

EL PASO

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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

February 5, 2018

Ronald & Carrie McLean
12900 Murphy Road
Elbert, CO 80106

Re: ADM-18-001
12900 Murphy Road
Parcel No. 41320-00-009

To Whom It May Concern:

You have requested a determination of non-conforming use for the above listed property for three (3) detached single-family residences, a duplex, and a kennel. The 40 acre parcel was zoned A-35 (Agricultural) on March 25, 1999 when zoning was first initiated for this portion of El Paso County (P-98-028, BoCC Resolution 99-101). Evidence has been submitted identifying the following: the duplex was constructed in 1976, the residence was constructed in 1997, the mobile home was constructed in 1999, and manufactured home was placed on the property in 2000.

The request and affidavit state that the effective date of the zoning action was delayed. The Board of County Commissioners delayed the effective date pertaining to the Building Code to April 3, 2000 (BoCC Resolution 00-108). The county zoning was in place immediately following the recording of the resolution and was not delayed.

The manufactured home is not considered a legal nonconforming use because zoning was in place when the home was placed on the property. Approval of a variance of use will be required in order to legalize the placement of the manufactured home on the property. A kennel is an allowed use in the A-35 (Agricultural) zoning district with approval of a site development plan. In reviewing the aerial imagery from 1998 – 2016, there is evidence that suggest that the kennel has been expanded over time. Approval of a site development plan application will be required to bring the kennel into zoning compliance.

The duplex, residence, and mobile home are considered to be legal nonconforming uses due to their existence on the property prior to the adoption of zoning in this area of the County. Please review Section 5.6 of the Land Development Code (2016) for the regulations associated with legal nonconforming uses.

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Please note that all administrative determinations, such as this one, may be appealed to the Board of County Commissioners within 30 days of the date of the decision.

If you have any further questions, please contact the Planner, Nina Ruiz, at 719-520-6313.

Thank you,

A handwritten signature in black ink, appearing to read "Craig Dossey". The signature is fluid and cursive, with the first name "Craig" and last name "Dossey" clearly distinguishable.

Craig Dossey, Executive Director
El Paso County Planning and Community Development