

RESOLUTION NO. 2015- 18
BOARD OF COUNTY COMMISSIONERS
OF RIO BLANCO COUNTY, COLORADO

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF RIO
BLANCO COUNTY, COLORADO, APPROVING THE LEVY CONDITIONAL
USE PERMIT 15-01 AT 550 COUNTY ROAD 54 IN SECTION 27,
T1S, R92W, 6TH P.M., IN RIO BLANCO COUNTY, COLORADO**

WHEREAS, William and Marcia Levy (“Applicants”) have applied for a Conditional Use Permit to allow a second residence, for a total of two, at 550 County Road 54, Meeker, Colorado, in Section 27, T1S, R92W, 6th P.M., in Rio Blanco County, Colorado; and

WHEREAS, the Rio Blanco County Planning Commission conducted a public hearing on the Levy Conditional Use Permit 15-01 application on May 28, 2015, upon notice duly given; and

WHEREAS, the Planning Commission, at the May 28, 2015 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 15-01 subject to mitigations described in the application and supporting materials; and

WHEREAS, the Board of County Commissioners has reviewed applicable Colorado Statutes, the Rio Blanco County Master Plan, the Rio Blanco County Land Use Resolution, the materials submitted by the Applicant, the materials submitted by members of the public at the various hearings, the Planning Commission recommendations, and upon notice duly given conducted its own hearing in Meeker on the Special Use Permit Application on June 8, 2015, upon notice duly given;

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

- A. The application is complete;
- B. The application meets the requirements of Sections 54 and 224 of the Land Use Resolution (LUR) as well as all relevant standards specified in Article X of the LUR;
- C. The public hearing before the Board 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;
- D. The parcel is appropriately zoned;
- E. The record is complete;

- F. The proposed Special Use Permit would not negatively affect 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 Levy Conditional Use Permit 15-01 is hereby approved, as presented, subject to all conditions and mitigations described in the application and no conditions.
- 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 parcel 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 8th DAY OF JUNE, 2015.



ATTEST:

Treasa A. Ellis Deputy
~~Boots M. Campbell~~
Clerk and Recorder
TREASA A. Ellis Deputy

BOARD OF COUNTY COMMISSIONERS OF
RIO BLANCO COUNTY, COLORADO

By: *[Signature]*
Jeffrey D. Eskelson, Chairman

[Signature]
Shawn J. Bolton, Commissioner

[Signature]
Jon D. Hill, Commissioner