

**MINUTES OF THE REGULAR MEETING OF THE
ARAPAHOE COUNTY BOARD OF ADJUSTMENT
THURSDAY, OCTOBER 9, 2025**

ATTENDANCE	<p>A regular meeting of the Arapahoe County Board of Adjustment (BOA) was called and held in accordance with the statutes of the State of Colorado and the Arapahoe County Land Development Code.</p> <p>The following BOA members were present: Howard Buchalter, Chair; Zac DeBrun; Dave Evans, Michael Frishman; and Beth Kinsky.</p> <p>Also present were Matt Hader, Senior Assistant County Attorney; Caitlyn Mars, Zoning Administrator; Brant Love, Zoning Inspector; Brayan Contreras, Zoning Inspector; Demetrias Andrews, Zoning Inspector; Kim Lynch, Recording Secretary.</p>
CALL TO ORDER	<p>Mr. Buchalter called the meeting to order at 1:00 p.m. He noted that a quorum of the Board was present. The BOA members confirmed their continuing qualifications to serve. The meeting was held in person and streamed through the Granicus Live Manager platform.</p>
DISCLOSURE MATTERS	<p>There were no BOA member conflicts with the matters before them.</p>
GENERAL BUSINESS ITEMS:	
APPROVAL OF THE MINUTES	<p>The motion was made by Mr. Frishman and duly seconded Mr. Evans to accept the minutes from the May 8, 2025 BOA meeting as submitted.</p> <p>The motion passed on a 5-0 yes vote.</p>
REGULAR ITEMS:	
BOA-2024-00008	<p>CASE NO. BOA-2025-00005 - VARIANCE REQUEST TO CONSTRUCT A SIX-FOOT-TALL FENCE IN FRONT OF THE HOME AT 1593 S UINTA WAY; CAITLYN MARS, ZONING ADMINISTRATOR</p> <p>Mr. Buchalter asked the Senior County Attorney if the BOA had jurisdiction to proceed.</p> <p>Mr. Hader stated proper notice had been given therefore the BOA had jurisdiction had jurisdiction to proceed.</p> <p>Ms. Mars provided a summary of the applicant’s request for variance and noted hardship, as follows:</p>

	<ul style="list-style-type: none"> • The home is set back 100 feet, making the large front yard an important part of their usable outdoor space. Having the space unsecure is a concern for the family and any potential future pets. • Deer frequently enter the yard, damaging plants and posing potential health risks. A six-foot fence, constructed at the 100-foot setback, would block yard use, garage access, and require removing mature trees. • The applicants advise they have experienced theft on their property in the past. They note that the construction of the six-foot rear and side yard fences have successfully prevented further intrusions, but express that a three-foot fence along the front property line would not be a meaningful deterrent for further intrusions. <p>Mr. Nassib Asali and his attorney were present. Mr. Asali presented a handout that was accepted by the board for review at the hearing with guidance from the applicant regarding its content. He illustrated how strict application of existing fence regulations would create a practical difficulty in blocking his garage access and require removal of mature trees, would not comprise a privilege inconsistent with the comprehensive plan and neighboring properties and demonstrated the proposed fence project was assessed in September 2025 to have no negative impact on public rights-of-way, traffic or pedestrian visibility or otherwise compromise public safety.</p> <p>Mr. Buchalter opened the hearing for public testimony. There were no public comments. The public hearing was closed. There were no final questions of the applicant.</p> <p>It was moved by Mr. Evans and duly seconded by Ms. Kinsky to approve the proposed variance to continue the existing 6’ iron fence around the front of the residence with a 25’ setback from the front property line.</p> <p>The motion was amended by Mr. Buchalter and duly seconded by Mr. Frishman to include a description of acceptable materials for the completion of the fence line.</p> <p>The vote was:</p> <p>Mr. Buchalter, Yes; Mr. DeBrun, Yes; Mr. Evans, Yes; Mr. Frishman, Yes; Ms. Kinsky, Yes.</p>
ADJOURNMENT	There being no further business to come before the Board of Adjustment, the meeting was adjourned.