

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

RESOLUTION NO. 37 - 2025

**A RESOLUTION EXTENDING A TEMPORARY CONDITIONAL USE PERMIT TO
OPERATE A WHOLESALE BUSINESS INCLUDING OUTDOOR STORAGE
FOR ONE YEAR ON PROPERTY LOCATED AT
773 SOUTH HIGHWAY 105, PALMER LAKE, COLORADO**

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; and

WHEREAS, Mr. Furrer, Diacut Thinwheel, owns certain real property located at 773 South Highway 105 (“the Property”); and

WHEREAS, Diacut leases a portion of the Property to Hayco; and

WHEREAS, the Property is located in the C-2 General Business and Commercial Zone district; and

WHEREAS, Hayco uses the Property to operate a wholesale business including outside storage; and

WHEREAS, wholesale business including outside storage is allowed as a conditional use in the C-2 district; and

WHEREAS, on April 28, 2022, the Board of Trustees adopted Resolution 26-2022, approving a temporary conditional use permit for the operation of Hayco’s wholesale business including outdoor storage on the Property for 12 months, subject to specified conditions; and

WHEREAS, on May 25, 2023, the Board of Trustees adopted Resolution 41-2023, approving a one year extension of the temporary conditional use permit subject to conditions, to May 31, 2024; and

WHEREAS, on June 27, 2024, the Board of Trustees adopted Resolution 34-2024, approving one additional year of the temporary conditional use permit subject to conditions to May 31, 2025; and

WHEREAS, the property and business owner approached the Planning Commission on April 16, 2025 to request continued temporary use and committed to improving the fence and screening on the Property; and

WHEREAS, the Planning Commission heard the request on April 16, 2025, and recommended the Board extend the conditional use permit for one year, effective June 1, 2025, subject to certain additional conditions, set forth below.

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 temporary conditional use permit for the Property is extended for one year, effective June 1, 2025, limited to Hayco business owned by Mr. Loren Burlage, and subject to the conditions set forth in Resolutions 26-2022, 41-2023, and 34-2024, and subject to the following additional conditions:

1. Applicant will strengthen fencing posts, as stated at the April 16, 2025, Planning Commission meeting, and screen the front of the fence wrapped at the corners by May 31, 2025;
2. Applicant is prohibited from making any change without review by the Planning Commission, including lighting, signage, or any permanent construction.
3. Applicant is required to report the progress for obtaining a different property for the Hayco operation prior to the expiration of this conditional use on June 1, 2026.

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 24TH DAY OF APRIL 2025.

TOWN OF PALMER LAKE, COLORADO



Grant Havenar, Mayor

ATTEST:

By: 

Dawn A. Collins, Town Administrator/Clerk