



**El Paso County Planning and
Community Development
Department**

Administrative Relief Application Packet

2880 International Circle, Suite 110
Colorado Springs, CO 80910
Phone 719-520-6300
Fax 719-520-6695
www.elpasoco.com

*NOTE: Please contact the Planner of the Day (719-520-6499) to discuss creating the application online.

Administrative Relief Application Process

Here is an overview of the process:

1. All applications must be submitted and reviewed online via EDARP (<https://epcdevplanreview.com/>). After the project has been setup by a planner, the first step is to register your account. To do so you will:
 - a. click on the link in your email that is sent by the planner via EDARP
 - b. click on "register" at the top of the page
 - c. enter in the 6 digit code and your information
 - d. Once your account has been set up, you will then log in and click on "home," which is located at the top left-hand side of the EDARP screen. On your home screen you will find your project listed. Click on your project submission request to be able to upload your items.
2. Notify the adjacent property owners of what is being requested either in person by getting their signature or by certified mail. You may do a combination of certified mail and in person signatures. Please see the attached handout.
3. Upload all items as requested in EDARP. All uploaded items will be saved automatically as they are uploaded into EDARP, regardless of if you "submit" the items online. Note that each time you upload, EDARP will replace the previous item. Once all items have been uploaded, you may submit online via EDARP by clicking "submit".
4. Your submission will be reviewed by the Planning Manager to ensure it is complete. If there are discrepancies, the necessary items will be rejected, and you will be sent a notice by EDARP via email, detailing what items have been rejected and the reason for the rejection via EDARP.
 - a. *NOTE: Items will not be reviewed by the PCD staff or referral agencies until all items have been accepted and the fees are paid.
5. Once all items have been accepted, you will be notified via EDARP that you may make payment online. After payment has been made the application will be considered active and under review.
6. Log into EDARP and make payment. Your project is now considered active.
7. PCD will send your submission to outside agencies (i.e. El Paso County Public Health, Fire Department, Enumerations, etc.) who will review the submission items. Any comments received from the outside agencies will be uploaded to EDARP as soon as they are received by the outside agency.
8. During the initial review phase, PCD will send a notification to the adjacent property owners notifying them of the anticipated decision date.
9. After the initial review period the planner will send you a re-submission request via EDARP for any items identified by the outside agencies needing revision.
10. The applicant or PCD may request a meeting with the PCD staff to discuss the comments to ensure, upon resubmission, all comments are be addressed.
11. All requested application documents will be revised to address all comments provided and resubmitted via EDARP.
12. PCD will send your revised items to the outside agencies who identified issues so that they may verify that the comments have been addressed.
13. This resubmission and rereview cycle will be repeated as many times as necessary until all comments have been addressed.
 - a. *NOTE: there is an additional fee for reviews beyond the 3rd review.
14. Once all comments have been addressed the PCD Director will approve/deny the request.

Below is an overview of the submission items and a brief explanation of what each item is. Please refer to the application packet, checklists, as well as the applicable section of the Code for additional information.

1. Application: 2 page document requesting general property information as well as all applicable contact information.
2. Adjacent Property Owner Notification: Please see the attached application packet which contains information regarding who is considered adjacent, a sheet for the adjacent property owner signatures, as well as a template for the letter to be used for certified mail. For each adjacent property owner you must provide proof of notice by either a signature (owner is required) or a certified mail stub along with the letter that was mailed.
3. Legal Description: this is the legal description of the parcel that can be found on the assessor website or your deed.
4. Letter of Intent: the letter should include what is being requested, why it is being requested, how the request meets Section 5.5.1.D (specifically the review criteria) and any other pertinent details. See detailed checklist.
5. Vicinity/Location Map: map showing where the property is located in relation to major intersections
6. Site Plan: The site plan will need to include the existing structures, well, septic, driveway, use areas, any mitigation measures being proposed, etc. Please refer to the administrative relief site plan checklist.

Administrative Relief Procedure Manual

1.1. PURPOSE

The purpose of this procedure is to establish a concise and consistent process for reviewing and approving a request for administrative relief.

1.2. BACKGROUND

The LDC establishes uniform standards for the development and use of land. These standards were established to preserve and improve the public health, safety and general welfare of the citizens and businesses of El Paso County including promoting predictability, consistency and efficiency in the land development process for residents, neighborhoods, businesses, agricultural, and development interests and being fair to all by ensuring due consideration is given to protecting private property rights, the rights of individuals and the rights of the community as a whole.

The administrative relief provisions of the LDC are intended to provide for flexibility in the application of regulations when a standard is inapplicable or inappropriate to a specific use or development proposal. Administrative relief may be sought where allowed by the LDC. The applicant will need to seek approval of a variance if the application for administrative relief does not conform to the standards for administrative relief or where the PCD Director has determined that administrative relief cannot be granted.

1.3. APPLICABLE STATUTES AND REGULATIONS

C.R.S. §30-28-111, 113, and 114 authorizes Boards of County Commissioners to adopt and amend zoning regulations for the regulation by districts or zones of the location, height, bulk, and size of buildings and other structures, percentage of lots which may be occupied, the size of lots, courts, and other open spaces, the density and distribution of population, the location and use of buildings and structures for trade, industry, residence, recreation, public activities, or other purposes, access to sunlight for solar energy devices, and the uses of land for trade, industry, recreation, or other purposes including methods for the administration of such regulations.

Section 2.1.2 of the LDC provides the authority for the PCD Director to establish standards for processing development applications.

Section 2.2.4 of the LDC establishes the authorities of the PCD Director.

Section 5.5.1 of the LDC establishes the allowance for administrative relief and the conditions under which administrative relief may be granted.

Section 5.5.1(B) of the LDC establishes the specific types of administrative relief that may be granted.

1.4. RESOURCES

Not applicable

1.5. GENERAL SUBMITTAL LIST

The applicant shall submit the following:

- Site Plan Map or Site Development Plan Map, whichever is required to implement the use (See Table 5-1 and 5-2 of the LDC).

- Evidence of authority to represent the property owner, if the applicant is not the property owner.
- Letter of intent.
- Proof of adjacent property owner notice.
- Any other additional items as required by the PCD Director deemed necessary to ensure compliance with the requirements of the LDC.

1.6. STEP BY STEP REVIEW PROCEDURE

1.6.1. Summary of Steps

(A) Step 1 Early Assistance Meeting

Normally, administrative relief is a secondary component of another type of development application and a separate early assistance meeting is not required. Where administrative relief is requested in advance of filing a separate development application for which the administrative relief is required, an early assistance meeting may be required for both applications at the discretion of the PCD Director.

(B) Step 2 Neighborhood Meeting (optional)

Based on the input of neighbors, the applicant may reassess the type of application to file. Significant concern by neighbors about the proposed relief may indicate the need to submit a Type D Development Application to avoid potential delay associated with an appeal.

(C) Step 3 Application Submitted

A complete Type C Development Application is required. In choosing to submit a Type C Development Application for administrative relief, the applicant understands that the application is submitted at the applicant's risk since approval is not guaranteed. Regardless of the type of development application with which the administrative relief is associated, the required supporting materials should be submitted by the applicant to the PCD via EDARP. The materials submitted shall include all items listed in Section 1.5 of this procedure and the customized submittal matrix sent to the applicant via EDARP by the PCD Planner. Additional materials should be provided by the applicant as determined necessary by the PCD Director to respond to the criteria for approval for administrative relief.

(D) Step 4 Determination of Completeness

(E) Step 5 Resubmission of application (if required)

(F) Step 6 Application Referral

At the time of referral, the PCD planner sends notice to adjacent property owners in accordance with the public notice and public notice-mailed procedures.

(G) Step 7 Comments and Request to Applicant

The PCD planner reviews any review comments and provides them to the applicant via EDARP.

(H) Step 8 Applicant Submits Information Requested

(I) Step 9 Staff Recommended Action

The PCD planner makes a final determination of conformance of the administrative relief request with the criteria for approval and prepares a letter for review by the PCD Director recommending either approval or denial, with or without conditions, and Step 13 is initiated.

(J) Step 10 Hearing Scheduled

Not Applicable

(K) Step 11 Notice of Hearing

Not Applicable

(L) Step 12 Hearing Held

Not Applicable

(M) Step 13 Decision Concerning Development Permit

(N) Step 14 Development Permit Closeout

A copy of the PCD Director's decision is provided to the applicant by the PCD planner and is uploaded to EDARP. The decision is mailed to the owner and adjacent property owners. The PCD planner closes the file in EDARP.

1.6.2. Criteria for Consideration

(A) General Requests and Limitations for Administrative Relief

The PCD Director may only consider an application for administrative relief pursuant to the provisions of the LDC.

(B) Minor Variations During Platting

Minor variations from strict application of the provisions of a PUD development plan or conventional zoning district may be allowed at the discretion of the PCD Director in order to facilitate the reasonable and expeditious platting of the property.

1.6.3. Criteria for Approval

(A) General Administrative Relief

For the PCD Director to grant administrative relief all the applicable criteria in Section 5.5.1 of the LDC shall be met.

(B) Subdivision Administrative Relief (Variations)

Variations shall be allowed only after a finding by the PCD Director that:

- The variation does not constitute a substantial change to the allowed land use; and that
- No substantial detriment to the public good, nor harm to the general purpose and intent of the LDC, will be caused thereby.

A variation granted by the PCD Director shall not by itself constitute grounds for disapproval by the BoCC of any final plat unless the BoCC specifically finds that

the variation constitutes a substantial change in the allowed land use or causes a substantial detriment to the public good or harm to the general purpose and intent of the LDC.

1.7. REVIEW PERIOD

Administrative relief is classified as a Type C Development Application. The timeline for reviewing a Type C Development Application is dependent upon several factors, including, but not limited to, staffing, workload, project size and/or complexity, and quality and completeness of submittal materials.

1.8. NOTICE

Notice shall meet the notice requirements of public notice- mailed and shall be completed a minimum of 14 days in advance of the decision.

1.9. FORM OF ACTION

Administrative relief shall be considered complete and in effect as of the date of approval of the administrative relief by the PCD Director as evidenced by the PCD Director's signature on the letter approving the administrative relief.

1.10. EXPIRATION (IF APPLICABLE)

Administrative relief shall be valid for a period of one year. If the use is not established on the subject property or a building permit is not obtained and construction is not initiated to implement the requested administrative relief within one year of approval of the administrative relief or the plat is not filed for recording, the administrative relief shall expire and a new application shall be required. If the initial building permit expires, the administrative relief approval shall be considered to have expired at the time of expiration of the building permit. If the administrative relief includes a phasing plan, once the first phase is initiated the administrative relief shall be deemed to have no expiration. If the required public improvements are accepted by the County, the administrative relief shall be deemed to have no further expiration.

1.11. SIMILAR PROCEDURES

Not applicable

1.12. TECHNICAL GUIDANCE

Not applicable



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EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

ADMINISTRATIVE RELIEF CHECKLIST

Revised: January 2022

Administrative Relief		
The purpose of Administrative Relief is to provide for flexibility in the application of regulations when a standard is inapplicable or inappropriate to a specific use or design proposal or a minor problem arises with the strict application of development standards.		
The PCD Director may modify the applicable requirements, including requiring additional items or removing items, based upon the project and site-specific circumstances.		
	Applicant	PCD
NOTE: Please confirm each item below has been included by placing a check mark in the "Applicant" column. See right for an example. The "PCD" column is for office use only.		
	V	Office use only
Letter of Intent		
1	A discussion detailing the proposed administrative relief request and compliance with the applicable requirements of the Land Development Code;	
2	The reason and justification for the administrative relief request;	
3	A comparison between the applicable Land Development Code standard(s) and the proposed administrative relief;	
4	A detailed analysis addressing each of the Criteria of Approval for Administrative Relief in Chapter 5 of the Land Development Code.	
Notification to Adjacent Property Owners		
1	Details of the request;	
2	The location, size, and zoning of the subject property;	
3	Existing and proposed improvements to the property;	
4	Waiver requests (if applicable);	
5	Contact information for the applicant(s);	
6	The applicant shall use one of the following procedures to satisfy notification standards: Mail notification by certified mail to all applicable properties. A receipt of the mailing for each address shall be included in the completed application form; or In person notification via signatures from all applicable property owners with the signature form included in the application form.	
Site Plan Map to include the following elements, as appropriate:		
1	Date, north arrow, and a graphic scale	
2	Vicinity map showing the property in relation to section lines and existing or proposed arterial or collector roadways.	
3	Location of the property lines, right-of-way, and all existing and proposed easements	
4	Dimensions of all property lines, rights-of-way, and all easements, as applicable	
5	The building footprint for all structures depicted and labeled to include the proposed use(s), floor area, and height. The setbacks of all building footprints dimensioned from all property lines.	
6	Location and width of all sidewalks	
7	Location and height of all fences, walls, or berms	
8	Location and dimensions of all existing and proposed signs	
9	Traffic circulation including all points of ingress/egress into the property	
10	The layout and location of all off-street parking, loading and other vehicular use areas	
11	Location of all ADA parking spaces, ramps, pathways, and signs	
12	Location, height and intensity of all outdoor illumination	
13	Location of existing and proposed water and wastewater infrastructure, including well(s) and septic system(s)	
14	Location of all no-build areas, floodplain(s), and drainage facilities	
15	Location and screening of all dumpster(s) and loading dock areas	
16	Standard details of parking (compact, ADA, standard), ADA ramps, driveways, and signs	
17	Location of all existing and proposed utility lines and associated infrastructure	
18	Existing/proposed land use, parcel size, and zoning	
20	Percent of open space, landscaping, and lot coverage	
21	Density and number of dwelling units	



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ADMINISTRATIVE RELIEF CHECKLIST

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22	Computation identifying the required parking and the provided parking		
23	Any other additional items as required by the PCD Director deemed necessary to address the applicable review criteria:		



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EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

ADMINISTRATIVE RELIEF LETTER OF INTENT CHECKLIST

Revised: January 2022

Administrative Relief		
The purpose of Administrative Relief is to provide for flexibility in the application of regulations when a standard is inapplicable or inappropriate to a specific use or design proposal or a minor problem arises with the strict application of development standards.		
The PCD Director may modify the applicable requirements, including requiring additional items or removing items, based upon the project and site-specific circumstances.		
	Applicant	PCD
NOTE: Please confirm each item below has been included by placing a check mark in the "Applicant" column. See right for an example. The "PCD" column is for office use only.	V	Office use only
Letter of Intent		
1	Owner name, contact telephone number, and email for responsible party	
2	Applicant name (if not owner), contact telephone number, and email for responsible party	
3	Property address	
4	Property tax schedule number	
5	Current zoning of the property	
6	A discussion detailing the proposed administrative relief request and compliance with the applicable requirements of the Land Development Code;	
7	A discussion identifying and acknowledging any applicable overlay zoning (e.g., CAD-O, etc.)	
8	The reason and justification for the administrative relief request;	
9	A comparison between the applicable Land Development Code standard(s) and the proposed administrative relief;	
10	A detailed analysis addressing each of the Criteria of Approval for Administrative Relief in Chapter 5 of the Land Development Code.	
11	A discussion regarding the surrounding area and how the proposal fits within the context of the area and any potential impacts related to granting the requested relief.	

Notice to Adjacent Property Owners

Proof of Notice to Adjacent Property Owners shall be submitted with certain land use applications. Please choose one of the following:

- a. Signed Notification of the Adjacent Property Owners (see attached)
- b. Copy of the certified letter receipts to the Adjacent Property Owners with a copy of the letter sent
- c. Both

(Please refer to the attached handout showing the adjacent property owners required.)

For all Notice to Adjacent Property Owners, the following information is required at a minimum:

1. Please begin your letter with the following paragraph:
“This letter is being sent to you because (Name of Owner/Applicant/Consultant) is proposing a land use project in El Paso County at the referenced location (see item #3). This information is being provided to you prior to a submittal with the County. Please direct any questions on the proposal to the referenced contact(s) in item number 2. Prior to any public hearing on this proposal a notification of the time and place of the public hearing will be sent to the adjacent property owners by the El Paso County Planning and Community Development Department. At that time you will be given the El Paso County contact information, the file number and an opportunity to respond either for, against, or expressing no opinion in writing at the public hearing for this proposal.”
2. For questions specific to this project, please contact:
 - a. Owner/applicant and consultant(s)
 - b. Address, email(s), and telephone number(s)
3. Site address, location, property size, and zoning
4. Request and justification
5. Existing and proposed facilities, structures, roads, etc.
6. Waiver requests (if applicable) and justification
7. Vicinity map showing the adjacent property owners

Notice to Adjacent Property Owners

Name and Address of the

Petitioner(s): _____

Telephone

Number(s): _____

Description of Proposal:

A list of adjacent property owners may be acquired from the County Assessor's office. If adjacent property owners cannot be reached in person, the applicant must send an Adjacent Property Owner Notification letter by certified mail and provide, as part of the submittal, a copy of the letter sent and a copy of each receipt.

The undersigned, being an adjacent property owner, has read the above notification. I understand I may submit written comment, appear in person at the advertised public hearing, or appear virtually at the advertised public hearing to further express my comments.

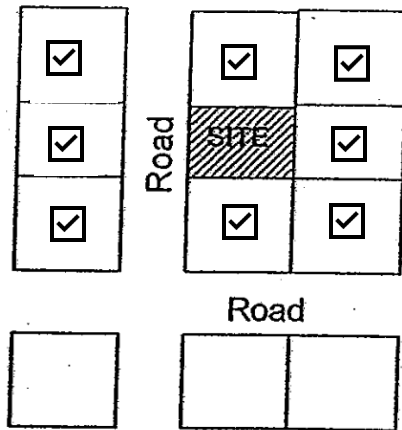
Date	Owner (Yes or No)	Name (Signature) and Address	Comments

(For additional space, attach a separate sheet of paper)

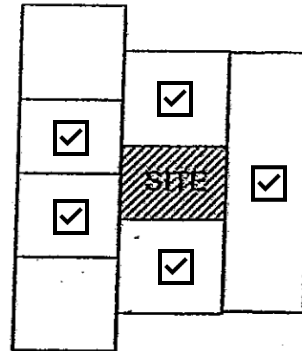
Above are the signatures of the adjacent property owners who won the property described after their names or who are located as indicated (e.g. north of the subject property). I hereby acknowledge that the information provided within this notification is correct.

_____ date _____ date _____
(Signature of Petitioner or Owner) (Signature of Petitioner or Owner)

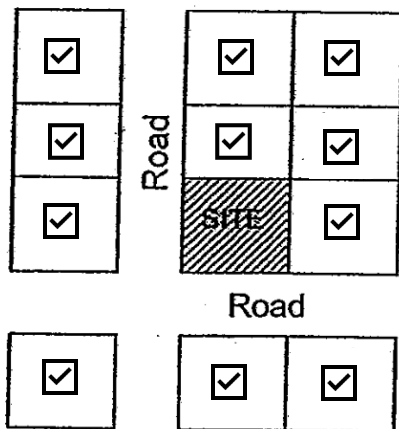
Notice to Adjacent Property Owners



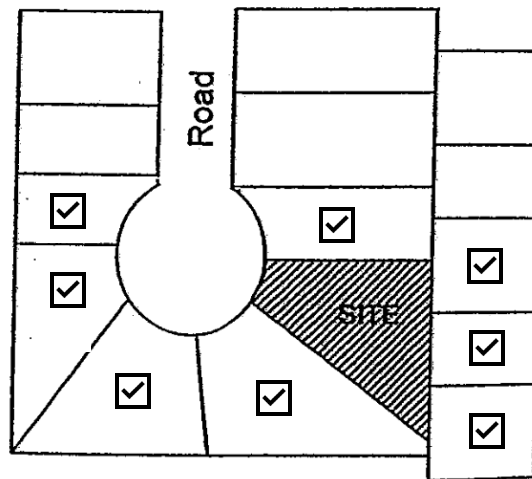
Example 1



Example 2



Example 3



Example 4