



GATEWAY TO THE SAN LUIS VALLEY

Town of Saguache Board of Adjustments Land Variance and Appeals Application Form

INCOMPLETE APPLICATION MAY RESULT IN DENIAL OF REQUEST

The Board of Adjustments may only grant a variance if the Board finds that the following standards are satisfied, and the criteria is met. Each standard must have a response in as much detail as it takes to explain how your property condition satisfies the standards. The burden of proof rests within you. Use additional paper if needed. A non-refundable processing fee of three hundred dollars (\$350.00) must be submitted with this application.

Property owner Name(s): Saguache County Housing Authority

Mailing Address: P.O. Box 201, Saguache, CO 81149

Phone: 719-849-0356

Fax: N/A

Email: emsamora@saguachecounty-co.gov

PROPERTY INFORMATION

Site Street Address: 250 Gunnison Ave., Saguache, CO 81149

Legal Description: Subdivision, Saguache, Lots 7-12, Block 10, Parcel # 448707203003

Cross Street: Gunnison & 3rd Street Lot Size: 50ft x 150ft x six lots (totals to one acre)

www.townofsaguache.org

www.saguachecounty-co.gov

I/we hereby certify that I/we am the owner(s) of the property described above and that I/we am petitioning for a variance in conformance with of the Town of Saguache, Ordinance 2018-G. I understand that payment of the application fee is non-refundable and is to cover the costs associated with processing this application, and that it does not assure approval of the variance. I understand that the burden of evidence to show compliance with the administrative variance standards rests with me, the applicant. I also understand that assigned hearing dates are tentative and may have to be postponed by the Board of Adjustments for administrative reasons.

Date: 3-28-23 Signature: Lia Marron

Payment Type: ck # 0121 Date Received: 3/29/2023

By: Tina Sanchez Deputy Clerk

Code Citation:

Section 13-2-+100 - Service Line Requirements

(Ord. No. 2004-1. Section 10.4-8-2004; Ord. No. 2005-4. Section 1, 7-8-2005; Ord. No. 2015-4. Section 1. 11-16-2015)

Section 18-3-10 - Manufactured Homes

Section 15-2-30 - Setback for Buildings

(Ord. No. 2015-4. Section 1. 11-16-2015)

Existing Situations and Conditions:

The six lots are currently vacant land. A house did exist on the south west portion of the parcel and was removed several years ago with no residual effects as identified in our Phase I Environmental Assessment.

Effects of Granting the Variance:

Service Line Requirements

The current site plan requires that the proposed buildings will cross lot lines and water lines are likely to cross the lots lines as well. These issues are unavoidable without a significant redesign of the property that would also be a detriment to the future residents of the property.

The granting of this variance for 250 Gunnison Ave. will allow for the building to be arranged in such a way to allow for a central green space and full utilization of the property for the purpose of providing affordable housing to residents in the community.

Manufactured Homes

SCHA's current construction estimate is based on a traditional "stick built" construction method that is not subject to this minimum square footage requirement. There is still a significant possibility that the affordable housing community could be built using manufactured apartments.

The apartments currently managed by SCHA are 520sqft - 560sqft for a one bedroom apartment, 670sqft - 740sqft for a two bedroom apartment, and 950sqft for a three bedroom. The square footage of the one and two bedroom apartments are reasonable and livable; however, are less than the minimum square footage cited in the Town of Saguache's ordinance.

Allowing the variance would allow SCHA the freedom and agility to choose the housing type that would be most practical, cost effective, affordable, and feasible for the property regardless of the building type.

Setback for Buildings

The Town of Saguache current regulations require a setback of no less than ten feet on the front and rear of the property, and six feet on the sides of the property. The property's current layout will require the set back on the south side of the property to be reduced to two feet and the set back on the east side of the

property to be reduced to two feet. Approval of the set back variance will allow the property to be fully utilized for affordable housing.

VARIANCE STANDARDS

1. There exist exceptional or extraordinary physical circumstances of the subject property such as, but not limited to, streams, wetlands, or slopes, and such physical circumstances are not applicable to other land in the same area neighborhood.

Explain:

No known exceptional or extraordinary circumstances exist on the site.

2. Because of these physical circumstances, the strict application of this code would create an exceptional or undue hardship upon the property owner and would deprive the applicants of rights commonly enjoyed by other properties in the neighborhood.

Explain:

Service Line Requirements:

The strict application of the code would prevent the property from being constructed in the layout provided in the attached documents provided from SCHA's architect consultant. The current layout allows for adequate parking, a playground, and a central courtyard.

The strict application of the code as it is now would prevent the most practical installation of water lines. The most practical path for water lines and other utilities may cross lot lines.

The proposed property layout would be significantly and negatively changed if the buildings were located within the lot lines. The building would need to be placed parallel to each other in a north south orientation. The revision would result in the loss of the central courtyard and replaced with narrow strips of common space and many of the homes would only receive daylight during mid day.

The Saguache County Housing Authority currently manages two properties in Saguache in which the water services lines cross lot lines without ill effect. Three of the five buildings located at Blue Water Haciendas cross lines on the property without negative effect. The property of which Puerto Del Norte is built on is a single tract and without lots. If the lots were arranged as typically found in Saguache, the buildings would also cross lot lines without negative affect.

Allowing for buildings and water service lines to cross lot lines is sensible as the six lots are being treated as a single lot by a single owner.

Manufactured Homes

The strict application of the code would eliminate the possibility of providing affordable manufactured homes due to the Town of Saguache's minimum square footage requirements on buildings of that type. Modern manufactured apartment homes are functionally and aesthetically no different than traditionally stick built homes; the units are simply built in a factory instead of onsite.

Setback for Buildings

The goal of developing 250 Gunnison Ave is to provide enough homes to meet Saguache's affordable housing needs of approximately 25 units. This number was derived by the 2021 San Luis Valley Housing Needs Assessment. Further utilization of the property is necessary to meet this need and a reduction of the setback is an integral part of this plan.

3. The hardship is not self-imposed, and special conditions and circumstances do not result from the actions of the applicant and such conditions and circumstances do not merely constitute inconvenience. Explain:

Service Line Requirements

The only aspect of the design that may be self-imposed is the site layout. However, the site layout is made for the benefit of future residents with a central courtyard in mind. To forgo the benefit for the residents for the sake of not crossing lot lines would eliminate the central courtyard. Which does not seem like a beneficial trade off.

Manufactured Homes

The variance request for the minimum square footage for manufactured homes is based on the fact that a stick built home is functionally no different than a manufactured home in the context of an apartment building. Allowing the freedom for SCHA to make a decision on the most cost effective and affordable means of construction should be allowed regardless of the construction type.

Setback for Buildings

The layout of the project requires space for parking, sidewalks, and spaces for trees, etc. All of which are necessary for the construction, greenspace, residence enjoyment, adequate parking to prevent the use of Town Right of Way, and aesthetics of the property. The reduction of the setbacks should result in no constraints according to the architectural consultant and SCHA.

4. The variance, if granted, will not adversely affect the use of the adjacent property. Explain:

Service Line Requirements

No known adverse effects exist.

Manufactured Homes

No known adverse effects exist.

Setback for Buildings

No known adverse effects exist.

5. The variance, if granted, is in keeping with the intent of the Town of Saguache Municipal code and will not change the character of the neighborhood in which the property is located and will not permit a use that is not otherwise permitted.

Explain:

Service Line Requirements

The request to allow water service lines to cross lot lines will be in the intent of the Town of Saguache Municipal codes recent addition of allowing multi-unit buildings. The six lots are owned by the Saguache County Housing Authority and the property is being treated as a single property, with a single purpose: multi-family housing.

Manufactured Homes

The request to allow for smaller square footage manufactured homes aligned with the intent of the Town of Saguache Municipal code. The code was originally written with the stereotypical mobile home in mind. The modern methods of manufacturing apartments was not yet common at the time of the code's writing and adoption. Today's manufactured apartments look and function the same as a "stick built" apartment buildings. The use of the land is for multifamily housing, and manufactured housing may be the means that SCHA accomplishes that goal.

Setback for Buildings

Modifying the setbacks for the buildings will allow for a full utilization for the property.

6. The variance, if granted, does not adversely affect the health, safety, and welfare of the people of the municipality of the Town of Saguache.

Explain:

Service Line Requirements

No known adverse effects on the health, safety, or welfare to the people in the municipality of the Town of Saguache exist.

Manufactured Homes

No known adverse effects on the health, safety, or welfare to the people in the municipality of the Town of Saguache exist.

Setback for Buildings

No known adverse effects on the health, safety, or welfare to the people in the municipality of the Town of Saguache exist.

7. The variance granted is the minimum variance that will make possible a reasonable use of the land.

Explain:

Service Line Requirements

Allowing the water service lines to cross the lot lines is the minimum variance required to make possible the reasonable use of the land.

Manufactured Homes

Allowing for smaller square footages is the minimum variance required to make possible the reasonable use of the land.

Setback for Buildings

Allowing for setbacks to be reduced to two feet on the east and south side would be the minimum set back required.

8. Overhead view of the property, photographs, drawings and detailing the proposed changes are required as part of this application.

Included in this application:

Not included: Why: _____

I understand and have to the best of my knowledge answered the above questions and provided the requested information and materials

Owner(s) Signature: _____

Date: March 29th, 2023

NOTICE:

This application will be received during regular business hours at the Saguache Town Hall, 504 San Juan Avenue, Monday-Friday, 8:00 AM to 4:30 PM excluding holidays.

BOARD OF ADJUSTMENTS

The Board of Adjustments shall, within forty five days of application, unless a longer time is necessary for consideration of the application for reasons specifically stated by the Board of Adjustments, either: (1) recommended approval of the application in whole or in part, with or without modifications and conditions. (2) If denied, notify the applicant that they can appeal to the district court.

Date Filed: 3-30-2023

Clerk/Deputy Clerk: Iris Garcia Clerk



