



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**

**March 7, 2018
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. NOMINATION OF OFFICERS
- III. APPROVAL OF MEETING SUMMARY
Meeting Summary for **February 7, 2018.**
- IV. PUBLIC HEARING

Docket AP-17-0002: Young (tabled from Feb. 7, 2018)

Request: Appeal of the Land Use Director's determination that the property at 7464 Arapahoe Road is nonconforming because there is more than one principal use on the property.

Location: At 7464 Arapahoe Road, in Section 36, Township 1N, Range 70W.

Zoning: Business (B) and Rural Residential (RR) Zoning Districts

Applicant/Property Owner: 7464 Arapahoe Ave LLC
(Staff Planner: Dale Case)

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

Request for Rehearing of Docket VAR-17-0010: Randall

Docket VAR-17-0010: Randall *(if the Board approves the above request for rehearing)*

Request: Request for a 1-foot front setback where the required Forestry zoning district front setback is 15 feet to construct retaining structures and approximately 423 square feet of additional residential floor area.

Location: At 141 Millionaire Drive, Lot 13A Sugarloaf Acres Replat A, approximately 700 feet from the junction of Millionaire Drive and Sugarloaf Road, in Section 29, Township 1N, Range 71W.

Zoning: Forestry (F) Zoning District

Applicant: Charles Randall

Property Owner: Sun Dog Partners LLC

(Staff Planner: Summer Frederick)

Webpage: <http://landuse.boco.solutions/boco.lu.docketlistings/app/detail.html?docket=VAR-17-0010>

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: March 7, 2018
TIME: 4:00 P.M.
PLACE: Hearing Room, Third Floor,
Boulder County Courthouse, 1325 Pearl St., Boulder, CO

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-17-0002: Young (tabled from Feb. 7, 2018)

Appeal of the Land Use Director's determination that the property at 7464 Arapahoe Road is nonconforming because there is more than one principal use on the property, submitted by 7464 Arapahoe Ave LLC; in accordance with the Boulder County Land Use Code. The proposed project is in the Business (B) and Rural Residential (RR) Zoning Districts, at 7464 Arapahoe Road, in Section 36, Township 1N, Range 70W.

Request for Rehearing of Docket VAR-17-0010: Randall

Docket VAR-17-0010: Randall *(if the Board approves the above request for rehearing)*

Request for a 1-foot front setback where the required Forestry (F) Zoning District front setback is 15 feet to construct retaining structures and approximately 423 square feet of additional residential floor area, submitted by Sun Dog Partners LLC, in accordance with the Boulder County Land Use Code. The proposed project is in the Forestry (F) Zoning District, at 141 Millionaire Drive, Lot 13A Sugarloaf Acres Replat A, approximately 700 feet from the junction of Millionaire Drive and Sugarloaf Road, in Section 29, Township 1N, 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: February 21, 2018 – Daily Times-Call

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PUBLIC HEARING
BOULDER COUNTY, COLORADO
BOARD OF ADJUSTMENT

DATE: March 7, 2018
TIME: 4:00 P.M.
PLACE: Hearing Room, Third Floor,
Boulder County Courthouse, 1325
Pearl St., Boulder, CO

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Docket AP-17-0002: Young (tabled from Feb. 7, 2018)

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Docket VAR-17-0010: Randall (if the Board approves the above request for rehearing)

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Published: Longmont Times-Call February 21, 2018 -

Prairie Mountain Media, LLC

PUBLISHER'S AFFIDAVIT

County of Boulder
State of Colorado

The undersigned, Terry Love, 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):

Feb 21, 2018

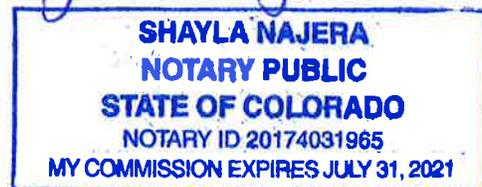
Signature

Subscribed and sworn to me before me this

21st day of February, 2018.

Notary Public

(SEAL)



Account: 1050753
Ad Number: 1426747
Fee: \$44.95



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**BOULDER COUNTY BOARD OF ADJUSTMENT
MEETING MINUTES
for
March 7, 2018

AFTERNOON SESSION – 4:00 PM
Hearing Room, Third Floor,
County Courthouse, Boulder

*{Approved April 4, 2018}***

2

PUBLIC HEARING

AFTERNOON SESSION – 4:00 PM

4

On Wednesday, March 7, 2018 the Boulder County Board of Adjustment held a regular afternoon session, convening at approximately 4:02 p.m. and adjourning at approximately 6:03 p.m., in the Hearing Room, Third Floor, County Courthouse, 1325 Pearl Street, Boulder, CO.

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Members Present: James Greer (Chair), Kari Stoltzfus (Vice-Chair), Eric Moutz, Scott Rudge, Janell Flaig

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Members Excused: None.

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Staff Present: Kendra Carberry (counsel to BOA), Summer Frederick, Kimberly Sanchez, Dale Case, Kathy Parker (Assistant County Attorney), Liz Cross (Assistant County Attorney)

18

Interested Others: 1-2

NOMINATION OF OFFICERS

20

22

MOTION: James Greer NOMINATED Kari Stoltzfus as Chair for the Board of Adjustment for 2018.

24

SECOND: Scott Rudge

26

VOTE: Motion PASSED Unanimously {5 to 0}

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30

MOTION: Scott Rudge NOMINATED himself for the Vice-Chair for the Board of Adjustment for 2018.

32

SECOND: Janell Flaig

VOTE: Motion PASSED Unanimously {5 to 0}

34

APPROVAL OF THE MEETING MINUTES

MOTION: Kari Stoltzfus MOVED that the Board of Adjustment APPROVE the Meeting Summary for February 7, 2018 as written.

36

38

SECOND: James Greer

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VOTE: Motion PASSED {4 to 0} Abstained: Janell Flaig

42

Docket AP-17-0002: Young

Dale Case, Land Use Director, announced that this application has been withdrawn by the applicant.

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Docket VAR-17-0010: Randall Request for Rehearing

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MOTION: Kari Stoltzfus MOVED that the Board of Adjustment APPROVE the Request for Rehearing of Docket VAR-17-0010: Randall.

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SECOND: Scott Rudge

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VOTE: Motion PASSED {4 to 0} Abstained: Janell Flaig

Docket VAR-17-0010: Randall

Summer Frederick, Senior Planner, presented the application for Charles Randall and Sun Dog Partners LLC, request for a 1-foot front setback where the required Forestry zoning district front setback is 15 feet. The proposed project is in the Forestry (F) Zoning District, at 141 Millionaire Drive, Lot 13A Sugarloaf Acres Replat A, approximately 700 feet from the junction of Millionaire Drive and Sugarloaf Road, in Section 29, Township 1N, Range 71W. Staff recommended CONDITIONAL APPROVAL as outlined in the staff memo dated February 28, 2018.

62

STAFF PRESENTATION

64

PUBLIC HEARING OPENED

66

SPEAKERS: Charlie Randall (applicant) – 160 Millionaire Drive

68

PUBLIC HEARING CLOSED

70

MOTION: Janell Flaig MOVED that the Boulder County Board of Adjustment **CONDITIONALLY APPROVE** the variance requested in Docket VAR-17-0010: Randall, related to retaining walls and residence access with the conditions as staff recommended, numbered 1 – 4.

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74

76

78 **SECOND: James Greer**

80 **Conditions of Approval:**

- 82 1. The variance is approved only to allow for the proposed retaining structures and an
 access structure to encroach into the front setback, reducing the setbacks to one foot
 where the required setback is 15 feet.
- 84 2. The applicant shall provide evidence of the location of required parking spaces that meet
 all necessary requirements.
- 86 3. The applicant shall provide a setback survey.
- 88 4. All relevant building code and wildfire mitigation requirements must be incorporated into
 the building permit plans.

90 **VOTE: Motion FAILED {2 to 3}**

92 **MOTION: Kari Stoltzfus MOVED that the Boulder County Board of Adjustment**
94 **CONDITIONALLY APPROVE the variance requested in Docket VAR-**
96 **17-0010: Randall, with the conditions in Staff's recommendation, to**
98 **allow the proposed retaining structures and access structures to**
 encroach into the setback and also the proposed addition be approved
 into the setback, with an additional condition that the applicant must all
 requirements set forth by the Transportation Department.

100 **SECOND: Scott Rudge**

102 **Conditions of Approval:**

- 104 1. The variance is approved only to allow for the proposed retaining structures and an
 access structure and the proposed addition to encroach into the front setback, reducing the
 setbacks to one foot where the required setback is 15 feet.
- 106 2. The applicant shall provide evidence of the location of required parking spaces that meet
 all necessary requirements.
- 108 3. The applicant shall provide a setback survey.
- 110 4. All relevant building code and wildfire mitigation requirements must be incorporated into
 the building permit plans.
- 112 5. The Applicant must meet all requirements set forth by the Transportation Department.

114 **VOTE: Motion FAILED {3 to 2}**

116 **MOTION: Kari Stoltzfus MOVED to TABLE Docket VAR-17-0010: Randall to**
118 **April 4, 2018 at 4:00p.m., which is the next regularly scheduled Board of**
 Adjustment Meeting.

120 **SECOND: Eric Moutz**

122 **VOTE: Motion PASSED {5 to 0}**

ADJOURNED

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