

Date: Tuesday, December 27, 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_3jqGtiPsTW2-Dm5Sdi_wGw

BOARD OF ADJUSTMENT ADDENDUM MINUTES

The regular meeting of the Larimer County Board of Adjustment was held in the Lake Estes Conference Room in the Larimer County Courthouse Offices, Fort Collins, Colorado and virtually via Zoom at 6:00 p.m., December 27, 2022, at which time the following business was transacted.

Board Members Present: Lee Taylor, Carol Cochrane, Joe Wise, David Leighton, and Philip San Filippo

Staff Present: Alyssa Martin and Samantha Lasher, (County Planners), Mark Christensen (Ayres Associates, consultant for Larimer County) and Andrew Lewis, (Assistant County Attorney)

Minutes for October meeting: Joe Wise moved, and Lee Taylor seconded the Motion to approve the October 25, 2022, Minutes of the Larimer County Board of Adjustment as presented. Board members Lee Taylor, Joe Wise, David Leighton and Philip San Filippo voted in favor of the Motion. Board member Carol Cochrane abstained from voting since she did not attend the October meeting. The Minutes were unanimously approved.

Minutes for November meeting: Joe Wise moved, and Lee Taylor seconded the Motion to approve the November 22, 2022, Minutes of the Larimer County Board of Adjustment as presented. Board members Lee Taylor, Carol Cochrane, Joe Wise, David Leighton and Philip San Filippo voted in favor of the Motion. The Minutes were unanimously approved.

Findings and Resolutions: Joe Wise moved and Lee Taylor seconded the Motion to approve the following Findings and Resolution: Honstein Setback Variance (#22-ZONE3254) Board members Lee Taylor, Carol Cochrane, Joe Wise, David Leighton and Philip San Filippo voted in favor of the Motion.

Discussion Applications:

The following application was approved after discussion:

File No: #22-ZONE3318 (Raisi-Thoms Setback Variance)
Owner: Elly Raisi and Sally Thoms
Applicant: Elly Raisi

Request: The Application of Elly Raisi, requesting a variance was presented to the Board. The Application requested a setback variance to allow a proposed addition to the existing single-family residence to be 72' from the centerline of the right-of-way of Vine Drive, where a minimum of 110' is required.

Action: The request was removed from the consent agenda for a full proceeding. Planner Alyssa Martin presented the request and clarified that the agenda contained an error; the actual request is for a 72' setback request rather than 74' as stated in the original staff report. There was discussion that the existing residence is nonconforming, however since it was built in the 1930's, it does not need to be brought into conformity.

Joe Wise moved and Lee Taylor 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 Lee Taylor, Carol Cochrane, Joe Wise, David Leighton and Philip San Filippo voted in favor of the Motion. The Application was approved with conditions.

The following application was tabled after discussion:

File No: #22-ZONE3329 (McLain Setback Variance)
Owner/Applicant: Phil McLain

Request: The Application of Phil McLain, requesting a variance was presented to the Board. The Application requested a setback variance to allow a garage addition to be located 3.5 feet from the eastern side property line, where a minimum of 5 feet is required by the O-Open zoning district, and 10 feet from the front property line, where a minimum of 25 feet is required.

Action: The request was removed from the consent agenda for discussion. Planning representative Mark Christensen presented the request. Board member Wise stated that there is a request pending before the Board of County Commissioners to vacate a utility easement on the property and was hesitant to approve the setback variance prior to approval of the easement vacation. There was also discussion concerning whether the HOA had been contacted concerning

any interest they may have in the easement. It was suggested to table the item to the January Board of Adjustment meeting.

Joe Wise moved and Lee Taylor seconded the Motion that the Board table this matter to January 24, 2023 at 6:00 p.m. The request was granted by consensus of the Board members.

Other business:

Board member Wise discussed the procedure used between the staff and the Board in preparation for the hearings and inclusion of the full staff report for Agendas that contain an item that has been previously tabled.

Adjournment: The meeting was adjourned at 6:39 p.m.

(These proceedings were recorded by audio tape.)