

**MINUTES OF THE LARIMER COUNTY BOARD OF ADJUSTMENT
(March 26, 2019)**

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 at 6:00 p.m., March 26, 2019 at which time the following business was transacted.

Board Members Present: Carol Cochran, Lee Taylor, Joseph Wise, Christine Pardee, and Jeffrey Schneider

Staff Present: Lesli Ellis, Community Development Director, Carol Kuhn, Principal Planner, Rebecca Westerfield, County Planner, and William G. Ressue, Deputy County Attorney

Minutes: Christine Pardee moved and Lee Taylor seconded the Motion to approve the February 26, 2019 Minutes of the Larimer County Board of Adjustment as presented. Board members Carol Cochran, Lee Taylor, Joseph Wise, Christine Pardee, and Jeffrey Schneider voted in favor of the Motion. The Minutes were unanimously approved.

Findings and Resolutions: Carol Cochran moved and Jeffrey Schneider seconded the Motion to approve the following Findings and Resolution: Hafnor Setback Variance (#19-ZONE2488). Board members Carol Cochran, Lee Taylor, Joseph Wise, Christine Pardee, and Jeffrey Schneider voted in favor of the Motion.

Consent Applications:

The following applications were approved by consent:

File No: #19-ZONE2497 (Coalwell Setback Variance)
Owners/Applicants: Gilbert S. and Lisa M. Coalwell

Request: The Application of Gilbert and Lisa Coalwell, requesting two setback variances was presented to the Board. The Application requested two setback variances to allow i) an existing school house from 1910 to be moved to 15 feet from the front property line rather than the required minimum of 25 feet and to be located 45 feet from the right-of-way center line of W. County Road 18E rather than the required minimum of 70 feet in the O-Open zone and ii) a proposed garage/shop to be located 15 feet from the front property line rather than the required minimum of 25 feet and to be located 45 feet from the right-of-way center line of W. County Road 18E rather than the required minimum of 70 feet in the O-Open zone.

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. Lee Taylor moved and Christine Pardee seconded the Motion to approve the Application to allow a proposed garage/shop and an existing school house from 1910 to be moved to 15 feet from the front property line rather than

the required minimum of 25 feet and to be located 45 feet from the right-of-way center line of W. County Road 18E rather than the required minimum of 70 feet in the O-Open zone 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 Department.
5. The existing school house can NOT be used as an Accessory Living Area unless the applicants go through the proper development review process for approval of an Accessory Living Area.

Board members Carol Cochrane, Lee Taylor, Joseph Wise, Christine Pardee, and Jeffrey Schneider voted in favor of the Motion. The Application was approved with conditions.

File No: #19-ZONE2496 (Laws Setback Variance)
Owners: Byron Laws
Applicants: Matt Scherer / GraySlone Solar

Request: The Application of Matt Scherer with GraySlone Solar, requesting a variance was presented to the Board. The Application requested a setback variance to allow two proposed personal solar arrays. One array is proposed to be located 15.4 feet at its closest point to the center of Manhattan Creek and a second array is proposed to be located 22.4 feet at its closest point to the center of Manhattan Creek rather than the required minimum of 100 feet from center of a waterway in the O-Open zone.

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. Lee Taylor moved and Christine Pardee 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.

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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 Department.

5. Within two years of the date of the letter that the property owner provided dated December 26, 2018, the applicant will have an issued building permit for the primary dwelling on the subject lot.

6. Use of the RV is limited to 180 days and shall not be used as a permanent residence.

Board members Carol Cochrane, Lee Taylor, Joseph Wise, Christine Pardee, and Jeffrey Schneider voted in favor of the Motion. The Application was approved with conditions.

Adjournment: The meeting was adjourned at 6:09 p.m.

(These proceedings were recorded by audio tape.)

LARIMER COUNTY BOARD OF ADJUSTMENT

By: _____

Chair

ATTEST:

