

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 08 – SERIES 2009**

A RESOLUTION APPROVING CONDITIONAL USE APPLICATION CU 09-02

WHEREAS, DDC Group has submitted a land use application for a Conditional Use Permit to construct a multi-family, mixed-use building 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 March 11, 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 April 1, 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 Chapter 16 of the Minturn Municipal Code, 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 of the Minturn Municipal Code.

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 09-02 be approved.

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 1st day of April, 2009.

TOWN OF MINTURN

By: *Henkay Fleherby*
Mayor

ATTEST:

[Signature]
Town Clerk

