

3 July 2021

From: Thomas and Janet Silvis
708 Hackberry Dr.
Colorado Springs, CO, 80911

Subject: On the Matter of Variances to Existing Set-Back Requirements in The County Of El Paso, State Of Colorado on our Property at 708 Hackberry Dr, Colorado Springs, CO, 80911. (**COVER LETTER**)

To: Board of Adjustment
El Paso County Planning Department

Purpose: We request approval of several variances to our existing property at 708 Hackberry Dr, Security, CO, 80911 (Lot 3 Blk 15 Security, Colorado, Add 11 + REFIL OF A PORTION OF Security, Colo, Add 5)

Overview: We request permission to establish a two-car carport above our two-car driveway. Several times in the last four years, we have suffered hail/wind damage to our automobiles resulting in insurance claims expense and loss of use during repair. We want to protect our property from further damages by both hail and severe wind gust. We want to install a high quality, aesthetically pleasing solid wood (see appended photo) construction carport that will protect our vehicles while not interfering with the property rights of our neighbors, nor their line of sight for property ingress and egress. Based on published architectural drawings with minor modifications and incorporating a gutter/downspout system for water runoff we prevent incumbrance to our neighbors. In brief, we have already procured published plans to build an 18'x16' carport over our own land with variances for:

- The 5' setbacks, by law, between neighboring property lines, in this case reduced to 6".
- and due to the pre-existing driveway size and narrowness of our property width and topology, we can't meet the 25' set back in our own front yard. **Sidebar:** Recently the City of Colorado Springs became embroiled in this same topic. Just four weeks ago City Council did suggest a 5' distance between the front end of the carport (sidewalk side) and the sidewalk itself. Our actual measured distance is 8', well removed from the sidewalk.

Specifically declared: we apply under the provisions of El Paso County Document IV.34-4, Para. D "Jurisdiction", Sub-Paragraphs 2 and 3 as follows in brief:

D. Subparagraph 2. 'To authorize variances from the strict application of any physical requirement (see subparagraph 1.a. above) of these Zoning Regulations which would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the owner of such property. "**Practical difficulties**" and "**hardship**", in this context, may exist where the legal use of the property is severely restricted due to: a) **the exceptional narrowness, shallowness or shape of the specific piece of property**, or b) the exceptional topographic conditions or other extraordinary or exceptional situation or condition of such piece of property.

D, Subparagraph 3. . . "where strict compliance with these Zoning Regulations would result in peculiar or exceptional practical difficulties, or exceptional and undue hardship upon, the owner of the property."

Under Paragraph E, "Standards and Findings", Subparagraph 2, we submit the following particulars:

2a: The carport care and use will be limited to the normally recognized use of said facility.

2b: Overhangs on the carport will be 4' on the front of the carport. There will be a 3" overhang to the neighboring property and there will be 1.5' (appr) overhang above my current sidewalk (red concrete). To clarify, there will be an approximately 2' gap between the existing gutters of my residence and the new carport structure, to provide access for gutter cleaning and repair.

2c: The hardship or difficulty results from the restrictive narrowness of my property's shape and existing structures (i.e. our wide driveway) in relation to the neighboring property line.

In addition, no access is provided to the back yard, from the front yard, on either end of my house. (See picture.)

Also, there is no access to the back of my property from the rear property line. There is no right of way from the adjoining parcel belonging to Widefield Elementary School District 3. Plus, the topography is so steep, it would not be practical even if there were accessible.

2d.1: The burdens of strict compliance with the zoning requirements would result in further "preventable" damage to our personal property and increased insurance costs for a fixed income, retired couple residing for 35 years in Security CO.

2d.2: Currently, the lack of access on any side of our property other than the existing driveway limits access to our property in any fashion to provide an alternative plan, standard, or condition that substantially and satisfactorily mitigate the anticipated impacts of the wind or hail.

2d.3: Because the 20'x20' area of the roof structure, including the overhangs, of the carport is contained totally within our property and does not overhang neighbors on either side, we do not believe a strict compliance with the existing setbacks are necessary. Again, water abatement will be affected towards our driveway.

2e: We believe this variance request to afford appropriate relief because we currently own three vehicles within the family: a 2016 Kia Sedona; a 2003 GMC Envoy; and a collector's vehicle a 1977 K-5 Blazer. Our 1957 era home has a single car attached garage, but it provides needed storage for yard tools, military equipment, and family/household tools or repair items.

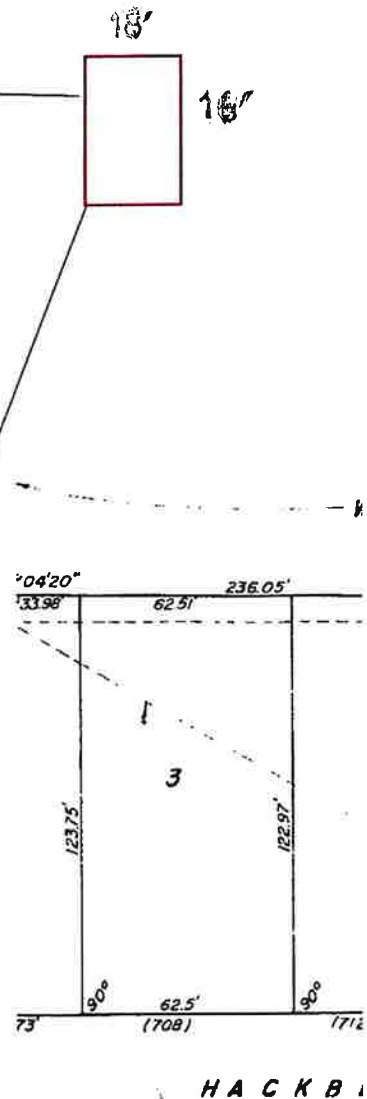
2f: The variances requested will not interfere with any other parcels as the entirety of the carport footprint is well within my property line. Additionally, due to the construction techniques, no line of sight will be affected, nor will rights-of-way be interrupted. Water runoff will be mitigated by gutters and downspouts to direct the flow to the street with no damage to property. The city of Colorado Springs is currently reviewing their carport policy with a mind to be more favorable to permits. Three weeks ago, city council voiced concerns regarding the need for a 5' separation from the carport to the public sidewalk. Our measurements would allow for 8' between the sidewalk and the structure.

2g: The variances requested will not substantially alter the character or development pattern of the zoning district as many residents in both the immediate area and across the county have already build carports, with or without permits.

2h: The variances requested will not adversely affect the public health, safety, or welfare and . . .

2i The variances will conform with all other applicable federal, state, or other local laws and regulations.

Respectfully Submitted
Thomas A. Silvis, MSgt. Retired, USAF



GENERAL NOTES

1. UTILITY EASEMENTS ARE 8 FEET WIDE.
2. 5' X 20' ANCHOR EASEMENTS TO BE PROVIDED ON ALL SIDE LOT LINES ADJACENT TO BACK LOT LINES AS SHOWN ON THE FOLLOWING SKETCH



3. (704) INDICATES THE HOUSE NUMBER.

Exhibited below is the design we wish to use for our proposed carport.

Availability of timber might affect final construction sizes of supported members.

To strengthen overall support of the roof, we will include a third vertical on each side, each secured by 30" buried footers in concrete reinforced piers.

