

STATE OF COLORADO }  
                                  } ss  
COUNTY OF ELBERT }

At a regular meeting of the Board of County Commissioners for Elbert County, State of Colorado, held at the Elbert County Fairgrounds – Agricultural Building on Wednesday, the 14<sup>th</sup> day of October, 2020, there were present:

- |                        |                           |
|------------------------|---------------------------|
| Christopher Richardson | Chair                     |
| Grant Thayer           | Vice Chair                |
| Rick Pettit            | Commissioner              |
| Amanda Moore           | Deputy Clerk to the Board |

When the following proceedings, among others were had and done, to wit:

**APPROVE  
RESOLUTION 20-29**

**SU-18-0087 NEXIUS TOWER SPECIAL USE BY REVIEW. A REQUEST TO ALLOW FOR THE CONSTRUCTION OF A 304’ TELECOMMUNICATIONS TOWER ON THE BOY SCOUT’S PROPERTY LOCATED AT 22799 N. ELBERT ROAD, ELBERT.**

**WHEREAS**, the applicant, Jaclyn Levine with Nexius Solutions, has submitted an application (Case No. SU-18-0087) requesting approval to construct a 304’ telecommunications tower on the Boy Scout’s property located at 22799 N. Elbert, Elbert; and

**WHEREAS**, the proposed project is located in part of Section 10, Township 11 South, Range 64 West of the 6<sup>th</sup> Principal Meridian in Elbert County; and

**WHEREAS**, the Community and Development Services Department and the Planning Commission made the following Findings related to the applications:

1. The proposal is in general conformance with the Elbert County Comprehensive Plan; and
2. The proposal meets the criteria for approval in the Elbert County Zoning Regulations; and
3. The Elbert County Subdivision Regulations are not applicable to this application; and
4. The proposed land use is compatible with existing and allowable land uses in the surrounding area; and
5. The proposed land use will not result in significant impact to the health, safety, and welfare of the residents and landowners of the surrounding area.

**WHEREAS**, on August 18, 2020, the Planning Commission held a public hearing on this item and voted 4-0 to recommend approval to the Board of County Commissioners; and



**WHEREAS**, it was determined that the Planning Commission was one member short of the required number for quorum staff re-advertised the item in the *Elbert County News* and the applicant sent out revised notices to property owners for public hearings before the Planning Commission on September 29, 2020, and the Board of County Commissioners on October 14, 2020; and

**WHEREAS**, on September 29, 2020, the Planning Commission held a public hearing on this application. At the hearing there were presentations by Staff and the applicant, and public comment was solicited. On a vote of 5-0 the Planning Commission forwarded their recommendation of approval to the Board of County Commissioners; and

**WHEREAS**, on October 14, 2020, the Board of County Commissioners held a public hearing on the proposed SUR. At the hearing there were presentations by Staff and the applicant, and public comment was solicited; and

**WHEREAS**, the Board of County Commissioners, having found that this hearing was properly noticed, and having reviewed the recommendations of the Planning Commission, and having reviewed the documentation of the applicant, and having listened to all public comment, and being fully advised in the premise.

**BE IT THEREFORE RESOLVED**, the Board of County Commissioners does hereby approve **SU-18-0087 NEXIUS TOWER SPECIAL USE BY REVIEW** with conditions of approval to include:

1. The applicant will be required to remove the Public Hearing sign(s) within seven (7) days of a decision by the Board of County Commissioners, and
2. The Special Use by Review shall not become effective until all fees are paid, conditions of approval are met, the Special Use by Review Exhibit is recorded, and
3. Recordation of all appropriate documentation to occur within 180 days of Board of County Commissioners' approval; and
4. Access permit shall be obtained from Road & Bridge and the driveway shall be constructed to commercial driveway standards; and
5. The tower owner shall provide ECCA with two 10' vertical slots on this tower at locations to be negotiated for future use for emergency communications facilities and antennas. Tis space is to be provided at no cost to ECCA.



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

  
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**CHRISTOPHER RICHARDSON**

  
\_\_\_\_\_  
**GRANT THAYER**

  
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**RICK PETTIT**

**ATTEST: AMANDA MOORE  
DEPUTY COUNTY CLERK**

**BY: Amanda W Moore  
Deputy Clerk to the Board**

