

**FREMONT COUNTY
PLANNING COMMISSION MEETING MINUTES
July 7, 2026, AT 3:00 P.M.**

MEMBERS PRESENT

John Hamrick
Dale McCullough
Rudl Mergelman
John Carper

STAFF PRESENT

Danielle Adamic, Senior Planning Coordinator
Joanne Kohl, Office Manager

1. CALL TO ORDER

Chairman Hamrick Called the meeting to order at 3:12 pm.

2. PLEDGE OF ALLEGIANCE

Pledge of Allegiance was recited.

3. APPROVAL OF THE July 7, 2026, PLANNING COMMISSION AGENDA

Chairman Hamrick asked if there were any changes, additions or corrections to the July 7, 2026, Fremont County Planning Commission Agenda.

MOTION

Mr. McCullough motioned to accept the July 7, 2026, Fremont County Planning Commission Meeting agenda.

SECOND

Mr. Carper second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (4 of 4)

4. APPROVAL OF THE April 7, 2026, PLANNING COMMISSION MEETING MINUTES

Chairman Hamrick asked if there were any changes, additions or corrections to the April 7, 2026, Fremont County Planning Commission Meeting Minutes.

MOTION

Mr. Mergelman motioned for approval of the April 7, 2026, minutes.

SECOND

Chairman Hamrick second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (4 of 4)

5. NEW BUSINESS:

(1.) ZC 26-002 Carr

Applicants John and Haley Carr are not present for this meeting. The Board of Planning Commissioners did discuss the fact that the applicants were not present and they each agreed (4 of 4) to let staff present the application and the board can vote on it.

Chairman Hamrick asks staff for a staff report.

Coordinator Adamic states, the purpose of this rezone is to change the zone district from Business to Residential One (R1). The applicant would like to build a garage/shop for personal use. The north, east, & south lots adjacent to this property are zoned Residential One (R1), and have dwellings develop on them. The West adjacent lot is zoned Business and is vacant.

The property is in the Upper Arkansas Planning District, which discourages commercial development of properties along the highway corridors when the highway is not essential to the success of the development.

LOCATION

The property is located at 7367 US Highway 50, in Howard.

Legal Description is: LOT 2, CARR LOT LINE ADJUSTMENT, COUNTY OF FREMONT, STATE OF COLORADO.

LAND USE AND ZONING

NORTH: Residential One

EAST: Residential One

SOUTH: Residential One

WEST: Business

NUMBER OF ACCESS POINTS: One (1) US Highway 50.

FLOODPLAIN: Flood Zone A (approximately 50% of the property)

PUBLIC COMMENTS/CONCERNS: None Received

AGENCY COMMENTS

Staff requested comments from various review agencies. Staff has incorporated comments received to date either in their entirety or in part into this staff report.

FCDOT:

No Concerns

STAFF COMMENTS

WAIVERS:

None

RECOMMENDATION:

Having found the application is in compliance with the requirements of the Fremont County Zoning Resolution, staff recommends **APPROVAL** of the Zone Change #1 from Business to Residential One.

CONTINGENCIES:

None

CONDITIONS:

None

Chairman Hamrick states he is open for a motion.

MOTION

Mr. Carper Motioned to Approve ZC 26-002 Carr as presented.

SECOND

Mr. McCullough second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (4 of 4)

(2.) MS 26-001 Free Eleven

Requesting approval for a minor subdivision that will create a total of two (2) lots. Located at 1115 Fremont Street, in Penrose.

Applicant: Travis Jenkins

Mr. Jenkins states this is just a simple Minor Sub, it's a 10-acre parcel to split into two 4.5 acre lots, both residential. Both lots are on Fremont Street with paved access.

UTILITY COMPANIES THAT SERVICE THIS MINOR SUBDIVISION:

LOT 1

- Water Source: Penrose Water District
- Sanitation Source: Proposed OWTS
- Electrical Source: Black Hills Energy
- Natural Gas Source: Atmos
- Telephone Source: Century Link
- Cable Television Source: Spectrum
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LOT 2

- Water Source: Penrose Water District
- Sanitation Source: Proposed OWTS
- Electrical Source: Black Hills Energy
- Natural Gas Source: Atmos
- Telephone Source: Century Link
- Cable Television Source: Spectrum

IMPROVEMENTS:

LOT 1

- Vacant Land

LOT 2

- Vacant Land

WAIVER REQUESTS:

1. Requesting a deferment of the Drainage Plan and Report till the time of development. (Exhibit 40.1)
 - The applicant states that the drainage plan at this stage would be purely speculative on where the structures would be located, the size of the structures, and any alterations to the lot for driveways and such.
2. Requesting a variance of the Fremont County Subdivision Regulations for lot one & two due to Appendix 1, Section B. #10. *Wherever possible, the depth of the lots should not be greater than twice its width.* (Exhibit 40)
 - Lot one (1) and lot two (2) exceeds by 2.09'.

COMMENTS RECEIVED:

Fremont County Building Official/Environmental Health

This department has received an application MS 26-001 Free Eleven Minor Subdivision located in the Penrose area of Fremont County. This department has no violations against the property.

There has been a septic permit issued for this property. (S26-022)

Fremont County Department of Transportation:

1. The DOT requires applicant obtain an access permit for all new access points from Fremont Street.
2. It will be the property owners' responsibility to maintain and mitigate any water from leaving their property. Water will need to be kept off of the County r-o-w and contained within their property lines.
3. It will be the property owners' responsibility to maintain vegetation within their property lines so as not to create sight distance issues to the traveling public. Trees/vegetation must be trimmed away from the r-o-w at all times.
4. 11th Street going toward SH50 is not maintained by the County, nor will we be accepting it into maintenance.

Planning & Zoning Department Recommends APPROVAL with the following:

Approval of #1 & #2 Waiver Requests:

1. Waiver Request #1 – Drainage Plan and Report

2. Waiver Request #2 - Appendix 1, Section B. #10. *Wherever possible, the depth of the lots should not be greater than twice its width.*

Contingency items:

1. Registered Land Surveyor to correct additional red lines.
2. Registered Land Surveyor shall add a note to the plat stating "DRAINAGE PLAN FOR LOT 1 & 2 WAS DEFERRED TO THE TIME OF DEVELOPMENT. THEREFOR PRIOR TO BUILDING, A SITE-SPECIFIC DRAINAGE PLAN WILL BE REQUIRED.

Conditions: N/A

Chairman Hamrick asks the applicant if he is dividing up a quarter section into two lots, are you automatically not going to meet the two times the depth, two times the width.

Coordinator Adamic states she is not sure. If you redo some things a little different, and maybe have some L shapes in there, flag lots, you could probably then meet it.

Chairman Hamrick states he is open for a motion.

MOTION

Mr. Mergelman Motioned to Approve MS 26-001 Free Eleven with staff recommendations.

SECOND

Mr. Carper second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (4 of 4)

6. ADJOURNMENT

Chairman Hamrick adjourned the meeting at 3:24 p.m.

  9/16/26

CHAIRMAN, FREMONT COUNTY PLANNING COMMISSION DATE