

**TOWN OF FREDERICK, COLORADO
RESOLUTION NO. 17-R-56**

A RESOLUTION REGARDING THE REQUEST FOR AMENDMENT TO THE OFFICIAL ZONING MAP OF THE TOWN OF FREDERICK FOR LOT 2 JESSER FARM SUBDIVISION, FOR ESTABLISHING VESTING AND ADOPTING CERTAIN FINDINGS OF FACT AND CONCLUSIONS FAVORABLE TO THE ZONING AMENDMENT AND VESTING.

WHEREAS, the Board of Trustees of the Town of Frederick, Colorado, on September 26, 2017, reviewed the application of Vintage Homes and Land LLC, for a zoning amendment to the Official Zoning Map of the Town of Frederick from the current zoning district of PUD-O overlay district to Business Light Industrial (BLI) zoning district and for increasing the vesting rights of the lot, for the following real property; to wit:

LOT 2 JESSER FARM SUBDIVISION AMENDMENT, TOWN OF FREDERICK, COUNTY OF WELD, STATE OF COLORADO, AS SHOWN ON THE SUBDIVISION AMENDMENT MAP RECORDED WITH THE CLERK AND RECORDER OF WELD COUNTY ON MAY 12, 2014 AT RECEPTION NO. 401550

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, COLORADO, AS FOLLOWS:

Section 1. Findings of Fact. The following findings are made by the Board of Trustees of the Town of Frederick, after due consideration of the testimony given and presentations made during the public hearing conducted by the Board on September 26, 2017:

- a. As to the requested change in zoning, the applicant's application and supporting documents are in substantial compliance with "Section 3.2.3 Changes to Map/Amendments," of the *Frederick Land Use Code*; and
- b. The amendment is necessary to provide land for a community-related use that was not anticipated at the time of the adoption of the Comprehensive Plan, and the rezoning will be consistent with the policies and goals of the Comprehensive Plan; and
- c. The area requested for rezoning has changed or is changing to such a degree that it is in the public interest to encourage development or redevelopment of the area.
- d. As to the request to increase the vesting rights on Lot 2 of the Jesser Farm Subdivision, the applicant's request is in substantial compliance with "ARTICLE 5 Vesting of Property Rights" of the *Frederick Land Use Code*.
- e. The final plat for Lot 2 of the Jesser Farm subdivision was approved on April 14, 2014. Said final plat is considered a site specific development plan pursuant to ARTICLE 5.2.3 of the *Frederick Land Use Code* and this request for additional vesting is within five (5) years of the approval of the final plat.
- f. The approval of the vested property rights shall be extended to October 13, 2025 to match the remaining vesting on the adjacent Wildflower Subdivision.

Section 2. Conclusions and Order Approving an Amendment to the Official Zoning Map of the Town of Frederick for Lot 2 Jesser Farm Subdivision.

- a. The proposed amendment of the Official Zoning Map complies with section 3.2.3 of the *Frederick Land Use Code*.”
- b. Business Light Industrial (BLI) is the appropriate zoning for this tract of land.
- c. Vesting of property rights shall be extended to October 13, 2025.
- d. The proposed amendment of the Official Zoning Map for the subject property should be granted approval.

INTRODUCED, READ, PASSED, AND SIGNED THIS 26th DAY OF SEPTEMBER, 2017.

ATTEST:

TOWN OF FREDERICK

By 
Meghan C. Martinez, CMC, Town Clerk

By 
Paula Brown, Mayor Pro Tem

