

Date: Tuesday, June 28, 2022
Time: 6:00 PM
Location: Hybrid - In-Person: Lake Estes, 3rd Floor, 200 West Oak Street, Fort Collins or Virtual,
Zoom Link: https://larimer-org.zoom.us/webinar/register/WN_hteGrc4nS3KaDp_mXHOWHQ

BOARD OF ADJUSTMENT MINUTES

The regular meeting of the Larimer County Board of Adjustment was held in the County Board Hearing Room in the Larimer County Courthouse Offices, Fort Collins, Colorado and virtually via Zoom at 6:00 p.m., June 28, 2022, at which time the following business was transacted.

Board Members Present: Justin Smith, Philip San Filippo, Carol Cochrane, Joe Wise and Reba Tipton

Staff Present: Don Threewitt (Planning Manager), Doug May (Staff Liaison), Samantha Mott and Samantha Lasher, (County Planners), and Andrew Lewis, (Assistant County Attorney)

Minutes: Carol Cochrane moved and Joe Wise seconded the Motion to approve the May 24, 2022 Minutes of the Larimer County Board of Adjustment as presented. Board members Justin Smith, Carol Cochrane, Joe Wise and Reba Tipton voted in favor of the Motion. Member Philip San Filippo abstained from voting. The Minutes were unanimously approved.

Findings and Resolutions: Carol Cochrane moved and Reba Tipton seconded the Motion to approve the following Findings and Resolutions: Alexander Setback Variance (File #22-ZONE3217), and JNL Parking, LLC-Series C Setback Variance (File #22-ZONE3208). Board members Justin Smith, Carol Cochrane, Joe Wise and Reba Tipton voted in favor of the Motion. Member Philip San Filippo abstained from voting.

Discussion Applications:

The following application was approved after discussion:

File No: #22-ZONE3192 (Hollerbach Setback Variance)
Owner: David and Kathleen Hollerbach
Applicant: David Hollerbach

Request: The Application of David Hollerbach, requesting a variance was presented to the Board. The Application requested a setback variance to allow a proposed addition to the single-family

residence to be located 54'8" from the centerline of Overland Trail, rather than the required minimum of 100 feet.

Action: The request was removed from the consent agenda for a full proceeding. The Board inquired about the details of the proposed addition and confirmation that the previous combination of the two lots was recorded.

Philip San Filippo moved and Carol Cochrane seconded the Motion to approve the Application with the following conditions:

1. Failure to comply with any conditions of the variance approval may result in reconsideration of the use and possible revocation of the approval by the Board of Adjustment.

2. All future additions or buildings that would be within setbacks as defined in the Land Use Code must go through the proper county review and planning process prior to construction.

3. This approval shall automatically expire in one year unless the applicant takes affirmative action consistent with this approval.

4. The Larimer County Building Department must be provided with a written certification by a Colorado Licensed Land surveyor that the proposed addition is located where shown on the Larimer County approved Plot Plan for this development.

Board members Justin Smith, Philip San Filippo, Carol Cochrane, Joseph Wise and Reba Tipton voted in favor of the Motion. The Application was approved with conditions.

Consent Application:

The following application was approved by consent:

File No: #22-ZONE3229 (Jeter Setback Variance)
Owners/Applicants: Melva and Allen Jeter

Request: The Application of Melva and Allen Jeter, requesting a variance was presented to the Board. The Application requested a setback variance to allow a 16' x 20' gazebo to be located 5 feet from the property line/edge of the right-of-way along Gregory Drive, rather than the required minimum of 25'.

Action: There were no requests from the public, the Board, or Staff to have a full hearing on this request and therefore it remained on the Consent Agenda. Joe Wise moved and Carol Cochrane seconded the Motion to approve the Application with the following conditions:

1. Failure to comply with any conditions of the Variance approval or encroachment of setback in excess of this approval may result in reconsideration of the use and possible revocation of the approval by the Board of Adjustment.

2. All future additions or buildings that would be within setbacks as defined in the Land Use Code must go through the proper county review and planning process prior to construction. This may include additional variance requests for any structures that do not have building permits or inspection approvals.

3. This approval shall automatically expire in one year unless the applicant takes affirmative action consistent with this approval.

4. The Larimer County Building Department must be provided with a written certification by a Colorado Licensed Land surveyor that the existing structure is located where shown on the Larimer County approved Plot Plan for this development.

Board members Justin Smith, Philip San Filippo, Carol Cochrane, Joseph Wise and Reba Tipton voted in favor of the Motion. The Application was approved with conditions.

Other Business:

There was discussion regarding the revision of the Board of Adjustment bylaws. It was stated that the County will be revisiting this issue later in the year and the matter will be tabled to a later date when the County addresses the other Boards as well.

Adjournment: The meeting was adjourned at 6:21 p.m.