

RESOLUTION NO. 39, SERIES OF 2021

**RESOLUTION ZONE CHANGE FROM AGRICULTURAL FORESTRY ZONE
DISTRICT TO INDUSTRIAL ZONE DISTRICT
DEPARTMENT OF PLANNING AND ZONING
FILE # 21-002 PIKES PEAK MOTORS**

WHEREAS, Michael Devriendt, (hereafter “Applicant”) has made application for an amendment of the zoning map of Fremont County to change from the ZONE CHANGE FROM THE AGRICULTURAL FORESTRY DISTRICT TO THE INDUSTRIAL ZONE DISTRICT for the following described real property owned by Michael Devriendt:

 A parcel located within Section 1 and Section 2, Township 19 South, Range 69 West of the 6th P.M., Fremont County Colorado, being more particularly described as follows:

Beginning at the Northwest corner of the SW1/4NW1/4, Section 1; thence N 89°36’40” E, 30 feet along the north line of the SW1/4NW1/4 and the extension thereof; thence N 00°01’51”W, 321.83; thence N 79°44’46” W, 1375.00 feet; thence S 00°00’00” W 575.79 feet; thence N 89°36’40” E, 1323.83 feet to the point of beginning. Containing 13.94 acres more or less.

County of Fremont, State of Colorado; and

WHEREAS, pursuant to the Fremont County Zoning Resolution previously adopted; the Planning Commission of Fremont County reviewed the application at its September 7, 2021 regular meeting and recommended the **APPROVAL** of such application; and

WHEREAS, a notice containing the specific request, proposed use, date, time, and location of the public hearing, telephone number of the Fremont County Department of Planning and Zoning (hereafter “Department”), and a site plan and vicinity map were mailed fourteen (14) days prior to the public hearing, by certified mail, return receipt to the Department, to all property owners within five-hundred (500) feet of the boundaries of the subject parcel; and to the appropriate reviewing agencies; and

WHEREAS, a notice containing the specific request, proposed use, date, time, and location of the public hearing, and telephone number of the Department where additional information may be obtained, was posted on the property fourteen (14) days prior to the public hearing; and

WHEREAS, a notice of the public hearing was published by the Department, in a newspaper of general circulation in Fremont County, fourteen (14) days prior to the public hearing, and which contained the specific request, time and place of the public hearing, and an explanation of the proposed use and its location; and

WHEREAS, the Board held a public hearing concerning said application on October 12, 2021 at which time comments and evidence were considered, including all materials contained as part of the application and which were in the Department's file concerning the application; and

WHEREAS, following the public hearing, the Board unanimously voted to approve the rezoning.

NOW THEREFORE, BE IT RESOLVED by the Board:

1. The procedural requirements of Section 8.13 of the Fremont County Zoning Resolution have been met.
2. Justification for the rezoning is as follows:

- a. The property was not properly zoned when existing zoning was imposed.
- b. Additional land is needed in the proposed zone district.
- c. There has been a material change in the neighborhood which justifies the requested zone change.
- d. The proposed zone change will be in conformance to the Comprehensive or Master Plan for the area.

2. The application and request for zone change is hereby approved and the zoning classification of the hereinafter described real property is changed from the AGRICULTURAL FORESTRY ZONE DISTRICT TO THE INDUSTRIAL ZONE DISTRICT.

3 The zoning map of Fremont County shall be and is hereby amended to show and record such change of zoning classification.

4. The legal description of the real property so affected is:

A parcel located within Section 1 and Section 2, Township 19 South, Range 69 West of the 6th P.M., Fremont County Colorado, being more particularly described as follows:
Beginning at the Northwest corner of the SW1/4NW1/4, Section 1; thence N 89°36'40" E, 30 feet along the north line of the SW1/4NW1/4 and the extension thereof; thence N 00°01'51"W, 321.83; thence N 79°44'46" W, 1375.00 feet; thence S 00°00'00" W 575.79 feet; thence N 89°36'40" E, 1323.83 feet to the point of beginning. Containing 13.94 acres more or less.
County of Fremont, State of Colorado

The Real Property is commonly known as 62651 US Highway 50, Penrose, CO 81240.

Commissioner _____ moved adoption of the foregoing Resolution, seconded by
Commissioner _____ and approved by roll call vote as follows:

Commissioner Bell: Aye/ Nay / Abstain / Absent

Commissioner Grantham: Aye/ Nay / Abstain / Absent

Commissioner McFall : Aye/ Nay / Abstain / Absent

Date: _____

BOARD OF COUNTY COMMISSIONERS
OF FREMONT COUNTY

ATTEST:

By: _____
Chairman

By: _____
Clerk to the Board