

**BOARD OF COUNTY COMMISSIONERS
AUGUST 11, 2020
PLANNING CASE #PLN20-031: VACATE LOT LINE,
LOTS 29 & 30, BLOCK 4, QUANDARY VILLAGE #2
CONSENT AGENDA**

PROJECT INFORMATION:

Location: 74 & 104 Camron Lane, Blue River
Request: General Subdivision Exemption to vacate a lot line between Lots 29 & 30,
Block 4, Quandary Village Filing #2, zoned R-2

ISSUES:

None

PLANNING COMMISSION RECOMMENDATION:

The Upper Blue Planning Commission does not review lot line vacation applications

RESOLUTION STATUS

Draft Resolution Attached

STAFF RECOMMENDATION:

Approval with 6 findings and 0 conditions.

ATTACHMENTS:

1. Vicinity Map
2. Restrictive Covenant and Exhibit
3. Draft Resolution



STAFF REPORT

TO: Board of County Commissioners

FROM: Sid Rivers, Planner II

FOR: Meeting of August 11, 2020

SUBJECT: PLN20-031: General Subdivision Exemption to vacate a lot line between Lots 29 & 30, Block 4, Quandary Village Filing #2, zoned R-2

APPLICANT: Richard Schultenover

OWNER: Christina Schultenover

REQUEST: Vacate lot line between Lots 29 & 30, Block 4, Quandary Village Filing #2, zoned R-2

PROJECT DESCRIPTION:

Location: 74/ 104 Camron Lane

Legal Description: Lots 29 & 30, Block 4, Quandary Village Filing #2

Existing Zoning: R-2

Existing Use: Vacant/Residential

Total site area: 1.036 acres

Adjacent land uses:

- North:** Camron Lane
- West:** Camron Lane
- South:** Lot 31, Blk 4, Quandary Village #2, zoned R-2
- East:** Lots 94/ 95, Quandary Village #2, zoned R-2

BACKGROUND:

The subject site consists of two lots located at 74 & 104 Camron Lane in the area north of Blue River. The subdivision plat for Quandary Village Filing #2 was recorded in 1965 at Reception number 102620. Summit County subdivision regulations began in 1964. The subject site, Lots 29 & 30, are 1.036 acres in size (total) and are currently vacant. The applicant wishes to vacate the lot line between Lots 29 & 30 resulting in one larger lot.

Subject Site: Lots 29 & 30, Block 4, Quandary Village #2

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 3-4).
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.

Staff notes that Criterion 4 is only applicable for lot line adjustments. As such, it is not reviewed in this staff report.

Compliance with the County Subdivision Regulations

Vacating the lot line between Lots 29 & 30, Block 4, Quandary Village #2 does not circumvent the intent of the County subdivision regulations. No additional building sites will be created through this lot line vacation and no new uses are being proposed. The combined lot will comply with all applicable County subdivision regulations. Approval of this proposal will result in one 1.036 acre lot.

Compliance with the County Zoning Regulations

The property is zoned R-2, which allows for one single family residence per 20,000 square feet. Vacating the lot line between Lots 29 & 30 will create a larger lot that complies with the minimum lot size requirement. The combined lot will be 1.036 acres, or 45,125.16 square feet. Future development on the subject site will have to comply with the R-2 zoning district setbacks and development standards, as well as all other development code provisions and other applicable regulations.

Easements Necessary for the Provision of Utilities Not Affected

This lot line vacation will not affect any utility easements. This development application was referred to the utility providers. However, no comments were returned regarding this proposal.

Restrictive Covenant Provided

The owner has submitted a signed restrictive covenant, which prohibits the vacated lot from being re-subdivided or recreated by a subdivision approval, subdivision exemption approval, or any other administrative or judicial process. The signed restrictive covenant will be recorded concurrently with the resolution of approval for this application if approved by the BOCC.

Ad Valorem Taxes Paid

The 2019 ad valorem taxes for Lots 29 & 30, Block 4, Quandary Village #2 have been paid.

The New Lot Name is one of the Previous Lot Designations

This lot line vacation will result in one larger lot, which will be known as Lot 29R, Block 4, Quandary Village #2.

STAFF RECOMMENDATION:

Staff recommends that the Board of County Commissioners approve PLN20-031: General Subdivision Exemption to vacate a lot line between Lots 29 & 30, Block 4, Quandary Village #2, zoned R-2, with the following findings:

Findings:

1. The vacation procedure has not been used to circumvent the intent of the Subdivision Regulations as no new lots are being created through this application.
2. The lot resulting from the vacation is in compliance with the County's Zoning Regulations because, the newly created lot meets the minimum lot size requirement for the R-2 zone district and density is being reduced by one unit.
3. Easements necessary for the provision of utilities are not affected by this application.
4. The applicant 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.
5. The 2019 ad valorem taxes have been paid in full for subject property.
6. The new lot name is one of the previous lot designations and it shall be known as Lot 29R, Block 4, Quandary Village #2.

ATTACHMENTS:

1. Vicinity Map
2. Restrictive Covenant and Exhibit
3. Draft Resolution