

2880 International Circle, Colorado Springs, CO 80910

Attn: El Paso County Planning and Community Development Department

RE: Administrative Relief Letter of Intent

To Whom It May Concern:

Please accept this letter of intent in support of my application for administrative relief for the construction of a deck on my personal residence located at 4447 McGrew Cir. Colorado Springs, CO, 80911. In response to the items listed in the checklist, I submit the following:

**Owner/Applicant:** Michael Hansen

**Telephone:** (910) 616-4785

**Email:** [mikehans7@gmail.com](mailto:mikehans7@gmail.com)

**Property Address:** 4447 McGrew Circle, Colorado Springs, CO 80911

**Property Tax Schedule No.(Parcel Number):** 6502306018

**Current Zoning:** RS-5000 CAD-0

The administrative relief requested is to allow construction of an attached deck which would encroach by 5 feet into the current rear setback of 25 feet established by El Paso County Land Development Code, Chapter 5, Table 5-4. The request is to allow construction of the deck to no closer than 20 feet from the rear property line, meaning a 20% reduction of the setback. The additional 5 feet of deck space allows for the deck to be fully functional for its intended use. Constructing the deck 5 feet shorter in order to comply with the LDC setback would not allow for full and reasonable use by the property owner applicant and would create a need to re-grade back yard in that 5 foot area. Land disturbance and re-grading can be avoided by granting of this request for administrative relief.

This request is consistent with the administrative relief provisions and authority of the PCD Director per LDC Section 5.5.1 which authorizes the PCD Director to approve relief to rear setbacks for the purpose of relieving difficulties or to provide limited flexibility to lot standards. The owner/applicant submits that no substantial detriment to the public good nor harm to the general purpose and intent of the LDC will be caused by the administrative relief being sought. Specifically, LDC section 5.5.1 (B)(1) authorizes the PCD Director to grant the very relief sought in this request, namely a reduction in the setback from the amount required in the RS-5000 zoning district. This request would not violate any of the other provisions of Section 5.5.1 (sight triangle; no other request for height variance, no other plat or PUD restrictions).

**Section 5.5.1.D.1 Criteria to be met:** Please see responses in **Bold** after item in the section, copied below:

**Findings Necessary to Grant Administrative Relief:**

(1)

**Criteria to be Met.** To grant administrative relief, all of the following criteria shall be met, in addition to the compliance with the other applicable development standards:

- 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; **Response: The strict application of the standard is unreasonable or unnecessary given the deck proposal as it would arbitrarily restrict the deck to a size that is not functional for its intended purpose. As stated above.**
- The intent of this Code and the specific regulation in question is preserved; **Response: The intent of the Code and regulation regarding attached structures will be preserved as the requested Administrative Relief falls squarely within the discretionary authority of the director and does not violate any other provisions of the section other than the rear setback provision.**
- The granting of the administrative relief will not result in an adverse impact on surrounding properties; **Response: Granting of this request will not result in any adverse impact on surrounding properties, will not effect drainage to neighbors or downstream properties, will allow construction of the deck without any grading or surface disruption, and materials and design of the deck will not alter the existing drainage;**

and

- The granting of the administrative relief will not allow an increase in the number of dwelling units on a parcel. **Response: The request is for a deck so will not allow an increase in the number of dwelling units on the subject parcel.**

The proposed deck will cause no adverse drainage impacts to neighboring or downstream properties. The proposed deck is consistent with other typical decks in the neighborhood and surrounding area within the zoning district. This deck in the rear of the house will not be visible from the street as the entire backyard is already completely fenced. The subject property lies within the Commercial Airport Overlay District (CAD-O) but the construction and use of the deck will not impair any airspace for commercial air traffic as it is to be built only 18 off the ground. Further, the wooden material is not a substance that would create any visual impediment to commercial air traffic.

I appreciate the opportunity to present this request and will be glad to respond to any further inquiry.

*Michael Hansen*

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