

February 23, 2017

Michael Turisk  
Planner II – South Area  
Colorado Springs Planning

RE: Survey Letter for Administrative Relief – Robbin Place

Dear Mr. Turisk:

I am writing this letter to supplement the Administrative Relief Application that is being submitted by Paul Rising of Tara Custom Homes. My intent is to aid Mr. Rising in describing the “infill” situation that the property he is under process of subdividing as Robbin Place, that has caused the overall north-south property width as surveyed to be shorter than the record plat of Resubdivision of Lots 1 to 11 Block 3 Sherman’s Add. to Colorado Springs. This shortage has caused the proposed lots to be narrower than the 25’ required by Zoning Code.

The first contributing factor is that this is an “infill” property. That means that it is the remainder of all of the development and subdivision that has taken place around the parcel. In nearly every case, the infill property has exterior lines that do not match the record description. The lines bear slightly different and the distances are either longer or shorter than what is reported on the record plat or deed legal description. In the subdivision of Robbin Place, the north-south lines along the front and back of the proposed subdivision are shorter. The record distance is purported on the existing plat to be 150’, however, the overall surveyed distance is actually 149.91 feet along the rear line and 149.44 feet along the front line.

The second factor is the time frame that the original plat was completed. The Resubdivision of Lots 1 to 11 Block 3 Sherman’s Add. to Colorado Springs was signed on May 14, 1898. Since then, the technology that is used for measuring land has significantly changed. Citing Brown’s Boundary Control and Legal Principles, Sixth Edition, Chapter Two, Section Nine *“Principle 7: A modern survey may describe bearings and distances to a greater degree of precision using modern technology, but it can be no more precise than the original measurements that created the original lines.”* This Section goes on to discuss that more modern technology cannot replace the accuracy of the original survey. In other words, we are trying to hold measurements for this site to a tolerance that can be measured to the nearest one hundredth of a foot, but the original survey only reported the same measurements to the nearest one foot.

When this property is divided into six lots, in the north-south direction, the infill situation, combined with the fact that the original survey was not measured to the accuracy that is attainable today. This has resulted in the seemingly 25' proposed lots averaging 24.98' along the back lines and 24.91' along the front lines.

Please, consider these points when reviewing the Administrative Relief Application that Mr. Rising is submitting. Feel free to contact me with any questions or if there is anything else that I can assist with.

Sincerely,

A handwritten signature in black ink, appearing to read 'SL Mapes, Jr.', with a stylized, cursive script.

Stewart L. Mapes, Jr.  
Colorado Licensed Professional Land Surveyor  
Clark Land Surveying, Inc.  
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Colorado Springs, CO 80903