

<b>MEMBERS</b>	<b>PRESENT</b>	<b>ABSENT</b>	<b>EXCUSED</b>
MARLA LARSON	X		
MARION HICKS	X		
WES BAILEY			X
ELLEN HARRIMAN	X		
SCOTT FRAZIER			X

**OTHERS PRESENT:** DIRECTOR STEVE WESTBAY, PLANNER ANDIE RUGGERA, STEVE MELDRUM

**I. CALL TO ORDER AT 3:00 PM BY CHAIR MARLA LARSON**

**II. PUBLIC HEARING – VA 14-3, AEQUITAS VERITAS, LLC.**

**Open Public Hearing.**

Chair Larson opened the public hearing at approximately 3:00 p.m.

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

**Review of the Process.** Planner Ruggera reviewed the process for a Variance Application. The applicant, Aequitas Veritas, LLC, represented by Steve Meldrum, is requesting a front setback variance of five feet instead of the 15 foot required setback.

**Applicant Presentation.** Steve Meldrum stated the design on this site is difficult and if the 15' setback had to be met on the south, it would leave a 40' buffer from Denver Avenue. The proposed building will set back a little more than the existing building.

Director Westbay discussed buffer requirements and their function to provide for screening, landscaping and sidewalks. He stated the existing building is nonconforming to the Code and the proposed building will be set back farther than the existing structure. He stated the applicant is proposing a quality design.

**Public Input.** There was none.

**Staff Presentation.** Staff had nothing further to present.

**Commission Discussion.** There was no further discussion.

**Close Public Hearing.** Chair Larson closed the public hearing at 3:07 p.m.

**Action.** At the Zoning Board of Adjustments and Appeals meeting of September 5, 2014, Board Member Marla moved, and Board Member Marion seconded to APPROVE the request by Aequitas Veritas, LLC for Variance Application, VA 14-3 for a front setback variance of five feet on the southern boundary of 700 North Boulevard based on the following Findings of Fact and Condition:

Findings of Fact:

1. The Zoning Board of Adjustments and Appeals finds that the record of this action includes the application contents on file with the City of Gunnison; all comments entered into the Public Hearing record; provisions of the *City of Gunnison Land Development Code*; and the *City of Gunnison Master Plan (2007)*.
2. The Zoning Board of Adjustments and Appeals finds that the application meets the seven review standards as defined in the *Land Development Code* for variances.
3. The Zoning Board of Adjustments and Appeals finds that the applicant is requesting a variance for a 5' front setback instead of the required 15' front setback.
4. The site is constrained with a double frontage lot configuration. The Zoning Board of Adjustments and Appeals finds that the variance is necessary to provide reasonable use of the site that includes functional parking and access and pedestrian facilities.
5. The Zoning Board of Adjustments and Appeals finds that the redevelopment of this site will create buffers and sidewalk of 25' along Denver Avenue and 22' along Main Street that will enhance the property and street frontage.
6. The Zoning Board of Adjustments and Appeals finds that the application promotes the long term health, safety, and welfare of the community.

Condition:

The applicant shall apply for a building permit through the Community Development Department before the variance approval expiration date of September 5, 2015.

Roll Call Yes: Ellen, Marion and Marla

Roll Call No:

Roll Call Abstain:

Motion Carried

**III. CONSIDERATION OF THE JUNE 11, 2014 MEETING MINUTES**

Member Ellen Harriman moved and Member Marion Hicks seconded to approve the June 11, 2014 meeting minutes as amended.

Roll Call Yes: Ellen, Marion and Marla

Roll Call No:

Roll Call Abstain:

Motion Carried

**IV. UNSCHEDULED CITIZENS**

There were no unscheduled citizens.

**V. BOARD COMMENTS**

Board Member Ellen Harriman moved to excuse Members Wes Bailey and Scott Frazier from the September 5, 2014 meeting. Board Member Marion Hicks seconded the motion.

Roll Call Yes: Ellen, Marion and Marla

Roll Call No:

Roll Call Abstain:

Motion Carried

**VI. STAFF COMMENTS**

Director Steve Westbay gave an update on current happenings within the Community Development Department.

**VII. ADJOURN**

The meeting was adjourned at approximately 3:15 p.m.

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Marla Larson, Chair

Attest:

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Andie Ruggera, Secretary