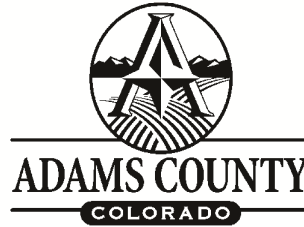


Community & Economic
Development Department
www.adcogov.org



4430 South Adams County Parkway
1st Floor, Suite W2000B
Brighton, CO 80601-8218
PHONE 720.523.6880
FAX 720.523.6967
EMAIL: epermitcenter@adcogov.org

REQUEST FOR COMMENTS

Case Name:	Aberle Magnolia Setback Variance
Case Number:	VSP2024-00017

May 9, 2024

The Adams County Board of Adjustment is requesting comments on the following application: **Variance to allow an accessory structure to be located 10 feet from a side property line where a minimum side setback of 20 feet is required within the Residential Estate zone district.** The address is 16688 Magnolia St. The Assessor's Parcel Number is 0157105102001. The applicant is: Michae Aberle, 16688 Magnolia St Brighton, CO 80602-6036

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 **May 30, 2024** 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 LCampbell@adcogov.org.

For further information regarding this case, please contact the Community and Economic Development Department, 4430 S. Adams County Pkwy., Brighton CO 80601, (720) 523-6800. 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/current-land-use-cases. Thank you for your review of this case.

A handwritten signature in cursive script that reads 'Lia Campbell'.

Lia Campbell
Planner II

BOARD OF COUNTY COMMISSIONERS

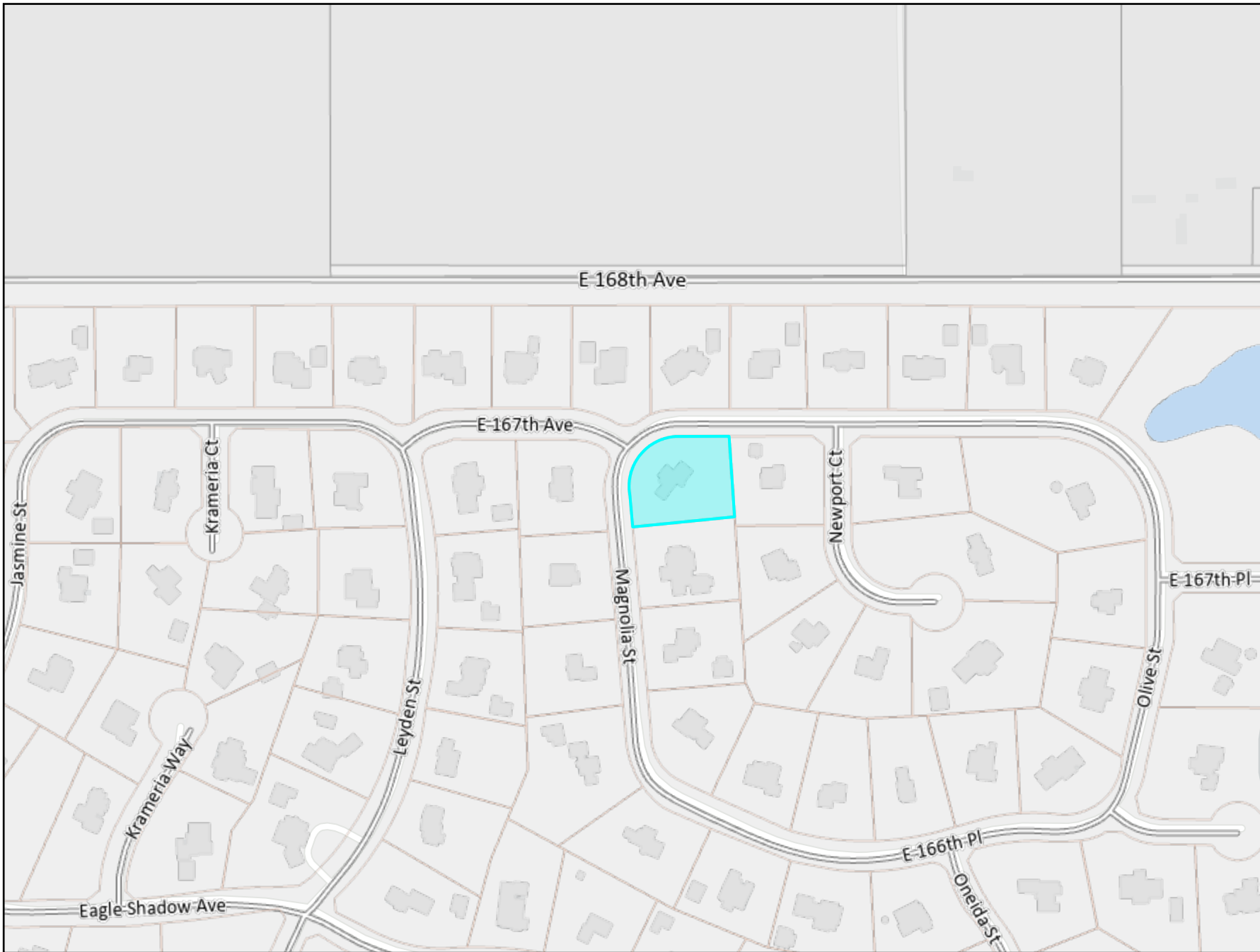
Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Emma Pinter
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Lynn Baca
DISTRICT 5



Legend

- +— Railroad
- Major Water
- Zoning Line
- Sections

Case Name Aberle Magnolia Setback Variance

Case Number VSP2024-00017





VARIANCE

A variance is a means whereby the literal terms of these standards and regulations need not be applied if there are practical difficulties or unnecessary hardships associated with the subject site. In granting a variance, the spirit of these standards and regulations shall be observed, public safety and welfare secured, and substantial justice done.

Please include this page with your submittal. Submittal instructions and more information about checklist items can be found on page 2.

- Development Application Form (pg. 3)
- Written Narrative
- Site Plan
- Proof of Ownership (warranty deed or title policy)
- Proof of Water and Sewer Services
- Legal Description - LISTED ON STATEMENT OF TAXES Pd.
- Statement of Taxes Paid

Number of Variance Requests:

A variance may only be approved from the dimensional requirements, performance standards, and other special physical requirements contained in the Adams County development standards and regulations.

Type of Variance Request:	# of Requests:
Setback: SIDE Set Back	1
Height:	
Lot Coverage:	
Other:	

Application Fees:	Amount:
Variance	\$500-residential \$700-non-residential *\$100 per each additional request

Guide to Development Application Submittal

This application shall be submitted electronically to epermitcenter@adcogov.org. If the submittal is too large to email as an attachment, the application may be sent as an unlocked Microsoft OneDrive link. Alternatively, the application may be delivered on a flash drive to the One-Stop Customer Service Center. All documents should be combined in a single PDF, although you may provide multiple PDFs to ensure no file exceeds 100 MB. Once a complete application has been received, fees will be invoiced and payable online at www.permits.adcogov.org.

Written Explanation:

- Answer the two questions on the attached Written Explanation for Variance Request form. Please answer these questions on a separate document and attach to your submittal.

Scaled Site Plan:

- A site plan prepared to-scale showing at minimum: the request, any existing or proposed structures, existing and proposed setbacks of structures, any hardship, location of well, location of septic field, location of easements, surrounding rights-of-way, north arrow.
- Site plan may be hand-drawn.

Proof of Ownership (warranty deed or title policy):

- A deed may be found in the Office of the Clerk and Recorder; or
- A title commitment is prepared by a professional title company

Proof of Water and Sewer:

- Public utilities - A written statement from the appropriate water & sanitation district indicating that they will provide service to the property OR a copy of a current bill from the service provider.
- Private utilities - Well permit(s) information can be obtained from the Colorado State Division of Water Resources at (303) 866-3587. A written statement from Adams County Health Department indicating the viability of obtaining Onsite Wastewater Treatment Systems.

Legal Description:

- Geographical description used to locate and identify a property.

Statement of Taxes

- All taxes on the subject property must be paid in full. Please contact the Adams County Treasurer's Office.
- Or adcotax.com

DESCRIPTION OF SITE

Address: 16688 MAGNOLIA ST.

City, State, Zip: BRIGHTON, CO 80602

Area (acres or square feet): 1.002 ACRES

Tax Assessor Parcel Number: 0157105102001

Existing Zoning: ADAMS COUNTY R-E

Existing Land Use: RESIDENTIAL

Proposed Land Use: RESIDENTIAL

Have you attended a Conceptual Review? YES NO

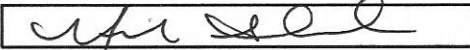
If Yes, please list PRE#:

I hereby certify that I am making this application as owner of the above-described property or acting under the authority of the owner (attached authorization, if not owner). I am familiar with all pertinent requirements, procedures, and fees of the County. I understand that the Application Review Fee is non-refundable. All statements made on this form and additional application materials are true to the best of my knowledge and belief.

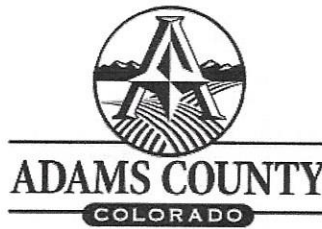
Name: MICHAEL ABERLE

Date:

Owner's Printed Name

Name: 

Owner's Signature



DEVELOPMENT APPLICATION FORM

APPLICANT

Name(s): Phone #:
Address:
City, State, Zip:
2nd Phone #: Email:

OWNER

Name(s): Phone #:
Address:
City, State, Zip:
2nd Phone #: Email:

TECHNICAL REPRESENTATIVE (Consultant, Engineer, Surveyor, Architect, etc.)

Name: Phone #:
Address:
City, State, Zip:
2nd Phone #: Email:

Written Narrative for Variance Request

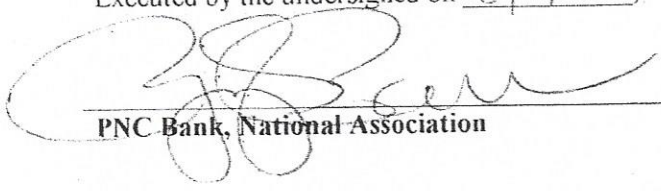
- Which dimensional standard(s), performance standard(s), or physical requirement(s) cannot be met? (Include code section reference from [Adams County Standards and Regulations](#))
Reach out to the Planner of the Day (cedd-plan@adcogov.org) if you have any questions.

Side Setback – 20' from property Line: Property is in a pie shape with no distinct rear or side property lines. Both of the side property lines are equally the rear or side of the property. The east side property line is listed as the side with a 20' setback, and the south side property line is listed as the rear with a 10' setback. Outbuilding is proposed along the East side with a 20' setback.

- Why are you unable to meet this standard?

Many mature trees and landscaping would have to be sacrificed in order to comply with the 20' setback (23 year old Ash and Pine trees over 30' tall with 15"-20" trunks). If the setbacks were opposite on the property lines, there would be no issues with the outbuilding encroaching on the mature trees. The east side of the property is the only location on the property that will allow for the outbuilding to be built.

Executed by the undersigned on 8/7, 2012:



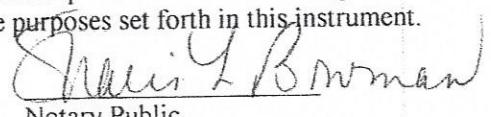
PNC Bank, National Association

By: Peggy S. Parks, Officer
PNC Bank, National Association

Its: _____

STATE OF OHIO
COUNTY OF Butler

The foregoing instrument was acknowledged before me on 8/7, 2012 by PEGGY S. PARKS its OFFICER on behalf of **PNC Bank, National Association**, who is personally known to me or has produced _____ as identification, and furthermore, the aforementioned person has acknowledged that his/her signature was his/her free and voluntary act for the purposes set forth in this instrument.



Notary Public

This instrument prepared by:
Jay A. Rosenberg, Esq., Rosenberg LPA, Attorneys At Law, 7367A E. Kemper Road,
Cincinnati, Ohio 45249 (513) 247-9605 Fax: (866) 611-0170 and Ruth Burull Dreher, Esq.,
Attorney at Law, Member of the Colorado Bar.



SHARI L. BOWMAN
Notary Public, State of Ohio
My Commission Expires
May 18, 2013

Commitment Number: 307892
Seller's Loan Number: 655701

After Recording Return To:
NationalLink
300 Corporate Center Drive, Suite 300
Moon Twp, PA 15108

PROPERTY APPRAISAL (TAX/APN) PARCEL IDENTIFICATION NUMBER
0157105102001

SPECIAL WARRANTY DEED

PNC Bank, National Association, whose mailing address is 620 Liberty Ave., Pittsburgh, PA 15222, hereinafter grantor, for \$465,000.00 (Four Hundred and Sixty-Five Thousand Dollars and no Cents) in consideration paid, **sells and conveys** with covenants and will only warrant the title against all persons claiming under the Grantor(s) to **Michael V. Aberle** married and **Ingrid Aberle** married, hereinafter grantees, whose tax mailing address is 16688 Magnolia St, the following real property:

Brighton CO 80602
All that certain parcel of land situate in the County of Adams and State of Colorado, being described as follows:

Lot 1, Block 9, Eagle Shadow Subdivision, County of Adams, State of Colorado.

Property Address is: 16688 Magnolia St., Brighton, CO 80602

Seller makes no representations or warranties, of any kind or nature whatsoever, other than those set out above, whether expressed, implied, implied by law, or otherwise, concerning the condition of the title of the property prior to the date the seller acquired title.

The real property described above is conveyed subject to the following: All easements, covenants, conditions and restrictions of record; All legal highways; Zoning, building and other laws, ordinances and regulations; Real estate taxes and assessments not yet due and payable; Rights of tenants in possession.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title interest, lien equity and claim whatsoever of the said grantor, either in law or equity, to the only proper use, benefit and behalf of the grantees forever.

The actual consideration for this conveyance is \$465,000.00.

State Documentary fee of \$46.50

REQUEST FOR FULL RELEASE OF DEED OF TRUST AND RELEASE BY HOLDER OF THE EVIDENCE OF DEBT WITHOUT PRODUCTION OF EVIDENCE OF DEBT PURSUANT TO § 38-39-102(1) (a) AND (3), COLORADO REVISED STATUTES.



July 22, 2019	Date
MICHAEL V ABERLE AND INGRID ABERLE A/K/A INGRID D ABERLE	Original Grantor(s) (Borrower(s))
<input checked="" type="checkbox"/> Check here if current address is unknown Property Address: 16688 MAGNOLIA STREET, BRIGHTON, CO 80602	Current Address of Original Grantor, Assuming Party, or Current Owner
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR CORNERSTONE MORTGAGE COMPANY, ITS SUCCESSORS AND ASSIGNS	Original Beneficiary (Lender)
August 28, 2012 / August 30, 2012	Date of Deed of Trust / Date of Recording
ADAMS / Volume/Book Page Document 2012000064639	County / Recording Information of Deed of Trust (and, if applicable, Re-recording)
County Rept. No. and/or Film No. and/or Book/Page No. and/or Torrens Reg. No.	


TO THE PUBLIC TRUSTEE OF ADAMS COUNTY, COLORADO (The County of the Public Trustee who is the appropriate grantee to whom the above Deed of Trust should grant an interest in the property described in the Deed of Trust.)
PLEASE EXECUTE AND RECORD A RELEASE OF THE DEED OF TRUST DESCRIBED ABOVE. The indebtedness secured by the Deed of Trust has been fully or partially paid and/or the purpose of the Deed of Trust has been fully or partially satisfied in regard to the property encumbered by the Deed of Trust as described therein as to a full release or, in the event of a partial release, only that portion of the real property described as:

(IF NO LEGAL DESCRIPTION IS LISTED THIS WILL BE DEEMED A FULL RELEASE.)

Pursuant to § 38-39-102 (3), Colorado Revised Statutes, in support of this Request for Release of Deed of Trust, the undersigned, as the owner of the evidence of debt secured by the Deed of Trust described above, or a Title Insurance Company authorized to request the release of a Deed of Trust pursuant to § 38-39-102 (3) (c), Colorado Revised Statutes, in lieu of the production or exhibition of the original evidence of debt with this Request for Release, certifies as follows:


- The purpose of the Deed of Trust has been fully or partially satisfied.
- The original evidence of debt is not being exhibited or produced herewith.
- It is one of the following entities (check applicable box):
 - The holder of the original evidence of debt that is a qualified holder, as specified in § 38-39-102 (3) (a), Colorado Revised Statutes, that agrees that it is obligated to indemnify the Public Trustee for any and all damages, costs, liabilities, and reasonable attorney fees incurred as a result of the action of the Public Trustee taken in accordance with this Request for Release;
 - The holder of the evidence of debt requesting the release of a Deed of Trust without producing or exhibiting the original evidence of debt that delivers to the Public Trustee a Corporate Surety Bond as specified in § 38-39-102 (3) (b), Colorado Revised Statutes; or
 - A Title Insurance Company licensed and qualified in Colorado, as specified in § 38-39-102 (3) (c), Colorado Revised Statutes, that agrees that it is obligated to indemnify the Public Trustee for any and all damages, costs, liabilities, and reasonable attorney fees incurred as a result of the action of the Public Trustee taken in accordance with this Request for Release.

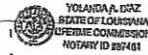
JPMORGAN CHASE BANK, N.A.
Name of the Holder of the Evidence of Debt Secured by Deed of Trust (Lender)
DONNA ACREE, Vice President, 700 Kansas Lane, Monroe, LA 71203
Name, Title, and Address of Officers of the Holder of the Evidence of Debt Secured by Deed of Trust (Lender)


DONNA ACREE
Vice President

STATE OF Louisiana
COUNTY/PARISH OF OUACHITA

On July 22, 2019, before me appeared DONNA ACREE, to me personally known, who did say that s/he/they are the Vice President of JPMORGAN CHASE BANK, N.A. and that the instrument was signed on behalf of the corporation (or association), by authority from its board of directors, and that s/he/they acknowledged the instrument to be the free act and deed of the corporation (or association).

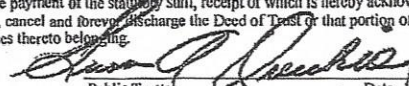

YOLANDA A. DIAZ - 87401, Notary Public
LIFETIME COMMISSION



RELEASE OF DEED OF TRUST

WHEREAS, the Grantor(s) named above, by Deed of Trust, granted certain real property described in the Deed of Trust to the Public Trustee of the County referenced above, in the State of Colorado, to be held in trust to secure the payment of the indebtedness referred to therein; and
WHEREAS, the indebtedness secured by the Deed of Trust has been fully or partially paid and/or the purpose of the Deed of Trust has been fully or partially satisfied according to the written request of the holder of the evidence of debt or Title Insurance Company authorized to request the release of the Deed of Trust;
NOW THEREFORE, in consideration of the premises and the payment of the statutory sum, receipt of which is hereby acknowledged, the Public Trustee in the County named above, do hereby fully and absolutely release, cancel and forever discharge the Deed of Trust or that portion of the real property described above in the Deed of Trust, together with all privileges and appurtenances thereto belonging.

(Public Trustee's Seal)
(Public Trustee use only, use appropriate label)


Public Trustee Date
JUL 26 2019
Deputy Public Trustee Date



Prepared by/Record and Return-to: Lien Release, JPMorgan Chase Bank, N.A., 700 Kansas Lane, Mail Code LA4-3120, Monroe, LA 71203 Telephone Nbr: 1-866-756-8747, Loan Number: 1143532254, Outbound Date: 07/19/19 MERS Phone: 1-888-679-6377 MERS Address: P.O. Box 2026, Ft. Smith, AR 72903-2026 MERS MIN: 100177058300006700



10450 East 159th Court
Brighton, CO 80602

ABRELE, MICHAEL
16688 Magnolia St.
Brighton, CO 80602

Customer Number
229004
Due Date
3/15/2024
Amount Due
\$146.23

Account Number
229004

Customer Name
ABRELE, MICHAEL

SERVICE ADDRESS
16688 Magnolia St.

Meter Number	Read Dates		Read Type	Meter Readings		Multiplier	Usage
	Present	Previous		Present	Previous		
52141715	02/19/2024	01/17/2024	Water Usage - Potable	1687	1679		8000
65656372	02/19/2024	01/17/2024	Irrigation - Non-Potable	4163	4163		0

Message:
New Online Payment System

BILL DETAILS

Water Usage - Potable	8000	58.48
Fixed Monthly Charge		57.75
Conserv Water Fee - Potable	8000	15.00
Reserve Fee		15.00
Previous Balance		\$128.61
Payments		\$128.61CR
Current Charges		\$146.23
Adjustments		\$0.00
Total Amount Due		\$146.23
Due Date		3/15/2024



ADAMS COUNTY COLORADO

TREASURER'S OFFICE RECEIPT OF PAYMENT

Account	Parcel Number	Receipt Date	Receipt Number
R0126208	0157105102001	Mar 5, 2024	2024-03-05-NetVantage-13012

ABERLE MICHAEL V AND
 16688 MAGNOLIA ST
 BRIGHTON, CO 80602-6036

Situs Address	Payor
---------------	-------

16688 MAGNOLIA ST

Legal Description

SUB:EAGLE SHADOW BLK:9 LOT:1

Property Code	Actual	Assessed	Year	Area	Mill Levy
RES IMPRV LAND - 1112	215,000	13,690	2023	211	126.26
SINGLE FAMILY RES - 1212	894,000	56,930	2023	211	126.26

Payments Received	
Check	\$8,916.48
Check Number 00050012	

Payments Applied					
Year	Charges	Billed	Prior Payments	New Payments	Balance
2023	Tax Charge	\$8,916.48	\$0.00	\$8,916.48	\$0.00
				\$8,916.48	\$0.00
Balance Due as of Mar 5, 2024					\$0.00

ALL CHECKS ARE SUBJECT TO FINAL COLLECTION. THANK YOU FOR YOUR PAYMENT!

EMAIL: treasurer@adco.gov | PHONE: 720.523.6160 | WEBSITE: www.adcotax.com



**ABERLE HOME IMPROVEMENTS
OUTBUILDING**

16688 MAGNOLIA STREET
BRIGHTON, CO 80602

PROFESSIONAL SEAL:

DRAWN BY:

LACIE AUDO
ARCHITECTURAL CONSULTANT

PHONE: 701-281-1330
LACIE@AUDO-ARCH.COM
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ISSUE DATE: 8-18-2022

REVISIONS		
REV. #	DATE	TITLE

SHEET NAME:
SITE PLAN

SHEET NUMBER:
02

