

**Joint Meeting of the Planning Commission, Board of County
Commissioners and Board of Zoning Adjustment**

April 4, 2006 at 1:00 P.M.

Custer County Courthouse, Westcliffe, Colorado

Present:

Planning Commission: Lynn Attebery; Pat Bailey; Vic Barnes; John Campbell;
Sherry Rorick
Board of Zoning Adjustment: Bill Donley; Skip Northcross
Associate Members: Rod Coker; Greg Tabuteau
Commissioners: Dick Downey; Dale Hoag; Kit Shy
Staff: Christy Kesselring; John Naylor

Absent:

Planning Commission: Keith Hood
Board of Zoning Adjustment: Gerry Dearborn; Bruce McDonnall; Dorothy Nepa
Associate: Pete Lo Presti; Christy Veltrie

The meeting was called to order at 1:00 P.M. by ATTEBERY, Planning Commission Chair.

COKER was seated on the Planning Commission in Hood's absence. COKER, BAILEY and RORICK were seated on the Board of Zoning Adjustment the absence of Dearborn, McDonnall and Nepa.

Attebery called for an approval of the March 2006 minutes. BAILEY MOVED to accept the minutes, BARNES SECONDED. The motion passed unanimously by voice vote.

ZONING OFFICE REPORT

- Things in the office have slowed down for now.
- Board of County Commissioners have sent the Subdivision Regulations back to the legal review to be revised.

**TERRY COOK AND ELINOR BROWN/SPECIAL USE PERMIT PUBLIC HEARING
CONTINUATION**

Legal Description: THAT PT NE4NE4 SEC 32-22-69 LYING N HWY 165, & ALL OF
NW4NW4 SEC 33-22-69 EXCEPT FOR HWY 165 ROW & ALL THAT
PT SW4SW4NW4 SEC 33-22-69 AKA 8994 Highway 165, Wetmore,
CO 81253

Schedule Number: 100-37-601

KESSELRING reported that the Post Office had returned a signed reply card from the applicant notifying him that he received the letter stating he had ninety (90) days to appear for the public hearing. The ninety (90) days started on March 20, 2006. If there is no response within the ninety (90) days, the application will be cancelled due to lack of interest by the applicant.

ATTEBERY reminded the boards of the March, 2006, decision which was "*BARNES recommended to the County Commissioners that the office notify the applicant there will be a continuation of the hearing in 90 days and if there is no action by the applicant his application will be considered withdrawn, BAILEY SECONDED. The motion passed unanimously by roll call vote. DALE HOAG MOVED to accept the recommendation of the Planning Commission, KIT SHY SECONDED. The motion passed unanimously by voice vote.*"

GREG AND JUDY TABUTEAU/VARIANCE TO CREATE THE UNDERSIZED LOT AND A SUBDIVISION REGULATION WAIVER PUBLIC HEARING

Legal Description: A PARCEL OF LAND IN SECTION 10, TOWNSHIP 21 SOUTH, RANGE 69 WEST OF THE 6TH P.M., CUSTER COUNTY, COLORADO

Schedule Number: 100-81-110/100-81-106

TABUTEAU, representing himself, stated that he would like to request a delay on this application because he is considering a conservation easement for this parcel. TABUTEAU would like some additional time to research the issues.

The boards discussed the need for a motion with the County Attorney.

NORTHCROSS MOVED to TABLE this request until the applicant notifies the office that he is ready for the application to be reviewed, BAILEY SECONDED. The motion passed unanimously by roll call vote.

ATTEBERY recommended to the County Commissioners to TABLE this request until the applicant comes back to the Planning Commission upon the applicant's request, RORICK SECONDED. The motion passed unanimously by roll call vote.

SHY MOVED to accept the recommendation from the Planning Commission to defer judgement on this issue until the applicant can come back to the boards with further research, HOAG SECONDED. The motion passed unanimously by voice vote.

LEONARD D & BRENDA E BOSSE/SPECIAL USE PERMIT PRESENTATION

Legal Description: S2SE4 SEC 25 22 73, CUSTER COUNTY, COLORADO

Schedule Number: 101-18-350

ATTEBERY read the applicant's statement, which states "*Bosse Ranch and Repair was approved on March 6, 2001, for a Special Use Permit. Our permit is now up for renewal and we are hereby requesting a renewal for our permit. We plan to continue our present use as a home based business, used primarily for a repair shop for auto, tractors and other equipment repairs. We service many area ranchers in the Valley to help them maintain their ranching and haying equipment in this highly agricultural area we live in. We plan no changes to our current use that we have actively been engaged in for 5 years. We request that the 5 year renewal period be deleted and the permit be valid during our ownership of the property. The applicant is also requesting the fee of \$500.00 be refunded.*"

BRENDA BOSSE, representing herself and Leonard, stated that they did set up the fire

extinguisher's and will get the lighted exit signs installed as soon as their electrician is available. BOSSE said they would like to renew the permit.

CAMPBELL asked if the applicant were renewing and making the Special Use Permit permanent. BARNES asked if there were any complaints and the office stated that there have not been any complaints. ATTEBERY explained the Board of County Commissioners may vote to refund the fee at the public hearing.

~~ATTEBERY reminded the boards that the next site tour is scheduled for 1:00 P.M. on April 27, 2006 and the next public hearing is on May 2, 2006 at 1:00 P.M. ATTEBERY requested to adjourn the meeting. BAILEY MOVED to adjourn the Meeting, BARNES SECONDED. The motion passed unanimously by voice vote. The meeting adjourned at 1:16 P.M.~~

Submitted by,

Christy Kesselring
Secretary