



2016

Minturn Council Meeting

Wednesday June 1, 2016

Work Session: **5:00pm**
(Town Center)

Regular Session: **6:30pm**
(Town Center)



Agenda

MEETING OF THE MINTURN TOWN COUNCIL
Minturn Town Center, 302 Pine Street
Minturn, CO 81645 • (970) 827-5645

Wednesday June 1, 2016

Work Session – 5:00pm
Regular Session – 6:30pm

MAYOR – Matt Scherr
MAYOR PRO TEM – Earle Bidez

COUNCIL MEMBERS:

Terry Armistead
Harvey Craig
Sidney Harrington
Sage Pierson
John Widerman

When addressing the Council, please state your name and your address for the record prior to providing your comments. Please address the Council as a whole through the Mayor. All supporting documents are available for public review in the Town Offices – located at 302 Pine Street, Minturn CO 81645 – during regular business hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays.

Work Session – 5:00pm

- Review of 2015 Audited Financial Statements – Brunvand Pg 49
- Review of Council Committees – Powell Pg 4

Regular Session – 6:30pm

1. Call to Order

- Roll Call
- Pledge of Allegiance

2. Approval of Agenda

- Items to be Pulled or Added

3. Liquor License

- Modification of Premises Minturn Country Club 131 Main St Joe Honnessy
Owner/Pres– Brunvand Pg 6

4. Approval of Minutes

- May 18, 2016 Pg 12

5. Public comments on items, which are NOT on the agenda (5-minute time limit per person)

- CMC Town Scholarships Update

6. Special Presentations

- Main Street Pedestrian Planning special presentation – Powell/Stofus Pg 47
- Committee Reports

PUBLIC HEARINGS AND ACTION ITEMS

7. Discussion/Action Item: Acceptance of the 2015 Fiscal Audit – Brunvand Pg 49

8. Discussion/Action Item: Consideration of Resolution 07 – Series 2016 a Resolution approving Variance Request 16-01 at 386/392 Taylor St. - Hawkinson Pg 50

9. Discussion/Action Item: Consideration of Resolution 14 – Series 2016 a Resolution approving Land Use Application Conditional Use Permit 16-02 1011 Main St – Hawkinson Pg 72

10. Discussion/Action Item: Consideration of Resolution 15 – Series 2016 a Resolution approving Land Use Application Temporary Use Permit 16-03 – Hawkinson Pg 101

11. Discussion/Action Item: Discussion/Action Item: Resolution 13 – Series 2016 a Resolution allocating Holy Cross Energy Community Enhancement funds – Brunvand Pg 110

COUNCIL AND STAFF REPORTS

12. Town Planner

- Gourmet Cowboy Sign approval Pg 111

13. Town Manager

- Manager's Report Pg 113
- Action Report Pg 117

14. Town Council Comments

15. Town Attorney

EXECUTIVE SESSION

- 16. Executive Session:** An executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under CRS Section 24-6-402(4)(e) and for the purpose of a conference with the Town attorney for the purpose of receiving legal advise on specific legal questions under C.R.S. Section 24-6-402(4)(b)– Battle Mountain

FUTURE AGENDA ITEMS

17. Next Meeting – June 15, 2016

18. Future Meetings:

- Boneyard Management plan and conservation easement
- Work Session on housing
- Consideration of Resolution 07 – Series 2016 a Resolution approving Variance Request 16-01 at 386/392 Taylor St.

19. Set Future Meeting Dates

- a) Council Meetings:
- June 15, 2016
 - July 6, 2016
 - July 20, 2016

20. Other Dates:

- Town Cleanup Day – June 4, 2016
- Main Street Pedestrian Planning Open House – June 7, 2016

21. Adjournment

Town Committees

Non-Profit Entities Requiring Directors Appointed by Council

1. Minturn Education Fund

Representation: at least one and not more than two Council members are Directors--Terry

Town Manager is Ex-Officio Director

Responsibilities: Manage funds and award scholarships

Time commitment: As needed, generally twice per year

2. Minturn Fitness Center

Representation: Council appoints 3 Directors (do not need to be Council members, but must be members of the community)—Sage, John, Johnnie

Responsibilities: Manage finances and operations of Fitness Center

Time Commitment: quarterly

Representation to other Government Agencies

1. NWCCOG/QQ

Representation—One person, may be Council or staff member. May have different reps to COG and QQ.

Responsibilities:

COG: oversees budget and operations of NWCCOG—Matt, Earle

QQ: advises on water legislation and regional water issues—John, Harvey

Time Commitment: quarterly meetings for COG, differing locations; QQ quarterly in Summit County

2. ECO Transit

Representation: one member and one alternate, may be Council or staff—Sage, Sidney

Responsibilities: advises County Commissioners on budget, operations, schedules, capital spending of bus system.

Time Commitment: Quarterly in Gypsum

Representation to Membership Entities

1. Colorado Association of Ski Town (CAST)

Representation: regular and alternate members, generally Mayor and/or Manager—Matt, Willy

Responsibilities: advocacy, trends, legislation affecting ski towns

Time Commitment: five meetings per year (overnight stay), different towns,

2. Club 20

Representation: regular and alternate members—Matt, Earle

Responsibilities: advocacy, education and legislation affecting western slope

Time Commitment: quarterly meetings in Grand Junction

3. Channel 5 Public Access

Representation: one regular member--Harvey

Responsibilities: oversee operations and finances of Channel 5, advocacy of the station

Time Commitment: quarterly meetings

4. Climate Action Committee—John, Terry

Council Advisory Sub-Committees

Overview

All committees below meet on as-needed basis. Council in past has appointed two Council members. Time commitments vary. Staff is recommending the following committees be eliminated: Sheriff's Committee, Parks Committee and Railroad Committee. Council may want to consider ad-hoc committees, for example, a committee formed for the TAP grant. Council has recently made appointments to the Battle Mountain and Dowd Junction committees.

Battle Mountain/Water

Function: Advise Council on Battle Mountain agreements, ongoing negotiations, and general discussions.

Time Commitment: Can be substantial

Appointees: Earle Bidez and Terry Armistead

Staff Concern: Staff believes Battle Mountain and Water should be separated into two committees.

Water Committee (assuming a different committee formed)

Function: Advise Council on Battle Mountain water, water court applications, infrastructure, and water rates.

Time Commitment: busy at times

Appointees: Earle Bidez and George Brodin

Dowd Junction Committee

Function: Advises on: Forest Service processes, Request for Proposal to developers, ownership and regulatory control by Minturn

Time Commitment: considerable

Appointees: Matt Scherr and Sidney Harrington

Economic Development

Function: The Economic Development Advisory Committee (EDAC) works to strengthen and expand economic opportunities within and for the Town of Minturn, its residents, and its businesses. It achieves this primarily with the creation and management of Minturn's economic development strategic plan.

Time Commitment: Meets the third Monday of each month at 5:30 pm.

Appointees: Matt Scherr and Shelley Bellm

P.O. Box 309 ♦ 302 Pine Street
Minturn, CO 81645
Phone: 970-827-5645
Fax: 970-827-5545
Jay Brunvand, Treasurer/Clerk
Email: treasurer@minturn.org



Town Council
Mayor – Matt Scherr
Mayor Pro Tem – Earle Bidez
Councilmember – Terry Armistead
Councilmember – Harvey Craig
Councilmember – Sage Pierson
Councilmember – Sidney Harrington
Councilmember – John Widerman

AGENDA ITEM COVER SHEET

| |
|---|
| AGENDA TITLE: The Minturn Country Club, LLC Modification of Premises; 131 Main St.; Joe Honnessy, Owner/President. |
| MEETING DATE: June 1, 2016 |
| PRESENTER: Brunvand |
| BACKGROUND: This is an application for a modification of premises of an existing license. This applicant is looking to include an outdoor seating area in existing parking immediately adjacent to the applicant. The application has been reviewed and an on-site review of the premises was conducted by the Clerk and no issues have been found. Staff is recommending approval of this renewal by Council. |
| CORE ISSUES: |
| BUDGET/FINANCE IMPLICATIONS: There is no Town fee on this. |
| STAFF RECOMMENDATION/MOTION: "Motion to approve the Minturn Country Club, LLC Permit Application and Report of Changes; 131 Main St.; Joe Honnessy, Owner/President as presented." |

INSTRUCTION SHEET

FOR ALL SECTIONS, COMPLETE QUESTIONS 1-4 LOCATED ON PAGE 1

Section A

To Register or Change Managers, check the appropriate box in section A and complete question 8 on page 4. Proceed to the Oath of Applicant for signature (Please note: Hotel, Restaurant, and Tavern licensees are required to register their managers).

Section B

For a Duplicate license, be sure to include the liquor license number in section B on page 1 and proceed to page 4 for Oath of Applicant signature.

Section C

Check the appropriate box in section C and proceed below.

- 1) *For a Retail Warehouse Storage Permit*, go to page 3 complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 2) *For a Wholesale Branch House Permit*, go to page 3 and complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 3) *To Change Trade Name or Corporation Name*, go to page 3 and complete question 6 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 4) *To modify Premise*, go to page 4 and complete question 9. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 5) *For Optional Premises or Related Facilities* go to page 4 and complete question 9. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 6) *To Change Location*, go to page 3 and complete question 7. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.

| | | | | |
|-------------------------------------|---|----------------|----------------|--------------------|
| STORAGE PERMIT | <p>5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit</p> <p><input type="checkbox"/> Retail Warehouse Permit for:</p> <p style="margin-left: 20px;"><input type="checkbox"/> On-Premises Licensee (Taverns, Restaurants etc.)</p> <p style="margin-left: 20px;"><input type="checkbox"/> Off-Premises Licensee (Liquor stores)</p> <p><input type="checkbox"/> Wholesalers Branch House Permit</p> <p>Address of storage premise: _____</p> <p>City _____, County _____, Zip _____</p> <p>Attach a deed/ lease or rental agreement for the storage premises. Attach a detailed diagram of the storage premises.</p> | | | |
| | <p>6. Change of Trade Name or Corporation Name</p> <p><input type="checkbox"/> Change of Trade name / DBA only</p> <p><input type="checkbox"/> Corporate Name Change (Attach the following supporting documents)</p> <p style="margin-left: 20px;">1. Certificate of Amendment filed with the Secretary of State, or</p> <p style="margin-left: 20px;">2. Statement of Change filed with the Secretary of State, <u>and</u></p> <p style="margin-left: 20px;">3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">Old Trade Name</td> <td style="width: 50%; padding: 2px;">New Trade Name</td> </tr> <tr> <td style="padding: 2px;">Old Corporate Name</td> <td style="padding: 2px;">New Corporate Name</td> </tr> </table> | Old Trade Name | New Trade Name | Old Corporate Name |
| Old Trade Name | New Trade Name | | | |
| Old Corporate Name | New Corporate Name | | | |
| CHANGE TRADE NAME OR CORPORATE NAME | <p>7. Change of Location</p> <p>NOTE TO RETAIL LICENSEES: An application to change location has a local application fee of \$750 payable to your local licensing authority. You may only change location within the same jurisdiction as the original license that was issued. Pursuant to 12-47-311 (1) C.R.S. Your application must be on file with the local authority thirty (30) days before a public hearing can be held.</p> <p>Date filed with Local Authority _____ Date of Hearing _____</p> <p>(a) Address of current premises _____</p> <p style="margin-left: 20px;">City _____ County _____ Zip _____</p> <p>(b) Address of proposed New Premises (Attach copy of the deed or lease that establishes possession of the premises by the licensee)</p> <p style="margin-left: 20px;">Address _____</p> <p style="margin-left: 20px;">City _____ County _____ Zip _____</p> <p>(c) New mailing address if applicable.</p> <p style="margin-left: 20px;">Address _____</p> <p style="margin-left: 20px;">City _____ County _____ State _____ Zip _____</p> <p>(d) Attach detailed diagram of the premises showing where the alcohol beverages will be stored, served, possessed or consumed. Include kitchen area(s) for hotel and restaurants.</p> | | | |
| | <p style="text-align: center; font-weight: bold;">CHANGE OF LOCATION</p> | | | |

CHANGE OF MANAGER

8. Change of Manager or to Register the Manager of a Tavern or a Hotel and Restaurant liquor license.

(a) Change of Manager (attach Individual History DR 8404-I H/R and Tavern only)

Former manager's name _____

New manager's name _____

(b) Date of Employment _____

Has manager ever managed a liquor licensed establishment?..... Yes No

Does manager have a financial interest in any other liquor licensed establishment?..... Yes No

If yes, give name and location of establishment _____

MODIFY PREMISES OR ADDITION OF OPTIONAL PREMISES OR RELATED FACILITY

9. Modification of Premises, Addition of an Optional Premises, or Addition of Related Facility

NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities.

(a) Describe change proposed Outside deck with approximately 16-20 seats in front of restaurant.

(b) If the modification is temporary, when will the proposed change:

Start N/A (mo/day/year) End _____ (mo/day/year)

NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00

(c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?

(If yes, explain in detail and describe any exemptions that apply) Yes No

(d) Is the proposed change in compliance with local building and zoning laws?..... Yes No

(e) If this modification is for an additional Hotel and Restaurant Optional Premises or Resort Complex Related Facility, has the local authority authorized by resolution or ordinance the issuance of optional premises?

..... Yes No

(f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises.

(g) Attach any existing lease that is revised due to the modification.

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

| | | |
|-----------|-------|-----------|
| Signature | Title | Date |
| | Owner | 5/27/2016 |

REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY / COUNTY)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 12, Articles 46 and 47, C.R.S., as amended. **THEREFORE, THIS APPLICATION IS APPROVED.**

| | |
|--|---------------------------------|
| Local Licensing Authority (City or County) | Date filed with Local Authority |
| Signature | Title |
| | Date |

REPORT OF STATE LICENSING AUTHORITY

The foregoing has been examined and complies with the filing requirements of Title 12, Article 47, C.R.S., as amended.

| | | |
|-----------|-------|------|
| Signature | Title | Date |
| | | |

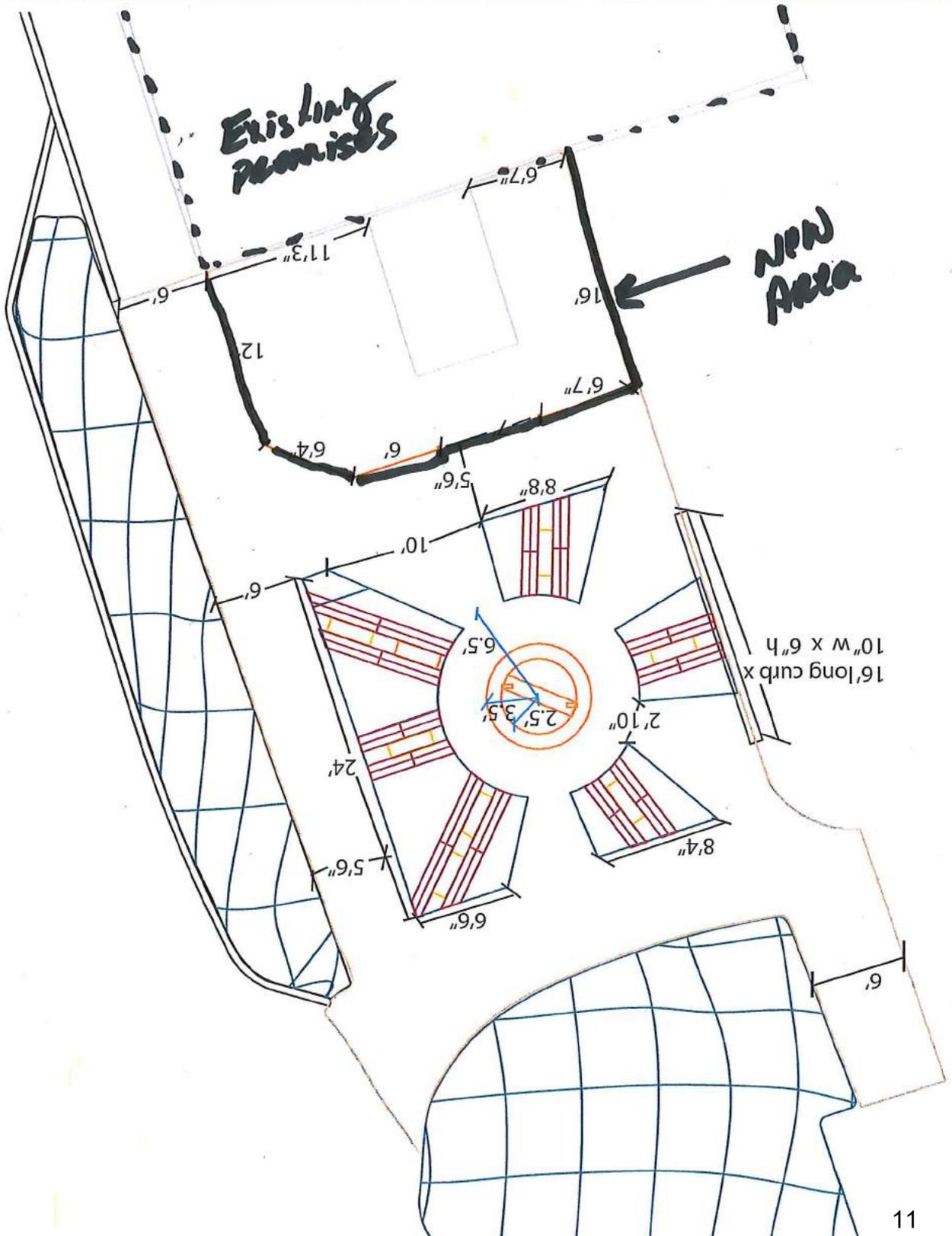
andscape uments

Town of Minturn
 309 Pine Street
 PO Box 302
 Minturn, CO 81645
 970-827-5645 e3



Janet Hawkins, MLAP
 Minturn Planning Director
 planner@minturn.org

Created By:





Official Minutes

MEETING OF THE MINTURN TOWN COUNCIL
Minturn Town Center, 302 Pine Street
Minturn, CO 81645 • (970) 827-5645

Wednesday May 18, 2016

Work Session – 5:30pm
Regular Session – 6:30pm

MAYOR – Matt Scherr
MAYOR PRO TEM – Earle Bidez

COUNCIL MEMBERS:

Terry Armistead
Harvey Craig
Sidney Harrington
Sage Pierson
John Widerman

These minutes are formally submitted to the Town of Minturn Town Council for approval as the official written record of the proceedings at the identified Council Meeting. Additionally, all Council meetings are tape-recorded and are available to the public for listening at the Town Center Offices from 8:30am – 2:00 pm, Monday through Friday, by contacting the Town Clerk at 970/827-5645 302 Pine St. Minturn, CO 81645.

Work Session – 5:30pm

- iPad Policy Review
- Review of Council Committees

Regular Session – 6:30pm

1. Call to Order

The meeting was called to order by Mayor Scherr at 6:34 pm.

- Roll Call

Those present included: Mayor Matt Scherr and Town Council members, Harvey Craig, Terry Armistead, Earle Bidez, Sidney Harrington, Sage Pierson and John Widerman.

Staff present: Town Manager Willy Powell, Deputy Clerk/Econ Michelle Metteer, Town Planner Janet Hawkinson, and Town Attorney, Michael Sawyer.

- Pledge of Allegiance

2. Approval of Agenda

- Items to be Pulled or Added

Motion by Earle B., second by Terry A., to approve the agenda as presented. Motion passed 7-0.

3. Approval of Minutes

- May 4, 2016

Need to correct the top of page 11 from the May 4, 2016 Minutes. DOLA sentence belongs with the REDI Grant.

Motion by Sidney H., second by Harvey C., to approve the minutes of May 4, 2016 as amended. Motion passed 7-0.

4. Public comments on items, which are NOT on the agenda (5-minute time limit per person)

Barry Clark, Eagle River Properties, 106 Main Street. Barry Clark read from a prepared statement. (It should be noted the prepared statement was requested from Barry Clark so as to be included in the official minutes, however the prepared statement was never provided).

Nathan LaCrosse, 322 Taylor St, Minturn is opposed to Grant Street being turned into a trail. He is also opposed to Holy Cross power lines being installed as well.

Kelly McCafferty, 472 Main Street asked about an application to be order to prohibit Holy Cross to put up 60' power lines. This is the 1041 state Statute. Mike Sawyer provided an update that he is gathering information on that now and will update the Town Council when information is available. Willy Powell provided an additional update indicating that staff requested to Holy Cross Energy to underground any necessary work and have the recipients pay for such work (Vail, Avon & Beaver Creek in this case). Matt S. updated the room that he would like to see an official communication from Holy Cross, either in a letter form or a representative of Holy Cross attending a Minturn Council meeting.

Anthony Martinez, 232 Taylor is not wanting any buzzing behind his house as it will bring down his property values.

5. Special Presentations

- Vail Valley Trails Coalition

Rich Carroll, VVTC provided a presentation about the Vail Valley Trails Connection and requested approval from Town Council to allow the Mayor to sign a letter of support for the IMBA designation application.

- Committee Reports

PUBLIC HEARINGS AND ACTION ITEMS

6. Discussion/Action Item: Consideration for the Mayor to sign the Vail Valley Trails Coalition letter of support for the IMBA Ride Center Application.

Rich Carroll, Town of Avon, Vail Valley Trails Connection was available for questions as Mayor Matt S read the letter of support aloud.

John Widerman asked about the status level being applied for...Rich indicated bronze to begin with.

Motion by Sage P, second by Harvey C. to authorize the mayor to sign of the letter of support for the IMBA Ride Center Application.

7. Discussion/Action Item: Resolution 12 - Series 2016. A Resolution appointing Planning Commission members.

Janet H. provided background on the attributes valuable to a planning commission member. She also notified the Council that Justin Carter, Planning Commissioner, has submitted his resignation as he is planning to move out of town. Therefore, three Planning Commission members will need to be appointed.

Terry A. and Sidney H. acknowledged their conflicts of interest with both having husbands applying as applicants. Terry A. and Sidney H. proceeded to leave the room.

All present applicants provided an introduction.

Burke Harrington, 532 Taylor Street
Bobby Head, 1017 Mountain Drive
Greg Gastineau, 421 Main Street
Jeff Armistead, 1632 Main Street

Matt Scherr read a letter aloud from applicant Jena Skinner as she was unable to attend the meeting.

A question and answer session ensued.

Motion by Harvey C., second by Sage P., to approve Resolution 12 – Series 2016 with the appoint of Jeff Armistead, Bobby Head, and Greg Gastineau to the Planning Commission. Motion passed (5-0) Terry A. and Sidney H. were recused.

Mike S. recommended the potential for an alternate position to the Planning Commission, given that most P&Z Commissions have an alternate position available.

Burke H. and Jena S. will be provided the opportunity to consider an alternate position.

8. Discussion/Action Item: Discussion and appointment by motion Council committee members.

Discussion to be continued at the June 1, 2016 meeting.

COUNCIL AND STAFF REPORTS

Matt S. called a recess at 8:12 pm due to some issues with the filming of the meeting. The meeting was called back to order at 8:25 pm.

9. Town Planner

Planning Commission approved Design Review for 942 Main Street. (See packet)

Future Planning Applications:

- Conditional Use Permit - 1011 Main Street
- Variance – 386 & 392 Taylor Street
- Temporary Use Permit – 152 Main Street

10. Town Manager

- Manager's Report
- Action Report

Motion by Sidney H., second by Terry H., to authorize the Town Manager and the Mayor to grant authority to apply for the REDI grant.

11. Town Council Comments

12. Town Attorney

Mike S. expressed his disagreement with Barry Clark's statement at Public Comment.

EXECUTIVE SESSION

13. Executive Session: An executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under CRS Section 24-6-402(4)(e) and for the purpose of a conference with the Town attorney for the purpose of receiving legal advise on specific legal questions under C.R.S. Section 24-6-402(4)(b)– Battle Mountain, Dowd Junction and Eagle River Properties.

Motion by Sage P, second by Earle B. to convene into an executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under CRS Section 24-6-402(4)(e) and for the purpose of a conference with the Town attorney for the purpose of receiving legal advise on specific legal questions under C.R.S. Section 24-6-402(4)(b)– Battle Mountain.

FUTURE AGENDA ITEMS

14. Next Meeting – June 1, 2016

- 2015 Audit presentation and acceptance – 06/01/16 (WS and Mtg)
- Main Street Pedestrian Planning special presentation

15. Future Meetings:

- Boneyard Management plan and conservation easement
- Work Session on housing
- Consideration of Resolution 07 – Series 2016 a Resolution approving Variance Request 16-01 at 386/392 Taylor St.

16. Set Future Meeting Dates

a) Council Meetings:

- June 1, 2016
- June 15, 2016
- July 3, 2016

17. Other Dates:

- Town Cleanup Day – June 4, 2016
- Main Street Pedestrian Planning Open House – June 7, 2016

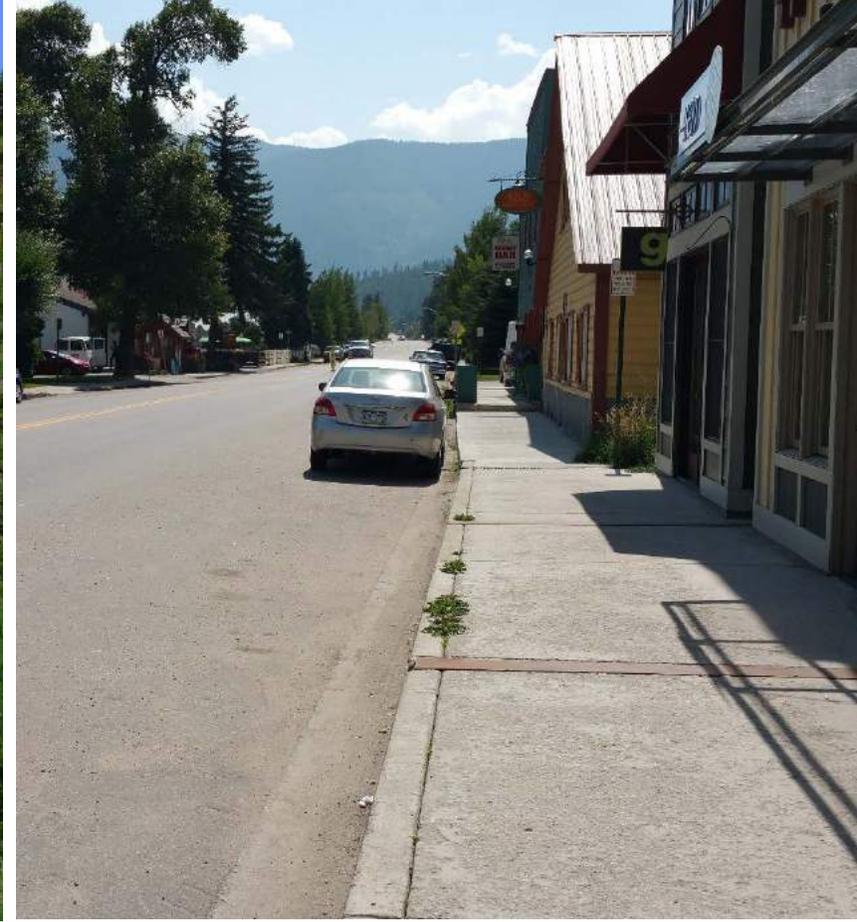
18. Adjournment

Motion by Earle B., second by Sidney H., to adjourn the meeting at 10:40 pm. Motion passed 7-0

Matt Scherr, Mayor

ATTEST:

Jay Brunvand, Town Clerk



MAIN STREET (HWY 24) PEDESTRIAN/BICYCLE PLAN

TOWN COUNCIL MEETING

JUNE 1, 2016



Project Overview

- The Town of Minturn received a Transportation Alternatives Program (TAP) Grant for design to provide pedestrian, bicycle, and drainage improvements along Main Street (Hwy 24).
- The project is divided into three segments:

Segment 1: Toledo Avenue to Cemetery Road

- Extend the downtown corridor

Segment 2: Cemetery Road to Boneyard Open Space

- Provide pedestrian and bicycle facilities through South Minturn

Segment 3: Boneyard Open Space to Maloit Park Road

- Provide bicycle facilities to Maloit Park Road

Benefits of Walkable/Bikeable Communities

- Improved safety for users
- Improved health
- Improved economy by attracting more businesses and residents
- Provides transportation choices, especially to vulnerable populations



Project Goals

Improve and increase accessibility for pedestrians and cyclists, while expanding on recreational and economic development opportunities.

Enhance safety of the travel corridor for all users.

Advance improvements that can be implemented and maintained easily.



Minimize impacts to the adjacent community.

Maintain compatibility with the intent of previous local planning efforts.



Community Survey Results

(To be reviewed and added upon completion)





Segment 1

TOLEDO AVENUE TO CEMETERY ROAD

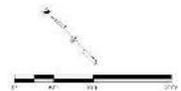
EXTEND THE DOWNTOWN CORRIDOR



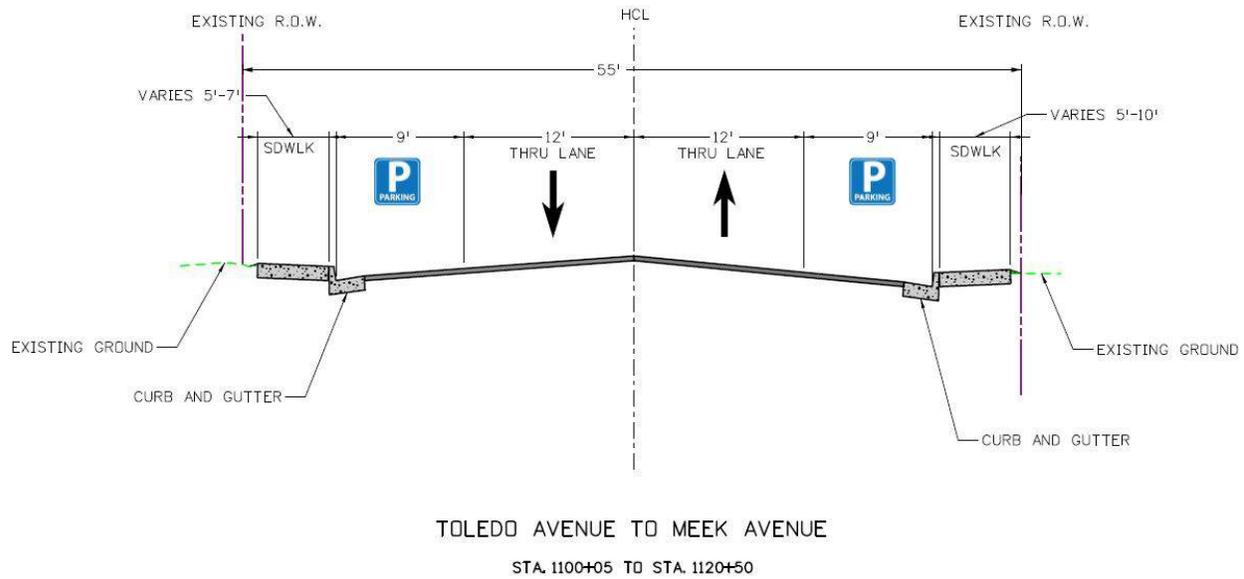
Segment 1



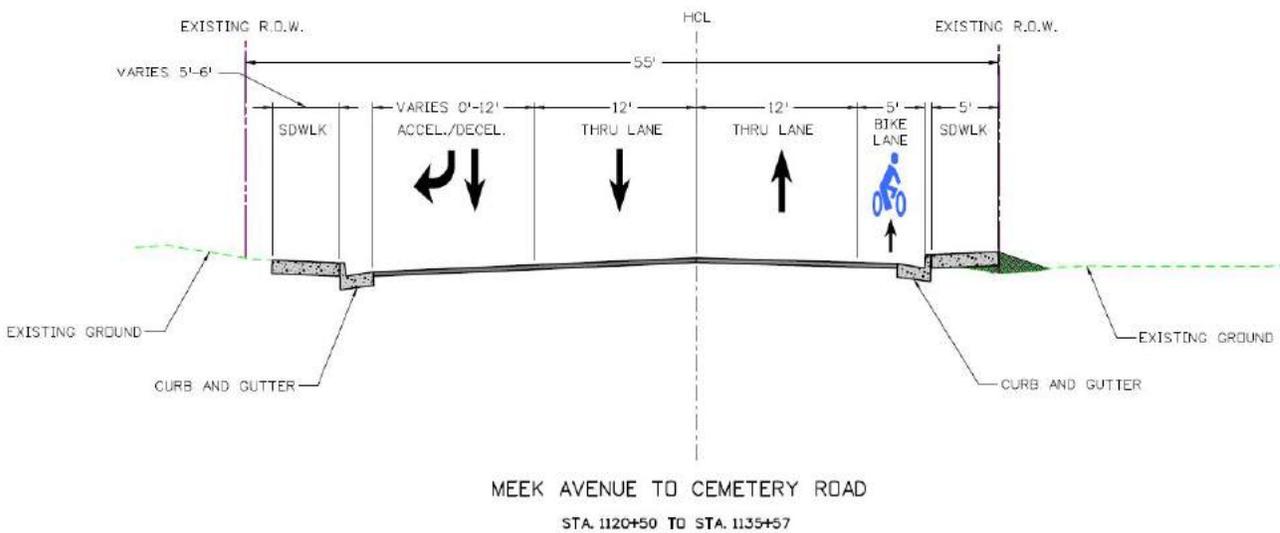
MINTURN IMPROVEMENTS
SEGMENT 1
TOLEDO AVENUE TO CEMETERY ROAD
JUNE 7, 2016



Segment 1 – Toledo Avenue to Meek Avenue



Segment 1 – Meek Avenue to Cemetery Road





Segment 2

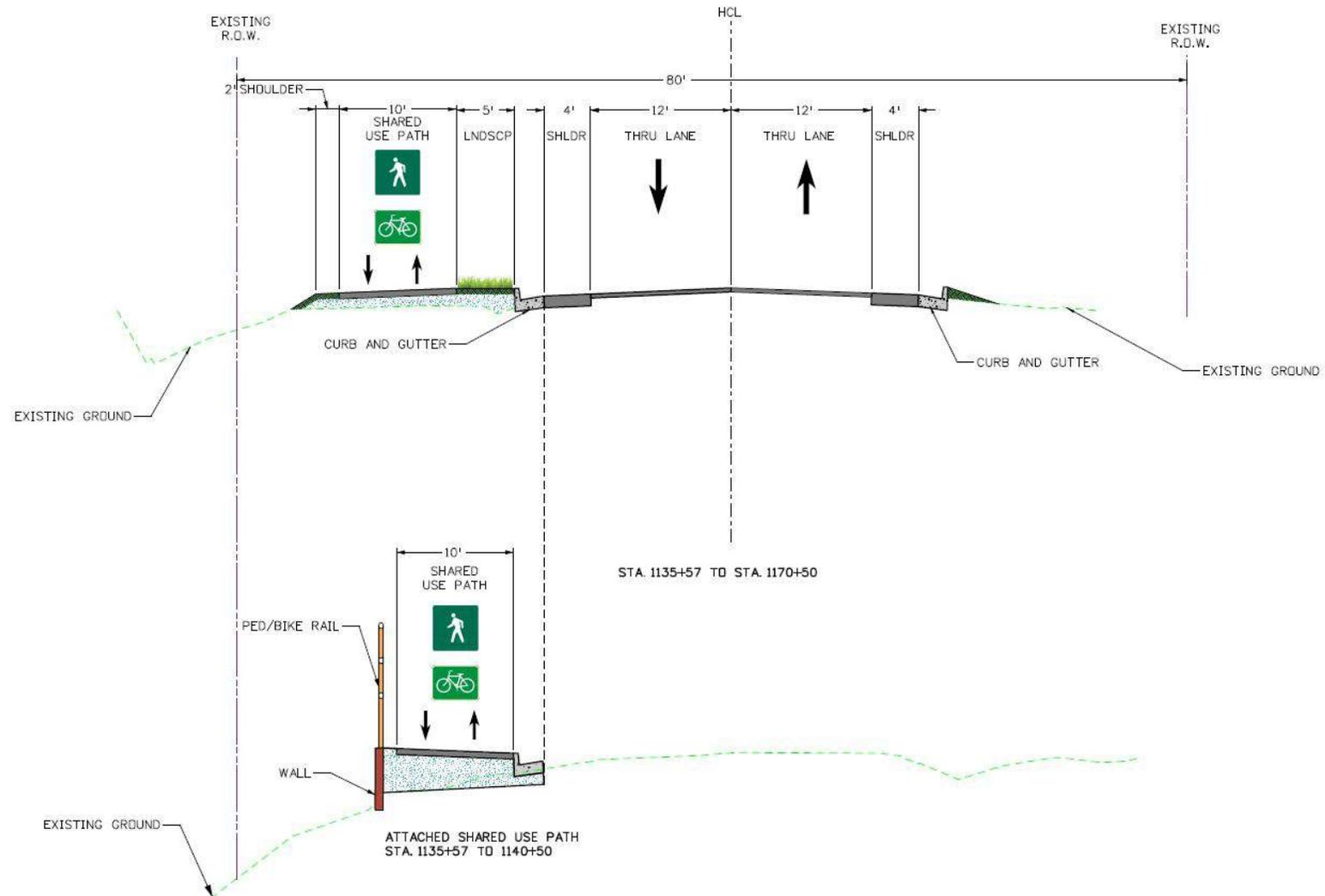
CEMETERY ROAD TO THE BONEYARD OPEN SPACE

PROVIDE PEDESTRIAN AND BICYCLE FACILITIES THROUGH SOUTH MINTURN

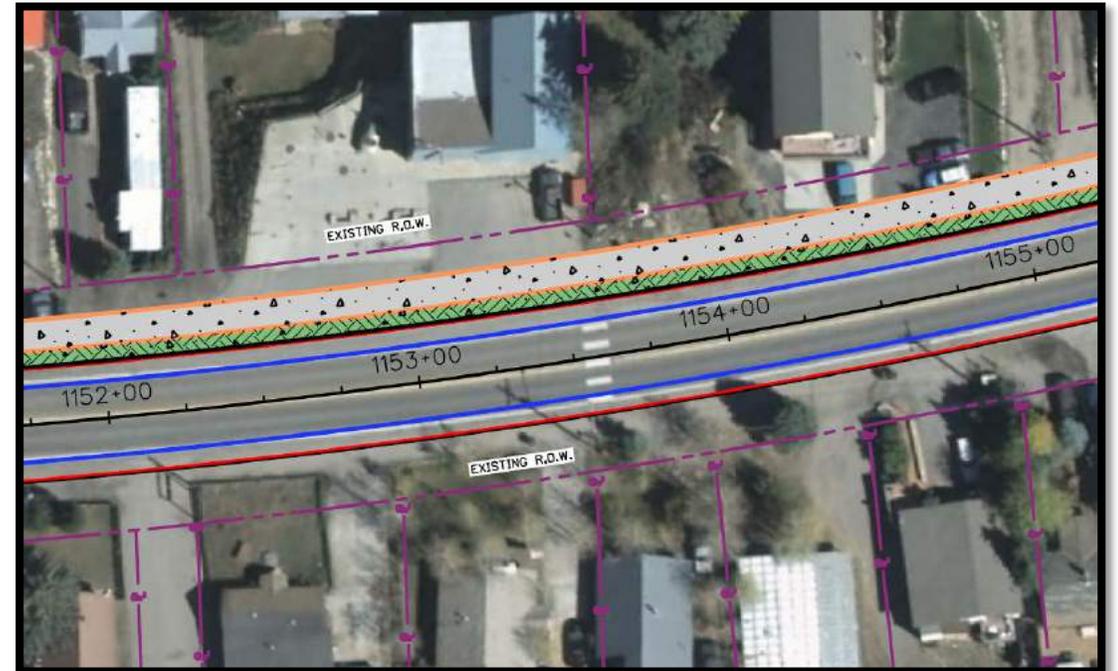


Option A: Shared Use Path on East Side





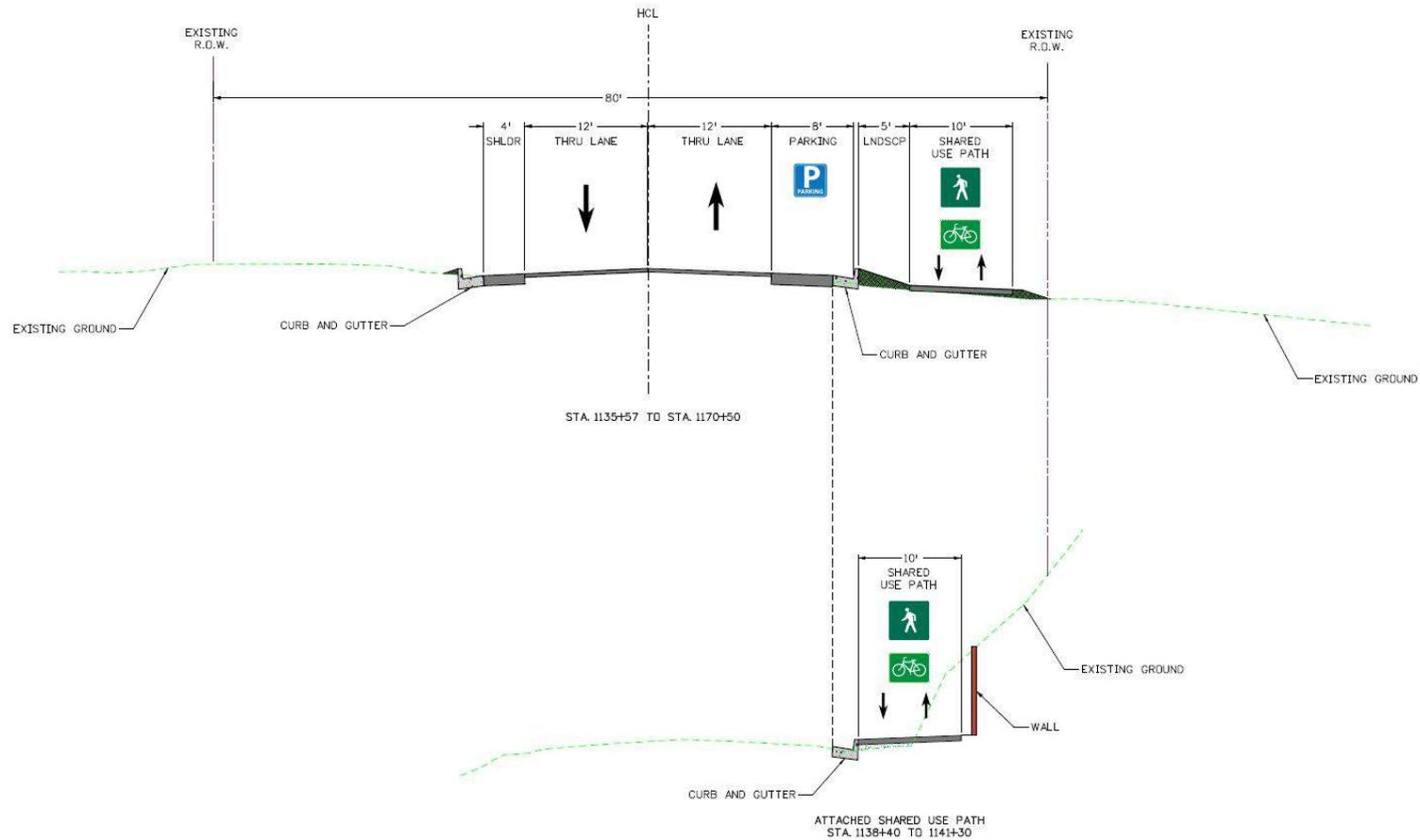
Option A: Shared Use Path on East Side



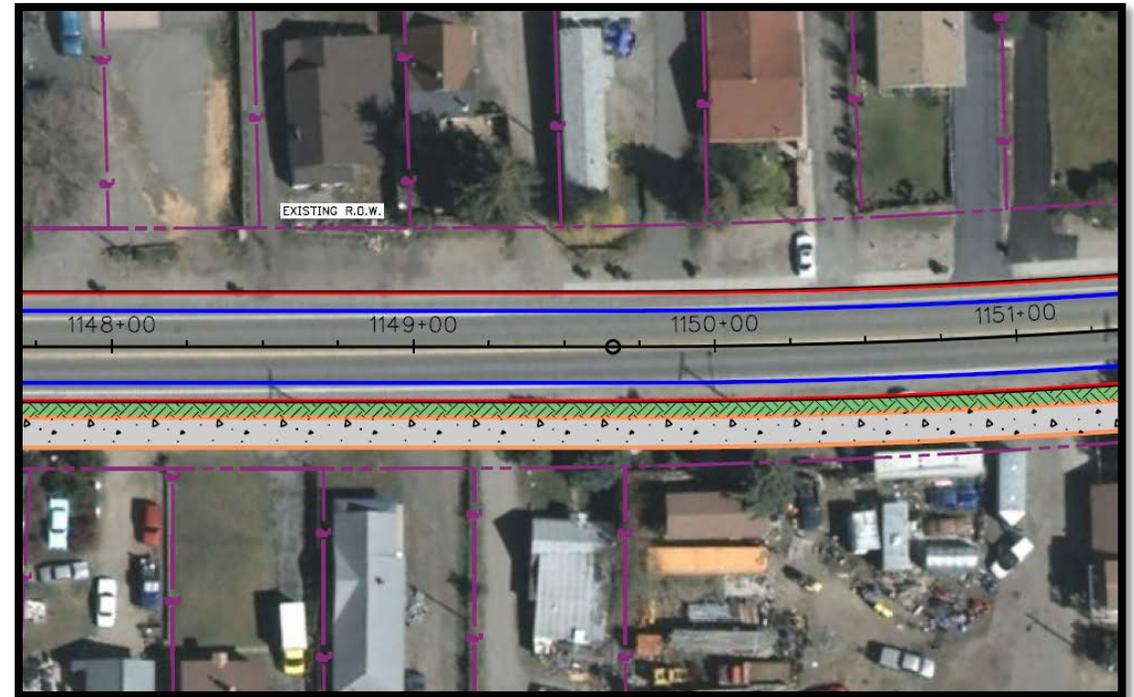
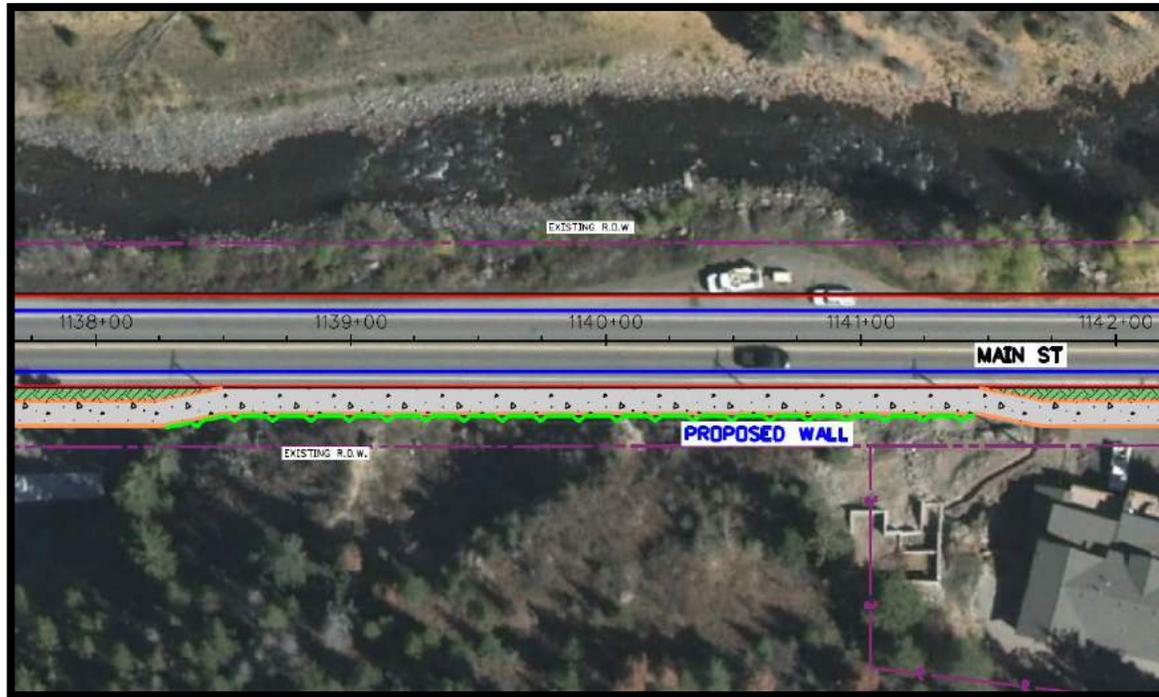
Option B: Shared Use Path on West Side



Option B Typical Section



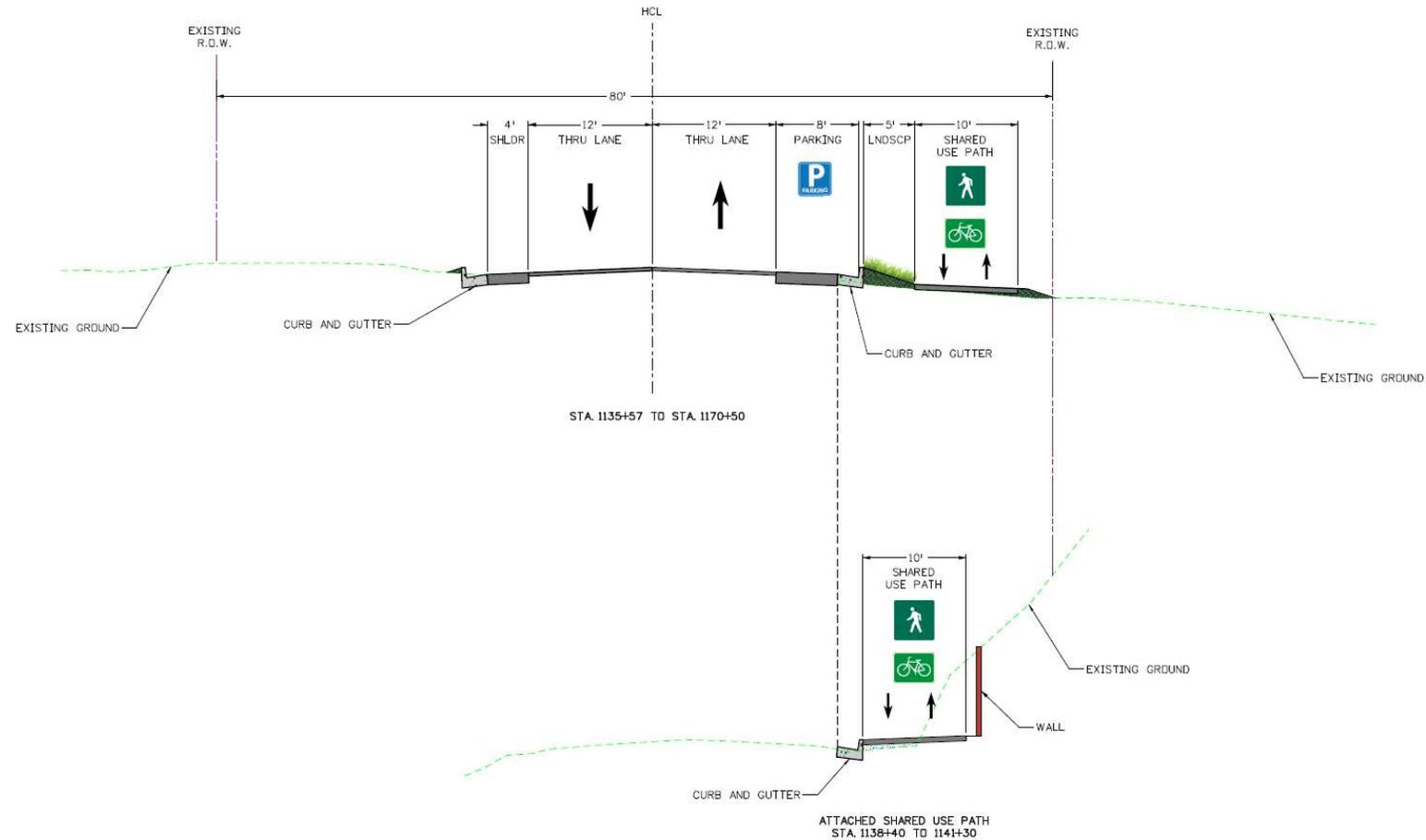
Option B: Shared Use Path on West Side



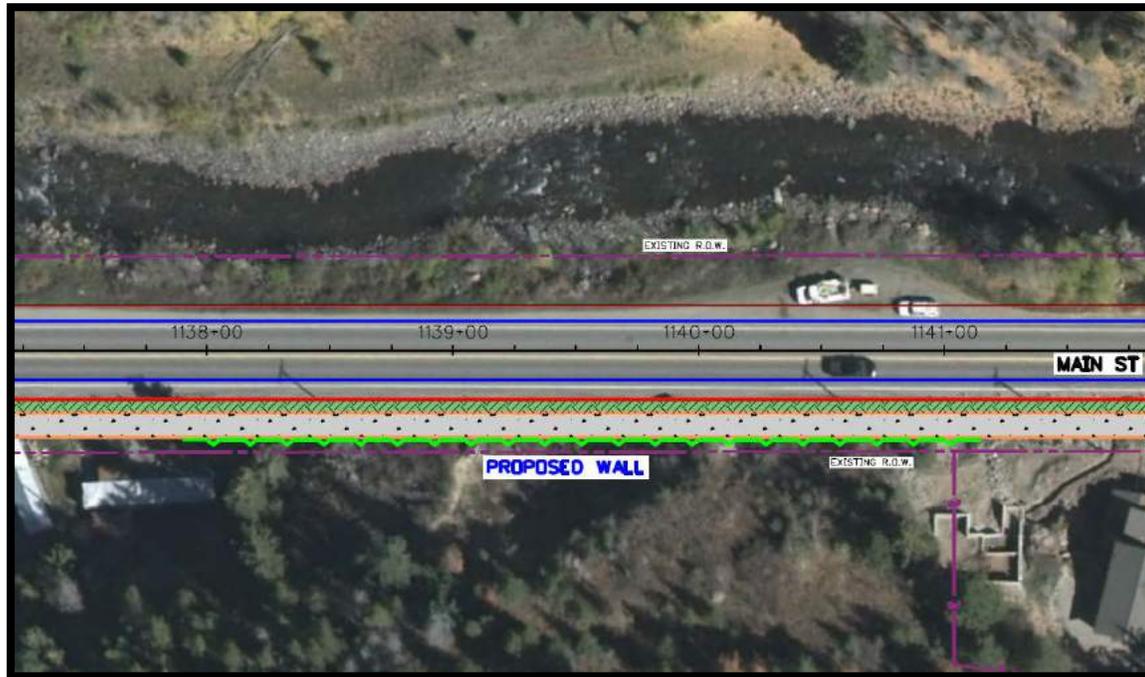
Option C: Shared Use Path and Parallel Parking on West Side



Option C Typical Section



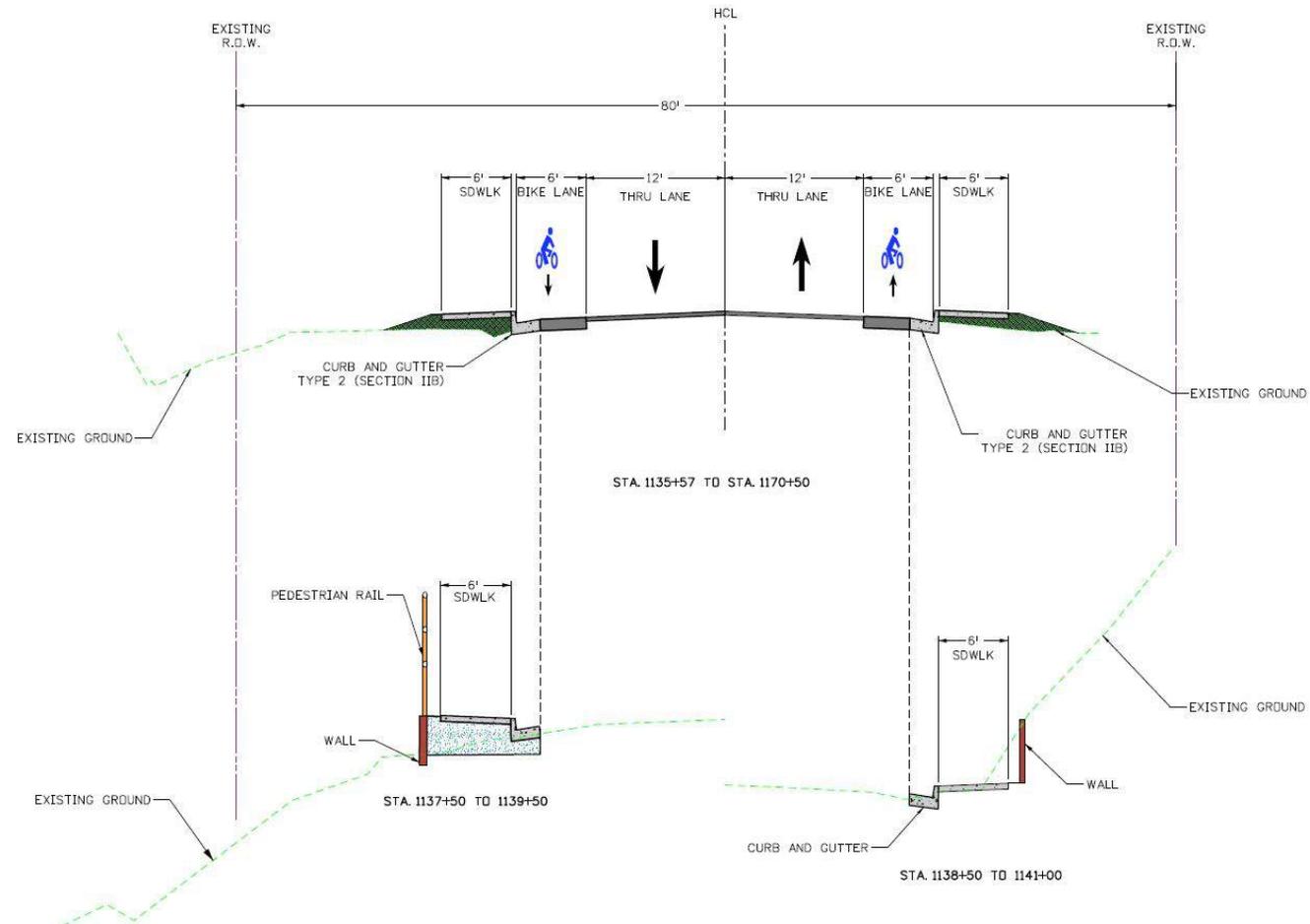
Option C: Shared Use Path and Parallel Parking on West Side



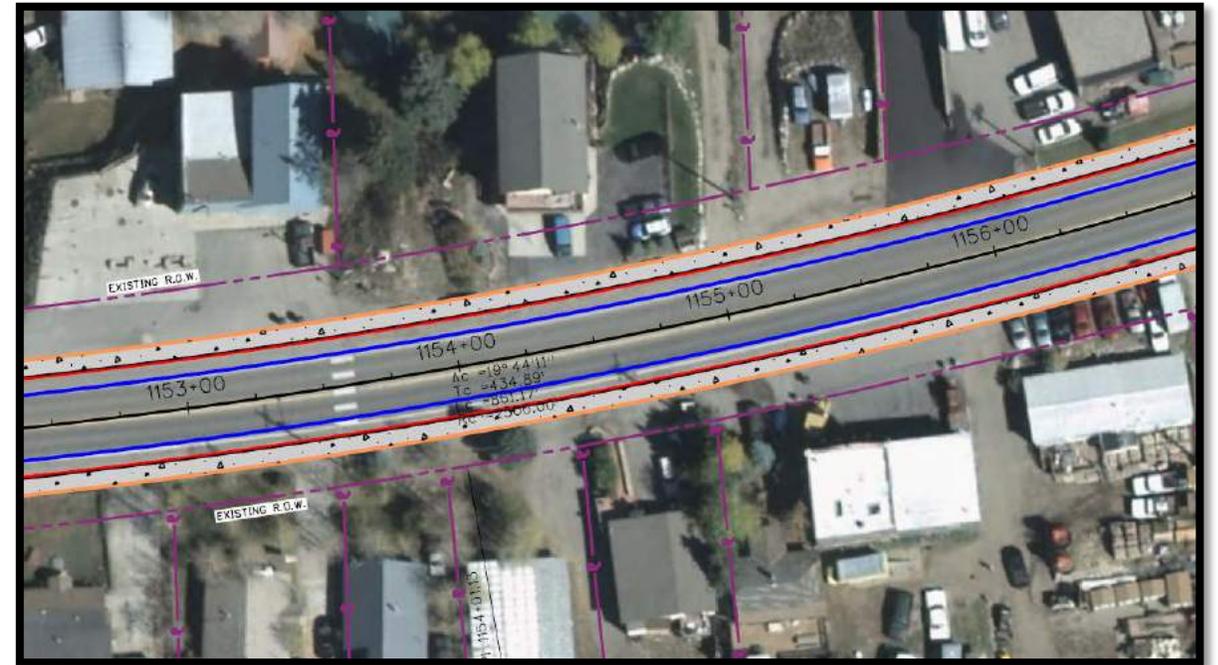
Option D: Sidewalk and Bike Lanes on Both Sides



Option D Typical Section



Option D: Sidewalk and Bike Lanes on Both Sides



Why Curb & Gutter instead of a Ditch?

- Curb and gutter is consistent with the Town of Minturn Master Drainage Plan
- Ditch could impact ROW due to size
- Cross-culverts would need to be installed under each driveway
- A ditch will be difficult to form due to steep slopes down to some properties

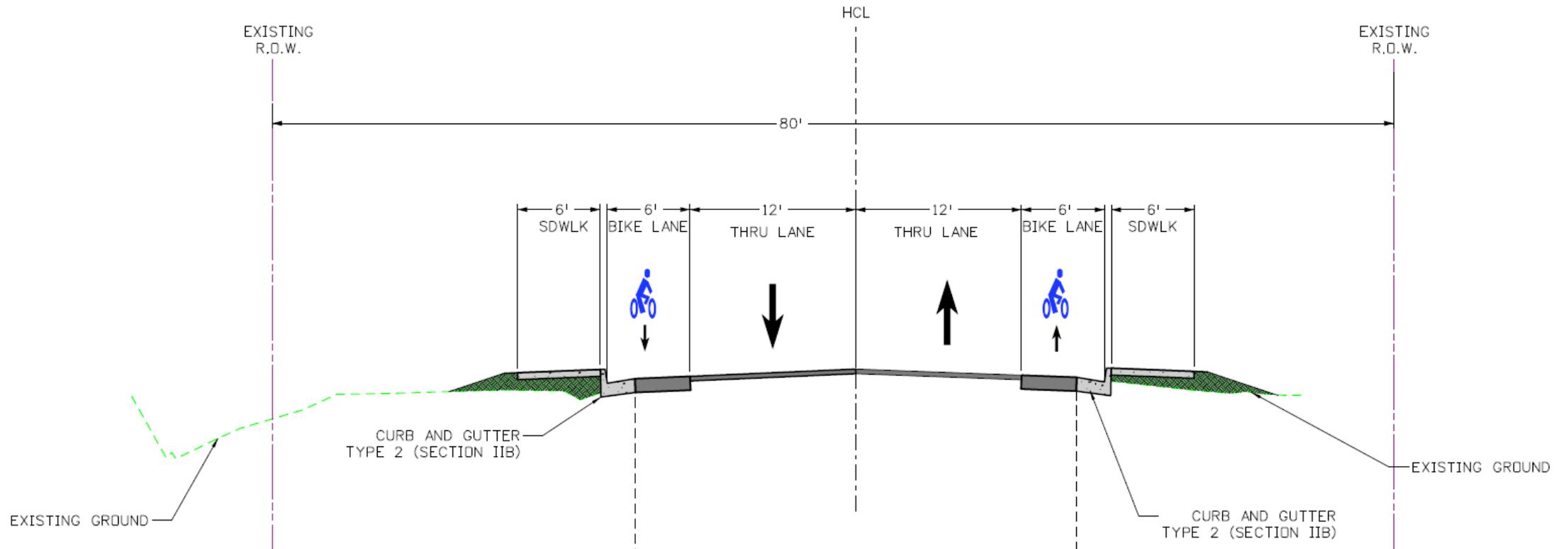


Segment 2 Alternatives Rating Summary

| Project Goal | Evaluation Criteria | Option A | Option B | Option C | Option D | No Build |
|--|----------------------------------|----------|----------|----------|----------|----------|
| Improve and increase accessibility for pedestrians and cyclists, while expanding on recreational and economic development opportunities. | Pedestrian Accessibility | ● | ● | ● | ● | ○ |
| | Bicycle Accessibility | ● | ● | ● | ● | ○ |
| | Recreational Activity Access | ● | ● | ● | ● | ○ |
| | Economic Development | ○ | ● | ● | ● | ○ |
| | Transit Accessibility | ● | ● | ● | ● | ○ |
| Enhance safety of the travel corridor for all users. | Crossings | ○ | ○ | ○ | ● | ○ |
| | Bicycle Users | ● | ● | ● | ● | ○ |
| | Vehicular Conflict Potential | ● | ● | ● | ● | ○ |
| Advance improvements that can be implemented and maintained easily. | Construction Cost | ● | ● | ○ | ● | ● |
| | Project Clearances | ● | ● | ○ | ● | ● |
| | Maintenance | ● | ● | ● | ● | ○ |
| | Snow Storage and Removal | ● | ● | ● | ● | ○ |
| | Short-Term Phasing Opportunities | ● | ● | ● | ● | N/A |
| Minimize impacts to the adjacent community. | Private Property Impacts (ROW) | ● | ● | ● | ● | ● |
| | Proximity to Buildings | ● | ○ | ○ | ● | ● |
| | Parking Impacts | ○ | ○ | ● | ○ | ● |
| Maintain compatibility with the intent of previous local planning efforts. | Drainage Improvements | ● | ● | ● | ● | ○ |
| | Local Support | | | | | |

- Favorable (expands upon the standard)
- Neutral (meets the standard)
- Unfavorable (falls short of the standard)

Segment 2 Preferred Alternative





Segment 3

BONEYARD OPEN SPACE TO MALOIT PARK ROAD

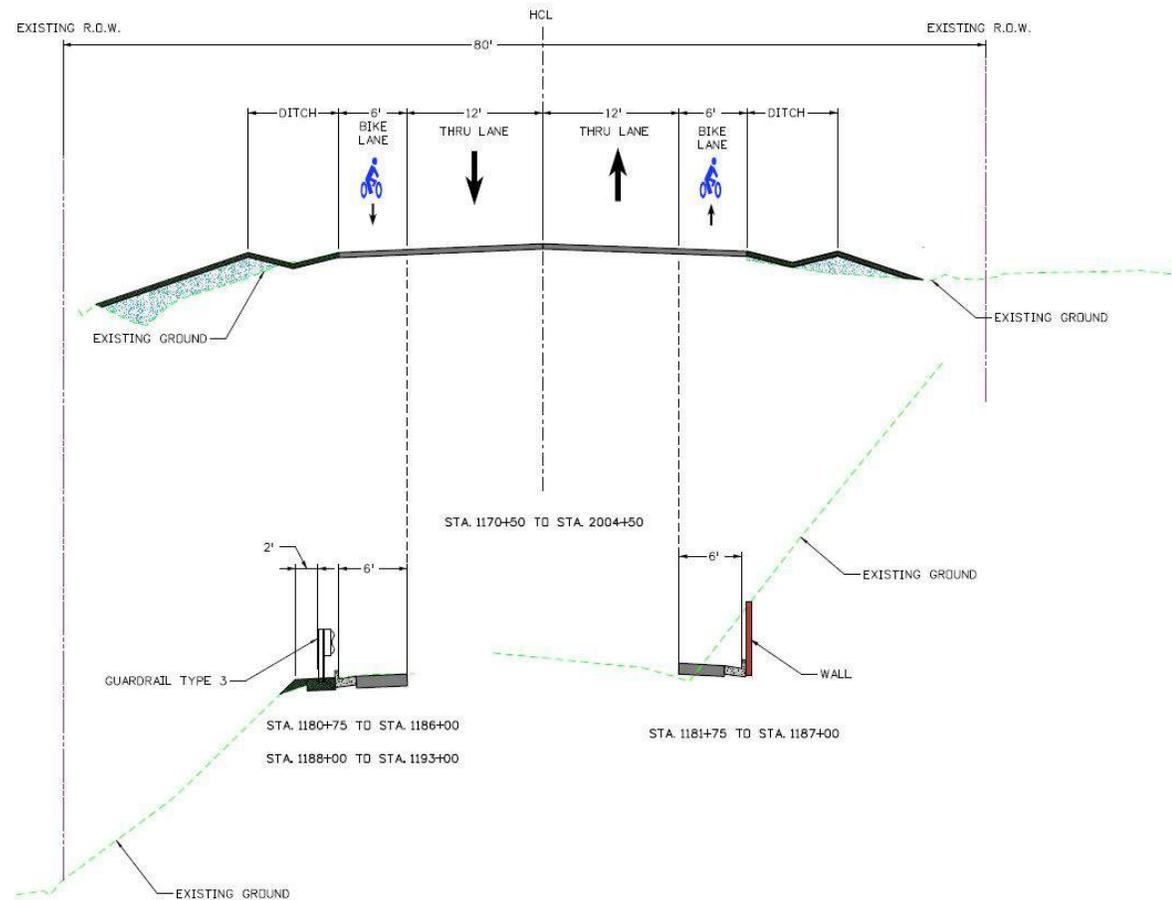
PROVIDE BICYCLE FACILITIES



Segment 3



Segment 3 Typical Section



Segment 3



June

- Public Open House #1 (June 7 from 4:00pm – 7:00pm at Minturn Town Hall)
- First set of one-on-one meetings (June 29 & 30 at Minturn Town Hall)

July

- Ongoing preliminary design
- Preliminary plan submittal

August

- TAP Grant application for construction due
- Begin final design

September

- Ongoing final design
- Second set of one-on-one meetings

October

- Town Council Meeting #2
- Public Open House #2

November

- Final plan submittal
- DOLA Grant application for construction

Thank You!

Contact information:

Willy Powell

Town Manager - Town of Minturn

manager@minturn.org

(970) 827-5645



Michelle Hansen, PE

Stolfus and Associates, Inc.

michelle@stolfusandassociates.com

(303) 221-2331







TOWN OF MINTURN
P.O. Box 309 (302 Pine Street)
Minturn, Colorado 81645-0309
970-827-5645 Fax: 970-827-5545
treasurer@minturn.org

**FROM THE DESK OF
JAY BRUNVAND, TREASURER/FINANCE**

MEMORANDUM

TO: Mayor and Town Council
FROM: Jay Brunvand, Treasurer/Clerk
CC:
DATE: Wednesday, May 25, 2016
RE: FY2015 Audit

On May 20th the audit was sent electronically to the Council to allow sufficient time for your review. At tonight's meeting you will be asked to accept the audit for the FY2015. Wendy Swanhorst from Swanhorst and Associates will be present to review the audit and answer any questions you may have. I will have bound copies of the audit should you need one at the meeting.

At the end of the presentation I am requesting that you formally accept the audit with a motion and vote of the Council. Once this is done, I will proceed with filing the audit with the State as required by law and with various other entities that have requested copies.

Proposed Motion:

"I move to accept the FY2015 audit as presented."

Please contact me in the event you have any questions or concerns. Thanks, j

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 07 – SERIES 2016**

**A RESOLUTION APPROVING LAND USE APPLICATION
VARIANCE 16-01**

WHEREAS, The Town of Minturn Town Council is commissioned with certain powers and duties contained in the Minturn Municipal Code Section 16-21-10 and

WHEREAS, public notice was given pursuant to Minturn Municipal Code Section 16-21-610, and

WHEREAS, on March 2, 2016, the Town Council held a public hearing on the application pursuant to Minturn Municipal Code Section 16-21-230, and

WHEREAS, pursuant to Minturn Municipal Code Section 16-1-20, the most appropriate use of land is allowed to be used with the variance, and

WHEREAS, pursuant to Minturn Municipal Code Section 16-21-30, the Town Council makes the following findings:

- There are exceptional conditions applicable to the site of the variance that do not apply generally to other properties in the same zone;
- The exceptional conditions of the site create a situation in which the strict, literal interpretation and enforcement of the specified regulation would result in unnecessary physical hardship inconsistent with the objectives of this chapter;
- The granting of the variance would not be materially injurious to properties or improvements in the vicinity and would not result in substantial impairment to the purposes of the zoning code;
- The most appropriate use of land is being granted with this variance

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 Variance for 386 and 392 Taylor Avenue, Lot 7A Block C, File NO. VAR 16-01, be approved subject to the following conditions:

- The front yard setback for each lot shall be measured at a point between 10 feet and 8 feet from the property boundary adjoining Taylor Street depicted on Exhibit A.

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 1st day of June, 2016

TOWN OF MINTURN

By: _____
Mayor

ATTEST

Town Clerk



Planner Report

Town of Minturn
302 Pine Street
Minturn, Colorado
81654
970-827-5645

5/25/2016

J Hawkinson, Planning Director

APPLICANT: David Clapp - 970-390-3018

REQUEST: Variance for a front yard setback from 20' to 10' in the Game Creek Character Area

LOCATION: 386 & 392 Taylor Avenue, Lot 7A Block C, Lot 10A Block C

APPLICATION SUBMITTED: May 6, 2016

PLANNING DIRECTOR RECOMMENDATION:

To approve variance upon the conditions as listed and defined per code

PUBLIC NOTICE: Agenda posted at Town Hall and on website - certified letters sent to residents 250 feet from site - sign posted on site - 10 days in advance of hearings - mailing and postings for Final Subdivision Plat & Zoning Change on May 13, 2016

VARIANCE REQUEST & SITE ANALYSIS SECTION 16-21-690:

Requested Variance: A front setback of 10 feet from the southwest corner of each property parallel with Taylor Avenue, so that new homes are parallel with the street and not at an angle with the street, allowing for on site parking, 2 garages and a shared driveway.
To also create an improved street scape for Taylor Avenue & front yard landscaping.
To also increase safety from the blind area caused by the neighboring retaining

GAME CREEK SETBACKS: -20' front -5' side yards -10' rear -30' creek

STANDARD P&Z VARIANCE REVIEW CRITERIA

Uses: The variance authorizes a use permitted or a use permitted on review in the underlying zone district

Unnecessary Hardship: The owner is likely to suffer an unnecessary hardship if the provisions of the Title were literally enforced.

Hardship Not Self Imposed: The circumstances found to constitute a hardship were not created by the owner and were not due to or the result of know general conditions in the zone district or site and cannot be reasonably corrected in the absence of a variance.

Impact on Adjacent Properties: The variance shall not have an unreasonable negative impact on adjacent properties.

VARIANCE SECTION 16-21-690 (1) - see photos

“Cost or inconvenience to the applicant of strict or literal compliance with a regulation shall not be a reason for granting a variance”

- No - there is no cost or inconvenience to applicant as the reason for seeking this variance

VESTING: A variance in and of itself shall not constitute a site specific development plan for purposes of vesting a property right, however, it may be incorporated into a site specific development plan as part of a larger or different land use approval.

UNNECESSARY PHYSICAL HARDSHIP: Minturn Code does not have a definition for hardship.

Definition from American Planning Association: ‘Unnecessary Hardship: results when the character of a lot or parcel prevents the reasonable use of said lot or parcel - and the property cannot be used for the range of purposes permitted in the underlying zone district - and the plight is due to unique circumstances peculiar to the property and not to general neighborhood conditions.

VARIANCE SECTION 16-21-690 (1):

“In order to prevent or to lessen such practical difficulties and unnecessary physical hardships inconsistent with the objectives of this Chapter as would result from strict or literal interpretation and enforcement, variances from certain regulations may be granted. Cost or inconvenience to the applicant of strict or literal compliance with a regulation shall not be a reason for granting a variance.”

VARIANCE SECTION 16-21-690 (1) ---see photos

“In order to lessen **practical** difficulties..... inconsistent with the objectives of this Chapter...result from strict or literal interpretation and enforcement, variances from certain regulations may be granted.”

Do Extraordinary Conditions Applicable to the Site of the Variance create a situation in which the strict interpretation of the specified regulation result in practical difficulty inconsistent with the zoning code?

YES:

- This is a “practical difficulty”
- The neighbors retaining wall extends 10’ into Taylor Street right of way has created a non-uniform front street - affecting the front street scape of 386 property
- The north neighbors height of retaining wall and construction result in a front setback for the 386 & 392 houses of 40 feet from Taylor Avenue.
- The objectives of the Design Standards are for front yard setbacks to create a street scape with one house not being closer or blocked by another house - the practical difficulties from the neighboring property are inconsistent with the objectives of this Chapter
- A 10’ setback on these 2 properties enforce the objectives of this Chapter for creating better street scape, front yards and off-street as well as parallel on street parking instead of present perpendicular parking

VARIANCE SECTION 16-21-690 (2) (3): ---see photos

Are There Extraordinary Conditions Applicable to the Site of the Variance That Do Not Apply Generally to other Properties in the Same Zone:

YES:

- the front property line does not run parallel with Taylor Avenue
- the north property built a raised driveway and retaining wall into the right of way of Taylor Avenue - the homes sit back off the road average 40' up hill with a shared driveway
- these circumstances result in a front setback from the existing homes of 40' from edge of pavement of Taylor Street - this has created parking problems, lack of front yard appeal and street appeal
- retaining wall and driveway of north neighbors property has created geography that is limiting the use of applicants lot

MINTURN CODE SECTION 16-1-20 (a) PURPOSE OF PROVISIONS:

“This Chapter is drawn in accordance with the Minturn Community Plan and is intended to implement said Community Plan. The purpose of this Chapter is to encourage the most appropriate use of land, to preserve and promote the Town’s economy, heritage and small town qualities, and it is designed to promote the health, safety, welfare and convenience of the citizens of the Town by:”

(2) “Providing suitable transitions between areas of different land uses;”

(5) “Minimizing adverse impacts on landowners from incompatible neighboring developments and conserving the value of property”

PLANNING COMMISSION FINDINGS: tabled until next meeting



VARIANCE PERMIT APPLICATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

302 Pine Street – PO Box 309

Minturn, CO 81645

(p) 970-827-5645

(f) 970-827-5545

| | |
|--|--|
| Applicant: <u>David Clapp</u> | Address of: <u>386 + 392 Taylor Ave</u> |
| Signature: <u>[Signature]</u> | Requested Variance: <u>Lot 7A Block C, Lot 10A Block C</u> |
| Property Owner (if different from applicant): (an affidavit of authorization must be included) <u># 970-390-3018</u> | (name) <u>MIXDBCLAPP@YAHOO.COM</u> (signature) _____ |

Please respond to the following questions regarding the variance request

Please describe the nature of the requested variance: A front setback 10 feet from the south west corner of each property parallel with Taylor Avenue.

Are there exceptional or extraordinary circumstances or conditions applicable to the site of the variance that do not apply generally to other properties in the same zone? (if yes, please elaborate) Yes, the front property line does not run parallel with Taylor Avenue. Coupled with a retaining wall encroaching 18 feet onto Taylor Avenue after the North West property corner

Do the exceptional or extraordinary circumstances of the site create a situation in which the strict, literal interpretation and enforcement of the specified regulation result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the zoning code? (if yes, please elaborate) Yes, these circumstances result in a front setback of 40 to 30 feet from Taylor Avenue

The Planning Commission and Town Council are required to make the following findings before granting a variance:

1. There are exceptional or extraordinary circumstances or conditions applicable to the site of the variance that do not apply generally to other properties in the same zone;
2. The exceptional or extraordinary circumstances of the site create a situation in which the strict, literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the zoning code;
3. That the granting of the variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity and will not result in substantial impairment to the purposes of the zoning code;
4. There is no substantial impairment to the public that would result from the granting of the variance

Town Use Only

| | |
|------------------------------|----------------------------|
| Date received <u>8-10-15</u> | Planner <u>[Signature]</u> |
| Fee Paid <u>\$700.00</u> | Signature _____ |

PAID \$700.00 ON FEBRUARY 5, 2016
9A

February 11, 2016

Applying for this variance my intent is to have my property conform with Taylor Street and the Game Creek neighborhood, making the front of the property visually pleasing and functional. The property to the north has a retaining wall/driveway that encroaches 20 feet into Taylor Street. Couple this with my front property line at an angle not parallel to Taylor Street, the result being an actual setback of 45 feet. Currently the properties have structures that I eventually want to replace. 392 Taylor Street has an old "miner" house without a foundation in the front that I want to replace with a Garage with living space above. 386 Taylor Street currently is home to a trailer where I would like to build a duplex. I would like to move forward and start the planning process with the front setback not being the burden that it is now. I would also like to note that the front setback for the Game Creek neighborhood is twenty feet, which is inconsistent with other areas of Minturn. The previous five town planners have told me they don't know the reasoning behind this. Thank you.

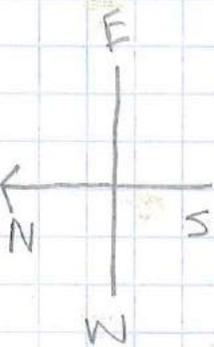
David Clapp
392 Taylor Street
Minturn, CO 81645
(970)-390-3018



© 2016 Google

Image Date: 10/07/2015 20095495.50° N 10650254.5

Grant Ave



36 x 36
2 STORY
WOOD Framed
STUCCO Dwelling
= 1,296 sq FT

48 x 28' =
1,344

56'
36' =
2,016
sq FT
2ND Floor

24' x 24' =
576 sq FT

24 x 22
= 432
sq Feet

▨ = 4 sq feet

28 x 28 =
784
sq Feet

18'

1296 sq FT
1432 sq FT
2728

Taylor Avenue

436

784
432
2961 - 1216 = 1745



#3

#3



#4

#4



#5

#5



#6

#6

12115953

Ad Ticket #5

Acct: 1032852
Phone: (970)827-5645
E-Mail: MANAGER@MINTURN.OR
Client:
Caller: Janet Hawkinson

Name: Town of Minturn
Address: P.O. Box 309

City: MINTURN
State: CO

Zip: 81645

Receipt

Ad Name: 12115953A

Original Id: 0

Editions: 8VD/8VDI/

Class: 0990

Start: 05/14/16

Stop: 05/14/16

Color:

Issue 1

Copyline: vd CUP 386 & 392 Taylor Street

Rep: Pam Schultz

| | |
|--------------|--------------|
| Lines: | 22 |
| Depth: | 1.85 |
| Columns: | 1 |
| Discount: | 0.00 |
| Commission: | 0.00 |
| Net: | 0.00 |
| Tax: | 0.00 |
| Total | 11.44 |
| Payment | 0.00 |

PUBLIC NOTICE

Conditional Use Permit Hearing for:
1011 Main Street
Minturn, CO

Variance Hearing for - 386 & 392 Taylor Street
Minturn, CO

Temporary Use Permit for: - 152 Main Street
Minturn, CO

Public Hearing Dates for the above applications are:
Planning Commission: May 25, 2016 at 6:30pm
Town Council: June 1, 2016 at 6:30 pm'
Location: Minturn Town Hall - 302 Pine Street,
Minturn, CO 81645

Published in the Vail Daily May 14, 2016.
(12115953)

Ad shown is not actual print size

May 10, 2016

To Whom It May Concern,

I, David Clapp, have applied for a variance through the Town of Minturn regarding the front setback at 386 and 392 Taylor Street, Lots 10A and 7A, Block C. Minturn, Colorado. There are two public meetings scheduled. The Planning Commission on May 25, 2016 and then Town Council on June 1, 2016. Both hearings are at the Minturn Town Hall. 302 Pine Street. Minturn, Colorado. Thank you.

David Clapp
392 Taylor Street
Minturn, CO 81645

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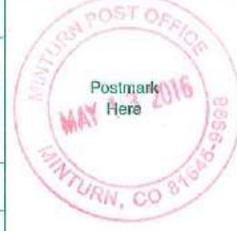
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Denver CO 80220-2421
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| <input type="checkbox"/> Return Receipt (electronic) | \$ _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$ _____ |
| <input type="checkbox"/> Adult Signature Required | \$ _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ _____ |
| Postage | \$.47 |
| Total Postage and Fees | \$ 3.77 |

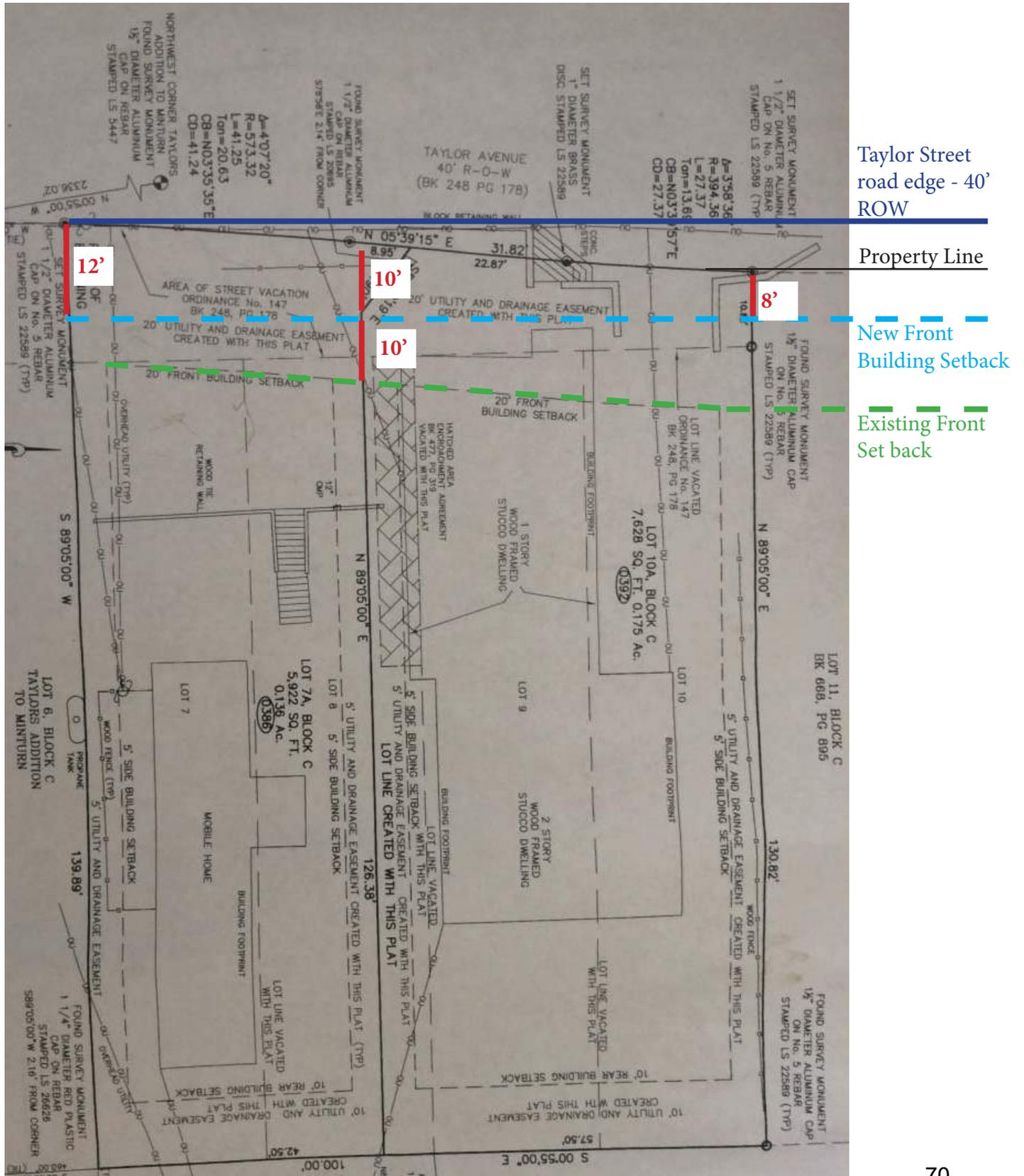


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 City, State, ZIP+4® Avon CO 81620-8332 69
 PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Exhibit A

Clapp Variance for a straight front building setback with Taylor Street.

The shared lot line will be used as the median for the 10' front setback and the straight line to be measured from this point - varying with width per angle of lot line in relation to road edge - to create the face of buildings parallel with the street.





NOTICE

NOTICE

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 14 – SERIES 2016**

**A RESOLUTION APPROVING LAND USE APPLICATION
CONDITIONAL USE PERMIT 16-02**

WHEREAS, The Town of Minturn Town Council is commissioned with certain powers and duties contained in the Minturn Municipal Code Section 16-21-10 and

WHEREAS, public notice was given pursuant to Minturn Municipal Code Section 16-21-610, and

WHEREAS, on March 2, 2016, the Town Council held a public hearing on the application pursuant to Minturn Municipal Code Section 16-21-230, and

WHEREAS, pursuant to Minturn Municipal Code Section 16-21-620, the most appropriate use of land is allowed to be used with the conditional use permit, and

WHEREAS, pursuant to Minturn Municipal Code Section 16-21-620, the Town Council makes the following findings:

- (a) Purpose of provisions. The purpose of conditional use review is to recognize that some uses may or may not be appropriate in a particular zone depending upon the circumstances of the individual case, and to allow review of such cases so that the Town is assured that these uses are compatible with their locations and surrounding land uses and will further the purposes of the Community Plan and this Chapter.
- (1) That the proposed location of the use is in accordance with the purposes of this Chapter, the Community Plan and the purposes of the zone in which the site is located.
- (2) 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.
- (3) That the proposed use will comply with each of the applicable provisions of the Chapter.

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 at 1011 Main Street be approved subject to the following conditions:

- That a 3rd residential unit above the existing garage can be added, that the shown parking plan is adapted and that all appropriate building permits and water taps are obtained.

**INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 1 day of June,
2016**

TOWN OF MINTURN

By: _____
Mayor

ATTEST

Town Clerk



Planner Report

Town of Minturn
302 Pine Street
Minturn, Colorado
81654
970-827-5645

5/25/2016

J Hawkinson, Planning Director

APPLICANT: Dan Armistead

APPLICATION: Conditional Use Permit: to add a 3rd residential unit above the garage

LOCATION: 1011 Main Street

ZONING: commercial zoning

APPLICATION SUBMITTED: May 9, 2016

PLANNING DIRECTOR RECOMMENDATION:

To approve the Conditional Use Permit as defined per code.

PUBLIC NOTICE: Agenda posted at Town Hall and on website - certified letters sent to residents 250 feet from site - sign posted on site - 10 days in advance of hearings - mailing and postings for Final Subdivision Plat & Zoning Change on May 13, 2016

AS PER CODE: SECTION 16-21-620 Conditional Use:

(a) Purpose of provisions. The purpose of conditional use review is to recognize that some uses may or may not be appropriate in a particular zone depending upon the circumstances of the individual case, and to allow review of such cases so that the Town is assured that these uses are compatible with their locations and surrounding land uses and will further the purposes of the Community Plan and this Chapter.

1. That the proposed location of the use is in accordance with the purposes of this Chapter, the Community Plan and the purposes of the zone in which the site is located.
2. 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.
3. That the proposed use will comply with each of the applicable provisions of this Chapter.

PLANNING COMMISSION DETERMINATION: Approved the Conditional Use Permit

COUNCIL DETERMINATION:



LAND DEVELOPMENT APPLICATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

P.O. Box 309 302 Pine Street
 Minturn, Colorado 81645-0309
 Phone: 970-827-5645 Fax: 970-827-4262 Email: planner@minturn.org

| | | |
|--------------------------------|--|--------------------------------|
| APPLICANT: | ADDRESS: 1003 Main Street Unit C - Minturn, Co. | SIGNATURE: Daniel Armistead |
| Mary Pat ARMISTEAD TRUST | *P.O. Box 1058, 81645 | NAME: DANIEL |
| DAN ARMISTEAD | PHONE: (810) 599-2682 FAX: [blank] | ARMISTEAD |
| | EMAIL: dantook@comcast.net | TITLE: TRUSTEE |
| OWNER(S) OF RECORD: | ADDRESS: 1011 Main Street Minturn, Co. 81645 | SIGNATURE: Mary Pat Armistead |
| Mary Pat ARMISTEAD TRUST | PHONE: (586) 839-6742 FAX: [blank] | NAME: Mary Pat |
| | EMAIL: tookdan@comcast.net | ARMISTEAD |
| | | TITLE: TRUSTEE |
| DEVELOPER: | ADDRESS: 1003 Main Street Minturn, Co. 81645 | CONTACT PERSON: JEFF ARMISTEAD |
| Contractor | PHONE: 970-827-4154 FAX: 827-4194 | |
| 10th Mountain Builders | EMAIL: jafamilyman@gmail.com | |
| ENGINEERING FIRM: | ADDRESS: [blank] | CONTACT PERSON: [blank] |
| N/A | PHONE: [blank] FAX: [blank] | |
| | EMAIL: [blank] | |

| | | | |
|-----------------------------|-------------------------------|---|---------|
| Presubmittal Date | 8. | Presubmittal Planner: | [blank] |
| Parcel ID Number | 21033510102 | Example: 210326325001) from your full card printout | |
| Address or Intersection | 1011 Main Street | | |
| Brief Legal Description | See attached | | |
| Subdivision Name & Filing # | South Minturn Addition/Lot 17 | | |
| Project Description | Conversion to Mixed Use | | |

| | Existing | Proposed: |
|-------------------|------------|-----------|
| Zoning: | | |
| Land Use: | | |
| Total Acres: | .186 Acres | |
| F.A.R./Density: | | |
| Project Name: | | |
| Related Case #'s: | | |

| CASE TYPE | | | |
|----------------------------|--------------------------------|-------------------------------|-------------------------|
| PUD CDP: Concept Dev. Plan | PP: Prelim. Subdivision Plat | DRB - P: Des. Rev. Bd. Prelim | A-FP: Fence Permit |
| PUD PDP: Prelim. Dev. Plan | FP: Final Subdivision Plat | DRB - F: Des. Rev. Bd. Final | A-MOD: Modification/Add |
| PUD FDP: Final Dev. Plan | MS: Minor Subdivision | ADM: Admin. Des. Review | A-MIN: Minor Ext. Mod. |
| PUD ASP: Admin. Site Plan | ASR: Admin. Subdivision Replat | A-SIGN: Admin. Sign Review | ANNEX: Annexation |
| PUD FDP A: Amendment | V: Vacation of Easement | A-DIG: Admin. Dig Permit | TU: Temporary Use |
| LU-V: Land Use - Variance | R.O.W. Vacation | A-DEMO: Admin. Demo Per. | CU: Conditional Use |
| NU -V: Non Use - Variance | REZ -Rezoning -Straight Zoned | A-LTD: Admin. Limited Use | APPLS: Appeals |

This section for OFFICE USE ONLY

| | | | |
|----------------------|-----------|---------------------|--------------------|
| Case No: | Case Mgr. | Case Eng. | Dates Referred Out |
| Fees Paid Y N S | | | |
| Dates to be Returned | | Planning Comm Date: | |



PO Box 955
Minturn, CO 81645
970-471-0618

March 31, 2016

To: Janet Hawkinson
Minturn Town Planner

From: Jeff Armistead – General Contractor, 10th Mountain Builders
Dan Armistead – Owner, 1011 Main Street

Re: Letter of Intent for 1011 Main Street

Relevant Background: SEE Attached Letter

Current Status of the Site (some information taken from Eagle County GIS): The lot currently has 2 buildings. A two unit residential rental duplex, (one unit on the upper lever, one unit on the lower lever), and a detached warehouse with an upper loft/storage space on the 2nd floor (see Exhibit A).

Lot Size - .186 acres or 8110 sf

Lot Coverage – 15.2%/1240 sf Residential Unit and 14.8%/1200 sf Garage)

Impervious Surfaces - 50% - 4055 sf (Paved Driveway, Concrete Parking and Sidewalks)

Pervious Surfaces (Landscaped Planters / Graded Drainage) - 20% - 1615 sf

Existing Landscape / Trees - (4 Large Spruce Trees, 3 Lilac Trees)

Parking Spaces - 8

Proposed Use: Owner request of a Conditional Use Permit to convert 900 sq. ft. of the 1200+ sf warehouse/storage space into a 3rd residential rental unit.

Our proposal would be to frame out the interior of the warehouse to convert the open garage type floor plan into a one bedroom loft apartment with a full bathroom, kitchen and living space for residential use, while still allowing approximately 500 square feet to remain as a large two car garage/shop area which would be for commercial use by 10th Mountain Builders. The large commercial garage doors (front and back) will be removed and replaced with matching siding and a residential garage door in the front for the garage/shop and sliding glass door in the back for the apartment facing Martin Creek open space. Additional windows would be added in the loft apartment as required for egress and aesthetics, as well as dormers on the upper South Elevation to bring in more natural light.

BACKGROUND

The subject property, 1011 Main Street/Lot 17 South Minturn, was acquired by Mary Pat Armistead Trust in October 2014 (see Exhibit A). My company, Delcor Design and Contracting, was the developer of the adjacent parcel, 1003 Main Street/Lot 16 South Minturn, in 2010 where we built a mixed use triplex building containing three condominium units (A, B & C) with and an additional office space facing Main Street. Unit A is a commercial business office, 10th Mountain Builders, and a music recording studio, Mintown Recording Studios, with a two bedroom rental unit above. Unit B is an occupied rent to own three bedroom unit. Unit C is owned and occupied by my wife and I, Mary Pat and Dan Armistead.

Both lots, 16 and 17, have had a shared driveway for ingress and egress for over 30 years; and subsequently, when Minturn residents Gusty and Jill Kanakis purchased 1011 Main Street in 2011, they executed a formal easement for said driveway, which was recorded with Eagle County (LIBER 201019336) SEE Exhibit B. This leads to the parking compound on both sides of our mutual lot line.

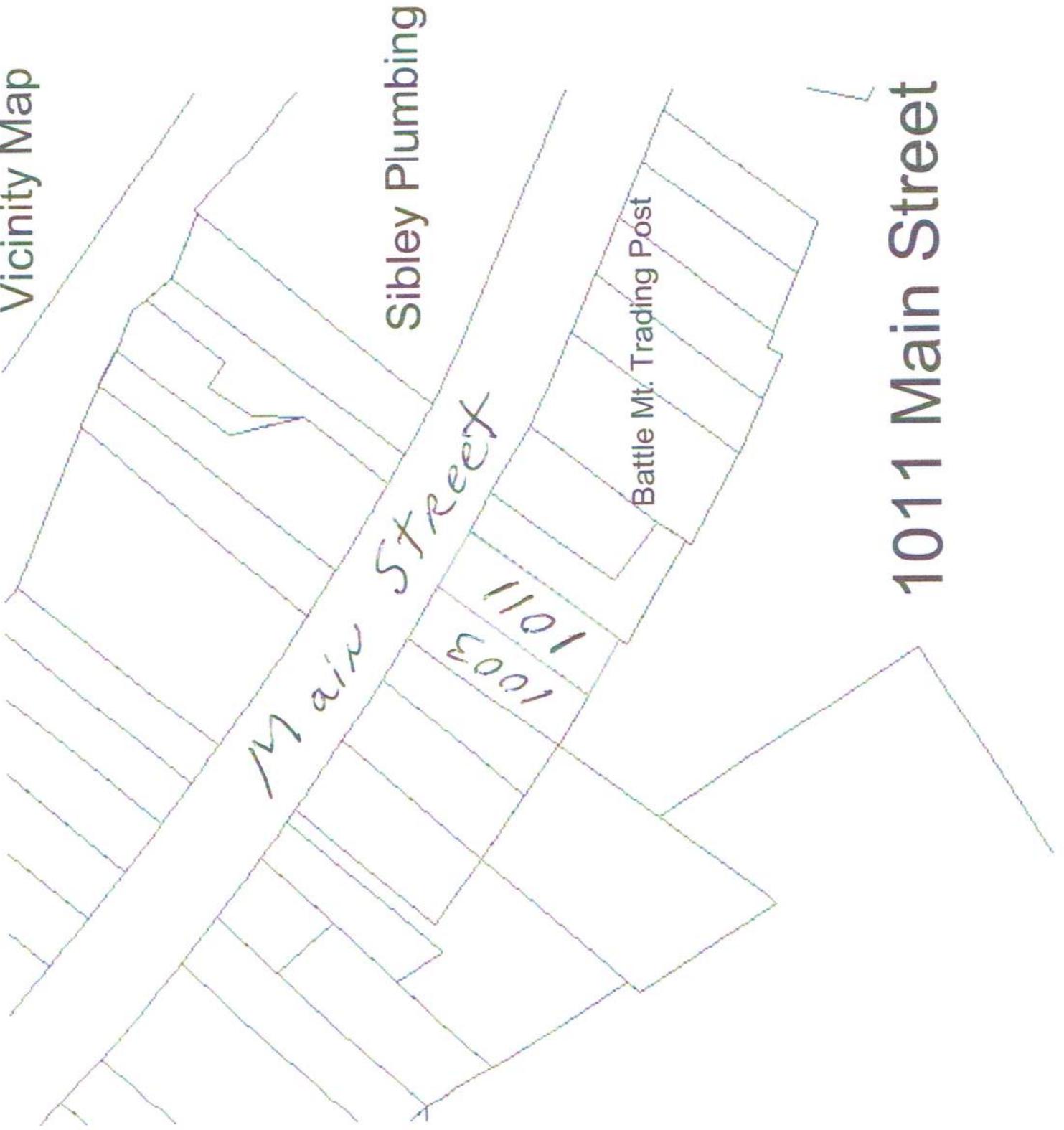
Shortly thereafter, Gusty and Jill Kanakis received approval to build a warehouse building (see exhibit C) on the back half of Lot 16 for commercial use to operate his snowmobile repair business after retiring from Eagle County vehicle maintenance department. However, his retirement was short lived and after being coaxed back to work, he decided to sell us the property, consisting of the front duplex building containing two-2 bedroom units as well as the back warehouse, in 2014.

Since that purchase closing in October 2014, we have had some shared rental occupancy by 10th Mountain Builders for my son, Jeff Armistead's construction shop, as well as D & C Welding Co. on a short term lease and miscellaneous upstairs storage. Due to the large size of the building, we have determined that a big box user, with lots of in/out truck activity, would not fit well with our residential tenants. As such, we think a mixed used zoning here would coincide more with the mixed use of the rest of the compound (Lot 16 and 17). Therefore, we would like to split the space better and utilize the warehouse as Unit A, construction garage/shop space for 10th Mountain Builders and Unit B, a warehouse loft residential apartment similar to the residential duplex that sits on the Main Street portion of the property that attracts year round residents to Minturn.

Respectfully Submitted

Dan Armistead

Vicinity Map



Existing Building

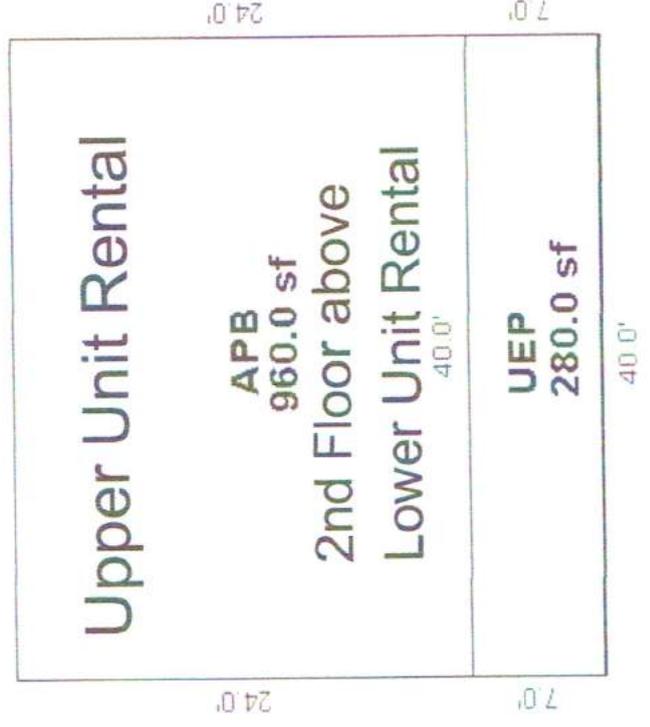


EXHIBIT A 1011 Main Street

Existing Building



EXHIBIT B

EAGLE COUNTY, CO
TEAK J SIMONTON
Pg# 8 03:47:34PM
REC: \$46.00 DOC: \$

201019336
09/29/2010



RECIPROCAL GRANT OF DRIVEWAY EASEMENT

THIS RECIPROCAL GRANT OF DRIVEWAY EASEMENT is made and entered into this 29th day of September, 2010, by and between SBR INVESTMENTS, LLC, ("SBR") a Michigan limited liability company, (hereinafter referred to as the "Lot 16 Owner"), and Gusty A. Kanakis and Jill E. Kanakis ("Kanakis"), (hereinafter referred to as "Lot 17 Owners"). Each party is a grantor and a grantee of the easements described herein. 8/46

WHEREAS, the Lot 16 Owner is the owner of the real property located in the Town of Minturn, County of Eagle, State of Colorado, more particularly described in the attachment hereto labeled "Legal Description - Lot 16" which is incorporated herein by reference (said parcel is hereinafter referred to as Lot 16) and a corresponding survey recorded 9/24/09 (No. 200921084) in the Eagle County records; and

WHEREAS, the Lot 17 Owners are the owner of the real property located in the Town of Minturn, County of Eagle, State of Colorado, more particularly described in the attachment hereto labeled "Legal Description - Lot 17" which is incorporated herein by reference (said parcel is hereinafter referred to as Lot 17) and a corresponding survey recorded 9/24/09 (No. 200921085) in the Eagle County records; and

WHEREAS, the Lot 16 Owner intends to construct a driveway substantially in the location shown on Exhibit A attached hereto and incorporated by reference herein for the benefit of both Lot 16 and Lot 17 and whereas the Lot 17 Owners desires to grant the Lot 16 Owner a temporary easement for construction of the driveway; and

WHEREAS, those surveys for Lot 16 and Lot 17 depict an apparent easement ("Existing Easement") for a shared driveway between the two Owners, SBR and Kanakis; and

WHEREAS, the parties hereto desire to enter into this Reciprocal Grant of Easement to replace the Existing Easement herein referenced for the joint use of areas for walking, standing, and driving on Lot 16 and Lot 17 and for the joint rights of access to, and ingress and egress over and across such areas.

NOW THEREFORE, in consideration of the mutual benefits to be realized by such joint use of the easement areas, the mutual agreements set forth herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto do hereby agree as follows:

1. *Grant of Ingress and Egress Driveway Easement.* The Lot 16 Owner and Lot 17 Owner hereby establish, give, grant, and convey to each other, their respective heirs, successors-in-title, and assigns, and the tenants and invitees of such parties, a permanent, non-exclusive easement for ingress and egress from U.S. Highway 24, which is located adjacent to the properties, with said easement to be located along the property line between Lot 16 and Lot 17 and to be seven (7) feet

-1-

Return to:
Delcor Design & Contracting
P.O. Box 961 Minturn, Colo 81645

into Lot 16 and five (5) feet into Lot 17, and running 113.4' in length from the U.S. 24 street right of way, along the south line of said easement and then 117.43' feet along the north line of said easement parallel to the property line, as more particularly described as the Driveway Easement on Exhibit A (hereinafter referred to as the "Driveway Easement").

2. *Grant of Temporary Construction Easement.* The Lot 17 Owner, hereby grants and conveys to the Lot 16 Owner an irrevocable, temporary, non-exclusive construction easement over Lot 17 for construction and installation of a driveway (the "Temporary Construction Easement"). This Temporary Construction Easement shall cover an area, as determined by the Lot 16 Owner, which is reasonably necessary and appropriate for the construction of a driveway. The Lot 16 Owner shall construct the driveway at its sole cost and expense. During construction, the Lot 16 Owner shall ensure continuous and uninterrupted access to and from the rental units on Lot 17. This Temporary Construction Easement shall terminate upon completion of the driveway. The termination of this Temporary Construction Easement shall have no effect on any other easements granted herein.

3. *Further Agreements.* In connection with the grant of the reciprocal easements contained herein, the parties do further agree as follows:

(a) No party hereto shall, at any time prior to the termination of the easements herein granted, erect or construct, or cause to be erected or constructed, any fence, wall, curb, or other barrier between Lot 16 and Lot 17 or in any manner interfere with or restrict the full and complete use and enjoyment by any party of the easements herein granted; as such, the parking of vehicles of any kind will not be permitted on or within the Driveway Easement.

(b) The easements herein granted shall be maintained in good order and repair by the respective owners of such Parcels at all times during the term of this Agreement, including snow, ice and trash removal.

(c) The Lot 16 Owner shall have the right to enter upon the easement and maintain the easement at all times and/or improve the right-of-way at its own expense, provided such maintenance and/or improvement does not prevent continuing use of the roadway by persons authorized to use it. The Lot 17 Owner may maintain and/or improve the right-of-way at his own expense, provided such maintenance and/or improvement does not prevent continuing use of the roadway by persons authorized to use it.

(d) Both Lot 16 Owner and Lot 17 Owner acknowledge and agree that the granting of this easement and right-of-way does not convey any rights for the storage of snow from Lot 16 upon any part of Lot 17, nor any rights for the storage of snow from Lot 17 upon any part of Lot 16.

(e) The Lot 16 Owner and Lot 17 Owner acknowledge and agree that it may be desirable and efficient to undertake together certain joint use, maintenance, and capital improvement projects for the Driveway Easement and shall share the expenses thereof. The Lot 16 Owner and Lot 17 Owner will negotiate in good faith to determine the desirability of individual use, maintenance and improvement projects as they may arise on a case-by-case basis, and to determine each party's

obligations of financial contribution therefore. All agreements to undertake and pay for joint use, maintenance and improvement projects must be written and signed by each party from whom financial contribution is expected.

(f) The parties hereby waive any claims they may have against each other for title to property, including claims for adverse possession.

4. *Binding Effect.* The effect of the easements provided for herein shall constitute reciprocal benefits to and burdens upon Lot 16 and Lot 17, and shall constitute covenants running with the land, and be binding upon the parties' successors and assigns.

5. *Liability and Indemnity.* Any liability for personal injury to the Lot 17 Owner, their representatives, agents and invitees, or any third persons, as a result of or arising out of or relating to the use or occupancy of the easements granted herein by the Lot 17 Owner shall be borne by the Lot 17 Owner, and the Lot 17 Owner shall indemnify and hold harmless the Lot 16 Owner, its successors and assigns from any loss or injury, including death, which arises out of the Lot 17 Owner's use or occupancy of the easements granted herein. Further, the Lot 17 Owner agrees to indemnify and hold harmless the Lot 16 Owner, its successors and assigns against any loss or damage which should result from, arise out of or be attributable to the use of the easements granted herein whether or not such use is permitted hereunder. Likewise, any liability for personal injury to the Lot 16 Owner, its representatives, agents and invitees, or any third persons, as a result of or arising out of or relating to the use or occupancy of the easements granted herein by the Lot 16 Owner shall be borne by the Lot 16 Owner, and the Lot 16 Owner shall indemnify and hold harmless the Lot 17 Owner, her successors and assigns from any loss or injury, including death, which arises out of the Lot 16 Owner's use or occupancy of the easements granted herein. Further, the Lot 16 Owner agrees to indemnify and hold harmless the Lot 17 Owner, their successors and assigns against any loss or damage which should result from, arise out of or be attributable to the use of the easements granted herein whether or not such use is permitted hereunder

6. *Entire Agreement, Modification, No Waiver.* This agreement contains the entire agreement between the parties. No term or provision hereof can be modified, altered, or amended, nor can any term or provision hereof be waived except in a written agreement executed by all parties. Failure of a party to exercise any rights hereunder on one or more occasion shall not be construed as a waiver of the right to enforce this agreement for future breaches or infractions.

7. *Severability.* If any provision of this agreement is declared by a court of competent jurisdiction to be invalid, it shall not affect the validity of this agreement as a whole or any part thereof other than the part declared to be invalid and there shall be substituted for the affected provision, a valid and enforceable provision as similar as possible to the affected provision.

8. *Default.* In the event of default under this agreement, by any party, the non-defaulting party shall have the right to enjoin the continuance of such default (the parties hereby waiving the posting of any bond and stipulating that a default of this agreement by a party inflicts irreparable injury upon the non-breaching party) and, in addition, shall have the right of specific

LOT 17 OWNER:

Gusty A. Kanakis
Jill E. Kanakis
Gusty A. Kanakis and Jill E. Kanakis
Address: PO Box
Minturn, CO 81645

STATE OF COLORADO)
) ss.
COUNTY OF EAGLE)

Subscribed and sworn to before me this 21st day of September, 2010, by Gusty A. Kanakis

Witness my hand and official seal.

My commission expires: 12.1.13

Olivia Asavei
Notary Public



LEGAL DESCRIPTION – LOT 16

LEGAL DESCRIPTION - LOT 16

PARCEL A:

A PARCEL OF LAND IN SECTION 35, TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE 6TH PRINCIPAL MERIDIAN, ACCORDING TO THE DEPENDENT SURVEY OF SAID TOWNSHIP AND RANGE APPROVED BY THE GENERAL LAND OFFICE IN DENVER, COLORADO ON SEPTEMBER 13, 1943, WITH ALL BEARINGS CONTAINED HEREIN BASED UPON A BEARING OF N 00 DEGREES 02 MINUTES 00 SECONDS W ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 35, BEING MARKED ON THE GROUND BY TWO 2 1/2" USGLO BRASS CAPS ON 1" IRON PIPE, 1942, FOUND IN PLACE, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT FROM WHICH THE EAST 1/4 OF SAID SECTION 35 BEARS S 45 DEGREES 39 MINUTES 25 SECONDS E, 1800.07 FEET; THENCE N 59 DEGREES 24 MINUTES 00 SECONDS W, 50.00 FEET; THENCE N 35 DEGREES 10 MINUTES 00 SECONDS E, 150.29 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY NO. 24; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY, 49.98 FEET ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 2905.00 FEET A TANGENT OF 24.98 FEET, A DELTA OF 0 DEGREES 59 MINUTES 08 SECONDS AND A CHORD OF 49.98 FEET THAT BEARS S 59 DEGREES 01 MINUTES 39 SECONDS E; THENCE LEAVING SAID SOUTHERLY RIGHT OF WAY, S 35 DEGREES 10 MINUTES 00 SECONDS W, 149.97 FEET TO THE POINT OF BEGINNING, COUNTY OF EAGLE, STATE OF COLORADO.

PARCEL B:

A PARCEL OF LAND LOCATED WITHIN THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE 6TH PRINCIPAL MERIDIAN, EAGLE COUNTY, COLORADO, ACCORDING TO THE DEPENDENT RESURVEY OF SAID TOWNSHIP AND RANGE AS APPROVED BY THE U.S. SURVEYOR GENERAL IN DENVER, COLORADO ON SEPTEMBER 13, 1943, WITH ALL BEARINGS CONTAINED HEREIN BASED UPON A BEARING OF N 00 DEGREES 02 MINUTES 00 SECONDS W ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 35, BEING MARKED ON THE GROUND BY TWO 2 1/2" USGLO BRASS CAPS ON 1" IRON PIPE, 1942, FOUND IN PLACE, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT FROM WHICH THE EAST 1/4 OF SAID SECTION 35 BEARS S 46 DEGREES 04 MINUTES 16 SECONDS E, 1798.02 FEET; THENCE N 61 DEGREES 29 MINUTES 17 SECONDS W, 58.18 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF THE TROXEL PROPERTY AS OCCUPIED AND AS SHOWN ON THE "ANNEXATION PLAT OF THE SOUTH MINTURN ADDITION TO THE TOWN OF MINTURN", RECORDED MARCH 1, 1978 IN BOOK 267 AT PAGE 327; THENCE ALONG SAID EASTERLY BOUNDARY LINE N 35 DEGREES 09 MINUTES 57 SECONDS E, 15.00 FEET TO THE SOUTHWEST CORNER OF THE SALAZAR PROPERTY AS OCCUPIED AND AS SHOWN ON SAID "ANNEXATION PLAT OF THE SOUTH MINTURN ADDITION TO THE TOWN OF MINTURN", ALSO BEING THE SOUTHWEST CORNER OF THE ABOVE DESCRIBED PARCEL A; THENCE ALONG THE SOUTHERLY BOUNDARY LINE OF SAID SALAZAR PROPERTY S 59 DEGREES 24 MINUTES 00 SECONDS E, 50.00 FEET TO THE SOUTHEAST CORNER OF SAID SALAZAR PROPERTY, ALSO BEING THE SOUTHEAST CORNER OF THE ABOVE DESCRIBED PARCEL A; THENCE S 35 DEGREES 10 MINUTES 00 SECONDS W, 13.17 FEET TO THE POINT OF BEGINNING, COUNTY OF EAGLE, STATE OF COLORADO.

also known by street and number as: 1003 Highway 24, Minturn, CO 81645

LEGAL DESCRIPTION – LOT 17

A parcel of land in Section 35, Township 5 South Range 81 West of the 6th Principal Meridian, County of Eagle, State of Colorado, according to the Dependant Survey of said Township and Range approved by the General Land Office in Denver, Colorado, on September 13, 1943, with all bearings contained herein based upon a bearing of N00°02'00".W along the East line of the Northwest ¼ of said Section 35, being marked on the ground by two 2 ½ " USGLO brass caps on a 1" Iron pipe, 1942, found in place, said parcel being more particularly described as follows, to wit:

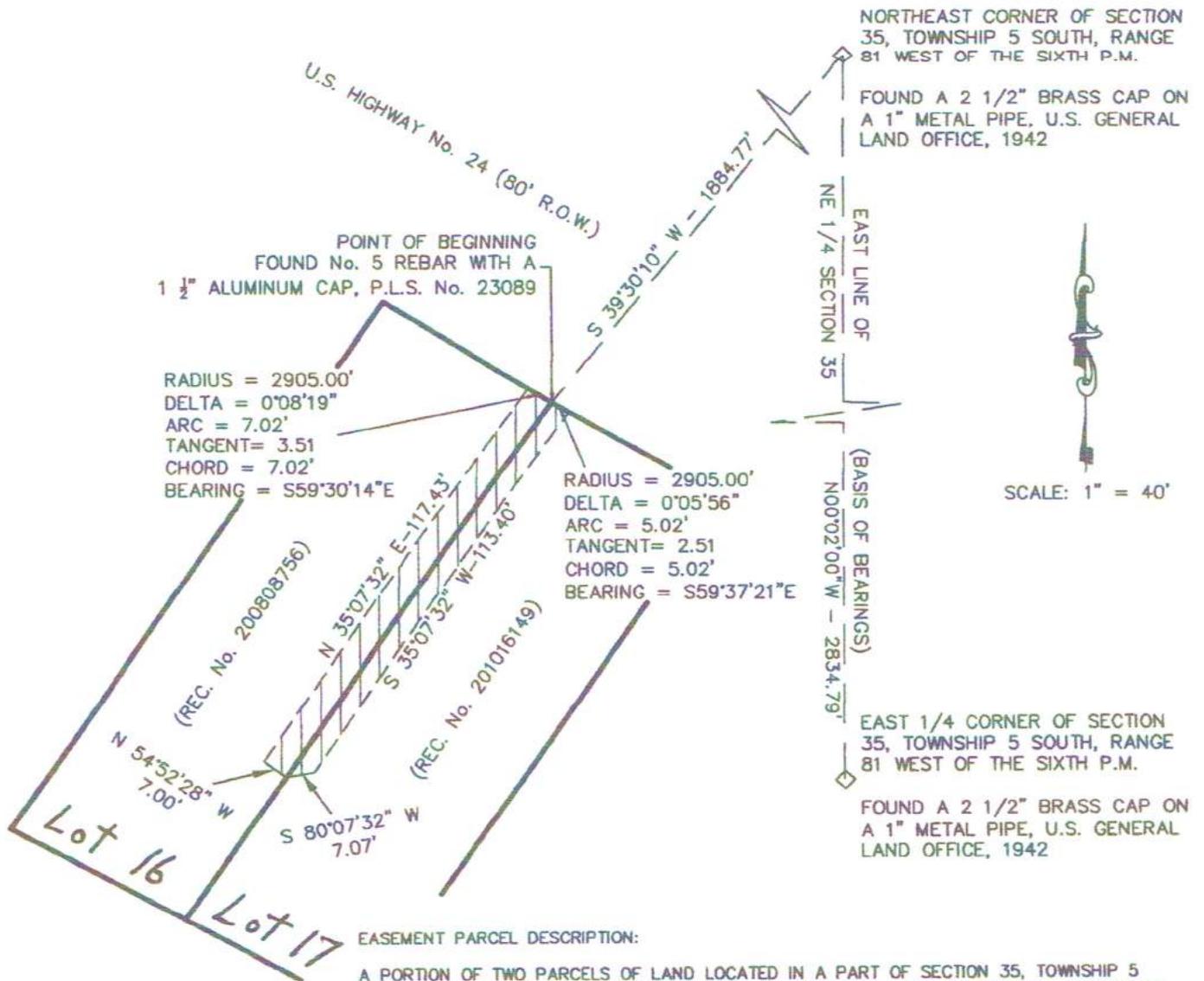
Beginning at a point from which the East 1/4 corner of said Section 35 bears S45°38'04"E 1,749.71 feet;
thence N61°29'17"W 50.16 feet;
thence N35°10'00" E 163.14 to a point on the Southerly right-of-way U.S. Highway No. 24;
thence along said southerly right-of-way, 50.01 feet along a non-tangent curve to the left having a radius of 2905.00 feet, a tangent of 25.01 feet, a delta of 0°59'11" and a chord of 50.01 feet that bears S60°00'49"E;
thence leaving said southerly right-of-way, S35°10'00"W, 150.18 feet;
thence S35°07'52"W, 11.66 feet to the point of beginning.

said parcel is also known as Lot 17, SOUTH MINTURN ADDITION TO THE TOWN OF MINTURN, County of Eagle. State of Colorado.

also known by street and number as: 1011 Main Street, Minturn, CO 81645

EXHIBIT A

A PART OF SECTION 35, TOWNSHIP 5 SOUTH, RANGE 81 WEST 6th P.M.
TOWN OF MINTURN, EAGLE COUNTY, COLORADO



EASEMENT PARCEL DESCRIPTION:

A PORTION OF TWO PARCELS OF LAND LOCATED IN A PART OF SECTION 35, TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO, SAID PARCELS OF LAND BEING DESCRIBED BY THE DEEDS RECORDED AT RECEPTION NUMBERS 200808756 AND 201016149 IN THE OFFICE OF THE EAGLE COUNTY CLERK AND RECORDER, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE COMMON BOUNDARY OF SAID PARCELS OF LAND AND THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY No. 24, SAID POINT BEING S39°30'10"W 1884.77 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 35; THENCE ALONG SAID RIGHT OF WAY 5.02 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2905.00 FEET, AN INTERIOR ANGLE OF 00°05'56" AND A CHORD BEARING S59°37'21"E 5.02 FEET; THENCE DEPARTING SAID RIGHT OF WAY S35°07'32"W 113.40 FEET; THENCE S80°07'32"W 7.07 FEET; THENCE N54°52'28"W 7.00 FEET; THENCE N35°07'32"E 117.43 FEET TO A POINT ON SAID SOUTHERLY RIGHT OF WAY; THENCE ALONG SAID RIGHT OF WAY 7.02 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2905.00 FEET, AN INTERIOR ANGLE OF 00°08'19" AND A CHORD WHICH BEARS S59°30'14"E 7.02 FEET TO THE POINT OF BEGINNING. ALL BEARINGS BEING BASED ON THE LINE CONNECTING THE BRASS CAP MONUMENTS FOUND IN PLACE MARKING THE EAST 1/4 CORNER AND NORTHEAST CORNER OF SAID SECTION 35, BEING N00°02'00"W.



**Gore Range
Surveying, LLC**

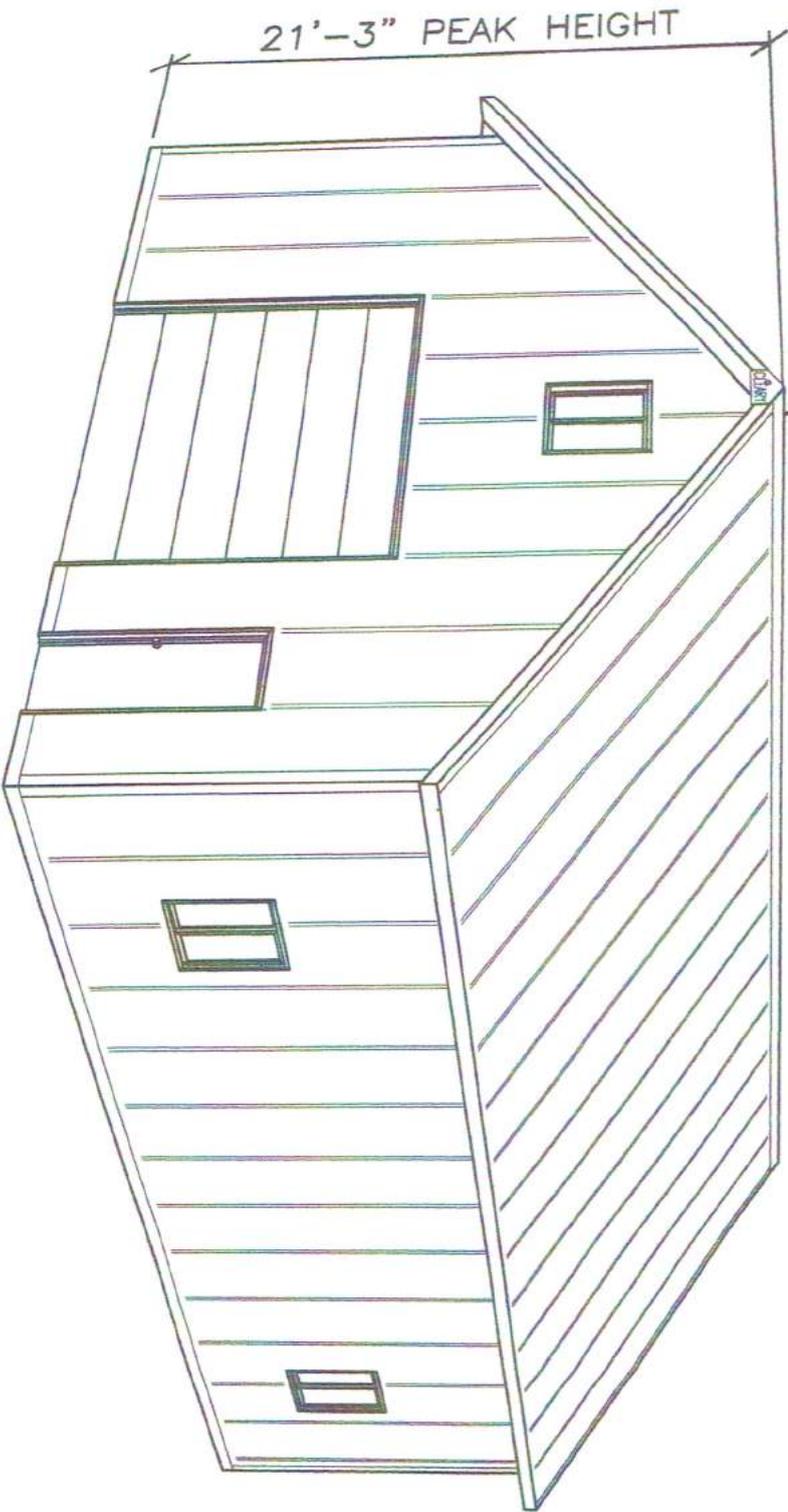
PO Box 15
Avon, CO 81620
(970) 479-8698 • fax (970) 479-0055





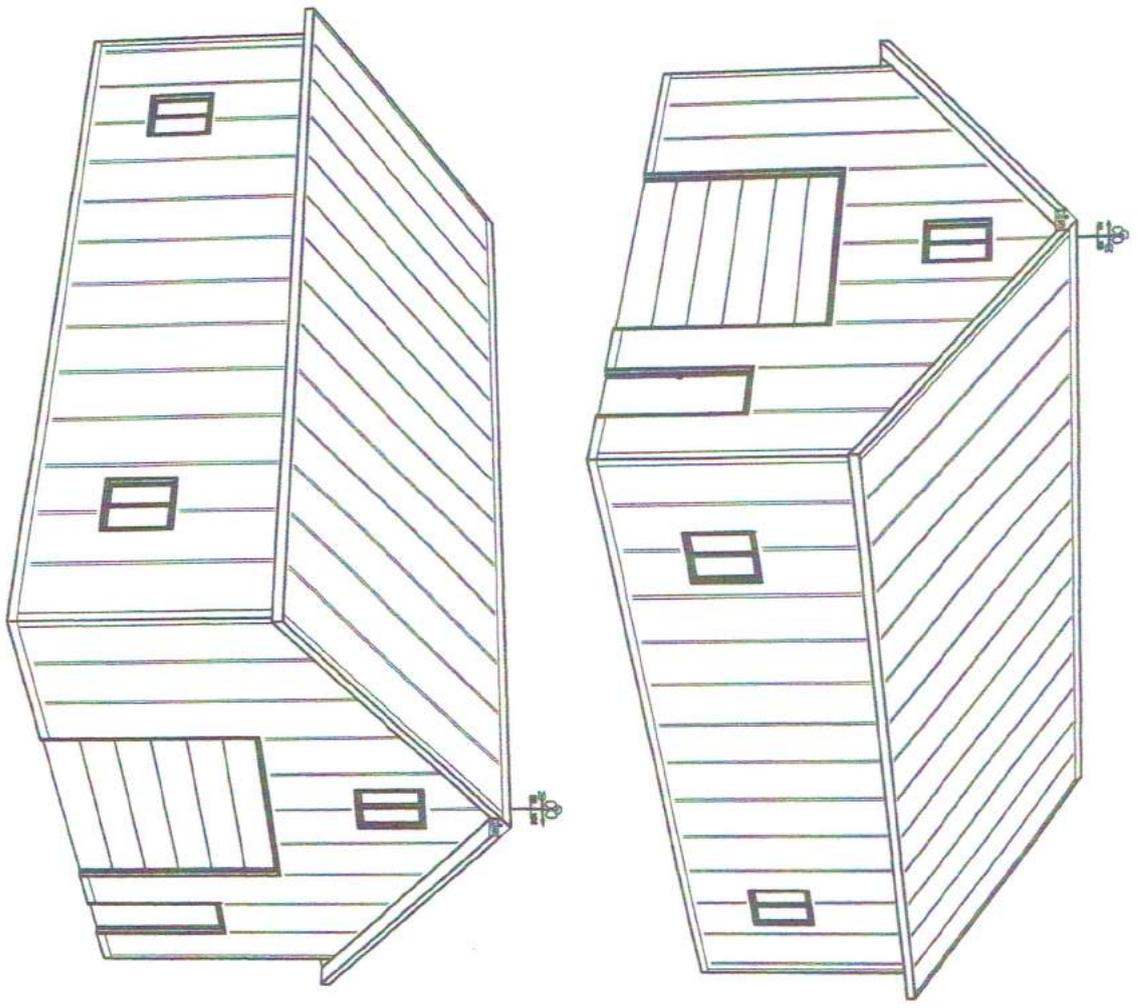


Proposed Building for:
Gusty Kanakis
 30'x40'x12'-4" Commercial

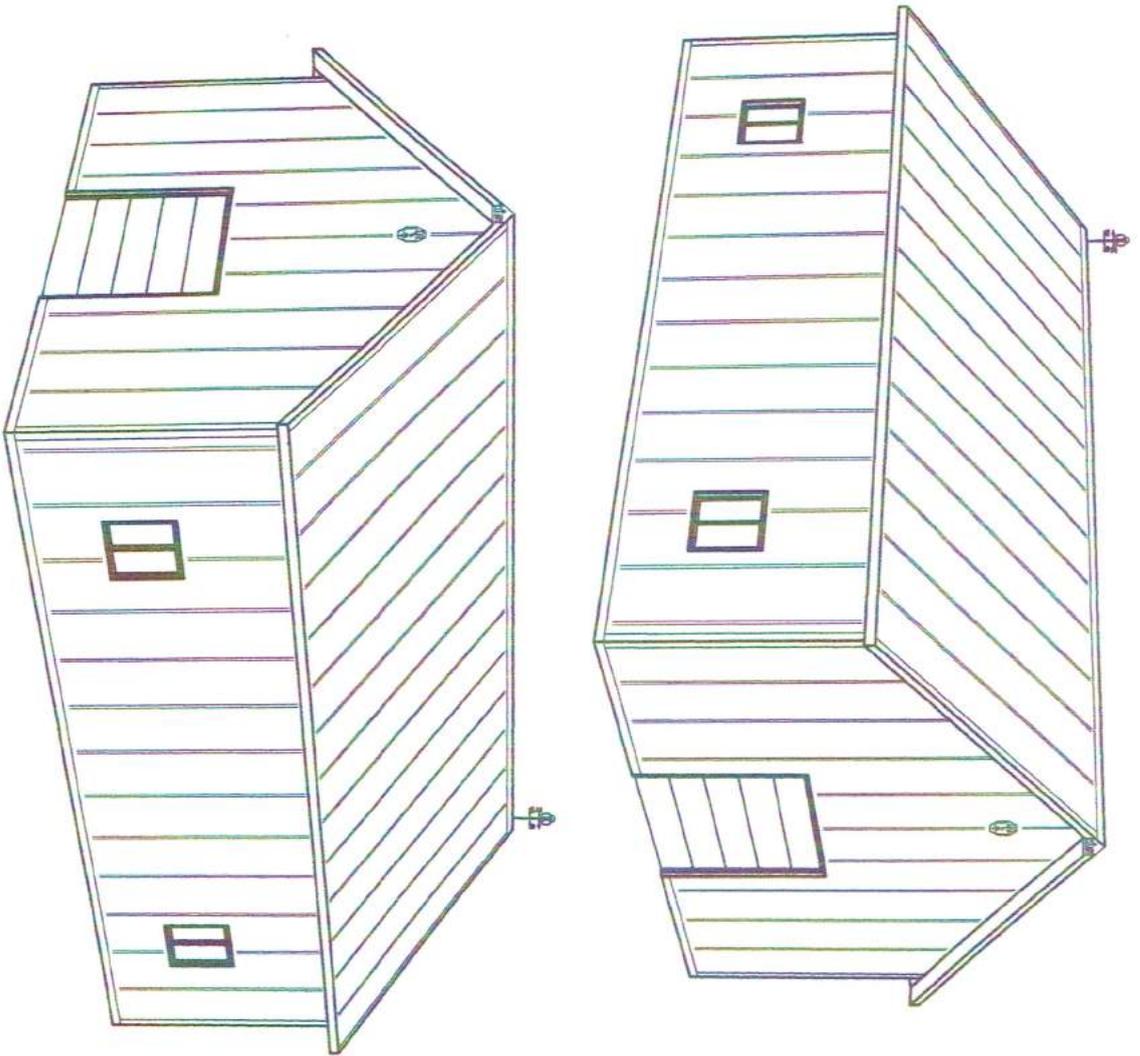


We Protect What You Value

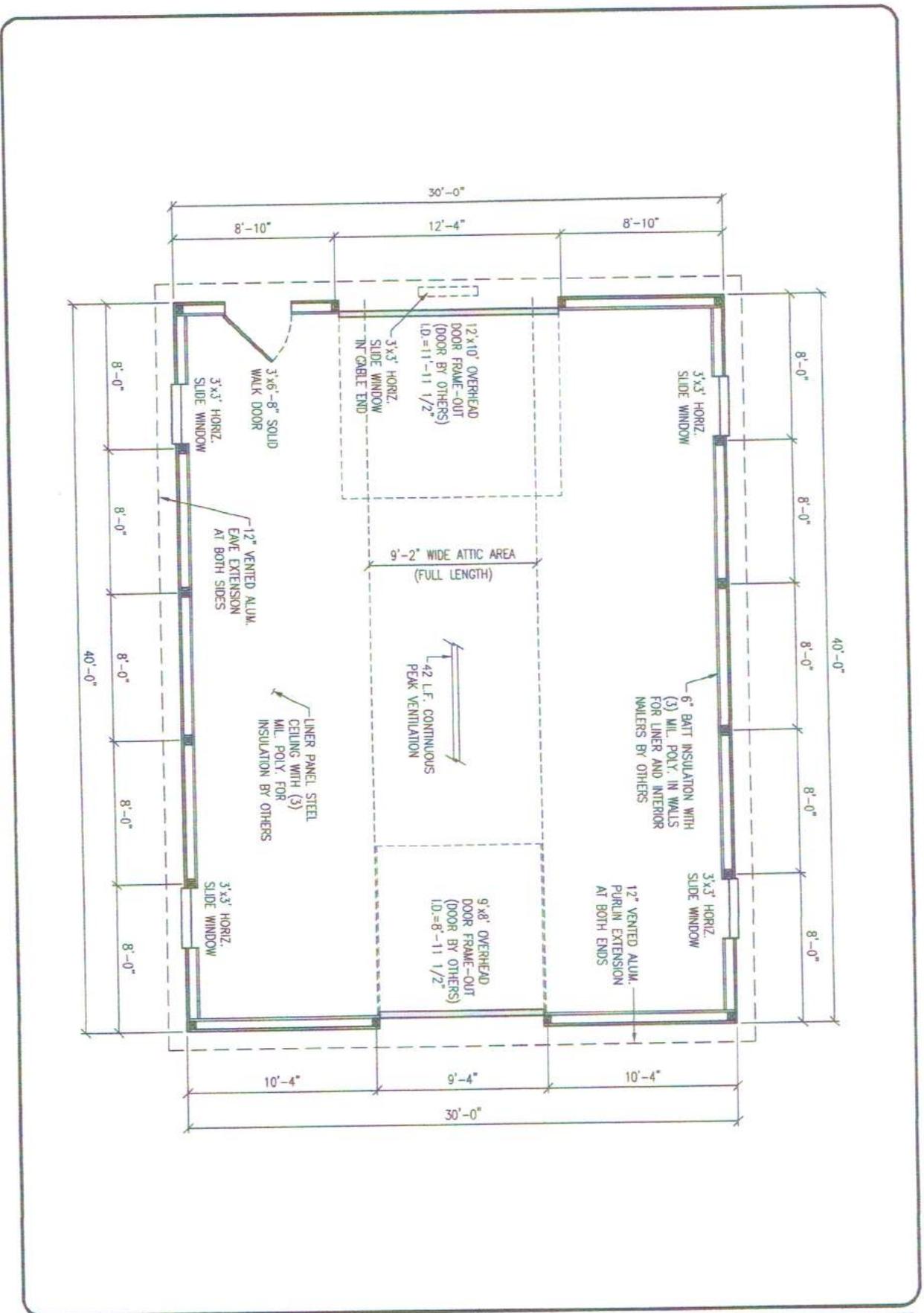
Exhibit B



|  <p>100 PINE STREET P.O. BOX 920220 WILSON, NJ 07090 (908) 375-8800 www.clearbybuilding.com</p> | <p>GUSTY KANAKIS 30'x40'x12'-4" COMMERCIAL</p> | | DATE: 10/8/2010 DRAWN BY: T. KALDENBERG | | | | | | | | | | | |
|---|--|---------------------|---|-----|------|----|---|----------|----|---|--|--|---|--|
| | <p>3-D ELEVATIONS</p> | | SCALE: NONE SALES SPECIALIST: HAHATI DELTA REVISIONS: <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>BY</th> </tr> <tr> <td>1</td> <td>10/13/10</td> <td>TK</td> </tr> <tr> <td>2</td> <td></td> <td></td> </tr> <tr> <td>3</td> <td></td> <td></td> </tr> </table> | NO. | DATE | BY | 1 | 10/13/10 | TK | 2 | | | 3 | |
| NO. | DATE | BY | | | | | | | | | | | | |
| 1 | 10/13/10 | TK | | | | | | | | | | | | |
| 2 | | | | | | | | | | | | | | |
| 3 | | | | | | | | | | | | | | |
| <p>JOB NO. PR2010569</p> | | <p>SHEET 2 OF 4</p> | | | | | | | | | | | | |



| | | | |
|--|---|--|----------------------------|
| 150 MAIN STREET P.O. BOX 80020 (800) 373-5580 www.clearbybuildingcorp.com | GUSTY KANAKIS 30'x40'x12'-4" COMMERCIAL | | DATE: 10/9/2010 |
| | 3-D ELEVATIONS | | DRAWN BY: T. KALDENBERG |
| JOB NO. PR2010569 | SALES SPECIALIST: HYATT DELTA | | SCALE: NONE |
| | SHEET 3 OF 4 | REVISIONS: NO. DATE BY 1 10/13/10 TK 2 3 | 92 |



| | | | | | | | | | | | | | | |
|---|----------|------|----|---|----------|----|---|--|--|---|--|--|--|--|
| <p>DATE: 10/8/2010</p> <p>DRAWN BY: T. KALDENBERG</p> <p>SCALE: NONE</p> <p>SALES SPECIALIST: HYATT DELTA</p> <p>REVISIONS:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%;">NO.</td> <td style="width: 15%;">DATE</td> <td style="width: 80%;">BY</td> </tr> <tr> <td>1</td> <td>10/13/10</td> <td>TK</td> </tr> <tr> <td>2</td> <td></td> <td></td> </tr> <tr> <td>3</td> <td></td> <td></td> </tr> </table> | NO. | DATE | BY | 1 | 10/13/10 | TK | 2 | | | 3 | | | <p>JOB NO. PR2010569</p> <p>SHEET 4 OF 4</p> | <p>GUSTY KANAKIS 30'x40'x12'-4" COMMERCIAL</p> <p>FLOOR PLAN</p> |
| NO. | DATE | BY | | | | | | | | | | | | |
| 1 | 10/13/10 | TK | | | | | | | | | | | | |
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Street and Apt. No., or PO Box No.: **PO BOX 520**
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| <input type="checkbox"/> Adult Signature Required | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |
| Postage | \$0.47 |
| Total Postage and Fees | \$3.77 |

Sent To: **TONY + BESSIE LUCERO c/o Corneille**
Street and Apt. No., or PO Box No.: **724 EMERALD ST**
City, State, ZIP+4®: **LEADVILLE CO 80461-3182**

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Sent To: **ROSENFELD FAMILY HOLDINGS LLC**
Street and Apt. No., or PO Box No.: **PO BOX 843**
City, State, ZIP+4®: **Minturn, CO 81645-0843**

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| <input type="checkbox"/> Return Receipt (electronic) | \$0.00 |
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| <input type="checkbox"/> Adult Signature Required | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$0.00 |
| Postage | \$0.47 |
| Total Postage and Fees | \$3.77 |

Sent To: **EMILY HARPER**
Street and Apt. No., or PO Box No.: **2915 HOBBS PL**
City, State, ZIP+4®: **TITUSVILLE, FL 32796-1956**

Postmark Here: **MAY 13 2016**

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✓ 991 MAIN STREET

TRUJILLO, JOE C. & ETTA L.

Address2

PO BOX 421

City

MINTURN

State

CO

Zip

81645-0421

✓ 997 MAIN STREET

TRUJILLO, JOE C. & ETTA L.

Address2

PO BOX 421

City

MINTURN

State

CO

Zip

81645-0421

1003 MAIN STREET * Did not send to the owner

Mary Pat Armistead Trust NO 2

PO Box 955 Minturn, CO 81645

BATTLE MOUNTAIN TRADING POST

REIS, WILLIAM

Address2

PO BOX 520

City

MINTURN

State

CO

Zip

81645-0520

✓ 1021 MAIN STREET

ROSENFELD FAMILY HOLDINGS LLC

Address2

PO BOX 843

City

MINTURN

State

CO

Zip

81645-0843

✓ 996 MAIN STREET

LUCERO, TONY & BESSIE

In Care Of Name

LORETTA LUCERO

Address2

724 EMERALD ST

City

LEADVILLE

State

CO

Zip

80461-3782

✓ Cabin between 996 & 1010

HARPER, EMILY

Address2

2975 HOBBS PL

City

TITUSVILLE

State

FL

Zip

32796-1956

1010 MAIN ST

KOELLHOFFER, GARTH & JILL

Address2
PO BOX 231

| City | State | Zip |
|-------------|--------------|------------|
| MINTURN | CO | 81645-0231 |

1012 MAIN ST

SEGERDAHL, DAVID

Address2
141 E MEADOW DR STE 1000 UNIT 3EE

| City | State | Zip |
|-------------|--------------|------------|
| VAIL | CO | 81657-5857 |

1014 MAIN STREET

WILLIAMS, DAVID R. & DEBRA J.

Address2
PO BOX 744

| City | State | Zip |
|-------------|--------------|------------|
| MINTURN | CO | 81645-0744 |

1040 MAIN STREET – Jerry Sibley

JERRY T. SIBLEY REVOCABLE TRUST - JUDITH A. SIBLEY REVOCABLE TRUST

Address2
915 MAYNE ST

| City | State | Zip |
|-------------|--------------|------------|
| GYPSUM | CO | 81637-9756 |

PUBLIC NOTICE

MINTURN PLANNING AND ZONING WILL HOLD A MEETING ON
WEDNESDAY MAY 25, 2016 AT 6:30 PM

AND

MINTURN TOWN COUNCIL WILL HOLD A MEETING ON
WEDNESDAY JUNE 1, 2016 AT 6:30 PM

AND

MINTURN TOWN COUNCIL WILL HOLD A MEETING ON AT
TOWN HALL CHAMBERS - 302 PINE STREET, MINTURN CO 81645
TO CONSIDER A CONDITIONAL USE PERMIT APPLICATION FOR
1011 MAIN STREET

To: ADJACENT RESIDENTS TO 1011 MAIN STREET

From: Dan Armistead – Owner, 1011 Main Street

Relevant Background:

Current Status of the Site (some information taken from Eagle County GIS): The lot currently has 2 buildings. A two unit residential rental duplex, (one unit on the upper lever, one unit on the lower lever), and a detached warehouse with an upper loft/storage space on the 2nd floor

Lot Size - .186 acres or 8110 sf

Lot Coverage – 15.2%/1240 sf Residential Unit and 14.8%/1200 sf Garage)

Impervious Surfaces - 50% - 4055 sf (Paved Driveway, Concrete Parking and Sidewalks)

Pervious Surfaces (Landscaped Planters / Graded Drainage) - 20% - 1615 sf

Existing Landscape / Trees - (4 Large Spruce Trees, 3 Lilac Trees)

Parking Spaces - 8

Proposed Use: Owner request of a Conditional Use Permit to convert 900 sq. ft. of the 1200+ sf warehouse/storage space into a 3rd residential rental unit.

Our proposal would be to utilize the existing building structure “as is” and frame out the interior of the warehouse to convert the open garage type floor plan into a loft apartment with a full bathroom, kitchen and living space for residential use, while still allowing approximately 500 square feet to remain as a large two car garage/shop area which would continue to be used by 10th Mountain Builders as material storage and small work-shop. The large, existing, commercial garage doors (front and back) will be removed and replaced with matching siding and a smaller, single car residential garage door in the front for the garage/shop and a sliding glass door in the back for the new apartment facing Martin Creek open space. Additional windows would be added in the upper loft apartment as required for egress and aesthetics, as well as dormers on the upper South Elevation to bring in more natural light.

If you have any questions or concerns, please feel free to contact Jeff Armistead – 970-471-0618
Or Janet Hawkinson MLA – Minturn Planning Director – 970-827-5645 x3

PUBLIC NOTICE

NOTICE TO THE PUBLIC

WILLIAMS COUNTY, OREGON

WILLIAMS COUNTY BOARD OF COMMISSIONERS

WILLIAMS COUNTY BOARD OF COMMISSIONERS

WEDNESDAY MAY 26, 2010

10:00 AM AT THE COUNTY BELL

WILLIAMS STREET, WASHINGTON, OR 97146

TO: THE PUBLIC

WILLIAMS COUNTY BOARD OF COMMISSIONERS

12115953

Ad Ticket #5

Acct: 1032852
Phone: (970)827-5645
E-Mail: MANAGER@MINTURN.OR
Client:
Caller: Janet Hawkinson

Name: Town of Minturn
Address: P.O. Box 309

City: MINTURN
State: CO
Zip: 81645

Receipt

Ad Name: 12115953A

Original Id: 0

Editions: 8VD/8VDI/

Class: 0990

Start: 05/14/16

Stop: 05/14/16

Color:

Issue 1

Copyline: vd CUP 386 & 392 Taylor Street

Rep: Pam Schultz

| | |
|--------------|--------------|
| Lines: | 22 |
| Depth: | 1.85 |
| Columns: | 1 |
| Discount: | 0.00 |
| Commission: | 0.00 |
| Net: | 0.00 |
| Tax: | 0.00 |
| Total | 11.44 |
| Payment | 0.00 |

| |
|--|
| <p><u>PUBLIC NOTICE</u></p> <p><u>Conditional Use Permit Hearing for:</u> 1011 Main Street Minturn, CO</p> <p><u>Variance Hearing for - 386 & 392 Taylor Street</u> Minturn, CO</p> <p><u>Temporary Use Permit for: - 152 Main Street</u> Minturn, CO</p> <p><u>Public Hearing Dates for the above applications are:</u> Planning Commission: May 25, 2016 at 6:30pm Town Council: June 1, 2016 at 6:30 pm' Location: Minturn Town Hall - 302 Pine Street, Minturn, CO 81645</p> <p>Published in the Vail Daily May 14, 2016. (12115953)</p> |
|--|

Ad shown is not actual print size

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 15 – SERIES 2016**

**A RESOLUTION APPROVING LAND USE APPLICATION
TEMPORARY USE PERMIT 16-03**

WHEREAS, The Town of Minturn Town Council is commissioned with certain powers and duties contained in the Minturn Municipal Code Section 16-21-10 and

WHEREAS, public notice was given pursuant to Minturn Municipal Code Section 16-21-610, and

WHEREAS, on March 2, 2016, the Town Council held a public hearing on the application pursuant to Minturn Municipal Code Section 16-21-230, and

WHEREAS, pursuant to Minturn Municipal Code Section 16-21-640, the most appropriate use of land is allowed to be used with the temporary use permit, and

WHEREAS, pursuant to Minturn Municipal Code Section 16-21-640, the Town Council makes the following findings:

1. That the granting of the temporary use permit will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.
2. There is no substantial impairment to the public that would result from the granting of the TUP.
3. That the temporary structure will be up no longer than 90 days.
4. That the proposed temporary structure is compatible with the surrounding uses.

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 Temporary Use Permit at 152 Main Street be approved subject to the following conditions:

- A building permit is approved for public safety. That the tent will be down in 90 days after it is set up and the tent is 20'w x 60'l x 15'tall

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 1 day of June, 2016

TOWN OF MINTURN

By: _____
Mayor

ATTEST

Town Clerk



Planner Report

Town of Minturn
302 Pine Street
Minturn, Colorado
81654
970-827-5645

5/25/2016

J Hawkinson, Planning Director

APPLICANT: Larry Stone

APPLICATION: Temporary Use Permit to erect a tent to promote a sales event from July 9 - August 13 - 5 weeks - to sell excess inventory from the scarab from 8 am - 10 pm (close 5 pm most days)
The structure is 20' x 60' x 15' tall - white tent - designed for strength and durability

LOCATION: 152 Main Street - empty lot

ZONING: commercial zoning

APPLICATION SUBMITTED: May 6, 2016

PLANNING DIRECTOR RECOMMENDATION:

To approve the Temporary Use Permit as defined per code.

PUBLIC NOTICE: Agenda posted at Town Hall and on website - certified letters sent to residents 250 feet from site - sign posted on site - 10 days in advance of hearings - mailing and postings for Final Subdivision Plat & Zoning Change on May 6, 2016

AS PER CODE: SECTION 16-21-640:

1. That the granting of the temporary use permit will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.
2. There is no substantial impairment to the public that would result from the granting of the TUP.
3. That the temporary structure will be up no longer than 90 days
4. That the proposed temporary structure is compatible with the surrounding uses.
5. Public hearings required: Planning Commission May 25 - Town Council June 1

PLANNING COMMISSION DETERMINATION: Approved the TUP

COUNCIL DETERMINATION:



TEMPORARY USE PERMIT APPLICATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

302 Pine Street - PO Box 309

Minturn, CO 81645

(p) 970-827-5645

(f) 970-827-5545

| | |
|--|---------------------------------|
| Applicant: <u>THE SCARAB - LARRY STONE</u> | Address of: <u>152 Main St.</u> |
| Signature: <u>Larry Stone</u> | Requested temporary use permit |

| | |
|---|----------------------------------|
| Property Owner (if different from applicant): (an affidavit of authorization must be included) | (name) <u>SAME - LARRY STONE</u> |
| | (signature) <u>Larry Stone</u> |

Please describe the nature of the requested TUP: WE WOULD LIKE TO ERECT A TENT TO PROMOTE A SALES EVENT FROM JULY 9TH THROUGH AUGUST 13TH (5 WEEKS). THE GOODS BEING SOLD ARE EXCESS INVENTORY FROM THE SCARAB. 8AM TO 10PM DAILY, BUT WE EXPECT 10-5 ON MOST DAYS.

THE STRUCTURE IS A 20' X 60' UNIQUE™ FRAME TENT WHICH IS COMMONLY USED AT LARGE WEDDING EVENTS. THE TENT IS MORE COSTLY TO RENT THAN MOST AS IT IS DESIGNED FOR STRENGTH AND STABILITY. MADE HERE IN COLORADO. IT HAS A HIGH PITCH AND CLEAN LINES MAKING IT ONE OF THE BEST LOOKING TENTS AVAILABLE. THESE TENTS ARE THE BEST FOR EXTENDED PERIODS OF USE.

THE LOCATION IS TUCKED IN BETWEEN TWO STRUCTURES ON THE DRIVEWAY OF 152 MAIN STREET, OUT OF THE WAY OF PUBLIC USE AND WILL BE UP DURING THE MARKET TIME PERIOD.

The Town Council are required to make the following findings before granting a Temporary Use Permit Sec 16-21-640:

1. That the granting of the temporary use permit will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity;
2. There is no substantial impairment to the public that would result from the granting of the TUP.
3. That the temporary structure will be up no longer than 90 days.
4. That the proposed temporary structure is compatible with the surrounding uses.
5. Public hearings required: Planning Commission & Town Council

Town Use Only

| | |
|-------------------------------|------------------------------|
| Date received <u>5/6/2016</u> | Planner <u>J. Anderson</u> |
| Fee Paid <u>\$ 75.00</u> | Signature <u>J. Anderson</u> |

Notice of Temporary Use Permit

July 9th through August 13th 2016

May 6, 2016

To Whom it may concern – Those property owners who are the adjacent neighbors within 250 feet of the location of a requested Temporary Use Permit for 152 Main Street, Minturn, CO. 81645.

Larry Stone and Jane Rohr, owners of The Scarab are requesting your awareness of a request for the temporary use of a tent structure to be erected and utilized during July 9, 2016 and August 13, 2016. The use of the tent structure is to provide a venue for a special promotional sales event where The Scarab would like to sell overstock of their inventory. The hours of operation could be anytime between 8AM and 10PM, because of Market hours and other events that might take place during the dates. Normal expected times are 10AM to 5PM Monday - Friday.

The structure is a 20'x60' Unique™ Frame Tent which is commonly used at large wedding events. A photo is attached. The tent is more costly to rent than most as it is designed for strength and stability. It is made here in Colorado. It has a high pitch (12') and clean lines making it one of the best looking tents available. A photo is attached. The tents are the best on the market for extended periods of use.

The tent location is on the driveway of 152 Main Street, Minturn, CO.

Public Hearing Information:

Location: Town Hall

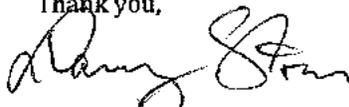
302 Pine Street, Minturn, CO. 81645

Dates:

Planning & Zoning Meeting to be held on Wednesday, May 25, 2016 @ 6:30PM

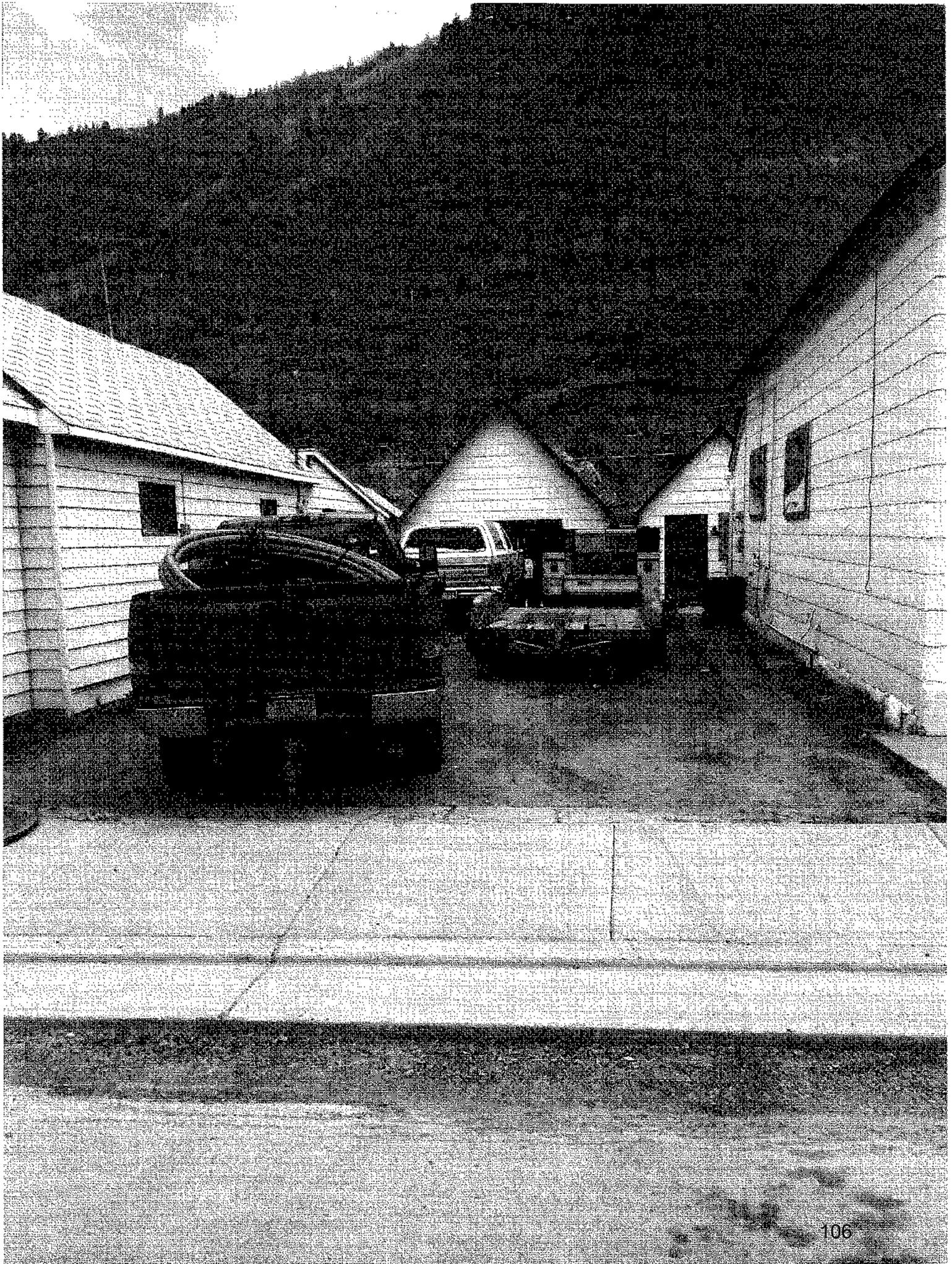
Town Council Meeting to be held on Wednesday, June 1, 2016 @ 6:30PM

Thank you,



Larry Stone





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| <input type="checkbox"/> Certified Mail Restricted Delivery | \$ |
| <input type="checkbox"/> Adult Signature Required | \$ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ |
| Postage | \$.47 |
| Total Postage and Fees | \$ 3.77 |



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MINTURN, CO 81645-1043

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| <input type="checkbox"/> Certified Mail Restricted Delivery | \$ |
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| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ |
| Postage | \$.47 |
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MINTURN, CO 81645-0245

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| Certified Mail Fee | \$ 3.30 |
| Extra Services & Fees (check box, add fee as appropriate) | |
| <input type="checkbox"/> Return Receipt (hardcopy) | \$ |
| <input type="checkbox"/> Return Receipt (electronic) | \$ |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$ |
| <input type="checkbox"/> Adult Signature Required | \$ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ |
| Postage | \$.47 |
| Total Postage and Fees | \$ 3.77 |



Sent To EMMETT FLAHERTY
Street and Apt. No., or PO Box No.
826 KIOWA STREET
City, State, ZIP+4®
FOUNTAIN, CO 80817-1757

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 3430 0000 4132 2580

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OFFICIAL USE

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| Certified Mail Fee | \$ 3.30 |
| Extra Services & Fees (check box, add fee as appropriate) | |
| <input type="checkbox"/> Return Receipt (hardcopy) | \$ |
| <input type="checkbox"/> Return Receipt (electronic) | \$ |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$ |
| <input type="checkbox"/> Adult Signature Required | \$ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ |
| Postage | \$.47 |
| Total Postage and Fees | \$ 3.77 |



Sent To PATRICIA HAUP
Street and Apt. No., or PO Box No.
PO BOX 488
City, State, ZIP+4®
MINTURN, CO 81645-0488

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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OFFICIAL USE

| | |
|--|---------|
| Certified Mail Fee | \$ 3.30 |
| Extra Services & Fees (check box, add fee as appropriate) | |
| <input type="checkbox"/> Return Receipt (hardcopy) | \$ |
| <input type="checkbox"/> Return Receipt (electronic) | \$ |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$ |
| <input type="checkbox"/> Adult Signature Required | \$ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ |
| Postage | \$.47 |
| Total Postage and Fees | \$ 3.77 |



Sent To 172 MAIN LLC
Street and Apt. No., or PO Box No.
1670 TIMBER LAKE
City, State, ZIP+4®
BOULDER, CO 80304-0496

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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OFFICIAL USE

| | |
|--|---------|
| Certified Mail Fee | \$ 3.30 |
| Extra Services & Fees (check box, add fee as appropriate) | |
| <input type="checkbox"/> Return Receipt (hardcopy) | \$ |
| <input type="checkbox"/> Return Receipt (electronic) | \$ |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$ |
| <input type="checkbox"/> Adult Signature Required | \$ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ |
| Postage | \$.47 |
| Total Postage and Fees | \$ 3.77 |



Sent To KELLY HOWARD MATTHEWS
Street and Apt. No., or PO Box No.
PO BOX 6044
City, State, ZIP+4®
MINTURN, CO 81645-1064

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

RECEIPT

Website at www.usps.com



INC.

5-0130

See Reverse for Instructions

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Certified Mail Fee
\$ 3.30

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage
\$.49

Total Postage and Fees
\$ 3.77

Sent To 191 Main St. LLC
Street and Apt. No., or PO Box No.
PO BOX 590
City, State, ZIP+4®
Minturn, CO 81645-0590

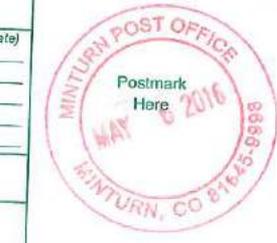
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



RECEIPT

Website at www.usps.com

OFFICIAL USE



0-0191

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Domestic Mail Only

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OFFICIAL USE

Certified Mail Fee
\$ 3.30

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage
\$.47

Total Postage and Fees
\$ 3.77

Sent To Eagle River Properties LLC
Street and Apt. No., or PO Box No.
10465 Park Meadows Dr. Ste. 200
City, State, ZIP+4®
Long Tree CO 80124-5319



12115953

Ad Ticket #5

Acct: 1032852
Phone: (970)827-5645
E-Mail: MANAGER@MINTURN.OR
Client:
Caller: Janet Hawkinson

Name: Town of Minturn
Address: P.O. Box 309

City: MINTURN
State: CO

Zip: 81645

Receipt

Ad Name: 12115953A

Original Id: 0

Editions: 8VD/8VDI/

Class: 0990

Start: 05/14/16

Stop: 05/14/16

Color:

Issue 1

Copyline: vd CUP 386 & 392 Taylor Street

Rep: Pam Schultz

| | |
|--------------|--------------|
| Lines: | 22 |
| Depth: | 1.85 |
| Columns: | 1 |
| Discount: | 0.00 |
| Commission: | 0.00 |
| Net: | 0.00 |
| Tax: | 0.00 |
| Total | 11.44 |
| Payment | 0.00 |

PUBLIC NOTICE

Conditional Use Permit Hearing for:
1011 Main Street
Minturn, CO

Variance Hearing for - 386 & 392 Taylor Street
Minturn, CO

Temporary Use Permit for: - 152 Main Street
Minturn, CO

Public Hearing Dates for the above applications are:
Planning Commission: May 25, 2016 at 6:30pm
Town Council: June 1, 2016 at 6:30 pm'
Location: Minturn Town Hall - 302 Pine Street,
Minturn, CO 81645

Published in the Vail Daily May 14, 2016.
(12115953)

Ad shown is not actual print size

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 13 – SERIES 2016**

**A RESOLUTION ALLOCATING THE 2016 HOLY CROSS ENERGY
COMMUNITY ENHANCEMENT FUND PROCEEDS FOR THE
PURPOSE OF MAIN STREET AND ENTRYWAY BEAUTIFICATION IN
CONJUNCTION WITH THE MAIN STREET PROJECT**

WHEREAS, Section 11.1 of the Holy Cross Energy Franchise Agreement, renewed in 2011, states that Holy Cross Energy Community Enhancement funds can be used for the acquisition of open space park land; and

WHEREAS, The Town has requested the use of these 2016 funds, in the amount of \$2,000, from Holy Cross for the purpose of Main Street and Entryway beautification in conjunction with the Main Street Project;

NOW THEREFORE, BE IT RESOLVED by the Town of Minturn Town Council, State of Colorado, the Holy Cross Energy Community Enhancement Fund proceeds from the fiscal year 2016 will be applied toward the Main Street and Entryway beautification in conjunction with the Main Street Project.

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 1st day of June, 2016.

TOWN OF MINTURN

By: _____
Matt Scherr, Mayor

ATTEST:

Jay Brunvand, Town Clerk



TOWN OF MINTURN SIGN PERMIT APPLICATION

The following must accompany this application at time of submittal:

- ◆ A scaled drawing showing size, shape, design, colors, materials, lighting and letter styles;
- ◆ An elevation, or photo depicting the proposed location of the sign;
- ◆ A plot plan of the proposed site with sign location; setbacks and property lines, plus the sign height and clearance above ground;
- ◆ Application fee of \$125.00

Process:

The Planning Director or his/her designee will review the proposal. Following approval, the applicant shall obtain a sign permit. Inspections may be required for placement, footing, electrical and other structural components of which the applicant will be advised upon receipt of the approved sign permit.

APPLICANT INFORMATION

1. Name of individual or company proposing the sign: Golden Aspen Leaf Inc.
DBA- Cowboy Bar (Backcountry Wings at the Cowboy Bar)
2. Address of property: 455 Main St. Minturn, CO
3. Mailing address of applicant: PO Box 3998 Vail, CO 81658
2. Phone numbers: 970-748-6898
3. Description of property Lot & Block, Subdivision name if applicable: _____
Gourmet Cowboy

Date Paid: _____ Received by: _____

Meeting Date: _____

Applicant: Golden Aspen Leaf Inc. Clifford A. Dorn III

CLIENT: Gourmet Cowboy JOB NUMBER: _____
 DATE: 5/6/16 FILE NAME: _____
 ARTWORK BY: Joe PHONE: 970-949-4565

© This document and all of its contents are the exclusive property of Sign Design and Awnings, under US copyright laws. The use of this document is strictly intended for design approval.



19"x32" double sided
 digital print on dibond
 with a 1" aluminum tube frame
 painted black.

TOWN OF MINTURN
P.O. Box 309 ♦ 302 Pine Street
Minturn, CO 81645
Phone: 970-827-5645 Fax: 970-827-5545

William Powell
Town Manager



Town Council
Mayor – Gordon “Hawkeye” Flaherty
Mayor Pro Tem – George Brodin
Councilmember – Shelley Bellm
Councilmember – Earle Bidez
Councilmember – John Rosenfeld
Councilmember – Jason Osborne
Councilmember – Matt Scherr

MANAGER MEMORANDUM
June 1, 2016

Rural Economic Development Program (REDI)

I was mistaken in my report of the engineering costs to design the water line from Minturn to Dowd. The estimate is actually \$99,825 for the most difficult alignment. The first step is to do reconnaissance level study of three alternatives. It is likely the preferred alternative will have a lesser cost. Thus a 20% match will cost the town no more than \$20K.

I believe the \$1,000,000 water enterprise fund balance can be used to this kind of extraordinary expense. Because the deadline for the grant application is 5/31, staff submitted the application for the above mentioned amount

ICON TWO WEEK SCHEDULE

The Entryway/100 Block Project is progressing. Within the next two weeks you will see the following: completion of sidewalks and the bulb-out, concrete and planters in the 1st-Minturn Country Club area, landscape installation, and re-paving. The project continues to be on schedule.

Main Street Engineering Project

The first public meeting for the project is Council meeting tonight. See materials in packet.

The second public meeting is Tuesday, June 2 from 4—7pm. It is an open house format.

Notification postcards have been sent. Door hangers are being delivered May 26 and 27.

See attachments for very good initial survey results.



Pro Sign Up Sign Up FREE Sign In

Main Street Pedestrian/Bicycle Planning Survey

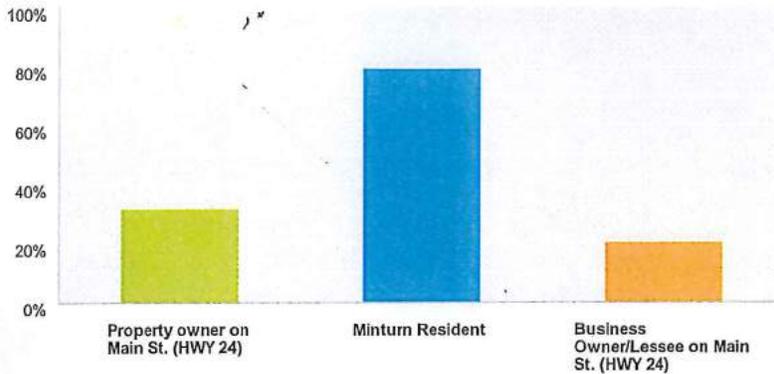
Main Street Pedestrian/Bicycle Planning Survey results as of 5-26-16 at 11:30 am.

All Pages Share Tweet G+ Share Share

Q1

Are you a (check all that apply):

Answered: 103 Skipped: 8



| Answer Choices | Responses |
|--|-----------|
| Property owner on Main St. (HWY 24) | 32.04% 33 |
| Minturn Resident | 79.61% 82 |
| Business Owner/Lessee on Main St. (HWY 24) | 20.39% 21 |
| Total Respondents: 103 | |

111 responses

3 days (5/23/2016 - now)

2 views

Need insights?

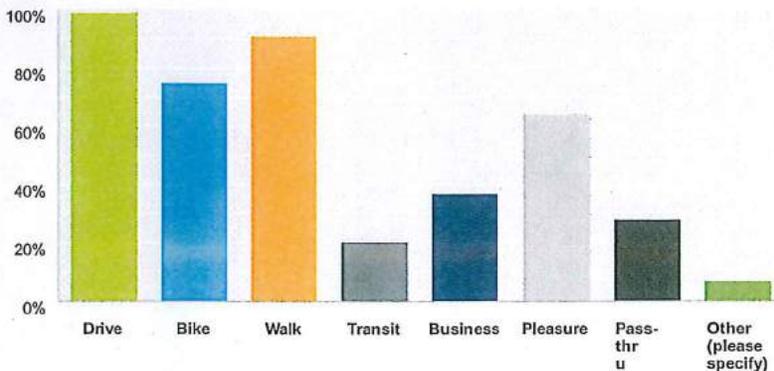
SurveyMonkey has dozens of expertly-designed survey templates.

Sign up FREE or Learn more

Q2

How do you use the Main Street corridor? Mark all that apply.

Answered: 111 Skipped: 0



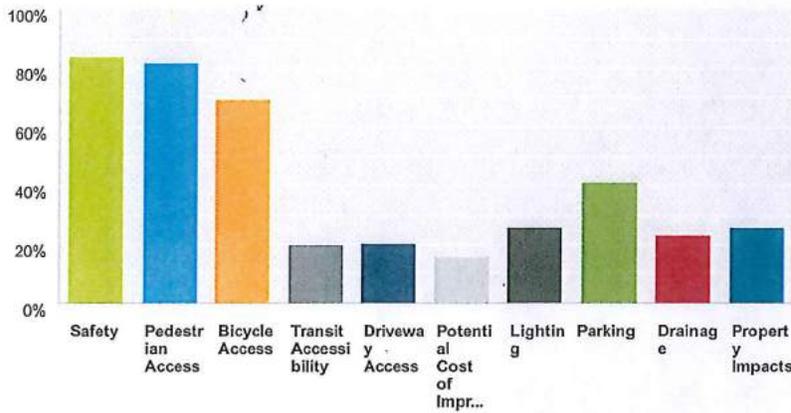
| Answer Choices | Responses |
|----------------|------------|
| Drive | 99.10% 110 |
| Bike | 74.77% 83 |
| Walk | 90.99% 101 |

| | | |
|------------------------|--------|----|
| Transit | 20.72% | 23 |
| Business | 36.94% | 41 |
| Pleasure | 63.96% | 71 |
| Pass-thru | 27.93% | 31 |
| Other (please specify) | 7.21% | 8 |
| Total Respondents: 111 | | |

Q3

Of the following community issues, please mark those that are most important to you.

Answered: 111 Skipped: 0



| Answer Choices | Responses | |
|--------------------------------|-----------|----|
| Safety | 83.78% | 93 |
| Pedestrian Access | 81.98% | 91 |
| Bicycle Access | 69.37% | 77 |
| Transit Accessibility | 19.82% | 22 |
| Driveway Access | 20.72% | 23 |
| Potential Cost of Improvements | 16.22% | 18 |
| Lighting | 26.13% | 29 |
| Parking | 41.44% | 46 |
| Drainage | 23.42% | 26 |
| Property Impacts | 26.13% | 29 |
| Total Respondents: 111 | | |

Q4

Please mark activities that you would do if improved pedestrian and bicycle facilities were available:

Answered: 108 Skipped: 3



| Answer Choices | Responses |
|--|------------|
| Walk/bike for recreation or to access recreational opportunities | 94.44% 102 |
| Walk/bike to local destinations (restaurants, shopping, parks, etc.) | 87.96% 95 |
| Walk/bike to conduct errands/business/go to work | 80.56% 87 |
| Access transit facilities (ECO/School bus) | 29.63% 32 |
| Total Respondents: 108 | |

Q5

Do you have any other comments, questions, or concerns?

Answered: 53 Skipped: 58

Q6

Contact

Answered: 111 Skipped: 0

| Answer Choices | Responses |
|-----------------|-------------|
| Name | 100.00% 111 |
| Company | 34.23% 38 |
| Address | 99.10% 110 |
| Address 2 | 25.23% 28 |
| City/Town | 99.10% 110 |
| State/Province | 98.20% 109 |
| ZIP/Postal Code | 96.40% 107 |
| Country | 0.00% 0 |
| Email Address | 100.00% 111 |
| Phone Number | 87.39% 97 |

ACTION ITEMS REPORT

From: Town Manager
16-Mar-16

| Action Item | Responsible staff | Status |
|--|---|--|
| Eagle River Park Grant "History Walk in the Park" and bathrooms | Hawkinson | sod and basketball net installed Cintas best bathroom award Design for educational portion beginning |
| Lease Lot cleanup and leasing | Martinez | berm improved, needs seeded |
| Boneyard | Hawkinson | complete management plan |
| Little Beach Park | Powell | review improved park plans |
| Memorialization Guidelines | Metteer | staff presented in 2015, need more guidance from Council |
| Minturn Fitness Center | Powell Rosenfeld Bidez | Property tax exemption has been approved by state achieve 501.c.7 non-profit status |
| Minturn Education Fund | Powell Bellm | 501.3 IRS tax exempt application sent scholarships to be awarded in Spring |
| Zoning Code Amendments | Hawkinson Powell Sawyer | phase 1 complete and adopted by Council staff working on list of priorities to present to Council |
| Guide Sign Plan | Metteer | Submitted to CDOT for review |
| Water Rate Structure and Rates | Powell water committee | decision on structure and rates made review after six month history |
| Entryway/100 Block Project Steet Projects | Powell Hawkinson Inter-Mountain Engr. | phase 1 substantially complete by contractor seeding in Spring, decorative fencing to be installed phase 2 ongoing and on schedule |
| South Minturn Engineering TAP GRANT | Powell Osborne Inter-Mountain Engr. | IGA fully executed between CDOT and Town Stofus agreement approved and executed Council June 1, Open House June 7 |
| Bolts Ditch within Wilderness | Powell | costs being shared with Battle Mountain 50/50 WLG contract approved legislaton introduced, hearings have begun |
| Building Code Adoption--newer codes | | place holder |
| Term Limits | Sawyer | Charter or ordinance amendment decide particulars of amendment |