

property at the northeast corner of the Herring Road and Swan Road intersection in Black Forest. The property is zoned RR-5 (rural residential).

Gabe Sevigny, planner II, Planning and Community Development, told the hearing that the application had come about through a code enforcement action after

complaints were made about a large berm and an illegal contractor's equipment yard at the property. Sevigny said that the berm was not a violation of county regulations but that the yard was illegal as it required a special use approval to operate in an RR-5 zoning district. The Reimers were unaware of the violation until it was brought to their attention and met with county staff to begin the process of legalizing the yard. They made a formal application for the special use in July 2018.

Elizabeth Reimers told the commissioners that the family's masonry business has been operating in Black Forest for over 25 years and was relocated to their property after the Black Forest Fire when their parents lost their home and shop. The family's goal is to continue to improve the property and they plan to build a store for the equipment and materials.

Sevigny explained that special use applications are routinely processed administratively. However, as a neighbor's objection was filed, this application was elevated to a public hearing. The county received 76 letters in favor and 12 in opposition. The Black Forest Land Use Committee had initially opposed the application but its chairman, Terry Stokka, spoke at the hearing to say he felt he had only heard half the story prior to the commission meeting. After hearing the applicants' story and talking with the applicant, he was now in support of the application. This was subsequently confirmed in writing following further consultation with the committee.

The application is now expected to be heard at the BOCC on May 28. If approved, the next step would be for the Reimers to submit a site development plan to county for approval.

Petrick special use request for a guesthouse

A special use request from Randall and Gwendena Petrick to allow a guesthouse which exceeds the size limits allowed under the county's Land Development Code returned to the Planning Commission on May 7 after having previously been recommended for approval at the April 2 meeting. The property is slightly north of Pleier Drive and Silverton Road in the Overlook Estates subdivision. (See https://www.ocn.me/v19n5.htm?zoom_highlight=petrick)

At the April hearing, the commissioners heard that a guesthouse is an allowed use in the RR-5 (residential rural) zoning district provided it does not exceed 1,500 square feet. The existing family home in this case, which is proposed to become the guesthouse after a new, main home is built, totalled 1,648 square feet and so required a special use permit. At the time, there was opposition to the application with objectors arguing that the home's basement, which was excluded from the square foot calculation, should be included.

At the May 7 meeting, Len Kendall, planner I, Plan-

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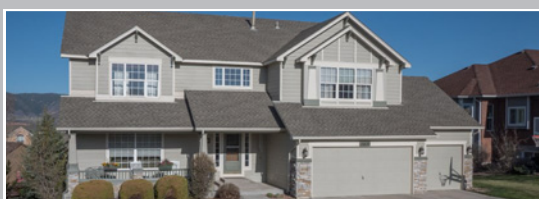
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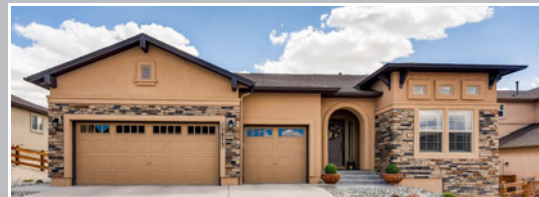
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