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RESOLUTION NO. 23-131

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

DENIAL OF MAP AMENDMENT (REZONE)
1825 SUMMIT DR REZONE (P-23-001)

WHEREAS, Steven and Jennifer Liebowitz filed an application with the El Paso County Planning and Community Development Department for approval of a map amendment, rezoning 5.23 acres from RR-5 (Residential Rural) to RR-2.5 (Residential Rural). The applicant intends to subdivide the existing parcel into two approximately 2.5-acre lots to allow for the construction of a new single-family residence on the property in addition to the existing residence located at 1825 Summit Drive. The property that is the subject of the application is legally described in Exhibit A, attached hereto and incorporated herein by this reference; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on March 16, 2023, upon which date the Planning Commission did by formal resolution recommend denial of the subject map amendment application based on incompatibility with surrounding properties; and

WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on April 18, 2023; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the master plan for the unincorporated area of the County, recommendations of the El Paso County Planning Commission, 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, comments by the El Paso County Planning Commission Members, and comments by the Board of County Commissioners during the hearing, this Board finds as follows:

1. That the application was properly submitted for consideration by the Board of County Commissioners.
2. That the 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.
3. That the hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, that all pertinent facts, matters and issues were submitted and reviewed, and that all interested persons were heard at those hearings.
4. That all exhibits were received into evidence.

Steve Schleiker
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5. That the proposed zoning is not in general conformance with the recommendations set forth in the Master Plan for the unincorporated area of the county.
6. That the proposed zone district is not compatible with existing and permitted land uses in the area.
7. That for the above-stated and other reasons, the proposed Amendment to 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 El Paso County Board of County Commissioners hereby denies the petition of Steven & Jennifer Liebowitz to amend the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference, from the RR-5 (Residential Rural) zoning district to the RR-2.5 (Residential Rural) zoning district;

DONE THIS 18th day of April 2023 at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____

County Clerk & Recorder



By: _____

Chair

Cami Bremer

EXHIBIT A

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