

Letter of Intent

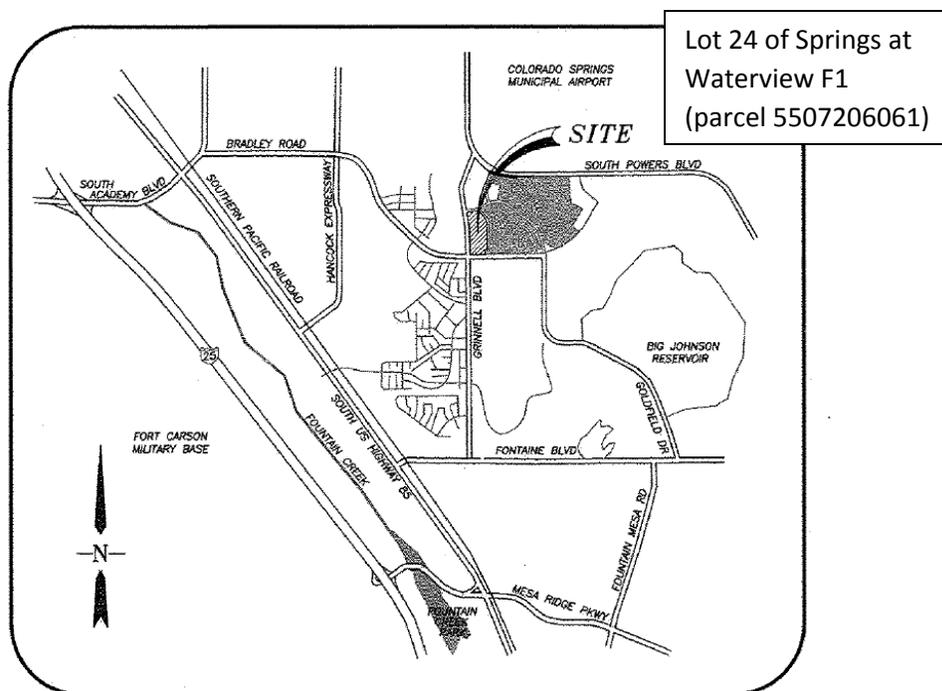
Owner:

Richmond American Homes
Represented by: Jason Pock
Director of Entitlements
4350 S. Monaco Street, Denver, CO 80237
Office: (720) 977-3827
Cell: (720) 335-8854
Fax: (303) 488-4831
Email: Jason.Pock@mdch.com

Applicant:

Hayley Young, PE
B&J Surveying, Inc.
6841 S. Yosemite Street; Suite 100
Centennial, CO 80112
Phone: 303.850.0559
hyoung@bjsurvey.net

Site Location:



VICINITY MAP

N.T.S.

Size and Zoning:

Parcel 5507206061 or Lot 24 of Springs at Waterview Filing No. 1 Subdivision, otherwise known as 7012 Passing Sky Drive, is 5307 square feet or 0.1218 acres in size. The current zoning of the parcel is RS-5000. Per the El Paso Development Code in Section 5.4.2, Table 5-4, the setbacks are as follows:

- Front (to garage): 25'
- Front (to living): 25'
- Side: 5'
- Rear: 25'
- Per 5.4.3.D.5.(5), Side (corner setback modification): 15'

Hardship request:

The purpose for this application is to request administrative relief from the corner lot setback for lot 24 of Springs at Waterview – Filing No. 1. The hardship is a corner setback of 15' that overly restricts the lot so that no available plan can be built within the setbacks. Our proposed request/remedy for lot 24 is a 20% administrative reduction in the corner lot setback of 15' for this lot. By reducing the Corner Lot setback from 15' to 12' (20%), Richmond would be able to fit their floor plan with the smallest footprint (the "903" plan) on this lot.

The requested adjustment of setbacks outlined above to consist of as follows:

Front: 25.0'

Side (interior): 5'

Side (corner): **12'** (20% reduction)

Rear: 25.0'

Request and Justification:

Each item per the El Paso County LDC criteria is addressed below. Required factors are listed first.

Criteria: The strict application of the standard in question is unreasonable or unnecessary given the development proposal or the measures proposed by the applicant; or that the property has extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same zoning district

*Justification: The standard in question is **5.4.3.D.5.(5) Corner Lot Setbacks Modification in Residential Zoning Districts. The required front yard setback for corner lots, located in residential zoning districts (including a residential PUD) with a minimum required lot size of ½ acre or less, on the side of the dwelling where the driveway access is not located may be ½ the required front yard setback of zoning district, or 15 feet, whichever is greater, provided further, no part of any structure shall project into the sight distance triangle as defined in the ECM.** The standard side setback for the lots in the subdivision is 5', the 15' required at this lot forces the buildable width to be 5' less than 81 of the 85 lots in the subdivision. The only 4 lots that have this buildable width are at this intersection. It appears to be the intent of the construction documents that the 10' easement along the ROW at this intersection was to be used at the side setback, as the 5' easement for the side property lines are used in the rest of the subdivision.*

Criteria: The intent of this Code and the specific regulation in question is preserved

Justification: The subdivision is almost entirely comprised of 50' wide lots that feature 5' side lot setbacks. As such, the community was designed for plans that are up to 40' of buildable width. As such, it is clear that the intended buildable width for this lot is 40'. However, due to the 15' wide corner lot setback for this lot, this lot only allows for a floor plan with a 35' buildable width (considering the Corner Lot Setbacks Modification in Residential Zoning Districts clause that would change the corner setback here to 15' versus the 10' that was intended with the easement along the Right-Of-Way). The homebuilder does not have any plans in their plan line-up that will fit on this lot without Administrative Relief.

Criteria: The granting of the administrative relief will not result in an adverse impact on surrounding properties

Justification: Granting administrative relief on this lot alleviates the strict criteria that would be detrimental to adjacent lots. With the administrative relief, the house is able to have a 6.5' setback from the side property line with lot 25, giving space for drainage and reducing possible erosion in this side yard by decreasing slopes from the foundation to the swale. This alleviates monotony issues by allowing this plan here, which is different than the plans on adjacent lots.

Criteria: The granting of the administrative relief will not allow an increase in the number of dwelling units on a parcel.

Justification: There is no plan for additional dwelling units on this parcel.

Applicable Additional Factors Considered:

In addition to the criteria required to be met for approval of administrative relief, consideration may also be given to the following factor.

Factor: The granting of administrative relief would help minimize grading and reduce vegetation removal

Justification: This is in fact the case for this lot. The house is being proposed at its closest point to encroach into the current setback by 1.8'. This allows slopes on the left side to remain under 4:1 and allows the stoop option at the garage to be built without a wall to hold it up. The house proposed on this lot has the smallest footprint of any plan offered.

Existing and Proposed Facilities:

Subdivision infrastructure has been completed, including roads and walk surrounding the lot. Utility stubs have been provided to the lot. The lot has been graded to over-lot conditions and there is an existing electric ped within the lot boundaries. A house is planned on the lot per the specifications of the side plan which shows final proposed grading conditions.

No other waivers or requests are anticipated. Please contact me if there are any questions or concerns.

Sincerely,

Hayley Young, PE
B&J Surveying, Inc.

