

**FREMONT COUNTY
PLANNING COMMISSION MEETING MINUTES
August 5, 2025, AT 3:00 P.M.**

MEMBERS PRESENT

John Hamrick
Dale McCullough
Rudl Mergelman
John Carper
Travis Payne

STAFF PRESENT

Dan Victoria, Planning Director
Joanne Kohl, Office Manager
Danielle Adamic, Senior 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 AUGUST 5, 2025, PLANNING COMMISSION AGENDA

Chairman Hamrick asked if there were any changes, additions or corrections to the August 5, 2025, Fremont County Planning Commission Agenda.

MOTION

Mr. Carper motioned to accept the August 5, 2025, Fremont County Planning Commission Meeting agenda.

SECOND

Mr. Payne second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (5 of 5)

4. APPROVAL OF THE MAY 6, 2025, PLANNING COMMISSION MEETING MINUTES

Chairman Hamrick asked if there were any changes, additions or corrections to the May 6, 2025, Fremont County Planning Commission Meeting Minutes.

MOTION

Mr. Mergelman motioned for approval of the May 6, 2025, minutes.

SECOND

Mr. Payne second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (5 of 5)

5. UNFINISHED BUSINESS

None

Chairman Hamrick asks staff to present the first item on the agenda.

6. NEW BUSINESS:

(1.) ZC 25-001 Kewish

Director Vitoria states that the purpose of this rezone is to change the zone district from Residential Three to Residential Two. The current parcel is 41 acres more or less, with a net tract area of 35.5 acres excepting the right-of-way for D&RGW Railroad and Fremont County Road 45.

This zone change would allow the owner the ability to apply for a subdivision with lots smaller than the 18-acre minimum of Residential Three Zone District while still maintaining the rural characteristics of District 5, Upper Arkansas Valley District.

The Applicant believes the Arkansas River corridor will retain its visual qualities and scenic resources if the zone changes to the Residential Two Zone District.

LOCATION

360 Granite Hills Road, Cotopaxi CO 81212

ZONING AND LAND USE

Zoning: Residential three

North: Residential three - Residential

East: Residential three - Residential

South: Residential three/ Residential two - Residential

West: Residential three - Residential

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 Residential Three Zone District to Residential Two Zone District.

Chairman Hamrick asks the applicant to speak about their Zone Change.

Mr. Allan Doran states that he is volunteering to help the applicants. He states that with the Minor Subdivision it will give the applicants some funds to travel.

Chairman Hamrick asks if the commissioners have any questions or comments. He states that this is a Zone Change request and they do have a following request to create a Minor Subdivision.

Director Victoria states that is correct depending how this goes there is an application following it for a Minor Subdivision.

Chairman Hamrick states he is open for a motion.

MOTION

Mr. Payne Motioned to Approve ZC 25-001 Kewish.

SECOND

Mr. McCullough second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (5 of 5)

(2.) MS 25-002 Kewish

Director Victoria States the applicants are Allan Doran, Ralph W. Jr. & Joann C. Kewish.

PURPOSE

Requesting approval for a minor subdivision that will create a total of two (2) lots.

LOCATION

360 Granite Hills Road, Cotopaxi CO 81212

Waivers:

1. Stormwater Drainage Plan & Report at time of development.
2. Soil Testing (OWTS) at time of development.

Comments Received:

1. Western Fremont Fire Protection District: John Walker – Fire Chief

Two lane roads and driveways recommended to allow for simultaneous response and evacuation under low light or poor visibility (smoke) conditions.

Planning & Zoning Department Recommends Approval with the following:

1. Conditions:

- a) A note on the plat stating at the time of development a Drainage plan and report will be completed and approved by the Fremont County Engineer for Lot 2.
- b) A note on the plat that "Replacement or relocation for any reason of non-compliant structures shall be in compliance with the development requirements of the zone district of the property at the time of placement or relocation."
- c) Approval of the Soil testing waiver until the time of development.
- d) Surveyors Notes #5 on the plat states Zone District R3, this needs to be corrected to R2.
- e) Remove ownership names from adjoining properties on the plat.

Director Victoria states that they have never had someone request the width of a 2 lane driveway before, it is a big ask, the applicant stated they are willing to do it, he wasn't sure if he had the authority to force that to happen.

Mr. Doran asks if that would be something he could work with the Fire Chief on as far as putting one passing zone in the driveway, he will definitely make sure it meets the Fire Chiefs approval for any driveway.

Director Victoria states that they can add a condition of installation of the driveway be agreeable with the fire chief of the Western Fremont Fire Protection District.

Chairman Hamrick states that there is a new legislation that has been passed about wildland fires, and it establishes standards for building and new construction. He is not sure if that is in effect yet.

Chairman Hamrick states he is open to a motion.

MOTION

Mr. Payne Motioned to Approve with all the recommendations set forth by staff.

SECOND

Mr. Carper second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (5 of 5)

WAIVERS:

3. Topographic & Soils Information
4. Drainage Plan & Report
5. Street Improvements on Reed Lane

COMMENTS RECEIVED:

County Engineer:

Has reviewed the subject application and supports a waiver from the drainage plan requirement. The imperviousness (all existing, none proposed) of both lots is minimal and stormwater drainage in the vicinity should not change.

Fremont County Department of Transportation:

Replied that the applicant will be required to submit a driveway access permit if taking access from any County Road, including Reed Lane.

Cañon City Fire Dept.:

This project would require the addition of a fire hydrant to meet the criteria outlined in the international Fire Code (2018) 507.5.1. In lieu of adding a fire hydrant, the fire district would accept a residential fire suppression system installed on proposed lot 1.

- *Applicant has requested the residential fire suppression system in lieu of the fire hydrant.*

City of Cañon City:

A water service contract will need to be completed before a water tap application will be signed off on.

Fremont Sanitation District (FSD):

Sanitary sewer service installation to the proposed Lot 1 will require the sanitary sewer line to discharge to the existing sanitary main located in Reed Lane. Sanitary service installation shall be in compliance with the District's Rules and Regulations and be performed by person(s) certified by the district.

Existing sanitary sewer infrastructure is located along a portion of the south and east subdivision boundary. An easement to access and maintain the existing public sewer infrastructure shall be dedicated by the existing owner and shall be depicted on the plat to the satisfaction of FSD prior to recordation.

FSD will require a lock be added to the existing gate on Reed Lane if it is going to remain.

FSD would like the opportunity to coordinate during design/permitting/construction within the Reed Lane ROW to ensure that any of improvements appropriately accommodate FSD.

Planning & Zoning Department Recommends Approval with the following:

2. Approval of:
 - a. Waiver Request #1 - Topographic & Soils Information
3. Contingencies:
 - a. Provide a Water Service Contract
 - b. Allow FSD to place a lock on the gate.
4. Conditions:
 - a. Install a Fire Hydrant and remove the fire suppression statement.
 - b. Allow FSD to coordinate with FCDOT recommended improvements to Reed Lane.
 - c. Waiver Request #2 - A note on the plat stating at the time of development a Drainage plan and report will be completed and approved by the Fremont County Engineer for Lot 1.

Staff does not support Waiver Request #3 – Improvements to Reed Lane.

Chairman Hamrick states that the fire suppression system, would it be privately owned?

Director Victoria states it would be and the hydrant is publicly owned.

Mr. McCullough states that he is a bit confused as to why staff would be against having a fire suppression system that is not passive but very active in protecting the residence. A fire hydrant is very passive, you have to wait until the fire department shows up.

Director Victoria states that Canon City has a 3 minute response time to this address. The hydrant would allow this parcel and the neighborhood, access to resupply their trucks in order to fight any fires that occur.

Mr. McCullough asks if Director Victoria is aware that uniform fire code would suggest the fire suppression system.

Director Victoria states he is aware of that.

Mr. Payne states that those types of decisions are best left up to the fire department and up to the developer.

Chairman Hamrick asks the applicant to speak.

Representative from 3 Rocks Engineering, Brandon Hayes states that to comment on the fire suppression system, the immediate end user would be the client, Nate Helmick. He is planning to develop on the new lot 1. There is an existing hydrant at the end of Reed Lane which is within the 600ft. requirement from driveways. The existing hydrant already services all the existing residences. He states that they do still feel that the fire suppression system would be sufficient in this case, and they do have an agreement with the CCFPD for the fire suppression system in lieu of the hydrant.

Chairman Hamrick states that the applicant is requesting a waiver request to waive the requirements for improvements to Reed Lane.

Mr. Hayes states that initially they did but the improvements from Jerry Busy from FCDOT had laid out that they would need to use class 6 road base which would extend that portion from the lot line to Reed Lane. They are okay with that.

Applicant Nate Helmick states he has done some significant research on fire suppression and he has a plumbing background and really there is no maintenance on it, it is actually part of the domestic water system, there is no stagnant water. There is water always circulating through it.

Mr. Carper states that he is not concerned about him building a house there he is concerned about who he sells it to and what they understand they are responsible, not the city or the county.

Mr. Payne states that just a word to the wise that this could require a larger water tap depending how many nozzles they have and there could be some upfront costs.

Mr. Mergelman asks if that applies to auxiliary buildings too once the applicant makes that decision to use a fire suppression system.

Mr. Hayes also states that all buildings on the lot will have a fire suppression system.

Mr. Payne states that the sanitation Department is also requiring the easement on the plat.

Mr. Hayes states they have that indicated on the plat. It's 30 ft. from the line along the east and south lot lines.

Mr. McCullough ask what kind of improvements are proposed for Reed Lane.

Director Victoria states They have a driveway permit and at the bottom of that permit FCDOT wrote in of spec material to county road standards.

Mr. Payne asks the applicant if they are ok with that and would withdraw their request for a waiver for that.

Mr. Hayes states that should have been nullified once they got that access permit.

Chairman Hamrick asks staff for their action today, where does this leave us.

Director Victoria states to confirm it and at a minimum to have it as a plat note and if applicant is able to resolve it prior to, then that could just be removed prior to BOCC.

Mr. Payne also states that he thinks they can take out contingency 2A. That is something just really for the water department and he can clarify that in his future letters.

Director Victoria reads the final waivers, contingencies and conditions for approval:

Waivers:

1. Topographic & Soils Information
2. Drainage Plan & Report

Contingency items:

- a. Allow FSD to place a lock on the gate.

Conditions:

- a. Note on Plat for a Fire Hydrant or fire suppression statement at time of development for lot 1.
- b. Note on Plat to allow FSD to coordinate with improvements to Reed Lane.
- c. Note on the plat stating at the time of development a Drainage plan and report will be completed and approved by the Fremont County Engineer for Lot 1.
- d. Note on Plat for Reed Lane improvement from FCDOT at time of development.

Chairman Hamrick states he is open to a motion.

MOTION

Chairman Hamrick Motioned to Approve with all the recommendations set forth by staff.

SECOND

Mr. Carper second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (5 of 5)

Chairman Hamrick states that there is an update scheduled.

7. OTHER

CDP 24-001 Penrose RV & Boat Storage Project Update

Director Victoria states that he wanted to give some feedback on CDP 24-001 Penrose RV & Boat Storage. The applicant wound up reducing to 2 fabricated storage buildings for a total 15,183sqft. Which reduced their overall build size by 2,850sqft. With that new design, the applicant was able to meet all setbacks and not need the variance request. It was felt that Planning Commission was able to make a recommendation of weather or not to stick with that variance request or to go against it. If there is, in the future, something along those lines again, Planning Commission does have a right to make a recommendation on it.

Mr. Carper asked if BOZA ever acknowledge that it did not meet all 4 criteria.

Director Victoria states that BOZA was informed that their variance was overturned. They agreed to chemical toilets, so there will be sanitation on site.

Chairman Hamrick states that the Planning Commission can consider conditions and requirements and come to their own conclusions.

8. **ADJOURNMENT**

Chairman Hamrick adjourned the meeting at 3:58 p.m.



CHAIRMAN, FREMONT COUNTY PLANNING COMMISSION

10-7-2025
DATE