

**PARK COUNTY
PLANNING COMMISSION
Park County Offices at 856 Castello Ave., Fairplay
AND
Virtually on ZOOM
April 13, 2022 at 9:00 AM**

Planning Commission Members Present: Charles Schultz, Jim Sapp, Jed Caswall, Suzy Jones (alternate).
Staff Present: John Deagan, Senior Planner; Jennie Gannon, Planner II; Emily Naes, County Attorney (on Zoom).

Chairman Charlie Schultz called the meeting to order at 9:30 a.m.

APPROVAL OF AGENDA: Jed made the motion to approve the agenda as presented, Suzy seconded and motion passed unanimously.

APPROVAL OF MINUTES from February 9, 2022: Jed made the motion to approve the minutes as presented, Suzy seconded and motion passed unanimously.

Charlie went over the hearing process.

LAND USE PUBLIC HEARINGS:

RIGHT-OF-WAY VACATION CASE #22VAC-01

The applicant is requesting to vacate the alley between Lots 16-24 and New Lot 40 Block 17, and the part of Park Avenue between Block 17 and Block 18 in Puma City, and consolidate with all adjacent lots into one new lot.

APPLICANT: Richard and Somjai Holcomb

- Jennie made the PowerPoint presentation. Jed asked about an apparent road that can be seen on one of the pictures in the slide show. Jennie deferred this answer to the applicant.
- The applicant, Richard Holcomb, came forward and gave the history of how he obtained all the property in question and said he now wants to consolidate it all into one, orderly parcel. He stated the platted rights of way are unbuilt and unnecessary. He did state that the road Jed asked about is old and unused; he is not even sure where it goes. He also gave a little history of Puma City aka Tarryall.
- Jim asked if the applicant had specific development plans. Mr. Holcomb said there are no plans right now.
- There was no public comment.
- Jim moved to recommend approval of this case, as presented, to the BOCC, Mallory seconded. The vote was taken and the motion passed unanimously.

PLAT AMENDMENT CASE #22AMN-01

Property is Glacier Ridge Lot 26, addressed as 1813 Platte River Drive, Alma. The applicant is requesting to enlarge the platted building envelope thirty-two feet to the east.

APPLICANT: Rodney Bahr

- John made the PowerPoint presentation. Mallory asked if the change in the building envelope impacted any other land use regulations. John said the proposed house will still be well beyond the setback requirement and will not affect any ridgelines. Jed asked why this wasn't just an Administrative Plat Amendment and John explained that it does not fit into the description of an Administrative Plat Amendment but does fit into the Common Plat Amendment in that it amends a restriction that exacts on the plat.
- The applicant, Rodney Bahr, contractor for the landowner, came forward and stated that they had requested this change in the platted building envelope so that they could have the best view on the property, as well as minimize retaining walls and fill, and keep the driveway at an 8% grade so that no switchbacks are needed.
- There was no public comment.
- Jed made the motion to recommend approval of this application to the BOCC as presented. Mallory seconded. The vote was taken and the motion passed unanimously.

CONDITIONAL USE PERMIT, #22CUP-01

Property is Deer Creek Valley Ranchos Unit 4 Lot 87, addressed as 78 Double Tree Road, Bailey. The applicant is requesting a Conditional Use Permit for a Guest House.

APPLICANT: Matthew Wright

- John made the PowerPoint presentation. Jim asked if notice had been sent to the HOA. There is no organized HOA in DCVR at this time.
- The applicant, Matthew Wright came forward and explained that he wants to convert an existing accessory structure into a guest house for his parents-in-law, who currently live with him and his family. Jed made sure that the applicant understood that if the Planning Commission approved this request, they are not saying that the Covenants of the subdivision do not apply, and that he could be subject to any action by an owner within the subdivision.
- The definition of Guest House in Park County Land Use Regulations was discussed. Jed believes this request violates the DCVR Covenants. Jim asked why the Planning Commission is supposed to consider covenants if they aren't bound by them. The Planning Commission requested that staff arrange a meeting time when they could spend some time evaluating and recommending changes to the LURs.
- Suzy proposed adding a condition that states that this guest house cannot be rented commercially. Jed asked Emily if they have the authority to impose residency limitations. Emily said a limit to commercial use would be allowed.
- Jed made the motion to add the condition that the guest house may not be rented out commercially, and Suzy seconded. The motion passed 4-1, with Jim voting against. Jim thought this would be unreasonable and unfair given that there are no restrictions like this on anyone else in the neighborhood.
- Jed then made the motion to recommend approval of the application to the BOCC with the recommended and added conditions. Vote was taken and motion passed unanimously. Jim voted in favor with his objection to the added condition noted.

PUBLIC COMMENT

- ❖ Kevin Chamberlain, a neighbor of Ray Davis, the applicant for a Variance which had been postponed because a quorum for the BOA had not been present. He wanted them to know that he supports this request and has no issues with it.
- ❖ Matthew Wright came forward and said that the condition added to his approval makes sense, especially since the guest house is separate from the main house.

The meeting was adjourned at 11:10 a.m.