



PLANNING COMMISSION WORK SESSION AND REGULAR MEETING AGENDA

September 14, 2023 at 1:30 PM

Commissioners Meeting Room - 401 Main Street, Suite 309, Walsenburg, CO 81089

Office: 719-738-3000 ex 200 | Fax: 719-738-3996

Join via Zoom: <https://us02web.zoom.us/j/82550511219> | Meeting ID: 825-5051-1219

1. **Work Session -- 10:30 AM**
 - a. 1041 Permitting Update
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **READING OF MINUTES**
 - a. [Minutes from 07/27/2023](#)
5. **ACTION ITEMS**
 - a. [23-035 Vacate Schwery](#)
 - b. Recommendation on Section 18
6. **LGD UPDATES**
7. **OLD BUSINESS**
 - a. Land Use Code Update
 - b. Marijuana Licensing Update
8. **NEW BUSINESS**
 - a. Cooperative Planning Projects Update
9. **DISCUSSIONS**
10. **UPCOMING MEETINGS**
 - a. Schedule Joint Public Hearing for 23-035
11. **ADJOURNMENT**



PLANNING COMMISSION MINUTES

July 27, 2023 at 1:30 PM

Commissioners Meeting Room - 401 Main Street, Suite 309, Walsenburg, CO 81089

Office: 719-738-3000 ex 200 | Fax: 719-738-3996

Join via Zoom: <https://us02web.zoom.us/j/82550511219> | Meeting ID: 825-5051-1219

1. Work Session 10:00 AM - 12:30 PM

- a. Cooperative Planning Projects
- b. 1041 Update

2. ROLL CALL

PRESENT

Beaver Edmundson
Dale Lyons
Myrna Falk
Sandy White

ABSENT

David Tessitor
Lonnie Brown

3. PLEDGE OF ALLEGIANCE

4. READING OF MINUTES

- a. Minutes from 06-08

Motion to approve minutes from 6/08/23 made by White, Seconded by Falk.

Voting Yea: Edmundson, Lyons, Falk, White

5. ACTION ITEMS

- a. 23-028 Vacate Mohr

Application was deemed complete.

Recommendation to add phone/internet company to list of referral agencies.

Discussion of potential condition to add deed restriction that parcels cannot be re-subdivided.

Motion to determine the application complete and schedule a Joint public hearing with the Board of County Commissioners for September 12, 2023 made by Lyons, Seconded by Falk.
Voting Yea: Edmundson, Lyons, Falk
Voting Abstaining: White

6. LGD UPDATES

- a. Move-in Rig-Up Notices

7. OLD BUSINESS

8. NEW BUSINESS

9. DISCUSSIONS

Discussion of making recommendation to impose a moratorium on gravel pits.

Tallman asked if Commissioners knew of a place called Mustang Lake. Edmundson stated that he has heard there is a "bottomless" pool where Mustang Creek enters the Huerfano River.

Update on discussion with residents of Huajatolla Canyon. Residents plan to create a cooperative association to receive County-owned land. Next meeting on 7/28 at the La Veta Community Center.

10. UPCOMING MEETINGS

Joint Public Hearing for 23-028 for September 12.

11. ADJOURNMENT



Huerfano County Planning Commission Staff Report– Permit #23-035 Vacate Schwery Meeting Type– Assignment

Meeting Date: September

Request Summary

With this application, Susan Schwery (the Applicant) is requesting a vacation of lot lines to combine three parcels into one for tax purposes. Request pertains to lots 50, 51, and 52 in Navajo Ranch Estates (parcels 533419, 3339350, and 3339352). This is a request for a vacate of lot lines only, not of easements.

The subject property is located in Navajo Ranch Resorts on the northeast corner of CR 510 and Buffalo Dr, and is zoned Rural Residential (RR). Minimum lot size in RR is two acres; the combined lots would create a new lot of approximately 6.23 acres.

Site Map/Vicinity Map

Schwery Lot Consolidation



Code References

The following Code Sections are applicable to this application and may be referenced by the Planning Commission in their evaluation of the request:

Zoning standards for this district are set forth in LUR Section §1.03.

§2.15.01 Procedures for Vacating Plats, Roads and Easements: application must be heard at a Joint Public Hearing.

§2.15.02 Submittal requirements: Proof of ownership, copy of approved and recorded plat or easement and a vacated plat; narrative statement.

§2.15.03 Criteria for Action on a Vacating Application

1. That the proposed vacating would not interfere with development of nor deny access via a public thoroughfare to existing structures within the recorded plat, adjoining properties, utility services or other improvements, nor deny access to structures, facilities or sites located beyond the plat or easement to be vacated.
2. That the proposed vacating would not cause undue hardship or inconvenience for any utility company, special district, neighboring landowner or tenant.
3. That the proposed vacating would not be likely to prove detrimental to the public health, safety or welfare of County residents.
4. That the proposed vacating would be consistent with all other provisions in these regulations.
5. That the proposed vacating would not cause undue financial hardship to Huerfano County nor deprive it of needed tax base.

Background

This Application was received on July 13, 2023; Application Fees were received by the County; the applicant will be billed for public noticing fees. The Application was determined to be complete on

Application Materials

1. Land Use Application
2. Narrative statement
3. Copy of approved and recorded plat or easement and a vacated plat (pending)
4. Proof of ownership

Criteria/Findings

The applicant has a contract with BH2 to survey the land for the proposed vacate, but this work has not been completed at this time. Survey showing approved and recorded plat and a vacated plat should be completed prior to joint public hearing.

Noticing:

10 days notice in paper prior to a joint public hearing and to property owners within 500 ft.

Potential Referral agencies

Because this proposal would not affect any easements, there is minimal potential impact on agencies.

Referral Comments

Navajo Western Water District commented that the consolidation of these lots will mean that the property owners will only be eligible for one water tap.

Potential Conditions

Commission Action Options:

Recommend sending application to the Board of County Commissioners for a Joint Public Hearing.



Huerfano County Land Use and Building Department

401 Main St
Ste 304
Walsenburg, CO 81089
(719) 738-1220, x506

PERMIT

LU-23-035

VACATE

SITE ADDRESS: BUFFALO DR N # 00051 UNKNOWN
PRIMARY PARCEL: 533419
PROJECT NAME: CONSOLIDATE LOTS IN NAVAJO RANCH ESTATES

ISSUED:
EXPIRES: 02/25/2024

APPLICANT: Schwery, Susan
51 Buffalo Drive North
Walsenburg, CO 81089
9702311988

OWNER: Susan Schwery
51 Buffalo Dr. N
WALSENBURG, CO 81089

Detail Name	Detail Value
Detailed project description	Merge lots 50, 51, 52 together
Choose Type of Application:	Plat Amendment
Reason For Plat Amendment:	never plan to move we have retired here permanently, would like all three lots as one for tax purposes also
Number of existing parcels:	3
Number of proposed parcels:	1
Total Land Area Of All Affected Parcels (Acres)	6
Describe Any Proposed Changes To Dedicated Streets, Easements Or Reserved Sites	none
If Subdivision Exemption, Justify Exemption Based On Section 2.04	none
Applicant's Phone Number (if different from above or enter N/A)	970-231-1988
Applicant's Email (if different from above or enter N/A)	sueschwery@gmail.com
Parcel (Schedule) Number (Available from Assessor):	533419
Zone District	Navajo
Description of the current land use(s) on the property, the characteristics of the land within the property boundaries, and the current land use on all adjoining property.	all residential, our home is on one lot, our new garage on two, 3rd vacant land
Is all or part of the proposed project in a 100-year flood zone?	No
Are there slopes in excess of 20% in the project area?	No
Will project require any state or federal permits?	No
Is an HB 1041 Permit required?	No



Huerfano County Land Use and Building Department

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Ste 304
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The Homeowner/Property Owner Associations (HOA/POA) in This List Require Their Approval Before Submitting This Application. If Your HOA/POA is in The List Please Upload The Approval Letter.

8-Navajo Ranch Resorts

Is an H.B. 1041 Permit Required? (Applies to site selection for: airports, mass transit, highways/interchanges/collector highways, public utility facilities, new communities, municipal/industrial water projects, and use of geothermal resources.)

No

Additional details that will help us understand and evaluate your project

desire to merge all three parcels together as one

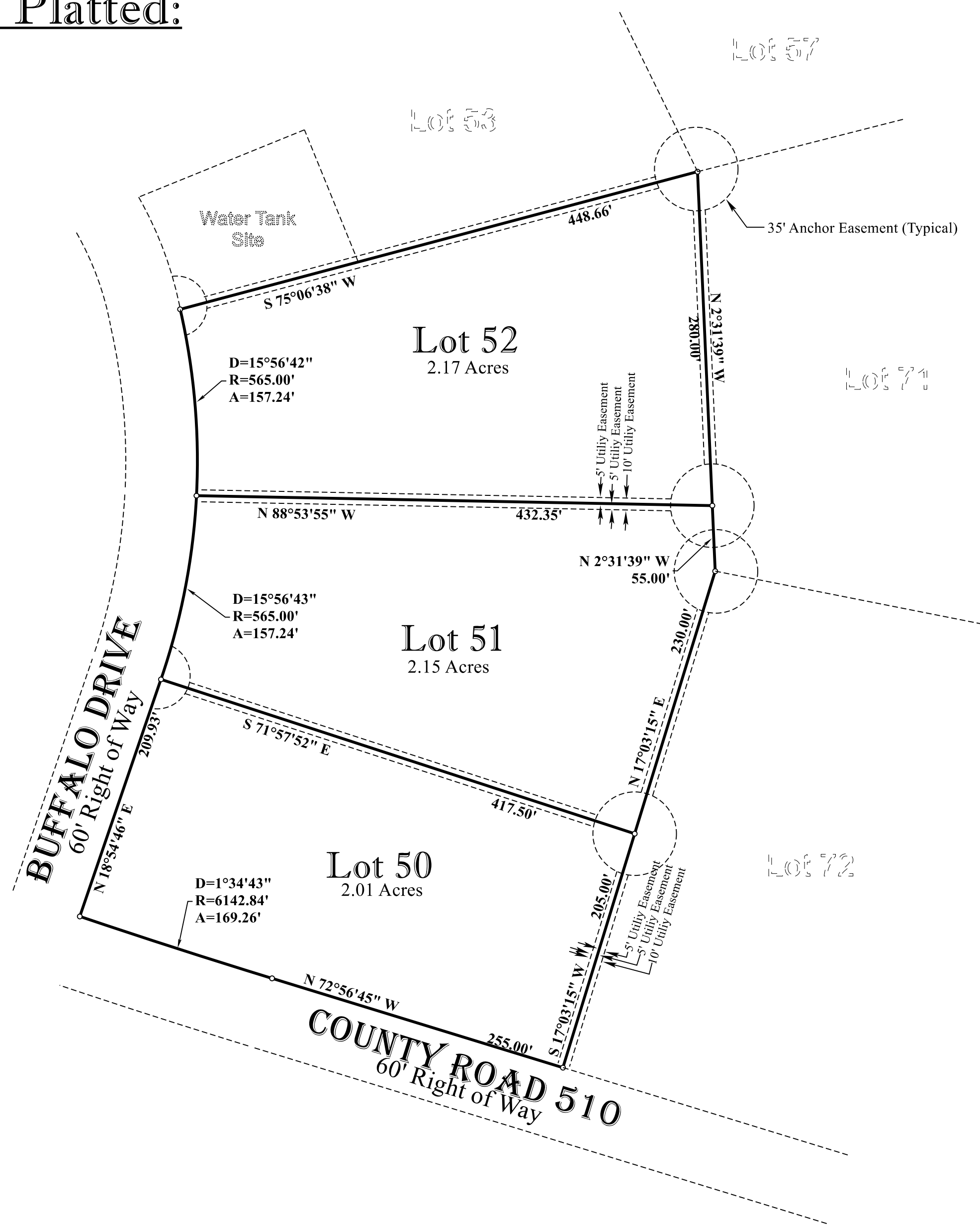
CONDITIONS

* If total land area is over 500 acres, it is a negotiated fee

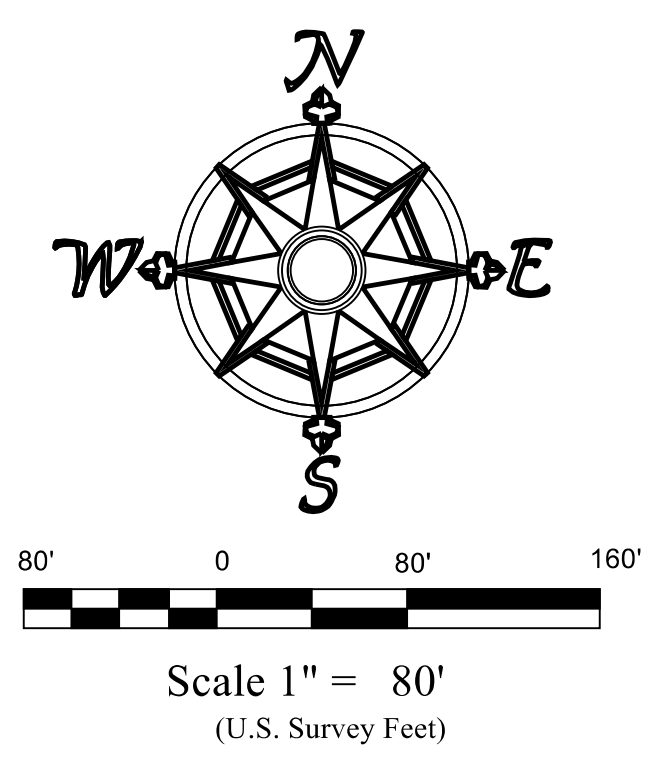
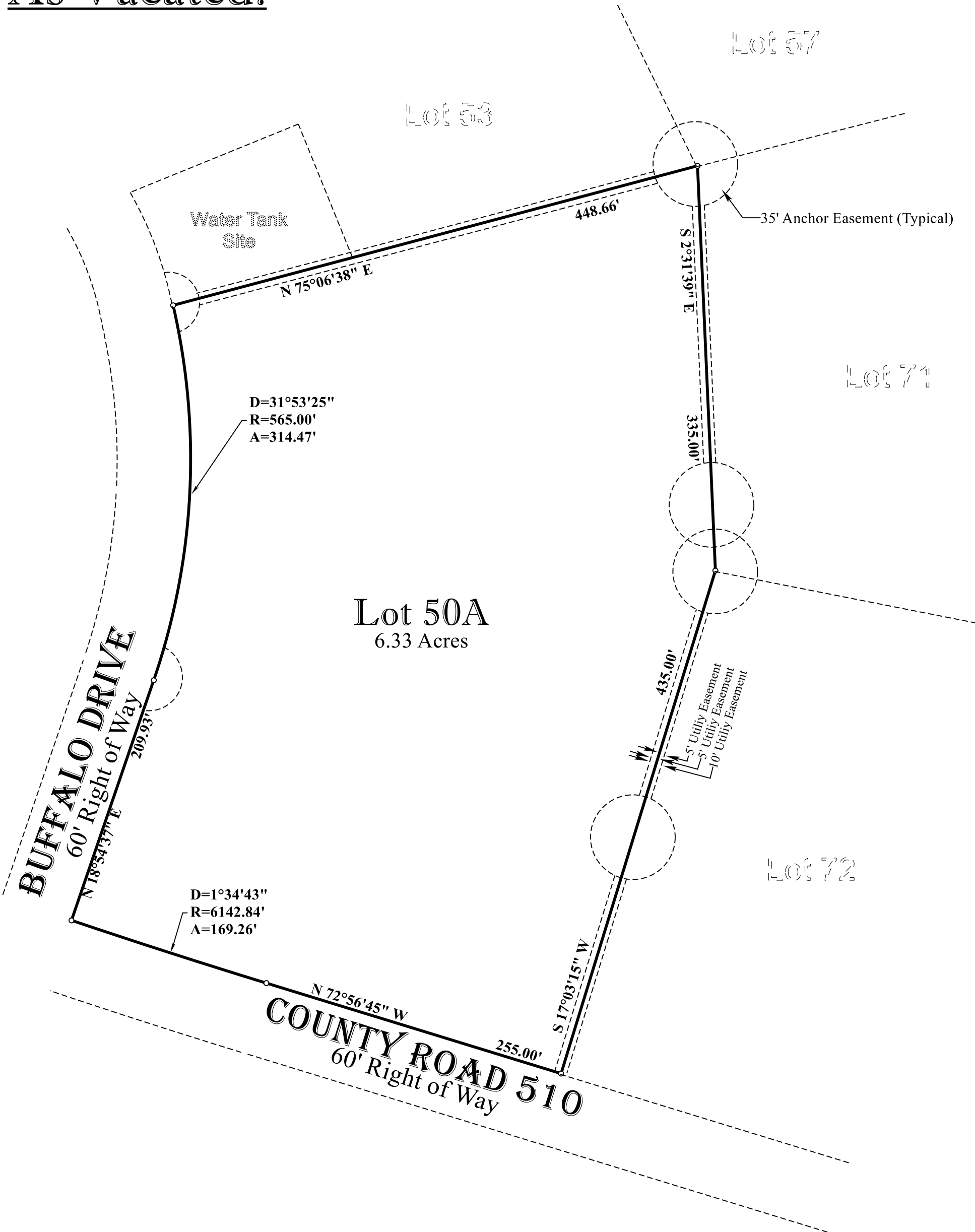
FEES:	<u>Paid</u>	<u>Due</u>
Vacating of Plats Fee/Rights-of-Way/Easements	\$200.00	\$0.00
Public Noticing	\$35.00	\$0.00
Totals :	\$235.00	\$0.00

As Platted:

MAP-AMENDMENT AND EASEMENT VACATION FOR DALE AND SUSAN SCHWERY LOTS 50, 51, AND 52, NAVAJO RANCH ESTATES COUNTY OF HUERFANO, STATE OF COLORADO.



As Vacated:



Legal Description Lot 50A:

Lots 50, 51, and 52, Navajo Ranch Estates, County of Huerfano, State of Colorado being more particularly described as follows:

Beginning at the Southeast corner of Lot 50, Navajo Ranch Estates, Thence N 72° 56' 45" W along the South line of said Lot 50, a distance of 255.00 feet. Thence on an arc of a curve to the Right through a central angle of 01° 34' 43", whose radius is 6142.84 feet and an arc length of 169.26 feet to the East right of way line of Buffalo Drive; Thence along the Easterly right of way line of Buffalo Drive the following two (2) courses:

1. N 18° 54' 37" E, a distance of 209.93 feet
2. On the arc of a curve to the left through a central angle of 31° 53' 25", whose radius is 565.0' and an arc length of 314.47 feet, to the Northwest corner of said Lot 52;

Thence along said North line Lot 52, Navajo Ranch Estates N 75° 06' 38" E, for a distance of 448.66 feet to the Northeast corner of said Lot 52; Thence S 2° 31' 39" E along the East line of Lot 52 and 51 Navajo Ranch Estate, for a distance of 335.00 feet; Thence S 17° 03' 15" W along the West line of Lots 50 and 51, Navajo Ranch Estates, a distance of 435.00 feet to the Point of Beginning. Containing 6.33 Acres more or less. To be known as Lot 50A, Navajo Ranch Estates

SURVEYORS CERTIFICATION: I, William S. Bechaver, a Professional Land Surveyor registered in the State of Colorado, hereby certify to Dale and Susan Schwery, that this Map-Amendment and Easement Vacation is not based upon an actual field survey conducted by me or under my responsible charge, but was prepared using information shown on the Plat of Navajo Ranch Estates, filed for record at Map No. 230 of the records of the Huerfano County Clerk and Recorder. The property within this Map-Amendment and Easement Vacation may or may not be presently monumented and if it is monumented I have not confirmed that the property pins are accurately located.

By: _____ Date: _____
William S. Bechaver, PLS. 38103

This is to Certify that this Map Amendment Plat, is hereby approved this _____ day of _____ 2023, by the Board of County Commissioners, County of Huerfano, State of Colorado.

By: _____ Date: _____
Chairperson of the Board

By: _____ Date: _____
Attest: Clerk of the Board

BH² LAND SURVEYING
P.O. Box 20399, Colorado City, CO 81019
Phone: 719-676-2072
Email: bh2@ghvalley.net

Scale 1" = 80'	Date: 2-17-2023	Drawn By: WSB
Sheet 1/1	Job No. 2023-017	