

BOARD OF ADJUSTMENT SUMMARY OF MOTIONS

May 17, 2017

BOARD MEMBERS PRESENT: Jerry Westhoff, Ryan Taylor, Mark Provino, Anthony Lord

STAFF PRESENT: Don Reimer, Planning Director, Keely Ambrose, Assistant County Attorney

Jerry Westhoff, Vice Chairman, called the meeting of the Board of Adjustment to order at 5:33 p.m. in the absence of Chair George Ressugie.

Approval of Summary of Motions: The Summary of Motions of the January 18, 2017 meeting was approved as submitted.

REGULAR AGENDA

PLN17-034 Appeal of Code Administrator Determination

An appeal of Administrative Decision Deny a Class I Site Plan Review Regarding Lot 18 and Lot 21 Gold King Placer Unsub; including Code Determinations on: 1) Merger of nonconforming Parcels (Sec. 14101.02.F); 2) That the parcel is considered Unplatted (Sec. 14101.02.F (10)); and 3) That a Nonconforming Parcel Plan Review is Required (Sec. 14101.02.C)

DISCUSSION: The BOA discussed the staff report and the applicant's presentation, and agreed with Staff's recommendation that the parcels should not be deemed merged. The BOA also agreed that there was no evidence of platting of the parcels, and that the parcels when considered separately were each less than 20 acres, meaning a non-conforming parcel plan was required for each parcel. The BOA discussed modifying Finding 3 from the staff report, to state that each parcel considered separately is less than 20 acres and therefore requires a non-conforming parcel plan review for each parcel.

MOTION: Mark Provino made a motion to grant in part and deny in part the applicant's request for appeal of an administrative decision to deny a Class I site plan review associated with Building Permit application B16-0213, with the modification of the third finding contained in the staff report.

Ryan Taylor seconded the motion which was approved on a vote of 4-0.

Findings:

1. Based on historical evidence and findings of hardship for Gold King Placer property owners in similar situations to the applicant, the BOA finds that the applicant's parcels are not merged per Section 14101.02.F of the Code.
2. There is no evidence of a subdivision plat meeting Summit County requirements for the parcels in Gold King Placer; therefore the applicant's parcels are "unplatted" per the Code.
3. Staff correctly used the definitions and provisions in the Code in determining that each parcel considered separately is less than 20 acres, therefore requiring a nonconforming parcel plan review for each separate parcel.

DISCUSSION ITEMS

Countywide Planning Issues: Don Reimer informed the BOA that the County is currently in the process of updating the Countywide Comprehensive Plan and invited them to participate in the process.

ADJOURNMENT

The meeting was adjourned at 8:17 p.m.

Respectfully submitted,

Don Reimer
Planning Director