

03/20/2018

Chuck Broerman
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El Paso County, CO

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RESOLUTION #3

STANDARD RESOLUTION FOR APPROVAL - NO HARDSHIP INVOLVED

Commissioner Hannigan moved that the following Resolution be adopted:

**BEFORE THE BOARD OF ADJUSTMENT
OF THE COUNTY OF EL PASO
STATE OF COLORADO
RESOLUTION NO. BOA-18-002**

WHEREAS, Thomas R. Dionne (the "Applicant") has requested a variance from the zoning regulations contained in the El Paso County Land Development Code for property located at 7110 Brentwood Drive, Colorado Springs, CO 80908 in the RR-5 (Residential Rural) zone district, which property is identified by El Paso County Tax Schedule No. 52082-58-009 and is legally described as follows:

LOTS 3-8 INC BLK 56 BRENTWOOD COUNTRY CLUB & CABIN SITES TRACT 1

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

WHEREAS, the Applicant has requested to allow a 2,160 square foot accessory structure where County regulations limit the size to no greater than the footprint of the primary structure; 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 the burden of cost to the owner.

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:

Conditions

1. The approval applies only to the plans as submitted. Any expansion or additions to the accessory structure 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 tiny house site plan by the Planning and Community Development Department is required prior to placement of the home.


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

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

Commissioner Curry	aye
Commissioner Thurber	aye
Commissioner Carlson	aye
Commissioner Hannigan	aye
Commissioner Davies	aye

The Resolution was adopted by a vote of 5 to 0 with Commissioner Intermill in opposition by the Board of Adjustment of the County of El Paso, State of Colorado.

DATED: March 14, 2018



Craig Dossey, Executive Director
El Paso County Planning and
Community Development Department



Receipt for Fees Paid

Planning and Community Development Department
 2880 International Circle, Suite 110, Colorado Springs, Colorado 80910
 Office (719) 520-6300

Date 3/26/18

Receipt No. 521163

Customer: **MONUMENT SMALL ENGINES INC**
 PO BOX 219
 MONUMENT, CO
 80132

Processed by DD

Check No. 2446

Payment Method CHECK-EDARP

Item	Description	Prefix	Type	Rate	Qty	Amount
H19	Minor Commercial Site Development Plan	PPR	C	1,800.00		1,800.00
3	Surcharge - Projects			37.00		37.00
1	CUSTOMER NAME: MONUMENT SMALL ENGINE INC.					0.00
2	PROJECT NAME: HELLBUSCH PROJECT					0.00

Total \$1,837.00
