

TOWN OF BENNETT, COLORADO
BOARD OF TRUSTEES
Regular Meeting
October 27, 2015

1. CALL TO ORDER

The Board of Trustees of the Town of Bennett met in regular session on Tuesday, October 27, 2015, at the Bennett Town Hall, 355 4th Street, Bennett, Colorado. Mayor Charles Bayley called the meeting to order at 7:00 p.m. The following persons were present upon the call of the roll:

Mayor: Charles Bayley

Trustees Present: Darvin Harrell – *Absent*
Grider Lee
Jim Pieters
Royce Pindell
Larry Vittum

Staff Present: Melinda Culley, *Town Attorney*
Deb Merkle, *Community Development*
Lynette F. White, *Town Clerk*

Public Present: Eric Brunner, Neal Mancuso, Joseph Fatuch

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Charles Bayley.

3. APPROVAL OF AGENDA

TRUSTEE VITTUM MOVED, TRUSTEE PIETERS SECONDED to approve the agenda as presented. The Mayor declared the motion carried by unanimous vote.

4. CONSENT AGENDA

TRUSTEE PINDELL MOVED, TRUSTEE VITTUM SECONDED to approve the consent agenda as presented. The Mayor declared the motion carried by unanimous vote.

A. Approval of Minutes

1. October 13, 2015
2. September 22, 2015

B. Resolutions

1. Resolution No. 607-15 - A Resolution of the Town of Bennett Board of Trustees adopting the Arapahoe County Multi-Hazard Mitigation Plan

5. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

There were no comments presented by the public in attendance.

6. REGULAR BUSINESS

A. Action/Discussion Items

1. Corridor Collision – Conditional Use Permit Call Up for Discussion, Direction or Action

Deb Merkle, Community Development, presented the following report on the Corridor Collision Conditional Use Permit Call Up Request.

A Conditional Use Permit (CUP) was approved on August 25, 2009 for Corridor Collision located at 830 Shari's Court, Bennett, Colorado. The CUP included a number of conditions, including that all repairs shall be conducted within an enclosed structure and that vehicles needing repair shall be stored within a structure screened from public view. In addition, the Bennett Municipal Code (BMC) states that a CUP cannot be expanded or enlarged unless the approved conditional use is amended.

The Community Development Department has identified possible violations of the CUP and the BMC on Corridor Collision's property, including that customer cars and parts are being stored outside the building; a modular unit, storage container, and portable building were added to the site without permission or a permit; and an additional business was added to the site without permission. Staff has met with the owner on several occasions in an attempt to correct the violations, but the issues have not been remedied.

BMC Section 16-2-330 states:

In the event of noncompliance by the applicant with an approved conditional use or the conditions imposed by the Board of Trustees, the Board of Trustees may call the conditional use up for further review. Upon such review and after notice given to the applicant, the Board of Trustees may revoke the previously approved conditional use or amend the previous approval. The Board of Trustees may refer a called-up conditional use to the Planning Commission for its review and recommendation, which review shall be after notice is given to the applicant.

For the above-stated reasons, Town staff recommends that the Board of Trustees call up the Conditional Use Permit for Corridor Collision for further review. Calling up the CUP is the first step in this process. If the Board decides to call up the CUP, Town staff will send the owner notice of a public hearing on the CUP, which staff is proposing to be held on November 24. At the hearing, staff will present evidence as to the alleged violations, and the owner will have the opportunity to present his own evidence and to respond to the allegations.

The Board of Trustees, by a vote of four (4) to one (1), issued a call up of the Corridor Collision Conditional Use Request to be presented to the Planning and Zoning Commission for review.

7. **TOWN STAFF REPORTS**

Town Clerk

Lynette White, Town Clerk reviewed the following;

- Veterans Day Celebration/Chili Cook Off, Saturday, November 10, 2015
- Business Appreciation Breakfast, Thursday, November 5, 2015

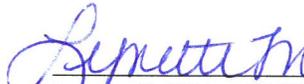
8. **TRUSTEE COMMENTS AND COMMITTEE REPORTS**

James Grider Lee

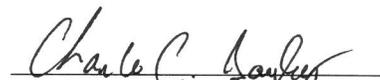
Trustee Lee discussed the Arapahoe County Open Space Meeting.

9. **ADJOURNMENT**

TRUSTEE PIETERS MOVED, TRUSTEE PINDELL SECONDED to adjourn the meeting. The Mayor declared the motion carried by unanimous vote. The meeting was adjourned at 7:15 P.M.


Lynette F. White, CMC
Town Clerk




Charles C. Bayley, Mayor