



GENERAL DEVELOPMENT APPLICATION

448 East First Street, Suite 112
Salida, CO 81201
Phone: 719-530-2626 Fax: 719-539-5271
Email: planning@cityofsalida.com

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

- | | |
|--|---|
| <input type="checkbox"/> Annexation | <input checked="" type="checkbox"/> Administrative Review:
(Type) <u>ADU</u> |
| <input type="checkbox"/> Pre-Annexation Agreement | |
| <input checked="" type="checkbox"/> Variance | <input type="checkbox"/> Limited Impact Review:
(Type) _____ |
| <input type="checkbox"/> Appeal Application | <input type="checkbox"/> Major Impact Review:
(Type) _____ |
| <input type="checkbox"/> Certificate of Approval | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Creative Sign Permit | |
| <input type="checkbox"/> Historic Landmark/District | |
| <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: Barbara K VanWyck
Mailing Address: 200 Wood Ave Salida 81201
Telephone Number: 317.439.8032 FAX: _____
Email Address: bkvanwyck@icloud.com
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: 200 Wood Ave Salida CO 81201
Legal Description: Lot 9+10 Block E Subdivision Babcock's 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 Barbara K VanWyck Date 1/13/2022



VARIANCE APPLICATION

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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: .52'
 - v. Proposed Setback: 3'
 - vi. Required Setback: 10'
 - 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: 6.8'
 - v. Proposed Setback: 3'
 - vi. Required Setback: 5'
6. **Variance from Land Use Code Section:** 16-4-190 (c)

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.

Applicant has discovered a discrepancy between the legal lot boundary and the practical boundary line of the fence that has been present for many years. Applicant and adjacent property owner were not aware of this discrepancy until Applicant had a survey conducted which highlighted the issue. The building in question is also nonconforming and has been in existence for decades.

Entry at N side of an existing building, overhang needed for protection from weather at entry.

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

These special circumstances have not resulted from any act of the Applicant. The existing garage structure was constructed many years ago (close to 30?) by a previous owner.

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.

A strict application of the provisions of the land use code would deprive Applicant of reasonable use of the building and land. Many land owners in Salida have built carriage houses/ADU's to expand the ability for a family household to live in town. As the cost of living continues to rise, this enables land owners to support family members that would otherwise be unable to stay in Salida. The City and future owners will benefit from this improvement by having a de facto increase in liveable square footage in town without having any additional expansion in built out footprint on the property.

In addition, second floor setback on west side will meet firecode to accomodate a window, allowing ventilation, light and improving aesthetics of the building. Strict application of a 10' setback above 20' doesn't allow for an eave on West side, which would provide weather protection to the west siding and structure. This in turn will help diminish maintenance need.

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.

The current structure does have a rough interior that could be converted into a studio without a building permit. However, the structural improvements designed will create a high quality, modern and up-to-code structure that will enhance the aesthetics and standard of construction quality in the area. Approved Variance will enhance aesthetics and provide protection from weather to the structure on the West side (eaves); and on the North side entrance, thus decreasing likelihood of added maintenance. If this variance is not granted, Applicant will likely not be able to bring her elderly mother to town and care for her at home.

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

As the project will utilize the same foundation, there will be no expansion and solely a structure that is two stories rather than a single story. There is no reasonable alternative to avoid the variance to the setback, and no action would maintain the same nonconformity to code that exists today.

- 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 granting of the variance will not be injurious to the neighborhood surrounding the land where the variance is proposed. The adjacent landowner that abuts this structure is aware of the request and is in support of the construction project. This structural improvement is not detrimental to the public welfare or the environment; in fact, it promotes public welfare by expanding the ability of a family to live together in Salida.

- 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.

The granting of the variance is consistent with the general purposes and intent of the Land Use Code. Overall, the intent is to ensure the actions of one property owner do not detrimentally impact the rights of another property owner. In the current circumstance, the neighbors agree the construction is not injurious to their rights. Applicant intends to comply with all remaining code with regard to construction.