



Agenda

MEETING OF THE MINTURN PLANNING COMMISSION

Minturn Town Center, 302 Pine Street
Minturn, CO 81645 • (970) 827-5645

Wednesday July 22, 2015
Regular Session – 6:30 pm

PLANNING COMMISSION:

Lynn Teach – Chair

Burke Harrington

Bobby Head

Timothy Osborne

Brad Bickerton

Town Planner – Janet Hawkinson

When addressing the Planning Commission, please state your name and your address for the record prior to providing your comments. Please address the Planning Commission as a whole. All supporting documents are available for public review in the Town Offices – located at 302 Pine Street, Minturn CO 81645 – during regular business hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays.

Work Session – 6:30pm

1. **Call to Order**
 - Roll Call
 - Pledge of Allegiance
2. **Approval of Agenda**
 - Items to be Pulled or Added
3. **Approval of Minutes**
 - June 24, 2015
 - July 8, 2015
4. **Public comment**
5. **Variance: 456 Pine Street, Minturn, CO – Garage Addition**
6. **Entrance to Town Design**
7. **Next Meeting – August 12, 2015**
8. **Adjournment**



Official Minutes

MEETING OF THE MINTURN PLANNING COMMISSION

Minturn Town Center, 302 Pine Street
Minturn, CO 81645 • (970) 827-5645

Wednesday June 24, 2015
Regular Session – 6:30 pm

PLANNING COMMISSION:

Lynn Teach – Chair
Burke Harrington
Bobby Head
Timothy Osborne
Brad Bickerton

Town Planner – Janet Hawkinson

These minutes are formally submitted to the Town of Minturn Planning Commission for approval as the official written record of the proceedings at the identified Planning Commission Meeting. Additionally, all Commission meetings are tape-recorded and are available to the public for listening at the Town Center Offices from 8:30am – 2:00 pm, Monday through Friday, by contacting the Town Clerk at 970/827-5645 302 Pine St. Minturn, CO 81645

Regular Session – 6:30pm

1. Call to Order

The meeting was called to order by Lynn T. at 6:55pm.

- Roll Call

Those present included: Chair Lynn Teach, Commission members Tim Osborne, Burke Harrington, and Bobby Head. Note: Brad Bickerton was excused asent.

Staff present: Town Planner Janet Hawkinson, and Karen Melhart.

- Pledge of Allegiance

2. Approval of Agenda

- Items to be Pulled or Added
 - Add Appeal of Magustos' sign denial, proposed by Magusto's owners and placed as Action Item.

Motion by Bobby H., second by Tim O., to approve the agenda as amended. Motion passed 4-0.
Note: Brad B was excused absent.

3. Approval of Minutes

- April 8, 2015

Janet H., noted the April 8, 2015 minutes have been previously approved however, are included for clarification.

- April 22, 2015

Motion by Bobby H., second by Tim O., to approve the agenda as presented. Motion passed 4-0. Note: Brad B was excused absent.

- May 13, 2015

Motion by Bobby H., second by Tim O., to approve the agenda as presented. Motion passed 4-0. Note: Brad B was excused absent.

- June 10, 2015

Janet H., Clarified the protocol for tabling minutes must be tabled to a date certain.

Lynn T., noted several changes:

- Grammatical corrected Lynn's name spelling,
- "Rail Roads would be using," should state, "they would be using, are in the municipal parking,"
- "how many parking spots are requesting?" "are they requesting."
- Lynn T., Design Review, 2nd paragraph Brodin Remodel, "The door is going to come to ground level he is going to replace the rock wall." Eliminate the remainder of the sentence "...he won't have that front deck to park on."

Motion by Tim O., second by Bobby H., to approve the minutes of June 10, 2015 as amended. Motion passed 4-0. Note: Brad B was excused absent.

4. Public comment

PUBLIC HEARINGS AND ACTION ITEMS

4.1 Magusto's Sign Appeal

Janet H., Presented for Staff the sign permit appeal by Magusto's, Mr. Eric Cregon was present as the applicant. Approval of sign was denied at Staff Level based on Town of Minturn code. This decision is being appealed to the Planning Commission. She noted the sign placement fits but the sign is illuminated and it measures 8'x15". The proposed sign is illuminated, LED, Dark Sky Approved (levels able to be turned down, timer placed off at night) Janet H. denied sign based on Minturn Municipal Code 16-19-70.

Mr. Eric Cregan, Magusto's 101 Main Street, Minturn. All Minturn businesses have blinking signs. Mr. Cregan requested a change of regulation from the 1980's code to keep up with technology. Proposed LED sign that displays temp, time, messages (message board for the town), advertising, Town Events at Little Beach Park. Sign purchased at Pizza Convention able to adjust density, programmable to various displays. Another reason for appeal visitors thought he was closed, Eric C. stated he cannot place additional signs on building to achieve that lively active effect and the sign has full video capability, temp sign rated for -33 degrees.

Bobby H., Requested from Janet H. clarification on rejection, animation?

Janet H. reiterated the reason for denial cites proposed flashing, blinking signs and the intention of this code is to prevent Las Vegas neon signs in Town of Minturn.

Bobby H. asked what will happen with the sign after hours; any advertising goes away and only the time, date, and temp remain. To what extent is the sign programmable; the time when it goes on and off every day. It was noted that seasonal lighting is not considered a flashing sign or when you place Merry Christmas on it one month and Happy Halloween on another for each month that could be considered holiday lighting. This sign does not produce heat, uses low energy, believes dark sky approved due to its design, covering that doesn't allow the light to extend father upward towards the sky. Measurement is 8'x15" which is the same size sign that the former business Chili Willie's had on the building. Mr. Cregan noted this will mark the entrance to the Town and brings people to glance at the sign, to see what time, temp, and what else was going on in town.

Tim O., Requested size clarification, likes vibrancy that the sign offers. Concerned the sign and navigating the turn causes a safety issue. Also noted a variance by Town Council to approve it is a part of our code. Is there a better location on the building to place the sign?

Janet H., stated Mr. Cregan is appealing the Staff decision. The Commission can overturn the denial and it will move forward to the Town Council or they can uphold the denial and Mr. Cregan can still appeal the decision to the Town Council or ask for a Variance.

Burke H., was concerned that if Magusto's is allowed to erect this sign more businesses will request the same? Placing Town of Minturn messages on the sign is a great gesture, but not necessary.

Mr. Cregan stated the sign was \$6,000 it's not a stagnant sign, advertising.

Lynn T. requested description: size 8x15, mustache, name Magusto's on sign? Also would like dark sky approval documentation. Lynn T. expressed the lit "Open" signs are temporary and easily removed, whereas this is a permanent sign.

Mr. Eric Cregan stated the Magusto's name & mustache will be below it.

Janet H. stated the company could not confirm the sign complied with our darksky requirements. Lynne T. stated this will need a variance it is not allowed in our code.

Janet H. Read MMC16-19-70 to the Commission:

- The following signs shall not be permitted, erected or maintained in the Town:
 - (1) Dangerous signs. No sign shall:
 - a. In any way obstruct the view of, be susceptible to, confused with or purport to be an official traffic sign or device or any other official sign;
 - b. Use any words, phrases, symbols or characters implying the existence of danger or the need for stopping or maneuvering of a motor vehicle, or create in any way an unsafe distraction for motor vehicle operators;
 - c. Obstruct the view of motor vehicle operators entering a public roadway from any parking area, service drive, private driveway, alley or other thoroughfare;
 - d. Obstruct free ingress to or egress from required door, window, fire escape or other required exits; or
 - e. Be attached to trees or telephone poles.
 - (2) No sign shall contain statements, words or pictures of an obscene, indecent or immoral character such as will offend public morals or decency in accordance with constitutional standards.
 - (3) Any sign that emits sound and that is intended to attract attention by way of bells, whistles, music and any other similar device.
 - (4) Animated signs.
 - (5) Roof signs.
 - (6) Parked vehicles, including but not limited to, automobiles, trucks, buses, semi-trucks (attached or detached), trailers, mobile homes, boats, vans and the like shall not be used as sign or sign structures. Signs displayed on motor vehicles or trailers which are being operated or stored in the normal course of business, such as signs indicating the name of the owner of the business, which are located on delivery trucks, trailers and the like, provided that the primary use of such vehicles is not for display of signs and provided that such vehicles are parked or stored in areas appropriate to their use as a vehicle, shall not be considered signs or sign structures.
 - (7) Banners, unless specifically used as temporary signs, stated elsewhere in this Article.
 - (8) Any prohibited, illegal or nonconforming sign as defined elsewhere in this Article or which is in violation of any county, state or federal regulation. (Prior code 16-19-7)

Lynn T. noted Planning Commission is to recommend approval or non approval of the Town Planner's decision of the denial of this sign and then it would move forward to the Town Council.

Burke H., Requested more information but thinks it could work, not obnoxious of a sign, not prepared to say yes.

Lynne T. stated the sign may open up a door for more signs, the issue is our code & this doesn't fit in with our code.

Bobby H. noted it needs to go to Council either way, he should just ask for variance.

Motion by Tim O., second by Burke H., to deny Magustos' sign appeal as presented. Motion passed 4-0. Note: Brad B was excused absent.

5. Planning Commission Application & Chair Position

Janet H. stated the Planning Commissioners are appointed by the Town Council every two years on a rotating basis. (two are appointed in year one, three in year two, two in year three, etc.) The Chairman is appointed by the members of the Commission. Notice will be placed in the newspaper, public notice boards, and the website to solicit potential applicants. Current members whose term is up are welcome to reapply. Direction given was that Janet H. will proceed with setting the process in motion.

6. Entrance to Town Design – Lighting

Janet H. Updated the Commission on the entrance project, reviewed design Plans: Ginn/Battle Mountain, DCI, Oz, and the Town Master Plan. The design will be developed by the Commission, public hearings, and other meeting ideas. Janet H. stated the Town had won a 2014 TAP Grant for sidewalks and has applied for a DOLA Grant that includes a match of \$350,000. Willie & Janet presenting the DOLA Grant in Steamboat in July 2015.

CDOT will be moving forward resurfacing, rebuild highway and is scheduled this for 2018. Town of Minturn acts to create safety in town. Currently we are developing lighting plans, phasing schedule, 100 Block, and Inter-Governmental Agreements. Janet H. noted the importance to keep momentum to secure additional future grants.

7. Boneyard Design Approval

Motion by Bobby H., second by Burk H., to approve the Boneyard Design as presented. Motion Passed 4-0. Note: Brad B was excused absent.

8. Next Meeting – July 8 , 2015

Discussion ensued as to when an addition is requested to the agenda that the Commission receive information in a timely manner in order to allow the Commission to review the code in conjunction with the request.

Discussion ensued as to receiving the Code in paper form and when updates are available. The code is updated on line as changes are made throughout the year. Once per year at the end of the year a paper supplement is completed by the Code company and sent to the Town. The most up to date version is the online version. Those desiring a hard copy of Chapters 16, 17, and 18 may

request a copy however it will not be maintained throughout the year or supplemented therefore the accuracy would be in doubt.

9. Adjournment

Motion by Bobby H., second by Burke H., to adjourn the meeting at 8:45pm

Lynn Teach, Chairperson

Janet Hawkinson, Town Planner



Official Minutes

MEETING OF THE MINTURN PLANNING COMMISSION

Minturn Town Center, 302 Pine Street
Minturn, CO 81645 • (970) 827-5645

Wednesday July 8, 2015
Regular Session – 6:30 pm

PLANNING COMMISSION:

Lynn Teach – Chair
Burke Harrington
Bobby Head
Timothy Osborne
Brad Bickerton

Town Planner – Janet Hawkinson

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1. Call to Order

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- Roll Call

Those present included: Chair Lynn Teach, Commission members Tim Osborne, Burke Harrington, and Bobby Head. Note: Brad Bickerton was excused absent.

Staff present: Town Planner Janet Hawkinson, and Karen Melhart.

- Pledge of Allegiance

1. Approval of Agenda

- Items to be Pulled or Added

Motion by Bobby H., second by Burke H., to approve the agenda as presented with corrections.
Motion passed 4-0. Note: Brad Bickerton was excused absent.

2. Approval of Minutes

- June 24, 2015

Lynn T., name correction Lynne under number 6 above Boneyard design review, homeowners do not want the street lit up.

Motion by Burke H., second by Bobby H., to approve the minutes as presented with corrections.
Motion passed 4-0. Note: Brad Bickerton was excused absent.

3. Public comment

4. Planning commission Application & Chair Position

Janet H. made available Commission seat applications and requested those interested to fill out and return on July 9, 2015.

Requested presence of Commission members at council meeting, July 15, 2015.

5. Work Session Entrance to Town – Design – Lighting – Mining Equipment – Grant \$

Janet H., Update on Design Review Board.

Karen M., excused herself due to work session.

6. Next Meeting – June 24 , 2015

7. Adjournment

Motion by Tim O., second by Bobby H., to adjourn the meeting at 7:50 PM Motion passed 4-0.
Note: Brad Bickerton was excused absent.

Lynn Teach, Chairperson

Janet Hawkinson, Town Planner



VARIANCE APPLICATION

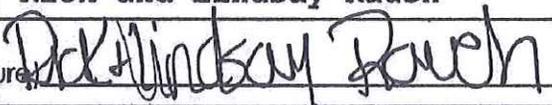
TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

302 Pine Street – PO Box 309

Minturn, CO 81645

(p) 970-827-5645

(f) 970-827-5545

Applicant: John G Martin, Architect	Address of: 465 Pine Street
Signature: 	Requested Variance
Property Owner (if different from applicant): (an affidavit of authorization must be included)	(name) Rick and Lindsay Rauch (signature) 

Please respond to the following questions regarding the variance request (attach additional sheets if necessary)

Please describe the nature of the requested variance: In order to add a two-car garage to this lot a
 variance to build in the rear setback line must be granted. There is no other option for the location
 of a two-car garage footprint.

Are there exceptional or extraordinary circumstances or conditions applicable to the site of the variance that do not apply generally to other properties in the same zone? (if yes, please elaborate)
 Yes. Many properties on the street have garages and sheds within the 10' rear setback and aligning
 with the back alley, including the neighboring property to the north. We simply need the same
 variance granted as there is no other possible location for a two-car garage on this particular lot.

Do the exceptional or extraordinary circumstances of the site create a situation in which the strict, literal interpretation and enforcement of the specified regulation result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the zoning code? (if yes, please elaborate)
 The owner of this lot would like to have a two-car garage in order to get their cars off of the street
 The Town of Minturn is striving to get cars off the street as well. A strict interpretation of the
 rear yard setback at the location along the alley, would make the garage impossible.

The Planning Commission and Town Council are required to make the following findings before granting a variance:

1. There are exceptional or extraordinary circumstances or conditions applicable to the site of the variance that do not apply generally to other properties in the same zone;
2. The exceptional or extraordinary circumstances of the site create a situation in which the strict, literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the zoning code;
3. That the granting of the variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity and will not result in substantial impairment to the purposes of the zoning code;
4. There is no substantial impairment to the public that would result from the granting of the variance

Town Use Only

Date received <u>7-8-15</u>	Planner _____
Fee Paid <u>\$700</u>	Signature 



LAND DEVELOPMENT APPLICATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

P.O. Box 309 302 Pine Street

Minturn, Colorado 81645-0309

Phone: 970-827-5645

Fax: 970-827-5545

Email: planner@minturn.org

APPLICANT:		ADDRESS:		SIGNATURE:	
John G. Martin, Architect		POBox 4701, Eagle, CO 81658			
				NAME: John G. Martin	
		PHONE: 970-328-0592	FAX:		
		EMAIL: john@martinmanleyarchitects.com		TITLE: Architect	
OWNER(S) OF RECORD:		ADDRESS:		SIGNATURE:	
Rick and Lindsay Rauch		456 Pine St. Minturn, CO 81645			
				NAME: Lindsay Rauch	
		PHONE: 303-859-0087	FAX:		
		EMAIL: lindsay.eventdesignusa@gmail.com		TITLE: Owner	
DEVELOPER:		ADDRESS:		CONTACT PERSON:	
Not Applicable					
		PHONE:	FAX:		
		EMAIL:			
ENGINEERING FIRM:		ADDRESS:		CONTACT PERSON:	
Not Applicable					
		PHONE:	FAX:		
		EMAIL:			
Presubmittal Date		Presubmittal Planner:			
Parcel ID Number		2103-263-15-030		<i>(Example: 210326325001) from your full card printout</i>	
Address or Intersection		456 Pine St. Minturn			
Brief Legal Description		Lot 19, Block 1, Baldauf Addition			
Subdivision Name & Filing #					
Project Description		Site and House Improvements			
		Existing		Proposed:	
Zoning:	Minturn - Old Town Residential			Same	
Land Use:	Residential			Same	
Total Acres:	.1148 acres 5,000 s.f. conforming			Same	
F.A.R./Density:					
Project Name:	456 Pine St.				
Related Case #'s:					
CASE TYPE					
PUD CDP: Concept Dev. Plan	PP: Prelim. Subdivision Plat	DRB - P: Des. Rev. Bd. Prelim		A-FP: Fence Permit	
PUD PDP: Prelim. Dev. Plan	FP: Final Subdivision Plat	DRB - F: Des. Rev. Bd. Final		A-MOD: Modification/Add	
PUD FDP: Final Dev. Plan	MS: Minor Subdivision	ADM: Admin. Des. Review		A-MIN: Minor Ext. Mod.	
PUD ASP: Admin. Site Plan	ASR: Admin. Subdivision Replat	A-SIGN: Admin. Sign Review		ANNEX: Annexation	
PUD FDP A: Amendment	V: Vacation of Easement	A-DIG: Admin. Dig Permit		TU: Temporary Use	
LU-V: Land Use - Variance	R.O.W. Vacation	A-DEMO: Admin. Demo Per.		CU: Conditional Use	
NU -V: Non Use - Variance	REZ -Rezoning -Straight Zoned	A-LTD: Admin. Limited Use		APPLS: Appeals	
This section for OFFICE USE ONLY					
Case No:		Case Mgr.		Case Eng.	
Fees Paid	Y N \$	Dates Referred Out			
Dates to be Returned		Planning Comm Date:			
<p>This development application shall be accompanied with the applicable fee and shall not be considered valid until the <u>total application fee is received</u>. Submittal of this application does not mean you will receive automatic approval, nor does it establish a vested property right in accordance with C.R.S. 24-68-105(1). Further processing and review of this application may require additional information, and/or meetings, as outlined in the Town of Minturn Zoning and Development Code</p>					

456 PINE STREET, MINTURN HOUSE IMPROVEMENTS + GARAGE ADDITION

REAR SETBACK VARIANCES



(1) EXAMPLE:
NEIGHBOR GARAGE IN REAR
SETBACK OFF OF ALLEY

PROPOSED GARAGE
VARIANCE LOCATION
IN REAR SETBACK OFF OF
ALLEY

(3) EXAMPLES:
GARAGES IN REAR
SETBACK OFF OF ALLEY

ZONING SUMMARY

Zoning:	Minturn – Old Town Residential Zone	
Lot Area =	.1148 acres x 43,560 s.f. = 5,000 s.f. (Conforming - size)	
Lot Coverage:	<u>Bldg. Lot Coverage Max (40%)</u>	= 2,000 s.f.
	Bldg. Lot Coverage - Existing	= 1,429 s.f.
	<u>Bldg. Coverage - New</u>	= + 570 s.f.
	Bldg. Coverage Proposed Total	= 1,999 s.f. (40%)
Impervious:	<u>Impervious Surface Max (50%)</u>	= 2,500 s.f.
	Impervious Surface Existing	= 2,020 s.f.
	<u>Impervious Surface + New - Remove</u>	= +299 s.f.
	Impervious Surface Proposed Total	= 2,319 s.f. (46%)
Height:	Maximum Allowed = 28 ft.	
Setbacks:	Front Setback = 10' Rear Setback = 10' Side Setback = 5'	
	Note: Roof Overhangs can encroach by 18".	

Sheet List	
Sheet Number	Sheet Name
0	COVER SHEET
1	SITE PLAN - EXISTING
2	SITE PLAN - PROPOSED

PROJECT / CODE SUMMARY

Single-Family Residence	
Owner:	Rick and Lindsay Rauch 456 Pine St. Minturn, CO 81645 cell: 303-859-0087 lindsay.eventdesignusa@gmail.com
Architect:	John G. Martin AIA - Martin Manley Architects PO Box 4701, Eagle, CO 81631 office: 970-328-0592 john@martinmanleyarchitects.com
Builder:	To Be Determined.
Location:	456 Pine St. Minturn, CO 81645 (Lot 19, Block 1, Baldauf Addition)
Class of Work:	Renovation / Addition
Type of Construction:	type V-N
Type of Occupancy:	R3 (single-family)
Levels:	1-story existing 2-story addition
Minturn Adopted Codes: 2009 International Building Code (IBC) 2009 International Residential Code (IRC) 2009 International Fire Code	

VICINITY MAP - MINTURN

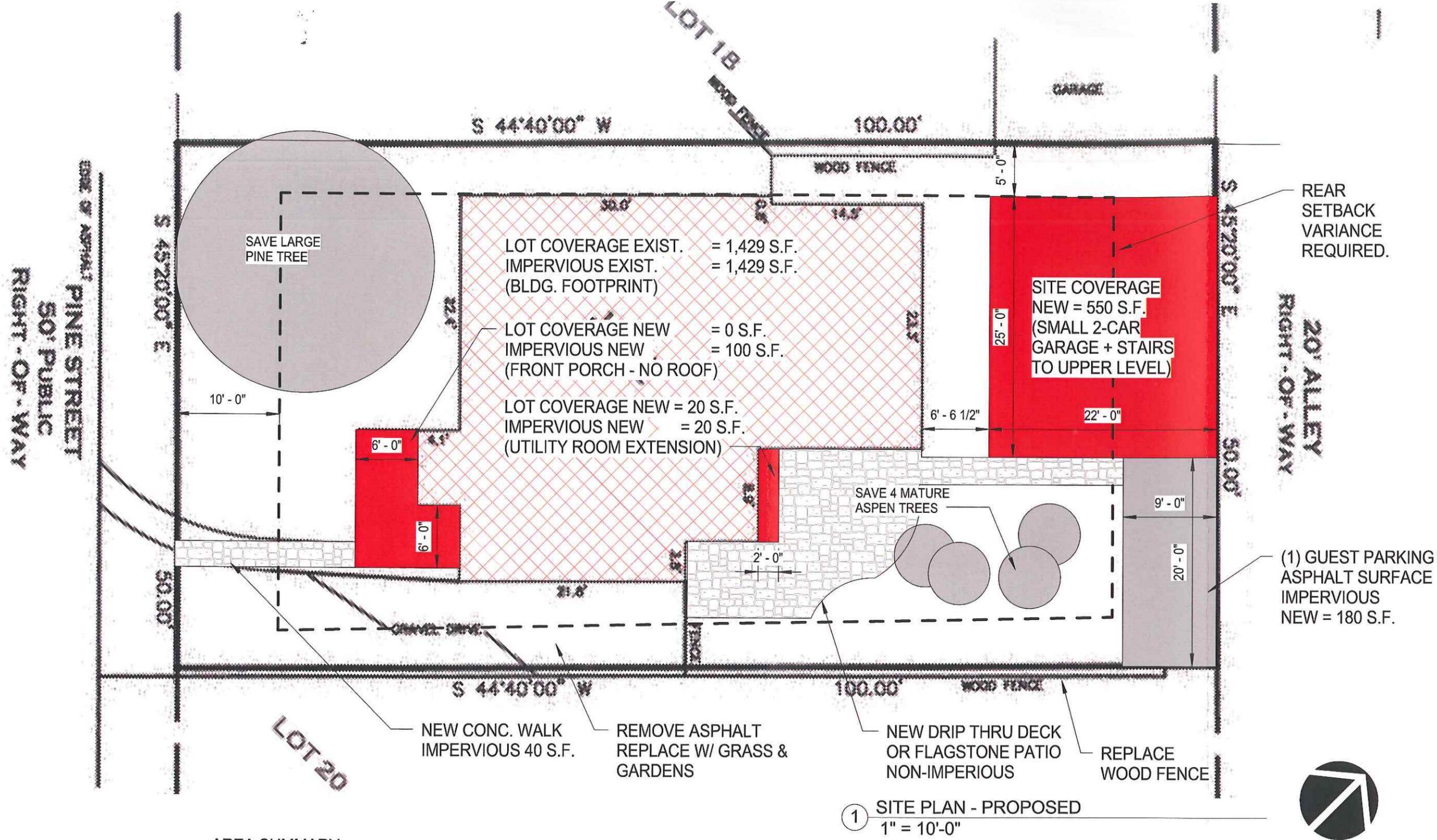


LOCATION OF LOT IN
MINTURN OLD-TOWN

EXISTING HOUSE PHOTOS



Date	7-8-15	Project number	xxxx
	 970.328.5151 Vail Valley, Colorado PO Box 1587, Eagle, CO 81631 www.martinmanleyarchitects.com		
Prelim Design	Minturn House Improvements 456 Pine Street, Minturn, CO Lot 19, Block 1, Baldauf Addition		
	Sheet	0	



AREA SUMMARY:
 TOTAL PROPOSED LOT COVERAGE = 1,999 SQ. FT. (40% - NO VARIANCE REQUIRED)
 TOTAL PROPOSED IMPERVIOUS COVERAGE = 2,319 SQ. FT. (46% - NO VARIANCE REQUIRED)

BEDROOM/PARKING SUMMARY:
 EXISTING FOOTPRINT INCLUDES 2 BEDROOMS. NEW FOOTPRINT INCLUDES 1 BEDROOM
 TOTAL BEDROOMS PROPOSED = 3
 TOTAL PARKING SPACES PROPOSED = 3

TREE SUMMARY:
 A FEW EXISTING TREES MAY BE REMOVED.
 4 MATURE ASPENS AND 1 MATURE PINE TREE TO REMAIN.
 TOTAL TREES TO REMAIN = 4

Sheet	2	
	Minturn House Improvements 456 Pine Street, Minturn, CO Lot 19, Block 1, Baldauf Addition	
Prelim Design	<p>MARTIN MANLEY ARCHITECTS 970.328.5151 Vail Valley, Colorado PO Box 1587, Eagle, CO 81631 www.martinmanleyarchitects.com</p>	
Date	7-8-15	Project number xxxx