



Board of Adjustment/Appeals Regular Meeting

January 25, 2024 - 7:00 PM

Town Board Chambers, 301 Walnut Street, Windsor, CO 80550

MINUTES

A. CALL TO ORDER

Chair Shea called the meeting to order at 7:00 p.m.

1. Roll Call

Present: Chair Stacey Shea
Vice Chair Don Threewitt
Jeffrey Gelvin
Jeremy Benintende

Absent: Secretary James Penfold
Hunter Rivera

Also Present: David Eisenbraun, Senior Planner
Kim Emil, Deputy Town Attorney
Kaitlyn Cinnamon, Deputy Town Clerk

2. Review of Agenda by the Board and Addition of Items of New Business to the Agenda for Consideration

Board of Adjustment/Appeals Board Member Benintende moved to approve the agenda as written, Board of Adjustment/Appeals Board Member Threewitt seconded the motion. Roll call on the vote resulted as follows; Yeas - Don Threewitt, Stacey Shea, Jeffrey Gelvin, Jeremy Benintende; Nays - None; Motion Passed.

3. Reading of the Statement of the documents to be entered into the record:

"I enter into the record the Town's Comprehensive Plan, the Town's Zoning Ordinance, the staff report regarding the action items of this hearing, and all of the testimony received at this hearing."

Chair Shea read the statement of the documents to be entered into the record.

4. Public Invited to be Heard

Chair Shea opened the meeting up for public comment, to which there was none.

B. CONSENT CALENDAR

1. Approval of the September 28, 2023 Board of Adjustment/ Appeals Regular Meeting Minutes - K. Cinnamon, Deputy Town Clerk

Board of Adjustment/Appeals Board Member Threewitt moved to approve the consent calendar as presented, Board of Adjustment/Appeals Board Member Benintende seconded the motion. Roll call on the vote resulted as follows; Yeas - Don Threewitt, Stacey Shea, Jeffrey Gelvin, Jeremy Benintende; Nays - None; Motion Passed.

C. BOARD ACTION

1. Public Hearing - Variance from Municipal Code Table 16-1-70 (b) (RMU-1 Lot Development Standards) pertaining to the minimum front and rear yard setback requirements for 618 Cedar Court in the RMU-1 (Residential Mixed Use) Zone District. Patricia and Jerry Kuyper, Owner/Applicants

In 2014, the lot was subdivided, changing its orientation and ability for the house to properly exist as anything other than a legal non-conforming structure. The house was built in 1970 and the applicants are only trying to build over a modest deck addition following the existing home's foundation and exterior walls. No other violations or modifications are being requested.

Chair Shea opened the public hearing for a Variance from Municipal Code Table 16-1-70 (b) (RMU-1 Lot Development Standards) pertaining to the minimum front and rear yard setback requirements for 618 Cedar Court in the RMU-1 (Residential Mixed Use) Zone District.

David Eisenbraun, Senior Planner, presented to the Board.

Chair Shea opened the hearing up for public comment, to which there was none.

Members Benintende, Threewitt, Gelvin, and Shea asked staff questions regarding the property and the future of the subdivision.

The owners/applicants, Patricia and Jerry Kuyper, spoke to the Board regarding their property at 618 Cedar Court, Windsor, CO.

Board of Adjustment/Appeals Board Member Benintende moved to close the public hearing, Board of Adjustment/Appeals Board Member Gelvin seconded the motion. Roll call on the vote resulted as follows; Yeas - Don Threewitt, Stacey Shea, Jeffrey Gelvin, Jeremy Benintende; Nays - None; Motion Passed.

2. Variance from Municipal Code Table 16-1-70 (b) (RMU-1 Lot Development Standards) pertaining to the minimum front and rear yard setback requirements for 618 Cedar Court in the RMU-1 (Residential Mixed Use) Zone District. Patricia and Jerry Kuyper, Owner/Applicants

See public hearing item.

Board of Adjustment/Appeals Board Member Benintende moved to approve the Variance from Municipal Code Table 16-1-70 (b) (RMU-1 Lot Development Standards) pertaining to the minimum front and rear yard setback requirements for 618 Cedar Court in the RMU-1 (Residential Mixed Use) Zone District. Board of Adjustment/Appeals Board Member Threewitt seconded the motion. Roll call on the vote resulted as follows; Yeas - Don Threewitt, Stacey Shea, Jeffrey Gelvin, Jeremy Benintende; Nays - None; Motion Passed.

D. COMMUNICATIONS

1. Communications from Board of Adjustments/Appeals

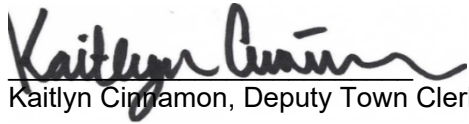
Chair Shea noted that at the next Board of Adjustments/Appeals meeting the election of officers will be an item on the agenda.

2. Communications from Staff

David Eisenbraun spoke to the Board about the upcoming Comprehensive Plan workshop on February 7, 2024.

E. ADJOURN

Upon a motion duly made, the meeting was adjourned at 7:30 p.m.

A handwritten signature in black ink, appearing to read "Kaitlyn Cinnamon", written over a horizontal line.

Kaitlyn Cinnamon, Deputy Town Clerk