

RESOLUTION NO. _____
Series of 2021

RESOLUTION FOR MODIFICATION OF COMMERCIAL DEVELOPMENT PLAN

FREMONT COUNTY DEPARTMENT OF PLANNING AND ZONING FILE
#CDP 13-001 PIKES PEAK MOTORS COMMERCIAL DEVELOPMENT PLAN

BE IT RESOLVED by the Fremont County Board of County Commissioners (hereafter “Board”):

THAT WHEREAS, Michael DeVriendt (hereafter “Applicant”) has made application for a modification of an approved Commercial Development Plan to allow for an enlargement of the existing automobile graveyard/salvage yard and incorporate a used car sales area in the front parking lot. This modification is also removing 6.56 acres from the original Commercial Development Plan which will remain vacant. Said application has been designated as file **#CDP 13-001 Pikes Peak Motors Modification**; 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** 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 property, 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

NOW THEREFORE, BE IT RESOLVED that the above and foregoing application and request for modification of the commercial development plan be and is hereby approved; and that the legal description of the real property so affected is described as follows:

LEGAL DESCRIPTION

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, 1343.83 feet along the north line of the SW1/4NW1/4 and the extension thereof; thence S 00°01'51" E, 1146.50 feet to a point on the north right-of-way line of U.S. Highway 50; thence along said right-of-way N 71°31'08" W, 1926.77 feet; thence N 00°00'00" E, 523.33 feet; thence N 89°36'40" E, 483.00 feet to the point of beginning.
Containing 35.018 acres.

A. All previous conditions of CDP 13-001 shall remain in full force and effect, except to the extent that such conditions are superseded by this approval.

B. Applicant shall comply with the recommendations of the County Project Engineer regarding drainage.

CONTINGENCY ITEMS:

1. Applicant shall submit and complete a Lot Line Adjustment to combine the parcels used for the commercial operation on a single lot.

2. Depict natural landscape and vegetation areas surrounding the parking areas on the Commercial Development Plan and add a note that the area shall be attractively maintained and kept clean of debris, rubbish, and wrecked/inoperable vehicles.

Commissioner Bell: Aye / Nay / Abstain / Absent

Commissioner McFall: Aye / Nay / Abstain / Absent

Commissioner Grantham: Aye / Nay / Abstain / Absent

The Resolution was declared to be duly adopted.

DATE: _____

CHAIRMAN, FREMONT COUNTY BOARD OF COUNTY COMMISSIONERS

ATTEST: _____
FREMONT COUNTY CLERK AND RECORDER