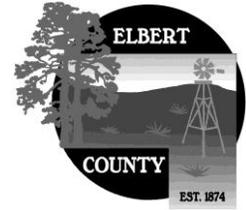




COUNTY OF ELBERT

COMMUNITY & DEVELOPMENT SERVICES OFFICE

P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3136 FAX: 303-621-3165



Date: October 5, 2016
For the Elbert County Planning Commission meeting of
Date: October 18, 2016

TO: ELBERT COUNTY PLANNING COMMISSION

FROM: ETHAN WATEL, AICP, SENIOR PLANNER (BASELINE CORP.)
APPROVED BY: KYLE FENNER, DIRECTOR OF CDS

**RE: RZ-16-0015 COYOTE MEADOWS REZONE. A REQUEST TO REZONE A
60.36 ACRE PROPERTY FROM AGRICULTURE (A) TO AGRICULTURE
RESIDENTIAL (AR) IN THE NORTHEAST $\frac{1}{4}$ OF SECTION 11,
TOWNSHIP 7 SOUTH, RANGE 65 WEST OF THE 6TH P.M. IN ELBERT
COUNTY, COLORADO.**

**MD-16-0016 COYOTE MEADOWS MINOR RESIDENTIAL
DEVELOPMENT. A REQUEST TO CREATE A MINOR RESIDENTIAL
DEVELOPMENT OF SIX LOTS ON 60.36 ACRES IN THE NORTHEAST $\frac{1}{4}$
OF SECTION 23, TOWNSHIP 7 SOUTH, RANGE 65 WEST OF THE 6TH
P.M. IN ELBERT COUNTY, COLORADO.**

APPLICANT: Brian Able, Nancy Able, and Matthew Snogren (landowners)

REPRESENTATIVE: CJ Kirst, Tahoe Consulting LLC

SUMMARY OF REQUEST:

The applicants, Brian Able, Nancy Able, and Matthew Snogren, are requesting two actions: approval of a rezoning and a minor residential development (MRD) plat. The rezoning request is a zone change from the Agriculture (A) zone district to the Agriculture Residential (AR) zone district. The rezoning request, if approved, would allow for the approval of the MRD request. The MRD request proposes six lots varying in size from 10.00 acres to 10.36 acres. All six lots are proposed to be accessed by a new private road to be named Joseph Circle. (Note that in the original application materials the road was named Coyote Court, then Dylan Circle. The Fire District referral revealed that these names were taken and the road was re-

named again to Joseph Circle.) The road is proposed to be unpaved and built to County standards within a 60-foot wide access easement.

The property is accessed by Ranch Road, a private road that leads south from Singing Hills Road. No new public roads or rights-of-way are proposed to be dedicated to Elbert County.

A new homeowners association will be formed and declarations, covenants, and restrictions have been drafted.

The rezoning and minor residential subdivision requests, while related, are considered separate applications. The MRD cannot be approved without approval of the rezoning request. Action on the rezone case must be in advance of the MRD case.

PERTINENT DATA:

Site Description – The site is comprised of a 60.36 acre parcel of land located south of Singing Hills Road (CR 166), east of Cricket Drive, and west of Ranch Road. The site is located one-quarter mile south of Singing Hills Road along Ranch Road. The parcel is open, with no existing trees on the property. An existing pond will be preserved in a drainage easement dedicated on the proposed MRD plat.

On the east side the property abuts Ranch Road, which is an existing unpaved privately maintained road within a 60-foot wide easement. Per the landowners' (applicant) deed, they have access to the subject site from Singing Hills Road over the easement. The actual Ranch Road and its easement are located on the western edge of five other properties. The applicant submitted opinions prepared by two separate attorneys (attached) describing the easement and the landowners' ability to utilize Ranch Road should the property be subdivided. *Please see the evaluation section of the MRD case, below for more detail on the road.*

Topography – The site is generally flat with some rolling terrain. A high point exists on the southwest corner of the property. Slopes are not extreme and none 20% or greater.

Floodplain – There are no designated flood hazard areas on the parcel.

Existing Zoning – A (Agriculture) minimum lot size of 35 acres

Proposed Zoning – AR (Agriculture Residential) minimum lot size of 10 acres

Surrounding Land Use and Zoning –

North: Use: Agricultural w/ residential. Zoning: A – Agriculture. Unplatted.

South: Use: Vacant. Zoning: A – Agriculture.

East: Use: Residential. Zoning: AR. Autumn Winds MD and Goodwin MRD (10 acre lots).

West: Use: Residential. Zoning: A-2 and AR. Whispering Meadows MD (three 10 acre lots and one 29 acre lot).

The surrounding land uses to the east and west are generally similar to the proposed subdivision. All of the existing platted lots near the property are approximately 10 acres in size. The exception is Lot 4 of Whispering Meadows which is approximately 29 acres. To the north across Singing Hills Road are many 3 to 6 acre platted lots in subdivisions.

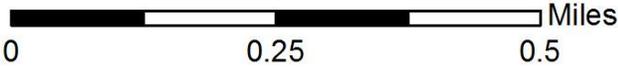
General Vicinity Map:



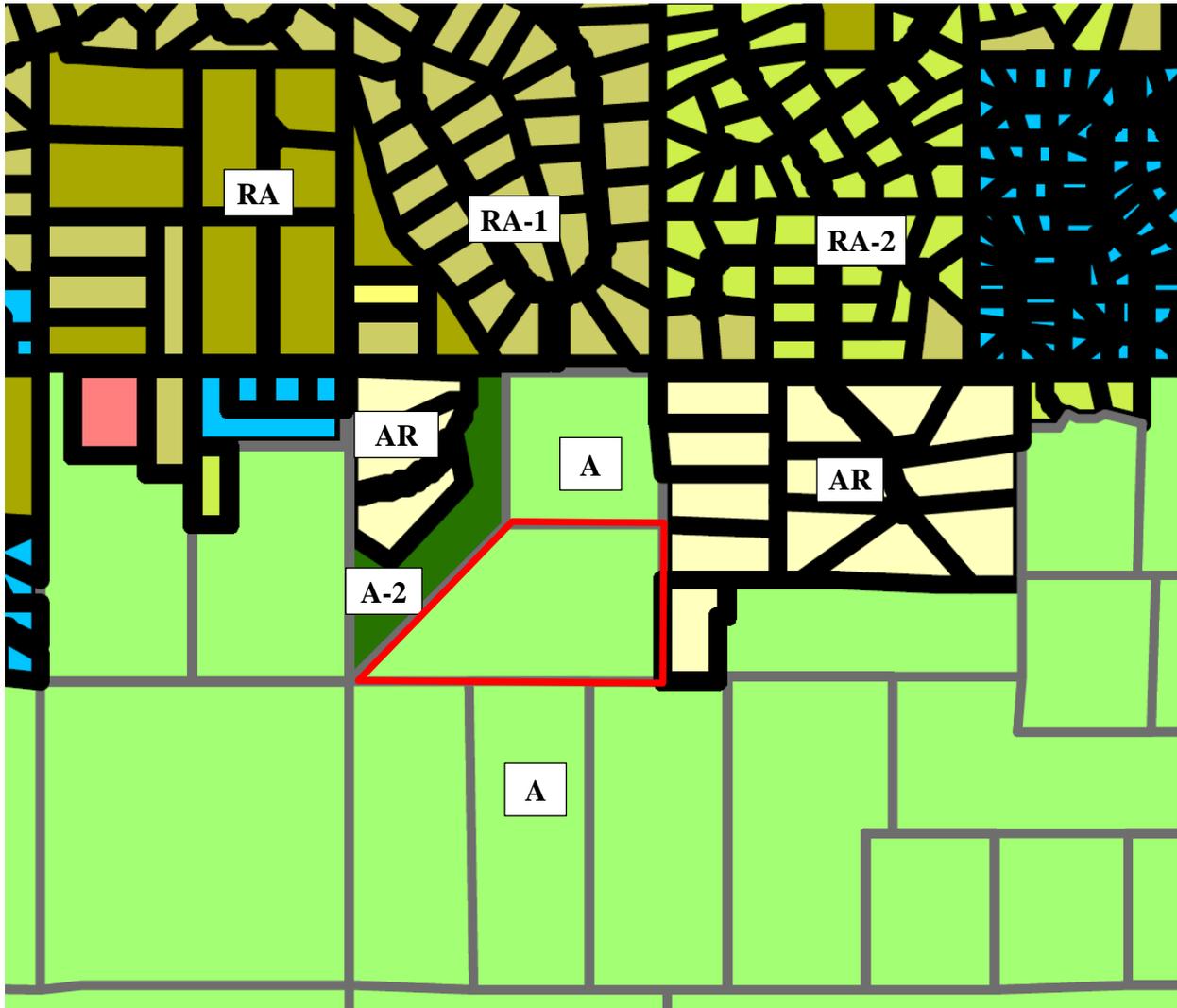
Site Map



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community, Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community



Zoning Map



Minimum lot areas by zoning, for reference:

- A 35 acres
- A-2 20 acres
- AR 10 acres
- RA 10 acres
- RA-1 5 acres
- RA-2 2.5 acres

EVALUATION: BACKGROUND (RZ-16-0015 & MD-16-0016): Pre-application meetings were held in 2015. The applicant held a Community Meeting for the proposal on December 8, 2015. 19 attendees are listed on the sign-in sheet for the community meeting.

The formal applications for this proposal were received on May 17, 2016. Once the applications were deemed complete, referral packets were sent out and then comments from appropriate agencies were received. The applications had two referral periods. After the second submittal, staff requested minor changes to the materials and the following public hearing dates were set.

Planning Commission date is: October 18, 2016

Board of County Commissioners date is: November 9, 2016

Proper notice (sign on property, newspaper, and mailing) was given per county regulations.

The Elbert County Zoning Regulations require that Community & Development Services receive comments from the appropriate referral agencies to evaluate requests for both a Rezoning and Minor Residential Development Request. Following is a summary of the agencies to which the application was referred and the comments received. Copies of each comment are included in the packet.

Elbert County Assessor's Office: No response.

Elbert County Mapper: Comments provided on the name of the road.

Elbert County Building Dept.: No response.

Elbert County Engineering: Provided comments on construction plans, drainage, traffic, MRD plat, and rezoning exhibit.

Elbert County Public Works: No response.

Elbert County Environmental Health: No response.

Elbert County Treasurer: No response.

Elizabeth Fire Protection District: Responded with comments and suggested conditions of approval. *Applicant follow-up:* The applicant has stated they will provide cash-in-lieu of cisterns or sprinkler in the amount of \$1,040 per new lot.

Black Hills Energy: No response.

Intermountain Rural Electric Assn. (IREA): Responded with comments requesting new easements along existing and proposed roads and rear and sides of lots.
Applicant follow-up: The applicant revised the MRD plat accordingly.

Kiowa Soil Conservation District: No response.

Elizabeth Consolidated School District: Responded with comments regarding proper collection of fees and cash-in-lieu of land dedication. Additional comments concerned school bus pickup for students. School buses will not pick up students along private roads and students will need to be picked at Ranch Road and CR 166.
Applicant follow-up: Applicant has stated they will comply with fee collection and had further discussion with the district regarding school bus pickup.

Elbert County Urban Library District: No response.

Colorado Parks & Wildlife: No response.

Colorado Division of Water Resources: Responded with comments. Water supply is adequate. Court decree has been submitted.

Elbert County Community & Development Services:
Planners, engineers, and surveyors from Baseline Corp, on behalf of CDS, reviewed all the application materials submitted by the applicants for the requests for rezoning and minor residential development subdivision. The documents were sent on a 35-day referral, and referral comments and county comments were forwarded to the applicant. The applicant re-submitted materials and a second 35-day referral period commenced. Comments were provided to the applicant, and a third and final submittal was made and is provided with this staff report.

The rezone exhibit and the MRD plat, if approved, will both be recorded at the Elbert County Clerk and Recorder. Both documents have been prepared according to the standards and requirements of the Elbert County Zoning Regulations and Subdivision Regulations.

THE REMAINDER OF THIS STAFF REPORT IS DIVIDED INTO TWO SECTIONS, ONE FOR THE REZONING REQUEST AND ANOTHER FOR THE MINOR RESIDENTIAL DEVELOPMENT REQUEST.

**COYOTE MEADOWS REZONING
EVALUATION (RZ-16-0015):**

The evaluation of all requests for rezoning must consider relevant portions of the Elbert County Master Plan, Elbert County Zoning Regulations and Elbert County Subdivision Regulations. A separate subdivision application has been submitted for

this parcel (the Minor Residential Development Application).

Compliance with Zoning Regulations – The applicant has submitted the required documentation detailed in Part I, Section 6, B, Rezoning Procedures. The following criteria shall be considered by the Planning Commission and the Board of County Commissioners in reviewing all rezoning applications, [Part I, Section 6, B, 2, b, 3)].

General Considerations for Every Application.

1. *Is the application suitable for the community / area in which it is proposed?*

- **Density** – The proposal for AR zoning allows for agricultural uses to remain alongside low-density residential uses. The density will be the same as other platted lots in the area. Unplatted land in the area still contains some larger agriculture lots.
- **Lot size** – The minimum lot size allowed under the proposed AR zoning is 10 acres. This (10 acre lot size) is the same as the other platted lots in the immediate area, which are also zoned AR. Denser platted lots are found across Singing Hills Road (¼ mile to the north).
- **Perimeter Lots** – The subdivision is designed and includes a central dead-end road serving the proposed six lots. Two lots on the eastern side are across an existing private road (Ranch Road).
- **Population** – The applicant is proposing six lots. The population increase would be minimal compared to the existing development near to the property.
- **Water Use** – Coyote Meadows has the following as decreed water rights via Colorado Water Court Case No. 15CW3088 to be withdrawn through six (6) wells for in-house, irrigation and stock watering purposes:
 - Upper Dawson 13.6 ac-ft/year
 - Lower Dawson 5.5 ac-ft/year
 - Denver 32.6 ac-ft/year
 - Arapahoe 31.5 ac-ft/year
 - Laramie-Fox Hills 16.4 ac-ft/year

The application was referred to the Colorado Division of Water Resources and comments were provided stating the water supply is adequate.

- **Sewer** – Sanitation services will be provided with ISDSs on individual lots. The minimum lot size of 10 acres allows for onsite wastewater treatment systems (septic system).
- **Open Space** – Coyote Meadows does not propose to dedicate open space but will pay cash-in-lieu using the County’s formula of \$1,000/new lot + (the appraised aggregate lot value in the platted state x 20% x 20%). The East West Econometrics appraisal dated 1/29/16 determines the land value if platted is \$345,000 and therefore

the open space cash-in-lieu amount owed will be = (5)x(\$1,000/lot) + (\$345,000)x(20%)x(20%) = \$18,800. This property is required to pay for 5 lots since one lot/home is currently allowed on the property with no fee required.

- ***Agricultural Lands*** – The proposed zoning is AR, the intent of which is to allow “areas of open space, noncommercial farming, ranching, agriculturally related uses and low-density residential subdivisions.”

2. *Does the community / area in which the application is proposed have the resources to support it?*

The community surrounding the proposed Coyote Meadows project does have the adequate resources to support it:

- ***Schools*** – The property is within the Elizabeth School District.
- ***Roads*** – The site is accessed by an existing 24-foot wide private road (Ranch Road) which leads ¼ mile to Singing Hills Road. A traffic letter prepared by 2N Civil indicates that the current estimated daily traffic on the road is 60 trips/day serving the six existing homes. The six proposed lots would generate an additional 60 trips/day for a total of 120 trips/day. The applicants have indicated a willingness to share in the maintenance of Ranch Road and have drafted a private road maintenance agreement to be a basis for a future agreement to share in costs. *Please see the evaluation section of the MRD case, below for more detail on the road.*
- ***Law Enforcement*** – The property will be served by the Elbert County Sheriff’s Office.
- ***Animal Control*** – NA.
- ***Fire Protection*** – Elizabeth Fire Protection District
- ***Ambulance Services*** – NA.
- ***Library Services*** – NA.
- ***Social Services*** – NA.

The following criteria shall be considered by the Planning Commission and the Board of County Commissioners in reviewing all rezoning applications, [Part I, Section 6, B] and can be used as the Findings in a Resolution of Approval for the application:

1. *Whether the proposed rezoning complies with the requirements of the Elbert County Master Plan –*

Housing Section Policies:

1.) *New residential development shall conform to each of the following:*

- a.) *Complement the “rural character” of the County by incorporating large, contiguous areas of open space, as described elsewhere in the Master Plan.*

The proposal is for a 60 acre parcel and is proposed to be subdivided

using the Minor Residential Development process. The AR zone district's minimum 10 acre lot size will encourage open areas and provides for land that can be used for both residential and agricultural purposes. The applicant will pay cash-in-lieu fees for open space as part of the subdivision process.

b.) Respect the natural contours and existing vegetation found on the proposed development site (minimize over-lot grading);
Development of 10 acre lots on one 60 acre parcel will naturally respect the natural contours and existing vegetation. The applicant does not propose extensive grading.

c.) Processed as a Planned Unit Development;
Not applicable – The General Standards for All Residential Developments require developments which create eight or more lots to be zoned PUD. AR zoning on 60 acres prevents more eight or more lots from developing on this property.

d.) Comply with the appropriate Elbert County Site Design Standards for Residential Developments and the recommendations found in the other sections of this Master Plan;
The Elbert County Site Design for Residential Developments shall apply to residential developments which create eight lots or more.

e.) Accommodate the wildlife found on the site by protecting movement corridors; designate “no disturbance areas” or open space for sensitive wildlife areas; preserve “high-quality wildlife areas” such as riparian areas, land along the banks of drainages, streams, and other bodies of water by providing substantial buffers between such areas and the developed portions of the site.

Not applicable. This is a Minor development of 60 acres. Colorado Parks & Wildlife did not respond with comments on the applications. The existing pond and drainage on the site will be maintained, maintaining potential wildlife areas.

2.) The clustering of housing should be encouraged as an acceptable design solution to maintain the “rural character” or to solve other site constraints.

This is a minor development on 60 acres and there are no site constraints.

3.) Developments of 320 dwelling units or more should provide more than one housing type (i.e. single-family, townhouses, patio homes, duplex, etc.) with opportunities for people of all ages, and for a variety of incomes.

Not applicable for this rezoning to AR, only six lots would be possible on

60 acres.

4.) *Established subdivisions with lot sizes less than 35 acres that have been properly subdivided and zoned should be discouraged from further subdivision.*

Not applicable, this land is not part of an existing subdivision.

2. *Whether the proposed rezoning is compatible with surrounding land uses* – The proposed rezoning to AR would allow for uses that are compatible with the surrounding area. The site is adjacent to land zoned A, A-2 and AR. The existing homes on platted lots to the east and west are generally of the same density. Both larger and smaller lots exist within ½ mile of the site.

3. *Whether the proposed rezoning would adversely impact the provision of public services* – There were no indications from utility providers that would indicate the inability to provide proper services.

4. *Whether the proposed rezoning would adversely impact the environment* – There were no comments from referral agencies identifying any type of major environmental impact. Existing drainage patterns will be maintained.

5. *Whether the proposed rezoning would create traffic congestion or burden the existing road system* – There were no comments from referral agencies or the county's review that indicate the additional traffic would create a burden to existing roads. The proposed development is estimated to add 60 trips per day to the road system. Ranch Road is a private road that is estimated to have 60 trips per day today. The total trips per day of 120 is less than the threshold of 200 trips for unpaved local roads.

6. *Whether the proposed rezoning will not otherwise be detrimental to the health, safety or welfare of present or future inhabitants of Elbert County.* – This proposal is occurring in an area that already has adequate access to public services. No issues were identified as being detrimental to the health, safety, and welfare of County residents.

FINDINGS & RECOMMENDATION (RZ-16-0015):

Staff recommends that the Planning Commission find that:

1. The proposal in general conformance with the Elbert County Master Plan;
2. The proposal meets the criteria for approval in the Elbert County Zoning Regulations;

3. The proposed land uses are compatible with existing and allowable land uses in the surrounding area because the lot sizes, densities, and uses are comparable to surrounding properties; and
4. The proposed land uses will not result in significant impact to the health, safety, and welfare of the residents and landowners of the surrounding area.

AND

Because this application appears to meet the criteria set forth in the Elbert County Zoning Regulations to be used to evaluate a rezoning application and as staff has seen there is no objection from other governing bodies, Community & Development Services Department recommends that the Planning Commission recommend approval of **RZ-16-0015 COYOTE MEADOWS REZONE - A REQUEST TO REZONE A 60.36 ACRE PROPERTY FROM AGRICULTURE (A) TO AGRICULTURE RESIDENTIAL (AR) IN THE NORTHEAST ¼ OF SECTION 23, TOWNSHIP 7 SOUTH, RANGE 65 WEST OF THE 6TH P.M. IN ELBERT COUNTY, COLORADO** subject to the following conditions:

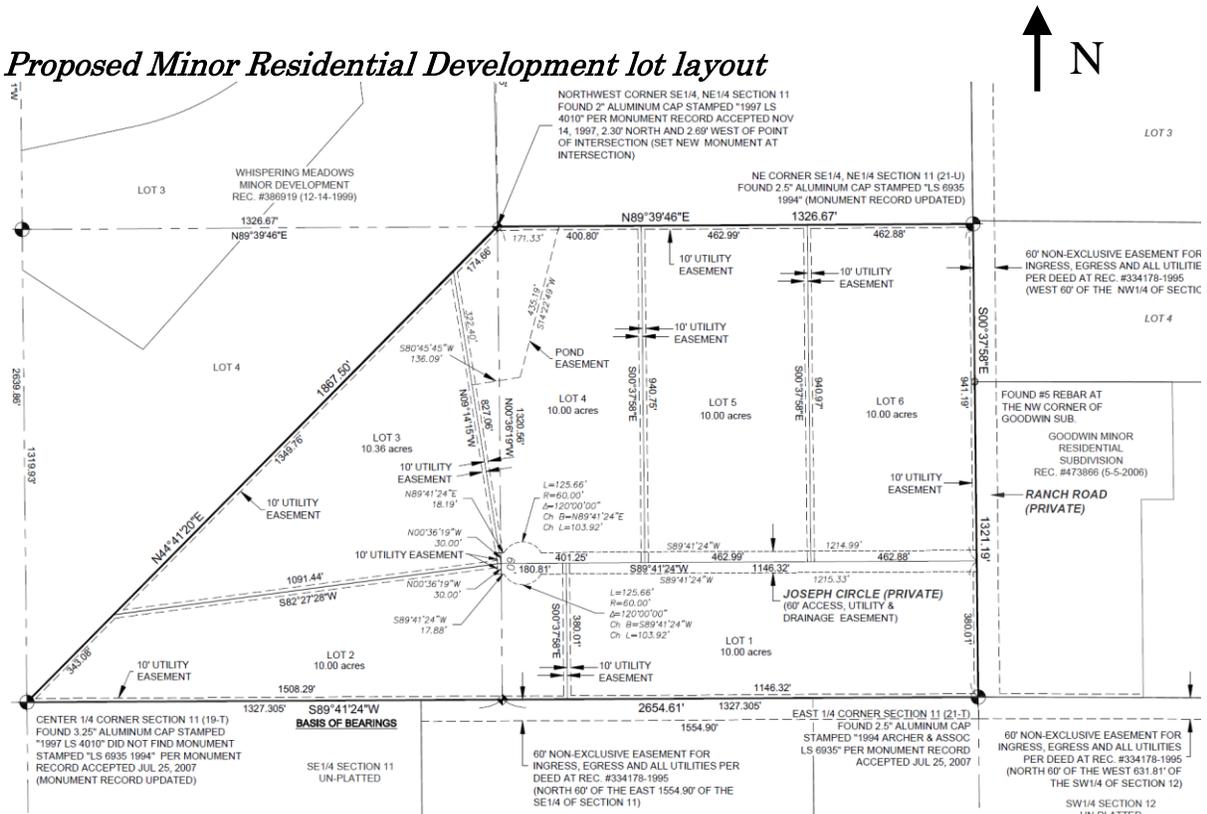
1. The applicant will be required to remove the Public Hearing sign within seven (7) days of a decision by the Board of County Commissioners. A letter to that effect will be placed in the Community & Development Services project file, prior to recording of the Rezone Exhibit; and
2. The rezoning will not become effective until all required fees are paid, conditions of approval are met, and the rezoning exhibit is recorded; and
3. Record action of all appropriate documentation to occur within 180 days of Board of County Commissioners' approval; and
4. Adopt the Findings enumerated herein above.

COYOTE MEADOWS MINOR RESIDENTIAL DEVELOPMENT EVALUATION (MD-16-0016):

An application for a minor residential development (MRD) to create six lots was submitted and the application was reviewed against the proposed zone change to Agriculture Residential zone district.

A MRD is an exemption from the regular subdivision process, but shall comply with the standards for subdivisions. MRDs allow for the creation of between one and seven residential lots, parcels, or tracts, adjoining a public street or road.

Proposed Minor Residential Development lot layout



The Coyote Meadows MRD proposes six lots, ranging in size from 10.00 acres to 10.36 acres. All of the lots are accessed from a new private road named Joseph Circle to be built in a new 60-foot access, utility, and drainage easement. Joseph Circle in turn intersects Ranch Road, an existing private road in a 60-foot easement created in 1995.

During the community meeting, attendees raised concerns that the applicants do not have the right to use Ranch Road beyond the accessing existing single 60-acre property. Two other minor residential developments (Autumn Winds and Goodwin) each expanded the number of homes that access Ranch Road. The easement predated each of these subdivisions and the subdivisions "divided" or "expanded" the use of the easement onto the new lots.

The applicants have submitted opinions from two attorneys that indicate and conclude that the Coyote Meadows landowners DO HAVE THE RIGHT to subdivide the 60 acre site into smaller lots and still access Ranch Road. Copies of these two opinions are included for reference and review.

Based on staff's review of documentation, the chronological order of events relating to Ranch Road are:

- Feb. 1995: Easement created for the use of "all present and future owners" of land in East ½ of Section 11 and all of Section 12.
- August 1995: The right to use the easement is conveyed on the deed to Ables

& Snogren along with the 60 acre property.

- 2002: Autumn Winds Minor Development approved, creating four 10-acre lots. These lots access Singing Hills Road via the same Ranch Road easement. The lots were created from a larger parcel that had rights to the easement.
- 2006: Goodwin Minor Residential Development approved, creating one 10-acre lot with access to Ranch Road. This lot was created from a larger parcel that had rights to the easement.
- 2016: Coyote Meadows MRD submitted for review to create six lots (five new) accessing Ranch Road.

The applicants have drafted a proposed road maintenance agreement for maintenance of Ranch Road. To the understanding of staff, the applicants have been unsuccessful in meeting with and coming to an agreement with the other landowners that take access to Ranch Road on the future maintenance of Ranch Road. The agreement is a private matter between present and future owners who access the road, however, it is in the interest of the County to ensure new lots have a well maintained access. The County will continue to expect that the underlying property owner of private roadways appropriately maintain their access roads so that normal property owner access and emergency access is done.

The county's plat standards require that all subdivisions have access to a public road. There is no stated limitation that access cannot be via a private easement that leads to a public road.

Per the Elbert County Subdivision Regulations Section X.D, the criteria for approving or denying minor residential developments are as follows:

“Community & Development Services shall make written recommendations and findings of fact, as to any minor residential development. The Applicant may respond to such recommendations and findings.”

Compliance with the Subdivision Regulations – The applicant has submitted the required documentation detailed in Section X, C. “Required Submittal Information for Minor Residential Developments” namely:

1. *Proof of ownership* – The applicant has submitted proof that the property is owned by Brian J. Able, Nancy E. Able, and Matthew C. Snogren.
2. *Proof of water availability* – appropriate proof of water availability was submitted and reviewed by the county as well the Colorado Division of Natural Resources. Each lot will have its own independent well.
3. *Responses from established referral/review agencies with the allowed thirty-five (35) day review period.* CDS referred the application to the agencies listed above. All responses received are attached to this report.

4. *Topographic information may be requested of applicant for the site.* The topographic information relating to this MRD is shown on the accompanying rezoning exhibit. The site is gently rolling with no extreme slopes.
5. *A Final Plat, submitted in accordance with the Final Plat requirements.* The applicant submitted a plat prepared for the Coyote Meadows Minor Residential Development in accordance with all applicable plat standards. The plat has been deemed approvable.
6. *Fees.* The applicant has paid all applicable fees to the county, to date and agrees to pay for any remaining limited costs associated with the application as final billings are reconciled.
7. *If taken with a rezoning request, that procedure/process and fee for rezoning is not altered.* The Coyote Meadows MRD has been requested along with a request to rezone from A to AR. The rezoning process was not altered.
8. *Dedication of public land to Elbert County or cash-in-lieu thereof.* The applicant has decided to provide Elbert County with cash-in-lieu of dedication. This is a condition of approval.
9. *Digital submittal as per Map Requirements, see Section XV., A., 10.* – This is a condition of approval.

FINDINGS & RECOMMENDATION (MD-16-0016):

Staff recommends that the Planning Commission find that:

1. The proposal in general conformance with the Elbert County Master Plan;
2. The proposal meets the criteria for approval in the Elbert County Subdivision Regulations;
3. The proposed land uses are compatible with existing and allowable land uses in the surrounding area because the lot sizes, densities, and uses are comparable to surrounding properties; and
4. The proposed land uses will not result in significant impact to the health, safety, and welfare of the residents and landowners of the surrounding area.

AND

Because this application appears to meet the criteria set forth in the Elbert County Subdivision Regulations to be used to evaluate this Minor Residential Development Subdivision application and as staff has seen there is no objection from other governing bodies, Community & Development Services Department recommends

that the Planning Commission recommend approval of **MD-16-0016 COYOTE MEADOWS MINOR RESIDENTIAL DEVELOPMENT - A REQUEST TO CREATE A MINOR RESIDENTIAL DEVELOPMENT OF SIX LOTS ON 60.36 ACRES IN THE NORTHEAST ¼ OF SECTION 23, TOWNSHIP 7 SOUTH, RANGE 65 WEST OF THE 6TH P.M. IN ELBERT COUNTY, COLORADO** subject to the following conditions:

1. Approval of this Minor Residential Development plat is contingent upon rezoning the property from the Agriculture (A) zone district to the Agriculture Residential (AR) zone district.
2. The applicant and the Elizabeth School District #C-1 will comply with Resolution 99-14 prior to the recordation of the plat. A letter from the District shall be provided to CDS prior to recordation.
3. The applicant shall comply with all requirements of the Elizabeth Fire Protection District, including:
 - a. All roads shall be constructed of an approved all-weather surface and shall meet County Road Standards prior to construction.
 - b. Developer shall provide an 8-1/2" by 11" map of the development to the Fire Department to ensure an immediate response.
 - c. A minor development plan review fee of \$312.00 shall be paid prior release of Resolution 99-35.
 - d. The applicant has chosen to provide cash in lieu of in the amount of \$1040/per new lot equaling \$5,200.00 to assist in a similar firefighting project within the immediate area. This cash in lieu shall be paid prior to release of Resolution 99-35.
4. The applicant will be required to remove the Public Hearing sign within seven (7) days of a decision by the Board of County Commissioners. A letter to that effect will be placed in the Community & Development Services project file, prior to recording of the Minor Residential Development Plat.
5. The applicant shall pay to Elbert County the Open space cash-in-lieu fees of \$18,800, prior to recordation of the plat.
6. The minor residential development plat will comply with the submittal requirements specified in the Subdivision Regulations, Section XV including requirements for digital submittal.
7. The applicant shall pay the impact fees, as established by County resolutions in effect at the time this minor residential development is approved.
8. The minor residential development will not become effective until all fees are paid, conditions of approval are met, and documents recorded.

9. Record action of all appropriate documentation to occur within 180 days of Board of County Commissioners' approval.
10. Adopt the Findings enumerated herein above.

Respectfully submitted to and on behalf of Elbert County,



Ethan Watel, AICP
Senior Planner
Baseline Corporation
Contract Planner for Elbert County

CC. Kyle Fenner, Director of Community and Development Services