

**MORGAN COUNTY PLANNING COMMISSION**  
**April 13, 2020 MINUTES**

The Morgan County Planning Commission met on Monday, April 13, 2020, at 7:00 p.m. in the Assembly Room of the Morgan County Administration Building. Answering roll call was: Allyn Wind, Mike Erker, Nathan Troutd, Terry Rutenbeck, Robert Pennington, Mike Bailey, and Clay Miller. Also present were Pam Cherry, Planning Administrator, Jody Meyer, Planning Assistant; and Shannon Shields, Planning Clerk. Also present was Karol Kopetsky, Morgan County IT administrator.

The meeting was called to order by Chairman Nathan Troutd.

It is noted that this Planning Commission meeting for April 13, 2020 will be held remotely by using Zoom Application.

**Approval of Minutes:** 2-10-20 (was tabled in March) and 3-9-20

**It was moved by Robert Pennington and seconded by Allyn Wind to approve the corrected 2-10-20 minutes as presented. Motion carried 7-0.**

**It was moved by Allyn Wind and seconded by Terry Rutenbeck to approve the 3-9-20 minutes as presented. Motion carried 7-0.**

**Approval of Agenda:**

Pam Cherry said she would like to modify the agenda by changing the order in which applications will be heard. First item would be Rob and Wendy Danielson/RWD Properties LLC Special Use Permit. **It was moved by Robert Pennington and seconded by Mike Erker to approve the Agenda as modified by moving the Danielson/RWD Properties to first on the agenda. Motion carried 7-0.**

Nathan read the review process of hearing for tonight's meeting.

**NEW BUSINESS:**

**APPLICANT:** Robert & Wendy Danielson

**LANDOWNERS:** RWD Properties LLC

**Legal Description:** S1/2 of Section 29, Township 4 North, Range 56 West of the 6<sup>th</sup> P.M. aka 25449 Co Rd T, Brush, Colorado 80723.

**Reason:** Use by Special Review Application to establish an RV park

Pam Cherry told the Planning Commission that she would like to continue this application to another day as some neighboring landowners did not receive the first notice. Mike Erker was concerned about the continuance and what it would do to applicants. Wendy Danielson said they would work with them. Planning Commission wanted to clarify a hearing date. Pam Cherry recommended this be continued to May 11, 2020 at 7:00 p.m. which is the next Planning Commission meeting. **It was moved by Clay Miller and seconded by Allyn Wind to continue the Danielson/RWD Properties Special Use Application to May 11, 2020 at 7 P.M. Motion carried 7-0.**

**APPLICANT: Paul Caughlan**

**LANDOWNERS: The Caughlan Family Living Trust**

Paul and Pat Caughlan, as applicants were present to represent this application. Planning Commission board member, Clay Miller, recused himself on the Caughlan application. Pam Cherry read her file summary as follows:

This application is for the Caughlan Minor Subdivision in the SW<sup>1</sup>/<sub>4</sub> of the SW<sup>1</sup>/<sub>4</sub> of Section 8, T4N, R56W of the 6<sup>th</sup> P.M. Morgan County, Colorado. The property is located at the northeast corner of the intersection of County Road W and County Road 25.

Paul Caughlan, as applicant, requesting approval of a minor subdivision that will plat 37.78 acres into two lots. Proposed Lot 1 will be 7.78 acres and is undeveloped. Proposed Lot 2 will be 30 acres and has structures located on it that will meet setbacks required in the Agriculture Production zone district. The parcel is identified as #1037-080-00-004 and addressed as 22142 County Road 25.

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:

	<b>Lot 1 - 7.78 acres</b>	<b>Lot 2 – 30 acres</b>
Water	Quality Water Tap – new tap approved	Quality Water Tap – #899
Septic	NE Colo Health – no objection new septic	NE Colo Health – no objection Septic #M07-004
Access (2)	Road and Bridge – ok new	Road and Bridge – ok existing
Fire	Hillrose	Hillrose
Soil map	Provided	Provided
Ext Svc	1 animal unit/acre regulations	4 animal units/acre regulations
Minerals	Mineral rights, none severed	Mineral rights, none severed
R-T-F	Complete	Complete

- (B) Whether the proposed subdivision is consistent with the Morgan County Comprehensive Plan.  
The subdivision is located in the northeast planning area.  
Chapter 2.II.C. 1., County Wide  
Goals: Encourage the development where the proposed development is compatible with existing land uses – other exempted parcels and minor subdivisions are in the area.  
There is access to existing infrastructure, Quality Water and County Road.
- (C) Whether the proposed subdivision is compatible with surrounding land uses and is adequately buffered as needed.  
There are other minor subdivisions in the area and distance creates a buffer - buffering is not necessary.

All appropriate notice requirements have been completed with no comments received as of April 6, 2020  
Fourteen property owners within 1,320 feet were notified of the application; there have not been comments, either in favor or opposed.

Pam Cherry said she would like the Planning Commission to make a motion on this application to be referred to the County Commissioners for final determination.

Paul Caughlan noted that he has 100% of the mineral rights for this property. Mike Erker asked about the water tap and Mr. Caughlan said the tap is open until August 17, 2020. They have not purchased the tap yet and hope to do so next week. Pam Cherry said there is a contract in place and that we would not record the plat until we have proof of tap being paid.

**PUBLIC COMMENT OPEN:**

- Favor: No one spoke in favor of this application
- Opposed: No one spoke in opposition to this application.

**PUBLIC COMMENT CLOSED**

**It was moved by Mike Bailey and seconded by Allyn Wind to approve as presented this application for the Caughlan Minor Subdivision to create plat 37.78 acres into two lots. Proposed Lot 1 will be 7.78 Motion carried 6-0.**

**Kelly Stuhr** – Applicant

**Ray Pauly** – Landowner

**Legal Description:** A parcel located in the S1/2W1/2SW1/4 of Section 13, Township 5 North, Range 60 West of the 6<sup>th</sup> PM, Morgan County, aka 27027 CO Rd #5, Weldona, CO 80653.

**Reason:** Minor Subdivision to create 2(two) lots. Proposed Lot 1 is vacant and will consist of 5.0 acres for potential residential use; Lot 2 has an existing residence and improvements on it and consists of 5 acres.

Clay Miller, Planning Commission Board Member, returned for this hearing as a member of Planning Commission.

Kelly Stuhr was present to represent this application for Ray Pauly.

Pam Cherry read her file summary as follows:

**APPLICANT: Kelly Stuhr**  
**LANDOWNERS: Ray A Pauly**

This application is for a Minor Subdivision in the SW¼ of Section 13, T5N, R60W of the 6<sup>th</sup> P.M. Morgan County, Colorado. The property currently platted as Lot 1 in the Barras Minor Subdivision on the northeast corner of Morgan County Road 5/Highway 39 and Morgan County Road BB.

Kelly Stuhr, as applicant, is requesting approval of a minor subdivision that will replat 10 acre Lot 1 of the Barras Minor Subdivision into two lots of approximately 5 acres each. Proposed Lot 1 has an existing shed on it that will meet the setback requirements of the Agriculture Production zone district. Proposed Lot 2 has an existing home, garage and shed that will all meet the setback requirements. The parcel is identified as # 0971-130-01-001 and addressed as 27027 County Road 5.

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:

	<b>Lot 1 - 5 acres</b>	<b>Lot 2 – 5 acres</b>
Water	Quality Water Tap – #3016 approved	Quality Water Tap – #1819
Septic	NE Colo Health – no objection new septic	NE Colo Health – no objection Septic #M98-096
Access (2)	Road and Bridge – ok new	Road and Bridge – ok existing
Fire	Wiggins Rural Fire	Wiggins Rural Fire
Soil map	Provided	Provided
Ext Svc	1 animal unit/acre regulations	1 animal units/acre regulations
Minerals	Mineral rights, notification complete	Mineral rights, notification complete
R-T-F	Complete	Complete

- (B) Whether the proposed subdivision is consistent with the Morgan County Comprehensive Plan. The subdivision is located in the northwest planning area.  
Chapter 2.II.C. 1., County Wide  
Goals: Encourage the development where the proposed development is compatible with existing land uses – other exempted properties and small acreage properties are in the area.  
There is access to existing infrastructure, Quality Water and County Road.
- C) Whether the proposed subdivision is compatible with surrounding land uses and is adequately buffered as needed.  
There are other minor subdivisions in the immediate area and distance, no need to buffer similar land use and size of lots.

All appropriate notice requirements have been completed with no comments received as of April 5, 2020. Sixteen property owners within 1,320 feet were notified of the application; there have not been comments, either in favor or opposed. Twenty referral agencies were notified of the application, no objections have been received.

Pam Cherry would like Planning Commission to make a motion of approval, denial or approval with conditions on this application to be referred to the County Commissioners for final determination.

Kelly Stuhr, representing the applicant and landowner, Ray Pauly, said they want to place a residence on this parcel.

**PUBLIC COMMENT OPEN:**

Favor: Charles Tuttle, Lakewood, Colorado, was in favor of this application

Opposed: No one spoke in opposition to this application.

**PUBLIC COMMENT CLOSED**

**It was moved by Robert Pennington and seconded by Mike Erker to approve as presented this minor subdivision application for Ray A. Pauly that will replat the 10 acre of Lot 1 of the Barras Minor Subdivision, a minor subdivision into two lots of approximately 5 acres each. Motion carried 7-0.**

**OTHER BUSINESS:**

Pam Cherry told the Planning Commission that they would still get paid for mileage to and from the hearing.

Pam Cherry thanked Karol Kopetzky from the County IT Department for setting up and helping run the Zoom meeting tonight.

**It was moved by Allyn Wind and seconded by Mike Erker to adjourn this meeting. Motion carried 7-0.**

Jody Meyer  
Planning Assistant