

RESOLUTION NO. 2017-10
BOARD OF COUNTY COMMISSIONERS
OF RIO BLANCO COUNTY,
COLORADO

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
RIO BLANCO COUNTY, COLORADO, APPROVING RIO BLANCO COUNTY POLLARD TOWER
LIMITED IMPACT REVIEW PLIR-0002-17 IN RIO BLANCO COUNTY, COLORADO**

WHEREAS, Rio Blanco County ("Applicant") is requesting a Limited Impact Review PLIR-0002-17 on property shown on Exhibit A in Rio Blanco County, Colorado; and

WHEREAS, the subject property is located in SW/SW of Section 28, Township 1 South, Range 92 West of the 6 Principal Meridian., specifically PIN#162117000020; and

WHEREAS, the Applicant has proposed to install a broadband telecommunication site, which includes a 90 foot tower, backup generator, with one equipment shelter and room for 2 future shelters within a 100 ft. x 100 ft. fenced compound; and

WHEREAS, the owner of the property is Pollard Ranch LLC; and

WHEREAS, the lease and access pursuant to lease and expansion of use are contained in the provisions of the Amendment to Pollard Hill Communication Tower Site Lease Agreement dated November 30, 2016; and

WHEREAS, the Board of County Commissioners has reviewed applicable Colorado Statutes, the Rio Blanco County Master Plan, the Rio Blanco County Land Use Regulation (LUR), the materials submitted by Rio Blanco County, the materials submitted by members of the public at the hearing;

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 Limited Impact Review 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:

The Rio Blanco County Pollard Tower PLIR-0002-17, is hereby approved with the following conditions:

- 1. All representations made by the Applicant in the application shall be conditions of approval, unless specifically altered by the Board of County Commissioners.
- 2. The operation of the facility shall be done in accordance with all applicable Federal, State, and Local regulations governing the operation of this type of use.

3. A 5 foot space cleared of all vegetation shall be maintained surrounding the wooden fence for fire protection.
4. 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.
5. Approval of this Limited Impact Review constitutes approval of a site specific development plan which establishes a vested property right, as provided by §24-68-101 C.R.S., 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 20 DAY OF MARCH, 2017.

THE BOARD OF COUNTY COMMISSIONERS OF
RIO BLANCO COUNTY, COLORADO

ATTEST:


Boots Campbell
Clerk to the Board



By: 
Shawn J. Bolton, Chairman


Jeff Rector, Commissioner


Si Woodruff, Commissioner

Exhibit A

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN THE SW1/4SW1/4 OF SECTION 28, T1S, R92W OF THE 6TH P.M., RIO BLANCO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER (NO. 6 REBAR AND ALUMINUM CAP RLS 11725) OF SAID SECTION 28, WHENCE THE WEST ONE-QUARTER CORNER (ORIGINAL STONE MONUMENT) OF SAID SECTION 28, BEARS N02°34'00"W, 2777.28 FEET;

THENCE N13°05'25"E, 482.31 FEET TO THE TRUE POINT OF BEGINNING;

THENCE N02°34'00"W, 100.00 FEET;

THENCE N87°26'00"E, 100.00 FEET;

THENCE S02°34'00"E, 100.00 FEET;

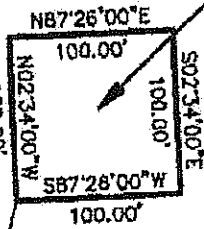
THENCE S87°26'00"W, 100.00 FEET TO THE POINT OF BEGINNING. CONTAINING 0.23 ACRES OR 10,000 SQUARE FEET MORE OR LESS AND BEING SUBJECT TO ANY EASEMENTS AND/OR RIGHTS-OF-WAY OF RECORD.

RBC SHERIFF

POLLARD TOWER SITE
 LYING IN SW1/4SW1/4, SECTION 28, T1S, R92W OF THE 6TH P.M.
 RIO BLANCO COUNTY, COLORADO

W1/4 COR SEC. 28
 FOUND STONE

0.23± ACRES
 10,000 SQ. FT.



S02°34'00\"/>
 (BEARING BASED)

S17°55'25\"/>
 482.57'

SW1/4SW1/4,
 SECTION 28, T1S,
 R92W 6TH P.M.

SW COR SEC. 28
 FOUND NO. 8 REBAR AND
 ALUMINUM CAP PLS 11725

SEC. 29 SEC. 28
 SEC. 32 SEC. 33



SCALE: 1" = 100 U.S. SURVEY FEET

RBC SURVEYOR		DRAWN BY	BAK
P.O. BOX 1153 MEEKER, CO 81641		DATE	4-5-2012
PHONE: (970) 878-5292 FAX: 878-5392		JOB NO.	15-301
		CHECKED BY	JLJ