

RESOLUTION NO. P&D 17-045

**THE BOARD OF COUNTY COMMISSIONERS
OF PUEBLO COUNTY, COLORADO**

**A RESOLUTION RESCINDING APPROVAL OF LOPEZ SUBDIVISION
PRELIMINARY PLAN NO. 2010-001, A RE-SUBDIVISION OF PARCEL C OF
SUBDIVISION VARIANCE NO. 459, LOCATED IN A PORTION OF SECTION 2,
TOWNSHIP 21 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN,
PUEBLO COUNTY, COLORADO**

WHEREAS, Gilbert Maes and Josie Maes filed a request with the Pueblo County Planning Director to re-subdivide Parcel C of Subdivision Variance No. 459 into two lots: Lot 1 contains 1.64 acres and Lot 2 contains 1.36 acre; and

WHEREAS, Proposed Lot 1 contains an existing single-family residence addressed as 28282 Gale Road and Proposed Lot 2 is vacant; and

WHEREAS, the subdivision is in the A-4, Agricultural (minimum 1/2 acre) Zone District; and

WHEREAS, the Board of County Commissioners approved Lopez Subdivision Preliminary Plan No. 2010-001 on March 16, 2010 with the following conditions:

1. The Preliminary Plan shall show the irrigation ditch and drainage swales, as discussed in the Drainage Report, as easements and be designated as "No Build Area".
2. Lopez Subdivision Preliminary Plan No. 2010-001 shall be modified to include all technical wording and corrections as requested by the Department of Planning and Development and the Department of Public Works, including but not limited to the depiction of any easements (public or private), plat notes, etc. Upon final approval, the owners'/applicants' representative shall submit to the Department of Planning and Development the final version of the Preliminary Plan in the appropriate digital formats (i.e., .dwg and .pdf); and

WHEREAS, it has been over seven (7) years (March, 2010) since the approval of Preliminary Plan No. 2010-001. The Department of Planning and Development is requesting rescission of Preliminary Plan No. 2010-001 due to the lack of the applicants/owners pursuing the conditions of approval; and

WHEREAS, a public hearing, preceded by proper public notice, was heard by the Board of County Commissioners on September 13, 2017 and, at said hearing, all those who desired to be heard were heard and their testimony recorded; and

WHEREAS, the Board has reviewed and taken administrative notice of the testimony, documents submitted at the hearings, and the contents of the Planning Director's file.

RESOLUTION NO. P&D 17-045 (CONT.)


NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pueblo County, Colorado, Lopez Subdivision Preliminary Plan No. 2010-001 is hereby rescinded based upon failure of the owners to comply with requirements in the Pueblo County Code, Title 16, SUBDIVISIONS and the conditions of approval.

PASSED AND ADOPTED this 13TH day of SEPTEMBER 2017, in Pueblo County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS
OF PUEBLO COUNTY, COLORADO:**

By: 
Terry A. Hart, Chairman

ATTEST:

By: 
Gilbert Ortiz, County Clerk