

Town of Erie
Planning Commission Regular Meeting
Wednesday, May 6, 2015
6:30 p.m.
Board Room, Erie Town Hall, 645 Holbrook, Erie, Co 80516

I. CALL MEETING TO ORDER & PLEDGE OF ALLEGIANCE

Chairman Bottenhorn called the Regular Meeting of the Erie Planning Commission to order at 6:30 p.m.

II. ROLL CALL

Commissioner Bottenhorn - Present
Commissioner Burgard – Present
Commissioner Campbell - Present
Commissioner Kemp - Present (arrived 6:31)

Commissioner Fraser - Present
Commissioner Gippe - Present
Commissioner Harrison - Present

Staff Present: R. Martin Ostholthoff, Community Development Director; and
Hallie Sawyer, Secretary to the Commission

III. APPROVAL OF THE AGENDA

Commissioner Burgard moved to approve the May 6, 2015, Regular Meeting Agenda as submitted. The motion, seconded by Commissioner Campbell, carried with all voting in favor thereof.

IV. APPROVAL OF MINUTES

a. Minutes from the April 15, 2015, Regular Meeting.

Commissioner Gippe moved to approve the April 15, 2015, Minutes as submitted. The motion, seconded by Commissioner Harrison, carried with all voting in favor thereof.

V. PUBLIC COMMENTS

(This agenda item provides the public an opportunity to discuss items other than items that are on the agenda. The Planning Commission is not prepared to decide on matters brought up at this time, but if warranted, will place them on a future agenda.)

Bill Equitz, 135 Wells Street, Unit C, addressed the Commission requesting more time on his eviction notice.

VI. RESOLUTIONS (This agenda item is for all matters that should be decided by resolutions.)

1. Public Hearing – 3792 N. 119th Street Special Review Use

Purpose: Consider Special Review Use To Allow Three (3) Large Animals

Project File #: SRU-000272-2015

Request: Consideration of Resolution P15-12, A Resolution Recommending Approval Of The Special Review Use Application To Allow The Keeping Of Three (3) Large Animals At 3792 N. 119th Street.

Location: 3792 N. 119th Street

Applicants: Alexis Benz

(Staff Planner: Marty Ostholthoff)

Chairman Bottenhorn opened the public hearing at 6:36 p.m. Mr. Ostholthoff presented the application for a Special Review Use to allow Three (3) Large Animals at 3792 N. 119th Street; reviewed the approval criteria, gave the staff recommendation of approval and entered the documents into evidence. Applicant Alexis Benz, 3792 N. 119th Street, was present to answer questions and provide clarification. Public comment was taken from Cherry Emerson, 3844 N. 119th St.; Lance Emerson, 3844 N. 119th Street; and Barbara Connors, 76 Red Oak Court. Comments covered past and current conditions of

fencing, prior animals on the property and the current condition of the chicken house and chickens; the burning of open fires on the property, and proximity to a school and playing fields not being compatible. Commissioner questions and comments covered clarification on end date of the special review use if approved; how hard would it be to revoke; adequate assurances of continuing maintenance; regulations regarding open fires; would the animals be pets; clarification of request being considered; if use approved and complaints were received and verified, what would happen; would town fencing guidelines be followed; requirement for adequate fencing and structures; setback requirements; adverse impact; current state of fence; type of animals expected; fencing be in place prior to animals arrival; current fence materials; and has the applicant had conversations with neighbors regarding the chickens.

Chairman Bottenhorn closed the public hearing at 7:15 p.m.

Commissioner comments covered the application being a compatible land use; the applicants needs to have a plan that has been well researched and verified, with all options exhausted; due diligence needs to be done first and not after the fact; applicant should work with her neighbors. Chairman Bottenhorn favored additional conditions:

1. Regarding maintenance of adequate pasture, as recommended by staff
2. Applicant must demonstrate to staff, proper fencing and shelter provisions, prior to permit issuance, allowing (3) large animals at the subject property.
3. Applicant must demonstrate to staff, and staff must be allowed to examine existing conditions of the chicken coop, and deem acceptable and in compliance with Town of Erie Municipal Code.

Commissioner Burgard moved approval of Resolution P15-12, A Resolution Recommending Approval Of The Special Review Use Application To Allow The Keeping Of Three (3) Large Animals At 3792 N. 119th Street, with the addition of Chairman Bottenhorns' conditions. The motion was seconded by Commissioner Fraser and carried with all voting in favor thereof.

2. Public Hearing – 2105 Pinon Drive Special Review Use

Purpose: Consider Special Review Use To Allow An In Home Child/Day Care Business

Project File #: SRU-000337-2015

Request: Consideration of Resolution P15-13, A Resolution Recommending Approval Of The Special Review Use Application For An In-Home Child/Day Care Business At 2105 Pinon Drive, Vista Ridge Subdivision, Town Of Erie, Adopting Certain Findings Of Fact And Conclusions Favorable To The Special Review Use, And Setting Forth Conditions.

Location: 2105 Pinon Drive, Vista Ridge Filing 1R

Applicants: Dayna Bly

(Staff Planner: Marty Ostholthoff)

Chairman Bottenhorn opened the public hearing at 7:23 p.m. Mr. Ostholthoff presented the application for a Special Review Use to allow an In Home Child/Day Care Business at 2105 Pinon Drive; reviewed the approval criteria, gave the staff recommendation of approval and entered the documents into evidence.

Applicant Dayna Bly, 2105 Pinon Drive, was present to answer questions and provided clarification. Commissioner questions and comments covered parking requirements and whether the applicant had talked to her neighbors.

Chairman Bottenhorn closed the public hearing at 7:29 p.m.

Commissioner Campbell moved approval of Resolution P15-13, A Resolution Recommending Approval Of The Special Review Use Application For An In-Home Child/Day Care Business At 2105 Pinon Drive, Vista Ridge Subdivision, Town Of Erie, Adopting Certain Findings Of Fact And Conclusions Favorable To The Special Review Use, And Setting Forth Conditions. The motion, seconded by Commissioner Gippe, carried with all voting in favor thereof.

VII. STAFF REPORTS (This agenda items is reserved for specific items from Staff requiring Commission direction or just relaying important information.)
Town Fair

VIII. COMMISSIONER REPORTS AND DISCUSSION ITEMS (This agenda item is for all Planning Commission reports and items of information as well as Commission discussion items, not listed on the agenda)
None.

IX. ADJOURNMENT
There being no further business to come before the Commission, Chairman Bottenhorn adjourned the May 6, 2015, Regular Meeting of the Planning Commission at 7:30 p.m.

Respectfully Submitted,

Town of Erie Planning Commission

By: 
Hallie S. Sawyer, Secretary

By: 
J. Eric Bottenhorn, Chair