

PALMER LAKE, COLORADO

RESOLUTION NO. 7 OF 2019

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT
TO ESTABLISH A DAY CARE HOME
ON A PROPERTY CURRENTLY ZONED R-3 MEDIUM DENSITY RESIDENTIAL
AND LOCATED AT 279 WALNUT AVENUE ("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 17.28.020 OF THE PALMER LAKE MUNICIPAL CODE PROVIDES THAT A DAY CARE HOME IS A CONDITIONAL USE IN THE R-3 MEDIUM RESIDENTIAL 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.

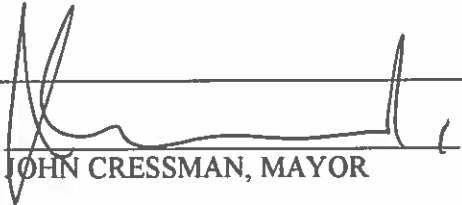
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO, AS FOLLOWS:

Section 1. The application pursuant to Section 17.28.020 for a Conditional Use Permit to establish a day care home on property currently zoned "R3" Medium Density Residential, and located at 279 Walnut Avenue is hereby approved, subject to the following conditions:

1. The applicant installs or has installed a "Children at Play" sign on Walnut Avenue
2. The Day Care sign will be designed to reflect the house with the top resembling a roof pitch.
3. If the Town of Palmer Lake receives two complaints within a year the applicant will need to review the application with the Planning Commission

Section 2. This Resolution shall be effective immediately.

APPROVED AND ADOPTED ON THIS 28th DAY OF MARCH 2019, BY A VOTE OF ___ FOR AND ___ AGAINST.


JOHN CRESSMAN, MAYOR

ATTEST:


VERLA BRUNER, TOWN CLERK

Approved as to Form:


MAUREEN JURAN, TOWN ATTORNEY