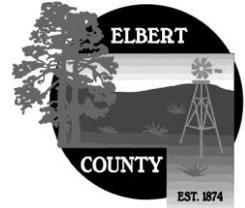




COUNTY OF ELBERT

COMMUNITY & DEVELOPMENT SERVICES DEPARTMENT

P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3135 FAX: 303-621-3165



MINUTES ELBERT COUNTY REGULAR PLANNING COMMISSION MEETING September 18, 2014

Note: These meeting minutes are only a summary of the meeting. Duplications of the audio recording are available, for a fee, by contacting Community & Development Services.

The regular Planning Commission Meeting was called to order at 7:00 p.m. by Chairman, Tom Beshore.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Commission members present: Tom Beshore, Ron Turner, Rick Brown, Tony Baker and Bob Ware.

Staff present: Carolyn Parkinson, Planner – Flood Plain Manager; Kyle Fenner, Director of CDS; Faith Mehrer, Office Manager

STAFF REPORT ON BOARD OF COUNTY COMMISSIONERS ACTION(S):

CONSENT CALENDAR:

COMMUNITY INPUT:

PUBLIC HEARINGS:

A. PD14-0013 Hitchin' Post Hay PUD:

- a. Carolyn Parkinson presented the applicant's proposal to bring a 16 acre parcel into compliance with Elbert County Zoning

Regulations. The property is currently zoned XX and is a portion of lot 1 of the Foral Minor Subdivision. The lot was originally 26 acres, but was divided by foreclosure proceedings. The 16 acre lot will be referred to as lot 1B. The parcel is currently vacant. The applicant would like to change the zoning to PUD to allow for a residence and a hay sales business. The hay sales business will be conducted from an out building on the property, and may expand to two buildings to allow for more storage. There will be no public access to the buildings. There will be an area for drive up loading on the east side of the building. The parcel has access from two permitted driveways off of County Road 13 that will minimize impacts to County Road 13 by allowing circular access. The lot is sized appropriately for individual well and septic to support the residence. There is compliance with the 1041 regulations related to water availability.

- b. Questions regarding water availability, accessibility from County road 13 and location of the parcel in reference to Running Creek were asked by the Planning Commission. Tom Maroney and Carolyn Parkinson answered their questions.**
- c. Rick Brown suggested a modification to condition number 1 so that it states that the 100' building buffer will be maintained if a flood plain permit is issued.**
- d. Tom Maroney, representative of the applicant, stated to the Planning Commission that the applicants are simply trying to clean up a "mess of the past". They did not contribute to the splitting of the lot. Rodney and Brenda Denning, the applicants, purchased the lot after the split had occurred.**
- e. Brenda Denning explained that much of their business will be through established customers and direct deliveries making it possible for them to run the hay selling business without allowing public access to the building/buildings.**
- f. Rodney Denning explained that the driveway is set up for easy access and departure. The business will not interfere with traffic on County Road 13. He also stated the business will be secured with fencing, secured gates and cameras.**
- g. Rick Brown made a motion to forward a recommendation to the Board of County Commissioners to approve PD14-0013, HITCHIN POST HAY, with 14 conditions, including a modification to condition number 1. Ron Turner seconded the motion. Motion carried on a vote of 5 to 0.**

B. RZ14-0008 Owens XX to AR Rezone:

- a. **Carolyn Parkinson presented the applicant’s proposal to bring a 10 acre parcel into compliance with Elbert County Zoning Regulations. The property is currently zoned XX and is a portion of lot 1 of the Foral Minor Subdivision. The lot was originally 26 acres, but was divided by foreclosure proceedings. The 10 acre lot will be referred to as lot 1A. Lot 1A includes the original residence. The applicant would like to change the zoning from XX to AR. The owners of the original 26 acre lot refinanced 10 of the original acres while 16 acres defaulted back to the lender, creating 2 parcels that did not go through the required subdivision or zoning process with Elbert County. As a result, both parcels were non-compliant and received XX zoning. The current owners, Cody and Michelle Owen, purchased the property after the parcel was split and were not contributors to creating the non-compliant parcels. The current use has been in place since 2009. Approval of the application will give the parcel zoning that is compliant with Elbert County Zoning Regulations.**
- b. **Questions about conditions 1 and 2, the easement for a driveway into the parcel to the south and animal waste management, were raised by Bob Ware. Carolyn explained the purpose for both conditions.**
- c. **Rick Brown made a motion to forward a recommendation to the Board of County Commissioners to approve PD14-0008, Owens XX to AR Rezone, with 8 conditions, including a modification to condition number 1. Bob Ware seconded the motion. Motion carried on a vote of 5 to 0.**

PUBLIC COMMENTS:

NEW BUSINESS:

- A. **CDS Staff and the Planning Commission discussed the benefits of scheduling Planning Commission Meetings Tuesdays rather than Thursdays. It was decided that in November, 2014 the Planning Commission would begin meeting on the 1st and 3rd Tuesday of each month.**

ANNOUNCEMENTS:

- A. Meeting adjourned at 8:30 PM