

Meeting of the Planning Commission

March 8, 2016
Custer County Courthouse
Westcliffe, Colorado

Present:

Planning Commission: Vic Barnes, Keith Hood, Pat Bailey and Patrick Lynch

Absent: Chris Nordyke and Bill Donley

Associate Members: Dale Mullen, Mike Shields and Lance Ingram

Absent:

Staff: Jackie Hobby and Chuck Ippolito

The meeting was called to order at 1:30 P.M. by VIC BARNES Custer County Planning Commission Chairman

Pledge

BARNES: DALE MULLEN is still considered an alternate until the BOCC makes their decision on the replacement for CINDY HOWARD. We will have DALE MULLEN and MIKE SHIELDS replace CINDY HOWARD and CHRIS NORDYKE as seated members. We have six seated members. We need to approve our minutes from our February 2, 2016 meeting. Has everyone had a chance to look at them? Any comments? Hearing none, they will be approved as presented. JACKIE will give us the zoning report.

HOBBY: In the month of February we had two septic inspections, five special conferences and five compliance inspections. Permits issued during this month are zero septic permits compared to one last year and seven zoning permits compared to five last year. Permits issued year to date for 2016 are two septic compared to two last year at this time and twelve zoning permits this year compared to seven last year. We will have our Master Plan public meeting on March 22, 2016 in the Courtroom, 1:30 P.M. to 3:00 P.M.

BAILEY: Those Zoning permits, were they houses to houses or were their accessory in there?

HOBBY: This includes accessory structures.

BARNES: We have two agenda items and both are for a vacation of Parcel line(s) and re-plat on both of them KIT SHY will be representing them.

SHY: In full disclosure, I am here in a private capacity and not as a County Commissioner.

BARNES: The first application is PRISCILLA ROBB and LAWRENCE TRILLING. They are in Antelope Valley. I will make a correction to the packet that JACKIE sent out. It indicates that the 9.5 acres that the applicants currently have is vacant but that is not true. There is a residence on this property. I will read the applicants statement: "The addition of the Oldendorf 5 acre parcel will enhance our ability to utilize our parcel and not negatively affect the Oldendorf ranching operation". KIT, do you have anything that you would like to add to this application?

SHY: A little bit of history, the ROB TRILLING parcel was originally one of the THATCHER parcels that went through a county process to combine an Antelope

Valley lot and a portion of land north of it into what is known as the THATCHER parcel. That was a vacation and re-plat as well. The TRILLINGS have a home and a well on this THATCHER parcel. The OLDENDORF own over two hundred acres. This particular section of it is not really accessible to the ranch operation and is mainly timber. Matches up with the TRILLING parcel and they are hoping to acquire this five acres from OLDENDORF, which would be a waiver of Senate Bill Thirty Five to divide this five acres. Then they would attach this and make it into one parcel. The parcel would go from 9.61 to acreage of 14.71 acres. I have been authorized to speak for both of them. They are in a five acre zone and will not be creating an undersized lot. So you will need to approve both steps.

BARNES: I neglected to mention at this time we only have six seated members and a full complement would be seven. Are you ok with that?

SHY: Yes

LANCE INGRAM: joined the meeting and was appointed a seated member to have the full complement of seven members.

BARNES: JACKIE have the adjoining neighbors been notified?

HOBBY: Yes, with no comments.

SHIELDS: What is the zoning acreage for that area?

SHY: Five acres. This is in the spirit of zoning less density. The smaller parcel is being made larger.

BARNES: Any other questions from the Planning Commission? Hearing none, I will entertain a motion.

HOOD: I make a motion to grant a Senate Bill Thirty Five Waiver for the exemption parcel presently owned by OLDENDORF with the condition that this is only approved for six months and it goes with the vacation and re-plat.

BAILEY: Seconded the motion.

BARNES: Any further discussion. If not all in favor?

Motion passed unanimously

REASONS:

BARNES: I voted in favor. It makes logical sense it is not going to affect density.

BAILEY: I voted in favor. I agree.

HOOD: I voted in favor. It won't increase density and it won't increase water usage.

LYNCH: I voted in favor, I concur with the previous comments.

MULLEN: I voted in favor, appears to be non-harmful and common sense.

SHIELDS: I voted in favor, I agree with KEITH.

INGRAM: I voted in favor. For all the reasons previously stated.

BARNES: I will entertain a second motion on the vacation and re-plat.

BAILEY: I make a motion to grant the vacation and re-plat between Parcel B THATCHER parcels and the exemption parcel for a total of 14.71 acres to be known as the ROBB TRILLING parcel.

HOOD: Seconded the motion.

BARNES: Any further discussion. If not all in favor say I.

Motion passed unanimously

BARNES: Our next agenda item is also a vacation and re-plat. The applicant is PAUL H. BRADLEY TRUST. I will read the applicants statement "*Changing these 3 lots into 2 lots will make them viable as bldg. sites*". JACKIE were the adjoining land owners notified?

HOBBY: Yes, we did not receive any comments.

SHY: This is sort of the problem in Lake Deweese. It was platted into a lot of smaller lots and people are finding that they are not viable. People cannot make setbacks because of neighboring wells and cannot put in their septic's. It usually takes two lots or a lot and half. These lots are one hundred by one hundred so it takes at least a lot and a half to build a home. We have taken three lots and turned them into two and based on the logic we have used over the years, lot 15 goes away and lot 16 becomes 16A Block 6 and lot 14 becomes 14A Block 6. We will vacate the line between 15 and 16, and 15 and 14. Now we have a buildable site that is 150 x 100.

SHIELDS: Both of these will be buildable lots right now, especially since no one has put in a septic or well around them.

SHY: We have provided to the zoning office an O&E showing that there are no loans against this property.

BARNES: Any other questions from the Planning Commission? Hearing none, I will entertain a motion.

HOOD: I make a motion to approve the vacation and re-plat of lots 14, 15 & 16 block 6 and a new lot line be created the new lots will be known as Lots 16A and 14A Block 6.

BAILEY: Seconded the motion.

BARNES: Any further discussion? Hearing none, all in favor say I
Motion passed unanimously

REASONS:

BARNES: I voted yes. This is keeping with what we try to do. We are taking three lots and reducing them to two lots. In the area we are dealing with it makes good sense.

BAILEY: I voted yes. It decreases the density and in Lake Deweese that is what we are trying to do.

HOOD: I voted yes. It makes both lots usable and it's in keeping with our policy on trying to combine these lots in this area.

LYNCH: I voted yes, I like KEITHS comments and it also gives the applicant better opportunity.

MULLEN: I voted yes. It's beneficial to density and common sense solution.

SHIELDS: I voted yes. It reduces density and reduces the possibility of a third well.

INGRAM: I voted yes, and they covered it all.

BARNES: Motion passes

BAILEY: I make a motion that we adjourn

INGRAM: Seconded the motion

Meeting adjourned 2:45 P.M.