

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

February 10, 2004
Custer County Courthouse
Westcliffe, Colorado

Present:

Planning Commission:

| | | | |
|-------------------|----------------|----------------|----------------|
| Mr. Lynn Attebery | Mr. Pat Bailey | Mr. Vic Barnes | Mr. Keith Hood |
| Ms. Sherry Rorick | | | |

Board of Zoning Adjustment:

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|---------------------|-----------------|-------------------|------------------|
| Mr. Gerard Dearborn | Mr. Bill Donley | Mr. Pete LoPresti | Ms. Dorothy Nepa |
| Mr. Skip Northcross | | | |

Associate Members:

| | | | |
|-------------------|---------------|---------------------|---------------------|
| Ms. Renee Bolkema | Mr. Rod Coker | Mr. Bruce McDonnall | Ms. Georgiana Scott |
|-------------------|---------------|---------------------|---------------------|

County Commissioners and Attorney:

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|-----------------|-----------------|---------------|-----------------|
| Mr. Dick Downey | Mr. Larry Handy | Mr. Dale Hoag | Mr. John Naylor |
|-----------------|-----------------|---------------|-----------------|

Staff:

| | | |
|---------------------|---------------|------------------------|
| Mr. Linc Lippincott | Mr. Dan Bubis | Ms. Christy Kesselring |
|---------------------|---------------|------------------------|

Absent:

Mr. John Campbell

The meeting was called to order at 1:02 P.M. by LINC LIPPINCOTT, Moderator. He introduced the new Associate Members.

MCDONNALL filled the Board of Zoning Adjustment seat left vacant by the tardiness of NEPA. BOLKEMA filled the Planning Commission seat left vacant by the absence of CAMPBELL.

LIPPINCOTT called for approval of the December 2003 minutes. BARNES MOVED and BAILEY SECONDED. The motion passed unanimously.

BAILEY nominated ATTEBERY to be Chairman of the Planning Commission, HOOD to be Vice-Chairman of the Planning Commission and HOOD to be the Regional Planning Commission Representative. RORICK SECONDED and the motion passed unanimously. NORTHCROSS nominated DONLEY as Chairman of the Board of Zoning Adjustment and NEPA as Vice-Chairman. LOPRESTI SECONDED and the motion passed

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unanimously. DONLEY nominated the Wet Mountain Tribune as the official publication for public notices and the bulletin board in the Courthouse for the Official Posting Place. ATTEBERY SECONDED and the motion passed unanimously. DONLEY nominated BUBIS to be Secretary for both the Board of Zoning Adjustment and Planning Commission. ATTEBERY SECONDED and the motion passed unanimously.

The Planning Commission discussed planning workshops to discuss the Zoning Resolution and the Master Plan and decided that no workshops should be scheduled at this time. Northcross recommended a workshop, after the current PUD request is completed, in order to evaluate the process. Lippincott reminded the Planning Commission that they would need to schedule workshops to complete the re-writing of the Subdivision Regulations which are back from legal review. No date was set.

ZONING OFFICE REPORT

- A training seminar is scheduled for tomorrow at 1:00 p.m. in the basement. People from the Division 2 Water Resources office in Pueblo and some from the Denver office will present information to the Boards regarding their processes and answer questions that may arise. The meeting is open to the public.

Office Summary

December 2003

13 Septic inspections, Site reviews
0 Violation reviews
0 Homeowner Septic installation test
1 Septic Contractor test
13 Special conferences
19 Compliance Inspections

| | | |
|-----------------|-------------|-------------|
| Permits issued: | <u>2002</u> | <u>2003</u> |
| Septic | 8 | 9 |
| Zoning | 11 | 22 |

January 2004

13 Septic inspections, Site reviews
0 Violation reviews
0 Homeowner Septic installation test
1 Septic Contractor test
14 Special conferences
24 Compliance Inspections

| | | |
|-----------------|-------------|-------------|
| Permits issued: | <u>2003</u> | <u>2004</u> |
| Septic | 8 | 4 |
| Zoning | 12 | 7 |

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End of Year Financial Summary

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|-----------------|---------------|---------------|
| Revenue: | <u>2002</u> | <u>2003</u> |
| Septic Permits | \$ 24,850.00 | \$ 19,850.00 |
| Zoning Permits | \$ 130,125.28 | \$ 149,604.70 |
| Use Tax | \$ 32,720.06 | \$ 39,127.60 |
| Total Income | \$ 198,144.26 | \$ 222,502.75 |
| | | |
| Permits issued: | <u>2002</u> | <u>2003</u> |
| Septic | 152 | 124 |
| Zoning | 311 | 291 |

LIPPINCOTT turned the meeting over to the Planning Commission.

CUERNO VERDE AIRPORT ASSOCIATES, INC. / WRAY PEDRO / PLANNED UNIT DEVELOPMENT
- FINAL PLAN HEARING

Property description: A PARCEL OF LAND IN SECTION 25, T 23S R 72W and in SECTION 30, T 23S, R 71W.

Schedule number: 102-35-995/102-35-996

PEDRO was present and represented himself. Lippincott explained the PUD process for the audience. Pedro elaborated on the points made by stating that this process began with his first submission in April and the first meeting in May of 2003.

Pedro addressed the water issue. He explained that the Amendment Process was proceeding and that the protesters had said that if the original paperwork, which was submitted for the original decree specifying items like which acres were to be dried up, was resubmitted, they would sign off on the Amended Decree. The case will go before the Water Referee in March and then to a Hearing in April or May. Pedro went with Steve Trexel and Vicki Livingston along the Schwab ditch and insured that the headgate was in place. The users of Schwab ditch for water augmentation need to install a metering device and Pedro is trying to coordinate that with the Division of Water Resources people.

There was a lengthy discussion on the proposed covenants. As in each of the previous hearings and workshops, public input was heard. After a discussion on signs, the Planning Commission decided to add a condition which disallows internally lit signs and requires external lights to point down on the sign.

Trexel explained that any restriction placed on Pedro's water augmentation plan by the water court would be placed on all of the water augmentation plans using the Schwab ditch. He also explained that Pedro was amending his water decree because the Division of Water Resources asked him to based on the proposed change of use. Pedro explained the change for those in attendance. He said that he was asking to change from:

- 1) Central water and sewer to individual wells and septic.
- 2) Residential use from 1.575 acre feet to 1.45 acre feet.
- 3) Condominium use from .86 acre feet to none.
- 4) Irrigation use from 2.25 acre feet to 1.645 acre feet.
- 5) Commercial use from .31 acre feet to .19 acre feet

Due to the time Commissioner Hoag and Lippincott had to leave. Naylor informed Pedro that since a full board was no longer seated, he could: 1) continue on, 2) bifurcate the hearing and have the Planning

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Commission continue and the Commissioners make their ruling at a later hearing, 3) continue the hearing to a later date. Pedro said that he would prefer to have a fully seated Board.

HOOD MOVED to CONTINUE the hearing until the next regularly scheduled meeting. BARNES SECONDED and the motion passed unanimously by roll call vote.

The next Site Tour is February 26, 2004.

The next meeting will be in March 2, 2004.

The meeting adjourned at 4:05 P.M.

Submitted by,

Dan Bubis
Secretary