

**CITY OF BRIGHTON
BOARD OF ADJUSTMENT**

MINUTES

July 9, 2020

Approved as presented

I. CALL TO ORDER

Chairman Maslanik called the meeting to order at 8:22 p.m.

II. PLEDGE OF ALLEGIANCE

Recited at the preceding Planning Commission meeting

III. ROLL CALL

Roll call was taken with the following Board Members in attendance: Chris Maslanik, Fidel Balderas, Oliver Shaw, and William Leck. Alternates Liane Wahl and John Morse were present but not seated to vote. Youth Commissioners, Stephen Colvin and Giana Rocha, were absent.

STAFF PRESENT:

Jason Bradford, Planning Manager; Lena McClelland, Assistant City Attorney; Kate Lesser, Commission Secretary; Nick Di Mario, Planning Technician; Matt Amidei, Utility Project Engineer.

IV. MINUTES OF PREVIOUS MEETINGS

Minutes from the October 10, 2019 regular Board of Adjustment meeting were approved as presented.

**Motion by Board Member Shaw.
Second by Board Member Balderas.**

**Voting Aye: All Present
Motion passes: 4-0**

V. PUBLIC INVITED TO BE HEARD ON ITEMS NOT ON THE AGENDA

None recognized.

VI. PUBLIC HEARING ITEMS

1. **Variance request for water tower at 4204 Crestone Peak Street: Nick Di Mario presenting**

Chairman Maslanik invited Staff to present, summarized:

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Mr. Di Mario confirmed legal publication was completed for this hearing. He entered the staff report into public record and discussed the item as outlined in the staff report. Mr. Di Mario stood ready for questions.

Chairman Maslanik called for questions to Staff from the Board, summarized:

Board Member Balderas asked for clarification on the height of the proposed water tower in comparison to the existing water tower on the property.

Mr. Di Mario responded that the proposed water tower would be 150 feet tall while the existing water tower is 135 feet tall. However, the location of the proposed water tower would sit at a lower elevation than the existing one, so they would appear to be the same height from a distance.

Board Member Maslanik questioned whether this variance for the water tower was proposed for volume or pressure reasons.

Mr. Di Mario confirmed that this was due to both volume and pressure reasons. The High Zone located at Bridge Street and Crestone Peak Street is within the 5-year growth period from 2016 through 2021. The City recognizes the importance of supplying adequate water to new developments in the area so that is why they are proposing having increased water storage in this tower. Additionally, the water tanks and towers are located in the highest part of the City so that gravity can help supply water to residents with adequate pressure as efficiently as possible.

Board Member Balderas inquired as to whether any additional traffic would be created with this project.

Mr. Di Mario explained that the property that this proposed water tower is located on is owned by the City and it is gated. Therefore, only City staff would be accessing the buildings and equipment on the premises. The City does not anticipate this project having any impact on traffic in the area.

Chairman Maslanik called for the Applicant to address the Board, summarized:

Mr. Amidei stated that he had nothing further to add to the staff report presented by Mr. Di Mario. Mr. Amidei stood ready for questions.

Chairman Maslanik called for questions from the Board to the Applicant, summarized:

None recognized.

Chairman Maslanik called for the public to address the Board, summarized:

Randy and Erin, residents, 4386 Tanner Peak Trail, Brighton, CO 80601
Members of the public Randy and Erin cited Article 2 Section 2.08, Section 5 as stating that granting the variance would not alter the essential character of the surrounding neighborhood, to which they fervently disagree. As residents living near the proposed site, they feel that the water tower would add a significant eyesore to the existing view, especially since the proposed tower is much thicker than the existing one. They also noted that this project would facilitate future developments, not the existing ones.

Mr. Di Mario explained that the City is proposing this structure be built on dedicated public land with the existing structures because this is the most appropriate location. Also, the proposed tower

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will assist with current water uses in the City as well as supporting future growth as a necessity to all residents.

Members of the public Randy and Erin commented that they expect this to negatively impact the resale value of their home. They recently moved to Brighton and they weren't happy with the existing tower being where it is now, especially with other townhomes and rental properties being built near them. They expressed that they are furious with Brookfield and the City, and are adamantly opposed to this project.

Mr. Di Mario thanked Randy and Erin for voicing their concerns.

Chairman Maslanik asked if any other members of the public wish to speak against this variance. None were recognized.

Chairman Maslanik closed the questions at 8:46 p.m.

Secretary Lesser read the Findings, Determination, and Order into the record.

Chairman Maslanik called for final comments from the Board, summarized:

Board Member Shaw remarked that he lives in the area and has noticed the water pressure dropping as new developments are being built. He believes that this tower is needed for the City.

Board Member Balderas acknowledged that as the City grows, there may need to be some structures that are considered eyesores, but they are necessary for progress. He commended City staff for planning for the future.

**Motion to approve the variance by
Board Member Balderas.
Second by Board Member Shaw.**

Chairman Maslanik commented that the City used to have a motto about being inclusive. The goal is to build an inclusive City, which means providing housing for those who cannot afford a single-family home, require senior living establishments, or have various socioeconomic needs. The City employs Planning staff to protect the values of residents and the investments that they have made. Water has been at the forefront of these conversations since at least 2007 and we must continue to adapt and change with these issues. Chairman Maslanik expressed that that he is glad to see the City using its public lands and managing to impact the surrounding area as little as possible by utilizing the natural grade of the land.

**Voting Aye: All present
Motion passes: 4-0**

VII. OLD BUSINESS:

None recognized.

VIII. NEW BUSINESS:

None recognized.

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IX. REPORTS

N/A

X. ADJOURNMENT

**Motion to adjourn by Board Member Shaw.
Second by Board Member Leck.**

Meeting adjourned at 8:54 p.m.