

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

TO: El Paso County Planning Commission
Jim Egbert, Chair

FROM: Len Kendall, Planner I
Gilbert LaForce, PE Engineer II
Craig Dossey, Executive Director

RE: Project File #: VA-17-007
Project Name: Murdock Auto Repair
Parcel No.: 83262-05-015

OWNER:	REPRESENTATIVE:
Ralph E. Murdock 8025 Topeka Avenue Cascade, CO 80809	Ralph E. Murdock 8025 Topeka Avenue Cascade, CO 80809

Commissioner District: 3

Planning Commission Hearing Date:	11/21/2017
Board of County Commissioners Hearing Date	12/12/2017

EXECUTIVE SUMMARY

A request by Ralph E. Murdock to allow an auto repair garage in the R-T (Residential Topographic) zoning district. The parcel is located approximately 200 feet east of U.S. Highway 24 on Topeka Avenue in Cascade, CO. The parcel is located within the boundaries of the Ute Pass Comprehensive Plan (1982). The applicant had received approval for a variance of use request for an auto repair garage in 1999 (VA-99-010) as well as an expansion and extension of that request in 2002 (VA-02-009). A condition of approval for VA-02-009 was that the variance of use would expire on June 24th, 2014. A zoning complaint for auto sales on the property led to an inspection by a code enforcement officer. It was found that auto sales were not occurring on the property but that the auto repair garage use variance had expired. The property is now seeking approval of a Variance of Use to continue the operation of an auto repair garage with conditions. The applicant requests the conditions of approval from VA-02-009 remain

the same, except that there is no expiration date. Pursuant to a Land Development Code change in 2012 (LDC-11-004) variances no longer have an expiration date.

A. REQUEST/WAIVERS/AUTHORIZATION

Request: Approval of a variance of use to allow an auto repair garage in the R-T (Residential Topographic) zoning district.

Waiver(s): There are no waivers associated with this request.

Authorization to Sign: There are no documents associated with this application that require signing by the Chair.

B. PLANNING COMMISSION SUMMARY

Request Heard:

Recommendation:

Waiver Recommendation:

Vote:

Vote Rationale:

Summary of Hearing:

Legal Notice:

C. APPROVAL CRITERIA

In approving a variance of use, the following criteria may be considered:

- The strict application of any of the provisions of this Code would result in peculiar and exceptional practical difficulties or undue hardship;
- The proposed use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the surrounding area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and County;
- The proposed use will be able to meet air, water, odor or noise standards established by County, State or federal regulations during construction and upon completion of the project;
- The proposed use will comply with all applicable requirements of this Code and all applicable County, State and federal regulations except those portions varied by this action;
- The proposed use will not adversely affect wildlife or wetlands;
- The applicant has addressed all off-site impacts;
- The site plan for the proposed variance of use will provide for adequate parking, traffic circulation, open space, fencing, screening, and landscaping; and/or

- Sewer, water, storm water drainage, fire protection, police protection, and roads will be available and adequate to serve the needs of the proposed variance of use as designed and proposed.

D. LOCATION

The Property is located at 8025 Topeka Avenue in Cascade, Colorado.

North: R-T (Residential Topographic)	Single Family Residential
South: R-T (Residential Topographic)	Cascade Fire Protection District
East: R-T (Residential Topographic)	Single Family Residential
West: R-T (Residential Topographic)	Single Family Residential

E. BACKGROUND

The property is located in the Cascade area, which was platted in 1887. The single-family dwelling unit was built in 1973 and is currently on a 23,488 square foot lot. When the house was built in 1973, the minimum lot area for the R-T (Residential Topographic) zone district was 10,000 square feet. An original Variance of Use (VA-99-010) was submitted as a result of a complaint received by the Planning Department for a commercial garage operation (C-98-234). The Board of County Commissioners approved, with conditions, VA-99-010 to allow the operation of a limited auto repair garage on June 24, 1999. The Board resolution is attached to this report.

A subsequent Variance of Use (VA-02-009) was submitted to allow an expansion of the auto repair business for a 360 square foot addition, and extension of an automotive repair business in the R-T zoning district. On July 18, 2002, this request was approved by the Board of County Commissioners. The Board resolution is attached to this report.

A zoning complaint for auto sales on the property led to an inspection by a code enforcement officer. It was found that auto sales were not occurring on the property but that the auto repair garage use variance had expired. Code Enforcement notified the property owner of the expiration and the owner is now seeking approval of a Variance of Use to continue the use of an auto repair garage with conditions.

F. ANALYSIS

1. Land Development Code Analysis

The Land Development Code (2016) defines a vehicle repair garage as;

An establishment used for the or repair of passenger vehicles and light trucks, including major or minor work such as paint, body and fender work or engine and transmission overhaul and incidental storage or parking of repaired vehicles, but excluding the dismantling of wrecked vehicles and the storage of junk vehicles.

The R-T (Residential Topographic) zoning district does not allow a vehicle repair garage as a primary use on the property. Although the owner/applicant lives on the property, this could not be considered a residential home occupation due to the fact that auto repair garages are specifically excluded from the residential home occupation regulations.

Since the variance of use from 2002 expired in 2014, the applicant must obtain a new Variance of Use to continue operation on the subject parcel. The applicant proposes no changes to the auto repair garage.

2. Zoning Compliance

A Vehicle Repair Garage is not an allowed use in the R-T zoning district. If the variance of use is approved, the existing use would be legalized subject to compliance with any conditions of approval. The Vehicle Repair Garage use is allowed by right in the CS (Commercial Service), C-2 (Commercial), and M (Industrial) zoning districts. It is allowed by special use in the CC (Commercial Community), CR (Commercial Regional), I-2 (Limited Industrial), and I-3 (Heavy Industrial) zoning districts.

3. Policy Plan Analysis

The El Paso County Policy Plan (1998) has a dual purpose; it serves as a guiding document concerning broader land use planning issues, and provides a framework to tie together the more detailed sub-area elements of the County Master Plan. Relevant policies are as follows:

Goal 7.1: Reasonably accommodate unique and special uses which provide value to the greater community and which can be made consistent with surrounding uses.

Policy 7.1.1: Accommodate unique combinations of land uses (such as employment and residential uses) on the same property if it can be demonstrated that aggregate impacts will be limited, adequate facilities and services will be available, and the use will be compatible with the character of the surrounding area.

Policy 7.1.4: Accommodate home-based businesses which do not detract from the character of residential areas, do not create substantial impacts on facilities and services, and do not require the imposition of conditions of approvals difficult to enforce.

4. Small Area Plan Analysis

Ute Pass Comprehensive Plan (1982)

Land Use Objectives

- Discourage commercial zone change requests that are not extensions of existing commercial zones.
- Discourage the possibility of U.S. Highway 24 becoming a “strip” corridor.

Economy Objectives

- Regard commercial and industrial zone changes as low priority land use requests. Any commercial development should primarily serve the local populace.

5. Other Master Plan Elements

The Master Plan for Mineral Extraction (1996) identifies potential decomposed granite deposits in the area of the subject property. A mineral rights certification was prepared by the applicant indicating that, upon researching the records with El Paso County, no severed mineral rights exist.

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

No physical hazards were identified in the review of this variance request.

2. Wildlife

The El Paso County Wildlife Descriptors Map (1996), adopted as an element of the El Paso County Master Plan, shows this area as having high potential impact to wildlife. There is no anticipated change in the site conditions, therefore no impacts to wildlife is anticipated with this variance.

3. Floodplain

The property is outside the FEMA 100-year floodplain as show on the FEMA Flood Insurance Rate Map (FIRM) panel number 08041C0490F.

4. Drainage And Erosion

The property is located in Williams Canyon drainage basin (FOFO7200) which is unstudied. A drainage report was not required since no site improvement is proposed.

5. Transportation

No road impact fee is required since the variance of use is not anticipated to increase the daily vehicle trips by at least 100 more vehicle daily trips than the property would be expected to generate under the previous variance of use. There is no access permit on file for this property, one will need to be obtained within 30 days of decision by the Board of County Commissioners.

H. SERVICES

1. Water

Water is provided to the site from Cascade Metropolitan District #1. No comments have been received regarding this project.

2. Sanitation

The subject property is serviced by an onsite wastewater treatment system (OWTS).

3. Emergency Services

Emergency and fire protection services are provided by Cascade Volunteer Fire Department.

4. Utilities

Utilities are provided by Colorado Springs Utilities.

5. Metropolitan Districts

The property is located within the Cascade Metropolitan District #1

6. Parks/Trails

No park fees or land dedication in lieu of fees are required for this application.

7. Schools

No school fees or land dedication in lieu of fees are required with this application.

I. APPLICABLE RESOLUTIONS

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Disapproval Page 52

J. STATUS OF MAJOR ISSUES

There are no major issues that need to be addressed with this property.

K. CONDITIONS AND NOTATIONS

Should the Planning Commission and Board of County Commissioners find that the request meets the criteria for approval outlined in 5.3.4 (Variance of Use) of the EI Paso County Land Development Code (2016), staff recommends the following conditions and notations:

CONDITIONS

1. Approval is limited to the expansion and extension of an Automobile Repair Business, subject to compliance with the following conditions and notations and the site plan as approved.
2. Approval of the Variance of Use extension shall not expire. Variance of Use, File No. VA-99-010 and VA-02-009 shall be of no further force and effect upon the approval of this Variance of Use by the Board of County Commissioners.
3. Variance of Use approval is granted only for an automotive repair garage that holds no more than four (4) cars at any given time, as per the enclosed site plan. The business shall be conducted by one individual who resides on site, with no outside employees. No bodywork or painting shall be performed.
4. There shall be only one (1) vehicular access to the subject property from Topeka Avenue.

5. No vehicles waiting for repair, under repair or waiting for pickup after repair shall be allowed to park on Topeka Avenue.
6. Vehicle repair shall not be done outside the garage and no more than two (2) vehicles waiting for repair, under repair or waiting for pickup after repair shall be stored outside overnight in the area designated by the Planning Department. All repairing or dismantling of automobiles or other vehicles and storing of parts and accessories shall be conducted within an entirely enclosed building.
7. Storage of rubbish, as defined in Ordinance 92-1, inoperable or unlicensed vehicles is prohibited.
8. The drainage of and the subsequent disposal of vehicle fluids shall be accomplished pursuant to all applicable local, State and Federal regulations.
9. Any on-site advertising associated with the business shall comply with the provision of Section 35.4.F.1.A. of the El Paso County Land Development Code.
10. The hours of operation shall be limited from 8:00 A.M. to 5:00 P.M.
11. The garage shall comply with all applicable Regional Building Department and Cascade Fire Department criteria for an automotive repair garage, including storage of any possible flammable materials.
12. The facility shall be operated in accordance with the Waste Management Plan as approved by the El Paso County Department of Health and Environment.
13. An access permit must be obtained within 30 days of decision by the Board of County Commissioners.

NOTATIONS

1. Variance of Use approval includes conditions of approval and the accompanying site plan and elevation drawings. No substantial expansion, enlargement, intensification or modification shall be allowed except upon reevaluation and public hearing as specified in the El Paso County Land Development Code.
2. The Board of County Commissioners may consider revocation and/or suspension if zoning regulations and/or Variance of Use conditions/standards are being violated, preceded by notice and public hearing.
3. If the Variance of Use is discontinued or abandoned for two (2) years or longer, the Variance of Use shall be deemed abandoned and of no further force and effect.

L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified five (5) adjoining property owners on November 1, 2017, for the Planning Commission meeting. Responses will be provided at the hearing.

M. ATTACHMENTS

Vicinity Map

Letter of Intent

Site Plan

Board Resolution VA-99-010

Board Resolution VA-02-009

El Paso County Parcel Information

File Name: VA-17-007

PARCEL	NAME
8326205015	MURDOCK RALPH E

Zone Map No: --

ADDRESS	CITY	STATE
8025 N TOPEKA AVE	CASCADE	CO

ZIP	ZIPLUS
80809	1717

Date: October 31, 2017



Please report any parcel discrepancies to:
El Paso County Assessor
1675 W. Garden of the Gods Rd.
Colorado Springs, CO 80907
(719) 520-6600



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CASCADE MOTORSPORTS
8025-8027 Topeka Ave
Cascade, CO 80809
PH: 719-684-8395

October 25, 2017 (revised per request dated 10/17/17)

TO: Planning and Community Development Department

RE: Letter of Intent requesting a Land Use Variance as follows....

To whom it may concern:

Owner: Ralph E. Murdock 8025 Topeka Avenue Cascade, CO 80809 ph:719-684-8395

Site: 8025 + 8027 Topeka Avenue, Cascade, CO .5932103 acres (23,488 SQ Ft)
AKA Assessor parcel # 8326205015, Plat No. 560 Zoned R-T

Request: To re-apply for a Land Use Variance that has expired. VA 99-010 dated June 24, 1999 which allows me to operate an automotive repair facility on my R-T (Residential-topographic) zoned property at the above listed address. Requesting also this variance have no expiration date, that it become a permanent Variance of Use on this property into perpetuity. The same restrictions of use /Conditions of Variance Acceptance shall continue to be followed as first noted in original variance granted in 1999. (copy attached)

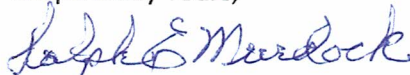
There will be no change to any structures nor any changes to land use with this proposal. The structures have been in place more than a decade at the minimum and the access to this location has been established many years ago. I have been operating this Automotive Repair Shop at this same address for 18 years now. I wish to continue to do so.

The proposed Land Use Variance 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.

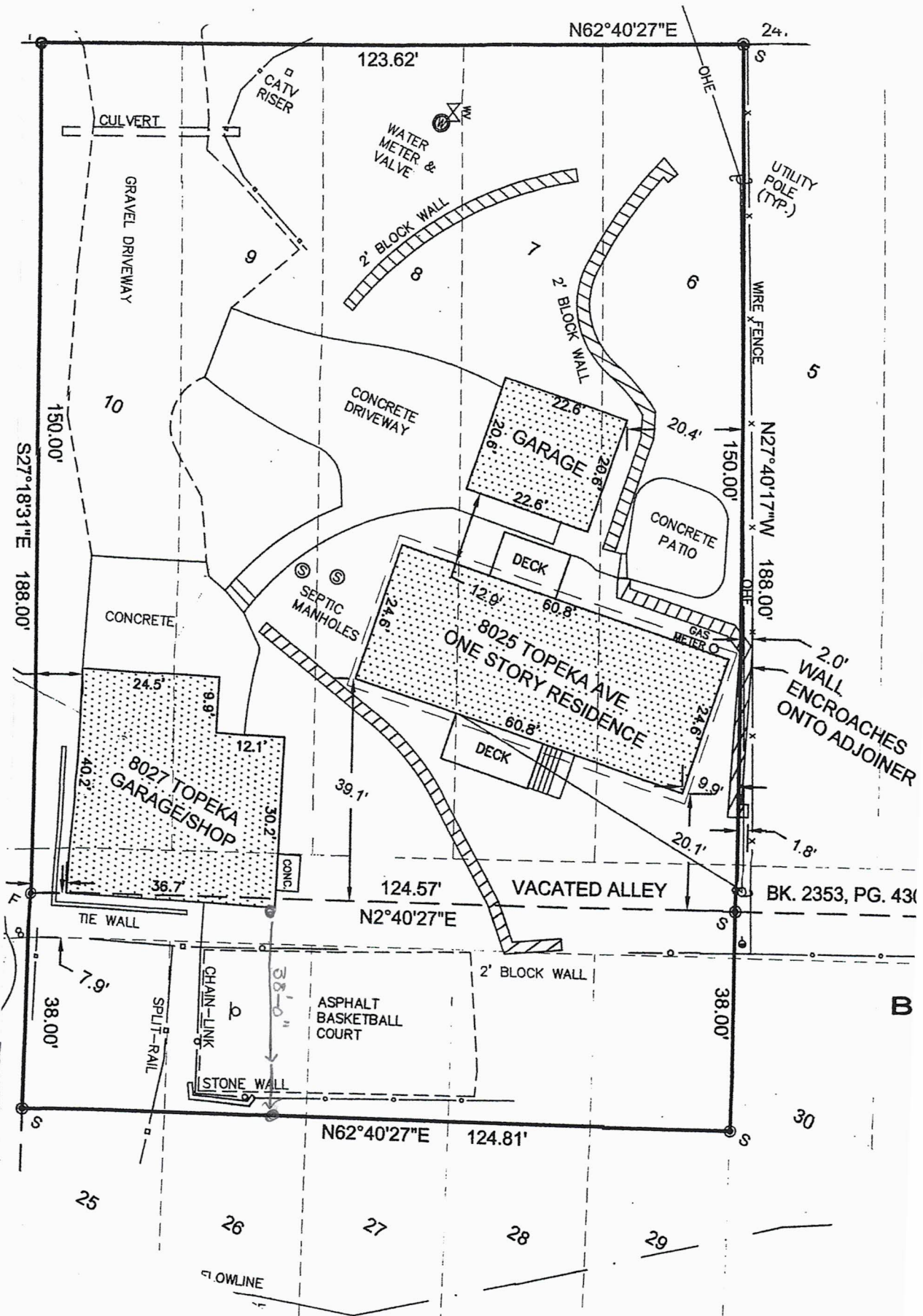
The strict application of the El Paso County Zoning Resolutions would result in peculiar and exceptional practical difficulties and undue hardship upon the owner of the property. I am now 77 years old, with hypertension that escalates with stress causing further damage to my heart and venous system. Being able to work in my own shop, on my own property and be able to serve the members and the Fire Department of the Community in which I live, instead of working for an employer downtown, greatly reduces the stress, thus helps with the hypertension and the secondary adverse effects on my health.

For this, and other reasons, the proposed Application of the Variance of Use is in the best interest of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of El Paso County.

Respectfully Yours,



Ralph E. Murdock, Owner
Cascade Motorsports



RESOLUTION NO. 99-263

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

Commissioner Bremer moved adoption of the following Resolution:

WHEREAS, Ralph Murdock did file a petition with the Planning Department of El Paso County for approval of a Variance of Use within the R-T (Residential-Topographic) Zone District to permit a commercial garage where such is not permitted; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on May 18, 1999, upon which date the Planning Commission did by formal resolution recommend approval of the subject Use Variance petition with conditions and notations; and

WHEREAS, a public hearing was held by this Board on June 24, 1999; and

WHEREAS, based on the evidence, testimony, exhibits, study of the master plan for the unincorporated area of the county, recommendations of the El Paso County Planning Commission, comments of the El Paso County Planning Department, comments of public officials and agencies, and comments from all interested parties, this Board finds as follows:

1. Proper posting, publication, and public notice were provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners of El Paso County.
2. 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 all interested parties were heard at those hearings.
3. The proposed variance of use conforms to Section 35.9, Standards Governing the Approval or Disapproval of a Petition for a Use Variance, of the El Paso County Zoning Resolutions.
4. The proposed variance is in compliance with the recommendations set forth in the master plan for the unincorporated area of the county.
5. The proposed land use will be compatible with existing and permitted land uses in the area.

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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.
7. The strict application of the El Paso County Zoning Resolutions would result in peculiar and exceptional practical difficulties or undue hardship upon the owner of the property.
8. For the above-stated and other reasons, the proposed variance of use is 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 Board of County Commissioners of El Paso County, Colorado, hereby approves the request by Ralph Murdock for a Variance of Use to permit a commercial garage within the R-T (Residential-Topographic) Zone District where such is not a permitted use for the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference;

BE IT FURTHER RESOLVED the following conditions and notation shall be placed upon this approval:

CONDITIONS:

1. The Variance of Use shall expire five (5) years following the date of approval by the Board of County Commissioners.
2. Variance of Use approval is granted only for an automotive repair garage that holds no more than four (4) cars at any given time, as per the enclosed site plan. The business shall be conducted by one individual who resides on site, with no outside employees. No bodywork or painting shall be performed.
3. There shall be only one (1) vehicular access to the subject property from Topeka Avenue.
4. No vehicles waiting for repair, under repair or waiting for pickup after repair shall be allowed to park on Topeka Avenue.
5. The hours of operation shall be limited from 8:00 a.m. to 5:00 p.m.

6. Vehicle repair shall not be done outside the garage and no more than two (2) vehicles waiting for repair, under repair or waiting for pickup after repair shall be stored outside overnight in the area designated by the Planning Department. All repairing or dismantling of automobiles or other vehicles and storing of parts and accessories shall be conducted within an entirely enclosed building.
7. All vehicles stored on the property shall be licensed and operable. No junk cars are allowed.
8. The garage shall comply with all applicable Regional Building Department and Cascade Fire Department criteria for an automotive repair garage, including storage of any possible flammable materials. Proof of compliance shall be provided to the Planning Department within seventy-five (75) days of Board of County Commissioners' approval.
9. The draining and the subsequent disposal of vehicle fluids shall be accomplished pursuant to all applicable local, State and Federal regulations.
10. Any on-site advertising associated with the business shall comply with the provision of Section 35.4 F.1.a. of the Land Development Code.
11. The facility shall be operated in accordance with the Waste Management Plan as approved by the El Paso County Department of Health and Environment.

NOTATION:

1. Failure to comply with any of the conditions of approval may result in revocation of the Variance of Use.

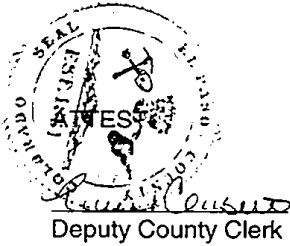
AND BE IT FURTHER RESOLVED the record and recommendations of the El Paso County Planning Commission be adopted.

DONE THIS 24th day of June, 1999, at Colorado Springs, Colorado.

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BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

By Chuck Brown
Chairperson

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

Commissioner Brown	aye
Commissioner Jones	absent
Commissioner Bremer	aye
Commissioner Beedy	aye
Commissioner Howells	absent

The Resolution was unanimously adopted by the Board of County Commissioners of the County of El Paso, State of Colorado.

Resolution No. 99-263
EXHIBIT A

Lots 6, 7, 8, 9 and 10, Block 22, N2 of vacated alley adjacent to Block 22,
Cascade Addition 1, in the Cascade area, El Paso County, Colorado.

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RESOLUTION NO. 02-267

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

Commissioner Bremer moved adoption of the following Resolution:

WHEREAS, Ralph E. Murdock did file a petition with the Planning Department of El Paso County for approval of a Variance of Use within the R-T (Residential-Topographic) Zone District to allow an expansion of an automotive repair business where such is not permitted; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on June 18, 2002, upon which date the Planning Commission did by formal resolution recommend approval of the subject Use Variance petition with conditions and notations; and

WHEREAS, a public hearing was held by this Board on July 18, 2002; and

WHEREAS, based on the evidence, testimony, exhibits, study of the master plan for the unincorporated area of the county, recommendations of the El Paso County Planning Commission, comments of the El Paso County Planning Department, comments of public officials and agencies, and comments from all interested parties, this Board finds as follows:

1. Proper posting, publication, and public notice were provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners of El Paso County.
2. 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 all interested parties were heard at those hearings.
3. The proposed Variance of Use conforms to Section 35.9, Standards Governing the Approval or Disapproval of a Petition for a Use Variance, of the El Paso County Zoning Resolutions.
4. The proposed Variance is in compliance with the recommendations set forth in the Master Plan for the unincorporated area of the county.
5. The proposed land use will be compatible with existing and permitted land uses in the area.

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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.
7. The strict application of the El Paso County Zoning Resolutions would result in peculiar and exceptional practical difficulties or undue hardship upon the owner of the property.
8. For the above-stated and other reasons, the proposed Variance of Use is 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 Board of County Commissioners of El Paso County, Colorado, hereby approves the request by Ralph E. Murdock for a Variance of Use to allow an expansion of an automotive repair business within the R-T (Residential-Topographic) Zone District where such is not a permitted use for the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference;

BE IT FURTHER RESOLVED the following conditions and notations shall be placed upon this approval:

CONDITIONS:

1. Approval is limited to the expansion and extension of an Automobile Repair Business, subject to compliance with the following conditions and notations and the site plan as approved.
2. Approval of the Variance of Use extension shall expire on June 24, 2014. Variance of Use, File No. VA-99-010 shall be of no further force and effect upon the approval of this Variance of Use by the Board of County Commissioners.
3. Variance of Use approval is granted only for an automotive repair garage that holds no more than four (4) cars at any given time, as per the enclosed site plan. The business shall be conducted by one individual who resides on site, with no outside employees. No bodywork or painting shall be performed.
4. There shall be only one (1) vehicular access to the subject property from Topeka Avenue.

Thressa A. Sholdt El Paso Cty, CO		202175156
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5. No vehicles waiting for repair, under repair or waiting for pickup after repair shall be allowed to park on Topeka Avenue.
6. Vehicle repair shall not be done outside the garage and no more than two (2) vehicles waiting for repair, under repair or waiting for pickup after repair shall be stored outside overnight in the area designated by the Planning Department. All repairing or dismantling of automobiles or other vehicles and storing of parts and accessories shall be conducted within an entirely enclosed building.
7. Storage of rubbish as defined in Ordinance No. 92-1, inoperable or unlicensed vehicles is prohibited.
8. The drainage of and the subsequent disposal of vehicle fluids shall be accomplished pursuant to all applicable local, State and Federal regulations.
9. Any on-site advertising associated with the business shall comply with the provision of Section 35.4.F.1.A. of the El Paso County Land Development Code.
10. The hours of operation shall be limited from 8:00 a.m. to 5:00 p.m.
11. The garage shall comply with all applicable Regional Building Department and Cascade Fire Department criteria for an automotive repair garage, including storage of any possible flammable materials.
12. The facility shall be operated in accordance with the Waste Management Plan as approved by the El Paso County Department of Health and Environment.

NOTATIONS:

1. No subsequent enlargement, expansion or modification to the structure shall be allowed unless the proposal is reevaluated and goes through the public hearing process in accordance with the requirements of the El Paso County Land Development Code.
2. If the Variance of Use is abandoned or discontinued for one (1) year or longer the Variance of Use shall be deemed abandoned and of no further force and effect.

Thressa A. Sholdt El Paso Cty, CO

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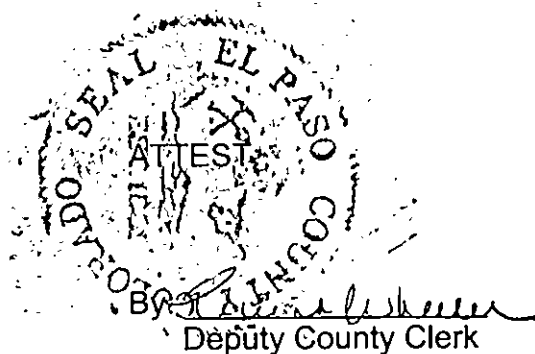
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3. Variance of Use requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.

AND BE IT FURTHER RESOLVED the record and recommendations of the El Paso County Planning Commission be adopted.

DONE THIS 18th day of July 2002, at Colorado Springs, Colorado.



BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

By: _____

Chairperson

Commissioner Howells seconded the adoption of the foregoing Resolution. The roll having been called, all five Commissioners voted "aye," and the Resolution was unanimously adopted by the Board of County Commissioners of the County of El Paso, State of Colorado.

Thressa A. Sholdt El Paso Cty, CO

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Resolution No. 02-267
EXHIBIT A

Lots 6, 7, 8, 9 and 10, in Block 22, N2 of vacate alley adjacent Block 22,
Cascade Addition 1, in the Cascade area, El Paso County, Colorado.

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