

RESOLUTION NO. 87-81

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

JAN 11 1 28 PM '88
COLLEEN RICHMOND
CLERK AND RECORDER
SUMMIT COUNTY

348637

APPROVING A REZONING OF THE NORTH FORK PROPERTY FROM UNZONED TO PLANNED UNIT DEVELOPMENT (Applicant: Keystone Resort Management, Inc.)

WHEREAS, Keystone Resort Management, Inc. has made application to the Board of County Commissioners to rezone from unzoned to Planned Unit Development, the real property located in the unincorporated area of Summit County, Colorado, as described in Exhibit A and B; and,

WHEREAS, the application has been reviewed by the Summit County Planning Department and the Snake River Planning Commission, and they have recommended approval of the application to the Board of County Commissioners; and,

WHEREAS, the Board of County Commissioners has held a public hearing on the application on December 14, 1987, with public notice as required by law; and,

WHEREAS, the Board of County Commissioners has considered the recommendation of the Planning Department and the Snake River Planning Commission, and the testimony offered at the public hearing; and,

WHEREAS, in approving this application, the Board of County Commissioners does hereby find as follows:

1. The rezoning is consistent with the Summit County Master Plan in that:
 - a. The development has been analyzed for environmental and visual appropriateness.
 - b. Maintenance of views from public acres, specifically Keystone Mountain, is encouraged.
 - c. Guaranteed landscaping and revegetation shall be required.
 - d. Mitigation techniques to protect water quality and enhance the existence of waterways is encouraged.
 - e. The use of high quality construction techniques and low levels of site disturbance during development is encouraged.
2. The rezoning is compatible with the surrounding land uses in that the subdivision is bounded on two sides by National Forest land and the adjacent developable property is vacant. The compatibility of any development or master planning of the surrounding property will be analyzed at the time development is proposed and must be consistent with the character of the proposed low density subdivision.
3. The rezoning maintains reasonable stability in zoning regulations and is justified by sufficient change in neighborhood conditions in that the property was previously public land and a baseline zoning needs to be established on the land.

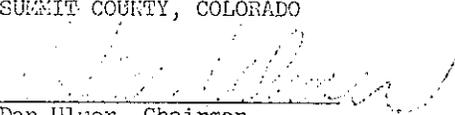
4. The rezoning is in the best interest of public health, safety and welfare in that:
- a. The proposed development will use central water and sanitary sewer systems.
 - b. The developer will utilize mitigation techniques to protect water quality and reduce erosion.
5. The site is suitable to accommodate the residential uses proposed. The development plan illustrates the residential units, parking and landscaping can be provided in compliance with county regulations.

WHEREAS, the requested PUD zoning district is best suited to the project, insures the development will be carried out as proposed, and allows the County to protect the public interest to a greater degree than would be possible with another zoning designation.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, COLORADO does hereby approve rezoning the property described in Exhibit A and B from unzoned to Planned Unit Development, subject to the provisions of the North Fork PUD Designation which must be signed by the Board of County Commissioners and the owner/developer, and must be dated and recorded for this rezoning action to take effect.

ADOPTED this 14th day of December, 1987.

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO

By: 

Dan Ulmer, Chairman

ATTEST:


Colleen Richmond, Clerk and Recorder

reso 87-79

North Fork
Planned Unit Development Designation

This Planned Unit Development Designation, to be known as North Fork PUD, is approved this 14th day of December, 1987, by the Board of County Commissioners of Summit County, Colorado, hereinafter referred to as the "County" for certain real property located in Summit County and described in attached Exhibit A, hereinafter referred to as the "property". This designation establishes uses permitted on the property, its development plan and phasing, and specific development regulations which must be adhered to by Keystone Resorts Management, Inc., who is the owner and developer of the property, and is hereinafter referred to as the "owner/developer". This designation also specifies improvements which must be made and conditions which must be fulfilled in conjunction with this designation by the owner/developer.

A. USES PERMITTED AND DEVELOPMENT PLAN

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

1. Permitted Uses

Permitted uses shall be as follows:

<u>Lot</u>	<u>Permitted Use</u>
Lot 1	3 Single Family Homes
Lot 2	2 Single Family Homes
Lot 3	1 Single Family Home
Lot 4	2 Single Family Homes or 1 Duplex
Lot 5	1 Single Family Home
Lot 6	2 Single Family Homes
Lot 7	1 Single Family Home
Lot 8	1 Single Family Home
Lot 9	Open space, roadway or uses accessory to a single family home if this lot is attached to Lot 1 by vacating the common lot line.

TOTAL 13 Single Family Homes

2. Building Height

Building height, as defined in the County Building Code, shall not exceed 35 feet.

3. Parking

The owner/developer shall provide at least two parking spaces for each single family residence. These parking spaces may be open or garage spaces.

4. Caretakers Units

The single family unit in the North Fork subdivision may include caretaker units. Caretakers units are not to be offered or used as rental units. Caretakers units are intended for the use of persons related to the property owner by blood or marriage, guests of the owner or employees of the owner who exchange security and/or caretaker services for housing. Caretakers units shall comply with the following criteria:

- Each caretakers unit shall be provided with at least one parking space in addition to the parking spaces required for the single family unit.
- The property owner shall pay additional water and/or sewer tap fees and charges for the caretakers unit if so required by the supplier of water and/or sewer service.
- The floor area of the caretakers unit shall not exceed 500 square feet.
- The use of the caretakers unit shall be restricted to members of the property owner's family, or guests or employees of the property owner by a covenant recorded against the property. The covenant shall grant enforcement power to Summit County.
- Units which contain caretakers units shall retain a single family character in both function and design.
- Each single family unit shall have no more than one caretaker unit.

In addition to the above criteria, a caretakers unit may have a separate kitchen and may have a separate entrance from that of the single family unit with which it is associated. It is the property owners responsibility to insure the use and occupancy of a caretakers unit located on his property complies with the requirements of this section. Each caretakers unit shall be reviewed by the Keystone Architectural Review Board or the North Fork Architectural Review Board (if such board is established), and approved by the Summit County Planning Department prior to issuance of building permits or occupancy of the unit.

5. Setback Requirements

Setbacks for the lots in the North Fork PUD shall be determined at the time site plans are reviewed. This is to provide for maximum flexibility in siting a structure to take advantage of solar

orientation or views. However, no structure shall be closer than twenty-five (25) feet to Montezuma Road or to the stream edge of the north fork of the Snake River, unless otherwise exempted by the criteria in Section 7201 of the Summit County Water Quality Control Regulations.

6. Public Use Areas

In accordance with the County's Subdivision Regulations, the owner/developer shall pay public use area fees in lieu of land dedication. The fees shall be paid prior to recordation of the final plat, or if the property is platted in phases, for each phase as it is recorded.

7. Signs

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

8. Site Plan Review

Prior to the issuance of building permits for any lot within the North Fork PUD, the County must review and approve a site plan. Site plan reviews shall be conducted by the Planning Department staff. Said review shall not exceed 10 calendar days following acceptance of a submittal as having adequate information for review.

The following information shall be submitted to the Planning Department for the review:

- a detailed site plan
- floor plans and elevations
- grading and drainage plan
- erosion control plan, if applicable
- landscaping/revegetation plan
- utility company approvals
- site improvements agreement

9. Platting

A final plat of the property shall be submitted to and approved by the County prior to issuance of any building or grading permits for development.

10. Development Schedule

The owner/developer will install all utilities and North Fork Road during the spring of 1988. Each lot within the North Fork PUD will be sold and developed thereafter.

B. UTILITIES AND IMPROVEMENTS

Public utilities, improvements and services are to 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 as a condition of final plat approval.

1. Water System

Water is to be provided by the Snake River Water District after annexation into the District. Construction of water mains shall be in conformance with the regulations of the District.

2. Sewer System

Sanitary sewer service is to be provided by the Snake River Sewer Fund. Construction of sewer mains shall be in conformance with the regulations of the utility.

3. Access

Access to the property is provided from Montezuma Road by North Fork Road, a proposed roadway to be constructed prior to the development of the North Fork PUD. North Fork Road shall meet all standards for a local access road as specified in the County Road and Bridge Standards or as allowed by variance approved by the Board of County Commissioners in accordance with the Road and Bridge Standards.

Each lot within the North Fork PUD shall have driveway access onto North Fork Road. Lots 5 and 6 and Lots 7 and 8 shall have common driveways onto Montezuma Road. The specific alignment and widths shall be determined at the time the final plat is reviewed. North Fork Road shall be a private road with private maintenance.

4. Fire Protection

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

5. Landscaping

Landscaping shall be installed in accordance with the detailed landscaping plan as approved by the County as part of a site plan review and approval pursuant to paragraph A.8.

C. GENERAL PROVISIONS

1. Breach of Provisions of PUD Designation

If at any time any provision or requirement stated in this designation has been breached by the owner/developer, the County may withhold approval of any or all site plans or platmaps, or the issuance of

LEGAL DESCRIPTION
NORTH FORK PUD

A tract of land being a portion of Government Lots 9, 11 and 15, Section 19, Township 5 South, Range 76 West of the Sixth Principal Meridian:, Summit County, Colorado. Said tract being more particularly described as follows:

Beginning at the Northwest corner of said Government Lot 11, thence S 86° 48' 24" E along the North line of said Government Lot 11 a distance of 698.66 feet; thence S 04° 04' 40" W a distance of 134.38 feet; thence S 76° 00' 00" E a distance of 152.28 feet; thence S 04° 04' 40" W a distance of 86.45 feet; thence S 85° 55' 20" E a distance of 78.10 feet to a point on the East line of said Government Lot 11, also being a point on the West line of said Government Lot 9, whence the North one-quarter corner of said Section 19 bears N 05° 35' 18" E 250.78 feet distant; thence continuing S 85° 55' 20" E a distance of 70.41 feet; thence S 04° 04' 40" W a distance of 68.09 feet; thence N 86° 00' 20" E a distance of 189.85 feet; thence S 03° 59' 40" E a distance of 212.57 feet to a point on the North right-of-way line of Summit County Road No. 5, also known as Montezuma Road, a sixty foot wide right of way; thence S 86° 00' 20" W along said North right-of-way line a distance of 938.66 feet; thence 286.91 feet along said North right-of-way line and along the arc of a curve to the right, having a central angle of 05° 32' 00", a radius of 2970.82 feet and a chord which bears S 88° 46' 21" W 286.80 feet distant to a point of intersection with the West line of said Government Lot 15; thence N 04° 04' 40" E along the West line of said Lots 15 and 11 a distance of 646.50 feet to the point of beginning, containing 13.2798 acres, more or less.

EXHIBIT A