



**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 25 - 6**

A RESOLUTION APPROVING LUC-24-00035, A LAND USE CHANGE PERMIT APPLICATION FOR A MINOR IMPACT LAND USE CHANGE FOR A TWO LOT SUBDIVISION AT A PARCEL COMMONLY DESCRIBED AS 225 COLUMBINE RD. GUNNISON, AND LEGALLY DESCRIBED AS T49N, R1W, N.M.P.M. SECTION 14: A TRACT OF LAND LOCATED IN THE NW¼ SE¼ OF SAID SECTION, MORE PARTICULARLY DESCRIBED IN THE PERSONAL REPRESENTATIVE'S DEED AT RECEPTION NO. 696278, COUNTY OF GUNNISON, STATE OF COLORADO.

WHEREAS, The Applicant, Kevin Graham, proposes a two-lot subdivision of a 2.19 acre lot at 225 Columbine Rd, in the Hartman Rocks area of Gunnison, CO. The subject parcel is within, but not a part of, Panoview Park Subdivision. The proposal creates two new lots, 1.12 acre Tract A and 1.09 acre Tract B; and,

WHEREAS, the Gunnison County Planning Commission, in a joint public hearing with the Gunnison County Board of County Commissioners on December 19, 2024, unanimously approved recommendation of the subdivision application to the Gunnison County Board of County Commissioners with certain findings and conditions; and

WHEREAS, the Board of Commissioners did, on February 4, 2025, 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 December 19, 2024 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 proposed activity will not adversely impact Gunnison sage-grouse or their habitats beyond that which has already occurred. Conditions for the subdivision are in Administrative Review Certificate No. 178, Series 2024 recorded on September 10, 2024 at Reception No. 698387.
3. The subdivision is located within the Gunnison Three-Mile Plan and Urban Growth Boundary (1997) and City of Gunnison Comprehensive Plan (2020) areas; and received a letter of support without conditions from the City of Gunnison Planning and Zoning Commission on August 14, 2024.
4. 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*.



5. This application is consistent with the standards and requirements of this Resolution.
6. 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. 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*.
2. A separate Gunnison Sage-grouse analysis will be required, which may include additional conditions, for any proposed development in the future not addressed in Administrative Review Certificate No. 178, Series 2024 recorded on September 10, 2024 at Reception No. 698387.
3. Future development will comply with Colorado Geologic Survey recommendation that "...any grading cuts with a vertical component of more than four feet be disallowed or evaluated for stability." Pursuant to LUR Section 11-104 Development in Areas Subject to Geologic Hazards, a geotechnical analysis will be required prior to any development.
4. Applicant shall use bear-proof trash containers to minimize human-bear conflict.
5. Any fencing shall be built using wildlife friendly specs so as not to restrict movement of elk, deer, and other wildlife.
6. All pet food sources shall be kept secure to not attract bears, predators, and/or nuisance wildlife species.
7. No livestock, other than chickens and 4-H project animals, shall be permitted on the property.
8. 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.
9. 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.
10. 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*.



11. This approval is founded on each individual finding and condition. Should the applicant successfully challenge any such finding or condition, this approval is null and void.
12. 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.
13. 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.
14. 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. LUC-23-00015 Spezze 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 Houck

seconded by Commissioner Smith, and passed on this 4th day of February, 2025.

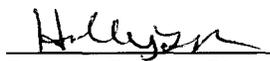
BOARD OF COUNTY COMMISSIONERS


Laura Puckett-Daniels,
Chairperson


Elizabeth Smith,
Commissioner


Jonathan Houck
Commissioner

ATTEST:


Deputy County Clerk

