

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

October 3, 2006
Custer County Courthouse
Westcliffe, Colorado

Present:

Planning Commission: Lynn Attebery; Pat Bailey; Vic Barnes; John Campbell; Keith Hood; Sherri Rorick

Board of Zoning Adjustment: Gerry Dearborn; Dorothy Nepa; Skip Northcross

Associate Members: Rod Coker; Pete Lo Pressti

Commissioners: Dick Downey; Dale Hoag; Kit Shy

Staff: Jackie Hobby; Christy Kesselring; John Naylor (County Attorney)

Absent:

Planning Commission: Bill Donley; Bruce Mc Donald

Board of Zoning Adjustment: Dorothy Nepa

Associate: Greg Tabuteau ; Christy Veltrie

The meeting was called to order at 1:03 P.M. by LYNN ATTEBERY, Planning Commission Chair.

ATTEBERY called for an approval of the September, 2006, minutes. VIC BARNES MOVED to accept the minutes, JOHN CAMPBELL SECONDED. The motion passed unanimously by voice vote.

ZONING OFFICE REPORT

- This office is experiencing a lot of Special Use Permit inquiries. One issue will start next month and others are pending.
- The Information Technology staff member is writing some computer programs for the office staff to make receipts and deposits run more smoothly. He will be adding more programs in the future.
- Jackie Hobby, newest staff member, will be learning the Variance and Land Use process next.
- The November hearing will be on November 8, 2006 and not November 9, 2006.

FRIENDS OF BECKWITH RANCH/ CREATION OF THE UNDERSIZED LOT

Legal Description: A PARCEL OF LAND BEING IN A PORTION OF THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 21 SOUTH, RANCH 73 WEST OF THE 6TH P.M., CUSTER COUNTY, COLORADO

Schedule number: 100-32-870

ATTEBERY explained the Friends of Beckwith Ranch has postponed until the November 8, 2006, Meeting for the creation of the undersized lot request. The Board of Zoning Adjustment is to review the unsigned Conservation Easement and give final approval for the variance.

HUMBOLDT PEAK PARTNERS, INC/PLANNED UNIT DEVELOPMENT-SKETCH PLAN PRESENTATION

Legal Description: N1/2 of the N1/2, the 51/2 of the NW1/4, the N1/2 of the NW1/4 of the SW1/4, the NW 1/4 of the SE 1/4 and the SW 1/4 of the NS 1/4 sec. 13, Township 23 S, Range 73 West of the 6th P.M.

Schedule Number: 102-09-851

ATTEBERY read the applicant's statement "*Sketch plan PUD submittal for limited development of 403 acre ranch. Plans include 19 new homesites of +/- 2 acres each along with common ranch amenities with 90% of the ranch to be common open space.*"

ATTEBERY spoke to the crowd of 34 that was in attendance for the meeting. ATTEBERY informed the crowd that this was a presentation and at this time the public would not be heard from. ATTEBERY explained the public hearing will be on November 8, 2006, starting at 1:00 P.M.

BUCK BLESSING , Humboldt Peak Partner owner and TOM BRAUN, developer, represented the application. BRAUN stated that it is in the interest of BLESSING and his two partners to maintain a ranch atmosphere and sustain the agriculture part of the Ranch they will still lease the hay operations and maintain a leasing operation for a 100 head of cattle. Blessing and his partners have been working with office staff on this project for more than three years.

BRAUN explained that this project falls in Zone I &II, which would allow six parcels by right, but it does not protect the agricultural use of the land. Paragraph 11.3, revised, of the Custer County Zoning Resolution allows sixty (60) home sites with 75% open space. BRAUN explained that Blessing and his partners want to preserve the property and continue with some agriculture uses.

BRAUN explained that they would like to place 19 lots on the property, 9 lots will be reserved for Humboldt Peak Partners and the other 10 lots will be offered to outside interests. Everyone would have a small interest in the common property. At this time they thought they would have 3 to 5 wells to service all the lots and every home would have its own septic system. Each home site would have 2 acres and the building envelope will be 3/4 of an acre. There would be covenant control to insure that the homes would have to be built to maintain a ranch style home and no home could be over 3,000 sq. ft.

BARNES asked about family versus non-family ownership and how to control re-sales of property that would take cabins and land out of the PUD. BLESSING answered that Sites A, B, and C could not be separated from the ranch in the future. BLESSING stated the group was looking at a conservation easement for the property.

DOROTHY NEPA brought up questions about the well system supporting these homes and if the 3 to 5 wells did not work out would they have 19 wells on the homes. BRAUN responded at this time we see no need for more wells to support the houses. BRAUN did mention that at the time of the sale from Parish to Humboldt Peak Partners, the water rights had already been sold to Horn Creek. NEPA suggested that the group calculate full-time water usage instead of part-time for their water plan.

NEPA asked about how the conservation easement was going to function. BRAUN stated that the partnership was negotiating with the San Isabel Foundation at this time.

NORTHCROSS quoted the PUD proposal on page 13, 3rd paragraph..."deciding the final locations and number of homesites." BRAUN apologized for the oversize and said it should be deleted from the proposal.

KIT SHY asked if the roads will be up to County specifications, BRAUN explained probably not but would accommodate fire equipment and they will maintain their own roads. BLESSING stated that he

did not want to deed the county roads to the County, but would probably consider a legal easement instead of the prescriptive easement.

BLESSING commented that he wants the approval for this PUD. He wants this to be an example of a well planned development for the county.

TOM BRAUN said that he was ready to begin the Preliminary Phase and will be prepared to answer some new questions brought up from the Board members concerning water, total acreage involved with dimensions and concerns from surrounding property owners. TOM BRAUN mentioned that he designed the Maytag Ranch Development.

BARNES asked about the intent to continue to graze cattle and fencing. BLESSING said they allow 100 head for grazing and they have thought about fencing around the cabin sites.

A discussion followed if a vote for approval or disapproval should be taken. NAYLOR informed the group that the vote would take place after the public hearing in November.

The Planning Commission decided another site tour on November 2, 2006, would be necessary.

SHY mentioned that the PUD resolution states the rough dimensions should be included on the drawings for this phase.

The public hearing for this issue will be November 8, 2006 at 1:00 P.M.

ATTEBERY reminded the boards that the next Site Tour will be on November 2, 2006 and the next meeting will be November 8, 2006

ATTEBERY requested to adjourn the meeting. NEPA moved to adjourn the Meeting, BARNES SECONDED. The motion passed unanimously by voice vote. The meeting adjourned at 2:02 P.M.

Submitted by,

Christy Kesselring
Secretary