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May 26, 2022

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RE: **6015 and 6035 Galley Rd.- Zoning Verification Letter**

File: ADM-22-015  
Parcel ID: 5407314005 & 5407314004

Dear Mr. Kirby:

This letter is in response to a request for zoning verification for the property located at Parcel Nos. 5407314005 & 5407314004, in unincorporated El Paso County.

- 1) What is the current zoning classification for the Subject Property? – **Both are - I-2 (Industrial Zone District) CAD-O (Airport Overlay).**
- 2) When was this zoning classification adopted? **May 10<sup>th</sup>, 1942 – PID (Planned Industrial) Changed name to I-2 (Industrial Zone District) with the adoption of the current code.**
- 3) Subject Property Use: According to the zoning ordinances and regulations, the use of the subject property is a: X Permitted Use by Special Use Permit?  
– **6015 Galley Rd – File no. AL126 - SPECIAL USE TO ALLOW A FITNESS PROPRIETARY SCHOOL**  
– **6035 Galley RD - File no. AL112 - SPECIAL USE TO ALLOW A VEHICLE REPAIR BUISNESS IN THE I-2 DISTRICT.**

**Code section: 5.3.2 Limits of Approval:** *Issuance of a special use permit shall authorize only the particular use and activity for which it is issued, for the time period, if specified, and in accordance with the permit conditions imposed. The special use permit runs with the land. The special use is based upon the parcel size stated in the application. A reduction or increase in parcel size is considered a substantial modification of the special use unless specifically provided for in the approval. The special use permit does not relieve the owner from compliance with any other permits, standards and regulations of this Code. No building permit shall be authorized to implement the use until the special use permit is approved.*

- 4) Subject Property Conformance: As it pertains to the existing zoning ordinance, the current structures on the Subject are: **Legal Conforming - As long as they meet the dimensional standard for the zone. These standards include:**
  - **I-2 = min. 1 acre lots**

- **Front & rear setback = 50ft.,**
- **Side setback = 30ft,**
- **Max lot coverage = 35% and**
- **Max height = 45ft.**

5) Did the Subject Property require a Site Plan Approval prior to development?

No  **Yes (comments): Both properties have plot plans on file and can be viewed via:**

**<https://epcdevplanreview.com/>**

6) Are there any Variances, Special Use Permits / Exceptions, Ordinances or Conditions related to the Subject Property? – **Yes, see special uses listed above. A variance for parcel no. 5407314004 (file number: BOA8172 was approved for two breezeways and enclose the north entryway with a 41ft. front yard setback where 50ft are required (October 9, 1981).**

7) Casualty: In the event of a catastrophic loss, can the subject property be rebuilt to its current density? **If the current building meets the dimensional standards listed above and meets current building standards from Pike Peak Regional Building, the current buildings should be able to be rebuilt.**

**Section 5.6.3 of the Land Development Code states restoration can occur when:**

- **Damage to Structure. A nonconforming structure damaged or partially destroyed by fire, explosion or natural occurrence may be restored to the condition in which it was immediately prior to the occurrence of the damage or destruction, provided:**
  - **The value of the damage is less than 50% of the County Assessor's assessed value of the improvements damaged;**
  - **The restoration or reconstruction does not extend beyond the original limits of the structure in setback, lot area coverage, height, floor area, and number of bedrooms or bathrooms; and**
  - **All restoration or reconstruction is started within one year from date of the damage and is completed within two years.**
- **Intentional Damage by Property Owner or Agent. The right to continue a nonconforming use terminates immediately when the structure containing a nonconforming use is destroyed by an intentional act of the property owner or their agent.**
- **Restorations Exempt for Site Development Plan Review. Restorations meeting the requirements of this provision are not required to undergo a site development plan review.**

**Any proposed development shall comply with all other applicable County, State, and Federal Regulations.**

8) Are there any outstanding Zoning Code Violations on file for the Subject Property?

**No: There are no active Zoning Code Violations for these properties.**

9) Does the subject property have a valid Certificate of Occupancy on file?

- **6015 Galley Rd – None on file with PPRBD.**
- **6035 Galley Rd – None on file with PPRBD.**

10) Are there any requirements such as mandated improvements that are triggered by a change of ownership/title such as a re-issuance of Zoning Approval? **No.**

If you have any questions or concerns, please contact me at (719) 520-6442 or at

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Matthew Fitzsimmons

Senior Planner

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