

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 11th day of December, 2019, 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 19- 66**

**RZ-18-0088 CAMERATA HOMES REZONE. A REQUEST TO REZONE AN APPROXIMATELY 50.31 ACRE PROPERTY FROM AGRICULTURE (A) TO AGRICULTURE RESIDENTIAL (AR), ON LAND LOCATED AT 760 COUNTY ROAD 194, PARKER.**

**MD-18-0089 MINOR RESIDENTIAL DEVELOPMENT. A REQUEST TO CREATE A MINOR RESIDENTIAL DEVELOPMENT CONTAINING FIVE LOTS ON APPROXIMATELY 50.31 ACRES.**

**WHEREAS**, the applicant, Jan Knibbe with Camerata Homes, LLC, has submitted an application (#RZ-18-0088) requesting approval to rezone approximately 50.31 acres from Agriculture (A) to Agriculture Residential (AR) zoning; and

**WHEREAS**, the applicant, Jan Knibbe with Camerata Homes, LLC, has submitted an application (#MD-18-0089) requesting approval of a Minor Residential Development containing 5 lots on approximately 50.31 acres; and

**WHEREAS**, the proposed project is located in a portion of Section 3, Township 6 South, Range 65 West of the 6<sup>th</sup> Principal Meridian in Elbert County; and

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

**RZ-18-0088 CAMERATA HOMES REZONE**

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. The Elbert County Subdivision Regulations are not applicable to the rezoning; and
4. The proposed land use is compatible with existing and allowable land uses in the surrounding area; and
5. 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.

**MD-18-0089 CAMERATA MINOR RESIDENTIAL DEVELOPMENT**

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 Subdivision Regulations; and
3. The application is in conformance with the Agriculture Residential zone district, should it be approved, and the approved Minor Variance to the minimum lot area; and
4. The proposed land use is compatible with existing and allowable land uses in the surrounding area; and
5. The proposed land uses will not result in a significant impact to the health, safety, and welfare of the residents and landowners of the surrounding area.

**WHEREAS**, on November 19, 2019 the Planning Commission held a public hearing on this application. At the hearing there were presentations by Staff and the applicant, and public comment was solicited. On a vote of 6 to 0 the Planning Commission forwarded 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-18-0088 CAMERATA HOMES REZONE** with conditions of approval to include:

1. The applicant shall remove the Public Hearing sign within seven (7) days of a decision by the Board of County Commissioners, and
2. The Rezoning will not become effective until all fees are paid, conditions of approval are met, the County Rezone Exhibit and all other required documents are recorded, and
3. Recordation of all appropriate documentation to occur within 180 days of Board of County Commissioners' approval.

**AND BE IT FURTHER RESOLVED**, the Board of County Commissioners does hereby approve **MD-18-0089 CAMERATA HOMES MINOR RESIDENTIAL DEVELOPMENT** with conditions of approval to include:

1. The applicant shall remove the Public Hearing sign within seven (7) days of a decision by

- the Board of County Commissioners; and
2. The Minor Residential Development will not become effective until all fees are paid, conditions of approval are met, and the County required documents are recorded; and
  3. Recordation of all appropriate documentation to occur within 180 days of Board of County Commissioners' approval; and
  4. The subdivision plat shall comply with the submittal requirements in the Elbert County Subdivision Regulations and the applicant shall submit two copies on mylar to Community & Development Services for County signatures and recordation by the Elbert County Clerk and Recorder; and
  5. Cash-in-lieu of land dedication shall be paid to the Douglas County School District prior to recordation of the plat. Douglas County Schools submitted a referral response letter, dated November 5, 2019, which establishes the required total cash-in-lieu amount for the project of \$2,000; and
  6. Impact fees shall be paid to Rattlesnake Fire Protection District in the amount of \$2,897 with the building permit for each home. The developer and builder(s) shall comply with the Rattlesnake Fire Protection District Builders Guide; and
  7. Prior to recording the plat, Elbert Count and the applicant shall enter into a Subdivision Improvement Agreement; and
  8. Elbert County fees for cash-in-lieu of open space dedication (\$37,600) shall be paid to Elbert County prior to recordation of the plat.
  9. Elbert County impact fees (\$4,974/lot) shall be paid to Elbert County at time of building permit.