

RESOLUTION NO. 2016-06
BOARD OF COUNTY COMMISSIONERS
OF RIO BLANCO COUNTY, COLORADO

RESOLUTION: 2016-06 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO, APPROVING COMMNET FOUR CORNERS, LLC OAKRIDGE SPECIAL USE PERMIT PSUP 0006-16 LOCATED AT 11808 COUNTY ROAD 8, MEEKER, RIO BLANCO COUNTY, COLORADO

WHEREAS, Commnet Four Corners, LLC ("Applicant") is requesting a Special Use Permit on property owned by Pollard Ranch, LLC in Rio Blanco County, Colorado and described on Exhibit A attached hereto; and

WHEREAS, the subject property is located in Section 32, Township 1 South, North, Range 92 West, of the 6th Principal Meridian, specifically PIN#162117300020; and

WHEREAS, the Applicant has proposed to install a wireless communication site, which includes a 60' tower with 3 RF panels within a 50 ft. x 50 ft. fenced compound; and

WHEREAS, the Planning Commission, at the February 25, 2016 meeting, voted 5 for/ 0 against to recommend to the Board of County Commissioners of Rio Blanco County, Colorado (Board) approval of the Special Use Permit PSUP-0006-16; 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 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 on March 14, 2016.

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

- A. The application is complete;
- B. The public hearings before the Board were 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 Commnet Four Corners, LLC, Oakridge Tower Special Use Permit PSUP-0006-16, 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 C.R.S. 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 Herald Times as soon as possible.

DULY MOVED, SECONDED, AND PASSED ON A VOTE OF 2 FOR AND 0 AGAINST, THIS 14th DAY OF MARCH 2016.

BOARD OF COUNTY COMMISSIONERS OF
RIO BLANCO COUNTY, COLORADO

ATTEST:


Boots Campbell
Clerk and Recorder

By: 
Shawn J. Bolton, Chairman


Jon D. Hill, Commissioner

Jeffrey D. Eskelson, Commissioner



EXHIBIT A

A PARCEL LYING WITHIN A PORTION OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 32, TOWNSHIP 1 SOUTH, RANGE 92 WEST OF THE 6TH P.M., COUNTY OF RIO BLANCO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 32, HAVING COLORADO STATE PLANE (NORTH ZONE) COORDINATES OF NORTHING 1225904.13 AND EASTING 2374210.77; THENCE ON A GRID BEARING OF S29°34'28"W, A GRID DISTANCE OF 1,791.51 FEET TO THE POINT OF BEGINNING, HAVING A COLORADO STATE PLANE (NORTH ZONE) COORDINATES OF NORTHING 1224346.03 AND EASTING 2373326.56; THENCE S57°10'23"W , 50.00 FEET; THENCE N32°49'37"W, 36.11 FEET TO A POINT HERINAFTER REFERRED TO AS POINT "A" THENCE CONINUING N32°49'37"W, 9.89 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "B"; THENCE CONTINUING N32°49'37"W, 4.00 FEET; THENCE N57°10'23"E, 50.00 FEET; THENCE CONTINUING S32°49'37"E, 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,500 SQ. FT. OR 0.057 ACRES MORE OR LESS TOGETHER WITH A 30 FOOT WIDE ACCESS EASEMENT TO SITE FROM CR8.