

**TOWN OF SILT
RESOLUTION NO. 29
SERIES OF 2020**

A RESOLUTION OF THE TOWN OF SILT (“TOWN”) APPROVING THE SCHLEIN/ELLISON SPECIAL USE PERMIT TO ALLOW FOR THE 2ND UPPER LEVEL APARTMENT IN AN EXISTING BUILDING LOCATED AT 602 MAIN STREET, OTHERWISE KNOWN AS LOTS 11 AND 12, BLOCK 17, ORIGINAL TOWNSITE, WITHIN THE TOWN OF SILT, COLORADO

WHEREAS, the applicants and land owners, Marty Schlein and Susan Ellison (hereinafter “Applicants”), of 4474 County Road 100, Carbondale, CO 81623, are the owners of a building located at 602 Main Street, otherwise known as Lots 11 and 12, Block 17, Original Townsite (“Property”), within the Town of Silt, Colorado (“Town”);

WHEREAS, the Property currently contains three commercial units and one residential unit, which was granted by special use permit in 2011; and

WHEREAS, on or about July 17, 2020, the applicants submitted a special use permit application requesting conversion of a second upper level commercial unit (west quadrant) into a residential dwelling unit; and

WHEREAS, Town staff processed the Application and forwarded the Application as well as staff comments about the Application in various memoranda to the Town Planning and Zoning Commission (“Commission”); and

WHEREAS, the Commission reviewed and discussed the Application at its regular meeting on August 4, 2020; and

WHEREAS, the Commission recommended to the Board of Trustees (“Board”) that the request be granted and that a special use permit be issued with conditions as stated in the staff report and in this resolution; and

WHEREAS, the Board held a public hearing concerning the approval of the Application and special use permit at the Board’s regularly scheduled meeting on August 24, 2020; and

WHEREAS, upon proper consideration and review of the Schlein/Ellison Special Use Permit # 2 request, the Board has determined that approval of the Schlein/Ellison Special Use Permit is in the best interests of the Town and its residents; and

WHEREAS, the Board finds that the requirements of Silt Municipal Code Chapters 17.78 and other sections have been met substantially by the Applicants and that the Schlein/Ellison special use permit should be granted.

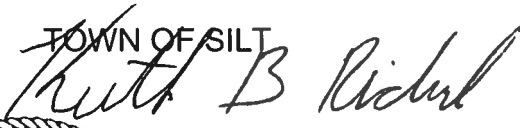
NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE TOWN OF SILT, COLORADO, THAT the Schlein/Ellison Special Use Permit # 2 is hereby approved for a residential dwelling unit in the western quadrant on the 2nd Floor of the building located at 602 Main Street, otherwise known as Lots 11 and 12, Block 17 within the Town of Silt, Colorado ("Town") subject to the following conditions:

- 1) That all statements made by Mr. Schlein and Ms. Ellison, both in the application and in meetings before the Planning and Zoning Commission and the Board of Trustees, be considered conditions of approval, unless modified in the following conditions;
- 2) That the Schlein/Ellison Special Use Permit (SUP) be in effect for a period of two (2) years from the date of renewal, if not terminated sooner by the Board of Trustees for cause related to the improper use of the residential unit, failure to maintain the entire building and its property, failure of owner/tenants to pay utility bills owed to Town;
- 3) That Mr. Schlein and Ms. Ellison (or their heirs, successors, or assigns), if they wish to continue utilizing the unit for residential purposes, submit a written request to the Board of Trustees, to be considered by the Board of Trustees in a regular meeting, not fewer than twenty (20) days prior to the end date of the SUP. Such written request must state the reason for the SUP extension request. The applicants (or their heirs, successors, or assigns) shall be in good standing with the Town with regards to payment of utility bills and maintenance of the property;
- 4) That the Board of Trustees review the Schlein/Ellison Special Use Permit every two (2) years after renewal of such special use permit and continuing thereafter until or unless such residential use is discontinued;
- 5) That the residential unit have no outward appearance of such residential use, either visible from Main Street or from 6th Street;
- 6) That Mr. Schlein and Ms. Ellison pay all fees related to the Town's renewal of the Schlein/Ellison Special Use Permit, including but not limited to actual public notification costs, copying and printing costs, and administrative fees.

INTRODUCED, READ, PASSED AND ADOPTED at a regular meeting of the Board of Trustees of the Town of Silt, Colorado held on the 24th day of August, 2020.

ATTEST:


Town Clerk Sheila M. McIntyre, CMC

TOWN OF SILT

Mayor Keith B. Richel

