

**TOWN OF SUPERIOR  
PLANNING COMMISSION  
RESOLUTION NO. PC-4  
SERIES 2023**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF  
SUPERIOR RECOMMENDING APPROVAL OF AN AMENDMENT TO THE  
PLANNED UNIT DEVELOPMENT FOR SAGAMORE TO MODIFY  
REGULATIONS FOR FENCING REQUIREMENTS**

**WHEREAS**, Sagamore is a single-family residential neighborhood in the area more particularly described in **Exhibit A** (the "Property"), which neighborhood is subject to the Sagamore Planned Unit Development (the "PUD");

**WHEREAS**, the PUD was approved in 1997 and was amended on April 14, 2022, following the significant damage to Sagamore due the 2021 Marshall Fire to allow for additional flexibility to account for various construction trends as Sagamore residents rebuild their homes as expeditiously as possible;

**WHEREAS**, the PUD was amended on July 24, 2022 (the "Second Amendment"), to modify landscape and building designs to reduce the risk of wildfires including without limitation regulations concerning fencing requirements;

**WHEREAS**, the Town proposes to modify the PUD to require regulations specifically designed to address ambiguity in the Second Amendment concerning fencing requirements by modifying requirements related to fencing (materials, typologies, and dimensional requirements);

**WHEREAS**, on May 2, 2023, the Planning Commission held a properly-noticed public hearing on the proposed amendments to the PUD;

**WHEREAS**, during the public hearing, the Planning Commission recommended the Application be modified to permit different types of fence materials and fence typology; and

**WHEREAS**, the Applicant agreed to amend the Application to provide for those modifications.

**NOW BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF SUPERIOR, COLORADO, as follows:**

**Section 1.** The Planning Commission hereby finds that the proposed amendments to the PUD for Sagamore meet all applicable requirements of the Code and hereby incorporates the above recitals as contained herein.

**Section 2.** The Planning Commission hereby recommends that the Board of Trustees approve the following additions and amendments to the Landscape Notes and Details and Notes on the PUD for Sagamore:

*Fencing: Sagamore residents may elect to either install or not install a fence of their respective properties. For those who elect to install a fence, the fence must be non-combustible material. The previously prescribed fence typologies have been eliminated. Fence types will largely be at the property owner's discretion; however, both municipal and building code requirements for fencing shall apply.*

~~Fence to be stained with weather proof stain.~~

**NOTES**

~~19. Fencing.~~

~~No fencing shall be required. All fencing shall be constructed using non-combustible materials.~~

**Section 3.** This Resolution is hereby adopted by a majority of those Planning Commissioners present to hear the matter according to the following numbers of votes:

5 "yes" votes

3 "no" votes

INTRODUCED, READ, PASSED AND ORDERED PUBLISHED this 2<sup>nd</sup> day of May, 2023.

D.J.D. Harper  
David Harper, Chair

ATTEST:

Lydia Yecke  
Lydia Yecke, Town Clerk



**Exhibit A**  
**Legal Description**

A PARCEL OF LAND BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 1 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF SUPERIOR, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER CORNER OF SAID SECTION 24;

THENCE SOUTH 00°11'17" EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 24 A DISTANCE OF 1227.16 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF BOULDER COUNTY ROAD 25.

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES;

1. THENCE SOUTH 44°17'27" WEST A DISTANCE OF 685.36 FEET;
2. THENCE SOUTH 43°37'04" WEST A DISTANCE OF 153.79 FEET TO THE SOUTHWEST CORNER OF THAT COLORADO AND SOUTHERN RAILROAD RIGHT-OF-WAY PARCEL AS DESCRIBED IN THE BOULDER COUNTY CLERK AND RECORDERS OFFICE IN BOOK 223, PAGE 171;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID PARCEL THE FOLLOWING THREE (3) COURSES;

1. THENCE NORTH 03°05'28" EAST A DISTANCE OF 245.42 FEET TO A POINT OF CURVATURE;
2. THENCE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 24°15'10". A RADIUS OF 1535.86 FEET AND AN ARC LENGTH OF 650.12 FEET;
3. THENCE NORTH 21°09'42" WEST A DISTANCE OF 1048.05 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 24;

THENCE SOUTH 88°19'29" EAST ALONG SAID NORTH LINE OF SECTION 24 A DISTANCE OF 1047.54 FEET TO THE POINT OF BEGINNING.

CONTAINING 26.87 ACRES, MORE OR LESS.