STATE OF COLORADO)
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County of Garfield)

At a regular meeting of the Board of County Commissioners for Garfield County, Colorado, held in the Commissioners' Meeting Room, Garfield County Administration Building, in Glenwood Springs on Monday, the 14th day of October 2024, there were present:

John Martin	, Commissioner Chairman
Tom Jankovsky	, Commissioner
Mike Samson	, Commissioner (ABSENT)
Bentley Henderson	, Deputy County Manager
Heather Beattie:	, County Attorney
Kelly Cave	, Assistant County Attorney

when the following proceedings, among others were had and done, to-wit:

A RESOLUTION GRANTING AN ACCOMMODATION PURSUANT TO THE FAIR HOUSING ACT TO ALLOW AN ACCESSORY DWELLING UNIT ON A 6.288 ACRE LOT LOCATED IN SECTION 20, TOWNSHIP 7, RANGE 95 AND KNOWN AS LOT 10 OF THE MONUMENT RIDGE SUBDIVISION, OWNED KEVIN AND RHONDA COLEMAN.

PARCEL NO. 240720226010

Recitals

- A. The Board of County Commissioners of Garfield County, Colorado, (Board) received a request for an Accommodation Pursuant to the Federal Fair Housing Act to allow for a caregiver accessory dwelling unit (ADU) in the Monument Ridge Subdivision (recorded at Reception No. 679333) which had previously restricted ADUs
- B. The subject property is known as Lot 10 of the Monument Ridge Subdivision; it is 6.288 acres; it is owned by Kevin and Rhonda Coleman (Applicant); and it is within the Rural Zone District.
- C. The Board may grant an Accommodation Pursuant to the Federal Fair Housing Act in accordance with the Land Use and Development Code, as amended, to provide relief from the County's land use regulations and/or procedures to ensure equal access to housing for an individual with a disability.
- D. On the 14th day of October 2024, the Board of County Commissioners opened a public meeting upon the question of whether a request for an Accommodation Pursuant to the Federal Fair Housing Act to allow a caregiver ADU should be granted, granted with conditions, or denied at which meeting the public and interested persons were given the opportunity to express their opinions regarding the issuance of said extension.

- E. The Board of County Commissioners closed the public hearing on the 14th day of October 2024 to make a final decision.
- F. The Board of County Commissioners, acting on the basis of substantial competent evidence produced at the aforementioned meeting, has made the following determinations of fact.
 - 1. That proper public notice was provided as required for the hearing before the Board of County Commissioners.
 - 2. The hearing before the Board of County Commissioners was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested parties were heard at that meeting.
 - 3. That for the above stated and other reasons the Accommodation Pursuant to the Federal Fair Housing Act applied for as the Coleman ADU on Lot 10 of the Monument Ridge Subdivision is in the best interest of the health, safety, convenience, order, prosperity, and welfare of the citizens of Garfield County.
 - 4. That with the adoption of conditions, the application is in general conformance with the 2030 Comprehensive Plan, as amended.
 - 5. That with the adoption of the Conditions of Approval, the application has adequately met the requirements of Section 4-119 of the Garfield County Land Use and Development Code, as amended.

Resolution

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Garfield County, Colorado, that:

- A. The forgoing Recitals are incorporated by this reference as part of this Resolution.
- B. The request for Accommodation Pursuant to the Federal Fair Housing Act is hereby approved subject to compliance with the following conditions:
 - 1. All representations made by the Applicant in the application for the Accommodation shall be conditions of approval, unless specifically altered by the Board of County Commissioners.
 - 2. The Applicant shall record a covenant on the property including the conditions contained in the County Approvals.
 - 3. The County Approvals are specifically limited to the Applicant and do not run with the land, except as outlined in Condition #4.
 - 4. At such time as the accommodation allowing for the ADU is no longer required to provide care for the Applicant in accordance with the LUDC and Fair Housing Act, the Applicant or the then property owner shall pursue one of the following options.

- a. Pursue and obtain an Amended Final Plat for the Monument Creek Subdivision to remove the restriction on the maximum number of residential units to then allow for ADU's consistent with the Rural Zone District.
- b. Remodel the ADU unit to remove the kitchen and comply with building code and LUDC policies associated with use of the structure as an accessory structure.
- 5. Use of the ADU shall be subject to compliance with the following:
- a. Compliance with the Division of Water Resources Well Permit serving the property and the ADU including any conditions of said well permit.
 - b. Installation of an engineered OWTS system to serve the ADU.
 - c. Compliance with all building code requirements for the ADU.
- 6. Staff recommends a 4-hour pump test be completed to determine if any improvements should be done to protect water service to all dwelling units, specifically during times of high demand.

Dated this	day of	, A.D. 2024
ATTEST:		COUNTY BOARD OF CONERS, GARFIELD COUNTY, O
Clerk of the Board	Date	Chairman
John Martin	l seconded the foregoing Reso	
STATE OF COLORADO))ss	
County of Garfield)	
I, Commissioners in and for the	, County Clerk and e le County and State aforesaid	x-officio Clerk of the Board of County do hereby certify that the annexed and

foregoing Resolution is truly copied from the Records of the Proceeding of the Board of County Commissioners for said Garfield County, now in my office.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Glenwood Springs, this day of, A.D. 2024
County Clerk and ex-officio Clerk of the Board of County Commissioners