



City of Littleton

Littleton Center
2255 West Berry Avenue
Littleton, CO 80120

Meeting Journal

Board of Adjustment

Thursday, December 17, 2015

7:00 PM

Council Chamber

Regular Meeting

1. Roll Call

- Present** 4 - Vice Chair Spencer, Board Member Brady, Board Member Genna, and Board Member Provo
- Absent** 2 - Board Member Kottmeier, and Board Member Rychecky

2. Approval of Agenda

3. Minutes to be Approved

[ID# 15-279](#) Certification of the September 17, 2015 Minutes

A motion was made by Board Member Provo that based on the recording secretary's certification, the September 17th video shall serve as the minutes for the September 17, 2015 regular meeting of the Board of Adjustment. The motion carried by a unanimous vote.

4. Public Hearing

Littleton Planner I, Pam Hall, presents the City's staff report and recommendation.

- a. [VAR15-0004](#) Case #VAR15-0004, variance to the amount of open space required to be distributed along adjacent public rights of way at 5898 South Broadway Boulevard

Attachments: [Applicant Application](#)
[Area Reference Map](#)

Chad Wheeler - Regional Director of Lynch Group and Applicant

A motion was made by Board Member Stacey Brady, seconded by Board Member Becky Provo, that the request for a variance to the amount of unobstructed open space required to be distributed along adjacent rights of way at 5898 S. Broadway Boulevard be approved in that the request does meet all of the criteria of Section 10-11-1 (B) of the Littleton City Code that are required for the Board to grant approval. Approval of this application is based on the following findings of fact:

1. The requested variance would not allow any use other than the uses permitted in the B-2 (Community Business) Zone District.
2. The proposed reduction of distributed open space will not alter the essential character of the neighborhood. 7-Eleven is proposing more than the existing

- convenience store has and will be similar in scale to adjacent properties.
- 3. The proposed amount of unobstructed open space is the minimum that will afford relief and is the least possible modification of the code. Providing any more open space along the rights of way will obstruct turning radiuses of the ingress and egress of the site.
- 4. The proposed reduction in open space disbursement will not have any negative effects on the public health, safety or welfare. The proposed project will add open space along the adjacent right of way.
- 5. The hardship under which this variance is sought was not created by the owner, occupant or agent of the owner of the property in question; nor was it suffered as a result of a violation of any provision of this code as the configuration of the property is an odd shape and the proposed site layout for the fueling station/convenience store cannot reasonably be altered.

The motion carried by the following vote:

Aye: 4 - Vice Chair Spencer, Board Member Brady, Board Member Genna and Board Member Provo

- b. [VAR15-0005](#) Case #VAR15-0005, variance to the minimum south side setback in the R-3 zone district at 5325 South Crocker Street

Attachments: [Applicant Application](#)
[Area Reference Map](#)
[Aerial](#)

City Planner I, Pam Hall, presents the City's staff report and recommendation.

Keith Price - Applicant

A motion was made by Vice Chair Jonathan Spencer, seconded by Board Member Stacey Brady, that the request for a variance to the south side setback requirement at 5325 South Crocker Street be approved in that the request does meet all of the criteria of Section 10-11-1 (B) of the Littleton City Code that are required to exist for the Board to grant approval. Approval of this application is based on the following findings of fact:

- 1. The requested variance would not allow any use other than the uses permitted in the R-3 single family zone district.
- 2. The proposed setback reduction will not alter the character of their neighborhood as the south side setback is already established at 4'4".
- 3. The proposed variance is the minimum that will afford relief and is the least possible modification of the code. Most of the property is in the Denver Water easement.
- 4. The proposed variance will not have any negative effects on the public health, safety or welfare as its location will not create any visibility or safety concerns.
- 5. The hardship under which this variance is sought was not created by the owner, occupant or agent of the owner of the property in question; nor was it suffered as a result of a violation of any provision of this code as the conditions existed before the applicants purchased the property.

The motion carried by the following vote:

Aye: 4 - Vice Chair Spencer, Board Member Brady, Board Member Genna and Board Member Provo

5. Unscheduled Appearances

6. Comments/Reports

- a. Staff
- b. Members
- c. Chair

7. Adjourn