



Date: Monday, February 22, 2021
Time: 3:00 PM
Location: Hearing Room, 1st Floor, 200 West Oak Street, Fort Collins - At this time, we highly discourage in-person testimony due to COVID-19. If you wish to have your opinions on this matter voiced at the hearing, please send an email to, beilbykm@larimer.org with your name and phone number or register at larimer.org/planning.

LAND USE HEARING AGENDA

Call to Order

Pledge of Allegiance

Tabled Items:

March 8, 2021 - South Nokomis Lots 9-12, Blk 22 Lot Consolidaiton File No. 21-LAND4072

Public Hearing Consent Items:

*Will not be discussed unless requested by Commissioners or members of the audience.

**Board to sign F&R at the Hearing

1. **Goes Funeral Special Review File No. 20-ZONE2765

Staff Contacts: Jenn Cram, AICP, Planning, Connor Sheldon, Engineering, Lea Schneider, Health Department

Request: Special Review to approve an alkaline hydrolysis cremation process (water cremation) and additional office and storage space as part of an expansion to the existing funeral care and crematorium.

Location: 3665 Canal Drive Suites D and E, Fort Collins, CO 80524

Applicant: Christopher Goes, Goes Funeral Care

Owner: Donald J Kloberdanz, 949 Chippew Court, Fort Collins, CO 80525

Development Services Team Recommendation: I move that the Board of County Commissioners approve the Goes Funeral Special Review, File #20-ZONE765 subject to the following conditions:

This Special Review approval shall automatically expire without a public hearing if the use is not commenced within three years of the date of approval.

The property shall be developed consistent with the approved plan and with the information contained in the Goes Funeral Special Review, File #20-ZONE2765 except as modified by the conditions of approval or agreement of the County and applicant. The applicant shall be subject to all other verbal or written representations and commitments of record for the Goes Funeral Special Review.

Failure to comply with any conditions of the Special Review approval may result in reconsideration of the use and possible revocation of the approval by the Board of Commissioners.

This application is approved without the requirement for a Development Agreement.

In the event the applicant fails to comply with any conditions of approval or otherwise fails to use the property consistent with the approved Special Review, applicant agrees that in addition to all other remedies available to County, County may withhold building permits, issue a written notice to applicant to appear and show cause why the Special Review approval should not be revoked, and/or bring a court action for enforcement of the terms of the Special Review. All remedies are cumulative and the County's election to use one shall not preclude use of another. In the event County must retain legal counsel and/or pursue a court action to enforce the terms of this Special Review approval, applicant agrees to pay all expenses incurred by County including, but not limited to, reasonable attorney's fees.

County may conduct periodic inspections to the property and reviews of the status of the Special Review as appropriate to monitor and enforce the terms of the Special Review approval.

The Findings and Resolution shall be a servitude running with the Property. Those owners of the Property or any portion of the Property who obtain title subsequent to the date of recording of the Findings and Resolution, their heirs, successors, assigns or transferees, and persons holding under applicants shall comply with the terms and conditions of the Special Review approval.

2. **Barnett ROW Vacation, File No. 20-LAND4062

Staff Contacts: Rob Helmick, Planning; Steven Rothwell, Engineering; Lea Schneider, Health

Request: To vacate a 7.6-foot arc of the right-of-way of Chinook Lane along the western boundary of the property.

Location: Along the western end of Chinook Lane at 3625 Mariah Lane.

Applicant/Owners: Thomas and Kara Barnett

Development Services Team Recommendation: The Development Services Team recommends Approval of the Barnett Chinook Lane ROW vacation, File #20-LAND4062, subject to the following conditions:

The final legal description shall be provided.

An easement for utilities and drainage shall be granted or retained as a part for this action.

Adjourn

Per the Americans with Disabilities Act (ADA), Larimer County will provide a reasonable accommodation to qualified individuals with a disability who need assistance. Services can be arranged with at least seven (7) business days' notice. Please email us at beilbykm@larimer.org or by calling 970-498-7719 or Relay Colorado 711 "Walk-in" requests for auxiliary aids and services will be honored to the extent possible but may be unavailable if advance notice is not provided.