

LETTER OF INTENT:

December 13, 2018

Board of Adjustment
El Paso County
2880 International Circle, Suite 110
Colorado Springs, Colorado 80910-3127

Owners/Applicants: Robert B. Condie
Kari Lee Hebble
1337 NW Eagle St.
Camas, WA 98607
393-877-5656

Representative: Larry Gilland
Larry Gilland & Assoc. Inc.
dba LGA Studios
201 E. Las Animas St. Suite 113
Colorado Springs, CO 80903
719-635-0880

Location: 121 Marland Rd., South
3.37 Acres
Zoning – A5 and RS-20000

Re: Lot Area Variance – 121 Marland Road

Ladies and Gentlemen:

We, Robert B. Condie and Kari Lee Hebble would like to request a variance from the strict application of the five acre minimum lot size of the A-5 Agricultural Zoning District, Chapter 5, Section 5.1, Use and Dimensional Standards, El Paso County Land Development Code.

The background leading up to this request is unique. We purchased the 3.37 acre parcel and existing house in December of 2017 with the intent to remodel the house before moving in. In the process of requesting the necessary permits for the remodeling, we were advised that the parcel was split pretty much down the middle with the A-5 Agricultural and RS-20,000 Zone Districts. This was done in 1942 by the County in its original zoning. In researching the history of the parcel, it appears to have been created in 1957 when it was purchased from the Broadmoor. All of the immediately adjoining land was subsequently annexed to the City of Colorado Springs in 1981 but this parcel was not annexed and remains in the unincorporated area of the County. It has been on a central water system since 1957 and utilizes an individual wastewater system.

At the time of our remodeling request, we were asked by County staff to rezone the portion of the parcel zoned A-5 to RS-20,000 in order to have one uniform RS-20,000 zone on the entire parcel. The RS-20,000 zoning seemed to staff to be the County zone district most consistent with the surrounding PUD City zoning which generally allows one home per acre. However, several neighbors objected to the RS-20,000 zoning based upon a perceived potential for the re-subdivision of our parcel into six or seven lots and the County Planning Commission denied the RS-20,000 request. As a practical matter, our lot

cannot be re-subdivided unless it obtains a water commitment from the City of Colorado Springs which in turn means the annexation of our parcel into the City with an entirely new City zoning classification. However, the possibility of re-subdivision is still of concern to several neighbors.

As an accommodation, it was agreed yesterday at the Board of County Commissioner hearing on the rezoning application to put that request on hold and, in the alternative, request a Board of Adjustment variance from the five acre minimum lot size in the portion of the property zoned A-5. This variance would apply to the existing house and any additions to the existing house. Given the location of the house on this parcel, no setback or height variances are necessary or requested.

In view of the above, the granting of the requested variance can be done without substantial detriment to the public good and without substantially impairing the intent and purpose of the County's zoning plan. Based on all of the above, we believe that the strict application of the zoning regulations would result in peculiar and exceptional difficulties and undue hardship.

We thank you for your consideration of our request.