



**TOWN OF WELLINGTON
PLANNING COMMISSION
October 23, 2025
7:00 PM**

Leeper Center, 3800 Wilson Avenue, Wellington CO

Individuals wishing to make public comments must attend the meeting in person or may submit comments by sending an email to planning@wellingtoncolorado.gov. The email must be received by 4:00 p.m. on Wednesday, October 22. The comments will be provided to the Board and added as a supplement to the packet. Emailed comments will not be read during the meeting.

The Zoom information below is for online viewing and listening only.

Please click the link below to join the webinar:
<https://us06web.zoom.us/j/82245593234>

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1. CALL TO ORDER
 2. ROLL CALL
 3. ADDITIONS TO OR DELETIONS FROM THE AGENDA
 4. PUBLIC FORUM
 5. CONSIDERATION OF MINUTES
 - A. Regular Meeting Minutes of April 24, 2025
 6. NEW BUSINESS
 - A. Variance Request: Relief from the Side Yard Setback Requirement for a New Shop Proposed at 3497 Timber Wolf Circle
 7. COMMUNICATIONS
 8. ADJOURNMENT

The Town of Wellington will make reasonable accommodations for access to Town services, programs, and activities and special communication arrangements. Individuals needing special accommodation may request assistance by contacting at Town Hall or at 970-568-3381 at least 24 hours in advance.



TOWN OF WELLINGTON
BOARD OF ADJUSTMENT

Agenda Item #5A

REGULAR MEETING MINUTES
April 24, 2025

1. CALL REGULAR MEETING TO ORDER – 7:00 p.m.

The Board of Adjustments for the Town of Wellington, Colorado met on April 24, 2025, at the Wilson Leeper Center at 7:00 p.m.

2. ROLL CALL

Members Present:

Wyatt Knutson -- Chairman
Eric Stahl – Vice Chairman
Kathy Wydallis
John Dietrick
Sherman Stringer

Members Absent:

Megan Molin
Cody Bird, Planning Director
Brittany Lenoir, Planner III
Aidan Checkett, Planner I

Town Staff Present:

3. ADDITIONS TO OR DELETIONS FROM THE AGENDA

None

4. PUBLIC FORUM

None

5. CONSIDERATION OF MINUTES

A. Special meeting minutes of October 30, 2025

Member Stahl moved to approve the special meeting minutes of October 30, 2025. Member Stringer seconded the motion.

Yeas – Wydallis, Stahl, Knutson, Dietrick, Stringer

Nays – None

Motion carried.

6. NEW BUSINESS

A. Variance Request – Relief from the Maximum Accessory Building Size and Side Setback Requirements for a New Shop Proposed at 7785 Kelbran Lane.

Cody Bird, Planning Director gave a brief reminder of procedures for public hearings. Bird asked the members if there were any conflicts of interest, or any *ex parte* communications and there were none. Bird invited Brittany Lenoir, Planner III

to present the staff report. The applicants, Cassie and Edward Harris, requested two variances: A reduction in the side yard setback from 20 feet to 8 feet, and an exemption from the requirement that accessory buildings not exceed 50% of the floor area of the principal structure. The property, zoned R-1, features a single-family home. The R-1 District is characterized by large lots with single-family homes and accessory buildings. This zoning is supported by the land's designation in the Comprehensive Plan. The property features a few unique characteristics. There are existing drainage easements along the north and south lot boundaries. The applicants are requesting the variance for the purpose of constructing a detached 60' by 40' workshop. Lenoir noted that structures of similar size and construction are common in the Kelbran Estates neighborhood, where the property is located.

Lenoir stated that she believed the proposed variances met the necessary findings. The workshop also matched the neighborhood and had been approved by the Homeowners' Association. Lenoir then recommended the following conditions of approval:

- 1) The side yard setback (north property line only) is not reduced to less than 8 feet;
- 2) The proposed shop is limited in size to a maximum of forty (40) feet by sixty (60) feet and 2,400 square feet;
- 3) The variance to reduce the required side yard setback is limited to the building layout and dimensions demonstrated in the plans, included as Attachment 2;
- 4) Obtain a valid Town of Wellington building permit in substantial compliance with the plot plan, included as Attachment 2; and
- 5) Compliance with all other applicable zoning and building codes.

Lenoir noted that two neighbors had written letters of support for the variance. The letters were included in the meeting packet.

Member Wydallis asked if the neighbor to the immediate north of the property had provided written correspondence. Lenoir stated that Staff did not receive a letter from that neighbor.

Cassie and Edwards Harris, the applicants, stated that they have lived in Wellington since 2008, and in their current residence since 2017. The tree is their only shade tree in the backyard and is difficult to relocate.

Member Stahl asked the applicants about the trees on the fence line. Cassie Harris stated that those trees could be moved because they were smaller than the shade tree.

Chairman Knutson opened the public hearing for comments at 7:14 p.m.

Chris Davis, neighbor, 7795 Kelbran Lane, stated that he supported the Harris' freedom to do as they wish.

Jason Bowser, 7755 Kelbran Lane, noted that he had a similar workshop, and believed the Harris' should be able to have the same.

Scott Ross, 7774 Kelbran Lane, stated that he was a founding member of the HOA, and that he believed the ability to have a workshop like the proposed building was an essential part of why Kelbran Estates residents moved to the neighborhood.

Catherine Dornton, President of the Kelbran Estates Homeowners Association, said that of the 16 lots in the HOA, only 5 did not have large outbuildings. She also noted that the HOA unanimously agreed to support the variance.

Chairman Knutson closed the public hearing at 7:17 p.m.

The Board members having had a discussion made the following findings:

1. **The relief requested is consistent with the Comprehensive Plan and the intent stated in this Land Use Code.**
 - The subject site is Lot 8 of Kelbran Estates Subdivision in Wellington, CO.
 - 7785 Kelbran Lane is located within the Kelbran Estates Subdivision at the end of the cul-de-sac on Kelbran Lane.
 - The site is developed with a single-family home on the 37,672 square foot (0.86 acres) lot.
 - The surrounding context consists of single-family residential homes on larger lots ranging in size from 37,664 square feet (0.86 acres) to 92,354 square feet (2.12 acres).
 - See *Attachment 1* for a location map.
 - The property is zoned R-1, Residential Rural Density District. The intent of this district is to provide a very low-density, large-lot residential area, intended for detached single-family development in locations that are more characteristically rural, and on the outskirts of planning areas that are supported by neighborhood amenities and public facilities.
 - Within the Residential Rural Density District, accessory detached structures are permitted and are common to the rural lifestyle this district provides.
 - The Low Density Residential land use category in the Comprehensive Plan supports the development of detached single-family homes and accessory structures.
 - The existing pattern of development for single-family homes with detached accessory structures is consistent with both the Comprehensive Plan and Land Use Code.
2. **Strict application of the regulation will result in an unnecessary hardship and practical difficulties on all reasonable use of the land intended by the existing zoning, as opposed to convenience or benefit of the applicant or a specific application.**
 - Strict application of the code does not allow accessory buildings or detached garages to be located within twenty (20) feet of a side property line within the R-1 Rural Residential zone district.
 - Strict application of the code does not allow accessory buildings to be over 50% of the floor area of the principal structure.
 - Strict application of the regulations would not result in removing all reasonable use of the property for uses intended and allowed within the R-1 zone district.
 - There is an existing established tree within the middle of the backyard and the applicants have expressed a desire to preserve the existing tree.
 - To meet the R-1 zone district requirements, the proposed shop would most likely need to be reduced in size and/or relocated on the property to meet the zoning standards.
 - The applicant has expressed there is a hardship as a result of the desire to both locate the accessory structure away from the middle of the yard and to protect the existing tree. Strict application of the R-1 zone district side setback requirement of twenty (20) feet may require the shop to be placed at a different location within the backyard and strict application of the size limitations for accessory structures may limit the structure to a size that is not conducive to the desires of the applicant.
 - An unnecessary hardship on all reasonable use of the land for single-family residential purposes may not be satisfied, though the practical difficulties of a different location and removal of an established tree may be found to be more than just a convenience to the applicant.
3. **The need for the variance is due to specific and unique physical conditions on the site that do not exist on similarly situated land in the area.**
 - A specific and unique physical condition on this property that does not exist on similar surrounding land has not been identified.

- Similar variance requests have been granted for reduced side setbacks in the R-1 zone district based upon unique conditions, such as limitations due to private septic laterals.
 - There is an existing 20-foot drainage easement along the rear property line and a 14-foot utility and drainage easement along the front of the lot. This is a common layout found in the Kelbran Estates Subdivision.
 - The existing mature tree on site is a desirable feature that is not seen on every large lot in the area. A photograph of the backyard and tree is included as *Attachment 3*.
4. **The manner in which the strict application of the regulation deprives the applicant of reasonable use of the land compared to other similarly situated land in the area.**
- Requiring strict compliance would limit the owners' ability to construct a shop building at the desired location and at a size that is stated to meet their needs.
 - Other properties within the Kelbran Estates Subdivision have similar detached accessory structures that are located within the required 20-foot side setback.
 - While the applicant may be able to construct a detached accessory structure similar in nature to other properties in the neighborhood, the strict application of the regulations would be inconsistent with the size and setbacks of other existing accessory structures in the neighborhood and may not be reasonable to apply the stricter standard.
5. **The circumstances warranting the variance are not the result of actions by the applicant, or could not be reasonably avoided by actions of the applicant.**
- The circumstances for consideration of these variances are not the result of actions taken by the applicant.
 - The applicant has demonstrated good faith in pursuing a variance to achieve the desired building size and placement.
 - The applicant and staff have discussed possible alternative locations to avoid the circumstances for the variances and the applicant has not found those alternatives to meet their needs.
6. **Granting the variance will not harm the public health, safety and welfare or the purposes and intent of these regulations.**
- Granting the requested variance is not expected to adversely affect the public health, safety and welfare.
 - The building will be approximately 120 feet from the front property line and will be mainly situated behind the existing home. This configuration will minimize its visual impact from Kelbran Lane.
 - The shop will be constructed with the benefit of building permits and will comply with all applicable Building Codes.
 - Considering that there are other properties within the Kelbran Estates Subdivision that have similar detached accessory structures within the required 20-foot side setback areas, the addition of another accessory structure of similar size and layout in this neighborhood should not have an impact on public welfare.
 - An accessory structure that supports a rural lifestyle is not anticipated to harm the purpose or intent of the R-1 zone district regulations.
 - The Kelbran Estates HOA has reviewed this proposal and correspondence of acknowledgment has been included in *Attachment 5*.
7. **The relief requested is the minimum necessary to alleviate the hardship and practical difficulties.**
- The variance request for relief of the twenty-foot side setback along the north property line is being requested only for a portion of the length of the property line, to accommodate the shop footprint.
 - The shop is proposed to be forty (40) feet by sixty (60) feet. The reduced side setback requested along the north side property line is a sixty-foot length that is 20 feet east of the rear property line as demonstrated in the setback exhibit included as *Attachment 4*.

- Eight (8) feet is the minimum setback necessary to ensure the structure does not have an impact on the tree, including the canopy drip line and critical root zone.
 - The applicant has shared that the increased size of the shop is needed to store vehicles and trailers for personal use and a smaller size would not meet their needs.
 - Expansion of the shop size may be limited to the proposed forty (40) by sixty (60) foot size as a condition of approval to satisfy the minimum variance necessary criteria.
8. **The relief requested is consistent with any other prior approvals and official plans and policies created under the guidance of that plan for these areas (e.g., The Comprehensive Plan, specific area plans like a Downtown Corridor Study, etc.).**
- Section 15-3-20(g) of the Land Use Code establishes minimum setbacks standards to provide adequate open space and separation between properties and buildings.
 - The increased setbacks required in the R-1 Rural Residential District is intended to provide a large-lot, single-family characteristic that is typical of more rural areas.
 - Both single-family detached buildings and accessory buildings are permitted uses within the R-1 Zoning District.
 - It is typical and expected that a single-family home may have accessory buildings.

Bird asked the Board if they would like to modify the recommended findings presented by Staff. Chair Knutson said that no changes were needed.

Member Stahl moved to grant a variance to vary Section 15-3-20(g) of the Wellington Municipal Code on this property, to reduce the minimum side yard setback requirement of the R-1 Rural Residential zoning district and to vary Section 15-4-40(d)(1)c. of the Wellington Municipal Code to increase the size of the accessory structure to larger than 50% of the size of the principal structure on Lot 8, Kelbran Estates Subdivision, subject to conditions and based on the Findings for Approval.

Member Dietrick seconded.

Yeas – Wydallis, Stahl, Knutson, Dietrick, Stringer

Nays – None

Motion carried.

B. Election of Officers

Bird explained that the Board of Adjustment elected officers at the first meeting of each calendar year. Officers then serve until new officers are elected at the first meeting of the next calendar year.

Member Stahl moved to elect Wyatt Knutson as chair. Member Stringer seconded.

Yeas – Wydallis, Stahl, Knutson, Dietrick, Stringer

Nays – None

Motion carried.

Member Stringer moved to elect Eric Stahl as vice chair. Member Dietrick seconded.

Yeas – Wydallis, Stahl, Knutson, Dietrick, Stringer

Nays – None

Motion carried.

7. COMMUNICATIONS

Bird announced that Stephen Carman had resigned his position as an alternate member of the Board of Adjustment. The Town will advertise the vacancy.

8. ADJOURNMENT

Chairman Knutson closed the meeting at 7:27 pm.

Approved this ___ day of _____, 2025.

Recording Secretary

Meeting Date: October 23, 2025

Submitted By: Aidan Checkett, Planner I

Agenda Category: New Business

Subject:

Variance request for relief from the side yard setback requirements for a new workshop proposed at 3497 Timber Wolf Circle.

Background:

The property owners, Todd and Cheryl Juergens, submitted a variance request seeking relief from Section 15-3-20(g) (Table of Dimensional Standards for Residential Zone Districts) of the Wellington Land Use Code. The variance request is to:

- Reduce the required side yard setback on the western property line from the typically required twenty (20) feet in the R-1 Residential Rural zone district to ten (10) feet.

A request for a variance is a quasi-judicial proceeding and requires a public hearing. The Board will need to hear and weigh testimony presented at the public hearing prior to making a decision on the variance request.

Staff Analysis:

The Board of Adjustment makes a decision for a variance request based on the Findings for Approval identified in the Land Use Code, Section 15-2-220(d). These findings are listed below (in **bold**), and staff's analysis of each finding follows (in regular font).

1. The relief requested is consistent with the Comprehensive Plan and the intent stated in this Land Use Code.

- The subject site is Lot 16 of Wellington West Subdivision in Wellington, CO.
- The site is developed with a single-family home on the 31,779 square foot (0.73 acres) lot.
- The surrounding context consists of single-family residential homes on larger lots ranging in size from 19,602 square feet (0.45 acres) to 128,502 square feet (2.95 acres).
- See *Attachment 1* for a location map.
- The property is zoned R-1, Residential Rural District. The intent of this district is to provide a very low-density, large-lot residential area, intended for detached single-family development in locations that are more characteristically rural, and on the outskirts of planning areas that are supported by neighborhood amenities and public facilities.
- Within the Residential Rural Zone District, accessory detached structures are permitted and very common.
- The proposed structure otherwise conforms with all requirements for accessory

buildings in the Residential Rural zone district, including size requirements, aesthetic conformity requirements, height, function, and timing.

- The property is designated as Low Density Residential on the Future Land Use Map contained within the Comprehensive Plan. Low Density Residential is defined as “Neighborhoods composed predominately of detached and attached single family homes that are supported by neighborhood amenities and public facilities.” Accessory detached structures are compatible with and naturally accompany these uses.
- The existing pattern of development for single-family homes with detached accessory structures is consistent with both the Comprehensive Plan and Land Use Code.

2. Strict application of the regulation will result in an unnecessary hardship and practical difficulties on all reasonable use of the land intended by the existing zoning, as opposed to convenience or benefit of the applicant or a specific application.

- Strict application of the code does not allow accessory buildings or detached garages to be located within twenty (20) feet of a side property line within the R-1 Rural Residential zone district.
- Strict application of the regulations would not result in removing all reasonable use of the property for uses intended and allowed within the R-1 zone district.
 - There are two existing trees in the back yard. One of the trees is on the east side of the property and the canopy extends over the leech field and septic tank. The other tree is situated on the west side of the property.
 - There is no way to situate the proposed structure on the site without removing one of the two trees. Siting it in the location of the east tree would be impractical for driveway access and with its proximity to the leech field and septic tank. The applicant has stated their desire not to remove the tree on the west side of the property, in order to preserve wildlife habitat and because they planted it in honor of a deceased family member.
 - To meet the R-1 zone district requirements, one of the existing trees would need to be removed.
- An unnecessary hardship on all reasonable use of the land for single-family residential purposes may not be satisfied, though the practical difficulties of a different location and removal of an established tree may be found to be more than just a convenience to the applicant.

3. The need for the variance is due to specific and unique physical conditions on the site that do not exist on similarly situated land in the area.

- A specific and unique physical condition on this property that does not exist on similar surrounding land has not been identified.
- The lot is slightly smaller than some of the neighboring lots.
- Similar variance requests have been granted for reduced side setbacks in the R-1 zone district based upon unique conditions, such as limitations due to private septic laterals.

- There is an existing 30-foot drainage and utility easement along the rear property line and a 25-foot drainage and utility easement along the front property line. Comparable easements are found throughout the Wellington West subdivision.
 - The applicant desires to connect the structure to a driveway on the west side of the property. Placing the structure anywhere but the western side of the property would mean a driveway would be needed to extend through the back yard, creating disruptions to the back yard.
 - The existing mature trees on site are not seen on every large lot in the area. An aerial photograph including backyard and tree is included in the site map, *Attachment 2*.
 - Conditions on the property are not significantly different from surrounding sites, though the identified factors result in physical conditions which pose a challenge to development within the existing setback requirement.
- 4. The manner in which the strict application of the regulation deprives the applicant of reasonable use of the land compared to other similarly situated land in the area.**
- Requiring strict compliance with the setback standard would limit the owners' ability to construct a shop building at their desired location.
 - Other properties within the Wellington West Subdivision have similar detached accessory structures that are located within the required 20-foot side setback.
 - While the applicant may be able to construct a detached accessory structure similar in nature to other properties in the neighborhood, the strict application of the regulations would be inconsistent with the setbacks of other existing accessory structures in the neighborhood and may not be reasonable to apply the stricter standard.
- 5. The circumstances warranting the variance are not the result of actions by the applicant, or could not be reasonably avoided by actions of the applicant.**
- The circumstances for consideration of this variance are not the result of actions taken by the applicant.
 - The applicant has demonstrated good faith in pursuing a variance to achieve the desired building placement.
 - The applicant and Staff could not identify any other possible locations on site that would meet the applicant's needs.
- 6. Granting the variance will not harm the public health, safety and welfare or the purposes and intent of these regulations.**
- Granting the requested variance is not expected to adversely affect the public health, safety and welfare.
 - The building will be approximately 115 feet from the front property line and 130 feet from Timber Wolf Circle and is significantly smaller than the existing house, minimizing its visual impact as viewed from the roadway.
 - The shop will be constructed with the benefit of building permits and will comply with all applicable Building Codes.

- Considering that there are other properties within the Wellington West Estates Subdivision that have similar detached accessory structures within the required 20-foot side setback areas, the addition of another accessory structure of similar size and layout in this neighborhood should not have an impact on public welfare.
- An accessory structure that supports a rural lifestyle is not anticipated to harm the purpose or intent of the R-1 zone district regulations.

7. The relief requested is the minimum necessary to alleviate the hardship and practical difficulties.

- The variance request for relief of the twenty-foot side setback along the west property line is being requested only for a portion of the length of the property line, to accommodate the shop footprint.
 - The shop is proposed to be twenty (20) feet by thirty (30) feet. The reduced side setback requested along the north side property line is a thirty-foot length that begins 72 feet north of the rear property line as demonstrated in the site map included as *Attachment 2*.
- Ten (10) feet is the minimum setback necessary to ensure the structure does not have an impact on the tree and to maintain adequate spacing from the house.

8. The relief requested is consistent with any other prior approvals and official plans and policies created under the guidance of that plan for these areas (e.g., The Comprehensive Plan, specific area plans like a Downtown Corridor Study, etc.).

- Section 15-3-20(g) of the Land Use Code establishes minimum setbacks standards to provide adequate open space and separation between properties and buildings.
- The increased setbacks required in the R-1 Rural Residential District are intended to provide a large-lot, single-family characteristic that is typical of more rural areas.
- Both single-family detached buildings and accessory buildings are permitted uses within the R-1 Zoning District.
- It is typical and expected that a single-family home may have accessory buildings.

Based upon the preceding findings, staff recommends approval of the requested variance with conditions of approval. Conditions which may be considered are identified in the “Recommendations” section.

Recommendations:

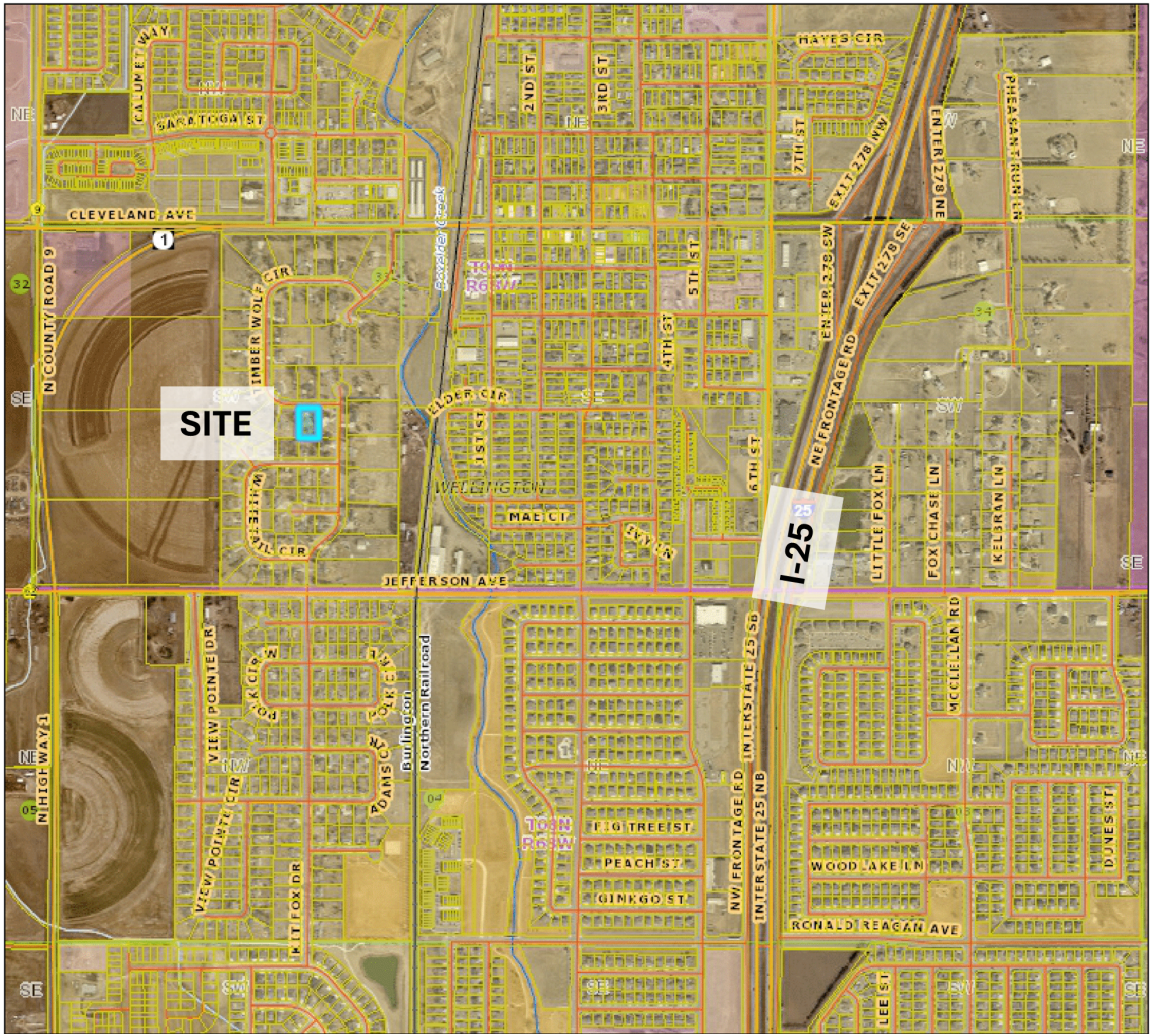
A request for variance is a quasi-judicial proceeding and requires a public hearing. The Board will need to hear and weigh testimony presented at the public hearing.

- In consideration of a variance, the Board of Adjustment has authority to grant the variance, grant the variance with conditions of approval, or deny the variance request.
- If a variance is approved, the Board may want to consider requiring the following conditions of approval:
 1. The side yard setback (west property line only) is not reduced to less than 10 feet; and

2. The variance to reduce the required side yard setback is limited to north-south extent of the proposed building demonstrated on the site map, included as *Attachment 2*.
 3. Obtain a valid Town of Wellington building permit in substantial compliance with the site map and proposed structure details, included as *Attachments 2* and *3*, respectively; and
 4. Compliance with all other applicable zoning and building codes.
- Below are possible motion options for the Board of Adjustments to consider. Staff will also be available to assist in crafting alternative motion options if desired by the Board.
 1. Move to grant a variance to vary Section 15-3-20(g) of the Wellington Municipal Code on this property, to reduce the minimum side yard setback requirement of the R-1 Rural Residential zoning district on Lot 16, Wellington West Subdivision to 10 feet, subject to conditions and based on the Findings for Approval;
 2. Move to deny the requests for a variance of the minimum side yard setback requirement for an accessory building; or
 3. Move to continue consideration of the variance requests to a regular/special meeting of the Board of Adjustments to be held _____ (month) ____ (day), 2025 at _____ (time) at the Wilson Leeper Center, 3800 Wilson Ave., Wellington, Colorado.

Attachments:

1. Location Map
2. Site Map
3. Proposed Structure Details
4. Concept Sketch



Legend

Tax Parcels	Incorporated Areas	30969E146467N.sid
Railroads	PLSS Township and Range	Red: Band_1
Major Road System	PLSS Sections	Green: Band_2
Road System	PLSS Quarter Sections	Blue: Band_3
Lakes and Ponds	City or Town	30969E144091N.sid

Notes

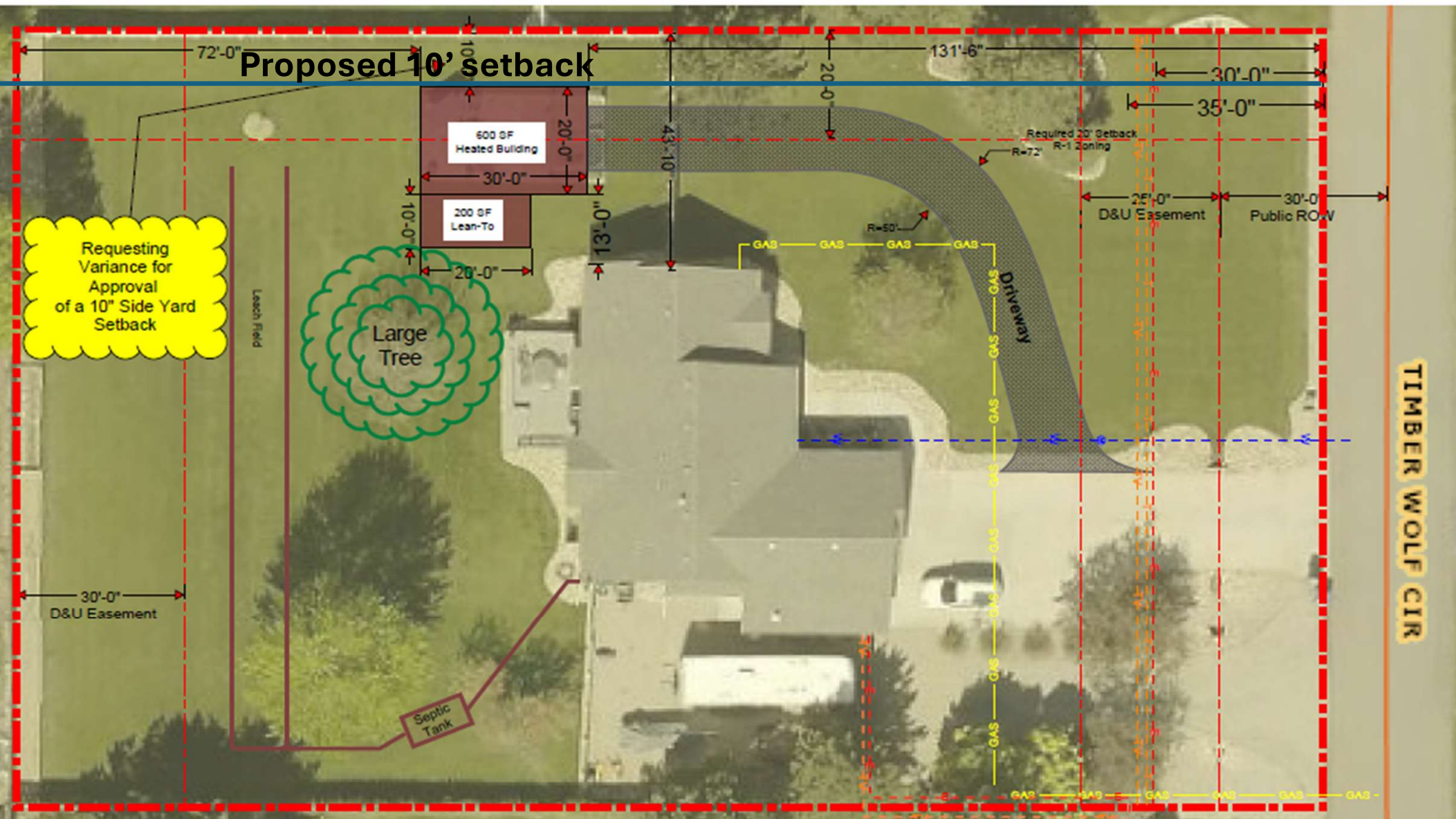
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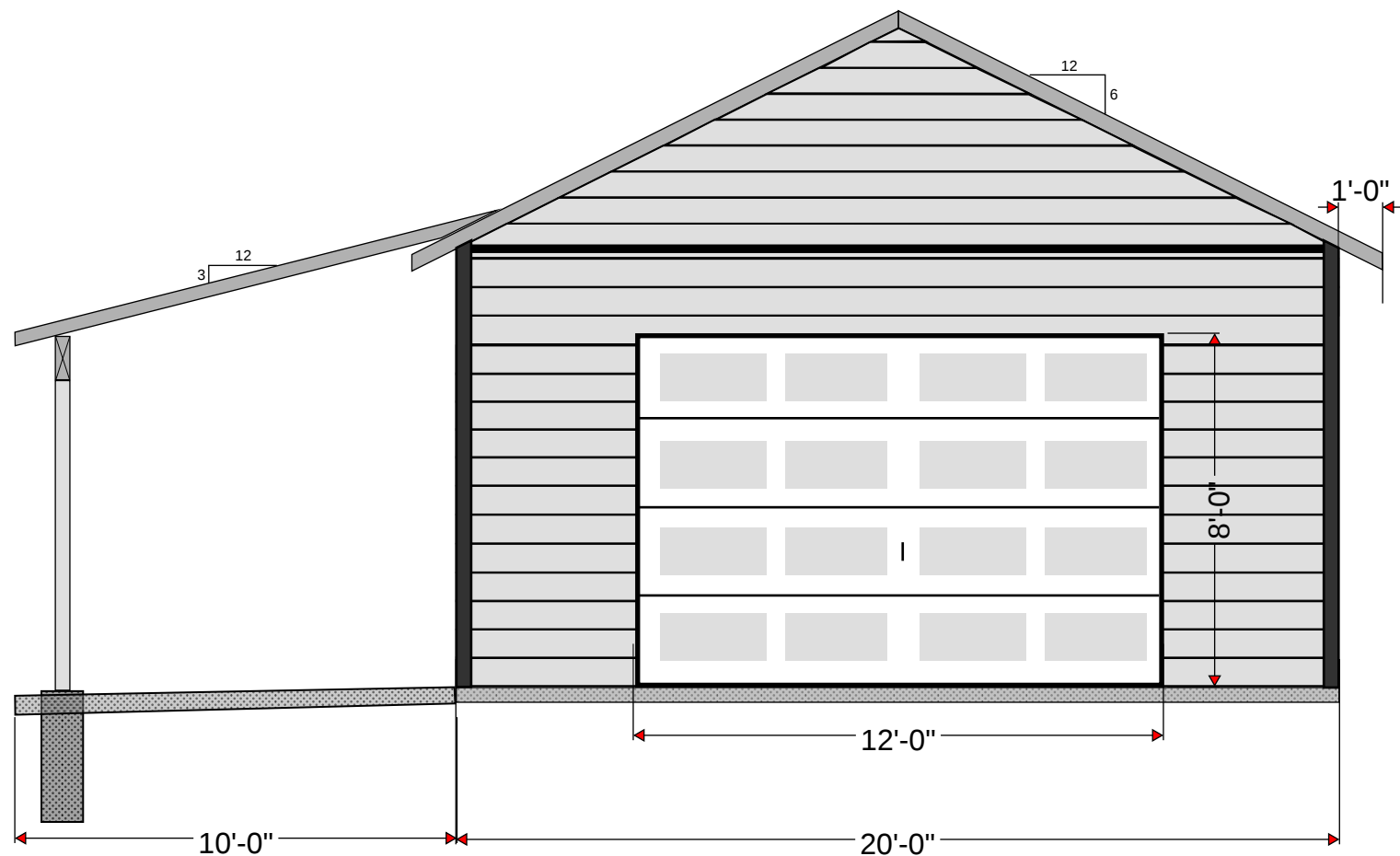
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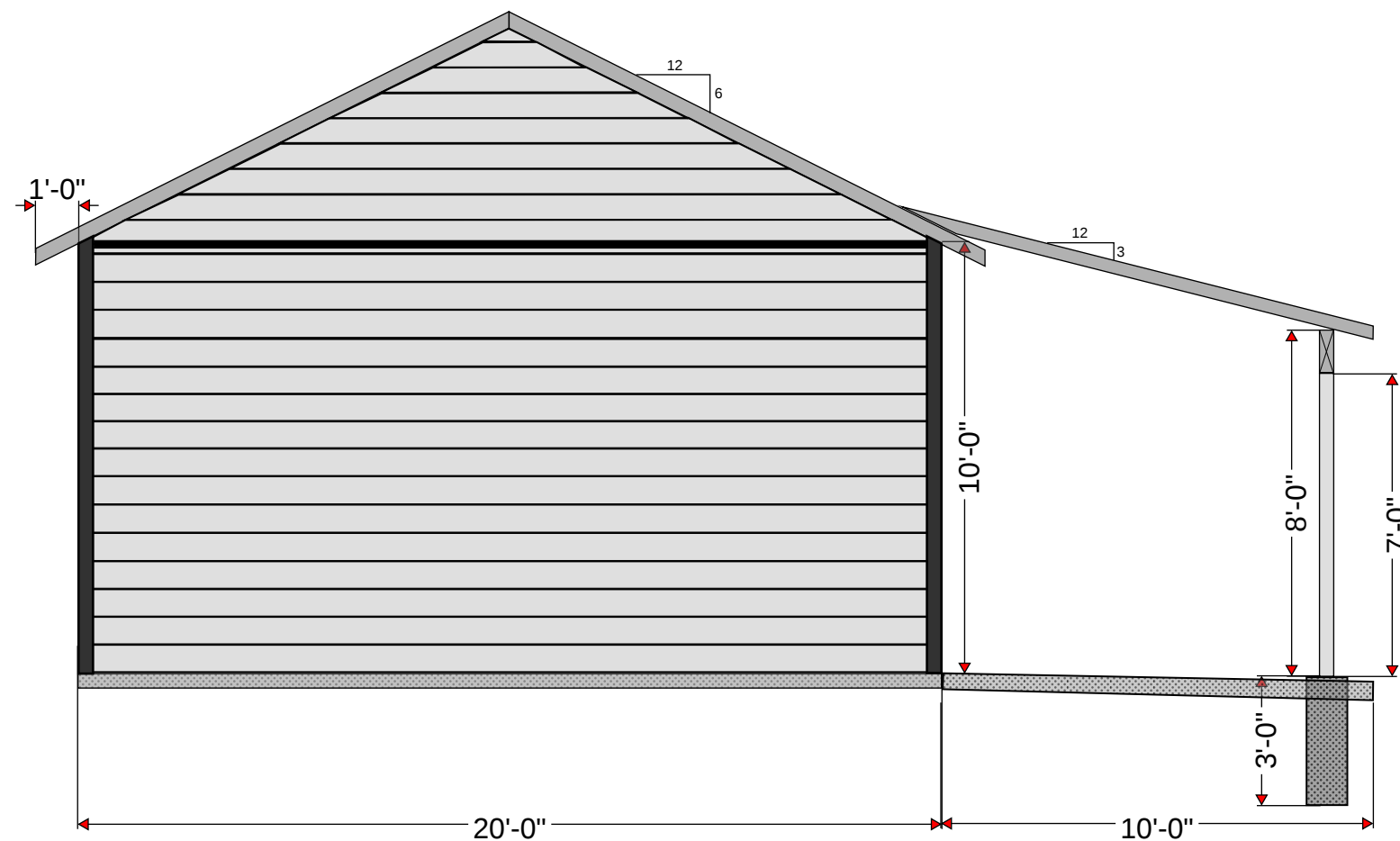
Date Prepared: 10/6/2025 10:10:44 AM

This map was created by Larimer County GIS using data from multiple sources for informal purposes only. This map may not reflect recent updates prior to the date of printing. Larimer County makes no warranty or guarantee concerning the completeness, accuracy, or reliability of the content represented.





NORTH ELEVATION
1/4" = 1'



SOUTH ELEVATION
1/4" = 1'

JUERGENS RESIDENCE
3497 TIMBER WOLF CIRCLE

Drawn By:
Todd Juergens

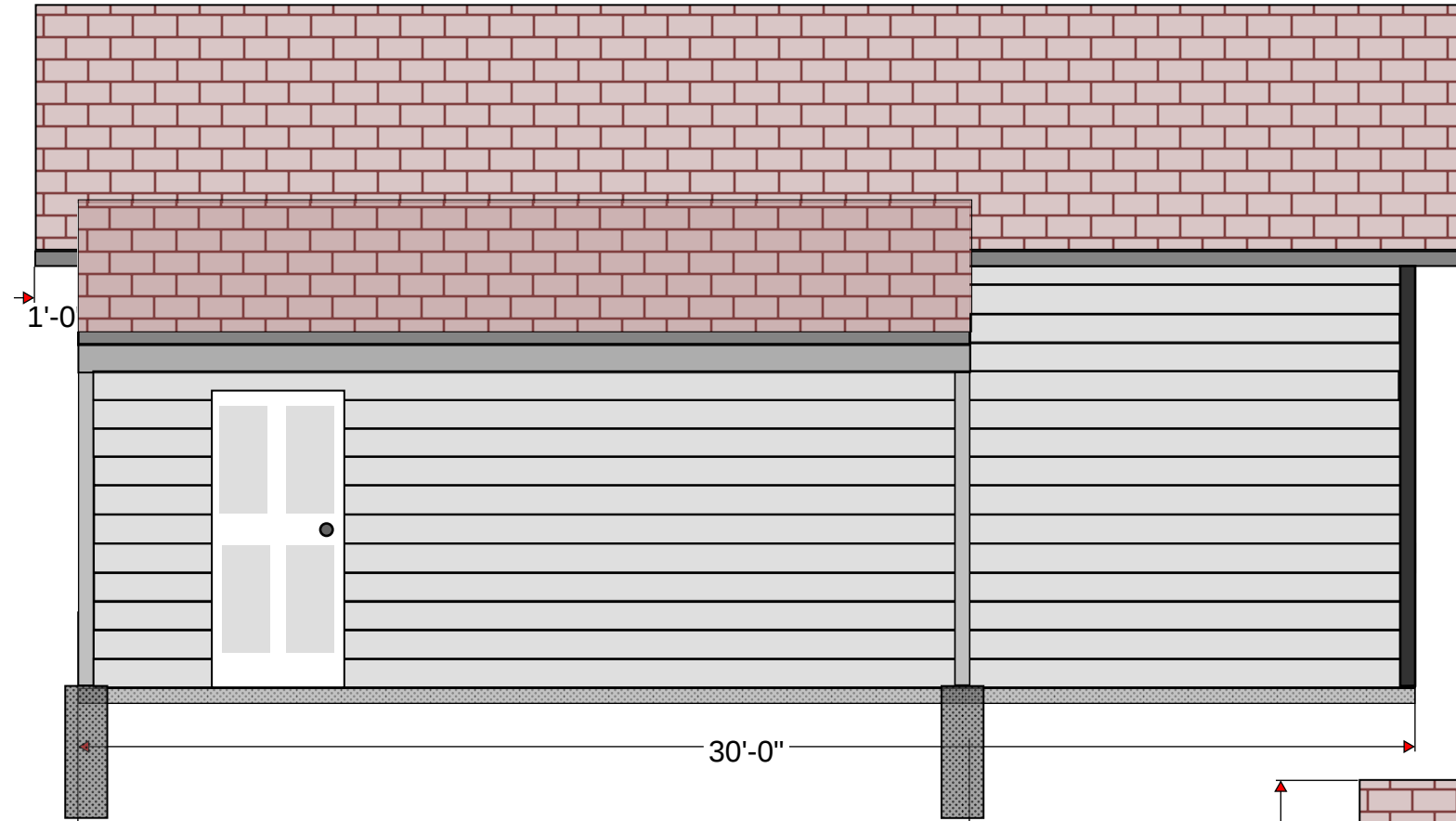
Date
9/5/2025

Scale
1/4" = 1'-0"

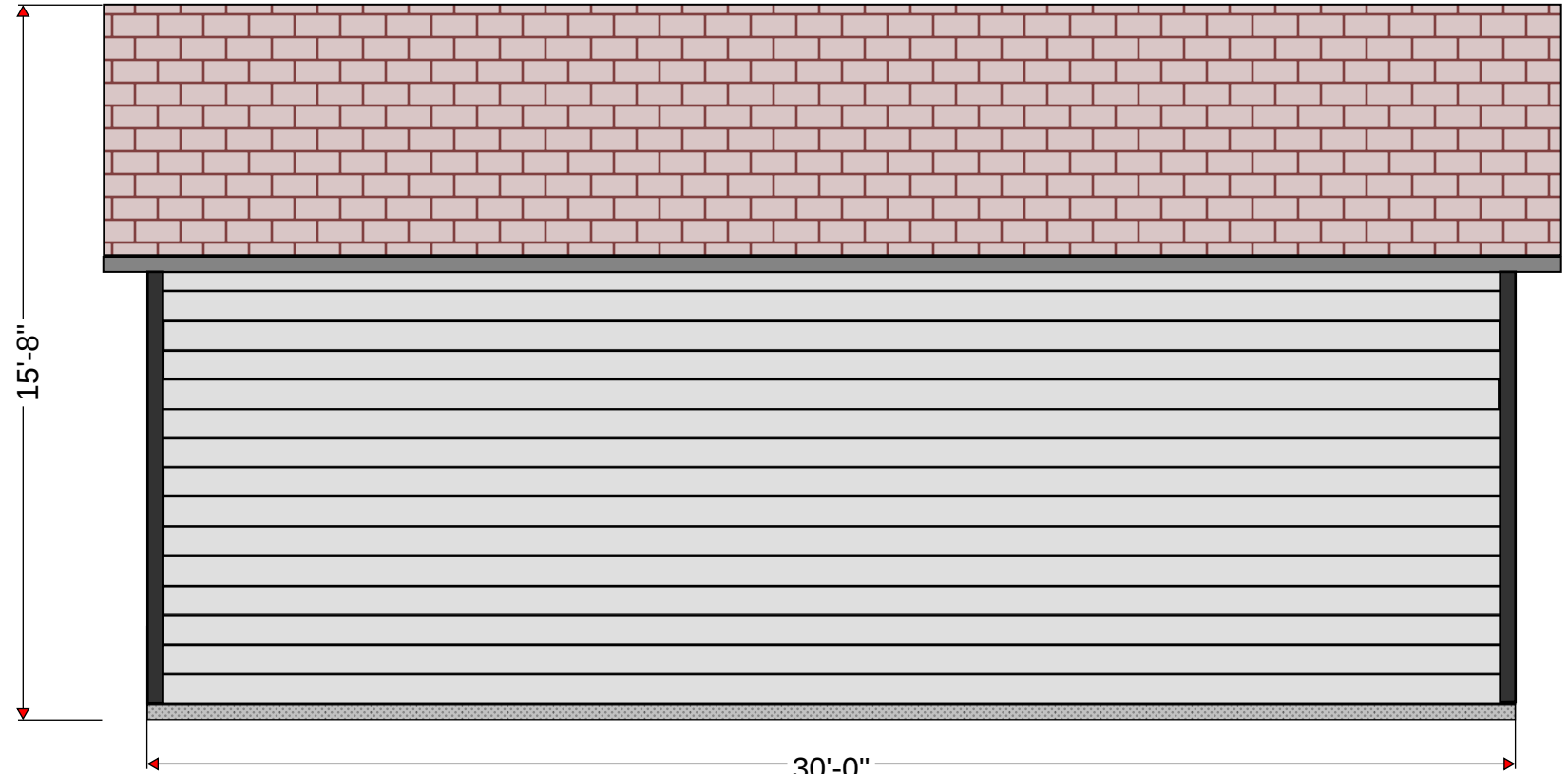
Parcel #8933321016
Lot #16

EXTERIOR BUILDING
ELEVATIONS

1 / 2
Page 15 of 27



EAST ELEVATION
1/4" = 1'



WEST ELEVATION
1/4" = 1'

JUERGENS RESIDENCE 3497 TIMBER WOLF CIRCLE	Drawn By: Todd Juergens	Date 9/5/2025	Scale 1/4" = 1'-0"	Parcel #8933321016 Lot #16	EXTERIOR BUILDING ELEVATIONS	2 / 2 Page 16 of 27
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PERSPECTIVE LOOKING SOUTH FROM STREET

Board of Adjustment Regular Meeting

Variance Request for 3497 Timber Wolf Circle- Side Yard Setback

Presented By: Aidan Checkett, Planner I
Town of Wellington Planning Department

Thursday, October 23, 2025



Background and Project Description

- Wellington West Subdivision
- Developed with a single-family home
- Requesting new detached workshop
- Request to reduce side yard setback on west side from 20 ft to 10 ft



Variance Findings For Approval

1. The relief requested is consistent with the Comprehensive Plan and the intent stated in this Land Use Code;
2. Strict application of the regulation will result in an unnecessary hardship and practical difficulties on all reasonable use of the land intended by the existing zoning, as opposed to convenience or benefit of the applicant or a specific application;
3. The need for the variance is due to specific and unique physical conditions on the site that do not exist on similarly situated land in the area;
4. The manner in which strict application of the regulation deprives the applicant of reasonable use of the land compared to other similarly situated land in the area;

Variance Findings For Approval (continued)

5. The circumstances warranting the variance are not the result of actions by the applicant, or could not be reasonably avoided by actions of the applicant;
6. Granting the variance will not harm the public health, safety and welfare or the purposes and intent of these regulations;
7. The relief requested is the minimum necessary to alleviate the hardship and practical difficulties; and
8. The relief requested is consistent with any other prior approvals and official plans and policies created under the guidance of that plan for these areas (e.g., The Comprehensive Plan, specific area plans like a Downtown Corridor Study, etc.)

Zoning District and Comprehensive Plan

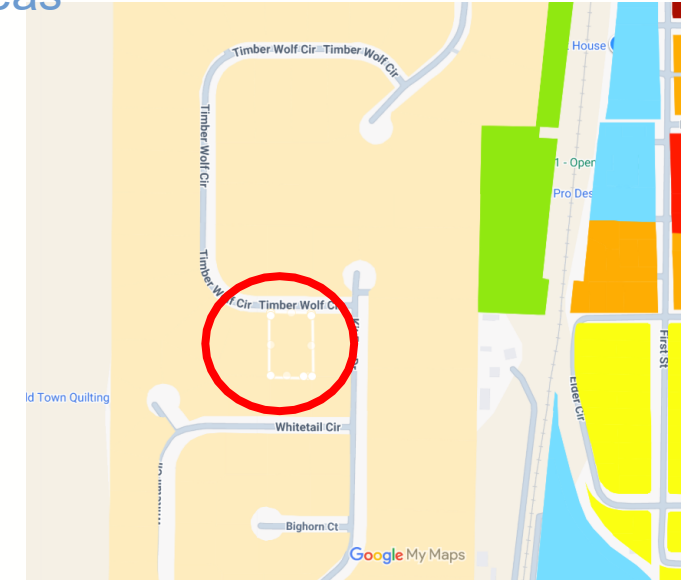
Zoning District

- R-1, Residential Rural Density
- A very low-density residential district
- Large-lot, detached single-family homes
- District is more characteristically rural

Comprehensive Plan

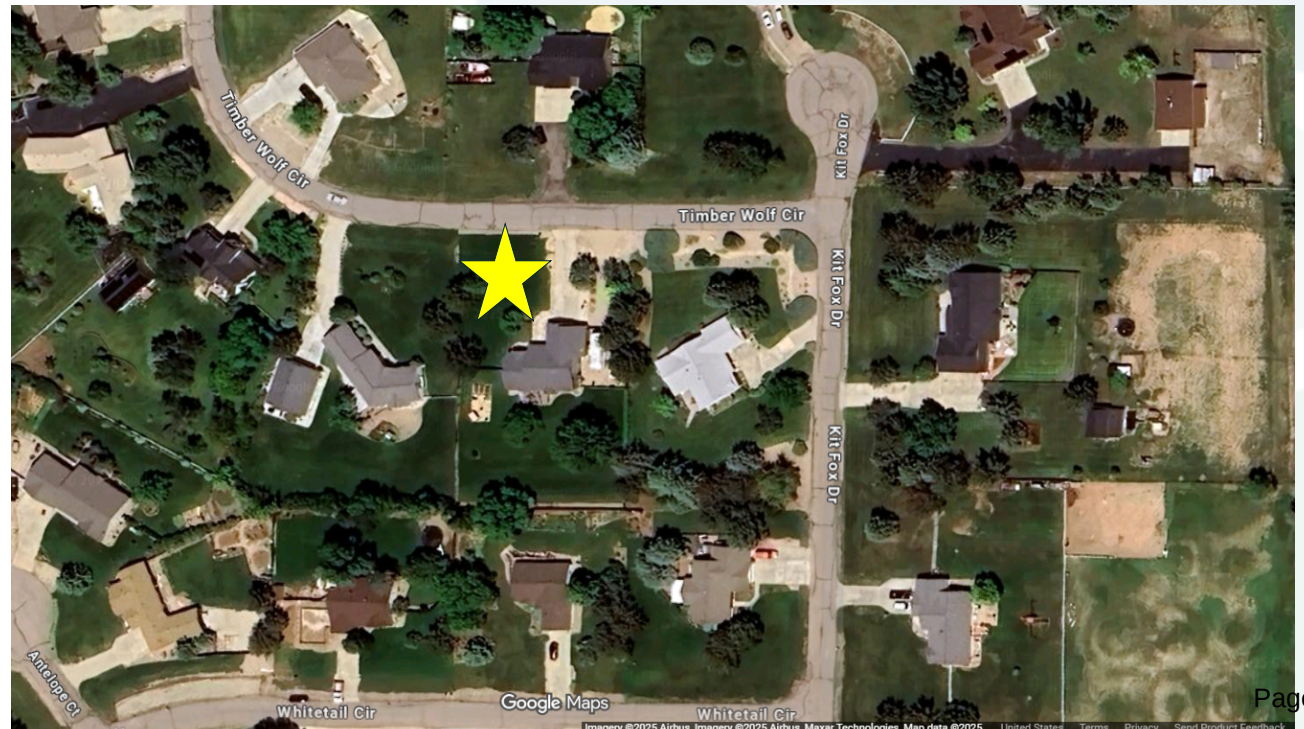
- Future Land Use Map designates this area as being categorized as a Low Density Residential district
- Predominantly detached and attached single family homes

Future Land Use Map – Low Density Residential District Areas



Existing Site and Surrounding Condition

- Existing drainage and utility easements
- Two existing mature trees in back yard
- The Wellington West neighborhood has similar detached accessory buildings



Considerations – Variance Findings

- Setback variance is only for a portion of the side property line
- Shop meets all other standards and requirements
- The shop will be built following applicable building permits
- There is an existing neighborhood context of similarly-sized detached accessory structures



Staff Recommendations and Conditions of Approval

Move to grant a variance to vary Section 15-3-20(g) of the Wellington Municipal Code on this property, to reduce the minimum side yard setback requirement of the R-1 Rural Residential zoning district for Lot 16, Wellington West Subdivision, subject to conditions and based on the Findings for Approval.

Proposed Conditions of Approval:

- 1) The side yard setback (north property line only) is not reduced to less than ten (10) feet; and
- 2) The variance to reduce the required side yard setback is limited to the building layout and dimensions demonstrated in the plans, included as *Attachment 2*; and
- 3) Obtain a valid Town of Wellington building permit in substantial compliance with the proposed structure details, included as *Attachment 3*; and
- 4) Compliance with all other applicable zoning and building codes.

Questions or Comments?