

**PARK COUNTY
PLANNING COMMISSION
MEETING MINUTES
County Offices in Fairplay
856 Castello Ave.
April 9, 2019 at 9:00 AM**

Members Present: Charles Schultz, Susan Jones, Bob Banks, Jim Sapp

Staff Present: John Deagan, County Planner; Jennie Gannon, Planning Technician; Erin Smith, County Attorney

Charlie called meeting to order at 9:02 A.M.

Charlie introduced Planning Commission and Staff

APPROVAL OF AGENDA

John suggested moving 3rd hearing item on agenda to the top because that applicant was present and the others were not.

Motion to accept as suggested. Susan moved, Jim seconded.

APPROVAL OF MINUTES from March 12, 2019

Motion to approve: Susan moved, Jim seconded.

Charlie went over meeting process.

LAND USE PUBLIC HEARINGS:

PLAT AMENDMENT CASE #19AMN-02

Property is Tract A within Golden Hills Estates, Township 09 Range 78 Section 14. The applicant is requesting to render Tract A into a buildable lot, to be known as New Lot 30.

APPLICANT: Karel DeVere

- John made a Power Point presentation.
- Charlie asked if the lot was zoned residential even though it was designated as unbuildable. Yes it was.
- Bob asked if there are any structures there now. A shed is currently on the lot.
- Carol DeVere came forward. Trying to make lot buildable to sell for someone to enjoy.
- Charlie called for public comment. None came forward.
- Charlie asked applicant if she had any closing comments. She said the process is complete and doesn't think that they have missed anything.
- Bob made the motion to recommend approval of the application as presented, Susan seconded. Vote was taken and motion passed (4-0).

Charlie explained process to applicants for #19VAC-01 since they came in later.

RIGHT-OF-WAY VACATION CASE #19VAC-01

Property is Laser Lane within South Park Ranches Filing 59, Township 11 Range 74 Section 09. The applicant is requesting to vacate the right-of-way and combine it with lots 49 and 50.

APPLICANTS: Kit and Heather Lammers

- John made a Power Point presentation. There is a new condition of approval recommended that is not part of the Staff Report: Prior to hearing of this case by the Board of County Commissioners, access easements for New Lot 45 across New Lot 49 and for New Lot 49 across New Lot 45 are added to the plat.
- Bob asked if utility easements would be vacated.
- Susan asked about address change. Both addresses will be off Walls Street since Laser Lane will no longer exist.

- Applicants came forward and explained that driveway had been built around rocks.
- Charlie called for public comment. None came forward.
- Charlie asked if applicant had further closing comments. They had none.
- Charlie called for deliberation.
- Susan moved and Jim seconded to recommend approval with condition as revised. Prior to hearing of this case by the Board of County Commissioners, access easements for New Lot 45 across New Lot 49 and for New Lot 49 across New Lot 45 are added to the plat. Vote was taken and motion was approved (4-0).

REZONING CASE #19ZON-03

Property is a tract of land in Sections 9 and 10, Township 15S, Range 73W, consisting of 187.91 acres, and addressed as 6384 Highway 9, Guffey. Applicant is requesting rezoning from Residential Estate (R-20) to Agricultural (A).

APPLICANT: Mary L. Curtis

- Although the applicant was not present, the chairman opened the hearing so that a member of the public would be able to see the staff presentation and ask staff questions about the application.
- Jennie made a Power Point presentation.
- Jennie answered a question about the boundaries shown on the current zoning map.
- Charlie opened public comment.
- Roberta Smith, a landowner adjacent to the south, came forward. She stated that she had senior water rights on Currant Creek and that she has a grazing lease where the cattle also graze on the subject lot. She mentioned several concerns she has about the subject property including the existing beaver ponds that hold water back, that she had heard that the lot was intended for sale to a wolf sanctuary, and that this rezoning might affect her water rights. She also said she was concerned about the fact that Geri Salsig is involved in this case as the realtor, and is also part of the Planning Commission.
- Erin informed Roberta that animal sanctuaries were a conditional use in the Agricultural zone district and that engaging in that use would require an additional set of public hearings. She also said that Geri was not present and that the county could not make any decisions regarding water rights.
- Charlie said that the rezoning hearing was limited to the standards of approval for a rezoning and that there would be additional opportunities for public comment at subsequent hearings.
- Charlie closed public comment.
- Jim suggested continuing the hearing to June 11th to allow more opportunity for public comment and so moved. Bob seconded the motion. Erin suggested that Jennie send an audio recording of today's hearing to the applicant. Vote was taken and the motion passed unanimously (4-0).

PUBLIC COMMENT

- Roberta Smith stated that her comments were intended to protect water rights and were made without malicious intent. Erin asked that further comments not pertain to the 19ZON-03 application.
- Bob moved, Jim seconded that the hearing be adjourned. Motion carried unanimously. The hearing adjourned at 10:10 AM

Further information can be obtained at
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