
ROBINSON & HENRY, P.C.

Attorneys at Law

Colorado Springs • 1975 Research Parkway, Suite 100, Colorado Springs 80920

January 5, 2021

Sent via Certified Mail and First Class Mail

El Paso County Planning and Community Development
c/o John Green
2880 International Circle, Suite 110
Colorado Springs, Colorado 80910
(719) 520-6300
johngreen@elpasoco.com

*RE: 9420 Arroya Lane ADM
Administrative Determination Request Letter*

Dear Mr. Green,

Robinson & Henry P.C. has been retained by Lenore Raff (herein “Ms. Raff”), who is the property owner of the parcel located on street address 9420 Arroya Lane, Colorado Springs, Colorado 80908 (herein the “Property”). Currently, the Property does not have official permission from El Paso County authorities to operate a “commercial stable”. This Letter is intended to begin the process for determining whether Ms. Raff should be “grandfathered” (or otherwise allowed) to operate a commercial stable on the Property.

To briefly summarize the facts as I understand them, the Property has been used either as a farm or some other form of animal use since 1955. In 1955, the Property was a farm that had a 500-acre cattle operation on it. The Property continued in that use until sometime in the 1970s or 1980s. In 1992, Ms. Raff came into possession of the Property, and since 1992 has been operating the current “commercial stable” operation that the County is now seeking for her to cease. The Property is primarily used for boarding purposes for local horse owners; however, riding does occasionally occur on the Property, and there are arenas on site as well. Between 1992 and 2020, a time length of 28 years, the Property has been used in this manner open and notoriously to the public. El Paso County has not complained about this operation until recently.

Currently, the only project documents that El Paso County has with regard to the Property are a 1992 approval for a garage to be built on the Property and the current Code Enforcement matter that is the subject of this Letter. The El Paso County Land Development Code states that commercial stables require a Special Use Approval and a Sit Development Plan (so as to allow and initiate use in the RR-5 Zone District). Without conceding that Ms. Raff’s Property falls into the needing this approval, Ms. Raff contends—and can provide evidence of—the continual operation of the “commercial stable” operation since 1992. For El Paso County to claim that for

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nearly 30 years that they simply were unaware of the operation would seem odd, as it is clear from anyone looking at the Property from the street that a “commercial stable”-type operation has been continuously run. Further, as the Property itself—prior to Ms. Raff’s operation—had also been used for animal husbandry-like practices, including a 500-acre cattle operation, since 1955, it is clear that there has been a dedicated farming and stable use of the Property for close to 70 years. Nothing that Ms. Raff has done has deviated from the prior use of the Property, nor has Ms. Raff otherwise operated the Property in any manner contrary to the prior use.

To this end, Ms. Raff is looking to amicably resolve the current Code Enforcement matter. She is respectfully requesting a meeting or hearing for her to discuss this current Code Enforcement matter and provide evidence to El Paso County showing that the averments contained in this Letter are accurate. Furthermore, she is more than happy to participate to assist El Paso County in a manner that brings this dispute to an acceptable resolution for both sides.

Please feel free to contact me to discuss this matter further.

Best Regards,

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