



MINUTES
BOARD OF ADJUSTMENTS
REGULAR MEETING
DELTA COUNTY
560 DODGE ST, DELTA, CO 81416
October 27, 2022

Chairman Mike Twamley called the meeting to order at 5:33 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 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 October 13, 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

PLN22-014 (Norell)

Consider a variance reducing the minimum lot size from 20 acres in the A20 zoning district located on 2200 Road, south of H Road (Parcel: 345513100024), Delta.

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

- Consider required variance criteria and findings as they apply to PLN22-014 (Norell);
- Provide direction to either Approve, Conditionally Approve, or Deny lot size variance(s) to subdivide a 30-acre parcel into three (3) lots in the A20 zoning designation located off of 2200 Road in Delta (Parcel 345513100024/Norell)
- 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 – Ken and Paula Norell were in attendance.

Brett Hilling moved to approve PLN22-014 with staff recommended findings and conditions. Mike Twamley stepped down and seconded the motion.

Motion carried unanimously.



Item #2

PLN22-148 (Kenyon)

Consider to reduce the required lot size from a 5.0 acre minimum in the A5 zoning district located at 24689 Timothy Road (Parcel: 319309100017), Cedaredge.

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

- a. Consider required variance criteria and findings as they apply to PLN22-148 (Kenyon);
- b. Provide direction to either Approve, Conditionally Approve, or Deny lot size variance(s) to subdivide a 3-acre lot into two (2) lots in the A5 zoning designation located at 24689 Timothy Road, Cedaredge, Parcel: 319309100017/Kenyon).
- c. 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 – Stanley and Stacey Kenyon were in attendance.

Brett Hilling moved to deny PLN22-148 and authorize the Director to create a resolution reflective of the action. Mike Twamley stepped down and seconded the motion.

Motion carried unanimously.

Findings.

The proposed northern lot (Lot 2) would have to use a shared access that was narrow and meandered through Lot 1, which is not a good design. The Board anticipated future issues if the land did not stay within the family.

The lots are both small and would not have very many options for OWTS replacement given the existing development configuration. Lot 2 does not meet the minimum criteria for 30-feet of road frontage, which would alleviate many of the issues. However, the lot is narrow and septic for the current residence exists on the opposite side of the driveway so the 30-feet of frontage is not a reasonably easy to accommodate.

The BoA finds that granting a variance in this case would create a special privilege to this property that would not be granted to another property with similar conditions in the same zoning designation.

The BoA finds that there is allowance for reasonable use of the land without granting the variance, a secondary dwelling is allowed in this zoning designation.

E. BOARD COMMENT, REQUESTS AND REFERRALS

Board Member Brett Hilling stated his term is expiring in February 16, 2023 and he does not know if he will volunteer to serve another term.

F. DEPARTMENT REPORT

1. Consider a Board of Adjustments meeting in December.

The Board of Adjustments will hold a Special Meeting on Thursday, December 15, 2022.

Meeting adjourned at 6:28 p.m.

Respectfully submitted by:
Administrative Assistant, Kim Henderson