

100% PLANNING
COMMISSION RECOMMEND
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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 Courthouse in Kiowa on Wednesday, the 18th of November 2015 A.D., there were present:

Robert Rowland	Commissioner Chairman
Kelly Dore	Commissioner Vice Chairman
Larry Ross	Commissioner
Dallas Schroeder	Clerk to the Board

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

RESOLUTION 15 - 24

SU-15-0011 RUKAVINA SPECIAL USE PERMIT – RESOLUTION FOR A SPECIAL USE PERMIT FOR ACADIA EQUINE REHABILITATION CENTER AND ROCKY MOUNTAIN SCHOOL OF ANIMAL ACUPRESSURE AND MASSAGE.

WHEREAS, the applicants, Jennifer Rukavina and Joseph Marchese, request approval for the use of an equine rehabilitation facility and a private animal acupressure and massage school, located at 30522 Longhorn Circle, Elizabeth, Colorado. The site is located in a portion of Section 34, Township 8 South, Range 64 West in Elbert County in the Chisolm , in Southwest Elbert County, on Lot 49A of the Chisolm Amended Subdivision at the intersection of Longhorn Circle and Stage Run trail; and

WHEREAS, the site is located in a portion of Section 34, Township 8 South, Range 64 West, in Elbert County; and

WHEREAS, the existing zoning is Residential Agricultural (RA) and no change in zoning is proposed; and

WHEREAS, the Planning Department has made the following Findings related to this application:

- The applicant for this proposal has complied with the general provisions for Special Use Applications as defined in Part II, Section 17, B, of the Elbert County Zoning Regulations, including all provisions for public notice.
- The application is also in compliance with the specified intent for a horse breeding and boarding facilities in excess of ten (10) animals and public and private schools within the Zoning Regulations; and
- The applicant is not in conflict with the Elbert County Zoning or Subdivision regulations or with the Elbert County Master Plan; and

WHEREAS, on October 20, 2015, the Planning Commission held a public hearing on this project. At the hearing they listened to presentations by staff and the applicant, and solicited public comment. On a vote of 6 to 0 the Planning Commission is forwarding the following recommendation to the Board of County Commissioners for their consideration; and

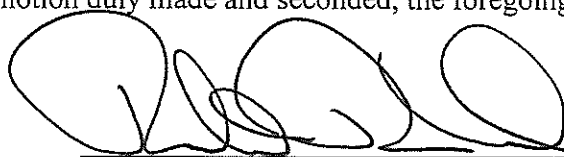


WHEREAS, the Board of County Commissioners, having found that this hearing was properly noticed, and having reviewed the recommendations of the Planning Commission, and having reviewed the documentation of the applicant and listened to the presentation of the applicant and Staff, and having listened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

BE IT THEREFORE RESOLVED, the Board of County Commissioners does hereby approve SU-15-0011 RUKAVINA SPECIAL USE PERMIT FOR ACADIA EQUINE REHABILITATION CENTER AND ROCKY MOUNTAIN SCHOOL OF ANIMAL ACUPRESSURE AND MASSAGE, conditions of approval to include:

1. The applicants will comply with the recommendations of the Elbert County Sheriff's Office contained in a letter dated May 5, 2015. A letter of agreement is to be placed in the CDS file prior to recordation.
2. If at any time the class size exceeds 10 students, or a retail store is open to the public, the applicant will submit such plans and drawings as to satisfy Elizabeth Fire.
3. No more than twenty (20) students will attend classes at the facility at any one time.
4. No more than fifteen (15) rehabilitation horses will be maintained on the property at any given time, provided that the total animals units does not exceed 18.5 animal units as defined by Elbert County Zoning Regulations.
5. Operational hours for Rocky Mountain School of Animal Acupressure and Massage will be restricted to 9am to 5pm.
6. No on-street parking will be allowed in connection with the special use permit. Additional parking spaces will be provided in accordance with an agreement with CDS.
7. The applicants will remove the solid waste from the facility on a daily basis and from the property on a weekly basis.
8. If fifteen (15) or more signed complaints are lodged within a single year, the special use will be reviewed by the County.
9. The Special Use will be recorded with the Elbert County Clerk and Recorder within 180 days of Board of County Commissioners' approval.
10. The requested Special Use will not become effective until all conditions are met, fees paid and documents recorded.
11. Adopt the findings enumerated herein.

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


Aye
ROBERT ROWLAND, CHAIRMAN



Kelly Dore Aye
KELLY DORE, VICE CHAIRMAN

Larry Ross Aye
LARRY ROSS, COMMISSIONER

ATTEST: DALLAS SCHROEDER
COUNTY CLERK

BY: Dallas Schroeder
DALLAS SCHROEDER
Clerk to the Board

