

TOWN OF MINTURN, COLORADO
ORDINANCE NO. 02 - SERIES OF 2024

AN ORDINANCE OF THE TOWN OF MINTURN,
COLORADO, REZONING LOT 3A SOUTH MINTURN
ADDITION SUBDIVISION FROM SOUTH TOWN
CHARACTER AREA COMMERCIAL ZONE DISTRICT TO
SOUTH TOWN CHARACTER AREA RESIDENTIAL ZONE
DISTRICT

WHEREAS, the Town of Minturn (“Town”) is a Colorado home rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Town of Minturn Home Rule Charter for which the Minturn Town Council (“Town Council”) is authorized to act; and

WHEREAS, the South Minturn Addition Subdivision Final Plat, a Resubdivision of Lot 51, (hereinafter the “South Minturn Addition Subdivision Final Plat”) was recorded in the Office of the Eagle County Clerk and Recorder on March 30, 2021, at Reception No. 202107185; and

WHEREAS, the South Minturn Addition Subdivision Final Plat, created Lots 1, 2, and 3; and

WHEREAS, upon approval of the South Minturn Addition Subdivision Final Plat, zoning for Lots 1, 2, and 3 was South Town Character Area Commercial Zone District; and

WHEREAS, subsequent to the approval of the South Minturn Addition Subdivision Final Plat, Ordinance No. 4, Series 2021, was approved by the Town on or about May 19, 2021, amending the zoning applicable to Lots 1 and 2 South Minturn Addition Subdivision, from the South Town Character Area Commercial Zone District (hereinafter the “Commercial Zone”) to the South Town Character Area Residential Zone District (hereinafter the “Residential Zone”), while zoning applicable for Lot 3, South Minturn Addition, remained Commercial Zone; and

WHEREAS, Lot 3A and Lot 3B, A Resubdivision of Lot 3, South Minturn Addition Subdivision Final Plat, a Resubdivision of Lot 51, was recorded in the Office of the Eagle County Clerk and Recorder on _____, 2024, at Reception No. _____, attached hereto as **Exhibit A**; and

WHEREAS, Minturn Municipal Code (the “Code”) Sec. 16-7-20 and 16-7-30 describe the South Town Residential Zone and South Town Commercial Zone; and

WHEREAS, Code Sec. 16-21-410 through 450 provides for the consideration of amendments to the Town’s Character Area Zoning Map; and

WHEREAS, the Town accepted a complete application requesting an Amendment to the Official Zone District Map from John A. “Woody” Woodruff, and Lynn Feiger, as owners of Lot 3A, South Minturn Addition Subdivision, on or about October 23, 2023, to rezone Lot 3A, South

Minturn Addition (hereinafter the “Property”), from the Commercial Zone to the Residential Zone; and

WHEREAS, the Planning Director has determined that it is appropriate for the Property located in the South Town Character Area to be rezoned from Commercial Zone to Residential Zone to be in further compliance with adjacent and surrounding uses, the Town’s Strategic Plan, and the 2023 Minturn Community Plan; and

WHEREAS, on February 28, 2024, the Commission considered the application for rezoning the Property and recommended that the Town Council rezone the Property from the Commercial Zone to the Residential Zone; and

WHEREAS, on March 6, 2024, the Council considered the application for rezoning the Property and approved an amendment to the Official Zone District Map, amending the zoning for the Property from the Commercial Zone to the Residential Zone; and

WHEREAS, Town of Minturn Planning Commission and the Minturn Town Council have determined that the rezoning provided for herein is in conformance with the Minturn Land Use Regulations and Community Plan.

WHEREAS, the Commission and the Council have held duly noticed public hearings as required by the Minturn Municipal Code, and the Town Council now wishes to rezone the Property.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO:

SECTION 1. The foregoing recitals are incorporated herein as if set forth in full.

SECTION 2. The following Property is hereby rezoned to South Town Residential Zone District:

Lot 3A, A Resubdivision of Lot 3, South Minturn Addition Subdivision Final Plat, a Resubdivision of Lot 51

SECTION 3. Within thirty (30) days after the effective date of this Ordinance, the Town Clerk shall cause a printed copy of the amendment to the Town Zoning District Map to be made, which shall be dated and signed by the Mayor and attested to by the Town Clerk, and which shall bear the seal of the Town. The amended map shall include the number of this Ordinance. The signed original printed copy of the Zoning Map shall be filed with the Town Clerk. The Clerk shall also record a certified copy of this Ordinance with the Eagle County Clerk and Recorder. The Town staff is further directed to comply with all provisions of the Minturn Land Use Regulations, Minturn Municipal Code Chapter 16, to implement the provisions of this Ordinance.

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 6th DAY OF MARCH 2024. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 20th DAY OF MARCH 2024 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk

THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 20th DAY OF MARCH 2024.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk

Exhibit A