

**RESOLUTION NO. 1560**

**A RESOLUTION OF THE GOLDEN CITY COUNCIL APPROVING  
AN EXEMPTION TO THE ARAPAHOE GULCH BUILDING  
MORATORIUM FOR PROPERTY AT 722 WASHINGTON  
AVENUE, AS REQUESTED BY JOHN HERMANUSSEN**

WHEREAS, the Golden City Council approved Ordinance No. 1677 on September 23, 2004, which ordinance enacted a moratorium on the acceptance, processing, and issuance of building permits in an area near Arapahoe Gulch for a period extending six months from the effective date of the ordinance; and

WHEREAS, the Golden City Council approved Resolution No. 1542 on January 13, 2005 granting a partial exemption to the project proposed at 722 Washington Avenue, which partial exemption allowed the submission and processing of a building permit request, but not the issuance of a building permit; and

WHEREAS, the Golden City Council approved Resolution No. 1555 on March 17, 2005, which resolution extended the moratorium for 60 days, in accordance with the provisions of Section 4 of Ordinance No. 1677; and

WHEREAS, Ordinance No. 1677 contained provisions whereby City Council may grant exceptions to the provisions of the moratorium based upon specific criteria; and


WHEREAS, John Hermanussen has submitted a request for an exemption to the moratorium to construct a commercial mixed use project, and has provided evidence pertaining to the hardship and other criteria in Ordinance No. 1677; and

WHEREAS, the evidence presented to City Council demonstrates that the continued delay in constructing the commercial mixed use project at 722 Washington Avenue constitutes an undue hardship to the applicant, and also demonstrates that the issuance of the requested permit will not adversely affect the public interest or the purposes of the moratorium enacted by Ordinance No. 1677.

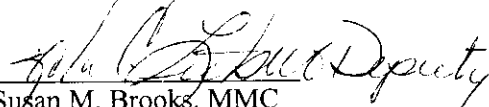
THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

Section 1. The City of Golden City Council hereby approves an exemption to the provisions of Ordinance 1677 for the issuance of a building permit to construct the project at 722 Washington Avenue subject to dedication of a drainage and utility easement, in a form acceptable to the City Attorney, across the easternmost twenty-five feet (25') of the applicant's adjacent property known as Lot 2 Washington At 8<sup>th</sup> Street Minor Plat. City Council hereby accepts the dedication.

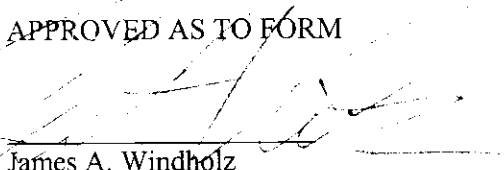
Adopted this 14<sup>th</sup> day of April, 2005.

  
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Charles J. Baroch  
Mayor

ATTEST:

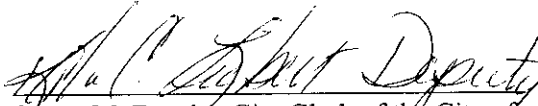
  
Susan M. Brooks, MMC  
City Clerk

APPROVED AS TO FORM

  
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 14th day of April, A.D., 2005.

(SEAL)

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