



## **Town of Green Mountain Falls**

**10615 Green Mountain Falls Road**

**Planning Commission Meeting Agenda**

**Tuesday July 23rd 2024, at 6:30 pm**

**This is a Zoom Meeting Only**

**<https://us02web.zoom.us/j/86461185631?pwd=Y2nTBrzcBWdhhljZzP552bMP7Yu4nV.1>**

**Meeting ID: 864 6118 5631**

**Passcode: 278722**

**1. CALL TO ORDER / ROLL CALL / TECH CHECK**

**2. ADDITIONS, DELETIONS, OR CORRECTIONS TO THE AGENDA**

**3. CONSENT AGENDA**

Approval of Meeting Minutes from 2024-07-09

**4. PUBLIC INPUT: 3 Minutes per speaker**

**5. REPORTS**

a) Commissioners

b) Staff- Update on BoT Action on Comp Plan and Staging Policy

**6. Public Hearing-Consideration of Minor Subdivision to adjust the lot line between 6810 Park Avenue and 6795 Colorado Street**

**7. BUSINESS**

a) Consideration of Approval of Minor Subdivision to adjust the lot line between 6810 Park Avenue and 6795 Colorado Street

**8. CORRESPONDENCE**

**9. DISCUSSION ITEMS**

**10. ADJOURNMENT**

The Next PC Meeting will be held on 2024-08-13.

# **TOWN OF GREEN MOUNTAIN FALLS**

## **Planning Commission Meeting**

**2024-06-11 at 6:30 P.M.**

### **MEETING MINUTES**

#### **Commission Members Present**

Ann Esch  
Rocco Blasi  
Mike Frey  
Lisa Bonwell Co-Chair  
Brandy Moralez

#### **Commission Members Not Present**

##### **Town Clerk**

Bo Ayad

##### **Town Manager**

---

### **1. Call to Order & Roll Call**

Co- Chair Lisa Bonwell called the meeting to order at 6:34 p.m. Roll was taken and all commissioners were present. Commissioner Blasi was present on Zoom. BoT Members Present: Todd Dixon.

### **2. Additions, Deletions, or Corrections to the Agenda**

Commissioner Frey made a motion, seconded by Commissioner Moralez, to accept the agenda. Motion passed unanimously.

### **3. Consent Agenda**

Minutes from 05/14/2024. Commissioner Frey motioned to approve the minutes, seconded by Commissioner Moralez. Motion Carried.

### **4. Public Input 3 Minutes Per Speaker**

None.

### **5. Public Hearing**

Co-Chair Bonwell opened the public hearing at 6:39pm

Julie Esterl presented the variance application related to the front set-back for 10565 Foster Ave. A letter of public comment from an adjoining property owner was also presented. The property owner Mr. Hays was available for questions after giving a brief account of the project details and related timeline. Commissioners discussed the details of the project and about the historical aspects of building in a set-back in the Town. Commissioner Blasi made a distinction between the proposed new deck and the proposed stairs. He voiced support for the stair part of the project, but not for the deck as designed. He offered a compromise which was to allow the stairs for access, but to limit the deck to the property boundaries. Commissioner Basi felt that set-backs protected the space around the public right of way and should be upheld. Commissioner Frey suggested that these encroachments are common in Town. Commissioner Morales asked Mr. Hays if the deck design could be made smaller to conform. Mr. Hays reluctantly said the design could be changed if necessary. Commissioner Bonwell recalled the approval of variances where existing structures needed permitting, but not where a new design would be built. Commissioner Bonwell closed the public comment at 7:26pm.

## **6. Reports.**

## **7. Business**

### **7a) Variance at 10565 Foster Ave.**

Commissioner Esch motioned to approve. No second. Commissioner Blasi suggested resubmitting it with a smaller design. Mr. Hays voiced his preference for a decision on the currently proposed design. Commissioner Blasi motioned to approve the application with the condition that the deck remain within the confines of the property. The stair construction would be allowed in the easement. Commissioner Morales seconded. Motion passed unanimously.

### **7b) Construction Staging Policy.**

Commissioner Blasi led a discussion and highlighted recent changes to the policy. Commissioner Blasi suggested that commissioners send him edits so a revised version can be reviewed at the next PC Meeting. Item Tabled.

### **7c) Selecting Chair & Co-Chair.**

Commissioner Frey nominated Commissioner Morales as Chair and Commissioner Bonwell as Co-Chair. Motion seconded by Commissioner Blasi. Motion carried.

#### **7d) Comprehensive Plan Proposal**

Commissioner Blasi presented an updated timeline in the proposal. Commissioner Morales motioned to approve the timeline and to send on to BoT for consideration. Motion seconded by Commissioner Blasi. Motion carried.

#### **8. Correspondence.**

None.

#### **9. Discussion Items.**

#### **10. Adjournment**

Meeting adjourned at 8:08 pm by Co-Chair Bonwell.

The following document was submitted to the Town of Green  
Mountain Falls by a third party.

Please request an accessible version  
by contacting the Town Clerk at 719-684-9414 X1 or [clerk@gmfco.us](mailto:clerk@gmfco.us)



**PLANNING COMMISSION  
STAFF REPORT**

Date Prepared: July 18, 2024  
Meeting Date: July 23, 2024

**RE: Minor Subdivision – 6810 Park Avenue & 6795 Colorado Street**

**To:** Town of Green Mountain Falls Planning Commission

**From:** Julie Esterl, Baseline Corporation

**Project Number:** GMF-24-09

**Project Address:** 6810 Park Avenue & 6795 Colorado Street

**Applicant:** Shawn Meyers

**Property Owner:** Shawn & Robin Meyers

**Zoning:** R-1 – Low-Density Residential

**CC:** Becky Frank, Town Manager

Ben Thurston, AICP, Baseline

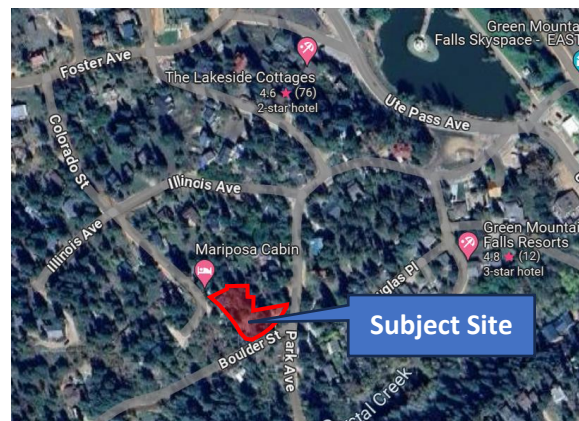


**MATTER BEFORE THE PLANNING COMMISSION**

Minor Subdivision to adjust the lot line between 6810 Park Avenue and 6795 Colorado Street. Section 12-51 of the Green Mountain Falls Land Use Code (LUC) establishes Town Staff as the reviewing body, and the Planning Commission as the decision-making body, for a minor subdivision.

**STAFF RECOMMENDATION**

Staff recommends that the Planning Commission APPROVE WITH CONDITIONS the 2-lot Meyers Subdivision which adjusts the lot line between 6810 Park Avenue and 6795 Colorado Street.



**BACKGROUND**

Property owners Shawn and Robin Meyers have applied for a 2-lot minor subdivision in order to adjust the lot line between two parcels at 6810 Park Avenue and 6795 Colorado Street. In addition, the subdivision describes two use easements. Currently, the existing homes and other improvements (walls, deck, patios, and a gazebo) on each parcel encroach into the Colorado Street right-of-way. Two easement agreements will be presented to the Board of Trustees to allow the continued use of the right-of-way for these improvements. Refer to Figures 1, 2 and 3 below that represent the current



configuration of the existing parcels, the locations of the existing homes, and the proposed lot line adjustment and use easements.

Figure 1: Existing Parcels

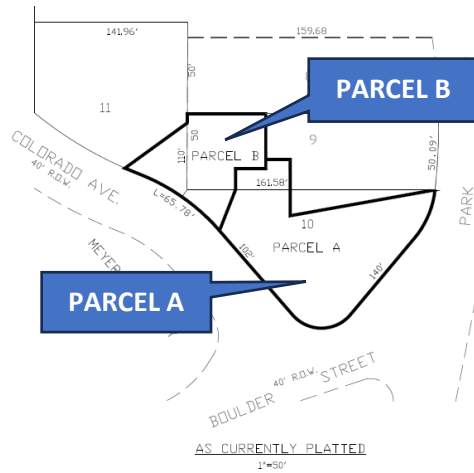


Figure 2: Existing Structures Located in Right-of-Way

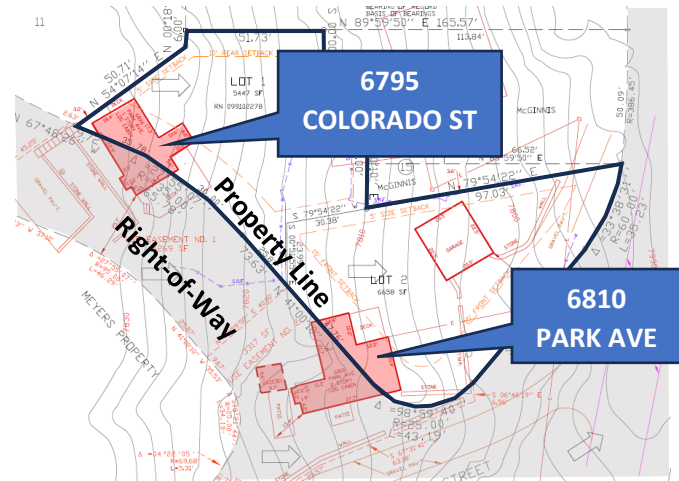
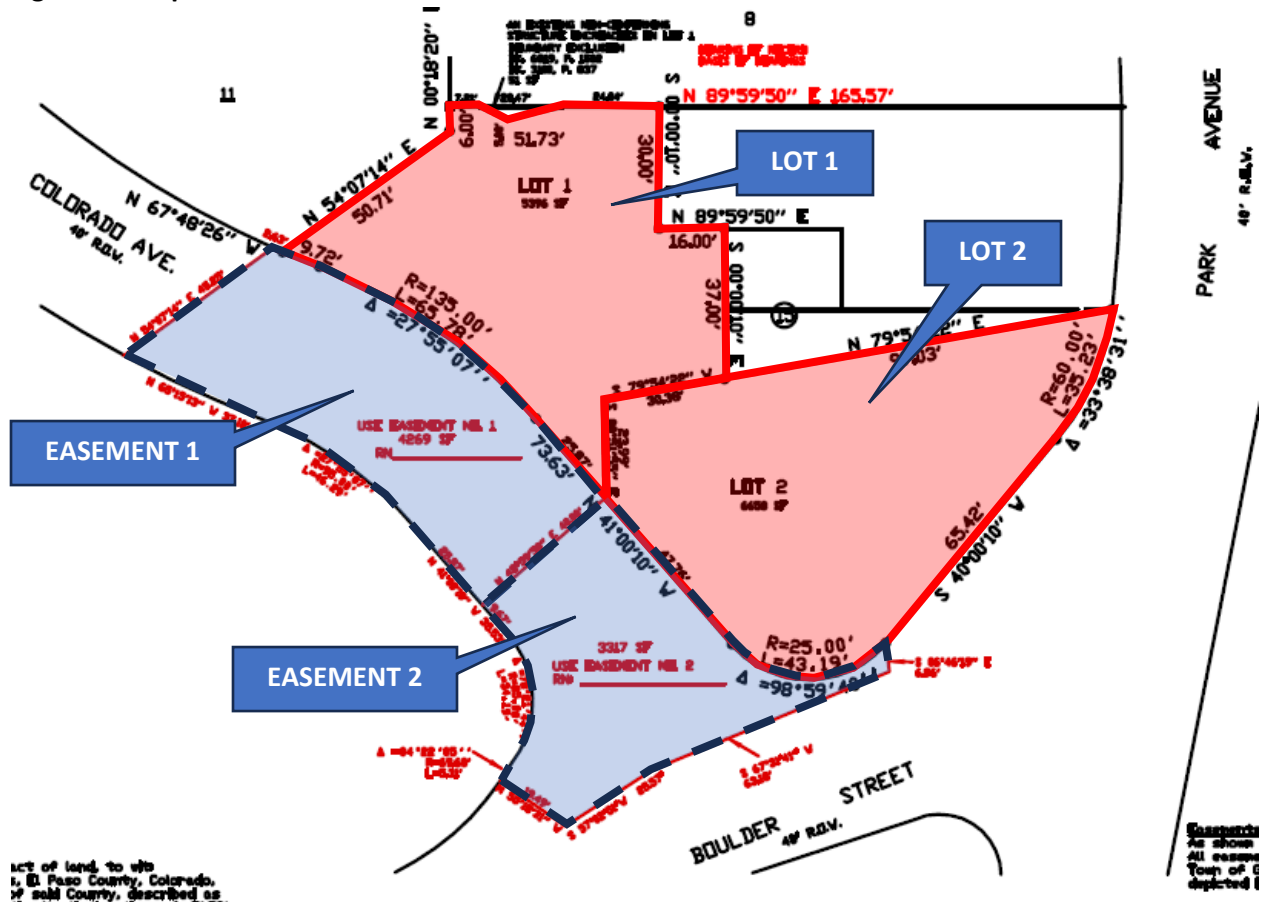


Figure 3: Proposed Lots and Easements





## **ZONING AND LAND USE**

Both properties are zoned R-1 – Low-Density Residential. Single-family homes are a permitted use within the R-1 district, and this application does not propose a change in use.

## **EXISTING CONDITIONS**

The existing Parcel A (6810 Park Avenue) is 10,109 square feet in size, and the structure was built in 1938. The existing Parcel B (6795 Colorado Street) is 4,188 square feet in size, and the structure was built in 1932. Both homes and other improvements currently encroach into the public right-of-way of Colorado Street. In addition, there is an existing structure that currently encroaches into existing Parcel A, 6810 Park Avenue, and a small amount into existing Parcel B, 6795 Colorado Street.

## **REQUEST**

The applicant is requesting this minor subdivision to increase the size of the lot at 6795 Colorado Street (from 4,188 square feet to 5,163 square feet), which will bring it into compliance with the minimum required lot size in the R-1 district of 5,000 square feet. Additionally, the minor subdivision will establish two use agreements that will be included in the title for each lot upon sale or transfer.

## **MINOR SUBDIVISION REVIEW**

Public facilities: Public facilities are not required with this minor subdivision

Improvements and Easements: There are no public improvements required with this minor subdivision. Any easements that exist on the property are the responsibility of the professional land surveyor to determine and include on the plat. Any additional easements required by local utilities are the responsibility of the property owner to dedicate by separate instrument per LUC Section 12-49.(3)

Utilities, Street Design, and Connectivity: Utilities, street design and connectivity have already been established and do not require review for this minor subdivision.

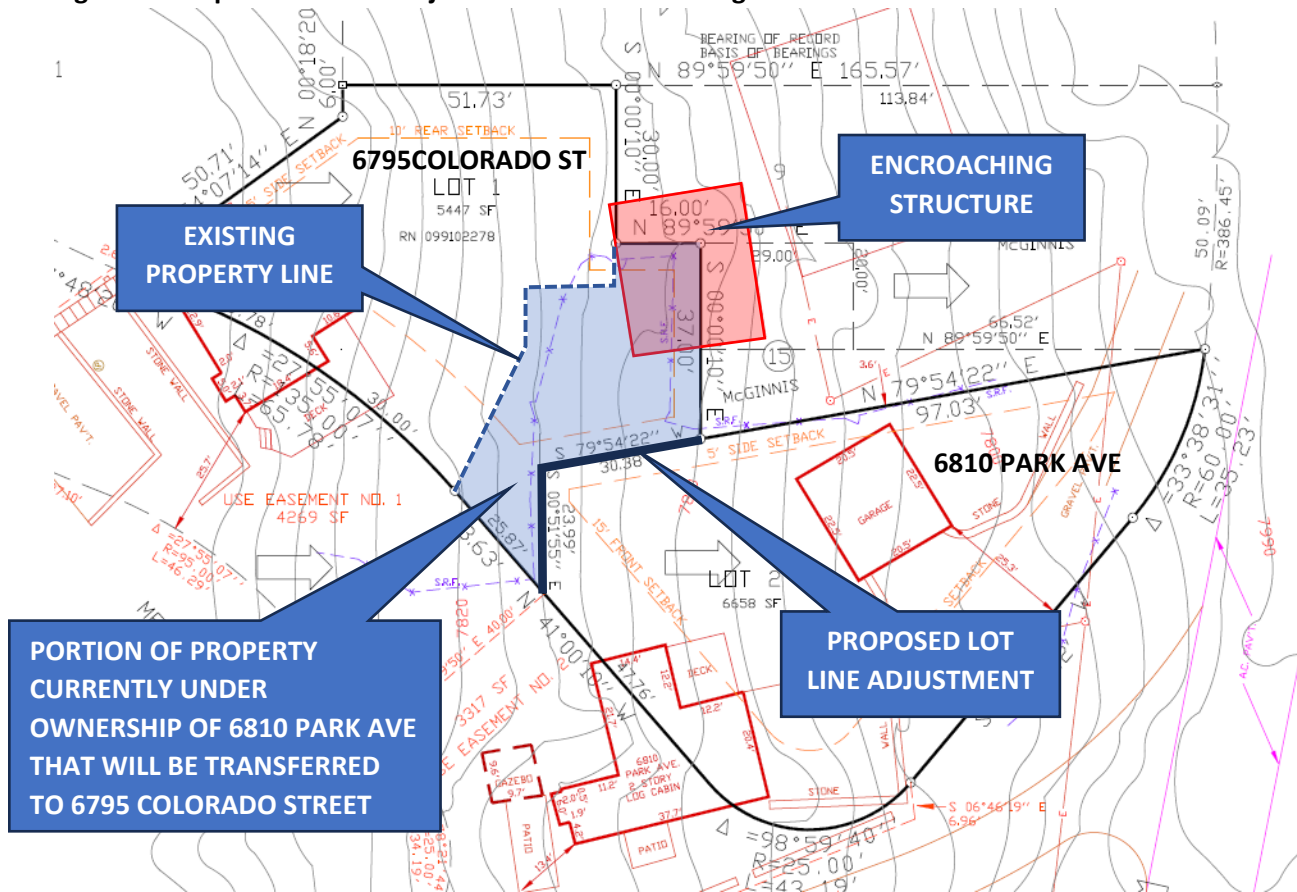
Encroachments: Because both of the encroaching homes and associated improvements were built prior to the adoption of the current Land Use Code, they are considered legal nonconforming structures. The use easements will allow all existing nonconforming improvements to remain, and for the property owners to use the lands described in the easements for residential purposes.

The building that currently encroaches into Parcels A and B can be seen in Figure 4 below. It should be noted that the proposed lot line adjustment will mean that the encroachment will only affect the newly created Lot 1, 6795 Colorado Street. Encroachments between property lines are a private matter between property owners, and is noted here and on the proposed plat for informational purposes only.





**Figure 4: Proposed Lot Line Adjustment and Encroaching Structure**



### COMPREHENSIVE PLAN REVIEW

Staff finds that the proposed minor subdivision is in conformance with the Green Mountain Falls Comprehensive Plan which outlines several development goals. Staff finds that the proposal is consistent with Goal 3.4.1 through Policy A: *Support development that enhances a sense of community and is compatible with surrounding land uses, the natural environment, and the community's expectations.*

### PUBLIC NOTICE

Section 12-52(h) of the LUC establishes requirements for public notice when public hearings are required with land use review. A Minor Subdivision requires posted notice at least 15 days prior to the public hearing. The required notice was completed in conformance with the LUC.

### FINDINGS

The application was submitted in substantial compliance with the Land Use Code. Approval criteria findings are outlined in the following table.



Sec. 12-52(i)(2) – General Approval Criteria	Staff Finding	Rationale
a) Complies with applicable requirements including this land use code, town, state, and federal law;	Meets criteria	The application, upon conformance with the recommended conditions of approval, will comply with applicable codes and regulations.
b) Consistent with any applicable adopted Town plans;	Meets criteria	The application complies with applicable Town plans, including the Comprehensive Plan as outlined in staff's analysis.
c) Promotes the public health, safety, and general welfare;	Meets criteria	The proposed subdivision does not impact the public health, safety, or general welfare.
d) Minimizes or mitigates adverse impacts associated with the application;	Meets criteria	Staff finds no adverse impacts associated with the proposed subdivision.
e) Will not result in significant adverse impacts upon the natural environment including air, water, noise, stormwater management, wildlife, and vegetation, or such impacts will be substantially mitigated; and	Meets criteria	Staff finds no adverse impacts in regards to the natural environment associated with the proposed subdivision.
f) Will not result in significant adverse impacts upon other property in the vicinity of the subject property.	Meets criteria	There is an existing structure that currently encroaches into Parcels A and B and will continue to encroach into Lot 1. Staff finds no adverse impacts to adjacent properties associated with the proposed subdivision.

Additional Minor Subdivision review criteria are outlined in the following table.

Sec. 12-54(b)(3)(a) – Additional Criteria for a Minor Subdivision	Staff Finding	Rationale
1. Demonstrate that the layout of lots, streets, driveways, utilities, drainage facilities, and other services within the proposed subdivision meets the town's standards related to health and safety and minimizes the amount of land disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation and riparian areas, protects critical wildlife habitat, and otherwise accomplishes the purposes and intent of this land use code	Meets criteria	The lot line adjustment proposed for this minor subdivision does not impact existing utilities, drainage, open space or other considerations regarding the natural environment or wildlife habitat.



2. Does not result in the creation of lots that cannot be built under this Chapter;	Meets criteria	This plat brings the lot at 6795 Colorado Street into conformance for minimum lot size in the R-1 zone district.
3. Does not affect a recorded easement without approval from the easement holder;	Meets criteria	The proposed plat does not indicate any existing recorded easements that would be affected by this minor subdivision.
4. Provides all required in-lieu fees; and	N/A	Fees-in-lieu are not required with this minor subdivision.
5. Will not limit the town's ability to effectively provide facilities or services to all lots involved.	Meets criteria	The existing homes established in the public right-of-way in the 1930's are legal non-conforming structures. Services to these and surrounding lots will not be altered by this minor subdivision.

### **SUMMARY AND CONDCTIONS OF APPROVAL**

The applicants, Shawn and Robin Meyers, have submitted a complete application for the review of a Minor Subdivision for the purpose of a lot line adjustment between properties located at 6810 Park Avenue and 6795 Colorado Street. The application is in general compliance with the LUC with the following conditions:

1. Applicant shall modify the plat based on the comments from Planning and Survey review as forwarded to the applicant on July 19, 2024.

### **ALTERNATIVE ACTIONS**

1. Motion to approve, with or without conditions, supported by findings
2. Motion to deny supported by findings
3. Motion to continue to a future meeting date with a reason and/or request for more information

### **Attachments:**

1. Application
2. Cover letter
3. Preliminary Plat
4. Final Plat with comments dated July 19, 2024



# Town of Green Mountain Falls

## Land Use Approval Application

### Subdivision/Final Plat

#### General Information

- This checklist serves as a guideline for submitting a Subdivision/Final Plat Land Use Approval application, per Section 17 of the GMF Municipal Code which can be found on the [Green Mountain Falls town website](#) under the Government menu.
- This checklist is a guide to submitting a complete application and is not a substitute for all provisions in GMF Municipal Code. Applicants are responsible for reviewing and understanding the Code.
- Complete applications are subject to staff review time of **two weeks (14 days)**.

#### Applicant

Applicant: Shawn Meyers

Address: 6005 N. Quapah Ave. OKC, OK 73112

E-Mail: shawnemeyers@gmail.com

Phone: 405 401 0416

Owner: Shawn E. Meyers

Owner Address: 6005 N. Quapah Ave. OKC, OK 73112

Owner E-Mail: shawnemeyers@gmail.com

Owner Phone: 405 401 0416

#### Property

Physical Property Address: 6810 Park Ave., GMF, CO 80819

Type of Project: Vacation of Lot Lines/Easement Agreement Zoning: RM Size: Residential/ 8,313 sf

☐ Hillside Overlay zone?

☐ Land Survey/ILC Included:

#### Certification & Signature

I understand the procedures that apply to my request and acknowledge an incomplete application will not be processed or reviewed by planning staff until it is complete. Submittal of fees and materials does not constitute completeness. I agree to reimburse the city for technical and professional consulting expenses that may be incurred during the review of my request and have read the general procedure in each application checklist. Failure to reimburse the city for invoiced expenses constitutes an incomplete application. I understand and acknowledge the use or action for which approval is requested is not allowed until the permit is granted.

Applicant Shawn E Meyers

Date 3/26/24

Owner Shawn E Meyers

Date 3/26/24

Owner \_\_\_\_\_

Date \_\_\_\_\_

## Subdivision/Final Plat Checklist

This checklist serves as a guideline for submitting a Subdivision/Final Plat Land Use Approval application and is not a substitute for the provisions in Green Mountain Falls Municipal Code or any other rules that may apply. Applicants are expected to review, at a minimum, §16, Zoning, §17, Subdivision, §18, Building Regulations which can be found on the [Green Mountain Falls town website](#) under the Government menu.

### 1. Application & Petition

- a. Application, signed and dated by the applicant and property owner(s)
- b. Application fee (Fee schedule is on the [Green Mountain Falls town website](#) under services)
- c. Letter of Intent - Narrative project description, including purpose of and justification for replay, referencing site plans and drawings as necessary.

### 2. Site Plans

- a. Electronic site plans, prepared to the specifications in GMF Land Use Code 17-23.
- b. Vicinity Map with streets and access points to the property
- c. Existing and proposed structures with zoning setbacks, property boundaries and dimensions
- d. The location of all drainage to, from and across the site, the location of intermittent and permanent springs, culverts and other drainage structure

### 3. Procedure

- a. Electronic submittal of signed application and checklist materials: [planner@gmfco.us](mailto:planner@gmfco.us)
- b. Payment of fees to Town Clerk for receipt
- c. Upon determining an application is complete, staff will schedule for PC and/or BoT public hearing

GMF Town Staff:

- |   |                                       |                                      |
|---|---------------------------------------|--------------------------------------|
| <input type="checkbox"/> Application                  |                                       |                                      |
| <input type="checkbox"/> Letter of Intent             |                                       |                                      |
| <input type="checkbox"/> Site Plans                   |                                       |                                      |
| <input type="checkbox"/> Application fee (Town Clerk) |                                       |                                      |
| Date_____Amount_____                                  | <input type="checkbox"/> Check #_____ | <input type="checkbox"/> Credit Card |

Shawn Meyers  
6005 N Quapah Ave.,  
Oklahoma City, OK 73112

March 26, 2024

Town of Green Mountain Falls, CO.

To Whom it May Concern,

My intent with this letter is twofold.

1) To request a Vacation of Lot Lines of the properties at 6810 Park Ave. GMF (THAT PART OF LOTS 9, 10 BLK 9 GREEN MOUNTAIN FALLS ADD 1 AS FOLS, COM AT MOST SWLY COR OF SD LOT 10, TH SELY ALG SWLY LN 30.0 FT FOR POB, NELY IN A STRAIGHT LN TO A PT 14.0 FT S AND 32.0 FT E OF SW COR OF SD LOT 9, N IN A STRAIGHT LN TO A PT ON S LN OF SD LOT 9, N 14.0 FT, E 20.0 FT, N 6.0 FT, E PARA WITH SD S LN 16.0 FT M/L, S 37.0 FT, NELY 95.52 FT TO SE COR OF SD LOT 9, TH SWLY AND NWLY ALG SELY AND SWLY LN OF SD LOT 10 TO POB) and 6795 Colorado St., GMF. (PART OF LOTS 9, 10, 11 AS FOLS, BEG AT PT ON E LN OF LOT 11 THAT IS 60 FT S OF NE COR THEREOF, CONT S ON SD LN 6 FT, TH SWLY TO PT N SWLY LOT LN THAT IS 45.50 FT NWLY FROM MOST SLY COR OF LOT 11, RUN ON SD LN 75.50 FT SELY, TH NELY TO A PT 14 FT S & 32 FT E OF SW COR OF LOT 9, N TO A PT 14 FT N & 32 FT E OF SD SW COR, E PARA WITH S LN OF SD LOT 20 FT, N 36 FT TO N LN OF LOT 9, TH W 45 FT TO NW COR THEREOF & POB, EX PART OF LOT 9 AS INDICATED BY IMPROVEMENT LOCATION CERTIFICATE REC IN BK 3100-838 BLK 9 FIRST ADD TO TOWN OF GREEN MOUNTAIN FALLS) as shown in the drawings supplied by Oliver E. Watts PE-LS Consulting Engineer, Inc. The purpose of this adjustment being to create a standard sized lot at the 6795 Colorado St. location.

2) To request the grant of a transferrable Easement Agreement for the property and structures at 6810 Park Ave. to be included in the Title upon transfer.

(THAT PART OF LOTS 9, 10 BLK 9 GREEN MOUNTAIN FALLS ADD 1 AS FOLS, COM AT MOST SWLY COR OF SD LOT 10, TH SELY ALG SWLY LN 30.0 FT FOR POB, NELY IN A STRAIGHT LN TO A PT 14.0 FT S AND 32.0 FT E OF SW COR OF SD LOT 9, N IN A STRAIGHT LN TO A PT ON S LN OF SD LOT 9, N 14.0 FT, E 20.0 FT, N 6.0 FT, E PARA WITH SD S LN 16.0 FT M/L, S 37.0 FT, NELY 95.52 FT TO SE COR OF SD LOT 9, TH SWLY AND NWLY ALG SELY AND SWLY LN OF SD LOT 10 TO POB)

All Site Plans to be provided by Oliver E Watts, PE-LS Inc. including ;

- a) Electronic site plans, prepared to the specifications in GMF Land Use Code 17-23.
- b) Vicinity Map with streets and access points to the property
- c) Existing and proposed structures with zoning setbacks, property boundaries and dimensions
- d) Location of all drainage to, from and across the site, the location of intermittent and permanent springs, culverts and other drainage structure.

Thank you,

Shawn Meyers  
405 401 0416

1. Please print this PDF to the actual scaled size. This 8.5 x 11 inch version is not fully legible.
2. Please provide the written legal descriptions for Easement No. 1 and Easement No. 2
3. Please make modification as outlined on the plat below.

Thank You - Julie Esterl, Baseline

Please rename this subdivision. A 'Meyers Subdivison' already exists in El Paso County under Instrument number 217713922

