

**ARCHULETA COUNTY, COLORADO  
RESOLUTION 2019-06 BOA**

**A RESOLUTION OF THE BOARD OF ADJUSTMENT APPROVING VARIANCE  
FROM THE ARCHULETA COUNTY LAND USE REGULATIONS  
FOR ONE IN THE SPIRIT LLLP, IN  
PT. SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> (GLO LOT 29) SECTION 3 T33N R2W, NMPM**

**WHEREAS**, the Board of County Commissioners has adopted the *Archuleta County Land Use Regulations*, pursuant to C.R.S. §30-28-101, *et. seq.*, C.R.S. §24-64.1-101 *et. seq.*; C.R.S. §24-67-101 *et. seq.*; and C.R.S. §29-20-101 *et. seq.*; and

**WHEREAS**, the Town of Pagosa Springs, applied for Variance from the *Archuleta County Land Use Regulations*, for variance from the minimum 35-acre lot size in the Agricultural/Ranching (AR) zone in Section 3.1.4 (PLN19-374); and

**WHEREAS**, One In The Spirit LLLP, is the owner(s) of record of the subject property, part of the SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> (GLO Lot 29) in S3 T33N R2W NMPM, a parcel addressed as 11000 County Rd 500, Pagosa Springs, CO; and

**WHEREAS**, the property is zoned Agricultural/Ranching (AR), and Applicant has made a concurrent request for exemption from subdivision review to create an 1.198-acre lot (with more than 35 acres remaining) under Section 4.9 of the *Archuleta County Land Use Regulations* as amended (PLN19-373); and

**WHEREAS**, the Board of County Commissioners sits as the Board of Adjustment, as provided by Section 1.2.4.2 of the *Archuleta County Land Use Regulations*; and

**WHEREAS**, the Board of Adjustment opened a public hearing on the request on September 3, 2019; and

**WHEREAS**, public notice of the hearing was given by publication in a newspaper of general circulation in the County, posted on site and mailed to adjacent property owners, at least twenty-one (21) days prior to the public hearing, as required by Section 2.2.3 of the *Archuleta County Land Use Regulations*; and

**WHEREAS**, at the public hearing testimony was taken from all persons appearing and wishing to give testimony; and

**WHEREAS**, the Board of Adjustment considered in full the requirements of Section 2.4.3.2 of the *Archuleta County Land Use Regulations* as to Standards for the Grant or Denial of Variances; and

**WHEREAS**, the Board of Adjustment voted 3-0 to approve the request for Variance.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ADJUSTMENT OF ARCHULETA COUNTY, COLORADO, AS FOLLOWS:**

**Section 1. Findings.**

Regarding the request for Variance, the Board of Adjustment finds that:

- a. The application meets each of the standards for a grant of variance in Section 2.4.3.2 of the *Archuleta County Land Use Regulations*, and
- b. Variance is granted for the specific plans proposed by Applicant; and

**Section 2. Conditions.**

The Board of Adjustment approves the One In the Spirit request for the San Juan River Takeout Lot Size Variance, S3 T33N R2W NMPM, 11000 County Rd 500 (PLN19-344), with no conditions.

APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019, in Pagosa Springs, Archuleta County, Colorado.

BOARD OF ADJUSTMENT  
OF ARCHULETA COUNTY, COLORADO

\_\_\_\_\_  
Ronnie Maez, Chairman

ATTEST:

\_\_\_\_\_  
Clerk and Recorder

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