

RESOLUTION NO. 2013- 46
BOARD OF COUNTY COMMISSIONERS
OF RIO BLANCO COUNTY,
COLORADO

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
RIO BLANCO COUNTY, COLORADO, APPROVING THE FINAL PLAT FOR
ETCHART MEADOWS MINOR SUBDIVISION 13-2,
IN RIO BLANCO COUNTY, COLORADO**

WHEREAS, John and Sheryl Etchart are requesting approval of Etchart Meadows Minor Subdivision 13-2 authorizing the creation of a one lot subdivision in order to construct a second residence on their property located at 69116 State Highway 64, in Section 27, T1N, R95W, 6th P.M., in Rio Blanco County; and

WHEREAS, the Rio Blanco County Planning Commission conducted a public hearing on the Application on September 12, 2013 upon notice duly given and

WHEREAS, the Planning Commission, at the September 12, 2013 meeting, voted 7 for / 0 against to recommend to the Board of County Commissioners of Rio Blanco County, Colorado (Board) approval of the Minor Subdivision subject to all mitigation measures described in the June 25, 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 John and Sheryl Etchart, 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 23, 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 record is complete;
- E. The proposed Minor Subdivision 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 Etchart Meadows Minor Subdivision 13-2, is hereby approved, subject to all mitigation measures described in the June 25, 2013 Application.

B. A variance from the Open Space requirement and a variance from the base flood elevation requirement for subdivisions are hereby approved in accordance with Section 223 of the Rio Blanco County Land Use Resolution.

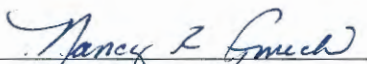
C. If any section, subsection, sentence, clause, phrase or portion of this Resolution is, for any reason, held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The 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 minor subdivision 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 23rd DAY OF SEPTEMBER 2013.

THE BOARD OF COUNTY
COMMISSIONERS OF
RIO BLANCO COUNTY, COLORADO

ATTEST:



Nancy R. Amick
Clerk to the Board

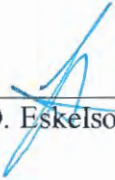
By: 

Shawn J. Bolton, Chairman





Jon D. Hill, Commissioner



Jeffrey D. Eskelson, Commissioner