

Meeting of the Board of Zoning Adjustment and Board of County Commissioners

October 7, 2008
Custer County Courthouse
Westcliffe, Colorado

Present:

Board of Zoning Adjustment: Gerry Dearborn, Skip Northcross, Dave Tonsing,
Associate Members: Kenneth Patterson

Absent: Roger Camper, Dee Hoag, Paul Buckles, Dan Fox, Cindy Howard

Planning Commission Member Bill Donley

Staff: Jackie Hobby

The meeting was called to order at 1:10 P.M. by N.N." SKIP" NORTHCROSS, BOARD OF ZONING ADJUSTMENT CHAIR.

Pledge;

SKIP NORTHCROSS: Asked for a moment of silence in memory of BRUCE MCDONNALL.

KENNETH PATTERSON: Replaced BRUCE MCDONNALL

BILL DONLEY: Replaced CINDY HOWARD

NORTHCROSS called for an approval of the July 3, 2008 minutes. GERRY DEARBORN MOVED to accept the minutes. DAVE TONSING seconded. The motion passed unanimously by voice vote.

ZONING OFFICE REPORT

- September 2008 we had 18 septic inspections, 6 special conferences, 15 Compliance inspections and 2 septic contractors test.
- September 2008 year to date the Planning and Zoning Office received \$95,474.10 in revenue compared to \$123,042.28 in 2007.

LANETA BRASSEAUX LIVELY/Setback Variance

Property Address: 120 Spruce Lane County Road 378 San Isabel CO

Schedule number: 100-82-800

SKIP NORTHCROSS: read applicants statement: " *We would like to remove the existing structure and build back on the same spot, because if we try to build according to setback requirements, we would not have enough room.*"

NORTHCROSS: Were adjoining land owners notified?

JACKIE HOBBY: Yes, 4 with no responses.

NORTHCROSS: asked the applicant if there was anything that he would like to add to his statement.

ZANE CHARTRAND : I will be representing LIVELY on the application. They would like to improve the property and need to apply for a variance. If they do not get a variance they will not build.

DONLEY: I wasn't at the site tour: Could you explain to me what you need?

CHARTRAND: After we had the property surveyed we realized we will need an 8' variance instead of the original amount of 5' that we requested.

DEARBORN: The depth of the house is 29' and you are asking for an 8' variance, how much room do you have on the other side of the home?

CHARTRAND: They will have 14'. This will give them room to park a vehicle they do not have any parking out in front of the property.

DEARBORN: Move to grant a variance for an (8') eight foot setback from the east property line. The depth of the house to be no more than (29') twenty nine feet.

DONLEY: I second the motion as stated.

NORTHCROSS: Asked for a show of hands. All were in favor of granting the variance with the FOLLOWING REASONS:

DEARBORN: Yes, to approve the variance. This was the only way to bring this property close to compliance.

DONLEY: Yes, to approve. I was not on the site tour but I am familiar with the area, this is all they can do.

PATTERSON: Yes, to approve. This is a small lot and the house encroaches on the lot next door as it is now.

TONSING: Yes, to approve. This cleans up a non compliance issue and there are no negative comments from the neighbors.

NORTHCROSS: Yes, 9.4B in the Zoning Regulations states that any structural alteration that would reduce the degree of non-conformance or change the use to conforming use. Improving on a bad situation.

Setback Variance was granted unanimously for an eight foot (8') setback from the east property line. With the depth of the house to be no more than twenty nine (29') feet

DONLEY: Made a motion to adjourn.

TONSING: Seconded the motion.

Meeting adjourned 1:40