

CITY OF STEAMBOAT SPRINGS, COLORADO

RESOLUTION NO. 2010-01

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF STEAMBOAT SPRINGS, COLORADO,
DENYING THE CONDITIONAL USE DEVELOPMENT PLAN FOR A
VACATION HOME RENTAL FOR LOT 27, RENDEZVOUS TRAILS
SUBDIVISION, FILING 1; APPLICATION NO. DP-09-06**

WHEREAS, the applicant, David and Emily Henderson, submitted an application for a Development Plan on November 24, 2009, to allow a Conditional Use Vacation Home Rental (hereafter referred to as “Development Application”); and

WHEREAS, public hearing notices were mailed to adjacent property owners, posted on the subject property, and published in the Steamboat Pilot, consistent with the requirements of Section 26-51 of the Steamboat Springs Community Development Code (“CDC”); and

WHEREAS, the City of Steamboat Springs Planning Commission held a public hearing on the Development Application, on January 14, 2010, at which time the applicant and interested persons had an opportunity to submit evidence and to testify either in support or opposition to the proposal, consistent with the requirements the CDC; and

WHEREAS, the City of Steamboat Springs Planning Commission has jurisdiction and authority pursuant to Section 26-47 of the CDC to recommend approval or conditional approval, to deny, or to table development applications; and

WHEREAS, the City of Steamboat Springs Planning Commission had a motion to deny the Development Application by a vote of 5-1; and

WHEREAS, any vote of denial by the Steamboat Springs Planning Commission shall be considered a final decision unless appealed to the Steamboat Springs City Council, or unless a City Council member calls the matter up for a hearing before the City Council;

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF STEAMBOAT SPRINGS DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Findings of Fact.

The Lot 27, Rendezvous Trails Subdivision, Filing 1 Development Plan, # DP-09-06 reviewed under CDC Section 26-65(d) of the CDC is not consistent with the required findings for approval; areas of non-conformance with the required findings include but are not limited to the following:

CDC – Section 26-62(d)(4): Access - Access to the site shall be adequate for the proposed development, considering the width, grades, and capacities of adjacent streets and intersections and the entrance to the site. The adequacy of the facilities provided for any necessary service delivery, parking and loading, and trash removal shall also be considered. When appropriate, public transportation or other public or private transportation services and appropriate pedestrian facilities shall be made available to serve the use.

Section 2. Application Denial.

Based upon the findings as adopted by the Planning Commission immediately above, a Conditional Use Development Plan to allow a Vacation Home Rental on Lot 27, Rendezvous Trails, Subdivision Filing 1, application number DP-09-06 is hereby denied.

Section 3. Ratification.

Any act consistent with the authority and prior to the effective date of the resolution is hereby ratified and affirmed.

Section 4. Effective Date.

This resolution shall be effective immediately upon passage by the City of Steamboat Springs Planning Commission.

Section 5. Appeals.

The denial of the Development Application shall not be deemed final until the appeal period has expired. Denial of an application by the Planning Commission may be appealed to the City Council by filing a notice of appeal with the City Clerk within fifteen (15) days after the date of the denial.

DULY AND REGULARLY ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF STEAMBOAT SPRINGS, COLORADO, THIS 11th DAY OF FEBRUARY, 2010, BY A VOTE OF:

AYES: ____ NAYES: ____ ABSENT: ____ ABSTAIN: ____.

CITY OF STEAMBOAT SPRINGS
PLANNING COMMISSION

CHAIR, RICHARD LEVY

ATTEST:

DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT, TOM LEESON

APPROVED AS TO FORM:

CITY ATTORNEY, ANTHONY B. LETTUNICH

FILED WITH THE CITY CLERK:

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