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. CC11-189

Case No. 11-102629RZ	Map No. 176
Owners/Applicants	Barry T. Ogden and Diana L. Ogden
Location:	27659 State Highway 74 Section 10, Township 5 South, Range 71 West
From:	Commercial-One (C-1)
To:	Planned Development (PD)
Purpose:	To rezone from Commercial-One (C-1) to Planned Development (PD) to add moving truck/trailer rentals to the allowed uses.
Approximate Area:	0.46 Acres

WHEREAS, Barry T. Ogden and Diana L. Ogden filed an application with the Planning and Zoning Division of Jefferson County to rezone the subject property from Commercial-One to Planned Development to add moving truck/trailer rentals to the allowed uses; and

WHEREAS, a public hearing was held by the Jefferson County Planning Commission on April 27, 2011, at which time the Planning Commission, by formal resolution, recommended approval with conditions of the subject rezoning application; and

WHEREAS, after notice as provided by law, a public hearing was held by this Board on May 17, 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 Evergreen Community Plan because it meets all applicable sections of the Plans' policies; except for visual resources policies pertaining to integration of the property into the natural environment of the area.

4. The proposed land uses are compatible with existing and allowable land uses in the surrounding area because it is surrounded by commercial and institutional uses.

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 Evergreen Fire District and Evergreen Metropolitan District.

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

NOW, THEREFORE, BE IT RESOLVED that Rezoning Case No. 11-102629RZ to rezone from Commercial-One to Planned Development the following described unincorporated area of Jefferson County, attached hereto as Exhibit A, be and hereby is APPROVED subject to the following condition:

a. Revisions to the Official Development Plan in accordance with the red-marked print dated May 17, 2011.

EXHIBIT A

Case No. 11-102629RZ

Legal Description

Street Location of Property 27659 State Highway 74
Is there an existing structure at this address? Yes X No_____

Type the legal description and address below.

LEGAL DESCRIPTION:

THAT PART OF THE NE ¼ OF THE NE ¼ OF SECTION 10, TOWNSHIP 5 SOUTH RANGE 71 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 10;
THENCE SOUTH 53 DEGREES 17 MINUTES WEST 546.4 FEET, MORE OR LESS, TO A POINT OF CURVATURE ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 74, AS SAID RIGHT-OF-WAY LINE IS SET FORTH IN INSTRUMNT RECORDED JANUARY 19, 1962 IN BOOK 1443 AT PAGE 58;
THENCE NORTH 31 DEGREES 16 MINUTES 54 SECONDS EAST 79.86 FEET CHORD DISTANCE TO A POINT ON A CURVE HAVING A RADIUS OF 418.1 FEET, SAID POINT BEING THE TRUE POINT OF BEGINNING;
THENCE LEAVING SAID RIGHT-OF-WAY LINE, NORTH 03 DEGREES 55 MINUTES EAST 180.4 FEET;
THENCE NORTH 23 DEGREES 43 MINUTES EAST 36.18 FEET;
THENCE NORTH 82 DEGREES 56 MINUTES EAST 33.6 FEET;
THENCE SOUTH 77 DEGREES 49 MINUTES EAST 48.9 FEET;
THENCE SOUTH 59 DEGREES 11 MINUTES EAST 115.4 FEET, MORE OR LESS TO A POINT ON A CURVE ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 74;
THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE ON A CURVE TO THE LEFT HAVING A RADIUS OF 418.1 FEET AND WHOSE CHORD BEARS SOUTH 54 DEGREES 28 MINUTES 16 SECONDS WEST 254.34 FEET, AN ARC DISTANCE OF 260.62 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING. COUNTY OF JEFFERSON, STATE OF COLORADO.

Advise of Ortho Map No. 176 Section 10 Township 5 S. Range 71 W.
Calculated Acreage 0.46 Acres Checked by: Ben Hasten
Address Assigned (or verified) 27659 State Highway 74

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	Aye

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

Dated: May 17, 2011