

RESOLUTION No. 2006-037

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO TO APPROVE THE
B & V SUBDIVISION FINAL PLAT AMENDMENT**

WHEREAS, Ed Fuller, the owner of Lot 1, B & V Subdivision, has requested a plat amendment to allow a residence on Lot 1, B & V Subdivision (“Application”); and

WHEREAS, the Board of County Commissioners of Ouray County, Colorado (“Board”) heard comments on the Application at its regularly scheduled and noticed meeting on May 8, 2006; and

WHEREAS, on May 8, 2006 the Board reviewed the Application, Staff Report and supporting materials and heard comments on the Application; and

WHEREAS, the need for the plat amendment arises from a restriction on the original approval of the B & V Subdivision in 1987 when it was noted that no residential use would be allowed on Lot 1; and

WHEREAS, it appears from the records that such restriction on the use of Lot 1 was as a result of the lack of adequate potable water to serve Lot 1; and

WHEREAS, the Ridgway Area Joint Planning Board recommended approval of the amendment based upon the condition that the applicant receive approval for access from the Colorado Department of Transportation and that the Tri-County water line be extended to Lot 1, prior to recording of the amended plat; and

WHEREAS, it appears that the requested amendment to the B & V Subdivision meets the requirements of the Ouray County Land Use Code;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO, AS FOLLOWS:

1. The request to amend the B & V Subdivision plat, to permit residential use of Lot 1 is approved, subject to the following conditions:

a. Prior to recording a final amended plat for B & V Subdivision, the applicant shall obtain a new highway access permit from the Colorado Department of Transportation for the change of use and a copy of such access permit shall be submitted to the Ouray County Land Use Administrator;

b. Prior to recording the final amended plat for B & V Subdivision, the Tri-County water line shall be extended to the lot line of Lot 1, B & V Subdivision;

c. The Applicant shall have one year from the date of approval to comply with the conditions set forth in a. and b. above, otherwise, the approval set forth herein shall be void.

APPROVED AND ADOPTED THIS 22nd DAY OF May 2006.

Board of County Commissioners of
Ouray County, Colorado

Heidi M. Albritton, Chair

Don Batchelder, Vice-Chair

Kristi R. Westfall, Commissioner Member

ATTEST:

Michelle Nauer
Ouray County Clerk and Recorder
By: Linda Munson-Haley
Deputy Clerk of the Board