

Planning Commission Meeting
June 16, 2009

I. CALL TO ORDER

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

Members absent: Pam Bricker

II. Chairman Freeman asked if there were any additions or changes to the agenda, Rose Vanderpool stated that the draft of "Opportunity Areas" has been submitted for review and discussion as to how Rio Grande County would like to see the commercial development whether it be 3-miles of all municipalities or spread out all over. The agenda was amended as stated. Chairman Freeman then asked for additions or corrections to the May 19th, 2009 minutes. Mrs. Slade moved to approve the minutes as submitted; Craig Franke seconded motion. Motion carried with 4 ayes 0 nays and 1 absent.

III. NEW BUSINESS

A Minor Subdivision Exemption application was submitted by John & Barbara Yoder who were present to discuss the application. Mr. & Mrs. Yoder currently rent the home that is on the property in question. This is an 80-acre parcel and the "renters" would like to buy 10 acres that would include the home they rent. The sale of the ten acres is contingent upon approval of the exemption. A concern that ten acres to much land for the maintenance and the possibility of the land to be split into two -10's. Per the RGC Dev. Code the parcel cannot be split again unless it is a minor subdivision. The current tenants have horses and ten acres would accommodate the use. Chair entertains a motion; Craig Franke moves to recommend approval; Gary Seger seconds motion; motion carried unanimously with 4 ayes 0 nays 1 absent.

Second Item: A Minor Subdivision Exemption application submitted by Marshall Carlton & Frank Haydon 10385 CR 15 Del Norte, CO 81132 for a parcel of land located in the SE¹/₄NW¹/₄ Sec 24-40-4 containing 63 acres m/l. The request is to divide approximately 23 acres m/l and to sell it to Mr. & Mrs. Biddle who own the home only. The access to all parcels will not change. The remaining 40 acres m/l will be split into two- twenty acre parcels and attached to the adjoining properties being Marshall Carlton and Frank Haydon Craig Franke. Chairman Freeman entertained a motion; Vern McCallister moves to recommend approval; Janice Slade seconds motion; motion carried with 4 ayes 0 nays and 1 absent.

Third Item: An Amendment of Zoning submitted by Rusty and Connie Strohmayer for a parcel of land located in the Fraction of the NW¹/₄SW¹/₄NW¹/₄ Section 35-39-7 of approximately 4.5 acres m/l. The parcel to be rezoned is currently owned Michael and Linda Trujillo; the total acreage is approximately 64.51 acres m/l. The remaining acreage will remain in agricultural use at this time. Mr. Strohmayer would like to purchase the 4.5 acres and rezone to commercial for a funeral home. The sprinkler won't hit the funeral home or the parking lot. Mr. Strohmayer

explained that he has two house wells and would use one of those wells for the funeral home. Septic/Waste he plans on placing a 1500 gallon tank with no leach line, he would pump the tank regularly. I stated that the type of system would be an engineered system and the size would be determined by the use of the structure. Mr. Strohmayer stated that his previous business in the City of Monte Vista he was tapped into city services and all the waste went through the lines and into the sewer lagoons. If it were to be allowed that the system could be pumped an alert system would need to be placed to notify that the tank needs pumped. CDOT has denied a change of use from Hwy 160 so Mr. Strohmayer will have to access his funeral home and all traffic to County Road 27. Mr. Strohmayer will place culverts over the Star Ditch and has contacted Patrick Sullivan Road and Bridge Dept for specifications. Mr. Trujillo stated that he has plans for the remaining acreage he feels that this is an opportunity area corridor for commercial development and plans on a mixed use PUD. He will be contacting CDOT to discuss access off of Highway 160. Letters opposing were submitted; Carol and Bob Dugan; Charles Whitmer and a letter from CDOT denying the change of use. There were no letters or comments received in support at this time. Chairman Freeman directed the Planning Commission to page 133 4. b. "The area for which rezoning is requested has changed or is changing to such a degree that it is in the THE PUBLIC INTEREST to encourage a redevelopment of the area" of the RGC Dev. Code. Vern McCallister moves to recommend approval because of the proximity to the cemetery and other commercial businesses is conducive to the area; The road needs to built up and widened on County Road 27 (The county is only concerned with County Road (27) not the drive currently used by Rusty of Highway 160); re-augment water to commercial use; placement of culverts across the Star Ditch; final survey and copies of certifications and registrations needed from the State and any/all re-certifications be provided to the County Land Use Office and kept in file. Craig Franke seconds motion; motion carried with 3 ayes 1 nay and 1 absent.

A brief discussion was held regarding revising the Master Plan "Opportunity Areas" rather than have the opportunity areas stretch all down the highway corridors but to confine the growth of commercial development within a three-mile radius from the municipalities. It was well received and a schedule of up-coming work sessions will follow.

IV. OLD BUSINESS: None

With no further business meeting adjourned at 3:30pm.

Next meeting scheduled for July 21st, 2009.

Secretary

Chairman