

**TOWN OF NEW CASTLE, COLORADO  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. PZ 2018-04**

**A RESOLUTION OF THE NEW CASTLE PLANNING AND ZONING  
COMMISSION RECOMMENDING APPROVAL OF A LOT SPLIT OF  
PROPERTY LOCATED AT 6300 CR 335 IN THE TOWN OF NEW CASTLE.**

WHEREAS, on June 22, 2018, Burning Mountain Land & Cattle, LLC (“Applicant”) submitted a lot split application (“Application”) regarding the property located at 6300 CR 335, New Castle, Colorado, and legally described in Exhibit A hereto (“Property”); and

WHEREAS, Applicant owns the Property; and

WHEREAS, Applicant seeks to divide the Property into two parcels as shown on the proposed final plat attached as Exhibit B; and

WHEREAS, pursuant to § 16.12.030(B) of the New Castle Municipal Code (“Code”), the New Castle Planning and Zoning Commission (“Commission”) held a duly-noticed public hearing on October 10, 2018, to consider the Application; and

WHEREAS, based on the Application and the testimony, the Commission hereby recommends approval of the Application, subject to the terms and conditions set forth below.

NOW, THEREFORE, BE IT RESOLVED BY THE NEW CASTLE PLANNING AND ZONING COMMISSION AS FOLLOWS:

1. Recitals Incorporated by Reference. The foregoing recitals are incorporated by reference herein as findings and determinations of the New Castle Planning and Zoning Commission.

2. Recommendation. The Planning and Zoning Commission hereby recommends that the Town Council approve the Application pursuant to § 16.12.030 of the Code subject to the following conditions:


A. All representations of the Applicant in written Application materials and in verbal presentations submitted to the Town or made at public hearings before the Commission or Town Council and reflected in the minutes thereof shall be considered part of the Application and binding on the Applicant;

B. Applicant shall reimburse the Town for any and all expenses incurred by the Town regarding this approval, including without limitation all costs incurred by the Town’s outside consultants such as legal and engineering costs;

THIS RESOLUTION PZ 2018-04 was adopted by the New Castle Planning and Zoning Commission by a vote of 5 to 0 on the 10<sup>th</sup> day of October, 2018.



NEW CASTLE PLANNING AND  
ZONING COMMISSION

By:   
Chuck Apostolik, Chairman

ATTEST:

  
Mindy Andis CMC, Deputy Town Clerk

**EXHIBIT A**  
**Legal Description**

The property that is the subject of the Application described in Resolution PZ 2018-4 is legally described as follows:

A tract of land being situated in the E 1/2 of section 31 and the SW 1/4 of section 32, Township 5 South, Range 90 West of the 6<sup>th</sup> Principal Meridian, said parcel being more particularly described as follows:

Beginning at the northeast corner of parcel A of the Talbott Subdivision according to the plat thereof as filed for record under reception No. 514384 of the records of the County of Garfield, said point of beginning being a rebar and plastic cap LS No. 26950 found in place from which the west 1/4 corner of section 32 bears N. 03°24'41"W. 1341.35 feet; thence along the west line of the SW 1/4 of said section 32 S.03°24'41"E. 8.00 feet; thence along southerly right of way of Garfield County road No. 335 based upon the centerline as constructed and in place 275.21 feet along the arc of a non-tangent curve to the right having a radius of 2038.39 feet, a central angle of 07°44'08" and a chord which bears S. 66°19'46"E. 275.00 feet; thence departing said right of way S. 32°00'21"W. 433.19 feet to a point on the west line of said SW 1/4; thence N. 03°24'41"W. along said west line a distance of 75.10 feet; thence departing said west line and along the southerly, westerly and northerly lines of said parcel A as platted on said Talbott Subdivision the following 10 (ten) courses: 1) N. 56°35'40"W. 39.48 feet; 2) N. 25°42'32"W. 133.67 feet; 3) N. 83°58'47"W. 123.84 feet; 4) S. 77°06'26"W. 123.61 feet; 5) N. 77°31'17"W. 98.74 feet; 6) N. 00°02'00"E. 359.68 feet; 7) S. 78i53°14"E. 102.06 feet; 8) 62.09 feet along the arc of a nontangent curve to the right, having a radius of 2038.39 feet, a central angle of 01° 44' 43", a chord which bears S. 78°00'52"E. 62.09 feet; 9) S. 79°07'18"E. 32.81 feet; 10) S. 75°29'30"E. 20.00 feet; to the point of beginning.

Said tract of land containing 4.592 acres, more or less, County of Garfield, State of Colorado

