

MORGAN COUNTY PLANNING COMMISSION
January 14, 2019 MINUTES

The Morgan County Planning Commission met on Monday, January 14, 2019 at 7:00 p.m. in the Assembly Room of the Morgan County Administration Building. Answering roll call was: Robert Pennington, Pete Mercer, Terry Rutenbeck, Clayton Miller, Dave Musgrave, Nathan Troudt, and Mike Bailey. Also present were Pam Cherry and Shannon Shields, Planning Clerk. The meeting was called to order by Chairman, Nathan Troudt.

December 10, 2018 MINUTES:

It was moved by Robert Pennington and seconded by Mike Bailey to approve the December 10, 2018 minutes as presented. Motion carried 7-0.

Agenda: **It was moved by Robert Pennington and seconded by Mike Bailey to approve the agenda as presented. Motion carried 7-0.**

Election of new officers: **It was moved by Robert Pennington and seconded by Mike Bailey to nominate Nathan Troudt as Chairman and Robert Pennington as Vice Chairman. Motion carried 7-0.**

NEW BUSINESS:

Dave Musgrave recused himself from hearing this application because of conflict of interest.

APPLICANTS AND LANDOWNERS:
Roger Defenbaugh and
Matt and Tiffini Wulf

Roger Defenbaugh and Matt and Tiffini Wulf were present to represent the application.

Pam Cherry read her file summary as follows:

This application is for a Minor Subdivision being a replat of lots 3 and 4 of the Pickens West Minor Subdivision. Currently Lot 3 (Wulf) is 5 acres and Lot 4 (Defenbaugh) is 27.98 acres. The Wulf parcel is addressed as 17792 County Road 15 and the Defenbaugh parcel is 17594 County Road 15, Fort Morgan, CO 80701. The properties are located in the W ½ of the NW ¼ of Section 3, Township 3 North, Range 58 W of the 6th P.M., Morgan County, Colorado.

Wulf and Defenbaugh are requesting approval of a minor subdivision that will reconfigure the lot lines between the two parcels. The Wulf property currently has a single family home and a metal storage building upon it. The Defenbaugh property is currently undeveloped.

Section 8-195 of the Morgan County Subdivision Regulations requires review of the listed criteria and compliance be determined prior to approval of the proposed subdivision.

In reviewing an application for a minor subdivision the Planning Commission and the Board of County Commissioners shall apply the following criteria as listed from Section 8-195 of the Morgan County Subdivision

Regulations:

- (A) Whether the application documents are complete and present a clear picture of how the subdivision is to be laid out including all infrastructure, easements, and access.

The application documents are complete:

Document	Defenbaugh	Wulf
Quality Water	Tap #2800	Tap #2737
Health Department (Septic)	Will serve letter	Existing Septic
Road and Bridge	Existing access	Existing access
Fire	Fort Morgan	Fort Morgan
Soil map	USDA/NRCS	USDA/NRCS
Extension Service	Contacted	Four on 20 acres
Mineral Rights Notification	Contacted	Contacted
Right to Farm	Provided	Provided
Improvement Location Cert	Not Developed	Provided

- (B) Whether the proposed subdivision is consistent with the Morgan County Comprehensive Plan. The subdivision is located in the south central planning area.

Chapter 2, C.I. Land Use

Goal: To encourage development where: 1) it is in proximity to the activity centers; 2) the proposed development is compatible with existing land uses; 3) there is access to established public infrastructure (primarily road and utilities); 4) where in outlying area of the county there is access to utilities and there is little additional burden on rural services.

South Central Planning Area

This is an area of mixed uses that have developed over many years. There are many residential developments.

Goal: Preserve and protect existing agriculture uses south of County Road Q.

This subdivision is north of Road Q with numerous subdivisions in the area.

- (C) Whether the proposed subdivision is compatible with surrounding land uses and is adequately buffered as needed.

This subdivision is located in the Agricultural Production District and buffering is not required, uses are compatible, there are many subdivisions in this area.

All appropriate notice requirements have been completed with no comments received in favor and no comments in opposition as of January 7, 2019. The site of the minor subdivision is not located within the 100-year floodplain. Subject property is located within the Fort Morgan Rural Fire District. Taxes are current.

Pam Cherry recommended approval of this subdivision subject to the following conditions:

- 1) Prior to construction on proposed Lot 1 a permit for an OWTS will be obtained from the Northeast Colorado Health Department. Condition of the existing system on proposed Lot 2 is not known and may require replacement in the future.

Matt Wulf explained that he approached Roger Defenbaugh with interest in buying the property on the back half of the subdivision. Roger Defenbaugh said he was in agreement with the purchase. Matt Wulf

then explained his reason for wanting the acreage was to keep from having neighbors near and planned to keep the land undeveloped. Robert Pennington asked about the 50 feet access on the property. Matt explained that he uses that access to get to his property and that Roger Defenbaugh had different access to his property, so access wouldn't be shared.

PUBLIC COMMENTS OPEN:

In Favor: No one present

In Opposition: No one present

PUBLIC COMMENTS CLOSED

MOTION

It was moved by Robert Pennington and seconded by Mike Bailey to recommend approval of this minor subdivision being a replat of lots 3 and 4 of the Pickens West Minor Subdivision, Roger Defenbaugh as landowner and Matt and Tiffany Wulf as landowner, subject the following conditions:

- 1) Prior to construction on proposed Lot 1 a permit for an OWTS will be obtained from the Northeast Colorado Health Department. Condition of the existing system on proposed Lot 2 is not known and may require replacement in the future.**

The properties are located in the W ½ of the NW ¼ of Section 3, Township 3 North, Range 58 W of the 6th P.M., Morgan County, Colorado, aka the Wulf parcel is addressed as 17792 County Road 15 and the Defenbaugh parcel is 17594 County Road 15, Fort Morgan, CO 80701. Mr. Defenbaugh's lot will decrease from 27.98 acres to 5.77 acres and Mr. and Mrs. Wulf's lots from 5 acres to 27.21 acres. Motion carried 6-0.

OTHER MATTERS:

Mike Bailey made a motion to adjourn the meeting seconded by Dave Musgrave. Motion carried 7-0.

Respectfully submitted,

Shannon Shields, Planning Clerk