

# **TOWN OF ERIE**

*645 Holbrook Street  
Erie, CO 80516*



## **Meeting Minutes**

**Monday, April 12, 2021**

**6:30 PM**

**via Virtual Meeting**

**<http://bit.ly/12April2021BOAMtg>  
via Virtual Meeting**

## **Board of Adjustment**

**I. CALL MEETING TO ORDER & PLEDGE OF ALLEGIANCE TO THE FLAG**

Chair Farr called the April 12, 2021 Board of Adjustment Meeting to order at 6:40pm.

**II. ROLL CALL**

Roll Call:

Board Member Bergh - absent/excused  
Board Member Bowker - present  
Board Member VanAuken - absent/excused  
Board Member Percell - present  
Secretary Benore - present  
Vice Chair Horovitz - present  
Chair Farr - present

**III. APPROVAL OF THE AGENDA**

Board Member Percell moved to approve the agenda of the April 12, 2021 Board of Adjustment Meeting. The motion, seconded by Board Member Bowker, carried with the following roll call vote:

Board Member Bowker - yes  
Board Member Percell - yes  
Secretary Benore - yes  
Vice Chair Horovitz - yes  
Chair Farr - yes

**IV. APPROVAL OF THE MINUTES**

[21-141](#)

Approval of the March 31, 2021 Board of Adjustment Meeting Minutes

**Attachments:** [March 31, 2021 BOA Meeting Minutes](#)

Board Member Percell moved to approve the meeting minutes of the April 12, 2021 Board of Adjustment Meeting with the following correction:

Update the first vote in Agenda Item 21-126 to note Board Member Percell as "no" and Board Member VanAuken as "yes".

The motion, seconded by Board Member Bowker, carried with the following roll call vote:

Board Member Bowker - aye  
Board Member Percell - aye  
Secretary Benore - aye  
Vice Chair Horovitz - aye  
Chair Farr - aye

**V. PUBLIC COMMENT**

No public comment was taken.

**VI. GENERAL BUSINESS**

[21-126](#)

Appeal by Precious Metal Converter, LLC

**Attachments:** [Resolution A21-02](#)  
[Pawn Interpretation](#)  
[PMC Business License Application](#)  
[Smith Application for Appeal to BOA](#)  
[Combined Background Documents](#)

Chair Farr introduced Agenda Item 21-126/Resolution A21-02 noting that the Board had an opportunity to meet regarding the creation of this resolution on March 31, 2021. The Board will take this opportunity to review and discuss the Resolution, and vote on this item.

Chair Farr asked if there was any reason to amend, or discuss, the Resolution as prepared.

Board Member Percell noted the reason for his "no" vote in the last meeting. The Planning Director's decision was supported by Town code. However, in light of the Town code not speaking to the notion of whether or not pawn shops are permitted by use - the Director, in an effort to support and promote businesses, could've determined that the type of business that this applicant was hoping to conduct could fall under the category of banker/financial institution when making the decision.

Chair Farr noted that he had this question as well. It was Vice Chair Horovitz's response and reply that helped him formulate that there is a vast difference between a pawn business vs. the financial institution and at that point, didn't feel like it fell under that category but understands what Board Member Percell is stating.

As there were no other comments regarding the agenda item, Chair Farr asked for a motion on Resolution A21-02 as presented.

Secretary Benore moved to approve Resolution A21-02. The motion, seconded by Vice Chair Horovitz, carried with the following 4 to 1 roll call vote:

Board Member Bowker - aye  
Board Member Percell - no  
Secretary Benore - aye  
Vice Chair Horovitz - aye  
Chair Farr - aye

## **VII. STAFF REPORTS**

No Staff Reports.

## **VIII. BOARD REPORTS AND DISCUSSION ITEMS**

No Board Reports.

## **IX. ADJOURNMENT**

Board Member Percell moved to adjourn the April 12, 2021 Board of Adjustment Meeting. The motion, seconded by Board Member Bowker, carried with the following roll call vote:

Board Member Bowker - aye

Board Member Percell - aye

Secretary Benore - aye

Vice Chair Horovitz - aye

Chair Farr - aye

Chair Farr adjourned the April 12, 2021 Board of Adjustment Meeting at 6:52pm.