Planning and Community Development Department

Craig Dossey, Executive Director

December 3, 2020

Daniel Combs

7205 Maine Lane

Colorado Springs, CO 80923

RE: Mountain Splendor, 2020 Application – Variance of Use - (VA-19-008)

This is to inform you that the above-reference request for approval of a variance of use for Mountain Splendor was heard by El Paso County Planning Commission on December 3, 2020, at which time a recommendation for approval was made for a variance of use to legalize an existing contractor’s equipment yard associated with a landscaping business. (Parcel No. 53080-00-048)

This recommendation for approval is subject to the following:

**WAIVER:** A waiver has been requested for the screening requirement under Section 6.2.2(D)(2)(c), Opaque Fencing or Wall Required, of the Land Development Code­. Instead of constructing a fence or wall, the applicant is proposing to plant fifteen (15) 10-foot tall Austrian Pines along the southern border for screening. The Austrian Pines are intended to create a buffer between the proposed non-residential and the adjacent residential uses. This waiver request is the same as that request included within the 2017 variance of use.

**CONDITIONS**

1. In lieu of a 6-foot tall opaque privacy fence, the applicants will plant fifteen 10-foot tall Austrian pines along the southern property boundary as visual screening within 120 days of approval of the variance of use.
2. No vehicular traffic and/or parking or storage of construction equipment, materials, or supplies shall occur over the existing onsite wastewater treatment system components.
3. Any contractor related mechanical equipment that is maintained onsite must have fluids collected and stored to be either recycled or disposed of per all State and Federal regulations related to the storage of such fluids.

**NOTATIONS**

1. Variance of 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 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 variance of use conditions/standards are being violated, preceded by notice and public hearing.
3. If the variance of use is discontinued or abandoned for two (2) years or longer, the variance of use shall be deemed abandoned and of no further force and effect.

The Planning Commission is advisory to the Board of County Commissioners.

Should you have any questions, or if I can be of further assistance, please contact me at 719-520-6300.

Sincerely,

Nina Ruiz, Planning Manager

File No. VA-19-008