Case Name: Colby Pecos Lot Size Variance
Case Number: VSP2023-00014

June 16, 2023

The Adams County Board of Adjustment is requesting comments on the following application: **Variance to allow two 2.12 acre lots within the Agricultural-1 zone district where a minimum lot size of 2.5 acres is required.** This request is located at 15635 PECOS ST. The Assessor's Parcel Number is 0157309001008.

Owner Information:
RYAN COLBY
JACQUELINE COLBY
15635 PECOS ST
BROOMFIELD, CO 800237411

Please forward any written comments on this application to the Community and Economic Development Department at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 or call (720) 523-6800 by **07/13/2023** in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to DDeBoskey@adcogov.org.

Once comments have been received and the staff report written, the staff report may be forwarded to you upon request. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

David DeBoskey
Planner II
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.
Written Narrative of the Request and Hardship Statement:

For the property of 15635 Pecos Street, we the owners, Ryan and Jacquie Colby, request a variance that would allow us to subdivide the current 4.24 acres into two lots of greater than 2 acres each, while maintaining the current A-1 zoning.

The northern lot, on which our house is located, would remain as-is, with the exception of the relocation of the septic system and leach fields to the northwest of the current structure. The southern of these two lots would then be available for a new private, residential property to be built, with access points to Pecos Street. As the current property has access to public water through Mile High Water, both lots would have access to water. The southern lot would be able to develop its own septic system and leach fields for sewage.

Since the current zoning of our property is A-1, and the minimum lot size within A-1 is 2.5 acres, our physical hardship lies in the fact that our property is 4.24 acres and thus unable to be subdivided into lots larger than 2.12 acres.

We have also considered the option of rezoning from A-1 to RE; however, we have found that a variance is preferable both for us and for our neighbors. We have had six neighbors within 500 feet of our property express concern over the prospect of moving away from agricultural zoning. They feel that rezoning from A-1 to RE would set a precedent for other lots to undergo development that would disrupt the rural look and feel of the neighborhood. Receiving a variance would avoid this precedent and would therefore maintain the current “spirit” of the neighborhood. Additionally, neighbors have expressed concern over the patchwork that rezoning from A-1 to RE would create. Again, a variance would be a simple solution to avoid this patchwork.

Many other properties in our area—all of which are zoned A-1—enjoy lot sizes between 1 acre and 2.5 acres, including the lot directly north of us (2.27 acres), the lots directly south and west of us (on Quivas Street and Tejon Street, 2.17 acres to 2.28 acres), and the lots south and east of us (on Navajo Street, 1.08 acres to 1.19 acres). Receiving a variance in order to subdivide would allow us to enjoy the same rights as other properties in the same district (zoned A-1, between 1 acre and 2.5 acres) without conferring on us any additional special privileges that are not already enjoyed by other properties in our same district.

A variance for our property would be in harmony with the general purpose of the Adams County regulations and the Adams County Comprehensive Plan, as it would maintain the current zoning, which fits squarely under the future use plan of “Residential Low.” It would not pose any detriment to the public good, and would, in fact, allow us to promote the common good of our neighbors who prefer a variance over the precedent set by rezoning (see above).

If granted, a variance would allow us to maintain the current residential use of our property, would not result in any non-conforming use, and would not change the zone classification. It would simply allow us to enjoy the benefits of its current A-1 zoning while also enjoying two lots of greater than 2 acres each, in accordance with adjacent properties in our district.
All leach fields: 100x20 ft.