



September 6, 2016

Eagle County Clerk & Recorder
Teak J. Simonton
P.O. Box 537
Eagle, CO 81631

To Whom It May Concern:

Please record the enclosed Resolution No. 35, Series of 2016 and return to the Town of Basalt as follows:

Town of Basalt
101 Midland Avenue
Basalt, CO 81621

Please deduct the amount due from our escrowed funds to cover the cost of recording.

If you have any questions, please don't hesitate to contact me or Pam Schilling, Town Clerk.

Best regards,

A handwritten signature in cursive script that reads "Deb Pattison".

Deb Pattison
Administrative Assistant
Town of Basalt
970.927.4701

Enclosure

**RESOLUTION OF THE TOWN COUNCIL OF BASALT, COLORADO, APPROVING
THE ELICE R-4 MD SKETCH SITE PLAN FOR THE PROPERTY KNOWN AS 150 W.
HOMESTEAD DRIVE, BASALT, COLORADO**

**Town of Basalt, Colorado
Resolution No. 35
Series of 2016**

RECITALS

1. Mark and Kris Elice ("Applicants"), submitted an application for R-4 MD Sketch Site Plan for the Property at 150 W. Homestead Drive which property is more particularly described in **Exhibit A** (The "Property"). Said application includes a request to rezone the property at 150 W. Homestead to the R-4 MD Zone District, and subdivide the property into three (3) lots, two lots of approximately 3,000 square feet and another lot of approximately 6,000 square feet. Additionally, the Applicants have proposed to construct a new residence of approximately 1,200 square feet with a 350 square foot garage on Lot B of the proposed subdivision. The 6,000 square foot Lot C that would result from the subdivision is proposed for future development in accordance with the R-4 MD Zone District. The existing 1,300 square foot house would remain on Lot A.
2. The rezoning and minor subdivision portions of the application would be reviewed in conjunction with the R-4 MD Final Site Plan Application.
3. The Town Planner found the property eligible for the R-4 MD Zone District pursuant to Administrative Determination No. 03, Series of 2016.
4. The Planning and Zoning Commission reviewed the Application and conducted a public hearing at their July 19, 2016 meeting and recommended approval, with conditions.
5. The Basalt Town Council considered the application at a public hearing on August 23, 2016. Throughout the meeting, evidence and testimony was offered by the Applicant, staff and members of the public.
6. The Basalt Town Council finds that the request described herein to be consistent with the applicable provisions of the Town Code and the 2007 Basalt Master Plan.

Please return to:
TOWN OF BASALT
101 Midland Avenue
Basalt, CO 81621

NOW, THEREFORE, BE IT RESOLVED by the Basalt Town Council of Basalt, Colorado, as follows:

The Basalt Town Council incorporates the above recitals, all exhibits as references, as findings and determinations, and conclusively makes all of the findings of fact, determinations and conclusions contained herein.

CONCLUSIONS

Based on the evidence, testimony, exhibits, and comments from the public, Applicants and Town Staff, the Basalt Town Council hereby approves the Elice R-4 MD Sketch Site Plan, subject to the conditions contained in **Exhibit "B"** hereto.

1. The Applicants shall comply with all material representations made by the Applicant in the Application, including the supporting documents and in meetings before the Planning and Zoning Commission and Basalt Town Council.

2. As the Town of Basalt's Sketch Plan approval does not create any vested rights, a final plan application shall be required to be approved by the Town Council to obtain vested rights.

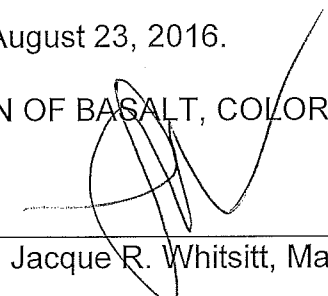
3. This Resolution shall be recorded with the Offices of the Clerk and Recorder of Eagle County.

4. The approval granted hereby shall be valid for one year from the date of the vote hereon and shall be void if a Final Plan Submittal is not submitted to the Town within one year.

5. Pursuant to § 17-84(a)(2), Town Code, this approval shall not form the basis for any actionable reliance for the Applicant and shall not create any obligation for the Town Council to provide later approvals on the property.

READ AND ADOPTED by a vote of 6 to 0 on August 23, 2016.

TOWN OF BASALT, COLORADO

By: 
Jacque R. Whitsitt, Mayor

ATTEST:

By: *Ramela K. Schilling*
Ramela K. Schilling, Clerk

Council Res 35_-Elice

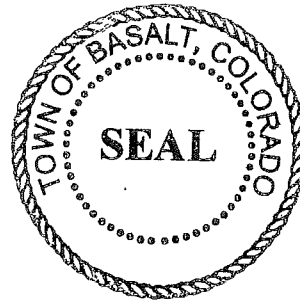


EXHIBIT A

PROPERTY DESCRIPTION

Parcel 1A

The Westerly 16.00 feet of Lot 19, Block A, Lucksinger Brothers Addition to the Town of Aspen Junction (Now Known as Basalt) According to the Plat thereof filed on March 1, 1892, More Particularly Described as Follows:

Beginning at the Southwest Corner of Said Lot 19, Block A, Thence 69 Degrees 40 Minutes E. 16.00 Feet, Thence N 20 Degrees 20 Minutes W. 130.00 Feet, Thence S 69 Degrees 40 Minutes W 16.00 Feet, Thence S 20 Degrees 20 Minutes E 130.00 Feet to the Point of Beginning.

Parcel 1B

Lots 20 and 21, Block A, Lucksinger Brothers Addition to the Town of Aspen Junction (Now Known as Basalt) According to the Plat Thereof Filed on March 1, 1892 and a Parcel of Land Described as:

Beginning at the Southwest Corner of Lot 21, Block A, Lucksinger Brothers Addition, Thence West 25 Feet, Thence North 130 Feet, Thence East 25 Feet , Thence South 130 Feet to the Point of Beginning.

EXHIBIT B

Dimensional Requirements:

1. The dimensional requirements approved for the sketch site plan are as follows:

Dimensional Requirement	Elice Minor Subdivision
Min. Lot Area	Lots A & B- 3,071 sf Lot C- 6,142 sf
Building Height	24 Feet to Midpoint
Ridge Height	28 Feet
# of Stories	2
Lot Width	45.5 Feet
Front Yard Setback	10 Feet
Rear Yard Setback	10 Feet
Side Yard Setback	5 Feet
FAR	.5:1 on each individual lot
Max Lot Coverage	NA
Min Landscape	>10%
Parking	2 Spaces for Each 2-Bedroom or 3-Bedroom Unit
Max. Unit Size	1,200 sf (2-Bedroom Unit proposed on Lot B) 1,385 sf (Existing 3-Bedroom Unit on Lot A) and any unit to be constructed to replace the existing unit shall be required to meet the maximum units size as set forth in the R-4 MD Zone District as it may be amended

	Future Development on Lot C shall be required to meet the maximum unit size as set forth in the R-4 MD Zone District as it may be amended
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R-4 MD Site Plan Review:

2. Each new dwelling unit in the subdivision shall require R-4 MD Site Plan approval as set forth in Town Code Section 16-31(a)(2), *Supplemental Requirements for the R-4 Mixed Density Residential District*, prior to applying for building permits on each individual residence.
3. The Applicants shall include detailed architectural drawings for the residence to be constructed on Lot B in the Final Site Plan Review Application.

Non-Conforming Sheds/Outbuildings:

4. The Applicants shall move or remove the non-conforming sheds/outbuildings on the site to bring them into compliance with the R-4 MD setback requirements as they relate to the new lot lines created by the minor subdivision, prior to recording a final subdivision plat.

Construction Management Plan:

5. The Applicants shall submit construction management plans with each site plan review application for each individual residence to be constructed within the subdivision. The construction management plans shall include construction parking and dust mitigation measures and a representation that the Applicant will comply with the allowable construction hours as established in the Town Code.

Basalt Sanitation District Comments:

6. The Applicants shall demonstrate compliance with Basalt Sanitation District's rules and regulations and compliance with Basalt Sanitation District Engineer, Wyatt Popp's comments dated May 19, 2016 for each individual residence prior to the issuance of building permit on the individual residences in the subdivision. The Applicants shall also pay tap fees for each individual residence at the time of building permit issuance for each individual residence.

Development and Building Fees:

7. The Applicants shall pay all applicable development review fees on each new residence, as calculated by the Town Planner, prior to building permit issuance, (including the payment of parkland dedication and school land dedication fees). The Applicants shall also pay all applicable building permit fees as calculated by the Town Building Official prior to building permit issuance on each individual residence in the subdivision.

Amended Subdivision Plat:

8. The Applicants shall submit an amended subdivision plat showing the common lot line between Lot A and Lot C complying with the required five (5) foot side yard setback from the existing residence prior to the approval of the Final Site Plan Review on Lot B and prior to the submittal of a Site Plan Application on Lot C.

Approval Documents:

9. The Applicants shall prepare an amended Minor Subdivision Plat for review and approval in conjunction with the final site plan review application for the new residence to be constructed on Lot B. The Minor Subdivision Plat must be approved and recorded prior to the issuance of a building permit on any of the residences within subdivision.

Vested Rights:

10. Approval of the Sketch Site Plan Review for the residence to be constructed on Lot B does not grant vested property rights. The final subdivision approval and rezoning to R-4 MD will take place concurrently with approval of the Final Site Plan Review for the residence to be constructed on Lot B.