



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**

**July 12, 2017
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 **June 7, 2017** and Meeting Summary for **October 5, 2016**
(corrected vote).

III. PUBLIC HEARING

Docket VAR-17-0004: North Variance

Request: Request for a variance for a 10-foot 3-inch front yard setback where 35-foot is required and a 3-foot 9-inch side yard setback where ten feet is required in the Estate Residential zoning district for a 225-square-foot addition to an existing structure.

Location: At 46 Barber Lane, Lots 3-4 Blk 3 Moffat Lakes Barbers, approximately 283 feet east of the intersection of Barber Lane and Artesian Drive, in Section 30, Township 1S, Range 70W.

Zoning: Estate Residential (ER) Zoning District

Applicant/Property Owner: James (Alex) North
(Staff Planner: Michelle McNamara, Planner II)

Docket Webpage: <http://landuse.boco.solutions/boco.lu.docketlistings/app/detail.html?docket=VAR-17-0004>

Docket VAR-17-0002: KING Variance

Request: Request for a variance to allow for the location of a garage up to 6 inches from both the eastern and western property lines where 7 feet is required.

Location: At 618 Apple Valley Road, in Section 13, Township 3N, Range 71W.

Zoning: Rural Residential (RR) Zoning District

Applicants/Property Owners: John and Sally King
(Staff Planner: Christian Martin, Planner II)

Docket Webpage: <http://landuse.boco.solutions/boco.lu.docketlistings/app/detail.html?docket=VAR-17-0002>

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: July 12, 2017
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 VAR-17-0004: North Variance

Request for a variance for a 10-foot 3-inch front yard setback where 35-feet is required and a 3-foot 9-inch side yard setback where ten feet is required in the Estate Residential zoning district for a 225 square foot addition to an existing structure, by James (Alex) North; in accordance with the Boulder County Land Use Code. The proposed project is located Estate Residential (ER) Zoning District, at 46 Barber Lane, Lots 3-4 Blk 3 Moffat Lakes Barbers, approximately 283 feet east of the intersection of Barber Lane and Artesian Drive, in Section 30, Township 1S, Range 70W.

Docket VAR-17-0002: KING Variance

Request for a variance to allow for the location of a garage up to 6 inches from both the eastern and western property lines where 7 feet is required, by John and Sally King; in accordance with the Boulder County Land Use Code. The proposed project is located in the Rural Residential (RR) Zoning District, at 618 Apple Valley Road, in Section 13, Township 3N, Range 71W.

Detailed information regarding this item, including maps and legal descriptions, is available for public examination at the Boulder County Land Use Department, 2045 13th Street, 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: June 28, 2017 – Daily Times-Call

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PUBLIC HEARING
BOULDER COUNTY, COLORADO
BOARD OF ADJUSTMENT

DATE: July 12, 2017
TIME: 4:00 P.M.
PLACE: Hearing Room, Third Floor,
Boulder County Courthouse

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Published: Longmont Times-Call June 28, 2017 - 1327562

Prairie Mountain Media, LLC

PUBLISHER'S AFFIDAVIT

County of Boulder
State of Colorado

The undersigned, Elizabeth Maes, being first duly sworn under oath, states and affirms as follows:

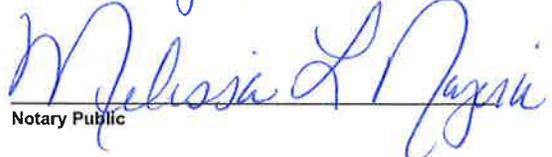
1. He/she is the legal Advertising Reviewer of Prairie Mountain Media LLC, publisher of the *Longmont Times Call*.
2. The *Longmont Times Call* is a newspaper of general circulation that has been published continuously and without interruption for at least fifty-two weeks in Boulder County and meets the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in the *Longmont Times Call* in Boulder County on the following date(s):

Jun 28, 2017



Signature

Subscribed and sworn to me before me this
30th day of June, 2017



Notary Public

MELISSA L. NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20064048936
MY COMMISSION EXPIRES DEC. 11, 2018

(SEAL)

Account: 1050753
Ad Number: 1327562
Fee: \$41.18



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**BOULDER COUNTY BOARD OF ADJUSTMENT
MEETING SUMMARY**

**for
July 12, 2017**

**AFTERNOON SESSION – 4:00 PM
Hearing Room, Third Floor,
County Courthouse, Boulder
{Approved September 6, 2017}**

PUBLIC HEARING

AFTERNOON SESSION – 4:00 PM

On Wednesday, July 12, 2017 the Boulder County Board of Adjustment held a regular afternoon session, convening at 4:01 p.m. and adjourning at 5:39 p.m., in the Hearing Room, Third Floor, County Courthouse, Boulder.

Members Present: Kari Stoltzfus (Vice-Chair), Eric Moutz, Scott Rudge, Lieschen Gargano (Planning Commission member acting on the BOA), and Sam Fitch (Planning Commission member acting on the BOA)

Members Excused: Janell Flaig and James Greer (Acting Chair)

Staff Present: Hillary Graham (counsel to BOA), Michelle McNamara, Summer Frederick, Dale Case, Kimberly Sanchez, Anna Milner

Interested Others: 10 - 15

APPROVAL OF THE MEETING SUMMARY

MOTION: Scott Rudge MOVED that the Board of Adjustment APPROVE the Meeting Summary for June 7, 2017 as written.

SECOND: Kari Stoltzfus

VOTE: Motion PASSED {3 to 0} Abstained: Lieschen Gargano and Sam Fitch

MOTION: Sam Fitch MOVED that the Board of Adjustment APPROVE the Meeting Summary for October 5, 2016 as written.

SECOND: Kari Stoltzfus

VOTE: Motion PASSED {5 to 0}

34

Docket VAR-17-0004: North Variance

36 Michelle McNamara, Planner II, presented the application for James (Alex) North, request for a
37 variance for a 10-foot 3-inch front yard setback where 35-feet is required and a 3-foot 9-inch side
38 yard setback where ten feet is required in the Estate Residential zoning district for a 225-square-foot
39 addition to an existing structure. The proposed project is located in the Estate Residential (ER)
40 Zoning District, at 46 Barber Lane, Lots 3-4 Blk 3 Moffat Lakes Barbers, approximately 283 feet east
41 of the intersection of Barber Lane and Artesian Drive, in Section 30, Township 1S, Range 70W.

42

STAFF PRESENTATION

44

PUBLIC HEARING OPENED

46

SPEAKERS: James (Alex) North (Applicant) – 46 Barber Lane

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PUBLIC HEARING CLOSED

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MOTION: Sam Fitch MOVED that the Boulder County Board of Adjustment
51 **CONDITIONALLY APPROVE the variance requested in Docket VAR-**
52 **17-0004: North Variance, subject to the following three (3) conditions:**

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CONDITIONS OF APPROVAL:

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1. The variance is approved only to allow the enclosure of an existing 225-square-foot
57 covered area on the north side of the accessory structure that encroaches into the 10-foot
58 front yard setback and 35-foot front yard setback as described in BP-17-0877.

60

2. An affidavit shall be signed to ensure that this accessory structure will always conform
61 with the provisions of the Land Use Code.

62

3. County Building Safety and Inspection Services Team requirements dated May 12, 2017
63 and Wildfire Mitigation requirements must be incorporated into the building permit
64 plans.

66

SECOND: Eric Moutz

68

VOTE: Motion PASSED {4 to 0} Abstained: Scott Rudge

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Docket VAR-17-0002: King Variance

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Christian Martin, Planner II, presented the application for John and Sally King, request for a variance
75 to allow for the location of an accessory structure up to 6 inches from both the eastern and western
76 property lines where 7 feet is required. The proposed project is located in the Rural Residential (RR)
77 Zoning District, at 618 Apple Valley Road, approximately 0.63 miles from the junction of Apple
78 Valley Road and US 36, in Section 13, T3N, Range 71W.

80

STAFF PRESENTATION

82

PUBLIC HEARING OPENED

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SPEAKERS: John and Sally King (Applicants) – 618 Apple Valley Road; Amy Allen Harker - 754 Apple Valley Road; Darvin Ayre – 806 Maxwell Avenue; Sam Talent – Lyons, CO; Michelle Leonard - 338 Park Street

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PUBLIC HEARING CLOSED

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MOTION: Scott Rudge **MOVED** that the Boulder County Board of Adjustment **CONDITIONALLY APPROVE** the variance requested in **Docket VAR-17-0002: King Variance**, subject to the following two (2) conditions as listed:

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CONDITIONS OF APPROVAL:

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1. Before either a building permit application or floodplain development permit application is submitted, the following must be provided to the Land Use Department for review and approval:

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a. A final site plan showing the location of the accessory structure outside the floodway and south of the proposed overflow channel that is part of the proposed North St. Vrain Creek restoration project (unless the overflow channel is removed from the project); moving the proposed accessory structure approximately 50 feet further south should achieve both purposes.

b. Evidence that US Fish and Wildlife Service have no concerns or conflicts with regard to the location of the proposed accessory structure.

c. The method of retaining access around the accessory structure from Apple Valley Road to the pedestrian bridge over North St. Vrain Creek.

d. Approval from any neighboring property owner over whose property access will be needed to construct the proposed accessory structure.

2. The plans submitted for building permit shall meet the provisions of the Building Code.

118

SECOND: Lieschen Gargano

120

VOTE: Motion PASSED {5 to 0}

ADJOURNED

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Detailed information regarding these items, 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.

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