

MORGAN COUNTY PLANNING COMMISSION
April 28, 2025

The Morgan County Planning Commission met on Monday, April 28, 2025, at 6:00 P.M. in the Assembly Room of the Morgan County Administration Building. The meeting was called to order by Chairman Nathan Troudt.

Chairman Nathan Troudt, Vice Chairman Erik Mohrlang, Britt Dinis, Rob Chilson, Robert Pennington and Julie Padilla were present. Dave Musgrave was absent. Nicole Hay, Planning Director and Jenafer Santos, Planning and Zoning Technician also attended.

APPROVAL OF AGENDA:

It was moved by **Erik Mohrlang** and seconded by **Britt Dinis** to approve the Agenda as presented. Motion passed 6-0.

APPROVAL OF MINUTES: Minutes from February 10, 2025.

It was moved by **Robert Pennington** and seconded by **Erik Mohrlang** to approve the Minutes as presented. Motion passed 6-0.

NEW BUSINESS:

Bellendir – Minor Subdivision

PROCEDURAL: Chairman Nathan Troudt read the hearing process for the meeting.

Planning Administrator, Nicole Hay, read the file summary as follows:

APPLICANT: Timothy Bellendir and Bre Gilliland
LANDOWNER: Timothy and Marva Bellendir

This application is for a 2-lot Minor Subdivision of 6.51 acres located in the NW¹/₄ of Section 10, Township 4 North, Range 57 West of the 6th P.M., Morgan County, Colorado. Also known as 22910 County Road 21, Fort Morgan, CO 80701. The property is zoned Agriculture Production.

Lot 1 will be 4 acres and Lot 2 will be 2.51 acres. There is an existing residence on the property, however the existing buildings will be removed except a well house on Lot 2. This will allow for new single family homes to be built.

Section 8-195 of the Morgan County Subdivision Regulations requires review of the listed criteria and compliance to be determined prior to approval of the proposed subdivision.

In reviewing an application for a minor subdivision, the Planning Commission and the Board of County Commissioners shall apply the following criteria as listed from Section 8-195 of the Morgan County Subdivision Regulations:

- (A) Whether the application documents are complete and present a clear picture of how the subdivision is to be laid out including all infrastructure, easements, and access.
The application documents are complete:
 - 1) Northeast Colorado Health Department has issued a letter regarding onsite wastewater treatment systems on Lots 1 and 2.

- 2) Lot 1 will be served by Morgan County Quality Water and Lot 2 will be served by an existing well.
 - 3) Access for both lots is off of County Road 21. 30-foot access easements are created through the proposed minor subdivision and a shared access acknowledgment will be recorded if the proposed minor subdivision is approved.
 - 4) Property is located in the Fort Morgan Fire District.
 - 5) Soil map was provided by the Natural Resources Conservation Service.
 - 6) The landowners own all of the mineral rights.
 - 7) Right to Farm notices were signed by the property owners and provided with the application.
- (B) Whether the proposed subdivision is consistent with the Morgan County Comprehensive Plan.
The subdivision is located in the north central planning area.
Chapter 2, Plan Summary
Goal: Section 2.C.1- To encourage development where proposed development is compatible with existing land uses and access to public infrastructure is established.
- All existing buildings, except the well house, on Lots 1 and 2 will be removed to allow for the building of single family homes on each lot. Large parcels used as single family home sites surrounded by farmland are in the area. There is access to County Road 21, Morgan County Quality Water, and Morgan County REA.*
- (C) Whether the proposed subdivision is compatible with surrounding land uses and is adequately buffered as needed.
- All properties adjoining this proposed subdivision are in the Agricultural Production District. Farmland and pasture ground surrounds the proposed Minor Subdivision.*

Nicole Hay
Morgan County Planning Administrator

PLANNING COMMISSION DISCUSSION:

Timothy Bellendir, 4 Lakeview Circle, Fort Morgan, CO 80701, presented this application to the Planning Commission

Robert Pennington asked if the access off of CR 21 is just an easement? Is the land owned by the same owners?

Timothy Bellendir stated it is an easement, and they own the land on both easements.

PUBLIC COMMENT OPEN None

PUBLIC COMMENT CLOSED

It was moved by **Rob Chilson** to recommend approval of this application to the Board of County Commissioners.

Erik Mohrlang seconded the motion.

Motion passed 6-0.

This application will move on to the Board of County Commissioners hearing on Tuesday, May 6, 2025 at 9:00 A.M.

NEW BUSINESS:

Greener – Minor Subdivision

Planning Administrator, Nicole Hay, read the file summary as follows:

APPLICANT: Jay Greener
LANDOWNER: Buck Creek LandCO, LLC

This application is for a 4-lot Minor Subdivision of 24.43 acres located in the SE¼ of Section 11, Township 2 North, Range 60 West of the 6th P.M., Morgan County, Colorado. The property is zoned Agriculture Production.

Lot 1 will be 3.46 acres, Lot 2 will be 8 acres, Lot 3 will be 7.23 acres, and Lot 4 will be 5.74 acres. Currently, all 4 lots are vacant.

Included in the packets are referral responses from Xcel, Wiggins Fire District and CDOT.

Section 8-195 of the Morgan County Subdivision Regulations requires review of the listed criteria and compliance to be determined prior to approval of the proposed subdivision.

In reviewing an application for a minor subdivision, the Planning Commission and the Board of County Commissioners shall apply the following criteria as listed from Section 8-195 of the Morgan County Subdivision Regulations:

- (A) Whether the application documents are complete and present a clear picture of how the subdivision is to be laid out including all infrastructure, easements, and access.
The application documents are complete:
 - 1) Northeast Colorado Health Department has issued a letter regarding onsite wastewater treatment systems on Lots 1 thru 4.
 - 2) Lots 1 thru 4 will be served by Morgan County Quality Water.
 - 3) Access for all four lots is off of County Road K. A 40-foot access easement is created through the proposed minor subdivision and a shared access acknowledgment will be recorded if the proposed minor subdivision is approved.
 - 4) Property is located in the Wiggins Fire District.
 - 5) Soil map was provided by the Natural Resources Conservation Service.
 - 6) No mineral estate owner has filed a request for notice with the Morgan County Clerk & Recorder.
 - 7) Right to Farm notices were signed by the property owner and provided with the application.
- (B) Whether the proposed subdivision is consistent with the Morgan County Comprehensive Plan.

The subdivision is located in the southwest planning area.

Chapter 2, Plan Summary

Goal: Section 2.C.1- To encourage development where proposed development is compatible with existing land uses and access to public infrastructure is established.

Large parcels used as single family home sites and other minor subdivisions surrounded by farmland and pasture ground are in the area. There is access to County Road K, Morgan County Quality Water, and Morgan County REA.

- (C) Whether the proposed subdivision is compatible with surrounding land uses and is adequately buffered as needed.

All properties adjoining this proposed subdivision are in the Agricultural Production District. There is pasture ground to the north, minor subdivisions to the west and south and larger parcels with single family homes sites are to the east.

Nicole Hay
Morgan County Planning Administrator

PLANNING COMMISSION DISCUSSION:

Jay Greener – Buck Creek Land CO, 1354 Washburn St, Erie CO, 80516 presented this application to the Planning Commission. He added that it he bought this parcel with the intent to subdivide because it was too big for a single family, but too small to farm.

Robert Pennington asked if he will have a road maintenance agreement?

Jay Greener stated he did not have a formal agreement proposed. He is planning on maintaining it until the lots are sold, but he is okay with putting together an agreement if required.

Robert Pennington asked if the outlot will be accessed off of HWY 52?

Jay Greener answered that he would not have any accesses off of HWY 52 as they are potentially requiring a traffic study for new accesses. In the email from Rose Valdes, if I am just subdividing they will not require a traffic study.

Attorney Kathryn Sellars clarified if he was coming off of HWY 52 they have full authority for an access permit. CDOT is saying that he needs to have an access permit and do a traffic assessment where County Road K and HWY 52 intersect. If he is not designating his land use, CDOT is not requiring a traffic assessment right now. CDOT is fully expecting to see something later, but we don't send out building permits to referral agencies. It is up to Planning Commission if they are wanting the traffic study to be required as a condition before a final plat, or if they want to just move forward. If CDOT wants to enforce their regulations, they are free to do so. CDOT can come back even after the lots are sold and homes are built and say they don't have the right access. They have the authority to enforce their regulations. He is okay with the County because he has a current permitted access from Morgan County Road and Bridge.

Robert Pennington asked if the 41 acre outlot has the right to use the easement in the subdivision?

Jay Greener answered yes.

Director Nicole Hay stated she was unaware that's how they would be accessing that parcel, so Planning and Zoning will work with the applicant to get that clarified.

Robert Pennington touched on the maintenance agreement again.

Attorney Kathryn Sellars mentioned that he will be doing a shared access agreement that will be recorded with the plat.

PUBLIC COMMENT OPEN

Jacob George, 10475 HWY 52, Wiggins, CO 80654 asked what Mr. Greener is planning to do with the 41-acre piece that's left after the subdivision?

Jay Greener answered that he is going to keep it for himself. He is possibly looking at subdividing that parcel in the future.

PUBLIC COMMENT CLOSED

PLANNING COMMISSION DISCUSSION:

Britt Dinis asked how many lots the outlot can be subdivided into?

Jay Greener stated technically 4 more lots, but there is not enough water for 4 lots. The engineering report from Quality Water said they can service 7 taps, so the max amount of lots he would add to the outlot would be 3.

It was moved by **Erik Mohrlang** to recommend approval of this application to the Board of County Commissioners.

Rob Chilson seconded the motion.

Motion passed 6-0.

This application will move on to the Board of County Commissioners hearing on Tuesday, May 6, 2025 at 9:00 A.M.

Erik Morhlang motioned to adjourn the meeting.

Rob Chilson seconded that motion.

Motion passed 6-0.

Meeting was adjourned at 8:58 P.M.

Respectfully Submitted,

Jenifer Santos

Planning Technician