

**BOARD OF COUNTY COMMISSIONERS
November 23, 2021**

NEW BUSINESS

PLANNING CASE #21-090: Class 6 General Subdivision Exemption to Replat Lots 52,53,54 Old Keystone Golf Course Subdivision and reconfiguration of the three lots into two lots, zoned Keystone Resort PUD, Lots 52,53, and 54 Old Keystone Golf Course Subdivision

PROJECT INFORMATION:

Location: 520, 530, and 540 Elk Circle
Project/Request: General Subdivision Exemption to Replat Lots 52, 53, 54 Old Keystone Golf Course Subdivision and reconfiguration of the three lots into two lots.

ISSUES:

None

UPPER BLUE PLANNING COMMISSION RECOMMENDATION:

The Snake River Planning Commission does not review these types of Subdivision Exemptions.

RESOLUTION STATUS:

Draft Resolution attached

STAFF RECOMMENDATION:

Approval with the findings and one condition.

ATTACHMENTS:

- A. Proposed Plat
- B. Draft Resolution



PLANNING DEPARTMENT

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STAFF REPORT

TO: The Board of County Commissioners (“BOCC”)
FROM: Lindsay Hirsh, Senior Planner
FOR: Meeting of November 23, 2021
SUBJECT: PLN21-090: General Subdivision Exemption to Replat Lots 52, 53, 54 Old Keystone Golf Course Subdivision and reconfiguration of the three lots into two lots.
APPLICANT: David H. Street and Brian R. Shelton
OWNER(S): David H. Street and Brian R. Shelton
REQUEST: General Subdivision Exemption to Replat Lots 52, 53, 54 Old Keystone Golf Course Subdivision and reconfiguration of the three lots into two lots.

PROJECT DESCRIPTION

Location: 520, 530, 540 Elk Circle
Legal Description: Lots 52, 53, 54 Old Keystone Golf Course Subdivision
Existing Zoning: Keystone Resort PUD
Proposed Use: No additional uses
Other Uses: Accessory to residential uses
Total site area:

	Existing Lot Size	Proposed Lot Size
Lot 52	0.1810 acres	0.271 acres
Lot 53	0.1810 acres	
Lot 54	0.2320 acres	0.322 acres

BACKGROUND:

The original plat for the Old Keystone Golf Course Subdivision was approved and recorded on December 5, 1997 at Reception# 553524. The subject lots are all zoned Keystone Resort PUD. The applicant, David H. Street owns Lots 53 and 54 and Brian R. Shelton owns Lot 52. Lot 54 and Lot 52 have existing single family residences on them and Lot 53 is vacant. Both neighbors have agreed to split Lot 53 in order to make their lots larger.

Vicinity Map



CRITERIA FOR DECISION:

Per Section 8402.01.F of the County's Land Use & Development Code ("Code"), subdivision exemptions for adjustments and vacations of lot lines or easements shall comply with the following Criteria for Approval:

1. The adjustment or vacation procedure has not been used to circumvent the intent of the Subdivision Regulations.
2. The lots resulting from the adjustment or vacation are in compliance with the County's Zoning Regulations (Chapters 3).
3. Easements necessary for the provision of utilities are not affected or have been relocated to the satisfaction of the utility companies.
4. If the request is for a lot line adjustment, the plat illustrating the lot line adjustment is drawn in accordance with standards in these regulations and is suitable for recordation.
5. If the request is for a lot line vacation, the applicant has provided a restrictive covenant against the property that prohibits the vacated lot(s) from being resubdivided or recreated by a subdivision approval, subdivision exemption approval or any other administrative or judicial process.
6. The applicant has provided certification from the County Treasurer that all ad valorem taxes applicable to the proposed subdivision, for years prior to the year in which approval is under consideration, have been paid.
7. For lot line vacations, the resolution of approval states the new lot name as one of the

previous lot designations.

Will Not Circumvent the Intent of the Subdivision Regulations:

This application will not circumvent the intent of the County subdivision regulations and the resulting lots will be in compliance with the zoning regulations for the Keystone Resort PUD. The County Engineering Department reviewed the submitted materials and has indicated that there are several boulders in the right-of-way which do not meet the County 10 foot setback requirement. The applicant is aware of this issue and setback requirement, and will need to move the boulders back at least onto the property line in order to protect Public Safety. Staff has conditioned this issue accordingly.

Compliance with the Zoning Regulations:

Reconfiguring Lots 52 and 54 will not impede on the development goals/standards associated with Keystone Resort PUD. The lots resulting from the vacation/adjustment are in compliance because, without limitation, the resulting configurations of the lots will have access to the County Road system, have all needed infrastructure for utilities, and meet all applicable development standards associated with the Keystone Resort PUD.

Utility Easements Not Affected or Have Been Relocated:

The application was referred to all applicable utility companies and none had any comments or concerns with the proposed replat.

Plat Illustrating the Lot Line Adjustment is Drawn in Accordance with Standards in These Regulations and Is Suitable for Recordation:

The County Surveyor has reviewed the replat and indicated that it meets all applicable requirements of Section 8700 of the County's Land Use & Development Code and is suitable for recordation.

Restrictive Covenant:

The applicant/owner of Lot 53 has provided a restrictive covenant against the property that prohibits the vacated lot from being resubdivided or recreated by a subdivision approval, subdivision exemption approval or any other administrative or judicial process.

Ad Valorem Taxes:

The County Treasurer has indicated that the ad valorem taxes have been paid for the subject properties.

Resolution of Approval States the New Lot Name:

The Resolution and Plat both have the new lot name as one of the previous lot designations as per this criteria.

STAFF RECOMMENDATION

Staff recommends that the BOCC approve PLN21-090, General Subdivision Exemption to Replat Lots 52,53,54 Old Keystone Golf Course Subdivision and reconfiguration of the three lots into two lots, zoned Keystone Resort PUD, Lots 52R and 54R Old Keystone Golf Course Subdivision with the findings and condition contained in the attached draft resolution.

Attachments:

- A. Proposed Plat
- B. Draft Resolution

CC: David H. Street, Brian R. Shelton