

Non-Use Variance Request

City file # NVAR-25-0005

Property: 65 Cheyenne Mountain Blvd, Colorado Springs, CO 80906

Date: September 2, 2025

To: City of Colorado Springs Planning Commission

Subject: Non-Use Variance Request for Garage Space

Dear Members of the Planning Commission,

I respectfully request a non-use variance for the property at 65 Cheyenne Mountain Blvd, Colorado Springs, CO 80906, to construct a combined gym and garage structure that exceeds the maximum allowable height of 16' with a roof pitch of less than 6:12 under Unified Development Code (UDC) Subsection 7.3.304.C.1.b. The maximum height requirement is for all detached accessory structures.

Property Description

- **Address:** 65 Cheyenne Mountain Blvd, Colorado Springs, CO 80906
- **Legal Description:** Lot 1, Block 1, Pine Tree Subdivision
- **Zoning Classification:** R-E (Residential Estate) with WUI-0 (Wildland-Urban Interface Overlay)

Variance Request

- **Current Regulation:** UDC Subsection 7.3.304.C.1.b limits overall height of 16' with a roof pitch of less than 6:12.
- **Proposed Structure:** A 56' x 48' structure with a height of 29', comprising:
 - A 1,886-square-foot gym (including a basketball court, golf simulator, batting cage, lounge, and storage, classified as garage space due to a garage door in the batting cage area).
 - An 802-square-foot RV garage.
- **Total Proposed Garage Space:** 3,582 square feet (existing garage: 894 square feet; proposed gym/garage: 2,688 square feet).
- **Variance Needed:** Approval to exceed the maximum overall height from 16' to 29'.

Justification for Non-Use Variance (UDC Subsection 7.5.526.F – Criteria for Approval)

1. **Compliance with Use-Specific Standards (UDC Part 7.3.3)**

The proposed structure complies with all applicable use-specific standards in UDC Part 7.3.3 for accessory structures in the R-E zone district. More specifically, it meets the R-E zoning requirements for setback, lot coverage and is not placed within any easements.

2. **Extraordinary or Exceptional Physical Conditions**

The property exhibits unique physical conditions that distinguish it from nearby properties in the R-E zone district:

- **Lot Size:** At 3.16 acres, the property is one of the largest lots in the area, allowing for a larger structure without impacting neighboring properties.
- **Natural Screening:** The property is heavily treed, providing significant visual screening. The proposed structure is not visible from the street or neighboring properties.
- **Unique Adjacency:** The property has only one adjacent residential lot to the south. The north and east sides border open space managed by the Court Pourtales Association, and the west side is bounded by Cheyenne Mountain Boulevard. The structure is located on the north side, where no residential properties are adjacent.

3. **Reasonable Use of Property**

The extraordinary physical conditions (large lot size, natural screening, and unique adjacency) make a smaller structure impractical. The proposed design optimizes the property's unique characteristics, enhances its value, and aligns with the neighborhood's character. Without relief, the property cannot be reasonably used for the intended purpose.

4. **No Adverse Impact on Surrounding Properties**

The proposed structure will not adversely affect surrounding properties. Its location, combined with natural screening, ensures minimal visual impact. The variance aligns with the neighborhood's character, as evidenced by nearby properties with additional structures or accessory dwelling units, including:

- 68 Cheyenne Mountain Blvd: Car Garage
- 22 Crossland Rd: Guest House
- 14 Crossland Rd: Garage
- 6 Crossland Rd: Horse Barn
- 1 Marland Rd: Woodshop and Guesthouse
- 21 Marland Rd: Pool House
- 35 Marland Rd: Greenhouse
- 39 Marland Rd: Six Outbuildings (horse barns, tack barns, etc.)
- 91 S Marland Rd: Large Detached Garage
- 93 S Marland Rd: Large Detached Garage

Hardship

The 16' height restriction prevents the inclusion of a functional basketball court. This classification creates a hardship, as the gym is integral to the property's intended use.

Alternatives Considered

We explored multiple designs to comply with the garage space limit, including reducing the gym's size or relocating the garage door. However, these alternatives compromised functionality and failed to meet our needs. The proposed configuration optimizes the property's unique characteristics while maintaining compliance with other zoning standards.

Supporting Documentation

Attached are the site plan, floor plan, and elevations for your review. Additional documentation is available upon request.

Contact Information

Please contact me to discuss this request or if further information is required. I am available for meetings or hearings at your convenience.

Thank you for your consideration.

Sincerely,
Ryan McCallister
Owner
65 Cheyenne Mountain Blvd
Colorado Springs, CO 80906

Andy Mullet
Contractor