



West PUD; and

WHEREAS, the Board of County Commissioners, having found the hearing on January 25, 2023 and continued to March 8, 2023 was properly noticed, and having reviewed the documentation of the applicant, and having provided the opportunity for public comment, and being fully advised on the proposal; and

WHEREAS, the Board of County Commissioners made the following findings:

1. The proposed rezoning conforms to and is generally consistent with the goals and policies of the Elbert County Comprehensive Plan,
2. The proposed rezoning is compatible with surrounding land uses,
3. The proposed rezoning would not adversely impact the provision of public services,
4. The proposed rezoning would not adversely impact the environment,
5. The proposed rezoning would not create unreasonable traffic congestion or burden the existing road system without improvements, and
6. The proposed rezoning will not otherwise be detrimental to the health, safety or welfare of the present or future inhabitants of Elbert County;

BE IT THEREFORE RESOLVED, the Board of County Commissioners for the County of Elbert, Colorado does hereby approve the **PA-22-0036 BANDERA EAST AND BANDERA WEST PUD AMENDMENT (INDEPENDENCE)** with conditions of approval to include:

1. The applicant will be required to remove the Public Hearing sign within seven (7) days of a decision by the Board of County Commissioners.
2. The PUD shall not become effective until all fees are paid, conditions of approval are met, and the PUD Exhibit is recorded.
3. Recordation of all appropriate documentation to occur within 180 days of Board of County Commissioners' approval.
4. The applicant shall amend the PUD exhibit to include the planned access to the adjacent property to the north as well as add the existing east-west right-of-way on the northern property line.
5. The applicant will be required to repave County Road 158 between County Road 1 (Delbert Road) and County Road 13 within 15 months of any approval.
6. In addition to existing obligations regarding County Road 1 (Delbert Road), the applicant will be required to construct County Road 1 (Delbert Road) between County Road 5 (Hancock Parkway) and County Road 158.



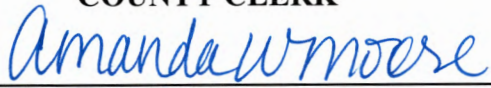
Upon a motion duly made and seconded, the foregoing resolution was adopted by the following vote:


CHRIS RICHARDSON, CHAIR


GRANT THAYER, VICE CHAIR


DALLAS SCHROEDER, COMMISSIONER

ATTEST: RHONDA BRAUN
COUNTY CLERK


DEPUTY CLERK TO BOCC – Amanda Moore

