

MEGGAN HERINGTON, AICP, EXECUTIVE DIRECTOR
PLANNING AND COMMUNITY DEVELOPMENT

TO: El Paso County Board of Adjustment
Carrie Geitner, Chair

FROM: Jen Uhler, Planner
Joseph Sandstrom, E.I.T., Associate Engineer

RE: Project File Number: BOA264
Project Name: 4082 Pinehurst Circle Setback Variance
Parcel Number: 6115010017
Commissioner District: 1

OWNER:	REPRESENTATIVE:
Pagosa Revocable Living Trust 4082 Pinehurst Circle Colorado Springs, Co, 80908	Nina Dossey Vertex Consulting Services, LLC 5825 Delmonico Drive Colorado Springs, CO 80919
Board of Adjustment Hearing Date: 6/25/2026	

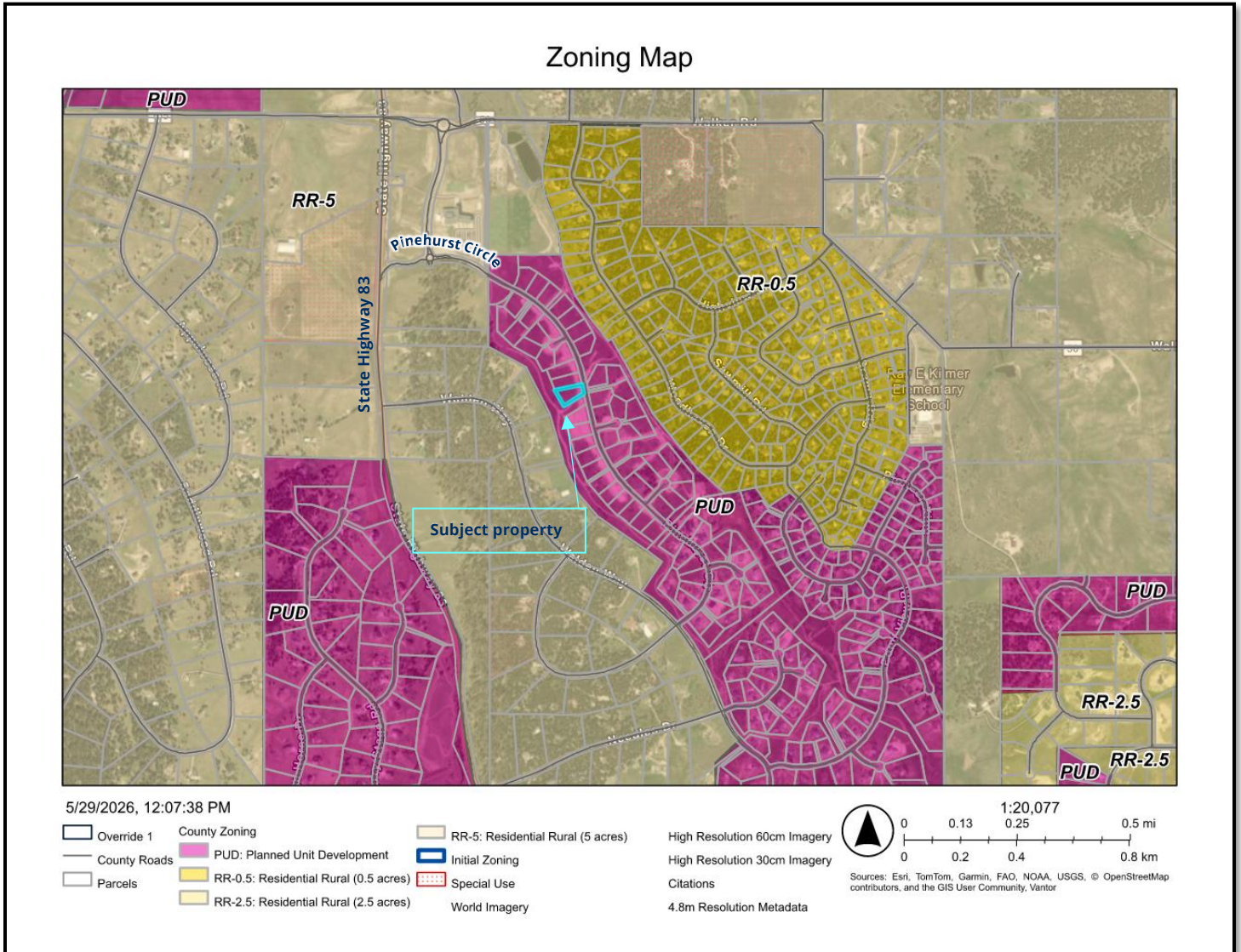
EXECUTIVE SUMMARY

A request by Pagosa Revocable Living Trust for approval of a Dimensional Variance to allow an accessory structure to be constructed 10 feet from the rear property line, where an accessory structure would normally be 25 feet from the rear property line. The Walden Preserve 2 – Filings 4, 5, 6 & 7 Amended PUD Development Plan requires a minimum rear setback of 25 feet for all structures in the PUD. The 1.01-acre property is located at 4082 Pinehurst Circle, approximately 0.50 miles southeast of the intersection of Pinehurst Circle and State

Highway 83 in Colorado Springs, Colorado. An Administrative Plat Note Waiver (file no. PNW261) is being processed concurrently.

Vicinity Map

Zoning Map



A. APPROVAL CRITERIA

Section 5.5.2.B.2.a (Variances to Physical Requirements) of the Land Development Code (as amended), states the following:

(2) Grant of Variance of Specific Development Standards.

(a) Variances to Physical Requirements. The Board of Adjustment is authorized to grant variances from the strict application of any physical requirement of this Code which would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the owner of the property. Practical difficulties and hardship, in this context, may exist where the legal use of the property is severely restricted due to (1) the exceptional narrowness, shallowness or shape of the specific piece of property, or (2) the exceptional topographic conditions or other extraordinary or exceptional situation or condition of the piece of property.

Section 5.5.2.B.2.a of the Code continues by stating the following:

The Board of Adjustment may also grant variances from the strict application of any physical requirement of this Code based upon equitable consideration, finding that the burdens of strict compliance with the zoning requirement(s) significantly exceed the benefits of such compliance for the specific piece of property and;

- The variance provides only reasonably brief, temporary relief; or*
- The variance request includes an alternative plan, standards or conditions that substantially and satisfactorily mitigate the anticipated impacts or serve as a reasonably equivalent substitute for current zoning requirements; or*
- Some other unique or equitable consideration compels that strict compliance not be required.*

Section 5.5.2.D of the Code states the following:

(D) Limitations on Approval and Expiration.

(1) Approval Limited to Proposal Presented. A physical variance is limited to the property configuration and existing or proposed structures actually presented to the Board of Adjustment as part of the variance application.

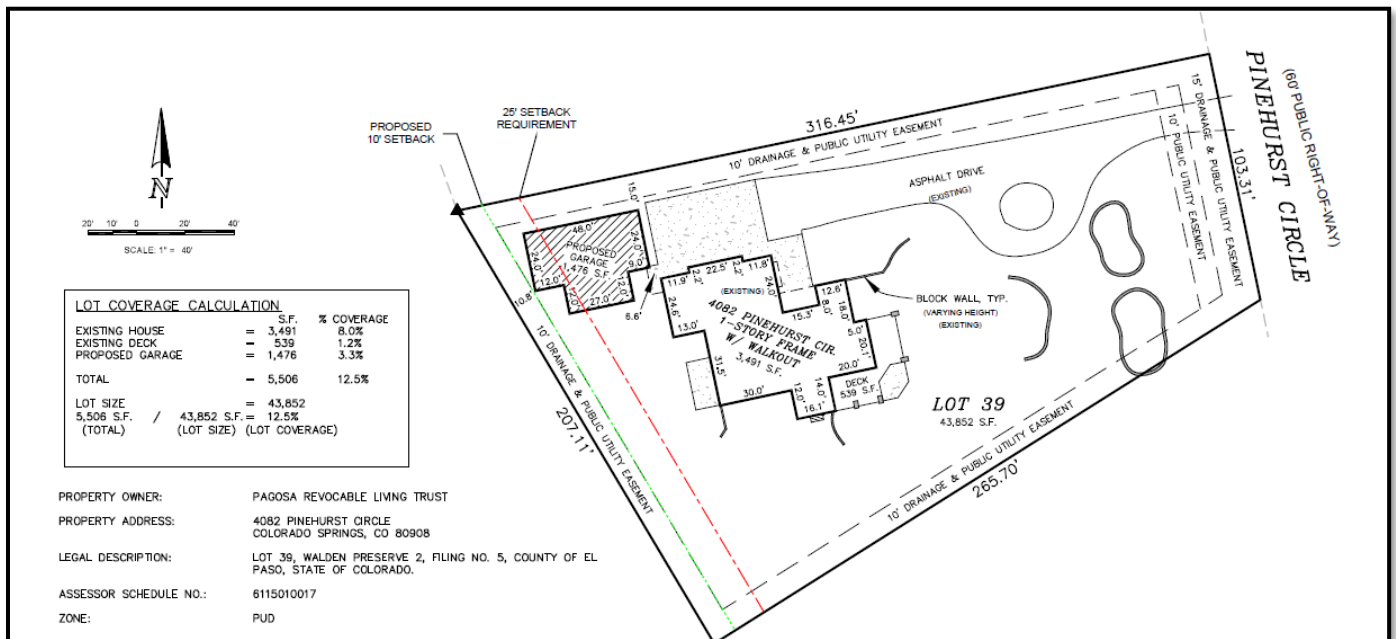
(2) Expiration of Approval if Action Not Initiated. A physical variance for a proposed structure, except for lot area variances where a plat has been filed for recording, is valid only if construction of the structure is initiated within one year of the date of the Board of Adjustment's approval of the variance.

B. BACKGROUND

The property was formally platted as Lot 39, Walden Preserve 2, Filing No. 5, in September of 2022, through Plat # R15042. The single-story walkout, 4,561 square-foot, single-family home was built on the property in 2024. The 1.01-acre lot is rectangular in shape, with 10-foot utility and drainage easements along all lot lines. The owner proposes to construct a 1,476 square-foot detached garage, as shown on the applicant's site plan (reproduced below and included as full size attachment). The detached garage is proposed to encroach approximately 15 feet into the 25-foot rear setback.

The Walden Homeowner's Association imposes regulations on the outdoor storage of Recreational Vehicles and trailers, where "No recreational vehicles (RV's, bus, camping trailers, boat trailer, running gear, boat or accessories) or hauling trailers are allowed to be parked in the community unless parked in a closed garage or screened from view from adjacent streets and nearby lots. Recreational vehicles being used by visitors may be parked outdoors for 10 days without special permission of the Board." The applicant wishes to construct a garage to comply with these HOA regulations regarding vehicle storage.

Site Map provided by applicant



C. LAND DEVELOPMENT CODE AND ZONING ANALYSIS

Zoning on the subject property was established in 2004 as PUD (Planned Unit Development). In 2018, the Walden Preserve 2 PUD was amended to its current state. The density and dimensional standards for the Walden Preserve 2 PUD zoning district are as follows:

- Minimum lot size: 1 acre
- Setbacks for principal and accessory structures:
 - Minimum front yard setback: 25 feet
 - Minimum side setback: 15 feet
 - Minimum rear setback: 25 feet

- Maximum height: 30 feet
- Lot coverage: N/A

The property and proposed project meet all other design standards of the PUD zoning district, except for the subject rear setback relief request. Any future proposed structures shall meet all requirements of the PUD zoning district and shall obtain approval of a Residential Site Plan prior to construction.

The request meets the criteria of Section 5.5.2.B.2., where strict compliance with the zoning requirement(s) significantly exceed the benefits of such compliance for the specific piece of property and an alternative plan substantially and satisfactorily mitigates the anticipated impacts or serves as a reasonably equivalent substitute for current zoning requirements. Strict compliance with the setback regulations would require removal of established landscaping and trees, and result in a placement where the garage would, as stated in the letter of intent, “become a dominant visual element from the street.” Alternatively, screening of the Recreational Vehicle through other methods may not be as visually effective or visually appealing. As proposed, the structure would follow the natural topography of the lot, and maintain a visual character consistent with the surrounding properties.

D. ALTERNATIVES EXPLORED

The applicant explored alternative placement, as pictured below. The alternative placement would result in a highly visible location adjacent to the public trail, and require removal of established landscaping in addition to site drainage re-design.



E. LOCATION

North:	PUD (Planned Unit Development)	Residential
South:	PUD (Planned Unit Development)	Open Space / Trail
East:	PUD (Planned Unit Development)	Residential
West:	PUD (Planned Unit Development)	Open Space / Trail

F. SERVICES

1. WATER

Water is provided by Walden Metro District #2. The proposed project does not occur over district-owned infrastructure. No additional habitable space is proposed, and the Metro District had no objection to the proposal.

2. WASTEWATER

Wastewater is provided by Walden Metro District #2. The proposed project does not occur over district-owned infrastructure. No additional habitable space is proposed, and the Metro District had no objection to the proposal.

3. EMERGENCY SERVICES

The property is located within the Tri-Lakes Monument Fire Protection District, which is committed to providing fire protection services to the proposed development. The District was sent a referral and had no objection to the proposal.

G. ENGINEERING

1. FLOODPLAIN

The FEMA FIRM map number for this site is 08041C0285G, effective on 12/7/2018. This property is in Zone X, an Area of Minimal Flood Hazard. No floodplain regulations apply to Zone X.

2. DRAINAGE AND EROSION

This property is in the West Cherry Creek (CYCY0400) drainage basin, which does not have basin or bridge fees. Neither a drainage report nor a grading and erosion control plan were required due to the negligible increase in imperviousness and disturbance. The letter of intent states that drainage from the proposed garage will not adversely impact the adjacent properties or runoff patterns.

3. TRANSPORTATION

The proposed garage will not generate any additional trips to the property. No Traffic Impact Study was required pursuant to Engineering Criteria Manual Appendix B.1.2.D. The El Paso County Road Impact Fee program (BoCC Resolution 25-337, as amended) does not apply to this application.

H. RECOMMENDED CONDITIONS OF APPROVAL AND NOTATIONS

Should the Board of Adjustment determine that the application is consistent with the criteria for approval of a Dimensional Variance to allow an accessory structure to be constructed 10 feet from the rear property line, where an accessory structure would normally be 25 feet from the rear property line, and that the applicant has met the review and approval criteria for granting Variances from the applicable standards, staff recommends the following conditions and notation:

CONDITIONS

1. The approval applies only to the plans as submitted. Any expansion or additions to the proposed structure may require separate Board of Adjustment application(s) and approval(s) if the development requirements of the applicable zoning district cannot be met.
2. Issuance of a building permit from the Pikes Peak Regional Building Department is required prior to the construction of the proposed attached structure.

NOTATIONS

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 Board of Adjustment approval.
2. The PCD Director may require a survey, certified by a registered surveyor, licensed in the State of Colorado, depicting the improvement in relationship to the lot lines affected to demonstrate compliance with the approval of the Dimensional Variance.

I. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 16 surrounding property owners on June 8, 2026, for the Board of Adjustment meeting. Responses will be provided at the hearing.

J. ATTACHMENTS

Letter of Intent
Site Plan Drawing
Zoning Map
Public comments
Draft Resolution



Vertex Consulting Services, LLC
5825 Delmonico Drive, Suite 320
Colorado Springs, CO 80919
719-733-8605

**Pinehurst Circle RV Garage
Dimensional Variance & Plat Note Waiver
Letter of Intent**

May 8, 2026

Owner:
Pagosa Revocable Living Trust
4082 Pinehurst Circle
Colorado Springs, CO 80908

PDC File No. BOA264

Planner: Vertex Consulting Services, Nina Dossey
5825 Delmonico Drive, Suite 320
Colorado Springs, CO 80919
719-433-2018
Nina.dossey@vertexc.com

Tax Schedule No: 61150-10-017
Acreage: 1.01 Acres
Zoning: PUD (Planned Unit Development)

Site Location:

The property is located west of Pinehurst Circle and north of the El Paso County Regional Trail. The subject property is located within the Walden Homeowners Association (HOA), which enforces specific guidelines regarding the storage and visibility of recreational vehicles and trailers. According to the HOA regulations, “No recreational vehicles (RV’s, bus, camping trailers, boat trailer, running gear, boat or accessories) or hauling trailers are allowed to be parked in the community unless parked in a closed garage or screened from view from adjacent streets and nearby lots. Recreational vehicles being used by visitors may be parked outdoors for 10 days without special permission of the Board.” These restrictions limit the visibility of such vehicles within the neighborhood and require substantial enclosed storage solutions. As a result, the Walden development is characterized by homes with larger than average garage capacities, including RV garages, which accommodate the Walden covenants. It is for this reason that the Walden HOA has written a letter of support for the Dimensional Variance request (see additional exhibits).

Request:

Vertex Consulting Services, on behalf of Pagosa Revocable Living Trust, is respectfully submitting a dimensional variance and plat note waiver request to allow for a rear setback of 10 feet where 25 feet is required.

Justification:

The purpose of this application is to request approval of a dimensional variance to allow for an RV garage to encroach into the rear setback. The pages that follow address each one of the Dimensional Variance criteria included within Section 5.5.2 of the El Paso County Land Development Code. Please note that the criteria is listed with the conjunction “or”. Per 1.14.5 of the Land Development Code ““Or” indicates that the connected items or provisions may apply singularly or in combination”, meaning only one criteria must be met for the Board of Adjustment to approve the request.

The variance provides only reasonably brief, temporary relief; or

The proposed variance is for a permanent structure, therefore, this criteria does not

apply.

The variance request includes an alternative plan, standards or conditions that substantially and satisfactorily mitigate the anticipated impacts or serve as a reasonably equivalent substitute for current zoning requirements; or

The applicant seeks approval for a reduced rear setback of 10 feet for the proposed RV garage, where a 25-foot setback is otherwise required. The requested dimensional variance meets the review criteria by providing an alternative plan that substantially and effectively mitigates anticipated impacts while serving as a reasonable—and ultimately superior—substitute for the existing PUD zoning requirements. Strict compliance with this standard would force relocation of the garage to the front of the existing residence, requiring removal of substantial established landscaping and causing the garage to become the dominant visual element from the street. This outcome would be inconsistent with, and disruptive to, the established character of the Walden development (see additional exhibits).

In contrast, the proposed location to the rear of the property takes advantage of the site's unique characteristics, including a 245-foot setback from the street and an upward sloping topography. These features significantly limit the visibility of the structure from public viewpoints, thereby preserving the visual integrity of the neighborhood streetscape (see additional exhibits). Furthermore, if the garage were constructed in a location compliant with the full setback requirement, it would be positioned approximately 20 feet from the El Paso County Regional Trail (see additional exhibits). Such proximity would negatively impact the privacy and recreational experience of trail users.

The proposed placement minimizes these impacts while preserving existing site improvements and landscaping. As such, it not only functions as a reasonable equivalent substitute to the strict application of zoning standards but represents a more thoughtful and context-sensitive design solution. From both a visual and functional standpoint, the proposed location is clearly better than any alternative that would meet current setback requirements.

Some other unique or equitable consideration compels that strict compliance not be required.

The requested dimensional variance is justified under the review criteria that some other unique or equitable consideration compels that strict compliance not be required. In this case, the configuration of the existing home and site layout creates a practical limitation

on where an RV garage can reasonably be constructed. Specifically, the current placement of the residence significantly restricts the available buildable area to the rear of the home, making it difficult to accommodate a structure of this size while meeting the full 25-foot setback requirement.

Additionally, the orientation of the existing driveway—aligned toward the western lot line instead of the southern front property line—further constrains feasible design options. This alignment does not allow for an attached RV garage addition that is at the same setback as the dwelling. As a result, compliance would force a design that is either impractical or incompatible with the established improvements on the property. These existing conditions are unique to the property and were not created by the property owner. Requiring strict adherence to setback requirements would effectively preclude a reasonable and functional RV addition, despite the property's suitability for such use. The proposed reduced setback allows for a cohesive and practical design that works with the existing home and driveway configuration, thereby addressing these site-specific constraints while maintaining overall compatibility with the surrounding area.

Drainage

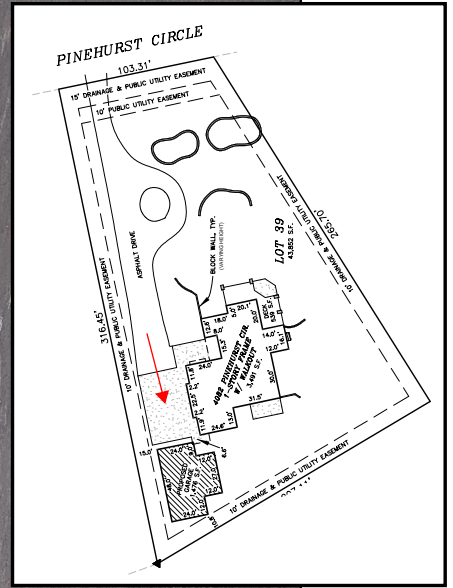
The drainage for the proposed garage will not adversely impact the adjacent properties or runoff patterns.



Proposed Garage to Match Facade of Existing Garage
(Shown Here)

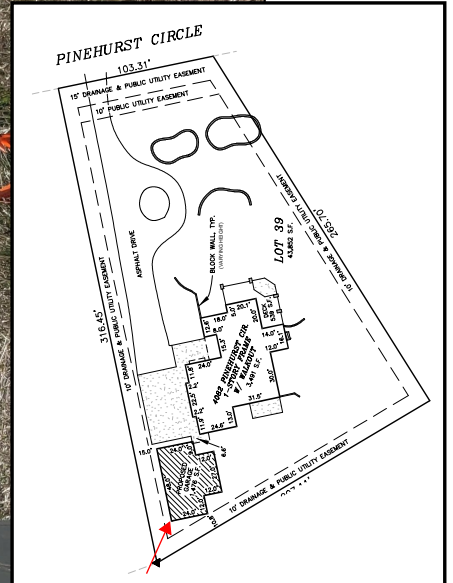


Proposed Garage
Location
(See Orange Cones)





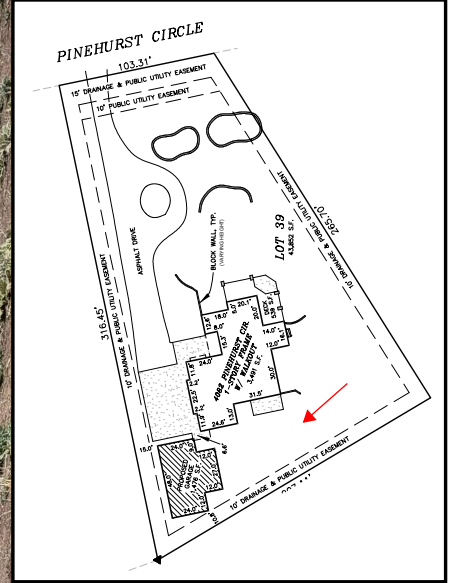
Proposed Garage
Location
(See Orange Cones)

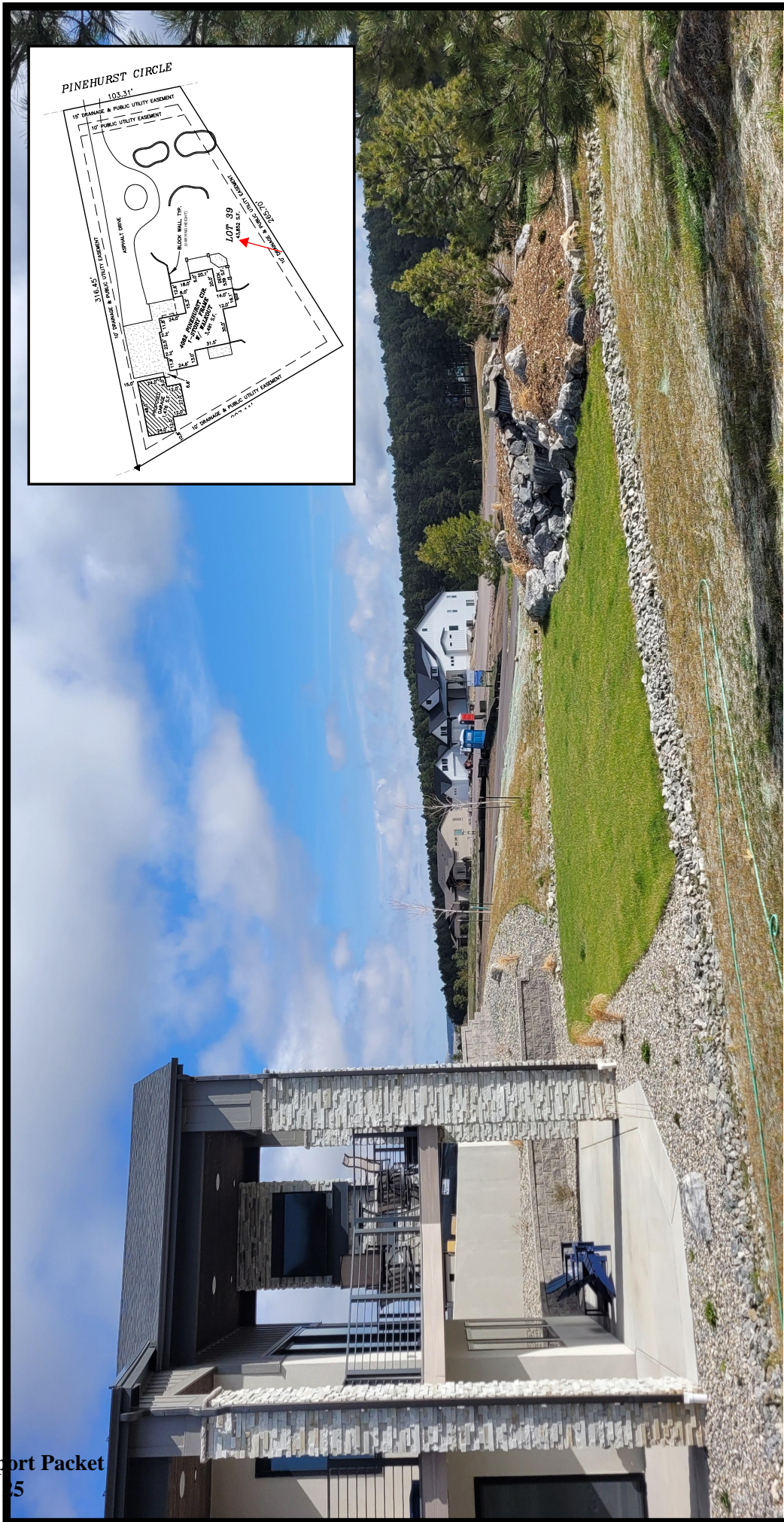




Approximate Trail
Location

Proposed Garage
Location
(See Orange Cones)





Landscape area that would need to be removed if setbacks were met
(Note drainage area that would need to be rerouted, closer to trail)

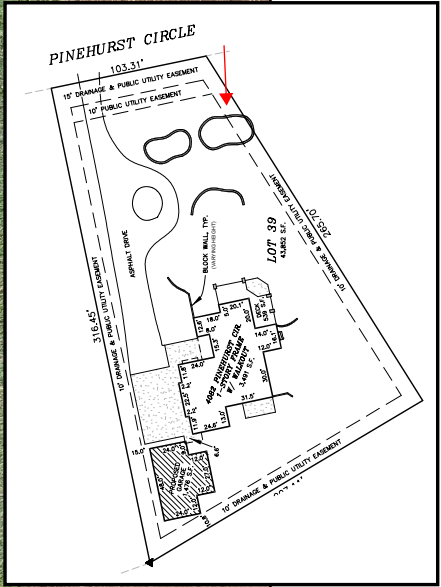


Compliance with the setback regulations would result in a disruption of the established character of the neighborhood.

- Garage is in front of dwelling
- Garage is focal view from the roadway
- Buildings are typically setback and oriented away from the trail system



Approximate
Footprint if Meeting
Setbacks





Re: Letter of Support – RV Garage Rear Setback Encroachment (4082 Pinehurst Circle)

To Whom It May Concern,

On behalf of the Walden Homeowners Association (HOA), we are writing to express our support for the proposed RV garage that encroaches into the rear setback at **4082 Pinehurst Circle**, located within the Walden subdivision.

The Walden HOA maintains architectural and community standards designed to preserve property values, aesthetics, and the overall character of the neighborhood. A key requirement of our community is that recreational vehicles (RVs), trailers, and similar large vehicles are not permitted to be stored outdoors and must be fully enclosed within a structure. This policy is foundational to maintaining the visual quality and consistency of the subdivision.

The applicant's proposal for an enclosed RV garage is consistent with this requirement and aligns with the established development pattern within Walden

Importantly, the requested rear setback encroachment represents the least impactful placement option for the garage. Strict adherence to the standard setback would require the structure to be repositioned in a manner that would create greater visual and functional impacts, including more direct visibility from the roadway and increased intrusion on the nearby trail system.

The HOA has carefully reviewed the proposal and determined that it meets the community's design expectations while balancing site constraints and minimizing broader community impacts. For these reasons, the Walden HOA fully supports the requested setback encroachment for the RV garage at 4082 Pinehurst Circle.

Thank you for your consideration of this request. Please feel free to contact us if additional information is needed.

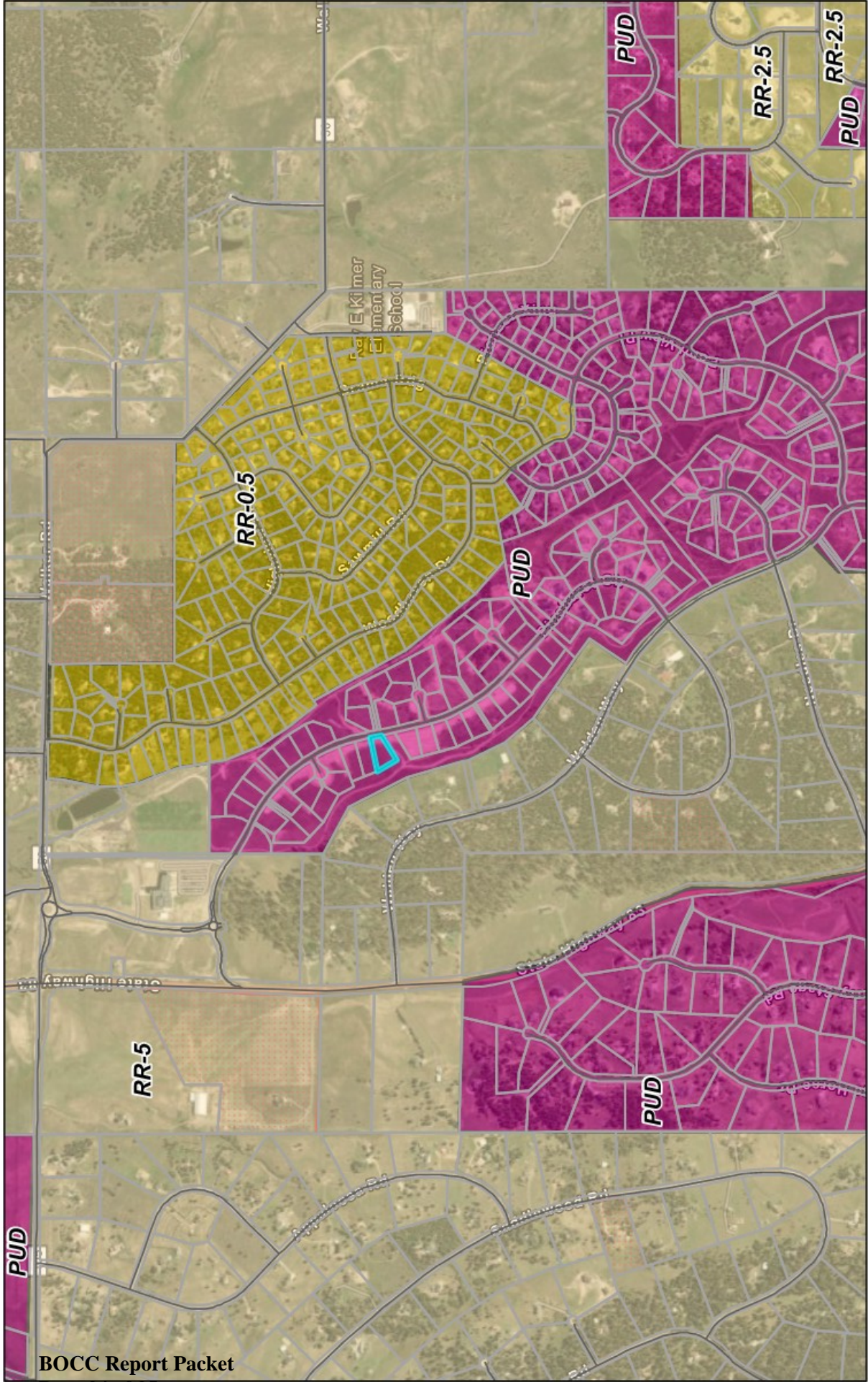
Sincerely,

DocuSigned by:

5/26/2026
C10AD256542D402...

Bill Dunston
Vice President
Walden Homeowners Association

Zoning Map



5/29/2026, 12:07:38 PM

	1:20,077	0	0.13	0.25	0.4	0.5 mi
		0	0.2	0.4	0.8	0.8 km

	County Zoning		RR-5: Residential Rural (5 acres)
	PUD: Planned Unit Development		Initial Zoning
	RR-0.5: Residential Rural (0.5 acres)		Special Use
	RR-2.5: Residential Rural (2.5 acres)		World Imagery

	Override 1		High Resolution 60cm Imagery
	County Roads		High Resolution 30cm Imagery
	Parcels		Citations
			4.8m Resolution Metadata

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

SUPPORT

Name: Ashley Landers

Date: 5/23/2026 7:10 PM

I fully support this proposal. The addition of an RV garage seems like a practical improvement for the property, and I have no concerns about it. I believe it will be a positive addition to the neighborhood.

RESOLUTION NO. 26-

BOARD OF ADJUSTMENT
COUNTY OF EL PASO, STATE OF COLORADO

**RESOLUTION TO APPROVE A DIMENSIONAL VARIANCE FOR 4082 PINEHURST
CIRCLE – REAR SETBACK IN WALDEN PRESERVE 2 PUD**

WHEREAS, Pagosa Revocable Living Trust has requested a Variance from the zoning regulations contained in the Walden Preserve 2 PUD for property located at 4082 Pinehurst Circle in the PUD zone district, which property is identified by El Paso County Tax Schedule No. 6115010017 is legally described as follows:

LOT 39 WALDEN PRESERVE 2, FIL NO 5

WHEREAS, the subject property is within the unincorporated area of El Paso County, Colorado; and

WHEREAS, Pagosa Revocable Living Trust has requested the approval of a Dimensional Variance to allow an accessory structure to be constructed 10 feet from the rear property line, where an accessory structure would normally be 25 feet from the rear property line; and

WHEREAS, the Board of Adjustment is vested with the power to grant or deny such variances by virtue of Section 5.5.2 of the El Paso County Land Development Code and Sections §30-28-117 and §30-28-118, C.R.S.; and

WHEREAS, based on the evidence presented, the Board of Adjustment makes the following findings:

1. Proper notice procedures, including the notification of all adjoining property owners, have been completed by the El Paso County Planning and Community Development Department.
2. The Variance will permit only those uses specifically enumerated as permitted uses for the zoning district in which the property is located.
3. The burdens of strict compliance with the zoning requirement(s) significantly exceed the benefits of such compliance for the subject property.
4. A unique or equitable consideration compels that strict compliance not be required; namely the size of the existing principal use prohibitively limits the applicant's desired use of an accessory structure.
5. The variance will not significantly impair the intent and purpose of the zoning regulations.

6. The variance will not cause a substantial detriment to the public good.
7. The variance will conform with all applicable federal, state, or other local laws or regulations.

NOW, THEREFORE, BE IT RESOLVED that the request for a Variance from the El Paso County zoning regulations as more fully described above is hereby approved with the following conditions and notation:

CONDITIONS

1. The approval applies only to the plans as submitted. Any expansion or additions to the proposed accessory structure may require separate Board of Adjustment application(s) and approval(s) if the development requirements of the applicable zoning district cannot be met.
2. Issuance of a building permit from the Pikes Peak Regional Building Department is required prior to the construction of the proposed attached structure.

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 Board of Adjustment approval.
2. The PCD Director may require a survey, certified by a registered surveyor, licensed in the State of Colorado, depicting the improvement in relationship to the lot lines affected to demonstrate compliance with the approval of the Dimensional Variance.

WARNING: Any violation of the terms of this resolution may result in rehearing and possible revocation.

DONE THIS 25th day of June 2026, at Colorado Springs, Colorado.

ATTEST:

BOARD OF ADJUSTMENT
OF EL PASO COUNTY, COLORADO

Steve Schleiker
County Clerk & Recorder

By: _____
Carrie Geitner, Chair