



**Date:** Monday, June 28, 2021  
**Time:** 3:00 PM  
**Location:** Hearing Room, 1st Floor, 200 West Oak Street, Fort Collins

## LAND USE HEARING AGENDA

### Call to Order

### Pledge of Allegiance

### Withdrawn Item:

- Saperstone Special Review and Appeals, File No. 20-ZONE2741

### Tabled Item(s)

1. Alps Minor Land Division, File No. 21-LAND4125: Tabled to July 26, 2021
2. Deines MLD of Lots 1 and 3 AP, File No. 21-LAND4069: Tabled to unknown date.

### Tabled Item from June 14, 2021:

#### 1. \*\* Cedar Springs 3rd Filing, Lots 23 & 24, Block 1 Lot Consolidation, File #21-LAND4120

**Staff Contacts:** Samantha Lasher, Planning, Connor Sheldon, Engineering, Lea Schneider, Health

**Request:** Request to consolidate along the common lot line of Lots 23 & 24, Block 1 of Cedar Springs 3rd Filing

**Location:** 149 and 150 Galena Court, Drake, CO 80515

**Applicants:** Fred and Nicole George, 149 Galena Court, Drake, CO 80515

**Owners:** Fred and Nicole George, 149 Galena Court, Drake, CO 80515

**Development Services Team Recommendation:** The Development Services Team recommends approval of the Cedar Springs 3rd Filing, Lots 23 and 24, Block 1 Lot Consolidation, File Number 21-LAND4120 with the following conditions:

All conditions of approval shall be met, and the Findings and Resolution recorded by December 28, 2021, or this approval shall be null and void.

The resultant lot is subject to all covenants, deed restrictions, or other conditions that apply to the original lots in the subdivision.

The reconfiguration of the lots line shall be finalized at such time when the Findings and Resolution of the County Commissioners is recorded.

The legal description for the resultant lot shall be as stated on Exhibit "A" to this Resolution.

#### 2. \*\* Jax/Holcim Rezone, File No.18-ZONE2335

**Staff Contacts:** Tawn Hillenbrand, Planning; Steven Rothwell, Engineering; Lea Schneider, Health

**Request:** A request to rezone a portion of parcel #98170-00-001 and a portion of parcel #98160-00-001 and parcel #98174-00-070 in its entirety from O – Open to PD – Planned Development.

**Location:** 4629 N. Overland Trail and 3060 W. CR 56, LaPorte, CO

**Applicants:** Logan Simpson, c/o Amanda Castelli, 213 Linden Street, Suite 300, Fort Collins, CO

**Owners:** Jax, c/o Jim Quinlan, 1000 N. Hwy 287, Fort Collins, CO and Holcim (US) Inc., c/o Carlos Pineda, 3060 W CR 56, Fort Collins, CO

**Development Services Team Recommendation:** BE IT RESOLVED that the Planning Commission recommends to the Board of County Commissioners approval of the Jax/Holcim Rezone from O – Open to PD – Planned Development, File #18-ZONE2335, subject to the following condition:

The permitted uses, lot building and structure requirements, setbacks and structure height limitations for Jax/Holcim Planned Development shall be as noted in the full staff report.

### **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. \*\* Larimer County Urban Area Street Standards Revisions**

**Staff Contacts:** Traci Shambo

**Request:** The request is to repeal and reenact the revisions to the Larimer County Urban Area Street Standards

**Applicants:** Larimer County, City of Loveland, City of Fort Collins

**Development Services Team Recommendation:** The Engineering Staff recommends that the Larimer County Board of County Commissioners approves repealing and reenacting the Larimer County Urban Area Street Standards as proposed, with an effective date of August 1, 2021.

#### **2. \*\* Cozy Cabin Eagle Cliff Road Short-Term Rental, File No. 21-ZONE2890**

**Staff Contacts:** Michael Whitley, AICP, Planning Department, Connor Sheldon, Engineering Department, Lea Schneider, Department of Health and Environment

**Request:** Public Site Plan approval for the Short-Term Rental in the EV A-1 – Estes Valley Accommodations/Low Intensity Zoning District

**Location:** 2242 Eagle Cliff Road, Estes Park

**Applicants/Owners:** Timothy & Ruth Matlick, 10742 King Street, Westminster, CO

**Development Services Team Recommendation:** Approval of the Public Site Plan

#### **3. \*\* Swanson Farm Rural Land Plan, File No. 20-LAND4060**

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

**Request:** Divide an approximately 80-acre parcel zoned FA-Farming into (1) single-family residential lot at 5 acres, and one (1) Residual Lot with a building envelope for an additional single-family residence at approximately 75 acres in size that will be protected from any further development for a minimum of 40 years, as required under the Rural Land Use Process (RLUP).

**Location:** 3816 South County Road 11, Loveland, CO.

**Applicant:** Ryan Goforth, 2217 Trestle Road, Fort Collins CO 80525

**Owner:** Richard Von Bermuth, 3125 East County Line Road, Longmont, CO 80504

**The Development Services Team recommendation:** The Development Services Team recommends that the Board of County Commissioners Approve the Swanson Farm Rural Land Plan, File #20-LAND4060, subject to the conditions of approval outlined in the staff report.

#### **4. \*\* Eagle View Estates, Lot 4 Building Envelope Amended Plat, File No.21-LAND4136**

**Staff Contacts:** Tawn Hillenbrand, Planning; Connor Sheldon, Engineering; Lea Schneider, Health

**Request:** Amended Plat to modify the platted building envelope; specifically, to shift the existing building envelope north and east approximately 25-feet in both directions in order to accommodate a future expansion of an existing detached shop-garage.

**Location:** 2922 Center Ridge Drive, Berthoud; approximately 900-feet east of the intersection of S. County Road 21 and Center Ridge Drive

**Applicants & Owners:** Robert and Lesley Radocy, 2922 Center Ridge Drive, Berthoud

**Development Services Team Recommendation:** The Development Services Team recommends approval of Eagles View Estate, Lot 4 Building Envelope Amended Plat, File #21-LAND4136, subject to the following conditions:

The property will be subject to all restrictions, covenants, and conditions as set forth in the plat of record for the Eagle View Estates Subdivision.

Any future uses on Lot 4 shall obtain approval through the applicable review procedure as established in the Larimer County Land Use Code prior to commencement of the use.

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 this Amended Plat approval.

**5. \*\* O'Leary Bed & Breakfast, File No. 21-ZONE2927**

**Staff Contacts:** Tawn Hillenbrand, Planning; Connor Sheldon, Engineering; Lea Schneider, Health

**Request:** Public Site Plan Review to convert an existing single-family residence into a Bed & Breakfast.

**Location:** 832 Whispering Pines Drive, Estes Park, CO

**Applicants/Owner:** Donal O'Leary, 832 Whispering Pines Drive, Estes Park, CO

**Development Services Team Recommendation:**

The Development Services Team recommends approval of O'Leary Bed & Breakfast Public Site Plan Review, File #21-ZONE2927, subject to the conditions noted in the staff report.

**6. \*\* Owassa Lake Subdivision, Lots 4, 5, & 24, Block 26 Amended Plat, File No. 21-LAND4117**

**Staff Contacts:** Samantha Lasher, Planning, Connor Sheldon, Engineering, Lea Schneider, Health

**Request:** Amended plat of Lots 4, 5 & 24 of Block 26 in the Owassa Lake Subdivision to reconfigure property lines to accommodate an existing leach field and to bring an existing nonconforming building, in regards to setbacks, more into conformity.

**Location:** Properties are located approximately ½ north of W. CR 74E and 1 mile east of CR 67J; more specifically located at 81 Snake Lake Drive (Lots 4 & 5) and 260 Ramona Drive (Lot 24) in Red Feather Lakes, CO 80545

**Applicants:** Doug Burdette, 239 S. 6th Street, Hot Springs, SD 57747

**Owners:** Richard K. Burdette Revocable Trust, 239 S. 6th Street, Hot Springs, SD 57747; Jack Kirk, PO Box 531, Red Feather Lakes, CO 80545; Alice Kirk, PO Box 531, Red Feather Lakes, CO 80545

**Development Services Team Recommendation:** The Development Services Team recommends approval of Owassa Lake Subdivision Lots 4, 5 and 24, Block 26 Amended Plat, File #21-LAND4117 with the following conditions:

All conditions of approval shall be met, and the Final Plat recorded by December 28, 2021, or this approval shall be null and void.

Prior to the recordation of the Final Plat, the applicant shall make any required technical corrections noted by the Land Surveyor of the Larimer County Engineering Department.

Correct the Quiet Title Decree Reception Number on the plat.

Add a signature block for the lienholder of Lot 24 on the plat.

Add an owner signature block for Alice Yvonne Kirk on the plat.

Add the following statement to the third paragraph in the "Certification of Ownership and Dedication" approval statement on the plat after the phrase "Owassa Lake Subdivision:" ",...and do hereby dedicate and convey to and for public use forever hereafter the streets as are laid out and designated on this plat..."

Add an additional note to the plat that reads as follows: "The new lots created by this action are subject to the same restrictions, covenants, and regulations as set forth in the plat of record of Owassa Lake Subdivision."

Submit signed deeds showing the transfer of ownership as part of this Amended Plat.

The lots are subject to all covenants, deed restrictions, or other conditions that apply to the original lots in the minor land division.

**7. \*\* Glen Haven, Part of Lot 1 & Lot 9, Blk 7 Amended Plat, File No. 21-LAND4134**

**Staff Contacts:** Doug May, Planning; Lea Schneider, Health; Devin Traff, Engineering

**Request:** Combine the area of Part of Lot 1 with Lot 7, Glen Haven Subdivision, to create a 1.12-acre lot.

**Location:** 7510 County Road 43 & 172 Crosier Mountain Trail, Glen Haven, CO 80532

**Applicants/Owners:** Peter & Jerilyn Chandler, 1277 N. Davenport Ct., Erie, CO 80516

**Development Services Team Recommendation:** The Development Services Team recommends Approval of the Amended Plat, subject to the following condition:

All conditions shall be met and the final resolution of the County Commissioners recorded by December 27, 2021, or this approval shall be null and void.

The resultant lot is subject to any and all covenants, deed restrictions or other conditions that apply to the original lots in the subdivision.

The reconfiguration of the lots lines shall be finalized at such time when the Findings and Resolution of the County Commissioners is recorded.

Prior to recordation of the Findings and Resolution, provide Ownership and Encumbrances for both parcels. If the Ownership and Encumbrances include any lienholders, a Consent of Lienholder form will be required to be signed by each lienholder.

The cabin on the portion of Lot 1 must be converted to a non-residential use and a Use Affidavit must be signed with the provision that the cabin will not be used residentially until the property owners go through the appropriate Planning process.

The cabin on Lot 9 must be removed before a new dwelling can be constructed.

## **Adjourn**

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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](mailto: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.