

Meeting of the Board of Zoning Adjustment

March 1, 2011
Cliff Lanes
Westcliffe, Colorado

Present:

Board of Zoning Adjustment: Skip Northcross, Ken Patterson, Dave
Tonsing and Gerry Dearborn
Associate Members: Dale Mullen, Ken Lankford and Lockett Pitman
Staff: Jackie Hobby and Chuck Ippolito
Absent: Dee Hoag, Cindy Howard, Dorothy Nepa and Brad Stam

The meeting was called to order at 1:05 P.M. by SKIP NORTHCROSS, Board of Zoning Adjustment Chairman.

Pledge of allegiance recited;

NORTHCROSS: Thanks, we will need to seat an alternate. DALE MULLEN replaced DEE HOAG.

NORTHCROSS: Welcome everyone. The applicant NATHAN JONES is present. We have a couple items that we will need to go over then you may add to your application if necessary. JACKIE do you have a Zoning Office report?

HOBBY: Yes, The minutes from the last meeting and this meeting will be sent out next week along with any variances that we receive.

NORTHCROSS: We have one agenda item for a setback variance and the legal address is Lot 5, Block 1 Lake View San Isabel, property address is 141 County Road 371 Rye and the schedule number is 100-39-850. I will read the applicants statement

"In 1985 La Vern Tesar was granted a variance to build a garage which as of 2009 we now own. Our request today is simply to apply for a similar variance so that we may extend onto the back of the existing 24x24 structure so as to add 576 square feet of living area. The layout and style of the addition will match the existing structure and style of the addition will match the existing structure, the overall project will be consistent with surrounding homes and should prove to be a welcome improvement to the neighborhood. I respectfully request that this variance be granted and I thank you for your considerations".

The property is in a ten acre zone and this is a pre-existing structure and the setbacks are ten feet. MS. HOBBY were the adjoining property owners notified?

HOBBY: Yes, five adjoining property owners were notified with one interested party. I received one comment from one interested party and that is CARL BAUR from the San Carlos Ranger District concerning the San Isabel National Forrest property. He enclosed a survey called 37B of the property that the National Forest owns and be aware that no one encroaches or builds on the property. I would like for everyone to be aware of this. I will pass it around for everyone to look at. This applicant does not encroach on the National Forrest property but it would be to everyone's benefit to be aware of this for future reference.

NORTHCROSS: Could we do something in the office that this would show an overlay on the map?

HOBBY: Yes

NORTHCROSS: Is there anything that you would like to add to your application?

JONES: No

NORTHCROSS: Are there any other questions?

MULLEN: I have a question for JACKIE. Do we need to make some adjustments to the setback variance application?

HOBBY: Yes, On the south east side of the dwelling one foot five inches (1'5") on the south east side of the deck five foot five inches(5'5") on the south west side of the dwelling one foot (1') on the south west side of the deck five foot (5') from the west property line.

NORTHCROSS: Any questions from the site tour?

MULLEN: What is the time limit on the variance?

NORTHCROSS: Two years.

HOBBY: One of the questions from the site tour was about a hardship? A hardship would be if the structure was built on the other side he would have to move the septic and gas line.

JONES: I have no other option because of the septic line.

MULLEN: Is this the original owner that built this structure?

HOBBY: No

MULLEN: So there has been a change of ownership?

HOBBY: Yes, twice.

PATTERSON: Do you have a survey?

JONES: Yes, we went from the survey pins.

NORTHCROSS: If there are no more questions I would entertain a motion.

PATTERSON: Was it brought up that a variance was granted to the previous owner.

NORTHCROSS: Yes, thank you for bringing that up.

PATTERSON: I would like to make a motion that we approve the variance for the south east side of the dwelling one foot five inches (1'5") on the south east side of the deck five foot five inches (5'5") on the south west side of the dwelling one foot (1') on the south west side of the deck five foot (5') from the west.

MULLEN: Seconded the motion.

NORTHCROSS: All in favor please raise your hands?

Motion passed unanimously

REASONS:

TONSING: Yes, the original structure was granted the same setback in 1985. There were no negative responses from neighbors and the fact of the hardship with the sewer line on the Northeast side.

MULLEN: Yes, based on the fact that the current owner was not the original and the mirroring of the existing building is common sense.

NORTHCROSS: Yes, the hardship is the existing sewer line and gas line. No negative responses from the neighbors.

PATTERSON: Yes, all the above comments plus the small lots.

DEARBORN: Yes, I did not see any other way that he could do the addition.

NORTHCROSS: MR. JONES your variance has been approved.

JONES: Thank you.

MULLEN: Made a motion to adjourn.

TONSING: Seconded the motion

Meeting adjourned at 1:33 P.M.