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Debra A Green  
Park County Clerk

**PARK COUNTY, COLORADO  
BOARD OF COUNTY COMMISSIONERS  
Resolution No. 2019- 28**

**A RESOLUTION CONDITIONALLY APPROVING THE APPLICATION FOR A SPECIAL USE PERMIT TO ALLOW A TELECOMMUNICATIONS FACILITY ON REAL PROPERTY DESCRIBED AS N2SE4SE4, N2N2S2SE4SE4 OF SECTION 5, TOWNSHIP 7S, RANGE 74W, PARK COUNTY, COLORADO, COMMONLY KNOWN AND NUMBERED AS 47711 HIGHWAY 285, GRANT, COLORADO (TOWER SITE NAME IS "GRANT CO2029").**

WHEREAS, the Applicant, Fidelity Towers, Inc., on behalf of the owner of the above-described property, City and County of Denver, has applied for a special use permit ("SUP") to operate a telecommunications facility on the real property described above; and

WHEREAS, at a regularly scheduled public meeting of the Park County Board of County Commissioners ("BOCC"), the BOCC reviewed the application and all supporting documentation, the recommendations of the Planning Commission, the Planning Department, the County Attorney, and the testimony of the Applicant and patrons; and

WHEREAS, during said public meeting, the BOCC found that the application for the SUP meets the Park County Land Use Regulations and specifically that the requirements of Section 5-905 have been met.

**NOW THEREFORE, BE IT RESOLVED THAT THE PARK COUNTY BOARD OF COUNTY COMMISSIONERS HEREBY APPROVES THE APPLICATION FOR A SPECIAL USE PERMIT TO OPERATE TELECOMMUNICATIONS FACILITIES ON THE REAL PROPERTY DESCRIBED ABOVE, SUBJECT TO THE FOLLOWING SPECIFIC WAIVER AND ALSO SUBJECT TO THE FOLLOWING CONDITIONS:**

Section 1. Waiver of the 1.1:1 Setback. The Board of County Commissioners, pursuant to the authority granted it under Section 5-905.D.4 of the Land Use Regulations, waives the 1.1:1 foot setback to height requirement and approves the tower height of 54 feet and setback of 50 feet from the northern property boundary line, based on the fact that the property to the north is forest service property and other mitigating factors and that therefor public safety is not compromised.

Section 2. Conditions of Approval.

1. If deemed necessary by Park County, prior to operation of communications equipment, the applicant shall provide radio coverage documentation and shall conduct testing in cooperation with the Park County Sheriff's Office and Emergency Services, and the Platte Canyon Fire Protection District, to verify that there is no interference with

communications operated by Park County government and other emergency service agencies. Park County Government may require additional testing periodically to verify lack of interference.

2. If initial site disturbance is to begin prior to July 15, 2019, a qualified environmental professional will be hired to conduct raptor nest surveys of the surrounding area and, in the event that any active nests are identified, the Raptor Buffer Guidelines provided by Colorado Parks and Wildlife will be followed. The survey shall be given to the Planning Department prior to issuance of any development permits.

3. There will be no permanent fencing constructed on this site.

4. A Drainage, Erosion and Sedimentation Control Plan will be provided to the County along with the development plan and permit application.

5. All disturbed ground will be re-seeded with native plant species upon completion of construction.

6. Per US Forest Service request, temporary construction fencing shall be placed along Forest Service Boundary to prohibit any construction equipment from trespassing on to National Forest land.

7. An Estimate of Cost for removal of the tower, and a Performance Bond in the amount of 120% of the estimate, shall be given to the Planning Department and approved by the County Attorney prior to issuance of any building permit.

8. If necessary and feasible, the applicant shall provide room on the cell tower for Park County Emergency equipment.

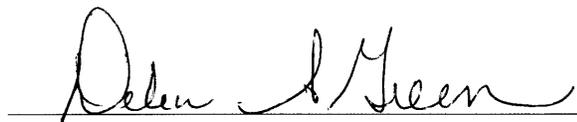
Moved, seconded, and passed this 2 day of May, 2019.

PARK COUNTY BOARD OF COUNTY COMMISSIONERS



Richard Elsner, Chairperson

ATTEST:



County Clerk

