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No fee

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5/3/2018 11:08 AM
RS0.00 D\$0.00

Debra A Green
Park County Clerk

**PARK COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS
Resolution No. 2018- 18**

A RESOLUTION CONDITIONALLY APPROVING THE REZONING FROM AGRICULTURAL AND RESIDENTIAL ESTATE TO RESIDENTIAL FOR PROPERTY DESCRIBED AS PART OF THE SOUTHWEST ¼ OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 71 WEST, COMMONLY KNOWN AND NUMBERED AS 39251 HIGHWAY 24.

WHEREAS, the Applicant, Tami Donaldson-Barry have applied to rezone the property described in **Exhibit A** from Agricultural (A) and Residential Estate (R-20) to Residential (R); and

WHEREAS, at a regularly scheduled public meeting of the Park County Board of County Commissioners, preceded by the required public notice, the Board of County Commissioners conducted a public hearing on the application for rezoning at which it reviewed the application and all supporting documentation, the recommendations of the Planning Department and the Park County Planning Commission, and considered the testimony of the Applicant and patrons; and

WHEREAS, based on the testimony and evidence presented at the public hearing the Board of County Commissioner determines and finds that compliance with the standards for approval of a rezoning set forth in Section 5-203 of the Park County Land Use Regulations has been demonstrated by clear and convincing evidence.

NOW THEREFORE, BE IT RESOLVED THAT:

The application to rezone the above-described real property from Agricultural (A) and Residential Estate (R-20) to Residential (R) is approved with the following condition:

1. Prior to issuance of any development permits for the lot, an access permit is approved by the Colorado Department of Transportation if that Department requires such an access permit.

Moved, seconded, and passed this 3rd day of May, 2018.

PARK COUNTY BOARD OF COUNTY COMMISSIONERS



Mike Brazell, Chairperson

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ATTEST:


County Clerk

Exhibit A

A tract of land located in the Southwest one-quarter of Section 28, Township 12 South, Range 71 West of the Sixth Principal Meridian, County of Park, State of Colorado, described as follows:

Commencing at the Southwest corner of said Section 28, thence Northerly along the Westerly line of said SW ¼ SW ¼ a distance of 190.90 feet to the Northeasterly right of way line of U.S. Highway No. 24, thence angle right 24 degrees 53 minutes 18 seconds along said Northeasterly right of way line a distance of 163.00 feet to the true point of beginning, thence angle left 83 degrees 53 minutes 56 seconds a distance of 1230.67 feet, thence angle right 6 degrees 23 minutes 04 seconds a distance of 518.25 feet to the Northeast corner of said SW ¼ SW ¼, thence angle right 32 degrees 34 minutes 22 seconds along the Easterly line of said SW ¼ SW ¼ a distance of 1359.03 feet to the Southeast corner of said SW ¼ SW ¼, thence angle right 89 degrees 15 minutes 01 seconds along the Southerly line of said SW ¼ SW ¼ a distance of 1056.73 feet to said Northeasterly right of way line, thence angle right 36 degrees 41 minutes 01 seconds to a curve to the left and along said curve (and said Northeasterly right of way line) having a radius of 5779.58 feet, a central angle of 0 degrees 59 minutes 32 seconds, an arc length of 100.09 feet to a point of tangent, thence along said tangent (and said Northeasterly right-of-way line) a distance of 62.90 feet to the point of beginning,

Excepting Therefrom:

A tract of land located in the Southwest ¼ of the Southwest ¼ of Section 28, Township 12 South, Range 71 West of the 6th P.M., County of Park, State of Colorado, described as follows:

Commencing at the SW corner of Section 28, thence Easterly along the Southerly Boundary line of said Section, 267.76 feet to the Point of Beginning; thence Easterly along the Southern line of said Section 28, 693.97 feet, thence angle left 90 degrees 00 minutes 00 seconds, 251.08 feet, thence angle left, 109 degrees 53 minutes 24 seconds, 737.09 feet to the Point of Beginning,

County of Park,
State of Colorado

Exhibit B

Portion to be rezoned to Residential:

Commencing at the southwest corner of section 28, Township 12 south range 71 west of the 6th P.M.,
Thence N 00°44'47" W a distance of 190.84 feet,
Thence S 55°53'00" E a distance of 163.00 feet to the point of beginning,
Thence N 40°14'35" a distance of 1,230.70 feet,
Thence N 46°37'44" E a distance of 518.17 feet to the northeast corner of the southwest quarter of the southwest quarter of section 28,
Thence S 00°47'54" E a distance of 1,359.04 feet to the southeast corner of said quarter-quarter section,
Thence S 88°27'25" W a distance of 361.54 feet,
Thence N 01°32'20" W a distance of 251.57 feet,
Thence S 68°32.52" W a distance of 730.31 feet,
Thence northwesterly on a non-tangent curve to the left with an angle of 00°59'32", a radius of 5779.58 feet, and a chord bearing N 55°19'51" W a distance of 100.09 feet,
Thence N 55°49'36" W a distance of 62.97 feet to the point of beginning.

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Portion to remain in the Commercial zone district:

Commencing at the southwest corner of section 28, Township 12 south range 71 west of the 6th P.M.,

Thence N 00°44'47" W a distance of 190.84 feet,

Thence S 55°53'00" E a distance of 163.00 feet to the point of beginning,

Thence N 40°14'35" a distance of 680 feet,

Thence S 44° E a distance of 350 feet,

Thence S 02° E a distance of 180 feet,

Thence S 68°32.52" W to the northeast right-of-way line of U.S. Highway 24,

Thence northwest along said right-of-way to the point of beginning.