



COUNTY COMMISSION STAFF REPORT

PC Hearing Date: August 4, 2026

BOCC Hearing Date: August 12, 2026

Case Planner: Danny Klibaner, AICP, Land Use Planner, Elbert County

Application: **Vail Rezone: RZ-2026-0002**
Request to rezone 35 acres that is currently zoned Agriculture (A) to (AR) Agriculture Residential.

Applicant: Camille Courtney, Courtney and Associates

Subject Property/Owner: Jena Vail and Hubert Aguirre Jr.

Project Summary

The applicant representative, Camille Courtney, filed an application on behalf of the property owners, Jena Vail and Hubert Aguirre Jr., to rezone 35-acres zoned Agriculture (A) to (AR) Agriculture Residential at Parcel No. 6526300137. The purpose of this rezoning is to allow for additional residential lots. Agriculture Residential (AR) zoned properties allow for ten-acre minimum lot sizes with a 100-foot front setback and 50-foot side and rear setback for primary structures. The property is in Meadowbrook Ranches, a community with 35-acre lots that was recorded in 1993.

The site is accessed by Meadowbrook Circle, a privately maintained road that currently serves five lots in the 35-acre Meadowbrook Ranches.

Background & Existing Conditions

The subject property, at 43248 Meadowbrook Circle, Parker, Colorado, is 35-acres, zoned Agriculture (A), and has a residence and three accessory buildings. The property is currently assessed as agricultural by Elbert County's Assessors Office.

Site Characteristics

Site Description: There are small seasonal freshwater emergent and riverine wetlands, and the primary natural features on the property are open grasslands and several trees surrounding the existing residence. The surrounding properties to the north, east, and west are all within Meadowbrook Ranches, are zoned Agriculture (A), and are all generally 35-acres. Adjacent to the south is Parker Hylands Filing Four with Residential Agriculture-1 (RA-1) zoning and lots that are approximately five acres. The closest communities and subdivisions include Meadow Station (RA-1), Parker Hylands (RA-1), Cherry Ridge (RA-2), Carlson Ranch (A), and various 35-acre properties accessed by Ptarmigan Ranch Street.

Floodplain: Not within floodplain.

Wetlands: Freshwater emergent and riverine wetlands cross the property.

Access: The subject property is accessed from Meadowbrook Circle, a privately maintained road that serves five lots in Meadowbrook Ranches.

Timeline of Project

- Pre-Application Meeting – January 7, 2026
- Community Meeting – February 3, 2026
- Application Submittal – March 31, 2026
- 1st Referral Period – April 2, 2026, to April 23, 2026
- 2nd Referral Period (Well Permitting) – Completed June 22, 2026
- Mailed notice sent to surrounding property owners within 1320’ radius – July 21, 2026
- Public notice sign posted at subject property – July 22, 2026
- Newspaper notification published in Elbert County News – July 16, 2026
- Planning Commission Public Hearing – August 4, 2026
- Scheduled Board of County Commissioners Public Hearing – August 12, 2026

Public Notification

The applicant followed the public notification procedure as outlined in Elbert County Zoning Regulations, Article II.E. (Public Notice Requirements for Land Use Applications) which included newspaper notice published to the newspaper of record, mailed notification to surrounding property owners within a 2640’ radius, and a notification sign posted at the subject property, which were completed at least 14 days prior to the Planning Commission Public Hearing.

Community Meeting & Public Comment

At the community meeting, there were nine attendees outside of Elbert County Planning Staff and the property owners. Questions and concerns expressed at the community meeting included Rattlesnake Fire Protection District’s ability to serve additional lots in the area, process questions involving the right to subdivide existing 35-acre lots, access questions, and the minimum lot size required for individual well and septic.

Planning Commission Public Hearing

The Planning Commission voted 8-0 in favor of recommending approval to the Board of County Commissioners with the standard conditions of approval. There was one public comment during the hearing from a neighbor who is opposed to the rezoning. The neighbor stated that he does not want additional development pressures that this rezoning has the potential of creating and wants all lots to remain at 35 acres in Meadowbrook Ranches. There was also one comment submitted prior to the Planning Commission Hearing. That comment was in opposition to the rezone and was added to the agenda packet.

Referral Process

The first referral period occurred from April 2 to April 23, 2026. A second referral period was required for well re-permitting only. Responding agencies include:

- Colorado Geological Survey

- Colorado Division of Water Resources
- CORE Electric
- Elbert County Assessor Office – GIS Analyst
- Elbert County Community & Development Services
- Elbert County Treasurer’s Office
- Elbert County Public Works (Road & Bridge)
- Elbert County Public Health
- Elbert County Sheriff’s Office
- Rattlesnake Fire Protection District
- Elbert County Building Department

The applicant made all requested revisions by the referral agencies. There are no outstanding objections from any internal or external agency.

Considerations for Decision

The following could be taken into consideration for a decision:

- The applicants addressed all concerns from review agencies.
- The surrounding properties are zoned Agricultural (A) and Residential Agriculture-1 (RA-1).
- The subject property is served by a private road.
- Evidence of adequate water provided.
- Development will have individual wells and septic systems.

Findings & Review Criteria

The Elbert County Zoning Regulations determines that all Rezone Applications must follow the review criteria set forward in Article III.C.4. The review criteria are as follows:

(a) Whether the proposed rezoning conforms to and is generally consistent with the goals and policies of the Elbert County Comprehensive Plan.

The proposed rezoning is consistent with the residential development goal of the Elbert County Comprehensive Plan: “Elbert County supports residential development by: encouraging a range of lot sizes and residential densities associated with available roads and infrastructure.” This project allows for ten-acre minimum lot sizes in an area where lots range from five acres to 35 acres. The Community Resources Topic Area of the Comprehensive Plan, policy WS4 states that “new development shall conform to State laws covering domestic water supply and septic systems.” This rezone conforms with both of those policies.

(b) Whether the proposed rezoning is compatible with surrounding land uses.

The proposed Rezone would allow for Agriculture Residential development standards, which restricts minimum lot sizes to ten acres. Surrounding land uses are primarily residential and agricultural with varying lot sizes and community densities. This rezoning could be considered compatible with the larger lot agricultural and smaller lot residential land uses in the immediate vicinity.

(c) Whether the proposed rezoning would adversely impact the provision of public services.

No referral agencies, including the Rattlesnake Fire Protection District, Elbert County Sheriff's Office, or Elbert County Office of Emergency Management, had objections to this application. There are adequate public services to serve this development.

(d) Whether the proposed rezoning would adversely impact the environment.

Building permit review with Public Works and septic review for OWTS with Public Health can identify any site-specific environmental factors upon development of residences on the property. The Division of Water Resources also reviewed the proposed water supply and deemed it adequate.

(e) Whether the proposed rezoning would create unreasonable traffic congestion or burden the existing road system without improvements.

Elbert County Public Works reviewed the application and had no objections. County Public Works Staff did not require a traffic study for this rezoning application which will not require any private road improvements or infrastructure changes.

(f) Whether the proposed rezoning will not otherwise be detrimental to the health, safety or welfare of the present or future inhabitants of Elbert County.

There was no evidence provided during the application review that would raise concerns that this rezone will be detrimental to the health, safety or welfare of the present or future inhabitants of Elbert County.

Potential Conditions of Approval

Should the Board of County Commissioner decide to approve the **Vail Rezone: RZ-2026-0002**, the following conditions of approval may be appropriate.

1. The applicant shall remove signs within one week of the conclusion of all notified meetings, public hearings, or decisions. Signs not removed within one week may be removed by Elbert County, subject to reasonable charges for removal.
2. The Rezone shall not become effective until all fees are paid, conditions of approval are met, and the Rezone Exhibit is recorded.
3. Recordation of all appropriate documentation to occur within 180 days of Board of County Commissioners' approval.