



VARIANCE APPLICATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

P.O. Box 309 302 Pine Street Minturn, Colorado 81649-0309
Phone: 970-827-5645 Fax: 970-827-5545 Email: planner@minturn.org

Project Name:

Minturn Whisky Company - a new ground up construction of a sustainably designed distillery and tasting room

Project Location

Street Address: 161 Main Street, Minturn, CO 81645
161 Nelson St, Minturn, CO 81645

Zoning: Old Town Character Area - Commercial 100 Block A zone

Parcel Number(s): 2103-263-002&003

Application Request:

Reduce the rear setback from 30' to 10' for "single" story structure. (maximum eave height at new setback: 14'-0" AFG)
Reduce the rear setback from 30' to 20' for "second" story structure. (maximum eave height at new setback: 20'-0" AFG)

Applicant:

Name: Robert D Creasy Architecture

Mailing Address: PO Box 819, Minturn, CO 81645
(Physical address: 105 Williams St, Minturn, CO 81645)

Phone: 760-937-2600

Email: robert@rdcarch.com

Property Owner:

Name: Spence & Stefanie Neubauer

Mailing Address: PO Box 1253, Minturn, CO 81645

Phone: 603-770-8756 (Spence) or 970-763-8660 (Stef)

Email: stef@erwhisky.com & spence@erwhisky.com

Required Information:

Lot Size:	Type of Residence (Single Family, ADU, Duplex)	# of Bedrooms	# On-site Parking Spaces
4990 sf	N/A	N/A	Not req'd for commercial building in 100 block - 1 loading dock space.
# of Stories:	Snow storage sq ft:	Building Footprint sq ft:	Total sq ft Impervious Surface:
1 story + partial mezzanine level	5% of lot area = 250 sf	Proposed 3090	4390 sf = 88% (90% allowed)

Signature:

Fee Paid: _____ Date Received: _____ Planner: _____

VARIANCE APPLICATION

SUBMITTAL CHECKLIST REQUIREMENTS (TO BE INCLUDED WITH APPLICATION)

Applicant Staff

Application Fee (Non-Refundable application fee shall be collected)

- Planning Commission Review - \$575 + Costs attributable to the review by consultant time are billed at actual hourly rates. Cost assessed after first hour.

RESPOND TO THE FOLLOWING QUESTIONS:

Maximizing the first floor area is critical for the

1. Please describe the nature of the requested variance:

economic viability of the new local business. The "single" story variance allows for an approximately 27% incre

first floor area (3090 sf vs 2440 sf). The taller "second" story variance allows for an increase in the vaulted ar

the building for stacked barrels and tall distillery equipment. However, the overall scale of the building is reduce

2. Are there exceptional or extraordinary circumstances or conditions applicable to the site of the variance that does not apply generally to other properties in the same zone? (If yes, please elaborate):

The existing 30' setback only applies to 3 lots, including this one, in all of town. The excessive setback was created to

provide for an increase in the width of the Williams Street ROW (from 15' to 23") and to provide parking for pres

residential occupants of the lot. Since this is only a commercial building there is no requirement for residential pi

We are providing area for the widening of Williams St ROW to 23' to provide safe two way traffic to Molly G pa

3. Do the exceptional or extraordinary circumstances of the site create a situation in which the strict, literal interpretation and enforcement of the specified regulation result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the zone code! (if yes, please elaborate):

Without the reduced setbacks that would allow for an increase in the distillery's first floor production area, the site is not

viable for this use. An alternative use under the existing setbacks would result in a much more massive building

would create a huge "parking lot" of asphalt more than 70' wide which is directly contradictory to the town's inf

in creating a pedestrian friendly "woonerf" area on Williams St. We propose a more humanely scaled building.

Vicinity Map

-- Directional Map indicating how to get to the Property involved in the request.

- Zoning of Property

Improvement Location Certificate of Survey (ILC or ILS)

Site Plan showing Precise Nature of the Proposed Use – To Scale

- Scaled Drawings of Proposed Design of Structure
 - Plan View and Sections
- Building Heights – all 4 directions N/S/E/W
- Topography

July 7, 2024

Minturn Planning Department
Planning & Zoning Commission
302 Pine Street
Minturn, CO 81645

Re: Minturn Whisky Co Distillery & Tasting Room Variance

Dear Planning Commissioners,

Thank you for considering our application for a variance on the lot located at 161 Main Street on the corner of Nelson Street and backing up to William's Street. Spence and Stefanie Neubauer own a local distillery business, Minturn Whisky Company (formerly known as Eagle River Whisky), and they wish to develop the lot in question with a building for their distillery and tasting room as well as a small attendant retail space or laundromat.

Our hope is to create an iconic building that becomes the visual representation of their business which animates the old downtown of Minturn by designing a building that has strong historical references which will provide character fitting to Minturn. We also wish for the building and the business itself to be a model of sustainable building and distilling processes utilizing: the heat from distillation to condition the building, active solar systems for all the electrical needs, recycling of water in all processes, and the use of reclaimed materials in construction.

Because of the weight of equipment and full barrels of whisky, the distillery requires a maximum ground floor area in order to be a viable business, but the building does not need multiple stories, nor the height & massing allowed by current codes for this lot. Our variance request stems from the excessive rear lot set back that current zoning places on this lot. We understand that this setback was created to provide for an increase in the Williams Street right of way (ROW) from 15' to 23' as well as the anticipated need for residential parking that would have resulted from a mixed-use building with residential uses on upper floors.

There are only 3 lots in Minturn with this large of a rear setback (30'). And since federal rules do not allow residential use above a distillery, we cannot utilize the code allowed height for other uses. Therefore, we propose a reduction of the rear setback from 30' to 10' for just the first floor of the building (14' eave height) and a reduction of the setback from 30' to 20' for the "second" floor (20' eave height - which is a taller vaulted space over the distillery production floor).

Existing code allows for upper floor balconies to extend up to 10' into the rear setback (similar to our 20' "second" story setback) and it allows for an open terrace up to 48" tall to extend all the way to within 5' of the rear property line which would crowd the Williams St ROW. It also allows for an incentive 3rd floor with a flat roof at 35' or a pitched roof up to about 44' high. The effect of a building built to maximally use the code allowed building envelope would greatly exceed the massing and scale of our proposed building – both of which are shown in our elevation drawings.

By stepping the height of our proposed rear setbacks, we bring the building down to a more human scale and increase the access to light and air at the street level. Additionally, by reducing the paved area of parking along Williams Street from over 70' to less than 50' wide, we more successfully create the "woonerf" ambiance that the town's Design Framework Principals envisioned for William's Street where pedestrians share the street with vehicles within an animated street scape. You can also see that we are activating the secondary edge of Williams Street with another access to whisky tasting that could be employed during the Saturday Markets and the "loading dock" is surfaced with pavers so it may double as a public patio as well. This is all accomplished while still providing the increased 23' width of the William's St ROW which we feel should be finished with pavers to emphasize its pedestrian nature.

July 7, 2024

We hope you can see that we have tried to create a building that is more in scale to the site and adjacent buildings, and which more closely aligns with the town's design intentions for a pedestrian friendly environment than what could be built on the site if another developer wished to maximize the building's floor area. As with the William's Street frontage, we are using a one-story massing along Nelson Street to open views from Main Street to the hill beyond with the Minturn Water Tank. We also provide bike parking, a stone bench and public patio at the Nelson/Main corner along with planting beds at all street frontages. Our site plan illustrates how bulb-outs along Main Street could animate street corners throughout Minturn, but we understand those interventions would require CDOT involvement and so are just a suggestion at this point.

In net, we feel that our proposal for a variance from this onerous rear setback, which is only very selectively applied to just three lots in town, will provide for a much safer and more enjoyable relationship of the building to pedestrians than current code provides. Moreover, we hope you recognize it is actually a more successful example of the design intent of Minturn for these pedestrian friendly streets.

Thank you again for your time and consideration of our proposal.

All the best,

Robert Creasy (CO license #3063320)





Mobil Oil
Minturn's Old fashioned grease & oil

OUT OF THE OFFICE

MINTURN

HOTEL MINTURN

EAGLE RIVER WHISKY

Minturn

ROBERT D CREASY ARCHITECTURE
 PO BOX 819 - 105 WILLIAMS STREET
 MINTURN, CO 81645-0819
 MB: 760.937.2600 (Robert)
 robert@rdcarch.com

STRUCTURAL ENGINEER

SURVEYOR
 PEAK LAND SURVEYING, INC.
 1000 Lion's Ridge Loop
 Vail, CO 81657
 970.476.8644

GEO/SOILS ENGINEER - SPECIAL INSPECTION SERVICES
 Not Applicable

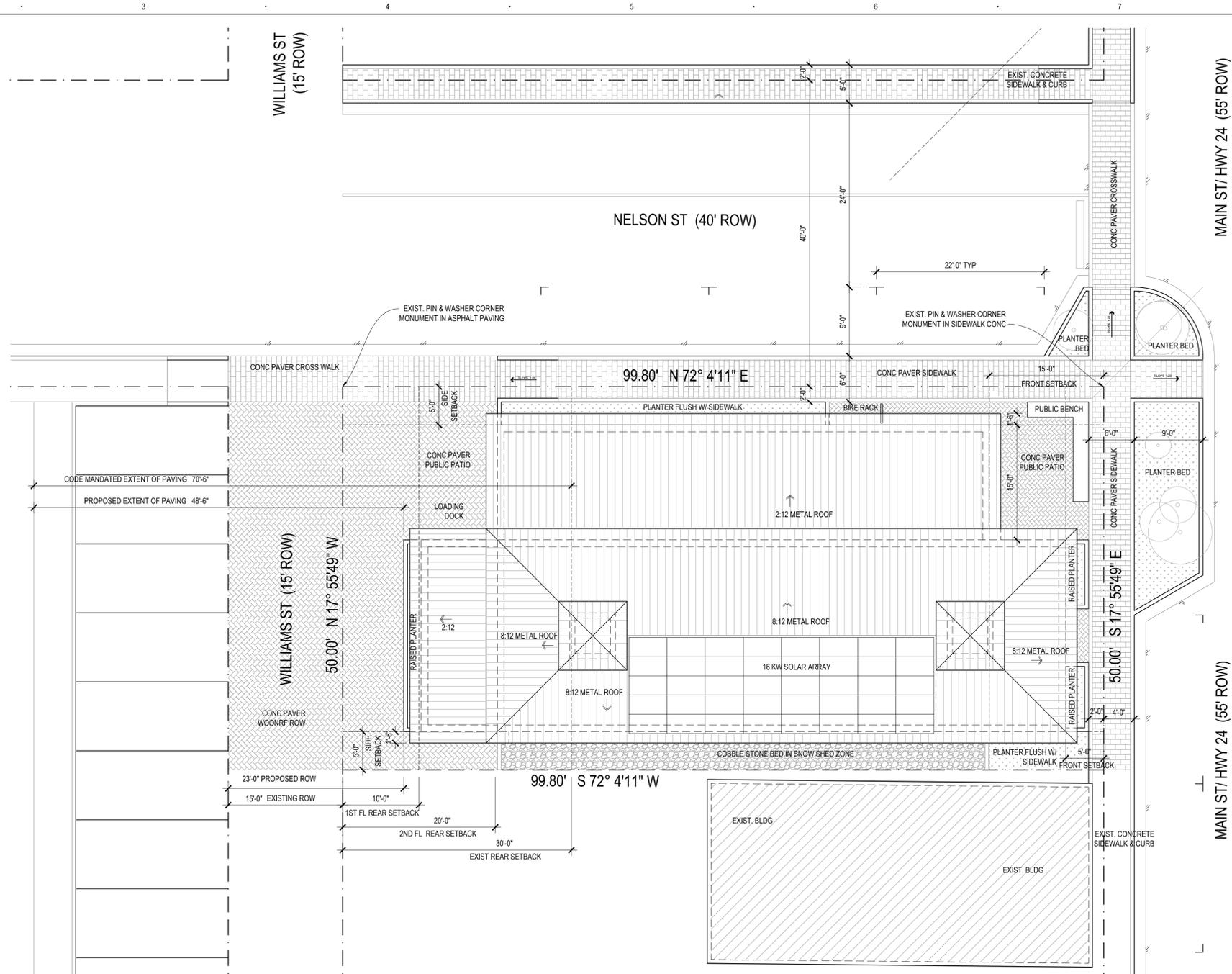
GENERAL CONTRACTOR

MINTURN WHISKY COMPANY

PARCELS # 2103-263-002 & 003
 161 MAIN ST / 161 NELSON
 MINTURN, CO 81645

OWNER:
 STEFANIE & SPENCE NEUBAUER

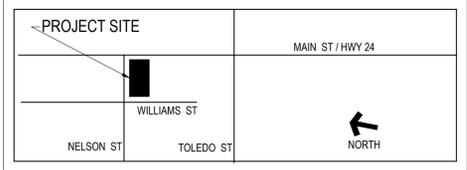
stef@erwhisky.com & spence@erwhisky.com
 MB: 603.770.8756



E3 SITE - PLOT - ROOF PLAN
 L100

LOT SIZE: 4990 SF
 BUILDING COVERAGE : 3092 SF (62%)
 IMPERVIOUS SURFACE : 4401 SF (88.2%)

GROUND SURFACE TREATMENTS BEYOND PROPERTY LINES ARE A SUGGESTION OF WHAT COULD BE DONE TO HELP CREATE A WOONERF STREET SCAPE



SITE PLAN IS BASED ON PEAK LAND SURVEYING, INC. SURVEY DATED 11/16/2023 JOB # 2062.5

- GENERAL NOTES:**
- DO NOT SCALE FROM DRAWINGS. REFER TO WRITTEN DIMS AND BRING OMITTED DIMS TO ARCHITECT'S ATTN.
 - REFER TO STRUCTURAL SHEETS FOR STRUCTURAL MATERIALS, NOTES, SPECIFICATIONS AND DETAILS.
 - ALL DIMENSIONS ARE TO FO FRAMING, ROUGH OPENING, FO CONC WALL OR T.O. CONC SLAB OR SUB FL. UNO.
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 - REFER TO SHEETS A301 FOR WALL & BUILDING SECTION DETAILS, MATERIALS, AND CONFIGURATION.

VARIANCE APPLICATION JULY 10, 2024
 DATE: NOT FOR CONSTRUCTION
 PROJECT #: 2410

**SITE & ROOF PLAN
 SITE - UTILITY NOTES
 VICINITY PLAN
 L101**

ROBERT D CREASY ARCHITECTURE
 PO BOX 819 - 105 WILLIAMS STREET
 MINTURN, CO 81645-0819
 MB: 760.937.2600 (Robert)
 robert@rdcarch.com

STRUCTURAL ENGINEER

SURVEYOR
 PEAK LAND SURVEYING, INC.
 1000 Lion's Ridge Loop
 Vail, CO 81657
 970.476.8644

GEO/SOILS ENGINEER - SPECIAL INSPECTION SERVICES
 Not Applicable

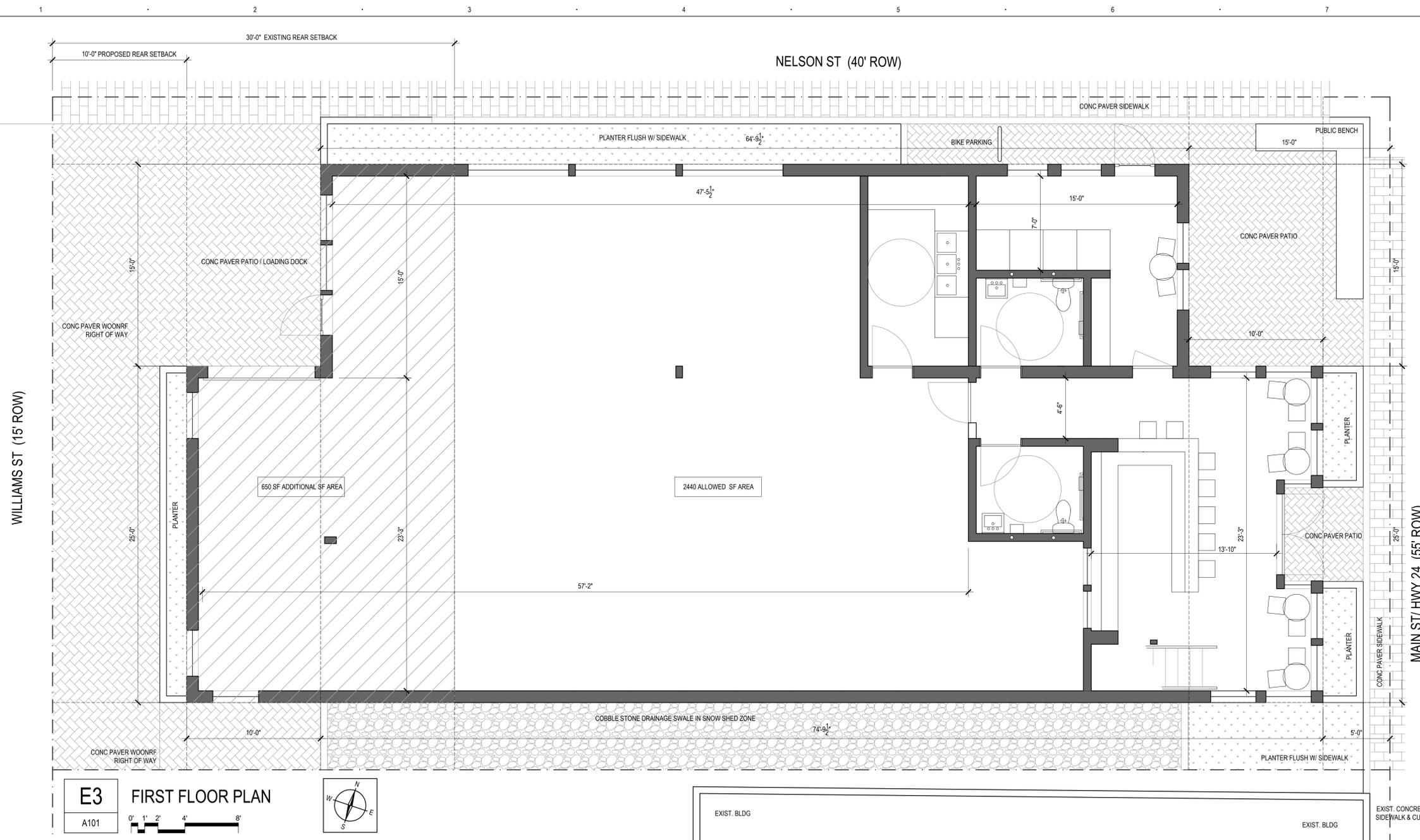
GENERAL CONTRACTOR

MINTURN WHISKY COMPANY

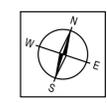
PARCEL # 2103-263-002 & 003
 161 MAIN ST
 MINTURN, CO 81645

OWNER:
 STEFANIE & SPENCE NEUBAUER

stef@erwhisky.com & spence@erwhisky.com
 MB: 603.770.8756



E3 FIRST FLOOR PLAN
 A101



FLOOR AREA:	
1ST FLOOR (EXIST SETBACK)	2440 SF
1ST FLOOR (PROPOSED SETBACK)	3090 SF
DIFFERENCE	650 SF
(PERCENT DIFFERENCE: 27%)	

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VARIANCE APPLICATION JULY 1, 2024
 DATE: NOT FOR CONSTRUCTION
 PROJECT #: 2410

FIRST FLOOR PLAN
 NOTES & SPECIFICATIONS
A101

RDC ARCHITECTURE

ROBERT D CREASY ARCHITECTURE
 PO BOX 819 - 105 WILLIAMS STREET
 MINTURN, CO 81645-0819
 MB: 760.937.2600 (Robert)
 robert@rdcarch.com

STRUCTURAL ENGINEER

SURVEYOR
 PEAK LAND SURVEYING, INC.
 1000 Lion's Ridge Loop
 Vail, CO 81657
 970.476.8644

GEO/SOILS ENGINEER - SPECIAL INSPECTION SERVICES
 Not Applicable

GENERAL CONTRACTOR

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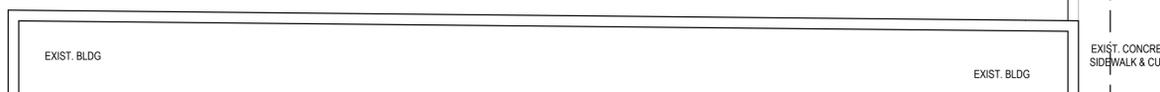
WILLIAMS ST (15' ROW)

NELSON ST (40' ROW)

MAIN ST/ HWY 24 (55' ROW)

E3 SECOND FLOOR PLAN

A102



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VARIANCE APPLICATION JULY 1, 2024

DATE: NOT FOR CONSTRUCTION

PROJECT #: 2410

SECOND FLOOR PLAN NOTES & SPECIFICATIONS

A102

ROBERT D CREASY ARCHITECTURE
 PO BOX 819 - 105 WILLIAMS STREET
 MINTURN, CO 81645-0819
 MB: 760.937.2600 (Robert)
 robert@rdcarch.com

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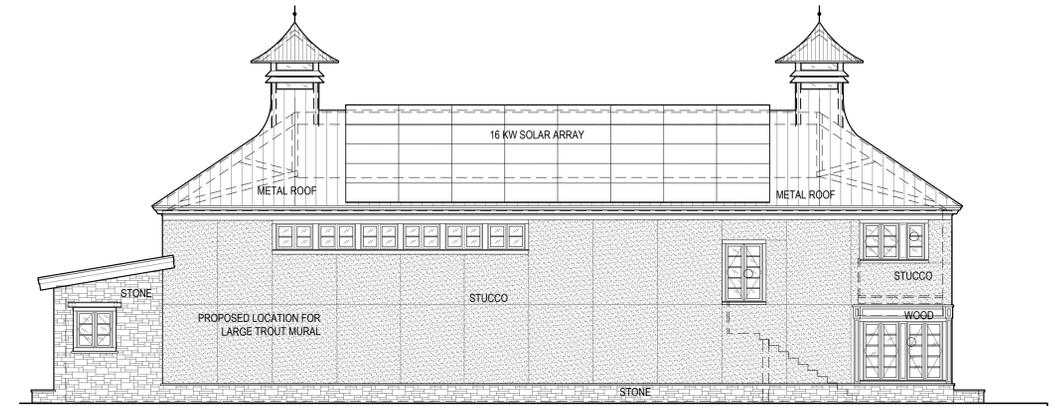
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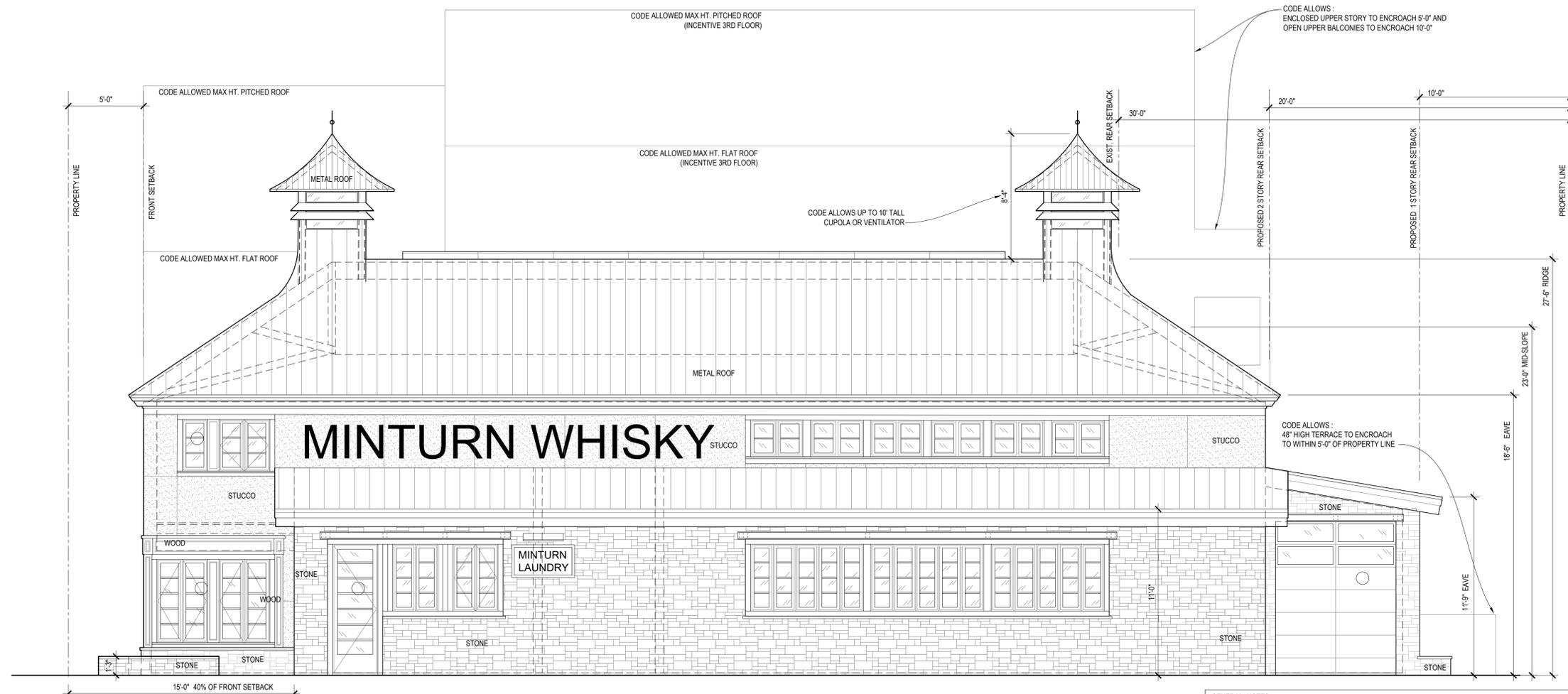
OWNER:
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 MB: 603.770.8756



B4 SOUTH ELEVATION

A201 0' 2' 4' 8' 16'



F2 NORTH ELEVATION

A201 0' 1' 2' 4' 8'

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VARIANCE APPLICATION JULY 1, 2024
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PROJECT #: 2410

**NORTH ELEVATION
 NELSON STREET
 NOTES & SPECIFICATONS
 A201**

ROBERT D CREASY ARCHITECTURE
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GEO/SOILS ENGINEER - SPECIAL INSPECTION SERVICES
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GENERAL CONTRACTOR

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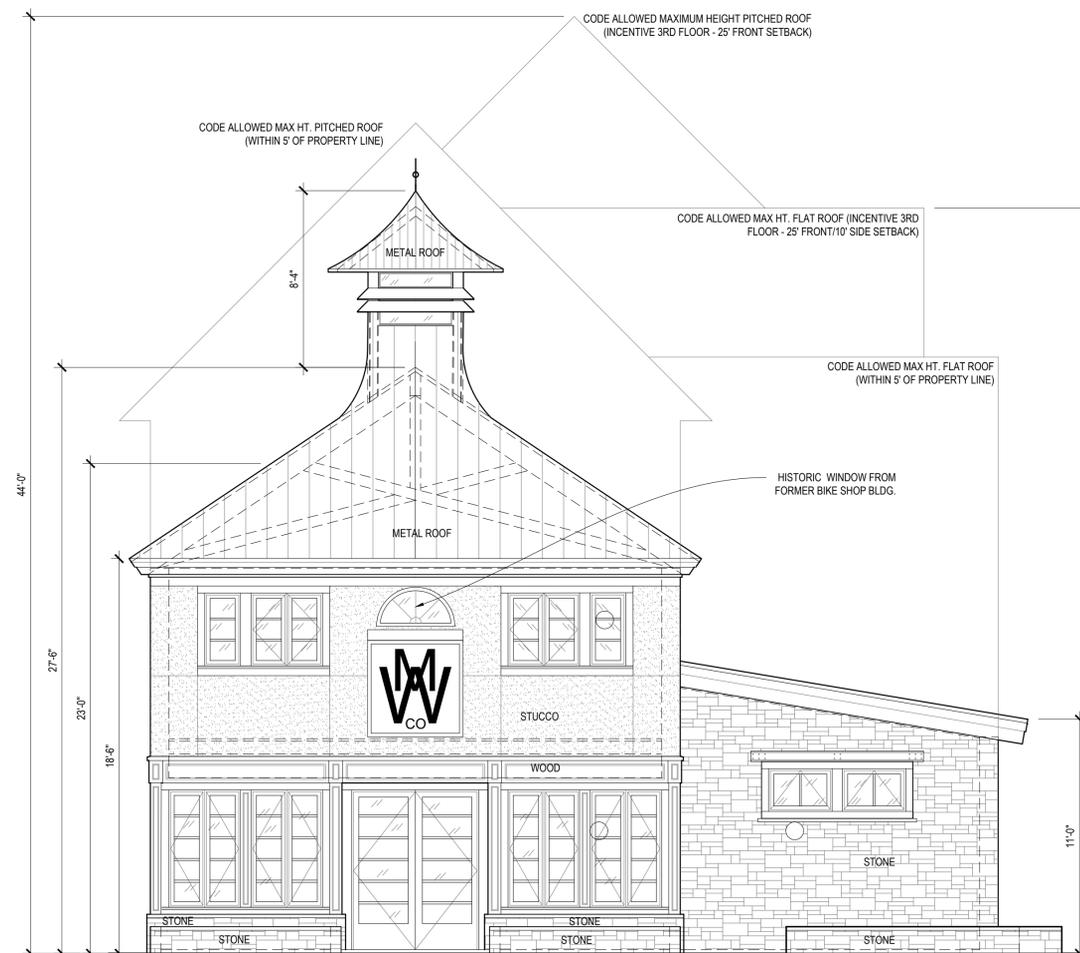
OWNER:
 STEFANIE & SPENCE NEUBAUER

stef@erwhisky.com & spence@erwhisky.com
 MB: 603.770.8756



F1 WEST ELEVATION - WILLIAMS STREET

A202



F5 EAST ELEVATION - MAIN STREET

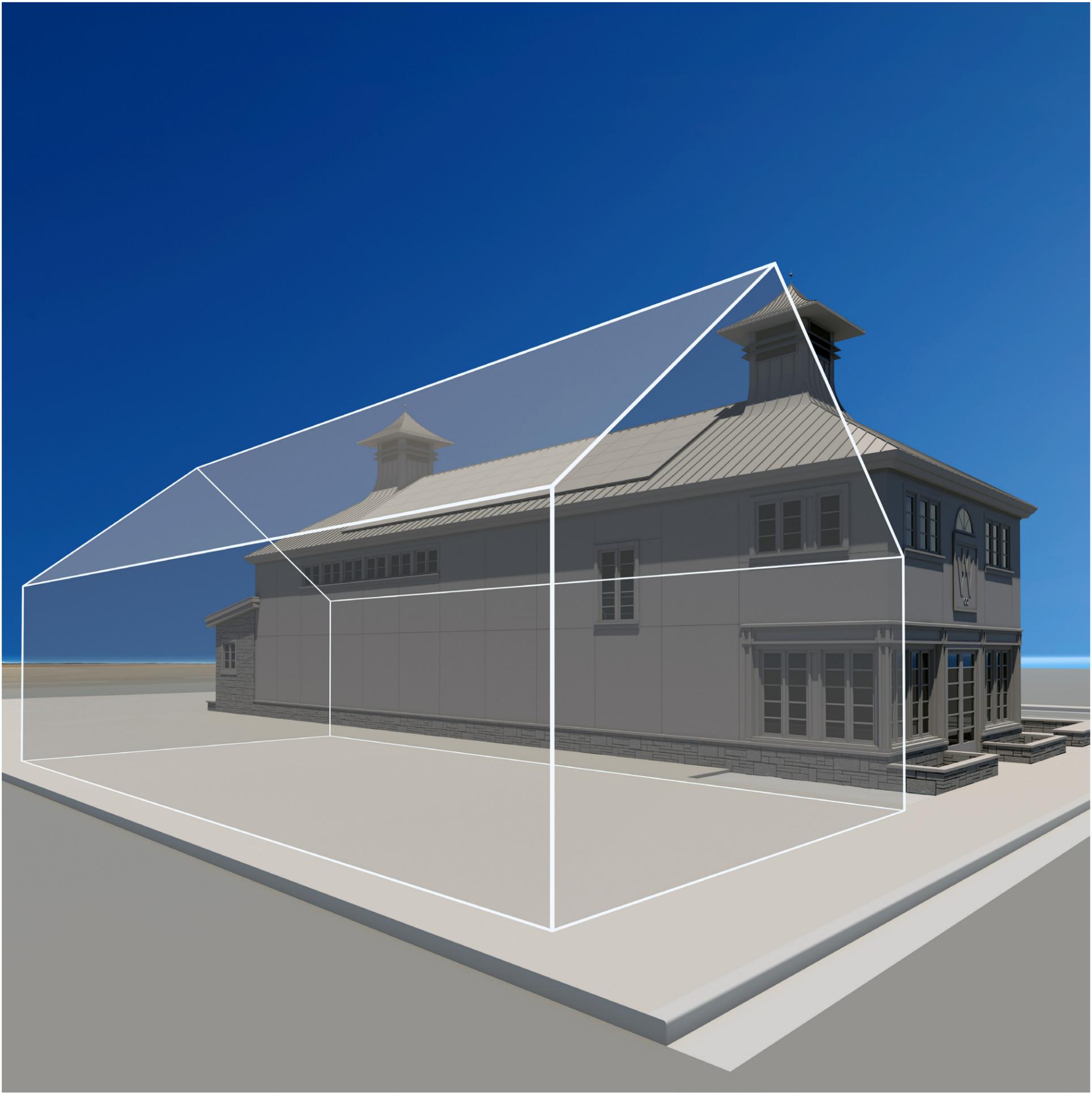
A202

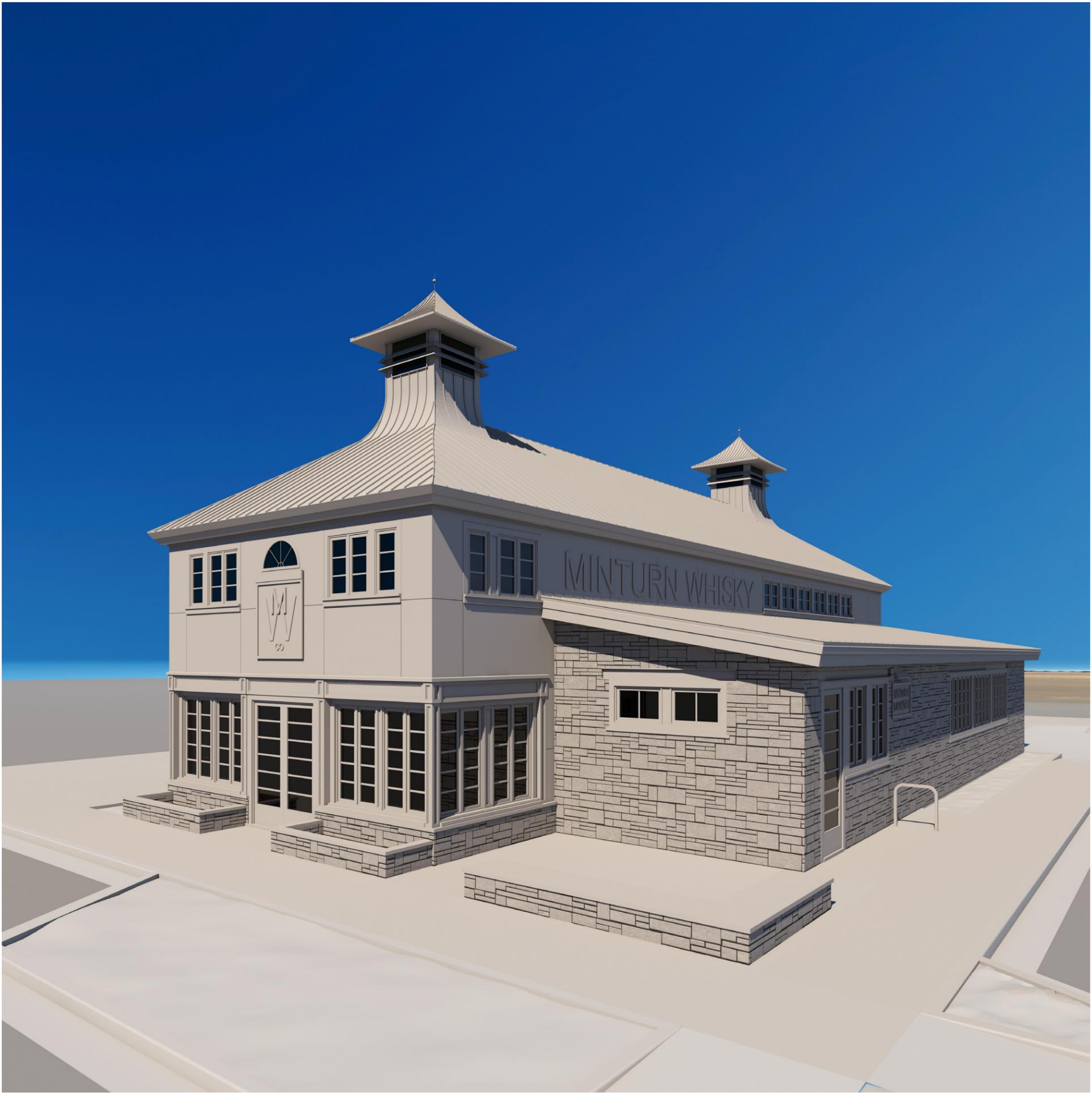
GENERAL NOTES:

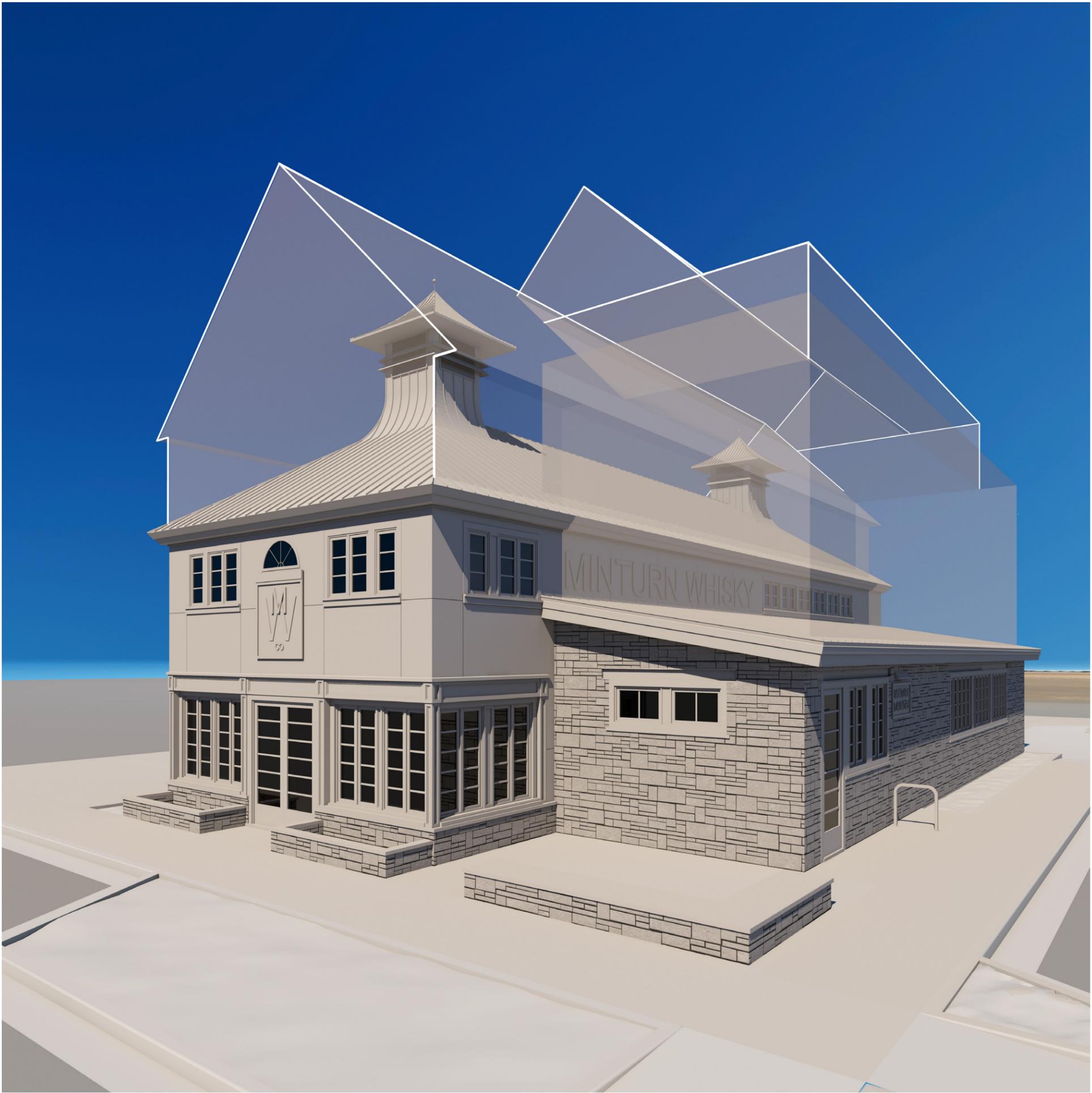
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VARIANCE APPLICATION JULY 1, 2024
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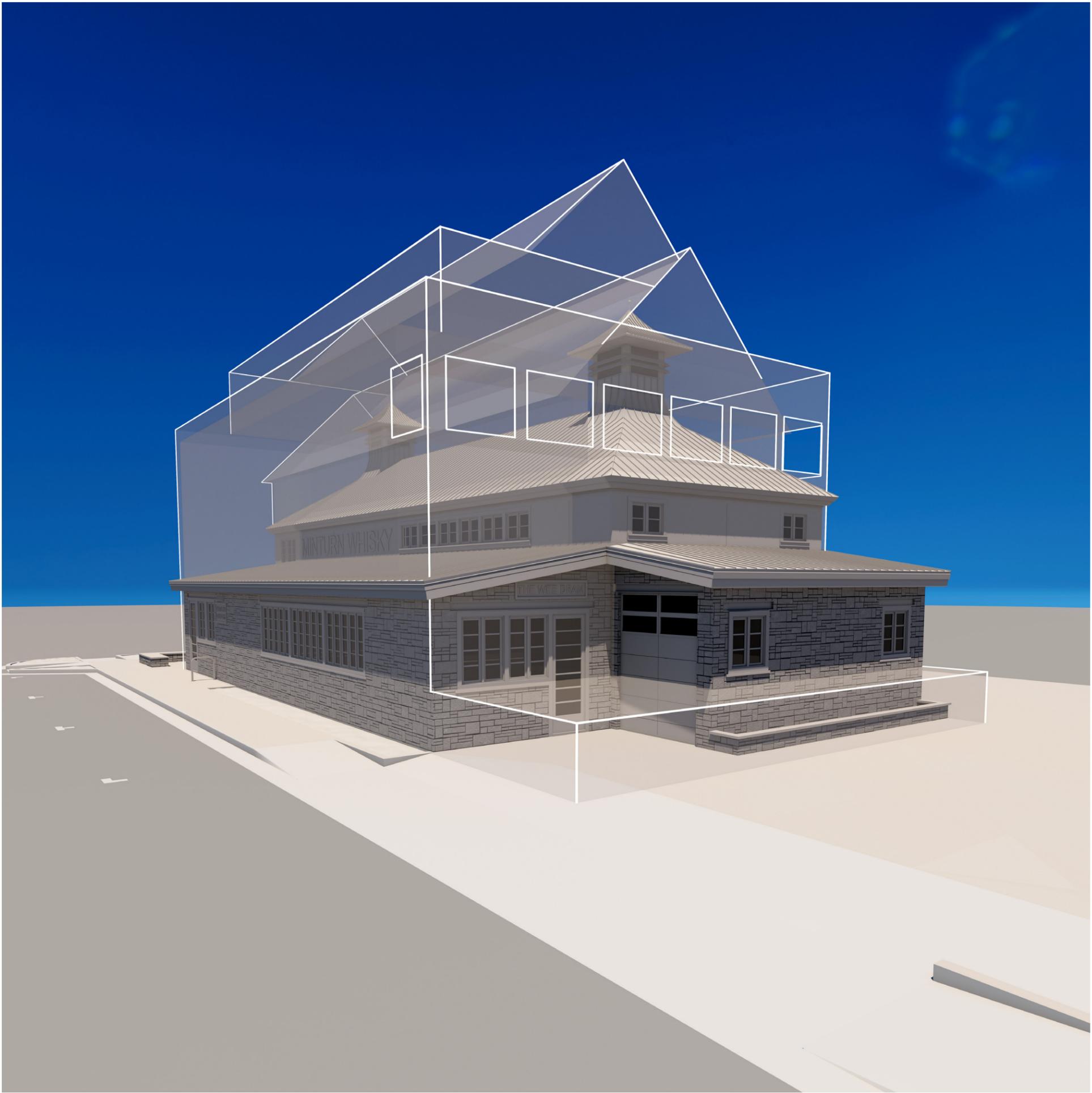
EAST ELEV - MAIN ST
 WEST ELEV - WILLIAMS ST
 NOTES & SPECIFICATONS
A202















Madison Harris

From: Ashley Saunders <akamensaunders@gmail.com>
Sent: Thursday, August 22, 2024 3:17 PM
To: Madison Harris
Subject: Support for 161 Main Street Variance

Hi Madison,

Hope all is well. My name is Ashley Saunders and I am a Minturn resident living at 440 Eagle River Street. I wanted to reach out to express my support for the proposed 161 Main Street variance application.

Thank you for your consideration.

Ashley Saunders
440 Eagle River Street
M: 303-818-7490

Madison Harris

From: Justin Ross <justinross01@gmail.com>
Sent: Thursday, August 22, 2024 10:45 PM
To: Madison Harris
Subject: Note re: 161 Main Variance

Hey there, Madison.

Just writing to express my support for the 161 Main variance application. Please feel free to reach out if you have any questions (248.408.1171). Thanks so much.

Justin Ross
1141 Main Street

Madison Harris

From: Brady Schlichting <bradyschlichting@gmail.com>
Sent: Friday, August 23, 2024 3:38 PM
To: Madison Harris
Subject: 161 Main Variance

Hello,

My name is Brady Schlichting, and I own Evoke Outdoors, the bike shop at 102 Main St. I've heard a little about the variance at 161 Main St and I'm for it, if it can help the business, I'm all about it. The owner is a Minturn local and all he wants is the best for the town.

Thanks,

Brady Schlichting
Evoke Outdoors
970-306-5427