Commerce City

7887 E. 60th Ave.
Commerce City, CO 80022
c3gov.com

Meeting Minutes - Draft

Zoning Board of Adjustment

Tuesday, August 12, 2025 **5:30 PM** **Council Chambers, 7887 E. 60th Ave Commerce City, CO 80022. The public can participate virtually by registering in advance with the Zoom Registration: https://c3gov.zoom.us/webinar/register/WN_uOd0cuxiQ0O8RG1CQkXomg**

Meetings occur in person in the City Council Chambers (location above). The public can watch the meeting live on the city's public access TV or Xfinity cable channels 8 and 881 or on our YouTube channel. The Zoom link above allows virtual participation.

Call to Order

Roll Call

Present 5 - Board Member Gene Leffel, Board Member Joanne Hernandez, Board Member Joe Frey-Waite, Board Member Kristi Douglas, and Board Member Shawn Poe

Pledge of Allegience

Approval of Minutes:

Min 25-167 June 10, 2025 Meeting Minutes

Attachments: Meeting Minutes June 10, 2025

June 10, 2025 meeting minutes are approved. Motion by Board Member Frey Waite second by Board Member Douglas.

Ayes: 5 - Board Member Leffel, Board Member Hernandez, Board Member Frey-Waite, Board Member Douglas and Board Member Poe

Case(s):

AV25-0002 AV25-0002: Kim Clark is requesting a variance to reduce the Rear Yard setback standard from 20-feet to 11-feet for an existing patio cover. The 0.18 acre property is zoned Planned Unit Development.

Attachments: Variance Report
Applicant Narrative
Site Plan
Vicinity Map
Public Comment

Planner Nathan Chavez presented on behalf of staff

Board Members asked questions about the interaction of the Land Development Code and the PUD Zone Document and their setback requirements, written public comment received, notification to surrounding properties, the patio at the time of purchase, and other possible violations in the area.

Additionally, Code Enforcement Supervisor Ernesto Galvan-Marquez spoke to the Board of Adjustment on Code Enforcement process, how this violation was found, and future enforcement efforts in this area.

Applicant Troy and Kim Clark addressed the Board of Adjustment to provide some history on the structure.

There were 4 written comments, 1 phone call and 4 public commenter's (Barret Jensen, Tait McGowan, Major Madison Marvel, Payne Pignocco) on this case.

Board Member Douglas made a motion "I move that the Board of Adjustment enter a finding that the requested variance, for the property located at 16764 E 105th Avenue contained in case AV25-0002, meets the criteria of the Land Development Code and based upon such finding, approve the variance," seconded by Board Member Leffel.

Ayes: 5 - Board Member Leffel, Board Member Hernandez, Board Member Frey-Waite, Board Member Douglas and Board Member Poe

Action Items:

Board Business:

Board Member Douglas thanked the applicant for AV25-0002 for the diligence in going this process and the Board condolences for the loss that prevented their attendance at the June 10th meeting.

Attorney Business:

Pres 25-442 ZBOA Rules of Procedures Revisions

Attachments: ZBOA Rules of Procedures 2025 Update

Senior Assistance City Attorney Eliot Shafer addressed staff's recommended changes to the Rules of the Procedure.

The Board discussed the suggested changes and made a few other changes. These suggested changes include changing the start to 6:00pm, additional structure integrated into the meetings, and additional training opportunities, and a time limit on

meetings.

Assistant City Clerk Kim Adame spoke about the expected training opportunities that her office is putting together.

Staff Business:

Planning Manager Vidlock let the Board know that there are additional cases coming to future meetings.

Adjournment

Meeting was adjourned at 7:27 pm