

RESOLUTION NO. PZ 19-19
Series of 2019

**A RESOLUTION APPROVING A LEVEL III
DEVELOPMENT PERMIT FOR A NEW DECK ON A
COMMERCIAL BUILDING LOCATED AT 765 W. ANEMONE
TRAIL.**

WHEREAS, the Planning and Zoning Commission of the Town of Dillon (“**Planning Commission**”) has received a Level III Development Application from Brown & Associates (the “**Applicant**”) for the construction of a new deck on a commercial building located at 765 W. Anemone Trail, Dillon, Colorado; and

WHEREAS, the Planning Commission has determined that the Application is complete; and

WHEREAS, following the required notice, a public hearing on the Application was held on October 2, 2019, before the Planning Commission; and

WHEREAS, following the public hearing the Planning Commission has made certain findings of fact regarding the Application and has determined that certain conditions which are reasonable and necessary to and relate to impacts created by the development should attach to the approval of the Application.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, AS FOLLOWS:

Section 1. That the Planning Commission, following the required notice, held a public hearing on October 2, 2019 on the Application, and following said public hearing makes the following findings of fact:

1. That the Application is complete.
2. That the Application meets the applicable Town of Dillon Municipal Code (“Code”) requirements.
3. That the Application is compatible with the Mixed Use (MU) Zoning District.
4. That the Application is in general compliance with the Town of Dillon Comprehensive Plan.

Section 2. That the Planning Commission hereby approves the Level III Development Application for the construction of a new deck on a commercial building located at 765 W. Anemone Trail, Dillon, Colorado, with the following conditions:

- A. The Town Manager may approve additional minor changes to the Application that do not change the character or intent of the Application as approved by this resolution.
- B. Applicant shall obtain a Grading and Excavation Permit for the deck footing construction.
- C. Applicant shall construct, after obtaining required permits, an enclosure or screening for the recycling and waste receptacles serving the building at 765 W. Anemone Trail in accordance with the service area screening requirements of Section 16-8-70 of the Code.
- D. Applicant shall pay any water and sewer tap fees due for a change in use from retail to restaurant if a tenant finish application for a restaurant is submitted.
- E. A tenant finish for a potential restaurant shall be submitted to the Town.

APPROVED AND ADOPTED THIS 2nd DAY OF OCTOBER, 2019 BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO.

**PLANNING AND ZONING COMMISSION,
TOWN OF DILLON**

By: _____
Teresa England, Chairperson

ATTEST:

By: _____
Michelle Haynes, Secretary to the Commission