



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): 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: [checked] Front yard [ ] Rear yard [ ] Side yard
ii. Which direction: [ ] North [ ] South [ ] East [ ] West
[checked] Northeast [ ] Northwest [ ] Southeast [ ] Southwest
iii. Type of Building: [ ] Principal [ ] Accessory Building
iv. Current Setback:
v. Proposed Setback: 11'-0"
vi. Required Setback: 20'-0"
b. Second Setback Variance Information (if applicable):
i. Type of setback: [checked] Front yard [ ] Rear yard [ ] Side yard
ii. Which direction: [ ] North [ ] South [ ] East [ ] West
[checked] Northeast [ ] Northwest [ ] Southeast [ ] Southwest
iii. Type of Building: [ ] Principal [ ] Accessory Building
iv. Current Setback: 5'-6"
v. Proposed Setback: 5'-6"
vi. Required Setback: 20'-0"

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 front door to the house faces West Seventh Street and by definition, the front property line shall be designated by the location of the primary entrance or front porch. This requires a 20'-0" frontyard setback. Both the existing house and existing covered porch violate this requirement. This variance is to remove and replace the existing deck and roof cover with an improved design using the same size footprint to the existing.

The property line adjacent to the alley is encumbered by an existing telecommunications pedestal which limits the ability to have a garage open the alley. The front yard setback limits the garage placement on the lot.

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

The conditions that exist on the lot and the house orientation are existing and not due to the home owner. The existing porch and roof extension are existing and in need of repair. The telecommunications pedestal is expensive and difficult to move.

**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.

Because of the existing conditions present at the lot, the house and covered porch are inside the front yard setback. This entry structure is in serious need of repair.

The proposed garage cannot face the alley due to an existing telecommunications pedestal located in the alley adjacent to the property line. The relocation of this existing utility is expensive and time consuming and not recommended by Centurylink who maintains the utility service.

**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 existing covered porch is decaying and in need of maintenance and repair. The granting of this variance allows for the existing deck and roof cover to be removed and a new front entry porch to be built in its place.

A variance is required for reasonable use of the property as a detached garage is difficult to place on this lot without a variance due to the existing conditions of the lot. The front yard setback of 20'-0" and the telecommunication pedestal in the alley limit reasonable placement of a detached garage.

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

The new porch structure will replace the existing simple structure in size. Slight adjustments to the porch dimension and location may be made for aesthetic reasons.

The garage will look and fit in with the existing structures on the lot and adjacent properties. Allowing the garage to be in plane with the existing structure gives the owners the best use of their property given the conditions particular to this lot.

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

The granting of this variance will not be injurious to the neighborhood and will allow for a better entry structure and front entry appearance. The new structure will replace deteriorating existing conditions and will be a much needed improvement to the structure and appearance of the house.

The proposed garage will replace an existing decaying carport structure and provide secured storage for the lot.

**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 covered porch meets all other design criteria for a residence in the R-2 zone. The garage will meet all other design criteria for a detached accessory structure in the R-2 zone.

**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



GENERAL DEVELOPMENT APPLICATION

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Salida, CO 81201
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Email: 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: Krista Frakes (Haarmeyer)
Mailing Address: 4561 Perry St Denver, CO 80212
Telephone Number: 858-735-4779 FAX:
Email Address: kristahaarmeyer@gmail.com
Power of Attorney/ Authorized Representative:
(Provide a letter authorizing agent to represent you, include representative's name, street and mailing address, telephone number, and FAX)

B. Site Data

Name of Development: 137 West Seventh Street
Street Address: 137 West Seventh Street
Legal Description: Lot 25-26 Block 91 Subdivision Haskells Addition (attach description)
Disclosure of Ownership: List all owners' names, mortgages, liens, easements, judgments, contracts and agreements that run with the land.

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
Signature of property owner Date 5/3/2021

**Staff Use Only**

Permit #:\_\_\_\_\_ Staff member assigned:\_\_\_\_\_ Public meeting Date:\_\_\_\_\_

Staff Comments:\_\_\_\_\_

\_\_\_\_\_

Fee:\_\_\_\_\_ Receipt #:\_\_\_\_\_



May 4, 2021

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

RE: 137 West Seventh Street  
Salida, CO 81201

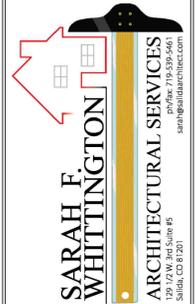
### Project Narrative

The property at 137 W. 7<sup>th</sup> Street is a unique lot with an existing residence which faces 7<sup>th</sup> Street and is nonconforming to the front yard setback requirement in the R-2, Medium density residential district it is in. The house and the existing covered porch encroach into the primary building setback of 20'-0". The house is currently approximately 11'-0" from the property line at Seventh Street with the porch extending an additional 5'-6" into the setback.

It is the intention of the homeowner to remove the existing concrete deck and roof extension which currently covers the deck. A new covered porch will be built in place of the existing structure which will enhance the home's exterior appearance and entry into the home. The new structure will be the same size as the existing, however the porch may be shifted slightly along the house for aesthetics.

The homeowners would also like to build a detached garage on this property and due to the extraordinary circumstances of the lot, the placement of this garage difficult. The alley side property line is encumbered by a telecommunications pedestal, located in the middle third of the property, which after talking to Centurylink representatives, cannot be moved without considerable expense and time. The front yard setback of 20'-0" also applies to this structure and due to the existing pedestal and building setbacks, placement of this garage is difficult without added expense.

We are proposing a single-story garage, which faces Seventh Street, and is set back in plane with the existing house along Seventh Street. As previously mentioned, the existing house is nonconforming to the front yard setback and the proposed garage would be 11'-0" from Seventh Street. The garage doors will face Seventh Street.

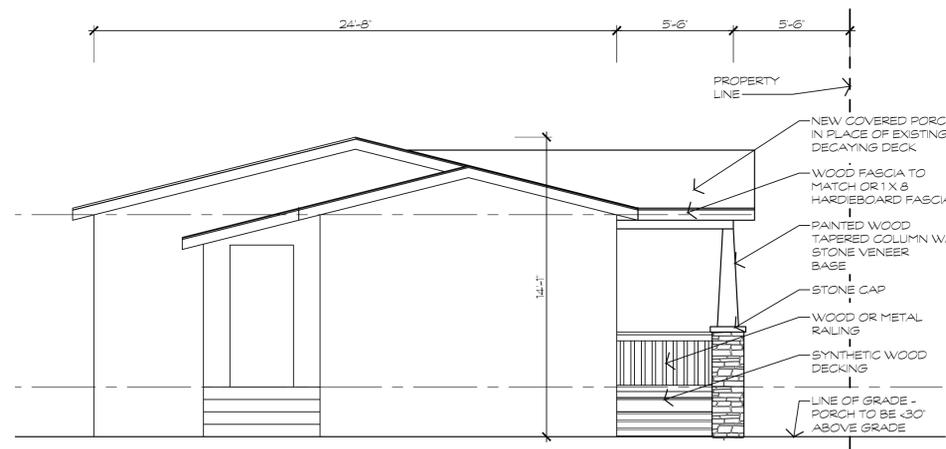
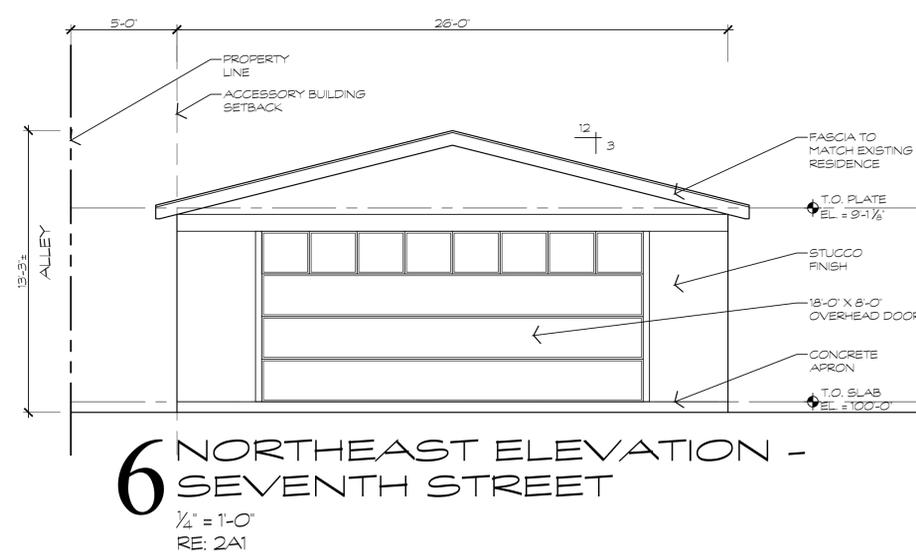
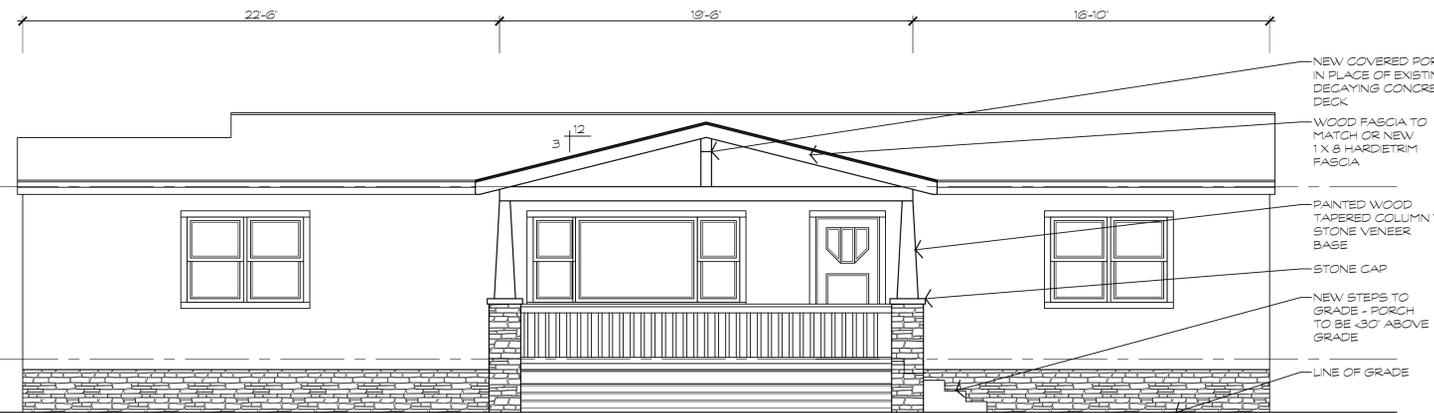
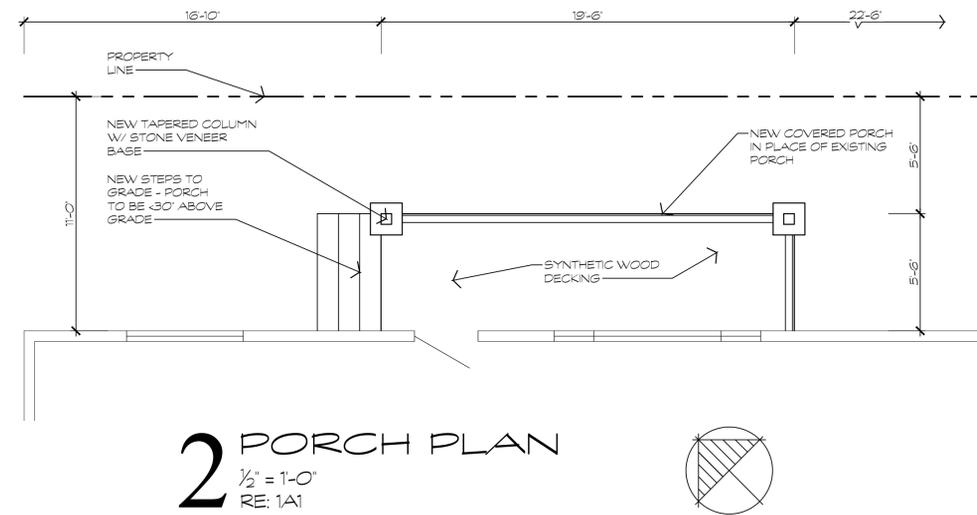
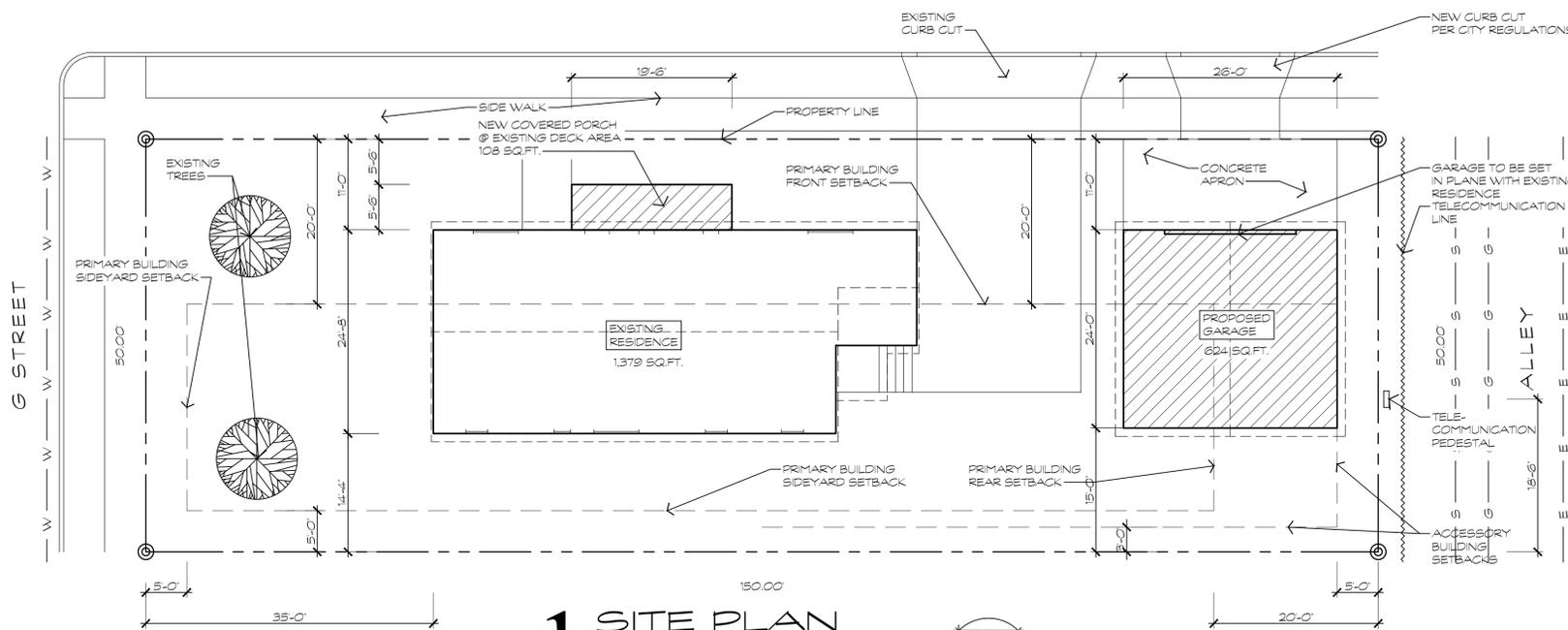


**The Frakes Porch Addition**

137 West Seventh Street - Salida, CO 81201

SITE PLAN  
PORCH PLAN  
ELEVATIONS  
GARAGE PLAN  
ELEVATION

**A1**



**Lot & Landscaping Requirements**

Zoning: Medium Density Residential R-2  
Lot Area: 7,500 sq. ft.  
Density:  
Allowed: 1 per 3,125 sq. ft. = 2 Units Allowed  
Existing: 1 Unit

Lot Coverage Structures:  
Allowed: 40% = 3,000 sq. ft. max.  
Existing residence: 1,379 sq. ft.  
Proposed porch: 108 sq. ft.  
Proposed garage: 624 sq. ft.  
Total: 2,111 sq. ft. = 28%±

Lot Coverage Uncovered Parking:  
Allowed: 15% = 1,125 sq. ft. Max  
Proposed: 8% = 600 sq. ft. Appx.

Landscaping:  
Required: 45% = 3,375 sq. ft. Min.  
Proposed: 4,813 sq. ft. ±

Tree Requirement:  
1 / 800 sq. ft.  
3,375 sq. ft. / 800 = 4 Trees Required

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COLORADO SPRINGS, CO 80937

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PO BOX 1152  
SALIDA, CO 81201

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SALIDA, CO 81201

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SALIDA, CO 81201

DAVID JOHN D  
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AURORA, CO 80015

EWING LIVING TRUST  
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SALIDA, CO 81201

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GERLACH KENNETH KARL  
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SALIDA, CO 81201

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SALIDA, CO 81201

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DENVER, CO 80212

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