



Huerfano County, CO
Huerfano County Land Use and Building Department

401 Main St
Ste 304
Walsenburg, CO 81089
(719) 738-1220, x506

PERMIT

LU-23-034

VARIANCE

SITE ADDRESS: NO SITUS ADDRESS UNKNOWN
PRIMARY PARCEL: 395593
PROJECT NAME: BLUE SKY FARMS, LLP

ISSUED:
EXPIRES: 02/14/2024

APPLICANT: Ray, Rebecca
3570 E 12th Ave
Denver, CO 80206
303-588-4866

OWNER: BLUE SKY FARMS, LLP
12361 E CORNELL AVE
AURORA, CO 80014-0000

Detail Name

Detailed project description

Detail Value

The purpose of this project is to take a parcel of land previously used for hemp cultivation and to utilize the land for recreational marijuana cultivation. The existing greenhouse located on the property would become the cultivation site. And the existing shed would be used for storage. This land is ready to be utilized for marijuana cultivation because the previous use was for hemp cultivation. There is no planned construction for phase two of the operation. Phase two may include the addition of greenhouses and buildings. Phase two projects would be applied for in a future application.

From which regulation(s) are you seeking a variance?

18.3.3: Setback - Normal. All facilities in the Agricultural Zoning District shall be setback a minimum of one-thousand (1,000) feet from each of the facility's property lines. 18.05.3: Proof of Colorado residence of two years.

Characteristics or conditions of property that make variance necessary

Setback: Both the North and West sides of the property do not meet the 1,000 foot setback requirements. The North side of the property is 647.2 feet from the property line. The West side of the property is 298.5 feet from the property line.



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Explain how a strict application of the land use regulations would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship to the applicant

Setback: This is a large parcel of land at 107.89 acres. The cultivation site is at the Northwest portion of the parcel and due to setback requirements, the parcel of land would not qualify for Retail Marijuana Cultivation Conditional Use Permit. The land was previously utilized for hemp cultivation. Hemp cultivation is a very similar use to the proposed new use of the land as it is just a variation of the same plant.

If granted, describe potential impacts of proposed use on neighborhood?

There would be no impact on the neighborhood as the proposed use is virtually the same as the previous use.

Applicant's Phone Number (if different from above or enter N/A)

816-529-7047

Parcel (Schedule) Number (Available from Assessor):

395593

Applicant's Email (if different from above or enter N/A)

fbautista@blueskyfarmscbd.com

Parcel Area (acres)

107

Zone District

Agricultural

Description of the current land use(s) on the property, the characteristics of the land within the property boundaries, and the current land use on all adjoining property.

The current land use is agricultural. The characteristics of the land are - property's plantable acreage is limited to the space in the rectangle shown on our site plan. Out of the total 107 acres, only about one-third of my land is actually usable for farming due to the topographic and physical characteristics of the land. The placement of our existing structure satisfies the 1000' setbacks for 90% of our property and neighbors. Out of the total 107 acres, only about one-third of my land is actually usable for farming due to the topographic and physical characteristics of the land. The land use on the adjoining properties are: Agricultural Rural residential Commercial

Is all or part of the proposed project in a 100-year flood zone?

No

Are there slopes in excess of 20% in the project area?

No

If yes, describe conditions

N/A

Will project require any state or federal permits?

Yes

If yes, list all required permits:

Marijuana Enforcement Division
Regulated Marijuana Business
License

Huerfano County CUP

2-



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- 3- N/A
- 4- N/A
- 5- N/A
- Is an HB 1041 Permit required? No
- The Homeowner/Property Owner Associations (HOA/POA) in This List Require Their Approval Before Submitting This Application. If Your HOA/POA is in The List Please Upload The Approval Letter. 1-MY HOA/POA IS NOT LISTED
- Additional details that will help us understand and evaluate your project See LOI for additional details.

| FEES: | <u>Paid</u> | <u>Due</u> |
|--------------------------|--------------------|-------------------|
| Variance Application Fee | | \$75.00 |
| Public Noticing | | \$43.00 |
| Totals : | | \$118.00 |