



TOWN BOARD REGULAR MEETING

January 27, 2014 - 7:00 P.M.

Town Board Chambers, 301 Walnut Street, Windsor, CO 80550

The Town of Windsor will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 674-2400 by noon on the Thursday prior to the meeting to make arrangements.

AGENDA

A. CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance
3. Review of Agenda by the Board and Addition of Items of New Business to the Agenda for Consideration by the Board
4. Board Liaison Reports
 - Town Board Member Baker – Parks, Recreation & Culture Advisory Board; Cache La Poudre Trail Board Alternate
 - Town Board Member Thompson – Planning Commission; Tree Board; Great Western Trail Authority
 - Mayor Pro-Tem Melendez – Downtown Development Authority; Chamber of Commerce; North Front Range/MPO Alternate
 - Town Board Member Rose – Water & Sewer Board; Windsor Housing Authority, Planning Commission Alternate
 - Town Board Member Bishop-Cotner – Historic Preservation Commission; Clearview Library Board
 - Town Board Member Adams – Cache La Poudre Trail Board; Student Advisory Leadership Team (SALT)
 - Mayor Vazquez – North Front Range/MPO
5. Public Invited to be Heard

Individuals wishing to participate in Public Invited to be Heard (non-agenda item) are requested to sign up on the form provided in the foyer of the Town Board Chambers. When you are recognized, step to the podium, state your name and address then speak to the Town Board.

*Individuals wishing to speak during the Public Invited to be Heard or during Public Hearing proceedings are encouraged to be prepared and individuals will be limited to three **(3) minutes**. Written comments are welcome and should be given to the Deputy Town Clerk prior to the start of the meeting.*

B. CONSENT CALENDAR

1. Minutes of the January 13, 2014 Regular Town Board Meeting – M. Lee
2. Advisory Board appointments – P. Garcia

C. BOARD ACTION

1. Ordinance No. 2014-1466 – An Ordinance Repealing and Readopting Article I of Chapter 8 of the Windsor Municipal Code and Adopting by Reference the 2010 Edition of the “Model Traffic Code for Colorado”, Promulgated by the Colorado Department of Transportation, Safety and Traffic Engineering Branch, 4201 East Arkansas Avenue, EP 700, Denver, Colorado 80222, with Amendments, Repealing all Ordinances in Conflict therewith, and Providing Penalties for Violation Thereof

Super-majority vote required for adoption on second reading

 - Second Reading
 - Legislative action
 - Staff presentation: John Michaels, Chief of Police
2. Ordinance No. 2014-1467 – An Ordinance Amending Chapter 2, Article XII of the Windsor Municipal Code with Respect to Election Practices within the Town of Windsor

Super-majority vote required for adoption on second reading

- Second Reading
 - Legislative action
 - Staff presentation: Patti Garcia, Town Clerk/Assistant to Town Manager
3. Public Hearing – Continued from the January 13, 2014 meeting - Conditional Use Grant proposing to apply Weld County E (Estate) zoning to 1201 Stone Mountain Drive - Clint and Erika Sattler, property owners/applicants
 - Quasi-judicial
 - Staff presentation: Scott Ballstadt, Chief Planner
 4. Continued from the January 13, 2014 meeting - Conditional Use Grant proposing to apply Weld County E (Estate) zoning to 1201 Stone Mountain Drive - Clint and Erika Sattler, property owners/applicants
 - Quasi-judicial
 - Staff presentation: Scott Ballstadt, Chief Planner
 5. Public Hearing – Ordinance No. 2014-1468 - An Ordinance Designating the Park School building, 301 Walnut Street, as a Local Historic Landmark – Rachel Kline, Chairperson of the Historic Preservation Commission/applicant
 - Legislative
 - Staff presentation: Josh Olhava, Associate Planner
 6. Ordinance No. 2014-1468 – An Ordinance Designating the Park School building, 301 Walnut Street, as a Local Historic Landmark – Rachel Kline, Chairperson of the Historic Preservation Commission/applicant
 - First Reading
 - Legislative
 - Staff presentation: Josh Olhava, Associate Planner
 7. Resolution No. 2014-06 - Resolution Appropriating Additional Sums of Money to Defray Expenses in Excess of Amounts Budgeted for the Town of Windsor, Colorado, for 2013
 - Legislative action
 - Staff presentation: Dean Moyer, Director of Finance
 8. Financial Report December 2013
 - Staff presentation: Dean Moyer, Director of Finance

D. COMMUNICATIONS

1. Communications from the Town Attorney
2. Communications from Town Staff
3. Communications from the Town Manager
4. Communications from Town Board Members

E. EXECUTIVE SESSION

An executive session pursuant to § 24-6-402 (4) (b) and (e), C.R.S., for a conference with the Town Attorney for the purposes of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators. Ventana subdivision access issues. (Ian D. McCargar and Joseph P. Plummer)

F. ADJOURN



TOWN BOARD REGULAR MEETING

January 13, 2014 - 7:00 P.M.

Town Board Chambers, 301 Walnut Street, Windsor, CO 80550

Minutes

A. CALL TO ORDER

Mayor Vazquez called the regular meeting to order at 7:00 p.m.

- 1. Roll Call
 - Mayor John Vazquez
 - Mayor Pro-Tem Kristie Melendez
 - Myles Baker
 - Don Thompson
 - Jeremy Rose
 - Robert Bishop-Cotner
 - Ivan Adams

- Also present:
 - Town Manager Kelly Arnold
 - Town Attorney Ian McCargar
 - Director of Parks, Recreation & Culture Melissa Chew
 - Town Clerk Patti Garcia
 - Chief of Police John Michaels
 - Director of Finance Dean Moyer
 - Director of Planning Joe Plummer
 - Management Intern Kelly Unger
 - Director of Engineering Dennis Wagner
 - Chief Planner Scott Ballstadt
 - Associate Planner Josh Olhava

- 2. Pledge of Allegiance
 - Mr. Thompson led the Pledge of Allegiance.

- 3. Review of Agenda by the Board and Addition of Items of New Business to the Agenda for Consideration by the Board
 - Town Board Member Thompson moved to approve the agenda as presented; Mr. Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows:**
 - Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez**
 - Nayes – None. Motion passed.**

- 4. Board Liaison Reports
 - Town Board Member Baker – Parks, Recreation & Culture Advisory Board; Cache La Poudre Trail Board Alternate
 - Mr. Baker reported PReCAB met on January 7, 2014 to discuss a Conservation Easement at the Frank State Wildlife Area and the CRC Expansion. They meet next on February 4, 2014, and will elect officers at that time.
 - Town Board Member Thompson – Planning Commission; Tree Board; Great Western Trail Authority
 - Mr. Thompson had nothing new to report regarding the Tree Board, and Great Western Trail Authority. He noted the sudden passing of Planning Commissioner Paul Ehrlich Jr., calling his “wisdom and insight, born from experience, irreplaceable.”

- Mayor Pro-Tem Melendez – Downtown Development Authority; Chamber of Commerce; North Front Range/MPO Alternate
Mayor Pro-Tem Melendez stated the DDA will meet on January 15, 2014. She told of the Chamber of Commerce focus for 2014 – including a revamp of the membership program and sponsorship opportunities.
- Town Board Member Rose – Water & Sewer Board; Windsor Housing Authority, Planning Commission Alternate
Mr. Rose had no report.
- Town Board Member Bishop-Cotner – Historic Preservation Commission; Clearview Library Board
Mr. Bishop-Cotner had no report for the Library. He stated the January 8, 2014 meeting of the HPC was attended by representatives from the State Historic Preservation Office who surveyed actions of the local HPC and evaluated their activities with regard to Certified Local Government designation. He also shared the HPC is seeking Historic Landmark Designation for the Park School (Town Hall) building, and that action will come before the on January 27, 2014. The HPC also elected officers and reviewed their Work Plan for the coming year.
- Town Board Member Adams – Cache La Poudre Trail Board; Student Advisory Leadership Team (SALT)
Mr. Adams reported he has been unable to attend meetings due to recovery from surgery.
- Mayor Vazquez – North Front Range/MPO
Mayor Vazquez reported the MPO is considering proposed regulations from the Department of Public Health and Environment focusing on the Oil & Gas Industry. This proposal is a collaborative effort of many groups who will come together for a Public Hearing on February 19, 2014 from noon – 7:00 p.m. at the Aurora Municipal Center, located at 15151 East Alameda Parkway. The MPO received an FTA waiver to maximize expenditures for the VanGO program. The Transportation Advisory Committee recommendations call for a reevaluation of the criteria used to set priorities, making those priorities more equitable to all municipalities.

5. Public Invited to be Heard

Mr. Nick Mask addressed the Board asking they scrutinize financial agreements made with Metropolitan Districts during the development process. He expressed concerns regarding the effect rising mill levies will have on his property taxes, noting rumored future levels as high as 55-60 mills.

Mayor Vazquez questioned if the Service Plan identified the maximum mill levy. Mr. McCargar responded the Service Plan would state the cap, but he cannot quote those figures without research. Mayor Vazquez added the Board recognizes concerns regarding a Metro District's ability to tax, calling it a "great debate for a number of years." He urged Mr. Mask to be proactive, and remain involved in his Homeowners Association.

B. CONSENT CALENDAR

1. Minutes of the December 9, 2013 Regular Town Board Meeting – M. Lee
2. Report of Bills for December 2013 – D. Moyer
3. Resolution No. 2014-01 – A Resolution Designating a Public Place for the Posting of Notices Concerning Public Meetings – P. Garcia
4. Resolution No. 2014-02 – A Resolution of the Windsor Town Board Adopting the Town of Windsor Museum Strategic Plan – C. Knight

**Town Board Member Thompson moved to approve the Consent Calendar as presented; Mr. Adams seconded the motion. Roll call on the vote resulted as follows:
Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez
Nays – None. Motion passed.**

C. BOARD ACTION

NOTE: the official record of this evening’s proceedings shall include the application, staff memos and recommendations, packet materials and supporting documents, and all testimony received, and Planning Commission recommendations.

1. Ordinance No. 2013-1465 - Approving the Highland Meadows Golf Course Subdivision 8th Filing Rezoning – Jon Turner, President, Colorado 80 Holdings LLC, owner/Jim Birdsall, TB Group, owner’s representative

Super-majority vote required for adoption on second reading

- Second Reading
- Quasi-judicial
- Staff presentation: Scott Ballstadt, Chief Planner

Mayor Pro-Tem Melendez moved to approve Ordinance 2013-1465; Mr. Adams seconded the motion.

Mr. Ballstadt noted this Ordinance was approved on first reading at the December 9, 2014 Town Board Meeting; there have been no changes to the Ordinance since that time. He reviewed the location, proposed changes to the existing zoning and notification criteria. There were no questions for the applicant.

Roll call on the vote resulted as follows:

**Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez
Nays – None. Motion passed.**

2. Public Hearing – Ordinance No. 2014-1466 – An Ordinance Repealing and Readopting Article I of Chapter 8 of the Windsor Municipal Code and Adopting by Reference the 2010 Edition of the “Model Traffic Code for Colorado with Amendments, Repealing all Ordinances in Conflict therewith, and Providing Penalties for Violation Thereof

- Legislative action
- Staff presentation: John Michaels, Chief of Police

**Mayor Pro-Tem Melendez moved to open the public hearing; Town Board Member Thompson seconded the motion. Roll call on the vote resulted as follows:
Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez
Nays – None. Motion passed.**

Chief Michaels briefly addressed the Board concerning the 2010 Model Traffic Code. He noted the Code defines the charges used by the Windsor Municipal Court. He explained additions to

the Code since 2003, and items being deleted due to duplication in the Municipal Code. Mr. McCargar added the Model Traffic Code sets the standard for law enforcement. There was no public comment.

**Town Board Member Adams moved to close the public hearing; Town Board Member Thompson seconded the motion. Roll call on the vote resulted as follows:
Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez
Nayes – None. Motion passed.**

3. Ordinance No. 2014-1466 – An Ordinance Repealing and Readopting Article I of Chapter 8 of the Windsor Municipal Code and Adopting by Reference the 2010 Edition of the “Model Traffic Code for Colorado”, Promulgated by the Colorado Department of Transportation, Safety and Traffic Engineering Branch, 4201 East Arkansas Avenue, EP 700, Denver, Colorado 80222, with Amendments, Repealing all Ordinances in Conflict therewith, and Providing Penalties for Violation Thereof

- First Reading
- Legislative action
- Staff presentation: John Michaels, Chief of Police

Mayor Pro-Tem Melendez moved to approve Ordinance 2014-1466; Town Board Member Thompson seconded the motion.

There was no further discussion.

Roll call on the vote resulted as follows:

**Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez
Nayes – None. Motion passed.**

4. Ordinance No. 2014-1467 – An Ordinance Amending Chapter 2, Article XII of the Windsor Municipal Code with Respect to Election Practices within the Town of Windsor
 - First Reading
 - Legislative action
 - Staff presentation: Patti Garcia, Town Clerk/Assistant to Town Manager

Town Board Member Thompson moved to approve Ordinance 2014-1467; Mayor Pro-Tem Melendez seconded the motion.

Ms. Garcia approached the Board stating this Ordinance delineates election timelines, and creates consistency with State Statutes. She noted discrepancies with the mail ballot election calendar, adding this would allow time for write-in candidates to campaign for office. It was noted the Chamber of Commerce would determine if write-in candidates would participate in candidate forums held prior to an election.

Mr. McCargar added a second part of this Ordinance would allow for cancellation of a Municipal Election should only one candidate seek election for each open seat on the Board; thus all running unopposed. He added the Town Board would declare those members new to the Board via Resolution.

Roll call on the vote resulted as follows:

Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez

Nayes – None. Motion passed.

5. Public Hearing - Conditional Use Grant proposing to apply Weld County E (Estate) zoning to 1201 Stone Mountain Drive - Clint and Erika Sattler, property owners/applicants

- Quasi-judicial
- Staff presentation: Scott Ballstadt, Chief Planner

Town Board Member Thompson moved to open the public hearing; Town Board Member Adams seconded the motion. Roll call on the vote resulted as follows:

Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez

Nayes – None. Motion passed.

Mr. Ballstadt noted at their December 18, 2013 meeting the Planning Commission declined to make a recommendation to the Board, asking the applicant provide more information regarding land use and animal populations requested by the Conditional Use Grant. They continued the public hearing to the January 15, 2014 Planning Commission meeting. He noted this item was left on the agenda for this meeting as the dates for the public hearing had already been published. He recommended continuing action on this item until the January 27, 2014 meeting, to allow the Planning Commission time to gather additional evidence and formulate a recommendation.

Mr. McCargar clarified and reiterated this information to the Board. He recommended anyone in the audience wanting more information, or to present comments regarding this issue attend the January 15, 2014 Planning Commission meeting, and subsequently the January 27, 2014 Town Board meeting to do so.

Town Board Member Thompson moved to continue the public hearing to the January 27, 2014 regularly scheduled meeting of the Town Board; Mayor Pro-Tem Melendez seconded the motion. Roll call on the vote resulted as follows:

Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez

Nayes – None. Motion passed.

6. Conditional Use Grant proposing to apply Weld County E (Estate) zoning to 1201 Stone Mountain Drive - Clint and Erika Sattler, property owners/applicants

- Quasi-judicial
- Staff presentation: Scott Ballstadt, Chief Planner

7. Resolution 2014-03 - A Resolution Approving An Intergovernmental Agreement Between The Town Of Windsor, Colorado, And The Windshire Park Metropolitan District With Respect To The Provisions Of Irrigation Water To Town-Owned Park Land Proposed For The Windshire Park Subdivision, And Authorizing The Mayor To Execute Same

- Legislative Action
- Staff presentation: Melissa M. Chew, CPRP, Director of Parks, Recreation & Culture

Town Board Member Adams moved to approve Resolution 2014-03; Town Board Member Baker seconded the motion.

Ms. Chew recapped the history of water rate agreements for parks in Windsor, noting the Development Agreement for the Windshire Subdivision did not define details of payment for irrigation water in Windshire Park. Ms. Chew added the park will likely be developed in the next one to two years, and the estimated cost will be \$2,000 - \$2,500 annually, which is calculated based upon the square footage of the park grounds being irrigated.

Roll call on the vote resulted as follows:

Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez

Nayes – None. Motion passed.

8. Public Hearing – Approval of a Final Major Subdivision Plat for the Water Valley South Subdivision, 16th Filing – Mark Foster, Trollco, Inc./Water Valley, applicant

- Quasi-judicial
- Staff presentation: Josh Olhava, Associate Planner

Mayor Pro-Tem Melendez moved to open the public hearing; Town Board Member Thompson seconded the motion. Roll call on the vote resulted as follows:

Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez

Nayes – None. Motion passed.

Mr. Olhava reviewed the details of the Final Major Subdivision including size, location, zoning, density, lot characteristics, landscaping and public notification details. He noted the Planning Commission, at their December 18, 2013 meeting forwarded a recommendation of approval of the Final Major Subdivision, subject to the condition that staff comments be addressed by the applicant prior to recording of the Plat.

Mr. Baker raised the question of safety for pedestrians crossing Crossroads Boulevard. Mr. Olhava responded signage and a pedestrian island will be included to alert drivers to pedestrians in the area. Mayor Vazquez inquired if there are sidewalks along this path, or if there is a trail connection in this area. Mr. Olhava pointed out sidewalks and the proposed trail location. Board Members voiced concerns regarding heavy traffic and the 45 mph speed limit along this route. Mr. Thompson stated he would support flashing light for pedestrian safety.

Mr. Pat McMeekin addressed the Board stating they recognize the safety issue, adding the reduction in density of the neighborhood should help to somewhat mitigate the hazards. He suggested terminating the trail and sidewalks well in advance of Crossroads and introducing heavy native landscaping to the area, focusing pedestrian crossings down the road, closer to New Liberty. Mr. Arnold added these options merit more consideration. Mr. McMeekin stated he felt the Plat approval process could continue, as their concern is to finalize the Plat, with continued dialogue regarding the construction specifics and improvement drawings. He added it is their hope to begin construction as soon as possible, with preliminary grading in process as early as February.

**Mayor Pro-Tem Melendez moved to close the public hearing; Town Board Member Adams seconded the motion. Roll call on the vote resulted as follows:
Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez
Nayes – None. Motion passed.**

9. Resolution No. 2014-04 - Resolution of the Windsor Town Board Approving the Final Major Subdivision Plat for the Water Valley South Subdivision, 16th Filing in the Town of Windsor, Colorado – Mark Foster, Trolco, Inc./Water Valley, applicant
- Quasi-judicial action
 - Staff presentation: Josh Olhava, Associate Planner

Mayor Pro-Tem Melendez moved to approve Resolution 2014-04; Town Board Member Adams seconded the motion.

There was no further discussion.

Roll call on the vote resulted as follows:

**Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez
Nayes – None. Motion passed.**

10. Resolution No. 2014-05 - A Resolution Authorizing the Conduct of a Mail Ballot Election for the Town of Windsor's Regular Municipal Election Scheduled for April 8, 2014
- Legislative action
 - Staff presentation: Patti Garcia, Town Clerk/Assistant to Town Manager

Town Board Member Thompson moved to approve Resolution 2014-05; Town Board Member Baker seconded the motion.

Ms. Garcia presented a brief overview of statutes governing mail ballot elections, touching on a technical corrections bill currently before the House that could impact Municipal Election statutes.

She also stated nomination petitions will be available on January 21, 2014 and are due by February 10, 2014.

Roll call on the vote resulted as follows:

**Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez
Nayes – None. Motion passed.**

D. COMMUNICATIONS

1. Communications from the Town Attorney

Mr. McCargar reminded the Board of a Kern Board Meeting immediately following this meeting.

He also asked the Board to consider if legislation should be brought forth to increase the Municipal fine ceiling in Windsor. He noted the actual fine imposed is entirely under the discretion of the Municipal Judge. Board Members stated an interest in further discussion of the topic via work session.

2. Communications from Town Staff

Mr. Plummer updated the Board on truck rental activity at the Iron Mountain Complex on State Highway 34, noting this item will come before the Board of Adjustment for consideration on January 23, 2014. He will update Town Board members as to the outcome of the BOA consideration.

Ms. Chew distributed an addendum to the Overview of Community Events information included in the packet materials for this meeting.

3. Communications from the Town Manager

Mr. Arnold reminded Board Members of a Joint Work Session scheduled for January 20, 2014 at the CRC at 5:30 p.m.

4. Communications from Town Board Members

Mayor Pro-Tem Melendez requested that future updates from the Windsor Liquor Licensing Authority contain the names of Licensees who have come before the Authority for review.

Mr. Thompson again touched on notification boundaries for issues coming before the Planning Commission or Town Board. He asked the Board to review those criteria. Mr. Arnold suggested a first step should be preparation of a memo defining notification criteria in each respective instance, as a starting point for the Board.

E. ADJOURN

Town Board Member Thompson moved to adjourn; Town Board Member Bishop-Cotner seconded the motion. All members voted yes; the meeting was adjourned at 8:09 p.m.



MEMORANDUM

Date: January 27, 2014
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: Patti Garcia, Town Clerk
Re: Advisory Board Appointments
Item #: B.2.

Background / Discussion:

Windsor Severance Library Board

The Windsor/Severance Library Board interview committee conducted interviews on Thursday, December 12, 2013. Four candidates were interviewed for the two vacancies and a new alternate position. The Committee has recommended the appointment of Katherine Scherer and Ian Whittington for the two permanent vacancies. Both individuals will serve if approved by the Town and RE4 School District Boards. The Committee determined not to fill the alternate position at this time. The recommendation for appointment is as follows:

Windsor/Severance Library Board

Katherine Scherer – 1-3 year term expiring December, 2016

Ian Whittington – 1-3 year term expiring December, 2016

Parks, Recreation & Culture Advisory Board

Weld County School District RE-4 has re-appointed Carlene Irion to the Parks, Recreation & Culture Advisory Board for a one year term expiring November, 2014 and has recommended appointment by the Town Board.

Parks, Recreation & Culture Advisory Board

Carlene Irion – 1 year term expiring November, 2014

Financial Impact:

None.

Relationship to Strategic Plan:

1.C. Provide and support ample opportunities for residents to be actively involved in the town governance process and in serving the community.

Recommendation:

Approve the recommended appointments.

Attachments:

None



MEMORANDUM

Date: January 27, 2014
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: John E. Michaels, Chief of Police
Re: Adoption of Model Traffic Code
Item #: C.1.

Background / Discussion:

At the November 13, 2013 work session, staff reported on the Model Traffic Code and brought forward differences between the 2003 Code that the Town is currently operating under and those being recommended in the 2010 Model Traffic Code. Town Board directed staff to bring an ordinance for adoption of the 2010 Model Traffic Code for consideration. This proposed ordinance was approved on first reading on January 13, 2014.

Outlined below are the new laws that have been added since 2003 and the recommended deletions from the code that are not needed since they are covered under already existing Town Ordinances.

Differences between 2003 and 2010 Model Traffic Code and recommendations

RETAIN:

(new) 101	Short Title (title only, no additional verbiage)
(new) 102	Legislative Declaration (title only, no additional verbiage)
(new) 109.6	Class B low-speed electric vehicles – effective date – rules
(new) 116	Restrictions for minor drivers - definitions
(new) 117	Personal mobility devices
205.5	Eliminated (Lamps on Motor Vehicles – Additional Requirements)
(new) 238	Blue and red lights – illegal use or possession
(new) 239	Misuse of wireless telephone – definitions – penalty – preemption
(new) 240	Low-speed electric vehicle equipment requirements
(new) 713	Yielding right-of-way to transit buses – definitions – penalty
(new) 1008.5	Crowding or threatening bicyclist
(new) 1012	High occupancy vehicle (HOV) and high occupancy toll (HOT) lanes
(new) 1013	Passing lane – definitions – penalty
(new) 1203	Ski areas to install signs
(new) 1212	Pay parking access for disabled
(deleted) 1414	Moving of construction equipment
(new) 1414	Use of dyed fuel on highways prohibited
(deleted) 1415	Use of dyed fuel on highways prohibited
(new) 1415	Radar jamming devices prohibited – penalty
1502	Riding on motorcycles – protective helmet (contains expanded verbiage)
(new) 1718	Electronic transmission of data – standards
(new) 1719	Violations – commercial driver’s license – compliance with federal regulation
(new)	Part 18, Vehicles Abandoned on Public Property
(new)	Appendices – Definitions

RECOMMENDED DELETIONS:

DELETE:

Part 17, Penalties and Procedure

1701 & 1702 - The penalty for a violation of this article shall be provided in Chapter I, Article IV of the Windsor Municipal Code

DELETE:

Appendix – Part A-G (not needed for Law Enforcement or Municipal Court)

- A. Instructions for adoption by reference
- B. Specimen ordinance for adoption by reference
- C. Specimen notice of hearing
- D. Specimen certification – posting of notice
- E. Instructions for amending the Model Code previously adopted by reference
- F. Listing of amendments for updating previous edition of model traffic code adopted by reference
- G. Specimen certification of Model Code

Financial Impact:

None other than previously budgeted.

	Budget	Proposed	Note
Revenue	\$0	\$	
Expense	\$0	\$	
Net		\$	

Relationship to Strategic Plan:

Residents Feeling Safe and Secure Throughout Windsor

Recommendation:

Move to adopt Ordinance 2014-1466 on second reading

Attachments:

Model Traffic Code, 2010 (Colorado Department of Transportation); Ordinance No. 2014-1466
Work Session Memo

TOWN OF WINDSOR

ORDINANCE NO. 2014-1466

AN ORDINANCE REPEALING AND READOPTING ARTICLE I OF CHAPTER 8 OF THE *WINDSOR MUNICIPAL CODE* AND ADOPTING BY REFERENCE THE 2010 EDITION OF THE "MODEL TRAFFIC CODE FOR COLORADO", PROMULGATED BY THE COLORADO DEPARTMENT OF TRANSPORTATION, SAFETY AND TRAFFIC ENGINEERING BRANCH, 4201 EAST ARKANSAS AVENUE, EP 700, DENVER, COLORADO 80222, WITH AMENDMENTS, REPEALING ALL ORDINANCES IN CONFLICT THEREWITH, AND PROVIDING PENALTIES FOR VIOLATION THEREOF

WHEREAS, the Town of Windsor ("Town") is a Colorado home rule municipal corporation, with all powers and authority vested by Colorado law; and

WHEREAS, the Town has in place a comprehensive system of traffic and vehicle regulations, the purpose of which is to promote the public health, safety and welfare; and

WHEREAS, the Colorado Department of Transportation, Safety and Traffic Engineering Branch, has developed the "Model Traffic Code" as a uniform and recognizable set of traffic and vehicle regulations familiar to law enforcement and the courts; and

WHEREAS, Colorado Department of Transportation formally adopted the Model Traffic Code, 2010 Edition, by formal action, and has promulgated it for the benefit of the public; and

WHEREAS, the subject matter of the Model Traffic Code relates primarily to comprehensive traffic control regulations for the Town; and

WHEREAS, the purpose of this Ordinance and the Model Traffic Code adopted herein is to provide a system of traffic regulations consistent with state law and generally conforming to similar regulations throughout the state and the nation; and

WHEREAS, the Town Board has reviewed the within Ordinance, including the additions and modifications set forth below, and has concluded that the public health, safety and welfare will be promoted by the adoption of the within Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

Section 1. Article I of Chapter 8 of the Windsor Municipal Code is repealed and readopted as follows:

ARTICLE I
Model Traffic Code

Sec. 8-1-10. Adoption.

Pursuant to Parts 1 and 2 of Article 16 of Title 31, C.R.S., the Town of Windsor does hereby adopt by reference the 2010 edition of the Model Traffic Code for Colorado, promulgated and published as such by the Colorado Department of Transportation, Safety and Traffic Engineering Branch, 4201 East Arkansas Avenue, Denver, CO 80222. The subject matter of the Model Traffic Code relates primarily to comprehensive traffic control regulations for the Town. The purpose of this Ordinance and the adopted Model Traffic Code is to provide a system of traffic regulations consistent with state law and generally conforming to similar regulations throughout the State and the nation. Three (3) copies of the adopted Model Traffic Code are now filed in the office of the Town Clerk of Windsor, Colorado, and may be inspected during regular business hours.

Sec. 8-1-20. Additions and modifications.

The adopted Model Traffic Code is subject to the following additions and modifications:

(1) Section 107 is amended to read as follows:

107. Obedience to police and fire department officials. No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer, or member of the fire department at the scene of a fire, who is invested by the law or ordinance with authority to direct, control or regulate traffic.

(2) Section 1203 is added to read as follows:

1203. Parking for certain purposes prohibited. No person shall park a vehicle upon a roadway for the principal purpose of:

- (1) Displaying such vehicle for sale;
- (2) Washing, greasing, painting or repairing such vehicle except repairs necessitated by an emergency;
- (3) Displaying advertising.

(3) Section 1204(1) is amended by adding paragraph (1):

(1) Within an alley except during the necessary and expeditious loading and unloading of merchandise or freight. No person shall stop, stand or park a vehicle

within an alley in such position as to block the driveway entrance to any abutting property.

(4) Section 1204(2) is amended by adding paragraph (g) to read as follows:

(g) Within less than two (2) feet clearance from adjacent vehicles."

(5) Section 1701 is hereby amended to read as follows:

The penalty for a violation of this Article shall be as provided in Chapter 1, Article IV of the *Windsor Municipal Code*.

(6) Section 1702 is hereby stricken.

(7) Appendix Parts A through G, inclusive, are hereby stricken.

Sec. 8-10-30. Application.

This Article shall apply to all streets, alleys, highways, lanes and ways, whether public or private, within the corporate limits of the Town without exception.

Sec. 8-1-40. Interpretation.

This Article shall be so interpreted and construed as to effectuate its general purpose to conform to the State's uniform system for the regulation of vehicles and traffic. Article and section headings of this Ordinance and adopted Model Traffic Code shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or extent of the provisions of any article or section thereof.

Sec. 8-1-50. Certification.

The Town Clerk shall certify to the passage of this Ordinance and make not less than three (3) copies of the adopted Model Traffic Code available for inspection by the public during regular business hours.

Sec. 8-1-60. Penalties.

The following penalties, herewith set forth in full, shall apply to this Article:

(1) It is unlawful for any person to violate any of the provisions adopted in this Article.

(2) Every person convicted of a violation of any provision adopted in this Article shall be punished by a fine not exceeding the maximum penalty provided in Chapter 1, Article IV of this Code, and/or useful public service as is allowed by specific ordinance.

Sec. 8-1-70. Speeding fines doubled.

(1) Any fine imposed as a penalty for speeding shall be doubled if such speeding took place within a school zone or a construction zone. The total fine imposed pursuant to this sub-section shall not exceed the maximum penalty provided in Chapter 1, Article IV of this Code.

(2) The Town Manager is hereby authorized to oversee the development and placement of appropriate street signs and to oversee the development and adoption of such other rules and regulations as may be deemed necessary to effectuate and carry out the intent of this Section.

Sec. 8-1-80. Validity.

If any part or parts of this Ordinance are for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town Board hereby declares that it would have passed this Ordinance and each part or parts thereof, irrespective of the fact that any part or parts are later declared invalid.

Sec. 8-1-90. Repeal.

Existing or parts of ordinances covering the same matters as embraced in this Ordinance are hereby repealed, and all ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to this Ordinance taking effect.

Introduced, passed on first reading and ordered published this 13th day of January, 2014.

TOWN OF WINDSOR, COLORADO

John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

Passed on second reading, and ordered published this 27th day of January, 2014.

TOWN OF WINDSOR, COLORADO

John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk



MEMORANDUM

Date: January 27, 2014
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: Patti Garcia, Town Clerk/Assistant to Town Manager
Re: Election calendar dates for Write in Candidate & Cancellation of Election
Item #: C.2.

Background / Discussion:

This ordinance is being brought forward for consideration due to the timeline established for write in candidates and the option to cancel an election. Under a Town of Windsor ordinance adopted in 1998 when polling place elections were held, the deadline for write in affidavits is 20 days before the election. The current mail ballot statute requires ballots to be mailed out 22 days before the election. This is two days before the deadline to submit as a write in candidate. This timeframe does not give the write in candidate opportunity to campaign or for the citizens to potentially vote for this candidate if they receive and vote their ballot before the write in affidavit is submitted. The option for election cancellation immediately follows the date that write in affidavits are required; the current ordinance allows for cancellation of an election due to no more nominations or writes in candidates than seats available for the municipal election of 19 days before the election.

The Town Board approved on first reading the attached ordinance which references a deadline for write in affidavits of 50 days before the election and the option for cancellation at 49 days before the election. The modified calendar would be as follows:

First day to circulate nomination petitions	January 21, 2014	77 days before election
Nomination petitions due	February 10, 2014	57 days before election
Write in candidate affidavits due	February 17, 2014	50 days before election
Last day to cancel election	February 18, 2014	49 days before election
First day to send out ballots	March 17, 2014	22 days before election
Election day	April 8, 2014	

Relationship to Strategic Plan:

1.C. Provide and support ample opportunities for residents to be actively involved in the town governance process and in serving the community.

Recommendation:

Motion to approve on second reading Ordinance No. 2014-1467- An Ordinance Amending Chapter 2, Article XII of the Windsor Municipal Code with Respect to Election Practices within the Town of Windsor

Attachments:

Ordinance No. 2014-1467

TOWN OF WINDSOR

ORDINANCE NO. 2014-1467

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE XII OF THE WINDSOR MUNICIPAL CODE WITH RESPECT TO ELECTION PRACTICES WITHIN THE TOWN OF WINDSOR

WHEREAS, the Town of Windsor (hereinafter, "Town") is a home rule municipality, with all powers of self-government as provided under Colorado law; and

WHEREAS, the Town's Home Rule Charter provides that municipal elections shall be governed by the Colorado Municipal Election Code, except as provided in the Charter or by ordinance; and

WHEREAS, the Town has recently determined that voter turn-out and election administration are enhanced by the conduct of mail ballot elections; and

WHEREAS, the Municipal Election Code contains write-in candidate filing requirements which, when overlaid with the timelines for mail ballot processes, have had the effect of preventing the orderly conduct and cancellation of mail ballot elections; and

WHEREAS, the Town Board believes it is essential that write-in candidates be afforded reasonable time limits for filing required paperwork, while assuring that the administration of mail ballot elections is conducted in an orderly fashion; and

WHEREAS, the Town Board also believes that, given the time limits established herein for write-in candidates, the cancellation of mail ballot elections for want of sufficient candidates should also be addressed; and

WHEREAS, the Municipal Election Code, Section 31, Article 10 of the Colorado Revised Statutes, authorizes the Town Board to adopt the within Ordinance; and

WHEREAS, the Town Board determines that the within amendments to the *Windsor Municipal Code* are necessary to assure the orderly and efficient administration of municipal elections within the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

1. The *Windsor Municipal Code* is amended by the addition of a new Section to Article XII, which shall read as follows:

Sec. 2-12-20. Required timelines, write-in candidates for mail ballot elections; cancellation of election.

1. Each write-in candidate shall file his or her Affidavit of Intent no later than fifty (50) days prior to the election for which the write-in candidate seeks consideration.
2. With respect to mail ballot elections only, if the only matter before the voters is the election of persons to office and if, at the close of business on the forty-ninth (49th) day before the election, there are not more candidates than offices to be filled at such mail ballot election, including write-in candidates filing Affidavits of Intent, the Town Clerk, if instructed by resolution of the Town Board either before or after such date, shall cancel the election and the Town Board shall by resolution declare the candidates elected. Upon such declaration, the candidates so declared elected shall be deemed elected. Notice of such mail ballot election cancellation shall be published, if possible, in order to inform the electors of the municipality, and notice of such cancellation shall be posted in Town Hall as provided for public meeting notices, and shall also be posted at the Community Recreation Center.

Introduced, passed on first reading, and ordered published this 13th day of January, 2014.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

Introduced, passed on second reading, and ordered published this 27th day of January, 2014.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk



MEMORANDUM

DATE: January 27, 2014
TO: Mayor and Town Board
VIA: Kelly Arnold, Town Manager
Joseph P. Plummer, AICP, Director of Planning
FROM: Scott Ballstadt, AICP, Chief Planner
SUBJECT: Public Hearing - Conditional Use Grant proposing to apply Weld County E (Estate) zoning to 1201 Stone Mountain Drive
LOCATION: 1201 Stone Mountain Drive
ITEM #s: C.3 and C.4

Background:

At the January 13, 2014 regular Town Board meeting, the public hearing and action on the conditional use grant request were continued to the January 27, 2014 meeting to allow additional time to receive the January 15th Planning Commission recommendation.

The applicants, Mr. and Mrs. Clint and Erika Sattler have provided an addendum to their original application including additional specific information. In addition to animals allowed by Windsor's Estate Residential E-1 zoning, the enclosed materials propose to allow cows, goats and turkeys, as well as a larger number of chicken hens. The addendum also provides several different scenarios as examples of the mix and quantity of animals that may be on the property at any one time.

In addition to the additional information provided by the applicants, the Town received several enclosed emails, letters and photos from neighbors and the Trailwood Subdivision HOA voicing concerns. The letters refer to animals that have gotten loose, odor, flies and noise issues that neighbors have apparently experienced with livestock in the past, including the cattle that were previously kept on the property. Some neighbors have also questioned the timing of this application given that the subject property is currently for sale; therefore, it should be noted that any conditional use grant approval is not transferrable to any future property owner.

Discussion:

Section 16-7-10 of the Municipal Code outlines the intent of conditional use grants as follows: "The conditional use classification is intended to allow consideration of uses which are unique in nature or character and, except as otherwise specifically provided in this Chapter, not specifically included as uses by right in any specific zoning districts. It is the specific intent of this Article, except as otherwise specifically provided in this Chapter, to prohibit the granting of conditional uses in any zone when such use is allowed as a use by right in any other zone."

Section 16-7-20(a) regarding approval of conditional use grants further requires: "Subject to final approval and acceptance by the Town Board, uses listed as conditional uses may be permitted upon a petition to the Planning Commission for a conditional use grant and subject to approval by the Planning Commission. The Planning Commission shall base its determination on general considerations as to the effect of such permit on the health, safety, welfare and

economic prosperity of the Town and specifically on the effect of such use upon the immediate neighborhood in which it would be located, including the considerations listed in Section 16-7-50 below.”

Section 16-7-50. Standards and requirements for conditional use grants.

- (a) Approval of a conditional use grant shall be based on the evaluation of such factors as the following:
1. **The character and quality of the area in which the use will be located.** The Riverbend Subdivisions are fully developed single family residential neighborhoods directly north of the subject property, and larger residential lots are situated to the east and west of the property. Although the subject property is approximately 7.44 acres and is located adjacent to an agricultural enclave of unincorporated Weld County to the south, the owner of that property has also voiced concerns about past issues with the applicants’ livestock and has recommended denial of the subject application.
 2. **The physical appearance of the use, including suitability of architectural and landscaping treatment.** The subject property includes existing residential and accessory structures and no changes are proposed with the subject application.
 3. **Appropriate location of the building or buildings on the lot.** No new buildings are proposed with the subject application.
 4. **Adequate provision of parking, loading and circulation facilities.** No new parking, loading or circulation facilities are proposed with the subject application.
 5. **Potential effect of the use upon off-site vehicular and pedestrian traffic circulation, with particular reference to potential traffic congestion.** Given the fact that the existing Estate Residential E-1 zoning allows for horses, ponies, mules, donkeys or llamas, the off-site traffic would be largely similar for the transport of other types of animals as proposed.
 6. **Potential effect of the use on storm drainage in the area.** No changes to storm drainage are proposed with the subject application.
 7. **Adequacy of planting screens where necessary.** No changes or addition of planting screens are proposed with the subject application.
 8. **Provision of operational controls where necessary to avoid hazardous conditions or eliminate potential air or water pollutants or other noxious influences.** The existing Estate Residential E-1 zoning allows for horses, ponies, mules, donkeys or llamas; however, the addition of other types of animals may produce other undesirable influences. The concerns from neighbors include odors and flies that were experienced with livestock previously on the property.
 9. **The general compatibility of the proposed use with the area in which it is to be located.** The proposed use is bordered on three sides by existing residential neighbors, many of whom have voiced concerns about past issues and potential issues with the

newly proposed livestock. The Residential Land Use Goal of the Town's Comprehensive Plan states, "To protect the character and quality of the residential areas in Windsor." Expanding the allowable types of large domestic animals beyond the horses, ponies, mules, donkeys or llamas currently allowed by Windsor's Estate Residential E-1 zoning may not be compatible with neighboring residential land uses.

Conformance with Comprehensive Plan: The proposed conditional use grant application is not consistent with the Residential Land Use Goal of the Town's Comprehensive Plan which states, "To protect the character and quality of the residential areas in Windsor."

Conformance with Vision 2025: The proposed conditional use grant application is not consistent with the Community Diversity, Integration and Integrity Goal #1 of the Vision 2025 document which states, "Town Planning: Develop, maintain, and refine the Town's comprehensive, land use and zoning plans to continue to facilitate balanced growth *while preserving the integrity of existing neighborhoods* and commercial areas." (emphasis added)

Recommendation: At the January 15, 2014 meeting, the Planning Commission voted to forward to the Town Board a recommendation of denial of the conditional use grant application based upon the following findings of fact, and staff concurs with this recommendation:

1. The proposed use is inconsistent with Section 16-7-50(a) of the Municipal Code, which requires approval of a conditional use grant to be based upon the evaluation of such factors as the character and quality of the area, and general compatibility of the proposed use with the area in which it is to be located.
2. Issues regarding the applicant's animals getting loose, odors, flies and noise that have occurred in the past are likely to become long-term issues.
3. In accordance with Section 16-7-20(a), the Planning Commission shall base its determination on general considerations as to the effect of such permit on the health, safety, welfare and economic prosperity of the Town and specifically on the effect of such use upon the immediate neighborhood in which it would be located and the proposed use would have a negative effect on the immediate neighborhood.

Notification: November 25, 2013 – Public Hearing notice posted on Town's website
November 25, 2013 – Conditional Use Grant sign posted on the property
November 29, 2013 – Public Hearing legal ad published in newspaper
December 2, 2013 – Affidavit of Mailing to property owners within 100 feet

Enclosures: application materials and addendums from applicant
1/22/14 email from Trailwood Subdivision HOA
multiple letters and photos from Fauna and Dean Kness
12/22/13 email from neighbor Gayle Homolka
1/6/14 letter from neighbors Marlene and Dick Griffith, and Kent and Lois Reitz
1/6/14 letter from neighbors Curt Shea and Judith Sanborn
1/6/14 letter from multiple neighbors on Trailwood Circle
existing chicken hen permit
excerpt from 12/18/13 Planning Commission minutes
excerpt from 1/15/14 draft Planning Commission minutes
presentation slides

pc: Clint and Erika Sattler, applicants
Trailwood Subdivision HOA
Gayle Homolka, neighbor
Marlene and Dick Griffith, neighbors
Kent and Lois Reitz, neighbors
Curt Shea and Judith Sanborn, neighbors
Betty Walker, neighbor
Stella and James Wright, neighbors
Susan and Carl Brucker, neighbors
Patricia Gentleman, neighbor
Linda Francis, neighbor
Dean and Fauna Kness, neighboring property owner
Town of Windsor Planning Department staff
Town of Windsor Code Enforcement staff

1/15/2014

To whom it may concern,
We have been neighbors of Clint and Erika for close to four years now. They have been good neighbors and we have no concerns with them having cows on their property.

Thanks,

Eric Little

Our address is 1101 Stone Mountain Dr., Windsor

January 13, 2014

Dear Planning Commission,

My name is Izzy Lozada and I reside at 1105 Stone Mountain Dr. Windsor, Colorado. Our residence abuts the Sattler's eastern pasture. We have been made aware that the Sattler's have applied for a CUG and are requesting to add additional livestock animals to there property, including cattle, goats, turkey and chickens. We fully support their request and look forward to these additional animals next to our residence.

We support the Sattler's self-reliance and effort to more sustainably manage their property. As a Landscape Design Professional and Contractor, I believe that using livestock animals to sustainably manage the land and raise food from it, is far better than spraying a lot of toxic chemical herbicides and wasting a lot of fuel mowing the pastures to no ones benefit. The Sattler's have been good and friendly neighbors to us since we moved in, and we believe that if any issue did arise that the Sattler's would be more than reasonable in resolving it.

In closing, me and my family hope that this Board and ultimately, the Town Board approve this CUG.

Izzy Lozada
1105 Stone Mountain Drive
Windsor, CO

Jan 12 2014

To whom it may concern at the town board of Windsor.

My mother owns property right across the road from Clint & Erica Stattler at 535 Trailwood Circle and I was there when they had their cows. I never seen any reason for the cows to be blocked because I never heard them enough to be a bother. I spent a lot of time there in the last fourteen years and never seen any problems that they did not take care of quickly. The cows got out once and it looked kind of suspicious on how the gate was opened. They got them back in as fast as they could get them. As I remember that ground was farm ground back in the 60s & 70s and they had cattle in there. When Clint & Erica bought the land I think they could have cows and did for several years until Windsor took some of their rights away. I do think the cows were not the issue. It was caused by family issues and this seems to be still going on after the other property was sold. I hope you can consider all the facts before you make a decision.

Thank You

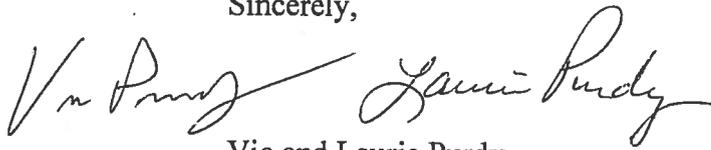
James H Todd Jr

May 1, 2011

To Whom It May Concern,

We have been neighbors of the Sattlers for the past few years. Our property lies adjacent to their pasture on the east side. Over these years the Sattlers have cared for several horses and a cow with her calf. We have had no problems with any of their animals. We have enjoyed watching these animals graze in the pasture behind our home. If there is any further information we can provide which will be of help to the town of Windsor, please contact us at 686-5776.

Sincerely,



Vic and Laurie Purdy
1105 Stone Mtn. Drive
Windsor, CO 80550

Name: Eric Cittle Date: May 7, 2011

Address: 1101 Stone Mountain Dr., Windsor, CO

Is the livestock at 1201 Stone Mountain Drive a problem for you or your family? Yes No

Is there a problem with "agricultural odor"? Yes No

Comments:

My girls like the cows & moo at them. They love the animals.

Name: Melva McKelvey Date: May 7, 2011

Address: 527 Trailwood Cir. Windsor

Is the livestock at 1201 Stone Mountain Drive a problem for you or your family? Yes No

Is there a problem with "agricultural odor"? Yes No

Name: Curt Shea & Judy Sanborn Date: 5/7/11

Address: 539 Trailwood Cir., Windsor, CO 80550

Is the livestock at 1201 Stone Mountain Drive a problem for you or your family? Yes No

Is there a problem with "agricultural odor"? Yes No

Name: James Todd Date: May 7, 2011

Address: 535 Trailwood Cir. Windsor, CO

Is the livestock at 1201 Stone Mountain Drive a problem for you or your family? Yes No

Is there a problem with "agricultural odor"? Yes No

Name: Dave Bloch Date: 5/7/11

Address: 529 Trailwood Cir.

Is the livestock at 1201 Stone Mountain Drive a problem for you or your family? Yes No

Is there a problem with "agricultural odor"? Yes No

Comments:

Livestock OK

Petition signature

From: **wst_formmailer@secureserver.net**

Sent: Tue 6/14/11 5:31 PM

To: eksattler@msn.com

By completing this form, I am stating my support for the right of citizens to use their land for the purpose of raising their own food. : YES

First Name : Stella

Last Name : Wright

Address : 725 Elm St

City : Windsor

State : CO

Zip Code : 80550

Email : swrightone@aol.com

Additional Comments : My mother is a neighbor to the north of this farm. There has never been a problem with the owners or their animals. In fact, she appreciates watching them. We support the right of this family and others to use their own land for the purpose of raising food, whether it be animal or vegetable. This farm was there long before Windsor invaded THEIR territory.

We lived next door to a sheepherder and his lead sheep when moving to Windsor in 1967. There was no attempt to prevent him from conducting his business nor was there ever a problem with him or his animals. The grandfather clause was duly applied in his case and we supported his rights.

This effort to stop these people and any others is an over-reach of government responsibility and an abuse of power.

We respectfully ask you to rule in their favor.

Petition signature

From: **wst_formmailer@secureserver.net**

Sent: Thu 6/02/11 4:37 PM

To: **eksattler@msn.com**

By completing this form, I am stating my support for the right of citizens to use their land for the purpose of raising their own food. : YES

First Name : Sandy

Last Name : Lange

Address : 235 1st Street Unit 0

City : Windsor

State : CO

Zip Code : 80550

Email : slange828@gmail.com

Additional Comments : I have to wonder if there are financial issues tied to the food industry in this country and really what is at the bottom of something like this. When people are growing their own food they're not pouring money into the pockets of the grocery industry and the food manufacturers who really don't care at all about the quality of our food (or if it's food at all)..but all about the dollar that the food industry wants to keep flowing their way. We need to start taking our health (more particularly our food) into our own hands 'cause the food industry couldn't care less about our health and the "food" we ingest..

Petition signature

 From: **wst_formmailer@secureserver.net**
Sent: Fri 6/03/11 2:56 PM
To: eksattler@msn.com

By completing this form, I am stating my support for the right of citizens to use their land for the purpose of raising their own food. : YES

First Name : Shagg

Last Name : Peterson

Address : 128 Rock Bridge Ct

City : Windsor

State : CO

Zip Code : 80550

Email : shaggpeterson@comcast.net

Additional Comments : Please protect citizen's rights to farm their land and live healthy!



Feb

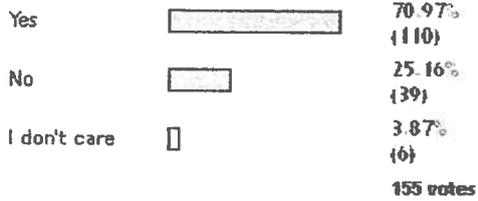
Polls

[« back](#)

Poll

[View Past Polls](#)

Do you think cows, sheep and goats should be allowed on residential zoned properties in the town of Windsor?



Latest Polls

How do you feel about construction beginning on the I-25/Colo. 392 interchange?

Results | **9 total votes**

[View Results](#)

What do you do to keep the mosquitos away?

Results | **4 total votes**

[View Results](#)

Do you think cows, sheep and goats should be allowed on residential zoned properties in the town of Windsor?

Results | **155 total votes**

[View Results](#)

Will the city's new concession stand at Windsor Lake change where you spend money?

PETITION TO AMEND E-1 ZONING TO ALLOW LIVESTOCK

WHEREAS, the right to cultivate, raise and grow food is a universal, inalienable right; AND

WHEREAS, the Colorado State Constitution provides: "All persons have certain natural, essential and inalienable rights, among which may be reckoned the right of enjoying and defending their lives and liberties; of acquiring, possessing and protecting property; and of seeking and obtaining their safety and happiness." AND

WHEREAS, the Colorado Right to Farm Statute, CRS 35-3.5-101 states "It is the declared policy of the state of Colorado to conserve, protect, and encourage the development and improvement of its agricultural land for the production of food and other agricultural products." AND,

WHEREAS, the role of government is to defend our unalienable rights and protect our freedoms; AND,

WHEREAS, any municipal code that restricts a property owner from using his or her land to grow food for his or her family violates these inalienable and constitutionally protected rights;

THEREFORE, we the undersigned request that the Town of Windsor amend Municipal zoning code 16-14-30(3) to include livestock, as defined by Weld County Code Sec. 14-4-10.

	Date	Name	Address	Signature
1	5/23/11	ERIKA SATTLER	1201 STONE MTN. DR, WINDSOR	<i>[Signature]</i>
2	5/23/11	Cale Dobson	215 Starbright Ct, Wellington	<i>[Signature]</i>
3	5/23/11	Maureen Paterson	580 Lakewood Ct, Windsor	<i>[Signature]</i>
4	5/23/11	CLAUDE SATTLER	1201 STONE MTN. DR. WINDSOR	<i>[Signature]</i>
5	5/23/11	DOUG PATERSON	580 LAKEWOOD CT	<i>[Signature]</i>
6	5/23/11	AARON LORE	1004 Indian trail dr. Windsor	<i>[Signature]</i>
7	5/23/11	LIZ LORE	1004 Indian trail d DRIVE	<i>[Signature]</i>
8	5/23/11	JUDITH HUGHES	3200 RAINBOW LN Loveland	<i>[Signature]</i>
9	5/23/11	RICHARD HUGHES	3200 RAINBOW LN Loveland	<i>[Signature]</i>
10	5/23/11	JACK HUFFMAN	2011 ESTRELLA AVE. LOVELAND, CO	<i>[Signature]</i>
11	5/23/11	Carol Huffman	2011 ESTRELLA AVE, Loveland	<i>[Signature]</i>
12	5-23-2011	LISA THOMAS	1203 BELLEVUE DRIVE FTC CO	<i>[Signature]</i>
13	5-23-2011	Randy Hall	1203 BELLEVUE DRIVE FTC	<i>[Signature]</i>
14	5-23-2011	Sharon Johns	3210 W. CTY Rd 52-63 Po Box 711 Lovelock	<i>[Signature]</i>
15	5-23-11	MARC BOULIN	1554 ARIKAREE DR. LOVELAND	<i>[Signature]</i>
16	5/23/11	CARL BRUNING	1975 MASSACHUSETTS ST. LOVELAND CO	<i>[Signature]</i>
17	5/23/11	LARRY WALLACE	3256 Henderson Dr. Loveland	<i>[Signature]</i>
18	5/23/11	Jacque Phordes	93 Pike Ln Severance, CO 80550	<i>[Signature]</i>
19	5-23-11	Marvin Phordes	93 Pike Ln Severance Co 80550	<i>[Signature]</i>
20	5/23/11	Carla Wynn	1116 SUMMIT WINDSOR	<i>[Signature]</i>

21	5-23-11	NICK WISEMAN	1116 SUMMIT CT. WINDSOR	Nick Wiseman
22	5-23-11	Cindy M. Hoehne	6994 Hwy 392, Windsor	Cindy M. Hoehne
23	5-23-11	Sharon K Steiner	1538 Wedgewood Ct Windsor	Sharon K Steiner
24	5-23-11	Paul H. Steiner	1538 Wedgewood Ct Windsor	Paul H. Steiner
25	5-23-11	Martha Maxwell	203 Birch Windsor	Martha Maxwell
26	5-23-11	Carrie Camerrer (years)	1021 Walnut St 1F Windsor	Carrie Camerrer (years)
27	5-23-11	Bettie Houston	150 Beacon Way Windsor	Bettie Houston
28	5-23-11	Martha Sharpe	707 APPLE CT. Windsor	Martha Sharpe
29	5-23-11	Sue Mestas	1109 Timberline Ct Windsor	Sue Mestas
30	5-23-11	WILLIAM MILLER	1748 BEAR CREEK CT, WINDSOR	Will Miller
31	5-23-11	Vicki MARPLE	600 BOULDER AVE 80524	Vicki Marple
32	5-23-11	Thomas BUCHANAN	910 W 8th Loveland 80531	Thomas P. Buchanan
33	5-23-11	VUKA MITCHELL	1105 HOVER ST. LONGMONT 80501	Vuka Mitchell
34	5-23-11	Millicent G. Ford	3920 W. Eisenhower Blvd. ^{Loveland} 80537	Millicent H. Ford
35	5-23-11	Tony Boatman	22 Rose Ct. Windsor Co.	Tony Boatman
36	5-23-11	Ella C. Boatman	22 Rose Ct Windsor CO	Ella C. Boatman
37	5-23-11	Cathy Holcombe	39771 Ramonview Dr. 80610	Cathy Holcombe
38	5-23-11	Thomas Bliss	1314 E. 16th St. #203 Loveland 80525	Thomas Bliss
39	5-23-11	DONALD E. ELIOTT	2343 ALBANY AVE, LOVELAND ⁸⁰⁵³⁸	Donald E. Elliott
40	5-23-11	Drenda Thoen	577 LAKEWOOD Ct. Windsor	Drenda Thoen
41	5-25-11	Chasity Dykstra	1399 SILVERWOOD Ct Windsor	Chasity Dykstra
42	5-25-11	KAREN PELZER	1306 51st Ave Ct Greeley	Karen Pelzer
43	5-25-11	NEIL PELZER	1306 51st Ave Ct. Greeley	Neil Pelzer
44	5/25/11	CARL MOORE	4608 W. 1 ST ST GREELEY	Carl Moore
45	5/25/11	Marijane L Moore	3807 W. 11 th St. Greeley	Marijane L. Moore
46	5/25/11	Stephanie J. Hayes	31490 CR 66 1/2 Gill CO	Stephanie J. Hayes
47	5/25/11	Raeanne Meeker	700 Campbell St Greeley CO	Raeanne Meeker
48	6/2/2011	DAVID G. MAXFIELD	740 APPLE CT WINDSOR, CO	David G. Maxfield
49	6/3/2011	MIKE COVERTINE	514 FELICIAN Cove Windsor CO	Mike Covertine
50	4/3/2011	Nyla Bristow	7512 Plateau Rd Greeley CO	Nyla Bristow
51				
52				
53				
54				
55				

PETITION TO AMEND WINDSOR E-1 ZONING TO ALLOW LIVESTOCK

WHEREAS, the right to cultivate, raise and grow food is a universal, inalienable right; AND

WHEREAS, the Colorado State Constitution provides: "All persons have certain natural, essential and inalienable rights, among which may be reckoned the right of enjoying and defending their lives and liberties; of acquiring, possessing and protecting property; and of seeking and obtaining their safety and happiness." AND

WHEREAS, the Colorado Right to Farm Statute, CRS 35-3.5-101 states "It is the declared policy of the state of Colorado to conserve, protect, and encourage the development and improvement of its agricultural land for the production of food and other agricultural products." AND,

WHEREAS, the role of government is to defend our unalienable rights and protect our freedoms; AND,

WHEREAS, any municipal code that restricts a property owner from using his or her land to grow food for his or her family violates these inalienable and constitutionally protected rights;

THEREFORE, we the undersigned request that the Town of Windsor amend Municipal zoning code 16-14-30(3) to include livestock, as defined by Weld County Code Sec. 14-4-10.

Date	Name	Address	Signature
6/3/11	Mary Stanton	306 Pelican Court Windsor	M. Stanton
6/3/11	Erin Sverel	9401 Annapolis Ln. W Maple Grove	Erin Sverel
6/3/11	Meghan Kershaw	231 Mallard CRT	Meghan Kern
6/3/11	Brandy Rogers	505 Pelican Cv. Windsor CO	Brandy E. Rogu
6/3/11	Melody Foltz	497 Pelican Cove, Windsor	Melody Foltz
6/3/11	Tonya Robinson	309 Amber Dr. Windsor	Tonya M. Robinson
6-3-11	Tram Kacmaraky	211 Pelican CV Windsor	Tram Kacmaraky
6-3-11	John Kacmaraky	211 Pelican CV Windsor	John Kacmaraky
6-3-11	Carol Hirata	310 Sandy Lane Windsor	Carol Hirata
6/3/11	Richard [unclear]	440 [unclear] [unclear]	Richard [unclear]
6/3/11	Judith [unclear]	1044 Grand Ave Windsor	Judith [unclear]
6/3/11	Tamy Elison	501 Pine Drive	Tamy Elison
6-3-11	Jay Schleicher	534 Sherwood Ct	Jay Schleicher
6-3-11	Cornie Jacob	530 Sherwood Ct	Cornie Jacob
6-3-11	Amy Jacob	530 Sherwood Ct	Amy Jacob
6-3-11	John Stephenson	308 Habitat CV	John Stephenson
6-3-11	John Stephenson	308 Habitat CV	John Stephenson
6-5-11	Jennifer Nishit	440143 wa 17 FC	Jennifer Nishit
6-6-11	Jessica Geer	734 42nd St SW Loveland	Jessica Geer
10-6-11	Cheryl HOTA	8409 Sunn Dollar Dr	Cheryl HOTA

PETITION TO AMEND WINDSOR E-1 ZONING TO ALLOW LIVESTOCK

WHEREAS, the right to cultivate, raise and grow food is a universal, inalienable right; AND

WHEREAS, the Colorado State Constitution provides: "All persons have certain natural, essential and inalienable rights, among which may be reckoned the right of enjoying and defending their lives and liberties; of acquiring, possessing and protecting property; and of seeking and obtaining their safety and happiness." AND

WHEREAS, the Colorado Right to Farm Statute, CRS 35-3.5-101 states "It is the declared policy of the state of Colorado to conserve, protect, and encourage the development and improvement of its agricultural land for the production of food and other agricultural products." AND,

WHEREAS, the role of government is to defend our unalienable rights and protect our freedoms; AND,

WHEREAS, any municipal code that restricts a property owner from using his or her land to grow food for his or her family violates these inalienable and constitutionally protected rights;

THEREFORE, we the undersigned request that the Town of Windsor amend Municipal zoning code 16-14-30(3) to include livestock, as defined by Weld County Code Sec. 14-4-10.

Date	Name	Address	Signature
6/6/11	Janey Malander	4997 Shavano Dr, Windsor	Janey Malander
6/6/11	Erin Livingston	7022 Ruidoso Dr, Windsor	Erin Livingston
6/6/11	Nancy Hart	1223 Crescent Dr Windsor	Nancy Hart
6/6/11	Jack [unclear]	1525 Main St, Windsor	Jack [unclear]
6/6/11	Lindsey [unclear]	310 S. [unclear] Greeley CO	Lindsey [unclear]
6/10/11	Mary Dunn	3350 S CR 33, Greeley, CO	Mary Dunn
6/11/11	Craig Raish	496 Atacamite Ct. Loveland	Craig Raish
6/11/11	Shante Raish	496 Atacamite Ct. Loveland	Shante Raish
6/11/11	Kelley Soudow	1010 Indian Hill	Kelley Soudow
6/11/11	Perry Buck	1863 E Seadrift Dr Windsor	Perry Buck
6/11/11	Ken Buck	1863 E Seadrift Dr Windsor	Ken Buck
6/15/11	Jessica Ball	240 Sandstone Ct. Windsor	Jessica Ball
6/15/11	Mandy Toms	1442 Fairfield Ave Windsor	Mandy Toms
6/15/11	Christine Lucas	507 Limber Pine Ct, Severance	Christine Lucas
6/15/11	Nichole Ward	921 Conifer Ct #4 Windsor CO	Nichole Ward
6/15/2011	Jeah Churches	12502 Hwy 392 Greeley CO	Jeah Churches



5 4'00



5 9:00



5 9'00





A photograph of a brick pillar on a house. The pillar is made of reddish-brown bricks with a rough, weathered texture. Mounted on the pillar is a brass-colored outdoor light fixture with a clear glass lantern. Below the light fixture, the house number "529" is displayed in a raised, metallic finish. To the left of the pillar, a white-framed window is visible, featuring a semi-circular transom window above the main pane. To the right, a white door frame is partially visible.

529





532















PRIVATE
PROPERTY
NO TRESPASSING
NO LOADING
OR UNLOADING
VEHICLES
OR TRAILERS
ON THIS PROPERTY







Scott Ballstadt

From: Roert Schneider <robvsch@aol.com>
Sent: Wednesday, January 22, 2014 10:48 AM
To: Scott Ballstadt
Subject: Stattler Zoning request change

I am Bob Schneider, currently President of the Trailwood Home Owners Association.

I am commenting on Mr. Sattlers' statement that he thought he reached a compromise with several homeowners who had attended the planning meeting. I have had to assure neighbors face to face and by phone that the persons attending the meeting did not give the impression that any compromise was reached. The board did not meet with Mr. Sattler.

We were opposed to this zoning change before the planning meeting and are still opposed to the request.

I retired from a family farming operation, 1500 acres with a dairy and hog operation, before moving to Windsor and believe the city allowances for livestock is quite sufficient, for this size property.

Thank You

Town of Windsor
Town Board and Planning Commission

January 20, 2013

Fauna M Kness
Windsor, Colorado

RE: Sattler CUG Application Clarification of Planning Meeting Jan 18, 2014

Dear Members,

1. On 1/18/14 Mr. Sattler stated that the pictures sent by me did not provide context. The pictures themselves did & I was not made aware that the Sattlers' *may* not have the ability to see the context. Hopefully, the Planning Commission and the Town Board are able to see each description. At this time, I will attach a separate sheet of their context to each picture.
2. I believe Mr. Sattler is very confused as to when I moved from 1301 Stone Mountain Drive when stating it was in November 2012. Our home hadn't even sold until June 2013. My residency remains in Windsor Colorado regardless of what Mr. Sattler's stated. Due to their actions towards my husband and me, we do not feel safe revealing our hard address. We bought a travel trailer, therefore we travel. In December 2013, we left Windsor and came back to visit in California as I continue to be under doctor's care at Stanford University Hospital.
3. Whether I live on the lane or visiting in CA is a moot point. We still own the lane and we strongly believe that the neighbors and the Town of Windsor's residents need support from those familiar with the history regarding the Sattler's ability to be trusted to keep their word. That is our motive.
4. Regarding my vendetta to continue to harass the Sattler's and use my friend, Linda Francis, to do so is pure sensationalism on the part of Mr. Sattler. I would not need to involve a friend to legally remove any landscape placed on my lane by the Sattlers'. For many months I attempted, by email, to give the Sattlers' ample time to remove the bushes, plants and trees he had placed on our property so that he might transplant them on his own property. He chose otherwise.
Linda Francis owns an E./W. 60 foot easement on our lane that even supersedes many of our rights as the property owners because her easement is not limited to ingress/egress. The Sattler's were also informed of her easement rights years ago. I find it interesting that he presented the removal of the illegally placed landscaping as some type of retribution from his mother. The simple fact is that Linda Francis is moving forward with her own goals on the lane and she was kind enough to wait for me to be out of town.
5. Mr. Sattler's comments regarding 2 police reports: Fact, Mr. Sattler did not mention that he himself called the police. All police reports are public information if anyone feels the need.
6. Pictures provided by Sattler on 1/18/14. Please note that the Sattler's did not provide any pictures of the west pasture; the area behind his shop; any before or after pictures of the condition of the south shop area that we had to clean off our lane; none of the south portion of the corral, Linda Francis' and the Town of Windsor Easement running N/S across the Sattler's west pasture or close up pictures of the south pasture to show that the greenery are weeds, not irrigated pasture.

Regarding the Sattlers' before and after pictures of their "front yard" which is approximately ¼ acre or less, they look beautiful. Mr. Sattler owns a landscape business that he runs from his own property and receives materials at

wholesale as well as extra materials, trees, plants etc. either left over or removed from the landscape installations he has performed. Their pictures prove that he does lovely work and is a master designer in landscaping or we wouldn't have hired him to do two (2) of our homes and a portion of the home we recently sold next to them. The Sattler's have not improved any of the areas of their property that is exposed to the surrounding neighbors.

7. Mr. Sattler addressed how much time he spends mowing his 7 acres per year (24 hours on a tractor). If cattle were allowed, they wouldn't even need a goat as their property would become a dry lot, as did the Hoeny's pastures. To take only 24 hours to maintain 7.7 acres of opened land explains why neighbors have called the town to enforce the Sattlers' to mow down their weeds. If you use ¼ acre for an overall average of lawn per house in Windsor; use 9 months per year for lawn seasons; approx 2 hours per week to mow, trim & maintain; the citizens of Windsor spend 72 hours per year. This is 3 x's more than the time Mr. Sattler spends mowing down his acreage.

8. On 1/18/14 Mr. Sattler used a metaphor between the town, the town's neighbors and themselves stating, "ultimately they (the town) do what they think is best with their property" and we (the Sattlers) do what we think is best for our property because who knows what is best other than us. I think my wife and I have shown over the years that we are the best doers for our land...we know what is best." My two (2) previous letters, the packet and witnesses presented in 2011, pictures presented from 2011 to present, are factual as to what the Sattler's sadly believe is best for their land.

9. Sattler further stated that he wants to work with their neighbors. The statements provided by the Trailwood community, Linda Francis prior to us moving to Colorado, 2011 & present statements, neighbors who rented from Linda Francis statements in 2011 before the board, and the documentation we have provided in the past and present, all prove that the Sattler's only have an "open dialog" if or when they chose to and only if it benefits themselves, not because it is the right thing to do for all concerned.

10. Mr. Sattler stated twice that they would have to adhere to the rules set by a CUG or the town has the authority to revoke it. The Sattler's have proven to this town that they can't even adhere to a simple request to take their signs off someone else's fence (their "for sale signs" continue to be on our land and our fencing) let alone adhere to the Town's ordinances, the Town Board's "stay", the Town Boards request to remove their illegal cattle without the intervention of the courts or other means or even apply for a home based business that he operates from his shop as required in the Town of Windsor.

Thank you for your time,

Fauna M Kness

Context of Pictures presented by Kness. This list is for those unable to use skydrive.

SATTLER CUG 1st SET

#1 – 9 Taken 2011. After attorney involvement, Kness' were able to clean up all materials on Kness property. Sattler business equipment, supplies, various materials for personal and business all viewable from Outlot A and many Trailwood residents.

#10-16 Taken 2011. City Easement for storm sewage and Linda Francis easement (Approx. 2003 Sattler barricaded south end from Francis access and City exit or entrance if needed. Horses are presently kept in this area and where former cattle had access. All visible by north residents.

#17-18 Taken 2011. Picture showing difference of Hoeny's fencing for cattle.

#19-22 Taken 2011. Condition of fencing, (2011 to present), the illegal cattle & lack of manure cleanup when the Sattler had cattle.

#23 2nd picture of Sattler barricade of City easement.

#24 Condition of Sattler west pasture before cited and taken to municipal court to remove and clean up.

#25-27 2013 condition of City Easement

#28 Sattler Christmas letter (provided in 2011) admission of first time illegal cattle were put on property with proof of their own concerns and beliefs.

#29 Taken 12/13. Sattler for sale sign on Kness Property without permission.

Sattler CUG 2 set

#1 Taken 2011 to show cow coming out of the area with vinyl fencing, wire fencing, steel posts, and other various items are harmful for any animals to have access to. Most of these items continue to remain in same area at present time.

Please note, Kness had to have legal intervention to remove items on our property & place fencing.

#2 After Kness moved Sattler's off their property, a wire fence was placed on boundary line. Mr. Sattler blatantly removed the Kness fencing.

#3-4 Kness new wood fence to improve curb appeal from Sattler unsightly kept items.

#5 Sattler business equipment behind fencing and dark SUV employee parked vehicle.

#6 Kness professional signage on Kness fence now removed by unknown party

#7 Taken 8/12 Condition of Sattler horse paddock before cited to clean and visible by Trailwood neighbors. Note more missing signage from Kness property line.

8-10 Condition of City and Linda Francis easement causing Sattler to be cited to mow. All items continue to remain on City Easement for storm sewer.

#11-13 Taken 2013 Condition of Sattler west fencing used to keep present horses as well as the 5 illegal cattle in 2011. On several occasions their horses came over to Kness pasture for greenery. #13 is Erika Sattler removing her horse who walk over the fencing and was contained by Fauna Kness until removed.

#14 Taken 11/13. Sattler continued to park over Kness boundary line with business equipment (note business logo on truck).

#15-17 Taken 9/13. Sattler "For Sale Signs" on Kness' property without permission including signage placed directly on Kness fencing without permission.

Note: Proof that Mr. Sattler stated on 1/18/14 that they will comply with a CUG for additional large animals while at the same time they continue to illegally place signage on Kness property or applying for a CUG for their home based business.

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Sign in

Sattler CUG 2

Fauna Kness's SkyDrive Sattler CUG 2

Sort by: Date created



Town of Windsor, Colorado
Planning Commission & Town Board
January 10, 2014

Dean and Fauna Kness, Owners of Outlot A, Stn Mtn. Dr

RE: Correction of Sattler Application for CUG with Weld County District 5 Estate (E) Zoned Use

This letter is in regards to the postponement by the Planning Commission on December 18, 2014 to 1/15/14 to vote on the Sattler CUG application. Apparently, the commissioners, as well as ourselves, were confused as to what the Sattler's were actually requesting. Our interpretation was, "the Sattler's wanted the Town of Windsor to accept and abide by the Weld County Code which not only added several more animal types, larger quantities for some of the animals and that the acceptance of Weld County's code would remain with the property, not with the owner granted the CUG".

I ask that our arguments on December 18, 2013 which specifically addressed the CUG "would run with the land" and "the Town of Windsor was to abide by the county rules and regulations" be disregarded. With these exceptions to support our reasons to deny a CUG, we continue to object that the Sattler's receive a CUG to keep cattle on their property which is based on the additional reasons provided in our letter dated December 18, 2013. The issue of trustworthiness continues to be primary to deny the granting of a CUG. With the exception that the recent severe weather has not allowed people to work outdoors, the Sattler's have made no changes to their property, specifically the areas opened to their horses, in order to insure a clean and safe environment for animals (pictures provided) yet they want to expose more animals to the same unsafe conditions.

The Sattler's refused to compromise, as we did in several situations, regarding the use on our lane, Outlot A, therefore, since they were represented at no cost by their title company, they chose to take the case to court. They were not granted their primary goal which was to continue to use our lane for their business equipment, supplies, storage, debris, and whatever else they believed was their right. (see attached) We believe it is important to evaluate whether or not the Sattler's have changed with regards to complying to ordinances, regulations, judgments, and other people's rights in order to prove that they can be trusted with the rules set by a CUG.

We understand that the Sattler's were given a copy of our objection letter which clearly addressed some of the issues which, had the Sattler's made any attempt to change or address since 12/18/13, could have shown some change in their attitudes. Instead, the lack of action on their part clearly supports our conviction that they cannot be trusted to do what the law states they are to do. As examples, we pointed out the placement of their signage on our property (see attached) which includes hanging "for sale signs" on our fencing. It is interesting to note that all of our professionally made "no parking signs" which were on our fences in June 2013 have disappeared since we moved. Please note that their signs remain as they were 3 weeks ago.

To date, they have not asked for permission for placement of their items on our property. We also brought forward the fact that Mr. Sattler was less than honest to our Town Attorney who took Mr. Sattler at his word instead of investigating the situation before concluding that we were the ones who were not being truthful. (see attached). To date, the Sattler's have not applied for a home business CUG. We also brought up the situation regarding sewage. Again, no one has addressed whether there needs to be a change or not. Had the Sattler's attempted to comply with just one of these issues since receiving a copy of our objection letter, perhaps others could see an attempt on the Sattler's part to change by obeying the Town's laws, obeying court orders, and honoring the rights of others. Instead, the Sattler's merely proved, once again, that they will do whatever they want to do until forced to do otherwise. This is not the attitude that would have the privilege to be granted a CUG.

In our first written objection, we did not address the Sattler's statement that they have not had one innocent reported to the County Sheriff since they moved their cattle to the county. We do believe this is probably true because no matter where they have their cattle in the county, such issues pertaining to noise, odor, turning a pasture into a dry lot, property values, changing the surrounding neighbor's lifestyle, destruction of a homeowner's landscaping (which was a minimum of 4 blocks away), or the need for the Sheriff Department to expand oversight as the Windsor police will have, wouldn't exist because their cattle are allowed in the county. People who buy or live in the county should expect to live in and around cattle and all that it entails with the allowable county animals.

Since we are unable to attend the upcoming Town's meetings, there are a couple of other situations that we believe should be considered. In 2011 the Sattler's had 5 heads of cattle, one of those being a bull. At this time, they still have 2 horses on their property. There are several scenarios' to be considered if a CUG is granted. The Sattler's are allowed 7 large animals on their property. The Town will have to assume that they can trust how many cattle will be on their property. Remember the Sattler's couldn't be trusted on the "stay of 2 cattle" back in 2011. The Sattler's couldn't be trusted to remove their cattle after losing their zoning change request.

Have the Sattler's herd increased over the past 2+ years? It is a well known fact that one of the illegal cattle brought onto their property "during the 2011 stay" was a young bull. Are they intending to sell their horses so they can have 7 cattle? Do they still own their bull therefore intend to bring it into the city? If they own more large animals, ie cattle, than allowed then how are they going to prove to the Town of Windsor that they could be keeping additional cattle in the county then on their property? Remember, the Sattler's request for a CUG is based on wanting to have their cattle next to them for daily oversight. If even one (1) additional cow, bull or steer is boarded in the county then their basis for a CUG carries absolutely no weight because they won't have full oversight. Shouldn't the city immediately visit the property where the Sattler's herd resides to confirm what is being stated is true at this point? But then, let's say they have their cattle spread out in the county, how will we know? And what is to stop them from buying more cattle in the future to be kept in the county? Again, the request is based on keeping their "herd" in their eye sight, not just "some" of their herd. This wouldn't be the first time that the Sattler's have been less than forthright.

As to owning a bull, the Sattler's stated in 2011 that they planned to breed their own cattle. Without question and according to the facts presented in 2011, the Sattler's also stated that cows are not a danger to humans. What they did not present to the Town was the difference between a cow, steer, and bulls. Instead, they lied to the Mayor who publically defended the Sattler's after they brought on 2 more cows "during the stay" stating that the Sattler's had no choice because they had already bought the cows and the prior owner's had to move out of state. The Mayor further stated that he did not believe that the Sattler's were thumbing their nose at the Board's "order of stay". So what was their excuse when the Sattler's brought in a 5th one, a bull, still with the "order of stay" in place?

Were the Sattler's forced to remove the 3 additional cattle? No, but it certainly affected selling our property within the city and the lifestyle of the surrounding neighbors? We are very relieved to hear that the HOA and its members living north of the Sattler's finally came forth and confirmed everything that we stated in 2011. I doubt that these people were laughed at by the Sattler's supporters during the 12/18/13 meeting as we were when we came before the Town Board and discussed the smell, noise and conditions we were exposed to. We understand why these people were afraid to come forth in the past but we believe that this time they were unaware that we still owned Outlot A and would need to be involved if they wanted to maintain their lifestyle as it is today.

Certainly the two (2) new home owners, (one bought our home and another bought the southeast home), all who use our lane to reach their properties, wouldn't want to go against the Sattler's and then experience much of what we had to go through. It is best to leave it to those who already know what it is like to live next to the Sattler's and their cattle. At this time, they have no idea of the changes they will be exposed to if the Sattler's have cattle. It is bad enough that their horses continue to be exposed to items laying out in the pasture that could cause harm to an animal but at least I never saw the horses walking on vinyl fencing or a roll of wire fencing as their cows did. (see attached pic)

Regarding safety, just on our lane alone, the four (4) families who all live next to the Sattler's and all who use our lane have approximately 19 children between them ranging from a one year old up to or slightly over pre-teen. As stated in our previous letter, are the Sattler's intending to upgrade all their fencing for safety reasons? Are we going to hear that their bull wouldn't hurt a fly if any of these children are exposed to a herd of cattle that broke out or merely walked out because the Sattler's left their gate opened again? What if it is a herd of cattle that goes through the Sattler's west fence the next time to get to green pasture instead of one trained horse? (see attached pictures). Even with that said there was a time that the Windsor Police asked me, Fauna, to help catch and bring in two of the Sattler's horses and put them back into their paddock because neither of the officers had experience dealing with horses. Then there was the time that I had to keep their horse in my pasture until Mrs. Sattler was called by their attorney to get her horse that had easily walked through their fencing. What happens if it is a herd of cattle and the Sattler's are gone?

There is no benefit to anyone in the Town of Windsor if the Sattler's are granted a CUG for cattle but there will be more calls to the police and more homeowners exposed to even more negative experiences. We aren't living on the lane so none of the surrounding neighborhoods will be kept from the exposure created by the Sattler's choices. We either lived a very miserable existence under the demands of the Sattler's or we lived a life with extreme negativity, financial loss, personal attacks, and horrendous stress because we stood up for our property rights in order to move away. What we went through wasn't because of our relationship. Other neighbors had already gone through very similar situations before we had even arrived in Colorado. That is a fact. And based on that fact, it is the responsibility of the Town of Windsor to protect all of the citizens of Windsor, to allow them the right to live the lifestyle they have paid to have within a city, and certainly the right to know that they do not have to be exposed to the outcome that will be recreated if the Sattler's are allowed cattle on their property.

Sincerely,
Dean and Fauna Kness

Fauna and Dean Kness
970-219-7547
fkness@msn.com

RE: Sattler Application for CUG with Weld County District 5 Estate (E) Zoned Use

To The Town of Windsor Planning Commission and Town Board,

This is in regards to the Sattler's request to obtain a CUG from the Town of Windsor to allow large animals, in particular cattle, within the city limits using the rules and regulations set forth by Weld County Code 23-3-410. First and foremost, involvement in this CUG application is the last thing we wanted to deal with but given that we continue to own property along the entire north side of the Sattler's it is necessary to address their application.

In the past, our goal has been to approach situations regarding the Sattler's on the basis of "neighbors". In the Sattler's application, they have once again publically referred to us as "family" instead of neighbors believing any action taken by us was merely to "family issues: which is far from the truth. For the first time, we do intend to completely set aside the fact that Mr. Sattler is my son and that there are grandchildren involved in order for us show to clearly explain the why the Sattler's cannot be trusted to be granted a CUG and especially a CUG under the Weld County Code.

The Sattler's request is based on their intent to (a) Have a CUG that remains with the property verses Windsor's CUG goes to the applicant and (b) The Sattler's ongoing goal is to move to Idaho and continue to market their home at an inflated price therefore they believe offering a CUG for a large list of animals including cattle that remains with the property will open up an additional pool of buyers.

In 2011, after the Sattler's request to change Windsor E1 zoning to allow cattle was lost by a unanimous no vote by the Planning Commission and a no vote of 8 to 1 by the Town Board, the Mayor then fought for the Sattler's to be granted the right to have a CUG remain with the land rather than the person granted the CUG. After the Town Board voted against considering the Mayor's request, within the same time frame Mr. Sattler came before the Board and stated "I will *never* go into a contract with the government because it is unconstitutional because I am a free man on dry land"? What has changed for Mr. Sattler since 2011? Has he given up his right to freedom or is he now standing in a foot of water?

First of all, has the Town of Windsor considered how much time, money and effort has gone into all the issues surrounding the Sattler's including but not limited to their choices to disregard several of the Towns ordinances? The Sattler's actions certainly appear to prove that they believe the laws and ordinances in Windsor do not apply to them as well as their lack of consideration for the rights of others or how their actions affect the rights of its citizens.

The Sattler's have no intent to remain citizens of Windsor in order to enjoy the "county rights" they are asking to receive. If a home isn't selling for over 3-4 years, perhaps the owner's need to accept the reality of it's worth. Instead, the Sattler's expect the citizens of Windsor to live in conditions other than what the citizens wanted to live in when they choose to move to the Town of Windsor. I don't hear our own Mayor discussing his concern over his cattle because they are living out on county property instead of his own back yard.

If granting the Sattler's their request wasn't such a serious issue, then the list of their reasons to allow them any and all of the Weld County allowable animals would almost be humorous especially when you drive down 11th Street and Stone Mountain Drive and see their For Sale Sign and the Notice for a Conditional Use Grant sitting right next to each other. And, as a matter of fact, they both sit on our property without our permission. Case in point, the Sattler's placed their For Sale sign where they wanted without consideration for the property owners, us.

Perhaps this Town would save more tax dollars and certainly more time to have the Sattler's property

appraised at its actual worth, buy them out at its value, and use the land for the outdoor recreational development that was discussed in the Strategic Plan in 2007. It would eventually save the citizens of Windsor more tax dollars and far less depreciation to the properties surrounding properties if this application is granted to the Sattler's.

Or why don't the Sattler's keep their home up for sale, rent it out and rent a more compatible property so they can be next to their cattle and whatever other animals they desire to have. In the least, sell their cattle and once their property does sell, buy more cattle after moving to Idaho instead of moving the ones they own since I have heard that cattle are being sold at a very reasonable price in Idaho.

To address the Sattler's CUG Application, let me address each of their statement:

Paragraph 1, 2nd sentence, "their property is surrounded on all sides by private property.

The property to their north is our lane which is 60 feet wide with zero trees, walls, or any structure to protect all the neighbors to their north from the noise, odors or dust created by the list of animals allowed by the county and certainly by cattle.

Paragraph 1, 3rd sentence, "The home on the subject property was built in 1900 and remains largely unchanged in form and function in the last 113 years.

Not true. The Sattler's property does not remain unchanged in form:

In 1989, the Sattler's property had no fencing, it was a migrant shack, not a ranch or farm; and there were no large domestic animals. When the Sattler's purchased their property there was only one large master bedroom and another small room used a bedroom without a closet. In 2008 the Sattler's added two (2) large bedrooms & a hallway. They updated the bathroom piping, tub, sink and toilet. Also, the Sattler's remodeled their shop for their home business office. (see attached)

According to the Annexation of Vista Grande Subdivision, February 27, 1989, Paragraph 3 states upon change, modification or intensification, the Town may at its option compel the owners to terminate the use of this septic system and to connect with the Towns sewer discharge system at the property owner's sole expense (see attached). Apparently, the inspectors missed the annexation requirement or ignored it. Either way, I would think that all of the citizens in Town who had to hook into the Town's discharge system to "be beneficial due to safety issues", would also ask, "why aren't the Sattler's held to the same standard?"

Paragraph 3, Incorporating WCC 23-3-410(c) Weld County District 5 estate.

Allowing the Sattler's to have any cattle as well as the extended list of other large and small animals allowed by Weld County will certainly expand regulations and additional oversight to be placed on the shoulders of the Town? As our Chief of Police stated approximately one year ago when I came before the board and requested that owner's of chickens should have their coups approved to be predator protected, the Chief stated, "We don't have the funds or the manpower to oversee chicken coups". I didn't want to hear his opinion because my goal was to protect the chickens and the wildlife who were lured to unprotected chickens, but he was correct. My passion for animals fogged reality which is the same reality that the Windsor Police will face if the Sattler's are granted a CUG and especially applying the Weld County code list of animals. If we don't have the manpower to oversee chicken coups then how will the Town be able to oversee the Sattler's cattle or a bull?

Just last year, one of their horses walked right through their wire fencing at our east boundary line. I suppose Blacky (their horse) definitely wanted the grass that *was* greener on the other side since the Sattler's illegal cows had started turning the west area of their property into a dry lot. (see attached). Then there was the time their cows were found blocks away from the Sattler's property grazing and destroying the landscaping of a residential home.

It is not uncommon to hear that one of the Sattler's animals, large or small are at large either in the street or

in someone else's yard. In fact, I wouldn't be surprised if they hold the record in Colorado for "animals at large". And let us not don't forget that it was the Sattler's who ignored the Town's Chicken Ordinance(s) by never applying or paying for a permit; it was the Sattler's who allowed 36 chickens to be killed because they were left out at night or in an unprotected coup; it was the Sattler's who blamed the fox family for using their natural instincts; who then wouldn't allow us to live trap the fox for an "approved relocation" but instead, it was the Sattler's who killed off the entire fox family who resided on this land for over 100 years and who remain extinct in this area. All of these are facts yet the Sattler's dare refer to the condition and use of their property for the past 113 years! There were wildlife 113 years ago from skunks and raccoons to fox who safely roamed the same property the Sattler's now refer to.

How is it that the Sattler's animals are the only animals that have rights? But then it was Mr. Sattler who stated, "I will do what I want on my land and you can do what you want on yours"! Perhaps it is time the Sattler's buy a deserted island with their way of thinking.

Paragraph 3 further discusses that the density of said animals will remain the same as allowed in the Town of Windsor.

Fact: the Sattler's ignored Windsor's ordinances as to density by bringing on 2 illegal cattle back in 2010. The Sattler's also ignored the "stay" placed on the 2 illegal cattle when they brought in 3 more cattle totaling 5! So why should the Sattler's be trusted now? Even after losing their "change in zoning case" before the Planning Commission and the Town Board, the Sattler's still refused to move their illegal cattle causing the Town to issue a citation and bring them before the Municipal Court Judge who not only found them guilty but also stated that he wished he could increase the fine after hearing the Sattler's blatant disregard to bring on illegal cattle and then three (3) more after a "stay" was placed.

The last sentence of paragraph 3 states that a CUG using Weld County standards would restore the property's historical agricultural use to that which existed without issue or concern until 2011.

This is a clear and blatant lie that was proven before the Town Board in 2011. Simply, the Sattler's property was annexed into the city in 1989 not in 2011. It was later zoned E1 with the list of allowable large animals. Why do the Sattler's find it necessary to tell these lies again and again as if the truth wasn't already proven back in 2011? If allowing cattle was not approved in 1991 and again in 2011, why is the same request going before the Planning Commission and the Town Board again in 2013? Furthermore, the Weld County Code allows several more types of large animals as well as more quantities such as the amount of chickens.

Paragraph 4 states their property had been utilized for over 100 years in the manner proposed and would create no new impact on City infrastructure, traffic or utilities etc.

To address the infrastructure, traffic, etc., do the Sattler's seriously expect this town to believe that their vinyl fencing and hot wire has or will consistently keep their animals off the street? It hasn't to date. Or should anyone believe that the Sattler's will invest in proper and safe fencing for their cattle to be properly contained? The Sattler's are not as the Hoehnes' who had clearly respected their neighbors and their agreement with the Town of Windsor by investing in large animal fencing in order to protect both the cattle and their neighbors. (see attached)

With regards to "no impact" including odor, noise or dust...this is coming from the people who must be cited to mow down their own pastures; who must be cited and fined to remove their debris; the very same people who never once cleaned their cow's manure that piled up on a portion of "our" property and directly next to our east property line which smelled so foul that visitors commented of the order without prior knowledge that we were now living next to cattle. We certainly couldn't enjoy even walking down our own lane or be outside while we maintained our own property; and yes, these are the same people who claimed

under oath that they maintained our lane without any evidence to prove otherwise (as we certainly can provide); the same people who were visited by the police because neighbors had called in after 2 days of listening to a crying calf because the Sattler's allowed the calf to remain in the city during the separation from its mother; and the same people who leave their large animals at risk by allowing them to wonder in and around accessible debris, machinery, wire fencing, broken vinyl fencing, piles of sharp broken concrete and much more. (see attached pictures).

Paragraph 5 states that the issue of illegal cattle was brought forth not because there was a genuine nuisance or complaint but by a "family dispute".

The Sattler's just cannot leave well enough alone. I apologize and carry a great deal of embarrassment to be subjected to their public ridicule and behavior, grandchildren excluded. Knowing very well that my daughter in-law is the person who compiles all written communication, how boring it is to hear, once again, that her husband's mommy is to blame for their own decision making.

I cannot apologize enough to be placed in this position before the Planning Commission and the Town Board. We did our best to distance ourselves from living next to the Sattler's. But in our defense, we continue to own Outlot A that runs next to the entirety of the Sattler's north side not out of choice. Given that they single us out as to why they lost their request in 2011, I will take this opportunity to explain why we didn't sell our lane next to the Sattler's and continue to disapprove of their actions.

It is not by our choice. During a legal matter regarding a lack of a written easement on the Sattler's property and due to the Sattler's ongoing use of our property for their own use, the Sattler's decided that until the court made its ruling that they would place a "lis pendens" (lawsuit pending) on our property therefore holding our property hostage and us unable to sell. Evidently, the Sattler's were unaware that our property's held two separate deeds, one for the home with 3 acres and the other for Outlot A with 2 acres. The Sattler's also knew that as we lowered the price of our property in order to get away from them that this meant their property value would appraise for less than they believe it is worth.

We received several offers but only after we accepted an offer were we to discover that there was a lis pendens on the lane. We requested it be set aside for the sale to be completed then re-instated thereafter but the Sattler's refused to do so therefore we could not sell the lane. Fortunately, because our properties were on two separate deeds, the new owners purchased the home without the lane. We lost several thousands of dollars and remain the Sattler's closest neighbors.

Unfortunately for the Sattler's, they did not receive the right to use our property for their use in order to park the majority of their home business property such as landscaping equipment, vehicles, tractor, parts, or the piles of left over landscape items all of which were out of their site but was certainly in our sight as well as the site of the surrounding neighbors (see attached pictures).

Regardless of the several public statements made by the Sattler's regarding why we have taken opposition against living next to cattle in the city limits, it is not now and never has been over the Sattler's disallowing us to see grandchildren in order to protect them. This type of sensationalism certainly grabbed the attention of many people, even the media, but it is far from the truth and certainly has no business in an issue over cattle or a CUG.

Illegally bringing cattle into the city and the blatant disregard and respect for other's rights, whether we were allowed to see our grandchildren or not, would have led to the exact same outcome... "we would have opposed the cattle and the condition of their property due to its effect on us as well as our surrounding neighbors". We did and would have continued to disagree with how they kept their property and our grandchildren would have been used again by being taken away from as the Sattler's had already done before. We contest the granting of CUG based on their untrustworthiness.

Granting a CUG is not a "right", it is a privilege to be respected and should only be granted to those who the Town can trust to do what those who are granted a CUG agree to do. We firmly believe that the Sattler's have already proven that they will not take complete responsibility to do what they will be asked to do by this Town. They never have so far without some type of legal action taken against them. Even now, their application makes no mention about the real reason they are asking for this Town for a CUG using Weld

County codes. Again, if someone is intending to sell their home and move out of state, why would they bother to get a CUG and with guidelines set by the Weld County code that will remain on the property. It isn't about having their cattle close. It is another attempt to reach their own selfish gains.

How can this town have any confidence that these people are any different today than they were when they totally disregarded the Town's chicken ordinance; who brought on an illegal duck; who unnecessary killed our wildlife; who told a bold face lie to our town attorney stating that did not have a home based business for years so they don't have to obtain a CUG like all the other citizens in Windsor; or who barricades out an owner of her easement while ignoring the regulations of a city easement (see attached), just to name a few.

The decision before you is simple *if* TRUST is the basis of your vote.

Thank you for your time,

Dean and Fauna Kness

Scott Ballstadt

From: Fauna Kness <fkness@msn.com>
Sent: Sunday, January 12, 2014 9:12 PM
To: Scott Ballstadt
Subject: Fauna Kness has shared the album "Sattler CUG 2" with you

Please provide to the Planning Commission and Town Board with our updated letter. Thank you



Sattler CUG 2

[View photos](#)

You are invited to view Fauna's album. This album has 16 files.



Share your files with  SkyDrive.

Fauna and Dean Kness
970-219-7547
fkness@msn.com

RE: Sattler Application for CUG with Weld County District 5 Estate (E) Zoned Use

To The Town of Windsor Planning Commission and Town Board,

This is in regards to the Sattler's request to obtain a CUG from the Town of Windsor to allow large animals, in particular cattle, within the city limits using the rules and regulations set forth by Weld County Code 23-3-410. First and foremost, involvement in this CUG application is the last thing we wanted to deal with but given that we continue to own property along the entire north side of the Sattler's it is necessary to address their application.

In the past, our goal has been to approach situations regarding the Sattler's on the basis of "neighbors". In the Sattler's application, they have once again publically referred to us as "family" instead of neighbors believing any action taken by us involved family issues. For the first time, we do intend to completely set aside the fact that Mr. Sattler is my son and that there are grandchildren involved in order to bring forth the why the Sattler's cannot be trusted to be granted a CUG and especially a CUG under the Weld County Code.

The Sattler's request is based on their intent to (a) Have a CUG that remains with the property verses Windsor's CUG goes to the applicant and (b) The Sattler's ongoing goal is to move to Idaho and continue to market their home at an inflated price therefore they believe offering a CUG for a large list of animals including cattle that remains with the property will open up an additional pool of buyers.

In 2011, after the Sattler's request to change Windsor E1 zoning to allow cattle by a unanimous no vote by the Planning Commission and a no vote of 8 to 1 by the Town Board, the Mayor then fought for the Sattler's to be granted the right to have a CUG remain with the land and not be granted to the present owner only. After the Town Board voted against considering the Mayor's request was within the same time frame that Mr. Sattler came before the Board and stated "I will *never* go into a contract with the government because it is unconstitutional because I am a free man on dry land"? What has changed for Mr. Sattler since 2011? Has he given up his right to freedom or is he now standing in a foot of water?

First of all, has the Town of Windsor considered how much time, money and effort has gone into all the issues surrounding the Sattler's including but not limited to their choices to disregard several of the Towns ordinances? The Sattler's actions certainly appear to prove that they believe the laws and ordinances in Windsor do not apply to them or do they consider the rights of others or how their actions effect the rights of its citizens.

The Sattler's have no intent to remain citizens of Windsor in order to enjoy the "county rights" they are asking to receive. If a home isn't selling for over 3-4 years, perhaps the owner's need to accept the reality of it's worth. Instead, the Sattler's expect the citizens of Windsor to live in conditions other than what the citizens wanted when they choose to live in a Town/City. I don't hear our own Mayor discussing his concern over his cattle because they are living out on county property instead of his own back yard.

If granting the Sattler's their request wasn't so serious their list of reasons could almost be humorous especially when you drive down 11th Street and Stone Mountain Drive and see their For Sale Sign and Notice for a Conditional Use Grant sitting right next to each other. And as a

matter of fact, they both sit on our property without our permission. Case in point, the Sattler's placed their For Sale sign whether they wanted without consideration for the property owners.

Perhaps this Town would save more tax dollars and certainly more time to have the Sattler's property appraised at its actual worth, buy them out at its value, and use the land for the outdoor recreational development that was discussed in the Strategic Plan in 2007. It would eventually save the citizens of Windsor more tax dollars and far less depreciation to the properties if this application is granted then to allow the list of animals allowed by Weld County code.

Or why don't the Sattler's keep their home up for sale, rent it out and rent a more compatible property so they can be next to their cattle and whatever other animals they desire to have. In the least, sell their cattle and once their property does sell, buy more cattle after moving to Idaho instead of moving the ones they own since I have heard that cattle are being sold at a very reasonable price in Idaho.

To address the Sattler's CUG Application, let me address each of their statement:

Paragraph 1, 2nd sentence, "their property is surrounded on all sides by private property.

The property to their north is our lane which is 60 feet wide with zero trees, walls, or any structure to protect all the neighbors to their north from the noise, odors or dust created by the list of animals allowed by the county and certainly by cattle.

Paragraph 1, 3rd sentence, "The home on the subject property was built in 1900 and remains largely unchanged in form and function in the last 113 years.

Not true. The Sattler's property does not remain unchanged in form:

In 1989, the Sattler's property had no fencing, it was a migrant shack, not a ranch or farm; and there were no large domestic animals. When the Sattler's purchased their property there was only one large master bedroom and another small room without a closet. In 2008 the Sattler's added on two (2) large bedrooms & a hallway. They updated the bathroom piping, tub, sink and toilet. Also, they Sattler's remodel their shop for their home business office. (see attached)

According to the Annexation of Vista Grande Subdivision, February 27, 1989, Paragraph 3 states upon change, modification or intensification, the Town may at its option compel the owners to terminate the use of this septic system and to connect with the Towns sewer discharge system at the property owners sole expense (see attached). Apparently, the inspectors missed the annexation requirement or ignored it. Either way, I would think that all of the citizens in Town who had to hook into the Town's discharge system to be beneficial due to safety issues, would also ask why aren't the Sattler's held to the same standard?

Paragraph 3, Incorporating WCC 23-3-410(c) Weld County District 5 estate.

Allowing the Sattler's to have any cattle as well as the extended list of other large and small animals allowed by Weld County will certainly expand regulations and additional oversight to be placed on the shoulders of the Town? As our Chief of Police stated approximately one year ago when I came before the board and requested that owner's of chickens should have their coups approved to be predator protected, the Chief stated, "We don't have the funds or the manpower to oversee chicken coups". I didn't want to hear his opinion because my goal was to protect the chickens and the wildlife who would be lured to unprotected chickens, but he was correct. My

passion for animals fogged reality which is the same reality that the Windsor Police will face if the Sattler's are granted a CUG and especially applying the Weld County code. If we don't have the manpower to oversee chicken coups then how will the Town be able to oversee the Sattler's cattle or a bull?

Just last year, one of their horses walked right through their wire fencing at our east boundary line. I suppose Blacky (their horse) definitely wanted the grass that *was* greener on the other side since the Sattler's illegal cows had started turning the west area of their property into a dry lot. (see attached). Then there was the time their cows were found blocks away from the Sattlers property grazing and destroying the landscaping of a residential home.

It is not uncommon to hear that one of the Sattler's animals, large or small, are at large either in the street or in someone else's yard. In fact, I wouldn't be surprised if they hold the record in Colorado for "animals at large". And let us not don't forget that it was the Sattler's who ignored the Town's Chicken Ordinance(s) and never bothered to apply for a permit; it was the Sattler's who allowed 36 chickens to be killed because they were left out at night or in the unprotected coup; it was the Sattler's who blamed the fox family for using their natural instincts; who then wouldn't allow us to live trap the fox for an "approved relocation" but instead, it was the Sattler's who killed off the entire fox family who resided on this land for over 100 years and who remain extinct. All of these are facts yet the Sattler's dare refer to the condition and use of their property for the past 113 years! There were wildlife 113 years ago from skunks and raccoons to fox who safely roamed the same property the Sattler's refer to up until 2011.

How is it that the Sattler's animals are the only animals that have rights? But then it was Mr. Sattler who stated, "I will do what I want on my land and you can do what you want on yours"! Perhaps it is time the Sattler's buy a deserted island with that type of thinking.

Paragraph 3 further discusses that the density of said animals will remain the same as allowed in the Town of Windsor.

Fact: the Sattler's ignored Windsor's ordinances as to density by bringing on 2 illegal cattle back in 2010. The Sattler's also ignored the "stay" placed on the 2 illegal cattle when they brought in 3 more totaling 5! So why should the Sattler's be trusted now? Even after losing their zoning case before the Planning Commission and the Town Board, the Sattler's still refused to move their illegal cattle then causing the Town to issue a citation and bring them before the Municipal Court Judge who not only found them guilty but also stated that he wished he could increase the fine after hearing the Sattler's blatant disregard to bring on the 3 additional cows after the "stay" was placed.

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This is a clear and blatant lie that was proven before the Town Board in 2011. Simply, the Sattler's property was annexed into the city in 1989 not in 2011. It was later zoned E1 with the list of allowable large animals. Why do the Sattler's find it necessary to tell these lies again and again as if the truth wasn't already proven back in 2011? If allowing cattle was not approved in 1991 and again in 2011, why is the same request going before the Planning Commission and the Town Board again in 2013? Furthermore, the Weld County Code allows more types of large animals as well as more numbers of small animals including chickens that is allowed in Windsor.

Paragraph 4 states their property had been utilized for over 100 years in the manner proposed and would create no new impact on City infrastructure, traffic or utilities etc.

To address the infrastructure, traffic, etc., do the Sattler's seriously expect this town to believe that their vinyl fencing and hot wire has or will consistently keep their animals off the street? It hasn't to date. Or should anyone believe that the Sattler's will invest in proper and safe fencing for their cattle to be properly contained? The Sattler's are not as the Hoehnes' who had clearly respected their neighbors and their agreement with the Town of Windsor by investing in large animal fencing in order to protect both the cattle, their neighbors. (see attached)

With regards to "no impact" including odor, noise or dust...this is coming from the people who must be cited to mow down their own pastures; who must be cited and fined to remove their debris; the very same people who never once cleaned their cows manure that piled up on a portion of "our" and their property directly next to our property line which smelled so foul that visitors committed without prior knowledge that we now lived next to cattle and we certainly couldn't enjoy even walking down our own lane or maintaining our own property; and yes, these are the same people who claimed under oath that they maintained our lane without any evidence to prove otherwise as we certainly can provide; the same people who were visited by the police because neighbors had called in after 2 days of listening to a crying calf because the Sattler's allowed the calf to remain in the city during the separation from its mother; and the same people who leave their large animals at risk by allowing them to wonder in and around accessible debris, machinery, wire fencing, broken vinyl fencing, piles of sharp broken concrete and much more. (see attached pictures).

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I cannot apologize enough to be placed in this position before the Planning Commission and the Town Board. We did our best to distance ourselves from living next to the Sattler's. But in our defense, we continue to own Outlot A that runs next to the entirety of the Sattler's north side. I will take this opportunity to explain why we didn't sell the lane if we so highly disagree with their actions.

It is not by our choice. During a legal matter regarding a lack of a written easement on the Sattler's property and due to the Sattler's ongoing use of our property for their own use, the Sattler's decided that until the court made its ruling that they would place a "lis pendens" (lawsuit pending) on our property therefore holding our property hostage and unable to sell. Evidently, the Sattler's were unaware that our property's held two separate deeds, one for the home with 3 acres and the other for Outlot A with 2 acres. The Sattler's also knew that as we lowered the price of our property that their property value would appraise for less then they believe it is worth.

We received several offers but once we accepted an offer we discovered the lis pendens and requested it be set aside for the sale to be completed without the lis pendens losing the power that the upcoming court order would apply. They refused therefore only because of the two separate deeds, the new owners purchased the home without the lane and we lost several thousands of dollars and the gift to remain the Sattler's closes neighbors.

Unfortunately for the Sattler's, they did not receive the right to use our property to park the majority of the their home business equipment; vehicles, tractor and parts, or the piles of left over landscape items where it would be out of their site but certainly not out of ours (see attached pictures). And this is why we are still the owners of a lane and involved in contesting this application.

Regardless of the several public statements from the Sattler's regarding why we have taken opposition against living next to cattle in the city limits is not now and never has been over the Sattler's disallowing us to see grandchildren in order to protect them. This type of sensationalism certainly grabbed the attention of many people, even the media, but it is far from the truth and certainly has no business in an issue over cattle or a CUG.

Illegally bringing cattle into the city and the blatant disregard and respect for other's rights, whether we were allowed to see our grandchildren or not would have led to the exact same outcome...we would have opposed the cattle and the condition of their property due to its effect on us as well as our surrounding neighbors; there would have been a disagreement; the children would have been taken away from us as before and I would be writing same letter requesting the Sattler's be denied a CUG based on their untrustworthiness.

Granting a CUG is not a "right", it is a privilege to be respected and should only be granted to those who can the Town can trust to do what they have agreed to do. We firmly believe that the Sattler's have already proven that they will not take complete responsibility to do what they will be asked to do by this Town. They never have so far without some type of legal action taken against them. Even now, their application makes no mention about the real reason they are asking for this Town for a CUG using Weld County codes. Again, if someone is intending to sell their home and move out of state, why would they bother to get a CUG with this Weld County code that will remain on the property. It isn't about have their cattle close. It is another attempt to reach their own selfish gains.

How can this town have any confidence that these people are any different today than they were when they showed total disregard regard to comply with the Town's chicken ordinance; who brought on an illegal duck; who unnecessary killed our wildlife; who told a bold face lie to our town attorney regarding their home based business for years so they don't have to obtain a CUG like all the other citizens in Windsor; or who barricades out an owner of her easement while ignoring the regulations of a city easement (see attached), just to name a few.

The decision before you is simple *if* TRUST is the basis of your vote.

Thank you for your time,

Dean and Fauna Kness

MEMORANDUM

DATE: January 2, 2014

TO: Scott Ballstadt, Windsor Planning Department

RE: Conditional Use Grant Application for 1201 Stone Mountain Dr. Windsor, CO 80550

FROM: Clint and Erika Sattler, Property Owners and Applicants

This addendum to our original CUG Application, dated Nov. 12, 2013 is being submitted at the request of Windsor Planning Department and Planning Commission, and is intended to provide clarity and greater specificity to our request. In an effort to respond to the concerns expressed by neighbors at the Planning Commission public hearing on December 18, 2013, we have further revised our CUG request to the following animals and animal density. Please find a revised chart below:

Livestock Animal	Animal Unit Equivalency	Proposed maximum number of each animal allowed on subject property
Horse, donkey, pony, mule, or llama (currently allowed in E-1 zone districts)	1	7
Cow	1	7
Goat	0.5	14
Turkey	0.04	14
Chicken Hens	0.04	28

We are requesting to keep up to SEVEN (7) Animal Units on the 7.44 acre subject property at any given time. Some examples of what SEVEN (7) Animal Units would look like on the subject property are as follows:

Example 1: SEVEN (7) horses, TOTAL on property (This use is currently allowed by existing zoning)

-OR-

Example 2: TWO (2) horses, FIVE (5) cows, TOTAL on property.

-OR-

Example 3: TWO (2) horses, FOUR (4) cows, TWO (2) goats, TOTAL on property.

-OR-

Example 4: SIX (6) cows, TWO (2) goats TOTAL on property

-OR-

Example 5: THREE (3) horses, THREE (3) cows, ONE (1) goat, TWELVE (12) chicken hens, TWO (2) turkeys, TOTAL on property

The above examples are intended to demonstrate how the Animal Unit Equivalency chart would apply to the subject property, and are not a guarantee of any specific application of the CUG. Rather, the CUG should allow us sufficient flexibility to decide which animals we raise to ensure the highest health and welfare of the animals, the land, and the neighborhood.

Please include this revised chart and corresponding examples with the public record that accompanies our Conditional Use Grant application.

Scott Ballstadt

From: Gayle <morganga@comcast.net>
Sent: Sunday, December 22, 2013 8:51 AM
To: Scott Ballstadt
Subject: Sattler 12/18/13 Windsor Planning Commission meeting materials

Importance: High

Mr. Ballstadt,

If you receive anything else with regard to this proposal regarding Clint and Erika Sattler, 1201 Stone Mountain Dr., please forward me a copy. We did receive a copy of their addendum that was discussed at the meeting.

By the way, our group of homeowners that attended the meeting met with Mr. Sattler after the agenda item was concluded. He categorically denied all involvement with the items that I mentioned at the public hearing. I told him that if that was so, I would notify you of my error. I double-checked with our grounds contractor (who definitely knows the difference between Mr. Sattler and Mr. Kness) and I was told it was definitely Mr. Sattler. He also mentioned another incident that I didn't bring up that happened just this past summer/fall after the Kness' no longer lived here. I witnessed the snow removal incident myself, so I know Mr. Sattler is responsible for that. I dealt with Mrs. Sattler with regard to the dog barking incident. Mr. Sattler blamed his kids for "letting the dogs out." I can tell you that I've witnessed Mr. Sattler in the front yard and the dogs running loose.

I believe this speaks to the integrity of the Sattlers with regard to compliance or non-compliance with any zoning decisions. Our HOA has a long history of dealing with the Sattlers (as well as the Kness's) and unfortunately those dealings have not been productive.

Thank you.

Gayle Homolka

Owner: 531 Trailwood Circle

Mailing Address: PO Box 451, Windsor, CO

From: Scott Ballstadt [<mailto:sballstadt@windsorgov.com>]
Sent: Tuesday, December 17, 2013 4:18 PM
To: 'morganga@comcast.net'
Subject: 12/18/13 Windsor Planning Commission meeting materials

Hi Ms. Homolka,

Attached please find a copy of the staff recommendation regarding the Conditional Use Grant (CUG) application at 1201 Stone Mountain Drive. The complete meeting packet is available at (it may take a minute or so to download due to size): <http://windsorgov.com/Archive.aspx?AMID=54>

Please let me know if you have any questions before tomorrow night's meeting. Scott

Scott Ballstadt, AICP

Chief Planner

Town of Windsor | Planning

301 Walnut Street | Windsor, CO 80550

Dir: 970-674-2411 | Off: 970-674-2400 | Fax: 970-674-2456

sballstadt@windsorgov.com

www.windsorgov.com

January 6, 2014

To: Town of Windsor Planning Commission
RE: CUG Application for 1201 Stone Mountain Dr. Windsor

This is a follow up to comments made to the Commission at the December 18, 2013 meeting, and in response to the most recent addendum (January 2, 2014) put forth by Clint and Ericka Sattler, our neighbors directly to the south.

We have reviewed this addendum. While we appreciate the changes and clarifications contained therein, we continue to oppose the change in zoning requested.

Our reasons are that we oppose having large farm animals such as cattle, donkeys or burros, and specifically swine, or sheep as neighbors in a residential neighborhood due to the noise and odors associated with these animals.

In general we question why the Town of Windsor would appear to take a step backward by granting a more agricultural land use within a residential area. More specifically, we question why the current owners want this CUG at this time in light of the fact they have their property up for sale.

Should the Planning Commission approve this CUG, we would strongly request specific limits on the type and number of animals allowed. Also, we would expect any zoning change would apply only as long as the property remains in the name of and is occupied by Clint and Ericka Sattler.

Sincerely,

Marlene and Dick Griffith
541 Trailwood Cir, Windsor
686-1483
marlene85@live.com

Kent and Lois Reitz
543 Trailwood Cir, Windsor
686-7387
lkreitz244@aol.com

MEMO TO: Scott Ballstadt, Windsor Planning Department
DATE: January 6, 2014
SUBJ: CUG Application for 1201 Stone Mountain Dr. Windsor, CO 80550
(Clint and Erika Sattler)
FROM: Curt Shea and Judy Sanborn

Clint and Erika Sattler have requested that the Town of Windsor apply Weld County E (Estate) zoning to their property. This change in zoning would allow a mix of cows, goats, turkeys, and chicken hens in addition to the horses, ponies, mules, donkeys and llamas currently allowed. We are opposed to this change because the property is surrounded on three sides by residences and our 41-home neighborhood. The south end of our Trailwood Association subdivision is less than 200 feet from the property and only a dirt road and some junipers separate the subdivision from the subject property on its north side. This neighborhood was in place when the applicants purchased the subject property. We believe the E-1 Town of Windsor zoning is appropriate for this parcel given its location and proximity residences.

Thank you for your consideration of our views in this matter.



Curt G. Shea



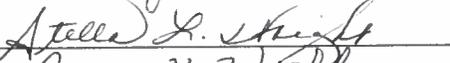
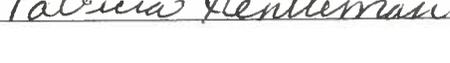
Judith A. Sanborn

MEMO TO: Scott Ballstadt, Windsor Planning Department
DATE: January 6, 2014
SUBJ: CUG Application for 1201 Stone Mountain Dr. Windsor, CO 80550
 (Clint and Erika Sattler)
FROM: Trailwood Association property owners listed below
 CIRCLE

In the above-mentioned CUG application, Clint and Erika Sattler have requested that the Town of Windsor apply Weld County E (Estate) zoning to their property. This change in zoning would allow a mix of cows, goats, turkeys, and chicken hens in addition to the horses, ponies, mules, donkeys and llamas currently allowed. The undersigned are property owners on Trailwood Circle and are opposed to this CUG application for the following reasons:

1. **Zoning Change.** The subject property is surrounded on three sides by residences and our 41-home neighborhood. The south end of our subdivision is less than 200 feet from the property and only a dirt road and some junipers separate the subdivision from the subject property on its north side. This neighborhood was in place when the applicants purchased the subject property. We believe the E-1 Town of Windsor zoning is appropriate for this parcel given its location and proximity residences.
2. **Animals.** The applicants have stated in their latest addendum to their CUG request that they do not intend to have swine or sheep. However, a change to the Weld County E-Estate zoning would allow cows, swine and sheep. If the CUG application were approved, we would request that no cattle, swine or sheep be allowed.
3. **Noise.** When the subject property had cows in residence, the noise was disruptive enough to cause more than one Trailwood Circle homeowner to contact the police. We are concerned this would repeat and increase if the CUG were granted.
4. **Smell and Flies.** When the subject property had cows in residence, the smell and flies were bad enough to limit the use of patios on Trailwood Circle on the south side of the subdivision to winter use only. In addition, windows could not be left open during nice weather. This was a valid loss of use of our property to those of us who experienced it. We are concerned this would repeat and increase if the CUG were granted.

Once again, we believe the current zoning is appropriate for this parcel.

SIGNATURE	NAME	PROPERTY ADDRESS
	Gayle A. Homolka	531 Trailwood Cir
	Betty Walker	533 Trailwood Cir.
	Stella L. Wright	535 Trailwood Cir.
	James K. Wright	535 Trailwood Cir.
	Susan Brucker	544 Trailwood Cir.
	Carl Brucker	544 Trailwood Cir.
	Patricia Gentleman	551 Trailwood Cir.

To Whom It May Concern:

January 18, 2014

We are writing in regards to Clint and Erika Sattler having livestock, mainly cattle, on their property within the city limits of Windsor Colorado. We know the Sattlers are very much a sustainable living family that takes pride in being able to feed their own family off of what they grow and raise. We FULLY support them in this type of living as well as advocate for them to have their livestock on their property/land that is located within Windsor City Limits. We see no problem with where they are located and having cattle on the land that they purchased within the city limits of Windsor, nor do we have any problems/issues with the fact that they wish to teach their children how to live a sustainable life.

Please feel free to contact us if you have any further questions or concerns.

Dave and Amber Romkee
Dave Cell: 970-324-1607
Amber Cell: 970-402-7103

Handwritten signatures of Dave and Amber Romkee. The signature for Dave Romkee is written in cursive and is positioned above the signature for Amber Romkee, which is also in cursive and appears to be written over or next to Dave's signature.

MEMORANDUM

DATE: December 13, 2013

TO: Scott Ballstadt, Windsor Planning Department

RE: Conditional Use Grant Application for 1201 Stone Mountain Dr. Windsor, CO 80550

FROM: Clint and Erika Sattler, Property Owners and Applicants

We are in receipt of the Agenda and Memorandum concerning our CUG Application as it relates to the public hearing on December 18, 2013. Based upon your recommendations from the Town, it appears that in the absence of more information, you have recommended to the Planning Commission to prolong the CUG application process. Therefore, we have created this document as an addendum to our original application, to further specify what we are requesting as a conditional use for the property at 1201 Stone Mountain Dr. Windsor, CO 80550, and our reasons for requesting it.

Reasons for Applying for Conditional Use Grant

1. **Sustainable living:** We wish to use the acreage to responsibly and humanely grow food for our own family use and consumption. We follow an all-natural, grass-fed model for our agriculture, as it is proven to be the healthiest, happiest, most sustainable way to farm. (See books by Joel Salatin for more information on our model)
2. **Education:** In 2014, our son will be old enough to participate in 4H. He wishes to raise and show livestock animals in the County fair and 4H. Additionally, we are often asked by neighbors and community members to share our passion for sustainable agriculture and educate others on this model
3. **Responsible animal husbandry:** Though we have successfully raised animals without housing them on our property, concerns about our ability to offer intensive care in the event of natural disaster or other injury has made it imperative for us to be able to house animals on our own property.
4. **Responsible property maintenance:** Grazing animals of varying types improve the quality of the pasture and the fertility of the soil. Ruminants will graze plants that equines will not. By allowing the animals to maintain the pastures, we minimize our carbon footprint and use of petroleum fuel, while managing weeds and preventing nuisance violations.
5. **Heritage:** We wish to continue the tradition that has accompanied this property and is part of Windsor's agricultural heritage.

Existing Conditions

Currently, the following livestock animals are permitted on the subject by Windsor Municipal Code 16-14-30 at a concentration of 1 animal per acre.

Large Animal	Maximum number allowed on subject property per existing code
Horse	7
Donkey	7
Mule	7
Pony	7
Llama	7

Additionally, Windsor code allows individuals who obtain a "Chicken Permit" to possess up to 6 Chicken Hens.

Proposed Changes and Conditional Uses

We are asking to ADD the following livestock animals to those already allowed, using the animal unit definitions currently in Weld County Code:

Proposed Livestock Animal	Weld County Animal Unit Equivalency	Proposed maximum number of each animal allowed on subject property
Cow	1	7
Goat	0.5	14
Turkey	0.04	14
Chicken Hens	0.04	28
Hog	1	2
Alpaca	0.75	14
Sheep	0.5	14

The proposed concentration numbers above are loosely based upon the Weld County Animal Unit definitions (23-1-90) as applied on Estate (E) Zone District properties within Weld County, and are in all cases the same or less.

Additional Information for Clarity

We are NOT applying to have more than seven (7) animal units on the property at any given time, but would like the flexibility to decide which animals we choose to raise at any point without fear of reprisal from the Town or having to submit any future CUG Applications.

As stated in the original application narrative, the property would remain subject to Windsor's existing nuisance ordinances related to odor, dust, and noise.

The proposed use is not an “occupational use” or “commercial” agricultural use. The Conditional Use will allow us to raise our own livestock for our own use, enjoyment, and consumption.

Conformance with Comprehensive Plan:

VISION #5 The boards and commissions of Windsor will strive to preserve our natural resources, wildlife, Old Town, history, heritage and identity; and to provide a livable and sustainable community.

Conformance with Vision 2025:

Social, Cultural and Recreational Character

We hope this document helps to clarify any questions the Planning Staff or Planning Commission may have regarding the specifics of our Conditional Use Grant Application. Please distribute this document to the Planning Commission prior to December 18, 2013 so that they have sufficient information to make a determination.

FEE (Non Refundable): \$100.00

APPLICATION FOR CONDITIONAL USE

TOWN OF WINDSOR
301 WALNUT STREET
WINDSOR, CO 80550

Office: (970) 674-2415
Fax: (970) 674-2456
www.windsorgov.com



For office use only:	
DATE: _____	BY: _____
Project ID #: _____	
Zoning: _____	

TO BE COMPLETED BY APPLICANT: (Type or print in black ink)

Street Address*: 1201 Stone Mountain Drive, Windsor, CO Lot: 3 Block: _____

Subdivision: Vista Grande Addition

*****Conditional Use Grant approval is only valid for the applicant(s) who receive the original approval and is not transferable to subsequent occupants of the property.*****

*Describe the non conforming use or home occupation. Include activity description, average number of clients, need for parking, hours of operation, size of area to be used, justification of continuance of non conforming use and result of any communication with neighbors. (use back or additional sheets if necessary)

(continue on back)

Windsor Municipal Code Chapter 16 Article VII and Article XXXI <http://www.colocode.com/windsor.html>

- Legible, accurate drawings (drawn to an appropriate scale, which cannot be smaller than 1"=30') and specifications necessary for the property consideration of this grant shall be submitted with this application.
- The Planning Department shall provide the proponent with a form of written notice which shall contain the description of the land use proposal in question; the location of the land which is the subject of the hearings; the date, time and location of the hearings; and a recital that public comment will be taken at the public hearing.
- The Planning Department shall provide the proponent with a listing of all property owners within 100' of the subject property.
- No less than ten (10) days prior to the date of any public hearing the applicant shall send such notice by first-class mail, postage prepaid, to all the listing provided by the Planning Department.

*Present use of land:	<u>Agriculture, limited to Windsor's E-1 Zoning uses</u>	Size: <u>7.44 Acres</u>
*Present use of structure:	<u>N/A</u>	Size: _____
*Proposed use of land:	<u>Agriculture, limited to Weld County (E) Estate Zone uses</u>	Size: <u>7.44 Acres</u>
*Proposed use of structure:	<u>N/A</u>	Size: _____

If granted this conditional use grant, I/We the undersigned, agree to comply with the Code of the Town of Windsor, Colorado and any other stipulations as determined by the Town Board. I hereby depose and state under penalties of perjury that all statements and proposal submitted within this application are true and correct to the best of my knowledge.

Submitted this 12th day of November, 2013

Clint and Erika Sattler

Clint and Erika Sattler

Applicant (please print)

Property Owner* (please print)

Applicant's Signature

Property Owner's Signature*

970-219-1285

970-219-1285

None

Phone (daytime)

Fax

Phone* (daytime)

Fax*

eksattler@msn.com

eksattler@msn.com

Email (If you do not have an email provide a mailing address)

Email* (If you do not have an email provide a mailing address)

Applicant's Representative (if any) Name _____

Phone _____

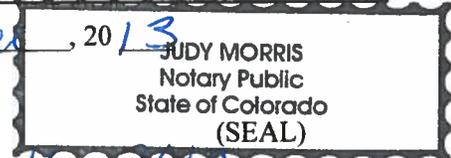
Fax _____

Email _____

*NOTARY: (all signatures) Subscribed before me this 12th day of November, 2013

By: Clint and Erika Sattler
Print name of property owner(s) and applicant(s)

Judy Morris
Notary Public Signature



12-16-2013
My commission expires

CONDITIONAL USE GRANT APPLICATION

APPLICANT: CLINT AND ERIKA SATTLER

SUBJECT PROPERTY ADDRESS: 1201 STONE MOUNTAIN DR. WINDSOR, CO 80550

We are applying for a Conditional Use Grant per the combined recommendations of the Planning Commission, Windsor Planning and Zoning Department, Windsor Town Board, Windsor Town Prosecutor, and Windsor Town Attorney, made to us in 2011.

The subject property is 7.44 acre parcel known as Lot 3 of the Vista Grande Subdivision. The property is zoned E-1, and abuts no public access or right of way, but rather is surrounded on all sides by private property. The southern border of the property is the dividing line between Windsor City Limits and Weld County Agricultural land. The home on the subject property was built in 1900, and the property remains largely unchanged in form and function in the last 113 years. The property currently houses two horses and six chickens, though the property has historically housed a large variety of other livestock, including llamas, alpacas, goats, cattle, ducks, and turkey.

We are requesting the Town approve a Conditional Use Grant to allow us to utilize the property for continued agricultural use, in compliance with the uses allowed by right on Weld County District 5 Estate (E) Zoned properties (*Weld County Code 23-3-410 (C)*). This Conditional Use would expand types of acceptable domestic large animals allowed on this property from the list contained in Windsor Municipal Code 16-14-30 to those defined as "LIVESTOCK" in Weld County Code 14-4-10, at the same animal unit equivalency that is illustrated in Table 23.1B in Weld County Code 23-1-90, Definitions of Animal Unit. The animal unit density would not change as Weld County Estate Zoning allows one animal unit per acre (*Weld County Code 23-3-440 (H)*), which is the same number of animal units per acre currently allowed by Windsor's E-1 code. This proposed Conditional Use would restore the property's historic agricultural use to that which existed without issue or concern until 2011.

Since the property has already been utilized in the manner proposed for over 100 years, the subject property is already equipped to accommodate Domestic Large Animals with regards to fencing, outbuildings, and other infrastructure. Approval of this CUG would create no new impact on City infrastructure, traffic, or utilities, and the subject property would, of course, continue to be subject to the City's existing nuisance ordinances regarding odor, noise, dust.

Past concerns regarding the keeping of domestic large animals on the subject property as occurred in 2011 were brought on by a dispute between neighboring family members, and were not centered around any genuine nuisance or complaint. These family members have since sold their residences in Windsor and relocated out of the state, so they will no longer be impacted by any uses proposed by this CUG application.

For the past 22 months, we have grazed our livestock animals on leased land, mostly within Windsor city limits. They have resided lawfully, peacefully and without incident or complaint. However, the recent Colorado floods have caused us great concern about our ability to reach our animals in the case of an emergency or natural disaster, if they are not located at our residence. Even if one of our animals were simply to become injured, their distance from us combined with the lack of available facilities on the leased land, could critically impact our ability to provide prompt or ongoing treatment.

Windsor began as a vibrant agricultural community. Though it has grown, we believe its agricultural heritage is critical to preserve. As such, we believe that our request is reasonable given the history and uniqueness of the subject property, and the request's adherence to Windsor's published Vision of historic preservation, sustainability, diversity, and community pride. Thank you for your consideration.

Town of Windsor GIS MAP



The Town of Windsor makes no warranties or guarantees, either expressed or implied, as to the completeness, accuracy, or correctness of the data portrayed in this product; nor accepts any liability arising from any incorrect, incomplete or misleading information contained therein. By printing or utilizing this map, you hereby release the Town of Windsor, its employees, agents, contractors, and suppliers from any and all responsibility and liability associated with its use.

WELD COUNTY CODE REFERENCES

Weld County Code Sec. 23-3-410, Estate zoning, Uses Allowed by Right:

C. Farming, Ranching and Gardening

Weld County Code Sec. 23-3-440, Estate Zone District, Bulk Requirements

H. Maximum number of ANIMAL UNITS: one (1) per acre, not to exceed eight (8) ANIMAL UNITS per LOT.

Weld County Code Sec. 14-4-10, Animals, Definitions

Livestock means any bovine animal, horse, mule, ass, sheep, goat, fowl or swine.

Weld County Code Sec 23-1-90, Zone Districts, Definitions

ANIMAL UNIT: A term and number used to establish an equivalency for various species of LIVESTOCK. The number of LIVESTOCK allowed by right is dependent upon bulk requirements of the A (Agricultural), A-1 (Concentrated Animal), E (Estate) or R-1 (Low-Density Residential) Zone District...

Weld County Code Table 23.1B, Animal Units in the E (Estate) Zone District

Table 23.1B
Animal Units in the E (Estate) Zone District

	<i>Animal Unit Equivalents</i>	<i>Number of Animals Equivalent to One Animal Unit</i>	<i>Maximum Number Per Acre</i>
Cattle	1	1	1
Horse	1	1	1
Swine	1	1	1
Mule	1	1	1
Barro	1	1	1
Sheep	.5	2	2
Goat	.5	2	2
Llama	.1	10	10
Alpaca	.075	13	13
Poultry	.04	25	25
Rabbit	.04	25	25



Office of the Town Clerk

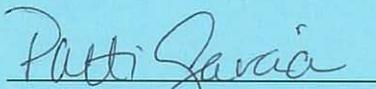
BACK YARD CHICKEN HEN PERMIT

Ordinance No. 2010-1387/Windsor Municipal Code Section 7-9-10

ERIKA SATTLER
1201 Stone Mountain Drive
Windsor, CO 80550

LICENSE NO. 0027

DATE OF ISSUANCE: August 3, 2011



Patti Garcia, Town Clerk

This license is non-transferable and is specific to the property upon which the permit is issued.

Your Back Yard Chicken Hen Permit is printed above. Please retain this form for your records. The permit is not transferable and does not need to be renewed. Below is general information regarding the keeping of chicken hens, but is not inclusive of all requirements:

- Up to six (6) chicken hens may be kept per parcel of land in Windsor.
- Structures for the keeping of chicken hens shall be located between the rear-most portion of the residence and the rear lot line of the parcel.
- For parcels with more than one dwelling unit, all adult residents and the owner(s) of the parcel must consent in writing to allowing the chicken hens on the property.
- Neither the chicken house nor any portion of the outdoor enclosure may be less than fifteen (15) feet from any abutting property line without written consent of all owner(s) of the abutting property owners.
- Chicken houses must be predator-resistant, properly ventilated, designed to be easily accessed, cleaned and maintained and at least two square feet per chicken in size, no portion shall exceed six (6) feet from grade. The chickens must have access to the chicken house during the day and protected from predators by being closed in the chicken house from dusk to dawn.
- Chicken houses greater than 120 square feet require a building permit from the Town of Windsor.

Mr. Walker stated that the property owner/applicant, WVBSR, represented by Mr. Jason Sherrill of Landmark Homes, has submitted a major subdivision plat, known as Lighthouse Point Townhomes Subdivision, Third Filing. The subdivision encompasses approximately fourteen and one-half (14.5) acres in Water Valley South Subdivision and is zoned Residential Mixed Use (RMU). He also stated a total of 112 residential lots and five (5) tracts are proposed, including 4- and 6-unit townhome-type attached residences with residential lot sizes range from approximately 1,600 – 3,200 square feet. The minimum lot area per dwelling unit for the proposed housing type is 1,400 square feet per Windsor Municipal Code Section 16-16-30. The residential lots total approximately five and one-half (5.5) acres; the five (5) tracts total approximately nine (9) acres.

Mr. Walker then told Commissioners the site was previously approved for 222 units with the Water Valley South Subdivision Tract O (Lighthouse Point) Site Plan. The site plan included 6- and 10-unit condominium buildings. He added this proposed subdivision is a reduction of 110 dwelling units from the previously approved site plan. The proposed street layout, landscaping, and clubhouse location will not change. Mr. Walker told Commissioners of the neighborhood meeting held on November 6, and presented a pictorial representation of the properties receiving notification of that meeting.

Mr. Walker concluded by stating staff recommends that the Planning Commission approve the preliminary major subdivision as presented, subject to the following condition:

1. All remaining Planning Commission and staff comments shall be addressed in the final major subdivision application.

Mr. Jason Sherrill briefly addressed the Commissioners, clarifying financing options contributing to the requested changes to the subdivision, noting increased salability; calling it a great shift for this piece of property.

Mr. Ehrlich asked if the condition of approval was acceptable. Mr. Sherrill stated that the proposed condition of approval was acceptable.

Mr. Ehrlich moved to approve the Preliminary Major Subdivision as presented, subject to staff condition. Mr. Tallon seconded the motion. Roll call on the vote resulted as follows: Yeas – Gale Schick, Paul Ehrlich, Steve Scheffel, Victor Tallon, Ken Gerlach, David Cox, Wayne Frelund; Nays – None. Motion carried.

2. Public Hearing – Conditional Use Grant proposing to apply Weld County E (Estate) zoning to 1201 Stone Mountain Drive - Clint and Erika Sattler, property owners/applicants – S. Ballstadt

Mr. Ballstadt advised the Commissioners the applicants, Mr. and Mrs. Clint and Erika Sattler are requesting Conditional Use Grant (CUG) approval proposing that the Town apply Weld County E (Estate) zoning to their property at 1201 Stone Mountain Drive. He clarified the location of the property pictorially for Commissioners. The subject property is currently zoned Estate Residential E-1 and, according to the application materials, there are currently horses and chickens on the property and there have been other species of livestock on the property in the past. He added horses are allowed by the Windsor Municipal Code in the E-1 zoning district and the applicants have obtained the appropriate permit for the keeping of chicken hens.

Mr. Ballstadt then explained the subject property is approximately 7.44 acres and is uniquely located adjacent to agricultural property in unincorporated Weld County; therefore, some of the proposed uses may be appropriate if they do not negatively impact neighboring property owners. Many of the animals allowed by Weld County's Estate zoning are the same as those allowed in

Windsor's E-1 zoning; however, some of the animals and uses allowed by Weld County Estate zoning may not be appropriate in close proximity to residential neighbors. Mr. Ballstadt presented additional information that compared animals (kind and quantity) allowed by Weld County Estate zoning and Windsor's E-1 zoning.

Mr. Ballstadt described the notification area for the public hearing, identifying the perimeter for notification, and which properties received mailed notices. He also stated that the property was posted with a sign and the hearing notice was published in the newspaper and on the Town's website and bulletin board. Mr. Ballstadt also explained to Commissioners the application materials point out that a neighboring property owner had previously raised concerns about livestock on the property in 2011. At that time, a zoning violation for cattle on the property was processed and the cattle were removed. He added the neighbor, who happened to be a relative of the applicant, no longer resides near the subject property, although they did retain ownership of Outlot A of the Vista Grande Addition which serves as the access drive to the property. The application narrative alludes to returning livestock to the property, but does not specify types and numbers of animals.

Mr. Ballstadt reviewed information forwarded to the Town by the Sattlers in the form of an addendum to the CUG application. The addendum contains additional information regarding numbers and varieties of animals being requested in the application. Mr. Ballstadt noted the addendum had been delivered to the Town only recently, and staff has not had the opportunity to fully review the information contained therein. He also briefly reviewed a letter and photos received from former neighbors Dean and Fauna Kness depicting a zoning violation on the property in 2011.

The applicants addressed the Commission. Ms. Sattler began by stating their desire is to return their cattle back to their property and noted that this desire was based upon the location of their property, characteristics of surrounding properties, including those that allow livestock; and their desire to be a good neighbor, while maintaining a sustainable lifestyle. Ms. Sattler expressed interest in enrolling her son in 4-H livestock projects in 2014 and the need to have that livestock on the property. She acknowledged familiarity with Codes regarding odor, dust and noise, noting a request to have no more than 1 animal unit per acre as defined by Weld County; the types of animals including goats, turkeys, hogs, alpacas, sheep, cattle, and chicken hens.

Ms. Sattler stated it is their belief the agricultural use of this land is consistent with the Comprehensive Plan quoting "to preserve the heritage of the community, while providing a livable and sustainable community." She stated this use would also help promote the "social, cultural and recreational character of the Town" as called for in Vision 2025. The Sattlers submitted a letter of support from Ms. Jennifer Nisbet, President of Hillcrest Farm, Inc. for review by the Commission.

Marlene Griffith spoke to Commissioners stating she is a member of the Trailwood Homeowners Association. She asked if the Weld County Code would allow the maximum number of livestock listed in the table. Mr. Ballstadt responded it has been some time since he has interpreted the Weld County Code, but he believes that is correct. She stated it is her understanding the CUG would be in effect only for the Sattlers. Mr. Ballstadt clarified that CUGs are not transferrable upon the sale of property. Ms. Griffith spoke to the previous issues that occurred in 2011, expressing concern that similar issues will arise again. She also voiced concerns regarding noise issues and stated she is opposed to swine, burros and sheep on the property. She pointed out the property is surrounded on three sides by single family homes, and she questions why the Sattlers are applying for a CUG when the property is currently for sale and has been for some time.

Gayle Homolka then addressed the Commission stating she lives directly north of the property in question. She added comments from past interactions between the Sattlers and the HOA, noting

barking dogs, dogs off leash, and snow removal processes that damages landscaping on HOA property. Ms. Homolka requested the HOA be notified of future actions regarding this property, stating the Trailwood HOA address is PO Box 432, Windsor, CO 80550. She asked the Commissioners to deny the CUG citing concerns with additional livestock at the site. Ms. Homolka then read a letter from Jim and Stella Wright, neighbors of the property. The letter cited issues with odor from additional animals.

Linda Francis stated she owns land that abuts the property in question, and that she is the person who annexed the subject property in 1989. She advised the Commissioners that a request to keep goats on the property was denied by the Town at the time of annexation. She mentioned issues with loose livestock in the street and asked the Commission to deny the CUG.

Mr. Tallon moved to close the public hearing. Mr. Ehrlich seconded the motion. Roll call on the vote resulted as follows: Roll call on the vote resulted as follows: Yeas – Gale Schick, Paul Ehrlich, Steve Scheffel, Victor Tallon, Ken Gerlach, David Cox, Wayne Frelund; Nays – None. Motion carried.

3. Recommendation to Town Board – Conditional Use Grant proposing to apply Weld County E (Estate) zoning to 1201 Stone Mountain Drive - Clint and Erika Sattler, property owners/applicants – S. Ballstadt

Mr. Ballstadt reiterated staff has not had adequate time to review information contained in the application addendum, so staff recommends that, prior to making any recommendation with respect to the application, the applicant should be required by the Planning Commission to provide any additional information not included in the addendum, but necessary to make an equitable decision. At such time as the Planning Commission deems the applicant's submittals to be sufficiently specific to allow for review, addressing proposed animal populations and land uses, the Planning Commission may choose to reconvene the conditional use grant public hearing to allow additional public comment and make a recommendation.

Mr. Frelund cited inadequate notification and questions regarding the specifics of the zoning request and indicated that he feels more time and information is needed to make a decision. Mr. Schick clarified that the Municipal Code requirements pertaining to notification of public hearings was followed.

Mr. Ehrlich stated if the applicant chooses to continue the CUG process following the Town's zoning criteria he would support their right to move forward. He would not support any proposal that would institute zoning criteria from Weld County stating this property is in the Town of Windsor. Mr. Tallon concurred, stating this issue has nothing to do with Weld County zoning regulations.

Mr. Schick asked when the Sattlers purchased the property. They responded 2002. Mr. Sattler added their reference to the Weld County criteria was for informational purposes only as it establishes a definition of animal unit. He stated use of those established definitions simplifies the communication process, adding it is not their intent to apply Weld County zoning to their property, but to use Weld County definitions to explain their request. Mr. Ehrlich stated the animals requested are outside those allowed by Windsor's zoning code. Mr. Sattler agreed that some of the animals are not allowed by Windsor's code and added that they were directed by staff, the Planning Commission and the Town Board to pursue a CUG in order to propose those additional animals. Mr. Thompson concurred that the Town Board had suggested that the Sattlers submit a CUG application per Windsor's codes.

Mr. Schick reiterated the property was annexed in the late 1980s as E-1 which does not allow the livestock as requested. He asked why they purchased the property. Mr. Sattler responded they were told the ability to raise livestock on the property was “grandfathered” and it was not until later they found out that was not the case, but they purchased the property under the assumption they could raise livestock.

Mr. Schick further stated that he concurs with the other Commissioners that applying Weld County zoning at this location would not be appropriate. He added the Sattlers are trying to impose their desires on their neighbors who also have rights, suggesting there are better places to do what they propose.

Mr. Ehrlich questioned how many similar properties are located within Windsor. Mr. Ballstadt noted very few; perhaps 5 or 6. He added the Hoehne property is the only property of which he is aware that has an exemption to allow cattle written into the annexation agreement.

Mr. Cox asked if a CUG is a waiver to vary from the existing zoning code. The Commissioners discussed that a CUG allows an applicant to propose a use that is not called out in the code. Mr. Cox went on to state imposing Weld County zoning into the Town would be improper, but using Weld County guidelines could be a starting point for discussions regarding this request.

Mr. Ballstadt clarified the definition of a Conditional Use Grant, stating it is used to address land uses that are unique and not specifically enumerated as a use by right in any specific zoning district. Staff recommends more specificity with regard to actual number of animals, and actual proposed uses requested for the property.

Mr. Frelund noted there are items that still need to be clarified by the applicant and addressed by staff. He added agriculture is one of the primary uses in Weld County.

Mr. Thompson stated that, prior to the subject CUG application, the Sattlers had originally proposed expansion of the scope of the Town’s E-1 zoning district and the Town Board recommended that they submit a CUG application instead.

Mr. Plummer explained that each CUG application is based upon its own merit, following nine specific criteria for consideration. Mr. Plummer also suggested that the Commission may wish to continue this discussion to allow staff additional time to analyze the addendum for compliance with those criteria.

Mr. Gerlach stated he sees the application as very specific, and sees no need for additional information.

Mr. Cox asked if notification of a larger radius of neighboring properties would be part of a continuance of this process. Mr. Ballstadt responded staff could, at the direction of the Planning Commission, expand that notification boundary, but based upon attendance at this meeting the members of the Trailwood HOA have been made aware of the hearing and the notification process followed the Municipal Code requirements. Mr. Ballstadt added it is also the prerogative of the Planning Commission to act on the application as it stands if the Commission so chooses. Mr. Cox suggested, out of fairness to the Sattlers, to allow them additional time to submit the clarifying information as requested by staff.

Mr. Ehrlich moved to continue consideration of the Conditional Use Grant until January 15, 2014, to allow staff time to review the addendum to the application materials. Mr. Frelund seconded the motion. Roll call on the vote resulted as follows: Yeas – Gale Schick, Paul

**Ehrlich, Steve Scheffel, Victor Tallon, David Cox, Wayne Frelund; Nays – Ken Gerlach.
Motion carried.**

4. Public Hearing – Final Major Subdivision - Water Valley South Subdivision 16th Filing – Mark Foster, Trollco, Inc./Water Valley, applicant – J. Olhava

Mr. Olhava stated the applicant, Mr. Mark Foster, Trollco, Inc./Water Valley, has submitted a final major subdivision plat, known as Water Valley South Subdivision, Sixteenth Filing. The subdivision encompasses approximately 30.74 acres and is zoned Residential Mixed Use (RMU). A total of 94 single family residential lots and four (4) tracts are proposed, with single family residential lot sizes ranging from approximately 6,000 – 9,000 sq. ft. on average, with a few lots exceeding 10,000 sq. ft. due to topography. Mr. Olhava reviewed the landscape plan for the Commissioners.

Mr. Olhava went on to tell Commissioners the applicant held a neighborhood meeting on July 18, 2013 and there were approximately 20 local residents in attendance (based on the sign-in sheet). Notes from the July 18, 2013 neighborhood meeting were included in the packet for the Planning Commission's information and reference. On October 9, 2013, the Planning Commission approved the preliminary major subdivision plat.

Lori Staley, a neighbor to the west of this property, noted she was not notified of the July 18th meeting. She expressed concern that those living in Town and those in more rural locations seem to be at odds. She raised questions about what the future will be for those rural families; will they be forced to sell their properties and move? Mr. Schick responded that Weld County regulates use of unincorporated Weld County properties. Ms. Staley asked if she would be forced to annex into the Town. Josh Staley, Ms. Staley's son, asked what would happen if the surrounding properties all became part of the Town. Mr. Schick briefly explained that properties that become "enclaves" surrounded by municipalities may potentially be forced to annex at some point in the future.

Eddie Brown approached the Commission, asking how guidelines of the Town would affect neighbors of the subdivision in question. Mr. Schick responded there would be no affect unless the neighboring property was annexed into the Town.

Pat McMeekin of the Water Valley Land Company addressed the Commission stating the proposed subdivision reduces the original plan of 236 multi-family units to 94 single-family units. He added he appreciates Ms. Staley's comments regarding growth. Ms. Staley again approached the Commission stating the proposed location was once a landfill. She asked how that type of property could be developed for residential use. Mr. McMeekin responded that soil borings have been done, and nothing indicates a landfill or other problem, but if those circumstances were to be encountered, mitigation would include excavation and removal of remaining "trash" followed by replacement of clean fill to grade. Mr. Plummer added, when filing for a building permit, certified engineered foundations are required. Mr. Schick suggested Ms. Staley contact staff with any additional questions she may have.

Mr. Ehrlich moved to close the public hearing. Mr. Tallon seconded the motion. Roll call on the vote resulted as follows: Yeas – Gale Schick, Paul Ehrlich, Steve Scheffel, Victor Tallon, Ken Gerlach, David Cox, Wayne Frelund; Nays – None. Motion carried.

5. Recommendation to Town Board – Final Major Subdivision - Water Valley South Subdivision 16th Filing – Mark Foster, Trollco, Inc./Water Valley, applicant – J. Olhava

Mr. Olhava stated that staff recommends that the Planning Commission forward to the Town Board a recommendation of approval of the final major subdivision, subject to the following conditions:



Minutes

A. CALL TO ORDER

1. Chairman acknowledgement of the passing of Commissioner Paul Ehrlich Jr. and Planning Commission sentiments
Chairman Schick called the meeting to order at 7:01 p.m., beginning with a tribute to Paul Ehrlich Jr. and his years of dedicated service to the Planning Commission and the Town of Windsor.
2. Roll Call

The following Planning Commission members were present:

Gale Schick
Robert Frank
Victor Tallon
Ken Gerlach
David Cox
Wayne Frelund
Charles Schinner

Alternate

Also Present: Town Board Liaison
Director of Planning
Chief Planner

Don Thompson
Joe Plummer
Scott Ballstadt

3. Review of Agenda by the Planning Commission and Addition of Items of New Business to the Agenda for Consideration by the Planning Commission

Mr. Frank moved to approve the agenda as presented. Mr. Gerlach seconded the motion. Roll call on the vote resulted as follows: Yeas – Gale Schick, Charles Schinner, Robert Frank, Victor Tallon, Ken Gerlach, David Cox, Wayne Frelund; Nays – None. Motion carried.

4. Public Invited to be Heard
There was no public comment.

B. CONSENT CALENDAR

1. Approval of the minutes of December 18, 2013

Mr. Tallon moved to approve the Consent Calendar as presented. Mr. Frank seconded the motion. Roll call on the vote resulted as follows: Yeas – Gale Schick, Charles Schinner, Robert Frank, Victor Tallon, Ken Gerlach, David Cox, Wayne Frelund; Nays – None. Motion carried.

C. BOARD ACTION

NOTE: the official record of this evening's proceedings shall include the application, staff memos and recommendations, packet materials and supporting and supplemental documents, and all testimony received.

Mr. Schinner recused himself from the proceedings stating a conflict of interest. He left the dais.

1. Continued from the December 18, 2013 meeting - Public Hearing – Conditional Use Grant proposing to apply Weld County E (Estate) zoning to 1201 Stone Mountain Drive - Clint and Erika Sattler, property owners/applicants – S. Ballstadt

Mr. Ballstadt began by briefly reviewing events of the December 18, 2013 meeting. He stated the applicant has submitted the specific information as requested, and has omitted references to Weld County Estate zoning and defined those animals to be raised on the property, to include cows, goats, turkeys and chicken hens in excess of what is currently allowed by Windsor Code. Mr. Ballstadt went on to point out several neighbor inquiries have been addressed by staff since the previous meeting. Mr. Ballstadt continued his presentation by drawing attention to additional information that was received after the meeting packets had been distributed.

Mr. Sattler presented additional documents for the record, including letters from neighbors, and photos of improvements made to the property. Mr. Sattler stated their request was amended to eliminate pigs and sheep from the list of approved animals as a concession to neighbors. He noted many neighbors have brought children or grandchildren to the property to interact with animals in an agricultural setting. Mr. Sattler added much of the opposition to this project comes from Fauna Kness, his estranged mother, who no longer resides in Colorado.

Mr. Sattler referred to properties within the Town Limits which allow livestock, noting the adjacent property can legally house 120 head of cattle. Mr. Sattler stated a hope to maintain an open dialogue with neighbors, adding that he understands any violation of the terms of the CUG would allow the Town to revoke approval. He asked the Town to view this from the property owner's perspective and make their decision accordingly.

Matt Tomah addressed the Commission, and submitted a letter of support from his wife as well. He spoke of a desire to maintain the agricultural feel of the community, noting years of positive interaction with the Hoehnes, whose property is directly across the street from their home. Mr. Tomah called it "ironic and almost hypocritical...that we wouldn't allow a resident with 7 acres to have 7 cows on their property, yet we...host an annual Harvest Festival where we celebrate 4-H and our agricultural heritage every year." He urged Commissioners to approve the CUG.

Mr. Tallon moved to close the public hearing. Mr. Frank seconded the motion. Roll call on the vote resulted as follows: Yeas – Gale Schick, Robert Frank, Victor Tallon, Ken Gerlach, David Cox, Wayne Frelund; Nays – None. Motion carried.

2. Recommendation to Town Board – Conditional Use Grant proposing to apply Weld County E (Estate) zoning to 1201 Stone Mountain Drive - Clint and Erika Sattler, property owners/applicants – S. Ballstadt

Mr. Ballstadt reviewed the CUG criteria from Section 16-7-50 of the Municipal Code, noting that the Planning Commission shall base its determination on general considerations as to the effect of such permit on the health, safety, welfare and economic prosperity of the Town and specifically on the effect of such use upon the immediate neighborhood in which it would be located, including the considerations listed in Section 16-7-50.

Mr. Ballstadt also reviewed criteria from the Comprehensive Plan and Vision 2025, noting a general incompatibility with the surrounding neighborhood, and multiple concerns raised by neighbors. He concluded by stating staff recommends denial of the Conditional Use Grant based upon the following:

- The proposed use is inconsistent with Section 16-7-50(a) of the Municipal Code
- Past issues with animals getting loose, combined with complaints of odors, flies, and noise could become a long-term problem
- The proposed use would have a negative impact on the immediate neighborhood as defined in Section 16-7-20(a) of the Municipal Code

Mr. Schick spoke briefly noting the request is inconsistent with the area. He pointed out the zoning has not changed since the property was purchased by the Sattlers. He noted that he is familiar with an agricultural setting and added that people are not expecting agricultural uses when they move to town.

Mr. Tallon concurred. He stated “the bottom line is preserving the integrity of the existing neighborhoods and commercial areas.”

Mr. Cox stated an importance in exposing our youth to agriculture, citing the Martinez Farm in Fort Collins. He noted Weld County is a leader in agriculture for the nation. He called it disappointing that Windsor is opposed to supporting an agricultural lifestyle. Mr. Cox stated he would be much more comfortable with children around cattle than around horses. He called the neighbor’s concerns regarding odor and flies inappropriate. Mr. Cox concluded by commending the Sattlers for their efforts, stating they have tried to address concerns from neighbors.

Mr. Frelund commented land use laws and guidelines are in effect to address this situation. He stated confusion as to why this question is even being considered. Mr. Frelund expressed support from the Commission to the agricultural community, but believes land use must follow the zoning guidelines set forth.

Mr. Frank moved to approve the Conditional Use Grant as amended. Mr. Tallon seconded the motion. Roll call on the vote resulted as follows: Yeas –David Cox, Wayne Frelund; Nays – Robert Frank, Victor Tallon, Ken Gerlach, Gale Schick. Motion fails.

Mr. Schinner rejoined the meeting.

3. Election of officers (chairman, vice-chairman and secretary) for the 2014 calendar year – S. Ballstadt

Mr. Ballstadt noted officers are to be elected for the 2014 calendar year.

Mr. Frank moved to maintain the current Chair [Gale Schick] and Vice-Chair [Victor Tallon]. Mr. Gerlach seconded the motion. Roll call on the vote resulted as follows: Yeas –Charles Schinner, Robert Frank, Victor Tallon, Ken Gerlach, David Cox, Wayne Frelund; Nays – Gale Schick. Motion carried.

Mr. Tallon nominated Wayne Frelund as Secretary. Mr. Gerlach seconded the motion. Roll call on the vote resulted as follows: Yeas – Gale Schick , Charles Schinner, Robert Frank, Victor Tallon, Ken Gerlach, David Cox, Wayne Frelund; Nays –None. Motion carried.

D. COMMUNICATIONS

1. Communications from the Planning Commission
Mr. Schick stated confusion regarding Mr. Frelund’s vote on the CUG. Mr. Frelund stated it was an error on his part as he meant to vote for denial. He apologized for his confusion.
2. Communications from the Town Board liaison
Mr. Thompson expressed condolences to the Ehrlich family, stating “Paul brought a level of wisdom and judgment to the Commission that can only be earned through Experience. While we may be able to fill his seat on the Commission, his contributions are irreplaceable.” He added he feels a personal loss at Mr. Ehrlich’s passing.



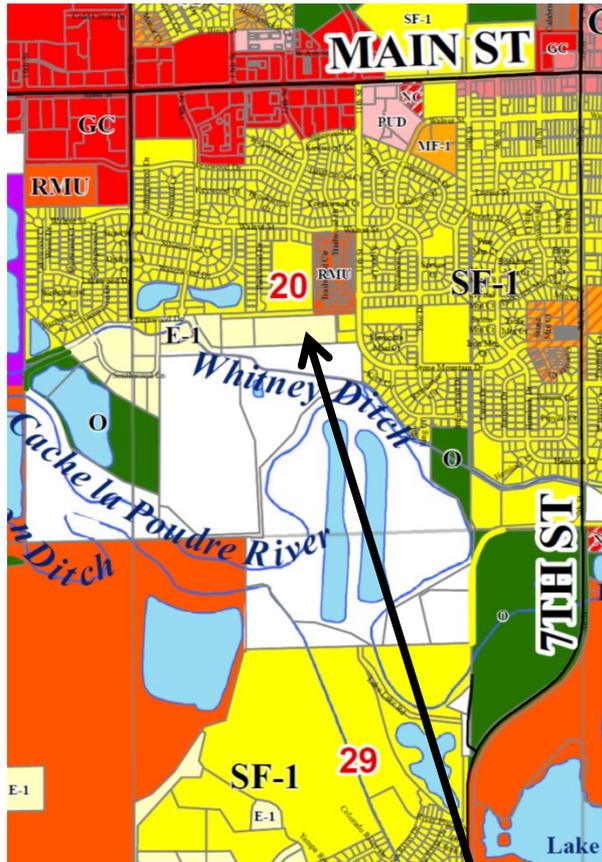
**Conditional Use Grant
proposing to apply Weld County
E (Estate) zoning to
1201 Stone Mountain Drive**

Scott Ballstadt, AICP
January 27, 2014

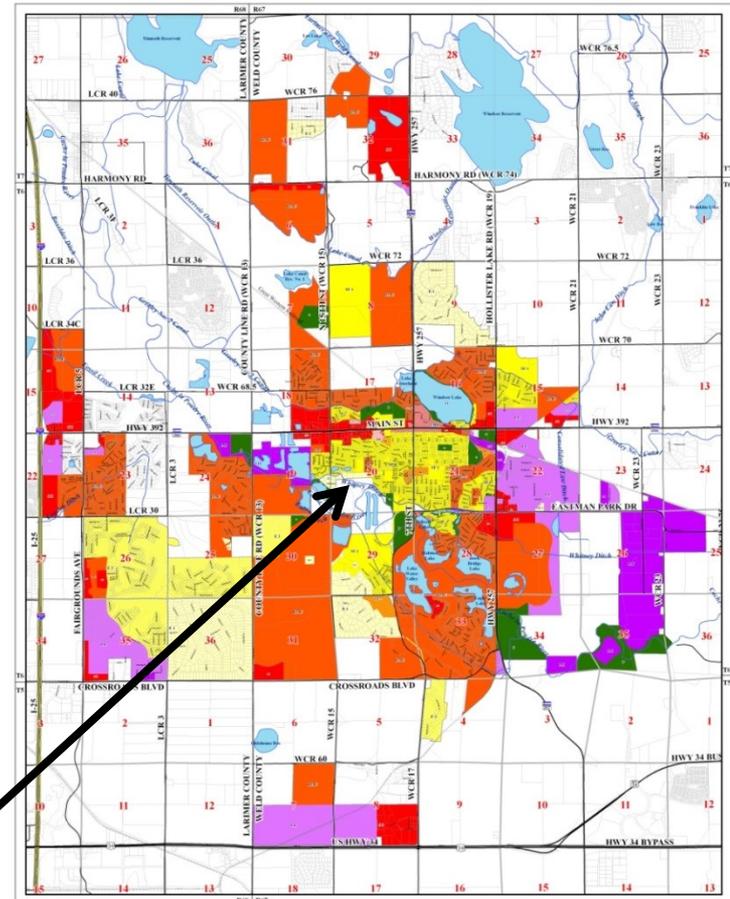
Town Board

C.3 & C.4

Zoning



Subject Property



LEGEND

E-1 Low Density Estate	MF-2 High Density Multi-Family Residential	PUD Planned Unit Development
E-2 High Density Estate	RMU Residential Mixed Use	I-L Limited Industrial
SF-1 Single Family Residential	CBD Central Business District	I-H Heavy Industrial
SF-2 Single Family Attached Residential	NC Neighborhood Commercial	O Recreation and Open Space
MF-1 Multi-Family Residential	GC and GC-PUD General Commercial	



Conditional Use Grant

Article VII of Chapter 16 of the Municipal Code outlines the intent of the Conditional Use Grant process, including:

Sec. 16-7-10. Intent of conditional use grants.

“The conditional use classification is intended to allow consideration of uses which are unique in nature or character and, except as otherwise specifically provided in this Chapter, not specifically included as uses by right in any specific zoning districts. It is the specific intent of this Article, except as otherwise specifically provided in this Chapter, to prohibit the granting of conditional uses in any zone when such use is allowed as a use by right in any other zone.”



Conditional Use Grant





Conditional Use Grant





Applicant Proposal

According to the applicant's addendum to the original application, the proposal no longer refers to Weld County zoning. The refined addendum refers to the applicant's proposed animal unit equivalency table (below).

Livestock Animal	Animal Unit Equivalency	Proposed maximum number of each animal allowed on subject property
Horse, donkey, pony, mule, or llama (currently allowed in E-1 zone districts)	1	7
Cow	1	7
Goat	0.5	14
Turkey	0.04	14
Chicken Hens	0.04	28



Applicant Proposal

We are requesting to keep up to SEVEN (7) Animal Units on the 7.44 acre subject property at any given time. Some examples of what SEVEN (7) Animal Units would look like on the subject property are as follows:

Example 1: SEVEN (7) horses, TOTAL on property (This use is currently allowed by existing zoning)

-OR-

Example 2: TWO (2) horses, FIVE (5) cows, TOTAL on property.

-OR-

Example 3: TWO (2) horses, FOUR (4) cows, TWO (2) goats, TOTAL on property.

-OR-

Example 4: SIX (6) cows, TWO (2) goats TOTAL on property

-OR-

Example 5: THREE (3) horses, THREE (3) cows, ONE (1) goat, TWELVE (12) chicken hens, TWO (2) turkeys, TOTAL on property

The above examples are intended to demonstrate how the Animal Unit Equivalency chart would apply to the subject property, and are not a guarantee of any specific application of the CUG. Rather, the CUG should allow us sufficient flexibility to decide which animals we raise to ensure the highest health and welfare of the animals, the land, and the neighborhood.



Windsor Code

ARTICLE XIV Estate Residential Districts

Division 1 Estate Residential E-1 District

Sec. 16-14-30. Permitted accessory uses.

(2) Keeping of animals. Contrary provisions of this Code notwithstanding, large domestic animals shall be permitted as an accessory use in the Estate Residential E-1 District.

(3) For the purpose of this Section only, *large domestic animals* are defined as and shall be limited to horses, ponies, mules, donkeys and llamas. For each permitted animal, one (1) acre of lot area inclusive of improvements shall be required. Offspring shall be allowed until the weaning process is complete.



Windsor Code

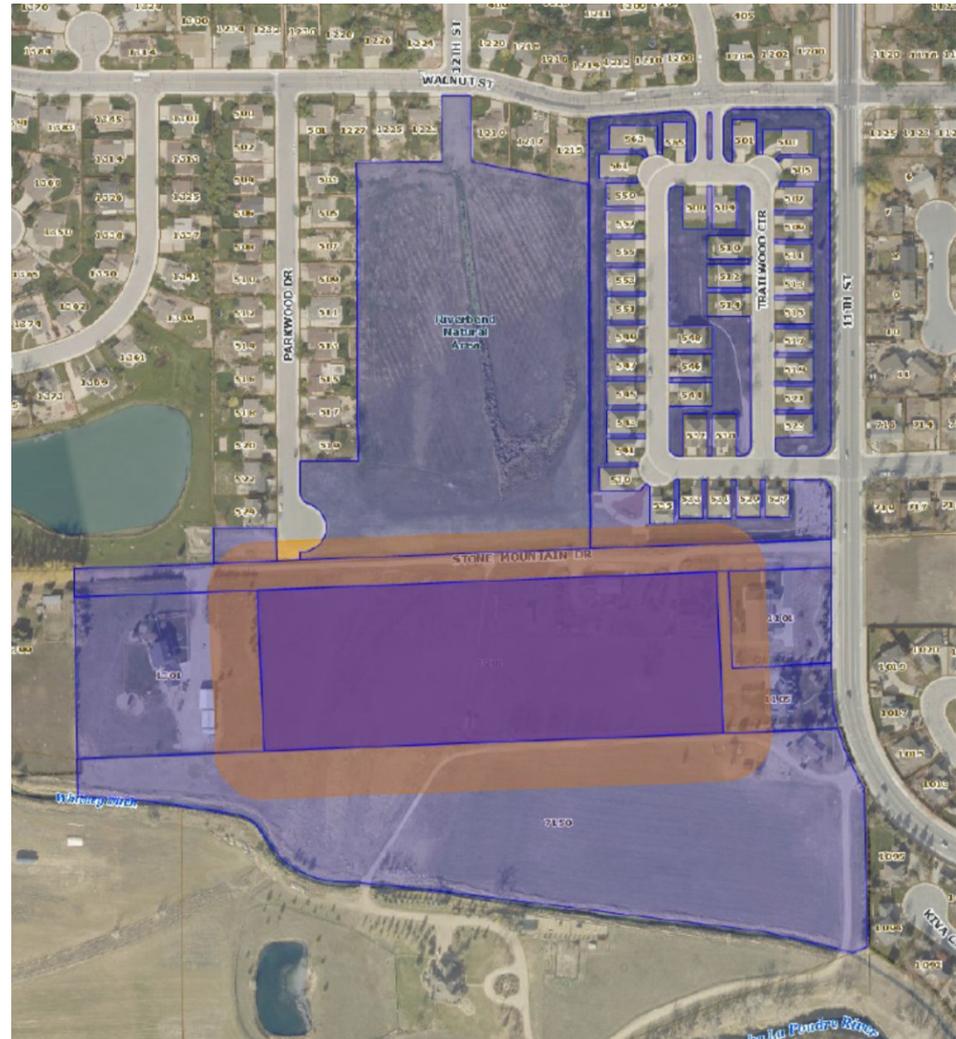
Section 16-7-20(a) regarding approval of conditional use grants requires:

“Subject to final approval and acceptance by the Town Board ... The Planning Commission shall base its determination on general considerations as to the effect of such permit on the health, safety, welfare and economic prosperity of the Town and **specifically on the effect of such use upon the immediate neighborhood in which it would be located**, including the considerations listed in Section 16-7-50 below.” (emphasis added)

Notification

- Notice of public hearings was posted on the Town's website on 11/25/13
- Signs were posted on the property on 11/25/13
- Notice of public hearings was published in the newspaper on 11/29/13
- Letters were mailed to surrounding property owners within 100-feet on 12/2/13
- Staff has responded to neighbor contacts with updated information since the 12/18/13 meeting

Notification Area





Conditional Use Grant

Recommendation:

At the January 15, 2014 meeting, the Planning Commission voted to forward to the Town Board a recommendation of denial of the conditional use grant application based upon the following findings of fact, and staff concurs with this recommendation:

1. The proposed use is inconsistent with Section 16-7-50(a) of the Municipal Code, which requires approval of a conditional use grant to be based upon the evaluation of such factors as the character and quality of the area, and general compatibility of the proposed use with the area in which it is to be located.



Conditional Use Grant

Recommendation:

2. Issues regarding the applicant's animals getting loose, odors, flies and noise that have occurred in the past are likely to become long-term issues.

3. In accordance with Section 16-7-20(a), the Planning Commission shall base its determination on general considerations as to the effect of such permit on the health, safety, welfare and economic prosperity of the Town and specifically on the effect of such use upon the immediate neighborhood in which it would be located and the proposed use would have a negative effect on the immediate neighborhood.



Conditional Use Grant

Staff requests that the following be entered into the record:

- Application materials
- Staff memorandum and supporting documents
- Recommendation



MEMORANDUM

Date: January 27, 2014
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
Joe Plummer, AICP, Director of Planning
From: Josh Olhava, Associate Planner
Re: Public Hearing and Ordinance No. 2014-1468 – Designating the Park School building, 301 Walnut Street, as a Local Historic Landmark – Rachel Kline, Chairperson of the Historic Preservation Commission/applicant - First Reading
Item #: C.5.C.6

Background / Discussion:

Chairperson Kline, on behalf of the Windsor Historic Preservation Commission (HPC), has submitted a nomination to designate the Park School building (currently serving as Town Hall offices for the Town of Windsor), located at 301 Walnut Street, as a historic landmark. The Park School building was originally built in 1905 and served as Windsor's first high school. To accommodate the increasing population of the early 1900's, Windsor residents voted to expand the Park School building by adding a western wing and a third story, which were completed by 1910. For additional historic background information, please refer to the Historical Narrative in the enclosed application.

The Town Board reviewed this proposal at their December 16, 2013 joint work session with the HPC. At that meeting, the Town Board advised the HPC and staff to move forward with the nomination. In accordance with Section 4.a. of the Historic Preservation Ordinance, the HPC, at their January 8, 2014 meeting, held a public hearing and forwarded a recommendation to the Town Board on this nomination. Enclosed is an excerpt of the draft minutes from that meeting.

Criteria for Designation:

Proposed Landmarks must be at least fifty (50) years old and meet one (1) or more of the criteria for architectural, social, or geographical/environmental significance hereinafter described. A landmark could be exempt from the age standard if it is found to be exceptionally important in other significant criteria.

1. Architectural

- a. Exemplifies specific elements of an architectural style or period.

***Staff Comment:** Staff agrees with the applicant that the Park School building exemplifies specific elements of an architectural style or period. The Park School building is an excellent example of a Colonial Revival structure made from local stone and labor. Its accentuated entrances with decorative arches, crowns, and pilasters extended forward, doors with fanlights, multi-paned sash windows, and overall symmetry are identifying features of the Colonial Revival style. For additional information, please refer to the Architectural Description in the enclosed application.*

- b. Example of the work of an architect or builder who is recognized for expertise nationally statewide, regionally or locally.

Staff Comment: N/A

- c. Demonstrates superior craftsmanship or high artistic value.

Staff Comment: Staff agrees with the applicant that the Park School building demonstrates superior craftsmanship or high artistic value. The Park School building exhibits exemplary stone work and styling, unlike any other structure in Windsor. For additional information, please refer to the Architectural Description in the enclosed application.

- d. Represents an innovation in construction, materials or design.

Staff Comment: N/A

- e. Pattern or grouping of elements representing at least one (1) of the above criteria.

Staff Comment: N/A

- f. Significant historic remodel.

Staff Comment: N/A

2. Social

- a. Site of historical event that had an effect upon society.

Staff Comment: N/A

- b. Exemplifies cultural, political, economic or social heritage of the community.

Staff Comment: Staff agrees with the applicant that the Park School building exemplifies cultural, political, economic or social heritage of the community. The evolution of the building reveals the changing needs within Windsor to provide education to a rapidly growing population based on agriculture and industry. The building is Windsor's longest standing school house, providing area children with education from 1905 to 1978, first serving as a high school, then later as an elementary school. For additional information, please refer to the Historical Narrative in the enclosed application.

- c. An association with a notable person or the work of a notable person.

Staff Comment: N/A

3. Geographic/Environmental

- a. Enhances the sense of identity of the community.

Staff Comment: Staff agrees with the applicant that the Park School building enhances the sense of identity of the community. The Park School building enhances a sense of identity within the community as a well-loved building by locals and visitors alike. Park School is one of Windsor's oldest remaining and notable landmarks, located in its' original location; it anchors the Town between business to the north on Main Street and the residential and religious district on Walnut Street and to the south. For additional information, please refer to the Historical Narrative in the enclosed application.

- b. An established and familiar natural setting or visual feature of the community.

Staff Comment: N/A

The physical integrity of the proposed landmarks will also be evaluated using the following criteria (a property need not meet all of the following criteria):

- a. Shows character, interest or value as part of the development, heritage or cultural characteristics of the community, region, State or nation.
Staff Comment: See Criteria for Designation Item #2 'Social', above.
- b. Retains original design features, materials and/or character.
Staff Comment: Restoration work on the building such as stone work, doors, windows, roof line, construction of an elevator shaft, and added eastern exterior staircase was completed with the original design, materials, and workmanship in mind using in-kind construction methods and materials to maintain the building's aesthetic and structural integrity.
- c. Original location or same historic context after having being moved.
Staff Comment: The Park School building remains in its' original location.
- d. Has been accurately reconstructed or restored based on documentation.
Staff Comment: In 2010, the building was restored to its original design, including the removal of the 1967 annex. See Physical Integrity, Item 'b' above. Some materials, such as the exterior doors, lighting and venting are of modern materials, though these few modern materials do not impede upon the building's overall preponderance of integrity.

Relationship to the Strategic Plan: The nomination is consistent with the following Strategic Plan Objective:

Goal 2.B: Encourage Historic Preservation

Notification: The following notifications were completed in accordance with the Municipal Code:

- January 10, 2014 – Historic Review sign posted on the property

Recommendation: At their January 8, 2014 regular meeting, the Historic Preservation Commission forwarded a recommendation of approval to the Town Board for the designation of the Park School building as a Local Historic Landmark based on the following criteria, and staff concurs with this recommendation.

That the Park School building as nominated and presented:

1. Exemplifies specific elements of an architectural style or period;
2. Demonstrates superior craftsmanship of high artistic value;
3. Exemplifies the cultural, economic and social heritage of the community; and
4. Enhances the sense of identity of the community.

Enclosures: Ordinance No. 2014-1468
Local Landmark Application
Draft HPC Minutes (excerpt) 01-08-14
Staff PowerPoint presentation

pc: Rachel D. Kline, Chairperson of the Historic Preservation Commission, applicant

ORDINANCE NO. 2014-1468

AN ORDINANCE DESIGNATING THE PARK SCHOOL BUILDING (WINDSOR TOWN HALL) AS A LOCAL HISTORIC LANDMARK PURSUANT TO THE REQUIREMENTS OF ARTICLE XXVIII OF CHAPTER SIXTEEN OF THE *WINDSOR MUNICIPAL CODE*

WHEREAS, the Town of Windsor (hereinafter, “Town”) is a Colorado home rule municipality, with all powers and authority attendant thereto; and

WHEREAS, the Town’s citizens have consistently voiced their support for the preservation of historically-significant properties and features within the Town, in order that the Town’s heritage remains a source of education, community culture and pride; and

WHEREAS, under Article XXVIII, Chapter 16 of the *Windsor Municipal Code* (“Historic Preservation Code”), the Town has the authority to designate historic landmarks in accordance with the requirements of the Historic Preservation Code; and

WHEREAS, the Town, as owner of the historic Park School Building, now known as Windsor Town Hall, located at 301 Walnut Street, Windsor, Colorado, has requested historic landmark designation pursuant to the Historic Preservation Code; and

WHEREAS, the location and legal description of the Park School Building is depicted in Exhibit A hereto, incorporated herein by this reference as if set forth fully; and

WHEREAS, the Windsor Historic Preservation Commission has held the required public hearing on the Town’s application for historic designation, and has recommended that the Park School Building be designated as a historic landmark; and

WHEREAS, the Town Board has conducted a public hearing, notice of which was duly posted in accordance with the requirements of the Historic Preservation Code; and

WHEREAS, the Town Board, in accordance with the requirements of the Historic Preservation Code, hereby finds that the characteristics of the Park School Building justifying its historic landmark designation are as set forth in Exhibit B hereto, the contents of which are incorporated herein by this reference as if set forth fully; and

WHEREAS, the particular features of the Park School Building that should be preserved are as set forth in Exhibit C hereto, the contents of which are incorporated herein by this reference as if set forth fully.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

Section 1. The Town Board does hereby designate the Park School Building as a historic landmark, as that term is used in the Historic Preservation Code.

Section 2. This designation shall subject the Park School Building to all regulations, controls and standards set forth in the Historic Preservation Code.

Introduced, passed on first reading, and ordered published this 27th day of January, 2014.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

Introduced, passed on second reading, and ordered published this 10th day of February, 2014.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

“EXHIBIT A”

Legal Description:

Lots 2, 4, 6, 8, 10, 12, 14 and 16, Block 18, Town of Windsor (original plat)
Section 21; Township 06; Range 67

“EXHIBIT B”

Criteria for Designation (Park School building)

1. Architectural

- a. Exemplifies specific elements of an architectural style or period.*

The Park School building is an excellent example of a Colonial Revival structure made from local stone and labor. Its accentuated entrances with decorative arches, crowns, and pilasters extended forward, doors with fanlights, multi-paned sash windows, and overall symmetry are identifying features of the Colonial Revival style.

- c. Demonstrates superior craftsmanship or high artistic value.*

The building also demonstrates superior craftsmanship of high artistic value with its exemplary stone work and styling, unlike any other structure in Windsor.

2. Social

- b. Exemplifies cultural, political, economic or social heritage of the community.*

The evolution of the building reveals the changing needs within Windsor to provide education to a rapidly growing population based on agriculture and industry. The building is Windsor's longest standing school house, providing area children with education from 1905 to 1978, first serving as a high school, then later as an elementary school.

3. Geographic/Environmental

- a. Enhances the sense of identity of the community.*

The Park School building enhances a sense of identity within the community as a well-loved building by locals and visitors alike. Park School is one of Windsor's oldest remaining and notable landmarks, situated in its' original location; it anchors the Town between business to the north on Main Street and the residential and religious district on Walnut Street and to the south.

The physical integrity was evaluated using the following criteria:

- a. Shows character, interest or value as part of the development, heritage or cultural characteristics of the community, region, State or nation.*

See Criteria for Designation Item #2 'Social', above.

- b. Retains original design features, materials and/or character.*

Restoration work on the building such as stone work, doors, windows, roof line, construction of an elevator shaft, and added eastern exterior staircase was completed with the original design, materials, and workmanship in mind using in-kind construction methods and materials to maintain the building's aesthetic and structural integrity.

- c. Original location or same historic context after having being moved.*

The Park School building remains in its' original location.

- d. Has been accurately reconstructed or restored based on documentation.*

In 2010, the building was restored to its original design, including the removal of the 1967 annex. See Physical Integrity, Item 'b' above. Some materials, such as the exterior doors, lighting and venting are of modern materials, though these few modern materials do not impede upon the building's overall preponderance of integrity.

“EXHIBIT C”

Architectural Features to be Preserved (*Park School building*)

Building Style and Form

The building is a Colonial Revival styled, three-story building of stone construction with an irregular rectangular plan, multiple roof, half-sunk basement, and two identical arched entrances. The irregular shape of the building is due to the inset central block between the eastern and western wings. This inset on the northern elevation is six feet, while the inset on the southern elevation from the eastern wing is 12 feet. The western wing and central block were originally flush on the southern elevation; however, this is now covered by the elevator shaft that measures 18' 10" x 23'. The eastern elevation has a small central inset measuring two feet by ten feet. The building's foundation is comprised of concrete.

The building features a multiple roof line comprised of parallel hips over the two outer wings with two wall dormers, one each on the eastern and western elevations. Over the partial third-story central block is a cross gable hip roof with gablet. The original 1910 roof did not feature the cross gable hip, but rather the parallel hips on the eastern and western wings had gablets, secondary to the central hip. These gablets were reconfigured during the 2010 restoration. The roof pitch for all slopes is 6:12 while the eaves are 3.5:12. The entire roof line, except the elevator shaft, features wide open eave overhangs with fascia boards and false rafters. On the eastern slope of the east wing hip near the wall dormer is a brick chimney flue.

Facades

The stone that covers the majority of the building is rough-cut and irregular coursed. The only portion of cladding that is not stone are the third-story walls, cross gables of the central hip, and gables of the wall dormers on the eastern and western wings. These surfaces are covered with square shingles painted brown. Small louvered vents in the central gablet ends have replaced the original larger vents.

The building has five entrances. The two main entrances are located on the northern elevation on either side of the central block inset. They protrude six feet from the central block and one and a half feet from either wing. These projected banks extend only to the first story. Elevated from the ground, these identical entrances feature double doors with fanlights above. The present metal and glazed doors and four-light fanlights replaced the original wood paneled and glazed doors and multi-light windows. Surrounding each entrance are round arches of 12 voisoirs and a keystone with stone pilasters. The stone crowns above the arches feature cut molding and panels. The western entrance is centered on the elevation and around the entrance is a round arch with 11 voisoirs. The southern entrance is centered on the elevator shaft and protrudes from the elevation. Around the entrance is a simple round arch with a keystone and pilasters. The crown of the entrance is smooth with simple molding, unlike the more decorative northern entrances. The eastern entrance is situated within the inset of the eastern elevation between the first and second floors.

The building has a total of 127 windows, 91 of which are wood-framed, multi-paned hung sash windows with wood trim and stone lintels and sills. Fixed, multi-paned, vinyl basement windows replaced the original wood windows. All windows, excluding those on the elevator shaft addition to the south, utilized the existing window frame assembly and trim.

Windows on the northern elevation total 44. These include ten vertical bays of two 6/6/6 triple hung sashes on the first and second floors and a fixed, multi-paned window at the basement level (total of 30).

Above the two entrances are ribbons of three 6/6/6 triple hung sashes (total of six). The final eight windows on the third story are 3/6/6 double hung sashes.

The western elevation features 21 total windows including six vertical bays of two 6/6/6 triple hung sashes on the first and second floors and a fixed, multi-paned window at the basement level, except one (total of 17). Two 6/6/6 triple hung sashes sit over the entrance while the remaining two fixed, multi-paned windows are found in the wall dormer.

The southern elevation has a total of 39 windows. These include eight vertical bays of two 6/6/6 triple hung sashes on the first and second floors and a fixed, multi-paned window at the basement level (total of 24). There are two additional basement windows near the eastern corner. There are five third-story 3/6/6 double hung sashes. Above the entrance is a ribbon of three 6/6/6 triple hung sashes. Further above are two 4/4 double hung sashes. On the western side of the elevator shaft is a vertical bay of two 3/6/6 triple hung sashes and one 6/6 double hung sash. On the eastern side of the elevator shaft is a vertical bay of 6/6 double hung sashes.

The eastern elevation has a total of 23 windows. These include nine vertical bays of two 6/6/6 triple hung sashes on the first and second floors (total of 18). Two of these bays feature the fixed, multi-paned basement windows. Above the entrance is a fixed, multi-paned window. The remaining two fixed, multi-paned windows are found in the wall dormer.



Application for Designation of a Historic Landmark

SECTION I

HISTORIC PROPERTY

Name: Park School
Address: 301 Walnut Street, Windsor, CO 80550
Historic Use: High School and Grade School
Current or Proposed Use: Town Hall for the Town of Windsor
Legal Description: Lots 2-4-6-8-10-12-14-16, Block 18, Town of Windsor (original plat)
Section 21; Township 06; Range 67

PROPERTY OWNER

Name: Town of Windsor
Address: 301 Walnut Street, Windsor, CO 80550
Telephone: (970) 674-2400
Email Address: karnold@windsorgov.com

I certify that I am the owner of the above described property and I hereby give my written consent and approval for the nomination for designation to be a Windsor Historic Landmark.



Signature of Property Owner

1/6/14

Date

PREPARER OF NOMINATION

Name: Rachel D. Kline on behalf of the Windsor Historic Preservation Commission
Address: 301 Walnut Street, Windsor, CO 80550
Telephone: (970) 674-2400
Email Address: racheld.kline@gmail.com

I nominate the above named property for recognition as a Windsor Historic Landmark. I have:

- Obtained the property owner's approval as verified above.
- Not been able to obtain the property owner's approval (*include documented attempts to secure owner approval*).



Signature of Preparer

1/6/14

Date

SECTION II

Has the property received other historic designation?

- No Yes

Date Designated: _____

Designated by: State National

Location of the Historic Property

- In Original Location
 Not in Original Location; Moved on: _____
If Moved, Address of Original Location: _____

Information on the Historic Property

Name or Original Owner: School District No. 4

Source of Information: Roy Ray, *Highlights in the History of Windsor Colorado*, 1940.

Name of Original Architect: unknown

Source of Information: _____

Name of Original Builder/Contractor: O.R. Felmlee (1905); L.W. Jackson (1910)

Source of Information: Roy Ray, *Highlights in the History of Windsor Colorado*, 1940.

Year of Construction: 1905, 1910

Source of Information: Roy Ray, *Highlights in the History of Windsor Colorado*, 1940.

Year(s) of Remodeling: 1967, 2009-2010

Source of Information: Town of Windsor

SECTION III

SUBMITTAL REQUIREMENTS

- Historical Narrative
- Statement of Significance (*explain the significance of the property based on one or more of the criteria listed in Section IV*)
- Architectural Description (*include the condition of the property and if there are any structures associated with the subject property that are not under the ownership of this applicant*)
- Current Photographs (*in color and of all sides of the structure(s)*)
- Historical Photographs (*if available*)
- Bibliography (*cite all books, articles and other sources used in preparing this form*)

SECTION IV

SIGNIFICANCE OF PROPERTY (check all that apply)

Architectural

- Exemplifies specific elements of an architectural style or period
- Is an example of the work of an architect or builder who is recognized for expertise nationally, statewide or locally
- Demonstrates superior craftsmanship of high artistic value
- Represents innovation in construction, materials or design
- Represents a built environment of a group of people in an era of history
- Exhibits a pattern or grouping of elements representing at least one of the above criteria
- Is a significant historic model

Social/Cultural

- Is a site of an historic event that has an effect upon society
- Exemplifies the cultural, political, economic or social heritage of the community
- Is associated with a notable person(s) or the work of a notable person(s)

Geographical/Environmental

- Enhances sense of identity in the community
- Is an established and familiar natural setting or visual feature of the community

SECTION V

OPTIONAL INFORMATION

You may provide other information which might be helpful in determining the eligibility of the property; however such information must be submitted in addition to all the required information on this form. Optional materials may include copies of newspaper clippings, brochures and pamphlets. All materials submitted will become part of the nomination property files and will not be returned.

Completed nomination forms and supporting materials should be submitted to:

Historic Preservation Commission
c/o Director of Planning
Town of Windsor
301 Walnut Street
Windsor, CO 80550

If you have any questions or require assistance, please call the Windsor Planning Department at (970) 674-2415.

Park School Narrative & Statement of Significance

Since the settlement of the Windsor area in the 1860s, agriculture and industry have ushered in a dramatically fluctuating population within Windsor, creating the need for several schoolhouses to meet the educational needs of area children. As early as 1866, neighboring families constructed the first area school near the banks of Whitney Ditch, a few miles southwest of the Windsor Townsite. The schoolhouse provided education for approximately 20 children in the western Weld County and eastern Larimer County area.

With a steadily increasing population, in 1870 Windsor established its own school district, School District No. 4 or Weld Re-4. To accommodate more children, the Whitney Schoolhouse was moved from its original location eastward to the corner of Walnut and Third streets in the spring of 1883. That same year, R.S. Dickey took charge of the school as the sole teacher. Later the building was divided into two rooms in order to employ another teacher. Three years later, the old frame Whitney structure was replaced by a two-story, four-room brick building. Meanwhile, area families constructed additional schools throughout the district at New Liberty, Riverside, Bracewell, Whitehall, Severance, and Oklahoma between 1870 and 1910.

The coming of the Great Western Sugar Factory in 1903 and the wide scale production of sugar beets in Windsor ushered in a great number of immigrants and settlers. The Windsor School District found its schools wholly inadequate for the incoming number of children. To meet the changing needs of a diverse and growing population, Town electors voted on June 25, 1904, to create a bond issue of \$12,000 for the construction of a high school building on the corner of Walnut and Third near the two-story structure that had replaced the old Whitney building. Overseen by contractor O.R. Felmlee, workers finished the east wing known as Park School in 1905.

Overcrowded conditions continued, however, forcing teachers and children into make-shift classrooms in nearby structures and the Park School basement. In 1907, Windsor's school census listed 495 persons of school age in the district with 207 of them being children of German-Russian parentage. In May of 1909, voters approved a second bond issue of \$23,000 for the construction of a west wing to the 1905 eastern stone building that would host eight additional classrooms and a third floor to serve as a large auditorium. Under general contractor L.W. Jackson, the 1886 building was razed and the new additions to the 1905 Park School were constructed by early 1910.

While several males served the school district as teachers, principals, or superintendents, the majority of teachers were females. Living in a small "teacherage" or with a family, female teachers were expected to abide by certain rules as part of their contracts. In 1915, a few of these rules prohibited teachers from marrying, keeping company with men, loitering in ice cream stores, or wearing bright colors. Due to the difficulty in finding lodging for these numerous female teachers, the district constructed a building in 1921 to house thirty-two teachers. Named after Superintendent A.C. Cohagen, Cohagen Hall "teacherage" served as the home for all female teachers for almost thirty years.

The stone Park School served the needs of the district as the area high school until 1918, when overcrowded conditions once again compelled Windsor residents to contemplate the construction of a new high school building. The new Windsor High School (current Windsor Middle School) was constructed shortly thereafter with George E. Tozer as its first principal. The school featured an auditorium, stage, gymnasium, library, and nine classrooms. Immediate concern was felt by all regarding the small size of the gymnasium and stage. Referred to as a "cracker-box" gymnasium, Windsor and visiting students had difficulty playing or watching sports, having to avoid the low ceiling and close walls. However, these issues were not addressed until the 1940s. Park School remained in use as a grade

school for grades one through six. Not long after the construction of the new high school, the Windsor School District consolidated and sold the Whitehall and New Liberty schools as residences. The school board then voted on the creation of a junior high school, which was constructed in 1921. A.C. Cohagan served as the superintendent of the three schools from 1918 to 1931, after which George Tozer succeeded him. In 1920, five school buses were purchased for transporting children to and from the rural areas. A sixth bus was purchased later to meet the demands of the continually increasing population.

Studying was also made available during the summer for school children having to work in the beet fields. Windsor established the first summer school program of its kind in Colorado, allowing children to maintain their studies before the beet harvest without falling behind other students.

Windsor gained national notoriety in 1924 when its high school basketball team won the US Basketball National Championship held in Chicago. The ball-handling wizardry of the Windsor players impressed the Chicago media that the media dubbed the team “wizards” on the court. The name stuck upon the team’s return home and replaced the Windsor Bulldog mascot. During the championship, Frazier’s Drug Store served up the daily basketball scores along with its fountain sodas. Updated scores were provided by the telegraph station manager, who ran the scores across the tracks to the store where they were lettered on a big mirror behind the counter for Windsor residents. Large celebrations were held in Windsor and Greeley to honor the team.

The mid-century ushered in another population growth spurt in Windsor, once again requiring the construction of additional schools. In 1961, Tozer primary school was constructed with additions constructed in 1962 and later in 1978. Tragedy struck in 1964 when the junior high school caught on fire and was partially destroyed. Reconstruction of the portion of the building damaged by the fire was finished in 1966. In 1967, an addition to Park School included a lunch room, gymnasium, restroom, kitchen, music room, office space, and room for assemblies. Known as the annex, this addition was located on the north side of the building. In 1975, the new Windsor High School was constructed to the northwest of downtown which still hosts the Windsor Wizards. Today the Windsor School District includes Mountain View Elementary, Grandview Elementary, Range View Elementary, Skyview Elementary, Tozer Primary School, Severance Middle School, Windsor Middle School, Windsor High School, and Windsor Charter Academy.

By 1978, the school district had finally outgrown Park School and in 1984, Town administration purchased the building to serve as Windsor’s Town Hall. In 2010, the building was restored to its original design with the removal of the annex. An elevator shaft was constructed on the western portion of the southern elevation using in-kind materials. Today, the Park School building continues to serve as Windsor Town Hall and is a well-loved Windsor focal point admired by visitors and residents for its historical nature and preservation efforts by the Town.

Park School, now Town Hall, is eligible under architecture as it is an excellent example of a Colonial Revival structure made from local stone and labor. Its accentuated entrances with decorative arches, crowns, and pilasters extended forward, doors with fanlights, multi-paned sash windows, and overall symmetry are identifying features of the Colonial Revival style. The building also demonstrates superior craftsmanship of high artistic value with its exemplary stone work and styling, unlike any other structure in Windsor.

Park School/Town Hall is also eligible for its social/cultural significance. The evolution of the building reveals the changing needs within Windsor to provide education to a rapidly growing population based on agriculture and industry. The building is Windsor’s longest standing school house, providing area children with education from 1905 to 1978, first serving as a high school, then later as an elementary school.

Park School/Town Hall is also eligible for its geographical/environmental significance as it enhances a sense of identity within the community as a well-loved building by locals and visitors alike. Park School is one of Windsor's oldest remaining and notable landmarks; it anchors the Town between business to the north on Main Street and the residential and religious district on Walnut Street and to the south.

Architectural Description

Built in 1905, the original Park School was a two-story, rectangular-shaped, hipped roofed, stone structure with a concrete foundation. The building featured several vertical bays of triple hung sash windows, a brick chimney on the eastern hip slope, and an arched entrance on the western corner of the northern elevation. Between 1909 and 1910, a western wing was added to the building comprised of an identical structure with a large central block joining the 1905 portion and the 1910 wing. A partial third story was added at this time, creating the present configuration. In 1967, an irregular-shaped, brick, one-story annex was added to the northern elevation of Park School. Between 2009 and 2010, this annex was removed and the building restored to its 1910 condition using in-kind materials. New additions during this restoration included an elevator shaft on the western portion of the southern elevation, cross gables on the central hip roof, and a metal staircase on the eastern elevation. New landscaping around the building included cement walkways and entrance steps, retaining walls, and plantings.

The 1910 Park School, now Windsor Town Hall, is a Colonial Revival styled, three-story building of stone construction with an irregular rectangular plan, multiple roof, half-sunk basement, and two identical arched entrances. The stone walls feature rough-cut, irregular coursed stone from a local quarry, the roof is finished with asphalt shakes, and the foundation consists of concrete. The interior of the building reflects its original turn-of-the-century wood trims and floors, exposed trusses, and original windows and doors with transoms. The building is situated on the southwestern corner of Walnut and Third Streets amidst residential properties. Behind the building is a concrete parking area and further south is the Windsor Main Park. Surrounding the building are poured cement walkways, green belts, stone retaining walls, exterior lighting, benches, and plantings. The building is in excellent condition and maintains its integrity. Restoration work on the building such as stone work, doors, windows, roof line, construction of an elevator shaft, and added eastern exterior staircase was completed with the original design, materials, and workmanship in mind using in-kind construction methods and materials to maintain the building's aesthetic and structural integrity. Some materials, such as the doors are of modern materials, though these few modern materials do not impede upon the building's overall preponderance of integrity.

Park School or Town Hall has a total of 29,693 square feet (main floor: 8,235, second floor: 8,178, third floor: 5,033, and basement: 8,246). The building features a multiple roof line comprised of parallel hips over the two outer wings with two wall dormers, one each on the eastern and western elevations. Over the partial third-story central block is a cross gable hip roof with gablet. The original 1910 roof did not feature the cross gable hip, but rather the parallel hips on the eastern and western wings had gablets, secondary to the central hip. These gablets were reconfigured during the 2010 restoration. The roof pitch for all slopes is 6:12 while the eaves are 3.5:12. The 2010 elevator shaft has a flat roof. All roof surfaces are covered with asphalt shingles. The entire roof line, except the elevator shaft, features wide open eave overhangs with fascia boards and false rafters. On the eastern slope of the east wing hip near the wall dormer is a brick chimney flue. The local stone that covers the majority of the building is rough-cut and irregular coursed. Stone for the elevator shaft was specially cut from a similar local quarry as the original. The only portion of cladding that is not stone are the third-story walls, cross gables of the central hip, and gables of the wall dormers on the eastern and western wings. These surfaces are covered with square shingles painted brown. Small louvered vents in the central gablet ends have replaced the original larger vents. The irregular shape of the building is due to the inset central block between the eastern and western wings. This inset on the northern elevation is six feet, while the inset on the southern elevation from the

eastern wing is 12 feet. The western wing and central block were originally flush on the southern elevation; however, this is now covered by the elevator shaft that measures 18' 10" x 23'. The eastern elevation has a small central inset measuring two feet by ten feet. A 2010 metal staircase leads from this inset entrance between the first and second-floors. The foundation is comprised of concrete.

Park School or Town Hall has five entrances. The two main entrances are located on the northern elevation on either side of the central block inset. They protrude six feet from the central block and one and a half feet from either wing. These projected banks extend only to the first story. Elevated from the ground, these identical entrances feature double doors with fanlights above. The present metal and glazed doors and four-light fanlights replaced the original wood paneled and glazed doors and multi-light windows. Surrounding each entrance are round arches of 12 voisoirs and a keystone with stone pilasters. The stone crowns above the arches feature cut molding and panels. Within the western crown are etched the words "Town Hall." Both entrances are accessed by poured concrete steps and metal railings. The western entrance is centered on the elevation and features a metal and glazed double door with a fanlight. Around the entrance is a round arch with 11 voisoirs. The entrance is accessed by two large poured concrete steps. The southern entrance is centered on the elevator shaft and protrudes from the elevation. It features a metal and glazed double door with a fanlight. Around the entrance is a simple round arch with a keystone and pilasters. The crown of the entrance is smooth with simple molding, unlike the more decorative northern entrances. The eastern entrance is situated within the inset of the eastern elevation between the first and second floors. It is a single metal fire door with a transom. The newly constructed metal staircase provides access from this entrance.

The building has a total of 127 windows, 91 of which are original wood-framed, multi-paned hung sash windows with wood trim and stone lintels and sills. Fixed, multi-paned, vinyl basement windows replaced the original wood windows. The remaining non-original windows are those on the elevator shaft and above the eastern entrance.

Windows on the northern elevation total 44. These include ten vertical bays of two 6/6/6 triple hung sashes on the first and second floors and a fixed, multi-paned window at the basement level (total of 30). Above the two entrances are ribbons of three 6/6/6 triple hung sashes (total of six). The final eight windows on the third story are 3/6/6 double hung sashes.

The western elevation features 21 total windows including six vertical bays of two 6/6/6 triple hung sashes on the first and second floors and a fixed, multi-paned window at the basement level, except one (total of 17). Two 6/6/6 triple hung sashes sit over the entrance while the remaining two fixed, multi-paned windows are found in the wall dormer.

The southern elevation has a total of 39 windows. These include eight vertical bays of two 6/6/6 triple hung sashes on the first and second floors and a fixed, multi-paned window at the basement level (total of 24). There are two additional basement windows near the eastern corner. There are five third-story 3/6/6 double hung sashes. Above the entrance is a ribbon of three 6/6/6 triple hung sashes. Further above are two 4/4 double hung sashes. On the western side of the elevator shaft is a vertical bay of two 3/6/6 triple hung sashes and one 6/6 double hung sash. On the eastern side of the elevator shaft is a vertical bay of 6/6 double hung sashes.

The eastern elevation has a total of 23 windows. These include nine vertical bays of two 6/6/6 triple hung sashes on the first and second floors (total of 18). Two of these bays feature the fixed, multi-paned basement windows. Above the entrance is a fixed, multi-paned window. The remaining two fixed, multi-paned windows are found in the wall dormer.

Additional exterior features include an etched stone fixture above the southern elevation ribbon window that says “Windsor Town Hall,” downspouts, solar panels on the southern roof slopes, exterior lighting, venting, and utilities. Off the eastern elevation is a stone enclosure with a metal gate that holds utilities.

Current Photographs



Park School building (current Town Hall), Windsor, CO - North Elevation. Town of Windsor. 2013



Park School building (current Town Hall), Windsor, CO - Northeast Elevation. Town of Windsor. 2014



Park School building (current Town Hall), Windsor, CO - Northeast Elevation. Town of Windsor. 2014



Park School building (current Town Hall), Windsor, CO - Southeast Elevation. Town of Windsor. 2014



Park School building (current Town Hall), Windsor, CO - South Elevation. Town of Windsor. 2014



Park School building (current Town Hall), Windsor, CO - Southwest Elevation. Town of Windsor. 2014



Park School building (current Town Hall), Windsor, CO - Northwest Elevation. Town of Windsor. 2014

Historical Photographs



Early Park School building, Windsor, CO – North Elevation. Town of Windsor Museum Archives. 1908



Park School building, Windsor, CO – North Elevation. Windsor School District. 1910



Park School building (current Town Hall) with 1967 annex attached, Windsor, CO – North Elevation. Town of Windsor. 2009

Bibliography

Art & Heritage Center, 116 5th Street, Windsor, CO 80550

Kline, Rachel and the Windsor-Severance Historical Society. *Windsor*. South Carolina: Arcadia Publishing, 2012.

Lindblad, Mary Alice. *A Walk Through Windsor 1940-1980*. 1981.

Ray, Roy. *Highlights in the History of Windsor Colorado*. 1940.

Thomas, Adam. "The Struggle for Identity: Windsor's Historic Downtown." Estes Park, Colorado: Historitecture, LLC, 2010.

Town of Windsor. *Park School building (current Town Hall)*. 2013-2014. Photographs

Town of Windsor. *Park School building (current Town Hall) with 1967 annex attached*. 2009. Photograph

Town of Windsor Museum Archives. *Early Park School building*. 1908. Photograph

Windsor School District. *Park School building*. 1910. Photograph



Minutes

A. CALL TO ORDER

Chairperson Rachel Kline called the meeting to order at 5:50 p.m.

- | | | |
|--------------|-------|--|
| 1. Roll Call | Chair | Rachel Kline
Jessica Dieken
Anita Drake
Lisa Geisick
Carrie Ann Lucas
Ann Lynn-McAbee |
|--------------|-------|--|

Also present: Associate Planner Josh Olhava
Town Board Liaison Robert Bishop-Cotner
SHIPO Representatives Dan Corson - Intergovernmental Services Director
Patrick Eidman - Historic Preservation Technical Outreach
Heather Bailey - Historic Preservation Grants Specialist

2. Review of Agenda by the Commission and Addition of Items of New Business to the Agenda for Consideration by the Commission.
There were no changes to the Agenda.
3. Public Invited to be Heard
There was no public comment.

B. CONSENT CALENDAR

1. Approval of Minutes of the October 9, 2013 Historic Preservation Commission meeting.
Ms. Dieken moved to accept the minutes as presented; Ms. Lucas seconded the motion. Roll call on the vote resulted as follows: All in attendance voted yes – motion carried.

C. BOARD ACTION

NOTE: the official record of this evening's proceedings shall include the application, staff memos and recommendations, packet materials and supporting documents, and all testimony received.

1. Election of Officers for 2014.
Ms. Lucas moved to retain the current slate of officers for the year 2014; Ms. Lynn-McAbee seconded the motion. All in attendance voted yes – motion carried.
2. Public Hearing – An application for Designation of a Historic Landmark – Park School building – J. Olhava
Mr. Olhava explained that Ms. Kline, on behalf of the Historic Preservation Commission, has submitted an application seeking designation as a Historic Landmark for the Park School Building (current Town Hall offices) located at 301 Walnut Street. He highlighted significant points of the application, and recapped the history of the building. Mr. Olhava presented to the Commission staff's analysis of the Criteria for Designation, based on the

research and documentation within the application materials. Ms. Kline noted questions remain regarding the windows and more research is required.

There was no public comment. Ms. Lucas pointed out the modifications to this building addressing ADA accessibility will not negatively impact efforts to obtain a Historic Landmark Designation.

Ms. Lynn-McAbee moved to close the public hearing; Ms. Lucas seconded the motion. All in attendance voted yes – motion carried.

2. Recommendation to the Town Board – An application for Designation of a Historic Landmark – Park School building – J. Olhava

Ms. Lucas moved to forward a recommendation of approval to the Town Board for the designation of the Park School building as a Historic Landmark based on the criteria that the Park School building:

1. **Exemplifies specific elements of an architectural style or period;**
2. **Demonstrates superior craftsmanship of high artistic value;**
3. **Exemplifies the cultural, economic and social heritage of the community; and**
4. **Enhances the sense of identity of the community.**

; Ms. Lynn-McAbee seconded the motion. All in attendance voted yes – motion carried.

D. COMMUNICATIONS

1. Presentation from the State Historic Preservation Office

Mr. Corson introduced Mr. Eidman and Ms. Bailey. He reviewed the Certified Local Government criteria, information on the upcoming Saving Places Conference, and shared a visual presentation explaining the CLG program, and the history and responsibilities of the State Historic Preservation Office. Mr. Corson also shared a “Rap Video” of the National Register process for information and entertainment.

Mr. Eidman explained his responsibilities with the State, and encouraged members to pursue historic surveys in Windsor. He highlighted grant programs and tax credits that may be available for local preservation, and distributed several informational handouts for review. He also pointed out an on-line calendar of events, and the Preserve Colorado Network which allows on-line interaction and feedback from preservation professionals and activists. Mr. Olhava mentioned that he signed up a few months prior through Mr. Eidman and has been very impressed with the level of discussion and diversity of topics discussed.

2. Communications from the Historic Preservation Commission

Ms. Lynn-McAbee suggested getting started on Preservation Month activities. Ms. Lucas added she liked the cooperative efforts with the Library. Ms. Kline expressed interest in participation in the 50th Anniversary of the Preservation Act festivities.

3. Communications from Town Board liaison

Mr. Bishop-Cotner had nothing new to report to the Commission.

4. Communications from the staff



HISTORIC LOCAL LANDMARK DESIGNATION

PARK SCHOOL BUILDING

Josh Olhava, Associate Planner
January 27, 2014

Town Board

Items C.5.C.6



HISTORIC LANDMARK DESIGNATION

Article XXVIII of Chapter 16 of the Municipal Code outlines the purposes of the Historic Preservation Ordinance and process for Landmark Designations, including:

Sec. 16-28-10. Purpose and intent.

It is the purpose and intent of this Article to provide for the protection and preservation of the Town's historic and cultural heritage through the designation of historic landmarks and districts.

Sec. 16-28-30. Designation of landmarks and historic districts.

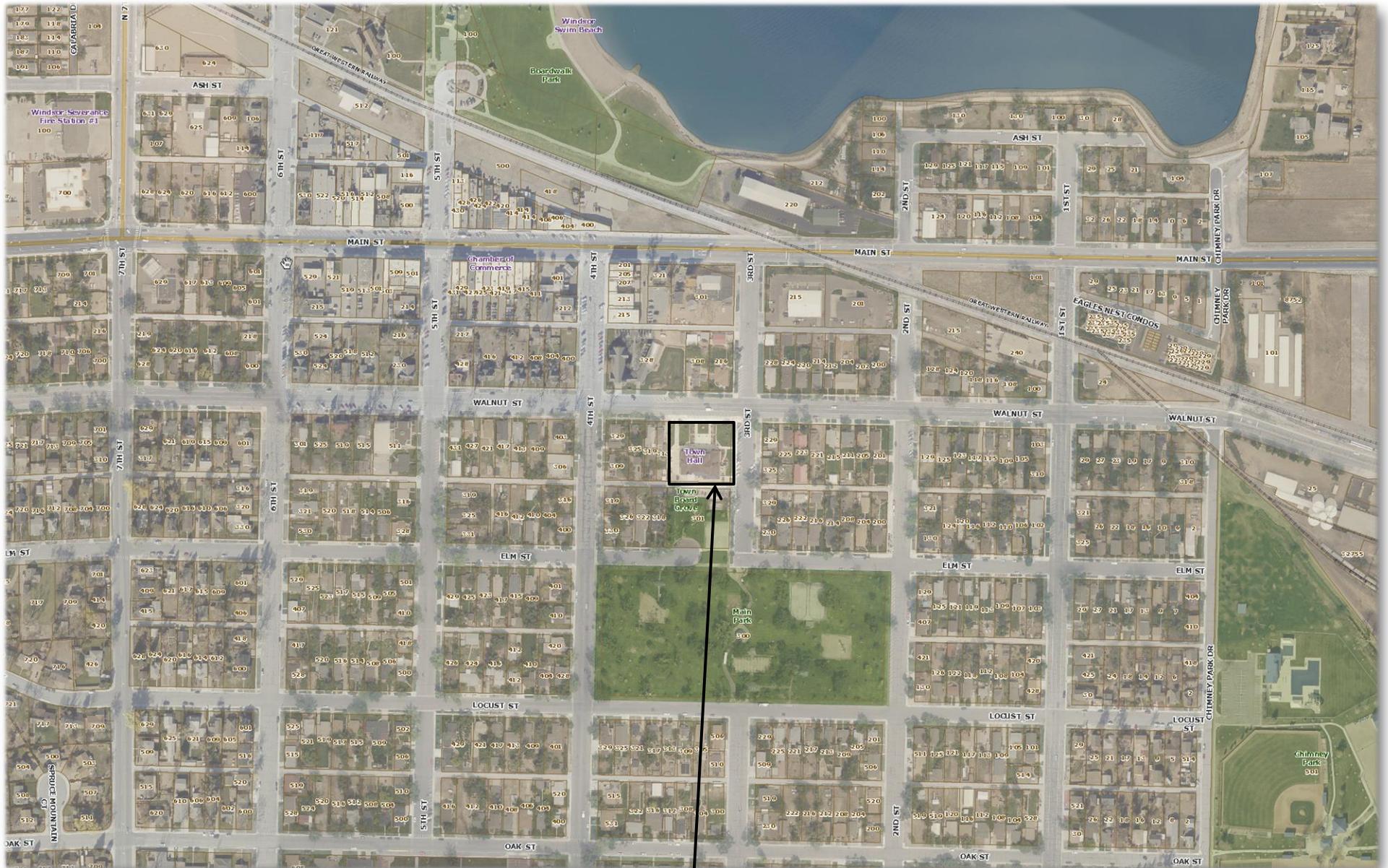
Sec. 16-28-40. Procedures for designating structures and districts for preservation.

Sec. 16-28-50. Proceedings by the Town Board.

Sec. 16-28-60. Criteria for designation.



SITE VICINITY MAP



Site Location

1905 - PARK SCHOOL BUILDING



1910 - PARK SCHOOL BUILDING



PRESENT DAY - PARK SCHOOL BUILDING





PRESENT DAY - PARK SCHOOL BUILDING





CRITERIA FOR DESIGNATION

1. Architectural

- a. *Exemplifies specific elements of an architectural style or period.*

The Park School building is an excellent example of a Colonial Revival structure made from local stone and labor. Its accentuated entrances with decorative arches, crowns, and pilasters extended forward, doors with fanlights, multi-paned sash windows, and overall symmetry are identifying features of the Colonial Revival style.

- c. *Demonstrates superior craftsmanship or high artistic value.*

The building also demonstrates superior craftsmanship of high artistic value with its exemplary stone work and styling, unlike any other structure in Windsor.

2. Social

- b. *Exemplifies cultural, political, economic or social heritage of the community.*

The evolution of the building reveals the changing needs within Windsor to provide education to a rapidly growing population based on agriculture and industry. The building is Windsor's longest standing school house, providing area children with education from 1905 to 1978, first serving as a high school, then later as an elementary school.



CRITERIA FOR DESIGNATION CONT....

3. Geographic/Environmental

a. *Enhances the sense of identity of the community.*

The Park School building enhances a sense of identity within the community as a well-loved building by locals and visitors alike. Park School is one of Windsor's oldest remaining and notable landmarks, situated in its' original location; it anchors the Town between business to the north on Main Street and the residential and religious district on Walnut Street and to the south.



EVALUATION OF THE PHYSICAL INTEGRITY

- a. *Shows character, interest or value as part of the development, heritage or cultural characteristics of the community, region, State or nation.*

See Criteria for Designation Item #2 'Social', above.

- b. *Retains original design features, materials and/or character.*

Restoration work on the building such as stone work, doors, windows, roof line, construction of an elevator shaft, and added eastern exterior staircase was completed with the original design, materials, and workmanship in mind using in-kind construction methods and materials to maintain the building's aesthetic and structural integrity.

- c. *Original location or same historic context after having being moved.*

The Park School building remains in its' original location.

- d. *Has been accurately reconstructed or restored based on documentation.*

In 2010, the building was restored to its original design, including the removal of the 1967 annex. See Physical Integrity, Item 'b' above. Some materials, such as the exterior doors, lighting and venting are of modern materials, though these few modern materials do not impede upon the building's overall preponderance of integrity.



RECOMMENDATION

At their January 8, 2014 regular meeting, the Historic Preservation Commission forwarded a recommendation of approval to the Town Board for the designation of the Park School building as a Local Historic Landmark based on the following criteria, and staff concurs with this recommendation.

That the Park School building as nominated and presented:

1. Exemplifies specific elements of an architectural style or period;
2. Demonstrates superior craftsmanship of high artistic value;
3. Exemplifies the cultural, economic and social heritage of the community; and
4. Enhances the sense of identity of the community.



PARK SCHOOL BUILDING LANDMARK DESIGNATION

Staff requests that the following be entered into the record:

- Application and supplemental materials
- Staff memorandum and supporting documents
- All testimony presented during the public hearing
- Recommendation



MEMORANDUM

Date: January 27, 2014
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: Dean Moyer, Director of Finance
Re: Resolution Supplemental Budget 2013
Item #: C.7

Background / Discussion:

Each year at the end of the year we do a supplemental budget as a housekeeping measure to adjust the previous year's budget. When developing the 2013 budget we included everything we could foresee happening during 2013, based on the information we had at the time. During the course of 2013 operations, several events occurred that we did not foresee while preparing the 2013 budget. We have a few adjustments we must now make in order to keep our budget in compliance with State budget law and auditor requirements. Each additional item is described below with a summary chart at the end.

Development agreements and water dedication (these items have a net zero total):

- **Development agreements:** In the course of 2013 operations, we took final acceptance of infrastructure and raw water dedication that was constructed by developers in various subdivisions. To properly account for these transactions, we need to record both revenue and an expense for the dollar value of the improvements or the shares of water. If the expenditure side of the equation causes us to exceed our budgeted amounts for 2013, we will be in violation of State Budget laws, even though no money changed hands. To prevent this we need to adopt a supplemental budget to account for these transactions. The costs of the infrastructure are from the development agreements.

The enclosed chart details the total infrastructure we have taken final acceptance from developers totaling \$1,087,810.

- **Water dedication:** These items are the same as developer acceptances. We received two separate dedications from developers. Water shares were assigned a cost of \$18,000/share as fair value market, for a June 14, 2013, dedication of 3 shares of CBT. There was another dedication on September 16, 2013 for 45 shares at a market cost of \$19,500/share. The total amount of these 48 shares is \$931,500.

Financial Impact:

Total net adjustments appear below.

Total Supplemental Budget	Revenue	\$2,019,310
Total Supplemental Budget	Expense	(\$2,019,310)
Net Supplemental Revenue(Expense)		\$0

Recommendation:

Approve the 2013 Supplemental Budget as presented.

Attachments:

C.7.b Detail Chart of 2013 Final Acceptance of Improvements

C.7.c Resolution 2014-07

2013 ADDITIONAL BUDGET REVENUE/EXPENDITURES

ACCT #	ACCOUNT	DESCRIPTION	ORIGINAL 2013 BUDGET	2013 SUPPLEMENT	2013 REVISED TOTAL
CAPITAL IMP FUND					
04-	REVENUE				
000-4367-000	Developer Contributions	Subdivision Infrastructure Final Acceptance	\$0	\$581,703	\$581,703
TOTAL CAPITAL IMP FUND REVENUE			\$0	\$581,703	\$581,703
EXPENSES					
429-7234-000	Developer Reimbursements	Subdivision Infrastructure Final Acceptance	\$249,672	\$581,703	\$831,374
TOTAL CAPITAL IMP FUND EXPENSES			\$249,672	\$581,703	\$831,374
WATER FUND					
06-	REVENUE				
000-4353-000	Developer Raw Water Fees	48 CBT shares accepted	\$71,207	\$931,500	\$1,002,707
000-4367-000	Developer Contributions	Subdivision Infrastructure Final Acceptance	\$0	\$214,900	\$214,900
TOTAL WATER FUND REVENUE			\$71,207	\$1,146,400	\$1,217,607
EXPENSES					
471-8411-000	Water Rights	48 CBT shares accepted	\$240,542	\$931,500	\$1,172,042
471-8453-000	Transmission Mains	Subdivision Infrastructure Final Acceptance	\$0	\$214,900	\$214,900
TOTAL WATER FUND EXPENSES			\$240,542	\$1,146,400	\$1,386,942
SEWER FUND					
07-	REVENUE				
000-4367-000	Developer Contributions	Subdivision Infrastructure Final Acceptance	\$0	\$237,413	\$237,413
TOTAL SEWER FUND REVENUE			\$0	\$237,413	\$237,413
EXPENSES					
481-8453-000	Transmission Mains	Subdivision Infrastructure Final Acceptance	\$0	\$237,413	\$237,413
TOTAL SEWER FUND EXPENSES			\$0	\$237,413	\$237,413
STORM DRAIN FUND					
08-	REVENUE				
000-4367-000	Developer Contributions	Subdivision Infrastructure Final Acceptance	\$0	\$53,794	\$53,794
TOTAL STORM DRAIN FUND REVENUE			\$0	\$53,794	\$53,794
483-	EXPENSES				
483-8458-000	Drainage Improvements	Subdivision Infrastructure Final Acceptance	\$0	\$53,794	\$53,794
TOTAL STORM DRAIN FUND EXPENSES			\$0	\$53,794	\$53,794
Total Supplemental Budget			Revenue	\$2,019,310	
Total Supplemental Budget			Expense	(\$2,019,310)	
Net Supplemental Revenue(Expense)				\$0	

TOWN OF WINDSOR

RESOLUTION NO. 2014- 06_

BEING A RESOLUTION APPROPRIATING ADDITIONAL SUMS OF MONEY TO DEFRAY EXPENSES IN EXCESS OF AMOUNTS BUDGETED FOR THE TOWN OF WINDSOR, COLORADO, FOR 2013.

WHEREAS, the Town of Windsor adopted the annual budget in accordance with the Local Government Budget Law, on November 26, 2012; and

WHEREAS, the Town of Windsor has received unanticipated revenues and incurred expenditures not assured at the time of the adoption of the 2013 Budget; and

WHEREAS, the Town’s Home Rule Charter authorizes supplemental appropriations under the circumstances referred to herein.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO:

SECTION 1. That the 2013 appropriation for the **CAPITAL IMPROVEMENT FUND** Revenue is hereby increased from \$10,008,274 to \$10,589,977 and Expenditures from \$5,080,214 to \$5,661,917 for the purposes shown below.

ACCT #	ACCOUNT	DESCRIPTION	ORIGINAL 2013 BUDGET	2013 SUPPLEMENT	2013 REVISED TOTAL
CAPITAL IMP FUND					
04-	REVENUE				
000-4367-000	Developer Contributions	Subdivision Infrastructure Final Acceptance	\$0	\$581,703	\$581,703
TOTAL CAPITAL IMP FUND REVENUE			\$0	\$581,703	\$581,703
EXPENSES					
429-7234-000	Developer Reimbursements	Subdivision Infrastructure Final Acceptance	\$249,672	\$581,703	\$831,374
TOTAL CAPITAL IMP FUND EXPENSES			\$249,672	\$581,703	\$831,374

SECTION 2. That the 2013 appropriation for the **WATER FUND** Revenue is hereby increased from \$20,455,779 to \$21,602,179 and Expenditures is hereby increased from \$5,373,675 to \$6,520,075 for the purposes shown below.

ACCT #	ACCOUNT	DESCRIPTION	ORIGINAL 2013 BUDGET	2013 SUPPLEMENT	2013 REVISED TOTAL
WATER FUND					
06-	REVENUE				
000-4353-000	Developer Raw Water Fees	48 CBT shares accepted	\$71,207	\$931,500	\$1,002,707
000-4367-000	Developer Contributions	Subdivision Infrastructure Final Acceptance	\$0	\$214,900	\$214,900
TOTAL WATER FUND REVENUE			\$71,207	\$1,146,400	\$1,217,607
EXPENSES					
471-8411-000	Water Rights	48 CBT shares accepted	\$240,542	\$931,500	\$1,172,042
471-8453-000	Transmission Mains	Subdivision Infrastructure Final Acceptance	\$0	\$214,900	\$214,900
TOTAL WATER FUND EXPENSES			\$240,542	\$1,146,400	\$1,386,942

SECTION 3. That the 2013 appropriation for the **SEWER FUND** Revenue is hereby increased from \$9,521,138 to \$9,758,551 and Expenditures is hereby increased from \$2,025,851 to \$2,263,264 for the purposes shown below.

ACCT #	ACCOUNT	DESCRIPTION	ORIGINAL 2013 BUDGET	2013 SUPPLEMENT	2013 REVISED TOTAL
SEWER FUND					
07-	REVENUE				
000-4367-000	Developer Contributions	Subdivision Infrastructure Final Acceptance	\$0	\$237,413	\$237,413
TOTAL SEWER FUND REVENUE			\$0	\$237,413	\$237,413
EXPENSES					
481-8453-000	Transmission Mains	Subdivision Infrastructure Final Acceptance	\$0	\$237,413	\$237,413
TOTAL SEWER FUND EXPENSES			\$0	\$237,413	\$237,413

SECTION 4. That the 2013 appropriation for the **STORM DRAIN FUND** Revenue is hereby increased from \$2,796,725 to \$2,850,519 and Expenditures is hereby increased from \$1,262,995 to \$1,316,789 for the purposes shown below.

ACCT #	ACCOUNT	DESCRIPTION	ORIGINAL 2013 BUDGET	2013 SUPPLEMENT	2013 REVISED TOTAL
STORM DRAIN FUND					
08-	REVENUE				
000-4367-000	Developer Contributions	Subdivision Infrastructure Final Acceptance	\$0	\$53,794	\$53,794
TOTAL STORM DRAIN FUND REVENUE			\$0	\$53,794	\$53,794
EXPENSES					
483-					
483-8458-000	Drainage Improvements	Subdivision Infrastructure Final Acceptance	\$0	\$53,794	\$53,794
TOTAL STORM DRAIN FUND EXPENSES			\$0	\$53,794	\$53,794

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 27th day of January, 2014.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

2013 MONTHLY FINANCIAL REPORT

Special points of interest:

- Highest December sales tax collection on record at \$484,762.
- Single Family Residential (SFR) building permits total 357 through the end of December. This is down from the December 2012 number of 437.
- Issued 27 new business licenses in December. 20 of which were new retail sales tax licenses.

Highlights and Comments

- * We recorded our highest gross sales tax collection for the single month of December.
- * December 2013 year-to-date gross sales tax increased 12.18% over December 2012.
- * Construction use tax through December is 4.34% behind 2012.
- * Year-to-date total revenue through December exceeded expenditures by roughly \$8M, due to capital project postponements and higher than expected revenue collection.

Park Projects Completed



Eastman Park
Multipurpose Court



Windsor Trail at
East and North Side of PVREA



Two Parks Projects Completed Before End of Year

The Eastman Park multipurpose court was recently completed under budget. Park Improvement Fund costs were \$49,075. Windsor Trail at Poudre Valley REA was funded with Larimer County Open Space Funds and cost \$119,422.

Inside this issue:

Sales, Use and Property Tax	2
Year-to-Date Sales Tax	4
Monthly Sales Tax	5
All Fund Expenditures	6
General Fund Expenditures	7

Items of Interest

- In the three-year span of 2011-2013 we issued 1,038 single family home permits.
- 27 new business licenses issued in December.
- Visit us at www.windsorgov.com and look for live streaming of Town Board and Planning Commission meetings.

Sales, Use and Property Tax Update

December 2013

Benchmark = 100%	Sales Tax	Construction Use Tax	Property Tax	Combined
Budget 2013	\$5,502,998	\$1,317,445	\$4,096,598	\$10,917,041
Actual 2013	\$6,600,164	\$2,021,558	\$4,054,418	\$12,676,140
% of Budget	119.94%	153.45%	98.97%	116.11%
Actual Through December 2012	\$5,883,287	\$2,113,175	\$4,059,462	\$12,055,924
Change From Prior Year	12.18%	-4.34%	-0.12%	5.14%

Ideally through the twelfth month of the year you would like to see 100% collection rate on your annual budget number. We have reached that benchmark in two of three tax categories.

At this point last year we had collected \$4,059,462 in property taxes, or 97.6% of the annual budget.

Building Permit Chart

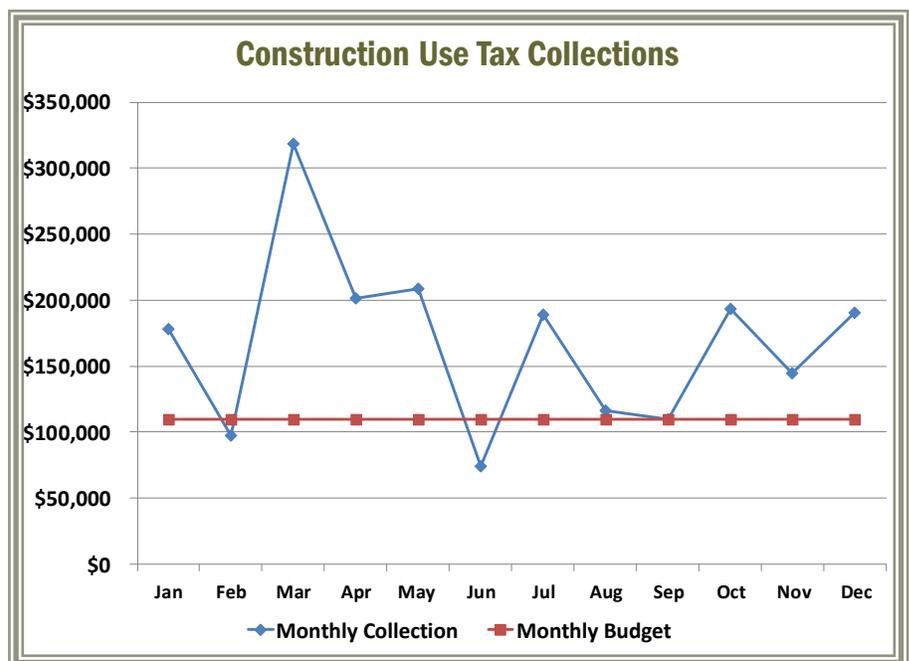
December 2013

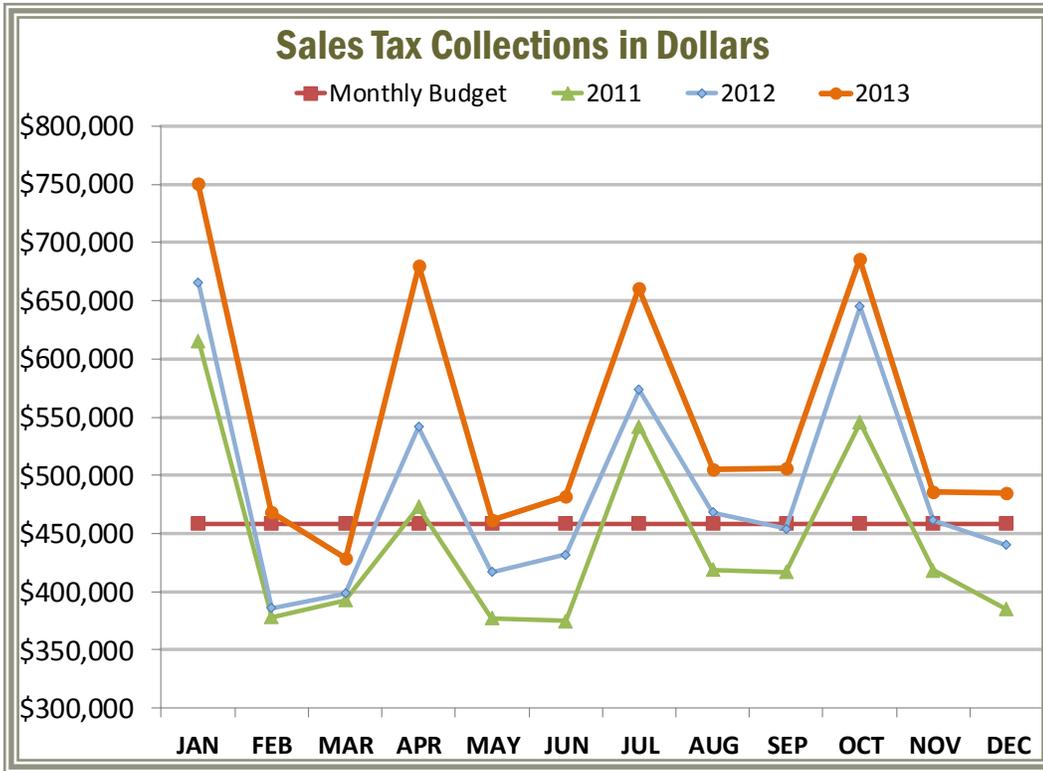
	SFR	Commercial	Industrial	Total
Through December 2013	357	5	5	367
Through December 2012	437	2	2	441
% change from prior year				-16.78%
2013 Budget Permit Total				305
% of 2013 Budget				120.33%

Building Permits and Construction Use Tax

We are showing a 16.78% decrease in number of permits as compared to December 2012. We issued 22 SFR permits in December 2013 as compared to 36 in December of 2012.

Construction use tax is slightly behind last year but has reached the budgeted collections for the entire year of 2013.





Gross Sales tax collections for December 2013 were approximately \$44,000 higher than December 2012.

December Facts

December is a “single collection” month, meaning that the collections are for sales made in November. This December was our highest on record at \$484,762 producing roughly \$44,000 more in collections over December 2012.

We did not receive any voluntary compliance or audit payments in December.

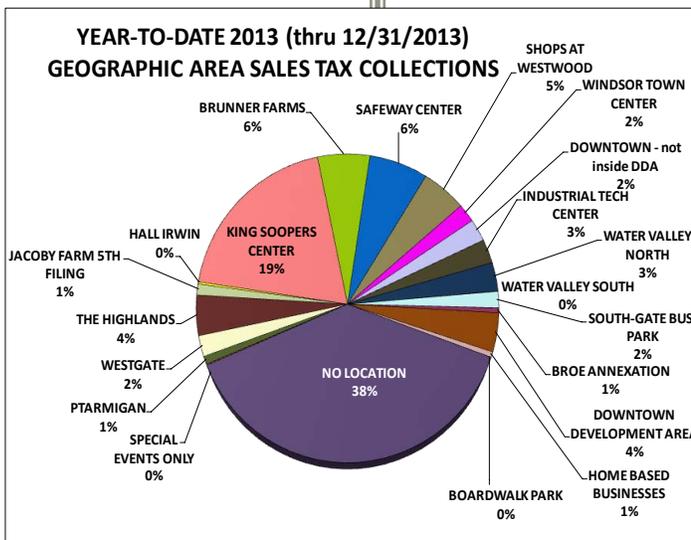
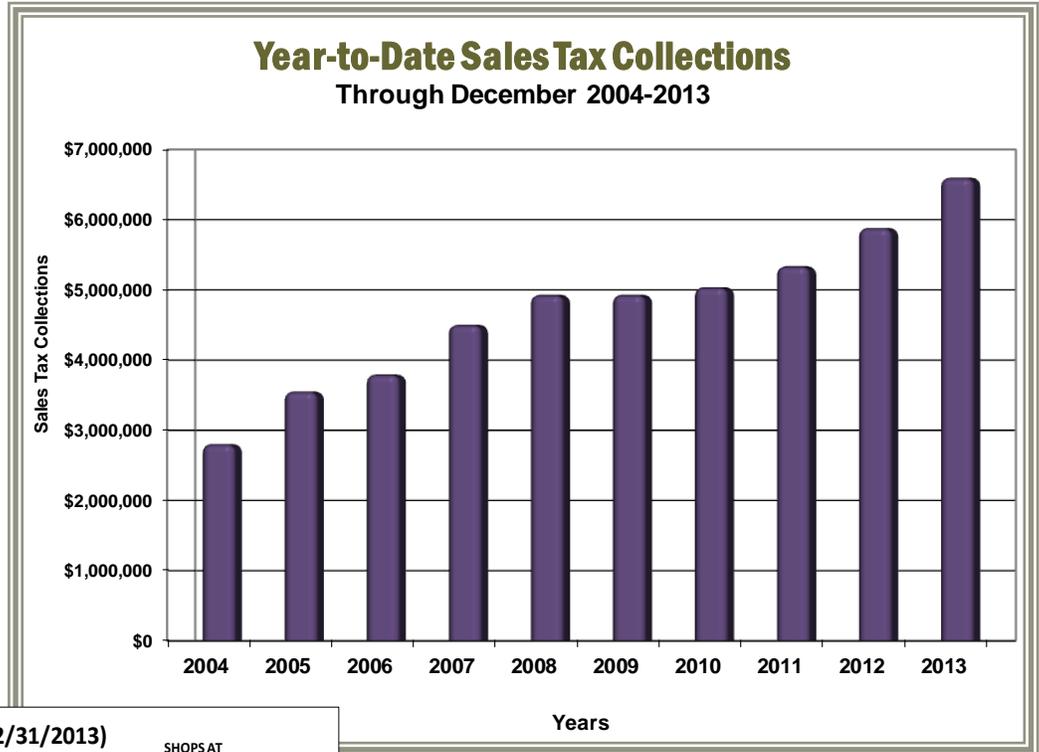
We issued 27 new business licenses in December. At the end of December we had 2,299 active businesses licensed in Windsor. Of those licenses, 1,394 of them were active sales tax licenses.

Looking Forward

We budgeted \$5.5 M in sales tax for 2013, making our average monthly collection requirement \$458,000. We surpassed that mark by \$26,762. We have had only one month this year when we have not reached our monthly budget collection.

We collected \$6.6 million in sales tax for 2013. Budget numbers for 2014 place sales tax collections at \$6 million, which will make our monthly collection requirement \$500,000 for 2014. As shown in the graph above, we had six months of 2013 where we collected less than \$500,000 in a month. We also had four months where we collected considerably more than \$500,000. As shown on the next page, we ended 2012 just short of \$6M in collections. I think that we will reach our budgeted sales tax collections by the end of 2014.

Through December we have collected \$6.6M in sales tax. This is roughly \$720,000 higher than 2012.

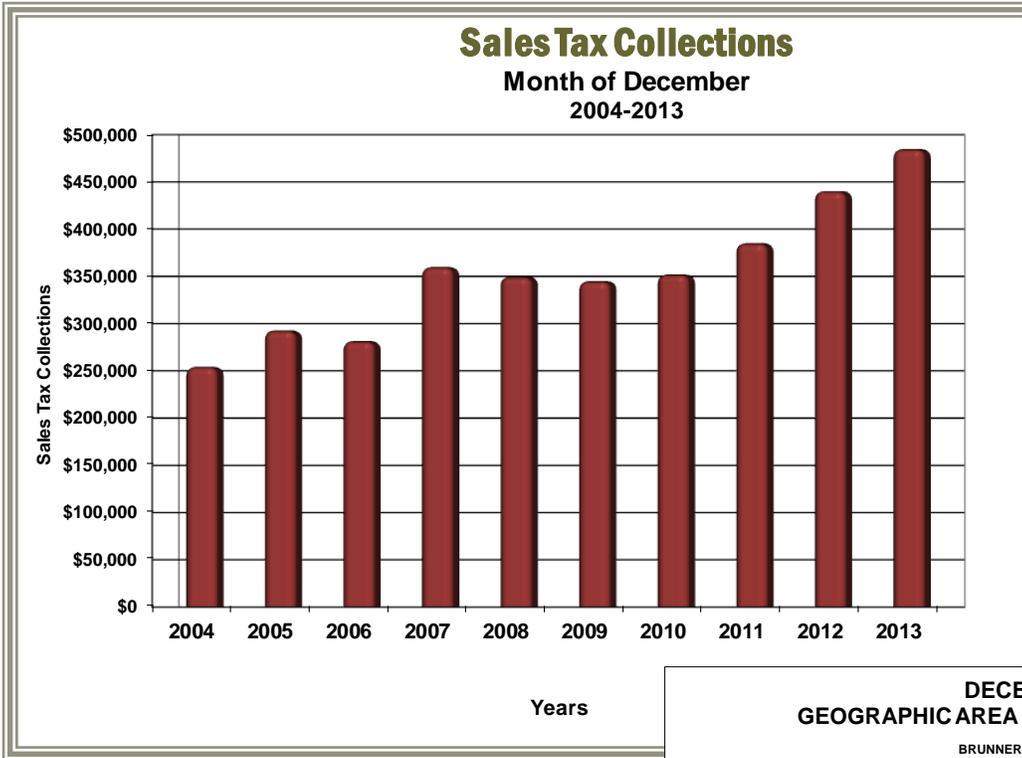


Our sales tax base is still anchored through groceries and utilities.

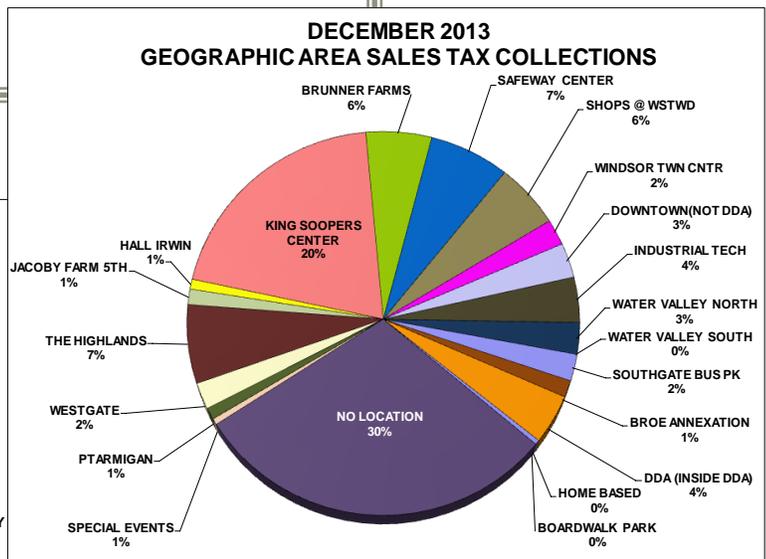
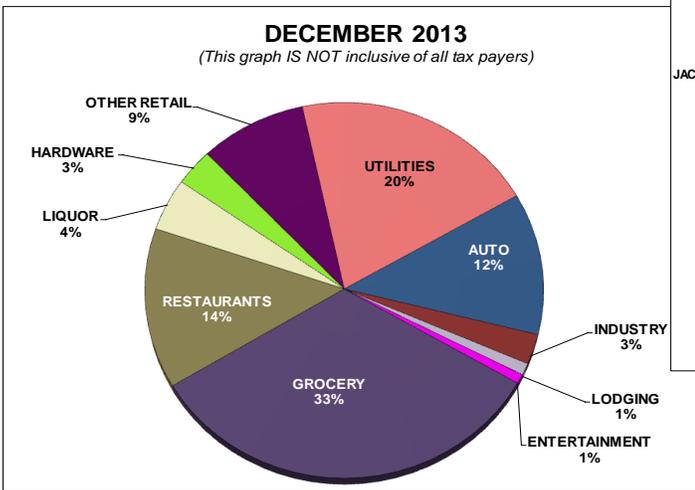
Year-to-Date Sales Tax

Our sales tax base has not changed a great deal over the past decade, with groceries and utilities leading our industry sectors in sales tax collection. Some of this increase can be attributed to an overall increase in prices and cost of living.

- Groceries, restaurants, liquor, general retail and auto parts all increased collections over December 2012.



In December 2013, we have collected \$484,762 in sales tax.



Geographic area chart now shows a breakdown between the DDA and the rest of the Downtown

Monthly Sales Tax

- December 2013 gross collections of \$484,762 were 10.12% higher than December 2012 collections of \$440,219. December 2013 was the highest December gross sales collection on record.
- Our sales tax base is necessity driven, as demonstrated in the pie graph above. Necessities of food, utilities and automobiles comprised 79% of our December collections. This base coupled with increased population and housing continue to drive sales tax collections higher.

All Funds Expense Chart

December 2013

Benchmark =100%

<u>General Government</u>	<u>Current Month</u>	<u>YTD Actual</u>	<u>2013 Budget</u>	<u>% of Budget</u>
General Fund	\$1,005,757	\$12,002,259	\$12,338,917	97%
Special Revenue	\$286,498	\$2,260,188	\$2,753,029	82%
Internal Service	\$154,908	\$2,071,538	\$2,355,908	88%
Other Entities(WBA)	\$12,090	\$145,085	\$145,080	100%
Sub Total Gen Govt Operations	\$1,459,253	\$16,479,070	\$17,592,934	94%
<u>Enterprise Funds</u>				
Water-Operations	\$305,119	\$2,992,510	\$2,700,133	111%
Sewer-Operations	\$77,843	\$1,253,744	\$1,238,601	101%
Drainage-Operations	\$25,507	\$429,436	\$406,995	106%
Non-Potable Operations	\$13,622	\$442,737	\$387,780	114%
Sub Total Enterprise Operations	\$422,091	\$5,118,427	\$4,733,509	108%
Operations Total	\$1,881,344	\$21,597,497	\$22,326,443	97%

plus transfers to CIF and Non-Potable for loan

Operations expenditures in the governmental funds are under budget. The enterprise funds operations are over budget for the year.

<u>General Govt Capital</u>	<u>Current Month</u>	<u>YTD Actual</u>	<u>2013 Budget</u>	<u>% of Budget</u>
Capital Improvement Fund	\$649,507	\$2,978,319	\$5,080,214	59%
<u>Enterprise Fund Capital</u>				
Water	\$80,195	\$165,305	\$2,673,542	6%
Sewer	\$125,067	\$600,235	\$787,250	76%
Drainage	\$17,573	\$42,771	\$856,000	5%
Non-Potable	\$2,054	\$165,276	\$380,700	43%
Sub Total Enterprise Capital	\$224,889	\$973,587	\$4,697,492	21%
Capital Total	\$874,396	\$3,951,906	\$9,777,706	40%
<i>plus transfer to Non-Potable for loan</i>				
Total Budget	\$2,755,740	\$25,549,403	\$32,104,149	80%

All Funds Expenditures

The enterprise funds operating budgets are over budget for the year. The water fund saw unanticipated line repair costs as well as the cost for additional meters for new houses. The sewer fund saw some additional plant repairs. The drainage fund saw an additional mosquito control application as well as engineering costs on the Davis Seepage issue. The non potable fund bore the engineering costs for the Kyger Pit conveyance.

The unspent capital project appropriations will not require us to make additional budget appropriations in these funds, as the total expenditures are under budget.

General Fund Expense Chart

	Department	Current Month	YTD Actual	2013	
				Budget	% of Budget
410	Town Clerk/Customer Service	\$42,692	\$530,637	\$527,426	100.6%
411	Mayor & Board	\$25,812	\$413,446	\$470,308	87.9%
412	Municipal Court	\$2,870	\$17,212	\$19,659	87.6%
413	Town Manager	\$21,251	\$259,889	\$277,826	93.5%
415	Finance	\$46,255	\$575,004	\$579,638	99.2%
416	Human Resources	\$38,557	\$312,849	\$345,699	90.5%
418	Legal Services	\$43,181	\$409,054	\$370,000	110.6%
419	Planning & Zoning	\$39,981	\$801,136	\$809,677	98.9%
420	Economic Development	\$15,759	\$179,846	\$182,527	98.5%
421	Police	\$204,289	\$2,647,805	\$2,685,654	98.6%
428	Recycling	\$15,224	\$43,505	\$41,470	104.9%
429	Streets	\$117,823	\$968,381	\$949,735	102.0%
430	Public Works	\$35,746	\$414,260	\$424,111	97.7%
431	Engineering	\$41,194	\$587,998	\$600,833	97.9%
432	Cemetery	\$13,480	\$107,305	\$112,878	95.1%
433	Community Events	\$3,416	\$88,360	\$106,411	83.0%
450	Forestry	\$37,293	\$285,159	\$309,139	92.2%
451	Recreation Programs	\$112,447	\$1,587,950	\$1,668,558	95.2%
452	Pool/Aquatics	\$9,547	\$185,082	\$189,884	97.5%
454	Parks	\$90,746	\$1,110,654	\$1,178,951	94.2%
455	Safety/Loss Control	\$8,872	\$12,012	\$15,510	77.4%
456	Art & Heritage	\$18,219	\$240,469	\$253,595	94.8%
457	Town Hall	\$21,103	\$224,246	\$219,429	102.2%
Total General Fund Operations		\$1,005,757	\$12,002,259	\$12,338,917	97.3%

General Fund Expenditures

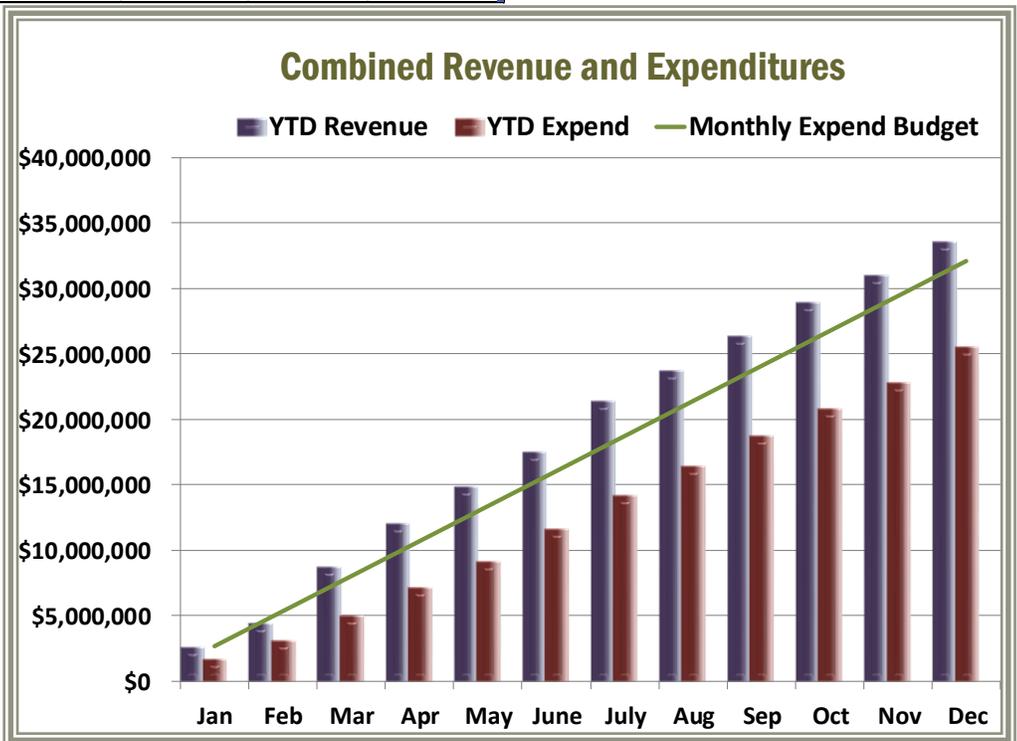
The General Fund represents the bulk of our daily operations budget. Again judging by the twelve month, 100% rule of thumb, expenditures are where they should be after twelve months.

The flow of expenditures evened out as the year progressed. While some functions went slightly over budget, others remained under budget. As a whole, the General Fund stayed under budget for the year. It does not appear we will need a supplemental appropriation for the General Fund.

Revenue and Expenditure Compared to Budget

The chart on the right shows monthly revenue compared to monthly expenditure as well as a trend line showing the total 2013 budget expended equally over twelve months.

December YTD revenue total exceeded expenditures by roughly \$8.0 million. Monthly expenditures spread over 12 months equals \$2,675,346 per month. Our total revenue for December was \$2,552,115.



Our Vision:

WINDSOR'S hometown feel fosters an energetic COMMUNITY SPIRIT AND PRIDE that makes our town a special place in Northern Colorado.

WINDSOR has a VIBRANT DOWNTOWN AND LAKE which is a community focal point and destination.

WINDSOR has a STRONG LOCAL ECONOMY with diverse business sectors that provide jobs and services for residents.

WINDSOR promotes quality development through MANAGED GROWTH.

WINDSOR residents enjoy a friendly community with HOUSING OPPORTUNITIES, CHOICES for LEISURE, CULTURAL ACTIVITIES, and RECREATION, and MOBILITY for all.

WINDSOR is a GOOD ENVIRONMENTAL STEWARD.



2013 Monthly Financial Report

Town of Windsor
301 Walnut Street
Windsor, CO 80550
Phone: 970-674-2400
Fax: 970-674-2456

The Town of WINDSOR strengthens community through the fiscally responsible and equitable delivery of services, support of hometown pride, and encourages resident involvement.

The key categories coming forth from the adopted 2013 Budget are:

COMPLETING STARTED OR PROMISED PROJECTS

STEWARDSHIP OF THE COMMUNITY ASSETS

CONTINUING TO PREPARE FOR THE FUTURE

MAINTAINING A MOTIVATED (PRIDE) EMPLOYEE GROUP

We're on the Web

www.windsorgov.com