

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 24 – SERIES 2009**

A RESOLUTION APPROVING CONDITIONAL USE PERMIT APPLICATION CU 09-05

WHEREAS, Dan Holtkamp, owner of HoltHammer Cycles LLC, has submitted an application for a CUP to operate a multi-faceted business consisting of retail sales, light manufacturing and motorcycles service in the commercial zone of the South Town Character Area; and

WHEREAS, The Town of Minturn Town Council is commissioned with certain powers and duties contained in the Minturn Municipal Code Sec. 16.21.30; and

WHEREAS, public notice was given pursuant to Minturn Municipal Code Sec. 16.21.610; and

WHEREAS, on September 9, 2009 , the Planning Commission held a public hearing on the application pursuant to Minturn Municipal Code Section 16.21.620 and approved the application with conditions; and

WHEREAS, on October 7, 2009, the Town Council held a public hearing on the application pursuant to Minturn Municipal Code Section 16.21.620; and

WHEREAS, pursuant to Minturn Municipal Code Section 16.21.230, the Town Council makes the following findings:

- That the proposed location of the use is in accordance with the purposes of MMC Chapter 16, the Community Plan and the purposes of the zone in which the site is located.
- That the proposed location of the use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
- That the proposed use will comply with each of the applicable provisions of Chapter 16.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO:

THAT the application for a Conditional Use Permit for File No. CU 09-05 be approved with the following conditions:

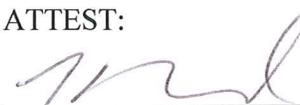
- Year-round hours of operations from 9:00 am – 5:30 pm – Tuesday through Saturday;
- Planning Commission review of the business after 2 years to determine whether new conditions should be placed on the business to minimize disturbances to the area;
- The owner will take reasonable measures to limit the amount of noise to the surrounding area

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 7th day of October, 2009.

TOWN OF MINTURN

By: 
Mayor

ATTEST:


Town Clerk

