

TOWN OF PALMER LAKE, COLORADO

RESOLUTION NO. 10-2021

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ESTABLISH A WHOLESALE BUSINESS USE ON A PROPERTY CURRENTLY ZONED C-2 GENERAL BUSINESS AND COMMERCIAL ZONE DISTRICT AND LOCATED AT 773 SOUTH HIGHWAY 105 (“PROPERTY”)

WHEREAS, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Town of Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Palmer Lake, Colorado;

WHEREAS, Section 17.37.020 of the Palmer Lake Municipal Code provides that Wholesale Business is a conditional use in the C-2 General Business and Commercial Zone District; and

WHEREAS, Section 17.08.090 of the Palmer Lake Municipal Code 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 of the Palmer Lake Municipal Code 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 17.76.010 was duly and timely accomplished; and,

WHEREAS, the Palmer Lake Planning Commission recommended approval of the conditional use with some conditions.

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

1. The application pursuant to Section 17.37.020 for a conditional use permit to establish a Wholesale Business use on the Property currently zoned C-2 General Business and Commercial Use and located at 773 South Highway 105 is hereby approved, subject to the following conditions:

- A. Approved access across Town owned property from Highway 105 pursuant to an agreement with the Town.
- B. Front façade must be added within in 90 days of completion of building.
- C. Applicant will maintain an aesthetic appearance from Highway 105 as determined by the Board of Trustees.

2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Resolution is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Resolution. The Board of Trustees hereby declares that it would have passed this resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

3. Repeal. Existing resolutions or parts of resolutions covering the same matters embraced in this Resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this Resolution are hereby repealed.

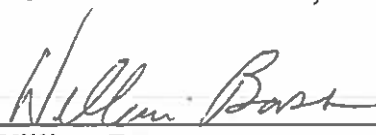
INTRODUCED, RESOLVED, AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 28TH DAY OF JANUARY, 2021.

ATTEST:

TOWN OF PALMER LAKE, COLORADO



Dawn A Collins
Town Administrator/Clerk

BY: 

William Bass
Mayor