

TELLER COUNTY BOARD OF ADJUSTMENT

MINUTES

May 21, 2014 - 7:00 p.m.

**City of Woodland Park Council Chambers
220 W. South Avenue, Woodland Park, CO**

I. Call to Order and Roll Call

The meeting was called to order by Mr. Mark Mills at 7:01 p.m. and the following answered roll call:

Absent Mr. David Turley, Vice-chairman (Regular)
Mr. Bernie Diesen (Regular)
Mr. Mark Mills (Regular) – Acting Chairman for this meeting
Mr. Bill Holbrook (Alternate) – Voting member for this meeting
Mr. Brian Walker (Alternate) – Voting member for this meeting
Absent Ms. Helen Dyer, Chairman (Regular)

Also attending were the following staff members:

Ms. Lor Pellegrino, AICP, Senior Planner
Mr. Chris Brandt, County Attorney

A. Election of Acting Chairman

Mr. Mark Mills noted that in the absence of the elected Chairman and Vice-Chairman, the Board needs to elect an Acting Chairman. Mr. Mark Mills was nominated.

Mr. Bernie Diesen moved, and Mr. Mark Mills seconded, that Mr. Mills preside as Acting Chairman for this meeting. The motion passed with the following vote:

Yes Mr. Bernie Diesen
Yes Mr. Mark Mills

B. Appointment of Alternates as Voting Members

Acting Chairman Mills appointed Mr. Brian Walker and Mr. Bill Holbrook as voting members for this meeting.

II. Election of Officers

A. Chairman

Ms. Helen Dyer was nominated Chairman.

Acting Chairman Mills moved, and Mr. Brian Walker seconded, that Ms. Helen Dyer be elected Chairman. The motion passed with the following vote:

Yes Mr. Bernie Diesen
Yes Mr. Brian Walker
Yes Mr. Bill Holbrook
Yes Mr. Mark Mills

B. Vice-Chairman

Mr. David Turley was nominated Vice-Chairman.

Mr. Brian Walker moved, and Acting Chairman Mills seconded, that Mr. David Turley be elected Vice Chairman. The motion passed with the following vote:

Yes Mr. Bernie Diesen
Yes Mr. Brian Walker
Yes Mr. Bill Holbrook
Yes Mr. Mark Mills

The meeting continued with Acting Chairman Mills presiding as Acting Chairman for this meeting in Chairman Dyer's and Vice-Chairman Turley's absence.

III. Adoption of 2014 Meeting Schedule and First Meeting of 2015

Mr. Bill Holbrook moved, and Acting Chairman Mills seconded, that the Board of Adjustment continue the practice of generally holding the Board of Adjustment meetings on the third Wednesday of every month and to adopt the proposed 2014 meeting schedule including the third Wednesday of January 2015, subject to changes based on applications received and with proper notice. The motion passed with the following vote:

Yes Mr. Bernie Diesen
Yes Mr. Bill Holbrook
Yes Mr. Brian Walker
Yes Mr. Mark Mills

Ms. Pellegrino noted that as this is the first meeting of the 2014 year, the full schedule for 2014 including the first meeting of 2015 has now been adopted, and that the January through April meetings in 2014 were canceled and did not occur.

IV. Designation of Location for Posting Agendas

Mr. Bill Holbrook moved, and Mr. Bernie Diesen seconded, that the Board of Adjustment continue to designate the Teller County Community Development Services' bulletin board at 540 Manor Court, Woodland Park as the official location for the posting of the Board agendas. The motion passed with the following vote:

Yes Mr. Bernie Diesen
Yes Mr. Brian Walker
Yes Mr. Bill Holbrook
Yes Mr. Mark Mills

V. Review and Approve Minutes – December 18, 2013

Mr. Bill Holbrook moved, and Acting Chairman Mills seconded, that the December 18, 2013 minutes be approved as presented. The motion passed with the following vote:

Yes Mr. Bernie Diesen
Yes Mr. Brian Walker
Yes Mr. Bill Holbrook
Yes Mr. Mark Mills

VI. Consider a request by Mary and Mike Wright (Applicant & Property Owner) to vary the south side setback for an existing residence from 50.0 feet to 26.5 feet in the Campground (CG) obsolete zone district (proposed for rezoning to Agricultural (A-1) zone district) for Government Lot 6 located in Section 33, Township 14 South, Range 69 West of the 6th P.M., Teller County, CO (12458 South Highway 67).

Ms. Pellegrino presented the staff report recommending approval of the application for a side setback variance, finding compliance with the variance standards of Section 2.12.G.1-7 of the Teller County Land Use Regulations.

Mrs. Mary Wright (12458 South Highway 67) presented a brief project summary and answered questions from the Board.

With no members of the public in attendance, Acting Chairman Mills closed the item for public comment.

Mr. Brian Walker moved, and Mr. Bernie Diesen seconded, that the Teller County Board of Adjustment APPROVE the variance request by Mary and Mike Wright (Applicant and Property Owners) to vary the side setback for the existing dwelling from 50 feet as required in the Agricultural (A-1) zone to 26.5 feet, to bring the lot and structure into conformance given the anticipated rezoning from Campground (CG) to A-1 of Government Lot 6 located in Section 33, Township 14 South, Range 69 West of the 6th P.M., Teller County, CO (12458 South State Highway 67, Cripple Creek), incorporating Staff findings contained in that Staff Report dated April 4, 2014, subject to the following conditions:

- a. This variance is granted solely for the existing dwelling in compliance with and as depicted on the Property Line Survey with a revised date of March 11, 2014. The Applicant shall submit to Teller Planning a signed and stamped Survey no later than April 30, 2014.
- b. This variance approval shall not apply to any new construction of buildings or structures that may be proposed or contemplated by the Applicant anywhere on the property or new construction that may be associated with this dwelling.
- c. This variance approval shall apply and be in effect only if and upon the successful rezoning of the property to Agricultural (A-1) before December 31, 2014. If the rezoning does not occur before December 31, 2014, then this variance shall be void and of no effect.
- d. Unless otherwise modified by these conditions, all material representations of the Applicant in the submitted materials and in the hearings shall be considered binding.

Ms. Pellegrino noted that Condition a in the motion has already been satisfied – a signed and stamped Property Line Survey was received by April 30, 2014 and has been deposited in the file.

The motion passed with the following vote:

Yes	Mr. Bernie Diesen
Yes	Mr. Brian Walker
Yes	Mr. Bill Holbrook
Yes	Mr. Mark Mills

VII. Other Items

- A. Mr. Brandt noted that the Board's approval of the Golden Bell Conditional Use Permit was affirmed by the Court.
- B. Ms. Pellegrino stated that a meeting will not occur in June.
- C. Ms. Pellegrino stated that Board Member Monte Houseman has resigned and that alternate members should submit a request to the Board of County Commissioners if they wish to be appointed to the vacant regular member position.

VIII. Adjourn

The meeting was adjourned by Acting Chairman Mills at 7:24 p.m.