



# BOARD OF ADJUSTMENT REGULAR MEETING

City Council Chambers, 448 E. 1st Street, Salida, CO  
June 26, 2023 - 6:00 PM

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## MINUTES

Please register for the Board of Adjustment meeting: <https://attendee.gotowebinar.com/rt/1909092342220683277>

### CALL TO ORDER BY CHAIRMAN - 6:00 PM

### ROLL CALL

#### PRESENT

Board Member Chairman Greg Follet  
Board Member Co-Chair Francie Bomer  
Board Member Giff Kriebel  
Board Member Judith Dockery  
Board Member Michelle Walker  
Board Member Brian Colby  
Board Member Aaron Derwingson

#### ABSENT

Alternate Board Member Dan Bush

### APPROVAL OF THE MINUTES

1. December 13, 2022 – Board of Adjustment Draft Minutes

Motion made by Board Member Co-Chair Bomer, Seconded by Board Member Colby.

Voting Yea: Board Member Chairman Follet, Board Member Co-Chair Bomer, Board Member Kriebel, Board Member Dockery, Board Member Walker, Board Member Colby, Board Member Derwingson

#### THE MOTION PASSED.

### UNSCHEDULED CITIZENS- NA

### AMENDMENT(S) TO AGENDA- NA

### PUBLIC HEARINGS

Public Hearings will follow the following procedure:

- |   |  |
|---|--|
| A. Open Public Hearing                      | E. Public Input                          |
| B. Proof of Publication                     | F. Close Public Hearing                  |
| C. Staff Review of Application/Proposal     | G. Commission Discussion                 |
| D. Applicant's Presentation (if applicable) | H. Commission Decision or Recommendation |

2. **306-310 Old Stage Road Variance Request (The public hearing needs to be continued to the July 24, 2023 Board of Adjustment meeting).**

Applicants Chris Vaith and Peter Schaefer of P&C Enterprises LLC, are requesting approval for two variances on the property located at 306 Old Stage Road, legally known as Lot 57 Two Rivers Subdivision.

- A. Open Public hearing – 6:02pm
- B. Proof of Publication –
- C. Staff Review–
- D. Applicant's Presentation-
- E. Public Input – NA

**F. Close Public Hearing – 6:02pm**

**G. Board Discussion –**

**H. Board Decision –**

Motion made by Board Member Co-Chair Bomer to continue the public hearing to the July 24, 2023 meeting, Seconded by Board Member Kriebel.

Voting Yea: Board Member Chairman Follet, Board Member Co-Chair Bomer, Board Member Kriebel, Board Member Dockery, Board Member Walker, Board Member Colby, Board Member Derwingson

**THE MOTION PASSED.**

- 3. Kuhn Variance request - 147 West Fourth Street** - The applicants, Martin & Adriane Kuhn, are requesting approval for a variance from the minimum side yard setback for the existing accessory structure.

Accessory structures in the Medium Density Residential (R-2) zone district require a minimum side yard setback of three (3) feet. The applicants are requesting a minimum allowed side yard setback of 16" for an existing accessory building.

**A. Open Public hearing – 6:03pm**

**B. Proof of Publication –**

**C. Staff Review–** Planning Technician, Palumbo reviewed the application.

Commission discussed the following:

- That the accessory structure was actually observable from the street
- When the accessory structure was moved to the current location
- When the accessory structure built and whether there was an encroachment
- When the neighbor complaints were made

**D. Applicant's Presentation-** Martin Kuhn and Adrienne Kuhn were present and spoke on the application.

Commission asked the following:

- Whether the applicant had to get a building permit for the Master Plan of the backyard
- Whether they built a new shed or shifted the existing shed over

**E. Public Input – NA**

**F. Close Public Hearing – 6:40pm**

**G. Board Discussion –**

Commission discussed the following:

- That the special circumstances arose because errors were made by staff
- If the Board approved this variance, whether it would just be for the shed or would future projects be eligible.

**H. Board Decision –**

Motion to approve the variance made by Board Member Co-Chair Bomer, Seconded by Board Member Walker.

Voting Yea: Board Member Chairman Follet, Board Member Co-Chair Bomer, Board Member Kriebel, Board Member Dockery, Board Member Walker, Board Member Colby, Board Member Derwingson

**THE MOTION PASSED.**

## **BOARD COMMENTS**

**ADJOURN** With no further business to come before the Board, the meeting adjourned at 6:44 p.m.