



Date: Tuesday, September 26, 2023
Time: 6:00 PM
Location: BOA: Hybrid - In-Person: Hearing Room 1st Floor, 200 West Oak Street, Fort Collins or Virtual, Zoom
Link: https://larimer-org.zoom.us/webinar/register/WN_AHtbqaQ5ReS_L9Y_mw9qBA

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 Administrative Services building, Fort Collins, Colorado and virtually via Zoom at 6:00 p.m., September 26, 2023 at which time the following business was transacted.

Board Members Present: Lee Taylor, David Leighton, Carol Cochrane, Philip San Filippo and Lauren Light

Staff Present: Rebecca Everette (Community Development Director), Jenny Axmacher (Planning Manager), Samantha Lasher (Staff Liaison), Laura Culleton (County Planner), Christina Scrutchins (Community Information Resource Tech) and Andrew Lewis, (Assistant County Attorney)

Minutes: David Leighton moved and Lauren Light seconded the Motion to approve the August 22, 2023 Minutes of the Larimer County Board of Adjustment as presented. Board members David Leighton, Carol Cochrane and Lauren Light voted in favor of the Motion. Members Lee Taylor and Philip San Filippo abstained from voting. The Minutes were approved.

Findings and Resolutions: David Leighton moved and Lauren Light seconded the Motion to approve the following Findings and Resolutions: Bazaldua/Carr Setback Variance (File #23-ZONE3470), Schupanitz Setback Variance (File #23-ZONE3481), and Couture Enterprises Setback Variance (File #23-ZONE3466). Board members David Leighton, Carol Cochrane and Lauren Light voted in favor of the Motion. Members Lee Taylor and Philip San Filippo abstained from voting. The Findings and Resolutions were approved.

Consent Applications:

The following applications were approved by consent:

File No: #23-ZONE3521 (Schultze Setback Variance)
Owner: Sharla Schultze
Applicant: Brian Bruckbauer, Buckhorn Engineering

Request: The Application of Brian Bruckbauer, Buckhorn Engineering, requesting a variance was presented to the Board. The Application requested a setback variance to allow an expansion to an existing deck to be located 40 feet from the centerline of the Big Thompson River rather than the required minimum of 100 feet in the EV A1 – Accommodations zoning district.

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. Lee Taylor moved and Philip San Filippo 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 structures are located where shown on the Larimer County approved Plot Plan for this development.

Board members Lee Taylor, David Leighton, Carol Cochrane, Philip San Filippo and Lauren Light voted in favor of the Motion. The Application was approved with conditions.

File No: #23-ZONE3517 (Corazza Setback Variance)
Owner/Applicant: Emil Corazza

Request: The Application of Emil Corazza, requesting three variances, was presented to the Board. The Application requested a setback variance to allow: i) an existing nonconforming shed built in 1958 to remain in its current location at 0.9 feet from the east property line rather than the required minimum of 5 feet and 1.7 feet from the rear property line rather than the required minimum of 10 feet; ii) an existing permitted garage built in 1997 to remain in its current location at 2.7 feet from the west property line rather than the required minimum of 5 feet; and iii) an existing unpermitted garage addition built in 2008 to remain in its current location at 1.7 feet from the rear property line, rather than the required minimum of 10 feet and 2.1 feet from the west property line, rather than the required minimum of 5 feet in the Single Family Residential zoning district.

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. Lee Taylor moved and Philip San Filippo 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 existing buildings are located where shown on the

Larimer County approved Plot Plan.

5. The required as-built permitting as identified within the code compliance research must be completed after the variance approval. This includes compliance with the fire-safety rating requirements outlined in the Building Department comments.

6. Per Health Comments, if the existing system were to fail or if any unpermitted work is discovered that requires building permitting (such as additional bedrooms), then upgrades/replacement of the septic system would be required as part of the as-built building permit process.

Board members Lee Taylor, David Leighton, Carol Cochrane, Philip San Filippo and Lauren Light voted in favor of the Motion. The Application was approved with conditions.

Other Business:

Lee Taylor moved and Philip San Filippo seconded the motion that Carol Cochrane be appointed chair of the Board of Adjustment. The question was called and members Lee Taylor, David Leighton, Philip San Filippo and Lauren Light voted in favor of the Motion. The motion passed.

Adjournment: The meeting was adjourned at 6:09 p.m.

(These proceedings were recorded by audio tape.)