

RE: Administrative Special Use Request for Petrick Residence Extended Family

File: AL-18-025

Parcel ID; 62040-01-016

Hello Mr. Kendall,

I am responding to the request of a special use to allow for a guest house with " special provisions " for extended family housing" . My property lies adjacent to the subject property to the east. Having lived in the immediate area since 1986, it is my belief that approval of this action "will result in an adverse impact on the surrounding properties" as noted in 5.4.1 D of the Land Development Code.

The existing single family home to be used as the guest house has a footprint of 1,008 square feet (sq.ft.) on the first floor and 666 sq.ft. on the second floor, for a total of 1,674 sq.ft. The regulation allows for a 20 % increase from the maximum 1,500 sq.ft. for a guest house. Unfortunately, this does not give any consideration for the 1,008 sq. ft. basement area that is "noted " as "unfinished " , by the Assessor's Office, **for a realistic potential sq. ft. of 2,682** . This is larger than many other homes in the immediate area....not a guest house. I was told by PCDD that the basement doesn't count . One simply can't ignore the 1,008 sq. ft, doesn't exist.

Mr. Petrick, the owner, told me if this is approved , he plans to build an additional 5,000 sq. ft home on the property , which is in a platted subdivision zoned RR-5. I am genuinely concerned with the potential of " unintended consequences" of looking at 2 single family homes, thus circumventing the rezoning process.

Before this proposal moves forward , We need to inquire as to :

What measures or " checks and balances " does the PCDD have in place to prohibit any " future build-out " or "use " of the 1,008 sq.ft. basement ?

If the guest house basement were finished at a later date, or even by a future owner ,then it is possible there will be two (2) sizable homes on the RR-5 zoned lot .

Also , under 5.1.29 H , bullet point #3, " The extended family housing shall be removed within 3 months..." Will that realistically be enforced? How is it monitored? What assurances can you commit to the surrounding owners that this will be enforced?

Has any governmental authority ie., Code Enforcement or EL Paso County Assessor's Office check and verify whether any portion of the basement had been improved ie., an extra bathroom , bedroom , laundry room or living area ? Can some authoritative Department do a visual inspection prior to the Director's decision?

The prior owners raised their 4 children in the house. It's hard to believe they didn't take advantage of the extra 1,008 sq.ft. basement area ,in some way. If so, the property wouldn't qualify if it exceeds the maximum sq. ft. requirement of a guest house. As you know, back in the ' 70's and 80's , many homeowners made improvements to their "unfinished" basements without reporting it to the Assessor for tax saving purposes.

On another note, the applicant's request is predicated on paragraph 5.1.29 (h) bullet point # 1, " legitimate family hardship or need that justifies." I question this because it is my understanding , Mrs. Petrick's sister, Robin Tadrie lives next door. She has been the owner since 2/2005. She is a mere 150 feet away at 14255 Silverton Road. It is the adjacent lot north of the subject property . She has been maintaining and overseeing the wellbeing of their mother who is occupying the proposed guest house being considered.

In my opinion, the Administrative Special Use Request with special provisions is not justified nor do I see it as a legitimate hardship, knowing what I've learned.

In closing, this proposed action should be thoroughly investigated as it will have an adverse impact on the surrounding properties and possible zoning issues.

Thank you in advance for your time and considerations.

Respectfully,

Greg Wolff