

**FREMONT COUNTY
PLANNING COMMISSION MEETING MINUTES
June 4, 2024, AT 3:00 P.M.**

MEMBERS PRESENT

John Hamrick
Gardner Fey
Rudl Mergelman
Larry Brown
John Carper
Dale McCullough

STAFF PRESENT

Dan Victoria, Planning Director
Joanne Kohl, Office Manager
Danielle Adamic, Senior Coordinator
Mike Fowler, Planning Coordinator

1. CALL TO ORDER

Chairman Hamrick Called the meeting to order at 3:00 pm.

2. PLEDGE OF ALLEGIANCE

Pledge of Allegiance was recited.

3. APPROVAL OF THE June 4, 2024, PLANNING COMMISSION AGENDA

Chairman Hamrick asked if there were any changes, additions or corrections to the June 4, 2024, Fremont County Planning Commission Agenda.

MOTION

Mr. Carper motioned to accept the June 4, 2024, Fremont County Planning Commission Meeting agenda.

SECOND

Mr. Mergelman second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (6 of 6)

4. APPROVAL OF THE May 7, 2024, PLANNING COMMISSION MEETING MINUTES

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

MOTION

Mr. Fey motioned for approval of the May 7, 2024, minutes.

SECOND

Mr. McCullough second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (6 of 6)

5. UNFINISHED BUSINESS

None

6. NEW BUSINESS:
MS 24-003 Fossil Trail Minor Subdivision

Chairman Hamrick asks Mr. Hall to present the application to the board.

Mr. Hall states that they are requesting approval for a minor subdivision on Fossil Trail that will create a total of 2 lots. Steve and Char Linder are present as well. He would like to point out that in 1995, there was a boundary line adjustment that was done and the topic they will be discussing is back in 1995, they actually left the 15 ft. flag lot strip that may have been overlooked in 1995. To him, it was very obvious that they left that strip for access to this property, with the way the hay fields are constructed and the way the irrigation ditch is to be able to get to the boxes for the irrigation. Currently the regulation is a 25 ft. They are requesting a waiver to the width of that flag lot because they believe that was created back in that point of time to allow access for this property. He would like to get rid of one of the contingencies, the tax certificate has been completed.

Chairman Hamrick asks Director Victoria for a staff report.

Director Victoria states that the applicant is requesting approval for a minor subdivision on Fossil Trail that will create a total of 2 lots. Lot 1: 1.25 Acres 54345.58 square feet. Lot 2: 26.63 Acres 1159988.84 square feet The subject property is located in the Agricultural Suburban Zone District, at 1402 South St Canon City.

Utility Companies that will service this minor subdivision:

Lot 1
Water – City of Canon City
Sanitation – Fremont Sanitation District
Electric – Black Hills
Natural Gas – Atmos
Telephone – Century Link
Cable – Bresnan
Irrigation Water – Fruitland Ditch Company

Lot 2
Irrigation Water -Fruitland Ditch Company

Improvements:

Lot 1 - Dwelling

Lot 2 – Vacant

Waivers:

1. The applicant has submitted a waiver for the Drainage Plan
2. The applicant has also requested a waiver for width of the flag lot 1.

Comments Received:

County Engineer:

After speaking with Mr. George Hall and visiting the property, I can give my recommendation for approval of the requested drainage plan waiver.

Fremont County Department of Transportation:

The applicant will be required to submit a driveway access permit when applying for an address permit for lot 2.

Planning & Zoning Department Recommends Denial due to the following:

1. *Per Appendix 1 Design Standards Sec B. #12 Flag Lot sub sec. b.*
 - Minimum width for a flag lot stem shall be twenty-five (25) feet.
1. *Per subdivision Regulation of Fremont County, Colorado XIII. MINOR SUBDIVISION REQUIREMENTS Sec D. General Information: #2*
 - A Tax Certificate issued by the Fremont County Treasurer indicating that all ad valorem taxes for the subject property for all years prior to the year in which the plat is to be recorded have been paid and made current.

The Planning and Zoning department recommends reconfiguring lot 1 to meet design standards per appendix 1.

If approved by the Commission and/or Board, Planning and Zoning recommends:

Contingency items:

1. A Tax Certificate issued by the Fremont County Treasurer indicating that all taxes are current.

Conditions:

1. Drainage Plan & Report done at time of development noted on the plat for Lot 1 & 2.

Director Victoria states that the reg's do not give him the ability to bypass what the standards are so the department recommends denial due to the appendix 1 design standard section B #12 of flag lots where it says the minimum length of a flag lot stem shall be 25 ft. The Planning & Zoning department recommends the reconfiguring of lot #1 to meet design standards, however if this commission chooses to recommend approval, staff would request that a condition would be for a drainage plan at the time of development for lot #1 and Lot #2.

Mr. Fey asks if there is a way to check if that was a legal lot in 1995.

Director Victoria states that he could go through all the regulations changes and see if that was ever a proposed change, to his knowledge, it wasn't.

Mr. Carper asks if there would be a problem for public safety to use the 15ft. access.

Director Victoria states that it looks very useable.

Chairman Hamrick asks if there are any questions from the commissioners and if not, states he is open to a motion.

MOTION:

Mr. Carper motioned to approve MS 24-003 Fossil Trail Minor Subdivision with the stated conditions of Drainage Plan & Report and that Driveway Access permit is due at time of development for Lot 2.

SECOND:

Mr. McCullough second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed. (6 of 6)

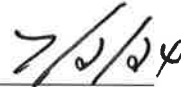
7. ADJOURNMENT

Chairman Hamrick adjourned the meeting at 3:34 p.m.



CHAIRMAN, FREMONT COUNTY PLANNING COMMISSION

Travis Payne



DATE