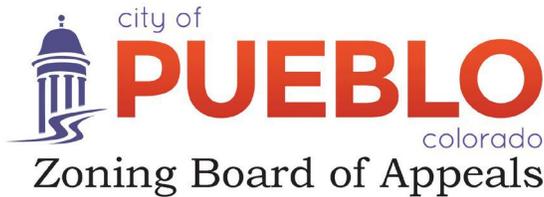


Mike Castellucci  
Chair

Steve Anselmo  
Vice Chair



Lisa Bailey  
Secretary

Yvonne Lujan-Slak

Georgia Way

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**Minutes for August 23, 2022**

City Council Chambers, 1 City Hall Place

The meeting was called to order at 7:00 p.m. with Chair Castellucci presiding.

**Board Members Present:** Mike Castellucci, Elizabeth (Lisa) Bailey, Georgia Way, and Yvonne Lujan-Slak

**Board Members Absent:** Steve Anselmo

**Staff Members Present:** Scott Hobson, Acting Director for Department of Planning and Community Development; Beritt Odom, Principal Planner; Daniel Kogovsek, Board Attorney; Bartholomew Mikitowicz, Senior Planner; and Theron Verna, Planner

**~ Approval of Agenda**

Motion to approve agenda as presented, by Bailey, second by Way.

**Motion passed 4 - 0**

**~ Approval of Minutes**

Motion to approve the minutes from the meeting of July 26, 2022, by Bailey, second by Way.

**Motion passed 4 - 0.**

Each case that follows proceeded in a uniform process as directed by Chair Castellucci. Beginning with a staff report presented by the planner assigned, then questions, if any, from the Board to staff members. Next, the applicant is sworn in by Board Attorney, Daniel Kogovsek, then the applicant states his or her name and address. The Board questions the applicant and confirms understanding of staff report and conditions for approval. Applicant may add further information, followed by further questions, if any, from the Board. Then the Board asks if anyone present in the audience wishes to testify in support of the application, followed by those who wish to testify in opposition. All individuals testifying in support or opposition are sworn in by Board Attorney, Kogovsek. Then the Board closes the public hearing and reviews findings of fact. Finally, the Board may motion to approve or deny the application for a variance or Special Use Permit. In some cases, variance or Special Use Permit may be conditionally approved.

**REGULAR AGENDA**

1. **ZBA-21-24 EXTENSION 1201 N Main St Special Use Permit**, Special Use Permit to allow a theater (general) in a multiple-residential and Office (R-5) Zone District. Staff Report by Wade Broadhead  
**Commission Action:** Bailey moved to renew the Special Use Permit to allow a theatre (general) in a Multiple-Residential and Office (R-5) Zone District. Second by Lujan-Slak  
**Motion passed:** 4-0 (Anselmo absent)
2. **ZBA-22-38 619 W 9<sup>TH</sup> ST VAR (Marc Reilly) Variance** to reduce the side setback from five feet (5') to one foot (1') and the front setback from twenty-five feet (25') to eleven feet (11') in a Multiple Residential

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and Office (R-5) Zone District. Staff report by Theron Verna.

Chairman Castellucci recused himself due to employer's financial interest in the project.

**Public Hearing:** Applicant representative, John Duvall, was sworn in and testified in favor of the application

No one testified in favor or opposition of the application

**Commission Action:** Way motioned to approve with the condition that two, paved, off-street parking spaces, located outside of the required front and side yard setbacks are provided; and Standard Permit Conditions. Second by Bailey.

**Motion passed:** Motion passed 3-0 (Castellucci recused and Anselmo absent).

- 3a. **ZBA 22-40 1724 Spruce St VAR (Rozelle Cawthorn)** Variance to reduce the required off-street parking in Mixed Residential (R-4) Zone District by one hundred percent (100%) from five (5) spaces to zero (0) spaces. Staff report by Bart Mikitowicz.

**Public Hearing:** Applicant representative, Rozella Cawthron, was sworn in and testified in favor of the application

No one spoke in opposition of the application.

**Commission Action:** Way moved to approve. Second by Bailey.

**Motion passed:** 4-0 (Anselmo absent)

- 3b. **ZBA-22-34 1724 Spruce St SUP (Rozelle Cawthorn)** Special Use Permit to allow for an Assisted Living Facility in a Mixed Residential (R-4) Zone District. Staff report by Bart Mikitowicz *Continued from July 26, 2022, hearing:*

**Public Hearing:** Applicant representative, Rozella Cawthron, was sworn in and testified in favor of the application

No one spoke in opposition of the application.

**Commission Action:** Way moved to approve. Second by Bailey.

**Motion passed:** 4-0 (Anselmo absent)

4. **ZBA-22-35 635 W Corona Ave SUP (Corona 3 LLC)** Special Use Permit for a tower in a Central Business (B-4) Zone District. Staff report by Theron Verna

**Public Hearing:** Michael Powers, applicant representative was sworn in and testified in favor of the application.

Bill Zwick, Colorado Scenic and Historic Byways Board Member, was sworn in and testified in opposition of the application.

Colleen Corzine, Rocco's Deli, was sworn in and testified in opposition of the application.

**Commission Action:** Lujan-Slak moved to continue the public hearing to allow the applicant to submit additional options for screening/camouflaging the proposed tower.

**Motion passed:** 4-0 (Anselmo absent)

5. **ZBA-22-36-651 S Pueblo Blvd SUP (Karen Frank)** Special Use Permit for a kennel (cattery) in a Central Business (B-4) Zone District. Staff report by Bart Mikitowicz

**Public Hearing:** Applicant representative, Karen Frank, was sworn in and testified in favor of the application

No one spoke in opposition of the application.

**Commission Action:** Way moved to approve. Second by Bailey.

**Motion passed:** 4-0 (Anselmo absent)

6. **ZBA -22-37 1703 E 2<sup>nd</sup> Street SUP (Melissa Goehring)** Special Use Permit for a duplex in a Single Family Residential (R-2) Zone District. Staff report by Bart Mikitowicz

**Public Hearing:** Applicant representative, Melissa Goehring, was sworn in and testified in favor of the application

No one spoke in opposition of the application

**Commission Action:** Bailey moved to approve. Second by Way.

**Motion passed:** 4-0 (Anselmo absent)

7. **ZBA-22-39 2561 320 Carlile Ave VAR (Lee Singleton)** Variance to reduce the front setback from twenty-five feet (25') to nine feet (9') in a Single Family Residential (R-1) Zone District. Staff report by Theron Verna.

*Continued to the September 27, 2022 hearing*

8. **ZBA-22-41 1102 Lake Ave VAR (Sarah Burch)** Variance to reduce the prevailing second front yard ten-foot setback from ten feet (10') to five feet (5') in a One and Two Family Residential(R-3) Zone District. Staff Report by Theron Verna.

**Public Hearing:** Greg Sandoval, applicant representative, was sworn in and testified in favor of the application.

No one spoke in opposition of the application.

**Commission Action:** Way moved to approve. Second by Bailey.

**Motion passed:** 4-0 (Anselmo Absent)

#### **OLD/NEW BUSINESS**

**Adjourn** at 9:15 PM

Minutes submitted by Bart Mikitowicz