

LETTER OF INTENT

March 27, 2022

PCD File #: AL-22-010

RE: Briana Carrasco & Erika Carrasco

21050 McDaniels Rd. Calhan, CO 80808

Assessors Tax Schedule Number: 34000000175

Zoning: RR5

38.94 ac. tract

Briana Carrasco, and Erika Carrasco, Co-Owners and Siblings are requesting approval for a Detached Accessory Living Quarters for Permanent Occupancy for their Mother.

**Representative: Denise de la Cruz (Mother/Occupent of DALQ) 719-424-0939
denise.elitesignco@gmail.com**

Mother is retiring and will be a caregiver for grandkids. As well has health issues that require her daughter's assistance, being close by for their mutual help.

Property is zoned RR5 and is 38.94 acre parcel currently. Manufactured home to be placed to the South of current Manufactured home. All attached criteria will be met per Chapter 5 of Land Development Code, and is in compliance with code, as well as RR5 Zoning

No additional impact on traffic on McDaniels.

In accordance with ECM Appdx B.1.2.D no impact study is required per criteria.

B.1.2.D

No TIS Required.

-Vehicular Traffic: (1) Daily vehicle trip-end generation is less than 100 or the peak hour trip generation is less than 10.

(2) there are no additional proposed minor roadway intersections on major collectors, arterials, or State Highway; (3) the increase in the number of vehicular trips does not exceed the existing trip generation by more than 10 peak hour trips or 100 daily trip ends; (4) the change in the type of traffic to be generated (i.e.; the addition of truck traffic) does not adversely affect the traffic currently planned for the accommodated within, and adjacent to, the property; (5) acceptable LOS on the adjacent public roadways, accesses, and intersections will be maintained; (6) no roadway or intersection in the immediate vicinity has a history of safety or accident problems; and (7) there is no change of land use with access to a State Highway.

We appreciate your consideration and approval of this project.

5.2.1. Accessory Living Quarters

Number of Accessory Living Quarters. Only one accessory living quarters will be on parcel, or tract.

Type of Structure. Accessory living quarters will be detached from the principal structure, a Manufactured home on permanent foundation, meeting the use specific standards found in this Chapter.

Affidavit Required. In conjunction with an approval of the accessory living quarters, an affidavit signed by the owner is filed for recording with the Clerk and Recorder acknowledging that the accessory living quarters may not be leased or rented.

Size. The accessory living quarters shall be no larger than the total square footage of the primary residence, which is 1440 sq ft. of finished habitable floor area, as measured to the outside of the walls. The Board of County Commissioners may modify the maximum size allowance by up to 20 percent as part of a special use approval. Any request to establish accessory living quarters with the total square footage exceeding 20 percent of the maximum size allowed shall constitute a second dwelling on the property, which would require variance of use approval unless otherwise allowed within the applicable zoning district.

No Separate Meter for Utilities. All electric, gas, central or municipal sewer and water services to the accessory living quarters shall be interconnected to and indistinguishable from that of the principal dwelling and shall not have separate meters, service lines or billings.

Occupancy Limited. Accessory living quarters shall only be utilized for temporary occupancy, non-paying guests or visitors, and may not be leased or rented, including short-term rental. A temporary occupant may not receive mail, enroll in K-12 school, or establish permanent residency at the accessory living quarters unless otherwise modified by the Sections below. This provision does not prohibit:

- An immediate family member or an employee who permanently occupies an attached accessory living quarters as set forth below.
- An immediate family member who permanently occupies the detached accessory living quarters, provided the appropriate special use approval is obtained as set forth below.

5.3.2

Criteria. In approving a special use, the following criteria may be considered:

- The special use is generally consistent with the applicable Master Plan;
- The special use will be in harmony with the character of the neighborhood, and will generally be compatible with the existing and allowable land uses in the surrounding area;
Surrounding area is zoned RR5, several properties in the subdivision to the South have accessory living quarters on them, as well as along Hwy 94. This is consistent with the character of the neighborhood.
- The impact of the special use does not overburden or exceed the capacity of public facilities and services, or, in the alternative, the special use application demonstrates that it will provide adequate public facilities in a timely and efficient manner; Surrounding area is being developed currently with housing developments on Hwy 94. Property is not connected to public facilities with exception of Mountain View Electric, which it does not impose an overburden to the facility, and has no impact on public facilities.
- The special use will not create unmitigated traffic congestion or traffic hazards in the surrounding area, and has adequate, legal access; Special use does not create traffic congestion or any traffic hazards to surrounding areas, and has adequate, legal access to subdivision and to McDaniels Rd.
- The special use will comply with all applicable local, state, and federal laws and regulations regarding air, water, light, or noise pollution;
- The special use will not otherwise be detrimental to the public health, safety and welfare of the present or future residents of El Paso County; and/or
- The special use conforms or will conform to all other applicable County rules, regulations or ordinances.

Special Provisions for a Detached Accessory Living Quarters for Permanent Occupancy. Detached accessory living quarters may be utilized for permanent occupancy by special use approval. The special use may be approved if the accessory living quarters requirements listed above are met as well as the following requirements:

Use Limited to Family Members. A special use may be applied for and approved to:

- Provide for temporary living arrangements to house immediate family members whom are elderly, disabled, or exhibit a family need; or,
- Provide for temporary living arrangements to house immediate family providing for the needs of the residents of the primary residence on the property.

Family member is related by blood, half blood or at law, and which term "at law" includes in-law relationships arising from a deceased or former spouse.

Review Criteria. Approval of the special use permit shall be based upon a finding that the following standards and conditions have been met:

- **There is a family hardship or need that justifies the request for the extended family housing.**

Due to continued Covid shutdowns for school age children and the need for parents to keep Employed, childcare and schooling in other means possible are required. By having our Mother On the property to be take care of the school age children with online learning and child care Would alleviate the stress.

- The special use standards of Chapter 5 of the Land Development Code are complied with.

Expiration of Approval. The detached accessory living quarters for permanent occupancy shall be removed within 3 months after the need no longer exists or 3 months after the date of the expiration of the special use approval, if one is specified, unless an application to legalize the use is submitted or an application to subdivide the property is submitted.

Other Applicable Standards. Accessory living quarters shall meet all other applicable standards in this Code unless specifically modified by this Section. Any request for approval of accessory living quarters that does not comply with the provisions of this Section shall require special use approval by the Board of County Commissioners, except with regard to any request to exceed the size limitations identified above which shall require approval of a variance of use application by the Board of County Commissioners. A habitable structure which is leased or rented shall not be considered an accessory living quarters and shall constitute a second dwelling requiring variance of use approval unless otherwise allowed within the applicable zoning district.