

**Town of Basalt, Colorado  
Ordinance No. 08  
Series of 2020**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BASALT,  
COLORADO, GRANTING AN EXTENSION OF VESTED RIGHTS FOR LOT B  
OF MABLE'S SUBDIVISION IN BASALT, COLORADO**

**RECITALS**

A. The Town of Basalt ("Town"), acting by and through its Town Council ("Town Council"), has the power to grant vested property rights. Mark Elice ("Applicant") applied to the Town on February 8, 2020 requesting approval to extend the vested rights of a final site plan approval for Lot B of the Mable's Subdivision, which is recorded in the Eagle County records at reception number 201705568. The Applicant requested to extend the vested property rights by one (1) year. Vested rights were originally granted for Lot B of the Mable's Subdivision pursuant to Ordinance No. 1, Series of 2017, and are set to expire on March 23, 2020.

B. Planning and Zoning Commission approved Resolution No. 2, Series of 2019, and amended Ordinance No. 1, Series of 2017, with changes to the final site plan approval for Lot B. However, the term of the vested property rights was left unchanged from the original approval as stated in Ordinance No. 1, Series of 2017.

C. As requested by the Applicant, the Town Staff recommends approval of the one (1) year extension of vested rights from the existing expiration date of vested rights.

D. At a public hearing held on February 25, 2020, the Town Council considered this Ordinance on first reading and set and continued a public hearing and second reading for this Ordinance for March 10, 2020, for a meeting beginning no earlier than 6:00 pm at the Basalt Town Hall, 101 Midland Avenue, Basalt, Colorado.

E. At a public hearing and second reading on March 10, 2020, the Town Council heard evidence and testimony as offered by the Town Staff, the Applicant, and members of the public.

F. The Town Council finds and determines it is in the best interests of the Town to approve this Ordinance. The Town Council finds and determines this Ordinance is reasonable and consistent with the Town Code. Further, the Town Council finds and determines this Ordinance is reasonably necessary to promote the legitimate public purposes of the public health, safety and welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO AS FOLLOWS:**

A. RECITALS. The foregoing recitals are incorporated herein as findings of Town Council.

B. CONDITIONS.

1. The extension of vested rights for Mable's Subdivision Lot B site plan approval is hereby approved, subject to the following conditions:

a. The length of the extension of vested rights shall be one (1) year from the prior date of expiration. The new vested rights expiration date shall be March 23, 2021.

b. All other terms and conditions established in Ordinance No. 1, Series of 2017, as amended by Planning & Zoning Commission Resolution No. 2, Series of 2019, shall remain in full force and effect except that that the expiration date of the P&Z's approval of the site plan review will correspond to the expiration date established in this ordinance.

c. The Applicant shall be required to meet all building and life safety code requirements in place at the time of building permit submittal.

d. At the time of building permit issuance, the Applicant shall pay all applicable building permit, water surcharge, and impact fees in effect.

e. The Applicant shall comply with all material representations made by the Applicant in the meetings before the Town Council.

C. MISCELLANEOUS.

1. The approvals and conditions contained herein shall be binding on and inure to the benefit of the heirs, successors and assigns of the Applicant and the owners of the Property.

2. This Ordinance, after fully executed, shall be recorded in the office of the Clerk and Recorder of Eagle County.

3. If any part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance and the Town Council

hereby declares it would have passed this Ordinance and each part, section, subsection, sentence, clause or phrase thereof regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

READ ON FIRST READING, ORDERED PUBLISHED AND SET FOR PUBLIC HEARING TO BE HELD ON March 10, 2020, by a vote of 7 to 0 on February 25, 2020.

READ ON SECOND READING AND ADOPTED, by a vote of 6 to 0 on March 10, 2020.

TOWN OF BASALT, COLORADO

By:

  
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Jacquie R. Whitsitt, Mayor

ATTEST:

  
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Pamela K. Schilling, Town Clerk

First Publication: Thursday, March 5, 2020  
Final Publication: Thursday, March 19, 2020  
Effective Date: Thursday, April 2, 2020

