

MEMBERS	PRESENT	ABSENT	EXCUSED
MARLA LARSON	X		
ELLEN HARRIMAN	X		
SCOTT FRAZIER	X		
SHARON CAVE	X		

OTHERS PRESENT: Director Steve Westbay and Planner Andie Ruggera

- I. CALL TO ORDER AT 7:00 PM BY CHAIR MARLA LARSON**
- II. PUBLIC HEARING – VA 16-3, SUBMITTED BY NAVID NAVIDI, REQUESTING A FRONT SETBACK VARIANCE ALONG REED STREET AND NEW YORK AVENUE.**

Open Public Hearing. Chair Larson opened the public hearing at approximately 7:01 p.m.

Proof of publication. Proof of publication was entered into the record.

Review of the Process. Director Westbay reviewed the process for a Variance Application and stated the applicant was requesting a five-foot variance on both Reed Street and New York Avenue. The legal description of the property is Lots 15 and 16, Island Acres #2, City and County of Gunnison.

Applicant Presentation. Mr. Navid Navidi introduced himself and stated he is trying to construct a shop on property that was formally the A&W. When he went to the City to get a building permit he thought that Reed was a rear setback and New York was a side setback. Mr. Navidi stated he has already ordered a building that is 70 feet by 100 feet for the site.

Mr. Navidi stated after he talked with Steve and Eric [in the Community Development Office] he was told he had three street frontages that are counted as front setbacks. If he sets his building back to 15 feet that would leave 40 feet to the pavement of New York and put the building right up against his shop to the south. This would create problems for him and he would lose his access from Reed Street. Mr. Navidi stated his business revolves around big trucks and many times he has semi-trucks on his site. This would make it difficult to run his business if he can't exit on Reed Street.

Another hardship is that he will not be able to plow between buildings. The building he ordered has an office on the south end. If he has to move the structure to the south, it will diminish the solar access.

Mr. Navidi stated there is a storm drain between the two buildings and it would be very expensive to redo the parking lots. If he sells the property in the future the setback will diminish the value of the property.

Other buildings along New York Avenue are sitting right on the property line. The Building right behind me is sitting on the property line. Mr. Navidi stated it is unreasonable for the City to deny the five-foot setback on New York. He has run out of room and is spending a lot of money. With the new site he would be able to park all vehicles in the building. Mr. Navidi stated he is requesting variances on both Reed and New York.

Chair Marla Larson asked if it has to be five feet or if the setback could be more. Mr. Navidi responded that he would not be able to drive through the two buildings [off Reed Street] and it would affect the existing drainage.

Mr. Navidi stated there are a lot of other buildings that are right on the property line. Chair Larson stated that we [Board] are constrained by what happens today. Mr. Navidi replied if you make me setback 15 feet are you going to make other people tear their structures down.

Public Input. There was none.

Staff Presentation. Director Westbay stated the real problem when determining the application is that staff couldn't find reasoning for New York. The applicant has recited other reasons during this public hearing that could be hardships. There are three potential hardships I heard Mr. Navidi state:

- There could be a hardship on existing drainage to the south of the property;
- Solar access of the new building could be diminished; and
- The operational needs of the site may or may not be applicable.

Mr. Navidi stated that when he talked to Eric Jansen he made it sound like a five-foot setback wasn't an issue when he submitted an application for the variance.

Director Westbay also stated that there are street buffer requirements and there should be plenty of real estate to work with.

Commission Discussion. Chair Larson stated she would like to remand the application back to Mr. Navidi so he can work with staff to come up with a different number than the five-foot setback on New York. Director Westbay stated the public hearing could be continued to a later date so the applicant wouldn't have to start all over.

Mr. Navidi stated the building is a huge investment to him and given the fact that other properties have structures on the property line on New York, he would just like the variance.

Board Member Frazier stated he feels like we [the Board] need a recommendation from staff. I understand we have to look at the future and if staff says we don't need the setback we can take a closer look at this application.

Chair Larson stated that staff can come back to the Board with a different recommendation.

Mr. Navidi stated he thought Steve had already said there was plenty of real estate. He can't build in the winter time.

Board Member Cave moved to continue the public hearing for application VA 16-3, submitted by Navid Navidi, requesting a front setback variance along Reed Street and New York Avenue, to Thursday, August 18, 2016 at 7 p.m. Board Member Harriman seconded the motion.

Roll Call Yes: Larson, Frazier, Harriman and Cave
Roll Call No:
Roll Call Abstain:
Motion Carried

III. CONSIDERATION OF THE JUNE 1, 2016 MEETING MINUTES

Board Member Harriman moved and Board Member Frazier seconded to approve the June 1, 2016 meeting minutes as presented.

Roll Call Yes: Larson, Frazier and Harriman
Roll Call No:
Roll Call Abstain: Cave excused from the June 1, 2016 meeting.
Motion Carried

IV. ELECTION OF NEW OFFICERS

Board Member Larson moved and Board Member Cave seconded the nomination to appoint Board Member Frazier as Chair.

Roll Call Yes: Harriman, Frazier, Cave and Larson
Roll Call No:
Roll Call Abstain:
Motion Carried

Board Member Cave moved and Board Member Larson seconded to appoint Board Member Harriman as Vice Chair.

Roll Call Yes: Harriman, Frazier, Larson and Cave
Roll Call No:
Roll Call Abstain:
Motion Carried

V. UNSCHEDULED CITIZENS -There were no unscheduled citizens.

VI. BOARD COMMENTS- None

VII. STAFF COMMENTS

Director Westbay updated the Board and stated that staff has been working on the FY2017 budget and capital planning. The new City Manager will also start the end of August.

VIII. ADJOURN

The meeting was adjourned at approximately 8 p.m.

Marla Larson, Chair

Attest:

Andie Ruggera, Secretary