

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PITKIN COUNTY, COLORADO, GRANTING APPROVAL OF THE TWO MOON (aka RAYBURN/RAYDO) SUBDIVISION DETAILED SUBMISSION AND FINAL PLAT

Resolution No. 98-68

RECITALS

1. Don Rayburn and Raydo, Inc., hereinafter, "Applicant", has applied to the Board of County Commissioners of Pitkin County, Colorado, hereinafter, "Board", for approval of detailed subdivision submission and final plat pursuant to the Pitkin County Land Use Code.
2. The subject property is located along the Roaring Fork River in the Twining Flats area, and is described on Exhibit A, attached.
3. The Planning and Zoning Commission reviewed this application on January 6, 1998, and recommended approval of the application subject to conditions.
4. The Board heard this application at a regularly scheduled public hearing on April 8, 1998, at which time evidence and testimony were presented with respect to this application.
5. The Board determined that the proposed activity meets the applicable criteria established in the Land Use Code, provided the conditions listed in this resolution are adhered to.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pitkin County, Colorado, that it does hereby grant approval of the Two Moon Subdivision Detailed Submission and Final Plat subject to the following conditions:

1. The applicant shall adhere to all material representations made in the application and in public meetings.
2. Prior to building permit application, the applicant shall record a Final Plat meeting the standards of Land Use Code Section 5-40.
3. That all conditions of BOCC Resolution No. 97-5 remain in full force and effect, except condition No. 14 shall be modified to read, "The Board supports the conveyance of the Category 4 deed restricted single family residence to the existing tenant even if his family does not meet the current Category 4 guidelines."
4. The Final Plat shall show the fishing easement, the floodplain limits, and the DOT right of way.


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5. School and Park "Cash-in-Lieu of Land Dedication" requirements as per Code Sections 3-130-040 (parks) and 3-130-080 (schools) will be required for development of Lot 2 and shall be satisfied prior to issuance of a building permit for a residence on Lot 2.
6. There shall be no new development on Lot 1 without a prior 1041 Hazard Review and establishment of a building envelope. A note to this effect shall be placed on the plat.
7. The County Attorney shall review and approve the subdivision covenants prior to plat recordation.


INTRODUCED AND FIRST READ at a regular meeting and public hearing on the 8th day of April, 1998.

NOTICE OF PUBLIC HEARING PUBLISHED IN THE ASPEN TIMES on the 7th and 28th days of March, 1998.

APPROVED AND ADOPTED AFTER SECOND READING on the 22nd day of April, 1998.

PUBLISHED AFTER ADOPTION IN THE ASPEN TIMES on the 23rd day of May, 1998.

ATTEST:

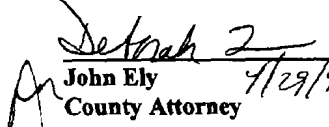

Jeanette Jones Lyndee K. Dean
Deputy Clerk and Recorder

**BOARD OF COUNTY COMMISSIONERS
OF PITKIN COUNTY, COLORADO**

By: 
Dorothea Farris, Chairman

DATE: 4-29-98

APPROVED AS TO FORM


John Ely 4/29/98
County Attorney

RECOMMENDED FOR ADOPTION


Cindy Houben 4.16.98
Community Development Director


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DON RAYBURN - SUBJECT PROPERTY

Parcel A

PARCEL NO. 2643 164 00 038

A tract of land situated in the NW/4SE/4 of Section 16, Twp. 9 S., Range 85 West of the 6th P.M., lying Easterly of the north-South Centerline of said Section 16 and southwesterly of the center of the Roaring Fork River described as follows: Beginning at a point on the North-South centerline of said Section 16 whence a rebar with a cap . . .

Donald H. Rayburn and Roberta R. Rayborn, Grantees
Willis A. Shattuck and Sarah D. Shattuck, and James A. Drais and Sue B. Drais, Grantors
Warranty Deed
Book 236, Page 722, dated 9/6/68

DON RAYBURN - SUBJECT PROPERTY

Parcel B

PARCEL NO. 2643 164 00 031

A tract of land situated in the NW/4SE/4 of Section 16, Twp. 9 S., Range 85 West of the 6th P.M., lying Easterly of the north-South Centerline of said Section 16 and southwesterly of the center of the Roaring Fork River described as follows: Beginning at a point on the North-South centerline of said Section 16 whence a rebar with a cap . . .

Donald H. Rayburn and Roberta R. Rayburn, Grantees
Betty Jane Harbour, Grantor
Warranty Deed
Book 236, Page 720, dated 10/7/68


DON RAYBURN - SUBJECT PROPERTY

Parcel C

PARCEL NO. 2643 162 00 030

Property lying with in Lot 12, Section 16, T9S, R85 W, of the 6th P.M. described as follows: Beginning at a point whence the Northwest Corner of said Section 16 bears . . .

Donald H. Rayburn and Roberta R. Rayburn, Grantees
Walter C. Stroud and Helen E. Stroud, Grantors
Warranty Deed
Book 250, Page 895, dated 9/24/70


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