

11/7/2023

Mayor Balch and Board of Trustees,

Following a meeting on 10/16/23 with discussion and a majority vote of 3-0, the Zoning Board of Adjustment requests that you consider the following modifications to the Town of Pitkin 2022 Zoning Code Section 17H:

- Notification to holders of expired building permits be sent via USPS with return receipt
- A fee be charged for the renewal of expired building permits after 2 years (The Zoning Board suggests \$75 to renew expired building permits)

Thank you,

Sara Gibb, Clerk

On behalf of the Zoning Board of Adjustment

Attachment: Draft minutes 10-16-23 Zoning Board Meeting

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**MINUTES**

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- 1. Call to Order:** Chairperson Jesse James Garetson called the meeting to order at 7:02pm. Zoning Board members Ed Herman and Ed Pianalto were present. Zoning Board members Gayla Gibb and Rodger Lull were absent. Minutes taken by Clerk Sara Gibb.

**NEW BUSINESS:**

- Clarification of the location on the Town's website of the Town of Pitkin Fee Schedule.

Zoning Board member Ed Pianalto listed the locations of the fee schedule online.

- Discuss and vote on Section 17-H of the 2022 Zoning Code for recommendation to the Board of Trustees for open Building Permits greater than 2 years.
  - USPS Return Receipt required on all expired Building Permit notifications.
  - Renewal fee for the extension of the expired Building Permit(s).

Zoning Board Chairperson Jesse Garetson would like to follow through with this and says there should be a fee for a renewal. Zoning Board member Ed Pianalto agrees with the fee for a renewal because it requires the Building Inspector to follow up. He further stated that any correspondence with property owners should be sent with return receipt requested. Zoning Board member Ed Herman asked how long a permit would be allowed to go on. How many times can someone keep renewing? Zoning Board Chairperson Jesse Garetson wants to follow up on the current outstanding permits with return receipt requested. There was a question about grandfathering permits that are already open. There was discussion about how to define when a project is "complete" due to the variety of projects within the Town of Pitkin.

Rodger Lull (via email) would like to extend a permit length to 3 years. He believes 2 years is too little time.

**Motion to add to Section 17H that the Zoning Board send all expired permit notifications via USPS return receipt required and to charge a \$75 renewal fee for expired permits after 2 years is complete made by Zoning Board member Ed Pianalto. Seconded by Zoning Board Ed Herman. Motion carried 3-0.**

Public comments: Chad Varnell, Ramon Reed

- Discuss and vote on next steps for open Building Permits that have been open longer than 2 years, where the owner has not responded to the initial letter that has been sent.
  - Send letters with Return Receipt Requested to owners

- Owner has 15 business days to reply to the Zoning Board of Adjustments as to their building progress and estimated completion date (As outlined in Section 17-H of the 2022 Zoning Code.)

Zoning Board member Ed Pianalto asked to clarify that there are two outstanding, open permits and one possible non-permitted structure. Clerk Sara Gibb confirmed that this is correct. Zoning Board member Ed Pianalto would like the relevant section of the Zoning Code to be cited as well as the section on violations. Zoning Board Member Ed Pianalto stated that in the violation section a 20-day response time is allowed.

**Motion to send letters via USPS return receipt requested to outstanding, open permit holders whose permits are older than 2 years and to the owner possible non-permitted structure and request a reply within 20 calendar days from the date of mailing made by Zoning Board Chairperson Jesse Garetson. Seconded by Zoning Board member Ed Pianalto. Motion carried 3-0.**

#### **OLD BUSINESS:**

- Discuss updates to the Building Permit spreadsheet and update OWTS Data and review any new permits or closed permits

One individual paid the fees for a permit for construction that had been initiated and the permit was made official.

Zoning Board member Ed Pianalto asked for completed permits to be highlighted in green.

- Discuss list of fences/boulders that do not meet setback requirements. Inform the Town Clerk of owners needing notification letters that need to be mailed.

Discussion on letter content

**ADJOURN: Motion to adjourn made by Zoning Board member Ed Herman. Seconded by Zoning Board member Ed Pianalto. Motion carried 3-0.**