

Board of Adjustment Minutes Wednesday, April 27, 2016

CALL TO ORDER & PLEDGE OF ALLEGIANCE TO THE FLAG

Chairman Farr called the Meeting of the Erie Board of Adjustment to order at 6:00 p.m.

ROLL CALL

Hans Bowker - Present
Galen Christopher - Present
Michael Farr - Present
Andrew Horovitz – Present
Jerrod Vanlandingham - Present
Dan Walker - Present

Staff Present: Marty Ostholthoff, Community Development Director;
Deborah Bachelder, Senior Planner; and
Hallie Sawyer, Community Development Secretary.

APPROVAL OF AGENDA

Mr. Bowker moved to approve the April 27, 2016, Meeting Agenda as submitted. The motion, seconded by Mr. Walker, carried with all voting in favor thereof.

APPROVAL OF MINUTES

Mr. Horovitz, moved to approve the minutes of the December 19, 2012, Meeting as submitted. The motion, seconded by Mr. Walker, carried with all voting in favor thereof.

PUBLIC COMMENT

None.

RESOLUTIONS

1. Posting Locations

Purpose: Annual adoption of posting locations for public notices
Request: Approval of Resolution A16-01, A Resolution Regarding The Posting Locations For Notice Of Public Meetings.

Location: N/A

Applicants: Town of Erie
(Staff Planner: R. Martin Ostholthoff)

Mr. Ostholthoff presented the resolution required by Colorado State Statute for all Municipal Boards and Commissions naming the Erie Post Office and Erie Town Hall as posting locations for all meeting notices.

Mr. Walker moved approval of Resolution A16-01, A Resolution Regarding The Posting Locations For Notice Of Public Meetings. The motion, seconded by Mr. Bowker, carried with all voting in favor thereof.

2. Public Hearing – Orchard Glen Fencing Variance

Purpose: Consider proposed variance for the perimeter fence for the Orchard Glen Subdivision

Request: Approval of Resolution A16-02, A Resolution Of The Board Of Adjustment Of The Town Of Erie, Colorado Granting A Variance For A Perimeter Fence For The Orchard Glen Filing No. 1 At Meadow Sweet Farm Subdivision, Erie, Colorado; And, Adopting Certain Findings Of Fact And Conclusions Favorable To The Variance.

Location: SW Corner of N. 119th Street & Erie Parkway

Zoning: SR – Suburban Residential

Applicants: Orchard Glen Home Owners Association
Cheryl Bonham, Representative

(Staff Planner: Deborah Bachelder)

Chairman Farr opened the Public Hearing at 6:04 p.m. Mrs. Bachelder presented the background, application and staff recommendation of approval, and entered the documents into evidence for the Orchard Glen Filing 1 Home Owners Association request to replace the existing perimeter fencing at the same height with the same materials.

Public Comment was taken from Tom Swihort, 2149 Chestnut Circle; David Strejc, 2119 Chestnut Circle; Kendra Ficek, 2203 Chestnut Circle; and Phillip Neitenbach, 2227 Chestnut Circle. All testified to their loss of privacy (their properties all back to Erie Parkway) since the road was raised three feet and the sidewalk was put in last year. They testified people walking on the sidewalk can look right over the existing 6 foot fence into their backyards and homes. They pled for higher fencing or some other remedy to their loss of privacy and also asked if a different fence material such as vinyl could be used. Cheryl Bonham, 746 Pope Drive, Vice President of the HOA advised the Board that this was the first she knew about the problem with the sidewalk, so that had not been taken into consideration.

Board questions concerned whether or not they could delay a decision and would the fence go to the Planning Commission after the Board of Adjustment ruling.

Chairman Farr closed the Public Hearing at 6:24 p.m.

The Board requested and received direction from staff.

Mr. Horovitz moved to refer the Orchard Glen application back to staff for continued discussions with the home owners associations. The motion, seconded by Mr. Bowker, carried with all voting in favor thereof.

STAFF REPORTS & DISCUSSION ITEMS

Chairman Farr noted the open seat on the Board of Adjustment and urged anyone interested to fill out an application on the town web site. Mr. Ostholthoff noted the Board of Trustees will be making appointments to the various Boards and Commissions serving the Town on May 10th.

ADJOURNMENT

Mr. Bowker moved to adjourn the April 27, 2016, Meeting of the Board of Adjustment at 6:27 p.m. The motion, seconded by Mr. Walker, carried with all voting in favor thereof.

M.W. Farr, Chairman

ATTEST:

Hallie S. Sawyer, Secretary