

RESOLUTION NO. 2022-12  
BOARD OF COUNTY COMMISSIONERS  
OF RIO BLANCO COUNTY,  
COLORADO

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF  
RIO BLANCO COUNTY, COLORADO, APPROVING ASPEN ESTATES MINOR SUBDIVISION  
REZONING PRZ-0001-22 IN RIO BLANCO COUNTY, COLORADO**

WHEREAS, Gary G. Oba and Douglas E. Oba (“Applicant”) is requesting a Rezoning of Minor Subdivision PSUB-0001-22 located on CR 17, owned by Gary G. Oba and Douglas E. Oba in Rio Blanco County, Colorado; and

WHEREAS, subject property is located within Sections 17, T1S, R91W, 6<sup>th</sup> P.M., specifically PIN #161917200046; and

WHEREAS, the Applicant has proposed to Rezone five (5) lots from Agricultural-A to Rural Residential-RR; and

WHEREAS, the Planning Commission, at their March 3, 2022 meeting, voted 6 in favor / 0 opposed to recommend to the Board of County Commissioners of Rio Blanco County, Colorado (Board) approval of the ASPEN ESTATES MINOR SUBDIVISION REZONING PRZ-0001-22; and

WHEREAS, the Board has reviewed applicable Colorado Statutes, the Rio Blanco County Master Plan, the Rio Blanco County Land Use Regulation (LUR), the materials submitted on behalf of Gary G. Oba and Douglas E. Oba Applicants, the materials submitted by members of the public at the hearing, the Planning Commission recommendations, and upon notice duly given conducted its own hearing on the Application in Meeker, Colorado on March 22, 2022;

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO FINDS AS FOLLOWS:

- A. The application is complete;
- B. The public hearing before the Board of County Commissioners was extensive and complete, pertinent facts, matters, and issues were submitted, and any interested parties were given an opportunity to be heard at the hearing;
- C. The record is complete;
- D. The proposed Rezoning is in the best interests of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of Rio Blanco County.

THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO:

- A. The ASPEN ESTATES MINOR SUBDIVISION REZONING PRZ-0001-22, is hereby approved.
- B. If any section, subsection, sentence, clause, phrase or portion of this Resolution is, for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The Board of County Commissioners of Rio Blanco County, Colorado declares that it would have adopted this Resolution and

- A. The ASPEN ESTATES MINOR SUBDIVISION REZONING PRZ-0001-22, is hereby approved.
- B. If any section, subsection, sentence, clause, phrase or portion of this Resolution is, for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The Board of County Commissioners of Rio Blanco County, Colorado declares that it would have adopted this Resolution and each section, subsection, sentence, clause, phrase, or portion herein, despite the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions would be declared invalid or unconstitutional.
- D. Approval of this Rezoning constitutes approval of a site-specific development plan which establishes a vested property right, as provided by §24-68-101 C.R.S., et.seq. This vested right is valid for a period of 3 years from the date of publication of this approval. The Planning Department of Rio Blanco County, Colorado, will publish notice of this approval and vested right in the Meeker Herald as soon as possible.

DULY MOVED, SECONDED, AND PASSED ON A VOTE OF  2  FOR AND  0  AGAINST, THIS 22nd DAY OF MARCH, 2022.

THE BOARD OF COUNTY COMMISSIONERS OF  
RIO BLANCO COUNTY, COLORADO

ATTEST:

  
Boots Campbell  
Clerk to the Board

By:   
Ty Gates, Chairman



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Jeff Rector, Commissioner

  
Gary Moyer, Commissioner