

EL PASO



COUNTY

COMMISSIONERS:
DARRYL GLENN (PRESIDENT)
MARK WALLER (PRESIDENT PRO TEMPORE)

STAN VANDERWERF
LONGINOS GONZALEZ
PEGGY LITTLETON

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

BOARD OF ADJUSTMENT

MEETING RESULTS (UNOFFICIAL RESULTS)

(Audio and audio/video copies of the meeting are available at the Office of the Clerk/Recorder)

Board of Adjustment (BOA) Meeting
Wednesday, June 12, 2019 -- 9:00 a.m.
El Paso County Planning and Community Development
2880 International Circle
Colorado Springs, Colorado 80910

BOA MEMBERS PRESENT AND VOTING: KEVIN CURRY, JAY CARLSON, CHAD THURBER, LORELLE DAVIES, AND JERRY HANNIGAN

BOA MEMBERS PRESENT AND NOT VOTING: KEITH WOOD AND JILLIAN FREELAND

STAFF PRESENT: MARK GEBHART, LEN KENDALL, GILBERT LAFORCE, TRACEY GARCIA, AND EL PASO COUNTY ATTORNEY LORI SEAGO

OTHERS ATTENDING: BARRY HELTON AND MIKE BARTUSEK

BOA MEMBERS ABSENT: NONE

1. Pledge of Allegiance
2. Annual Meeting and Election of Officers

BOA ACTION: CARLSON MOVED/THURBER SECONDED TO NOMINATE CURRY AS THE CHAIR OF THE BOARD OF ADJUSTMENTS. THURBER MADE A MOTION TO CLOSE NOMINATIONS/SECONDED BY CARLSON. MOTION PASSED UNANIMOUSLY (5-0). CURRY MOVED/HANNIGAN SECONDED TO NOMIATE CARLSON AS VICE CHAIR. THURBER MADE A MOTION TO CLOSE NOMINATIONS/SECONDED BY DAVIES. MOTION PASSED UNANIMOUSLY (5-0). A SECOND VICE CHAIR MAY BE NOMINATED ACCORDING TO THE BYLAWS. A MOTION WAS MADE TO DELAY THAT NOMINATION UNTIL SUCH TIME IT IS NEEDED. MOTION

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

WAS MADE BY CARLSON/SECONDED BY THURBER. THE MOTION PASSED UNANIMOUSLY (5-0).

3. Report Items

- a. There will be a hearing on July 10, 2019. There are two items to come before the BOA.
- b. The County is updating the County's Master Plan. Houseal-Lavigne Associates have been hired as the consultants. It's a 2-3 year process. The survey for El Paso County residents is open. **Mr. Gebhart** asked that BOA members spread the word for residents to complete the survey.
- c. **Mrs. Tracey Garcia**, clerk to the BOA, gave information on the online electronic portal called OnBoard Passageways that will be utilized in the near future for agenda packets and supporting staff reports. More information to come.

4. Adoption of Minutes of Regular Meeting held April 10, 2019

BOA ACTION: WITH NO CHANGES, THE MINUTES WERE APPROVED AS PRESENTED BY UNANIMOUS CONSENT.

5. BOA-19-003

KENDALL

**DIMENSIONAL VARIANCE
HELTON MINI-STORAGE BOA**

A request by Barry Helton for approval of a dimensional variance to allow a front-yard setback of 12 feet where 15 feet is required and a rear-yard setback of 7 feet where 15 feet is required in the M (Industrial) zoning district. The 7.15-acre parcel is located at the southeast corner of the US Highway 85/87 and South Academy Boulevard intersection. (Parcel No. 65034-03-001) (Commissioner District No. 4)

Mr. Kendall gave a brief overview of the project. **Ms. Seago** went over the review approval criteria for a dimensional variance for the Board of Adjustment members.

Mr. Kendall then gave his presentation.

Ms. Davies – Did they indicate why the opposition rescinded their letter? **Mr. Kendall** – They were initially unhappy because they have a similar business, but then they spoke to the applicant and chose to rescind their opposition.

Mr. Barry Helton and Mr. Mike Bartusek gave their presentation.

Mr. Carlson – you are going to go with the standard setback for the future development? **Mr. Helton** – Yes, that is correct.

Mr. Hannigan – The units that you have now along the highway, are they accessible from the highway? **Mr. Helton** – No, access is on the inside.

Mr. Hannigan – Is there to be any kind of fencing along the highway? **Mr. Helton** – No, the storage units act as the fencing.

Mr. Curry – Staff packet indicated that the setbacks gave a concern for safety.

Mr. Kendall – It is a 3 foot difference. The concern was for the potential of cars running into the storage units if there is an accident.

SPEAKING IN FAVOR: None

SPEAKING IN OPPOSITION: None

DISCUSSION:

Mr. Carlson – I did go and drive the site, and I believe there is plenty of room on the inside to get to the setbacks required. However, after seeing the pictures of the drainage, he has made good use of the property.

Ms. Davies – I think he's made significant effort to improve that property and has taken care to preserve the drainage.

Mr. Curry – When I first looked at the application, I thought it would be a situation that the applicant is looking for forgiveness of something not applied for. Now, I see that the way you've maintained it with the paint and landscaping and in talking with the neighbors, I believe that you've done a great job.

BOA ACTION: HANNIGAN MADE A MOTION/SECONDED BY THURBER TO INCLUDE CONDITION NO. 3 CITING THAT THE DIMENSIONAL VARIANCE FOR THE FRONT SETBACK ON HIGHWAY 85/87 APPLIES ONLY TO EXISTING CONTAINERS AND THAT THE REAR SETBACK APPLIES TO ALL OF THE PROPERTY. MOTION PASSED UNANIMOUSLY (5-0). CARLSON MOVED/THURBER SECONDED TO APPROVE ITEM #4, BOA-19-003 FOR A DIMENSIONAL VARIANCE FOR HELTON MINI STORAGE UTILIZING RESOLUTION NO. 3 CITING UNIQUE AND EQUITABLE CONSIDERATION WITH ALTERNATE PLANS TO MITIGATE IMPACTS WITH THREE (3) CONDITIONS, ADDING THE THIRD CONDITION TO STATE THE SETBACK ON THE FRONT AT HIGHWAY 85/87 DOES NOT INCLUDE THE PORTION NOT YET DEVELOPED AND THAT THE BACK SETBACK BE AT 7 FEET. THE MOTION PASSED UNANIMOUSLY (5-0).

Adjourn

The minutes were approved as presented at the August 14, 2019 hearing.