

PLANNING AND ZONING COMMISSION

AGENDA

DATE FEBRUARY 15, 2022 6:30 P.M.

**MASK REQUIRED IN PERSON AT
420 CENTRAL AVE DOLORES CO. 81323**

OR VIRTUALLY BY THE LINK BELOW:

Join Zoom Meeting
<https://zoom.us/j/92252992315>

Meeting ID: 922 5299 2315
One tap mobile
+16699006833,,92252992315# US (San Jose)
+12532158782,,92252992315# US (Tacoma)

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **IDENTIFICATION OF ACTUAL OR PERCEIVED CONFLICTS OF INTEREST.**
5. **APPROVAL OF THE AGENDA**
6. **PUBLIC PARTICIPATION 5 minutes per person.**
7. **STAFF REPORTS/UPDATES**
8. **Discussion and possible decision:**
 - 8.1 **Public hearing. Special Exception permit application for 203 ½ N 7th Street.**

Attachment: application packet, site plan, public notice, 200-foot neighbor notice, staff action item and public comments received.
9. **ITEMS FOR THE MARCH 1ST MEETING**
10. **Adjournment**

LAND USE APPLICATION FORM

Staff Use Only	
Application Number:	_____
Received By:	<u>Daniel Doudy</u>
Date:	<u>1-13-22</u>
Fees Paid:	_____
Deposit Paid:	_____

1. Application is made for: (please circle one of the following)

- Zoning Map/Text amendments
- Annexation
- Major Subdivision
- Planned Unit Development
- Variances
- Special Exception Permit
- Tree Removal Permit
- Historic Designation

- Master Plan Amendments
- Replats and plat amendments
- Minor Subdivision
- Condominium Subdivision
- Temporary Use Permit
- Conditional Use Permit
- Appeals
- Historic Structure Alteration Permit

2. Project Name: Chad Wheelers Northside Addition
please print or type legibly

3. Contact information: (a list of additional contacts may be attached)

Owner Name: Chad Wheelers Applicant Name: Same
 Address: 203.5 N. 7th St Address: _____
 Telephone: 970-239-2209 Fax: _____ Telephone: _____ Fax: _____
 E-mail: wheelerschad@gmail.com E-mail: _____

4. Property Description:

Address or Location: 203.5 N. 7th St.
 Existing Zoning: R-1 Existing Use: R-1
 Proposed Zoning: N/A Proposed Use: Residential

5. Purpose: (describe intent of this application in 1-2 sentences)

A variance to build on side property line which is actually back property line (because of orientation of my lot) for an addition

6. Certification: (must be signed in blue ink)

I certify that I am the lawful owner of the parcel(s) of land affected by this application and hereby consent to this action.

Owner: Chad Wheelers Date: 1/13/22 AND

I certify that the information and attachments I have submitted are true and correct to the best of my knowledge. In filing this application, I am acting with the knowledge and consent of the property owner(s). I understand that all documents and fees required by the Town of Dolores must be submitted prior to having this application processed.

Applicant: Chad Wheelers Date: 1/13/22



January 13, 2022

Chad Wheelus
P.O. Box 1234
Dolores, Colorado 81323

RE: 203.5 N 7th Street

Mr. Wheelus,

Thank you for your submittal for a Special Exception for your project on the above-named address.

For the Special Exception to continue, the following will be required,

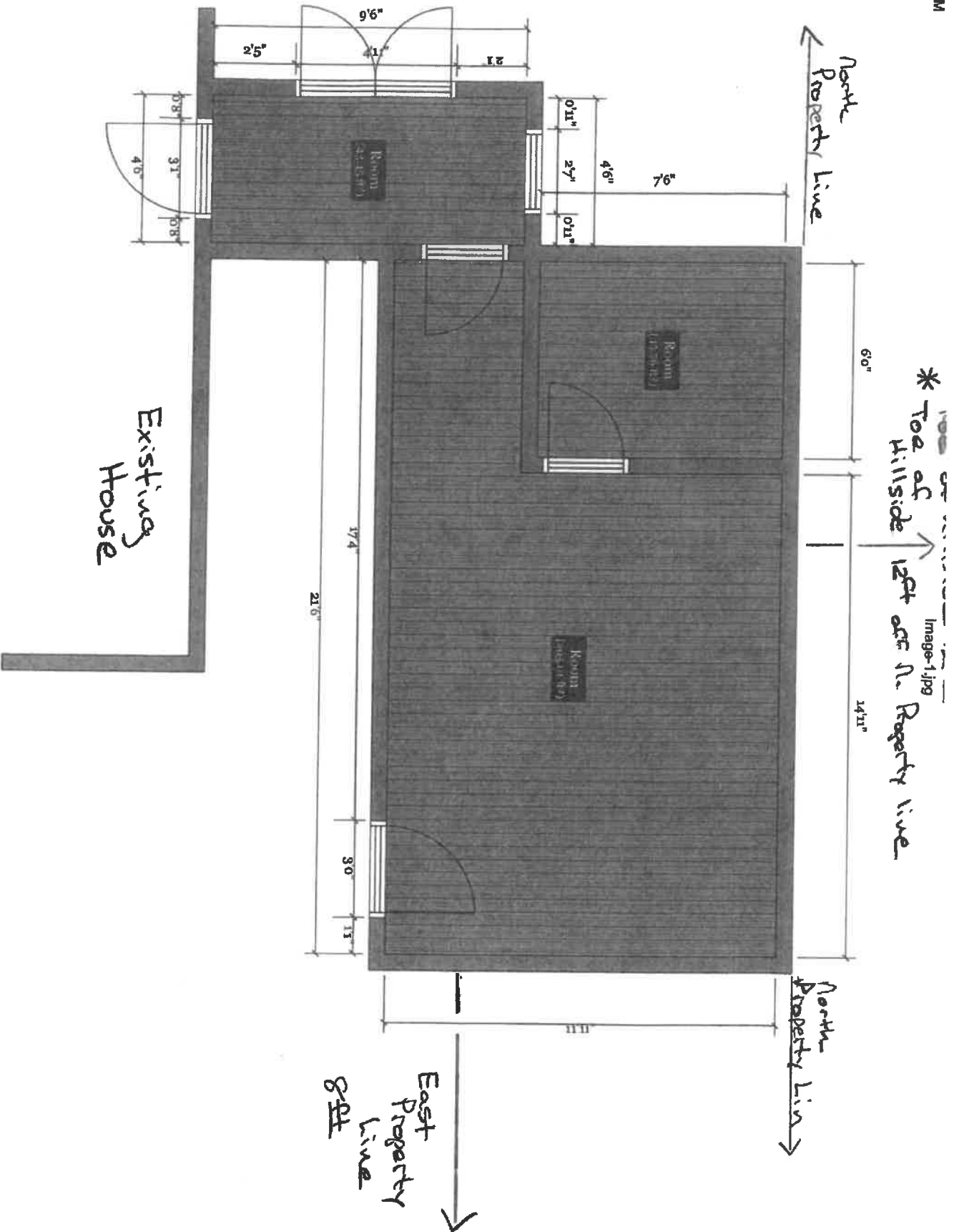
1. Please submit a scaled drawing of the property to show the project and the area that will require the Special Exception.
2. Please submit a fee of \$250.00 for the application

The project will require a public hearing that can be addressed by the planning and zoning committee and has two, time specific areas.

1. The application shall be submitted at least 30 days prior to any desired agenda date. The date for the hearing will be set for February 15, 2022. This requires that all required information be submitted on or before January 17, 2022
2. The deadline for mailing the required information to the neighbors within 200 feet is January 31, 2022.

Sincerely,

David Doudy
Building Official
Town of Dolores, Colorado



Chad Wheeler - Northside Addition

<https://mail.google.com/mail/u/2/?op=ui#inbox?projector=1>

TOWN OF DOLORES
PLANNING AND ZONING COMMISSION
PUBLIC HEARING FOR
A SPECIAL EXCEPTION PERMIT

NOW, THEREFORE, BE IT KNOWN, that notice is hereby given of a Public Hearing before the Dolores Planning Commission on Tuesday February 15, 2022, at 6:30 P. M. In person at 420 Central Ave or virtually with the link below:

Join Zoom Meeting
<https://zoom.us/j/92252992315>

Meeting ID: 922 5299 2315
One tap mobile
+16699006833,,92252992315# US (San Jose)
+12532158782,,92252992315# US (Tacoma)

The purpose for the hearing is to consider an application for a Special Exception Permit for a "Setback" permit submitted by Chad Wheelus; owner of 203 ½ N 7th Street Dolores Colorado, an existing structure in Dolores with a proposed addition that would encroach on the standard 6-foot set back.

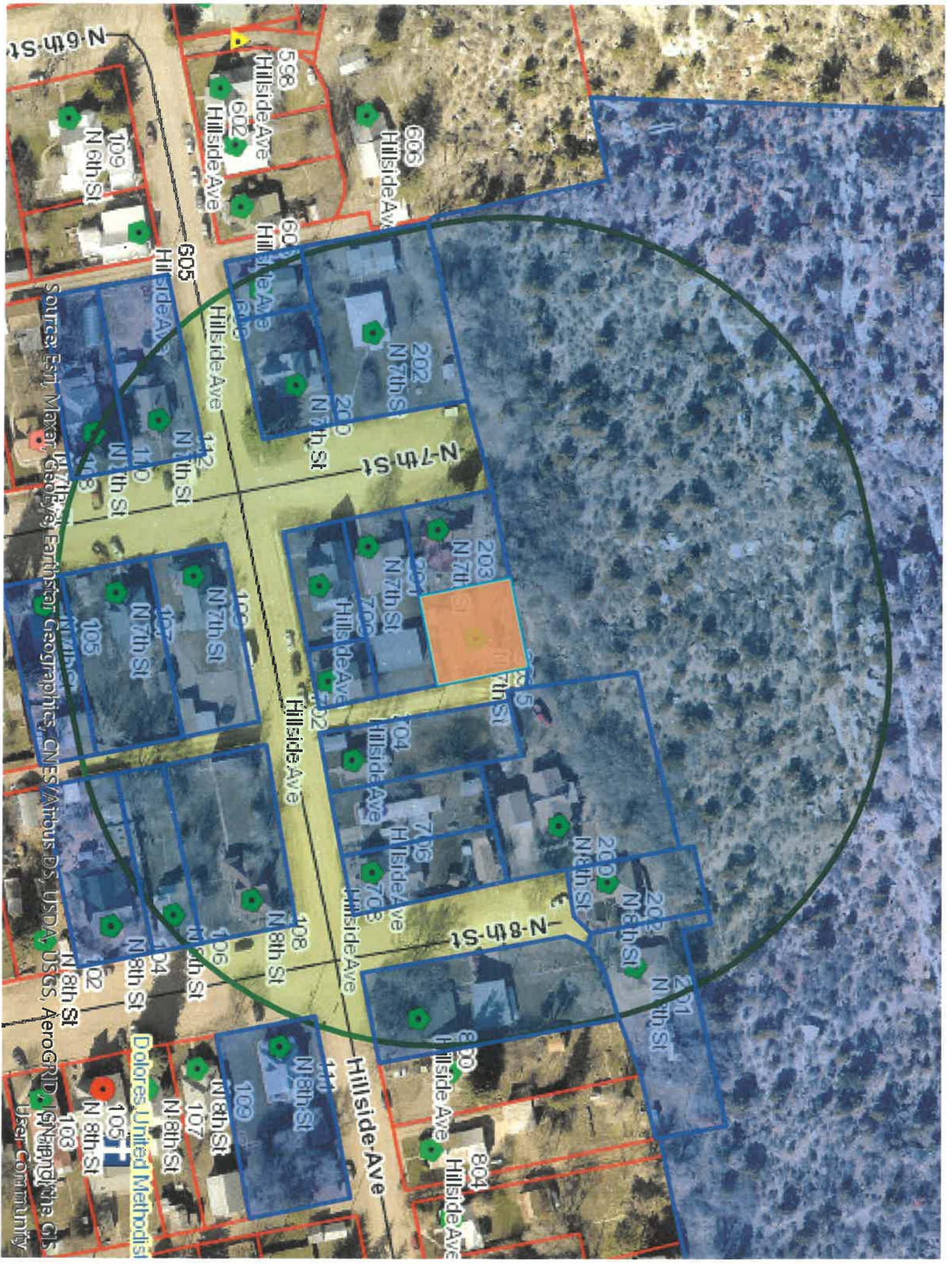
If unable to attend comments shall be made in writing to; Town of Dolores, P O Box 630, Dolores CO. 81323 or 420 Central Ave. Dolores CO. 81323. Email written comments to Tammy@townofdolores.com NO LATER than 4:30 p.m. Monday February 14, 2022

Or: mail written comments and send them to Tammy Neely P O Box 630 Dolores, CO. 81323 NO LATER than Wednesday February 9, 2022.

Done this 26th day of January 2022

Publication Department: please publish this notice in The-Journal on Wednesday February 2, 2022. Send the Bill to Town of Dolores P O Box 630 Dolores, CO. 81323

Tammy Neely, Dolores Town Clerk



Source: Esri, Maxar, GeoEye, Earthstar, Geographic, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, the GIS User Community



January 26, 2022

TO: All citizens within 200 feet of 203.5 N 7th Street Dolores, Colorado 81323

RE: 203.5 N 7th Street

You are receiving this notice because you own property that is within 200 feet of the above-named property. The property owner at this address is seeking a special exception to the setback requirements of the Town of Dolores to construct an addition on his residence to the north. See the attached statement by the town concerning this application.

A required public hearing of the Dolores Planning and Zoning Commission is scheduled for February 15, 2022, at 6:30 pm to decide on this matter.

If you would like to comment on this matter you may do so by mail at P O Box 630 Dolores CO. 81323, email tammy@townofdolores.com, online during the meeting or in person during the public hearing.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Doudy". The signature is fluid and cursive, with a large initial "D" and a long, sweeping tail.

David Doudy
Building Official
Town of Dolores, Colorado



January 26, 2022

TO: All citizens within 200 feet of 203.5 N 7th Street Dolores, Colorado 81323

RE: 203.5 N 7th Street

PURPOSE AND BACKGROUND

Mr. Wheelus is proposing to construct an addition to his single-family R-3 residential building. The proposed addition is to be constructed on the north (Rear) side of building and extend to the property line between Mr. Wheelus property and the Town of Dolores property. This property is an undeveloped area of the town and the possibility to construct any structures on town property is not a viable action as it would be constructed in the canyon slope and therefore, would not be an issue in future development. Mr. Wheelus proposed addition is an adequate distance from the toe of the slope.

The adjoining properties to the east and west already have encroachments onto the town property to the north and this addition would not increase these encroachments.

FISCAL IMPACT

There are no fiscal impacts to the town due to this project. In fact, Mr. Wheelus has maintained the towns property to the north by removing dead and down underbrush and keeping the bushes clean and trimmed.

RECOMMENDATIONS

It is the recommendation of the Building Official that this Special Exception be approved for the following reasons as defined in the LUC Article VI.R.4 – Required findings

- a. This special exception will ensure the same general level of land use compatible with the otherwise applicable standards.
- b. Granting the Special Exception will not materially or adversely affect adjacent land uses.
 1. The special exception will not interfere with any setback issues with other buildings.

420 Central Ave, P O Box 630 Dolores, CO. 81323

Ph. 970-882-7720 fax. 970-882-7466

<https://townofdolores.colorado.us>



- c. The special exception will not adversely affect property values in any material way.
- d. The special exception will generally be consistent with the purposes for this code that are listed in Article I.E – PURPOSE. All nine points are met with this special exception.

Notice of the meeting below:

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PLANNING AND ZONING COMMISSION
PUBLIC HEARING FOR
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<https://townofdolores.colorado.us>

7N

A ↑
B →

203+
N 7th St

206
N 7th St

201
N 7th St

A, Property Line
In question
B, 8 Feet to East
Property Line

N-7th-St





Ann Swope <ann@townofdolores.com>

Fwd: Construction of Addition at 203.5 N 7th Street

1 message

Tammy Neely <tammy@townofdolores.com>

Mon, Jan 31, 2022 at 8:51 AM

To: Kenneth Charles <manager@townofdolores.com>, David Doudy <david@townofdolores.com>, Ann Swope <ann@townofdolores.com>, "jkelly@westslopelaw.com" <jkelly@westslopelaw.com>

----- Forwarded message -----

From: William Johnson <wa_johnson@hotmail.com>

Date: Fri, Jan 28, 2022 at 12:11 PM

Subject: Construction of Addition at 203.5 N 7th Street

To: tammy@townofdolores.com <tammy@townofdolores.com>

Thank you for providing me an opportunity to comment on the proposed construction of a housing addition at 203.5 N. 7th Street. My name is William Johnson and I reside at 111 N. 8th Street.

For the following reasons, I support the Town of Dolores granting Mr. Wheelus a Special Exemption from the Town's setback requirements.

1. Mr. Wheelus' proposed housing addition is an adequate distance from the toe of the slope behind his home.
2. The addition will be to the rear of his currently existing home.
3. The properties adjoining Mr. Wheelus' already have encroachments onto the town property.
4. Mr. Wheelus' addition would not be in excess of his adjoining properties current encroachments.
5. There will be no negative fiscal impacts to the town by granting this Special Exception from the Town's setback requirements.
6. There may be positive fiscal impacts to the Town, as the addition should result in an increase home valuation. Thereby, resulting in potential greater taxes flowing into the Town coffers.
7. The Town's Building Official recommends approval of this Special Exemption.

If you have any questions or require any additional information, please let me know. Thank you. -
William A. Johnson



Ann Swope <ann@townofdolores.com>

Fwd: 203.5 N 7th Street

2 messages

Tammy Neely <tammy@townofdolores.com>

Tue, Feb 1, 2022 at 12:39 PM

To: David Doudy <david@townofdolores.com>, Kenneth Charles <manager@townofdolores.com>, Ann Swope <ann@townofdolores.com>

----- Forwarded message -----

From: **Jennifer Burns** <dustygumby@gmail.com>

Date: Tue, Feb 1, 2022 at 12:12 PM

Subject: 203.5 N 7th Street

To: <tammy@townofdolores.com>

Cc: LR@lindarobinsonstudio.com <LR@lindarobinsonstudio.com>, <manager@townofdolores.com>

Hi Tammy,

I received a letter (dated 1/26/22) from City of Dolores regarding a request for a special exception for 203.5 7th Street property owned by Chad Wheelus. I live next door to this property at 203 N. 7th Street.

I have no way to comment on this proposal without seeing a site plan which shows the footprint of the addition proposed by Chad. Please send me a site plan that shows the proposed development, with dimensions at a legible scale, that I can review prior to the zoom meeting scheduled for February 15. Once I receive this, I will be able to evaluate it and give comments.

Thank you so much!

Jennifer Burns

928-282-2242

Kenneth Charles <manager@townofdolores.com>

Tue, Feb 1, 2022 at 1:52 PM

To: Ann Swope <ann@townofdolores.com>, David Doudy <David@townofdolores.com>

WE may need to mail out a sketch plan to all of the folks we mailed the notices to.

Ken Charles

Dolores Town Manager

970-882-7720-O

970-759-0016-C

[Quoted text hidden]



Ann Swope <ann@townofdolores.com>

Fwd: Chad Wheelus issue

1 message

Tammy Neely <tammy@townofdolores.com>

Tue, Feb 8, 2022 at 10:27 AM

To: Ann Swope <ann@townofdolores.com>, David Doudy <david@townofdolores.com>, Kenneth Charles <manager@townofdolores.com>

----- Forwarded message -----

From: **jennifer burns** <dustygumby@gmail.com>

Date: Tue, Feb 8, 2022 at 10:22 AM

Subject: Chad Wheelus issue

To: Tammy Neely <tammy@townofdolores.com>

Hi Tammy, thanks so much for sending the site plan information. It was what I needed to determine that I have no comment/concern about what Chad is proposing to do.

Also, FYI as a matter of update, see the attached. On my property which is 203 N. 7th, I have removed over a year ago, an old shed, as indicated by the big black x. there is nothing there now.

Thanks again!

Jennifer Burns

203 N. 7th Street, Dolores

9282822242

 **CCF08022022.pdf**
1418K



Ann Swope <ann@townofdolores.com>

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William A. Johnson