

RESOLUTION NO. PZ 06-22
Series of 2022

A RESOLUTION RECOMMENDING THE APPROVAL OF AN APPLICATION FOR A CLASS S-2 SUBDIVISION TO BE KNOWN AS A RESUBDIVISION OF LOT 17, BLOCK B, NEW TOWN OF DILLON.

WHEREAS, David Pfeifer and Jamie Haass (together, the “**Applicant**”) are the owners of the real property located at 400 W. Buffalo Street, and more particularly described as ‘Lot 17, Block B, New Town of Dillon’ (“**Lot 17**”); and

WHEREAS, the Planning and Zoning Commission of the Town of Dillon (“**Planning Commission**”) has received a Level IV Development Application from the Applicant for a Class S-2 subdivision to replat Lot 17 on a plat titled ‘A Resubdivision of Lot 17, Block B, New Town of Dillon’ (“**Application**” or “**Replat**”), for the purposes of subdividing Lot 17 into two lots to be called Lot 17A and Lot 17B, and dedicating new easements for the purposes of a site access, drainage and utilities; and

WHEREAS, the Planning Commission has determined that the Application is complete; and

WHEREAS, following the required notice, a public hearing on the Application was held on September 12, 2022, before the Planning Commission; and

WHEREAS, following the public hearing the Planning Commission has made certain findings of fact regarding the Application and has determined that certain conditions which are reasonable and necessary to and relate to impacts created by the subdivision should attach to the approval of the Application.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, AS FOLLOWS:

Section 1. That on September 12, 2022, following the required notice, the Planning Commission held a public hearing on the Application, and following said public hearing makes the following findings of fact:

- A. That the Application is complete.
- B. That the Application meets the applicable Dillon Municipal Code (“**Code**”) requirements.
- C. That the Application is compatible with the Residential Low (RL) Zone District and is compatible with surrounding uses.
- D. That the Application is in general compliance with the Town of Dillon Comprehensive Plan.

- E. That the Application replats Lot 17 into two lots to be called Lots 17A and 17B, and dedicates new easements for the purposes of site access, drainage and utilities as shown on the Replat.

Section 2. That the Planning Commission hereby recommends that the Town Council approve the Application for the purposes of creating Lot 17A and Lot 17B, and creating new easements for the purposes of a site access, drainage and utilities, with the following conditions:

- A. Prior to the publication of materials for the Town Council public hearing and review of the Application, the Applicant shall correct the Owner's Certificate and Dedication on the Plat to reflect the names of both property owners.
- B. Prior to recording the final subdivision plat, the Applicant shall enter into a Development Agreement with the Town of Dillon and post a required Letter of Credit for public improvements as required by the agreement.
- C. The Town Manager may approve additional minor changes to the Application that do not change the character or intent of the Application as approved by this resolution.
- D. Within thirty (30) days of Applicant's transfer of fee title to Lot 17A or Lot 17B, the Applicant and the new owner shall execute an easement agreement for the benefit of the owner of Lot 17A, granting such owner all rights of access over that certain portion of Lot 17B identified on the plat as "Private Access Easement for Lot 17A," sufficient for the owner's reasonable enjoyment of Lot 17A. The easement agreement shall address driveway maintenance responsibilities in a manner sufficient to prevent the driveway's disrepair. The executed easement agreement shall be recorded with the Summit County Clerk and Recorder. The Applicant shall provide the Town with a copy of the executed and recorded easement agreement within ten (10) days of its execution.
- E. The Applicant shall record the plat titled 'A Resubdivision of Lot 17, Block B, New Town of Dillon' in the office of the Summit County Clerk and Recorder.
- F. The Applicant shall file a copy of the recorded 'A Resubdivision of Lot 17, Block B, New Town of Dillon' with the Town of Dillon.

RECOMMENDED FOR APPROVAL THIS 12TH DAY OF SEPTEMBER, 2022, BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO.

**PLANNING AND ZONING COMMISSION,
TOWN OF DILLON**

By: _____
Alison Johnston, Chairperson

ATTEST:

By: _____
Michelle Haynes, Secretary to the Commission

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