



Request for Comments

Case Name: Cavanna Carport Variance

Case Number: VSP2022-00015

August 26, 2022

The Adams County Board of Adjustment is requesting comments on the following application: **a variance to allow a side setback reduction for a carport in the R-1-C zone. The required side setback in this zone is 5'. The applicant is requesting a 3' setback for the support posts of the carport and a 1' setback for the roof eaves.** This request is located at 9090 JUDSON ST. The Assessor's Parcel Number is 0171920317010.

Owner Information: BIRKHOLZ KARLA LOUISE AND
CAVANNA SIRI LOUISE AND CAVANNA MATTHEW
1920 E BELL RD UNIT 1156
PHOENIX, AZ 850226290

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) 523-6949 by **September 16, 2022** 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 LCampbell@adcogov.org.

Once comments have been received and the staff report written, the staff report will 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.

Thank you for your review of this case.

Lia Campbell
Planner I

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Emma Pinter
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Lynn Baca
DISTRICT 5

To Whom it may concern:

It is to our great dismay that we are applying for a zoning variance AFTER a cheap, rudimentary and unsafe carport was built on our property by a neighbor who claimed to be a competent, licensed general contractor.

We had hired our neighbor, ~~XXXX XXXXXXXX~~ of 90XX Judson street for many small contracting projects starting in 2018. On our first conversation, as we walked through the neighborhood, he told us he was a “licensed, bonded and insured general contractor.” Over the next few years we proceeded to hire him for various small projects. He did a seemingly fine job, and we considered him a “friend”. Over the course of 3 years ~~XXXX XXXXXXXX~~ kept up the licensed contractor ruse, even though he is not one.

After the initial pandemic lockdowns, we decided to convert our garage so that my aging mother could move into our house full time. We chose to build a carport so that she could walk into the home without being exposed to the elements (snow and ice) and risking a fall. Without hesitation I hired ~~XXXX XXXXXXXX~~, and he charged us \$20,000 for the carport (in evidence).

He mentioned it would cost \$1000-\$5000 for him to pull a permit, and that he didn't have time to pull one with “all of his other jobs.” I told him I would try to do the permit and gave him the county handout to review/fill in order to make sure we were following zoning laws (in evidence). I contacted the county by email to ensure I was complying with zoning, and based on their response, I believed we were in compliance if the posts/columns were within 3 feet of the property line with fire rating (in evidence). ~~XXX XXXXXX~~ told us that he would not follow and architect or engineer's plans and not to use one. He became very pushy about timing and said he had to move on to another project.

At this point I paid him \$16,000 up front and let him build a carport without a permit. I believed that as long as we were up to code, which ~~XXX XXXXXX~~ ensured (in evidence) that we could pay for a permit after the fact if reported. For better or for worse, the general rule in this neighborhood is that people are building without permits frequently.

This proved to be one of the gravest mistakes I have made in years, both from a financial and logistical standpoint, and I am trying to take responsibility for that. By the time the carport was framed it became apparent that we were trouble. The carport looked terrible and was carelessly and shoddily constructed on every level. I started to learn the building code myself and realized almost NOTHING had been built to code in spite of our contract and the building code forms which he had filled out himself.

I confronted ~~XXX XXXXXX~~ and fired him immediately. After interviewing 5 general contractors who only suggested a full tear down, I eventually hired Wes-Tec builders to bring the carport up to code. Wes-tec pulled a re-roof permit as the roof was the worst of the carport's code violations. **A short time later the building department arrived. ~~XXX XXXXXX~~ had called the building department ON HIS OWN BUILD in a strange attempt at retaliation for firing him? (and we are now pursuing legal action).** This variance request, the required engineering, and the remediation of the carport itself will cost me around \$12,000 (in evidence) in addition to the \$16,000 we already paid our neighbor ~~XXX XXXXXX~~.

This variance request is my attempt to right a terrible mistake and complete the permit we should have requested. I do believe that we are in still in keeping with the character and *actual* zoning of the other homes in the neighborhood, including my next door neighbor who has a similar 3 ft. setback and ~~XXX XXXXXX~~'s own home, with it's attached garage just a few feet to the property line.

Additionally, had we not been scammed, had we gone through the correct, licensed channels to begin with, I would still have requested this variance. We need a standard sized carport so that my mother can come into and out of the home safely in inclement weather. That requires an egress into the standard 5 foot setback.

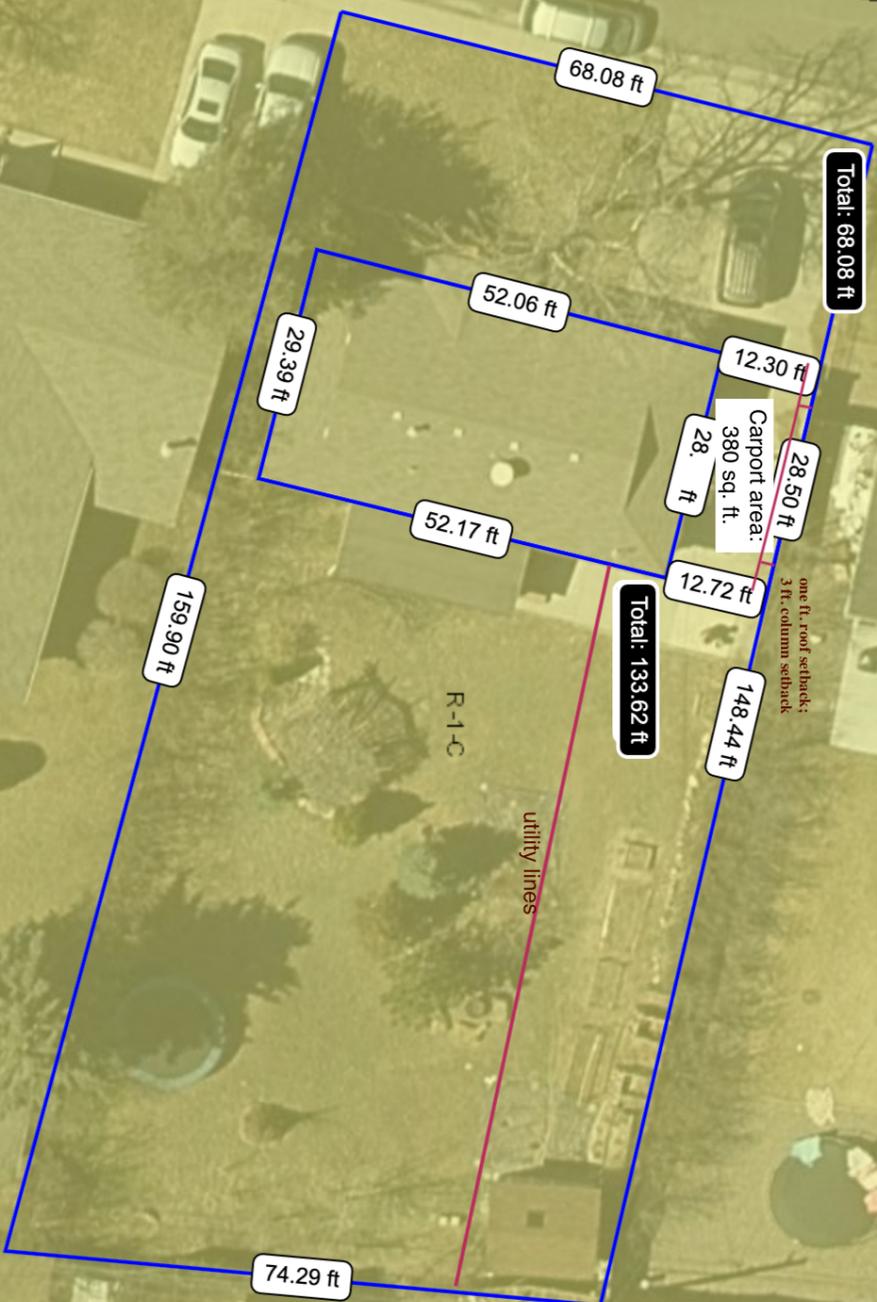
I sincerely thank the members of the board and my neighbors for their consideration of our zoning variance request for a three foot set back for the carport posts and a one foot (or less as the board determines) setback for the carport eaves.

Sincerely,

Siri Cavanna
(with Matthew Cavanna and Karla L. Birkholz)
9090 Judson Street
Westminster, CO 80031



Judson St



Total: 68.08 ft

Total: 133.62 ft

Total: 234.19 ft

Carpport area:
380 sq. ft.
28 ft

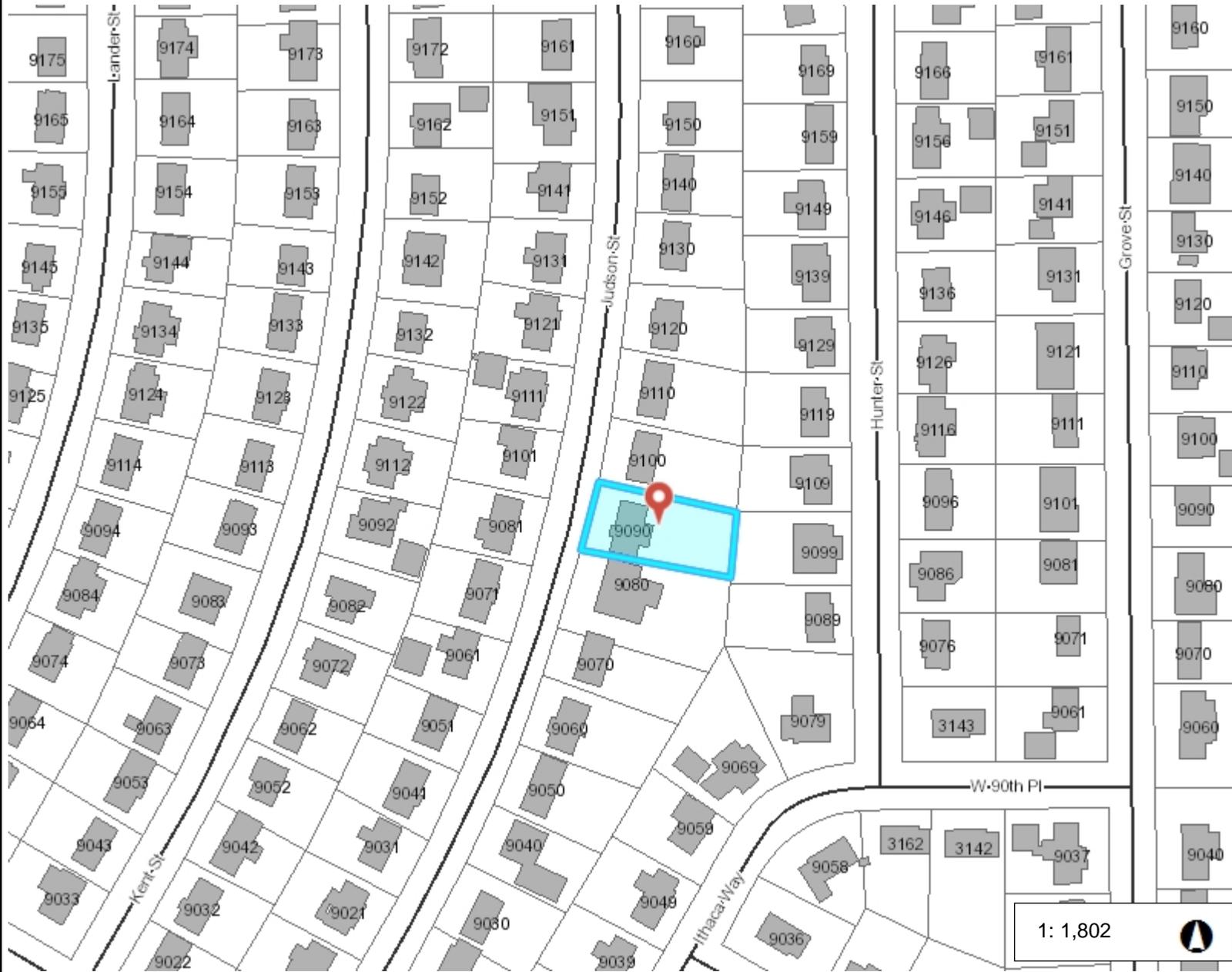
one ft. roof setback:
3 ft. column setback:

R-1-C

utility lines



North



Legend

- Address
- Highways
 - Interstate
 - Highway
 - Tollway
- Streets
 - Streets
 - Ramp
- Building
 - Building
- County Parks and Open Space
 - County Parks and Open Space
- Small Lakes
 - Small Lakes
- Major Lakes
 - Major Lakes
- Rivers
 - Canal
 - Ditch
 - Primary Creek
 - River
 - Secondary Creek
 - Stream
- Parcels
 - Parcels
- County Boundary
 - County Boundary

1: 1,802

0.1 0 0.03 0.1 Miles

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Simple Map: 9090 Judson Street