

The meeting of the Meeker Planning Commission was called to order by Chairman Gary Hindman Tuesday, May 12, 2009, at Town Hall at 5:32 p.m.

Members Present: Chairman Gary Hindman
Terry Goedert (via phone)
Keith Rholl

Members Absent: Martha Griffin

Others Present: Anna Smith, Town Planner

Citizens present: Terry Hood - applicant

APPROVAL OF AGENDA

Chairman Gary Hindman asked if there were any changes to the agenda with none noted.

A motion to approve the agenda as presented was made by Commissioner Rholl, seconded by Chairman Hindman. All ayes, motion carried.

APPROVAL OF THE MINUTES

Chairman Hindman inquired if there were any changes, corrections or additions to the April 27, 2009 Planning Commission minutes, with none noted

A motion to approve the minutes of April 27, 2009 as presented was made by Commissioner Rholl, seconded by Commissioner Goedert. Ayes: Commissioner Rholl and Goedert. Chairman Hindman abstained. Motion carried.

PUBLIC PARTICIPATION

None

PUBLIC HEARING

Terry Hood is requesting a Special Review Use permit to run a Home Daycare Facility at 907 11th Street (Lots 8 & 9 Foothills Subdivision). The proposed hours of operation are Monday through Friday, 7:30 a.m. to 5:30 p.m., with a maximum of 8 children.

Chairman opened the Public Hearing at 5:35 p.m.

Town Planner Anna Smith provided the following report: The property is located in the R1-A Single Family Residential zoning district and is owned by Michael and Janet Boyd, but rented by Terry Hood. Included in the Special Review Use application is documentation from the Boyds granting permission for the home occupation of a daycare facility at the subject property. Ms. Hood has applied for a child care license from the State of Colorado but has not received it yet.

The Meeker Municipal Code identifies "daycare facility" as a Special Review Use within the R1-A zoning district. The daycare facility at this residence is also considered a home occupation, which also requires a Special Review Use permit. In accordance with 18.1.129(A)(VII) of the M.M.C., which states "The home occupation shall provide additional off-street parking adequate to accommodate all needs created by the home occupation, if the applicant has identified the graveled area in front of the garage as the off-street parking area, as well as the drop-off and pick-up point. Also, per M.M.C. 18.1.129(A)(I), a home occupation use shall be conducted entirely within a dwelling or accessory building and carried on by the inhabitants living on the property and no others." The applicant has included a diagram outlining the areas inside her home designated for the daycare facility and does not intend to hire an

Regular Planning Commission Meeting . May 12, 2009

employee. Additionally, M.M.C. 18.1.129(A)(IV) states: "There shall be no advertising display or other indication of the home occupation on the premises other than a name sign, which shall be a maximum of one square foot in area." The applicant has stated she will not need a business sign, however, in the event the applicant changes her mind, a permit is not required for signs less than 2 square feet for residences. The adjacent land uses are an existing single family residence and vacant single-family residential lots. The submitted application includes signatures from the adjacent neighbor (the Gerloffs) stating no objections to the proposed home occupation of a daycare facility.

The application with supporting material was received within the required time period and all appropriate fees have been paid. The request has been advertised as mandated by the Meeker Zoning Ordinance and all adjacent property owners have been notified of the Public Hearing. No comments have been received to date.

Recommendation: Staff recommends approval of the applicant's request for a home occupation of operating a daycare facility at 907 11th Street, Lots 8 and 9, Foothills Subdivision, Monday through Friday, between the hours of 7:30 a.m. to 5:30 p.m. for a maximum of 8 children, contingent upon the following conditions:

1. The Applicant provides the Town a copy of her Colorado child care license prior to the Special Review Use permit becoming effective.
2. The Special Review Use permit is granted specifically to Ms. Terry Hood and will be in effect for the period of time Ms. Hood occupies 907 11th Street and has a valid Colorado child care license. The Special Review Use permit will be revoked by the Town upon Ms. Hood a) closing the home day care occupancy, b) not maintaining a valid Colorado child care license, and/or c) vacating the premises.

Chairman Hindman asked the applicant if there was anything she would like to add to Planner Smith's report, with none noted. Public Hearing closed at 5:40 p.m.

A motion was made by Commissioner Rholl that the Planning Commission recommends the Board of Trustees grant approval of Terry Hood's request for a home occupation of operating a daycare facility at 907 11th Street, Lots 8 and 9, Foothills Subdivision, Monday through Friday, between the hours of 7:30 a.m. to 5:30 p.m. for a maximum of 8 children, contingent upon the following conditions:

1. The Applicant provides the Town a copy of her Colorado child care license prior to the Special Review Use permit becoming effective.
2. The Special Review Use permit is granted specifically to Ms. Terry Hood and will be in effect for the period of time Ms. Hood occupies 907 11th Street and has a valid Colorado child care license. The Special Review Use permit will be revoked by the Town upon Ms. Hood a) closing the home day care occupancy, b) not maintaining a valid Colorado child care license, and/or c) vacating the premises.

Seconded by Chairman Hindman, all ayes, motion carried.

Planner Smith relayed to the applicant she would be on the agenda for the Board meeting on May 19, 2009 and the applicant should be there at 7:00 p.m.

OTHER PLANNING COMMISSION MATTERS

None

Regular Planning Commission Meeting . May 12, 2009

ADJOURNMENT

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

Planning Commission Meeting adjourned 5:43 p.m.

Gary Hindman, Chairman