

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 ~~7th~~ ^{21st} day of December A.D. 2016, there were present:

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|------------------|--------------------------|
| Larry Ross | Commissioner, Chair |
| Danny Willcox | Commissioner, Vice Chair |
| Robert Rowland | Commissioner |
| Dallas Schroeder | Clerk to the Board |

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

APPROVE
RESOLUTION 16- 35

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 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 ¼ OF SECTION 11, TOWNSHIP 7 SOUTH, RANGE 65 WEST OF THE 6TH P.M. IN ELBERT COUNTY, COLORADO.

WHEREAS, the applicants, Brian Able, Nancy Able, and Matthew Snogren, have submitted an application (case no. RZ-16-0015) requesting approval to rezone approximately 60.36 acres from Agriculture (A) to Agriculture Residential (AR) for the purposes of creating a six lot minor residential development subdivision; and

WHEREAS, the applicants have submitted an application (case no. MD-16-0016) requesting approval of a minor residential development of six (6) lots on approximately 60.36 acres; and

WHEREAS, the proposed project is located in a the northeast quarter of Section 11, Township 7 South, Range 65 West, of the 6th P.M., in Elbert County; and

WHEREAS, the existing zoning of the site is Agricultural (A); and

WHEREAS, the proposed zoning is Agriculture Residential (AR); and

WHEREAS, on October 18, 2016 and November 15, 2016 the Planning Commission held a



public hearing on these applications. At the hearing there were presentations by Staff and the applicant, and public comment was solicited. On a vote of 6 to 0 (RZ-16-0015) and a vote of 5 to 1 (MD-16-0016) the Planning Commission is forwarding the following recommendations to the Board of County Commissioners for their consideration; and

WHEREAS, the Planning Commission made the following Findings related to the applications:

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 and 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

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.

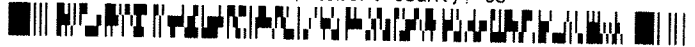
BE IT THEREFORE RESOLVED, the Board of County Commissioners does hereby approve **RZ-16-0015 COYOTE MEADOWS REZONE and MD-16-0016 COYOTE MEADOWS MINOR RESIDENTIAL DEVELOPMENT** with conditions of approval to include:

RZ-16-0015 COYOTE MEADOWS REZONE

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 in the staff report.

MD-16-0016 COYOTE MEADOWS MINOR RESIDENTIAL DEVELOPMENT

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 Finding enumerated in the staff report.

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



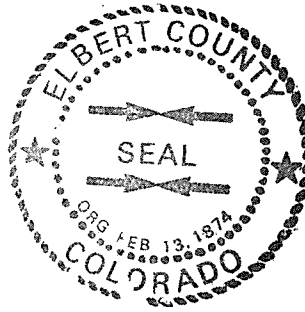
LARRY ROSS, CHAIR Aye


_____ Aye
DANNY WILLCOX, VICE CHAIR


_____ Aye
ROBERT ROWLAND, COMMISSIONER

ATTEST: DALLAS SCHROEDER
COUNTY CLERK

BY: 
Clerk to the Board



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Dallas Schroeder Recorder, Elbert County, Co

