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Record ENF24-08762:

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Enforcement Case (Do not use for vehicles on city street)

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Location

1210 EAGLE ROCK
COLORADO SPRINGS CO 80918 *

Record Details

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CONCERN TYPES

Land Use and/or Zoning: Yes

Other Violations on Private Property: Yes

Description:

1) Plan #R189939, a code-compliant plan, was denied due to extenuating circumstances created by 1210 Eagle Rock Rd occupants' violation of Hillside Overlay code regarding retaining wall height and dimensional requirements. Code violated is 7.2.610 Hillside Overlay, section D.1.d, "Retaining walls are to be limited to four (4) feet in height with no more than two (2) tiers separated by four (4) to six (6) feet," and section D.1.c. City File #AR-DP-98-727 dated Feb 1999 and City-approved in April 1999 depicts two 4-ft tall tiered walls which were never constructed, and this city-approved plan was not followed. The aforementioned file also clearly states that an approved plan must be submitted prior to any grading work being done. 1210 Eagle Rock Rd. occupants received certificate of occupancy permit which identifies and approves a code-compliant retaining wall plan for a 4-ft retaining wall in the area in question. However, occupants erected a non-compliant single retaining structure exceeding 15 feet in height without acquiring a permit. On 23 Sept 2024, Pikes Peak Regional Building Department assessed that this 15+-feet high wall requires a permit, as the slope exceeds the 2:1 horizontal to vertical grade, and that the current wall is in violation of code. Jay Eenhuis, P.E., Deputy Building Official – Plans, PPRBD, further assessed that "We have to look at the 2 horizontal to 1 vertical slope of the soil being "reinforced" by the shotcrete. Anything steeper than a 2:1 slope would have to be viewed as a retaining structure and require permit. Less than 2:1 slope, one would assume the soil would remain in place with no additional reinforcing and the only reason for the shotcrete would be for erosion control or other stormwater reasons." Current unpermitted, non-compliant shotcrete wall does not provide appropriate stormwater control (see attached photos). There also appears to be an unapproved accessory structure constructed on the east side of the garage in the last year or so (also shown in attached pictures). 1220 Eagle Rock Rd. Plot Plan Plan #R189939, a code-compliant plan, was denied due to extenuating circumstances created by 1210 Eagle Rock occupants 1) placing their private driveway in unapproved location, and 2) extending their private driveway across the parcel/plat property line onto 1220 Eagle Rock Rd. property, 3) constructing a retaining wall for their property that crosses the plat/property boundary to encroach approximately 15 feet into 1220 Eagle Rock Rd. property, which equates to approximately 1600 square feet of 1220 Eagle Rock Road's approved building envelope. This is a violation of City Code 7.2.610: HS-O: HILLSIDE OVERLAY. 1210 Eagle Rock Rd. Plot Plat was not followed for placement of driveway. Hillside Development Plan AR-PD-98-727, directs adherence with Hillside Overlay requirements, and designates the approved driveway location on parcel 63200-03-002, which was not followed during or after construction. 1210 Eagle Rock Road Plot Plan dated 7/7/1999 is annotated by City, setting the limit of disturbance "until revised wall system submitted/approved". Current driveway access does not follow platted utilities easement in front yard as required and no final platting was approved for current driveway location along side yard and crossing property boundary onto 1220 Eagle Rock Rd plat. City File #AR-DP-98-727 dated Feb 1999 and City-approved in April 1999 and supporting documents depicts/approves the location of the road/driveway access to 1210 Eagle Rock in an entirely different location than it currently is.

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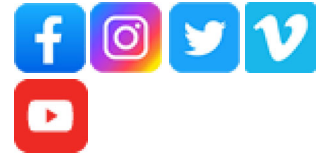
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