

**PARK COUNTY BOARD OF ADJUSTMENT  
PLANNING DEPARTMENT STAFF REPORT**

Board of Adjustment Hearing Date: March 18, 2026

To: Board of Adjustments

Date: March 11, 2026

Prepared by: Shelli Yarbrough, Planner I

Case Number: A26-0011

Subject: Weston Variance

Request: The applicant is requesting a 19' variance from the north side lot line to build a deck on the existing legally non-conforming structure, resulting in an 11' property line setback instead of the normal 30' county setback requirement.

---

**Application Summary:**

Applicant:	Christina Weston
Owner:	Christina Weston
Location:	Lot 1, Placer Valley, Amended Unit 7, addressed as 227 Roberts Rd, Alma
Current Zone District:	Residential
Surrounding Zoning:	Residential – see attachment 1
Lot Size:	0.57 Acres
Existing Use:	Single Family Residential
Proposed Use:	Adding a deck to existing home

**Background:**

The subject property is in the Placer Valley Subdivision, near Alma. A Vicinity Map is included as Attachment 2. The dwelling located on the parcel was built in 1974, prior to the Park County Building Department creation, it is considered legally non-conforming. The home was built well within the current county setbacks and is located approximately 13 feet from the north side lot line. Any addition in any direction, except the south where a grove of Aspens is located, where the existing stairs leading to the deck on the east side, and where the driveway is located, would still be within the county setback regulations. The applicant is proposing to build a deck on the west side of the home, the current setback of 13.16 feet would be reduced an additional 2 feet to approximately 11 feet to the north side lot line.

## Land Use Regulations and Strategic Master Plan:

Each of the standards for approval of a variance (Land Use Regulation (LUR) Article III, Division 1, Section 3-100) is addressed below.

1. **A strict application of the Resolution causes peculiar and exceptional practical difficulties or exceptional and undue hardship by reason of exceptional narrowness, shallowness, or shape of a specific piece of land or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the land:**

The lot has a small envelope for adding a deck or addition, which is further constrained by the home placement, an Aspen grove, existing home stairs to east side deck, the driveway, and other property lines.

2. **The applicant provided reasonable and adequate evidence that the variance request is not a self-imposed hardship that can be rectified by means other than relief through a variance:**

The shape of the lot, along with the original placement of the home, only allows for one realistic and feasible location for the deck addition.

3. **There exists no substantial detriment to any neighbor or to the public by the granting of the variance:**

No substantial impacts to surrounding properties are anticipated. The proposed deck addition would be more than 100 feet from any structures on the lot to the north. No objections from adjacent property owners have been received.

4. **The intent and purpose of the regulation being varied is not substantially impaired or defeated by the granting of the variance.**

Setback requirements are intended to preserve privacy, safety, and spatial balance between structures. In this case, the intent of the regulation is preserved by maintaining separation from adjacent structures.

### Impact Analysis:

No adverse aesthetic or environmental impacts are anticipated.

### Recommendation:

Staff recommends approval of this application with no conditions.

A26-0011

**PARK COUNTY APPLICATION FOR  
VARIANCE  
NON-REFUNDABLE APPLICATION FEE: \$700**

All applicants must submit one complete application and attend a pre-application conference with the Park County Planning Department Staff seven (7) to ten (10) working days prior to the application submittal deadline.

If you have questions regarding this form please contact the Planning Department by phone at (719) 836-4254, or e-mail [pcpd@parkco.us](mailto:pcpd@parkco.us), fax (719) 836-4351, or write to us at P.O. Box 1598 Fairplay, CO 80440.

**A. APPLICANT AND OWNERSHIP INFORMATION**

Applicant's Name: Christina Weston

Mailing Address: 2198 Sams Creek Rd

City: Pegram State: TN Zip: 37143

Telephone

(work) [REDACTED] (home) \_\_\_\_\_ (fax) \_\_\_\_\_

Owner's Name: Same

Mailing Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_

**B. PROPERTY INFORMATION**

Complete Legal Description of Property Proposed for the Variance (attach additional page, if necessary):

227 Roberts Rd Alma, CO 80420 Parcel # 13852

T08 R78 S24 SW4 PLACER VALLEY AMENDED UNIT 07 LOT 01

Street Address of Property: 227 Roberts Rd

Property's Total Acreage: 0.57 acres (24829 sf)

Current Zone District of Property: RES

Proposed Zone District of Property: no change

<b>For County Use Only</b>
Planning Department Confirmation of Current Zone District:
District: <u>Residential</u>
Print Full Name <u>[Signature]</u>



- 9. Letters of consent to alter or vacate utility easements from all public utilities serving the site, if applicable ~~(not applicable)~~
- 10. A written description identifying the specific provision of the Land Use regulations that the owner seeks to vary and the extent to which the provision is proposed to be varied or modified. **(attached below)**
- 11. A written description of the reasons justifying the variance detailing how the standards for approval of the variance provided by Section 3-100(B) are met or satisfied. **(attached below)**
- 12. Any other information that are judged necessary by the Planning staff to ensure compliance with the Standards for Approval.

Use Only:
Initial Receipt of the Required Information
(9.) <u>          sg          </u>
(10.) <u>          sg          </u>
(11.) <u>          sg          </u>
(12.) <u>          n/a          </u>

*Note: Refer to Park County Land Use Regulations Article III, Standards for Approval of Variance.*

**#10: Referencing Section 5-304, specifically table 5-304a which sets up setbacks for residential lots at 30 feet for the front and sides and 20 feet for the rear. We are using the 30 feet side setback as our setback we wish to vary. The reason for this is because the existing structure comes within 14 feet of the property line already. Any addition in any direction except to the south will still be within this setback and the most logical direction is to the west (where we propose to go). We propose to continue in the westerly direction and the final distance to the property line will be approximately 11 feet.**

**#11: The criteria of 3-100B applies to our request in this way:**

**B. Variance Approval Criteria (paraphrased):**

- 1. Exceptional Conditions:** the shape and topography of the lot only allows for any variance/addition in the direction (west) that we are proposing; no other direction is feasible or realistic.
- 2. Adequate evidence:** This request is not a self-imposed hardship; it is based on existing conditions.
- 3. Neighbors:** There is no substantial detriment to any neighbors or to the public.
- 4. Intent:** Our intent and purpose of the regulation being varied is not substantially impaired or defeated.

**D. APPLICANT AND LANDOWNER SIGNATURES:**

The undersigned applicant and landowner hereby verify and affirm that the information contained in this application is complete and accurate. The undersigned applicant and landowner understands and acknowledges that the submission of inaccurate and incorrect information may result in the denial or rejection of the application and/or result in the invalidation of any approvals issued by Park County, Colorado.

Applicant: Signed: [Signature]  
Print name: Christina Weston  
If company, state Title/Position: \_\_\_\_\_

Owner: Signed: [Signature]  
Print name: Christina Weston  
If company, state Title/Position: \_\_\_\_\_

**E. VERIFICATION OF DATE OF DELIVERY OF APPLICATION**

This application was submitted to the Park County Planning Department on the following date and time:

February 4, 2020  
Month Day Year

**For County Use Only:**  
Verification of Date of Delivery and  
County Receipt of Application  
Date: 2.4.2020  
Print Name: [Signature]

Payment of the Applicant Fee was made by:

Personal Check # 2558 Amount \$ 700-  
 Cash Amount \$ \_\_\_\_\_  
 Other \_\_\_\_\_ Amount \$ \_\_\_\_\_

**APPLICANT MUST ATTEND THE HEARING. IF A REPRESENTATIVE ATTENDS THE HEARING ON BEHALF OF THE APPLICANT, A NOTARIZED LETTER OF CONSENT MUST ACCOMPANY THE APPLICATION.**

**ALL BOARD OF ADJUSTMENT HEARINGS WILL BE SCHEDULED FOR THE SECOND WEDNESDAY OF EVERY MONTH. IF A QUORUM IS NOT AVAILABLE, THE HEARING WILL BE SCHEDULED THE NEXT AVAILABLE DATE.**



**Park County, CO**

856 Castello Avenue, Fairplay, Colorado 80440  
Phone: 719-836-4255

**Original Invoice Number:** 26-0391

Invoice Date: February 4, 2026

Account Number: 1227132414

Parcel Number: R0013852

**PAYMENT RECEIPT**

**Property Location:**

227 ROBERTS RD ALMA, 80420

ALMA, CO 80420

Christina Weston  
2198 Sams Creek Rd  
Pegram TN 37143

**Thank you for your payment(s).**

**Your Payment Transactions for this record are recorded below.**

**Record Number:** Project A26-0011

---

<b>Date</b>	<b>Description</b>	<b>Paid Date</b>	<b>Amount</b>	<b>Paid</b>	<b>Balance</b>
February 4, 2026	Planning Public - Variance		\$700.00		
	<b>TOTAL: Project Fees</b>		<b>\$700.00</b>		<b>\$700.00</b>
	Check 2558	February 4, 2026		\$700.00	\$0.00



# Park County Treasurer Tax Receipt

Account	Parcel Number	Receipt Date	Effective Date	Receipt Number
R0013852	13852	Jun 30, 2025	Jun 15, 2025	2025-06-30-Rebekah-191630

WESTON CHRISTINA  
 2198 SAMS CREEK RD  
 PEGRAM, TN 37143-5042

Situs Address	Payor
227 ROBERTS RD ALMA 80420	WESTON CHRISTINA 2198 SAMS CREEK RD PEGRAM, TN 37143-5042

**Legal Description**  
 T08 R78 S24 SW4 PLACER VALLEY AMENDED UNIT 07 LOT 01

Property Code	Actual	Assessed	Year	Area	Mill Levy
SINGLE FAMILY LAND - 1112	76,121	5,100	2024	0015	60.7857
SINGLE FAMILY IMP - 1212	462,233	30,970	2024	0015	60.7857

**Payments Received**

Check	\$984.43
Check Number 2527	

**Payments Applied**

Year	Charges	Billed	Prior Payments	New Payments	Balance
2024	Tax	\$1,968.86	\$984.43	\$984.43	\$0.00
				<u>\$984.43</u>	<u>\$0.00</u>
				<b>Balance Due as of Jun 15, 2025</b>	<b>\$0.00</b>

Thank you for your payment.



## Special Warranty Deed

(Pursuant to C.R.S. 38-30-113(1)(b))

State Documentary Fee  
Date: December 02, 2024  
\$24.00

This Deed, effective as of **December 2nd, 2024**, signed on the date(s) acknowledged below, by Grantor(s), **NCM ACQUISITIONS, LLC, A TEXAS LIMITED LIABILITY COMPANY, WHO TOOK TITLE NCM ACQUISITIONS, LLC, A COLORADO LIMITED LIABILITY COMPANY**, whose street address is **227 ROBERTS ROAD, ALMA, CO 80420**, City or Town of **ALMA**, County of **Park** and State of **Colorado**, for the consideration of **(\$240,000.00) \*\*\*Two Hundred Forty Thousand and 00/100\*\*\*** dollars, in hand paid, hereby sell(s) and convey(s) to **CHRISTINA WESTON**, whose street address is **2198 SAMS CREEK ROAD, Pegram, TN 37143**, City or Town of **Pegram**, County of **Cheatham** and State of **Tennessee**, the following real property in the County of **Park** and State of **Colorado**, to wit:

**LOT 1, RESUBDIVISION OF LOTS 1, 2, 3, 4, 5 AND 6, PLACER VALLEY - UNIT 7, COUNTY OF PARK, STATE OF COLORADO**

also known by street and number as: **227 ROBERTS ROAD, ALMA, CO 80420**

with all its appurtenances and warrant(s) the title to the same against all persons claiming under me(us), subject to Statutory Exceptions.

(SEE ATTACHED "SIGNATURE PAGE")

---

When recorded return to: **CHRISTINA WESTON**  
**2198 SAMS CREEK ROAD, Pegram, TN 37143**



Special Warranty Deed with Statutory Exceptions

SIGNATURE PAGE

NCM ACQUISITIONS, LLC, A TEXAS LIMITED LIABILITY COMPANY, WHO TOOK TITLE NCM ACQUISITIONS, LLC, A COLORADO LIMITED LIABILITY COMPANY

By: Christopher D. Montgomery  
CHRISTOPHER D. MONTGOMERY, MANAGER

State of Colorado )  
 )ss.  
County of ROUTT )

The foregoing instrument was acknowledged before me on this day of December 2nd, 2024 by CHRISTOPHER D. MONTGOMERY AS MANAGER OF NCM ACQUISITIONS, LLC, A TEXAS LIMITED LIABILITY COMPANY, WHO TOOK TITLE NCM ACQUISITIONS, LLC, A COLORADO LIMITED LIABILITY COMPANY

Witness my hand and official seal

My Commission expires: 12/13/2026

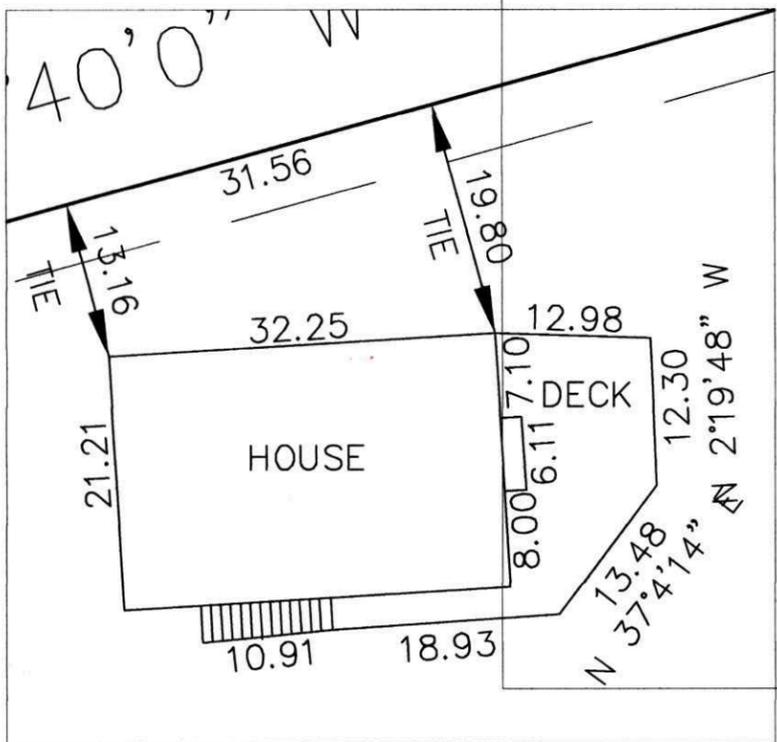
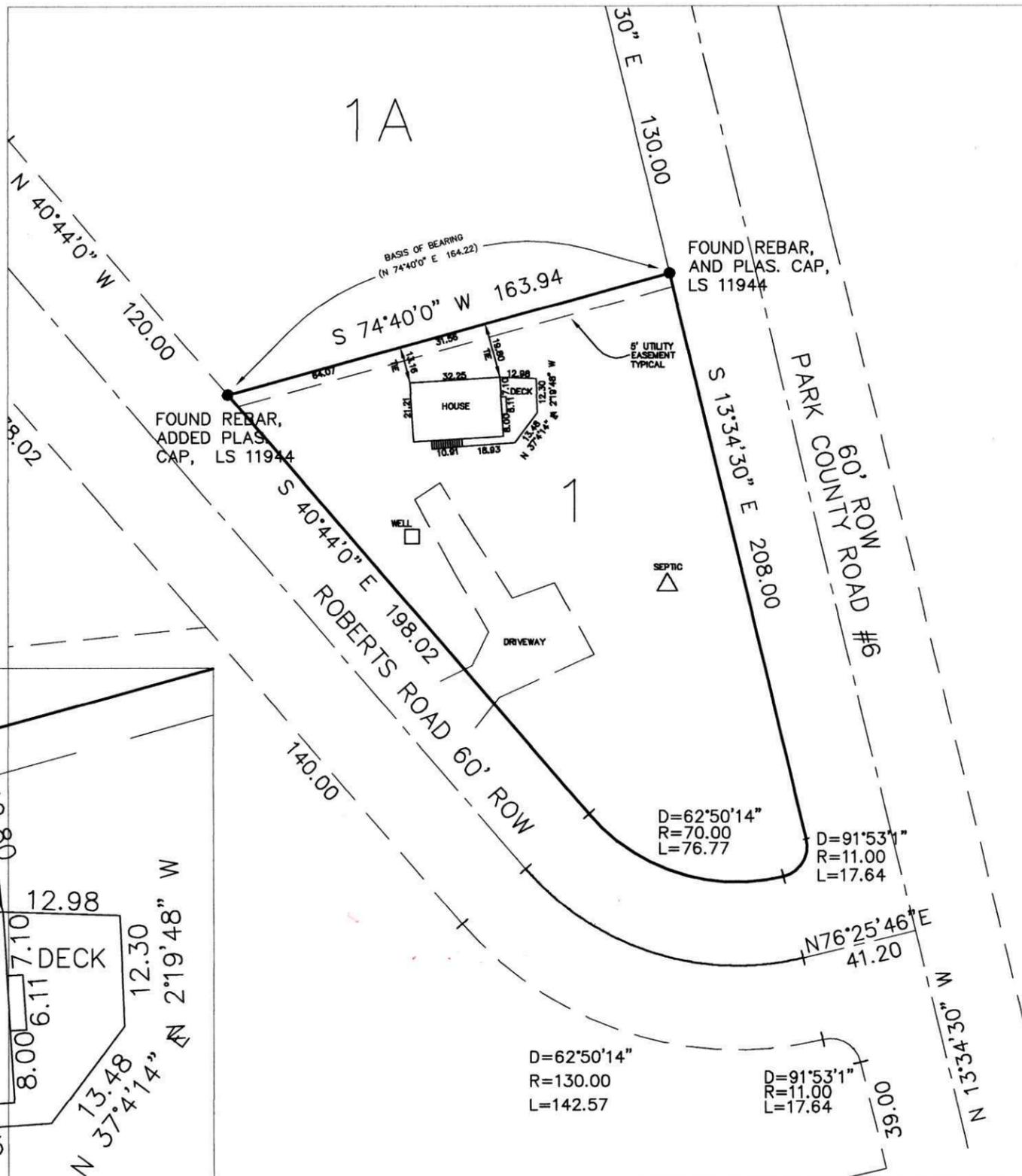
[Signature]  
Notary Public

DAYSHIA LEE KOROLIS  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20184046776  
MY COMMISSION EXPIRES 12/13/2026

S:\2025\342 PLACER VALLEY U7 LOT 1\LOT 1.dwg, Layout1, 10/24/2025 08:01:01 AM  
 1:1.64165, Burnett Land Surveying, Fairplay, CO, Burnett Land Surveying, Fairplay, CO

**LEGEND**

- INDICATES FOUND NO. 5 REBAR WITH 1 1/2" PLASTIC CAP, LS 11944
  - ( ) INDICATES FIELD MEASUREMENTS UNLESS OTHERWISE NOTED.
  - INDICATES SET #5 REBAR 18" LONG 1 1/2", YELLOW PLASTIC CAP, LS 11944
  - x-x- INDICATES EXISTING FENCE
- ALL TIES ARE PERPENDICULAR TO PROPERTY LINES



**SURVEYOR'S CERTIFICATE**

I, THOMAS L. BURNETT, A PROFESSIONAL LAND SURVEYOR LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS IMPROVEMENT SURVEY PLAT WAS MADE BY ME OR DIRECTLY UNDER MY SUPERVISION ON OR ABOUT OCTOBER 23, 2025, AND THAT THE SURVEY IS BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF, IT HAS BEEN PREPARED IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE. THE SURVEY IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED, AND THE ACCOMPANYING PLAT ACCURATELY AND PROPERLY SHOWS SAID LAND SURVEY PLAT AND THE SURVEY THEREON.

DATED THIS 23 DAY OF Oct 2025

*Thomas L. Burnett*

PROFESSIONAL LAND SURVEYOR, COLO. LICENSE NO. 11944  
 ©2025 BURNETT LAND SURVEYING, INC.

**NOTICE:** ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

DEPOSITED THIS \_\_\_ DAY OF \_\_\_ 20\_\_\_ AT \_\_\_ M., IN BOOK \_\_\_ OF THE COUNTY SURVEYOR'S LAND SURVEY PLATS "/>

**NOTE:** LEGAL DESCRIPTION AND RECORD EASEMENTS PER THE RECORDED PLAT OF PLACER VALLEY UNIT #7, AS RECORDED DECEMBER 6, 1965, RECEPTION NO. 739913

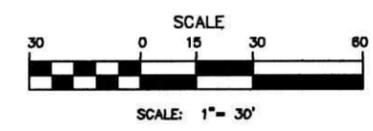
- NOTES:**
- 1) THE BASIS OF BEARING IS THE ASSUMED BEARING OF A LINE FROM THE NORTH EAST CORNER TO THE NORTH WEST CORNER OF LOT 1 AS BEING N74°40'00"E WITH BOTH CORNERS BEING FOUND MONUMENTS AS SHOWN.
  - 2) CLIENT DID NOT WANT RIGHT-OF-WAYS AND EASEMENTS RESEARCHED AND SHOWN.
  - 3) THE PURPOSE OF THIS SURVEY IS TO FIND OR SET THE PROPERTY CORNERS AND LOCATE THE IMPROVEMENTS
  - 4) MEASUREMENTS SHOWN IN PARENTHESIS ARE FIELD MEASUREMENTS, UNLESS OTHERWISE NOTED.
  - 5) CERTIFICATION NOT VALID WITHOUT ORIGINAL SEAL AND SIGNATURE. THIS SURVEY AND ALL RELATED DOCUMENTS ARE FOR THE SOLE USE OF THE CLIENT AT THE DATE OF CERTIFICATION, AND DOES NOT EXTEND TO ANY UNNAMED PERSON OR ENTITY WITHOUT AN EXPRESSED RESTATEMENT BY THE SURVEYOR NAMING SAID PERSON OR ENTITY.
  - 6) ANY PERSON WHO KNOWINGLY REMOVES, ALTERS, OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
  - 7) ALL DIMENSIONS ARE IN U.S. SURVEY FEET.
  - 8) LEGAL DESCRIPTION FROM DEED FOR THIS PROPERTY IS RECORDED AT REC. NO.814310

**LIMITATIONS OF ACTIONS AGAINST LAND SURVEYORS**

ALL ACTIONS AGAINST ANY LAND SURVEYOR BROUGHT TO RECOVER DAMAGES RESULTING FROM ANY ALLEGED NEGLIGENCE OR DEFECTIVE LAND SURVEY SHALL BE BROUGHT WITHIN THREE YEARS AFTER THE PERSON BRINGING THE ACTION EITHER DISCOVERED, OR IN THE EXERCISE OF REASONABLE DILIGENCE AND CONCERN, SHOULD HAVE DISCOVERED THE NEGLIGENCE OR DEFECT WHICH GAVE RISE TO SUCH ACTION, AND NOT THEREAFTER, BUT IN NO CASE SHALL SUCH AN ACTION BE BROUGHT MORE THAN TEN YEARS AFTER THE COMPLETION OF THE SURVEY UPON WHICH SUCH ACTION IS BASED.

**TITLE COMMITMENT NOTES:**

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT, THE RECORD INFORMATION, WHICH IS REFERENCED HEREON, IS THE RESULT OF RESEARCH PERFORMED BY BURNETT LAND SURVEYING, INC., AND IS NOT NECESSARILY COMPLETE OR CONCLUSIVE.



This document is protected under the laws of the Federal Copyright Act. This drawing shall not be used by the client or any other party for ANY purpose other than that which the drawing was prepared. The absence of the RED stamped seal indicates an unauthorized reproduction, and no certification extends to the person holding such copy.

<b>IMPROVEMENT SURVEY PLAT</b>		
LOT 1, PLACER VALLEY, UNIT #7		
PARK COUNTY, COLORADO		
SEC.24 T.8S R.78W 6th P.M.	ADDRESS: 227 ROBERTS ROAD	OWNER:
<b>BURNETT LAND SURVEYING, INC.</b> P.O. BOX 1968, 361 HWY 286, STE 104 FAIRPLAY, COLORADO 80440 (719) 896-1426	DATE: OCTOBER 23, 2025	WESTON
	SCALE: 1"= 30'	
	DRAWN BY: BTD	
	JOB NO. 2025-342	



Right of Way and Permits  
1123 W. 3<sup>rd</sup> Ave  
Denver, CO 80223

2/10/2026

Christina Weston  
227 Roberts Road  
Alma, CO 80420

**Re: Utility Easement Encroachment  
227 Roberts Road, Alma, CO 80420**

Dear Property Owner,

You have notified Public Service Company of Colorado (PSCo) of the proposed cabin addition to be built on your property at 227 Roberts Road, Alma, Colorado, more particularly described as **Lot 1, Placer Valley Amended Unit 7**, located in Section 24, Township 8 South, Range 78 West, County of Park, State of Colorado.

Please be advised that PSCo has reviewed the request to allow the Cabin addition. **Public Service Company of Colorado has NO OBJECTION to this addition as described.** You are advised that all risk and responsibility of this addition is unilaterally that of the property owner. Additionally, in the event said structure is damaged or destroyed due to PSCo's use of this easement at any time in the future, the property owner will make repairs to the structure at its sole expense.

When any digging is commenced on the property, PSCo reminds you of your lawful duty to contact the Utility Notification Center of Colorado (UNCC) two days before starting the work. They can be reached at 811. UNCC will mark the locations of the various underground utilities on the ground.

Should you have any questions, please contact me at the phone number or email address listed below.

Please retain this letter in your permanent property records & provide to any future owner.

Sincerely,

A handwritten signature in blue ink that reads 'Marc A. Mayorga'.

**MARC MAYORGA**

**Xcel Energy**

**Senior Right of Way Agent, Team Lead**

**Right of Way and Permits Department**

**Electric & Gas Distribution, HP Gas**

**1123 W 3<sup>rd</sup> Ave, Denver, CO. 80223**

**P: 303-571-3857 E: [marc.a.mayorga@xcelenergy.com](mailto:marc.a.mayorga@xcelenergy.com)**

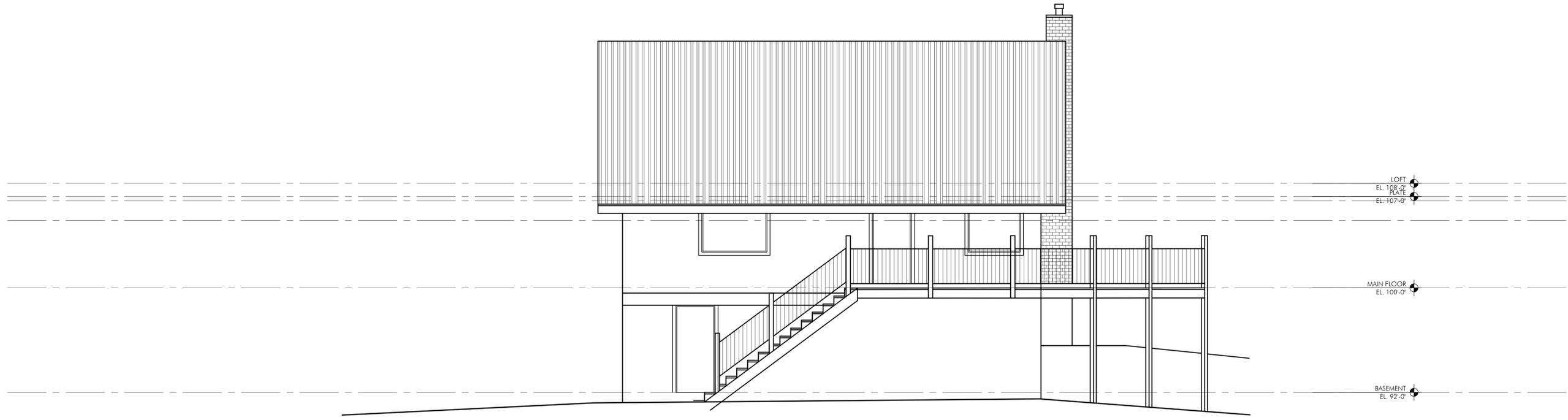
**MAKING ENERGY WORK BETTER**



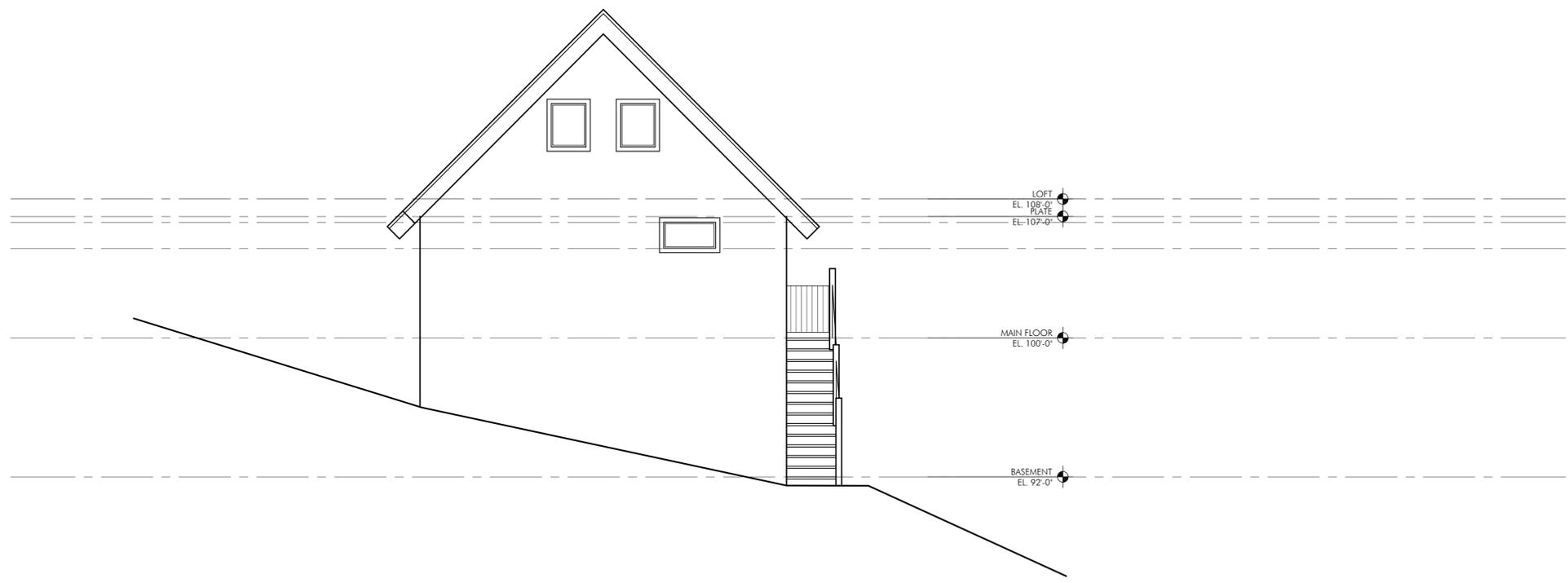








1 ELEVATION  
X401 SCALE: 1/4" = 1'-0"



2 ELEVATION  
X401 SCALE: 1/4" = 1'-0"

WESTON  
RESIDENCE  
ADDITION

227 ROBERTS ROAD  
ALMA, PARK COUNTY, CO

PROJECT # 2508

© COPYRIGHT  
AS AN UNPUBLISHED WORK, ANY REPRODUCTION OR REUSE  
WITHOUT WRITTEN CONSENT IS PROHIBITED.

ISSUE:

PRELIMINARY	11.26.2025
PROGRESS	12.11.2025

EXISTING  
ELEVATIONS

X401

