

RESOLUTION NO. 2015- 36
BOARD OF COUNTY COMMISSIONERS
OF RIO BLANCO COUNTY, COLORADO

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF RIO
BLANCO COUNTY, COLORADO, APPROVING COMMNET INC., SPECIAL USE
PERMIT 15-04 MEEKER WEST TOWER AT 71735 HIGHWAY 64
IN RIO BLANCO COUNTY, COLORADO**

WHEREAS, Commnet Inc. ("Applicant"), are requesting a Special Use Permit for property located at 71735 Highway 64, owned by Gary and Elizabeth Moyer in Rio Blanco County, Colorado; and.

WHEREAS, the subject property is located in Section 13, Township 1 North, Range 85 West, of the 6th Principle Meridian, specifically PIN# 1409182000402; and

WHEREAS, the Planning Commission, at the October 08, 2015 hearing, voted 5 for/0 against to recommend to the Board of County Commissioners of Rio Blanco County, Colorado ("Board") approval of Special Use Permit 15-04; 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 Commnet Inc., (applicant), 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;

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 Special Use Permit 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 Meeker West Tower Special Use Permit 15-04, 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 Special Use Permit 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 26th 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