

Letter of Intent

PCD Fil No: AL2618

Owner:

Rudolf Oplatka, Sherri L. Oplatka
Contact: 719-659-5250
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Applicant: Same as owners

Property Address:

7025 Franciville RD Colorado Springs, CO 80908 (sub-area Black Forest)
Property Tax Schedule number #5220015007
Current Zoning: RR5

PURPOSE:

The applicant is requesting a Special Use Permit to allow a detached Accessory Living Quarter (ALQ) on the property to accommodate aging senior family members. The purpose of this detached structure is to provide a safe, accessible, and semi-independent living environment while allowing immediate family members residing in the primary home to provide daily care, monitoring, and medical assistance.

PROJECT DESCRIPTION & JUSTIFICATION

This letter is submitted in support of an application for a Special Use Permit to allow an Additional Living Quarters (ALQ) with independent kitchen facilities on a 2.5-acre parcel zoned RR-5. The requested ALQ will consist of a 1420 sq. ft. structure to be used exclusively as a private residence for aging parents. The ALQ will remain strictly subordinate to the primary single-family residence, will share the existing residential utilities and driveway, and will not be utilized as a short-term rental or sold separately.

COMPLIANCE WITH SECTION 5.3.2 & ALQ STANDARDS OF THE LAND DEVELOPMENT CODE

The proposed ALQ satisfies all dimensional and special use criteria under the El Paso County Land Development Code (LDC):

1. Subordinate Size and Scale: The ALQ is architecturally compatible with and visually secondary to the primary home, utilizing matching exterior materials and low-profile rooflines.
2. Setbacks and Height: The structure fully complies with RR-5 dimensional standards, maintaining a minimum 25-foot front setback, 15-foot side/rear setbacks, and remaining well below the maximum height limit.
3. Single Access Point: In accordance with County rules, the ALQ will share the existing, approved driveway with the primary home. No new highway or county road access points are requested.

CONSISTENCY WITH EL PASO COUNTY MASTER PLAN

The project preserves the rural character of the Large-Lot Residential environment while adhering to specific sub-area criteria:

1. CONSISTENCY WITH THE LARGE-LOT RESIDENTIAL PLACETYPE The project preserves the rural character of the Large-Lot Residential environment:

1. Open Space Preservation: At 2.5 acres, the property maintains a low-density footprint. The placement of the ALQ minimizes land disturbance, leaving the vast majority of the natural rolling topography untouched.
2. Neighborhood Harmony: The structure is positioned to maximize privacy for neighboring parcels, using existing [trees / terrain / generous spacing] to screen it from view.
3. Water Master Plan Compliance: Water will be supplied via the property's existing residential well under its current allocation. The addition of the ALQ will not exceed the permitted indoor and domestic water limits.

2. PRESERVATION OF PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE *
Health (Wastewater):

1. To protect local groundwater tables, an El Paso County licensed engineer has evaluated the Onsite Wastewater Treatment System (OWTS). There will be a new septic system installed for this use. Process is currently under design. Attached is the agreement for that design. The Septic Perk-Pit test has been performed, we are awaiting the results for the design.
2. Safety (Emergency Access): The existing driveway provides an unobstructed, all-weather surface with a clearing width exceeding 20 feet, ensuring that local fire protection district engines can safely access both structures. To address the wildfire hazards associated with this Forested Area, the layout maintains a 200 foot distance, structural separation between the primary home and the ALQ to prevent fire jump.
3. Welfare: The ALQ will not create negative externalities. All utility lines will be buried underground, to protect against falling limbs, and all external lighting will utilize full-cutoff, downward-facing fixtures to prevent neighborhood light pollution. No commercial operations or independent utility meters will be introduced.

CONCLUSION The proposed ALQ provides a critical housing solution for our family while strictly honoring the rural preservation goals of the Large-Lot Residential placetype.

3. Areas of Change (Minimal Change: Undeveloped):

1. The requested use is small in footprint and low in intensity. It introduces zero dense structural clustering, preventing any fundamental alteration to the surrounding scenic or rural baseline.

4. Key Area (Forested Area) Alignment:

1. The project minimizes overall disruption to the natural timberland. Tree removal will be strictly limited to the minimal footprint necessary for safe construction. By leaving the vast majority of the natural forest floor and native root systems intact, the project prevents soil erosion and preserves the local pine canopy. The proposed ALQ provides a critical housing

solution for our family while strictly honoring the fire safety and rural preservation goals of the Forested Area.

5. Water Master Plan Compliance:

Water will be supplied via the property's existing residential services through central delivery from Park Forest Water District under its current allocation. The addition of the ALQ will not exceed the permitted indoor and domestic water limits.

6. Parks Master Plan:

The proposal has been cross-referenced with the El Paso County Parks Master Plan and the Black Forest Regional Park Master Plan with the following findings:

1. **Trail & Open Space Corridors:** The property at 7025 Franciville Road sits within an established rural subdivision (Park Forest Estates) and does not conflict with any proposed regional trail alignments, primary trail systems, or open space acquisitions designated in the County Parks Master Plan.
2. **Preservation of Character:** By building low-density accessory quarters on an established 2.5-acre parcel, the project preserves the forested, low-intensity visual character of the Black Forest area, minimizing environmental impact to the surrounding regional ecosystem.
3. **Park Fees:** The applicant acknowledges that any applicable regional or urban park fees associated with building permits will be handled through standard county schedules.

7. Compliance with Detached ALQ Use Standards

The proposed project fully complies with all specific standards outlined in the PCD Quick Tips for Accessory Living Quarters:

1. **Ownership & Rental Restrictions:** The ALQ will remain in identical ownership to the primary dwelling. The owners will execute and record a restrictive covenant affidavit affirming that the unit will not be leased, rented, or utilized as a short-term rental.
2. **Habitable Size Limit:** The total floor area of the detached ALQ will not exceed 1,500 square feet. It remains subservient to the existing 3,300 square foot principal structure. This ALQ is 1,420 Sq Ft.
3. **Utility Configurations:** The ALQ will share utilities with the primary residence. A separate utility meter is strictly prohibited and will not be installed.
4. **Architectural Harmony:** The exterior structure will be finished with materials, colors, and a roof style that match the single-family rural aesthetic of the existing principal home.

8. Compliance with Overlay Zoning (CAD-O)

The property is located within the Commercial Airport Overlay District (CAD-O).

1. **Land Use Permissibility:** The property sits entirely outside of the restrictive Accident Potential Zones (APZ-1/APZ-2) that outright restrict residential

INFORMATIONAL COMMENT ONLY:
While this is part of our development standards, please keep in mind that many water districts require a separate tap for a separate dwelling.

development. The single-family detached ALQ use is permitted via the Special Use process.

2. **Airspace & Height Restrictions:** The structure height will comfortably remain below maximum limits, ensuring zero interference with FAA navigable airspace.
3. **Avigation Easement:** The owner acknowledges airport overlay rules and will execute/record any required avigation easements against the property title upon request.

The following supports the Criteria for approval in Chapter 5 of LDC, for a special use permit

1.The special use will be in harmony with the character of the neighborhood, and will generally be compatible with the existing and allowable land uses in the surrounding area:

1. The proposed Accessory Living Quarter is inherently in harmony with the residential character of the surrounding neighborhood. The structure will function entirely as an extension of the existing single-family residential use and will not alter the density or neighborhood dynamic. To ensure visual compatibility, the structure will utilize exterior materials, siding, roof pitch, and paint colors that seamlessly match the existing primary residence and adjacent properties. No additional public traffic or localized noise will be generated. The structure adheres to all standard County setbacks and preserves the open, suburban/rural feel of the surrounding area
2. The property is 2.5 acres. The main house and this ALQ will only occupy a small fraction of the total property, still being primarily wooded and forested. This ALQ is not visible from the road. There are plenty of trees between this ALQ and the road. We are off a dirt road (Francville Rd). The bulk of the property remains undeveloped and Forested area. There are no local city parks to be discussed. The ALQ is a single level conservative house plan, with wood siding painted in a natural color.

2.The impact of the special use does not overburden or exceed the capacity of public facilities and services, or in the alternative, the special use application demonstrates that it will provide adequate public facilities in a timely and efficient manner.

The proposed Detached Accessory Living Quarters (ALQ) will not overburden, exceed, or negatively impact the capacity of existing public facilities, infrastructure, or services. The use is inherently low-impact, serving exclusively as extended family housing on a 2.5-acre minimum parcel. The project actively demonstrates adequate provisions for all essential services as detailed below:

1. **Sanitation & Wastewater:** The proposed ALQ will be served by a new Onsite Wastewater Treatment System (OWTS / Septic System). This new system will be designed by a licensed Colorado professional engineer and

fully permitted through the El Paso County Public Health Department prior to any structural construction. The large 2.5-acre layout of the RR-5 zoning district ensures more than adequate land area for a primary and secondary absorption field while strictly adhering to all required county setback standards.

2. **Water Supply:** Water service for the ALQ will be provided via the existing centralized water delivery system, being provided by Park Forest Water. Because the ALQ is designated for immediate family use and is restricted from being used as a commercial rental unit, the total household water demand will remain well within the legal allocations from the utility providing the water.
3. **Emergency & Fire Services:** The property is located entirely within the response boundaries of the local Black Forest Fire Protection District. The single-family residential nature of the ALQ does not create unique fire hazards or demand specialized emergency equipment. Adequate driveway clearance, turnaround space, and emergency vehicle access will be preserved across the parcel.
4. **Utilities:** Electrical infrastructure is already present at the property boundary. In strict accordance with El Paso County Land Development Code (LDC) Section 5.2.1, electrical and gas service to the ALQ will be interconnected to and indistinguishable from that of the principal dwelling, utilizing no separate utility meters or independent billings. Electricity is provided by Mountain View Electric. Gas is provided by Black Hills Energy.
5. **Traffic & Public Roadways:** The addition of an immediate family occupant generates negligible vehicle trips per day. No new public access points or curbs cuts are required. The existing surrounding rural county roadway network has abundant capacity to absorb this minimal traffic volume without causing congestion or premature road degradation.
6. **Schools & Parks:** Because the ALQ does not constitute a new residential subdivision or an independent market-rate multi-family development, it creates zero impact on area school enrollments and places no demand on municipal park infrastructure.

3. The special use will not create unmitigated traffic congestion or traffic hazards in the surrounding area, and has adequate, legal access.

The proposed special use is inherently low-impact and will not cause unmitigated traffic congestion or safety hazards. The subject property is located in the RR-5 zoning district and is accessed directly via Franciville Rd which is a County-maintained public right-of-way.

1. **Traffic Generation:** The daily operations will generate approximately 1 vehicle trip per day. This volume consists of 2 Personal vehicles. This minor increase is well within the existing capacity of the surrounding rural roadway network.
2. **Traffic Safety & Mitigation:** No hazardous traffic conditions will be introduced. Ingress and egress will utilize the existing, permitted driveway. The layout provides a safe, internal turnaround area measuring 100' x 100'

We were unable to locate a driveway access permit for this address. Please provide a copy of the existing permit, or submit a new driveway access permit application through EDARP. Instructions have been provided in the EDARP comments.

in the back of property and a "U" driveway in the front of the primary home to prevent any vehicle backtracking or staging on public roads.

3. **Legal Access Verification:** Legal and physical access is fully established via an existing driveway connection to Franciville Road. An existing driveway permit is on file with the County.

Therefore, the neighborhood's traffic flow will remain safe, functional, and fully uncompromised.

4. This special use will comply with all the applicable local, state and federal laws and regulations regarding air, water, light or noise pollution.

1. **Air Quality:** The ALQ will utilize a highly efficient gas HVAC unit.
2. **Water & Wastewater:** The structure will share the existing centralized residential water delivery from Park Forest Water system. ALQ will be handled via a completely new, independently permitted Onsite Wastewater Treatment System (OWTS). This new septic system will be professionally engineered, designed, and installed to match the specific bedroom count and daily flow requirements of the ALQ. No separate water utility meter will be requested or installed on the property.
3. **Light Pollution:** To preserve the rural character of the RR-5 zone, all exterior light fixtures on the ALQ will be downward-facing and fully shielded.
4. **Noise Pollution:** The structure is strictly for private, low-impact residential use. It will generate no commercial, industrial, or disruptive noise.

5. The special use will not otherwise be detrimental to the public health, safety and welfare of the present or future residents of El Paso County.

The proposed Detached Accessory Living Quarter (ALQ) will not be detrimental to the public health, safety, or welfare of the present or future residents of El Paso County based on the following protections:

1. **Zoning and Neighborhood Character Compatibility:** The structure is low-density and entirely single-family residential in character. It maintains the rural harmony and aesthetics of the surrounding 2.5 acre properties in a RR-5 neighborhood. It will not impede neighbor views or change the neighborhood's low-density footprint.
2. **No Commercial Use or Rental Impacts:** In strict accordance with El Paso County Land Development Code Chapter 5, the ALQ will be occupied solely by ageing parents. An ALQ Affidavit stating the unit will never be rented, leased, or sub-let has been signed and recorded. As such, it will not bring transient traffic or short-term rental burdens to the local community.
3. **Adequate Infrastructure and Utilities:** The ALQ will share existing utilities with the primary residence and will not use a separate utility meter. ALQ will be handled via a completely new, independently permitted Onsite Wastewater Treatment System (OWTS). This new septic system will be professionally engineered, designed, and installed to match the specific bedroom count and daily flow requirements of the ALQ. No separate water utility meter will be requested or installed on the property.
4. **Safety and Environmental Compliance:** The ALQ will meet or exceed all current Pikes Peak Regional Building Department (PPRBD) construction codes, setbacks, and height limits. Proper drainage and grading will be maintained to

avoid impacting adjacent parcels. No noxious odors, light pollution, or excessive noise will be generated by this standard residential extension.

6. The special use will conform to all applicable county rules, regs or ordinances. Obtaining all permits as required and using licensed contractors for our home.

The proposed Accessory Living Quarters (ALQ) special use will strictly conform to all applicable El Paso County rules, regulations, and ordinances. The homeowners commit to obtaining all required residential site plan approvals and building permits prior to any construction. Furthermore, all work will be executed exclusively by licensed contractors to ensure safety, structural integrity, and full building code compliance

Please include a statement that drainage from the proposed work will not adversely impact neighboring or downstream properties.

Please include a statement that EPC Road Impact Fees are applicable per BoCC Resolution 25-337 and payment will be due at building permit.