



BOARD OF ADJUSTMENT REGULAR MEETING

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

AGENDA

Email public comments to: 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. January 24, 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. **Bohn Variance Request - 623 West Sackett Ave** - The purpose of the request is to receive two (2) variances. The first request is to receive a variance from the minimum front yard setback of twenty (20) feet. The applicant is requesting a minimum allowed front yard setback of 14' 5 1/8" to build a covered front porch on the primary structure. Covered front porches may encroach into the front yard setback by twenty-five (25%) percent.

The second request is to receive a variance from the maximum lot coverage of forty-five (45%) percent. The applicant is requesting a maximum allowed lot coverage with structures of 46.9 %.

3. **Van Wyck Variance Request-200 Wood Avenue - APPLICATION WITHDRAWN**

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.

Accessory structures in the Medium Density Residential (R-2) zone district require a minimum side lot line setback of ten (10) feet for any wall plane over twenty (20) feet. The minimum rear lot line setback is five (5) feet. The applicant is requesting a minimum allowed side lot line setback of zero (0) feet to construct a second story accessory dwelling unit and a minimum allowed 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 0' side lot line setback and currently meets the required rear lot line setback.

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
January 24, 2022 - 6:00 PM

MINUTES

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CALL TO ORDER BY CHAIRMAN

PRESENT

Board Member Chairman Greg Follet
Board Member Co-Chair Francie Bomer
Board Member Judith Dockery
Board Member Giff Kriebel
Board Member Doug Mendelson
Board Member Dave Haynes

ABSENT

Board Member Michelle Walker

ROLL CALL

APPROVAL OF THE MINUTES

1. September 27, 2021 - 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 Mendelson, Board Member Haynes

THE MOTION PASSED.

UNSCHEDULED CITIZENS: N/A

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 |

Chairman Follet recused himself from the 343 Teller Street variance request

2. **Capozza Variance- 343 Teller Street** - The purpose of the request is to receive a variance from the minimum rear lot line setback to build a second story addition on the existing nonconforming accessory structure. In the Medium Density Residential (R-2) zone district the required minimum rear lot line setback is 5' for accessory structures. The accessory structure was built in 1985 at the current rear setback of 2.19' and the applicant is requesting the variance to construct a second story ADU to match the footprint of the existing accessory structure.

- A. Open Public hearing - 6:03 pm
- B. Proof of Publication
- C. Staff Review of Application –

Commissioners asked about whether the porch and balcony would create an additional variance. Staff confirmed it would not.

- D. Applicant's Presentation – Rocco Capozza was available to answer questions.
- E. Public Input – N/A
- F. Close Public Hearing - 6:11 pm
- G. Board of Adjustment Discussion - None
- H. Board of Adjustment decision -

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

THE MOTION PASSED.

ADJOURN - With no further business to come before the Board, the meeting adjourned at 6:11 p.m



STAFF REPORT

MEETING DATE: February 28, 2022
AGENDA ITEM TITLE: 623 W. Sackett Avenue Variance Application
AGENDA SECTION: Public Hearing

REQUEST:

The purpose of the request is to receive two (2) variances. First request is to receive a variance from the minimum front yard setback of twenty (20) feet where a covered front porch may encroach into the front yard setback by twenty-five (25%) percent. The second request is to receive a variance from the maximum lot coverage of all structures on the property at forty-five (45%) percent.

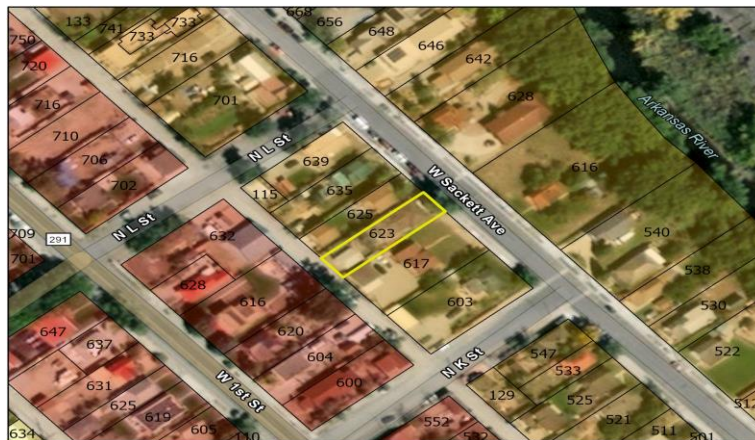
The applicant is requesting a minimum allowed front yard setback of 14' 5" to build a covered front porch on the primary structure. The applicant is also requesting a maximum allowed lot coverage of forty-seven (47%) percent.

APPLICANT:

The applicants are Ted & Kathleen Bohn, 623 W. Sackett Avenue, Salida CO 81201.

LOCATION:

The property is legally described as Lot B, Karnuta Subdivision Exemption, Lots 7, 8, and 9, Block 10, Sackett's Re-survey, 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.

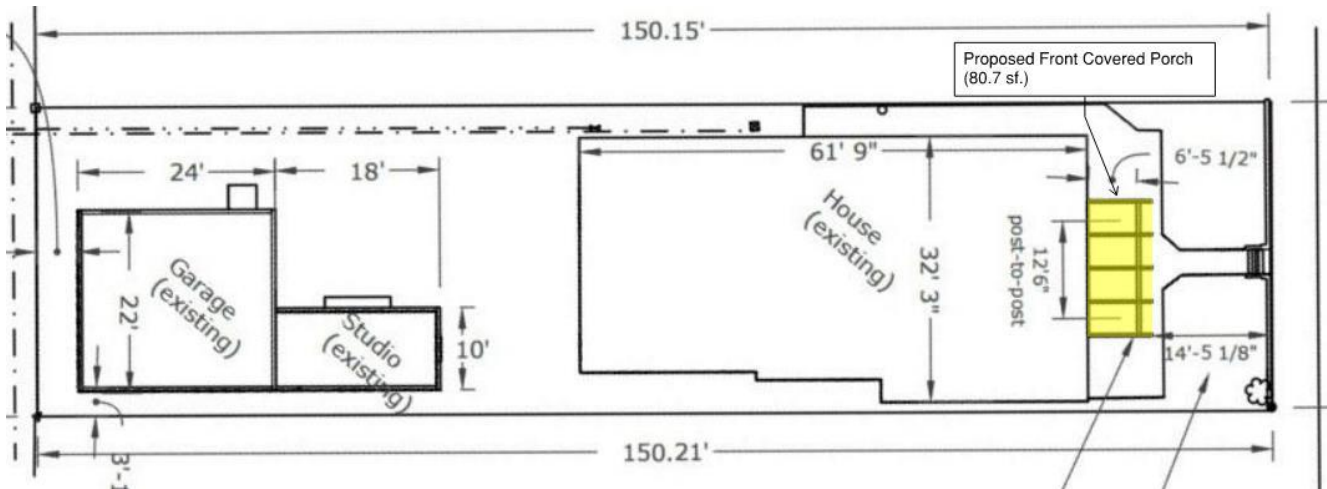
The Board of Adjustment holds a public hearing after fifteen days advance notice of the hearing. The public hearing shall be held, at which any person may appear or be represented by an agent or attorney. The Board may describe appropriate conditions and safeguards in conformity with the Zoning title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

OBSERVATIONS:

1. The subject property and the surrounding properties along Sackett Avenue are located within the High - Density Residential (R-3) zone district. Behind the property on the other side of the alley is Commercial District (C-1) in the SH 291 Corridor Overlay.
2. The orientation of the existing residence is facing Sackett Avenue with a wall face 22' 3" from the front lot line. Staff has found records that the house was built in 1937 and subdivided into two lots in 2005. The lot size is now 5627 square feet according to a land survey plat recorded in 2020. The subdivision created a non-conforming residence to the current code's side setbacks.



3. All of the other residences within the city block are fronting either Sacket Avenue, North K Street, or North L Street.
4. The request is to receive relief from the minimum 15' front setback for a structure with a covered porch in this location. The applicant is requesting to decrease the front yard setback to 14' 5", a difference of 7".
5. The second variance request is for maximum allowed lot coverage of all structures to build the front covered porch. The applicant proposed to build the front covered porch at 80.7 square feet. The maximum lot coverage (45%) of all structures for this lot is 2,532 square feet. The proposed lot coverage is 2,559 square feet, a difference of 27 square feet or 2% over the maximum lot coverage of all structures according to the land use code.



- 6. The chart shows the measurements taken with a laser measurement tool to calculate front yard setback of a primary structure in the neighborhood.
 - a. The addition of the front porch would be roughly 14.3 feet from front lot line.
 - b. Within the block on either side of Sackett Street there are a number of existing primary residences that encroach the required front yard setback.
- 7. As of Friday, February 25th staff has not received any opposition to the variance requests from the adjoining neighbors.

Proposed Porch (including eaves): 7.9 ft. New Distance from front lot line: 14.3 ft.	
Address	Front Setback
623 W. Sackett	22.2 ft.
625 W. Sackett	26 ft.
617 W. Sackett	57 ft.
635 W. Sackett	16.66 ft.
636 W. Sackett	11.28 ft.
628 W. Sackett	53 ft.
616 W. Sackett	21.4 ft.
540 W. Sackett	15 ft.
538 W. Sackett	8.62 ft.
530 W. Sackett	10.68 ft.
522 W. Sackett	10 ft.
521 W. Sackett	22.2 ft.
525 W. Sackett	22.5 ft.
533 W. Sackett	15.5 ft.
547 W. Sackett	19.5 ft.
603 W. Sackett	14 ft.

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 front building at 623 W Sackett is the original adobe structure built by the Railroad for their employees in the late 1800's. In 2021, we replaced the dilapidated roof and updated the interior so that it is livable for hopefully another 100 years! During the renovation design process, we considered adding a 2nd floor to increase living space, but ultimately decided there was too much structural risk given the 120+-year-old adobe walls. Instead, we added a studio space to the new alley-facing garage after demolishing the ancient railroad-tie wall structure in it's place, which brought our lot coverage to 45%. Finally, to complete the property renovation project, a covered porch is necessary to make the existing front 9'x32' concrete pad usable. The as-designed porch depth of 7'-10 3/8" (including eaves) is necessary to protect the users and furniture from exposure to the various weather elements experienced throughout the year and to match the aesthetic of similar but larger covered porches on neighborhood houses facing Sackett Ave.

- The existing residence suggested to be built in 1937 in its current configuration and at the time there were no setback requirements that staff could find. The residence may be even older than what was found on the assessor’s site.



- 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.* Note four (4) in Table 16-F of the Land Use Code: *A covered porch may encroach into the front yard setback by twenty-five percent (25%).* With the majority of homes along Sackett Avenue featuring front covered porches this limited space between home and front setback leaves limited area to construct a usable front porch.

- Special circumstances exist because the residence was built around 1937 or later. This made for a difficult building situation with an older house. Without being able to construct a second floor for more usable conditioned living space the only way was to develop outwards. The addition of an accessory structure used as a studio built in 2021 put the property at 45% lot coverage, the maximum for high-density (R-3) zone district.



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

Applicant's response: In addition to the adobe walls that limit vertical development, unfortunately, the original parcel at 623 W Sackett was previously sub-divided into two 0.13 acres lots, resulting in limited area for development. Also, the original front railroad house was built close to the front property setback, leaving smaller-than-typical room to add the front porch that we desire.

- The applicant did not construct the existing home to where it falls close to front setback. The applicant would like to create the covered porch to create a safer, usable, and more appealing entry.
 - The applicant does not have the ability to construct a covered porch of this size without being granted the variance. The sub-divided lot created limited area to expand on lot coverage. For if the applicant did want to expand upwards on the residence rather than build the studio they would still need to apply for the variance because the residence is within the minimum five (5) feet side yard setbacks for primary building.
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 it's northeast exposure, the front of the house often experiences extreme weather elements including intense sun, rain, sleet, and snow. Without a covered area to protect users and furniture, these conditions limit utilization of the concrete patio, and by extension, the front garden beyond. The result is that an already small lot is effectively made smaller - basically, we aren't able to use 15% of our total lot area (37.4' x 22.7' = 850/ 5627 total sqft).*

- Strict application would deprive the applicant of making use to the full extent of the front yard. Surrounded by garden on one side and residence on the other, there is no area to get reprieve to enjoy the space.
- The concrete slab in the front yard showed it was not covered even during the 2005 subdivision. This coverage will allow for more usable space on the property.

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: *A covered porch will enable a small space to be sufficiently protected from the elements, allowing us to create a comfortable place in which to enjoy the spectacular environment that surrounds us. Such an experience was a key reason why we invested in the purchase of this property in September 2020 and subsequent remodeling/ upgrading during 2021.*

- The variance is necessary to make reasonable use of the proposed porch because the current setback and maximum lot coverage make the space less usable. The existing concrete slab shown in the 2005 subdivision will now be utilized and updated for outdoor habitation while protecting the resident from the elements.

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 porch design is consistent with the architecture of the local neighborhood. The as-designed size has been designed to protect users and furniture while also matching the aesthetic of similar but larger covered porches on neighborhood houses facing Sackett Ave.*



- The applicant with the addition of the front porch is making reasonable use of the property. Currently the concrete slab is not readily used by the resident. Existing maybe prior to 2005 the area has never been utilized to its full potential.

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: *As the proposed porch addition will be build upon an existing concrete pad, it will not have a material impact on volume or direction of water drainage. Water will drain off the porch roof on to the existing concrete pad, which will flow in the NE direction into the garden between concrete pad and the Sackett Ave sidewalk. If necessary, gutters & downspouts will be used to manage water drainage.*

- The granting of the variance will not be injurious to the neighborhood as it is not out of character with neighboring front porches. The proposed porch will harmonize with the neighboring homes within the neighborhood. The applicant will be able to maintain the front porch with relative ease.
 - The minimal ask of the two variances of seven (7) additional inches into the front setback and 27 square feet (2%) over the maximum allowed lot coverage will likely be unnoticeable to neighbors.
 - Drainage may be properly installed not to create water collected on the front porch to wash out onto the sidewalk.
 - The Fire Chief, Public Works Director, and Chaffee County Director of Development Services had no concerns with the construction of the front porch at the proposed front setback and lot coverage.
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: Our goal is to create a comfortable home that complements the beauty and rhythms of our unique neighborhood while preserving the property's rich history. We think this goal is consistent with our neighbor's with whom we interact on a daily basis, and in support of the City of Salida's mission to promote the quality of life for it's current and future citizens.

- The applicant complies with all other aspects of the code besides the proposed front setbacks and lot coverage.
- 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 front porch.

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 – No concerns or 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 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 two variance requests based on the following findings of fact:

- 1. The existing conditions of the lot and the location of the residence are not the result of any action by the applicant.
- 2. The applicant will be able to maintain the proposed front porch on the 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 Bohn Variance requests as the requests meet 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
Site Plan
Agency reviews



PLANNING DEPARTMENT
PROJECT REVIEW TRANSMITTAL FORM

ATTENTION: _____ DATE: 01/31/2022

- 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: Ted & Kathleen Bohn PHONE: 720-338-4190 FAX: _____

EMAIL: bohntl@msn.com

PROPERTY LOCATION: 623 W. Sackett Ave

PROJECT DESCRIPTION: The owners have applied for a variance from the required 15' front yard setback for a covered porch. The request is to receive a variance from the minimum setback of fifteen (15) feet required for a front yard setback of the covered porch. The applicant is requesting a minimum allowed front yard setback of 14' 5 3/8" to build an addition of a covered porch on the front of the primary residence. The request is also for a variance from the maximum lot coverage of 45% required in the R-3 (high density residential district) zone. The applicant is requesting the maximum allowed lot coverage of 46.9% to build the front porch.

TENTATIVE MEETING DATES:

- Planning Commission @ P.M.
City Council @ P.M.
Board of Adjustment 02/28/22@ 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: CCBD has no comments or concerns regarding the proposed variance to allow the a patio cover on the front of the home as depicted in the plans attached to the referral. - DS

RESPONSE NEEDED BY: 02/18/22

RECEIVED: _____

PLANNING STAFF: Franco Palumbo



PLANNING DEPARTMENT
PROJECT REVIEW TRANSMITTAL FORM

ATTENTION: _____ DATE: 01/31/2022

- 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: Ted & Kathleen Bohn PHONE: 720-338-4190 FAX: _____

EMAIL: bohntl@msn.com

PROPERTY LOCATION: 623 W. Sackett Ave

PROJECT DESCRIPTION: The owners have applied for a variance from the required 15' front yard setback for a covered porch. The request is to receive a variance from the minimum setback of fifteen (15) feet required for a front yard setback of the covered porch. The applicant is requesting a minimum allowed front yard setback of 14' 5 3/8" to build an addition of a covered porch on the front of the primary residence. The request is also for a variance from the maximum lot coverage of 45% required in the R-3 (high density residential district) zone. The applicant is requesting the maximum allowed lot coverage of 46.9% to build the front porch.

TENTATIVE MEETING DATES:

- Planning Commission _____ @ _____ P.M.
- City Council _____ @ _____ P.M.
- Board of Adjustment 02/28/22 @ 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: FIRE DEPARTMENT HAS NO CONCERNS AT THIS TIME.

RESPONSE NEEDED BY: 02/18/22

RECEIVED: _____

PLANNING STAFF: Franco Palumbo



Gianfranco Palumbo <franco.palumbo@cityofsalida.com>

Agency Review Variance - 623 W. Sackett Ave

DavidL <david.lady@cityofsalida.com>
To: Gianfranco Palumbo <franco.palumbo@cityofsalida.com>

Mon, Jan 31, 2022 at 4:42 PM

No concerns.

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

On Jan 31, 2022, at 4:20 PM, Gianfranco Palumbo <franco.palumbo@cityofsalida.com> wrote:

[Quoted text hidden]

<Agency Review.pdf>
<Bohn Porch Rev D variance_application-form.pdf>
<ISP_SUR1043_Signed.pdf>
<Bohn Porch Rev D Drawings.pdf>



**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 February 28, 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](https://attendee.gotowebinar.com/rt/1909092342220683277)

The applicants, Ted & Kathleen Bohn, are
requesting approval for two variances on
the property located at 623 W. Sackett Ave,
legally known as Lot B, Kamuta Subdivision
Exemption, Lots 7, 8, and 9, Block 10,
Sackett's Re-survey, City of Salida, Chaffee
County, Colorado.

The purpose of the request is to receive
variances from the minimum front yard
setback and the maximum lot coverage to
build a covered front porch addition to the
primary residence. Primary buildings in the
High - Density Residential (R-3) zone district
require a minimum front yard setback of
twenty (20) feet where a covered front porch
may encroach into the front yard setback by
twenty-five percent (25%). The maximum
allowed lot coverage of all structures on the
property is 45%. The applicant is requesting
a maximum allowed lot coverage of (46.9%)
and a minimum allowed front yard setback
of 14' 5 3/8" to construct a covered front
porch.

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](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 February
11, 2022



Gianfranco Palumbo <franco.palumbo@cityofsalida.com>

Front Porch addition variance

Barry Blocker <blockerbarry@gmail.com>
To: franco.palumbo@cityofsalida.com
Cc: Ted Bohn <bohntl@msn.com>

Fri, Feb 4, 2022 at 7:11 PM

Hello Franco,

My name is Barry Blocker. My wife and I own the house at [625 W Sackett](#) next door to Ted and Kathleen Bohn. We have reviewed the plans for the front porch addition proposed by the Bohn's. We have no concerns or issues with this addition as proposed. The improvements that they are making to this property benefits our neighborhood and our property values. We support this effort. Please let me know if you have any questions. Thank you.

Barry Blocker
719-629-8167



Gianfranco Palumbo <franco.palumbo@cityofsalida.com>

Variances Request 623 W. Sackett Ave

ron Liebl <rlied06@hotmail.com>

Tue, Feb 15, 2022 at 12:34 PM

To: "franco.palumbo@cityofsalida.com" <franco.palumbo@cityofsalida.com>

As owner of properties at 617, 628 and [636 W Sackett Ave](#) I have no objection to the variances as detailed in notice of hearing. I suggest approval as it enhance the appearance of property and subsequently of the neighborhood. Thanks Ron Liebl

Get [Outlook for iOS](#)



GENERAL DEVELOPMENT APPLICATION

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

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

- | | |
|--|--|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Administrative Review:
(Type)_____ |
| <input type="checkbox"/> Pre-Annexation Agreement | |
| <input checked="" type="checkbox"/> Variance | <input type="checkbox"/> Limited Impact Review:
(Type)_____ |
| <input type="checkbox"/> Appeal Application | |
| <input type="checkbox"/> Certificate of Approval | <input type="checkbox"/> Major Impact Review:
(Type)_____ |
| <input type="checkbox"/> Creative Sign Permit | |
| <input type="checkbox"/> Historic Landmark/District | <input type="checkbox"/> Other:_____ |
| <input type="checkbox"/> License to Encroach | |
| <input type="checkbox"/> Text Amendment to Land Use Code | |
| <input type="checkbox"/> Watershed Protection Permit | |
| <input type="checkbox"/> Conditional Use | |

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

A. Applicant Information

Name of Applicant: Ted & Kathleen Bohn

Mailing Address: 623 W Sackett Ave, Salida

Telephone Number: 720-338-4190 FAX: N/A

Email Address: bohntl@msn.com

Power of Attorney/ Authorized Representative: N/A
(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: _____

Street Address: 623 W Sackett Ave

Legal Description: Lot B Block 10 Subdivision Karnuta (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 Ted Bohn Date 1/14/22

Signature of property owner Kathleen Bohn Date 1/14/22



VARIANCE APPLICATION

448 East First Street, Suite 112
Salida, CO 81201
Phone: 719-530-2626 Fax: 719-539-5271
Email: 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: 45% Proposed Lot Coverage: 46.9%
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: [checked] Front yard [] Rear yard [] Side yard
ii. Which direction: [checked] North [] South [] East [] West
[] Northeast [] Northwest [] Southeast [] Southwest
iii. Type of Building: [] Principal [] Accessory Building
iv. Current Setback: 22'-3 1/2"
v. Proposed Setback: 14'-5 1/8"
vi. Required Setback: 15'
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 front building at 623 W Sackett is the original adobe structure built by the Railroad for their employees in the late 1800's. In 2021, we replaced the dilapidated roof and updated the interior so that it is livable for hopefully another 100 years! During the renovation design process, we considered adding a 2nd floor to increase living space, but ultimately decided there was too much structural risk given the 120+-year-old adobe walls. Instead, we added a studio space to the new alley-facing garage after demolishing the ancient railroad-tie wall structure in it's place, which brought our lot coverage to 45%. Finally, to complete the property renovation project, a covered porch is necessary to make the existing front 9'x32' concrete pad usable. The as-designed porch depth of 7'-10 3/8" (including eaves) is necessary to protect the users and furniture from exposure to the various weather elements experienced throughout the year and to match the aesthetic of similar but larger covered porches on neighborhood houses facing Sackett Ave.

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

In addition to the adobe walls that limit vertical development, unfortunately, the original parcel at 623 W Sackett was previously sub-divided into two 0.13 acres lots, resulting in limited area for development. Also, the original front railroad house was built close to the front property setback, leaving smaller-than-typical room to add the front porch that we desire.

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 it's northeast exposure, the front of the house often experiences extreme weather elements including intense sun, rain, sleet, and snow. Without a covered area to protect users and furniture, these conditions limit utilization of the concrete patio, and by extension, the front garden beyond. The result is that an already small lot is effectively made smaller - basically, we aren't able to use 15% of our total lot area ($37.4' \times 22.7' = 850/5627$ total sqft).

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.

A covered porch will enable a small space to be sufficiently protected from the elements, allowing us to create a comfortable place in which to enjoy the spectacular environment that surrounds us. Such an experience was a key reason why we invested in the purchase of this property in September 2020 and subsequent remodeling/upgrading during 2021.

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

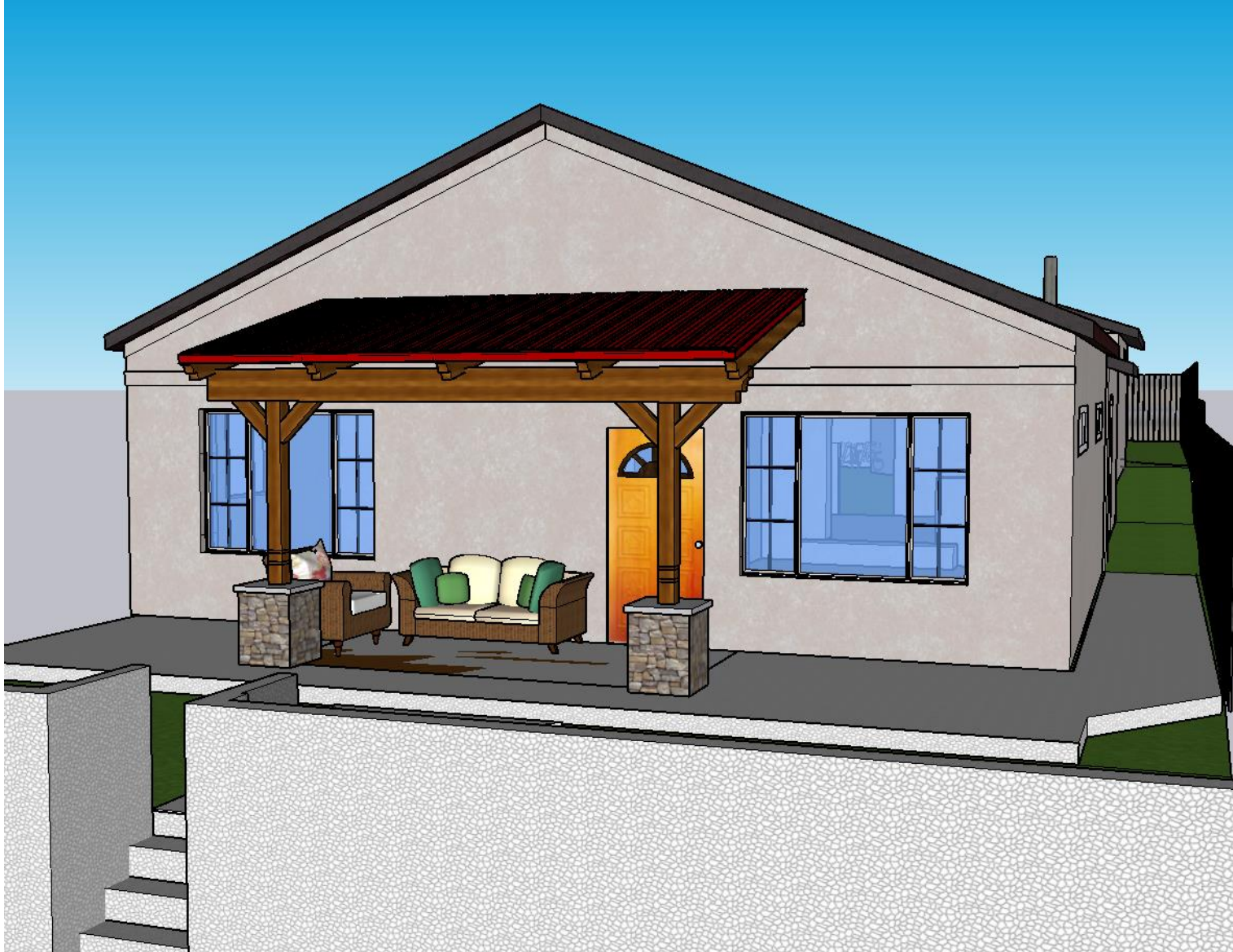
The proposed porch design is consistent with the architecture of the local neighborhood. The as-designed size has been designed to protect users and furniture while also matching the aesthetic of similar but larger covered porches on neighborhood houses facing Sackett Ave.

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.

As the proposed porch addition will be build upon an existing concrete pad, it will not have a material impact on volume or direction of water drainage. Water will drain off the porch roof on to the existing concrete pad, which will flow in the NE direction into the garden between concrete pad and the Sackett Ave sidewalk. If necessary, gutters & downspouts will be used to manage water drainage.

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. Our goal is to create a comfortable home that complements the beauty and rhythms of our unique neighborhood while preserving the property's rich history. We think this goal is consistent with our neighbor's with whom we interact on a daily basis, and in support of the City of Salida's mission to promote the quality of life for it's current and future citizens.

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. The proposed porch will actually enhance the ability to maintain the area in general by reducing the surface area that needs to be maintained. If necessary, gutters & downspouts will be used to manage water drainage. Also, since the area will be used more, we will be more motivated to invest time to make sure it is properly maintained, as evidenced by the care we exert to maintain and enhance the rest of the property.



PROJECT:

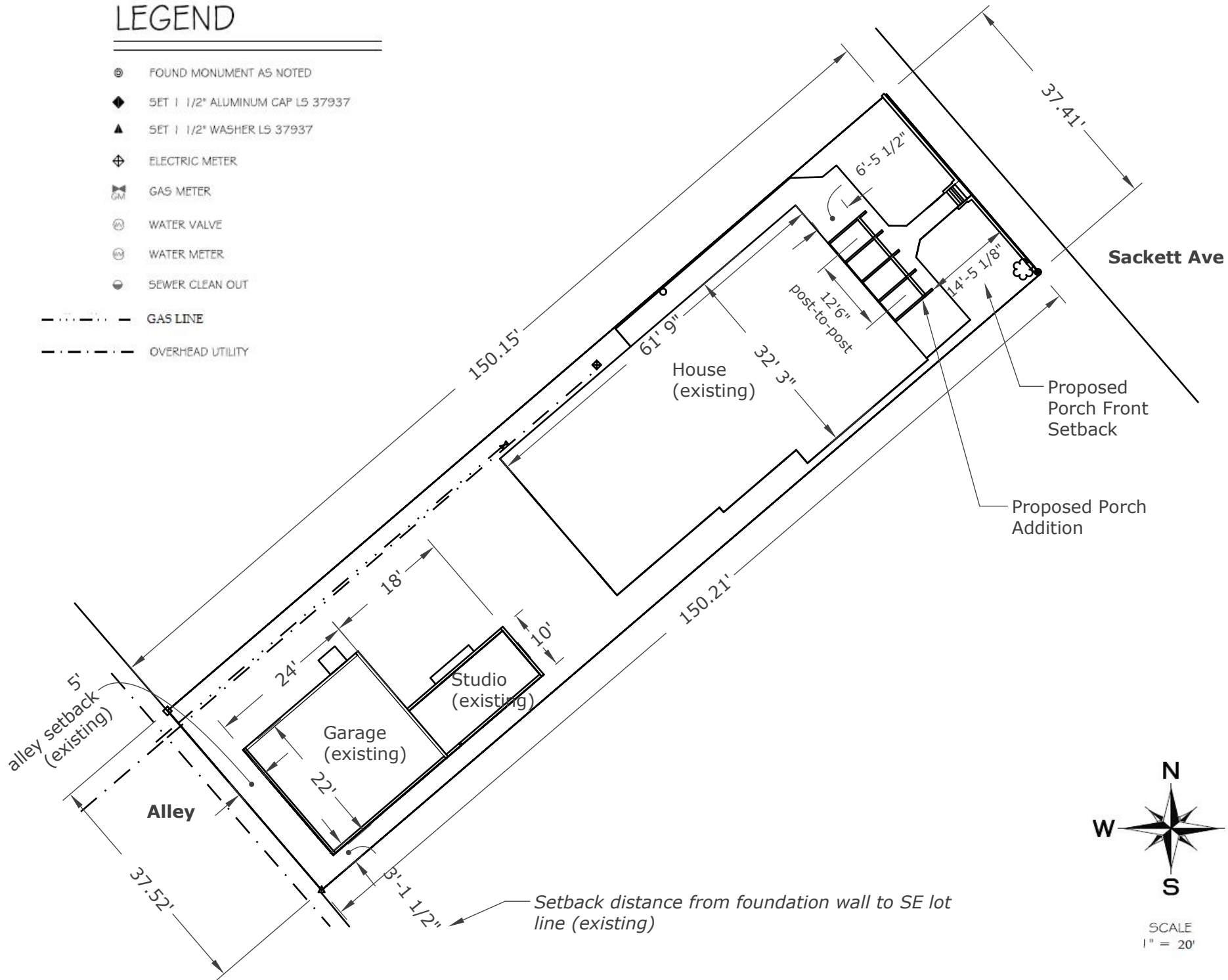
Bohn Covered Porch

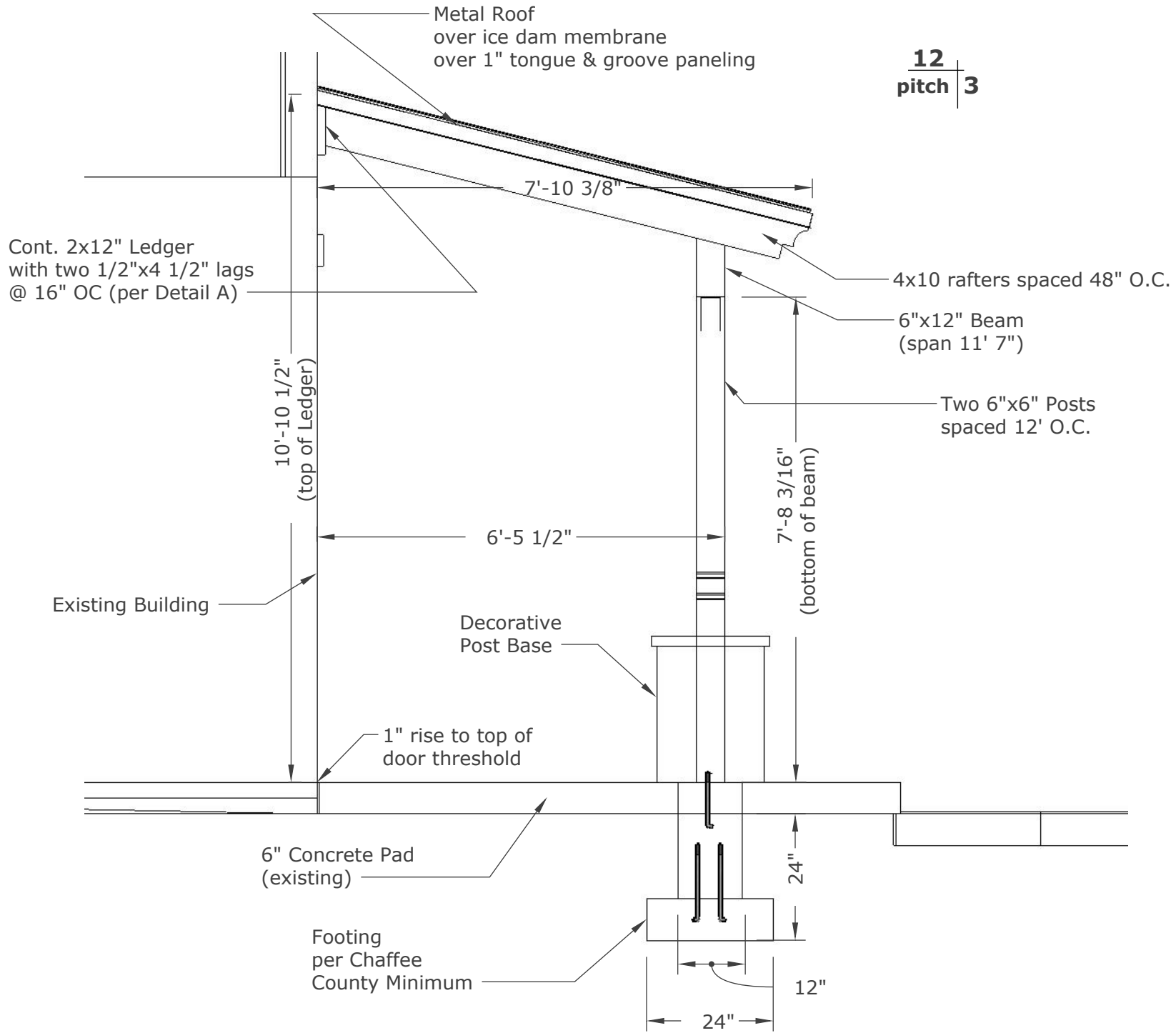
REVISION : DATE Rev Fa : February 23, 2022

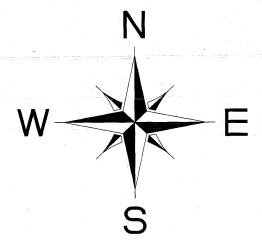
623 W Sackett Ave, Salida CO 81201

LEGEND

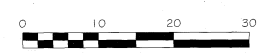
- ⊕ FOUND MONUMENT AS NOTED
- ◆ SET | 1/2" ALUMINUM CAP L5 37937
- ▲ SET | 1/2" WASHER L5 37937
- ⊕ ELECTRIC METER
- ⊗ GM GAS METER
- ⊕ WATER VALVE
- ⊕ WATER METER
- ⊕ SEWER CLEAN OUT
- · - · - · - GAS LINE
- · - · - · - OVERHEAD UTILITY





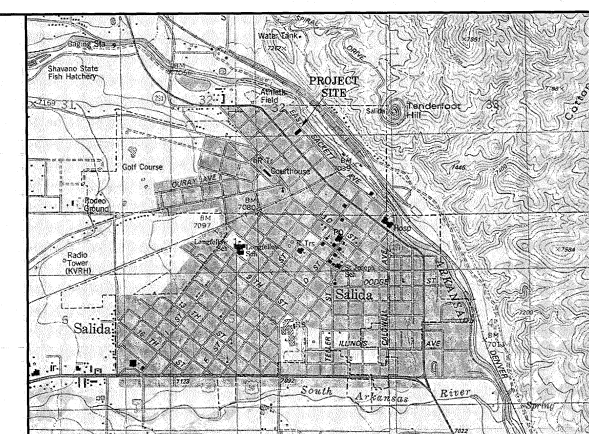


SCALE
1" = 10'



DANNEBERG IMPROVEMENT SURVEY PLAT

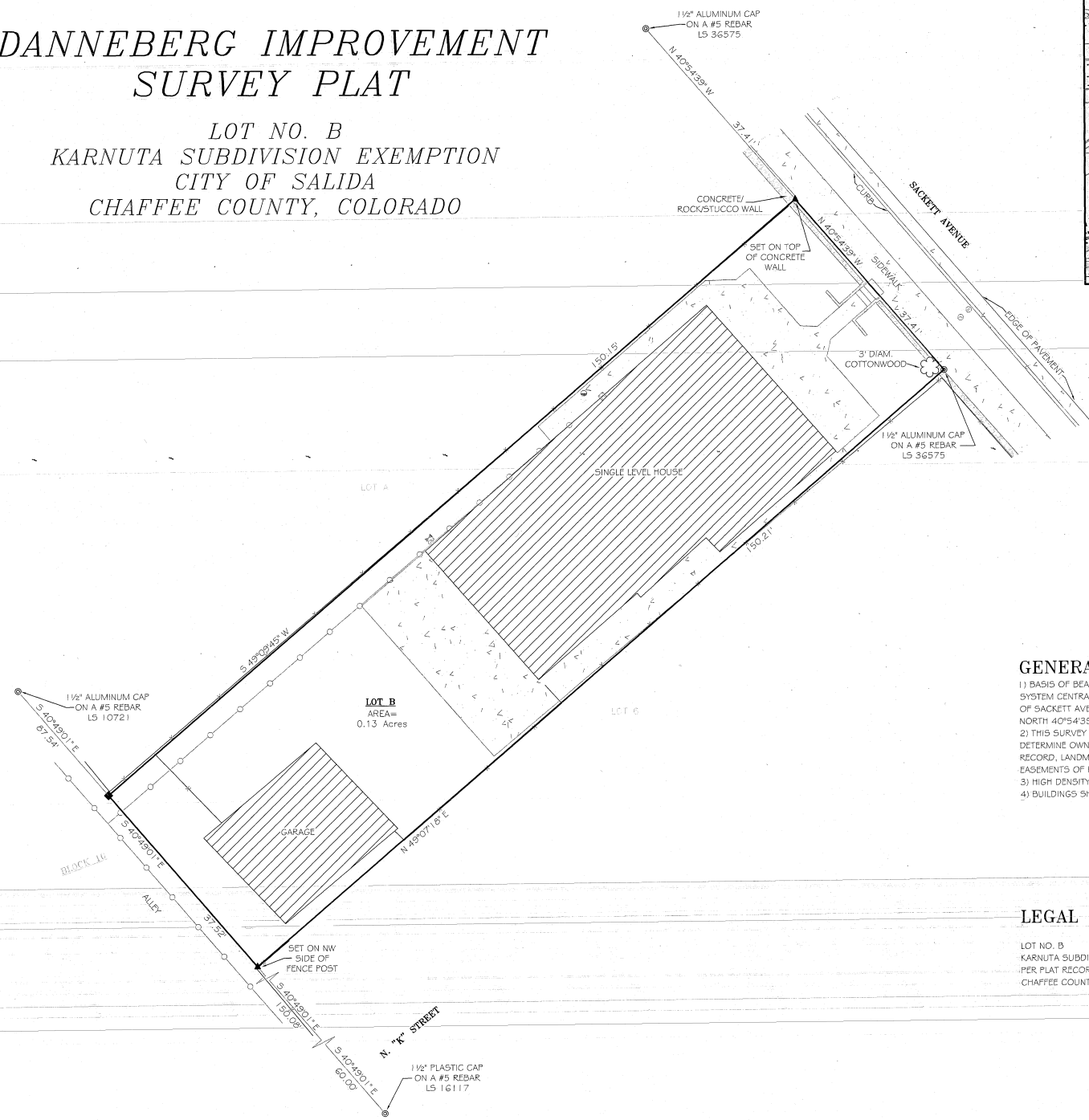
LOT NO. B
KARNUTA SUBDIVISION EXEMPTION
CITY OF SALIDA
CHAFFEE COUNTY, COLORADO



VICINITY MAP
NOT TO SCALE

LEGEND

- FOUND MONUMENT AS NOTED
- ◆ SET 1 1/2" ALUMINUM CAP L5 37937
- ▲ SET 1 1/2" WASHER L5 37937
- ⊕ ELECTRIC METER
- ⊕ GAS METER
- ⊕ WATER VALVE
- ⊕ WATER METER
- ⊕ SEWER CLEAN OUT
- X — FENCE
- ○ — OVERHEAD UTILITY
- ▨ CONCRETE



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 SOUTH-WESTERLY RIGHT-OF-WAY OF SACKETT AVENUE BETWEEN TWO 1 1/2" ALUMINUM CAPS STAMPED "L5 36575" HAVING A BEARING OF NORTH 40°54'39" WEST.
- 2) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY LANDMARK SURVEYING AND MAPPING TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING TITLE OF RECORD, LANDMARK SURVEYING AND MAPPING RELIED UPON DOCUMENTS PROVIDED BY THE CLIENT. EASEMENTS OF RECORD WERE NOT SHOWN PER CLIENTS REQUEST.
- 3) HIGH DENSITY RESIDENTIAL (R-3)
- 4) BUILDINGS SHOWN ARE TO THE EXTERIOR WALLS.

LEGAL DESCRIPTION

LOT NO. B
KARNUTA SUBDIVISION EXEMPTION, LOTS 7, 8, AND 9, BLOCK 10, SACKETT'S RE-SURVEY
PER PLAT RECORDED MAY 2, 2005 AS RECEPTION NO. 350499
CHAFFEE COUNTY, COLORADO

CLERK AND RECORDER'S CERTIFICATE
THIS PLAT WAS FILED IN THE OFFICE OF THE CLERK AND RECORDER OF CHAFFEE COUNTY, COLORADO, AT 1:00 P.M. ON THIS 2nd DAY OF December, 2020 UNDER RECEPTION NUMBER SUR 1043
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.

Sydney A. Schieren
SYDNEY A. SCHIEREN
COLORADO P.L.S. 37937

REVISED:	SUR 1043	DANNEBERG IMPROVEMENT SURVEY PLAT LOT NO. B KARNUTA SUBDIVISION EXEMPTION CITY OF SALIDA CHAFFEE COUNTY, COLORADO
JOB # 20141		
DATE: SEPTEMBER 15, 2020	LANDMARK SURVEYING & MAPPING P.O. BOX 665 SALIDA, CO 81201 PH 719.539.4021 FAX 719.539.4031	
SHEET 1 OF 1		

REVISIONS: 1) CORRECTED MAP TO SHOW CORRECTED BOUNDARIES AND DISTANCES. 2) CORRECTED BEARING AND DISTANCE TO THE SEWER CLEAN OUT. 3) CORRECTED BEARING AND DISTANCE TO THE WATER VALVE. 4) CORRECTED BEARING AND DISTANCE TO THE WATER METER. 5) CORRECTED BEARING AND DISTANCE TO THE GAS METER. 6) CORRECTED BEARING AND DISTANCE TO THE ELECTRIC METER. 7) CORRECTED BEARING AND DISTANCE TO THE 3" DIAM. COTTONWOOD. 8) CORRECTED BEARING AND DISTANCE TO THE 1 1/2" ALUMINUM CAP ON A #5 REBAR L5 36575. 9) CORRECTED BEARING AND DISTANCE TO THE 1 1/2" ALUMINUM CAP ON A #5 REBAR L5 36575. 10) CORRECTED BEARING AND DISTANCE TO THE 1 1/2" PLASTIC CAP ON A #5 REBAR L5 16117.