TO: **El Paso County Planning Commission**

Timothy L. Trowbridge, Chair

FROM: **Jen Uhler, Planner**

Joseph Sandstrom, Associate Engineer

RE: **Project File Number: VA269**

Project Name: Variance of Use Additional Dwelling Sharon Bennett Ranch

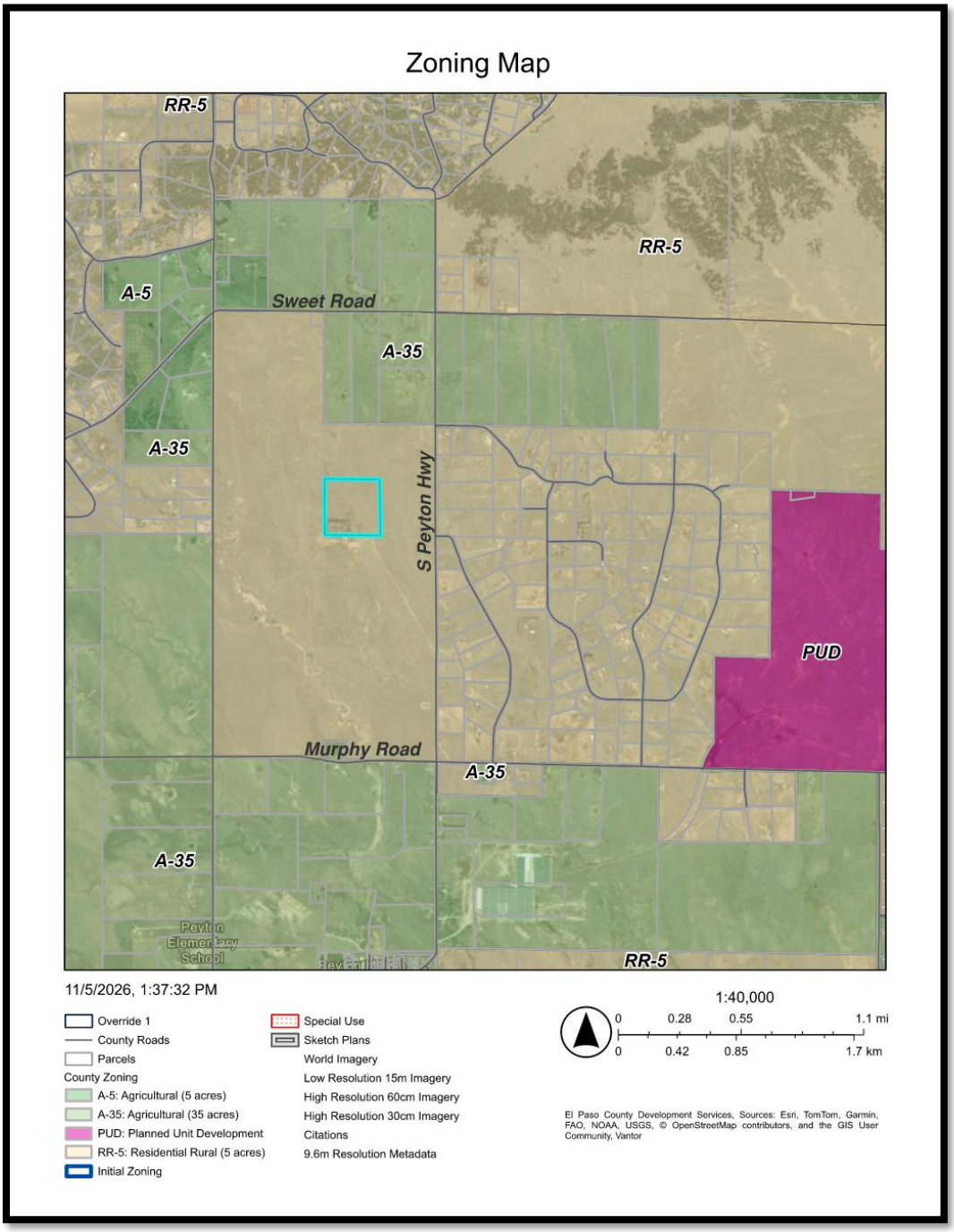
Parcel Number: 3100000256

Commissioner District: 2

OWNER:	**REPRESENTATIVE:**
Sharon Bennett 15000 N Peyton Highway Peyton, Colorado 80831	Blaine Perkins on behalf of HR Green, Inc. 1975 Research Parkway Suite 230 Colorado Springs, CO 80920
Planning Commission Hearing Date:	**11/19/2026**
Board of County Commissioners Hearing Date:	**12/10/2026**

EXECUTIVE SUMMARY

A request by Sharon Bennet for approval of a Variance of Use on an approximately 39.73-acre residential property to allow an Additional Dwelling Unit in the RR-5 (Rural Residential) zoning district. The property is located at 15000 North Peyton Highway and is 1.03 miles northwest of the intersection of North Peyton Highway and Murphy Road (Parcel No. 3100000256) (Commissioner District No. 2)



A. AUTHORIZATION TO SIGN: There are no documents associated with this application that require signing.

B. APPROVAL CRITERIA

Pursuant to Section 5.3.4 of the Land Development Code (as amended), the Planning Commission and Board of County Commissioners may consider the following criteria in approving a Variance of Use:

- *The strict application of any of the provisions of this Code would result in peculiar and exceptional practical difficulties or undue hardship.*
- *The variance of use is generally consistent with the applicable Master Plan;*
- *The proposed use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the surrounding area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and County;*
- *The proposed use will be able to meet air, water, odor or noise standards established by County, State or federal regulations during construction and upon completion of the project;*
- *The proposed use will comply with all applicable requirements of this Code and all applicable County, State and federal regulations except those portions varied by this action;*
- *The proposed use will not adversely affect wildlife or wetlands;*
- *The applicant has addressed all off-site impacts;*
- *The site plan for the proposed variance of use will provide for adequate parking, traffic circulation, open space, fencing, screening, and landscaping; and/or*
- *Sewer, water, storm water drainage, fire protection, police protection, and roads will be available and adequate to serve the needs of the proposed variance of use as designed and proposed.*

C. LOCATION

North:	RR-5 (Residential Rural)	Agricultural
South:	RR-5 (Residential Rural)	Agricultural
East:	RR-5 (Residential Rural)	Agricultural
West:	RR-5 (Residential Rural)	Agricultural

D. BACKGROUND

The parent parcel was first zoned in 1999, as RR-3. In 2007, the zoning districts were renamed and reclassified, and the parent parcel was reclassified as RR-5. The existing 39.73-acre parcel was created by deed in 2010, separating the residential-use property from the surrounding 1,068-acre parcel designated for agricultural use.

There are currently two dwelling units on the subject property, a historic cabin and a farm/ranch residence. The historic cabin was constructed in 1904 and has existed as a primary residence for the property owner. The applicant's letter of intent states that the historic cabin will be used as needed when the ranch has larger cattle operations underway. The property owner desires to preserve the historic structure for its historical value and significance, and for as-needed ranch employee lodging.

A Farm/Ranch residence meeting the code criteria in Land development Code section 5.2.25 for a manufactured home was approved and placed on site in 2010. Occupancy is limited for the Farm/Ranch residence, such that it may be occupied only by a person principally employed at or engaged in the operation of the farm or ranch and their immediate family and may not be leased or rented. At this time, the property owner is requesting an Additional Dwelling as defined by Land Development Code section 5.2.22, below, to construct a second principal dwelling where the owner will live. The approval of this application would result in allowing two single-family dwelling units on the property, in addition to the Farm/Ranch manufactured residence.

> **5.2.22. Dwelling, Additional**
>
> In the A-35 District, one additional single-family dwelling unit is allowed per lot or parcel. The additional dwelling unit may be occupied by the immediate family of the owner or tenant of the property or used for rental purposes.

The subject property is owned by Sharon Bennet, and the surrounding parcel is owned by Bennett Cullers Family Partnership LLLP. An access easement is required to grant access from Peyton Hwy through the surrounding property to the new dwelling, and submittal of the easement will be a condition of approval prior to scheduling the item for a BoCC hearing. The easement will be recorded following BoCC approval, as a standalone item on the title.

E. LAND DEVELOPMENT CODE AND ZONING ANALYSIS

A Variance of Use is required because Additional Dwellings are not an allowed use in the RR-5 Zoning District. Other options were explored by staff and the applicant to achieve the proposal. A potential option was a second Farm/Ranch residence:

> **Farm/Ranch Residence** — A farm/ranch residence is a dwelling unit occupied by persons principally employed at or engaged in the operation of the farm or ranch.

Multiple Farm/Ranch residences are permitted, provided the total number of residences (including any principal dwellings, farm/ranch residences, caretaker's quarters, or other dwelling units) within a farm or ranch ownership does not exceed one unit per 5 acres. However, this residence type is not allowed to be rented per Land development Code section 5.2.25. The applicant would like the flexibility of being able to rent the dwellings in the future, if needed.

Another dwelling type reviewed was caretaker's quarters:

> **Caretaker's Quarters** — A dwelling, mobile home, manufactured home, or apartment unit within the principal building occupied only by a caretaker and immediate family, which is accessory to the principal commercial or industrial use.

This dwelling type is also not permitted in RR-5 Zoning District and would have required a Variance of Use. In addition, the occupancy of this dwelling is restricted to the caretaker or immediate family.

Lastly, a Detached Accessory Living Quarters for Permanent Occupancy was another potential avenue.

> **Accessory Living Quarters** — Lodging, which may include a kitchen, that is accessory to the principal dwelling which may be occupied only by occasional, non-paying guests of the family residing in the principal dwelling. Accessory living quarters are not considered dwelling units. The term does not include farm/ranch residence, caretakers quarters, or an additional dwelling.

This dwelling type would have required a Special Use Permit, and to meet the Special Provisions for a Detached Accessory Living Quarters for Permanent Occupancy under Land Development Code 5.2.1.(H), which restrict the living arrangements to provide for temporary housing of immediate family members whom are elderly, disabled, or exhibit a family need. In addition, size is limited to 1,500 square feet. As the applicant wishes to construct a sizable principal dwelling and maintain the historic cabin for employees in the future, this dwelling type is not appropriate.

As proposed in the site plan drawing, the Additional Dwelling meets the Density and Dimensional Standards for the RR-5 Zoning District listed in Table 5-4 of the Land Development Code, including setbacks and lot coverage.

F. MASTER PLAN ANALYSIS

1. Your El Paso County Master Plan

a. **Placetype Character**: Rural

The Rural placetype comprises ranchland, farms, and other agricultural uses. The primary land use in this placetype is agriculture however residential uses such as farm homesteads and estate residential are allowed as support uses. Residential lot development within the Rural placetype typically cover 35 acres or more per two units with the minimum lot area consisting of 5-acres per unit. The Rural placetype covers most of the eastern half of the County.

Rural areas typically rely on well and septic and parcels for residential development tend to be substantial in size. Rural areas are remotely located and distant from high activity areas or dense suburban or urban places, making access to regional transportation routes, such as Highway 24 and Highway 94, vital to the quality of life for rural community residents.

The agricultural lands that Rural areas contain represent a valuable economic resource and unique lifestyle that should be preserved. The Rural placetype includes agricultural lands which represent a valuable economic resource and allow for a unique lifestyle that should be preserved. As growth occurs, some Rural areas may develop and transition to another placetype, however leapfrog development should be discouraged, by pro-actively permitting changing areas contiguous to existing development to another placetype.

Recommended Land Uses:

Primary

- *Agriculture*
- *Parks/Open Space*
- *Farm/Homestead Residential*

Supporting

- *Estate Residential (Minimum 1 unit/5-acres)*
- *Institutional*

Analysis:

While additional housing may not be appropriate in all rural locations, the proposal for an Additional Dwelling is to support the ongoing agricultural operation on the property. This Additional Dwelling may help maintain the rural character of the area by enhancing the employee housing capacity of the agricultural operation and encouraging a continuation of the agricultural business at scale necessary to preserve the agricultural land for years to come.

In addition, the recommended land uses for this zoning district include Estate Residential, with a minimum density of 1 unit per 5 acres, which this application meets.

b. Area of Change Designation: Minimal Change: Undeveloped

The character of these areas is defined by a lack of development and presence of significant natural areas. These areas will experience some redevelopment of select underutilized or vacant sites adjacent to other built-out sites, but such redevelopment will be limited in scale so as to not alter the essential character. New development may also occur in these areas on previously undeveloped land, but overall there will be no change to the prioritized rural and natural environments.

Analysis:

The proposal for an Additional Dwelling could be considered limited in scale and will likely not alter the essential character of the property or area. The 40-acre property has existing residential structures, and it is not anticipated that an additional structure will significantly alter the property.

c. Key Area Influences: The property is not located within a key area.

2. Water Master Plan Analysis

The El Paso County Water Master Plan (2018) has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes. Relevant policies are as follows:

Goal 4.5 – *Plan for water resources in a thoughtful way that recognizes the non-renewable nature of water resources in the area, accommodates existing and historical uses, and allows for sustainable, planned growth.*

Goal 5.6 – *Protect property rights.*

Policy 6.0.11 – *Continue to limit urban level development to those areas served by centralized utilities.*

The Water Master Plan includes demand and supply projections for central water providers in multiple regions throughout the County. The property is located within Planning Region 4c of the Plan, which is an area anticipated to experience growth by 2040. The following information pertains to water demands and supplies in Region 4c for central water providers:

> The Plan identifies the current demand for Region 4c to be 2,970 acre-feet per year (AFY) with a current supply of 2,970 AFY. The projected demand in 2040 for Region 4c is at 3,967 AFY (Figure 5.1) with a projected supply of 3,027 AFY (Figure 5.2) in 2040. The projected demand at build-out in 2060 for Region is 4c is at 4,826 AFY (Figure 5.1) with a projected supply of 3,027 AFY (Figure 5.2) in 2060. This means that by 2060 a deficet of 1,799 AFY is anticipated for Region 4c.

Findings of sufficiency with respect to water quality, quantity, and dependability are not required with consideration of a Variance of Use. The additional dwelling unit is proposed to be served by a new well, and new septic system. A new well permit has been obtained by the applicant, and a septic permit from El Paso County Department of Public Health and Environment will be required as described in Condition 3. The Upper Black Squirrel Creek Groundwater Metro District did not have any objections to the proposal.

3. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a low wildlife impact potential. The El Paso County Conservation District, El Paso County Parks Planning Division, and El Paso County Environmental Services were each sent a referral and have no outstanding comments.

The Master Plan for Mineral Extraction (1996) identifies valley fill in the area of the subject parcels. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, no severed mineral rights exist.

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

A portion of the property is within the 100-year floodplain. Development is not proposed within the floodplain, and the Floodplain Administrator had no comments related to the proposal. A portion of the property is indicated to have potential Preble's Mouse habitat. A letter from USFWS was provided, and the agency had no concern for the species related to this project.

2. Floodplain

This property is located within a floodplain as determined by a review of the FEMA Flood Insurance Rate Map panel number 08041C0375G, effective on 12/7/2018. The property is within Zone A, which is defined as a 100-year floodplain with no base flood elevations. The proposed development is outside of the floodplain and floodplain regulations do not apply.

3. Drainage and Erosion

The proposed development is located within the Upper Bracket Creek drainage basin which has no associated basin or bridge fees. A drainage report and grading and erosion control plan were not required due to the negligible increase in imperviousness and minimal disturbance caused by the proposed additional dwelling. The applicant stated in the letter of intent that stormwater runoff from the proposed development will not adversely impact neighboring or downstream properties.

4. Transportation

A Traffic Impact Study was not required pursuant to ECM B.1.2.D as the proposed use does not exceed the existing trip generation by more than 10 peak hour trips or 100 daily trip ends. There are no offsite improvements required. This development is subject to the El Paso County Road Impact Fee program (Resolution 25-337), as amended.

H. SERVICES

1. Water

Water is provided by individual well.

2. Sanitation

Wastewater is provided by individual on-site wastewater treatment system.

3. Emergency Services

The property is within the Peyton Fire Protection District, which is committed to providing fire protection services to the proposed development. The District was sent a referral and had no outstanding comments related to the proposal.

4. Utilities

Mountain View Electric Association is the electric provider on the property. The property is within Black Hills Energy natural gas service district, though propane is utilized for the existing residential dwellings. Propane is proposed for the subject Additional Dwelling.

5. Metropolitan Districts

The property is not within a Metro District.

6. Parks/Trails

Land dedication and fees in lieu of park land dedication are not required for a Variance of Use application.

7. Schools

Land dedication and fees in lieu of school land dedication are not required for a Variance of Use application.

I. APPLICABLE RESOLUTIONS

See attached resolution.

J. STATUS OF MAJOR ISSUES

A new or amended access easement is required to grant access from Peyton Hwy through the surrounding property to the new dwelling, and submittal of the easement document is a condition of approval prior to scheduling the item for a BoCC hearing. The easement will be recorded following BoCC approval, as a standalone item on the title. The owner of the subject property holds an interest in the surrounding property, as a member of the business entity managing the property and its operations; and already has a recorded easement describing the existing access road. An amended easement is required because the proposed access intends to grant passage across a different portion of the surrounding property.

K. RECOMMENDED CONDITIONS AND NOTATIONS

Should the Planning Commission and Board of County Commissioners find that the request meets the criteria for approval outlined in Section 5.3.4 of the El Paso County Land Development Code (as amended), staff recommends the following conditions and notations:

CONDITIONS

1. The proposed new dwelling shall comply with the applicable provisions of the Colorado Wildfire Resiliency Code (WRC), as adopted by the Peyton Fire Protection District. Compliance with applicable WRC construction and site requirements shall be addressed as part of the building and construction process.
2. Applicant shall comply with all State water regulations as identified in Well Permit No. 91210-F.
3. Applicant shall obtain all necessary permits for the residence, including but not limited to building permits from the Pikes Peak Regional Building Department and an onsite wastewater treatment system permit from El Paso County Public Health. No residential use may be made of the structure until all necessary improvements have been installed and passed inspection and permits have been obtained.

4. An easement to provide access to the new home through an adjoining property will be provided to the Planning Department prior to scheduling the item for a BOCC hearing, and will be recorded following an approval at a BoCC hearing.

NOTATIONS

1. Variance of Use approval includes conditions of approval and the accompanying site plan and elevation drawings. 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 Variance of Use conditions/standards are being violated, preceded by notice and public hearing.
3. If the Variance of Use is discontinued or abandoned for two (2) years or longer, the Variance of Use shall be deemed abandoned and of no further force and effect.
4. Applicant shall be required to pay road impact fees in accordance with the El Paso County Road Impact Fee Program (Resolution 25-337). Road impact fees shall be paid at time of building permit.

L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 45 adjoining property owners on November 5, 2026 for the Planning Commission and Board of County Commissioners meetings. Responses will be provided at the hearing.

M. ATTACHMENTS

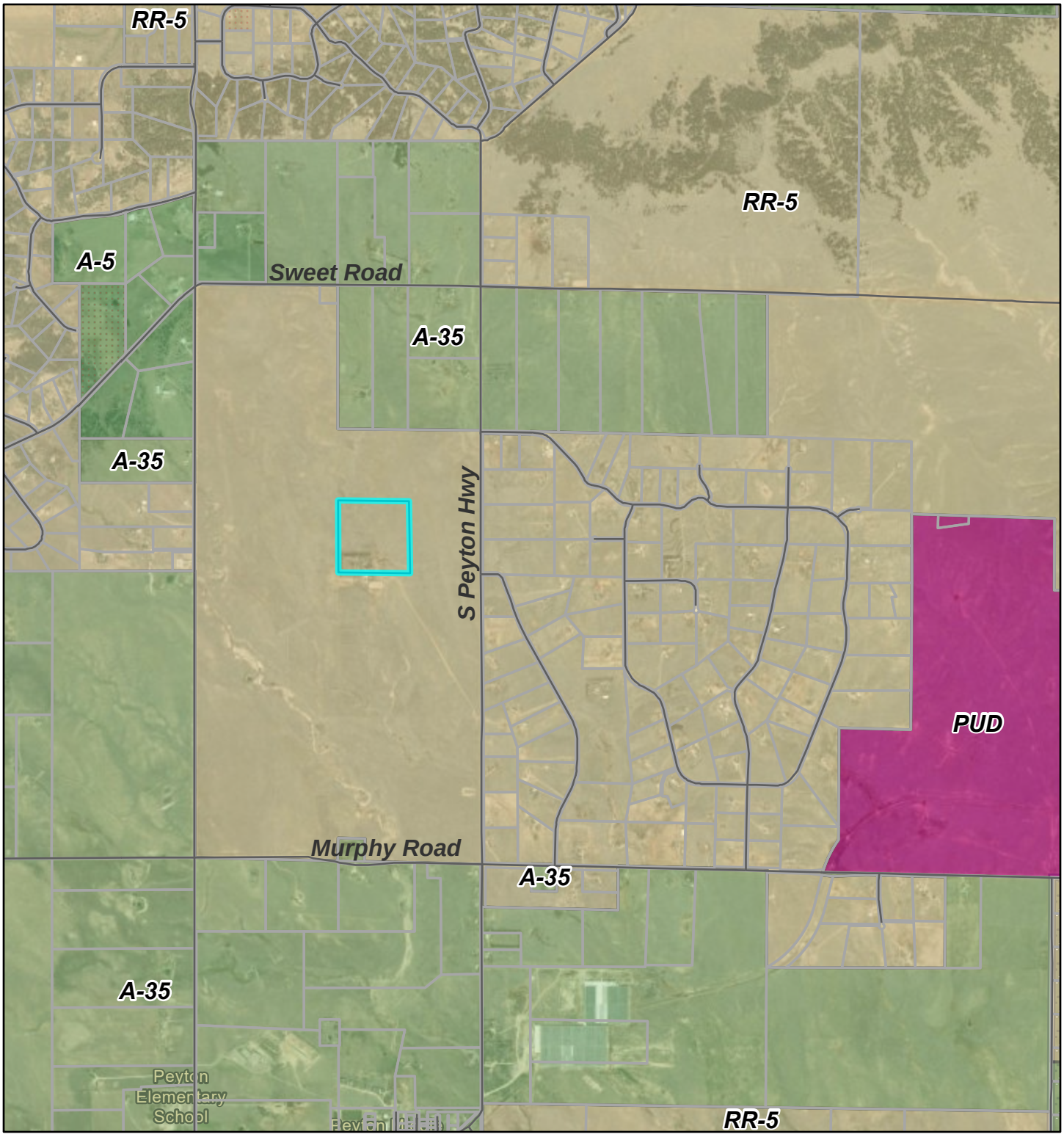
Map Series

Letter of Intent

Site Plan

Draft Resolution

Zoning Map



11/5/2026, 1:37:32 PM

1:40,000

0 0.28 0.55 1.1 mi

0 0.42 0.85 1.7 km

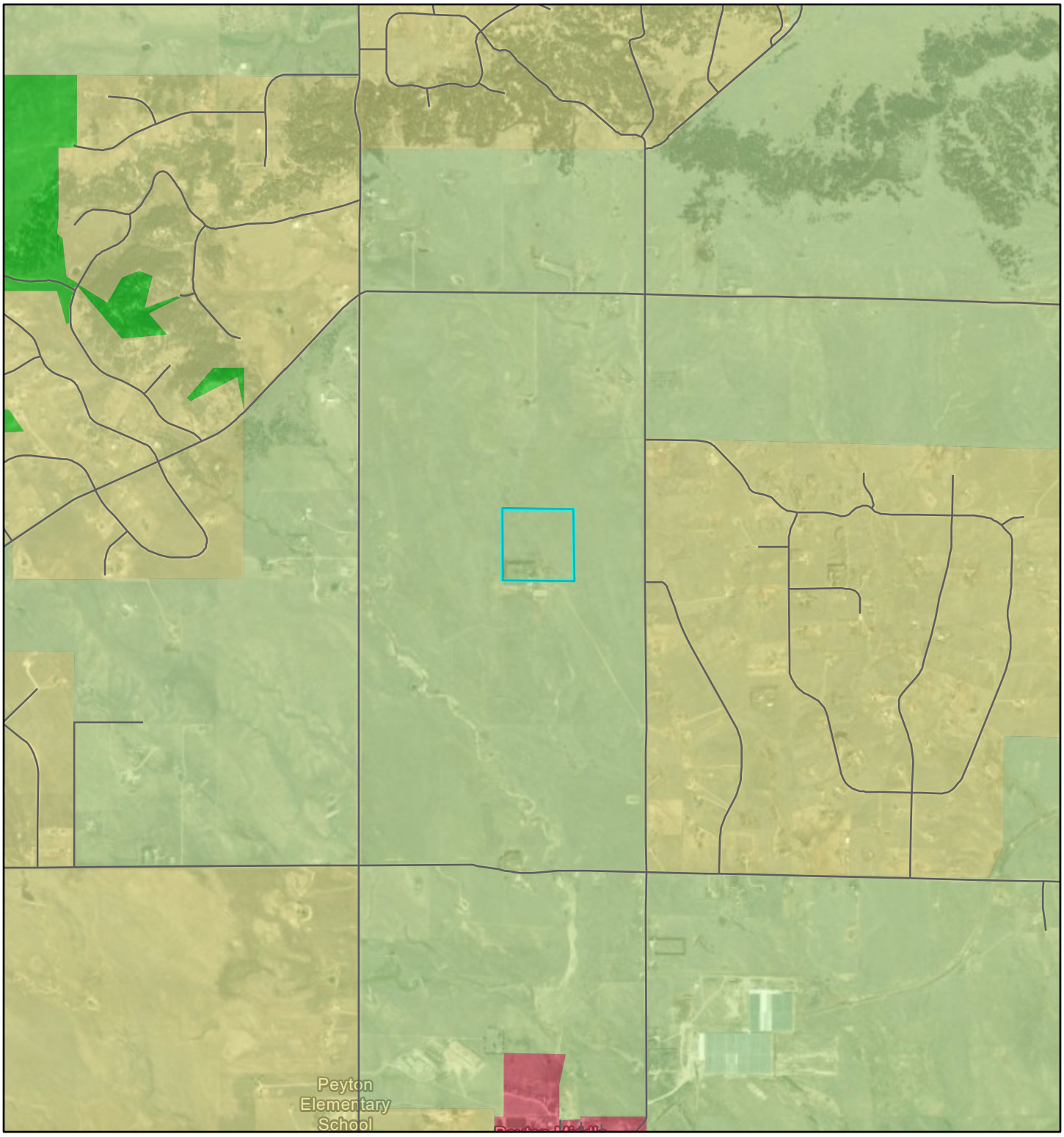
- Override 1
- County Roads
- Parcels

County Zoning

- A-5: Agricultural (5 acres)
- A-35: Agricultural (35 acres)
- PUD: Planned Unit Development
- RR-5: Residential Rural (5 acres)
- Initial Zoning
- Special Use
- Sketch Plans
- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations
- 9.6m Resolution Metadata

El Paso County Development Services, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Vantor

Placetypes Map



10/22/2026, 11:25:25 AM

Override 1

County Roads

Placetypes

Rural

Large-Lot Residential

Regional Open Space

Rural Settlement

World Imagery

Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

9.6m Resolution Metadata

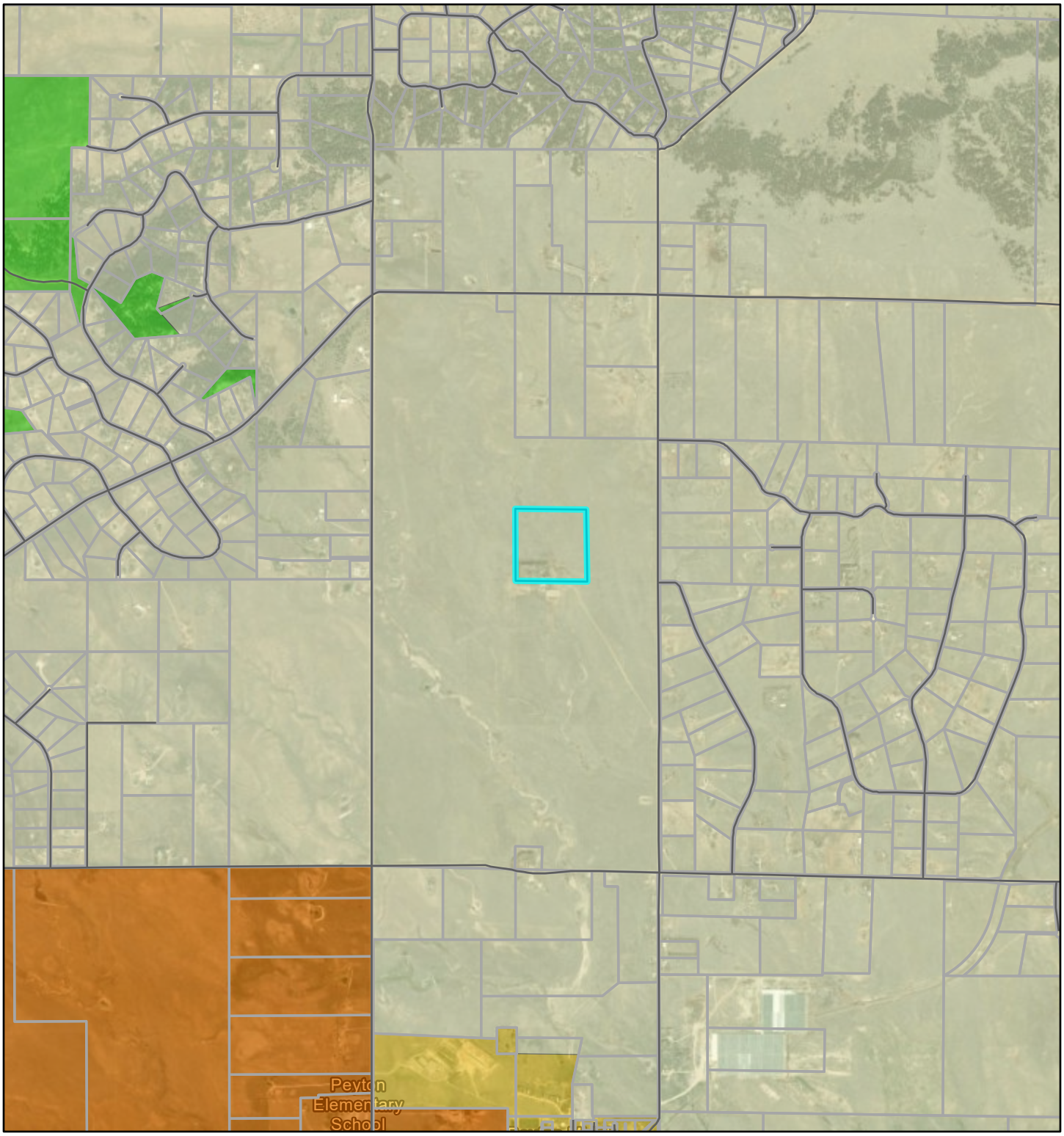
1:40,000

0 0.28 0.55 1.1 mi

0 0.42 0.85 1.7 km

Created by Houseal Lavigne Associates (2021), Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Vantor

Areas of Change Map



10/22/2026, 11:25:55 AM

1:40,000

0 0.28 0.55 1.1 mi

0 0.42 0.85 1.7 km

Override 1

County Roads

Areas Of Change

Protected/Conservation Area

Minimal Change: Undeveloped

Minimal Change: Developed

New Development

World Imagery

Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

9.6m Resolution Metadata

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Vantor

HRGreen®

1975 Research Parkway | Suite 160
Colorado Springs, CO 80920
Main 719.300.4140 + **Fax** 713.965.0044

HRGREEN.COM

OWNER / APPLICANT INFORMATION

Owner:
Contact: Sharon Bennett
Email: bennettranchpeyton@msn.com
Telephone No.: (719) 337-7752

Applicant
Company: HR Green Development, LLC
Contact Person: Mr. Blaine Perkins
Email: blaine.perkins@hrgreen.com
Telephone No.: (719) 394-2430

PROPERTY DETAILS

Tax Schedule Number: 3100000256
Address: 15000 N Peyton Highway
Size: ±39.73 acres
Current Zoning: RR-5 (Rural Residential)

APPLICATION REQUEST

HR Green Development LLC, on behalf of property owner Sharon Bennett requests approval of the following application within El Paso County.

- A variance of use allowing a second dwelling in the RR-5 (Rural Residential) zoning district. The secondary dwelling proposed does not change the types of land uses occurring on the subject parcel. The historic existing ranch house is proposed to be used as needed when the ranch has larger cattle operations underway. It is anticipated to be unoccupied most of the time. The property owner desires to preserve the historic structure for its historical value and significance.

PROJECT DESCRIPTION

The subject parcel is located north of Peyton at the intersection of Murphy Road and N Peyton Highway. It currently includes an existing historic single-family residence built in 1904 and several outbuildings supporting the ongoing agricultural ranching use of the property and the larger surrounding property. The site is accessed by a private driveway through the adjacent parcel off N Peyton Highway.

Land Use

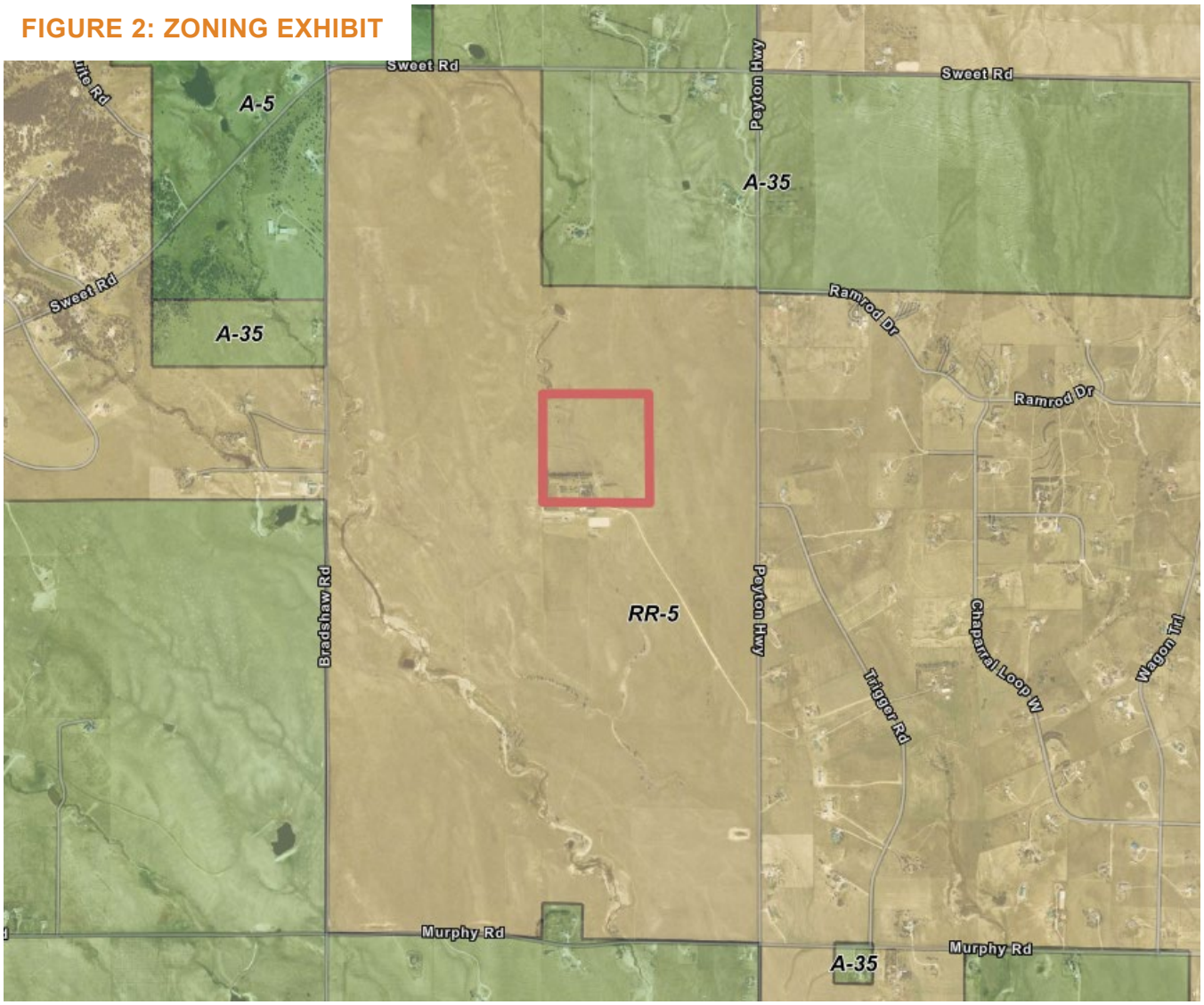
As stated previously, the property includes a historic ranch house from 1904 as the single-family residential use in conjunction with the ongoing ranching/agriculture use. The subject parcel is surrounded by rural agricultural land compatible with the existing uses on site. The secondary dwelling proposed does not change the types of land uses occurring on the subject parcel. The historic existing ranch house is proposed to be used as needed when the ranch has larger cattle operations underway. It is anticipated to be unoccupied most of the time. The property owner desires to preserve the historic structure for its historical value and significance.

FIGURE 1: AERIAL EXHIBIT



Zoning
The property is zoned RR-5 Rural Residential and is surrounded by the same RR-5 zone district. There are no overlay zoning districts. A second dwelling in the RR-5 zoning district requires a variance of use.

FIGURE 2: ZONING EXHIBIT



Floodplain
A portion of the Bennett Ranch property is within a designated floodplain per the FEMA flood insurance rate map 08041C0375G, effective date December 7, 2018.

Mineral Rights
A mineral rights certification affidavit was submitted with the variance of use application showing that there was no mineral estate owner on the property.

Circulation & Access
No additional access points from the public Peyton Highway right-of-way are proposed with this secondary dwelling on site. An additional internal driveway off the existing driveway is anticipated to provide access to the proposed secondary dwelling. Circulation within the site will function relatively the same as it does today, and the additional single dwelling is not anticipated to have significant impacts on the surrounding roadway network.
No Traffic Impact Study is required for the project per the criteria of Appendix B.1.2.D, as demonstrated below:

Vehicle Traffic
1. Daily vehicle trip-end generation is less than 100 or the peak hour trip generation is less than 10;

The typical single-family residence hour trip generation is less than 10; daily vehicle trip-end generation is less than 100. The average number of vehicle trips for a single-family home is about 9.5 to 10 trips per day, according to the Institute of Transportation Engineers (ITE)

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

The project does not include additional proposed minor or major roadway intersections.

3. 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;

As described above, the increase in the number of vehicular trips does not exceed the existing site trip generation by more than 10 peak hour trips or 100 daily trip ends.

4. 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;

The project will not generate an impactful change in the type of traffic accommodated within or adjacent to the property.

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

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

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

Per the Colorado Department of Transportation Crash Data website, there is no evidence of a history of safety or accident problems over the past five years.

7. There is no change of land use with access to a State Highway.
The proposed secondary dwelling does not change the land use.

Pedestrian Traffic
Paved pedestrian facilities exist or will be constructed on, or adjacent to, the site; or, the proposed use will not generate any new pedestrian traffic.

Any pedestrian traffic generated by the one single-family residence will be accommodated adjacent to the site along the existing roadways.

Bicycle Traffic
Paved bicycle lanes or paths exist or will be constructed on, or adjacent to, the site; or, the proposed use will not generate any new bicycle traffic.

Any bicycle traffic generated by the one single-family residence will be accommodated adjacent to the site along the existing roadways.

Water
The existing single-family residence and proposed secondary dwelling will each have a domestic water service via two private wells on the lot.

Wastewater
The existing single-family residence and proposed secondary dwelling will each be serviced via two private on-site wastewater systems consisting of the requisite domestic septic infrastructure, such as piping, tanks, and leach fields.

Schools
The subject property lies within the Peyton School District #23. The secondary dwelling is not anticipated to have any impact on the existing district.

Fire
The subject property lies within the Peyton Fire Protection District. The secondary dwelling is not anticipated to have any impact on the existing district.

Ecological/Wildlife
Topography of the site consists mainly of rolling grasslands and is bordered on all sides by rangeland and scattered rural residential development. Grasslands dominate the property. Much of the site is lightly disturbed by livestock grazing, but vegetative cover is currently relatively extensive and healthy. Diversity is moderate for this ecoregion, and the structure of vegetation is somewhat underdeveloped, likely owing to livestock activities.

Bristlecone Ecology “B.E.” performed a site analysis and prepared a report included in this submittal and summarized in this letter of intent. Because Section 9 restrictions always apply for listed species, B.E. has reviewed the site for potential habitat that could support listed species as identified by United States Fish & Wildlife Service ‘USFWS’ Information for Planning and Consultation portal (IPaC). B.E. reviewed the official species list of threatened, endangered, proposed, and candidate species/critical habitat provided by the USFWS’ IPaC tool (ECOSphere Project Code: 2026-0111052). After considering the effects of the proposed activity within the anticipated Environmental Impact Area, B.E. has determined that species warranting protection under the Endangered Species Act are unlikely to be affected by the subject activity for the following reasons:

- A qualified ecologist with B.E. has determined based on the official species list produced by IPaC that federally protected species are unlikely to occur on the site.
- A qualified ecologist with B.E. has determined that any direct, indirect, and cumulative effects on listed species and their habitats can be avoided entirely or kept to a negligible level through Project design and avoidance, minimization, or mitigation (AMM).

B.E. assessed the Project site for potential habitat to support Eastern black rails, ULTO, monarch butterflies, Suckley's cuckoo bumblebees, and Preble's meadow jumping mouse. There was no habitat present for any of the species listed in the IPaC query. In particular, there was no suitable riparian habitat available for the Preble's meadow jumping mouse, and the species is very unlikely to occur without a perennial water source. The Project will not affect any potential habitat for listed species.

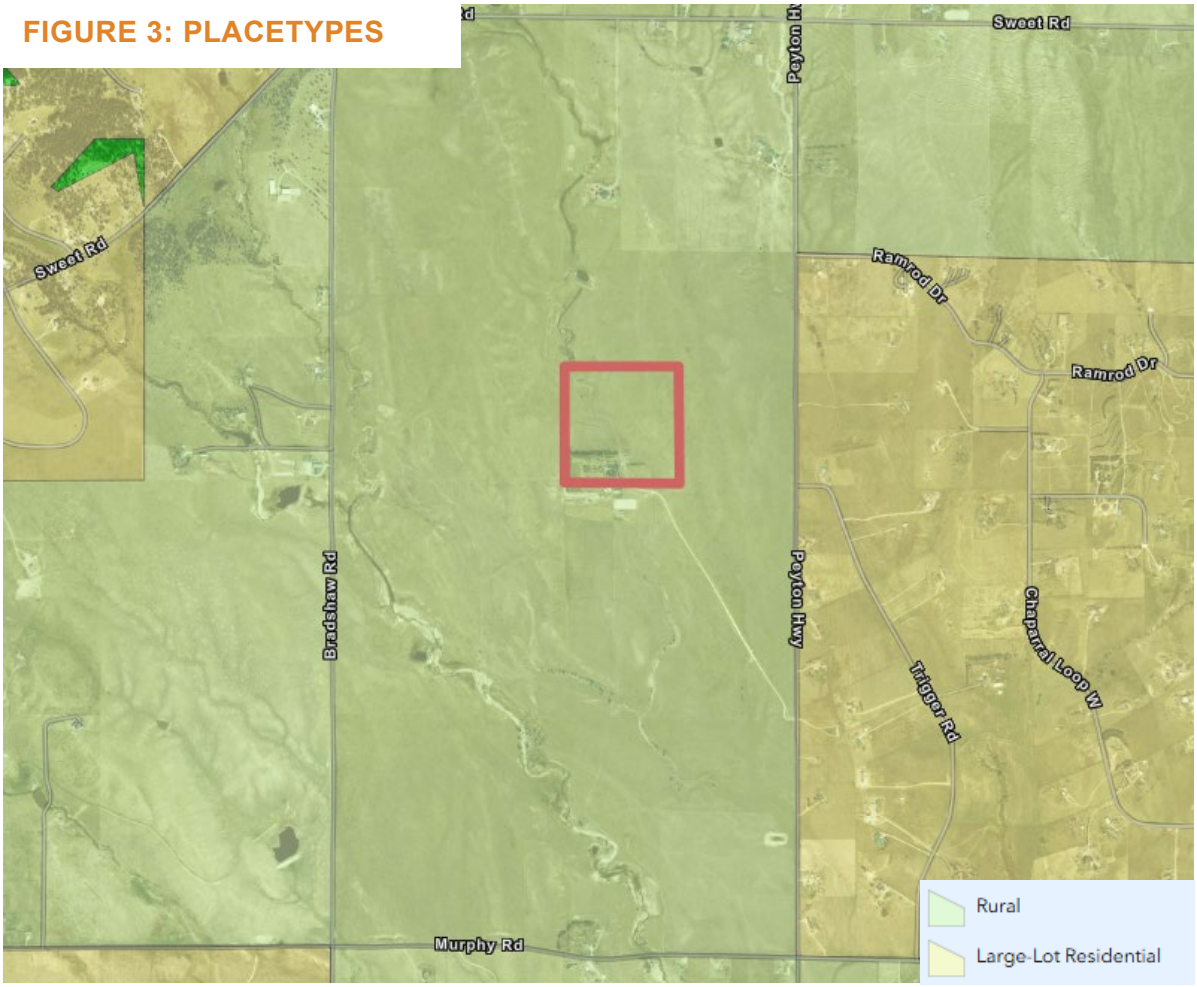
B.E.'s desktop review and on-site habitat assessment concluded that development of the Project is unlikely to affect any threatened, endangered, proposed, or candidate species, or their respective habitats. As such, it is B.E.'s professional opinion that development of the Project should have no concerns to result in take of listed species and requests USFWS' concurrence.

The USFWS has reviewed this request and has no concerns for any federally listed species related to this project. The USFWS has made a "No Concerns" determination per correspondence included in this application. When the USFWS delivers a 'No Concerns' determination, an email stating as much is standard practice.

YOUR EL PASO COUNTY MASTER PLAN

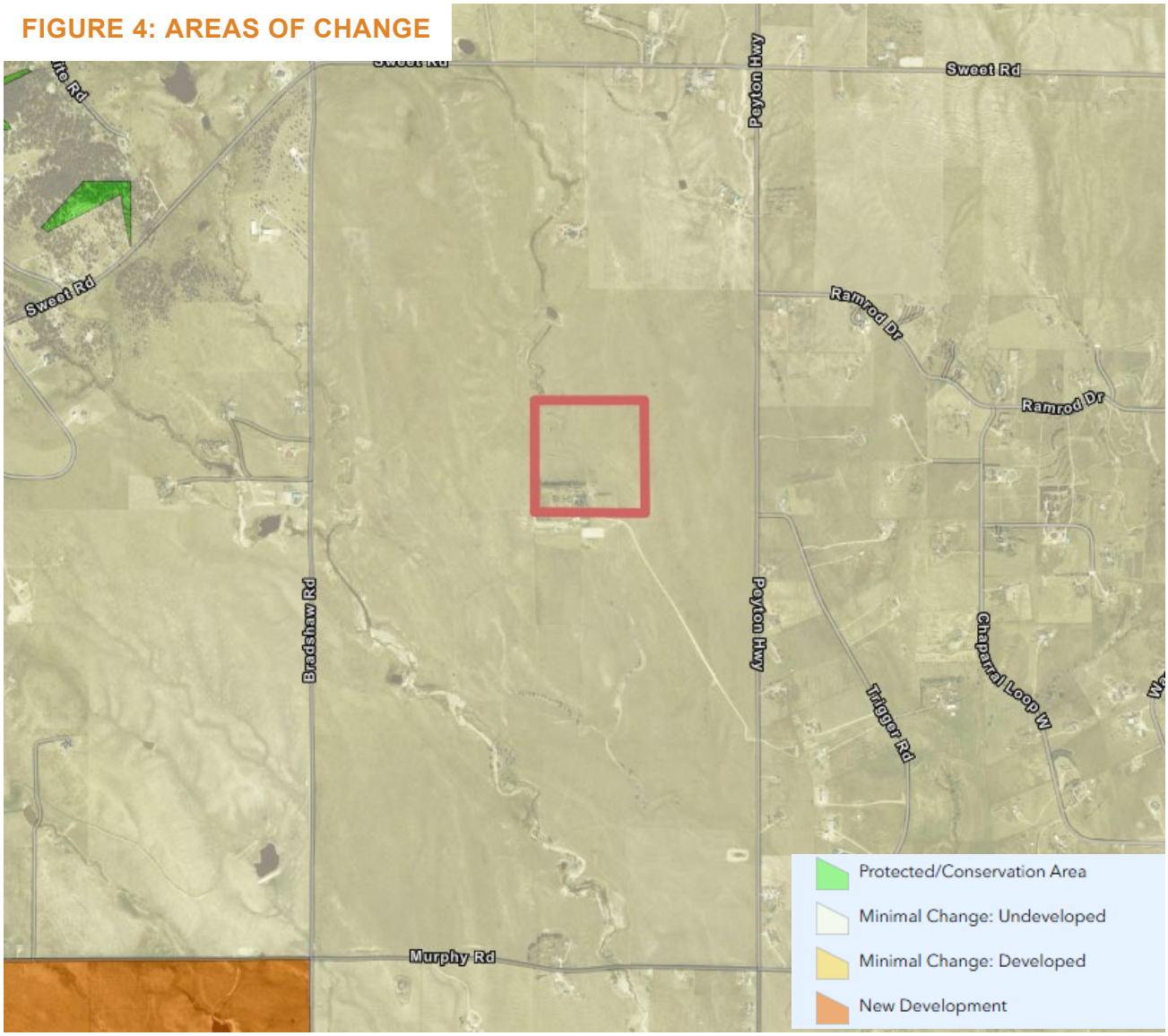
Per the 2021 'Your El Paso County Master Plan, ' the Bennett Ranch parcel is listed as a rural place type. The proposed additional dwelling on site conforms with the "character" of the rural place type.

FIGURE 3: PLACETYPES



The subject property is identified in the Areas of Change map within the Plan as being within the "Minimal Change: Undeveloped" area of change. The Master Plan characterizes areas of "Minimal Change: Undeveloped" as areas with a lack of development and presence of significant natural areas. These areas will experience some redevelopment of select underutilized or vacant sites adjacent to other built-out sites, but such redevelopment will be limited in scale so as to not alter the essential character. New development may also occur in these areas on previously undeveloped land, but overall there will be no change to the prioritized rural and natural environments. The subject site is already developed with the historic ranch house on site, and the proposed secondary dwelling is consistent with the Areas of Change designation from the Master Plan. The proposed change of the additional dwelling is limited in scale to not alter the essential rural character of the property consistent with the Master Plan.

FIGURE 4: AREAS OF CHANGE



REVIEW CRITERIA

In approving a variance of use, the following criteria may be considered:

1. The strict application of any of the provisions of this Code would result in peculiar and exceptional practical difficulties or undue hardship.

   The current Land Development Code does not permit a second dwelling in the RR-5 zoning district. The existing residence on site is historic from 1904. To avoid subdividing the property or variance of use the property owner would have to demolish this existing historic structure to construct a modern residence on site. The property owner desires to preserve the existing historic structure that contributes to El Paso

County's agricultural and ranching heritage. The concept of permitting and constructing a permanent second dwelling is not an uncommon occurrence. There have been at least six variance of use requests to allow for second dwellings approved in El Paso County in the last five years.

2. The variance of use is generally consistent with the applicable Master Plan;

   Please reference the Master Plan analysis above.

3. The proposed use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the surrounding area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and County;

   As stated previously, the property includes a historic ranch house from 1904 as the single-family residential use in conjunction with the ongoing ranching/agriculture use. The subject parcel is surrounded by rural agricultural land compatible with the existing uses on site. The secondary dwelling proposed does not change the types of land uses occurring on the subject parcel.

4. The proposed use will be able to meet air, water, odor or noise standards established by County, State or federal regulations during construction and upon completion of the project;

   The proposed use of a second dwelling will be served by a new onsite well and wastewater treatment system (OWTS) separate from the existing historic dwelling. The proposed second dwelling will be constructed to comply with El Paso County and State air quality regulations.

5. The proposed use will comply with all applicable requirements of this Code and all applicable County, State and federal regulations except those portions varied by this action;

   The proposed use will comply with all applicable requirements of this Code and all applicable County, State and federal regulations except those portions varied by this action. The proposed second dwelling will meet all setback and height requirements of the RR-5 zoning district, as depicted on the variance of use site plan.

6. The proposed use will not adversely affect wildlife or wetlands;

   The proposed secondary dwelling will be constructed to minimize impacts to wildlife habitat on the subject property.

7. The applicant has addressed all off-site impacts;

   There are no anticipated off-site impacts.

8. The site plan for the proposed variance of use will provide for adequate parking, traffic circulation, open space, fencing, screening, and landscaping; and/or

   The site plan illustrating the proposed second dwelling provides adequate parking, circulation, open space, fencing, screening, and landscaping. The subject parcel is surrounded by existing agricultural ranching lands with sufficient open space and buffering from adjacent properties. The existing ranching grasslands landscape will be preserved. The additional driveway off the existing driveway and anticipated garage with the secondary dwelling will provide sufficient parking. As stated previously, the existing access and driveway will serve the secondary dwelling with minimal anticipated changes to circulation on site and no changes to off-site circulation patterns. The subject property is already fenced to support the ranching operations.

9. Sewer, water, storm water drainage, fire protection, police protection, and roads will be available and adequate to serve the needs of the proposed variance of use as designed and proposed.

   Water is provided by an individual on-site well and septic separate from the existing well and septic serving the existing historic dwelling on site. The property is within the Peyton Fire Protection District. El Paso Sheriff's Department will respond to any emergency. Access exists from Peyton Highway. Stormwater runoff from the proposed development will not adversely impact neighboring or downstream properties.

PERKINS, BLAINE, 9/22/2026 8:56 AM

BENNETT RANCH
VARIANCE OF USE

THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 11 SOUTH, RANGE 63 WEST OF THE 6TH PRINCIPAL MERIDIAN,
EL PASO COUNTY, COLORADO

PROJECT INFORMATION:

OWNER NAME:	SHARON BENNETT
CONTACT ADDRESS:	PO BOX 34 PEYTON, CO 80831

APPLICANT REPRESENTATIVE:

COMPANY:	HR GREEN DEVELOPMENT, LLC
ADDRESS:	1975 RESEARCH PKWY SUITE 160 COLORADO SPRINGS, CO 80920
ATTN:	BLAINE PERKINS
EMAIL:	BLAINE.PERKINS@HRGREEN.COM

SITE INFORMATION:

PROPERTY ADDRESS:	15000 NORTH PEYTON HIGHWAY PEYTON, CO 80831
PARCEL NUMBER:	3100000256
LOT SIZE:	39.681 ACRES
EXISTING ZONING:	RR-5
CURRENT USE:	SINGLE-FAMILY RESIDENTIAL
PROPOSED USE:	VARIANCE OF USE: ADDITIONAL SINGLE-FAMILY RESIDENCE
PROP. RESIDENCE AREA:	3,352 SF
PROP. BLDG. HEIGHT:	24' - 4 1/2"
FRONT SETBACK:	25.0'
SIDE SETBACK:	25.0'
REAR SETBACK:	25.0'
DRAINAGE BASIN:	UPPER BRACKET CREEK (CHBR0600)

REQUIRED PARKING SPACES:
2 SPACES PER SINGLE-FAMILY RESIDENCE

SCOPE OF WORK:
PROPOSED SINGLE-FAMILY RESIDENCE (3,352 SF), PRIVATE DRIVEWAY, PRIVATE UTILITIES, SITE GRADING AND FINAL STABILIZATION

DEVELOPMENT SCHEDULE
CONSTRUCTION: FALL 2026
STABILIZATION: SPRING 2027

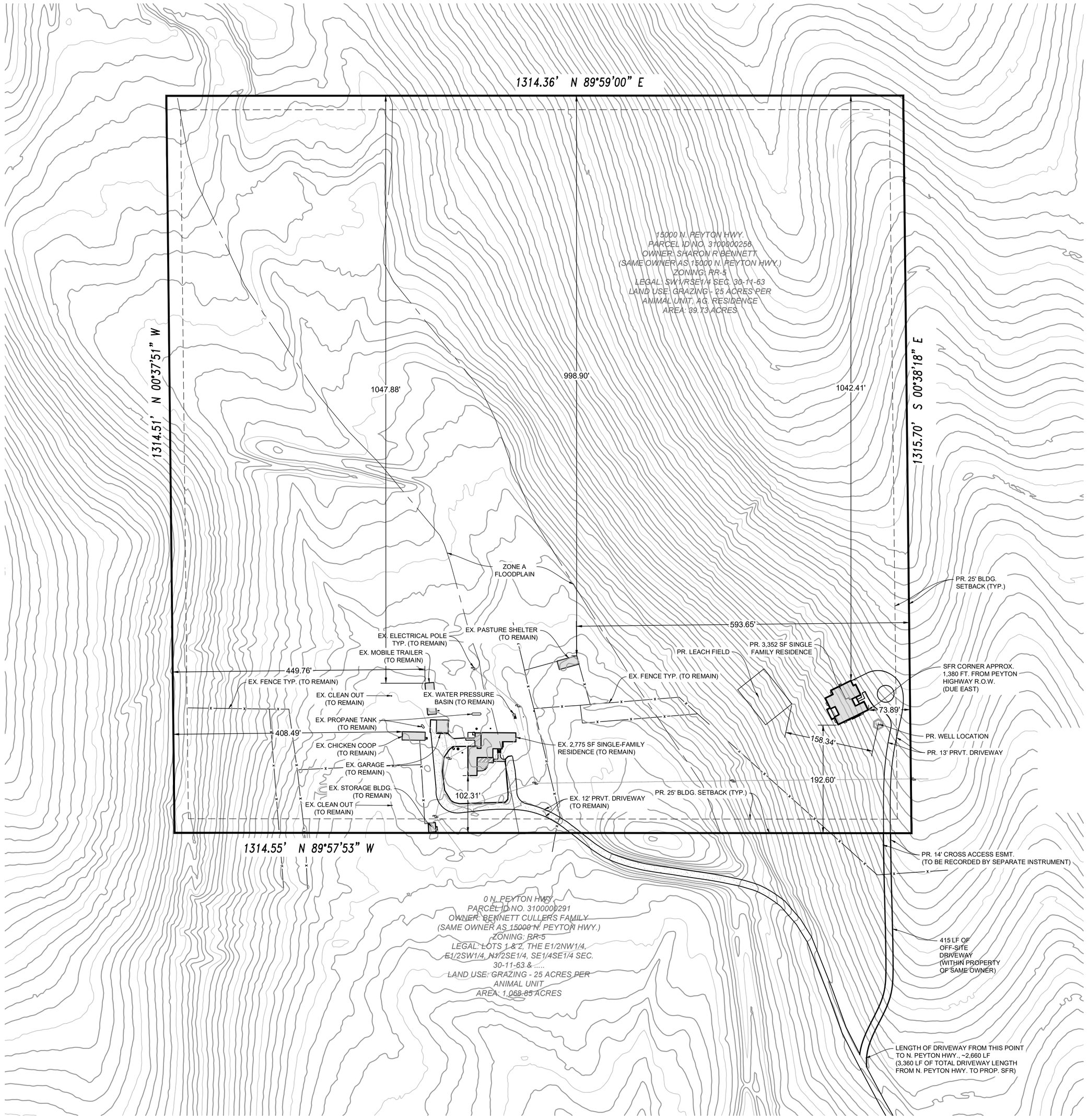
FLOODPLAIN STATEMENT:
PER FEMA MAP NO. 08041C0375G, DATED DECEMBER 7, 2018, THE SITE IS LOCATED WITHIN A FLOODPLAIN AND IS DESIGNATED AS ZONE A (WITHOUT BASE FLOOD ELEVATION).

LEGAL DESCRIPTION:
THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 11 SOUTH, RANGE 63 WEST OF THE 6th PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO. TOGETHER WITH AN ACCESS EASEMENT FOR INGRESS AND EGRESS PURPOSES BEING THE EXISTING DIRT ROADWAY LYING OVER AND ACROSS THE NORTHEAST QUARTER OF SECTION 31 OF SAID TOWNSHIP 11 SOUTH, RANGE 63 WEST OF THE 6TH P.M.

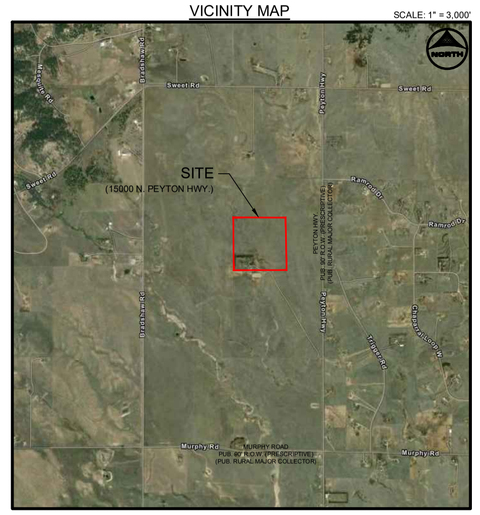
CONTAINING A CALCULATED AREA OF 1,728,532 SQUARE FEET OR 39.681 ACRES.

NOTES:

1. THE PROPOSED DISTURBANCE AND CONSTRUCTION IS NOT WITHIN A NON-BUILD AREA.
2. THERE ARE NO EXISTING PRESERVATION EASEMENTS, NO-BUILD DESIGNATIONS, GEOLOGICAL HAZARDS, STREAMSIDE ZONES, WETLANDS, OR RIPARIAN AREAS THAT PREVENT DEVELOPMENT AS IT IS SHOWN ON THIS PLAN.
3. THERE ARE NO EXISTING SIDEWALKS OR TRAILS WITHIN THE VICINITY OF THIS DEVELOPMENT.
4. ALL EXISTING AND PROPOSED WALLS AND FENCES ARE SHOWN ON THIS PLAN FOR THIS PROPERTY. THERE ARE NO KNOWN BERMS OR GRADED-IN DRAINAGE FEATURES ON THIS PROPERTY.
5. THERE ARE NO OFF-STREET PARKING OR LOADING AREAS ASSOCIATED WITH THIS PLAN. UTILIZATION OF THE EXISTING DRIVEWAY IS THE INGRESS/EGRESS AND DESIGNATED VEHICLE MANEUVERING AREA FOR THE DEVELOPMENT.
6. THE PARTIES RESPONSIBLE FOR THIS PLAN HAVE FAMILIARIZED THEMSELVES WITH ALL CURRENT ACCESSIBILITY CRITERIA AND SPECIFICATIONS AND THE PROPOSED PLAN REFLECTS ALL SITE ELEMENTS REQUIRED BY THE APPLICABLE ADA DESIGN STANDARDS AND GUIDELINES AS PUBLISHED BY THE UNITED STATES DEPARTMENT OF JUSTICE. APPROVAL OF THIS PLAN BY EL PASO COUNTY DOES NOT ASSURE COMPLIANCE WITH THE ADA OR ANY REGULATIONS OR GUIDELINES ENACTED OR PROMULGATED UNDER OR WITH RESPECT TO SUCH LAWS.



VICINITY MAP
SCALE: 1" = 3,000'



DRAWN BY: BKP	JOB DATE: 9/9/2026	BAR IS ONE INCH ON OFFICIAL DRAWINGS.
APPROVED: BKP	JOB NUMBER: 2503969	0 1"
CAD DATE:		IF NOT ONE INCH, ADJUST SCALE ACCORDINGLY.
CAD FILE: J:\2025\2503969\CAD\Dwgs\C\Site_Plan		

NO.	DATE	BY	REVISION DESCRIPTION

HRGreen
HR GREEN - COLORADO SPRINGS
1975 RESEARCH PARKWAY SUITE 160
COLORADO SPRINGS, CO 80920
PHONE: 719.300.4140
FAX: 713.965.0044

BENNETT RANCH
SHARON BENNETT
EL PASO COUNTY, COLORADO

VARIANCE OF USE
COVER SHEET & SITE PLAN

SHEET
SP
1

HR GREEN Xrefs: XC-DSGN

PERKINS, BLAINE, 9/22/2026 8:56 AM

BENNETT RANCH
VARIANCE OF USE

THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 11 SOUTH, RANGE 63 WEST OF THE 6TH PRINCIPAL MERIDIAN,
EL PASO COUNTY, COLORADO

NOTES:

1. THE PROPOSED DISTURBANCE AND CONSTRUCTION IS NOT WITHIN A NON-BUILD AREA.
2. THERE ARE NO EXISTING PRESERVATION EASEMENTS, NO-BUILD DESIGNATIONS, GEOLOGICAL HAZARDS, STREAMSIDE ZONES, WETLANDS, OR RIPARIAN AREAS THAT PREVENT DEVELOPMENT AS IT IS SHOWN ON THIS PLAN.
3. THERE ARE NO EXISTING SIDEWALKS OR TRAILS WITHIN THE VICINITY OF THIS DEVELOPMENT.
4. ALL EXISTING AND PROPOSED WALLS AND FENCES ARE SHOWN ON THIS PLAN FOR THIS PROPERTY. THERE ARE NO KNOWN BERMS OR GRADED-IN DRAINAGE FEATURES ON THIS PROPERTY.
5. THERE ARE NO OFF-STREET PARKING OR LOADING AREAS ASSOCIATED WITH THIS PLAN. UTILIZATION OF THE EXISTING DRIVEWAY IS THE INGRESS/EGRESS AND DESIGNATED VEHICLE MANEUVERING AREA FOR THE DEVELOPMENT.
6. THE PARTIES RESPONSIBLE FOR THIS PLAN HAVE FAMILIARIZED THEMSELVES WITH ALL CURRENT ACCESSIBILITY CRITERIA AND SPECIFICATIONS AND THE PROPOSED PLAN REFLECTS ALL SITE ELEMENTS REQUIRED BY THE APPLICABLE ADA DESIGN STANDARDS AND GUIDELINES AS PUBLISHED BY THE UNITED STATES DEPARTMENT OF JUSTICE. APPROVAL OF THIS PLAN BY EL PASO COUNTY DOES NOT ASSURE COMPLIANCE WITH THE ADA OR ANY REGULATIONS OR GUIDELINES ENACTED OR PROMULGATED UNDER OR WITH RESPECT TO SUCH LAWS.

SITE INFORMATION:

LIMITS OF DISTURBANCE FOR SFR: 0.32 AC.
LIMITS OF DISTURBANCE FOR DRIVEWAY: 0.16 AC.
LIMITS OF DISTURBANCE FOR WELL AND SEPTIC W/ SERVICES: 0.12 AC.
TOTAL LIMITS OF DISTURBANCE: 0.60 AC.

EXISTING CONDITIONS IMPERVIOUSNESS: 0.50%
PROPOSED CONDITIONS IMPERVIOUSNESS: 1.46%



DRAWN BY:	RDL	JOB DATE:	9/9/2026
APPROVED:	RDL	JOB NUMBER:	2503969
CAD DATE:	9/9/2026		
CAD FILE:	J:\2025\2503969\CAD\Dwgs\C\Site_Plan		

BAR IS ONE INCH ON OFFICIAL DRAWINGS.
0 1"
IF NOT ONE INCH, ADJUST SCALE ACCORDINGLY.

NO.	DATE	BY	REVISION DESCRIPTION

HRGreen
HR GREEN - COLORADO SPRINGS
1975 RESEARCH PARKWAY SUITE 160
COLORADO SPRINGS, CO 80920
PHONE: 719.300.4140
FAX: 713.965.0044

BENNETT RANCH
SHARON BENNETT
EL PASO COUNTY, COLORADO

VARIANCE OF USE
CIVIL SITE AND GRADING PLAN

SHEET
SP

2

HR GREEN Xrefs: XC-DSGN

VARIANCE OF USE (RECOMMEND APPROVAL)

_____ moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. VA269
ADDITIONAL DWELLING UNIT SHARON BENNETT RANCH

WHEREAS, Sharon Bennett did file an application with the El Paso County Planning and Community Development Department for approval of a Variance of Use to allow an Additional Dwelling Unit within the RR-5 (Residential Rural) zoning district for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by this Commission on November 19, 2026; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the Master Plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, and comments by the El Paso County Planning Commission members during the hearing, this Commission finds as follows:

1. The application was properly submitted for consideration by the Planning Commission;

2. Proper posting, publication, and public notice were provided as required by law for the hearing before the Planning Commission;

3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;

4. All exhibits were received into evidence;

5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;

6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County subdivision regulations; and

7. For the above-stated and other reasons, the proposed Variance of Use is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, this Commission further finds that the request meets the criteria for approval outlined in Section 5.3.4.C of the El Paso County Land Development Code (as amended):

1. The strict application of any of the provisions of the Code would result in peculiar and exceptional practical difficulties or undue hardship;

2. The Variance of Use is generally consistent with the applicable Master Plan;

3. The proposed use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the surrounding area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and County;

4. The proposed use will be able to meet air, water, odor or noise standards established by County, State, or Federal regulations during construction and upon completion of the project;

5. The proposed use will comply with all applicable requirements of the Code and all applicable County, State, and Federal regulations except those portions varied by this action;

6. The proposed use will not adversely affect wildlife or wetlands;

7. The applicant has addressed all off-site impacts;

8. The site plan for the proposed Variance of Use will provide for adequate parking, traffic circulation, open space, fencing, screening, and landscaping; and/or

9. Sewer, water, storm water drainage, fire protection, police protection, and roads will be available and adequate to serve the needs of the proposed Variance of Use as designed and proposed.

NOW, THEREFORE, BE IT RESOLVED, that the El Paso County Planning Commission recommends that the petition of Sharon Bennett for approval of a Variance of Use to allow an Additional Dwelling Unit within the RR-5 (Residential Rural) zoning district meets the criteria for approval outlined in Section 5.3.4.C of the El Paso County Land Development Code and be approved by the Board of County Commissioners with the following conditions and notations:

CONDITIONS

1. The proposed new dwelling shall comply with the applicable provisions of the Colorado Wildfire Resiliency Code (WRC), as adopted by the Peyton Fire Protection District. Compliance with applicable WRC construction and site requirements shall be addressed as part of the building and construction process.

2. Applicant shall comply with all State water regulations as identified in Well Permit No. 91210-F .

3. Applicant shall obtain all necessary permits for the residence, including but not limited to building permits from the Pikes Peak Regional Building Department and an onsite wastewater treatment system permit from El Paso County Public Health. No residential use may be made of the structure until all necessary improvements have been installed and passed inspection and permits have been obtained.

4. An easement to provide access to the new home through an adjoining property will be provided to the Planning Department prior to scheduling the item for a BoCC hearing, and will be recorded following an approval at a BoCC hearing.

NOTATIONS

1. Variance of Use approval includes conditions of approval and the accompanying site plan and elevation drawings. 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 Variance of Use conditions/standards are being violated, preceded by notice and public hearing.

3. If the Variance of Use is discontinued or abandoned for two (2) years or longer, the Variance of Use shall be deemed abandoned and of no further force and effect.

4. Applicant shall be required to pay road impact fees in accordance with the El Paso County Road Impact Fee Program (Resolution 24-377). Road impact fees shall be paid at time of building permit.

AND BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein shall be forwarded to the El Paso County Board of County Commissioners for its consideration.

_____ seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: (circle one)

Thomas Bailey	aye / no / non-voting / recused / absent
Blaine Brew	aye / no / non-voting / recused / absent
Michael Brewer	aye / no / non-voting / recused / absent
Sarah Brittain Jack	aye / no / non-voting / recused / absent
Jim Byers	aye / no / non-voting / recused / absent
Suzanne Casagrande	aye / no / non-voting / recused / absent
Mae Emrick	aye / no / non-voting / recused / absent
Eric Moraes	aye / no / non-voting / recused / absent
Bryce Schuettpelz	aye / no / non-voting / recused / absent
Tim Trowbridge	aye / no / non-voting / recused / absent
Christopher Whitney	aye / no / non-voting / recused / absent
Jason Wulf	aye / no / non-voting / recused / absent

The Resolution was adopted by a vote of _____ to _____ by the El Paso County Planning Commission, State of Colorado.

DONE THIS 19th day of November 2026 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: _____
Chair

EXHIBIT A

SW4SE4 SEC 30-11-63