

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. CC12-085

Case No.	12-101869RZ	Map Nos. 15 & 35
Applicant/Owner	Foothills Park and Recreation District	
Location:	PIN 59-224-15-079 and PIN 59-233-17-012 Sections 22 and 23, Township 5 South, Range 69 West	
Purpose:	To determine if the subject property, that is currently zoned open space, will be eligible for rezoning to another land use.	
Approximate Area:	10.2 Acres	

WHEREAS, Foothills Park and Recreation District filed an application with the Planning and Zoning Division of Jefferson County to rezone the subject property which is currently designated as open space.

WHEREAS, Section 1.M.5 of the Jefferson County Zoning Resolution sets forth the criteria for rezoning open space within a Planned Development zone district.

WHEREAS, as a result of the request to rezone property designated as open space, the Applicant elected to separate the rezoning process into two parts. The first part is the determination of whether or not the property is eligible for rezoning to another land use. The second part will be the actual rezoning of the subject property to another land use. If the Applicant is successful with this request, the Applicant will submit additional information and go through the remainder of the rezoning process, including additional public hearings, to identify specific land uses for the subject property.

WHEREAS, a public hearing was held by the Jefferson County Planning Commission on February 29, 2012, at which time the Planning Commission, by formal resolution, recommended that the Board of County Commissioners find that the subject property is eligible to be rezoned without the requirement to provide additional land in the area to replace the loss of the open space land.

WHEREAS, after notice as provided by law, a public hearing was held by this Board on March 13, 2012.

WHEREAS, based on the study of 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 Board of County Commissioners agrees with staff's analysis as provided in the staff report finding that the open space designation is not warranted because all of the criteria set forth in Section 1.M.5.a.1 of the Jefferson County Zoning Resolution has been met.

NOW, THEREFORE, BE IT RESOLVED that Rezoning Case No. 12-101869RZ be and hereby is APPROVED, and the following unincorporated area of Jefferson County, attached hereto as Exhibit A, is eligible for rezoning to another land use *without* the requirement to provide additional land in the area to replace the loss of this open space land.

EXHIBIT A

Case No. 12-101869RZ

Legal Description

Street Location of Property Wadsworth Blvd and Coal Mine Avenue

Is there an existing structure at this address?

Yes

No

Type the legal description and address below.

Tract M, Woodmar Square No. 2, Plat Book 42, pages 44 and 45, Reception Number 73598008,
except
that part dedicated for rights-of-way at Reception Number F0001612,
remaining portion of Tract M containing 5.5 acres more or less and is located in the southwest quarter
of Section 23, T5S, R69W, 6th P.M., Jefferson County, Colorado.

and

Tract C, Woodmar Village Filing No. 4, Plat Book 42, Page 14, Reception Number 73586983,
except
that part dedicated for rights-of-way at Reception Number F0173284,
remaining portion of Tract C containing 4.7 acres more or less and is located in Section 22, T5S, R69W,
6th P.M., Jefferson County, Colorado.

Advise of Ortho Map No. 15 & 35 Sections 22 & 23 Township 5 S. Range 69 W.
Calculated Acreage 10.2 Acres Checked by: Ed Wieland
Address Assigned (or verified) Wadsworth Blvd and Coal Mine Avenue

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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: March 13, 2012