

## Letter Of Intent

### ATTN: EPC PLANNING

Date: February 16, 2023

Owner Name: Andrew Maxwell Makings & Emilee Ann Makings

c/o(Care-Of): Nighthawk Design

Phone Number: 719-477-9460

Email Address: hawkcompanies@gmail.com

Property Address: 12172 Goodson Rd, Colorado Springs, CO 80908

Tax Schedule No: 5214000014

Current Zoning: RR-5

Legal Description: TR IN THE NE4 SEC 14-12-65 DESC AS FOLS: BEG AT THE E4 COR OF SD SEC 14 ALG THE W ROW LN OF GOODSON RD, TH WITH THE S LN OF THE NE4 S89-06-22W 409.19 FT, TH ALG THE ARC OF A NON TANG CUR TO THE R HAVING A RAD OF 435.00 FT, A C/A OF 22-07-49, DIST OF 168.02 FT, WHICH CHORD BEARS N56-41-15W, ARC DIST OF 166.97 FT, TH N45-37-21W 16.45 FT, TH S44-22-39W 149.99 FT, TH ALG THE S LN OF NE4 S89-06-22W 754.91 FT, TH N00-28-41W 1309.24 FT, TH N89-31-24E 465.80 FT, TH ALG THE ARC OF A CUR TO THE R, HAVING A RAD OF 340.00 FT, A C/A OF 39-42-22, DIST OF 235.62 FT, WHICH CHORD BEARS S70-37-25E, ARC DIST OF 230.93 FT, TH ALG THE ARC OF A REVERSE CUR TO THE L, HAVING A RAD OF 600.00 FT, A C/A OF 39-42-22, DIST OF 415.80 FT, WHICH CHORD BEARS S70-37-25E, ARC DIST OF 407.53 FT, TH N89-31-24E 353.93 FT TO THE E LN OF SD NE4 OF SD SEC 14 AND W ROW LN OF GOODSON RD, TH S00-28-41E 1082.07 FT TO THE POB AKA PARCEL 1 LSP REC. NO. 222900039

New Legal Description After Subdivision: (See attachment Legal Description.docx (MS WORD))

### Administrative Relief Request

EPC Land Development Code County Of El Paso, Colorado

Cited Documentation: EPC Land Development Code – County of El Paso, Colorado - Chapter 5

1. Proposing administrative relief for property address 12172 Goodson Rd (Parcel Number: 5214000014) in specific regards to maximum building height per the following:

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-5 zoning district have a maximum height restriction of 30 feet. However pursuant to **EPC Land Development Code 5.5.1. Administrative Relief**

Please explain how the regulation is unnecessarily burdensome to this specific development.

#### 5.5.1 Administrative Relief

(B) PCD Authorized to Grant Administrative Relief. The PCD Director may approve an 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.

(2) Increase in Lot Coverage and Structure Height. A maximum of a 20% increase in the lot coverage and structure height from the amount required in the zoning district in which the subject property is located may be approved.

2. The maximum height in the El Paso County Colorado Land Development Code, Chapter 5, Table 5-4 General Zoning Districts is unnecessarily burdensome to the property owners of 12172 Goodson Rd. Requesting consistency and compatibility with existing built environment of neighboring properties. (See attachment Side By Side Comparison With Surrounding Existing Built Environment.pdf) Furthermore, the proposed will bring economic benefits to the currently vacant surrounding land with an increase of interest in the area due to the new construction. The increased height allows for a more efficient use of space and reduced overall footprint, minimizing impact on the surrounding environment. With an increase in joist size, the floor system is designed above code minimum to 16" TJI 360 at 16" o/c as opposed to 11 7/8" at 12" o/c for increased stability in the floor system and less deflection overall. This increase in floor depth has affected our overall building height as well and is a company architectural and structural design requirement. To conclude, administrative relief allows for a maximum increase in building height of 20% and taken from the average grade is at 35'- 11 31/32±" maximum at the proposed site. Overall, this administrative relief request will remain consistent with surrounding existing built environment, bring economic benefits to the currently vacant land and surrounding un-platted land, minimize impact on the surrounding environment, will stand structurally sound designed above code minimum to company required architectural standards, and above all complies with the 20% Maximum Increase in building height outlined in 5.5.1 of the El Paso Land Development Code of El Paso, Colorado for a RR-5 zoned property .

3. Proposing a new single-family residence with a height of 32'-7 13/16" in the front, a maximum height of 39'4" in the rear, for a total building height of 35.9921875' above grade. Considering a maximum allowable building height of 36'-0" may be approved with administrative relief, the proposed structure is right inside the maximum building height limitations in the outlined relief.

This is subjective. Please reevaluate this comment.

Overall, the proposed structure complies with all the review criteria outlined in Section 5.5.1.D of the EPC Land Development Code and meets all the criteria per the following criteria:

Please also confirm in the statement existing stormwater runoff patterns will not adversely be impacted.

Please explain how this criteria point is being met.

4. Criteria Met

- the strict application of the standard in question is unnecessary or unreasonable, given the fact that the existing built environment is above the 30' maximum allowable building height. Requesting consistency and compatibility with the existing built environment. (See attachment Side By Side Comparison With Surrounding Existing Built Environment.pdf)
- the intent of this code and regulation is preserved based on the property being a few feet above 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 due to the residence being constructed on a 23.053 Acre Parcel and has vacant land surrounding.
- The granting of the administrative relief will not allow an increase in the number of dwelling units on the parcel as only one dwelling unit is allowed per lot or parcel in the zoning district in which the proposed home is located.

Additional Factor To Be Considered


- With the house positioned 1,043'-5 5 1/2"± away from the roadway, on the West End of the 23 Acre Parcel, the additional 5'-31/32" above maximum building height will not restrict visibility of surrounding property owners and the additional height will not be visible from a distance. Currently platted, Lot 1 spans a total of 1,419' 10 7/32" from West to East. The homeowner of the proposed residence owns the entire property from west to east to the roadway for a total of 23.053 ACRES which eliminates the possibility of any blockage to surrounding neighbors. To expand, property grade east of roadway (Goodson Rd.) has apparent constant decline in grade without possibility of potential obstructed views. In addition, properties directly southwest and west are unplatted.

Conclusion: On behalf of the homeowners, NightHawk Design is requesting to obtain the administrative relief maximum allowable 20% increase in building height. The purpose for the request is potential variation between grade information collected on site in comparison with professional land surveyor data when the residence is staked.

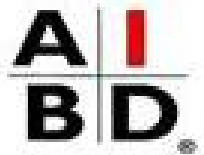
Based on the information provided, we are requesting administrative relief to be duly considered.

Platting is a requirement of subdivision 35 acres or less. Parcels over 35 are not required to be platted. Platting status of adjacent properties is not relevant to the ADR criteria.

Respectfully Submitted,

  
Signature

Christopher Wiebe  
Company President/Professional Building Designer  
NightHawk Design



Creating where people live™

