

**PARK COUNTY PLANNING COMMISSION  
PLANNING DEPARTMENT STAFF REPORT**

Planning Commission Hearing Date: November 10, 2021

To: Planning Commission

Date: November 3, 2021

Prepared by: John Deagan, AICP; Senior Planner

Subject: Celtic Ridge Minor Subdivision

Request: Property is 18.52 acres located in the SW ¼ Section 28 Township 12 Range 71, addressed as 39251 Hwy. 24, Lake George. The applicant is requesting to divide an 18.52 acre lot into one 16.89 acre lot and one 1.63 acre lot.

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**Application Summary:**

Applicant:	Tami Donaldson
Owner:	Tami Donaldson and Dennis Barry
Location:	Part of the SW ¼ Section 28 Township 12 Range 71, addressed as 39251 Hwy. 24, Lake George. Attachment 1 is a vicinity map.
Zone Districts:	Residential and Commercial
Surrounding Zoning:	Agricultural, Commercial, and Residential. Attachment 2 is a zoning map.
Lot Size:	Existing: 18.52 acres. Proposed: One lot of 16.89 acres and one of 1.63 acres.
Existing Use:	Single family residential and commercial.
Proposed Use:	Same

**Background:**

The applicant purchased this lot in 2017. It had been illegally subdivided, so she completed a retroactive exemption from subdivision regulations shortly after the purchase. A rezoning from Agricultural to Residential was also necessary and was approved in 2018. Part of the lot was zoned Commercial and had been historically used for a storage yard, and the applicant chose to retain that zoning. Lots over ten acres in size can contain two zone districts.

Recently the residence on the lot was destroyed by an accidental fire. The applicant cannot obtain financing to rebuild on a lot that is zoned both Commercial and Residential and so had to choose between a Rezoning and a Minor Subdivision. She

chose the latter and is applying for a subdivision based on the zone district boundary. The lot does not currently have a Colorado Department of Transportation access permit, and has an unpermitted septic system.

### **Land Use Regulations and Strategic Master Plan:**

Each of the standards for approval of a Minor Subdivision (LUR Section 6-303) is addressed below.

**A. The proposed subdivision conforms to all applicable requirements for the zone district in which the property is located, including but not limited to requirements for setbacks, height, floor and lot areas, and minimum lot sizes.**

The lots meet all applicable requirements in terms of size, minimum width, and direct access to a public right-of-way.

**B. The proposed Minor Subdivision meets or satisfies all applicable requirements of these Land Use Regulations.**

The water sample tested over the maximum primary contaminant level for fluoride. A condition of approval addresses this. Another condition of approval addresses the need to document the septic system.

**C. The proposed Minor Subdivision substantially conforms to the goals and policies of the Strategic Master Plan to the extent that such advisory provisions do not conflict with provisions or requirements of the Land Use Regulations and to the extent that such goals and policies set forth requirements which are sufficiently specific to permit the Planning Commission or the BOCC to decide that such application or subdivision meets or fails to meet such goal or policy.**

This application does not contradict any goals of the County's Strategic Master Plan.

**D. The proposed Minor Subdivision (both during and following construction) will not result in substantial adverse impacts upon adjacent property or the public health, safety, and welfare of Park County residents.**

No substantial adverse impacts are anticipated, assuming that the Colorado Department of Transportation approves an access permit. Conversation with the Region 2 Access Manager indicates this is very likely.

**E. The proposed Minor Subdivision will obtain water and wastewater services from sources and facilities meeting the requirements of Divisions 7 and 8 of Article VII.**

As mentioned above, the water sample tested over the maximum primary contaminant level for fluoride. A condition of approval addresses this.

**F. Where Public Improvements are proposed to serve the subdivision, the Applicant has executed a Subdivision Improvement Agreement in a form recommended for approval by the Board of County Commissioners and the County Attorney, which adequately secures the timely and complete**

**construction of the Public Improvements in accordance with these Land Use Regulations or other applicable design and construction standards.**

No public improvements are proposed.

**Impact Analysis:**

Substantial adverse impacts are not anticipated.

**Recommendation:**

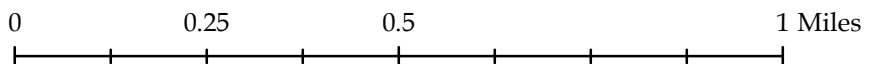
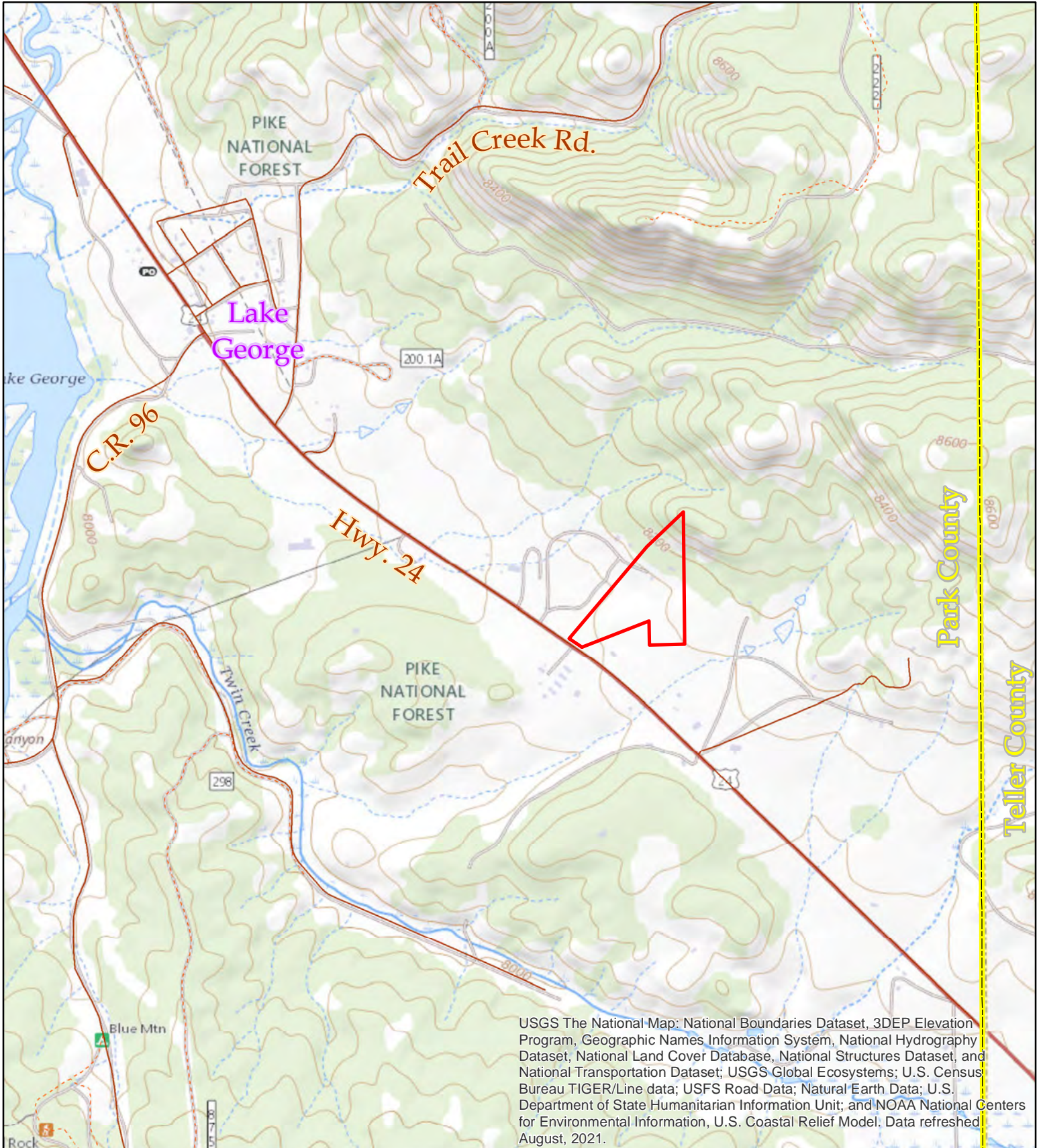
Approval of the application is recommended with the following conditions:

1. Prior to the hearing of this application by the Board of County Commissioners, the applicant completes the septic system documentation process with the Park County Environmental Health Department.
2. Prior to issuance of a certificate of occupancy for the primary structure on either lot, an access permit is approved by the Colorado Department of Transportation.
3. Prior to issuance of a certificate of occupancy for a structure containing plumbing for drinking water on either lot, a reverse osmosis filter for drinking water is installed in the structure.

# Vicinity Map

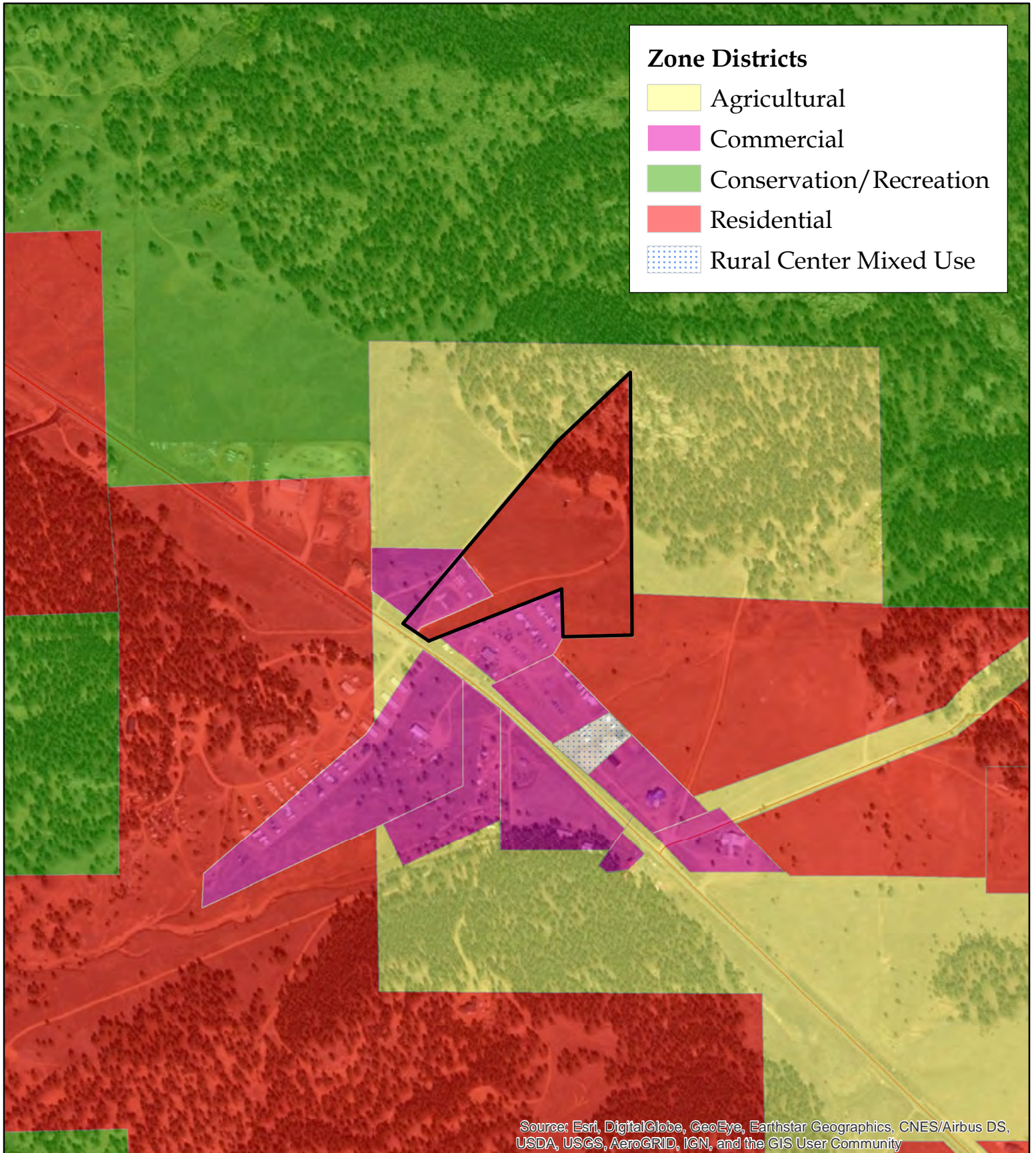
# Attachment 1

Contour Interval is 40 Feet



# Zoning Map

## Attachment 2



0 0.125 0.25 0.5 Miles

Park County Planning Department

*This map is not a survey.*