



Date: Tuesday, May 24, 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_9e0mSyV4R_yKLsWxx2sGQ

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 held virtually via Zoom at 6:00 p.m., May 24, 2022, at which time the following business was transacted.

Board Members Present: Lee Taylor, Carol Cochrane, Justin Smith, Joe Wise and Reba Tipton

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

Minutes: Joe Wise moved and Lee Taylor seconded the Motion to approve the March 22, 2022 Minutes of the Larimer County Board of Adjustment as presented. Board members Lee Taylor, Carol Cochrane, Justin Smith, Joe Wise and Reba Tipton 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: Doiron Insurance Trust Height and Setback Variances Extension (#20-ZONE2839). Board members Lee Taylor, Carol Cochrane, Justin Smith, Joe Wise and Reba Tipton voted in favor of the Motion.

Consent Applications:

The following applications were approved by consent:

File No: #22-ZONE3217 (Alexander Setback Variance)
Owner: Amy Alexander
Applicant: Keith Williams

Request: The Application of Keith Williams, requesting setback variances was presented to the Board. The Application requested setback variances to allow: i) an existing single-family dwelling

to remain located 12 feet from the south property line and 17 feet from the west property line, where a minimum of 50 feet is required; ii) a proposed attached garage to be located 44 feet from the east property line and 22 feet from the south property line, where a minimum of 50 feet is required; iii) a proposed addition to be located 29 feet from the west property line, where a minimum of 50 feet is required; and iv) a proposed attached covered porch to be located 18 feet from the west property line, where a minimum of 50 feet is required.

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 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 Division must be provided with a written certification by a Colorado Licensed Land surveyor that the existing and proposed buildings are located where shown on the Larimer County approved Plot Plan for this development.

Board members Lee Taylor, Carol Cochrane, Justin Smith, Joe Wise and Reba Tipton voted in favor of the Motion. The Application was approved with conditions.

Discussion Applications:

The following application was approved after discussion:

File No: #22-ZONE3208 (JNL Parking, LLC-Series C Setback Variance)
Owner: JNL Parking, LLC – Series C
Applicants: Shelley Powers and John Roy

Request: The Application of Shelley Powers and John Roy, requesting variances was presented to the Board. The Application requested a setback variance to allow: i) an existing trash enclosure to remain at its current location at 13'5.25" from the front property line where a minimum of 25' is required and to remain at 43' 5.25" from the original right-of-way centerline where a minimum of 70' is required; ii) a small storage structure remain at 12'1" where a minimum of 15' is required; and iii) large storage structure to remain at 13'2" where a minimum of 15' is required.

Action: The request was removed from the consent agenda for a full proceeding. The Applicants testified that they agree with the conditions proposed. The Board asked a question about proposed condition number 6 and whether the storage structures were affixed to the

surface. The applicant and owner indicated that the structures were anchored to the surface. The applicant and owner agreed to the conditions as specified in the staff report.

Justin Smith 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 Division 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 for this development.
5. The “as-built” permits will be required for the large and small storage structures and the trash enclosure upon approval of this variance.
6. The Engineering Department will require elevation certificates and flood plain permits for the large and small storage structures and trash enclosure upon approval of this variance.

Board members Lee Taylor, Carol Cochrane, Justin Smith, Joe Wise and Reba Tipton voted in favor of the Motion. The Application was approved with conditions.

Other business:

Staff member May asks if any more bylaw changes are requested to be discussed at the June Board of Adjustment meeting. Board member Smith inquires if there was any news on membership to which there was none.

Adjournment: The meeting was adjourned at 6:19 p.m.