

Date: Tuesday, January 26, 2021
Time: 6:00 PM
Location: Virtual Hearing - If you wish to participate please send an email to, beilbykm@larimer.org

BOARD OF ADJUSTMENT MEETING, JANUARY 26, 2021 AGENDA

Call to Order

Approval of Minutes from December 15, 2020 Meeting

Action Items:

Motion: I move the Larimer County Board of Adjustment designate www.Larimer.org as the place for posting notice of public meetings, and if exigent or emergency circumstances prevent the online posting at such location, public notice shall be physically posted at the bulletin boards located at the north and south entrances to the Larimer County Courthouse Offices Building at 200 West Oak, Fort Collins, Colorado, in accordance with Colorado's open meetings laws.

Consent Items

1. Benjes Setback Variance, 20-ZONE2800

Staff Contacts: Alyssa Martin, AICP, Planning, Connor Sheldon, Engineering, Lea Schneider, Health

Request: Request:

1. Setback of 4 feet from the lot line along Shagwa Drive where 25 feet is required for a deck replacement
2. Setback of 12 feet from the lot line along Falling Star Lane where 25 feet is required for the existing non-conforming home
3. Setback of 15 feet from the west lot line where 25 feet is required for the existing non-conforming home.

Location: 161 Falling Star Lane, Red Feather Lakes, CO 80545

Applicants/Owners: David and Denise Benjes, 519 Adams Ave, Louisville, CO 80027

Development Services Team Recommendation: The Development Services Team recommends approval of the Benjes Setback Variance, File #20-ZONE2800, subject to 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. If drainage patterns will be changed, a drainage plan will need to be submitted to the Engineering Department for review and approval.

2. McMurren Setback Variance, 20-ZONE2836

Staff Contacts: Alyssa Martin, AICP, Planning, Connor Sheldon, Engineering, Lea Schneider, Health

Request:

Setback of 12' from the west property line for an addition to an existing building, where 25' is required.

Location: 3201 Thunder Mountain Lane, Estes Park, CO 80517

Applicants/Owners: Curtis and Debra Lanham, 3201 Thunder Mountain Lane, Estes Park, CO 80517

Applicant: Jayson McMurren, Architect, BAS1S Architecture P.C. 1692 Big Thompson Ave Ste 100, Estes Park, CO 80517

Development Services Team Recommendation:

The Development Services Team recommends approval of the McMurren Setback Variance, File #20-ZONE2836, subject to 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. If drainage patterns will be changed, a drainage plan will need to be submitted to the Engineering Department for review and approval.

3. Reed 29 Elk Island Variance, 20-ZONE2829

Staff Contacts: Samantha Mott, AICP, Planning, Devin Traff, Engineering, Lea Schneider, Health

Request: Setback Variance from Sections 4.1.5 and 4.9.2 of the Land Use Code for:

- 1.) An existing home with an attached deck and stairs to be:
 - a.) 15 feet (deck) and 9.5 feet (stairs) from the edge of a road easement instead of the required 25 feet.
 - b.) 2.5 feet from the road easement for Elk Island Way instead of the required 25 feet.
 - c.) 72 feet (deck) and 74.5 feet (stairs) from the centerline of the river instead of the required 100 feet.
- 2.) An existing shed to be 10 feet from the road easement for Elk Island Way instead of the required 25 feet.

Location: 29 Elk Island Way, Drake, Colorado

Applicants/Owners: Daniel Reed, 1220 Hudson Street, Denver, CO 80220, Reed Ranch, LLC

Development Services Team Recommendation:

The Development Services Team recommends approval of the Reed 29 Elk Island Variance, File #20-ZONE2829, subject to the following conditions:

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

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

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

4. Colclazier Variance 20-ZONE2808

Staff Contacts: Tawn Hillenbrand, Planning Department; Connor Sheldon, Engineering Department; Lea Schneider, Health Department

Request: Request to allow an existing deck to be setback 11-feet from the front property line, where 25-feet is required.

Location: 1439 Prospect Mountain Drive, Estes Park, CO

Applicants/Owners: Jerry and Amie Colclazier

Development Services Team Recommendation:

The Development Services Team recommends approval of the Colclazier Setback Variance, File #20-ZONE2808, subject to the following conditions:

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

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

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

5. Mark Sullivan Setback Variance

Staff Contacts: Tracy Hicks, Planning, Steven Rothwell, Engineering, Lea Schneider, Health

Request: Request for a setback variance to allow for the construction of a garage addition to the existing home to be located 6' from the rear property line where 20' is required.

Location: 517 Chestnut Drive Loveland, CO 80538

Applicants/Owners: Mark Sullivan

Development Services Team Recommendation: The Development Services Team recommends approval of the Mark Sullivan Setback Variance, File #20-ZONE2805, subject to 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 building is located where shown on the Larimer County approved Plot Plan for this development.
5. The applicant will need to obtain an "asbuilt" permit through the Building Department for the unpermitted covered patio addition as identified by Code Compliance.

6. Poudre Fire Station #6 Setback Variance File No. 20-ZONE2819

Staff Contacts: Jenn Cram, AICP, Planning, Steven Rothwell, Engineering, Lea Schneider, Health Department

Request: To approve an addition to the existing fire station 100-feet from the right-of-way centerline of Timberline Road, where 110-feet is required and 51-feet from the right-of-way centerline of Donella Court, where 70-feet is required. The proposed setback from the property line adjacent to Donella Court is 17-feet, where 25-feet is required.

Location: 2511 Donella Court, Fort Collins, CO 80524

Applicant: Patti Watkins, Belford Watkins Group LLC

Owner: Poudre Fire Authority, 2511 Donella Court, Fort Collins, CO 80525

Development Services Team Recommendation: The Development Services Team recommends approval of the Poudre Fire Station #6 Setback Variance, File #20-ZONE2819, subject to the conditions outlined on January 26, 2021.

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

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

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.

No parking of vehicles shall be allowed within the right-of-way.

Discussion Items

Approval of Findings and Resolution

1. Reed Setback Variance, #20-ZONE2795 from December 15, 2020
2. Benjes Setback Variance, 20-ZONE2800 from January 26, 2021
3. McMurren Setback Variance, 20-ZONE2836 from January 26, 2021
4. Reed 29 Elk Island Variance, 20-ZONE2829 from January 26, 2021
5. Colclazier Variance 20-ZONE2808 from January 26, 2021
6. Mark Sullivan Setback Variance, 20-ZONE2805 from January 26, 2021
7. Poudre Fire Station #6 Setback Variance File No. 20-ZONE2819 from January 26, 2021

Adjourn

Per the Americans with Disabilities Act (ADA), Larimer County will provide a reasonable accommodation to qualified individuals with a disability who need assistance. Services can be arranged with at least seven (7) business days' notice. Please email us at beilbykm@larimer.org, or call (970) 498-7719 or Relay Colorado 711. "Walk-in" requests for auxiliary aids and services will be honored to the extent possible but may be unavailable if advance notice is not provided.