

COMMERCE CITY BOARD OF ADJUSTMENT

January 10, 2017

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CALL TO ORDER: Chairman David Pocs called the meeting to order at 5:30p.m.

PLEDGE: Chairman David Pocs led the Pledge of Allegiance.

ROLL CALL: Lorena Ruiz called roll. **Present:** Pocs, Leffel, Brinkerhoff, Harr and Haug. **Absent:** Amador

OTHERS PRESENT: Domenic Martinelli, Planner
Paul Workman, Planner
Steve Timms, Planning Manager
Robert Sheesley, City Attorney
Matt Hader, Deputy City Attorney
Candice Alexander, Administrative Specialist
Lorena Ruiz, Administrative Specialist

Mr. Sheesley introduced Mr. Hader as Deputy City Attorney and stated that he would be advisor to the Board of Adjustment.

MINUTES: Board Member Harr made a motion to approve the minutes of the November 9, 2016 meeting. Board member Leffel seconded the motion.

Harr	Yes
Leffel	Yes
Brinkerhoff	Yes
Haug	Yes
Pocs	Yes

5 – Yes, Motion passed.

CASES: The Board of Adjustment proceeded with the public hearing.
Case proceedings continued on the following pages.

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AH-1737-17: Metro Wastewater Reclamation District is requesting a height exception in order to construct a building that is 87 feet tall for the property located at 6450 York Street, zoned I-3. Mr. Hader introduced the case and noted that the file contained the relevant notification and publication information. Mr. Workman presented the staff report and presentation including the Development Review Team's recommendation for approval.

In response to a question by the board, staff clarified that there are adjacent properties with structures 100 ft. in height.

Mr. Dan Stillwell, 6450 York Street, agreed with staff's presentation and was present to answer questions by the Board. He stated there is minimal area available to accommodate a new structure onsite. Therefore, the applicant is proposing to construct a taller vertical structure.

Chairman Pocs opened the hearing for public comment. Noting that no person indicated a desire to testify, he closed the hearing and requested a motion.

Motion:

Board member Leffel made the following motion "I move that the Board of Adjustment find that the requested Height Exception for the property located at 6450 York Street contained in case AH-1737-17 meets the criteria of the Land Development Code and based upon such finding, approve the Height Exception."

Board member Haug seconded the motion.

Leffel Yes

Haug Yes

Brinkerhoff Yes

Harr Yes

Pocs Yes

5 – Yes, Motion passed.

AV-1739-17: Joan Heying is requesting a variance in order to reduce the side-on street setback requirement for an attached carport for the property located at 6691 Doris Street, zoned R-2. Mr. Hader introduced the case and noted that the file contained the relevant notification and publication information. Mr. Martinelli presented the staff report and presentation including the Development Review Team's recommendation for approval.

Ms. Joan Haying, 6691 Doris Street, thanked the Board for the consideration of the request. She stated the proposal would be beneficial because it would accommodate ADA accessibility for a relative residing at the home. Due to the configuration and size of the property there is limited space to place a carport at a different location.

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The board asked about the existing addition of the house, design style of the carport, roof water runoff, and access impacts from stop signs.

The meeting was opened to the public. There being no persons present to testify, the public hearing was closed and a motion was requested.

Discussion on the vote:

The board discussed adding a condition that would require an open style carport. Staff confirmed that the design details would be reviewed during the building permit process.

Motion:

Board member Harr made the following motion "I move that the Board of Adjustment find that the requested Variance for the property located at 6691 Doris Court contained in case AV-1739-17 meets the criteria of the Land Development Code and, based upon such finding, approve the Variance."

Board member Haug seconded the motion.

Harr	Yes
Haug	Yes
Brinkerhoff	Yes
Leffel	Yes
Pocs	Yes

5 – Yes, Motion passed.

Board Business

Mr. Hader stated the Rules of Procedure were provided to the Board for review. The board agreed to schedule the discussion of the document at the next scheduled meeting.

ADJOURN: There being no further business to discuss, Chairman Pocs adjourned the meeting at 6:25p.m.

David Pocs,
Chairman

Lorena Ruiz,
Administrative Specialist