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Taryn Power – Summit County Recorder

**RESOLUTION NO. 2023-84**

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

**A RESOLUTION APPROVING PLANNING CASE #PLN23-055, A REQUEST FOR A FINAL REZONING FROM R-2 TO PUD TO ACCOMMODATE FIFTEEN (15) DEED-RESTRICTED AFFORDABLE HOUSING UNITS ON 2.08 ACRES; TRACTS 4-10 AND 15-17, BILLS RANCH SUBDIVISION (Applicant: Summit County Housing Department); and,**

**WHEREAS**, Summit County Housing Department has applied to the Board of County Commissioners to request a Rezoning from R-2 to PUD for a 2.08 acre parcel, in order to accommodate fifteen (15) units of deed-restricted affordable housing; and,

**WHEREAS**, the Ten Mile Planning Commission reviewed the application at their meeting on September 14, 2023, and recommended approval of the application to the Board of County Commissioners, subject to certain findings and conditions; and

**WHEREAS**, the Board of County Commissioners has reviewed the application at a public meeting held on October 24, 2023, and considered the evidence and testimony presented at the meeting; and,

**WHEREAS**, in light of such considerations, the Board of County Commissioners of Summit County, Colorado finds that:

- A. The proposed final PUD zoning has not substantially changed from the approved preliminary PUD zoning, and the applicant has complied with conditions that had to be met prior to final zoning approval.
- B. The applicant has provided final evidence of adequate water, sewer, access, utilities, and other required infrastructure.
- C. The applicant has provided certification from the County Treasurer’s Office that all ad valorem taxes have been paid on the applicant’s property for years prior to the year in which approval is under consideration.
- D. A final development plan, PUD text, and PUD exhibit have been reviewed and approved by the County in accordance with the requirements of the PUD zoning amendment requirements and is suitable for the property owner(s) and the County’s signatures and recordation.
- E. No change has occurred in the rezoning application that would result in an inability to make the findings required for approval of preliminary PUD zoning.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO, THAT** the request for a Final Rezoning from R-2 to PUD for a 2.08 acre parcel, in order to accommodate fifteen (15) units of deed-restricted affordable housing, is approved with the following conditions:

Conditions:

1. The applicant shall show General Common Element and Limited Common Element on the final plat.
2. Prior to the recordation of the subdivision exemption plat for the Bill's Ranch Cabins, a Homeowners Association shall be formed to ensure maintenance and repair of the driveways, parking areas, trash disposal, snow plowing, exterior building maintenance, and all common areas for all other purposes deemed necessary by Owner/Developer.
3. The Declaration of Covenants, Conditions and Restrictions for the Property shall be submitted to the County with the subdivision plat application to ensure on-going responsibility for maintenance of common responsibilities.

**ADOPTED THIS 24<sup>th</sup> DAY OF OCTOBER 2023.**

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

*Elizabeth Lawrence*

Elizabeth Lawrence, Chair

**ATTEST:**

*Taryn Power*  
Taryn Power, Clerk & Recorder

