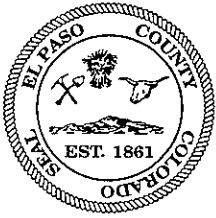


## EL PASO COUNTY DEVELOPMENT SERVICES DEPARTMENT



**File No:** P-05-007  
**Applicant:** Larry King  
**Owner:** Don and Eileen Zytka  
**Date Submitted:** 6/14/2005  
**Location:** 9455 Chipita Park Road  
**Commissioner District:** 3

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Staff report prepared for Planning Commission Public Hearing  
Date Prepared: November 8, 2005  
Project Manager: Not Applicable  
Planner: Heather Rose  
Engineer: Robert Wolf

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### I. SUMMARY OF STAFF REPORT COMMENTS

The applicant is requesting to rezone from R-T (Residential Topographical) District to RR-2 (Rural Residential) District. The site consists of 5 acres, to be replated into two 2.5-acre lots. There are no outstanding issues related to the rezoning of this property, and a Minor Subdivision application is running concurrently with this rezoning.

Staff finds this property is consistent with the Ute Pass Comprehensive Plan (1982) and the character of the surrounding area. The Development Services Department recommends a finding of Master Plan Consistency may be made for this rezoning.

### II. ACREAGE, PARCEL NUMBERS, PROPOSED USE

Acreage: 5 acres  
Parcel Number(s): 83161-06-001  
Proposed Use: 2 lots Single Family

### III. STAFF RECOMMENDATION

That the Planning Commission **approve** the proposed Rezone from R-T to RR-2 with conditions and notations as noted in Section XII.

### IV. NOTIFICATION

Staff notified 7 adjoining property owners.

**Public Input:**

**V. PUBLIC HEARINGS and LEGAL NOTIFICATION**

**Planning Commission:**

**Request:** Scheduled Hearing Date(s) 12/29/2005

**Waiver(s):** None

**Vote:**

**Voting Rationale:**

**Summary of Planning Commission Hearing:**

**Legal Notice:**

**Board of County Commissioners:**

**Request:** Scheduled Hearing Date

**Waiver(s):** None

**VI. CODE AND POLICY COMPLIANCE:**

The project was reviewed against Section 9 (RR-2 - Rural Residential District) of the Land Development Code.

The proposed project is in compliance with the El Paso County Land Development Code.

**VII. IDENTIFICATION AND LOCATIONAL INFORMATION**

**Surrounding Land Use:** North: Developed Single-Family Residential  
South: Developed Single-Family Residential  
East: Developed Single-Family Residential  
West: Developed Single-Family Residential

**Zoning of Surrounding Property:** North: R-T - Residential-Topographic  
South: R-T - Residential-Topographic  
East: R-T - Residential-Topographic  
West: R-T - Residential-Topographic

**VIII. LAND USE ANALYSIS AND IMPLICATIONS**

The property has been zoned R-T (Residential-Topographic) District since 1967. The original subdivision's soils and geology report indicates that portions of the property may have been a landfill at one time (see comments in Section X for additional explanation). This property was subdivided into 4 lots in 1997. The Chipita Homes Subdivision Filing No. 1 was heard and approved by the Board of County Commissioners on September 29, 1997.

The applicant is proposing to rezone approximately five (5) acres to RR-2 Zone District. The RR-2 Zone District was established "to provide for moderately low density rural residential uses." Rezoning this property will allow the land to be subdivided into 2.5 acre lots. Currently the minimum lot size in the R-T Zone District is 5 acres. This lot size will still meet the minimum size required for septic systems, and both lots are on central water.

Although this parcel is surrounded by R-T zoned properties very few of those properties are 5 acres or greater. The lot size of 2.5 acres fits in the character of the area.

The site is not located within a 100-year floodplain.

Zoning Regulations: Any future buildings would need to meet the minimum development regulations of the RR-2 District as currently established, or as amended:

Min. Zone District Area:	2.5 acres
Minimum Lot Area	None
Max. percentage of structural coverage:	None
Max. structural height:	30'
Front yard setback:	25'
Rear yard setback:	25'
Side yard setback	15'

**IX. COMPREHENSIVE PLAN ANALYSIS**

**Policy Plan Recommendation**

N/A

**Small Area Plan Recommendation**

Ute Pass Comprehensive Plan (1982)

**Other Master Plan Recommendations**

N/A

**Summary**

The subject property is included within the Ute Pass Comprehensive Plan (1982). This plan utilizes a map approach and designates this property as being appropriate for residential uses. Other more environmentally constrained areas are designated for

Project Name: Rezoning: R-T to RR-2 - Larry King/ Zytka – King Subdivision  
Project Number: P-05-007  
Project Manager: N/A, Heather Rose, Planner

lower density, clustered, residential uses. Although the Ute Pass Comprehensive Plan does not contain explicit language addressing 5-acre versus 2.5-acre zoning, it is clear from a review of the Plan that this density of residential use is appropriate within the context of the Ute Pass Plan, assuming there are no site characteristics or facilities and services limitations that would adversely affect the ability to subdivide. The property has adequate access and the ability to support septic systems for two, 2.5 acre lots. On this basis, the Long Range Planning Division recommends a finding of consistency with the El Paso County Master Plan.

**X. PUBLIC SERVICE AND SITE CONSIDERATIONS**

**Major Thoroughfare and Transportation**

There are no concerns related to the rezoning application. Please see the staff report for the minor subdivision application for information on access.

**Drainage**

There are no concerns related to the rezoning application. Please see the staff report for the minor subdivision application for information on site drainage.

**Utilities Services**

Colorado Springs Utilities will serve this subdivision, and has no objections to the rezone or the subdivision.

**Schools**

District: Manitou School District No. 14

No objections to the proposed subdivision

**Public Safety (Fire Protection and Law Enforcement)**

Green Mountain Falls/ Chipita Park Fire Protection District has no objections to this rezone or the subdivision and will serve them.

**Recreation and Parks**

District Number: N/A  
Urban Parks Area: N/A  
Fees in Lieu of Land:

Regional Parks: N/A

Urban Parks:  
Neighborhood: N/A  
Community: N/A

**Topography and Land Characteristics Adaptability**

The site consists of vacant land that is vegetated with grasses, shrubs and sparse trees. The soil is composed of gravelly sands and interbedded clays on a gentle slope to the

south. A drainage channel bisects the property, roughly along the proposed lot line. The site contains an old waste disposal area; the applicant drilled test holes to determine what the area was for and how big it was. The County Health Department is satisfied with shrinking the waste disposal area as identified in the original plat with a proposed condition of approval (See Minor Subdivision) which will stop construction if any waste is found during construction.

**Water**

<b>Source</b>	Colorado Springs Utilities
<b>Quantity</b>	Not Applicable
<b>Quality</b>	Not Applicable
<b>Dependability</b>	Not Applicable

**Comments**

**XI. APPLICABLE RESOLUTIONS**

Approval: Page 21  
Disapproval Page 22

**XII. CONDITIONS OF APPROVAL**

1. None

**XIII. NOTATIONS**

1. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.

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**Attachments:**

Vicinity Map  
Letter of Intent  
Other:  
Rezoning Map

Project Name: Rezoning: R-T to RR-2 - Larry King/ Zytka – King Subdivision  
Project Number: P-05-007  
Project Manager: N/A, Heather Rose, Planner

# El Paso County Parcel Information

Parcel Number: 8316106001

Parcel Address: 0 CHIPITA PARK RD

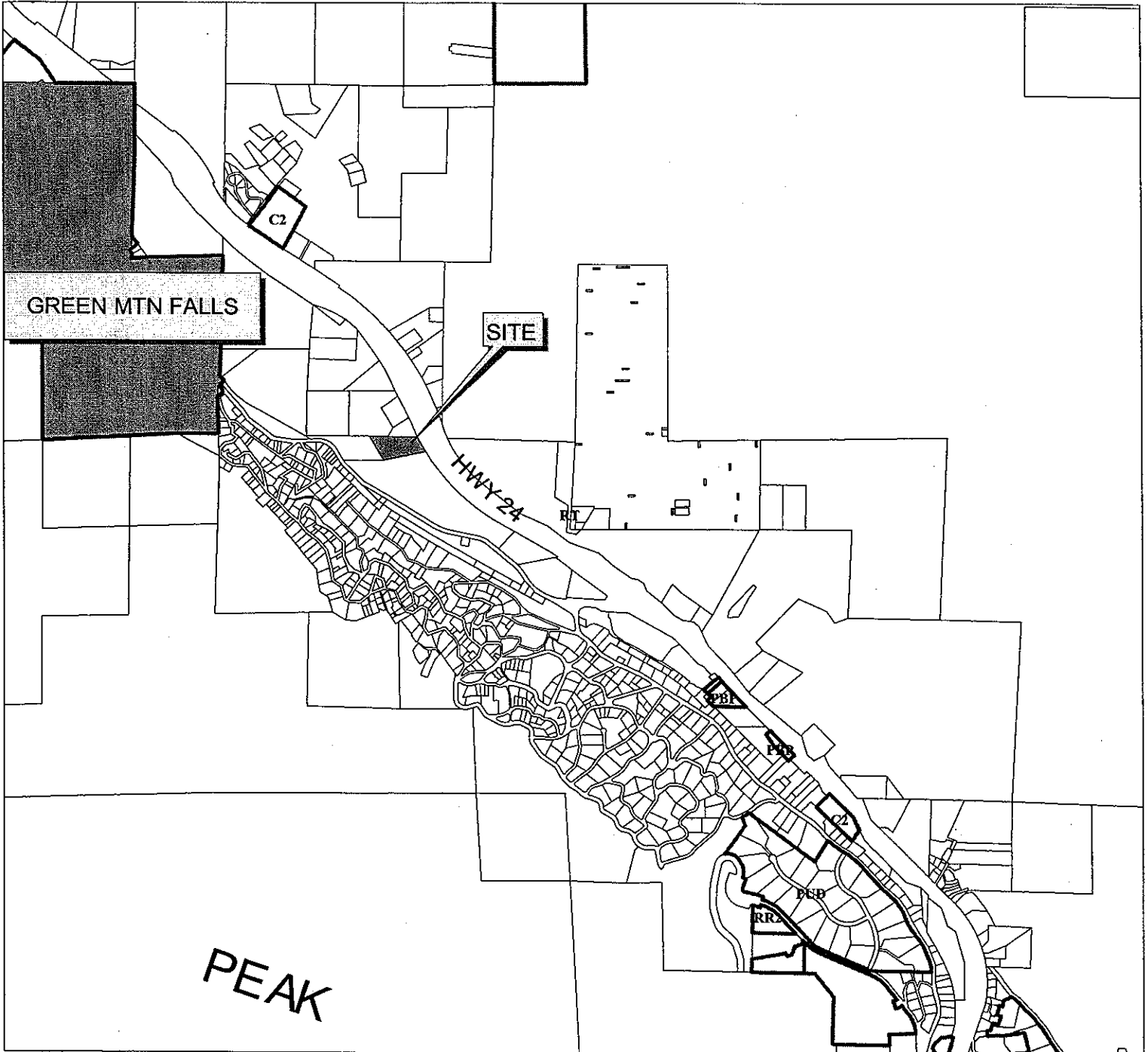
Parcel Owner: ZYTKA DONALD J

Parcel Owner 2: ZYTKA EILEEN F

File Name: MS-05-006

Zone Map No.: 832.16

Owner Mailing Address: PO BOX 666, CASCADE, CO 80809



Please report any discrepancies to:  
El Paso County GIS/Mapping  
325 S. Cascade  
Colorado Springs, CO 80903  
(719)520-6523

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November 9, 2005



Letter of Intent  
Zytka-King Subdivision

Platting

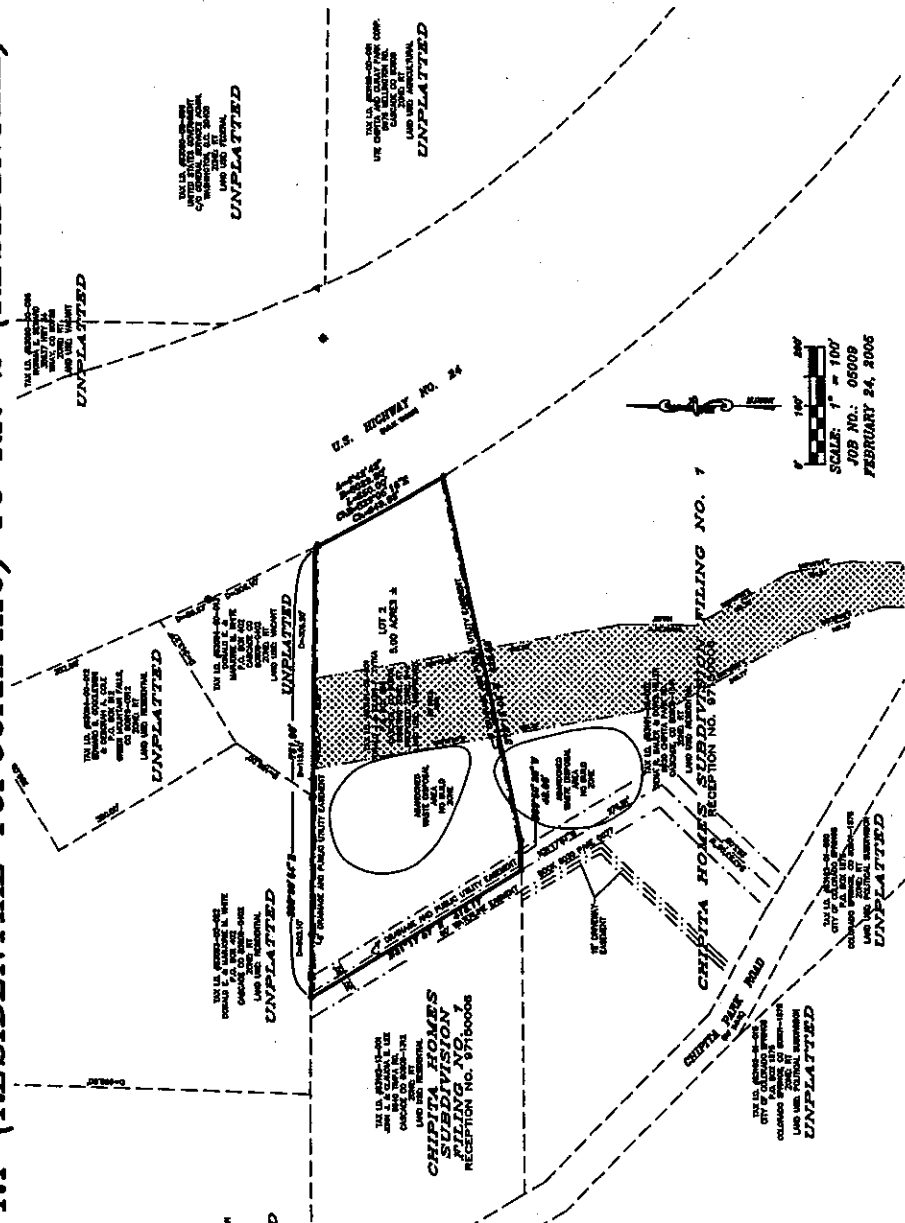
1. a) Owner: Don and Eileen Zytka Office (719) 684-7800  
PO Box 666 Alt. (719) 684-9703  
Cascade CO 80809 Cell (719) 290-3605
- b) Applicant: Larry King Phone (719) 686-8840  
Alpine Meadows Homes, LLC Fax (719) 686-8841  
PO Box 364 Cell (719) 338-3064  
Woodland Park CO 80866
- c) Consultant: Kevin F. Lloyd, PLS Phone (719) 687-0920  
Rampart Surveys, Inc. Fax (719) 686-1139  
PO Box 5101  
Woodland Park CO 80866
2. a) Site Location: Lot 2, Chipita Homes Subdivision Filing No. 1  
9455 Chipita Park Road  
Cascade, CO 80809
- b) Site Size: 5.0 Acres +/-  
c) Site Zoning: R-T  
d) Proposed Zoning: RR-2
3. The owner and applicant are seeking to subdivide the existing Lot 2 into 2 lots, having 2.5 acres each. The reason for doing this is to allow the current owners, Don and Eileen Zytka, to sell half of their existing property to Larry King.
4. There are no existing facilities. Proposed facilities are for single-family housing with water provided by Colorado Springs Utilities and on-site septic systems to handle sanitary sewer. There will be no public roads.
5. A waiver is requested for the 30' frontage to a public maintained road. A 50' wide ingress & egress easement is proposed across the southerly portion of Lot 2 for the benefit of Lot 1.

Rezoning

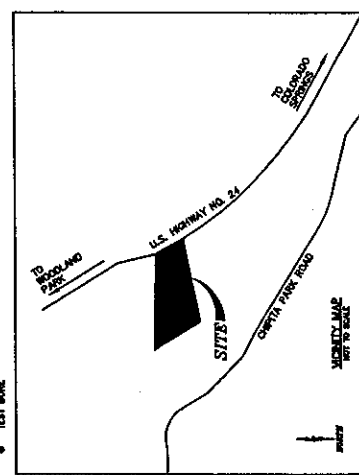
6. A change in zone classification from R-T to RR-2 is being requested to simplify the permit process for future construction of single-family housing.
7. Total number of acres = 5 acres
8. a) Total number of residential units = 2  
b) Densities for each dwelling type = 4.0%
- 9 – 11. Not Applicable
12. Typical Lot Sizes = 325' x 325'
- 13 – 15. Not Applicable
16. Water will be provided by Colorado Springs Utilities and sewer will be on-site septic systems.
17. Proposed uses are single-family residential, with no relationship between uses and densities at 4.0% per lot in the subdivision.
18. Not Applicable
19. Proposed access is off of Chipita Park Road.
20. Not Applicable

# REZONE PLAN

**LOT 2, CHIPITA HOMES SUBDIVISION FILING NO. 1,  
 LOCATED IN THE NORTH ONE-HALF (N1/2) OF SECTION 16, TOWNSHIP 13 SOUTH,  
 RANGE 68 WEST OF THE 6th P.M., EL PASO COUNTY, COLORADO  
 REZONE: RT (RESIDENTIAL TOPOGRAPHIC) TO RR-2 (RESIDENTIAL)**



- SET 6"x6" IRON AND RED CAP STAMPED "TAMPART PLS 2000"
- ▲ FOUND 3-1/2" BRASS CAP STAMPED AS SHOWN
- FOUND IRON AND CAP STAMPED "FIELD RES 2000"
- ▲ FOUND 1-1/2" DIA. ALUMINUM CAP STAMPED "L.L. THOMAS"
- ▲ FOUND 1-1/2" DIA. ALUMINUM CAP STAMPED AS SHOWN
- FOUND 8"x8" IRON (NO CAP)
- FOUND + IN CONC FENCE POSTER
- ◆ FOUND 2-1/2" BRASS CAP STAMPED AS SHOWN
- ◆ FOUND 1-1/2" DIA. IRON PIPE
- ◆ FOUND 2-1/2" BRASS CAP STAMPED AS SHOWN (7/8 CORNER)
- WIRE FENCE
- TEST BONE



**NOTICE TO OWNERS OF ADJACENT LANDS:**  
 DONALD J. STYRA AND EILEEN F. STYRA, BEING THE OWNERS OF THE FOLLOWING DESCRIBED TRACT OF LAND:

**SECTION 16, TOWNSHIP 13 SOUTH, RANGE 68 WEST OF THE 6th P.M., EL PASO COUNTY, COLORADO**  
 RECEIPTION NO. 97100008

AND

**SECTION 16, TOWNSHIP 13 SOUTH, RANGE 68 WEST OF THE 6th P.M., EL PASO COUNTY, COLORADO**  
 RECEIPTION NO. 97100005

ARE HEREBY ADVISED THAT THE ABOVE DESCRIBED TRACTS OF LAND ARE BEING REZONED FROM RT (RESIDENTIAL TOPOGRAPHIC) TO RR-2 (RESIDENTIAL) AND THAT THE REZONE PLAN IS ON FILE WITH THE COUNTY CLERK AND RECORDS, AND CONTAINS A COPY OF THE REZONE PLAN AND A COPY OF THE REZONE PLAN AS APPROVED BY THE COUNTY CLERK AND RECORDS.

**REGISTERED LAND SURVEYOR:**  
 WALTER F. LLOYD  
 PLANNING SURVEYOR, INC.  
 P.O. BOX 500  
 1600 WEST 10TH AVENUE, COLORADO SPRINGS  
 COLORADO 80909  
 (719) 587-1000

**REZONE - LOT 2, CHIPITA HOMES SUBDIVISION FILING NO. 1  
 N1/2 SEC. 16, T13S, R68W, EL PASO CO., CO**

**SURVEYS**

PA 100 000  
 1600 WEST 10TH AVENUE, CO SPRINGS  
 (719) 587-1000

**DRAWING: 06009.DWG**      **PAGE 1 OF 1**