

**PARK COUNTY**  
**Planning Commission**  
**Park County Offices at 856 Castello Ave., Fairplay**  
**AND**  
**Virtually on ZOOM**  
**June 8, 2022 at 9:00 AM**

Planning Commission Members Present: Charlie Schultz, Jim Sapp, Jed Caswell, and Susan Jones (alternate).

Park County Staff Present: John Deagan, Senior Planner, Noah Vaughan, Planner I, Emily Naes, County Attorney.

Chairman Charlie Schultz called the meeting to order at 9:20 a.m. The Chairman introduced Board members and staff.

**APPROVAL OF AGENDA:** Charlie moved to approve the agenda as presented, Suzy seconded, and motion passed unanimously.

**APPROVAL OF MINUTES** from April 13, 2022: Jed moved to approve as presented, Jim seconded and motion passed unanimously.

Charlie went over the hearing process.

**LAND USE PUBLIC HEARINGS:**

**REZONING CASE #22ZON-01**

Property is T09 R77 S18 NW4 A TRACT IN NW4 addressed as 52516 Hwy 9, Alma. The applicant is requesting a rezoning of this property from commercial to residential.

**APPLICANT:** Brian Kelly

- John made the PowerPoint presentation. There were no questions from the Board.
- The applicant, Brian Kelly, came up to explain his reasons for requesting this rezoning. He gave history of the property as a commercial bed and breakfast. Because it will only be used as a residence, he felt there was no longer a reason to keep the property as commercially zoned.
- There was no public comment.
- Charlie moved to recommend approval. Jed moved to recommend approval under condition of acquisition of a high visibility address sign, Suzie seconded. Vote was taken and the motion passed unanimously.

**CONDITIONAL USE CASE #22CUP-02**

Property is T09 R78 S02 NW4 N2NW4NW4 2-9-78 NKA TRACT B PER PLAT R629573, addressed as 1470 C.R. 787, Alma. The applicant is requesting a conditional use permit to allow a residence on the 40 acre parcel, zoned mining.

**APPLICANT:** John Ringelberg

- John made the PowerPoint presentation. Jed discussed questions he had regarding the allowance of a yurt as a residence and if it met dwelling regulations under the county – including the proposed vault toilet, permanency of the yurt, and meeting building requirements and land use regulations. It was determined the yurt must have an indoor toilet.
- The applicant, John Rungleberg, explained his reasoning for obtaining a CUP, which is to construct a yurt for occasional use on the property. This was recommended to him by the geologist who reviewed the geological and mining aspects of the property. The applicant noted that he understands that if the CUP was granted, he would have to follow all regulations of the county to be properly permitted. He asked for clarification on the vault toilet - while a vault toilet may be used, it cannot be the primary method of wastewater. For receiving hot water, the

applicant noted that a stove may be required to meet this standard. For electricity, the applicant noted that energy might be brought in using solar. The applicant does not intend to create a permanent residence or use the yurt for commercial use.

- For public comment, Suzie noted the history of residential use in mining zoned areas. She felt the applicant has done their best in presenting understanding of the usage of their land, and understands the requirements and consequences of the development. Jed voiced concern over the language of the code for a dwelling unit and how it applies to the yurt. A building permit and Certificate of Occupancy would be required for the yurt, as well as meeting snow and wind requirements, and all other building and land use requirements. The applicant was called forward by the chairman and asked directly if he believed his yurt would meet requirements. The applicant ensured that his final plans will meet all necessary requirements for development and he intends to receive a CO.
- Jed moved to recommend approval under two conditions: 1. The yurt must meet dwelling and land use requirements, regulatory and code. 2. Regarding future replacement of the yurt, a permit must be reapplied for and meet requirements as well. Jim seconded, the vote was taken and the motion passed unanimously. The final decision will be heard before the BOCC on June 28<sup>th</sup>.

#### PUBLIC COMMENT:

Jed asked about a session to discuss guest houses in Park County, and Charlie noted that the discussion will have to wait because of the workload and short-staffed Planning Department.

Jim also asked about fixing mic feedback by next meeting, and John noted they would work to fix it.

MEETING ADJOURNED AT 10:54 A.M.