would like to remind the landowner to call the Utility Notification Center by dialing 811 to have all utilities located prior to

construction. o If the area of new construction is found to be encroaching the secondary electric line, you will need to work with United Power to have the service relocated. Please know this will be at the expense of the applicant.

-The structure has adequate setbacks, the structure will not have hard surfaces, it is an agricultural building with no concrete pad so this will not apply in our case. We will request locates before building the structure and I will personally speak with United Power to ensure no encroachments or issues arise. If a line needs to be moved, we will work with United and pay for this line to be moved.

- 9) Stated that they do not oppose the request, but they did feel like the application lacked transparency. Caller expressed that the written explanation submitted by the applicant did not identify any physical hardships on the lot but instead discussed personal situations which should not be part of this process. Additionally, the caller identified that the site plan was misleading the public and the Board because an expansion of the outbuilding on the northwest corner of the lot wasn't shown in its current form. The caller reiterated that they are not opposed to the request, but they were disappointed by the applicant's lack of transparency.

-We truly apologize for the feeling this resident had that we were not being transparent. That was never our intent, the addition to the outbuilding on the opposite side of the property is under 10% lot coverage, appropriate approvals were met with HOA and Permits with county in 2022 were approved. We have added this addition to the map/site plan (currently it does not show on Adams County Property Profile Maps so I have drawn it on). We always try to be transparent and apologize this anonymous individual felt we were not. Hopefully our new map has fixed this issue.

- 10) While I appreciate the Wolfes desire to make pleasurable accommodations for their elderly horse that was recently adopted. I have a few concerns about the proposal being presented for a variance. My major concerns are fencing, drainage and overall unsightliness this addition will cause. I also find the submission to have a lack of detail that will directly impact the surrounding neighbors. There is not a layout of the direction of the building, if it is to face from North to South it will be in direct visibility to the neighbor to the East, if it to face from East to West it will be in direct visibility to us, the neighbor to the North. There also is not a layout of where the fencing, noted coral or grazing area will be, which leads me to believe based on the purposed location there will be a larger fenced off area that would be comprised of most of the east part of the property. I've attached an updated map of the property with what that might be. This area is highlighted in a blue box. Fencing – The required fencing in Todd Creek is 3 rail

white vinyl, the fence that conjoins our properties along the north side of the property in question is owned by us per permit BD- P00- 00445. On multiple occasions without our prior knowledge or consent the Wolfe's have directly tied new fencing from their property to our fence. To this point we have not had an issue with that however in this situation I do not agree that any fencing having to do with this addition or a horse on the property will be tied into our fence. I also feel that a horse will quickly and easily damage the existing vinyl fence and they will need to make appropriate modifications to install taller and stronger livestock type panels to ensure there is not damage to our fence or that the horse can break the fence which would give them direct access to the roadway of 157th Ave or Boston St. Drainage – the current runoff and slope of that section of the property in question runs East along 157th Ave, then North along Boston St through our front easement and culvert to the open space. Due to the location of their driveway if the area in question is to be heavily used by a horse after erosion any weather event run off of animal waste will end up in our easement and drainage area that we will then have to maintain and continually clean. The flow of run off is also notes on the map provided by the red arrows along the roadway, with a site visit this slope and drain flow is easy to see that is the natural way any and all run off will go. Overall unsightliness and impacts on neighboring properties – Typically horse spaces are intended to be set back on properties and screened by trees, I understand that due to the corner location of this lot this isn't an option. The purposed location, building itself and fencing needed to keep a horse inside their property could have an impact on the three houses closest to this property. This barn location will be in what could be described as the side yard, and borders two neighborhood roads and will be highly visible. Even with the best intentions to stay in compliance with county and HOA regulations regarding screening, cleanliness and upkeep there is no way to contain the overall smell that will come from this addition. With any breeze and weather changes the smell of animal waste from that area will flow directly into the front yard of any of these neighbors to the East, North or South. After driving through the majority of Todd Creek's A-1 properties, it appears similar lots also had to comply with the regulations and were not allowed to have a barn, coral and horse on that type of location on their lot. I understand the applicant's current employment may be for a nearby municipality, however I don't feel that should have any bearing on the case. I have grown up around horses and understand the desire to have them with you as part of your family but also know the impact a large animal has on the property as far as soil erosion, fence maintenance and cleanliness. It seems they were aware of the possible limits due to the layout of the lot when they purchased the property. I appreciate their willingness to comply with regulations, and we try to be accommodating, good neighbors as well, in this situation I do not agree with the approval of this proposal. It will increase their

happiness of being able to use their property at the expense of the surrounding neighbor's enjoyment, even limiting things we are doing today. We have a basketball hoop in the driveway, where our kids play that is in direct line with where the barn would be, another neighbor has a mini putting green and to the south they enjoy sitting outside in the evenings; those would all be impacted. Overall, it could have a negative impact on our home value and time spent outside enjoying our property.

-I have reached out to this neighbor and have explained much of this letter and questions and comments that were brought up in the letter to her. My answers to these comments are as follows:

1) I have provided this resident the layout being the front of the building and corral area facing South towards E 157th Ave. The back of the structure which I provided a photo of in the plans will face her property. The backside of this structure which can be seen on the site plan map will back up to the end of their driveway/mailbox area at the far east side of their property.

2) In regards to the fencing questions, we will not be tying into their fence, the corral fencing will be only the south side of the structure. The horse will have no access to their fence or property. Zero damage or breakdown outside of the normal wear and tear of elements would occur.

3) With drainage, I spoke with Adams County Engineering Department, and they have confirmed that our property would not drain north (toward her property) it would drain south. In the heavy rains we have had through the years I have not once seen our property drain onto theirs. If that were to happen, we are responsible adults that will mitigate the issue immediately. However, Engineering was confident in their statement. We will have environmentally friendly wood shavings that will be laid inside the stall to absorb urine and water and will be disposed of in a dedicated trash can daily.

6) All feces will be removed in a dedicated trash can daily, urine will be absorbed. I walk the neighborhood several times a week and with many homes that have horses in this horse community I never feel any overwhelming odors if any odors at all. I do believe every home should have a right to have horses in this horse community and within their A-1 zoned property. I also feel that everyone has a right to not own horses if they do not wish to do so. With that being said, we should all be aware living in Todd Creek Farms horse community that there might be a horse that lives next door either now or in the future.

7) I do not feel this structure will come at the expense of the neighbors enjoyment of their properties. There currently are trees (on our property and theirs) that screen much of the barn from their basketball hoop. The neighbor to the south of us we will be using trees to screen along Boston Street from the view of his home, the street and provide shade and safety for our horse. I wanted to make a comment in regards to the putting green our neighbor to the east has, this putting green is actually closer in vicinity to his neighbors to the souths barn and their horses than to us.

We understand that only comments to Adams County Departments are required, and that comments to residents are a courtesy. However, we feel it is important to address all comments, as we do value the thoughts and concerns our fellow neighbors have. We would not have purchased this home 6 years ago had we known our corner lot was considered to have two fronts to the home and these setback requirements would take away our ability to use our A-1 property in the same way the rest of the community can use theirs. With the layout of the lot when we purchased our home, where the current outbuilding is located on the west side of the property along with the septic tank, leach field and the setback requirement from those, the east side of our home is the only location we can utilize for this small agricultural building. We are being deprived of a right that other residents within this A-1 zoned community have due to this setback requirement that unfortunately was not brought to our attention until I spoke Planning Manager Jennifer Rutter just before we submitted the variance application. We are not requesting a special privilege as there are many homes who have horses and necessary structures for the safety of their animals, many of which are on corner lots. The circumstance for the variance is based on how the property was built on, we have not played a part in the build of the outbuilding, the placement of the septic tank or leach field, we were completely unaware of this setback requirement when we moved in, it was not until after we received approval from our HOA for the corral and the structure and called Adams county to discuss the building permit that we were made aware of this setback requirement. The public good and safety is not being impaired by this structure, it is within all regulations and guidelines except the setback requirement we are requesting variance from. Our HOA would not approve anything that would not be harmonious to the neighborhood, anything that would give one home special privileges, or anything that would harm the public health or safety. Our proposed use is absolutely allowed within this zoned district with Adams County regulations and within our HOA bylaws.

We are doing everything we can to be within compliance with the county as well as our HOA, we are going above and beyond with screening we have offered to do and additional fencing to keep our horse from having any access to neighbors fencing. We truly are doing everything we can think of to appease all our neighbors, we would never want to upset our neighbors or do anything that would negatively impact their lives. We take a lot of pride in our home, since moving in we have completed over 150k worth of improvements to this home, we are constantly trying to improve our home and the look of it and I think all our community could see that. It is also apparent how much we care for our property with the fact that we have never been in violation with Adams County or our HOA. We are simply requesting to have the same right as the rest of the community has, to have a small structure on the property to provide safety from the elements and storage of feeding supplies (hay and grain). We appreciate all the staff with Adams County and how incredibly helpful and courteous they have all been with us through this process. We also want to thank the board of adjusters for reviewing and taking careful consideration of all the variance cases they receive, including our own. One last huge thank you is to all the support we have received from our community and neighbors; it is a wonderful community to live in.

Thank you for your time and consideration.

Thanks,

Alissa Wolfe



This is what we are looking to do with landscaping to screen from Boston Street. We will be working with our tree company who maintains our other trees (Davey tree) to install and ensure proper maintenance, trimming and watering. These will go inside the fence line on our property along Boston Street.



Hi Alissa,

From your contact request-

"Hello, we are in the process of variance application through adams county to build a two stall barn at our home. I had a meeting with the county this week and the environmental safety department has requested I provide an email from our water provider stating the small amount of water increase we will have, only to give the horse drinking water is okay and that you will be able to provide that for us? We are not changing anything on our property with the water, no water will be added to the barn we will bring buckets over to fill the troughs. Actually during wet season we plan to have gutters run off into the water trough. So not much will change with our usage at all. The county is just requesting an email stating it is okay and you can supply the water for this small change. Thank you!"

I am happy to reply to help your project along. I have a few items that need to be clarified for your project to be approved and completed from the perspective of TCVMD.

1. The increase in water usage will be no problem. The District allows for watering of animals from its potable distribution system.
2. The District will require that the water meter be moved from the basement area of your home to a meter pit located by your curb stop (which is near the street). This is because of two things-
 1. The new structure appears to be near or over the current supply line from the District's main line to your house and the chance of a leak occurring in a non-metered section of the line is higher than is acceptable to the District.
 2. This is in line with the District's ongoing plan of transferring meters from inside of houses to a meter pit close to the edge of the property.
3. TCVMD is not part of any rain harvesting program with the State of Colorado, so putting downspouts from the roof into a catch basin is not allowed.

Information and installation specifications for the meter pit can be found on the District's website www.toddcreekvillage.org.

Please contact me if you have any questions.

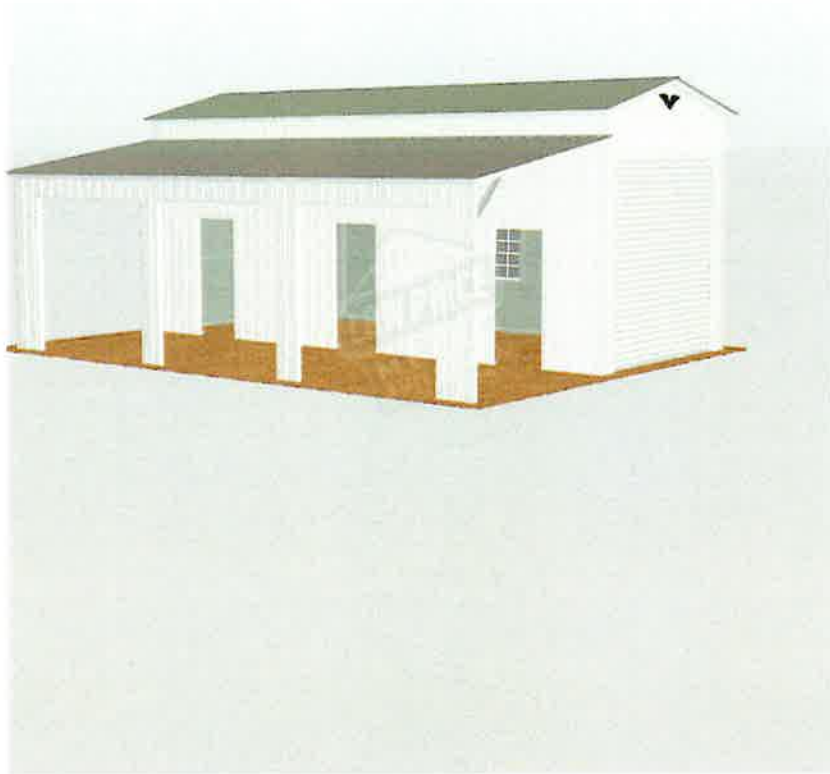
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Don

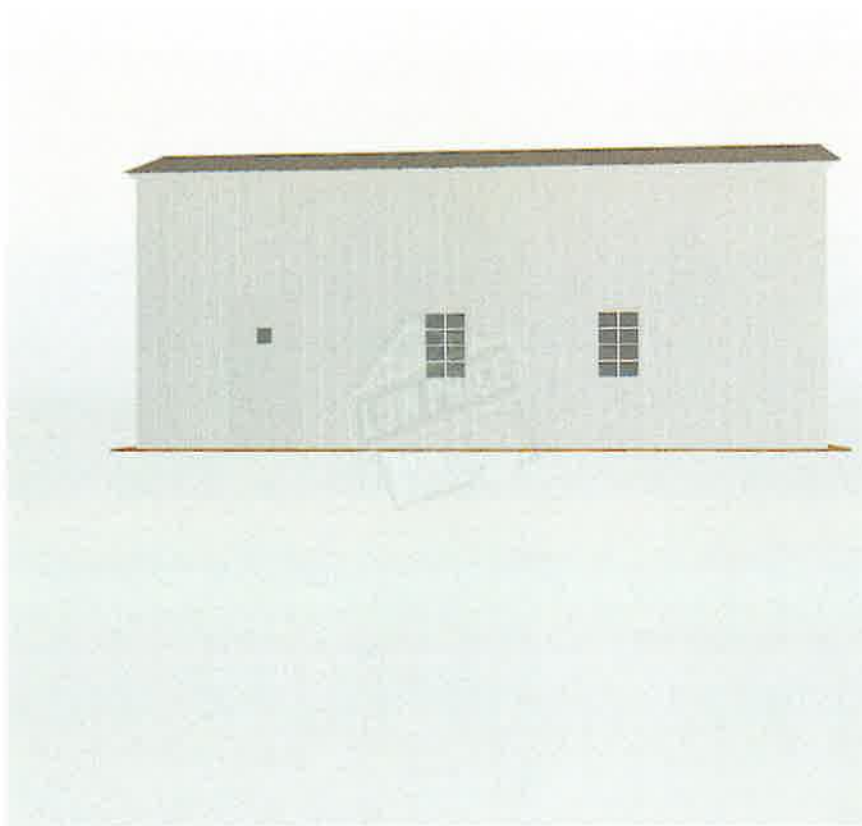
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style of barn
matches color + style of existing
outbuilding



Front



Back

O=Trees for
screening

Search...

I want to...

Tools



Go

Scale 1: 460

0 20 40ft

Hillshade...

Agricultural shelter/barn:

12'W x 34'L x 12/19'H

12x34 Building with 10x34 overhang/lean to

