

RESOLUTION 2014-055
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING FINDINGS OF FACT AND CONCLUSIONS
REGARDING THE APPEAL OF THE APRIL 10, 2014
PLANNING AND ZONING BOARD APPROVAL OF THE
BELLA VIRA FINAL PLAN, EXTENSION OF VESTED RIGHTS

WHEREAS, on April 10, 2014, the Planning and Zoning Board (the "Board") approved an extension of vested rights for the Bella Vira, Final Plan (the "Project"); and

WHEREAS, on April 24, 2014, a Notice of Appeal of the Board's decision was filed with the City Clerk by Eric Sutherland (the "Appellant"); and

WHEREAS, on May 14, 2014, an Amended Notice of Appeal was filed with the City Clerk by the Appellant; and

WHEREAS, on June 3, 2014, the City Council, after notice given in accordance with Chapter 2, Article II, Division 3, of the City Code, considered said appeal, reviewed the record on appeal, heard presentations from the Appellant and other parties-in-interest and, after discussion, upheld the decision of the Board; and

WHEREAS, City Code Section 2-57(g) provides that no later than the date of its next regular meeting after the hearing of an appeal, City Council shall adopt, by resolution, findings of fact in support of its decision on the appeal.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS that, pursuant to Section 2-57(g) of the City Code, the City Council hereby makes the following findings of fact and conclusions:

1. That the grounds for appeal as stated in the Appellant's Amended Notice of Appeal conform to the requirements of Section 2-48 of the City Code.
2. That the Board conducted a fair hearing in approving the Project.
3. That the Board properly interpreted and applied the relevant provisions of the Land Use Code in approving the Project.
4. That accordingly, the decision of the Board is upheld.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 1st day of July, A.D. 2014.

Karen Weithornat
Mayor

ATTEST:

Wanda Nelson
City Clerk

