

# Town of Green Mountain Falls Planning Commission Regular Meeting Agenda

# Tuesday, January 24, 2023 @ 6:30 PM In-person Meeting @ 10615 Green Mountain Falls Rd Green Mountain Falls, CO 80819

# OR JOIN ZOOM MEETING:

# https://us02web.zoom.us/j/88991474908?pwd=SUpOVVJIaEFJWWtOaHNLdUFDOS9Fdz09

Meeting ID: 889 9147 4908; Passcode: 216169; Dial-in: 346-248-7799

	ITEM	DESIRED OUTCOME
1.	CALL TO ORDER/ROLL CALL	
2.	AUDIO CHECK	
3.	ADDITIONS, DELETIONS, OR CORRECTION TO THE AGENDA	Action Recommended
4.	PUBLIC COMMENT	Public Comment
5.	APPROVAL OF MINUTES - December 6, 2022, Meeting Minutes	Action Recommended
	NEW BUSINESS - NONE	
6.	Application 20230110 – Carport Construction with Variances – 10775 Belvidere Ave.	Action Recommended
7.	Discussion: Recommendation for Contract Planner Scope of Services	Action Recommended
	OLD BUSINESS	
8.	<ul> <li>Land Use Code Update:</li> <li>a. New Code went into effect on 1/20/23.</li> <li>b. Grant closed out with DOLA, final reimbursement received.</li> <li>c. MuniCode updates are pending (online code on Town website).</li> </ul>	Information Only
9.	OTHER BUSINESS	
10.	Adjournment	

<sup>\*\*</sup>Register for public comment by 4:00 PM the day of the meeting: planner@gmfco.us

Planning Commissioners: Lamar Mathews, Chair; Lisa Bonwell, Vice-chair; Ann Esch; Mike Frey; Rocco Blasi





# Planning Commission December 6, 2022 6:30 p.m. In-Person and Zoom Meeting

Commissioners Present: Chair Lamar Mathews (Zoom), Vice-chair Lisa Bonwell (Zoom), Ann Esch, Rocco Blasi, Mike Frey

Board of Trustees Liaison: Mayor Todd Dixon

GMF Staff: Nate Scott (Town Clerk/Treasurer/Planner)

Agenda Item	Motion/Discussion	M/S	LM	AE	LB	RB	MF
	Meeting called to order at 6:30						
ORDER	Commissioner Bonwell not present yet.						
CHECK	Audio is good for Zoom participants.						
INS, DELETIONS, &	Motion to approve agenda as presented.	RB/AE	А	А		Α	А
	·						
COMMENT		DD/ID	_	Λ	Λ	^	Α
AL OF MINUTES per 22, 2022 Meeting Minutes	Motion to approve minutes as written.	ND/LD	A	A	A	A	A
SINESS - NONE							
SINESS							
e Code Rewrite	Land Use Code Rewrite:  a. Final Draft Presentation – Austin Flanagan Mr. Flanagan presents a summary of the draft, as presented in this packet. He clarifies that any further changes can be included in the motion to approve the draft, updates would then be included for Board of Trustees packet. Discussion about Downtown Overlay –						
	ORDER CHECK  NS, DELETIONS, & TIONS TO THE AGENDA COMMENT  AL OF MINUTES er 22, 2022 Meeting Minutes SINESS - NONE	ORDER  Commissioner Bonwell not present yet.  HECK  Audio is good for Zoom participants.  Motion to approve agenda as presented.  NS, DELETIONS, &  TIONS TO THE AGENDA  Motion passes unanimously.  COMMENT  No Public Comment  Commissioner Bonwell joins via Zoom.  AL OF MINUTES er 22, 2022 Meeting Minutes  SINESS - NONE  SINESS  Land Use Code Rewrite:  a. Final Draft Presentation – Austin Flanagan  Mr. Flanagan presents a summary of the draft,  as presented in this packet. He clarifies that  any further changes can be included in the  motion to approve the draft, updates would  then be included for Board of Trustees packet.	ORDER  Commissioner Bonwell not present yet.  Audio is good for Zoom participants.  Motion to approve agenda as presented.  Motion passes unanimously.  COMMENT  No Public Comment  Commissioner Bonwell joins via Zoom.  AL OF MINUTES er 22, 2022 Meeting Minutes  SINESS - NONE  SINESS  Land Use Code Rewrite:  a. Final Draft Presentation – Austin Flanagan Mr. Flanagan presents a summary of the draft, as presented in this packet. He clarifies that any further changes can be included in the motion to approve the draft, updates would then be included for Board of Trustees packet. Discussion about Downtown Overlay –	ORDER  Commissioner Bonwell not present yet.  HECK  Audio is good for Zoom participants.  Motion to approve agenda as presented.  RB/AE  A  NS, DELETIONS, &  TIONS TO THE AGENDA  Motion passes unanimously.  COMMENT  No Public Comment  Commissioner Bonwell joins via Zoom.  AL OF MINUTES  er 22, 2022 Meeting Minutes  SINESS - NONE  SINESS  Land Use Code Rewrite:  a. Final Draft Presentation – Austin Flanagan  Mr. Flanagan presents a summary of the draft,  as presented in this packet. He clarifies that  any further changes can be included in the  motion to approve the draft, updates would  then be included for Board of Trustees packet.  Discussion about Downtown Overlay —	ORDER  Commissioner Bonwell not present yet.  HECK  Audio is good for Zoom participants.  Motion to approve agenda as presented.  RB/AE  A  A  NS, DELETIONS, &  TIONS TO THE AGENDA  Motion passes unanimously.  COMMENT  No Public Comment  Commissioner Bonwell joins via Zoom.  AL OF MINUTES  er 22, 2022 Meeting Minutes  SINESS - NONE  INNESS  Land Use Code Rewrite:  a. Final Draft Presentation – Austin Flanagan  Mr. Flanagan presents a summary of the draft,  as presented in this packet. He clarifies that  any further changes can be included in the  motion to approve the draft, updates would  then be included for Board of Trustees packet.  Discussion about Downtown Overlay —	ORDER  Commissioner Bonwell not present yet.  HECK  Audio is good for Zoom participants.  Motion to approve agenda as presented.  RB/AE  A  A  NS, DELETIONS, &  TIONS TO THE AGENDA  Motion passes unanimously.  COMMENT  No Public Comment  Commissioner Bonwell joins via Zoom.  AL OF MINUTES  er 22, 2022 Meeting Minutes  Motion to approve minutes as written.  SINESS  Land Use Code Rewrite:  a. Final Draft Presentation — Austin Flanagan  Mr. Flanagan presents a summary of the draft,  as presented in this packet. He clarifies that  any further changes can be included in the  motion to approve the draft, updates would  then be included for Board of Trustees packet.  Discussion about Downtown Overlay —	Meeting called to order at 6:30  Commissioner Bonwell not present yet.  HECK Audio is good for Zoom participants.  Motion to approve agenda as presented.  RB/AE A A A  A NS, DELETIONS, & FIONS TO THE AGENDA Motion passes unanimously.  COMMENT No Public Comment Commissioner Bonwell joins via Zoom.  RB/LB A A A A  A A  A A  A A  A A  A A  A A

state that applicant needs to apply for Village Overlay.  Discussion about wind turbines. PC agrees to add conditional approval for these in all zones.  Discussion about appeal procedures and Board of Adjustments. PC would be final say on a minor site plan.  Discussion about other PC comments:  - Min. lot dimensions – no change  - Electric vehicle charging allowed in all zones  - Other minor email changes (grammatical, etc.) have been made in draft  - Planning Department/Director references - have been changes for consistency  - Table 5-1 Conditional Use – accuracy	
confirmed.  Town code needs to be changed to clarify Board of Adjustment – whether or not it is the same body and Planning Commission	
b. Public Hearing	
Called to order at 7:26pm	
Mayor Todd Dixon	
- page 6 – limitation on not using certain	
materials in Downtown Village Overlay	
- Table 4-2 – parking should match between B & B	
and hotel/motel	
PC agreement to change Bed/Breakfast to match	
Hotel/Motel parking regulation.	

# MEETING MINUTES

# Planning Commission November 22, 2022 6:30 p.m. In-Person and Zoom Meeting

	Trustee Nick Donzello						
	Question about wind turbine location. Discussion						
	about the specifics of WECS regulations.						
	Trustee Katharine Guthrie						
	Question about the prohibited materials in the						
	Downtown Overlay District. Confirmation that						
	this is a property owner's choice – won't affect						
	any current situation.						
	Public Hearing closed at 7:53 pm						
	c. Resolution PC2022-01 – Approval of the Land						
	Use Code as Presented						
	Motion to approve Resolution PC2022-01 as written						
	with minor changes already submitted (via email)						
	with the following policy changes: WECS becomes						
	conditional use, add applicability on Downtown	RB/MF	Α	Α	Α	Α	Α
	Village Overlay, and Table 4-2 parking for Bed and	,					
	Breakfasts is in line with Short Term Rentals.						
	Austin Flanagan will make changes, send to PC for						
	proof; the version will be included in the Board						
	packet for Dec. 13 <sup>th</sup> , and Austin will be there for						
	presentation to the Board.						
	TC Scott asks about rezoning process. Austin explains						
	he process and that he can help guide us through it.						
7. ADJOURNMENT	Meeting adjourned at 7:59 pm						
7. ADJOURINIVILINI	iviceting aujourned at 7.33 pm						



10516 Green Mountain Falls Road PO Box 524 Green Mountain Falls, CO 80819 www.gmfco.us

To: Planning Commission

From: GMF Staff

Date: January 20, 2023

Re: Application 20230110 - Architectural and Zoning Application and Variances for

carport at 10775 Belvidere Ave.

# **Project Details**

The applicant, owner Jandy Barentine, is requesting the Planning Commission's consideration for a new carport at the subject address. The applications for Zoning and Architectural Review and Variance was received and paid for on January 10, 2023. Staff considered this as one application for both variances (front and side setback), so only charged one application fee of \$500. The project does not need approval through Pikes Peak Regional Building, as the structure is under 200 square feet. The plan does require variances to the front and side setbacks.

The applicant was made aware of the town zoning requirements shortly after starting the project. Because the project is replacing a dilapidated carport with another in the same footprint, they were unaware of the zoning requirements but were very responsive to town staff, immediately stopped work, and began the completion of everything required. They engaged with a surveyor, who came onsite and found three of four property pins. It was discovered that the old carport's front overhang encroached into the ROW by about three feet. They adjusted their plan so that there will be no future encroachment.

The variances to the front and side setbacks are necessary due to the limited available space on which to build. Immediately to the east of the carport area, towards the cabin, is the septic field. And the lot has significant slope behind the cabin to the south, thereby determining that this is the only viable location. The neighbors to the west were advised of the need for variances and wrote a letter of support for the project (included in packet).

# Planning Commission Recommended Actions:

- Review proposed project for compliance with Green Mountain Falls Zoning and Land Use Code
- Approve, approve subject to conditions, or disapprove.

#### **Zoning**

According to the electronic file maintained by Town Hall, 2019 Official Town Zoning Map, and the El Paso County Assessor's Office, parcel ID 8308217002 has an area of 20,972 sq. ft.; therefore, zoning is:

# 16-307 - R-1 20,000 Single-Family Residential District.

With setback requirements of:

- a. Front, fifteen (15) feet;
- b. Side, ten (10) feet; and
- c. Rear, ten (10) feet.

# **Consideration of Approvals**

# 1 - Sec. 16-705. - Building permits; architectural review

The Zoning Code  $\S16-705(d)(2)$  – at a minimum, the following specific criteria shall be considered by the Planning Commission:

- a. Architectural compatibility;
- b. Bulk of the proposed building or structure in relation to surrounding buildings and land;
- c. Vehicular access and parking;
- d. Pedestrian access; and
- e. Relation to existing and future open space.

The language for architectural review is couched as policy recommendation with vague standards: nevertheless, it does state the advisory body *shall restrict its consideration in each case to the effect of the proposed construction on the health, safety, morals, and general welfare of the Town*.

Per the Town Code, a complete development plan includes:

# Sec. 16-712. - Development plan requirements

- (1) The location, height, and dimensions of each existing and proposed structure in the development area and the uses to be contained therein; **included in packet**
- (2) The proper building setbacks and building area with reference to property lines, highways, or street rights-of-way; **included in packet**
- (3) The location and surfaces of all parking areas and the exact number of parking spaces; N/A
- (4) The location of watercourses and other natural historic features; N/A
- (5) The location of all pedestrian walks, malls, recreation, and other open spaces; N/A
- (6) The location, number, height, and square footage of freestanding identification signs; N/A
- (7) The location, height, size, and orientation of any required light standards; N/A
- (8) The location of all permanent accesses from publicly dedicated streets, roads, or highways; **included in packet**
- (9) The location, overlain on contours for the area, of all roadways, walkways, bridges, culverts, drainage easements, existing or contemplated, and green belts;

- (10) The location of all footpaths, traffic islands, traffic devices and driveways, indicating the pedestrian and vehicular movement and control; N/A
- (11) The stages, if appropriate, in which the project will be developed; N/A and
- (12) A vicinity map to locate the development in relation to the community. **included in packet** (Ord. 97-01)

# **2 - Granting of Variance:**

# Sec. 16-709. Variances. (Staff comments in bold.)

- (a) No variance in the strict application of the provisions of this Land Use Code, including building requirements, signs, and fences, shall be recommended by the Planning Commission or approved by the Board of Trustees unless it finds that the following requirements and standards are satisfied. It is the intent of this Article that the variance be used only to overcome some exceptional physical condition of a parcel of land located within the neighborhood which poses practical difficulty to its development and prevents its owner from using the property as intended by this Land Use Code. Any variation granted shall be the minimum adjustment necessary for the reasonable use of the land.
- (b) The applicant must prove that the variance will not be contrary to the public interest and that practical difficulty and unnecessary hardship will result if it is not granted. In particular, the applicant shall establish and substantiate that the appeal for the variance conforms to the requirements and standards listed below:
  - (1) The granting of the variance shall be in harmony with the general purpose and intent of the regulations imposed by this Land Use Code on the district in which it is located and shall not be injurious to the neighborhood or otherwise detrimental to the public. This project is beneficial to property value and neighborhood aesthetics.
  - (2) The granting of the variance will not permit the establishment of any use which is not permitted in the district. **This requirement is met.**
  - (3) There must be proof of unique circumstances. There must exist special circumstances or conditions, fully described in the findings, applicable to the land or buildings for which the variance is sought, which circumstances or conditions are peculiar to such land or buildings in the neighborhood and which circumstances, or conditions are such that the strict application of the provisions of this Land Use Code would deprive the applicant of the reasonable use of such land or building. The unique circumstance in this case is that this lot's developable space is constrained by the septic system location and severe slope.
  - (4) There must be proof of unnecessary hardship. It is not sufficient proof of hardship to show that greater profit would result if the variance were granted. Furthermore, the hardship complained of cannot be self-created; nor can it be established on this basis by one who purchases with or without knowledge of the restrictions; it must be suffered directly by the property in question; and evidence of variances granted under similar circumstances shall not be considered. The unique circumstance listed above dictates a limited area to build, creating a hardship for improvement on this lot.

- (5) The granting of the variance is necessary for the reasonable use of the land or building and the variance as granted by the Board of Trustees is the minimum variance that will accomplish this purpose. The report of the Planning Commission shall fully set forth the circumstances by which this Land Use Code would deprive the applicant of any reasonable use of his or her land. Mere reasonable loss in value shall not justify a variation; there must be a deprivation of beneficial use of land. This proposed use is reasonable for the R-1 zoning district.
- (6) The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood. **This requirement is met.**
- (7) The granting of the variance requested will not confer on the applicant any special privilege that is denied by this Land Use Code to other lands, structures, or buildings in the same district. **This requirement is met.**
- (c) The Board of Trustees may prescribe any safeguard that it deems necessary to substantially secure the objectives of the regulations or provisions to which the variance applies.
- (d) Upon application, the Planning Commission, after giving notice as required by law, shall schedule a public hearing of the proposed variance. The Planning Commission shall consider and decide all proposed variations, taking into account the standards enumerated above.
- (e) Procedure. Procedures for variance hearings shall be the same as those for zoning and rezoning, with the exception of the publication requirement contained in Paragraph 16-711(f)(2) below, which shall not be required. (Ord. 97-01) The public notice was published in the Pikes Peak Courier on January 18, posted at Town Hall on January 20, and posted on property on January 23, all fulfilling the 15-day posting requirement before the Feb. 7 Board of Trustees meeting.

#### **Conclusion and Recommendation**

Staff recommends approval of this project with variances.





# Town of Green Mountain Falls Land Use Approval Application Architectural Plan Review

# **General Information**

- This checklist serves as a guideline for submitting a Zoning & Architectural Plan Review Land Use Approval application and is not a substitute for the provisions in GMF Municipal Code or any other rules that may apply.
- Applicants are responsible for reviewing and understanding the Code.
- Complete applications are subject to staff review time of two weeks (14 days).

• Complete applications are subject to stall review time of two wi	eeks (14 days).
Applicant	
Applicant: JANDY BARENTINE	
Address: 10775 BELVIDERE AVE GREEN MOUNTAIN	FAUS , CO 80819
E-Mail: MJBARENTINE @ COMCAST. NET	
Phone: 719-440-0604	
Owner: JANDY BARENTINE	
Address: 8635 NAMPA ROAD, CASCADE, CO 80	9809
E-mail: MIBARENTINE & COMCAST. NET	
Phone: 719-440-0604	
Property	
Physical Property Address: 10775 BELVIDERE AVE	GREEN MOUNTAIN FALLS
Type of Plan Review: ARCHITECTURAL PLAN REVIEW Lot Size/Zon	ning: 20,942 R-1
Hillside Overlay zone? Ves D No X	v/II C Included: Ves 🕅 No 🖂
	EYOR DRAWING OF HARKED CORNED
Certification & Signature	
APPLICANT'S STATEMENT: I understand the procedures and requirements (prequest and acknowledge an incomplete application will not be scheduled for public leads payment of fees, and submittal of accompanying materials does not constitute comtechnical and professional consulting expenses that may be incurred during the review invoiced expenses constitutes an incomplete application.	hearing. GMF Staff's acceptance of the application, apleteness. I further agree to reimburse the city for
Certification: The undersigned applicant certifies under oath and under penalties of petrue and accurate to the best of their knowledge.	erjury that the information found in the application is
By checking this box, I agree to the certification statement and am typing my fu	ull name as an electronic signature.
Applicant Signature and Barentin	Date 1-10-2023
Owner Signature Land Rarent	Date /-/0 - 2023
Owner Signature	Date
This document can be signed electronically using Adobe Reader DC f	for free.

#### Plan Review Checklist

This checklist serves as a guideline for submitting a Zoning & Architectural Plan Review (APR) Land Use Approval application and is not a substitute for the provisions in Green Mountain Falls Municipal Code or any other rules that may apply. Applicants are expected to review, at a minimum §16, Zoning, §17, Subdivision, §18, Building Regulations.

APR is a general term for the review by the Planning Commission/Board of Trustees for zoning compliance and the evaluation of architectural compatibility, as outlined in §16-705.

## 1. Application & Petition

- a. Application, signed and dated by the applicant and property owner(s)
- b. Application fee
- c. Letter of explanation
  - i. Describe the purpose of the project (e.g., deck, SFH addition, exterior renovation, etc.) and describe project details, referring to site plans and drawings as necessary

# 2. Development Plan

- a. Vicinity Map with streets and access points to the property
- b. Existing and proposed structures with zoning setbacks, property boundaries and dimensions
- c. The location of all drainage to, from and across the site, the location of intermittentan d permanent springs, culverts and other drainage structure

#### 3. Procedure:

- a. Electronic submittal of signed application and checklist materials: planner@gmfco.us
- b. Payment of fees to Town Clerk for receipt
- c. Upon determining an application is complete, staff will schedule for PC and/or BoT public hearing

GMF T	own Staff:		
	Application		
	Letter of Explanation		
	Development Plan		
$\square$	Application fee (Town Clerk) Date 1/10/23 Amount \$125	∑ Check # 5735	Credit Card

# Carport for 10775 Belvidere Avenue, Green Mountain Falls

# Land Use Approval Application Architectural Plan Review

Applicant: Jandy Barentine

Address: 10775 Belvidere Ave, Green Mountain Falls, CO 80819

Email: mjbarentine@comcast.net

Phone: 719-440-0604 Owner: Jandy Barentine

Address: 8635 Nampa Road, Cascade, CO 80809

Email: mjbarentine@comcast.net

Phone: 719-440-0604

Property physical address: 10775 Belvidere Ave, Green Mountain Falls, CO 80819

Type of Plan Review: Zone and Architectural Plan Review

Lot Size/Zoning: 20, 942 square feet Zone R-1

Hillside Overlay Zone? No

Land Survey/ILC included Yes \*\*Surveyor's drawing of marked corners is included

# Letter of explanation:

We need to replace our cabin's carport structure as it appears to have been built in 1938 and the posts needed to be replaced. The carport footprint will be totally within our property as shown by the surveyor's marked corners. Our next-door neighbors, Margaret Peterson and Martin Little, have no objection to the construction and placement of our carport. Our plan is to replace the previous wood logs with treated 6" x 6" timbers, and a green metal roof. The center crown of the roof will be 12' high. A drawing of the carport is included.



\$500

# Town of Green Mountain Falls Land Use Approval Application Zoning Variance

# **General Information**

- A zoning variance is a request to deviate from the requirements in the Green Mountain Falls Land Use and Zoning Code, as established in §16-709.
- This checklist is a guide to submitting a complete application and is not a substitute for all provisions in <u>GMF Municipal Code</u>. Applicants are responsible for reviewing and understanding the Code.
- Complete applications are subject to **four weeks (28 days)** GMF Staff review before appearing on Planning Commission and Board of Trustees agendas.

Training Commission and Board of Trastees agenc							
Applicant							
Applicant: JANDY BARENTINE							
Address: 10775 BELVIDERE AVE, GREEN HOURTAIN FAILS							
E-Mail: MJBARENTINE @ COMCAST. NET							
Phone: 719-440-0604							
Owner: JANDY BARENTINE							
Address: B635 NAMPA ROAD, CASCADE	CO 80809						
E-mail: MJBARENTINE COMCAST. NE	T						
Phone: 719-440-0604	,						
Droporty							
Property							
Address: 10775 BELVIDERE AVE, GA	LEEN MOUNTAIN FALLS						
Zoning Designation: R-1 Lot Size: 20,942 "							
Hillside Overlay zone? Yes □ No 🏋	Land Survey Included: Yes ☒ No □						
	SURVEYOR DRAWING OF MARKED CORNERS						
Certification & Signature							
APPLICANT'S STATEMENT: I understand the procedures application will not be processed or scheduled for public hearing of the application, the payment of fees, and submittal of accomagree to reimburse the city for technical and professional constrequest. Failure to reimburse the Town for invoiced expenses of	g until such time it is complete. GMF Town Staff's acceptance apanying materials does not constitute completeness. I further ulting expenses that may be incurred during the review of my						
Certification: The undersigned applicant certifies under oath ar application is true and accurate to the best of their knowledge.	nd under penalties of perjury that the information found in the						
Applicant Signature June Buren fre	Date /-10-2023						
Owner Signature Jan Barentos	Date_ 1-10 -2023						
Owner Signature	Date						
This document can be signed electronically using Adobe	Reader DC for free.						

#### Variance Checklist

The following checklist is a guideline for submitting a complete Variance Land Use Approval Application. Failure to provide information that address the standards and requirements in GMF Zoning Code could result in staff review delays. GMF Staff may require additional information in accordance with Town Code and Town Attorney's recommendation.

## 1. Variance Application & Petition

- a. Application, signed and dated by the applicant and property owner(s)
- b. Application fee
- c. Letter of explanation
  - i. Describe the proposed project in detail, referring to site plans and drawings as necessary
  - i. Describe the reason for pursuing a variance; include benefits to yourself, the neighborhood, and the Town.
  - ii. Explain how the variance would not be contrary to the public interest.
  - iii. Provide proof of unique circumstances or conditions and how the strict application of the provisions of GMF Zoning and Land Use Code would deprive the applicant of the reasonable use of such land or building as described in the Zoning Code §16-709
  - iv. Provide proof of unnecessary hardship as described in the Zoning Code §16-709

## 2. Development Plan

- a. Vicinity Map
- b. Total development plan area in acres or square feet
- c. Zoning setbacks
- a. North arrow
- b. Property boundaries and dimensions
- c. Existing and proposed lots and tract lines, with dimensions
- d. Existing and proposed topography (contour lines or slope)
- e. Show and label all access points to the property from adjacent streets and alleys
- 1. Proposed grading plan and separate GECP application

#### 3. Procedure:

- a. Consultation meeting with GMF Staff and draft plans
- b. Submit completed application and checklist materials electronically: planner@gmfco.us
- c. Submit appropriate fees to Town Clerk for receipt
- d. Work with GMF Staff to schedule public hearings

GMF Town Staff:		
☐ Application		
☐ Variance Petition		
□ Development Plan		
✓ Application fee Date 1/11/23 Amount \$500	Ö Check #_5735 ☐ Credit Card	

## **Zoning Variance:**

Applicant: Jandy Barentine

Address: 10775 Belvidere Ave, Green Mountain Falls, CO 80819

Email: mjbarentine@comcast.net

Phone: 719-440-0604 Owner: Jandy Barentine

Address: 8635 Nampa Road, Cascade, CO 80809

Email: mjbarentine@comcast.net

Phone: 719-440-0604

Property:

Address: 10775 Belvidere Ave, Green Mountain Falls, CO 80819

Zoning designation: R-1 Lot size: 20,942 square feet Hillside Overlay Zone? No

Land Survey Yes \*\*Surveyor's drawing of marked corners is included

#### Letter of explanation:

We need to replace our cabin's carport structure as it appears to have been built in 1938 and the posts needed to be replaced. The carport footprint will be totally on our property as shown by the surveyor's marked corners. We are going to use the stone wall outline of the original 1938 carport. The low stone wall along the north side of our property is entirely inside the corners of our property. The surveyor located the original corner pins, except the SE corner pin. The surveyor's document shows our site plan within our property line, in the NW corner of our property.

Our plan is to replace the previous wood logs with treated 6" x 6" timbers, and a green metal roof. The center crown of the roof will be 12' high. The total area of the carport would be 195 square feet. A drawing of the carport is included. Our next-door neighbors, Margaret Peterson and Martin Little, have no objection to the construction and placement of our carport, which is being placed in the 84 year-old footprint.

As I understand it, the purpose of requesting a variance is because the zoning codes about setback from property lines have changed since our cabin was built in 1927, and the carport in 1938. Since the outline of the carport footprint is defined by stone walls, it is challenging to move the placement of the carport. If we were to move it away from the property line we share with Margaret & Martin, it would impact our septic system which is about 6 or 8' east of the carport. The hardship is to avoid any impact on our septic system and leach field. Our property is also challenged by the steepness of the land. From the asphalt of Belvidere Avenue to our north property line is sloped upwards with a rise of about 2.5'. Then you ascend 3 flights of stairs in order to reach our front door which is a rise of nearly 13' in height over less than 40' of distance. Our property above the cabin gets even steeper!

The benefits would be: replacing an 84 year-old structure made of pine logs [that was starting to lean], with 6" x 6" treated timbers on cement piers. The old rolled roofing and asphalt shingles will be replaced with a green standing seam metal roof. A significant benefit would be walking down into the carport and not hitting my head on the side beam! [My grandmother was almost 5' tall and could walk into the carport without a headache, all the rest of us learned the hard way to duck our heads!]

I believe a newer carport structure of treated timbers and a metal roof will enhance both its appearance as well as improve its safety. The town will look a bit better with a newer, straighter and safer structure.

A variance would not be contrary to the public interest as we will be staying within the current footprint of the 84 year-old carport and is totally on our property. Our next-door neighbors, Margaret Peterson and Martin Little, have no objection to the construction and placement of our carport. Our property is steep and the carport is our only off-street parking. There isn't an option of moving the carport's location due to the nearness of the septic system and leach field.

#### **Development Plan**

Vicinity map: The surveyor's document shows our site plan.

Total development plan area: the replacement carport is estimated at 195 square feet

Zoning setbacks: we request a variance from the setbacks from the property line on the west and north side of the carport as this is replacing an 84 year-old carport within its footprint, keeping it totally on our property, and avoiding any impact on our septic system and leach field which is just east of the carport.

December 9, 2022

Town of Green Mountain Falls Planning Commission Board of Trustees

Re: carport replacement

To Whom it May Concern;

As the property owners of 10795 Belvidere Avenue, we wish to convey that we have no objection to the construction and placement of the carport at 10775 Belvidere Avenue as it replaces the existing structure in the same footprint.

Please feel free to contact us if you require anything further.

**Margaret Peterson** 

**Martin Little** 

719-684-2130

719-761-9326

# LOCATE and MARK EXISTING PROPERTY CORNERS (THIS IS NOT A PROPERTY SURVEY AND SHOULD NOT BE USED TO CONSTRUCT ANY IMPROVEMENTS)

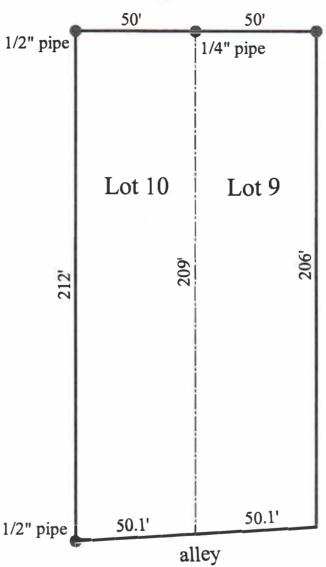
O = CHAIN LINK FENCE

= WIRE FENCE

WOOD FENCE

# = OVERHEAD UTILITY LN

# Belvidere Avenue



1/2" rebar w/ mangled yellow cap

copy reduced

Scale: 1" = 40'

# **Legal Description**

Lots 9 and 10 in Block 19 in the Third Addition to Green Mountain Falls, County of El Paso, State of Colorado.

#### PREPARED BY:



# ALESSI and ASSOCIATES, Inc.

APPRAISERS • ENGINEERS • SURVEYORS

2989 Broadmoor Valley Road

Tele. 719/540-8832 Fax 719/540-2781

#### PURPORTED STREET ADDRESS:

# 10775 Belvidere Avenue

DATE: 12/27/2022 **CLIENT: Barentine** JOB NUMBER: 221481

# LOCATE and MARK EXISTING PROPERTY CORNERS

(THIS IS NOT A PROPERTY SURVEY AND SHOULD NOT BE USED TO CONSTRUCT ANY IMPROVEMENTS)

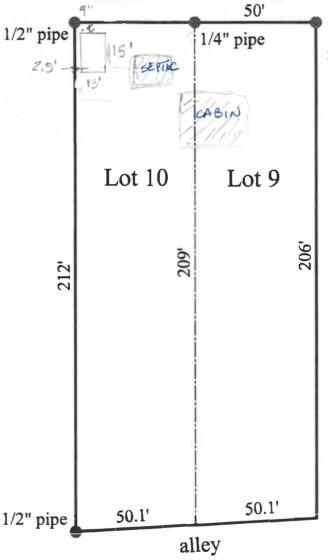
#### LEGEND

--- CHAIN LINK FENCE

X = WIRE FENCE

- WOOD FENCE

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# **Legal Description**

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APPRAISERS • ENGINEERS • SURVEYORS

2989 Broadmoor Valley Road Colorado Springs, CO 80906

Tele. 719/540-8832 Fax 719/540-2781 PURPORTED STREET ADDRESS:

#### 10775 Belvidere Avenue

DATE: 12/27/2022 CLIENT: Barentine JOB NUMBER: 221481 CORNER 9" 15' 13' 2.5 Lot

Subject:

Carport Model

Date:

Tuesday, January 10, 2023 at 11:47:44 AM Mountain Standard Time

From:

Jandy Barentine

To:

Jandy Barentine

Attachments: image001.jpg

Here's an image of the model. The carport will be 13' wide, 15' long and area of 195 square feet.









# Town of Green Mountain Falls Notice of Public Hearing

RE: Variance Request 20230110: Variances to Front and Side Setbacks @ 10775 Belvidere Ave.

LEGAL DESCRIPTIONS OF THE PROPERTIES:

10775 Belvidere Ave. = El Paso County Tax Schedule # 8308217002: LOTS 9, 10 BLK 19 GREEN MOUNTAIN FALLS ADD 3

# To Whom It May Concern:

The owners of the above property are requesting approval of a variance to the Town's 15-foot front setback and 10-foot side setback development requirements. The variances being requested are to allow for the reconstruction of a carport within the same footprint. The variances, if approved, will allow the project to satisfy the zoning requirements of the Town of Green Mountain Falls.

The Town of Green Mountain Falls requires all zoning variance requests be subject to a public hearing in both Planning Commission and Board of Trustees meetings. The first of these Public Hearings will be held at the January 24, 2023, Planning Commission meeting at 6:30 p.m. The second will be held at the February 7, 2023, Board of Trustees meeting at 7:00 p.m. Both meetings will be in Town Hall, located at 10615 Green Mountain Falls Road, Green Mountain Falls, CO 80819.

If you wish to make a comment regarding the application under review, and are unable to attend the Public Hearing, you may submit a written statement by the dates listed above to the Town Clerk at clerk@gmfco.us. A copy of the full application may be obtained from the Town Clerk, should you need more information than what has been included with this letter. Emailed comments are preferred; however, physical submissions will also be accepted at the front desk of Town Hall (10615 Green Mountain Falls Rd.). Public Comment will not be included as part of the Staff review of the request after 5pm on the day before the Public Hearing.

You may contact the Town Clerk or Town Manager if you have any questions or comments regarding this application at the email address above or by phone at 719-684-9414 x1 or x5.

Nate Scott
Town Clerk/Treasurer