

FIGURE 8



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT
Land Use Review Division

10/19/2017

Chris Skinner
2429 Zane Circle
Colorado Springs, CO 80909

RE: Nonuse Variance for 2429 Zane Circle – AR NV 17-00569

Mr. Skinner,

City Land Use Review administratively approved the aforementioned Nonuse Variances for 2429 Zane Circle. This nonuse variance is to reduce the front setback off of Zane Circle to 18'. This request will accommodate a 120 square foot shed.

STAFF ANALYSIS

CITY CODE CRITERIA TO GRANT A NON-USE VARIANCE

CRITERIA MET OR NOT MET

7.5.802 (B.1) Exceptional or Extraordinary Conditions

MET

The property in question is a corner lot located off of Zane Place and Zane Circle. The home currently sits approximately 90' from the front setback off of Zane Place and 19' back from the setback off of Zane Circle. Due to the two front yards, small side yard, and hillside nature of the rear yard, the request for the nonuse variance has been approved. Chris entertained the idea of building the shed in the front yard off Zane Place, but felt that locating the shed off of a busy residential street would have more of an impact to the neighborhood as a whole rather than the 4 neighbors in the cul-de-sac. In order to preserve the hillside nature of the rear yard, Chris located the shed in an area that was free of vegetation and relatively flat. Due to the small rear yard and the topography, there is very limited space to construct a shed that will not require a nonuse variance or grading and the removal of vegetation.

7.5.802 (B.2) No Reasonable Use of Property

MET

Granting of this variance does not permit an unreasonable use in the zoning district. AR NV 12-00006 is a nonuse variance that was approved to allow an 18' front setback, which is the same setback requested for this variance. Due to the hillside nature of the rear yard, there isn't adequate space to construct a shed without doing significant grading and removing mature trees and other vegetation.

7.5.802 (B.3) No Adverse Impact to Surrounding Property

MET

The granting of this variance is not detrimental to public health, safety, and welfare, or injurious to surrounding properties. The granting of this variance also does not weaken the general purpose of the Zoning Ordinance or its regulations. The granting of this variance shall only be to the extent necessary to afford a reasonable use of the property. The granting of this variance shall not be inconsistent with any plans adopted by the City.

Neighborhood Opposition: A postcard was mailed to homeowners within a 150-foot radius from the property in question and a poster was posted on the property for duration of 10 days. During this time, there was 1 formal complaint made out of the 13 neighbors that were notified.

Approved With Conditions: This nonuse variance was approved under the condition that a 6' fence, build to code, would be erected in order to help create a buffer around the shed.

FIGURE 8

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STAFF DECISION

APPROVED: Staff moves to approve the Nonuse Variance(s) requested based on all three (3) criteria being met and to further the intent of the 2001 City of Colorado Springs Comprehensive Plan:

Objective LU 2: Develop A Land Use Pattern That Preserves the City's Natural Environment, Livability, And Sense of Community

Objective LU 4: Infill and Redevelopment

Objective LU 5: Develop Cohesive Residential Area

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APPLICANTS: THE DECISION PERTAINS ONLY TO THE APPLICATION YOU SUBMITTED. YOU MUST COMPLY WITH ALL OTHER APPLICABLE REQUIREMENTS OF THE CITY OF COLORADO SPRINGS AND THE REGIONAL BUILDING DEPARTMENT. A COPY OF THE RECORD-OF-DECISION AND APPROVED SITE PLAN SHALL BE SUBMITTED IN CONJUNCTION WITH A BUILDING PERMIT APPLICATION. THIS VARIANCE DOES NOT SUPERSEDE OR NULLIFY PRIVATE COVENANTS THAT MAY LAWFULLY IMPOSE OTHER RESTRICTIONS ON THE USE OF YOUR PROPERTY.

*****IMPORTANT*****

THE VARIANCE SHALL BE VOID IF ALL REQUIRED PERMITS ARE NOT OBTAINED WITHIN TWELVE (12) MONTHS OF THE FINAL APPROVAL DATE. PRIOR TO THE EXPIRATION OF A NONUSE VARIANCE, A TWELVE (12) MONTH EXTENSION OF APPROVAL MAY BE GRANTED BY THE MANAGER.

The City of Colorado Springs is committed to excellent customer service. We would like to hear your comments about the service you received during the review of this application and your interaction with our department. Please consider completing the survey through Speak UP COS located at <https://coloradosprings.granicusideas.com/surveys/planning-department-customer-service-survey>. Your response is completely confidential.

If you have any questions please contact me at 385-5080 or sdalsing@springsgov.com.

Sincerely,



Susanna Dalsing
Planner I

C: City Planning File Nos. AR NV 17-00569
Sue Matz – approval letter via e-mail