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| Town of Del Norte, Colorado 140 Spruce Street Del Norte, CO 81132 | Hearing Officer for the Town: Eugene L. Farish Town Attorney |
| Board of Adjustment for the Town of Del Norte Karie Lichtenfeld and Matthew Espinoza, <i>Application for variance of requirements of the Del Norte Town Code regarding dwelling units and allowable setbacks in CH.</i> | |
| EUGENE L. FARISH, P. C. Eugene L. Farish, #2557 P. O. Box 430 Monte Vista, CO 81144 719-852-5101 719-852-4833 (f) gene@farishlaw.com | |
| FINDINGS OF FACT AND DECISION OF THE BOARD OF ADJUSTMENT, TOWN OF DEL NORTE | |

This matter came on for hearing this 13th day of January 2022 before the Del Norte Board of Adjustment pursuant to Notice of a request by property owners Karie Lichtenfeld and Matthew Espinoza, who reside at 285 Spruce Street, Del Norte, Colorado 81132, for approval of a variance to allow a structure located at 540 Hermosa Street, Del Norte, Colorado 81132, constructed in 1939, to be remodeled and used as a small dwelling unit together with a variance of allowable setbacks.

A quorum of the Board of Adjustments was present, as were the applicants, and Eugene L. Farish, town attorney, was asked to act as hearing officer, to which there was no objection.

The hearing officer noted that public notice had been given pursuant to requirements of the Del Norte Municipal Code.

Applicant, Karie Lichtenfeld, testified that the structure had been built in 1939, prior to the enactment of the Del Norte Zoning Code contained approximately 384sq ft, that the structure has been unoccupied for many years and become "run down", that the applicants had purchased the property with the intent of renovating it and renting it, that the renovation would be an improvement to the neighborhood, that it is compatible with the land uses in the residential area and in which it is located, and that a 5' setback is necessary since the Zoning Code would otherwise require an additional 9ft.

There were letters of support for the variance from Shannon Herzog and Yvonne Barnes. Vivian Dominquez testified that she saw the request as an improvement to the neighborhood. There was no witnesses nor letters of opposition to the project.

FINDINGS AND DECISIONS


The Board of Adjustment hereby finds, that the requested variances would result in an improvement to the neighborhood, that it is compatible with other nearby residentially zoned structures, that the hardship in conforming to present setbacks was not caused by the applicants since the present structure was constructed prior to the Town's present zoning ordinance containing setback requirements and that the structure's use would not detrimentally affect neighboring property.

It is therefore ordered that the requested variances from the Del Norte Municipal Code Sections 15-5-40 and 16-7-30(b) are hereby granted.


The Board of Adjustment therefore grants the variance as requested by the applicant.

DONE and SIGNED this 1 day of March, 2022.

Attest:

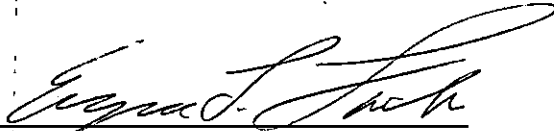


Bernadette Martinez, Town Clerk


Marty Asplin,

Chairman, Board of Adjustment

APPROVED AS TO FORM:



Eugene L. Farish, Town Attorney