

ACCESSORY LIVING QUARTERS — LETTER OF INTENT

July 13, 2025

ATTN: El Paso County Planning & Community Development

2880 International Circle, Suite 110
Colorado Springs, CO 80910
(719) 520-6300

Special Use Permit Applicant:

Mark Gutierrez
General Contractor, Nailed It Handyman CO. LLC, DBA Giudice Builds
CO License #26091
(719) 725-0067

Owner:

Jennifer Smith
1170 Spotted Owl Way, Calhan, CO 80808
(720) 276-7602 | jennifertsmith21@yahoo.com

Re: LETTER OF INTENT

1170 SPOTTED OWL WAY, CALHAN, CO 80808

Schedule #: 3410004008

Legal Description: LOT 18 VIEWPOINT ESTATES

Zoning: RR-2.5

To whom it may concern,

The proposed accessory living quarters will be constructed so that the exterior appearance will be that of a single-family dwelling and will comply with the applicable requirements of the Land Development Code as detailed below. The use of the accessory living quarters will be limited to immediate family members of the Smith family — specifically, the owner's aging parent(s) requiring housing due to age and family need — and the proposed use complies with the definition and applicable use-specific standards within the Land Development Code.

Criteria for Approval — Chapter 5 of the Land Development Code:

5.2.1 Accessory Living Quarters:

(A) The proposed accessory living quarters is the only one planned for this lot.

(B) (C) The ALQ will be a detached structure with its own dedicated entrance, separate from the principal dwelling. The ALQ Affidavit has been signed by the owner with a notary public and submitted with this application. It will be filed for recording with the Clerk and Recorder acknowledging that the accessory living quarters may not be leased or rented.

(D) The accessory living quarters will include 1,050 square feet of habitable floor area (35' x 30'), which is less than the maximum allowed 1,500 square feet and less than the total square footage of the primary residence of 2,280 square feet.

(E) All electric and gas services to the accessory living quarters will be interconnected to and indistinguishable from that of the principal dwelling and will not have separate meters, service lines, or billings. Water service will be provided by Ellicott Utility Company. Sewer service will be provided via the existing onsite septic system. The septic system will be evaluated and modified as necessary to ensure adequate capacity to serve both the principal dwelling and the accessory living quarters.

(F) The accessory living quarters will be utilized for permanent occupancy by an immediate family member of the property owner.

(G) If approved for special use, the accessory living quarters will be utilized for permanent occupancy by the owner's aging parent(s). The structure will have its own dedicated exterior entrance. The exterior appearance of the accessory living quarters will be architecturally compatible with the principal dwelling.

(H) The special use provisions for Permanent Occupancy have been met per Section 5.2.1(H)(1): The occupant is an immediate family member (aging parent) requiring housing due to age and family need, as defined in the El Paso County Land Development Code.

5.2.2 Accessory Use and Structure Standards General:

(A) The proposed accessory living quarters will conform to the development standards of the RR-2.5 zoning district. The area of the accessory structure will be included in the lot coverage calculation.

(B) The accessory living quarters will not be used for any allowed uses or special uses listed in Table 5-1.

(E) A building permit will be obtained and construction of the accessory living quarters will comply with the Building Code.

(F) The principal structure already exists on the property.

(G) The planned location of the accessory living quarters will meet the setback requirements shown in Tables 5-4 and 5-5 and will not be located within any recorded easement. The structure will be sited to avoid all utility, drainage, and access easements on the property. A residential site plan will be submitted to El Paso County PCD prior to building permit authorization.

(H) The use of the accessory living quarters will meet all applicable development standards in Chapters 5 and 6.

There is no applicable overlay zoning associated with this lot and its proposed use is consistent with the El Paso County Master Plan. The accessory living quarters will be accessed from the existing property driveway and will not result in any appreciable increase in traffic generation.

The El Paso County Road Impact Fee is applicable to this application and will be assessed at time of building permit.

This property is not located within a FEMA regulatory floodplain based upon review of FEMA FIRM number 08041C0810G, effective 12/7/2018. Drainage from the proposed structure will not

adversely affect neighboring or downstream properties. The roof drains and ground around the proposed structure will be graded to drain away from the foundation and stabilized to prevent erosion.

A Traffic Impact Study (TIS) is not required, as all 7 criteria listed in ECM Appendix B.1.2.D are met and will continue to be met after the accessory living quarters is constructed:

- (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 or major roadway intersections on major collectors, arterials, or State Highways.
- (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 and accommodated within, and adjacent to, the property.
- (5)(6) Acceptable LOS on the adjacent public roadways, accesses, and intersections will be maintained. No roadway or intersection in the immediate vicinity has a history of safety or accident problems.
- (7) There is no change of land use with access to a State Highway.

All 7 criteria listed above are met for a TIS exemption and will continue to be met after the Accessory Living Quarters is constructed.

In conclusion, the proposed detached accessory living quarters complies with all applicable requirements of the Land Development Code and will be architecturally compatible with the principal dwelling. The structure will be used exclusively to house an immediate family member of the property owner and will not be rented or leased.

Sincerely,

Mark Gutierrez

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