

- I. CALL TO ORDER
  
- II. ROLL CALL
  
- III. REVIEW AGENDA
  
- IV. CONSENT OF DECEMBER 12, 2017 MINUTES
  
- V. NEW BUSINESS
  - a. Manager Updates - Rogers
  - b. Todd Mayer Property Discussion
  - c. Holy Moses Schedule -FYI
  
- VI. HANDBOOK/TRAINING
  
- VII. ADJOURN

POSTED 1/8/18

**PLANNING & ZONING COMMISSION  
CITY OF CREEDE, COLORADO - A TOWN  
December 12, 2017**

REGULAR MEETING

The Planning and Zoning Commission of the City of Creede - a Town, County of Mineral, State of Colorado, met in the Creede Town Hall at the hour of 5:30 p.m. There being present at the call of the roll the following persons:

COMMISSIONERS PRESENT: Lauri Jordan, Frank Freer, Amy Krueger, Jeffrey Larson

COMMISSIONERS ABSENT: Ed Vita

Commission Chair Jordan, presiding, declared a quorum present:

Those members of staff also present were as follows: Clyde Dooley, City Manager  
Randi Snead, City Clerk

AGENDA

Commissioner Krueger moved and Commissioner Freer seconded to approve the agenda as presented. The vote was unanimous. Commission Chair Jordan declared the motion carried.

CONSENT OF NOVEMBER 14, 2017 MINUTES

Commissioner Freer moved and Commissioner Larson seconded to approve the November 14, 2017 minutes as presented. The vote was unanimous. Commission Chair Jordan declared the motion carried.

OLD BUSINESS

MANAGER REPORTS

Manager Dooley gave a progress report on the replat of Lot 7R, Block 25, Creedmoor, also known as the Holy Moses.

HANDBOOK TRAINING

Clerk Snead presented the Planning & Zoning Commission Handbook and trained the Commission on using its various resources.

ADJOURN

There being no further business to come before the Planning and Zoning Commission at this time, Commissioner Larson moved and Commissioner Krueger seconded that the meeting be adjourned at 5:48 p.m. The vote was unanimous. Commission Chair Jordan declared the motion carried.

Respectfully submitted:

/Randi Snead/

Randi Snead, City Clerk/Treasurer

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# TODD MAYER

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**TO:** Planning Commission  
**FROM:** Clyde  
**SUBJECT:** Todd Mayer, North Creede property  
**DATE:** January 5, 2018

Todd Mayer bought Caleb and Rebecca's property in North Creede and would like to continue cleaning up a property problem Caleb & Rebecca started working on.

Todd brought in the attached Improvement Location Certificate to help explain what he'd like to do. When he purchased the property from Caleb and Rebecca Simon, he purchased A and B and A+ and B+. Bobby Dawson has a house on "B" including some other landscaping improvements.

Todd would like to deed "B & B+" to Bobby and ask the City to deed him "C & C+". In exchange he is willing to get a metes and bounds survey of all the properties and pay the \$500.00 fee for the due process that includes notice and a public hearing. The Board of Trustees will make the final decision including any other considerations they'd like to see.

Todd admitted that he didn't want to incur a lot of expense and time, if he couldn't get some assurances the Board of Trustees would approve it. I told him there was no way I could guarantee that, but I would discuss it the Planning Commission and get their thoughts before going any further.

If you feel this is a feasible and reasonable request, I'll take it to the Trustees work session and ask if they'd like to proceed.

Complications include but are not limited to: Forest Service Road 502 runs thru platted lots, Creede Avenue as platted has never been established or used as an Avenue. We did vacate that portion of Creede Avenue, conveyed it to the Simons and replatted it as Tract 31R-2 and would need to do the same think if we want to do the same thing with "C+". Other considerations to be addressed are the noted shared infrastructure line noted on the certificate. Does Todd deeding part of his property to a neighbor justify us deeding him property without consideration? Lots of things to discuss.

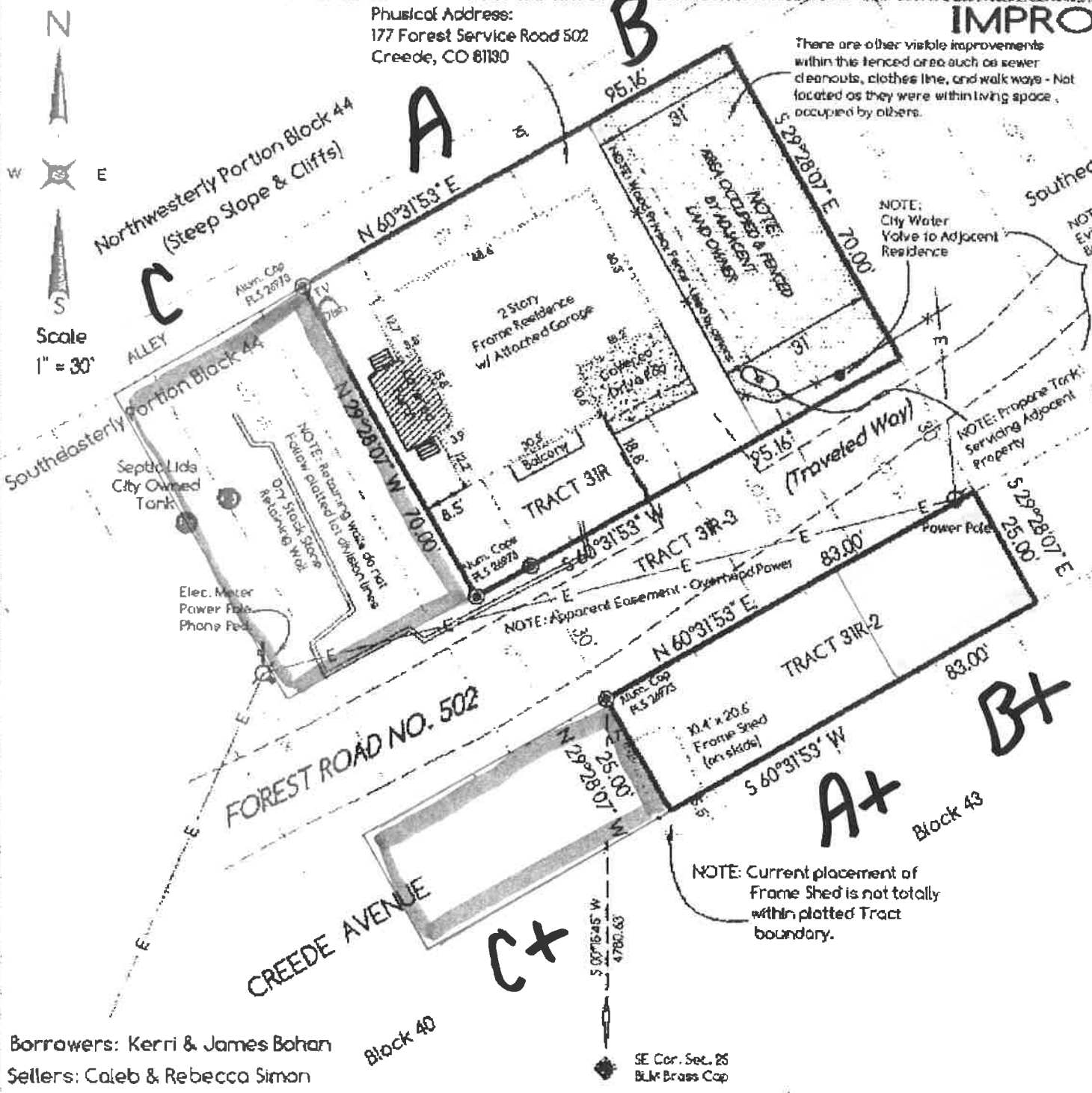
Keith Luttrell with Davis Engineering talked with the Trustees a number of years ago ??? saying it is another of our boundary messes and the only way to get started was to get started.

# IMPROVEMENT LOCATION CERTIFICATE

Physical Address:  
177 Forest Service Road 502  
Creede, CO 81130



Wm. D. Kitterman  
Colorado PLS#23891  
JUN2013.1168



There are other visible improvements within this fenced area such as sewer cleanouts, clothes line, and walk ways - Not located as they were within living space, occupied by others.

NOTE: City Water Valve to Adjacent Residence

NOTE: Evidence of Buried Utilities Serving Adjacent Residence

NOTE: Propane Tank Serving Adjacent Property

NOTE: Apparent Easement - Overhead Power

NOTE: Current placement of Frame Shed is not totally within platted Tract boundary.

Tract 31R and Tract 31R-2, Block 44, North Creede, City of Creede, Mineral County, Colorado, as described on the 'Replat of Tract 31R, Tract 31R-2, and 31R-3, of Lots 31, 32, 33, and 34, Block 44, and a portion of Creede Avenue, (North) Creede', recorded on December 10, 2016 under Reception No. 69582.

I hereby certify that this improvement location certificate was prepared for Del Norte Bank, that it is not a land survey plat or a improvement survey plat, that it is not to be relied upon for the establishment of fence, building or future improvement lines.

I further certify that the improvements on the above described parcel on this date, August 1, 2017, except for utility connections, are entirely within the boundaries of the parcel, except as shown, that there are no encroachments upon the described premises by improvements on any adjoining premises, except as indicated and that there is no apparent evidence or sign of any easement crossing or burdening any part of said parcel, except as noted.

Borrowers: Kerri & James Bohan  
Sellers: Caleb & Rebecca Simon

**Rincon Associates, Inc.**  
P.O. Box 1025 Alamosa, CO 81101 (719) 589-3644

= currently owned by Mayer Investments, LLC  
 = Deed from Mayer Investments, LLC to Dawson  
 = Deed from City of Creede to Mayer Investments, LLC

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# BOUNDARY LINE AGREEMENT & REPLAT SCHEDULE

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**TO:** Mayor & Board of Trustees  
**FROM:** Clyde  
**SUBJECT:** The Holy Moses  
**DATE:** January 5, 2018

1. **December 12<sup>th</sup> 2017;** Presented to Planning Commission for discussion.
2. **December 19<sup>th</sup>;** Presented to Board at work session for discussion.
3. **January 9<sup>th</sup>;** Present schedule to Planning Commission.
4. **January 16<sup>th</sup>;** Present schedule to Board at work session.
5. Prepare ordinance, deeds, resolution and notices. Send notices to property owners within 300 feet, post and publish the Notice of Public Hearing in local paper no less than 15 days prior to the **March 6<sup>th</sup>** meeting.
  - a) Notice to paper by **February 8<sup>th</sup>.**
  - b) Notice mailed and posted by **February 16<sup>th</sup>.**
6. **March 6<sup>th</sup>;** Public Hearing for ordinance conveying portion of abandoned railroad property to Nick and Vickie Kulyk.

Ordinance **No. ???** Authorizes the City to vacate & convey property to Nick & Vickie and Nick & Vickie to quit claim any interest west of the east side of drain pan.

Resolutions 2018-0? replats the property and names in Tract 7R, Block 25, Creedmoor.

**Requested Action(s):**

- 1) Approve Ordinance No. ???.
- 2) Approve Resolution ?????.

The documents including Deeds & replat maps will then be signed & recorded in the same order.

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# LOT 7R, BLK 25

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**TO:** Mayor and Board of Trustees  
**FROM:** Clyde  
**SUBJECT:** LOT 7R, BLOCK 25, CREEDMOOR  
**DATE:** December 19, 2017

We received the application and fee from The Holy Moses to have their property cleared up and replatted. Block 25 in Creedmoor was approved back in 2007, to have their lots cleared up and replatted, with Resolution 07-05.

This is the last lot in Block 25, Creedmoor to go thru the process and it will be a relief to get it behind us. After this block is done, we might want to consider the same thing with Block 24, Creedmoor.

The process is basically the same as we've been using, but the Boundary Line Agreement will recite Resolution 07-05 as the origin. The due process of notice's and public hearing will be the same.

Toby also supplied a survey and I'm reviewing it now. There's at least one typo I noticed and we need a separate property description. I'm hoping for a schedule starting with our January 2<sup>nd</sup> meeting and hopefully completing it by our February or March meeting.