

Meeting of the Planning Commission

May 3, 2016

Custer County Courthouse
Westcliffe, Colorado

Present:

Planning Commission: Vic Barnes, Keith Hood, Dale Mullen, Bill Donley, Patrick Lynch, Keith Hood, Pat Bailey and Chris Nordyke

Absent: none

Associate Members: Lance Ingram

Absent: Mike Shields

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: We need to approve our minutes from our April 5, 2016 meeting. Has everyone had a chance to look at them, any comments?

DONLEY: I make a motion to approve the minutes as presented.

LYNCH: I will second the motion.

BARNES: All in favor; opposed same sign. They will be approved as presented.

JACKIE will give us the zoning report.

HOBBY: In the month of April we had six septic inspections, seven special conferences, three compliance inspections and one septic contractors test. Permits issued during this month are three septic permits compared to eight last year and seventeen zoning permits compared to eighteen last year. Permits issued year to date for 2016 are twenty three septic compared to nine last year at this time and forty six zoning permits this year compared to forty last year.

BARNES: Thank you JACKIE. We have two items today and they are both hearings. The first one is a Vacation and Replat and the next one is a Subdivision Waiver. We will do the Vacation and Replat first. HARVEY GOODMAN will be doing the presentation. Please come up to the podium and identify yourself. We will start with your request for a Vacation and Replat and I will read the applicants statement. *"Mr. & Mrs. Wright, owners of Lot 6 & 7 Deer Meadows and M. & Mrs. Goodman, owners of Lot 5 Deer Meadows, seek to vacate the parcel lines for Lots 5, 6, 7. Specifically, Lot 6 would be eliminated through absorption into Lots 5&7. Lot 5 would increase from 35.22 acres to 59.38 acres. The reason for this request is to effect a sale of land (approx. 10.74 acres previously of lot 6) from the Wrights to the Goodman's. We believe this action would be consistent with Custer County's interests toward less density and would result in one less well permit with the elimination of Lot 6"*. Would you like to add anything to this HARVEY?

HARVEY GOODMAN: I believe it was fairly clear. Does anyone have any questions?

DONLEY: What are you going to do with 5A?

GOODMAN: Across the road that is my lot. It is my understanding that Senate Bill thirty five, if approved, will allow me to have a well on this lot. I am going to keep it.

DONLEY: Ok

GOODMAN: All the parcels on the south side of the road are much smaller. I believe they are three to five acre parcels. It will be consistent with the way it is over on the south side of the road.

BARNES: Any further questions?

Hearing none

BARNES: We have one audience member. JOHN, do you have any questions

JOHNSTON: No sir.

BAILEY: I will make a motion to approve the Vacation and Replat and the lot will be designated as 5B and 7A.

NORDYKE: I will second the motion.

Barnes: Any further discussion, all in favor?

Motion passed unanimously

REASONS:

BARNES: Yes, this is pretty clear cut; less density, three lots into two lots.

NORDYKE: Yes, same thing three lots into two lots.

LYNCH: Yes, I agree with the applicant statement. I agree it is consistent with less density. I have no objections.

HOOD: Yes, I agree with everything that PATRICK said.

BAILEY: Yes, I agree with everything that has been already said.

DONLEY: Yes, decrease density.

MULLEN: Yes, no objections, no harm, three to two acres.

BARNES: We will recommend to the County Commissioner that your request be approved. Next is a request for a Subdivision Waiver and I will read the applicants statement *"As owners of lot 5A in Deer Meadows, my wife and I respectfully request that lot (5A0 (3acres) fall under a Subdivision Waiver per Senate Bill 35. County road 318 runs through my property, hence this 3.22 acres is on the other side of the road from the rest of my property (Lot 5) Thank You Harvey Goodman"*. Do you have anything that you would like to add to the statement?

GOODMAN: No, I think it is clearly represented. I would just say that the 3.22 acres is consistent with the surrounding lots across the road.

HOBBY: The parcel you own in Deer Meadows is Lot 5. The parcel across the street is 5A. Is that correct.

BAILEY: When you purchased lot 5 did 5A come with it?

GOODMAN: Yes, it is 5 and 5A. I always just assumed it was tagged 5A because the county road divided it.

DONLEY: When was this platted?

INGRAM: Read from the platted map on the table, 1982.

DONLEY: Is lot 5A listed on that map?

INGRAM: Yes, it says that it is 3.27 acres.

BARNES: I asked JACKIE why we are doing this and she said that the County Commissioners approved the Plat. They must, when they did that action, have designated lot 5 and lot 5A.

DONLEY: This never came before the Planning Commission because it would have been turned down. They created an undersized lot.

BARNES: It happened and we probably will never know why. A Subdivision Waiver will give you the flexibility to sell it and the new owner could apply for a well. Any questions from the audience? or Planning Commission?

Hearing none

DONLEY: I make a motion that the waiver request be granted with prejudice.

BARNES: You will need to explain.

DONLEY: It was a bad plat that the Commissioners signed. They were trying to create a thirty five acre subdivision. They did not have to come before the Planning Commission and there were some little lots that are around the perimeter that are going to be undersized lots.

MULLEN: I will second the motion.

BARNES: In further discussion?

Hearing none

BARNES: All in favor say I.

Motion passed unanimously

REASONS:

BARNES: Yes, this is standard procedure whenever a lot has been created by a county road. I believe that it is appropriate.

NORDYKE: Yes, I agree with VIC.

LYNCH: Yes, I agree.

HOOD: Yes, I voted to approve it. The lot already exists and exists on the recorded plat. It's an individual lot.

BAILEY: Yes, I agree with KEITH.

DONLEY: Yes, I agree.

MULLEN: Yes, I voted to approve, its reality. It occurred before he took ownership.

BARNES: The County Commissioners will schedule a meeting to act in this recommendation.. Thank you and I don't have anything else.

DONLEY: I make a motion to adjourn.

BAILEY: Second the motion.

Meeting adjourns 1:56 P.M.