



# BOARD OF ADJUSTMENT REGULAR MEETING

City Council Chambers, 448 E. 1st Street, Salida, CO

Monday, July 26, 2021 - 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. May 24, 2021 - Draft Minutes

### UNSCHEDULED CITIZENS

### AMENDMENT(S) TO AGENDA

### PUBLIC HEARINGS

Public Hearings will follow the following procedure:

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

- 2. Hochard Variance Request** - The purpose of the request is to receive a variance from the minimum setback of twenty (20) feet required for the rear yard setback of the primary structure. The applicant is requesting a minimum allowed rear yard setback of 12' 10 1/2" to remove the existing carport and build an addition on the back of the primary residence.

### 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.**

*Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting the City Clerk at 448 E. 1st Street, Ste. 112, Salida, CO 81201, Ph. 719-530-2630 at least 48 hours in advance.*

# BOARD OF ADJUSTMENT REGULAR MEETING

City Council Chambers, 448 E. 1st Street, Salida, CO

May 24, 2021 - 6:00 PM

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## 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 6:05pm

#### PRESENT

- Board Member Co-Chair Francie Bomer
- Board Member Judith Dockery
- Board Member Giff Kriebel
- Board Member Doug Mendelson
- Board Member Michelle Walker
- Board Member-Alternate Suzanne Copping
- Board Member-Alternate Dave Haynes

#### ABSENT

- Board Member Chairman Greg Follet

### ROLL CALL

#### APPROVAL OF THE MINUTES

1. **July 20, 2020** - Draft minutes

Motion made by Board Member Kriebel, Seconded by Board Member Dockery.

Voting Yea: Board Member Co-Chair Bomer, Board Member Dockery, Board Member Kriebel, Board Member Mendelson, Board Member Walker, Board Member-Alternate Copping, Board Member-Alternate Haynes

#### UNSCHEDULED CITIZEN -None

#### AMENDMENT(S) TO AGENDA- None

#### 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. **137 W. Seventh Street - Variance requests-** The purpose of the request is to receive two (2) variances. Both requests are to receive a variance from the minimum setback of twenty (20) feet required for the front yard setback.

The applicant is requesting a minimum allowed front yard setback of 5'6" to rebuild the existing covered front porch on the primary structure. The applicant is requesting a minimum allowed front yard setback of 11' to build a single-story detached garage in line with the existing setback of the primary structure.

- A. Open Public hearing - 6:10 pm
- B. Proof of Publication
- C. Staff Review of Application –

**Jefferson** reviewed the two variance requests. Jefferson went through the criteria starting with the required showing asking whether there are special circumstances that exist. She pointed out the following circumstances:

- No setback requirements at that time the house was built and the applicant purchased her home and did not build it.
- Applicant attempted to see if she could move the garage to the current requirements. Unfortunately, there is a telecom pedestal there and when the applicant called the agency, she was told it was cost-prohibitive to move the pole.
- Current covered porch is deteriorating and in need of replacement. The applicant would like to update the existing porch and make her entry safe and appealing. Applicant doesn't have the ability to reconstruct the covered porch without being granted the variance and just wants to use the existing setback
- Front setback fronts on 7th St.
- Proposing minimum variance to replace the porch and the minimum variance for the garage
- The granting of the variance will not be injurious to the neighborhood and the proposed garage will harmonize with the neighborhood. The applicant will be able to maintain the garage and front porch on her property.

**Jefferson** sent out the variances to the department heads and they did not have any concerns with the variance request. The staff's recommended findings were that the variance request was in conformance with section 16-4-180(e) will not be injurious to neighbors, maintenance is feasible and is in keeping in concordance with the code). The staff recommends approval based on the following findings of fact, the existing condition of the lot and orientation of the residence are not the result of the applicant, the applicant is not requesting to increase the existing non conformity, the applicant will be able to maintain the garage and front porch on the subject property and both properties will not be injurious to neighbors.

**Kriebel** notes that where they want to build the garage is actually a carport. The current carport is more variant than the proposed garage.

**Walker** asked what their setback is on G Street. Would anything we decide today affect it?

**Jefferson** states that from G Street it is 5 feet

**Bomer** notes that G Street is their side setback. It is a non-conforming situation to begin with but not encroaching with the G Street properties.

D. Applicant’s Presentation – Phillip Gamache

**Gamache** states that he is here on behalf of the applicant. **Gamache** explains that the applicant and her husband have plans to move back to the house in the coming months. The applicant plans to enhance the entrance of the house which is why they asked for the first variance. **Gamache** further explains that the garage is a trickier situation. They explored lots of different ideas and the primary reason for this variance is because they can’t get a door to the garage because of the century link pedestal. They also played with the placement of the garage but through different design ideas fell on keeping it in line with the house, it limits the imposing size and it is the most economical solution for us. The carport that is attached to the structure is also deteriorating. The carport would be removed and moved into a patio or private space. In the back Southeast corner, there is a small shed. The applicant would like to keep it for protected storage. **Gamache** feels like the garage will blend in with the community and this is a very interesting lot with utilities, setbacks and design considerations

**Mendelson** asked whether the carport is where the garage is going to be.

**Gamache** clarifies that the carport is attached to the house (flat roof structure).

**Mendelson** questions whether the applicant will use the apron for the carport for the garage?

**Gamache** says that they will be putting the garage closer to the white fence and work with the Public Works Director on getting a new curb cut with the garage.

**Mendelson** wonders whether the white fence is their property as well. Will it be to the left of the carport?

**Gamache** agrees.

- E. Public Input – None
- F. Close Public Hearing - 6:22 pm
- G. Board of Adjustment Discussion - None
- H. Board of Adjustment decision -

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

**NEW BUSINESS-** None

**BOARD COMMENTS-** None

**ADJOURN** With no further business to come before the Board, the meeting adjourned at 6:25 p.m.

**STAFF REPORT**

**MEETING DATE:** July 26, 2021  
**AGENDA ITEM TITLE:** 1307 I Street Variance Application  
**AGENDA SECTION:** Public Hearing

**REQUEST:**

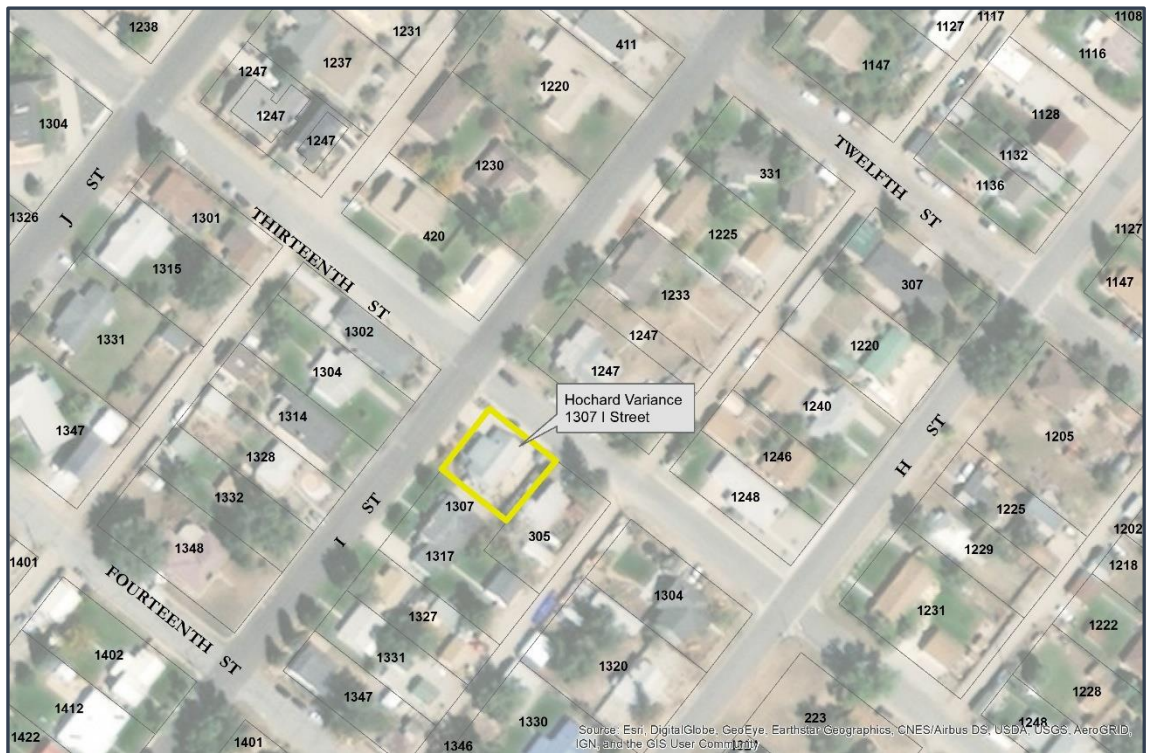
The purpose of the request is to receive a variance from the minimum setback of twenty (20) feet required for the rear yard setback of the primary structure. The applicant is requesting a minimum allowed rear yard setback of 12' 10 1/2" to remove the existing carport and build an addition on the back of the primary residence.

**APPLICANT:**

The applicants are Travis and Becky Hochard, 1307 I Street, Salida, CO 81201. The applicant's representative is Sarah Whittington of Architectural Services.

**LOCATION:**

The property is legally described as 81 1/2 ft front Lots 22, 23 and 24, Block 158 Kelseys Addition to the Town (now City) of Salida, Chaffee County, Colorado. This property is also known as 1307 I Street.



**PROCESS:**

Variations are addressed in the City's Code of Ordinances, Section 16-4-180, Zoning Variations. Variations 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 surrounding properties are located within the Medium Density Residential (R-2) zone district.

2. The existing single-family residence is considered nonconforming because it does not meet the required 20' rear setback with the attached carport. The house was built in the late 1960's or early 1970's at the current front setback of 29+ feet, leaving less than 5 feet for an addition on the rear portion of the residence that will meet the required 20' rear setback.



3. The request is to receive relief from the minimum 20' rear setback to remove the existing rear carport and construct an addition on the existing residence. The applicants are not requesting to increase the nonconformity, they are requesting the variance to be able to build an addition with the same or reduced rear setback as the existing carport.



4. The applicants could, according to code, enclose the existing nonconforming attached carport because the nonconformity would not be increased. They would like to remove the old carport and build the addition to closely match the existing residence.
5. The applicants submitted a letter from the adjoining neighbor at 305 W. 13<sup>th</sup> Street who is in support of the variance request. As of Thursday, July 22<sup>nd</sup> staff has not received any opposition to the variance request.

**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 existing house is on a corner lot but the lot does not extend the full depth of a standard lot back to the alley. Between the house and the alley there is another property which is oriented to 13<sup>th</sup> Street. This house may have been the original house in this location as it was built in 1967. With this adjacent property to the rear of the lot, the Hochard lot is 75'-0" w x only 81'-9" deep. The lot size does not allow for the standard rear yard area of the adjacent houses or provide access from an alley.*

- The existing lot is a fraction of three lots that were subdivided many years ago and is only 81 ½" deep. The existing lot does not have the depth to construct an addition on the rear of the residence and meet the required 20' rear setback because the house was built in its current configuration with a 29'+ front setback.
- Special circumstances exist because the residence was built at the current setbacks prior to the applicant owning the property. The existing carport attached to the residence was built in 1971 and 11' from the rear property line which met setback requirements at that time but is currently considered nonconforming.

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

*Applicant's response: The existing house was originally built in 1970. The placement of the house does not utilize the front setback but is set back from the front property line 29'-9". This placement is consistent with the neighboring houses on the block and presents a unified streetscape. However, with the shorter lot depth the rear of the existing house is only 24'-8 ½" from the rear property line. The house is also placed in the center on the lot from side to side, which does not leave room for side additions. The size of the lot and existing house placement are existing conditions.*

- Special circumstances and conditions have not resulted from any action of the applicant. The applicant did not construct the existing attached carport within the rear setback.
- The carport is allowed to be maintained or repaired in its current location without a variance. The applicant would like to remove the carport and construct the addition to create more living space within the residence.

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: *With the smaller lot and the current house placement, the areas for expansion are limited. In the existing house the Kitchen, Dining and Utility areas are to the rear of the house. As the proposed addition's goal is to expand these areas, a rear or southwest orientation is preferable and works best with the existing lot conditions. Using the basic area of the existing rear covered porch area keeps the addition from adding to the structure's overall footprint and reduces any greater impact to the neighborhood. A rear addition maintains level of compatibility at the front of the house to the adjacent neighbor's.*

- Strict application would deprive the applicant of making a functional living space by removing the carport and constructing an addition which does not increase the existing non-conformity.

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 current house is 1,350 square feet with a smaller, cramped kitchen and dining area. The proposed addition would allow the kitchen to be expanded and provide a more standard dining room area. The addition also has a small mud room/utility area. By utilizing an existing covered porch area for the addition the footprint is consistent with the current house configuration and does not add to any level of non-conformity.*

- The variance is not necessary to make reasonable use of the property.
- All new construction in the City is required to meet the setback requirements unless some special circumstance exists such as an existing building that does not meet the setback requirements. Currently the residence, with attached carport, meets all of the setback requirements with the exception of the rear setback. The carport was constructed 9' into the required 20' setback.

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: *The proposed addition is kept to a modest size and has the intent to minimize the impact to the neighborhood by keeping the footprint to an existing structure. The proposed addition would be slightly smaller than the existing rear covered porch area but placed in the same area. Though modest in size, the addition would greatly improve the function of the current house and make the overall house more reasonable for a family of four.*

- Currently the applicant has reasonable use of the property. The proposal is to replace the existing carport and not increase the nonconformity as the footprint would remain the same or be reduced.

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 property directly to the southwest would be the main neighbor impacted by this proposed addition. The neighbors to the northwest and southeast have larger lots and the proposed house addition placement is consistent with the street. As the addition is similar to and replaces the existing rear covered porch, there would be minimal change or impact to the neighborhood. In addition, as the adjacent neighbor's house is oriented to 13<sup>th</sup> Street, the proposed addition would have less impact to the neighbor than if the existing house was oriented the same direction and utilizing a side yard setback .*

*The owners have contacted the neighbor to the southwest and he approved of their proposed addition with required variance. Please see attached letter.*

- The granting of the variance will not be injurious to the neighborhood and the applicants will be able to maintain the addition on their own property.
  - The Fire Department and Public Works Director have no concerns with the variance request.
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: *The proposed addition will meet all other design criteria for a residence in the R-2 Medium Density residential zone of the Land Use Code. The proposed addition is constituent with the footprint of the existing rear covered porch and leaves 12'-8 1/2" setback to the adjacent property. The owners will have room to maintain the addition on their own property and any additional impact to solar access for the neighbor will be minimal.*

- The applicants comply with all other aspects of the code besides the proposed rear setback.
- Setbacks help provide open space 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. There will be adequate space which the owner can use for maintenance of the addition.

#### **REVIEW AGENCIES:**

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

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

#### **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 in conformance with Section 16-4-180 (e), Required showing, because the variance allows the highest and best use of the property, will not be injurious to the neighbors and maintenance is feasible, will not impact adjacent neighbors and is in keeping with the general purposes of the Code.

**STAFF RECOMMENDATION:**

Staff believes the proposed variance meets the preponderance of criteria #'s 1, 2, 3, 4, 5, 6 and 7.

Based on the findings below, staff recommends the Board of Adjustment **APPROVE** the variance request based on the following findings of fact:

- 1. The existing conditions of the lot are not the result of any action by the applicants.
- 2. The applicant is not requesting to increase the existing nonconformity.
- 3. The applicant will be able to maintain the proposed addition on the subject property and will not be injurious to neighbors as required by Section 16-4-180 (6).

**RECOMMENDED MOTION: “I make a motion to approve the Hochard Variance requests as the request meets the review standards for Zoning Variances, subject to the following condition.**

- 1. That the applicant submits a building permit that meets the requirements of the building department.

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: Application materials  
Agency reviews

**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 July 26, 2021 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, Travis and Becky Hochard, are requesting approval for a variance on the property located at 1307 I Street, Salida, CO.

The purpose of the request is to receive a variance from the minimum setback of twenty (20) feet required for the rear yard setback of the primary structure. The applicant is requesting a minimum allowed rear yard setback of 12' 10 1/2" to build an addition on the back of the primary residence. Interested persons are encouraged to attend the public hearing. Further information on the application may be obtained from the Community Development Department, (719) 530-2626.

\*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 July 9, 2021

**From:** [Kathy Rohrich](#)  
**To:** [Kristi Jefferson](#)  
**Cc:** [Doug Bess](#); [David Lady](#); [Dan Swallow](#)  
**Subject:** Re: Agency review - 1307 I Street variance request  
**Date:** Thursday, July 08, 2021 2:26:40 PM

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Fire Department has no concerns at this time.

On Thu, Jul 8, 2021 at 10:29 AM Kristi Jefferson <[kristi.jefferson@cityofsalida.com](mailto:kristi.jefferson@cityofsalida.com)> wrote:

All,

Attached is the agency review for the property located at 1307 I Street. The owners have applied for a variance from the required rear yard setback. Please let me know if you have any concerns with the variance request.

Thank you,

Kristi Jefferson

Planner

City of Salida

448 East First Street

Suite 112

Salida, CO 81201

ph: 719-530-2626

fax: 719-539-5271

Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-100.1, et seq.

--

Kathy Rohrich  
Assistant Chief  
Salida Fire Dept.

(719)539-2212

**From:** [David Lady](#)  
**To:** "[Kristi Jefferson](#)"  
**Subject:** RE: Agency review - 1307 I Street variance request  
**Date:** Thursday, July 08, 2021 1:54:34 PM  
**Attachments:** [image001.png](#)

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No concerns.

**David Lady, P.E.**  
**City of Salida, Director of Public Works**  
[david.lady@cityofsalida.com](mailto:david.lady@cityofsalida.com)



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**From:** Kristi Jefferson [mailto:kristi.jefferson@cityofsalida.com]  
**Sent:** Thursday, July 8, 2021 10:30 AM  
**To:** Doug Bess <doug.bess@cityofsalida.com>; 'Kathy Rohrich' <kathy.rohrich@cityofsalida.com>; 'David Lady' <david.lady@cityofsalida.com>; Dan Swallow <dswallow@chaffeecounty.org>  
**Subject:** Agency review - 1307 I Street variance request

All,

Attached is the agency review for the property located at 1307 I Street. The owners have applied for a variance from the required rear yard setback. Please let me know if you have any concerns with the variance request.

Thank you,

Kristi Jefferson  
Planner  
City of Salida  
448 East First Street  
Suite 112  
Salida, CO 81201  
ph: 719-530-2626  
fax: 719-539-5271

Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-100.1, et seq.



# 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 (Interpretation)
- 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:\_\_\_\_\_

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

### A. Applicant Information

Name of Applicant: Travis and Becky Hochard

Mailing Address: 1307 I Street

Telephone Number: (719) 966-2770 FAX: \_\_\_\_\_

Email Address: becky@whitewater.net

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

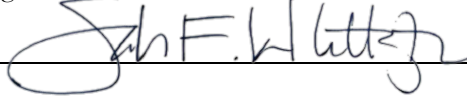
Name of Development: The Hochard Addition

Street Address: 1307 I Street

Legal Description: Lot 1/2 22-24 Block 158 Subdivision Kelsey's (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  Date 6-30-21

Signature of property owner \_\_\_\_\_ 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): NA Proposed Height (in feet): \_\_\_\_\_
- 2. **Minimum Variance from Floor Area:** Required Floor Area: NA Proposed Floor Area: \_\_\_\_\_
- 3. **Variance from Maximum Lot Coverage:** Allowed Lot Coverage: NA Proposed Lot Coverage: \_\_\_\_\_
- 4. **Variance from Parking Requirements:** Existing Spaces: NA Required Spaces: \_\_\_\_\_  
Total Spaces Proposed: NA 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: 24'-8 1/2" +/-
  - v. Proposed Setback: 12'-8 1/2" +/-
  - vi. Required Setback: 20'-0"
- 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:** 16-4-200

**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 existing house is on a corner lot but the lot does not extend the full depth of a standard lot back to the alley. Between the house and the alley is there is another property which is oriented to 13th Street. This house may have been the original house in this location as it was built ~1927. With this adjacent property to the rear of the lot, the Hochard lot is 75'-0" w. x only 81'-8" deep. The lot size does not allow for the standard rear yard area of the adjacent houses or provide access from an alley.

**2. Not Result of Applicant.** The special circumstances and conditions have not resulted from any act of the applicant.

The existing house was originally built ~1970. The placement of the house does not utilize the front setback but is set back from the front property line 29'-9" +/- . This placement is consistent with the neighboring houses on the block and presents a unified streetscape. However, with the shorter lot depth the rear of the existing house is only 24'- 8 1/2" from the rear property line. The house is also placed in the center on the lot from side to side, which does not leave room for side additions. The size of the lot and existing house placement are existing conditions.

**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.

With the smaller lot and the current house placement, the areas for expansion are limited. In the existing house the Kitchen, Dining, and Utility areas are to the rear of the house. As the proposed addition's goal is to expand these areas, a rear or southwest orientation is preferable and works best with the existing lot conditions. Using the basic area of the existing rear covered porch area keeps the addition from adding to the structure's overall footprint and reduces any greater impact to the neighborhood. A rear addition maintains level of compatibility at the front of the house to the adjacent neighbor's.

**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 current house is ~1350 sq. ft. with a smaller, cramped kitchen and dining area. The proposed addition would allow the kitchen to be expanded and provide a more standard dining room area. The addition also has a small mud room/utility area. By utilizing an existing covered porch area for the addition the footprint is consistent with the current house configuration and does not add to any level of non-conformity.

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

The proposed addition is kept to a modest size and has the intent to minimize the impact to the neighborhood by keeping the footprint to an existing structure. The proposed addition would be slightly smaller than the existing rear covered porch area but placed in the same area. Though modest in size, the addition would greatly improve the function of the current house and make the overall house more reasonable for a family of four.

**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 property directly to the southwest would be the main neighbor impacted by this proposed addition. The neighbors to the northwest and southeast have larger lots and the proposed house addition placement is consistent with the street. As the addition is similar to and replaces the existing rear covered porch, there would be minimal change or impact to the neighborhood. In addition, as the adjacent neighbor's house is oriented to 13th Street, the proposed addition would have less impact to the neighbor than if the existing house was oriented the same direction and utilizing a side yard setback.

The owners have contacted the neighbor to the southwest and he approves of their proposed addition with required variance. Please see the attached letter.

**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.

The proposed addition will meet all other design criteria for a residence in the R-2 Medium Density Residential Zone of the Land Use Code. The proposed addition is consistent with the footprint of the existing rear covered porch and leaves 12'-8 1/2" +/- setback to the adjacent property. The owners will have room to maintain the addition on their own property and any additional impact to solar access for the neighbor will be minimal.

**8. Existing Primary Structure.** If the proposal is an addition to a primary structure which continues the existing building line the applicant must demonstrate that maintenance of the addition on the subject property is feasible and not injurious to adjacent neighbors.

Not Applicable



July 2, 2021

Community Development Department  
448 E. First Street, Suite 112  
Salida, CO 81201

RE: The Hochard Residence  
1307 'I' Street  
Salida, CO 81201

Project Narrative

The property at 1307 'I' Street is a unique city lot with an existing residence. The lot is a corner lot but does not extend back to the alley. Behind the lot is another property where the house is oriented to 13<sup>th</sup> Street. Due to this property behind, the size of the lot is 75'-0" wide but only 81'-8" deep. In addition, the current house is located 29'-9" back from the front property line. This placement is consistent with the adjacent neighbors and provides a cohesive feel to the streetscape. Due to the smaller lot size and the existing front setback, the house is only located 24'-8 1/2" from the rear property line.

The homeowners would like to expand the current kitchen and dining area as well as provide a better family mud/laundry area. In the existing house layout these spaces are to the rear of the house. For functionality and to reduce interior remodeling, an addition to the rear is proposed. Currently, there is a covered porch area at the rear of the house. The intent is to use this footprint for the addition. The proposed addition would not have any significantly greater impact to the surrounding area than the current structure.

June 15, 2021

Planning and zoning committee,

My name is Jerry Carpenter and I reside next to the Hochard family. We've been neighbors for over 15 years.

The Hochard's have shown me the architectural renderings for their plans to build an addition and a detached garage and I'm in full support of their plans.

Their plans will not affect the neighborhood in a negative way and will have zero impact on my land.

The Hochard family has improved their home and landscaping through the years and have been a part of the Salida community since 2007. They are a family of 4 living in currently a 1300 square foot home and are simply trying to make their current set up more functional.

I am in favor of the Hochard's building plans and they have my full support.

Best regards,

# Jerry Carpenter

Jerry Carpenter

**Signature:** *Jerry Carpenter*  
Jerry Carpenter (Jun 22, 2021 19:08 MDT)

**Email:** jlesliej@hotmail.com

BEST LESA, BEST GLEN  
1332 I ST  
SALIDA, CO 81201

CAHILL BEVERLY  
1317 I ST  
SALIDA, CO 81201

CARPENTER JERRY D, JACKSON JAYE I  
PO BOX 1302  
SALIDA, CO 81201

GAGNON SUE, GAGNON DAVID R  
1314 I ST  
SALIDA, CO 81201

GIUSTI LAUREN M, MCCORMICK WILLIAM  
2356 HOLLY ST  
DENVER, CO 80207

HOCHARD WAYNE, HOCHARD REBECCA  
1307 I ST  
SALIDA, CO 81201

KENSHALO RICHARD  
PO BOX 1097  
SALIDA, CO 81201

KRAFT PEGGY FROST  
PO BOX 582  
SALIDA, CO 81201

LAWSON DAVID R LIVING TRUST  
2116 CALLE AZULEJO  
SANTA FE, NM 87505

LEACH MARY FRANCES  
1248 H ST  
SALIDA, CO 81201

MADER ANTON JOHN, MADER MICHELE  
1327 I ST  
SALIDA, CO 81201

MCKINNEY HARLEY, MCKINNEY PATRICIA  
1246 H ST  
SALIDA, CO 81201

MOORE ZACHARY W S, MOORE AMY C  
1304 H ST  
SALIDA, CO 81201

OGDEN KASEY L, OGDEN CLAYTON JR  
1247 I ST  
SALIDA, CO 81201

SWARTZ TIMOTHY L, SWARTZ MARLA F  
420 W 13TH ST  
SALIDA, CO 81201

TEMPLETON JANE E  
304 PONCHA BLVD  
SALIDA, CO 81201

TRUEBLOOD RAEDELL A, TRUEBLOOD E  
232 SHAVANO AVE  
SALIDA, CO 81201

WEIS TRAVIS, THORPE KERI ANN  
1330 H ST  
SALIDA, CO 81201

WENHAM MICHAEL B  
1328 I ST  
SALIDA, CO 81201



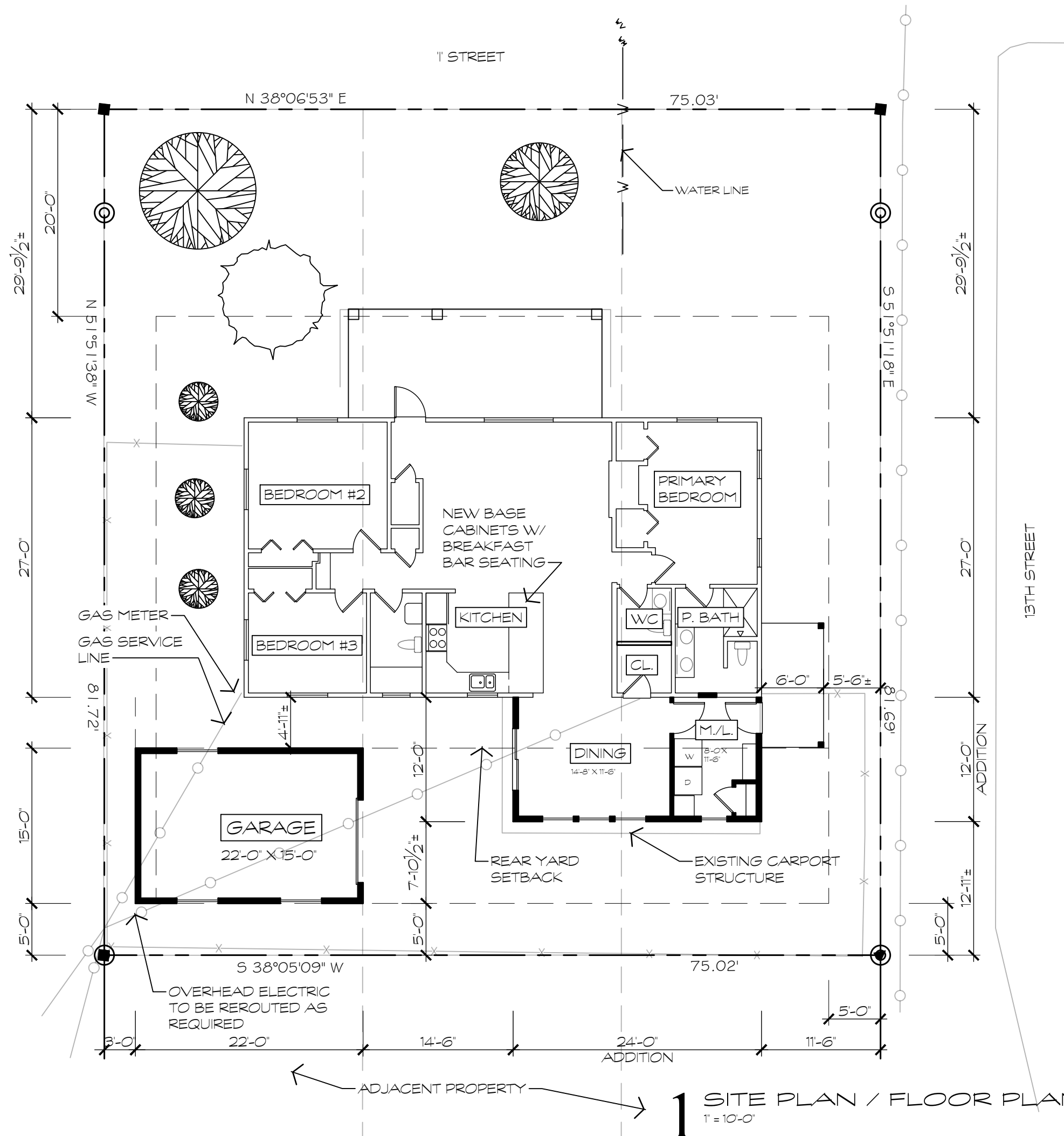
# The Hochard Project

1307 1<sup>st</sup> Street  
Salida, CO 81201

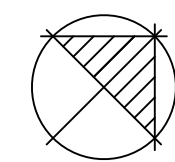
SITE PLAN  
FLOOR PLAN

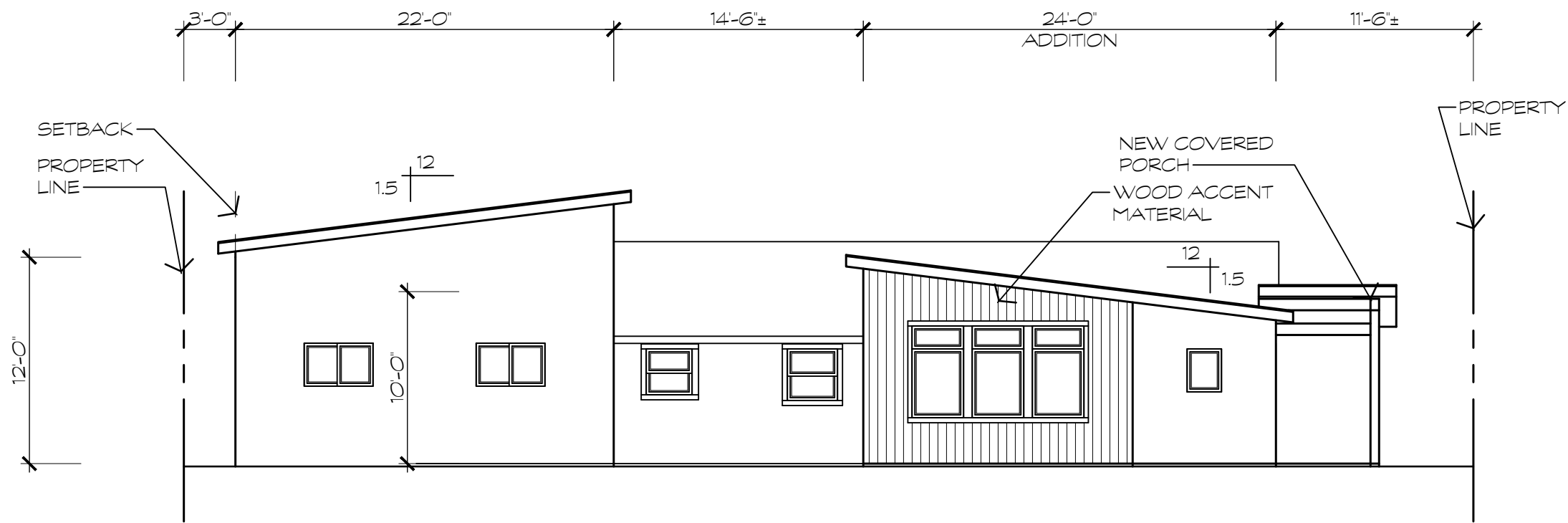
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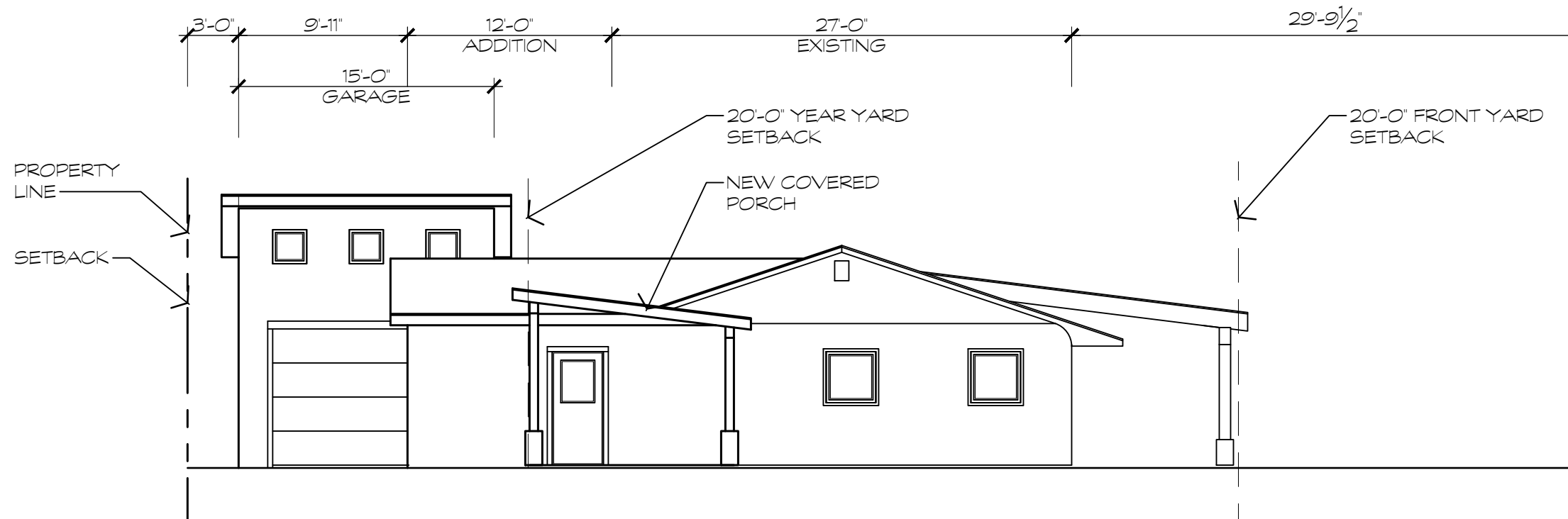


**1** SITE PLAN / FLOOR PLAN  
1" = 10'-0"





**1** SOUTHEAST ELEVATION  
 1/8" = 1'-0"



**2** NORTHEAST ELEVATION  
 1/8" = 1'-0"



**The Hochard Project**

1307 1st Street  
 Salida, CO 81201

SOUTHWEST &  
 NORTHEAST  
 ELEVATIONS

**P2**



SOUTHEAST SIDE - 13TH STREET  
NEIGHBOR TO LEFT



SOUTHEAST SIDE - 13TH STREET  
COVERED PORCH AREA



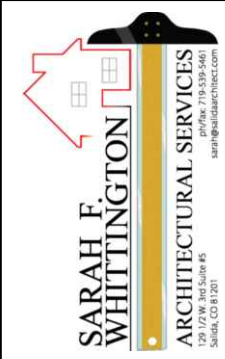
COVERED PORCH AREA



SOUTHWEST SIDE - REAR



NORTHEAST SIDE - FRONT



**The Hochard Project**

1307 1<sup>st</sup> Street  
Salida, CO 81201

EXISTING  
PHOTOS

**P3**