

Planning Commission Meeting  
January 19<sup>th</sup>, 2010

## I. CALL TO ORDER

Chairman Dwight Freeman called the meeting to order at 1:30pm. Other members present were Janice Slade, Vernon McCallister, Pam Bricker, Craig Franke and Rose Vanderpool, Secretary.

Members absent: Gary Seger

Others Present: Dwight Barlow, David Mosby; Absalom Yoder and Lester Yoder.

II. A motion to approve the agenda as submitted; Janice Slade moves to add election of officers to the agenda; Vern McCallister seconds; motion carried unanimously. Chairman Freeman then asked for additions or corrections to the Nov 10<sup>st</sup>, 2009 minutes; Janice Slade moves to approve the minutes as submitted; Craig Franke seconds motion. Motion carried with 5 ayes 0 nays.

## III. NEW BUSINESS

First Item: A Minor Subdivision Exempt Division submitted by Jennifer and David Mosby for a parcel of land located in the SE $\frac{1}{4}$  of Section 3; Township 40N; Range 7 E; NMPM Rio Grande County. The Mosby's would like to split off approximately two (2) to five (5) acres for residential use.

Mr. Mosby submitted with the application an aerial photo that shows the layout of the land. The applicants can meet the 100' buffer from the sprinkler end gun; there is power availability and access has been approved by Road & Bridge supervisor Patrick Sullivan. The Land Use Office did not receive any response for or against this request from property owners within the required distance of 1500 feet. Chairman Freeman entertains a motion; Pam Bricker moves to recommend approval for the Minor Subdivision Exemption for the NE corner with the following contingency; the survey shows the required 100 foot buffer; any/ all existing structures with the required 25 foot setback from the newly formed boundary lines. Janice Slade seconds motion. Motion carried with 5 ayes 0 nays.

Second Item: A Minor Subdivision Exemption submitted by Phillip and Nina Smartt for a parcel of land located in the SW $\frac{1}{4}$  of Section 21; Township 40N; Range 8E; NMPM, Rio Grande County containing 158 acres m/l. The applicant is requesting to divide approximately four acres for residential use. (NW corner)

Mr. Barlow stated that there are no existing structures on this corner of land, but there is a .2 to .3 acre recharge pit that would not be a part of what he wants to split. The Planning Commission explained to Mr. Barlow that the recharge pit would have to stay with the land being split to avoid creating a third parcel. Mr. Barlow understood the explanation and will keep the pit with his land. Chairman Freeman entertains a motion; Craig Franke moves to recommend approval to

the BoCC subject to: Survey, power availability; access; recharge pit inclusive with the parcel. Vern McCallister seconds motion; motion carried with 5 ayes 0 nays.

IV. Conditional Use application submitted by Absalom Yoder 5190 E CR 8 S; Monte Vista, CO 81144; legal description Tract 3 Wildlife Estates; containing approximately 54.41 acres m/l. The applicant wishes to place a 21 x 92 greenhouse for growing tomatoes as contracted for Catlin's Greenhouse. Craig Franke asked if he would be selling anything on site. If so, then access/impact to the highway and county roads would need to be addressed. Mr. Yoder stated that he has no plans to sell on site. Mr. Yoder has contacted the Water Conservancy and will need to change the use of domestic to a commercial well. Chairman Freeman entertains a motion; Vern McCallister moves to recommend approval to the BoCC pending approval of water/well from domestic to commercial; Craig Franke seconds motion; motion carried with 5 ayes and 0 nays.

V. Conditional Use application submitted by Lester Yoder for Benjamin and Laura Coblentz for placement of a school house on the NE Corner of Section 31; Township 37N; Range 8 E; Mr. & Mrs. Coblentz submitted a letter allowing Mr. Yoder to submit and represent the application request. The Planning Commission asked why the need for another school? Mr. Yoder stated that the community is growing and the current school is 3½ miles from where the new school will be and is too far for children to ride their bikes or walk from the west; each school will have 30-35 students' grades 1-8. As the community continues to grow more schools will be needed. This is a private parochial school all guidelines by the state will be followed, but because it is a private school the only thing the state requires is a letter from them stating that they followed all county rules and regulations. Janice Slade asked if any families have to use Hwy 15 to get to school. There are two families that are on Hwy 15 for at least 1-mile no matter which school they would attend. The school's hours are normal school hours beginning Sept to May; Monday through Friday.

The Division of Water will not allow a house well to be tapped for the school, so they are working through that. The plan was to abandoned two future homes (you can have up to 3 homes on one well) in exchange for the school. The school will be one room with two bathrooms. Propane lighting and wood heat will be used. As with all building, it will be plumbed and wired to code.

Pam Bricker stated that the property should be defined and a letter of agreement done by both parties; in the event the Coblentz's should sell what happens to the school? The area is surrounded by farm ground so the 100 foot buffer zone should be adhered to and we should limit the number of schools in this section.

Vern McCallister moves to approve with the following contingencies; the area approved for the school is the NE corner containing five to seven acres; access is off the 11 S; Build to Rio Grande County Building Code's; maintain the 100 foot buffer zone from the sprinkler end gun; and can expand the school if necessary on this corner; Pam Bricker seconds motion; motion carried with 5 ayes and 0 nays.

VI. Election of Officers; Pam Bricker moves to retain the present officers; Craig Franke seconds motion; motion carried with 5 ayes and 0 nays.

Dwight Freeman – Chairman  
Vern McCallister – Vice-Chair

VII. OLD BUSINESS: With no further business meeting adjourned at 3:00pm.

Next meeting: February 16<sup>th</sup>, 2010

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Secretary

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Chairman