ZONING BOARD OF APPEALS AGENDA

Ralph Shields, Chair
Shelley LaMastra, Vice Chair
David Lawton
John McCoy
Taylor Meyer
Ian Shuff
Butch Stockover

Council Liaison: Ross Cunniff
Staff Liaison: Noah Beals

LOCATION:
Meeting will be held virtually

The City of Fort Collins will make reasonable accommodations for access to City services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call 221-6515 (TDD 224-6001) for assistance.

REGULAR MEETING
JULY 9, 2020
8:30 AM

Participation for this remote Zoning Board of Appeals meeting will be available online or by phone. No one will be allowed to attend in person.

Public Participation (Online): Individuals who wish to address the Zoning Board of Appeals via remote public participation can do so through Zoom at https://zoom.us/j/91817066407. Individuals participating in the Zoom session should also watch the meeting through that site.

The meeting will be available to join beginning at 8:15 a.m. on July 9, 2020. Participants should try to sign in prior to 8:30 a.m. if possible. For public comments, the Chair will ask participants to click the "Raise Hand" button to indicate you would like to speak at that time. Staff will moderate the Zoom session to ensure all participants have an opportunity to address the Board or Commission.

In order to participate:
Use a laptop, computer, or internet-enabled smartphone. (Using earphones with a microphone will greatly improve your audio).
You need to have access to the internet.
Keep yourself on muted status.
If you have any technical difficulties during the hearing, please email kscheidenhelm@fcgov.com.

Public Participation (Phone): If you do not have access to the internet, you can call into the hearing via phone. The number to dial is 253 215 8782or 669 900 9128, with webinar ID: 918 1706 6407.
(Continued on next page)

The meeting will be available beginning at 8:15 a.m. Please call in to the meeting prior to 8:30 a.m., if possible. For public comments, the Chair will ask participants to click the "Raise Hand" button to indicate you would like to speak at that time – phone participants will need to hit *9 to do this. Staff will be moderating the Zoom session to ensure all participants have an opportunity to address the Committee. Once you join the meeting: **keep yourself on muted status.** If you have any technical difficulties during the hearing, please email kscheidenhelm@fcgov.com.

Documents to Share: If residents wish to share a document or presentation, the Staff Liaison needs to receive those materials via email by 24 hours before the meeting.

Individuals uncomfortable or unable to access the Zoom platform or unable to participate by phone are encouraged to participate by emailing general public comments you may have to nbeals@fcgov.com. The Staff Liaison will ensure the Board or Commission receives your comments. If you have specific comments on any of the discussion items scheduled, please make that clear in the subject line of the email and send 24 hours prior to the meeting.

As required by City Council Ordinance 079, 2020, a determination has been made by the chair after consultation with the City staff liaison that conducting the hearing using remote technology would be prudent.

- **CALL TO ORDER and ROLL CALL**
- **APPROVAL OF MINUTES FROM PREVIOUS MEETING**
- **CITIZEN PARTICIPATION (Items Not on the Agenda)**
- **APPEALS FOR VARIANCE TO THE LAND USE CODE**

1. **APPEAL ZBA200022**

Address: 2921 Moore Lane
Owner/Petitioner: Michael & Casey Robinson
Zoning District: U-E
Code Section: 4.2(D)(2)(b)
Project Description:
This is a request to locate a propane tank 10 feet from the front property line, encroaching 20 feet into the 30 foot required front setback.

2. **APPEAL ZBA200023**

Address: 1131 LaPorte Ave.
Owner/Petitioner: Gregg & Mary Perry
Zoning District: L-M-N
Code Section: 3.5.2(E)(2)
Project Description:
This request is for a variance to build a carport attached to an existing accessory building (garage) encroaching 10 feet into the 15 foot required street facing side setback.

3. **APPEAL ZBA200024**

Address: 305 W. Swallow Road
Owner: Foothills Assembly of God
Petitioner: Matt Everhart
Zoning District: R-L
Code Section: 3.8.7.2(B)Table B
Project Description:
This request is for a variance to install a 3 foot tall wall sign logo for Foothills Assembly of God, exceeding the maximum height of dimensional wall signs in the residential sign district by 1.5 feet.

4. APPEAL ZBA200025

Address: 419 E. Laurel Street

Owner/Petitioner: Adam & Lauren Rubin

Zoning District: N-C-M

Code Section: 4.8(E)(4) & 3.8.19(A)(6)

Project Description:

This is a request for two variances. The first is to build an addition to the existing accessory building to match the existing building's setback of 2 feet 9 inches from the side property line, encroaching 2 feet 3 inches into the required 5 foot side setback. The second is for the eaves to encroach an additional 1foot into the setback, encroaching a total of 3 feet 9 inches into the setback where permitted encroachment for an eave is 2.5 feet.

5. APPEAL ZBA200027

Address: 2301 Limousin Ct.

Owner/Petitioner: Derek Smith

Zoning District: R-L

Code Section: 3.8.11(C)(1); 3.8.11(C)(2)

Project Description:

This request is for a variance to build a 6 foot tall fence between the front of the building and front property line. The maximum height allowed in the front yard is 4 feet.

- **OTHER BUSINESS**
- **ADJOURNMENT**

From: Ralph Shields
To: Noah Beals
Cc: Jennifer Luther; Kacee Scheidenhelm
Subject: [EXTERNAL] Re: Zoning Board of Appeals (July Public Hearing)
Date: Tuesday, June 30, 2020 3:26:20 PM
Attachments: image001.png

Thanks Noah, that is correct, we will he conducting a remote hearing for our July meeting.

Thanks

Ralph Shields
970.231.7665

On Jun 30, 2020, at 11:06 AM, Noah Beals <nbeals@fcgov.com> wrote:

Hello Chair-person Shields,

This email is to follow up from our phone discussion about the need for a remote hearing for the Zoning Board of Appeals. As we reviewed, the last two remote meetings have worked well for the board. Concerns with logistics on how to coordinate and in-person meeting or hybrid of such and concerns with taking unnecessary risks during this time of pandemic has lead to a decision to continue with a remote meeting in July.

Please respond to this email that this is correct and you are in agreement with conducting a remote meeting in July.

Kind Regards,

Noah Beals
Senior City Planner-Zoning
970 416-2313
<image001.png>

Tell us about our service, we want to know!
--
COVID19 Resources
For all residents: https://www.fcgov.com/eps/coronavirus
For businesses: https://www.fcgov.com/business/
Want to help: https://www.fcgov.com/volunteer/

Recursos COVID-19
Para integrantes de la comunidad: https://www.fcgov.com/eps/coronavirus
Para empresas: https://www.fcgov.com/business/
¿Quieres ayudar o necesitas ayuda? https://www.fcgov.com/neighborhoodservices/adopt

ZONING BOARD OF APPEALS
MEETING MINUTES

Ralph Shields, Chair
Shelley La Mastra, Vice Chair
David Lawton
John McCoy
Taylor Meyer
Ian Shuff
Butch Stockover

Council Liaison: Ross Cunniff
Staff Liaison: Noah Beals

LOCATION:
Virtual Hearing

The City of Fort Collins will make reasonable accommodations for access to City services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call 221-6515 (TDD 224-6001) for assistance.

REGULAR MEETING
JUNE 11, 2020
8:30 AM

- **CALL TO ORDER and ROLL CALL**
  All boardmembers were present.

- **APPROVAL OF MINUTES FROM PREVIOUS MEETING**
  Stockover made a motion, seconded by Shields, to approve the March 12, 2020 Minutes and the May 14, 2020 Minutes.
  The motion was adopted unanimously. There was no hearing in April of 2020.

- **CITIZEN PARTICIPATION (Items Not on the Agenda)**
  None.

- **APPEALS FOR VARIANCE TO THE LAND USE CODE**

1. APPEAL ZBA200018 – APPROVED

Address: 806 W. Mulberry St.
Owner/Petitioner: Kevin Dewlen
Zoning District: N-C-M
Code Section: 4.8(D)(3)

Project Description:

This is a request to exceed the maximum rear floor area by 266.5 square feet. The allowed rear floor area is 907.5 square feet. Of the proposed 345 square foot addition, 112 square feet is located in the rear half. The other 154.5 square feet was previously approved by ZBA1900039.

Staff Presentation:

Beals showed slides relevant to the appeal and discussed the variance request, noting the previous approval was for a garage and carport located in the rear of the property. The request today is for an addition to the home. This is a smaller lot that was subdivided and this property fronts on W. Mulberry, therefore the majority of the buildings are in the rear half of this lot. The addition will accommodate a new bedroom and backdoor entrance into the house.

Applicant Presentation:

Kevin Dewlen, 806 W. Mulberry Street, addressed the board. The lot is challenging as it is oriented east to west. They are trying to meet the front setback with the new addition and there is a large existing maple tree on the property that they are trying to preserve.

Audience Participation: (none)

Board Discussion:

Boardmember Stockover considers this a simple request and he will be in support.

Boardmember Shuff agreed, there are many properties like this in old town and he will also be in support.

Boardmember Lawton stated the applicant has done a good job on the proposal, he'll be in support.

Boardmember McCoy, Vice Chair LaMastra, and Boardmember Meyer will all be in support.

Chair Shields agreed that the proposal makes sense for the lot and fits the context.

Boardmember Stockover made a motion, seconded by Shields, to approve ZBA200018 for the following reasons: the granting of the modification of standard will not be detrimental to the public good, the proposal as submitted will not diverge from the standard but in a nominal, inconsequential way, when considered in the context of the neighborhood, and will continue to advance the purpose of the Land Use Code as contained in Section 1.2.2 with the following findings: the addition does not exceed the allowable floor area for the lot overall, the subdivision resulted in a shallow parcel, and the existing primary structure encroaches into the front setback.

Yeas: LaMastra, McCoy, Lawton, Shields, Meyer, Stockover, and Shuff. Nays: none.

THE MOTION CARRIED, THE ITEM WAS APPROVED.

2. APPEAL ZBA200019 – APPROVED WITH CONDITION

Address:	2524 W. Plum St.
Owner/Petitioner:	Adam Musielewicz
Zoning District:	R-L
Code Section:	4.4(D)(2)(c); 4.4(D)(2)(d)

Project Description:

This is a request to build an accessory structure (yurt) in the rear and street side setbacks. The proposed location is 6 feet from the rear (north) property line which is encroaching 9 feet into the required 15 foot rear setback and 8 feet from the street side (west) property line which is encroaching 7 feet into the required street side setback.

Staff Presentation:

Beals showed slides relevant to the appeal and discussed the variance request, noting this is a corner lot on Pear Street and W. Plum Street. The accessory structure would be within the rear setback and the Pear Street side setback, both setbacks are 15 feet from the property lines. The yurt is a circle structure, with a height of 9 feet, 9 inches. There are large evergreen tress currently present on the property to the north, obscuring any view from that direction.

Vice Chair LaMastra asked for additional information on the reason for the placement of the accessory structure within the setbacks. She acknowledged a stump in the yard and the trees, but there is still room in the yard. Beals agreed that there is a stump and tree in the yard, but would let the applicant speak to their reasoning for this placement.

Boardmember Shuff asked if the yurt will be constructed on top of something else, such as a deck or platform. Chair Shields stated that the packet indicates there will be a platform, they can ask the applicant for details.

Applicant Presentation:

Adam Musielewicz and Laurel Carter, 2524 W. Plum St., addressed the board. There are limitations on where they can place the yurt. There is a platform needed for the yurt, the space requested is ideal for that space. The deck would be approximately 1.5 feet in height and the yurt would rest on top. They have never applied for a variance before, they consider this a nominal infringement, and neighbors have given their approval.

Vice Chair LaMastra asked about their reasoning for the variance, she does not see a hardship. Also, asked for further explanation why the yurt has to encroach into both setbacks, instead of just one. Mr. Musielewicz responded that shifting it towards the house would be in their view and there is a large maple tree that they are trying to avoid. The yurt is currently proposed in a somewhat open space without tree branches overhead. LaMastra is less concerned with the rear yard setback due to fence and evergreen trees, but doesn't understand why the yurt couldn't come further east away from the sideyard setback. Mr. Musielewicz replied they do have a few feet to move it, there are a series of lilac bushes present, but it could go slightly more east. Previously, he didn't know the setback starts from the property line, which is an additional 4 feet from the sidewalk. Given the setback, it does push the yurt under the tree branches and infringe on the lilac bushes.

Vice Chair LaMastra asked about the 1.5 feet of deck height and if that is included in the 9 feet, 9 inches in height that was previously mentioned. Mr. Musielewicz replied the 1.5 feet would be in addition to the yurt height.

Boardmember Stockover asked if there is a slope from the house to the sidewalk as this could add additional height. Mr. Musielewicz stated there is a slight slope from south to north that goes into the neighboring north property, but it's nominal, approximately 8-10 inches.

Boardmember Meyer asked about the applicant's decision to construct the yurt versus an addition to the primary structure. Also, if the yurt would be heated and used year round. Mr. Musielewicz explained they do already own a yurt, so it was a natural step to go this route instead of an addition. The intention is to make it year round use and to eventually install a wood burning fireplace.

Chair Shields asked about the property line being 4 feet from the back of the sidewalk. Mr. Musielewicz confirmed the same, City Zoning had advised the west side of the property started approximately 4 feet from the edge of the sidewalk. And the fence line starts right along the sidewalk, therefore the property line starts within their fence line, a couple feet within their yard. The distance from the fence to base of the yurt is 11 feet.

Boardmember Lawton inquired about the previously purchased yurt. Mr. Musielewicz explained they have always liked yurts and would use it as a potential second office space. His wife is a therapist and would benefit from additional private space.

Boardmember Stockover asked about in home occupation located in an outbuilding versus the primary structure. Both Mr. Musielewicz and his wife are working virtually right now, there are no patients coming to their home. Mr. Musielewicz works as a trainer for primary care practitioners, screening for substance use, ensuring that the correct questions are being asked to the patients.

Beals added based on the information received the City viewed this as home office space, not home occupation space.

Boardmember Meyer asked why the yurt cannot go in the northeast corner of the property. Mr. Musielewicz explained there are 2 trees in the yard in that area. There is also an existing deck that extends out 14 feet from the back of the house.

Audience Participation: (none)

Board Discussion:

Chair Shields asked Beals about the side yard setback in this area, Beals confirmed it would be 5 feet from the east interior lot line.

Boardmember Stockover stated he does not believe they should be making decisions based on COVID-19. The in-home business is not too concerning, but he doesn't think that virtual will be the new normal for everything. The height of the structure is troubling. He's sure the City has regulations on the wood burning stove and the stump can be ground out. Stockover is still deciding his stance on this item.

Boardmember Lawton stated he is having trouble rationalizing the setbacks. He does not have issues with the height but is still wrestling with the decision.

Boardmember Shuff commented on the 11 feet in height, which is concerning. The accessory structure will have an impact on the view from the street. He understands preserving landscaping but also commented the lilac bushes can be reserved or replanted. There are ways to work within the setback, he is more concerned with the side setback than the rear.

Boardmember McCoy is in support of this variance. On the north there are natural buffers and on the west there is practically 15 feet of space and it will appear to be a normal setback.

Vice Chair LaMastra pointed out the application lists hardship and she does not see one. She agreed with Lawton, there is nearly the setback visually to the west, which would be nominal and inconsequential. She does not see shrubs as a hardship, trees would be different. Shifting the yurt over three feet and having only one variance on this request might be a better solution.

Boardmember Meyer agreed with LaMastra that a hardship has not been established. Lilac shrubs are not a hardship, that is a choice. Encroaching 9 feet into a 15 foot setback is not nominal or inconsequential. Meyer would want to see a plan that lays out exactly where trees and the drip rings are located, plus the setbacks, location of deck, and the size of the yurt, to prove why it can't be located somewhere else on the site. What has been submitted doesn't provide that information.

Vice Chair LaMastra referred to a graphic submitted by the applicant and asked about the measurements. Beals replied the drawing is probably not exactly to scale.

Chair Shields commented this would be an easier decision with only the rear setback. However, he is in favor of this variance. The perceived setback is nominal enough for him to approve this. The trees to the north conceal the accessory structure.

Vice Chair LaMastra asked if the neighbor to the north provided any communication regarding this variance. Beals explained no emails or letters were received directly from the neighbor.

Mr. Musielewicz stated the owner of residence to the north lives in Denver, he did discuss this with the neighbor and was given his blessing. This wouldn't be exclusively an office space. The immediate need is the office space but would be used for other things as well.

Vice Chair LaMastra commented that most people are still working from home, that shouldn't be the board's focus.

Board Discussion on treating the setbacks as separate motions. Shuff would currently approve the north setback and deny the west setback. LaMastra proposed a reduced west setback so there is a perceived 15 feet from the sidewalk, even though it's an encroachment of 4 feet, this would be equal to or better than. There is a fence but it's outside the property line, it becomes more nominal and inconsequential.

Discussion for hardship or nominal and inconsequential reasoning.

Boardmember Stockover commented on the aesthetics of the yurt placement, it would look odd right up next to the house. He does not have a problem with the motion.

Boardmember Shuff made a motion, seconded by LaMastra, to approve with conditions ZBA200019 because the variance request will not diverge from the standard but in a nominal, inconsequential way, when considered in the context of the neighborhood, and will continue to advance the purpose of the Land Use Code as contained in Section 1.2.2 for the following reasons: this is a corner lot and this is treated as a rear setback although it's more typical of a standard side yard setback of 5 feet, therefore the board feels it is nominal and inconsequential. To address the east side variance, the board recommends approval with the following conditions: the yurt structure should be located 15 feet from the sidewalk. The intent of the approval is the perceived 15 foot setback from the sidewalk.

Boardmember Stockover requested to add language that the foundation is no more than 1.5 feet from grade, Shuff accepted that friendly amendment.

Yeas: LaMastra, McCoy, Shields, Meyer, Stockover, and Shuff. Nays: Lawton.

THE MOTION CARRIED, THE ITEM WAS APPROVED WITH CONDITION.

3. APPEAL ZBA200020 – APPROVED

Address:	609 City Park Ave.
Owner:	John Papile
Petitioner:	Mike Rush
Zoning District:	R-L
Code Section:	4.4(D)(1); 4.4(D)(2)(d)

Project Description:

This request is for a variance to increase the allowable floor area by 93 square feet and to encroach into the required 15 foot side setback by 4 feet 4 inches.

Staff Presentation:

Beals showed slides relevant to the appeal and discussed the variance request, noting this is another corner lot and the property is not an exact rectangle. The proposed addition will include the demo of the existing detached garage and the construction of a new attached garage. Car access will be from Crestmore Place. There is an additional space labeled “shop” that has it’s own garage door. The neighboring property also has a driveway along the shared property line.

Boardmember Meyer asked about the addition of the garage in the back of the lot, and if that would require a new curbcut. Beals explained that is not part of this proposal, currently there is a rollover curb and a new curbcut would not be required.

Also, this property was platted in about 2007 and the site plan included street trees that will need to be planted in this area. The applicant will need to work with forestry to determine where the trees will need to go.

Vie Chair LaMastra inquired about the present alley from Crestmore Place. Beals explained this is a vehicle access parcel and he assumes the applicant has rights to use this access. The code language around utilizing an alley when possible would not apply in this case.

Boardmember Lawton asked about the utility box location and if it would require any setbacks for the placement of the driveway. Beals explained there is normally a clearance area of about 4 feet for structures around a utility box, but he does not believe this structure will be in proximity. When the owner applies for a building permit, the applicant will have to work with utilities to ensure driveway placement is appropriate.

Vice Chair LaMastra commented that having both accesses would be helpful. The applicant might find it easier to come into the garage from the shared access, but backing out and leaving along Crestmore would also seem reasonable.

Applicant Presentation:

Mike Rush, 2504 Constitution Ave, addressed the board. The south side of existing house encroaches on the 15 foot setback off Crestmore, aligning exactly with the current house. The request for the additional 93 square feet is due to the narrow lot. The plan is designed to fit within the lot and ensure the spaces within are functional. In terms of the overall neighborhood, the addition seems appropriate given the constraints.

Audience Participation: (None)

Board Discussion:

Boardmember Stockover agreed with the access, vehicles moving forward is always a preference for safety. This appears to be a clean remodel, this is a small lot and a reasonable request.

Boardmeber Lawton stated this is an improvement for access from Crestmore, he will be in support.

Boardmember Shuff agreed, this is nominal and inconsequential.

Boardmember McCoy is in favor, this is an improvement for the neighborhood.

Vice Chair LaMastra stated the existing house is already encroaching and this makes sense especially given the narrow lot. This is nominal and inconsequential, if there are issues with the access then engineering will handle those, she will be in support.

Boradmember Meyer agreed he is in favor, overall the design is an improvement.

Chair Shields also agreed.

Boardmember Stockover made a motion, seconded by Shields, to approve ZBA200020 for the following reasons: The granting of the modification of standard will not be detrimental to the public good, and not diverge from the standard but in a nominal, inconsequential way, when considered in the context of the neighborhood, and will continue to advance the purpose of the Land Use Code as contained in Section 1.2.2 with the following findings: the existing structure encroaches into the setback 4 feet 4 inches, the property line is set back 3.5 feet from the property line, and the visual impact of 93 square feet is minimal.

Yeas: LaMastra, McCoy, Lawton, Shields, Meyer, Stockover, and Shuff. Nays: none.

THE MOTION CARRIED, THE ITEM WAS APPROVED.

****Boardmember Shuff recused himself from the following item.****

4. APPEAL ZBA200021 – APPROVED WITH CONDITION

Address: 420 N. Grant Ave.

Owner/Petitioner: Gregory Menning

Zoning District: N-C-M

Code Section: 4.8(D)(1), 4.8(E)(1)

Project Description:

This request is to return a parcel back to the originally two platted lots to allow two single family homes to be built. This requires a variance to reduce the 40 feet required minimum lot width by 5 feet and reduce the 5,000 square foot minimum lot size by 100 square feet for both lots.

Staff Presentation:

Beals showed slides relevant to the appeal and discussed the variance request, noting this property is located in the middle of the block on N. Grant Avenue. The request is to restore the original platted lots. The lots were originally 35 feet in width and less in square footage than what we require now. In time, 2 lots were combined to one parcel and a house was constructed. The request is to restore this into 2 separate parcels and 2 platted lots so a new house can be built on each lot. This area was originally platted with an alley centered down the middle of the block. In time, a new alley configuration was put in place that took some square footage away from these lots and created 2 alley access points from Sycamore and Cherry creating a field goal post shaped alley.

The future addresses will most likely be 418 N. Grant and 420 N. Grant. This is not a variance request for any structures. When that time comes, the applicant would need to meet setbacks and ratios or come back in front of this board for a separate variance request. The current alley in the back is a dirt alley. There is question as to where the alley proceeds to the north and current conversations with engineering and the surrounding property owners whether the alley impedes onto the property owner's land.

Boardmember Meyer asked about the application materials. It appears the variance request for a lot less than 5,000 square feet only applies to the smaller lot, Beals confirmed the same.

Vice Chair LaMastra asked about the current structure and if it complies with setbacks and if it will remain or be torn down. Beals explained the setback on the north property line will remain. This will become a legal nonconforming structure. He will let the applicant speak to the current structure and where it is located in relation to the new setbacks. If they restore the lot line then the existing structure becomes legal nonconforming. Vice Chair LaMastra inquired what would happen if the structure was over the lot line, Beals will let the applicant speak to the current location. They can condition the motion to include a demolition of the current building.

Boardmember McCoy asked if the lot line was erased and why this doesn't have to go through the subdivision process. Beals explained it's a county process to combine parcels. The property was platted and had 2 lots, then the county assigns parcel numbers to each lot. The owner went to the county, explained he owned both lots and requested the county to assign only one parcel number. That parcel is just showing ownership lines and there is assumption made with one parcel number that the both lots will be bought or sold together. The owner now wants to revert back to 2 parcels. This is something they process with the county, but for the City to acknowledge the lot line restoration the owner has to apply for a variance since the lots do not meet our current standards.

Applicant Presentation:

Gregory Menning, 420 N. Grant Ave, addressed the board. Mr. Menning has not done a survey, but he does not believe the setback to the north with the current primary structure is going to be an issue. The 5 foot exception seems reasonable since there are many other examples of this in the area and this will improve the neighborhood.

Vice Chair LaMastra requested clarification regarding where the primary structure is placed. Mr. Menning replied that it is on 420 N. Grant but situated more towards the south of the lot, towards 418 N. Grant. LaMastra asked if the structure might straddle the lot line, Mr. Menning agreed it would. Beals discussed a condition where the current structure would have to be removed/demolished before new structures can be constructed. Either additional modifications or a demo would be required. This is not the first time they have seen a structure cross a lot line. Mr. Menning confirmed he is currently living in the house. He also plans to demolish the current structure in September and build the 2 new structures simultaneously, one on each new lot.

Boardmember Meyer inquired what next steps would be needed if this is approved by the board. Would this be a site plan review or development review, and would they need to discuss the approvals for the current structure not in compliance with new setbacks. Beals explained this was the original plat at this density, they are simply restoring the lot back to its original state.

Vice Chair LaMastra stated they may need to include a timeframe for the demolition to avoid the owner coming back numerous times for modifications. Beals confirmed if the applicant doesn't pull appropriate building permits within 6 months they would need to file for an extension or come back for another approval by this board.

Boardmember Stockover stated the request is to split this parcel into 2 lots, the setback requirements aren't an issue until 418 Grant Ave is built.

Vice Chair LaMastra disagreed, if they approve this then they have created an issue with a structure established over a lot line. If something changes and the applicant decides not to move forward with building the second house, this structure is out of compliance and was not approved to be placed in these setbacks.

Further board discussion regarding order of events and timeline regarding the demolition of the current structure and construction of new structures.

Boardmember Lawton asked if the utilities are already setup for the address 418 versus 420. Beals explained they would be tapping into those from the street, that would be addressed at the time of building permit. Boardmember Lawton commented that takes more time to complete. He agreed if they approve this without a timeframe then they approve a structure that is already noncompliant.

Continued Boardmember discussion regarding the timeline and demo of the current structure.

Boardmember Stockover commented this should be simple and at the time 418 develops, 420 needs to come into compliance or be demolished. It's ok to have non-conforming smaller lots and placing a six month timeframe on this property is concerning.

Audience Participation: (None)

Board Discussion:

Chair Shields agreed with Stockover's proposed condition.

Vice Chair LaMastra has concerns if this is approved and the county moves forward, the owner could decide to sell one of the properties. The new owner then tries to pull a permit for the new property but the current house still needs to be demolished for them to receive a permit. What condition could they propose that would cover all scenarios. Beals would assume the seller would have to disclose the information to a potential buyer, the new owner can't do anything until this house is demolished. The new owner would also need to go before this board if they are not in compliance. The new buyer should be aware of the conditions of the property.

Boardmember Stockover stated the one piece that is missing is a current survey.

Board discussion regarding tabling this item and requiring a survey.

Boardmember McCoy stated they are overthinking this. The applicant stated he is going to build 2 houses on 2 parcels. That would require the original structure to be removed. These are the original platted lots. There is no reason not to approve this variance.

Chair Shields would be in support of this variance.

Boardmember Stockover made a motion, seconded by McCoy, to approve with condition ZBA200021 for the following reasons: the granting of the modification of standard would not be detrimental to the public good, the proposal as submitted will not diverge from the standard but in a nominal, inconsequential way, when considered in the context of the neighborhood, and will continue to advance the purpose of the Land Use Code as contained in Section 1.2.2, with the following findings: the reduction in width and lot size restores the original platted lots, other lots on the block and in the neighborhood developed to the same size, and any new structure will still meet the required setbacks in the zoning district, noting the following condition that before any construction is issued for 418 N Grant Ave, 420 N Grant Ave comes into compliance with all zoning setback requirements.

Yeas: LaMastra, McCoy, Lawton, Shields, and Stockover. Nays: Meyer

THE MOTION CARRIED, THE ITEM WAS APPROVED WITH CONDITION

- **OTHER BUSINESS**
  There will be a transition among support staff. Kacee Scheidenhelm will be training Jennifer Luther as the Board's secretary.

- **ADJOURNMENT**

Ralph Shields, Chairperson

Noah Beals, Senior City Planner-Zoning

STAFF REPORT

July 9, 2020

STAFF

Noah Beals, Senior City Planner/Zoning

PROJECT

ZBA200022

PROJECT DESCRIPTION

Address: 2921 Moore Lane
Petitioner/Owner: Michael & Casey Robinson
Zoning District: U-E
Code Section: 4.2(D)(2)(b)
Variance Request:

This is a request to locate a propane tank 10 feet from the front property line, encroaching 20 feet into the 30 foot required front setback.

COMMENTS:

1. **Background:**

   The property was a part of the South Taft Hill Seventh annexation in 2003. A primary structure existed before annexation.

   A public road runs the length of the east property line. This road has not been improved with asphalt and remains dirt. These minimal improvements do not extend the full length of the property. There is public right way dedicated that connects this neighborhood to the south abutting neighborhood, however there are physical barriers preventing the vehicle connections such as grade changes and trees.

   The site currently has a propane tank that is meeting the required setbacks. This proposal is to move the tank in preparation for a new garage to be built near the existing tank location.

   Additionally, there is a ditch located on the south end of the property.

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

3. **Staff Conclusion and Findings:**

   Under Section 2.10.4(H), staff recommends approval and finds that:

   - The variance is not detrimental to the public good.
   - The reduced setback is to a street with low traffic and no future plans to be improved.
   - Current road improvements only allow access to one other property.
   - A ditch on the south side of the property limits the location of the tank on the property.

   Therefore, the variance request will not diverge from the standard but in a nominal, inconsequential way, when considered in the context of the neighborhood, and will continue to advance the purpose of the Land Use Code as contained in Section 1.2.2. Additionally, the variance request may be granted due to a hardship of the lot not caused by the applicant and a strict application of the code results in a practical difficulty upon the applicant.

4. **Recommendation:**

   Staff recommends approval of APPEAL ZBA200022.

Application Request
for Variance from the Land Use Code

The Zoning Board of Appeals has been granted the authority to approve variances from the requirements of Articles 3 and 4 of the Land Use Code. The Zoning Board of Appeals shall not authorize any use in a zoning district other than those uses which are specifically permitted in the zoning district. The Board may grant variances where it finds that the modification of the standard **would not be detrimental to the public good**. Additionally, the variance request must meet at least one of the following justification reasons:

(1) by reason of exceptional physical conditions or other extraordinary and exceptional situations unique to the property, including, but not limited to physical conditions such as exceptional narrowness, shallowness, or topography, the strict application of the code requirements would result in unusual and exceptional practical difficulties or undue hardship upon the occupant/applicant of the property, provided that such difficulties or **hardship** are not caused by an act or omission of the occupant/applicant (i.e. not self-imposed);

(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;

(3) the proposal will not diverge from the Land Use Code standards except in a **nominal, inconsequential way** when considered in the context of the neighborhood.

This application is only for a variance to the Land Use Code. Building Code requirements will be determined and reviewed by the Building Department separately. When a building or sign permit is required for any work for which a variance has been granted, the permit must be obtained within 6 months of the date that the variance was granted.

However, for good cause shown by the applicant, the Zoning Board of Appeals may consider a one-time 6 month extension if reasonable and necessary under the facts and circumstances of the case. An extension request must be submitted before 6 months from the date that the variance was granted has lapsed.

Petitioner or Petitioner's Representative must be present at the meeting

Location: 300 LaPorte Ave, Council Chambers, Fort Collins, CO 80524

Date: Second Thursday of the month Time: 8:30 a.m.

Variance Address	2921 Moore Lane	**Petitioner's Name, if not the Owner**	
City	Fort Collins, CO	**Petitioner's Relationship to the Owner is**	
Zip Code	80526	**Petitioner's Address**	2921 Moore Lane
Owner's Name	Michael and Casey Robinson	**Petitioner's Phone #**	970-488-0555
Code Section(s)	Section 4.2(D)(2)(b)	**Petitioner's Email**	michael.robinson08@gmail.com
Zoning District	Urban Estate	**Additional Representative's Name**	
Justification(s)	3. Nominal and inconsequential	**Representative's Address**	
Justification(s)	1. Hardship	**Representative's Phone #**	
Justification(s)	Additional Justification	**Representative's Email**	
Reasoning If not enough room, additional written information may be submitted	See provided Word document.		

Date 6/8/2020 **Signature** Michael and Casey Robinson

We are requesting a variance to relocate our propane tank at our property at 2921 Moore Lane. Rather than have the propane tank 30 feet from our front (eastern) property line, we would like to have it 10 feet from our front (eastern) property line.

We want to relocate the propane tank from its current position as we get ready to build a detached garage and driveway on the south side of our house. The current site of our propane tank is where the driveway and SE corner of the garage would be situated.

We live on the SW corner of Moore Lane and Falcon Road. Our property is at the dead end of Moore Lane at the Pleasant Valley Ditch, and we have been told by the City of Fort Collins that they will never extend the road to connect with the other part of Moore Lane to the south of us (off of Moffat.) The ditch runs through our property on the southern side. We would relocate the propane tank to sit 35 feet from the center of the ditch, per the ditch company's requirements and easement.

We would like to place the propane tank near the SE corner of our lot, but on the north side of the ditch. The only people to drive onto that section of Moore Lane (towards the place we want to relocate the tank) would be us since the road ends right there. The nearest neighbor to the east maintains access to his pasture off of this section of Moore Lane but the propane tank would be located more than 60 feet from his access gate. The next nearest neighbor to this relocated propane tank spot would be our neighbor to the south, across the ditch, who is not impacted at all since he accesses his property only off of Moffat.

The proposed relocation spot provides easy access for the propane company to pull in and fill our tank without having to enter farther into our property. They currently must come into our backyard, through a gate in our fence, to access the tank.

With the ditch running through our property, the functional space of our property is narrow in the front and wider in the back. As such, to explore other areas to locate the propane tank and maintain access to the tank for the propane company would require us to move it to the NW side of our property. We are currently on septic and our septic system and leach field are already located on that side of our property, limiting our ability to place it over there. Our water line also runs on that side of our property as well. To locate our propane tank on that side of our property would require us to put it quite a ways from our house and directly in front of our neighbors who live at the end of Falcon Road.

We will build a fence around the relocated propane tank for visual interest.

35 feet to house (currently at 15 feet)
10 feet to front property line
35 feet to center of ditch

Future garage and driveway

Property lines

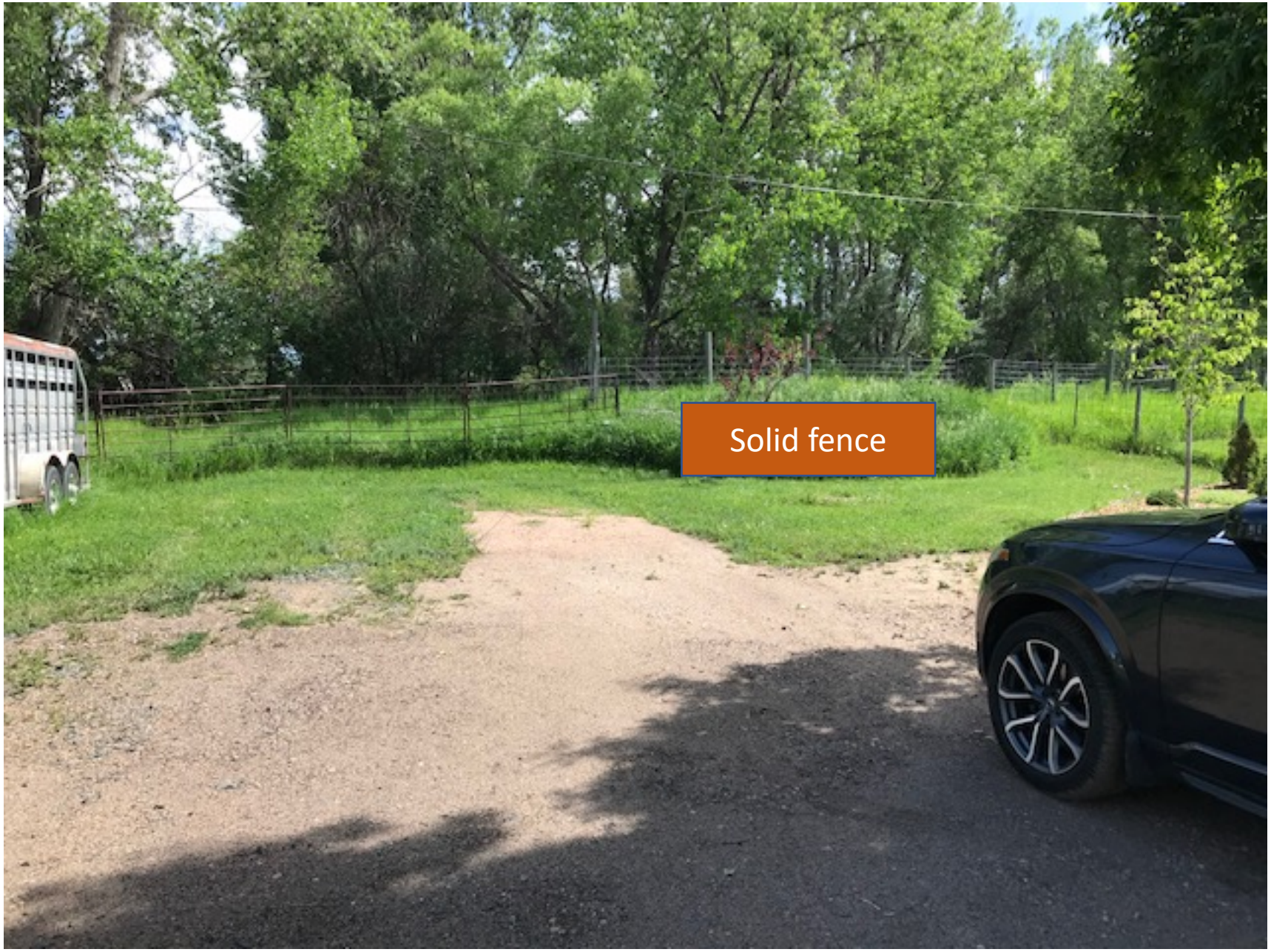
Future Driveway

Future garage

Large berm to be graded to match rest of ditch bank

Property line

We would surround the tank with a solid fence so it isn’t immediately visible from the “street”



Tank

STAFF REPORT

July 9, 2020

STAFF

Noah Beals, Senior City Planner/Zoning

PROJECT

ZBA200023

PROJECT DESCRIPTION

Address: 1131 LaPorte Ave
Petitioner/Owner: Gregg & Mary Perry
Zoning District: L-M-N
Code Section: 3.5.2(E)(2)
Variance Request:
This request is for a variance to build a carport attached to an existing accessory building (garage) encroaching 10 feet into the 15 foot required street facing side setback.

COMMENTS:

1. **Background:**

   The property is located in the Kelger Park PUD. This development was approved in 1980. The primary building was built in 1925. The existing accessory building (garage) was built some time later. This garage is proposed to be removed and a new garage with the attached carport built in its place.

   The property is considered a corner lot as it abuts both Laporte Ave and Jamith Place. The property line along Jamith Place is setback approximately 8 feet behind the sidewalk.

   In the L-M-N zone district there is not a maximum floor area and the required rear setback is 8ft.

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

3. **Staff Conclusion and Findings:**

   Under Section 2.10.4(H), staff recommends approval and finds that:

   - The variance is not detrimental to the public good.
   - The carport is open on three sides.
   - The property line is setback 8 feet from the back of sidewalk.
   - There is an existing driveway in the approximate location of the carport.

   Therefore, the variance request will not diverge from the standard but in a nominal, inconsequential way, when considered in the context of the neighborhood, and will continue to advance the purpose of the Land Use Code as contained in Section 1.2.2.

4. **Recommendation:**

   Staff recommends approval of APPEAL ZBA200023.

Application Request
for Variance from the Land Use Code

The Zoning Board of Appeals has been granted the authority to approve variances from the requirements of Articles 3 and 4 of the Land Use Code. The Zoning Board of Appeals shall not authorize any use in a zoning district other than those uses which are specifically permitted in the zoning district. The Board may grant variances where it finds that the modification of the standard **would not be detrimental to the public good**. Additionally, the variance request must meet at least one of the following justification reasons:

(1) by reason of exceptional physical conditions or other extraordinary and exceptional situations unique to the property, including, but not limited to physical conditions such as exceptional narrowness, shallowness, or topography, the strict application of the code requirements would result in unusual and exceptional practical difficulties or undue hardship upon the occupant/applicant of the property, provided that such difficulties or **hardship** are not caused by an act or omission of the occupant/applicant (i.e. not self-imposed);

(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;

(3) the proposal will not diverge from the Land Use Code standards except in a **nominal, inconsequential way** when considered in the context of the neighborhood.

This application is only for a variance to the Land Use Code. Building Code requirements will be determined and reviewed by the Building Department separately. When a building or sign permit is required for any work for which a variance has been granted, the permit must be obtained within 6 months of the date that the variance was granted.

However, for good cause shown by the applicant, the Zoning Board of Appeals may consider a one-time 6 month extension if reasonable and necessary under the facts and circumstances of the case. An extension request must be submitted before 6 months from the date that the variance was granted has lapsed.

Petitioner or Petitioner's Representative must be present at the meeting

Location: 300 LaPorte Ave, Council Chambers, Fort Collins, CO 80524

Date: Second Thursday of the month **Time:** 8:30 a.m.

Variance Address	1131 Laporte Ave	Petitioner's Name, if not the Owner	
City	Fort Collins, CO	Petitioner's Relationship to the Owner is	
Zip Code	80521	Petitioner's Address	
Owner's Name	Gregg & Mary Perry	Petitioner's Phone #	
Code Section(s)	Land Use	Petitioner's Email	
Zoning District	~~[illegible]~~ LMN	Additional Representative's Name	
Justification(s)	Choose One from List 3	Representative's Address	
Justification(s)	Additional Justification	Representative's Phone #	
Justification(s)	Additional Justification	Representative's Email	
Reasoning If not enough room, additional written information may be submitted	See Attached		

Date 6/4/2020 **Signature**

Updated 02.18.20

1

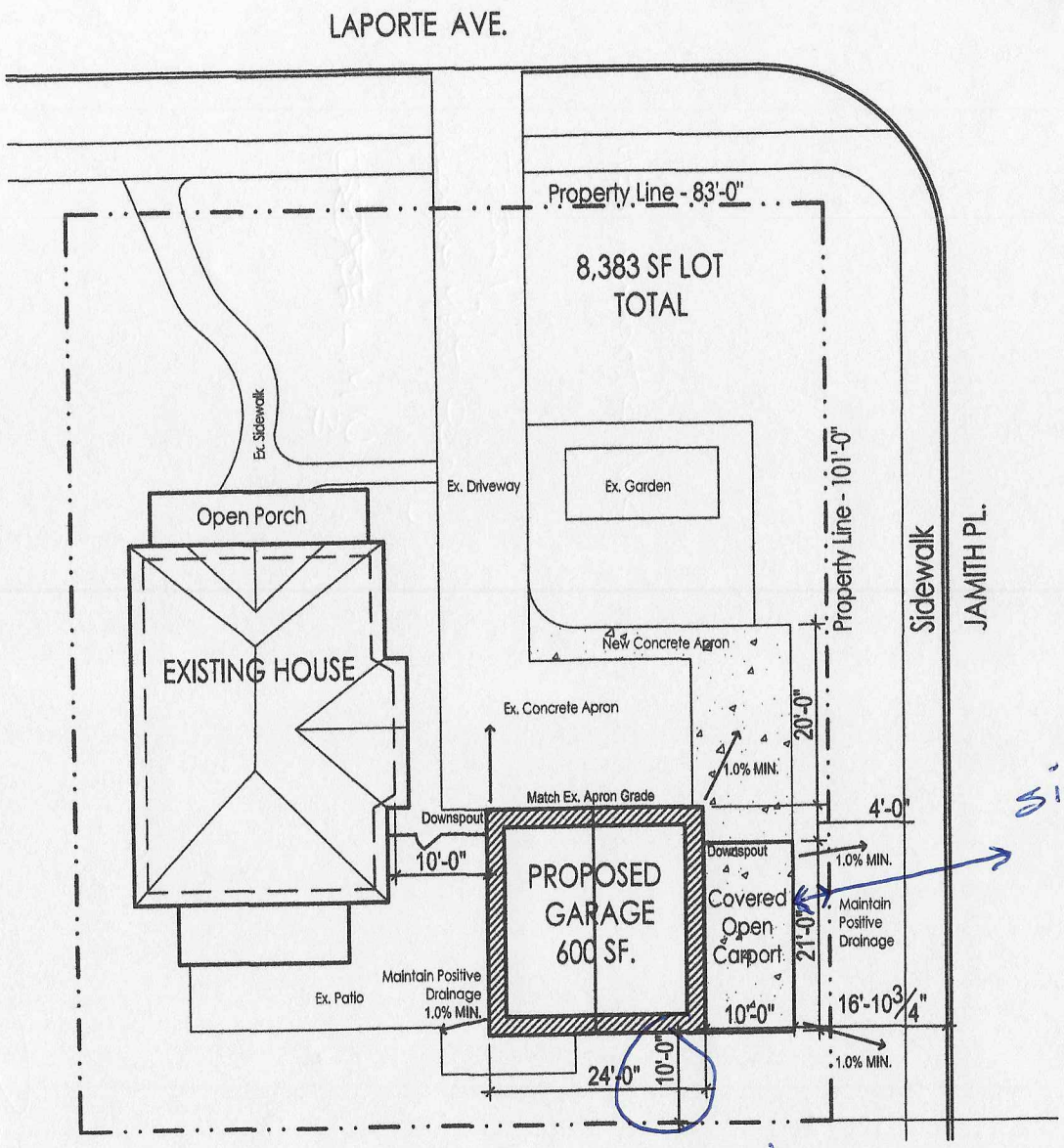
Written statement for requesting variance:

We are planning a new garage build on our 8383 sq. ft. property at 1131 Laporte Ave. Our property runs parallel to Jamith Place to the east.

Our building plan includes a detached garage with an open air carport (no walls other than the wall that is common to the garage) on the east side of the garage. In doing so we are requesting a variance of the 15 foot distance from the property line. This will allow us to construct the carport on top of a concrete pad that will be used for additional parking (travel trailer spot) that will keep it out of the elements. We have no neighbors to the east of us and behind our property is a multi-family complex that is operated by Housing Catalyst (we do not have ally access to our property). Once the project is complete we would still have 5' from the property line that runs north/south along Jamith Place, in addition to another 6.5' of grass area to the sidewalk and then 4.5' of sidewalk to the street. We also currently have landscaping on that side of the property that provides privacy from the road for a majority of the current structure and that will not change once the new structure is built. Our current situation is very similar to what we are trying to accomplish with the new build, only our current garage is not big enough for two vehicles, and the area on the east side of the garage, where the travel trailer is currently parked, just doesn't have the carport cover on it which we would like to add. We believe this is in keeping with the current aesthetic of the property and the neighborhood/area. We are not infringing on any neighbors property/view/use, with the current plans we have submitted to the city of Fort Collins for approval.

We appreciate your consideration and look forward to your decision.

Site Plan



side setback
5'

Rear setback
10'

0 8' 16' 32' FEET

SCALE: 1/16"=1'-0"

NORTH

1131 LAPORTE AVE.
FORT COLLINS, CO.

PREPARED FOR:
BUILDING SERVICES
CITY OF FORT COLLINS

CONTACT/ OWNER:
Gregg and Mary Perry
1131 Laporte Avenue
Fort Collins, CO 80524
PH:

SCALE:
1/16" = 1'-0"

DATE:
MARCH 17, 2020

DRAWING TITLE:
PROPOSED SITE & GRADING PLAN

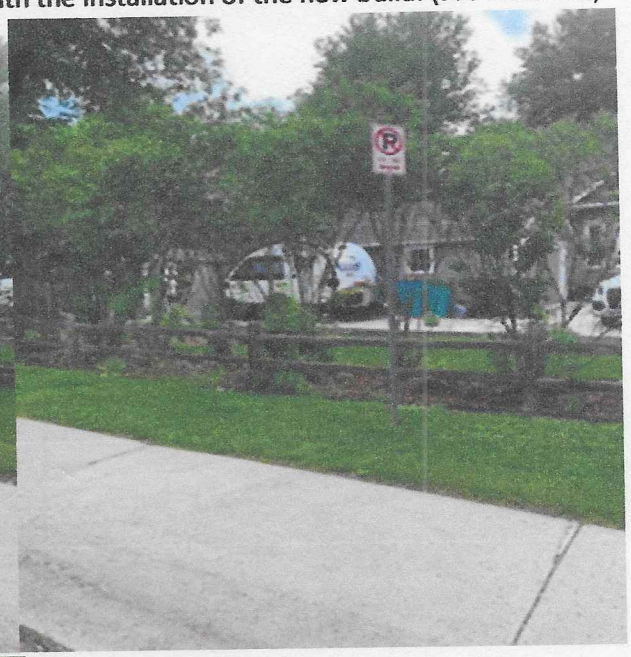
SHEET NO:
L1.0

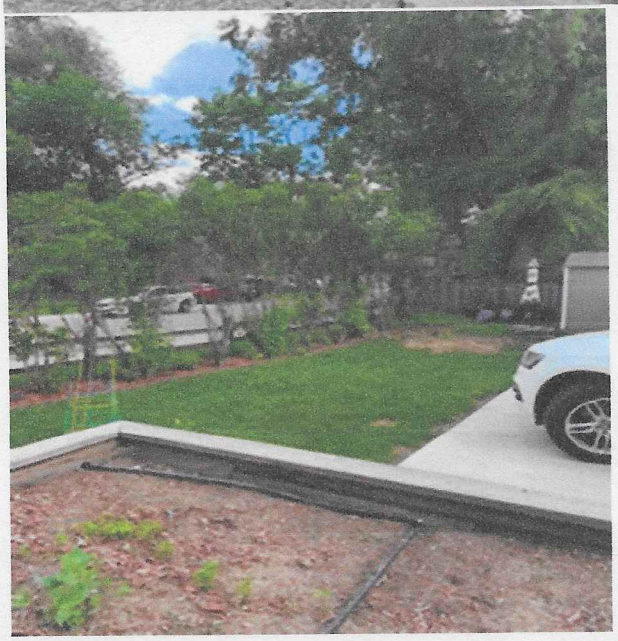
(3)

Landscape Plan

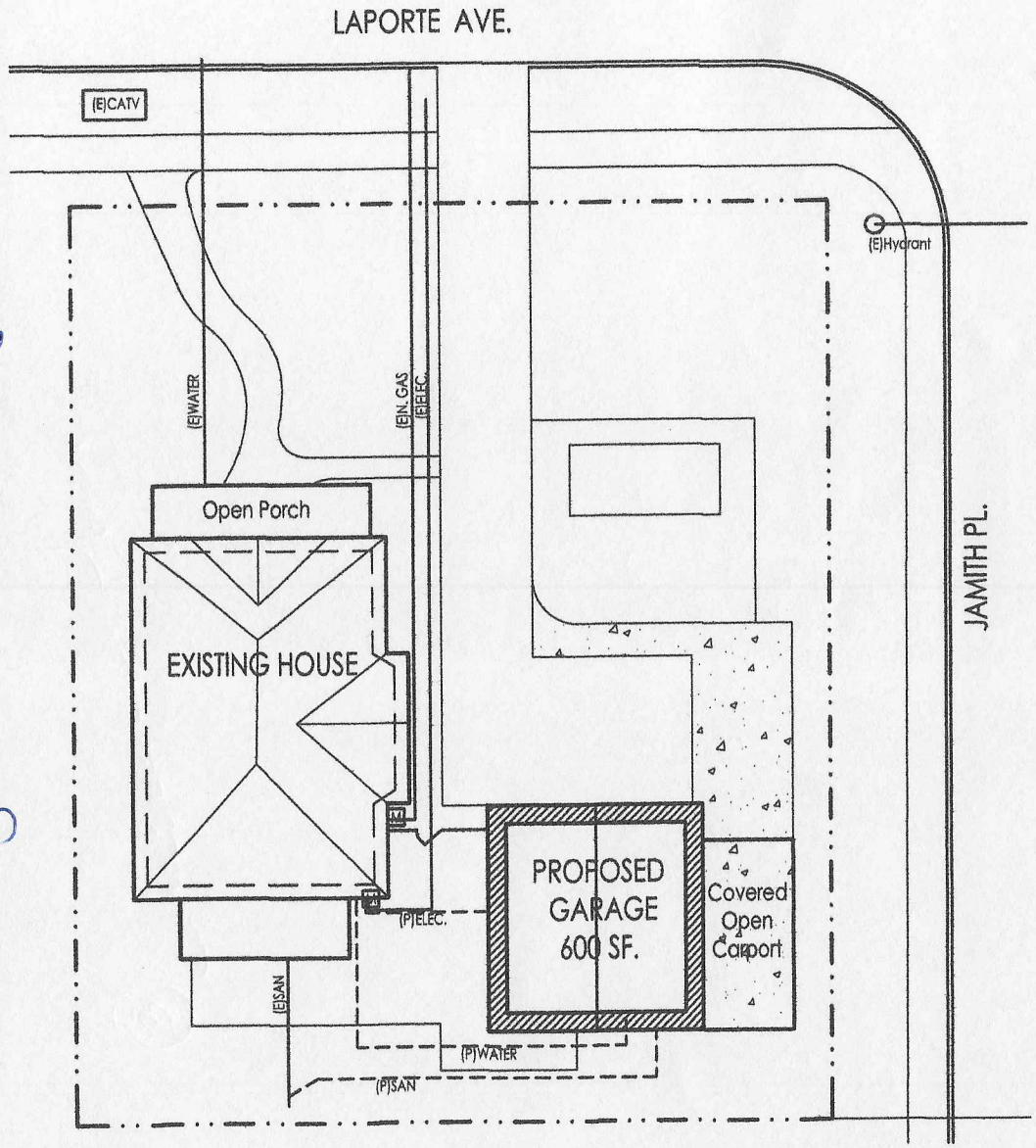
Landscaping:

Is already in place and won't be infringed upon with the installation of the new build. (see attached)





Project Drawings



0 8' 16' 32' FEET

SCALE: 1/16"=1'-0"

NORTH

1131 LAPORTE AVE.
FORT COLLINS, CO.

PREPARED FOR:
BUILDING SERVICES
CITY OF FORT COLLINS

CONTACT/ OWNER:
Gregg and Mary Perry
1131 Laporte Avenue
Fort Collins, CO 80524
PH:

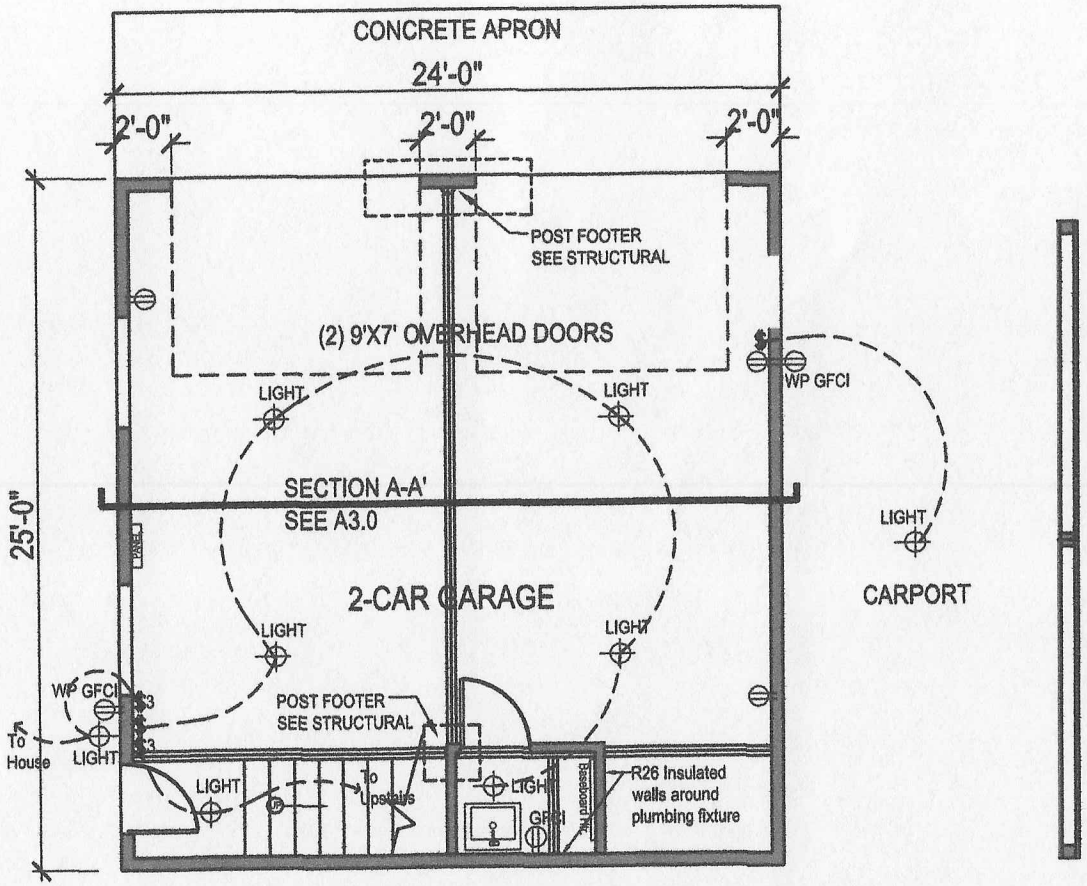
SCALE:
1/16" = 1'-0"

DATE:
MARCH 17, 2020

DRAWING TITLE:
UTILITY PLAN

SHEET NO:
L2.0

4



FLOOR PLAN - GROUND LEVEL - SCALE: 3/16" = 1'-0"

NORTH

1131 LAPORTE AVE.
FORT COLLINS, CO.

PREPARED FOR:
BUILDING SERVICES
CITY OF FORT COLLINS

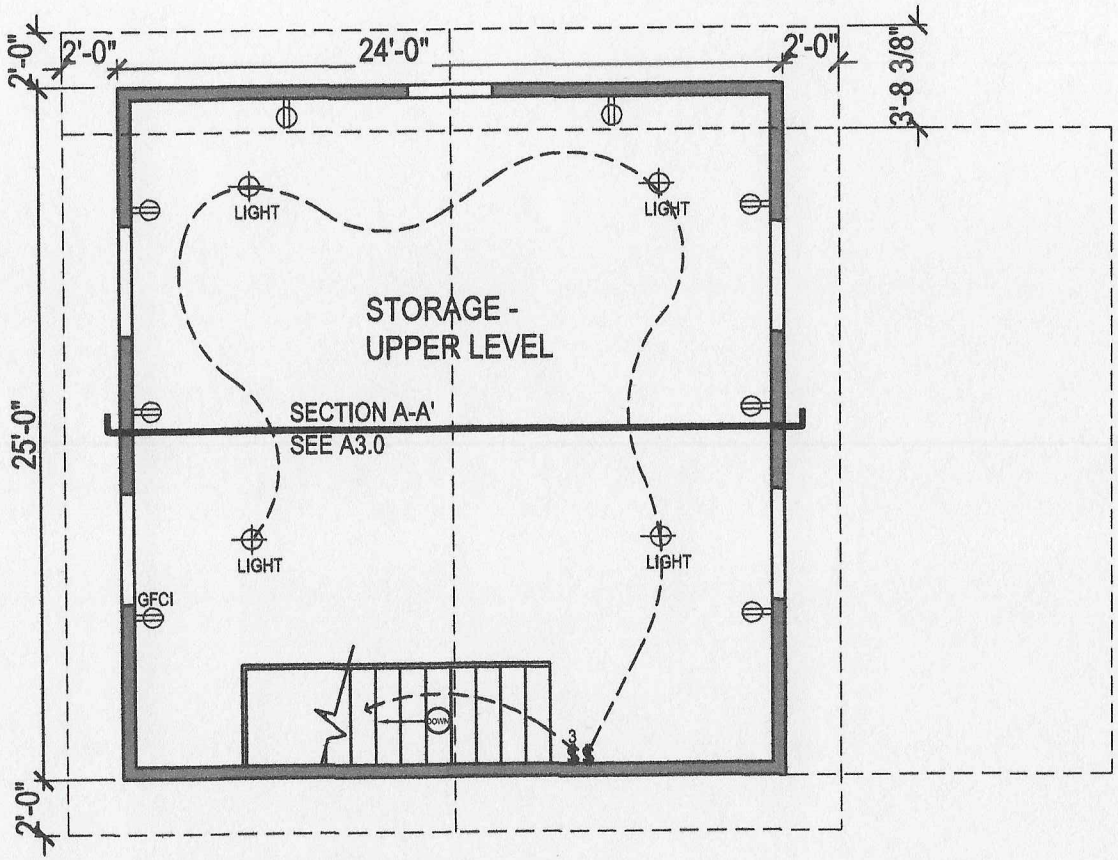
CONTACT/ OWNER:
Gregg and Mary Perry
1131 Laporte Avenue
Fort Collins, CO 80524
PH:

SCALE:
3/16" = 1'-0"

DATE:
MAY 26, 2020

DRAWING TITLE:
BUILDING FLOORPLAN

SHEET NO:
A1.0



FLOOR PLAN - UPPER LEVEL - SCALE: 3/16" = 1'-0"

NORTH

1131 LAPORTE AVE.
FORT COLLINS, CO.

PREPARED FOR:
BUILDING SERVICES
CITY OF FORT COLLINS

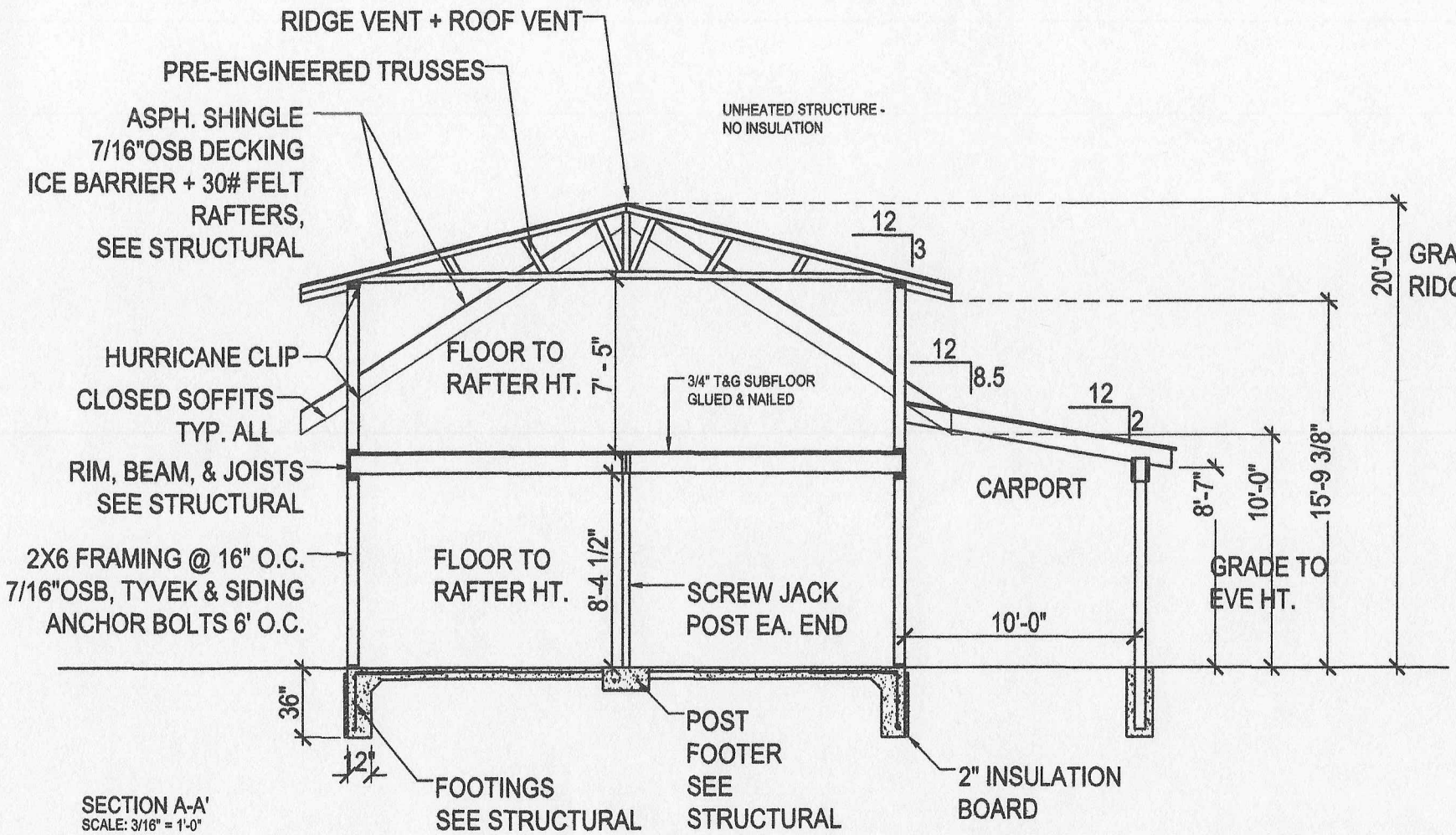
CONTACT/ OWNER:
Gregg and Mary Perry
1131 Laporte Avenue
Fort Collins, CO 80524
PH:

SCALE:
3/16" = 1'-0"

DATE:
MAY 26, 2020

DRAWING TITLE:
BUILDING FLOORPLAN

SHEET NO:
A2.0



SECTION A-A'
SCALE: 3/16" = 1'-0"

1131 LAPORTE AVE.
FORT COLLINS, CO.

PREPARED FOR:
BUILDING SERVICES
CITY OF FORT COLLINS

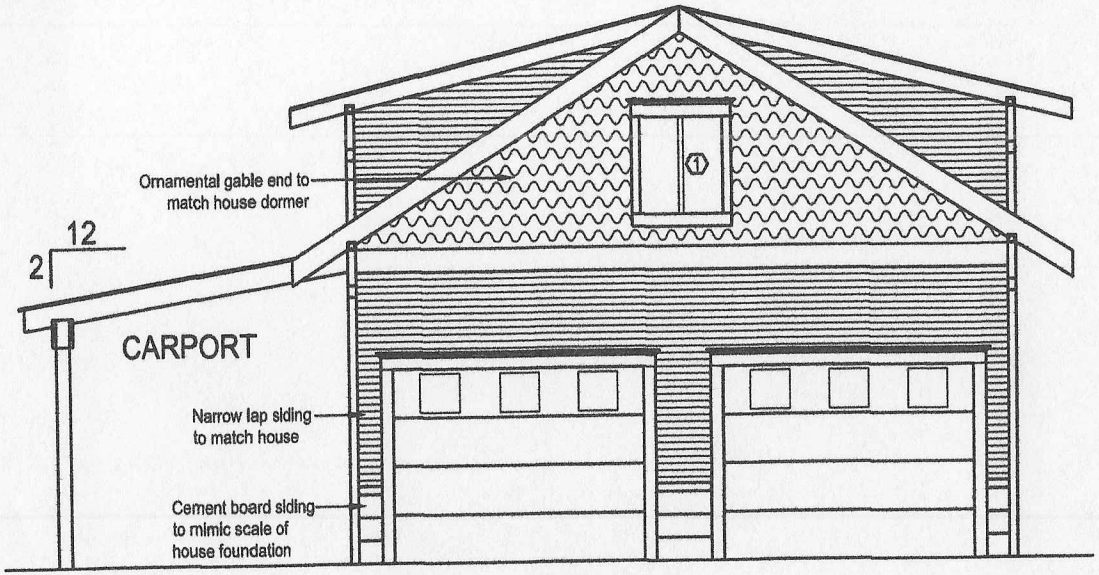
CONTACT/ OWNER:
Gregg and Mary Perry
1131 Laporte Avenue
Fort Collins, CO 80524
PH:

SCALE:
3/16" = 1'-0"

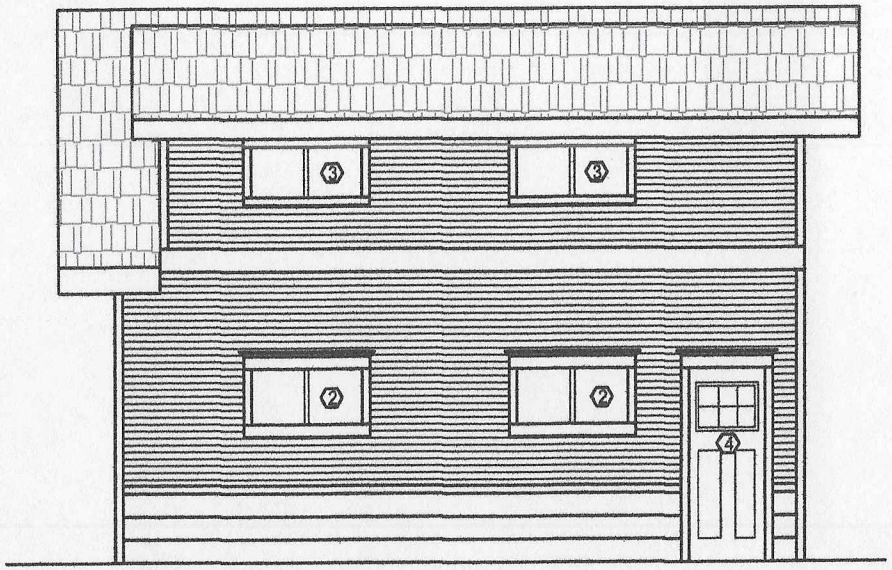
DATE:
MAY 26, 2020

DRAWING TITLE:
BUILDING SECTION

SHEET NO:
A3.0



NORTH ELEVATION
SCALE: 3/16" = 1'-0"



WEST ELEVATION
SCALE: 3/16" = 1'-0"

WINDOW /DOOR SCHEDULE

1. 36x42 Casement Horiz. Slider
2. 48x24 Casement Awning
3. 48x21 Casement Horiz. Slider
4. 32x80 Door

1131 LAPORTE AVE.
FORT COLLINS, CO.

PREPARED FOR:
BUILDING SERVICES
CITY OF FORT COLLINS

CONTACT/ OWNER:
Gregg and Mary Perry
1131 Laporte Avenue
Fort Collins, CO 80524
PH:

SCALE:
3/16" = 1'-0"

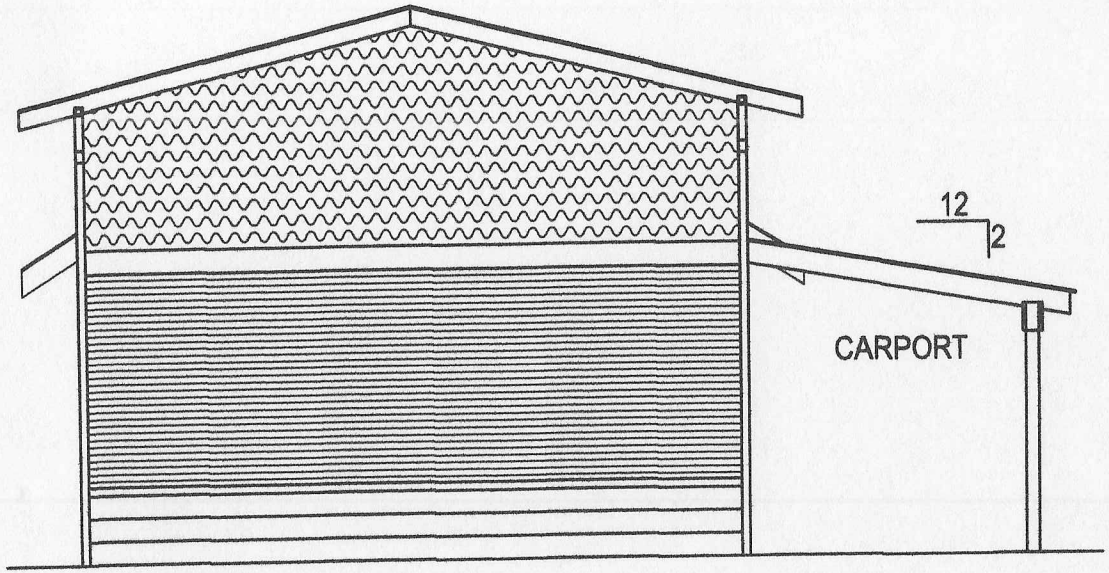
DATE:
MAY 26, 2020

DRAWING TITLE:
BUILDING ELEVATIONS

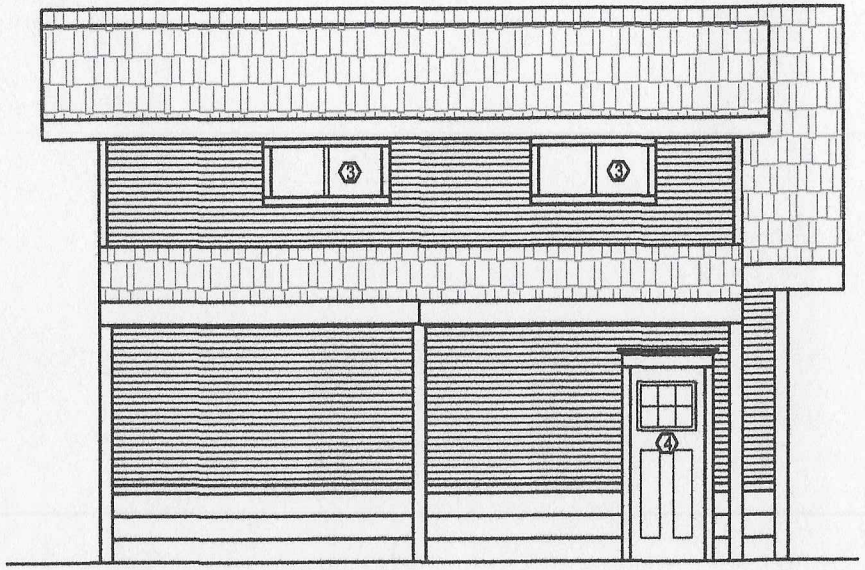
SHEET NO:
A4.0

Architectural Elevations

5



SOUTH ELEVATION
SCALE: 3/16" = 1'-0"



EAST ELEVATION
SCALE: 3/16" = 1'-0"

WINDOW /DOOR SCHEDULE

1. 36x42 Casement Horiz. Slider
2. 48x24 Casement Awning
3. 48x21 Casement Horiz. Slider
4. 32x80 Door

1131 LAPORTE AVE.
FORT COLLINS, CO.

PREPARED FOR:
BUILDING SERVICES
CITY OF FORT COLLINS

CONTACT/ OWNER:
Gregg and Mary Perry
1131 Laporte Avenue
Fort Collins, CO 80524
PH:

SCALE:
3/16" = 1'-0"

DATE:
MAY 26, 2020

DRAWING TITLE:
BUILDING ELEVATIONS

SHEET NO:
A5.0

From:	Noah Beals
To:	Jennifer Luther
Cc:	Kacee Scheidenhelm
Subject:	FW: [EXTERNAL] Zoning appeal ZBA200023 — Support
Date:	Monday, June 29, 2020 12:05:31 PM

From: Mark Winemiller <markw1420@gmail.com>
Sent: Monday, June 29, 2020 10:14 AM
To: Noah Beals <nbeals@fcgov.com>
Cc: Mark Winemiller <markw1420@gmail.com>
Subject: [EXTERNAL] Zoning appeal ZBA200023 — Support

I live at 1160 Laporte Ave, Fort Collins, and just reviewed Zoning appeal ZBA200023. I think it's reasonable and would not impact the neighborhood negatively — especially because the proposed carport will be largely "hidden" behind the existing hedge/landscaping.
I support it.
Thanks,
Mark Winemiller

STAFF REPORT

July 9, 2020

STAFF

Noah Beals, Senior City Planner/Zoning

PROJECT

ZBA200024

PROJECT DESCRIPTION

Address: 305 W. Swallow Road
Owner: Foothills Assembly of God
Petitioner: Matt Everhart
Zoning District: R-L
Code Section: 3.8.7.2(B)Table B
Variance Request:
This request is for a variance to install a 3 foot tall wall sign logo for Foothills Assembly of God, exceeding the maximum height of dimensional wall signs in the residential sign district by 1.5 feet.

COMMENTS:

1. **Background:**
   The property was part of the South Meadowlark Heights subdivision. The Subdivision platted 101 detached single-family lots and an additional three tracts of land to be developed at a later date. One of these tracts is the current site of the Foothills Assembly of God place of worship. The proximity to the residential lots led to the decision to place the subject property in the Residential Sign District.

   The proposed location of the sign is on the east side of the building. The east side faces the railroad tracks and McClelland Drive. This abutting property is zoned C-G and is not in the residential sign district.

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

3. **Staff Conclusion and Findings:**
   Under Section 2.10.2(H), staff recommends approval and finds that:

   - The variance is not detrimental to public good.
   - The sign is not visible from the abutting properties that are Zoned R-L.
   - The sign faces non-residential properties not in the residential sign district.
   - The additional height is limited to the logo.

   Therefore, the variance request will not diverge from the standard but in a nominal, inconsequential way, when considered in the context of the neighborhood, and will continue to advance the purpose of the Land Use Code as contained in Section 1.2.2.

4. **Recommendation:**
   Staff recommends approval of APPEAL ZBA200024.

Application Request
for Variance from the Land Use Code

The Zoning Board of Appeals has been granted the authority to approve variances from the requirements of Articles 3 and 4 of the Land Use Code. The Zoning Board of Appeals shall not authorize any use in a zoning district other than those uses which are specifically permitted in the zoning district. The Board may grant variances where it finds that the modification of the standard **would not be detrimental to the public good**. Additionally, the variance request must meet at least one of the following justification reasons:

(1) by reason of exceptional physical conditions or other extraordinary and exceptional situations unique to the property, including, but not limited to physical conditions such as exceptional narrowness, shallowness, or topography, the strict application of the code requirements would result in unusual and exceptional practical difficulties or undue hardship upon the occupant/applicant of the property, provided that such difficulties or **hardship** are not caused by an act or omission of the occupant/applicant (i.e. not self-imposed);

(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;

(3) the proposal will not diverge from the Land Use Code standards except in a **nominal, inconsequential way** when considered in the context of the neighborhood.

This application is only for a variance to the Land Use Code. Building Code requirements will be determined and reviewed by the Building Department separately. When a building or sign permit is required for any work for which a variance has been granted, the permit must be obtained within 6 months of the date that the variance was granted.

However, for good cause shown by the applicant, the Zoning Board of Appeals may consider a one-time 6 month extension if reasonable and necessary under the facts and circumstances of the case. An extension request must be submitted before 6 months from the date that the variance was granted has lapsed.

Petitioner or Petitioner's Representative must be present at the meeting

Location: 300 LaPorte Ave, Council Chambers, Fort Collins, CO 80524

Date: Second Thursday of the month Time: 8:30 a.m.

Variance Address	305 W. Swallow Rd.	**Petitioner's Name, if not the Owner**	Matt Everhart
City	Fort Collins, CO	**Petitioner's Relationship to the Owner is**	Sign Contractor
Zip Code	80526	**Petitioner's Address**	6410 S. College Ave.
Owner's Name	Foothills Assembly of God	**Petitioner's Phone #**	970-221-2627
Code Section(s)		**Petitioner's Email**	matt@conceptsignco.com
Zoning District	RL- Low Density Residential zone	**Additional Representative's Name**	
Justification(s)	3. Nominal and inconsequential	**Representative's Address**	
Justification(s)	Additional Justification	**Representative's Phone #**	
Justification(s)	Additional Justification	**Representative's Email**	
Reasoning If not enough room, additional written information may be submitted	Please see written statement explaining the reasons for this variance request.		

Date 06/10/2020 **Signature** Matt Everhart

June 10, 2020

Fort Collins Zoning Board of Appeals
281 N. College Ave.
Fort Collins, CO 80524

To whom it may concern:

Concept Signs & Graphics is appealing to the board for a variance on behalf of Foothills Assembly of God at 305 W. Swallow Rd. We received a permit approval for the text portion of the signage. However, the logo portion was not approved. The requested change deviates slightly from the current sign code.

The setback from McClelland Dr. and Swallow is several hundred feet. This will not be a huge impact to being seen from the ROW. Visibility of the sign from the road will be difficult at best (see photos attached). The sign is non-illuminated and already small in scale to the building and the property size. The sign faces primarily commercial properties. Due to the current restrictions this would cause the visibility and effectiveness of the sign to be reduced tremendously. The overall height that we are requesting for a variance is 3'. This adjustment would not be detrimental visually or otherwise to the neighborhood.

Thank you for your consideration.

Sincerely,

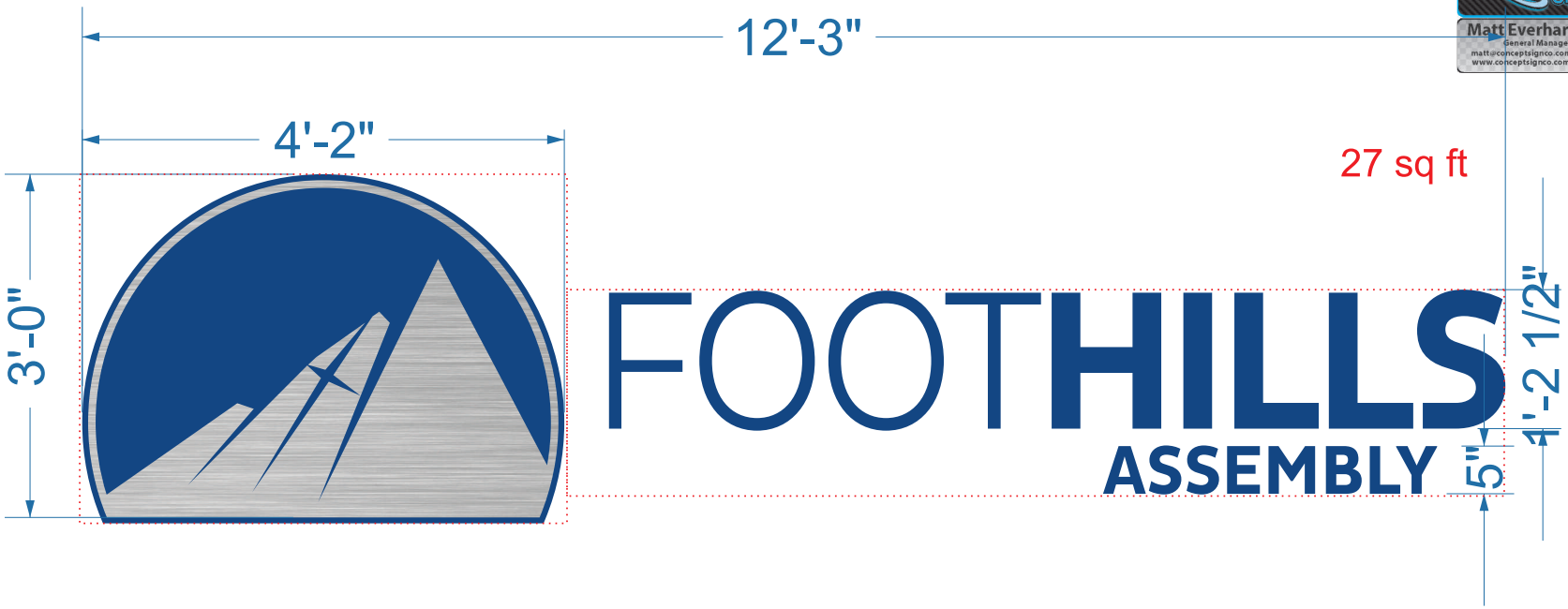
Matt Everhart
Concept Signs & Graphics

View from Swallow Rd.
Sign location is circled in red.

View from McClelland Dr.
Sign location is circled in red.

View from intersection of Swallow Rd. and McClelland Dr.
Sign location is circled in red.

CONCEPT Signs & Graphics
Since 1985
Matt Everhart
General Manager
matt@conceptsignco.com
www.conceptsignco.com
6410 S College Ave Suite A
Fort Collins, CO 80525
Phone: 970.221.2627
Fax: 970.224.9916



1/4" ALUMINUM PAINTED BLUE PMS 7692 TO MATCH MONUMENT SIGN. STUD MOUNTED WITH VARIED DEPTH SPACERS FOR LETTERS TO SET PLUMB. TOP TO BE FLUSH AND BOTTOM SPACED TO MATCH. ASSEMBLY LETTERS TO BE MOUNTED ON SAME PLANE AS BOTTOM OF FOOTHILLS. LOGO GRAPHIC TO BE CAD CUT BRUSHED ALUMINUM.

A ENTRY WALL SIGN FCO LOGO AND LETTERS

QUANTITY 1 SCALE 3/4"=1'

305 W Swallow Rd.

Drawing # FOOTHILLS 5-14-20

© Copyright - Please note this artwork is original and is the property of Concept Signs & Graphics. Distribution of this artwork in any form is prohibited.

PLEASE VERIFY ALL INFORMATION IS CORRECT AND SIGN BELOW.
NOTE: DUE TO INDIVIDUAL COMPUTER MONITOR AND PRINTER VARIATIONS THE FINISHED PRODUCT MAY VARY IN APPEARANCE. FOR A NOMINAL FEE, PRODUCTION PROOF COLORS CAN BE PRODUCED FOR APPROVAL.

PROOF APPROVAL:_____ DATE:_____

CONCEPT Signs & Graphics
Matt Everhart
General Manager
matt@conceptsignco.com
www.conceptsignco.com
6410 S College Ave Suite A
Fort Collins, CO 80525
Phone: 970.221.2627
Fax: 970.224.9916

205 W Swallow Rd.
Drawing # FOOTHILLS-5-14-20
PAGE 2 of 3

© Copyright - Please note this artwork is original and is the property of Concept Signs & Graphics. Distribution of this artwork in any form is prohibited.

PLEASE VERIFY ALL INFORMATION IS CORRECT AND SIGN BELOW.
NOTE: DUE TO INDIVIDUAL COMPUTER MONITOR AND PRINTER VARIATIONS THE FINISHED PRODUCT MAY VARY IN APPEARANCE. FOR A NOMINAL FEE, PRODUCTION PROOF COLORS CAN BE PRODUCED FOR APPROVAL.

PROOF APPROVAL:_____ DATE:_____

CONCEPT Signs & Graphics
Since 1985
Matt Everhart
General Manager
matt@conceptsignco.com
www.conceptsignco.com
6410 S College Ave Suite A
Fort Collins, CO 80525
Phone: 970.221.2627
Fax: 970.224.9916

305 W Swallow Rd.
Drawing # FOOTHILLS 5-14-20
PAGE 3 of 3

© Copyright - Please note this artwork is original and is the property of Concept Signs & Graphics. Distribution of this artwork in any form is prohibited.

PLEASE VERIFY ALL INFORMATION IS CORRECT AND SIGN BELOW.
NOTE: DUE TO INDIVIDUAL COMPUTER MONITOR AND PRINTER VARIATIONS THE FINISHED PRODUCT MAY VARY IN APPEARANCE. FOR A NOMINAL FEE, PRODUCTION PROOF COLORS CAN BE PRODUCED FOR APPROVAL.

PROOF APPROVAL:_____ DATE:_____

STAFF REPORT

July 9, 2020

STAFF

Noah Beals, Senior City Planner/Zoning

PROJECT

ZBA200025

PROJECT DESCRIPTION

Address: 419 E. Laurel Street
Owner/Petitioner: Adam & Lauren Rubin
Zoning District: N-C-M
Code Section: 4.8(E)(4) & 3.8.19(A)(6)
Variance Request:
This is a request for two variances. The first is to build an addition to the existing accessory building to match the existing building's setback of 2 feet 9 inches from the side property line, encroaching 2 feet 3 inches into the required 5 foot side setback. The second is for the eaves to encroach an additional 1 foot into the setback, encroaching a total of 3 feet 9 inches into the setback where permitted encroachment for an eave is 2.5 feet.

COMMENTS:

1. **Background:**

   The property was platted with the original town map in 1873, it was later replatted in the Galligan's Subdivision in approximately in 1905. The original primary building was built in 1908 and the accessory building (garage) was built later.

   The existing garage was built 2 feet 9 inches from the property line. In time the City adopted the Land Use Code that established setbacks. When the Land Use Code was adopted the existing garage became a legal non-conforming structure. Any additions to the garage are required to comply with the current standards.

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

3. **Staff Conclusion and Findings:**

   Under Section 2.10.4(H), staff recommends approval and finds that:

   - The variance is not detrimental to the public good.
   - The addition will match the setback of the existing garage.
   - The 18 foot length of the addition is 10% of the 180 foot length of the property line.
   - The addition does not exceed allowable floor area for the entire lot or in the rear half.

   Therefore, the variance request will not diverge from the standard but in a nominal, inconsequential way, when considered in the context of the neighborhood, and will continue to advance the purpose of the Land Use Code as contained in Section 1.2.2.

4. **Recommendation:**

   Staff recommends approval of APPEAL ZBA200025.

Application Request
for Variance from the Land Use Code

The Zoning Board of Appeals has been granted the authority to approve variances from the requirements of Articles 3 and 4 of the Land Use Code. The Zoning Board of Appeals shall not authorize any use in a zoning district other than those uses which are specifically permitted in the zoning district. The Board may grant variances where it finds that the modification of the standard **would not be detrimental to the public good**. Additionally, the variance request must meet at least one of the following justification reasons:

(1) by reason of exceptional physical conditions or other extraordinary and exceptional situations unique to the property, including, but not limited to physical conditions such as exceptional narrowness, shallowness, or topography, the strict application of the code requirements would result in unusual and exceptional practical difficulties or undue hardship upon the occupant/applicant of the property, provided that such difficulties or **hardship** are not caused by an act or omission of the occupant/applicant (i.e. not self-imposed);

(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;

(3) the proposal will not diverge from the Land Use Code standards except in a **nominal, inconsequential way** when considered in the context of the neighborhood.

This application is only for a variance to the Land Use Code. Building Code requirements will be determined and reviewed by the Building Department separately. When a building or sign permit is required for any work for which a variance has been granted, the permit must be obtained within 6 months of the date that the variance was granted.

However, for good cause shown by the applicant, the Zoning Board of Appeals may consider a one-time 6 month extension if reasonable and necessary under the facts and circumstances of the case. An extension request must be submitted before 6 months from the date that the variance was granted has lapsed.

Petitioner or Petitioner's Representative must be present at the meeting

Location: 300 LaPorte Ave, Council Chambers, Fort Collins, CO 80524

Date: Second Thursday of the month Time: 8:30 a.m.

Variance Address	419 E Laurel St	**Petitioner's Name, if not the Owner**	
City	Fort Collins, CO	**Petitioner's Relationship to the Owner is**	
Zip Code	80524	**Petitioner's Address**	419 E Laurel St
Owner's Name	Adam & Lauren Rubin	**Petitioner's Phone #**	760-310-0845
Code Section(s)	4.8 (E)(4) & 3.8.19 (A)(6)	**Petitioner's Email**	adamrubin2001@yahoo.com
Zoning District	N-C-M	**Additional Representative's Name**	
Justification(s)	1. Hardship	**Representative's Address**	
Justification(s)	3. Nominal and inconsequential	**Representative's Phone #**	
Justification(s)	Additional Justification	**Representative's Email**	
Reasoning If not enough room, additional written information may be submitted	see attached letter		

Date 6/9/2020 **Signature**

Updated 02.18.20

June 9, 2020

City of Fort Collins
Zoning Board of Appeals
281 N. College Avenue
Fort Collins, CO 80524

RE: Variance Request for 419 E Laurel St

To whom it may concern:

I am requesting two variances to the Land Use Code for section 4.8 (E)(4) which sets the minimum side yard setback at 5' and section 3.8.19 (A)(6) which states that eaves may only project 2'-6" into a required setback.

We are proposing to expand and remodel an existing detached garage that was built 2'-9" from the side yard property line probably in the 1930's or 1940's. The existing garage is in poor shape and in need of maintenance to keep it useable and safe. The garage is currently used as shop/storage space since it is not large enough to fit a typical vehicle due to an internal wood support central in the space. Our hope is to extend the existing garage structure south towards the alley to create a proper single car garage and then remodel the existing space and keep it for shop/storage use. The siding, which contains asbestos, would be replaced and the existing structural framing supplemented as needed to ensure a safe structure. There isn't a water or sewer connection to the garage now and they wouldn't be added with this proposed project.

Note the ILC included shows the distance from the existing garage to the side property line at ±3'. However, on the drawings and in this request, we are noting this distance to be 2'-9" which we believe represents the worst-case scenario. In the event a variance is granted, we want to avoid finding out later that we need more of a variance than was actually requested.

We are asking for a variance to the Land Use Code for the following reasons:

1. <u>Hardship</u> - We understand the existing garage is existing non-compliant with current codes and doesn't require justification to be remodeled. However, to expand the structure south towards the alley in compliance with the 5' side yard setback would prove very difficult for the following reasons:
    a. We are constrained on the site by underground utilities (electric and cable) passing by the garage approximately 2'-5" to the east of the existing structure. If the new structure were to be offset approximately 2'-3" to the east to meet the setback requirement then these utilities would need to be relocated. For the electric service alone, this would entail a minimum of 115' of new wiring since the new run would be longer than the existing run. The additional cost to relocate these utilities when added onto the already challenging existing conditions (including asbestos removal and disposal) would likely make this project financially unviable.
    b. There is a large utility pole and electrical ground box just east of the current driveway in the alley. Further east there is an electrical vault and a communications pedestal. These utilities dictate where there is drive access onto our property from the alley. Offsetting the new addition 2'-3" to the east to meet the 5' side yard setback would push the new garage door east and make access from the alley problematic. The garage door access would be partially blocked by the utility pole and electrical ground box and making the sharp turn in from the alley, around these utilities, and then into the garage at an angle would be difficult.

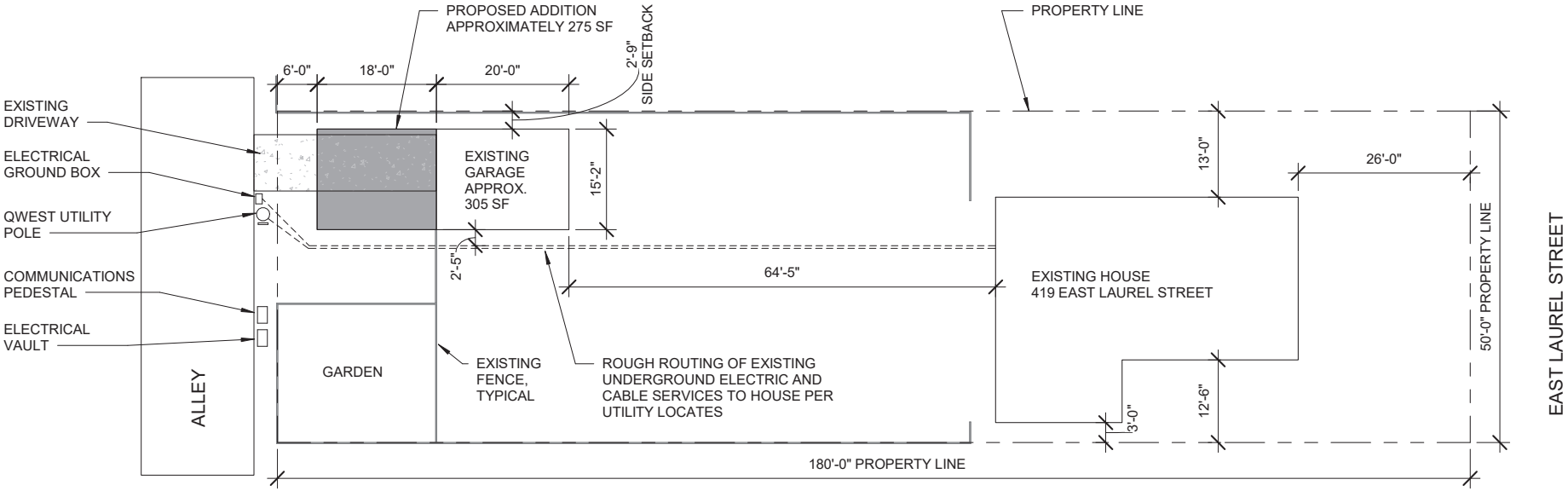
i. A secondary impact of doing this is we wouldn't be left with enough space to park a second vehicle off the alley. The remaining exterior parking space wouldn't be wide enough to fit a second vehicle which would reduce off-street parking for the property. This would be unfortunate especially with restricted parking along Laurel in the front.

2. <u>Nominal and Inconsequential</u>
   a. Within the context of the neighborhood, this expansion would not be atypical. There are numerous large garages off the alley within our block that do not appear to meet typical setback requirements due to the age of the neighborhood. Our neighbor to the west has a two-car sized garage that is a similar distance (around 2'-9") from their west property line. This neighbor has expressed support for our proposed plan. The neighbor to the east has a two-car garage right of the alley but they were only able to do this because their alley access isn't restricted by utility vaults/poles.
   b. While the new addition would encroach into the side yard setback by 2'-3", the overall impact will be limited to the adjacent property for the following reasons:
      i. Though the new roof is proposed to be taller, the existing eave height will remain the same at about 8'-3". This is lower than the 10' maximum eave height allowed.
      ii. The maximum allowable building height is 20' but the height of this structure would be less than 17'.
      iii. The structure along the side property line including the eave will be 1-hour fire rated to be compliant with International Residential Code requirements. In addition, we will remove a window along the west wall since openings are no longer allowed within 3' of the property line per Code.
   c. If the variance to reduce the side yard setback is granted, we would also request that the maximum 2'-6" eave projection into the setback be increased by 6" to allow a reasonable roof overhang on the west side to better protect the new structure from water runoff. Currently we show a 9" overhang on the drawings which keeps the eave projection 2' from the property line. This distance would comply with International Residential Code requirements which doesn't allow any projections within 2' of the property line. This overhang would also be 3" less than the current 12" overhang on the existing garage.

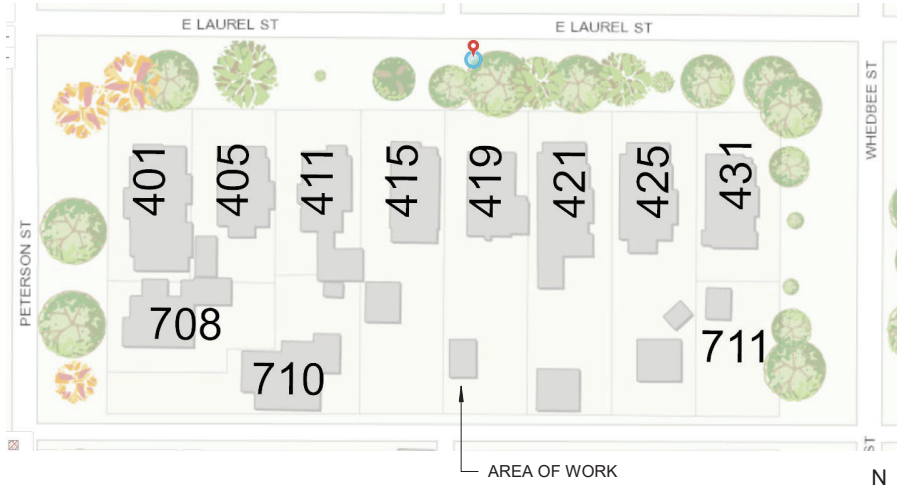
Thank you for your consideration.

Sincerely,

Adam Rubin,
419 E Laurel St
Fort Collins, CO 80524
Adamrubin2001@yahoo.com
(760)310-0845



1 Site Plan
1/16" = 1'-0"



2 Key Plan
No Scale

PROJECT DESCRIPTION: EXPAND EXISTING DETACHED GARAGE (ACCESSORY BUILDING WITHOUT HABITABLE SPACE) TOWARD ALLEY TO CREATE SINGLE CAR GARAGE AND SHOP/STORAGE SPACE.

ZONING DISTRICT: NCM

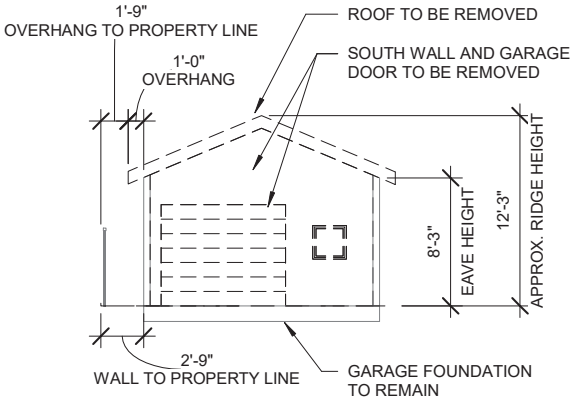
FLOOR AREAS:
EXISTING GARAGE - 305 SF
GARAGE EXPANSION - 275 SF
TOTAL - 580 SF

ALLOWABLE FLOOR AREA - 600 SF

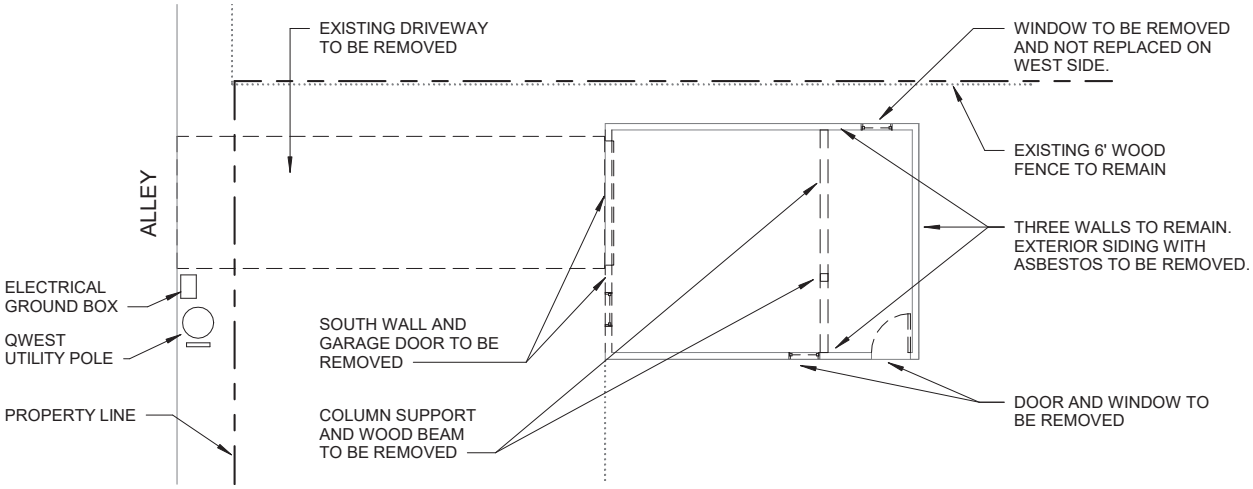
REQUIRED SETBACKS:
SIDE YARD - 5' (VARIANCE REQUIRED TO ALLOW EXISTING 2-9" SETBACK TO BE MAINTAINED WITH EXPANSION)
REAR YARD - 5' TO EXISTING ALLEY

419 EAST LAUREL STREET, FORT COLLINS, CO
GARAGE EXPANSION PROJECT
SITE PLAN

Schematic Design	
Date	06/09/20
Drawn by	ACR
Sheet Number	A1

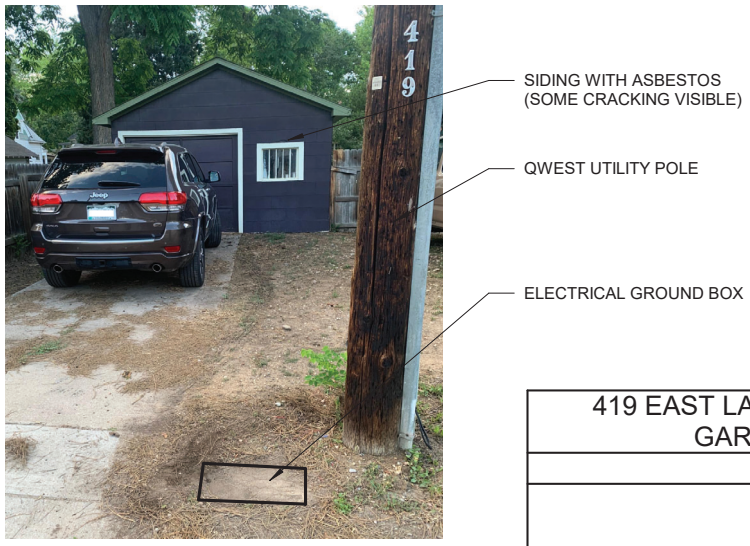


2 Existing South Elevation
1/8" = 1'-0"



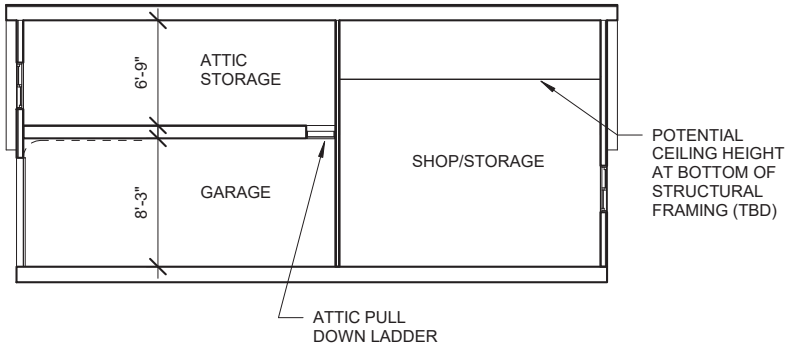
1 Garage Demolition Plan
1/8" = 1'-0"

4 Picture Within Garage
No Scale

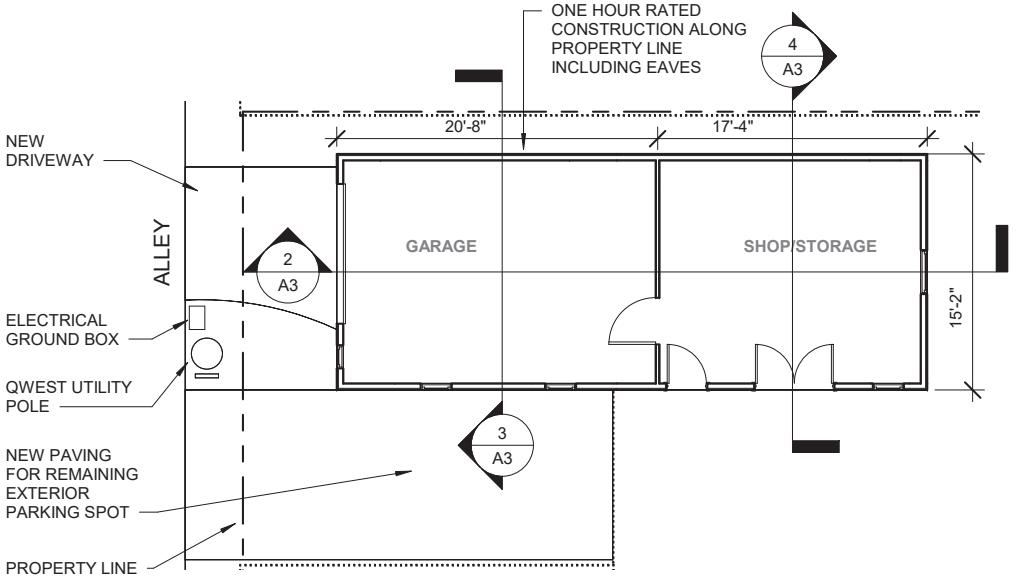


3 Picture from Alley
No Scale

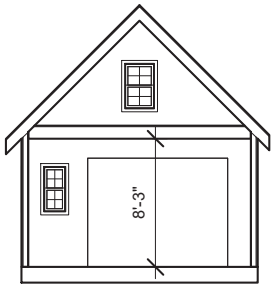
419 EAST LAUREL STREET, FORT COLLINS, CO GARAGE EXPANSION PROJECT	
DEMOLITION PLANS	
Schematic Design	
Date	06/09/2020
Drawn by	ACR
Sheet Number	A2



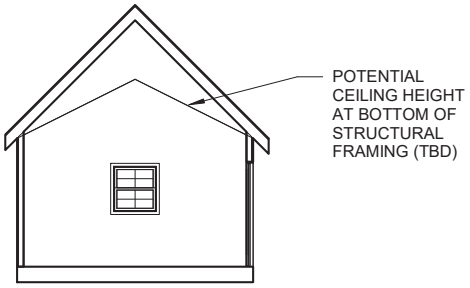
2 Garage & Shop/Storage Section
1/8" = 1'-0"



1 New Floor Plan
1/8" = 1'-0"



3 Garage Section
1/8" = 1'-0"



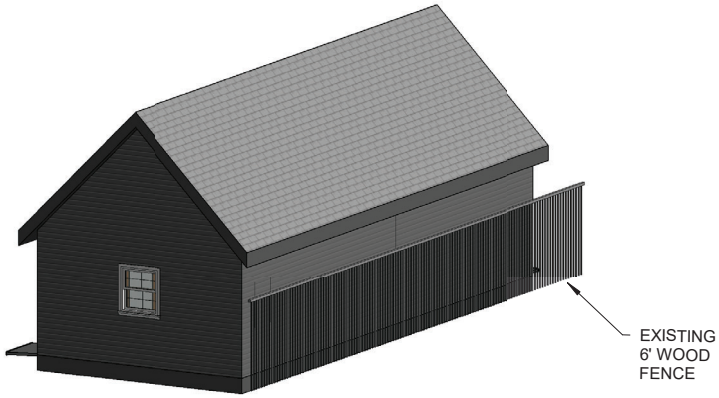
4 Shop/Storage Section
1/8" = 1'-0"

419 EAST LAUREL STREET, FORT COLLINS, CO
GARAGE EXPANSION PROJECT

NEW FLOOR PLAN AND SECTIONS

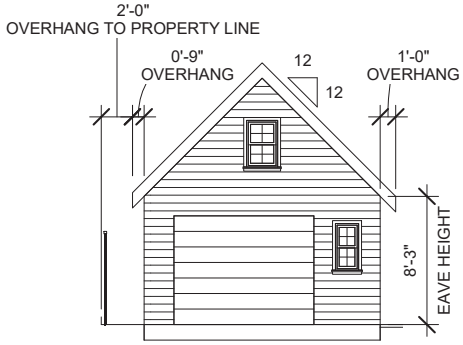
Schematic Design	
Date	06/09/20
Drawn by	ACR
Sheet Number	A3

5 Southeast 3D View

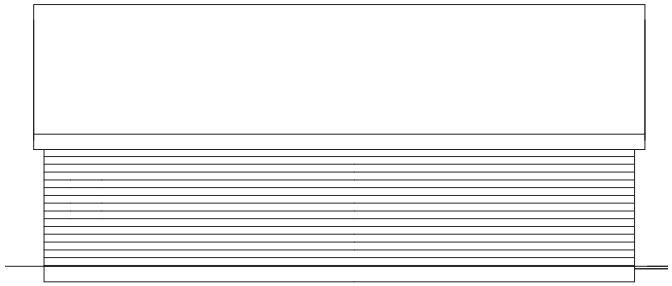


6 Northwest 3D View

3 East Elevation
1/8" = 1'-0"



1 South Elevation
1/8" = 1'-0"



4 West Elevation
1/8" = 1'-0"

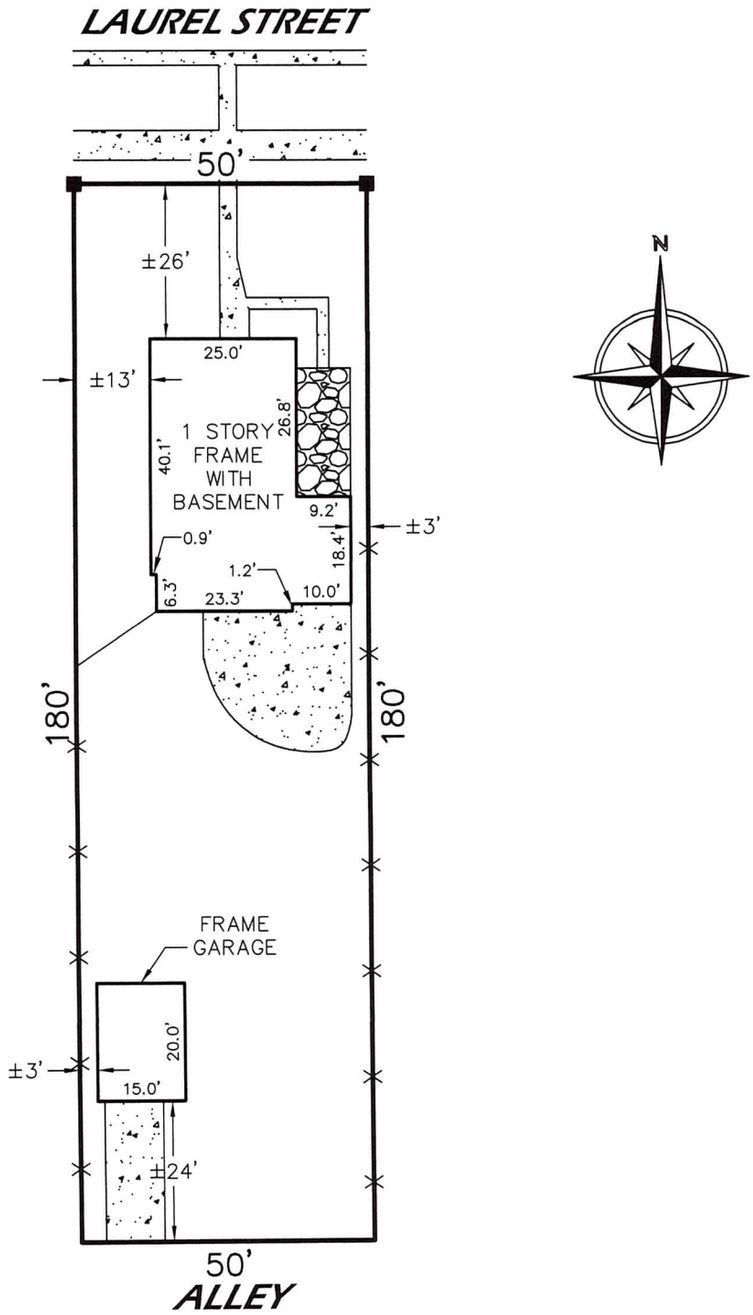
2 North Elevation
1/8" = 1'-0"

419 EAST LAUREL STREET, FORT COLLINS, CO
GARAGE EXPANSION PROJECT

ELEVATIONS AND 3D VIEWS

Schematic Design	
Date	06/09/20
Drawn by	ACR
Sheet Number	A4

IMPROVEMENT LOCATION CERTIFICATE



■ FOUND #4 REBAR

Address: 419 East Laurel Street, Fort Collins, Colorado
Parcel Description: (Source: Client) Lot 8, Block 157, Galligan's Subdivision of Blocks 157 & 167, City of Fort Collins, County of Larimer, State of Colorado.

I hereby certify that this improvement location certificate was prepared for Adam Rubin, that it is not a land survey plat or improvement survey plat, and that it is not to be relied upon for the establishment of fence, building, or other future improvement lines. This certificate is valid only for use by Adam Rubin and describes the parcel's appearance on 6-8-2020.

I further certify that the improvements on the above described parcel on this date, 6-8-2020, except utility connections, are entirely within the boundaries of the parcel, except as shown, that there are no encroachments upon the described premises by improvements on any adjoining premises, except as indicated, and that there is no apparent evidence or sign of any easement crossing or burdening any part of said parcel, except as noted.

COLORADO LICENSED
STEVEN PARKS
38348
6-9-2020
PROFESSIONAL LAND SURVEYOR

MAJESTIC SURVEYING

Steven Parks, PLS 38348
On behalf of Majestic Surveying, LLC

PROJECT NO: 2020168
DATE: 6-9-2020

CLIENT: Rubin
SCALE: 1"=30'

From:	Noah Beals
To:	Jennifer Luther
Cc:	Kacee Scheidenhelm
Subject:	FW: Appeal ZBA200025
Date:	Monday, June 29, 2020 8:47:12 AM

From: Hoag,Dana <Dana.Hoag@ColoState.EDU>
Sent: Sunday, June 28, 2020 10:20 AM
To: Noah Beals <nbeals@fcgov.com>
Subject: [EXTERNAL] Appeal ZBA200025

June 27, 2020

Noah Beals

Senior City Planner- Zoning

Zoning Board of Appeals

Fort Collins, CO

Dear Mr. Beals:

We received notification of Appeal ZBA200025 regarding 419 East Laurel Street. We live on the adjacent property at 415 East Laurel Street and would be most effected by the proposed addition. We write to inform you that, while we appreciate protecting the character of our unique neighborhood, we recommend approving this request. As we understand the proposal, the changes would do little to alter the setback encroachment that currently exists with the garage on 419 E. Laurel.

Thank you

Dana and Catherine Hoag

STAFF REPORT

July 9, 2020

STAFF

Noah Beals, Senior City Planner/Zoning

PROJECT

ZBA200027

PROJECT DESCRIPTION

Address: 2301 Limousin Ct.
Owner/Petitioner: Derek Smith
Zoning District: R-L
Code Section: 3.8.11(C)(1); 3.8.11(C)(2)
Variance Request:
This request is for a variance to build a 6 foot tall fence between the front of the building and front property line. The maximum height allowed in the front yard is 4 feet.

COMMENTS:

1. **Background:**

   The property is a part of the Brown Farm 3rd subdivision that was platted in 1975. The primary structure was built in 1977. At the time of the original plat the lot was addressed 2337 Hampshire road. This addressing suggests the lot was planned with a front property line along Hampshire.

   The house was built instead facing Limousin Court. The orientation of the house created a shallow backyard and a side yard that is larger than the other lots in the subdivision.

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

3. **Staff Conclusion and Findings:**

   Under Section 2.10.2(H), staff recommends approval and finds that:

   - The variance is not detrimental to the public provided the City Engineering Department approves the fence location.
   - The lot was original planned to have a front setback on Hampshire Road.
   - The orientation of the house created a shallow rear-yard and a wider side-yard.
   - The proposed fence is located in a front side-yard and not in front of the house.
   - Other 6 foot tall fences in the neighborhood run along front yards.

   Therefore, the variance request will not diverge from the standard but in a nominal, inconsequential way, when considered in the context of the neighborhood, and will continue to advance the purpose of the Land Use Code as contained in Section 1.2.2. Additionally, the variance request may be granted due to a hardship of the lot not caused by the applicant and a strict application of the code results in a practical difficulty upon the applicant.

4. **Recommendation:**

   Staff recommends approval of APPEAL ZBA200027.

Application Request
for Variance from the Land Use Code

The Zoning Board of Appeals has been granted the authority to approve variances from the requirements of Articles 3 and 4 of the Land Use Code. The Zoning Board of Appeals shall not authorize any use in a zoning district other than those uses which are specifically permitted in the zoning district. The Board may grant variances where it finds that the modification of the standard **would not be detrimental to the public good**. Additionally, the variance request must meet at least one of the following justification reasons:

(1) by reason of exceptional physical conditions or other extraordinary and exceptional situations unique to the property, including, but not limited to physical conditions such as exceptional narrowness, shallowness, or topography, the strict application of the code requirements would result in unusual and exceptional practical difficulties or undue hardship upon the occupant/applicant of the property, provided that such difficulties or **hardship** are not caused by an act or omission of the occupant/applicant (i.e. not self-imposed);

(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;

(3) the proposal will not diverge from the Land Use Code standards except in a **nominal, inconsequential way** when considered in the context of the neighborhood.

This application is only for a variance to the Land Use Code. Building Code requirements will be determined and reviewed by the Building Department separately. When a building or sign permit is required for any work for which a variance has been granted, the permit must be obtained within 6 months of the date that the variance was granted.

However, for good cause shown by the applicant, the Zoning Board of Appeals may consider a one-time 6 month extension if reasonable and necessary under the facts and circumstances of the case. An extension request must be submitted before 6 months from the date that the variance was granted has lapsed.

Petitioner or Petitioner's Representative must be present at the meeting

Location: 300 LaPorte Ave, Council Chambers, Fort Collins, CO 80524

Date: Second Thursday of the month Time: 8:30 a.m.

Variance Address	2301 Limousin Ct	**Petitioner's Name, if not the Owner**	
City	Fort Collins, CO	**Petitioner's Relationship to the Owner is**	
Zip Code	80526	**Petitioner's Address**	2301 Limousin Ct Fort Collins Co
Owner's Name	Derek Smith	**Petitioner's Phone #**	9703015310
Code Section(s)	3.8.11(C)(1)	**Petitioner's Email**	dcsmith117@gmail.com
Zoning District	RL	**Additional Representative's Name**	Brittany Smith
Justification(s)	1. Hardship	**Representative's Address**	2301 Limousin Ct Fort Collins Co
Justification(s)	2. Equal to or better than	**Representative's Phone #**	3035656533
Justification(s)	3. Nominal and inconsequential	**Representative's Email**	brittsmit1122@gmail.com
Reasoning If not enough room, additional written information may be submitted	1- We are requesting to build a 6ft fence in front of the face of our property on only the east side of the house. This variance request is based on the reasoning of exceptional physical conditions since the majority of the house's yard is located on the side of the house. This presents an undue hardship unique to the property and allows only 19 feet of usable space between the house and the rear fence. This causes an exceptional narrowness of the backyard and vastly different than most other properties in the neighborhood. Installing a 6 foot privacy fence in front		

Date 05/26/20 **Signature** Derek Smith

We are requesting a variance from the fence building code to allow a 6-foot privacy forward of the face of the garage on the east side of the property. It will be a standard 6' cedar privacy fence that stays out of the safe sight triangle and at least 2' away from the city sidewalk.

(1) **Hardship** – Imposed by abnormal shallowness of the "back" yard.

We are requesting to build a 6ft fence in front of the face of our property on only the east side of the house. This variance request is based on the reasoning of exceptional physical conditions since the majority of the house's yard is located on the side of the house. This presents an undue hardship unique to the property and allows only 19 feet of usable space between the house and the rear fence. This causes an exceptional narrowness of the backyard and vastly different than most other properties in the neighborhood. Installing a 6 foot privacy fence in front of the face of the house will allow occupants full practical usage of yard and improve the security of the backyard.

(2) **Equally well or better –** Usability, security, and privacy will be improved for the property AND the neighbors on the cul-de-sac.

Installing a 6-foot privacy fence in front of the face of the house will allow occupants full practical usage of the yard and improve the security of the backyard. It will also help increase the privacy and security of the neighboring houses on the cul-de-sac by providing a physical barrier between them and the main thoroughfare through the neighborhood.

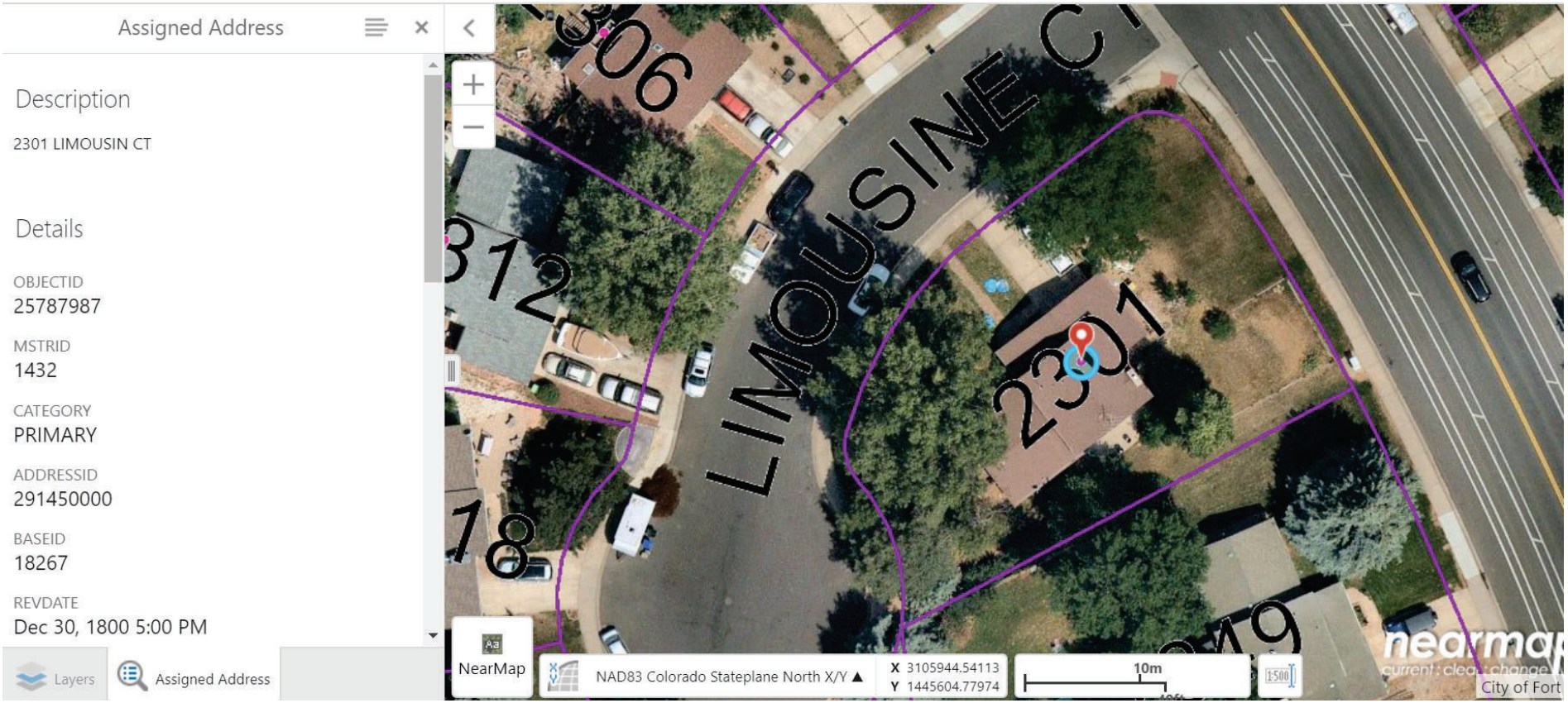
(3) **Nominal and inconsequential –** The curb appeal and street view of the house will not be affected. It will fit with the design of the rest of the neighborhood.

The 6-foot privacy fence will extend in front of the face of the garage on only one side of the house. The part of the house with the better aesthetics will fall within the Land Use Code and the appearance of the house will meet neighborhood expectations. Additionally, there are multiple properties in the neighborhood with curbside aesthetics similar to what we are proposing. Pictures can be found in the PowerPoint presentation. The properties with similar aesthetics have neighboring 6-foot privacy fences in front of the face of the house. Though it is usually two different properties, the property appearance is still similar to that of what we are proposing.

City Code Variance for 2301 Limousin Ct.

05/26/20

Property Address: 2301 Limousin Ct. Fort Collins CO 80526
(The map spelling is wrong for the street)



Property Zoning: Low Density Residential District

Description

Schedule: 0628930
Owner: NULL
Site Address: 2301 LIMOUSIN CT
Tax District: 1100
Land Cover
Developed, Low Intensity: 86.6667%
Developed, Medium Intensity: 13.3333%

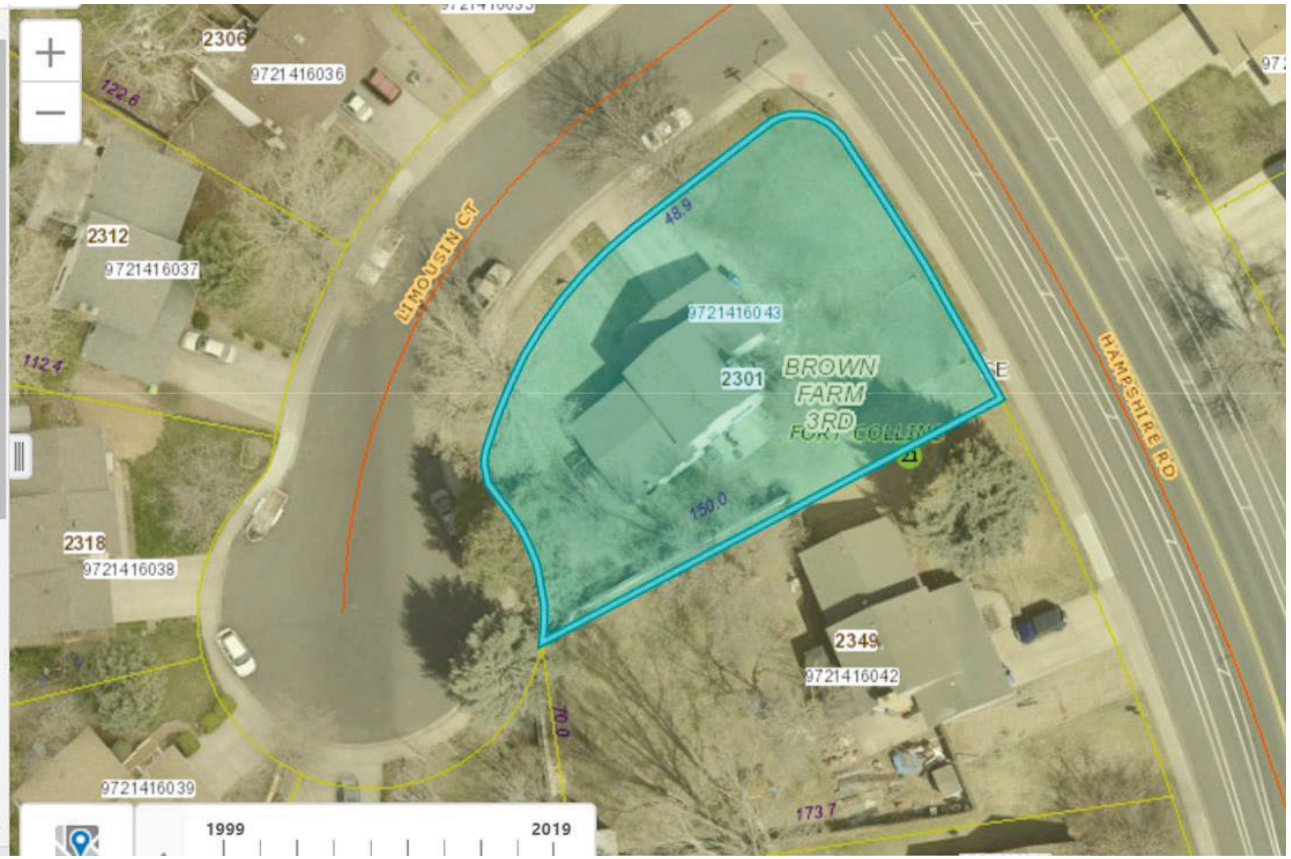
Details

Parcel Number
9721416043

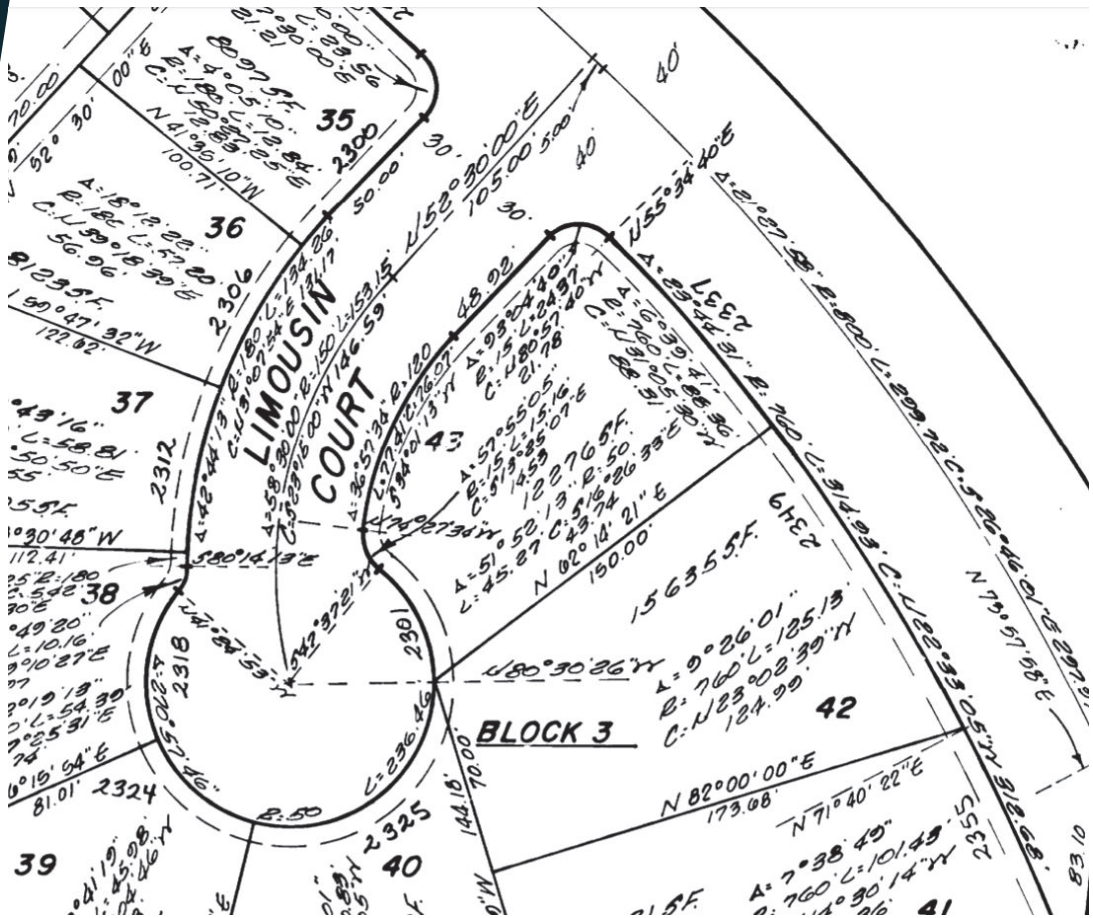
Name
NULL

Name1
NULL

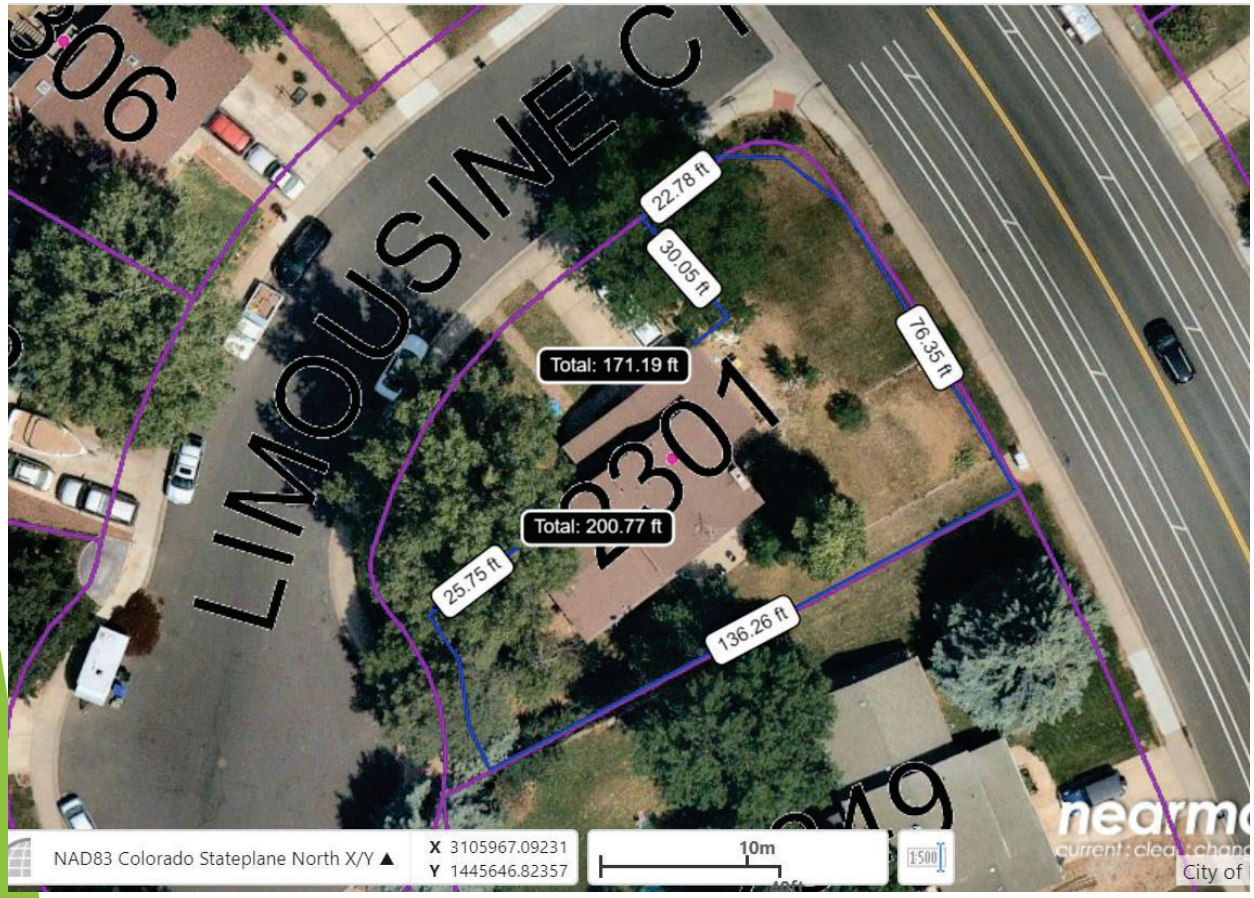
Site Address



Brown Farm Plat Map



Proposed area for backyard

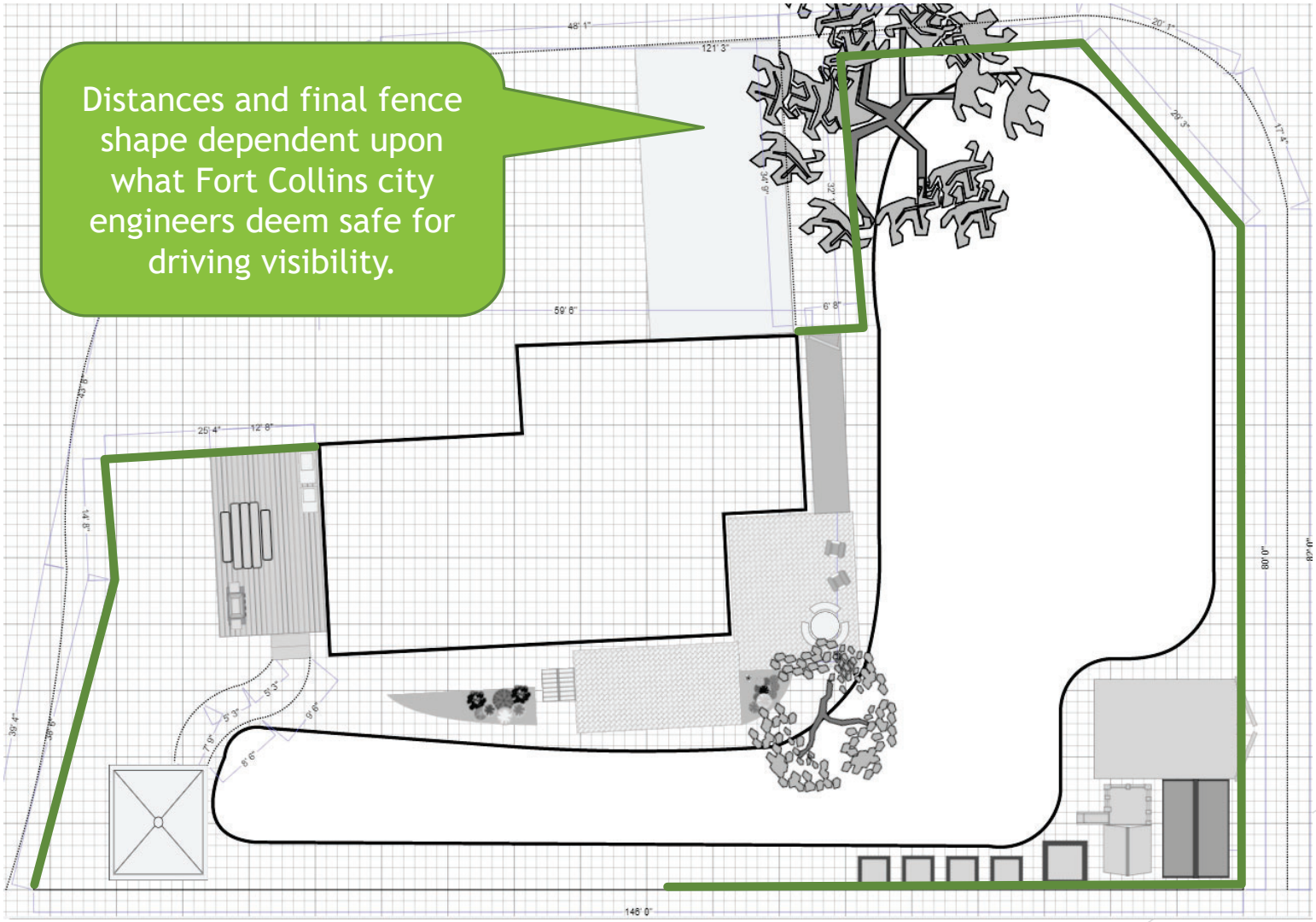


- Outlined in blue

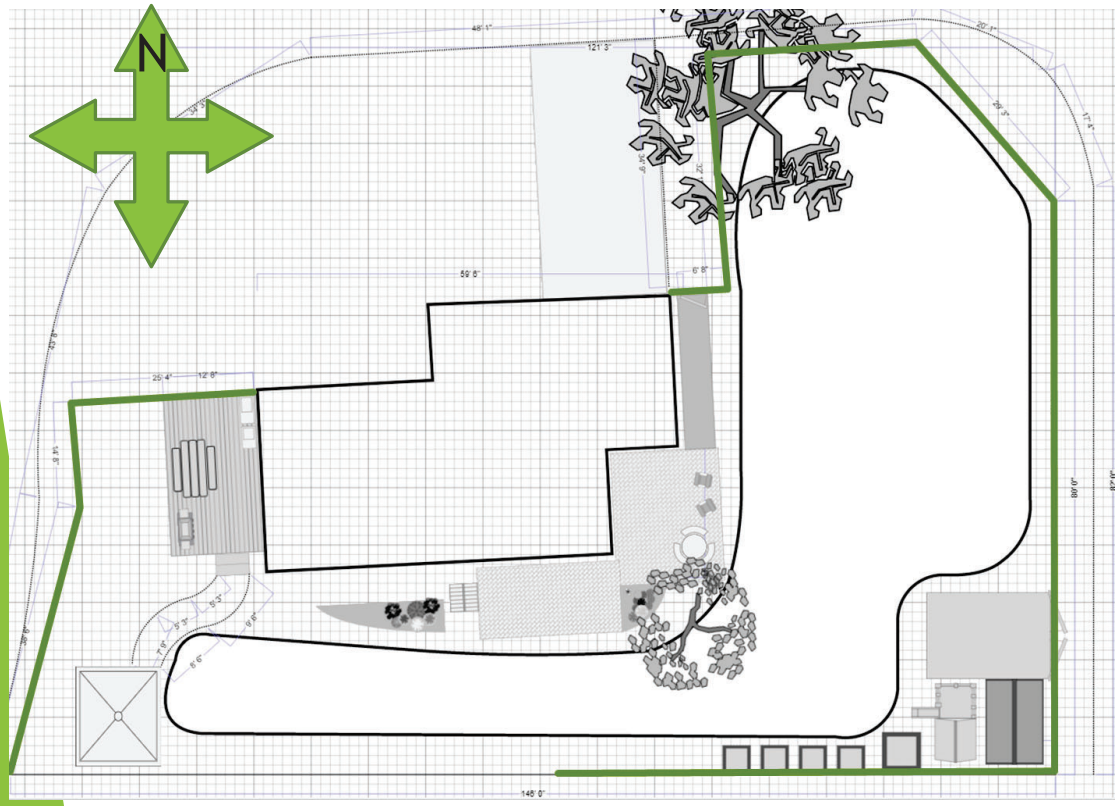
Proposed Fence line

- 6’ Privacy Fence
  - Including the shaded area
  - Forward of the Garage
- Outside “Safe Sight” Triangle
- Increase privacy and security of cul-de-sac

48' 1"
121' 3"
20' 1"
39' 3"
29' 3"
17' 4"
34' 9"
32'
6' 8"
59' 8"
43' 8"
25' 4"
12' 8"
8' 4"
93' 8"
80' 0"
82' 0"
39' 4"
36' 8"
5' 3"
5' 3"
7' 5"
9' 6"
8' 6"
146' 0"


Distances and final fence shape dependent upon what Fort Collins city engineers deem safe for driving visibility.

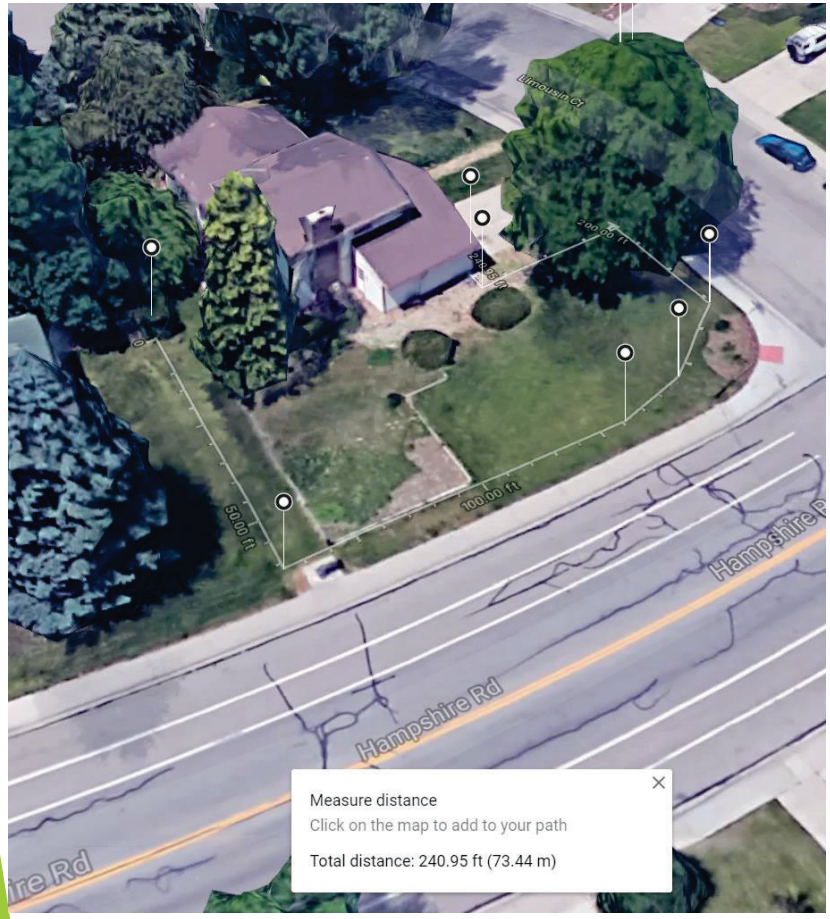
Fence Design

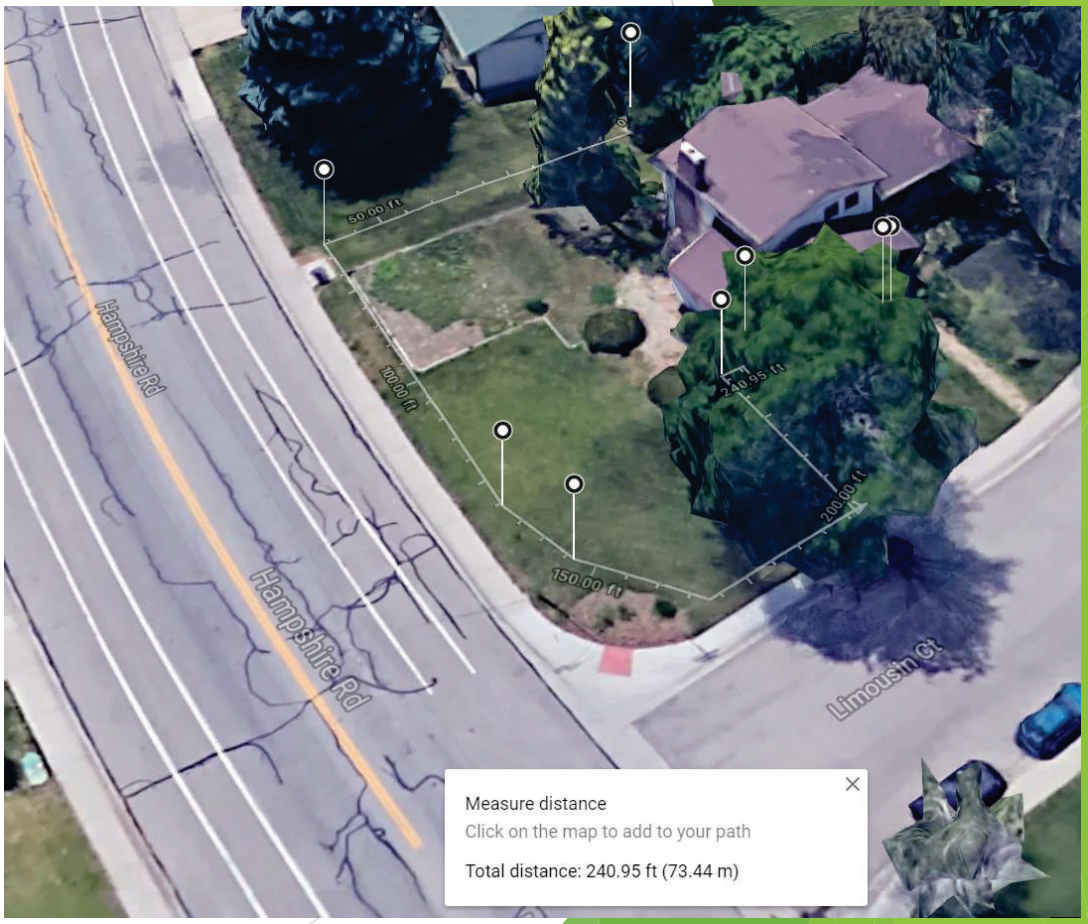


- 6’ Privacy Fence – Cedar
- Fence will fit required setback of 2’ from sidewalks
- Fence will maintain sight triangle for stop sign corner

Est. Safe Sight Triangle

Proposed Fence to Fit Safe Triangle





Other Properties

- The Brown Farm neighborhood (and others)
- There are multiple houses near this house that have 6-foot fences which extend beyond the face of the garage
- They aren't typically the same property
  - The fence in front of the face of the garage is usually that of another's backyard fence
- BUT… the aesthetics are the same
- The visuals of our property's fence with the variance will fit with the rest of the neighborhood
  - It will not stand out as an exception to any rules
- The following slides will demonstrate these visuals

House with fence in front of garage face

House with fence in front of garage

House with fence in front of garage

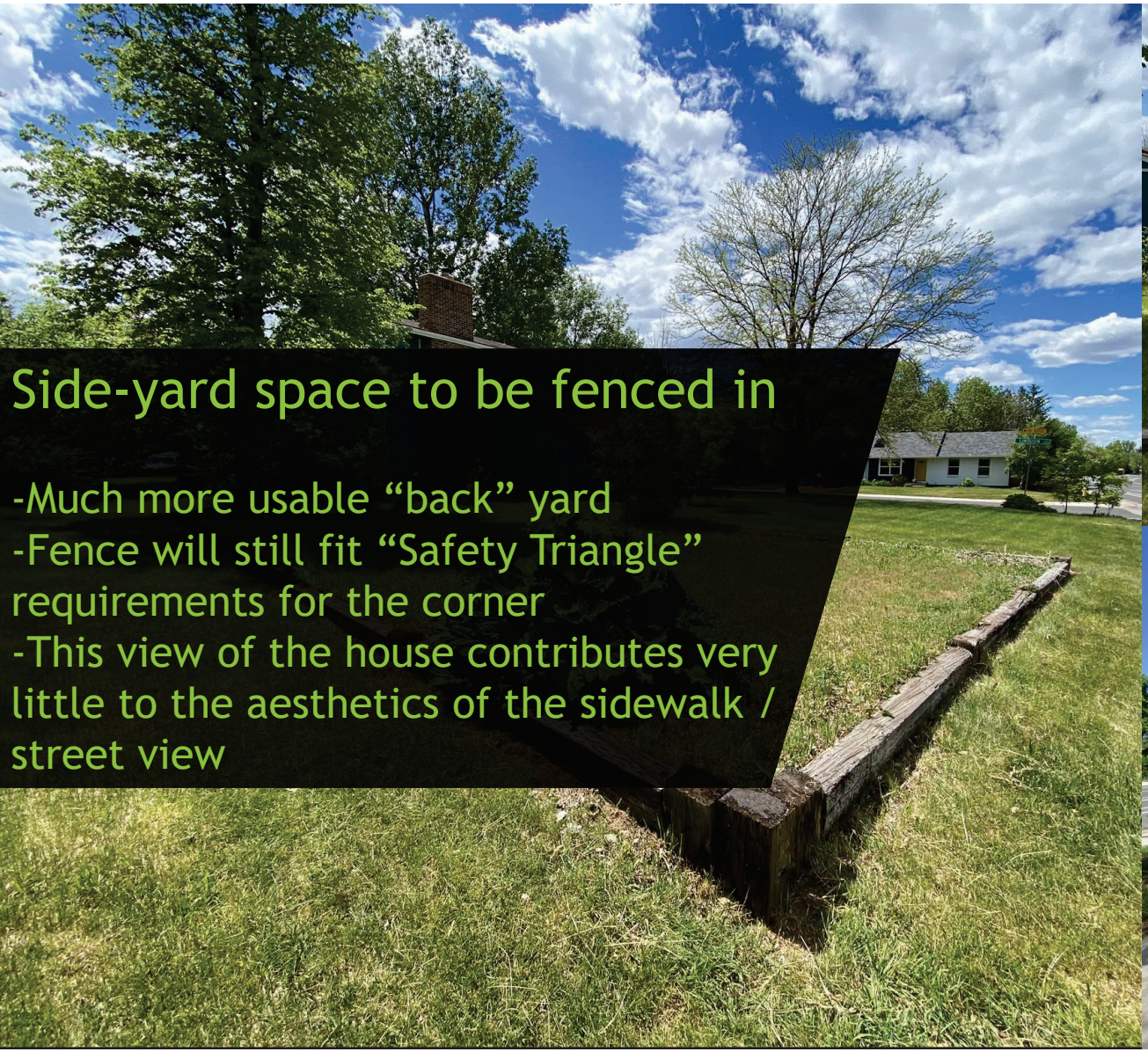
House with fence in front of garage

House with wrap-around fence

House with similar wrap-around fence on Hampshire/Cotswold

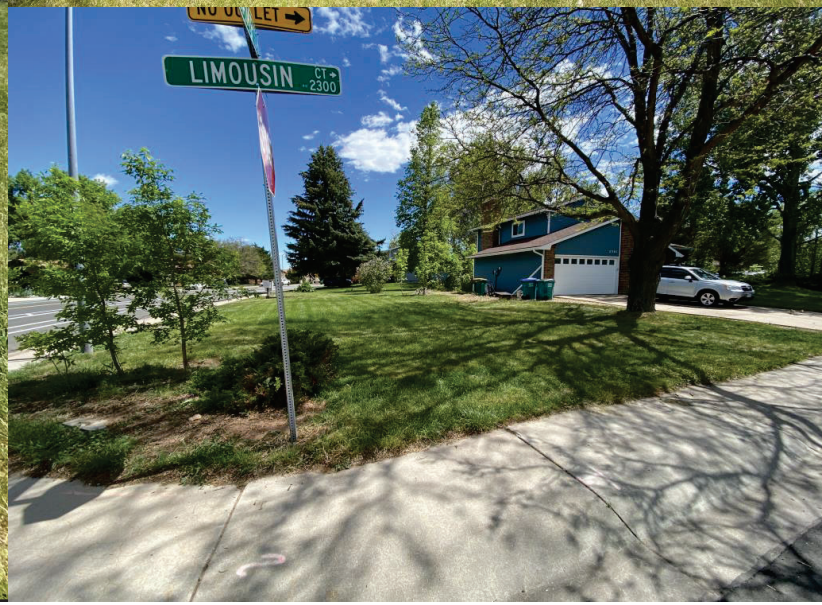
Similar corner to fit safety sight triangle

Back of House – Minimal usable space



Side-yard space to be fenced in

-Much more usable “back” yard
-Fence will still fit “Safety Triangle” requirements for the corner
-This view of the house contributes very little to the aesthetics of the sidewalk / street view



Curbside Aesthetics NOT impacted

- This is the view of the house that will NOT be impacted by the construction of the proposed fence
- The fence will improve the aesthetics and security of the cul-de-sac by blocking part of the main thoroughfare
- We have reached out to our neighbors and they either want the fence as well or don’t care

Thank you for your consideration

Derek and Brittany Smith
2301 Limousin Ct. Fort Collins CO 80526