

**TOWN OF GRAND LAKE
ORDINANCE NO. 02 – 2016**

**AN ORDINANCE APPROVING THE 2nd AMENDMENT TO THE
MARINA DRIVE MINOR SUBDIVISION**

WHEREAS, the Town of Grand Lake (the “Town”) received a Land Use Application from Darren Fogel (the “Applicant”) the owner of real property described as Metes and Bounds Parcel 0.25 AC PT of Lot 9 DES B/384 P/890 SEC 6 T3N R75W (the “Property”); and,

WHEREAS, the Property is specifically excluded from the Marina Drive Minor Subdivision at reception #2002-007243; and,

WHEREAS, the Applicant is the owner of Parcel 2, Marina Drive Minor Subdivision; and,

WHEREAS, Brian M. and Debra A. Ross Trust of real property described as Parcel 1, Marina Drive Minor Subdivision (“Parcel 1”); and,

WHEREAS, the Applicant is requesting to add approximately 0.05 acres of land from each of Parcel 1 and Parcel 2 of the Marina Drive Minor Subdivision to the Property (the “Request #1); and,

WHEREAS, the Applicant is requesting the Property be added to the Marina Drive Minor Subdivision (the “Request #2); and,

WHEREAS, the Town Municipal Code 12-9-8 Redevelopment Procedure states:

(A) Redevelopment of land or changes to a recorded Plat shall be considered a development and it shall comply with these regulations with the following exceptions:

(1) Lot lines may be revised from those shown on the recorded Plat, provided that in making such changes:

- (a) No lot or parcel of land shall be created or sold that is less than the minimum requirements for area or dimension as established by these regulations or other applicable regulations or Sections of this Code.*
- (b) Drainage or utility easements or rights-of-way reserved for drainages and utilities shall not be changed, unless supported by complete engineering data;*
- (c) Street locations and street rights-of-way shall not be changed, and;*
- (d) The Plat shall not be altered in any way which will adversely affect the character of the plat filed...; and,*

WHEREAS, the Town Planning Commission (the “Commission”) approved a Sketch Plan submittal from the Applicant by Resolution 23-2014 for Request #1 and Request #2 (the “2nd Amendment to Marina Drive Minor Subdivision”); and,

WHEREAS, the Town received a Land Use Application from Brian M. and Debra A. Ross Trust on October 22, 2016 to rezone Parcel 1 from Resort District to Single Family Residential - High Density; and,

WHEREAS, the Municipal Code 12-2-34(C) Amendments to the Official Zoning Map states:

Any person petitioning for amendment to the Official Zoning Map shall submit a petition to the Planning Commission through the Building Inspector.

- 3. Procedure Before Town Board of Trustees - After receiving the advisory report from the Planning Commission, the Town Board of Trustees shall hold a Public Hearing Before acting*

on the proposed amendment. Notice of the time and place of the Public Hearing before the Town Board of Trustees shall be given by Town Staff, by One (1) Publication of the same at least Fifteen (15) Days prior to the hearing, in a newspaper of general circulation in the Town of Grand Lake.; and,

WHEREAS, at a Public Hearing on November 20, 2015 the Commission forwarded a favorable recommendation for rezoning of Parcel 1 from Resort District to Single Family Residential – High Density; and,

WHEREAS, the Commission forwarded a favorable recommendation for the 2nd Amendment to the Marina Drive Minor Subdivision by Resolution 1-2016 with conditions at a regular scheduled meeting; and,

WHEREAS, the review of the 2nd Amendment to the Marina Drive Minor Subdivision (the “2nd Amendment”) was scheduled for review by the Town Board of Trustees (the “Board”) at a Public Hearing on March 14th, 2016; and,

WHEREAS, the Board continued the Public Hearing for review of the 2nd Amendment until March 28th, 2016.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO,

THAT, the Board determined Municipal Code 12-9-8 Redevelopment Procedure applies for this request; and,

THAT, the Board hereby approves the 2nd Amendment to the Marina Drive Minor Subdivision (the “Plat”) attached herein with the following conditions:

1. The Applicant provide the Town with all executed documents for recording; and,
2. The Applicant provide the Town with closing documents associated with the property transfer required by this Plat; and,
3. The Applicant complies with all other federal, state, and local regulations.

DULY MOVED, SECONDED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO THIS 28TH DAY OF MARCH, 2016.

(S E A L)

Votes Approving:	6
Votes Opposed:	0
Absent:	1
Abstained:	0

ATTEST:

TOWN OF GRAND LAKE

Katie Nicholls, Town Clerk

Judy M. Burke, Mayor