

TOWN OF PALMER LAKE, COLORADO

RESOLUTION NO. 54-2021

A RESOLUTION TO EXTEND 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, on November 17, 2021, the Palmer Lake Planning Commission recommended extending the conditional use for an additional six (6) months with reasonable penalties after six months set by the Board of Trustees.

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 extended on a temporary basis, subject to the following condition:

The conditional use will be extended for an additional six (6) months from November 27th date, and expiring on May 27, 2022, and at which time, the Board shall reserve all of its rights and remedies to ensure compliance with the Town’s Zoning Code, including but in no way limited to the Town’s right to abate the property, with the costs of the abatement to be assessed against the property and collected in the same manner as a tax lien, if the equipment/use remains after the May 27, 2022 date.

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.

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 9TH DAY OF DECEMBER 2021.

ATTEST:

TOWN OF PALMER LAKE, COLORADO

Dawn A Collins
Town Administrator/Clerk

BY: _____
William Bass
Mayor