



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): _____ Proposed Height (in feet): _____
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: 16' 7"
 - v. Proposed Setback: 15' 9"
 - vi. Required Setback: 20 feet
 - 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: 13' 7" & 17' 3"
 - v. Proposed Setback: 5' 7" & 12' 1" & 16' 5"
 - vi. Required Setback: 20 feet
6. **Variance from Land Use Code Section:** 16-4-160 & Table 16-F

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.

Special Circumstances That Exist:

- Triangular shaped lot.
- The period in which building was built and various improvements and additions that were not properly documented.
- Various changes to local building code requirements that post date the original the land use and construction.

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

Interior remodel of the 2nd floor exposed damaged, structural deficiencies as well as numerous code violations. Homeowner/contractor determined the best solution would be to demo existing roof that was not built to code to prevent inevitable structural failure.

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.

(16-4-160) Nonconforties

(b;1) Use of nonconforming building or structure shall not be expanded, altered, enlarged or relocated except as permitted.

(c;1) A nonconforming structure may be extended or altered in a manner that does not increase the its nonconformity.

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.

This variance would allow for the:

- increase second floor walls to allow for 8'ceiling.
- install engineered roof (per code).
- provide additional housing.
- improve overall structure integrity and curb appeal.

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

The requested variance would allow for maximizing the cubic feet of the existing structure without increasing/altering the existing footprint with no additional encroachment on the ground level.

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 proposed variance will not be injurious to the neighborhood and not a determinate to the public welfare or the environment.

7. Consistency With Code. The granting of the variance is consistent with the general purposes and intent of this Land Use Code;

-Encroachments along street and alley.

-No Variance requested for adjacent properties

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.