

**Letter of Intent
For
9440 Bur Oak Ln Setback Reduction**

Aug 03 2022

El Paso County Planning and Community Development Department
ATTN: Matt Fitzsimmons
2880 International Circle, Ste 110
Colorado Springs, CO 80910

Dear Mr. Matt Fitzsimmons

As a result of our conversations regarding the rear building setback. As the owner of the property 9440 Bur Oak Lane, Lot8 Cottonwood Meadows Fil No 3 am applying for an Administrative Relief in conformance with El Paso County Land Development Code Section 5.5.1.B.1.

This Letter of Intent supports a PUD District (El Paso County Land Development Code Section 5.5.1.C.4) propose project and requests that the maximum reduction in the building setback area (El Paso County Land Development Code Section 5.5.1.B.1). If granted, an Administrative Relief (AR) would allow for the design of the construction of a detached garage. I understand that granting a administrative relief I may not harm surrounding properties nor dose it increase the number of dwelling on the property. An Administrative Relief would facilitate in improvement of drainage runoff as outlined in El Paso County Land Development Code Section 5.5.1.D.1/2

Thank you for the opportunity to have the ability to make such a request and please let me know if you need any additional information.

Thank you,
Ronnie Huffman

The 20' easements in the rear are for an 1. established drainage easement and a 2. utility easement. In addition, there is a 3. 20' building setback requirement in this zone.

1. Once the storm run off from the neighboring property to the rear of 9440 Bur Oak is altered to not utilize the established drainage easement, County Engineering may be able to reevaluate the drainage easement requirements.

2. Once the utility providers indicate that they will not require use of all or just part of the 20' utility easement Planning will be able to reevaluate the size requirement of the utility easement.

-- Gas Service Provider: TBD

-- Electric Provider: MVEA - Agreed to a 10' easement

-- Water: Widefield Water

3. County Planning supports the reduction in the building setback by 20% (4').

Owner

Name: **Ronnie Huffman**
Address: **9440 Bur Oak Lane**
Colorado Springs, CO 80925
Phone #: **(719)-391-7737**
eMail: **Ronnie.Huffman@ttp-llc.com**

Property Address

Location: **9440 BUR OAK LN COLORADO SPRINGS CO, 80925-1327**
Legal Description: **LOT 8 COTTONWOOD MEADOWS FIL NO 3**
County Zoning: **PUD**
Property Tax Schedule Number: **5515403027**
Plat No: **11325**

Site Location, Size, Zoning

The purpose of this letter is to provide sufficient information to support the subdivision exemption plat of Lot 8 Cottonwood Meadows FIL No3. The site is located at 9440 Bur Oak Lane consists of .33 acres and is located in the Northern section of Cottonwood Meadows Subdivision in El Paso County, Colorado. The site is northeast of the intersection of Fontaine Blvd and S Marksheffel Rd. The lot is zoned PUD.

Application Request:

The applicant requests for an Administrative Relief to the rear building setback to be reduced by 20% on the rear setback in accordance with El Paso County Assessor’s maps as parcel 55154, FIL 3, Lot 8. Currently, the lot has a 20ft Building Setback on the north end of the property location. I am asking that it be reduced to 16ft from the rear boundary. I will stay within the Maintenance setback on my east, west, and south of the lot. My property is located to the north of the community of Cottonwood Meadows, to the north (or connected to the north) is an open field to which my property backs-up to. I would like to construct a 30X45 Garage however due to the size of the lot and the size of the house it would encroach on the rear building setback. The El Paso County Land Development Code Section 5.5.1.B.1 provides that an Administrative Relief can be granted to decrease the rear setback distance.

Why the garage size is important

To calculate the size needed for a detach garage I used the size of my largest vehicle. Best practice recommendations used for calculating a garage size needed the consultant/owner should take the width of your largest vehicle plus the width of the doors when they are open. The width of my van is 8’ the van doors when add is 3.5’ on both sides of the vehicle totaling 15’. Meaning if I had 2 vehicles side-by-side I would need 30’. Next I took the length of my vehicle (18’) and accounted for the back door opening 3.5’ resulting in a total length of 21.5’. Thus to park two vehicles back-to-back I would need 43’. In review of these measurements, I set the length requirement at 45, Resulting in a 30X45 garage.

Propose Site Location

The distance from the back of the main house to the rear property line (is 53'). Because the distance from the house to the proposed garage is set at 6' it allows for the improve maintenance and irrigation of rain. With a 7' distance for the house and a 30' depth of the garage leaves 16' to the rear property line. Granting of a 20% setback would allow for the garage to be constructed within all other Land Development Codes.

By granting approval of my application would allow to perform maintenance of surrounding soil Special Publication 43 and Open Excavation Observation dated April 6 2004. The findings states "The homeowner should maintain the surface grading and drainage installed by the builder to assure water is not directed toward the foundations and does not pond near the house" (pg 3).

Criteria

The criteria for approval of this type of exemption from the Subdivision Code are found in Land Development Code Section 5.5.1. Below are each of the criteria from Section 5.5.1 and support for how this request complies with each:

1. The strict application of the standard in question is unreasonable or unnecessary given the development proposal or the measures proposed by the applicant; or that the property has extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same zoning district;
2. a. The existing setback of 20 ft does not facilitate the construction of a 30X45 garage without encroaching on the Setback requirement which is not allowed by code.
3. b. The intent of this Code and the specific regulation in question is preserved;

El Paso County Land Development Code Section 5.5.1.B is preserved by not adding to the regulation outlined in the code. The purpose of this application is not to expand the code but to work within it to preserve the right of all stakeholders.

1. The granting of the administrative relief will not result in an adverse impact on surrounding properties:

The lots immediately east and west are not impeded and will face no encroachment and do not impede future development nor dose granting an Administrative Relief setback reduction have any impact on the health, safety, or welfare of inhabitants in the area. The proposed project will not affect wildlife or wetlands. Sewer, water, stormwater drainage, fire, and police protection will not be affected by the granting of El Paso County Land Development Code Section 5.5.1.B.

1. The granting of administrative relief will not allow an increase in the number of dwelling units on a parcel.

Granting the administrative relief and adding a detached garage will not increase the number of dwelling units on the site location.

Additional Factors Considered

1. The granting of administrative relief would help minimize grading and reduce vegetation removal;

Approval of an Administrative Relief would allow for the improvement of the property grading while at the same time reducing vegetation by reducing the growable area of the property. Care will be taken to minimize terrain disturbance, preserve natural vegetation, and mitigate visual impacts upon off-site areas.

2. The granting of administrative relief would avoid unnecessary site disturbance or minimize grading;

The current and minimal grading will be maintained and is supported by the reduction of the rear setback adjustment.

3. The granting of administrative relief would allow the proposed building location and existing vegetation on the site to restrict the visibility of the additional height from a distance, from the road, or downhill properties; and

The visibility from the road or downhill properties will not be affected by the granting of administrative relief.

4. The granting of administrative relief would allow for building design such as split pads, stepped footing, below-grade rooms, and roof forms pitched to follow the slope.

With the improvement to the grading of the property, the proposed project will follow the slope.

