



Land Use

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

**BOULDER COUNTY
BOARD OF ADJUSTMENT
AGENDA**

**October 5, 2016
Afternoon Session - 4:00 P.M.**

**Hearing Room, Third Floor,
Boulder County Courthouse**

PUBLIC HEARING

AFTERNOON SESSION -- 4:00 PM

- I. CALL TO ORDER
- II. APPROVAL OF MEETING SUMMARY
Meeting Summary for **May 4, 2016**.
- III. PUBLIC HEARING

Docket AP-16-0002: Mesa Trail Ranch LLC's Appeal of Director's Determination

Request: Appeal of the Director's determination that the Applicant's site plan review application, SPR-15-0012, was not deemed approved pursuant to the provisions of Article 4-805 of the Land Use Code

Applicant: Mesa Trail Ranch LLC

Agent: Lew M. Harstead, Johnson & Repucci LLP
(Staff Planner: Dale Case, Land Use Director)

Webpage: <http://www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=1368>

- IV. OTHER BUSINESS/ADJOURNMENT

Detailed information regarding these items, including maps and legal descriptions, is available for public examination on the Boulder County Land Use website at <http://www.bouldercounty.org/lu> or at our office located at 2045 13th Street, Boulder, Colorado 303-441-3930.

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PUBLIC HEARING BOULDER COUNTY, COLORADO BOARD OF ADJUSTMENT

DATE: October 5, 2016
TIME: 4:00 P.M.
PLACE: Hearing Room, Third Floor,
Boulder County Courthouse

Notice is hereby given that a public hearing will be held by the Boulder County Board of Adjustment at the time and place specified above. All persons interested in the following item(s) are requested to attend such hearing and aid the Board members in their consideration.

Docket AP-16-0002: Mesa Trail Ranch LLC's Appeal of Director's Determination

Appeal of the Director's determination that the Applicant's site plan review application, SPR-15-0012, was not deemed approved pursuant to the provisions of Article 4-805 of the Land Use Code; by Mesa Trail Ranch LLC and Lew M. Harstead, Johnson & Repucci LLP; in accordance with the Boulder County Land Use Code.

Detailed information regarding this item, including maps and legal descriptions, is available for public examination at the Boulder County Land Use Department, 13th and Spruce, Boulder, Colorado (303-441-3930).

Free Parking in the City of Boulder CAGID lots is available for Board of Adjustment hearing participants. See the staff at the hearing for city parking vouchers. Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

Published: September 21, 2016 – Daily Times-Call

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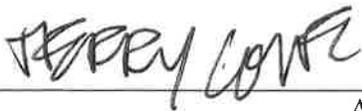
AFFIDAVIT OF PUBLICATION

TIMES-CALL

State of Colorado
County of Boulder

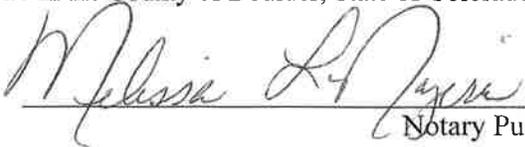
I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **September 21, 2016**.



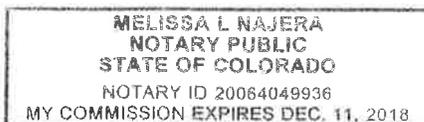
Agent

Subscribed and sworn to before me this 21st day of **September, 2016** in the County of Boulder, State of Colorado.



Notary Public

ACCOUNT # 220246
AD # 5680091
FEE \$18.82



PUBLIC HEARING BOULDER COUNTY, COLORADO BOARD OF ADJUSTMENT

DATE: October 5, 2016
TIME: 4:00 P.M.
PLACE: Hearing Room, Third Floor,
Boulder County Courthouse

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Published Longmont Times-Call September 21, 2016 - 5680091



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**BOULDER COUNTY BOARD OF ADJUSTMENT
MEETING SUMMARY
for
October 5, 2016

AFTERNOON SESSION – 4:00 PM
Hearing Room, Third Floor,
County Courthouse, Boulder
*{Approved July 12, 2017}***

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PUBLIC HEARING

AFTERNOON SESSION – 4:00 PM

On Wednesday, October 5, 2016 the Boulder County Board of Adjustment held a regular afternoon session, convening at 4:00 p.m. and adjourning at 7:10 p.m., in the Hearing Room, Third Floor, County Courthouse, Boulder.

- Members Present: James Greer (Acting Chair), Ben Harding, Kari Stoltzfus, and Pat Shanks, Doug Young (Planning Commission members acting on the BOA)
- Members Recused: Scott Rudge
- Staff Present: Larry Hoyt (counsel to BOA), Trina Ruhland, Dale Case, Kimberly Sanchez, Anna Milner
- Interested Others: 3

NOMINATION OF OFFICERS

- 20 **MOTION: Ben Harding NOMINATED James Greer as Chair for the Board of Adjustment for 2016.**
- 22 **SECOND: Kari Stoltzfus**
- 24 **VOTE: Motion PASSED Unanimously {3 to 0}**
- 26 **MOTION: James Greer NOMINATED Kari Stoltzfus for the Vice-Chair for the Board of Adjustment for 2016.**
- 28 **SECOND: Ben Harding**
- 30 **VOTE: Motion PASSED Unanimously {3 to 0}**
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APPROVAL OF THE MEETING SUMMARY

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MOTION: Kari Stoltzfus **MOVED** that the Board of Adjustment **APPROVE** the Meeting Summary for May 4, 2016 as written.

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SECOND: James Greer

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VOTE: Motion **PASSED** {3 to 0}

Docket AP-16-0002: Mesa Trail Ranch LLC's Appeal of Director's Determination

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Dale Case, Land Use Director, presented the Mesa Trail Ranch LLC, Appeal of Director's determination that the 28-day period under 4-805 of The Land Use Code had not lapsed and as a result the application as submitted is not considered approved.

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STAFF PRESENTATION

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APPELLANT PRESENTATION

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Lew M. Harstead, Johnson & Repucci, LLC, 2521 Broadway, admits packet for review by the Board of Adjustment.

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MOTION: Ben Harding **MOVED** to admit documentation presented by Lew M. Harstead into consideration.

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SECOND: Kari Stoltzfus

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VOTE: Motion **PASSED** {4 to 1}

PUBLIC HEARING OPENED

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SPEAKERS: Robert Fauver - 4409 Prado Drive; Kim Hedberg - 4578 Prado Drive; Dennis Sanders - 4247 Prado Drive

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PUBLIC HEARING CLOSED

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MOTION: Ben Harding **MOVED** that in the matter of Docket AP-16-0002: Mesa Trail Ranch LLC's Appeal of Director's Determination the Boulder County Board of Adjustment **UPHOLD** the Land Use Director's determination and **DENY** the appeal.

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SECOND: Pat Shanks

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VOTE: Motion **PASSED** {4 to 1}

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ADJOURNED

82 *Detailed information regarding these items, including maps and legal descriptions, is available for public*
84 *examination at the Boulder County Land Use Department, 13th and Spruce, Boulder, Colorado 303-441- 3930.*

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