



## GENERAL DEVELOPMENT APPLICATION

448 East First Street, Suite 112

Salida, CO 81201

Phone: 719-530-2626 Fax: 719-539-5271

Email: [planning@cityofsalida.com](mailto:planning@cityofsalida.com)

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

- |  |   |
|--|---|
| <input type="checkbox"/> Annexation                      | <input type="checkbox"/> Administrative Review:<br>(Type) _____ |
| <input type="checkbox"/> Pre-Annexation Agreement        |   |
| <input checked="" type="checkbox"/> Variance             | <input type="checkbox"/> Limited Impact Review:<br>(Type) _____ |
| <input type="checkbox"/> Appeal Application              |   |
| <input type="checkbox"/> Certificate of Approval         | <input type="checkbox"/> Major Impact Review:<br>(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: Kyle Buskist

Mailing Address: 325 W. Park Ave Salida

Telephone Number: 719-239-0655 FAX: \_\_\_\_\_

Email Address: kyle@moonlightpizza.biz

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: \_\_\_\_\_

Street Address: 325 W. Park Ave

Legal Description: Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_ (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 Kyle Buskist Date 8/23/21

Signature of property owner \_\_\_\_\_ Date \_\_\_\_\_



## VARIANCE APPLICATION

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Salida, CO 81201

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### A. TYPE OF VARIANCE REQUESTED (Fill In Applicable Requests)

1. Variance from Maximum Height: Existing Height (in feet): 17 Proposed Height (in feet): 29.2
2. Minimum Variance from Floor Area: Required Floor Area: \_\_\_\_\_ Proposed Floor Area: \_\_\_\_\_
3. Variance from Maximum Lot Coverage: Allowed Lot Coverage: \_\_\_\_\_ Proposed Lot Coverage: \_\_\_\_\_
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: ☒ 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: 38' Front
- v. Proposed Setback: 28'
- vi. Required Setback: 30

#### 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: 7' Rear
- v. Proposed Setback: 7' Rear
- vi. Required Setback: 30

### 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

Twelve (12) copies are required of all application materials.

- ☐ 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) Applicant is responsible for posting the property and mailing public notice to adjoining property owners. 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 notarized affidavits, for proof of posting the public notice.
- ☐ 5. **Application Fee.** \$400 cash or check made out to City of Salida.
- ☐ 6. **Special Fee and Cost Reimbursement Agreement completed.**
- ☐ 7. **Outside Review Deposit.** In the event the City must retain professional services to process or evaluate an application, the applicant shall bear the costs for the review, including consultants and attorney review time. A deposit of \$400.00 to cover the reasonable anticipated costs for outside professional services may be required from the applicant at the time of the application.

## D. VARIANCES FOR HISTORIC NEIGHBORHOODS

1. **Existing Primary Structure.** The Board of Adjustment may grant a variance from a setback requirement for an addition to a primary structure if it continues the existing building line. The Board of Adjustment shall only consider allowing the encroachment into the setback if it can be shown that maintenance of the building addition can be provided on the subject property and that it is not injurious to adjacent neighbors.
2. **Traditional Neighborhood Setbacks.** The Board of Adjustment may grant a variance from a front

setback requirement for a primary structure if the neighboring properties encroach into the front setback. The variance shall not permit the structure to encroach further into the front setback than the neighboring primary structures. The Board of Adjustment shall only consider allowing the encroachment into the setback if it can be shown that such encroachments are the existing development pattern of the block on which the subject property is located and that the encroachment would not be injurious to adjacent neighbors.

**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.

30' Setback, but built in '79, Newer homes appear to have up to date Setbacks, Variance Requested is for Existing Setbacks.

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

Correct.

- 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.

Yes, need more space for our growing family. Don't want to move out of town for more space, would like our children to walk/ride bikes to school, & around town.

- 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.

Yes, refer to #3.

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

Yes, Can't go outwards due to existing Decks, yard space, walkways, etc. Or w/out encroaching further than the existing setbacks that already don't meet the 30' setback.

- 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.

Not to the best of my knowledge.

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.

yes

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.

will do to the best of my ~~ability~~  
ability.