GEORGETOWN BOARD OF ADJUSTMENT
MONDAY, SEPTEMBER 26, 2022
10:00 A.M.

NOTICE AND AGENDA FOR REGULAR MEETING

MEETING AGENDA

CALL TO ORDER

ROLL CALL

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

- Minutes of October 21, 2021, meeting
- Mark Lockerman – 2155 Muscovite Dr. Meadows Residential District
  Build a deck on the rear of house into the setback

OTHER BUSINESS

ADJOURNMENT

To join the meeting: www.zoom.us Webinar ID: 843 8448 7552

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

Meetings can be watched live via: www.townofgeorgetown.us
Go to: Government, then Recordings of Meetings
These meetings are also archived on the website

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

Agenda Item No. 1

Meeting Date: 9-26-22

TOWN OF GEORGETOWN
BOARD OF ADJUSTMENT
MEETING AGENDA ACTION ITEM

Agenda Item Title: Mark Lockerman 2155 Muscovite Dr.
Variance Recommendation to Board of Adjustment regarding the rear yard setback for a deck addition onto the house.

Background
The applicant, Mark Lockerman, owns a residence at 2155 Muscovite Dr. in the Meadows Residential zone district. The Meadows Residential district requires a 15-foot rear yard setback.

The applicant proposes to add two decks at the rear of the house, one at the ground level and one at the second level. The ground level deck addition would extend into the rear setback a distance of approximately 10 ft. See letter from applicant for further information on application (attached in packet).

A written notice of public hearing for the variance application was mailed to all property owners within a 300-foot radius of the property, per GMC 17.32.020 (b) (3). One response was received stating no objection to the deck extension (see attached).

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

- Section 17.16.045 (d) (7) Meadows Residential District Area/Bulk regulations: Minimum rear yard/setback: fifteen (15) feet.

Title 17 of the Georgetown Municipal Code provides guidance as to the approval or denial of a requested variance. Per GMC 17.32.020 (c) (2): "...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.

In the application (attached in packet), the applicant indicates that:

1. The house was built in 2007 and the rear wall is located on / near the setback line. The original design/construction includes doors to the outside on both levels for a future deck that was never added. The property backs up to Saxon Mountain so there is no concern with potential impact to neighbor properties.
2. In review of the neighborhood, some structures appear to be close to their property lines. However, most of those cases seem to be a result of additions and/or accessory structures, rather than original structures that encroach current zoning setbacks.
3. The original design / construction of the house includes doors for access to a rear deck on both levels. A variance to the setback will enable us to install the deck and gain the intended functionality and value of the house.
4. The condition was not created by the applicant.
5. The proposed deck will not be visible from the street and will be built in a manner to complement the existing structure. The neighboring properties already have structures near the property and this addition would not impact the ability for neighboring properties to be developed.

Approval of the application would allow for the addition and extension of a deck approximately 10 feet into the rear setback of the house, leaving approximately a five-foot setback between the extended deck and the rear property line.

Staff Comments

The application appears to be in order and should allow the Board of Adjustment to make findings as to whether all requirements have been satisfied.

DRC recommendation

On March 10, 2022 the DRC approved the application for a deck on the rear of the Lockerman residence, and were subsequently issued COA # 22-05. On August 11, 2022 the DRC approved a renewal of the application after it was determined that a variance was required and an extension of the COA was needed.

Motion:
The following motions may be considered:

1. **"I move to approve** the variance request of Mark Lockerman 2155 Muscovite Dr. of the Georgetown Municipal Code Section 17.16.045 (d)(7) Meadows Residential District Area/Bulk regulations, rear yard setback."

2. **"I move to approve** the variance request of Mark Lockerman 2155 Muscovite Dr. of the Georgetown Municipal Code Section 17.16.045 (d)(7) Meadows Residential District Area/Bulk regulations, rear yard setback, with the following conditions:

   (List)

3. "**I move to deny** the variance request of Mark Lockerman 2155 Muscovite Dr. of the Georgetown Municipal Code Section 17.16.045 (d)(7) Meadows Residential District Area/Bulk regulations, rear yard setback."

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

LAND USE APPLICATION

Project Name: DECK - 2155 MUSCOVITE DR

Project Site Address/Location: 2155 MUSCOVITE DR

Name of Applicant: MARK LOCKERMAN Owner ☒ Agent ☐

Address: 2155 MUSCOVITE DR, GEORGETOWN

Legal Description/Parcel, Block, Lot # (Attach Additional Sheet if Needed):
THE MEADOWS GEORGETOWN, BLOCK: 4 LOT: 8 FA 530/756

Telephone#: 512-914-9663 **Fax#:** / **Email:** mlock2@comcast.net

Type of Application (check all that apply):

- ☐ Subdivision: Conceptual Plan (Attach Subdivision Conceptual Plan Checklist)
- ☐ Subdivision: Preliminary Plat (Attach Subdivision Preliminary Plat Checklist)
- ☐ Subdivision: Final Plat (Attach Subdivision Final Plat Checklist)
- ☐ Subdivision Exemption Plat (Attach Subdivision Exemption Plat Checklist)
- ☐ Special Use Permit (Attach Special Use Permit Checklist)
- ☐ Temporary Use Permit (Attach Temporary Use Permit Checklist)
- ☐ Sign Permit (Attach Sign Permit Checklist)
- ☐ PUD: Preliminary Development Plan (Attach PUD: Preliminary Development Plan Checklist)
- ☐ PUD: Final Development Plan (Attach PUD: Final Development Plan Checklist)
- ☐ Rezoning (Attach Rezoning Checklist)
- ☒ Zoning Variance (Attach Zoning Variance Checklist)
- ☐ Floodplain Development Permit (Attach Floodplain Development Permit Checklist)
- ☐ Annexation (Attach Annexation Checklist)
- ☐ Site Specific Development Plan (Attach Site Specific Development Plan Checklist)
- ☒ 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) MARK C. LOCKERMAN

Signature: [signature] Date: 8·15·2022

INSTRUCTIONS:

1. **Review the relevant sections of the Georgetown Municipal Code (Typically Title 17, 18 and/or 21). Visit www.town.georgetown.co.us.**
2. **Read application and associated checklists thoroughly.**
3. **Complete and submit all of the requested information.**
4. **Applications not signed and lacking any of the requested information will be deemed incomplete and will not be scheduled for review.***

*** * * * APPLICANT NOT TO WRITE BELOW * * * ***

	DATE
APPLICATION FEE PAID:	8/15/22
APPLICATION RECEIVED:	8/15/22
APPLICATION COMPLETE:	8/15/22
DESIGN REVIEW COMMISSION ACTION:	8/11/22
PLANNING COMMISSION ACTION:	
BOARD OF SELECTMEN ACTION:	
BOARD OF ADJUSTMENT ACTION:	9/26/22
PROPERTY POSTING:	
MAILINGS:	8/23/22
PUBLICATION:	
REFERRAL AGENCIES NOTIFIED:	
ADMINISTRATIVE APPROVAL:	
BOARD OF SELECTMEN APPROVAL:	
BOARD OF ADJUSTMENT APPROVAL:	
CERTIFICATE OF APPROPRIATENESS ISSUED:	
PERFORMANCE GUARANTY POSTED:	

*** Note: A complete application includes this form, the applicable checklist(s), and all materials requested on the applicable checklist(s).**

August 15, 2022

Board of Adjustment Members
Georgetown, CO

RE: Request for Zoning Variance
2155 Muscovite Dr

Dear Board Members;

We own the single-family residence at 2155 Muscovite Dr, in Georgetown. We are requesting a variance for addition of a deck at the rear of the house. The proposed deck falls within the guidelines of the Design Review Committee for acceptable additions and does not alter the character of the original structure when viewed from the street nor will it be visible from the street. We are requesting the variance as the original structure was built nearer to the property line than the present minimum rear yard/setback of fifteen (15) feet.

Thank you for your consideration of this matter.

Respectfully,

Mark & Barbara Lockerman

August 15, 2022

Board of Adjustment Members
Georgetown, CO

RE: Variance request for 2155 Muscovite Dr, Georgetown, CO

To the Board of Adjustments:

This request is for a variance for a maximum 12 ft encroachment into the rear setback along the east property line for a distance of approximately 40 ft. The following describes the conditions in reference to the variance criteria outlined in Section 17.32.020 (c) (2) for the Georgetown Municipal Code.

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.

The house was built in 2007 and the rear wall is located on / near the setback line. The original design/construction includes doors to the outside on both levels for a future deck that was never added. The property backs up to Saxon Mountain so there is no concern with potential impact to neighbor properties.

b. That the unusual circumstances or conditions do not exist throughout the neighborhood or district in which the property is located.

In review of the neighborhood, some structures appear to be close to their property lines. However, most of those cases seem to be a result of additions and/or accessory structures, rather than original structures that encroach current zoning setbacks.

c. That, because of such physical circumstances or conditions, the property cannot reasonably be developed in conformity with the provisions of this Title.

The original design / construction of the house includes doors for access to a rear deck on both levels. A variance to the setback will enable us to install the deck and gain the intended functionality and value of the house.

d. That such unnecessary hardship has not been created by the applicant.

The condition was not 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.

The proposed deck will not be visible from the street and will be built in a manner to complement the existing structure. The neighboring properties already have structures near the property and this addition would not impact the ability for neighboring properties to be developed.

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.

The variance, if granted, is the minimum variance that will afford relief for the proposed deck.

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 in this Title.

Granting the variance will not create any of the conditions mentioned above.

Thank you for your consideration of this matter.

Respectfully,

Mark & Barbara Lockerman

Certificate of Appropriateness

Design Review Commission
Town of Georgetown

404 6th St. / P.O. Box 426 Georgetown, CO 80444
303-569-2555

Date: 3-10-22 **Application:** #22-5

PERMISSION IS HERBY GRANTED TO: Mark Lockerman **REPRESENTATIVE:** _____

Property address: 2155 Muscovite Dr. Georgetown, CO 80444

Design Character area: Meadows Residential **Contributing Structure:** No

General description: Install deck on back of house

Stipulations: Book III: Page 94: A, A-1, A-2, and Page 96: C and C-4. Recommend 6" x 6" posts and Bob Hamilton will require construction drawings.

The Certificate of Appropriateness expires after 180 days if a building permit application is not submitted or work is not commenced where an application is not required.

This certificate is issued in accordance with the criteria listed in Chapter 17.08.130 – 17.08.180 of the Georgetown Municipal Code. It is also issued on the express condition that construction shall conform in all respects to the statements certified in the application for such permit, and that all work shall be done in accordance with the ordinances of the Town of Georgetown. The Contractor shall notify the Building Inspector in advance of any change in exterior materials and/or design and shall not proceed with the work until approved by the Design Review Commission.

IT IS YOUR RESPONSIBILITY TO CONTACT THE GEORGETOWN TOWN HALL FOR INFORMATION CONCERNING ISSUANCE OF A BUILDING PERMIT AND PAYMENT OF FEES BEFORE PROCEEDING WITH CONSTRUCTION OF THE PROJECT. FOR MORE INFORMATION PLEASE CALL 303-569-2555.

_____ March 10, 2022

Chairman- Design Review Commission **Date**

GEORGETOWN, C.C.C., COL. * SEAL * INCORPORATED JANUARY 10, 1868

THIS IS NOT A BUILDING PERMIT

Property Record Card

Clear Creek County Assessor

LOCKERMAN MARK C & BARBARA J LOCKERMAN

209 BYRNE ST
SMITHVILLE, TX 78957

Account: R008980
Tax Area: Georgetown - 020
Acres: 0.000

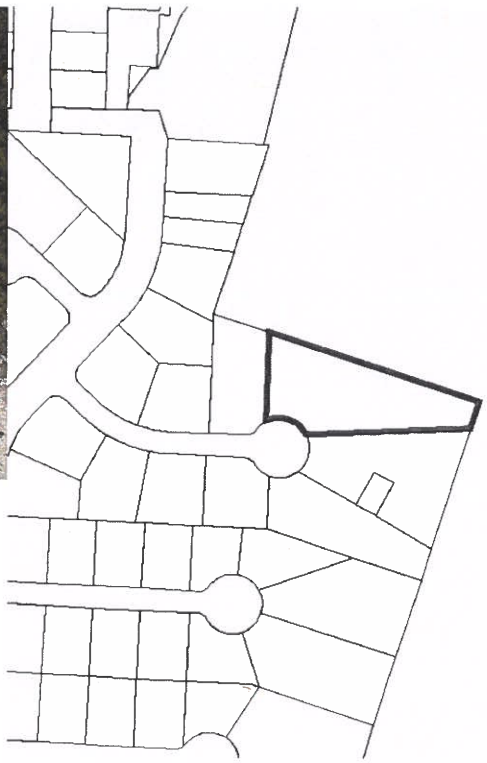
Parcel: 1959-054-11-003
Situs Address:
2155 MUSCOVITE ST
GEORGETOWN, 80444

Value Summary

Value By:	Market	Override
Land AD 0910 (1)	$44,530	N/A
Residential Towns (1)	$470,470	N/A
Total	**$515,000**	**$515,000**

Legal Description

Subdivision: MEADOWS GEORGETOWN, THE Block: 4 Lot: 8 F4 530/756



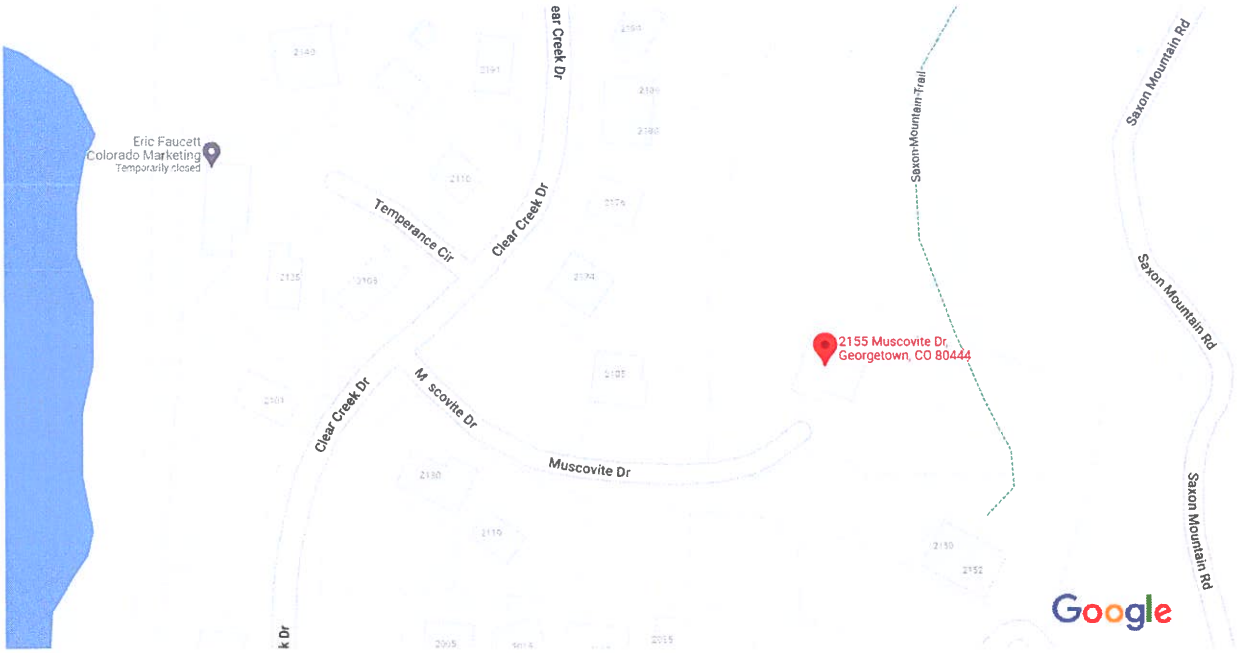
Sale Data

Doc. #	Sale Date	Deed Type	Validity	Verified	Sale Price	Ratio	Adj. Price	Ratio	Time Adj. Price	Ratio
303147	10/18/2021	WDJT	QV	Y	$825,000	62.42	$825,000	62.42	$825,000	62.42
276396	06/04/2015	WD	QV	Y	$405,000	127.16	$405,000	127.16	$405,000	127.16
271133	12/23/2013	WD	QV	Y	$360,000	143.06	$360,000	143.06	$360,000	143.06
249464	06/16/2008	QCD	UI	Y	$0	N/A	$0	N/A	$0	N/A
249473	06/16/2008	QCD	UI	Y	$0	N/A	$0	N/A	$0	N/A
239256	06/23/2006	WDJT	QV	Y	$60,000	74.22	$60,000	74.22	$60,000	74.22
174938	10/30/1995	WDJT	QI	Y	$20,000	222.65	$20,000	222.65	$20,000	222.65

Land AD 0910 Occurrence 1

Acres	0	Square Feet	23247
Location Rating	LOCATION RATING - FAIR	Use Code	VACANT
Road Type	SECONDARY GRAVEL	Road Maintained	Yes
Topog Front	TOPOGRAPHY FRONT - LEVEL	Topog Mid	TOPOGRAPHY MIDDLE - SLOPING
Topog Back	TOPOGRAPHY BACK - SLOPING	Not Buildable	No
Property View	Yes	Southern Exposure	No

Google Maps 2155 Muscovite Dr



Property Owners near 2155 Muscovite Dr, Georgetown

Gregory Entwistle Family Trust ~ PO Box 3627 ~ Tulsa, OK 74101 (2174 Clear Creek Dr)

Michael Heidorn ~ 15243 W 65th Ave, Unit F ~ Arvada, CO 80007 (2105 Muscovite Dr)

Mary Smith ~ PO Box 1095 ~ Georgetown, CO 80444 (2130 Muscovite Dr)

Mark Reynolds ~ PO Box 68 ~ Georgetown, CO 80444 (2152 Muscovite Dr)

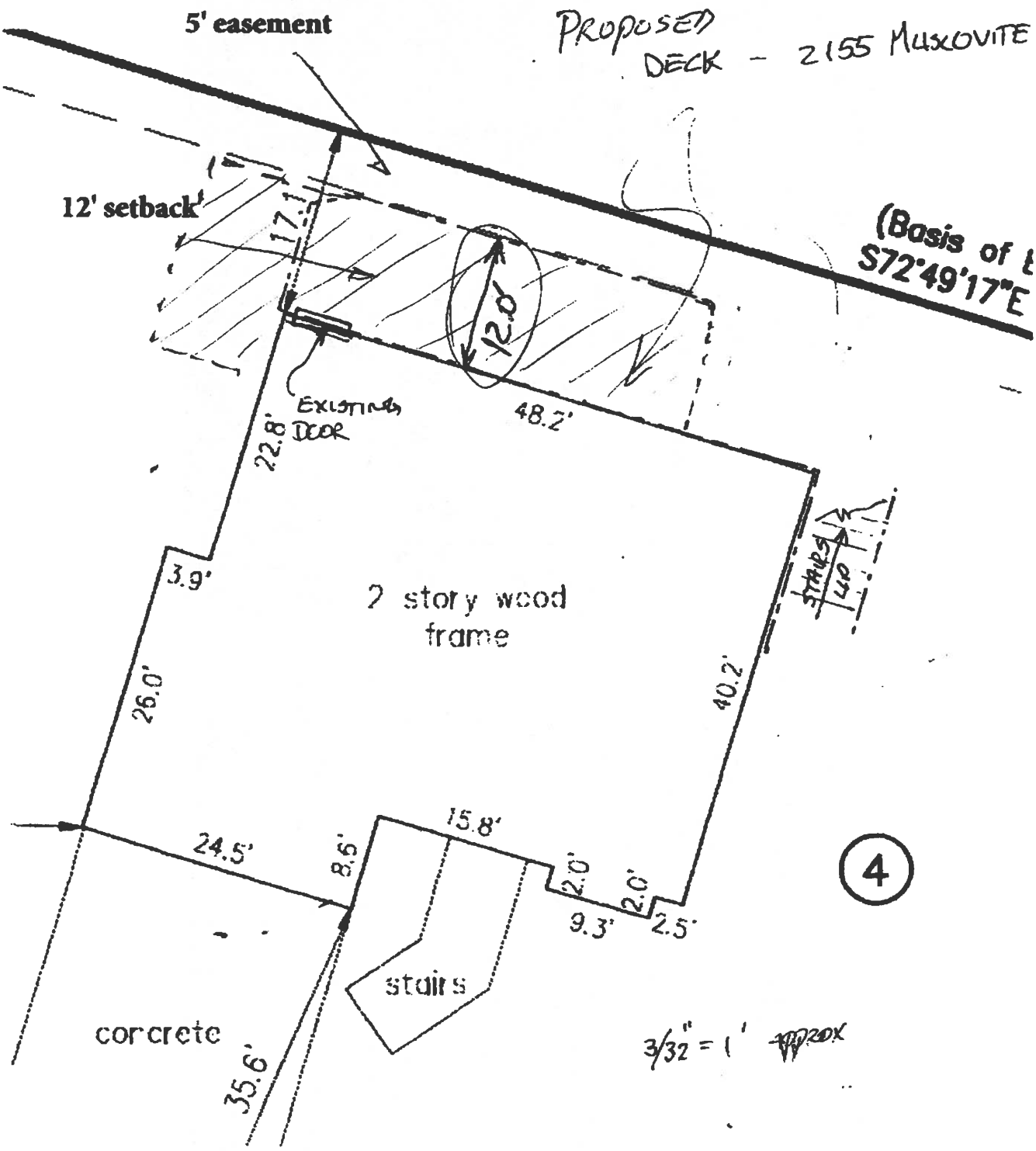
James Willetts ~ 2725 Handverton Dr ~ Colorado Springs, CO 80919 (2110 Muscovite Dr)

Gary Cox ~ PO Box 1020 ~ Georgetown, CO 80444-1020

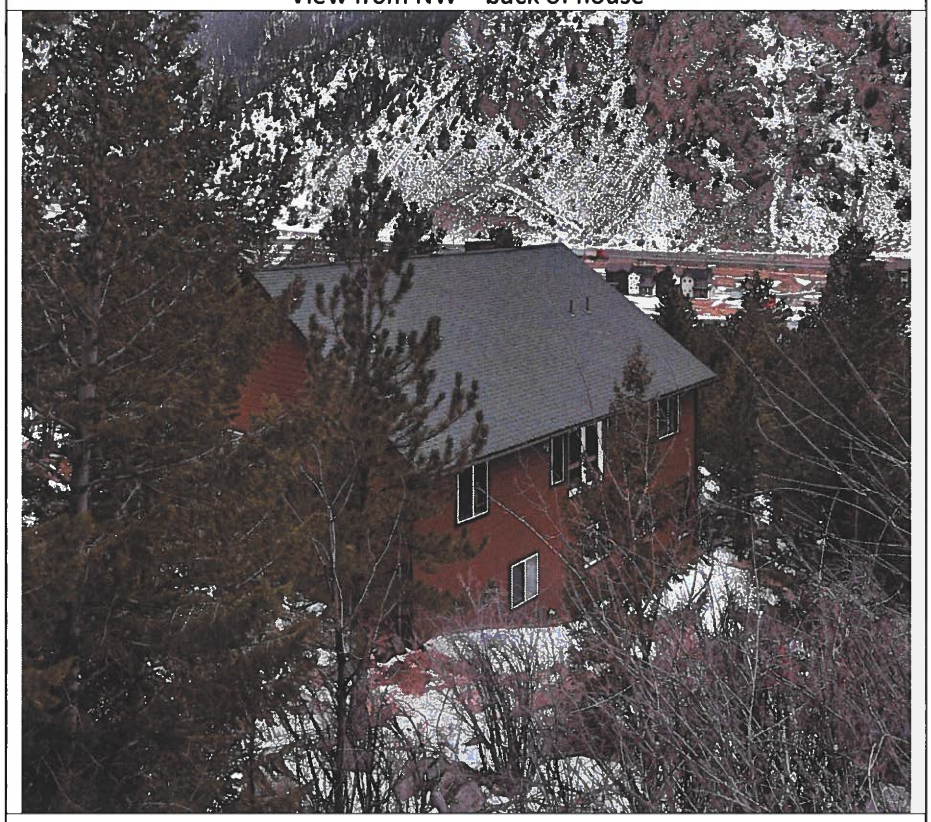
Michael Kortendick ~ PO Box 9 ~ Evergreen, CO 80437-0009

Flatiron Rental LLC ~ 4541 Prairie River Court ~ Firestone, CO 80504

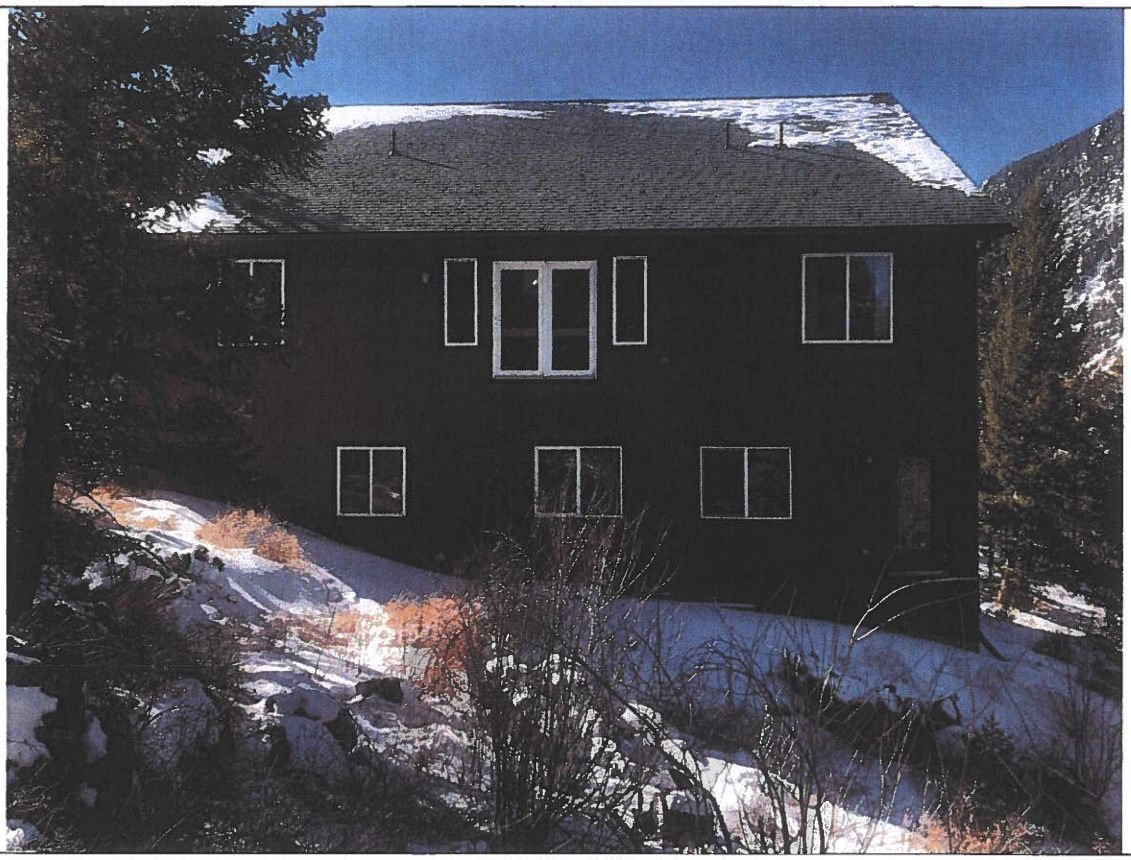
Jacob Masker ~ PO Box 3875 ~ Nederland, CO 80466


5' easement
PROPOSED DECK - 2155 MUSCOVITE
12' setback
17.1
(Basis of b
S72°49'17"E
12.0'
EXISTING DOOR
48.2'
22.8'
3.9'
2 story wood frame
STAIRS UP
26.0'
40.2'
15.8'
24.5'
8.6'
2.0'
2.0'
9.3'
2.5'
4
stairs
concrete
35.6'
3/32" = 1'

View from NW – back of house



View from NE – back of house



View from N – proposed deck area

View from NW – proposed deck area

TOWN OF GEORGETOWN DESIGN REVIEW COMMISSION
APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

P.O. Box 426 / 404 6th St. Georgetown, CO 80444 303-569-2555
townclerk@townofgeorgetown.us

☐ **New Application** ☒ **Amendment** ☐ **Preliminary Review**

PROPERTY OWNER: MARK LOCKERMAN (Name) 209 BYRNE ST SMITHVILLE, TX 78957 (Mailing address) 512-914-9663 (Phone)

APPLICANT (if different): ——— (Name) (Mailing address) (Phone)

EMAIL ADDRESS: mlock2@comcast.net

PROPERTY ADDRESS: 2155 MUSCOVITE DR

Design Character Area: MEADOWS RESIDENTIAL DISTRICT

Historic Character Areas: _____ Contributing _____ Non-Contributing

General description of work proposed:

DECK ON BACK OF HOUSE

ORIGINAL APPLICATION #22-5

Applicable design guidelines: PER SAFEBUILT GUIDE & ARCHITECT/ENGINEER DRAWINGS

The materials listed on the reverse side MUST be submitted with this form.
Applicants are ENCOURAGED to attend the DRC meeting to support their applications.
Failure to attend may result in delay or denial of the application.

I hereby acknowledge that I have read this application, state that it is correct, and agree to comply with all Town ordinances and state laws regarding building construction.

1-25-2022
Date

Owner and/or Applicant (owner's representative)

==========

FOR OFFICE USE

Town Administrator – Preliminary Approval

$ 60
Application Fee

Date

6-28-22 #4006
Date Paid/check Number

Updated/approved on June 14, 2019

Per Section 17.08.120 – Actions of Building Inspector/Official

(a) - - - - not applicable for this form

(b) The Town Clerk shall, upon the receipt of an application for a certificate of appropriateness and/or building permit, refer the application to the Building Inspector/Official for initial review and recommendation. This review shall be for the purpose of preliminarily determining if the application generally complies with the zoning, land use, building and other codes of the Town.

Address of Application – **2155 Muscovite Drive – Lockerman Block 4 Lot 8** **F4 530/756**

Category	Specific regulation		
Zoning		Complies	Does Not Comply
Meadows Residential		**Yes**	
Land Use			
Meadows Residential	(b) Uses permitted. The following uses shall be permitted in the district (Meadows Residential): (1) Single-family	**Yes**	
Area and bulk regulations	(1) Minimum lot area: seven thousand, five hundred (7,500) square feet per two-family dwelling;	**Yes**	
	(2) Minimum lot width: fifty (50) feet.	**Yes**	
	(3) Minimum front yard/setback for principal buildings: fifteen (15) feet, or the average of the front yard setbacks of the principal buildings adjacent to, and on both sides of the lot on which the building is to be located, whichever is less.	**Yes**	
	(4) Minimum side yard/setback: on an interior or corner lot; five (5) feet (on a corner lot, the shorter street face is considered front).	**Yes**	
	(5) Minimum rear yard/setback: fifteen (15) feet.	**No—See note**	
	(6) Minimum front yard/setback for accessory buildings: twenty-five (25) feet.	**N/A**	
	(7) Maximum height for structures and/or principal buildings: thirty (30) feet; for accessory buildings, twenty (20) feet.	**N/A**	

	(8) Maximum building coverage: for all structures on a lot may not exceed thirty-five percent (35%) of lot; for lots with slopes of thirty percent (30%) or more, see Section 17.24.070.	**Yes**	
	(9) Minimum off-street parking: see Section 17.20.020. Section 17.20.020. (e) Parking spaces required. All uses shall, at a minimum, be provided with the number of off-street parking spaces listed below. (1) Single-family residential: two (2) spaces.	**Yes**	
Note	Applicant wants to build a deck on the back of the house. They originally were approved 3-10-2022. The Deck is proposed to be within 12' of the rear setback. The code states that the rear setback is 15'. You are not allowed to build within the setback. For this to be acceptable, it will require a variance approval by the Board of Adjustment.	No	

- **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 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.

(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.

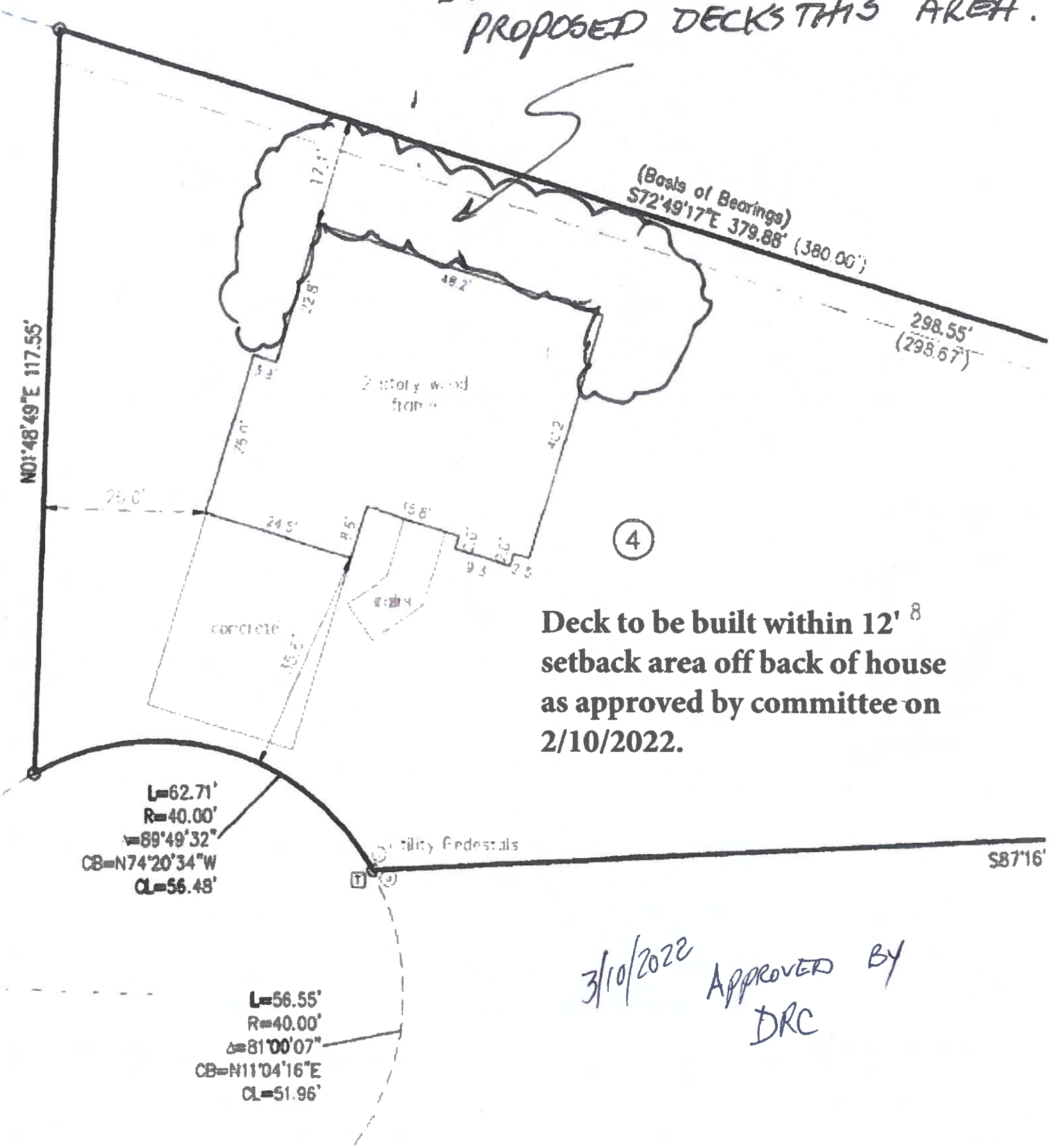
(Ord. 320 Art. VIII(B), 1981; Ord. 348 §§3, 4, 1983; Ord. 376 §1, 1985; Ord. 2 §6, 2001; Ord. 6 §1, 2002; Ord. 2 §1, 2003)

(c) If the Building Inspector/Official determines from the initial review that the application fails to comply with the zoning, land use, building or other codes of the Town, he or she shall so advise the applicant, and no further action shall be taken on the application. The Building Inspector/Official shall complete his or her initial review of the application within fifteen (15) days of referral by the Town Clerk, unless the application is of such complexity or size as to require a longer period to complete the review.

(d) If the Building Inspector/Official determines from the initial review that the application preliminarily complies with the zoning, land use, building and other codes of the Town, he or she shall forward the application and all attachments along with his or her findings to the secretary for the Design Review Commission.

Signed Rich Kenny III Section 17.16.047(d)(7) Date 8/3/2022

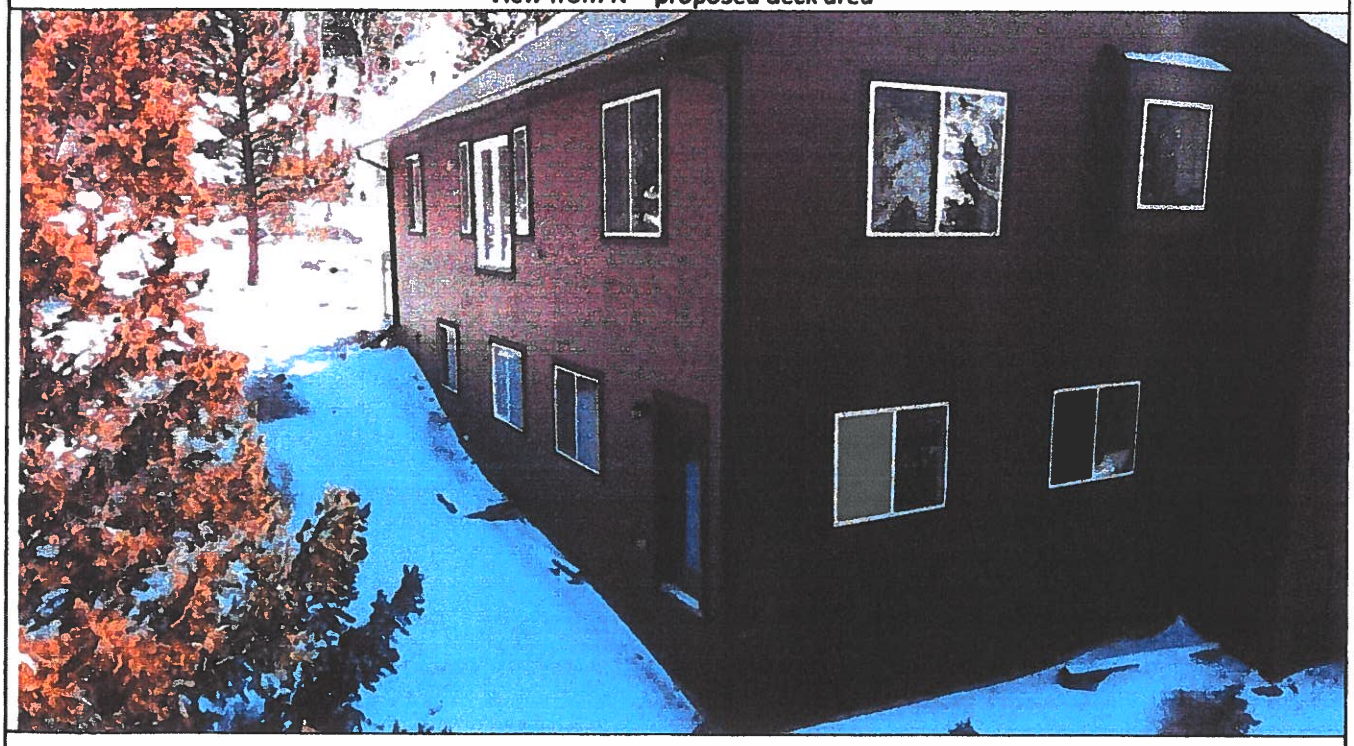
SEE ATTACHED FOR PROPOSED DECKS THIS AREA.



Deck to be built within 12' 8 setback area off back of house as approved by committee on 2/10/2022.

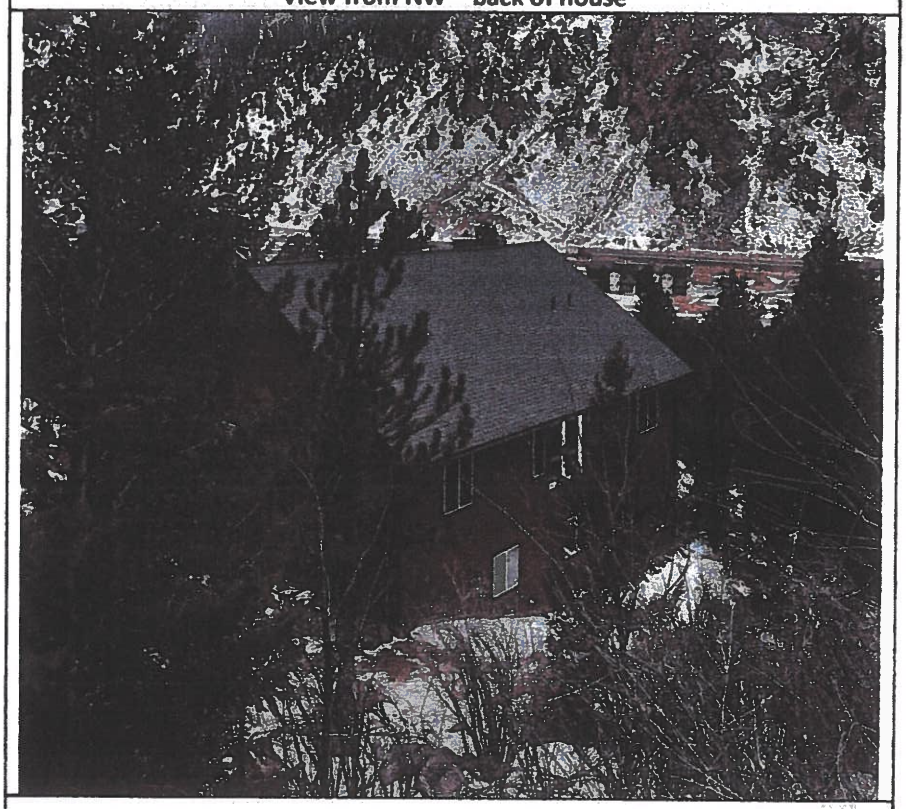
3/10/2022 APPROVED BY DRC

View from N – proposed deck area



View from NW – proposed deck area

View from NW – back of house



View from NE – back of house

Deck Design for 2155 Muscovite 7/25/2022

Owner

Mark Lockerman
512-914-9663 / mlock2@comcast.net

Contractor

Hastings Remodeling LLC
Brad Hastings / 720-610-6443 / hastings0253@gmail.com

Architect

Tom Phillips / 303-506-3264 / tomphillips.architect@gmail.com

Engineer

Craig E. Abrahamson / CCTS, Inc

Materials

Mfr – TimberTech EDGE or equivalent

Decking - Composite https://www.timbertech.com/products/decking/

Railings - metal

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 Mark Lockerman for a variance in the application of the Georgetown Municipal Code to the real property located at 2155 Muscovite Dr.

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

- Section 17.16.045(d)(7) Meadows Residential District Area/Bulk regulations: Minimum rear setback: fifteen feet

Approval of the application would permit allow for an addition for a deck at the rear of the house. The full application may be examined at Town Hall, 404 6th Street and at 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 10:00 a.m. on September 26, 2022, as an in-person meeting to be held at 406 6th St., Georgetown Town Hall. There is also the opportunity to join virtually by the Zoom teleconferencing application.

To attend the meeting:
www.zoom.us Webinar ID: 843 8448 7552

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

The hearing can also be viewed at: 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

GIVEN AND POSTED this 23th day of August, 2022

Jennifer Yobski Town Clerk

WE HAVE NO OBJECTIONS TO OUR NEIGHBORS REQUEST FOR A DECK IN THE BACK OF HOUSE. OUR CONCERN WOULD BE NO FIRE PITS OR OPEN FIRE, ETC. -

MIKE & CAROLYN HEIDORN - 720-936-4148
2105 MUSCOVITE DR. GEORGETOWN, CO.

MAIL ADDRESS: 15243 W. 65th AVE - UNIT F. ARVADA, CO. 80007

Certificate of Appropriateness

Design Review Commission
Town of Georgetown

404 6th St. / P.O. Box 426 Georgetown, CO 80444
303-569-2555

Date: 3-10-22 **Application:** #22-5

PERMISSION IS HERBY GRANTED TO: Mark Lockerman **REPRESENTATIVE:** _____

Property address: 2155 Muscovite Dr. Georgetown, CO 80444

Design Character area: Meadows Residential **Contributing Structure:** No

General description: Install deck on back of house

Stipulations: Book III: Page 94: A, A-1, A-2, and Page 96: C and C-4. Recommend 6" x 6" posts and Bob Hamilton will require construction drawings.

The Certificate of Appropriateness expires after 180 days if a building permit application is not submitted or work is not commenced where an application is not required.

This certificate is issued in accordance with the criteria listed in Chapter 17.08.130 – 17.08.180 of the Georgetown Municipal Code. It is also issued on the express condition that construction shall conform in all respects to the statements certified in the application for such permit, and that all work shall be done in accordance with the ordinances of the Town of Georgetown. The Contractor shall notify the Building Inspector in advance of any change in exterior materials and/or design and shall not proceed with the work until approved by the Design Review Commission.

IT IS YOUR RESPONSIBILITY TO CONTACT THE GEORGETOWN TOWN HALL FOR INFORMATION CONCERNING ISSUANCE OF A BUILDING PERMIT AND PAYMENT OF FEES BEFORE PROCEEDING WITH CONSTRUCTION OF THE PROJECT. FOR MORE INFORMATION PLEASE CALL 303-569-2555.

Chairman- Design Review Commission

March 10, 2022
Date

GEORGETOWN, C.C.C., COL. SEAL INCORPORATED JANUARY 10, 1868

THIS IS NOT A BUILDING PERMIT

GEORGETOWN BOARD OF ADJUSTMENT
MEETING MINUTES
October 20, 2021

CALL TO ORDER

The meeting of the Georgetown Board of Adjustment on October 20, 2021, was called to order at 10:00 a.m. and was a virtual meeting due to COVID-19 regulations.

ROLL CALL

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

AUDIENCE

Theodore Lechnowsky and Tom Peterson

NEW BUSINESS

Theodore Lechnowsky – 410 3rd St. Historic Residential / Contributing Structure

Variance recommendation regarding the side yard setback for a bathroom addition onto the house.

The applicant, Theodore Lechnowsky, proposed to add a second bathroom at the rear of the house. The addition would match the west wall of the existing house for approximately 13 feet. The house is in the Historic Residential district, which requires a 5-foot side yard setback.

Mr. Lechnowsky appeared at the meeting and stated that the house was originally built 1 ½ feet from the property line. He added that the proposed addition falls within the guidelines of Design Review Commission for acceptable additions and does not alter the character of the original structure when viewed from the street. He added that the proposed addition is keeping with the current line of the house, and that it is the only space to create an additional bathroom.

The proposal was presented to the Design Review Commission at its October 14, 2021, meeting and it recommended approval for the variance of the side yard setback to the Board of Adjustment since the proposed addition is not visible from the street and complies with the Fire ordinance and will have a fire-rated wall.

There were no objections from the Lechnowsky's neighbors.

Coralue Anderson made a motion to approve the variance request of Theodore Lechnowsky, 410 3rd St. of the Georgetown Municipal Codes Section 17.16.041 (d)(5) Historic Residential District Area/Bulk regulation, side yard setback, seconded by Mary Riddle Clark, and the motion passed with unanimous vote.

MINUTES APPROVAL – July 28, 2021

Coralue Anderson made a motion to approve the July 28, 2021, minutes as presented, Mary Riddle Clark seconded the motion and it passed with unanimous vote.

ADJOURN

Sharon Rossino made a motion to adjourn the meeting at 10:03 a.m., Coralue Anderson seconded, and the motion passed with unanimous vote.

Tom Elliott, Chairman

Jennifer Yobski, Town Clerk