

# CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION

---

61 TEOCALLI ROAD, CRESTED BUTTE, CO 81224  
PHONE (970) 349-1162, WEBSITE: [www.cbsouth.net](http://www.cbsouth.net)

---

Wednesday January 10, 2024  
P.O.A. Board Meeting

Board Members present: Andrew Sandstrom, Lindsay Houston, Chelsea Stangl, Sue Schappert, Hannah Lang, Scott Clarkson, Rachael Gardner  
Staff present: Derek Harwell, Tee Pleak, Theresa Henry,  
Community Members Present: Andy Tyzzer, Derrick Nehrenberg, Scout Walton, Carrie Morelan, Brian Morelan, Mary Haskell, Daniel Spivey, Sue Tyzzer, Beth Appleton, and Pamela Maestro.

Andrew called the meeting to order at 6:01 pm.

#### Public Comment:

Andrew Tyzzer commented on the building applications completeness. He comments that Elcho Townhomes and South Butte's submitted applications are not complete. He comments on the POA Managers responsibilities to this matter.

#### Approval of December 13, 2023, BOD Minutes:

Rachael made a motion to approve the December 13, 2023, Board of Directors meeting minutes. Scott seconds the motion.  
All are in favor and the motion carries.

#### Presentation by Met Rec:

The Board welcomed Derrick Nehrenberg and Mary Haskell. Derrick reports on what MetRec has been up to. He discussed the budget and what funds ballot issue 6B should bring to the table. Andrew asked about the timing of the grant cycle. Derek discussed the latest survey. Results show that North Valley and South Valley have similar results. There was a discussion about a Master Plan, and the timing this Master Plan. Andrew asked about the timing of when grant funds would need to be spent. Scott asked about how MetRec ties in with the OVR. Lindsay asked about operations grants.  
The board thanked Derrick for his time.

#### Appeal of DRC approval of 499 Cement Creek:

For the record, Rachael was a voting member of the DRC that approved this project, so she is recused from this discussion and vote.

Derek gave a historical overview of this appeal. Derek explained the appeal process.

The recommendation from staff and Legal Counsel comes from the 2008 BOCC Resolution, page 10, section 111: Exhaustion of Administrative Remedies. This states each person withstanding to initiate an appeal must, as a prerequisite to each appeal, have made an objection or appeal at the preceding review and approval process. No issue may be raised as an appeal unless it has been raised at each preceding review and approval process.

Points B, D & F fall into that category as new information. These do not meet the prerequisite to be included in the appeal.

# CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION

---

61 TEOCALLI ROAD, CRESTED BUTTE, CO 81224  
PHONE (970) 349-1162, WEBSITE: [www.cbsouth.net](http://www.cbsouth.net)

---

Andrew discusses the language in CAMP for the standards of an appeal, this is section 6.3.B.11. He reminds the Board that this is what must be met to overturn a decision made by the DRC.

Andrew takes the Board through points A, C, E, G, H, and I.

The points being appealed include:

- A. Violation of Application Requirements
- B. Violation of Requirement re Notice (Does not meet prerequisite to be included in the appeal)
- C. Violation of CB South Special Area Permit Process
- D. Failure to Correct Application Constitutes Withdrawal (Does not meet prerequisite to be included in the appeal)
- E. Violation of Parking Space Requirements
- F. Violation of Driveway Requirements (Does not meet prerequisite to be included in the appeal)
- G. Violation of Zoning Restrictions for a Multi-Family Building in Filing 2
- H. Violation of Open Space Requirements
- I. Non-compliance re: Regulations re: Architecture
- J. Conflicting Regulations re: Multi-Family Residences

Chelsea and Hannah voice that they do not see any area that the board can overturn a decision of the DRC.

Sue comments that she is interested to hear how this project would impact the Tyzzer's way of life.

Andrew invites public comments:

Susan Tyzzer commented that this project had been going on for four years. She comments that the POA is not following rules. She comments that a triplex would ruin her neighborhood.

Andrew Tyzzer supports what Susan Tyzzer said. He discusses the Covenants and CAMP Documents and where multi-family housing is permitted in CB South. He asks the board to overturn the decision made by the DRC. There was a comment about the fire department's approval of the project.

Chelsea asked about multifamily being allowed outside the Village Center.

Sue asked about the Fire District Approval.

Derek clarifies the CAMP Document, section 9.3:

## 9.3 CB South Special Area

The CB South Special Area shall promote a compact development pattern that discourages sprawl, in which denser and more intense forms of commercial, mixed use and residential development will occur contiguous to or in close proximity to the CB South Village Center only. Multi-Family residential development is encouraged to develop in proximity to the CB South Village Center and is allowed in the First and Second Filing only.

# CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION

---

61 TEOCALLI ROAD, CRESTED BUTTE, CO 81224  
PHONE (970) 349-1162, WEBSITE: [www.cbsouth.net](http://www.cbsouth.net)

---

The Tyzzer's are saying multi-family can only happen in the Commercial Core, and that is a false statement.

Andrew made a motion in respect to the notice of appeal filed by the Tyzzers and others, filed on December 12, 2023, the board has reviewed and considered the notice and issues. With respect to issues B, D, and F, those issues have not been properly reserved for appeal purposes and therefore are not considered for the purpose of the appeal. With regards to the other issues, the board disagreed with the analysis provided by the Tyzzers for the remaining issues. The board finds that appellant has not met the standards of No Credible Evidence to support the original decision by a preponderance of evidence, therefore, we affirm the previous Bard decision on the land use change to multi-family, as well as the DRC's decision approval of the South Butte Project.

Scott Seconds the motion.

Chelea, Lindsay, and Hannah are in favor.

Sue opposes.

The motion carries.

Continue discussion of OVRR and Possible Adoption of Resolution:

There was a discussion about the strategic plan and the importance of a solid plan that is achievable. Chelsea commented that the presentation was well researched, and she is in support of supporting this resolution and she hopes to see achievable goals. Lindsay commented that this would give a good foundation to build off. Andrew asked if the board saw anything that stuck out that the POA would oppose. Sue comments that endorsing this plan would not obligate us to do anything. Chelsea comments on the importance of being included with the Gunnison, CB, and Mt CB. Derek comments on the influence CB South can have on the valley. Derek comments on the challenges of (CB South) not being a municipality and the housing challenges in our community. There was a discussion about adopting OVRR Resolution.

Lindsay made a motion to approve a resolution of the OVRR and adopt a resolution similar to the one of the Town of Crested Butte for CB South.

Chelsea seconds.

All are in favor and the motion carries.

Andrew asked Derek to update the Town's resolution and edit it say CB South.

Manager's Report:

The two special events were both successful. The Frozen Toes Hockey Tournament raised \$1,200 to go toward the rink and Zamboni.

Dues payments are coming in. There will be a percentage report next month.

The flooring in the bus stop and fixing the windows are in process.

Electrical work in the garage and office is currently being repaired.

The blinds in Sunset have been installed.

Alternative primary banking is being explored. We are looking for a local bank that would allow a smooth transition.

# CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION

---

61 TEOCALLI ROAD, CRESTED BUTTE, CO 81224  
PHONE (970) 349-1162, WEBSITE: [www.cbsouth.net](http://www.cbsouth.net)

---

STOR committee meeting for the CB to CB South trail. Andrew and Derek are members of the subcommittee of the STOR Committee.

Next week there will be a meeting with the County, Adagio and the library to move forward with the subdivision of block 6.

Derek will set up a meeting with the STR software company.

Derek reports that people in the community are happy to be here!

## Subcommittee Updates:

Scott reports that the SRT subcommittee will come up with a draft to present at the February board meeting. The Subcommittee will be looking for feedback from the board at that meeting. Depending on what the subcommittee proposes, there would be a covenant vote or policy change. The board intends to be proactive about STR's.

Andrew comments that there will be an end-of-year financial wrap up at the next meeting.

There was a discussion about the Block 6 subdivision. The board will know more after the meeting on Tuesday and Andrew will share an update with the group.

The Parks Subcommittee is trying to navigate grants. Andrew discussed re-upping the subcommittee. They hope to be divided into two groups – grants and events. Lindsay comments that the subcommittee needs more people that are interested in the whole plan rather than people interested in their niche interest. Cheslea voiced that timing is critical to get people interested in the Events Subcommittee.

Derek will draft a letter to go out to the community. This will be discussed at the February board meeting. There was a discussion about getting more events – including Alpenglow and Movies in the Park. Scott will reach out to the Center to see if we can get the last Alpenglow in CB South again. Chelsea mentioned that half our board's terms are potentially up in July.

## Approve February BOD Meeting Date:

The next meeting will be on Tuesday, February 13<sup>th</sup> at 6:00 pm.

## Adjourn Regular Meeting:

Chelsea made a motion to move into executive session at 8:00 pm to discuss matters of staffing.

Scott seconds the motion.

All are in favor and the motion carries.

Andrew made a motion to adjourn executive the session at 8:23

Rachael seconded the motion.

All are in favor and the motion carried.

Andrew made a motion to adjourn the meeting at 8:26

Chelsea seconds the motion.

All are in favor and the motion carries.