

<u>Town of Paonia</u> Thursday, May 30, 2019 Planning Commission Meeting Agenda 6:00 PM

Call to Order

Roll Call

1. Roll Call

Approval of Agenda

2. Approval of Agenda

Unfinished Business

3. Minutes - April 10, 2019

New Business

4. 337 Main Avenue – Home Occupation Permit

Adjournment

5. Adjournment

Agenda Item	Roll Call		
The Town of Paonia			
Summary:			
Meeting opening -			
Vote:	Barb Heck:	Bill Bear:	Monica Foguth:
Lucy Hunter:	Charles Stewart:		
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Agenda Item	Approval of Agenda		
The Town of Paonia			
Summary:			
Vote:	Barb Heck:	Bill Bear:	Monica Foguth:
Lucy Hunter:	Charles Stewart:		

Agenda Item # CALL	Minutes - April 10, 2019		-
The Town of Paonia			
Summary:			
Vote:	Barb Heck:	Bill Bear:	Monica Foguth:
Lucy Hunter:	Charles Stewart:		

Minutes <u>Planning Commission Regular Meeting</u> Town of Paonia, Colorado April 10, 2019

RECORD OF PROCEEDINGS

The Regular Meeting of the Planning Commission held Wednesday, April 10, 2019, was called to order at 5:58 PM by Chairperson Barbara Heck, followed by the Pledge of Allegiance.

Roll Call:

Commission members present were as follows:

Chair Barbara Heck Commissioner Lucy Hunter Commissioner Monica Foguth Mayor Charles Stewart Trustee William Bear

Town Staff present were as follows:

Administrator Ken Knight Deputy Clerk Amanda Mojarro

A quorum was present, and Chairperson Barb Heck proceeded with the meeting.

Approval of Agenda

Motion made by Mayor Stewart, Supported by Commissioner Hunter to approve the agenda.

Unfinished Business

Minutes – March 06, 2019

Motion made by Mayor Stewart, Seconded by Trustee Bear to approve minutes with corrections. Motion carried unanimously.

Public Hearing: 120 North Fork Avenue – Non-Conforming Lot

Chairperson Barbara Heck opened the meeting to discuss, Mr. Mike Gruenefeldt's variance of a non-conforming lot.

Administrator Knight read off the staff notes. Mr. Gruenefeldt did not meet the (12) twelvemonth time frame to replace the mobilome he removed.

Mr. Gruenefeldt stated the he bought the lot with a 1982 (14) fourteen feet wide and (70) seventy feet long mobile home in June of 2015.

Administrator Knight read municipal code sec 16-13-10 objectives of non-conforming lot to the planning committee.

Points Informed to Committee:

- Lot is too small to build.
- 12 Month time frame to replace mobile home was not met.

Discussion ensued that the new build would be on the envelope of the old building.

Mr. Gruenefeldt communicated the new build he is considering building at 120 North Fork Ave would be (1) one story with a loft structure that would be (650) six hundred fifty square feet.

Discussion ensued regarding the Union Pacific Railroad right away. Mr. Gruenefeldt communicated that (50) fifty feet from the center of the railroad tracks is considered railroad right-of-away.

Discussion ensued on plan B be used only if plan A didn't get approved by the planning board.

Mr. Gruenefeldt communicated that plan B would be to merge both of his lots 116 North Fork Ave and 120 North Fork Ave.

Discussion points regarding combining both parcels:

- Requires a variance to merge lots
- Requires to Re Zone to R-3

Motion by Mr. Stewart supported by Ms. Hunter to recommend to the Board of Trustees approval of Mr. Gruenefeldt's variance application. Motion carried unanimously

Public Hearing: 332 Onarga Avenue – Non-Conforming Fence

Administrator Knight read staff notes regarding Jeff Skeels non-conforming (8) eight-foot fence along with municipal code sec 18-19-20 Swimming pools, hot tubs and Jacuzzis.

Discussion ensued about the definition of the art wall as a fence inside of the perimeter, adjacent to the fence.

Discussion point:

- Art wall is in line with the house, has ability to have a taller structurer
- Code is conflicting with the height of the art wall
- Moving art wall back, is it legal and appropriate with the code

Motion by Ms. Hunter supported by Mr. Stewart to recommend to the Board of Trustees approval of Mr. Skeels variance application. Motion carried unanimously

Public Hearing: 511 Box Elder Avenue – Home Occupancy

Administrator Knight read staff notes, with no issues to report.

Concerns regarding traffic and signage, Ms. Bachran communicated only the normal traffic flow and no signage will be placed out side of residence.

Motion by Mr. Bear supported by Mr. Stewart to recommend to the Board of Trustees approval of Ms. Bachrans special use permit application. Motion carried unanimously

<u>Adjournment</u>

Motion by Mr. Stewart supported by Mr. Bear to adjourn the meeting. Motion carried unanimously.

The meeting was adjourned by Ms. Heck at 6:55 pm

Amanda Mojarro, Deputy Clerk

Barbara Heck, Chairperson

Agenda Item # CALL 33	7 Main Avenue – Home Oc	ccupation Permit	
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The Town of			
Paonia			
Summary:			
-	Lucy Hunter request a Ho	me Occupation permit be	granted at 337 Main
Avenue for the business l			
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Documents included	d in packet. All public	cation deadlines hav	e been met. Final
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Vote:	Barb Heck:	Bill Bear:	Monica Foguth:
T TT			
Lucy Hunter:	Charles Stewart:		

NOTICE OF PUBLIC HEARING

In compliance with the Municipal Code of the Town of Paonia, Colorado, the Planning Commission will hold a public meeting on Thursday May 30, 2019 ot or after 6:00PM at Paonia Town Hall Community Center Room, 214 Grand Avenue, Paonia, Colorado to consider a request for:

Home Occupation Application for Jeff Ruppert & Lucy Hunter: dba Odisea, LLC 337 Main Avenue, Paonia CO 81428

In compliance with the Municipal Code of the Town of Paonia, Colorado, the Board of Trustees will hold a public meeting on Tuesday, June 11, 2019 at or after 6:30PM at Paonia Town Hall Community Center Room, 214 Grand Avenue, Paonia, Colorado to consider the Planning Commission recommendation for the above requests.

If you are unable to attend but wish to comment, submit written comment to Paonia Town Hall: 214 Grand Avenue, PO Box 460, Paonia, CO 81428, or paonia@townofpaonia.com until May 22, 2019.

DELTA COUNTY

P.O. Box 809 401 Meeker St. Delta, CO 81416 (970) 874-4421

INVOICE

Paonia, Town of PO Box 460 Paonia, CO 81428

AD CAPTION: Planning Commission Ruppert & Hunter

DATE	LINES	RATE	COST
May 15, 2019			
May 22, 2019	32	.608	19.46

This amount will appear on your next monthly statement.

Thank you!



COLORADO PRESS ASSOCIATION

Affidavit is enclosed.

Legal Deadline is Monday at 10:00 a.m.

DELTA COUNTY

401 Meeker St. P.O. Box 809 Delta, CO 81416

AFFIDAVIT OF PUBLICATION

STATE OF COLORADO

COUNTY OF DELTA

I, Roxanne McCormick, do solemnly swear that I am advetising director of the Delta County Independent; that the same is a weekly newspaper printed, in whole or in part, and published in the County of Delta, State of Colorado, continuously and uninterruptedly in said County of Delta for a period of more than fifty-two consecutive weeks prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, and all amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that the annexed legal notice or advertisment was published in the regular and entire issue two consecutive insertions; that the first publication of said notice was in the issue of said newspaper dated May 15th, A.D., 2019, and that the last publication of said notice was in the issue of said newspaper dated May 22nd, A.D., 2019.

In witness whereof I have hereunto set my hand this 22nd day of May, A.D., 2019.

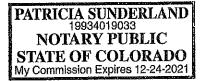
Koyane Mc Camio

Advertising director of said Delta County Independent

Subscribed and sworn before me, a Notary Public in and for the County of Delta, State of Colorado, this 22nd day of May, A.D., 2019.

tricin Sunderland Notary Public

My commission expires 12/24/2021 900 Cypress Wood Lane Delta, CO 81416



NOTICE OF PUBLIC HEARING In compliance with the Municipal Code of the Town of Paonie, Colorado, the Planning Commission will hold a public meeting on Thursday May 30, 2019 et or after 6:00PM at Paonia Town Hell Community Center Room, 214 Grand Avenus, Paonie, Colorado to consider a request for: Home Occupation Application for

Jeff Ruppert & Lucy Hunter: dba Odisea, LLC

337 Main Avenue, Paonia CO 81428

In compliance with the Municipal Code of the Town of Paonia, Colorado, the Board of Trustees will hold a public meeting on Tuesday, June 11, 2019 at or after 6.30PM at Paonia Town Hall Community Center Room, 214 Grand Avenue, Paonia, Colorado to cansider the Planning Commission recommendation for the above requests. If you are unable to attend but wish to comment, submit written comment to Paonia Town Hell: 214 Grand Avenue, PO Box 460, Paonia, CO 81428, or paonia@townofpaonia.com until May 22, 2019. Published In the Delta County Independent May 15 and 22, 2019.

TOWN OF PAONIA, COLORADO Home Occupation Permit Application

Date: 4/11/19	Name: JEFF Rupper & Lucy HUNTER dba Odisea, LLC
Physical Address: <u>337</u>	MAIN AUE Jeff Odiseanet. com Email: lucy Odiseanet.com
Telephone:	Email: lucy O odiseanct.com
Type of Business/Home Occupat	ion Requested:

A home occupation shall be permitted as an accessory use provided a Home Occupation Permit is granted by the Town and the criteria for home occupations are met at all times the accessory use continues.

Home Occupation Permits are issued to the individual for a specific property and use. Permits are not transferable should the property be sold or rented to other persons.

Please review carefully before submitting this application the attached "Criteria for Home Occupations".

Applications for a Home Occupation Permit shall be filed no less than thirty (30) days in advance of the meeting at which they are to be considered by the Town of Paonia Planning Commission.

The permit application must be completed and accompanied by a check for the required fee of \$150.00 when applying for a Home Occupation Permit from the Town of Paonia. The \$150.00 fee is non-refundable as it covers the expenses for correspondence and publication (related to the required public hearing) that will be incurred by the Town of Paonia.

All property owners within 200 feet of the applicant's property being considered for the Home Occupation Permit will be notified by certified mail of a public hearing whereby the Town of Paonia Planning Commission will consider this permit application.

Project Summary:

Please provide a brief summary statement of your requested Home Occupation:

Alles & allest meeting

OTTICE - CITCHT MEETINGS
What is the property's current zoning? $R-2$
If signage is requested, size of sign cannot exceed two (2) square feet. Is this acceptable?
What additions or changes to existing buildings or structures will be made?
What new buildings or structures will be constructed?
What additions or changes in utilities will be necessary?
What is the anticipated increased traffic volume due to this use? No /NCREASE
What is the anticipated increased traffic volume due to this use? No /NCREASE Currently I additional car / day + 2 max for meetings vonce/month at most

Please read the attached criteria. If your Home Occupation does not meet any of these criteria please attach an explanation to this application. If at any time the criteria not addressed through this process cannot be met, I understand the home occupation permit/will be immediately revoked.

Applicant's signature:
Planning Commission Chairman's signature:
Town Manager's signature:

<u>CRITERIA FOR HOME OCCUPATIONS</u> — a home occupation shall be allowed as a permitted accessory use provided the following conditions are met:

- 1. The use must be conducted entirely within a dwelling or accessory structure and carried on by the occupants of the dwelling and no more than one non-occupant employee.
- 2. The use must be clearly incidental and secondary to the use of the dwelling for dwelling purposes and must not change the residential character thereof
- 3. The total area used for such purposes may not exceed 25% of the first floor area of the user's dwelling unit.
- 4. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation, including advertising signs or displays, or advertising that solicits or directs persons to the address. A wall-mounted identification sign of not more than two square feet shall be permitted.
- 5. There shall not be conducted on the premises the business of selling stocks, supplies or products, provided that incidental retail sales may be made in connection with other permitted home occupations.
- 6. There must be no exterior storage on the premises of material or equipment used as a part of the home occupation.
- 7. No equipment or process shall be used in such home occupation which creates any glare, fumes, odors, or other objectionable condition detectable to the normal senses off the lot, if the occupation is conducted in a single-family dwelling, or outside the dwelling unit if conducted in other than a single-family dwelling.
- 8. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of the home occupation shall be met with additional off-street parking spaces that are not located in a required yard adjacent to a street.
- 9. Under no circumstances shall any of the following be considered a home occupation: antique shop; barber shop; beauty parlor (with more than one chair); clinic; mortuary; nursing home; restaurant; veterinary clinic; or dance studio.



CERTIFICATE OF LIABILITY INSURANCE

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DATE (MM/DD/YYYY)

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Town of Paonia ISAOA/ATIMA 214 Grand Ave Paonia, CO 81428	DESCR Holde Non-P	IPTION OF OPERATIONS / LOCATIONS / VEHICI r is included as Additional Insured un ayment of Premium applies to Genera	LES (/ der G al Lia	ACORE Sener bility	2 101, Additional Remarks Sched a Liability only and only and Workers Compensati	ule, may t n respe on only	De attached if mo cct to Ongoin /.	re space is requi g Operations.	red) 30 Day Notice of Cancell	ation f	or other than
Town of Paonia ISAOA/ATIMA 214 Grand Ave Paonia, CO 81428		TIFICATE HOLDER			······································	CAN	CELLATION				
	214 Grand Ave			THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN							
						AUTHORIZED REPRESENTATIVE					
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NOTICE OF PUBLIC HEARING

In compliance with the Municipal Code of the Town of Paonia, Colorado, the Planning Commission will hold a public meeting on Thursday May 30, 2019 ot or after 6:00PM at Paonia Town Hall Community Center Room, 214 Grand Avenue, Paonia, Colorado to consider a request for:

Home Occupation Application for Jeff Ruppert & Lucy Hunter: dba Odisea, LLC 337 Main Avenue, Paonia CO 81428

In compliance with the Municipal Code of the Town of Paonia, Colorado, the Board of Trustees will hold a public meeting on Tuesday, June 11, 2019 at or after 6:30PM at Paonia Town Hall Community Center Room, 214 Grand Avenue, Paonia, Colorado to consider the Planning Commission recommendation for the above requests.

If you are unable to attend but wish to comment, submit written comment to Paonia Town Hall: 214 Grand Avenue, PO Box 460, Paonia, CO 81428, or paonia@townofpaonia.com until May 22, 2019.

Edde Rience of 05/69/2019

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Um aboy with it

Agenda Item # CALL	Adjournment		
The Town of Paonia			
Summary:			
,			
Vote:	Barb Heck:	Bill Bear:	Monica Foguth:
Lucy Hunter:	Charles Stewart:		