

**TOWN OF GREEN MOUNTAIN FALLS
PLANNING COMMISSION MEETING
MINUTES OF REGULAR MEETING - TUESDAY, JULY 28, 2009**

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

ATTENDANCE: Turnbull - present Lowndes, John - present
 Hall - absent

The commissioners left Town Hall to perform the site visits and returned at 6:25 p.m.

APPROVE MINUTES FROM JULY 14, 2009 Chairman Kosley requested a correction to the agenda item on page 2, **Sign Permit Request** for Ken Nord, line three and four should read "smaller sign will be no lower than the lowest point of the existing canopy and not "..... the highest grade of the canopy". **M/S Kosley/Lowndes to approve the minutes as amended. All ye**

The Public Hearing was called to order at 6:27 p.m. by Chairman Kosley.

VARIANCE REQUEST FOR A ZERO SETBACK TO THE FRONT PROPERTY LINE SETBACK - 10730 MOUNTAIN AVENUE PROPERTY OWNER, GARY FLORENCE Contractor, Mac Pitrone was present to represent the property owner. At the July 14, 2009 Planning meeting, drawings for the 22' x 27' garage were submitted with the variance application for a setback variance. The grade of the current driveway is severe and run-off from Mountain Avenue right of way continually fills the garage floor with more than 3' of gravel. The garage doors cannot be opened any longer and have been destroyed by the runoff. The location of the new garage will alleviate the steep grade. Code requirement for front property line setback is 15'. If the 0' variance is granted, the corner of the garage will be more than 12' from the driven portion of Mountain Avenue. On 7/14/09, Public Works Director, Robert McArthur performed a site visit with the contractor and homeowner and made recommendations that the Planning Commission incorporated into this public hearing: 1) a grated drainage trench in the apron in front of the garage door be installed, and 2) a retaining wall constructed at the SW corner to mitigate any run-off from the street. The site was posted and informational packets regarding the variance request and minutes of 7/14/09 were sent to seven property owners within 100' of the petitioner's property. To date, four letters in favor of granting a variance have been received. There being no further comments from the commissioners, audience members or the contractor, the public hearing was closed at 6:30 p.m.

The following findings were discussed and approved by the commissioners:

- variance will not be contrary to public interest
- a practical difficulty and unnecessary hardship will result if variance is not granted
- the granting of the variance will be in harmony with the general purpose and intent of regulations imposed within the zoning code
- a unique circumstance does exist for this property
- surrounding property owners in favor of granting a variance to front property line setback

M/S Lowndes/Turnbull to recommend approval of the variance to the front property line setback at 10730 Mountain Avenue to the Board of Trustees. All ye

The Board of Trustees will hold a Public Hearing on Tuesday, August 4, 2009 at 7:00 p.m.

REQUEST FOR SPECIAL USE TO OPERATE A VACATION RENTAL IN A RESIDENTIAL ZONE - 11175 FALLS AVENUE; PROPERTY OWNER, KAREN BARTKE CLARK; PROPERTY MANAGER, RED DOOR VACATION RENTALS - KIM WEST was present to represent property owner, Karen Bartke Clark. The Special Use application was complete; fees paid. The proposed plan is to rent to no more than 4-5 adults and up to 2-3 children. The residence has two bedrooms. There is ample parking for at least two vehicles. Motor homes will not be allowed to be parked in the area. All applicable town codes (i.e. noise ordinance, leash law) will be posted in the residence. Chairman Kosley requested that a copy of the rules that are posted be submitted for the planning file. A copy of the lease contract was submitted. The clerk was requested to set a public hearing for Tuesday, August 11, 2009 to formally hear the request for a special use.

NEW BUSINESS - Chairman Kosley will be absent from the 8/11/09 meeting. Vice Chairman Turnbull will chair the meeting and quorum has been secured. Alternate member, Lori LoCascio will be present for the meeting.

The Planning Commission Chairman with consensus from the members requested that the property owner at 10985 Hondo Avenue be invited to the August 25, 2009 meeting at 6:30 p.m. to discuss a kiosk type building with signage that has been placed on the property. No submittal was received by the planning commission and the use and nature of the structure in the residential zone is not known. Chairman Kosley is also requesting an inspector from the Pikes Peak Regional Building Department ascertain whether there is a necessity for building permits to be obtained on several modifications made to the property.

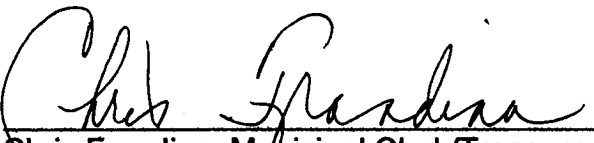
No other new business requiring discussion or action from the commissioners was received.

CORRESPONDENCE - An email was received by Commissioner Autumn Hall stating that she will be resigning from the commission effective immediately. Hall's request was regretfully accepted. Former Planning Commissioner Patty Lowndes was present to relay her intent to serve as an alternate to the commission. Lowndes resigned from the commission in January 2009 due to schedule constraints.

M/S Kosley/Lowndes, John to recommend Patty Lowndes be approved as an alternate to the Planning Commission by the Board of Trustees. All yea

No other correspondence was received by the Town Clerk or commissioners that required discussion or action from the commissioners.

The meeting was adjourned at 7:02 p.m.

ATTEST: 
Chris Frandina, Municipal Clerk/Treasurer

Chairman David Kosley