

**ORDINANCE NO. 5
SERIES OF 2017**

AN ORDINANCE OF THE VAIL TOWN COUNCIL APPROVING AN ENCROACHMENT INTO AN EXISTING VIEW CORRIDOR TO ACCOMMODATE MODIFICATIONS TO THE HILL BUILDING, LOCATED AT 254 AND 311 BRIDGE STREET, LOTS C & L, BLOCK 5C, VAIL VILLAGE FILING 1, AND SETTING FORTH DETAILS IN REGARD THERETO.

WHEREAS, Vail Town Code § 12-22-6 allows the Town Council to approve encroachments into existing view corridors by ordinance, upon the satisfaction of certain criteria;

WHEREAS, the Town received an application to allow an encroachment into an existing view corridor to accommodate modifications to the Hill Building, located at 254 and 311 Bridge Street (the "Application");

WHEREAS, at a properly-noticed hearing on May 8, 2017, the Planning and Environmental Commission reviewed the Application, and thereafter voted to recommend that the Town Council approve the Application; and

WHEREAS, on June 6, 2017, the Town Council held a properly-noticed public hearing on the Application, and after considering the comments of Town staff, the recommendation of the Planning and Environmental Commission and public input, the Town Council wishes to approve the Application.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VAIL, COLORADO THAT:

Section 1. The Town Council finds that the Application satisfies the criteria set forth in Vail Town Code § 12-22-6.C., by clear and convincing evidence.

Section 2. Based on such finding, the Town Council hereby approves the Application, and authorizes the encroachment into the view corridor to accommodate modifications to the Hill Building, located at 254 and 311 Bridge Street, as more particularly described in Exhibit A.

Section 3. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance; and the Town Council hereby declares it would have passed this ordinance, and each part, section, subsection, sentence, clause or phrase thereof, regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

Section 4. The Town Council hereby finds, determines and declares that this ordinance is necessary and proper for the health, safety and welfare of the Town and the inhabitants thereof.

Section 5. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are repealed to the extent only of such inconsistency. This repealer shall not be construed to revise any bylaw, order, resolution or ordinance, or part thereof, theretofore repealed.

INTRODUCED, READ ON FIRST READING, APPROVED, AND ORDERED PUBLISHED ONCE IN FULL ON FIRST READING this 6th day of June, 2017 and a public hearing for second reading of this Ordinance is set for the 20th day of June, 2017, in the Council Chambers of the Vail Municipal Building, Vail, Colorado.

Dave Chapin, Mayor

ATTEST:

Patty McKenny, Town Clerk

READ AND APPROVED ON SECOND READING AND ORDERED PUBLISHED
this ____ day of _____, 2017.

Dave Chapin, Mayor

ATTEST:

Patty McKenny, Town Clerk

