

TOWN OF PITKIN, COLORADO

**APPLICATION FOR VARIANCE
FROM A STANDARD SET FORTH IN THE ZONING CODE**

ZBA Request # _____

Received by: SARA GIBB

Date: 5/3/2024

APPLICANT: Ed Pinalto

MAILING ADDRESS: P.O. Box 268, Pitkin, CO 81241

PHONE: (day) _____ (Evening) _____
405-760-8157

E-MAIL ADDRESS:
edward.pinalto@yahoo.com

PROPERTY OWNER (if other than applicant, a letter consenting to this application must be submitted)
NAME: Ed Pinalto SIGNATURE: Ed Pinalto

ADDRESS: 1016 State Street

PRIMARY CONTACT PERSON: _____ (if other than above, contractor, etc.)

PROPERTY LOCATION/DESCRIPTION:

BLOCK: 8 LOTS: 9, 10, 11

STREET ADDRESS: 1016 State Street

ADJACENT PROPERTY OWNER NAME	PARCEL LOCATION RELATIVE TO PROPERTY ON WHICH VARIANCE IS SOUGHT	CURRENT LAND USE ON ADJACENT PARCEL
Chris Nasso	Block 8, Lot 12	Residential - Vacant

DESCRIPTION OF THE VARIANCE REQUESTED: Variance Requested is for a 0' Setback from the side property line for a garage on Lot 11 of Block 8 with the drip line of the roof being on the property line. The actual wall/foundation of the building would be 1' from the property line. The irrigation ditch on Lot 12 runs parallel to the property line. This would place the edge of the building 6'6" from the centerline of the irrigation ditch.

Submit Request to: Town Clerk, P.O. Box 9, Pitkin, CO 81241

SPECIAL CIRCUMSTANCES MAKING A VARIANCE NECESSARY. As applicable, describe how each of the following applies to the variance that is being requested:

- **EXCEPTIONAL CIRCUMSTANCES EXIST.** These are special circumstances or conditions, including topography, or the narrowness, shallowness, or shape of the property that are peculiar to the land or structure or non-conforming property for which the variance is sought.

The original cabin was placed on the lot at an angle to both the front property line and side property line. Had it been placed on the property parallel to the side with the side property, meeting side setback to Lot 8 of 10' and the front to the "State Street" property line, there would have been sufficient room to place the proposed garage, meeting the side property setback of Lot 11. However, in 1974, when the original cabin was built, it doesn't appear that setbacks were too much of a concern.

- **STRICT APPLICATION CAUSES PRACTICAL DIFFICULTIES.** What special circumstances or conditions are such that the strict application of the requirements of the Zoning Code would result in peculiar and exceptional practical difficulties for, or an exceptional and undue hardship on, the owner of the land if the requirements of this Code were to be strictly applied.

With a 10' Setback from the side property line, the widest garage that could be built in this location, would 8'. The garage cannot be moved any closer to the existing cabin due to shadow shed that would occur between the two structures. The 'wing to wing' dimensions of a typical vehicle with the doors open is 13', thus, it would be impossible to park a vehicle in of a garage of this dimension. There is no other location on the property that a garage could be placed. The cabin is much closer to Lot 9, the septic tank and leach field are in the backyard, the irrigation ditch at the back of the property doesn't allow enough room in Quartz Lane. This location is the only viable location on the 3 lots. If this code is strictly applied, it will not be possible to build a garage on this property.

- **DOES NOT ADVERSELY AFFECT NEIGHBORHOOD.** The granting of the variance will not change the character or otherwise adversely affect the neighborhood surrounding the land where the variance is proposed. It will not increase the danger of fire or snowshed or otherwise endanger public safety.

The granting of the variance does not change the character or affect the neighborhood surrounding this property. The irrigation ditch provides an additional barrier between the properties of approximately 12' between the property lines. If a building were to be built on Lot 12, it's unlikely that it would be placed 10' from the side property line, as it would be very close to the existing irrigation ditch. The irrigation ditch helps in maintaining the closer to the 20' that is believed to be for snowshed requirements.

PLEASE ATTACH THE FOLLOWING:

- **SITE PLAN.** This is a drawing. It can be a simple hand-drawn layout, but it must be legible, clearly marked and drawn to scale.
 - Show the parcel on which the variance is requested, including all structures currently existing and any other physical features that may affect locations and setback of structures, such as streams or ditches.
 - Show all existing setbacks on the parcel.
 - Show the location of proposed structures and the distances to property lines.
 - Identify the existing uses of adjacent properties.
 - Show all utilities (electric lines, gas, telephone or cable lines, water well, and OWTS tanks and fields).
 - **ANY OTHER DRAWINGS OR PHOTOGRAPHS** that may be necessary to demonstrate the need for a variance.

4/29/2024

To Whom It May Concern:

As the Property Owner of Lot 12, Block 8 in the Town of Pitkin, I am in support of the Town of Pitkin issuing a 0' Setback from the side property lines of Lot 11 to Ed Pinalto, the current owner of Lot 11, Block 8 for construction of garage.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Nasso", with a long horizontal flourish extending to the right.

Chris Nasso

Charles Nasso Living Trust

Lots 12-16, Block 8

Pitkin, CO 81241

STATE STREET

Lot 12

Lot 11

IRRIGATION DITCH

5' 6"

30'

30'

Garage

18'

EXISTING CABIN

Porch

Porch

23' TO C.L. DITCH

30' TO S.L. DITCH

NASSO

Planned

1 Square = 2 FEET

