

**PARK COUNTY PLANNING COMMISSION
PLANNING DEPARTMENT STAFF REPORT**

Planning Commission Hearing Date: November 8, 2016

To: Planning Commission Members

Date: October 20, 2016

Prepared by: John Deagan, AICP; Planner

Subject: Mead Right-of-Way Vacation

Request: The applicant is requesting to transfer the portion of Olive Avenue between lots 142 through 150 and 203 through 211, Silver Springs subdivision, to private ownership. The vacated right-of-way would also be consolidated with those lots.

Application Summary:

Applicant:	Taylor and Michele Mead
Owner:	Same
Location:	803 Mt. Evans Boulevard. A vicinity map is attached as Attachment 1.
Zone District:	Residential
Surrounding Zoning:	Residential in all directions
Lot Size:	0.10 ac. (right-of-way), 1.29 ac. (Lots 142-150 & 203-211)
Existing Use:	Single Family Residence
Proposed Use:	Same
Public Comment:	None received at this time.

Background:

The subject property is located near Pine Junction. The applicants are requesting the complete vacation of the Olive Avenue right-of-way between their deeded lots. The survey superimposed on an aerial photograph can be seen as Attachment 2. The house and other improvements on the property were built within the right-of-way. Although their deed mentions "vacated Olive Avenue," that vacation action was performed in 1955 by the Jefferson County Board of County Commissioners and did not have legal effect in Park County. There must have been confusion over the location of the county boundary at that time. The Jefferson County resolution can be seen as Attachment 3.

Land Use Regulations and Strategic Master Plan:

Each of the standards for approval of a Right-of-Way Vacation (LUR Section 6-1003, page 50 of Article VI) is addressed below.

A. The vacation of the right-of-way is not contrary to the public interest.

There is no reason for the public to use the area subject to the proposed vacation. All adjacent lots have access from other built roads or driveways.

B. The proposed right-of-way vacation would not create or result in any adverse impact to neighboring properties or the public health, safety, or welfare.

This right-of way vacation will not create any adverse impacts to neighboring properties or the public health, safety, or welfare.

C. The proposed right-of-way vacation does not leave any land without access to another public road.

All adjacent lots have access from other built roads or driveways.

D. The proposed right-of-way vacation substantially conforms to the goals and policies of the Strategic Master Plan to the extent that such advisory provisions do not conflict with provisions or requirements of the Land Use Regulations and to the extent that such goals and policies set forth requirements which are sufficiently specific to permit the Planning Commission or the BOCC to decide that the dedication meets or fails to meet such goal or policy.

Staff does not find the Right-of-Way Vacation to be contrary to any of the Guiding Principles of the Strategic Master Plan.

Impact Analysis:

No impact is anticipated to traffic, roadways, schools, parks, storm drainage facilities, or utilities.

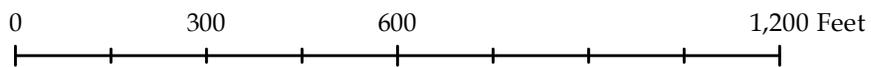
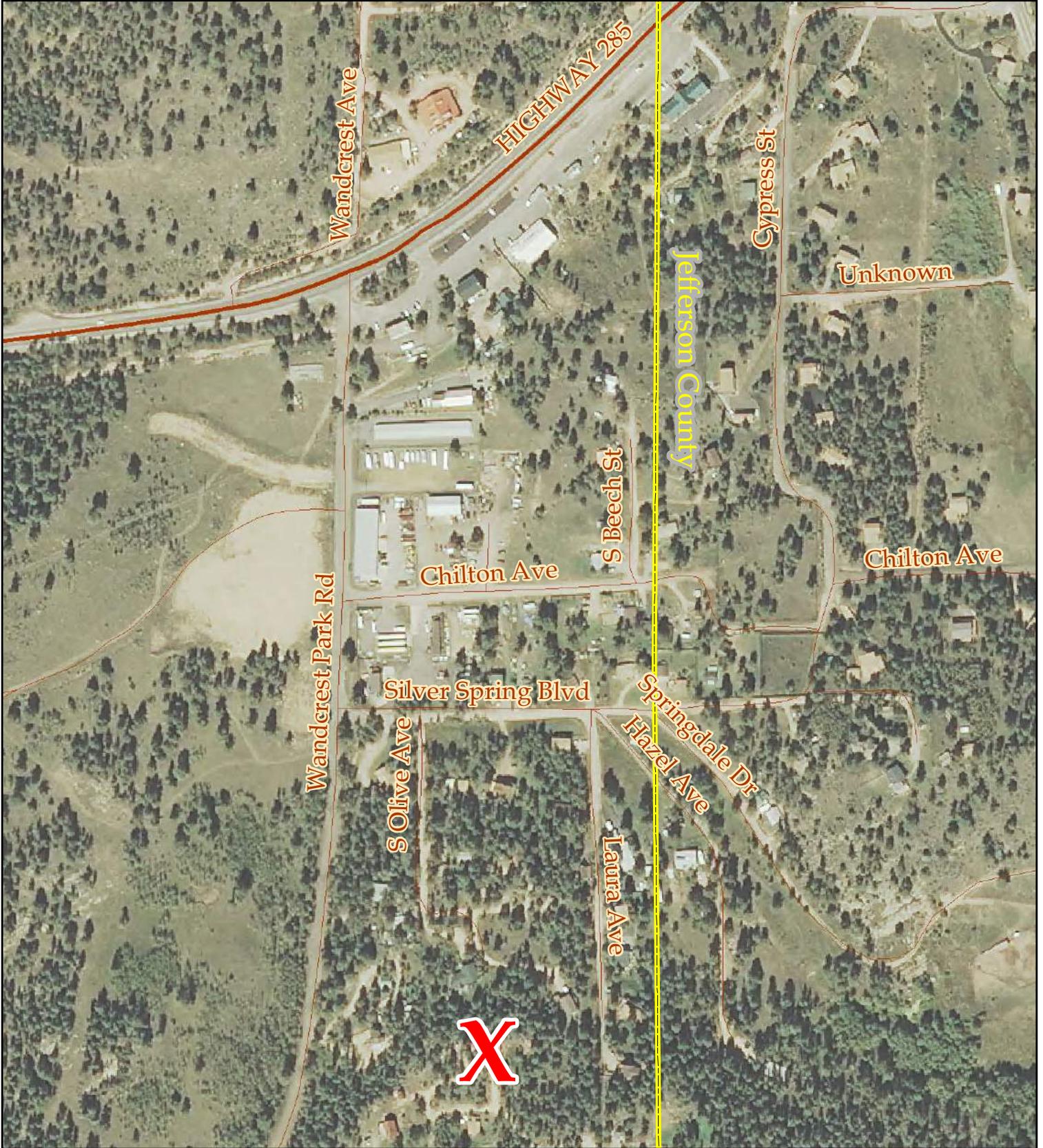
Recommendation:

Based on the foregoing, staff recommends approval of the proposed right-of-way vacation with the following condition:

1. Prior to recordation, the plat is revised to include Right-Of-Way Vacation in the title and to include a signature block for Board of County Commissioners approval.

Vicinity Map

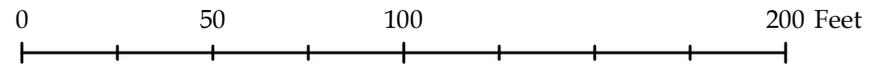
Aerially Photographed in 2013





Attachment 2

Aerially Photographed in 2015



Park County Planning Department



Recorded at 125 of Book P. 12 JUN -7 1956

Reception No. **646673** ROBERT W. NEWTON, Recorder. 999 579

CERTIFIED COPY OF RESOLUTION

WHEREAS by a plat of Silver Springs Subdivision recorded in Plat Book 3 at Page 65 of the Jefferson County records, certain streets, avenues and alleys shown thereon were dedicated to the public; and

WHEREAS the following described street 145/1s - no longer necessary for use by the public; and

WHEREAS said street 145/1s - not within the limits of any city or town and does not form the boundary line of a city, town or county; and

WHEREAS no land would, by a vacation of said street be left without an established public road connecting it with another established public road; and

WHEREAS the Jefferson County Planning Commission has approved the said proposed vacation of street

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Jefferson County, Col. ~~1956~~, pursuant to the provisions of Chapter 217, 1949 Session Laws of Colorado that the following described street 145/1s situate in the County of Jefferson, and State of Colorado, be and - it ~~they~~ - is ~~are~~ hereby vacated subject to a reservation of easements for the continued use of existing sewer, gas, water or similar pipe lines and appurtenances, existing ditches and appurtenances, and existing electric, telephone and similar lines and appurtenances, if any:

"Olive Avenue"

1956 646673



STATE OF COLORADO)
COUNTY OF JEFFERSON) ss.

Robert W. Newton, County Clerk and Recorder and Clerk to the Board of County Commissioners certify that the above is a true copy of a resolution passed at the regular ~~annual~~ meeting of the Board of County Commissioners held on April 4, 1955 as it appears on record in the Minute Book.

Robert W. Newton
County Clerk and Recorder