



DELTA COUNTY

PLANNING & COMMUNITY DEVELOPMENT

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**MINUTES
BOARD OF ADJUSTMENTS
REGULAR MEETING
DELTA COUNTY
560 DODGE ST, DELTA, CO 81416
August 25, 2022**

Chairman Mark Roeber called the meeting to order at 5:30 p.m. in the Administration Building Commissioner's Meeting Room.

ROLL CALL

Board of Adjustments Members in Attendance:

Mike Twamley, District 1

Brett Hilling, District 2

Members Absent:

Mark Roeber, District 3

Planning Staff in Attendance:

Delta County Community Development & Natural Resource Director, Carl Holm

Delta County Planning & Community Development Planner I, Kate Kelly

Delta County Planning & Community Development Planner I, Angie Kemp

Delta County Planning & Community Development Administrative Assistant, Kim Henderson

A. PUBLIC COMMENT

None

B. AGENDA ADDITIONS, DELETION, AND CORRECTIONS

None

C. MEETING MINUTES

- a. Regular Board of Adjustment meeting of June 23, 2022

RECOMMENDATION: Approve the action minutes as presented.

Brett Hilling moved to approve the meeting minutes as presented. Mike Twamley stepped down and seconded the motion.

Motion carried unanimously

D. PUBLIC HEARING ITEMS:

Item #1

PLN21-044 (Campbell)

Continued from July 28, 2022. Consider a variance reducing required setbacks from 15 feet (adjusted property line) and 25 feet (existing ditch) to 2 feet and 4 feet for an existing barn and shed, respectively. The property is located at 37224 Campbell Road, Paonia (Parcel #:324310400034).

RECOMMENDATION: Staff recommends that the Board of Adjustment (BOA):

- Consider the variance findings as they apply to PLN21-044/Campbell; and
- Provide direction to either Approve, Conditionally Approve, or Deny variance reducing required setbacks between an adjusted interior property line (15-feet) and a ditch (25-feet) to and existing barn (2-feet) and an existing shed (4-feet) located at 37224 Campbell Road (Parcel:324310400034); and
- Authorize the Director to prepare a Resolution reflecting the BOA direction, including evidence relative to the required findings, and conditions (as applicable).

Kate Kelly presented the project.

The Board asked questions of staff and the applicant – Calvin and Tracy Campbell were in attendance.



Brett Hilling moved to approve PLN21-044 with staff recommended findings and conditions. Mike Twamley stepped down and seconded the motion.

Motion carried unanimously.

Item #2

PLN22-067 (Nieman)

Continued from July 28, 2022. Consider a variance to reduce the required lot size from 35 acres minimum to approximately 3.25 acres (Lot 2) in the A-35 zoning district. The subject property is a 38.36-acre parcel located at 16454 Grange Road, Paonia (Parcel: 318728101009).

RECOMMENDATION: Staff recommends that the Board of Adjustment (BOA):

- Consider required variance criteria and findings as they apply to PLN22-067 (Nieman);
- Provide direction to either Approve, Conditionally Approve, or Deny lot size variance(s) for one (1) lot in the A-35 zoning designation located at 16454 Grange Road (Parcel: 3187281401009/Nieman); and
- Authorize the Director to prepare a resolution reflecting the BOA direction, including evidence relative to the required findings, and conditions (as applicable).

Angie Kemp presented the project.

The Board asked questions of staff and the applicant - Jeff Neiman was in attendance.

Brett Hilling moved to approve PLN22-067 with staff recommended findings and conditions. Mike Twamley stepped down and seconded the motion.

Motion carried unanimously.

Item #3

PLN22-079 (Hamilton)

Consider a variance to reduce the required lot size from the 20-acre required minimum to approximately 10.88-acres (Lot 2) in the A-20 zoning district. The subject property is a 35.88-acre parcel located at 39772 & 39766 L75 Road (Parcel: 324324100026), Paonia.

RECOMMENDATION: Staff recommends that the Board of Adjustments (BOA):

- Consider required variance criteria and findings as they apply to PLN22-079 (Hamilton);
- Provide direction to either Approve, Conditionally Approve, or Deny lot size variance(s) for one (1) lot in the A-20 zoning designation located at 39772 & 39766 L75 Road (PLN22-079/Hamilton); and
- Authorize the Director to prepare a resolution reflecting the BOA direction, including evidence relative to the required findings, and conditions (as applicable).

Angie Kemp presented the project.

The Board asked questions of staff and the applicant – Loren and Teressa Hamilton was in attendance.

Brett Hilling moved to approve PLN22-079 with staff recommended findings and conditions. Mike Twamley stepped down and seconded the motion.

Motion carried unanimously.

E. WORK SESSION

1. Land Use Code Update – Work Session

Work Session to consider redline drafts of various sections/topics of the Delta County Land Use Code.

RECOMMENDATIONS: Staff recommends that the Board of Adjustment hold a Work Session on the LUC Update and provide direction to staff on:

- Chapter 2; Section 1 “Zoning Districts” (including Tables 2.a and 2.b), Section 3.A “Temporary Uses”, and Section 5.B “Use Specific Standards” (including standards for wireless communications and renewable energy)
- Chapter 3 “Lot Dimensions” (including subdivision of lots that do not meet the minimum lot size)
- Chapter 8; Section 5 “Variances”
- Chapters 12 “Subdivision Regulations”



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Chair Twamley deferred this item until the full Board was present.

F. BOARD COMMENT, REQUESTS AND REFERRALS

None

G. DEPARTMENT REPORT

September and October meeting schedule. Given staff schedules along with timing for the Land Use Code, the Board of Adjustments agreed hold a Special Meeting to review the Land Use Code Update redlines. Staff will check with Board members to find a date.

Meeting adjourned at 6:10 p.m.

Respectfully submitted by:
Administrative Assistant, Kim Henderson