



1142567

Kathleen Neel – Summit County Recorder

RESOLUTION NO. 2017 - 32

**BOARD OF COUNTY COMMISSIONERS
OF THE
COUNTY OF SUMMIT
STATE OF COLORADO**

A RESOLUTION APPROVING PLANNING CASE #PLN17-024, A PRELIMINARY REZONING OF APPROXIMATELY 1.13 ACRES ZONED A-1 (AGRICULTURAL) TO THE WESTERN SKY RANCH PUD, A PARCEL OF LAND LOCATED IN SECTIONS 29 & 32, TOWNSHIP 6 SOUTH, RANGE 77 WEST OF THE 6TH PM. SAID PARCEL BEING PORTIONS OF THE KENSINGTON TRACT B, M.S. 8271, THE THISTLE LODGE, M.S. 8271, THE VOLUNTEER LODGE M.S. 8271, AND THE INTREPID LODGE M.S. 8271 (Applicant: Timberline Partners, Danny Teodoru) and,

WHEREAS, Timberline Partners, Danny Teodoru on behalf of High Country Services, LLC, Danny Middleton has applied to the Board of County Commissioners for a preliminary rezoning of approximately 1.13 acres zoned A-1 (Agricultural) to the Western Sky Ranch PUD, a parcel of land located in Sections 29 & 32, Township 6 South, Range 77 West of the 6th PM. Said parcel being portions of the Kensington Tract B, M.S. 8271, The Thistle Lode, M.S. 8271, The Volunteer Lode M.S. 8271, and The Intrepid Lode M.S. 8271; and,

WHEREAS, the Planning Department has reviewed the application and recommended that it be approved; and,

WHEREAS, the Upper Blue Planning Commission held a public hearing on this application on April 27, 2017 and recommended that it be approved; and,

WHEREAS, the Board of County Commissioners has reviewed the application at a public hearing held on May 9, 2017, with public notice as required by law and considered the evidence and testimony presented at the hearing; and,

WHEREAS, the Board of County Commissioners finds as follows:

1. The proposed rezoning to PUD is in general conformity with the goals, policies/actions and provisions of the Summit County Countywide Comprehensive Plan, the Upper Blue Master Plan, and the Joint Upper Blue Master Plan. Specifically the proposal does not result in an increase in density, provides a more suitable location for the proposed disturbance envelope, and has less potential for visual impacts.
2. The proposed rezoning to PUD is consistent with the purpose and intent of the County’s Zoning Regulations. The proposed rezoning will comply with all applicable regulations as stipulated in the Western Sky Ranch PUD.
3. The proposed rezoning to PUD is consistent with the County’s Rezoning Policies (Section 3200 et. seq.). Specifically, the rezoning of the 1.13 acre A-1 zoned property and bringing it into the Western Sky Ranch PUD will facilitate moving the existing disturbance envelope to a location that is flatter and more conducive to accommodating a single family structure without increasing visual impact.
4. The proposed rezoning to PUD is compatible with present area development, and will not have a significant, adverse effect on the surrounding area. The proposed lots are accessed via a County road, utilities are available to serve the property, and existing Lot 5 will be served with a well and on-site wastewater treatment system.

5. The proposed rezoning to PUD is consistent with public health, safety and welfare, as well as efficiency and economy in the use of land and its resources because, without limitation; a.) adequate provisions for water and on-site wastewater treatment systems have already been reviewed and approved for existing Lot 5; b.) legal access exists via a County road; c.) utilities are available to serve existing Lot 5; d.) disturbance will be limited due to the size of the newly configured lot, and the disturbance envelope which will be included on the pending subdivision exemption plat.
6. The proposed rezoning to PUD is consistent with and furthers the goals and intent for establishing and utilizing a PUD as set forth in Section 12200.01.

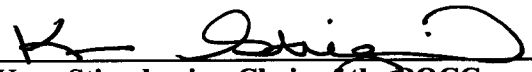
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO, that a preliminary rezoning of approximately 1.13 acres zoned A-1 (Agricultural) to the Western Sky Ranch PUD, a parcel of land located in Sections 29 & 32, Township 6 South, Range 77 West of the 6th PM. Said parcel being portions of the Kensington Tract B, M.S. 8271, The Thistle Lode, M.S. 8271, The Volunteer Lode M.S. 8271, and The Intrepid Lode M.S. 8271 is hereby approved subject to the following condition:

1. Prior to approval of the subdivision exemption plat a site visit shall be conducted by the Open Space and Trails Department to confirm that no trails cross the subject property.

ADOPTED THIS 9TH DAY OF MAY 2017.



**COUNTY OF SUMMIT
STATE OF COLORADO
BY AND THROUGH ITS
BOARD OF COUNTY COMMISSIONERS**


Karn Stiegelmeier, Chair of the BOCC

ATTEST:


Kathleen Neel, Clerk & Recorder