

**PLANNING & COMMUNITY DEVELOPMENT**

May 21, 2024

Steve Schleiker  
10/01/2024 11:23:00 AM  
Doc \$0.00 5  
Rec \$33.00 Pages

El Paso County, CO



224077472

RE: ADR-24-005

File: 4980 Sapphire Dr. - Admin Relief  
Parcel ID No.: 6323108012

This is to inform you that the above referenced request for approval of an application for administrative relief to allow:

A front setback of 20 feet where 25 feet is the minimum setback requirement for a structure within the RR-0.5 (Residential Rural) zoning district was **approved** by the Planning and Community Development Director on May 21, 2024. It is the determination and finding of the Planning and Community Development Department (PCD) Director that the application meets the review criteria for Administrative Relief included in Section 5.5.1 of the El Paso County Land Development Code. Current and future use of the property shall continue to be governed by Table 5-1, Principal Uses, of the Land Development Code. Approval of the requested administrative relief application is subject to the following:

**CONDITIONS AND NOTATION**

**Conditions**

1. Any expansion or additions beyond the initial construction of the attached garage (e.g. deck, sunroom) may require separate application(s) and approval(s) if the development requirements of the RR-0.5 (Residential Rural) zoning district cannot be met.
2. Approval of a site plan by the Planning and Community Development Department and issuance of a building permit from the Pikes Peak Regional Building Department are required prior to construction.



**Notation**

1. Physical variances approved for a proposed structure (except for lot area variances) are valid only if construction of the structure is initiated within twelve (12) months of the date of the approval.

All administrative decisions, such as this one, may be appealed to the Board of Adjustment within 30 days of the date of the decision. Should you have any questions, please contact Lacey Dean at (719) 520-7943.

Sincerely,



Meggan Herington, AICP, Executive Director  
El Paso County Planning and Community Development Department  
File: ADR-24-005

# LETTER OF INTENT

Date: April 20, 2024

Owner Name: Thad Monk & Teresa Monk

Email: teresajwheaton@yahoo.com, thad\_monk@yahoo.com

Phone Number: 719-963-7589

Property Address: 4980 Sapphire Drive Colorado Springs, CO. 80918

Tax Schedule: 63231-08-012

Current Zoning: RR-0.5

Legal Description: LOT 24, BLOCK 17, PARK VISTA ESTATES ADDITION, COUNTY OF EL PASO, STATE OF COLORADO

**Subject: Letter of Intent** for Administrative Relief Request - 4980 Sapphire Drive

**ATTN: El Paso County Planning Department,**

We are formally submitting this Letter of Intent in accordance with the Land Development Code of El Paso County for the purpose of seeking administrative relief in relation to the proposed addition project, 4980 Sapphire Drive. The purpose of this letter is to provide a comprehensive discussion on the administrative relief request, outlining the reasons and justifications, a detailed comparison with the Land Development Code standards, and a thorough analysis of each Criterion of Approval for Administrative Relief as specified in Chapter 5 of the Land Development Code.

1. **\*\*Proposed Administrative Relief Request and Compliance:\*\***

Our development proposal, 4980 Sapphire Dr, involves an approximately 2389sf attached garage addition. We have identified areas within the Land Development Code where certain relief specific to the front 25ft set back is necessary for the successful execution of the project. Attached herewith are details outlining the proposed administrative relief request and demonstrating our commitment to compliance with the applicable requirements of the Land Development Code.

Pursuant to the **EPC Land Development Code Table 5-4. Density and Dimensional Standards for Agricultural, Residential and Special Purpose Districts**, structures located within the RR-0.5 zoning district have a minimum front setback of 25ft. However pursuant to **EPC Land Development Code 5.5.1. Administrative Relief**

**5.5.1 Administrative Relief**

(B) PCD Authorized to Grant Administrative Relief. The PCD Director may approve administrative relief to the requirements for lot area, front, side and rear setbacks, and height limitation. Administrative relief shall be for the purpose of relieving difficulties or hardships due to narrowness, shallowness, shape or topographic condition of a specific piece of property, or to provide limited flexibility to lot standards when it is determined that no substantial detriment to the public good nor harm to the general purpose and intent of this Code will be caused by the administrative relief granted.

(1) **Reduction in Lot Area, Setbacks, and Lot Width.** A maximum of 20% reduction in lot area, setbacks and lot width from the amount required in the zoning district in which the subject property is located may be approved.

2. **\*\*Reason and Justification for the Administrative Relief Request:\*\***

- A. The property's original home structure already encroaches the 25ft front set back at 20ft (20%) on the SE corner when it was built in 1999. The administrative relief would allow us to follow with the current sight lines of our existing structure.
- B. The offset would allow us to get the square footage we require without disturbing the vegetation surrounding a 25 year old Oak tree and other vegetation that sits directly behind the proposed structure.
- C. Creates a break in the current exterior aesthetic, offsetting the new addition to coincide with the angle of our property line to the north.

3. **\*\*Comparison Between Code Standards and Proposed Administrative Relief:\*\***

Our proposal to encroach on the front 25ft set back with the allowed 20% (5ft), is within the minimum building limitations in the outlined relief. The granted relief will allow for better use of our yard topographic condition as it relates to your current structure, as well does not pose any substantial detriment to the public good.

4. **\*\*Analysis of Criteria of Approval for Administrative Relief:\*\***

The proposed plan complies with all the review criteria outlined in Section 5.5.1.D of the EPC Land Development Code and meets all the following criteria in red:

**(D) Findings Necessary to Grant Administrative Relief:**

(1) **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; Given that the current home was originally built with the 20% relief, it is reasonable to consider consistency and compatibility with the existing building environment.
- The intent of this Code and the specific regulation in question is preserved; the intent of this code and regulation is preserved based on the fact that the existing home structure already encroaches the front setback and is within the allowable standard code and complies with EPC Land Development Code 5.5.1 Administrative Relief
- The granting of the administrative relief will not result in an adverse impact on surrounding properties; Administrative relief will not result in an adverse impact on surrounding properties due to the fact that all other building and development codes, standards & setback rules will apply. The proposed addition & investment in the property will only increase property value. and
- The granting of the administrative relief will not allow an increase in the number of dwelling units on a parcel. Administrative relief will not increase in the number of dwelling units on the parcel.

**Additional Factor To Be Considered**

(2) **Additional Factors Considered.** In addition to the criteria required to be met for approval of administrative relief, consideration may also be given to the following factors:

- The granting of administrative relief would help minimize grading and reduce vegetation removal; Administrative relief will allow for the required square footage to be achieved without disturbing the vegetation around a 25 year mature Oak tree that sits directly behind the proposed structure
- The granting of administrative relief would avoid unnecessary site disturbance or minimize grading;
- 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 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. Does not apply
- The proposed property addition will not result in adverse drainage to adjacent or downstream properties. All drainage and water flow issues will be appropriately mitigated.

In conclusion, we believe that the administrative relief sought is necessary and well-founded, considering the unique circumstances of our development project. We are committed to working closely with the County Planning Department to address any concerns and to ensure that the proposed relief aligns with the county's goals for acceptable development.

Thank you for considering our request. We look forward to the opportunity to discuss this matter further and provide any additional information or clarification as needed.

Sincerely,

Thad & Teresa Monk

