



RESOLUTION #1

STANDARD RESOLUTION FOR APPROVAL - INVOLVING A HARDSHIP

REXROAD moved that the following Resolution be adopted:

BEFORE THE BOARD OF ADJUSTMENT

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. BOA-22-011

Rocky Mountain Calvary Chapel – Ellicott

WHEREAS, Rocky Mountain Calvary Chapel has requested a variance from the zoning regulations contained in the El Paso County Land Development Code for property located at 2150 N Ellicott Hwy in the A-5 (Agricultural) zone district, which property is identified by El Paso County Tax Schedule No. 3400000207 and is legally described as follows:

LEGAL DESCRIPTION:

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 14 SOUTH, RANGE 63 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF CORDERO MINOR SUBDIVISION AS RECORDED IN THE RECORDS OF EL PASO COUNTY AT RECEPTION NO. 221714805 THENCE S 1°02'54" E, A DISTANCE OF 690.13 FEET ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 1 TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING S 1°02'54" E, A DISTANCE OF 177.05 FEET;

THENCE, N 89°40'25" W, A DISTANCE OF 561.99 FEET ALONG A NORTHERLY LINE OF LOT 2, SAID CORDERO MINOR SUBDIVISION;

THENCE, N 1°14'27" E, A DISTANCE OF 251.53 FEET ALONG AN EASTERLY LINE OF SAID LOT 2;

THENCE, S 82°06'08" E, A DISTANCE OF 565.14 FEET ALONG THE SOUTH LINE OF LOT 1, SAID CORDERO MINOR SUBDIVISION TO THE TRUE POINT OF BEGINNING.

EXCEPT THE EASTERLY 30.0 FEET FOR ROAD PURPOSES.

CONTAINING A CALCULATED AREA OF 2.76 ACRES, MORE OR LESS.

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

WHEREAS, Rocky Mountain Calvary Chapel has requested a dimensional lot size variance to allow a lot size of 2.64 acres (or less if as a result of public right-of-way dedication) where County regulations require a 5-acre minimum; and

WHEREAS, Rocky Mountain Calvary Chapel has requested a dimensional lot size variance to allow a lot width of 184 feet (or less if as a result of public right-of-way dedication) where County regulations require a 200-foot minimum; 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 § 30-28-118, 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. Strict application of applicable provisions of the Land Development Code would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the owner of the property due to the exceptional narrowness, shallowness, or shape of the subject property.
4. The variance will not significantly impair the intent and purpose of the zoning regulations.
5. The variance will not cause a substantial detriment to the public good.
6. 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 with the following conditions and notations:

CONDITIONS

1. The approval applies only to the plans as submitted. Any expansion or additions to the proposed 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 minor subdivision by the Planning and Community Development Department and issuance of a building permit from the Pikes Peak Regional Building Department is required prior to construction of any additional buildings on the property.

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 dimensional variance.

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

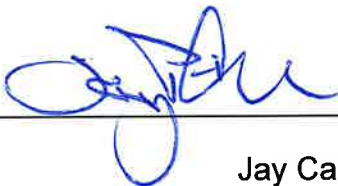
Langlais seconded the adoption of the foregoing Resolution.

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

Board Chair Carlson	aye
Board Member Langlais	aye
Board Member Rexroad	aye
Board Member Tank	aye
Board Member Wood	aye

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

DATED: November 30, 2022



Jay Carlson, Chair