

Meggan Herington, AICP, Executive Director
El Paso County Planning & Community Development
O: 719-520-6300
MegganHerington@elpasoco.com
2880 International Circle, Suite 110
Colorado Springs, CO 80910

Board of County Commissioners
Holly Williams, District 1
Carrie Geitner, District 2
Stan VanderWerf, District 3
Longinos Gonzalez, Jr., District 4
Cami Bremer, District 5

November 30, 2023

RE: Special Use – Accessory Living Quarters for Permanent Occupancy
File: AL-23-028
PID: 5215002033

This is to inform you that the above referenced request for approval of a Special Use application for an Accessory Living Quarters for Permanent Occupancy located at 9390 Hardin Road was **approved** by the Planning and Community Development Director on November 30th, 2023. Detached Accessory Living Quarters for permanent occupancy require approval of a special use permit as outlined in Section 5.2.1.H of the Land Development Code (as Amended). It is the determination and finding of the Planning and Community Development Department (PCD) Director that the application meets the review criteria for approval of a Special Use included in Section 5.3.2 of the El Paso County Land Development Code (as Amended).

This approval is subject to the following conditions and notations:

CONDITIONS OF APPROVAL

1. Approval is limited to an Accessory Living Quarters for permanent occupancy by an immediate family member, as discussed and depicted in the applicant's letter of intent and site plan drawings.
2. The accessory living quarters shall only be utilized for family members, or non-paying guests and visitors, and may not be leased or rented, including short-term rental.

NOTATIONS

1. Special Use approval includes conditions of approval and the accompanying site plan and elevation drawings. No substantial expansion, enlargement, intensification, or modification shall be allowed except upon reevaluation and may require a public hearing as specified in the El Paso County Land Development Code.
2. The Board of County Commissioners may consider revocation and/or suspension if zoning regulations and/or special use conditions/standards are being violated, preceded by notice and public hearing.
3. If the Special Use is discontinued or abandoned for two (2) years or longer, the Special Use shall be deemed abandoned and of no further force and effect.



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Pursuant to Colorado Rule of Civil Procedure 106, this decision may be appealed to the El Paso County District Court within 28 days of the date of the decision. Should you have any questions, please contact me at (719) 520-6442.

Sincerely,

Meggan Herington, AICP, Executive Director
El Paso County Planning and Community Development Department
File: AI-23-028



Planning and Community Development Department

2880 International Circle, Colorado Springs, CO 80910

Phone 719.520.6300 | Fax 719.520.6695 | www.elpasoco.com

Type C Application Form (1-2B)

Please check the applicable application type (Note: each request requires completion of a separate application form):

- ☐ Administrative Relief
- ☐ Certificate of Designation, Minor
- ☐ Site Development Plan, Major
- ☐ Site Development Plan, Minor
- ☐ CMRS Co-Location Agreement
- ☐ Condominium Plat
- ☐ Crystal Park Plat
- ☐ Early Grading Request associated with a Preliminary Plan
- ☐ Maintenance Agreement
- ☐ Minor PUD Amendment
- ☐ Resubmittal of Application(s) (>3 times)
- ☐ Road or Facility Acceptance, Preliminary
- ☐ Road or Facility Acceptance, Final
- ☐ Townhome Plat

Administrative Special Use (mark one)

- ☒ Extended Family Dwelling
- ☐ Temporary Mining or Batch Plant
- ☐ Oil and/or Gas Operations
- ☐ Rural Home Occupation
- ☐ Tower Renewal
- ☐ Other _____

Construction Drawing Review and Permits (mark one)

- ☐ Approved Construction Drawing Amendment
- ☐ Review of Construction Drawings
- ☐ Construction Permit
- ☐ Major Final Plat
- ☐ Minor Subdivision with Improvements
- ☐ Site Development Plan, Major
- ☐ Site Development Plan, Minor
- ☐ Early Grading or Grading
- ☐ ESQCP

Minor Vacations (mark one)

- ☐ Vacation of Interior Lot Line(s)
- ☐ Utility, Drainage, or Sidewalk Easements
- ☐ Sight Visibility
- ☐ View Corridor

☐ Other: _____

This application form shall be accompanied by all required support materials.

PROPERTY INFORMATION: Provide information to identify properties and the proposed development. Attached additional sheets if necessary.

Property Address(es): 9390 Hardin Rd Colorado Springs, CO 80908	
Tax ID/Parcel Numbers(s) 5215002033	Parcel size(s) in Acres: 5.18
Existing Land Use/Development: Residential	Zoning District: JDC

- ☐ Check this box if **Administrative Relief** is being requested in association with this application and attach a completed Administrative Relief request form.
- ☐ Check this box if any **Waivers** are being requested in association with this application for development and attach a completed Waiver request form.

PROPERTY OWNER INFORMATION: Indicate the person(s) or organization(s) who own the property proposed for development. Attached additional sheets if there are multiple property owners.

Name (Individual or Organization): Trent and Lori Baines	
Mailing Address: 9390 Hardin Rd, Colorado Springs, CO 80908	
Daytime Telephone: 719-205-1062	Fax: None
Email or Alternative Contact Information: Tdbaines6@gmail.com	

Description of the request: (attach additional sheets if necessary):

Seeking Special Use approval for our newly completed ADU (completed last summer). According to LDC 5.2.1 H, our daughter and her daughter are staying in the ADU. Our daughter is a full time nursing student and has no income. Additionally, we provide daycare for our granddaughter while her mom is at school. This situation represents a financial "hardship" for our immediate family member.

For PCD Office Use:

Date:	File :
Rec'd By:	Receipt #:
DSD File #:	



Planning and Community Development Department

2880 International Circle, Colorado Springs, CO 80910

Phone 719.520.6300 | Fax 719.520.6695 | www.elpasoco.com

APPLICANT(S): Indicate person(s) submitting the application if different than the property owner(s) (attach additional sheets if necessary).

Name (Individual or Organization):

Trent and Lori Baines

Mailing Address:

Daytime Telephone:

Fax:

Email or Alternative Contact Information:

AUTHORIZED REPRESENTATIVE(S): Indicate the person(s) authorized to represent the property owner and/or applicants (attach additional sheets if necessary).

Name (Individual or Organization):

Trent and Lori Baines

Mailing Address:

Daytime Telephone:

Fax:

Email or Alternative Contact Information:

AUTHORIZATION FOR OWNER'S APPLICANT(S)/REPRESENTATIVE(S):

An owner signature is not required to process a Type A or B Development Application. An owner's signature may only be executed by the owner or an authorized representative where the application is accompanied by a completed Authority to Represent/Owner's Affidavit naming the person as the owner's agent

OWNER/APPLICANT AUTHORIZATION:

To the best of my knowledge, the information on this application and all additional or supplemental documentation is true, factual and complete. I am fully aware that any misrepresentation of any information on this application may be grounds for denial or revocation. I have familiarized myself with the rules, regulations and procedures with respect to preparing and filing this application. I also understand that an incorrect submittal may delay review, and that any approval of this application is based on the representations made in the application and may be revoked on any breach of representation or condition(s) of approval. I verify that I am submitting all of the required materials as part of this application and as appropriate to this project, and I acknowledge that failure to submit all of the necessary materials to allow a complete review and reasonable determination of conformance with the County's rules, regulations and ordinances may result in my application not being accepted or may extend the length of time needed to review the project. I hereby agree to abide by all conditions of any approvals granted by El Paso County. I understand that such conditions shall apply to the subject property only and are a right or obligation transferable by sale. I acknowledge that I understand the implications of use or development restrictions that are a result of subdivision plat notes, deed restrictions, or restrictive covenants. I agree that if a conflict should result from the request I am submitting to El Paso County due to subdivision plat notes, deed restrictions, or restrictive covenants, it will be my responsibility to resolve any conflict. I hereby give permission to El Paso County, and applicable review agencies, to enter on the above described property with or without notice for the purposes of reviewing this development application and enforcing the provisions of the LDC. I agree to at all times maintain proper facilities and safe access for inspection of the property by El Paso County while this application is pending.

Owner (s) Signature: _____

Date: _____

9 Oct 23

Owner (s) Signature: _____

Date: _____

10/9/23

Applicant (s) Signature: _____

Date: _____

Letter of Intent

We completed the guest house (ALQ) on our property and received our certificate of residency 13 May of 2022. The intended purpose of the guest house was for temporary stays of friends and extended family. A few years from now, it was going to be permanent housing for our aging parent(s). However, recently our adult daughter was accepted into nursing school at Pikes Peak. She is now a full time student and has an infant daughter. As a student, she has no income and any type of housing is a financial hardship. Also, her daughter (our granddaughter) requires daycare while mom is at school. We provide that daycare.

We are requesting a Special Use Approval for our ALQ under the provisions of El Paso County Land Development Code, Section 5.2.1.H:

1. Use Limited to Family Members – our daughter is an immediate family member that exhibits a family need.
2. There is a family (financial and daycare) hardship that exists that requires extended family housing.

Our daughter will complete her professional studies in 2½ years, approximately June of 2026.

Site Plan – 9390 Hardin Rd B

ADU2021

PLAT 3801

RR-5

1492 SQ FT ACCESSORY LIVING QUARTERS
TEMPORARY OCCUPANCY ONLY

**APPROVED
Plan Review**

06/17/2020 11:07:11 AM

dsdrangel

EPC Planning & Community
Development Department



ANY APPROVAL GIVEN BY
EL PASO COUNTY
DOES NOT OBLIVATE THE NEED
TO COMPLY WITH APPLICABLE
FEDERAL, STATE, OR LOCAL
LAWS AND/OR REGULATION

Planning & Community Development Department
approval is contingent upon compliance with all
applicable notes on the recorded plat.

An access permit must be granted by the
Planning & Community Development Department
prior to the establishment of any driveway onto a
County road.

Diversion of blockage of any drainage way
is not permitted without approval of the
Planning & Community Development Department

**APPROVED
BESQCP**

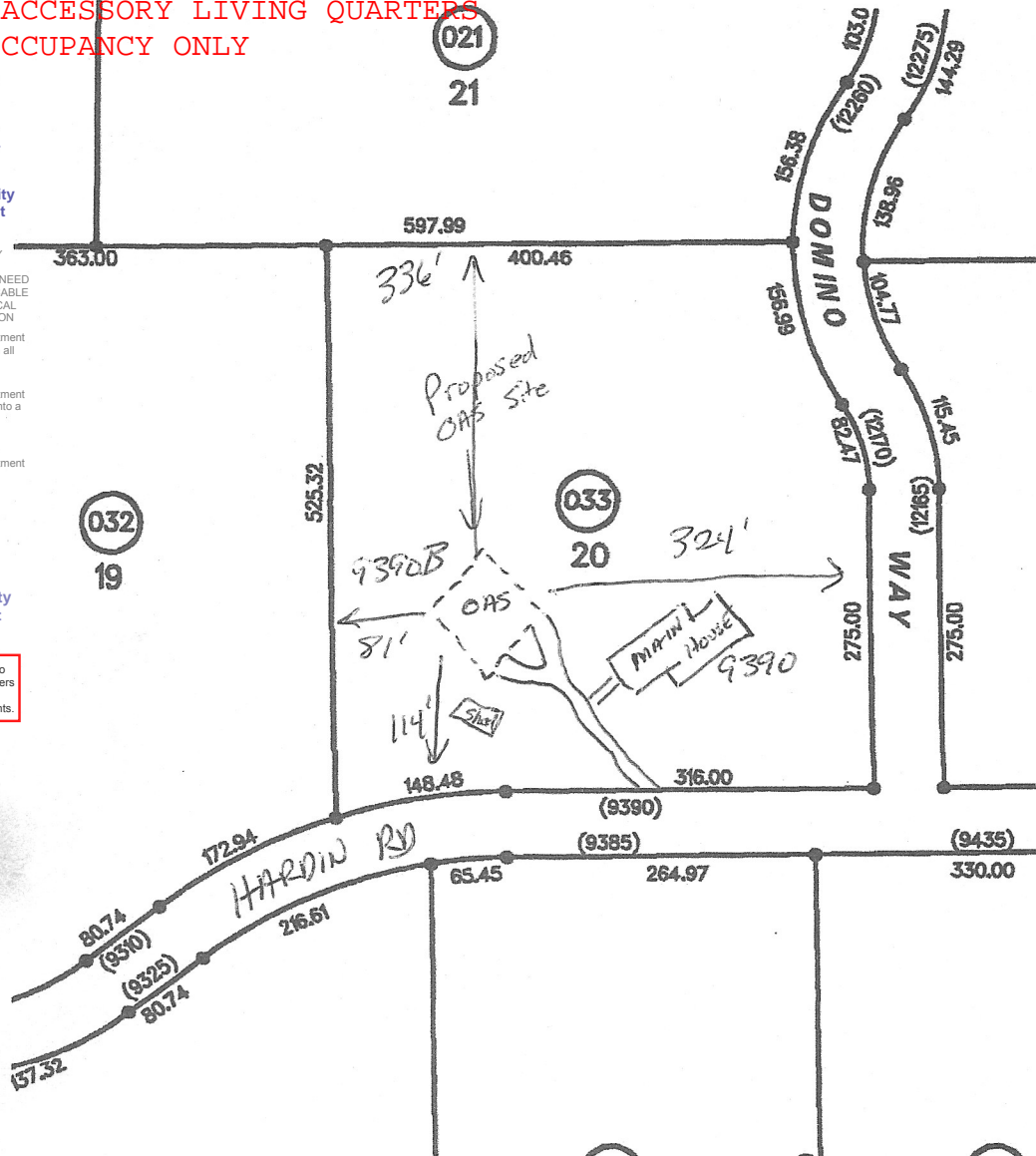
06/17/2020 11:07:27 AM

dsdrangel

EPC Planning & Community
Development Department



It is the owner's responsibility to
coordinate with easement holders
to avoid impact to utilities that
may be located in the easements.



B

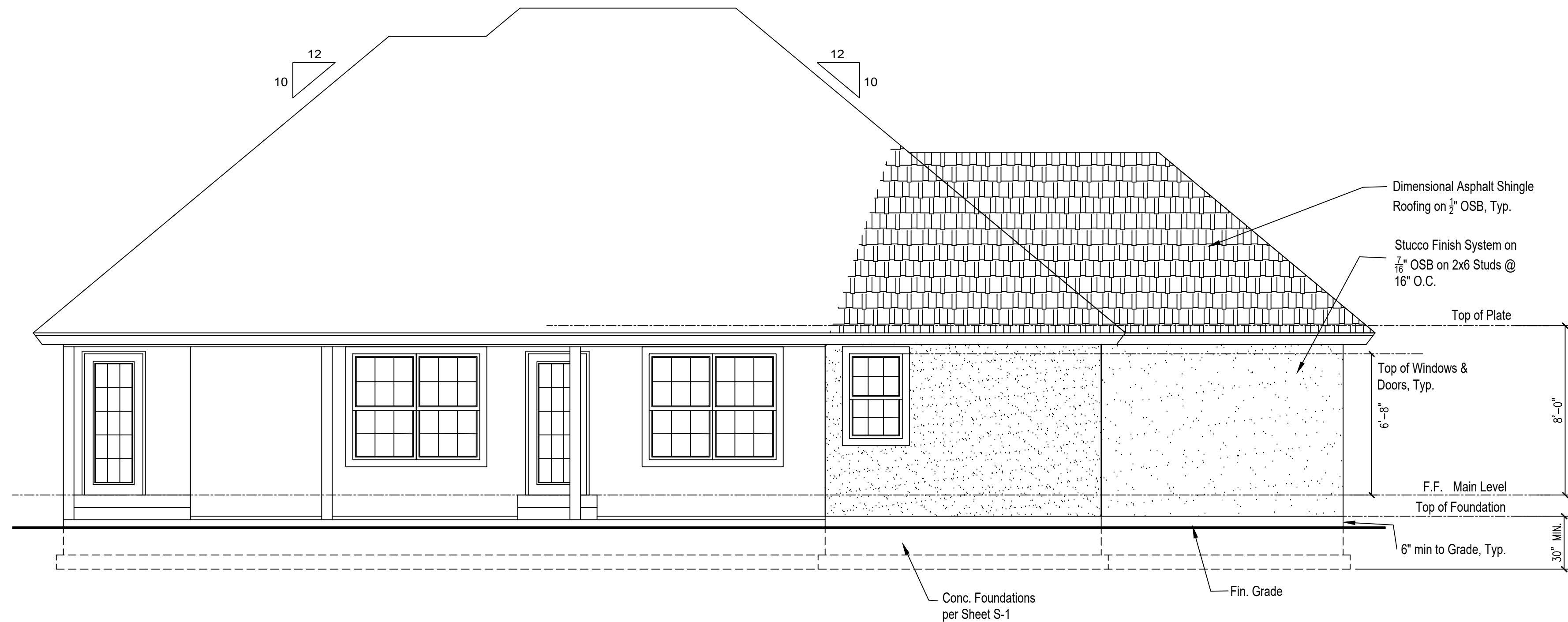
Mailing Address: 9390 HARDIN RD COLORADO SPRINGS CO, 80908-4106

Plat No: 3801

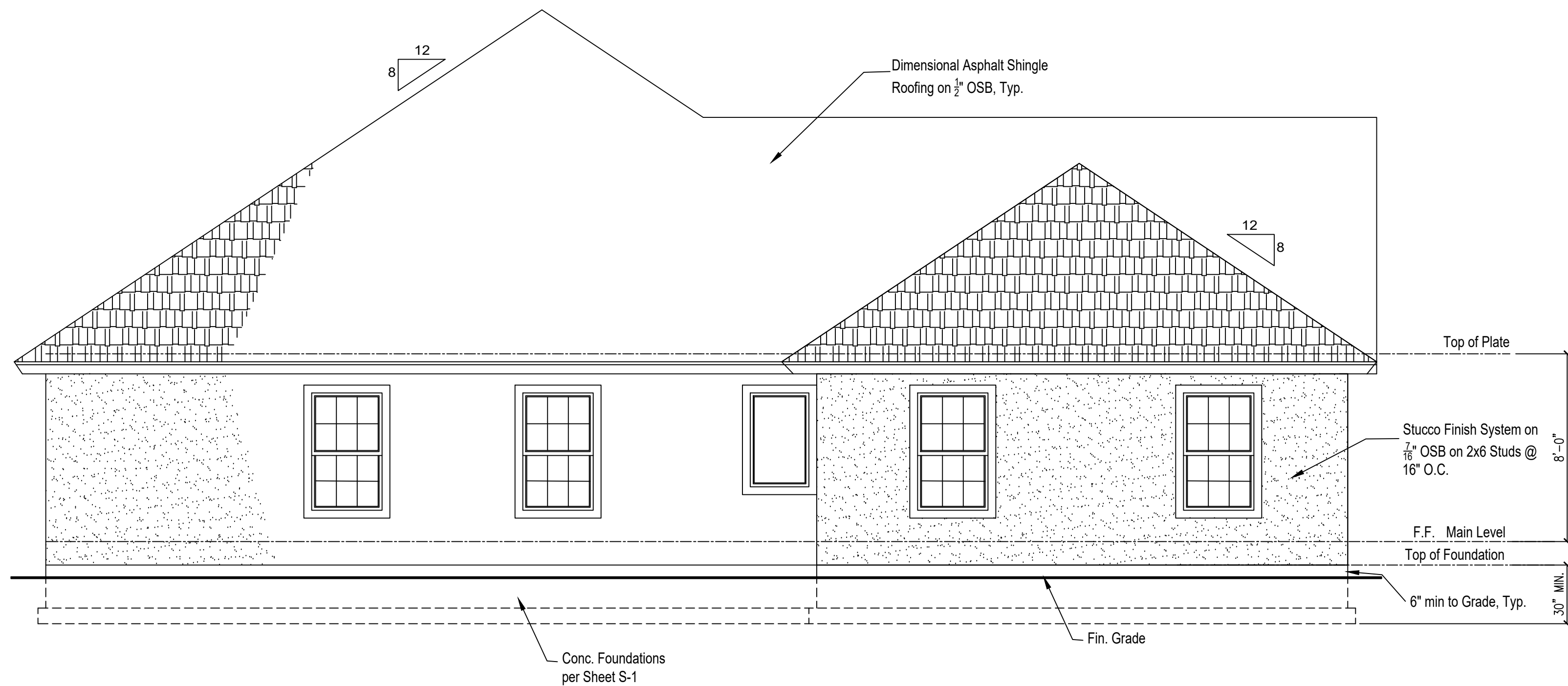
Legal Description: LOT 20 HIGH ACRES

Tax Schedule number : 5215002033

1,492 sq ft inhabitable



Rear Elevation
1/4" = 1'



Left Side Elevation
1/4" = 1'

Elevation Notes:

Dimensional Asphalt Shingle Roofing (> 240#
Between October - April) on 30# Felt on 1/2" OSB
Sheathing (Min.) on Pre-Engineered Trusses @
24" O.C.

1x6 Fascia w/ 1x Vented Soffit.

Galvanized Iron Gutter and D.S.W. / Top Outs or
Splash Blocks to 4'-0" Away from Foundation.

Clip Trusses to Double Top Plate with Simpson
H2.5T Hurricane Clips or Equivalent (U.N.O.)

Provide Fire Blocking @ 10' O.C. Vert. / Horiz.

4" Concrete Slab at Garage at 4" Below Top of
Foundation. Slope to Garage Door Openings.

4" Concrete Slab at Patio at 4" below top of
Foundation. Slope away from Dwelling.

Provide Roof Vents at 1/300 SQ. FT. of Roof.
Place 1/2 of Vents in Upper 1/2 of Roof and 1/2 of
Vents in Soffits.

Provide 1" Air Separation Between Insulation and
Roof Sheathing in Eaves.

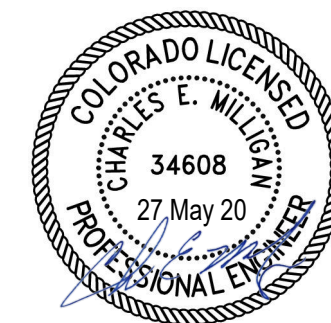
1 x 4 Trim around all windows & doors, typical.
See Elevations

**NOTE: See General Notes on
Sheet A1 for more Project
Requirements & Information.**

Provide Gutters and Downspouts
with Minimum Discharge 3'-0"
from Foundation

Released for Permit
06/11/2020 11:34:57 AM
REGIONAL
BUILDING DEPARTMENT
PUEBLO
michaela
CONSTRUCTION

Structural Only



REVISED:
5 May 2020
DRAWN BY:
va
CHECKED BY:
CEM
DATE:
22 NOV 2019

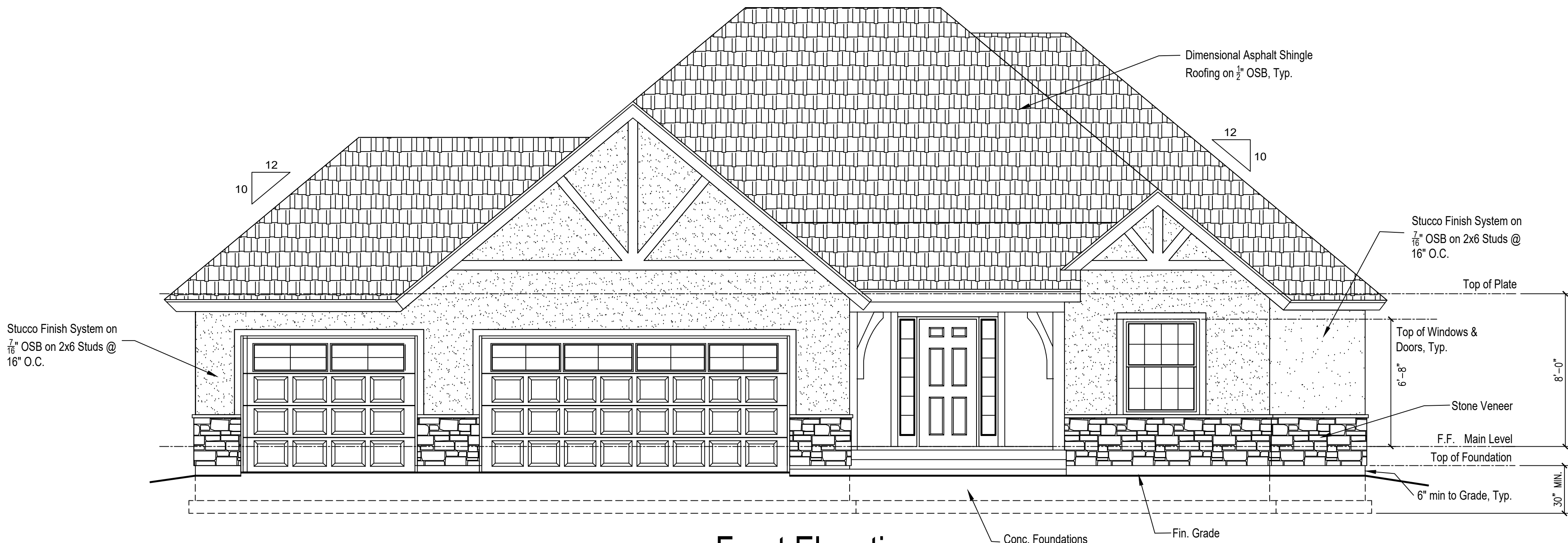
SHEET TITLE
ELEVATIONS

PROJECT NAME AND ADDRESS
9390 HARDIN LN B
COLORADO SPRINGS, COLORADO 80908

BUILDER NAME AND ADDRESS
Trent Gaines

GEOQUEST, LLC.
6825 Silver Ponds Heights, Suite 101
Colorado Springs, CO 80908
Office: (719) 481-4560 Fax: (719) 481-9204

SHEET
A-3
PROJECT NO.
19-0443



Front Elevation

1/4" = 1'

Elevation Notes:

Dimensional Asphalt Shingle Roofing (> 240# Between October - April) on 30# Felt on 1/2" OSB Sheathing (Min.) on Pre-Engineered Trusses @ 24" O.C.

1x6 Fascia w/ 1x Vented Soffit.

Galvanized Iron Gutter and D.S.W. / Top Outs or Splash Blocks to 4'-0" Away from Foundation.

Clip Trusses to Double Top Plate with Simpson H2.5T Hurricane Clips or Equivalent (U.N.O.)

Provide Fire Blocking @ 10' O.C. Vert. / Horiz.

4" Concrete Slab at Garage at 4" Below Top of Foundation. Slope to Garage Door Openings.

4" Concrete Slab at Patio at 4" below top of Foundation. Slope away from Dwelling.

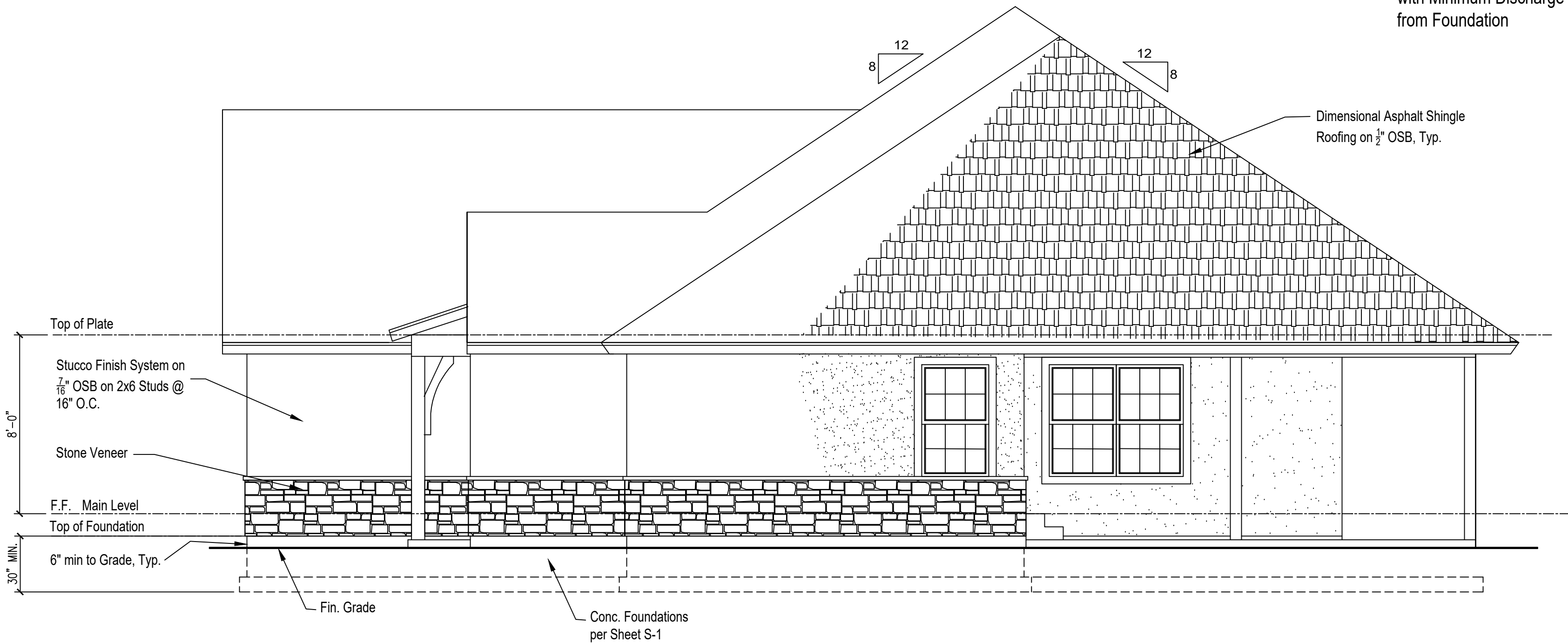
Provide Roof Vents at 1/300 SQ. FT. of Roof. Place 1/2 of Vents in Upper 1/2 of Roof and 1/2 of Vents in Soffits.

Provide 1" Air Separation Between Insulation and Roof Sheathing in Eaves.

1 x 4 Trim around all windows & doors, typical. See Elevations

NOTE: See General Notes on Sheet A1 for more Project Requirements & Information.

Provide Gutters and Downspouts with Minimum Discharge 3'-0" from Foundation



Right Side Elevation

1/4" = 1'

Released for Permit
06/11/2020 11:34:57 AM
REGIONAL
BUILDING DEPARTMENT
michaela
CONSTRUCTION

Structural Only



REVISED:
5 May 2020
DRAWN BY:
va
CHECKED BY:
CEM
DATE:
30 Oct 2019

SHEET TITLE
ELEVATIONS

PROJECT NAME AND ADDRESS
9390 HARDIN LN. B
COLORADO SPRINGS, COLORADO 80908

BUILDER NAME AND ADDRESS
Trent Gaines

GEOQUEST, LLC.

8825 Silver Ponds Heights, Suite 101
Colorado Springs, CO 80908
Office: (719) 481-4560 Fax: (719) 481-9204

SHEET
A-2

PROJECT NO.
19-0878