

**TOWN OF LYONS,
COLORADO**

RESOLUTION 2015-132

**A RESOLUTION APPROVING A FINAL PLAT FOR LYONS VALLEY
PARK, FILING NO.8 RE-PLAT, WITHIN THE TOWN OF LYONS**

WHEREAS, the Town of Lyons possesses the authority to approve the subdivision of land within the Town; and

WHEREAS, the owner of property within the Town of Lyons applied for the Re-Plat of an un-built portion of certain property in the Lyons Valley Park subdivision known as Filing No.8; and

WHEREAS, the Planning and Community Development Commission and Board of Trustees conducted public hearings on the application for final plat approval following proper notice to the public; and

WHEREAS, the record for this case includes, but is not limited to, the Lyons Municipal Code, the Lyons Comprehensive Plan, and all other applicable ordinances, resolutions and regulations together with all Town of Lyons land use application processing policies that relate to the subject matter of the public hearing, the land use application and accompanying maps, reports, studies and all other submittals of the applicant, any evidence or correspondence submitted by members of the public at the public hearing, and the staff files and reports of the town planner pertaining to the application; and

WHEREAS, the Town of Lyons Planning and Community Development Commission has recommended approval of this Final Plat; and

WHEREAS the Board of Trustees has determined that the Final Plat for the property, subject to any and all conditions set forth herein, furthers the public health, safety, convenience and general welfare of the community; generally conforms with the Town's Comprehensive Plan; is compatible with surrounding uses; and otherwise meets the applicable criteria set forth in Chapter 17 of Title 9 of the Lyons Municipal Code.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF LYONS, COLORADO, as follows:

Section 1. The Final Plat for the Re-Plat for an unbuilt portion of Lyons Valley Park subdivision known as Filing No.8 is hereby approved subject to any and all conditions imposed by the Board of Trustees, the Board specifically finding that the Final Plat is supported by the Town of Lyons Comprehensive Plan.

Section 2. Approval of this application shall be and is subject to each of the following conditions, which the applicant has accepted and which the applicant is also deemed to accept by preparing a mylar for signature by the mayor and by continuing with the development of the property:

- a) Lot 5 in Block 1 shall be adjusted to meet the minimum lot area of 7000 square feet in a manner that leaves all the other lots in the Re-Plat conforming to this minimum lot area standard; and
- b) The applicant's resolution of any minor technical issues; and

c) The applicant's payment of all reasonable fees and costs incurred by the Town and its consultants in reviewing and processing the subdivision application prior to recordation of the subdivision documents.

Section 4. Upon the applicant's completion of any and all changes to the mylar as may be required by this Ordinance, the mayor is authorized to sign same and the Town Clerk is authorized to attest the mayor's signature.

Section 5. The town administrator, town planner, and other appropriate staff are authorized to make any changes to the mylar form of the approved documents as may be needed to conform the documents to the conditions set forth in this Resolution and to the form and content requirements of the Town in existence at the time the documents are submitted for signature, and to make such other changes that are expressly stated in the motion for approval. No other deviation or variance from the form and content of the documents submitted for the Board's consideration are approved except to the extent stated in this Resolution.

Section 7. Severability. If any provision of this Resolution should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Resolution that can be given effect without the invalid portion, provided that such remaining portions or applications of this Resolution are not determined by the court to be inoperable. The Board of Trustees declares that it would have adopted this Resolution and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid or unconstitutional.

Section 8. Repeal. All other ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this Resolution are hereby repealed, provided that such repeal shall not repeal any repealer clauses in such ordinances nor revive any ordinance thereby.

Section 9. Effective Date. This Resolution shall become effective immediately upon signing by the mayor.

APPROVED THIS 7TH DAY OF DECEMBER 2015.



TOWN OF LYONS

By: _____

John E. O'Brien, Mayor