

RESOLUTION NO. 2013-44
BOARD OF COUNTY COMMISSIONERS
OF RIO BLANCO COUNTY,
COLORADO

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
RIO BLANCO COUNTY, COLORADO,
APPROVING CONDITIONAL USE PERMIT 13-4 AUTHORIZING CONSTRUCTION
OF A SECOND RESIDENCE ON A PARCEL OF LAND OWNED BY RUSSELL
RANCH LLP, IN RIO BLANCO COUNTY, COLORADO**

WHEREAS, Russell Ranch LLP is requesting a Conditional Use Permit 13-4 to authorize construction of a second residence on its property located at 1246 County Road 8, in Rio Blanco County; and

WHEREAS, the Rio Blanco County Planning Commission conducted a public hearing on the Application on August 22, 2013 upon notice duly given and there was no second meeting; and

WHEREAS, the Planning Commission, at the August 22, 2013 meeting, voted 6 for / 0 against to recommend to the Board of County Commissioners of Rio Blanco County, Colorado (Board) approval of the Conditional Use Permit subject to all mitigation measures described in the July 8, 2013 Application; and

WHEREAS, the Board has reviewed applicable Colorado Statutes, the Rio Blanco County Master Plan, the Rio Blanco County Land Use Resolution (LUR), the materials submitted by Russell Ranch LLP, 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 September 9, 2013;

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 property is appropriately zoned;
- D. The Conditional Use Permit application meets the requirements of Sections 54, and 224 of the LUR as well as all relevant standards specified in Article X of the LUR;
- E. The record is complete;
- F. The proposed Conditional Use Permit 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 THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY:

A. The Russell Ranch LLP Conditional Use Permit 13-4, is hereby approved, subject to all mitigation measures described in the July 8, 2013 Application.

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.

C. Approval of this conditional use permit constitutes approval of a site specific development plan which establishes a vested property right, as provided by CRS 24-68-101 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 3 FOR AND 0 AGAINST, THIS 9th DAY OF SEPTEMBER 2013.

ATTEST:



Nancy R. Amick
Nancy R. Amick
Clerk to the Board

THE BOARD OF COUNTY
COMMISSIONERS OF
RIO BLANCO COUNTY, COLORADO

By: Shawn J. Bolton
Shawn J. Bolton, Chairman

Jon D. Hill
Jon D. Hill, Commissioner

Jeffrey D. Eskelson
Jeffrey D. Eskelson, Commissioner