

CONDITIONAL USE PERMIT

FOR AN AUTO BODY REPAIR SHOP

CASE #CU-112-15

WHEREAS, the City Council of the City of Commerce City, Colorado finds that a conditional use permit for the operation of an auto body repair shop (“Conditional Use Permit”) should be granted pursuant to the Land Development Code of the City of Commerce City in Case #CU-112-15 for that property described in exhibit “A” attached hereto and made a part hereof, located at 7350 Highway 2, Commerce City, Colorado; and

WHEREAS, the City of Commerce City believes that this Conditional Use Permit is only appropriate if certain conditions are met; and

WHEREAS, the City of Commerce City desires to set to writing the conditions of the Conditional Use Permit.

NOW THEREFORE, the Conditional Use Permit applied for in Case # CU-112-15 is granted by the City of Commerce City subject to the following conditions:

CONDITIONS:

- A. Landscaping, approved tow-in screen wall, and wrought iron fencing shall be installed along the perimeter of the site to align with the vision and goals of the Derby Design Guidelines and requirements of the Land Development Code within 9 months of approval;
- B. The applicant shall continue maintenance of the site to include no outdoor storage of junk or inoperable vehicles and keeping the site in an orderly appearance;
- C. All applicable improvements to the exterior of the building or the site shall be reviewed by the Derby Review Board.

Failure to comply with the above conditions shall constitute basis for revocation by the City of Commerce City, after public hearing, of the Conditional Use Permit authorized for the above-described property, it being expressly determined by the City Council that the Conditional Use Permit granted by the City of Commerce City in Case # CU-112-15 is not proper in the absence of compliance with the conditions herein contained. In the alternative, the City may proceed with legal action for injunctive relief to enforce the conditions herein imposed or issue a summons and complaint in the Commerce City municipal court for violation of the aforesaid conditions, and in the event a summons and complaint is issued in the Commerce City municipal court, and upon finding a violation of the condition set forth in this Conditional Use Permit, the municipal court may impose any penalty authorized by the Land Development Code. The remedies herein provided for shall be considered cumulative and not mutually exclusive.

IN WITNESS WHEREOF, the undersigned have set their hands effective the 2nd day of November, 2015.

CITY OF COMMERCE CITY, COLORADO

By: _____
Sean Ford, Mayor

ATTEST:

Laura J. Bauer, City Clerk

Exhibit “A”
Case # CU-112-15

LOTS 5 TO 10, EXCEPT THE PARTS OF SAID 5 TO 7 INCLUDED IN DESCRIPTION IN BOOK 215 AT PAGE 5, BREWER’S RESUBDIVISION OF PART OF BLOCK 50 DERBY, COUNTY OF ADAMS, STATE OF COLORADO.

EXCEPTING THEREFROM THE DEED FROM TIPTON BREWER AND PEARL E. BREWER TO THE COUNTY OF ADAMS RECORDED APRIL 3, 1934, IN BOOK 215 AT PAGE 5, DESCRIBING THE FOLLOWING:

BEGINNING AT A POINT FROM WHICH THE NORTHWEST CORNER OF BLOCK 50 OF TOWN OF DERBY BEARS EAST A DISTANCE OF 253.22 FEET; THENCE EAST 13.4; SOUTH 42 DEGREES 36 MINUTES WEST 90.2 FEET; NORTH 15.0 FEET; NORTH 42 DEGREES 36 MINUTES EAST 70.2 FEET TO THE POINT OF BEGINNING/