



RESOLUTION NO. 00-45

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF EL PASO, STATE OF COLORADO

Commissioner Howells moved adoption of the following Resolution:

WHEREAS, Cheyenne Propagation Company did file a petition with the El Paso County Planning Department for approval of a Use Subject to Special Review to allow communication towers and related building on a 45-acre parcel within the PID (Planned Industrial) Zone District; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on December 21, 1999, upon which date the Planning Commission did by formal resolution recommend approval of the subject Use Subject to Special Review petition with conditions and notations; and

WHEREAS, a public hearing was held by this Board on February 10, 2000; and

WHEREAS, based on the evidence, testimony, exhibits, study of the master plan for the unincorporated area of the county, recommendations of the El Paso County Planning Commission, comments of the El Paso County Planning Department, comments of public officials and agencies, and comments from all interested parties, this Board finds as follows:

1. 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 El Paso County.
2. The hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, all pertinent facts, matters and issues were submitted and all interested parties were heard at those hearings.
3. The proposed Use Subject to Special Review conforms to Section 35.8, Standards Governing the Approval or Disapproval of a Petition for a Use Subject to Special Review, of the El Paso County Zoning Resolutions.
4. The proposed land use will be compatible with existing and permitted land uses in the area.
5. The proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner, which would interfere with the present or future extraction of such deposit by an extractor.

6. For the above-stated and other reasons, the proposed Use Subject to Special Review is in the best interest of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of El Paso County.

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, hereby approves the request by Cheyenne Propagation Company for a Use Subject to Special Review to allow communication towers and related buildings on a 45-acre property within the PID (Planned Industrial) Zone District in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference;

BE IT FURTHER RESOLVED the following conditions shall be placed upon this approval:

CONDITIONS:

1. The Use Subject to Special Review approval is for existing facilities and the construction of three (3) self-supporting transmission towers containing antenna arrays and microwave dishes, an increase in height of an existing tower and future construction of a helipad, as identified in the applicant's Letter of Intent dated November 5, 1999, and associated site plan. Approval includes related buildings.
2. Replacement of existing towers with new towers on a one-to-one basis shall be permitted on an administrative basis.
3. Construction of additional new towers on the property may be authorized by amendment to this Special Use, subject to approval directly by the Board of County Commissioners.
4. All applicable approvals and permits shall be obtained and copies of same submitted to the Planning Department prior to the Planning Department's authorization for the issuance of a building permit.

NOTATIONS:

1. Special Use approval includes conditions of approval and the accompanying Plot Plan. No substantial expansion, enlargement, intensification or modification shall be allowed except upon reevaluation and public hearing as specified in the Land Development Code.

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2. The Board of County Commissioners may consider revocation and/or suspension if zoning regulations and/or Special Use conditions/standards are being violated, preceded by notice and public hearing.
3. If the Special Use is discontinued or abandoned for two (2) years or longer, the Special Use shall be deemed abandoned and of no further force and effect.
4. The facility shall be maintained and operated in conformance with all applicable Federal, State and local laws.
5. Administrative Plot Plan approval is required prior to the Planning Departments' authorization for the issuance of a building permit.

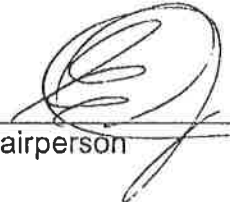
The above Notation Nos. 1-3 are abbreviated; they have the same force and effect as the items found within their entirety in Section 35.8 C.1., C.3., D., E., and F. of the El Paso County Land Development Code.

AND BE IT FURTHER RESOLVED the record and recommendations of the El Paso County Planning Commission be adopted.

DONE THIS 10th day of February, 2000, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO



By 
Chairperson