

The meeting of the Meeker Planning Commission was called to order by Commissioner Keith Rholl Monday, April 27, 2009, at Town Hall at 5:31 p.m.

Members Present: Martha Griffin
Terry Goedert
Keith Rholl

Members Absent: Chairman Gary Hindman
Joy Thayer

Others Present: Anna Smith, Town Planner
Sharon Day, Town Administrator

Citizens present: Buddy & Patricia Thompson - Applicant

APPROVAL OF AGENDA

Commissioner Rholl asked if there were any changes to the agenda with none noted.

A motion to approve the agenda as presented was made by Commissioner Griffin, seconded by Commissioner Goedert. All ayes, motion carried.

APPROVAL OF THE MINUTES

Commissioner Rholl inquired if there were any changes, corrections or additions to the March 23, 2009 Planning Commission minutes, with none noted

A motion to approve the minutes of March 23, 2009 as presented was made by Commissioner Griffin, seconded by Commissioner Goedert. Ayes ó Commissioner Griffin and Goedert. Abstained ó Commissioner Rholl. Motion carried.

PUBLIC PARTICIPATION

None

PUBLIC HEARING

Buddy and Patricia Thompson at 1449 Mountain View Road (Lots 2, 3, and 4, Block 5, Sage Hills Subdivision) are requesting to rezone Parcel A from RR – Rural Residential to R1-A Single Family Residential. Parcel A, located west of the Thompsons' property, is a 0.8-acre tract of land created in the Escondido Subdivision (Final Plat recorded March 4, 2009). The Thompsons have purchased Parcel A and are seeking to consolidate it with the lots they currently own in the Sage Hills Subdivision (Lots 2, 3, and 4, Block 5 of the Sage Hills Subdivision).

Commissioner Rholl opened the Public Hearing at 5:34 p.m.

Town Planner Anna Smith provided the following report: A 0.8-acre parcel of land located in the NW ¼ of Sec 14, T1N, R94W. Attached are copies of Parcel A's legal description and the portion of the recorded Escondido Subdivision plat depicting Parcel A boundary and location. The property is located immediately adjacent and northwest to Lots 2, 3, and 4, Block 5 of the Sage Hills Subdivision, bordered on the south and west by Town property, including dedicated Parcel B of the Escondido Subdivision, and on the north by Lot 1 of the Escondido Subdivision. Buddy and Patricia Thompson at 1449 Mountain View Road (Lots 2, 3, and 4, Block 5, Sage Hills Subdivision) are requesting to rezone Parcel A from RR ó Rural Residential to R1-A Single Family Residential. Parcel A, located west of the Thompsons' property, is a 0.8-acre tract of land created in the Escondido Subdivision (Final Plat recorded March 4,

Regular Planning Commission Meeting . April 27, 2009

2009). The Thompsons have purchased Parcel A and are seeking to consolidate it with the lots they currently own in the Sage Hill Subdivision (Lots 2, 3, and 4, Block 5 of the Sage Hills Subdivision).

M.M.C. 18.1.116 outlines that the R-1A Single Family Residential district was established for urban low-density single-family residential lots. Attached is the complete Town Code description of the R-1A zoning district uses and setbacks. Based on these current code standards, accessory structures would be allowed in the new rear yard of the consolidated properties (Parcel A and Lots 2, 3, 4, Block 5 Sage Hills). However, both the Escondido Subdivision and proposed Lot Consolidation Plat contain notes stating that Parcel A, Escondido Subdivision is a non-buildable lot (no structures; living, accessory, or otherwise) and is intended to be consolidated into Sage Hills Subdivision as such. In order for successive property owners to have knowledge of the building restriction, Staff suggests the preparation and recording of a public notice prepared by the Town to notify future buyers of this use restriction.

In accordance with M.M.C. 18.1.148(C), the request has been advertised in the paper, a sign has been posted on the site, and letters were mailed to record mineral owners and all property owners within 300 feet. Town Staff did receive an inquiry via email from Regas Halandras, the seller of Parcel A, on whether the Lot Consolidation Plat notes did define Parcel A as non-buildable. Staff responded confirming the presence of the restrictive note on the plat. There were no other comments from the public.

Recommendation: Staff recommends approval of the request to rezone Parcel A from RR to R-1A and to amend the Town's Zoning Map in order to facilitate a lot consolidation of Parcel A with Lots 2, 3, & 4, Block 5 of Sage Hills Subdivision as requested in the submitted Lot Consolidation application. In addition, Staff also recommends the filing of a public notice by the Town concerning Parcel A's use restriction.

Commissioner Rholl inquired if the request would go to the Board, with Planner Smith stating correct. Commissioner Rholl inquired if the applicant had any questions. Mr. Thompson stated he wanted to ensure no one could build behind them, by having it rezoned back to Single Family Residence versus the Rural Residential it previously had been in the Escondido Subdivision. He stated the purchase was complete, and the deeds were registered, with the Town having a copy. Commissioner Rholl inquired if the Planning Commission had any questions or comments, with none noted. Public Hearing closed at 5:40 p.m.

A motion was made by Commissioner Goedert to recommend the Board of Trustees grant approval of the Thompsons' request to rezone Parcel A from RR to R-1A and to amend the Town's Zoning Map in order to facilitate a lot consolidation of Parcel A with Lots 2, 3, & 4, Block 5 of Sage Hills Subdivision, as requested in the submitted Lot Consolidation application. In addition, Planning Commission recommends the Town Board authorize the filing of a public notice by the Town concerning Parcel A's use restriction, seconded by Commissioner Griffin. All ayes, motion carried.

Planner Smith stated the next scheduled Board meeting for the request would be May 19, 2009 to meet the deadline requirements as per code and she would provide the applicant a reminder letter. She stated lot consolidation was done administratively, after the rezoning takes effect, then Staff would finalize the lot consolidation plat and request the applicant submit a mylar version of the plat in order to obtain signatures and get it recorded.

Regular Planning Commission Meeting . April 27, 2009

OTHER PLANNING COMMISSION MATTERS

Planner Smith stated Commissioner Joy Thayer had submitted her letter of resignation and her term ended in May and the Planning Commission would have a vacant seat. She stated Ms. Thayer had extended a thank-you and her appreciation to the Planning Commission members. Discussion focused on who might be interested in serving.

ADJOURNMENT

Commissioner Goedert made a motion to adjourn, seconded by Commissioner Griffin. All ayes, motion carried.

Planning Commission Meeting adjourned 5:44 p.m.

Gary Hindman, Chairman

Joy Thayer, Secretary