

**MINUTES OF THE LARIMER COUNTY BOARD OF ADJUSTMENT  
(April 23, 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., April 23, 2019 at which time the following business was transacted.

Board Members Present: Lee Taylor, Carole Cochrane, Joseph Wise and Jeffrey Schneider

Staff Present: Rebecca Westerfield, Jenn Cram, County Planners, Carol Kuhn, Principal Planner and William G. Ressue, Deputy County Attorney

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

Findings and Resolutions: Jeffrey Schneider moved and Lee Taylor seconded the Motion to approve the following Findings and Resolutions: Coalwell Setback Variance (#19-ZONE2497) and Laws Setback Variance (#19-ZONE2496). Board members Lee Taylor, Carole Cochrane, Joseph Wise and Jeffrey Schneider voted in favor of the Motion.

**Consent Applications:**

The following applications were approved by consent:

File No: #19-ZONE2500 (Larimer County Forks Park Setback Variance #2)  
Owner: Meegan Flenniken on behalf of Larimer County  
Applicant: Clint Jones – Engineering Department

Request: The Application of Clint Jones from the Larimer County Engineering Department, requesting a variance was presented to the Board. The Application requested a setback variance to allow a vaulted toilet to be located 34 feet, 0.5 inches from the right-of-way center line of West Highway 34 rather than the required minimum of 100 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. Jeffrey Schneider moved and Carol Cochrane 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 one year from the date of this Resolution unless prior to expiration the Applicant (a) takes affirmative action consistent with this approval, OR (b) submits a written request showing good cause to extend the one year time limit.

4. The Larimer County Building Department must be provided with a written certification by a Colorado Licensed Land Surveyor that the structures are located where shown on the Larimer County approved Plot Plan for this development.

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

File No: #19-ZONE2502 (Hain Setback Variance)  
Owner: Cynthia Hain  
Applicant: Josh Mooradian

Request: The Application of Josh Mooradian, requesting a variance was presented to the Board. The Application requested a setback variance to allow an existing residence built in 1984 to be located 21.9 feet from the property line (street/road), rather than the required minimum of 25 feet in the O-Open zone.

Action: Jeffrey Schneider moved and Carol Cochrane 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 one year from the date of this Resolution unless prior to expiration the Applicant (a) takes affirmative action consistent with this approval, OR (b) submits a written request showing good cause to extend the one year time limit.

4. The Larimer County Building Department must be provided with a written certification by a Colorado Licensed Land Surveyor that the structures are located where shown on the Larimer County approved Plot Plan for this development.

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

File No: #19-ZONE2510 (Applegate Setback Variance)  
Owners/Applicants: Mike and Leslie Applegate

Request: The Application Mike and Leslie Applegate, requesting a variance was presented to the Board. The Application requested a setback variance to allow a proposed residence to be located 21 feet from the centerline of a waterway/drainage, rather than the required minimum of 100 feet in the O-Open zone.

Action: Jeffrey Schneider moved and Carol Cochrane seconded the Motion to approve the Application with the following conditions:

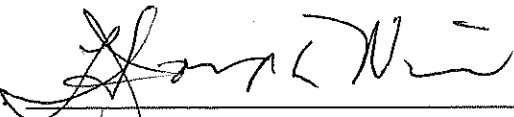
1. Failure to comply with any conditions of the variance approval may result in reconsideration of the use and possible revocation of the approval by the Board of Adjustment.
2. All future additions or buildings that would be within setbacks as defined in the Land Use Code must go through the proper county review and planning process prior to construction.
3. This approval shall automatically expire one year from the date of this Resolution unless prior to expiration the applicant (a) takes affirmative action consistent with this approval, OR (b) submits a written request showing good cause to extend the one-year time limit.
4. Prior to receiving a building permit the applicant shall provide and receive approval from Engineering for the requested drainage calculations and evidence that the lowest opening is set above the 100-year flood limits for the area.
5. The Larimer County Building Department must be provided with a written certification by a Colorado Licensed Land Surveyor that the structures are located where shown on the Larimer County approved Plot Plan for this development.

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

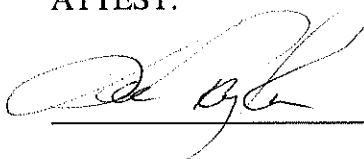
Adjournment: The meeting was adjourned at 6:05 p.m.

(These proceedings were recorded by audio tape.)

LARIMER COUNTY BOARD OF ADJUSTMENT

By   
Chair

ATTEST:

  
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