

RESOLUTION NO. 23-45

Before the Board of County Commissioners of the
County of Summit
State of Colorado

SUMMIT COUNTY
CLERK AND RECORDER
COLLEEN RICHMOND
SEP 20 2 03 PM '93

2643067

APPROVING AMENDMENT TO PUD ZONING OF 1.12 ACRE PARCEL IN SUMMIT COVE
(APPLICANTS: STEVEN GROSSBARD)

WHEREAS, Steven Grossbard has made application to the Board of County Commissioners to amend the PUD Planned Unit Development zoning of the real property located in the unincorporated area of Summit County, Colorado, particularly described as Block 1, Summit Cove Filing #3;

WHEREAS, the application has been reviewed by the Summit County Regional Planning Commission, and the Planning Commission has recommended approval of the application to the Board of County Commissioners;

WHEREAS, the Board of County Commissioners has held a public hearing on the application, on public notice as provided by law, on September 7, 1983;

WHEREAS, the Board of County Commissioners has considered the recommendations of the Planning Staff and the Planning Commission, and the testimony offered at the public hearing; and

WHEREAS, the Board of County Commissioners finds as follows:

1. The character of the area has changed sufficient to merit a rezoning to this use and density;
2. The Master Plan for Summit County is upheld by approval of the project;
3. There are no adverse impacts on adjacent property;
4. Sufficient public utilities, services and access are available to serve the proposed development.

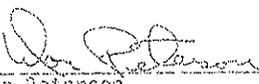
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, COLORADO, that the PUD Planned Unit Development zoning of the property described as Block 1, Summit Cove Filing #3 is hereby amended in accordance with the Planned Unit Development Agreement of even date herewith.

ADOPTED this 7 day of SEPTEMBER, 1983.

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO

ATTEST:


Colleen Richmond, Clerk and Recorder

BY: 
Don Peterson

MEADOW COVE PLANNED UNIT DEVELOPMENT AGREEMENT

THIS AGREEMENT is made and entered into this 7 day of September, 1983, by and between the Board of County Commissioners of Summit County, Colorado, hereinafter referred to as the "County", and Steven Grossbard, whose address is 5659 Las Virgenes Road, Calabasas, California 91302, hereinafter referred to as the "Applicant."

WHEREAS, the Applicant is the owner of certain real property located in Summit County, Colorado, hereinafter referred to as the "Property, and particularly described as: Block 1, SUMMIT COVE FILING NO. 3, according to the recorded plat thereof;

WHEREAS, the Applicant has requested approval of an amendment to the PUD Planned Unit Development zoning of the Property for a development known as the Meadow Cove Condominiums; and

WHEREAS, the County desires to insure that certain conditions are fulfilled by the Applicant in the development of the Property in order to protect the public health, safety and welfare;

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration hereby received for, the parties agree as follows:

A. USES PERMITTED AND DEVELOPMENT PLAN. Use and development of the Property shall be in accordance with the Development Plan attached as Exhibit A hereto and the following specific requirements:

1. Permitted Uses. Permitted uses for the Property shall be 18 dwelling units, consisting of 10 studio units and 8 one-bedroom units, to be located in four buildings. Total area of the units shall not exceed 8,736 square feet, excluding basement storage, which represents a density of 6.5 units per acre on the basis of a 1200 square feet per unit floor area equivalent. Building heights shall not exceed 35 feet.

2. Parking. The Applicant shall provide at least 27 surface parking spaces for the development.

3. Public Use Areas. The Applicant shall pay to the County a public use areas fee in lieu of land dedication in accordance with the County's Subdivision Regulations, prior to development.

4. Development Schedule. The Applicant intends to develop the Property over approximately a three-year period, beginning in 1983.

5. Signs. All signs shall comply with the Summit County Outdoor Advertising Regulations as now in effect or hereafter amended.

6. Platting. The Property has been platted.

B. UTILITIES AND IMPROVEMENTS. Public utilities, improvements and services shall be provided in the development of the Property as set forth in this section. Detailed specifications and time schedules for their construction shall be set forth in the Improvements Agreement required prior to development.

1. Water System. Water service is to be provided by the East Dillon Water District.

2. Sewer System. Sewer service is to be provided by the Snake River Basin Sewer System operated by the County. The Applicant shall be responsible for constructing all sewer lines and dedicating all associated easements necessary for the development of the Property.

3. Access. Access within the development shall be provided by a system of paved, private drives as shown on the Development Plan, which shall be both privately owned and privately maintained. Access to the Property is from Cove Boulevard, opposing Summit Center.

4. Fire Protection. Fire protection is to be provided by the Snake River Fire Protection District, and the Applicant shall meet all fire protection requirements of the District.

5. Landscaping. Landscaping shall be installed in accordance with a detailed landscaping plan to be submitted to and approved by the County prior to site plan approval.

C. GENERAL PROVISIONS.

1. Breach of Agreement. If at any time any provision of this Agreement has been breached by the Applicant, the County may withhold approval of any or all site plans or plats, or the issuance of any or all building permits applied for on the Property, until such breach has been remedied, provided, however, that the County shall not take any affirmative action on account of such breach until it shall have first notified the Applicant in writing and afforded the Applicant a reasonable opportunity to remedy the same.

2. Binding Effect. This Agreement shall run with the land and be binding upon the Applicant and the County, their respective successors, representatives and assigns, and all persons who may hereafter acquire an interest in the Property or any part thereof. This Agreement shall be recorded in order to put prospective purchasers or other interested persons on notice as to the terms contained herein. A release executed by the County shall be binding and shall

release the Applicant and the Property from any claim by the County under the terms hereof.

5. Notices. All notices required under this Agreement shall be in writing and shall be either hand delivered or sent by certified mail, return receipt requested, postage prepaid, as follows:

Notice to County: Notice to Applicant:

Board of County Commissioners Steven Grossbard
P.O. Box 68 5659 Las Virgenes Road
Breckenridge, CO 80424 Calabasa, CA 91302

All notices so given shall be considered delivered three days after the mailing thereof. Either party, by notice so given, may change the address to which future notices shall be sent.

4. Entire Agreement. This Agreement constitutes the entire agreement between the parties, and nothing contained herein shall be construed as waiving any requirements of the County's Zoning and Subdivision Regulations, Common Review Procedures, or other regulations otherwise applicable to the development of the Property.

IN WITNESS WHEREOF, the County and the Applicant have executed this Agreement as of the date first above written.

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO

BY: Don Peterson
Don Peterson, Chairman

ATTEST:

Calleen Richmond
Calleen Richmond, Clerk and Recorder
 SEAL
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.

Steven Grossbard
Steven Grossbard

The foregoing Agreement was acknowledged before me this 6 day of September, 1983, by Steven Grossbard.

My commission expires: MARCH 23, 1987

Paul D. [Signature]
Notary Public
Address:

OFFICIAL SEAL
PAUL D. [Signature]
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
MY Comm. Expires: [Date]

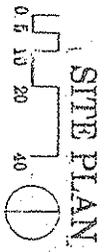
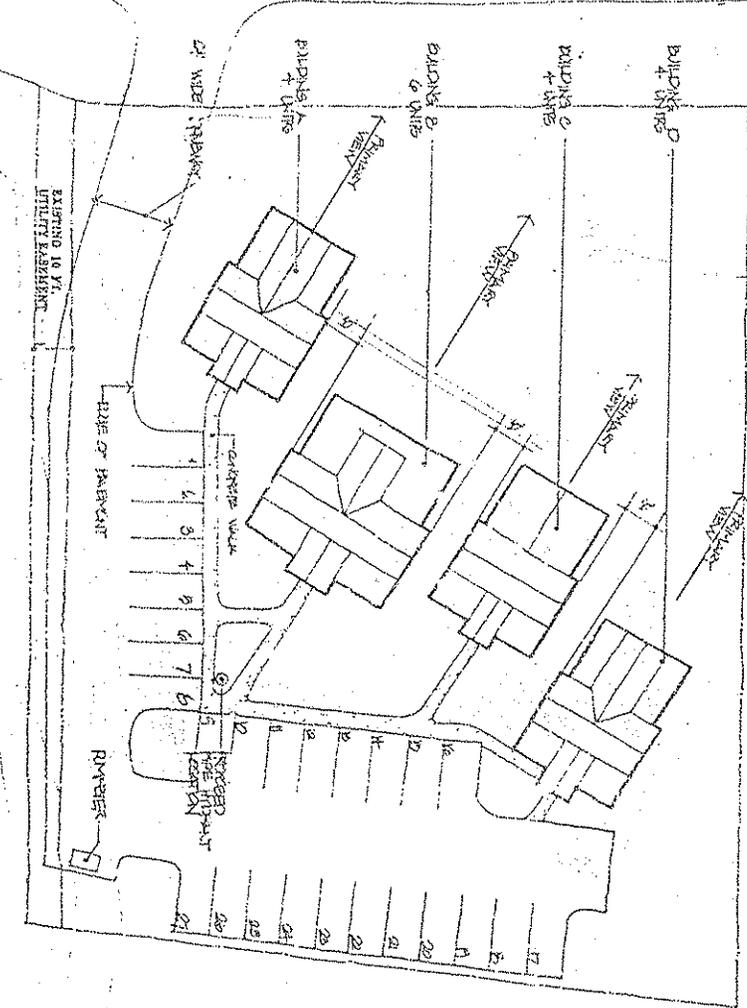
EXHIBIT A

COVE BLVD.

SWAN MOUNTAIN RD.

BLOCK 1, FILING 3
SUMMIT COVE

LAKE BAY
CONDOMINIUMS



SITE PLAN

MEADOW COVE
BUILDING ○
SUMMIT COVE FILING 3-BLOCK 1

8303

KARIUS
ASSOCIATES
ARCHITECTS

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