

**RESOLUTION NO. BOA2020-001**

**A RESOLUTION OF THE BOARD OF ADJUSTMENT OF FORT LUPTON APPROVING AGUSTIN AND BRENDA RETANA'S REQUEST TO KEEP TWO SHEDS AND A CONCRETE PATIO ON THE PROPERTY LOCATED AT 906 FIR AVENUE, FORT LUPTON, COLORADO.**

**WHEREAS**, the Board of Adjustment held a public hearing on May 28, 2020, to consider and review Agustin and Brenda Retana's application for a variance from Sections 16-36(e), 16-36(f), and 16-36(i) of the Fort Lupton Municipal Code for two sheds and a concrete patio located at 906 Fir Avenue, Fort Lupton, Colorado; and

**WHEREAS**, all legal requirements for the public hearing have been met including publication of the legal notice in the Fort Lupton Press, mailing of public hearing notices to adjacent property owners within one hundred (100) feet of the property, and the posting of a sign on the site advertising the public hearing a minimum of fifteen (15) days in advance of the 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 Zoning Regulations, the Board of Adjustment hereby approves a variance, conditional upon the following:

A. Prior to dismissal of the violation:

- I. The Applicant will provide a written statement agreeing to immediately remove all structures at their own expense at the request of the City of Fort Lupton or a utility provider working within the utility easement.
- II. The Applicant must obtain a building permit for the sheds.
- III. The Applicant must obtain a permit for the concrete patio.
- IV. The Applicant will install a gate along the rear of the property in order for United Power to access the utility easement.

**DONE THIS 28<sup>th</sup> DAY OF MAY, 2020 BY THE BOARD OF ADJUSTMENT FOR THE CITY OF FORT LUPTON, COLORADO.**

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**Chairman**

**ATTEST:**

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