

RESOLUTION NO. 2012-017

**A RESOLUTION OF THE
BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO
TO APPROVE A TEMPORARY USE – SPECIAL USE PERMIT FOR THE
OURAY COUNTY RANCHING HISTORY MUSEUM AT THE COLONA GRANGE**

WHEREAS, the Colona Grange Hall No. 259 (*Owner*) and the Ouray County Ranching History Museum (*Museum*) have filed an application for a Temporary Use – Special Use Permit to allow the Museum to operate a Ranching History Museum in a portion (lower northeast/northwest rooms) of the Colona Grange, located at 206 County Road 1 in Colona, Colorado for a period of 180 consecutive days from the date of approval of this Resolution; and

WHEREAS, the Ouray County Planning Commission reviewed and considered the Application at its regular meeting on April 17, 2012 and at the conclusion of the meeting, the Planning Commission voted unanimously to forward the application to the Board of County Commissioners with a recommendation of approval; and

WHEREAS, notice regarding the public hearing was published in the *Ouray County Plaindealer* on May 3, 2012; and

WHEREAS, as required by Section 5.4C of the Ouray County Land Use Code, notification to neighboring property owners was mailed and notice of the pending Special Use Permit application was posted on the property by the Museum; and

WHEREAS, the Board of County Commissioners (*Board*) conducted a public hearing to review the subject Application at its regularly scheduled and properly noticed meeting on May 22, 2012; and

WHEREAS, the Board heard statements from Staff and Museum representatives and received written comments in support of the application; and

WHEREAS, the Board reviewed the application and supporting materials and made the determination that the proposal for a Temporary Use – Special Use Permit to operate a Ranching History Museum in a portion of the Colona Grange complies with Section 5 of the Land Use Code; and

WHEREAS, the Applicant requested a waiver of all fees as they are a 501(c)(3) tax-exempt, not-for-profit organization.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO, THAT THE SUBJECT APPLICATION FOR A TEMPORARY USE – SPECIAL USE PERMIT IS APPROVED WITH THE FOLLOWING CONDITIONS:

1. The Board of County Commissioners agrees to waive the typical fees for a Temporary Special Use Permit.
2. Based on the Applicant's representative Jane Bennett's comments that this condition is acceptable at this time, the second floor and basement of the Colona Grange shall remain locked and inaccessible to Museum customers during normal business hours; however, if for some reason the exterior stucco gets finished early and the fire escape on the second floor gets replaced early, there would be an administrative process to amend this and allow access to the second floor at that time.
3. Applicant shall post notices on site, in brochures, and on any applicable website stating that no ADA-compliant restrooms are available and that with adequate notice, ADA-compliant portable restroom facilities will be provided.
4. Based on the discussion today, the Applicant shall provide testing results to prove that available water is potable. Until such proof is available Applicant shall be required to restrict access to drinking water from well and to provide an alternate source of potable water.
5. All doors should remain unlocked during business hours.

6. If asbestos is discovered during the course of maintenance related to the portion of the structure used by the Ranching History Museum, and while this special use permit is in place, the Applicant shall immediately close the Museum to the public and shall be required to immediately notify the Land Use Office of the discovery of such materials and shall submit an asbestos mitigation plan prepared and stamped by a Colorado Licensed Professional Engineer.
7. The permit shall be good for a period of 180 consecutive days from the date of approval by the Board of County Commissioners.
8. During the effective approval period of the special use permit, the Applicant must maintain a current and valid lease with the owner/manager of the Colona Grange.

APPROVED AND ADOPTED THIS 12th DAY OF JUNE, 2012.

Voting for: Commissioners Albritton, Fedel and Padgett
 Voting against: None





 Michelle Nauer, Clerk and Recorder
 By: Linda Munson-Haley, Deputy Clerk of the Board

BOARD OF COUNTY COMMISSIONERS
 OF OURAY COUNTY, COLORADO

- ABSENT -

 Heidi M. Albritton, Chair



 F. Mike Fedel, Vice-Chair



 Lynn M. Padgett, Commissioner