

**CLEAR CREEK COUNTY BOARD OF ADJUSTMENT
MINUTES OF HEARING FOR AUGUST 5th, 2014**

This regular hearing of the Clear Creek County Board of Adjustment was convened on August 5th, 2014 in the Clear Creek County Courthouse. It was called to order by Vice-Chairperson Heather Huntoon at 6:05 p.m.

Members Present: Vice-Chair Heather Huntoon*, Martha Miles*, Marc Reagon*, Aleta Trabue*, Associate Member Mike Stewart*, Associate Member Jon Jennings
(*indicates voting members for this hearing)

Members Absent: Chairman Bill Lee

Staff Present: Erik Sampson, Assistant Planner

General Business

Vice-Chairperson explained the procedures associated with the Board of Adjustment.

Unscheduled Appearances:

There were no unscheduled appearances.

Old Business:

There was no old business.

New Business:

1. **V2014-0005:** Robert & Darla Kaufman, owners of 272 Brook Dr., request a variance pursuant to Section 13.A.5.d.(i) of the *Clear Creek County Zoning Regulations*. They request to construct a 346-sq.-ft. deck addition to a single family residence on a lot that is less than 12,500 sq.-ft. The property is ± 9,161 sq.-ft. in size and is zoned R-1.

Robert Kaufman, owner/applicant, was sworn in.

- Mr. Kaufman provided information to the Board regarding the variance request.
- Mr. Sampson, Secretary Pro-Tem, submitted the following exhibits into evidence:
 - Exhibit A: Planning Dept. Staff Report
 - Exhibit B: Planning Staff Photographs of the Property

The Board of Adjustment had the following questions and expressed interest in the following topics related to the variance:

- The location of the deck in relation to zoning regulation setbacks.
- St. Mary's Water and Sanitation District

Public Comment was opened at 6:15 pm. There was no public comment.

Motion

Mr. Stewart made a motion to approve variance case #V2014-0005. Mr. Reagon provided a second.

The Board found that the variance request met all criteria for approval.

Motion passed unanimously.

2. **V2014-0006:** Alex Ginzburg, owner of 899 Chinook Rd., requests a variance pursuant to Section 13.A.5.d.(ii) of the *Clear Creek County Zoning Regulations*. He requests to encroach 6 feet into the 30-foot south-west setbacks to accommodate a 364-sq.ft. entry-way and a 364-sq.ft. second story deck of a single family residence. The property is ±4.706 acres in size and is zoned M-1.

BOA members Heather Huntoon and Jon Jennings recused themselves from this variance request hearing due to prior involvement with the owner and the subject property.

Alexander Ginzburg, owner/applicant, was sworn in.

- Mr. Ginzburg provided information to the Board regarding the variance request.
- Mr. Sampson, Secretary Pro-Tem, submitted the following exhibits into evidence:
 - Exhibit A: Planning Dept. Staff Report
 - Exhibit B: A revised site plan as had been requested by the County Environmental Health Department
 - Exhibit C: Signoff stating no concerns with the request from the County Environmental Health Department
 - Exhibit D: Planning Staff's revised comments regarding the request
 - Exhibit E: Planning Staff Photographs of the Property
 - Exhibit F: Signed letter from the excavator, Mark Scott, describing the geological difficulties of construction on the parcel
 - Exhibit G: An engineered site plan showing the proposed single family residence – introduced to the Board by Mr. Ginzburg

The Board of Adjustment had the following questions and expressed interest in the following topics related to the variance:

- Conditions of approval regarding the comments from Environmental Health.

Public Comment was opened at 6:30 pm. There was no public comment.

Motion

Ms. Miles made a motion to approve variance case #V2014-0006. Mr. Reagon provided a second.

The Board found that the variance request met all criteria for approval.

The motion passed unanimously.

Other Business:

1. Approval of Board of Adjustment minutes from July 1st, 2014

- Ms. Huntoon made a motion to approve the minutes from June 3rd, 2014 as amended. Mr. Reagon provided a second. Motion passed unanimously.

Adjournment

Ms. Huntoon moved to adjourn the meeting. Mr. Reagon provided a second. The hearing was adjourned at 6:40 p.m.

Erik Sampson, Secretary Pro-Tem

I, Vice-Chairperson of the Board of Adjustment, certify that the Board has reviewed and approved these minutes.

Heather Huntoon, Vice-Chairperson

