



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT
Land Use Review Division

February 28, 2017

Greg Alderman
215 W Rockrimmon
Colorado Springs, CO 80919

**RE: Rebuild and Legal Non-Conforming Determination – 1907 W Colorado Ave.
TSN: 74114-27-003**

To Whom It May Concern,

City Planning reviewed the request for the Rebuild and Legal Non-Conforming Determination for the above mentioned address. Per the application, the required letter content is listed below. Should you have any questions regarding the information provided please do not hesitate to contact the City Planning Department for clarification. The information provided below was collected by using the most current information available to the City of Colorado Springs. Land uses, entitlements, and overall site conditions are subject to change.

Requested Letter Content

Zone(s) of Parcel(s):

C5 – Intermediate Business

Definition of Zone(s):

C5 – Intermediate Business: This zone district accommodates general commercial uses that are of moderate intensity. The emphasis of the zone is placed on individual sites which in some cases will be located near established residential zoning.

Use of Premises:

The property is currently being used as four residential units. According to the El Paso County Assessor the two primary structures that front West Colorado were built in 1923.

Existing and Proposed Uses:

In terms of existing and proposed uses as they relate to the zoning code, all permitted, conditional and accessory uses will be defined by the use charts in the Colorado Springs City Code for Residential zoning districts and uses.

Legal Non-Conforming Determination:

A permit card from the Pikes Peak Regional Building Department establishes the current accessory dwelling unit to have been a two car garage as of September 29th, 1969. This would establish the accessory dwelling unit as an illegal non-conforming use. The duplex and the single family dwelling would be considered legal non-conforming structures due to their date of construction.

In order for the accessory dwelling unit to attain legal non-conforming status, the owner of the property would be required to submit for a use variance to allow for this dwelling to continue legally. Additionally, one of the primary structures will require a use variance as only one

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FIGURE 6 - Rebuild & Non-Conforming Ltr

principal dwelling unit is allowed per lot. To fully legalize the lot, a Waiver of Replat to consolidate the legal description will be required at the time the use variances are applied for.

Rebuild Statement:

In its current state, the property exceeds the amount of allowable dwelling units for the lot. In the event that a structure on the property is removed or destroyed more than 50%, the use contained within that structure would not be allowed to continue under the current property format per 7.5.1203.G. The use variances and Waiver of Replat would legalize the rebuilding of these structures and uses as they currently exist.

Additional information:

- 1) To discuss the application process for use variances and the Waiver of Replat, a pre application meeting can be requested.
- 2) City Planning Staff could not find any additional information to what has been provided above. If further questions arise or it appears that an expected item is missing please contact your reviewer.
- 3) Information regarding zoning violations must be obtained from the Colorado Springs Planning & Community Development Code Enforcement Unit at 719.444.7891.

Per the content requirements of the Legal Non-Conforming and Rebuild Letter, City Planning Staff believes that the information included fulfills the requirements of the request.

Should the requestor require additional information relevant to the intent of the Rebuild Letter, please contact Greg Sanders at 719.385.7347 or gsanders@springsgov.com for follow up information or clarification.

Sincerely,

Greg Sanders

Planner I, City of Colorado Springs Development Review Enterprise