



**TOWN OF PALMER LAKE  
BOARD OF TRUSTEES - AGENDA MEMO**

<b>DATE:</b> August 11, 2022	<b>ITEM NO.</b>	<b>SUBJECT:</b>
<b>Presented by:</b> Town Administrator /Clerk		Direction for Rezoning from R-3 to R-10,000 (Action in 1992)

**Background**

As previously informed, in 1992, activity to rezone Lakeview Estates took place with the Planning Commission and the Board of Trustees.

The first consideration was in February 1992 by the Planning Commission, and the Commission moved to go ahead with all rezoning procedures including sending letters, posting notice and publication for an April hearing.

On April 23, after much discussion, the Planning Commission moved to recommend rezoning the area from R-3 to R-10,000 and recommend a variance be granted if a hardship is not self-imposed and the fee waived. The motion passed.

On May 14, 1992, the Board of Trustees moved to refer the rezoning back to the Planning Commission. No discussion explaining why was recorded in the minutes.

On June 25, 1992, the Planning Commission reconsidered the rezoning and moved to recommend that the area of Lake Shadows and Lakeview Heights be rezoned from R-3 to R-10,000 and a request for a variance be granted if a hardship is not self-imposed and the fee waived. The motion passed.

On July 9, 1992, after much discussion, the Board of Trustees moved to approve the rezoning with the recommendations of the Planning Commission adding a recommendation to the Board of Adjustment that variances be granted and the variance fee waived. The motion passed.

Following such action, an ordinance should have been brought back to the Board to officially rezone the area. An ordinance amending the zoning cannot be located; thus, staff concern is that the public may not be properly informed. Although the rezoning is noted on the zoning map as R-10,000 typical notice is the publication of the ordinance following Board adoption.

**Recommendation**

Staff recommends that the Board direct staff to issue a letter to all current property owners of this rezoning activity including the date which the Board will consider an ordinance to officially rezone the property to R10,000. Publication of the ordinance by title will follow as required.