

Letter of Intent

Owner: Anthony Duca, Angela Duca

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Applicant: Karl Schlueter

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Site Location:

should be RR-2.5

Lot #3 Rollin Ridge Filing No.1

Also known as 3342 Bark Tree Trail, Monument Colorado 80132

Tax Schedule # 6127001021

Zoning RR-2.6

Size 2.99 Acres (130,130 SF)

Vacant lot

please rephrase to state "we would like to request administrative relief from the minimum width at the front set back line requirement to allow a width of 160 feet where a 200 foot width is required"

Request:

Administrative Relief so that the 200-foot wide front yard setback requirement would be reduced to 160 feet wide. The proposed single-family residence will be at the setback at the southeast corners of both the residence and the garage.

The owners are not seeking to increase the number of dwelling units on this parcel.

The Land Development Code defines the “Flag Lot Setbacks.”

**(6) Flag Lot Setbacks**

The required front, side and rear yard setbacks shall be established by determining the front, side and rear lot lines based on the following criteria.

**(a) Front Lot Line**

The property line most parallel and nearest to the road from which access from the road is gained is the front lot line.

**(b) Rear Lot Line**

The property line that is most opposite or parallel to the front lot line is the rear lot line.

**(c) Side Lot Line**

Property lines that are not considered front or rear property lines are side lot lines.

Noting no mention of a minimum width at the “required” front setback as is stated in the next section titled “Irregularly Shaped Lots – Setbacks.”

**(7) Irregularly Shaped Lots Setbacks**

For wedge or pie shaped lots the minimum width at front setback line shall establish the front setback. The PCD Director shall determine how lot lines shall be designated and the resulting setbacks where the provisions of this Code do not clearly establish the lot lines or setbacks requirements.

The owners are requesting that the PCD Director grant how the front setback minimum width is to be applied to the lot.

Allowing this request will in fact reduce the amount of grading and disturbance to the native soils and vegetation by,

- a. Reducing the excavation required to promote positive drainage around the home.
- b. Reducing the amount of hardscape, i.e. paved surfaces

There would be no adverse impact on the neighboring homes as the request bring the home up to and in harmony with the surrounding landscape. If views are to be considered, then again this brings the home more into alignment with their neighbors.

#### 5.4.1. Administrative Relief

##### (A) Purpose

The purpose of this § remove to provide for flexibility in the application of regulations when a standard is inapplicable or inappropriate to a specific use or design proposal or a minor problem arises with the strict application of development standards.

**Lot 3 does have a minor problem with and how the front setback minimum width has been applied. As you may know the subdivision is mostly grassland with a few trees on it. The approval of the of the request will not affect the established vegetation.**

##### (B) PCD Authorized to Grant Administrative Relief

The PCD Director may approve administrative relief to the requirements for lot area, front, side and rear setbacks. and height limitation. Administrative relief shall be for the purpose of relieving dif remove hardships due to narrowness, shallowness, shape or topographic condition or a specific piece of property, or to provide limited flexibility to lot standards when it is determined that no substantial detriment to the public good nor harm to the general purpose and intent of this Code will be caused by the administrative relief granted.

**The sites topographical surface falls off quickly to the northwest. If the home were to be placed at the existing 200 foot width front setback the floor levels would drop some 8-10 feet. The home and garage were designed and situated on the lot to be more compliant with the natural grade at the reduced width setback.**

The PCD Director may only grant relief in accordance with the following standards:

##### (1) Reduction in Lot Area, Setbacks, and Lot Width

A maximum of a 20% reduction in lot area, setbacks and lot width from the amount required in the zoning district in which the subject property is located may be approved.

**(1) This reduction is w** remove code references in blue box as they are not necessary

##### (2) Increase in Lot Coverage and Structure Height

A maximum of a 20% increase in the lot coverage and structure height from the amount required in the zoning district in which the subject property is located may be approved.

N/A

##### (3) Increase in Accessory Structure Size

A maximum of a 20% increase in the size of an accessory structure from the size allowed in the zoning district in which the subject property is located may

remove all these code references on this page as they are not necessary

be approved.

N/A

**(4) Decrease in Parking Requirements**

A maximum of a 20% decrease in the parking requirements in the zoning district in which the subject property is located may be approved.

N/A

**(5) Reduction in Distance Separation**

A maximum reduction of 50% in distance separation requirements for day care homes, group homes, and other similar human service establishments may be approved.

N/A

**(6) Increase in On-Premise Sign Area**

A maximum increase of 20% in the area of any on-premise sign may be approved.

N/A

**(C) Limitations on Administrative Relief**

The following limitations shall apply to the granting of administrative relief:

**(1) Sight Distance Triangle**

Administrative Relief to setbacks on corner lots shall not be granted by the PCD Director in a sight distance triangle at corners and railroad crossings unless it is specifically found by the County that no potential traffic problem is created because of diminished sight distances.

**(2) Setback and Height Relief on Same Lot**

Administrative Relief shall not be granted for both setback and height requirements on the same lot or parcel.

**(3) Plat Notes or Restrictions**

Administrative Relief cannot be granted from a standard that is set by plat note or restriction.

**(4) Within an approved PUD District**

Administrative Relief in accordance with the limitations of this Code may be granted from a standard that is set by the PUD Development Plan or Development Guide for a [El Paso County, Colorado Land Development Code](#)

Use and Dimensional Standards – Chapter 5-Page 160 Effective 05/2016

single lot or parcel or between two adjacent parcels. Minor variances to PUD standards affecting multiple parcels may be approved as a minor PUD amendment.

**(D) Findings Necessary to Grant Administrative Relief:**

(1) **Criteria to be Met** remove all these code references on this page as they are not necessary, in addition to the compliance with the of

- The strict application of the standard in question is unreasonable or unnecessary given the development proposal or the measures proposed by the applicant; or **that the property has extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same zoning district;**

**The relief being sought is on the basis of extraordinary or exceptional physical conditions that do not exist on the neighboring properties. This lot was chosen for the storm water detention and does have a drainage pattern based on the slope of the natural topographical surface.**

- The intent of this Code and the specific regulation in question is preserved;
- The granting of the administrative relief will not result in an adverse impact on surrounding properties; and

address these criteria in the letter. do not just copy and paste them into this letter.

- The granting of the administrative relief will not allow an increase in the number of dwelling units on a parcel.

**(2) Additional Factors Considered**

In addition to the criteria required to be met for approval of administrative relief, consideration may remove items in this blue box factors:

- The granting o in this letter as you addressed them earlier minimize grading and reduce vegetation removal;

**This is a true statement for the lot.**

- The granting of administrative relief would avoid unnecessary site disturbance or minimize grading;

**This is a true statement for the lot.**

- The granting of administrative relief would allow the proposed building location and existing vegetation on the site to restrict visibility of the additional height from the road or from downhill properties; and box
- The granting of administrative relief would allow for building design such as split pads, stepped footings, below grade rooms and roof forms pitched to follow the slope.

**Not applicable to this lot.**

Thank you for your time and consideration in this matter.

Karl Schlueter

For Angela and Tony Duca