

RESOLUTION NO. ___, SERIES OF 2023

**RESOLUTION ZONE CHANGE
DEPARTMENT OF PLANNING AND ZONING
FILE # 23-002 BERRY**

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

THAT WHEREAS, Keith Berry, (hereafter “applicant”) has made application for an amendment of the zoning map of Fremont County to change from the LOW DENSITY RESIDENTIAL DISTRICT TO THE AGRICULTURAL SUBURBAN ZONE DISTRICT for certain described real property owned by Keith Berry; and

WHEREAS, pursuant to the Fremont County Zoning Resolution previously adopted; the Planning Commission of Fremont County reviewed the application at its October 3th, 2023 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 November 14th, 2023 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;

NOW THEREFORE, BE IT RESOLVED by the Board that:

The Board makes the following findings and justification with respect to the application for Zone Change:

- a. Per FCZR section 2.4.3 a zone change was required in order to complete a Boundary Line Adjustment.

b. The proposed zone change will be in conformance to the Comprehensive or Master Plan for the area.

NOW THEREFORE, BE IT RESOLVED that the above and foregoing application and request for change be and is hereby approved; that the zoning classification of the hereinafter described real property is changed from the LOW DENSITY RESIDENTIAL ZONE DISTRICT TO THE AGRICULTURAL SUBURBAN ZONE DISTRICT and that the zoning map of Fremont County be and is hereby amended to show and record such change of classification and that the legal description of the real property so affected is described as follows:

M&B or unknown in SW4NE4 Beg 40 RODS N OF SW CORNER THEN EAST 264 FEET MORE OR LESS THEN NORTH 165 FEET MORE OR LESS THEN WEST 264 FEET MORE OR LESS THEN SOUTH 165 FEET MORE OR LESS. SURFACE ONLY & EXC STS & DITCHES SEC 4-19-70 TR-246K.

And commonly known as 1422 Walnut Street, Canon City 81212.

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 McFall:	Aye	Nay	Abstain	Absent
Commissioner Grantham:	Aye	Nay	Abstain	Absent

Date: _____

BOARD OF COUNTY COMMISSIONERS
OF FREMONT COUNTY

ATTEST:

By: _____
Chairman

By: _____
Clerk to the Board