

Planning Commission Minutes

For January 16, 2018

Members Present: Chairman Dwight Freeman, Grover Hathorn, Wesley O'Rourke and Dixie Diltz – Secretary.

Members Absent with notification: Leonard Brown and Mike Mitchell

Member Absent without notification:

Others Present: Sam Wickey, Lester Yoder, Daniel Stutzman, Sharon Nash, Wayne Nash

Chairman Dwight Freeman Called the meeting to order at 1:33 pm.

Dwight Freeman suggested the Agenda be amended to remove the approval of the December 19th, 2017 minutes, as the members present at today's meeting were not present at the December meeting. Those present at the December meeting are not present today.

Grover Hathorn made a motion to approve the Agenda as Amended. Wesley O'Rourke seconds. Motion carried unanimously.

Secretary Diltz provides Dwight Freeman with copy of the Resolution signed by the Board of County Commissioner's appointing him to a new 3 year term.

First Item of Business: Amendment of Zoning and Conditional Use Application submitted by Sam and Regina Wickey.

Chairman Freeman states the applicants want to amend the zoning of their property from Rural Residential to Ag Estate and then apply for a conditional use approval to have a small custom workshop to produce counter tops and shower floors. The parcel of land is 5 acres that is approximately 9 miles south and 3 miles east of Monte Vista. There is a private well and existing waste water treatment system.

Dwight Freeman questions if the products will be built on site then transferred off property to be installed is someone's house. He asks if there will be any other sales on site? Sam Wickey states that they will not have other sales on site. Not a retail location.

Dixie Diltz informs the board that notification of surrounding property owners within 1,500 feet, was mailed on Dec 4, 2017 and notification was published in the Monte Vista Journal on Dec.13, 2017 with no response from either announcement. Pat with the RGC Road and Bridge Dept. reviewed the application and had no issue with it.

The zoning map was reviewed and it was noted that all the surrounding properties are zoned either agricultural estate or agricultural ranching. The Wickeys five acre parcel is the only parcel zoned rural residential. Dixie Diltz explains that she was unable to locate record showing when the 5 acres was divided from the larger parcel or why it was giving a rural residential zoning. Because it is a five acres parcel with a residence on it can only be assumed that it was just classified as residential when the county last changed zoning labels. In the RGC Zoning regulations a rural residential property is 2 to 5 acres and a agricultural estate zoned property is 5 to 35 acres. It would be fair to say this property could be classified either way.

Grover Hawthorn asks for clarification of the plot plan and identification of existing structures. He also asks what type of counter tops the Wickeys wish to produce. Sam states they will be making cultured marble counter tops. Grover Hawthorn asks about waste product. Sam Wickey explains that because it is a "poured into molds" product, there is little waste product. The biggest waste materials he expects to have will be "paper and tape". There is minimal grinding but all the other product is formed to size.

Dwight Freeman notes that if the property were rezoned agricultural estate it would make it the same as the surrounding property and the larger parcel that it was probably once a part of. He stated that it is "almost odd the way it is".

Wesley O'Rourke makes a motion to change the zoning of the 5 acre parcel from rural residential to agricultural estate. Grover Hawthorn seconds, motion passes by unanimous vote.

Dixie Diltz informs the board that on page 47 of the RG County Land Use Code Book, in the list of uses a "workshop & small custom industry" would require conditional use approval in an agricultural estate zone.

Wesley O'Rourke asked about the expected increase in traffic and type of delivery vehicles anticipated. Sam Wickey explains that a typical order would be for a couple counter tops and a shower floor. This could be hauled in a standard pickup truck bed. He does not anticipate large truck traffic. His materials are delivered to him by Fed Ex.

Dwight Freeman asked if the entire 5 acres is being considered for the conditional use? Lester Yoder points out on the site plan that they are designating a 300' x 150' area for the requested conditional use. A land improvement survey will need to be completed if approved. Dwight Freeman says he is in favor of a conditional use on limited area.

Grover Hathorn makes a motion to approve a conditional use for a workshop to build counter tops and shower floors with the condition of a completed survey. Wesley O'Rourke seconds, motion passes by unanimous vote of the Planning Commission Board.

Second Item of Business: Exempt Division of Land application submitted by Wayne and Sharon Nash, to divide 2.027 +/- acres containing a residence from a 200 acres parcel of agricultural land that contains a second residence, for financing purposes.

Chairman Freeman clarifies that the Nash's have 200 acres currently. The property is located on County Road 7 North. Dixie Diltz provides a Ariel map of the property.

Dixie Diltz states that notification of the neighbors within 1,500 feet was mailed out on Dec. 13th, 2017. Keith Schuett came into the office on Jan 4, 2018 to review the application. After reviewing the application he stated he had no comment either for or against the proposed division. No other comments were received after notification. Pat Sullivan at Rio Grande County Road and Bridge reviewed the application and had no concerns. The application was sent to Colorado Division of Water Resources and San Luis Valley Water Resources. The existing well is a domestic well and may be reclassified as an in house only well if the division is approved. Dixie Diltz provided Wayne Nash with copies of the email conversation and asked if Mr. Nash had contacted the Division of Water and understood the implications this could have. Mr. Nash stated that he had talked with Pat McDermott.

Chairman Freeman asked about easements for the second residence on the property. Discussion about where and how the easements should be drawn on the survey. Dwight Freeman clarifies that the cell tower does not own the land it sits upon, it is in a lease agreement, so an easement to the cell tower is not part of this application.

Grover Hathorn makes a motion to approve the Exempt Division of Land requested subject to a final survey which includes the dedicated easement for the agricultural land and second residence. Wesley O'Rourke seconds and the motion passes by unanimous vote of the Board of Planning Commission.

With no further discussion the meeting was adjourned at 2:38 pm.