



# BOARD OF ADJUSTMENT REGULAR MEETING

City Council Chambers, 448 E. 1st Street, Salida, CO  
May 23, 2022 - 6:00 PM

## AGENDA

Email public comments to: [publiccomment@cityofsalida.com](mailto:publiccomment@cityofsalida.com)

Please register for the Board of Adjustment meeting: <https://attendee.gotowebinar.com/rt/1909092342220683277>

### CALL TO ORDER BY CHAIRMAN

### ROLL CALL

### APPROVAL OF THE MINUTES

1. March 28, 2022 - Draft Minutes

### UNSCHEDULED CITIZENS

### AMENDMENT(S) TO AGENDA

### PUBLIC HEARINGS

Public Hearings will follow the following procedure:

- |   |  |
|---|--|
| A. Open Public Hearing                      | E. Public Input                          |
| B. Proof of Publication                     | F. Close Public Hearing                  |
| C. Staff Review of Application/Proposal     | G. Commission Discussion                 |
| D. Applicant's Presentation (if applicable) | H. Commission Decision or Recommendation |

2. **304 Two Rivers Road Variance Application** - The purpose of the request is to receive two (2) variances from the minimum side yard setbacks to build a deck addition to the primary residence. Primary buildings in the Two Rivers Plan Development with High - Density Residential (R-3) underlying zone district require a minimum side yard setback of five (5) feet.

The applicants, Anie Roche and Sandeep Nijhawan, are requesting a minimum allowed side yard setback of 2' on either side to construct a front deck.

### BOARD COMMENTS

### ADJOURN

\*\*An alternate can only vote on, or make a motion on an agenda item if they are designated as a voting member at the beginning of an agenda item. If there is a vacant seat or a conflict of interest, the Chairman shall designate the alternate that will vote on the matter. If a Voting member shows up late to a meeting, they cannot vote on the agenda item if the alternate has been designated.



# BOARD OF ADJUSTMENT REGULAR MEETING

City Council Chambers, 448 E. 1st Street, Salida, CO  
March 28, 2022 - 6:00 PM

## MINUTES

Email public comments to: [publiccomment@cityofsalida.com](mailto:publiccomment@cityofsalida.com)

Please register for the Board of Adjustment meeting: <https://attendee.gotowebinar.com/rt/1909092342220683277>

### CALL TO ORDER BY CHAIRMAN

### ROLL CALL

#### PRESENT

- Board Member Chairman Greg Follet
- Board Member Co-Chair Francie Bomer
- Board Member Judith Dockery
- Board Member Giff Kriebel
- Board Member Michelle Walker
- Board Member Dave Haynes
- Alternate Board Member Brian Colby

#### ABSENT

- Alternate Board Member Aaron Derwingson

### APPROVAL OF THE MINUTES

1. February 28, 2022- Draft Minutes

Motion made by Board Member Co-Chair Bomer, Seconded by Board Member Dockery.  
 Voting Yea: Board Member Chairman Follet, Board Member Co-Chair Bomer, Board Member Dockery,  
 Board Member Kriebel, Board Member Walker, Board Member Haynes, Alternate Board Member Colby

**THE MOTION PASSED.**

### UNSCHEDULED CITIZENS- NA

### AMENDMENT(S) TO AGENDA- NA

### PUBLIC HEARINGS

Public Hearings will follow the following procedure:

- |   |  |
|---|--|
| A. Open Public Hearing                      | E. Public Input                          |
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| C. Staff Review of Application/Proposal     | G. Commission Discussion                 |
| D. Applicant's Presentation (if applicable) | H. Commission Decision or Recommendation |

### 2. Van Wyck Variance Application – 200 Wood Avenue

The purpose of the request is to receive variances from the minimum side lot line setback and the minimum rear lot line setback to build a second story accessory dwelling unit on the existing nonconforming accessory structure.

The required minimum side lot line setback for accessory structures with a wall plane over twenty (20) feet is ten (10) feet from the side property line. The required minimum rear lot line setback is five (5) feet for all accessory structures. The applicant is requesting a minimum allowed side lot line setback of three (3) feet to construct a second story accessory dwelling unit with a wall plane of 21'8". The second request is for an allowed minimum rear lot line setback of three (3) feet to build a roof structure over the

ground floor entry. The accessory structure was built in 1996 at the current .52' side lot line setback and meets the required rear lot line setback.

- A. Open Public hearing - 6:01 pm
- B. Proof of Publication
- C. Staff Review of Application – Jefferson summarized the staff report and explained that the Board was given two possible decision options. The first option is for approval of the variance requests based on findings of fact. The second option is for denial of the variance requests based on findings of fact.
- D. Applicant's Presentation – Applicant, Barbara Van Wyck, Architect, Steve Holmes, and Attorney, Chris Coggin, spoke on the project.

Commissioners asked:

- Whether the applicant considered building an ADU
- If the architect considered a hip roof
- Whether the existing structure could sustain the loads of a second story
- About the storage area and its use
- About the necessity of the first variance request

- E. Public Input – N/A
- F. Close Public Hearing - 6:19 pm
- G. Board of Adjustment Discussion –

Commissioners discussed:

- Whether the variances are necessary since the structure can be built in other ways and special circumstances do not exist

- H. Board of Adjustment decision –

A motion to deny the rear setback variance request was made by Board Member Co-Chair Bomer, Seconded by Board Member Kriebel.

Voting Yea: Board Member Chairman Follet, Board Member Co-Chair Bomer, Board Member Kriebel, Board Member Walker, Board Member Dockery, Board Member Haynes, Alternate Board Member Colby

**THE MOTION TO DENY PASSED.**

A motion to approve the side yard variance request subject to the conditions created by staff was made by Board Member Co-Chair Bomer, Seconded by Board Member Kriebel.

Voting Yea: Board Member Chairman Follet, Board Member Dockery, Board Member Haynes, Alternate Board Member Colby

Voting Nay: Board Member Co-Chair Bomer, Board Member Kriebel, Board Member Walker

**THE MOTION TO APPROVE PASSED.**

## **BOARD COMMENTS**

**ADJOURN** With no further business to come before the Commission, the meeting adjourned at 6:48 p.m.



## STAFF REPORT

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**MEETING DATE:** May 23, 2022  
**AGENDA ITEM TITLE:** 304 Two Rivers Road Variance Application  
**AGENDA SECTION:** Public Hearing

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**REQUEST:**

The purpose of the request is to receive two (2) variances from the minimum side yard setbacks to build a deck addition to the primary residence. Primary buildings in the Two Rivers Planned Development with High-Density Residential (R-3) underlying zone district require a minimum side yard setback of five (5) feet.

The applicant is requesting a minimum allowed side yard setbacks of 2' on either side to construct a front deck.

**APPLICANT:**

The applicants are Anie K. Roche & Sandeep Nijhawan, 2100 Riverside Lane, Boulder, CO 80304

**LOCATION:**

The property is legally known as LOT 42B Two Rivers Townhomes subdivision exemption duplex conversion, City of Salida, Chaffee County, Colorado.

**PROCESS:**

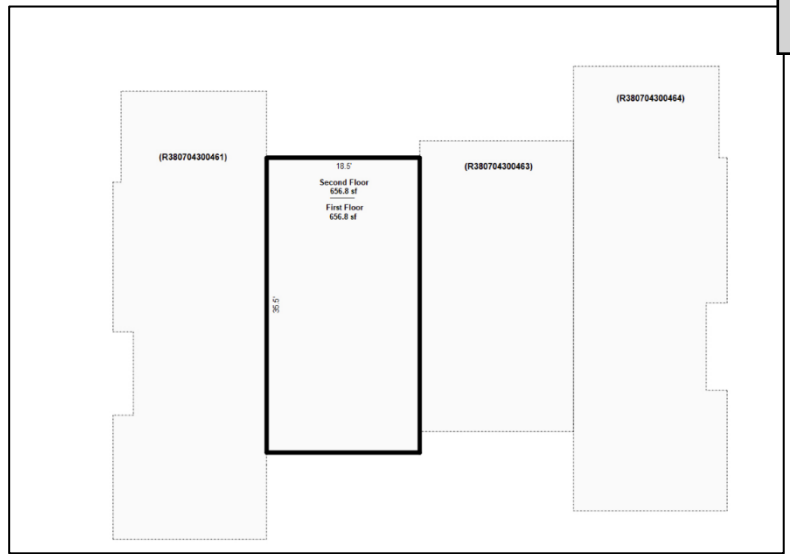
Variances are addressed in the City’s Code of Ordinances, Section 16-4-180, Zoning Variances. Variances may be granted from the standards of the underlying zone district and shall be authorized only for maximum height, minimum floor area, maximum lot coverage, maximum lot size, minimum setbacks and parking requirements.



The Board of Adjustment holds a public hearing after fifteen days advance notice of the hearing. The public hearing shall be held, at which any person may appear or be represented by an agent or attorney. The Board may describe appropriate conditions and safeguards in conformity with the Zoning title of the City Code.

**OBSERVATIONS:**

1. The subject property and the properties within the Two Rivers Subdivision are subject to the dimensional standards of the Two Rivers Planned Development. Along the north side of Two Rivers Road the underlying zoning is High Density Residential (R-3) zone district. On the southern portion of Two Rivers Road are both Medium Density Residential (R-2) zone district and Residential Mixed Use (RMU) zone district.



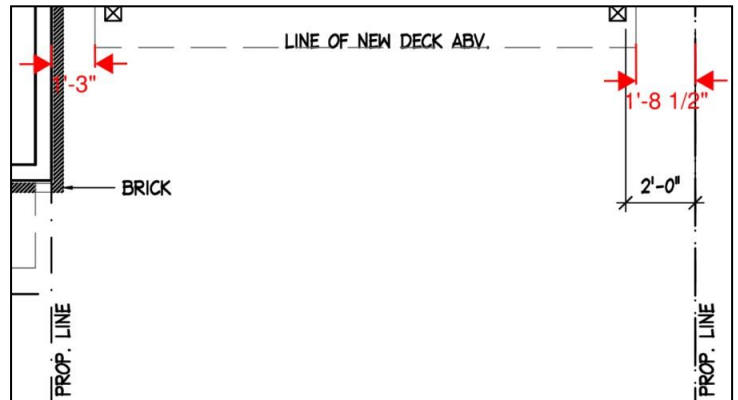
2. The orientation of the existing townhome is facing Two Rivers Road. The townhome is built side lot line to side lot line along adjoining party walls. The townhome is one of four units in the multifamily building. The townhome is the second unit from the west, one of the two middle units in the multifamily building. The subdivision exemption duplex conversion plat was recorded on February 16<sup>th</sup>, 2022

3. All of the other residences within the city block are fronting Two Rivers Road.



4. The requests is to receive relief from the minimum 5' side yard setback for a deck accessed from the second floor. The applicant is requesting to construct a deck addition to the townhome that will decrease the required 5' side yard setback to 2' side yard setbacks on either side of the structure.

5. The requests is for 2' side yard setbacks on either side of the deck. There is some discrepancy in the request as the plans show a distance of 1'-3" on the west side and 1'-8 1/2" on the east side.



6. As of Friday, May 20<sup>th</sup> staff has received two letters of opposition from adjoining neighbors to the variance requests, which are attached to the staff report.

**REQUIRED SHOWING (Section 16-4-180):** The applicant shall demonstrate that a majority of the following criteria to the Board of Adjustment before a variance may be authorized.

1. Special Circumstances Exist. There are special circumstances or conditions which are peculiar to the land or building for which the variance is sought that do not apply generally to land or buildings in the neighborhood.

Applicant's response:

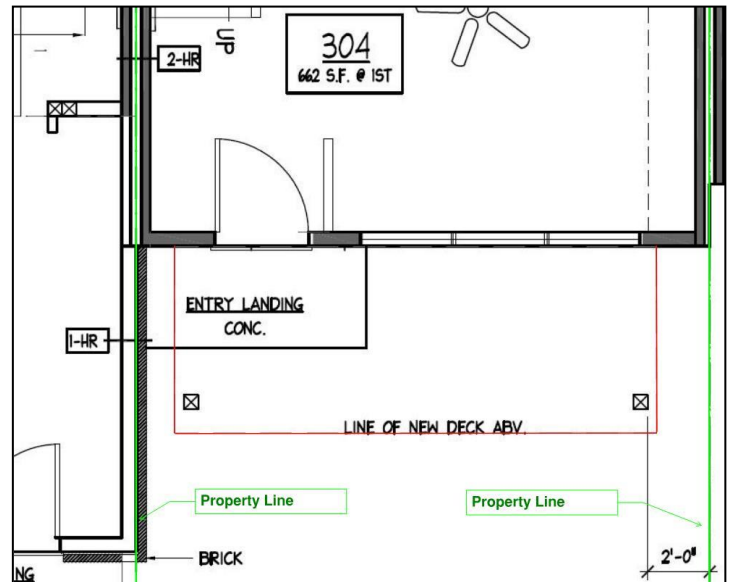
*The said property, while under construction, was under a purchase contract on 10/13/2021. The applicants (now owners) had requested the developer/seller, Tom Pokorny, Natural Habitats, to include a balcony/deck per the attached engineering drawings before closing. The closing was initially planned for December 2021. However, due to COVID related material delays the closing was moved to March 2022. In January 2022, the building inspector advised Mr. Pokorny to submit a separate application for the planned deck rather than pursue a plan change of the ongoing construction to avoid confusion and potential delays. In addition, due to COVID related material and labor delays - it was decided to delay the building of the balcony to post closing. As a result, Mr. Pokorny proceeded with the separation of Lot 42/43 (plat recorded 478158 on 02/16/2022) into four separate properties and the sale/closing of the said property to the applicants on 03/31/2022. After closing, Mr. Pokorny submitted the deck engineering plan to the City for review, and during the zoning review it was determined that while the deck met the zoning requirement before the legal separation of the lots, however, now that the division of the lots has been recorded, it required a 5 ft setback from the newly created lot lines.*

- The existing residence was issued certificate of occupancy April 5<sup>th</sup>, 2022. The sale date of the property according to the warranty deed is March 31<sup>st</sup>, 2022. The approved staff report for the duplex conversion subdivision exemption is dated February 9<sup>th</sup>, 2022.
- The definition of setback in the Land Use Code: *the distance required by this Chapter between the face of a building or structure and the lot line opposite that building face, measured perpendicularly to the building.* Units of the multifamily building currently do not consist of a deck addition. The multifamily building does have a homogeneous façade approved on the original building plans dated January 14<sup>th</sup>, 2021. No plans submitted showed a second floor deck addition to be constructed at the time of building permit application approval in 2021. The plans made for the deck addition are dated March 15<sup>th</sup>, 2022. These plans were created after the staff report was completed and the plat was recorded on February 16<sup>th</sup>, 2022.
- No Special circumstances exist because the residence was subdivided in 2022 with full knowledge that any addition will have to meet Land Use Code standards. Written in the staff report for the duplex conversion subdivision exemption under review standards, conformance with subdivision review standards **Section 16-06-60 (d) Zone district compliance.** *Except for the original primary structure comprising the dwelling units and any common and/or side-by-side or connected garages or driveways, all new structures, or the expansion of any existing structures on the two new duplex lots shall be subject to the setback requirements for the underlying zone district in which the lots are located.* The current building meets or exceeds the zone district standards within the Two Rivers Planned Development. With this addition of the second floor deck, the building will not meet the setback requirements as stated in the staff report for the duplex conversion subdivision exemption.

2. Not result of Applicant. The special circumstances and conditions have not resulted from any action of the applicant.

Applicant's response: *As explained in #1, the special circumstances and conditions are due to sequence of events and timing of the division of the lots. They were not the result from any act of the applicant.*

- The applicant would like to create the front deck to create a usable and more appealing front yard.
- The applicant does not have the ability to construct a front deck of this size (85 square feet) without being granted the variance. The applicant may be able to construct a sizably smaller front deck that meets the standards of the zone district.



3. Strict Application Deprives Reasonable Use. The special circumstances and conditions are such that the strict application of the provisions of this Chapter would deprive the applicant a reasonable use of the building or land.

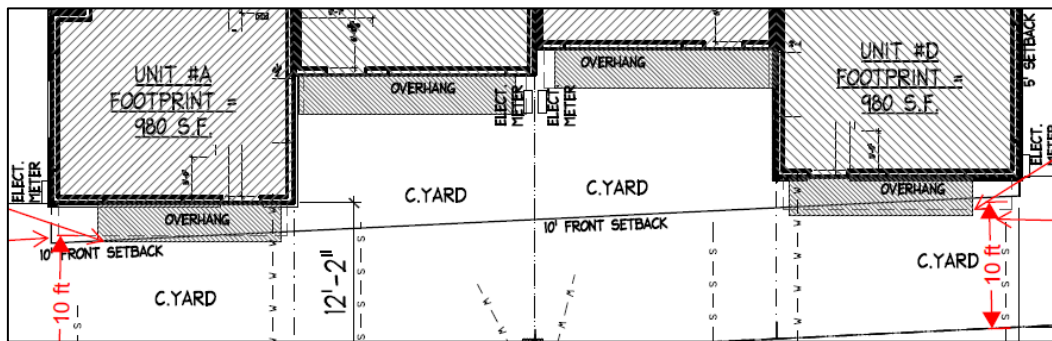
Applicant's response: *The applicant purchased the said property to enjoy the outdoor views with the intent to build a deck/balcony. However, the unique circumstances and conditions are such that the strict application of the zoning provisions makes the proposed deck too small (given the lot width is only 18'-6"), non-functional due to the location of the existing windows, and aesthetically unpleasing. Also, this balcony would have been okay to build if we had done it prior to closing and separation of the lots. Now that the lots are separated - the codes are being applied in a "strict" manner.*

- Strict application would not deprive the applicant of making use to the full extent of the front yard to enjoy the outdoor views. The deck may have been compliant with the zoning standards if it was built to building department code and constructed prior to the recording of the subdivision exemption.
- The narrow lot allows for limited room to expand building area once subdivided. Minimum lot frontages in the Two Rivers Planned Development dimensional standards is fifteen (15) feet. This lot width according to the plat is 18' 5 3/8". By conforming to the dimensional standards of five (5) feet side setbacks, there is currently reasonable buildable area (8' 5 3/8") to construct the deck addition off the primary residence.

4. Variance is Necessary to Provide Reasonable Use. The granting of the variance is necessary to provide the applicant a reasonable use of the land or building.

Applicant's response: *The applicant purchased the said property to enjoy the outdoor views with the intent to build a deck/balcony. Therefore, granting the variance is necessary to provide the applicant with the reasonably intended use of the said property.*

- The variance is not necessary to make reasonable use of the proposed front yard area because there is an existing overhang that protects the applicant from the elements entering and exiting the unit. Each of the units in the multifamily building consist of the same Tuscan styled overhang, projecting three (3) feet from the building wall. The two middle units consist of a larger overhang (50 sq.ft.) in the front yard while the two outer units consist of a smaller overhang (43 sq.ft.).



5. Minimum Variance. The granting of the variance is the minimum necessary to make possible the reasonable use of the land or building.

Applicant's response: *Given the location of the existing doors, windows on the first and second floor, and the narrow width of the lot, the proposed variance is the minimum necessary to make possible the reasonable use of the said property with a balcony/deck.*

- The applicant with the addition of the front deck is not making the minimum necessary reasonable use of the property. The deck may be constructed in a different manner to facilitate the dimensional standards of the zone district.

- 6. No Injury to the Neighborhood. The granting of the variance will not be injurious to the neighborhood surrounding the land where the variance is proposed, and is otherwise not detrimental to the public welfare or the environment.

Applicant’s response: *The granting of the variance with the proposed deck shall not be detrimental to the neighborhood, surrounding land, or the public. The deck will have a privacy shield/ wall on each end for the privacy of the immediate neighbors.*

- The granting of the variance may be injurious to the neighborhood as it will be in close proximity to the side property lines, the applicant may find issue maintaining the proposed deck addition to the unit.
- The deck may impede in the privacy of neighbors. A neighbor wrote in an attached letter to this staff report: “The deck will be visible when I look out my front windows, when they are sitting on it they will be looking right into my bedroom windows on the second floor destroying much of the current privacy I enjoy.”
- The deck addition may make snow removal difficult on the second floor. As with additional lot coverage brings additional shade. This may create ice buildup to the main entrance of the property along with the adjoining neighbor’s property.

- 7. Consistency with Code. The granting of the variance is consistent with the general purposes and intent of this Land Use Code.

Applicant’s response: *Yes, granting of the variance is consistent with the general purposes and intent of the City’s Land Use Code.*

- The existing unit complies with all other aspects of the Land Use Code besides the proposed side setbacks.
- Setbacks help provide privacy and to address basic safety issues: distances between buildings decrease the potential damage in case of a fire, provide the room necessary for a homeowner to maintain his/her buildings on his/her own property and provide for solar access and ventilation.

**REVIEW AGENCIES:**

**Fire Department – Assistant Fire Chief, Kathy Rohrich** – Fire Department has no concerns at this time.

**Public Works Department – David Lady** – No concerns.

**Chaffee County Building Department – Dan Swallow** – See attached emailed comments.

**REQUIRED ACTIONS BY THE BOARD:**

1. The Board shall confirm that adequate notice was provided.
2. The Board shall conduct a public hearing.
3. The Board shall make findings that a majority of the points 1 through 7 of the above section are met by the applicant.

**RECOMMENDED FINDINGS:**

That the variance requests are not in conformance with Section 16-4-180 (e) because the variance may be injurious to the adjoining neighbors and surrounding neighborhood, may not be necessary to provide reasonable use, is the result of the applicant, and no special circumstances exist for a variance to the land use code. The result of the variance request is the applicant’s desire to have a second floor deck addition.

**STAFF RECOMMENDATION:**

Staff believes the proposed variance does not meet the preponderance of criteria #'s 1, 2, 3, 4, 5, 6 and 7.

Based on the findings below, staff recommends the Board of Adjustment **DENY** the two variance requests based on the following findings of fact:

1. There are no special circumstances that exist.
2. The request is a result of the applicant.
3. The request does not deprive the applicant of reasonable use.
4. The request is not necessary to provide reasonable use.
5. The request is injurious to the neighborhood.
6. The request is not consistent with the Land Use Code.

**RECOMMENDED MOTION: “I make a motion to deny the 304 Two Rivers Road Variance requests as the requests not meet the review standards for Zoning Variances.**

BECAUSE THIS APPLICATION IS FOR A VARIANCE, THE SALIDA BOARD OF ADJUSTMENT SHALL MAKE THE FINAL DECISION ON THIS APPLICATION. THE DECISION OF THE BOARD OF ADJUSTMENT MAY BE APPEALED WITHIN 15 DAYS OF THE DECISION BY AN AGGRIEVED PERSON AS SET FORTH IN SECTION 16-2-70 OF THE LAND USE CODE.

- Attachments:
- Proof of Publication
  - Application materials
  - Deck Addition Permit Set
  - Agency reviews
  - Letters from Neighbors



**PUBLIC NOTICE  
NOTICE OF A PUBLIC HEARING DATE  
BEFORE THE BOARD OF ADJUSTMENT  
FOR THE CITY OF SALIDA CONCERNING  
A VARIANCE APPLICATION**

**TO ALL MEMBERS OF THE PUBLIC AND INTERESTED PERSONS: PLEASE TAKE NOTICE:** that on May 23, 2022 at or about the hour of 6:00 p.m., a public hearing will be conducted by the City of Salida Board of Adjustment at City Council Chambers, 448 East First Street, Suite 190, Salida, Colorado and online at the following link: <https://attendee.gotowebinar.com/rt/1909092342220683277>. The applicants, Anie K. Roche & Sandeep Nijhawan, are requesting approval for one variance on the property located at 304 Two Rivers Rd, legally known as LOT 42B Two Rivers Townhomes subdivision exemption duplex conversion, City of Salida, Chaffee County, Colorado.

The purpose of the request is to receive a variance from the minimum side yard setback to build a deck addition to the primary residence. Primary buildings in the Two Rivers Plan Development with High - Density Residential (R-3) underlying zone district require a minimum side yard setback of five (5) feet. The applicant is requesting a minimum allowed side yard setback of 2' to construct a front deck.

Interested persons are encouraged to attend the public hearing. Further information on the application may be obtained from the Community Development Department at (719) 530-2638. To review the City's social distancing policy and other regulations, please visit: <https://cityofsalida.com/administration/page/covid-19-information>

\*Please note that it is inappropriate to personally contact individual City Councilors or Planning Commissioners, outside of the public hearing, while an application is pending. Such contact is considered ex parte communication and will have to be disclosed as part of the public hearings on the matter. If you have any questions/comments, you should email or write a letter to staff, or present your concerns at the public meeting via the above GoToWebinar link so your comments can be made part of the record.

Published in The Mountain Mail May 10, 2022



PLANNING DEPARTMENT  
PROJECT REVIEW TRANSMITTAL FORM

ATTENTION: \_\_\_\_\_ DATE: 05/06/2022

- Salida Public Works
- Salida Fire Chief
- Salida Police Chief
- Salida Finance Department
- Salida Sanitation Plant Supervisor
- Salida Water Plant Supervisor
- City Consulting Engineer - Streets
- City Consulting Engineer – Water/Sewer
- City Attorney
- Centurylink Communications
- Atmos Energy
- Historic Preservation Commission
- Xcel Energy
- Charter Communications
- Chaffee Co. Planning
- Army Corps of Engineers
- U.S. Postal Service
- U.S. Forest Service
- CO Dept. of Transportation
- Chaffee Co. Building Dept.
- School District R-32-J
- Division of Wildlife
- Town of Poncha Springs

Other: \_\_\_\_\_

APPLICANT: Anie Roche & Sandeep Nijhawan PHONE: 650-384-5604 FAX: \_\_\_\_\_

EMAIL: anie.roche@gmail.com

PROPERTY LOCATION: 304 Two Rivers Road

PROJECT DESCRIPTION: The owners have applied for two variances from the required 5' side yard setback for a second floor front deck. The request is to receive a variance from the minimum side setback of five (5) feet required for a side yard setback of the second floor front deck. The applicant is requesting a minimum allowed side yard setback of 2' on either side to build an addition of a second floor deck on the front of the primary residence.

TENTATIVE MEETING DATES:

- Planning Commission \_\_\_\_\_ @ \_\_\_\_\_ P.M.
- City Council \_\_\_\_\_ @ \_\_\_\_\_ P.M.
- Board of Adjustment 05/23/22@ 6:00 P.M.

TRANSMITTAL INCLUDES:

- Application Form/Cover Letter
- Site Plan
- Plat
- Vicinity Map
- Other: \_\_\_\_\_

NOTE: A written response, even if only to advise that you have no concerns, is requested.

REPLY: NO CONCERNS AT THIS TIME.

RESPONSE NEEDED BY: 05/20/22

RECEIVED: \_\_\_\_\_

PLANNING STAFF: Franco Palumbo



Gianfranco Palumbo &lt;franco.palumbo@cityofsalida.com&gt;

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## 304 Two Rivers Road

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**dswallow@chaffeecounty.org** <dswallow@chaffeecounty.org>

Fri, May 20, 2022 at 10:16 AM

To: Gianfranco Palumbo &lt;franco.palumbo@cityofsalida.com&gt;

Cc: pgreen@chaffeecounty.org, Chad Chadwick &lt;cchadwick@chaffeecounty.org&gt;, Rachael Van Dyke &lt;rvandyke@chaffeecounty.org&gt;, Bill Almquist &lt;bill.almquist@cityofsalida.com&gt;

Franco,

If Salida were to grant the side yard setback variance for [304 Two Rivers Road](#), then it would create some code implications that may be difficult or expensive to overcome. IRC Section R302 requires structures regulated by the IRC to be a minimum of 5' from property lines (fire separation distance) or the structure must be 1-hour fire-resistance rated. Although heavy timber construction is not a concept within the IRC, IBC Table 601 Footnote C allows heavy timber to be substituted for 1-hour fire-resistive construction in all occupancies. As it pertains to this proposed deck, heavy timber construction would require 6"x8" wood columns minimum and 6"x10" minimum beams and floor joists (per IBC 602.4). If the deck were constructed of heavy timber materials as outlined, then the deck would comply. Perhaps solid grouted masonry columns and metal B deck capped with 4" of concrete would be another option. The easiest option would be to build a smaller deck that complied with Salida's 5' setbacks. If the variance is granted, then the plans submitted would need to address this concern or they would be disapproved. My recommendation is to either deny this variance request or, if it is approved, it should be approved contingent upon meeting the fire-resistive construction requirements of the code. Please let me know if you have any questions.

Dan Swallow

Director of Development Services

Chaffee County, CO

(719) 530-5567

[dswallow@chaffeecounty.org](mailto:dswallow@chaffeecounty.org)

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This message has been scanned for viruses and dangerous content by [MailScanner](#), and is believed to be clean.

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**2 attachments** **Agency Review.pdf**

5/20/22, 10:29 AM

City of Salida Mail - 304 Two Rivers Road

127K

14

 **p-304 Deck- Permit Set (3-20-22).pdf**  
2209K



Gianfranco Palumbo <[franco.palumbo@cityofsalida.com](mailto:franco.palumbo@cityofsalida.com)>

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## Agency Review Variance - 304 Two Rivers Rd

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DavidL <[david.lady@cityofsalida.com](mailto:david.lady@cityofsalida.com)>  
To: Gianfranco Palumbo <[franco.palumbo@cityofsalida.com](mailto:franco.palumbo@cityofsalida.com)>

Tue, May 10, 2022 at 8:01 PM

No concerns.

Thanks

David Lady P.E.  
City of Salida  
Director of Public Works  
719-539-6257


On May 6, 2022, at 9:34 AM, Gianfranco Palumbo <[franco.palumbo@cityofsalida.com](mailto:franco.palumbo@cityofsalida.com)> wrote:

[Quoted text hidden]

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### 3 attachments

 **Agency Review.pdf**  
104K

 **Plat recorded-478158.pdf**  
453K

 **p-304 Deck- Permit Set (3-20-22).pdf**  
2191K



Gianfranco Palumbo <franco.palumbo@cityofsalida.com>

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## Zoning Variance at 304 Two Rivers Road

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Daniel Magario <d.magario@yahoo.com>

Fri, May 13, 2022 at 3:23 PM

To: "planning@cityofsalida.com" <planning@cityofsalida.com>

My property is abutting.

I live at [306 Two Rivers Road](#).

This is my primary, and only, residence.

I would like to object to the variance for several reasons. First of all I chose this unit because of the light in the front. I was here in October and there were 3 out of the 4 units available. I kept coming back to 306 because the warm afternoon sunshine out front. If 304 was constructed in the way these variances would allow, I would not have purchased the unit next door.

Secondly, I don't think that it is fair to substantially change the front of 304 because it will change the look of the town homes that were purchased based on the original design.

Third, the variance asks to take away 3 of the 5 feet setback that I enjoy. That is substantial in that they are requesting 60% of the setback be eliminated.

Lastly, the deck that they are requesting these variances for will overshadow my front yard where I am planning a patio, the deck will be visible when I look out my front windows, and should this deck be built, when they are sitting on it they will be looking right into my bedroom windows on the second floor destroying much of the current privacy I enjoy.

The residents at 304 are putting a patio in the front and back of their unit, adding a deck using 60% of the setback that we all bought into is excessive.

Thank You.

Daniel Magario

[306 Two Rivers Road](#)

[Salida, CO 81201](#)

970-309-3261



Gianfranco Palumbo <franco.palumbo@cityofsalida.com>

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## FW: My comments to Staff prompted by City of Salida letter to me

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**Kristi Jefferson** <kristi.jefferson@cityofsalida.com>  
To: Gianfranco Palumbo <franco.palumbo@cityofsalida.com>

Thu, May 19, 2022 at 3:12 PM

Kristi Jefferson  
Senior Planner  
City of Salida  
448 E. First Street  
Suite 112  
Salida, CO 81201  
(719) 530-2626



**From:** Graceann Mayo [mailto:[katunagrace@yahoo.com](mailto:katunagrace@yahoo.com)]  
**Sent:** Thursday, May 19, 2022 3:06 PM  
**To:** Kristi Jefferson <[kristi.jefferson@cityofsalida.com](mailto:kristi.jefferson@cityofsalida.com)>  
**Cc:** Graceann Mayo <[katunagrace@yahoo.com](mailto:katunagrace@yahoo.com)>  
**Subject:** Re: My comments to Staff prompted by City of Salida letter to me

Hi Kristi; my attempt to e-mail you was aborted as Library computers were shut down the day I tried to send you a note. Hopefully this time will work.

I am Graceann T. Mayo, the owner and full-time resident of [302 Old Stage Rd.](#) in Two Rivers. Last week I received the City of Salida Notice of Public Hearing for the two variances requested by the new owners of [304 Two Rivers Rd.](#) in Two Rivers. I will not be in attendance at the upcoming meeting on May 23, 2022, but wanted to let my comments be known.

I make these observations as one who has lived in Two Rivers full-time for almost 2 1/2 years, watching all the building, styles, and unusual weather conditions that affect one's ability to even walk out their front door in winter, because of high drifts of snow and ice. I also make these observations realizing that two other new owners, one @ 300 Two Rivers Rd., the other @ 306 Two Rivers Rd., have also just learned of the variance request. I feel some degree of empathy for these neighbors who may be considering the implications of a Balcony to their privacy.

I thought I would again read the "Declaration of Covenants, Conditions, Restrictions and Easements for Two Rivers, dated 11/3/17, document 438659, provided to me @ closing, for context and grounding, to avoid just making emotional comments. So, some of my comments reference this document; others reference the "Two Rivers Subdivision Design

Guidelines (10-25-17)".

Here, begins my list:

- 1) Page 34, Section 10.2. Easement of Encroachment refers to easement between each Lot for maintenance. The drawing the City provided makes me wonder if adequate maintenance can be accomplished given significantly reduced spaces. The wall surfaces and trims are built using stucco, tile, brick and paint. Each of these needs specific maintenance, often requiring use of extension ladders, scaffolding, etc. Albeit that maintenance is a future subject, I wonder if a 2 foot Easement can accommodate these kinds of maintenance;
- 2) Architecturally, this four-plex was designed with both end units, 302 and 308, having upstairs South Facing walls set back. The other two homes, in the middle of the design, 304 and 306 have similar walls, but they are set forward. Visually, it would seem to destroy the original design intent to have a "deck" on 304, and "no deck" on 306. Further, referring to the Two Rivers Design Guidelines document, Guideline 2 on Page 2 states that: "The front porch should be an integral design of the house and not appear as though it was added as an afterthought." The proposed Balcony strikes me as an afterthought and does not feel like part of the original design;
- 3) Page 7 of the Two Rivers Subdivision Design Guidelines (10-25-17) refers to "decks, porches and patios". No mention is made of "balconies". What is being proposed by the drawing is a "Balcony". I make this comment full well knowing that my South-facing second story has a small Balcony on 302 Old Stage Rd., just as does my duplex neighbor, @ 300 Old Stage Rd. The design intention of these duplexes seem to differ from the four-plex on Two Rivers Rd., in that there are high walls between the two Old Stage Rd. duplex units, so one cannot see or hear the other;
- 4) The second story of [304 Two Rivers Rd.](#) has windows in all openings; installing a Balcony would mean removing windows and installing a door or sliding door;
- 5) The South Facing front entry of [304 Two Rivers Rd.](#) has an entry door with a Tuscan Tile overhang above the door, as do the other three homes in the four-plex. The Balcony will at minimum, compete with the tile overhang, if not obscure it altogether;
- 6) As I know from my Balcony, snow drifts in high amounts onto the Balcony, requiring that it be shovelled because of added weight. In lesser snow amounts, without shovelling, it melts, creating an ice rink on the entry area below;
- 7) The property @ [304 Two Rivers Rd.](#) already has a small walled ground level front garden area and a larger fenced ground level rear garden area. Is the property really that spacious to command a third, outdoor living area?;and
- 8) I wonder if potential City approval for this proposed Balcony could establish precedence for other Balconies that interfere with original design intentions? I believe that visually the installation of a Balcony on [304 Two Rivers Rd.](#) alters the design intention and feel of the four-plex.

Thank you for the opportunity to make comments and thanks to all the Planning staff for their roles in this process.....grace mayo

On Monday, May 16, 2022, 01:59:53 PM MDT, Kristi Jefferson <[kristi.jefferson@cityofsalida.com](mailto:kristi.jefferson@cityofsalida.com)> wrote:

Nothing was attached to your email. [Do you have an attachment?](#)

Kristi Jefferson

Senior Planner

City of Salida

448 E. First Street

Suite 112

Salida, CO 81201

(719) 530-2626



**From:** Graceann Mayo [<mailto:katunagrace@yahoo.com>]  
**Sent:** Monday, May 16, 2022 1:49 PM  
**To:** [kristi.jefferson@cityofsalida.com](mailto:kristi.jefferson@cityofsalida.com)  
**Cc:** Graceann Mayo <[katunagrace@yahoo.com](mailto:katunagrace@yahoo.com)>  
**Subject:** My comments to Staff prompted by City of Salida letter to me



# GENERAL DEVELOPMENT APPLICATION

448 East First Street, Suite 112  
Salida, CO 81201  
Phone: 719-530-2626 Fax: 719-539-5271  
Email: [planning@cityofsalida.com](mailto:planning@cityofsalida.com)

## 1. TYPE OF APPLICATION (Check-off as appropriate)

- Annexation
- Pre-Annexation Agreement
- Variance
- Appeal Application
- Certificate of Approval
- Creative Sign Permit
- Historic Landmark/District
- License to Encroach
- Text Amendment to Land Use Code
- Watershed Protection Permit
- Conditional Use
- Administrative Review: (Type)\_\_\_\_\_
- Limited Impact Review: (Type)\_\_\_\_\_
- Major Impact Review: (Type)\_\_\_\_\_
- Other: see variance application

## 2. GENERAL DATA (To be completed by the applicant)

### A. Applicant Information

Name of Applicant: Anie K. Roche and Sandeep Nijhawan

Mailing Address: 304 Two Rivers Road, Salida, 81201

Telephone Number: 650-384-5604 FAX: \_\_\_\_\_

Email Address: anie.roche@gmail.com

Power of Attorney/ Authorized Representative: \_\_\_\_\_  
(Provide a letter authorizing agent to represent you, include representative's name, street and mailing address, telephone number, and FAX)

### B. Site Data

Name of Development: TWO RIVERS TOWNEHOMES

Street Address: 304 Two Rivers Road, Salida, 81201

Legal Description: Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_ (attach description)

Disclosure of Ownership: List all owners' names, mortgages, liens, easements, judgments, contracts and agreements that run with the land. (May be in the form of a current certificate from a title insurance company, deed, ownership and encumbrance report, attorney's opinion, or other documentation acceptable to the City Attorney)

I certify that I have read the application form and that the information and exhibits herewith submitted are true and correct to the best of my knowledge.

Signature of applicant/agent Anie Roche Date \_\_\_\_\_

Signature of property owner Anie Roche Date \_\_\_\_\_



## VARIANCE APPLICATION

448 East First Street, Suite 112  
Salida, CO 81201  
Phone: 719-530-2626 Fax: 719-539-5271  
Email: [planning@cityofsalida.com](mailto:planning@cityofsalida.com)

**A. TYPE OF VARIANCE REQUESTED** (Fill In Applicable Requests)

- 1. **Variance from Maximum Height:** Existing Height (in feet): \_\_\_\_\_ Proposed Height (in feet): \_\_\_\_\_
- 2. **Minimum Variance from Floor Area:** Required Floor Area: \_\_\_\_\_ Proposed Floor Area: \_\_\_\_\_
- 3. **Variance from Maximum Lot Coverage:** Allowed Lot Coverage: \_\_\_\_\_ Proposed Lot Coverage: \_\_\_\_\_
- 4. **Variance from Parking Requirements:** Existing Spaces: \_\_\_\_\_ Required Spaces: \_\_\_\_\_  
Total Spaces Proposed: \_\_\_\_\_ Percent Reduction Proposed: \_\_\_\_\_

**5. Variance from Minimum Setback Requirements**

- a. Setback Variance Information:
  - i. Type of setback:  Front yard  Rear yard  Side yard
  - ii. Which direction:  North  South  East  West  
 Northeast  Northwest  Southeast  Southwest
  - iii. Type of Building:  Principal  Accessory Building
  - iv. Current Setback: 0 ft
  - v. Proposed Setback: 2 ft
  - vi. Required Setback: 5 ft
  
- b. Second Setback Variance Information (if applicable):
  - i. Type of setback:  Front yard  Rear yard  Side yard
  - ii. Which direction:  North  South  East  West  
 Northeast  Northwest  Southeast  Southwest
  - iii. Type of Building:  Principal  Accessory Building
  - iv. Current Setback: \_\_\_\_\_
  - v. Proposed Setback: \_\_\_\_\_
  - vi. Required Setback: \_\_\_\_\_

**6. Variance from Land Use Code Section:** \_\_\_\_\_

**B. DEVELOPMENT PROCESS (City Code Section 16-4-180)**

- 1. Pre-Application Conference. Optional.
- 2. Submit Application.
- 3. Staff Review. Schedule Hearing. Forward Report to Applicant and Board.
- 4. Public Notice Provided For Hearing.
- 5. Public Hearing Conducted by Board and Action Taken.



**C. APPLICATION CONTENTS**

A digital copy of all application materials is required.

- 1. **General Development Application**
- 2. **Site Plan.** A site plan of the subject property, showing existing and proposed features, buildings, etc. which are relevant to the review of the application. **The copies shall only be accepted on 8½" x 11", 11" x 17" or 24"x 36" paper.**
- 3. **Required Showing.** The applicant shall indicate the way the proposal meets the required showing as outlined in the application.
- 4. **Public Notice**
  - a) List. A list shall be submitted by the applicant to the city of adjoining property owners' names and addresses. A property owner is considered adjoining if it is within 175 feet of the subject property regardless of public ways. The list shall be created using the current Chaffee County tax records.
  - b) Postage Paid Envelopes. Each name on the list shall be written on a postage-paid envelope. Postage is required for up to one ounce. Return Address shall be: City of Salida, 448 E. First Street, Suite 112, Salida, CO 81201.
  - c) Applicant is responsible for posting the property and submittal of proof of posting the public notice.
- 5. **Application Fee.** \$500 cash or check made out to City of Salida.

**D. REQUIRED SHOWING (If necessary, attach additional sheets)**

The applicant shall demonstrate the following to the Board of Adjustment before a variance may be authorized:

**1. Special Circumstances Exist.** There are special circumstances or conditions which are peculiar to the land or building for which the variance is sought that do not apply generally to land or buildings in the neighborhood.

The said property, while under construction, was under a purchase contract on 10/13/2021. The applicants (now owners) had requested the developer/seller, Tom Pokorny, Natural Habitats, to include a balcony/deck per the attached engineering drawings before closing. The closing was initially planned for December 2021. However, due to COVID related material delays the closing was moved to March 2022. In January 2022, the building inspector advised Mr. Pokorny to submit a separate application for the planned deck rather than pursue a plan change of the ongoing construction to avoid confusion and potential delays. In addition, due to COVID related material and labor delays - it was decided to delay the building of the balcony to post closing. As a result, Mr. Pokorny proceeded with the separation of Lot 42/43 (plat recorded 478158 on 02/16/2022) into four separate properties and the sale/closing of the said property to the applicants on 03/31/2022. After closing, Mr. Pokorny submitted the deck engineering plan to the City for review, and during the zoning review it was determined that while the deck met the zoning requirement before the legal separation of the lots, however, now that the division of the lots has been recorded, it required a 5 ft setback from the newly created lot lines.

**2. Not Result of Applicant.** The special circumstances and conditions have not resulted from any act of the applicant.  
As explained in #1, the special circumstances and conditions are due to sequence of events and timing of the division of the lots. They were not the result from any act of the applicant.

**3. Strict Application Deprives Reasonable Use.** The special circumstances and conditions are such that the strict application of the provisions of this Land Use Code would deprive the applicant of reasonable use of the land or building.  
The applicant purchased the said property to enjoy the outdoor views with the intent to build a deck/balcony. However, the unique circumstances and conditions are such that the strict application of the zoning provisions makes the proposed deck too small (given the lot width is only 18'-6"), non-functional due to the location of the existing windows, and aesthetically unpleasing.  
Also, this balcony would have been okay to build if we had done it prior to closing and separation of the lots. Now that the lots are separated - the codes are being applied in a "strict" manner.

**4. Variance is Necessary to Provide Reasonable Use.** The granting of the variance is necessary to provide the applicant a reasonable use of the land or building.  
The applicant purchased the said property to enjoy the outdoor views with the intent to build a deck/balcony. Therefore, granting the variance is necessary to provide the applicant with the reasonably intended use of the said property.

**5. Minimum Variance.** The granting of the variance is the minimum necessary to make possible the reasonable use of the land or building.  
Given the location of the existing doors, windows on the first and second floor, and the narrow width of the lot, the proposed variance is the minimum necessary to make possible the reasonable use of the said property with a balcony/deck.

**6. No Injury to Neighborhood.** The granting of the variance will not be injurious to the neighborhood surrounding the land where the variance is proposed, and is otherwise not detrimental to the public welfare or the environment.  
The granting of the variance with the proposed deck shall not be detrimental to the neighborhood, surrounding land, or the public. The deck will have a privacy shield/wall on each end for the privacy of the immediate neighbors.

**7. Consistent with Land Use Code.** The granting of the variance is consistent with the general purposes and intent of the City's Land Use Code.  
Yes, granting of the variance is consistent with the general purposes and intent of the City's Land Use Code.

### GENERAL NOTES:

- THE CONTRACTOR IS RESPONSIBLE FOR THE PAYMENT FOR AND ACQUISITION OF ALL REQUIRED PERMITS AND FEES ASSOCIATED WITH HIS/HER PORTION OF THE PROJECT.
- THE CONTRACTORS SHALL CONFIRM THE LOCATION OF ALL EXISTING UTILITIES AND COORDINATE THE INSTALLATION OF ALL NEW UTILITIES AND METER LOCATIONS WITH THE UTILITY COMPANY OR GOVERNMENTAL AUTHORITY HAVING JURISDICTION OVER THE PROJECT.
- IT IS THE CONTRACTOR'S SOLE RESPONSIBILITY TO THOROUGHLY REVIEW AND BECOME FAMILIAR WITH ALL PERTINENT DOCUMENTS AVAILABLE REGARDING THE CONSTRUCTION OF THIS PROJECT. ANY AMBIGUITY OR DISCREPANCY DISCOVERED IN THE DOCUMENTS SHALL BE IMMEDIATELY REPORTED TO THE DESIGNER WHO SHALL MAKE CLARIFICATIONS AND INTERPRETATIONS IN A TIMELY MANNER. THE CONTRACTOR'S FAILURE TO DISCOVER AND NOTIFY THE DESIGNER OF SAID AMBIGUITY OR DISCREPANCY PRIOR TO THE START OF CONSTRUCTION SHALL NOT RELIEVE THE CONTRACTOR OF RESPONSIBILITY RELATING TO THE MATTER.
- CHANGES OR DEVIATIONS FROM THE DOCUMENTS, MADE BY THE CONTRACTOR OR THEIR SUPPLIERS, WITHOUT THE WRITTEN CONSENT OF THE DESIGNER, ARE UNAUTHORIZED CHANGES TO THE WORK AND AS SUCH SHALL RELIEVE THE DESIGNER OF ALL RESPONSIBILITY FOR THE CONSEQUENCES ARISING THEREFROM.
- PRIOR TO BEGINNING ANY NEW WORK OR INSTALLATION, IT IS THE CONTRACTOR'S RESPONSIBILITY TO INSPECT PREVIOUSLY INSTALLED WORK AND/OR SUBSTRATE AND VERIFY THAT ALL SUCH WORK IS SATISFACTORY AND COMPLETE TO THE REQUIRED LEVEL OF ACCEPTANCE TO ALLOW FOR THE START OF SUBSEQUENT WORK. THE COMMENCEMENT OF ANY WORK SHALL INDICATE THAT ALL PREVIOUSLY INSTALLED WORK AND/OR SUBSTRATE WAS FOUND TO BE ACCEPTABLE AND INSTALLED ACCORDING TO INDUSTRY STANDARDS. ANY WORK FOUND TO BE IN UNACCEPTABLE CONDITION SHALL BE REMOVED AND REPLACED AT NO ADDITIONAL COST TO THE OWNER OR TENANT.
- THE CONTRACTOR(S) SHALL VISIT THE PROJECT SITE PRIOR TO ESTIMATING THE COST OF THE SCOPE OF WORK AND PRIOR TO ORDERING OR FABRICATING MATERIALS OR BEGINNING ANY CONSTRUCTION RELATED ACTIVITIES FOR THE PURPOSE OF BECOMING COMPLETELY FAMILIAR WITH THE SITE AND ALL EXISTING CONDITIONS WHICH MIGHT IMPACT THE COST OF, OR PERFORMANCE OF THE SCOPE OF WORK.
- ALL CONSTRUCTION IS TO BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE CODES AND THE REQUIREMENTS OF ALL REGULATORY AGENCIES HAVING JURISDICTION OVER THE PROJECT. UNDER NO CONDITION DOES THE DESIGNER HAVE RESPONSIBILITY FOR THE MEANS OR METHODS USED BY THE CONTRACTOR IN THE PERFORMANCE OF THE WORK OR FOR CONDITIONS OF SAFETY AT THE JOB SITE.
- THE CONTRACTOR SHALL COORDINATE ALL FINISHES, MATERIALS, AND COLORS WITH THE DESIGNER, GENERAL CONTRACTOR, OWNER AND TENANT.
- ALL EXPOSED STEEL SURFACES THAT ARE WELDED ARE TO BE GROUND SMOOTH, PRIMED AND PAINTED.
- DIMENSIONS OF AND FROM EXISTING CONDITIONS HAVE BEEN TAKEN FROM EXISTING DRAWINGS AND/OR FIELD MEASUREMENTS. ALL EXISTING DIMENSIONS ARE TO FINISH FACE UNLESS NOTED OTHERWISE ON DRAWINGS. THE CONTRACTOR(S) SHALL FIELD VERIFY ALL DIMENSIONS PERTAINING TO THE EXISTING CONDITIONS, INCLUDING ALL WORK ALREADY IN PLACE, PRIOR TO ORDERING OR FABRICATING MATERIALS, AND PRIOR TO START OF CONSTRUCTION.
- IF, DURING THE COURSE OF ANY REQUIRED DEMOLITION WORK PERFORMED BY THE CONTRACTOR(S), OWNERS, OR OTHERS UNDER THE TERMS OF THE SUBCONTRACT OR OTHER AGREEMENT, HAZARDOUS WASTE IS ENCOUNTERED, SAME SHALL BE REMOVED AND DISPOSED OF AS REQUIRED BY THE AUTHORITIES HAVING JURISDICTION OVER THE PROJECT. THE DESIGNER AND GENERAL CONTRACTOR IS NOT KNOWLEDGEABLE OF THE EXISTENCE OF HAZARDOUS WASTE AND SHALL NOT BE HELD RESPONSIBLE FOR THE EXISTENCE OR REMOVAL OF HAZARDOUS WASTE.
- THE CONTRACTOR(S) SHALL KEEP PREMISES FREE FROM ACCUMULATION OF WASTE MATERIALS AND DEBRIS.
- ALL DIMENSIONS OF NEW WALLS ARE TO FACE OF FRAMING UNLESS NOTED OTHERWISE ON DRAWING.
- DO NOT SCALE THE DRAWINGS. IF QUESTIONS ARISE AS TO DIMENSIONAL REQUIREMENTS, CONTACT THE DESIGNER FOR CLARIFICATION.
- ITEMS OF EQUIPMENT OR CONSTRUCTION NOTED N.I.C. ARE NOT TO BE PROVIDED UNDER THE CONTRACT, AND UNLESS NOTED OTHERWISE SHALL BE FURNISHED AND INSTALLED BY OWNER'S SEPARATE CONTRACT.
- ALL MATERIALS, FIXTURES AND EQUIPMENT PROVIDED UNDER THIS CONTRACT ARE TO BE PROVIDED IN NEW CONDITION WITH FULL MANUFACTURER'S WARRANTY, UNLESS NOTED OTHERWISE. AN ARE TO BE STORED AND INSTALLED PER THE MANUFACTURER'S SPECIFICATIONS. DAMAGED ITEMS SHALL BE REPLACED AT NO ADDITIONAL COST TO THE OWNER.
- PROVIDE WATER RESISTANT SHEET ROCK AT ALL APPLICATIONS WHICH MAY BE SUBJECT TO THE ADVERSE EFFECTS OF MOISTURE.
- INSTALL PORTABLE FIRE EXTINGUISHERS PER LOCAL CODE. LOCAL FIRE MARSHALL TO CONFIRM LOCATIONS WITH GENERAL CONTRACTOR.
- NORTH ARROWS AS DEPICTED ON DRAWING SET ARE FOR PROJECT REFERENCE ONLY. CONTRACTORS ARE RESPONSIBLE FOR VERIFYING ORIENTATION OF PROJECT SITE AND SCOPE OF WORK TO BE COMPLETED PRIOR TO START OF WORK.



1 NAPKIN SKETCH - NEW DECK  
A0.00 SCALE: N.T.S.



2 VICINITY MAP  
A0.00 SCALE: N.T.S.

### ABBREVIATIONS:

CL	CENTERLINE	EA.	EACH	M.O.	MASONRY OPENING	SEC.	SECTION
(E)	EXISTING	ELEV.	ELEVATION	MECH.	MECHANICAL	ST.	STEEL
A.F.F.	ABOVE FINISHED FLOOR	EQ.	EQUAL	MFR.	MANUFACTURER	SIM.	SIMILAR
F.F.E.	FINISH FLOOR ELEVATION	EXT.	EXTERIOR	MIN.	MINIMUM	SPEC.	SPECIFICATION
A.P.	ACCESS PANEL	F.D.	FLOOR DRAIN	MISC.	MISCELLANEOUS	SQ.	SQUARE
ADJT.	ADJUSTABLE	FDN.	FOUNDATION	N.T.S.	NOT TO SCALE	STD.	STANDARD
ADG.	DESIGNERURAL	FIN.	FINISH			STR.	STRUCTURAL
BLDG.	BUILDING	FLR.	FLOOR (ING)			T-HOLD	THRESHOLD
BLKG.	BLOCKING	FT.	FOOT OR FEET	O.A.	OVERALL	T.C.	TREAD
BH.	BEAM	FTC.	FLOOR TO CEILING	O.C.	ON CENTER	T.C.G.	TOP OF CURB
BOT.	BOTTOM	FUR.	FURRING	OH.	OVERHEAD	T.G.	TONGUE AND GROOVE
BRG.	BEARING	FUT.	FUTURE	OPG.	OPENING	T.O.W.	TOP OF WALL
BSMT.	BASEMENT	G.BD.	GYPSON BOARD	P.S.F.	POUNDS PER SQ. FT.	T.O.S.	TOP OF STEEL
CLG.	CEILING	GA.	GAUGE	P.W.D.	PLYWOOD	TYP.	TYPICAL
COL.	COLUMN	H.C.	HANDICAPPED	PL.	PLATE	U.L.	UNDERWRITERS
CONC.	CONCRETE	HGT.	HEIGHT	PNT.	PAINT (ED)	LABORATORIES	UNLESS NOTED
CONT.	CONTINUOUS	HOR.	HORIZONTAL	PT.	PRESSURE TREATED	UNFIN.	UNFINISHED
CTR.	CENTER	HVAC.	HEATING, VENTILATING AND AIR CONDITIONING	R.O.	ROUGH OPENING	UNF.	UNFINISHED
DBL.	DOUBLE	INS.	INSULATION	R.S.D.	RISER	VERT.	VERTICAL
DET.	DIAMETER	INT.	INTERIOR	R.O.	ROUGH OPENING	W.R.	WATER RESISTANT
DIM.	DIMENSION	LAM.	LAMINATE	REF.	REFERENCE	W.	WOOD
DN.	DOWN			REV.	REVISE (D), REVISION	WIN.	WINDOW
DR.	DOOR			RFL.	REFLECT (ED) (IVE)		
DWGS	DRAWING			RM.	ROOM		

### INDEX:

#### ARCHITECTURAL SHEETS

- A0.00 = COVER SHEET
- A0.01 = SITE PLAN
- A0.02 = SEPARATION DIAGRAM/ASSEMBLIES
- A1.01 = MAIN FLOOR PLAN
- A1.02 = SECOND FLOOR PLAN
- A1.03 = GARAGE PLAN & SECTIONS
- A5.00 = BUILDING ELEVATIONS
- A5.01 = BUILDING ELEVATIONS
- A5.02 = GARAGE ELEVATIONS & SECTION
- A6.00 = BUILDING SECTIONS & ENERGY ANALYSIS
- A6.01 = BUILDING SECTIONS
- A6.02 = TRUSS PROFILES

#### STRUCTURAL SHEETS

- S1.00 = FOUNDATION PLAN & NOTES
- S1.03 = GARAGE, FOUNDATION & ROOF FRAME
- S2.00 = SECOND FLOOR FRAMING & NOTES
- S3.00 = LOWER ROOF FRAMING & NOTES
- S3.01 = UPPER ROOF FRAMING & NOTES
- D-1 = STRUCTURAL DETAILS
- D-2 = STRUCTURAL DETAILS

#### ENERGY CODE ANALYSIS

SEE A6.00

### PROJECT CONTACT LIST

OWNER:  
N.J.HAWAN ROCHE FAMILY TRUST  
304 TWO RIVERS ROAD  
SALIDA, CO 81201  
650 387-4085  
EMAIL: sandeep@electrasteel.com

DESIGN CONSULTANT:  
NATURAL HABITATS DESIGN  
P.O. BOX 745  
SALIDA, CO 81201  
TOM POKORNY  
719-539-4481 OFFICE  
719-539-4482 FAX  
916-960-4397 CELL  
EMAIL: tpokorny@naturalhabitats.biz

STRUCTURAL ENGINEER:  
G/T STRUCTURAL ENGINEERS  
1517 E. NICHOLS DR.  
CENTENNIAL, CO 80122  
GARY BOLTE  
(303) 246-0664  
EMAIL: gtstructural8435@gmail.com

### LEGAL DESCRIPTION

LOT 42B TWO RIVERS TOWNHOMES SUBDIVISION EXEMPTION, TWO RIVERS SUBDIVISION, PHASE 1, ACCORDING TO THE PLAT RECORDED ON NOV. 3, 2017 AT RECEPTION NO. 478158 IN THE RECORDS OF THE CHAFFEE COUNTY CLERK & RECORDER, CITY OF SALIDA, CHAFFEE COUNTY, COLORADO.

### GENERAL SCOPE OF WORK

ADDITION OF A DECK AT THE 2ND LEVEL

### CODE INFORMATION:

APPLICABLE CODES:  
2015 IRC  
2017 NEC  
2006 IECC  
CITY OF SALIDA LAND USE CODE

NOTE:  
IF THERE IS A CONFLICT BETWEEN THESE PLANS AND THE ADOPTED/MANDATED CODES, THE CODES SHALL GOVERN.

AREAS	302 TWO RIVERS			
MAIN FLOOR	EXISTING	662 S.F.		
SECOND FLOOR	EXISTING	630 S.F.		
TOTAL CONDITIONED S.F.	EXISTING	1292 S.F.		
DECK	EXISTING	0 S.F.	NEW	85 S.F.
GARAGE/CARPORT/STOR.	EXISTING	337 S.F.		

DIMENSIONAL STANDARDS - PER TWO RIVERS PD	302 OLD STAGE ROAD			
	R-1	R-2	R-3	R-4
NOTE: HATCH PATTERN INDICATES PROJECT ZONING				
DIMENSIONAL STANDARD				
MIN. LOT SIZE (SQ. FT.)	7,500	5,625	5,625	4,000
DENSITY (LOT S.F./MIN. LOT AREA PER DWELLING UNIT)	3,750	3,125	2,400	2,400
MIN. LOT SIZE (SQ. FT.) - ATTACHED UNITS	N/A	3,125	2,400	2,400
MIN. LOT FRONTAGE	50'	37'-6"	37'-6"	37'-6"
MIN. LOT FRONTAGE - ATTACHED UNITS	N/A	20'	15'	15'
MAX. LOT COVERAGE: STRUCTURES (ADDITIVE COVERAGE TOTAL FOR STRUCTURES)	35%	40%	45%	45%
MAX. LOT COVERAGE: UNCOVERED PARKING/ACCESS (ADDITIVE COVERAGE TOTAL FOR STRUCTURES AND UNCOVERED PARKING CANNOT EXCEED 90% EXCEPT IN C-2) *****	10%	15%	25%	25%
MIN. LANDSCAPE AREA	55%	45%	30%	30%
MIN. SETBACK FROM SIDE LOT LINE FOR A PRIMARY BLDG.	8'	5'	5'	5'
MIN. SETBACK FROM SIDE LOT LINE FOR A DETACHED ACCESSORY BLDG.	3'	3'	3'	3'
MIN. SETBACK FROM REAR LOT LINE: PRINCIPAL BLDG.	30'	20'	20'	15'
MIN. SETBACK FROM REAR LOT LINE: ACCESSORY BLDG.	5'	5'	5'	5'
MIN. SETBACK FROM FRONT LOT LINE	30'	(10') per PD	(10') per PD	15'
MAX. BUILDING HEIGHT FOR A PRIMARY BLDG.	35'	35'	35'	35'
MAX. BUILDING HEIGHT FOR A DETACHED ACCESSORY BLDG.	25'	25'	25'	25'

NOTES:  
#1 IF A PROPERTY DOES NOT UTILIZE THE ZERO SETBACK ALLOWANCE, THE MINIMUM LANDSCAPE AREA SHALL BE 10%  
#2 IF THE PROPERTY ADJOINS A RESIDENTIAL ZONE DISTRICT, SETBACKS ON THE SIDE AND REAR LOT LINE SHALL BE THE SAME AS THOSE IN THE RESIDENTIAL ZONE.  
\*\*\* EXISTING STRUCTURES ARE NOT REQUIRED TO MEET OFF-STREET PARKING REQUIREMENTS, NEW STRUCTURES AND ADDITIONS SHALL MEET OFF-STREET PARKING REQUIREMENTS.  
\*\*\*\* A COVERED PORCH MAY ENCRoACH INTO THE FRONT YARD SETBACK BY TWENTY-FIVE PERCENT  
\*\*\*\*\* IF A FRONT-LOAD GARAGE IS SET BACK AT LEAST TEN (10) FEET BEHIND THE PRIMARY STREET-FACING BUILDING FACADE, THE LOT COVERAGE BETWEEN THE GARAGE ENTRANCE AND THE PRIMARY, STREET-FACING BUILDING FACADE SHALL NOT BE INCLUDED IN THE CALCULATION OF LOT COVERAGE FOR UNCOVERED PARKING/ACCESS.

FOR CONSTRUCTION

COVER SHEET

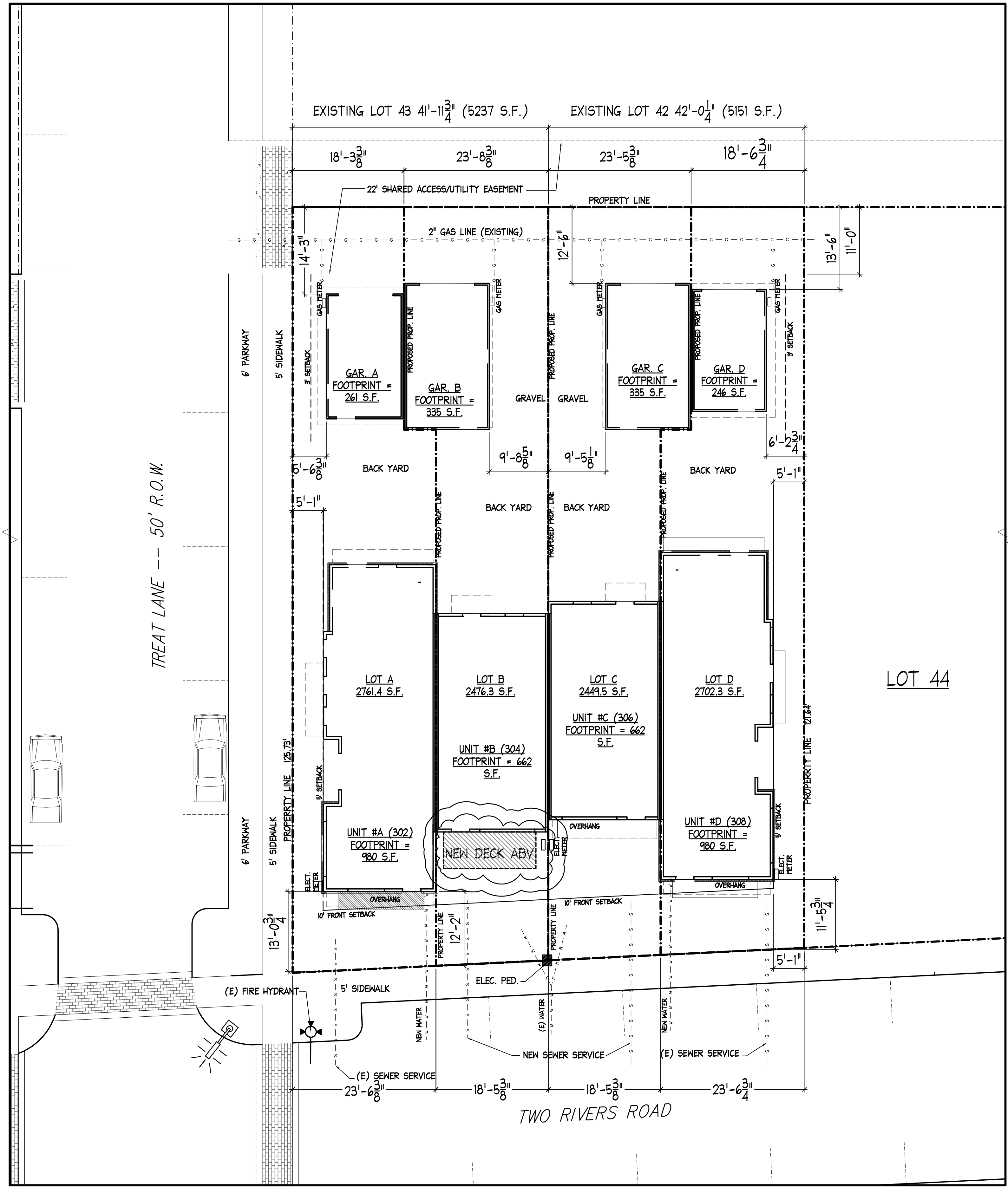
Date:  
3-15-22

DRAWN BY:  
T. POKORNY

Sheet  
A0.00

304 Two Rivers Road  
DECK ADDITION  
SALIDA, CO 81201

Scale: 1/4" = 1'-0"



**SITE PLAN**  
SCALE: 1" = 10'-0"

**FOR CONSTRUCTION**

**304 Two Rivers Road**  
**DECK ADDITION**  
**SALIDA, CO 81201**

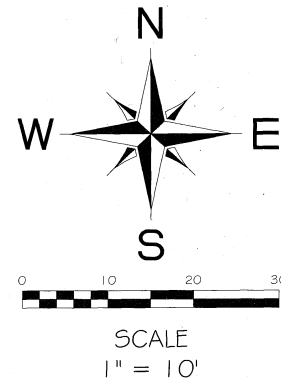
**SITE PLAN**  
Scale: 1" = 10'

Date:	3-15-22
REV.	
REV.	
DRAWN BY:	T. Pokorny

Sheet  
**A0.01**

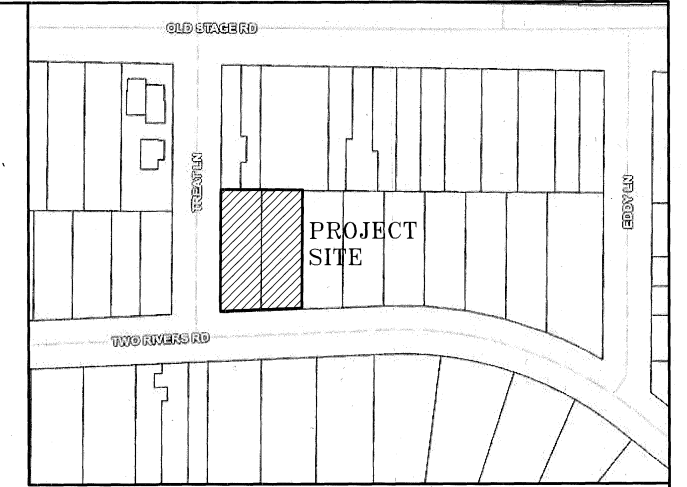
# TWO RIVERS TOWNHOMES SUBDIVISION EXEMPTION DUPLEX CONVERSION

LOCATED WITHIN LOTS 42 AND 43  
TWO RIVERS SUBDIVISION FILING 1  
CITY OF SALIDA  
CHAFFEE COUNTY, COLORADO



### LEGEND

- ◆ 1 1/2" ALUMINUM CAP LS 37937
- ⊕ ELECTRIC METER
- ⊕ ELECTRIC TRANSFORMER
- ⊕ GAS METER
- ⊕ WATER VALVE
- ⊕ WATER METER
- ⊕ SEWER CLEAN OUT
- ⊕ TELEPHONE PEDESTAL
- ⊕ FIRE HYDRANT
- X — FENCE
- S - S - UNDERGROUND SEWER
- G - G - UNDERGROUND GAS LINE
- W - W - UNDERGROUND WATER LINE
- ▨ CONCRETE



VICINITY MAP  
NOT TO SCALE

### CERTIFICATE OF DEDICATION AND OWNERSHIP

KNOW ALL PERSONS BY THESE PRESENTS THAT TOM POKORNY, THE FEE OWNER OF THE FOLLOWING DESCRIBED PROPERTY:

LOTS 42 AND 43  
TWO RIVERS SUBDIVISION PHASE I  
CITY OF SALIDA  
CHAFFEE COUNTY, COLORADO

HAS LAID-OUT, PLATTED AND SUBDIVIDED THE SAME INTO 4 LOTS AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF:

**TWO RIVERS TOWNHOMES SUBDIVISION EXEMPTION DUPLEX CONVERSION**  
IN THE  
CITY OF SALIDA  
CHAFFEE COUNTY, COLORADO

IN WITNESS WHEREOF THE UNDERSIGNED HAS CAUSED THESE PRESENTS TO BE EXECUTED THIS 10<sup>th</sup> DAY

OF Feb 2022

BY: Tom Pokorny  
TOM POKORNY

ALLISON BROOKE KARLESKINT  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 2018403101  
MY COMMISSION EXPIRES SEPTEMBER 12, 2022

COUNTY OF CHAFFEE )  
) 55.  
STATE OF COLORADO )

THE FORGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 10 DAY OF February 2022, BY TOM POKORNY.  
WITNESS MY HAND AND SEAL.

MY COMMISSION EXPIRES Sept. 12, 2022

Allison Brooke Karleskint  
NOTARY PUBLIC

### GENERAL NOTES

- 1) BASIS OF BEARING FOR THIS SURVEY IS GRID NORTH FROM COLORADO STATE PLANE COORDINATE SYSTEM CENTRAL ZONE, BASED ON G.P.S. OBSERVATIONS ALONG THE EAST RIGHT-OF-WAY OF TREAT LANE BETWEEN TWO 1 1/2" ALUMINUM CAPS STAMPED "LS 37937" HAVING A BEARING OF NORTH 00°29'26" EAST.
- 2) ZONE: PLANNED DEVELOPMENT
- 3) ADDITIONAL HARDSCAPING AND IMPROVEMENTS WERE NOT COMPLETED AND ARE UNDER CONSTRUCTION AT TIME OF SURVEY
- 4) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. FOR ALL INFORMATION REGARDING TITLE OF RECORD, LANDMARK SURVEYING & MAPPING RELIED UPON DOCUMENTS PROVIDED BY THE CLIENT. EASEMENTS OF RECORD WERE NOT SHOWN PER CLIENTS REQUEST.
- 5) A COMMON WALL MAINTENANCE AGREEMENT EXISTS AND IS RECORDED AT RECEPTION NO. 478157 AT THE CHAFFEE COUNTY CLERK AND RECORDER'S OFFICE.
- 6) UNDERGROUND UTILITIES SHOWN AS MARKED ON THE SURFACE BY UTILITY NOTIFICATION CENTER OF COLORADO AND OTHERS, LANDMARK SURVEYING AND MAPPING ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF ANY UNDERGROUND UTILITIES DEPICTED HEREON.

### ACKNOWLEDGMENT OF LIEN HOLDER

HCB AS LIEN HOLDER, HEREBY ACKNOWLEDGES AND APPROVES THE TERMS, CONDITIONS AND DEDICATION AS DISCLOSED UPON THIS PLAT.

REPRESENTATIVE [Signature] DATE 2/10/22

COUNTY OF Chaffee  
) 55.  
STATE OF CO )

ALLISON BROOKE KARLESKINT  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 2018403101  
MY COMMISSION EXPIRES SEPTEMBER 12, 2022

THE FORGOING ACKNOWLEDGMENT OF LIEN HOLDER WAS ACKNOWLEDGED BEFORE ME THIS 10 DAY OF February 2022, BY James Bove WITNESS MY HAND AND SEAL.

MY COMMISSION EXPIRES Sept. 12, 2022

Allison Brooke Karleskint  
NOTARY PUBLIC

### CITY ADMINISTRATOR APPROVAL

THIS PLAT IS APPROVED BY THE CITY OF SALIDA ADMINISTRATOR THIS 15<sup>th</sup> DAY OF FEBRUARY, 2022.

[Signature]  
ADMINISTRATOR, CITY OF SALIDA

### CERTIFICATION OF TITLE

I, Brett Eulis, A LICENSED TITLE INSURANCE AGENT IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE PROPERTY HEREBY DEDICATED AND AS SHOWN AND DESCRIBED ON THIS PLAT AND FOUND TITLE VESTED IN TOM POKORNY, FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES EXCEPT AS LISTED BELOW:

Effective February 14, 2022 at 7:45 a.m. - Deed of Trust # 468210

DATED THIS 14<sup>th</sup> DAY OF February, 2022.

[Signature]  
TITLE AGENT

### CLERK AND RECORDER'S CERTIFICATE

THIS PLAT WAS FILED IN THE OFFICE OF THE CLERK AND RECORDER OF CHAFFEE COUNTY, COLORADO, AT 11:34 A.M. ON THIS 16<sup>th</sup> DAY OF February, 2022 UNDER RECEPTION NUMBER 478158.

Patricia Travnicek (Deputy Recorder)  
CHAFFEE COUNTY CLERK AND RECORDER

### LAND SURVEYOR'S CERTIFICATE

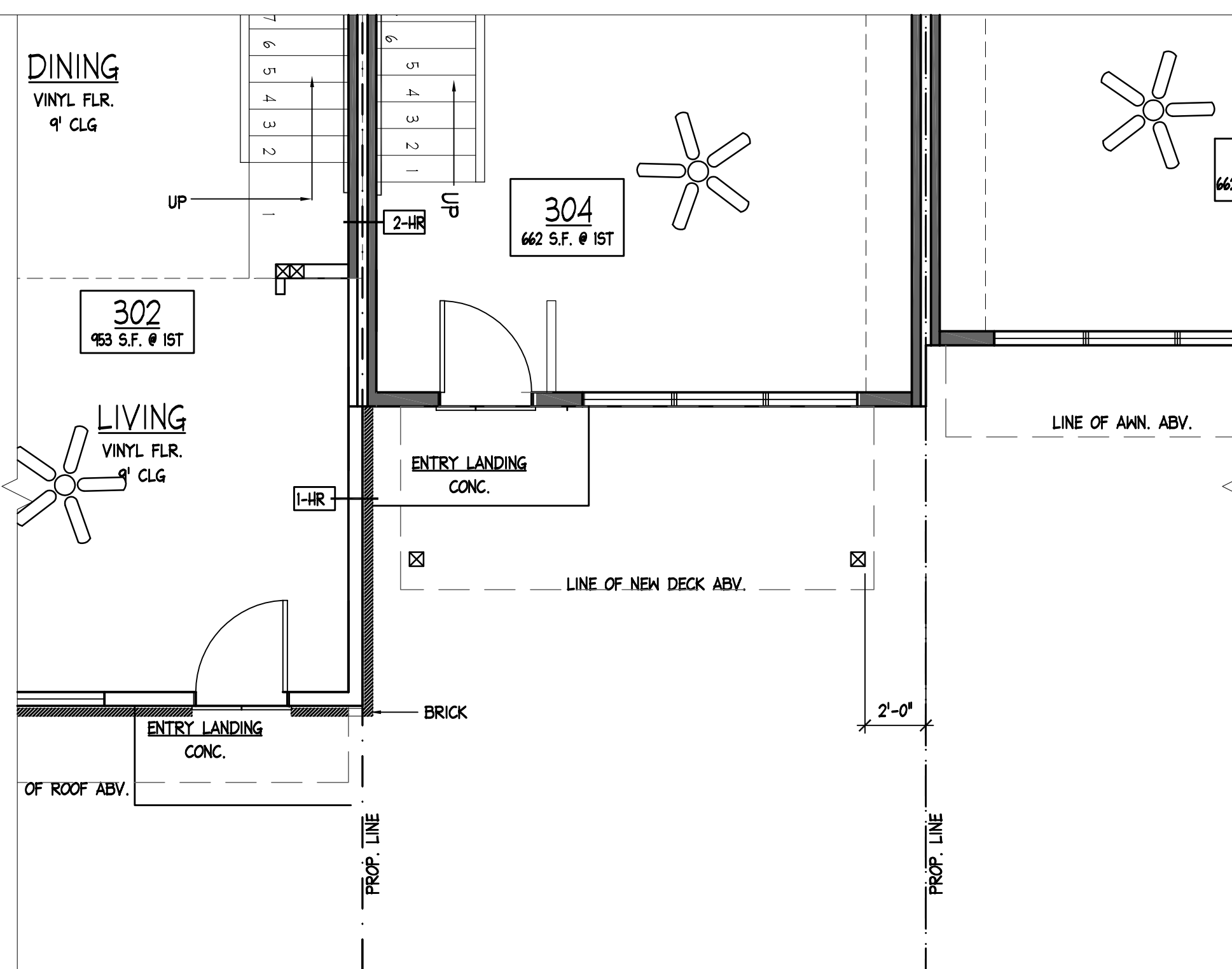
I, SYDNEY A. SCHIEREN, A REGISTERED LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS LAND SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION, AND THAT THE PLAT REPRESENTS THE RESULTS OF SAID SURVEY AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

[Signature]  
SYDNEY A. SCHIEREN  
COLORADO P.L.S. 37937

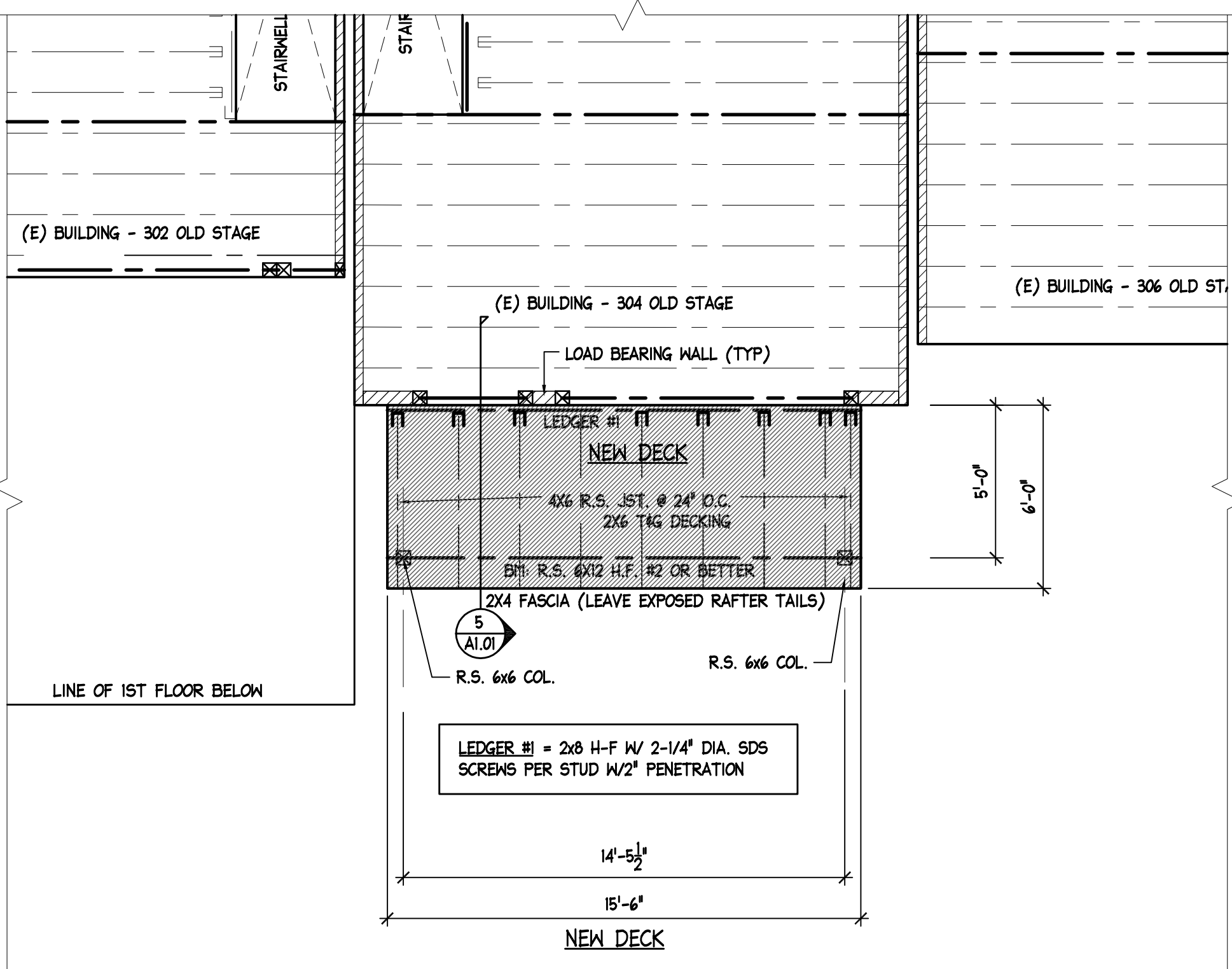


**\*478158\***  
478158 2/16/2022 11:34 AM Lori A Mitchell  
1 of 1 PLAT RS13.00 D89.00 Chaffee County Clerk

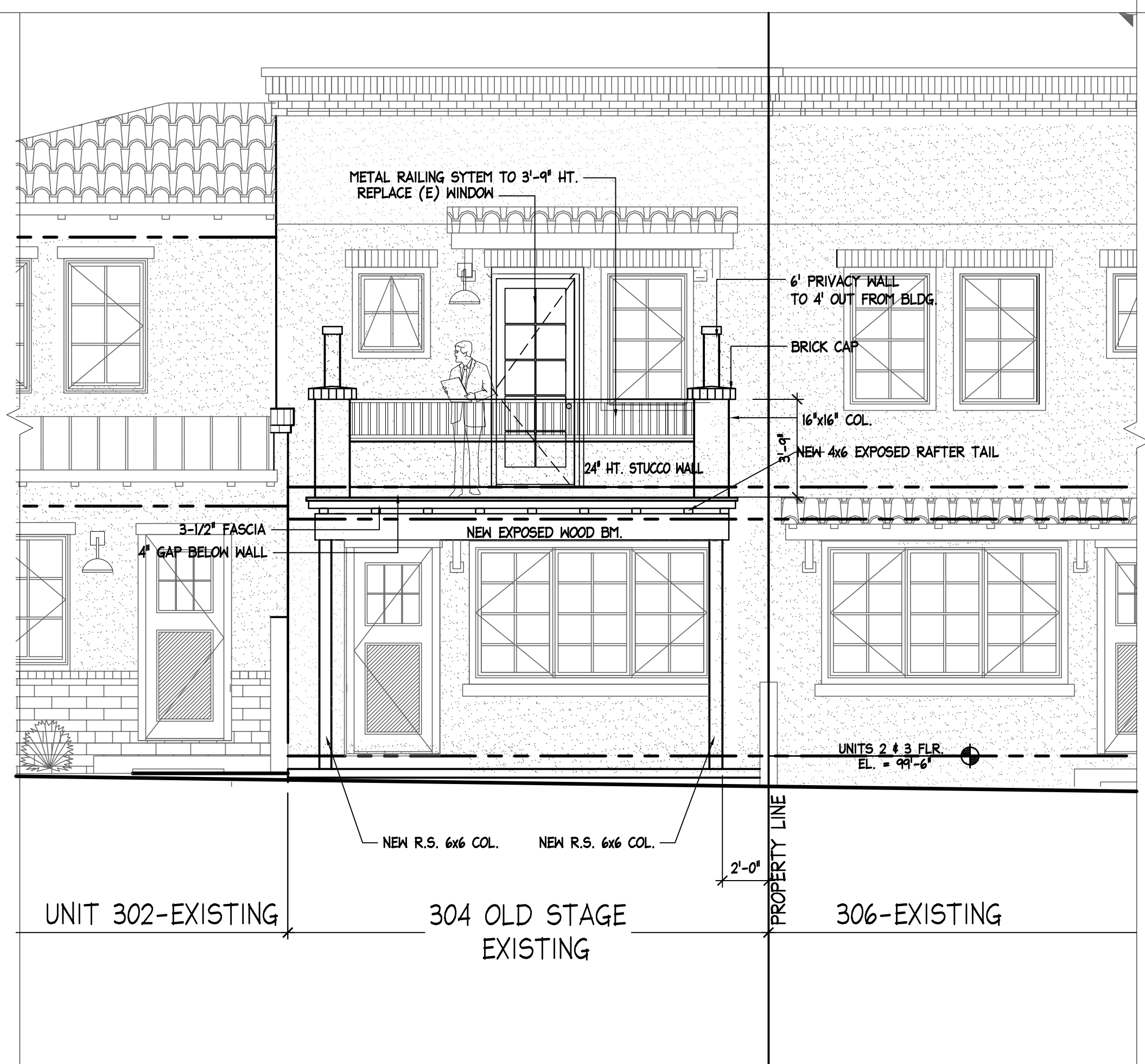
REVISED:	<b>SAL 580</b>	<b>TWO RIVERS TOWNHOMES SUBDIVISION EXEMPTION DUPLEX CONVERSION</b>
LOCATED WITHIN LOTS 42 AND 43 TWO RIVERS SUBDIVISION FILING 1 CITY OF SALIDA CHAFFEE COUNTY, COLORADO		
<b>LANDMARK</b> SURVEYING & MAPPING P.O. BOX 668 SALIDA, CO 81201 PH 719.539.4021 FAX 719.539.4031		
JOB # 2124		SHEET 1 OF 1
DATE: JANUARY 28, 2022		



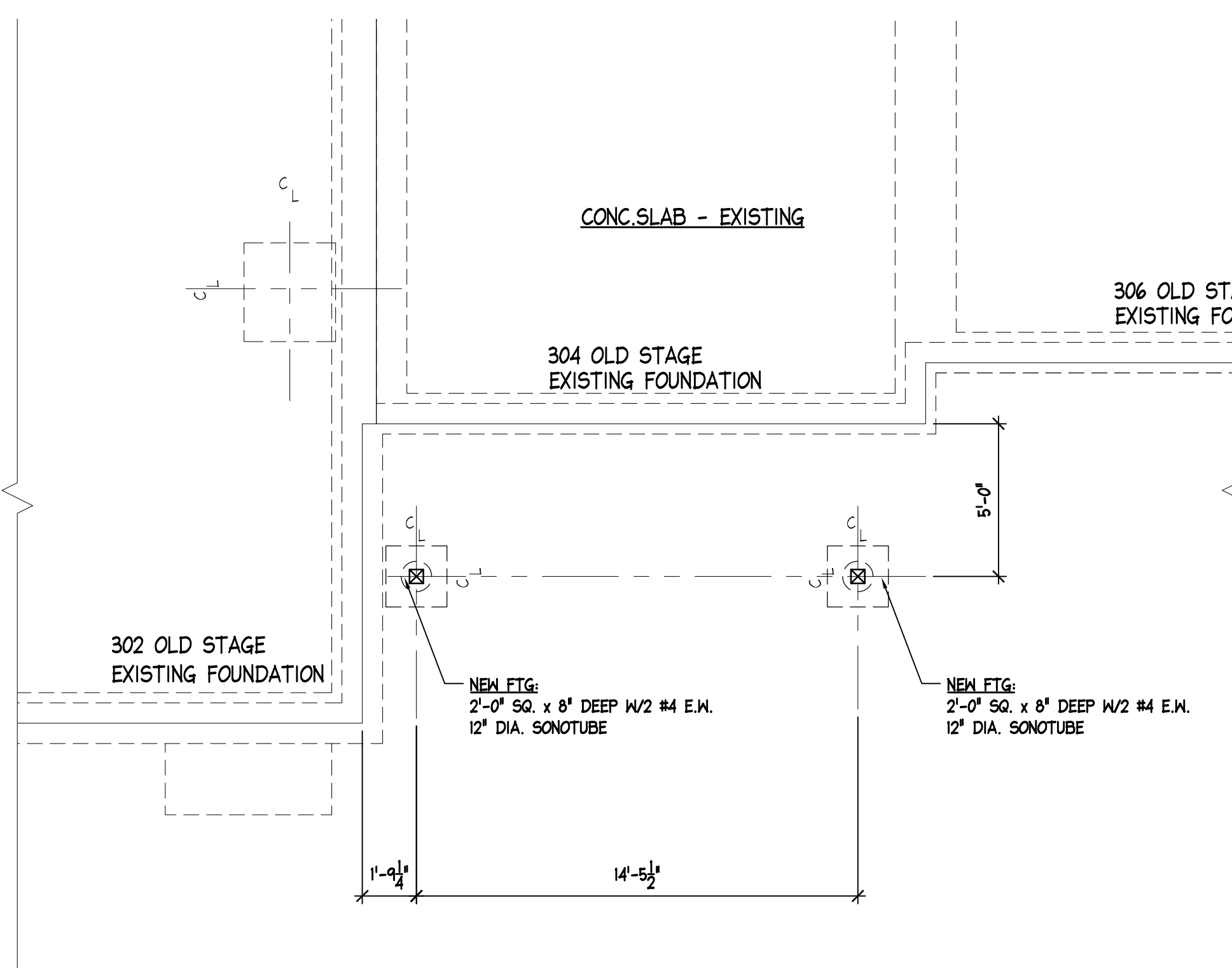
1 MAIN FLOOR PLAN  
 A1.01 SCALE: 1/4" = 1'-0"



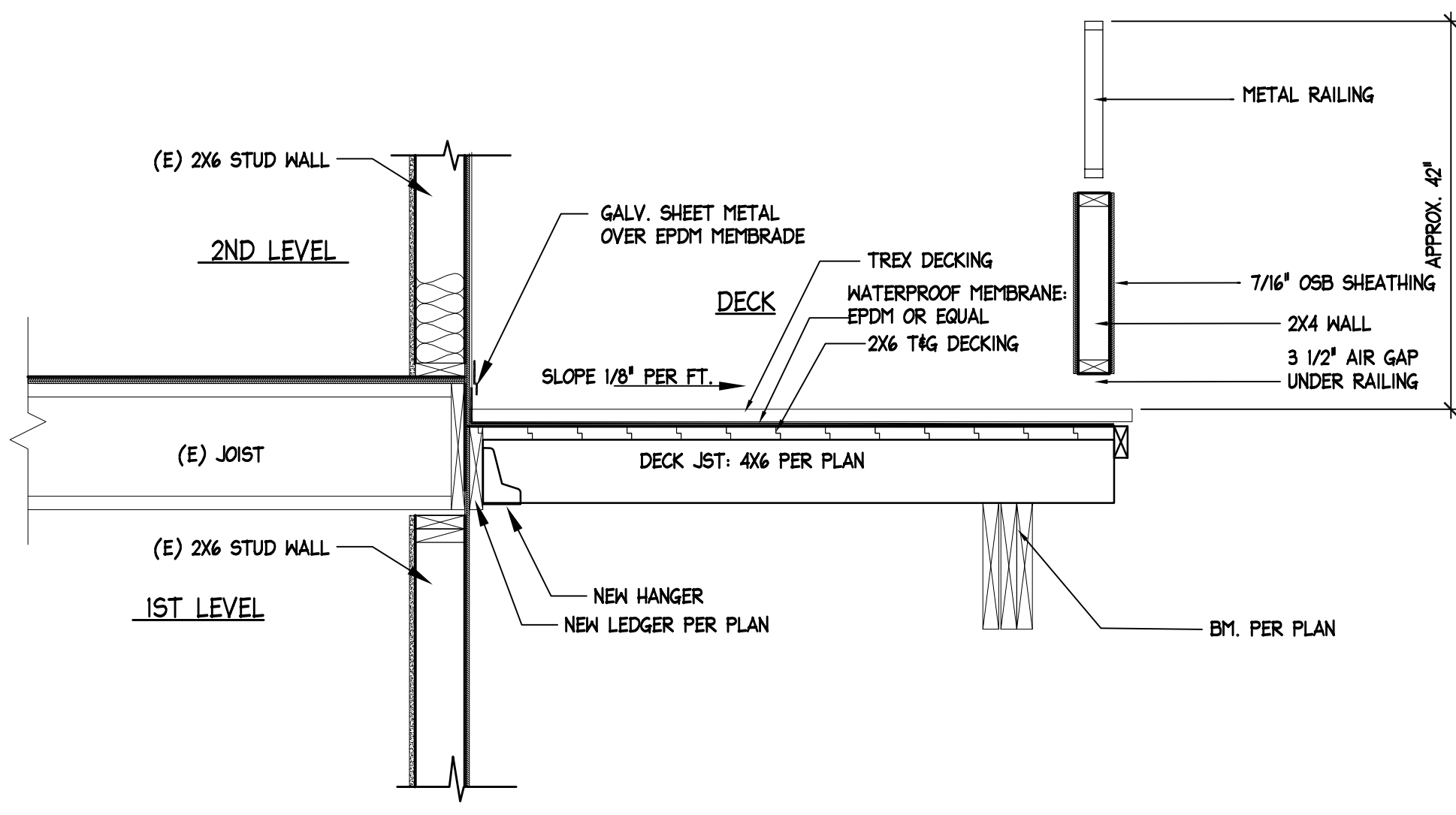
2 DECK FRAMING PLAN  
 A1.01 SCALE: 1/4" = 1'-0"



3 FRONT ELEVATION  
 A1.01 SCALE: 1/4" = 1'-0"



4 FOUNDATION PLAN  
 A1.01 SCALE: 1/4" = 1'-0"



5 DECK FRAMING DETAIL  
 A1.01 SCALE: 3/4" = 1'-0"



304 Two Rivers Road  
 DECK ADDITION  
 SALIDA, CO 81201

PLANS AND ELEVATION  
 DECK FRAMING DETAIL

Scale: 1/4" = 1'-0"

Date: 3-15-22

REV. Date:

DRAWN BY: T. POKORNY

Sheet A1.01

FOR CONSTRUCTION