



Archuleta County Development Services Department
ARCHULETA COUNTY PLANNING COMMISSION MINUTES

Archuleta County Planning Commission Minutes, Regular Meeting September 22, 2021

The Archuleta County Planning Commission held a meeting on Wednesday September 22, 2021 at the Archuleta County Commissioners Meeting Room, 398 Lewis Street, Pagosa Springs, Colorado. Commissioner Parker called the meeting to order at 6:00 pm.

Commissioners in attendance:

David Parker, Richard Vihel, Anita Hooton, and Luke McCauley were present, establishing a quorum.

Staff in Attendance:

Pamela Flowers, Development Director; Brandon Wolff, Planner; Jamie Jones, Administrative Assistant

Public in Attendance:

John Detzler
Jeremy Gurule

Agenda Review:

There were no changes to the published Agenda.

Commissioner Hooton moved to approve the Meeting Agenda as presented. Commissioner Vihel seconded the motion and it carried unanimously (4-0).

Consent:

A. Approval of Meeting Minutes from June 23, 2021; July 28, 2021; and August 25, 2021

Commissioner Vihel pointed out his name was incorrect in the attendance portion of the minutes from August 25, 2021.

Commissioner Hooton moved to approve the Consent Agenda with only the correction to Commissioner Vihel's name in the August 25, 2021 minutes. Commissioner McCauley seconded the motion and it carried unanimously (4-0).

Old Business:

None

New Business:

A. Public Hearing of an Appeal of Unpermitted Vacation Rental Fines on the Property at 10600 County Rd 326, Owned and Operated by Pawprint Properties LLC (VRP #003902)

Pamela Flowers, Development Director, advised that the Appellant was notified on July 31, 2020 of the need to acquire a Vacation Rental Permit for her three (3) Vacation Rental Properties. She explained that the Notice of Violation indicated that fines of \$100 per day would begin accumulating on the subject property effective August, 21, 2020, now totaling \$39,500. As of the date of this meeting, the Director explained there were still

no permits for any of the properties and that a "STOP USE ORDER" was posted on all the properties on August 12, 2021, prompting contact.

The Staff report also requested that the Planning Commission consider whether to approve the Vacation Rental Permits for these properties once completed.

The Appellant, Pylar Pinkston, presented an explanation for the failure to acquire Vacation Rental Permits on any of the properties on which she operates Vacation Rentals.

Commissioner Hooton moved to Deny the Appeal and Uphold the Decision of the Development Director regarding Unpermitted Vacation Rental Fines of \$39,500 at 10600 County Rd 326, as presented; and to Table the discussion regarding whether or not to approve the Vacation Rental Permits until the applications are fully complete. Chairman Parker seconded and the motion and it passed unanimously (4-0).

B. Public Hearing of an Appeal of Vacation Rental Permit Denial on the Property at 813 Eight Mile Loop, Owned by Bruce Mrachek and Operated by iTrip Vacations (VRP #019974)

The Director, explained that the Operator of the Vacation Rental submitted the application documents on behalf of the Appellant. Rather than linking to active advertisements, the Operator submitted a word document that misrepresented the number of bedrooms and guests that were being solicited for bookings at the dwelling. Even after being given an opportunity to correct the numbers and align the active ads with the proper limits for the home, the same false advertisement was submitted again. It was for this reason that the Director determined that the application amounted to an attempt to procure a Vacation Rental Permit by false representation, and denied the permit.

The Appellant, Bruce Mrachek, and the Operator, represented by Charlee Michelle, presented their explanations for the submissions.

Commissioner Vihel moved to Deny the Appeal and Uphold the Decision of the Development Director to Deny the Vacation Rental Permit for the property at 813 Eight Mile Loop, as presented. Commissioner Hooton seconded and the motion and it passed unanimously (4-0).

Member Comments:

None

Next Meeting:

The next meeting will be held at 6pm on October 27, 2021.

Adjourn:

Motion to adjourn made by Commissioner Vihel and seconded by Commissioner McCauley. Vote was unanimously 4-0 "Aye."

Chairman Parker adjourned the meeting at 7:36 pm.

Approved this 27th day of October, 2021.



Pamela Flowers
Development Director



David Parker
Chairman

