

**A RESOLUTION OF THE
BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO
TO APPROVE THE SPECIAL USE PERMIT FOR
HORSEFLY FIRE PROTECTION ASSOCIATION
FOR CONSTRUCTION OF A STORAGE BUILDING TO HOUSE FIREFIGHTING EQUIPMENT**

WHEREAS, the Horsefly Fire Protection Association through the authorized agent, Dan Quigley ("Applicant"), filed its application for a Special Use Permit to construct a building for the storage and maintenance of wildland firefighting apparatus and equipment ("Application") on property owned by Fred Wetlaufer and Virginia Kile and leased to the Horsefly Fire Protection Association located at 1160 Mariposa Drive in Ouray County, Colorado ("Property"); and

WHEREAS, notice of a Public Hearing on such Application was published on August 7, 2009 in the Ouray Plaindealer and on August 12 and 19, 2009 in the Ridgway Sun, proper notice was mailed to adjacent property owners, and the Board of County Commissioners of Ouray County, Colorado ("Board") held public hearings on the Application on August 24, 2009 at 9:30 a.m. and on September 14, 2009 (collectively "Public Hearing"); and

WHEREAS, at the Public Hearing the Board reviewed the Application, supporting materials and Staff Report, including the request that the application fees for the Special Use Permit and building permit and septic permit fees be waived and sought public comment on the Application; and

WHEREAS, based upon the Application, supporting materials and Staff Report, and the statements from the Applicant, 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;

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 construction of a fire equipment storage building at 1160 Mariposa Drive, Montrose, CO (Located in Ouray County, Colorado) is approved, subject to the following conditions:
 - a. That the Applicant supply satisfactory evidence to the Ouray County Attorney of a recorded or prescriptive easement to serve the Property.
 - b. That the Lease between Fred Wetlaufer and Virginia Kile and the Horsefly Fire Protection Association be recorded and evidence of the same be provided to the Ouray County Planner.
 - c. Applicant shall abide by the Stop Work Order issued by the Ouray County Building Official and any/all construction activities shall cease until all necessary permits are obtained.
 - d. Applicant shall maintain a port-a-potty on site until such time that a bathroom facility has been constructed in the building.
2. The application fee for the Special Use Permit and any associated road impact fee are waived for this Application.

3. The building permit fee, plan check fee, mechanical permit, and septic permit fee are all waived and all associated inspection fees customarily charged by Ouray County are waived.
4. This Special Use Permit is valid for two (2) years from the date of final approval and disposition by the Board. Thereafter, Applicant shall comply with the requirements of Section 5.6 of the LUC for renewal of such permit.

APPROVED AND ADOPTED THIS ____ DAY OF SEPTEMBER, 2009, RATIFYING ACTION TAKEN ON AUGUST 24, 2009.

BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO

Attest:

Heidi M. Albritton, Chair

K. Keith Meinert, Vice-Chair

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

Lynn M. Padgett, Commissioner