Commissioner Rosier moved that the following Resolution be adopted:

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF THE COUNTY OF JEFFERSON

STATE OF COLORADO

RESOLUTION NO. CC11-71

Case No. 10-117532RZ	Map No. 255 & 256
Owner/Applicant:	Elk Creek Properties LLC, Ronald P. Lewis and Carol J. Lewis
Location:	32795, 32784, 32745 & 32234 Fish Pond Way Section 31 & 32, Township 6 South, Range 71 West
From:	Agricultural-Two (A-2)
To:	Planned Development (PD)
Purpose:	To rezone from Agricultural-Two (A-2) to Planned Development (PD) to allow a mixture of uses including single family residential, camping, limited commercial, recreation, and open space uses.
Approximate Area:	57.142 Acres

WHEREAS, Elk Creek Properties LLC, Ronald P. Lewis and Carol J. Lewis filed an application with the Planning and Zoning Division of Jefferson County to rezone the subject property from Agricultural-Two to Planned Development to allow a mixture of uses including single family residential, camping, limited commercial, recreation and open space uses; and

WHEREAS, a public hearing was held by the Jefferson County Planning Commission on February 9, 2011, continued from February 2, 2011, at which time the Planning Commission, by formal resolution, recommended approval with conditions of a revised Official Development Plan which eliminated the camping uses and replaced the camping uses with open space; and

WHEREAS, after notice as provided by law, a public hearing was held by this Board on March 1, 2011; and

WHEREAS, based on the study of the Comprehensive Master Plan and the Zoning Resolution, recommendations of the Jefferson County Planning Commission, recommendations of the Jefferson County Planning and Zoning Division, comments of public officials and agencies, and testimony and written comments from all interested parties, this Board finds as follows:

1. That proper posting, publication and public notice were provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners of Jefferson County.

2. That the hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, that all pertinent facts, matters and issues were submitted and that all interested parties were heard at those hearings.

3. The proposal is in general conformance with the Comprehensive Master Plan and the Conifer/285 Corridor Area Community Plan because it meets all applicable sections of the Plans' policies.

4. The proposed land uses are compatible with existing and allowable land uses in the surrounding area because all potential impacts have been mitigated.

5. The proposed land uses will not result in significant impacts to the health, safety, and welfare of the residents and landowners in the surrounding area.

6. That each of the factors set forth above is adequate independently to support this resolution.

7. The subject property is served by the Elk Creek Fire Department, Well/Centralized Water System to be formed prior to Platting and Private Septic System (Sewer).

8. No known commercial mineral deposits exist on the subject property.

NOW, THEREFORE, BE IT RESOLVED that Rezoning Case No. 10-117532RZ to rezone from Agricultural-Two to Planned Development the following described unincorporated area of Jefferson County, attached hereto as Exhibit A, be and hereby is APPROVED with the following conditions:

a. Revisions to the Official Development Plan in accordance with the red marked print dated March 22, 2011.

EXHIBIT A

Case No. 10-117532RZ

Legal Description

Street Location of Property 12833 Elk Creek Road
Is there an existing structure at this address? Yes X No_____

Type the legal description and address below.

Lots 1, 2, 3, and 4, of the Minor Amendment known as Sec. 31 and 32, T6S, R71W, 04-117254MA. All said lots are located in Township 6 South, Range 71 West of the 6th Principle Meridian, , in the County of Jefferson, State of Colorado.
Recorded March 14, 2005 at Reception Number F2184883.
Said Lots containing 57.142 Acres, more or less.

Advise of Ortho Map No. 255 & 256 Section 31 & 32 Township 6 S. Range 71 W.
Calculated Acreage 57.142 Acres Checked by: Ben Hasten
Address Assigned (or verified) 12833 Elk Creek Road

Commissioner Odom seconded the adoption of the foregoing Resolution. The roll having been called, the vote was as follows:

Commissioner Donald Rosier	Aye
Commissioner John Odom	Aye
Commissioner Faye Griffin, Chairman	No

The Resolution was adopted by majority vote of the Board of County Commissioners of the County of Jefferson, State of Colorado.

Dated: March 22, 2011