

Jefferson County Board of Adjustment
Hearing Minutes
April 21, 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, 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
Nick Nelson, Case Manager
Cassidy Clements, Case Manager
Alicia Halberg, Case Manager
Joshua Botts, Webex Co-Host
Cassidy Clements, Webex Host
Holly Powers, Administrative Assistant

Pre-meeting – 8:30 A.M.

APPROVAL OF MINUTES

The Board upon motion of Mr. Warbington, duly seconded by Mr. Wray and by unanimous vote, approved the Minutes of April 7, 2021.

The Board approved the following Resolution:

21-101014 VC

Owner/Applicant:

Location:

Approximate Area:

Zoning:

Today's Action:

Purpose:

Case Manager:

Special Exception (Case Continued from
April 7, 2021)

Jarrett Titus

26009 Edelweiss Circle

Section 13, Township 5, Range 71

4.23 Acres

Planned Development (PD), Edelweiss Circle ODP

To continue the case to May 5, 2021 due to
signs not posted on time.

Renewal of Short-Term Rental

Nick Nelson

20-130679VC

Owner:

Location:

Approximate Area:

Variance

Kehoe Living Trust dated February 27, 2006

15981 W 26th Avenue, Golden

Section 25, Township 03 South, Range 70 West

65 Acres

Zoning: Agricultural-Two (A-2)
Purpose: **To allow a 20-foot side setback to the east, where a setback of 30 feet is required for a single-family dwelling.**
Case Manager: Cassidy Clements

The Board of Adjustment, upon motion of Mr. Wray, duly seconded by Mr. Warbington, and by unanimous vote, adopted the attached resolutions approval of the case on the consent agenda subject to the conditions of the approval identified in the applicable staff report.

Regular Agenda

21-105467VC **Variance**
Owner/Applicant: Michael T. DeBell
Location: 3480 S Oak Court
Section 33, Township 04 South, Range 69 West
Approximate Area: .999 Acres
Zoning: Agricultural-One (A-1)
Purpose: **To Legalize:**
1) a lot size of 0.999 acres where 5 acres is required; and
To Allow:
2) a 10-foot side setback to the north where 30 feet is required for a greenhouse; and
3) a 15-foot rear setback to the east where 50 feet is required for a greenhouse.
Case Manager: Alicia Halberg
Testimony:
Michael DeBell Applicant

Executive Session:

The Board upon a motion by Mr. Jehn, 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 whether as a matter of law the Board is prohibited from approving a variance request for reduced setbacks because the proposed structure could cast a shadow on neighboring lots.

Decision:

Following the taking of sworn testimony and a general discussion, the Board upon a motion by Mr. Warbington, duly seconded by Mr. Wray, **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. Jehn, **approved** a continuance for request number 2 and 3 to the May 19, 2021 hearing; by a vote of 5 to 0.

ADJOURNMENT:

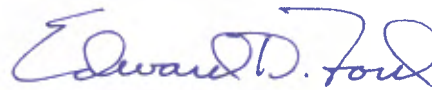
There being no further business to come before the Board of Adjustment, the meeting was adjourned.

Attest:

Board of Adjustment of the County
of Jefferson, Colorado



Holly Powers, Secretary



Ed Ford, Chairman

Date: 4-21-2021

Date: 5-5-21

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 April 21, 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:

Whether as a matter of law the Board is prohibited from approving a variance request for reduced setbacks because the proposed structure could cast a shadow on neighboring lots in Case No. 21-105467VC.

- 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=County
Attorney's Office,
email=khall@jeffco.us, c=US
Date: 2021.04.21 11:18:43 -06'00'

Attorney

4.21.2021

Date