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Jefferson County, Colorado

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RES

RESOLUTION NO. 1737

**A RESOLUTION OF THE GOLDEN CITY COUNCIL
APPROVING A FINAL PLAT FOR 508 AND 514 WASHINGTON
AVENUE INCLUDING APPROVAL OF LOT AREA AND
SETBACK VARIANCES**

11.00

1-2

WHEREAS, Henry Tiberi (Subdivider) has submitted a proposed final subdivision plat for property within the City of Golden, State of Colorado, entitled Barber's 1st and 3rd Additions to the City of Golden, Block 9 Minor Replat and;

WHEREAS, the proposed subdivision would result in a non-conforming side and front setbacks and a non-conforming lot area for Lot 1, Block 9, and;

WHEREAS, the City of Golden City Council conducted a public hearing on Case No. PC 06-66, the proposed Final Plat on December 14, 2006.

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

Section 1. City Council finds that the proposal complies with a majority of technical design requirements of Title 17 with regards to general design, residential subdivision standards, and easements.

Section 2. With regards to the side setback variances, City Council finds that the setback variances within the subdivision request comply with the criteria in Chapter 18.12.030 of the Golden Municipal code since the building has been in existence prior to 1994 when the setback requirements of the R-2 zoning district were last amended, and finds relief from the current 10' side setback setback requirements is warranted. City Council further finds 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 testimony received and the January 3, 2007 letter from Alfred and Helga Neuss, City Council finds that the lot 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 existing structures were built as a unified area without the requirement for each building to demonstrate compliance with minimum lot area standards, and further related to the fact that the owners believed that they had recorded surveys to facilitate the division of the property prior to the adoption of the current Subdivision Ordinance in 1993.

Section 4. Based upon the above findings, the lot setback variances are approved and the and lot area variance for Lot 1, Block 9 within the proposed subdivision is approved, and the final subdivision plat for Barber's 1st and 3rd Additions to the City of Golden, Block 9, Minor Replat is hereby approved subject to the following conditions:

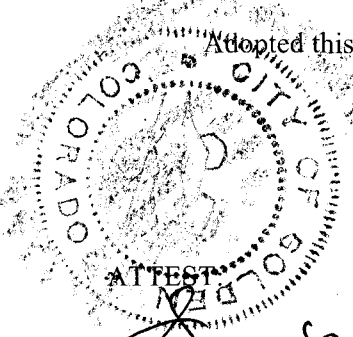
- a. The subdivider shall pay applicable fees incurred as a result of the application approval, including, but not limited to, utility, remapping, legal notice and legal review, and recording fees.
- b. The final plat document shall be revised to comply with formatting requirements of Section 17.70 of the city's Subdivision Regulations.
- c. 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 5. 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 6. Unless otherwise extended by City Council, the approval of the Barber's 1st and 3rd Additions to the City of Golden, Block 9 Replat shall be null and void if the conditions are not complied with within ninety (90) days of the date of this Resolution.

Adopted this 11th day of January, 2007.



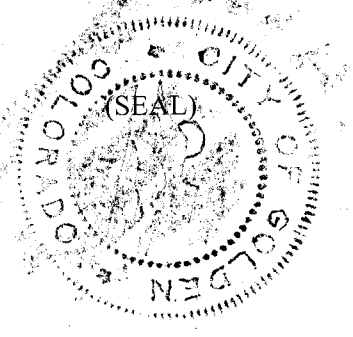
C. Baroch
Charles J. Baroch
Mayor

Susan M. Brooks
Susan M. Brooks, MMC
City Clerk

APPROVED AS TO FORM:

James A. Windholz
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 rescheduled regular meeting thereof held on the 11th day of January, A.D., 2007.



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