

**MINUTES OF THE REGULAR MEETING OF THE
ARAPAHOE COUNTY BOARD OF ADJUSTMENT
THURSDAY, 11 MARCH 2021**

ATTENDANCE

A regular meeting of the Arapahoe County Board of Adjustment was called and held in accordance with the statutes of the State of Colorado and the Arapahoe County Land Development Code. The following Board members were present:
Howard Buchalter, Chair; George Robinson; Beth Kinsky; Ron Lombardo

Also present were: Dan Donegan, Recording Secretary; Michelle Lantz, Zoning Inspector; Dan Donegan, Zoning Inspector; Robert Hill, Assistant County Attorney

CALL TO ORDER

Chair Buchalter noted a quorum of the Board was present and Board members confirmed their continuing qualifications to serve.

**DISCLOSURE
MATTERS**

There were no Board member conflicts with the matters before the Board.

**APPROVAL OF
THE MINUTES**

The Board approved one set of minutes:

January 14, 2021: Motion to approve made by Howard Buchalter, seconded by Beth Kinsky, approved by 3 with George Robinson sustained because he was not in attendance.

BOA-2021-00001

Lisa Souza presented for the property at 5670 E Cornell Ave, which is zoned R-3. The Board was presented with a request for Variance to allow for the property owner to build a home addition encroaching into the side setback approximately 5 feet. Jurisdiction for the Board to hear the case was established as verified by legal counsel to the Board. The Board heard from Zoning Inspector Dan Donegan, followed by the applicant.

The following citizens were present to speak during the public hearing:

- James Dipaolo, 5680 E Cornell Ave; spoke in support of the applicant
- Donna Martin, 5660 E Cornell Ave; spoke in support of the applicant
- Bernie, contractor and designer of addition spoke on behalf of applicant

The Board, after discussion and consideration of the evidence and testimony provided at the hearing, found that the property was eligible under the Arapahoe County regulations to request a Variance, as defined in the Arapahoe County Land Development Code.

Upon motion duly made by George Robinson and seconded by Beth Kinsky, **the Variance was APPROVED:**

The motion passed unanimously, 4-0.

BOA-2021-00002

Evgeniy Galaktionov presented for the property at 3000 S Holly Place, which is zoned R-3. The Board was presented with a request for Variance to allow for the property owner to build an addition to encroach into the rear yard setback making the addition 7.3 feet from the property line. Jurisdiction for the Board to hear the case was established as verified by legal counsel to the Board. The Board heard from Zoning Inspector Michelle Lantz, followed by the applicant and her representative.

The following citizens were present to speak:

- Colin Joyce, 3001 S Kearney St; expressed concerns regarding a rooftop patio and privacy, as well as afternoon sun being blocked from the addition.
- Margaret, 3003 S Kearney St; no concerns

The Board, after discussion and consideration of the evidence and testimony provided at the hearing, found that the property was eligible under the Arapahoe County regulations to request a Variance, as defined in the Arapahoe County Land Development Code.

Upon motion duly made by Howard Buchalter and seconded by Beth Kinsky, **the Variance was APPROVED with the following conditions:**

- **The variance was approved for the garage to encroach into the rear setback in its current location only. No additional encroachment is permitted.**
- **The garage must remain one-story and may not have a deck on top.**

The motion passed unanimously, 4-0.

ADJOURNMENT

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