

Huerfano County Land Use Department

401 Main Street, Suite 304
Walsenburg, Colorado 81089
719-738-1220, Ext. 506



Huerfano County Board of County Commissioners Staff Report – Permit #24-012 Maria Lakes Plat Amendment

Meeting Date: June 25, 2024

Request:

With this Application, Don Sieke is requesting a correction of the Maria Lakes Plat Map.

The applicant is requesting wording be eliminated and replaced. The plat map currently reads:
Note 6- Parcel A is for the purpose of Private Open Space, Drainage, Private Trails, and Public Utilities to be owned and maintained by the Maria Lake Subdivision Homeowners Association. Wording to be replaced by:
Parcel A, owned by Maria Lake Grazing Association, LLC, is for the purpose of Private Open Space, Drainage, Private Trails, and Public Utilities. Except for the Maria Lake area of Parcel A, the remainder of Parcel A will be maintained by Maria Lake Subdivision Homeowners Association.

Process for Plat Amendment:

- **(2.14.01):** PC meeting: recommendation → BOCC public meeting → Record amended plat with County Clerk and Recorder within 5 days at applicant's expense.

Code References:

The following Code Sections are pertinent to the evaluation of this request:
§ 2.14 – Plat Amendment

Application Materials Required for a Plat Amendment:

Proof of ownership; approved and recorded final plat along with proposed amendments; narrative statement explaining why proposed changes should be approved by the Planning Commission and BOCC.

Application Materials:

- Letter of intent.
- Deed to show ownership
- Current Map
- Application

Background:

This application, along with all required attachments were received on April 4, 2024. Application Fees were invoiced to the applicant. Staff has determined the application to be complete.

Eligibility for a Plat Amendment:

(2.14) Minor changes that do not include modifications which significantly alter the intended land uses, density, number of lots, circulation system, drainage easements, dedicated land or encompass more than 25% of land included within a recorded subdivision. Scope can include adjustment of lot lines, re-platting of lots, reconfiguration of dedicated streets and easements and reserved sites.

2.14.03 Criteria for Action on a Plat Amendment Application:

All actions by the Planning Commission in reviewing and making recommendations on an application to amend an approved and recorded plat and by the Board of County Commissioners in approving or disapproving such applications shall be based in general upon the provisions of these regulations and specifically on the following criteria:

1. That the proposed amendment meets the qualifications stated herein for a minor change to the approved and recorded plat.
2. That the proposed amendment would be consistent with all other provisions of these regulations and would not cause significant hardship or inconvenience for adjacent or neighboring land owners or tenants.
3. That the proposed amendment would be beneficial to the public health, safety or welfare of the County.

Analysis:

The Planning Commission shall decide whether the proposed changes qualify for a Plat Amendment.

Referral Comments:

Letters were sent to the following referral agencies on March 1, 2024:

- San Isabel Electric
- Huerfano County Road and Bridge Department
- Huerfano County Soil Conservation District
- Huerfano County Water Conservancy District

There was one reply on agency comments, the Water Conservancy District, who stated they had no comments on this application.

Note:

Plat Amendments do not require a public hearing. Planning Commission should make a recommendation to BOCC for an upcoming BOCC public meeting. BOCC may require notification of review agencies or other interested parties.

Enclosures:

- Application
- Current Map
- Maria Lakes Location
- Letter of Intent
- Deed
- Agency Comment

Planning Commission Recommendation:

On June 13th, 2024 the Planning Commission recommended approval to the Huerfano County Board of County Commissioners for approval to change the wording on Note 6 on the Plat Map. The change is to change the wording “owned and maintained Maria Lake Subdivision Homeowners Association” to “owned by Maria Lake Grazing Association, LLC”.

Board of County Commissioners Action:

Recommendation:

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.