

Date: Tuesday, August 24, 2021
Time: 6:00 PM
Location: 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_F1xyQ806Q7GhhaGFO9jc1A

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 was held virtually via Zoom at 6:00 p.m., August 24, 2021, at which time the following business was transacted.

Board Members Present: Carol Cochrane, Justin Smith, Denise Jackson and Joseph Wise

Staff Present: Don Threewitt (Planning Manager), Jenn Cram (County Planner), and Bill Ressue, (County Attorney)

Minutes: Carol Cochrane moved, and Denise Jackson seconded the Motion to approve the July 27, 2021, Minutes of the Larimer County Board of Adjustment as presented. Board members Carol Cochrane, Justin Smith, Denise Jackson, and Joseph Wise voted in favor of the Motion. The Minutes were unanimously approved.

Findings and Resolutions: Carol Cochrane moved, and Denise Jackson seconded the Motion to approve the following Findings and Resolutions: Manzanares Setback Variance (#21-ZONE2980), Howard Setback Variance (#21-ZONE2987), Robison Setback Variance (#21-ZONE2976), and Cramer Setback Variance (#21-ZONE3002). Board members Carol Cochrane, Justin Smith, Denise Jackson, and Joseph Wise voted in favor of the Motion.

Consent Applications:

The following applications were approved by consent:

File No: #21-ZONE3022 (Mtn. Mecca Setback Variance)
Owner: Mtn Mecca LLC
Applicant: Eric Jepsen

Request: The Application of Eric Jepsen, requesting five variances was presented to the Board. The Application requested setback variances to allow: 1) an existing residential structure to be located 69 feet from the centerline of the Right of Way of Highway 34, rather than the required

minimum of 100 feet; (2) an existing residential structure to be located 43 feet from the centerline of a waterway, rather than the required minimum of 100 feet; (3) an existing deck to be located 34 feet from the centerline of a waterway, rather than the required minimum of 100 feet; (4) an existing shed to be located 21 feet from the centerline of a waterway, rather than the required minimum of 100 feet; and (5) an existing shed to be located 29 feet from the centerline of a waterway, rather than the required minimum of 100 feet in the RR2 – Rural Residential, CD – Commercial Destination zones

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. Carol Cochrane moved, and Denise Jackson seconded the Motion to approve the Application with the following conditions, including the amended proposed condition 4:

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. This may include additional variance requests for the above-mentioned structures that do not have building permits or inspection approvals.
3. This approval shall automatically expire in one year unless the applicant takes affirmative action consistent with this approval.
4. As part of the As-built building permit process, the Larimer County Building Department must be provided with a written certification by a Colorado Licensed Land surveyor that the existing structures are located where shown on the Larimer County approved Plot Plan for this development.

Board members Carol Cochrane, Justin Smith, Denise Jackson and Joseph Wise voted in favor of the Motion. The Application was approved with conditions.

File No: #21-ZONE3035 (Pyle Setback Variance)

Owner: Kari and Joseph Pyle

Applicant: David Bangs/Trail Ridge Consulting Engineers

Request: The Application of David Bangs with Trail Ridge Consulting Engineers, requesting a variance was presented to the Board. The Application requested a setback variance to reduce the required setback from the centerline of the Right of Way of Highway 34 to 70 feet, rather than the required minimum of 100 feet to allow for the replacement of an existing deck on a single-family home.

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. Carol Cochrane moved, and Denise Jackson 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. This may include additional variance requests for the above-mentioned structures that do not have building permits or inspection approvals.
3. This approval shall automatically expire in one year unless the applicant takes affirmative action consistent with this approval.
4. Prior to further construction, the Larimer County Building Department must be provided with a written certification by a Colorado Licensed Land surveyor that the proposed structure is located where shown on the Larimer County approved Plot Plan for this development.

Board members Carol Cochrane, Justin Smith, Denise Jackson and Joseph Wise voted in favor of the Motion. The Application was approved with conditions.

Other business:

The Board asked that any changes to the staff reports implemented by County staff be brought to the Board's attention in advance of the hearing for an opportunity to provide input. The Board also asked about future meetings being virtual. Staff confirmed that the hearings would be held virtually for the time being.

Adjournment: The meeting was adjourned at 6:16 p.m.

(These proceedings were recorded by audio tape.)