

WOODLAND PARK BOARD OF ADJUSTMENT

MEETING MINUTES – January 24, 2022

*City of Woodland Park, 220 W. South Avenue, Woodland Park, CO and by Zoom.
Due to the COVID-19 pandemic, this meeting was a hybrid in-person and virtual electronic meeting. A Zoom link was posted on the front-page of the City website. Public input in the form of written comment submitted in advance of the meeting was encouraged and public comment in real time at the meeting was made.*

1. ORDER AND ROLL CALL. Order was called at 6:36 p.m. with attendance as follows:

Present	Chairman Lou Ramon
Present	Vice Chairman Jim Rumsey
Present	Regular Member Nick Abercrombie
Present	Regular Member Valerie Lundy
Present	Regular Member Dean Nelson
Staff Present	Planning Director/BOA Secretary Karen Schminke
	Planner I Dave Burgess

All recited the Pledge of Allegiance.

2. APPROVE MINUTES. The November 15, 2021 minutes were unanimously approved as presented.

3. REQUESTS / PUBLIC HEARINGS.

- a. **Requests. VAR 2022-01 Mijares Front Setback Variance:** A request by David Mijares (property owner) for a 9-foot S. Fairview St. front setback variance (from 25 feet required by MC §18.13.040.A to 16 feet) to accommodate a single family residence on Lot 7, Block 13, Foster's Addition (315 S. Fairview Street) in the Urban Residential (UR) zone. (Quasi-judicial)

Chairman Ramon opened the public hearing and asked the applicant to present the request. David Mijares relayed to the Board that due to the 60-foot width of the corner lot the application of the 25-foot front street setbacks reduced the building envelope considerably. In order to build a modest house with an attached garage having a 1300 SF footprint on the property, a reduction of the Fairview Street setback from 25 feet to 16 feet was needed. He also asked if the Board was so inclined to increase the variance request from 9-feet to 9.5 feet which would provide a little extra area when placing the foundation on the property.

At the request of the Chairman, Director Schminke began the presentation by noting all the notice requirements had been met with a sign posted on the subject property on January 5th, letters to adjacent property owners sent on January 5th, and the hearing notice published on January 12th. She then presented the staff report complete with a recommendation of conditional approval of the 9-foot variance that would reduce the Fairview Street front setback from 25 feet to 16 feet. Staff had found there was justification for the variance based on the lot's narrow configuration and the greater setbacks applied to a corner lot. A 60-foot wide shallow corner lot is narrow and with the imposition of setbacks, the buildable area is further narrowed to roughly 27 feet wide. She stated that all other setbacks can be satisfied and that the edge of the house would be roughly 34 feet from the edge of the Fairway Street asphalt.

Director Schminke also noted that written comments from Melanie Canary were received via email earlier that day. She then read Ms. Canary's email in full; the email listed concerns with safety on the public street and in the intersection, the number of variances that have been allowed in the neighborhood, and changing character of the City of Woodland Park.

The Chairman opened the public comment portion of the meeting. Ms. Canary was in attendance via Zoom and restated her concerns which included the speed of vehicles on Fairview, the placement of STOP signs, and the changing character of the City.

Seeing no others wishing to speak, the Chairperson closed the public comment portion of the meeting.

The Board deliberated on the case and sought additional clarification on a couple of details from both Director Schminke and the applicant David Mijares. It was clarified that in order to increase the variance from the originally requested 9-feet to 9.5-feet, the case would need to be re-noticed and another public hearing held. There was also discussion concerning the requested setback as it related to line-of-sight and visibility at intersections.

The Board found that the standards typically applied for line-of-sight were met. They also concurred with the findings in the staff report, and given the narrow configuration of the corner lot, reducing the Fairview Street front setback from 25-feet to 9-feet was reasonable to allow for the construction of a modest single family house with an attached garage.

The Board noted that traffic speed and STOP sign placement was outside their purview. Director Schminke stated that she made notes of those concerns and would be relaying them to the appropriate City departments.

MOVED BY LUNDY, AND SECONDED BY RUMSEY THAT THE BOARD approve granting the 9-foot variance for the single family dwelling with attached garage from the 25-foot Fairview Street front setback on Lot 7, Block 13, Foster's Addition (315 S. Fairview Avenue) subject to the following condition:

After the foundation is poured, the builder must provide a letter to the City Inspector, prepared and stamped by a Colorado Licensed Professional Land Surveyor, certifying that the foundation has been surveyed, and the location of the foundation matches the location as shown on the Site Plan as submitted for this variance request.

YES: Abercrombie, Lundy, Nelson, Ramon, and Rumsey / NO: None Motion PASSED

4. REPORTS

Planning Director Schminke provided an update regarding the status of the Board's proposed Rules of Procedure. These were presented to City Council at their January 20th meeting. At Council member Neal's request, the item was Tabled and he met with Lou Ramon and Jim Rumsey. There were still concerns about the timing of approvals and the 15 day window to relay notice of the Board's decision as well as the need to further standardize the referencing of City Code sections and the use of hotlinks. These remaining items would be addressed and the document will be brought back to the Board one more time to ensure everyone is comfortable with the final product.

5. ELECTIONS.

Lou Ramon and Jim Rumsey were nominated for Chairman and Vice-chairman, respectively. With no other nominations they were unanimously elected to these position for the 2022 Board of Adjustment.

Chairman Ramon reminded the Board that it has vacancies and they need to find two Alternate members.

6. ADJOURN.

Chairman Ramon adjourned the meeting at 8:55 p.m.

Approved by: Lou Ramon 2/28/2022
Lou Ramon, Chairman Date