


Brandice Eslinger  
Chair

Mike Castellucci  
Vice Chair

Bob Schilling  
City Council Representative

city of  
 **PUEBLO**  
colorado  
Planning & Zoning Commission

Patrick Avalos

Elizabeth Bailey

Alex San Filippo-Rosser

Vacant

## V-19-01

**TO:** City of Pueblo, Planning and Zoning Commission  
**FROM:** Beritt Odom, Sr. Planner  
**THROUGH:** Scott Hobson, Acting Planning and Community Development Director  
**DATE:** September 11, 2019  
**SUBJECT:** **Storm Drainage Easement**  
**APPLICANT:** **Kieran Kenneth Hughes**  
**LOCATION:** Lot 17, Block 141 Belmont Villa, Filing No. 1  
**CONCURRENT REQUESTS:** Z-19-05, Belmont Park Apartments Rezoning  
S-19-03, Belmont Park Apartments Subdivision

**Request:**

To vacate a twenty (20) foot wide Storm Drainage Easement to facilitate development of a multi-family residential development.

**Applicable Regulations:**

Sec. 12-5-1 through 6 of the Pueblo Municipal Code (PMC) concerning vacations of streets, alleys, etc.

**Recommended Action:**

Staff recommends that the Vacation be APPROVED.

**Staff review and findings:**

The applicant is requesting a vacation of the 20-foot wide Storm Drainage Easement on Lot 17, Block 141, Belmont Villa, Filing No. 1, to facilitate multi-family residential development. The 20-foot wide easement will be rededicated in the Belmont Apartments Subdivision along the northern property line, providing the same level of storm water utility service while accommodating the proposed multi-family residential structure.

**ATTACHMENTS:**

- A. Aerial Map
- B. Zoning Map
- C. Comprehensive Plan Map
- D. Site Photographs
- E. Vacation Plat
- F. Vacation Application

**ATTACHMENTS:**



**A. Aerial Photograph**

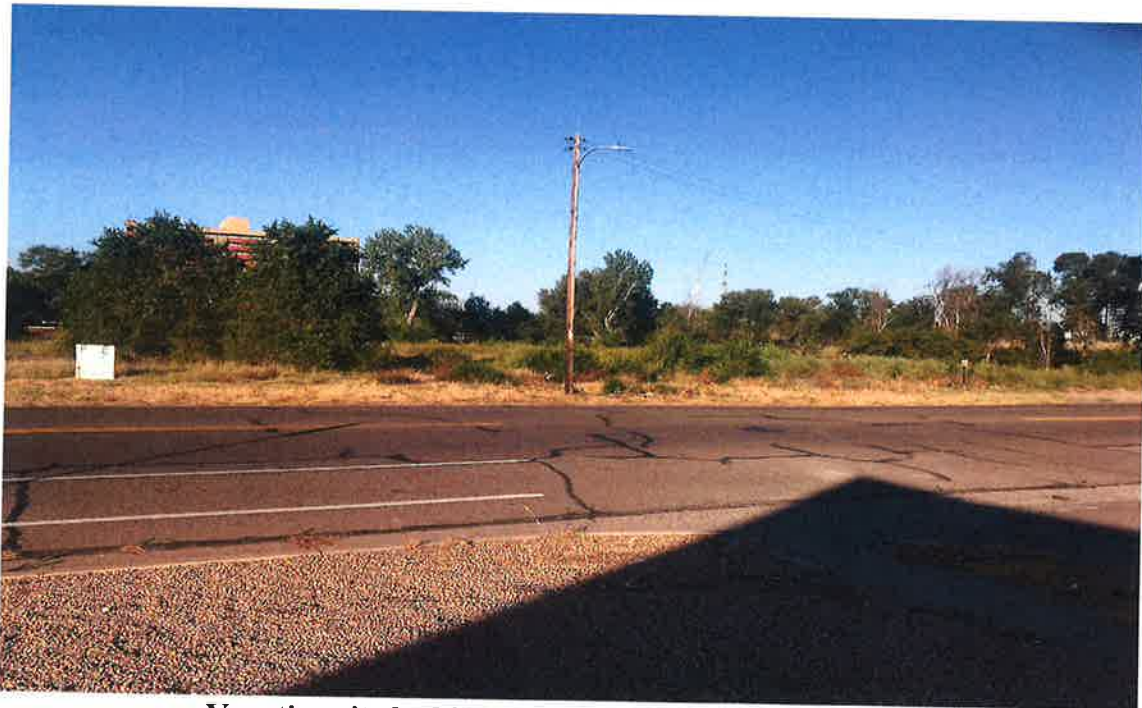


**B. Zoning Map**

**Attachment D. Site Photos**



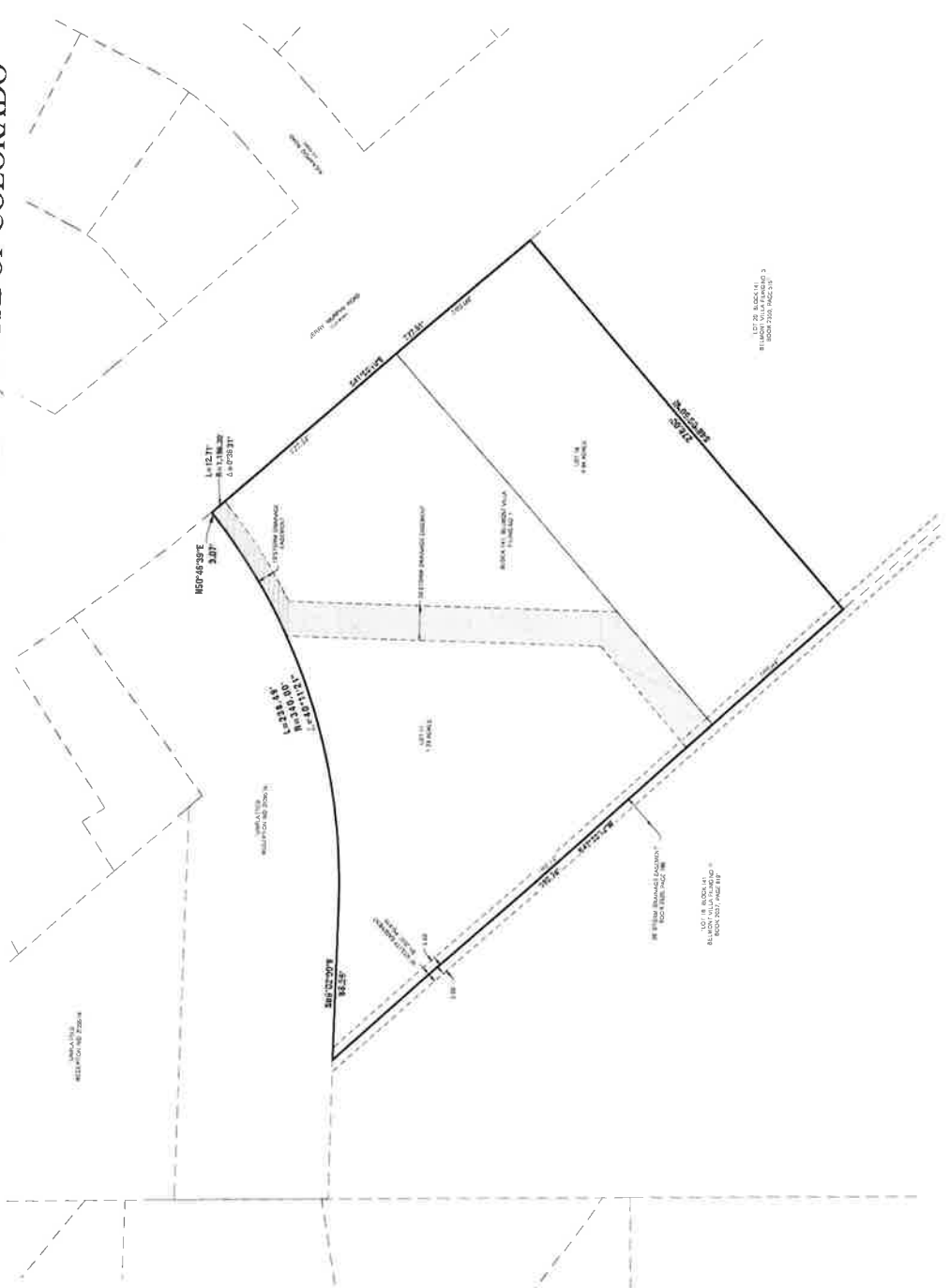
**Public Notice Poster**



**Vacation site looking west from Jerry Murphy Road**

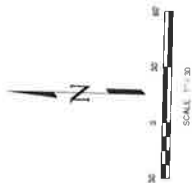
# EASEMENT VACATION PLAT

LOTS 16 & 17, BLOCK 141, BELMONT VILLA FILING NO. 1  
 A PORTION OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4  
 SECTION 19, TOWNSHIP 20 SOUTH, RANGE 64 WEST OF THE 6TH P.M.  
 CITY AND COUNTY OF PUEBLO, STATE OF COLORADO



**LEGEND**

- PROPERTY BOUNDARY LINE
- - - ADJACENT PROPERTY LINE
- - - EASEMENT LINE
- - - AREA TO BE VACATED



**PROPERTY LEGAL DESCRIPTION:**  
 PUEBLO, COLORADO  
 APRIL 28, 2019

**EASEMENT TO BE VACATED DESCRIPTION:**  
 THE ENTIRE 1/2 AND 1/4 ACRES OF EASEMENT GRANTED BY DEED TO THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 19, TOWNSHIP 20 SOUTH, RANGE 64 WEST OF THE 6TH P.M., CITY AND COUNTY OF PUEBLO, STATE OF COLORADO, ACCORDING TO BOOK 257, PAGE 819.

**RESERVATIONS:**  
 NONE

NO.	REVISIONS	DATE

**EDWARD-JAMES SURVEYING, INC.**  
 4732 Fairbridge Circle  
 Pueblo, CO 81008  
 Office: (719) 545-6200  
 Fax: (719) 526-1306



**EASEMENT VACATION PLAT**  
 BELMONT VILLA FILING NO. 1  
 CITY AND COUNTY OF PUEBLO, STATE OF COLORADO

DRAWN BY	ENP
CHECKED BY	ENP
SCALE	1"=20'
DATE	05/03/2019
DATE PLOTTED	05/03/2019
PLOT NAME	1



# Planning & Zoning Application

Please type or print clearly. Illegible applications will not be accepted. Case #:

<b>Contact Info</b>	<b>Property Owner</b>		<b>Applicant</b>	
	Name: <u>KIERAN KENNETH HUGHES</u>		Name: <u>(SAME)</u>	
	Company: <u>AMERICAN PROPERTY ENTERPRISES, LLC</u>		Company:	
	Address: <u>4351 LITTLE BOY MAN RD</u>	Zip: <u>81004</u>	Address:	Zip:
	Phone: <u>(719) 229-9853</u>		Phone: ( )	
	Email: <u>KEWBENTSO@BELMONTHEIGHTSAPARTMENTS.COM</u>		Email:	
<b>Engineer</b>	<b>Engineer</b>		<b>Surveyor</b>	
	Name: <u>DARLENE K. HORN</u>		Name: <u>EDWARD R. FISHER</u>	
	Company: <u>DK HORN ENGINEERING &amp; DESIGN, INC.</u>		Company: <u>EDWARD JAMES SURVEYING, INC.</u>	
	Address: <u>1910 ASPEN CIRCLE</u>	Zip: <u>81006</u>	Address: <u>4732 EAGLE RIDGE CIRCLE</u>	Zip: <u>81008</u>
	Phone: <u>(719) 696-8274</u>		Phone: <u>(719) 545-6240</u>	
	Email: <u>DARLENE@DKHONG.COM</u>		Email: <u>EDWARD@EJSURVEYING.COM</u>	
<i>The applicant will be the primary contact unless otherwise noted.</i>				
<b>Property Info</b>	<b>Project Location:</b> (address or general description) <u>1403 JERRY MURPHY RD.</u>			
	Parcel No(s): <u>419432007 ; 419400014</u>			
	Existing Zone: <u>R-2 &amp; R-5</u>		Proposed Zone (if applicable): <u>R-5</u>	
	PUD Name (if applicable): <u>N/A</u>			
<b>Project Scope</b>	<b>Project Name:</b> <u>BELMONT PARK APARTMENTS SUBDIVISION</u>			
	Scope of work: <input type="checkbox"/> Lot Line Rearrangement:			
	# of existing lots: _____		Total acres: _____	
	<input type="checkbox"/> Overall Development Plan			
	<input checked="" type="checkbox"/> Rezoning From: <u>R-2</u> To: <u>R-5</u>			
	<input type="checkbox"/> Site Plan Review:			
	<input type="radio"/> HARP <input type="radio"/> Development Plan <input type="radio"/> PUD <input type="radio"/> Student Housing			
	<input type="checkbox"/> Special Area Plan			
	<input type="checkbox"/> Street Name Change:			
	Existing Name: _____		Proposed Name: _____	
<input checked="" type="checkbox"/> Subdivision: # of lots: <u>1</u> Total acres: <u>2.644</u>				
<input type="checkbox"/> Text Amendment				
<input checked="" type="checkbox"/> Vacation:				
<input type="radio"/> Street <input type="radio"/> Alley <input checked="" type="checkbox"/> Easement <input type="radio"/> Other: _____				
<input type="checkbox"/> Other: _____				

(Continue Next Page)

(Continued from previous page)

Project Information	Provide a brief description of the proposed request: (separate narrative as Attachment A also required)	
	SEE ATTACHED	
	What is the total acreage included in the project? 2.644	
	What is the proposed use of the property: <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Multi-family <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Other _____	
	Are there any other pending or recently approved Land Use applications regarding this property? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, please list: EASEMENT VACATION, REZONE, 1 LOT LINE REARRANGEMENT		
Attachments	<b>Attachment Checklist</b>	
	The following list of attachments are required to accompany all applications: <input checked="" type="checkbox"/> A. Detailed explanation of the request as listed above. Be specific <input checked="" type="checkbox"/> B. CD with DWF and DWG (Autocad) file of all plans and drawings & a PDF of all documents submitted. <input checked="" type="checkbox"/> C. Pueblo County Assessor's Property Information print out ( <a href="http://www.co.pueblo.co.us">www.co.pueblo.co.us</a> ) <input checked="" type="checkbox"/> D. Additional information as required by the <b>P&amp;Z Submittal Requirements Sheet.</b>	
Terms	By signing below, the Property Owner and Applicant are representing that each understands and agrees to the following terms:	
	1. Authorized personnel from the City of Pueblo, are hereby granted the right to enter the subject property for the purposes of reviewing and processing the application, including Certificate of Occupancy Inspections. 2. There are no known hazards or vicious animals present on the subject property. 3. All information contained in this application, is true and accurate to the best of my knowledge. 4. The City of Pueblo is under no obligation to approve the request contained in this application. No promises of approval are conveyed with the acceptance of this application. 5. It is highly recommended that a licensed surveyor complete a property survey before any construction takes place. The property owner is responsible for any construction that takes place within the boundaries of their property. The city may require any construction built outside of the property legal boundaries or within any setbacks (by intent or error), to be removed at the owners' expense.	
Signatures	Property Owner	
	Print Name:	Kieran Kenneth Hughes
	Signature:	<i>[Signature]</i> Date: 5/13/19
	Applicant, if different from Property Owner	
Print Name:		
Signature:		
Date:		

Office Use Only	<b>Zoning Compliance (Completed by City Staff)</b>		<b>Receipt:</b>
	Application received by:	Date:	
	Application checked for completeness by:	Date:	
	Case Manager:	Fee Paid:	
	Hearing date:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Approved w/conditions	
Case #:			