

**PARK COUNTY BOARD OF COMMISSIONERS  
AGENDA  
TUESDAY, MAY 2, 2023  
11:00 AM CALL TO ORDER**

**Video**

To join the meeting, click on the link below or copy and paste into your preferred web browser: <https://zoom.us/j/632627219?pwd=Q2gvUVEwd0JuQ0R3TE9qWE9LTk9kQT09>

**Audio**

Upon joining the meeting, you will have the option to use either your computer mic and speakers for audio interaction, or participate by phone. If you are not using your computer speakers and mic to interact in the meeting, you may use the dial- option below:

**Dial by your location**

**(669) 900-6833 US (Western US)**

**(929) 205-6099 US (Eastern US)**

**Meeting ID: 632 627 219**

**Password: 04408**

**\*For the purpose of an accurate public record, you will need to identify yourself when you enter the meeting and when prompted\***

11:00 AM CALL TO ORDER

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

CONSENT ITEMS:

**.I. APPROVAL OF MINUTES**

Documents:

[BOCC Minutes 04.25.2023.pdf](#)

**.II. APPROVAL OF VOUCHERS**

CONSIDERATION AND/OR DECISION ON THE FOLLOWING ITEMS:

**.I. APPROVE/DENY THE CORE EV CHARGER LEASE AGREEMENT**

**.II. APPROVE/DENY THE 2018 BUILDING CODE**

**.III. APPROVE/DENY A RESOLUTION APPROVING THE REZONING OF 23.6 ACRES IN THE WEST HALF OF SECTION 29, TOWNSHIP 6 RANGE 74, ADDRESSED AS 51934 HWY. 285, GRANT, AND KNOWN AS THE TUMBLING RIVER RANCH FROM RESIDENTIAL TO COMMERCIAL.**

Documents:

[23ZON-02 BOCC Resolution.pdf](#)

- .IV.** APPROVE/DENY A RESOLUTION APPROVING AN APPLICATION FOR A PLANNED UNIT DEVELOPMENT PRELIMINARY PLAN IN SECTION 4, TOWNSHIP 7 RANGE 74, ADDRESSED AS 49355 HIGHWAY 285, GRANT

Documents:

[23PUD-01 BOCC Resolution.pdf](#)

- .V.** APPROVE/DENY A RESOLUTION APPROVING AN APPLICATION FOR REZONING FROM AGRICULTURAL TO RESIDENTIAL OF PART OF THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 1, TOWNSHIP 7 RANGE 72, ADDRESSED AS 673 MOUNT EVANS BOULEVARD

Documents:

[23ZON-03 BOCC Resolution.pdf](#)

- .VI.** APPROVE/DENY A RESOLUTION APPROVING AN APPLICATION FOR REZONING FROM RESIDENTIAL TO COMMERCIAL OF LAKE GEORGE PARK NEW LOT 13, ADDRESSED AS 38163 HWY 24, LAKE GEORGE

Documents:

[23ZON-01 BOCC Resolution.pdf](#)

PUBLIC HEARING(S)

PUBLIC COMMENTS

EXECUTIVE SESSION IN REGARD TO LEGAL & PERSONNEL MATTERS (CLOSED SESSION)

- EXECUTIVE SESSION PURSUANT TO: C.R.S. § 24-6-402(4)(a) REGARDING DISCUSSIONS RELATED TO THE PURCHASE, ACQUISITION, LEASE, TRANSFER, OR SALE OF ANY REAL, PERSONAL OR OTHER PROPERTY INTEREST; C.R.S. § 24-6-402(4)(e) TO DETERMINE POSITIONS RELATIVE TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND INSTRUCTING NEGOTIATORS, AND C.R.S. § 24-6-402(4)(b) FOR A CONFERENCE WITH LEGAL COUNSEL FOR THE PURPOSE OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS ALL RELATED TO THE PROPOSED PURCHASE OF REAL PROPERTY.

RECONVENE AS BOARD OF COUNTY COMMISSIONERS

CONSIDERATION AND/OR DECISION ON THE FOLLOWING ITEMS:

- .I.** AUTHORIZE/DO NOT AUTHORIZE THE COUNTY MANAGER TO SUBMIT A PROPOSAL FOR THE PURCHASE OF 72.97 -ACRE DEVELOPMENT PARCEL TO THE PLATTE CANYON SCHOOL DISTRICT NO.1

ADJOURN

ADMINISTRATIVE SESSION

TIMES ARE APPROXIMATE. ITEMS MAY BE HEARD EARLIER OR LATER THAN SHOWN ABOVE.

NOTE: Items May Be Added To These Agendas Up To 48 Hours Before The Scheduled Time. Items May Be Deleted Or Cancelled At Any Time. Please Check Website "[parkco.us](http://parkco.us)" for most Updated Agendas. If You Need Further Information, Please Contact The [BOCC](#) (Board of County Commissioners) Office At: 719-836-4201.

# **PARK COUNTY BOARD OF COMMISSIONERS**

## **AGENDA**

**TUESDAY, APRIL 25, 2023**

The meeting was called to order by Chairperson Mitchell. The invocation and reciting of the Pledge of Allegiance was led by Chairperson Mitchell. All Commissioners and County Manager were present. Erin Smith, County Attorney, joined via Zoom.

### **AGENDA APPROVAL**

Elsner moved to approve the agenda as presented. Wissel seconded, carried 3-0.

### **CONSENT ITEMS:**

APPROVAL OF MINUTES

APPROVAL OF VOUCHERS

Wissel moved to approve the Consent Items. Elsner seconded, carried 3-0.

### **CONSIDERATION AND/OR DECISION ON THE FOLLOWING ITEMS:**

#### **PUBLIC HEARING(S)**

##### **.I. REZONING, #23ZON-02**

Property is 23.6 acres in the west half of Section 29, Township 6 Range 74, addressed as 51934 Hwy. 285, Grant, and known as the Tumbling River Ranch.

The applicant is requesting to rezone an existing business from Residential to Commercial.

APPLICANT: Scott Dugan

Documents:

23ZON-02 BOCC Staff Report and Atts.pdf

PC\_RESOLUTION\_04-2023-01.pdf

Referral Responses.pdf

23ZON-02 Application.pdf

Planning staff member John Deagan presented.

No Public comment in favor nor opposed. Elsner moved to close public comment, Wissel seconded. Carried 3-0.

Elsner moved to direct staff to prepare a Resolution. Wissel seconded, carried 3-0.

.II. REZONING, #23ZON-01

Property is Lake George Park New Lot 13, addressed as 38163 Hwy 24, Lake George. The applicant is requesting a rezoning from the Residential (R) zone district to the Commercial (C) zone district, in order to use the lot commercially for vehicle storage and repair.

APPLICANT: William Hawes

Documents:

23ZON-01 Application.pdf

23ZON-01 BOCC Staff Report.pdf

23ZON-01 Referral Responses.pdf

23ZON-01 PC Res.pdf

Planning staff member Noah Vaughan presented.

No public comment in favor nor opposed. Elsner moved to close public comment, Wissel seconded, carried 3-0.

Elsner moved to direct staff to prepare a Resolution. Wissel seconded, carried 3-0.

.III. REZONING, #23ZON-03

Property is E ½ of NW ¼ of Section 01, T7 R72, addressed as 673 Mount Evans Blvd, Pine. The applicant is requesting rezoning from Agricultural (A) to Residential (R) for residential use, in order to move forward with a basement finish permit.

APPLICANT: David Wright

Documents:

23ZON-03 Application.pdf

23ZON-03 BOCC Staff Report.pdf

23ZON-03 PC Res.pdf

Planning staff member Noah Vaughan presented.

No public comment in favor nor opposed.

Elsner moved to close public comment, Wissel seconded, carried 3-0.

Elsner moved to direct staff to prepare a Resolution, Wissel seconded, carried 3-0.

#### .IV. PLANNED UNIT DEVELOPMENT PRELIMINARY PLAN, #23PUD-01

Property is part of S ½ of SE 1/4 of Section 04, T07 R74 addressed as 49355 Hwy 285, Grant. The applicant is requesting preliminary plan approval for a Planned Unit Development with RV and cabin campground usages.

APPLICANT: Zeke Freeman

Documents:

23PUD-01 Referral Responses.pdf

23PUD-01 Application.pdf

23PUD-01 BOCC Staff Report.pdf

23PUD-01 - RV-Riverside Cabins DES Plans.pdf

23PUD-01 - Hillside Cabin DES Plan.pdf

23PUD-01 PC Res.pdf

Planning staff member Noah Vaughan presented.

Public comments in favor – Scott Dugan

Public comments in favor or against with questions – Linda James via Zoom, Steve Vince via Zoom

No opposing comments

Elsner moved to close public comments, Wissel seconded, carried 3-0.

Elsner moved to direct staff to prepare a preliminary Resolution, Wissel seconded, carried 3-0.

#### PUBLIC COMMENTS

Al Gross

Louise Petersen via Zoom

Robb Green via Zoom

Patty Newman via Zoom

Linda James via Zoom

Kimberly Gregory via Zoom

William Bruner via Zoom

Elsner moved to close Public Comment, Wissel seconded, carried 3-0.

#### EXECUTIVE SESSION IN REGARD TO LEGAL & PERSONNEL MATTERS (CLOSED SESSION)

I Executive Session pursuant to C.R.S. § 24-6-402(4) (a) regarding discussions related to the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest; and pursuant to C.R.S. § 24-6-402(4) (b) for a conference with legal counsel for the purpose of receiving legal advice on specific legal questions; all related to the proposed purchase of real property.

#### STATEMENT MADE BY THE PRESIDING OFFICER ( COMMISSIONER MITICHELL) UPON RETURNING TO THE OPEN MEETING.

Elsner moved to adjourn, Wissel seconded, carried 3-0.

There was no Administrative Session.

**PARK COUNTY, COLORADO**  
**BOARD OF COUNTY COMMISSIONERS**  
**Resolution No. 2023-\_\_\_\_\_**

**A RESOLUTION APPROVING THE REZONING FROM RESIDENTIAL TO COMMERCIAL OF TRACTS 1 AND 2 IN HOMESTEAD ENTRY SURVEY NO. 51, IN THE WEST HALF OF SECTION 29, TOWNSHIP 6 RANGE 74, ADDRESSED AS 51934 HWY. 285, GRANT**

WHEREAS, the Applicant, Scott Dugan, has applied to rezone the property mentioned above from Residential to Commercial; and

WHEREAS, at a regularly scheduled public meeting of the Park County Board of County Commissioners, preceded by the required public notice, the Board of County Commissioners conducted a public hearing on the application for rezoning at which it reviewed the application and supporting documentation, the recommendations of the Planning Department and the Park County Planning Commission, and considered the testimony of the Applicant; and

WHEREAS, based on the testimony and evidence presented at the public hearing the Board of County Commissioners determines and finds that compliance with the standards for approval of a rezoning set forth in Section 5-203 of the Park County Land Use Regulations has been demonstrated by clear and convincing evidence.

NOW, THEREFORE, BE IT RESOLVED THAT:

The application to rezone the above-described real property from Residential to Commercial is approved with the following condition:

1. Prior to commencement of operations, the existing wastewater treatment systems are inspected, documented, and evaluated for their adequacy. If snow makes this impossible, the inspection, documentation, and evaluation shall be completed prior to the pending sale of the lot to Caza Partners or prior to July 1st, 2023; whichever occurs first.

Moved, seconded, and passed this 2<sup>nd</sup> day of May, 2023.

**PARK COUNTY BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
Amy Mitchell, Chairperson

ATTEST:

\_\_\_\_\_  
County Clerk

Commissioner Mitchell: Yea\_\_\_ Nay\_\_\_

Commissioner Elsner: Yea\_\_\_ Nay\_\_\_

Commissioner Wissel: Yea\_\_\_ Nay\_\_\_



**PARK COUNTY, COLORADO  
BOARD OF COUNTY COMMISSIONERS  
RESOLUTION No. 2023-\_\_\_\_\_**

**A RESOLUTION APPROVING AN APPLICATION FOR A PLANNED UNIT DEVELOPMENT  
PRELIMINARY PLAN IN SECTION 4, TOWNSHIP 7 RANGE 74, ADDRESSED AS 49355  
HIGHWAY 285, GRANT**

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**WHEREAS**, the applicant, Zeke Freeman, has applied for a Planned Unit Development (PUD) Preliminary Plan within New Parcel A in the Southeast ¼ of Section 4, Township 7, Range 74 as described on a plat recorded at reception #669960; and

**WHEREAS**, at a regularly scheduled public meeting of the Park County Board of County Commissioners, preceded by the required public notice, the Board of County Commissioners conducted a public hearing on the application for approval of the PUD Preliminary Plan at which it reviewed the application and supporting documentation, the recommendations of the Planning Department and the Park County Planning Commission, and considered the testimony of the Applicant; and

**WHEREAS**, based on the testimony and evidence presented at the public hearing the Board of County Commissioners determines and finds that compliance with the standards for approval of a PUD Preliminary Plan set forth in Section 5-313 of the Park County Land Use Regulations has been demonstrated by clear and convincing evidence.

**NOW THEREFORE, BE IT RESOLVED THAT:**

The application for approval of the Geneva Campground PUD Preliminary Plan, attached hereto, is approved with the following conditions:

1. An excavation plan for the hillside cabin development will be provided with the final plan application, which will detail how much soil will be excavated, and the plan for removal of said soil.
2. Narratives regarding the onsite wastewater treatment system plans for the Riverside Cabins, recreational vehicle spots, recreational vehicle dump station, and Community Area are provided with the final plan application.
3. The applicant provides a plan for pumping the septic tanks on the hillside portion of the development is provided with the final plan application.
4. The site plan is revised to include a twenty-five foot setback from the riverside cabins, including patios, to Geneva Creek.

MOVED, SECONDED, AND PASSED THIS 2<sup>nd</sup> DAY OF MAY, 2023.

**PARK COUNTY BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
Amy Mitchell, Chairperson

ATTEST:

\_\_\_\_\_  
County Clerk

Commissioner Mitchell: Yea\_\_\_ Nay\_\_\_

Commissioner Elsner: Yea\_\_\_ Nay\_\_\_

Commissioner Wissel: Yea\_\_\_ Nay\_\_\_

**PARK COUNTY  
BOARD OF COUNTY COMMISSIONERS  
RESOLUTION No. 2023-\_\_\_\_\_**

**A RESOLUTION APPROVING AN APPLICATION FOR REZONING FROM  
AGRICULTURAL TO RESIDENTIAL OF PART OF THE EAST ½ OF THE  
NORTHWEST ¼ OF SECTION 1, TOWNSHIP 7 RANGE 72, ADDRESSED AS 673  
MOUNT EVANS BOULEVARD**

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**WHEREAS**, the Applicant, David Wright, has applied for a Rezoning from Agricultural to Residential of the legal description shown in Exhibit A;

**WHEREAS**, at a regularly scheduled public meeting of the Park County Board of County Commissioners, preceded by the required public notice, the Board of County Commissioners conducted a public hearing on the application for rezoning at which it reviewed the application and supporting documentation, the recommendations of the Planning Department and the Park County Planning Commission, and considered the testimony of the Applicant; and

**WHEREAS**, based on the testimony and evidence presented at the public hearing the Board of County Commissioners determines and finds that compliance with the standards for approval of a rezoning set forth in Section 5-203 of the Park County Land Use Regulations has been demonstrated by clear and convincing evidence.

**NOW THEREFORE, BE IT RESOLVED THAT:**

The application to rezone the real property described in Exhibit A from Agricultural to Residential is hereby approved without conditions.

MOVED, SECONDED, AND PASSED THIS 2<sup>nd</sup> DAY OF MAY, 2023.

**PARK COUNTY BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
Amy Mitchell, Chairperson

ATTEST:

\_\_\_\_\_  
County Clerk

Commissioner Mitchell: Yea\_\_\_ Nay\_\_\_

Commissioner Elsner: Yea\_\_\_ Nay\_\_\_

Commissioner Wissel: Yea\_\_\_ Nay\_\_\_

# Exhibit A

A part of Lot 3, Section 1, Township 7 South, Range 72 West of the 6th P.M., described as follows:

Beginning at the point of intersection of the South line of said Lot 3 with the Westerly right of way line of Mt. Evans Boulevard whence the Southeast corner of said Lot 3 bears South  $89^{\circ} 18'51''$  East, 801.64 feet;

thence North  $89^{\circ} 18'51''$  West, along said South line, 537.73 feet;

thence North  $1^{\circ} 11'40''$  East, 500 feet;

thence South  $89^{\circ} 18'51''$  East, 84.61 feet to a point on the Westerly right of way line of said Mt. Evans Boulevard;

thence Southeasterly, along said right of way line, the following courses and distances:

along a curve to the left having a radius of 653.34 feet and a central angle of  $8^{\circ} 25'54''$  (the chord of which curve bears South  $45^{\circ} 41'57''$  East), and arc distance of 96.15 feet;

South  $49^{\circ} 54'54''$  East, 360.51 feet;

along a curve to the right having a radius of 158.59 feet;

and a central angle of  $29^{\circ} 41'55''$ , an arc distance of 82.2 feet; and  
South  $20^{\circ} 12'59''$  East, 148.71 feet to the Point of Beginning.

**PARK COUNTY  
BOARD OF COUNTY COMMISSIONERS  
RESOLUTION No. 2023-\_\_\_\_\_**

**A RESOLUTION APPROVING AN APPLICATION FOR REZONING FROM  
RESIDENTIAL TO COMMERCIAL OF LAKE GEORGE PARK NEW LOT 13,  
ADDRESSED AS 38163 HWY 24, LAKE GEORGE**

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**WHEREAS**, the Applicant, William Hawes, has applied for a Rezoning from Residential to Commercial of the above legal description;

**WHEREAS**, at a regularly scheduled public meeting of the Park County Board of County Commissioners, preceded by the required public notice, the Board of County Commissioners conducted a public hearing on the application for rezoning at which it reviewed the application and supporting documentation, the recommendations of the Planning Department and the Park County Planning Commission, and considered the testimony of the Applicant; and

**WHEREAS**, based on the testimony and evidence presented at the public hearing the Board of County Commissioners determines and finds that compliance with the standards for approval of a rezoning set forth in Section 5-203 of the Park County Land Use Regulations has been demonstrated by clear and convincing evidence.

**NOW THEREFORE, BE IT RESOLVED THAT:**

The application to rezone the above-described real property from Residential to Commercial is hereby approved without conditions.

MOVED, SECONDED, AND PASSED THIS 2<sup>nd</sup> DAY OF MAY, 2023.

**PARK COUNTY BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
Amy Mitchell, Chairperson

ATTEST:

\_\_\_\_\_  
County Clerk

Commissioner Mitchell: Yea\_\_\_ Nay\_\_\_

Commissioner Elsner: Yea\_\_\_ Nay\_\_\_

Commissioner Wissel: Yea\_\_\_ Nay\_\_\_