

RESOLUTION No. 2007-048

**A RESOLUTION OF THE
BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO
TO APPROVE THE SPECIAL USE PERMIT FOR A COMMERCIAL USE
FOR A GOLF SHOP / MEMBERS CLUB FACILITY FOR
HERITAGE INN & SUITES OF KANSAS CITY, INC. AND HT HERITAGE INN OF ERIE, LLC**

WHEREAS, Heritage Inn and Suites of Kansas City, Inc. and HT Heritage Inn of Erie, LLC ("Applicant") have filed an application for a Special Use Permit for a commercial use to include a golf shop and members club facility on a portion of Lot CV 103, Fairway Pines Filing 1A, Ouray County, Colorado ("Application"); and

WHEREAS, notice of a Public Hearing on such Application was properly given to adjacent property owners and published on July 6, 2007 in the *Ouray County Plaindealer* and on July 11, 2007 in the *Ridgway Sun*, all as required by Section 5.4 of the Ouray County Land Use Code ("LUC"); and

WHEREAS, the Board of County Commissioners of Ouray County, Colorado ("Board") held a public hearing on the Application on July 23, 2007 at 11:00 a.m. at the Ouray County 4-H Event Center located at 22739 Hwy. 550, Ridgway, CO and such public hearing was continued to July 31, 2007 at 4:00 p.m. at the same location; and

WHEREAS, on July 23, 2007 and July 31, 2007, the Board reviewed the Application and supporting materials and heard comments from the Ouray County Land Use Staff and the Applicant and also heard public comment on the Application; and

WHEREAS, based upon the Application, supporting materials, Staff Report and public comments, the Board has determined that the Application meets the conditions and criteria set forth in Section 5.3 of the LUC for a Special Use Permit for a Commercial Use as set forth in Section 22 of the LUC and complies with all other applicable provisions of the LUC; and

WHEREAS, the Applicant made certain representations to the Board at the public hearing on July 31, 2007 regarding modifications to the plans that were submitted by the Applicant with its Application to provide additional space for a club members meeting room and a commercial kitchen, bar and grill space as shown in general on the revised drawing attached hereto and incorporated herein by this reference as Exhibit "1"; and

WHEREAS, the Board, based upon the information presented at the continued public hearing on July 31, 2007 and the comments and statements regarding the facility to be constructed as generally shown on the attached Exhibit "1", finds that the Application as modified by the Applicant satisfies the requirements for a "golf clubhouse" facility as set forth in that certain Planned Unit Development Agreement for the Divide Ranch and Club dated July 2, 2007 ("PUD Agreement") and as described under the terms of 1998 BOCC Resolution 1998-070, recorded at reception number 168547 in the office of the Ouray County Clerk and Recorder and the subsequent extensions or amendments thereto including the "Fairway Pines Clubhouse Extension Resolution and Agreement" dated September 5, 2002 (the "1998 Resolution"); such designation being made only for the intent of defining the clubhouse for purposes of the PUD Agreement and the 1998 Resolution and for no other purpose;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO, AS FOLLOWS:

1. The Application for a Special Use Permit for a commercial use for a golf shop / member's club facility is approved and shall consist of a facility at least

5,605 square feet in size, including all of the facilities as shown on Exhibit "1" attached hereto which includes the addition of at least 800 square feet of additional space to house a meeting room for club members and the conversion of the existing member's lounge on the first floor to a bar and grill area to include a commercial kitchen to include a stove, refrigerator, and grill (subject to Colorado Health Department approvals) and constructed to allow the pro shop area to serve as flexible space for the members during the off-season.

2. Applicant shall obtain all necessary building permits or approvals prior to construction of the golf shop / members club facility and shall comply with all other provisions of the LUC including, but not limited to, visual impact regulations, sign regulations and outdoor Lighting.
3. Applicant shall pay the required Road Maintenance Impact fee described in Section 23.5 of the LUC.

APPROVED AND ADOPTED THIS ____ DAY OF AUGUST, 2007, RATIFYING ACTION TAKEN ON JULY 31, 2007.

BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO

Attest:

Don Batchelder, Chair

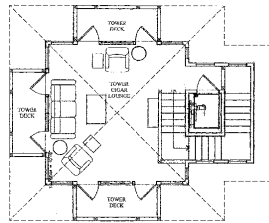
Heidi M. Albritton, Vice Chair

Michelle Nauer, Clerk and Recorder
By: Linda Munson-Haley, Deputy Clerk of the Board

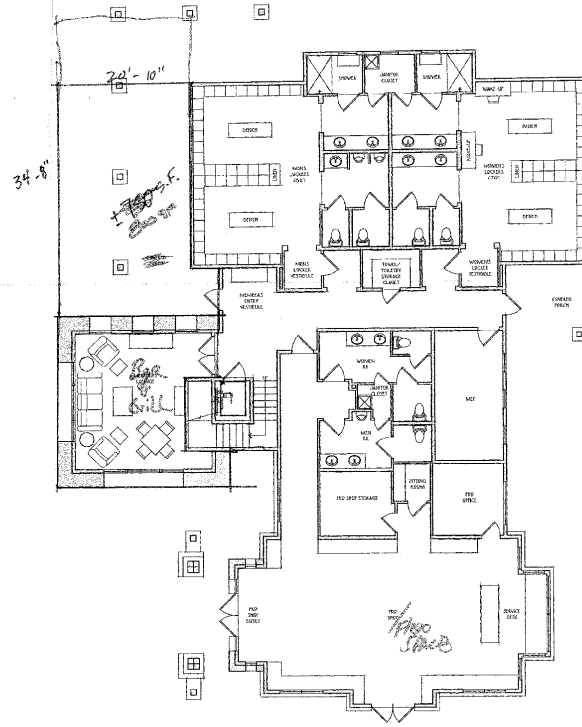
K. Keith Meinert, Commissioner Member

DISCLAIMER: These Drawings are for conceptual use only and do not represent actual architectural renderings of the proposed development or finished product. These drawings should not be relied upon as representations of the finished product.

Golf Shp & Member's Club



UPPER FLOOR PLAN



FLOOR PLAN
TOTAL AREA - 1,005 SQ. FT.

Handwritten signature and date: RB 7/10/07

STRATEGIC REAL ESTATE GROUP

RMT ARCHITECTS
AVON, CO

THE DIVIDE RANCH

DRAWING SHEET: 0
SCALE: 3/16" = 1'-0"
DATE: 03-11-07