

RESOLUTION NO. 2015- 35  
BOARD OF COUNTY COMMISSIONERS  
OF RIO BLANCO COUNTY, COLORADO

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF RIO  
BLANCO COUNTY, COLORADO, APPROVING THE JAMES AND AMY KILDUFF  
REZONING 15-02 AT 1354 COUNTY ROAD 36 IN RIO BLANCO COUNTY,  
COLORADO**

WHEREAS, James and Amy Kilduff ("Applicants"), are requesting approval to rezone the property from Agricultural to Rural Residential. The property is located at 1354 County Road 36, Meeker Colorado in Section 35, Township 1N, Range 94W, PIN # 140935400513; and

WHEREAS, the Applicant is proposing to rezone the Property from Agricultural to Rural Residential to be consistent with the surrounding zoning and be in compliance with the Rio Blanco County Land Use Resolution; and

WHEREAS, the Planning Commission, at the September 24, 2015 hearing, voted 4 for/0 against to recommend to the Board of County Commissioners of Rio Blanco County, Colorado ("Board") approval of the Kilduff Rezoning 15-02; 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 James and Amy Kilduff (applicants), 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 October 12, 2015;

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 rezone 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 by the Board of County Commissioners of Rio Blanco County, Colorado:

- A. The James & Amy Kilduff Rezone 15-02, 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.

- C. Approval of this rezone 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 12 DAY OF OCTOBER 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