



BOARD OF ADJUSTMENT

Mike Simone, Chairperson
Bushrod White, Vice-Chairperson

Kathy Kvasnicka
Paul Witmer

Jimmy Dominguez
Shannon Rhoda
Thomas Holton

Board of Adjustment Agenda

Regular Meeting

130 South McKinley Avenue

Thursday, June 13, 2024

6:00 PM

(Order & Contents Subject to Change by Action of the Commission)

** Login information on how to attend this meeting virtually (optional) is on the last page of this Agenda.*

Call to Order

Approval of Agenda

Consent Agenda - Consent Agenda items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda items unless a Councilmember so requests, in which case the item may be removed/moved from the Consent Agenda.

a. Approval of the Minutes of the January 11 2024 Meeting

Public Comment This portion of the Agenda is provided to allow members of the audience to present comments to the Board. The Board may not respond to your comments this evening, rather they may take your comments and suggestions under advisement or your question may be directed to the appropriate staff member for follow-up.

Action Item(s)

a. BOA2024-002 Ashby Variance

Discussion Items

Future Business

Adjourn

Virtual Meeting Instructions

Join this meeting from your computer, tablet or smartphone.

<https://meet.goto.com/885796925>

You can also dial in using your phone.

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Access Code: 885-796-925

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<https://meet.goto.com/install>

If you would like to participate remotely, we encourage you to test the phone number and links provided above prior to the start of the meeting, as each device requires initial adjustment. It is also recommended to log into the meeting early, and if you encounter any issues to call 303-304-4498 or email PlanningDept@fortluptonco.gov immediately.

When calling in, please be sure to mute your microphone on your computer, phone or tablet. Planning staff and/or the Chairman of the Board of Adjustment will provide instructions on when and how comments can be made by the public virtually.

**RECORD OF PROCEEDINGS
FORT LUPTON BOARD OF ADJUSTMENT
JANURAY 11, 2024**

The Planning Commission of the City of Fort Lupton met in session at City Hall Chambers, 130 South McKinley Avenue, the regular meeting place of the Planning Commission and virtually via GoToMeeting, on Thursday, January 11, 2024.

Chair Mike Simone called the meeting to order at 8:24 PM.

ROLL CALL

Members Present: Chair Mike Simone, Vice-Chair Bushrod White, Members Kathy Kvasnicka, Shannon Rhoda, and Zachery Potter.

Commissioner Jimmy Dominguez attended the meeting via GoToMeeting.

City Staff Present: Planning Director, Todd Hodges, Planner Magaly Morales, Planner Sean McDermott, Planner Zachary Mettler, City Engineer David Rausch, and Planning Administrative Assistant Hailey McKay

Vice-Chair White moved to add the minutes from October 22, 2020 to the consent agenda, member Kvasnicka seconded the motion.

APPROVAL OF AGENDA

Vice-Chair White moved to approve the agenda, member Kvasnicka seconded the motion.

Motion carried unanimously by a voice vote.

PUBLIC COMMENT

Chair Simone asked if anyone wish to make comments not otherwise related to the agenda; seeing no one the public comment portion was closed at 8:26 PM.

Public Hearing

BOA2024-001 A RESOLUTION OF THE BOARD OF ADJUSTMENT OF FORT LUPTON APPROVING DEREK BEJARANO'S VARIANCE REQUEST TO KEEP A DETACHED GARAGE ON THE PROPERTY LOCATED AT LOCATED 1206 LANCASTER COURT, FORT LUPTON, COLORADO.

Planner Sean McDermott introduced the public hearing item referred to as the Bejarano Variance. The property is located on the southeast corner of Lancaster Court, and in the R-2 zone district. The proposed variance will not change the use of the property. Mr. McDermott stated that the applicant is seeking a variance for the existing detached garage on the east side of the property. No permits exist from the city for the detached garage, and the structure was found to be in violation by Code Enforcement on September 29, 2022 case number CE-22-740. Mr. McDermott stated that the current structure appears to have been in the same location since at least 2016 as seen from prior Weld County aerial photographs.

**RECORD OF PROCEEDINGS
FORT LUPTON BOARD OF ADJUSTMENT
JANURAY 11, 2024**

The applicant is asking for approval of a variance processed under section 16-2.09 of the Fort Lupton Municipal Code. Mr. McDermott stated that the Board of Adjustment will consider the application, referral comments, and any public testimony to decide, based on evidence provided in conformance with the Comprehensive Plan as it applies to City standards, the findings and conclusions of the variance. He specified that the Board of Adjustment shall approve by resolution, approve with conditions or deny the variance, based on the standards that have been met for a detached garage found in the municipal code Chapter 16 articles 4 and 5. Mr. McDermott covered the sections of the municipal Code that the applicant was requesting the variance on, and the sections that he met.

DISCUSSION ITEMS

ADJOURNMENT

It was moved by Member Paul Weber and seconded by Member Lynne Derby to adjourn the May 28, 2020 Board of Adjustment meeting at 7:43 p.m.

Motion carried on voice vote.

Hailey McKay Planning Administrative Assistant

Approved by Board of Adjustment

Mike Simone, Chairperson

RESOLUTION NO. BOA2024-002

A RESOLUTION OF THE BOARD OF ADJUSTMENT OF FORT LUPTON APPROVING KENNETH AND JENNIFER ASHBY'S VARIANCE REQUEST TO BUILD AN ADDITIONAL SECONDARY BUILDING ON THE PROPERTY LOCATED AT 201 9TH STREET, FORT LUPTON, COLORADO.

WHEREAS, the Board of Adjustment held a public hearing on June 13, 2024, to consider and review an application submitted by Kenneth and Jennifer Ashby (Owners and Applicants) for a variance from Table 5-2 of Section 16-5.02(c)(1) of the Fort Lupton Municipal Code for a secondary building located at 201 9th Street, Fort Lupton, Colorado; and

WHEREAS, all legal notification requirements have been met, including publication of the legal notice in the Greeley Tribune and Fort Lupton Press, mailing of public hearing notices to adjacent property owners within three hundred (300) feet of the property, and the posting of a sign on the site advertising the public hearing; and

NOW THEREFORE BE IT RESOLVED that the Fort Lupton Board of Adjustment took into consideration any supporting documentation for the variance request, staff comments, as well as the applicant's presentation and any citizen input in response to this application. Based upon review of the applicable policies and goals in the Fort Lupton Development Code, the Board of Adjustment hereby approves a variance, conditional upon the following:

1. The applicant must obtain a building permit for the proposed structure.
2. The total square footage of accessory buildings on the property must not exceed the total allowed square footage by applicable regulations in the City's Development Code. Any addition to an accessory building or additional structure must be approved by the Planning Department prior to release of any permits.

DONE THIS 13TH OF JUNE, 2024, BY THE BOARD OF ADJUSTMENT FOR THE CITY OF FORT LUPTON, COLORADO.

Chairman

ATTEST:

Planning Director

ASHBY VARIANCE

**VARIANCE REQUEST STAFF REPORT
 PROJECT NO. VAR24-001**

PROJECT DESCRIPTION

Project No.: VAR24-001

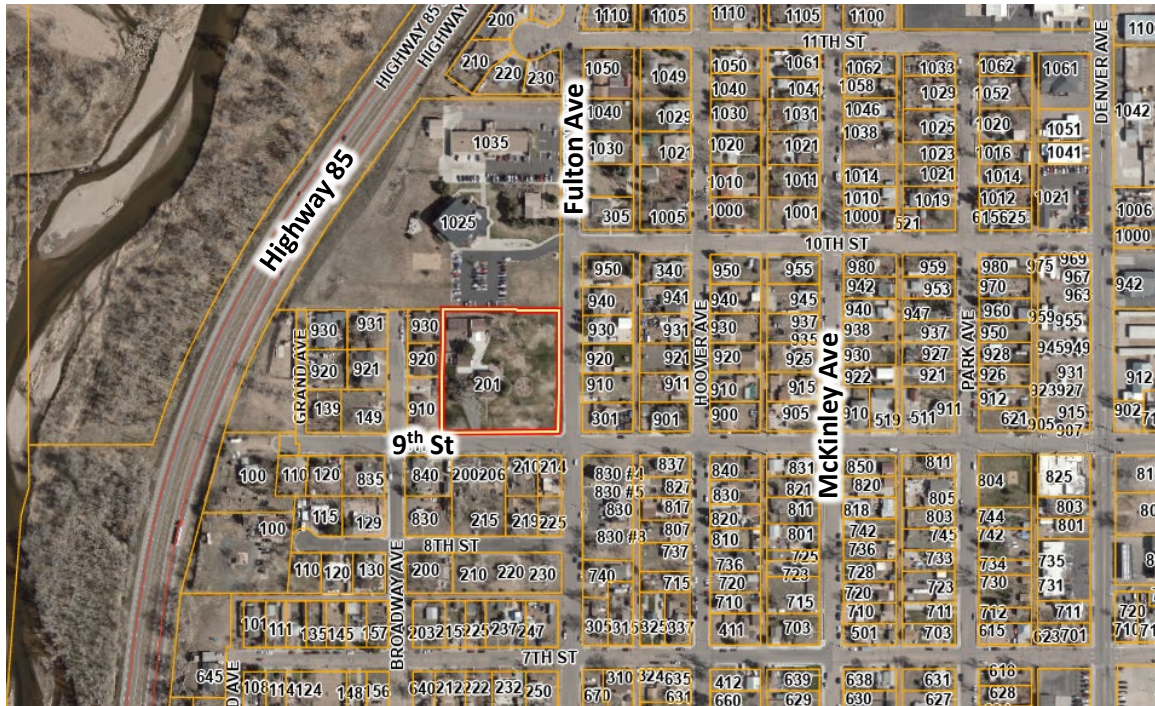
Project name: Ashby Variance

Owner's Name: Kenneth & Jennifer Ashby

Representative: Same as owner

Location of Request:

The Property is located at 201 9th St, which is north and adjacent to 9th St and west and adjacent to Fulton Ave. The Property is located in the Southeast Quarter of Section 31, Township 2 North, Range 66 West of the 6th P.M., City of Fort Lupton, County of Weld, State of Colorado.



Nature of Request:

The Applicant is seeking a variance to add a 30' x 25' secondary building for lawn and gardening equipment storage on the north portion of the lot. This secondary building is intended to replace the existing 12' x

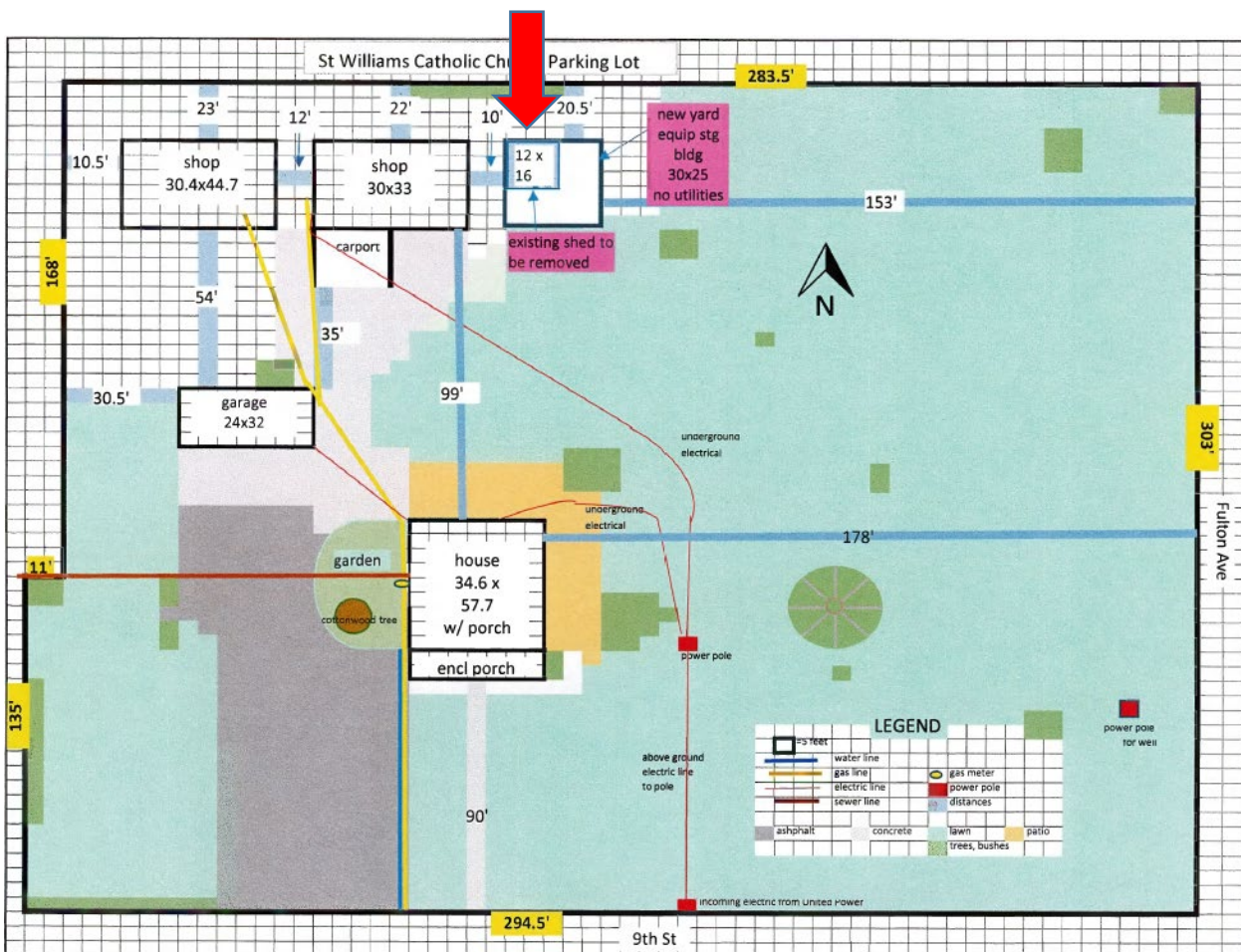
16' shed. The variance application is seeking relief from Table 5-2: Residential Accessory Structures of Article 5 of the Fort Lupton Development Code. Under Table 5-2, the applicant's lot size allows for:

- Three (3) minor structures (200 s.f. max);
- Two (2) secondary buildings (1,200 s.f. max but never more than 50% of the principal building); and
- One (1) out-building (2,000 s.f. max)

The applicant currently has:

- One (1) minor structure (200 s.f. max);
- Two (2) secondary buildings (1,200 s.f. max but never more than 50% of the principal building);
- And one (1) out-building (2,000 s.f. max)

Based on these standards, the applicant is only allowed to build two (2) additional minor structures (200 s.f. max). This variance request is to allow for a third secondary building (1,200 s.f. max) that would replace the existing minor structure.



Site Size: The Property is 2.006 acres, more or less.

Current Zone District: 'R-1' Single-Family Residential

Proposed Use: The use of the property would not change. The new secondary structure would serve the same purpose as the existing minor structure to be removed: storing lawn and garden equipment.

Existing Use: The property is an existing residence.

Hearing Dates: Board of Adjustment – June 13, 2024 immediately following the Planning Commission meeting at 6:00 PM

Hearing Location: Fort Lupton City Hall – Council Chambers, 130 S. McKinley Ave., Fort Lupton, Colorado

APPLICATION PROCESS

The Applicant is requesting approval of a variance. A variance is processed under [Section 16-2.09](#) of the Fort Lupton Municipal Code (“Code”).

After required public notice of the variance application, the Board of Adjustment shall consider the application, referral comments and any public testimony at a public hearing and shall, by resolution, approve, approve with conditions, or deny the variance based on the criteria listed below. The Board of Adjustment’s comments shall be based on the evidence presented, conformance with the Comprehensive Plan and compliance with the City’s standards, regulations and policies. Findings and conclusions of any variance approved by the Board shall be stated in writing in the minutes of the Board with the justifications set forth.

The Planning Department shall advise the applicant of the Board of Adjustment decision and of any conditions contained in the Board’s Decision.

Resolutions of the Board of Adjustment granting variances shall be recorded with the Weld County Clerk and Recorded at the expense of the applicant.

Any appeal of the decision of the Board of Adjustment may be made to the District Court as provided by law; provided, however, that such appeal must be made prior to thirty (30) days following the date of the final action taken by the Board of Adjustment, as provided by Rule 106, Colorado Rules of Civil Procedure.

The Board of Adjustment shall review and approve the variance only on the finding that all of the following conditions are met:

1. The requested variance arises from exceptional physical conditions that are unique to the subject property, that are not ordinarily found in the same zoning district, and that are not created by the property owner or those acting on behalf of the property owner;
2. The strict application of the provisions of the zoning regulations for which the variance is requested will constitute an unnecessary hardship upon the property owner, hindering the ability to legally use or construct upon the property. Economic considerations alone shall not constitute an unnecessary hardship if a reasonable use for the property exists under the standards of this code;

3. The granting of the variance will not adversely affect the rights of adjacent property owners or residents;
4. The variance desired will not adversely affect the public health, safety, or general welfare;
5. Granting the variance would not alter the essential character of the surrounding neighborhood, and the general spirit of the ordinance and intent of the standards will be maintained; and
6. The requested variance is the minimum necessary to relieve the conditions and permit reasonable use of the property.

NOTIFICATION REQUIREMENTS

The Code requires published notice of the hearing at least fifteen (15) days prior to the hearing. To ensure the appropriate advance notice was given, notice of the hearing was published in the Greeley Tribune on May 22, 2024. It was also published in Fort Lupton Press on May 30, 2024.

Notice of the public hearings was posted on the Property on May 28, 2024, which is at least fifteen (15) days prior to the hearing, as required by the Code.

Notice was mailed to neighbors within three-hundred (300) feet of the Property on May 29, 2024.

CONFORMANCE WITH CITY STANDARDS, REGULATIONS AND POLICIES

The Property is located within the ‘R-1’ Single-Family Residential Zone District, governed by Section 16-4.01 of the Fort Lupton Municipal Code. Within this zone district, allowed accessory buildings are based on lot size and governed by Table 5-2 of Section 16-5.02(c)(1).

As mentioned above, the applicant’s lot size of 2.006 acres allows for three (3) minor structures (200 s.f. max), two (2) secondary buildings (1,200 s.f. max), and one (1) out-building (2,000 s.f. max).

Table 5-2: Residential Accessory Structures				
Type	Quantity	Size	Height	Setbacks
<i>Minor Structure (small shed, and similar structures)</i>	<ul style="list-style-type: none"> ▪ 1 / lot; ▪ + 1 / each 10k s.f.; ▪ Maximum of 3 	<ul style="list-style-type: none"> ▪ 200 s.f. max 	<ul style="list-style-type: none"> ▪ 10' max 	<ul style="list-style-type: none"> ▪ 0' side or rear; ▪ 5' if on a concrete slab or similar foundation; and ▪ Behind the rear building line of the principal structure
<i>Secondary Building (detached accessory building)</i>	<ul style="list-style-type: none"> ▪ 1 / lot ▪ 2 / lot, over 40K s.f. ▪ 1 / principal building (Apartments) 	<ul style="list-style-type: none"> ▪ 1,200 s.f. max., but never more than 50% of principal building footprint. 	<ul style="list-style-type: none"> ▪ 20' max, but never higher than principal structure. 	<ul style="list-style-type: none"> ▪ 5' from side and rear; ▪ 20' from street side; and ▪ At least 12' behind the front building line of the principal structure
Any building over 10' high or more than 200 square feet shall meet the design standards.in Section 5.02.C.3.				
<i>Out-building (large storage building, barns, etc.)</i>	<ul style="list-style-type: none"> ▪ 1 / lot over 40K s.f.. ▪ + 1 / each 3 ac. ▪ Maximum of 5 	<ul style="list-style-type: none"> ▪ 2,000 s.f. max ▪ No size or height limit in A district, provided structure is accessory to agriculture use. 	<ul style="list-style-type: none"> ▪ 25' max 	<ul style="list-style-type: none"> ▪ 10' from side and rear; ▪ 35' from any street side; and ▪ Behind the rear building line of the principal structure
Applies to detached houses and civic / institutional uses only				

The applicant is requesting a variance to have a third secondary building (1200 s.f. max) on the property.

The Applicant has submitted the required documents pursuant to the Code.

The Board of Adjustment shall review and approve the variance only on the finding that all of the following conditions are met:

1. The requested variance arises from exceptional physical conditions that are unique to the subject property, that are not ordinarily found in the same zoning district, and that are not created by the property owner or those acting on behalf of the property owner;
 - a. The applicant's lot is significantly larger than standard R-1 Single-Family Residential lots at just over two acres, creating basis for the variance application. This is unique to this property and was not created by the property owner. However, the standards for accessory buildings in Table 5-2 are based on lot size (not specific residential zone districts).
2. The strict application of the provisions of the zoning regulations for which the variance is requested will constitute an unnecessary hardship upon the property owner, hindering the ability to legally use or construct upon the property. Economic considerations alone shall not constitute an unnecessary hardship if a reasonable use for the property exists under the standards of this code;
 - a. *Application of the Fort Lupton Development Code would not allow the applicant to build an additional secondary building on the site. The applicant has existing accessory structures, but has indicated that none have the space/ability to store the applicant's lawn and gardening equipment to serve their larger lot. The Code would allow for additions to multiple of the accessory buildings and additional minor structures, the result of which would allow for greater total square footage of accessory buildings than the applicant's proposed variance request. The applicant has indicated that additions to the existing structures would be difficult to construct due to their age and additional minor structures would be difficult for the desired use.*
3. The granting of the variance will not adversely affect the rights of adjacent property owners or residents;
 - a. *Granting the variance would likely not adversely affect the rights of any adjacent property owners. The requested secondary building would be placed in the same location as an existing minor structure which would be reviewed by staff to ensure all setbacks are met at time of building permit. The structure is also on the rear of the lot behind the house.*
4. The variance desired will not adversely affect the public health, safety, or general welfare;
 - a. *The variance will likely not have any adverse public health, safety, or general welfare implications. The structure would be reviewed by staff during the building permit process. The proposed structure would likely also be a safer solution from a structural standpoint than the alternatives of an addition to the existing buildings and/or minor structures that don't require a building permit.*
5. Granting the variance would not alter the essential character of the surrounding neighborhood, and the general spirit of the ordinance and intent of the standards will be maintained; and

- a. *Granting the variance would not alter the essential character of the surrounding neighborhood and the general spirit of the ordinance and intent of the standards. The requested structure would be clearly subordinate to the house and must meet the design standards for such secondary buildings.*
- 6. The requested variance is the minimum necessary to relieve the conditions and permit reasonable use of the property.
 - a. *The requested variance would allow the property owner to build their desired secondary building without going beyond the total square footage of allowed accessory buildings on their lot. Staff recommends a condition restricting the property owner from adding any accessory building or any addition to an existing accessory building that brings the total accessory building square footage beyond what would otherwise be allowed. This condition is listed on the proposed resolution.*

CONFORMANCE WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan designates that area as Single-Family Detached Residential. The current use of the property fits this designation and the variance request doesn't impact the use of the site.

REFERRALS

Referrals were provided to the list below. Any comments received are enclosed with the Planning Commission packet.

City Attorney	Police Chief	Public Works Director
Building Inspector	GIS Specialist	Economic Development Manager
Development Review Engineer	Fort Lupton Fire Protection District	United Power
Comcast	CenturyLink	Xcel Energy
Postmaster	Weld County GIS	Fulton Ditch Company
Western Midstream		

STAFF RECOMMENDATION

Staff recommends approval of the variance request with the conditions listed in the proposed resolution. The property is unique in size for the R-1 zone district and this variance request maintains lesser impact than what is allowed by strict interpretation of Table 5-2 of Section 16-5.02(C)(1) in terms of total square footage for accessory buildings on the lot and would support the maintenance of the property. The conditions listed will ensure that the total square footage for accessory buildings must not exceed what is allowed by Code regulations, ensuring that the applicant's request maintains the allowable impact, which staff determines to be the intent of this section of the development code.

ALTERNATIVES

1. Approve Resolution BOA2024-002 to grant the Ashby Variance application (VAR24-001) with the following conditions:
 - a. The applicant must obtain a building permit for the proposed structure.

- b. The total square footage of accessory buildings on the property must not exceed the total allowed square footage by applicable regulations in the City's Development Code. Any addition to an accessory building or additional structure must be approved by the Planning Department prior to release of any permits.
2. Deny the Ashby Variance application.

For more information on this development, please refer to the documents found at:

<https://www.fortluptonco.gov/DocumentCenter/Index/869>

Kenneth & Jennifer Ashby

Project: Additional Accessory Building

Narrative

We are requesting a variance to add a 30' x 25' metal accessory building for the purpose of storing lawn maintenance & gardening equipment, situated East of the existing metal accessory building, to replace the 12'x16' shed that currently occupies that space (when we built that shed we believed it would be large enough to store our lawn & garden equipment, but it is not). The additional building will not have any utilities, so there should be no additional burden on city resources. We have worked to find a building that will appear very similar to the one next to which it will be placed, in order to maintain a clean look to our property.

Although the building code will allow us to build three 200 square foot minor structures, we believe the one larger building will be better, from both an appearance and a property value standpoint.

As shown in the ILC, there are no issues with setbacks or property lines. There will be no impact on neighbors. As shown in the site plan, the back of the new building will face the church parking lot.

Our lot size is 2.01 acres and the additional building will still be behind the house.

Due to the size of our property, and the fact that we do the lawn maintenance ourselves, there is a lot of lawn equipment to store. This includes riding mowers, a lawn trailer, an aerator attachment, a sprayer attachment, a spreader attachment, sweepers (large catchers that are pulled behind riding mowers) and the catcher for the zero turn mower. In addition to the larger mowing equipment, we have chain saws, trimmers, shovels, rakes, edgers, landscaping equipment and material, that all needs to be stored.

For appearance and safety purposes, we want to have everything stored away and out of sight. While we have been able to stack everything into the current buildings, it is all stacked on top of each other, which is not convenient, and more importantly, not safe. As we age, we are paying more attention to the safety issues.

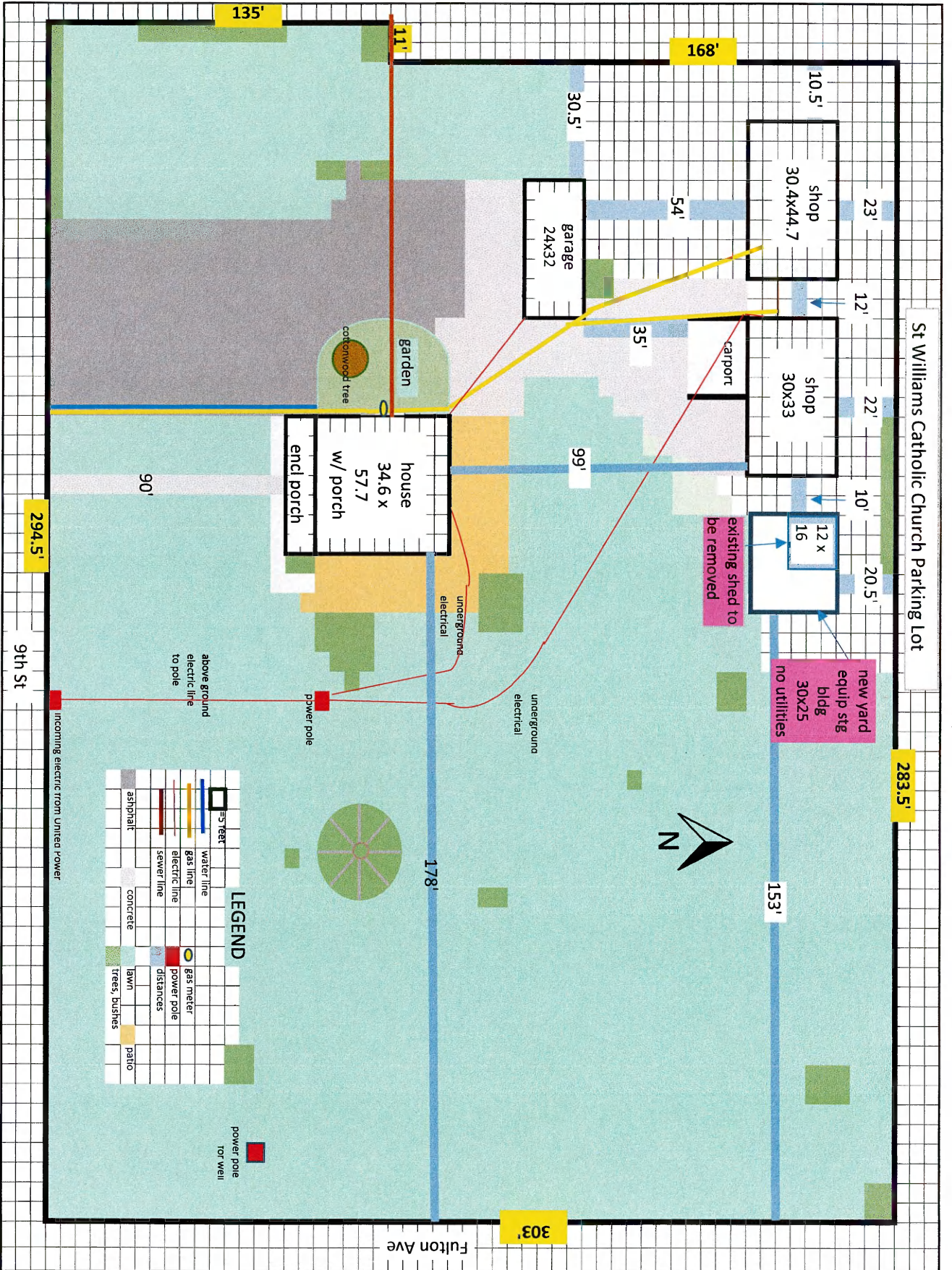
The building code currently allows for two 1,200 sq ft accessory building and one 2,000 square foot outbuilding, for a total of 4,400 sq ft. The square footage of the existing buildings is 3,122 sq ft. If you allow this requested accessory building, the total accessory and outbuilding sq footage on the property will be 3,872, which, even though we will have one extra building, will still be 528 sq ft less than the total allowed square footage. Based on our lot size and the locations of the buildings on the lot, we feel this new accessory building will be an added value to the property.

We are very proud of our property and are continually working hard to make it look its best, and we believe that this additional building will help us continue to do that. If our request is approved, we are more than willing to agree to a stipulation that no additional structures or additions to existing buildings will be constructed in the future.

Thank you for your time and consideration.

Kenny & Jenni Ashby

303-870-0797



LEGEND

3/8" TEST	water line	gas meter	gas line
above ground electric line to pole	electric line	power pole	sewer line
asphalt	concrete	lawn	trees, bushes
power pole for well	patio		

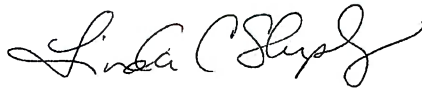
Colorado Community Media
750 W. Hampden Ave. Suite 225
Englewood, CO 80110

City of Fort Lupton Legals***
130 S McKinley Avenue
Fort Lupton CO 80621

AFFIDAVIT OF PUBLICATION

State of Colorado }
County of Weld } ss

This Affidavit of Publication for the Fort Lupton Press, a weekly newspaper, printed and published for the County of Weld, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made 5/30/2024, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.



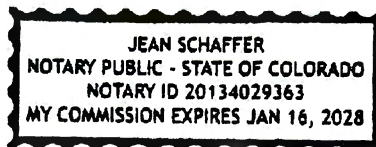
For the Fort Lupton Press

State of Colorado }
County of Arapahoe } ss

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above named Linda Shapley, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on 5/30/2024. Linda Shapley has verified to me that she has adopted an electronic signature to function as her signature on this document.

20134029363-653204

Jean Schaffer
Notary Public
My commission ends January 16, 2028



Public Notice

CITY OF FORT LUPTON NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Fort Lupton is in receipt of an application for a **Variance** referred to as the **Ashby Variance**, located at 201 9th St. in Fort Lupton, Colorado, pursuant to the City of Fort Lupton Municipal Code Notice Requirements. The public hearing is to be held before the Board of Adjustment on Thursday, June 13, 2024, at 6:00 P.M., or as soon as possible thereafter.

The public hearing shall be held at the Fort Lupton City Hall, 130 S. McKinley Avenue in Fort Lupton, Colorado. In the event that the City Hall is closed at the time of the hearings, the public hearings will be held remotely, accessible to the public by phone and internet. Information on how to attend the hearings will be provided in the agenda as posted on the City's website, www.fortluptonco.gov.

Further information is available through the City Planning and Building Department at 720.928.4003.

ALL INTERESTED PERSONS MAY ATTEND.

LEGAL DESCRIPTION

LOT 1, BLOCK 1, NORTH WEST ADDITION TO THE TOWN OF FORT LUPTON, ACCORDING TO THE PLAT RECORDED JUNE 24, 1965 AT RECEPTION NO 1466685, EXCEPT THAT PART OF LOTS A AND B OF THE RESUBDIVISION OF LOT 3 AND A PART OF LOTS 1 AND 2, BLOCK 1, AMENDED MAP OF THE NORTH WEST ADDITION TO THE TOWN OF FORT LUPTON, ACCORDING TO THE PLAT RECORDED NOVEMBER 29, 1964 AT RECEPTION NO. 1990201, COUNTY OF WELD, STATE OF COLORADO.

Legal Notice No. FLP1047
First Publication: May 30, 2024
Last Publication: May 30, 2024
Publisher: Fort Lupton Press

**CITY OF FORT LUPTON
NOTICE OF PUBLIC HEARING**

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Published: Greeley Tribune May 22, 2024-2053568

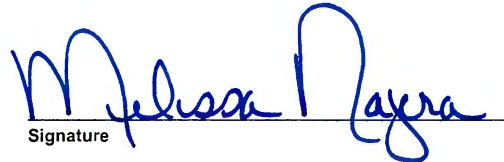
Prairie Mountain Media, LLC

**PUBLISHER'S AFFIDAVIT
County of Weld
State of Colorado**

The undersigned, Agent, being first duly sworn under oath, states and affirms as follows:

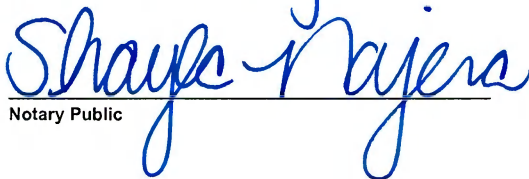
1. He/she is the legal Advertising Reviewer of Prairie Mountain Media LLC, publisher of the *Greeley Tribune*.
2. The *Greeley Tribune* is a newspaper of general circulation that has been published continuously and without interruption for at least fifty-two weeks in Weld County and meets the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in the *Greeley Tribune* in Weld County on the following date(s):

May 22, 2024


Signature

Subscribed and sworn to me before me this

22nd day of May 2024.


Notary Public

(SEAL)

SHAYLA NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20174031965
MY COMMISSION EXPIRES July 31, 2025

Account: 1102365
Ad Number: 2053568
Fee: \$28.16



CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on **the 29th day of May, 2024**, a true and correct copy of the foregoing Notice of Public Hearings for the **Ashby Variance** was sent via United States Mail, postage pre-paid, to the following addresses:

F & H ZADEL FAMILY REVOCABLE TRUST
C/O FRANKLIN C. ZADEL & HELEN M. ZADEL
305 10TH ST
FORT LUPTON, CO 806212607

BARKUS DOUGLAS
1005 HOOVER AVE
FORT LUPTON, CO 806212619

JOHNSON BARBARA A
950 FULTON AVE
FORT LUPTON, CO 806212613

BURGE STORMY
940 FULTON AVE
FORT LUPTON, CO 806212613

N&J NAKAMOTO LLC
PO BOX 829
FORT LUPTON, CO 806210829

SANDOVAL MATTHEW JAMES
920 FULTON AVE
FORT LUPTON, CO 806212613

GUERRERO GABINO
1756 VIRGINIA DR
FORT LUPTON, CO 806217618

RETKE RHIANNA J EVANS
301 9TH ST
FORT LUPTON, CO 806212605

THOMAS CAROL A
901 HOOVER AVE
FORT LUPTON, CO 806212617

LAWSON MARK
911 HOOVER AVE
FORT LUPTON, CO 806212617

CERETTO VICKI LYNN
921 HOOVER AVE
FORT LUPTON, CO 806212617

BARROWS THOMAS J
931 HOOVER AVE
FORT LUPTON, CO 806212617

DEJESUS CATALINA
941 HOOVER AVE
FORT LUPTON, CO 806212617

LUIZ GEORGE
340 10TH ST
FORT LUPTON, CO 806212608

ARCHDIOCESE OF DENVER
ATTN PROPERTY & REAL EST DEPT
1300 S STEELE ST
DENVER, CO 802102526

ZARAGOZA ANNA TESTAMENTARY NEEDS TRUST
910 BROADWAY AVE
FORT LUPTON, CO 806212611

HERRERA DAGO BERTO JR
930 BROADWAY AVE
FORT LUPTON, CO 806212611

REYES DEBRA A
920 BROADWAY AVE
FORT LUPTON, CO 806212611



ASHBY KENNETH A
201 9TH ST
FORT LUPTON, CO 806212603

GREEN KYNDAL BRYAN WESTLY
921 BROADWAY AVE
FORT LUPTON, CO 806212611

CORRALES HECTOR CHAVIRA SR
920 GRAND AVE
FORT LUPTON, CO 806212609

RUIZ ESTELLA
930 GRAND AVE
FORT LUPTON, CO 806212609

DAVIS CHARLES W
931 BROADWAY AVE
FORT LUPTON, CO 806212611

KIRTLAND KRISTOPHER
139 9TH ST
FORT LUPTON, CO 806212601

HALL JASMINE DANA
149 9TH ST
FORT LUPTON, CO 806212601

MEYER JASON E
2242 MEGAN CT
MILLIKEN, CO 805439656

WHITE MICHAEL
807 HOOVER AVE
FORT LUPTON, CO 806212131

GUERRERO SAUL
817 HOOVER AVE
FORT LUPTON, CO 806212131

JAUREGUI JOSE
827 HOOVER AVE
FORT LUPTON, CO 806212131

FULTON AVENUE APARTMENTS
C/O BOSLEY MANAGEMENT
566 TURNER LN
SHERIDAN, WY 828016123

SCHUYLER RONALD G
840 N BROADWAY AVE
FORT LUPTON, CO 806212125

TERRY MILBY G FAMILY TRUST
1312 DENVER AVE
FORT LUPTON, CO 806212638

HOUSING AUTHORITY OF TOWN OF FT
LUPTON
400 2ND ST
FORT LUPTON, CO 806211959

MONTANO RONALD J
214 9TH ST
FORT LUPTON, CO 806212604

JASO MIKE
PO BOX 55
225 8TH ST
FORT LUPTON, CO 806212119

OSTRANDER LEAH E
219 8TH ST
FORT LUPTON, CO 806212119

VALTIERRA EZEQUIEL
210 9TH ST
FORT LUPTON, CO 806212604

MCCOLLAM DALE L
115 8TH ST
FORT LUPTON, CO 806212117


VARELA ELBA
129 8TH ST
FORT LUPTON, CO 806212117

ALVAREZ MARIA D ZAMORA
835 BROADWAY AVE
FORT LUPTON, CO 806212124



BECKHOFF WILLIAM T
120 9TH ST
FORT LUPTON, CO 806212602

ROJO ZACHARY JAMES
200 8TH ST
FORT LUPTON, CO 806212120


City Official *Sean McDermott, Planner*



Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621
www.fortluptonco.gov

Phone: 303.857.6694
Fax: 303.857.0351

CITY OF FORT LUPTON NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Fort Lupton is in receipt of an application for a **Variance** referred to as the **Ashby Variance** located at **201 9th St** in Fort Lupton, Colorado pursuant to the City of Fort Lupton Municipal Code Notice Requirements.

The public hearing is to be held before the Board of Adjustment on Thursday, June 13, 2024, immediately following the Planning Commission Meeting at 6:00 P.M. or as soon as possible thereafter.

The public hearings shall be held at the Fort Lupton City Hall, 130 S. McKinley Avenue in Fort Lupton, Colorado. In the event that City Hall is closed at the time of the hearings, the public hearings will be held remotely, accessible to the public by phone and internet. Information on how to attend the hearings will be provided in the agenda as posted on the City's website, www.fortluptonco.gov.

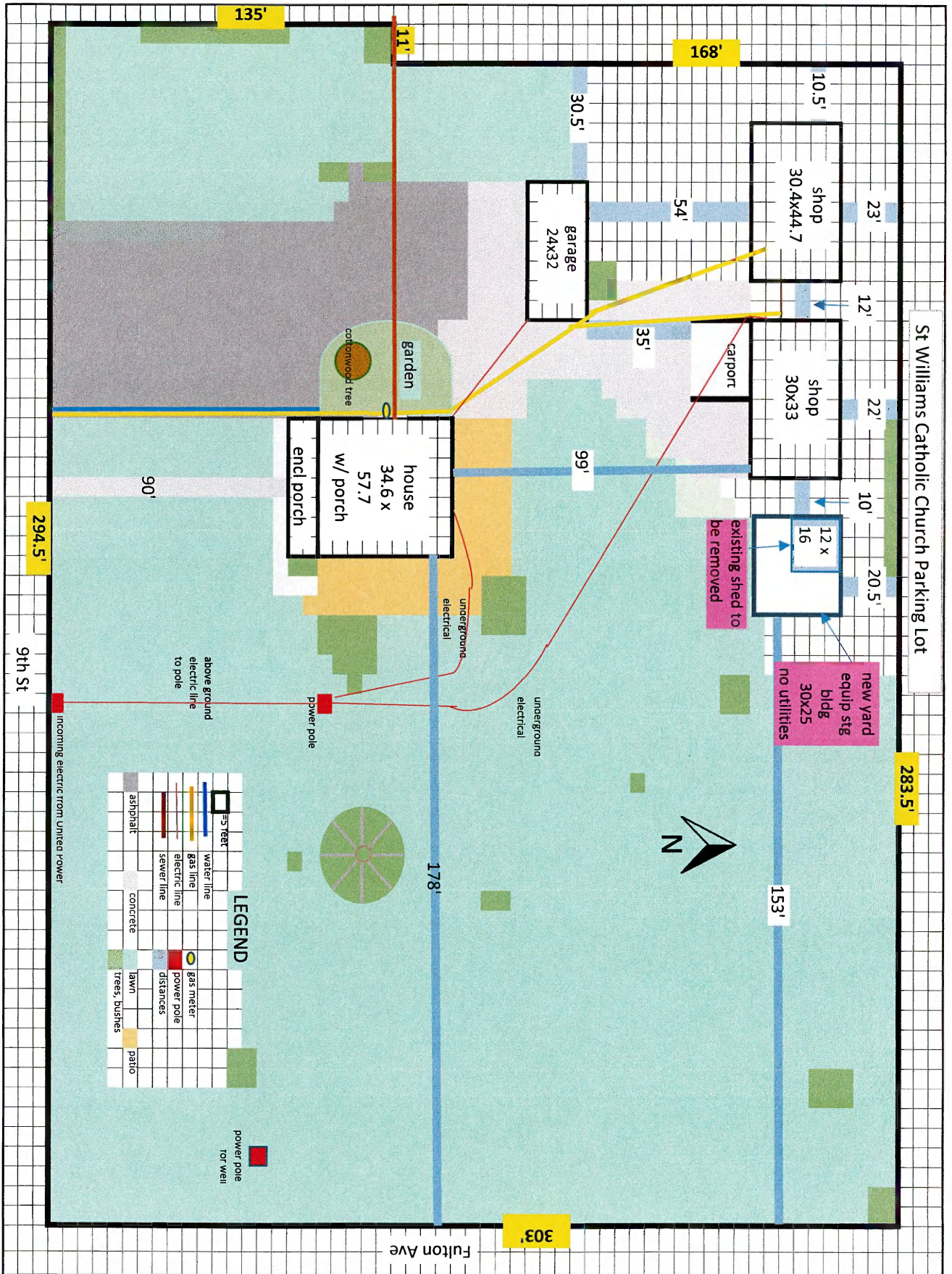
Further information is available through the City Planning and Building Department at (720) 928-4003.

ADDITIONAL INFORMATION AND DOCUMENTS ON THIS APPLICATION CAN BE FOUND AT BIT.LY/FLDEVELOPMENT AND SCROLLING DOWN TO THE ROW TITLED: **ASHBY VARIANCE**

ALL INTERESTED PERSONS MAY ATTEND

LEGAL DESCRIPTION

LOT 1, BLOCK 1, NORTH WEST ADDITION TO THE TOWN OF FORT LUPTON, ACCORDING TO THE PLAT RECORDED JUNE 24, 1965 AT RECEPTION NO 1466685, EXCEPT THAT PART OF LOTS A AND B OF THE RESUBDIVISION OF LOT 3 AND A PART OF LOTS 1 AND 2, BLOCK 1, AMENDED MAP OF THE NORTH WEST ADDITION TO THE TOWN OF FORT LUPTON, ACCORDING TO THE PLAT RECORDED NOVEMBER 29, 1964 AT RECEPTION NO. 1990201, COUNTY OF WELD, STATE OF COLORADO.



201 9th St Fort Lupton, CO

Sign Posting Affidavit

Ashby Variance

Project No. VAR24-001



Facing Fulton Ave



Facing 9th St

I, Jennifer Ashby hereby acknowledge that the aforementioned property was posted in accordance with City Codes. Said public hearing notice was posted on this 28th day of May, 2024.

Jennifer S. Babby
Signature of Owner or Owner's Representative

The foregoing instrument was acknowledged before me by Jennifer Ashby, this 4th day of June, 2024. Witness my hand and seal.

My commission expires March 19, 2025.

Magaly Morales-Tejada
Notary Public

Magaly Morales-Tejada
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20214011133
MY COMMISSION EXPIRES March 19, 2025