

RESOLUTION NO. 86-77

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

MAILED
MAY 19 9 52 AM '86
COLLEEN RICHMOND

327568

APPROVING AN AMENDMENT TO THE SNOWDANCE PLANNED UNIT DEVELOPMENT
(Applicant: Alexis Hawkins)

WHEREAS, Alexis Hawkins has made application to the Board of County Commissioners for approval of an amendment to the Snowdance Planned Unit Development, which property is located within the unincorporated area of Summit County, Colorado and is described in attached Exhibits A and B; and,

WHEREAS, the Board of County Commissioners approved the original Snowdance PUD on June 1, 1982 and signed the PUD Agreement on June 1, 1982; and,

WHEREAS, the Board of County Commissioners approved an amendment to the Snowdance PUD on July 19, 1984 that provided for the alterations of floor plans of 15 units into 30 units; and,

WHEREAS, the applicant now requests to vacate the County Commissioners action of July 19, 1984 and convert unused banquet space above the existing restaurant into two, two-bedroom apartments; and,

WHEREAS, the application for amendment has been reviewed by the Summit County Planning Department and the Regional Planning Commission, and they have recommended approval with certain modifications; and,

WHEREAS, the Board of County Commissioners has held a public hearing on the application with public notice as provided by law on October 20, 1986; and,

WHEREAS, the Board of County Commissioners approves the following modifications to the Snowdance PUD:

1. Conversion of banquet space above the existing restaurant into two, two-bedroom apartments.
2. Certain exterior modifications of the restaurant, including landscaping, subject to review and approval of the Snake River Regional Planning Commission.

WHEREAS, in making these modifications, the Board of County Commissioners find as follows:

1. Approval of this PUD revision is consistent with the goals and policies of the County Master by addressing the following issues or making the following provisions:
 - a. Guaranteed landscaping and revegetation.
 - b. Minimizing environmental impacts.
 - c. Minimizing the cost of public services and infrastructure by decreasing the density of the Snowdance development.
 - d. Providing an opportunity for employee housing.
 - e. Making the project economically viable by eliminating unused space that serves no economic purpose.
2. Approval of this PUD revision is consistent with the goals and policies of the BASE II Master Plan by addressing the following issues:
 - a. Providing for a variety of housing types that address the needs of different income groups.
 - b. Creating a viable project by eliminating space that has no economic use.
 - c. Proving increased visual quality by renovating the exterior of the restaurant building which includes extensive landscaping.
 - d. Decreasing the density of the Snowdance PUD by 13 units which decreases the density to a level consistent with the 11-15 units per acre density established for the Village Core Area.
 - e. Providing a bike/pedestrian path that eliminates auto pedestrian conflicts.
3. Approval of this PUD Revision does not confer special benefit upon any one person. This PUD revision was prepared in cooperation with the applicant and the Snowdance Homeowners Association.
4. The modifications to the Snowdance PUD are consistent with the efficient development and preservation of the entire planned unit development providing the following:
 - a. Reducing the density thereby reducing the need for additional parking spaces and the impervious ground cover needed to provide it.

- b. A more economically viable project by eliminating unused banquet space and converting it to residential units.
- c. Completion of improvements not installed by the original developer, specifically provisions to complete the bike path across Snowdance property.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, COLORADO, that the planned unit development applicable to the property described in attached Exhibit A is hereby amended by the following text changes to the Snowdance PUD Agreement:

A. USES PERMITTED AND DEVELOPMENT PLAN

1. Permitted Uses

- ✓ (a) 73 unrestricted dwelling units
- (b) 7 employee housing units
- (c) 125 seat restaurant/bar
- (d) 4,795 sq. ft. of commercial space

3. Parking

The applicant shall provide at least 140 parking spaces, 90 for the dwelling units (1.25 spaces per unit) and the balance for the commercial uses.

B. PUBLIC UTILITIES AND IMPROVEMENTS

6. Bike Path

The owner of Lot 1 agrees to pay 13% of the costs associated with construction of the bike path. The balance (87%) will be borne by the Snowdance PUD Homeowners Association.

D. REVIEW OF EXTERIOR MODIFICATIONS AND LANDSCAPING

The Snake River Regional Planning Commission shall review and approve detailed drawings of the following modifications to the Snowdance PUD prior to improvements being undertaken:

- 1. Any substantial change to approved landscaping
- 2. Exterior modifications to any structure limited to the following:
 - changes to exterior siding or stucco
 - the addition of architectural detailing
 - the addition of canopies, awnings or similar
 - any modification to exterior lighting

All provisions of the Snowdance PUD Agreement not amended as above remain intact and in force.

BE IT FURTHER RESOLVED, the Board of County Commissioners does hereby rescind the approval granted by Resolution No. 84-48 permitting the conversion of 15 units in Snowdance Manor into 30 units.

ADOPTED this 10th day of November, 1986.

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO

By: *Dan Ulmer*
Dan Ulmer, Chairman

ATTEST:

Colleen Richmond
Colleen Richmond, Clerk and Recorder

060/dv

SUNDANCE PLANNED UNIT DEVELOPMENT AGREEMENT

THIS AGREEMENT is made and entered into this 1 day of JUNE, 1982, between the Board of County Commissioners of Summit County, Colorado, hereinafter referred to as the "County", and Alf Tieze, whose address is 40 Montezuma Road, Dillon, Colorado 80435, hereinafter referred to as the "Applicant".

WHEREAS, the Applicant is the owner of certain real property located in Summit County, Colorado, particularly described in attached Exhibit A hereto and hereinafter referred to as the "Property";

WHEREAS, the Applicant has requested approval of a rezoning of the Property from A-1, B-1 and RP to PUD Planned Unit Development, for a development known as Sundance; 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 hereto agree as follows:

A. USES PERMITTED AND DEVELOPMENT PLAN

Use and development of the Property shall be in accordance with the Development Plan attached hereto as Exhibit B and the following specific requirements:

1. Permitted Uses. The permitted uses for the Property, which has certain existing uses and additional proposed uses, shall be as follows:
 - (a) 70 unrestricted dwelling units (40 existing and 30 to be developed);
 - (b) 7 dwelling units restricted to employee housing (two existing and 5 to be developed);
 - (c) 125 seat restaurant/bar (existing);
 - (d) approximately 4,795 square feet of commercial space (1,200 existing and 3,595 to be developed).
2. Employee Housing. The seven employee housing units shall be reserved for employee housing through a covenant between the Applicant and the County, in form satisfactory to the County, to be executed prior to the issuance of building permits for the additional development.

3. Parking. The Applicant shall provide at least 133 parking spaces, 88 for the residential dwelling units (1.25 per unit) and the balance for the commercial uses. The parties understand that this represents a substantial reduction from the 217 spaces normally required by County regulations, which reduction appears to be appropriate in view of the pedestrian emphasis and complimentary uses in the development. The County reserves the right to monitor the adequacy of the parking and to require the Applicant to provide additional spaces if the County determines that the parking to be provided hereunder is inadequate.

4. Public Use Areas. The Applicant shall grant an easement to the County for public use of a parcel of land adjacent to the Snake River consisting of at least 0.32 acres, and for such easement shall receive a credit in the full amount of the public use areas fee otherwise required. Such easement shall be granted upon the final plat.

5. Section 404 Permit. Development of the Property shall comply with all conditions of the permit issued by the Corps of Engineers pursuant to Section 404 of the Federal Clean Water Act.

6. Development Schedule. The Applicant intends to start development of the Property in the spring of 1982, with completion scheduled for approximately December, 1983.

7. Signs. All signs shall comply with the Summit County outdoor advertising regulations as now in effect or hereafter amended.

8. Platting. A final plat of the Property shall be submitted to and approved by the County prior to development.

B. PUBLIC UTILITIES AND IMPROVEMENTS

Public utilities, improvements and services shall be provided as set forth in this section. Detailed specifications and time schedules for their construction shall be set forth in the improvements agreement required as a condition of site plan or final plat approval.

1. Water System. Water shall be provided by onsite wells until such time as a central water system serving the area may be developed.

2. Sewer System. Sewer service shall be provided by connection to the Snake River Basin Sewer System operated by the County.

3. Access. Access to the Property from U.S. Highway 6 shall remain in its present location, with the access road redesigned in accordance with County grade requirements. Access within the development shall be provided by a system of paved, private drives as shown on the Development Plan. The internal access system shall be privately owned and privately maintained. The Applicant shall further provide access easements to serve potential future development of adjacent properties. The Applicant shall construct the pedestrian walkway across the south portion of the Property prior to the issuance of any certificates of occupancy for the additional dwelling units.

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

5. Landscaping. The Applicant shall submit and have approved by the County a detailed landscaping plan prior to site plan approval of the uses to be developed.

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 subject property from any claim by the County under the terms hereof.

EXHIBIT A
TO
THE SNOWDANCE PLANNED UNIT DEVELOPMENT AGREEMENT
BETWEEN ALF TIEZE AND THE BOARD OF COUNTY COMMISSIONERS,
SUMMIT COUNTY, COLORADO

TIEZE PROPERTY

A TRACT OF LAND LOCATED IN HOMESTEAD ENTRY SURVEY NO. 110, SECTION 24, TOWNSHIP 5 SOUTH, RANGE 77 WEST OF THE 6TH PRINCIPAL MERIDIAN, SUMMIT COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT CORNER NO. 8 OF SAID HOMESTEAD ENTRY SURVEY NO. 110; THENCE NORTH 05° 19' WEST ALONG THE WESTERLY LINE OF SAID HOMESTEAD ENTRY SURVEY NO. 110, A DISTANCE OF 808.43 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 6, BEING A POINT ON A CURVE; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 6, ALONG A CURVE TO THE LEFT HAVING RADIUS OF 2965.00 FEET AND CENTRAL ANGLE OF 5° 32' 17" AND WHOSE CHORD BEARS NORTH 79° 46' 08" EAST, 286.46 FEET DISTANT, AN ARC DISTANCE OF 286.59 FEET TO A POINT OF TANGENCY, BEING COLORADO HIGHWAY DEPARTMENT STATION 310+22.5; THENCE NORTH 77° 00' 00" EAST, CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 6, A DISTANCE OF 177.50 FEET TO COLORADO HIGHWAY DEPARTMENT STATION 312+00; THENCE NORTH 50° 26' EAST, CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 6, A DISTANCE OF 111.80 FEET TO COLORADO HIGHWAY DEPARTMENT STATION NO. 313+00; THENCE NORTH 77° 00' 00" EAST, CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 6 A DISTANCE OF 745.71 FEET TO THE TRUE POINT OF BEGINNING WHENCE CORNER NO. 8 HOMESTEAD ENTRY SURVEY NO. 110 BEARS SOUTH 49° 30" WEST 1757.65 FEET DISTANT; THENCE NORTH 77° 00' 00" EAST CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 6, A DISTANCE OF 98.00 FEET; THENCE SOUTH 16° 28' 00" EAST A DISTANCE OF 796.22 FEET TO A POINT IN THE APPROXIMATE CENTERLINE OF SNAKE RIVER; THENCE CONTINUING ALONG THE APPROXIMATE CENTERLINE OF SAID SNAKE RIVER FOR THE FOLLOWING FIVE (5) COURSES:

SOUTH 57° 39' 05" WEST A DISTANCE OF 50.66 FEET;
THENCE SOUTH 82° 43' 06" WEST A DISTANCE OF 114.32 FEET;
THENCE NORTH 48° 49' 00" WEST A DISTANCE OF 143.20 FEET;
THENCE NORTH 15° 32' 00" WEST A DISTANCE OF 141.20 FEET;
THENCE SOUTH 60° 22' 37" EAST A DISTANCE OF 31.03 FEET;

THENCE NORTH 04° 40' 00" WEST A DISTANCE OF 570.00 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 141,007.83 SQUARE FEET OR 3.237 ACRES MORE OR LESS; AND,

A TRACT OF LAND BEING THE NORTHERLY 0.91 ACRE OF THAT TRACT OF LAND RECORDED IN BOOK 198 AT PAGE 383 IN THE SUMMIT COUNTY RECORDS AND KNOWN AS LOT O, HOMESTEAD ENTRY SURVEY NO. 110 IN SECTION 24, TOWNSHIP 5 SOUTH, RANGE 77 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SUMMIT COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 24, THENCE S 49°45'00" W A DISTANCE OF 893.02 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 6; THENCE S 77°00'00" W ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 223.2 FEET TO THE NORTHEAST CORNER OF SAID LOT O, BEING THE TRUE POINT OF BEGINNING; THENCE S 17°53'00" E ALONG THE EAST LINE OF SAID LOT O A DISTANCE OF 386.35 FEET; THENCE S 77°00'00" W A DISTANCE OF 107.77 FEET TO A POINT ON THE WEST LINE OF SAID LOT O; THENCE N 16°28'00" W ALONG THE WEST LINE OF SAID LOT O A DISTANCE OF 385.66 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 6 WHICH IS ALSO THE NORTHWEST CORNER OF LOT O; THENCE N 77°00'00" E ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 98.20 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 36,640 SQUARE FEET OR 0.910 ACRE MORE OR LESS; AND,

A TRACT OF LAND BEING THE SOUTHERLY ONE ACRE OF LOT O, HOMESTEAD ENTRY SURVEY NO. 110 IN SECTION 24, TOWNSHIP 5 SOUTH, RANGE 77 WEST, SIXTH PRINCIPAL MERIDIAN, SUMMIT COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 24, THENCE S 49°45'00" W A DISTANCE OF 893.02 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 6; THENCE S 77°00'00" W ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 223.12 FEET TO THE NORTHEAST CORNER OF SAID LOT O; THENCE S 17°53'00" E ALONG THE EAST LINE OF SAID LOT O A DISTANCE OF 386.35 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING S 17°53'00" E ALONG SAID EAST LINE OF LOT O A DISTANCE OF 352.17 FEET TO A POINT OF INTERSECTION WITH THE APPROXIMATE CENTERLINE OF THE SNAKE RIVER; THENCE WESTERLY ALONG SAID APPROXIMATE CENTERLINE OF THE SNAKE RIVER FOR THE FOLLOWING TWO COURSES:

- (1) S 33°10'17" W A DISTANCE OF 43.88 FEET;
- (2) S 57°39'05" W A DISTANCE OF 86.13 FEET;

THENCE N 16°28'00" W ALONG THE WEST LINE OF SAID LOT O A DISTANCE OF 410.56 FEET; THENCE N 77°00'00" E AND PARALLEL TO SAID SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 6 A DISTANCE OF 107.77 FEET TO THE TRUE POINT OF BEGINNING.

OTHER PROPERTY

THREE TRACTS OF LAND LOCATED IN HOMESTEAD ENTRY SURVEY NO. 110, SECTION 24, TOWNSHIP 5 SOUTH, RANGE 77 WEST OF THE 6TH PRINCIPAL MERIDIAN, SUMMIT COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT A: BEGINNING AT CORNER 8 OF SAID HOMESTEAD ENTRY SURVEY NO. 110; THENCE N 55° 31' 05" E, 1648.38 FEET TO THE TRUE POINT OF BEGINNING; THENCE S 04° 40' 00" E, 140.00 FEET; THENCE N 77° 00' 00" E, 112.99 FEET; THENCE N 16° 28' 00" W, 138.78 FEET; THENCE S 77° 00' 00" W, 84.31 FEET TO THE TRUE POINT OF BEGINNING;

TRACT B: BEGINNING AT CORNER 8 OF SAID HOMESTEAD ENTRY SURVEY NO. 110; THENCE N 59° 55' 04" E, 1583.44 FEET TO THE TRUE POINT OF BEGINNING; THENCE N 77° 00' 00" E, 102.99 FEET; THENCE S 16° 28' 00" E, 167.52 FEET; THENCE S 77° 00' 00" W, 137.61 FEET; THENCE N 04° 40' 00" W, 169.00 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 20,116 SQUARE FEET; AND,

TRACT C: BEGINNING AT CORNER 8 OF SAID HOMESTEAD ENTRY SURVEY NO. 110, THENCE N 60° 56' 53" E, 1682.15 FEET TO THE TRUE POINT OF BEGINNING; THENCE N 77° 00' 00" E, 65.09 FEET; THENCE S 16° 28' 00" E, 240.00 FEET; THENCE S 77° 00' 00" W, 65.09 FEET; THENCE N 16° 28' 00" W, 240.00 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 15,593 SQUARE FEET.

Tracts A, B and C, above, are the sites, respectively, of Buildings A, B and C, Snowdance Condominiums according to the Condominium Map recorded at Reception No. 159473, First Supplement to Condominium Map recorded at Reception No. 183581, and Second Supplement to Condominium Map recorded at Reception No. 191225, which contain 40 condominium units owned by various persons. The owners of the condominium units are not parties to nor are they obligated under this Planned Unit Development Agreement or any related agreement. The individual condominium units are, however, included within the development permitted by this Agreement.

3731A-0057
7/02/84

EMPLOYEE HOUSING COVENANT

SUMMIT COUNTY
CLERK AND REC'D
Aug 15 9 22 AM '84
COLLEEN RICHMOND

282529

THIS COVENANT is made this 15 day of August, 1984 between the BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, COLORADO, hereinafter referred to as the "County", and Snowdance Manor, Inc., a Colorado corporation, P.O. Drawer Q, Dillon, Colorado 80435; hereinafter referred to as the "Applicants".

WHEREAS, the Applicants are the owners of certain real property located in Summit County, Colorado, more particularly described on the Snowdance P.U.D. map recorded July 20, 1982 at Reception No. 242517, and the amended map recorded February 18, 1983 at Reception No. 252489 and the amended map recorded May 26, 1983 at Reception No. 257016, said real property being hereinafter referred to as the "Property";

WHEREAS, pursuant to the Snowdance P.U.D. Agreement between the parties, dated June 1, 1982, and recorded June 23, 1982, at Reception No. 241502 of the Summit County Records, seven (7) of the dwelling units to be developed on the Property are to be reserved for employee housing through a covenant between the parties;

WHEREAS, an Employee Housing Covenant was recorded on November 28, 1983 at Reception No. 268359 of the Summit County records, and said covenant recited an incorrect unit number;

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

1. This Employee Housing Covenant corrects and replaces the Covenant recorded November 28, 1983 at Reception No. 268359, insofar as it affects Unit 209, Snowdance Manor Condominiums.

2. Employee Housing Defined. For the purposes of this Covenant, "employee housing" shall be defined as a dwelling unit restricted in its use to long-term rental to persons residing and employed in Summit County, Colorado. "Long-term rental" shall mean rental for a term of at least six (6) months. "Employed in Summit County" means that such employment is the person's primary source of income. Employee housing units may be rented to employees or to an employer for the use of its employees, but may not be rented for a term of less than six (6) months.

3. Units Recorded. The following dwelling unit on the property shall be used only as employee housing as defined herein:

Unit 8, also known as Unit 204, Building A, Snowdance Condominiums.

4. List of Tenants Available. Upon request of the County, the Applicants shall, within ten (10) days of such request, provide the County with a list of the current tenants, their places of employment and the lease term of the employee housing unit.

5. Enforcement. Should the Applicants violate the Covenant, the County shall be entitled to all costs, including reasonable attorney's fees, incurred in enforcing the same.

6. Binding Effect. This Covenant shall run with the land and be binding upon the Applicants, their successors, representatives, and assigns, and all persons who may hereafter acquire an interest in the Property or any part thereof.

EXECUTED as of the date first above written.

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO

By: [Signature]
Chairperson

ATTEST:
[Signature]
Colleen Richmond, Clerk and Recorder

"APPLICANTS"

Snowdance Manor, Inc.,
a Colorado corporation

ATTEST:
[Signature]
Dene C. Hurlbert, Secretary

[Signature]
David T. Watts, President

STATE OF COLORADO)
) ss.
County of Summit)

The foregoing was acknowledged before me the 6th day of August,
1984, by David T. Watts, President, and Dene C. Hurlbert, Secretary, Snowdance Manor,
Inc., a Colorado corporation.

My commission expires: 4/15/88

SUBSCRIBED TO AND SWORN TO
ME THIS 6th DAY OF August, 1984
NOTARY PUBLIC
MY COMMISSION EXPIRES 4/18/88

[Signature]
Notary Public
127 Fiedler Avenue
Address
Dillon, CO 80435

3. List of Tenants: Upon request of the County, the Applicant shall, within ten (10) days of such request, provide the County with a list of the current tenants, their places of employment and the lease term for each employee housing unit.

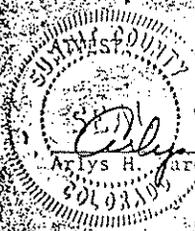
4. Enforcement. Should the Applicant violate the Covenant, the County shall be entitled to all costs, including reasonable attorney's fees, incurred in enforcing the same.

5. Binding Effect. This Covenant shall run with the land and be binding upon the Applicant, its successors, representatives and assigns, and all persons who may hereafter acquire an interest in the Property or any part thereof.

EXECUTED as of the date first above written.

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO

By: Judith G. McBride
Judith G. McBride, Chairperson


Arlys H. Ward
Arlys H. Ward, Clerk & Recorder

"APPLICANT"

By: Arlys H. Ward

ATTEST:

N/A

Secretary

State of Colorado)

County of Summit)

SS.

The foregoing was acknowledged before me the 18 day of May, 1982, by _____

My commission expires: My Commission Expires 2-9-83

Notary Public


CLAYTON GIBSON
NOTARY PUBLIC
SUMMIT COUNTY, COLORADO

Clayton Gibson

RESOLUTION NO. 84-48

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

SUMMIT COUNTY
CLERK AND RECORDER
Aug 20 3 38 PM '84
COLLEEN RICHMOND

282749

AMENDING SNOWDANCE PLANNED UNIT DEVELOPMENT WITH RESPECT TO PERMITTED USES, PARKING AND PUBLIC USE AREAS

WHEREAS, the Board of County Commissioners has approved the Snowdance Planned Unit Development pursuant to Resolution No. 82-49, adopted June 1, 1982, and the Planned Unit Development Agreement of same date incorporated therein, which Resolution and Agreement were recorded June 23, 1982, as reception no. 241502;

WHEREAS, the Board of County Commissioners approved an amendment to the Snowdance Planned Unit Development pursuant to Resolution No. 83-69, adopted November 22, 1983, and recorded November 29, 1983 as reception no. 268464;

WHEREAS, the property included in the Snowdance Planned Unit Development, and subject to the Planned Unit Development Agreement, has been platted and is now described as SNOWDANCE P.U.D. AMENDED (hereinafter the "Property");

WHEREAS, Snowdance Manor, Inc. (hereinafter the "Applicant") owns a portion of the Property described as Lot 4, SNOWDANCE P.U.D. AMENDED (hereinafter "Lot 4"), and has requested that the Planned Unit Development be amended with respect to the permitted uses on Lot 4 and related matters;

WHEREAS, the proposed amendments have been reviewed and recommended for approval by the Summit County Regional Planning Commission;

WHEREAS, the Board of County Commissioners has held a public hearing on the proposed amendments on June 7 and July 19, 1984, on public notice as provided by law, and has considered the recommendations of the planning department and the Regional Planning Commission and the statements and exhibits presented at the hearing; and

WHEREAS, the Board of County Commissioners finds that the proposed amendments are consistent with the Planned Unit Development and the Base II at Keystone Master Plan, and will promote the appropriate use of the land;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, COLORADO, as follows:

Section 1. The PUD Planned Unit Development zoning of the Property is hereby amended as follows:

(a) The present permitted uses for the Property include 70 unrestricted dwelling units, 30 of which (as well as one of the required employee housing units) have been developed as two-bedroom units on Lot 4. The Planned Unit Development is hereby amended so as to permit 15 of the dwelling units to be converted into two dwelling units each, a one-bedroom unit not exceeding 675 square feet and a studio unit not exceeding 365 square feet. The dwelling units on Lot 4 which may be so converted are Snowdance Manor, Building D, units 103, 104, 203, 205, 206, 207, 208, 209, 303, 304, 305, 306, 307, 308 and 309. These units are presently 1040 square feet each, so that their conversion will not increase the total square footage. The total of unrestricted dwelling units permitted on the Property is therefore increased from 70 to 85, with 45 units on Lot 4. An additional unrestricted unit is permitted on Lot 4 if the present employee housing unit on Lot 4 is relocated elsewhere on the Property.

(b) The Applicant shall provide 55 parking spaces for the dwelling units permitted on Lot 4 (1.2 spaces per unit). The parking spaces to be provided for the Property is increased to a minimum of 154 spaces. The required parking spaces may be increased as provided in the Planned Unit Development Agreement.

(c) The required public use area is increased from 0.32 acres to 0.48 acres. The easement granted to the County pursuant to the Planned Unit Development Agreement exceeds the required area.

(d) No certificate of occupancy shall be issued for any of the dwelling units to be converted on Lot 4 until the Colorado Department of Highways has approved a revised access plan to the Property from U.S. Highway 6.

(e) The Applicant may proceed to convert any one of the 15 dwelling units listed above into two units. No certificate of occupancy shall be issued for the conversion of the remaining 14 units until the Applicant provides additional evidence of adequate domestic water for the permitted uses on the Property. The Applicant shall submit to the planning department such evidence in the form of an approval from the Office of the State Engineer; the purchase of taps from the Snake River Water District; the purchase of additional water rights; an amended adjudication of the existing water rights; or any

combination of the foregoing. The planning department may approve such additional evidence or refer the matter to the Board of County Commissioners.

(F) The additional parking spaces for units to be converted on Lot 4 must be completed, or a financial guarantee for their completion provided by the Applicant in form satisfactory to the planning department, prior to the issuance of any certificate of occupancy for the units.

Section 2. The foregoing shall constitute amendments to the Snowdance Planned Unit Development Agreement upon adoption of this Resolution by the Board of County Commissioners and its approval by the Applicant below.

ADOPTED this 19 day of July, 1984.

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO

ATTEST:

Colleen Richmond
Colleen Richmond, Clerk and Recorder

BY:

Don Peterson
Don Peterson, Chairman

APPROVED AND AGREED TO this 13th day of August, 1984.

SNOWDANCE MANOR, INC.

BY:

[Signature]
President

ATTEST:

[Signature]
Secretary

