



## Request for Comments

Case Name: Chabarria Shed Variance  
Case Number: VSP2019-00036

November 21, 2019

The Adams County Board of Adjustment is requesting comments on the following application:  
**Variance request to place a 9'x13' shed within the side setback.** This request is located at 8840 Hooker Way. The Assessor's Parcel Number is 0171920315002.

Owner Information: CHABARRIA LANCE G  
8840 HOOKER WAY  
WESTMINSTER, CO 800313336

Please forward any written comments on this application to the Community and Economic Development Department at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 or call (720) 523-6800 by 12/18/19 in order 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 e-mail to [TDimperio@adcogov.org](mailto:TDimperio@adcogov.org).

Once comments have been received and the staff report written, the staff report may be forwarded to you. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at [www.adcogov.org/planning/currentcases](http://www.adcogov.org/planning/currentcases).

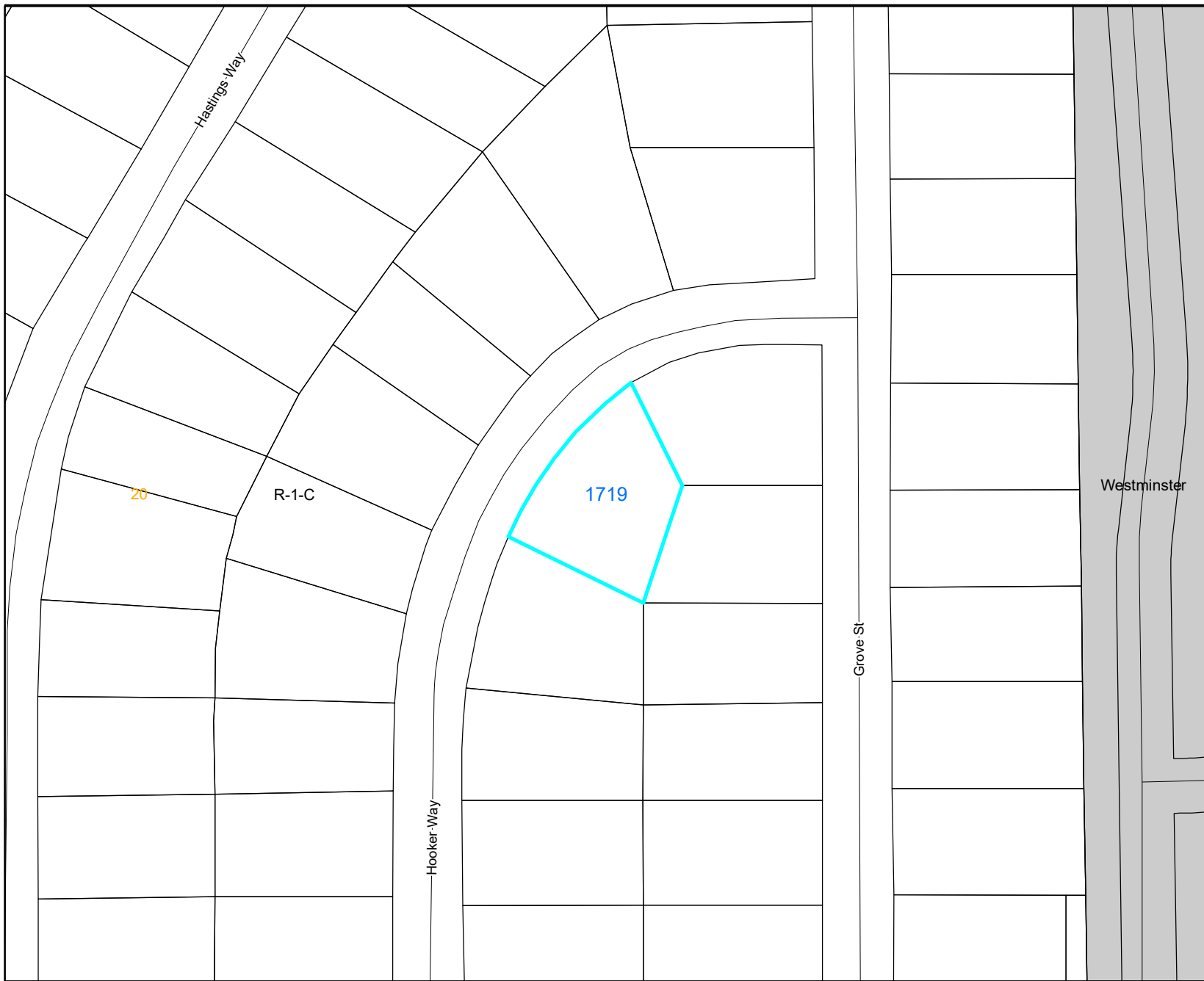
Thank you for your review of this case.

Thomas Dimperio  
Planner I

# Hardship Statement

1. There exists special physical requirements or circumstances of the subject property such as irregularity, narrowness, shallowness, or slope.
  - a. The lot is wedge shaped and narrows in at the backyard. The house placement is angled and located at the rear end of the lot, creating a very small, shallow and narrow amount of backyard. We are attempting to increase backyard size by moving the fence forward to be in line with the front of the house. In the back of the lot there is a 5' utility easement on both sides that extends halfway up the yard on the proposed side, we are requesting to vary the setback where the utility easement ends, so we are not encroaching into the utility easement.
2. Because of these physical circumstances, the strict application of code would deprive the applicant of rights commonly enjoyed by other properties in the same district
  - a. The strict application of the code and leaving a 5' setback on the side (where there aren't utility easements) leaves us unreasonably small backyard area due to the narrowness of the yard, setbacks, and the utility easements throughout.
3. Granting the variance will not confer on the applicant any special privilege
  - a. Due to the nature of the setbacks on either side and the back fence we are not able to fit a shed while still having usable yardage left, so this is not special privilege, and yard is something commonly enjoyed on properties in the same district.
4. Due to the physical circumstances or conditions, the property cannot be developed in conformity with the regulations
  - a. Because of the positioning of the house on the lot (placed on the rear end of the lot), the setback requirements are unreasonable regulations on this specific lot.
5. The special circumstances or hardship is not self-imposed
  - a. This is not self-imposed because the house was built in 1955, we tried to obtain building records from Adams County but were informed that they were not required back then. The shed cannot be relocated to the other side of the house because that side is more narrow and contains a 5' utility easement all the way across. Because of the easements and the shape of the yard this is not self-imposed.
6. 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.
  - a. This will be in harmony with Adams county regulations as we are making every effort to conceal the shed on the side, by placing a 6' privacy fence around it, and it will be located on a slope allowing for more of the shed to be hidden.
7. That the variance, if granted, will not cause substantial detriment to the public good or impair the intent of these standards and regulations.
  - a. This will not harm the public good as we are concealing the shed behind privacy fence as well as it is on our property out of view to the public. The shed is of the same principal dwelling structure color and style as not to create an eye sore.
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.
  - a. This shed is used for personal storage, like most sheds on private property. This is not for non-conforming use and does not change the zone classification on the property.

\*PLEASE SEE ATTACHED PLOT MAP IN RELATION TO THE STATEMENTS MADE\*



**Legend**

- +— Railroad
- Major Water
- - - Zoning Line
- ▭ Sections

**Chabarria Shed Variance**

**VSP2019-00036**



For display purposes only.



**ADAMS COUNTY**  
COLORADO

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

