

**Town of Bayfield
Planning Commission Meeting
August 14, 2007**

Planning Commissioners Present: Pamela Smith, Bill Miller, Joan Hanna, Niel Hieb, & Bob McGraw

Planning Commissioners Not Present: Robert Piccoli (Chairman) & James Harrman (Mayor)

Staff Present: Justin Clifton (Town Manager), Joe Crain (Town Planner), & Marianne Jones (Deputy Town Clerk)

The meeting was called to order @ 7:05 p.m. by Pamela Smith, Vice-Chair.

Minutes: Joan moved to approve the minutes of from the July 10th, 2007 Planning Commission meeting as submitted. Bob McGraw seconded the motion. All were in favor except Niel, who abstained.

Public Input: None was offered so it was immediately closed.

**Action Agenda Item #1: John & Karen Doughty
272 South Pearl Street - Variance Request
Parcel # 5677111405005**

Joe gave his staff report. He stated that the Town has received a request from John and Karen Doughty (272 South Pearl Street) for a zero lot line setback. The reason for this request is the Doughty's would like to put a carport over the concrete pad in front of their home.

Joe stated that the Bayfield Marshals office expressed a concern regarding the sight distance from Buck Highway and vehicles having an obstructed view. The staff feels that since the carport will not be enclosed, there should not be any more obstruction than currently exists.

The staff would recommend that the Planning Commission consider the Land Use Code criteria (Section 3-8) for granting this variance request:

1. Are there exceptional or extraordinary circumstances or conditions applicable to the property that is not self-imposed?
2. Is the variance necessary for the preservation & enjoyment of a substantial property right possessed by other similar property or improvements in the same vicinity and district?
3. Can the variance be granted without a detrimental impact on the public welfare or injury to the property or improvements in the vicinity?

The floor was then given to the applicant, John Doughty.

John explained that they would like to put up a carport so that they can protect their newly purchased vehicle. The large tree next to their driveway puts off a great deal of tree sap and they don't want to ruin the new vehicle. They are planning to install a carport that will match the house and will not be an eyesore to the neighbors.

Bob asked how many cars are going to be parked under the carport.

John answered that they are only planning to park 1 car under the carport.

Bob asked if the carport is going to be attached to the house.

John answered that it is going to be about 4 feet away from the house and will not be attached.

**Town of Bayfield
Planning Commission Meeting
August 14, 2007**

Pam asked how tall the structure is going to be.

John answered that he thinks it is going to be 7 feet to the gable and about 2 feet more to the top of the roof for a total of 9 feet.

Pamela asked if anything is going to be stored in it besides vehicles.

John answered that he won't be storing anything except vehicles in it.

Pamela asked if it's going to be paved.

John answered that it is already paved.

Niel asked why they aren't moving the structure back 4 feet so that it's closer to the house.

John answered that there is a fence located in front of the house that they do not want to tear down. Also, they would like to use the existing concrete pad. If they move the carport back 4 feet they would have to add to the concrete pad and there would be seams in the concrete which would make it less durable.

Pam asked about the side setback.

Joe clarified that this variance request is for both the side & front set-back.

The item was opened for public input. None was offered so it was immediately closed.

Joe reminded the Planning Commission that a motion for this request would need finding of fact using the Land Use Code criteria.

Bob stated that he drove through the area and he doesn't think that there would be any sort of traffic issues.

Joan moved to approve the setback variance for John & Karen Doughty based on the following findings of fact:

- o There are no extraordinary circumstances or conditions that are self-imposed.
- o The variance is necessary for preservation since the carport will protect the Doughty's vehicle from tree sap & weather.
- o The variance can be granted without a detrimental impact on the public.

Bill seconded the motion.

Niel asked if the setback amounts should be included in the motion.

Joan amended the motion to approve a 1 foot setback on the side yard and a 0 lot line set back in the front yard. Bill seconded the amended motion. All were in favor, motion passed unanimously.

**Action Agenda Item #2: Public Hearing: Structures, LLC
1706 & 1708 North Taylor Circle - Boundary Adjustment
Parcel # 567702116047 & 567702116048**

Joe gave his presentation. He stated that Structures, LLC (Hunter Swanson, managing partner) owns Lots 9 & 10 of Dove Ranch Unit 3. These two lots are located in the lower portion of the Dove Ranch subdivision near County Road 501. Hunter is currently building a house on Lot 9. During the construction process it was discovered that the foundation of the house is only 2 feet from one of the property lines. The required setback for Unit 3 is 7 feet. Since he does not meet the 7 foot setback, Hunter is requesting a boundary adjustment to fix the construction error.

**Town of Bayfield
Planning Commission Meeting
August 14, 2007**

The staff would recommend that the Planning Commission approve the request with the following condition:

1. That a formal boundary adjustment plat be prepared & filed with the Clerk & Recorder of La Plata County.

The floor was then given to the applicant, Hunter Swanson (524 Dove Ranch Road).

Hunter stated that he is building the house on 1708 North Taylor Circle. He also owns the lot next to it (1706). He said that during the construction it was noticed that the corner of the house is encroaching into the setback. He said that he is requesting a boundary adjustment between the two lots to correct the problem. He apologized and explained that he overlooked the setback on that one little corner of the property.

The item was opened for public comment. No public comment was offered so it was immediately closed.

Joan asked if the Town checks property pins to make sure that new construction is meeting setback requirements.

Justin answered that the Town does not currently have this type of inspection in place. The Town is looking into it to resolve setback & drainage issues but the need for it would have to balance out the expense and the staff burden it would cause. So far the Town has not been able to justify the need with the demand.

Niel mentioned putting a statement in the building permit packet that specifies that building permit applicant need to verify the setbacks and hold the Town harmless if they are not met. This would help awareness in the beginning stages of construction.

Pam made a motion to recommend approval of the boundary adjustment @ 1708 & 1706 North Taylor Circle, Parcel # 567702116047 & 567702116048 in order to meet the setback requirements. This motion would include staff recommendation #1.

Bill seconded the motion. All were in favor, motion passed unanimously.

Action Agenda Item #3: New/Unfinished Business

Justin stated that it was brought up at a previous Planning Commission meeting that the PC would like for Michael Freeman to come in and do a presentation on perma-culture and weed control issues. Justin spoke with him about doing a presentation during the September meeting; however, Michael charges a fee for this type of presentation. Justin asked the PC for their feedback on whether or not they want him to come since it is not a free service.

Joan feels that it is important and asked if there is a possibility for grant money. She also stated that she would want to know how much he would charge for the service.

Pam said that she would like more information on weed control for residents that don't want to use pesticides & herbicides.

Justin said that he will encourage Michael to come to the September meeting and talk to the Planning Commission before they actually engage his services.

The meeting was adjourned @ 7:55 p.m.

**Town of Bayfield
Planning Commission Meeting
August 14, 2007**

APPROVED:

Robert Piccoli
Planning Commission Chair

Marianne Jones
Planning Commission Secretary