



**RESOLUTION #3**

**STANDARD RESOLUTION FOR APPROVAL - NO HARDSHIP INVOLVED**

Creely moved that the following Resolution be adopted:

**BEFORE THE BOARD OF ADJUSTMENT**

**OF THE COUNTY OF EL PASO**

**STATE OF COLORADO**

**RESOLUTION NO. BOA-21-005  
11390 VALLE VERDE DRIVE POLE BARN**

WHEREAS, Jody and Sylvia Hakala (the "Applicant") have requested a variance from the zoning regulations contained in the El Paso County Land Development Code for property located at 11390 Valle Verde Drive in the A-5 ( Agricultural) zone district, which property is identified by El Paso County Tax Schedule No. 76100-01-010 and is legally described as follows:

**LOT 19 VACATION AND REPLAT OF LOTS 17, 18 AND 19 BLK 2 RED ROCK VALLEY ESTATES**

WHEREAS, the subject property is within the unincorporated area of El Paso County, Colorado; and

WHEREAS, the Applicant has requested a side setback of five (5) feet where County regulations require a side setback of 25 feet and a lot size of 3.3 acres where County regulations require five (5) acres, and

WHEREAS, the Board of Adjustment is vested with the power to grant or deny such variances by virtue of Section 5.5.2 of the El Paso County Land Development Code and Sections 30-28-117 and -118, C.R.S.; and

WHEREAS, based on the evidence presented, the Board of Adjustment makes the following findings:

1. Proper notice procedures, including the notification of all adjoining property owners, have been completed by the El Paso County Development Services Department.
2. The variance will permit only those uses specifically enumerated as permitted uses for the zoning district in which the property is located.
3. The burdens of strict compliance with the zoning requirement(s) significantly exceed the benefits of such compliance for the subject property.
4. A unique or equitable consideration compels that strict compliance not be required; namely topographical and previous zoning of the land

5. The variance will not significantly impair the intent and purpose of the zoning regulations.
6. The variance will not cause a substantial detriment to the public good.
7. The variance will conform with all applicable federal, state or other local laws or regulations.

NOW, THEREFORE, BE IT RESOLVED that the request for a variance from the El Paso County zoning regulations as more fully described above is hereby approved:

Additional conditions and notations:

**CONDITIONS**

1. The approval applies only to the plans as submitted. Any expansion or additions beyond those depicted on the associated site plan may require separate Board of Adjustment application(s) and approval(s) if the development requirements of the applicable zoning district cannot be met.
2. Approval of a site plan by the Planning and Community Development Department and issuance of a building permit from the Pikes Peak Regional Building Department are required prior to construction of the proposed accessory structure.

**NOTATIONS**

1. Physical variances approved for a proposed structure (except for lot area variances) are valid only if construction of the structure is initiated within twelve (12) months of the date of the Board of Adjustment approval.
2. The PCD Director may require a survey, certified by a registered surveyor, licensed in the State of Colorado, depicting the improvement in relationship to the lot lines affected to demonstrate compliance with the approval of the administrative relief.

**WARNING:** Any violation of the terms of this resolution may result in rehearing and possible revocation.

Langlais seconded the adoption of the foregoing Resolution. The roll having been called, the vote was as follows:

Commissioner Carlson	aye
Commissioner Wood	aye
Commissioner Curry	aye
Commissioner Davies	aye
Commissioner Langlais	aye

The Resolution was adopted by a vote of 5 – 0 by the Board of Adjustment of the County of El Paso, State of Colorado.

DATED: September 8, 2021



---

Jay Carlson, Chair