



## Board of Adjustment Meeting Minutes - Final

Linda Baumann - Chair  
JC Ortega - Vice Chair  
Matt Bierman  
Kevin Raasch  
Talena Jensen

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Thursday, November 1, 2018

6:00 PM

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

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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.

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

### DINNER FOR BOARD MEMBERS

### CALL TO ORDER / ROLL CALL

Chair, Linda Baumann, called the meeting to order at 6:03 pm.

**Present** 4 - Kevin Raasch, Chair Linda Baumann, Vice Chair JC Ortega, and Talena Jensen

**Not Present** 1 - Matt Bierman

**Attendance** 4 - Bill Detweiler, Elizabeth Allen, Tammy King, and Sharon Chavez

### CERTIFICATION OF MEETING

Ms Chavez confirmed that notice of this meeting and the agenda had been posted and witnessed in accordance with the requirements of the Open Meetings Law.

### MOTION TO AMEND AGENDA

**Motion: (6:04 p.m.) Board Member Baumann move to amend the agenda to include an Executive Session. Board Member Jensen seconded the motion.**

**Passed: 4-0-0**

**Yes:** 4 - Raasch, Chair Baumann, Vice Chair Ortega, and Jensen

**Not Present:** 1 - Bierman

### EXECUTIVE SESSION

**Motion: (6:05 p.m.) Board Member Baumann moved to adjourn to Executive Session. Board Member Raasch seconded the motion.**

**Passed: 4-0-0**

**(6:06 p.m.) Adjourned to Executive Session.**

**(6:27 p.m.) Returned from Executive Session and re-opened the meeting.**

**Yes:** 4 - Raasch, Chair Baumann, Vice Chair Ortega, and Jensen

**Not Present:** 1 - Bierman

**APPROVAL OF MINUTES****[BOA 2018-015](#) September 17, 2018 Board of Adjustment Special Meeting Minutes**

**Attachments:** [BOA9.17.18 Minutes SPECIAL MEETING-draft](#)

**Motion: (6:28 p.m.) Board Member Raasch moved to approve the September 17, 2018 minutes as written. Board Member Baumann seconded the motion.  
Passed 4-0-0**

**Yes:** 4 - Raasch, Chair Baumann, Vice Chair Ortega, and Jensen

**Not Present:** 1 - Bierman

**UNSCHEDULED PUBLIC APPEARANCES: None.**

**PUBLIC HEARING ITEMS**

**[BOA 2018-016](#) Request for Approval of Sign Variance: 910 Kinner Street - Starbucks Coffee #52953 (Total of 4 variances associated with this hearing item)**

**Attachments:** [Staff Agenda Memo](#)

[Attachment A: BOA Application - BOA18-0008 - 910 Kinner Street](#)

[Attachment B: Applicant's PowerPoint Presentation](#)

[Attachment C: Full Project Sign Graphics Package](#)

[Attachment D: Ordinance 2007-24](#)

[Attachment E: Page 2 from Approved Site Development Plan, SDP18-0006](#)  
[Public Documents](#)

Staff: (6:29 pm) Tammy King, Zoning Manager, presented and answered questions.

Applicant: (6:39 pm) Valerie Foster, Hilton, and Derek Lopez, Project Construction Manager, Starbucks, presented and answered questions.

Public Comment: (7:08 pm) None.

**Height Variance Motion: (7:35 p.m.) Board Member Ortega moved that the Board of Adjustment Deny the Hilton Display, Inc., on behalf of Starbucks Coffee #52953, request for the sign variance from the maximum twenty foot (20') sign height at a new Starbucks establishment in B Zone (Business/Commercial) based on the following:**

- \* The criteria under 17.06.020.B2 have not been met.
- \* Ordinance 2007-24 was adopted to eliminate this type of signage; and
- \* The applicant was informed of the sign regulation at the Preliminary Project Application (PRE17-0028) and Site Development Plan (SDP18-0006) processing and has demonstrated that the property is developable under the current Town Codes.

**Board Member Raasch seconded the motion.**

**Passed: (7:35 p.m.) 4-0-0**

**Yes:** 4 - Raasch, Chair Baumann, Vice Chair Ortega, and Jensen

**Not Present:** 1 - Bierman

**Sign Area Motion: (7:37 p.m.)** Board Member Jensen moved that the Board of Adjustment Deny the Hilton Display, Inc., on behalf of Starbucks Coffee #52953 request for the Sign variance from the maximum fifty square foot (50sq) sign area at a new Starbucks establishment in B Zone (Business/Commercial) based on the following:

- \* The criteria under 17.06.020.B.2 have not been met.
- \* Ordinance 2007-24 was adopted to eliminate this type of signage; and
- \* The applicant was informed of the sign regulation at the Preliminary Project Application (PRE17-0028) and the Site Development Plan (SDP18-0006) processing and has demonstrated that the property is developable under the current Town Codes.

Board Member Baumann seconded the motion.

**Passed: (7:38 p.m.) 4-0-0**

**Yes:** 4 - Raasch, Chair Baumann, Vice Chair Ortega, and Jensen

**Not Present:** 1 - Bierman

**Kinner Street Setback Variance Motion: (7:39 p.m.)** Board Member Ortega moved that the Board of Adjustment Deny the Hilton Display, Inc., on behalf of Starbucks Coffee #52953, request for the sign variance from the sign setback of thirty one feet (31') on Kinner Street at a new Starbucks establishment in B Zone (Business/Commercial) based on the following:

- \* The criteria under 17.06.020.B2 have not been met.
- \* Ordinance 2007-24 was adopted to eliminate this type of signage; and
- \* The applicant was informed of the sign regulation at the Preliminary Project Application (PRE17-0028) and Site Development Plan (SDP18-0006) processing and has demonstrated that the property is developable under the current Town Codes.

Board Member Raasch seconded the motion.

**Passed: (7:39 p.m.) 4-0-0**

**Yes:** 4 - Raasch, Chair Baumann, Vice Chair Ortega, and Jensen

**Not Present:** 1 - Bierman

**Wolfensberger Road Setback Variance Motion: (7:41 p.m.)** Board Member Raasch moved that the Board of Adjustment Deny the Hilton Display, Inc., on behalf of Starbucks Coffee #52953, request for the sign variance from the setback of forty feet (40') on Wolfensberger Road at a new Starbucks establishment in B Zone (Business/Commercial) based on the following:

- \* The criteria under 17.06.020.B2 have not been met.
- \* Ordinance 2007-24 was adopted to eliminate this type of signage; and
- \* The applicant was informed of the sign regulation at the Preliminary Project Application (PRE17-0028) and Site Development Plan (SDP18-0006) processing and

has demonstrated that the property is developable under the current Town Codes.

Board Member Jensen seconded the motion.

Passed: (7:42 p.m.) 4-0-0

Yes: 4 - Raasch, Chair Baumann, Vice Chair Ortega, and Jensen

Not Present: 1 - Bierman

**DISCUSSION ACTION ITEMS: (7:44 p.m.) None.**

**BOARD MEMBER ITEMS: (7:45 p.m.) None.**

**ITEMS FROM STAFF: (7:45 p.m.) None.**

**ADJOURN: (7:45 pm)**