

BOARD OF ADJUSTMENT
MINUTES

DATE: February 26, 2025

MEETING: Board of Adjustment Special Meeting

PLACE: Fraser Town Hall and Virtual On-Line Meeting

PRESENT

Commission: Commissioners: Chair Andy Miller, Vice Chair Bob Gnuse, Margaret Bowles, Brian Cerkenik, Joy McCoy (arrived 6:30pm), Katie Soles

Staff: Town Planner Garrett Scott, Assistant Town Planner Alan Sielaff, Town Manager Michael Brack, Town Clerk Antoinette McVeigh, Deputy Clerk Wendy Bourn

Others: See list

Chair Andy Miller called the meeting to order at 5:32 p.m.

Before the roll call, Chair Miller and Town Clerk Antoinette McVeigh noted that a quorum of four voting Board of Adjustment members are present and therefore Mayor Cerkenik can remain as an alternate (non-voting) member for the duration of the meeting.

1. **Roll Call:** Chair Andy Miller, Vice Chair Bob Gnuse, Margaret Bowles, Katie Soles, Brian Cerkenik (alternate)

2. **Approval of Agenda:**
Commissioner Bowles moved, and Commissioner Soles seconded the **motion** to approve the agenda. **Motion carried: 4-0.**

3. **Consent Agenda:**
a. Minutes June 26, 2024

Commissioner Soles moved, and Commissioner Bowles seconded the **motion** to approve the consent agenda. **Motion carried: 4-0.**

4. **Open Forum:**
none

5. **Public Hearing And Possible Action:**
a. Appeal of Administrative Variance Denial - The Ascent

The applicant is appealing staff's denial of an administrative variance request to Section 19-2-250 Table 2.8 to increase the maximum height from forty-five (45) feet to forty-nine and one-half (49.5) feet for the proposed Ascent Condominiums development located at 601 S. Zerex Street.

The Ascent Condominiums project is a proposed 25-unit for-sale multifamily residential development to be located adjacent to and including the current XSports building, formerly known as Ski Broker. This request is part of an overall land use application for a Major Subdivision Final Plat, Major Site Plan, and Administrative Variance.

Commissioner Soles moved, and Commissioner Bowles seconded the motion to open the public hearing regarding Appeal of Administrative Variance Denial - The Ascent at 5:35 p.m. **Motion carried 4-0.**

Alan Sielaff presented to the commission. Proof of publication was provided in the packet.

Applicant Clark Lipscomb and Layla Rosales presented and answered questions.

Public comment was taken from Parnell Quinn representing the Fraser Valley Center.

Commissioner McCoy **motioned**, and Commissioner Bowles seconded the motion to close the public hearing regarding Appeal of Administrative Variance Denial - The Ascent at 7:00 p.m. **Motion carried 5-0.**

ai. PC BOA Resolution 2025-02-01 - The Ascent Administrative Variance Appeal

Commissioner Bowles moved, and Commissioner Gnuse seconded the motion to approve BOA Resolution 2025-02-01 The Ascent Administrative Variance Appeal because there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the regulations of Chapter 19, with the inclusion into the resolution of two additional "Whereas" statements and noting whether the variance conditions are met/not met: **Motion carried 5-0.**

WHEREAS, the Board of Adjustment finds that there are practical difficulties or unnecessary hardships in the way of carrying out the strict regulations of the Fraser Land Development Code pursuant to Sec. 19-1-320(e), notwithstanding that not all the applicable variance criteria have been met; and

WHEREAS, the Board of Adjustment has the authority, in passing upon an appeal, to vary or modify the application of such regulations relating to the construction or alteration of buildings or structures, so that the spirit of the ordinance is observed, public safety and welfare secured and substantial justice done, and

Condition

1. Not Met
2. Not Met
3. Met
4. Not Met
5. Met
6. Met
7. Not Applicable

b. Variance to Riverwalk (RW) District Commercial Frontage Requirement - Centrum

The applicant is requesting a variance from Section 19-2-255(g)(1) to reduce the minimum depth of required ground floor commercial uses along Clayton Court from twenty feet (20)

as required in the Riverwalk (RW) zone district to zero (0) feet in the portions of the lot with less than ninety (90) feet in depth.

Commissioner Soles moved, and Commissioner Bowles seconded the motion to open the public hearing regarding Variance to Riverwalk (RW) District Commercial Frontage Requirement – Centrum at 7:03 p.m. **Motion carried 5-0.**

Garrett Scott presented to the commission. Proof of publication was provided in the packet.

Applicant Kevin Rifkin presented and answered questions.

No Public comment received.

Commissioner Bowles moved, and Commissioner Gnuse seconded the motion to close the public hearing regarding Variance to Riverwalk (RW) District Commercial Frontage Requirement – Centrum at 7:21 p.m. **Motion carried 5-0.**

b.i. BOA Resolution 2025-02-02 - Centrum Commercial Frontage Variance

Commissioner Soles **motioned**, and Commissioner Gnuse seconded the motion to approve PC BOA Resolution 2025-02-02 Centrum Commercial Frontage Variance noting that all applicable variance conditions are met. **Motion carried 5-0.**

Condition

1. Met
2. Met
3. Met
4. Met
5. Met
6. Met
7. Not Applicable

6. **Other Business:**

7. **Future Agenda Items:**

8. **Adjourn:**

Commissioner Soles moved, and Commissioner Gnuse seconded the **motion** to adjourn. **Motion carried: 5-0.** Meeting adjourned at 7:23 p.m.

Antoinette McVeigh, Town Clerk