



# MINUTES OF THE TOWN OF IGNACIO BOARD OF ADJUSTMENT MEETING

Wednesday, March 13, 2019, 5:00 P.M.  
570 Goddard Avenue, Ignacio, CO 81137  
Abel F. Atencio Community Room

## I. Call Meeting to Order

Chairman Brown called the meeting order at 5:10PM. In attendance were Chairman, Mandy Brown; Vice Chairman, Clark Craig; member, Jeremy Schulz; Interim Town Manager, Mark Garcia; Applicant, Shane Roukema.

Chairman Brown gave Mr. Roukema the opportunity to present his request to the Board. Mr. Roukema stated that he would like to have a variance for the structure he desires to build at 210 Ignacio Street. He is requesting a 15% increase in the maximum lot coverage. The lot size is small (4506) compared to the typical lot size (6500). He desires to add a garage so that his vehicles are off the street and improve the appearance of the street. This also would aid in the snow removal process during winter. He would also like to put a covered walkway around the house to aid in the prevention of mold forming and to keep dry. He stated that his wife will use part of the garage as a work area. He and his wife are here to stay; they are not planning on leaving this community. He stated that all of the setbacks still meet the requirements of the Code; he is simply requesting a variance to the lot coverage due to the size of the lot.

Mr. Garcia stated that Mr. Roukema is very familiar with codes, building and planning, and knew what he needed to accomplish what he desires. Mr. Roukema completed the Land Use Application, provided the necessary sketch, and paid his fees; he has also submitted his statement of justification as required by the Code. The Public Hearing was noticed per Code, and the property owners were noticed. Mr. Roukema's neighbor, Mr. Duran, stated he has no problem with what Mr. Roukema desires to do and will work with Mr. Roukema on fencing and other items. Mr. Garcia stated that the Planning Commission may want to look at consolidation of lots so that there is not continued building over property lines. In this particular instance, if Mr. Roukema's three lots are consolidated into one, he meets the setback requirements of the Code.

Chairman Brown stated that she looked on the County's GIS Map and found lots 1 and 3, so it seems that there has already been a consolidation of two of the lots. Mr. Roukema clarified that, when paying taxes, lots one and two are combined; he pays for lot three separately. He stated that he desires to get all three lots consolidated into one. Mr. Roukema stated that he has talked with his other neighbor, Chris Cushing, and he is supportive of his plans.

Chairman Brown asked Mr. Garcia when he spoke with Mr. Duran; he stated it was on Monday of this week. He stated that another neighbor, Mr. Herrera, brought his letter to the office and expressed that he did not understand why he received the letter; office staff explained it to him. He had no comment either for or against Mr. Roukema's plans. Chairman Brown expressed appreciation for the additional information.

Mr. Craig stated that he also received a letter because he is within the required distance for notification. He commented that he has no opinion because the Trailer Park is on the other side of the highway; however, he is always looking for improvement and feels this would be a positive thing even though it does not affect the Trailer Park directly. Chairman Brown stated that she has no other questions.

Mr. Craig said that he believes that, since all that is being requested is a percentage of lot coverage allowance, the process is very straightforward. He stated he would like to talk with Mr. Roukema about the progress of the building.

## II. 210 Ignacio Street Variance Request – Public Hearing

Chairman Brown stated that she wanted to open this up for discussion; she allowed Mr. Garcia to speak because he was giving a staff report. Mr. Craig acknowledged he jumped ahead of the agenda.

Chairman Brown greeted the other guest in the room, Mr. Bill Baird, and asked if he had any comments; he stated he did not.

There were no other public comments. Chairman Brown opened the floor for discussion.

Mr. Craig asked questions about the timeframe for the project; Mr. Roukema stated he would like to begin in April and be done by the end of the year. Mr. Craig asked about access to the garage; Mr. Roukema stated that he will have electronic gates and the property will be enclosed by a fence because of his dogs. Mr. Craig stated he had no further questions.

Chairman Brown asked if Mr. Schulz had any questions. He asked if Mr. Roukema had thought about the width of the utility easement; in the event there is the need to have repairs to any of the utility lines, would there be enough room for equipment. Mr. Roukema stated that, in addition to the 5' easement, there is a 7' setback; there is 12' total, which would be enough to get a backhoe into that area if need be.

Chairman Brown asked about the access again; she stated there is currently a wooden fence on the alley and, if access to the garage will come off the alley, how will that access be granted. Mr. Roukema stated that he hopes eventually to remove the wooden fence and replace it with a block wall and the electronic gate previously mentioned. He recognizes the block wall may not be feasible due to the utilities in the alley that may need to be accessed. He stated that he has already made a couple of locate calls to ensure that he knows where the utility lines run. He referenced the sketch and talked the Board through what the garage will look like.

Chairman Brown asked Mr. Garcia if he foresees any safety issue with Mr. Roukema's proposed entryway through the alley; Mr. Garcia stated he does not.

Mr. Schulz asked what maximum lot coverage was granted to Mr. Duran. Chairman Brown stated that it was 48%. Mr. Roukema stated that Mr. Duran had also requested setback variances, and he is not requesting those. Mr. Schulz stated there is another 3-car garage in the neighborhood, so what Mr. Roukema is requesting is a privilege that another property owner possesses.

Chairman Brown stated that she would like to ensure that all of the requirements are met to allow for a variance. Under exceptional or extraordinary circumstances applicable to the property, she stated that she believes that the Board concurs these exist. Both Mr. Schulz and Mr. Craig

concurrent. She stated that she would like to comment that the property is on three non-conforming lots. She referenced requirement number two, which is that such a variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity, and referenced the variances granted to the property due east of Mr. Roukema's which has a maximum lot coverage of 48%. She addressed the third requirement of the Code (that the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity). Mr. Schulz stated that, under this item, his only concern would have been for the business owner next to Mr. Roukema's property and Mr. Roukema has already addressed this.

Chairman Brown called for a motion.

**Action:** Mr. Craig moved to accept the request to increase the area coverage to 45% at 210 Ignacio Street in accordance with our current codes. Mr. Schulz seconded the motion. The motion passed unanimously by voice vote.

Mr. Roukema expressed appreciation.

Mr. Schulz asked if Chairman Brown would sign the resolution once it has been written up. She stated that she would. Mr. Garcia stated that he will draft the resolution, send it to all the Board of Adjustment members for review and comment, and submit the final resolution to Chairman Brown for signature.

Mr. Roukema asked about the process for consolidation. Mr. Garcia explained there is nothing currently in place in the Municipal Code to address this. Mr. Roukema asked about going to the County. Mr. Garcia agreed, and stated that this topic needs to be addressed in the current Land Use Code Update. Mr. Roukema stated he will proceed with the County.

Chairman Brown expressed appreciation for Mr. Roukema bringing this application and writing his statement of justification, for his desire to improve the Town, and for being part of the community.

Mr. Roukema expressed appreciation again for the granting of his variance request.

After Mr. Roukema left the meeting, discussion ensued regarding dating and time-stamping the application when it is received to ensure that the Board meets the 45-day requirement. Mr. Garcia concurred and notified the Board of another potential upcoming variance request, which he hopes will be submitted after the Land Use Code is updated (which he anticipates will be within a couple of months from now).

### III. Adjourn Meeting

**Action:** Being no further business before the Board, Chairman Brown adjourned the meeting at 5:40PM. She expressed appreciation to the Board members for their service.

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Mandy Brown, Chairman

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Attest: Tuggy Dunton, Town Clerk