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01/04/2007 12:44:28 2 Page(s)

Jefferson County, Colorado

RESOLUTION NO. 1712

**A RESOLUTION OF THE GOLDEN CITY COUNCIL
APPROVING THE KINNEY'S ADDITION BLOCK J TO THE
GOLDEN CITY REPLAT NO. 2 SUBDIVISION INCLUDING
APPROVAL OF LOT WIDTH AND LOT AREA VARIANCES**

11.00

WHEREAS, Golden Development LLC (subdivider) has submitted a proposed final subdivision plat for property within the City of Golden, State of Colorado, entitled Kinney's Addition Block J to Golden City Replat No. 2; and

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WHEREAS, the proposed subdivision is a subdivision of the parcel into three lots for construction of single household detached dwellings.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

Section 1. City Council finds that the lot width and area variance component of the subdivision request complies with the criteria in Chapter 18.12.030 of the Golden Municipal Code pertaining to a hardship in complying with the current code, said hardship being related to the fact that the shallow depth and steep topography of the lot prevents the owner from designing a townhome project consistent with the design standards and guidelines of Chapter 18.40 of the Municipal Code.

Section 2. City Council finds that based upon the design limitations presented to City Council in public hearing on October 12, 2006, such relief may be granted without substantial detriment to public good, without altering the essential character of the neighborhood, and without substantially impairing the intent and purpose of this zoning title or the growth plan of the city.

Section 3. Based upon the above findings, the lot width and lot area variances for the three lots in the proposed subdivision are hereby approved, and the final subdivision plat for Kinney's Addition Block J to Golden City Replat No. 2 is hereby approved subject to the following conditions:

- a. The subdivider shall pay applicable fees incurred as a result of the application approval, including, but not limited to, utility, remapping, legal notice and legal review, and recording fees.
- b. The final plat document shall be revised to incorporate requirements for limitations on building size and height for the three lots, as voluntarily committed to by the subdivider in public hearing on October 12, 2006.
- c. The subdivider shall execute a historic preservation easement and agreement pertaining to the historic East Street Barn, in a form approved by the City Council and City Attorney prior to recording of the final plat.
- d. The final plat shall not be recorded until City Council has ruled on the current request to vacate the outermost eight feet of the 16th Street right of way. If such vacation request is approved by City Council, the recorded plat will reflect the vacation and increased lot width and area presented to City Council in hearing.
- e. The subdivider shall submit, within ninety (90) days of the date of this approval, all documents required by the City of Golden Municipal Code for finalization of the subdivision plat.

Section 4. The Mayor and City Clerk are hereby authorized and directed to certify upon the final subdivision plat, the city's approval and acceptance thereof. The City Clerk is hereby authorized and directed to file the subdivision plat with the Jefferson County Clerk and Recorder's office upon fulfillment of all conditions as indicated herein.


Section 5. Unless otherwise extended by City Council, the approval of the Kinney's Addition Block J to Golden City Replat No. 2 final plat shall be null and void if the conditions are not complied with within ninety (90) days of the date of this Resolution.

Adopted this 12th day of October, 2006.



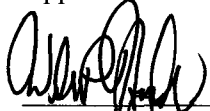
Charles J. Baroch
Mayor

ATTEST:



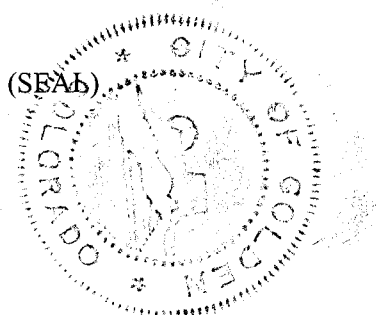
Susan M. Brooks, MMC
City Clerk

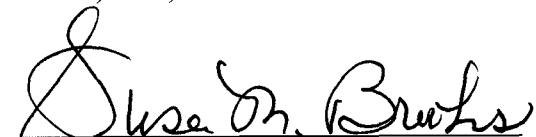
Approved as to form:

 for JAW

James A. Windholz
City Attorney

I, Susan M. Brooks, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing is a true copy of a certain Resolution adopted by the City Council of the City of Golden, Colorado at a regular meeting thereof held on the 12th day of October, A.D., 2006.



ATTEST: 

Susan M. Brooks, City Clerk of the City of
Golden, Colorado