

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. CC12-162

Case No.	09-103301RZ	Map No.	181
Owner/Applicant:			Conifer Ridge Properties, LLC
Applicant:			Josh McGibbon
Location:			10250 County Highway 73 Section 14, Township 6 South, Range 71 West
From:			Agricultural-One (A-1)
To:			Planned Development (PD)
Purpose:			To rezone from Agricultural-One (A-1) to Planned Development to allow for residential, commercial and community uses.
Approximate Area:			25.65 Acres

WHEREAS, Conifer Ridge Properties, LLC, and Josh McGibbon filed an application with the Planning and Zoning Division of Jefferson County to rezone the subject property from Agricultural-One to Planned Development to allow for residential, commercial and community uses; and

WHEREAS, a public hearing was held by the Jefferson County Planning Commission on April 4, 2012, at which time the Planning Commission, by formal resolution approved a plan exception and recommended approval subject to conditions; and

WHEREAS, after notice as provided by law, a public hearing was held by this Board on May 1, 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 and the Conifer/285 Corridor Community Plan because it meets all applicable sections of the Plans' policies; except for land use policies pertaining to the recommendation for community uses.
4. The proposed land uses are compatible with existing and allowable land uses in the surrounding area because it would be a commercial and residential development located within a highly developed area of Conifer, with the most intensive uses oriented directly adjacent to US Highway 285 and residential uses oriented toward existing residential properties.
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 Elk Creek Fire Protection District, Conifer Metropolitan Sanitation District and private wells.
8. No known commercial mineral deposits exist on the subject property.

NOW, THEREFORE, BE IT RESOLVED that Rezoning Case No. 09-103301RZ to rezone from Agricultural-One to Planned Development the following described unincorporated area of Jefferson County, attached hereto as Exhibit A, be and hereby is APPROVED with the following condition:

- a. Revisions to the Official Development Plan in accordance with the red-marked print dated May 1, 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: May 1, 2012

EXHIBIT A

Case No. 09-103301RZ (page 1 of 3)

Legal Description

Street Location of Property 10250 County Highway 73

Is there an existing structure at this address?

Yes X No \_\_\_\_\_

Type the legal description and address below.

The subject Property as Recorded at Reception Numbers: 2007037857, 2007037858, and 2007037859 in the Office of the Clerk and Recorder for the County of Jefferson, is located within a portion of the North ½ of Section 14, Township 6 South, Range 71 West of the 6<sup>th</sup> Principal Meridian, County of Jefferson, State of Colorado, more particularly described as follows:

A tract of land situated in the Southeast ¼ Northwest ¼ and Southwest ¼ Northeast ¼ of Section 14, Township 6 South, Range 71 West of the 6<sup>th</sup> Principal Meridian, described as follows:

Commencing at the center ¼ corner of said Section 14;  
thence North 47 degrees 19 minutes West – 71.58 feet;  
thence North 63 degrees 41 minutes West – 97.89 feet;  
thence North 73 degrees 53 minutes West – 55.79 feet;  
thence North 86 degrees 57 minutes West – 206.35 feet;  
thence North 00 degrees 58 minutes 20 seconds East – 179.73 feet;  
thence North 31 degrees 42 minutes West – 323.20 feet to the True Point of Beginning,  
said point being on the Easterly fence line of County Road No. 73;  
thence North 31 degrees 42 minutes West along said Easterly fence line a distance of 70.0 feet;  
thence North 18 degrees 53 minutes West – 94.90 feet;  
thence leaving said Easterly fence line North 11 degrees 24 minutes 06 seconds East – 272.77 feet; thence  
North 06 degrees 21 minutes East – 140.00 feet;  
thence North 21 degrees 53 minutes East – 71.79 feet;  
thence North 51 degrees 22 minutes East – 101.60 feet;  
thence North 69 degrees 46 minutes East – 89.70 feet;  
thence South 88 degrees 04 minutes East – 205.85 feet;  
thence South 75 degrees 09 minutes East – 159.20 feet;  
thence South 64 degrees 02 minutes East – 89.65 feet;  
thence South 43 degrees 57 minutes 32 seconds West – 526.14 feet;  
thence South 46 degrees 45 minutes 53 seconds West – 366.75 feet  
to the True Point of Beginning, subject to a 30.0 foot wide road and  
utility easement along the Westerly, Northerly and Northeasterly tract line.

## Legal Description continued

A tract of land situated in the Southeast  $\frac{1}{4}$  Northwest  $\frac{1}{4}$  of Section 14, Township 6 South, Range 71 West of the 6<sup>th</sup> Principal Meridian, described as follows:

Commencing at the center  $\frac{1}{4}$  corner of said Section 14;  
 thence North 47 degrees 19 minutes West – 71.58 feet;  
 thence North 63 degrees 41 seconds West – 97.89 feet;  
 thence North 73 degrees 53 minutes West – 55.79 feet;  
 thence North 86 degrees 57 minutes West – 206.35 feet;  
 thence North 00 degrees 58 minutes 20 seconds East – 179.73 feet;  
 thence North 31 degrees 42 minutes West – 323.20 feet;  
 thence North 31 degrees 42 minutes West along said Easterly fence line a distance of 70.0 feet;  
 thence North 18 degrees 53 minutes West – 94.90 feet to the True Point of Beginning, said point being on the Easterly fence line of County Road No. 73;  
 thence North 00 degrees 03 minutes 03 seconds West along said Easterly fence line a distance of 278.26 feet;  
 thence North 13 degrees 22 minutes West – 285.07 feet to the intersection of said Easterly fence line of County Road No. 73 and right of way line of Barkley Road, 60.00 feet wide;  
 thence North 55 degrees 40 minutes East along said right of way line a distance of 30.53 feet;  
 thence leaving said right of way line South 53 degrees 59 minutes East – 169.50 feet;  
 thence South 21 degrees 53 minutes West – 71.79 feet;  
 thence South 06 degrees 21 minutes West – 140.0 feet;  
 thence South 11 degrees 24 minutes 06 seconds West a distance of 272.77 feet to the True Point of Beginning, except that portion conveyed to the County of Jefferson in instrument recorded October 26, 2004 at Reception No. F2118085,

A tract of land situated in the SE $\frac{1}{4}$ NW $\frac{1}{4}$  and SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 14, Township 6 South, Range 71 West of the 6<sup>th</sup> P.M., Jefferson County, Colorado described by metes and bounds as follows:

Commencing at the Center  $\frac{1}{4}$  corner of said Section 14;  
 thence N47°19' W – 71.58 ft.;  
 thence N 63°41' W -97.89 ft.;  
 thence N 73°53' W – 55.79 ft.;  
 thence N 86°57' W – 206.35 ft;  
 thence N00°58'20" E -179.73ft. to the True Point of Beginning, said point being on the Easterly fence line of County Road No. 73;  
 thence N31°42' W along said Easterly fence line, a distance of 323.20 ft.;  
 thence leaving said Easterly fence line N 46°45'53" E, a distance of 366.75 ft.;  
 thence N 43°57'32" E – 526.14 ft.;  
 thence S 54°04' E – 138.66 ft.;  
 thence S - 43°08' E – 288.0 ft.;  
 thence S 49°06'12" W – 558.12 ft.;  
 thence S 54°40'14" W – 428.86 ft. to the True Point of Beginning,

## Legal Description continued

A tract of land situated in the SE $\frac{1}{4}$ NW $\frac{1}{4}$  and SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 14, Township 6 South, Range 71 West of the 6<sup>th</sup> P.M., Jefferson County, Colorado, described by metes and bounds as follows:

Beginning at the Center  $\frac{1}{4}$  corner of said Section 14;  
 thence N 47°19'W – 71.58 feet;  
 thence N 63°41'W – 97.89 ft.;  
 thence N 73°53'W – 55.79 ft.;  
 thence N 86°57'W – 206.35 ft. to a point on the Easterly fence line of County Road No. 73;  
 thence along said Easterly fence line N 00°58'20" E – 179.73 ft.;  
 thence leaving said Easterly fence line N 54°40'14" E a distance of 428.86 ft.;  
 thence N 49°06'12" E – 558.12 ft.;  
 thence S 29°16' E- 352.0 ft. to a point on the Northwesterly Right-of-Way line of U.S. Highway No. 285;  
 thence along said Northwesterly Right-of-Way line along a 855.0 ft. radius curve to the right a distance of 366.0 ft. more or less, having a chord bearing of S 32°48'54" W and a distance of 334.80 ft.;  
 thence S 43°26' W – 446.64 ft. to a point on the East-West center line of said Section 14;  
 thence leaving said Northwesterly Right-of-Way line and along East-West center line N 88°44'43" W – 58.36 ft. to the Point of Beginning, except any portion in State Highway 285 and except that portion conveyed to the department of Transportation, State of Colorado in instrument recorded 6/21/2000 at Reception No. F1073783,

County of Jefferson,  
 State of Colorado

Tract subject to a 30.0 ft. wide road and utility easement along the northwesterly tract line.

## Parcel B:

A tract of land situated in the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 14, Township 6 South, Range 71 West of the 6<sup>th</sup> P.M., Jefferson County, Colorado, described by metes and bounds as follows:

Beginning at the Center  $\frac{1}{4}$  Corner of said Section 14;  
 thence N 47 degrees 19' W along the Southerly line of Tract 'F', Platting Exemption Case No. E75-10-81, a distance of 71.58 feet;  
 thence along said Southerly line, N 63 degrees 41' W a distance of 97.89 feet;  
 thence along said Southerly line, N 73 degrees 53' W a distance of 55.79 feet;  
 thence along said Southerly line, N 86 degrees 57' W a distance of 206.35 feet to SW corner of said tract 'F';  
 thence S 22 degrees 48'50" W a distance of 117.85 feet to the intersection of the East-West centerline of said Section 14 and the Easterly Right-of-Way line fence of said County Highway No. 73;  
 thence S 88 degrees 44'43" E along said East-West centerline a distance of 445.82 feet to the Point of Beginning;

County of Jefferson,  
 State of Colorado

Advise of Ortho Map No. 181 Section 14 Township 6 S. Range 71 W.  
 Calculated Acreage 25.3 Acres Checked by: Ed Wieland  
 Address Assigned (or verified) 10250 County Highway 73

