

**BOARD OF ADJUSTMENT
SUMMARY OF MOTIONS**

February 16, 2022
(Zoom Meeting)

BOARD MEMBERS PRESENT: Ryan Taylor, Ira Tane, Brian Birenbach and Ted Pilling,

STAFF PRESENT: Suzanne Pugsley, Jim Curnutte

Ira Tane, Vice-Chair, called the meeting of the Board of Adjustment to order at 5:36 p.m.

Approval of Summary of Motions: The Summary of Motions of the November 17, 2021 meeting were approved as submitted.

APPROVAL OF AGENDA: Agenda approved as submitted.

CONSENT AGENDA - None

PUBLIC HEARINGS

I. Planning Case PLN21-099; a request for a variance from the 15-foot side setback to allow for a garage to be located 5 feet from the side (east) property line; Lot 21, Loveland Pass Village; a 0.11 acre parcel zoned R-2.

Ted Pilling made a motion to approve PLN21-099 with the following findings and condition:

Findings:

1. The strict application of the County's Zoning Regulations would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the property owner in the development of the property because the only reasonable place to site a garage will encroach into the required setbacks.
2. The variance can be granted without substantial impairment to the public health, safety, and welfare as there are no public safety concerns associated with the proposed addition.
3. The variance can be granted without substantial impairment to the intent of the County's Zoning Regulations because the proposed garage will comply with all other County regulations, excluding the required 15-foot east side setback where the garage is proposed.
4. Granting the variance would not constitute a grant of special privilege since there have been numerous setback variances approved in Loveland Pass Village as well as throughout Summit County for a garage of no more than 400 square feet in size.
5. Reasonable use of the property is not available without granting a variance since there is no reasonable location on the property available to site a garage aside from within the required setbacks.
6. The parcel for which the variance is being granted was not created in violation of County zoning or subdivision regulations or in violation of Colorado State Statutes because the subject property was legally created via the plat for Loveland Pass Village Subdivision, recorded under Reception Number 91804 in 1960, prior to the adoption of the County's zoning regulations on June 2, 1969.

Condition:

1. Prior to final inspection for the addition, the frame storage shed and covered entry shall either be removed or be in compliance with the standards set forth in Section 3505.13 of the Code.

Ryan Taylor seconded the motion.
Vote: 4-0

WORK SESSION ITEMS - None

DISCUSSION ITEMS - Applicant Interviews for Vacancies and/or Expiring Terms. The commissioners interviewed Tim Mckennie and Randy Lewis.

ADJOURNMENT

The meeting was adjourned at 6:31p.m.

Respectfully submitted,

A handwritten signature in blue ink that reads "Jim Curnutte". The signature is written in a cursive style with a large initial "J" and a stylized "C".

Jim Curnutte,
Planning Director