

**TOWN COUNCIL  
TOWN OF GYPSUM, COLORADO**

**RESOLUTION NO. 13 (SERIES 2024)**

**A RESOLUTION OF THE TOWN COUNCIL OF GYPSUM, COLORADO  
CONFIRMING THE BOARD OF ADJUSTMENT MEMBERS REGARDING THE  
APPEAL OF THE BUILDING PERMIT APPLICATION  
FOR TRACTS MU-3A, FILING 1 OF THE SIENA LAKE PUD**

**WHEREAS**, the Town of Gypsum, Colorado ("Town"), is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Town's Home Rule Charter effective October 21, 1982; and

**WHEREAS**, pursuant to a letter dated February 22, 2024, the Town Community Development Director determined that the February 9, 2024 Building Permit Application submitted by JGJP Gypsum, LLC was incomplete pursuant to Sections 18.08.190 and 18.09.010 of the Gypsum Municipal Code (the "Code");

**WHEREAS**, pursuant to Section 18.16.050(b) of the Code, the owner of the property appealed the determination of the Community Development Director; and

**WHEREAS**, pursuant to Section 18.16.050(a) of the Code, the Town Council adopted Resolution No. 7 (Series 2024) appointing the members of the Planning and Zoning Commission to serve as the Board of Adjustment; and

**WHEREAS**, a hearing was held on May 30, 2024 in which, consistent with the adopted policies and procedures for the hearing, the hearing was continued to allow for the Appellant and the Town to submit written finding of fact, conclusions of law and findings, in which event the written decision shall be due 14 days after receipt by the Board of Adjustment of the submissions; and

**WHEREAS**, the terms of certain members of the Planning and Zoning Commission have expired prior to a final decision; and

**WHEREAS**, the Town Council has determined it to be in the best interests of the Town to confirm that members of the Board of Adjustment were appointed independently as such, and so the term expiration applied as a member of the Planning and Zoning Commission do not apply to an appointed member of the Board of Adjustment.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE  
TOWN OF GYPSUM, STATE OF COLORADO:**

**THAT**, pursuant to Section 18.16.050(a) of the Code, the members appointed to the Board of Adjustment pursuant to Resolution No. 7 (Series 2024) shall continue to serve until such time a final decision is in fact made by said Board.

**MOVED, READ AND ADOPTED** by the Town Council of the Town of Gypsum, State of Colorado, at its regular meeting held this June 11, 2024.