

**A RESOLUTION OF THE
BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO
TO APPROVE THE SPECIAL USE PERMIT FOR THE
OWNERS ASSOCIATION OF ELK MEADOWS ESTATES
TO UPGRADE ITS WATER SYSTEM AND FOR A FIRE STATION**

WHEREAS, the Owners Association of Elk Meadows Estates (“Applicant”) has filed its application for a Special Use Permit (“SUP”) to upgrade its water treatment plant and replace an existing 12,000 gallon storage tank with a 75,000-gallon tank and to construct a single-bay fire station (“Application”); and

WHEREAS, the Application was approved by the Ridgway Area Joint Planning Board on August 21, 2007; and

WHEREAS, the Application was on the regular meeting agenda for the Board of County Commissioners of Ouray County, Colorado (“Board”) on September 24, 2007 at 11:00 a.m.; and

WHEREAS, on September 24, 2007 the Board reviewed the Application, Staff Report and supporting materials on the Application; and

WHEREAS, based upon the Application, supporting materials and Staff Report, the Board has determined that the Application meets the conditions and criteria set forth in Section 5.3 of the Ouray County Land Use Code (“LUC”) for a Special Use Permit and otherwise complies with the applicable provisions of the LUC; and

WHEREAS, the Applicant has requested a waiver of the normal fees associated with a SUP, as it is a Colorado non-profit entity;

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

1. The Application for a Special Use Permit is approved for upgrades to the existing water system in Elk Meadows Estates to include the installation of a 75,000-gallon water tank and construction of a single-bay fire station, with the following conditions:
 - a. Applicant shall comply with all local, state and federal regulations in the construction and operation of the water system upgrades and the fire station.
 - b. Applicant shall obtain all necessary building permits prior to commencing construction of the approved facilities.
 - c. During and after construction of the approved facilities, the applicant shall make all reasonable efforts to mitigate dust and noise.
 - d. Any new structures or modifications to existing structures, including but not limited to the new water tank, shall be painted in muted, earth-tone colors.
 - e. Prior to the issuance of any Building Permit for the approved facilities, the Applicant shall submit a signed Weed Management and Re-

vegetation Plan that has been approved and signed by the Ouray County Weed Coordinator and shall submit an acceptable financial assurance in the amount of \$1200.00 to guarantee the installation and maintenance of any re-vegetation. Such financial assurance to remain in place for a minimum of three years or until the Ouray County Weed Coordinator certifies that re-vegetation has been satisfactorily completed. The exact amount of the financial assurance may be adjusted once the exact area requiring weed control and re-vegetation has been determined.

- f. The Applicant shall perform all required re-vegetation and weed control to any ground disturbed by the construction or improvements of the water tank and the fire station.
 - g. The Applicant shall comply with the recommendations contained in the August 29, 2007 report from Buckhorn Geotech for the mitigation plan in the event of a catastrophic failure of the 75,000-gallon water tank.
2. All fees for the Special Use Permit and any associated road impact fees are waived.

APPROVED AND ADOPTED THIS ____ DAY OF OCTOBER, 2007, RATIFYING ACTION TAKEN ON SEPTEMBER 24, 2007.

BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO

Attest:

Don Batchelder, Chair

Heidi M. Albritton, Vice Chair

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

K. Keith Meinert, Commissioner Member