

LEGEND

- ★ Special Zoning Conditions
- 3 Section Numbers
- +— Railroad
- Major Water
- Zoning Line
- Sections
- Zoning Districts**
- A-1
- A-2
- A-3
- R-E
- R-1-A
- R-1-C
- R-2
- R-3
- R-4
- M-H
- C-0
- C-1
- C-2
- C-3
- C-4
- C-5
- I-1
- I-2
- I-3
- CO
- PL
- AV
- DIA
- P-U-D
- P-U-D(P)
- Airport Noise Overlay

Selph - Conditional Use

RCU2016-00018

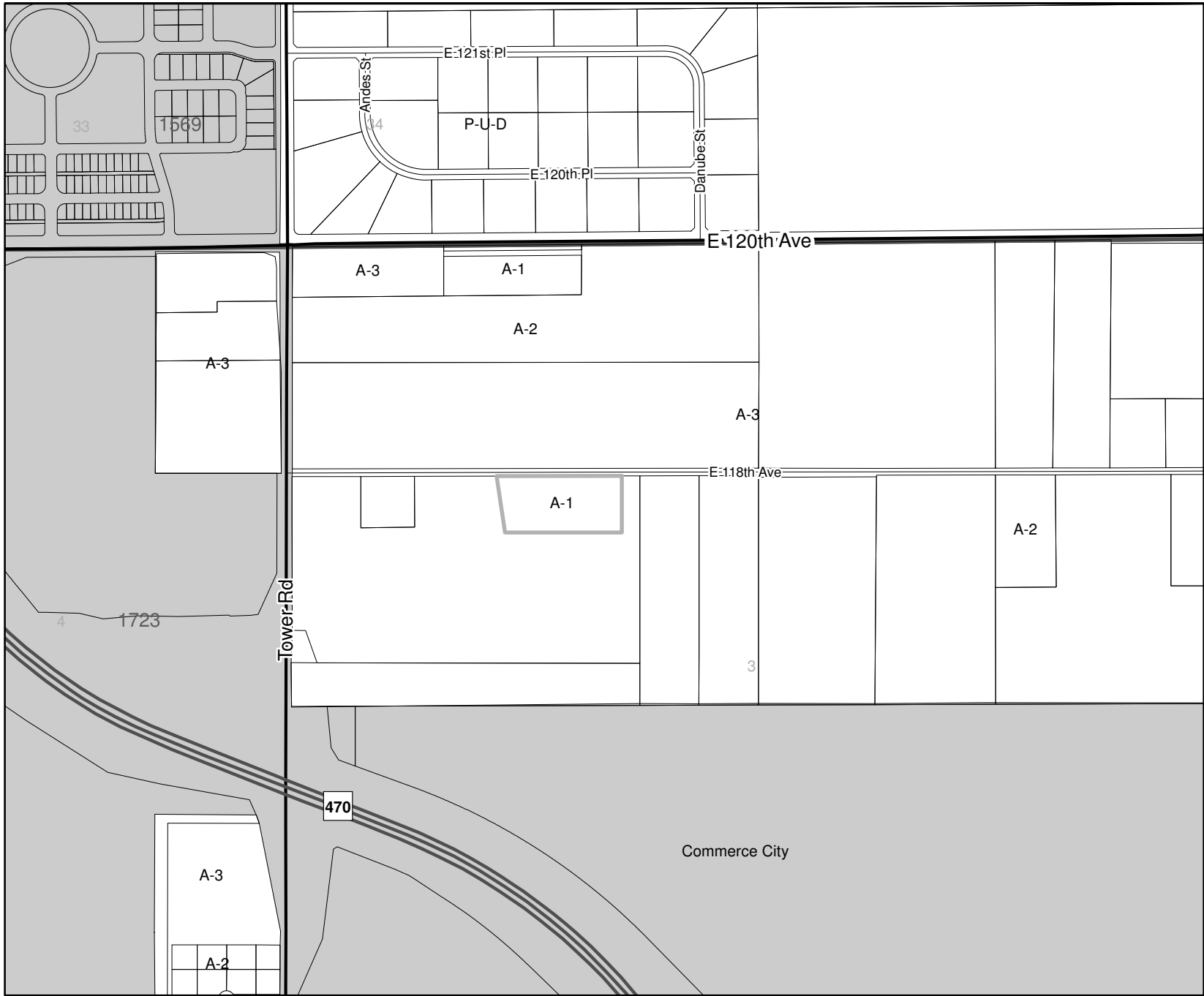


For display purposes only.



ADAMS COUNTY
COLORADO

This map is made possible
by the Adams County GIS
group, which assumes no
responsibility for its accuracy



Selph
RCU2016-00018



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COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

Board of County Commissioners

March 14, 2017

Case No.: RCU2016-00018

Case Name: Selph

Owner's Name:	Steven and Lois Selph
Applicant's Name:	Steven and Lois Selph
Applicant's Address:	18950 East 118 th Avenue, Commerce City, CO 80022
Location of Request:	18950 East 118 th Avenue, Commerce City, CO 80022
Nature of Request:	Conditional use permit to allow storage of two commercial vehicles and/or equipment
Site Size:	5.0 acres +/-
Zone District:	Agricultural-1 (A-1)
Future Land Use:	Parks and Open Space
Proposed Use:	Single-Family Residential with accessory vehicle storage
Existing Use:	Single-Family Residential
Hearing Date(s):	PC: February 23, 2017 (6:00 pm) BoCC: March 14, 2017 (9:30 am)
Hearing Location:	4430 S. Adams County Parkway, Brighton, CO 80601 Public Hearing Room 1 st Floor
Report Date:	February 27, 2017
Case Manager:	Greg Barnes
PC Recommendation:	APPROVAL with 8 Findings-of-Fact, 4 Conditions, and 1 Note

SUMMARY OF PREVIOUS APPLICATIONS

On May 13, 2002, the Board of County Commissioners approved: 1) a rezoning from Agricultural-3 (A-3) to Agricultural-1 (A-1); 2) a conditional use permit to allow a mobile home to be placed on the property until a permanent residence was constructed and; 3) an exemption from the County's subdivision requirement to create the subject parcel.

On July 19, 2002, the County issued a building permit for a 2,674 square foot single-family dwelling on the subject property and removed the previously approved mobile home.

SUMMARY OF APPLICATION

Background

Steve and Lois Selph, the property owners and applicants, are requesting a conditional use permit to allow two vehicles exceeding 7,000 lbs. to be stored on the property. The applicants reside on the subject property, which includes a 2,674 square foot single-family home and a 2,016 square foot accessory structure. The site is located on East 118th Avenue, approximately 1,200 feet east of Tower Road.

On April 5, 2016, the County issued a notice of violation to the applicants for the storage of two vehicles located on the property that exceed 7,000 lbs. Approval of a conditional use permit is required to allow these vehicles to be stored on the site in the A-1, Agricultural zone district.

The applicants own and operate a trucking and hauling business for aggregate mining materials. According to information provided by the applicant, the trucking and hauling business, County Wide Services, is an independent contracting company, and only utilizes the subject property to receive orders through mail, e-mail, and on the phone. The business does not have employees and does not receive visitors from the public. The applicants only drive the vehicles to various job sites to haul aggregate and mining materials after receiving orders. The vehicles are returned to the subject property in the evening and stored on the property.

According to the applicant's site plan (See Exhibit 2.2); the two vehicles will be parked on a recycled asphalt surface behind the existing accessory structure. The site plan also shows the parking area will be enclosed by a proposed eight foot tall cedar fence with ornamental trees and shrubs surrounding the exterior area of the fence. This is to screen the trucks from view from the neighbors' properties.

Development Standards and Regulations Requirements:

Section 4-03-03-02-12 of the Adams County Development Standards and Regulations require approval of a conditional use permit for storage of vehicles exceeding 7,000 lbs. in residential and Agricultural-1 zone districts. In addition, the vehicles shall be located on approved surfaces, such as gravel or recycled asphalt, and shall not be stored in any landscaped areas. The subject request conforms to these requirements for storage of large vehicles. The site plan shows that the proposed vehicles will be stored on a recycled asphalt surface.

Comprehensive Plan:

The future land use designation on the subject property is Parks and Open Space. Per Chapter 5 of the County's Comprehensive Plan, Parks and Open Space areas are designated for open space, parks, and trails, with the objective of preserving land for recreation, enjoyment, and wildlife. One goal of the Parks and Open Space designation is to protect land from future development.

The applicant's request will allow accessory storage of vehicles on a property that is currently developed for single-family residential use. No additional development is proposed with the subject request. Screen fencing and landscape buffering is indicated on the site plan to limit visibility of the use from adjoining properties. The proposed vehicles will be stored on recycled asphalt, and the installation of fencing and landscaping will reduce off-site visual impact of the vehicles. This request will have no negative impact on the goals of the Comprehensive Plan. Currently, the property is used as residential and allowing two trucks to be stored on the property will not change use of the property. In addition, the trucks will not regularly travel on the roads during the day and will not disrupt residential traffic.

Site Characteristics:

The site has access on East 118th Avenue, which is north of the parcel. In addition, the site is currently developed with two existing structures, a 2,674 square foot single-family residential dwelling and a 2,016 square foot accessory structure.

Surrounding Zoning Designations and Existing Use Activity:

<u>Northwest</u> A-3 Single-Family Residential	<u>North</u> A-3 Single-Family Residential	<u>Northeast</u> A-3 Single-Family Residential
<u>West</u> A-3 Single-Family Residential		<u>East</u> A-3 Single-Family Residential
<u>Southwest</u> A-3 Single-Family Residential	<u>South</u> A-3 Single-Family Residential	<u>Southeast</u> A-3 Single-Family Residential

Compatibility with Surrounding Land Uses:

A majority of the subject property is surrounded by land primarily used for agriculture and single-family residential. These properties are all zoned A-3. Per Section 4-03-02-12 of the County's Development Standards and Regulations, large vehicles such as semi-trucks, road cleaners, motors grader, and tow trucks are allowed to operate in the A-3 zone district; therefore, allowing storage of two large vehicles on the subject property will not be out of character with the surrounding development. In addition, the vehicles will not regularly travel on the roads during daylight hours to disrupt residential traffic. Furthermore, the proposed vehicles will be stored in a location where they will be screened from view to the surrounding properties.

PLANNING COMMISSION UPDATE

The Planning Commission (PC) considered this case on February 23, 2017 and unanimously recommended approval. Mr. Steve Selph, the applicant and owner, spoke at the public hearing and had no major concerns. No other person from the public was present to speak at the hearing. The Planning Commission had no questions for the applicant or for staff.

STAFF RECOMMENDATION:

Based upon the application, the criteria for approval of a conditional use permit, and a recent site visit, staff recommends approval of this request with 8 Findings-of-Fact, 4 Conditions, and 1 Note.

Findings-of-Fact:

1. The conditional use is permitted in the applicable zone district.
2. The conditional use is consistent with the purposes of these standards and regulations.
3. The conditional use will comply with the requirements of these standards and regulations, including but not limited to, all applicable performance standards.
4. The conditional use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.
5. The conditional use permit has addressed all off-site impacts.
6. The site is suitable for the proposed conditional use including adequate usable space, adequate access, and absence of environmental constraints.
7. The site plan for the proposed conditional use will provide the most convenient and functional use of the lot including the parking scheme, traffic circulation, open space, fencing, screening, landscaping, signage, and lighting.
8. Sewer, water, storm water drainage, fire protection, police protection, and roads are to be available and adequate to serve the needs of the conditional use as designed and proposed.

Recommended Conditions of Approval:

1. The conditional use permit shall expire on March 14, 2022. At the end of the term of the permit, the applicant may re-apply for a conditional use permit to seek approval to continue storing the two commercial vehicles on the property.
2. This conditional use permit shall be for only two commercial vehicles over 7,000 pounds to be stored on the property.
3. Storage of the vehicles over 7,000 pounds gross vehicle weight shall be on the southwestern section of the property as shown on the site plan. These vehicles shall be stored on a recycled asphalt surface, or another approved surface in accordance with the County's development regulations.
4. An eight-foot tall screen fence shall be installed to enclose the storage area for the vehicles as shown on the site plan. The fence shall include a gate for access into the enclosure. A building permit must be obtained from the County for installation of the fence.

Recommended Notes to the Applicant:

1. All applicable building, zoning, engineering, fire, and health codes shall be adhered to with this request.

CITIZEN COMMENTS

# of property owners notified	# of comments received
11	9

All property owners within 1,000 feet of the subject property were notified of this application. As of writing this report, staff has received nine responses in support of the request. One property owner, Mrs. Silvia Molina, a property owner directly west of the subject site, expressed concerns about increase in noise and vibration from the proposed vehicles; however, the applicant agreed to relocate the vehicle storage area farther away from Mrs. Molina's property. On January 26, 2017, Mrs. Molina informed staff that her concerns have been addressed by the applicant and she is in favor of the request.

County Agency Comments:

The Adams County staff reviewed the subject request and all staff concerns have been resolved.

Referral Agencies:**Responding with Concerns:**

None

Responding without Concerns:

Brighton Fire
Brighton School District 27J
Colorado Department of Transportation (CDOT)
Commerce City Community Development Department
E-470 Public Highway Authority
United Power
Xcel Energy

Notified but not Responding / Considered a Favorable Response:

Century Link
Colorado Department of Public Health and Environment
Colorado Division of Wildlife
Comcast
Metro Wastewater Reclamation
Regional Transportation District
South Adams County Water & Sanitation District
Tri-County Health Department

Exhibits Table of Contents

Exhibit 1- Maps

- 1.1 Zoning Map
- 1.2 Aerial Map
- 1.3 Simple Map

Exhibit 2- Applicant Information

- 2.1 Applicant Written Explanation
- 2.2 Applicant Site Plan

Exhibit 3- Referral Comments

- 3.1 Referral Comments (Adams County Staff)
- 3.2 Referral Comments (Brighton Fire)
- 3.3 Referral Comments (Brighton 27J Schools)
- 3.4 Referral Comments (CDOT)
- 3.5 Referral Comments (Commerce City Staff)
- 3.6 Referral Comments (E-470 Authority)
- 3.7 Referral Comments (United Power)
- 3.8 Referral Comments (Xcel Energy)

Exhibit 4- Citizen Comments

- 4.1 Joseph Andrew & Karen Buzzitta
- 4.2 Roberto A. Delgado
- 4.3 Larry & Deloras Fifer
- 4.4 Jevard H. Hitch
- 4.5 Bruce Hoger
- 4.6 Donna J. Kampbell
- 4.7 Silvia Molina
- 4.8 Robert D. Morgan
- 4.9 Dennis J. Peterson

Exhibit 5- Associated Case Materials

- 5.1 Request for Comments
- 5.2 Public Hearing Notice
- 5.3 Certificate of Posting
- 5.4 Property Owner Labels
- 5.5 Referral Labels

Steve & Lois Selph

June 2016

18950 East 118th Avenue

Commerce City, Colorado 80022-0510

1.800.609.4137 E-Fax

303.324.0255 Steve Mobile

We are applying for a "Conditional Use Permit" for our two vehicles that are over 7000 lbs.

The two trucks over 7000 lbs. are only parked here after work and no business is performed here.

There is no outside storage of business equipment, vehicles, or products located at this address. The vehicles (under 7000 lbs.) located on this property are personally registered to us, and not the business.

Hopefully, we get approved and we can move on with our plans for an 8' cedar 1" X 6" privacy fence and landscaping on the back side of the shop to help hide the trucks from view.

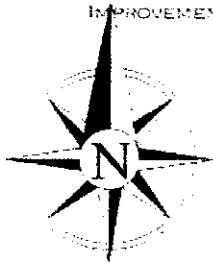
Our neighbors approve of us having our dump trucks on our property and appreciate the way we keep our property well maintained. We take pride in our property and work hard to keep it looking nice. At your request, we have enclosed a few letters (8) of approval from our neighbors.

Sincerely,

Steve & Lois Selph

5460 WARD ROAD + SUITE 160
ARVADA, COLORADO 80002
(303) 420-4785

IMPROVEMENT LOCATION CERTIFICATE



Scale: 1"=100'

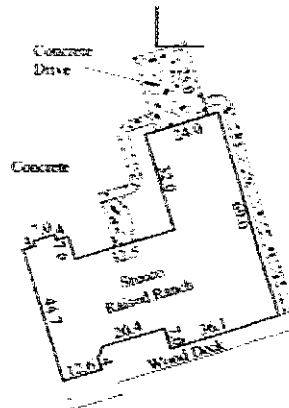
Note:
Certificate is Based on Control as Shown.
An Improvement Survey Plot is Recommended
for Precise Location of Improvement

Note:
Location of Fence Lines if Shown are Approximate.
----- Fence Line

House File
No. 1-500

LEGAL DESCRIPTION
(PER CLIENT)

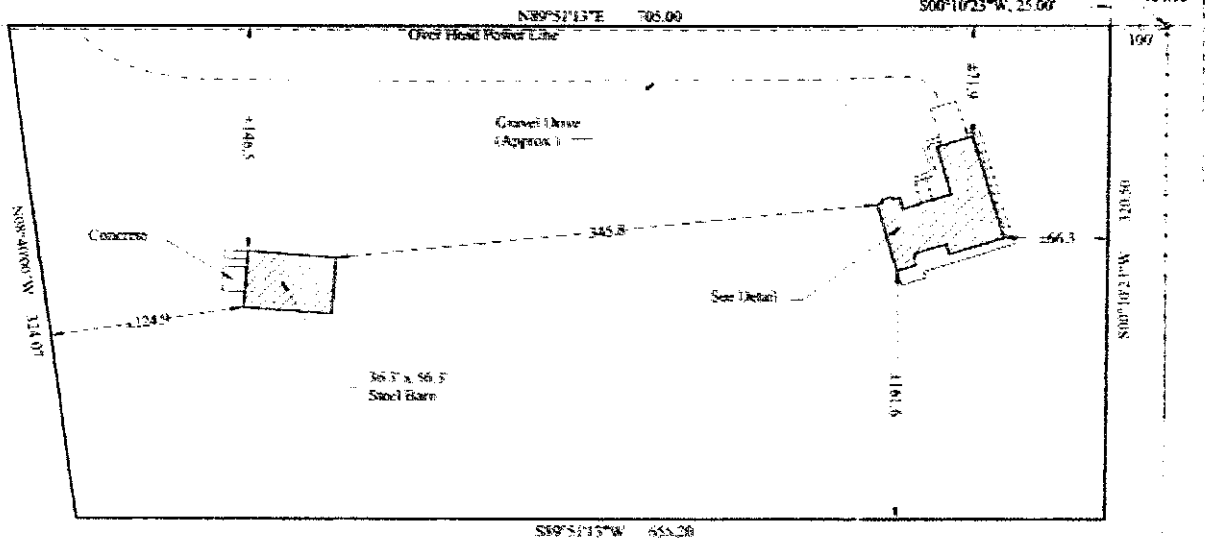
SEE ATTACHED
LEGAL DESCRIPTION



Northeast Corner of the
S1/2, NW1/4 of Section 3,
T2S, R66W of the 6th P.M.
(Per Legal)

1850 Feb 11 Sat. A. 60-62

Found 1-2" Rebar	S89°51'13"W
0°10'23"W, 25.00'	760.00'



On the basis of my knowledge, information and belief, I hereby certify that this improvement location certificate was prepared for
LAND TITLE GUARANTEE COMPANY, that it is not a Land Survey Plat or Improvement Survey Plat, and that it is not to be relied upon for the establishment of fence, building, or other future
 improvement lines. I further certify that the improvements on the above described parcel on this date, except utility
 connections, are entirely within the boundaries of the parcel, except as shown, that there are no encroachments upon the
 described premises by improvements on any adjoining premises, except as indicated, and that there is no apparent evidence or
 sign of any easement crossing or burdening any part of said parcel, except as noted.

NOTICE: This improvement location certificate is rendered for the sole purpose of identifying the location of the improvement. It does not establish property corners or property lines. A more precise reference to the improvements to the boundary lines can be determined by an Improvement Survey. The improvements are shown as shown and only apparent improvements and encroachments are noted. R.E. ROHR & ASSOCIATES, INC. and Robert S. Rohr will not be liable for errors or omissions in the location of the improvement location certificate, and their only duty to the parties specifically shown herein, acceptance and use of this improvement location certificate for any purpose consistent with the agreement to all terms stated herein.

NOTE
SURVEY IS DRAWN USING
PLATTED ANGLES OR
SEARINGS AND DIMENSIONS

Robert E. Port, L.S. 15321 or Robert M. Hayden, L.S. 27268

Steve & Lois Selph
**Search Results for "18950 E 118th Ave,
Commerce City, CO 80022"**

mapquest

page 1 of 1

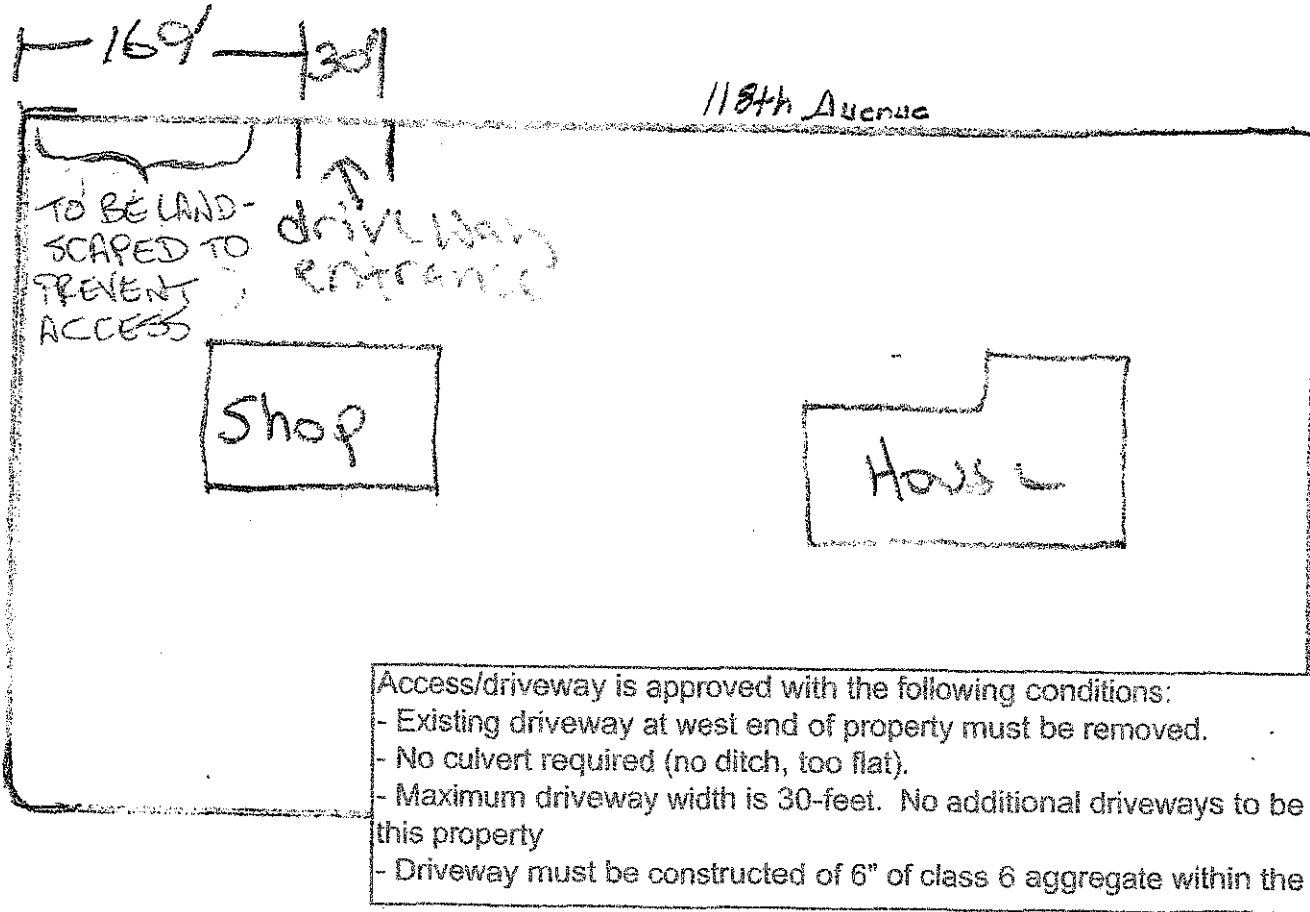
*Installing 8' Cedar 1"X6" X 8' Pickets
4X4 posts (Highlighted Area)
2X4 Frame*

1. 18950 E 118th Ave
18950 E 118th Ave,
Commerce City, CO 80022-0510



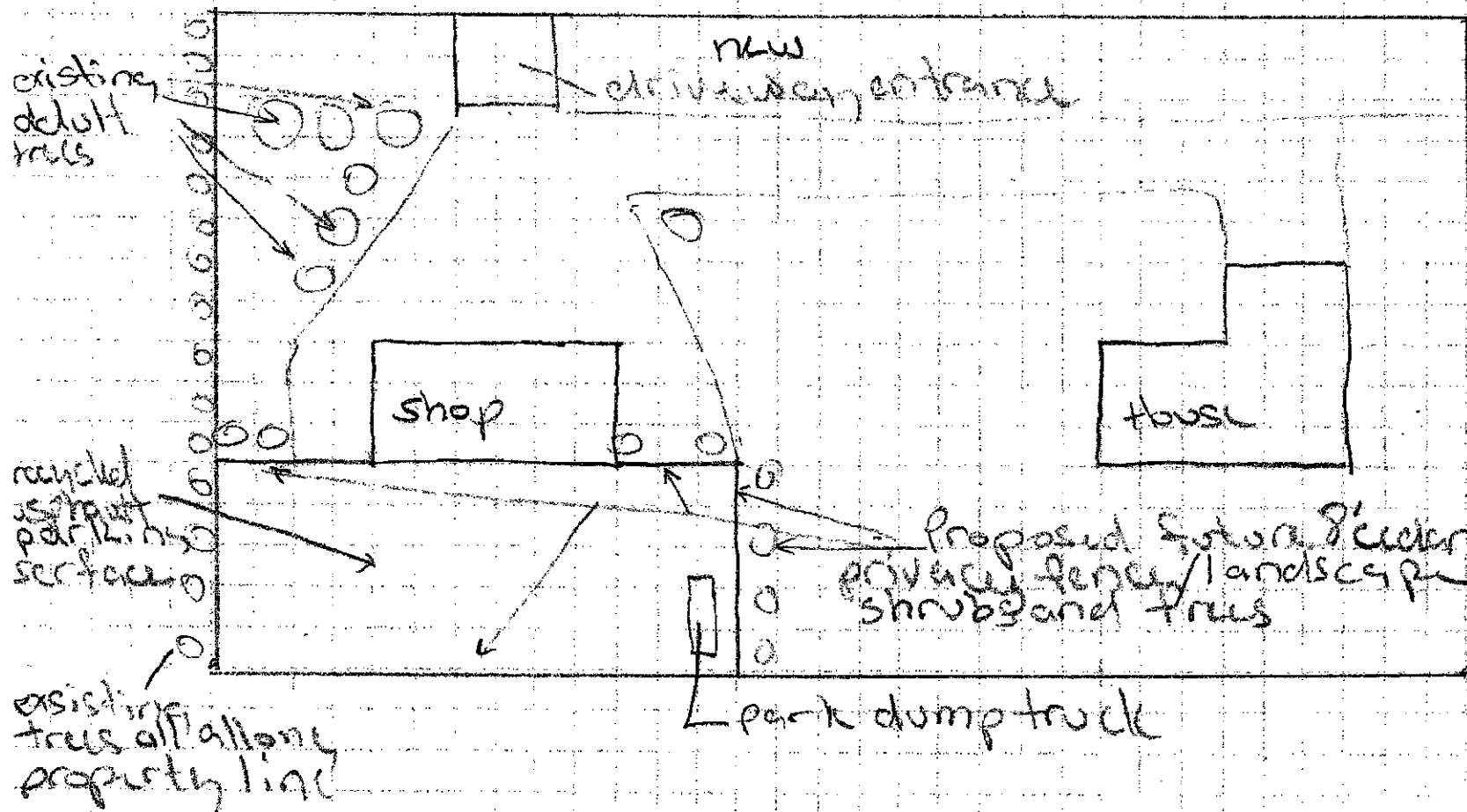
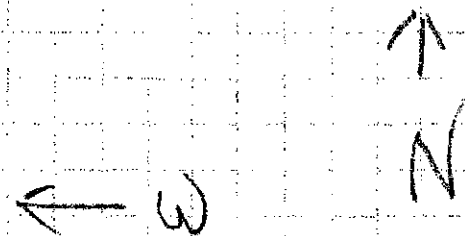


SE/PH 18950 E. 118th Ave. Commerce City, CO 80022
Parcel # 0172323200001



- Access/driveway is approved with the following conditions:
- Existing driveway at west end of property must be removed.
 - No culvert required (no ditch, too flat).
 - Maximum driveway width is 30-feet. No additional driveways to be approved for this property
 - Driveway must be constructed of 6" of class 6 aggregate within the County ROW.

18950 E 118th Ave
Commerce City 80022
303-324-0255 Stave





Development Review Team Comments

Date: 8/1/2016

Project Number: RCU2016-00018

Project Name: Selph Conditional Use

Note to Applicant:

The following review comments and information from the Development Review Team is based on the information you submitted for a Conditional Use Permit application. At this time, staff would like for you to address outstanding comments prior to scheduling this for public hearing. Please contact me if you have any questions.

Commenting Division: Building Review

Name of Reviewer: Justin Blair

Date: 07/08/2016

Email:

No Comment

Commenting Division: Engineering Review

Name of Reviewer: Greg Labrie

Date: 07/05/2016

Email:

Complete

Eng1; The existing access onto the site does not meet Adams County standards. All access points should be at a 90 degree angle to the roadway in accordance to Chapters' 7 and 8 of the Adams County Development Standards and Regulations. The existing access is not in compliance and has never been permitted through the county. The applicant must apply for an access permit and modify the driveway to meet Adams County standards.

Commenting Division: Environmental Analyst Review

Name of Reviewer: Jen Rutter

Date: 07/08/2016

Email:

Complete

ENV1. Per section 4-03-03-02-12(8) of the Adams County Development Standards and Regulations, all storage of vehicles shall be located on an approved surface, including concrete, gravel, asphalt, or recycled asphalt.

Commenting Division: Parks Review

Name of Reviewer: Aaron Clark

Date: 07/05/2016

Email:

No Comment

Commenting Division: Planner Review

Name of Reviewer: Greg Barnes

Date: 08/01/2016

Email:

Resubmittal Required

PLN01: The property is located within an A-1 zone district, and the Adams County Comprehensive plan has a future land use designation of Parks and Open Space. The proposed use of the property for storage of large vehicles is inconsistent with the Adams County Comprehensive Plan. Please note that staff will be recommending denial of this request to the Planning Commission.

PLN02: All vehicles must be stored on a hard-surfaced material. Please see the comment from our Environmental Analyst for more information.

PLN03: The location of the proposed vehicle storage seems to have a greater impact on your neighbors to the west. Why are these vehicles proposed here? It may make a stronger case if the vehicles are stored closer to the center of your property. This is a suggestion, and not a requirement.

PLN04: Will any additional landscaping be proposed to screen the fence from off-site view?

Commenting Division: ROW Review

Name of Reviewer: Robert Kovacs

Date: 06/30/2016

Email:

Complete

no ROW concern



Development Review Team Comments

Date: 1/13/2017

Project Number: RCU2016-00018

Project Name: Selph Conditional Use

Note to Applicant:

The following review comments and information from the Development Review Team is based on the information you submitted for the Conditional Use Permit application. Please contact the case manager if you have any questions:

Commenting Division: Engineering Review

Name of Reviewer: Greg Labrie

Date: 01/13/2017

Email: glabrie@adcogov.org

Complete

ENG1; On 9/30/2016 an access permit was issued to applicant. The Adams County permit number is CLV2016-00181. The work for this permit was completed and inspected on 11/28/2016. The applicant has satisfied the requirements identified by Development Engineering on 7/05/2016.

Commenting Division: Environmental Analyst Review

Name of Reviewer: Jen Rutter

Date: 07/08/2016

Email: jrutter@adcogov.org

Complete

ENV1. Per section 4-03-03-02-12(8) of the Adams County Development Standards and Regulations, all storage of vehicles shall be located on an approved surface, including concrete, gravel, asphalt, or recycled asphalt.

Commenting Division: Planner Review

Name of Reviewer: Greg Barnes

Date: 01/13/2017

Email: gbarnes@adcogov.org

Complete

PLN01: Thank you for your response. I will be moving forward with scheduling your case for the first available public hearing on the Planning Commission's agenda. I will contact you on January 30th with more information

Greg Barnes

From: Kerrie Monti [kmonti@sd27j.net]
Sent: Wednesday, July 06, 2016 12:18 PM
To: Greg Barnes
Subject: Re: For Review: Selph Conditional Use

Hello Greg,

We have no objection to this request. Thanks for asking!

Kerrie Monti | Planning Manager

School District 27J | 18551 E 160th Avenue | Brighton, CO 80601
303-655-2984 | Fax 303-655-2805

kmonti@sd27j.net | www.sd27j.org

On Tue, Jul 5, 2016 at 2:08 PM, Greg Barnes <GJBarnes@adcogov.org> wrote:

Please see the attached information regarding a recent Conditional Use Permit application that has been submitted to our office. The request is to allow two vehicles exceeding 7,000 lbs. to be stored on the property. Your comments are requested by **July 27, 2016**. Thanks!



Greg Barnes

Planner II, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway

1st Floor, Suite W2000A

Brighton, CO 80601-8216

o: 720-523-6853 | gjbarnes@adcogov.org

www.adcogov.org

Greg Barnes

From: Means, Whitney [wmeans@brightonfire.org]
Sent: Friday, July 22, 2016 4:20 PM
To: Greg Barnes
Subject: RE: For Review: Selph Conditional Use

Good afternoon Greg,

I have reviewed the Conditional Use Permit application and do not have any comments. Thanks!

Whitney Means

Fire Inspector
Brighton Fire Rescue District
500 S. 4th Ave. 3rd Floor
Brighton, CO 80601
303-654-8041
www.brightonfire.org

From: Greg Barnes [<mailto:GJBarnes@adcogov.org>]
Sent: Tuesday, July 5, 2016 2:09 PM
To: Greg Barnes <GJBarnes@adcogov.org>
Subject: For Review: Selph Conditional Use

Please see the attached information regarding a recent Conditional Use Permit application that has been submitted to our office. The request is to allow two vehicles exceeding 7,000 lbs. to be stored on the property. Your comments are requested by **July 27, 2016**. Thanks!



Greg Barnes
Planner II, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway
1st Floor, Suite W2000A
Brighton, CO 80601-8216
o: 720-523-6853 | gjbarnes@adcogov.org
www.adcogov.org

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MEMO

COMMUNITY DEVELOPMENT DEPARTMENT

To: Greg Barnes, Case Manager

From: Robin Kerns, City Planner

Subject: RCU2016-00018

Date: July 27, 2016

Thank you for allowing the City of Commerce City the opportunity to comment on land use cases in Adams County.

Staff has reviewed the proposal and has no comments.

Please contact me with any questions at rkerns@c3gov.com or 303-289-3693.

Greg Barnes

From: Loeffler - CDOT, Steven [steven.loeffler@state.co.us]
Sent: Tuesday, July 26, 2016 2:25 PM
To: Greg Barnes
Subject: RCU2016-00018, Selph Conditional Use

Greg,

I have reviewed the request for comments regarding a CUP to allow storage of two vehicles exceeding 7,000 pounds, on property located at 18950 E. 118th Avenue and have no objections.

Thank you for the opportunity to review this referral.

Steve Loeffler
Permits Unit



P 303.757.9891 | F 303.757.9886
2000 S Holly Street, Denver, CO 80222
steven.loeffler@state.co.us | www.codot.gov | www.cotrip.org



Greg Barnes

From: Peggy Davenport [pdavenp@e-470.com]
Sent: Tuesday, July 26, 2016 11:18 AM
To: Greg Barnes
Cc: Helpdesk Admin
Subject: DR: ##103883## RCU2016-00018 Request for Comments Selp Conditional Use

Greg,
Thank you for allowing E-470 Public Highway Authority the opportunity to review RCU2016-00018 Request for Comments Selp Conditional Use.

E-470 Public Highway Authority has no comments.

Regards,

Peggy Davenport
Administrative Coordinator/Document Control
I Engineering & Roadway Maintenance
I O 303-537-3727
I [Pdavenport@E-470.com](mailto:pdavenport@E-470.com)

CONFIDENTIALITY NOTICE

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Greg Barnes

From: Marisa Dale [mdale@UnitedPower.com]
Sent: Friday, July 08, 2016 8:16 AM
To: Greg Barnes
Subject: RE: For Review: Selph Conditional Use

Greg,

Thank you for allowing United Power, Inc. to review and comment on the Selph Conditional Use Permit to allow storage of two vehicles exceeding 7,000 lbs request.

United Power, Inc. owns and maintains an overhead powerline parallel to the south side of E 118th Ave and has no objection to this request as long as there is not impact to our facilities.

Thank you,
Marisa

Marisa Dale, RWA Engineering & Rates ROW | [United Power, Inc.](#) | 500 Cooperative Way, Brighton, CO 80603 | mdale@unitedpower.com | office 303.637.1387 | mobile 720.334.5282
7:00am-5:30pm, off on Wednesdays



From: Greg Barnes [<mailto:GJBarnes@adcogov.org>]
Sent: Tuesday, July 05, 2016 2:09 PM
To: Greg Barnes
Subject: For Review: Selph Conditional Use

Please see the attached information regarding a recent Conditional Use Permit application that has been submitted to our office. The request is to allow two vehicles exceeding 7,000 lbs. to be stored on the property. Your comments are requested by **July 27, 2016**. Thanks!



Greg Barnes
Planner II, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway
1st Floor, Suite W2000A
Brighton, CO 80601-8216
o: 720-523-6853 | gjbarnes@adcogov.org
www.adcogov.org



Right of Way & Permits
1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

July 26, 2016

Adams County Community and Economic Development Department
4430 South Adams County Parkway, 3rd Floor, Suite W3000
Brighton, CO 80601

Attn: Greg Barnes

Re: Selph Conditional Use, Case # RCU2016-00018

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the conditional use plans for **Selph** and has **no apparent conflict**.

If you have any questions about this referral response, please contact me at (303) 571-3306.

Donna George
Contract Right of Way Referral Processor
Public Service Company of Colorado

Steve & Lois Selph

June 2016

18950 East 118th Avenue

Commerce City, Colorado 80022-0510

(303) 324-0255 Steve Mobile

1 (800) 609-4137 E-Fax

To our Neighbors,

We have been asked by Adams County Community & Economic Development Department to have our neighbors sign a letter of approval in regards to having our dump trucks on our property.

We will be installing a privacy fence to block them from view.

Please sign below if you approve of having our dump trucks on our property:

Joseph Andrew Buzzitta & Karen Buzzitta

Print

Joseph Andrew Buzzitta

Sign

19851 E. 118th Ave.

Commerce City, CO 80022

Address

6/26/16

Date

Steve & Lois Selph

June 2016

18950 East 118th Avenue

Commerce City, Colorado 80022-0510

(303) 324-0255 Steve Mobile

1 (800) 609-4137 E-Fax

To our Neighbors,

We have been asked by Adams County Community & Economic Development Department to have our neighbors sign a letter of approval in regards to having our dump trucks on our property.

We will be installing a privacy fence to block them from view.

Please sign below if you approve of having our dump trucks on our property:

Roberto A. Delgado

Print

Roberto A Delgado

Sign

20085 E 118TH Ave

Address

6/26/16

Date

Steve & Lois Selph

June 2016

18950 East 118th Avenue

Commerce City, Colorado 80022-0510

(303) 324-0255 Steve Mobile

1 (800) 609-4137 E-Fax

To our Neighbors,

We have been asked by Adams County Community & Economic Development Department to have our neighbors sign a letter of approval in regards to having our dump trucks on our property.

We will be installing a privacy fence to block them from view.

Please sign below if you approve of having our dump trucks on our property:

Larry + Deloras Fifer

Print

Deloras Fifer
Larry Fifer

Sign

20090 E 118th Ave

Commerce City, CO 80022

Address

June 26, 2016

Date

Steve & Lois Selph

June 2016

18950 East 118th Avenue

Commerce City, Colorado 80022-0510

(303) 324-0255 Steve Mobile

1 (800) 609-4137 E-Fax

To our Neighbors,

We have been asked by Adams County Community & Economic Development Department to have our neighbors sign a letter of approval in regards to having our dump trucks on our property.

We will be installing a privacy fence to block them from view.

Please sign below if you approve of having our dump trucks on our property:

SEWARD H HITCH

Print



Sign

19150 E. 118TH AVE

COMMERCE CITY CO 80022

Address

6/24/2016

Date

Steve & Lois Selph

June 2016

18950 East 118th Avenue

Commerce City, Colorado 80022-0510

(303) 324-0255 Steve Mobile

1 (800) 609-4137 E-Fax

To our Neighbors,

We have been asked by Adams County Community & Economic Development Department to have our neighbors sign a letter of approval in regards to having our dump trucks on our property.

We will be installing a privacy fence to block them from view.

Please sign below if you approve of having our dump trucks on our property:

Bruce Hager

Print

Bruce Hager

Sign

19751 E 118TH AVE
Commerce City CO-80022

Address

6-26-16

Date

Steve & Lois Selph

June 2016

18950 East 118th Avenue

Commerce City, Colorado 80022-0510

(303) 324-0255 Steve Mobile

1 (800) 609-4137 E-Fax

To our Neighbors,

We have been asked by Adams County Community & Economic Development Department to have our neighbors sign a letter of approval in regards to having our dump trucks on our property.

We will be installing a privacy fence to block them from view.

Please sign below if you approve of having our dump trucks on our property:

Donna J. KAMPBELL

Print

Donna J. Kampbell

Sign

19290 E. 118th Avenue

Commerce City, CO 80022

Address

June 24, 2016

Date

Steve & Lois Selph

June 2016

18950 East 118th Avenue

Commerce City, Colorado 80022-0510

(303) 324-0255 Steve Mobile

1 (800) 609-4137 E-Fax

To our Neighbors,

We have been asked by Adams County Community & Economic Development Department to have our neighbors sign a letter of approval in regards to having our dump trucks on our property.

We will be installing a privacy fence to block them from view.

Please sign below if you approve of having our dump trucks on our property:

Silvia Molina

Print

[Signature]

Sign

18900 E. 118th Ave
Commerce City, CO 80022

Address

6-29-2016

Date

Silvia Molina
18900 E. 18th Ave
Commerce City, CO. 80022
720-364-8320

July 26, 2016

Greg Barnes
Department of Community & Economic Development
4430 South Adams County Parkway
1st Floor, Suite W200A
Brighton, CO 80601-8204

Dear Greg Barnes:

In response to your request for my comments on the Selph Conditional Use permit. I only have one concern regarding the parking of the trucks.

Currently truck(s) are parked along the west area along fence. This is located near my bedroom. I am able to hear Steve start up his loud truck(s) that he warms up at least 7 minutes at 3:00am and sometimes 4:00am in the morning. I'm usually woke up by this. Steve has already moved further back (South-end) but the loudness of vehicles is still the same.

Steve has come by to ask my husband if we can give him time to build a fence near the back side of his shop and then he would move his trucks there. I would greatly appreciate if Steve would park his trucks further east.

I have no other issues.

Sincerely,


Silvia Molina

Greg Barnes

From: Silvia Molina [smolina18900@gmail.com]
Sent: Thursday, January 26, 2017 7:26 PM
To: Greg Barnes
Subject: Re: Request for comments- Selpf Condition Use Permit

Hello Mr Barnes,

I am not having any more encounterances with Mr Selph's truck noises anymore. He has kindly been parking further away from my bedroom. Glad to hear the case is rapping up for the Selph family, they're good neighbors overall it was only that noise issue I described earlier.

I appreciate your follow up-Have a great day!

Silvia Molina

On Wed, Jan 25, 2017 at 2:47 PM, Greg Barnes <GJBarnes@adcogov.org> wrote:

Hi Silvia,

It has been awhile since we last talked. I was wonder if you are still having issues with early morning noises from Mr. Selph's trucks? This case is slowly moving forward for public hearing, and I would like to know if you are still encountering this issue. If it has been resolved, would you tell me how it was resolved. I would like to ensure that this request would not negatively impact the neighbors.

Thanks for your time.



Greg Barnes

Planner II, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway

1st Floor, Suite W2000A

Brighton, CO 80601-8216

o: [720-523-6853](tel:720-523-6853) | gjbarnes@adcogov.org

Steve & Lois Selph

June 2016

18950 East 118th Avenue

Commerce City, Colorado 80022-0510

(303) 324-0255 Steve Mobile

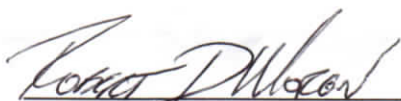
1 (800) 609-4137 E-Fax

To our Neighbors,

We have been asked by Adams County Community & Economic Development Department to have our neighbors sign a letter of approval in regards to having our dump trucks on our property.

We will be installing a privacy fence to block them from view.

Please sign below if you approve of having our dump trucks on our property:



Print

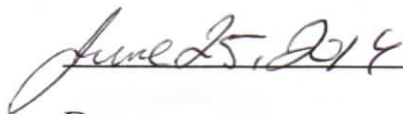


Sign

19440 E 118th Ave

Commerce City CO 80022

Address



Date

Steve & Lois Selph

June 2016

18950 East 118th Avenue

Commerce City, Colorado 80022-0510

(303) 324-0255 Steve Mobile

1 (800) 609-4137 E-Fax

To our Neighbors,

We have been asked by Adams County Community & Economic Development Department to have our neighbors sign a letter of approval in regards to having our dump trucks on our property.

We will be installing a privacy fence to block them from view.

Please sign below if you approve of having our dump trucks on our property:

DENNIS J PETERSON

Print

Dennis J Peterson

Sign

17800 E 118th Ave

COMMERCE CITY CO

Address

6-24-16

Date

CERTIFICATE OF POSTING



I, **J. Gregory Barnes** do hereby certify that I posted the property at

18950 E. 118th Avenue

on **February 3, 2017**

in accordance with the requirements of the Adams County Zoning Regulations

J. Gregory Barnes



Request for Comments

Case Name: Selph Conditional Use
Case Number: RCU2016-00018

July 5, 2016

The Adams County Planning Commission is requesting comments on the following request:

Request for a Conditional Use Permit to allow storage of two vehicles exceeding 7,000 lbs. pursuant to Section 4-03-03-02-12

This request is located at 18950 E 118th Avenue. The Assessor's Parcel Number is 0172303200001

Applicant Information: STEVEN AND LOIS F SELPH,
18950 E 118TH AVE,
COMMERCE CITY, CO 80022

Please forward any written comments on this application to the Department of Community and Economic Development at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 (720) 523-6800 by 07/27/2016 in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to GJBarnes@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates will be forwarded to you for your information.

The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Greg Barnes
Case Manager



Public Hearing Notification

Case Name:	Selph Conditional Use
Case Number:	RCU2016-00018
Planning Commission Hearing Date:	02/23/2017 at 6:00 p.m.
Board of County Commissioners Hearing Date:	03/14/2017 at 9:30 a.m.

January 27, 2017

A public hearing has been set by the Adams County Planning Commission and the Board of County Commissioners to consider the following request: **Request for Conditional Use Permit to allow storage of two vehicles exceeding 7,000 lbs. pursuant to Section 4-03-03-02-12.**

The proposed use will remain Residential. This request is located at 18950 E 118th Avenue on 5.0 acres. The Assessor's Parcel Number is 0172303200001.

Applicant Information:	SELPH STEVEN AND LOIS F 18950 E 118TH AVE COMMERCE CITY, CO 80022
------------------------	---

The hearing will be held in the Adams County Hearing Room located at 4430 South Adams County Parkway, Brighton CO 80601-8216. This will be a public hearing and any interested parties may attend and be heard. The Applicant and Representative's presence at these hearings is requested. If you require any special accommodations (e.g., wheelchair accessibility, an interpreter for the hearing impaired, etc.) please contact the Adams County Community and Economic Development Department at (720) 523-6800 (or if this is a long distance call, please use the County's toll free telephone number at 1-800-824-7842) prior to the meeting date.

For further information regarding this case, please contact the Department of Community and Economic Development, 4430 S Adams County Parkway, Brighton, CO 80601, 720-523-6800. This is also the location where maps and/or text certified by the Planning Commission may be viewed.

The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Greg Barnes
Case Manager

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

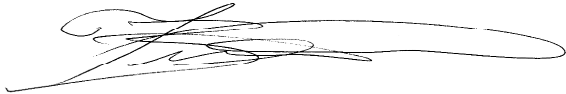
Erik Hansen
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Mary Hodge
DISTRICT 5

**PROOF OF PUBLICATION
BRIGHTON STANDARD BLADE
COUNTY OF ADAMS SS.
STATE OF COLORADO**

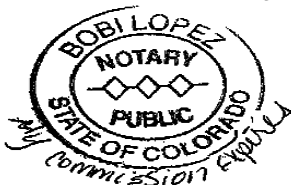
I, Tim Zeman, do solemnly swear that I am the Publisher of the **Brighton Standard Blade** is a weekly newspaper printed and published in the County of Adams State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said county of Adams for a period of more than fifty-two consecutive weeks prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the act of March 3, 1879, or any amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado. That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said weekly newspaper for the **period of ONE consecutive insertion(s)** and that the first publication of said notice was in the issue of newspaper, dated **8th day of February 2017** last on the **8th day of February 2017**



Publisher, Subscribed and sworn before me, this **8th day of February 2017**



Notary Public.
Notary ID No. 20024002511



My Commission Expires February 02, 2018

**PUBLICATION REQUEST
Case Name: Selph**

Case Number: RCU2016 00018

Planning Commission Hearing Date:
02/23/2017 at 6:00 p.m

Board of County Commissioners
Hearing Date: 03/14/2017 at 9:30 a.m.

Request: Conditional Use Permit to
allow storage of two vehicles exceeding
7,000 lbs. pursuant to Section 4 03 03
02 12.

Location: 18950 E 118TH AVE
Parcel Number: 0172303200001
Case Manager: Greg Barnes
Case Technician: Shayla Christenson

Applicant: SELPH STEVEN AND
SELPH LOIS F, 18950 E 118TH AVE.,
COMMERCE CITY, CO 80022

Owner: SELPH STEVEN AND SELPH
LOIS F, 18950 E 118TH AVE.,
COMMERCE CITY, CO 80022

Legal Description: SECT,TWN,RNG:3-
2-66 DESC: PARCEL 1 PT OF THE S2
NW4 OF SEC 3 DESC AS FOLS BEG
AT THE NE COR SD S2 NW4 OF SEC
3 TH S 89D 51M 13S W 760 FT TH S
00D 10M 23S W 25 FT TO THE TRUE
POB TH CONT S 00D 10M 23S W S
320/50 FT TH S 89D 51M 13S W
655/20 FT TH N 08D 40M 00S W
324/07 FT TH N 89D 51M 13S E 705 FT
TO THE TRUE POB 5/004A

Published in the Brighton Standard
Blade February 8, 2017

E-470 PUBLIC HIGHWAY AUTHORITY
22470 E 6TH PKWY NO. 100
AURORA CO 80018

SW CHAMBERS LLC ET AL
495 GRAND BLVD STE 206
MIRAMAR BEACH FL 32550-1897

FAMILY TRUST
C/O PHILIP LUNNON
6306 UMBER CIR
ARVADA CO 80403-7407

HITCH JEVARD
19150 E 118TH AVE
COMMERCE CITY CO 80022

KAMPBELL DONNA J
19290 E 118TH AVE
COMMERCE CITY CO 80022-9718

KHAN ZULFIQAR
634 54TH AVENUE CT
GREELEY CO 80634-4444

MOLINA SILVIA E AND
MOLINA JUAQUIN S
18900 E 118TH AVE
COMMERCE CITY CO 80022-0510

MORGAN KERRY D AND
MORGAN ROBERT D
20001 E 118TH AVE
COMMERCE CITY CO 80022-9703

PETERSON LIVING TRUST/PETERSON DENNIS J
PETERSON KATHY LYNN TRUSTEES
17800 E 118TH AVE
COMMERCE CITY CO 80022-9759

SELPH STEVEN AND
SELPH LOIS F
18950 E 118TH AVE
COMMERCE CITY CO 80022

SMITH WALTER C AND JANICE J
11990 TOWER RD
COMMERCE CITY CO 80022-9769

Adams County Development Services - Building
Attn: Justin Blair
JBlair@adcogov.org

COLORADO DIVISION OF WILDLIFE
Attn: JOSEPH PADIA
6060 BROADWAY
DENVER CO 80216

BRIGHTON FIRE DISTRICT
Attn: WHITNEY MEANS
500 South 4th Avenue
3rd Floor
BRIGHTON CO 80601

COMCAST
Attn: JOE LOWE
8490 N UMITILLA ST
FEDERAL HEIGHTS CO 80260

BRIGHTON SCHOOL DISTRICT 27J
Attn: Kerrie Monti
18551 E. 160TH AVE.
BRIGHTON CO 80601

Commerce City Planning Division
Attn: Robin Kern
7887 East 60th Avenue
COMMERCE CITY CO 80022

CDPHE - AIR QUALITY
Attn: JAMES A. DILEO
4300 CHERRY CREEK DRIVE SOUTH
DENVER CO 80246-1530

COUNTY ATTORNEY- Email
Attn: Christine Francescani
CFrancescani@adcogov.org

CDPHE - WATER QUALITY PROTECTION SECT
Attn: Patrick Pfaltzgraff
4300 CHERRY CREEK DRIVE SOUTH
WQCD-B2
DENVER CO 80246-1530

Engineering Department - ROW
Attn: Transportation Department
PWE - ROW

CDPHE SOLID WASTE UNIT
Attn: Andy Todd
4300 CHERRY CREEK DR SOUTH
HMWMD-CP-B2
DENVER CO 80246-1530

Engineering Division
Attn: Transportation Department
PWE

Century Link
Attn: Brandyn Wiedreich
5325 Zuni St, Rm 728
Denver CO 80221

ENVIRONMENTAL ANALYST
Attn: Jen Rutter
PLN

Code Compliance Supervisor
Attn: Eric Guenther
eguenther@adcogov.org

METRO WASTEWATER RECLAMATION
Attn: CRAIG SIMMONDS
6450 YORK ST.
DENVER CO 80229

COLORADO DEPT OF TRANSPORTATION
Attn: Steve Loeffler
2000 S. Holly St.
Region 1
Denver CO 80222

NS - Code Compliance
Attn: Gail Moon
gmoon@adcogov.org

COLORADO DIVISION OF WILDLIFE
Attn: Eliza Hunholz
Northeast Regional Engineer
6060 BROADWAY
DENVER CO 80216-1000

Parks and Open Space Department
Attn: Nathan Mosley
mpedrussi@adcogov.org
aclark@adcogov.org

REGIONAL TRANSPORTATION DIST.
Attn: CHRIS QUINN
1560 BROADWAY SUITE 700
DENVER CO 80202

Xcel Energy
Attn: Donna George
1123 W 3rd Ave
DENVER CO 80223

SHERIFF'S OFFICE: SO-HQ
Attn: MICHAEL McINTOSH
nblair@adcogov.org, aoverton@adcogov.org; mkaiser@adcog
snielson@adcogov.org

Sheriff's Office: SO-SUB
Attn: SCOTT MILLER
TFuller@adcogov.org, smiller@adcogov.org
aoverton@adcogov.org; mkaiser@adcogov.org

South Adams County Water & San Dist
Attn: Steve Voehringer
10200 E 102nd Ave
Henderson CO 80022

TRI-COUNTY HEALTH DEPARTMENT
Attn: Sheila Lynch
6162 S WILLOW DR, SUITE 100
GREENWOOD VILLAGE CO 80111

TRI-COUNTY HEALTH DEPARTMENT
Attn: MONTE DEATRICH
4201 E. 72ND AVENUE SUITE D
COMMERCE CITY CO 80022

Tri-County Health: Mail CHECK to Sheila Lynch
Attn: Tri-County Health
landuse@tchd.org

United Power, Inc
Attn: Marisa Dale
PO Box 929
500 Cooperative Way
Brighton CO 80601

United Power, Inc
Attn: Marisa Dale
500 Cooperative Way
Brighton CO 80603

United Power, Inc
Attn: Monica Hansen
PO Box 929
500 Cooperative Way
Brighton CO 80601



Memorandum

To: Board of County Commissioners
From: J. Gregory Barnes, Planner II *JGB*
Subject: Selph / Case # RCU2016-00018
Date: March 2, 2017

If the Board of County Commissioners does not concur with the Staff recommendation of Approval, the following findings may be adopted as part of a decision of Denial:

ALTERNATIVE RECOMMENDED FINDINGS FOR DENIAL

1. The conditional use is not permitted in the applicable zone district.
2. The conditional use is inconsistent with the purposes of these standards and regulations.
3. The conditional use will not comply with the requirements of these standards and regulations, including but not limited to, all applicable performance standards.
4. The conditional use is incompatible with the surrounding area, not harmonious with the character of the neighborhood, detrimental to the immediate area, detrimental to the future development of the area, and detrimental to the health, safety, or welfare of the inhabitants of the area and the County.
5. The conditional use permit has not addressed all off-site impacts.
6. The site is unsuitable for the proposed conditional use including inadequate usable space, inadequate access, and presence of environmental constraints.
7. The site plan for the proposed conditional use will not provide the most convenient and functional use of the lot including the parking scheme, traffic circulation, open space, fencing, screening, landscaping, signage, and lighting.
8. Sewer, water, storm water drainage, fire protection, police protection, and roads are unavailable and inadequate to serve the needs of the conditional use as designed and proposed.