

MAP AMENDMENT (REZONE) (RECOMMEND DENIAL)

MR. CARLSON moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. P-23-001
1825 SUMMIT DRIVE REZONE

WHEREAS, Steven and Jennifer Liebowitz did file an application with the El Paso County Planning and Community Development Department for an amendment of the El Paso County Zoning Map to rezone property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference, from the RR-5 (Residential Rural) zoning district to the RR-2.5 (Residential Rural) zoning district; and

WHEREAS, a public hearing was held by this Commission on March 16, 2023; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the master plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, and comments by the El Paso County Planning Commission Members during the hearing, this Commission finds as follows:

1. That the application was properly submitted for consideration by the Planning Commission;
2. That proper posting, publication and public notice were provided as required by law for the hearing before the Planning Commission;
3. That the hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters and issues were submitted and that all interested persons and the general public were heard at that hearing;
4. The proposed map amendment (rezoning) is in general conformance with the El Paso County Master Plan including applicable Small Area Plans but there has not been a substantial change in the character of the neighborhood since the land was last zoned.

5. The proposed land use or zone district is not compatible with existing and permitted land uses and zone districts in all directions.
6. The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district;
7. 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.
8. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is not 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 that the Planning Commission recommends that the petition of Steven and Jennifer Liebowitz for an amendment to the El Paso County Zoning Map to rezone the following described property located in the unincorporated area of El Paso County from the RR-5 (Residential Rural) zoning district to the RR-2.5 (Residential Rural) zoning district be denied by the Board of County Commissioners.

AND BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein be forwarded to the Board of County Commissioners for its consideration.

MS. FULLER seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: (circle one)

Brian Risley	<input checked="" type="radio"/> aye / no / abstain / absent
Thomas Bailey	<input checked="" type="radio"/> aye / no / abstain / absent
Tim Trowbridge	<input checked="" type="radio"/> aye / no / abstain / absent
Becky Fuller	<input checked="" type="radio"/> aye / no / abstain / absent
Sarah Brittain Jack	aye / <input checked="" type="radio"/> no / abstain / absent
Jay Carlson	<input checked="" type="radio"/> aye / no / abstain / absent
Eric Moraes	<input checked="" type="radio"/> aye / no / abstain / absent
Joshua Patterson	aye / no / abstain / <input checked="" type="radio"/> absent
Bryce Schuettpelz	aye / <input checked="" type="radio"/> no / abstain / absent
Christopher Whitney	aye / no / <input checked="" type="radio"/> abstain / absent
Brandy Merriam	<input checked="" type="radio"/> aye / no / abstain / absent

The Resolution was adopted by a vote of **7** to **2** by the Planning Commission of the County of El Paso, State of Colorado.

DONE THIS 16th day of March 2023, at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: *Brian Risley*
Brian Risley, Chair

EXHIBIT A

LOT 14, OVERLOOK ESTATES AS RECORDED UNDER RECEPTION NUMBER 159801 OF THE RECORDS OF EL PASO COUNTY, COLORADO.