

**PARK COUNTY BOARD OF COUNTY COMMISSIONERS
PLANNING DEPARTMENT STAFF REPORT**

Board of County Commissioners Hearing Date: June 28, 2022

To: Board of County Commissioners

Date: June 22, 2022

Prepared by: John Deagan, AICP, Senior Planner

Case #: 22CUP-02

Subject: Ringelberg Conditional Use Permit

Request: A Conditional Use Permit for a Residence in the Mining Zone District.

Application Summary:

Applicant/Owner:	John and Jennifer Ringelberg
Location:	Part of the NW ¼ of Section 2, and part of the NE ¼ of Section 3, T9S R78W, addressed as 1470 County Road 787, Alma. <i>See Attachment 1.</i>
Current Zone District:	Mining and Conservation/Recreation
Surrounding Zoning:	Conservation/Recreation, Residential, and Mining. <i>See Attachment 2.</i>
Lot Size:	40.02 acres
Existing Use:	Vacant
Proposed Use:	Part-time Residential

Background:

The subject lot is on the south side of County Road 787, a mile and a half from the intersection with County Road 8. The applicant wishes to develop it with a part-time (*i.e.* weekend and holiday use during the summer) residence consisting of a deck, yurt, cistern, and wastewater vault. The applicant is aware that County Road 787 is not maintained for snow removal.

According to the geologist's report included with the application, the lot contains no natural geologic hazards or hazards resulting from past mining activity, and the potential for economically feasible mining in the future is minimal to non-existent. The Colorado Geological Survey has reviewed the application and agrees with this assessment.

Land Use Regulations:

Each of the standards for approval of a Conditional Use Permit (LUR Section 5-503) is addressed below.

A. The use proposed is an authorized Conditional Use for the zone district in which the property described in the application is located.

Residences unrelated to mining activity are a conditional use in the Residential zone district.

B. The property described in the application for Conditional Use Permit possesses geological, physical, and other environmental conditions that are compatible with the proposed conditional use.

The lot does not contain known geologic hazards or other environmental constraints that would prevent the proposed use. The National Wetlands Inventory shows a small wetland at the south edge of the lot that would be roughly two hundred yards from any construction.

C. The Conditional Use will conform to all applicable requirements of the zone district and these Land Use Regulations and does not create a substantial safety concern for anticipated visitors to the property.

Development permits will be required prior to construction. Applicable building code requirements will be enforced and substantial safety concerns are not anticipated.

D. The property has a reasonably certain right of permanent legal access permitting vehicular access from the property to the public thoroughfare.

The property has frontage along County Road 787, a public right-of-way.

E. Access to the property from the public thoroughfare reasonably meets County street, road, or driveway standards or, if the property is undeveloped, such access will be established prior to issuance of a building permit.

Access meeting driveway standards will have to be established prior to the issuance of other development permits.

F. The proposed Conditional Use is compatible with the uses and zoning for other properties within the neighborhood or immediately surrounding area.

Adjacent properties are vacant or developed with part-time residences. Staff opinion is that this standard of approval is met.

G. In making this determination, conflicts with any enforceable covenants, conditions and restrictions of record will be considered.

No such restrictions exist.

Impact Analysis:

No adverse impacts to adjacent land uses are anticipated.

Planning Commission:

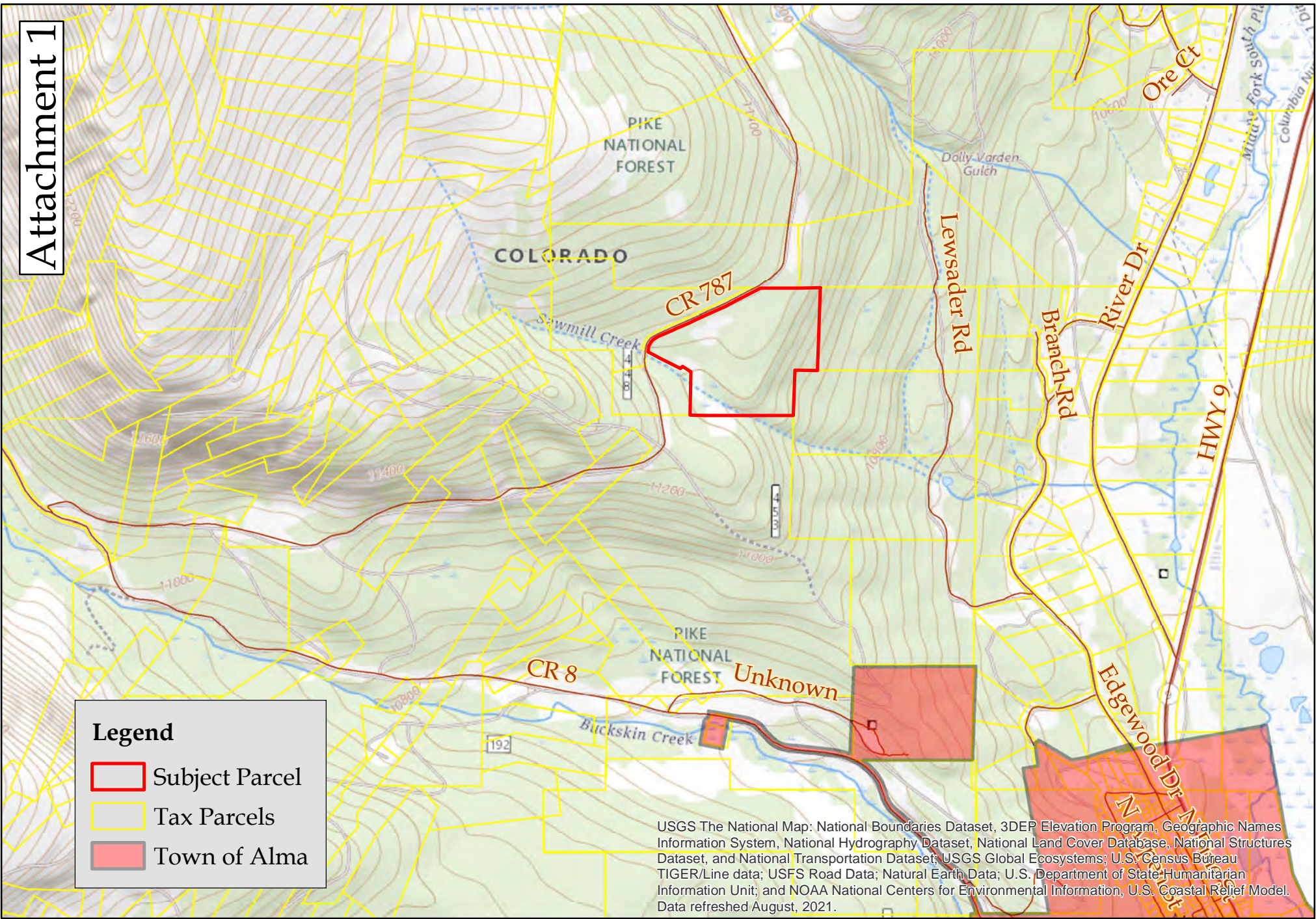
The Planning Commission reviewed this application at their June 8, 2022 meeting and recommended approval of the application with the following conditions.

1. The proposed yurt must meet all regulatory and code requirements for a dwelling unit.
2. Future replacement of the yurt with a stick-built or modular residence will require approval of a conditional use permit amendment by the Board of County Commissioners.




Recommendation:

Based on the foregoing, staff recommends that the Conditional Use Permit be approved with the above two conditions.

Attachment 1



Legend

-  Subject Parcel
-  Tax Parcels
-  Town of Alma

USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed August, 2021.

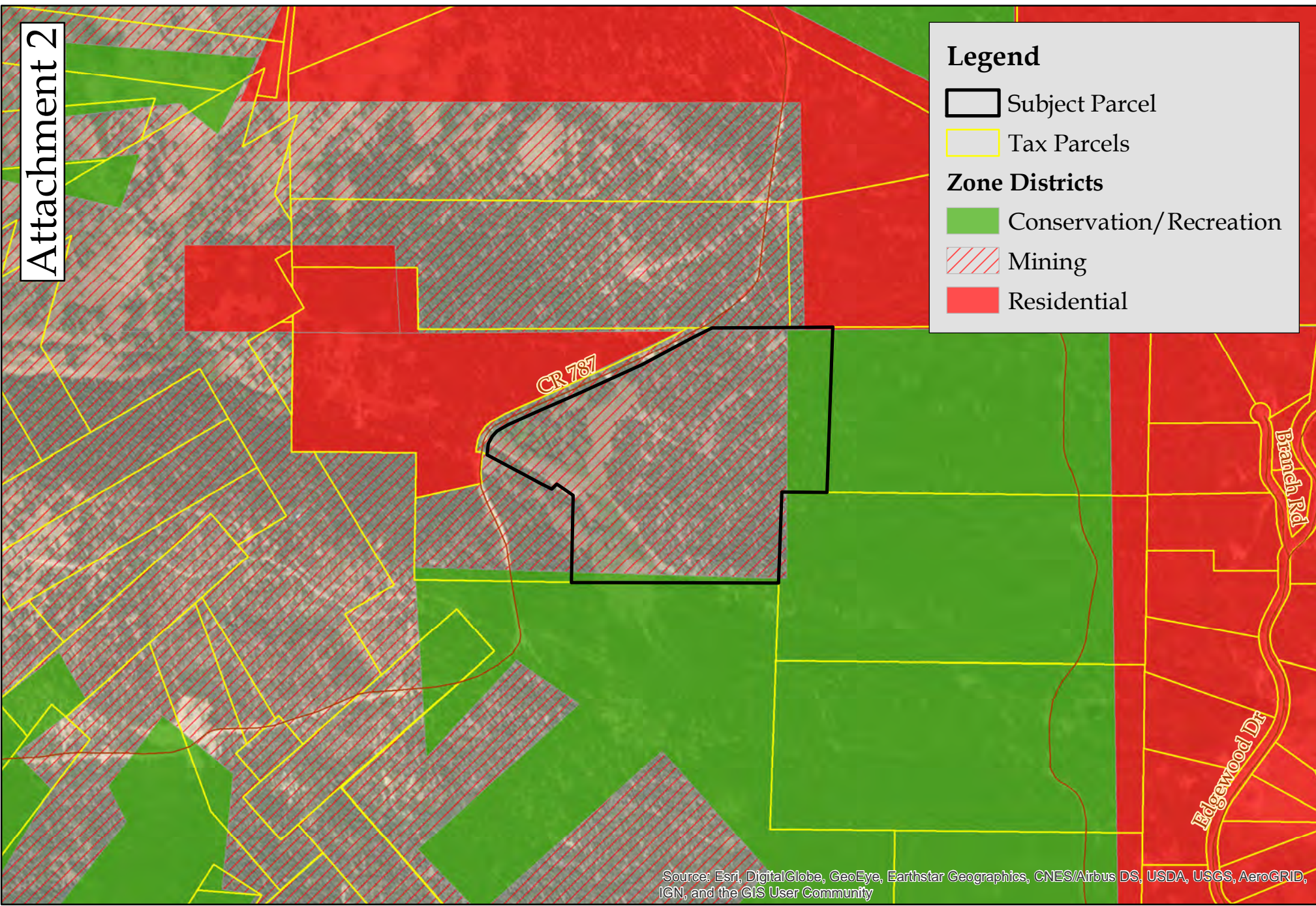


Vicinity Map
Contour Interval is 40 Feet

0 0.25 0.5 1 Mile

Legend

- Subject Parcel
- Tax Parcels
- Zone Districts**
 - Conservation/Recreation
 - Mining
 - Residential



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Zoning Map

