

**CLEAR CREEK COUNTY BOARD OF ADJUSTMENT  
MINUTES OF HEARING FOR OCTOBER 2,2025**

This regular hearing of the Clear Creek County Board of Adjustment was convened on October 2, 2025 in person and remotely via Zoom teleconferencing platform and in the County Annex. It was called to order by Chairperson Martha Miles at 6:08 pm.

Members Present: Chairperson Martha Miles, Vice-Chair William Lee,  
Mike Stewart,

Staff Present: Denise Tennant, Planner I

**Review of Public Hearing Procedures:**

Chairperson Martha Miles explained the procedures associated with the Board of Adjustment.

**Unscheduled Appearances:**

There were no unscheduled appearances.

**Old Business:** NONE

**New Business:**

**1 VAR-25-016 Jon Brady** request a variance pursuant to Section 1302.2 – “Request to Encroach into a Setback” of the Clear Creek County Zoning Regulations.

The owner(s)/applicant(s) request to encroach into the 30’ setback as the following has been constructed:

- A new single-family residence with a front setback (north) of 0’;

The subject property is ±4.18 acres and is zoned Mining – One (M-1), which allows for residential use.

**Legal:** MINE: COLUMBINE PLACER - 16859 100% 4.18 ACRES CAS OT DEM 18-4-73 TR #2  
MC 537/802

**Parcel #:** 1961-183-00-010

**Location:** 6115 CO 103

The following evidence was submitted

- Exhibit A) Planning Department Staff Packet
- Exhibit B) Planning staff photographs of the property

- Exhibit C) Site plan showing the location of the proposed garage
- Exhibit D) Referral responses from agencies
- Exhibit E) Maps

Jon Brady did appear for the hearing, and was sworn in.

**Discussion:**

Jon explained the CDOT right-of-way issues and the permit with Army Corp. The Board asked questions regarding how big the setback from the road actually is. Questions regarding the flood plain were answered.

**Public Comment:** None.

Granting the acknowledgement request will not be a detriment to the public good; and

Granting the variance will not substantially impair the intent and purpose of the zoning regulations; and

The hardship has not been self-imposed; and

The sole purpose of granting the variance is not to convey a personal convenience, profit, or special privilege to the applicants/owners; and

The sole purpose of granting the variance is not to relieve an economic hardship upon the applicants/owners; and

The property will conform to all zoning regulations.

Mike Stewart moved to approve the variance. William Lee provided the second.

A vote was taken and the motion passed with Three (3) votes for and zero (0) votes to deny the request.

**2. VAR-25-017 Nydia Trout** request a variance pursuant to Section 1302.2 – “Request to Encroach into a Setback” of the Clear Creek County Zoning Regulations.

The owner(s)/applicant(s) request to encroach into the 30’ setback as the following has been constructed:

- A new single-family residence with a front setback (south) of 25’ and a side setback (west) of 22’;

The subject property is ±1.033 acers in size and is zoned Mountain Residential - One (MR-1), which is intended for a single-family residence.

**Legal:** Subdivision: ECHO HILLS SUBDIVISION Lot: 55 F2 473/927

**Parcel:** 1963-262-02-032

**Location:** 1035 Lodgepole Dr.

The following evidence was submitted

- Exhibit A) Planning Department Staff Packet
- Exhibit B) Planning staff photographs of the property
- Exhibit C) Site plan showing the location of the proposed garage
- Exhibit D) Referral responses from agencies

Joshua Robarge the General Contractor appeared for Nydia Trout.

Joshua Robarge was sworn in, and explained how the rock outcropping created an issue

**Discussion:**

The Board discussed the reason for the siting of the residence west due to the rock outcropping.

**Public Comment:** None

Mike Stewart moved to approve the variance. William Lee provided the second.

A vote was taken and the motion passed with Three (3) votes for and zero (0) votes to deny the request.

- 3. VAR-25-018 Young Cho** request a variance pursuant to Section 1302.2 – “*Request to Encroach into a Setback*” and Section 1302.3 – “*Acknowledgement of an Existing Setback Encroachment*” of the *Clear Creek County Zoning Regulations*.  
of the *Clear Creek County Zoning Regulations*.

- A mobile home with a front setback of 23’;
- And side setback (west) of 8.4’; and

The owner(s)/applicant(s) request to encroach into the 30’ setbacks to construct the following:

- A stick framed attached structure to the mobile home with a side setback (east) of 8.5’;

The subject property is zoned Mobile Home (MH), and contains one mobile home.

**LEGAL:** MBL HOME TITLE: 010798639 SERIAL: SK921C YEAR: 1969 MAKE: SKY SIZE: 12X63  
Subdivision: SAINT MARYS SUBDIVISION Lot: 561 U4 MOBILE ONLY

**PARCEL #:** 1837-04-01-012

**LOCATION:** 140 Little Creek Rd.

The following evidence was submitted

- Exhibit A) Planning Department Staff Packet
- Exhibit B) Planning staff photographs of the property
- Exhibit C) Site plan showing the location of the proposed garage
- Exhibit D) Referral responses from agencies

Young Cho did appear for the hearing and was sworn in, and explained his case.

**Discussion:**

The Board discussed what they saw in the packet pictures. The Board confirmed the distances between mobile homes in the neighborhood.

**Public Comment:** None

Mike Stewart moved to approve the variance. William [redacted] provided the second.

A vote was taken and the motion passed with three (3) votes for and zero (0) votes to deny the request.

**Adjournment:**

Chairperson Miles adjourned the meeting at 6:30 pm.

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Denise [redacted], Secretary

I, Chairperson [redacted] of the Board of Adjustment, certify that the Board has reviewed and approved these minutes.

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Martha Miles, Chair