

RESOLUTION NO. 2023-63

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

A RESOLUTION APPROVING PLANNING CASE PLN 21-102, a preliminary plat to subdivide Lot 9, Anaconda & Daisy Subdivision into two lots, total acreage 3.315 acres, zoned R-1, Lot 9, Anaconda & Daisy Subdivision, (Applicant: Danny Teodoru, Timberline Law, LLC); and,

WHEREAS, Danny Teodoru, Timberline Law, LLC has applied to the Board of County Commissioners for a preliminary plat to subdivide Lot 9, Anaconda & Daisy Subdivision into two lots, total acreage 3.315 acres, zoned R-1, Lot 9, Anaconda & Daisy Subdivision; and,

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

WHEREAS, the Upper Blue Planning Commission reviewed the subject application at a public hearing on June 22, 2023 and recommended that it be approved; and,

WHEREAS, the Board of County Commissioners has reviewed the application at a public meeting held on July 25, 2023, and considered the evidence and testimony presented at the meeting; and,

WHEREAS, the Board of County Commissioners finds as follows:

1. The proposed subdivision is consistent with the applicable Zoning Regulations because, without limitation, the subject property meets the density and lot size requirements of the R-1 zoning district as well as all applicable development standards. The utilization of disturbance envelopes further secures consistency with the subject zoning requirements.
2. The proposed subdivision is consistent with the Subdivision Regulations applicable to the property because, without limitation: a) fire protection is available; b) there are no geologic hazards or soil issues on site; c) public use area fee shall be paid prior to the recordation of the plat; d) the property has access to the County road system; and e) adequate utilities and services are available to the property.
3. The proposed subdivision is in general conformance 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 because, without limitation, the proposal is in general conformance with the goals and policies listed and there are no areas with environmental constraints that will not be addressed with the utilization of disturbance envelopes.
4. The applicant has provided evidence that the property can be served by an additional well with an approved augmentation plan for the intended use.
5. The applicant has provided evidence that the Upper Blue Sanitation District will provide sewer services to the subject property and has been conditioned appropriately.
6. Evidence has been provided to show that there are no geologic hazards present. The Colorado Geologic Survey has indicated that there are no soil or topographic conditions that would prevent development of the subject property.

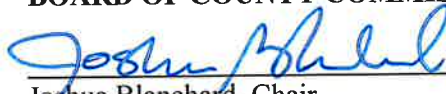
7. The applicant has provided evidence that all lots and parcels created by the subdivision will have access to the County Road system and to the State highway system in conformance with the State access code. Access to the subject lots is available from Quandary Road.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO, THAT a preliminary plat to subdivide Lot 9, Anaconda & Daisy Subdivision into two lots, total acreage 3.315 acres, zoned R-1, Lot 9, Anaconda & Daisy Subdivision is hereby approved with the following conditions:

1. Prior to the recording off the final plat, Public Use Area Fee in the amount of \$1,500 shall be paid.
2. Prior to the recordation of the final plat, a formal inclusion petition for the new lot will be submitted and approved by the Upper Blue Sanitation District.
3. Prior to the BOCC hearing the final plat, a plat shall be added to indicate that Lot 9R-B shall not be further subdivided.


ADOPTED THIS 25TH DAY OF JULY, 2023

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



Joshua Blanchard, Chair

ATTEST:



Taryn Power, Clerk & Recorder