



Board of Adjustment Agenda - Final

Ryan Purcell - Chair
Mindy Bandimere-Jordan - Vice Chair
Susan MacAfee
Chuck Kocher

Thursday, December 4, 2025

6:00 PM

Town Hall
100 N. Wilcox Street
Castle Rock, CO 80104

This meeting is open to the public. Three or more Council members may also attend this meeting, during which the items listed herein will be discussed. If you are unable to access any portion of these materials due to a disability as defined under Colorado House Bill 21-1110, please call us at 303-663-4440, email the Town's accessibility team at accessibility@CRgov.com or submit an accommodation request form: CRgov.com/A11yRequest.

**** ALL TIMES ARE APPROXIMATE ****

5:30 pm DINNER FOR BOARD MEMBERS

6:00 pm CALL TO ORDER

ROLL CALL

CERTIFICATION OF MEETING

6:05 pm APPROVAL OF MINUTES

[BOA](#)
[2025-004](#)

September 4, 2025 Board of Adjustment Meeting Minutes

Attachments: [September 4, 2025 Board of Adjustment Minutes](#)

6:10 pm RESOLUTION OF APPRECIATION

[BOA](#)
[2025-005](#)

Resolution of Appreciation: Eric Richards, Board of Adjustment

Attachments: [Attachment A: Resolution of Appreciation, Eric Richards](#)

6:15 pm PUBLIC HEARING ITEMS

[BOA](#)
[2025-007](#)

Request for Approval of Variance from the Rear Yard
Setback
PD (Planned Development)

Attachments: [STAFF MEMO](#)
[Attachment A: BOA25-0005 - 3962 SCARLET OAK COURT - MEETING PACK](#)

6:40 pm TOWN COUNCIL UPDATE

6:45 pm BOARD MEMBER ITEMS

6:50 pm ITEMS FROM STAFF

6:55 pm ADJOURN



Town of Castle Rock

Agenda Memorandum

Agenda Date: 12/4/2025

Item #: **File #:** BOA 2025-004

To: Members of the Board of Adjustment

From: Board of Adjustment Administrator

September 4, 2025 Board of Adjustment Meeting Minutes

Executive Summary

Attached are the meeting minutes from the September 4, 2025 Board of Adjustment meeting for your review and approval.



Board of Adjustment Meeting Minutes

Eric Richards
Ryan Purcell
Mindy Bandimere-Jordan

Thursday, September 4, 2025

6:00 PM

Town Hall
100 N. Wilcox Street
Castle Rock, CO 80104

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**** ALL TIMES ARE APPROXIMATE ****

DINNER FOR BOARD MEMBERS

CALL TO ORDER

ROLL CALL

Present 4 - Boardmember Ryan Purcell, Boardmember Mindy Bandimere-Jordan, Boardmember Chuck Kocher, and Boardmember Susan MacAfee
Not Present 1 - Boardmember Eric Richards

CERTIFICATION OF MEETING

APPROVAL OF MINUTES

[BOA 2025-001](#)

July 18, 2024 Board of Adjustment Meeting Minutes

Attachments: [July 18, 2024 Board of Adjustment Minutes](#)

Boardmember Purcell nominated for Vice Chair

Moved by Boardmember Purcell, seconded by Boardmember MacAfee, to Approve BOA Topic BOA 2025-001 as presented. The motion passed by a vote of:

Yes: 4 - Boardmember Purcell, Bandimere-Jordan, Boardmember Kocher, and Boardmember MacAfee

ELECTION OF OFFICERS, ETC.

[BOA 2025-002](#)

Election of 2025-2026 Board of Adjustment Chair

Boardmember Purcell nominated for Chair

Moved by Boardmember Kocher, seconded by Boardmember MacAfee, to Approve BOA Topic BOA 2025-002 as presented. The motion passed by a vote of:

Yes: 4 - Boardmember Purcell, Bandimere-Jordan, Boardmember Kocher, and Boardmember MacAfee

Not Present: 1 - Boardmember Richards

[BOA 2025-003](#) **Election of 2025-2026 Board of Adjustment Vice Chair**

Boardmember Bandimere Jordan nominated for Vice Chair

Moved by Boardmember Purcell, seconded by Boardmember MacAfee, to Approve BOA Topic BOA 2025-003 as presented. The motion passed by a vote of:

Yes: 4 - Boardmember Purcell, Bandimere-Jordan, Boardmember Kocher, and Boardmember MacAfee

TOWN COUNCIL UPDATE

Councilmember Dietz talked about unifying Boards and Commissions and how important attendance was with these meetings.

BOARD MEMBER ITEMS

Chair Purcell commended Tammy King on the work she does for vetting applications and acting in the best interest of the residents of our Town.

ITEMS FROM STAFF

Tammy King mentioned a case next month for a setback variance scheduled for October 2nd and the Boardmembers stated that they will all be available.

ADJOURN TO STUDY SESSION: LEGAL TRAINING

Moved by Boardmember Purcell, seconded by Boardmember Kocher, to Approve [FILE_NR] as presented. The motion passed by a vote of:

Yes: 4 - Boardmember Purcell, Bandimere-Jordan, Boardmember Kocher, and Boardmember MacAfee



Town of Castle Rock

Agenda Memorandum

Agenda Date: 12/4/2025

Item #: **File #:** BOA 2025-005

To: Members of the Board of Adjustment

From: Tammy King, Zoning Manager

Resolution of Appreciation: Eric Richards, Board of Adjustment

Executive Summary

Resolution of Appreciation for Eric Richards, Board of Adjustment.

Attachments

Attachment A: Resolution of Appreciation

RESOLUTION NO. BOA 2025-01

**A RESOLUTION OF APPRECIATION
HONORING THE SERVICE OF
ERIC RICHARDS
AS A MEMBER OF THE BOARD OF ADJUSTMENT**

WHEREAS, Eric Richards, as a member of the Board of Adjustment for the Town of Castle Rock, serving June 2023, through September 2025, significantly contributed to the implementation of recommendations concerning development applications;

WHEREAS, the performance of his duties and responsibilities were characterized by dedication to the planning and development of the Town of Castle Rock and Eric contributed his experiences, time and interest to this advisory group;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF CASTLE ROCK, COLORADO, BOARD OF ADJUSTMENT THAT THE SERVICE OF ERIC RICHARDS, AS A MEMBER OF THE BOARD OF ADJUSTMENT, IS DEEPLY APPRECIATED.

PASSED, APPROVED AND ADOPTED this 2ND day of October 2025, by the Board of Adjustment of the Town of Castle Rock, Colorado on first and final reading, by a vote of _____ in favor and _____ opposed.

**TOWN OF CASTLE ROCK
DEVELOPMENT SERVICES**

**TOWN OF CASTLE ROCK
BOARD OF ADJUSTMENT**

Tara Vargish, Director

Chairperson



Town of Castle Rock

Agenda Memorandum

Agenda Date: 12/4/2025

Item #: **File #:** BOA 2025-007

To: Members of the Board of Adjustment

From: Tammy King, Zoning Manager

**Request for Approval of Variance from the Rear Yard Setback
PD (Planned Development)**

Executive Summary

The purpose of this staff memorandum is to seek action by the Board of Adjustment on a request by Brian and Megan Peterson for variance from the minimum required rear setbacks for a deck in the PD Zone (Single Family). The subject property is addressed as 3962 Scarlet Oak Court, also known as Lot 44, Block 1 Meadows 11th Flg, Parcel 6.

The applicant has submitted a site plan, which will constitute a maximum 10' rear yard variance to the minimum required eight-foot (20') rear yard setback for a deck cover in the PD zone district, if approved by the Board. This variance, if approved, would allow a maximum rear yard setback of 10' for the new deck cover, which would be outside the 10' rear utility easement.

Attachments

Attachment A: BOA Application Packet - BOA25-0005 - 3962 Scarlet Oak Court



Meeting Date: December 4, 2025

AGENDA MEMORANDUM

To: Board of Adjustment

From: Tammy King
Zoning Manager

Title: Request for Approval of Variance from the Rear Yard Setback
PD (Planned Development)

Subject Property: **3962 SCARLET OAK COURT**

Summary

The purpose of this staff memorandum is to seek action by the Board of Adjustment on a request by Brian and Megan Peterson for variance from the minimum required rear setbacks for a deck in the PD Zone (Single Family). The subject property is addressed as 3962 Scarlet Oak Court, also known as Lot 44, Block 1 Meadows 11th Flg, Parcel 6.

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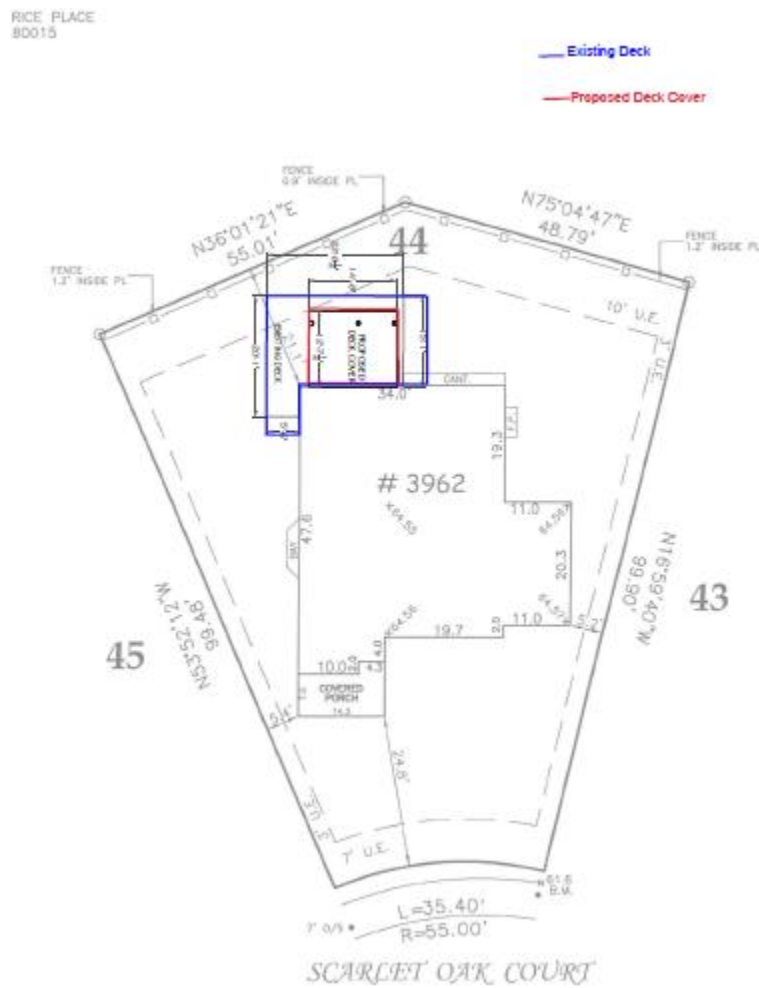
Discussion

- The rear yard backs to Tract F (17.68 acres), which is owned by the Meadows Neighborhood Company (HOA), and also adjoins Meadows Boulevard
- The lot is irregular in shape, especially the rear property line.
- The HOA has approved the deck cover
- The deck is existing and has recently also been approved by the HOA. The owner is only constructing a cover over a portion of the deck.
- We have had no neighbor opposition
- CORE has approved the existing deck and stairs within the easement and no approval for the cover is required, as there is no encroachment into the rear 10' easement.

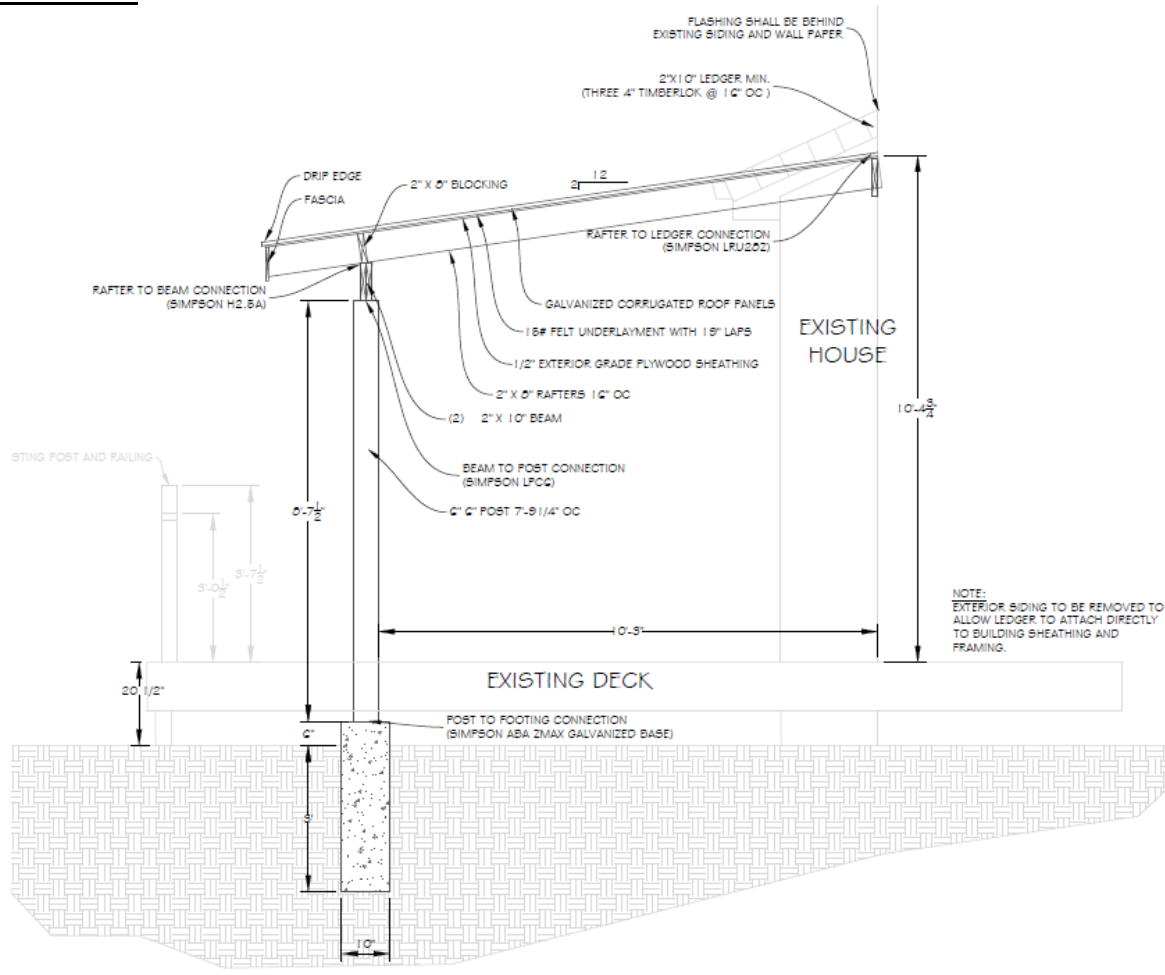
AERIAL:



PLOT PLAN:



DECK COVER PLAN:



SOUTH ELEVATION (REAR):



EAST ELEVATION:



WEST ELEVATION:



Town of Castle Rock Municipal Code 17.06.020 Powers and Duties

B. Variances

1. Following proper notice; the Board shall hear and decide an appeal on specific cases for a variance to the following: *Minimum rear yard*.
2. In making its decision on a variance application, the Board shall consider the following and find:
 - a. The strict enforcement of the provisions of this Code will result in practical difficulties or unnecessary hardship to the applicant, inconsistent with the intent and purpose of this Code;
 - b. The practical difficulties or unnecessary hardship were not created by the applicant;
 - c. Unique physical conditions or exceptional topography exist on the subject property and similar unique conditions do not exist on neighboring properties;
 - d. The property is unable to be reasonably developed in conformity with the provisions of this Code due to unique physical conditions or exceptional topography;
 - e. The variance, if granted, will not substantially alter the character of the neighborhood in which the property is located, or impair the use or development on adjacent property; and
 - f. The variance, if granted, will not create an adverse effect on public health, safety and welfare or cause harm to adjacent properties.
3. The Board may impose reasonable conditions on the grant of a variance. In addition, upon approval of a variance, the Board shall determine whether the variance is limited to the condition existing on the property at the time of approval, or whether the variance runs with the land regardless of whether the conditions on the property change.
4. The decision of the Board shall be final, subject to judicial review.

Staff Findings

- A. The strict enforcement of the provisions of this Code will result in practical difficulties or un-necessary hardship to the applicant, inconsistent with the intent and purpose of this Code:

Staff finds that strict enforcement of the Code may result in practical difficulties contrary to the intent and purpose of the Code due the irregular shape of the lot and the lot backs to open space and then Meadows Boulevard.

- B. The practical difficulties or unnecessary hardship **were not** created by the applicant:

Staff finds the practical difficulties or unnecessary hardship was not created by the applicant.

- C. Unique physical conditions or exceptional topography exist on the subject property and similar, unique conditions do not exist on neighboring properties:

Staff finds that unique physical conditions may exist for this property due to the irregular shape of the lot and that the lot backs to open space and Meadows Boulevard;

- D. The property is unable to be reasonably developed in conformity with the provisions of this Code due to unique physical conditions or exceptional topography:

Staff has information to support the concept that unique physical conditions or exceptional topography exist on the subject property that would prevent the property from being developed in conformity with the provisions of the current Town code due to the irregular shape of the lot and backing to open space and Meadows Boulevard;

- E. The variance, if granted, will not substantially alter the character of the neighborhood in which the property is located, or impair the use or development on adjacent property:

Staff finds that the variance, if granted, will not substantially alter the character of the surrounding neighborhood; and the construction of the deck cover over an existing deck on the single-family residence will generally be harmonious with other surrounding neighboring properties;

- F. The variance, if granted, will not create an adverse effect on public health, safety and welfare, or cause harm to adjacent properties:

Staff finds that the variance, if granted, will not create an adverse effect on public health, safety and welfare or cause harm to adjacent property if the proposed new construction meets all current building code requirements.

Staff Recommendation

Staff recommends APPROVAL due to:

- The lot is irregular in shape
- The lot backs to open space and Meadows Blvd
- HOA has approved the request for the previously built deck and deck cover
- No objection from neighbors
- CORE has approved the existing previously constructed deck and stairs located in the rear 10' utility easement

Motion Options

In accordance with criteria as stated in the Town of Castle Rock Municipal Code Section 17.06.020 BOARD OF ADJUSTMENT:

Option 1

I MOVE THAT THE BOARD OF ADJUSTMENT APPROVE Brian and Megan Peterson's request for approval of a variance from the minimum required rear setbacks to construct a deck cover over an existing deck on an existing single-family residence, as shown in the attached plot plan, in the PD zone; based upon: _____

Option 2

I MOVE THAT THE BOARD OF ADJUSTMENT DENY Brian and Megan Peterson's request for approval of a variance from the minimum required rear setbacks to construct a deck cover over an existing single-family residence, as shown in the attached plot plan, in the PD zone based on the required hardship has not been demonstrated.

Option 3

I MOVE THAT THE BOARD OF ADJUSTMENT CONTINUE THE PUBLIC HEARING TO THE NEXT REGULAR MEETING ON JANUARY 15, 2025.

Attachments:

Attachment A: BOA Application Packet – BOA25-0005 – 3962 Scarlet Oak Court

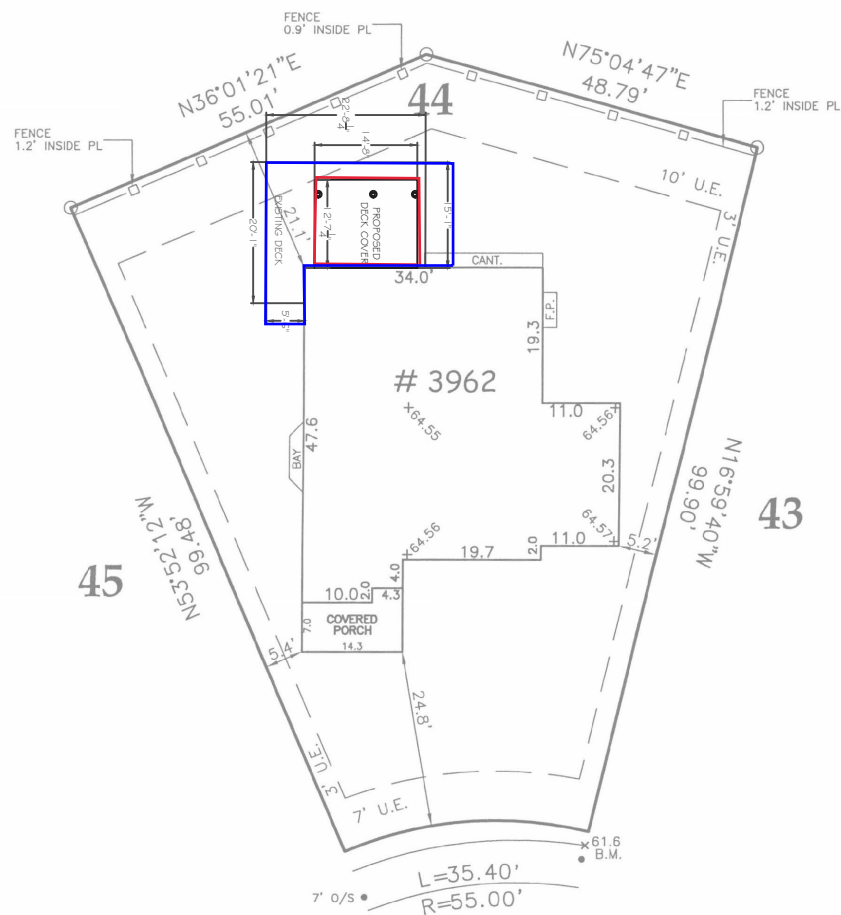
NO. 03-MW11/6-44-11

DESCRIPTION OF FOUND MONUMENTATION

○- REBAR WITH ORANGE CAP. PLS # 17666 (TYPICAL)
●- DISK SET IN SIDEWALK 4', 7' OFFSET TO LOT CORNER.

— Existing Deck

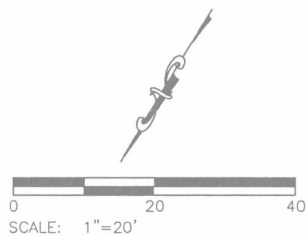
—Proposed Deck Cover



SCARLET OAK COURT

RECEIVED

JUL 18 2003



IMPROVEMENT LOCATION CERTIFICATE I HEREBY CERTIFY THIS IMPROVEMENT LOCATION CERTIFICATE WAS PREPARED FOR RICHMOND AMERICAN HOMES OF THE PROPERTY DESCRIBED AS:

LOT 44, BLOCK 11, THE MEADOWS FILING NO. 11 PARCEL 6, TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO;
ALSO KNOWN AS: 3962 SCARLET OAK COURT

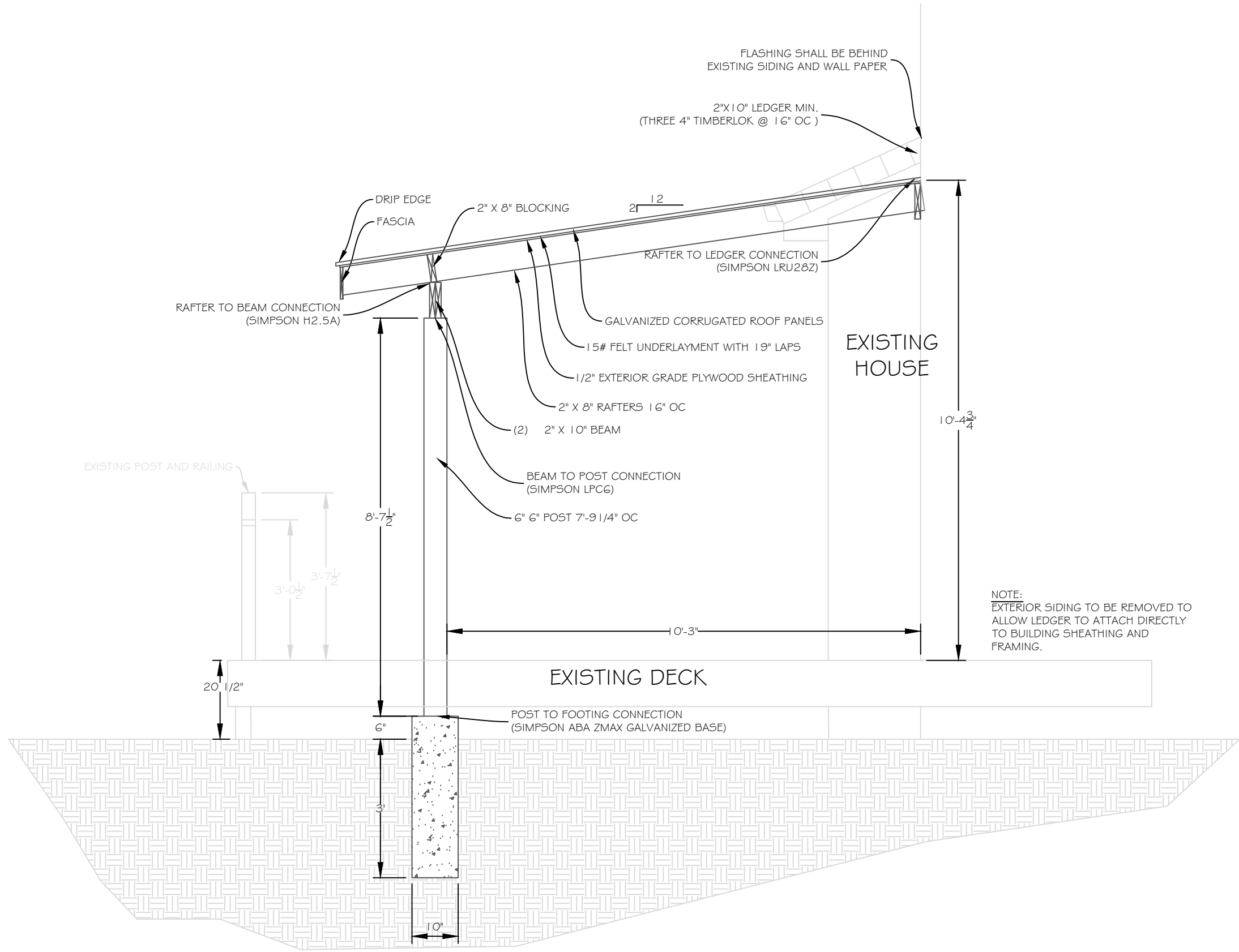
AND THAT IT IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT, AND THAT IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES. I FURTHER CERTIFY THAT THE IMPROVEMENTS ON THE ABOVE DESCRIBED PARCEL ON THIS DATE: 7-8-03, EXCEPT UTILITY CONNECTIONS, ARE ENTIRELY WITHIN THE BOUNDARIES OF THE PARCEL, EXCEPT AS SHOWN, THAT THERE ARE NO ENCROACHMENTS UPON THE DESCRIBED PREMISES BY IMPROVEMENTS ON ANY ADJOINING PREMISES, EXCEPT AS INDICATED, AND THAT THERE IS NO APPARENT EVIDENCE OR SIGN OF ANY EASEMENTS CROSSING OR BURDENING ANY PART OF SAID PARCEL. EASEMENTS SHOWN HEREON WERE TAKEN FROM THE RECORDED PLAT DESCRIBED ABOVE, AND NO OTHER RESEARCH OF TITLE WAS PERFORMED IN CONNECTION WITH THIS CERTIFICATE.

EASEMENTS AND RIGHTS-OF-WAY SHOWN HEREON WERE TAKEN FROM THE RECORDED SUBDIVISION PLAT REFERRED TO ABOVE. NO OTHER RESEARCH OF TITLE WAS PERFORMED FOR THIS SURVEY.

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS FROM WHEN YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION HEREON.

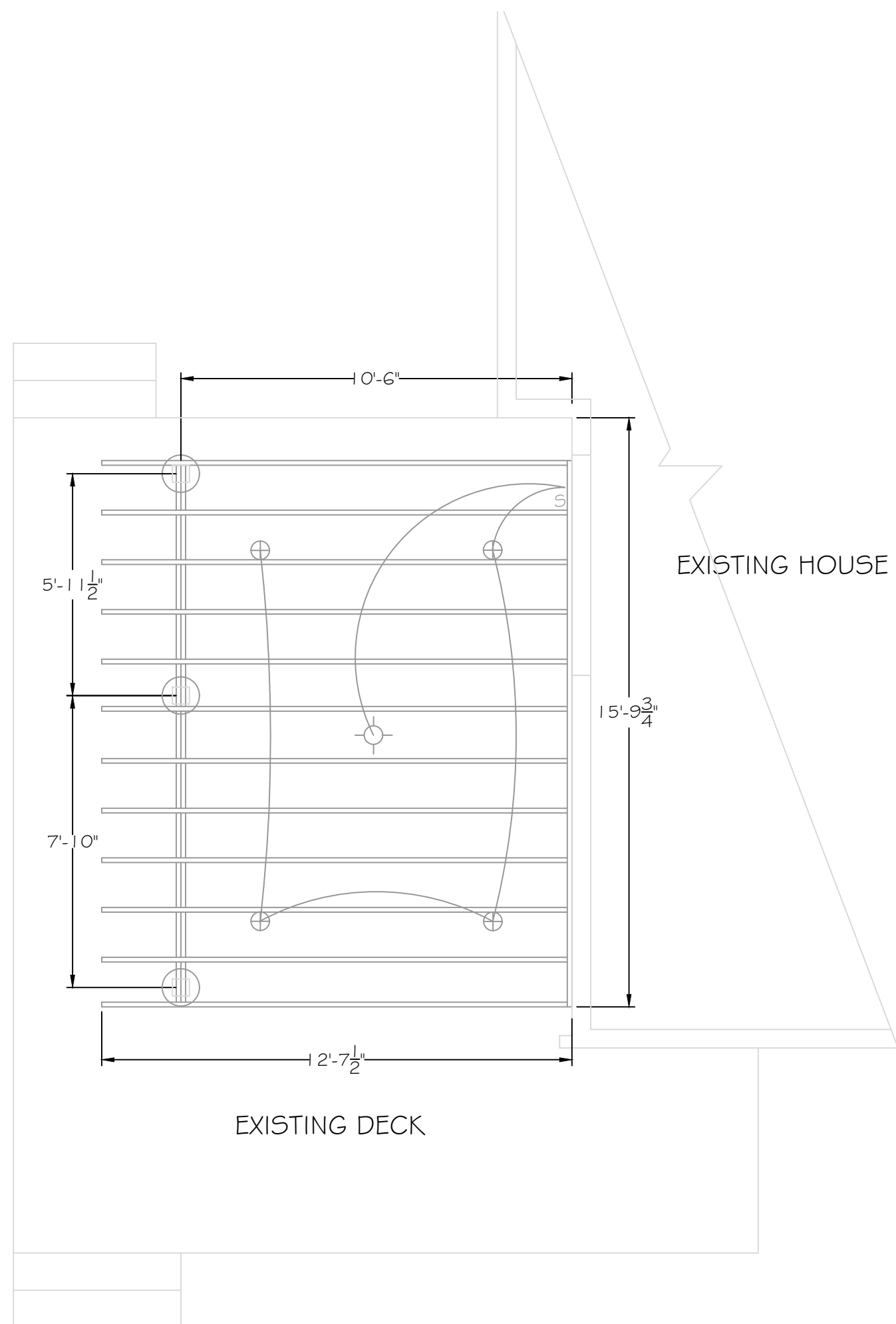
BY JOHN E. KRACH 20142
DATE 7-8-03
PROFESSIONAL LAND SURVEYOR





NOTE:
EXTERIOR SIDING TO BE REMOVED TO
ALLOW LEDGER TO ATTACH DIRECTLY
TO BUILDING SHEATHING AND
FRAMING.

SCALE: 1" = 30'



NOTES:

R = 4" Recessed can light (IC-Rated, Damp-location)

Fan = Ceiling Fan (Damp-location)

Switching: 2-gang (dimmer for cans + fan control)

Wiring 15A lighting circuit: 14/2 to cans; 14/3 to fan

Will use damp-rated boxes/fixtures; GFCI where required

Cans centered between rafter (16" O.c.)

Homerun switch to main circuit panel from basement subpanel

Lights: circuit 9

Fan: circuit 10

SCALE: 1" = 30'