

# PLANNING COMMISSION RESOLUTION

## ZONE CHANGE GUZMAN PROPERTY

RESOLUTION NO. 18-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BRIGHTON, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF THE GUZMAN ZONING REQUEST FROM AGRICULTURAL/RESIDENTIAL (A/R) TO RURAL ESTATE (RE), FOR AN APPROXIMATELY 35.136 ACRE PROPERTY, GENERALLY LOCATED IN THE SOUTH WEST ¼ OF THE NORTH EAST ¼ OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO.

**WHEREAS**, Gabriela Guzman (the “Owner”) is the owner of approximately 35.136 acres in size, located at 648 Weld County Road 31, and more specifically described in **EXHIBIT A**, attached hereto (the “Property”); and

**WHEREAS**, Patrick Berrend, on behalf of the Owner (the “Applicant”), has requested approval of the Guzman Zone Change (“the Zone Change”); and

**WHEREAS**, in accordance to the public notice requirements of the *Land Use and Development Code*, the Planning Commission of the City of Brighton finds and declares that a Notice of Public Hearing was mailed to all property owners within 300 feet of the Property, a public notice was published in the *Brighton Standard Blade*, and a sign was posted on the Property, all for no less than fifteen (15) days prior to the Planning Commission public hearing; and

**WHEREAS**, the Planning Commission conducted a public hearing to review and consider the Zone Change pursuant to the applicable provisions and criteria set forth in the *Land Use and Development Code*; and

**WHEREAS**, at the public hearing, the Planning Commission received and considered all relevant evidence and testimony from City Staff, the Applicant, and other Interested Parties, including the public at large; and

**WHEREAS**, the Planning Commission finds and determines that the Zone Change is generally consistent with the Comprehensive Plan and other master plans of the City; substantially complies with the requirements of the *Land Use and Development Code* and with the zone district; is intended to provide consistency with the purpose and intent of the Land Use and Development Code; and would provide compatibility with surrounding areas, harmony with the character of the neighborhood, and would not be detrimental to the immediate area, the future development of the area, or the health, safety, or welfare of the inhabitants of the City; and is scheduled to be reviewed by the City Council in a timely manner.

**WHEREAS**, however, at the same time the Commission also finds and determines that

there are certain concerns about existing and expanded accessory structures on the Property, and specifically, questions and concerns about zoning and setback compliance, and proper building permitting and building code compliance. The Commission recommends that such issues and concerns be reviewed and addressed by Council in connection with this Application proceeding forward.

***NOW THEREFORE, BE IT RESOLVED***, subject to the Council's review and determination of the foregoing issues and concerns about the Property, that the Planning Commission of the City of Brighton, Colorado, hereby recommends to the City Council approval of the Guzman Zone Change to a City designation of Agricultural/Residential (A/R) from the designation of Rural Estate (RE), together with such further findings and determinations as the Council deems necessary and appropriate under the circumstances.

***RESOLVED***, this 9<sup>th</sup> day of January, 2018.

**CITY OF BRIGHTON, COLORADO  
PLANNING COMMISSION**



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Chris Maslanik, Chairperson

***ATTEST:***



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Diane Phin, Secretary

## EXHIBIT A

### LEGAL DESCRIPTION

PARCEL A:

A PIECE OF LAND SITUATE IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT WHICH IS 223 1/2 FEET SOUTH AND 629 FEET 8 1/2 INCHES EAST OF THE QUARTER CORNER STONE AT THE NORTHWEST CORNER OF NORTHEAST 1/4 (NE 1/4) OF SAID SECTION SEVEN (7) IN THE ABOVE NAMED TOWNSHIP AND RANGE AND WHICH POINT IS IN THE EAST LINE OF AN ALLEY DEDICATED TO THE PUBLIC BY ROSWELL SKEEL, JR.; THENCE EAST PARALLEL WITH THE SOUTH LINE OF BRIDGE STREET 106 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF FIFTH STREET 311 1/2 FEET TO A POINT IN THE NORTH LINE OF BUSH STREET; THENCE WEST ALONG SAID NORTH LINE OF BUSH STREET 106 FEET; THENCE NORTH ALONG THE EAST LINE OF THE ALLEY ABOVE MENTIONED 311 1/2 FEET TO A POINT OF COMMENCEMENT.

PARCEL B:

THE SOUTH ONE HUNDRED AND FORTY (140) FEET OF LOT THIRTY-THREE (33), BLOCK TWENTY-SIX (26), WALNUT GROVE SECOND ADDITION TO BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO.

PARCEL C:

THE SOUTH ONE HUNDRED FORTY SIX AND ONE HALF (146.5) FEET OF THE NORTH ONE HUNDRED SEVENTY ONE AND ONE HALF (171.5) FEET OF LOT THIRTY-THREE (33) IN BLOCK TWENTY-SIX (26), WALNUT GROVE SECOND ADDITION TO BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO.