

**TOWN OF PALMER LAKE  
EL PASO COUNTY  
STATE OF COLORADO**

**RESOLUTION NO. 41-2023**

**A RESOLUTION TO EXTEND A TEMPORARY CONDITIONAL USE PERMIT  
FOR 12 MONTHS FOR 773 SOUTH HIGHWAY 105, PALMER LAKE, COLORADO**

**WHEREAS**, Palmer Lake is a statutory Town organized under Part 3 of Article 4 of Title 31 of the Colorado Revised Statutes; and

**WHEREAS**, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Town of Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Palmer Lake, Colorado;

**WHEREAS**, a temporary conditional use was granted by Resolution 26-2022 for the operation of Hayco business on the Diacut property located at Hwy 105 for 12 months on April 28, 2022; and

**WHEREAS**, the property and business owner are requesting an extension for one to three years for the conditional use; and

**WHEREAS**, the Planning Commission heard the request and recommended the Board grant another 12 months of the temporary conditional use to Diacut-Hayco located at 773 South Highway 105.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE OF EL PASO COUNTY, COLORADO, AS FOLLOWS:**

**Section 1.** The Board of Trustees extends the temporary conditional use permit for 773 South Highway 105 pursuant to the conditions from Resolution 26-2022 for a period of twelve (12) months, expiring May 31, 2024. Should the applicant need additional time, no less than 2 months prior to the deadline, the applicant will be required to report to the Planning Commission to seek a recommendation regarding extension of the Conditional Use Permit, with such final decision to be made by the Board.

**Section 2. Severability.** If any article, section, paragraph, sentence, clause, or phrase of this Resolution is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Resolution. The Board of Trustees hereby declares that it would have passed this resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

**Section 3. Repeal.** Existing resolutions or parts of resolutions covering the same matters embraced in this Resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this Resolution are hereby repealed.

**INTRODUCED, RESOLVED, AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 25TH DAY OF MAY 2023.**

TOWN OF PALMER LAKE, COLORADO

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Glant Havenar, Mayor

ATTEST:

By: \_\_\_\_\_  
Dawn A. Collins, Town Administrator/Clerk