

**TOWN OF PALMER LAKE
EL PASO COUNTY
STATE OF COLORADO**

RESOLUTION NO. 50-2023

**A RESOLUTION TO RECONSIDER A CONDITIONAL USE PERMIT
FROM 2019 FOR 56 HIGHWAY 105, PALMER LAKE, COLORADO**

WHEREAS, Palmer Lake is a statutory Town organized under Part 3 of Article 4 of Title 31 of the Colorado Revised Statutes; and

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;

WHEREAS, a conditional use was granted by Resolution 5-2019 for mixed use at 56 Hwy 105 in March 2019 with the condition to not exceed two stories; and

WHEREAS, the property owner is requesting three stories for the structure including one main level of commercial and two floors above for smaller affordable dwelling units; and

WHEREAS, the Planning Commission heard the request on July 19, 2023 and recommended that the Board grant the conditional use for three stories and a building height maximum of 32 feet with a condition to bring the preliminary site plan to the Planning Commission for review.

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

Section 1. The Board of Trustees approves the conditional use permit for 56 Highway 105 pursuant to the following:

- Allow three stories,
- Allow a maximum building height of 32 feet contingent upon an approved variance by the Board of Adjustment (current building height is 30 feet),
- Preliminary site plan review by Planning Commission,
- Construction of a sidewalk at front of building (along Hwy 105).

Section 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.

Section 3. Repeal. Existing resolutions or parts of resolutions covering the same matters embraced in this Resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this Resolution are hereby repealed.

INTRODUCED, RESOLVED, AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 27TH DAY OF JULY 2023.

TOWN OF PALMER LAKE, COLORADO

Glant Havenar, Mayor

ATTEST:

By: _____
Dawn A. Collins, Town Administrator/Clerk