

A G E N D A

BOARD OF COUNTY COMMISSIONERS

Tuesday September 28, 2010

9:30 a.m.

- I) Call to Order
- II) Pledge of Allegiance
- III) Roll Call
- IV) Approval of Agenda
- V) Consent Agenda
 - 1. Approval of Minutes September 14 and Special Meetings September 2, 2010 and September 15, 2010
 - 2. Approval of Bills, September 28, 2010 / \$772,363.41
 - 3. LIQUOR LICENSES
 - Rivera Bernie L
 - 1419 S 9th St.
 - Canon City, CO 81212-4801
 - Tavern Liquor License Renewal - Malt, vinous and spirituous

 - Crossroads Grill & Bar
 - James A Pickart DVM
 - 13760 State Hwy. 115
 - Penrose, CO 81240
 - Hotel & Restaurant Liquor License Renewal with optional premises - malt, vinous and spirituous
- VI) Administrative / Informational
 - 1. Staff / Elected Officials
 - 1a. Pat McFarland - Treasurers redemption of mobile home tax lien
 - 2. Citizens not already scheduled on agenda may address the board at this time
- VII) Old Business: None

VIII) New Business:

1. Proclamation Addiction Recovery Month

2. LIQUOR LICENSE

Transfer of ownership from Shadow Hills to Bill and Bonnie Holt

3. **REQUEST: TUP 10-006 PENROSE CHAMBER OF COMMERCE
APPLE DAY**

Request approval of a **Temporary Use Permit** to allow the **Apple Day festivities** by the Penrose Chamber of Commerce. The events will be held in downtown Penrose (*Broadway from Elm to Illinois and ½ block south on Grant*) on Saturday, October 2, 2010, from 7:00 a.m. to 4:00 p.m.

REPRESENTATIVE: *William McGuire, Penrose Chamber of Commerce*

4. **REQUEST: MS 10-001 B & K TROGDEN MINOR SUBDIVISION**

Request approval of a **two (2) lot minor subdivision, Department file #MS 10-001 Trogden Subdivision**, by Bryan & Kathy Trogden, for their property *which is located at the southwest corner of the intersection of Lombard Street and Poplar Avenue, in the Lincoln Park Area*. Proposed lot 1 will consist of 1.004 acres and contains a two-story house, 2 garages and a shed/shop (*that encroaches into the right-of-way for Poplar Avenue by 4.6 feet*). Proposed lot 2 will consist of 3.576 acres and is vacant. The side yard setback for the shed/shop is non-compliant with the setback requirements of the Agricultural Suburban Zone District (*5 foot side-yard setback required-shed/shop encroaches 4.6 feet into the County Right-of-way*). The property is currently being used for residential uses and consists of approximately 4.58 acres. This application, if approved, would result in the creation of the third lot from a parent parcel (*see SW 88-6 Bumgarner, Resolution No. 84, Series of 1988, recorded under Reception #554955 in Book 892 at page 20*) since June 1, 1972.

REPRESENTATIVE: *Matt Koch, Cornerstone Land Surveying, LLC*

5. **REQUEST: MS 10-002 LONE EAGLE MINOR SUBDIVISION**

Request approval of a **three (3) lot minor subdivision, Department file #MS 10-002 Lone Eagle Subdivision**, by Douglass C. & Cathie T. Brill, for their property *which is located approximately 1.25 miles northwest of the intersection of Fremont County Road #45 and U.S. Highway 50 addressed as 10140 Fremont County Road #45, in the Howard Area*. Proposed lot 1 will consist of 20.135 acres and an existing well and driveway access(es). Proposed lot 2 will consist of 22.864 acres and a manufactured home (with a full basement and additions), metal barn and existing well. Proposed Outlot A consists of 1.332 acres and is currently vacant (*the proposed outlot is severed from the property by County Road 45 and the Union Pacific Railroad*). The property is located in the Agricultural Farming & Ranching Zone District with a total acreage of 44.332 more or less. The property is currently being used for residential and agricultural purposes.

REPRESENTATIVE: *Matt Koch, Cornerstone Land Surveying, LLC*

IX) PUBLIC HEARINGS

PUBLIC HEARINGS SCHEDULED FOR 10:00 A.M.:

1. REQUEST: CUP 10-003 TAYLOR RANCH EXPLORATION/BLACK RANGE MINERALS COLORADO, LLC 1st AMENDMENT

This application was continued from the September 14, 2010 Board of County Commissioners Public Hearing with the following limitations: Written public comments on the amendment will be accepted until close of business on September 22, 2010. On September 28, 2010, public comment will be heard only specific to the presentation given by Mr. Bruce Smith, Western Water and Land.

Request approval of a Conditional Use Permit, Department file # CUP 10-003 Taylor Ranch Exploration/Black Range Minerals Colorado LLC, 1st Amendment to allow for expansion of mineral exploration area by Black Range Minerals Colorado, LLC, for property which is leased from various property owners. The property is *located south of Fremont County Road #2 and west of County Roads #21 and 21A, in the Tallahassee Area*. The proposed operation is anticipated to be completed within an eight (8) year time frame. There will be no more than 6 to 8 active drill sites at any given time. The existing Conditional Use Permit file #08-001, Resolution #47, Series of 2008 was recorded on July 14, 2008. If this application is approved it will replace the existing Conditional Use Permit. The property included in this amendment will consist of 2,210 acres combined with the previous acreage of approximately 8,169 acres for a total acreage of 10,379 acres. All properties are zoned Agricultural Forestry.

REPRESENTATIVE: *Ben Vallerine, Exploration Manager-USA, Black Range Minerals*