

To access the Agenda and Backup Materials electronically, go to www.gjcity.org



**ZONING BOARD OF APPEALS
IN-PERSON/VIRTUAL HYBRID MEETING
CITY HALL AUDITORIUM, 250 N 5th STREET
TUESDAY, AUGUST 22, 2023
*Attend virtually: bit.ly/GJ-ZBOA-8-22-23***

Call to Order

Consent Agenda

1. Minutes of Previous Meeting(s)

Other Business

Adjournment

GRAND JUNCTION ZONING BOARD OF APPEALS
August 8, 2023, 5:30 PM
MINUTES

The meeting of the Zoning Board of Appeals was called to order at 5:45 p.m. by Commissioner Teske.

Those present were JB Phillips (Planning Commissioner), Jamie Beard (City Attorney), Niki Galehouse (Interim Planning Supervisor), Jessica Johnsen (Senior Planner), and Madeline Robinson (Planning Technician).

There were 9 members of the public in attendance, and 1 virtually.

CONSENT AGENDA

REGULAR AGENDA

1. Brodick Fence Variance

VAR-2023-287

Consider a request by Lyle and Catherine Carlile for a variance to allow a 6-foot solid fence to be placed in the front yard setback located at 2926 Brodick Way.

Staff Presentation

Jessica Johnsen, Senior Planner, introduced exhibits into the record and provided a presentation regarding the request.

Commissioner Teske clarified any potential conflicts of interest he or his firm may have had with this item.

Applicant Clark Milsap and homeowner Robert Carlile were present and available for questions.

Questions for staff

Commissioner Teske asked why the fence could not be approved via administrative adjustment. He asked if the new HOA approved of the fence.

Staff responded to Commissioner questions.

Public Hearing

The public hearing was opened at 5:56 p.m. on Tuesday, August 1, 2023, via www.GJSpeaks.org.

Clark Milsap expressed his frustrations with the difficulty of acquiring the fence.

Robert Carlile thanked the commissioners and city staff for their consideration.

The public hearing was closed at 6:00 p.m. on August 8, 2023.

Discussion

Commissioner Phillips commented that the ZBOA had read all the documentation and fully understood the situation leading up to the hearing.

Commissioner Teske verified that the previous HOA members were still opposed to the fence. He asked how the proposed fence differed from the fence at 662 Strathearn Drive. He evaluated each of the eight approval criteria and how they pertained to the request.

Robert Carlile explained the request for an administrative adjustment and the subsequent conflict between the HOA and the ACC. He noted that the public comments in opposition to the fence were for a different design with a previous buyer. He noted that the CC&Rs for the subdivision required a 6' fence to screen RVs/sheds.

John Tangerman, Enclave HOA President, confirmed that the HOA approved of the fence. He provided background as to why the previous HOA was disbanded.

Clark Milsap commented that the lot had been planned and approved by the ACC to include space for an RV.

City Development Engineer Rick Dorris explained how the design of the fence would be able to adequately maintain sight distance requirements on Brodick Way.

Staff responded to commissioner comments and questions.

Motion and Vote

Commissioner Philips made the following motion "Mr. Chairman, on the request for a variance to install a 6-foot solid fence in the front yard setback as depicted on the site plan, VAR-2023-287, I move to approve the request with the findings of fact as listed in this staff report."

Commissioner Teske seconded; motion passed 2-0.

OTHER BUSINESS

ADJOURNMENT

Commissioner Philips moved adjourn the meeting.
The vote to adjourn was 2-0.

The meeting adjourned at 6:38 p.m.