



**RESOLUTION NO. 2017-75**

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

**A RESOLUTION APPROVING PLANNING CASE #PLN16-055, A REQUEST FOR PRELIMINARY PLAT TO SUBDIVIDE BLOCK 3, WOODMOOR AT BRECKENRIDGE INTO TWO LOTS WHEREBY LOT 1 WILL BE 0.883 ACRES AND LOT 2 WILL BE 0.914 ACRES; A COMBINED AREA OF 1.797 ACRES ZONED R-4 WITH PLAN. (Applicants David and Linda Bisbee and Jack Yeager)**

**WHEREAS, David and Linda Bisbee and Jack Yeager have applied to the Board of County Commissioners for a Preliminary Plat to subdivide Block 3, Woodmoor at Breckenridge into two lots; and**

**WHEREAS, the Upper Blue Planning Commission reviewed the application at a public hearing on September 28, 2017 and recommended that it be approved; and**

**WHEREAS, the Board of County Commissioners has reviewed the application at a public hearing held on October 24, 2017, and considered the evidence and testimony presented at the meeting; and**

**WHEREAS, the Board of County Commissioners finds as follows:**

- 1. This application is compliant with subdivision regulations on the property including but not limited to fire, access, drainage, etc. Additionally, it is not possible to avoid the disturbance of slopes of over 30% and the disturbance of the slopes can be permitted in light of the proposed density reduction and conformance with density reduction goals in the JUBMP.**
- 2. Despite the disturbance to slopes of over 30%, Staff is able to find that this application is in general conformance with the applicable goals and policies/actions in the master plan since, this application will result in a 4 unit reduction in density.**
- 3. The newly created lot will be served by Town of Breckenridge Water.**
- 4. The newly created lot will be served by the Upper Blue Sanitation District.**

5. Upon compliance with the conditions below, the applicant, based on the site specific review provided by the Colorado Geologic Survey, has adequately identified potential areas of soil or topographical concerns and provided adequate mitigation measures.
6. The subdivision has access to the County Road system and State Highway system via Boreas Pass Road (CR 10).

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO, THAT** a request for Preliminary Plat to subdivide Block 3, Woodmoor at Breckenridge into two lots whereby Lot 1 will be 0.883 acres and Lot 2 will be 0.914 acres; a combined area of 1.797 acres zoned R-4 with Plan is approved with the following conditions:

1. The following plat notes shall be added:
  - I. Block 3, Woodmoor at Breckenridge is limited to two units of density.
  - II. An indemnification agreement (Rec. No. \_\_\_\_\_) is recorded on the subject property indemnifying the County against 1) any damages associated with any structure on the property being located within 50 from the right-of-way of Boreas Pass Road, and 2) acknowledging the existing conditions that County snow plows will continue to push snow to the downhill side of Boreas Pass Road and any future property owner will be responsible for clearing this snow from the driveway serving this property.
  - III. No disturbance shall be permitted outside of the disturbance envelope except for disturbance related to the installation of utilities, the driveway, or tree removal as required for fire mitigation.
  - IV. Retaining walls, building foundations, and upslope walls that will function as retaining walls must be designed by a qualified geotechnical or civil engineer and must include adequate behind-wall drainage.
  - V. Site grading and drainage plans should be prepared and reviewed by a qualified engineer who is familiar with slope stability concerns.
2. Prior to the recordation of plat, a covenant extinguishing 4 units of density from Woodmoor at Breckenridge, Block 3 shall be recorded.
3. Prior to the recordation of plat, an indemnification agreement as discussed in this staff report and approved by the County Attorney's Office shall be recorded.
4. Prior to the recordation of final plat, a Public Use Area Fee of \$1,500 (or the applicable fee at time of recordation) shall be paid.

ADOPTED THIS 24<sup>TH</sup> DAY OF OCTOBER 2017.



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

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Karn Stiegelmeier, Chair

ATTEST:

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Kathleen Neel, Clerk & Recorder