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. CC12-246

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| Case No. 11-117812RZ | Map No. 16 |
| Owner/Applicant: | H.C. and Katherine L. Van Schaack |
| Location: | 8460 West Ken Caryl Avenue<br>Section 34, Township 5 South,<br>Range 69 West |
| From: | Planned Development (PD) |
| To: | Planned Development (PD) |
| Purpose: | To amend the Planned Development (PD) zoning to allow for neighborhood commercial level uses and a doggie daycare. |
| Approximate Area: | 0.75 Acre |

WHEREAS, H.C. and Katherine L. Van Schaack filed an application with the Planning and Zoning Division of Jefferson County to rezone the subject property from Planned Development (PD) to Planned Development (PD) to allow for neighborhood commercial level uses and a doggie daycare; and

WHEREAS, a public hearing was held by the Jefferson County Planning Commission on June 13, 2012, at which time the Planning Commission, by formal resolution approved a plan exception and recommended approval of the proposal without the doggie daycare uses subject to conditions; and

WHEREAS, after notice as provided by law, a public hearing was held by this Board on July 31, 2012, continued from July 17, 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 Plan policies; except for the general land use section which recommends only office uses instead of the retail uses proposed. The Planning Commission approved a plan exception to permit the proposed retail uses.

4. The proposed land uses are compatible with existing and allowable land uses in the surrounding area because the proposed uses and potential impacts are similar to surrounding 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 West Metro Fire Protection District and Southwest Metro Water and Sanitation District.

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

NOW, THEREFORE, BE IT RESOLVED that Rezoning Case No. 11-117812RZ to rezone from Planned Development 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 July 31, 2012.

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

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

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

Dated: July 31, 2012

# EXHIBIT A

Case No. 11-117812RZ

Legal Description

Street Location of Property 8460 Ken Caryl Avenue
Is there an existing structure at this address? Yes X No_____

Type the legal description and address below.

Lot 8, Block 1 as per Plat of Ken Caryl Acres, Located in the NE1/4, Sec. 34, T5S, R69W, recorded October 16, 1961 at Reception Number 61878697, excepting therefrom, that portion conveyed to the County of Jefferson in Deed recorded October20, 1994 at Reception Number 94167286, in the records of the Clerk and Recorder, County of Jefferson, State of Colorado.

Advise of Ortho Map No. 16 Section 34 Township 5 S. Range 69 W.
Calculated Acreage 0.75 Acres Checked by: Ben Hasten
Address Assigned (or verified) 8460 Ken Caryl Avenue