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El Paso County, CO



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RESOLUTION NO. 26-235

BOARD OF COUNTY COMMISSIONERS
COUNTY OF EL PASO, STATE OF COLORADO

DENIAL OF MAP AMENDMENT (REZONING)
MA SUBDIVISION TRACT A REZONE TO RM-12 (P261)

WHEREAS Ma Infrastructure, LLC did file an application with the El Paso County Planning and Community Development Department for an amendment to the El Paso County Zoning Map to rezone the herein described property in El Paso County from the RR-5 (Residential Rural) zoning district to the RM-12 (Residential, Multi-Dwelling) zoning district; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on June 18, 2026, upon which date the Planning Commission did by formal resolution recommend denial of the subject map amendment application; and

WHEREAS, a public hearing was held by this Board on July 23, 2026; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the master plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, comments by the El Paso County Planning Commission Members, and comments by the Board of County Commissioners during the hearing, this Board finds as follows:

1. The application was properly submitted for consideration by the Board of County Commissioners;
2. Proper posting, publication, and public notice was provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners of El Paso County;
3. The hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, all pertinent facts, matters and issues were submitted and reviewed, and all interested persons were heard at those hearings;
4. The proposed map amendment (rezoning) was not in general conformance with the recommendations set forth in the El Paso County Master Plan, including applicable Small Area Plans or there has not been a substantial change in the character of the neighborhood since the land was last zoned;

5. The proposed land use or zone district is not compatible with existing and permitted land uses and zone districts in all directions;
6. The proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner, which would interfere with the present or future extraction of such deposit by an extractor;

For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is not in the best interest of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of El Paso County.

NOW, THEREFORE, BE IT RESOLVED the El Paso County Board of County Commissioners hereby denies the petition of MA Infrastructure, LLC to amend the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference, from the Choose an item. zoning district to the Choose an item. zoning district;

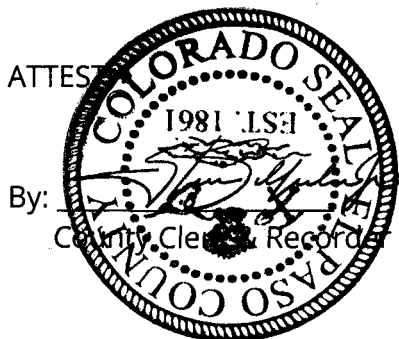
BE IT FURTHER RESOLVED the following notation shall be placed upon this denial:

NOTATION

1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said petition. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.

DONE THIS 23rd day of July, 2026, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO



By: 
Chair

EXHIBIT A

ZONING AREA RM-12 AREA:

That portion of Tract A of MA Subdivision, recorded at Reception No. 223715214, on November 1, 2023, lying south of the centerline of the access easement recorded at Reception No. 222080436 on June 10, 2022, both in the official records of the El Paso County Clerk and Recorder, and shown across said Tract A, located in the East Half of the Northwest Quarter of Section 15, Township 11 South Range 66 West of the 6th P.M., in El Paso County, Colorado, additionally described as follows;

Beginning at a point on westerly line of said Tract A on the southerly line of the AT&T Parcel as described in Book 2086 at Page 528 in said official records;

THENCE the following two (2) courses coincident with said southerly line, and the easterly line of said AT&T Parcel:

- 1) S86°46'06"E a distance of 146.40 feet;
- 2) N03°04'22"E, non-tangent with the following described curve, a distance of 15.00 feet to the centerline of said access easement;

THENCE the following four (4) courses coincident with said centerline:

- 1) Along the arc of a curve to the right, having a radius of 85.00 feet, a central angle of 25°15'19", a chord bearing of S74°17'59"E a distance of 37.16 feet, and an arc distance of 37.47 feet;
- 2) S61°40'19"E, tangent with the last and following described curves, a distance of 186.84 feet;
- 3) Along the arc of a curve to the left having a radius of 75.00 feet, a central angle of 23°05'58", a chord bearing of S73°13'18"E a distance of 30.03 feet, and an arc distance of 30.24 feet;
- 4) S84°46'17"E, tangent with the last described curve and non-tangent with the following described curve, a distance of 29.53 feet, to the easterly line of said Tract A;

THENCE the following seven (7) courses coincident with said easterly line, the southerly line, and said westerly line of said Tract A:

- 1) Along the arc of a curve to the left, having a radius of 1540.00 feet, a central angle of 23°32'27", a chord bearing of S03°28'29"W, a distance of 628.29 feet; and an arc distance of 632.73 feet;
- 2) S08°17'25"E, tangent with the last and following described curves, a distance of 41.69 feet;
- 3) Along the arc of a curve to the right having a radius of 45.00 feet, a central angle 71°25'40", a chord bearing of S27°25'25"W a distance of 52.54 feet, and an arc distance of 56.10 feet;

- 4) S63°08'15"W, tangent with the last and following described curves, a distance of 84.73 feet;
- 5) Along the arc of a curve to the right having a radius of 275.00 feet, a central angle of 38°58'41", a chord bearing of S82°37'36"W a distance of 183.49 feet, and an arc distance of 187.08 feet;
- 6) Along the arc of a reverse curve to the left having a radius of 217.83 feet, a central angle of 38°36'38", a chord bearing of S82°48'38"W a distance of 144.03 feet, and an arc distance of 146.79 feet;
- 7) N03°16'20"E, non-tangent with the last described curve, a distance of 899.69 feet to the Point of Beginning.

Said parcel contains 7.56 acres more or less.

