

Letter of Intent For 9440 Bur Oak Ln Setback Reduction

May 2 2022

El Paso County Planning and Community Development
ATTN: Kylie Bagley
2880 International Circle, Ste 110
Colorado Springs, CO 80910

Dear Ms. Kylie Bagley:

As a result of our conversations regarding the rear boundary of 9440 Bur Oak Lane, Lot 8 Cottonwood Meadows Filio, we are requesting Administrative Relief in conformance with El Paso County Land Development Code Section 5.5.1.D.1/2.

This Letter of Intent supports a PUD District (El Paso County Land Development Code Section 5.5.1.C.4) propose project and request that the maximum number of dwelling units be increased to 12. The proposed project would allow for the design of the constructions of a 12-unit PUD. The granting of the administrative relief will not have an adverse impact on the surrounding area or the number of dwelling units. By granting a AR it will allow for a steeper grading slope for 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 request Administrative Relief. If you need any additional information.

Sincerely,
Ronnie Huffman

Comments #1 - Planner: mpf

- Please list the following items on the top of the Project Statement letter: Owner name, contact telephone number, and email for responsible party
- Property tax schedule number
- Current zoning of the property
- A discussion detailing the proposed administrative relief request and compliance with the applicable requirements of the Land Development Code;
- The reason and justification for the administrative relief request; A comparison between the applicable Land Development Code standard(s) and the proposed administrative relief;
A detailed analysis addressing each of the Criteria of Approval for Administrative Relief in Chapter 5 of the Land Development Code.:

Criteria to be Met. To grant administrative relief, all of the following criteria shall be met, in addition to the compliance with the other applicable development standards:

- 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;
 - The intent of this Code and the specific regulation in question is preserved;
 - The granting of the administrative relief will not result in an adverse impact on surrounding properties; and
 - The granting of the administrative relief will not allow an increase in the number of dwelling units on a parcel.
- A discussion regarding the surrounding area and how the proposal fits within the context of the area and any potential impacts related to granting the requested relief.

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 setback be reduce by 20% on the 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 reduce to 16ft. 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 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 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.

Criteria

The criteria for approval of this type of an 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;

The existing setback of 20ft dose not facilitate in the construction of 30X45 garage along without encroaching on the Setback requirement.

2. 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.

3. 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 with future development nor does granting a Administrative Relief setback reduction have any impact to health, safety, or welfare of inhabitants in the area. The proposed project will not affect wildlife or wetlands. Sewer, water, storm water drainage, fire and police protection will not be effected by the granting of El Paso County Land Development Code Section 5.5.1.B.

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

By granting the administrative relief and adding a detach garage will not increase the number of dwelling units on the site location.

Additional Factors Considered

5. 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 reduce 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.

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

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

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

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

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

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