


STATE OF COLORADO }
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COUNTY OF ELBERT }

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Dallas Schroeder Recorder, Elbert County, Co


At a regular meeting of the Board of County Commissioners for Elbert County, State of Colorado, held at the Elbert County Fairgrounds-Agricultural Building in Kiowa on Wednesday, the 14th day of April, 2021, there were present:

Christopher Richardson	Chair
Grant Thayer	Vice Chair
Rick Pettitt	Commissioner
Amanda Moore	Clerk to the Board

When the following proceedings, among others were had and done, to wit:

**APPROVE
RESOLUTION 21-19**

RZ-20-0062 LINDEN. A REQUEST TO REZONE APPROXIMATELY 35.0 ACRES FROM AGRICULTURE (A) TO AGRICULTURE RESIDENTIAL (AR) ON LAND LOCATED AT 1735 COUNTY ROAD 194, PARKER.

WHEREAS, the applicant, Tom Maroney, on behalf of property owner The Linden H. Scott Sr. Family Trust, has submitted an application (Case No. RZ-20-0062) requesting approval of a Rezone for 35.0 acres; and

WHEREAS, the proposed project is located in part of Section 2, Township 6 South, Range 65, West of the Prime Meridian; and

WHEREAS, the Community and Development Services Department and the Planning Commission made the following Findings related to the applications:

RZ-20-0062 LINDEN

1. The proposal is in general conformance with the Elbert County Comprehensive Plan; and
2. The proposal meets the criteria for approval in the Elbert County Zoning Regulations; and
3. Elbert County Subdivision Regulations are not applicable to this Rezone; and
4. The proposed land use is compatible with existing and allowable land uses in the surrounding area; and
5. The proposed land use will not result in significant impact to the health, safety, and welfare of the residents and landowners of the surrounding area,

WHEREAS, on March 16, 2021, the Planning Commission held a public hearing on this application. At the hearing there were presentations by CDS staff and public comment was



solicited. On a vote of 7 to 0 for RZ-20-0062, the Planning Commission is forwarding their recommendations to the Board of County Commissioners for their consideration; and

WHEREAS, the Board of County Commissioners, having found that this hearing was properly noticed, and having reviewed the recommendations of the Planning Commission, and having reviewed the documentation of the applicant, and having listened to all public comment, and being fully advised in the premise.

BE IT THEREFORE RESOLVED, the Board of County Commissioners does hereby approve **RZ-20-0062 LINDEN** with conditions of approval to include:

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.
2. The Rezone shall not become effective until all fees are paid, conditions of approval are met, and the Rezone Exhibit is recorded; and
3. Recordation of all appropriate documentation to occur within 180 days of Board of County Commissioners' approval.
4. Division of Water Resources provide a referral comment indicating that the Referee Ruling (Case Number: 2020CW3091) filed February 3, 2021 confirms that adequate water can be provided without causing injury.

Upon a motion duly made and seconded, the foregoing resolution was adopted by the following vote:



CHRISTOPHER RICHARDSON



GRANT THAYER



RICK PETTITT



ATTEST: AMANDA MOORE
DEPUTY COUNTY CLERK

BY: 
Deputy Clerk to the Board