

**GEORGETOWN BOARD OF ADJUSTMENT  
WEDNESDAY, AUGUST 2, 2023  
10:30 A.M.**

**NOTICE AND AGENDA FOR REGULAR MEETING**

**MEETING AGENDA**

**CALL TO ORDER**

**ROLL CALL**

Chair, Tom Elliott  
Mary Riddle Clark  
Coralie Anderson  
Sharon Rossino  
Vacant Seat

- Minutes of September 26, 2022, meeting
- Kathy Hunnenin – 806 Griffith St. Historic Residential District  
Build a greenhouse into the side/rear setback

**OTHER BUSINESS**

**ADJOURNMENT**

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**To join the meeting: [www.zoom.us](http://www.zoom.us)**

**Webinar ID: 860 8650 4661**

**Or Telephone: +1 253 215 8782 or +1 346 248 7799**

**Meetings can be watched live via: [www.townofgeorgetown.us](http://www.townofgeorgetown.us)**

**Go to: Government, then Recordings of Meetings**

*These meetings are also archived on the website*

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**If you would like to leave a comment, please call: 303-569-2555 ext. 2 or email:  
[townclerk@townofgeorgetown.us](mailto:townclerk@townofgeorgetown.us) and we will give you details regarding the meeting**



**GEORGETOWN BOARD OF ADJUSTMENT  
MEETING MINUTES  
September 26, 2022**

**CALL TO ORDER**

The meeting of the Georgetown Board of Adjustment on September 26, 2022, was called to order at 10:00 a.m. and was held at the Georgetown Town Hall, 404 6<sup>th</sup> St. Georgetown, CO with offering the option for virtual attendance.

**ROLL CALL**

Answering the roll were members Tom Elliott, Chairman, Mary Riddle Clark, Coralie Anderson, and Sharon Rossino. Town Clerk Jennifer Yobski was present as recording secretary.

**AUDIENCE**

Mark and Barbara Lockerman, and Mike Kortendick  
Virtual appearance: Martin Landers

**NEW BUSINESS**

**Mark Lockerman – 2155 Muscovite Dr. Meadows Residential District**

**Project: Build a deck on the rear of the house which extends into the setback.**

Mark and Barbara Lockerman appeared and explained they would like to construct two decks on the ground level and the second level of the rear of the house. The ground level deck would extend into the rear setback approximately 10 ft. Mrs. Lockerman explained that the backyard is adjacent to open space property. She also mentioned that there is a 5' utility easement at the rear of the house which will remain untouched.

Mike Kortendick, adjacent vacant property owner to the west, at Block 4, Lot 9, appeared and was interested in the project. It was established that the side yard setback is met and in good standing. It is only the rear setback that is affected.

The Board of Adjustment members went through the criteria in Section 17.32.020 (c) (2) And agreed that the project met all the criteria and will be granted the variance.

**Sharon Rossino made a motion to approve the variance request of Mark Lockerman at 2155 Muscovite Dr. of the Georgetown Municipal Code Section 17.16.045 (d)(7) Meadows Residential District Area/Bulk regulations, rear yard setback, seconded**

**MINUTES APPROVAL – October 21, 2021**

**Coralie Anderson made a motion to approve the October 21, 2021, minutes as presented, Mary Riddle Clark seconded the motion and it passed with unanimous vote.**

**ADJOURN**

**Coralie Anderson made a motion to adjourn the meeting at 10:38 a.m., Mary Riddle Clark seconded, and the motion passed with unanimous vote.**

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Tom Elliott, Chairman

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Jennifer Yobski, Town Clerk



## GEORGETOWN BOARD OF ADJUSTMENT

### Findings for Variance # 23-01 Hunnenin

806 Griffith St.

(GMC Section 17.32.020(c)(a-g))

- \_\_\_\_\_ Are there unique physical circumstances or conditions such as irregularity, narrowness or shallowness of the lot, or other physical conditions peculiar to the affected property? *Best answer, Yes*
- \_\_\_\_\_ Does the applicant's property have unusual circumstances or conditions that do not exist throughout the neighborhood or district in which the property is located? *Best answer, Yes*
- \_\_\_\_\_ Do such physical circumstances or conditions mean the property cannot reasonably be developed in conformity with the provisions of Title 17 of the Municipal Code (land use regulations)? *Best answer, Yes*
- \_\_\_\_\_ Has such unnecessary hardship been created by the applicant? *Best answer, No*
- \_\_\_\_\_ Will the variance, as requested, alter the essential character of the neighborhood or district in which the property is located, or substantially or permanently impair the appropriate use of development of adjacent property? *Best answer, No*
- \_\_\_\_\_ Is the variance, as requested, the minimum variance that will afford relief and the least modification possible of the Title provisions which are in question? *Best answer, Yes*
- \_\_\_\_\_ Does the variance, as requested, permit development in a flood hazard area, in a geologic hazard area or on a lot having a slope in excess of thirty percent (30%) contrary to the provisions for such development as cited in Title 17? *Best answer, No*

Y = Finding confirmed  
N = Finding not justified  
NA = Not applicable

\_\_\_\_\_  
Chairman, Board of Adjustment

\_\_\_\_\_  
Date





## **STAFF REPORT**

Date: June 2, 2023

To: DRC and BOA

From: Rick Keuroglan, Town Administrator, Town of Georgetown

RE: Staff Review of 806 Griffith Street requesting a Variance for adjustment of setback for a backyard greenhouse

To Whom It May Concern,

### **Description of the Project:**

Kathy Hunninen, owner of 806 Griffith Street, has submitted an application for a variance for a setback adjustment to allow a backyard greenhouse.

### **Facts Finding (History, Parcel Information, Zoning Requirements):**

Ms. Hunninen was not aware that she needed DRC approval for a backyard greenhouse and had a contractor begin to install it. It was flagged and reported to the Town Administrator. The Town Administrator called Ms. Hunninen to let her know that she will have to stop the project and submit plans to be reviewed by the DRC before the project can commence. The foundation was already poured in a location in the backyard. Ms. Hunninen complied immediately and came to the office to discuss the next steps. Ms. Hunninen submitted an application to the DRC for their review of the plans and it was discovered that the location of the foundation of the greenhouse was not compliant with the zoning setbacks in the Historic Residential District. The side and rear setbacks in the Historic Residential District are found in Sec.17.16.041(d)(5-6), which is Five (5) feet. This means that any accessory structure, which would be a greenhouse, would need to be placed no closer than 5 feet from the side or rear of the property line.

On the site plan document that was submitted, Ms. Hunninen has marked some dimensions that show these details:

- Actual greenhouse foundation's rear setback: 31"
- Actual greenhouse foundation's side setback: 39"
- The actual greenhouse foundation's other side setback from the blue spruce tree is 38"

Ms. Hunninen has communicated to the Town Administrator that she had no choice but to put the greenhouse foundation in the location where it is, was due to the Pine Tree location and that there was no other suitable location in her backyard.

Other details that are important for this project include square feet of the greenhouse, which is 96 sq ft. Since this project is less than 120 square feet, this would not need a building permit. It seems fair that the applicant did not intentionally bypass the DRC but made a mistake thinking that since she did not have to get a building permit that she assumed that she also did not need DRC design approval.

**FOR THE DRC:**

**The DRC will review all applications for a variance according to Sec.17.32.020(b)(2) for review for approval, denial or conditional approval of the application.**

**FOR THE BOA:**

**Once DRC has reviewed the application and passed it to the BOA, this will be a public hearing (see Sec.17.32.020(b)(3)).**

**Variance requirements from Sec. 17.32.020)C)(2)(a-g).**

**The board may grant a variance only if it makes findings that all the following requirements have been satisfied. Applicants responses are in Red, Staff's response in Blue:**

a. That there are unique physical circumstances or conditions such as irregularity, narrowness or shallowness of the lot, or other physical conditions peculiar to the affected property.

Yes, an old blue spruce limits the width of the greenhouse. There is no other spot on the property suitable for the greenhouse. There is no sun on the north side and no security in the south side of the backyard because it is bordered by the road and there is no fence.

The backyard is very narrow and the blue spruce tree does significantly restrict where the greenhouse can be located.

b. That the unusual circumstances or conditions do not exist throughout the neighborhood or district in which the property is located. No

Staff did not spend time examining if this is unusual or if this does not exist throughout the neighborhood or district.

**Staff Recommendation (4 possible motions):**

1. Staff recommends 614 Rose Street to be approved for a variance to allow the greenhouse foundation to remain where it is because it satisfies the requirements set forth in Sec. 17.32.020)C)(2)(a-g).
2. Staff recommends 614 Rose Street to be approved with the following conditions:
3. Staff recommends 614 Rose Street to be denied because it does not satisfy the requirements set up in Sec. 17.32.020)C)(2)(a-g).
4. Staff recommends 614 Rose Street to be continued for more information.

**Attachments:**

Signed *Rick Keuroghian*

Section 17.16.042, 17.20.020

Date 6.2.2023

Town Administrator

c. That, because of such physical circumstances or conditions, the property cannot reasonably be developed in conformity with the provisions of this Title. **No**

This is difficult to answer, The greenhouse could have been located in a different spot, however, the applicant said that the sun restriction would prevent it being reasonable to place it in any other place.

d. That such unnecessary hardship has not been created by the applicant. **No**

This too is difficult for Staff to answer. The applicant did not purposefully create the narrowness of her backyard, or was not willing to cut down the blue spruce tree, and therefore had to install the foundation in the best location she knew.

The applicant was responsible to place the foundation where it is without DRC approval.

e. That the variance, if granted, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use of development of adjacent property. **No**

The placement of the greenhouse in the backyard will not alter the character of the neighborhood nor permanently impair the appropriate use of development of adjacent property.

f. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the Title provisions which are in question. **Yes**

Since the foundation has already been set, the applicant is asking a variance to keep it in its location.

g. That the variance, if granted, will not permit development in a flood hazard area, in a geologic hazard area or on a lot having a slope in excess of thirty percent (30%) contrary to the provisions for such development as cited in this Title. A variance granted by the Board shall automatically expire within one hundred eighty (180) days of the date it was granted or within such time as the Board shall prescribe, unless a building permit for such variance is obtained within such period. The Board may grant variance extensions for good cause shown, but only if an application for such extension is made prior to the expiration of the variance. **Yes**

Staff is not aware that 806 Griffith Street is in the Floodplain and should not be any problem with the greenhouse being where it is.



TOWN OF GEORGETOWN  
404 6TH STREET  
P.O. BOX 426  
GEORGETOWN, CO 80444

## LAND USE APPLICATION

Project Name: Bob's Greenhouse

Project Site Address/Location: 806 Griffith St.

Name of Applicant: Kathy Hunningen Owner ☒ Agent ☐

Address: POB 986 Georgetown, CO 80444

Legal Description/Parcel, Block, Lot # (Attach Additional Sheet if Needed): BLOCK 37

Lot 3.4 IMP-361/222 SURV

Telephone#: 564 3363 Fax#: 303 Email: KathyHunningen@yahoo.com

### Type of Application (check all that apply):

- |  |  |
|--|--|
| <input type="checkbox"/> Subdivision: Conceptual Plan              | (Attach Subdivision Conceptual Plan Checklist)       |
| <input type="checkbox"/> Subdivision: Preliminary Plat             | (Attach Subdivision Preliminary Plat Checklist)      |
| <input type="checkbox"/> Subdivision: Final Plat                   | (Attach Subdivision Final Plat Checklist)            |
| <input type="checkbox"/> Subdivision Exemption Plat                | (Attach Subdivision Exemption Plat Checklist)        |
| <input type="checkbox"/> Special Use Permit                        | (Attach Special Use Permit Checklist)                |
| <input type="checkbox"/> Temporary Use Permit                      | (Attach Temporary Use Permit Checklist)              |
| <input type="checkbox"/> Sign Permit                               | (Attach Sign Permit Checklist)                       |
| <input type="checkbox"/> PUD: Preliminary Development Plan         | (Attach PUD: Preliminary Development Plan Checklist) |
| <input type="checkbox"/> PUD: Final Development Plan               | (Attach PUD: Final Development Plan Checklist)       |
| <input type="checkbox"/> Rezoning                                  | (Attach Rezoning Checklist)                          |
| <input checked="" type="checkbox"/> Zoning Variance                | (Attach Zoning Variance Checklist)                   |
| <input type="checkbox"/> Floodplain Development Permit             | (Attach Floodplain Development Permit Checklist)     |
| <input type="checkbox"/> Annexation                                | (Attach Annexation Checklist)                        |
| <input type="checkbox"/> Site Specific Development Plan            | (Attach Site Specific Development Plan Checklist)    |
| <input checked="" type="checkbox"/> Certificate of Appropriateness | (Attach Certificate of Appropriateness Application)  |

NOTE: No application will be accepted or processed unless it is complete and all fees are paid. In addition to the base application fee, a deposit to cover the reasonable anticipated costs for outside professional services may be required at the time of application. I hereby certify that the information contained herein and on any attachments hereto is in all respects true and accurate to the best of my knowledge and belief.

Name: (print) Kathy Hunningen 5-23-23  
Signature: Kathy Hunningen Date: 5/23/23

pd 5-23-23  
#1113

Adjacent Property Owners  
to South - Tim McDonogh  
to East - R. Albers

!! Property owners w/in 300'  
of portion of property

Not applicable

300' would encompass whole block  
w/ 8 houses - With exception  
of planned greenhouse site ~~on~~  
the required 5' offset they meet

X *Okuma*  
5/23/23



6/15/23

Town of Georgetown,

Attached is the sketch of a request for an offset variance. The requested offset is for 16" ~~for~~ 6 ft on south side. Photos are also attached w/ a survey of my property.

Dr. Hamner

987-01-01/1991 1991 -

**Subject** variance  
**From** kathy hunninen  
<kathyhunninen@yahoo.com>  
**To:** kathy hunninen  
<kathyhunninen@yahoo.com>  
**Date** Today at 6:27 AM

a. Are there unique physical circumstances/conditions? Yes

An old blue spruce limits width of greenhouse.

There is no other spot on property suitable for greenhouse. No sun on north side and no security in south yard bordered by road and no fence.

b. Do these conditions exist in neighborhood? No

c. Do these conditions prohibit reasonable development in conformity with Title? No

d. Has a unnecessary hardship been created by applicant? No

e. Will the variance alter essential character of neighborhood or impair the development of adjacent property? No

f. Does the requested variance the minimum variance provide relief and is the least modification possible? Yes

g. Does variance permit development in flood hazard area, or geologic hazard area? No

Sent from Yahoo Mail for iPhone







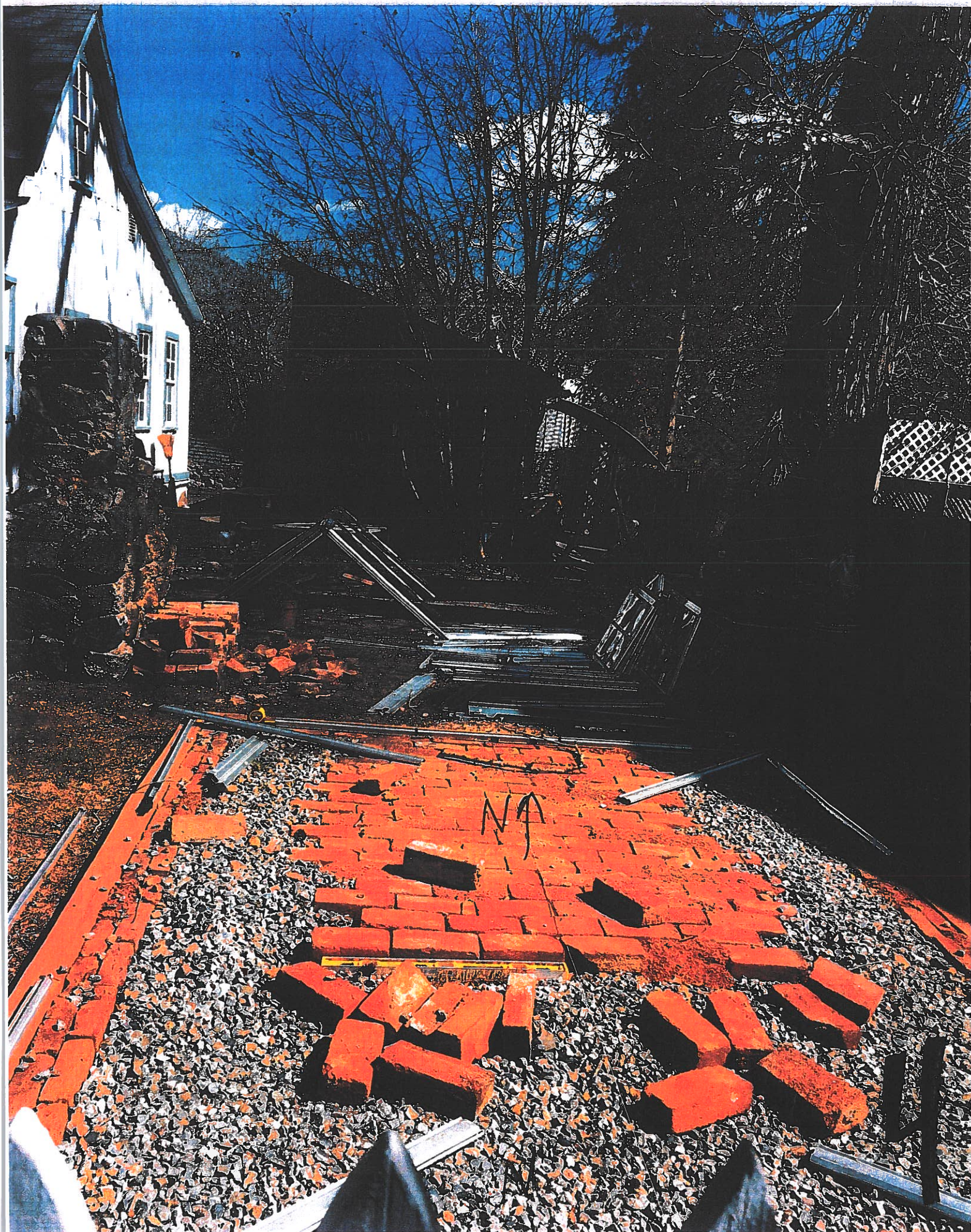














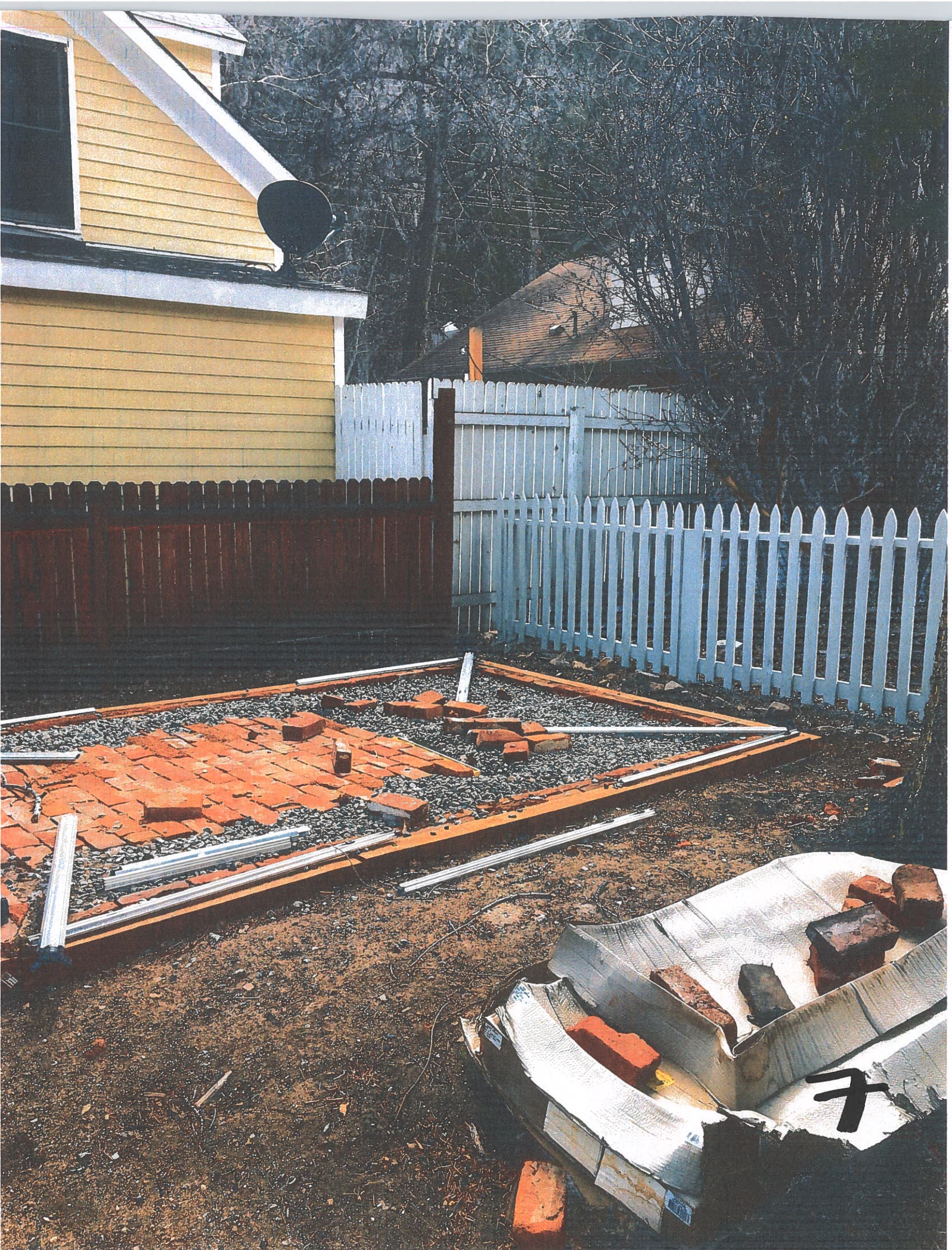


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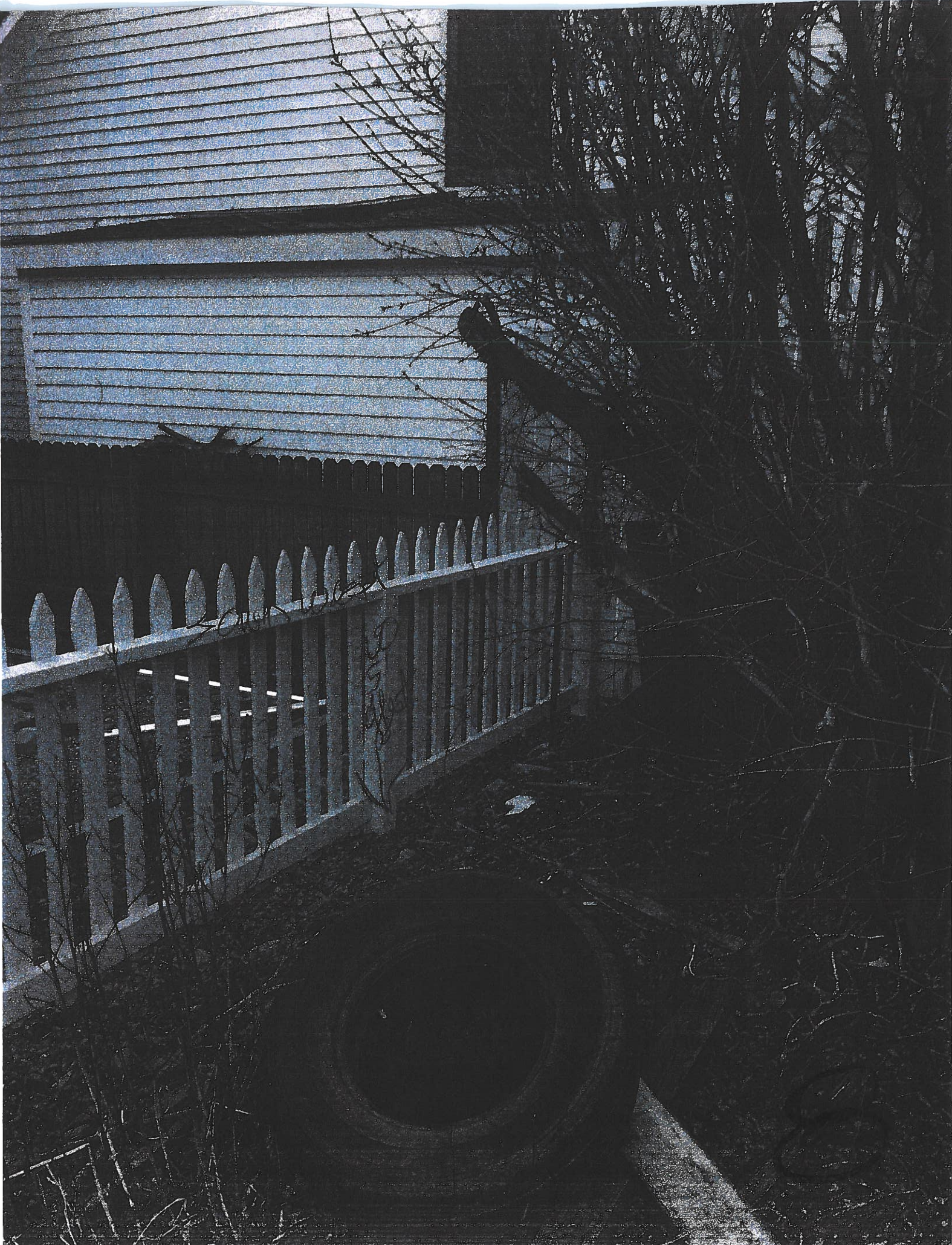






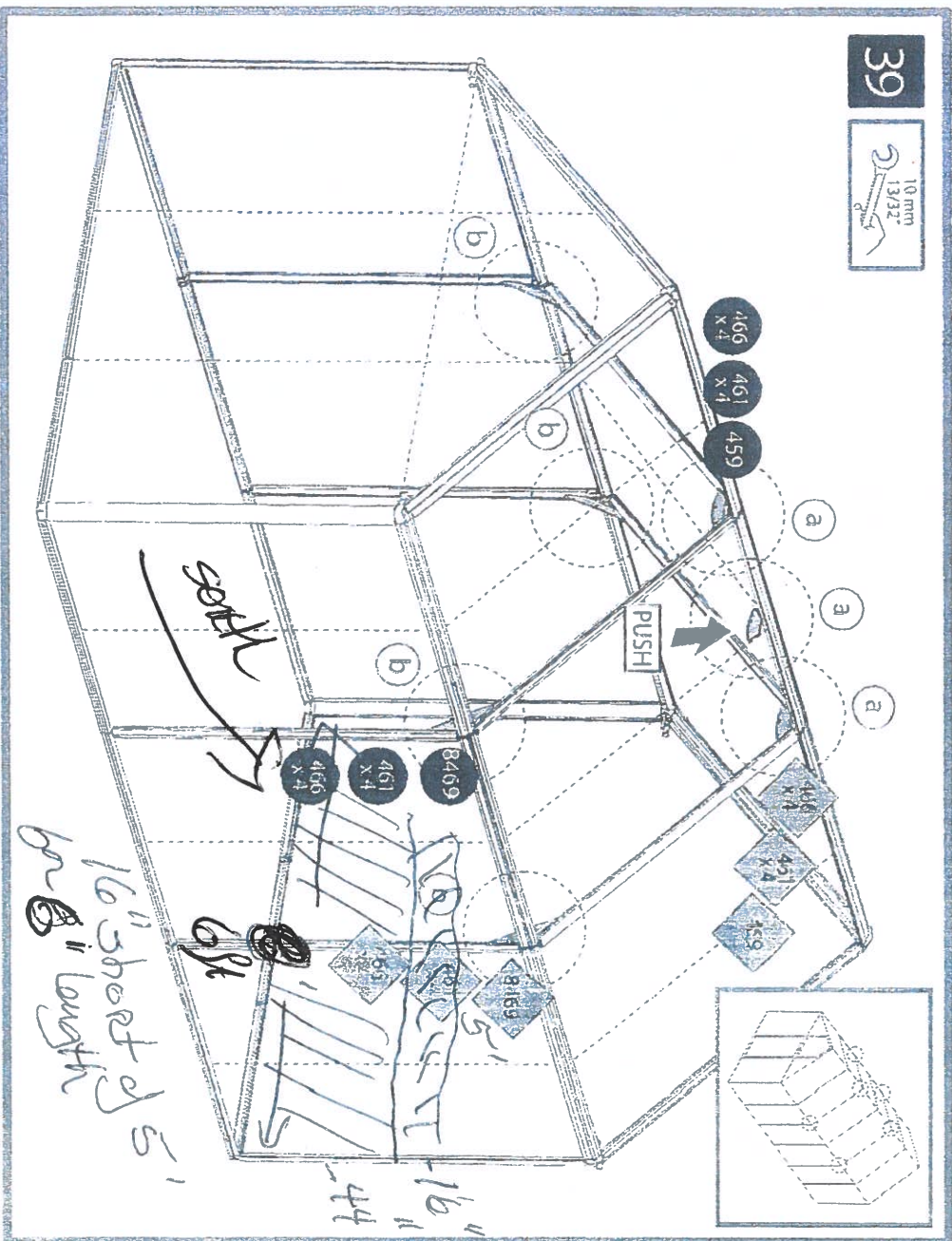








8469	$\times 2$	+	8469	$\times 2$
461	$\times 12$	+	461	$\times 12$
466	$\times 12$	+	466	$\times 12$



MAIN STREET

50' R.O.W.

257.71'

N 07° 08' 17" W

45.00'

9.00'

14.00'

45.00'

45.00'

BLOCK 37

LOT 7

4" WIDE ALLEY  
VALUED REPT. 841

LOT 8

V AND CAP 155.77'

61.62'

PIN AND CAP IS 25373  
0.2' WEST OF CALC LINE

S 08° 52' 24" E

94.50'

1 1/2" REBAR  
0.2' EAST OF CALC LINE

WOOD  
FRAME  
HOUSE

SHED

OLD WELL

FIRE PLACE

SHED

LOT 5

S 83° 15' 56" W  
63.94'

5" REBAR  
NOT ACCEPTED

LOT 4

WOOD  
FRAME  
HOUSE

PIN AND CAP M-S M  
NOT ACCEPTED

63.00'

FENCE

53.77'

94.50'

N 10° 43' 25" W

CP FIFTH STREET

40' R.O.W.

# Property Record Card

Clear Creek County Assessor

**HUNNINEN KATHERINE  
M**  
PO BOX 986  
GEORGETOWN, CO 80444-0986

**Account: R010055**  
Tax Area: Georgetown - 020  
Acres: 0.000

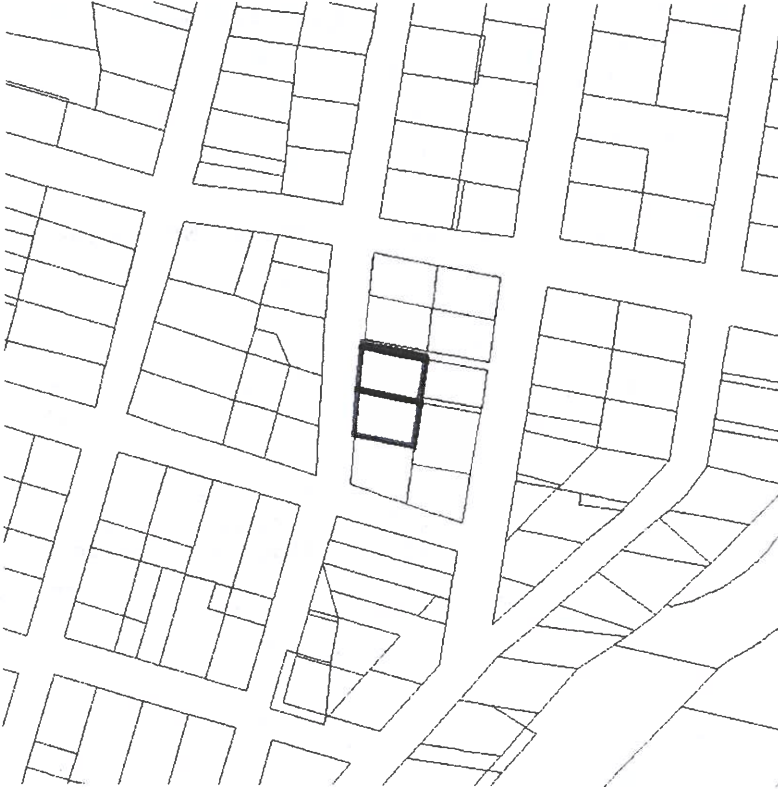
**Parcel: 1959-171-09-005**  
Situs Address:  
806 GRIFFITH ST  
GEORGETOWN, 80444

## Value Summary

Value By:	Market	Override
Land AD 0910 (1)	\$31,520	N/A
Residential Towns (1)	\$353,010	N/A
<b>Total</b>	<b>\$384,530</b>	<b>\$384,530</b>

## Legal Description

Subdivision: GEORGETOWN Block: 37 Lot: 3 AND:- Lot: 4 - & IMP  
- 361/222 SURV (DRAWING) 699/1 (FISCHE  
- ONLY) SURV #226764 701/557



## Land AD 0910 Occurrence 1

Acres	0	Square Feet	6570
Location Rating	LOCATION RATING - AVERAGE	Improvement	1
Use Code	RESIDENTIAL	Road Type	PRIMARY GRAVEL
Road Maintained	Yes	Topog Front	TOPOGRAPHY FRONT - LEVEL
Topog Mid	TOPOGRAPHY MIDDLE - LEVEL	Topog Back	TOPOGRAPHY BACK - LEVEL
Not Buildable	No	Property View	No
Southern Exposure	No	Creek Front	No
Shape	TYPICAL	Electric	Yes
Natural Gas	Yes	Sewer	SEWER - PUBLIC
Water	WATER - PUBLIC	Base Value	Georgetown
Abstract Code	1112 - RESIDENTIAL LAND		

SubArea	ACTUAL	SFLA	BSMT_FIN	FOOTPRINT	UNITS_BUILDIN GS
Units					1
Square Feet	6570	6570			
Total	6,570.00	6,570.00			1.00
Value	Rate	Rate	Rate	Rate	Rate

# Property Record Card

Clear Creek County Assessor

## Land AD 0910 Occurrence 1

Value	Rate	Rate	Rate	Rate	Rate
\$31,520	4.80	4.80			31,520.00

## Residential Towns Occurrence 1

Design	TRADITIONAL	Quality	AVERAGE QUALITY
Condition Age	CONDITION - FAIR	SFLA	1260
Year Built	1875	Bedrooms	2
Baths	1	Total Rooms	5
Type	4 - ONE STORY / HALF STORY FIN	Exterior Construction	1 - PLYWOOD/HARDWOOD
Roof Type	COMPOSITE SHINGLE	Floor Furnace	1260
Resil	252	Sub	0
Carpet	1008	Woodstove	2
Wood Balcony	151		

SubArea	ACTUAL	SFLA	BSMT_FIN	FOOTPRINT	UNITS_BUILDINGS
SFLA	1260	1260			
Units					1
Total	1,260.00	1,260.00			1.00
Value	Rate	Rate	Rate	Rate	Rate
\$353,010	280.17	280.17			353,010.00

## Abstract Summary

Code	Classification	Actual Value	Taxable Value	Actual Override	Taxable Override
1112	RESIDENTIAL LAND	\$31,520	\$2,190	NA	NA
1212	SINGLE FAM.RES-IMPROVEMTS	\$353,010	\$24,530	NA	NA
<b>Total</b>		<b>\$384,530</b>	<b>\$26,720</b>	<b>NA</b>	<b>NA</b>





## ZONING VARIANCE APPLICATION CHECKLIST

**Ten hard copies and one electronic version of all of the following information shall be submitted with an application for a zoning variance, unless one or more items are specifically waived in writing by the Town Administrator:**

- ☒ The Land Use Application form provided by the Town Administrator.
- ☒ A vicinity map indicating the location and street address (if applicable) of the property.
- ☒ A legal description of the property.
- ☒ The names and addresses of any property owners within three hundred feet (300') of any portion of the property.
- ☐ A cover letter justifying how the application meets the variance criteria in Section 17.32.020 (c) (2) of the Georgetown Municipal Code.
- ☐ A site plan and/or other drawing and information detailing the requested variance, unless waived by the Town Administrator.
- ☐ A letter of representation, signed and notarized by the property owner(s), for any applicant that is not a property owner.
- ☐ An application fee per the Fee Schedule.
- ☐ A deposit to cover the reasonable anticipated costs for outside professional services.



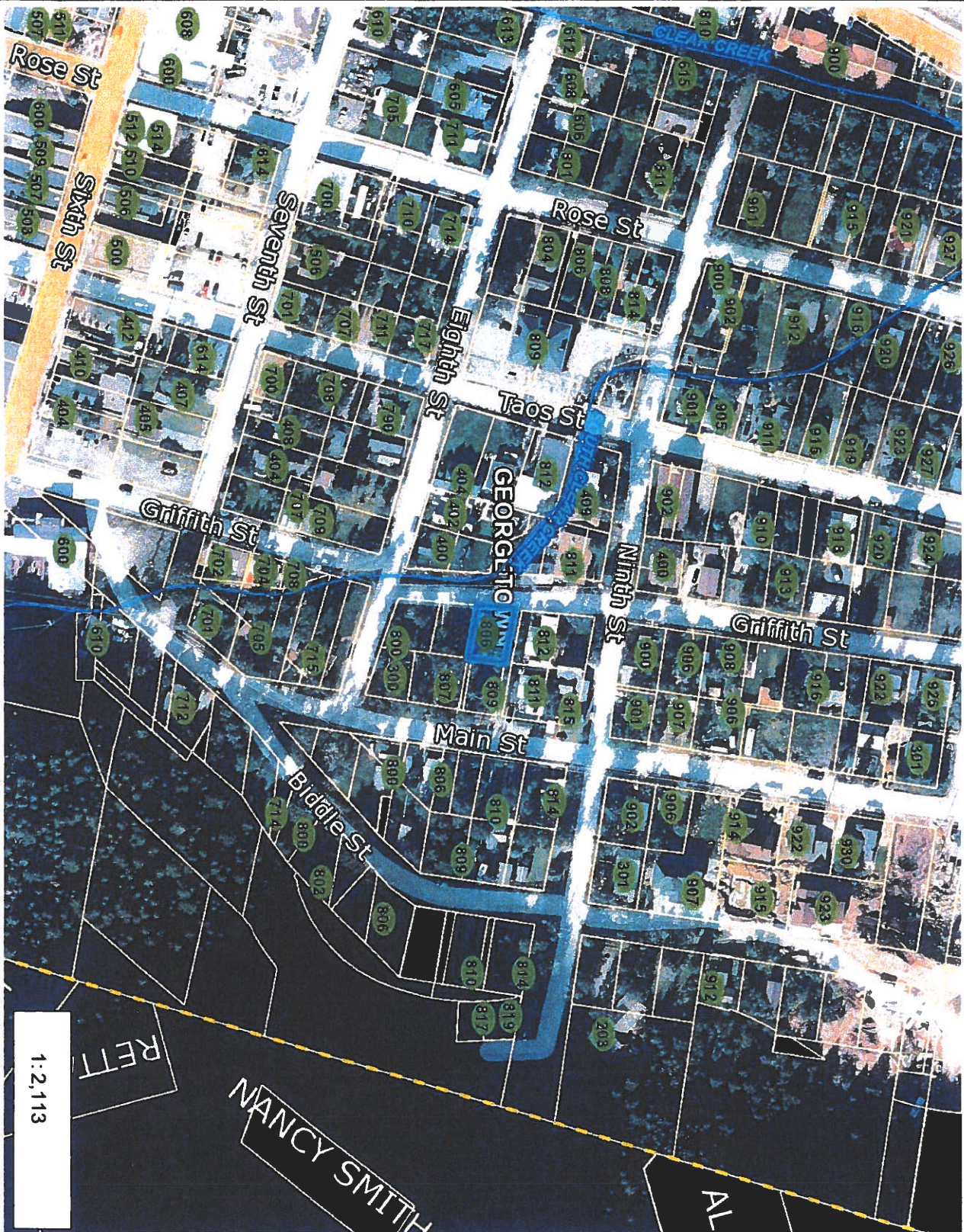


# Clear Creek County Interactive Map



## Legend

- Address
- Roads (1 inch = 200 feet)
  - HIGHWAY
  - MAJOR ARTERIAL
  - COLLECTOR
  - LOCAL
  - SERVICE
  - 4WD
- Streams
- Lakes
- Towns (zoomed in)
- Parcels



1:2,113

## Notes

352.2 0 176.12 352.2 Feet

This map is a visual representation generated from an Internet Mapping site. Do not use for legal, construction, survey or real estate transaction purposes. This map is not survey accurate and may not comply with National Mapping Accuracy Standards. This map may or may not be accurate, current or otherwise reliable. The presence of a road feature on the map does not imply the existence of public access or ownership.

NAD\_1983\_2011\_StatePlane\_Colorado\_Central\_FIPS\_0502\_FL\_US  
Map Created: June 2, 2023



recommendation shall be submitted to the Board of Adjustment not later than the time of the public hearing which is to be held as required by this Section. If the Design Review Commission fails to submit its recommendations or comments at or prior to the public hearing, the Commission shall be deemed to have recommended the unconditional approval of the application.

- (3) A public hearing shall be held by the Board of Adjustment on each application for a variance. Not less than thirty (30) days prior to the hearing, written notice describing the requested variance and the time and place for the hearing shall be prominently posted on the property subject to the application, posted at Town Hall and other designated posting locations, and sent by regular mail to the applicant and the owners of all properties within a three-hundred-foot radius of the subject property (excluding public rights-of-way). Posted notice shall conform to the requirements contained in Section 17.12.050(b)(7). Notice by mail to persons other than the applicant is provided for purposes of convenience only, and a failure by any person other than the applicant to have received a mailed notice shall not constitute grounds to delay or deny an application, or a meeting or hearing on an application, so long as the other types of notice required by this Section were timely and properly provided.
  - (4) The Board of Adjustment shall keep a record of its proceedings, either stenographically or by sound recording, and a transcript of the proceedings and copies of graphic or written material received in evidence shall be made available to any party at cost.
  - (5) The Board of Adjustment shall render written decisions accompanied by findings of fact and conclusions based thereon. Conclusions based on any provision of this Chapter, or on any rule or regulation, must contain a reference to such provision, rule or regulation and the reason why the conclusion is deemed appropriate in light of the facts found.
  - (6) The existence of nonconforming land, buildings or structures in the same neighborhood or district of the property subject to a variance application, or of permitted or nonconforming uses in other districts, shall not constitute a reason for the granting of a requested variance.
  - (7) A variance in and of itself shall not constitute a site specific development plan for purposes of vesting a property right; however, a variance may be incorporated into a site specific development plan as part of larger or different land use approval. Unless substantially acted upon within one (1) year from the date of approval as illustrated by actual construction or other objectively measurable development activity, or such shorter time period as specified by the Board of Adjustment, a variance shall expire and become void.
- (c) Powers of the Board. The Board shall have the power to:
- (1) Hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision or determination made by an administrative official based on or made in the enforcement of this Title. The Board shall not have the power to hear or grant any appeal from a decision of the Design Review Commission.

**17.32.020 - Board of Adjustment established; variances.****(a) Organization of Board of Adjustment.**

- (1) There is hereby created a Board of Adjustment, to be known as the Board of Adjustment of the Town of Georgetown, Colorado, and to be referred to in this Section as the "Board."
- (2) The membership of the Board shall consist of five (5) members appointed by the Board of Selectmen. All members of the Board shall be bona fide residents of the Town and shall not simultaneously serve on the Planning Commission, Design Review Commission or Board of Selectmen during their term of office. Members shall also serve without compensation.
- (3) The term of office shall be five (5) years, and terms shall be fixed so that the term of office of one (1) member expires each year. Appointments to fill vacancies shall be made only for an unexpired portion of the term. The Board of Selectmen may remove any member of the Board of Adjustment for cause upon written charges and after public hearing. The term of each member shall expire on March 1 in the year of expiration, provided that each member shall serve until his or her successor is appointed and assumes membership on the Board of Adjustment.
- (4) The Board shall elect from its own membership its officers, who shall serve annual terms and who may succeed themselves. For the conduct of any hearing or the taking of any action, a quorum of three (3) members is required. An affirmative vote of three (3) members shall be necessary to authorize any action of the Board. At the first meeting of each year, the Board shall adopt such rules and regulations as it deems necessary for its procedure.

**(b) Procedure.** In addition to any requirement the Board may adopt by rule, the Board shall conduct hearings and make decisions in accordance with the following requirements:

- (1) Applications for a variance (with appropriate copies and supporting materials) shall be submitted to the Town Clerk on forms provided therefor. A reasonable fee shall be charged for each application, and a site plan and/or other drawing and information may be required as part of the application. Actual costs for professional planning, engineering, legal and/or other consulting services incurred by the Town in reviewing an application shall be paid by the applicant.
- (2) All applications for a variance shall be initially reviewed by Town staff for completeness and recommendation and then referred to the Design Review Commission for review and the Board of Adjustment for hearing. The Design Review Commission shall review the application for a variance at a noticed public meeting not less than seven (7) days prior to the public hearing on the application before the Board of Adjustment. The variance applicant shall be notified in advance of the time and place of the Design Review Commission's review and shall be allowed to attend and participate therein. The Design Review Commission shall recommend approval, denial or conditional approval of the application. The written

- (2) Hear and decide, grant or deny applications for variances from the provisions of this Title. However, the Board may not grant variances from the provisions governing the use, height or density of land or buildings, or building coverage, except where authorized by specific provision in this Title. In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Title.

The Board may grant a variance only if it makes findings that all the following requirements, insofar as applicable, have been satisfied:

- a. That there are unique physical circumstances or conditions such as irregularity, narrowness or shallowness of the lot, or other physical conditions peculiar to the affected property.
- b. That the unusual circumstances or conditions do not exist throughout the neighborhood or district in which the property is located.
- c. That, because of such physical circumstances or conditions, the property cannot reasonably be developed in conformity with the provisions of this Title.
- d. That such unnecessary hardship has not been created by the applicant.
- e. That the variance, if granted, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use of development of adjacent property.
- f. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the Title provisions which are in question.
- g. That the variance, if granted, will not permit development in a flood hazard area, in a geologic hazard area or on a lot having a slope in excess of thirty percent (30%) contrary to the provisions for such development as cited in this Title. A variance granted by the Board shall automatically expire within one hundred eighty (180) days of the date it was granted or within such time as the Board shall prescribe, unless a building permit for such variance is obtained within such period. The Board may grant variance extensions for good cause shown, but only if an application for such extension is made prior to the expiration of the variance.

- (3) Hear and decide such other matters as the Board of Selectmen may, by ordinance, provide.

(Ord. 320 Art. VIII(B), 1981; Ord. 348 §53, 4, 1983; Ord. 376 §1, 1985; Ord. 2 §6, 2001; Ord. 6 §1, 2002; Ord. 2 §1, 2003)



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**ATCHISON ROBERT T & SANDRA DALL**  
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**GEORGETOWN TRUST FOR CONSERV**  
A COLO CORP  
PO BOX 1037

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## **GEORGETOWN BOARD OF ADJUSTMENT**

### **NOTICE OF PUBLIC HEARING ON VARIANCE APPLICATION**

Notice is hereby given of a public hearing before the Georgetown Board of Adjustment to consider an application filed by Kathy Hunnenin for a variance in the application of the Georgetown Municipal Code to the real property located at 806 Griffith St. Georgetown, CO.

The following sections of the Georgetown Municipal; Code are requested to be varied:

- Section 17.16.041(d)(5-6) Historic Residential District Area/Bulk regulations:  
Minimum rear/side setback: five feet

Approval of the application would permit allow for a greenhouse to be installed less than five feet from the side or rear setback. The full application may be examined at Town Hall, 404 6<sup>th</sup> Street and at [www.townofgeorgetown.us](http://www.townofgeorgetown.us). Questions may be directed to the Town Clerk at 303.569.2555 extension 2.

The Board of Adjustment will consider this request at a public hearing commencing at 10:30 a.m. on August 2, 2023, as an in-person meeting to be held at 404 6<sup>th</sup> St., Georgetown Town Hall. There is also the opportunity to join virtually by the Zoom teleconferencing application.

To attend the meeting:

[www.zoom.us](http://www.zoom.us) Webinar ID: 860 8650 4661

Or Telephone: +1 253 215 8782 or +1 346 248 7799

The hearing can also be viewed at: [www.townofgeorgetown.us](http://www.townofgeorgetown.us)

Interested parties may give testimony at the hearing and/or send written comments to the Georgetown Board of Adjustment,  
P.O. Box 426, Georgetown, CO 80444,  
or by email to: [townclerk@townofgeorgetown.us](mailto:townclerk@townofgeorgetown.us)

GIVEN AND POSTED this 15<sup>th</sup> day of June, 2023

Jennifer Yobski Town Clerk

