

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

<b>DATE:</b> April 24, 2025	<b>ITEM NO.</b>	<b>SUBJECT:</b> Resolution to Approve Extension of Temporary Conditional Use – Diacut/Hayco
<b>Presented by:</b>  Town Administrator/Clerk		

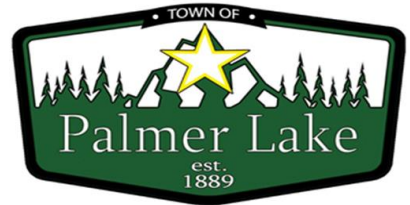
**Background**

Mr. Bruno Furrer, property owner (Diacut), and Mr. Loren Burlage, tenant/operator (Hayco), requested an extension of the temporary conditional use at the property between Diacut and Fletchers on Hwy 105.

Minutes and prior resolutions are included with this item for background. This request was reviewed by the Planning Commission on April 16, and despite the direction of the 2024 Resolution, the Commission recommended continuing the temporary conditional use, desiring not to designate the wholesale, outside storage use as permanent at this location.

Minutes from the 4/16 PC meeting are as follows:

4. *Consideration of (Temporary) Conditional Use for Diacut, Hayco (Hwy 105). Mr. Bruno Furrer, Diacut landowner, requested that the temporary conditional use be continued. He stated the current fencing will have screening added. Mr. Loren Burlage added that steel posts were added for the fencing and privacy screening will be added at the front and wrapped at the corners. Chair Ihlenfeld inquired about the long term plan for the business operations. Commissioner Beeson stated that he did not think that outside storage was allowed in the C-2 zone. Discussion ensued about the latitude of the Commission for a conditional use permit and inquiries were raised about the difference between a temporary and permanent conditional use permit. Collins explained there is not a definition or criteria of either in town code. She stated it is on the members to determine any conditions for each conditional use permit requested. Mr. Burlage offered background about soil samples, not coming to a deal with Diacut to purchase, and not wanting to prohibit the future sale of the property. He stated that his other land deal fell through, and this location was still intended to be temporary. Mr. Furrer stated it could be another five years. Trustee Caves explained the concerns that members discussed in the past about changing what is allowed in different zoning districts. He cautioned members to any changes that may negatively impact the zoning district – explaining General Business and Commercial is shops, restaurants, etc., and that this discussion took place in 2024 with a deadline. It was discussed that members do not want to see this as permanent use in the current location. Discussion about the Hayco operations and length of lease took place. Members commended Mr. Burlage that the property is maintained well, and he responded that there is minimal traffic due to wholesale visits being made by appointment. Mr. Furrer asked members what is needed to extend one additional year. Members agreed they did not want this location to be of permanent use for this operation and considered various conditions for another year. It was agreed that this use would be for this particular business and owner only, that an annual review is necessary, as well as any change to the use or current operation must be reviewed by the Commission. Inquiries were made*



*to the owner about investing in curb appeal at this location and Mr. Burlage restated that nothing is intended to change in the operation and outdoor storage as it exists. Commissioner Beeson stated he would like to see the code applied consistently and discussion further ensued about the height of a fence to fully screen the property. It was concluded that regardless of the fence height, due to the slope of the property, the rear of the property will be visible from Hwy 105. MOTION (Fisher, Tomitsch) to recommend continuing the temporary conditional use for one year for this particular business and owner, with the addition of screening at the front of the fence wrapped at the corners, with no other permanent construction or change occurring without review by the Planning Commission including no lighting or signage, and keep the prior required screening (connex, equipment). Motion passed 5-0.*

### **Recommended Action**

Approve the temporary conditional use for one year for Diacut/Hayco with conditions set by Planning Commission. Additionally, staff added the deadline of May 1<sup>st</sup> to complete the installation of screening as proposed.