

**RESOLUTION No. 2014-009**

**A RESOLUTION OF THE  
BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO  
TO APPROVE AN APPLICATION FOR A SIX LOT REGULAR PLANNED UNIT  
DEVELOPMENT – DEER HAVEN ESTATES**

**WHEREAS**, Hoey Investments, Ltd (hereinafter referred to as “Developer,”) have submitted to, Ouray County, an application for approval of a Regular P.U.D – Final Development Plan; and

**WHEREAS**, a properly noticed public hearing was held at 11:00am on March 11, 2014 at the Ouray County Courthouse; and

**WHEREAS**, the Ouray County Board of County Commissioners received and considered public comment during the public hearing; and

**WHEREAS**, the Ouray County Board of County Commissioners reviewed and considered documentation provided by staff, the planning commission, the applicant, and the public during the public hearing; and

**WHEREAS**, the Ouray County Board of County Commissioners has reviewed the request in accordance with Section 6.8(C) of the Ouray County Land Use Code.

**NOW THEREFORE, BE IT RESOLVED**, that the Ouray County Board of County Commissioners APPROVES the application with the following conditions:

1. Prior to final plat recording, the developer must install utilities to the lot lines (water, electric, gas, and phone) including the purchase of water taps for all lots.
2. Prior to application for construction permit, the Applicant shall submit a revised copy of the Plan and Profile, showing ditches that are 2 feet in depth, or as otherwise required and approved by the County Engineer and County Road & Bridge Superintendent.
3. Prior to final plat approval and as part of the construction phase, the developer shall thin the forest in the open space area per the recommendations of Colorado State Forest Service.
4. Prior to final plat approval, the developer shall be required to build the internal road/cul-de-sac (Bucktail Court) to County Specifications found in Section 23 (with the exclusion of pavement) of the Land Use Code and as approved by the County Engineer and the Road & Bridge Superintendent.
5. The County will require a minimum five hundred dollar (\$500) bond for revegetation of 15' of each side of the internal road (Bucktail Court), secured prior to final plat approval.

6. The applicant shall execute a performance bond in the amount of twenty-thousand one hundred fifty seven dollars (\$20,157.00), prior to the issuance of the construction permit.

7. The Applicant shall apply for a construction permit prior to making improvements to the subject property.

8. Following completion of all improvements, and prior to October 4, 2014, the Applicant shall submit as built drawings for review by the County Staff and Engineer.

9. Prior to recording the final plat, the following plat note shall be added: The open space shall remain undeveloped and no further subdivision shall be allowed. The open space shall be retained by the HOA.

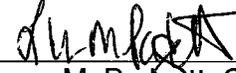
10. Prior to recording the final plat, the following plat note shall be added: Ouray County is a rural community with limited fire suppression resources. Purchasers of lots are encouraged to research and implement current wildfire mitigation techniques in order to reduce wildfire risks. Such techniques may be found in the current Community Wildfire Protection Plan for Ouray County and Loghill Mesa.

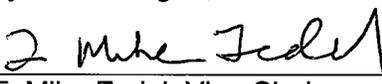
**Passed in open meeting on: March 25, 2014, ratifying action taken on March 11, 2014**

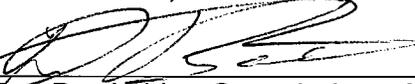
**APPROVED AND ADOPTED THIS 25th DAY OF March, 2014.**

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

BOARD OF COUNTY COMMISSIONERS  
OF OURAY COUNTY, COLORADO

  
\_\_\_\_\_  
Lynn M. Padgett, Chair

  
\_\_\_\_\_  
F. Mike Fedel, Vice Chair

  
\_\_\_\_\_  
Don Batchelder, Commissioner Member

Attest:  
  
\_\_\_\_\_  
Michelle Nauer, Clerk and Recorder  
By: Nicole Wilson, Deputy Clerk of the Board

