

VARIANCE OF USE (RECOMMEND APPROVAL)

Brittain Jack moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. VA247
WATTS VARIANCE OF USE

WHEREAS, TTW Properties, LLC did file an application with the El Paso County Planning and Community Development Department for approval of a Variance of Use to allow a commercial vehicle repair garage in the R-4 (Planned Development) Zoning District for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by this Commission on January 16, 2025; 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 El Paso County Planning Commission members during the hearing, this Commission finds as follows:

1. The application was properly submitted for consideration by the Planning Commission;
2. Proper posting, publication, and public notice were provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;
5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;

6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County subdivision regulations; and
7. 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.

WHEREAS, when approving a Variance of Use, the Planning Commission and Board of County Commissioners may consider criteria found in Section 5.3.4.C of the El Paso County Land Development Code ("Code") (as amended):

1. The strict application of any of the provisions of the Code would result in peculiar and exceptional practical difficulties or undue hardship;
2. The Variance of Use is generally consistent with the applicable Master Plan;
3. 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;
4. 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;
5. The proposed use will comply with all applicable requirements of the Code and all applicable County, State, and Federal regulations except those portions varied by this action;
6. The proposed use will not adversely affect wildlife or wetlands;
7. The applicant has addressed all off-site impacts;
8. The site plan for the proposed Variance of Use will provide for adequate parking, traffic circulation, open space, fencing, screening, and landscaping; and/or
9. 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.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of TTW Properties, LLC for approval of a Variance of Use to allow a commercial vehicle repair garage in the R-4 (Planned Development) Zoning District be approved by the Board of County Commissioners with the following condition and notations:

CONDITIONS

1. Additional aviation-related repair is allowed on the subject properties pursuant to the General Aviation Overlay District and the 1982 R-4 (Planned Development) Zoning District.
2. Uses are limited to the Site Plan submitted in support of the Variance of Use.
3. A Site Development Plan is required to be submitted for review and approval to the Planning and Community Development Department within forty-five (45) days of the Board of County Commissioner's approval.
4. Applicant shall be required to pay road impact fees in accordance with the El Paso County Road Impact Fee Program (Resolution No. 19-471). Road impact fees shall be paid at time of building permit or within thirty days (30) of Site Development Plan application approval if no building permit is required.

NOTATIONS

1. 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.
2. 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.

AND BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein be forwarded to the El Paso County Board of County Commissioners for its consideration.

Trowbridge seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: (circle one)

Thomas Bailey	aye / no / non-voting / recused / <u>absent</u>
Sarah Brittain Jack	<u>aye</u> / no / non-voting / recused / absent
Jim Byers	aye / <u>no</u> / non-voting / recused / absent
Jay Carlson	<u>aye</u> / no / non-voting / recused / absent
Becky Fuller	<u>aye</u> / no / non-voting / recused / absent
Jeffrey Markewich	aye / <u>no</u> / non-voting / recused / absent
Eric Moraes	aye / <u>no</u> / non-voting / recused / absent
Bryce Schuettpelz	aye / <u>no</u> / non-voting / recused / absent
Wayne Smith	aye / no / non-voting / recused / <u>absent</u>
Tim Trowbridge	<u>aye</u> / no / non-voting / recused / absent
Christopher Whitney	aye / <u>no</u> / non-voting / recused / absent

The Resolution was ^{denied} adopted by a vote of 5 to 4 by the El Paso County Planning Commission,
State of Colorado.

DONE THIS 16th day of January 2025 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

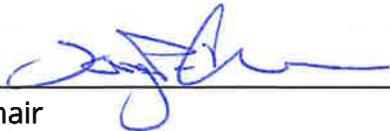
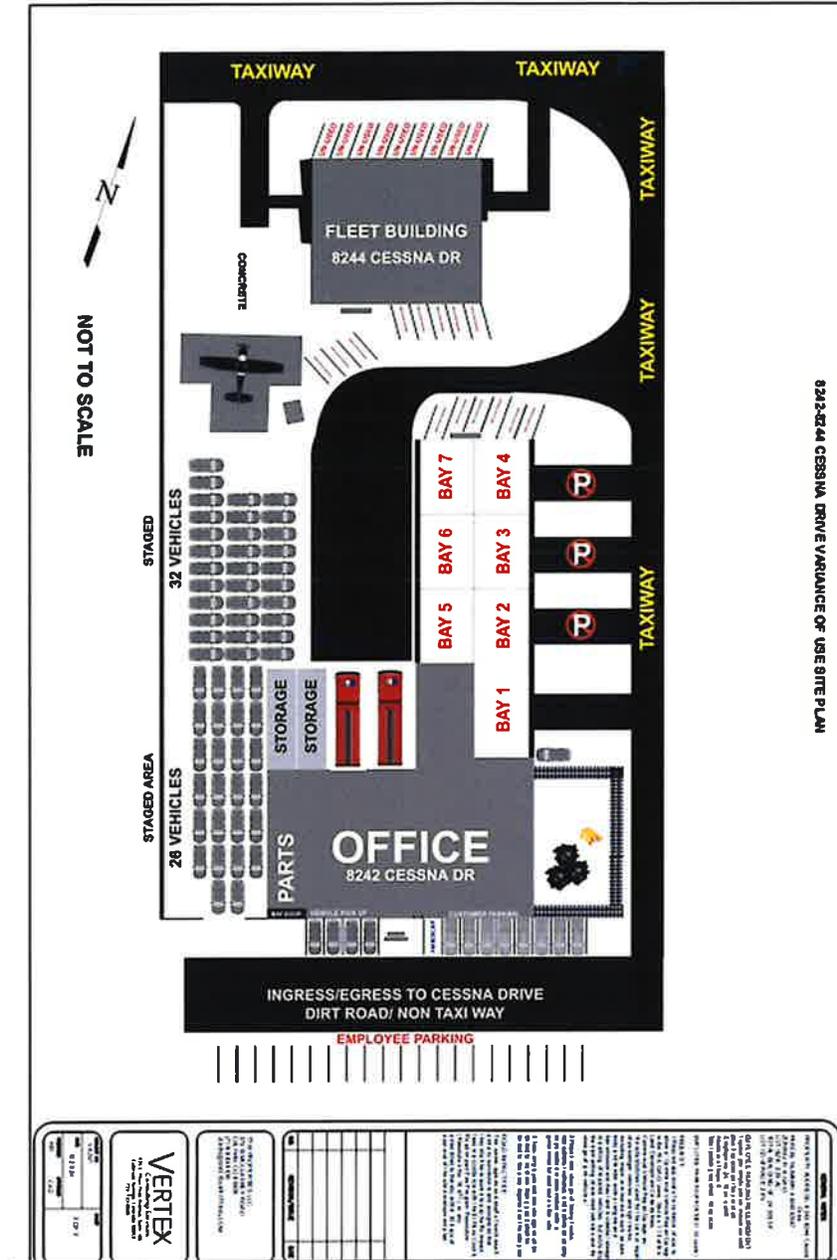
By: 
Vice Chair

EXHIBIT A

Legal Description

LOT 3 BLK 1 MEADOW LAKE AIRPORT FIL NO 2 and a portion of the lease area on LOT 7, BLOCK 1,
MEADOW LAKE AIRPORT FIL. NO. 2



VERTEX 10000 W. CENTRAL EXPRESSWAY SUITE 100 DENVER, CO 80231 (303) 751-1000 www.vertex.com	
PROJECT NO. _____ SHEET NO. _____ OF _____ DATE _____	PREPARED BY _____ CHECKED BY _____ APPROVED BY _____
THIS PLAN IS THE PROPERTY OF VERTEX. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF VERTEX. ANY UNAUTHORIZED USE OF THIS PLAN IS STRICTLY PROHIBITED.	

