



# 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](http://www.bouldercounty.org)

**BOULDER COUNTY  
BOARD OF ADJUSTMENT  
AGENDA**

**December 5, 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. ROLL CALL
- III. APPROVAL OF MEETING MINUTES  
Meeting minutes for **October 3, 2018.**
- IV. PUBLIC HEARING

**Docket VAR-18-0003: Kugel**

Request:

Variance is requested from the setback requirements for construction of a new residence on the foundation of the original residence. The original residence received a building permit in 1983 for construction 20' from the rear property line, which did not meet the 25' setback requirement.

Location:

15 Leon Lane, approximately 1300 feet from the intersection of Leon Lane and Camp Eden Road, in Section 36, Township 1S, Range 72W.

Zoning:

Forestry (F) Zoning District

Applicants/Property Owners: Benjamin & Jean Kugel  
(Staff Planner: Marc Ambrosi)

Webpage: <http://landuse.boco.solutions/boco.lu.docketlistings/app/detail.html?docket=VAR-18-0003>

- 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: December 5, 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 VAR-18-0003: Kugel**

Variance is requested from the setback requirements for construction of a new residence on the foundation of the original residence. The original residence received a building permit in 1983 for construction 20' from the rear property line, which did not meet the 25' setback requirement. The request has been submitted by Benjamin & Jean Kugel, in accordance with the Boulder County Land Use Code. The proposed project is in the Forestry (F) Zoning District, at 15 Leon Lane, approximately 1300 feet from the intersection of Leon Lane and Camp Eden Road, in Section 36, Township 1S, Range 72W.

Detailed information regarding this item, including maps and legal descriptions, is available for public examination at the Boulder County Land Use Department, 2045 13<sup>th</sup> 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.

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Published: November 21, 2018 – Daily Times-Call

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PUBLIC HEARING  
BOULDER COUNTY, COLORADO  
BOARD OF ADJUSTMENT

DATE: December 5, 2018  
TIME: 4:00 P.M.  
PLACE: Hearing Room, Third Floor,  
Boulder County Courthouse,  
1325 Pearl St., Boulder CO

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Published: Longmont Times-Call November 14, 2018 - 1533628

Prairie Mountain Media, LLC

PUBLISHER'S AFFIDAVIT

County of Boulder  
State of Colorado

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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):

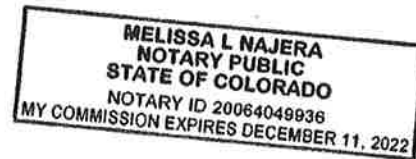
Nov 21, 2018

  
Signature

Subscribed and sworn to me before me this  
14th day of December, 2018.

  
Notary Public

(SEAL)



Account: 1050753  
Ad Number: 1536225  
Fee: \$35.38



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**BOULDER COUNTY BOARD OF ADJUSTMENT  
MEETING MINUTES**

for  
**December 5, 2018**

**AFTERNOON SESSION – 4:00 PM**  
**Hearing Room, Third Floor,**  
**County Courthouse, Boulder**  
*{Approved on January 9, 2019}*

**PUBLIC MEETING**

**AFTERNOON SESSION – 4:00 PM**

On Wednesday, December 5, 2018 the Boulder County Board of Adjustment held a regular afternoon session, convening at approximately 4:05 p.m. and adjourning at approximately 5:00 p.m., in the Hearing Room, Third Floor, County Courthouse, 1325 Pearl Street, Boulder, CO.

Members Present: Kari Stoltzfus (Chair), Eric Moutz, James Greer, Scott Rudge (Vice-Chair), and Sam Fitch (Planning Commission Member Substitute)

Members Excused: Janell Flaig

Staff Present: Dale Case, Kim Sanchez, Summer Frederick, Marc Ambrosi, Liz Cross (Assistant County Attorney), Anna Milner, Larry Hoyt (BOA Special Counsel)

Interested Others: 1

**Docket VAR-18-0003: Kugel Setback Variance**

Marc Ambrosi, Planner II, presented the application for Benjamin and Jean Kugel, a variance requested from the setback requirements for construction of a new residence on the foundation of the original residence. The original residence received a building permit in 1983 for construction 20' from the rear property line, which did not meet the 25' setback requirement. The proposed variance is located in the Forestry (F) Zoning District, at 15 Leon Lane, approximately 1300 feet from the intersection of Leon Lane and Camp Eden Road, in Section 36, Township 1S, Range 72W. Staff recommended denial of the variance.

**STAFF PRESENTATION**

**PUBLIC HEARING OPENED**

**SPEAKERS:** Ben Kugel (Applicant) – 256 Copperdale Lane.

**PUBLIC HEARING CLOSED**

34           **MOTION:**     **Scott Rudge MOVED that the Boulder County Board of Adjustment**  
36                           **APPROVE/GRANT the variance requested in Docket VAR-18-0003:**  
38                           **Kugel for the construction of the residential home on the existing**  
                                 **foundations as applied for, subject to all the normal building codes and**  
                                 **environmental regulations, and so forth, required by law.**

40           **SECOND:**     **Kari Stoltzfus**

42           **VOTE:**       **Motion PASSED {4 to 0}**

44           **YES**  
46           **Eric Moutz**  
              **Scott Rudge**  
48           **Kari Stoltzfus**  
              **James Greer**

**ABSTAINED**  
**Sam Fitch**

**APPROVAL OF THE MEETING MINUTES**

50           **MOTION:**     **James Greer MOVED that the Board of Adjustment APPROVE the**  
52                           **Meeting Minutes for October 3, 2018 as written.**

54           **SECOND:**     **Eric Moutz**

56           **VOTE:**       **Motion PASSED {4 to 0}**

58           **YES**  
60           **Eric Moutz**  
              **Scott Rudge**  
62           **Kari Stoltzfus**  
              **James Greer**

**ABSTAINED**  
**Sam Fitch**

**ADJOURNED**

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