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TOWN OF PALMER LAKE, COLORADO

RESOLUTION NO. 25-2021

A RESOLUTION APPROVING A TEMPORARY CONDITIONAL USE PERMIT TO ALLOW EQUIPMENT REPAIR USE ON A PROPERTY CURRENTLY ZONED C-2 GENERAL BUSINESS AND COMMERCIAL ZONE DISTRICT AND LOCATED AT 797 SOUTH HIGHWAY 105 ("PROPERTY")

WHEREAS, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Town of Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Palmer Lake, Colorado; and

WHEREAS, Section 17.37.020 of the Palmer Lake Municipal Code provides that heavy equipment storage and repair is determined a conditional use in the C-2 General Business and Commercial Zone District; and

WHEREAS, the Planning Commission makes recommendations of approval or denial of conditional uses to the Board of Trustees, which has the final authority to grant or deny such applications; and

WHEREAS, published and posted notice of the public hearings before the Planning Commission and Board of Trustees as required by Section 17.76.010 was duly and timely accomplished; and

WHEREAS, on April 21, 2021, the Palmer Lake Planning Commission recommended approval of the conditional use with a six-month condition.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, COLORADO AS FOLLOWS:

1. The application for a conditional use permit to allow heavy equipment storage and repair on the property currently zoned C-2 General Business and Commercial Use and located at 797 South Highway 105 is hereby approved on a temporary basis, subject to the following condition:

The use will be temporarily allowed for six months from the date of this resolution and, if more time is needed, the application shall come back to the Planning Commission to request an extension, with the Board retaining authority to approve such an extension.

2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Resolution is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Resolution. The Board of Trustees hereby declares that it would have passed this resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Nov 27.