# Commissioner Odom moved that the following Resolution be adopted:

## BEFORE THE BOARD OF COUNTY COMMISSIONERS

### OF THE COUNTY OF JEFFERSON

#### STATE OF COLORADO

#### RESOLUTION NO. CC12-029

Case No. 11-108990RZ Map No. 75

Owner/Applicant: Sam K. Mayeda and Melinda G.

Mayeda

Location: 5215 Orchard Street

Section 13, Township 3 South,

Range 70 West

From: Agricultural-Two (A-2)

To: Planned Development (PD)

Purpose: To rezone from Agricultural-Two

(A-2) to Planned Development (PD) to allow for two residential lots.

Approximate Area: 3.92 Acres

WHEREAS, Sam K. Mayeda and Melinda G. Mayeda 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 for two residential lots; and

WHEREAS, a public hearing was held by the Jefferson County Planning Commission on January 4, 2012, at which time the Planning Commission, by formal resolution, recommended approval with conditions of a revised Official Development Plan; and

WHEREAS, after notice as provided by law, a public hearing was held by this Board on January 24, 2012; 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 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 of the similar proposed lot sizes.
- 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 Fairmount Fire Protection District, North Table Mountain Water and Sanitation District, and Private Septic System.
- 8. No known commercial mineral deposits exist on the subject property.

CC12-029 Page 3

NOW, THEREFORE, BE IT RESOLVED that Rezoning Case No. 11-108990RZ 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 January 24, 2012.

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

Commissioner John Odom Aye
Commissioner Faye Griffin Aye
Commissioner Donald Rosier, Chairman Aye

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

Dated: January 24, 2012

## **EXHIBIT A**

Case No. 11-108990RZ Legal Description Street Location of Property 5215 Orchard Srteet Yes X No\_\_\_\_ Is there an existing structure at this address? Type the legal description and address below. DESCRIPTION: A PARCEL OF LAND IN THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 13, TOWNSHIP 3 SOUTH, RANGE 70 WEST OF THE SIXTH PRICIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE SOUTH 466 FEET OF THE EAST 399.2 FEET OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 13, TOWNSHIP 3 SOUTH, RANGE 70 WEST OF THE SIXTH PRICIPAL MERIDIAN, EXCEPT THE EAST 25 FEET THEREOF, COUNTY OF JEFFERSON, STATE OF COLORADO.

Advise of Ortho Map No. 75 Section 13 Township 3 S. Range 70 W. Calculated Acreage 3.88 Acres Checked by: Ben Hasten Address Assigned (or verified) 5215 Orchard Street