# PROWERS COUNTY, COLORADO BOARD OF ADJUSTMENT PROWERS COUNTY COMMISSIONERS' TUESDAY, JULY 11, 2023

## COMMISSIONERS' BOARD ROOM, 2<sup>nd</sup> FLOOR OF COURTHOUSE 301 S. MAIN STREET, LAMAR, CO 81052

Invocation

1:00 p.m.

	P.III.
	Pledge of Allegiance
	Motion to Open the Board of Adjustment Meeting at: p.m.
	Roll Call
	Motion to adopt the BOA Agenda
	Motion to Open the Public Hearing at: p.m.
HEARING DIS	SCUSSION ITEM:
	Michelle Hiigel, Land Use Administrator
	<ul> <li>Variance Request by Joseph and Eloise Gallegos to construct garage 12 feet from the front property line.</li> </ul>
	- Receive any public comments
	Motion to Close the Public Hearing at: p.m.

#### **BOA ACTION ITEM:**

 Consider approval of Joseph and Eloise Gallegos's Variance request to construct a garage 12 feet from the front property line, setback requirements are a minimum of 30 feet. The property is located in the Butcher's Block 1, Lots 10 and 11 in Section 24, Township 22, Range 44 West, of the 6th P.M., also located in an R-1 Single-Family Residential zoning district.

Motion to Adjourn the Board of Adjustment Meeting at	p.m.
--	------

NOTE: This Agenda is provided for informational purposes only. Action may be taken on any or all of the items. All times are approximate. If any given item is finished earlier than anticipated, the Commissioners may move on to the next item. The only exceptions are public hearings on items which have had published notices of a specific hearing time; those items will not begin until the specific time or after.

If you need assistance in participating in this meeting due to a disability as defined under the Americans with Disabilities Act, please call 719-336-8030 at least three days prior to the scheduled meeting to request an accommodation.

## PROWERS COUNTY AGENDA ITEM REQUEST FORM

Hearing Date Requested: 7-11-2023
Submitter: Michelle Hiigel, Land Use Administrator
Submitted to the County Administration Office on: 7-3-2023
Return Originals to: NA
Number of originals to return to Submitter: N/A
Contract Due Date:
Item Title/Recommended Board Action: Consider approval of Joseph and Eloise Gallegos's Variance request to construct a garage 12 feet from the front property line, setback requirements are a minimum of 30 feet. The property is located in the Butcher's Block 1, Lots 10 and 11 in Section 24, Township 22, Range 44 West, of the 6th P.M., also located in an R-1 Single-Family Residential zoning district.  Justification or Background:
Fiscal Impact: This item is budgeted in the following account code:
County: \$
Federal: \$
State: \$
Other: \$
Approved by the County Attorney on:

Zoning Variance No.

## PROWERS COUNTY Request for VARIANCE APPLICATION

Please Attach Questionnaire to this Application

#### PLEASE READ NOTE AND SIGN BELOW:

THE SUBMITTED APPLICATION PACKAGE REQUIRES SPECIFIC REPORTS/INFORMATION WHICH MAY NOT BE ADEQUATE AS DETERMINED THROUGH THE REVIEW PROCESS. ADDITIONAL INFORMATION MAY BE REQUIRED. ALSO, THE ACCEPTANCE OF THE APPLICATION PACKAGE DOES NOT MEAN THE SPECIFIC INFORMATION HAS BEEN APPROVED AND IN FINAL FORM. REVISIONS TO THE INFORMATION AND/OR REPORTS MAY BE REQUIRED. REQUESTS FOR WAIVERS OF ANY OF THESE REQUIREMENTS MUST BE ACCOMPANIED BY A LETTER OF JUSTIFICATION. THE PROWERS COUNTY BOARD OF ADJUSTMENT WILL HEAR THE WAIVED PROJECT

INCO	THE PROWERS COUNTY BOARD OF ADJUSTMENT WILL HEAR THE WAIVER REQUEST WITH THE APPLICATION. DENIAL OF THE WAIVER REQUEST SHALL RENDER THIS APPLICATION MPLETE AND RESULT IN THE REQUIREMENT FOR A NEW SUBMITTAL ACCEPTANCE DATE AND REVIEW DD. YOUR SIGNATURE BELOW INDICATES ACCEPTANCE OF THESE CONDITIONS.
Date	Joseph 5-25-23 Joseph Lallego Spallego
1.	Please list the name, address, and telephone number of the following (some may not be applicable):
	applicable); Joseph Ramon AKA Joseph Gallegos.  Applicant(s) Joseph ELDISE GALLEGOS
	Address: 106 S. FREDRICK ST. BRISTOL CO. 81047
	Telephone Number: 719-688-1866 Email: 10seph. 9allegos 529 gmail. com
•	Property Owner (s):
	Address:
	Telephone Number:Email:
•	Applicant's Representative:
	Address:
	Telephone Number:Email:
•	Address of Property:
2.	Existing Zone District: Existing Land Use:
3.	Legal description of the property (if lengthy, please attach). BUTCHERS BUX   LOTIO & LOTII
4.	Legal description of the property (if lengthy, please attach). BUTCHERS BUX   LOT 10 # LOT 11  Please list any previous applications (e.g., map amendments, zoning variances, special use permits. (F K:/A # 345)  and subdivision variances) in connection with this property.
	and subdivision variances) in connection with this property:
5.	Request is hereby made for a Zoning Variance to allow: a 30'w x 30'L x 9'/+
	Eggle GARAGÉ.

#### PLEASE COMPLETE AND RETURN WITH YOUR APPLICATION

1. What exceptional practical difficulties, exceptional and undue hardship, or other extraordinary and exceptional situation or condition of your land prevents

compliance with the Zoning Resolution? 2. A variance may not be granted if is due to self-imposed hardship that can be rectified by means other than relief through a variance. Please describe other design/development alternatives considered and describe why they are not feasible. lot size and established 3. Describe why you believe that your variance request is in harmony with the intent and purpose of the Zoning Resolution.

### PROWERS COUNTY ZONING VARIANCE- 2023-02

Date: July 11, 2023

1. Applicant Information:

Applicant(s): Joseph and Eloise Gallegos

Address: 106 South Frederick Street, Bristol, CO 81047

Telephone Number: 719-688-1866

Email: joseph.gallegos529@gmail.com

- Property Owner (s): Same as Applicant
- 2. Existing Zone District: R- 1 Single-Family Residential
- 3. Existing Land Use: Home and Accessory Buildings
- 4. Legal description of the property: Butcher's Addition Block 1, Lots 10 and 11 Bristol, CO.
- 5. Request is hereby made for a Zoning Variance to allow: for a variance to permit a twelve (12) foot front yard setback -in a R-1 Single-Family Residential Zoning District minimum front yard requirement is a thirty (30) foot setback. Requested variance is to allow construction of a garage with a twelve (12) foot front yard setback.

Prowers County Board of Adjustment hereby grants approval of this requested variance for the following:

- (1) The Variance will permit only those uses listed as a use permitted in the Zone District in which the parcel is located.
- (2) The parcel for which the Variance appeal is made suffers unique or singular disadvantages such as, but not limited to, size, shape, topography, location, or surroundings not shared by other parcels in the neighborhood.
- (3) The Variance will not grant privileges inconsistent with limitations shared by other parcels in the Zone District.
- (4) The Variance will not have an injurious effect on the existing or future use of adjacent parcels.
- (5) The Variance will not injure or adversely alter the general character of the neighborhood in which the Variance is sought.
- (6) The Variance appeal is in harmony with the intent, purpose, and spirit of this regulation.
- (7) The Variance will run in perpetuity with the land.
- (8) The awarded Variance is allowed only for said application submitted to the Board of Adjustment on June 13, 2023. Any additional requests will require a new application.

### PROWERS COUNTY ZONING VARIANCE- 2023-02

(9) The Variance may be revoked, following notice to the variance holder and public hearing, for failure to comply with any terms and conditions of the issued variance.

Variance Granted and Issued in Prowers County, Colorado as of July 11, 2023

	Ron
Wendy Buxto	on-Andrade

REC # 555500 12/17/2021 03:00:11 PM Page: 1 of 1 R:13.00 D:0.00 Prowers County, CO

#### WARRANTY DEED

THIS DEED, made this 10th

day of DECEMBER

, 2021 between

JOSEPH RAMON GALLEGOS A/K/A JOSEPH GALLEGOS AND ELOISE GALLEGOS

of the County of PROWERS and State of COLORADO

Grantor, and

JOSEPH GALLEGOS, ELOISE GALLEGOS AND GABRIELLE LOPEZ-CARMONA whose legal address is: 106 SOUTH FREDERICK AVENUE **BRISTOL, COLORADO 81047** 

of the County of PROWERS

and State of COLORADO

Grantee:

WITNESS, that the Grantor, for and in consideration of the sum of TEN AND OTHER GOOD AND VALUABLE CONSIDERATIONS-----DOLLARS, the receipt and sufficiency of which is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm unto the Grantees, their heirs and assigns forever, not in tenancy in common but in joint tenancy, all the real property together with improvements, if any, situate, lying and being in the County of PROWERS and State of Colorado, described as follows:

LOTS 9, 10, 11, 12, 13, 14 AND 15, BLOCK 1, BUTCHER'S ADDITION TO THE TOWN OF BRISTOL, COUNTY OF PROWERS, STATE OF COLORADO

ADDRESS: 106 SOUTH FREDERICK

TOGETHER with all and singular the hereditament and appurtenances thereunto belonging, or in anyway appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or

equity, of, in and to the above bargained premises, with the hereditament and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantee, their heirs and assigns forever. And the Grantor, for themselves and their heirs and personal representatives, do covenant, grant, bargain and agree to and with the Grantees, their heirs and assigns, that at the time of the ensealing and delivery of these presents it is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except easements, rights-of-way, reservations of record, 2021 taxes and all taxes thereafter.

The Grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the Grantees, their heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.

STATE OF COLORADO

COUNTY OF PROWERS

The foregoing instrument was acknowledged before me this 10TH day of DECEMBER , 2021 By JOSEPH RAMON GALLEGOS A/K/A JOSEPH GALLEGOS AND ELOISE GALLEGOS

My commission expires: MARCH 3, 2024

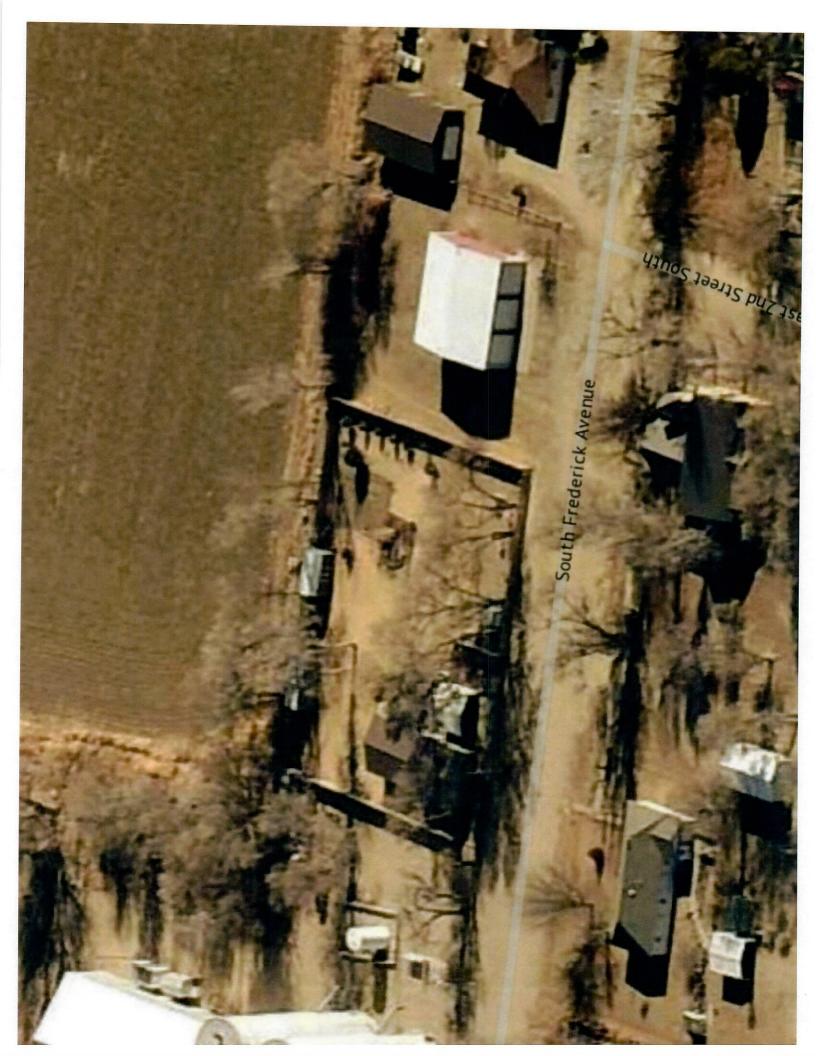
DOLORES L. MELGOSA NOTARY PUBLIC STATE OF COLORADO NOTARY ID 19954020080 MY COMMISSION EXPIRES 03/03/2024

ISS

DOLORES L. MELGOSA ONOTARY **ONotary Public** 121 SOUTH MAIN STREET LAMAR, COLORADO 81052

STATE DOCUM Date

185 8 12 FREDERICK ST. Existing Proposed garage 25.



#### **Services**

#### Miscellaneous Services

A-1 RENTAL & SALES 7215 HWY. 50 • Lamar, CO

We rent almost anything 719-336-2771.

#### **Business** Opportunity

**Auto Business** 

#### Miscellaneous Services

FRESH CLEAN DRINKING WATER. 25¢ per gallon or 5 gallons \$1.00. Fill 1-2-3 or 5

> DeLoach's Water Conditioning Inc., 103 South Second.

PLACE YOUR AD CALL NOW 888-355-0935

**Business** Opportunity

**Auto Business** 



The ideal candidates must be knowledgeable. dependable, reliable, hardworking and a self starter.

Apply in person @ 100 N. 4<sup>th</sup> Street, Lamar, CO

### **Employment**

#### **Education Opps**

**Plainview School District** RE-2 is seeking a dedicated classroom aide for the 2023-24 school year. This is a full-time position that comes with a benefit package. Salary range is \$17,280-\$36,030 DOQ. Position open until filled. Call 719-729-3331 or go to plainviewhawks.org to the employment tab.

want ads for almost anything and everything you might need Call

Check the

1-888-355-0935

#### General **Help Wanted**

#### General Help Wanted

Lamar School District RE-2 is soliciting interest for a Construction Manager / General Contractor (CM/GC) who would like to complete an RFQ/P for a new 1,500 stadium complex to include: locker rooms, restrooms, concessions, track & field, and football field. Interested construction companies are asked to contact Nick Nemechek at GMCN Architects at 620-276-3244 no later than July 3, 2023.

#### Real Estate

#### Real Estate

#### **Homes For Sale**

#### **Homes For Sale**



FAIR HOUSING NOTICE
All real estate advertising in this newspaper is subject to the Federal Fair Housing Law which makes it illegal to advertise a preference illegal to advertise a preference of discrimination of discrimination hased subject to the subject of t 1-800-262-4845/ HUD at



TURN USED ITEMS INTO **OUICK CASH** WITH CLASSIFIEDS!

The ultimate in one-stop shopping.

www.eastcoloradoclassifieds.com

Cars, Homes, Jobs, Stuff

#### Rentals

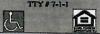
#### **Apts** Unfurnished

### FOR RENT

2 & 3 BR units avail. **Enjoy Your Own** Patio & Back Yard.

Call 719-336-9438

Normandy Garde is accepting applications for two- and three-bedroom apartments. HUD-subsidized low income. Applications may be picked up at the Normandy office at 400 H. Collego Rd., Lamar



TURN USED ITEMS INTO QUICK CASH WITH CLASSIFIEDS!

#### **Public Notice**

#### **Public Notice**

#### INVITATION TO BID

The City of Lamar will receive sealed bids up to the hour of 5:00 p.m. on the 6th day of July, 2023, at the office of the City Treasurer, 102 East Parmenter Street, Lamar, CO 81052 for the following:

**Bid Number:** 

43-010

2023 City of Lamar Photography Services

Specifications for the above, including terms and conditions, may be obtained in the office of the City Treasurer, 102 East Parmenter St, Lamar, CO 81052. All bidders must obtain a Business/Sales Tax License with the City of Lamar BEFORE bidding. All bids must be signed and enclosed in a sealed envelope plainly marked with the Bidder's Business name, Contact name, Address, Phone Number, bid number and item. Only sealed bids will be accepted. Any bids received after the time and date specified will not be considered. Any bids received by a vendor that does not have a current Business/Sales Tax License with the City of Lamar will not be considered. All bid openings will be open to the public and interested parties.

The City of Lamar reserves the right to reject all bids, parts of a bid, or all bids for any one or more supplies or contractual services included in the proposed contract, to make minor alterations to the specifications, and to accept the proposal, or portion thereof, that is in the best interest of the City.

Kristin Schwartz, City Treasurer City Of Lamar

Published: Lamar Ledger June 22, 2023-1984034

NRCS Schedules Local Work Group Meeting
USDA's Natural Resources Conservation Service (NRCS) gives
notice that it will hold a Local Work Group meeting for Prowers
Conservation District / Prowers County. This meeting is open to
the public.

The event will take place on Wednesday June 28th, 2023 from 9:00 AM to 11:00 AM at the Colorado Parks & Wildlife Classroom, 2500 S Main St, Lamar, CO 81052. Coffee and donuts will be served.

2000 5 main 5t, Lamar, CO 01032. Contree and contus will pe served.

The Local Work Group will focus on identifying agricultural and natural resource issues existing in your community and provid-ing information and feedback to direct NRCS programs. Partici-pants can be agricultural producers, owners of private agricul-tural lands, including nonlindustrial private forest land, and rep-resentatives of agricultural organizations, environmental organ-izations, and governmental agencies carrying out environmen-tal, agricultural, or natural resource conservation programs and activities.

tal, agricultural, or natural resources of the NRCS State Tech-activities.

Local Work Groups are subcommittees of the NRCS State Tech-nical Committee and they meet annually to provide recommen-dations on local natural resource priorities to assist USDA NRCS in providing Farm Bill conservation programs in Colorado.

Published: Lamar Ledger June 22, 2023-1983529

Published: Lamar Ledger June 22, 2023-1983529

NOTICE OF PUBLIC HEARING
The Prowers County Board of Adjustment hereby gives notice that a public hearing will be held at 1:00 p.m., July 11, 2023, in the Board of County Commissioners Boardroom, 301 South Main Street Lamar, Colorado, concerning a request by Joseph and Eloise Gallegos for a variance to permit a minimum 12 foot front setback, in Ileu of the required 30 foot minimum setback, on property located in the Butcher's Addition Block 1, Lots 10 and 11, in Bristol, Colorado. The property is located in an R-1 Single-Family Residential zoning district.
Additional information on the application is available for review at the Prowers County Land Use Office, 1001 South Main Street, Lamar, Colorado. Any questions concerning the application can be directed to Michelle Hilgel, Prowers County Land Use Administrator, at 719-336-898.
All interested parties, either in favor or against, are invited to make their appearance at this time. Prowers County Board of Adjustment Ron Cook, Chair

Published: Lamar Ledger June 22, 2023-1983585

Published: Lamar Ledger June 22

NOTICE TO CREDITORS

Estate of DONNA M. WISHARD,
aka DONNA WARIE WISHARD,
aka DONNA WARIE WISHARD,
aka DONNA WARIE WISHARD,
aka DONNA WISHARD,
Deceased
Case Number 2023PR15

All persons having claims against the above named estate are required to present them to the personal representative or to District Court of Prowers County, Colorado on or before October 15, 2023 or the claims may be forever barred.

#### **Public Notice**

dence of Debt secured by the Deed of Trust, described here-in, has filed Notice of Election and Demand for sale as provid-ed by law and in said Deed of Trust.

against the above named estate are required to present them to the personal represent them to the personal represent them to the personal representative or to District Court of Prowers County, Colorado on or before October 15, 2023 or the claims may be forever barred.

Teresa Stimpson, Personal Representative 1090 County Rd 145 Oakland, AR 72661 Published: Lamar Ledger June 15, 22, 29, 2023-1982278

COMBINED NOTICE - PUBLICATION OR S 538-39-109 FORECLOSURE SALE NO. 2-2023

To Whom It May Concern: This Notice is given with regard to the following described Deed of Trust:

On April 4, 2023, the under-closure constant of the purchase a certificate of Purchase, all as provided by law.



The Prowers County Board of Adjustment hereby gives notice that a public hearing will be held at 1:00 p.m., July 11, 2023, in the Board of County Commissioners Boardroom, 301 South Main Street Lamar, Colorado, concerning a request by Joseph and Eloise Gallegos for a very concerning a request by Joseph and Eloise Gallegos for a very concerning a request by Joseph and setback, in lieu of the required 30 foot minimum setback, on property located in the required 30 foot minimum setback, on 11. in Bristol, Colorado. The required 30 foot minimum setback, on 11. in Bristol, Colorado. The property is located in an R-1 Single-Family Residential 20ning district.
Additional information on the application is available for review at the Prowers County Land use Office, 1001 South Main Street, Camar, Colorado. Any questions concerning the application can be directed to Michelle Hilgel, Prowers County Land Use Administrator, at 719-336-3988. All interested parties, either in favor or against, are invited to make their appearance at this time.

Prowers County Board of Adjustment Ron Cook, Chair

Published: Lamar Ledger June 22, 2023-1983585

#### Prairie Mountain Media, LLC

## PUBLISHER'S AFFIDAVIT County of Prowers State of Colorado

The undersigned, <u>Agent</u>, being first duly sworn under oath, states and affirms as follows:

- He/she is the legal Advertising Reviewer of Prairie Mountain Media LLC, publisher of the Lamar Ledger.
- The Lamar Ledger is a newspaper
  of general circulation that has been published
  continuously and without interruption for at least
  fifty-two weeks in Prowers County and
  meets the legal requisites for a legal newspaper
  under Colo. Rev. Stat. 24-70-103.
- The notice that is attached hereto is a true copy, published in the Lamar Ledger in Prowers County on the following date(s):

Jun 22, 2023

Signature Schmielt

Subscribed and sworn to me before me this

day of

Notary Public

SHAYLA NAJERA NOTARY PUBLIC STATE OF COLORADO

(SEAL)

NOTARY ID 20174031965 MY COMMISSION EXPIRES July 31, 2025

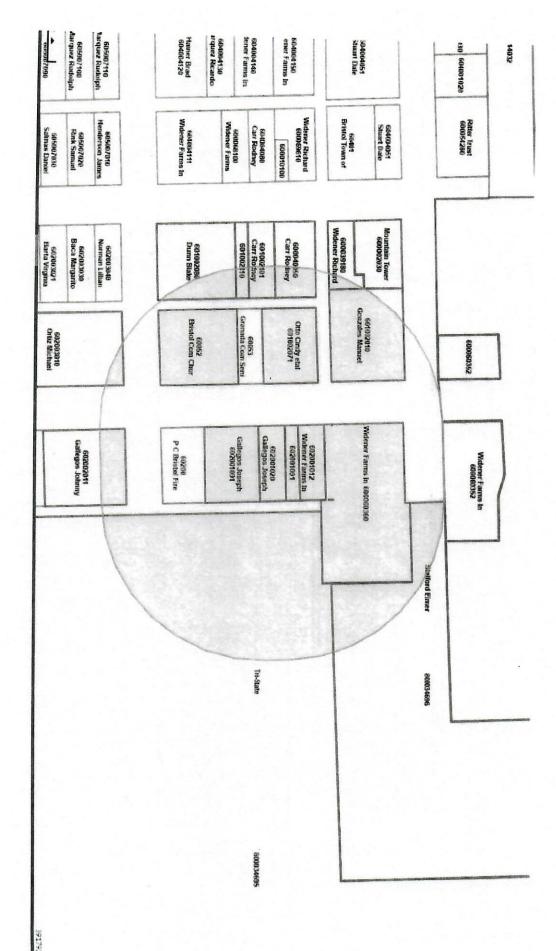
> Account: Ad Number:

1050365 1983585 \$16.80

Fee:

14

0800034695 0602001091 0602001012	0601002110 0601002080 0602002011	0600039180 0600040050 0601002071 0602001020 0601002101	Parcelld 0600060352 0600060360 0601002010 0600002030
TRI-STATE GENERATION &, TRANSMISSION ASSOCIATION INC GALLEGOS JOSEPH & ELOISE &, LOPEZ-CARMONA GABRIELLE WIDENER FARMS INC, %KNOBBE LINDA	DUNN BLAKE DUNN BLAKE C & PATRICIA M GALLEGOS JOHNNY J & ALMA R	WIDENER RICHARD  CARR RODNEY  OTTO CINDY M & CATHY L GONZALES&, CARR RODNEY P  GALLEGOS JOSEPH & ELOISE &, LOPEZ-CARMONA GABRIELLE  CARR RODNEY	OwnerName WIDENER FARMS INC, %KNOBBE LINDA WIDENER FARMS INC, %KNOBBE LINDA GONZALES MANUEL & JESUS MOUNTAIN TOWER & LAND LLC
1100 WEST 116TH AVE 106 S FREDERICK AVE 324 WILLOW VALLEY DR	101 E 2ND ST SOUTH 101 E 2ND ST SOUTH 202 S FREDERICK AVE	28348 COUNTY ROAD 8.2 4994 UTOPIA CT 106 S FREDERICK AVE 4994 UTOPIA CT	OwnerAddress1 324 WILLOW VALLEY DR 324 WILLOW VALLEY DR 1224 W PLATTE AVE
P O BOX 131 P O BOX 177	P O BOX 203 P O BOX 203 P O BOX 13	P O BOX 2 PO BOX 98 P O BOX 2	OwnerAddress2 OwnerAddress3 P O BOX 177 P O BOX 177 P O BOX 32
WESTMINSTER CO 80234 BRISTOL CO 81047 LAMAR CO 81052	BRISTOL CO 81047 BRISTOL CO 81047 BRISTOL CO 81047	LAMAR CO 81052 DENVER CO 80239 GRANADA CO 81041 BRISTOL CO 81047 DENVER CO 80239	LAMAR CO 81052 LAMAR CO 81052 LAMAR CO 81052 GRANADA CO 81041 FORT MORGAN CO 80701
			Country



391792867 154561D98E

