

Please include owner and applicant names, contact telephone numbers, and emails for responsible parties

21 March 2022

C/o El Paso County Planning Department
Board of Adjustments
2880 International Circle, Ste 110
Colorado Springs, CO 80910

Update file number to
BOA-22-006

Re: Letter of Intent – Board of Adjustment - PPR221

Property Address: 18220 State Highway 83, Colo. Spgs., CO 80908
Tax Schedule #61000-00-489
Current Zoning: RR-5

To whom it may concern:

This is incorrect. The outside storage use is allowed as part of a rural home occupation as a special use - not a blanket permitted use. Please revise.

Please accept this letter of intent from CTR Engineering, Inc., for a dimensional variance re: RV/Trailer storage.

Please include the total area of the RV/Trailer spaces.

Background:

The property owner wishes to rent a maximum of 50 RV/trailer spaces, which incorporates less than 2% of his overall land. This land is considered ranch property with a large barn located on the northern portion of this property surrounded by various horse-riding areas. Horse trailers, trucks, and cars park in that northern location throughout the week, in order for the clientele to ride their horses. Currently, the existing RV/trailers are stored along the northwestern property fence line; there is a 'no build area' located on the neighbor's property opposite the existing storage area.

This project is located along Highway 83, South of Highway 105 and east of the Canterbury East Subdivision (5-acres horse property). The property is 40.2 +/- acres, surrounded by other large land parcels to the north and south, with Highway 83 to the east and RR-5 (horse and pastureland) to the west. The property is zoned RR-5.

The surrounding neighbors also have their personal RV's, trailers, boats, cars, trucks, etc. parked on their lots, which can be seen from the existing RV/trailer storage area.

Proposed Dimensional Variance Request:

According to the Land Development Code (LDC), a RV/Trailer storage facility is allowed on this type of property accompanied by a property setback of 50 feet, when located next to a standard subdivision. We are asking for a variance to reduce the 50-feet to 30-feet because of the "no build area" on the neighbor's property next to the storage area. The current layout of the storage area has the RV/trailers located about 5-feet off the property line. By redirecting all RV/trailers to be repositioned at a 45-degree angle to the property line and existing roadway, they then would be located 30-feet away from the property line.

We believe the intent of the LDC 50-foot setback, in relation to a subdivision, is regarding a typical cookie-cutter subdivision with lots that are only 50' by 120', with very small backyards...not next to 5-acre horse property lots. The closest home to our proposed setback would be an average distance apart of 320-feet, or more than a football field away. Views from the existing homes are to the west, not the east, where the RV/Trailer storage is currently located in relation to their

This is not valid justification. The intent of the 50 foot setback is to reduce visual intrusion of the storage onto residential lots. So it doesn't necessarily matter that there is a no-build or that it is a certain distance from the home structure itself. The issue is that it is creating a visual intrusion on a residential property.

This is not accurate. Setback is measured from the property line where the use is taking place - not a no-build on an adjacent property.

homes. Also, there are several rows of trees, which separate the neighboring homes from the existing RV/Trailer storage, providing natural screening.

The 'no build areas' to the west of the storage area contributes to the required 50-foot setback.

Practical Difficulties and Hardships:

The existing location of the RV/Trailer storage area is located between a fence and an existing roadway, which cannot be moved. The rest of the 40+/- acres contains: 1. steep grades (topo), 2. drainage channels that crisscross the property, 3. narrow land strips, which are located next to the existing roadway, that will not work for RV/trailer relocation purposes, 4. pasture land that can't be destroyed, as it is utilized in order to feed the horses, and 5. security considerations. Because of the current location of the storage area, no RV/Trailer has been vandalized or broken into. If the storage area is relocated physically closer to Highway 83, break-ins are almost guaranteed, regardless of whatever expensive security system is put into place.

This does not relate to the zoning / topographical constraints of the property.

If the County forces the property owner to move his existing storage area, the future costs are estimated to be a minimum of \$150,000 in additional improvements, which would be required for: grading, erosion control measures, storm water quality pond, storm pipes, roadway and parking gravel, surveying, and the addition of a security fence.

Burdens with the Compliance:

Of course, anything is possible with the expenditure of money. However, the property owner is not a developer; he lives on the property, is retired and on a fixed income. This small RV/Trailer location provides additional monthly income for his living expenses.

Contact Information

CTR Engineering, Inc. is a full-service planning and engineering firm, representing Maingate Enterprises LLC (property owner). The following is the contact information for both parties.

Owner:	Applicant/Consultant:
Maingate Enterprises LLC	CTR Engineering, Inc.
Steve Rael, Manager	Jonathan Moore, P.E.
18220 State Highway 83	16392 Timber Meadow Drive
Colorado Springs, CO 80908	Colorado Springs, CO 80908
Ph: 719-339-0836	Ph: 719-964-6654
Email: sraeljr@sprintmail.com	Email: Jonathan.Moore@CTREngineering.com

We trust you will find our application for RV/Trailer Storage dimensional variance acceptable. We look forward to working with the County in processing this application and resolving any outstanding issues.

Sincerely,
CTR Engineering, Inc.
Jonathan Moore
Jonathan Moore, P.E.
Principal

I do not think this letter provides adequate justification to allow the reduction in setback. BOA will not likely recognize financial reasons as a valid hardship. Hardship needs to exclusively correlate back to the topography of the property and the argument needs to be made for why the storage area cannot be moved to accommodate the setback. If you are going to make the argument that the topography will not allow it, you will need to provide images / topography / contours that show the steep slopes and encumbrances. You have identified that the storage area comprises 2% of the lot area. Therefore, you need to justify how there is not a 2% area anywhere on the property that meets the setbacks where the storage can go.