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STATE OF COLORADO ) )ss
County of Garfield )

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At a <u>regular</u> meeting of the Board of County
Commissioners for Garfield County, Colorado, held at the Garfield County
Courthouse in Glenwood Springs on <u>Thursday</u>, the <u>27th</u> day
of <u>December</u> A.D. 1984, there were present:

Larry Velasquez , Commissioner Chairman

Flaven J. Cerise , Commissioner

Eugene "Jim" Drinkhouse , Commissioner

Steve Zwick , Clerk of the Board

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

RESOLUTION NO. 84-261

A RESOLUTION CONCERNED WITH THE APPROVAL OF AN APPLICATION OF STORM KINGS MINES, INC., FOR THE MODIFICATION OF THE RIVERBEND PLANNED UNIT DEVELOPMENT TO THE COAL RIDGE PLANNED UNIT DEVELOPMENT AND APPROVAL OF ITS PLAN.

WHEREAS, Storm King Mines, Inc. has filed an application with the Board of County Commissioners of Garfield County, Colorado, for the modification of the Riverbend Planned Unit Development to the Coal Ridge Planned Unit Development and approval of its plan for the parcel of land to be rezoned;

WHEREAS, a public hearing was held by this Board on December 17, 1984;

WHEREAS, based upon the evidence, sworn testimony, exhibits, study of the comprehensive plan for the unincorporated areas of Garfield County, comments from the Garfield County Department of Development and the Garfield County Planning Commission, and comments from all interested parties, this Board finds, based on substantial competent evidence, as follows:

- That proper publication and public notice was provided, as required by law, for the hearing before the Board;
- That the hearing before the Board was extensive and complete, that all pertinent facts, matters and issues were submitted, and that all interested parties were heard at the hearing;
- 3. That the Garfield County Planning Commission has recommended to this Board that the requested zoning change be granted, provided that certain conditions be imposed upon the applicant;
- 4. That the PUD modification is consistent with the efficient development and preservation of the entire PUD, does not affect, in a substantially adverse manner, either the enjoyment of land abutting upon or across a street from the PUD, or the public interest, and is not granted solely to confer a special benefit upon any person;
- 5. That the proposed zoning is in general compliance with the recommendations set forth in the comprehensive plan for the unincorporated area of the County; provided certain conditions are met in any subsequent land use permit applications;
- 6. That the requested Planned Unit Development Modification is in general compliance with all requirements of the applicable Garfield County Zoning Resolution and, further, that the requested Planned Unit Development Modification is suitable and appropriate for the subject property, given the location, condition and circumstances of the property, and it is generally compatible with existing land uses in the surrounding nearby area;