

Bob

RESOLUTION NO. 20- 385

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

WHEREAS, Douglas Stimple did file an application with the El Paso County Planning and Community Development Department for the approval of a waiver of specific requirements of Section 5.2.1.F of the El Paso County Land Development Code, which require a primary use to be established prior to an accessory use; and

WHEREAS, a public hearing was held by this Board on October 27, 2020; 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, 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 were provided as required by law for the hearing before the Board of County Commissioners.
3. The hearing before the Board of County Commissioners was extensive and complete, that all pertinent facts, matters and issues were submitted and that all interested persons were heard at that hearing.
4. The waiver does not have the effect of nullifying the intent and purpose of Land Development Code.
5. The waiver will not result in the need for additional subsequent waivers.
6. The granting of the waiver will not be detrimental to the public safety, health, or welfare or injurious to other property.
7. The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable to other property.
8. A particular non-economical hardship to the owner would result from a strict application of this Code.
9. The waiver will not in any manner vary the zoning provisions of this Land Development Code.
10. The proposed waiver is not contrary to any provision of the Master Plan.

Chuck Broerman
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11. For the above-stated and other reasons, the proposed waiver 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 that the Board of County Commissioners of El Paso County, Colorado, hereby approves the application for a waiver of Section 5.2.1.F of the Land Development Code; and

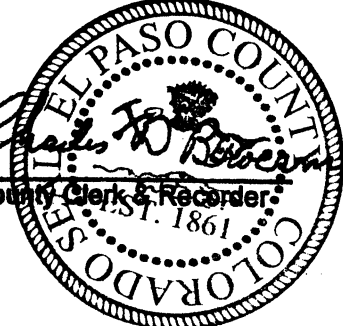
BE IT FURTHER RESOLVED that the following condition shall be placed upon this approval:

CONDITION

1. The waiver shall expire within three (3) years of the date of approval for the waiver specified above. The PCD Executive Director, in his or her sole discretion, may administratively approve an extension of the expiration up to one (1) additional year if the applicant is able to produce documented evidence that a good faith effort has been made to submit the building permit for the principle structure prior to the three (3) year deadline.

DONE THIS 27th day of October, 2020, at Colorado Springs, Colorado.

ATTEST: 
County Clerk & Recorder



BOARD OF COUNTY COMMISSIONERS
EL PASO COUNTY, COLORADO

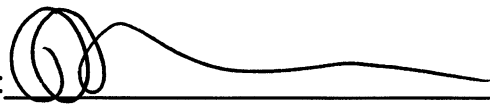
By: 
Chair

EXHIBIT A

Lot 58 Flying Horse North Filing No. 1