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El Paso County, CO



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RE: 9580 Bur Oak Ln

File: ADR229
Parcel ID Nos.: 5515403018

This is to inform you that the above referenced request for approval of an application for administrative relief to allow a 1,363 square foot work shed/garage, which exceeds the standard of the size of the home. The residence on the property is 1,143 square feet in size, which would allow for an accessory structure up to 1,143 square feet. ADR229 was approved by the Planning and Community Development Director on August 16, 2022. It is the determination and finding of the Planning and Community Development Department (PCD) Director that the application meets the review criteria for Administrative Relief included in Section 5.5.1 of the El Paso County Land Development Code (2019). Current and future use of the property shall continue to be governed by Table 5-1, Principal Uses, of the Land Development Code. Approval of the requested administrative relief application is subject to the following:

CONDITIONS AND NOTATION

Conditions

- 1. Any expansion or additions beyond the initial construction of the detached single-family dwelling (e.g. deck, garage, sunroom) may require separate application(s) and approval(s) if the development requirements of the PUD zoning district cannot be met.
2. Approval of a site plan by the Planning and Community Development Department and issuance of a building permit from the Pikes Peak Regional Building Department are required prior to construction of the work shed/garage.

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 approval.



All administrative decisions, such as this one, may be appealed to the Board of Adjustment within 30 days of the date of the decision. Should you have any questions, please contact Ashlyn Mathy at (719) 520-6447.

Sincerely,



Kevin Mastin
El Paso County Planning and Community Development Department
File: ADR229



Letter of Intent

Date: 07/11/2022

Owners:

Amber and Skyler Jackson
9580 Bur Oak Ln
Colorado Springs, CO 80925
701-261-3698
Amber.Jackson@graininspection.com

Applicant:

Amber Jackson
9580 Bur Oak Ln
Colorado Springs, CO 80925
701-261-3698
Amber.Jackson@graininspection.com

Property Address:

9580 Bur Oak Ln
Colorado Springs, CO 80925

Tax Schedule Number: 55154-03-018

Legal Description: Lot 17 in Cottonwood Meadows Filing No. 3, In El Paso County, Colorado, according to the plat thereof recorded December 10, 2002 at Reception No. 202218593, as modified by the Administrative partial vacation (Reduction) of side Lot utility and drainage easements recorded February 25, 2003 at Reception No. 203040573. County of El Paso, State of Colorado.

Current Zoning: PUD

Existing use: There is an existing single family, 2 story residence (2,151 sqft on main floor and second floor with a finished basement of an additional 989 sqft and a 2-stall attached garage). There is an existing driveway to access the property on the west end of the lot, and a 10' x 10' non-permanent shed is located in the in the backyard (Southeast corner of lot).

Proposed use: New construction of a detached 29'x47' (1363 sqft) steel building garage/workshop in the backyard for extra storage while Skyler Jackson is deployed. Also, for when Skyler is home and working on vehicles, while keeping them all out of the elements and preventing damage. Skyler deploys often and when he is home, his stress relief is working on old vehicles and restoring them. So, it has been a struggle housing these vehicles and vehicle parts/tools without this garage space. Also, will allow for our daily vehicles we drive to be parked inside the attached garage, instead of having to be out in the driveway.

Proposed Request:

To allow for an increase in square footage of our proposed garage/workshop in our backyard. The footprint of the existing house on the property is 1143 sqft and the proposed garage square footage is 1363. With the requested administrative relief granted, this would allow us 220 sqft more in space, but we would still be under the 20%, as the full 20% would be 228 sqft larger.

Description:

The existing property is 0.39 acres of land tucked back in the far back corner of the Cottonwood Meadows neighborhood on the cul-de-sac. The existing residential home is a two-story structure with a total finished livable area of 2151 sqft above grade and a finished basement that is 989 sqft partially below grade. The existing house has a very small attached 2-stall garage. This garage can only house two very small cars, as it is not very deep or wide. Also on the property is a non-permanent 10'x10' shed in the back southeast corner of the property. The proposed new structure will be an additional garage/shop for extra storage space and workspace for Skyler to work on vehicles and house them from the harsh Colorado weather. The proposed structure would be a rectangular, 29'x47' (1363 sqft) steel metal building with cohesive, earth tone colors to match the existing home, and to not disrupt the cohesiveness of the rest of the neighborhood colors and materials. This additional proposed structure would be detached from the existing home and located in the backyard (northeast corner of the lot). It will be located 49.2' from the rear southeast corner of the existing home, 13' from the north property line, 13' from the east property line, and 42.99' from the south property line. It will be 3' from the rear utility easement and setback (east property line), and 8' from the 5' setback along the north property line, as shown on the site map. There will be one single 12'x12' garage door and one single walking entry door. The walls will be 14' tall with a 3:12 roof pitch, keeping under the height of the existing home and well under 30' (17' at the heights roof pitch), per code.

Justification:

It is a 29'x47' steel building with cohesive, earth tone colors to be sure we are staying consistent with our own existing structures on our lot, as well as the rest of the neighborhood. Our existing home on the property has quite a bit of square footage, however, the home goes upwards with 3 total floors, rather than outwards like most other homes in our neighborhood. Therefore, our footprint is not very large at 1143 square feet, severely limiting our ability to get a sufficient size workshop/storage garage in the backyard, without admin relief granted on the increase square footage.

The proposed additional structure would be 1363 sqft, which would be 8 sqft under the maximum 20% for administrative relief. With a footprint of 1143 sqft for the existing home on the property and the additional square footage for the garage/shop of 1363, we would come to 2,506 sqft of total lot coverage. This is significantly less than the max 40% lot coverage permitted by the Land Development Code. At 0.39 acres (16988.4 sqft) our 2506 sqft of total lot coverage would be 14.90% of our lot. Right now, the existing total lot coverage is at 6.80%. With a majority of the properties in our neighborhood having large 3 stall attached garages and detached garages/workshops built in the backyard, we are one of the few who do not, so it would be compatible with the rest of the neighborhood. We are also tucked back in the back northeast corner of the neighborhood and surrounded by mature trees, so even seeing the additional structure is difficult anyway from all directions. We know most of our neighbors and have spoken with all of the adjacent ones (plus some) and none of them have any complaints on our proposals, as keeping the peace in our neighborhood is very important to us. Currently, Skyler works on these old vehicles refurbishing them while he is home from deployment as his stress relief/hobby. This is currently being attempted in our small 2 stall garage with most items and parts being overflowed out to our front driveway because of lack of space. Being able to have a larger shop in the backyard big

enough to house all of this away from the front yard (and out of the elements), would also dramatically help our curb appeal and get the noise from the tools away from all of our neighbors. The tools and parts take up a lot of space as well, so the larger square footage would help exponentially, while not looking out of place with the rest of the detached garages in the neighborhood.

Satisfaction of Review Criteria:

The criteria for approval of this administrative relief request for an increase in accessory structure size are found in Land Development Code Section 5.5.1. Below are each of the criteria and support for how this request complies with each.

1. The strict application of the standard in question is unreasonable or unnecessary given the development proposal or the measures proposed by the applicant; or that the property has extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same zoning district.

Our administrative relief request is to ask for an increase in square footage of our accessory structure from 1143 sqft, which is the footprint of our existing home, to 1363 sqft. Given our existing home goes upwards with square footage, rather than outwards like most homes do in our neighborhood, it makes it difficult to build a sufficient size garage/shop without requesting administrative relief. With the approval of the increased size of square footage by 220 sqft, it will allow us to not only store our vehicles and other property out of the Colorado elements, but also will go along with the rest of the neighborhood. Most other properties in our neighborhood also have large, detached garages and workshops in their backyards. The proposed additional structure will be in keeping with the scale of the existing additional structures and detached garages in the neighborhood. We have a good-sized lot at 0.39 acres, so we are not at any risk of going over the lot coverage maximum with our proposed additional square footage. We are good friends with our neighbors, and all are in approval of us building this cohesive garage that does not detract from the rest of the neighborhood, and in fact blends in with other properties around us. With our home being in the cul de sac, the front of our lot pinches in around the circle part of the street. Those of us here in the cul de sac have very small 2 stall garages because of that layout that hardly fit two small cars. In our neighborhood, 90% of the houses have larger footprints and have 3 stall attached garages. However, we do have one of the largest lots in the neighborhood being in the corner like we are, so we have plenty of backyard space to build a larger detached one. It's just the front of our lot pinches in, so the backyard is the option we have for more garage space. With the granting of our administrative relief request, we would be following the guidelines in the provisions for relief by requesting an increase of no more than 20% and by causing no detriment to the public good nor harm to the general purpose and intent of this code.

2. The intent of this Code and the specific regulation in question is preserved.

The code is continued to be preserved by not adding to the regulation outlined in the code. The purpose of this application is not to expand the code, but to work within it to preserve the right of all stakeholders and protect the value of the neighborhood of the property at hand.

3. The granting of the administrative relief will not result in an adverse impact on surrounding properties.

None of the adjacent lots will be impeded or encroached in any way in present time OR future development. Granting an administrative relief on increased square footage for our proposed accessory structure does not have any impact to health, safety, or welfare of inhabitants in the area. The proposed project will not affect wildlife or wetlands. Sewer, water, storm water drainage, fire and police protection will not be affected by the granting of administrative relief on increased square footage. Administrative relief approval on the increase square footage will have no impact on the surrounding properties, as we are one of the few who do not have a large, attached, or detached garage. We also have the lot size to support such size of an additional structure, as we have one of the largest lots in the neighborhood.

4. The granting of the administrative relief will not allow an increase in the number of dwelling units on a parcel.

The granting of the administrative relief on the increased square footage will not result in an increase in the number of dwelling units on a parcel. The proposed additional structure will be used as a garage, workshop, and storage area, only. Therefore, the existing home on the property will remain the only dwelling unit.

5. The granting of administrative relief would help minimize grading and reduce vegetation removal.

Approval of an Administrative Relief would have no affect either way on grading or vegetation removal, as we have a xeriscape yard where this entire garage will be going. Care will be taken to minimize terrain disturbance by relocating rock to sparse areas of our lot that need more anyway. We will also be sure to preserve natural vegetation as the building is being erected. We will be using the gravel that is already in place as the driveway/entrance to our garage from the front of our property to the back where the proposed garage will be located. Therefore, there will not be a disturbance in that way, either, by putting in a concrete driveway. We will need to dig a trench for the new proposed electrical as shown on the site map from the rear of the existing home directly to the proposed garage, however, this is again all located where the lot is already rock. Therefore, once the trench is dug and the electrician places the electrical lines in, the rock will be replaced just as it was before. There will not be water or any other utilities run to the proposed garage. All existing utility lines are ALL placed in the front of our property. All utility companies came out and flagged our property showing that none of the utilities are anywhere near our proposed garage location.

6. The granting of administrative relief would avoid unnecessary site disturbance or minimize grading.

We will minimize grading quite a bit by placing the proposed garage further back to the rear east lot line (10' from the line per regulations) where the slope of the land is far less. The granting of administrative relief on the increase in square footage of the additional structure would have no impact on the grading factor of this project, as the increase in size would go north and south on our property, while the slope of the yard goes east and west. It would have no affect on site disturbance either, as going to the site area from our front yard where the materials will be coming from, is all xeriscape with the existing rock.

7. The granting of administrative relief would allow the proposed building location and existing vegetation on the site to restrict visibility of the additional height from a distance, from the road or from downhill properties.

The visibility from the road would be very little by building the garage 10' from our rear east fence line because we have very tall mature trees lining our property (and our adjacent neighbors do as well) in the backyard. For this reason, the proposed garage would be completely blocked from the Marksheffel road and our neighbor's view. The granting of admin relief on the increased square footage would have no impact either way on this criterion.

8. The granting of administrative relief would allow for building design such as split pads, stepped footings, below grade rooms and roof forms pitched to follow the slope.

The granting of administrative relief on the increased square footage would have no impact on this criterion.

Overlay Zoning:

There are no overlay zoning districts that impose additional requirements or standards that would modify the standards associated with the requirements applied to this property or proposed structure.

Comparison between Land Development Code and proposed admin relief:

With the admin relief granted, the proposed additional structure would have an increase in square footage of 220 square feet, which is still within the 20% more than the footprint of your home allowed in the Land Development Code. Instead of the garage being 1143 square feet or less, it would be a 29'x47' steel garage, making the square footage 1363. Not only would this keep us under the 20% allowed with the granting of administrative relief, but we would also still be within code at 14.90% total lot coverage. The proposed additional structure would be compliant with all other applicable requirements of the Land Development Code.

Compliance with requirements of the Land Development Code:

The proposed use as an additional structure used for a garage, workshop, and storage is permitted in our zone. The proposed additional structure will meet all of the applicable requirements of the Land Development Code including but not limited to: Lot coverage, structural height, setbacks, structure size (with just under 20% admin relief granted for increased square footage – 1363 sqft instead of 1143 sqft), and use of structure.

How the proposal fits the surrounding area:

The granting of the request for admin relief on the increased size of the additional structure will not have an adverse impact on the surrounding properties in any way. The entire structure is within all of the setbacks. The Land Development Code permits the construction of a detached additional structure, so the additional structure is in keeping with the Code. The proposed additional structure will be used as an additional garage/storage/workshop and will not increase the number of dwellings on our property. The structure size would be compatible with the surrounding area, as many other lots have the same or larger in their backyards. The color scheme will be neutral, earth tone colors, as to not detract from the neighborhood value in any way. The proposed structure will be tucked back in the rear (east) corner of our property 10' from our fence line where there are very tall mature trees lining that fence line. Visibility from any adjacent neighbors or the Marksheffel Road would be very minimal with the mature

trees blocking the view, however, we are committed to keeping all color schemes and style consistent with the rest of the properties in our neighborhood as well as our own existing home.

BUILDING COVERAGE CALCULATION

- 1903 SQ FT PROPOSED GARAGE
- + 1143 SQ FT EXISTING HOME
- 2506 SQ FT STRUCTURES COVERAGE
- 2506 SQ FT / 14684 SQ FT LOT = 0.149
- 0.149 X 100 = 14.9% LOT COVERAGE

LEGEND

- TREES
- PROPERTY LINES
- EXISTING & WOOD PRIMARY FENCE
- EASEMENT / SETBACK LINES
- EXISTING CONCRETE DRIVEWAY / SIDEWALK
- EXISTING WATER LINE
- EXISTING ELECTRICAL LINES
- EXISTING GAS LINES
- 18' FRONT EASEMENT AND SETBACK

9580 Bur Oak Ln Site Map

Proposed Structure and User: New 29'x47' Detached Garage/Workshop			
Date	7/2/2022		
Applicant / Owner	Amber Jackson		
Graphic Scale	1/16" = 1'-0"		
Phone	701-261-3698		
Email	Amber.Jackson@grahnjackson.com		
Zoning	PUD		
Parcel Number	55154-03-018		
Legal Description	Lot 17 in Cottonwood Meadows Filing No. 3		
		New Structure Height	17'
		New Structure sqft	1363 sqft
		Existing Home sqft	1143 sqft
		Existing + New sqft	2506 sqft
		Lot sqft	16814 sqft
		Existing lot coverage	6.80%
		New lot coverage	14.90%
		Max lot coverage	40.00%

