



**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY  
RESOLUTION NO. B SERIES 2016**

**A RESOLUTION APPROVING THE PARTIAL REPLAT OF PORTIONS OF MULTI-FAMILY TRACT 4, SKYLAND – INITIAL FILING, INTO TRACTS B THROUGH F, COUNTY OF GUNNISON, STATE OF COLORADO**

**WHEREAS**, John G. Geist, represented by attorney Marcus Lock, has submitted an application to replat portions of the Multi-family tract 4 (MF-4), Skyland Initial Filing. The applicant seeks to reduce the number of units to be constructed from 22 units to 14 units. Skyland MF-4 was originally approved by the Board of County Commissioners on July 16, 1991 for 65 units. To date, 31 units have been constructed on parcels within MF-4 as noted in attached Exhibit A. Applicant proposes to subdivide the remaining undeveloped land within MF-4 into Tracts B-G. Tract D will be reserved for the development of 11 additional units, and Tract F will be reserved for the development of 3 additional units. All 14 additional units will be added to the Golf Villas at Skyland common interest community. Tracts, B, C, and E will be preserved in perpetuity as open space.

On August 1, 2001, the Planning Commission noted that the tract had initially been approved for 65 units; in 1996, the number of approved units was reduced to 59, at the request of the property owner. At that time a total of 28 units had been constructed and thus 31 units were still to be constructed under the allowed number of units. The property owner at the time, Mountain West, proposed to build 25 units, three fewer than allowed. Three additional units were built in 2001 leaving 22 units that can be built.

Issues relating to the development of the remaining land have been a source of contention between the Skyland Community Association and the owners of the remaining developable land within MF-4 for a number of years. As properties were built and sold, conflicts also developed between the owners of undeveloped property in Skyland MF-4 and the existing homeowners associations, Golf Villas at Skyland and Mountain West Villas. The disputes related to the infrastructure costs, development rights, and open space and setback requirements set forth in the Skyland Community Association Design Guidelines.

The parties have agreed to collaborate in an effort to reasonably define the development rights in MF-4. John Geist, owner of tracts B, C, D, E, and F has agreed to limit the remaining development in MF-4 to fourteen additional units, as shown on the proposed replat titled, "Partial Replat of Portions of Multi-Family Tract 4, Skyland—Initial Filing, into Tracts B through F, County of Gunnison, State of Colorado." There are 28 units in Golf Villas and 3 units in Mountain West Villas, with the addition of the proposed 14 units to Golf Villas, there will be a total of 45 units on MF-4, 20 units less than originally contemplated.

**WHEREAS**, the proposed replat and the executed *Agreement to Finalize Development Plans Within Skyland MFT-4* between the Golf Villas Homeowners Association and John G. Geist identify the location and number of units to be built on MF-4. The reduction in density and proposed replat do not conflict with any previously approved Land Use Changes for MF-4 and are in compliance with the standards of the Gunnison County *Land Use Resolution*.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Gunnison County, Colorado, that the Land Use Change Permit No. 16-0008, for John Geist, is approved,



subject to each and all of the foregoing conditions of this decision document, as identified above,

**WHEREAS**, this review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Planning Office file relative to this application; including all exhibits, references and documents as included therein.

**THIS APPROVAL** is affected noting that decision documentation includes, but is not limited to, the application and the entire Community Development Department Land Use Change Permit application file relative to this application. This approval is founded on each individual finding and requirement. Should the applicant successfully challenge any such finding or requirement, this approval is null and void.

**THIS RESOLUTION AND THE APPROVAL GRANTED HEREBY** shall not be effective unless and until a copy is recorded in the Office of the Clerk and Recorder of Gunnison County.

**INTRODUCED** by Commissioner Jonathan Houck, seconded by Commissioner Phil Chamberland, and passed on this 19<sup>th</sup> day of April, 2016.

**BOARD OF COUNTY COMMISSIONERS**

  
Paula Swenson,  
Chairperson

  
Phil Chamberland,  
Commissioner

  
Jonathan Houck,  
Commissioner

**ATTEST:**

  
Katty Simillion  
Gunnison County Clerk and Recorder





Exhibit A

LUC-16-0008 John Geist, Skyland Multi-Family Tract 4

Filing	Recording Date	Units Constructed	Total Units
Golf Villas at Skyland, Filing I	8/26/1992	5	5
Golf Villas at Skyland, Filing II	12/7/1993	2	7
Golf Villas at Skyland, Filing III	11/1/1994	6	13
Golf Villas at Skyland, Filing IV	7/28/1998	7	20
Golf Villas at Skyland, Filing V	11/02/1999	8	28
Golf Villas at Skyland, Filing VI	2/19/2002	1	29
Mountain West Villas, Filing 1	2/7/2003	3 added, 1 removed by vacation of Golf Villas Filing VI	31