

Jefferson County Board of Adjustment
Hearing Minutes
February 17, 2021

Board of Adjustment of the County of Jefferson, State of Colorado, met in an electronic virtual meeting format through the WebEx Events platform. Ed Ford, Chairman presided, Jane Blumer, Joe Jehn, Michael Hult, David Wray, Paul Warbington, and Kip Kolkmeier were present.

Ed Ford, Chairman called the meeting to order.

Staff Present:

Russell Clark, Planning Supervisor
Kourtney Hartman, County Attorney
Kelsey Hall, District County Attorney
Joshua Botts, Case Manager
Dylan Monke, Case Manager
Alicia Halberg, Webex Co-Host
Justin Montgomery, Webex Host
Holly Powers, Administrative Assistant

Pre-meeting – 8:30 A.M.

APPROVAL OF MINUTES

The Board upon motion of Mr. Jehn, duly seconded by Mr. Warbington and by unanimous vote, approved the Minutes of February 3, 2021.

Regular Agenda

20-127967VC

Owner/Applicant:

Location:

Approximate Area:

Zoning:

Purpose:

Variance

Aaron J. Crespin and Janet S. Crespin

3422 South Parfet Court, Lakewood
Section 33, Township 04 South, Range 69 West

1.034 Acres

Agricultural-Two (A-2)

To legalize:

1) a lot size of 1.034 acres where 10 acres is required.

To allow:

2) a side setback of 21.4 feet to the south where a setback of 30 feet is required for a detached garage.

Case Manager:

Joshua Botts

Testimony:

William Hardison

Applicant's Representative

Decision:

Following the taking of sworn testimony and a general discussion, the Board upon a motion by Mr. Warbington, duly seconded by Mr. Jehn, **approved** request number 1 to legalize lot size, as indicated in the attached Resolution (a); by a vote of 5 to 0. The Board upon motion by Mr. Warbington, duly seconded by Mr. Wray, **denied** request number 2 to allow side setback for a detached garage, as indicated in the attached Resolution (b); by a vote of 0 to 5.

19-113014VC

Variance

Owner/Applicant:

Donald G. Gilbert and Lynette A. Gilbert

Location:

11895 W 52nd Avenue, Arvada
Section 17, Township 3 South, Range 69 West

Approximate Area:

21,919 sq ft (0.5 Acres)

Zoning:

Agricultural – Two (A-2)

Purpose:

To Legalize:

- 1) a lot size of 21,919 square feet where a minimum of 435,600 square feet (ten acres) is required, and;
- 2) a 2.5-foot side setback to the west for a shed, where a setback of 30 feet is required, and;
- 3) a 2.3 foot rear setback to the north for a shed, where a setback of 30 feet is required, and;
- 4) a 29.8-foot side setback to the west for a detached garage, where a setback of 40 feet is required, and;
- 5) a 45.5-foot rear setback to the north for a detached garage, where a setback of 50 feet is required, and;
- 6) a 12.5-foot side setback for a detached garage where a setback of 50 feet is required, and;
- 7) a 27.6-foot side setback to the east for a single family dwelling where a setback of 50 feet is required, and;

To Allow:

- 8) a 16-foot side setback to the west, where a setback of 30 feet is required for an addition to a single family dwelling.

Case Manager:

Dylan Monke

Testimony:

Don Gilbert
Lynette Gilbert

Applicant
Applicant

Executive Session:

The Board upon a motion by Mr. Warbington, duly seconded by Mr. Wray, pursuant to C.R.S. 24-6-402(4)(b), the Board went into executive session to receive legal advice regarding the proper analysis for the variance requests.

Decision:

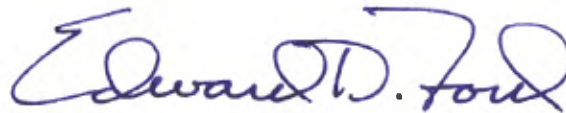
Following the taking of sworn testimony and a general discussion, the Board upon a motion by Mr. Wray, duly seconded by Mr. Warbington, **approved** request number 1 to legalize lot size, as indicated in the attached Resolution (a); by a vote of 5 to 0. The Board upon motion by Mr. Wray, duly seconded by Mr. Warbington, **denied** request number 2 and 3 to legalize setbacks for a shed, as indicated in the attached Resolution (b); by a vote of 2 to 3. The Board upon motion by Mr. Wray, duly seconded by Mr. Warbington, **approved** request number 4, 5, and 6 to legalize setbacks for a garage, as indicated in the attached Resolution (c); by a vote of 4 to 1. The Board upon motion by Mr. Wray, duly seconded by Mr. Warbington, **approved** request number 7 to legalize side setback for a single-family dwelling, as indicated in the attached Resolution (d); by a vote of 5 to 0. The Board upon motion by Mr. Wray, duly seconded by Mr. Warbington, **denied** request number 8 to allow reduced setbacks for an addition to a single-family dwelling, as indicated in the attached Resolution (e); by a vote of 3 to 2.

ADJOURNMENT:

There being no further business to come before the Board of Adjustment, the meeting was adjourned.

Attest:

Board of Adjustment of the County
of Jefferson, Colorado



Holly Powers, Secretary

Ed Ford, Chairman

Date: 2/18/21

Date: 2/19/21

Form 2

**PUBLIC MINUTES OF EXECUTIVE SESSION OF
THE JEFFERSON COUNTY BOARD OF ADJUSTMENT**

(Attorney/Client)

[Use this form for executive sessions involving attorney-client matters only.]

- At this public meeting held on February 17, 2021, an executive session was called by at least a two thirds vote of a quorum of the Board for a conference with an attorney for the local public body for the purpose of receiving legal advice on specific legal questions pursuant to Section 24-6-402(4)(b), C.R.S.
- The matter discussed in executive session, in as much detail as possible without compromising the purpose for which the executive session was authorized, was:

The proper analysis that the Board should use when determining whether to grant or deny each variance request presented in Case No. 19-113014VC.

- No further record was kept of the discussion based on the opinion of the attorney representing the Board, as stated for the record, that the discussion constituted a privileged attorney-client communication.
- Attorney Attestation:

In my opinion, the portion of the executive session that was not recorded constituted a privileged attorney-client communication.

**Kelsey M.
Hall**

Digitally signed by Kelsey M. Hall
DN: cn=Kelsey M. Hall, o,
ou=County Attorney's Office,
email=khall@jeffco.us, c=US
Date: 2021.02.18 10:57:42 -07'00'

2.18.2021

Attorney
Kelsey M. Hall
Assistant County Attorney

Date