

**TOWN OF GREEN MOUNTAIN FALLS
PLANNING COMMISSION MEETING
MINUTES OF REGULAR MEETING - TUESDAY, APRIL 26, 2011**

The meeting was called to order by Chairman Kosley at 6:00 p.m.

ATTENDANCE: Turnbull - absent Lowndes - present
 Krall - absent LoCascio - present

APPROVE MINUTES FROM APRIL 12, 2011 M/S Lowndes/LoCascio to approve the minutes. All yea

The Planning Commissioners left to perform the site visits for the submittals listed on the agenda and returned at 6:46 p.m.

**REQUEST FOR VARIANCE TO FENCE HEIGHT REGULATIONS OF 6';
REQUEST FOR AN 8' SIDE FENCE HEIGHT - 10715 Ute Pass Avenue**

Property Owner, Chris Martinez was present with a variance request submittal. Planning Commissioners had performed a site visit. Martinez is requesting a variance to the 6' maximum fence height. He would like to construct an 8' x 42' section of fence on the side of the property adjacent to Ann St. He stated that the fence will assure privacy for a courtyard area. The driven portion of Ann St. is considerably higher than the residence so a 6' height would not offer relief from dust and traffic noise. Martinez plans on matching the color of the fence to the house.

Planning commissioners requested that the Town Clerk set a public hearing for Tuesday, May 10, 2011 at 6:00 p.m. The property site will be posted with a Public Hearing Notice and property owners within 100' of Martinez's property lines will receive an information packet soliciting input on the fence height variance.

**REQUEST FOR A FRONT SETBACK VARIANCE TO REPLACE
EXISTING DECK AND CONSTRUCT A NEW DECK - Property Owners, Brandi
Simon and John Ruble Henderson: 10757 Mountain Avenue** submitted the variance request application. They are requesting a variance to the 15' front property line setback requirement. The new deck will be 9' back from the property line at the closest measurement instead of the required 15'. The size of the proposed deck will be 4' larger than the existing deck.

Planning commissioners requested that the Town Clerk set a public hearing for Tuesday, May 10, 2011 at 6:00 p.m. The property site will be posted with a Public Hearing Notice and property owners within 100' of the Henderson property lines will receive an information packet soliciting input on the front property line setback variance.

CONSTRUCTION DRAWINGS FOR NEW DECK- 10757 MOUNTAIN AVENUE

John Ruble Henderson desired the Planning Commissioners to approve the construction drawings at this meeting for the deck prior to the variance being granted. There is a time constraint for the contractor who was going to start the project the first week in May. Henderson also wanted to complete the new deck in order to start the process to refinance. The drawings have been reviewed by Regional Building and the permit is pending Planning Commission approval. Chairman Kosley stated that the Commission could not approve the start of construction until after the variance proceedings were complete. Henderson had polled his immediate neighbors in hopes of getting the construction started earlier. While three neighboring property owners told

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Henderson that they supported starting construction while the variance proceedings were taking place, the owners of 10765 Foster Avenue sent an email to the Planning Commission opposing the start of construction prior to the variance process being completed. Henderson will resubmit the plans at a later planning meeting.

The regular meeting was closed and the Public Hearing called to order at 6:53 p.m. by Chairman Kosley.

PUBLIC HEARING: REQUEST FOR SPECIAL USE TO OPERATE TWO (2) VACATION RENTALS - Property Owners, Frank and Betty Borelli; Property Manager, Judith Sutton - 10875 Belvedere Avenue and 10915 Iona Avenue

Chairman Kosley addressed the 10915 Iona Avenue property first. The site was posted with a Public Hearing Notice. Seven information packets were sent to property owners within 100' of the Borelli property lines. To date, four letters have been returned; two in favor and two requesting further information on the rental procedures and specifics. Jan Moudry, Beth Deutsch and Rebecca Ochkie asked for information on the maximum number of occupants allowed, whether pets were allowed, how trash would be handled, number of vehicles allowed (it was noted that the driveway is challenging with most people backing out and turning around on the Ochkie/Deutsch property), outdoor grilling allowed or prohibited, and whom to contact if there was increased noise from renters. Judy Sutton answered their questions and as in the past, the Planning Commission is requesting that House Rules be posted at the property. The commissioners recommended that the number of occupants be reduced from 13 to 8. Sutton stated that most of the year the property will be used as it has been by the Borelli family. She estimates about 4-6 occasions where the house will be rented out seasonally. Chairman Kosley requested that a section be added to the house rules stating that when leaving the property, vehicles pull out and go up and around (clockwise) Iona instead of attempting to turn around on the 20' easement - only one way to exit. Sutton agreed to these changes. She noted that she will be picking up the trash and most likely delivering it to the Borelli's locked dumpster at the main house on Belvedere. Sutton will provide her contact numbers to the neighbors. Chairman Kosley noted that renters are required to adhere to Municipal Code and respect the needs of the neighborhood. The Marshal's Office should be contacted if there are immediate concerns. The audience members were agreeable to the changes discussed.

10875 Belvedere Avenue, Property Owners, Frank and Betty Borelli - Request for Special Use Permit The site was posted with a Public Hearing Notice. Five information packets were sent to property owners within 100' of the Borelli Belvedere property lines. To date, no letters have been received. Margaret Morris, Otta-Walla residence at 10880 Belvedere was present to hear the presentation. This rental is a small one bedroom cabin and will be rented to 2-3 people at most according to Sutton. All the House Rules discussed during the presentation for the Iona property will be the same for this property. Parking is not an issue on this site - cars will park on the Kansas Street entrance. While Morris did not have a problem with this rental proposal, she asked the commissioners and the property manager if the dumpster in front of Borelli's main residence could be moved or screened. She looks directly at the large blue dumpster and stated it is not aesthetically pleasing. Sutton stated that she will contact the Borelli's with Morris' request.

There being no further comments from the Commissioners or the audience members, the Public Hearing was closed at 7:27 p.m.

Findings discussed: The commissioners stated that the Special Use Permit Applications and information received at the Public Hearing comply with the special use standards as outlined in the municipal code. The neighbors are in agreement with the operating conditions presented at the Public Hearing. Petitioner understands that a Special Use may be subject to annual review at the Planning Commission. **M/S Lowndes/LoCascio to recommend approval of the Special Use Permit Requests to the Board of Trustees for 10915 Iona Avenue and 10875 Belvedere Avenue . All yea**

The Board of Trustees will hold a Public Hearing on Tuesday, 5/3/11 at 7:00 p.m. to consider these Special Use requests.

The regular meeting was closed and the Public Hearing called to order at 7:29 p.m. by Chairman Kosley.

PUBLIC HEARING: ORDINANCE 03-2011 AN ORDINANCE AMENDING THE GREEN MOUNTAIN FALLS MUNICIPAL LAND USE AND ZONING CODES FOR SECTIONS OF CHAPTERS 16, ZONING AND CHAPTER 17, SUBDIVISIONS

At the March 8, 2011 and April 12, 2011 Planning Commission meetings, DPW Director, Robert McArthur summarized the submitted proposed amendments for sections of Chapter 16, Zoning to include: Sec. 16-714 Hillside Overlay Zone Requirements, Land Suitability Analysis, Development Plan, Erosion Control Plan, and Security Required and amendments to sections of the Green Mountain Falls Municipal Code, Chapter 17, Subdivisions to include changes to security required, and inclusion of an erosion control plan in section 17-83, Grading permit. The Board received copies of the proposed amendments at that time. The Public Hearing was posted in the Courier View and copies of the Ordinance were made available upon request. The only comment received to date was from Trustee Bratton who called to say he had read the Ordinance and had no additions or corrections. He stated it was a necessary ordinance.

There being no further comments from the Planning Commissioners or the audience members, the Public Hearing was closed at 7:34 p.m.

The Commissioners discussed the amendments as necessary to bring specific sections of the Zoning Code and Subdivision code into conformity with current planning and building standards in the region. **M/S Kosley/Lowndes to recommend approval of Ordinance 03-2011 to the Board of Trustees. All yea**

OTHER BUSINESS:

Review Scope of Work for 10720 Grandview Avenue: Peter Kolar, Property Owner; Retaining Wall and Parking Area in the Rear of the Property on Florence Avenue - A carport is being constructed in parking area adjacent to retaining wall. A site visit was done. Planning Commissioners determined that Kolar will have to submit the drawings to the Commission for review for the May 10 meeting. The members did not agree with Kolar that this was a portable structure. Regional Building inspector also contacted Kolar and is requiring that he submit drawings for a building permit. It was determined that Kolar will need a rear and side setback variance for the

carport construction. Chairman Kosley will send a letter relaying the Commission's finding on this project.

Request for Agency Review and Comment for an El Paso County Land Development Code Amendment addressing Wind and/or Solar Energy Generation Facilities - Commissioners gave favorable review to the code amendments submitted by the Development Services Department.

The Planning Commission requested that the Town Clerk contact the owners of the commercial building at 6875 Hotel Street and have them attend the May 10, 2011 Planning meeting. The commissioners would like to ascertain the current permitted use for the building. If the use has been changed, the Commission will require that a request for special use be applied for. The commissioners reviewed Municipal Code for both nonconforming uses and for uses allowed in a business district with approval from the Planning Commission. **No other** business was presented that required Commission discussion or action.

CORRESPONDENCE: No correspondence was received that required Commission discussion or action.

The meeting was adjourned at 7:49 p.m.

David Kosley, Chairman

ATTEST: _____
Chris Frandina, Town Clerk/Treasurer