

**TOWN OF SILT
RESOLUTION NO. 35
SERIES OF 2020**

**A RESOLUTION OF THE TOWN OF SILT (“TOWN”) APPROVING THE
SCHOELLER SPECIAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION
OF A FACTORY BUILT/MODULR DUPLEX STRUCTURE ON A PERMANENT
FOUNDATION AT 734 N. 7TH STREET, WITHIN THE TOWN OF SILT,
COLORADO**

WHEREAS, the applicants and land owners, Jesse & Jordan Schoeller, (hereinafter “Applicants”), of 484 Canyon Creek Drive, Glenwood Springs, CO, 81601, are the owners of a vacant property located at 734 N. 7th Street (“Property”), within the Town of Silt, Colorado (“Town”);

WHEREAS, the Property currently is vacant and zoned R-2 General Residential Zone District, and

WHEREAS, the Applicants appeared before the Town Planning and Zoning Commission on July 7, 2020 and appealed an Interpretation of the Planning Director regarding findings related to Section 17.43.030(D) regarding architectural standards related to the proposed architectural features of single family/duplex structures; and

WHEREAS, The Town Planning and Zoning Commission reached a consensus that the Planning Director had correctly interpreted Section 17.43.030(D) of the Silt municipal Code regarding said architectural features; and

WHEREAS, on or about May 25, 2020, the applicants submitted a special use permit application requesting approval of the factory built/modular structure proposed for the property; and

WHEREAS, Town staff processed the Application and forwarded the Application as well as staff comments about the Application in various memoranda to the Town Planning and Zoning Commission (“Commission”); and

WHEREAS, the Commission reviewed and discussed the Application at its regular meeting on October 6, 2020; and

WHEREAS, the Commission recommended to the Board of Trustees (“Board”) that the request be granted and that a special use permit be issued with conditions as stated in the staff report and in this resolution; and

WHEREAS, the Board held a public hearing concerning the approval of the Application and special use permit at the Board’s regularly scheduled meeting on October 13, 2020; and

WHEREAS, upon proper consideration and review of the Schoeller Special Use Permit request, the Board has determined that approval of the special use permit is in the best interests of the Town and its residents; and

WHEREAS, the Board finds that the requirements of Silt Municipal Code Chapters 17.78 and other sections have been met substantially by the Applicants and that the Schoeller Special Use Permit should be granted.

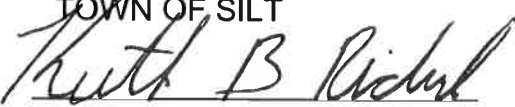
NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE TOWN OF SILT, COLORADO, THAT the Schoeller Special Use Permit is hereby approved for a Factory Built/Modular residential duplex structure at 734 No. 7th Street within the Town of Silt, Colorado ("Town") subject to the following conditions:

1. That all statements made by the applicants both in the application and in meetings before the Planning & Zoning Commission and the Board of Trustees, be considered conditions of approval, unless modified in the following conditions:
2. That the applicants provide a Shared Access/Driveway Agreement satisfactory to the Planning Department and the Town Attorney which includes provisions for cooperative use and allocating maintenance costs.
3. That a 10-foot irrigation easement be provided along the Front Property boundary and along a portion of the east property boundary or at a location acceptable to the Town in order to accommodate an irrigation line to the applicant and adjacent property to the west.
4. That the existing power pole and overhead electric line be taken care of to the satisfaction of the Building Department and the Town during the building permit and construction process. Easements may be necessary.
5. That the applicant comply with the architectural requirements required by the Planning Director and confirmed that the July 7, 2020 Planning Commission meeting.
6. That the applicant comply with intensity of permitted use regulations outlined in Section 17.20.010 E (1-5) of the Silt Municipal Code.
7. That the applicant pays all fees related to the Town's fees related to the Special Use Permit application, including but not limited to actual public notification costs, copying and printing costs, administrative fees and any consultant costs.
8. That a utility easement be provided at the southwest corner of the property for a water line and meter or that the water line and meter should be removed.

INTRODUCED, READ, PASSED AND ADOPTED at a regular meeting of the Board of Trustees of the Town of Silt, Colorado held on the 13th day of October, 2020.

ATTEST:


Town Clerk Sheila M. McIntyre, CMC

TOWN OF SILT

Mayor Keith B. Richel

