BOARD OF ADJUSTMENT REGULAR MEETING

City Council Chambers, 448 E. 1st Street, Salida, CO
December 13, 2022 - 6:00 PM

MINUTES

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

PRESENT
Board Member Chairman Greg Follet
Board Member Co-Chair Francie Bomer
Board Member Judith Dockery
Board Member Giff Kriebel
Board Member Michelle Walker
Alternate Board Member Aaron Derwingson
Board Member Brian Colby

APPROVAL OF THE MINUTES

1. May 23, 2022 - Draft Minutes

   Motion made by Board Member Co-Chair Bomer to approve the minutes, Seconded by Board Member Colby.

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

   THE MOTION PASSED.

UNSCHEDULED CITIZENS: NA

AMENDMENT(S) TO AGENDA: NA

PUBLIC HEARINGS
Public Hearings will follow the following procedure:

A.	Open Public Hearing	E.	Public Input
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. **Smedly / Brown Variance Application – 649 West 2nd Street -** The purpose of the request is to receive variances from the R-2 dimensional standards for front setback, rear setback, lot size, and parking requirement. The applicants are requesting these variances to allow for future subdivision of a corner lot that has an existing primary home and ADU. The intention is to subdivide the lot so that the ADU may/can become a primary home on its own lot.

   A. Open Public hearing – 6:03pm

   B. Proof of Publication

   C. Staff Review of Application –

   Planner, Dunleavy, reviews the application and recommends approval subject on two conditions.

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.

The first condition is that the future subdivision plat shall contain a note requiring that an off-street parking space be provided by the existing primary unit at time of future building permit for the property.

The second condition is the future subdivision plat shall contain a note stating that neither of these lots shall be allowed a short-term rental license.

      Commission asked:

- What are the sizes of the other corner units that were referenced?
- How do the utilities factor in and how will they be separated?

D. Applicant's Presentation –

Applicant, Abigail Smedly, spoke about the application

E. Public Input –

Julie Nutter spoke to show support for the application

Judy Brown, owner of the property, spoke to show support for the application.

F. Close Public Hearing – 6:15pm

G. Board of Adjustment Discussion –

      Commission discussed the following:

- Whether a corner lot would constitute a special circumstance?
- Whether the special circumstances were the result of the applicant?
- Whether the lot had the necessary minimum variance and whether it was injurious to the neighborhood?

H. Board of Adjustment decision –

Motion made by Board Member Co-Chair Bomer to deny the variance request, the motion was seconded by Board Member Walker.

Voting Yea: Board Member Co-Chair Bomer, Board Member Kriebel, Board Member Walker
Voting Nay: Board Member Chairman Follet, Board Member Dockery, Alternate Board Member Derwingson, Board Member Colby
THE MOTION FAILED.

Motion made by Board Member Colby to approve the variance request with the two conditions recommended by staff, the motion was seconded by Board Member Dockery.

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

Voting Nay: Board Member Co-Chair Bomer, Board Member Kriebel, Board Member Walker
THE MOTION PASSED.

BOARD COMMENTS

ADJOURN With no further business to come before the Board, the meeting adjourned at 6:44 p.m