

STAFF PERSON:
BOARD OF SUPERVISORS:

Megan Yaniglos
July 1, 2015

Staff Report for Variation #5 from ZMA2012-008, Estes Park

VARIATIONS FROM APPROVED PLANS, CODES, AND STANDARDS OF DEVELOPMENT

The variation request has been reviewed for zoning and planning aspects of the regulations. Variations are considered by the Board of Supervisors as a Special Exception under Chapter 18 Sections 33.5 and 33.9. Staff analysis of each variation request under County Code § 18-8.5.5.3(c) is provided below.

There have been four previously approved variations. The Applicant is now requesting Variation #5.

VARIATION #5- To vary the screening between Estes Park and Forest Ridge:

The applicant submitted the following justification (Attachment B): "The adjacent development (Forest Ridge) and our development would like to remove the proposed wooden fence screening between the (2) properties and install additional landscaping as shown in the attached plan sheet. The adjacent HOA and adjacent property owners have signed a letter indicating that this is what they would like to see."

Staff analysis of the variation request is provided below:

- 1) The variation is consistent with the goals and objectives of the comprehensive plan.**
Screening is not required or recommended between like uses (residential to residential) within the comprehensive plan. During the review of the rezoning request, the adjacent owners requested screening in the form of a wooden fence and the applicant agreed to install a fence. The adjacent owners are now in favor of the requested change.
- 2) The variation does not increase the approved development density or intensity of development.**
Density is not increased.
- 3) The variation does not adversely affect the timing and phasing of development of any other development in the zoning district.**
The timing and phasing of the development is unaffected.
- 4) The variation does not require a special use permit.**
A special use permit is not required.
- 5) The variation is in general accord with the purpose and intent of the approved rezoning application.**
This variation is in general accord with the approved rezoning application by providing sufficient screening for the adjacent owners.

VARIATION #5 RECOMMENDATION:

Staff recommends approval of the variation request #5 as shown and described in Attachment B with the following condition:

1. The proposed landscaping shall be located solely on the Estes Park property.