

El Paso County Planning **Please include:  
- PCD File No: BOA242**  
And Community Development  
2882 International Circle, Ste. 110  
Colorado Springs, CO 80910

\*We are seeking a 20' set back variance for property belonging to Irvin and Joan Pollard.

\*The contact phone number is (719) 339-9673.

\*The contact email address is [joanmpollard@outlook.com](mailto:joanmpollard@outlook.com).

\*The property is located at 3120 Mount Herman Rd., Monument, CO 80132.

\*The Property Tax Schedule Number is: 7122001010.

\*The property is zoned RR 5

\*Approximately 30 years ago we built a 24'x 29' pole barn on the site of an old loafing shed that came with the property. The new building was used for hay storage and farm machinery. The building was for agricultural use, and we were told by the builder that it didn't require a permit. Our own research concurred with that information. We did get permission from our neighbors on our east side to locate the building between 5' and 6' from our common fence line. We also got permission from the subdivision architectural committee. The building did not impede our neighbors view because of a large stand of old growth Oak Brush. We did not think to check county set back regulations since no permit was needed to build the structure. The old shed location seemed ideal because it was level, out of the way and not problematic for anyone. There was also a pathway directly from our existing driveway to our hay storage and horse barn. Nobody had objections at the time or in the many following years. In recent years, we have fewer horses, and we use the building as a work and tool shop. By using the old shed site we were able to avoid existing electric and water lines, and our existing livestock facilities. Additionally, we are able to easily connect the building to the existing utilities.

\*The building can not be moved because of the pole barn design. The big support poles are anchored in large, deep concrete footings. The building also has a concrete floor. The cost of a new building at today's prices, would be prohibitive.

\*The property is long and quite narrow, and our house sits 400' back from the road. No structures are allowed between the home and the road in our sub-division. Our house is near the center of the property, with a horse barn, corrals, a round pen and small arena in

In this portion, point out that this characteristic of the property applies to practical difficulty and hardship #1 listed in Section 5.5.2.a. in the Land Development Code as "the exceptional narrowness, shallowness or shape of the specific piece of property"

I think it might be helpful to depict these areas on the site plan or maybe provide pictures of how the land slopes if possible.

back. The far back, west side and front are *not level and there are slopes and drainage issues in some areas*. These areas are suited for grass pastureland. Our driveway is along the far east side of the acreage. It was there when we purchased the property in 1984.

\*We are in the permitting process to fully condition the building. All of our plans have been approved by El Paso County Regional building, and a permit will be issued when we have approval from Planning and Development. Our intent is to apply to eventually use the building as an ADU.

Change to ALQ: Accessory Living Quarters (ADU is not an allowed use in RR-5)

\* There are no overlay zoning concerns as far as we are aware.

\* The neighborhood would not be impacted by this setback relief as the structure has been on site for over thirty years. There has been no known impact to anyone including Paul and Nageeba Davis, who are our neighbors to the east. We have talked to many of our neighbors, and they are very supportive.

\* We became aware of the set back issue when we applied for a building permit. All of our plans were approved, but when we started to purchase the permit, Planning and Development came up for the first time. I went to El Paso County Planning and Development Department expecting to get approval, and we discovered the set back problem. I was then made aware of the Board of Adjustment as a helpful resource for situations like this one.

Change to ALQ: Accessory Living Quarters (ADU is not an allowed use in RR-5)

\*We believe we have sufficiently addressed the Variances to Physical Requirements as stated below.

Discuss what the permits are for and what changes are being made to the structure to accommodate your new proposed use of it.

5.5.2

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(a)Variances to Physical Requirements. The Board of Adjustment is authorized to grant variances from the strict application of any physical requirement of this Code which would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the owner of the property. Practical difficulties and hardships, in this context, may exist where the legal use of the property is severely restricted due to (1) the exceptional narrowness, shallowness or shape of the specific piece of property, or (2) the exceptional topographic conditions or other extraordinary or exceptional situation or condition of the piece of property.

Please address whether project will cause negative drainage impacts to downstream lots

Please discuss whether project will cause any traffic impacts.

