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El Paso County, CO  
  
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RESOLUTION NO. 23-215

BOARD OF COUNTY COMMISSIONERS

COUNTY OF EL PASO, STATE OF COLORADO

APPROVAL OF MAP AMENDMENT (REZONE)

6385 VESSEY ROAD REZONE RR-5 TO RR-2.5 (P-22-019)

WHEREAS, SMH Consultants 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 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 RR-5 (Residential Rural) zoning district to the RR-2.5 (Residential Rural) zoning district; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on May 18, 2023, 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 the El Paso County Board of County Commissioners on June 20, 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, 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.
5. That the proposed zoning is in compliance with the recommendations set forth in the Master Plan for the unincorporated area of the county.
6. That the proposed land use will be compatible with existing and permitted land uses in the area.

7. That 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. That changing conditions clearly require amendment to the Zoning Resolutions.
9. That 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.

WHEREAS, pursuant to Section 5.3.5 of the El Paso County Land Development Code, as amended, in approving this amendment to the El Paso County Zoning Map, the Board of County Commissioners considered one or more of the following criteria:

1. The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;
2. The rezoning is in compliance with all applicable statutory provisions, including but not limited to C.R.S. § 30-28-111, § 30-28-113, and § 30-28-116;
3. The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and
4. 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.

NOW, THEREFORE, BE IT RESOLVED the El Paso County Board of County Commissioners hereby approves the petition of 6385 Vessey Road Rezone RR-5 to RR-2.5 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;

BE IT FURTHER RESOLVED the following conditions 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-2.5 zoning district and with the applicable sections of the Land Development Code and Engineering Criteria Manual.
3. Any future or subsequent subdivision and/or use of the property shall have a minimum lot size of 4 acres within the RR-2.5 zoning district.

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

DONE THIS 20<sup>th</sup> day of June 2023 at Colorado Springs, Colorado.

ATTEST:  
By: \_\_\_\_\_  
County Clerk



BOARD OF COUNTY COMMISSIONERS  
OF EL PASO COUNTY, COLORADO

By: Carrie Brenna  
Chair

EXHIBIT A

A tract of land in the North Half of Section 6, Township 12 South, Range 65 West of the Sixth Principal Meridian, El Paso County, Colorado described as follows:

Beginning at a point that is S 00° 27' 18" E 1400.36 feet and N 89° 55' 58" W 2038.83 feet from the Northeast Corner of the North Half of said Section 6; thence  
S 00° 26' 10" E 1086.04 feet to a found 5/8" rebar; thence  
N 89° 50' 38" W 697.38 feet to a found 1/2" rebar; thence  
N 01° 09' 00" W 307.34 feet to a found 1/2" rebar with Surveyor's Cap, P.L.S. #37631; thence  
N 03° 25' 41" E 318.10 feet to the South Line of the Eric F. and Carol A. Morrow tract recorded in the El Paso County Clerk and Recorder's Office, Reception No. 20112554, and a found 3/4" iron pipe;  
thence  
S 88° 40' 09" E 303.22 feet to the Southeast Corner of the said Morrow tract and a found 3/4" pipe;  
thence  
N 02° 10' 23" W 467.62 feet to the Northeast Corner of the said Morrow tract and a found 3/4" pipe;  
thence  
S 89° 51' 34" E 390.85 feet to the point of beginning, containing 14.0 acres.

Subject to easements and restrictions of record.