

# Letter of Intent

Adjusted 12/29/20 Jfk

## Owners:

Johnny and Kathleen Karls  
1630 Delta Rd. Colorado Springs, CO. 80920

## Site Location:

> Legal Description: THAT PART OF LOT U BLK B SPRING CREST FIL 2 AS FOLS, BEG AT A PT ON N LN OF SD LOT WHICH IS 296.66 FT WLY FROM NE COR THEREOF, TH ANG L 105<37'40" SELY 509.44 FT, ANG R 64<36'50" SWLY 45.00 FT TO NLY R/W LN OF DELTA RD, SELY ALG SD NLY LN 20.0 FT TO SE COR OF SD LOT, NELY ALG SELY LN OF LOT 486.0 FT TO MOST ELY COR OF LOT, NWLY ALG NELY LN OF LOT 285.52 FT TO NE COR OF LOT, TH SWLY ALG NLY LN OF LOT 296.66 FT TO POB

> Commonly known as 1630 Delta Rd., Colorado Springs, CO 80920

**Request:** In summary, we would like our primary living space and garage on one level. Therefore, we are requesting the following. First, please consider x2 dimensional variance requests:

- 1) A lot width reduction. We are requesting the property width requirement be reduced to 100' in order to make (grandfather) the existing 51-year-old house compliant with the (currently 200' wide) property requirement.
- 2) A side setback variance on the east side of the house. We would like to add additional living space that would encroach 9' into the 15' side setback on the east side. The 6' utility and drainage easements shall not be encroached upon.

Secondly, we would like to build a main level garage within the required setback on the southwest side. This would *not* be a variance request once the existing house is grandfathered.

## Code 2a. Grant for Variance of Specific Development Standards

### **Peculiar and exceptional practical difficulties:**

The entire house is currently in violation of the street-to-house setback code which states that the house cannot be built on a property until the property is 200' wide. We believe, when the house was built 51 years ago, this property and the property to the northwest were one property. So, first of all, this "violation" needs to be cleared/resolved.

### **Exceptional and undue hardship:**

- Age- we are both well into our 50s and intend to live here till we die. The stairs and distance to the existing (downstairs basement) garage, family room, guest room, and laundry room are proving to be more and more problematic. We would like to move all of our living space to one level so we can remain in this house. We love the neighborhood, the property, the area, and even the house; thus, we want to make it practical to live in.
- We both have bad knees, so stairs are becoming increasingly difficult. Johnny has had 3 knee surgeries to date and has been recently diagnosed with cancer. Two level living is a permanent and worsening condition for both owners.

### **Topography:**

Though the property is relatively large, we have very little buildable/livable flat space due to the immediate slope behind the house. Behind the house, drop off begins at about 20' and drops about 60' This (proposed) front and side of our house is the *only possible relatively flat space* to build.

### **Some other unique or equitable justifications that compels strict compliance not to be required:**

- Regarding easement on the east side (where we are seeking a variance), there is a distance of 100+ yards between our house and the next house; thus, plenty of utility accessibility space if ever needed. On the southwest side, we plan to maintain the required 15' easement.
- A very similar proposal was made by the previous owners 20 years ago and El Paso Community Development Department *approved* it. The owners decided to move instead of build. We have all the same immediate neighbors.
- The only utility provider using that easement space for the past 51 years, since the house was built, is telephone, and even that will not be affected.

**Anticipated Schedule:** We would like to build asap.

**Proposed Use:** Garage, laundry room, family room, (all currently downstairs basement) and master bedroom.

### **Traffic and drainage:**

The proposed development (Karls Addition) land disturbance is less than one acre and will not adversely affect adjacent or downstream drainage flow and will not increase traffic to the property. Furthermore, the 6' utility and drainage easements shall not be encroached upon.