

**TOWN OF MINTURN, COLORADO**  
**RESOLUTION NO. 3 – SERIES 2014**

**A RESOLUTION APPROVING CONDITIONAL USE APPLICATION CU 01-2014**

**WHEREAS**, The Town of Minturn Town Council is commissioned with certain powers and duties contained in Chapter 16 of the Minturn Municipal Code; and

**WHEREAS**, public notice was given pursuant to Minturn Municipal Code Section 16.21.610; and

**WHEREAS**, on January 29, 2014, 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 February 5, 2014, 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 01-2014, be approved subject to the following conditions:

- Only one chiropractor, the owner Chris Davis and resident of the property 376 Pine Street, is allowed to practice in this location.
- Operating hours will be: Tuesdays, Wednesdays & Fridays from 9:00am - 6:00pm and on Thursdays from 2:00 pm - 6:00pm and Saturdays from 9:00 am - 2:00 pm. Patients will be offsite no later than 30 minutes after closing times.

- Parking must be provided on site for all patients and any staff. There are 3 spaces in the front and 2 spaces in the back of the property. The limited schedule of business hours seeks to avoid having more vehicles on the property than there are spaces and to control density and noise in the area.
- Staff is to include one office manager between the hours of 9:00 am - 5:00 pm Monday through Friday.
- Staff to include one therapist operating only on Mondays and Thursdays between 9:00am and 6:00pm and Saturdays between 9:00am and 2:00pm. The massage therapist will only have one patient visit per hour not to exceed 24 patient visits a week. Only one therapist is allowed on site at a time. Therapy offerings may include: Massage, Reike, Educational, Kinesiology, Neuro-emotional, Homeopathic, Affirmative Prayer.
- A substitute chiropractor can be hired on an interim or temporary basis to manage the practice so that Chis Davis can take leave for: vacation, illness/injury or continuing education. The massage therapist can fill the extra time during these absences.
- Conditional use granted as long as the applicant complies with the stated conditions and has a valid Minturn Business License.
- Failure to comply with any of these conditions may result in the revocation of this conditional use permit.
- The staff will perform periodic inspections and an annual review to ensure the applicant is in compliance with the stated conditions.

**INTRODUCED, READ, APPROVED, AND ADOPTED at a regular meeting of the Town Council of the Town of Minturn held this 5th day of February, 2014.**

TOWN OF MINTURN

*Hawkeye Flaherty*  
By: Hawkeye Flaherty, Mayor

ATTEST

*Jay Brunvand*  
Jay Brunvand, Town Clerk

