

- I. CALL TO ORDER
- II. ROLL CALL
- III. REVIEW AGENDA
- IV. CONSENT OF JUNE 5, 2018 MINUTES
- V. PUBLIC HEARING AND RELATED ACTIONS
 - a. Recommendation Baptist Church Variance
- VI. NEW BUSINESS
 - a. Discuss North Creede Replat
 - b. Discuss Town Hall/Morton/McLean Replat
 - c. Discuss Birdsey Property
- VII. ADJOURN

WORK SESSION (optional)

- RVs in Town

POSTED 7/6/18

OPEN TO THE PUBLIC

**PLANNING & ZONING COMMISSION
CITY OF CREEDE, COLORADO - A TOWN
May 8, 2018**

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 5:34 p.m. There being present at the call of the roll the following persons:

COMMISSIONERS PRESENT: Freer, Butler, Larson, Kehr, Vita, Krueger
COMMISSIONERS ABSENT: Jordan

Commission Vice- Chair Freer, presiding, declared a quorum present:

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

AGENDA

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

CONSENT OF APRIL 10, 2018 MINUTES

Commissioner Butler moved and Commissioner Kehr seconded to approve the April 10, 2018 minutes as presented. The vote was unanimous. Commission Vice-Chair Freer declared the motion carried.

NEW BUSINESS

ASPEN AVENUE TURNAROUND

The Commission discussed the newest proposal for improvements on Aspen Avenue and arranged to have a field trip during the regular meeting time in June.

MANAGER UPDATES

Manager Dooley gave a progress report on the the Loma Survey.

ADJOURN

There being no further business to come before the Planning and Zoning Commission at this time, Commissioner Krueger moved and Commissioner Larson seconded that the meeting be adjourned at 5:59 p.m. The vote was unanimous. Commission Vice-Chair Freer declared the motion carried.

Respectfully submitted:

/Randi Snead/

Randi Snead, City Clerk/Treasurer

BAPTIST CHURCH VARIANCE SCHEDULE

1. ~~March 20th~~: Presented to Board of Trustees at their work session.
2. ~~Prepare combined notice of the public hearings and publish it in the local paper, send to property owners within 300 feet, and post it no less than 15 days prior to the first public hearing.~~
 - a) ~~Notice to paper by June 14th, 2018.~~
 - b) ~~Notice mailed and posted by June 25th, 2018.~~
3. **July 10th**: Public Hearing with P&Z and recommendation to Board of Trustees.
4. **July 17th**, Public Hearing with Board of Trustees to discuss and consider the approval of the Variance.

Requested Action:

- | |
|------------------------------------|
| 1) Approve Resolution No. 2018-__. |
|------------------------------------|

Resolution No. 2018-__

APPROVING A VARIANCE

WHEREAS, The Baptist Church (“Applicant”) has requested a Variance from the City of Creede (“City”) in accordance with Sec. 4-8 of the Creede Land Use Code for landscaping improvements on East Fifth Street, South Creede (“Property”); and;

WHEREAS, the Baptist Church owns lots _____ in Block 15 and lots _____ in Block 20, South Creede. The East end of Fifth Street dead ends at the foot of Mammoth Mountain and divides Blocks 15 and 20, South Creede; and

WHEREAS, the Applicant would like to make some landscaping improvements including a split-rail fence, picnic table, cobblestone path, youth building not on foundation, and trees & paving within this portion of East Fifth Street; and

WHEREAS, the Planning and Zoning Commission for the City of Creede, held a public hearing on July 14, 2018 and the Board of Trustees held their public hearing on July 17th, 2018; and

WHEREAS, the City’s Development Code restricts any private development or improvements on public rights-of-way without the approval of the Board of Trustees.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE CITY OF CREEDE, A COLORADO TOWN, THAT:

A Variance is hereby granted to the Baptist Church for the improvements mentioned above with the following conditions;

1. This Variance applies to the submitted plans only.
2. The Applicant agrees to comply with all building and land use regulations otherwise associated with the Creede Development Code.

APPROVED AND ADOPTED BY THE BOARD OF TRUSTEES THIS 17th DAY OF JULY, 2018.

CITY OF CREEDE:

ATTEST:

Mayor, Date
Jeffrey Larson

City Clerk Date
Randi Snead

Clyde Dooley

From: Pamela Dawson <pamdawson44@gmail.com>
Sent: Sunday, July 01, 2018 7:46 PM
To: Clyde Dooley; Dennis Saylor; Jessica Ambrose; Heylee Dawson
Subject: Creede board of trustees meeting July 2
Attachments: Walters.pdf

Hello,

I will join the meeting tomorrow night by phone but here is what the homeowners have asked to be put into writing so that we may put this to rest for future questions regarding our property lines.

Please refer to pictures of the pin on the property line between the Ambrose/ Heep's and the Saylor's that has been the reference point since Opy divided the property years ago. The Ambrose/ Heep cabin was built in 1890 and is part of a historical record in pictures and books. That pin has been used for the past one hundred plus years to honor property lines, and the city has honored that pin on previous purchases and fencing until 2016 when a survey was requested by a new property owner. A restaurant on Todd's site and an underground sauna occupied lots 31,32,33 and extended a lot larger than shown in the new survey. The new survey did not honor or use the original pin.

1. We ask the original pin to be honored by the city.

The new survey does not show that the Ambrose/ Heep property or Todd property extends in a straight line across the street to the creek. That land has always been a part of the properties as shown by the Saylor property and improvements made by previous owners.

2. We ask that the city honor the original purchases and property lines.

The new survey shows the road being moved closer to the creek and would go through the Saylor property home.

3. We ask that the city honor the original purchase and property lines.

The property owners present and past have been in agreement on the property lines and what they purchased.

4. We ask that the city honor this and put into writing that the lots be as originally shown. See attachment by previous owners Pat and Tom Walters.

Please call me when the meeting begins or with any questions. I have talked with all owners and we are in agreement about what is needed to make this fair and correct.

Thank-you and please call if you have questions before the meeting.

Pamela Dawson

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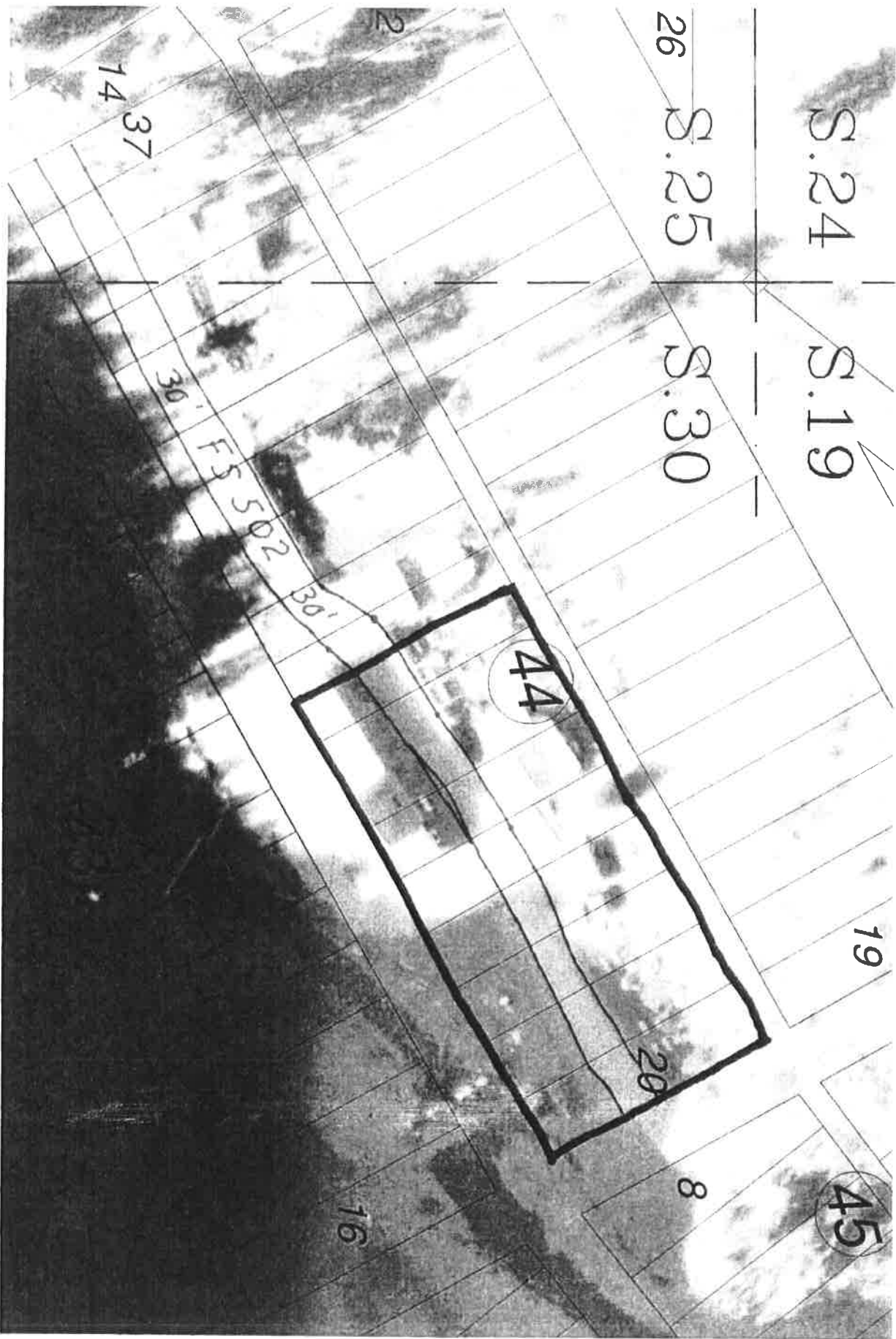
Pamela Dawson

Pamdawson44@gmail.com

469-450-7424

Tom & Pat own lots 20, 21, 22, 23, 24, 25, 26, 27 in Block 44, North Creeks

Quiet title action is on lots 22, 23, 27



Clyde Dooley

From: Clyde Dooley <manager@creedetownhall.com>
Sent: Monday, July 02, 2018 3:46 PM
To: 'Clyde Dooley'
Subject: FW: Creede board of trustees meeting July 2

Clyde,

If what she says is true about all of the property owners are in agreement as to the location of the property boundary lines, then a replat could be in order. The other option they could pursue is a boundary line agreement since the lot lines are uncertain based on the original platting being done on a table top and not considering the terrain.

The whole objective should be to preserve the individual property rights and having them obtain clear title to their ownership.

I'm not up to speed anymore concerning north Creede. The lots and blocks that I remember were established based on the limited exterior boundary of North Creede I could recover. The lots and blocks were defined based on a preliminary grant application map and the final grant was made with a differing exterior boundary from the original application while the lots and blocks were never platted based on the final land grant boundary. I don't think that North Creede was even properly platted 100 plus years ago. They couldn't plat what they didn't own. But sold lots from a preliminary map.

That's sorta kinda what I remember.

Keith E. Luttrell, PLS
Peak To Peak Land Surveying & Mapping, Inc.
Sent from my Verizon 4G LTE Smartphone