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 10th day of October, 2018, there were present:

Danny Willcox	Chair
Christopher Richardson	Vice Chair
Grant Thayer	Commissioner
Dallas Schroeder	Clerk to the Board

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

APPROVE
RESOLUTION 18-_____

<u>RZ-17-0047 ATKINSON REZONE</u>. A REQUEST TO REZONE AN APPROXIMATELY 40 ACRE PROPERTY FROM A-AGRICULTURE TO AR-AGRICULTURE RESIDNETIAL.

<u>MD-17-0048 MINOR RESIDENTIAL DEVELOPMENT</u>. A REQUEST TO CREATE A MINOR RESIDENTIAL DEVELOPMENT CONTAINING FOUR LOTS ON APPROXIMATELY 40 ACRES.

WHEREAS, the applicants, Dale & Julie Atkinson, have submitted an application (Case No. RZ-17-0047) requesting approval to rezone approximately 40 acres from A-Agriculture (A) to AR-Agriculture Residential (AR) zoning; and

WHEREAS, the applicants, Dale & Julie Atkinson, have submitted an application (Case No. MD-17-0048) requesting approval of a Minor Residential Development containing 4 lots on approximately 40 acres; and

WHEREAS, the proposed project is located in Section 20, Township 9 South, Range 64 West of the 6th 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:

<u>RZ-17-0047 ATKINSON REZONE</u>
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 this application; and

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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-17-0048 ATKINSON 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 proposal will be in general conformance with the Elbert County Zoning Regulations, if case RZ-17-0047 is approved rezoning the property to AR; 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.

WHEREAS, on August 7, 2018 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 5 to 0 (RZ-17-0047) and a vote of 5 to 0 (MD-17-0048) 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-17-0047 ATKINSON REZONE** with conditions of approval to include:

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, and

2. The Rezoning will not become effective until all fees are paid, including impact fees and cash-in-lieu of land dedications, 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-17-0048 ATKINSON MINOR RESIDENTIAL DEVELOPMENT** with conditions of approval to include:

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, and

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2. The Minor Residential Development will not become effective until all fees are paid, including impact fees and cash-in-lieu of land dedications, conditions of approval are met, and 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. Driveway locations for each lot must meet the separation requirements as defined in the Elbert County Road Standards.

5. The applicant shall comply with all requirements of the Elbert Fire Protection District.

6. The minor residential development plat shall comply with the submittal requirements in the Subdivision Regulations and the applicant shall submit two copies on mylar for recordation at the Elbert County Clerk and Recorder.

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

_____
CHRISTOPHER RICHARDSON

_____
DANNY WILLCOX

_____
GRANT THAYER

ATTEST: **DALLAS SCHROEDER**
COUNTY CLERK

BY:
Clerk to the Board

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