

PALMER LAKE, COLORADO

RESOLUTION NO. 3 OF 2019

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT
TO ESTABLISH A GROUP HOME FOR THE AGED (NURSING HOME)
ON A PROPERTY CURRENTLY ZONED C-1 GENERAL
BUSINESS AND COMMERCIAL ZONE DISTRICT
AND LOCATED AT 204 VALE STREET ("PROPERTY")**

WHEREAS, PALMER LAKE IS A STATUTORY TOWN ORGANIZED UNDER AND AUTHORIZED PURSUANT TO PART 3 OF ARTICLE 4 OF TITLE 31 OF THE COLORADO REVISED STATUTES; AND

WHEREAS, SECTION 17.36.020 OF THE PALMER LAKE MUNICIPAL CODE PROVIDES THAT A NURSING HOME (GROUP HOME FOR THE AGED) IS A CONDITIONAL USE IN THE C-1 CENTRAL BUSINESS AND COMMERCIAL ZONE DISTRICT; AND

WHEREAS, SECTION 17.08.090 PROVIDES THAT THE PLANNING COMMISSION SHALL MAKE RECOMMENDATIONS OF APPROVAL OR DENIAL OF CONDITIONAL USES TO THE BOARD OF TRUSTEES, WHICH HAS THE FINAL AUTHORITY TO GRANT OR DENY SUCH APPLICATIONS; AND

WHEREAS, SECTION 17.08.090 FURTHER PROVIDES THAT THE APPLICANT FOR A CONDITIONAL USE SHALL FOLLOW THE SAME PROCEDURE AS IS REQUIRED FOR AN APPLICATION FOR A ZONING DESIGNATION CHANGE, INCLUDING THE POSTING AND PUBLICATION OF LEGAL NOTICE; AND

WHEREAS, CHAPTER 17.76 SETS FORTH THE PROCEDURE FOR ZONING AMENDMENTS ALSO APPLICABLE TO CONDITIONAL USE APPLICATIONS; AND

WHEREAS, PUBLISHED AND POSTED NOTICE OF THE PUBLIC HEARINGS BEFORE THE PLANNING COMMISSION AND BOARD OF TRUSTEES AS REQUIRED BY SECTION 17.76.10 WAS DULY AND TIMELY ACCOMPLISHED; AND

WHEREAS, THE PALMER LAKE PLANNING COMMISSION RECOMMENDED APPROVAL OF THIS CONDITIONAL USE.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO, AS FOLLOWS:

Section 1. The application pursuant to Section 17.36.020 for a Conditional Use Permit to establish a nursing home (group home for the aged) on property currently zoned "C1" General Business and Commercial, and located at 204 Vale Street is hereby approved, subject to the following conditions:

1. The use will be an owner-occupied care facility for not more than 8 persons over 60 years of age who need assistance.

Section 2. This Resolution shall be effective immediately.

APPROVED AND ADOPTED ON THIS 14th DAY OF February 2018, BY A VOTE OF 6 FOR AND 0 AGAINST.



JOHN CRESSMAN, MAYOR

ATTEST:



VERLA BRUNER, TOWN CLERK

Approved as to Form:

MAUREEN JURAN, TOWN ATTORNEY