

Letter of Intent

**Application for Rural Home Occupation Special Use
October 11, 2018
Revised May 10, 2019**

Gone Trucking, LLC
21255 Calle Pacifico Point
Fountain, Colorado 80817
Owner: Gary Meisman

I. Owner/Applicant and Consultant.

Gone Trucking, LLC is a home-based business owned by Gary Meisman. The Owner/Applicant and Consultant contact information is as follows:

Owner/Applicant:

Gary Meisman
612 Harvard Street
Colorado Springs, Colorado 80911
(719) 322-9609
garymeisman12@gmail.com

Consultant:

Debra Eiland, Esq.
Law Offices of Debra Eiland, P.C.
24 S. Weber Street, Suite 300
Colorado Springs, Colorado 80903
(719) 471-1545
edeбра@qwest.net

II. Site Location, Size and Zoning.

The property Mr. Meisman plans to develop is a parcel of vacant land located at 21255 Calle Pacifico Point, Fountain, Colorado. The property borders Villa Casitas subdivision to the North and West, Interstate 25 to the East, and the El Paso/Pueblo County line to the South. The property is easily accessible from Exit 119 off I-25. The property consists of one parcel of 38.86 acres in size, and is listed under Assessor's Schedule Number 5735000001. The property is zoned RR-5, Residential Rural. A parcel map showing the property is included in Appendix A.

III. Request and Justification.

Mr. Meisman has operated a small aggregate hauling business for the past 10 years. The business delivers dirt and asphalt materials for road construction and maintenance projects within a 100 mile radius of the Pikes Peak region. The business is seasonal, and occurs primarily during the Summer months.

Mr. Meisman purchased the 21255 Calle Pacifico Point property in December 2017. Mr. Meisman plans to build a house and shop on the property, and to operate his business there as a rural home based business. Mr. Meisman is applying for a rural home occupation special use approval for this purpose.

IV. Proposed Facilities, Structures, Roads, etc.

The property consists of approximately 38.86 acres of vacant land. Mr. Meisman intends to develop the land as follows:

- 1) Build a single family residence for the Meisman family (approximately 3,200 square feet ranch style).
- 2) Simultaneously with, or after building the residence, build a 50' x 80' (4,000 sf) shop for his trucking business. This structure will not be utilized until after construction of the residence is completed.
- 3) An outdoor storage area not to exceed 1 acre in size for trucks and business equipment, with appropriate screening

Mr. Meisman expects to file construction plans for the residence with the Regional Building Department by July 1, 2019, and to begin construction on the residence upon approval of the necessary building permits and approval of the special use.

Mr. Meisman's business operates on a seasonal basis, primarily during the Summer months. Equipment and trucks will be stored in the shop building, as well as in a designated outdoor storage area, which will be screened by a natural ridge. The business currently owns a total of 8 trucks to include dump trucks, end dumps, and tractor/trailers. No aggregate materials will be stored on site.

The business has 6 employees. The employees usually pick up their trucks from the shop from 6:00 a.m. to 7:00 a.m. Monday through Friday, and return to the shop with their trucks from 5:00 p.m. to 6:00 p.m. for a total of 24 trips per day. The employees do not work on weekends. All vehicles will enter the property via a driveway access on Avenida Hermosa View. Mr. Meisman will be applying for the required driveway access permit. Employees will park their personal vehicles near the shop. No customers will visit the property. There will be no signage on the property advertising the business.

The property's topography is hilly and includes a ridge that will block the view of the shop and storage area from adjoining properties. Mr. Meisman will have to construct his improvements within a 20 acre area, which is the only buildable space on the property. The lots in the surrounding Villa Casitas subdivision are 5 acres each with a single family home. The roads in the subdivision and adjoining Mr. Meisman's property are gravel.

The roads in the Villa Casitas subdivision, which adjoins Mr. Meisman's property, are public rights-of-way, and Mr. Meisman has the legal right to use those roads to access his property. The Villa Casitas Homeowners' Association is responsible for maintaining the roads in the subdivision, including Avenida Hermosa View. Over the past several months Mr. Meisman has diligently attempted to negotiate a road maintenance agreement with the HOA, which included generous proposals for routine road maintenance services, and an offer of labor and hauling services to improve the condition of Avenida Hermosa View before Mr. Meisman's trucks use the road. Unfortunately, the HOA has declined to enter into any agreement with Mr. Meisman.

To address the Hanover Fire Department's concern about potential damage to Avenida Hermosa View by trucks entering and exiting Mr. Meisman's property, the business driveway has been re-configured at an angle so the trucks have straight access to and from the property from Avenida Hermosa with little to no turning required. This change is reflected on the revised Plot Plan/Special Use Map dated December 3, 2018.

As is also shown on the revised Plot Plan/Special Use Map dated December 3, 2018, Mr. Meisman has reduced the outdoor storage area for the shop to less than 1 acre of disturbed area. Mr. Meisman acknowledges that he performed some grading on the property in 2018 before filing this application. To address the drainage and erosion control concerns raised by the Hanover Fire Department and by the Planning Department in its Stop Work Order dated March 20, 2019, Mr. Meisman will file a BESQCP application and perform the work needed to ensure that there is no adverse impact on surrounding properties or roads.

V. Waiver Requests.

No waivers are requested at this time.

VI. Criteria for Approval.

I. Location and Parcel Size.

The subject property is located in an RR-5 zone district, and consists of approximately 38.86 acres. As such, the property meets the rural home occupation special use criteria for location and parcel size.

II. Employees.

The business has 6 full-time employees and, therefore, meets the rural home occupation special use criteria that allows a maximum of 10 employees.

III. Traffic.

Each of Mr. Meisman's 6 employees generate a maximum of 4 automobile trips to and from the property each day, for a total of 24 trips per day. This number is far below the maximum of 50 per day set out in the rural home occupation special use criteria.

IV. Inoperable Vehicles.

Mr. Meisman will not keep any inoperable vehicles on the property in conjunction with the business.

V. Outside Storage and Work Areas.

Mr. Meisman will use an area not to exceed 1 acre in size for outdoor storage of business trucks and equipment, and for a minimal amount of outdoor repair and maintenance work. The outdoor storage and work area will be located at least 50 feet from all property lines, and will be screened by a large naturally occurring ridge.

VI. Environmental Impacts.

No noise, vibration, glare, fumes, odors, heat, or electrical interference will be detectable to the normal senses beyond the boundary line of the property. Any fuels, solvents, oils, grease, and other such substances will be stored in the shop in appropriately marked containers, and used products will be collected and disposed of in an environmentally safe and legal manner. No fuel storage tanks will be present on the property. The presence of petroleum products will be limited to the amount of oil and lubricants needed for routine maintenance of the trucks and equipment, and that contained in the truck fuel tanks.

The business will comply at all times with all health and safety regulations governing the business. The business does not use any hazardous, explosive, or highly flammable substances (other than fuel needed to power the trucks and equipment), and has not received any complaints for excessive noise, dust, or other environmental impacts.

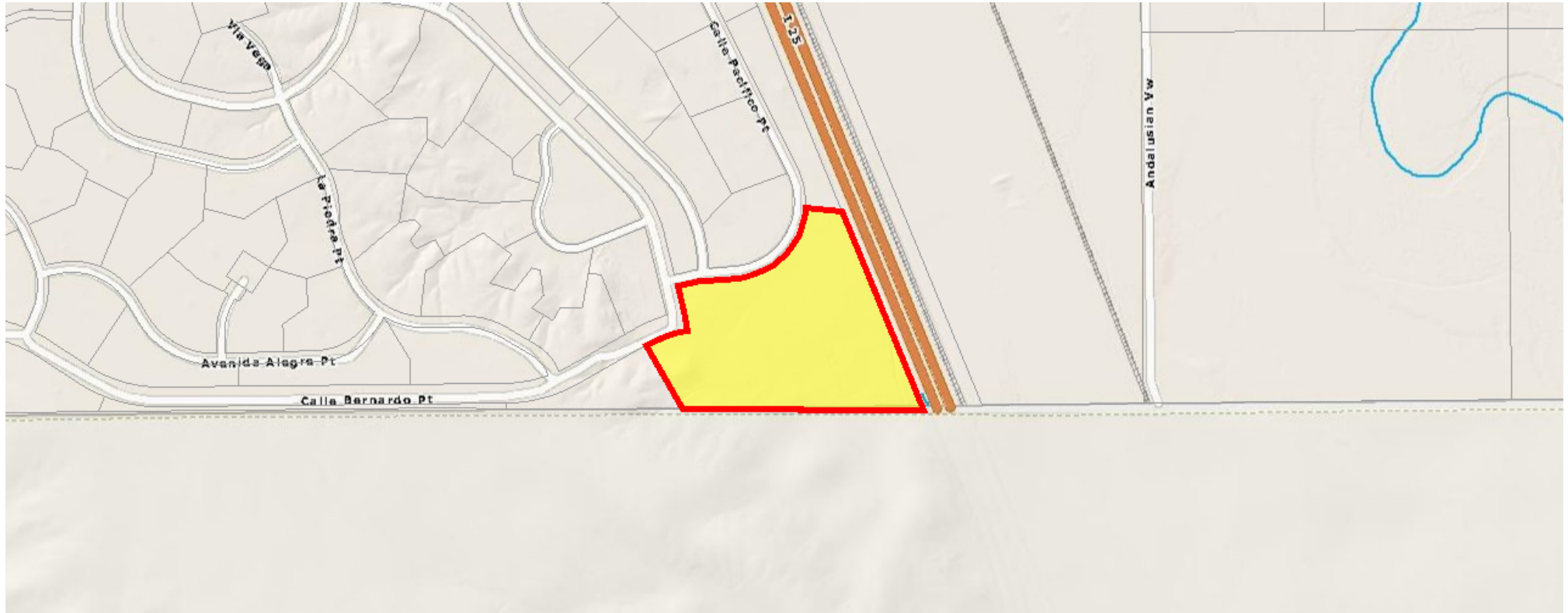
El Paso County Assessor's Office

21255 CALLE PACIFICO

SCHEDULE: 5735000001

OWNER: MEISMAN GARY

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