



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 25, 2018 (Tabled from June 6, 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. APPROVAL OF MEETING SUMMARY
Meeting Summary for **May 2, 2018.**
- III. PUBLIC HEARING

Docket AP-18-0002: Save Our St. Vrain Valley, Inc.

Request: Appeal of the Land Use Director's determination that the Special Use approved in Docket SU-96-18 has not lapsed under Section 4-604 (C) of the Boulder County Land Use Code.

Appellant: Save Our St. Vrain Valley, Inc.

Agent: Mark Laxis, Esq.

(Land Use Director: Dale Case)

Webpage: <http://landuse.boco.solutions/boco.lu.docketlistings/app/detail.html?docket=AP-18-0002>

- 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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BOARD OF ADJUSTMENT
AGENDA**

**July 25, 2018 (Tabled from June 6, 2018)
Afternoon Session - 4:00 P.M.**

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Boulder County Courthouse**

PUBLIC HEARING

AFTERNOON SESSION -- 4:00 PM

I. CALL TO ORDER

II. APPROVAL OF MEETING SUMMARY
Meeting Summary for **May 2, 2018.**

III. **Ratification of Board action postponing the public hearing on docket AP 18-0002 from June 6, 2018 to July 25, 2018**

IV. PUBLIC HEARING

Docket AP-18-0002: Save Our St. Vrain Valley, Inc.

Request: Appeal of the Land Use Director's determination that the Special Use approved in Docket SU-96-18 has not lapsed under Section 4-604 (C) of the Boulder County Land Use Code.

Appellant: Save Our St. Vrain Valley, Inc.

Agent: Mark Laxis, Esq.

(Land Use Director: Dale Case)

Webpage: <http://landuse.boco.solutions/boco.lu.docketlistings/app/detail.html?docket=AP-18-0002>

V. 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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**BOULDER COUNTY
BOARD OF ADJUSTMENT
REVISED AGENDA**

**July 25, 2018 (Tabled from June 6, 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. APPROVAL OF MEETING SUMMARY
Meeting Summary for May 2, 2018.

III. **Ratification of Board action postponing the public hearing on docket AP 18-0002 from June 6, 2018 to July 25, 2018**

IV. PUBLIC HEARING

Docket AP-18-0002: Save Our St. Vrain Valley, Inc.

Request: Appeal of the Land Use Director's determination that the Special Use approved in Docket SU-96-18 has not lapsed under Section 4-604 (C) of the Boulder County Land Use Code.

Appellant: Save Our St. Vrain Valley, Inc.

Agent: James Silvestro, Ireland Stapleton Pryor & Pascoe, PC
(Land Use Director: Dale Case)

Webpage: <http://landuse.boco.solutions/boco.lu.docketlistings/app/detail.html?docket=AP-18-0002>

V. 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 25, 2018 (Tabled from June 6, 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-18-0002: Save Our St. Vrain Valley, Inc.

Appeal of the Land Use Director's determination that the Special Use approved in Docket SU-96-18 has not lapsed under Section 4-604 (C) of the Boulder County Land Use Code. This appeal has been submitted by Save Our St. Vrain Valley, Inc., 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, 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 10, 2018 – Daily Times-Call

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**PUBLIC HEARING
BOULDER COUNTY, COLORADO
BOARD OF ADJUSTMENT**

DATE: July 25, 2018 (Tabled from June 6, 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-18-0002: Save Our St. Vrain Valley, Inc.

Appeal of the Land Use Director's determination that the Special Use approved in Docket SU-96-18 has not lapsed under Section 4-604 (C) of the Boulder County Land Use Code. This appeal has been submitted by Save Our St. Vrain Valley, Inc., 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, 2045 13th Street, Boulder, Colorado (303 441 3930).

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Published: Longmont Times-Call June 10, 2018 -

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 10, 2018

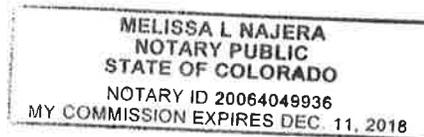
Signature

Subscribed and sworn to me before me this

11th day of June, 2018

Notary Public

(SEAL)



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**BOULDER COUNTY BOARD OF ADJUSTMENT
MEETING MINUTES
for
July 25, 2018**

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

{Approved September 5, 2018}

PUBLIC MEETING

AFTERNOON SESSION – 4:00 PM

On Wednesday, July 25, 2018 the Boulder County Board of Adjustment held a regular afternoon session, convening at approximately 4:01 p.m. and adjourning at approximately 8:37 p.m., in the Hearing Room, Third Floor, County Courthouse, 1325 Pearl Street, Boulder, CO.

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

Members Excused: None.

Staff Present: Larry Hoyt (counsel to BOA), Kimberly Sanchez, Dale Case, Rick Hackett, Anna Milner, David Hughes (Deputy County Attorney).

Interested Others: 75 -100

APPROVAL OF THE MEETING MINUTES

MOTION: Scott Rudge **MOVED** that the Board of Adjustment **APPROVE** the Meeting Summary for May 2, 2018 as written.

SECOND: James Greer

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

Ratification of Board action postponing the public hearing on docket AP 18-0002 from June 6, 2018 to July 25, 2018

82 Hygiene Road and Don Lutter – 418 Reese Street)
Jane Shellenberger – 11158 N. 66th Street (Pooled time with Chris Goodwin
84 – 11277 N. 66th Street, Lincoln Phillips – 515 2nd Avenue, and Steve Hein –
11620 N. 59th Street)
86 Amelia Hurst – 7873 St. Vrain Road
Kristin Powell – 107 Longs Peak Drive
88 Barb McKenna – 235 Evans Street
Tom Knorr -11678 N. 59th Street
90 Rick Breese – 402 Reese Street
Daniel McKenna – 235 Evans Street
92 Kim Mooney -7892 Ute Highway
JoAnna Burrell – 5817 Boundary Place
94 Doug Pineda - 209 McConnell Court
Kevin O’Connor – 7892 Ute Highway

96
98 **PUBLIC HEARING CLOSED**

100 **STAFF REBUTTAL**

Dale Case, Land Use Director

102 **APPLICANT REBUTTAL**

Mark Mathews, Brownstein Hyatt Farber Schreck (Representing Applicant Martin Marietta, Inc.)

104 **APPELLANT REBUTTAL**

106 James Silvestro, Ireland Stapleton Pryor & Pascoe (Representing Appellant Save Our St. Vrain
Valley, Inc.)

108 ***At this time the Board of Adjustment took a brief 10-minute break from approximately 7:37 p.m.
110 to approximately 7:45 p.m.***

112 **MOTION:** Janell Flaig **MOVED** that in the matter of **Docket AP-18-0002: Save Our**
114 **St. Vrain Valley, Inc.** the Boulder County Board of Adjustment
UPHOLD the Land Use Director’s determination that the Special Use
116 approved in Docket SU-96-18 has not lapsed under Section 4-604 (C) of
the Boulder County Land Use Code.

118 **SECOND:** James Greer

120 **VOTE:** Motion **FAILED** {2 to 3} (Against: Eric Moutz, Janell Flaig, Kari Stoltzfus)

122 **MOTION:** Eric Moutz **MOVED** that in the matter of **Docket AP-18-0002: Save Our**
124 **St. Vrain Valley, Inc.** the Boulder County Board of Adjustment
OVERTURN the Land Use Director’s determination that the Special
126 Use approved in Docket SU-96-18 has not lapsed under Section 4-604 (C)
of the Boulder County Land Use Code.

128 **SECOND:** Kari Stoltzfus

130 **VOTE:** Motion **FAILED** {3 to 2} (Against: Scott Rudge and James Greer)

ADJOURNED

132 *Detailed information regarding these items, including maps and legal descriptions, is available for public*
134 *examination at the Boulder County Land Use Department, 2045 13th Street, Boulder, Colorado 303-441- 3930.*