

Date: Tuesday, October 25, 2022
Time: 6:00 PM
Location: Virtual, Zoom Link: https://larimer-org.zoom.us/webinar/register/WN_5B2HKEgERDqjhq3VwL0gww

BOARD OF ADJUSTMENT 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., August 23, 2022 at which time the following business was transacted.

Board Members Present: Philip San Filippo, Carol Cochrane, Justin Smith, Joe Wise and David Leighton

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

Minutes: Carol Cochrane moved and Philip San Filippo seconded the Motion to approve the July 26, 2022 Minutes of the Larimer County Board of Adjustment as presented. Board members Philip San Filippo, Carol Cochrane, Justin Smith and Joe Wise voted in favor of the Motion. Member David Leighton abstained from voting. The Minutes were unanimously approved.

Findings and Resolutions: Carol Cochrane moved and Philip San Filippo seconded the Motion to approve the following Findings and Resolutions: Hollerbach Setback Variance (#22-ZONE3192), Van-Tornes Setback Variance (#22-ZONE3238), Bjornsen Setback Variance (#22-ZONE3239). Philip San Filippo, Carol Cochrane, Justin Smith and Joe Wise voted in favor of the Motion. Member David Leighton abstained from voting.

Application:

The following application was approved after discussion:

File No: #22-ZONE3221 (Lockard Setback Variance)
Owner: Wes Lockard / KCLK Inc
Applicant: Lonnie Sheldon, Van Horn Engineering

Request: The Application of Lonnie Sheldon with Van Horn Engineering, 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 located 9 feet from the west side lot line, rather than the required minimum of 50 feet in the EV RE1 – Estes Valley Rural Estate zoning district.

Action: The request was removed by Philip San Filippo from the consent agenda for discussion regarding compliance with unpermitted additions in the past. Joe Wise clarified that permit issues are not part of the criteria nor proper for consideration. Property Owner Wes Lockard was present and agreed to the recommendations and conditions set forth in the staff report.

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

Tabled Item:

The appointment of the new Board of Adjustment Chair was tabled at the July 26, 2022 meeting to this month's meeting. Board member Joe Wise proposed tabling the matter again in order to allow new Board member David Leighton to familiarize himself with the Board. Board Chair Justin Smith's term is expiring. He is moving to be an alternate on the Board and therefore a new Chair will need to be appointed.

Former Board member Lee Taylor will be returning to the Board in the next couple of months.

Carol Cochrane moved and Philip San Filippo seconded the motion to appoint Joe Wise to serve as the temporary Chair to the Board for two months. The question was called and members Philip San Filippo, Carol Cochrane, Justin Smith, Joe Wise and David Leighton voted in favor of the Motion. The motion passed.

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