



**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY  
RESOLUTION NO. 21 - 37**

**A RESOLUTION APPROVING WATTLES ROCKEY RIVER SUBDIVISION LOCATED AT  
RESORT PARCEL IN ROCKEY RIVER ESTATES SUBDIVISION AND LEGALLY  
DESCRIBED IN ATTACHED EXHIBIT A.  
4359 COUNTY ROAD 10, GUNNISON COLORADO, LUC-20-00002**

**WHEREAS**, the applicant Robert and Danette Wattles are proposing to subdivide 6.9 acres, previously known as Rockey River Resort, into a two lot subdivision with resulting parcels of 4.333 acres for Lot A and 2.551 acres for Lot B. A new common driveway from Lots A and B off County Road 10 will access the property along the northern property line, and the current driveway along the river will be reclaimed and revegetated at the time of construction of the new access. Lot B has a domestic well but no On-site Waste Water System exists.

**WHEREAS**, a joint public hearing was conducted by the Planning Commission and Board of County Commissioners on November 5, 2021. The Gunnison County Planning Commission approved a Recommendation of conditional approval of the *WATTLES ROCKEY RIVER SUBDIVISION* on November 5, 2021, and forwarded said Recommendation to the Board of County Commissioners for their review; and

**WHEREAS**, the Board of Commissioners did, on December 7, 2021, receive and review the Planning Commission's Recommendation and considered the Recommendation in evaluating the request and intends to approve the request by the adoption in full of the Planning Commission's November 5, 2021 Recommendation, with the following Findings and Conditions of Approval:

**Findings:**

The Board finds that:

1. The Planning Commission classified the application as a Minor Impact Project, based upon the impact classification found in *Section 6-102: Projects Classified as Minor Impact Projects A, 2-4 Units*.
2. The land use change complies with all applicable requirements of the *Gunnison County and Use Resolution* and *Section 6-10: Standards of Approval for Minor Impact Projects*.
3. A Sage Grouse review was conducted by Aleshia Rummel, Gunnison Conservation District Wildlife Biologist, dated March 17, 2020 that stated the proposed activity will not adversely impact Gunnison sage-grouse or their habitats.
4. A new well permit, 82976-F, for Lot B from Colorado Division of Water Resources dated February 27, 2019 has been provided.
5. Upper Gunnison River Water Conservancy District Augmentation Agreement #ASP19-216A, dated March 12, 2019 has been provided.



6. Plat of The Resort at Rockey River, a Replat of the Resort Lot of Rockey River Estates Subdivision by Skip Hewitt dated August 8, 2021.
7. Restrictive Covenants for The Resort at Rockey River, with access agreement was provided August 8, 2021.
8. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Community Development file relative to this application; including all exhibits, references and documents as included therein.

**Conditions of Approval:**

1. A mylar subdivision plat, in compliance with Section 6-105, *Gunnison County Land Use Resolution*, shall be provided to the Community Development Department, for signature by the Board of County Commissioners. Approval shall not be effective until and unless the plat is recorded with the Office of the Gunnison County Clerk and Recorder. The applicant shall ensure that the plat will contain required language addressing concerns with domestic animals, fencing and ditch maintenance, pursuant to Section 1-105. L.8.e. of the *Land Use Resolution*.
2. The approval shall be memorialized by Board Resolution. Approval shall not be effective until the Resolution is recorded with the Office of the Gunnison County Clerk and Recorder.
3. This permit is limited to activities described within the "Project Description" of this application, and as depicted on the Plan submitted as part of this application. Expansion or change of this use will require either an application for amendment of this permit, or submittal of an application for a new permit, in compliance with applicable requirements of the *Gunnison County Land Use Resolution*.
4. This approval is founded on each individual requirement. Should the applicant successfully challenge any such finding or requirement, this approval is null and void.
5. This permit may be revoked or suspended if Gunnison County determines that any material fact set forth herein or represented by the applicant was false or misleading, or that the applicant failed to disclose facts necessary to make any such fact not misleading.
6. The removal or material alteration of any physical feature of the property (geological, topographical or vegetative) relied on herein to mitigate a possible conflict shall require a new or amended land use change permit.
7. Approval of this use is based upon the facts presented and implies no approval of similar use in the same or different location and/or with different impacts on the environment and community. Any such future application shall be reviewed and evaluated, subject to its compliance with current regulations, and its impact to the County.



**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Gunnison County, Colorado, that Land Use Change Permit No. 2020-00002 *WATTLES ROCKEY RIVER SUBDIVISION*, is approved as a Minor Impact Project, subject to each and all conditions, as identified above.

**THIS RESOLUTION AND THE APPROVAL GRANTED HEREBY** shall not be effective unless and until a copy is recorded in the Office of the Clerk and Recorder of Gunnison County.

INTRODUCED by Commissioner *Smith*

seconded by Commissioner *Mason*, and passed on this 7th day of December, 2021.

BOARD OF COUNTY COMMISSIONERS

*[Signature]*  
Jonathan Houck,  
Chairperson

*[Signature]*  
Elizabeth Smith,  
Commissioner

*[Signature]*  
Roland Mason,  
Commissioner

ATTEST:

*[Signature]*  
Gunnison County Clerk and Recorder:  
*Regutz*



**Exhibit A**

EXHIBIT A to Warranty Deed  
JOSEPH P. MARVEL, Grantor, to  
ROBERT B. WATTLES and DANETTE P.  
WATTLES, Grantees

That portion of the property designated as "RESORT" on the official plat of ROCKEY RIVER ESTATES, filed for record August 16, 1977, bearing Reception No. 818882, more particularly described as follows:

Beginning at the SE corner of Lot number 17 of said Rocky River Estates; thence along the southerly line of Lots 17 and 16 of said Rocky River Estates S 63°49'46" W 435.00 feet to the southwesterly corner of said Lot number 16; thence along the westerly line of said Lot number 16, N 00°05'01" W 50.00 feet; thence S 63°49'46" W 75.00 feet; thence S 00°05'01" E 50.00 feet to a point on the southerly line of Lot number 15 of said Rocky River Estates; thence along the southerly line of Lots number 15 and 14 of said Rocky River Estates S 63°49'46" W 242.00 feet to the southwesterly corner of said Lot number 14; thence along the easterly line of Lot number 13 of said Rocky River Estates S 07°30'19" W 110.97 feet to the northeasterly corner of Lot number 12 of said Rocky River Estates; thence along the easterly line of said Lot number 12 S 25°36'19" E 347.09 feet to the southeasterly corner of said Lot number 12; thence along the southeasterly line of Lot number 11 of said Rocky River Estates S 52°28'35" E 82.84 feet to a point on the centerline of the Gunnison River; thence along the centerline of said Gunnison River N 43°38' E 440.00 feet; and again N 53°08' E 269.10 feet; thence leaving said centerline N 00°13'47" W 110.00 feet; thence S 53°08' W 54.74 feet; thence N 00°13'28" W 248.08 feet to the point of beginning

County of Gunnison  
State of Colorado

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