



Huerfano County Planning Commission Staff Report– Permit #23-035 Vacate Schwery Meeting Type– Recommendation

Meeting Date: October 10

Request Summary

With this application, Susan Schwery (the Applicant) is requesting a vacation of lot lines to combine three parcels into one for tax purposes. Request pertains to lots 50, 51, and 52 in Navajo Ranch Estates (parcels 533419, 3339350, and 3339352). This is a request for a vacate of lot lines only, not of easements.

The subject property is located in Navajo Ranch Resorts on the northeast corner of CR 510 and Buffalo Dr, and is zoned Rural Residential (RR). Minimum lot size in RR is two acres; the combined lots would create a new lot of approximately 6.23 acres.

Site Map/Vicinity Map

Schwery Lot Consolidation



Code References

The following Code Sections are applicable to this application and may be referenced by the Planning Commission in their evaluation of the request:

Zoning standards for this district are set forth in LUR Section §1.03.

§2.15.01 Procedures for Vacating Plats, Roads and Easements: application must be heard at a Joint Public Hearing.

§2.15.02 Submittal requirements: Proof of ownership, copy of approved and recorded plat or easement and a vacated plat; narrative statement.

§2.15.03 Criteria for Action on a Vacating Application

1. That the proposed vacating would not interfere with development of nor deny access via a public thoroughfare to existing structures within the recorded plat, adjoining properties, utility services or other improvements, nor deny access to structures, facilities or sites located beyond the plat or easement to be vacated.
2. That the proposed vacating would not cause undue hardship or inconvenience for any utility company, special district, neighboring landowner or tenant.
3. That the proposed vacating would not be likely to prove detrimental to the public health, safety or welfare of County residents.
4. That the proposed vacating would be consistent with all other provisions in these regulations.
5. That the proposed vacating would not cause undue financial hardship to Huerfano County nor deprive it of needed tax base.

Background

This Application was received on September 8, 2023; Application Fees were received by the County; the applicant will be billed for public noticing fees.

On October 10, 2023, a Joint Public Hearing was held with the Board of County Commissioners and the Planning Commission. Commissioner Galusha inquired what the building in the northeast corner of Lot 52. The applicant responded via email that it is a one-car garage next to which is a Conex.

Application Materials

1. Land Use Application
2. Narrative statement
3. Copy of approved and recorded plat or easement and a vacated plat (pending)
4. Proof of ownership

Criteria/Findings

The applicant has a contract with BH2 to survey the land for the proposed vacate, but this work has not been completed at this time. Survey showing approved and recorded plat and a vacated plat should be completed prior to joint public hearing.

Noticing:

10 days notice in paper prior to a joint public hearing and to property owners within 500 ft.

Potential Referral agencies

Because this proposal would not affect any easements, there is minimal potential impact on agencies.

Referral Comments

Navajo Western Water District commented that the consolidation of these lots will mean that the property owners will only be eligible for one water tap.

Potential Conditions**Commission Action Options:**

1. **Approval** without any special conditions.
2. **Conditional** Approval with a description of the special conditions.
3. **Denial**, indicating for the record the reason(s) for such action with reference to the criteria set forth in the Land Use Code.
4. **Continuation** until a future date to gather more information or obtain clarification or for any other relevant cause.