



**BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY
RESOLUTION NO. 17- 37**

**A RESOLUTION APPROVING LAND USE CHANGE PERMIT NO. 2017-00023
A LAND USE CHANGE PERMIT FOR WILLIAM R. GODDARD, JR.
CHURCH LOT REPLAT
CHURCH LOT, RIVERWALK ESTATES SUBDIVISION**

WHEREAS, William R. Goddard, Jr, represented by David Leinsdorf, submitted a land use change application requesting the replat/subdivision of the Church Lot, Riverwalk Estates Subdivision, a 12.75-acre parcel, into two single-family lots; which will become Lot 37- 7.759-acres and Lot 38 - 4.989 acres. The Church Lot was originally approved for a church, a residential parsonage and ancillary building, constrained by two building envelopes. Water and sewer service to the residences will be serviced by individual wells and connection to the North Gunnison Sewer District Sewer system. Kokanne Court will provide access to the lots. An amendment to the *Riverwalk Estates Declaration of Protective Covenants* will revise the permitted uses on the Church Lot, to allow for one single-family residence/lot; and

WHEREAS, after a review of the application, documentation and public testimony related to it, the Gunnison County Planning Commission did, after joint public hearings, on September 15, 2017 unanimously approve a Recommendation with certain Findings and Conditions:

FINDINGS:

1. The Planning Commission has classified the application as a Minor Impact Project, based upon the impact classification found in *Section 6-102: Projects Classified as Minor Impact Projects A. 2-4 Units*.
2. The land use change complies with all applicable requirements of the *Gunnison County Land Use Resolution* and *Section 6-10: Standards of Approval for Minor Impact Projects*.
3. The Commission finds that the proposed residential subdivision is compatible with existing development in the neighborhood and will result in no significant net adverse impacts to the neighborhood.
4. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Planning Office file relative to this application; including all exhibits, references and documents as included therein.

CONDITIONS:

1. This permit is limited to activities described within the "Project Summary" of this application, and as depicted on the Site Plan submitted as part of this application. Expansion or change of this use will require either an application for amendment of this permit, or submittal of an application for a new permit, in compliance with applicable requirements of the *Gunnison County Land Use Resolution*.
2. The applicant shall provide a letter from the Riverwalk Estates HOA certifying the approval of the covenant amendments, prior to scheduling before the Board of County Commissioners.
3. A mylar subdivision plat, in compliance with Section 6-105, *Gunnison County Land Use Resolution*, shall be provided to the Community Development Department, for signature by the Board of County Commissioners. Approval shall not be effective until and unless the plat is recorded with the Office of the Gunnison County Clerk and Recorder.



4. The approval shall be memorialized by Board Resolution. Approval shall not be effective until the Resolution is recorded with the Office of the Gunnison County Clerk and Recorder.
5. This permit may be revoked or suspended if Gunnison County determines that any material fact set forth herein or represented by the applicant was false or misleading, or that the applicant failed to disclose facts necessary to make any such fact not misleading.
6. The removal or material alteration of any physical feature of the property (geological, topographical or vegetative) relied on herein to mitigate a possible conflict shall require a new or amended land use change permit.
7. Approval of this use is based upon the facts presented and implies no approval of similar use in the same or different location and/or with different impacts on the environment and community. Any such future application shall be reviewed and evaluated, subject to its compliance with current regulations, and its impact to the County.

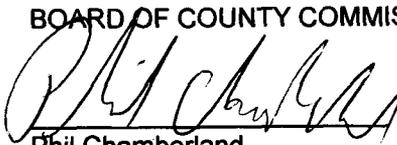
AND WHEREAS, Jacob With, representing the Riverwalk Estates Homeowners Association, Inc., provided a letter, dated September 21, 2017, certifying approval of the Church Lot covenant amendment, by the Riverwalk Estates Homeowners Association. The applicant shall record the Covenant amendment contemporaneously with the replat, in the Office of the Gunnison County Clerk and Recorder.

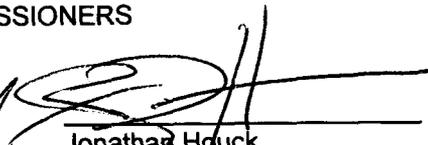
NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that Land Use Change Permit No. 2017-00023 Goddard – Church Lot Replat, is approved as a Minor Impact Project, subject to each and all conditions, as identified above.

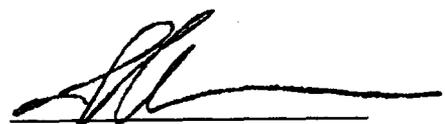
THIS RESOLUTION AND THE APPROVAL GRANTED HEREBY shall not be effective unless and until a copy is recorded in the Office of the Clerk and Recorder of Gunnison County.

INTRODUCED by Commissioner Houck, seconded by Commissioner Messner, and passed on this 3rd day of October, 2017.

BOARD OF COUNTY COMMISSIONERS


Phil Chamberland,
Chairperson


Jonathan Houck,
Commissioner


John Messner,
Commissioner

ATTEST:


Gunnison County Clerk and Recorder
Reguly

