

**A RESOLUTION OF THE
BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO
TO APPROVE THE SPECIAL USE PERMIT FOR SBA TOWERS II, LLC**

WHEREAS, SBA TOWERS II, LLC, by and through its agent, Commnet Four Corners, LLC (“Applicant”), has filed its application for a Special Use Permit to install four antenna panels on, and an equipment cabinet adjacent to, an existing communications tower located northeast of Colona, Colorado (“Application”), specifically on property described as the S½ SE¼ , Section 7, and the NE¼ NW¼, N½ NE¼, Section 18, Township 47 North, Range 8 West, N.M.P.M. (“Property”); and

WHEREAS, the proposed antennas will be installed on an existing communications tower that was previously approved by the Board of County Commissioners of Ouray County, Colorado (“Board”) on March 12, 2001 by Resolution No. 2001-030; and

WHEREAS, the Property is located within the Valley Zone and pursuant to the Land Use Code (“LUC”), “public utility” is an allowed use, with a Special Use Permit, in the Valley Zone; and

WHEREAS, notice of a Public Hearing on such Application was published on October 10 and October 17, 2008 in the Ouray County Plaindealer and on October 15 and October 22, 2008 in the Ridgway Sun, and the Board held a public hearing on the Application on October 27, 2008 at 2:30 p.m.; and

WHEREAS, on October 27, 2008 the Board reviewed the Application, supporting materials and Staff Report and heard statements from the Applicant and the public; and

WHEREAS, based upon the Application, supporting materials and Staff Report, as well as the information received at the Public Hearing, the Board has determined that the Application meets the conditions and criteria set forth in Section 5 of the LUC and specifically Section 5.3 (“Review Requirements”) of the LUC for a Special Use Permit and otherwise complies with the applicable provisions of the LUC;

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 for installation of four antenna panels on, and an equipment cabinet adjacent to, an existing communications tower located northeast of Colona, Colorado is approved.

APPROVED AND ADOPTED THIS ____ DAY OF NOVEMBER, 2008, RATIFYING ACTION TAKEN ON OCTOBER 27, 2008.

BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO

Attest:

K. Keith Meinert, Chair

Don Batchelder, Vice Chair

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

Heidi M. Albritton, Commissioner Member