

RESOLUTION NO. 2015- 29  
BOARD OF COUNTY COMMISSIONERS  
OF RIO BLANCO COUNTY,  
COLORADO

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF  
RIO BLANCO COUNTY, COLORADO, APPROVING J. ABBOTT SUBDIVISION  
EXEMPTION 15-01 IN RIO BLANCO COUNTY, COLORADO**

WHEREAS, JSC, Inc., representing J. Abbott (“Applicant”) is requesting a Subdivision Exemption located at 71855 Highway 64, owned by Jarod and Jessica Abbott in Rio Blanco County, Colorado; and

WHEREAS, subject property is located in Section 30, Township 1 North, 94 West, of the 6<sup>th</sup> Principal Meridian, specifically PIN # 140919300442; and

WHEREAS, the subject property does not meet the statutory definition of “subdivision” under Colorado Revised Statutes 30-28-101 (10) (d), allowing the applicant to sever an existing parcel on the North side of Highway 64, creating a new parcel on the South side of Highway 64; and the property is currently zoned Agriculture; 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 J. Abbott (applicant), the materials submitted by members of the public at the hearing; and

WHEREAS, at the public hearing, based upon the evidence and testimony presented therein, the Board of County Commissioners of Rio Blanco County, made a finding that the proposed division of land was is a division of land that could be created by a court pursuant to the law of eminent domain as provided for by Colorado Revised Statutes § 30-28-101(10) (c) (II) and not within the purposes of the subdivision regulations.

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 Minor Subdivision Exemption 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 J. Abbott Subdivision Exemption 15-01, 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.


DULY MOVED, SECONDED, AND PASSED ON A VOTE OF 3 FOR AND 0 AGAINST, THIS 28 DAY OF SEPTEMBER 2015.

THE BOARD OF COUNTY  
COMMISSIONERS OF  
RIO BLANCO COUNTY, COLORADO


ATTEST:

  
Boots Campbell  
Clerk to the Board

By:   
Jeffrey D. Eskelson, Chairman

  
Shawn J. Bolton, Commissioner



  
Jon D. Hill, Commissioner