



# City of Florence

Florence Municipal Center  
600 West 3<sup>rd</sup> Street  
Florence, Colorado 81226  
(719) 784-4848 Fax (719) 784-0228  
Email: [planning@florencecolorado.org](mailto:planning@florencecolorado.org)  
[www.florencecolorado.org](http://www.florencecolorado.org)

## BOARD OF ZONING ADJUSTMENTS MEETING MINUTES

Wednesday, March 6, 2024, AT 5:00 P.M.

Commissioners	Present	Absent
Board Member Henagar	X	
Board Member Nelson	X	
Board Member Norton	X	
Board Member Roberts	X	
Vacant		
City Council Representative Mergelman	X	

Staff Present	Present	Absent
Planning Director Fox	X	
City Manager Nasta	X	

**I. Call to Order**

Planning Director called the meeting to order at 5:00 p.m.

**II. Roll Call**

All members present.

**III. Approval of Minutes from the December 6, 2023 meeting**

Member Norton motions to approve the minutes from the December 6, 2023, meeting.

Seconded by Member Roberts.

**Roll Call: 3 Ayes**, Motion passed. Member Henagar abstained.

**IV. Approval of Minutes from the January 3, 2024, meeting**

Member Norton motions to approve the minutes from the January 3, 2024, meeting.

Seconded by Member Nelson.

**Roll Call: 3 Ayes**, Motion passed. Member Henagar abstained.



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## V. New Business

- a) **Action Item** – Election of Board of Zoning Adjustment Chair.  
Member Nelson nominates Terri Norton for Board of Zoning Adjustment Chair  
Seconded by Member Henagar  
**Roll Call: 4 Ayes**, Motion passed.

**Action Item** – Election of Board of Zoning Adjustment Vice Chair.  
Member Norton nominates Sandra Robers for Board of Zoning Adjustment Vice Chair  
Seconded by Member Henagar  
**Roll Call: 4 Ayes**, Motion passed.

- b) **Public Hearing – 24-001 – Justin and Ashley Steed** - Requesting variance from sidewalk and paving requirements.
- Planning Director states Justin and Ashley Steed are wanting to construct a single-family home located at 770 Pine Street and are requesting a variance from Florence Municipal Code 17.68.025 - Sidewalk Requirements and 17.68.030 – Supplementary Requirements, paving of driveway and parking area. *Municipal Code 17.68.025 A: “At the time of erection of a new structure, or a change in use, within any district in the City, an adequate sidewalk must be provided at the sole cost of the developer of the parcel.”* The subject property is in a neighborhood that does not currently have sidewalks and is not projected to have sidewalks in the near future. *Municipal Code 17.68.030 I-2: “Areas used for parking and maneuvering of vehicles must be paved with concrete or asphalt unless a variance is granted by the Florence Board of Zoning Adjustments.”* Subject property was previously vacant; the driveway for the new home will be onto Pine Street, which is unpaved for its entirety. The adjacent properties are vacant lots or have single-family homes with driveways that are unpaved. The adjacent streets, Spruce and Cedar, are also unpaved.
  - Chair Norton opens public hearing.
  - *No comments or questions from the public.*
  - Chair Norton closes the public hearing.
  - Planning Director explains that the Boards decision to grant a variance must be based on and meet all the findings of fact, if applicable, listed in the application.
  - Member Roberts confirms that none of the streets in the area are paved and do not have curb, gutter or sidewalks.

Member Roberts make the motion that based on the requirements delineated in Florence Municipal Code Chapter 17.88.080 A-F, Board of Adjustment, Policy Determinations, the applicants, Justin and Ashley Steed, shall be granted a variance from Florence Municipal Code Chapter 17.68.030 - Supplementary Requirements and Chapter 17.68.025 – Sidewalk Requirements.

Seconded by Chair Norton

**Roll Call: 4 Ayes**, Motion passed.



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- c) **Public Hearing – 24-002 – Michael Scruggs** - Requesting variance from accessory structure size, paving and sidewalk requirements.
- Planning Director explains that Mr. Scruggs would like to construct a 1,200 square foot detached garage at 401 Highland Avenue and is requesting a variance from Florence Municipal Code 17.64.015 – Accessory Building and Structures, also a variance from 17.68.025 – Sidewalk Requirements and 17.68.030 Supplementary Requirements – paving of the driveway and parking area. *Municipal Code 17.64.015 C-1 – “No detached accessory structure shall exceed a maximum of one thousand (1,000) square feet, or one hundred (100) percent of the footprint of the principal structure, whichever is smaller.”* Mr. Scruggs has indicated that he has already purchased a 1,200 square foot metal building for a garage that he would like to have constructed at the above address. The size of the potential detached garage will exceed the maximum square footage allowed per municipal code. *Municipal Code 17.68.025 A: “At the time of erection of a new structure, or a change in use, within any district in the City, an adequate sidewalk must be provided at the sole cost of the developer of the parcel.”* The property is in a neighborhood that does not currently have sidewalks and is not projected to have sidewalks in the near future. *Municipal Code 17.68.030 I-2: “Areas used for parking and maneuvering of vehicles must be paved with concrete or asphalt unless a variance is granted by the Florence Board of Zoning Adjustments.”* Further states that Highland Avenue is currently chip sealed.
- Chair Norton opens the public hearing.
- Michael Scruggs states his son is currently residing at the Highland address and he purchased the building not aware of the City’s restrictions on size.
- Chair Norton inquires if the building will be on the side of the home or behind.
- Mr. Scruggs states that the building will be on the side of the home, as indicated on the site plan. A shed was in the same place but has been removed.
- Member Roberts inquires about the height of the new garage.
- Mr. Scruggs states that he believes it will be about 16 feet tall.
- Chair Norton closes the public hearing.

Member Henagar makes motion that based on the requirements delineated in Florence Municipal Code Chapter 17.88.080 A-F, Board of Adjustment, Policy Determinations, the applicant, Michael Scruggs, shall be granted a variance from Florence Municipal Code Chapter 17.64.015 – Accessory buildings and structures, Chapter 17.68.025 – Sidewalk Requirements and Chapter 17.68.030 - Supplementary Requirements.

Seconded by Member Roberts

**Roll Call: 4 Ayes**, Motion passed.

Adjournment: The meeting adjourned at 5:23 p.m.

By: \_\_\_\_\_  
Board of Zoning Adjustment Chair

Date: \_\_\_\_\_