Commissioner Griffin moved that the following Resolution be adopted:

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF THE COUNTY OF JEFFERSON

STATE OF COLORADO

RESOLUTION NO. CC13-033

Case Number:	12-122139RZ
Map Number(s):	49
Owner/Applicant:	R & R Warner Properties, LLC
Location:	PIN: 39-073-03-001 Indiana Street and West 58th Avenue Section 7, Township 3 South, Range 69 West
From:	Suburban Residential-One (SR-1)
To:	Planned Development District (PD)
Purpose:	To rezone from Suburban Residential-One (SR-1) to Planned Development (PD) to allow for the future subdivision of the property into eighteen (18) residential lots
Approximate Area:	6.39 Acres

WHEREAS, R & R Warner Properties, LLC filed an application with the Planning and Zoning Division of Jefferson County to rezone the subject property from Suburban Residential-One (SR-1) to Planned Development District (PD) to allow for the future subdivision of the property into eighteen (18) residential lots; and

WHEREAS, a public hearing was held by the Jefferson County Planning Commission on January 9, 2013, at which time the Planning Commission, by formal resolution, recommended approval of a revised official development plan with conditions; and

WHEREAS, after notice as provided by law, a public hearing was held by this Board on January 29, 2013; 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 North Plains Sub-Area because it meets all applicable sections of the Plan policies.

4. The proposed land uses are compatible with existing and allowable land uses in the surrounding area because larger residential lots are allowed.

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 and North Table Mountain Water and Sanitation District.

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

NOW, THEREFORE, BE IT RESOLVED that Rezoning Case No. 12-122139RZ to rezone from Suburban Residential-One (SR-1) to Planned Development District (PD) 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 January 29, 2013.

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

Commissioner Faye Griffin	Aye
Commissioner Casey Tighe	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 29, 2013

EXHIBIT A

Case No. 12-122139RZ

Legal Description

Street Location of Property
Is there an existing structure at this address? Yes_____ No_X___

Type the legal description and address below.

LEGAL DESCRIPTION:

PART OF TRACTS 15 AND 16, FAIRVIEW FRUIT GARDENS,
COUNTY OF JEFFERSON, STATE OF COLORADO,
BEING A SUBDIVISION OF THE SOUTH ½ OF THE SOUTHWEST ¼,
AND THE SOUTH ½ OF THE SOUTHEAST ¼, SECTION 7, TOWNSHIP 3 SOUTH,
RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 7, TOWNSHIP 3 SOUTH,
RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, THENCE
NORTH 00°56'21" EAST, ALONG THE WEST LINE OF SAID SECTION 7, 1316.21 FEET;
TO A POINT ON THE SOUTH RIGHT--OF-WAY LINE OF WEST 58TH AVENUE, EXTENDED:
THENCE NORTH 89°23'00" EAST, ALONG SAID SOUTH RIGHT-OF-WAY EXTENDED
30.01 FEET TO THE NORTHWEST CORNER OF SAID TRACT 16; THENCE CONTINUING
ALONG BEFORE DESCRIBED LINE 14.60 FEET ALONG THE NORTH LINE OF SAID
TRACT 16, TO THE TRUE POINT OF BEGINNING;
THENCE CONTINUING ALONG THE NORTH LINE OF SAID TRACTS 16 AND 15,
NORTH 89°23'00" EAST 608.72 FEET TO THE NORTHEAST CORNER OF SAID TRACT 15;
THENCE SOUTH 00°56'21" WEST ALONG THE EAST LINE OF SAID TRACT 15, 329.73 FEET;
THENCE SOUTH 83°24'21" WEST 94.06 FEET; THENCE SOUTH 71°29'02" WEST, 41.28 FEET;
THENCE SOUTH 64°42'22" WEST 68.93 FEET; THENCE SOUTH 49°49'18" WEST 66.69 FEET;
THENCE SOUHT 41°56'43" WEST 49.70 FEET; THENCE SOUTH 71°34'34" WEST 180.63 FEET;
THENCE SOUTH 68°34'01" WEST 76.88 FEET; THENCE SOUTH 81°53'12" WEST 32.19 FEET;
THENCE NORTH 74°40'57" WEST 34.49 FEET; THENCE NORTH 42°52'32" WEST 57.09 FEET;
TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF INDIANA STREET, WHICH IS THE WEST LINE
OF SAID TRACT 16; THENCE NORTH 00°56'21" EAST, AND PARALLEL TO THE WEST LINE
OF SAID SECTION 7, 480.57 FEET, TO A POINT ON A CURVE TO THE RIGHT HAVING A
RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 88°26'39" AND AN ARC LENGTH OF 23.16 FEET;
MORE OR LESS, TO THE POINT OF BEGINNING.

CONTAINING 278,477 SQUARE FEET OR 6.3930 ACRES MORE OR LESS.

Advise of Ortho Map No. 49 Section 7 Township 3 S. Range 69 W.
Calculated Acreage 6.39 Acres Checked by: Ben Hasten
Address Assigned (or verified)