



## STAFF REPORT

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**MEETING DATE:** April 26, 2021 – Continued from March 22, 2021  
**AGENDA ITEM TITLE:** Rose, 334 E. Second Street - Sacketts Addition Overlay Deviation  
**AGENDA SECTION:** Public Hearing

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### REQUEST:

The request is for approval of a deviation from the requirements of the Sackett Addition Overlay for the construction of an Accessory Dwelling Unit (“ADU”) at 334 E. Second Street, Salida, CO 81201.

### APPLICANT:

The applicants are Kevin and Susan Rose, 74 Hillside Drive, Silverthorne, CO 81498.

### LOCATION:

The subject property is known as Lots 22 and 23, Sacketts Addition, City of Salida, Chaffee County, 334 E. Second Street.

### PROCESS:

This application is for a deviation from the Sackett Addition Overlay. The purpose of the deviation is to assure that the proposal, in adequate detail, is drawn and submitted according to the requirements of the Land Use Code.



A public hearing is conducted by the Planning Commission for a deviation from the Sackett Overlay, after public notice in a newspaper of general circulation and posting on the property 15 days prior. The Commission shall approve, approve with conditions, or deny the application, or remand it back to the applicant with instructions for modification or additional information or action.

Approval of the deviation shall constitute authorization to proceed with the administrative review and building permit applications for the accessory dwelling unit.

**OBSERVATIONS:** This section is intended to highlight concerns raised by staff to assist the Commission in doing the same. Additional concerns or questions may arise after a presentation by the applicant.

- 1) The property is zoned Medium Density Residential (R-2) and is located within the Sackett's Addition Overlay.
- 2) Land Use Code Sec. 16-5-80(c)(3) requires new accessory structures in the Sackett's Addition Overlay be subordinate in terms of mass, scale and height to the primary structure.
- 3) Land Use Code Sec. 16-5-80(c)(3)(i) The maximum height allowed for accessory structures is one and one-half stories. The height of a new accessory structure must be subordinate to the height of the primary structure.



- In the original application materials the structure did not meet the one and one-half story requirement. The applicant resubmitted floor plans in order to meet the one and one-half story requirement.
- 4) According to the applicant the existing primary structure is approximately 18' 8" and is requesting approval to construct an ADU with a height of 20' 10".
  - 5) Since the height of the proposed accessory dwelling unit exceeds the height of the existing primary structure, a deviation per Section 16-5-80 (c)(5) from the Sackett Addition Overlay is required.
  - 6) The existing single-story accessory structure will be removed and replaced with the proposed detached garage and ADU. There are no accessory dwelling units located within this block for comparison to the proposed ADU.



### **DEVIATION REVIEW STANDARDS: (Section 16-5-80(C)(5))**

(5) Deviations. Deviations from the requirements of these design guidelines may be permitted upon a finding by the Planning Commission that the proposed design solution is consistent with the existing mass and height of the block where the new structure or addition is proposed. In reviewing an application for a deviation the Planning Commission may consider the unique challenges of a particular site or existing structures of the site. Such challenges may include but are not limited to, narrow lot width, low foundation heights of adjacent structures, or unusual setbacks on existing or adjacent structures. Deviations will follow the development review procedures of the Land Use Code for applications where the Planning Commission is the decision making body.

**Land Use Code Sec. 16-5-80(c)(3) requires new accessory structures in the Sackett's Addition Overlay be subordinate in terms of mass, scale and height to the primary structure.**

- The residences on this block are primarily single-story. There is a two-story residence with a single-story detached garage located adjacent to this property.



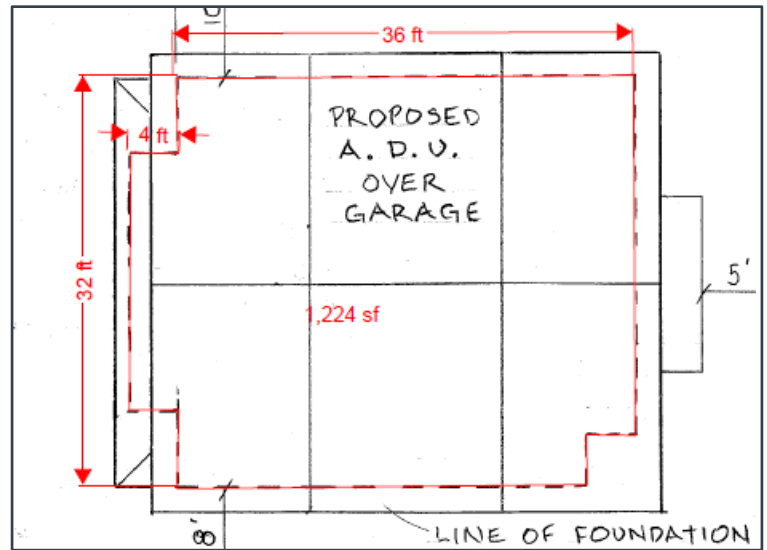
- According to Land Use Code Sec. Sackett's Addition Overlay 16-5-80(C)(3)(i) The maximum height allowed for new accessory structures is one and one-half stories. The height of a new accessory structure must be subordinate to the height of the primary structure.
- The proposed height of the ADU is 20'10" which is 2'2" taller than the existing single-story residence as shown in the application materials. The applicant is showing a grade difference of one foot (1') from the front of the property to the rear and is showing that the actual height difference will be 14".



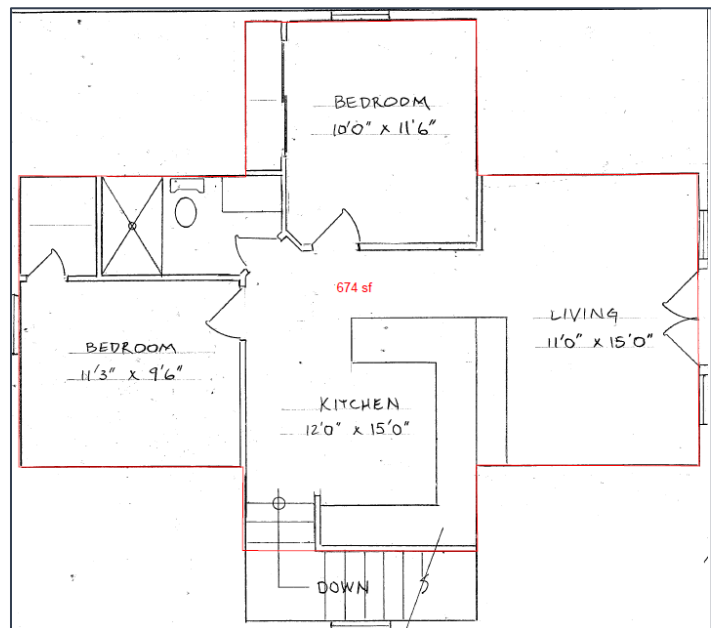
Two-story adjacent residence

- In the Land Use Code and the Sacketts Addition Overlay the definition of Story, half is – “A space under a sloping roof that has the line of intersection of the roof and wall face not more than 3 feet above the floor level and in which space the possible floor area with headroom of 5 feet or less occupies at least 40 percent of the total floor area of the story directly beneath.”
  - At the March 22, 2021 Planning Commission meeting the public hearing was continued to the April 26, 2021 meeting because the applicant needed to update his application materials.

- The floor area of the ground floor is 1,224 square feet. The floor plan shows the total conditioned floor area of the upper level to be approximately 55% of the total floor area (674 s.f. / 1,224 s.f.).



- In the updated floor plans the applicant is showing that the floor area of the upper floor occupies at least 40% of the total floor area of the ground floor. Staff could not verify that the floor area with headroom of 5' or less because the updated plans did not have dimensions of the walls or ceiling height.

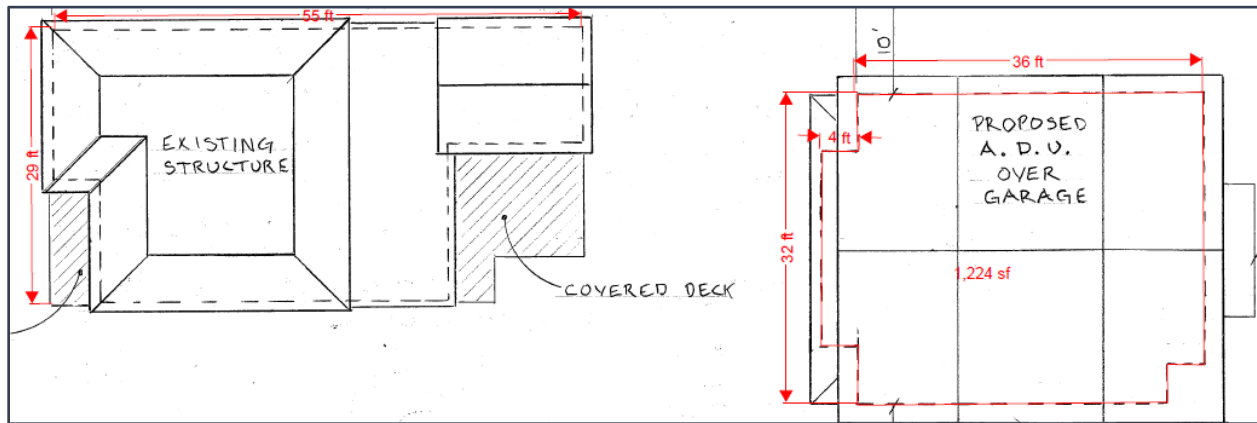


- If the deviation request is approved the applicant must show how the ADU meets the story and one-half requirement with scaled drawings.

- With the updated plans the height of the proposed ADU did not change.

- With regards to mass and scale, the existing one-story residence is approximately 29' in width and 55' in length. The proposed ADU will be 32' in width and 40' in length and is proposed to be a story and one-half. The applicant is showing a pitched roof and dormers to break-up the massing of the ADU.





**Design recommendations for new construction, additions and alterations within the Sackett's Addition Overlay.** To ensure that new infill construction or the alteration of existing structures will enhance the existing character and historic nature of the neighborhood, use of the following design elements is strongly encouraged. If no consideration is given to these design recommendations, the structure will not be compatible with the neighborhoods.

#### I. New Construction –

##### 11. New Accessory Structures

- New accessory structures should be located at the minimum setback from the alley unless the structure is to be set further back to allow for parking between the new structure and the alley.
  - The applicant is showing the garage/ADU with a rear setback of 5' which is the minimum setback requirement.
- The roof form of an accessory structure should be similar to and compatible with that of the primary structure.
  - The primary structure has a hipped roof and the proposed ADU will have a pitched roof. The applicant could investigate changing the roof form for the ADU to be more compatible with the primary residence.

#### RECOMMENDED FINDINGS:

1. This deviation request to construct an accessory dwelling unit in the rear of the property should not significantly impact neighboring properties.
2. This application is not subordinate in terms of mass, scale and height to the primary structure because the height exceeds the primary structure by two (2) feet.

#### RECOMMENDED ACTION:

Based upon the observations, review standards, and findings outlined above, staff has given the Commission the two (2) options below:

The Commission APPROVE, with conditions, the deviation from the requirements of the Sacketts Addition Overlay because the proposed ADU should not significantly impact the neighboring properties.

1. The applicant must submit scaled plans showing that the ADU meets the story and one half requirement.
2. Approval of this deviation application will expire in two (2) years if a building permit is not applied for the construction of the ADU at this property.

**OR**

The Commission DENY the deviation from the requirements of the Sacketts Addition Overlay for the construction of an Accessory Dwelling Unit at 334 E. Second Street Salida because the proposed ADU is not compatible with the mass, scale and height of the existing primary structure.

**RECOMMENDED MOTION:**

**“I make a motion to approve the Rose deviation request from the Sacketts Addition Overlay requirements because the proposed ADU should not significantly impact neighboring properties, subject to staff recommended conditions.”**

**OR**

**“I make a motion to deny the Rose deviation request from the Sacketts Addition Overlay requirements because the proposed ADU is not compatible with the mass, scale and height of the existing primary structure.”**

Attachments: Architectural Inventory Form  
Application materials  
Proof of publication

**PUBLIC NOTICE  
NOTICE OF PUBLIC HEARING  
BEFORE THE PLANNING COMMISSION  
FOR THE CITY OF SALIDA CONCERNING  
A SACKETT'S ADDITION OVERLAY  
DEVIATION APPLICATION**

**TO ALL MEMBERS OF THE PUBLIC  
AND INTERESTED PERSONS: PLEASE  
TAKE NOTICE:** that on March 22, 2021 at  
or about the hour of 6:00 p.m., a public  
hearing will be conducted by the City of  
Salida Planning Commission at City Council  
Chambers, 448 East First Street, Suite 190,  
Salida, Colorado and online at the following  
link: [https://attendee.gotowebinar.com/  
rt/1909092342220683277](https://attendee.gotowebinar.com/rt/1909092342220683277)

The applicants Kevin and Susan Rose are  
requesting a deviation from the Sackett's  
Addition Overlay to build an accessory  
dwelling unit (ADU) at 334 E. Second Street.

Further information on the application  
may be obtained from the Community  
Development Department by calling (719)  
530-2626. To review the City's social  
distancing policy and other regulations,  
please visit: [https://cityofsalida.com/  
administration/page/covid-19-information](https://cityofsalida.com/administration/page/covid-19-information)

\*Please note that it is inappropriate to  
personally contact individual City Councilors  
or Planning Commissioners, outside of  
the public hearing, while an application is  
pending. Such contact is considered ex  
parte communication and will have to be  
disclosed as part of the public hearings  
on the matter. If you have any questions/  
comments, you should email or write a letter  
to staff, or present your concerns at the  
public meeting via the above GoToWebinar  
link so your comments can be made part of  
the record.

Published in The Mountain Mail March 5,  
2021

COLORADO CULTURAL RESOURCE SURVEY

## Architectural Inventory Form

Page 1 of 4

Date	Initials
_____	Determined Eligible-NR
_____	Determined Not Eligible-NR
_____	Determined Eligible-SR
_____	Determined Not Eligible-SR
_____	Need Data
_____	Contributes to Eligible NR District
_____	Noncontributing to Eligible NR District

### I. IDENTIFICATION

1. **Resource Number:** 5CF2289  
2. **Temporary Resource Number:** 55  
3. **County:** Chaffee  
4. **City:** Salida  
5. **Historic Building Name:** Neilson/Gardunio House  
6. **Current Building Name:** Gardunio House  
7. **Building Address:** 334 E. Second Street  
8. **Owner Name and Address:** Gardunio, Lucille, 334 E. 2nd St., Salida, CO 81201
- Parcel Number:** 380705124021  
**SHF/CLG Grant Number:** CO-06-017

### II. GEOGRAPHIC INFORMATION

9. **P.M.** N.M. **Township** 49N **Range** 9E  
SW 1/4 NW 1/4 NE 1/4 NE 1/4 **of Section** 5  
10. **UTM Reference Zone** 13 **Easting** 413788 **Northing** 4265306  
11. **USGS Quad Name:** Salida East, Colo. **Year:** 1983 **Map Scale:** 7.5'  
12. **Lot (s):** 22 and 23 **Block(s):** 24  
**Addition:** Salida Original Town **Year of Addition:** 1880  
13. **Boundary Description and Justification:**  
Boundary includes the building and the parcel on which it is located.

### III. ARCHITECTURAL DESCRIPTION

14. **Building Plan (footprint, shape):** Rectangular  
15. **Dimensions in Feet: Length** 55 **X Width** 26  
16. **Stories:** 1  
17. **Primary External Wall Material(s) (enter no more than two):**  
Brick  
18. **Roof Configuration (enter no more than one):**  
Hipped  
19. **Primary External Roof Material (enter no more than one):** Metal  
20. **Special Features (enter all that apply):**  
Porch  
21. **General Architectural Description:**  
One-story hipped roof with center deck painted brick dwelling. Walls have decorative courses of brick at cornice, original window lintel level, and original sill level. Projecting hipped roof bay on west end of façade (south) has tripartite flat arch window with brick sill. Flat roof porch adjacent projecting bay has slender turned spindle supports atop a concrete deck. Facing porch is an off-center entrance with paneled and glazed door and security screen. Plate glass picture window adjacent to door with brick sill. East wall has tripartite window with brick sill. Enclosed porch at rear with entrance and window facing east. Flat arch window with brick sill visible on west wall toward front. Foundation projects slightly away from wall of house and is concrete.  
22. **Architectural Style/Building Type:** Late Victorian



**23. Landscaping or Special Setting Features:**

Level site with grass lawn and concrete sidewalks. Small planting bed in front of porch. Bushes and flowers planted along sides of house and edges of yard. Evergreen tree at southwest corner of house.

**24. Associated Buildings, Features, or Objects:**

One-story L-shaped side gabled roof secondary house on alley with paneled and glazed door.

**IV. ARCHITECTURAL HISTORY**

**25. Date of Construction:** Estimate 1898-1902 Actual

**Source of Information:** Sanborn Map, 1898 and Salida Photograph, 1902

**26. Architect:** Unknown

**Source of Information:**

**27. Builder/Contractor:** Unknown

**Source of Information:**

**28. Original Owner:** Unknown

**Source of Information:**

**29. Construction History (include description and dates of major additions, alterations, or demolitions):**

The house was built between 1898 and 1902, based on the 1898 Sanborn fire insurance map and a 1902 photograph of Salida taken from Tenderfoot Hill. The Assessor's 1894 year of construction is incorrect; an earlier one-and-a-half-story frame dwelling is shown on the 1898 Sanborn map. The 1904 Sanborn map shows an irregularly-shaped one-story dwelling with open porches at the southeast (front) and northeast (rear) corners.

The Sanborn map in 1904 showed a small rectangular secondary dwelling (number 334 ½) was located toward the rear of the property and there was a small outbuilding in the northwest corner. Between 1929 and 1945, the secondary dwelling received an addition on its north and the smaller outbuilding was replaced by a larger rectangular building (no longer extant) in the same location.

**30. Original Location:** Yes **Date of Moves:** N/A

**V. HISTORICAL ASSOCIATIONS**

**31. Original Use(s):** Domestic/Single Dwelling

**32. Intermediate Use(s):** Domestic/Single Dwelling

**33. Current Use(s):** Domestic/Single Dwelling

**34. Site Type(s):** House, Single Family Dwelling

**35. Historical Background:**

This dwelling was erected between 1898 and 1902. The 1903-04 Salida city directory indicated that Harry H. Neilson, a switchman for the Denver and Rio Grande Railroad lived here. By 1911-12, David H. Lewis lived here. He operated a restaurant at 218 Lower F Street. Mrs. Mary Clark, a waitress at the restaurant, roomed here. The 1922-23 city directory showed Peter and Martha Brow residing in this house. Mr. Brow was a blacksmith for the Denver and Rio Grande Western Railroad. By 1931, William H. and Viola Thompson lived at this address and were owners of the property. Mr. Thompson, born in 1884, was an engineer for the D&RGW. He died in 1945; his wife lived until 1972. Arthur L. and Robin M. Oswalt owned the property after the Thompsons.

Girard and Lucille Gardunio were living in this house by 1951. Mr. Gardunio was a quarryman at the Monarch Quarry. The Gardunios and their three children were still living here in 1965, when Mr. Gardunio was employed as a carpenter by Butala Construction. Lucille Gardunio is still indicated as owning this property and residing in the house.

This parcel also had a secondary residence on the alley addressed as 334 ½ E. Second Street. According to the 1911-12 city directory, Ida M. McCoy lived in this backlot building; she was a waitress at a restaurant (possibly that of David H. Lewis, who lived in the main house). Ben and Della Lucero were living here in 1951, when Mr. Lucero died. Born in Santa Fe, New Mexico, in 1876, Mr. Lucero came to Salida in 1917, where he worked for the Rio Grande Railroad until his retirement. Mrs. Lucero was also born in Santa Fe in 1881.

**36. Sources of Information:**

Salida city directories; Mountain Mail, 14 December 1959, 1; Salida Daily Mail-Record, 26 November 1951, 1; Salida Mail, 22 and 24 January 1945 and 11 April 1972; US Census, 1900-1930; Sanborn Fire Insurance Maps; Chaffee County Assessor records.

**VI. SIGNIFICANCE****37. Local Landmark Designation:** No**Date of Designation:** N/A**Designating Authority:** N/A**Local Landmark Eligibility:** No

**Local Landmark Criteria:**

1 - Exemplary Property	3 - Architectural Signif.	5 - Archeological Imp.
2 - Historic Signif.	4 - Noted Designer:	6 - Contributing Bldg.

**38. Applicable National Register Criteria:**

- A. Associated with events that have made a significant contribution to the broad pattern of our history;
- B. Associated with the lives of persons significant in our past;
- C. Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or that possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or
- D. Has yielded, or may be likely to yield, information important to history or prehistory.

Qualifies under Criteria Considerations A through G (See Manual).

X Does not meet any of the above National Register criteria.

**39. Area(s) of Significance:** N/A**40. Period of Significance:** N/A**41. Level of Significance:** N/A**42. Statement of Significance:**

This turn of the century house had a number of different residents during the first half of the twentieth century, including several Rio Grande Railroad employees. Since at least 1951 it has been the residence of the Gardunio family, whose head worked as a quarryman and carpenter. This house is representative of the one-story brick dwellings with some Queen Anne style features erected in Salida. The windows of the house have been altered, but it retains its hipped roof with projecting front bay, brick walls with decorative courses, and off-center porch with turned spindle supports.

**43. Assessment of Historic Physical Integrity Related to Significance:**

This house displays historic physical integrity with its tin roof, brick walls (painted) with decorative courses, and original porch supports. Changes include replacement of original tall one-over-one-light windows (two on the front projection and one on the porch), bricking up a second door onto the porch (on the east wall of the projection), removal of one porch support, covering the stone foundation, covering of the wood porch deck with indoor-outdoor carpeting, and addition of a planter adjacent to the porch.

**VII. NATIONAL REGISTER ELIGIBILITY ASSESSMENT****44. National Register Field Eligibility Assessment:** Not eligible**45. Is there National Register district potential? Discuss.** Yes

This resource was documented as part of a survey of a portion of northeast Salida lying between Downtown and the historic Denver & Rio Grande Railroad Hospital. A previous reconnaissance of this neighborhood of the city resulted in the recommendation that this area be intensively surveyed to determine whether a historic district might exist. The boundaries of such a district have not yet been identified since some areas included in the current survey might logically be associated with adjacent unsurveyed areas. A preliminary evaluation of whether this property would be a contributing resource, if found to be within the boundaries of a district, has been made to assist future studies.

**If there is NRHP district potential, indicate contributing status:** Contributing

**46. If the building is in an existing NRHP district, indicate contributing status:** N/A**VIII. RECORDING INFORMATION****47. Photographic Reference(s):** 6: 32-35; 7: 2-3; 21: 15**Negatives Filed At:** City of Salida**Photographer:** T.H. Simmons

**Resource Number:** 5CF2289

**Temporary Resource Number:** 55

**Architectural Inventory Form**

**Page 4 of 4**

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**48. Report Title:** Salida, Colorado, Historic Buildings Survey, 2006-07

**49. Date(s):** June 2006

**50. Recorder(s):** R.L. Simmons/T.H. Simmons

**51. Organization:** Front Range Research Associates, Inc.

**52. Address:** 3635 W. 46th Ave., Denver, CO 80211

**53. Phone Number(s):** (303) 477-7597

NOTE: Please attach a sketch map, a photocopy of the USGS quad map indicating the resource's location, and photographs.

**Colorado Historical Society-Office of Archaeology and Historic Preservation  
1300 Broadway, Denver, Colorado 80203 (303) 866-3395**



SOURCE: Building outlines from CAD file provided by City of Salida (and supplemented by fieldwork) and overlaid on parcels produced by Chaffee County. The resource described by this survey form is darkly shaded.

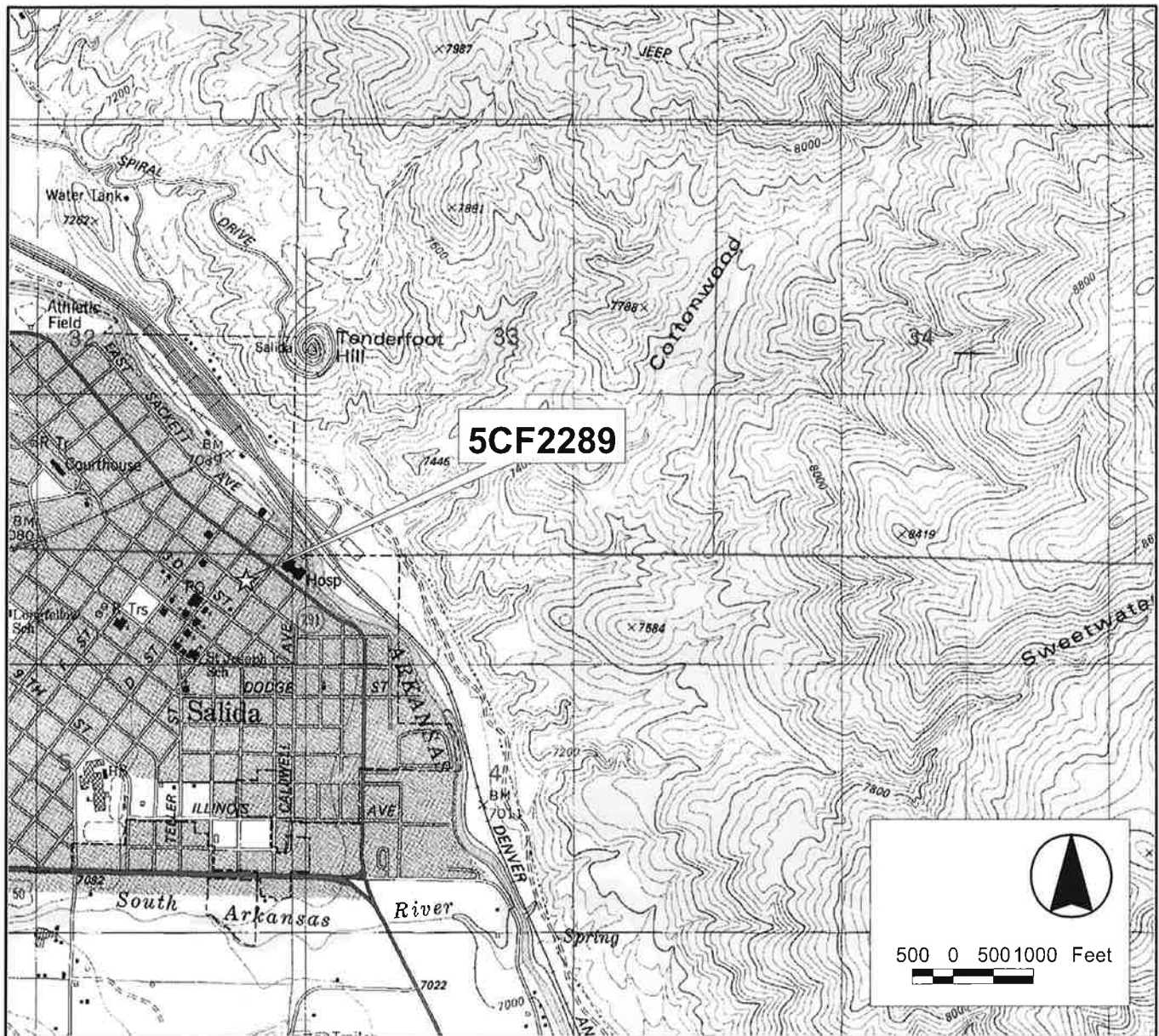


334 E. Second Street



LEGEND	
	Survey Area Boundary
	Surveyed-Primary Buildings
	Surveyed-Outbuildings
	Not Surveyed





SOURCE: Extract of U.S. Geological Survey, "Salida East, Colo.," 7.5 minute quadrangle map (Denver: U.S. Geological Survey, 1994).

334 E. Second Street



## 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)

- ☐ Annexation
- ☐ Pre-Annexation Agreement
- ☒ Variance / Deviation
- ☐ Appeal Application
- ☐ 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: Kevin + Susan Rose

Mailing Address: 74 Hillside Drive, Silverthorne, CO 80498

Telephone Number: 970 389-3245 FAX: \_\_\_\_\_

Email Address: rosehomes@comcast.net

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: 334 East 2nd St., Salida

Legal Description: Lot 22+23 Block 24 Subdivision Sacketts Addition (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 \_\_\_\_\_ Date \_\_\_\_\_

Signature of property owner KJ Rose for Rose Date 2/25/2021



## DEVIATION 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)

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

1. Deviation from Maximum Height: Existing Height (feet): 18'8" Proposed Height (feet): 20'10"  
*Residence* *ADU*

2. Deviation from Floor Area: Required Floor Area: \_\_\_\_\_ Proposed Floor Area: \_\_\_\_\_

### 3. Deviation from Setback Requirements

a. Setback Deviation 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: \_\_\_\_\_

v. Proposed Setback: \_\_\_\_\_

vi. Required Setback: \_\_\_\_\_

b. Second Setback Deviation 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: \_\_\_\_\_

v. Proposed Setback: \_\_\_\_\_

vi. Required Setback: \_\_\_\_\_

4. Deviation from Land Use Code Section: 16-5-80 (3)(i)

## **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**

- ☐ **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. 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.
- ☐ **4. Application Fee.** \$500 cash or check made out to City of Salida.

## **D. DEVIATIONS FOR THE SACKETT'S ADDITION OVERLAY**

Deviations from the requirements of these design guidelines may be permitted upon a finding by the Planning Commission that the proposed design solution is consistent with the existing mass and height of the block where the new structure or addition is proposed. In reviewing an application for a deviation the Planning Commission may consider the unique challenges of a particular site or existing structures of the site. Such challenges may include but are not limited to, narrow lot width, low foundation heights of adjacent structures, or unusual setbacks on existing or adjacent structures. Deviations will follow the development review procedures of Article III of the Land Use Code for applications where the Planning Commission is the decision making body. If a variance is requested from other provisions of the code not addressed in these design guidelines, that variance will follow the normal procedure of Section 16-4-180 of the Land Use Code.

## **D. DESCRIPTION OF PROPOSAL** (If necessary, attach additional sheets)

The applicant shall submit a narrative, including photos and elevations (if required), describing the deviation request from the standards of Land Use Code section 16-5-80(c).



that side of the block. Multifamily structures must also appear to be similar in mass and scale to existing structures on that side of the block and complement the existing streetscape. Historically, square footage is "hidden" in the roof line or behind the front façade:

(i) Height. Maximum height allowed for a new primary structure or addition is 26 feet. However, if an existing primary structure taller than 26 feet should be completely destroyed by a natural cause such as fire, a new structure may be built to the height and square footage of the original structure. Any additional footprint must adhere to the design requirements. Within the overlay area, height is measured to the top of the ridge or parapet but does not include chimneys, solar installations, etc.

(ii) Mass. Size of primary structures is limited as shown in Table 16-H. If more than one primary structure is proposed, they must share the allotted floor area. If an existing primary structure greater in mass than what is allowed in the design requirements should be completely destroyed by a natural cause such as fire, a new structure may be built to the square footage of the structure prior to destruction.

<b>Table 16-H</b>	
<b>Allowed Floor Area for Sackett's Addition Overlay</b>	
<b>Lot Size</b>	<b>Size of primary structure</b>
0 - 3,750	(lot area)(0.4)
3,750 - 7,500	1,500 + (.106667)(lot area - 3,750)
7,500 - 11,250	1,900 + (.106667) (lot area - 7,500)
11,250 - 15,000	2,300 + (.106667) (lot area - 11,250)
Note: No Lot shall be allowed less than 1,200 sq. ft.	

(3) Accessory structures. New accessory structures must be subordinate in terms of mass, scale, and height to the primary structure.

(i) The maximum height allowed for new accessory structures is one and one-half stories. The height of a new accessory structure must be subordinate to the height of the primary structure.

(ii) Garages must be detached from the primary structure and must be accessed from the alley where there is alley access.

(4) Restorations. When the primary façade of an older structure is to be restored to its original, historic appearance, a deviation request pursuant to subsection (5) will not be required if the restoration will conflict with the front setback requirements.

(5) Deviations. Deviations from the requirements of these design guidelines may be permitted upon a finding by the Planning Commission that the proposed design solution is consistent with the existing mass and height of the block where the new structure or addition is proposed. In reviewing an application for a deviation the Planning Commission may consider the unique challenges of a particular site or existing structures of the site. Such challenges may include but are not limited to, narrow lot width, low foundation heights of adjacent structures, or unusual setbacks on existing or adjacent structures. Deviations will follow the development review procedures of Article III of the Land Use Code for applications where the Planning Commission is the decision making body. If a variance is

requested from other provisions of the code not addressed in these design guidelines, that variance will follow the normal procedure of Section 16-4-180 of the Land Use Code.

(d) Design Recommendations. In addition to the Sackett's Addition Overlay building standards set forth in subsection (c) above, the City strongly encourages compliance with the Sackett's Addition Design Recommendations, a copy of which is available for inspection at City Hall. These design elements were created to ensure that new infill construction or the alteration of existing structures will enhance the existing character and historic nature of the Sackett's Addition neighborhood. Although compliance with the Design Recommendations is not mandatory, structures designed without considering these elements may be incompatible with the Sackett's Addition neighborhood.

# Deviation Application – Description of Proposal

Property address: 334 East 2<sup>nd</sup> Street

Salida, Colorado 81201

Owners: Sweetwater Rose LLC

Kevin and Susan Rose

74 Hillside Drive

Silverthorne, Colorado 80498

Dear Planning Commission,

We, Kevin and Susan Rose, are requesting a deviation from the standards of Land Use Code section 16-5-80(c) which states, "the height of a new accessory structure must be subordinate to the height of the primary structure." The primary structure, built some time around 1890, is 18'8" and the proposed accessory structure is 20'10" tall. The relative heights are represented in an attached drawing. That drawing does not show however that the face of the secondary structure is more than 80' behind the face of the primary structure making it exceedingly difficult to see that the secondary is taller than the primary. Please note that the eaves of the gabled roof on the secondary structure equal the eaves of the primary structure in height and the eaves of the shed dormers are subordinate to the primary structure.

The property was purchased by us in April of 2018 and it has served as a long-term rental to the local Salida workforce. Once the secondary structure is completed and we have restored the primary structure (please see the attached photo of 1937), we will move into the primary as permanent residents and rent the second floor ADU to local employees. Susan and I have been living in Summit County for the last 35 years and have been witness to what happens to a community when there is a lack of workforce housing.

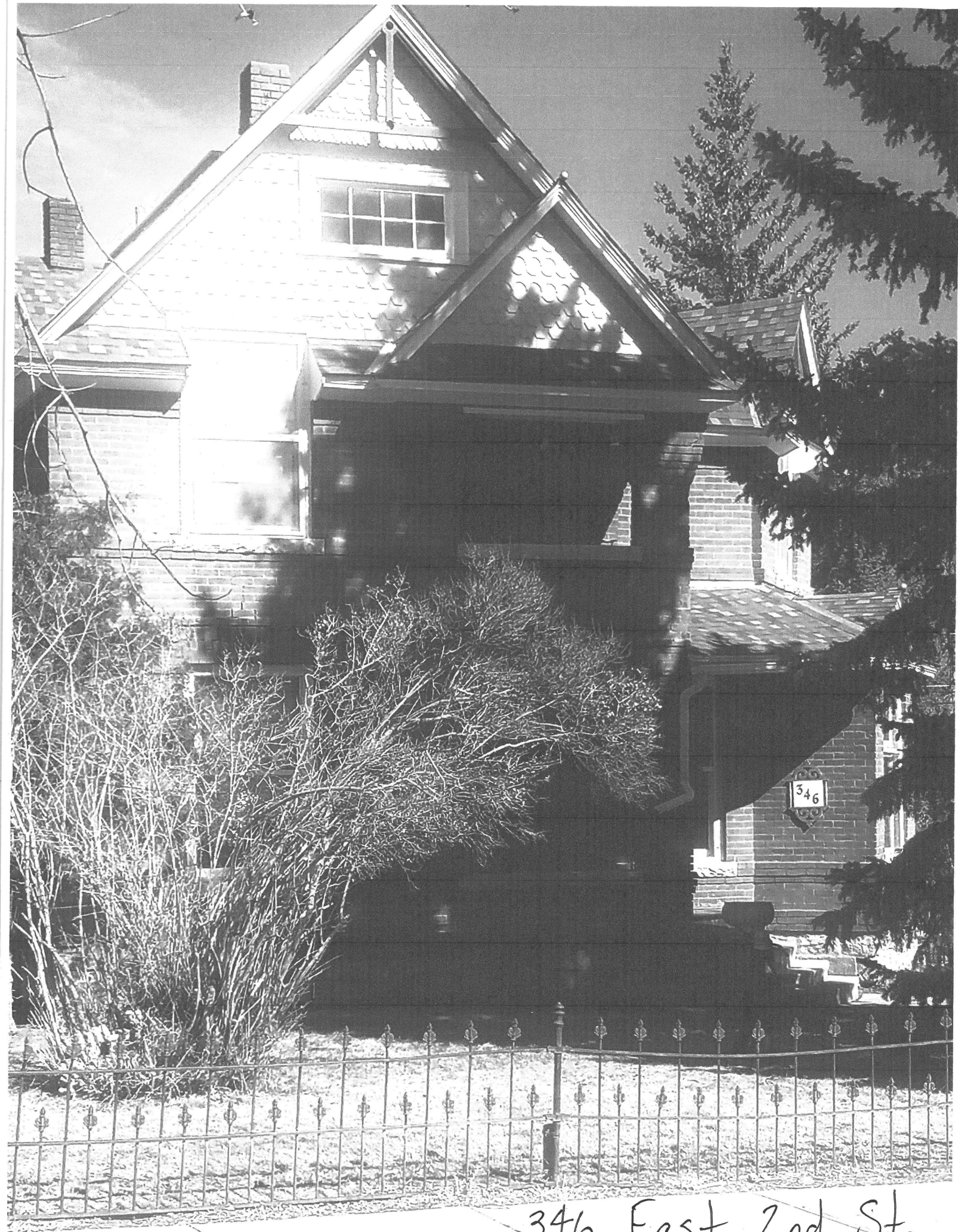
The proposed structure conforms to all other aspects of the Sackett's Addition Overlay. The setbacks of the proposed structure well exceed what is allowable except to the alley where we propose to be right on the rear setback. The allowable lot coverage for the property is 3000 SF and the two structures as proposed will cover 2337 SF. Once the major construction and restoration work is complete, we have plans for new trees, flower beds and a vegetable garden.

Our home at 334 E. 2<sup>nd</sup> St. is one of the smaller homes in the neighborhood, both in mass and height. Our direct neighbor's home to the East, 346 E. 2<sup>nd</sup> St., dwarfs both our home and the proposed structure, picture attached. The majority of homes that are within the radius of the Public Notice are either larger in mass or taller than our home, many are both.

Susan and I hope the Planning Commission finds this application acceptable. We look forward to escaping the long winters and crowds of Summit County and making Salida our new home.

Thank you.

Kevin and Susan Rose



346 East 2nd St.





334 East 2nd Street

RB #1-F6

of Picture

2-23-37 (RB-F6)

DESCRIPTION



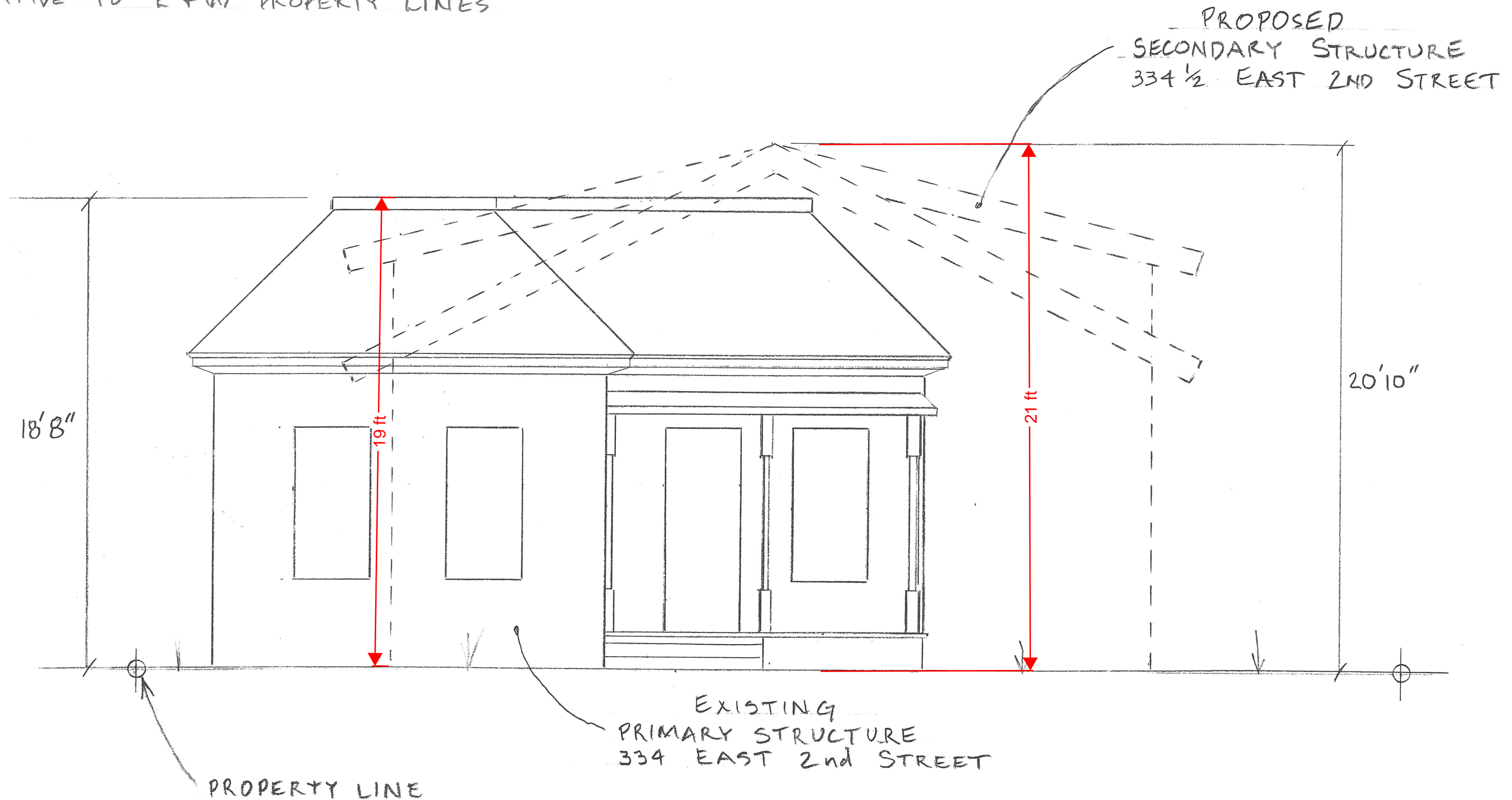
Existing primary structure



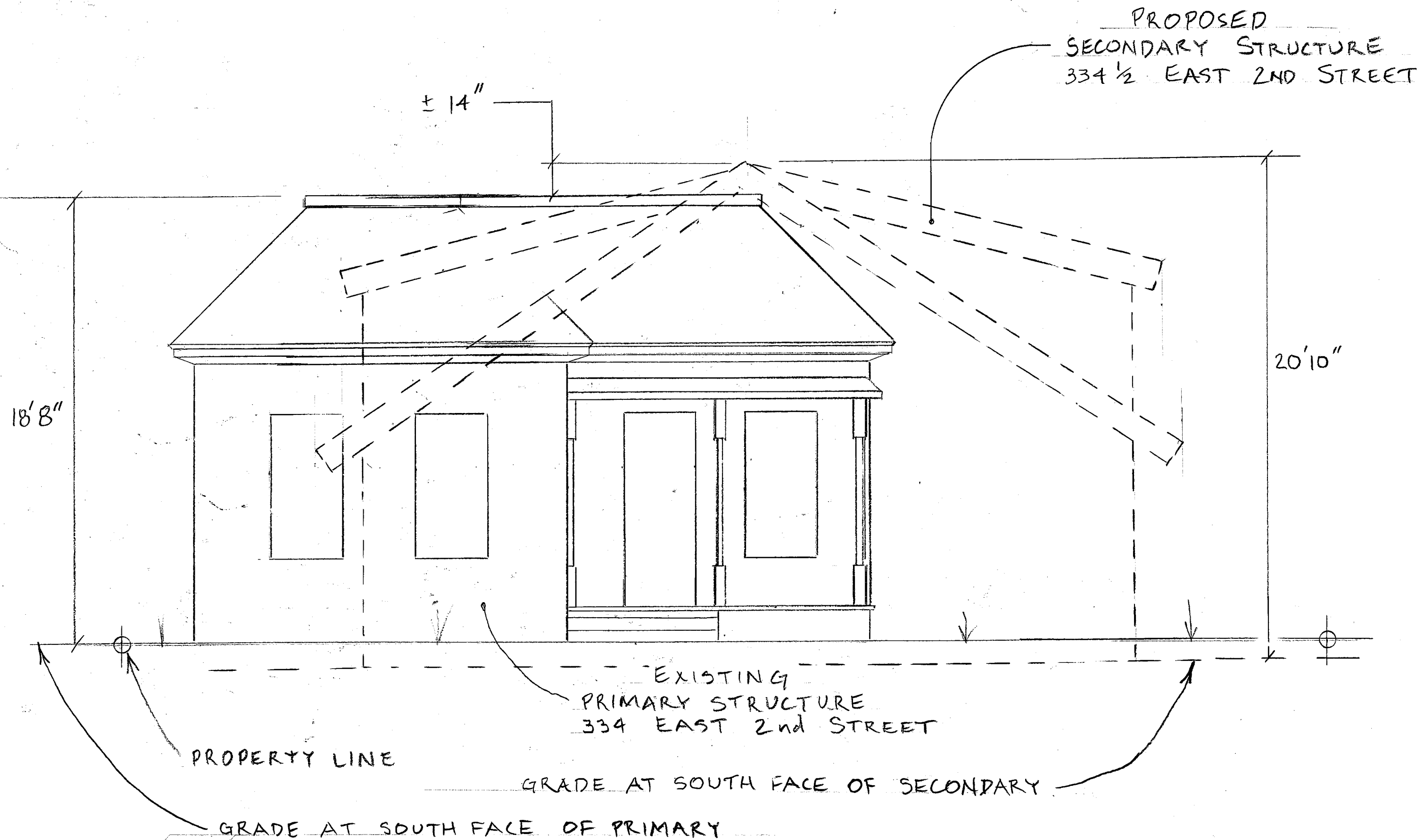
334 East 2nd St.

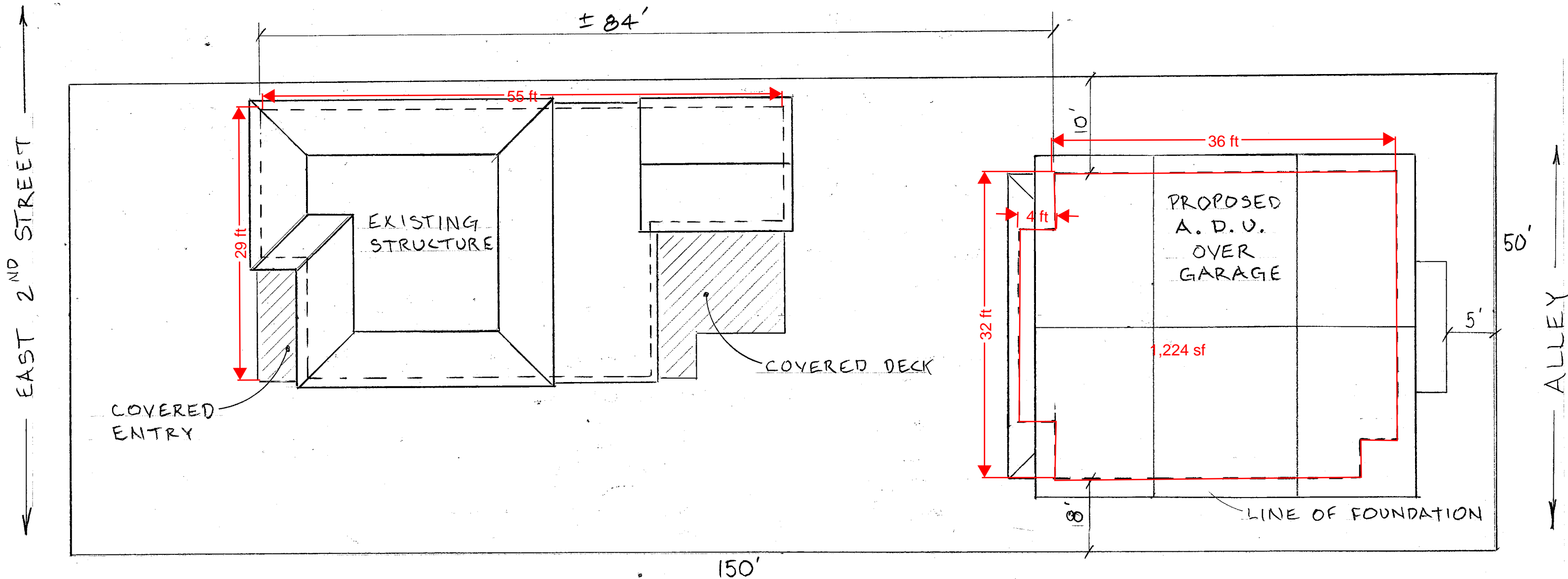
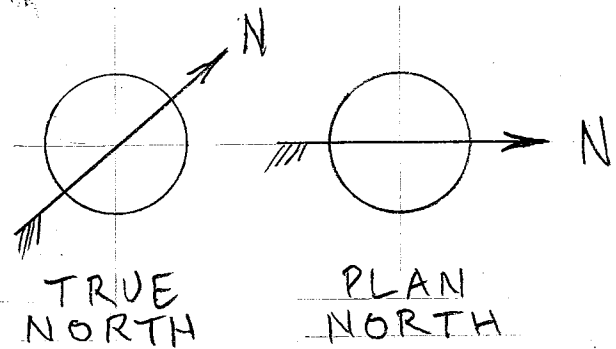
# HEIGHT AND EAVE COMPARISON

- DRAWING IS ALSO REPRESENTATIVE OF  
STRUCTURE OFFSET, TO SCALE,  
RELATIVE TO E+W PROPERTY LINES



$$\frac{1}{4}" = 1'$$



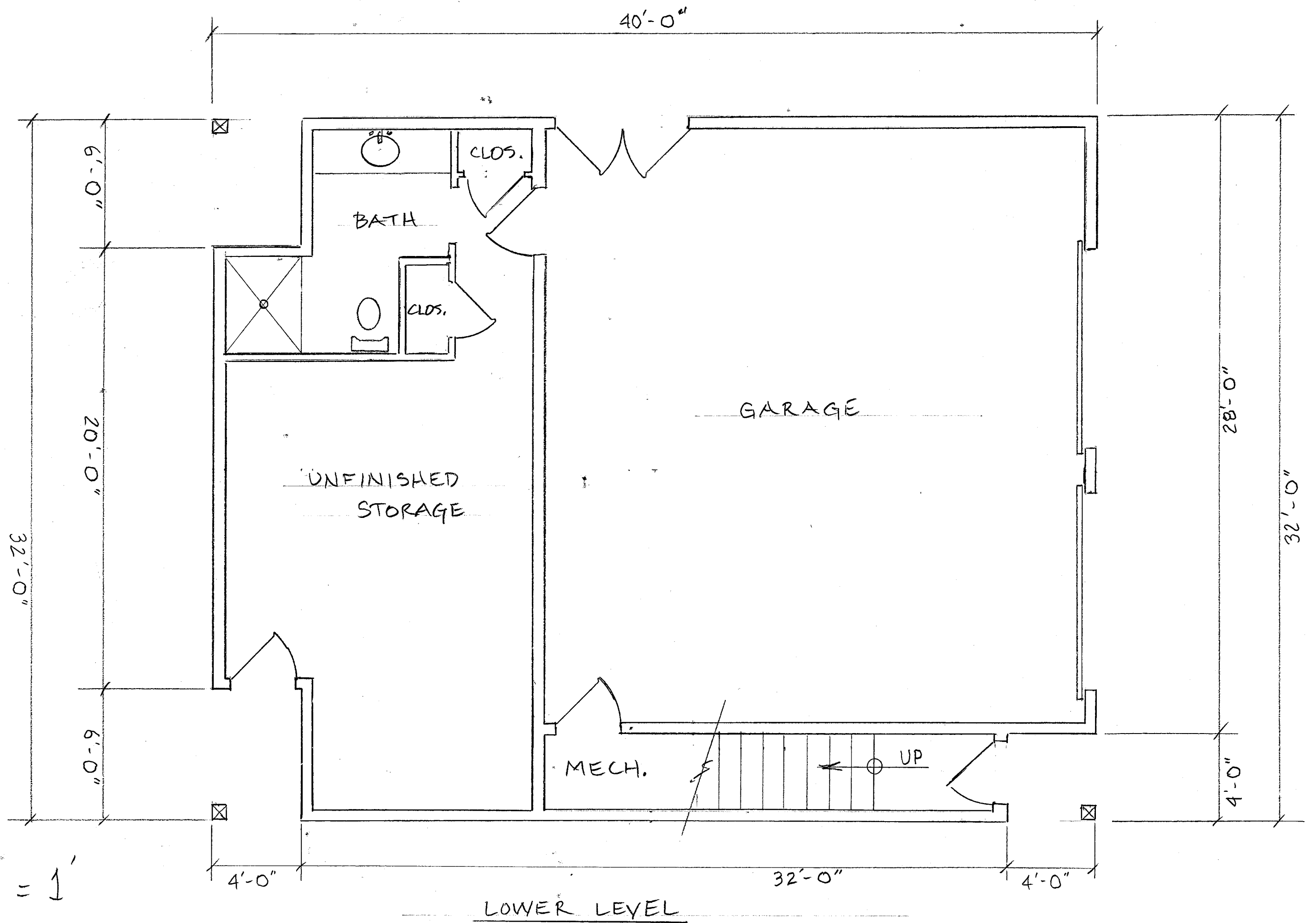


1" = 10'

SITE PLAN

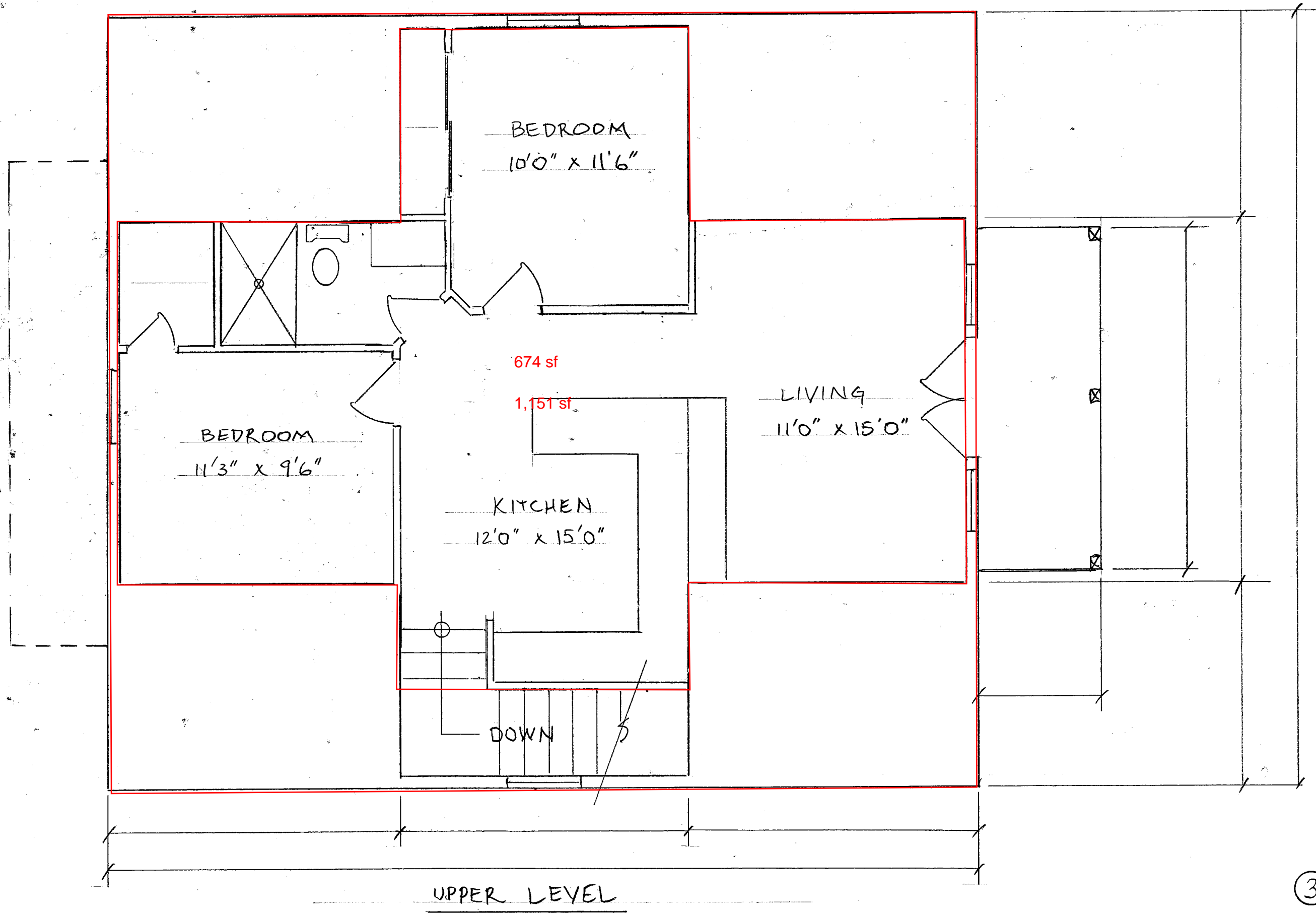
ROSE A.D.U.  
334 EAST 2<sup>ND</sup> STREET  
SALIDA, COLORADO  
OWNERS: KEVIN + SUSAN ROSE  
SILVERTHORNE, CO

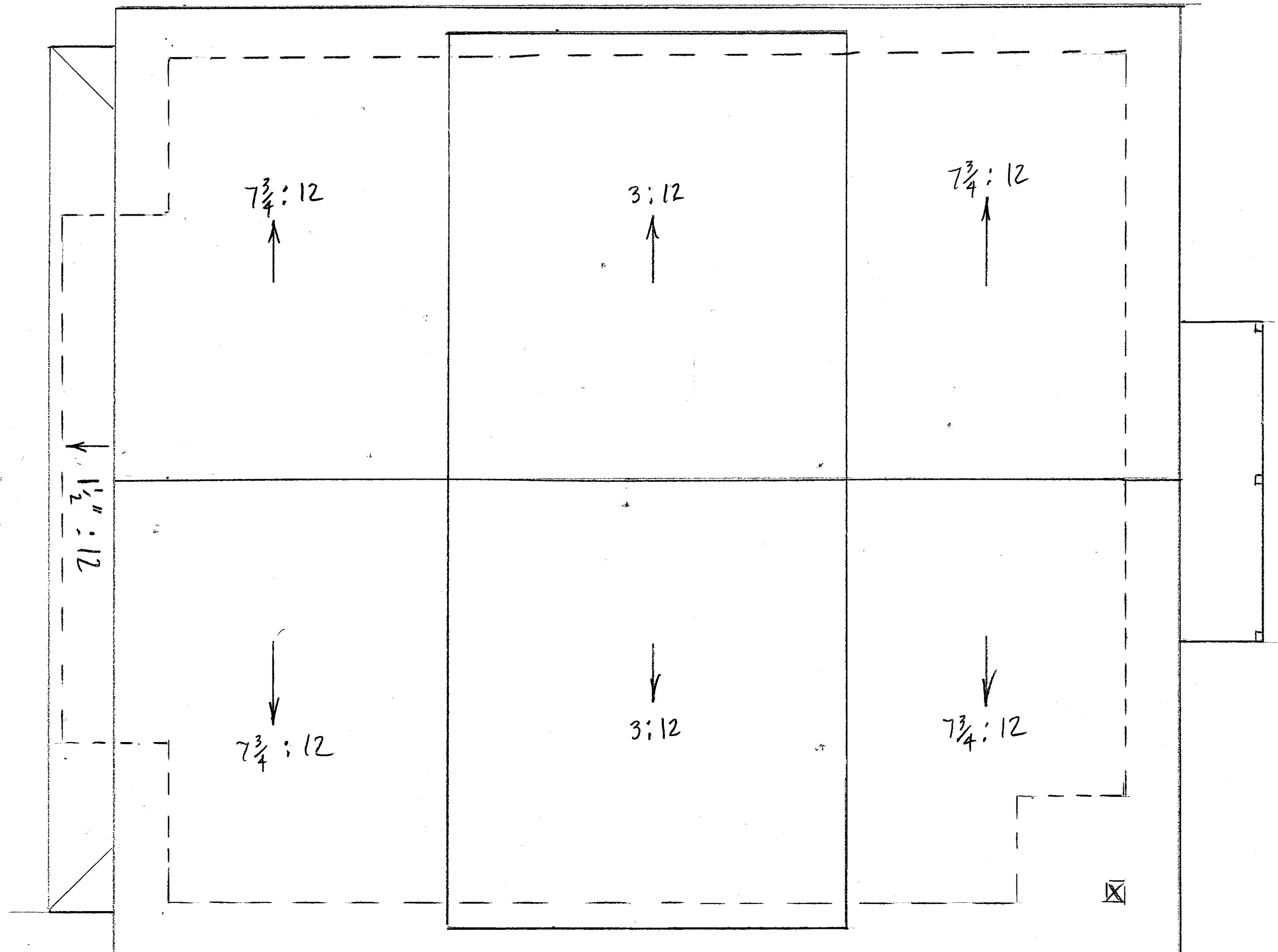
$\frac{1}{4}'' = 1'$





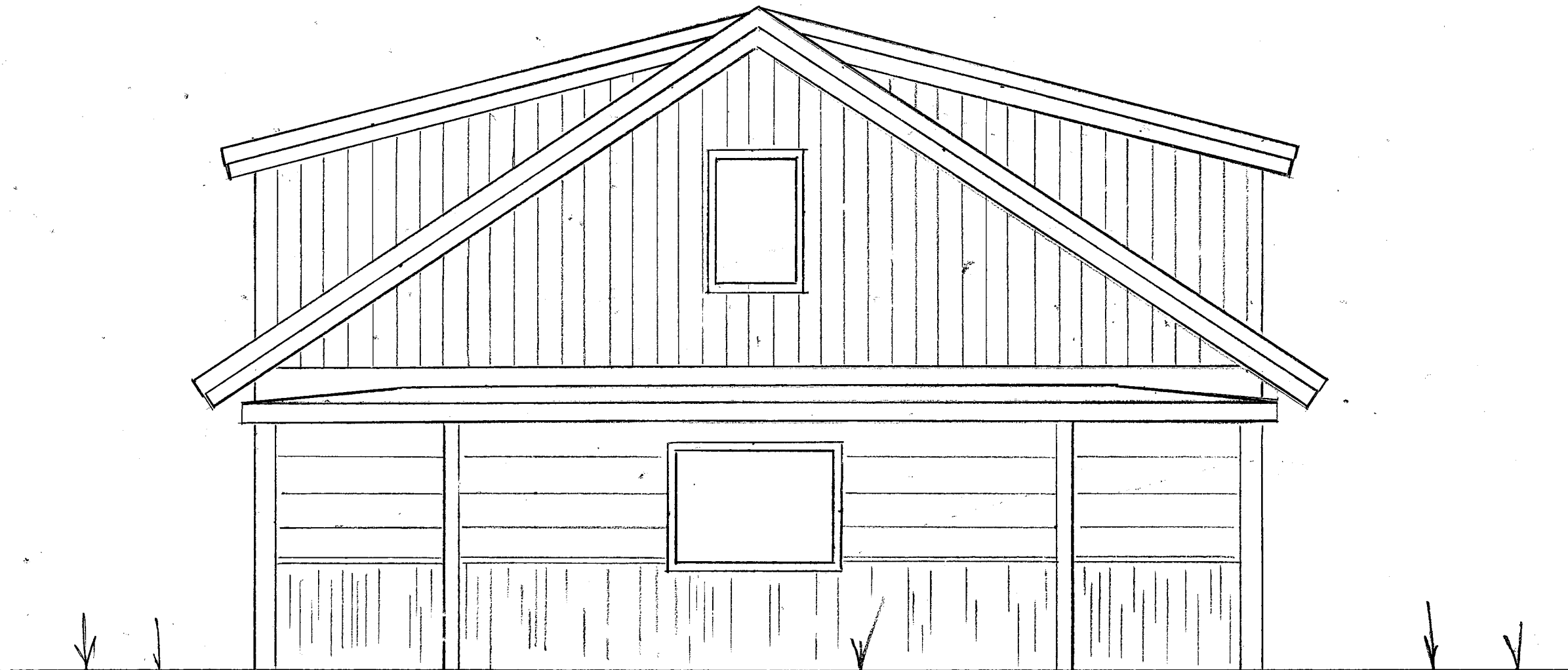
$\frac{1}{4}" = 1'$





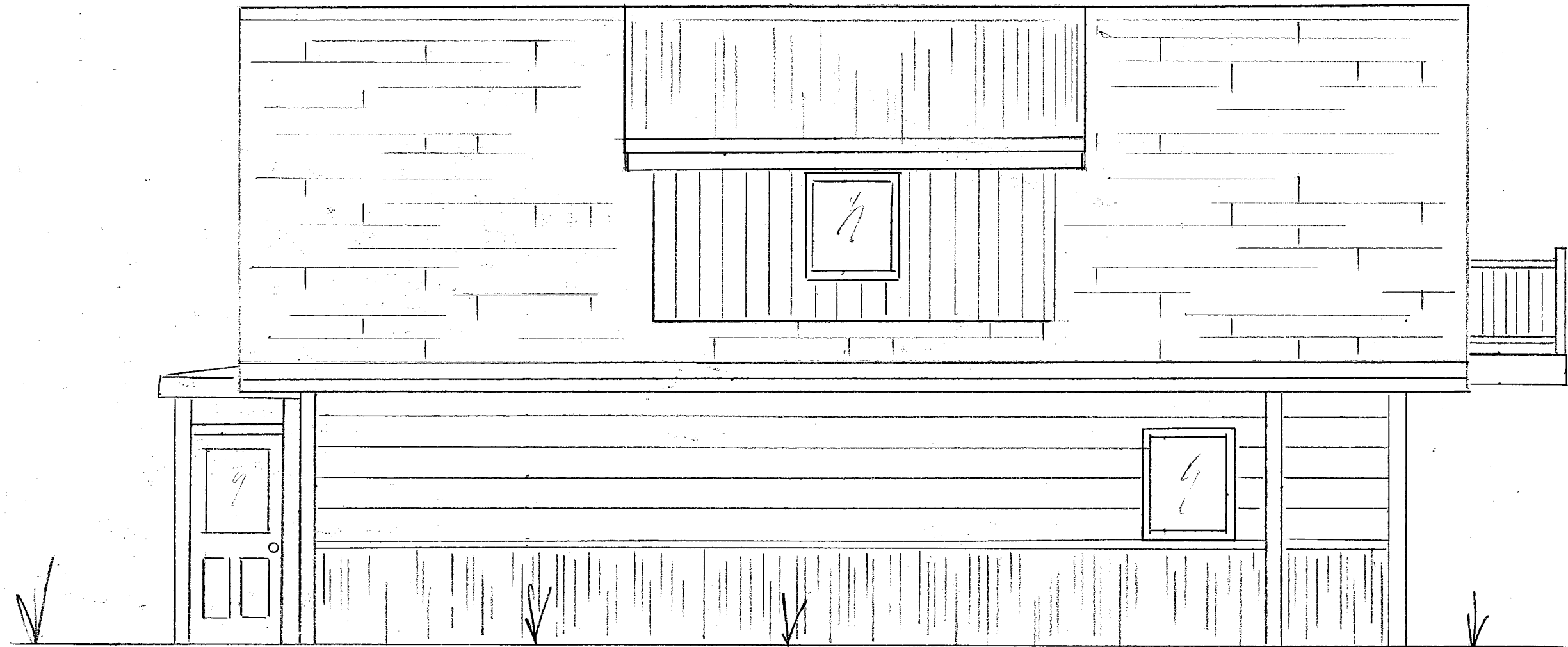
ROOF PLAN

$\frac{1}{4}'' = 1'$



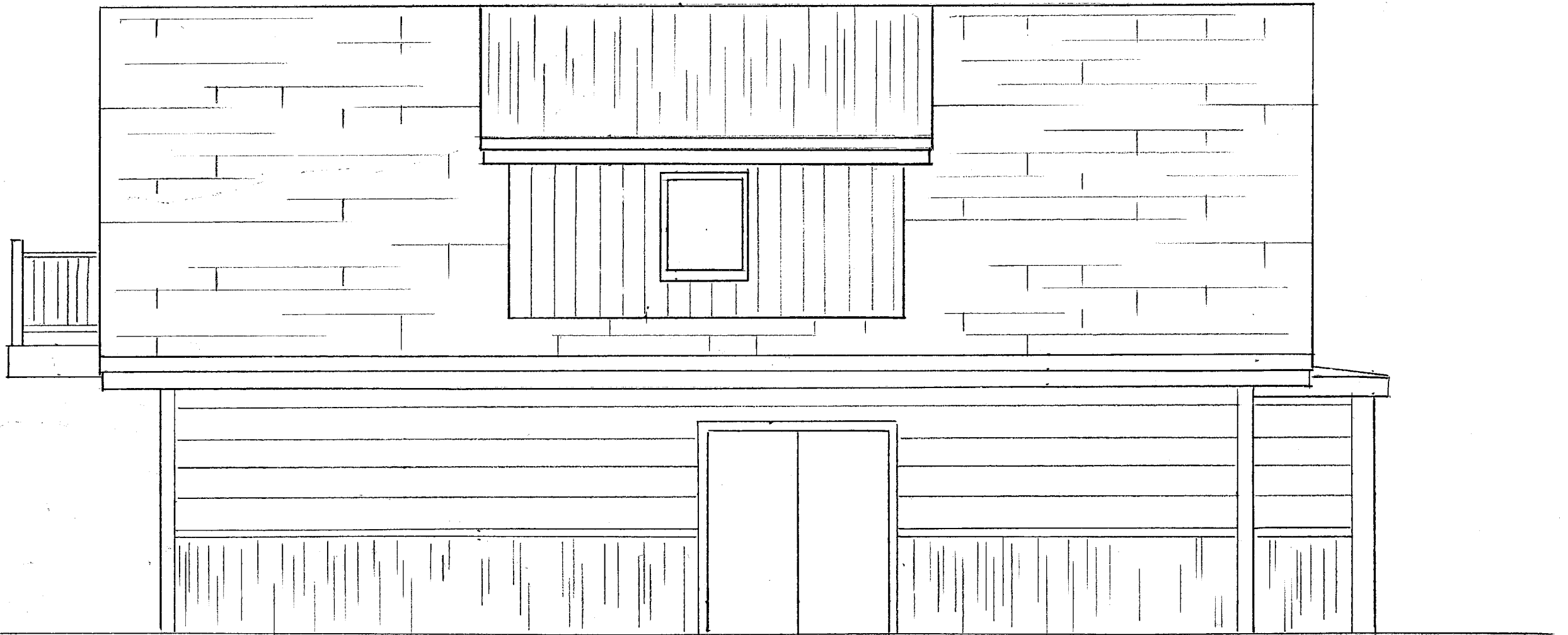
$\frac{1}{4}" = 1'$

SOUTH ELEVATION



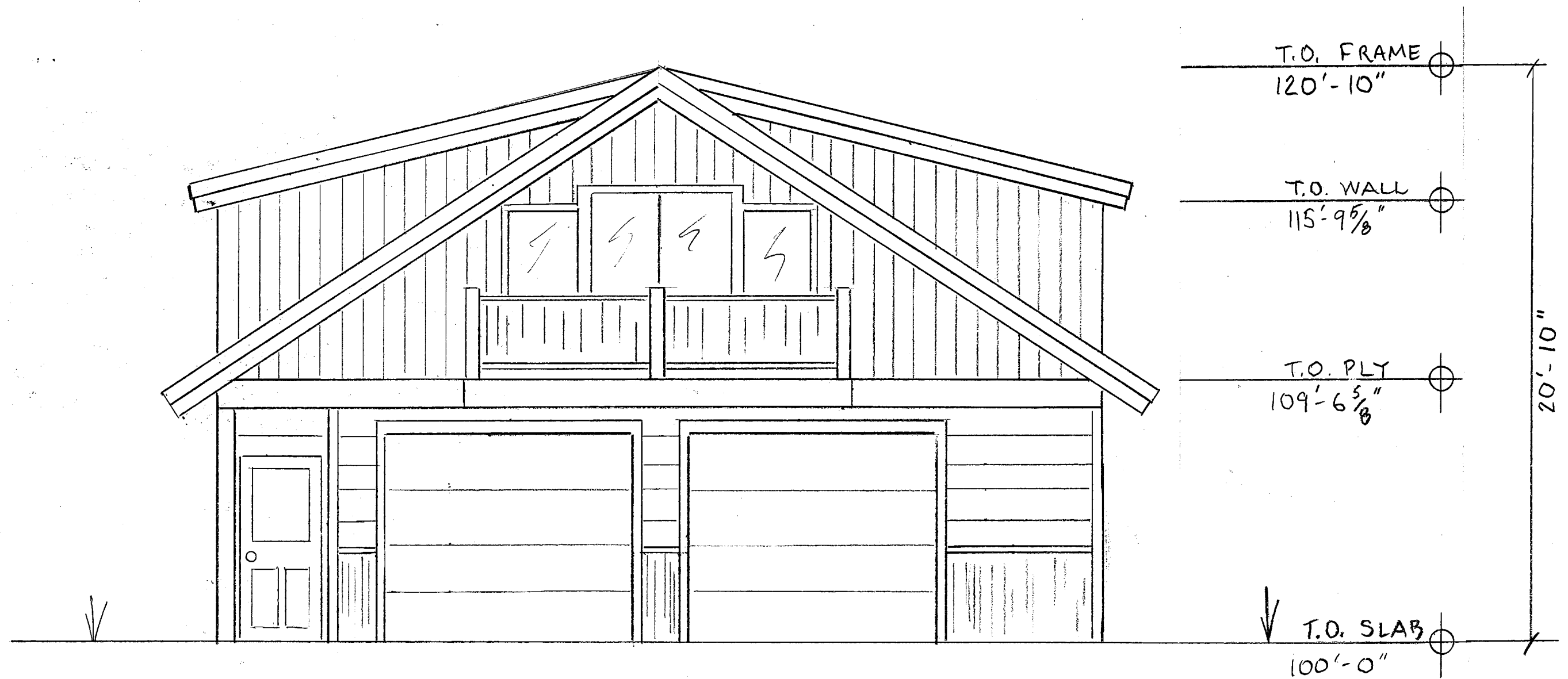
$\frac{1}{4}'' = 1'$

EAST ELEVATION



$\frac{1}{4}" = 1'$

WEST ELEVATION



$\frac{1}{4}" = 1'$

NORTH ELEVATION



To the Members of the Planning Commission:

I am writing to ask that you deny the request for a deviation for the proposed accessory dwelling unit at 344 E. 2<sup>nd</sup>.

In 2007, a survey of 100 buildings in the Sackett's Addition neighborhood around the old hospital, now the Toubert Building, was conducted by Front Range Research Associates. The survey found that the neighborhood was one of the oldest in the city and as a result the city planner at the time, Dara McDonald, suggested that we might want to consider pursuing a historic designation.

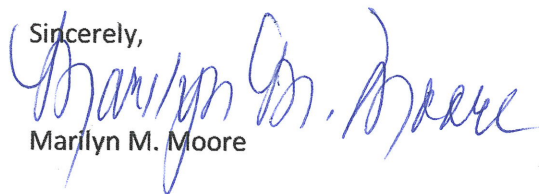
In August, 2007, my neighbor, Kathryn Hardgrave, and I invited every property owner in the neighborhood to a meeting to explore this possibility. It was immediately apparent that while the property owners were not interested in a historic designation, they were very concerned about preserving the character of the neighborhood. In particular, the property owners were concerned that any new construction or additions should be compatible with the existing structures, particularly with regard to mass, height, and scale.

Following many more meetings, several resident surveys, and work sessions with the planning commission, the final design overlay was created. In response to the homeowners' concerns, the *requirements* of the design overlay were limited to mass, scale, and height, with *recommendations* for design elements to be included to make any new structures or additions compatible with the neighborhood. Quite specifically, these requirements and recommendations applied to accessory structures, which were to be subordinate in mass scale and height to the primary structure.

The proposed accessory dwelling unit at 344 E. Second Street does not meet the requirements of mass, height, and scale, as it is *taller* than the primary residence. Furthermore, it fails to incorporate any of the design recommendations or make any architectural reference either to the residence or to the surrounding homes. There certainly are no unique circumstances or challenges that would allow approval of the deviation request.

I therefore respectfully ask that you deny this request for a deviation.

Sincerely,

  
Marilyn M. Moore

April 19, 2021

To the City of Salida Community Development Department

I saw the overlay deviation request posted at 334 E. Second Street.

I am one of the property owners within the Sackett Addition Overlay district that “started the whole thing” on August 4, 2007. During the initial backyard meeting with neighbors from different blocks, we explored the idea of creating a historic district. There was historic district interest, but not enough to pursue that option, yet property owners were interested in some form of restrictions. We drafted several overlay documents based on neighborhood input before it was reviewed by Planning and Zoning and finally approved by City Council on September 15, 2009. It was a long process and input was solicited from every owner in the original proposed district. I include this background information because I want the current Community Development Department and Planning Commission to know great effort and endurance was required to create the district. I feel it is the city’s duty to uphold the ordinance as written.

The proposed accessory structure at 334 E. Second appears to only meet the detached garage requirement of the ordinance. The proposed structure is taller than the primary structure and from the drawing does not appear to be smaller in mass or scale to the house, nor does it meet the one and one-half story requirement.

Although the design recommendations are just that, recommendations, they are strongly encouraged. The design of the proposed structure does not have a roof form similar to the house and the design in no way ties the two structures together. Simply, the structure looks out of place and does not complement the house.

There are only three overlay requirements for accessory structures. These requirements need to be met. Please deny the applicant’s current request.

The accessory structure being built on the corner of Fourth Street and C Street is an example of a structure that meets the intent of the ordinance. I hope the applicants will embrace the purpose of the ordinance and rethink their plans.

Sincerely,

Kathryn Hardgrave  
429 E. Second St.