

**FREMONT COUNTY BOARD OF ZONING ADJUSTMENT
MEETING MINUTES
APRIL 23, 2019**

Board Members Present

Larry Baker
Dave Boden – Vice Chairman
Michael Pullen – Chairman
Rich Thatcher
Ed Norden
James Javernick

Planning Staff Present

Marshal Butler, Planning Coordinator
Tanya Fleming, Planning Assistant

AGENDA

1. **APPROVAL OF THE APRIL 23, 2019 BOARD OF ZONING ADJUSTMENT MEETING AGENDA.**
 2. **APPROVAL OF THE OCTOBER 23, 2018 BOARD OF ZONING ADJUSTMENT MEETING MINUTES.**
 3. **BOZA 19-002 MOSHER**
 4. **OTHER ITEMS FOR DISCUSSION**
 5. **ADJOURNMENT**
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Chairman Michael Pullen called the Tuesday, April 23, 2019 meeting of The Fremont County Board of Zoning Adjustment (BOZA) to order at 3:02 P.M.

Roll call was completed with the aforementioned members present.

ITEM 1

Chairman Pullen asked if there were any other changes, additions or corrections to the April 23, 2019 BOZA Meeting Agenda.

Chairman Pullen stated that the Election of Officers was missing from the meeting agenda and stated that it would be item number 4 on the agenda, other items for discussion.

MOTION

Mr. Larry Baker moved to approve the minutes of the September 19, 2017 BOZA meeting, with the suggested change of addition of election of officers.

SECOND

Mr. Ed Norden seconded the motion.

Upon a roll call vote, the motion passed unanimously. (6 of 6)

ITEM 2

Chairman Pullen brought to the floor this agenda item which is to hear recommendations regarding the approval of the minutes of the BOZA meeting held on October 23, 2018.

MOTION

Mr. Dave Boden moved accept the October 23, 2018 Board of Zoning Adjustment Meeting minutes as presented.

SECOND

Mr. Baker seconded the motion.

Upon a roll call vote, the motion passed unanimously. (6 of 6)

ITEM 3 – BOZA 19-002 Mosher

Chairman Pullen stated request for variance from the Fremont County Zoning Resolution (FCZR) by John A. & Dawn Marie Mosher for property located at 1356 Flora Drive in the Lincoln Park Area. The property is located in the Agricultural Suburban & Low Density Residence Zone Districts.

Chairman Pullen stated the Variance Request is to allow a 75% enlargement of a property by property line adjustment when properties are in two different zone districts (*from Agricultural Suburban to Low Density Residence*)

FCZR 2.4.3 Allows a maximum increase in size of 25% by property line adjustment when properties are in two different zone districts

Chairman Pullen called Mr. Mosher to the stand to explain the reasons for the request.

Mr. Mosher stated that he had copies of the outline of numerous steps that he has taken since he acquired this property. He then distributed those to the Board members.

Mr. Mosher then explained that he acquired the 3 lots in 2018. Two of the lots were platted and one was meets and bounds. Mr. Mosher also explained that one of the lots will become unbuildable when the access is placed since the only access is from Flora Heights. He also explained the city of Canon City requirements of 40 foot width right of way in order to provide water service to a lot.

Mr. Mosher completed his statement on the conflict between the County and Canon City regulations that have caused some of the issues that he is facing.

Mr. Marshall Butler, Planning Coordinator, stated that the Department didn't receive any comments back based on the newspaper publication and the curtesy notice that was sent to the neighbors. He also stated that the original request from Mr. Mosher was to vacate an interior lot line. That was unable to be accomplished because of FCZR 2.4.3. Mr. Butler stated that they have worked through this but the Lot Line Adjustment then brought to the surface the water frontage issue arose. They are requesting a 5-foot setback for the side yard for a 40 by 80-foot building on the west side of the property. The end result

will essentially be the same. It will be 2 plotted lots. By approving this it will make the properties more compatible.

Discussion followed on the other options that the Moshers had previously looked at before moving forward with the BOZA.

Chairman inquired if the Board had anymore to discuss or add. With nothing more to be discussed he moved to make a motion.

Mr. Javernick motioned for approval of the BOZA 19-002 Mosher variance request.

Mr. Baker seconded the motion for approval.

Upon a roll call vote, the motion passed unanimously. (6 of 6)

ITEM 4 – OTHER BUSINESS

Chairman Pullen asked if there were any changes, or discussion to the current BOZA officers. The Board members had no discussion and officers will remain the same as last year.

MOTION

Mr. Javernick moved to approve the current officers.

SECOND

Mr. Boden seconded the motion.

Upon a roll call vote, the motion passed unanimously. (6 of 6)

ITEM 6 – ADJOURNMENT

With no further items for discussion, Chairman Pullen declared the meeting adjourned at 3:26 P.M.



Chairman, Fremont County Board of Zoning Adjustment



Date