

STATE OF COLORADO }  
   } ss  
COUNTY OF ELBERT }

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 16<sup>th</sup> day of June 2021, there were present:

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

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

**APPROVE**  
**RESOLUTION 21- 26**

**RZ-21-0007 PROMISED LAND REZONE. A REQUEST TO REZONE 37.85 ACRES FROM AGRICULTURE (A) TO AGRICULTURE RESIDENTIAL (AR) ON PROPERTY LOCATED AT 41527 COUNTY ROAD 17/21, ELIZABETH.**

**WHEREAS**, the applicant, CJ Kirst, on behalf of the property owner, Smith Living Trust, has submitted an application (Case No. RZ-21-0007) requesting approval of a Rezone for 37.85 acres; and

**WHEREAS**, the proposed project is located in Section 5, Township 7 South, Range 64 West of the 6<sup>th</sup> Prime Meridian, County of Elbert, State of Colorado; and

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

- 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 June 1, 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 6 to 0, the Planning Commission is forwarding their recommendation for approval 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-21-0007 PROMISED LAND REZONE** with conditions of approval to include:

1. The applicant will be required to remove the Public Hearing sign within seven (7) days of approval by the Board of County Commissioners; and
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.

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

  
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**CHRISTOPHER RICHARDSON**

  
\_\_\_\_\_  
**GRANT THAYER**

  
\_\_\_\_\_  
**RICK PETTITT**



ATTEST: **AMANDA MOORE**  
**DEPUTY COUNTY CLERK**

BY:   
**Deputy Clerk to the Board**