

RESOLUTION NO. 2014- 16  
BOARD OF COUNTY COMMISSIONERS  
OF RIO BLANCO COUNTY,  
COLORADO

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF  
RIO BLANCO COUNTY, COLORADO, APPROVING WALT BROWN MINOR  
SUBDIVISION 14-01,  
IN RIO BLANCO COUNTY, COLORADO**

WHEREAS, JSC, Inc., representing Walt Brown (“Applicant”) is requesting approval of the Walt Brown Minor Subdivision 14-1 authorizing the division of 20.14 acres parcel into three (3) lots located at 38723 Highway 13, in Section 29, T1N, R94W, 6<sup>th</sup> P.M., in Rio Blanco County; and

WHEREAS, the Applicant is also requesting a variance from the Open Space requirement since the property is both commercial and industrial in use; and

WHEREAS, the zoning will stay the same with Lots 2 and 3 being Mixed Commercial and Lot 1 being Moderate Industrial, This will result in split zoning on Lot 1; and

WHEREAS, the Applicant has requested a Rezoning to align the zoning boundaries with the proposed lot boundaries. This is on a future schedule; and

WHEREAS, the Rio Blanco County Planning Commission conducted a public hearing on the Application on May 1, 2014 upon notice duly given and

WHEREAS, the Planning Commission, at the May 1, 2014 meeting, voted 6 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 February 27, 2014 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 JSC, Inc., representing Walt Brown, 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 May 01, 2014;

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 Walt Brown Minor Subdivision 14-1, is hereby approved, subject to all mitigation measures described in the February 27, 2014 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 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 19<sup>th</sup> DAY OF MAY 2014.

ATTEST:



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

THE BOARD OF COUNTY  
COMMISSIONERS OF  
RIO BLANCO COUNTY, COLORADO

By: Jon D. Hill  
Jon D. Hill, Chairman

Jeffrey D. Eskelson, Commissioner

Shawn J. Bolton, Commissioner