

November 8, 2018

RE: Administrative Special Use for Petrick Residence Extended Family

File: AL-18-025

Parcel ID: 62040-01-016

Mr. Kendall:

We disagree with and oppose this proposal because we challenge the pre-condition of this special use request which is that the existing principle use structure of 1674 square feet of total living area is allowed to be designated a guest house through administrative relief action.

Considering the criteria required to be met in order for administrative relief to be granted (L.D.C. 5.4.1(D)), one criterion asserts that administrative relief will not cause an adverse effect on surrounding property. We believe that allowing the existing dwelling to be designated as a guest house will be adverse to surrounding property because it will not be congruent in style nor have diminutive characteristics to the proposed new structure, factors which are common and naturally expected attributes between a principle structure and a guest house accessory structure. It is also true that all surrounding properties have at most two structures, a principal residence and one accessory structure, some have only one structure. (Note that these combinations do not meet the connotation of 'multiple structures' as asserted in the Letter of Intent.) This proposal consists of four structures that will be sufficiently separated according to the site plan to result in an appearance as if there are two separate residences, inconsistent with neighborhood physical character and density. There is still the possibility of a second driveway. The proposed use is not compatible with the surrounding area, is not compatible with the surrounding neighborhood, and therefore is believed to be detrimental to the surrounding neighborhood and area. Increased property values occur over time, not necessarily with one added expensive property, an outlier, as asserted in the Letter of Intent, that otherwise adversely affects an established neighborhood. There are other valuation factors of importance to the neighborhood, e.g. location, compatible aesthetics, and housing density.

Secondly, the application of the standard of 1500 square feet for a guest house in this case is not unreasonable or unnecessary. This relief is apparently being allowed in order to permit building a new house on the property. Note that there is a nearby guest house in line of sight that was held to that strict standard.

There is already some evidence in early assistance activity and project scoping between the planning department and owners of surrounding nearby property east of Overlook Estates to explore rezoning of parcels from RR-5 to RR-2.5 which can be found in EDARP. The appearance of this parcel as having two dwellings will tend to support arguments for nearby rezoning to occur. This, too, will become an adverse effect on surrounding property extending its effect beyond Overlook Estates.

Furthermore, there appears to be no distinct provision in the El Paso County land code to provide for a conversion of an existing principle use to an accessory use without being inconsistent with or otherwise violating the requirement that only one dwelling per parcel may exist in an RR-5 zone. In context of present language of the land code, there will be two dwellings existing on this parcel in the time required to change the designations or, alternatively, an accessory use will exist without a principle use in the time required to change designations if the guest house is designated first.

Sincerely,

Ben L. & Thea D. Kelley  
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