

Date: Tuesday, October 26, 2021

Time: 6:00 PM

Location: Virtual, Zoom link - https://larimer-org.zoom.us/webinar/register/WN_wgv_j2wAStyGAdzcbVUXGA

MINUTES OF THE LARIMER COUNTY BOARD OF ADJUSTMENT

The regular meeting of the Larimer County Board of Adjustment was held virtually via Zoom at 6:00 p.m., October 26, 2021, at which time the following business was transacted.

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

Staff Present: Lesli Ellis (Community Development Director), Don Threewitt (Planning Manager), Jenn Cram (Staff Liaison), Doug May, (County Planner), Christina Scrutchins (Community Information Resource Tech), and Andrew Lewis, (Assistant County Attorney)

Minutes: Justin Smith moved and Lee Taylor seconded the Motion to approve the September 28, 2021 Minutes of the Larimer County Board of Adjustment as presented. Board members Carol Cochrane, Reba Tipton, Lee Taylor, Joseph Wise and Justin Smith voted in favor of the Motion. The Minutes were unanimously approved.

Findings and Resolutions: Justin Smith moved and Lee Taylor seconded the Motion to approve the following Findings and Resolutions: Andreyev Setback Variance (File #21-ZONE3036), Edge is not the Edge, LLC Setback Variance, (File #21-ZONE3084), SKS Realty Setback Variance, (File #21-ZONE3062). Board members Carol Cochrane, Reba Tipton, Lee Taylor, Joseph Wise and Justin Smith voted in favor of the Motion.

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

Discussion Application:

The following application was approved after discussion:

File No: #21-ZONE3101 (Stein Setback Variance)

Owners: James and Nancy Johnson

Applicant: Michael Stein

Request: The Application of Michael Stein, requesting a variance was presented to the Board. The Application requested a setback variance to allow a proposed residence to be located 11 feet from the edge of a roadway easement and 15 feet from the side (west) property line, rather than the required minimum of 25 feet in the EV E1-Estes Valley Estate zoning district.

Action: The request was removed from the consent agenda by Member Joseph Wise for a full proceeding. Jim Johnson and Joe Coop appeared in support of the variances. Donald Eoff appeared virtually in opposition to the variances. Emmy Kathleen Bennett, Ralph Turner and Donald Eoff wrote emails to Planning staff in opposition to the variances.

The Board discussed Chickadee Lane being a private road and the fact that the property has an HOA. There was discussion about the existing utility easement on the property and the addition of a condition to address potential encroachment issues. There was a question of whether the residence would be one or two stories. The Board stated that the lot size and the number of homes in this area, as well as the setback, are not out of character for the neighborhood.

Lee Taylor moved and Justin Smith seconded the Motion to approve the Application with the following conditions:

1. 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.
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 residence is located where shown on the Larimer County approved Plot Plan for this development.
5. No vehicle or equipment shall be stored or parked in front of the garage or in the driveway so that it encroaches into the roadway easement.

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

Adjournment: The meeting was adjourned at 6:50 p.m.