

RESOLUTION #4

STANDARD RESOLUTION FOR DISAPPROVAL — NO HARDSHIP INVOLVED

Curry moved that the following Resolution be adopted:

BEFORE THE BOARD OF ADJUSTMENT

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. BOA — 22-006  
RAEL STORAGE DIMENSIONAL VARIANCE

WHEREAS, Steve Rael (the Applicant) have requested a variance from the zoning regulations contained in the El Paso County Land Development Code for property located at 18220 Highway 83 in the RR-5 (Residential Rural) zoning district, which property is identified by El Paso County Tax Schedule No. 61000-00-489 and is legally described as follows:

TR IN NW4 SEC 15-11-66 DESC AS FOLS: COM AT SW COR NW4 SD SEC 15 & POB, TH NLY ALG WLY LN N 00<15'12" W 943.66 FT, S 85<55'07" E 461.76 FT, N 00<29'34" W 347.89 FT, N 60<38'40" E 1034.79 FT TO THE WLY LN OF HWY 83, TH S 02<33'41" W 45.85 FT, S 03<08'57" E 100.50 FT, S 02<33'41" W 1305.22 FT, TH ALG ARC OF CUR TO THE L HAVING A RAD OF 5780.0 FT A C/A OF 03<24'07" WHICH CHORD BEARS S 00<51'36" 343.13 FT, TH WLY ALG SLY LN N 88<47'48" W 1295.63 FT TO SW COR NW4 & POB

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

WHEREAS, the Applicant has requested one dimensional variance to allow a side setback of 30 feet where 50 feet is required for a non-permitted existing outside storage area containing vehicles and equipment exceeding the height of screening.

WHEREAS, the Board of Adjustment is vested with the power to grant or deny 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. That for the following reason(s), the request for a variance does not meet the criteria set forth in the El Paso County Land Development Code:
  - a. The burdens of strict compliance with the zoning requirements do not significantly exceed the benefits of such compliance for the subject property.

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 denied:

Langlais seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows:

Commissioner Carlson	aye
Commissioner Curry	aye
Commissioner Clement	aye
Commissioner Weber	aye
Commissioner Rexroad	aye
Commissioner Langlais	aye

The Resolution was adopted by a vote of 6 to 0 by the Board of Adjustment of the County of El Paso, State of Colorado.

DATED: July 27, 2022



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Jay Carlson, Chair