

### **Letter of Intent - Updated 9/1/2023**

Dear members of the Huerfano County Board of Adjustment:

My name is Francisco Bautista, and I have owned Blue Sky Farms (CBD) since 2017. My property is 107.8 acres with a 1.21 acre fenced-in area, which holds a 5656 sq ft combined growing space. Due to the decreased demand in the hemp market, I had to shut down the hemp operations in 2019, and the farm has yet to be operational since then. From 2019 - 2022, I listed the property for sale. Through market research and restructuring, I identified Cannabis as an ideal crop to replace our hemp crops and get the farm operational and profitable since I did not have any interested buyers for the property while it was listed. I am requesting a setback variance on the 1000-foot setback rule at the northwest sectors of the property so I can proceed with submitting a Cannabis cultivation application. An approved setback variance request will enable me to utilize my existing hemp infrastructure for Cannabis, a more lucrative crop. We currently meet the 1000.0' Setback for all the Spanish Peaks subdivision properties adjacent to to the east, and I will not expand beyond that. The grant of the variance would not cause substantial detriment to the public good because hemp and Cannabis are cultivated nearly in the same manner with the same smell profile and I had no complaints when I operated as a hemp cultivation.

#### **Setback variance request**

- West sector - seeking a variance of 802.2 ft - our facility fenceline is within 197 ft of the western boundary of my property
- North Sector - seeking a variance of 605.4 ft - our facility fenceline is within 395 feet of the north boundary of my property

The fenceline of my growing facility is 1,337 ft from the eastern boundary and 1,922 ft from the southern boundary. My property has a dike that runs from our property's southwest to the northeast portion. Considering the existing infrastructure, the dike, the steep topography, rock composition (cliffs), and location of the well on the property, the current greenhouse is in the ideal location for resuming growing operations. The northwest corner of my property is really the only feasible place to continue cultivation operations due to the grading, lack of vegetation, and access to water/sun make.

The strict application of the 1,000 ft setback to the north and west would result in undue hardship for my business due to the peculiar and exceptional difficulties I would

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Schedule number: 395593-R  
Zoning: Agricultural

encounter of trying to relocate it within my property, and would be a total bar to making use of my farm. A grant of the variance would allow me to make my farm profitable while creating jobs in the community. Thank you for reviewing this letter and my application.

Thank you