

Paul D Cairney, PhD

11605 Meridian Market View

Unit 124 Box 242

Falcon, CO 80831

El Paso County Planning and Community Development Department

2880 International Circle

Suite 110

Colorado Springs, CO 80910

Subject: Letter of Intent

Owner/applicant information:

Paul and Lynn Cairney

Paul Cairney: 719-660-0810; paul.cairney@att.net

Lynn Cairney: 719-660-0811; lynncairney@gmail.com

Property address: 13635 Murphy Rd, Elbert, CO 80106

Property tax schedule number: 4205003008

Current zoning: RR-5

The proposed accessory living quarters will be a stand-alone building and will comply with the applicable requirements of the Land Development Code as detailed below. The use of the accessory living quarters will be limited to family members or close friends of the Cairney family on a non-rental/non-lease basis and the proposed uses as detailed below also comply with the definition of the proposed use and any applicable use specific standards within the Land Development Code.

Criteria for Approval in Chapter 5 of the Land Development Code:

5.1.21: Dwelling, additional:

A. This will be the only additional dwelling unit on the lot and will be occupied by family members.

- B. The house will be approximately 1120 square feet.
- C. The ALQ affidavit is signed by the owner and notarized by a notary public and submitted with the ALQ application. It will be filed for recording with the Clerk and Recorder acknowledging that the accessory living quarters will not be leased or rented.
- D. All metered utilities will be interconnected to and indistinguishable from that of the principal dwelling and will not have separate meters, service lines, or billings.
- E. The accessory unit will be utilized primarily for family members on a non-rental/non-lease basis. There may be short periods of time in which the accessory unit will be occupied by guests on a non-paying basis on a temporary basis.

Additional information:

- A. The proposed accessory living quarters will conform to any development standards of the zoning district.
- B. The accessory living quarters will not be used for the allowed uses or special use listed in Table 5-1.
- C. If the special use permit is approved for this accessory living quarters a building permit will be obtained and construction of the accessory living quarters will comply with the Building Code.
- D. This is a stand-alone unit.
- E. The accessory living quarters planned location meets the setbacks shown in Tables 5-4 and 5-5 and will not be located within any easement.
- F. The use of the accessory living quarters will meet all applicable development standards in Chapter 5 and Chapter 6.
- G. The accessory living quarters will be a single-floor building and will not exceed any height restrictions.

There is no applicable overly zoning associated with this lot and its proposed use is consistent with the El Paso County master plan being that the lot is within a Rural Residential area. The proposed driveway of the accessory living quarters is accessed from the existing home's driveway, not from Murphy Road, and there will be no increase in vehicles used by the Cairney family. Therefore there will be no appreciable increase in traffic generation as a result of the accessory living quarters.

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 08041C0340G, effective 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.

A Traffic Impact Study is not required if the 7 criteria listed in ECM Appendix 8.1.2.D are met. The 7 criteria are listed below for reference:

A. Daily vehicle trip-end generation is less than 100 or the peak hour trip generation is less than 10.

B. There are no additional proposed minor or major roadway intersections on major collectors, arterials, or State Highways.

C. The increase in the number of vehicular trips does not exceed the existing trip generation by more than 10 peak hour trips or 100 daily trip ends.

D. The change in the type of traffic to be generated (i.e. the addition of truck traffic) does not adversely affect the traffic currently planned for and accommodated within, and adjacent to, the property.

E. Acceptable LOS on the adjacent public roadways, accesses, and intersections will be maintained.

F. No roadway or intersection in the immediate vicinity has a history of safety or accident problems.

G. There is no change of land use with access to a State Highway.

All 7 criteria listed are met for a TIS exemption and will continue to be met after the Accessory Living Quarters is constructed.

In conclusion, the proposed accessory living quarters complies with all applicable requirements of the Land Development Code.

If you have any questions, please contact me at 719-660-0810 or paul.cairney@att.net.

Very respectfully,

Paul D. Cairney, PhD