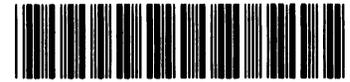


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El Paso County, CO



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RESOLUTION NO. 20-143

EL PASO COUNTY BOARD OF COUNTY COMMISSIONERS, STATE OF COLORADO

APPROVAL OF THE PINE VIEW ESTATES MAP AMENDMENT (REZONING) (P-19-002)

WHEREAS Alice Jolene Owens did file an application with the El Paso County Planning and Community Development Department for an amendment to the El Paso County Zoning Map to rezone for property located within the unincorporated area of the County, more particularly described in Exhibit A, which is attached hereto and incorporated by reference from the A-35 (Agricultural) zoning district to the RR-5 (Residential Rural) zoning district; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on March 3, 2020, upon which date the Planning Commission did by formal resolution recommend approval of the subject map amendment application; and

WHEREAS, a public hearing was held by this Board on March 24, 2020; 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, 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. The application was properly submitted for consideration by the Board of County Commissioners.
2. 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.
3. 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 reviewed, and all interested persons were heard at those hearings.
4. The proposed zoning is in compliance with the recommendations set forth in the Master Plan for the unincorporated area of the county.

5. The proposed land use will be compatible with existing and permitted land uses in the area.
6. 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.
7. For the above-stated and other reasons, the proposed Amendment to the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of El Paso County.
8. Changing conditions clearly require amendment to the Zoning Resolutions.

NOW, THEREFORE, BE IT RESOLVED the El Paso County Board of County Commissioners hereby approves the petition of Pine View Estates 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 A-35 (Agricultural) zoning district to the RR-5 (Residential Rural) zoning district ;

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

CONDITIONS

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are not limited to: the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the RR-5 (Residential Rural) zoning district and with the applicable sections of the Land Development Code and Engineering Criteria Manual.

NOTATIONS

1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied.

However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said petition. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.

2. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.

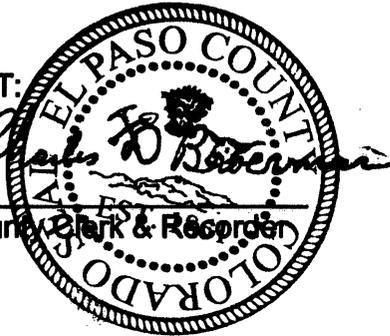
AND BE IT FURTHER RESOLVED the record and recommendations of the El Paso County Planning Commission be adopted, except as modified herein.

DONE THIS 14th day of April, 2020, at Colorado Springs, Colorado.

ATTEST:

By: _____

County Clerk & Recorder



BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

By: _____

Chair

A handwritten signature in black ink, consisting of a large, stylized 'M' followed by a long horizontal line extending to the right.

EXHIBIT A

The Southwest Quarter of the Northwest Quarter of Section 13, Township 11 South, Range 64 West, County of El Paso, State of Colorado, more particularly described as follows:

THAT PORTION OF THE WEST ONE-HALF OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 11 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN AS DESCRIBED AS FOLLOWS:

THE WEST ONE-HALF OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 11 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, STATE OF COLORADO - EXCLUDING THAT PORTION OF SAID SECTION 13 AS BEING DESCRIBED IN BOOK 6715 AT PAGE 96 THRU PAGE 102 AT RECEPTION NO. 95090782 AND AS DESCRIBED AT RECEPTION NO. 218065458, AS RECORDED IN EL PASO COUNTY, COLORADO.

SAID PARCEL DESCRIBED AS COMMENCING AT THE SURVEY MONUMENTED NORTHWEST CORNER OF SECTION 13, TOWNSHIP 11 SOUTH, RANGE 64 WEST, 6TH PRINCIPAL MERIDIAN, SAID SECTION CORNER BEING THE SOUTHWEST CORNER OF "PEYTON PINES SUBDIVISION - FILING #4" AS RECORDED IN PLAT BOOK N3 AT PAGE 120, SHEET 7, EL PASO COUNTY; THENCE S 89°02'04" EAST ON A TRUE NORTH NORTH/MERIDIAN BEARING AS DETERMINED BY SOLAR OBSERVATION 300.00' ALONG THE SECTIONLINE COMMON TO SECTIONS 12 AND 13 TO THE NORTHEAST CORNER OF THAT PORTION (SECTION 13) OF THE PARCEL DESCRIBED IN SAID BOOK 6715 AT PAGE 96, SAID POINT BEING THE TRUE POINT-OF-BEGINNING FOR THE FOLLOWING DESCRIBED REMAINING PORTION OF SAID WEST ONE-HALF OF THE NORTHWEST QUARTER OF SAID SECTION 13;

THENCE S 0°39'33" W, 435.60' TO A POINT; THENCE N 89°02'04" W, 300.00 TO A POINT ON THE SECTIONLINE COMMON TO SECTIONS 13 AND 14; THENCE S 0°39'33" W, 2202.71 ALONG SAID SECTIONLINE TO THE SURVEY MONUMENTED WEST QUARTER CORNER OF SAID SECTION 13; THENCE EASTERLY ALONG THE EAST/WEST CENTERLINE OF SAID SECTION 13 AND BEING COMMON TO THE NORTHERLY BOUNDARY OF "PEYTON PINES SUBDIVISION" APPROXIMATELY 1286.16' TO THE SOUTHEAST CORNER OF THE WEST ONE-HALF OF SAID NORTHWEST QUARTER; THENCE NORTHERLY APPROXIMATELY 2631.43' ALONG THE EASTERLY LINE OF SAID WEST ONE-HALF OF THE NORTHWEST QUARTER OF SAID SECTION 13 AND COMMON TO THE WESTERLY LINE OF SAID "PEYTON PINES SUBDIVISION" TO THE NORTHEAST CORNER OF THE WEST ONE-HALF OF SAID NORTHWEST QUARTER; THENCE WESTERLY APPROXIMATELY 977.34' ALONG THE SECTIONLINE COMMON TO SECTIONS 12 AND 13 AND ALSO COMMON TO THE SOUTHERLY BOUNDARY OF SAID "PEYTON PINES SUBDIVISION" TO THE TRUE POINT OF BEGINNING, COUNTY OF EL PASO, STATE OF COLORADO.