

AGENDA

Zoning Board of Appeals Regular Meeting
February 13, 2012 – 5:30 p.m.
Evans Community Complex – 1100 37th Street

Zoning Board of Appeals packets are prepared several days prior to the meetings. This information is reviewed and studied by the Board, eliminating lengthy discussions to gain basic understanding. Timely action and/or short discussion on agenda items do not reflect lack of thought or analysis. An informational packet is available for public inspection and is posted on the bulletin board adjacent to the Council Chambers as soon as it is available. It can be accessed Monday through Friday 8:00 a.m. to 5:00 p.m. excluding holidays. You may also subscribe to receive notices of meetings and agendas at www.cityofevans.org

1) CALL TO ORDER

2) ROLL CALL:

Chairman: Marty Schanwolf
Vice-Chairman: Steve Bernardo
Board Members: Ron Thaden

3) APPROVAL OF MINUTES

a. Minutes of April 28, 2011

4) APPROVAL OF THE AGENDA

5) AGENDA ITEMS:

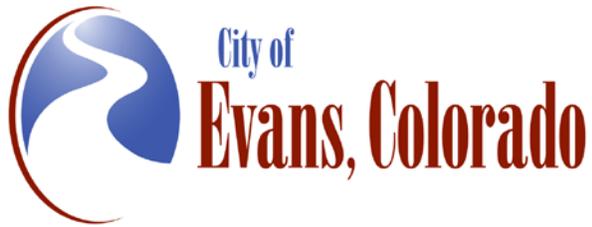
- a. Annual Election of Officers
- b. Public Hearing – Variance Request for Carports at The Grove – 3202 11th Avenue, Evans, Colorado 80620

6) AUDIENCE PARTICIPATION:

(This portion of the Agenda is provided to allow members of the audience to provide comments to the Planning Commission on items that were not considered on the current Agenda.)

7) GENERAL DISCUSSION:

- a. Introduction of John Clark and Michael Buck



- b. Rocky Mountain Land Use Institute conference
- c. Colorado APA meeting
- d. New Website and Minute Notification
- e. New logo

8) ADJOURNMENT

MINUTES
EVANS ZONING BOARD OF APPEALS
Regular Meeting, 5:30 pm
April 28, 2011

CALL TO ORDER

The April 28, 2011, meeting of the Zoning Board of Appeals was called to order at 5:30 p.m. by Board Chair Schanwolf.

ROLL CALL:

Present: Board Members Thaden, James and Bernardo

AGENDA ITEMS:

Adoption of Minutes from January 20, 2011. Typographical errors were noted and corrected by staff. It was moved by Mr. James and seconded by Mr. Bernardo to adopt the minutes as presented.

Public Hearing - Adoption of the 2006 Editions of the International Fire Code with local amendments

Chair Schanwolf opened the public hearing and asked to hear from staff.

Fire Chief Warren Jones reviewed the code changes and the attachments including the ordinance. He indicated that earlier this year the Zoning Board of Appeals and later City Council considered and adopted the 2006 edition of the International Building Code. The adoption of the 2006 edition of the International Fire Code will complete the City's full adoption of the 2006 International Codes.

The City's fire prevention staff reviewed the 2006 International Fire Code (IFC) and recommends adoption with the local amendments described below. There are no substantive changes between the 2003 and 2006 editions. There are, however, two significant changes in local amendments.

Our currently adopted 2003 edition has a number of local amendments. These fall into three general categories. The first are administrative amendments to comply with the adoption procedure, Municipal Code and Charter. The second are very specific requirements that are more restrictive than the model IFC. The third are policy issues that have developed over time that are wider than the technical IFC requirements. In general I recommend that we not adopt amendments unless there are specific local conditions that require special protection or are part of wider policy issues with significant local history.

The portions highlighted in the ordinance that was attached the agenda are recommended changes to local amendments and sections added from the 2009 edition of the IFC. The Fire Chief noted that there are two parts to this ordinance. The first repeals and readopts Chapter 15.48 which is the fire code itself. The second is the repeal of Chapter 8.20 pertaining to open burning. As discussed below the open burning prohibition and permitting requirements included in Chapter 8.20 have been incorporated into the fire code.

The Fire Chief then reviewed all of the amendments he is recommending be adopted:

ADMINISTRATIVE AMENDMENTS

Operational permits required (15.48.080): The IFC includes an extensive list of required operational permits. Local jurisdictions typically amend this section to include only the permits actually used in the jurisdiction. We recommend continuation of the operational permits for temporary uses of carnivals and fairs, explosives and fireworks, open burning and temporary membrane structures. Operational permits currently required for flammable and combustible liquids, hazardous materials, LPG, covered malls and tire storage would be discontinued. Even though these permits have been required for many years we have never issued operational permits for these uses. The total fire code adoption when presented to City Council will include a recommended change to the City fee schedule eliminating the operational permits formally required in the fire code.

Fire code appeals board (15.48.090): The previous local amendment created a local fire board of appeals with very specific criteria for processing appeals. To our knowledge this board has never been formed. We recommend a minor amendment to the model code section designating the Zoning Board of Appeals as the Fire Code Board of Appeals. The ZBA also serves as the Building Code Board of Appeals.

SPECIFIC CODE REQUIREMENTS

Open burning prohibition (15.48.100, 15.48.110, 15.48.120). In 2006 City Council adopted a special ordinance to specifically prohibit most open burning within the city. This ordinance provides for an open burning permit for limited circumstances when open burning is allowed. The recommended local ordinance includes language from the 2009 edition of the IFC with minor changes that now accomplishes the same objectives as the special ordinance. The total fire code adoption ordinance includes a repeal of this special ordinance.

Timing of installation of fire access roads and water supply (15.48.130): The IFC requires roads and water systems to be installed prior to and during construction with a local amendment requiring this before a building permit is issued and construction begun above the footings and foundation. This has been a part of our new construction process and is coordinated with building inspection and engineering process. Staff recommends continuing this local amendment and is included in the attached ordinance.

Nuisance alarms (15.48.140): This 2003 local amendment limits the number of nuisance alarms to 3 within a year. Staff recommends continuing this local amendment and is included in the attached ordinance.

Explosives (15.48.160): This 2003 local amendment is a longstanding prohibition against the storage and use of explosives with certain exceptions for small arms ammunition and explosive bolts. Staff recommends continuing this local amendment and is included in the attached ordinance.

POLICY ISSUES

Restricted storage of aboveground flammable liquids, CNG and LPG (15.48.150, 15.48.180, 15.48.190, 15.48.200, 15.48.210, 15.48.220, 15.48.230, 15.48.240, 15.48.250, 15.48.260): The 2003 IFC contains several amendments related to restrictions on the location of aboveground storage of flammable liquids (including oil drilling operations and related equipment and storage), CNG and LPG. These have been developed over a long period of time and have been reaffirmed by City Council on several occasions. Staff recommends continuing these local amendments and they are included in the attached ordinance.

Fireworks prohibition (15.48.170): The 2003 local amendment prohibits all fireworks within the City limits with the exception of permitted public displays. Most cities have a similar prohibition although in recent years some have relaxed them to allow specific types of Division 1.4G fireworks that are permissible under Colorado state law. These are commonly called “consumer fireworks” and include fireworks that have a very small amount of combustible material, produce only a visual and noise effect and do not leave the ground. These are the types of fireworks sold in fireworks retail stands in the County and last year in Greeley. They do not include fire crackers, bottle rockets, roman candles and similar more powerful fireworks that are illegal under Colorado law. The recommended local ordinance includes one section of language from the 2009 edition of the IFC that directs the storage of consumer fireworks to the appropriate NFPA standard.

When the City of Greeley adopted the 2009 edition of the IFC they eliminated their total fireworks prohibition in favor of the model code language allowing consumer fireworks. In our research we found no cities that have eliminated the strict total fireworks prohibition that have experienced an appreciable increase in fireworks related incidents. Greeley has a permitting procedure for fireworks stands with a \$1,500 fee. If the ZBA recommends and City Council adopts the fire code without this local amendment we will implement a permit process similar, if not identical to Greeley’s for fireworks stands.

Staff recommended adoption of the 2006 International Fire Code Series. Chair Schanwolf asked for questions from the Board. A question arose about ceremonial burning, which is still allowed without a permit. Chair Schanwolf asked about the timing on the fireworks amendment and how that would be implemented. The Chief indicated that staff was working on a policy, but the common practice is that fireworks stands are allowed to be placed three weeks prior to the holiday, no alcohol would be allowed, and safety signs would be required. A discussion ensued about the difficulty of enforcing the current and proposed laws, since they are regularly violated. The Board asked follow up questions about the charge for the stand, and the Fire Chief indicated that we would price according to a regional standard. He indicated Greeley charged \$1500, Eaton was around \$1,000 and we would ask for a similar prevailing rate for the permit for a fireworks stand.

Mr. Thaden asked about our policy on ditch burning, and the Fire Chief stated that with a proper permit, agricultural burning would still be allowed, however home burning of trash is not allowed and no permits would be issued. Mr. James asked about portable fire pits, which are allowed in the City of Evans without a permit. The Fire Chief also stated that the 2009 amendments clearly addressed fire pits for home use.

There were no public comments or concerns. Chair Schanwolf closed the public hearing and requested a motion from the Board.

It was moved by Mr. Bernardo, seconded by Mr. James to recommend adoption of the 2006 International

Fire Code Series as amended. The Board members indicated their satisfaction that all of the issues pertinent to the City of Evans had been addressed. All present voted in favor.

The recommendation for approval will go before City Council Tuesday, February 1, 2011, at 7:30 p.m.

GENERAL DISCUSSION

- A. Staff updated the ZBA on a variety of issues. The Fire Chief updated the ZBA on the Fire District proposal that will be in front of the City voters in November, 2011.

ADJOURNMENT

The April 28, 2011, meeting of the Zoning Board of Appeals was adjourned at 6:10 p.m. by Board Chair Schanwolf.

Sheryl Trent, Community and Economic Development Director

NOT YET APPROVED

**ZONING BOARD OF APPEALS
INFORMATION SHEET**

AGENDA ITEM A

DATE: January 24, 2012

SUBJECT: Annual Election of Officers

PRESENTED BY: Sheryl Trent, Community and Economic Development Director

ACTION: To elect a Chairperson and Vice-Chairperson

COUNCIL DATE: N/A

DESCRIPTION:

According to the Zoning Board of Appeals Rules of Procedure, the Chairperson and Vice-Chairperson are elected annually at the first meeting of the year. However, nothing in the Rules of Procedure prevents the Board from re-electing the same person.

RECOMMENDATION:

N/A

SUGGESTED MOTIONS:

“I move to elect _____ as Chairperson.”

“I move to elect _____ as Vice-Chairperson.”

<u>ZBA Member</u>	<u>Address</u>	<u>Phone</u>	<u>Email</u>	<u>First Appt</u>
Martin "Marty" Schanwolf	609 36th St Evans, CO 80620	970-339-3436 hm 970-302-3138 cell	mschanwolf@envirotechservices.com	3/7/2000
Ronald "Ron" C. Thaden	3312 Antelope Way Evans, CO 80620	970-302-6706 cell	rkthaden@goprimecast.com	12/20/2005
Steve Bernardo	3213 Grenache St Greeley, CO 80634	970-506-1212 wk	sjbernardo@comcast.net	9/4/2007

Last Appt Expiration Replaced (# Term)

3/15/2010 3/15/2015 3rd

1/16/2007 1/16/2012 2nd

9/4/2007 Brad
9/4/2012 Johnson 1/6/2004

DUTIES OF THE ZONING BOARD OF APPEALS

The Zoning Board of Appeals (ZBA) makes recommendations to City Council on applications for variances submitted to the City in accordance with Chapter 19.58 of the Evans Municipal Code. Variances typically relate to setback requirements, size limitations of accessory structures, and the like. A less common scenario that the ZBA might make a recommendation on would be staff's interpretation of the Municipal Code, particularly the building code, should a builder or other person wish to appeal a staff decision. The ZBA may *not* grant variances regarding allowed uses. Finally, ZBA makes recommendations to City Council on amendments to Title 15 – Buildings and Construction – of the Municipal Code.

**RULES OF PROCEDURE
CITY OF EVANS ZONING BOARD OF APPEALS**

In order to properly carry out the powers granted unto it and to transact its business in an orderly and consistent fashion, the Zoning Board of Appeals of the City of Evans, Colorado, hereby adopts the following rules and regulations as the Rules of Procedure for the Evans Zoning Board of Appeals.

OFFICERS

1) The officers of the Zoning Board of Appeals shall consist of a chairperson and vice-chairperson, who shall be elected annually at the regular meeting in January.

The vice-chairperson shall succeed the chairperson if the position is vacated before the term is completed. The vice-chairperson serves the remainder of the term and a new vice-chairperson shall be elected at the next meeting.

2) The city representative shall be the ex-officio member to the Board and normally will hold the position of Director of Public Works and Planning, Fire Chief, City Clerk, Building and Zoning Official or their designee(s).

The ex-officio member will serve as an intermediary between the Board and the City but will not have any voting privileges.

3) The secretary shall be an employee from the City, or in the absence of a city employee, the chairperson may designate a replacement.

DUTIES

The duties and powers of the officers of the Zoning Board of Appeals shall be as follows:

1) **CHAIRPERSON**

a) Preside at all meetings of the Zoning Board of Appeals. The chairperson shall call the meeting to order and shall preserve the order of the meeting. If a person violates a rule of the Board the chairperson will call them to order.

b) Rule upon the relevancy of any testimony presented at any meeting, subject to being overruled by a majority of the board.

c) Call special meetings of the board in accordance with these Rules of Procedures.

- d) Sign documents on behalf of the board.
- e) See that all actions of the board are properly taken.

2) VICE-CHAIRPERSON

The vice-chairperson shall perform the duties and have the responsibilities of the chairperson during the absence, disqualification or disability of the chairperson.

In the absence of the chairperson and the vice-chairperson the most senior member of the board, in regard to length of service shall perform the duties and have the responsibilities of the chairperson.

3) EX-OFFICIO MEMBER

a) Record and promptly transcribe the minutes of all meetings of the Zoning Board of Appeals and keep them in an appropriate minute book.

b) Send all Zoning Board of Appeals members copies of minutes from all meetings.

c) Give or serve all notices required by the laws of the State of Colorado, by city ordinances and the Rules of Procedure.

d) Prepare and distribute the agenda and packets of information for all meetings of the Zoning Board of Appeals and inform the members of the time and place of any special meetings.

e) Keep Zoning Board of Appeals records and inform the board of correspondence relating to business of the board and attend to such correspondence.

4) SECRETARY

The secretary shall be responsible for keeping minutes at meetings/hearings of the Zoning Board of Appeals.

ATTENDANCE

1) Members of the Zoning Board of Appeals shall notify the ex-officio member as soon as possible if he/she will not be able to attend the meeting.

2) For any appointed members, absence of three (3) consecutive meetings or fifty (50) percent of a years meetings may result in a recommendation to the City Council that said member be replaced with a new appointment, unless it is shown that exceptional

circumstances existed and that there are reasons to believe that the member's attendance will improve.

MEETINGS

1) All meetings of the Zoning Board of Appeals shall be open to the public and shall be held only after the following has occurred:

- a) Full and timely notice to the public has been posted.
- b) Notice of the meetings shall be posted in a designated public location within the City of Evans, no less than twenty-four (24) hours prior to the holding of a meeting.
- c) The posting shall include specific agenda information where possible.
- d) If, due to the sensitive or controversial nature of an agenda item, the board feels additional public notification should occur, the Zoning Board of Appeals may direct staff to place additional advertisement(s) in a newspaper of general circulation in the City of Evans and/or provide additional posting of the property involved.

2) The number of meetings and a schedule of meeting dates shall be established and may be altered or changed at any meeting to the extent allowed by the City Charter, City Ordinances and the laws of the State of Colorado.

- a) Meetings - meetings shall be held on an "on call" basis as necessary, but not less than once every three months. When meetings are to be held they will be held on the first Thursday of the month and will begin at 7:00 p.m. at the Evans City Hall.
- b) Work Sessions - work sessions may be called by the chairperson, a majority of the board, the Director of Public Works and Planning or the City Council as deemed necessary.

3) It is the intent of the Zoning Board of Appeals to expedite matters and make rulings as quickly and as efficiently as possible. However, if by majority vote of the Board it is proven that a continuance of the meeting/hearing is in the best interest of the parties involved, the chairperson shall continue any meeting or hearing.

4) QUORUM - A majority of board members entitled to vote shall constitute a quorum. A quorum must be in attendance before the Zoning Board of Appeals can call any meetings to order or make recommendations.

A quorum shall consist of the presence of three (3) or more duly appointed members of the Zoning Board of Appeals which may include the chairperson.

5) VOTING - The majority vote of the members present, provided there is a quorum, shall be necessary for the adoption of any rule, regulation, resolution, action, decision, finding, recommendation, or any other official act of the Zoning Board of Appeals; except when otherwise provided by the ordinances of the City of Evans or the laws of the State of Colorado.

a) Any member of the Zoning Board of Appeals who feels he/she has a conflict of interest on any matter on the Zoning Board of Appeals agenda shall excuse him/herself, vacate his/her seat, and refrain from discussion and voting on the item(s) as a board member.

b) Any member of the Zoning Board of Appeals, including the chairperson or vice-chairperson may propose or second a motion.

c) Equal voting privileges shall be extended to all members of the Zoning Board of Appeals including the chairperson and vice chairperson.

d) All members of the Zoning Board of Appeals have one (1) vote. Voting is by a verbal "yes" or "no" and shall be recorded in the minutes.

e) In the event of a tie vote, the motion before the Board will die for lack of a majority vote.

PROCEEDINGS

1) All maps, plats, minutes and other matters as required by law shall be kept on file at City Hall.

2) The Zoning Board of Appeals is not required to take action on any request that is not properly represented by interested parties.

3) Matters referred to the Zoning Board of Appeals by the City Council shall be placed on the agenda for consideration and action at the next board meeting.

4) Reconsideration of any decision of the Zoning Board of Appeals may take place when the party seeking the reconsideration shows, that without fault on the party, essential facts were not brought to the attention of the Zoning Board of Appeals or such party was misrepresented.

5) General Order of Business - Any regular meeting of the Zoning Board of Appeals should follow this order of business (agenda):

- a) Roll call
 - b) Additions or deletions to the agenda
 - c) Approval of minutes of the preceding meeting
 - d) Scheduled matters
 - e) Personal Appearances - Any citizen wishing to speak on a matter pertaining to this Board, but not scheduled on the agenda, may do so during this time. (The board is not required to take immediate action on items presented under Personal Appearances.)
 - f) Communications
 - g) Other - Report by chairperson, Director of Public Works and Planning, secretary, building inspector, or other board members.
 - h) Adjournment
- 6) Order of Presentation - Generally the following will be the order of presentation after introduction of any item by the chairperson. It may be rearranged by the chairperson if deemed necessary.
- a) Applicants make their presentation.
 - b) The Zoning Board of Appeals may ask staff any questions regarding the matter.
 - c) Any interested citizens make presentations.
 - d) The applicant can make comments on any points or answer arguments not previously covered.
 - e) Staff makes additional comments as necessary.
 - f) The Zoning Board of Appeals asks any questions it may have of the applicant, the public or staff.
 - g) Discussion by the Board.
 - h) A motion is made and a vote is taken.
- 7) Deadline for the agenda.
- a) Application should be filed with the ex-officio member or the City Clerk and shall meet the applicable deadlines as required by the laws of the State of Colorado, ordinances of the City of Evans and the Evans Zoning Regulations.

b) All other items shall be filed with the ex-officio member by no later than one (1) week prior to the scheduled meeting. The Zoning Board of Appeals Chairperson or the ex-officio member shall for good reason have the authority to require additional "lead" time if it is determined to be in the best interest of the parties concerned.

8) Roberts Rules of Order will preside except as otherwise stated.

AMENDMENTS

These Rules of Procedure may be revised, amended and/or waived as the Zoning Board of Appeals deems advisable, and to the extent allowed by ordinances of the City of Evans and the laws of the State of Colorado.

Upon motion duly made, seconded and unanimously adopted, the foregoing Rules of Procedure were amended and adopted by the Zoning Board of Appeals on the 7th day of JANUARY, 1993.

**CITY OF EVANS
ZONING BOARD OF APPEALS**


Chairperson

ATTEST:


Kim Betz, City Clerk

**ZONING BOARD OF APPEALS
INFORMATION SHEET**

AGENDA ITEM B

DATE: February 13, 2012

SUBJECT: Public Hearing —Resolution No. xx-2012 – Variance Request to Section 19.48 of the Evans Municipal Code for Carports - 3202 11th Avenue, Evans, Colorado - (The Grove/Campus Crest)

PRESENTED BY: Sheryl Trent, Community and Economic Development Director

ACTION: Recommendation to City Council

CITY COUNCIL DATE: Tuesday, February 21, 2012 at 7:30 pm

BACKGROUND INFORMATION		
Location:	3202 11 th Avenue	
Applicants:	Campus Crest, Owner SolarCity Corp, Applicant	
Existing Land Use:	C-3 High Intensity Commercial	
Proposed Land Use:	Same	
Surrounding Land Use:	North	Commercial vacant land to be developed, church
	South	Post Office, Moose Lodge
	East	Ditch, storage and industrial uses
	West	Residential
Existing Zoning:	C-3	
Proposed Zoning:	Same	
Surrounding Zoning:	North	C-3
	South	C-3
	East	C-3
	West	R-1, R-2, C-1
Future Land Use Designation:	Commercial	

PROJECT DESCRIPTION: The City has received an application from Campus Crest, land owner, represented by SolarCity Corp, for a Variance in order to construct carports. The carports will serve as the supporting structure for installation of solar panels. Please see the attached vicinity map and the attached application for the property location, which is 3202 11th Avenue in Evans, commonly referred to as The Grove.

A previous USR for this property has been approved for the installation of solar panels on the roofs of some of the buildings.

RECOMMENDATION: Recommend denial to City Council.

ANALYSIS:

Background:

The development was originally constructed in 2005 with a Use by Special Review as allowed under the code. High Intensity Commercial land, as this is zoned, allows multi family housing to be constructed pursuant to the USR.

SolarCity is proposing to construct solar carports at The Grove, Campus Crest's multi-family housing complex located at 3200-3300 11th Ave. The solar carports would be built to cover existing parking spaces on the east, south, and west sides of the lot.

If approved, the applicants will have to come through the site planning process to apply for a building permit, and will be required to adhere to all the standards in the Evans Municipal Code. As known to staff at this point (without a formal application) the designs of the proposed solar carports comply with Chapter 18.33.060, Multifamily Architectural and Site Design Standards of the City of Evans Land Use Code. The materials and colors of the carports are compatible with the character of the surrounding buildings. Adequate pedestrian lighting will be installed in the carports.

Section 19.48 of the Evans Municipal Code (Accessory Structures):

The entire Section 19.48 has been attached for the review of the Zoning Board of Appeals. The applicable sections that are under consideration for this variance application have been pulled out as follows:

“Carport” shall mean a structure that is not fully enclosed and which is accessory to a residence or residences and capable of being used for storage of one or more vehicles.” **The proposed variance will meet this code.**

Maximum height. Accessory structures other than garages shall not exceed the height of the principal building or 15 feet, whichever is less. Garages shall not exceed the

height of the principal building. This provision shall not apply to structures used for agricultural purposes in the AG – Agricultural – zoning district, or to structures in I – Industrial – zoning districts. **The proposed variance will NOT meet this code**

Maximum number. In all R – Residential – zoning districts, only one detached accessory structure/building, not including garages, shall be permitted per 8,000 square feet of lot area, or fraction thereof, up to a maximum of three such structures per lot. The preceding provision notwithstanding, each principal building shall be allowed at least one detached accessory structure/building. For example, three mobile homes on one lot would each be allowed one detached accessory structure/building, even if the lot were less than 24,000 square feet. **The proposed variance will NOT meet this code.**

Garages and carports accessory to multifamily dwellings.

Detached garages and carports shall be compatible with the principal building architecture, and shall incorporate similar and compatible forms, scale, materials, colors, and details. **The proposed variance will NOT meet this code due to the form and scale of the carports.**

Carports shall be limited to six spaces per parking structure and each carport structure shall be located not closer than 20 feet to any other carport structure. **The proposed variance will NOT meet this code – several of the carports have between 20 and 40 spaces.**

Detached garages and carports shall have pitched roofs with a minimum slope of 4:12. **The proposed variance will NOT meet this code.**

To the maximum extent feasible, garage entries, carports, and parking garages shall not be located between a principal multifamily building and a street frontage, but shall instead be internalized in building groups so that they are not visible from adjacent public streets. **The proposed variance will NOT meet this code.**

The applicant has stated the following:

Chapter 19.48.034 E, Garages and carports accessory to multifamily dwellings, of the City of Evans Land Use Code states in article 5: *Carports shall be limited to six spaces per parking structure and each carport structure shall be located not closer than 20 feet to any other carport structure.* The proposed solar carport designs occupy between 24 and 40 parking spaces. The purpose of this project is to build adequate roof area to house solar PV panels that will generate enough electricity to offset all of the electricity used by the building's occupants. In addition, covered parking is a valuable commodity that will be in demand so it is desirable for the building's occupants to see a multitude of available covered parking spaces. In order to conform to this code article, the size of the carports would have to be drastically reduced which would negatively impact the ability for the solar carports to serve their intended purpose of providing enough solar electricity to offset building electricity usage.

Chapter 19.48.034 E, Garages and carports accessory to multifamily dwellings, of the City of Evans Land Use Code states in article 8: *Detached garages and carports shall have pitched roofs with a minimum slope of 4:12.* The proposed solar carport designs have a pitched roof with a slope of 1:12. Based on our experience building carports for the past several years, we believe that a 1:12 pitch is the most aesthetically pleasing for a carport roof. A steeper roof, while matching the pitch of surrounding buildings, creates a strange-looking roof line for a carport.

Please see the picture below. If this carport had a 4:12 pitch, the front edge of the carport roof would be 15' lower than the back edge of the roof.



These carports were built with a 1:12 roof pitch. The red line imagines a 4:12 pitch.

Section 19.58 of the Evans Municipal Code (Variance Criteria):

Below are the Criteria for approval of a Variance:

19.58.030 Criteria for Variances.

A. The City Council must find all of the following circumstances to be true in order to approve a variance:

1. Approval of the variance would not jeopardize the health, safety, or welfare of any person; **Staff finds the proposed variance would meet this criteria of approval.**
2. Denial of the variance would result in a practical difficulty and unnecessary hardship to the applicant; **Staff finds that there is no practical difficulty or unnecessary hardship to the applicant if the variance is denied.**
3. Such practical difficulty and unnecessary hardship are due to an irregular, narrow, or steep lot, or other physical situation or condition of the building or land; **Staff finds that this criteria has not been met**
4. Such practical difficulty and unnecessary hardship have not been unreasonably self-imposed by the applicant. **Staff finds that since no hardship exists, this criteria is not applicable.**

Issues:

The main concern with the application is the adjacency and compatibility with the existing structure and the surrounding land uses. The construction of the carports will be a significant physical addition to the site and change the character of the building and the compatibility of the building with surrounding land uses. The very large and long carports will be seen from the street frontage on 11th from the west and from the south, as well as from the north on the west side.

The applicant has not met the criteria in the code regarding approval of a variance.

Notice of this public hearing was provided in accordance with Chapter 19.64 of the Municipal Code.

FINDINGS OF FACT AND CONCLUSIONS

After reviewing the Campus Crest USR for installation of solar panels the following findings of fact and conclusions have been determined:

The variance criteria in Section 19.58 of the Evans Municipal Code cannot be appropriately and sufficiently met.

STAFF RECOMMENDATION:

I recommend that the Planning Commission forward a recommendation of denial of the requested variance with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

“Mr. Chairman, on the issue of the Campus Crest Variance for construction of carports, I move that the Zoning Board of Appeals forward a recommendation of denial because it does not meet the criteria outlined in Sections 19.58 of the Municipal Code.”

“Mr. Chairman, on the issue of the Campus Crest Variance for construction of carports, I move that the Zoning Board of Appeals forward a recommendation of approval because it meets the criteria outlined in Sections 19.58 of the Municipal Code.”

“Mr. Chairman, on the issue of the Campus Crest Variance for construction of carports, I move that the Zoning Board of Appeals forward a recommendation of approval with conditions as follows because it meets the criteria outlined in Sections 19.58 of the Municipal Code.” Conditions:

- 1
 - 2
 - 3
-

PUBLIC HEARING PROCEDURE
ZONING BOARD OF APPEALS

A. Chairman opens Public Hearing.

B. City Staff gives report.

C. Applicant presents his/her position.

D. Chairman asks to hear from anyone in the audience who wishes to speak in support of the issue.

*In order to afford all members of the public an equal opportunity to comment on this issue, we respectfully request that you limit your comments to 2 minutes.

E. Chairman asks to hear from anyone in the audience who wishes to speak in opposition to the issue.

*In order to afford all members of the public an equal opportunity to comment on this issue, we respectfully request that you limit your comments to 2 minutes.

F. Applicant rebuttal.

G. Chairman asks Board if there are any questions that need clarified that were brought up during the Public Hearing.

H. Chairman closes the Public Hearing.

I. Chairman asks for Board discussion.

J. Board will then take action on the issue.

CITY OF EVANS, COLORADO

RESOLUTION NO. xx-2012

A RESOLUTION DENYING A VARIANCE FROM SECTION 19.48.010 OF THE EVANS MUNICIPAL CODE TO CONSTRUCT CARPORTS THAT EXCEED THE SPACE REQUIREMENTS AT THE GROVE, 3202 11th AVENUE, EVANS

WHEREAS, the City of Evans has received a request from Campus Crest, property owner, and SolarCity, applicant for a variance to Section 19.xx of the Evans Municipal Code in order to be allowed to construct carports that exceed the space limitations, and

WHEREAS, said request has been processed in accordance with Chapter 19.58, Variances, of the Evans Municipal Code, and

WHEREAS, the Zoning Board of Appeals conducted a public hearing on February 13, 2012, and recommended a denial of said variance, and

WHEREAS, the City Council conducted a public hearing, has carefully reviewed the request and finds, by a vote of at least five members of Council, that such request does not meet the variance criteria and that it does not comply with the purpose of the zoning codes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANS, COLORADO, that the decision of the Zoning Board of Appeals is hereby upheld and a variance is hereby denied from Section 19.xxx of the Evans Municipal Code for the property known as The Grove, located at 3202 11th Avenue, to construct carports.

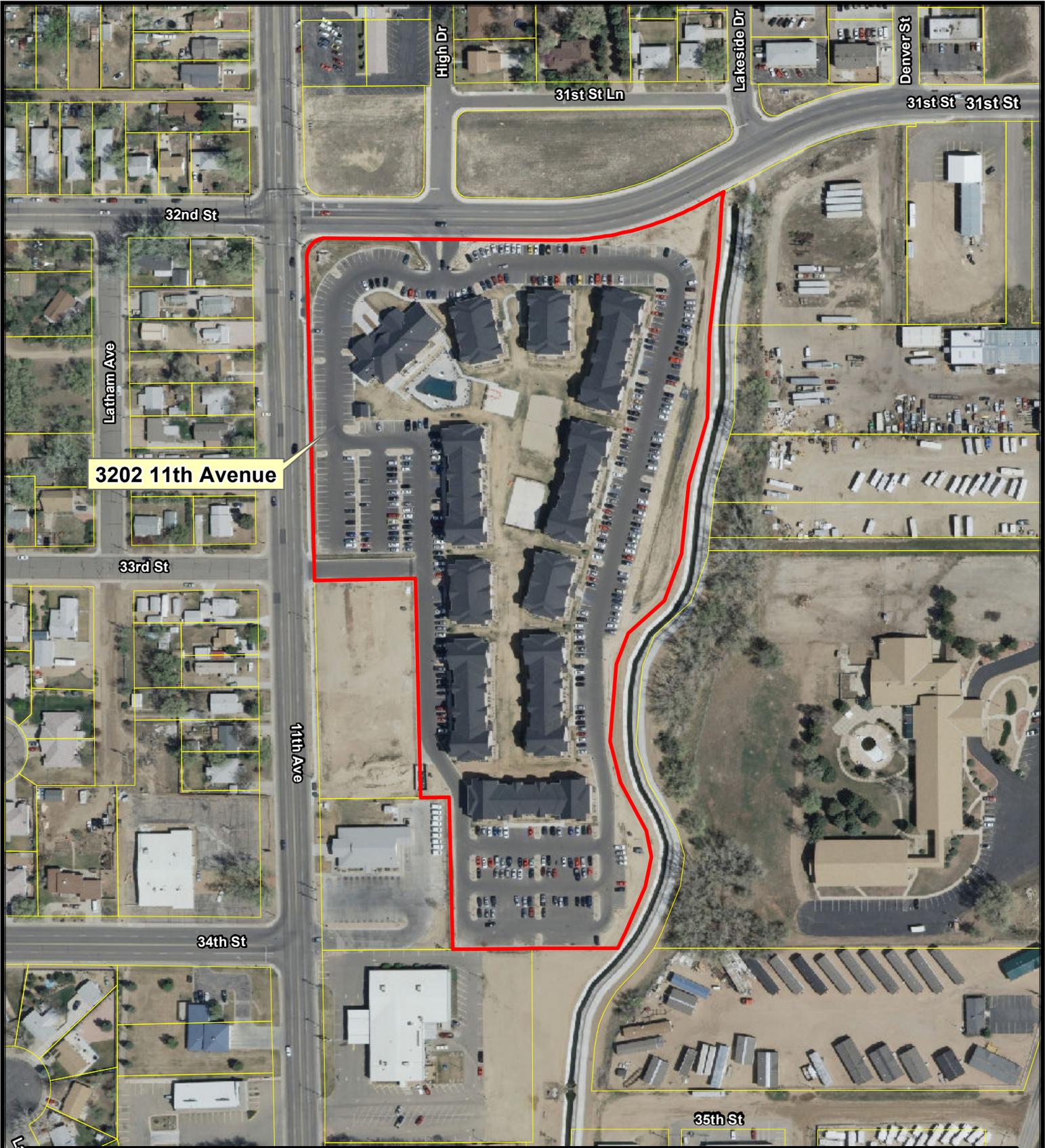
PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Evans on this 21st day of February, 2012.

ATTEST:

CITY OF EVANS, COLORADO

City Clerk

By: _____
Mayor



Legend



Evans
City Limits

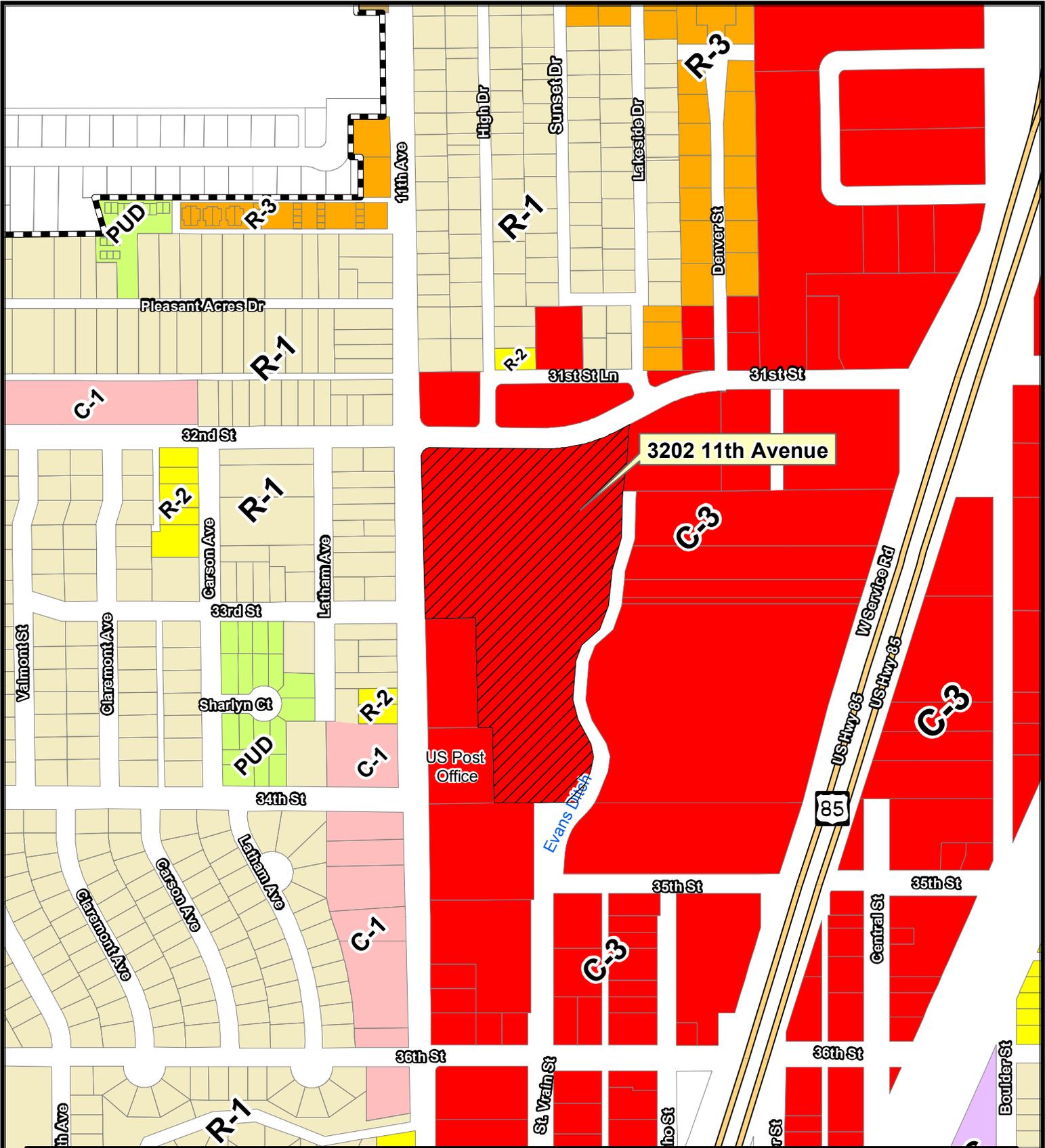


Project Site

Aerial Map

USR -
3202 11th Avenue





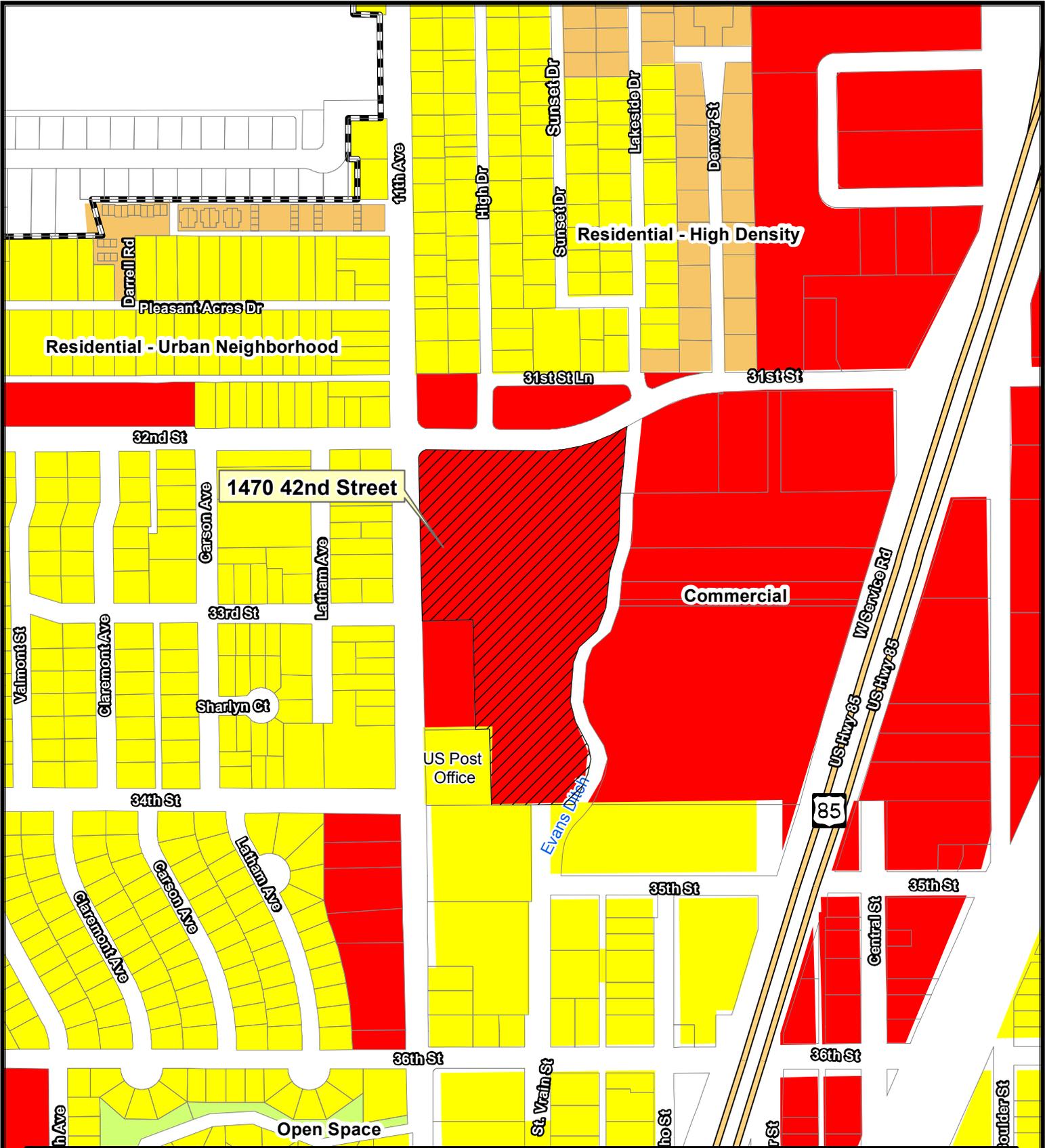
Legend

- Evans City Limits
- Project Site

Zoning Map

USR -

3202 11th Avenue



Future Land Use Map

USR -
3202 11th Avenue

	Evans City Limits
	Project Site



19.58 - Variances

Chapter 19.58 - VARIANCES

Sections:

- 19.58.010 Intent
- 19.58.020 Duties of the Zoning Board of Appeals
- 19.58.030 Criteria for Variances
- 19.58.040 Procedure for Variance Requests
- 19.58.050 Regulations Not Eligible for Variances
- 19.58.060 Minor Variances
- 19.58.070 Expiration
- 19.58.080 Fees

19.58.010 Intent. The intent of this chapter is to provide standards for variances and to detail the responsibilities and authority of the Zoning Board of Appeals of the City of Evans. (Ord. 332-05: Ord. 015-00)

19.58.020 Duties of the Zoning Board of Appeals.

- A. The Zoning Board of Appeals (hereinafter “the Board”) shall make recommendations to City Council on applications for variances from the dimensional or numerical requirements or limitations of Titles 12, 15, 19, and other regulations of the Evans Municipal Code, as specified in such sections of the Code, as amended.
- B. The Board shall also make recommendations to City Council on applications for appeals of staff decisions, which shall be processed the same as variance requests.
- C. Such recommendations and applications shall be in accordance with this chapter.
(Ord. 332-05)

19.58.030 Criteria for Variances.

- A. The City Council must find all of the following circumstances to be true in order to approve a variance:
 - 1. Approval of the variance would not jeopardize the health, safety, or welfare of any person;
 - 2. Denial of the variance would result in a practical difficulty and unnecessary hardship to the applicant;
 - 3. Such practical difficulty and unnecessary hardship are due to an irregular, narrow, or steep lot, or other physical situation or condition of the building or land;
 - 4. Such practical difficulty and unnecessary hardship have not been unreasonably self-imposed by the applicant.
(Ord. 332-05)

19.58.040 Procedure for Variance Requests.

- A. Petition. A petition in the form prescribed by the City shall be filed with the City Clerk and shall be accompanied by a letter explaining why the variance should be granted. Additional supporting evidence such as letters of support from surrounding property owners, photographs, and maps may be submitted and may be required by the City.
- B. The Board shall hold a public hearing and make a recommendation to the City Council.
- C. The Board may recommend approval or denial of a variance as requested, or may recommend approval of a variance differing from the request. The Board may recommend conditions be placed on the approval of a variance.
- D. After the Board makes a recommendation on the request, the City Council shall hold a public hearing and make the final decision to grant the requested variance, grant a variance differing from the request, or deny the variance. The City Council may place conditions on such approval. Approval shall be made by resolution.
- E. Notification of the public hearings shall be given in accordance with Chapter 19.64 of the Evans Municipal Code.
(Ord. 332-05)

19.58.050 Regulations Not Eligible for Variances. The Board shall not consider applications for variances from Chapter 19.08, Annexation, or Chapter 19.40, PUD Planned Unit Development. Under no circumstances shall the Board consider a variance to allow a use not expressly permissible under the terms of this Title 19. (Ord. 332-05)

19.58.060 Minor Variances.

- A. The Director of Public Works/Planning shall have the authority to approve minor variances, subject to the

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following limitations:

1. Such authority shall only be to allow up to a ten percent reduction of required yard setbacks, required number of parking spaces, or a ten percent increase in the maximum height of structures including principal structures, accessory structures, and fences, and to the maximum size of accessory structures.
2. The applicant, in addition to the other items required by this chapter, shall provide letters from the owners of property adjacent to the property for which the request is made, stating they have no objection to the minor variance being granted, or other evidence to that effect satisfactory to the Director of Public Works/Planning. For the purpose of this section, property directly across the street from the subject property shall be considered adjacent. If the applicant is unable to provide such letters, staff shall notify such owners of the request and allow them ten days to object to its approval.
3. If the Director of Public Works decides not to approve the minor variance, the request shall be processed according to Section 19.58.040 if requested by the applicant. (Ord. 332-05)

19.58.070 Expiration. Unless otherwise stated in the approving resolution, all variance approvals not exercised within six months from the date of the approving resolution shall become null and void. (Ord. 332-05)

19.58.080 Fees. Each application for a variance shall be accompanied at the time of filing by a fee as established by City Council by resolution. The applicant shall also pay the cost of publication and notification of the public hearings in accordance with Chapter 19.64 of the Municipal Code. (Ord. 332-05)

Code Documents



[19.58 - Variances](#)

Source URL (retrieved on *Fri, Feb 3rd 8:43am*): <http://www.cityofevans.org/municipalcode/1958-variances>

19.48 - Accessory Structures and Uses

Chapter 19.48 - ACCESSORY STRUCTURES AND USES

NOTE: This Chapter has many diagrams included within the chapter. To view the chapter in its entirety, open the PDF located at the bottom of this page.

Sections:

- 19.48.010 Intent.
- 19.48.020 Definitions.
- 19.48.030 Accessory uses, structures and buildings.
- 19.48.032 Setbacks.
- 19.48.034 Garages and carports.
- 19.48.036 Accessory structures for mobile homes.
- 19.48.040 Fences, walls and hedges.
- 19.48.050 Household pets, horses, and other animals,
- 19.48.055 Outdoor storage.
- 19.48.060 Home occupations.
- 19.48.070 Auxiliary business uses.
- 19.48.080 Variances.
- 19.48.090 Enforcement authority.
- 19.48.100 Violation – Penalty.

19.48.010 Intent. The intent of this chapter is to provide regulations governing accessory uses, structures and buildings to ensure acceptable design, installation, and use of accessory structures while maintaining the integrity of the principal use of the property. Furthermore, it is intended to provide assurances that activities that take place are compatible with the designated zoning classifications and that such activities will have no adverse effects on the surrounding properties. (Ord. 350-05: Ord. 272-04: Ord. 015-00: Ord. 1164-99)

19.48.020 Definitions.

For the purposes of this chapter, the words and phrases below shall have the following meanings:

“Accessory building or structure” shall mean a building or structure located upon the same lot as the principal building or structure to which it is associated, and which is incidental to and customarily found in connection with such principal building or structure and which is not to be used for human habitation, including, but not limited to, garages and other buildings for storage.

“Accessory use” shall mean a use customarily incidental and subordinate to the main use of the lot, building or structure, and which does not alter the principal use.

“Board and care home” shall mean a residential facility providing room and board to one or two individuals who are not part of the principal occupant’s family as defined by the zoning code, and who because of impaired capacity for independent living, elect protective oversight, personal services and social care, but do not require regular 24-hour medical or nursing care. A board and care home shall not be considered an assisted living unit or nursing home.

“Carport” shall mean a structure that is not fully enclosed and which is accessory to a residence or residences and capable of being used for storage of one or more vehicles.

“Garage” shall mean a fully-enclosed structure accessory to a residence or residences and capable of being used for storage of one or more vehicles, i.e., having a garage door.

“Garage, alley-loaded,” shall mean a garage that is accessed from an alley and not from a street.

“Garage, front-facing,” shall mean a garage with vehicular doors generally parallel to the front property line.

“Garage, side-loaded,” shall mean a garage with vehicular doors generally perpendicular to the front property line.

“Fence” shall mean an artificially constructed barrier or combination of materials erected vertically to enclose or screen areas of land.

“Home occupation” shall mean an occupation, profession, activity or use conducted within a residential dwelling unit that is incidental and secondary to the use of the residential dwelling unit, which does not alter the exterior of the property or affect the residential character of the residential neighborhood.

“Outdoor storage” shall mean storage of materials, supplies, parts, machines, equipment, containers, operable

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vehicles, tractor-trailers, unoccupied mobile homes, or other items used in conjunction with the principal use of the property and not kept in a permitted structure having at least four walls and a roof. This definition shall not apply to items for sale to the general public such as new and used cars, recreational vehicles, boats, and landscape and building materials; nor to parking of vehicles regularly used in connection with the operation of an establishment or parked for less than 48 hours for maintenance service. "Outdoor storage" shall not include the storage of junk as defined by Chapter 19.04 of the Municipal Code.

"Storage/utility shed" shall mean a detached accessory structure not more than 120 square feet in extended roof area used to store tools and equipment such as, but not limited to, lawn mowers, bicycles, garden tools, and similar chattels related to the primary permitted use located on the same lot. (Ord. 350-05: Ord. 272-04: Ord. 015-00)

19.48.030 Accessory uses, structures and buildings. The following provisions shall apply to all garages, carports, accessory uses, structures and buildings:

A. Establishment prior to principal use prohibited. Accessory uses, structures or buildings shall not be established prior to a principal use, except in the AG – Agricultural – zoning district, nor shall an accessory use be permitted without an associated principal use on the same lot.

B. Maximum area. The total footprint area of all detached accessory structures and buildings on any one lot shall not exceed the lesser of 10 percent of the total lot area or 2,100 square feet. This provision shall not apply to structures used for agricultural purposes in the AG – Agricultural – zoning district, or to structures in I – Industrial – zoning districts.

C. Maximum height. Accessory structures other than garages shall not exceed the height of the principal building or 15 feet, whichever is less. Garages shall not exceed the height of the principal building. This provision shall not apply to structures used for agricultural purposes in the AG – Agricultural – zoning district, or to structures in I – Industrial – zoning districts.

D. Materials and colors. In all R – Residential – zoning districts, accessory structures/buildings shall be constructed of materials and with colors compatible with the principal building/structure.

E. Maximum number. In all R – Residential – zoning districts, only one detached accessory structure/building, not including garages, shall be permitted per 8,000 square feet of lot area, or fraction thereof, up to a maximum of three such structures per lot. The preceding provision notwithstanding, each principal building shall be allowed at least one detached accessory structure/building. For example, three mobile homes on one lot would each be allowed one detached accessory structure/building, even if the lot were less than 24,000 square feet. (Ord. 350-05: Ord. 272-04: Ord. 228-03: Ord. 015-00)

19.48.032 Setbacks.

A. Garages, accessory buildings and structures and storage/utility sheds shall comply with all applicable open space and minimum yard sizes (setbacks), with the following exceptions:

1. Detached garages, accessory buildings, and structures that are separated from the principal structure by at least ten feet shall be set back from side and rear property lines at least five feet, plus one additional foot for every three feet, or fraction thereof, of building height over 15 feet. This provision notwithstanding, alley-loaded garages shall be set back at least 15 feet from alleys, whether or not attached to the principal structure.

2. Storage/utility sheds and accessory structures and buildings shall not be located closer to the front property line than the front façade of the principal structure with the following exceptions: accessory structures that are open on all sides, such as gazebos, and attached accessory structures that are open on three sides and have a floor not more than three feet above the surrounding grade, may extend to within 15 feet of a front or rear property line.

3. Storage/utility sheds under eight feet in height that maintain a minimum of six feet from all principal structures, accessory structures and storage/utility sheds, whether or not located on the same lot, may extend to side and/or rear yard property line(s).

4. An uncovered patio or deck that is not more than three feet above the surrounding grade may extend to the side, but not street side, and/or rear property line(s), provided it does not encroach into any utility easement.

5. Attached side-loaded garages may extend to within 15 feet of a front property line.

19.48.034 Garages and carports.

A. Driveways required. All garages and carports in all R – Residential – zoning districts, except the R-1E – Estate Residential – zoning district, shall have a minimum ten-foot wide paved driveway extending from the vehicular opening of such structure to the public right-of-way improvements, or to the right-of-way line if public improvements do not exist. Such driveway shall be constructed of asphalt, concrete or similar impervious surface. The Public Works Director has the authority to grant a conditional waiver to the requirement for the paving of such driveway based upon existing public improvements and other factors in the vicinity of the proposed accessory structure. The absence of public improvements in the vicinity shall not automatically guarantee such a waiver.

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B. Garages and carports accessory to single-family dwellings.

1. The front plane of an attached front-facing garage shall be no more than five feet closer to the front property line than the front façade of the principal structure, unless (a) the garage is located no less than thirty feet from the front property line, and (b) the house includes a front porch. In no event shall the front plane of a front-facing garage be more than ten feet closer to the front property line than the front façade of the principal structure and in no event shall a front-facing garage encroach into a required front yard.
2. Detached garages and carports shall be no closer to the front property line than ten feet behind the front façade of the principal residential structure.
3. A three-stall garage shall only be permitted if one of the garage doors is recessed a minimum of two feet behind the other garage doors (i.e., two feet farther from the property line parallel to the garage doors).
4. A garage with more than three stalls shall only be permitted if (a) the lot is greater than 13,000 square feet in area, (b) two of the garage doors are recessed a minimum of two feet behind the other garage doors, and (c) the garage is located no less than thirty-five feet from the property line to which the garage is oriented (that is, the front property line for front-facing garages or the side property line for side-loaded garages).
5. Side-loaded garages shall have at least one window or similar feature on the elevation oriented to the front property line.
6. Garages and carports shall have similar exterior finish, including roofing material, as the principal structure of the lot.
7. Carports shall not be located closer to the front property line than the front façade of the principal structure.
8. Carports shall be limited to eight feet in height, as measured to the top of the vehicle entrance, and 500 square feet in area.

C. Garages and carports accessory to two-family dwellings.

1. Attached garages with more than two stalls for each unit shall not be permitted.
2. Two abutting attached two-stall garages shall only be permitted if (a) one of the garage doors is recessed a minimum of three feet behind the other garage door and (b) the garages are located no less than thirty feet from the front property line. The Director of Public works shall have the authority to waive this requirement for lots platted prior to adoption of this provision if there exists a practical difficulty, in the opinion of the Director of Public Works.
3. The front plane of an attached garage shall be no more than five feet closer to the front property line than the front façade of the principal structure, unless (a) the garage is located no less than thirty feet from the front property line, and (b) the house includes a front porch. In no event shall the front plane of a front-facing garage be more than ten feet closer to the front property line than the front façade of the principal structure and in no event shall a front-facing garage encroach into the required front yard.
4. Side-loaded garages shall have at least one window or similar feature on the elevation oriented to the front property line.
5. Detached garages and carports shall be no closer to the front property line than ten feet behind the front façade of the principal residential structure.
6. Garages and carports shall have similar exterior finish, including roofing material, as the principal structure of the lot.
7. Carports shall not be located closer to the front property line than the front façade of the principal structure.
8. Carports shall be limited to eight feet in height, as measured to the top of the vehicle entrance, and 500 square feet in area.

E. Garages and carports accessory to multifamily dwellings.

1. Attached garages shall contain no more than 25% of the area of the elevation of which they are a part.
2. Detached garages shall be designed to be compatible with the related residential structures and shall be designed and oriented to minimize the visual effect of the scale and massing of the garages and create visual interest on all sides of the garage that are visible from the public right-of-way, through the use of landscaping, berming, architectural features or styles, building materials, and/or orientation of the site.
3. Detached garages and carports shall be compatible with the principal building architecture, and shall incorporate similar and compatible forms, scale, materials, colors, and details.
4. On any multifamily building elevation there shall be no more than six two-stall or twelve single-stall garage doors, and the plane of each garage door shall be offset at least two feet from the plane of at least one garage door adjacent to it.
5. Carports shall be limited to six spaces per parking structure and each carport structure shall be located not closer than 20 feet to any other carport structure.
6. Carports shall include lighting to deter theft and vandalism. At least every other parking space shall have lighting of a minimum of 100 watts and a maximum of 250 watts.
7. Carports shall be situated or landscaped so that headlights of parked vehicles will not shine into windows or onto

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public streets.

8. Detached garages and carports shall have pitched roofs with a minimum slope of 4:12.

9. To the maximum extent feasible, garage entries, carports, and parking garages shall not be located between a principal multifamily building and a street frontage, but shall instead be internalized in building groups so that they are not visible from adjacent public streets. (Ord. 350-05: Ord. 272-04)

19.48.036 Accessory Structures for Mobile Homes

A. Each mobile home site shall be limited to the following accessory structures:

1. One detached garage or carport not exceeding 600 square feet.

2. One unenclosed porch and/or covered entry, or one enclosed porch and/or covered entry with less than 120 square feet of extended roof area, per exterior door of the mobile home unit.

3. Awnings.

4. One storage shed located at least five feet from any mobile home and, if located on a corner lot, at least three feet from perimeter fencing, common areas, or streets.

B. Accessory structures, including but not limited to storage bins, shall be secured and provided with tie-down anchors.

C. Structures legally existing as accessory to a mobile home prior to August 19, 1997, and not in compliance with the requirements of this section may remain in place only until the mobile home to which such a structure is accessory is itself removed or replaced. (Ord. 350-05: Ord. 272-04)

19.48.040 Fences, walls and hedges.

A. Fences, walls and hedges may be placed in appropriate locations in order to provide screening and enclosures. Fences and walls shall be constructed of materials which are visually pleasing and compatible with the surrounding improvements. Height changes, offset angles, and the use of complementary materials may be used to create variety in fences and walls.

B. Fences, walls and hedges may be permitted in the various zoning districts as accessory structures in accordance with the following limitations:

1. Fences/walls shall not exceed six feet in height as measured vertically from the surrounding grade, on all sides of the fence/wall, to the highest point of the fence/wall and shall comply with all applicable sight distance provisions. Fences/walls installed by a government agency for the purpose of a traffic sound barrier shall be allowed to be up to 12 feet in height, provided a building permit is obtained.

2. Fences and walls which are located in required front yard setbacks shall not exceed 48 inches in height above adjoining grade, except in industrial zoning districts.

3. Fences, walls and hedges shall not be located on any public right of way without the written consent of the Public Works Director. The City may require such improvements to be removed or relocated by the adjacent property owner at no cost to the City.

4. Fences, walls and hedges shall maintain a minimum clearance from fire hydrants as provided for in the latest edition of the International Fire Code, as adopted.

5. No barbed wire fence may be permitted within the City of Evans, unless approved by the Director of Public Works or designee. An application for the installation of barbed wire fencing shall be accompanied by a written submittal explaining the purpose for such fencing and a design which allows for the installation of the fence which would ensure that the barb wire fence shall not be constructed in a hazardous manner. Barbed wire fencing in industrial areas may be allowed provided that no more than three strands of barbed-wire are added to the height of a fence and provided the lowest strand of barbed-wire is maintained at least six and one-half feet (6 ½') above the adjoining grade. Barbed wire required by Title 16 shall be exempt from this provision.

6. Fences with pickets and adjacent to public right-of-way shall have the posts erected on the interior side of the fence so that the pickets are between the posts and the right-of-way.

C. Materials and maintenance.

1. No fence shall be constructed, in whole or in part, of concertina, razor wire, tin or wood scraps.

2. Electrically charged and/or swimming pool fences shall be erected and maintained in accordance with Title 15 of the Evans Municipal Code, as amended.

3. All fencing shall be constructed of brick, wood pickets, vinyl, wrought iron, decorative concrete block, chain link or other material normally used for fencing and shall be constructed to conceal or integrate all structural members of the fence into the architectural design of the fence. All other materials and construction methods shall be subject to review and approval by the Director of Public Works.

D. Where there is an established or uniform character of fencing (type of material, height, etc.) along and generally parallel to a section of an arterial or collector roadway, all fences along rear and street side property lines abutting

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and generally parallel to that section of the road shall be constructed consistent with the existing character of fencing. (Ord. 466-09: Ord. 350-05: Ord. 339-05: Ord. 272-04: Ord. 249-03: Ord. 015-00)

19.48.050 Household pets, horses, and other animals. Areas in which animals are maintained shall not create odors, dust, noise or drainage which constitutes a hazard or nuisance to adjoining properties or uses. The housing and/or existence of animals shall be in accordance with Title 6 of the Evans Municipal Code. (Ord. 350-05: Ord. 272-04: Ord. 015-00)

19.48.055 Outdoor storage.

Except by approval of a Use by Special Review, granted in accordance with Chapter 19.44 of the Municipal Code, outdoor storage shall only be allowed as an accessory use in the I – Industrial – zoning districts and only in accordance with the following limitations:

- A. No more than 10 percent of the area of any lot or parcel in the I-1 – Light Industrial – zoning district may be used for outdoor storage.
- B. No more than 20 percent of the area of any lot or parcel in the I-2 – Medium Industrial – zoning district may be used for outdoor storage.
- C. No more than 30 percent of the area of any lot or parcel in the I-3 – Heavy Industrial – zoning district may be used for outdoor storage. (Ord. 350-05: Ord. 272-04)

19.48.060 Home occupations.

A. Intent. The purpose of this section is to provide for limited business uses within dwellings when such uses will clearly not alter the character or appearance of the residential neighborhood.

B. Application. Prior to the establishment of any home occupation, an application for such Home Occupation shall be made to the Planning Division and filed with the City Clerk. If the Planning Division determines the use does not comply with all requirements for a home occupation, then the Home Occupation Permit shall not be issued. If such use has been previously established, the use shall either be brought into full compliance with the provisions of this chapter effective January 1, 2003, or the use shall be abandoned and all operations ceased.

1. Home occupations shall be permitted as an accessory use to any dwelling in accordance with the provisions of this section.
2. The conduct of a home occupation requires the approval of the Planning Division, or Planning Commission as provided in Section 19.48.060 (D&E), who may establish conditions to further the intent of this section. An application for a Home Occupation Permit shall be on a form provided by the Planning Division.
3. Home occupations shall not be transferable to alternate locations or persons.

C. A home occupation shall be allowed as a permitted accessory use, provided all of the following conditions are met:

1. The exterior appearance of the dwelling and lot shall not be altered, nor shall the occupation within the dwelling be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting or signage, or by the emission of sounds, noises, dust, odors, fumes, smoke, heat, glare, or vibrations detectable outside the dwelling.
2. The home occupation shall be confined within the primary dwelling, which shall be the principal use and building on the lot, and shall not include use of any accessory structure, whether attached or detached. All persons involved, directly or indirectly in carrying on the home occupation shall be legal and regular inhabitants of the dwelling unit.
3. The dwelling unit shall continue to be used primarily for residential purposes and the occupational activities shall be harmonious with the residential use. Such occupational activities must be clearly incidental and secondary to the use of the dwelling purposes.
4. No more than 20 percent of the living space shall be used for the home occupation and any related storage of materials and supplies, except where the home occupation is a licensed board and care home or a day care home that meets applicable state requirements. In no event shall an accessory structure be counted toward the total living space area.
5. Only one home occupation shall be permitted per residence unless more than one home occupation can be operated using no more than 20 percent of the living space.
6. On-site retail/wholesale transactions cannot be the primary activity of the home occupation. All such sales must remain incidental and secondary to the home occupation. There shall be no window display of merchandise.
7. Personal and professional customer-service based businesses shall operate on an appointment-only basis.
8. Vehicular traffic associated with the home occupation shall not adversely affect traffic flow and parking in the area. No more than one customer or client vehicle associated with the home occupation shall be at the home at

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any one time, and no more than 20 customer/client visits to the home per week shall be permitted, with the exception of child/day care homes. In addition to the customer trips, no more than two trips per week shall be related to the delivery of products and/or materials.

9. In addition to the required off-street parking, home occupations, including studios or rooms for instruction, shall provide additional paved off-street parking adequate to accommodate all needs created by the home occupation subject to approval of the Public Works Director or designee.

10. Only one vehicle, not to exceed one ton capacity, and one trailer, not to exceed fifteen feet, may be related to and used in conjunction with the home occupation and may be parked on-site, except as provided in Section 19.48.060.E. Such parking shall also conform with Chapter 19.52 off-street parking.

11. There shall be no exterior advertising or use of any signs related to a home occupation on the premises including areas such as, but not limited to walls, fences, mailboxes, and yards, except that one window sign not to exceed three square feet shall be permitted.

12. There shall be no exterior storage on the property of material and/or equipment used as part of the home occupation. In addition, there shall be no use or storage of mechanical equipment not recognized as being part of a normal household or hobby use.

13. The use of utilities shall be limited to that normally associated with the use of the property for residential purposes. Electrical or mechanical equipment that creates audible interference in radio receivers or visual or audible interference in television receivers or causes fluctuations in line voltage outside the dwelling unit shall be prohibited.

14. Home occupations having customer/client visits shall only conduct business hours between 7:00 a.m. and 8:00 p.m.

15. Activities conducted and buildings, equipment and material used or stored in coordination with the home occupation shall comply with all building and fire codes, as adopted by the City of Evans.

16. Upon request by the City, applicant shall provide City with access to all books, records, and information relating to the business activity being conducted thereof. Said information shall remain confidential, and shall be used to ascertain compliance with the home occupation criteria.

17. Home Occupations shall be conducted by the resident of the parcel, and if the applicant/resident requesting the home occupation permit is not the property owner, then they must obtain written approval from the property owner.

D. Prohibited Home Occupations. Certain home business uses have demonstrated a tendency to cause impacts to a neighborhood that are detrimental to the character and value of residential properties, and have associated impacts upon the public health, safety and general welfare in residential areas. The following uses, regardless of whether they meet the performance standards, are not permitted. These businesses shall include but are not limited to the following:

1. Veterinary clinics, animal hospitals or kennels;
2. Equipment rental;
3. Funeral chapels, mortuaries or funeral homes;
4. Wedding chapels;
5. Medical or dental clinics;
6. Repair/servicing or painting of automobiles, motorcycles, trailers, boats and other vehicles;
7. Repair/servicing of large appliances including stoves, refrigerators, washers and dryers;
8. Repair/servicing of power equipment including lawn mowers, snow blowers, chain saws, string trimmers and similar equipment;
9. Restaurants;
10. Welding, metal, and wood fabrication shops;
11. Dispatching of vehicles to and from residential premises. This prohibition includes, but is not limited to taxi services, towing services, and the like;
12. The sale of firearms and gunsmithing;
13. Taxidermy;
14. Storage of construction equipment.

E. The production and sale of agricultural produce at a rural home occupation, at which all produce for sale has been grown at the site, shall be permitted within the dwelling and/or from accessory buildings located within 500 feet of the dwelling occupied by those conducting the rural home occupation. Equipment used in the production of agricultural produce shall be that customarily associated with farming or agricultural purposes and shall not be limited in size or number.

F. Permitted home occupations that would otherwise violate Section 19.48.060(C)(8) & (14) regarding customer/client visits and hours of operation shall require special review pursuant to Chapter 19.44, "Approval of

19.48 - Accessory Structures and Uses

Published on City of Evans Colorado (<http://www.cityofevans.org>)

Special Uses.”

G. Fees. Each new and renewal application for a Home Occupation Permit shall be accompanied at the time of filing by a fee as established by City Council by Resolution. Each home occupation permit shall be renewed annually.

H. Complaints and Revocation.

1. Persons may file a written complaint with the Planning Division regarding a home occupation. Upon receipt of such a complaint, the City shall investigate the home occupation to determine if any provisions of this chapter or conditions of approval are being violated by the home occupation.

2. A Home Occupation Permit may be revoked or modified by the City if any of the following circumstances are found to be true:

- a. The use has become detrimental to the public health, safety, or welfare or constitutes a nuisance;
- b. The permit was obtained by misrepresentation or fraud;
- c. The use for which the home occupation permit was granted has changed, and a different home occupation is occurring;
- d. The condition of the premises has deteriorated because of the home occupation;
- e. The use is in violation of any statute, ordinance, or regulation.

3. Whenever an apparent violation of this section is observed, a written notice shall be served certified mail from the City notifying the applicant of the intent to revoke the Home Occupation Permit.

Such notice may include:

- a. Findings in support of revocation;
- b. A statement of the action required to bring the home occupation into compliance;
- c. A statement advising that if any required actions are not brought into compliance within the time specified, the Home Occupation Permit will be revoked;
- d. A statement advising that any person having legal interest in the home occupation involved may file a written request for a hearing before the City Council within ten days after receipt of notice. Should a request for a hearing not be made within ten days, then the home occupation shall cease operations without further action by the City. (Ord. 350-05: Ord. 272-04: Ord. 015-00)

19.48.070 Auxiliary business uses. Newsstands, refreshment stands, restaurants and other auxiliary business uses shall be permitted in connection with hospitals, schools and other public buildings if such auxiliary business uses are incidental thereto, and are for the convenience of occupants thereof; provided, the floor area used for such auxiliary business uses does not exceed 25 percent of the ground-floor area of the principal building, and that no sign is exhibited on the outside of any such principal building in connection with such auxiliary businesses as are permitted by this section. (Ord. 350-05: Ord. 272-04)

19.48.080 Variance. Variances to accessory structure, though not accessory use, regulations may be approved in accordance with Chapter 19.58 – Variances – of the Evans Municipal Code. (Ord. 350-05: Ord. 272-04: Ord. 015-00)

19.48.090 Enforcement Authority. The administrative authority is authorized and directed to administer and enforce all of the provisions of this chapter. (Ord. 350-05: Ord. 272-04: Ord. 015-00)

19.48.100 Violation – Penalty. Any person convicted of a violation of any provision stated or adopted in this section shall be punished as provided in Section 1.16.010 of the City of Evans Municipal Code, as amended. (Ord. 350-05: Ord. 272-04: Ord. 015-00)

Code Documents



[19.48 - Accessory Structures and Uses](#)

Source URL (retrieved on *Fri, Feb 3rd 12:03pm*):

<http://www.cityofevans.org/municipalcode/1948-accessory-structures-and-uses>



January 12, 2012

**Derek Esposito,
Project Manager
SolarCity Corp.
490 E. 76th St. Unit C
Denver, CO 80229**

**City of Evans Planning & Zoning
1100 37th St
Evans, CO 80620**

Letter of Intent regarding Variance Application for Solar Carport Construction at The Grove, 3202 11th Ave, Evans, CO

SolarCity is proposing to construct solar carports at The Grove, Campus Crest's multi-family housing complex located at 3200-3300 11th Ave. The solar carports would be built to cover existing parking spaces on the east, south, and west sides of the lot. This letter shall serve to describe the practical difficulty which would deprive the property owner of the reasonable use of the property, but for the variance.

- (1) The designs of the proposed solar carports comply with Chapter 18.33.060, Multifamily Architectural and Site Design Standards of the City of Evans Land Use Code. The materials and colors of the carports are compatible with the character of the surrounding buildings. Adequate pedestrian lighting shall be installed in the carports.
- (2) Chapter 19.48.034 E, Garages and carports accessory to multifamily dwellings, of the City of Evans Land Use Code states in article 5: *Carports shall be limited to six spaces per parking structure and each carport structure shall be located not closer than 20 feet to any other carport structure.* The proposed solar carport designs occupy between 24 and 40 parking spaces. The purpose of this project is to build adequate roof area to house solar PV panels that will generate enough electricity to offset all of the electricity used by the building's occupants. In addition, covered parking is a valuable commodity that will be in demand so it is desirable for the building's occupants to see a multitude of available covered parking spaces. In order to conform to this code article, the size of the carports would have to be drastically reduced which would negatively impact the ability for the solar carports to serve their intended purpose of providing enough solar electricity to offset building electricity usage.
- (3) Chapter 19.48.034 E, Garages and carports accessory to multifamily dwellings, of the City of Evans Land Use Code states in article 8: *Detached garages and carports shall have pitched roofs with a minimum slope of 4:12.* The proposed solar carport designs have a pitched roof with a slope of 1:12. Based on our experience building carports for the past several years, we believe that a 1:12 pitch is the most aesthetically pleasing for a carport roof. A steeper roof, while matching the pitch of surrounding buildings, creates a strange-looking roof line for a carport.

Please see the picture below. If this carport had a 4:12 pitch, the front edge of the carport roof would be 15' lower than the back edge of the roof.



These carports were built with a 1:12 roof pitch. The red line imagines a 4:12 pitch.

Thank you for considering this variance application for our solar carport proposal. I look forward to the opportunity to discuss this project further during the public hearing procedures. Please don't hesitate to contact me with any questions prior to then.

Sincerely yours,

Derek Esposito
Project Manager, SolarCity

- f -

- e -

- d -

- c -

- b -

- a -



3055 Cheyenne Way, San Mateo, CA 94402
T: (650) 638-1028 | F: (650) 638-1029
(888)-SOL-CITY (765-2489) | www.solarcity.com

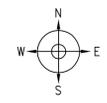
CONFIDENTIAL - THE INFORMATION
HEREIN CONTAINED SHALL NOT BE USED
FOR THE BENEFIT OF ANYONE EXCEPT
SOLARCITY INC. NOR SHALL IT BE
DISCLOSED IN WHOLE OR IN PART TO
OTHERS OUTSIDE THE RECIPIENT'S
ORGANIZATION, EXCEPT IN CONNECTION
WITH THE SALE AND USE OF THE
RESPECTIVE SOLARCITY EQUIPMENT,
WITHOUT THE WRITTEN PERMISSION OF
SOLARCITY INC.

CAMPUS CREST BUILDING 3212
ROOF MOUNT PV SYSTEM
CAMPUS CREST BUILDING 3212
3202 11TH AVE
EVANS, CO 80620
7044962559

REVISIONS			
REV.	BY	DATE	COMMENTS
REV A	BY	12/16	*

JOB DETAILS	
PREP:	Evans
MOVERS:	(66) YINGLI # YL235P-29b
MOUNTING SYSTEM:	SOLARCITY CANOPY-C
PERMITS:	(3) SMA # SUNNY BOY 5000US
MARKER:	DESK: JAMES TAYLOR
COMM CHECKED BY:	
DATE:	12/16/2011
PAGE NAME:	SSS PLAN VIEW
JOB NUMBER:	JB-806036-00
PAGE:	SC 18

11th AVE



PV PLAN
1"=30'-0"
0 30' 60'

3202

3212

3222

3232

3252

3242

V-BALL

B-BALL

3300

3310

3330

3320

POOL

PROPERTY LINE

104'-4"

7"

137'-4"

7"

485'-1"

137'-4"

7"

104'-4"

10' MIN FROM
PROPERTY LINE

26'-8"

31'-7"

23'-1"

28'-4"

A
PV10

B
PV10

- f -

- e -

- d -

- c -

- b -

- a -



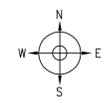
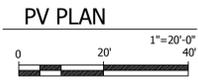
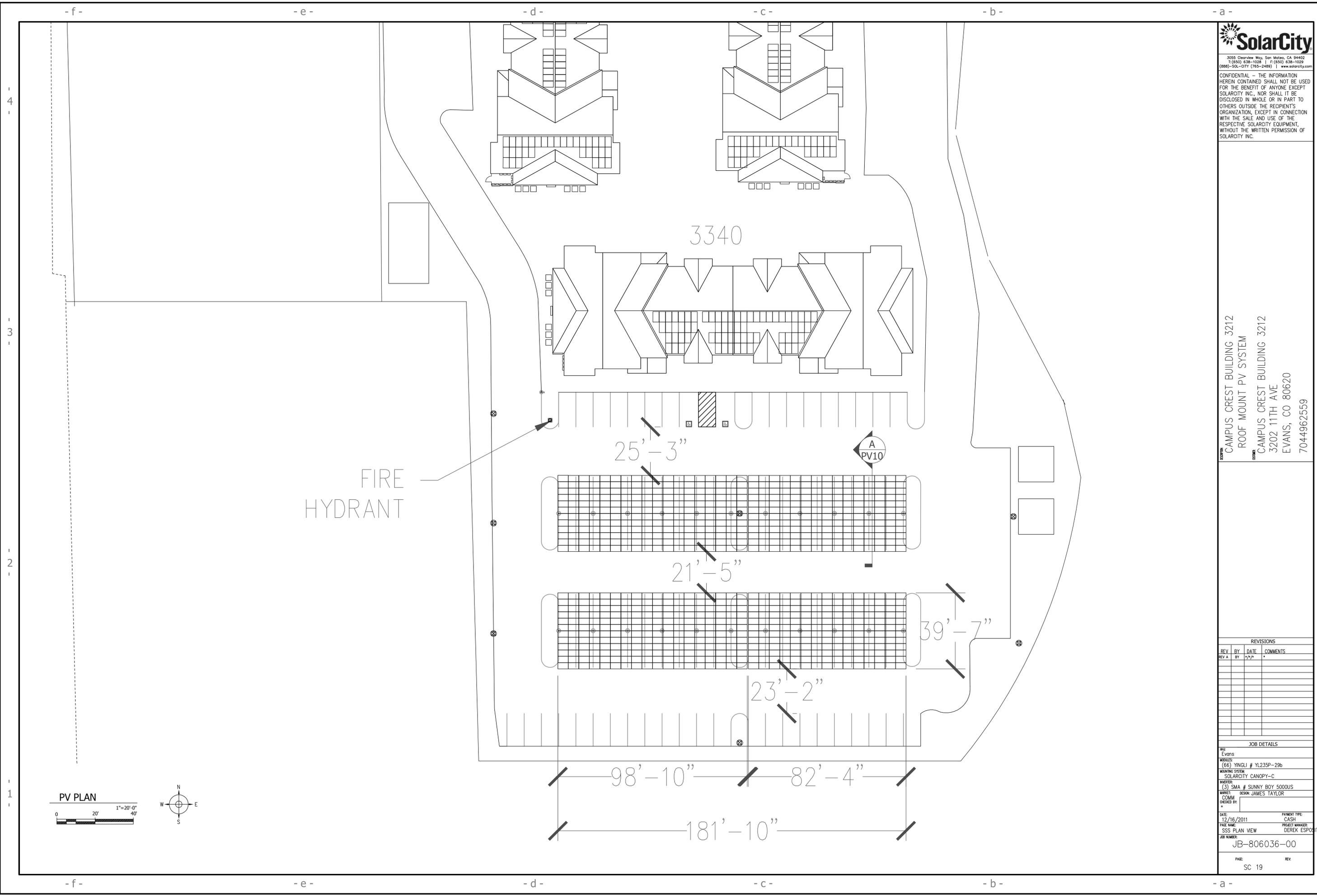
3055 Cheyenne Way, San Mateo, CA 94402
 T: (650) 638-1028 | F: (650) 638-1029
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CAMPUS CREST BUILDING 3212
 ROOF MOUNT PV SYSTEM
 CAMPUS CREST BUILDING 3212
 3202 11TH AVE
 EVANS, CO 80620
 7044962559

REVISIONS			
REV.	BY	DATE	COMMENTS
REV A	BY	1/2/11	*

JOB DETAILS	
CLIENT	Evans
MOBILES	(66) VINCLI # YL235P-29b
MOUNTING SYSTEM	SOLARCITY CANOPY-C
PERMITS	(3) SMA # SUNNY BOY 5000US
MARKER	COMM DESK: JAMES TAYLOR
CHECKED BY	
DATE	12/16/2011
PAGE NAME	SSS PLAN VIEW
JOB NUMBER	JB-806036-00
PAGE	SC 19



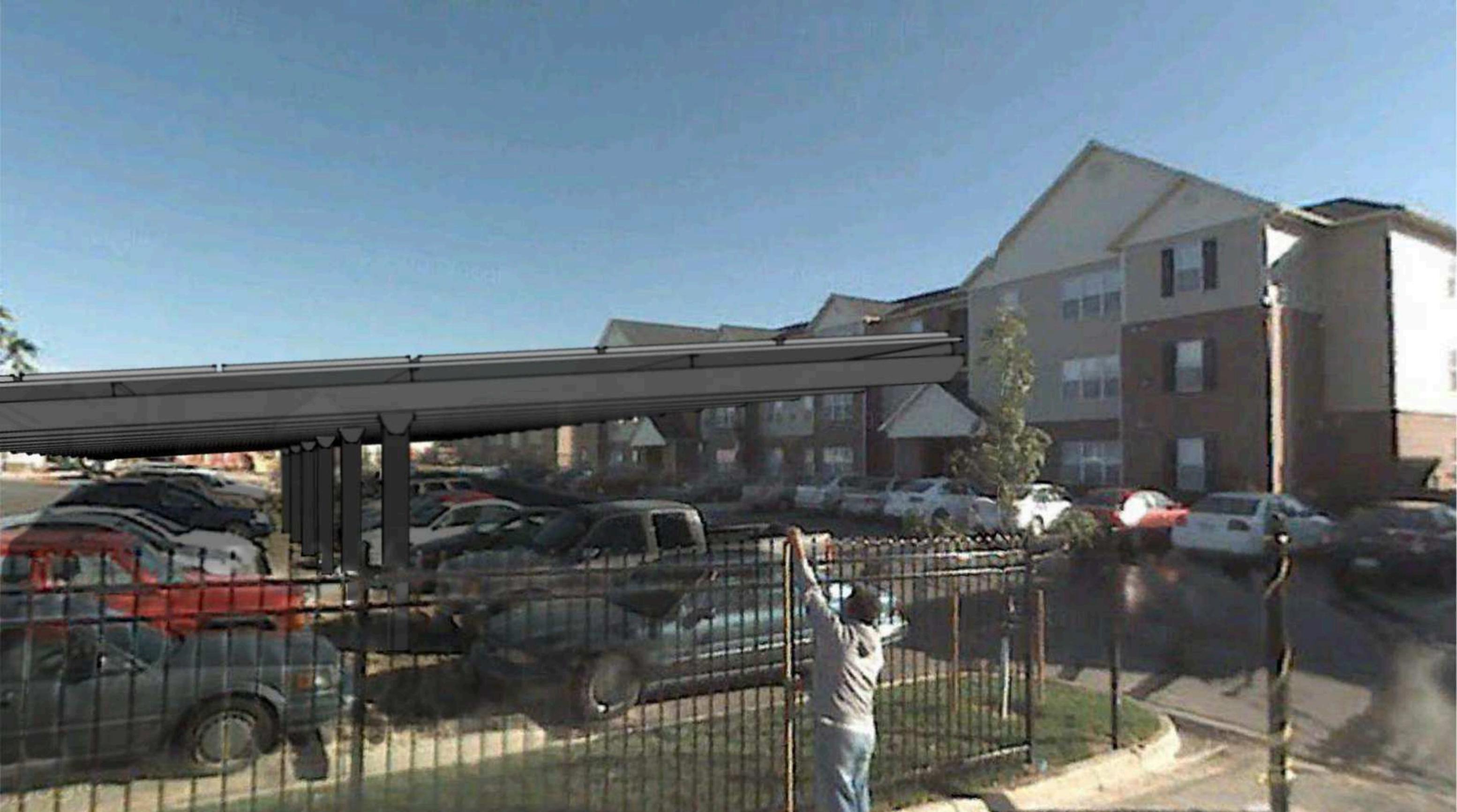
PV PLAN







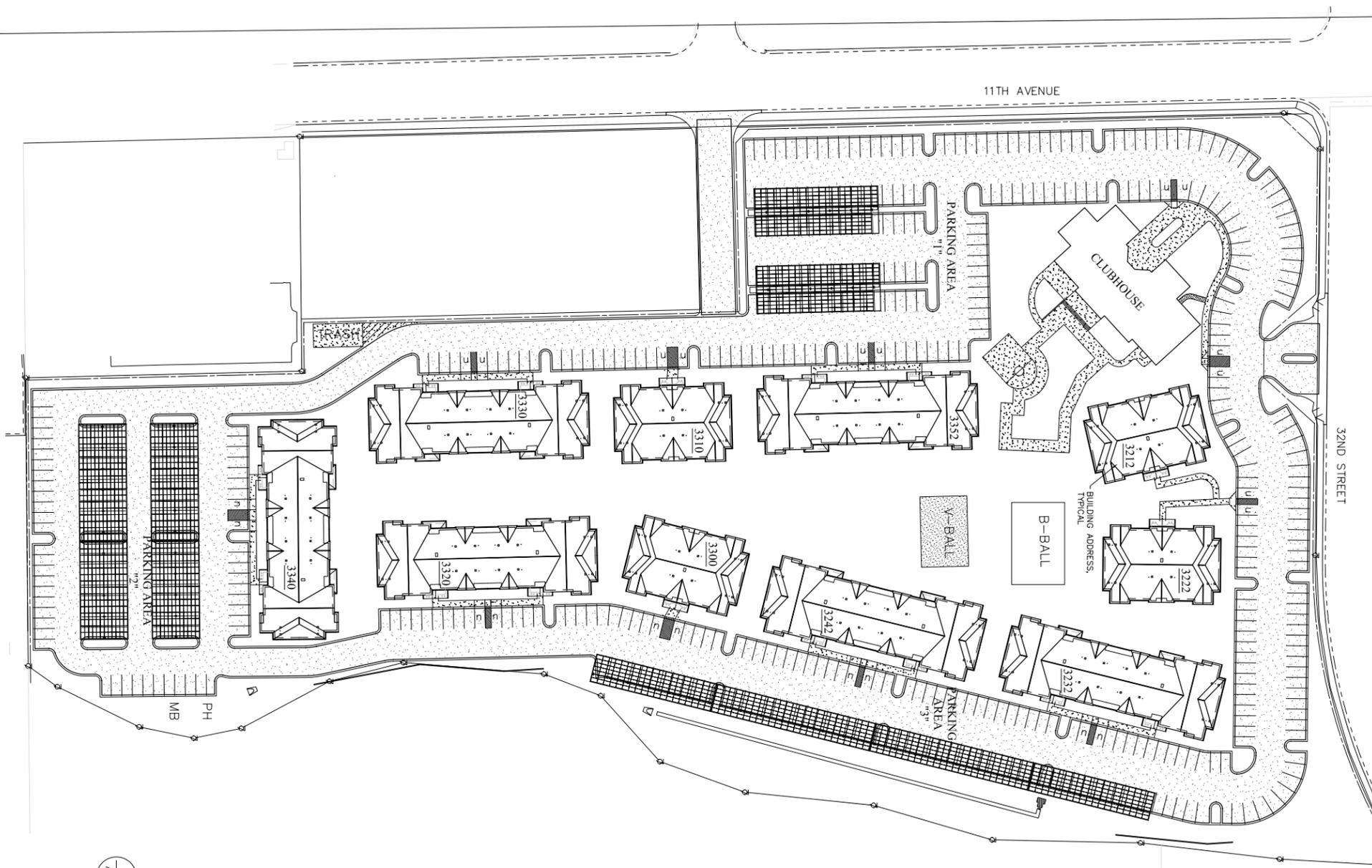
LOW CLEARANCE 9'



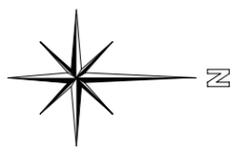
THE GROVE APARTMENTS

3202 11th Street, Evans, Colorado 80620

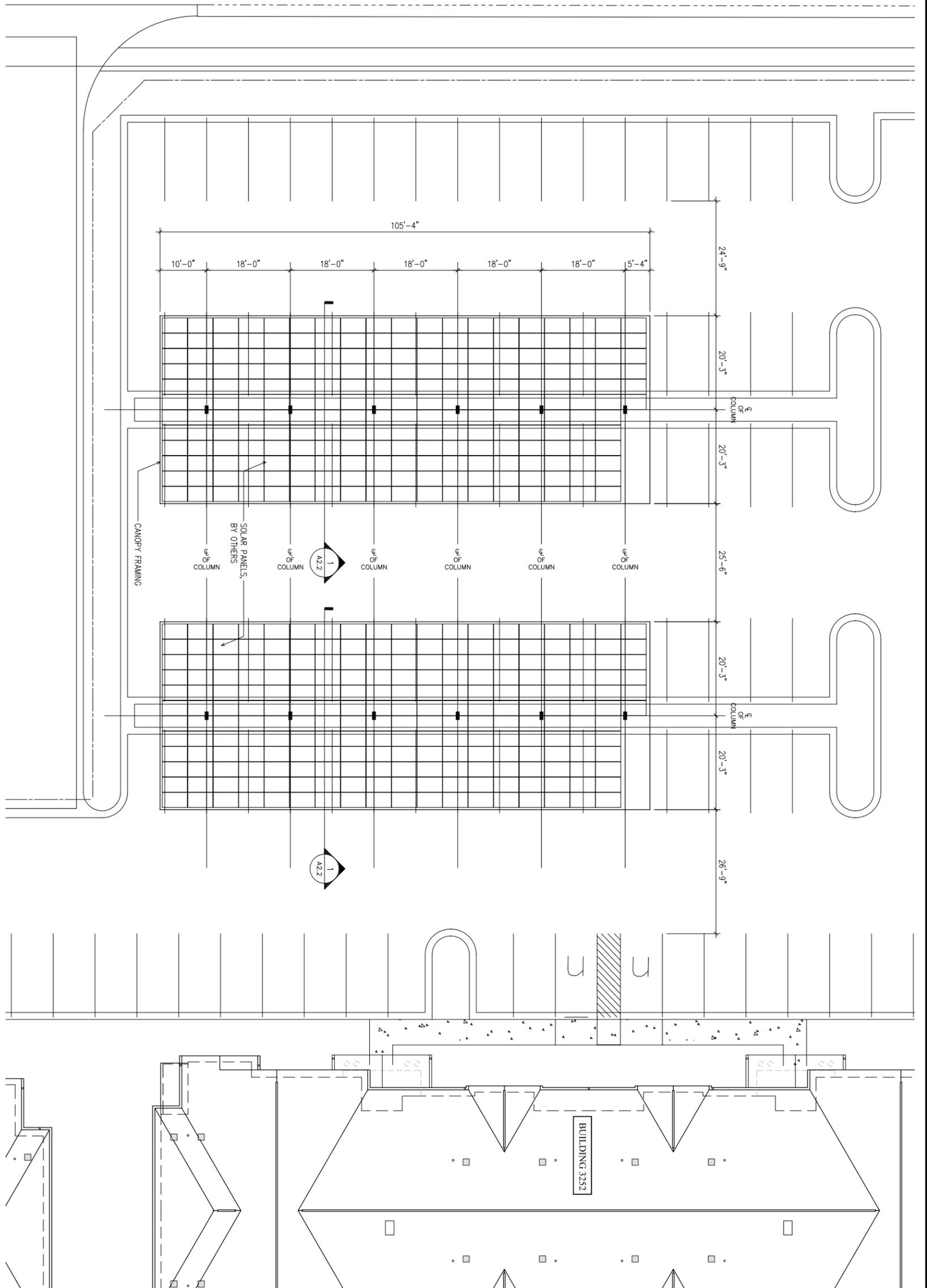




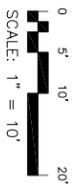
1
 AO.1
 1" = 50'-0"
 0 25' 50' 100'
 SCALE: 1" = 50'
 OVERALL SITE PLAN



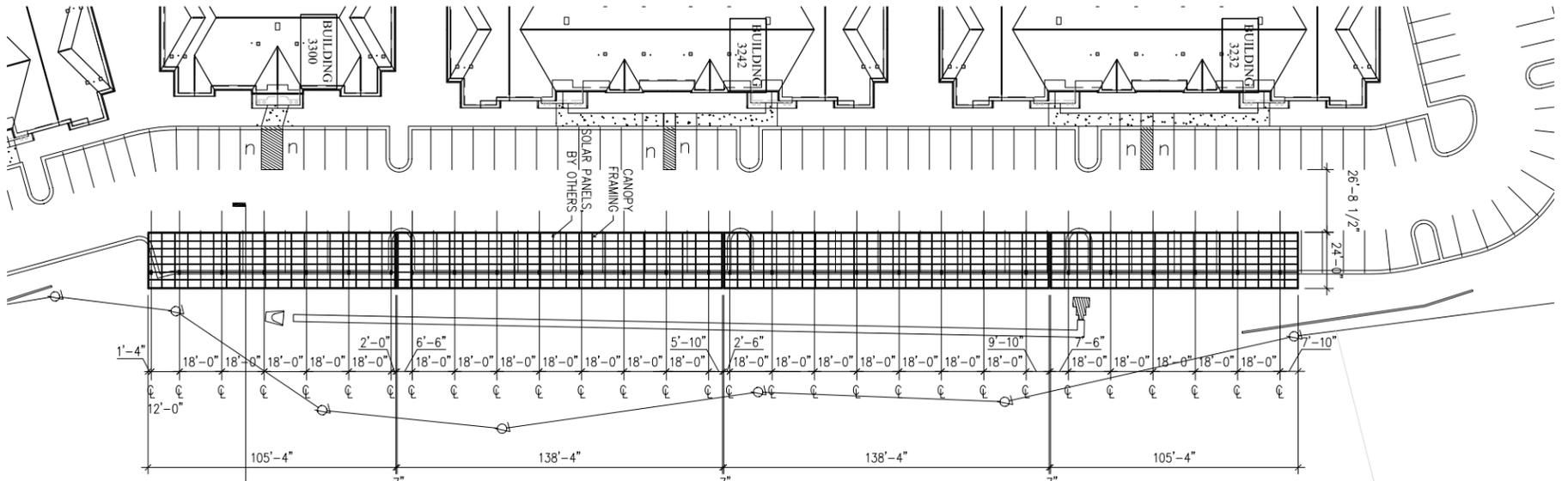
sheet A0.1	OVERALL SITE PLAN	THE GROVE EVANS, COLORADO	date: DECEMBER 19, 2011	NOTE: All drawings, specifications and other work products of gary b. coursey & associates architects inc. for this project are instruments of service for this project only and shall remain the property of gary b. coursey & associates architects inc. whether this project is completed or not. Copyright as of date of drawings.	PRINTED	DATE	
			commission # 2011-94				
drawn by: A. ELDRETH							
checked by: G. COURSEY							



1
A1.1
1" = 10'-0"
ENLARGED SITE PLAN
AT PARKING AREA "1"



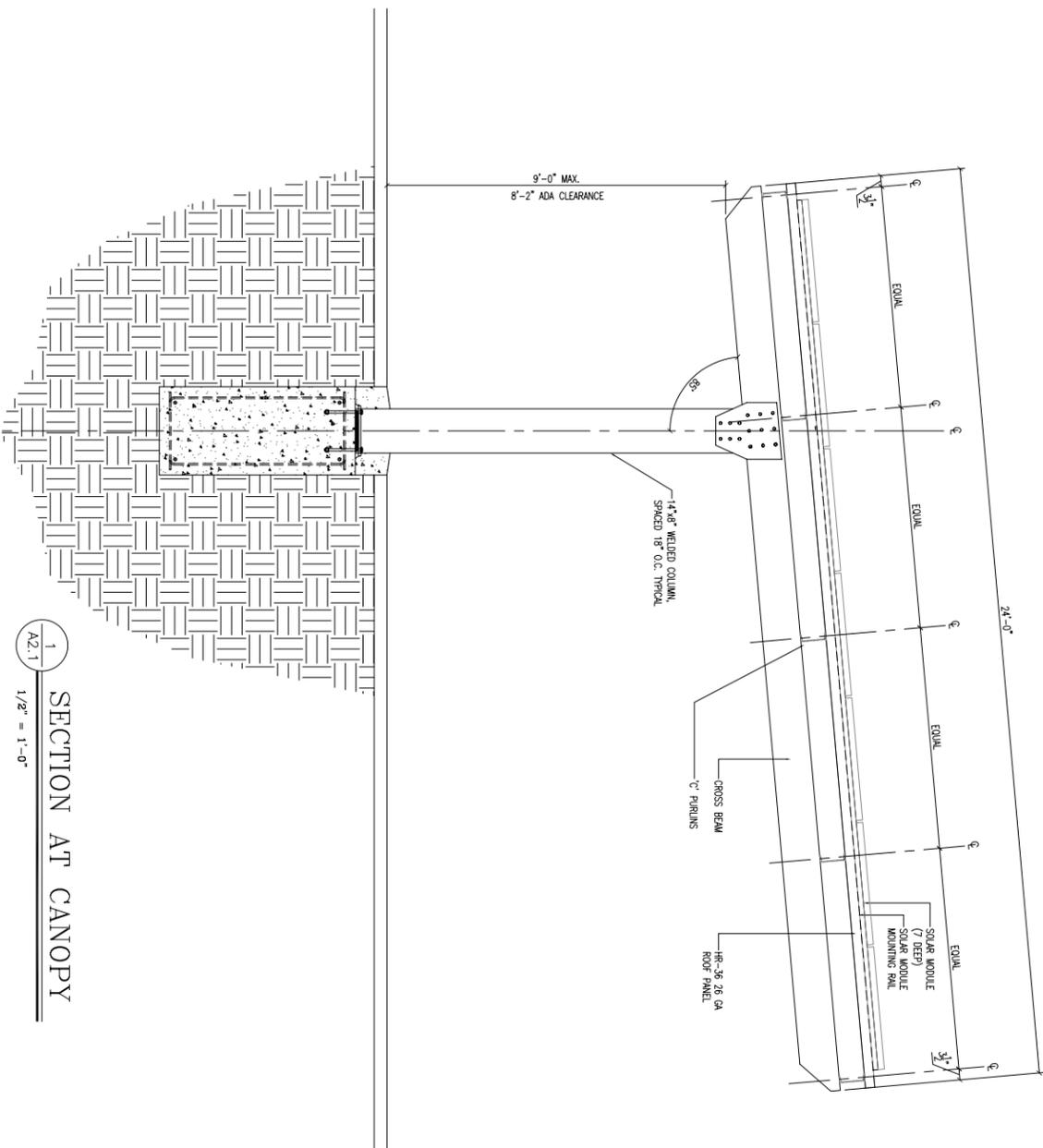
Sheet A1.1	THE GROVE EVANS, COLORADO 	date: DECEMBER 19, 2011	NOTE: All drawings, specifications and other work products of gary b. coursey & associates architects inc. for this project are instruments of service for this project only and shall remain the property of gary b. coursey & associates architects inc. whether this project is completed or not. Copyright as of date of drawings.	PRINTED	DATE
	ENLARGED SITE PLAN AT PARKING AREA "1"	commission # 2011-94			
		drawn by: A. ELDRETH			
		checked by: G. COURSEY			



1
 A1.3
 ENLARGED SITE PLAN
 AT PARKING AREA "3"
 1" = 30'-0"
 SCALE: 1" = 30'
 0 15' 30' 60'

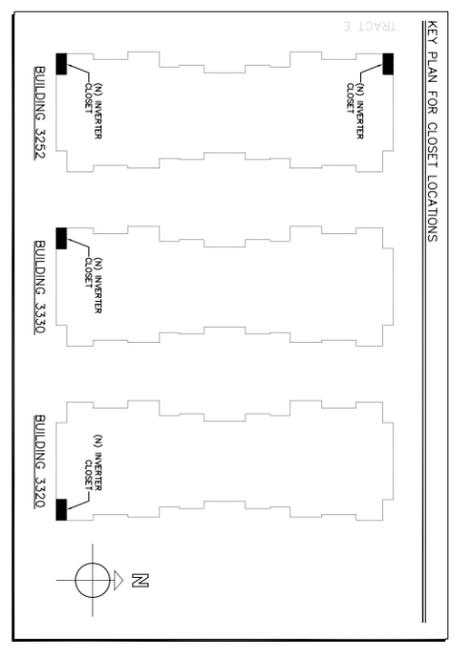
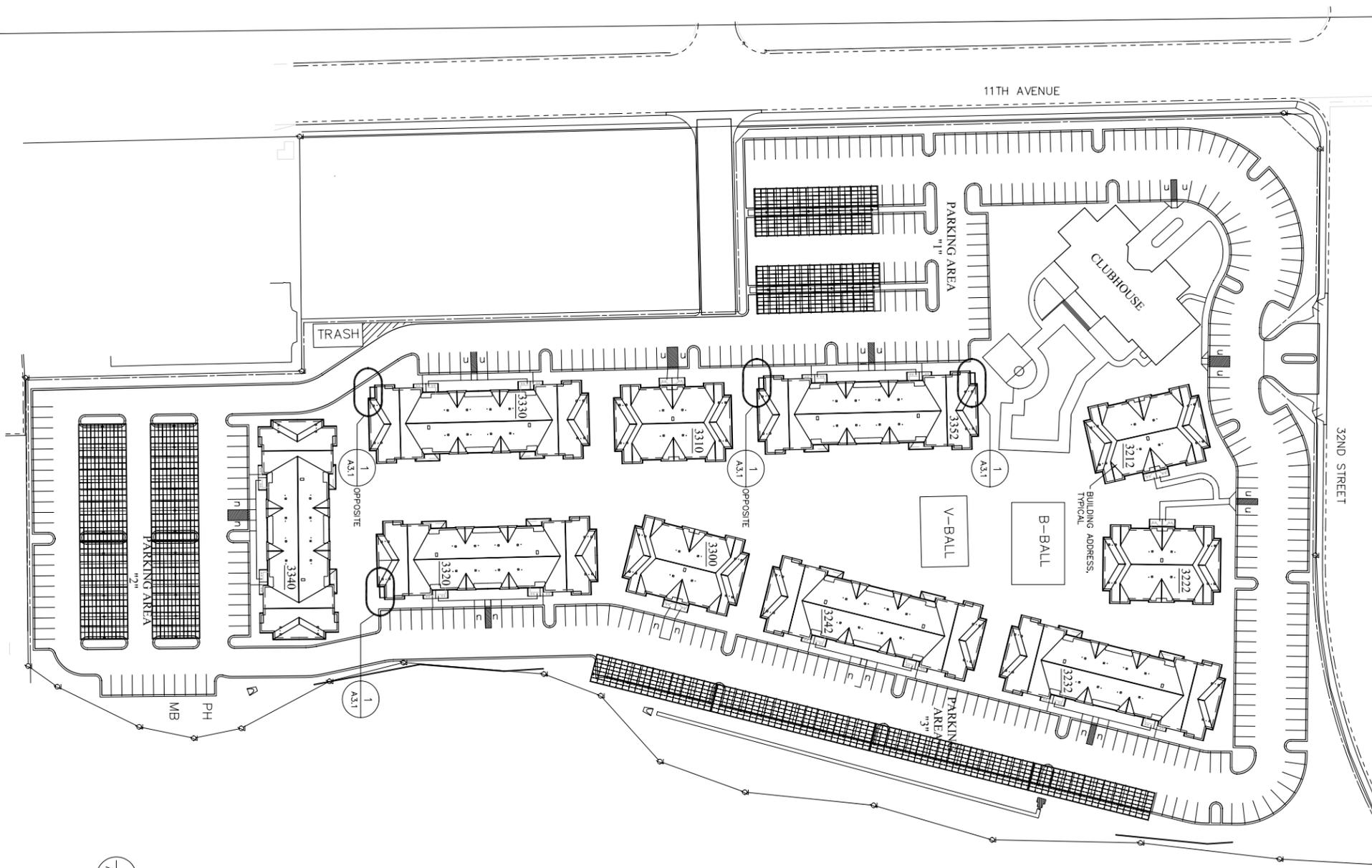


Sheet A1.3	ENLARGED SITE PLAN AT PARKING AREA "3"	THE GROVE EVANS, COLORADO 	date: DECEMBER 19, 2011	<small>NOTE: All drawings, specifications and other work products of gary b. coursey & associates architects inc. for this project are instruments of service for this project only and shall remain the property of gary b. coursey & associates architects inc. whether this project is completed or not. Copyright as of date of drawings.</small>	PRINTED	DATE	
			commission # 2011-94		drawn by: A. ELDRETH		
			checked by: G. COURSEY				



SECTION AT CANOPY
 1/2" = 1'-0"

sheet A2.1	CANOPY SECTIONS AND DETAILS	THE GROVE EVANS, COLORADO 	date: DECEMBER 19, 2011	NOTE: All drawings, specifications and other work products of gary b. coursey & associates architects inc. for this project are instruments of service for this project only and shall remain the property of gary b. coursey & associates architects inc. whether this project is completed or not. Copyright as of date of drawings.	PRINTED	DATE																	
		commission # 2011-94	drawn by: A. ELDRETH		checked by: G. COURSEY	<table border="1" style="width: 100%; height: 100%;"> <tr><td> </td><td> </td></tr> </table>																	



1/40.1
 1" = 50'-0"
 0 25' 50' 100'
 SCALE: 1" = 50'
OVERALL SITE PLAN

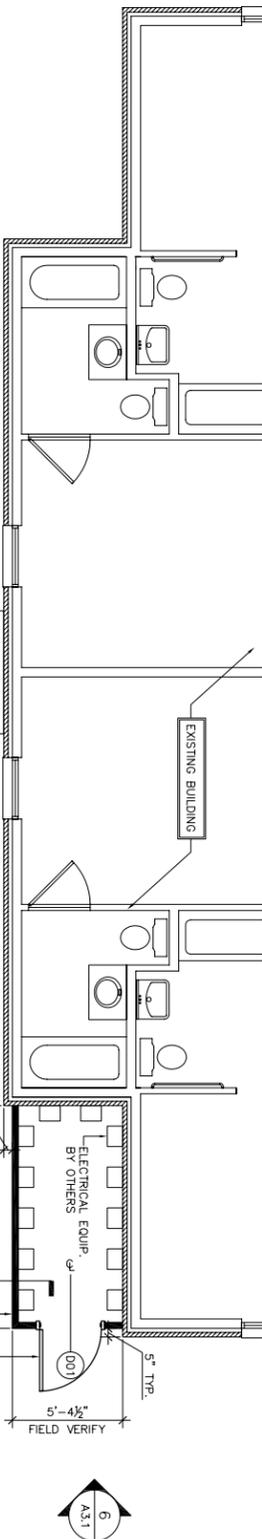
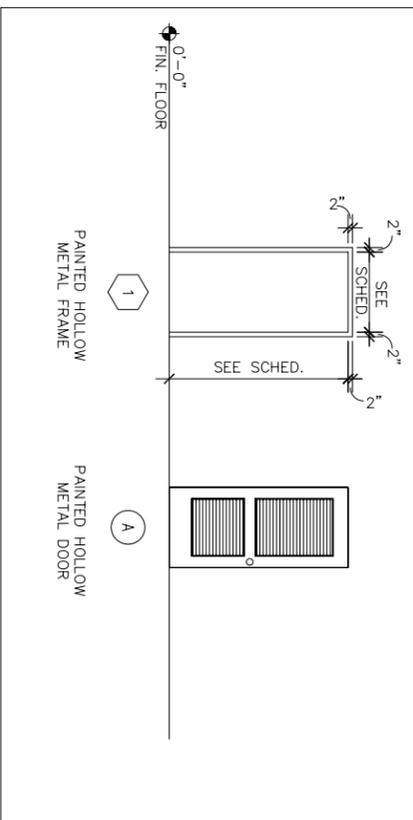


sheet A3.0	INVERTER CLOSET LOCATION KEY PLAN	THE GROVE EVANS, COLORADO 	date: DECEMBER 19, 2011	NOTE: All drawings, specifications and other work products of gary b. coursey & associates architects inc. for this project are instruments of service for this project only and shall remain the property of gary b. coursey & associates architects inc. whether this project is completed or not. Copyright as of date of drawings.	PRINTED	DATE	
			commission # 2011-94				
			drawn by: A. ELDRETH				
			checked by: G. COURSEY				

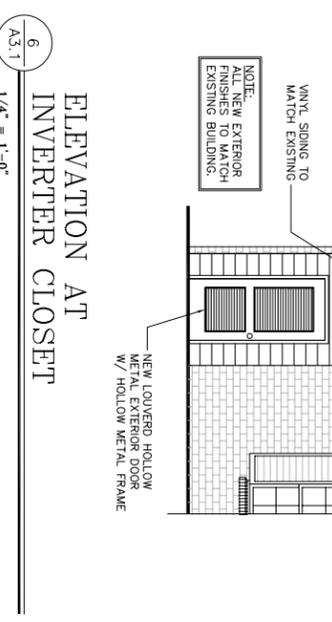
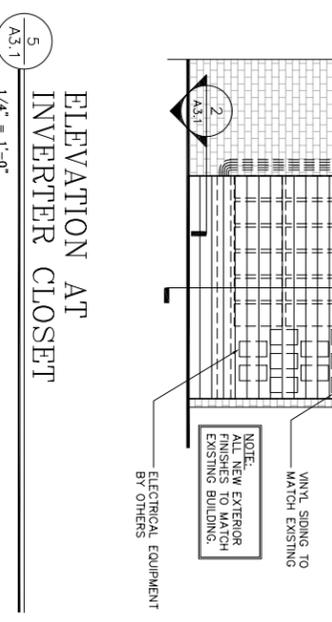
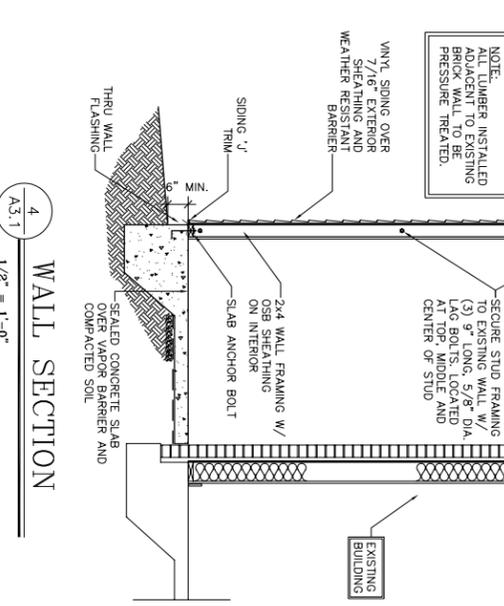
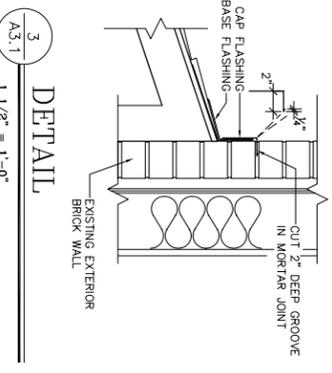
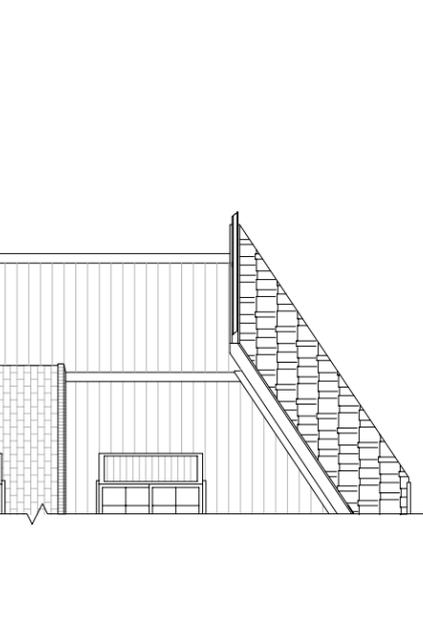
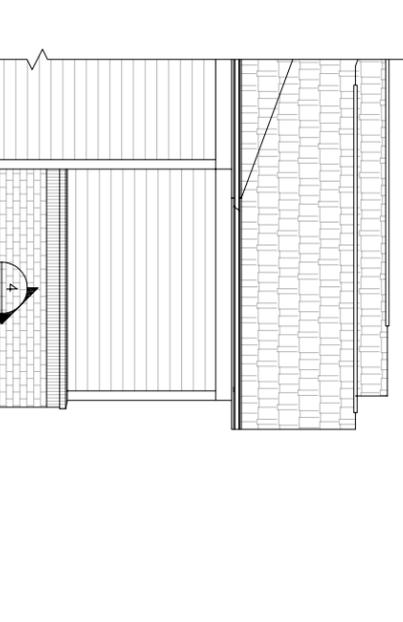
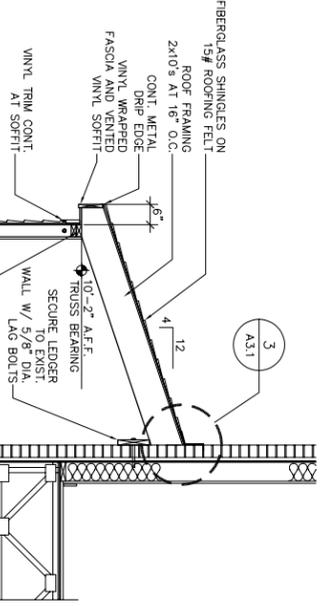
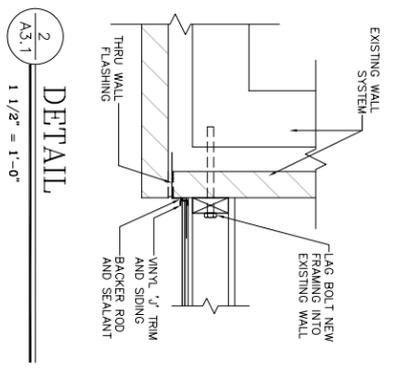
DOOR SCHEDULE

DOOR NO.	TYPE	W	H	T	MATERIAL	GLASS	LVR. TYPE	DETAILS			FIN. RTG.	REMARKS				
								J	S	SW						
D01	A	3'-0"	6'-8"	1 3/4"	HM	PT	---	YES	1	1/AS2	2/AA2	3/AS2	HM	PT	---	DECKING AND CLOSER

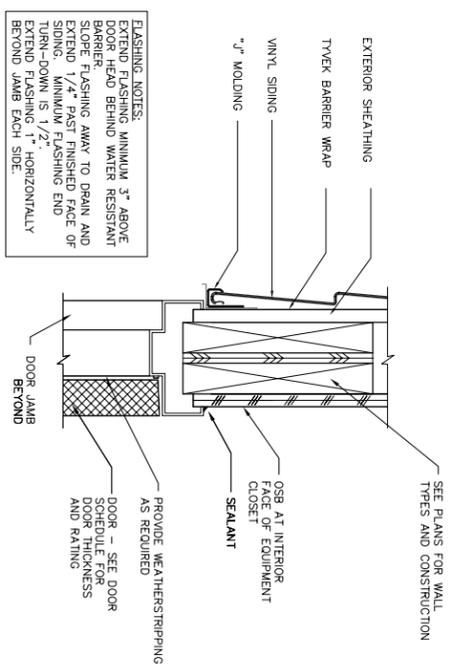
TYPICAL DOOR AND FRAME TYPE:



1 PLAN AT INVERTER CLOSET
A3.1
1/4" = 1'-0"

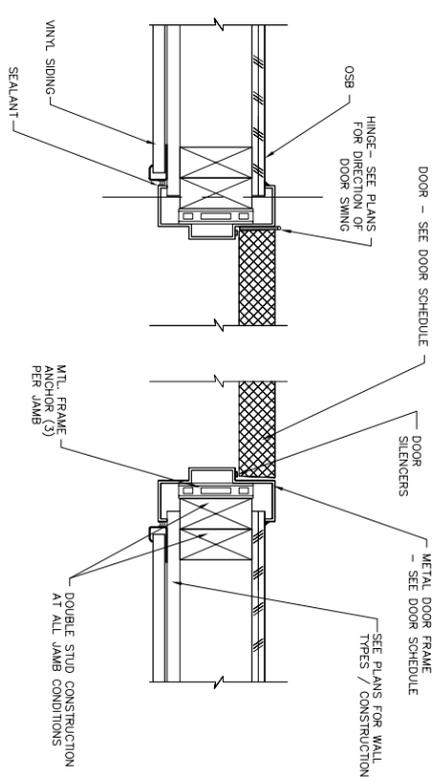


<p>sheet A3.1</p>	<p>INVERTER CLOSET PLANS, ELEVATIONS AND DETAILS</p>	<p>THE GROVE EVANS, COLORADO</p>	<p>CAMPUS CREST COMMUNITIES</p>	<p>date: DECEMBER 19, 2011</p>	<p>NOTE: All drawings, specifications and other work products of gary b. coursey & associates architects inc. for this project are instruments of service for this project only and shall remain the property of gary b. coursey & associates architects inc. whether this project is completed or not. Copyright as of date of drawings.</p>	<p>commission # 2011-94</p>	<p>PRINTED</p>	<p>DATE</p>
		<p>drawn by: A. ELDRETH</p>	<p>checked by: G. COURSEY</p>					



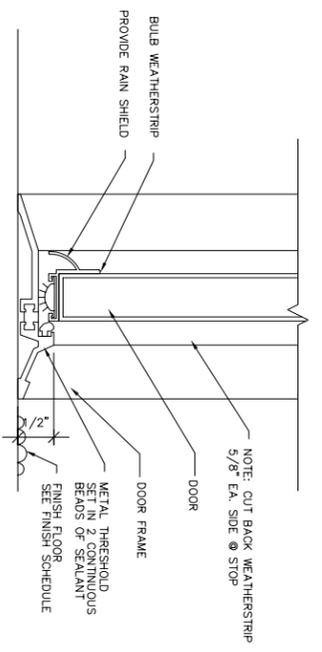
1
A3.2
3" = 1'-0"
EXT. DOOR HEAD - SIDING

NOTE: INSTALL HOUSE WRAP OVER ANY METAL FLASHING AND FASTENED WITH HOUSE WRAP TAPE, TYPICAL.



2
A3.2
3" = 1'-0"
EXT. DOOR JAMB - SIDING

NOTE: PROVIDE WEATHERSTRIPPING ON EXTERIOR DOORS AS REQUIRED.



3
A3.2
N.T.S.
DETAIL @ EXT. DOOR SILL

PRINTED	DATE

NOTE: All drawings, specifications and other work products of gary b. coursey & associates architects inc. for this project are instruments of service for this project only and shall remain the property of gary b. coursey & associates architects inc. whether this project is completed or not. Copyright as of date of drawings.

date:
DECEMBER 19, 2011

commission #
2011-94

drawn by:
A. ELDRETH

checked by:
G. COURSEY

THE GROVE
EVANS, COLORADO

MISCELLANEOUS
DETAILS

sheet
A3.2

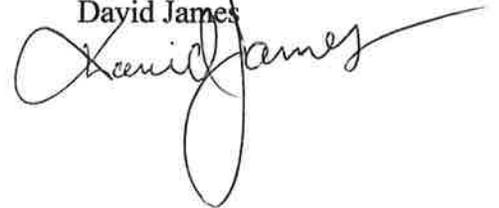
November 17, 2011

From: David James
3609 Sienna Ave.
Evans, CO 80620

To: Marty Schanwolf
City of Evans ZBA Chairman

Due to, my election to the Evans Fire Protection District Board on November 1, 2011 and to avoid any possible or perceived conflict of interest. It is with regret that I give my resignation from the City of Evans Zoning Board of Appeals.

Sincerely,
David James

A handwritten signature in cursive script that reads "David James". The signature is written in black ink and is positioned to the right of the typed name "David James".

Cc: Kim Bezt, Evans City Clerk



CITY OF EVANS, COLORADO
BOARD & COMMISSION APPLICATION

1100 37th Street - Evans, CO 80620
(970) 339-5344 FAX: (970) 330-3472

www.cityofevans.org

Place a check mark in the box next to the Board or Commission you are applying for:

- Parks and Recreation Commission
Water & Sewer Board
Planning Commission
Zoning Board of Appeals
Senior Advisory Board
Economic Development Advisory Council

Would you consider appointment to another Board or Commission other than the one listed above?
If so, please list according to priority

- 1
2
3
4

Please fill out the information below:

Name: MICHAEL A. BUCK
Address: 3602 MARIGOLD COURT
Home Phone: N/A Work Phone: 720.356.1451 Cell Phone: 970.590.2550
Email Address: MIKEABUCK@HOTMAIL.COM
Are you a resident of Evans? YES [checked] NO [] If yes, for how long? 15 YEARS

Tell us briefly about yourself, why you are interested in being appointed to this Board or Commission, and what specific talents or expertise you would bring to this Board or Commission if appointed?

I have served on the City's Transportation Advisory Board in the City of Greeley as the Evans Representative. I am interested in serving this community in a volunteer capacity and believe that I can bring a diverse background to this Board. I am currently a Contracting Officer for the Department of Energy and am involved with complex negotiations and providing interpretation of Agency regulations on a daily basis. I have personally gone through the variance process and have presented my rationale to the Town Board and the Zoning Board of Appeals while building a garage in the City.

Michael A. Buck

Signature

January 27, 2012

Date



BOARD & COMMISSION APPLICATION

1100 37th Street, Evans, CO 80620-2036
(970) 339-5344 FAX: (970) 330-3472
www.cityofevans.org

Place a check mark in the box next to the Board or Commission you are applying for

- Parks and Recreation Commission
- Water & Sewer Board
- Planning Commission
- Zoning Board of Appeals
- Senior Advisory Board

Would you consider appointment to another Board or Commission other than the one listed above?

If so, please list according to priority.

- 1. _____
- 2. _____
- 3. _____
- 4. _____

Name: John C Clark

Address: 5101 Dry Creek Road, Evans, X 80634

Home Phone: 330-5940 Work Phone: _____ Cell Number: _____

Email Address: jdclark1@live.com

Are you a resident of Evans? Yes No If yes, for how long? 5 years

Tell us briefly about yourself, why are you interested in being appointed to this Board or Commission, and what specific talents or expertise would you bring to this Board or Commission if you were appointed?

I am a retired heavy equipment operator and also was self employed for 10 years owning an excavation company in Wyoming. I served on the Greeley Streets and Transportation Advisory Board for 5 years. I was a member of Neville's Crossing ARC for one year. As a member of the Zoning Board of Appeals, I would bring honesty, fairness and a desire to uphold zoning codes.

Signature: John Clark

Date: 1-16-12