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Debra A Green  
Park County Clerk

**PARK COUNTY, COLORADO  
BOARD OF COUNTY COMMISSIONERS**

**Resolution No. 2017- 35**

**A RESOLUTION MAKING FINDINGS OF FACT, CONCLUSIONS  
AND ENTERING AN ORDER DENYING THE APPLICATION OF  
DUKES OF EARL, LLC, FOR A PARK COUNTY RETAIL  
MARIJUANA CULTIVATION FACILITY LICENSE.**

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF  
THE COUNTY OF PARK (the "Board") THAT the following findings of fact,  
conclusions and order are hereby adopted.

**FINDINGS OF FACT, CONCLUSIONS AND ORDER**

**FINDINGS**

1. This matter comes on for hearing upon the application of Dukes of Earl, LLC, and Nicholas Moses Molin ("Applicant") for a Park County retail marijuana cultivation facility license at the subject site.
2. The application is complete and contains all the information required by Park County Ordinance No. 2016-1 as amended. The Board further finds that the Applicant, its officers and shareholders are of good moral character.
3. Notice of a public hearing on the application was given in the manner prescribed by Section 7(f) of Ordinance No. 2016-1.
4. A public hearing was held on the application on May 25, 2017, at which the Applicant and all interested parties were allowed to present testimony and evidence regarding the application and particularly the criteria for issuance of a license set forth in Ordinance No 2016-1.
5. At the commencement of the hearing, the Chair read an opening statement and gave all interested persons the opportunity to object to the jurisdiction of the Board and to the procedure to be followed during the hearing. No objection to the Board's jurisdiction or to the procedure was made by anyone, including the Applicant.
6. The Applicant presented testimony and witnesses regarding the proposed retail marijuana establishment.
7. Persons in interest appeared to testify against the application. While, as a courtesy, persons who were not inhabitants of the designated neighborhood were allowed

to testify at the hearing the Board finds that such testimony was not relevant and the Board has not considered such testimony in arriving at its decision in this matter.

8. Prior to the hearing, canvassing of the adult inhabitants of the designated neighborhood was conducted pursuant to Subsection 7(h) of Ordinance No. 2016-1. The result of that canvassing was as follows:

NOT DELIVERABLE	54
SUPPORT	87
NEUTRAL	28
OPPOSED	466

CONCLUSIONS

1. Based on the evidence adduced at the public hearing the Board concludes that there is sufficient evidence to allow it to conclude that the reasonable requirements of the neighborhood are not currently being met by existing retail marijuana establishments. Ordinance No. 16-01 § 7(h).

2. The Board further concludes, however, that there was persuasive evidence that the desires of the adult inhabitants of the neighborhood oppose issuance of the license and that the requirements for the issuance of a retail marijuana cultivation license for this location have therefore not been met. Ordinance No. 16-01 § 7(h).

ORDER

Based on the Findings and Conclusions set forth above, the application for a retail marijuana cultivation license is DENIED.

Moved, seconded, and approved this 8<sup>th</sup> day of June, 2017.

**PARK COUNTY BOARD OF COUNTY COMMISSIONERS**

*[Handwritten Signature]*

Mike Brazell, Chairman

ATTEST:

*[Handwritten Signature: Debra A Green]*  
Park County Clerk & Recorder

