

Joint Meeting of the Planning Commission and Board of County Commissioners

June 3, 2014
Custer County Courthouse
Westcliffe, Colorado

Present:

Planning Commission: Vic Barnes, Rod Coker, Bill Donley, Patrick Lynch, Cindy Howard and Keith Hood

Absent: Pat Bailey

Associate Members: Dale Mullen

Absent: Glen Livengood and Chris Nordyke

County Commissioners: Lynn Attebery, Allen Butler and Kit Shy

County Attorney: absent

Staff: Jackie Hobby and Chuck Ippolito

The meeting was called to order at 1:03 P.M. by VIC BARNES Custer County Planning Commission Chairman.

County Commissioner ALLEN BUTLER made a motion to reconvene the Custer County Commissioner's

Motion passed unanimously.

Pledge:

BARNES: We need to have our two Associate Members replace DALE MULLEN and CHRIS NORDYKE

BARNES: JACKIE would you please give a Zoning report.

HOBBY: In the month of May we issued fifty three zoning permits compared to seventy four at this time last year. We issued twenty septic permits compared to twenty last year.

BARNES: Thank you JACKIE. We have one agenda item today. This is the first phase of the Special Use Permit request by HIGH COUNTRY MENNONITE CHURCH. We have a lot of people in the audience and for everyone who may not be familiar with the process, this is a two phase process. The first phase is a presentation and a month later we will then have the actual hearing with a decision. There will not be any decisions today. We will take input from the Planning Commission, the County Commissioners and those of you that would like to comment from the audience. For those of you that do want to comment, we would like you to come up to the podium and identify yourself and if you are representing yourself or some organization. As I mentioned the first order, of business is the HIGH COUNTRY MENNONITE CHURCH. Adjoining land owners were notified; did you have any responses JACKIE.

HOBBY: Yes I have one written response and a couple of people that came into the Zoning Office. I received a certified letter. It was not from an adjoining land owner but an adjacent land owner. The people that came into the Zoning Office are in the audience so they will probably speak today for themselves. HOBBY read the following letter out loud.

May 27, 2014

Custer County Planning and Zoning
Board of Zoning Adjustment
205 South 6th Street
Westcliffe, CO 81252

Attn: Jackie Hobby, Director Planning and Zoning

Re: A portion of Iron Contact Lode MS 287, Section 5-22-72 East County Road 241
Special Use Permit

County Commissioners C/O Jackie Hobby,

Since I have a home adjacent to the above property requesting Special Use Permit, I would like to voice my concerns regarding the Permit. Generally, a Special Use Permit is to benefit the public in some way, but this special use will only be important to a small special interest group.

The county will lose vital property tax due to "church status".

Property values will be lowered on adjacent properties because no one wants a church, gymnasium, and cemetery next to their homes.

How will "green burial" cemetery comply with state laws?

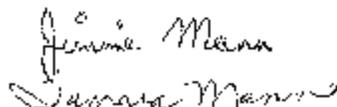
The church may be required to have a commercial well drilled and a commercial sewer which will affect water table and consumption by all parties in the area.

Commercial properties as a rule are required by insurance companies to have outdoor lighting for liability purposes and I am not sure this complies with Westcliffe "Dark Skies" guidelines.

Will there be extra road maintenance because of additional traffic and the church having tax exempt status, who will pay?

In summary, Jimmie and Tamara Mann are against the special use permit for this piece of property for the above reasons.

Sincerely,


Jimmie Mann
Tamara Mann

BARNES: Thanks, JACKIE. We have the applicant's statement and I will read that. This is for a Special Use Permit to operate a Mennonite Church (High Country Mennonite Church) they have seven items listed.

A.-Fundraisers-Bake Sales-Dinners-Auction-yard sales

B._ Community Activities, Weddings, Funerals, Reunions, Festivals, Concerts, Seminars

C.- potluck Dinners Carry in Meals

D.- Business Meetings, Counseling, Pastoral Studies, kids Ministries, Youth Ministries

E.- Sewing Quilting

F.- Outdoor Activities, Softball, Volleyball, Basketball etc.

G.- Cemetery- Church Attendees, not general public embalmed or green will follow state regulations vertical or flat headstones

BARNES: Will the representatives please step up to the podium and give us an over view of what you would like to do.

ERVIN MILLER: I am part of the High Country Mennonite Church and what we would like to do is to build a building that we can get together and worship and at some point I would like to address some of the questions that were given in the letter that JACKIE read. Basically what you read and what we are applying for and what we want to do is general function of a church and we will have our worship in that building.

BARNES: Why don't you go ahead and address those items now.

MILLER: In the first paragraph, where it says a Special Use Permit is to benefit the public in some way, this is a not for a special interest group and I would like to say the public is welcome. It's not for a specific group and everyone is welcome. The county would lose vital property tax due to the church status; it may be true that church status is free. Looking back over the tax records I don't think it will break the county to lose one hundred and forty three dollars in taxes. That is what the property has been bringing in thus far. I will also say that all the people that come to our church are paying Custer County tax on their buildings. The third one, that property tax will be lowered on adjacent properties because no one wants a church, gymnasium and cemetery next to their homes, I would like to say really? There may be some that don't. I also know that there are some that don't mind that. As far as lowering property values. I believe that there are at least five cemeteries in Custer County and I don't know of any property adjacent to those that the values are down. Green burial for the cemetery: we would go by the state regulations and county regulations, whatever is required. The church would be required to have a commercial well and that is correct and we would be required to have a commercial exempt well. If you talk to the water commissioner as far as the water table and the consumption he would say that a church uses less than half of the water that a residence does and so in a sense that should help the neighborhood.

As far as the lighting, I spoke with our agent and they do not list church as commercial. They list it more as a residential property. They do not require any outside lighting. The lighting would be whatever the state would require with our electrical permit. The last one is road maintenance and who will pay. It is like I said, we all live in the county and we all pay our taxes. That is pretty much all I have to say.

BARNES: Ok, thanks ERV, does the Planning Commission have any questions?

No comment

BARNES: Does the Board of County Commissioners have any questions?

No Comment

BARNES: Then we will go to the audience and just raise your hands and we will let everyone speak.

GEORGE ADAMS, JEFF HOLMBURG, CARL HECK, TRACY GREENSTREET, KAREN STROUP, RON RODRIGUEZ, JULIE OLOMAN, and FREDDIE

KIRKPATRICK: Voiced concerns over the water usage, water table, traffic, existing road conditions, maintaining the county road, cemetery and exempt property tax.

There being no further business for the Planning Commission or Board of County Commissioner, the meeting was adjourned at 1; 55 P.M.