

# **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.