Minutes

February 15, 2023

Meeting Summary
The minutes of the November 16, 2022 Neighborhood Board of Adjustment meeting were approved by the Board by a vote of 6 to 0.

Public Hearing - NBOA 2023-2 Waterfront East Filing No. 1, Lot 1 - Consideration of a revised variance to increase the fence height for an existing fence from two and a half feet to six feet was approved by a vote of 5 to 1.

Roll Call - 5:00 P.M.
Chair Hardouin called the meeting to order at 5:00 p.m.

Board Members Present: Larry Hardouin
Thomas Orlando
Michael Fried
Alan Orman
Curt Ophaug-Johansen
Deven Fox (alternate)

Board Members Absent: Carole Hertel
David Nelson

Staff Members Present: Branden Roe, Principal Planner
Nannette Makin, Administrative Support
Kourtney Hartmann, Senior Attorney
Danielle Vigil, Administrative Support
Lauren Jernigan, Planning Technician
Pat Odom, Administrative Supervisor

The secretary stated there was a quorum present.

Kourtney Hartmann, Senior Attorney requested an executive session for legal advice relating to Neighborhood Board of Adjustment standards for review pursuant to C.R.S. 24-6-402(4)(b).

The meeting was adjourned for the executive session at 5:05 p.m.

The regular meeting resumed at 6:17 p.m.

Petitions and Communications
Carole Hertel resigned effective March 31, 2023. If there isn’t a meeting in March, then she will have attended her last meeting.

Disposition of Minutes
The minutes of the November 16, 2022 Neighborhood Board of Adjustment meeting were approved by a vote of 6 to 0.
Chair Hardouin re-opened the public hearing at 6:20 p.m.

Branden Roe, Principal Planner, summarized the staff report and asked that the staff report be made part of the record.

Tony and Michelle Janssen presented information regarding the variance to the Board.

Members of the public who spoke: Jennifer Carlson, 1234 Aspen Street

Board Members' comments and questions followed and the applicants responded to the Board’s questions.

Chairman Hardouin closed the public hearing at 7:04 p.m.

Board Member Ophaug-Johansen moved for a motion of approval of NBOA Resolution No. NBOA 2023-2 Waterfront East Filing No. 1 Lot 1 for a revised variance such that the applicants shall meet the requirements of the zoning code for a 2.5 foot decorative fence along the eastern property boundary within the front setback that extends from the garage and north along the site to the northeast corner of the lot. At the northeast corner, the decorative fencing shall continue westerly along the northern boundary of the lot for approximately one-third of the length of the fence to the water line and at that point the fence may convert to a privacy fence with gaps gradually stepping-up to a solid privacy fence that is 6 feet in height along the northern boundary of the property. The Neighborhood Board of Adjustment is seeking to allow an aesthetically pleasing transition to the full 6 foot fence height and solid privacy fence along the northern boundary of the property.

Board Member Fox seconded the motion.

The resolution passed by a vote of 5 to 1 with Board member Fried voting no.

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