

MEGGAN HERINGTON, AICP, EXECUTIVE DIRECTOR
PLANNING AND COMMUNITY DEVELOPMENT

September 17, 2025

RE: 305 Pine Oaks Rd – Permanent Occupancy of a detached Accessory Living Quarters

File: AL2516

Parcel(s): 7525000014

Steve Schleiker

10/17/2025 10:01:03 AM

Doc \$0.00

Rec \$43.00

El Paso County, CO



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This is to inform you that the above-referenced request for approval of a Special Use application for Permanent Occupancy of a detached Accessory Living Quarters (ALQ) located at 305 Pine Oaks Road was **approved** by the Planning and Community Development Director on September 17, 2025. It is the determination and finding of the Planning and Community Development Department (PCD) Director that the application meets the review criteria for approval of a Special Use included in Section 5.3.2 of the El Paso County Land Development Code, as amended. This approval is subject to the following condition and notations:

CONDITION OF APPROVAL

Approval is limited to the Permanent Occupancy of the detached ALQ, as described in the applicant's letter of intent and depicted on the site plan drawings.

NOTATIONS

1. Special Use approval includes conditions of approval and the accompanying site plan. No substantial expansion, enlargement, intensification, or modification shall be allowed except upon reevaluation and public hearing as specified in the El Paso County Land Development Code.

2. The Board of County Commissioners may consider revocation and/or suspension if zoning regulations and/or special use conditions/standards are being violated, preceded by notice and public hearing.
3. The detached accessory living quarters for permanent occupancy shall be removed or converted into an accessory living quarters for temporary occupancy within three (3) months after the need no longer exists or three (3) months after the expiration of the permit, if one is specified, unless an application to legalize the use is submitted.

Pursuant to Colorado Rule of Civil Procedure 106, this decision may be appealed to the El Paso County District Court within 28 days of the date of the decision. Should you have any questions, please contact Lacey Dean at (719) 520-7943 or laceydean2@elpasoco.com

Sincerely,



Meggan Herington, AICP, Executive Director

El Paso County Planning and Community Development Department

File: AL2516



Letter of Intent

Project Title: 305 Pine Oaks Accessory Living Quarters (ALQ)

Date: 6/5/2025 (Revised 9/4/2025)

Owner Name: Brett E Powell

Phone: 719-654-5245

Email: sam-bow@q.com

Applicant Name: Marcos Cazares

Phone: 719-570-1369

Email: marcos.cazares@tboneconstruction.com

Property Address: 305 Pine Oaks Rd, Colorado Springs, CO 80926

Tax Schedule Number: 7525000014

Current Zoning: F-5 (Forestry and Recreation)

Project Summary

This Letter of Intent is submitted in support of a Special Use Permit to allow for permanently occupied Accessory Living Quarters (ALQ) on a rural residential property zoned F-5. The proposed ALQ will comply with the applicable use-specific standards of the El Paso County Land Development Code (LDC) Section 5.2.1, and it is intended solely for use by immediate family members, with no commercial or rental activity.

Zoning & Overlay

The property is currently zoned F-5, and no overlay zoning districts (such as CAD-O) are known to apply to this parcel.

Use Compliance and Standards

The proposed ALQ will:

- ❖ Be less than 1,500 square feet of habitable living space.
- ❖ Be located on the same lot as the primary residence.
- ❖ Share utility connections with the main house where applicable.
- ❖ Be served by a new septic system, to be installed prior to occupancy of the ALQ and sized appropriately for total occupancy of both dwellings.

- ❖ Comply with all applicable standards under the LDC, including setbacks, height, and utility connection requirements.

We understand that a notarized affidavit prohibiting rental use will be required as part of this application.

Criteria of Approval - Chapter 5 Compliance

1. **Health, Safety, and Welfare** - The ALQ will be safely constructed to building code standards and have adequate utilities, sanitation, and access.
2. **Compatibility** - The ALQ use is consistent with surrounding large-lot residential and agricultural uses in the area.
3. **Infrastructure** - The ALQ will not burden existing roads, utilities, or public services.
4. **Zoning and Master Plan** - The use complies with ALQ standards under F-5 zoning and aligns with the intent of rural residential development.

Family Hardship Justification

The ALQ is proposed to provide housing for immediate family members with a need to live on the property for ongoing family care and support. This arrangement allows the family to meet personal and medical needs while maintaining proximity, consistent with Section 5.2.1.H.2 of the EPC LDC regarding extended family housing.

Master Plan Compliance

The proposed ALQ is consistent with the El Paso County Master Plan, including Mountain Interface and Forested Areas policies:

- ❖ **Environmental Preservation** - The development is small-scale and low-intensity, minimizing impact to the natural forested surroundings and maintaining the character of the area.
- ❖ **Stormwater & Erosion Management** - The project disturbance area is less than one acre, so an Erosion and Sediment Control Plan (ESQCP) is not required per EPC Stormwater review. Standard site grading and drainage practices will be followed to minimize erosion.
- ❖ **Access & Safety** - The ALQ will utilize the existing access on Pine Oaks Rd, ensuring safe ingress/egress for residents and emergency services.
- ❖ **Design & Placement** - The ALQ is sited near the main residence, clustering development and reducing environmental impact.
- ❖ **Land Use Compatibility** - The proposal is consistent with surrounding single-family and rural residential uses, while preserving the low-density rural character outlined in the Master Plan.

- ❖ Community & Aesthetic Integration - The ALQ is clustered near the main house and designed to preserve natural views and minimize visual impact, maintaining the identity of the Mountain Interface place type.

Traffic and Access

Traffic generated by the ALQ will be minimal and limited to one additional household. No change to the existing access point on Pine Oaks Rd is anticipated.

A driveway access permit has been approved by El Paso County Engineering under Permit No. **AP25831**. This access has been reviewed and accepted by the County.

The project will comply with the requirements of the Southwestern Highway 115 Fire Protection District. The home site will be mitigated to Colorado State Forest Service specifications within 100 feet of the structure. All driveways and access roads will meet NFPA standards, with a minimum width of 14 feet and sufficient space provided for fire truck turnaround at the end of drives.

We respectfully request that this Special Use Permit be approved based on the proposed compliance with the LDC, alignment with the County Master Plan, and limited scope of the proposed ALQ use.

Required Statements

- ❖ The El Paso County Road Impact Fee is applicable to this application and will be assessed at time of building permit.
- ❖ This property is not located within a FEMA regulatory floodplain based upon review of FEMA FIRM number 08041C0950G, effective on 12/7/2018.
- ❖ Drainage from the proposed structure will not adversely affect neighboring or downstream properties. The roof drains and ground around the proposed structure will be graded to drain away from the foundation and shall be stabilized to prevent erosion.

Sincerely,

Marcos Cazares

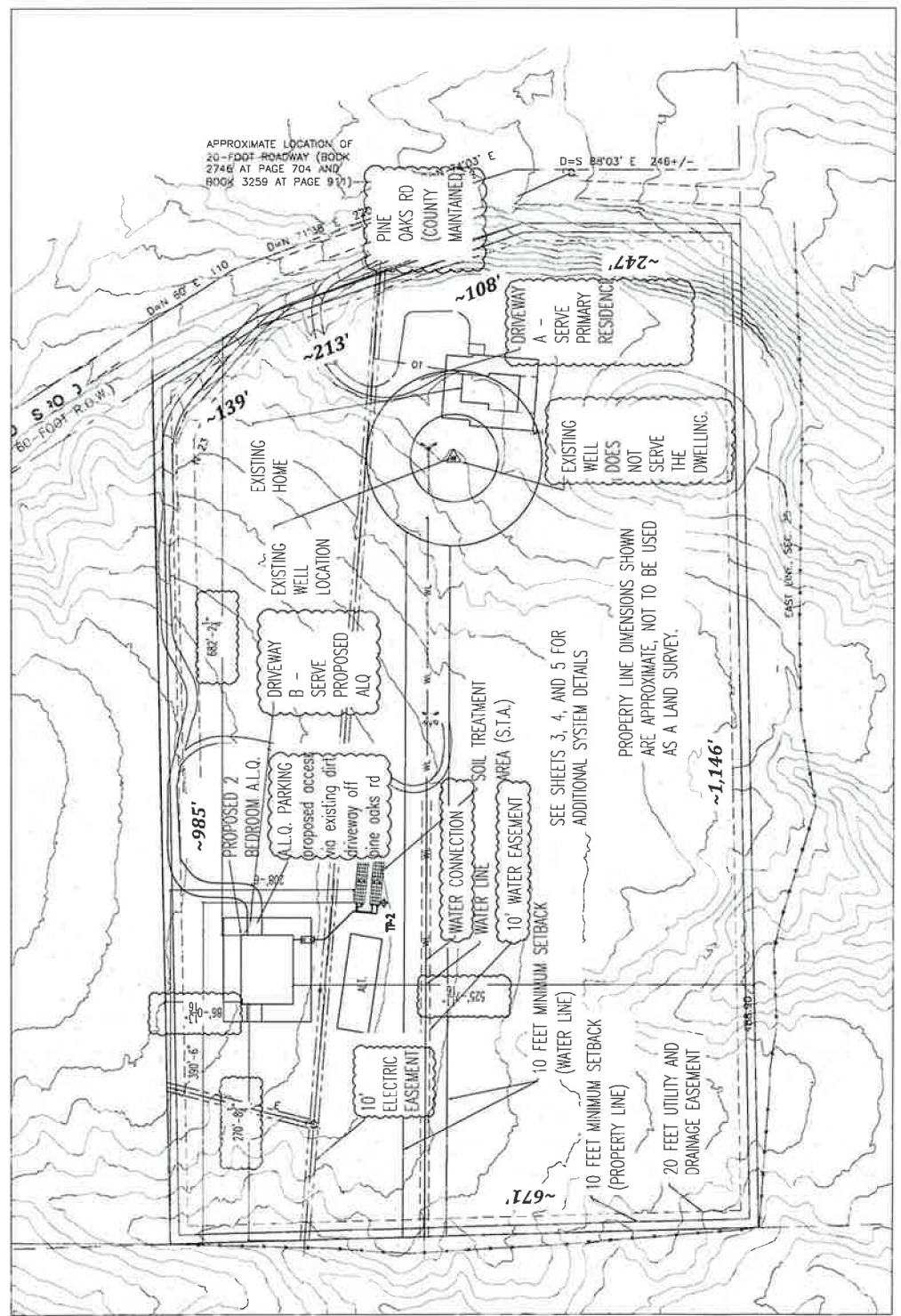
T-Bone Construction, Inc.

719-570-1369

marcos.cazares@tboneconstruction.com

AL2516
PG. 5/6

#	DESCRIPTION	DATE



SITE PLAN
 SHEET 1 OF 4

AL2514
 PG. 0/4