



Request for Comments

Case Name: Hulstrom Tract Farm Variances
Project Number: PRA2017-00008

October 19, 2017

Adams County Community and Economic Development Department is requesting comments on the following request:

- 1) Variance from to exceed the maximum permitted structure coverage of 7.5%, and 2) Variance from the minimum front setback of 67.4 feet to construct an accessory structure.**

This request is located at **920 W 152nd Avenue**
The Assessor's Parcel Number is **0157316004011**
Legal Description is **SUB: HULSTROM TRACT DESC: OF WILCOX SUBD**

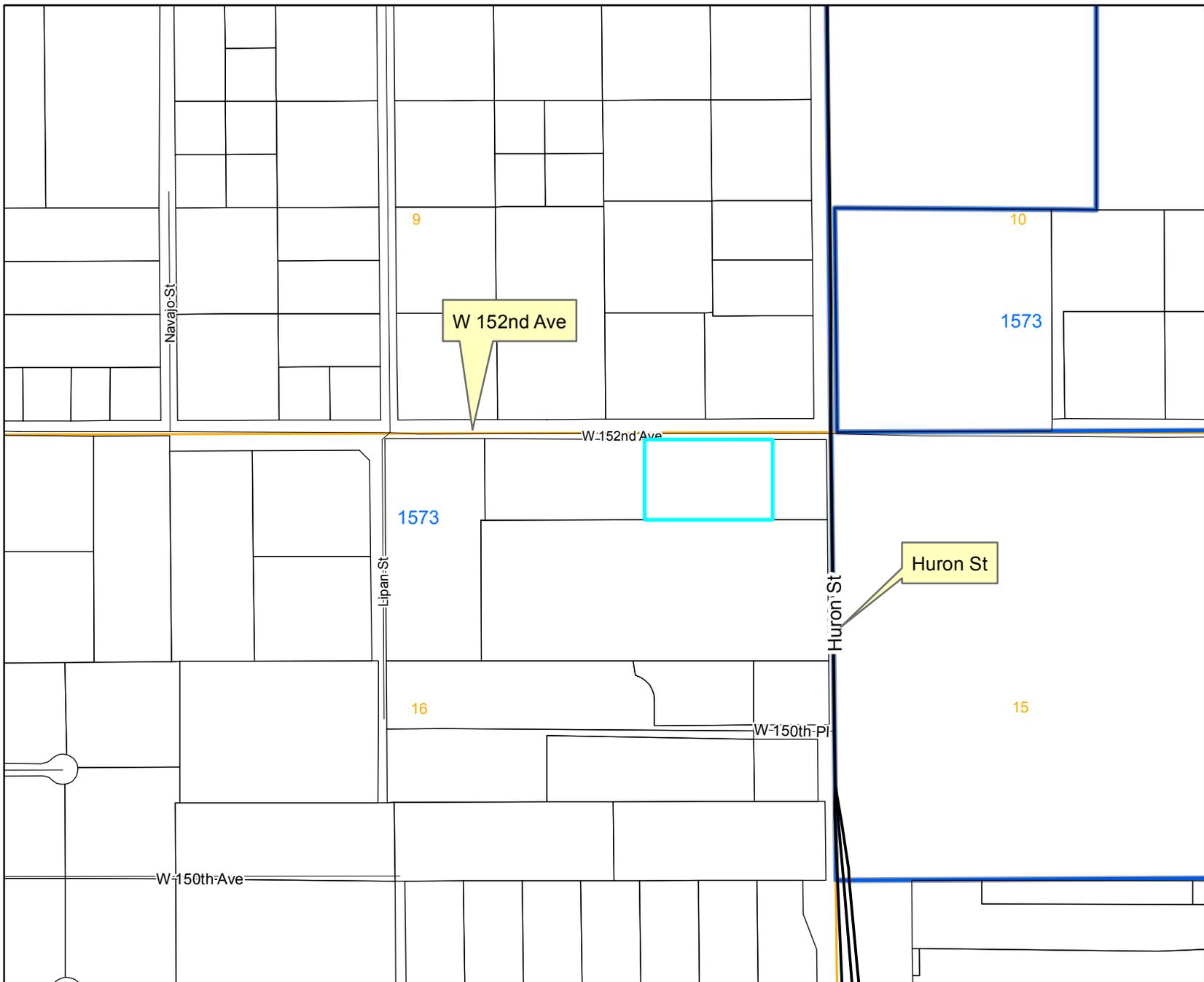
You were notified with this request because your property is within 500 feet of the site listed above.

Please forward any written comments on this application to the Department of Community and Economic Development at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 or by phone at 720.523.6855 by **Friday, November 10, 2017** so that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim, please send your response by way of email to LAdams@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates will be forwarded to your for your information. This referral can also be found online at <https://www.adcogov.org/planning/currentcases>.

Thank you for your review of this case.

Libbie Adams
Case Manager



LEGEND

- ★ Special Zoning Conditions
 - 3 Section Numbers
 - +— Railroad
 - Major Water
 - Zoning Line
 - Sections
- Zoning Districts**
- A-1
 - A-2
 - A-3
 - R-E
 - R-1-A
 - R-1-C
 - R-2
 - R-3
 - R-4
 - M-H
 - C-0
 - C-1
 - C-2
 - C-3
 - C-4
 - C-5
 - I-1
 - I-2
 - I-3
 - CO
 - PL
 - AV
 - DIA
 - P-U-D
 - P-U-D(P)
 - ⊞ Airport Noise Overlay

Hulstrom Tract Farm Variance
PRA2016-00005



For display purposes only.



This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy

Hulstrom Tract Farm Operations Improvement Project

Variance Requests Re-Application

October 2017

Background

This application constitutes a re-application of our 3/29/16 Application, Case Number PRA2016-00005 Hulstrom Tract Farm Variances/920 W 152nd Avenue. All information and documents, submitted for the 2016 Application, are applicable to this re-application.

At a regularly scheduled meeting, held on July 7, 2016, of the Adams County Board of Adjustments reviewed the Request for Variances. The Board approved the requested variances:

- 1) Variance request from the maximum 7.5% lot coverage pursuant to Section 3-08-07-06-02; and,
- 2) Variance from required front setback of 67.4 feet pursuant to Section 3-08-07-04-01 to construct an accessory structure.

Relevant circumstances and conditions have not changed. We consider the Board findings and approval to still be justified and valid.

Due to a misunderstanding of language in the Approval Letter/Notice, and delays in site preparation, a building permit was not requested/issued at the expiration of one year from Approval (July 7, 2016); this resulted in the expiration of the Variance Approval. The Approval Letter (see Exhibit A) stated:

The applicant shall apply for and receive a building permit for the proposed accessory structure and follow all requirements of the Adams County Development Standards and Regulations and Building and Safety Code requirements.

We inferred that the cited “requirements” pertained exclusively to the physical building; design (e.g. wind loading), construction, safety codes (e.g. electrical). Such requirements would be addressed and satisfied by the Applicant’s design-build contractor, leading to a request for a building permit. However, Section 2-02-21—09 states that a Variance Approval has an expiration of one year.

Following the receipt of the Variance Approval, we contracted with Morton Buildings to design and build our machine storage building. Morton recently submitted a building permit request. We secured financing. We completed the preparation of the building site. In a related effort, we had a contractor grade the surrounding area and to the southeast, to properly handle runoff. Construction awaits the re-approval of the requested Variances.

HARDSHIP STATEMENT

1. There exists special physical requirements or circumstances of the subject property such as irregularity, narrowness, shallowness, or slope.

As stated previously, the physical nature and circumstances have not significantly changed since our previous Variance Request (3/23/16, Case Number PRA2016-00005); that was approved by the Board of Adjustments. We reference Item 3(3a and 3b), Written Explanation of the Project, for detailed descriptions and rationale. For the purpose of this re-application, a summary is provided in Attachment A.

2. Because of these physical circumstances, the strict application of the code would deprive the applicant of rights commonly enjoyed by other properties in the same district.

Strict application of the code would mandate that the subject machinery storage building be located in the southeast area of the property. Because of the marked slope of the property from the north and west to the southeast area, there is significant water runoff that eventually ends up in the west drainage barrow pit of Huron Street. Locating the building in the southeast area would disrupt this necessary drainage pattern, along with unknown additional costs to handle such drainage. For these reasons the Applicant would not build the machinery storage building. Therefore, the Applicant would be deprived of having a machinery storage type building that is common to other properties.

3. Granting the variance will not confer on the applicant any special privilege.

Granting the requested variances would allow the applicant to construct the proposed machinery storage building. This type of building has been built on many other properties in the area; therefore, the applicant would not realize any special privilege.

4. Due to the physical circumstances or conditions, the property cannot be developed in conformity with the regulations.

The slope and runoff circumstances have been previously addressed in #2. In addition, as shown in Figure 1 , an existing leach field limits the front setback of the building.

5. The special circumstances or hardship is not self-imposed.

The slope circumstances are the result of natural lay-of-the land. The leach field was installed in 1971, long before the applicant considered a machinery storage building in the proposed location.

6. That the variance, if granted, will be in harmony with the general purpose and intent of the Adams County regulations and with the Adams County Comprehensive Plan.

One of the goals/intents of Adams County's long-range planning is to "Preserve agricultural land and heritage". Our property has been a part of the County's agricultural heritage and usage since the 1930s. The current property is the operational hub of our farming activities in both Adams and Broomfield counties; farming nearly 1800 acres. Granting the variances will allow us to significantly enhance/improve our farming operations by allowing us to have a machinery storage building to protect our expensive equipment from the weather and allow us to perform maintenance during the off-season. We are a key part of preserving agricultural land by partnering with land owners to farm their land and providing some revenues.

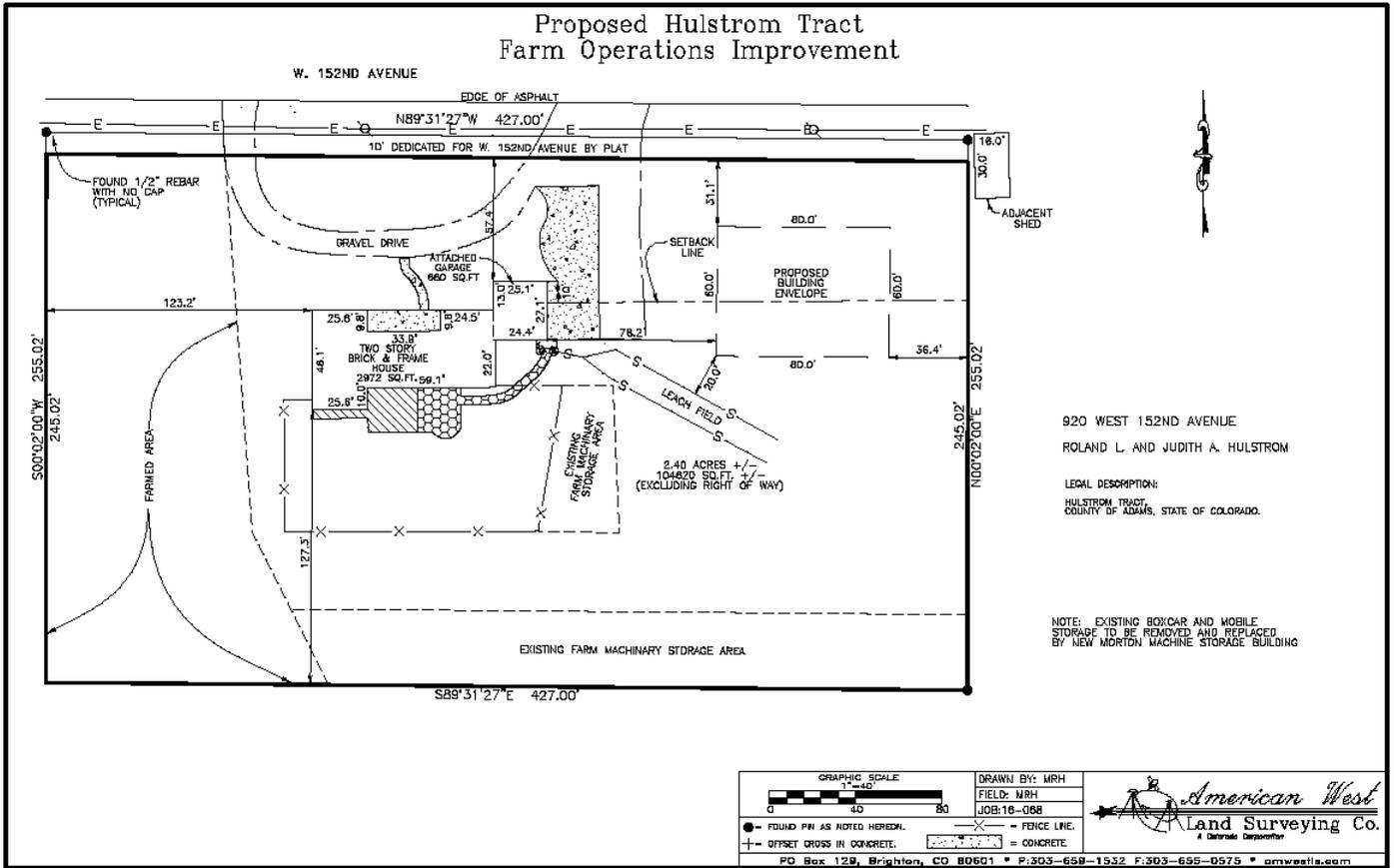
7. That the variance, if granted, will not cause substantial detriment to the public good or impair the intent of these standards and regulations.

The construction and use of a farm machinery storage building presents no potential detriment to the public good or impair any intent of the standards and regulations. To the contrary, as described in #6, it will be to the public's and County's good.

8. That the variance, if granted, would not allow a use which is not otherwise permitted in the zone district in which the property is located, would not result in the extension of a non-conforming use, or would change the zone classification on the property.

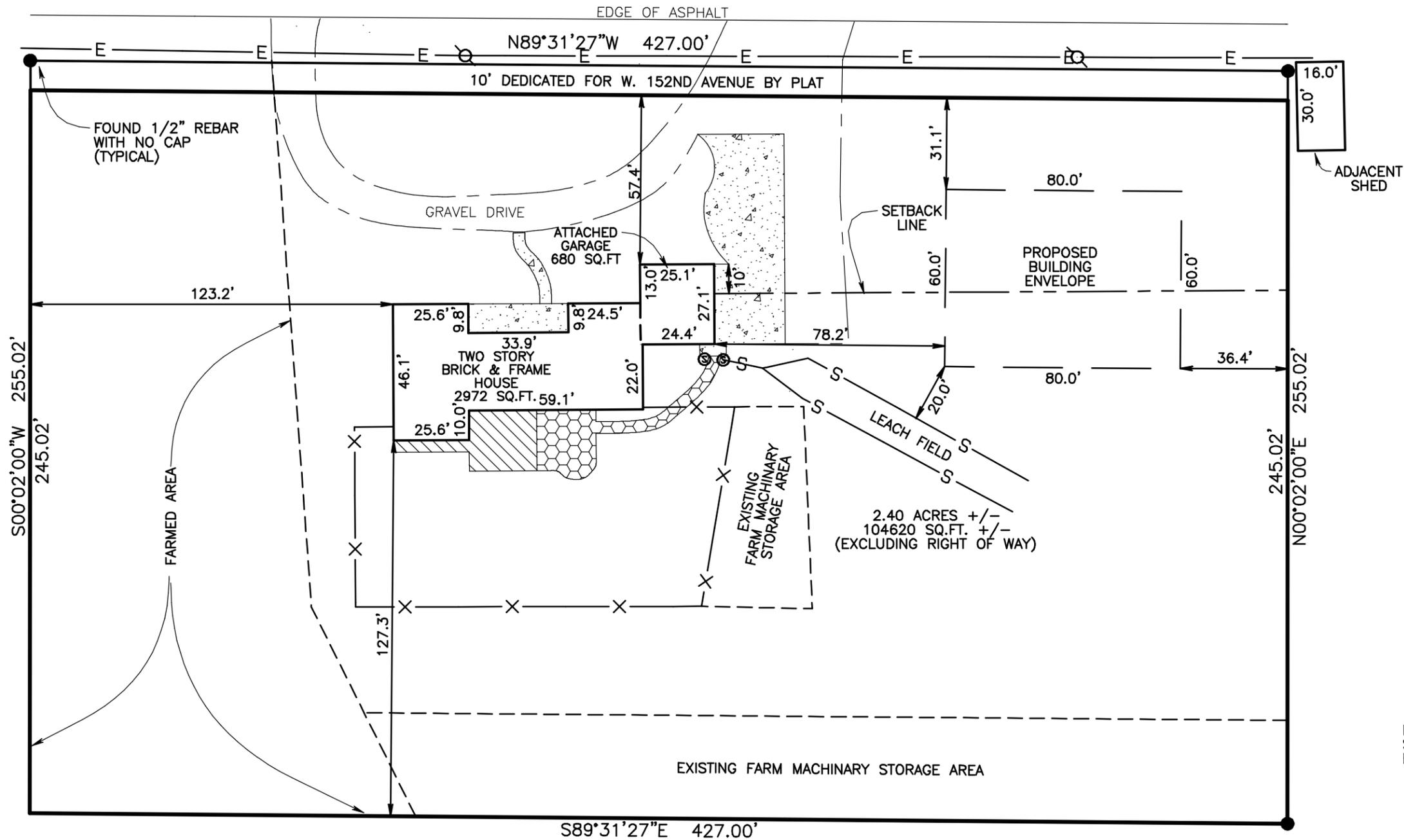
Granting our variances will allow us to build a simple farm machinery storage building. This will not change the land/property uses or change the zone classification. The proposed building site has been used for machinery storage and operations since the 1940s.

Item#5: Site Plan



Proposed Hulstrom Tract Farm Operations Improvement

W. 152ND AVENUE



920 WEST 152ND AVENUE
 ROLAND L. AND JUDITH A. HULSTROM

LEGAL DESCRIPTION:
 HULSTROM TRACT,
 COUNTY OF ADAMS, STATE OF COLORADO.

NOTE: EXISTING BOXCAR AND MOBILE STORAGE TO BE REMOVED AND REPLACED BY NEW MORTON MACHINE STORAGE BUILDING

GRAPHIC SCALE 1"=40' 	DRAWN BY: MRH FIELD: MRH JOB:16-068	<p style="font-size: small;">A Colorado Corporation</p>
● = FOUND PIN AS NOTED HEREON. + = OFFSET CROSS IN CONCRETE.	X = FENCE LINE. = CONCRETE.	
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