

RESOLUTION NO. 2017- 14
BOARD OF COUNTY COMMISSIONERS
OF RIO BLANCO COUNTY,
COLORADO

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
RIO BLANCO COUNTY, COLORADO, APPROVING BELLAND MINOR SUBDIVISION PSUB-
0001-17 IN RIO BLANCO COUNTY, COLORADO**

WHEREAS, JSC, Inc., representing Jerome A. Belland and Julianne P. Belland (“Applicants”) is requesting a Minor Subdivision PSUB-0001-17 located at East Market Street and Highway 13, owned by Jerome A. Belland and Julianne P. Belland in Rio Blanco County, Colorado; and

WHEREAS, subject property is located in Section 23, Township 1 North, 94 West, of the 6th Principal Meridian, specifically PIN # 140923400290; and

WHEREAS, the Applicant has proposed to subdivide a 2.98 acre parcel into three (3) lots. The property is currently zoned Commercial.

WHEREAS, the Planning Commission, at their March 23, 2017 meeting, voted 5 for / 0 against to recommend to the Board of County Commissioners of Rio Blanco County, Colorado (Board) approval of the Minor Subdivision PSUB-0001-17 with the condition that proper fencing be put in place at the start of construction and left in place for trash control on the west side of lot two (2); and

WHEREAS, the Board has reviewed applicable Colorado Statutes, the Rio Blanco County Master Plan, the Rio Blanco County Land Use Regulation (LUR), the materials submitted by JSC, Inc., representing the 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 March 23, 2017;

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 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 Belland Minor Subdivision PSUB-0001-17, is hereby approved with the following conditions:

1. Proper temporary fencing must be put in place at the start of construction and left in place for trash control on the west side of lot two (2).
 2. All representations made by the Applicants in their application are conditions of approval.
 3. Access road shown on the plat must be constructed and completed before lots may be listed for sale or sold.
- 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 Minor Subdivision 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 10th DAY OF APRIL, 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