

TOWN OF DOLORES

PLANNING AND ZONING COMMITTEE MEETING

MINUTES

DECEMBER 10TH, 2019

6:30 P.M.

Call to Order: Commissioner Robinson called the meeting to order at 6:31 p.m.

Pledge of Allegiance

Roll Call: Committee Members present were, Chairperson Linda Robinson, Commissioners: Mark Tucker, Deanna Truelsen, Jerry Whited, and Dan Heeney. Ex-Officio Trustee Melissa Watters.

STAFF: Town Clerk Tammy Neely, and Building Official David Doudy.

1. Identification of Actual Perceived Conflicts of Interest. None stated or presented.

2. APPROVAL OF THE AGENDA: *Commissioner Truelsen move to approve the Agenda for December 10th, 2019, seconded by Commissioner Whited. Motion carried unanimously.*

3. APPROVAL OF THE CONSENT AGENDA: *Commissioner Tucker moved to approve the consent agenda with a correction to the minutes concerning the date and stated it should be October 1st, 2019 and not October 2nd, 2019. Seconded by Commissioner Whited. Motion carried unanimously.*

CITIZENS TO ADDRESS THE COMMISSION:

4.1 Maria Battel: Questioned if the the land use code will be addressed concerning the Marijuana issue. Commissioner Robinson explained to her that it was on the Agenda in form of an ordinance that it will be reviewed and final approval will be from the Town Board.

5. DISCUSSIONS AND ACTIONS:

5.1 Public Hearing for Michael C. Green on a special exception permit application for property located at 209 N. 9th Street, Dolores Colorado. A setback to an existing structure. A plan of the house was presented for review by the Committee. Building Official Doudy explained the purpose for the Special Exception Permit to the Commission. The issue is the house did not meet the 10 feet

requirement as specified in the code. Mr. Green previously applied for permits to build an additional structure to the house and was denied. Building Official also explained that there was no fiscal impact to the Town. Commissioner Linda Robinson opened the hearing to public. **Matthew Kamper** of 222 N. 9th Street explained that the Town has a mixture of new and old structures. And stated that the Committee should encourage and support the citizens.

Mike Riley of 211 N. 10th questioned Mr. Green as to why he was in a situation building a structure that could not be removed. He expressed that he was not against the improvement, but there is no courtesy to the neighborhood.

Tina Archer, (no address provided) agreed with Mr. Riley, and asked why more change. She stated the need for compliance and to stay with the original structure.

Building Official Douady explained that the Town denied the original plan due a right of way. He stated that the original request has nothing to do with the issue at hand. Commissioner Robinson commented that in fairness the Town had several staff changes which caused confusion to the issue. Commissioner Whited stated if the structure was not improved it would be unfair. Commissioner Robinson closed the hearing.

Commissioner Whited motioned to approve a Special Exception Permit for Michael C. Green located at 209 N. 9th Street, Dolores Colorado. Seconded by Commissioner Truelsen. Motion carried unanimously.

5.2 Presentation and Amendment to the Land Use Code. Article III (c)(1)(d) an Ordinance Amending the Schedule of Use regulations. Building Official Douady addressed the Commission on the Marijuana issue and the effects that it will have of the Land Use Code. He stated that currently the Town Board extended a moratorium on the Marijuana issue so that an amendment to the Land Use Code could be put in place. There will need to be a public hearing scheduled. Commissioner Robinson stated on the proposed ordinance draft that the second paragraph should be removed, (Colo Rev. Stat. 31-23-204 provides that the Planning and Zoning Commission may record its own minutes). *Commissioner Whited moved to accept the approval with recommendations of an Amendment to the Land Use Code. Article III (c)(1)(d). Seconded by Commissioner Tucker. Motion carried unanimously.*

5.3 Short Term Rental discussion. The Committee discussed and several question and comments were made. This will be continued at the January 7th, 2020 Planning and Zoning meeting.

ADJOURNMENT: Commissioner Robinson adjourned the meeting at 7:15 p.m.

Commission Chair Linda Robinson

Town Clerk Tammy Neely