

Meggan Herington, AICP, Executive Director
El Paso County Planning & Community Development
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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

September 12, 2024

RE: 3120 Mount Herman Rd – Special Use for Permanent Occupancy of ALQ
File: AL2415
Parcel ID No.: 7122001010

This is to inform you that the above referenced request for a Special Use to allow the permanent occupancy of a detached accessory living quarters at the address 3120 Mount Herman Road, located within the RR-5 zoning district, was approved on September 12, 2024. It is the determination and finding of the Planning and Community Development Department (PCD) Director that the application meets the 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 notation:

CONDITIONS OF APPROVAL

1. A permit for an onsite wastewater treatment system (OWTS) shall be issued by El Paso County Public Health prior to authorization of the certificate of occupancy for the accessory living quarters.
2. Approval is limited to the accessory living quarters for permanent occupancy, as discussed and depicted in the applicant's letter of intent and site plan drawings.
3. Prior to authorization of a building permit, a residential site plan shall be applied for and approved by the El Paso County Planning and Community Development Department.
4. Prior to authorization of a building permit, the accessory living quarters affidavit shall be completed, notarized, and submitted to the El Paso County Planning and Community Development Department for recording.

NOTATIONS

1. Special use approval includes conditions of approval and the accompanying site plan. No substantial expansion, enlargement, intensification or modification shall be allowed except upon reevaluation and public hearing as specified in the El Paso County Land Development Code.

Steve Schleiker
10/01/2024 11:23:00 AM
Doc \$0.00 6
Rec \$38.00 Pages

El Paso County, CO



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EL PASO  **COUNTY**
COLORADO

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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.

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 Lacey Dean at (719) 520-7943.

Sincerely,

For the PCD Director
By: *Justin Kilgore*,
PCD Planning Manager
Date: 09/16/2024
El Paso County Planning & Community Development



Meggan Herington, AICP, Executive Director
El Paso County Planning and Community Development Department
File: AL2415

El Paso County Planning

And Community Development

2882 International Circle, Ste. 110

Colorado Springs, CO 80910

PCD File #BOA242 Set back relief approved on July 29,2024.

*We are seeking special use approval for permanent occupancy of an ALQ for our daughter and grandson.

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

*The contact email address is 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 5 feet 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. The location is ideal because it is 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 shedsite we were able to avoid existing electric and water lines, and our existing livestock facilities. Mountain View Electric Association has existing overhead lines on the property, and power poles that have a 5 foot easement. These lines were in place when the pole barn was built, and are not impacted by the building. It is more than 10' from the closet overhead power line. The utility easement is also not impacted, and was approved by a site visit from Mountain View Electric Company during the BOA approval process. Additionally, we are able to easily connect the building to the existing utilities, including our well and septic system. The driveway and parking area 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 use the building as an ALQ for our daughter and grandson. We are in in The Tri Lakes area of northern El Paso County which is described in the Master Plan as the northern gateway to the county. In keeping with the Master Plan vision, our ALQ will be completely out of sight from Mount Herman Road while still allowing a residence for our daughter in the community. There will be Minimal Change to the established character of the area as noted in the Master Plan. Our Placetype in the Master Plan is Suburban Residential. It is described as a mostly residential area with single family, detached housing. It also includes some single family attached and multi-family homes and generally supports Accessory Dwelling Units. Our Accessory Dwelling Unit will be compatible with the Master Plan and in keeping with Panoramic Acres covenants.

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

* The neighborhood would not be impacted by the upgrade 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. El Paso County Engineering Department concluded that there are no downstream drainages on the property, and no other properties would be impacted in any way. There would be no traffic impacts because the structure is for our family use only. Our daughter and grandson have lived with us at various times, and we hope they can eventually occupy the ALQ.

* The building permit is for conditioning the structure, and adding a small 6'X12' bath to the west side. Our engineering, electrical, mechanical, and plumbing plans were all approved, as well as the structural design of the little bathroom addition. The pole barn is naturally stained rough cedar and fits in well with the character of the neighborhood in accordance with the El Paso County Master Plan. It will be 768 square ft. with the bathroom addition and would fit within the requirements of the Master Plan for an ALQ. The existing driveway from Mount Herman Road to our home extends to the structure, and on to our barn. There is parking beside the existing structure for two vehicles.

We have a domestic well that is more than adequate for a family of four. My husband, myself and our two teenage daughters moved into the home in 1984. Other family members have lived in our household over the years, and the same well is still in use. The well was drilled in 1970 when the home was built, and according to Colorado Department

of Water Resources, the well has been grandfathered since permits were not required until 1972. Our septic system permit deemed a 750 gallon tank sufficient for the household, but the tank is actually 2000 gallons. I have submitted documentation from The Colorado Department of Water Resources, and The El Paso County Health Department as requested. At our most recent septic servicing in 2023, the technician said it was an exceptionally large tank, and there should be no problem handling wastewater from my husband and me, as well as our daughter and grandson.

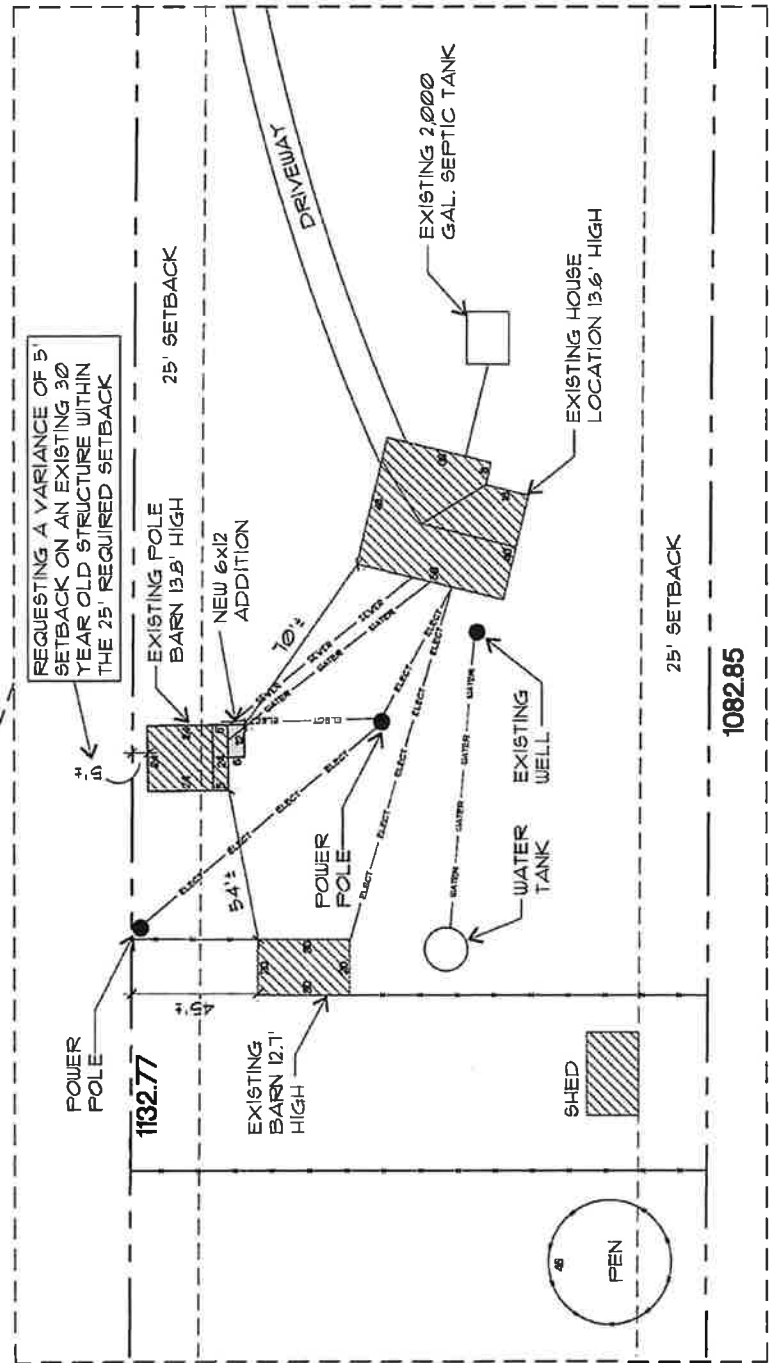
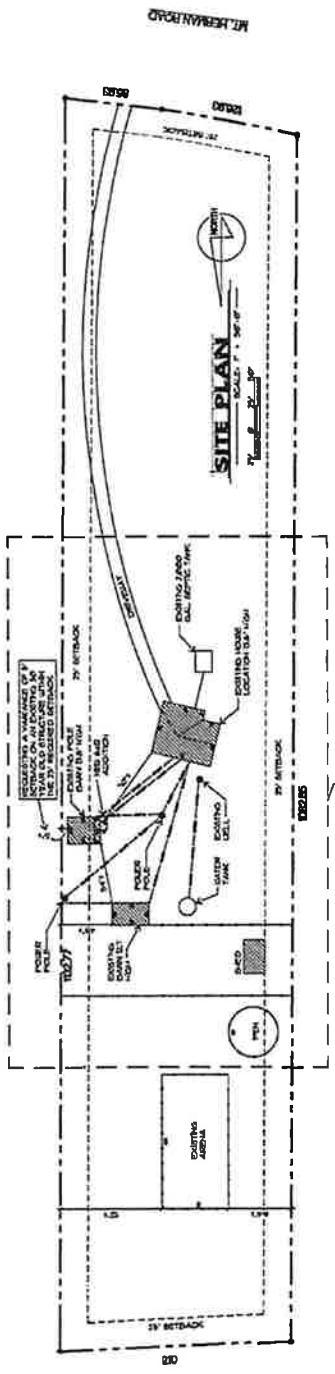
CONTRACTOR:

Site Plan
 3120 Mount Herman Road
 Monument, CO
 80132

DAYS: 6-12-24
 JOB NO: 2024-00
 SUBREY: 1 1
 OR: 1 1

LANDSCAPE NO. 1234567890
 PROPERTY OWNER: JOHN POLLOCK
 ADDRESS: 3120 MOUNT HERMAN ROAD
 MONUMENT, CO 80132
 ZONE: R-1.5
 LEGAL DESCRIPTION: TRACT 3 PARCELS JOINS
 LOT 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

POC file #BOA 242



SITE PLAN
 SCALE: 1" = 20'-0"

1082.85

25' SETBACK