

Town of Minturn
302 Pine Street
PO Box 309, Minturn, CO 81645
(970) 827-5645



Planning Commission:

Lynn Teach - Chair
Melissa Decker
Burke Harrington
Bobby Head
Timothy Osborne

Planner - Janet Hawkinson

Town of Minturn
Planning Commission Minutes for
April 23, 2014

1. **Call to Order - 6:30 p.m.**
 - Roll Call
 - Pledge of Allegiance
2. **Approval of Agenda**
 - Items to be pulled or added
3. **Approval of Minutes**
 - February 26, 2014 and March 26, 2014 minutes
 - Lynn asked for motion to accept 2/26 minutes, burke motion, Melissa accepted
 - Bobby makes motion to accept 3/26 minutes Tim second
4. **Public Comment:** Members of the public may have 5 minutes to comment on any item, which are not on the agenda. No public comments were made.
5. **Discussion Items:**
 - Zibby's Ice Cream Sign Approval
 - Tim liked sign, Bobby & Burke agreed - hangs 7' tall Lynn question hieght
 - Burke motion to accept Bobby second - all yes
 - Mangiare Sign Approval
 - Tim motion Burke second - all in favor
 - Sign approved.

-Pre-Design Review Plan - MPP Architecture:

- Planner Hawkinson introduced the project for pre-design review under Appendix B
- Lynn Teach asked to see first drawing
- Tim Osborne commented research with Eagle & Mesa City of Grand Junction - not adding to footprint - 16-21-280 public purpose before interpretation is made - prevent sacrifice of legitimate goals - would like clarification from attorney, however it is the advisory of decision making board - what is the intent and purpose of the code and it is to make a non-conforming be more conforming -by proposing to change front door changes set back - making the non-conforming on Meek Street more non-conforming.
- Melissa Decker express concern of corner lots - express concern lawyers interpretation of code is too expensive and that Planning Commission should be able to utilize this resource.
- Bobby Head this is not a case for the property being worse, it is not making a non-conforming more non-conforming because it is a legal non-conforming structure that is not being added to and the proposed design is making it a safer property.
- Burke Harrington posed question to Tim: that the DRB is appointed by council to make recommendations by what we read - his feeling is a sticking point with planning commission - to come up with a judgement - we make a recommendation to council and attorney - this project sets a precedent in Town - he thinks it is a good design.
- Lynn Teach stated we are not changing a non-conforming - we are improving the lot - however where does it go in the future for other cases - she would like a variance with design review submittal.

- MPP Architect, Michael Pukas spoke - setbacks are not platted on survey - they are defined in the code - we currently have 2 front door setbacks - the legal non-conforming is the same as granted with legal non-conforming - don't need a variance - asking to accept that there are 2 front yard setbacks - corner lots ordinance needs to be addressed - so don't need variance - what does he need variance for - already accepted by the Town that the part of the home over the setback on Meek is a legal non-conforming and is not being added to.
- Tim Osborne stated that we need to be making non-conforming conditions to a conforming use.
- MPP - general provisions 16-22-20 states that a structure in existence is lawful as a non-conforming condition that is allowed to continue - does DRB recognize that there are 2 front yard setbacks? The Town needs a definition to corner lots.

- Lynn Teach stated that a variance be submitted with the plan for design review.
- Tim Osborne seconds the plan to be submitted with variance
- Melissa Decker, Bobby Head, Burke Harrington - all three agree to variance for the change of address to Meek.

- MPP Architecture asked for feedback on design - Lynn Teach asked for more windows on eagle neighbor side - 2nd level rec room - master bedroom over house - 4 bedrooms and rec room
- Tim Osborn asked to describe the lower section: 1 bedroom, master bedroom - does parking meet code? Planner said yes - Lynn Teach pointed out codes prepared by the Planner Hawkinson and the design meets Minturn codes - Bobby Head agrees with window additions on eagle also requested a landscape plan between the houses -
- MPP doesn't want to add more windows on Eagle because this is the garage and makes the space less usable and opens it up for possible theft. in the garage.
- Burke Harrington - agrees the side needs more design elements added- questions if rec room is not considered a bedroom - county might consider it a bedroom because of sewer fees and building inspector - requires egress window, can't legally use as bedroom.

Tim Osborne made motion to ask plan be submitted with a variance - Burke Harrington second
Vote: Melissa Decker said no because exacerbating non-conforming use - all the rest voted yea

- Pre-Design Review Spencer Property - needs a variance
- Color change for the Minturn Fitness Center - change from dark brown to clear stain on pine siding

6. Town Planner Report

- South Minturn Sidewalks and TAP Grant: petition & letter outline
- Conservation Easement Master Plan - is under way
- Minturn Master Plan 2014 - schedule first public meeting for July
- Renewed SafeBuilds Contract
- Eagle Park Restrooms - working with architects developing
- Town Memorialize - a process that is being developed - review by planning commission

6. Other Business

none

7. Commissioner Comments

8. Adjournment - at 9:07 p.m.