



Community Development & Neighborhood Services

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www.fcgov.com/development

ZONING BOARD OF APPEALS

City Council Chambers - 300 LaPorte Ave

Thursday, December 12, 2013 - 8:30 a.m.

SUMMARY AGENDA

Roll Call

Approval of the Minutes from the previous meeting

Appeal: 2751 3032 Denver Dr.

The variance will reduce the minimum required street side setback from 15 feet to 10 feet along Des Moines Drive to allow a new house to be constructed on this corner lot.

Code Sections: 3.5.2(E)(2)

Petitioner: Journey Homes

Zoning District LMN

Other Business:

FORT COLLINS ZONING BOARD OF APPEALS Regular Meeting – October 3, 2013 8:30 a.m.	
Council Liaison: Gino Campana	Staff Liaison: Peter Barnes (416-2355)
Chairperson: Michael Bello	

A regular meeting of the Zoning Board of Appeals was held on Thursday, October 3, 2013 at 8:30 a.m. in the Council Chambers at 300 LaPorte Ave., Fort Collins, Colorado.

BOARD MEMBERS PRESENT:

Daphne Bear
 Michael Bello
 Bob Long
 Dana McBride
 John McCoy
 Heidi Shuff

Absent: None

STAFF MEMBERS PRESENT:

Peter Barnes, Zoning Administrator
 Marcha Hill, Staff Support to the Board
 Paul Eckman, Deputy City Attorney

1. **ROLL CALL**

The meeting was called to order and roll call was taken.

2. **APPROVAL OF SEPTEMBER 12, 2013 MINUTES**

Vote:

Yeas: McCoy, Bear, Shuff, Bello, McBride

Nays:

Abstain: Long

3. **APPEAL NO. 2750** – Approved

Address 619 Whedbee St.
 Petitioner Steve Boxwell
 Zoning District NCM
 Code Section 4.8(D)(3)
 Justification See petitioner's letter

PROJECT DESCRIPTION:

Request for Variance to Sections 4.8(D)(3) - rear floor area ratio

The variance requested will increase the allowed floor area ratio in the rear half of the lot from .33 to .4. The variance is requested in order to allow the construction of a new, 394 square foot one-story, one car garage/laundry room addition at the northwest corner of the house. The total floor area of the house with the addition will comply with the allowed overall lot area to floor area ratio and will comply with all applicable setback standards.

STAFF PRESENTATION:

Barnes stated he did not receive any letters or phone calls regarding this appeal. He showed slides relevant to the application and noted the lot does not go all the way back to the alley and

therefore does not have alley access. Additionally, this lot is 95 feet in depth in comparison to most other lots in the area, which are 190 feet deep.

Barnes stated the addition could be moved forward in order to come into compliance; however, that would cover a window and require the relocation of mechanical components and a cellar door.

Bello asked if the proposal is for an oversized one car garage. Barnes replied in the affirmative noting a laundry room will also be part of the new structure.

Long asked if a curb cut exists. Barnes replied in the negative but noted a street curb cut is allowed because there is no alley access.

APPLICANT PARTICIPATION:

Steve Boxwell, 619 Whedbee St., stated the problem with complying with the rear lot square footage is that the cellar door to mechanical components would be inaccessible. He showed the Board a model of the proposed addition and noted the proposal has been approved by the Historic Preservation Board, though it is not on the Historic Registry. Mr. Boxwell discussed the proposed materials for the addition and stated his neighbors have no objections.

Long asked if only on-street parking currently exists. Mr. Boxwell replied in the affirmative and noted his cellar is the only place for storage.

Nancy Boxwell, 619 Whedbee St., stated the garage would be extremely prominent if constructed to Code and stated the proposal would be much more aesthetically pleasing.

AUDIENCE PARTICIPATION: None

BOARD DISCUSSION:

Bear stated the appeal easily meets the hardship requirement.

Shuff agreed and stated the model provided a good explanation.

Bear made a motion, seconded by Shuff, to approve Appeal No. 2750 for the following reasons: the granting of the variance would not be detrimental to the public good and there are exceptional physical conditions: size and depth of the lot and the location of the existing house.

Vote:

Yeas: McCoy, Bear, Shuff, Bello, McBride, Long

Nays:

Abstain:

OTHER BUSINESS

McBride asked if there are Code requirements which preclude someone from subdividing a 10,000 square foot lot and constructing a house on the alley. Barnes replied the Code does not allow lot subdividing; however, the lots could be under the same ownership or made as a condominium.

McBride asked if staff has seen a steady stream of additions and remodels in the Old Town area. Barnes replied in the affirmative.

McBride asked about the status of the East Side/West Side regulations. Barnes replied the regulations are in effect and noted none of the types of additions requiring expanded notification have been submitted.

Barnes stated there are no applications for the November meeting at this point. He noted Peter Bohling has resigned from the Board but the vacancy will likely not be filled until January.

Barnes discussed the November Boards and Commissions appreciation dinner.

McCoy asked about the notification area for affected property owners. Barnes replied the 500 foot radius is triggered by the construction of a new 2-story house adjacent to a single-story house, or a second floor addition over a certain size that is adjacent to a lot with a single-story house. This particular application has a 150 foot notification radius. Additionally, there is no notification requirement for additions not requiring appeals.

The meeting adjourned at 8:54 am

Michael Bello, Chairperson

Peter Barnes, Zoning Administrator



ZONING BOARD OF APPEALS

City Council Chambers - 300 LaPorte Ave

Thursday, December 12, 2013 - 8:30 a.m.

AGENDA

Appeal 2751

Address 3032 Denver Dr.
Petitioner Journey Homes
Zoning District LMN
Code Section 3.5.2(E)(2)
Justification See petitioner's letter

PROJECT DESCRIPTION:

Request for Variance to Sections 3.5.2(E)(2) – street side setback

The variance will reduce the minimum required street side setback from 15 feet to 10 feet along Des Moines Dr.

The variance is requested in order to allow the construction of a new house on this 45 foot wide corner lot.

RECOMMENDATION: Approval with condition

STAFF COMMENTS:

1. **Background:**

This lot is located in the Rigden Farm Filing 6 development. The development was approved in 2004, and building lots have recently been sold off to a number of builders. Journey Homes purchased some of the lots, including the one which is the subject of this variance request. This corner lot was platted with a width of only 45 feet wide.

2. **Applicant's statement of justification:** See Petitioner's letter

3. **Staff Conclusion and Findings:**

Under Section 2.10.2(H), Staff recommends approval of the variance request to reduce the street side setback along Des Moines Dr. to 10 feet, and finds that:

- The granting of the variance for the addition would not be detrimental to the public good, and
- The hardship standard is satisfied due to the narrow 45 foot lot width for a corner lot. This lot is one of 32 contiguous narrow lots. All but this one are interior lots, and all of the interior lots are platted at a 40 foot width to accommodate a 30 foot wide house. This lot is the only corner lot and it is 5 feet wider than the other lots, but because of the 15 foot street side setback requirement, it can only accommodate a 25 foot wide house. A house designed to fit on this lot without the need for a variance would be out of character with the other houses in Rigden Farm.

- The proposed house for this lot is a two-story house with a one-story high wall on the building side facing Des Moines Dr. This architectural detail helps to mitigate the reduced setback

RECOMMENDATION:

Staff recommends approval of Appeal #2751, with the condition that the house be constructed on this lot with the one-story high wall facing Des Moines Dr.

OTHER BUSINESS:

AGENDA

Fort Collins Zoning Board of Appeals
Council Chambers, City Hall West, 300 LaPorte Ave
Regular Meeting – December 12, 2013 at 8:30 a.m.

Appeal: 2751

3032 Denver Dr.

Supporting documentation

- Applicant's application for variance
- Applicant's written statement
- Architectural drawings and plot plan
- Letters to Adjacent Property Owners (APO's)
- List of names and mailing addresses of adjacent property owners within 150 feet of variance request address



read \$35-50
11-6-13

Planning, Development and
Transportation Services
Current Planning
281 N. College Ave.
PO Box 580
Fort Collins, CO 80522-0580
970.221.6750
970.224.6134 - fax
fcgov.com/currentplanning

**Appeal for Modification of Zoning Ordinance to
the Zoning Board of Appeals**

Appeal Number 2751

Meeting Date Thursday, December 12, 2013 300 Laporte Ave. Council Chambers, 8:30 am

Petitioner must be present at the meeting.

When a building or sign permit is required for any work for which a variance has been granted, the permit must be obtained within six months of the date of the variance. Any extension of this six month time limit must be stipulated by the Zoning Board of Appeals at the time the variance is granted.

Address	3032 Denver Dr	Petitioner:	Journey Homes
City	Fort Collins State CO	Petitioner Is:	Owner
ZipCode	80525	Phone Number	(970) 352-7072
Owner:	Journey Homes	Petitioners Address	7251 W 20th Street, Building L, Ste 200, Greeley,
Code Section(s)	3.5.2(E)(2)		
Job Status	Not Started		

Zoning District LMN

Description: The variance will reduce the minimum required street side setback from 15 feet to 10 feet along Des Moines Drive to allow a new house to be constructed on this corner lot.

Hardship See petitioner's letter



VARIANCE REQUEST

Lot 162, Rigden Farm – Filing Six
3032 Denver Drive

Journey Homes, LLC is requesting a 5' side setback variance for the property legally described as at Lot 162, Rigden Farm – Filing Six.

- Lot 162 is only 45' wide.
- The side yard setback is 5' and the side street setback is 15' leaving the width of building envelope of only 25.'
- The resulting house plan would need to be 25' wide and would not fit with the surrounding community and architecture.
- Variance requested for the TS2004 plan.
- The TS2004 is our most narrow plan and fits on Lot 162 but requires a side setback variance. We believe this design is compatible to the existing homes.
- The 5' reduction in side setback variance will not diverge from the standards of the Land Use Code except in a nominal, inconsequential way when considering the context of the neighborhood.



LEFT ELEVATION

SCALE: 1/4" = 1'-0"
W.O. 13112



FRONT ELEVATION

SCALE: 1/4" = 1'-0"
W.O. 13112

TYPICAL EXTERIOR TRIM PACKAGE AS SHOWN ON ELEVATIONS

- 30 YEAR ARCHITECTURAL CLASS A ASPHALT SHINGLE
- SINGLE HARDBOARD GABLE FACE FRONT TWO SIDINGS FRONT ELEVATIONS
- 1" X 8 FASID ALL AROUND WITH ROOF EDGE FLASHING
- 12" OVERHANG, TYPICAL 3/8" HARDBOARD SOFFIT WITH VENTS AS REQ.
- CORNER TRIM 1" X 4 WITH 1" X 4
- 10" WIDE BAND BOARD AT EACH FLOOR, ALL ELEVATIONS
- WINDOW/DOOR TRIM 1" X 4 SIDES AND BOTTOM 1/4" TOP
- GARAGE TRIM 1X10 TOP
- 7" REVEAL ONE/PLANK LAP SIDING
- CULTURED STONE AS SHOWN ON ELEVATIONS
- 10" X 10" DECORATIVE STRUCTURAL COLUMNS TYP. WHERE SHOWN

VERIFY GARDEN LEVEL AND WALKOUT BASEMENT REQUIREMENTS BY SITE SPECIFIC FOUNDATION PLAN AND SITE GRADING. GRADING SHALL PROVIDE 30" MIN. PROTECT. PROTECTION TO BOTTOM OF FOOTER (TYP.)

NOTE: PROVIDE GUTTER & DOWNSPOUTS WITH MINIMUM 4'-0" TROUTS



RIGHT ELEVATION

SCALE: 1/4" = 1'-0"
W.O. 13122



REAR ELEVATION

SCALE: 1/4" = 1'-0"
W.O. 13122

Journey Homes
Building Your Future Together
7251 West 20th Street, Building L, Suite 200, Greeley, Colorado 80634
Journey Homes 970 330 5480 Fax 970 330 5357

RICHMOND ASSOCIATES
Architects / Planners
4851 BRENTWOOD DRIVE
FT. COLLINS, CO 80524
(970) 224-3149
FAX (970) 224-0070

MODEL
TS 2004

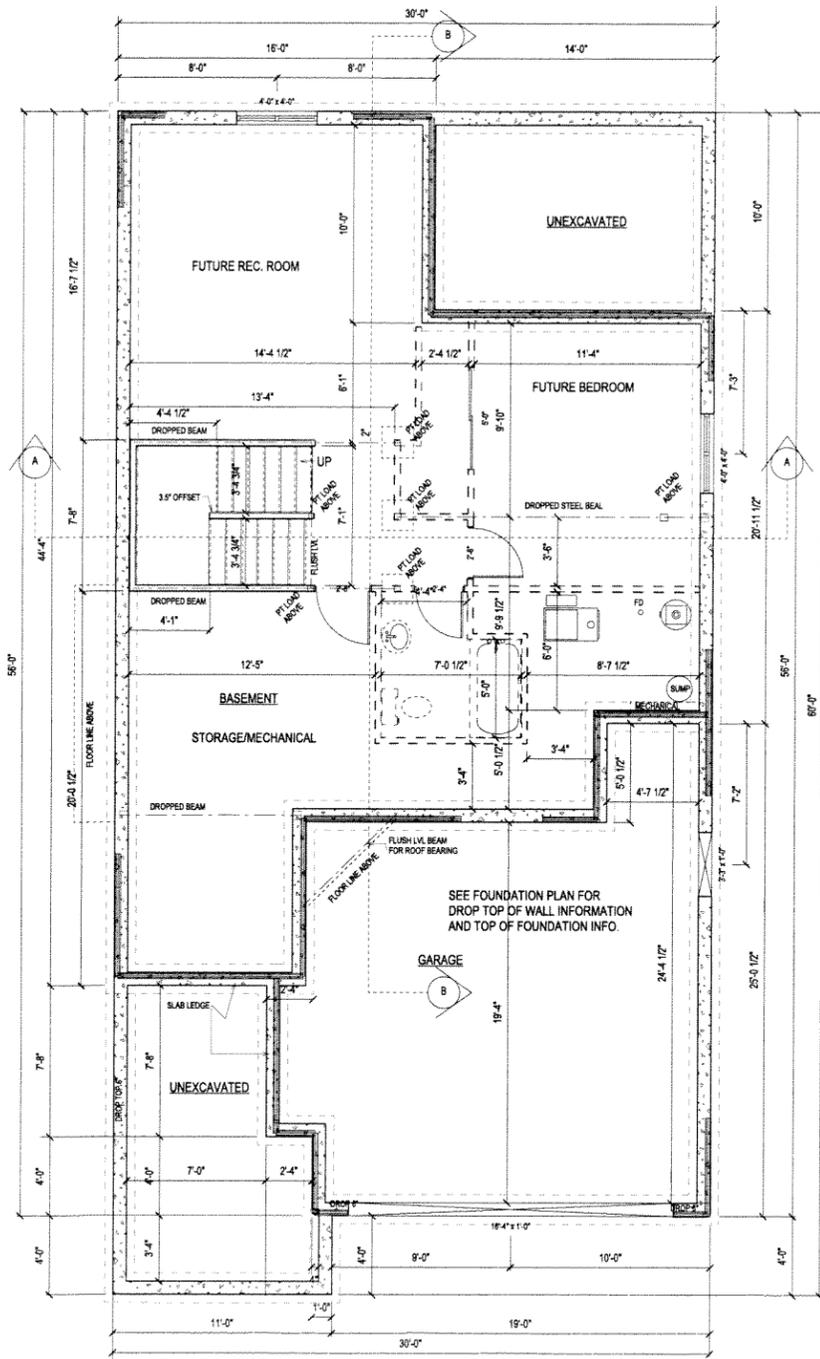


Sheet Title
ELEVATIONS

Drawn By: DLR
Checked By: MF
Approved By: MF
Issued: September 27, 2013

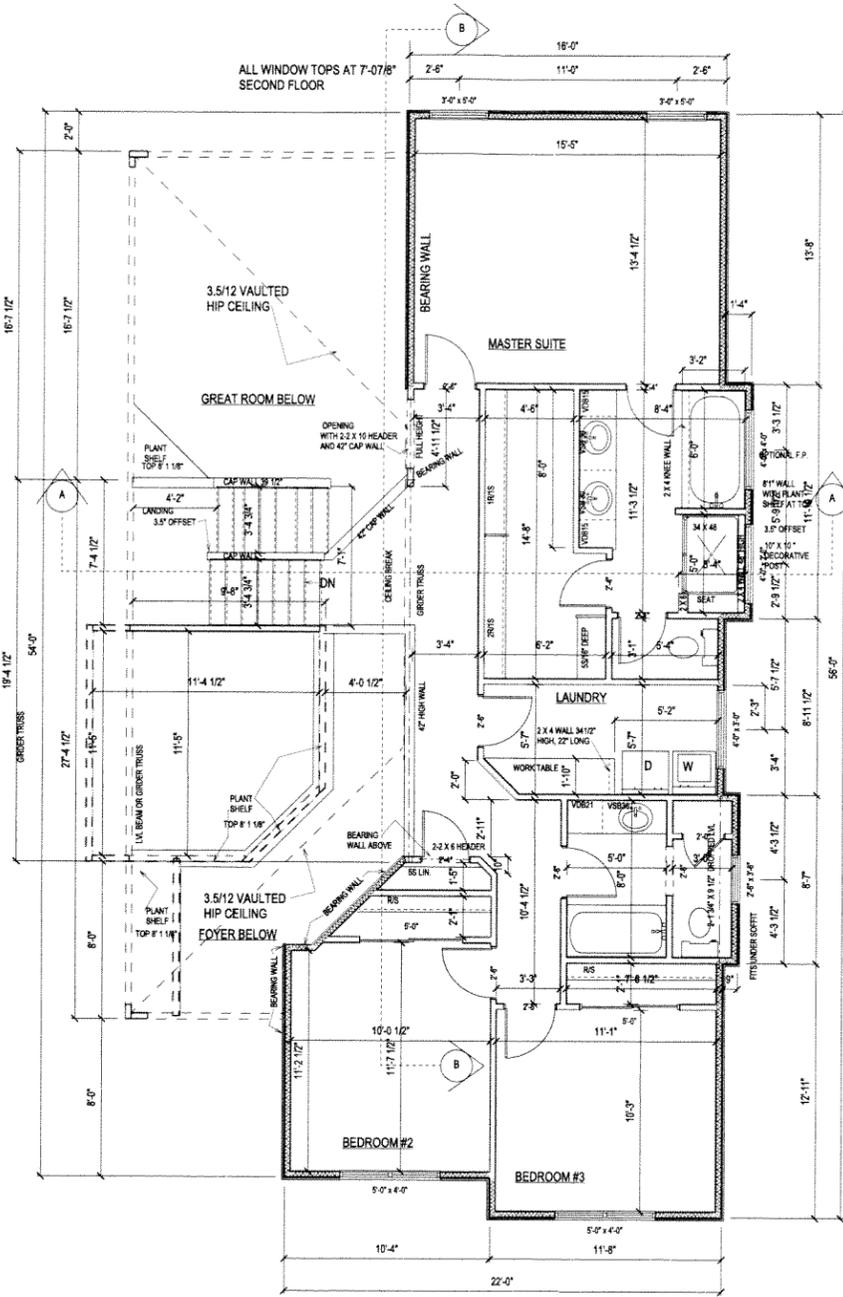
Revised	DATE	DESCRIPTION
02/27/13		BUILD SET
02/27/13		UPDATE

Sheet Number
A-1 of 4



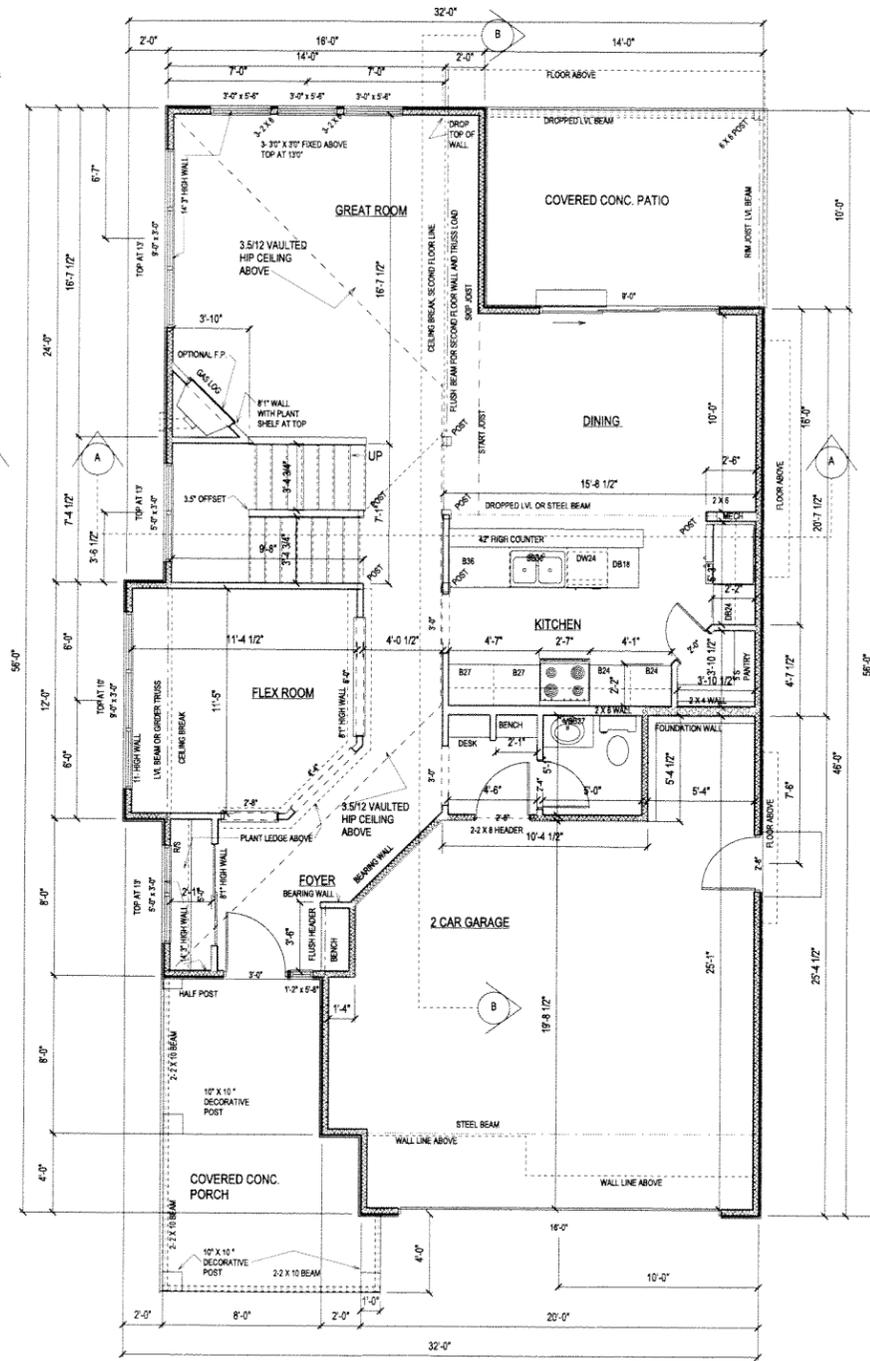
BASEMENT PLAN

SCALE: 1/4" = 1'-0"
W.O. 13112



SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"
FIN. AREA: 1088 SQ. FT.
W.O. 13112



MAIN FLOOR PLAN

SCALE: 1/4" = 1'-0"
FIN. AREA: 916 SQ. FT.
BOTH FLOOR AREA: 2004 SQ. FT.
GARAGE AREA: 488 SQ. FT.
W.O. 13112

NOTE DRYER LOCATION. ALWAYS LOCATE DRYER TO THE LEFT OF THE DRYER REGARDLESS OF THE GARAGE ORIENTATION.

GENERAL NOTES:

1. INSTALL TEMPERING VALVES ON ALL SHOWERS
2. DRYER VENT TO EXTERIOR SHALL NOT EXCEED 25' MAX. IN LENGTH AND SHALL BE GREATER THAN 3' FROM OPERABLE WINDOW OR DOOR
3. ALL BATH FAN VENTS RUNNING THROUGH UNCONDITIONED SPACES NEED MINIMUM R-6 INSULATION (SEE PERFORMANCE COMPLIANCE CERTIFICATE) AND BE 2" MAXIMUM
4. ALL GUARD RAILS SHALL BE 36" HIGH WITH BALLISTER BRACING AT MAXIMUM 4' BRACING
5. PROVIDE ACCESS TO JETTED TUB PUMPS
6. WINDOWS IN SLEEPING AREAS SHALL MEET EGRESS REQUIREMENTS
7. PROVIDE LADDER AT ALL REQUIRED EGRESS WINDOW WELLS DEEPER THAN 44"
8. ALL CHASIS SHALL BE FIREBLOCKED AT ALL FLOOR AND CEILING LEVELS

Journey Homes
Building Your Future Together

7251 West 20th Street Building L Suite 200 Greeley Colorado 80634
Journey Homes 970 330 5480 Fax 970 330 5357

RICHMOND ASSOCIATES
Architects / Planners

4801 BRENTON DRIVE FT. COLLINS, CO 80524
970.234.3140 1.800.571.0070

MODEL
TS 2004

Sheet Title
PLANS

Drawn By: DLR

Checked By: MF

Approved By: MF

Issued September 27, 2013

Revised	By	Reason
06/2013	MDL	SET
02/2013		UPDATE

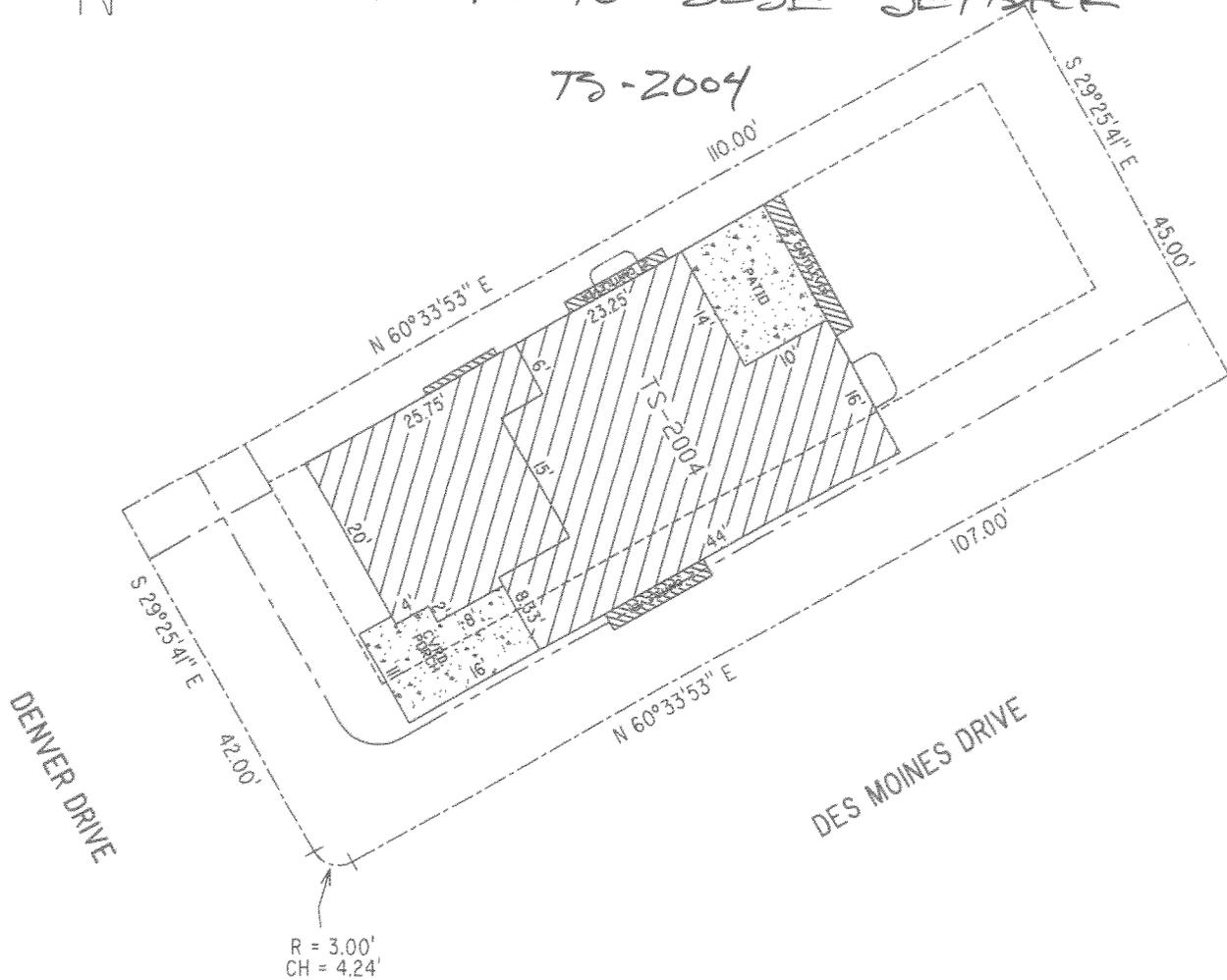
Sheet Number

A-2 of 4



VARIANCE w/
15' TO 10' SIDE SETBACK

TS-2004



LEGEND :

GRADE BREAK/SWALE:

PROPERTY LINE :

SETBACK :

EASEMENT :

DRAINAGE DIRECTION :

- ① 5' SIDE SETBACK
- ② 15' SIDE STREET SETBACK
- ③ 8' REAR SETBACK
- ④ 15' FRONT SETBACK
- ⑤ 9' UTILITY EASEMENT
- ⑥ 5' U & D EASEMENT
- ⑦ 15' J.P.A. EASEMENT

3032 DENVER DRIVE

SCALE: 1" = 20'-0"

TOP OF FOUNDATION	88.00
MAX FINISH GRADE ELEV AT FOUNDATION WALL	87.33
DRIVE SLOPE	9.03%
FRONT GARAGE F.F.	87.50
GARAGE FLOOR ELEV. AT ENTRY DOOR	87.92
ELEV. OF FOOTING BOTTOM @ FRONT OF GARAGE	85.00

**SITE & GRADING PLAN
PLAN #TS-2004**

LOT 162 - 4,948 SQ. FT.
RIGDEN FARM - FILING SIX
FORT COLLINS, COLORADO

CLIENT :

JOURNEY HOMES, LLC
7251 W. 20th ST., BLDG. L, STE. 200
GREELEY, CO. 80634

RMG PROJECT NO: 140453

DATE: 10/4/13



RMG ENGINEERS

1601 37th STREET
EVANS, CO. 80620
PHONE: (970) 330-1071
FAX: (970) 330-1252



12/03/2013

LEGAL NOTICE

The purpose of this letter is to inform you of a request for a modification of the Zoning Code of the City of Fort Collins.

The procedure for a person requesting a modification of the Zoning Code is to make application and appear before the Zoning Board of Appeals. This Board has been established to hear cases, where: (1) by reason of exceptional situations or circumstances, the strict application of the regulation would result in peculiar and practical difficulties or exceptional undue hardship upon the owner of such property; (2) the proposal will promote the general purpose of the standard for which the variance is requested equally well or better than would a proposal which complies with the standard for which the variance is requested; or (3) the proposal will not diverge from the standards of the Land Use Code except in nominal, inconsequential way when considered in the context of the neighborhood, provided that the granting of a variance would not result in a substantial detriment to the public good.

A variance of code sections:	3.5.2(E)(2)
has been requested by:	Journey Homes
for described property:	3032 Denver Dr.
Zoning district:	LMN

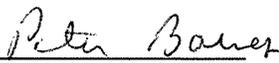
The variance will reduce the minimum required street side setback from 15 feet to 10 feet along Des Moines Dr. to allow a new house to be constructed on this corner lot.

This item will appear on the Zoning Board of Appeals agenda as Appeal Number: 2751

As an adjacent property owner, your input would be appropriate in the consideration of this variance request.

The hearing on this appeal will be held at 8:30 a.m. on Thursday, December 12, 2013 in the Council Chambers at 300 LaPorte Ave. Those interested may appear at this meeting, or if unable to attend may submit comments in writing. Meeting sites are generally accessible to handicapped persons. If you are disabled and need assistance to participate, please call (970) 221-6760.

If you have any questions or comments, feel free to contact Peter Barnes, Zoning Administrator, at (970) 416-2355.



Zoning Administrator

Journey Homes
Rigden Farm Investments
7251 W 20th St - Unit L200
Greeley, CO 80634-4626

Larry Strobe
N. Colorado Investment Group
624 Greenfields Ct
Fort Collins, CO 80524

David Pietenpol
Rigden Development, LLC
4714 Valley Ridge Ct
Fort Collins, CO 80526

APPEAL 2751
3032 Denver Dr

Id	PARCEL NUMBER	SITE ADDRESS	NAME	NAME1	MAILING ADDRESS	MAILING CITY	MAILING STATE	MAILING ZIPCODE	SITE CITY	SUBNUM	GISID
1	8729160166	3008 DENVER DR	JOURNEY HOMES LLC		7251 W 20TH ST BLDG L STE 200	GREELEY	CO	80634	FORT COLLINS	19976	46867
2	8729160164	3020 DENVER DR	JOURNEY HOMES LLC		7251 W 20TH ST BLDG L STE 200	GREELEY	CO	80634	FORT COLLINS	19976	45739
3	8729164003		RIGDEN DEVELOPMENT LLC		PO BOX 549	FORT COLLINS	CO	80522		19976	36981
4	8729160139	3056 DENVER DR	JOURNEY HOMES LLC		7251 W 20TH ST BLDG L STE 200	GREELEY	CO	80634	FORT COLLINS	19976	39809
5	8729160165	3014 DENVER DR	JOURNEY HOMES LLC		7251 W 20TH ST BLDG L STE 200	GREELEY	CO	80634	FORT COLLINS	19976	119973
6	8729160163	3026 DENVER DR	JOURNEY HOMES LLC		7251 W 20TH ST BLDG L STE 200	GREELEY	CO	80634	FORT COLLINS	19976	106962
7	8729165001		RIGDEN FARM INVESTMENTS LLC		7251 W 20TH ST BLDG L STE 200	GREELEY	CO	80634		19976	86804
8	8729162016		RIGDEN FARM INVESTMENTS LLC		7251 W 20TH ST BLDG L STE 200	GREELEY	CO	80634		19976	113109
9	8729160141	3051 DENVER DR	NORTHERN COLORADO INVESTMENT GROUP LLC		624 GREENFIELDS CT	FORT COLLINS	CO	80524	FORT COLLINS	19976	103655

Id	PARCEL NUMBER	SITE ADDRESS	NAME	NAME1	MAILING ADDRESS	MAILING CITY	MAILING STATE	MAILING ZIPCODE	SITE CITY	SUBNUM	GISID
10	8729160142	3057 DENVER DR	NORTHERN COLORADO INVESTMENT GROUP LLC		624 GREENFIELD CT	FORT COLLINS	CO	80524	FORT COLLINS	19976	42247
11	8729164001		RIGDEN FARM INVESTMENTS LLC		7251 W 20TH ST BLDG L STE 200	GREELEY	CO	80634		19976	44040
12	8729164004		RIGDEN FARM INVESTMENTS LLC		7251 W 20TH ST BLDG L STE 200	GREELEY	CO	80634		19976	113214
13	8729161012		RIGDEN FARM INVESTMENTS LLC		7251 W 20TH ST BLDG L STE 200	GREELEY	CO	80634		19976	45724
14	8729160140	3050 DENVER DR	JOURNEY HOMES LLC		7251 W 20TH ST BLDG L STE 200	GREELEY	CO	80634	FORT COLLINS	19976	112867