

# Conceptual Review Agenda

Meetings hosted via Zoom Web Conferencing

Please use the URL and Meeting ID # listed below to join the Review Meeting

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## Review Date

7/18/2024 10:15 AM

## Project Name

Subdivision at 3310 Moore Ln  
CDR240041

## Applicant

Deborah Rupp  
970-581-8439  
traveltheworld4@outlook.com

**Planner:** Arlo Schumann

**Engineer:** Tim Dinger

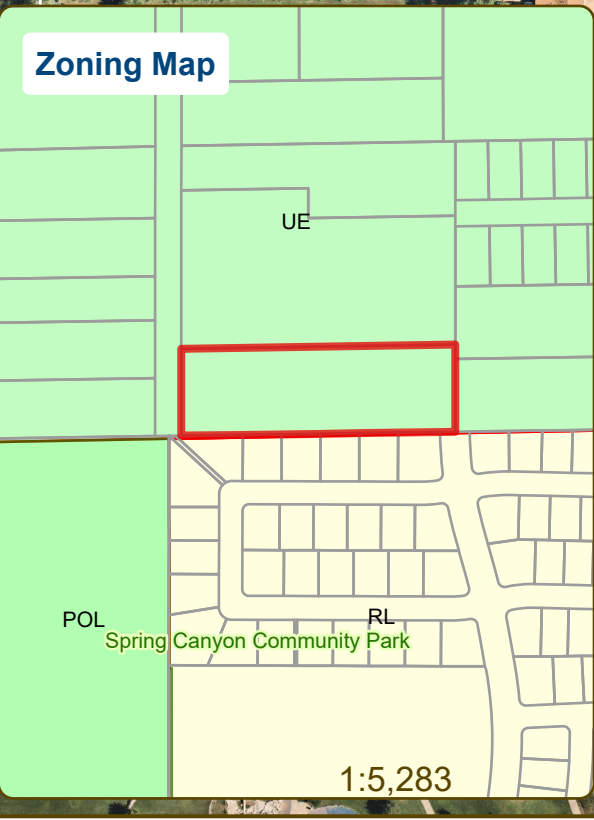
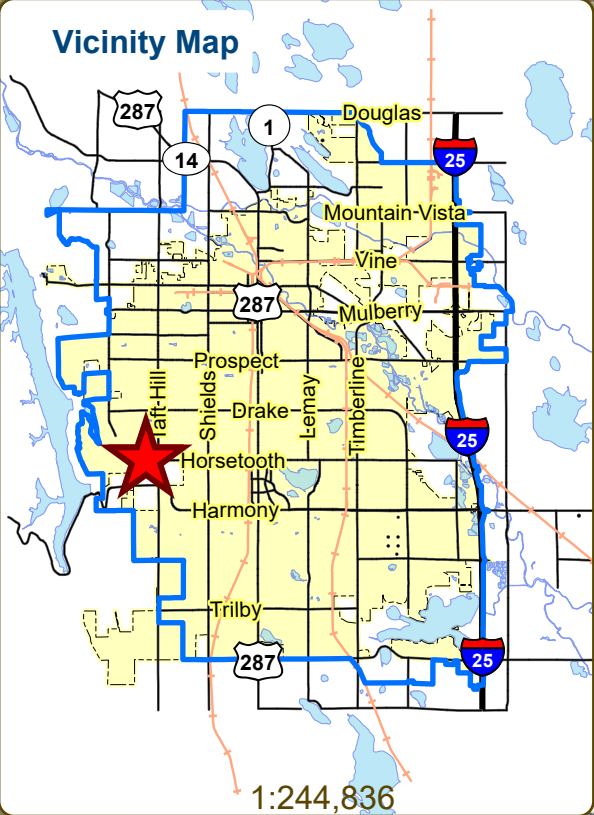
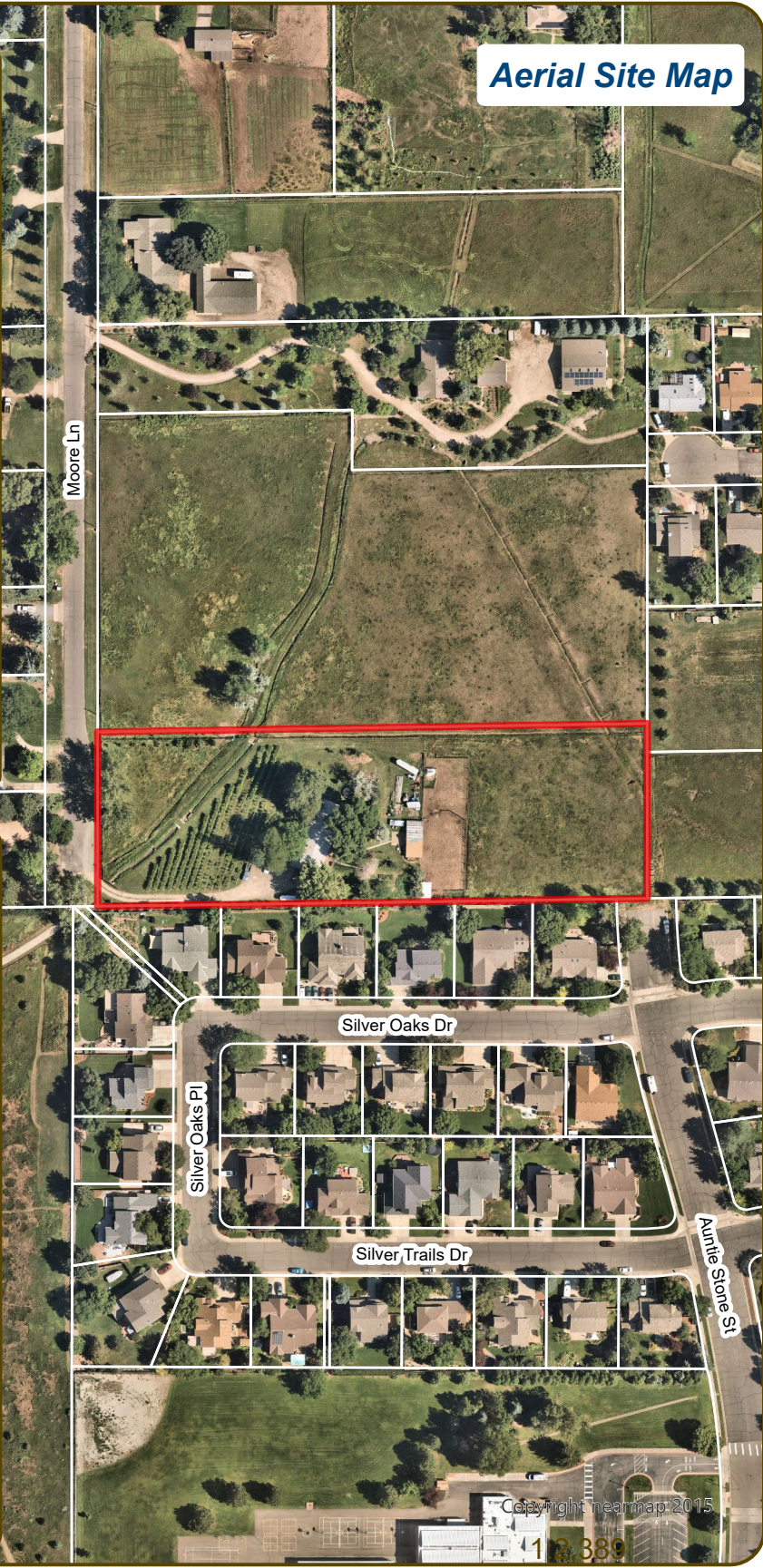
**DRC:** Seth Goldstein

## Description

This is a proposal for a residential subdivision from two (2) lots into four (4) at 3310 Moore Ln (parcel #s 9728405022, 9728405011). The applicant is proposing to separate 9728405011 into three (3) 1.5 acre lots and take the additional .21 acres and add to lot at 3310 Moore Ln. Access is taken from Moore Ln to the west. The site is approximately 0.30 mi north of W Horsetooth Rd and 0.26 mi west of S Taft Hill Rd. The property is located in the Urban Estate District (U-E) zone district and is subject to a Residential Subdivision.

# Subdivision at 3310 Moore Ln- Single Unit Detached

**Aerial Site Map**



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CONCEPTUAL REVIEW: APPLICATION

General Information

All proposed development projects begin with Conceptual Review. Anyone with a development idea can schedule a Conceptual Review meeting to get feedback on prospective development ideas. At this stage, the development idea does not need to be finalized or professionally presented. However, a sketch plan and this application must be submitted to City Staff prior to the Conceptual Review meeting. The more information you are able to provide, the better feedback you are likely to get from the meeting. Please be aware that any information submitted may be considered a public record, available for review by anyone who requests it, including the media. The applicant acknowledges that they are acting with the owner's consent.

Conceptual Reviews are scheduled on three Thursday mornings per month on a "first come, first served" basis and are a free service. One 45 meeting is allocated per applicant and only three conceptual reviews are done each Thursday morning. A completed application must be submitted to reserve a Conceptual Review time slot. Complete applications and sketch plans must be submitted to City Staff on Thursday, no later than end of day, two weeks prior to the meeting date. Application materials must be e-mailed to preappmeeting@fcgov.com. If you do not have access to e-mail, other accommodations can be made upon request.

At Conceptual Review, you will meet with Staff from a number of City departments, such as Community Development and Neighborhood Services (Zoning, Current Planning, and Development Review Engineering), Light and Power, Stormwater, Water/Waste Water, Advance Planning (Long Range Planning and Transportation Planning) and Poudre Fire Authority. Comments are offered by staff to assist you in preparing the detailed components of the project application. There is no approval or denial of development proposals associated with Conceptual Review. At the meeting you will be presented with a letter from staff, summarizing comments on your proposal.

\*BOLDED ITEMS ARE REQUIRED\* \*The more info provided, the more detailed your comments from staff will be.\*

Contact Name(s) and Role(s) (Please identify whether Consultant or Owner, etc) \_\_\_\_\_

Deborah Rupp POA for LLC

Are you a small business?  Yes  No Business Name (if applicable) Bensen Assets + Management LLC

Your Mailing Address 3310 Moore Lane Fort Collins, CO 80526

Phone Number 970-581-8439 Email Address traveltheworld4@outlook.com

Site Address or Description (parcel # if no address) Attached

Description of Proposal (attach additional sheets if necessary) Attached

Proposed Use Residential Existing Use Land

Total Building Square Footage \_\_\_\_\_ S.F. Number of Stories \_\_\_\_\_ Lot Dimensions \_\_\_\_\_

Age of any Existing Structures No structures planned at this time

Info available on Larimer County's Website: http://www.co.larimer.co.us/assessor/query/search.cfm If any structures are 50+ years old, good quality, color photos of all sides of the structure are required for conceptual.

Is your property in a Flood Plain?  Yes  No If yes, then at what risk is it? \_\_\_\_\_

Info available on FC Maps: http://gisweb.fcgov.com/redirect/default.aspx?layerTheme=Floodplains.

Approximate amount of additional building, pavement, or etc. that will cover existing bare ground to be added to the site) \_\_\_\_\_ S.F.

Suggested items for the Sketch Plan: Property location and boundaries, surrounding ground cover, (buildings, landscaping, parking/drive areas, water treatment/detention, drainage), existing natural features (wetlands, wetlands, large trees, wildlife, canals, irrigation ditches), utility line locations (if known), photographs (helpful but not required) \_\_\_\_\_

## **DESCRIPTION OF PROPERTY**

### **ASSESSORS MAP 9728405011**

POR OF LOT 11 TEFFT ACRES, DES AS SE 28-7-69 BEG AT S ¼ COR SEC 28 N 0 15' 46" E 1326.81 FT TH N 89 09' 53" E 1317.60 FT; TH N 0 08' 02" E 199.00 FT TPOB; TH N 0 08' 02" E 295.62 FT; TH S 89 05' 19" W 337.33 FT; TH N 0 08' 02" E 68.49 FT; TH S 89 05' 19" W 290.84 FT; TH S 0 11' 54" W 363.28 FT; TH N 89 09' 53" E 628.57 FT TPOB (AKA PAR 1 PER BLA @ 20180033663)

## **PROPOSAL**

SEPARATE LOT INTO THREE 1.5 ACRE LOTS AND TAKE ADDITIONAL .21 ACRES AND ADD TO LOT NEXT DOOR AT 3310 MOORE, FORT COLLINS, CO 80526

TWO LOTS TO BE ON WEST SIDE WITH EGRESS FROM MOORE LANE AND ONE ON EAST SIDE OF PROPERTY AND WOULD LIKE TO REQUEST EGRESS FROM PRIMROSE DRIVE.

REMAINING .21 ACRES WOULD BE ADDED TO THE BACK HALF OF PROPERTY NEXT DOOR 3310 MOORE LANE, FORT COLLINS, CO 80526; LEGAL DESCRIPTION: S 199 FT OF TR '11', TEFFT ACRES, FTC **ASSESSORS MAP 9728405022**

DIAGRAM ATTACHED

WOULD ALSO LIKE TO SEE IF IT IS POSSIBLE TO SEPARATE 3110 MOORE LANE INTO TWO 1.5 ACRE LOTS WITH BACK LOT HAVING EGRESS FROM AUNTIE STONE STREET.

LOTS COULD GET CITY WATER AND ELECTRIC BUT WOULD HAVE TO HAVE SEPTIC DUE TO IRRIGATION OF PROPERTIES.

NO STRUCTURES ARE PLANNED AT THIS TIME, WE PLAN TO SELL LOTS AND THEN BUYERS CAN DECIDE.



### Legend

Addresses	Rivers and Streams	State
Subdivisions	County Boundary	Federal
Tax Parcels	Rocky Mountain National Park	Other
Recorded Dimensions	Incorporated Areas	30969E146467N.sid
Railroads	PLSS Township and Range	Red: Band_1

### Notes

0.0 0 0.0 Miles

Scale  
1:2,400



This map was created by Larimer County GIS using data from multiple source informal purposes only. This map may not reflect recent updates prior to the date of printing. Larimer County makes no warranty or guarantee concerning the completeness, accuracy, or reliability of the content represented.

Date Prepared: 6/5/2024 9:39:49 AM

# COLORADO REAL ESTATE POWER OF ATTORNEY

I. **APPOINTMENT.** This Power of Attorney is made on 24 May 2024, ("Effective Date") between the following:

Principal: I, Ernest L Bensen, Manager of Bensen Assets and Management, the "Principal," with a mailing address of 132 Preacher Lane, Pineville SC, 29468, hereby appoint:

Agent: Deborah Rupp, with a mailing address of 3310 Moore Lane, Fort Collins, CO 80526 ("Agent").

II. **2<sup>ND</sup> AGENT.** If the above Agent cannot serve, I hereby appoint: (check one)

- **No other individual.**

*ER*  - **Another Agent.** Paul Rupp, with a mailing address of 3310 Moore Lane, Fort Collins, CO 80526 to act on my behalf and hold the same powers as the Agent.

III. **REAL ESTATE.** This Power of Attorney is in reference to: (check one)

*ER*  - **A Single-Property.** For the following property: POR OF LOT '11' TEFFT ACRES, DES AS SE 28-7-69 BEG AT S 1/4 COR SEC 28 N 0 15' 46" E 1326.81 FT; TH N 89 09' 53 E 1317.60 FT; TH N 0 08' 02" E 199.00 FT TPOB; TH N 0 08' 02" E 295.62 FT; TH S 89 05' 19" W 337.33 FT; TH N 0 08' 02" E 68.49 FT; TH S 89 05' 19" W 290.84 FT ("Real Estate").

- **Multiple Properties.** For any property, partially or wholly owned, by the Principal.

IV. **POWERS GRANTED.** The Principal grants the Agent power to negotiate, execute, modify, and deliver any documents necessary to complete the following type(s) of real estate transactions: (initial and check all that apply)

*ER*  - **Selling.** Additionally, this may include accepting closing proceeds for deposit into my account, which has been previously disclosed to my Agent.

- **Purchasing.** Additionally, this may include finalizing all documents necessary to complete the financing and purchase of the property.

*ER*  - **Management.** Additionally, this may include making repairs (with reimbursement), approving sub-contractors for work, evicting tenants, and any other representation as needed on a day-to-day basis.

EM  - **Financing**. Additionally, this may include modifying, executing, and delivering all documents necessary to complete the financing as well as to withdraw and disburse funds necessary from my account, which I have previously disclosed to my Agent.

V. **TERM**. This Power of Attorney shall begin on the Effective Date and shall continue until the: (initial and check one)

EM  - **End Date** of 30 May 2030.

- **Principal's Incapacitation** or when the Principal can no longer think for themselves. (non-durable).

- The **Principal's death or revocation**.

VI. **DURABLE**. In the event the Principal is shown to be incapacitated, or not able to think for them self, this Power of Attorney shall: (initial and check one)

- **NOT be Valid**. This Power of Attorney is non-durable and shall be revoked immediately upon the Principal's incapacitation.

EM  - **Remain Valid**. This Power of Attorney is durable and shall not be revoked upon the Principal's incapacitation.

VII. **GOVERNING LAW**. This Power of Attorney shall be governed by the laws located in the state of Colorado ("Governing Law").

In accordance with Governing Law, I, the Principal, hereby revoke any other Power of Attorney related specifically to the Real Estate mentioned in Section III with the Agent, and any Alternate Agent, as the only persons allowed to act in my presence for such matters.

VIII. **EXECUTION**. As required under the Governing Law, this Power of Attorney shall be signed under: (initial and check all that apply)

EM  - Notary Public

Ernest L. Bensen

**Principal's Signature**

Ernest L. Bensen, Manager acting for  
Bensen Assets and Management, LLC  
Print Name  
24 May 2024  
Date

**NOTARY ACKNOWLEDGMENT**

STATE OF South Carolina  
COUNTY OF Berkeley ss.

On May 24/2024 before me appeared Ernest L. Bensen, Manager of Bensen Assets and Management, LLC as Principal of this Power of Attorney who proved to me through government issued photo identification to be the above-named person, in my presence executed the foregoing acceptance of appointment and acknowledged that (s)he executed the same as his/her free act and deed.

Brandon Dewese  
Notary Public

Brandon Dewese  
Print Name

My commission expires: 06/11/2031





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436525  
COUNTY OF LARIMER

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STATE OF COLORADO

DECLARATION OF AMENDED PROTECTIVE COVENANTS  
OF TEFFT ACRES, E. 1/2 OF SECTION 28,  
TOWNSHIP 7 NORTH, RANGE 69 WEST,  
LARIMER COUNTY, COLORADO

THE UNDERSIGNED, being the fee owners of more than 2/3 of both the land owners and the land owned within the boundaries of Tefft Acres, do hereby make this Declaration of Amended Protective Covenants in accordance with paragraph 9 of the original protective covenants for Tefft Acres, filed with the Larimer County Clerk and Recorder at reception No. 806154 and do hereby make and declare the following limitations, restrictions and uses upon and of said property as restrictive and protective covenants, through reference hereto in all deeds and contracts for sale issued by the owners of any part of said property, as benefits and obligations running with the property, and as binding upon the owner and upon all parties claiming under said contract and upon all future owners of any part of said property, so long as these restrictive covenants shall remain in full force and effect as now written or as hereinafter altered;

1. Property Affected: These covenants are hereby made applicable to a tract of land identified as Tefft Acres and described as follows:

A tract of land located in Section 28, Township 7 North, Range 69 West of the 6th P.M., Larimer County, Colorado, contained within the boundary lines more particularly described as follows:

Considering the East line of the Southeast 1/4 of said Section 28, as bearing S 00° 03' 15" E, and all bearings herein relative thereto; beginning at a point which bears S 88° 58' 30" W 30.00 feet from the East 1/4 corner of said Section 28; thence 00° 04' E 666.74 feet; thence S 89° 03' W 1285.20 feet; thence S 00° 00' 30" E 665.13 feet; thence S 89° 07' W 1315.82 feet to the North-South center-line of said Section 28; thence N 00° 02' 30" E 1657.86 feet along said center-line; thence S 88° 56' E 2598.67 feet; thence S 00° 04' 45" E

332.92 feet to the point of beginning; do hereby subdivide the same into lots together with streets as shown by the within plat; which said streets are hereby dedicated to public use; and hereby designate the same as Tefft Acres. For the future protection of purchasers of lots in Tefft Acres who may desire to build residences thereon; all lots in Tefft Acres are hereby made subject to the following covenants, and all conveyances to lots hereon are made subject thereto; and the said covenants shall be considered covenants running with the title to the said lots; and any owner of property in Tefft Acres may enforce the said covenants by proper legal proceedings. The East 10 feet of said Tefft Acres is also dedicated to the County Road.

2. No residence can be constructed on an area of less than 1.5 acres, except when county regulations take precedence. One single family residence permitted per lot.

3. Houses must be at least 25 feet from each side and 30 feet from front of property line.

4. All houses must have at least 1,100 square feet on ground area living space and are not to exceed 2 stories in height.

5. No mobile homes, basement houses, modular homes or houses with unfinished exteriors shall be permitted. All houses must be finished in brick, wood, stone, stucco or materials approved by the architectural committee.

6. The architectural committee shall consist of 3 members elected by a majority vote of landowners for a 3 year period with staggered terms.

The architectural committee must approve or disapprove within 30 days after submission the design, size and location of all buildings, sheds and garages in advance of building.

7. Upon approval of the architectural committee one unlighted sign

B2141 P0681

identifying home occupation will be permitted 30 feet from front boundary.

8. No noxious or offensive trade or activity shall be carried on upon any acreage in this area which may become an annoyance to the neighborhood.

9. Raising of livestock, poultry and similar farm animals is permitted provided it is not a commercial enterprise. Numbers of pets and farm animals will be governed by current county zoning regulations.

10. No junkyards or feedlots shall be permitted. Each property shall be kept in a sanitary and sightly condition at all times.

11. Septic tanks are required with the option to connect to sewer when available. No outside toilets are permitted.

12. Each landowner is responsible for the maintenance of the irrigation ditch through his property. Tefft Acres Water Association will assure adequate flow of water through the irrigation system.

13. Landowners complaints about possible covenants violations will be submitted to the architectural committee. If the committee agrees that there is a problem they will discuss the apparent violation with the involved landowner. If no agreement is reached concerning remedying the situation, the resident landowners will vote by mail on the violation. If a simple majority agrees that the violation is valid notification of the violation will be distributed to all landowners by the committee. If any person shall violate or threaten to violate any of the provisions of this instrument, it shall be lawful for any person or persons owning real property in Tefft Acres, to institute proceedings at law or in equity to enforce the provisions of this instrument, to restrain the person violating or threatening to violate them, and to recover damages, actual and punitive, for such violations. The costs of the proceedings shall be born by the landowners.

14. These covenants can be changed through a 2/3 vote of the landowners.

15. These covenants apply to the entire area of approximately 80 a-

ces known as Tefft Acres.

16. Invalidation of any one of the provisions of this instrument by judgment or court order or decree shall in no wise affect any of the provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, these Tefft Acres Amended Protective Covenants have been executed this 30<sup>th</sup> day of April 1981, by the following owner-declarants:

FOOTHILLS CHURCH OF CHRIST

Gordon O. Wang  
Treasurer Owner

STATE OF COLORADO }  
County of Larimer } ss.

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of October, 1981, by Gordon O. Wang of Foothills Church of Christ.

My Commission expires:  
My Commission Expires August 13, 1982

Gene Timmerman  
Notary Public  
931 Pioneer  
Fort Collins CO 80521

\_\_\_\_\_  
Otis Peck Owner

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 1981, by \_\_\_\_\_.  
My Commission expires:

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Judith A. Peck Owner

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 1981, by \_\_\_\_\_.  
My Commission expires:

\_\_\_\_\_  
Notary Public