

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
APPROVING A FLOODPLAIN VARIANCE PERTAINING TO PROPERTY
LOCATED AT 110 GLENMOOR DRIVE, THE GLENMOOR COUNTRY CLUB**

WHEREAS, Glenmoor Country Club (the "Applicant") is the record property owner of a certain parcel of land being approximately 58 acres in size, located at 110 Glenmoor Drive, and more particularly described in **Exhibit A**, attached hereto and incorporated herein ("Property"); and

WHEREAS, the Applicant submitted an application for a Floodplain Variance for the Property dated June 13, 2022 ("Application"); and

WHEREAS, the Planning and Zoning Commission ("P&Z") held a duly noticed public hearing on December 13, 2022, to consider the Application, and following the conclusion of the public hearing, P&Z voted to recommend approval of the Application to City Council subject to the condition set forth below, based on the evidence and testimony presented at such hearing; and

WHEREAS, pursuant to the Cherry Hills Village Municipal Code ("Code"), the City provided notice of a City Council public hearing to be held on January 17, 2023; and

WHEREAS, the City Council thereafter held such duly-noticed public hearing on the Application, where evidence and testimony were presented to the City Council; and

WHEREAS, the City Council determines that testimony and other evidence in the record supports findings that the Floodplain Variance meets the criteria outlined in Section 16-7-530(f), and Section 16-7-360(e) of the Code and all other applicable provisions of the Code and desires to approve the Application subject to the condition set forth below.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE:

Section 1. Incorporation of Recitals. The recitals contained above are incorporated herein by reference and are adopted as findings of the City Council.

Section 2. Floodplain Variance Approved. The Floodplain Variance referenced herein is hereby approved, subject to the condition set forth in Section 3 below.

Section 3. Condition Imposed. The Floodplain Variance herein approved is subject to the following condition:

1. At the conclusion of the project the applicant shall provide "as built" drawings to ensure that construction was consistent with the approved plans.


Section 4. Effective Date. This Resolution shall be effective immediately upon its adoption.

Section 5. Repealer. All resolutions or parts thereof in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution or revive any resolution.

Section 6. Severability. If any provision of this resolution is found by a court of competent jurisdiction to be invalid, the remaining provisions of this resolution will remain valid, it being the intent of the City that the provisions of this resolution are severable.

Introduced, passed and adopted at a
regular meeting of City Council this 17th day
of January, 2023, by a vote of 6 yes and 0 no.

(SEAL)


Kathleen Brown, Mayor

ATTEST:


Laura Gillespie, City Clerk

APPROVED AS TO FORM:

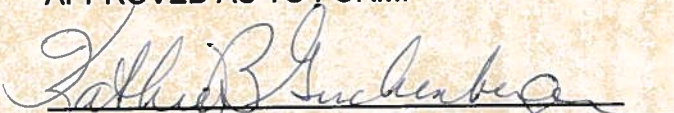

Kathie B. Guckenberger, City Attorney

Exhibit A
Legal Description

Tract E Glenmoor of Cherry Hills