

**FREMONT COUNTY
PLANNING COMMISSION MEETING MINUTES
May 7, 2024, AT 3:00 P.M.**

MEMBERS PRESENT

John Hamrick (Chairman)
Dale McCullough
Rudl Mergelman
Larry Brown
Gardner Fey
Travis Payne
John Carper

STAFF PRESENT

Dan Victoria, Planning Director
Joanne Kohl, Office Manager

1. CALL TO ORDER

Chairman Hamrick called the meeting to order at 3:01 p.m.

2. PLEDGE OF ALLEGIANCE

Pledge of Allegiance was recited.

3. APPROVAL OF AGENDA

Chairman Hamrick asked if there were any changes, additions or corrections to the May 7, 2024, Fremont County Planning Commission Agenda.

MOTION

Mr. Fey motioned to accept the May 7, 2024, Fremont County Planning Commission Meeting agenda.

SECOND

Mr. Brown second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (7 of 7)

4. APPROVAL OF THE March 5, 2024; PLANNING COMMISSION MEETING MINUTES

Chairman Hamrick asked if there were any changes, additions or corrections to the March 5, 2024, Fremont County Planning Commission Meeting Minutes.

MOTION

Mr. Fey motioned for approval of the March 5, 2024, Planning Commission Meeting Minutes.

SECOND

Mr. Payne second the motion.

Chairman Hamrick called for a roll call vote and the motion passed unanimously. (7 of 7)

5. UNFINISHED BUSINESS

None

6. NEW BUSINESS

MS 24-002 Andiamo Minor Subdivision

Requesting approval for a minor subdivision that will create a total of 2 lots. Lot 1: 4.59 acres 200,021 square feet. Lot 2: 4.59 acres 199,924 square feet. The subject property is located in the Agricultural Rural Zone District, at 610 C street in Penrose.

Representative: Matt Koch

Chairman Hamrick asks Director Victoria to give the Staff report.

Director Victoria states that the applicant is requesting approval for a minor subdivision that will create a total of 2 lots.

Lot 1: 4.59 acres 200,021 square feet

Lot 2: 4.59 acres 199,924 square feet

The subject property is located in the Agricultural Rural Zone District, at 610 C street in Penrose.

Utility Companies that will service this minor subdivision:

Lot 1

Water – Penrose Water

Sanitation – OWTS

Electric – Black Hills

Natural Gas – Atmos

Telephone – Century Link

Cable – Spectrum

Irrigation Water – Beaver Park

Lot 2

Water – Penrose Water Irrevocable Availability Contract

Sanitation – Proposed Septic with Soil Analysis & Evaluation Report

Applicants Contingency Requests:

We would like to request that you please make the storm water plan and report a contingency item of approval.

Comments Received:

County Engineer: Based on the recent County Code Enforcement inspection and my observation of the site, I do not recommend approval of a drainage plan deferment request.

In part, a deferment from a drainage plan can be approved in order to minimize the economic and regulatory burden on the applicant when development of the site is uncertain in scope and timing, which is evidently not the case here.

The site has undergone development with significant amounts of material moved and material evidently imported from elsewhere and it is likely that drainage patterns and flows have changed. Prior to the

subdivision the required drainage plan and report should be submitted. This will help ensure proper stormwater drainage control and protection of other landowner and right-of-way interests

Fremont County Department of Transportation: “Driveway access permits will be required for lot 2.”

Planning & Zoning Department Recommends Approval with the following:

1. Per subdivision Regulation of Fremont County, Colorado Section XXIII. General Requirements, A. DRAINAGE PLAN AND REPORT
 - Per the Fremont County Engineer, we recommend this requirement as a **contingency item** before the recordation of this minor subdivision.
 - If required, an executed Quit-Claim Deed with a deed restriction addressing the maintenance of any drainage facilities, easements, rights-of-way etcetera, required, such deed to be recorded at the time of recording of the plat, recording fees for the same will be the expense of the applicant, as a **contingency item**.

2. Per Subdivision Regulations of Fremont County, Colorado Section XIII E ADDITIONAL REQUIREMENTS #3.
 - Driveway access applied for and approved at the time of development of lot 2.

Chairman Hamrick asks Matt Koch to speak about this Minor Subdivision.

Mr. Koch states that they are planning on putting a detention pond more likely on the southwest corner of lot 1. They have created a building site somewhat in the southeast corner of lot 2 and they will need to update the topography for the drainage plan report.

Chairman Hamrick asks if the applicant is fine with providing the drainage plan report.

Mr. Koch states yes.

Chairman Hamrick asks if there are any questions or comments from the commissioners.

Mr. McCullough states that the engineer said it looked like there had been a lot of dirt moved out there and asks if that was relative to an agricultural leveling process.

Mr. Koch states no, their intent was to build the building site for the new house. They will be using the open land for horse pasture and different things; they are trying to impact as little as possible.

Mr. Carper states that the county engineer basically said he didn't think storm water review should be deferred.

Director Victoria states yes and he is agreeing with the county engineer that it should not be deferred, that it should be a contingency item prior to recording the subdivision.

Chairman Hamrick asks if there are any other questions or comments from the commissioners and he would entertain a motion.

MOTION

Mr. Payne motioned for approval of MS 24-002 Andiamo Minor Subdivision with the recommended Staff Contingencies.


SECOND

Mr. Mergelman second the motion.

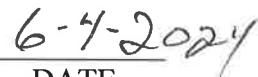
Chairman Hamrick called for a roll call vote and the motion passed unanimously. (7 of 7)

7. ADJOURNMENT

Chairman Hamrick adjourned the meeting at 3:15 p.m.



CHAIRMAN, FREMONT COUNTY PLANNING COMMISSION



DATE