

AMENDED MEMORANDUM TO LAND USE AGENDA
(AMENDMENT DUE TO REMOVAL OF ZONING VARIANCE NO. 2017-008,
WHICH WAS INADVERTENTLY PLACED ON THE MAY 9, 2018 AGENDA.)

PUEBLO BOARD OF COUNTY COMMISSIONERS

MAY 16, 2018
(CONTINUED FROM MAY 9, 2018)

9:00 A.M.

COMMISSIONERS' CHAMBERS AT PUEBLO COUNTY COURTHOUSE
215 WEST 10TH STREET

(The Record: The Planning Department staff report and the application submitted by the applicant for each agenda item and any supplemental information distributed by staff at the meeting are automatically incorporated as part of the Record unless specific objections are raised and sustained at the public hearing. Any additional materials used by the applicant or others in support of or in opposition to a particular agenda item may, at the discretion of the person or entity using the materials, be submitted for inclusion in the Record. Such materials for which a request for inclusion in the Record is made shall, at the discretion of the administrative body, be made a part of the Record. Note: Any materials including documents and/or instruments submitted for inclusion in the Record and admitted by the administrative body must be left with the Clerk.)

BOARD OF COUNTY COMMISSIONERS' CONSENT ITEMS:

The Consent Agenda contains items for which staff is recommending approval and as of the publication of the agenda, there was no known opposition and the applicant(s) are in agreement with staff's recommended conditions of approval. Staff will present the Consent Agenda in a summary format. If any member of the Board of County Commissioners or a member of the audience wants to remove an item from the Consent Agenda to facilitate an individual, full public hearing regarding that item, they must request the item be removed from the Consent Agenda following the summary presentation of the Consent items. The item will be removed from the Consent Agenda and placed on the Regular Agenda at a position being at the sole discretion of the Board. Upon completion of the summary of the Consent Agenda items and the removal of any items requested for individual, full public hearing, the Board will take action regarding the remaining items on the Consent Agenda in the form of a single vote.

1. [TEXT AMENDMENT NO. 2018-001](#) - Pueblo County Department of Planning and Development
(IF REMOVED, **PUBLIC HEARING**) (Applicant/Representative)
Tiny House Regulations



The Pueblo County Department of Planning and Development is proposing a Text Amendment to the Pueblo County Code, Title 17 Land Use, Division I. Zoning to add a chapter containing regulations for Tiny Houses. The Text Amendment would add Chapter 17.101 TINY HOUSE REGULATIONS to the Pueblo County Code, Title 17 Land Use. This would also include addition and changes to the Pueblo County Code, Title 17 Land Use, Chapter 17.04 GENERAL PROVISIONS AND DEFINITIONS, Section 17.04.040, Definitions, more specifically adding "Tiny House" and changes to "Residence" and Uses-by-right in Chapters 17.12, 17.16, 17.20, 17.24, 17.28, 17.32, 17.36, 17.40, 17.44, 17.48, and 17.52.

*(In order to allow the Planning Commission to make a recommendation at its May 16, 2018 meeting, staff requests continuance of the text amendment to Board's June 13, 2018 public hearing.)

2. MORGAN SUBDIVISION - Travis Morgan (Applicant)
FINAL PLAT NO. 2018-001 Randy Lee Morgan (Owner)
(IF REMOVED, **PUBLIC HEARING**) Mangini and Associates, Inc., c/o Rocky Mangini (Representative)
29230 Daniel Road




Applicant requests final plat approval to subdivide a 2.0± acre parcel into two (2) lots including right-of-way dedication as follows: Lot 1 - 0.88± acre, Lot 2 - 1.00± acre, and 0.12± acre right-of-way dedication for Daniel Road (15-foot dedication) and 29¼ Lane (5-foot dedication). The property is within an A-3, Agricultural (minimum 1 acre) Zone District and developed with a single-family residence and accessory structures to be encompassed within proposed Lot 1 and proposed Lot 2 is vacant land. The property is located on the south side of Daniel Road, east of 29th Lane, with a physical address of 29230 Daniel Road.

3. RESOLUTION - Beulah Fire Protection & Ambulance District
(IF REMOVED, **PUBLIC MEETING**) c/o Bryan Ware, Fire Chief

A Resolution Approving Disbursement of Subdivision Fire Protection Impact Fees to the [Beulah Fire Protection & Ambulance District](#).

RECESS AS BOARD OF COUNTY COMMISSIONERS AND RECONVENE AS ZONING BOARD OF APPEALS

ZONING BOARD OF APPEALS' CONSENT ITEMS:

1. ZONING VARIANCE NO. 2018-002 - Travis Morgan (Applicant)
(IF REMOVED, **PUBLIC HEARING**) Randy Lee Morgan (Owner)
 Mangini and Associates, Inc, c/o Rocky Mangini
(Representative)
29230 Daniel Road

In conjunction with Morgan Subdivision Final Plat No. 2018-001, the applicant has submitted a zoning variance application from Title 17, LAND USE, Division I. ZONING, Chapter 17.16, Agricultural Three (A-3) and Four (A-4) Districts, specifically Section 040 (*Lot Area*) of the Pueblo County Code to recognize Lot 1 of Morgan Subdivision with a lot area of 0.88± acre in lieu of the minimum required 1 acre. This deficiency is due to the dedication of additional right-of-way for Daniel Road and 29¼ Lane. The property is within an A-3, Agricultural (minimum 1 acre) Zone District and developed with a single-family residence and accessory structures to be encompassed within proposed Lot 1 and proposed Lot 2 is vacant land. The property is located on the south side of Daniel Road, east of 29th Lane, with a physical address of 29230 Daniel Road.

2. [ZONING VARIANCE NO. 2018-003](#) -
(IF REMOVED, **PUBLIC HEARING**)



Debra E. Nieto (Owner/Applicant)
c/o Rachel Estrada, RE/Max Associates
(Representative)
1221 Holly Street

The owner/applicant is requesting a zoning variance from Title 17, LAND USE, Division I. ZONING, Chapter 17.16, *Agricultural Three (A-3) and Four (A-4) Districts*, specifically Section 040 (Lot Area) and Section 050 (Lot Dimensions) of the Pueblo County Code to recognize a parcel of land with a lot area of 0.195± acre in lieu of the minimum required 0.50 acre, a lot width of 68 feet and a lot depth of 125 feet both in lieu of the minimum required 140 feet in an A-4. Agricultural Zone District. The parcel is located on the west side of Holly Street approximately 1,000 feet south of its intersection with Highway 50 East (Santa Fe Drive) in the Blende area.

3. [ZONING VARIANCE NO. 2018-004](#) -
(IF REMOVED, **PUBLIC HEARING**)



Jay and Debra Hemming (Owners/Applicants)
Drop Tine Construction, c/o Dustin Jones
(Representative)
757 South Ignacio Drive

The representative is requesting a zoning variance from Title 17, LAND USE, Division I. ZONING, Chapter 17.16 AGRICULTURAL THREE (A-3) and FOUR (A-4) DISTRICTS, specifically Section 100 (*Side yard setback*) of the Pueblo County Code to recognize an existing residence with a fourteen (14) foot side yard setback in lieu of the minimum required fifteen (15) feet. The representative is requesting the variance because after construction of the residence a survey found it was one (1) foot into the required side yard setback. The property, containing 1.01± acres, is physically addressed as 757 South Ignacio Drive and located west of Granito Vista Lane in the Pueblo West area.

RECESS AS ZONING BOARD OF APPEALS AND RECONVENE AS BOARD OF COUNTY COMMISSIONERS

BOARD OF COUNTY COMMISSIONERS' REGULAR ITEMS:

1. **PUBLIC HEARING**

[TEXT AMENDMENT NO. 2018-002](#) -



Pueblo County Department of Planning and Development
(Applicant)

The Department of Planning and Development is proposing to amend the Pueblo County Code, Title 17 Land Use, Division I. Zoning, Chapter 17.120 Supplementary Regulations as it pertains to Marijuana.

*(Continued by the Board at its April 11, 2018 public hearing.)

2. PUBLIC HEARING

[TEXT AMENDMENT NO. 2018-004](#) - Pueblo County Department of Planning and Development
(Applicant)



The Department of Planning and Development is proposing to amend the Pueblo County Code, Title 17 Land Use, Division I. Zoning, Chapter 17.119 MARIJUANA HOME GROW (NON-LICENSED GROW).

*(Continued by the Board at its April 11, 2018 public hearing.)

3. PUBLIC HEARING

[TEXT AMENDMENT NO. 2018-006](#) - Tommy G. Productions and Pueblo County Department of
Planning and Development (Applicants)



Tommy G. Productions and Pueblo County Department of Planning and Development are proposing to amend the Pueblo County Code, Title 17 Land Use, Division I. Zoning, Chapter 17.120 Supplementary Regulations, Section 17.120.270 Special Event.

*(Continued by the Board at its April 11, 2018 public hearing.)

LRS