



## BOARD OF COUNTY COMMISSIONERS

Epimenio Griego, District 1  
Garrison M. Ortiz, District 2  
Chris Wiseman, District 3

THURSDAY, JANUARY 14, 2021  
9:00 A.M.

### LAND USE AGENDA

**NOTICE REGARDING COVID-19 (Novel Coronavirus):** The Board of County Commissioners implemented temporary operational directives on November 14, 2020 to limit public access to County-owned facilities. Beginning on November 14, 2020, the Board of County Commissioners' meetings will be held virtually. The meetings will be streamed live on the County's Facebook Page <https://www.facebook.com/PuebloCounty/> noting public comments will not be accepted from the Facebook page. The public may provide comments by 5:00 p.m., on Tuesday, January 12, 2021, to the Department of Planning and Development or via e-mail to [planning@pueblocounty.us](mailto:planning@pueblocounty.us).

*(Notice to Readers: This agenda is for informational purposes only and is subject to change. Please be advised that this meeting is streaming live over social media. Accommodations for individuals with sight or hearing impairment may be made by contacting Patsy Cresswell at 583-0500 or TDD at 583-6550.)*

#### **9:00 A.M. CALL TO ORDER**

- Pledge of Allegiance
- Attendance/Excused
- Approve Minutes of December 10, 2020
- Approve Agenda of January 14, 2021

#### **9:05 A.M. PUBLIC COMMENTS**

1. Citizen Comments (**Comments limited to 5 minutes per speaker**)
2. Commissioners' Comments

*(The Record: The Planning Department staff report, and the application submitted by the applicant for each agenda item and any supplemental information distributed by staff at the meeting are automatically incorporated as part of the Record unless specific objections are raised and sustained at the public hearing. Any additional materials used by the applicant or others in support of or in opposition to a particular agenda item may, at the discretion of the person or entity using the materials, be submitted for inclusion in the Record. Such materials for which a request for inclusion in the Record is made shall, at the discretion of the administrative body, be made a part of the Record. Note: Any materials including documents and/or instruments submitted for inclusion in the Record and admitted by the administrative body must be left with the Clerk.)*

**9:15 A.M. BOARD OF COUNTY COMMISSIONERS' CONSENT ITEMS**

*The Consent Agenda contains items for which staff is recommending approval and as of the publication of the agenda, there was no known opposition and the applicant(s) are in agreement with staff's recommended conditions of approval. Staff will present the Consent Agenda in a summary format. If any member of the Board of County Commissioners or a member of the audience wants to remove an item from the Consent Agenda to facilitate an individual, full public hearing regarding that item, they must request the item be removed from the Consent Agenda following the summary presentation of the Consent items. The item will be removed from the Consent Agenda and placed on the Regular Agenda at a position being at the sole discretion of the Board. Upon completion of the summary of the Consent Agenda items and the removal of any items requested for individual, full public hearing, the Board will take action regarding the remaining items on the Consent Agenda in the form of a single vote.*

1. [PLAT AMENDMENT NO. 2020-003](#) - Kyle Zimmerman (Owner/Applicant of Lot 1)  
(IF REMOVED, PUBLIC HEARING) Pannunzio, Inc., c/o Nick Pannunzio  
(Owner/Applicant of Lot 2)  
Lots 1 and 2, Trujillo Acres



The owners/applicants are requesting a Plat Amendment to remove the 40-foot by 40-foot Reciprocal Access Easement Agreement as platted on the recorded plat map of Lots 1 and 2, Trujillo Acres. Each property will instead have its own access onto Everett Road. The east 100 feet of Lot 1 and the west 100 feet of Lot 2 will be designated as having no vehicular access, in order to ensure that the separate driveways will be located a minimum of 200 feet apart. The properties are located on the north side of Everett Road, approximately 200 feet west of its intersection with 25<sup>th</sup> Lane in the St. Charles Mesa area. **(1 minute)**

**9:16 A.M. BOARD OF COUNTY COMMISSIONERS' REGULAR ITEMS**

1. **PUBLIC HEARING**  
[HOUSE BILL 1041 PERMIT NO. 1041 2020-004](#) - Nathan Keiser, Project Developer, Thunder Wolf Energy Center, LLC (Applicant)  
Colorado State Land Board (Owner)  
Core Consultants, Inc., c/o Jennifer Kraus, Sr. Project Mgr. (Representative)



The applicant is requesting approval of a permit by the Pueblo Board of County Commissioners as the designated Permit Authority, for the Thunder Wolf Solar Plus Storage Project. This proposed Project is for construction, operation, and maintenance of a 200-megawatt (MW) photovoltaic solar energy generation facility with a battery energy storage system with capability to deliver 100 megawatts of power for 4-hour intervals. The Project will interconnect to the proposed Mirasol Switchyard, built to connect to one of the existing 230-kilovolt transmission lines that crosses the Project, to provide renewable energy to Xcel Energy, dba Public Service Company of Colorado (PSCo). The project is located approximately 3.5 miles south of the Arkansas River on lands leased through privately negotiated agreements. The project will utilize 40th Lane south of U.S. 50 as its primary route to access the site during construction. Construction will take approximately 18 months and is anticipated to begin in June 2021. The properties are zoned A-1, Agricultural. **(10 minutes)**

***(House Bill 1041 Permit No. 1041 2020-004 was continued by the Board at its November 19, 2020 and December 3, 2020 public hearings.)***

**RECESS AS BOARD OF COUNTY COMMISSIONERS AND CONVENE AS ZONING BOARD OF APPEALS**

**9:26 A.M. ZONING BOARD OF APPEALS' CONSENT ITEMS**

1. [ZONING VARIANCE NO. 2020-010](#) - Thomas G. Hall, Jr. (Owner/Applicant)  
(IF REMOVED, **PUBLIC HEARING**) 2374 Overton Road



The owner/applicant is requesting a zoning variance from Title 17, LAND USE, Division I. ZONING, Chapter 17.120 Supplementary Regulations, Section 160 *Fences, walls and hedges*, specifically Paragraphs B.1. and 3. of the Pueblo County Code to recognize the following:

- an existing three (3) foot solid wall constructed along the north and south property lines exceeding the maximum permitted height of two and one-half (2½) feet with a zero (0) foot setback in lieu of the minimum required twenty-five (25) foot setback along Overton Road; and
- an existing six (6) foot solid wall constructed along the west property line exceeding the maximum permitted height of two and one-half (2½) feet with a fifteen and one-half (15½) foot setback in lieu of the minimum required twenty-five (25) foot setback along Overton Road.

The property falls within an A-4, Agricultural (minimum ½ acre) Zone District and is located at the east side of Overton Road, approximately 0.5-mile northeast of its intersection with Gemini Lane. **(1 minute)**

***(Zoning Variance No. 2020-010 was continued by the Zoning Board of Appeals at its December 10, 2020 public hearing. The applicant requests the zoning variance be continued by the Zoning Board of Appeals to its February 11, 2021 public hearing.)***

**9:27 A.M. ZONING BOARD OF APPEALS' REGULAR ITEMS**

1. **PUBLIC HEARING**  
[ZONING APPEAL NO. 2020-001](#) - Dan and Jeanine M. Bratina (Owners/Applicants)  
4129 Nature Center Road



The applicants, under the provisions within the Pueblo County Code, Title 17 Land Use, Division I. Zoning, Chapter 17.140 Appeals, Article 2, Pueblo County Zoning Board of Appeals, are requesting an appeal by the Zoning Board of Appeals. The applicants request an appeal to the determination made by the Pueblo County Zoning Administrator, denying the authorization for a building permit because the subject property is not in compliance with Zoning regulations per Chapter 17.136, Administration and Enforcement of the Pueblo County Code. The applicants request that the Director sign off on building permits without compliance with Pueblo County Code, Chapter 17.112, Off-Street Parking and Loading Standards. The property has been in violation since March 28, 2012, when staff notified Mr. and Mrs. Bratina of violation VZ 2012-021, relating to non-compliance

with parking standards and the establishment of an unauthorized use in the I-2, Light Industrial Zone District. *(15 minutes)*

*(Zoning Appeal No. 2020-001 was continued by the Zoning Board of Appeals at its December 17, 2020 public hearing.)*

**9:42 A.M.**      **ADJOURN**

The next BOCC Land Use Meeting will be held on **February 11, 2021 at 9:00 A.M.**

\*Any items that cannot be addressed within the allotted time will be heard at the next BOCC Land Use meeting on **February 11, 2021.**

LRS  
1-7-2021