



STATE OF COLORADO }  
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COUNTY OF ELBERT }

At a regular meeting of the Board of County Commissioners for Elbert County, State of Colorado, held at the Courthouse in Kiowa on Wednesday, the 10<sup>th</sup> day of September A.D 2014, there were present:

Kurt Schlegel	Commissioner Chairman
Larry Ross	Commissioner Vice Chairman
Robert Rowland	Commissioner
Sheryl Caldwell	Deputy, Clerk to the Board

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

**APPROVE Resolution 14-37**

**EP14-0010 FORAL MINOR DEVELOPMENT AMENDMENT 2-  
EXEMPTION FROM PLATTING-LOT 1A**

**A request to Amend Foral Minor Subdivision Lot 1 to reflect a 10 acre parcel of land, addressed 36250 CR 13 and located in Section 31, Township 7, Range 64 and identified as lot 1A. Applicant requests exemption from the requirements of Elbert County Subdivision Regulations per the exemption criteria within CRS 30-28-101.**

**WHEREAS,** Cody and Michelle Owen (hereinafter “Applicants”) have submitted an application requesting an Exemption from Subdivision for approximately 10 acres of property to create 1 lot; and

**WHEREAS,** the Project is located in Section 31, Township 7 South, Range 64 West; and

**WHEREAS,** the existing zoning is Agriculture, A; and

**WHEREAS,** the Community Development Services Department has made the following Findings related to this application:

- This project has complied with the specified requirements of Section XII, E, of the Subdivision Regulations.
- This project has complied with the specified requirements of the Elbert County Zoning Regulations.
- The applicant has submitted the required documentation to comply with Section XII, E, 3



**WHEREAS**, on August 21, 2014 the Planning Commission held a public hearing on this application. At the hearing they listened to presentations by staff. Elbert County regulations do not require a recommendation from the Planning Commission for an Exemption from Platting application. On a vote of 9 to 0 the Planning Commission forwarded the application to the Board of County Commissioners for disposition.; and

**WHEREAS**, the Board of County Commissioners, having found that this hearing was properly noticed, and having reviewed the recommendations of Community & Development Services, the documentation of the Applicants and public comment, and being fully advised in the premise;

**BE IT THEREFORE RESOLVED**, the Board of County Commissioners do hereby approve EP 14-0010, subject to the following conditions:

1. An easement will be added to the rezone exhibit for the encroachment of the driveway into the adjacent parcel to the south.
2. The applicant will record the Rezone Exhibit within thirty (30) days of the Board of County Commissioner approval.
3. The applicants will be required to remove the public notice sign within seven (7) days of approval by the Board of County Commissioners. A letter to that affect will be placed in the Community and Development Services file, prior to recordation of the Plat Amendment Exhibit
4. The Exemption from Platting will not be effective until all fees are paid, conditions of approval are met, and documents recorded.
5. Adopt the Findings as enumerated herein.

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

  
\_\_\_\_\_ Aye  
**KURT SCHLEGEL, CHAIRMAN**

  
\_\_\_\_\_ Aye  
**ROBERT ROWLAND, VICE CHAIRMAN**

  
\_\_\_\_\_ Aye  
**LARRY ROSS, COMMISSIONER**

**ATTEST: DALLAS SCHROEDER**  
**COUNTY CLERK**

**BY: **  
Deputy, Clerk to the Board

