



## BOARD OF ADJUSTMENT

**Tuesday, November 05, 2024 at 5:00 PM**

Palmer Lake Town Hall – 28 Valley Crescent, Palmer Lake, Colorado

**\*LIVE STREAM available on Town website\***

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### AGENDA

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*This agenda is subject to revision 24 hours prior to commencement of the meeting.*

#### Call to Order

#### Roll Call

#### Approval of Minutes

- [1.](#) Minutes from August 7, 2024 Meeting

**Public Hearing** - *Chair will introduce the item and hear the applicant request. Chair will ask if any public member wishes to speak for or against the request. Public should address the Board members directly while members listen. Applicant may provide closing remarks and members may ask questions of the applicant. Chair will close the hearing and members will discuss the item, move a decision, and/or continue the hearing to a particular date.*

- [2.](#) Application for Variance Request of Street Frontage, Aurelia

#### Other Business

#### Adjourn

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#### Americans with Disabilities Act

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Reasonable accommodations for persons with a disability will be made upon request. Please notify the Town of Palmer Lake (at 719-481-2953) at least 48 hours in advance. The Town of Palmer Lake will make every effort to accommodate the needs of the public.

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#### Notice

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Notice is hereby given that more than two members of the Board of Trustees may be present; however, there will be no action taken by the Board of Trustees at this meeting.



## BOARD OF ADJUSTMENT

**Tuesday, August 06, 2024 at 5:00 PM**

Palmer Lake Town Hall – 28 Valley Crescent, Palmer Lake, Colorado

### MINUTES

**Call to Order.** Chair Ehrhardt called the meeting to order at 5:15 pm.

**Roll Call.** Present: Kurt Ehrhardt, Kevin Dreher, Michael Richards, Bob Radosevich.

#### Approval of Minutes

1. Minutes from May 7, 2024. MOTION (Radosevich, Richards) to approve the minutes with the correction of a name spelling. Motion passed 4-0.

#### Public Hearing

2. Application for Variance of Front Yard Setback, Parcel 7105311022 (Glen Ave). Mr. Malin Jones introduced himself and presented the application for Christy and Robert McKie. A letter was provided from the applicants to be represented by Mr. Jones. The property is located at 389 Glen Ave., Lots 27 & 28. The request is for a variance of ten feet to the front setback from the front property line. Mr. Jones explained that with the variance approval this would allow for a garage to be constructed for storage, creating a cleaner, more tidy property. The adjacent property is currently a short term rental, and the variance would not affect the property. Mr. Jones addressed the drastic slope of the property, limiting where a garage can be built, and explained that dirt will be brought in to fill for the garage to be more level to the roadway. The property owner intends to retain the trees on the property. Discussion took place about the side setback, and Collins noted to members that it was discussed with the applicants, and she pointed out the drawing stating eight feet from the roof eave to the side property line. There was discussion about the position of the garage, and it was decided the applicant's proposal was the best to accommodate drive access. Board members discussed the requirement of an ILC to make sure that setbacks are met in accordance with Board approval. MOTION (Ehrhardt, Dreher) to grant the variance for fifteen feet from the front property line to the garage with the requirement of a completed ILC. Motion passed 4-0.

**Other Business.** None

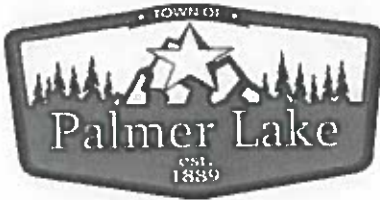
**Adjourn.** MOTION (Radosevich, Richards) to adjourn at 5:35 pm. Motion passed.

*Minutes by: Grace A. McNeil, Deputy Town Clerk*

**NOTICE OF PUBLIC HEARING**

**TOWN OF PALMER LAKE**

Notice is hereby given that Palmer Lake Board of Adjustments will hold a public hearing on Tuesday, November 5, 2024, at 5:00 pm at the Palmer Lake Town Hall, 28 Valley Crescent, Palmer Lake, to consider a variance for street frontage of 25 feet, located at 0 Aurelia St, Palmer Lake, parcel 7105100010. A copy of the complete application is on file at the Town office, 42 Valley Crescent, Palmer Lake, at 719-481-2953. /s/ Dawn A. Collins, Town Clerk



42 Valley Crescent  
PO Box 208  
Palmer Lake, CO 80133  
719-481-2953 - Office

received  
9-17-2024

PAID  
check # 1587

Item 2.

**Office Use Only**

Case Number: \_\_\_\_\_  
 Date: 9-17-2024  
 Fees: ~~\$200~~ (non-refundable) Res. 300.00  
 Check #: \_\_\_\_\_  
 Rec'd By: [Signature]  
 Application Complete: 9118 (BOA 11/5)

Note: Allow up to 10 days for review and requires a minimum of 15 days for publication and property posting.

### Variance Application Form

Name of Applicant/Property Owner: Nanette S. Drobniak  
 Address: physical: 57 Pineview St. Phone#: 719-322-1300  
Palmer Lake, CO 80133 P.O. Box 522  
 Email: nanusue@yahoo.com  
 Name of Proposal: \_\_\_\_\_  
 Legal Description or Address: 0 Aurelia St. Monument, CO 80132  
Tax Schedule # Parcel # 7105100010

*This is a Variance* – A deviation from Subdivision or Zoning Regulations. This consists of a written request which, if it affects the design of a subdivision, must be so noted on the appropriate Plat.

Please fill out the appropriate submission checklist to complete the application.

Current Zoning and Uses of Surrounding Property:	N: <u>R3</u>	<u>RESIDENTIAL</u>
	E: <u>R3</u>	<u>RESIDENTIAL</u>
	S: <u>R3</u>	<u>RESIDENTIAL</u>
	W: <u>RA</u>	<u>VACANT</u>

State your variance request exactly as you would like it approved, including the benefit to yourself, neighborhood and the community.  
WE WOULD LIKE THE 50' ALONG A CITY STREET TO BE REDUCED TO THE 25' THAT WAS DEEDED  
WHEN THE PROPERTY WAS PURCHASED.



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PO Box 208  
Palmer Lake, CO 80133  
719-481-2953 - Office

Please state the regulation/code that directly relates to the variance request.

17.36.030 MINIMUM LOT WIDTH 50 FEET STREET FRONTAGE

Explain how the variance would benefit to the health, safety, appearance, and general welfare of the community, if granted.

IT WOULD MAKE NO IMPACT AS THIS PROPERTY HAS ONLY HAD 25 FEET AT THE DEAD END OF AURELIA STREET SINCE BEING PURCHASED.

Explain how adjacent properties will be affected if the variance is granted.

THE ADJACENT PROPERTIES WOULD NOT BE AFFECTED BY THE STATUS QUO

State how strict application of the zoning would place an unusual and unnecessary hardship on you and/or other parties involved.

A BUILDING PERMIT WOULD NOT BE OBTAINABLE.  
IT WOULD BE A FINANCIAL BURDEN ON THE OWNER IF THEY HAD TO PURCHASE AN ADDITIONAL 25 FEET FROM THE ADJACENT OWNER TO THE SOUTH.

Do you own any adjoining lots? If so, how many and what are the square footage of these adjoining lots?

YES, FOUR LOTS LOCATED AT 57 PINEVIEW STREET 12,500 S.F.



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PO Box 208  
Palmer Lake, CO 80133  
719-481-2953 - Office

As owner/applicant, I affirm the information contained in this application is accurate, and I agree to the above conditions.

Applicant Signature: Nanette Drobnick Date: 9-17-24

If the applicant is not the owner:

As owner of the above property, I agree to this application.

Owner - Print: Nanette Drobnick

Owner - Signature: Nanette Drobnick Date: 9-17-24



42 Valley Crescent  
PO Box 208  
Palmer Lake, CO 80133  
719-481-2953 - Office

## PROCEDURAL CHECKLIST

All applications must be submitted to the Town office 30 days before the Board of Adjustment meeting. Board of Adjustment meetings are held the 1st Tuesday of each month as need, or as otherwise posted date.

*All submittals must be in compliance with the corresponding Palmer Lake Municipal Code.*

### Submittal Requirements

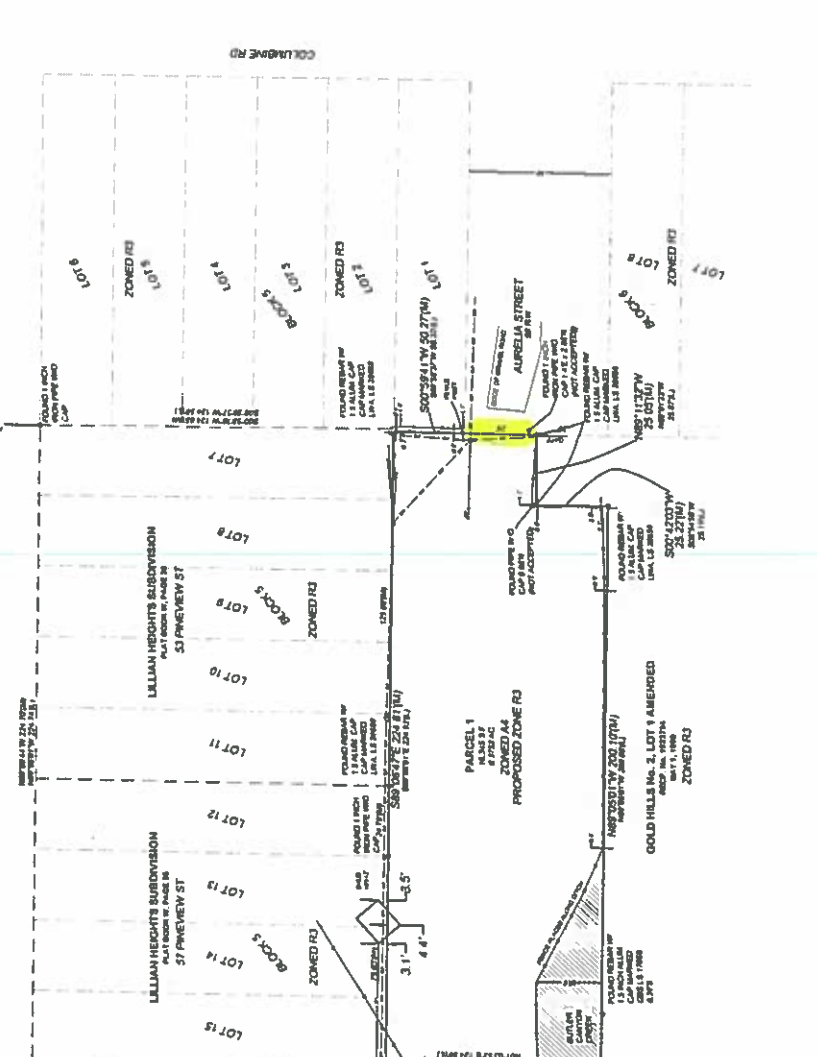
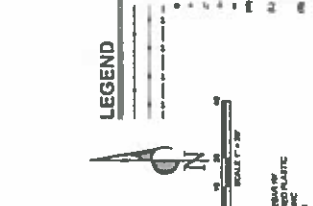
- ✓ Application
- ✓ Plot Plan or Site Plan. A dimensioned plan that provides a graphic representation of the subject property and the adjacent streets and properties, showing all of the following:
  - The boundaries of the parcel proposed for a variance, based on the legal description, and using a scale of one-inch equals 100 feet or larger.
  - Existing buildings and structures on the parcel, including all property line setback measurements.
  - Related physical conditions that may influence the variance request.
  - Adjacent properties and parcels, including information on their existing zoning, existing land use(s), and existing project/property names, if known.
  - Adjacent streets, including street names, right-of-way widths.
- ✓ An ILC (Improvement Location Certificate) will be required BEFORE and AFTER construction and be filed with El Paso County Clerk/Recorder by applicant when completed.
- ✓ All requested set back variances must be shown depicting distance from the property boundary to the outer edge of the roof eaves (provide a "bird's eye" view).
- ✓ Applicant is responsible for locating and marking property (boundary) corners and staking the area of the proposed variance. Stakes must be painted orange or have red flags attached. Utility locates must be called for and marked properly.
- ✓ Upon receipt and review of the Application, the Town will prepare and place a sign on the property posting the meeting date/time. The sign must be left in place until after the Board of Adjustment meeting/hearing.

Note: If the applicant is different than the property owner, applicant must provide a notarized letter giving permission to be the representative in this action.

# LAND SURVEY PLAT PALMER LAKE

A PARCEL SITUATE IN THE NORTHEAST QUARTER OF THE SECTION 5, TOWNSHIP 11 SOUTH, RANGE 87 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO.

- LEGEND**
- CHAR LINE FENCE
  - WIDE STRONG FENCE
  - ORANGEAD SECTION LINE
  - FENCE FOOT
  - WATER MAIN
  - UTILITY POLE
  - WATER SPRING
  - WATER VALVE
  - INDICATES THE LOCATION OF A WATER MAIN
  - INDICATES THE LOCATION OF A WATER SPRING
  - INDICATES THE LOCATION OF A WATER VALVE
  - INDICATES THE LOCATION OF A WATER MAIN
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  - INDICATES THE LOCATION OF A WATER VALVE
  - INDICATES THE LOCATION OF A WATER MAIN
  - INDICATES THE LOCATION OF A WATER SPRING
  - INDICATES THE LOCATION OF A WATER VALVE



**ADDRESS:**

THE ALAMEDA STREET, PALMER LAKE, CO 80138  
A.P. No. 178-00000

**LEGAL DESCRIPTION:**

PARCEL 1: DESCRIBED AS 2.00 ACRES OF LAND, MORE OR LESS, BEING THE NORTHWEST CORNER OF LOT 15, BLOCK 4, LULLAN HEIGHTS SUBDIVISION OF PALMER LAKE, COLORADO, AS THE POINT OF BEGINNING. THE TRACT BEING THE NORTHWEST CORNER OF LOT 15, BLOCK 4, LULLAN HEIGHTS SUBDIVISION OF PALMER LAKE, COLORADO, AS THE POINT OF BEGINNING. THE TRACT BEING THE NORTHWEST CORNER OF LOT 15, BLOCK 4, LULLAN HEIGHTS SUBDIVISION OF PALMER LAKE, COLORADO, AS THE POINT OF BEGINNING. THE TRACT BEING THE NORTHWEST CORNER OF LOT 15, BLOCK 4, LULLAN HEIGHTS SUBDIVISION OF PALMER LAKE, COLORADO, AS THE POINT OF BEGINNING.

**CERTIFICATION:**

I, HAROLD J. PONSERELLA, Surveyor, do hereby certify that the above described land is the property of the State of Colorado, and that the same is being surveyed for the purpose of subdividing the same into lots for sale or lease. I am duly sworn and qualified to perform the duties of a Surveyor in the State of Colorado.

*Harold J. Ponsarella*  
**HAROLD J. PONSERELLA**  
13-0513-08107  
Digitally signed by HAROLD J. PONSERELLA  
Date: 2024.09.12

**NOTES:**

- THIS INSTRUMENT LOCATION CERTIFICATE DOES NOT CONSTITUTE A TITLE SEARCH BY CMAA, INC. TO DETERMINE CORRECTNESS OF RECORDS.
- NOTICE: ACCORDING TO COLORADO LAW, YOU MUST EXAMINE ALL LEGAL RECORDS TO DETERMINE THE ACCURACY OF THIS INSTRUMENT. AFTER YOU HAVE EXAMINED ALL LEGAL RECORDS, YOU MUST SIGN AND RETURN THIS INSTRUMENT TO THE SURVEYOR WITHIN THE TIME FRAME SPECIFIED IN THE INSTRUMENT. IF YOU DO NOT SIGN AND RETURN THIS INSTRUMENT WITHIN THE TIME FRAME SPECIFIED IN THE INSTRUMENT, THE SURVEYOR WILL BE DEEMED TO HAVE ACCEPTED YOUR INSTRUMENT AS ACCURATE AND CORRECT.
- THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND NO EVIDENCE OF ANY ENCUMBRANCES, EASEMENTS, OR OTHER INTERESTS THAT MAY AFFECT THE SURVEY.
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COTTONWOOD SURVEYING AND ASSOCIATES, INC.  
P.O. BOX 694  
STRASBURG, COLORADO (303) 549-7992

LAND SURVEY PLAT  
PALMER LAKE  
RANGE 87 WEST OF 6TH P.M.  
COUNTY OF EL PASO,  
STATE OF COLORADO.

Sheet	1
Block	1
Section	5
Township	11 S
Range	87 W
County	El Paso
State	Colorado

Item 2.

17.36.030. - Lot sizes and dimensions.

The sizes and dimensions for a lot in an R3 zone are as follows:

- (1) Minimum lot size: 5,000 square feet.
- (2) Minimum lot width: 50 feet street frontage.
- (3) front yard setback from property line: 25 feet.
- (4) Minimum side yard setback from property line: 7.5 feet.
- (5) Rear yard setback from property line: 25 feet.

(Code 1973, § 17.28.030; Ord. No. 15-1973, § III:8:c, 1973)

17.36.040. - Structure height and area.

The structure height and area requirements for an R3 zone shall not exceed 30 feet.

(Code 1973, § 17.28.040; Ord. No. 15-1973, § III:8:d, 1973)

17.36.050. - Required off-street parking.

For required off-street parking, see chapter 17.84.

(Code 1973, § 17.28.050; Ord. No. 15-1973, § III:8:e, 1973)

17.36.060. - Signs.

Signs in the R3 zone are permitted provided they comply with chapter 17.76.

(Code 1973, § 17.28.060; Ord. No. 15-1973, § III:8:f, 1973; Ord. No. 18-2000, § 9, 2000)

17.36.070. - Sewerage.

Septic tanks may be permitted if all of the following conditions are met:

- (1) Inability to tap existing sewer lines.
- (2) Ability to meet current county sewage disposal regulations.
- (3) Compliance with the provisions of chapter 16.48.

(Code 1973, § 17.28.070; Ord. No. 14-1987, § 5, 1987; Ord. No. 3-1981, § 1, 1981)

# AFFIDAVIT OF PUBLICATION

STATE OF COLORADO  
COUNTY OF El Paso

I, Kate Dickens, being first duly sworn, deposes and says that she is the Legal Sales Representative of The Tri Lakes Tribune, LLC., a corporation, the publishers of a daily/weekly public newspapers, which is printed and published daily/weekly in whole in the County of El Paso, and the State of Colorado, and which is called Tri Lakes Tribune; that a notice of which the annexed is an exact copy, cut from said newspaper, was published in the regular and entire editions of said newspaper **1 time(s) to wit 10/16/2024**

That said newspaper has been published continuously and uninterruptedly in said County of El Paso for a period of at least six consecutive months next prior to the first issue thereof containing this notice; that said newspaper has a general circulation and that it has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879 and any amendment thereof, and is a newspaper duly qualified for the printing of legal notices and advertisement within the meaning of the laws of the State of Colorado.



Kate Dickens  
Sales Center Agent

Subscribed and sworn to me this 10/16/2024, at said City of Colorado Springs, El Paso County, Colorado.  
My commission expires June 23, 2026.



Karen Hogan  
Notary Public  
The Gazette

**KAREN HOGAN**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
NOTARY ID 20224024441  
MY COMMISSION EXPIRES 06/23/2026

Document Authentication Number  
20224024441-757437

**PUBLIC NOTICE**  
**NOTICE OF PUBLIC HEARING**  
**TOWN OF PALMER LAKE**  
Notice is hereby given that Palmer Lake Board of Adjustments will hold a public hearing on Tuesday, November 5, 2024, at 5:00 pm at the Palmer Lake Town Hall, 29 Valley Crescent, Palmer Lake, to consider a variance for street frontage of 25 feet, located at 0 Aurelia St, Palmer Lake, parcel 7105100010. A copy of the complete application is on file at the Town office, 42 Valley Crescent, Palmer Lake, at 719-481-2953.  
/s/ Dawn A. Collins, Town Clerk  
Published in the Tri-Lakes Tribune October 16, 2024

Item 2.