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Kathleen Neel – Summit County Recorder

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RESOLUTION NO. 2020-24

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

A RESOLUTION APPROVING PLANNING CASE PLN 19-098, Blue Sky Estates II – Preliminary plat to subdivide a 2.23-acre lot zoned Single-family Residential (R-1) to accommodate two single-family lots, Lot 2, Blue Sky Estates (Applicant: Chris Hawkins, Alpine Planning, LLC); and,

WHEREAS, Chris Hawkins, Alpine Planning, LLC has applied to the Board of County Commissioners for a preliminary plat to subdivide a 2.23-acre lot zoned R-1 to accommodate two single-family lots, Lot 2, Blue Sky Estates; 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 January 23, 2020 and recommended that it be approved; and,

WHEREAS, the Board of County Commissioners has reviewed the application at a public meeting held on February 25, 2020 and on March 31, 2020 and considered the evidence and testimony presented at the meeting; and,

WHEREAS, the Board of County Commissioners finds as follows:

1. This application is being processed concurrently with PLN19-096, a request to rezone the subject property from RE to R-1. If PLN19-096 is approved, the proposed subdivision will be 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. If PLN19-096 is not approved, this criterion will not be met and the request cannot be approved.
2. The proposed subdivision is consistent with the Subdivision Regulations applicable to the property because, without limitation: a) fire protection is available from the Red, White and Blue Fire District; b) geologic or soil issues can be mitigated; c) the property has access to the County road system; and d) 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 and the Upper Blue Master Plan and the Joint Upper Blue Master Plan. Without limitation, the proposal is in general conformance with the Residential land use designation indicated in the Upper Blue Master Plan and the proposed building envelopes are placed to address areas with environmental constraints or visually prominent areas.
4. The applicant has provided evidence that the Town of Breckenridge Water Division will provide service to the subject property.
5. The applicant has provided evidence that Upper Blue Sanitation District will provide sewer services to the subject property.
6. Evidence has been provided to show that there are no significant geologic hazards present that cannot be addressed through standard engineering practices. The Colorado Geologic Survey and Middle Park Conservation District have indicated that the intended use can be engineered to address the soil or topographic conditions that exist and these conditions can be mitigated so that they would not 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 property is available from Brook Street.

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 a 2.23 acre lot zoned R-1 to accommodate two single-family lots, Lot 2, Blue Sky Estates is hereby approved with the following conditions:

1. Prior to the recordation of the final plat, the applicant shall pay the public use area fee in the amount of \$1,500 for the additional lot.
2. Prior to the issuance of a building permit, if deemed necessary by the Summit County Engineering Department a wetlands delineation shall be submitted that indicates that no soil disturbance will be located within 25 feet of any identified wetland.
3. No earth disturbing activities or snow storage shall be conducted or located on adjacent USFS lands.
4. Prior to the issuance of a Grading and Excavation Permit, the applicant shall execute a Subdivision Improvements Agreement and provide a financial guarantee to the satisfaction of the County Engineering Department.
5. Prior to the recordation of the final plat, the proposed plat shall be amended to illustrate a 100 foot separation from the property line along Ski Hill Road and the building envelope.

ADOPTED THIS 31ST DAY OF MARCH, 2020

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



[Signature]
Karr Vogelmeier, Chair

ATTEST:

[Signature]
Kathleen Neel, Clerk & Recorder