

**TOWN OF NEW CASTLE, COLORADO
RESOLUTION NO. PZ-2017-2**

A RESOLUTION OF THE NEW CASTLE PLANNING AND ZONING COMMISSION APPROVING A MULTIPLE LOT LINE ADJUSTMENT FOR CERTAIN LOTS AND BLOCKS OF THE CORYELL ADDITION TO THE TOWN OF NEW CASTLE AND AN AMENDED PLAT FOR THE SAME.

WHEREAS, Grady and Suzanne Hazelton (“Applicants”) are the owners of certain real property within the Town of New Castle (“Town”) described as Block 1, Lots 6 &7, and Block 2, Lots 1-6, Coryell’s Addition to the Town, together with any and all interest in the vacated streets and alleys appurtenant to said Lots as shown on the recorded plat of Coryell’s Addition and described in Town of New Castle Ordinance No. 500, Series 1997, recorded in the Garfield County real property records at Book 1032, Page 730 (“Property”); and

WHEREAS, the Applicant has submitted an amended plat/multiple lot line adjustment application (“Application”) pursuant to Municipal Code § 16.40.080; and

WHEREAS, through the Application, Applicants seek to adjust the Property lot lines by reconfiguring the existing, non-conforming lots into five reconfigured lots as depicted on the draft amended plat attached hereto as **Exhibit “A;”** and

WHEREAS, because the Application involves more than two lot lines and affects less than twenty lots, the Application must be reviewed by the Planning and Zoning Commission (“Commission”); and

WHEREAS, the Application does not propose a change in zoning from the current classification of R-1; and

WHEREAS, the Commission considered the application at a duly-noticed public meeting on February 22, 2017; and

WHEREAS, upon reviewing the Application, recommendations from Town staff and consultants, and comments Applicant and others made at the meeting, the Commission finds as follows:

- A. The Application does not result in the creation of additional lots;
- B. The Application does not result in the creation of lots that do not comply with Town zoning requirements, including floor area ratio requirements, setback requirements, and minimum lot size requirements;
- C. The Application does not result in the creation of a lot or lots that will have an infeasible building envelope pursuant to any Town setback, floor area ratio, or other building/zoning requirement;

- D. All utility companies and/or any other beneficiaries having an interest in existing easements on the Property have granted approval in regard to the disposition of existing easements as a result of the Application, if any;
- E. All easements associated with Property are properly addressed and/or granted;
- F. The Application does not alter or affect the location or arrangement of any other lot line within the subdivision;
- G. No lot line adjustment or vacation has been granted by the Town with respect to or in connection with the Property or any adjoining property under common ownership or control of same person within the past one year; and
- H. The Application does not in any way adversely affect any lot surrounding the Property.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF NEW CASTLE, COLORADO, PLANNING AND ZONING COMMISSION AS FOLLOWS:

1. Recitals. The foregoing recitals are incorporated by reference as findings and determinations of the Commission.

2. Approval. The Commission hereby approves the Application and amended plat, subject to the following conditions:

A. No building permits shall be issued for any dwelling units on the Property until and unless the Town Engineer has approved engineered plans for all necessary improvements, including access, water and sewer, other utilities, and drainage improvements and until all such improvements have been constructed, inspected, and accepted by the Town in accordance with the procedures and requirements of Section 16.32.020(B) of the Town Code, including a written warranty. Alternatively, building permits may be issued if the Applicant and the Town first enter into a development agreement with adequate security in general conformity with Chapter 16.32 of the Town Code. The construction plans shall include as-built locations of any existing utilities and improvements on the Property. Additional conditions may be imposed by the Town Engineer relating to construction details in connection with the review and approval of the engineered plans.

B. The Applicants shall submit documentation for review and approval by the Town Attorney regarding either a homeowners' association or a shared access and utility maintenance agreement. Either way, the documentation shall be approved and recorded simultaneously with the final plat and be referenced in a plat note.

C. The approvals in this Resolution shall be subject to, and contingent upon, review and approval of the conditions set forth herein by the New Castle Town Council by motion at a regular meeting.

D. The private water service lines to serve Lots 4 and 5 shown on Exhibit A shall be extended through the easement on Lot 2 prior to sale of Lot 2 or, alternatively, the easement area on Lot 2 shall be visibly staked and signed as a utility easement with additional notation on the final plat.

E. The final plat shall include notations concerning the private nature of the access road, including a prohibition on accessing any of the subject lots via any other public street.

F. A plat note shall be included on the final plat to identify the need for private lift stations maintained by individual homeowners for sewer service on each lot.

G. The plat shall include a subordination and consent certificate to be signed by any lender holding a lien on the subject property.

H. All representations of the Applicants made during the public hearing before the Commission and reflected in the minutes thereof shall be considered additional conditions of approval.

I. The Applicants shall reimburse the Town for all consulting fees and other expenses incurred in connection with the Application.

J. The final plat shall be reviewed and subject to approval by the Town Engineer and Town Attorney prior to recordation thereof.

SO RESOLVED this 22nd day of February, 2017, by a vote of 7 to 0.



TOWN OF NEW CASTLE
PLANNING & ZONING COMMISSION


Chairman

ATTEST:


Town Clerk/Deputy Town Clerk

Sketch Plan/Preliminary Plat
Replat of Lots 8 and 7, Block 1 and Lots 1 through 6, Block 2
And Portions of Second Street, Park Avenue and Always as Vacated
Cornell's Addition to the Town of New Castle
 TOWN OF NEW CASTLE, COUNTY OF GARFIELD, STATE OF COLORADO
 SITUATED IN THE NW1/4NW1/4, SECTION 31, TOWNSHIP 5 SOUTH, RANGE 90 WEST OF THE 6TH P.M.

1129-21-41-003
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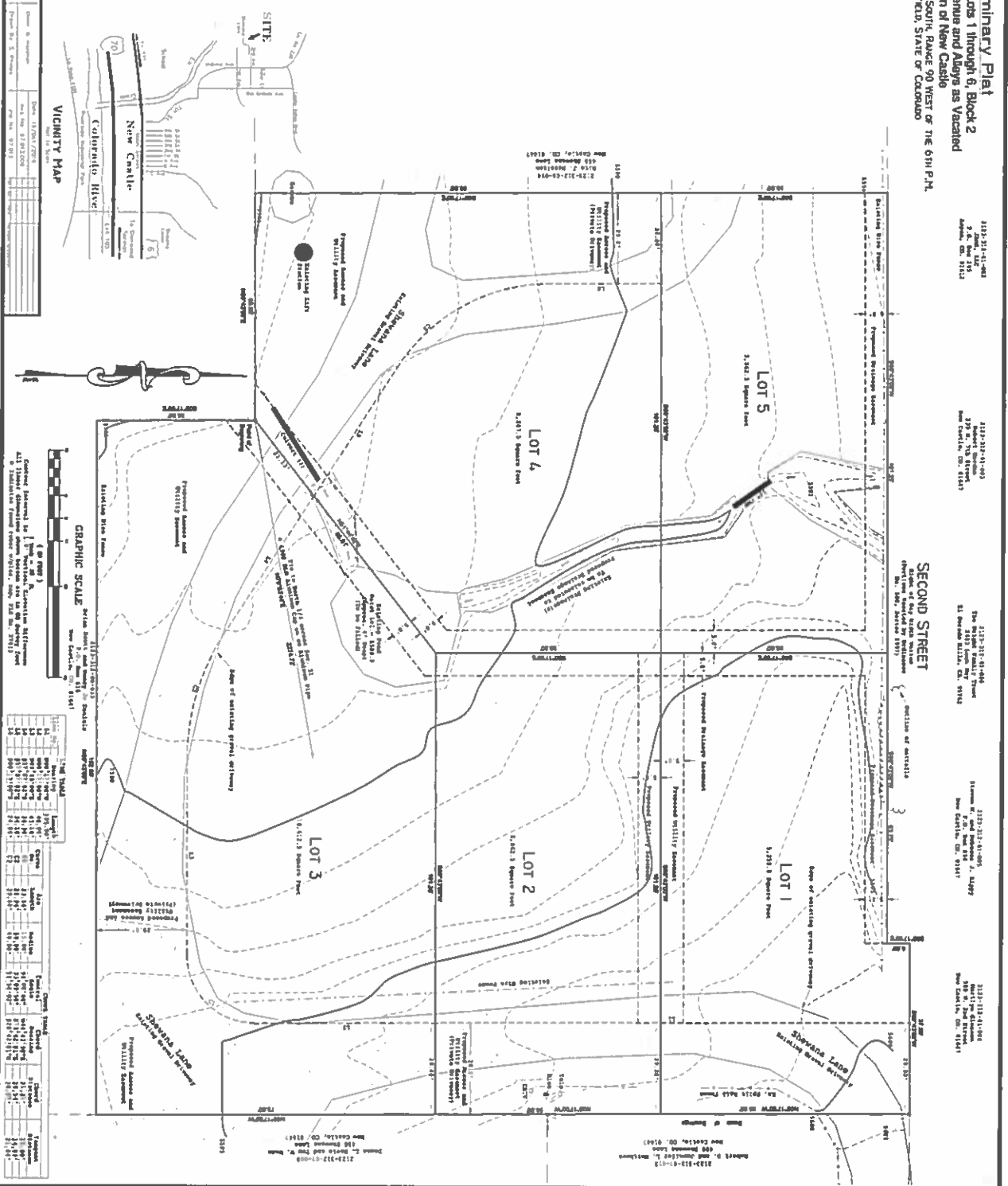
The proposed boundaries of subdivision are established herein as shown on the attached plat.

By **Robert B. and Douglas L. Blythe**, Licensed Professional Engineers, State of Colorado, License No. 1129-21-41-003.

Witness my hand and the seal of my office this 1st day of August, 2017.

Robert B. and Douglas L. Blythe
 100 Broadway Lane
 New Castle, CO 81657

SURVCO, Inc.
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GRAPHIC SCALE
 1" = 100' (1:125000)
 1" = 200' (1:250000)
 1" = 400' (1:500000)

Feet	Meters
0	0
100	30.48
200	60.96
300	91.44
400	121.92
500	152.40
600	182.88
700	213.36
800	243.84
900	274.32
1000	304.80
1100	335.28
1200	365.76
1300	396.24
1400	426.72
1500	457.20
1600	487.68
1700	518.16
1800	548.64
1900	579.12
2000	609.60
2100	640.08
2200	670.56
2300	701.04
2400	731.52
2500	762.00
2600	792.48
2700	822.96
2800	853.44
2900	883.92
3000	914.40
3100	944.88
3200	975.36
3300	1005.84
3400	1036.32
3500	1066.80
3600	1097.28
3700	1127.76
3800	1158.24
3900	1188.72
4000	1219.20
4100	1249.68
4200	1280.16
4300	1310.64
4400	1341.12
4500	1371.60
4600	1402.08
4700	1432.56
4800	1463.04
4900	1493.52
5000	1524.00
5100	1554.48
5200	1584.96
5300	1615.44
5400	1645.92
5500	1676.40
5600	1706.88
5700	1737.36
5800	1767.84
5900	1798.32
6000	1828.80
6100	1859.28
6200	1889.76
6300	1920.24
6400	1950.72
6500	1981.20
6600	2011.68
6700	2042.16
6800	2072.64
6900	2103.12
7000	2133.60
7100	2164.08
7200	2194.56
7300	2225.04
7400	2255.52
7500	2286.00
7600	2316.48
7700	2346.96
7800	2377.44
7900	2407.92
8000	2438.40
8100	2468.88
8200	2499.36
8300	2529.84
8400	2560.32
8500	2590.80
8600	2621.28
8700	2651.76
8800	2682.24
8900	2712.72
9000	2743.20
9100	2773.68
9200	2804.16
9300	2834.64
9400	2865.12
9500	2895.60
9600	2926.08
9700	2956.56
9800	2987.04
9900	3017.52
10000	3048.00

THEY SHALL

Feet	Meters
0	0
100	30.48
200	60.96
300	91.44
400	121.92
500	152.40
600	182.88
700	213.36
800	243.84
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