

**PLANNING AND ZONING COMMISSION ACTION ITEM
STAFF SUMMARY
JUNE 2, 2021 PLANNING AND ZONING COMMISSION MEETING**

DATE: May 28, 2021

AGENDA ITEM NUMBER: 5

ACTION TO BE CONSIDERED:

Consideration of Resolution No. PZ 07-21, Series of 2021. (PUBLIC HEARING)

**A RESOLUTION APPROVING AN APPLICATION FOR A
CONDITIONAL USE PERMIT TO OPERATE A SCHOOL IN THE CORE
AREA ZONE DISTRICT AT 124 MAIN STREET.**

TOPIC:

The Town has received a Level III Development Permit Application for a Conditional Use Permit for a school proposed to be located at 124 Main Street, more specifically described as Lot A, Block M, New Town of Dillon Subdivision. The building vicinity map may be viewed in *Figure 1*.

The Applicant is Erica Bull and the school is named Mountain House Academy. The Dillon Municipal Code requires a Conditional Use Permit for a school use in the Core Area Zone district.

BACKGROUND / TIME FRAME:

- February - May 2021: Coordinate with Applicant for Conditional Use Permit Application
- April 8, 2021: Application submittal for Conditional Use Permit

PUBLIC NOTICE:

Level III Applications require a public hearing before the Planning and Zoning Commission. The Town posted signs of the Public Hearing on site on Wednesday, May 26th, 2021. A newspaper legal notice ran in the Summit Daily (Journal) on Friday, May 21st, 2021 and a mailing noticing the public hearing time and date was sent out on Friday, May 21st, 2021 to property owners within 300' of the subject property. Notices were also placed in the Town of Dillon public posting locations. These dates and notification distributions are all within the required 7-day minimum and 14-day maximum notice period required by the Dillon Municipal Code (the "Code").



Figure 1. 124 Main Street Building Vicinity

THE APPLICATION & CODE ANALYSIS:

Application Narrative Provided by Applicant:

Mountain House Academy (MHA) is Summit County’s new private Christian School that’s transforming and re-imagining education. There is no one-size fits all when it comes to our children’s growth so the way we educate our children should not follow a one size-fits all approach either.

MHA is providing the flexibility to choose your child’s educational experience by combining the best aspects of traditional school with the best aspects of home schooling to any option in between. We are focused on educating the whole child, while educating with excellence. The result is a quality and individualized education the gives parents more flexibility in choosing the right fit for their needs and more control over what their children are learning and more time to impart their own faith and values in their children as well.

MHA’s mission is to partner with parents to place faith in God, while emphasizing family and cultivating the extraordinary uniqueness God placed within each of our children through individualized experiences built in both academics and adventure.

[The complete Applicant's packet may be viewed in *Appendix 'A'* of this staff summary.]

Zoning District: The Application is located in the Core Area (CA) Zone district. A school use is listed as a Conditional Use in the Core Area Zone district (Sec. 16-3-150). A conditional use is an activity generally similar to other uses permitted within a zoning district, which, because of the manner in which the proposed use could be developed, may not be appropriate in all situations or may require the imposition of special conditions to ensure compatibility with existing and potential land uses within the vicinity (Sec. 16-4-110).

Code Definition of School means a facility that provides a curriculum of elementary or secondary academic instruction, including kindergartens, elementary schools, middle schools, junior high schools and high schools.

-The Application is for a school to enroll children in K4 through 5th grade.

Parking Analysis: Unique to the Core Area Zone district is that the Town of Dillon owns and maintains almost all the surface parking spaces, and those spaces in the vicinity of this building may be viewed in *Figure 2*.

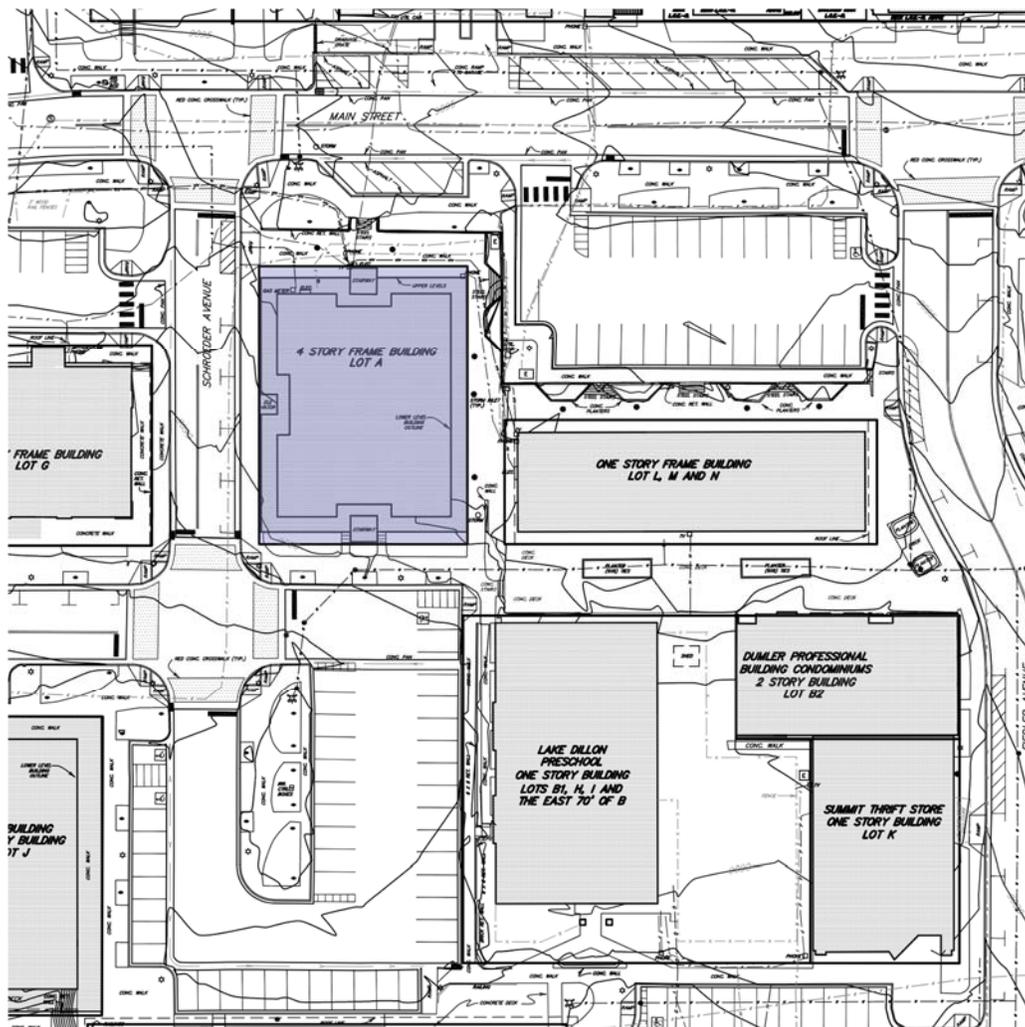


Figure 2. 124 Main Street and nearby parking

The application proposes a two-classroom school. The Code requires two (2) parking spaces per classroom for a school use (Sec. 16-6-40). The Code therefore requires four (4) parking spaces for the proposed school as currently conceived. Also, per the Code, a commercial use is assessed one (1) parking space per every four hundred (400) gross square feet of commercial space, and parking space determinations are always rounded up. The proposed two-classrooms occupy two (2) commercial units in the building equaling 830 square feet. Based on the Code, the two (2) commercial units in the building would thus have three (3) parking spaces accounted for as the parking provided for their use.

The Code provides for a mechanism for applicants deficient in the required number of parking spaces in the Core Area Zone district to contribute to a fund for future parking infrastructure improvements, please see **Appendix ‘B’**. A fee for deficient parking is established in the Code on an escalating scale, starting at \$2,000 for the first three (3) parking spaces an applicant is deficient. This is summarized in Table 1 below:

| Area (SF) | Parking Credit - Office Use (1/400 SF) | Parking Required School | Number of Classrooms | Required Parking Spaces | Deficient Parking Spaces | Fee per Deficient Parking Space |
|-----------|--|-------------------------|----------------------|-------------------------|--------------------------|---------------------------------|
| 830 | 3 | 2 spaces / classroom | 2 | 4 | 1 | \$2,000 |

Table 1.

REVIEW AND FINDINGS BY PLANNING & ZONING COMMISSION:

Review Criteria:

Section 16-4-130 of the Dillon Municipal Code provides the following review criteria for a Conditional Use Permit application with the *Applicant responses in italics* and [staff comments in brackets]. For the complete Code section on Conditional Uses, please see Appendix ‘B’ of this staff summary.

1. The use is listed as an allowed conditional use within the Zone, or is otherwise identified as a conditional use and is consistent with the intent and purpose of the Comprehensive Plan and applicable zoning district.

MHA is excited to start our school within the Core Area of Dillon. We feel MHA would be mutually beneficial with the Town of Dillon as we would be bringing in young families into the Core Area daily, while families will get to explore the quaint beauty of Dillon’s Core Area. We envision Mountain House families getting to spend more quality time within the Town of Dillon experiencing all there is to enjoy, in turn benefiting local businesses with more regular patronage. Experiencing the incredible views down by the lake, families can enjoy either park within the Core Area, especially the Dillon Marina Park after school. Families can cross the street and enjoy an afternoon sweet treat by going over to Cameez. Maybe they make an evening out of it and stay to dine at one of the many delicious eateries within the Town. By placing MHA within the Core Area, we are bringing local, year-round residences into Dillon’s Core Area and bringing exposure to Dillon enticing them to be spending longer periods exploring the Town.

We believe providing the community additional educational choices when considering what are the most important components to raising their family can only be a benefit for the young families that are choosing to make Summit County their home. Currently, families are faced with only two options in sending their children to either public school or choosing to homeschool, which either option is not always the right fit for every student and/or family. MHA looks to change the entire landscape of educational offerings within the county and hopes to serve a part of the community that is yearning for an alternative to public school, and additional support if they are a homeschooling family in either of our part time schooling options.

[A school use is listed as a conditional use in the Core Area Zone district.]

2. The parcel is suitable for the proposed conditional use, considering such factors as size, shape, location, topography, soils, slope stability, drainage and natural features.
MHA will reside within an existing building and has no affect on above forementioned.

[The site is developed with an existing three (3) story building constructed in 1973 and this criterion does not specifically apply to the Application.]

3. The proposed conditional use will not have significant adverse impacts on the air or water quality of the community.

MHA will not have any adverse impacts on the air or water quality of the community. No disturbance will be made to surrounding areas.

[This criterion is not anticipated to apply to this application.]

4. The proposed conditional use will not substantially limit, impair or preclude the use of surrounding properties for the uses permitted in the applicable zoning district.

MHA understands our location within the Core Area does rely on public parking during our designated drop off and pick up times. We understand this may temporarily utilize some spaces but anticipate it will be a brief amount of time, rounding out at about fifteen to twenty minutes from 8:15 am until 8:30 am, and then again from 4 pm until 4:15 pm. For this first year, we have capped the number of students to 10 students per pod, making our total school attendance this year at maximum 20 students, which will probably equate to around 13 cars (there are siblings enrolled already). Another suggestion we could propose to limit the amount of time our parents are occupying public parking spots close to our school office suites, is to utilize the loading Zone on the corner of the building along Main Street for our temporary drop off and pick up times. This would likely allow for 2 parent cars to pull in and utilize the loading Zone and students could be dropped off and picked up with the help of our teachers, making the process much more efficient as parent's would not have to run upstairs to drop off or collect their students. In keeping with the purpose of the Core Area as well, maybe these families at pick up with park close to their intended destination following pick up, and then walk to collect their students and return to their next fun activity, such an afternoon of bowling at Elevation Bowling. Additionally, we will not be in school on Friday's, which is historically busy in Dillon.

[The use is similar to other activity in the Core Area Zone district such as a daycare and churches and is not anticipated to impact uses permitted in

the Core Area Zone district. The unloading Zone suggested by the Applicant is an unlikely measure the Town will support as it does not dimensionally meet the parking standards.]

5. Adequate public utilities and services are available or will be made available to the site prior to the establishment of the conditional use.

There are 2 bathrooms available on our floor that will be made available for our students use. Currently we share these bathrooms with a counseling office that works after school hours, so essentially MHA will be the only ones utilizing these facilities and should be more than sufficient for our needs during school hours. Additionally, within Suite 204 there is existing plumbing for us to hook up a sink for any water needs we might have.

[The existing site is already served by gas, electric, water, and sanitary sewer facilities. The use for the business is not anticipated to negatively impact utilities serving the building. A review of the water and sewer tap fees for the building indicate that the proposed use will require an additional 0.061 EQR's for the Application, which equates to a fee of \$896 (Section 13-2-70: 1.5 EQR's per 50 school students v. 0.65 EQR's per 1,000 square feet of commercial space). See **Table 2.**]

| Area (SF) | EQR Credit - Office Use (0.65 / 1,000 SF) | EQR's Required School | Number of Students | Required EQR's | Deficient EQR's | Fee for One EQR | EQR Balance Fee |
|-----------|---|-----------------------|--------------------|----------------|-----------------|-----------------|-----------------|
| 830 | 0.540 | 1.500 / 50 Students | 20 | 0.6 | 0.061 | \$14,815.000 | \$896 |

Table 2. Tap Fee (EQR) Evaluation

6. If located on an adjoining lot, the following additional criteria shall be met: the conditional use is parking or storage uses accessory to a primary single-family use.

[This criterion does not apply to the Application.]

7. If the conditional use is for wholesale trade class 1 or wholesale trade class 2, the following additional criteria shall be met:

- a. The proposed conditional use will not produce any noise or vibration issues that have significant adverse impacts on the community and the neighboring property owners and tenants in a multi-tenant building.

- b. The proposed conditional use will not produce any smells, odors or noxious fumes that have significant adverse impacts on the community and the neighboring property owners and tenants in a multi-tenant building. The proposed conditional use shall meet all applicable code requirements for ventilation and fire protection.

- c. The proposed conditional use will not produce any storage, loading or delivery activities related to the storage, loading or delivery of finished products or raw materials that have significant adverse impacts on the community and the neighboring property owners and tenants in a multi-tenant building.

- d. The proposed conditional use will not cause its employees and vendors to occupy parking spaces intended for retail businesses within two hundred (200) feet of the business.

[These criteria do not apply to the Application.]

Letters of Support: The Applicant has assembled letters of support to accompany the Application and they may be viewed in **Appendix 'C'**.

Decision:

If the proposed development is in compliance with conditional use criteria, the Planning and Zoning Commission may approve the application. When deemed necessary to ensure that the use meets the conditional criteria for approval, the Planning and Zoning Commission may attach conditions that relate to impacts created by the proposal.

If the proposed development is not in compliance with conditional use criteria, the Planning and Zoning Commission may deny the application.

The Planning and Zoning Commission may also continue the hearing for up to thirty-five (35) calendar days for good cause, or to allow additional information and materials to be submitted that will allow for a comprehensive review. In no event may the Planning and Zoning Commission continue a hearing for more than thirty-five (35) days unless agreed to in writing by the applicant. In the event a hearing is continued, the applicant shall submit any additional materials he or she wishes the Town to consider at least ten (10) days prior to the continued hearing, unless otherwise specified by the Town.

BUDGET IMPACT: None

STAFF RECOMMENDATION: Town staff recommends approval of Resolution No. PZ 07-21, Series of 2021

MOTION FOR APPROVAL:

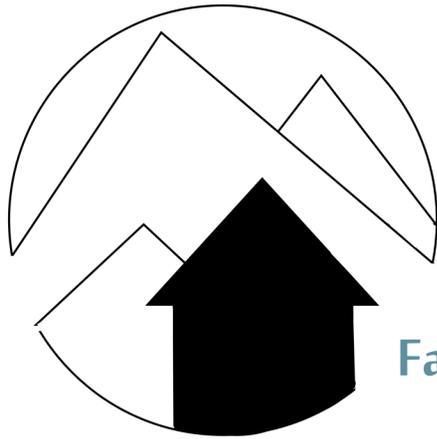
I move we approve Resolution PZ No. 07-21, Series of 2021 with conditions as presented.

ACTION REQUESTED: Motion, Second, Roll Call Vote.

Resolutions require the affirmative vote of a majority of the members present.

DEPARTMENT HEAD RESPONSIBLE: Scott O'Brien, Public Works Director

Appendix 'A' Applicant Packet



MOUNTAIN HOUSE academy

Faith Forward. Family Affirming. Cultivating the Extraordinary.

Conditional Use Permit Application 2021– 2022



303.815.7677

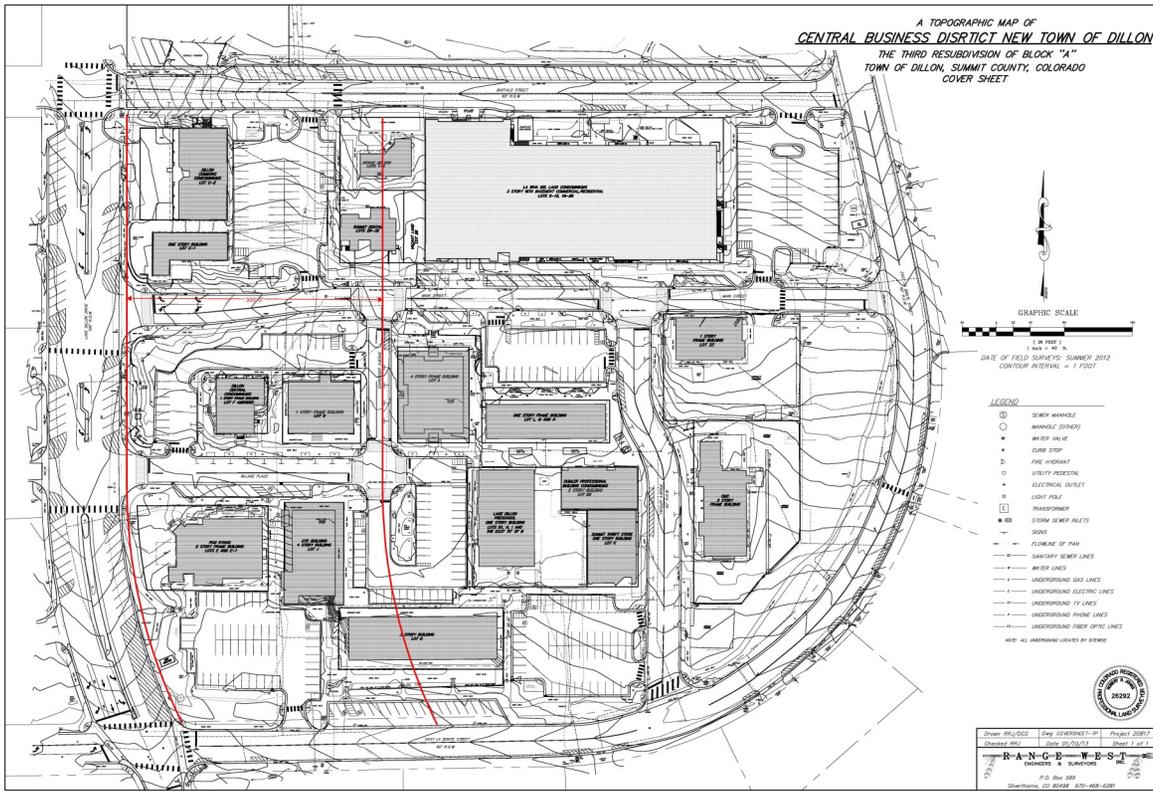


mountainhouseacademy@gmail.com

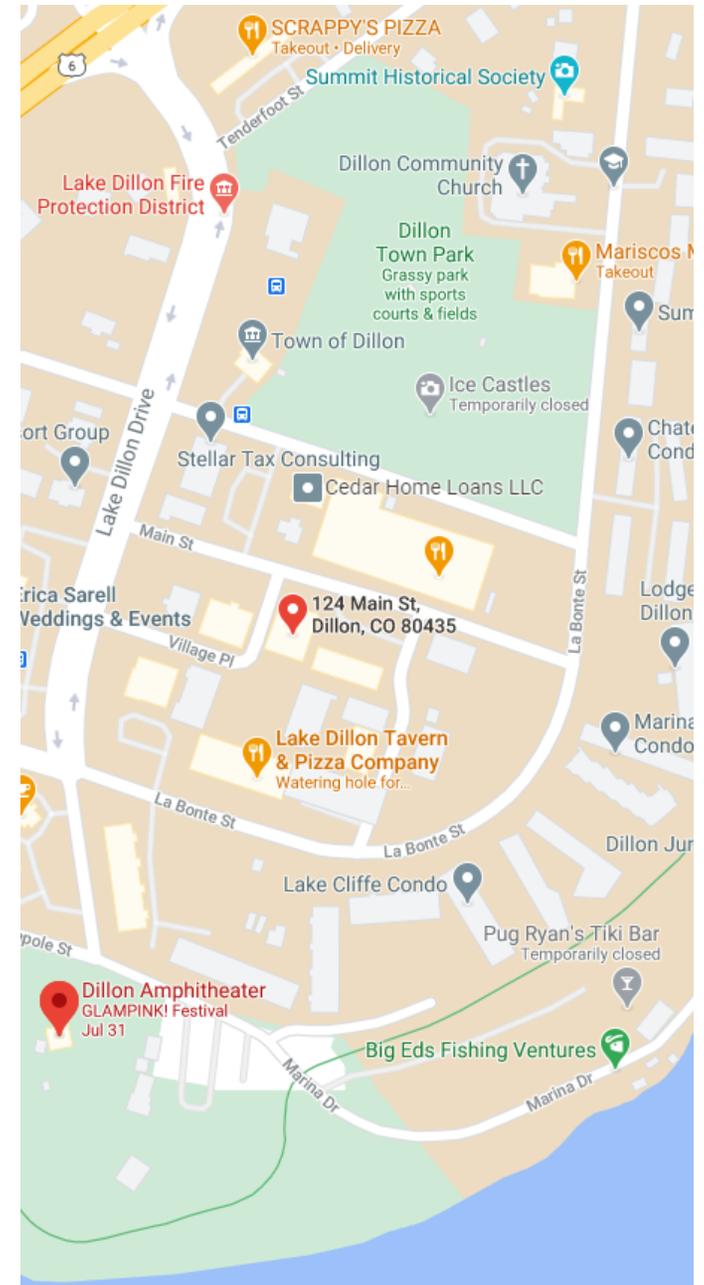


Mountainhouseacademy.godaddysites.com

VICINITY + EXISTING FEATURES MAPS



Existing Features map above.



Right | This map shows the proximity of two (2) separate public parks MHA plans to use for outdoor play/recess. Dillon Town Park and Dillon Marina Park.

THE SUITES + BUILDING

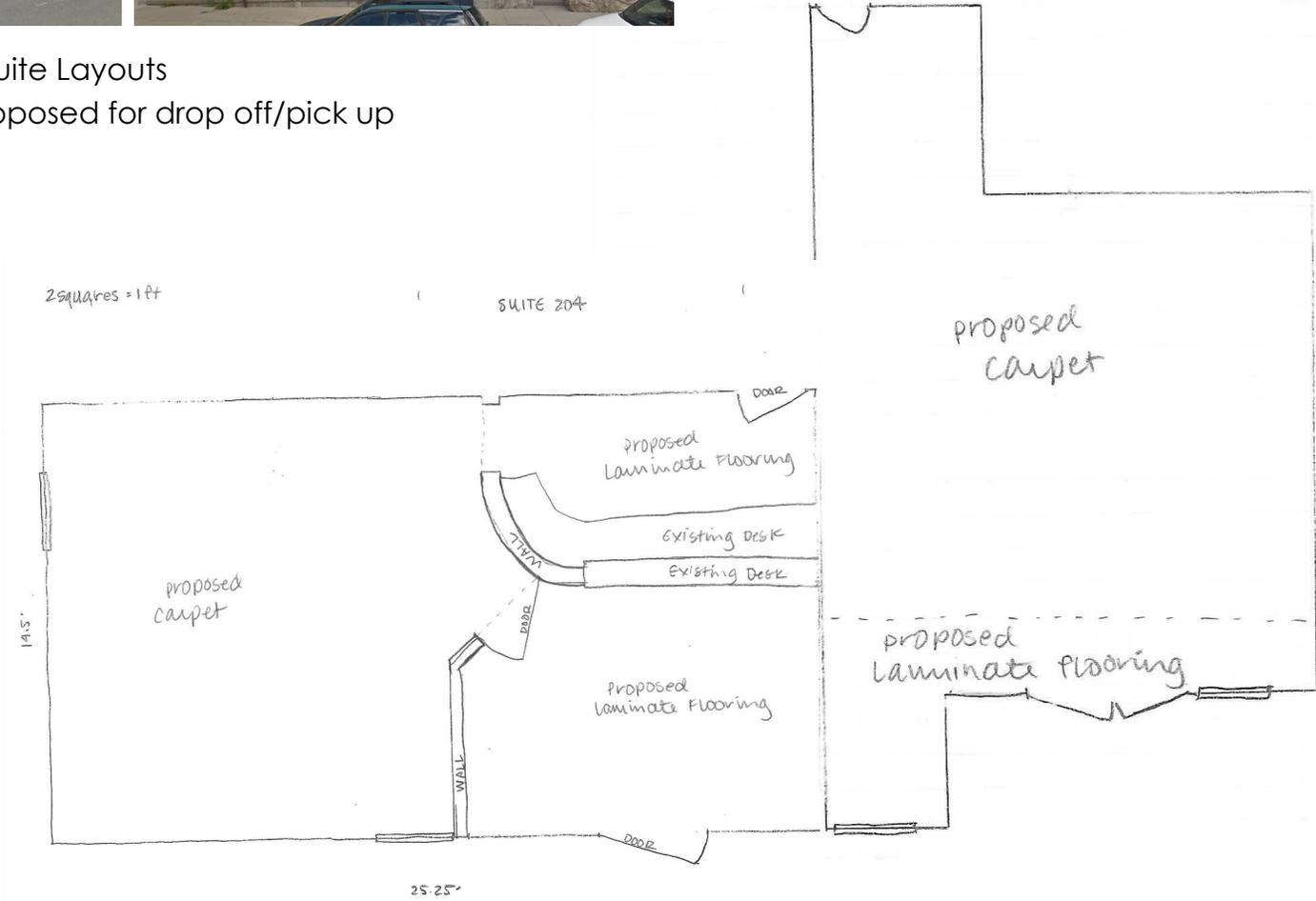


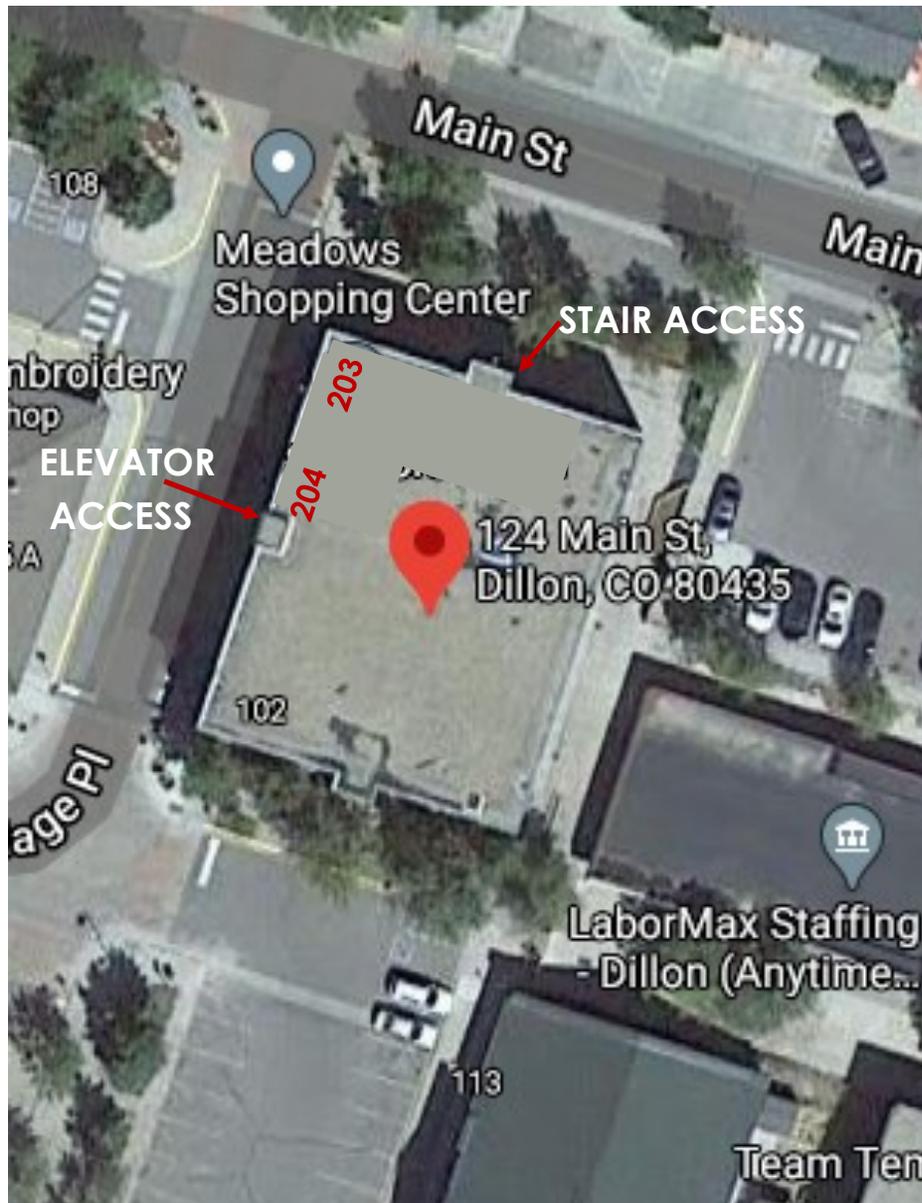
124 Main Street Dillon, CO

Suites 203 + 204
Each Suite is 415 sq ft

Suite Layouts

Loading Zone Proposed for drop off/pick up





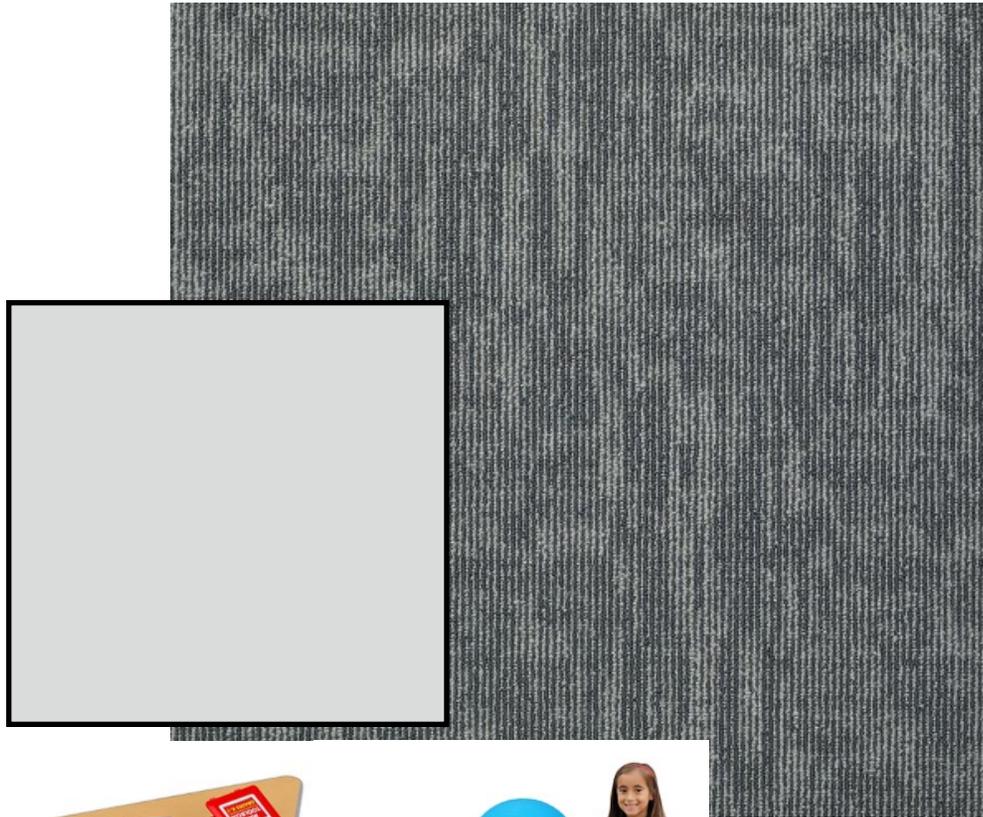
Arial View

124 N Main Street—2nd level

We have access to the stairs directly around the corner from Suite 203. In front of Suite 204, there is also an elevator to serve as access points for Mountain House Academy.

Next to the stair access, there is a loading zone we could utilize and have teachers greet students within the loading zone to expedite the drop off and pick up time and lessen our affect on the public parking surrounding the building.

CLASSROOMS

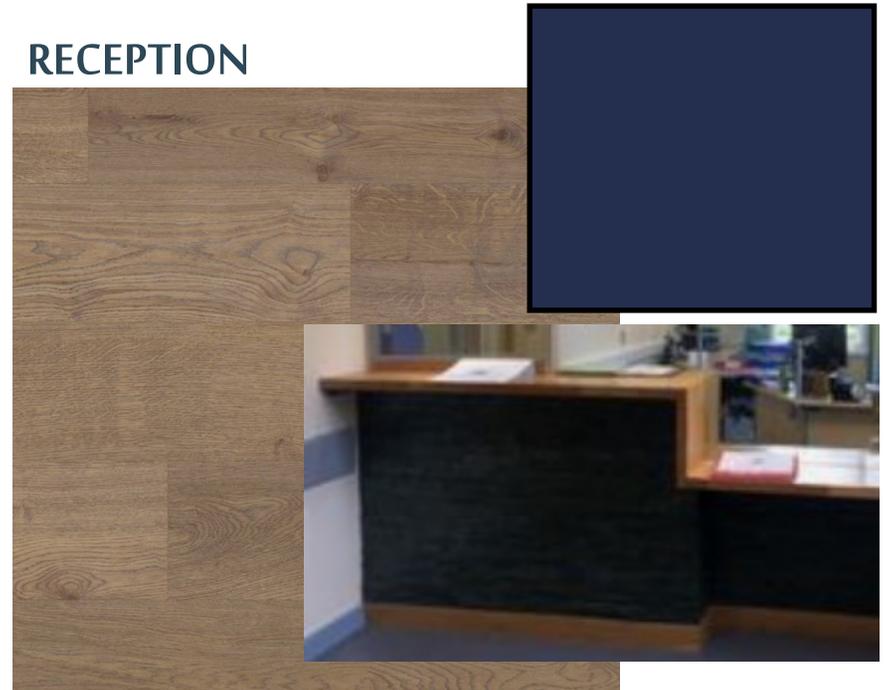


We are planning on repainting the interior of both suites to be a light gray, with commercial grade darker gray carpet squares. One suite has an existing reception desk, we plan on painting a dark navy, and replacing the floor with an ash gray engineered hardwood.

We'll add fun and functional furniture, to aide in creating a space that is efficient and exciting for our students to learn in.



RECEPTION



MOUNTAIN HOUSE ACADEMY

intent + concepts

Mountain House Academy is Summit County's new private Christian School that's transforming and re-imagining education. There is no one-size-fits all when it comes to our children's growth so the way we educate our children should not follow a one size-fits all approach either.

MHA is providing the flexibility to choose your child's educational experience by combining the best aspects of traditional school with the best aspects of home schooling to any option in between. We are focused on educating the whole child, while educating with excellence. The result is a quality and individualized education the gives parents more flexibility in choosing the right fit for their needs and more control over what their children are learning and more time to impart their own faith and values in their children as well.



MHA's mission is to partner with parents to place faith in God, while emphasizing family and cultivating the extraordinary uniqueness God placed within each of our children through individualized experiences built in both academics and adventure.



This first school season, MHA is offering full time school options, Monday through Thursday, or part time options to cover morning Core Curriculum classes or afternoon Co-Curricular classes for those families looking for more flexibility in their child's educational schedule.

2021-2022 PROGRAMS

FULL TIME

Monday—Thursday 8:30—4 pm
Enrolling K4—2nd Grade Pod
Enrolling 3rd—5th Grade Pod

**School will be in session from
8:30 am until 4 pm.**

**School will not be held on
Friday's this year.**

PART TIME

Coming as early as Jan. 2022
Monday—Thursday mornings
Core Curriculum Schedule (reading, writing, math, history)

Monday—Thursday afternoons
Co-Curricular Schedule (science, STEM, Spanish, Art)

CONTINUED

intent + concepts

MHA EXISTS TO

LOVE GOD

INSTILL A DESIRE TO BE A LIFELONG LEARNER, TO BUILD A SELF-RELIANT FUTURE.

ENCOURAGE KIDS TO JUST BE KIDS

CULTIVATE THE EXTRAORDINARY GIFTS GOD HAS GIVEN OUR KIDS

EDUCATE WITH EXCELLENCE

PROVIDE A FOUNDATIONAL EDUCATION WITH MORE FLEXIBILITY, TO PLACE THE RESPONSIBILITY AND FREEDOM OF CHOICE BACK ONTO PARENTS



(1) *Is MHA being consistent with the intent and purpose of the Comprehensive Plan?*

MHA is excited to start our school within the Core Area of Dillon. We feel MHA would be mutually beneficial with the Town of Dillon as we would be bringing in young families into the Core Area daily, while families will get to explore the quaint beauty of Dillon's Core Area. We envision Mountain House families getting to spend more quality time within the Town of Dillon experiencing all there is to enjoy, in turn benefiting local businesses with more regular patronage. Experiencing the incredible views down by the lake, families can enjoy either park within the Core Area, especially the Dillon Marina Park after school. Families can cross the street and enjoy an afternoon sweet treat by going over to Cameez. Maybe they make an evening out of it and stay to dine at one of the many delicious eateries within the Town. By placing MHA within the Core Area, we are bringing local, year-round residences into Dillon's Core Area and bringing exposure to Dillon enticing them to be spending longer periods exploring the Town.

We believe providing the community additional educational choices when considering what are the most important components to raising their family can only be a benefit for the young families that are choosing to make Summit County their home. Currently, families are faced with only two options in sending their children to either public school or choosing to homeschool, which either option is not always the right fit for every student and/or family. MHA looks to change the entire landscape of educational offerings within the county and hopes to serve a part of the community that is yearning for an alternative to public school, and additional support if they are a homeschooling family in either of our part time schooling options.

(2) Is the parcel suitable for the proposed conditional use, considering topography, soils, slope stability, drainage and natural features?

MHA will reside within an existing building and has no affect on above forementioned.

(3) Will MHA have adverse impacts on the air or water quality of the community?

MHA will not have any adverse impacts on the air or water quality of the community. No disturbance will be made to surrounding areas.

(4) Will MHA substantially limit, impair, or preclude use of surrounding properties for the uses permitted in the applicable zoning districts?

MHA understands our location within the Core Area does rely on public parking during our designated drop off and pick up times. We understand this may temporarily utilize some spaces but anticipate it will be a brief amount of time, rounding out at about fifteen to twenty minutes from 8:15 am until 8:30 am, and then again from 4 pm until 4:15 pm. For this first year, we have capped the number of students to 10 students per pod, making our total school attendance this year at maximum 20 students, which will probably equate to around 13 cars (there are siblings enrolled already). Another suggestion we could propose to limit the amount of time our parents are occupying public parking spots close to our school office suites, is to utilize the loading zone on the corner of the building along Main Street for our temporary drop off and pick up times. This would likely allow for 2 parent cars to pull in and utilize the loading zone and students could be dropped off and picked up with the help of our teachers, making the process much more efficient as parent's would not have to run upstairs to drop off or collect their students. In keeping with the purpose of the Core Area as well, maybe these families at pick up with park close to their intended destination following pick up, and then walk to collect their students and return to their next fun activity, such an afternoon of bowling at Elevation Bowling. Additionally, we will not be in school on Friday's, which is historically busy in Dillon.

(5) Are there adequate public utilities and services available?

There are 2 bathrooms available on our floor that will be made available for our students use. Currently we share these bathrooms with a counseling office that works after school hours, so essentially MHA will be the only ones utilizing these facilities and should be more than sufficient for our needs during school hours. Additionally, within Suite 204 there is existing plumbing for us to hook up a sink for any water needs we might have.

MOUNTAIN HOUSE ACADEMY

Erica Bull
Administrator

303.815.7677

mountainhouseacademy@gmail.com

<https://mountainhouseacademy.godaddysites.com/>

Appendix 'B' Dillon Municipal Code Excerpts
Conditional Uses & Future Parking Improvement Fees

- DILLON MUNICIPAL CODE
CHAPTER 16 - Zoning
ARTICLE IV - Supplemental Zoning Provisions
Division 2 Conditional Uses

Division 2 Conditional Uses

Sec. 16-4-110. Purpose.

A conditional use is an activity generally similar to other uses permitted within a zoning district, which, because of the manner in which the proposed use could be developed, may not be appropriate in all situations or may require the imposition of special conditions to ensure compatibility with existing and potential land uses within the vicinity. In some instances, conditional uses may be referred to in this Chapter as a special review. In those instances, the special review shall mean a conditional use, and shall be treated as such hereunder.

Sec. 16-4-120. Authorization.

Uses listed as conditional uses within any zoning district may be approved by the Planning Commission after at least one (1) public hearing, if the criteria contained in this Division have been satisfied. Conditional uses shall be established and maintained in accordance with the applicable development standards within the zoning district in which the use is located, and any conditions imposed as part of the approval.

Sec. 16-4-130. Conditional use criteria.

The following criteria, in addition to other applicable criteria in this Chapter, shall be used to review and decide conditional use permit applications.

- (1) The use is listed as a conditional use within the zone, or is otherwise identified as a conditional use and is consistent with the intent and purpose of the Comprehensive Plan and applicable zoning district.
- (2) The parcel is suitable for the proposed conditional use, considering such factors as size, shape, location, topography, soils, slope stability, drainage and natural features.
- (3) The proposed conditional use will not have significant adverse impacts on the air or water quality of the community.
- (4) The proposed conditional use will not substantially limit, impair or preclude the use of surrounding properties for the uses permitted in the applicable zoning district.
- (5) Adequate public utilities and services are available or will be made available to the site prior to the establishment of the conditional use.
- (6) If the conditional use is parking or storage uses accessory to a primary single-family use and located on an adjoining lot, the following additional criteria shall be met:
 - a. Parking shall not be allowed in any setback of the vacant lot.
 - b. There is no predetermined limit to the number of vehicles allowed on the vacant lot, but the Planning and Zoning Commission, using the perceived capacity as appropriate for the neighborhood, shall determine a maximum number of vehicles.
 - c. If more than two (2) vehicles are parked on the vacant lot, they shall be fully screened in accordance with Section 16-7-30.
 - d. No commercial vehicles are allowed to be parked or stored on the vacant lot.

- (7) If the conditional use is for wholesale trade class 1 or wholesale trade class 2, the following additional criteria shall be met:
 - a. The proposed conditional use will not produce any noise or vibration issues that have significant adverse impacts on the community and the neighboring property owners and tenants in a multi-tenant building.
 - b. The proposed conditional use will not produce any smells, odors or noxious fumes that have significant adverse impacts on the community and the neighboring property owners and tenants in a multi-tenant building. The proposed conditional use shall meet all applicable code requirements for ventilation and fire protection.
 - c. The proposed conditional use will not produce any storage, loading or delivery activities related to the storage, loading or delivery of finished products or raw materials that have significant adverse impacts on the community and the neighboring property owners and tenants in a multi-tenant building.
 - d. The proposed conditional use will not cause its employees and vendors to occupy parking spaces intended for retail businesses within two hundred (200) feet of the business.

(Ord. 04-20 §5)

Sec. 16-4-140. Authorization of conditions.

When deemed necessary to ensure that the use meets the criteria for approval, conditions addressing the following, or related, matters may be imposed:

- (1) Size, height and location of buildings and accessory structures.
- (2) Landscaping when necessary to provide screening from incompatible adjacent uses or from public rights-of-way.
- (3) Retention of existing trees and vegetation for buffering purposes.
- (4) Size, location, screening, drainage and surfacing of driveways, parking and loading areas and street access.
- (5) Size, height, location and materials for the construction of fences to screen the subject property from incompatible adjacent uses or from public rights-of-way.
- (6) Location and intensity of outdoor lighting.
- (7) Hours of operation or conduct of particular activities.
- (8) Abatement, mitigation or prevention of nuisances.
- (9) Availability and improvement of urban services, including street improvements, dedication of street right-of-way, traffic signs and signals, sewer, storm drainage, water and turnouts and shelters for mass transportation, provided that the condition applies only to the subject property or public right-of-way or easement abutting the subject property, or impacted by the subject property.
- (10) Conditions may be imposed that require that all or part of the proposed development or use be deferred until certain events occur, such as the availability to the subject property of certain levels of service required to meet Town standards and provide for the health, safety and/or welfare of the community.
- (11) Conditions may be imposed that require that any and all conditions imposed under this Section be recorded in the deed of records with the County Clerk and Recorder.

(Ord. 04-20 §5)

Sec. 16-4-150. Limits on conditions.

The following limits and requirements apply to conditions imposed pursuant to this Division:

- (1) Conditions shall be clear and objective; shall be reasonably related to the public health, safety and welfare; and shall be designed to reasonably effectuate their intended purpose.
- (2) If the dedication of street right-of-way or street improvements are required as provided in this Division, the provision of the dedication, improvements or funding of such shall be deferred until a building permit is obtained.

(Ord. 04-20 §5)

Sec. 16-4-160. Transfer of conditional use permit.

Unless otherwise provided in the final decision granting the conditional use permit, any conditional use permit granted pursuant to this Chapter shall run with the land, and shall automatically transfer to any new owner or occupant subject to all conditions of approval.

Sec. 16-4-170. Duration of permit.

- (a) Except as provided in subsection (b), a conditional use permit shall expire if an applicant fails to obtain a building permit to construct the conditional use within one (1) year of the date of conditional use permit issuance.
- (b) If the conditional use permit is issued in connection with an approved development permit, the duration of the conditional use permit shall be concurrent with the duration of the development permit pursuant to Division 11 of Article II of this Chapter.

(Ord. 04-20 §5)

Sec. 16-6-50. Participation in future parking improvements and parking fees.

- (a) In those instances where the applicant for a development permit within the Core Area, including a request for a change of use, cannot or desires not to provide all parking spaces required in this Chapter, the applicant may request to enter into an agreement with the Town to pay (i) a fee per deficient parking space as set forth below; and (ii) the annual fee for a pro-rata share of the Town's costs in maintaining, removing snow from, and overlaying, from time to time, parking spaces in Town-provided parking lots, as set forth in Chapter 11 of this Code; such request may be granted or denied in the Town Council's sole discretion. Fees per deficient parking spaces shall only be charged for the number of required parking spaces a development is deficient, and no fee per deficient parking space shall be charged for parking spaces actually provided.
- (b) The right of an applicant to request and, if granted, to enter into such an agreement and make such payments, and the authority of the Town to accept such payments, shall be subject to the following limitations:
- (1) Not applicable to residential uses. Requests to pay fees in lieu of providing parking spaces in the amount required in this Chapter shall not be granted for parking as required for residential uses. The full amount of parking spaces as required for residential uses must be provided on-site.
 - (2) Agreement. The agreement shall specify the number of spaces the project is deficient, shall indicate the applicant's agreement to pay the fee per deficient parking space and the annual fee , and shall be entered into prior to the issuance of a building permit.
 - (3) Amount of fee per deficient parking space. The amount of the fee per deficient parking space shall be contingent on the number of parking spaces the project is deficient as set forth in Chapter 19 of this Code.
 - (4) Payment of fee per deficient parking space. The fee per deficient parking space shall be paid in full to the Town prior to the issuance of a building permit for the project or, at the discretion of the Town, at another time as agreed to between the Town and applicant, if the fee is guaranteed by a letter of credit.
 - a. Except as provided in Subsection (7) below, fees paid to the Town are nontransferable and nonrefundable. Any fee paid in connection with the development of a particular lot, tract or parcel shall run with the land for which the fee is paid, and is nontransferable to any other lot, tract or parcel.
 - b. If the development permit for which a fee has been paid has expired, and a new application for a development permit is thereafter filed for the same parcel within five (5) years, the Town shall credit any previous payments of fees per deficient parking spaces toward any fees due for the new application.
 - c. If a change in use of a property results in a reduced requirement for off street parking under the provisions of this Chapter, no refund shall be paid by the Town with respect to off street parking spaces which are no longer required.
 - (5) Use of fees per deficient parking space by Town. The fees collected by the Town pursuant to this Section may be expended by the Town only for the following purposes:
 - a. Acquisition of real property for the construction of municipal parking facilities within the Core Area, or any area located within one-half (½) mile of the Core Area if the Town Council determines that the Core Area will benefit from the provision of parking on such property.
 - b. Development, expansion, design or capital repair of municipal parking spaces or facilities within the Core Area, or any area located within two thousand (2,000) feet of the Core Area, including

but not limited to, construction costs, surveying costs, engineering, design and similar expenses related thereto.

- c. Payment of the principal, interest and other costs of bonds, notes and other obligations issued or undertaken by or on behalf of the Town to finance the acquisition, development, expansion or capital repair of municipal parking spaces and facilities within the Core Area or within two thousand (2,000) feet of the Core Area.
- (6) Fees in lieu of deficient parking shall not be used to remedy any deficiency in capital facilities that exists without regard to the proposed development.
- (7) Refund or credit of fees paid in lieu of providing parking.
- a. Refund. Any fees in lieu of providing parking, or portion thereof, collected pursuant to this Section which have not been expended or which have not been committed for expenditure for eligible parking improvements or design within twenty-five (25) years from the date of payment shall be refunded, upon application, to the record owner of the property for which the fee was paid, together with interest thereon at the legal rate earned thereon by the Town from the date of collection to the date of refund.
 - b. Credit. In the event the Town forms a special improvement district for the purpose of providing public parking facilities within or adjacent to the Core Area, all parking fees (not including interest) paid within a ten-year time period immediately prior to the formation of the district shall be credited toward the assessments of each lot for which the fees were previously paid.
- (8) Parking account.
- a. The Finance Director shall establish an interest-bearing account into which all fees per deficient parking space collected by the Town pursuant to this Section shall be deposited. Interest earned on the account into which the fees are deposited shall be considered funds of the account and shall be used solely for eligible parking design and improvements as authorized in this Section. The fees collected and the interest earned thereon shall not be commingled with any other funds of the Town.
 - b. The Finance Director shall establish adequate financial and accounting controls to ensure that the fees per deficient parking space disbursed from the account are utilized solely for eligible parking design and improvements as authorized in this Section.

(Ord. 05-99 §1; Ord. 02-02; Ord. 05-03 §2; Ord. 01-04 §§1-3; Ord. 14-20 §3)

Appendix 'C' Letters of Support

To Whom It May Concern,

My name is Aly Couette. I was born and raised in Summit County. I now have 2 children of my own and I run a local business here in the county with my mother. This is a letter in support of my friend, Erica Bull, and The Mountain House Academy that she is attempting to establish in Dillon as a faith based school focused around grades K-5.

I fully believe that this community needs more choices for children to attend schools. I think that it is important for all parents to feel that the education that their children are receiving is the best that it can be. With recent changes to the Summit School District I believe that it is even more important for parents to have decisions that allow them to feel comfortable about what their children are learning.

In the time that I have known Erica I have experienced her drive and passion not only for her own children's education but also for the children in the local community which she supports. Her passion for starting this school is huge and I know that this alone will create an amazing chance for many other families in our community to experience an education that they will also support.

Thank you,



Aly Couette

970-485-0251

aly@omniresorts.com

PO Box 948, Silverthorne CO 80498

To whom it may concern,

I would like to offer my full support to the Mountain House Academy. As a future instructor at the academy I believe this schooling system is needed in Summit county. As a child who grew up in the public school system and a teacher that has taught in public school I know this system does not work for every student. Public schools have a great ability of teaching to the masses but with such large class sizes it is easy for many students to get left behind. I think with the type of class size the Mountain House Academy provides students are all able to reach their full potential. The instructor has the time and the means to make sure they work with each student each day. I believe the county is missing this type of schooling in their options, public school may be a great option for some families but if other families are looking for different opportunities for their children they should be given the best choices. I also firmly believe that the model of this school gives families the opportunities to really be a part of their child or children's education. Many families take a back seat but with this model families and teachers are working closely together to make sure every student is receiving the best schooling opportunity. I am excited to spend the next year creating the best atmosphere for all students to learn.

Sincerely,
Catrina Jordan

P.O. Box 5919
Breckenridge, CO 80424

May 17, 2021

Town of Dillon

275 Lake Dillon Drive
Dillon, Colorado 80435

To Whom It May Concern:

This is to express our excitement and unwavering support for **Mountain House Academy**.

This county has long been without a Christian school, and we are thrilled to know that plans are in motion to bring a Christian schooling option to Summit County.

As an educator in Summit School District, I know parents are looking for educational options for their children. Enrollment at Snowy Peaks Alternative School continues to outpace its capacity. Alternatively, tuition at The Peak School in Frisco is not financially feasible for many families.

With more and more families moving to mountain communities, alternative educational options will be one of the first boxes potential residents check off as they research whether to move to a particular town or not.

With plans to initially serve grades K-5, **Mountain House Academy** will offer families more flexibility than a traditional school schedule offers with its innovative curriculum and experiential outdoor learning program.

By giving parents options such as **Mountain House Academy**, they can thrive in their jobs and professions knowing that their children are receiving a Christian education. This peace of mind will strengthen the relationship between **Mountain House Academy** and its stakeholders while laying the foundation for future expansion at the middle and high school levels.

Thank you for your consideration to approve zoning for the creation of **Mountain House Academy** in Summit County.

Sincerely,

A handwritten signature in black ink that reads "Cheryl Chavez Newey". The signature is written in a cursive, flowing style.

Cheryl Chavez Newey, SHS English teacher
Jacques Newey, retired engineer

I would like to express my unwavering support for Mountain House Academy. This county has long been without a Christian school, and we are elated to see one emerging. Not only is there a need for school options within Summit County, but there is also a sizeable population residing here in Summit County that wants a Christian school for the next generation of students that are growing up here.

Summit County would benefit from having Mountain House Academy due to many factors, including that our community is growing and expanding almost exponentially, and more schools are needed to serve the next generation. Additionally, traditional school is not always the best choice for every student, yet our community has limited alternative choices when it comes to schooling options. Especially for elementary grades, our families options are public schooling or homeschooling. Having the choice on where you send your child to be educated and having the flexibility to choose how they'll be educated can only strengthen the learning and educational foundation our students will be graduating with. We also see adding this school is a benefit to the community in that it will bring more jobs, and quality educators into Summit County.

We believe the business and activity that the Mountain House Academy will generate in the Dillon village core is the kind of activity that the Town of Dillon will benefit from. The arrival of parents and students during the school day will likely result in more Dillon businesses being made known to and patronized by those families. More importantly, the students will bring a positive vitality to the neighborhood, enjoying Dillon's parks, marina and amphitheater as citizens of the core village. It's likely that children spending their formative educational years in the village will come to think of Dillon as their "home," continuing to be citizens who patronize or live in the town into the future.

Thank you for your consideration, Summit County would be lucky to have Mountain House Academy and we cannot express how much we this school's creation!

Sincerely,

Bob and Dana Cottrell

Summit Cove

May 16, 2021

To Whom It May Concern:

As a parent and eleven year resident of Summit County, I would like to express my strong support for Mountain House Academy.

Mountain House Academy is important to me specifically because we are in desperate need for more options to educate our children in Summit County.

I have watched all three of my children struggle and fall behind educationally due to this past year's events. I have considered moving my family out of this county, in order for them to have the opportunity to attend a private school. I fully support Mountain House Academy being another option for families to educate their children in this community.

We are extremely grateful for the opportunity to have our children attend Mountain House Academy. I again strongly recommend and support this school and believe it will be a positive and necessary addition to our community.

Sincerely,



Kari Trimble

6746 Ryan Gulch Rd, PO Box 24482

Silverthorne, CO 80498

(970)409-0386

May 18, 2021

To Whom it may concern,

I am writing this letter to reference Erica Bull in her endeavors to start and successfully operate the Mountain House Academy in Summit County, Colorado.

I have known and worked with Erica and her husband Craig for several years as their bookkeeper and financial consultant in both of their businesses. In that time, I have found Erica to be outstanding in her abilities of financial management, communication, planning, organizing and caring.

I have also enjoyed the opportunity to help in guiding her on developing the Mountain House Academy by discussing the financial obligations, fund raising efforts, communicating with other religious schools and developing interest in moving forward. We continue discussing strategies and ideas on this Academy weekly and have been doing so for the past couple months.

Erica is driven and focused not only on getting this religious oriented school started but in making it as successful as possible. She has understood and found that there is a need for such an Academy in Summit County attested to by the following for this endeavor that she is creating among the residents.

Thanks for taking the time to read this and for your consideration.

Mark Keedy | **Business Accountant**

Keedy & Associates | 1230 Oak Hills Drive | Colorado Springs, CO. 80919
310-367-7033 | mlkeedy1@gmail.com

TO: Town of Dillon

19 May 2021

FROM: Mark and Kim Langley
315 Lake Edge Drive
Breckenridge, CO 80424

SUBJECT: Mountain House Academy

We would like to express our full support for the approval and opening of Mountain House Academy (MHA). As Summit County continues to welcome new families into our community, so does our need to provide more schooling options for our growing diverse population.

This past year has been a challenging one with the COVID-19 pandemic. All schools have struggled and all parents have had to adapt. MHA will provide the flexibility needed in times like these, allowing families to choose how their children will be educated. A new school option can only strengthen the learning and educational foundation our students will gain in preparing them for the next stage of their lives. Public schools may not always be the best choice for all families and providing another option will only strengthen our wonderful community.

MHA will provide the only option in the county for those parents that choose to raise their child with a Christian education. Our children spend the better part of their time at school each week and God tells us to teach His commands continually to our children, "talking about them when you sit at home and when you walk along the road, when you lie down and when you get up." Deuteronomy 11:19.

In closing, we fully support the creation of MHA and feel it will provide the highest quality education for our children and will allow the opportunity for parents to fulfill their educational obligation consistent with their beliefs. They will graduate students with academic competence and who know, serve and love God and their neighbor.

Very Respectfully,



Mark and Kim Langley



Erica Bull <mountainhouseacademy@gmail.com>

Letter of Support for MHA

Danielle Heyne <danielle.wood22@gmail.com>
To: mountainhouseacademy@gmail.com

Mon, May 17, 2021 at 9:17 PM

Dear Madams & Sirs,

I would like to express my unwavering support for Mountain House Academy. This county has long been without a Christian school, and we are elated to see one emerging. Not only is there a need for school options within Summit County, but there is also a sizeable population residing here in Summit County that is wanting a Christian school for the next generation of students that are growing up here.

Summit County would benefit from having Mountain House Academy due to many factors, including that our community is growing and expanding almost exponentially, and more schools are needed to serve the next generation. Additionally, traditional school is not always the best choice for every student, yet our community has limited alternative choices when it comes to schooling options. Especially for elementary grades, our family's options are public schooling or homeschooling. Having the choice on where you send your child to be educated and having the flexibility to choose how they'll be educated can only strengthen the learning and educational foundation our students will be graduating with. We also see adding this school is a benefit to the community in that it will bring more jobs, and quality educators into Summit County.

Thank you for your consideration, Summit County would be lucky to have Mountain House Academy and we cannot express how much we support this school's creation!

Sincerely,

Andy & Danielle Heyne

PO Box 10000

Breckenridge, CO 80424

Lori A. TenEyck
PO Box 527
Leadville, CO 80461

To whom it may concern,

I'd like to express my support for Mountain House Academy (MHA). I feel that it's very important in these times that we are living in, to give parents a choice in schools in which to educate their children. I am in support of MHA as it will be a faith based, solid curriculum and family supportive school to educate children in Summit County. Even though my children are grown and raised, I am interested in the quality of education for my grandchildren. I am not a resident of Summit County but my grandchildren are.

Thank you,

Lori TenEyck

303.946.819

Dear Madams and Sirs,

I would like to express my unwavering support for Mountain House Academy. This county has long been without a Christian school, and we are elated to see one emerging. Not only is there a need for school options within Summit County, but there is also a sizeable population residing here in Summit County that is wanting this option for a Christian school, with the flexibility for our family to choose the type of educational experience that fits our needs.

Summit County would benefit from having Mountain House Academy due to many factors, including that our community is growing and expanding almost exponentially, and more schools are needed to serve the next generation. Additionally, traditional school is not always the best choice for every student, yet our community has limited alternative choices when it comes to schooling options. Especially for elementary grades, our family's options are public schooling or homeschooling. Having the choice on where you send your child to be educated and having the flexibility to choose how they'll be educated can only strengthen the learning and educational foundation our students will be graduating with. We also see adding this school is a benefit to the community in that it will bring more jobs, and quality educators into Summit County.

Thank you for your consideration, Summit County would be lucky to have Mountain House Academy and we cannot express how much we support this school's creation!

Sincerely,



Jeanette Kintz
120 Cove Blvd #201
Dillon, CO 80435
jjkintz@gmail.com



Erica Bull <mountainhouseacademy@gmail.com>

support letter

1 message

Mike Tabb <mwtabb@comcast.net>

Tue, May 18, 2021 at 9:05 AM

To: "mountainhouseacademy@gmail.com" <mountainhouseacademy@gmail.com>

Cc: "Tabb, Barb" <barbtabb@comcast.net>

Dear Madame and Sirs:

We enthusiastically support the application of Mountain House Academy. Our traditional public schools are not always the best choice for every student and in Summit County options for parents are limited. There is a need for an educational choice that not only provides a quality and individualized education, but also gives parents more control over what their children are learning with more time to impart their own faith and values to their children. We applaud the Mountain House mission to partner with parents to place faith in God first, emphasize family values, and cultivate the uniqueness in each child.

Regards,
Mike and Barb Tabb
PO Box 4712
Breckenridge, CO 80424

May 14, 2021

To whom it may concern,

The intent of this letter is to express my support for the establishment of Mountain House Academy in Summit County. I am a tax paying citizen of Summit County, currently contributing to the public school system. I would like to see more educational opportunities for the children and families of this county, especially for the elementary grade levels. I am in full support of a Christian school, which Summit is currently lacking. I know of many families who would take advantage of the opportunity to have their children attend a Christian school here, ensuring an education that meets with their core family values.

I have met with and heard the Mountain House Academy administrator, Erica Bull, speak and have full confidence in her ability to develop, lead and run a school of this caliber with special interests.

Thank you for your consideration as I believe Mountain House Academy would be an asset to the institution of education in Summit County and I completely support its development!

Blessings,

Susan Slepín

1223 Rainbow Drive, Silverthorne



Erica Sarell Bull <erica@ericasarellweddings.com>

(no subject)

1 message

Lynn <fitzwestie@aol.com>

Sat, May 15, 2021 at 6:31 PM

To: Erica Sarell Bull <erica@ericasarellweddings.com>

Dear Madams or Sirs

Having been a resident of Summit County for 23 years, there have been changes especially in the educational system. The educational system should be teaching children to learn academics, socialization, athletics and to learn skills to carry them forward. However, this system is now leaning to a one sided learning approach not giving each child to learn at their own pace.

We are blessed to live in an environment that allows us so much. Summit County would benefit from having Mountain House Academy due to many factors, including that our community is growing and expanding rapidly and more schools are needed to serve the next generation. Additionally, traditional school is not always the best choice for every student, yet our community has limited alternative choices when it comes to schooling options. Especially for elementary grades, our family's options are public schooling or homeschooling. Having the choice on where you send your child to be educated and having the flexibility to choose how they'll be educated can only strengthen the learning and educational foundation our students will be graduating with. We also see adding this school is a benefit to the community in that it will bring more jobs, and quality educators into Summit County.

Regards

Lynn Bull

PO Box 4622

Dillon, CO 80435

Sent from [Mail](#) for Windows 10

**Melanie Hill
1867 Peregrine Lane
P.O. Box 23904
Silverthorne, CO 80498**

16 May 2021

Dear Madame and Sirs,

I would like to express my unwavering support for Mountain House Academy. I am excited by the possibility of a Christian school alternative for Summit County. Not only is there a need for school options within Summit County, but there is also a sizeable population residing here in Summit County that is wanting a Christian school for the next generation of students who would benefit from this option.

In my view Summit County would definitely benefit from having Mountain House Academy for many reasons not least of which is the growth happening here. More schools are needed to serve the next generation and public school is not always the best choice for every student. I see that our community has limited alternative choices when it comes to schooling options. These choice options are needed and I can also see that this idea would contribute to the county in terms of added employment.

Summit County would be lucky to have Mountain House Academy and I certainly support this school's creation.

Thank you for your consideration,

/s/ Melanie Hill

Resident of Summit County



Erica Sarell Bull <erica@ericasarellweddings.com>

Support of MHA

2 messages

Mike <jbull10623@aol.com>

Sat, May 15, 2021 at 9:00 PM

To: "erica@ericasarellweddings.com" <erica@ericasarellweddings.com>

To Fellow Citizens of Summit County

Education of our children is a community responsibility. Recent changes in our leadership in the Summit County school system show a deviation from what is best for our children from family/community driven to a school driven (we know best) agenda. The recent zoom school board meeting wherein over 220 members attended presented a one sided approach that elevated equity rather than equality is the path forward. This approach deviated from the principal wherein hard work and merit allows one to achieve success. The school board approach would appear to slow down accelerated /alternative programs to allow equity versus equality. The current equity concept espoused by the school board appears to ignore the concept of Martin Luther King in judge me by not by the color of my skin but the content of their character . There exists a need to provide alternative method of educating our children.

There is an alternative. Mountain House Academy is a excellent choice for our community. Summit County residents/community have a choice. Summit County would benefit from having Mountain House Academy due to many factors, including that our community is growing and expanding almost exponentially, and more schools are needed to serve the next generation. Additionally, traditional school is not always the best choice for every student, yet our community has limited alternative choices when it comes to schooling options. Especially for elementary grades, our family's options are public schooling or homeschooling. Having the choice on where you send your child to be educated and having the flexibility to choose how they'll be educated can only strengthen the learning and educational foundation our students will be graduating with. We also see adding this school is a benefit to the community in that it will bring more jobs, and quality educators into Summit County.

Mike Bull Copper Mountain

A 23 year resident of Summit County

Sent from [Mail](#) for Windows 10

Erica Sarell Bull <erica@ericasarellweddings.com>

Mon, May 17, 2021 at 7:49 AM

To: mountainhouseacademy@gmail.com

E

ERICA SARELL BULL

detail aficionado + love enthusiast

Erica Sarell Weddings
303.815.7677
erica@ericasarellweddings.com
www.ericasarellweddings.com

Office Hours: Tuesday - Thursday 9 am - 5 pm, Friday + Saturday by appointment, Sunday + Monday Closed.

[Quoted text hidden]



Erica Bull <mountainhouseacademy@gmail.com>

Mountain House Academy

2 messages

Nancy <GunowN@aol.com>
To: mountainhouseacademy@gmail.com

Sat, May 15, 2021 at 9:32 AM

To Whom it May Concern,

I would like to express my unwavering support for Mountain House Academy. This county has been without a Christian school, and I am pleased to see one forming. Not only is there a need for school options within Summit County, but here is also a sizable population residing here in Summit County that is wanting this option for a Christian school, with the flexibility for our families to choose the type of educational experience that fits their needs.

Thank you for your consideration.

Sincerely,

Nancy Gunow
55 Lacy Drive
Silverthorne, CO 80498

Erica Bull <mountainhouseacademy@gmail.com>
To: Nancy <GunowN@aol.com>

Sat, May 15, 2021 at 2:55 PM

Thank you Nancy for the support! Appreciate the letter.

Enjoy your weekend.

Warmly,
E

Erica Bull
Administrator

Mountain House Academy
303.815.7677
[Quoted text hidden]

16 May 2021

Dillon Planning & Zoning Commissioners:

Please take this letter to be an expression of my strong support for establishment of Mountain House Academy. I believe that faith-oriented schools offer communities many benefits. There is a need for diversity of education in Summit County. Mountain House Academy would for the first time provide a Christian option for local parents, as well as a much-needed alternative to what many perceive as overly secular instruction.

Thanks in advance.

Sincerely,

//signed//

Robert Dudney
229 Highlands Drive
Breckenridge, Colo.
80424

5/17/21

Dear Madams and Sirs,

I would like to express my unwavering support for Mountain House Academy. This county has long been without a Christian school, and we are elated to see one emerging. Not only is there a need for school options within Summit County, but there is also a sizeable population residing here in Summit County that is wanting a Christian school for the next generation of students that are growing up here.

Summit County would benefit from having Mountain House Academy due to many factors, including that our community is growing and expanding almost exponentially, and more schools are needed to serve the next generation. Additionally, traditional school is not always the best choice for every student, yet our community has limited alternative choices when it comes to schooling options. Having the choice on where you send your child to be educated and having the flexibility to choose how they'll be educated can only strengthen the learning and educational foundation our students will be graduating with. We also see adding this school is a benefit to the community in that it will bring more jobs, and quality educators into Summit County.

Thank you for your consideration, Summit County would be lucky to have Mountain House Academy and we cannot express how much we support this school's creation!

Thank you for your time and listening ear,

Julie Olsen

57 W Hanson Rd

Keystone, CO 80435



Erica Bull <mountainhouseacademy@gmail.com>

Support for Mountain House Academy

2 messages

Bill Tracy <tracybill840@gmail.com>
To: mountainhouseacademy@gmail.com
Cc: tracybill840@gmail.com

Sat, May 15, 2021 at 3:27 PM

Dear Madams and Sirs:

We would like to express my unwavering support for Mountain House Academy. This county has long been without a Christian school, and we are elated to see one emerging. Not only is there a need for school options within Summit County, but there is also a sizeable population residing here in Summit County that is wanting a Christian school for the next generation of students that are growing up here.

Summit County would benefit from having Mountain House Academy due to many factors, including that our community is growing and expanding almost exponentially, and more schools are needed to serve the next generation. Additionally, traditional school is not always the best choice for every student, yet our community has limited alternative choices when it comes to schooling options. Especially for elementary grades, our family's options are public schooling or homeschooling. Having the choice on where you send your child to be educated and having the flexibility to choose how they'll be educated can only strengthen the learning and educational foundation our students will be graduating with. We also see adding this school is a benefit to the community in that it will bring more jobs, and quality educators into Summit County.

Thank you for your consideration, Summit County would be lucky to have Mountain House Academy and we cannot express how much we support this school's creation!

Sincerely,

Bill Tracy and Jeanne Belli

POB 4031

Frisco, CO. 80443

Erica Bull <mountainhouseacademy@gmail.com>
To: Bill Tracy <tracybill840@gmail.com>
Cc: tracybill840@gmail.com

Mon, May 17, 2021 at 11:56 AM

Good morning Bill and Jeanne,

Thank you for your support of MHA. I appreciate you taking the time to send in your support for our school.

I hope you both have a blessed week.

Warmly,
EErica Bull
AdministratorMountain House Academy
303.815.7677

RESOLUTION NO. PZ 07- 21
Series of 2021

**A RESOLUTION APPROVING AN APPLICATION FOR A
CONDITIONAL USE PERMIT TO OPERATE A SCHOOL IN THE CORE
AREA ZONE DISTRICT AT 124 MAIN STREET**

WHEREAS, the Planning and Zoning Commission of the Town of Dillon (“Planning Commission”) has received an application (the “Application”) for a Conditional Use Permit from Erica Bull (the “Applicant”), to operate a School, to be named Mountain House Academy, in the Core Area (CA) zone district at 124 Main Street; 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 June 2, 2021, 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 use 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. The Planning Commission, following the required notice, held a public hearing on June 2, 2021 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 Town of Dillon Municipal Code (“Code”) requirements.
- C. That the use proposed in the Application is listed as a conditional use within the zone, or is otherwise identified as a conditional use and is consistent with the intent and purpose of the Comprehensive Plan and applicable zoning district.
- D. That the parcel is suitable for the proposed conditional use, considering such factors as size, shape, location, topography, soils, slope stability, drainage and natural features.
- E. That the proposed conditional use will not have significant adverse impacts on the air or water quality of the community.

- F. That the proposed conditional use will not substantially limit, impair or preclude the use of surrounding properties for the uses permitted in the applicable zoning district.
- G. That adequate public utilities and services are available at the site to serve the conditional use.

Section 2. The Planning Commission hereby approves the Application for a Conditional Use Permit to operate a School in the Core Area (CA) zone district at 124 Main Street, subject to the following conditions:

- A. The property owner shall pay all required water and sewer tap fees prior to certificate of occupancy.
- B. The applicant shall enter into an agreement with the Town to pay a fee per deficient parking space. The payment(s) shall be made as set forth in the agreement.
- C. The Town Manager may approve minor revisions to the Application that do not alter the character or intent of the Application as approved by this Resolution.

APPROVED AND ADOPTED THIS 2ND DAY OF JUNE, 2021, BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO.

**PLANNING AND ZONING COMMISSION
TOWN OF DILLON**

By: _____
Alison Johnston, Chairperson

ATTEST:

Michelle Haynes, Secretary to the Commission