

RESOLUTION NO. 2017- 16
BOARD OF COUNTY COMMISSIONERS
OF RIO BLANCO COUNTY, COLORADO

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF RIO BLANCO COUNTY, COLORADO,
APPROVING THE SLEEPY CAT RANCH, LLC REZONING PRZ-0004-16**

WHEREAS, the Board of County Commissioners of Rio Blanco County, Colorado, received a Rezoning Application from Sleepy Cat Ranch, LLC for a 35.32 +/- acre parcel located East of County Road 54 and South of the White River in Section 23, Township 1 South, Range 92 West of the 6th P.M., Rio Blanco County, Colorado; and

WHEREAS, the Rezoning Application requests that the subject parcel be changed from Agriculture to Rural Residential; and

WHEREAS, the subject parcel is legally described in a Special Warranty Deed recorded at Reception #312649 in the records of the Rio Blanco County Clerk and Recorder; and

WHEREAS, A Public Hearing was held by the Rio Blanco County Planning Commission on April 6, 2017 at which time the Planning Commission voted unanimously to forward a recommendation to the Board of County Commissioners to approve the requested rezoning; and

WHEREAS, on April 24, 2017 the Board of County Commissioners opening a public hearing upon the question of whether the rezoning application should be approved, approved with conditions, or denied, at which hearing the public and interested persons were given the opportunity to express their opinions regarding the rezoning application; and

WHEREAS, the Board of County Commissioners closed the public hearing on April 24, 2017; and

WHEREAS, the Board has reviewed applicable Colorado Statutes, the Rio Blanco County Master Plan, the Rio Blanco County Land Use Regulations (LUR), the materials submitted by Western Slope Consulting, representing Sleepy Cat Ranch, LLC, (applicant), the Planning Commission recommendations, the materials submitted by members of the public at the hearing on the Application held by the Board, in Meeker, Colorado on April 24, 2017, upon notice duly given,

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

- A. The application is complete.

- B. Proper public notice was provided as required by law and the 2016 Rio Blanco County Land Use Regulations.
- C. 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;
- D. The record is complete.
- E. The application meets the requirements of the 2016 Rio Blanco County Land Use Regulations.
- F. The application is in general conformance with the Rio Blanco County Master Plan of 2011.
- G. For the above stated and other reasons the request to rezone the subject parcel 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:

1. The Sleepy Cat Ranch, LLC Rezoning PRZ 0004-16, is hereby approved.
2. The Property described on Exhibit "A" attached hereto and incorporated herein is rezoned from Agricultural to Residential.
3. All representations made by the Applicant are conditions of approval, unless specifically altered by the Board of County Commissioners.
4. The Rio Blanco County Zoning Map is ordered as amended to reflect this rezoning.
5. 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.

6. 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 24th DAY OF April 24, 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