



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
SEPTEMBER 10, 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/92943021226>. 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 September 10, 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 +1 346 248 7799 or +1 669 900 9128, with webinar ID: 929 4302 1226

(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 ZBA200031

Address: 201 S. College Ave
Owner: Fort Collins Museum of Art
Petitioner: Marie Hashaw
Zoning District: D
Code Section: 3.8.7.2 (G) (2)

Project Description:

This is a request to remodel an existing freestanding sign to exceed the height limit of 7 feet by an additional 4 feet 7 ½ inches when setback 0 feet from the property line. The proposed sign is 11 feet 7 ½ inches from the street flowline (10 feet 7 ½ inches visual height).

2. APPEAL ZBA200032 - WITHDRAWN

3. APPEAL ZBA200034

Address: 403 E Pitkin St.
Owner: Michael & Carolyn Mitchell
Petitioner: Jordan Obermann
Zoning District: N-C-L
Code Section: 4.7(F)(2)(a)(1)

Project Description:

This is a request to allow a third story. The maximum allowed is two stories. The existing building has an unfinished attic space. A third story is created by finishing 1,064 square feet of the attic creating new floor area. Only approximately 677 square feet is usable space. No exterior modifications are proposed to the home. This additional floor area does not cause the lot to exceed either the overall floor area maximums or the rear floor area maximums.

4. APPEAL ZBA200036**Address:** 405 N. Whitcomb St.**Owner/Petitioner:** Ginny Sawyer**Zoning District:** N-C-M**Code Section:** 4.8 (E)(4)**Project Description:**

This a request to build a new accessory building encroaching 1.5 feet into the required 5-foot setback.

5. APPEAL ZBA200037**Address:** 3931 Benthaven St.**Owner/Petitioner:** David Kruger**Zoning District:** R-L**Code Section:** 3.8.11(C)(3) & (5)**Project Description:**

This a request to allow a fence varying in height between 6 feet and 6 feet 7 inches to remain in place. The current location encroaches 2 feet into the required 2-foot setback from the sidewalk, and the allowed maximum height of the fence is 6 feet.

6. APPEAL ZBA200038**Address:** 1640 Remington St.**Owner** Nathaniel Warning**Petitioner:** Lacey Gaechter**Zoning District:** L-M-N**Code Section:** 3.5.2(E)(3)**Project Description:**

This is a request to build an accessory building (shed) encroaching 2 feet into the required 5-foot side-yard setback and encroaching 5 feet into the required 8-foot rear-yard setback.

- **OTHER BUSINESS**

- **ADJOURNMENT**

Jennifer Luther

From: Noah Beals
Sent: Friday, August 28, 2020 8:30 AM
To: Ralph Shields
Cc: Jennifer Luther; Kacee Scheidenhelm
Subject: RE: Zoning Board of Appeals (September - December)

Thanks! We will proceed with remote meetings for the remainder of the year.

Regards,

Noah Beals
Senior City Planner-Zoning
970 416-2313



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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>

Recursos de United Way: <https://uwaylc.org/>

From: Ralph Shields <rshields@bellisimoinc.com>
Sent: Thursday, August 27, 2020 4:38 PM
To: Noah Beals <nbeals@fcgov.com>
Cc: Jennifer Luther <jluther@fcgov.com>; Kacee Scheidenhelm <kscheidenhelm@fcgov.com>
Subject: [EXTERNAL] Re: Zoning Board of Appeals (September - December)

I agree with the recommendation.

Thanks

Ralph Shields
970.231.7665

From: Noah Beals <nbeals@fcgov.com>
Sent: Thursday, August 27, 2020 3:36 PM
To: Ralph Shields <rshields@bellisimoinc.com>
Cc: Jennifer Luther <jluther@fcgov.com>; Kacee Scheidenhelm <kscheidenhelm@fcgov.com>
Subject: Zoning Board of Appeals (September - December)

Hello Chair-person Shields,

Since May the ZBA has conducted a remote hearing. These remote hearings appear to have met the needs of the board members and the applicants. The concerns that prompted these remote meetings have not dissipated.

- Health risks during a world-wide pandemic
- Difficulties in coordinating logistics for an in-person meeting or hybrid of such

It is staff recommendation to continue with a remote hearing September through December meeting of the ZBA.

Please respond to this email with your agreement with this recommendation or other suggestions for this hearing.

Kind Regards,

Noah Beals
Senior City Planner-Zoning
970 416-2313



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COVID19 Resources

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Ralph Shields, Chair
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Council Liaison: Ross Cunniff
Staff Liaison: Noah Beals

LOCATION:
Virtual Hearing

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**REGULAR MEETING
AUGUST 13, 2020
8:30 AM**

- **CALL TO ORDER and ROLL CALL**
All boardmembers were present, except LaMastra and Shields
- **APPOINTMENT OF CHAIRPERSON FOR AUGUST 13, 2020 MEETING**
Lawton made a motion, seconded by McCoy to appoint Stockover as the Chairperson for the August Meeting.
The motion was adopted unanimously.
- **APPROVAL OF MINUTES FROM PREVIOUS MEETING**
Meyer made a motion, seconded by Stockover to approve the July 9, 2020 Minutes.
The motion was adopted unanimously.
- **CITIZEN PARTICIPATION (Items Not on the Agenda)**
None.
- **APPEALS FOR VARIANCE TO THE LAND USE CODE**
 1. **APPEAL ZBA200009 – APPROVED**

Address: 144 2nd St.
Owner/Petitioner: Michael Rossman
Zoning District: R-L
Code Section: 3.8.19(A)(6); 4.4(D)(2)(d)
Project Description:
The variance request is for an addition to the existing structure. The addition requires the following two variances:
 1. A 2 foot encroachment into the required 5 foot side-yard setback
 2. A 6 inch encroachment for a required 2.5 foot setback for an eave.

Staff Presentation:

Beals showed slides relevant to the appeal and discussed the variance request, noting that this item had been previously tabled. The item was originally heard in March. Applicant heard feedback and re-designed the project to retain the existing house on site and put an addition instead of rebuilding all together. The existing detached garage does not comply with the side setback. With the rebuild of the garage, they want to encroach into the side setback. The new garage would be attached to the existing house, with an addition. Part of the addition is 2-story, but the part encroaching into the setback is 1-story.

Boardmember Lawton asked a question to clarify that the new building would be on the same location as the existing building. Beals confirmed that the existing garage will be torn down and the new building would encroach in the same location but is longer than the existing garage.

Boardmember Meyer asked about the eave – if it is the eave along the garage which was encroaching. Beals confirmed this.

Boardmember Stockover asked about the property next to the garage and whether the driveway abuts it. Beals did say that a portion of the neighboring house probably did encroach into the setback.

Applicant Presentation:

Applicant, Michael Rossman, 144 2nd St, addressed the board. He noted that they looked at information from the Historical society and feedback from neighbors. He also noted that the neighbor who was previously opposed has given his approval. The existing non-compliant garage was built in 2012, prior to him owning the home. The rear portion of the new construction is in the setback. The only piece is the garage. The smallest 2 car garage that they could fit on the property is 20 feet wide. They are saving much of the original structure, with the character which fits into the neighborhood. He shared some additional slides to give some more information and to show examples of existing houses in the neighborhood which also encroach into the side setback. He then shared an email from John Sargent dated August 2, 2020. Beals read the email, which gives full support of the project.

Audience Participation:

Jeff Polomo, 613 S Meldrum, addressed the board in support of the variance. He owns a neighboring property. He has seen the design and is in full support of the project.

Board Discussion:

Boardmember Lawton would be in support. The applicant has done a great job and is in the same footprint of what was there before.

Boardmember Shuff appreciates the work done, understands the constraint of the 20-foot garage and would be in support.

Boardmember McCoy thinks it is well done.

Boardmember Meyer pointed out that the new design is more aligned to the land use code and is in support.

Boardmember Stockover made a motion, seconded by Shuff to approve ZBA200009 for the following reasons:

- 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.
- Throughout the Buckingham Place neighborhood similar encroachments occur.
- The existing garage has a similar encroachment along the south property line.
- The encroachment is for a one-story portion of the building.
- The email of the most affected neighbor being in support

Yeas: McCoy, Shuff, Meyer, Stockover, Lawton. Nays: none.

THE MOTION CARRIED, THE ITEM WAS APPROVED.

2. APPEAL ZBA200027 – APPROVED WITH CONDITION

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 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.

Staff Presentation:

Beals showed slides relevant to the appeal and discussed the variance request, noting that this item was tabled from the July meeting. The property is on the corner of Hampshire Rd and Limousin Ct. The property was originally plotted along Hampshire. The applicant has been working with Engineering to ensure that the fence is placed in the required distance back from the sidewalk. There was a request at the last meeting to provide possible landscaping ideas and the applicant has provided that.

Applicant Presentation:

Applicant, Derek Smith, 2701 Limousin Ct, addressed the board. He is requesting that the design of the fence remain the same. He noted that they made multiple attempts to reach out to the dissenting neighbors but could not get in contact with them. He was unable to get feedback. He noted that the landscaping they are proposing is low maintenance but aesthetically pleasing. There were two neighbors who submitted letters in support of the project.

Beals noted that they did read the emails and that they were put in the board's packet. City Attorney Havelda asked Beals to read the dates of the letters. Letters were from Jennifer Lansford and Brian trout - both on August 6

Mr Smith confirmed that those were the letters he was referring to.

Audience Participation: none**Board Discussion:**

Boardmember Shuff noted that he was not present at the last meeting and that he is just getting familiar with this item.

Boardmember Meyer stated that there appears to be a letter from the neighbor to the East. Beals confirmed that this was the same letter from the previous meeting. Beals also confirmed that with a item that is tabled to specific meeting, such as this item, there is not a requirement to send out new letters to neighbors, however, the results are posted online. Meyer appreciates the effort the applicant made to reach out to the neighbor. He wished that there was some mention of the struggle from the Neighbor. Council Havelda clarified that the applicant's testimony is the only evidence to the board. Applicant Smith noted that he did receive feedback from another neighbor voicing support, but they did not send a letter for fear of retaliation of neighbor.

Boardmember Shuff stated that they should go back and weigh the hardship against the code.

Boardmember Stockover asked Council Havelda whether the occupation of the applicant would be considered a hardship, given the current political climate (defund the police). Havelda stated that the occupation of the applicant was not noted as evidence of hardship. Stockover noted that in the previous meeting, it was brought up that there was a concern for safety of his children. Havelda stated that the safety of his children can absolutely be considered, but his occupation does not necessarily need to be taken into consideration. Stockover appreciates the landscaping, as the area between a fence and the sidewalk is very hard to maintain. He is in support of approval but wanted to know if a motion could be made to include the requirement to submit a landscape plan. Beals confirmed that a motion could be made with condition.

Applicant Smith stated that he will only be building a 6-foot fence. He noted that experience from his job confirms that a 4-foot fence would not be adequate for safety reasons.

Boardmember McCoy stated that he would be in support

Boardmember Lawton noted that the hardship has not changed. He appreciates the attempt to reach out to the dissenting neighbor and indicated that he would be in support.

Boardmember Shuff appreciated the follow up from the applicant. He understands the hardship and thinks that this would be nominal and inconsequential.

Boardmember Stockover made a motion, seconded by Shuff to approve with condition ZBA200027 for the following reasons:

- 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.
- The lot was originally 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.

A condition was added that the applicant submit a landscape plan and use low maintenance landscaping similar to what was shown in the presentation.

Yeas: McCoy, Shuff, Meyer, Stockover, Lawton. Nays: none.

THE MOTION CARRIED, THE ITEM WAS APPROVED WITH CONDITION

**** Boardmember Meyer recused himself from the following item****

3. APPEAL ZBA200028 – APPROVED

Address: 4610 Player Dr.
Owner: Dan and Brianna Brown
Petitioner: Jeff Hansen
Zoning District: U-E
Code Section: 3.5.2(E)(5)

Project Description:

This is for a variance to build an 852 square foot addition to the existing 768 square foot garage for a total of 1620 square feet, 420 square feet over the allowed 1200 square feet.

Staff Presentation:

Beals showed slides relevant to the appeal and discussed the variance request, noting that the property is located off of Harmony and abuts a church. Zone U-E allows for accessory buildings. The lot was larger in the past, but now is under an acre. This allows for only a 1200 square foot accessory building. An option would be to build a 2nd accessory building, but the request was to minimize the impact and only build one accessory building. There is significant landscaping which limits the view into the property.

Boardmember Lawton asked Beals whether the applicant owned the property when the property was reduced to under an Acre. Beals stated that he believed the current owner recently purchased the property but would defer to the applicant for clarification.

Applicant Presentation:

Applicant Jeff Hansen (Petitioner), 419 Canyon Ave, addressed the board. He does not know when the lot size was changed. He is not sure when the owner purchased the property. Google maps shows that there has been a fence along the property since 2014. The work that the City did in the right of way was performed sometime in 2019.

Audience Participation: none

Board Discussion:

Boardmembers McCoy and Shuff will be in support.

Boardmember Lawton noted that the lot used to be larger and that a favor was done for the city by giving up some of the lot size. He will be in favor.

Boardmember Stockover will also be in favor. It is a very minimal change in the context of the neighborhood.

Boardmember Stockover made a motion, seconded by Shuff, to approve ZBA200026 for the following reasons:

- 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.
- The addition is in between the existing accessory structure and the south property line.
- A parking lot exists along the east property line on the abutting neighbor.
- The primary structure is 2-story, and the addition is subordinate in height and size.

Yeas: McCoy, Shuff, Stockover, Lawton. Nays: none.

THE MOTION CARRIED, THE ITEM WAS APPROVED

4. APPEAL ZBA200029 – APPROVED

Address: 320 Willow St

Owner/Petitioner: Lance DeBar

Zoning District: D

Code Section: 4.16(B)(1)

Project Description:

In October of 2018 the Zoning Board of Appeals approved a variance request to rebuild a shed in its existing location. The structure was not built before the approval expired. Since the last approval the property was re-zoned and the required setbacks changed. This is an application for the same location that was previously approved. The variance will allow a 4-foot encroachment into the required 5 foot rear yard setback.

Staff Presentation:

Beals showed slides relevant to the appeal and discussed the variance request, noting where the new building will be built and where the current building exists. A variance was previously reviewed and granted. The approval expired and the structure did not get rebuilt in the time of approval. Applicant is now seeking to build and a new variance is required. The Downtown district zone has expanded and requires a new setback, which is 5 feet from the property line.

Applicant Presentation:

Applicant, Lance DeBar, 320 Willow Street, addressed the board. He wanted to see what the main structure looked like before building the accessory building.

Audience Participation: none

Board Discussion:

Boardmember Taylor thinks it is very straightforward.

Boardmember McCoy is in approval

Boardmember Shuff did not have any questions and stated also that it seemed very straightforward.

Boardmember Lawton is in favor of this

Boardmember Stockover made a motion, seconded by Shuff, to approve ZBA200029 for the following reasons: ,

- 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 contained in Section 1.2.2
- The previously existing shed has enjoyed the same 4-foot encroachment.
 - The 21-foot tall wall and 37-foot tall wall of the new development will not be impacted by the 11-foot tall shed.
 - This was previously approved before the zoning change.

Yeas: McCoy, Shuff, Meyer, Stockover, Lawton. Nays: none.

THE MOTION CARRIED, THE ITEM WAS APPROVED

5. APPEAL ZBA200030 – APPROVED

Address: 2720 Nottingham Sq.

Owner/Petitioner: Sue Kenney

Zoning District: R-L

Code Section: 4.4(D)(2)(b)

Project Description:

This is a request for the front deck to encroach 6 feet into the required 20-foot front setback, leaving a 14-foot setback.

Staff Presentation:

Beals showed slides relevant to the appeal and discussed the variance request, noting site plan and illustrations. The request is to build a front porch into the front setback. Zone RL setback is 20 feet as opposed to 15-foot setbacks in other zones. There would be two tiers to the porch. There will be a 2-foot grade and handrailing. The porch will be uncovered.

Boardmember McCoy asked about the 20-foot setback. Beals clarified that he was pointing out that in the R-L district the 20-foot setback is required, as opposed to other districts which are 15-foot front setbacks.

Boardmember Shuff wanted to clarify that the property line is the back sidewalk. Beals confirmed this.

Applicant Presentation:

Applicant, Sue Kenney, 2720 Nottingham Square, addressed the board. She shared some additional photos and noted that the neighborhood is mainly a front yard neighborhood which fronts to a park. The purpose of building the deck is to enjoy the neighborhood. She also noted that the existing porch is somewhat dangerous. It does not have railing and has a steep drop-off. Safety was a main concern in building a new porch. She has reached out to Neighbors and they are in support. The proposal was also approved by the HOA board.

Contractor Jordin Schwepman, 1448 Antero Dr, Loveland, addressed the board and shared an additional drawing of the deck.

Beals requested that the applicants send the additional materials via email so that they can be included in the packet.

Applicant Kenney added that she did not want spindles on the railing as it would impair the view.

Boardmember Stockover asked whether the stairs need to be considered in the calculation of the setback. Beals confirmed that the setback is to the edge of the deck and the stairs would not be a problem.

Audience Participation: none

Board Discussion:

Boardmember Shuff: very straightforward. It has HOA approval. Would have been nice to have letters from neighbors.

Boardmember Lawton – an improvement from the original deck from a safety and aesthetic standpoint.

Boardmember Meyer – it will be nominal and inconsequential. Will support.

Boardmember McCoy – would like to compliment the applicant on the pictures with the tape, which helped to understand the scope.

Boardmember Stockover made a motion, seconded by Shuff, to approve ZBA200030 for the following reasons:

- 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 contained in Section 1.2.2
- The deck is open on three sides and is not covered.
- The encroaching portion of the deck is less than 2 feet above grade with a semi-transparent handrail.

Yeas: McCoy, Shuff, Meyer, Stockover, Lawton. Nays: none.

THE MOTION CARRIED, THE ITEM WAS APPROVED

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

Chairperson



Noah Beals, Senior City Planner-Zoning

STAFF REPORT

September 10, 2020

STAFF

Noah Beals, Senior City Planner/Zoning

PROJECT

ZBA200031

PROJECT DESCRIPTION

Address: 201 S. College Ave
Owner: Fort Collins Museum of Art
Petitioner: Marie Hashaw
Zoning District: D
Code Section: 3.8.7.2 (G) (2)
Variance Request:

This is a request to remodel an existing freestanding sign to exceed the height limit of 7 feet by an additional 4 feet 7 ½ inches when setback 0 feet from the property line. The proposed sign is 11 feet 7 ½ inches from the street flowline (10 feet 7 ½ inches visual height).

COMMENTS:

1. Background:

The property is in the Downtown sign district. This district limits the number of freestanding signs to one per street frontage to a public right-of-way. In general, all sign standards are to prevent the proliferation of signs.

Currently the property has two freestanding signs and only has frontage on S. College Ave. There is a tenant directory freestanding sign on the east side and there is an Agave leaf that was originally installed as art but was found to also be a sign. A sign permit was issued for each.

The maximum height of a sign is determined by both its setback from the public right-of-way and the overall square footage of the sign. These dimensions help signs to provide the necessary information without become a distraction.

In November of 2019 the applicant requested a variance for an additional freestanding sign. This board denied the request for an additional freestanding sign. During the hearing in November the idea of redesigning one of the existing freestanding signs was mentioned.

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 good.
- The total square footage of the sign is 19sf less than the allowable.
- The total width of the sign is 3ft.

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 contained in Section 1.2.2

4. Recommendation:

Staff recommends approval of APPEAL ZBA200031.



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	201 S College	Petitioner's Name, if not the Owner	Marie Hashaw
City	Fort Collins, CO	Petitioner's Relationship to the Owner is	CONTRACTOR
Zip Code	80524	Petitioner's Address	4496 Bents Dr, Windsor, CO 80555
Owner's Name	Fort Collins Museum of Art	Petitioner's Phone #	970-203-9292
Code Section(s)	3.8.7.2(G)(2)	Petitioner's Email	marie@davincisign.com
Zoning District	D - Downtown	Additional Representative's Name	
Justification(s)	1. Hardship	Representative's Address	
Justification(s)	2. Equal to or better than	Representative's Phone #	
Justification(s)	3. Nominal and inconsequential	Representative's Email	
Reasoning If not enough room, additional written information may be submitted	Per staff's recommendation at the November 14, 2019 meeting, we have redesigned one of the existing freestanding signs in order to add the museum's new "MOA" logo. The only variance sought for this sign is to allow the overall height to be 10'-7.5" where 7' is allowed.		

Date

07-21-2020

Signature

Marie Hashaw



July 21, 2020

www.davincisign.com

Board of Adjustments
City of Fort Collins
281 N College Ave
Fort Collins, CO 80528

To Whom It May Concern:

We are requesting a variance to Section 3.8.7.2(G)(2) of the Land Use Code. Per the Board's recommendation of redesigning (1) existing sign at the November 14, 2019 meeting, attached you will find the redesigned sign.

We are requesting to add an additional cabinet to the top of the structure in order to incorporate the Museum's new logo and for better visibility to the public. The Museum is facing a hardship in that many are not able to recognize the building as the Museum. The Museum has been incorporating the new MOA logo on a number of items and the logo is readily recognized.

By adding this additional cabinet, only one (1) variance is being requested: To allow the sign to be 10'-7.5" where a 7' overall height is allowed. It is the least inconsequential way to adhere to the Land Use Code.

Thank you for your consideration of our application.

Sincerely,

Marie Hashaw

Marie Hashaw
DaVinci Sign Systems, Inc.
970-203-9292

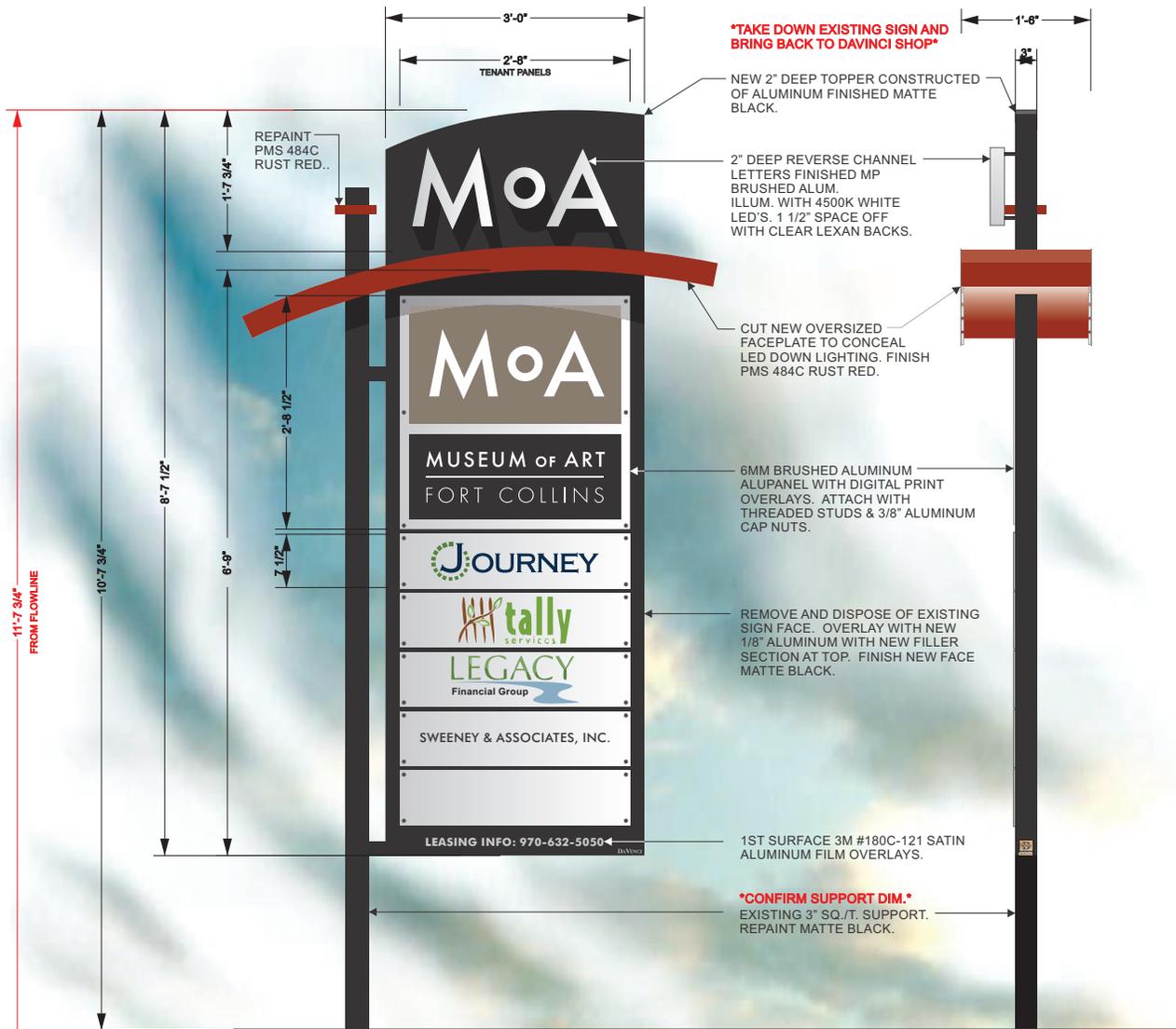
FT. COLLINS: (970) 203-9292
DENVER: (303) 573-7446
CHEYENNE: (307) 220-4316
TOLL FREE: 1-866-DaVinci (328-4624)



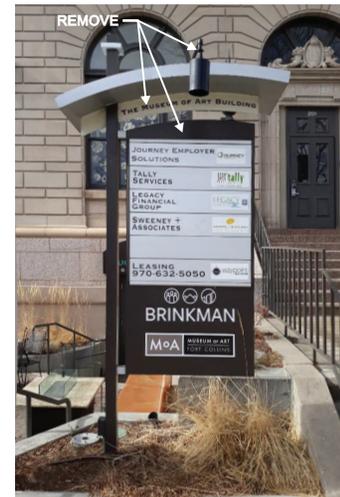
4496 BENTS DRIVE
WINDSOR, CO 80550
108 W. LINCOLN WAY
CHEYENNE, WY 82001



Extraordinary Belongs To Those Who Create It!



CONCEPTUAL NIGHT VIEW



EXISTING CONDITIONS

1 1ST SURFACE 3M TRANSLUCENT WHITE FILM ON GLASS SCALE: 3/4"=1'-0"

QUANTITY: 1 MANUFACTURE AND INSTALL

Ⓜ This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code. The location of the disconnect switch after installation shall comply with Article 600.6 (A) (1) of the National Electrical Code.

COLOR KEY

PAINT MATTE BLACK

THE COLORS DEPICTED ON THIS RENDERING MAY NOT MATCH ACTUAL COLORS ON FINISHED DISPLAY UNLESS OTHERWISE NOTED. PLEASE REFER TO SPECIFIED SAMPLES OR COLOR CHARTS FOR APPROVED COLOR SPECIFICATIONS.

DA VINCI SIGN SYSTEMS, INC.
 the art and science of identification

4496 Bents Dr.
 Windsor, CO 80550
 www.davincisign.com

Fl. Collins: (970) 203-9292
 Ft. Collins: (970) 203-9293
 Denver: (303) 573-7446
 Greeley: (970) 353-8446

UL BBB CHSMA DENVER METRO CHAMBER INTERNATIONAL CHAMBER OF COMMERCE

Address: 201 S. COLLEGE FORT COLLINS, CO

Designer: CASEYEASTON

Sales: JOHN SHAW

Scale: Noted

Date: 2.17.20

Revisions:

X _____ Date: _____

X _____ Date: _____

Without Changes

With Changes As Shown

Electrical hookup by others.

Electrical requirements: 120V or as indicated.

All landscaping by others.

This artwork is copyrighted, and the exclusive property of DaVinci Sign Systems. It is the result of the original work of its employees, and is submitted to your organization for the sole purpose of your consideration of whether to purchase from DaVinci Sign Systems. Distribution or exhibition of this artwork to anyone other than employees of your organization, or the use of this artwork to construct a similar sign is strictly prohibited. In the event your organization fails to comply with the stipulations outlined above, DaVinci Sign Systems expects to be compensated minimum \$5000 for its original design work. At any time you may purchase this artwork for \$5000, at which point you may use it however you see fit.

X _____ Date: _____

X _____ Date: _____

Design #

20-161R1Shop

Page: 1 of 1

1 1

STAFF REPORT **September 10, 2020**

STAFF

Noah Beals, Senior City Planner/Zoning

PROJECT

ZBA200034

PROJECT DESCRIPTION

Address: 403 E Pitkin St.
Owner: Michael & Carolyn Mitchell
Petitioner: Jordan Obermann
Zoning District: N-C-L
Code Section: 4.7(F)(2)(a)(1)
Variance Request:

This is a request to allow a third story. The maximum allowed is two stories. The existing building has an unfinished attic space. A third story is created by finishing 1,064 square feet of the attic creating new floor area. Only approximately 677 square feet is usable space. No exterior modifications are proposed to the home. This additional floor area does not cause the lot to exceed either the overall floor area maximums or the rear floor area maximums.

COMMENTS:

1. **Background:**

The property was platted in 1924 in the L.C. Moore’s Third Addition subdivision. The existing parcel contains two of the original platted lots on the block. The primary structure was constructed in 1923. It was originally constructed as a two-story building with an attic.

The N-C-L zone district was created to preserve the existing neighborhood character. In general, the prominent building design is 2 stories. Additionally, the neighborhood was originally designed for single detached dwellings.

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 good.
- The additional floor area does not exceed the maximum allowed.
- No exterior alterations to the existing structure window sizes, roof, or top floor elevation.
- The finished attic will have limited ceiling height and does not include a kitchen.

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 contained in Section 1.2.2

4. **Recommendation:**

Staff recommends approval of APPEAL ZBA200034.



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	403 E. Pitkin Street	Petitioner's Name, if not the Owner	Jordan Obermann
City	Fort Collins, CO	Petitioner's Relationship to the Owner is	General Contractor
Zip Code	80524	Petitioner's Address	116 N. College Ave, Ste 5, Ft. Collins, CO 80524
Owner's Name	Michael & Carolyn Mitchell	Petitioner's Phone #	(970) 797-2354
Code Section(s)	Article 4, Division 4.7, Section F.2.a	Petitioner's Email	jordan@forgeandbow.com
Zoning District	Low Density District (NCL)	Additional Representative's Name	Alex Henze
Justification(s)	3. Nominal and inconsequential	Representative's Address	116 N. College Ave, Ste 5, Ft. Collins, CO 80524
Justification(s)	2. Equal to or better than	Representative's Phone #	(970) 797-2354
Justification(s)	Additional Justification	Representative's Email	alex@forgeandbow.com
Reasoning If not enough room, additional written information may be submitted	See written statement attached.		

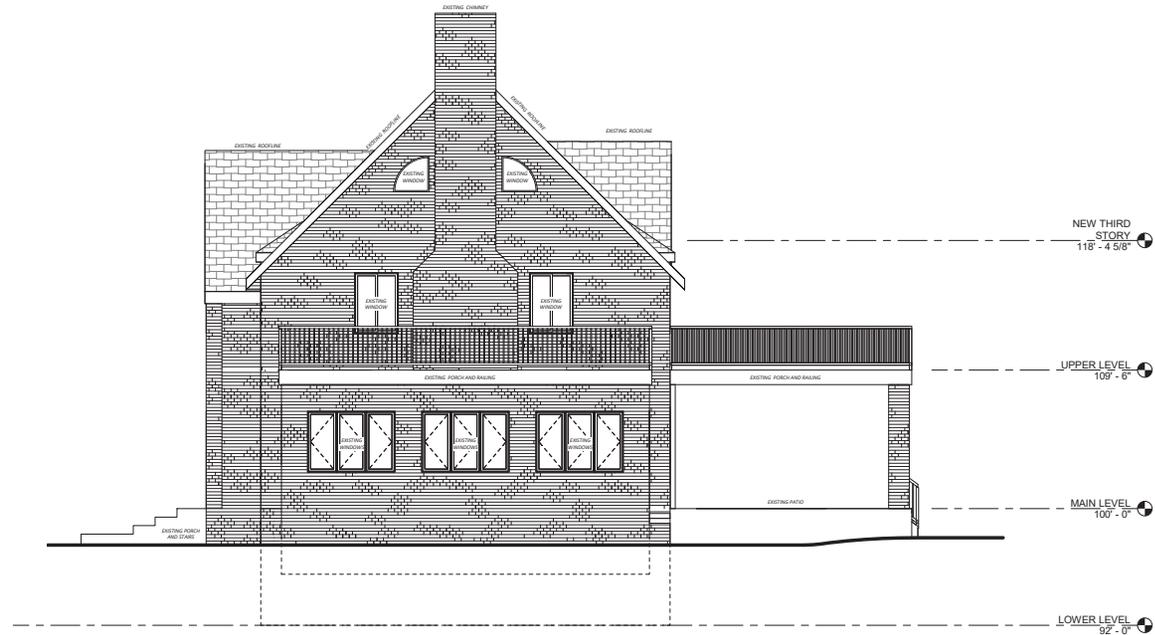
Date 08/05/2020

Signature

Written Statement: Zoning Variance Request

Address: 403 E. Pitkin Street, Fort Collins, CO 80524

- Forge+Bow Dwellings, on behalf of the Mitchell family, is pursuing a variance within the City of Fort Collins Zoning Land Use Code.
- Land Use Code currently allows for a Low Density District (N-C-L) maximum building height of 2 finished stories. Forge+Bow Dwellings is seeking approval of a 3rd story in order to finish out the existing attic space within the home.
- The existing exterior roofline, ridge line, and existing attic windows are to remain in the same location(s) as they currently exist. From the exterior, there will be no change to the existing attic window sizes, roof, or the top floor elevation. Additionally, the residence will continue to be used as a single family home. The finished attic space will not be used as a secondary dwelling unit and as such will not contain a kitchen or cooking appliance.
- The proposed variance will be of nominal and inconsequential impact on the current neighborhood. From the exterior, the attic level will appear equal to current conditions.



② WEST ELEVATION
1/4" = 1'-0"



① SOUTH ELEVATION
1/4" = 1'-0"

**MITCHELL-
GRAEBER on PITKIN
STREET**
423 E PITKIN STREET
FORT COLLINS, COLORADO
80524



www.forgranbow.com
116 N College Avenue, Suite #5, Fort Collins, CO
80524 ph: 970.797.2354

IN ASSOCIATION WITH:

ATTIC DRAWINGS/ELEVATIONS

Sheet	No.	Description	Date
	1		
	2		
	3		
	4		
	5		
	6		
Revisions	No.	Description	Date

**CONCEPTUAL
DRAWINGS - NOT FOR
CONSTRUCTION**

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EXTERIOR ELEVATIONS

DRAWING NUMBER:

A3.0



2 EAST ELEVATION
1/4" = 1'-0"



1 NORTH ELEVATION
1/4" = 1'-0"

**MITCHELL-
GRAEBER on PITKIN
STREET**
423 E PITKIN STREET
FORT COLLINS, COLORADO
80524



www.forgranbov.com
116 N College Avenue, Suite 45, Fort Collins, CO
80524 ph: 970.797.2354

AN ASSOCIATION WITH:

ATTIC DRAWINGS/ELEVATIONS

Sheet	No.	Description	Date
	1		
	2		
	3		
	4		
	5		
	6		
Revisions	No.	Description	Date

**CONCEPTUAL
DRAWINGS - NOT FOR
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EXTERIOR ELEVATIONS

DRAWING NUMBER:
A3.1

To the City of Fort Collins Zoning Board of Appeals:

I have reviewed the following proposal, as provided by Forge+Bow Dwellings, in regards to 403 E. Pitkin Street, Fort Collins, CO 80524:

- *Forge+Bow Dwellings, on behalf of the Mitchell family, is pursuing a variance within the City of Fort Collins Zoning Land Use Code.*
- *The Land Use Code currently allows for a Low Density District (N-C-L) maximum building height of 2 finished stories. Forge+Bow Dwellings is seeking approval of a 3rd story in order to finish out the existing attic space within the home.*
- *The existing exterior roofline as well as the existing attic windows are to remain in the same location(s) as they currently exist. From the exterior, there will be no change to the existing attic windows, roof, or of the top floor elevation.*
- *Additionally, the residence will continue to be used as a single family home. The finished attic space will not be used as a secondary dwelling unit and as such will not contain a kitchen or cooking appliance.*

As a neighbor to the property, I see the proposed variance described herein as having a nominal, inconsequential impact on the context of the neighborhood and wish to express my support of the application for obtaining a zoning variance.

Marni Shreck

Name (Print)



Signature

408 E Pitkin St

Address

To the City of Fort Collins Zoning Board of Appeals:

I have reviewed the following proposal, as provided by Forge+Bow Dwellings, in regards to 403 E. Pitkin Street, Fort Collins, CO 80524:

- *Forge+Bow Dwellings, on behalf of the Mitchell family, is pursuing a variance within the City of Fort Collins Zoning Land Use Code.*
- *The Land Use Code currently allows for a Low Density District (N-C-L) maximum building height of 2 finished stories. Forge+Bow Dwellings is seeking approval of a 3rd story in order to finish out the existing attic space within the home.*
- *The existing exterior roofline as well as the existing attic windows are to remain in the same location(s) as they currently exist. From the exterior, there will be no change to the existing attic windows, roof, or of the top floor elevation.*
- *Additionally, the residence will continue to be used as a single family home. The finished attic space will not be used as a secondary dwelling unit and as such will not contain a kitchen or cooking appliance.*

As a neighbor to the property, I see the proposed variance described herein as having a nominal, inconsequential impact on the context of the neighborhood and wish to express my support of the application for obtaining a zoning variance.

M. Wead

Name (Print)

[Handwritten Signature]

Signature

406 E. PITKIN ST., FORT COLLINS, CO 80524

Address

To the City of Fort Collins Zoning Board of Appeals:

I have reviewed the following proposal, as provided by Forge+Bow Dwellings, in regards to 403 E. Pitkin Street, Fort Collins, CO 80524:

- *Forge+Bow Dwellings, on behalf of the Mitchell family, is pursuing a variance within the City of Fort Collins Zoning Land Use Code.*
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- *The existing exterior roofline as well as the existing attic windows are to remain in the same location(s) as they currently exist. From the exterior, there will be no change to the existing attic windows, roof, or of the top floor elevation.*
- *Additionally, the residence will continue to be used as a single family home. The finished attic space will not be used as a secondary dwelling unit and as such will not contain a kitchen or cooking appliance.*

As a neighbor to the property, I see the proposed variance described herein as having a nominal, inconsequential impact on the context of the neighborhood and wish to express my support of the application for obtaining a zoning variance.

ERIK COX

Name (Print)

[Handwritten Signature]

Signature

1330 PETERSON, FORT COLLINS, CO 80524

Address

To the City of Fort Collins Zoning Board of Appeals:

I have reviewed the following proposal, as provided by Forge+Bow Dwellings, in regards to 403 E. Pitkin Street, Fort Collins, CO 80524:

- *Forge+Bow Dwellings, on behalf of the Mitchell family, is pursuing a variance within the City of Fort Collins Zoning Land Use Code.*
- *The Land Use Code currently allows for a Low Density District (N-C-L) maximum building height of 2 finished stories. Forge+Bow Dwellings is seeking approval of a 3rd story in order to finish out the existing attic space within the home.*
- *The existing exterior roofline as well as the existing attic windows are to remain in the same location(s) as they currently exist. From the exterior, there will be no change to the existing attic windows, roof, or of the top floor elevation.*
- *Additionally, the residence will continue to be used as a single family home. The finished attic space will not be used as a secondary dwelling unit and as such will not contain a kitchen or cooking appliance.*

As a neighbor to the property, I see the proposed variance described herein as having a nominal, inconsequential impact on the context of the neighborhood and wish to express my support of the application for obtaining a zoning variance.

Kristynn Jenkins

Name (Print)

K. Jenkins

Signature

411 E. Pitkin St. FTC CO 80524

Address

STAFF REPORT **September 10, 2020**

STAFF

Noah Beals, Senior City Planner/Zoning

PROJECT

ZBA200036

PROJECT DESCRIPTION

Address: 405 N. Whitcomb St.
Owner/Petitioner: Ginny Sawyer
Zoning District: N-C-M
Code Section: 4.8 (E)(4)
Variance Request:

This a request to build a new accessory building encroaching 1.5 feet into the required 5-foot setback.

COMMENTS:

1. Background:

The property is a part of the West Side Addition subdivision and was platted originally in 1881. The original plat did include a mid-block alley that extends to the north and south. In time a portion of this alley has been vacated but the subject property can be accessed from the remaining alley.

The original structure on the property was built in 1911. It is unclear what alterations/remodels have occurred since then. An existing accessory building was constructed but it is unclear at what point in time. The current owner/applicant states the accessory building has existed for at least 18 years.

The existing accessory structure does not comply with current required standards. The structure was built at an angle to the north property line. The northeast corner of the structure encroaches entirely into the 5ft side-yard setback, it may also be on the neighbor's property.

In general Land Use Code standards are to promote the character of a neighborhood and maintain safety.

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 good.
- The new accessory building is less of an encroachment from the existing structure.
- The accessory structure does not exceed the allowable floor area.
- The eave height along the north property is 8ft in height.
- The eave includes a gutter system along the north side.

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 contained in Section 1.2.2

4. Recommendation:

Staff recommends approval of APPEAL ZBA200036.



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	405 N Whitcomb St	Petitioner's Name, if not the Owner	
City	Fort Collins, CO	Petitioner's Relationship to the Owner is	
Zip Code	80521	Petitioner's Address	405 N Whitcomb St
Owner's Name	Ginny Sawyer	Petitioner's Phone #	970-420-1066
Code Section(s)	4.8	Petitioner's Email	ginnysawyer@msn.com
Zoning District	NCM	Additional Representative's Name	Torey Lench
Justification(s)	3. Nominal and inconsequential	Representative's Address	417 N Grant
Justification(s)	1. Hardship	Representative's Phone #	970-219-0823
Justification(s)	Additional Justification	Representative's Email	toreylenoch@gmail.com
Reasoning If not enough room, additional written information may be submitted	I am seeking a variance from the 5-foot setback to north-side neighboring property line to maximize usable space and minimize unusable space. This alley is non-conforming in numerous ways including narrow width and it has been vacated and is no longer a through-alley. There is no front side off-street parking on this lot. There are 5 potential lots that could utilize alley with two that currently actively use. North-side neighbor supports variance.		

Date 8/10/2020

Signature Ginny Sawyer

August 9, 2020

Dear ZBA,

I am seeking a variance from the side yard setbacks from 5' to 3'6" based on the nominal and inconsequential justification for the following reasons:

- The existing structure (which will be removed) is currently within inches of the neighboring property line. This condition has existed as long as I have owned the home and I cannot find record of the creation of the existing outbuilding.
- The north side neighbor has a 2-car garage and a small shed. My outbuilding plans meet all floor area ration and eave height guidelines.
- The alley is extremely narrow and has been vacated dead-ending at the 415 N Whitcomb lot. Currently only the 415 and 407 neighbors utilize the alley for access.

In addition to the nominal and inconsequential reasoning, a variance would allow more usable space to the south of the building footprint. My lot does not have off-street parking on the street side. Being able to park my vehicle off the alley would be beneficial and additional room in the narrow alley would help to accommodate this while still allowing a workable buffer on the north side.

Thank you for your consideration.

Sincerely,

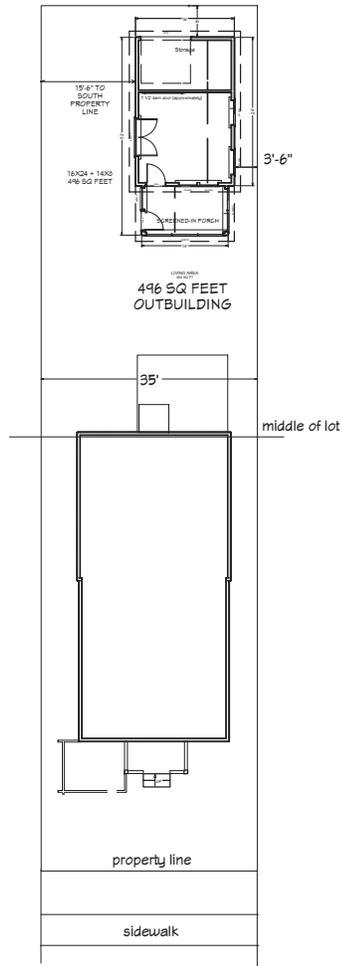
A handwritten signature in black ink that reads "Ginny". The script is cursive and fluid.

Ginny Sawyer

35x140 plot with 496 sq ft outbuilding, 3'-6"
from north property line

Sawyer Residence
405 N Whitcomb
Fort Collins, CO
80524
Legal Description:
LOT 3, BLK 274,
WEST SIDE, FTC

1" = 20'



319 E. Magnolia St.
Fort Collins, CO 80524
970-416-9300

Sheet: 1 of 4

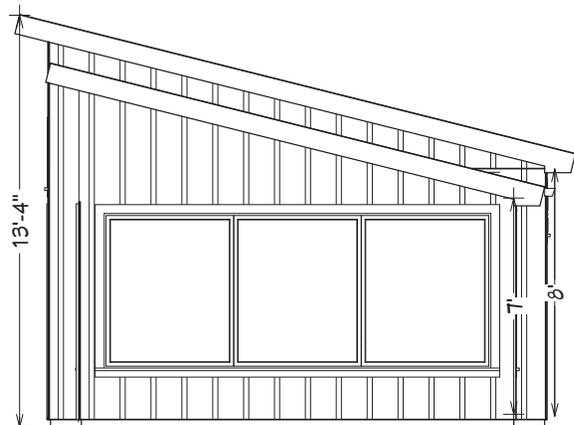
1" = 20'



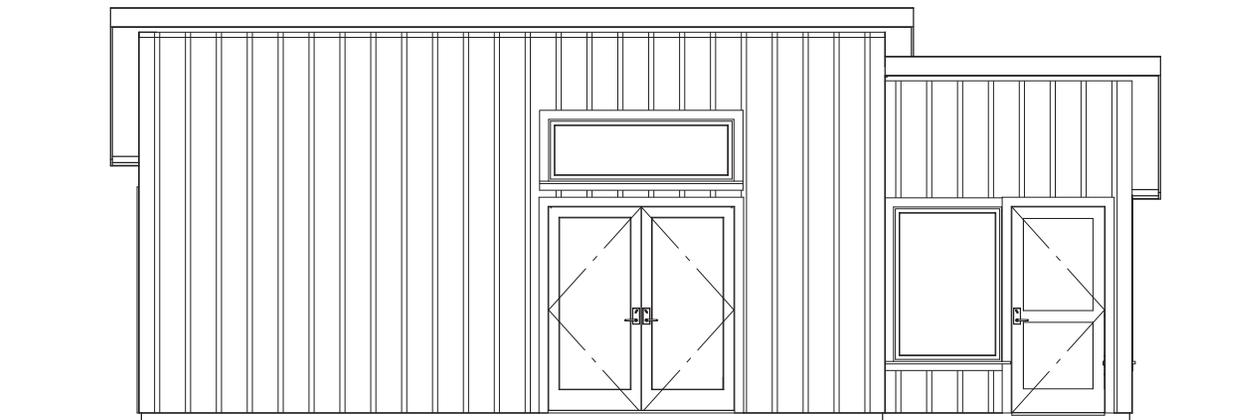
Ginny Sawyer
405 N Whitcomb
Fort Collins, CO 80521

6 Aug 2020

overall height
is 13'-4"



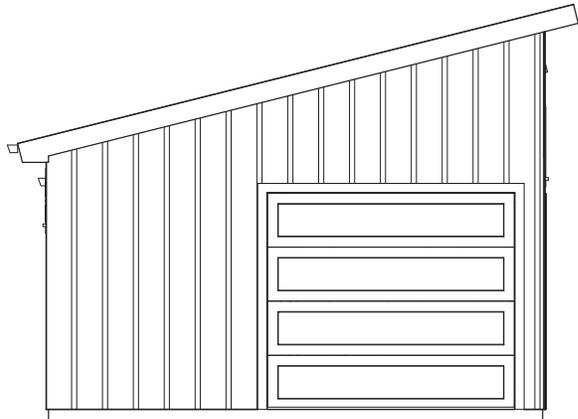
east elevation



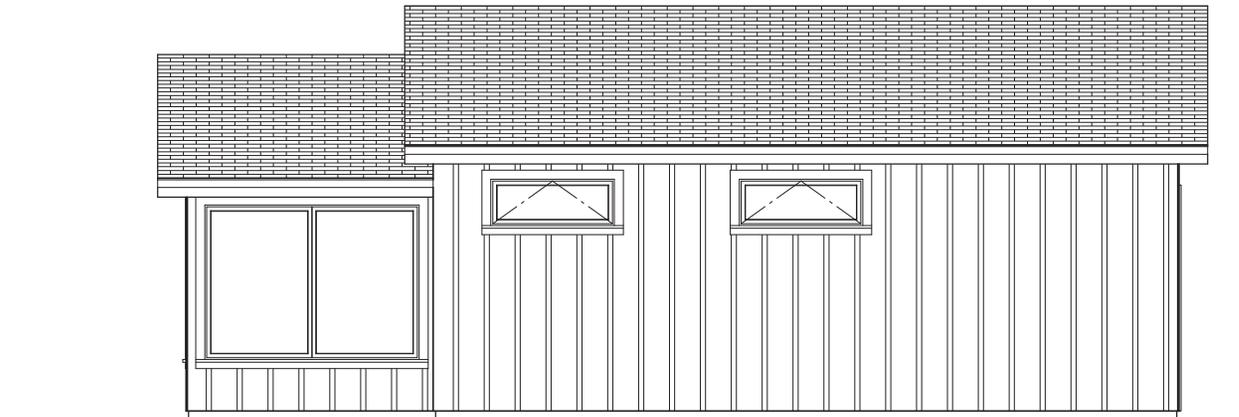
south elevation

elevations, 3/12 pitched shed roofs. north interior wall height
on porch is 84", north interior wall height of shed is 96"

Ginny Sawyer
405 N Whitcomb
Fort Collins, CO 80521



west elevation



north elevation

elevations

August 11, 2020

To Whom it May Concern,

My name is James Sanders and I am the owner and resident of 407 N Whitcomb. I have lived at this property since 2015.

Ginny has made me aware of her plans to build a shed and the desire for the variance against our property lines. I support this variance. The current structure is far closer that the 3' 6" proposal and not been problematic at any point. Like much of old town, this alley has it's own unique features including being narrow and a deadend.

Providing additional space on the south side of the proposed structure will allow needed space for additional radius if Ginny (or future owners) opt to put a vehicle in that space. It also prevents "attractive nuisance" space in a deadend alley hidden between a fence and the backside of a building.

Thank you for the consideration.

James Sanders

STAFF REPORT

September 10, 2020

STAFF

Noah Beals, Senior City Planner/Zoning

PROJECT

ZBA200037

PROJECT DESCRIPTION

Address: 3931 Benthaven St.
Owner/Petitioner: David Kruger
Zoning District: R-L
Code Section: 3.8.11(C)(3) & (5)
Variance Request:

This a request to allow a fence varying in height between 6 feet and 6 feet 7 inches to remain in place. The current location encroaches 2 feet into the required 2-foot setback from the sidewalk, and the allowed maximum height of the fence is 6 feet.

COMMENTS:**1. Background:**

The property is part of the Four Seasons Fifth Filing subdivision in 1985. This filing developed as a single family detached neighborhood. The primary structure on the property was built in 1986. It is unclear when the old fence was installed.

The fence encloses both the side and rear yard of the property. The maximum height allowed in the side and rear yard is 6'. The fence runs along the sidewalk along Wabash Street, with no setback. The code requires a fence to be 2ft back from the sidewalk.

The existing sidewalk is approximately 4ft in width and is attached to the street. The neighbor to the northwest has a fence located at the same setback to the sidewalk.

2. Applicant's statement of justification: See petitioner's letter.**3. Staff Conclusion and Findings:**

Under Section 2.10.2(H), staff recommends approval with the condition that the City Engineer allows an encroachment into the public right-of-way and finds that:

- The variance is not detrimental to the public good.
- The fence height and grade are varied.
- The sidewalk is more than 3.5ft in width.
- The fence does not run the entire length of the property.
- The top 1ft in fence height is transparent.

4. Recommendation:

Staff recommends approval with a condition of APPEAL ZBA200037.

Zoning Variance Guidelines

The Zoning Board of Appeals and Planning, Development & Transportation (PDT) Director have been granted the authority to approve variances from the requirements of the Land Use Code Articles 3 and 4. 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 or 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.

EACH VARIANCE REQUEST WILL BE ADDRESSED IN ONE OF TWO WAYS:

1. The **PDT Director** may review variance requests that meet the following criteria:
 - a. A setback encroachment of up to 10%
 - b. A fence height increase of up to 1 foot.
 - c. In the N-C-L, N-C-M, and N-C-B zone districts, the allowable floor area in the rear half of the lot increase of up to 10%, provided the increase does not exceed the allowable floor area for the entire lot.
 - d. A building height increase of up to 1 foot.
2. The **Zoning Board of Appeals** will hear all other variances that do not fall within the above criteria.
 - **Hearing Deadline:** The normal deadline for applying for a variance is no later than 3:00 p.m., the second Tuesday of the month prior to the month of the meeting. However, two or three times per year the deadline for applying may differ, so it is a good idea to check with the Zoning Department to confirm the date.
 - **Hearing Location:** The Zoning Board of Appeals meets on the second Thursday of each month beginning at 8:30 a.m. at City Hall in the City Council Chambers at 300 LaPorte Avenue.
The petitioner or his/her representative must appear at the meeting.

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SUBMITTAL REQUIREMENTS

The application for a variance must contain the following:

- A. **Application form and filing fee** (\$25.00) plus \$.75 (75 cents) for each address included in section D below. The required information must be submitted to Zoning Staff prior to the application deadline. The applicant must sign the application form for the request to be placed on the Zoning Board of Appeals agenda. The Zoning Office is located on the first floor at 281 N. College Avenue.
- B. **A digital copy of the application materials** must be submitted via flash drive. Please include:
 1. Written statement explaining reason for requesting variance
 2. Site or plot plan of the property, drawn to scale, showing setbacks.
 3. Landscape plan
 4. Project or Sign drawings
 5. Architectural elevations
 6. Other relevant documentation
- C. **Notification letters will be mailed to neighboring owners.** Staff will generate the list of names and mailing addresses of all owners of record of adjacent property within 150 feet of all the subject property for most applications. However, the N-C-L and N-C-M zones require a list of names and mailing addresses within 500 feet of the subject property when planned construction of in a 2 story house if the house on the abutting lot is 1 story; or if construction of a new house is greater than 2,500 square feet; or if an addition results in a total square footage of more than 3,000 square feet. Staff will mail notification letters with a description of the variance request to these owners before the Zoning Board of Appeals meeting.

Procedure to appeal the Board's decision

- A. Any decision made by the Zoning Board of Appeals may be appealed to the City Council, but no new information can be presented.
- B. Any party who wishes to appeal a Zoning Board of Appeals decision must submit a written protest to the City Clerk within fourteen (14) days of the date of the Zoning Board of Appeals decision. The submittal form can be found on the City Clerk's website at www.fcgov.com/cityclerk/appeals.php

WHAT TO EXPECT AT THE ZONING BOARD OF APPEALS MEETING

- **Roll Call**
- **Approval of Minutes from previous meeting**
- **Staff Presentation**
- **Applicant Presentation**
- **Audience Participation:** Any interested parties may speak in favor or in opposition of petitioner's variance request.
- **Board Discussion:** The Board will discuss the variance request, ask additional questions, and reach a decision or table the item.
- **Vote:** The Board will vote to approve, approve with conditions, deny, or table the variance request. Any decision made by the Zoning Board of Appeals may be appealed to the City Council.

FOR ADDITIONAL INFORMATION REGARDING THE ZONING VARIANCE PROCESS, PLEASE CONTACT OR VISIT THE CITY OF FORT COLLINS ZONING DEPARTMENT AT 281 N. COLLEGE AVENUE; 970-416-2745; OR EMAIL Zoning@fcgov.com



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		Petitioner’s Name, if not the Owner	
City	Fort Collins, CO	Petitioner’s Relationship to the Owner is	
Zip Code		Petitioner’s Address	
Owner’s Name		Petitioner’s Phone #	
Code Section(s)		Petitioner’s Email	
Zoning District		Additional Representative’s Name	
Justification(s)		Representative’s Address	
Justification(s)		Representative’s Phone #	
Justification(s)		Representative’s Email	
Reasoning If not enough room, additional written information may be submitted			

Date _____

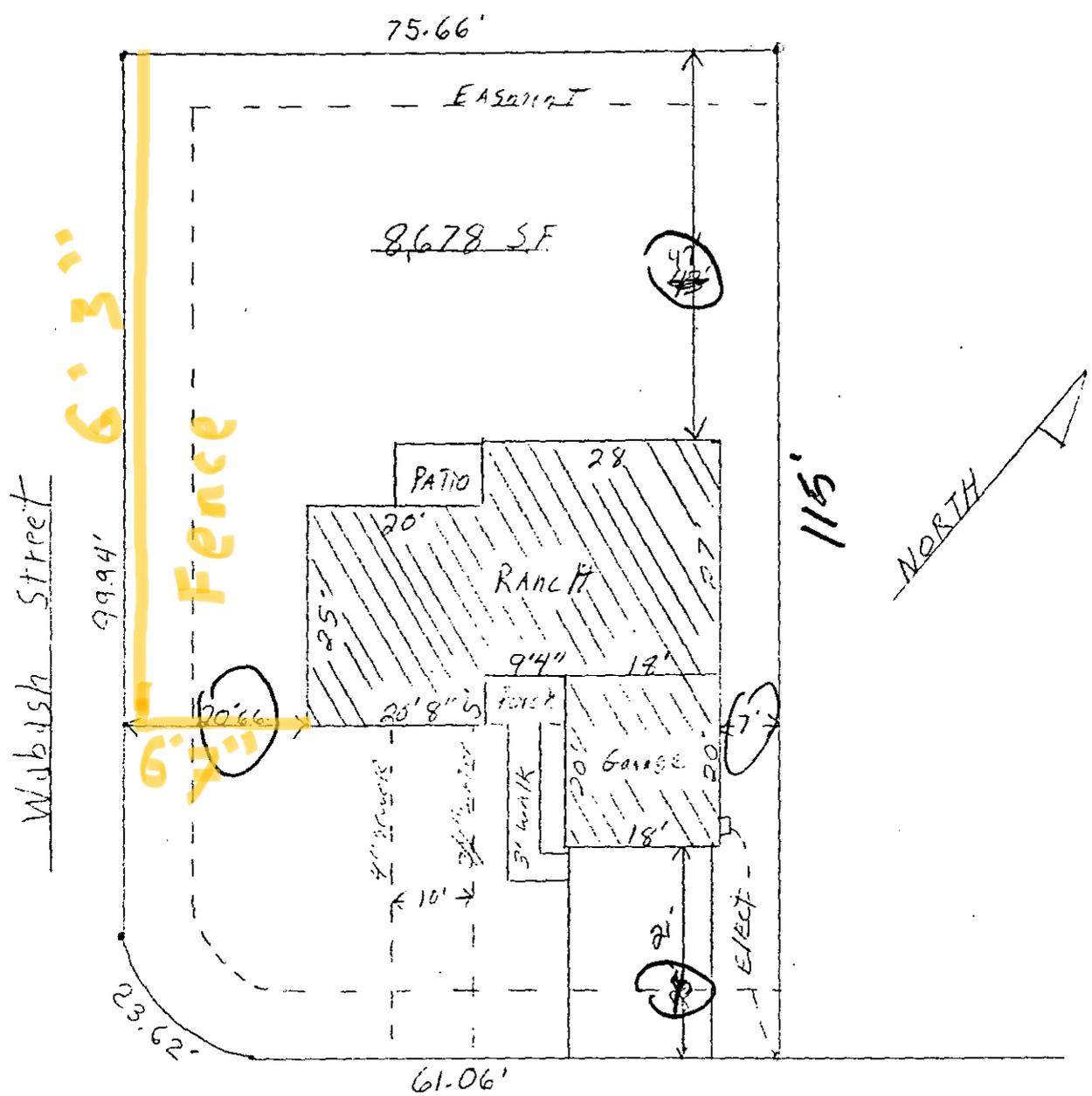
Signature _____

Written Explanation:

Our fence that borders Wabash street broke in the last snowstorm this Spring. It was a safety concern to our two-year-old and dog because it opened our backyard to a busy street. We hired a local company to replace the original fence where it previously stood and asked them to raise the fence from 5 feet to 6 feet. We wanted a 5-foot privacy fence with a 1-foot lattice on top. After the fence was already constructed, we received a notice that the fence needed to be two feet back from the sidewalk and it was over the 6-foot city limit for a fence without a permit, which we were unaware of. We built the fence where the previously one was, so we were unaware that it should have been moved back two feet. It does match with our neighbors fence along Wabash to the west, and our backyard is raised up from the sidewalk, so my concern is that moving the fence back two feet would cause a good amount of dirt and rock would then gradually fall into the sidewalk and cause a hindrance. Where the fence is now does not pose any difficulty in the sidewalk and the previous fence had already been in that position. We had asked the fence company to build the fence at 6 feet, so we were unaware that it was over the 6-foot marked by city code. From our backyard it does measure to 6 feet, but since our backyard is raised it measures at 6 feet 3 inches along the Wabash sidewalk. On the east side, where the fence turns towards our house, the fence post is 6 feet 7 inches as it raises in elevation towards our house. We were unaware of both of these heights but are requesting that we waive an engineer needing to inspect this fence area and avoid taking down the lattice topper.

Thank you!

24723



Wubash Street

Benthaven Street

3931 Benthaven Lot 28 5th

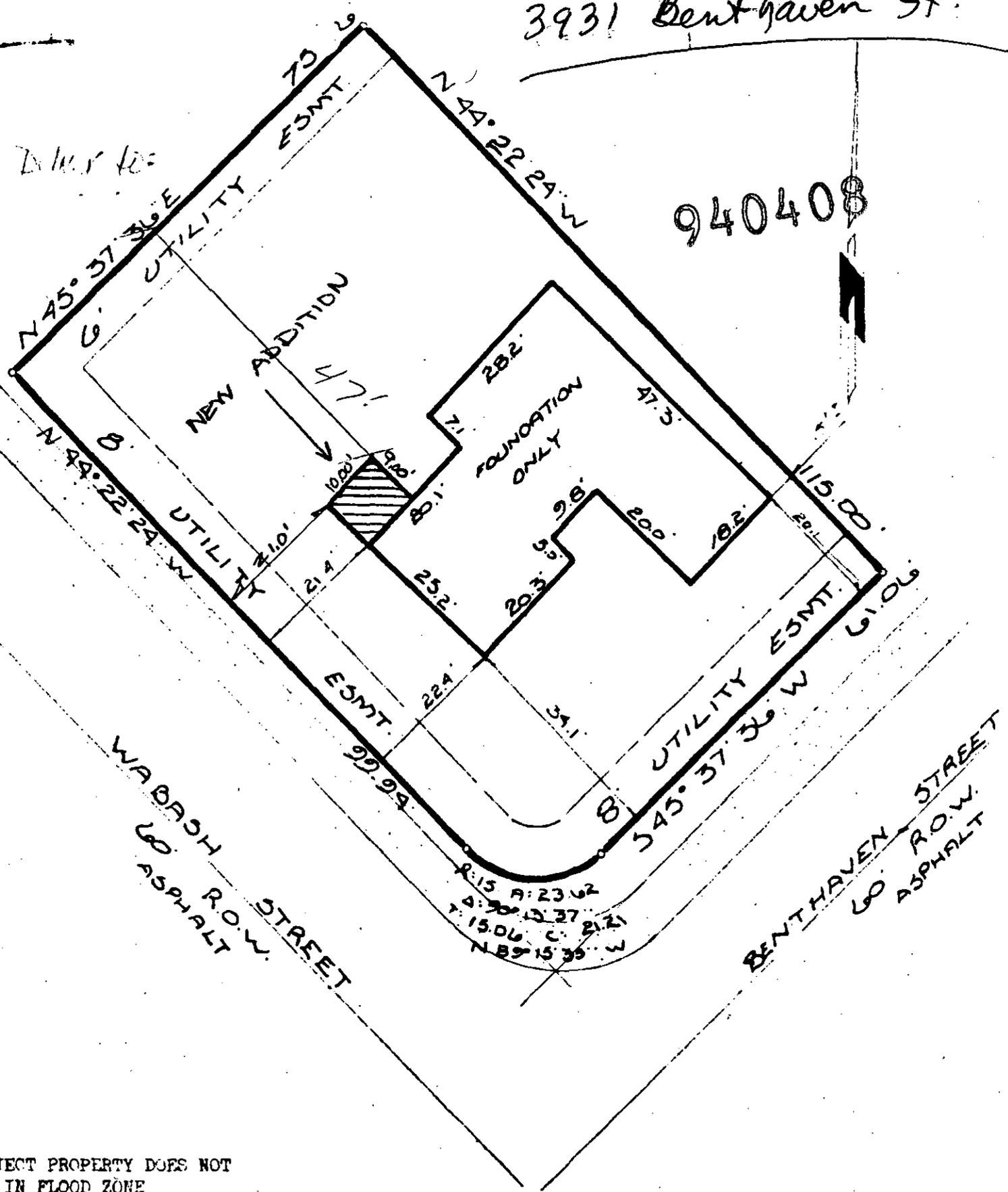
Four Seasons

Plot Plan 1" = 20'0"

3931 Benthaven St.

940408

Water to:



SUBJECT PROPERTY DOES NOT
 LIE IN FLOOD ZONE
 Panel # 080102 0004 A
 Date: 7-16-79

LEGAL DESCRIPTION

Lot 28, Four Seasons Fifth Filing a Planned Unit Development, City of Fort Collins, County of Larimer, State of Colorado. 3931 Benthaven Street

MONUMENTS FOUND

City of Fort Collins

September 1, 2020

Planning Board of Appeals

Attn: Mr. Noah Beals, Senior City Planner`Zoning

Dear Mr. Beals;

This is a reply to your invitation to have input into Appeal ZBA2000037 for the property located at 3931 Benthaven Street. The owner and petitioner is Mr. David Kruger.

The Appeal Hearing is scheduled for September 10, 2020 at 8:30 a.m.

The request of the petitioner is to allow the existing fence to remain in place.

My wife and I, Richard and Linda Homann, reside at 4001 Benthaven Street. We've lived there since 1999. Mr. Kruger's property is directly across Wabash street from our property.

We fully support the request to allow the existing fence to remain in place. Our reason for support is:

1. The existing fence is new and compliments the neighborhood. The fence that it replaced was in disrepair due to age. The old fence was in the same location as the new fence. The Krugers' fence aligns with their backyard neighbors fence on Wabash Street which is also at the edge of the sidewalk. There are numerous other fences in the neighborhood that are at the edge of the sidewalk or within 6 to 8 inches of the sidewalk, so we feel the location of the Krugers' fence is not unique or consequential when considered in the context of the neighborhood.
2. The height of the fence, in appearance, does not look out of place. The grade/elevation of the property slopes upward from the sidewalk. It is difficult, without actually measuring, to tell where the fence varies between 6 feet and 6 feet seven inches. The location where the Krugers' fence meets their backyard neighbors fence is at the location of a neighborhood Post Office Box that breaks up the continuity of the fences.
3. The location and the height of the fence, primarily due to the slope/elevation change from the sidewalk toward the house, promotes 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.
4. We feel that the granting of the variance will not diverge from the standards of the Land Use Code except in a nominal, inconsequential way when considered in the context of the neighborhood; nor would the granting of the variance result in a substantial detriment to the public good.

Sincerely,

/s/ Richard Homann, /s/ Linda Homann

From: [Noah Beals](#)
To: [Kacee Scheidenhelm](#)
Subject: FW: [EXTERNAL] APPEAL: ZBA200037
Date: Wednesday, September 9, 2020 4:46:22 PM

-----Original Message-----

From: LARRY LEINHART <lleinhart@aol.com>
Sent: Wednesday, September 9, 2020 12:04 PM
To: Noah Beals <nbeals@fcgov.com>
Subject: [EXTERNAL] APPEAL: ZBA200037

Mr. Beals,

In regard to this zoning appeal, here's my viewpoint.

I am the direct backyard neighbor to 3931 Benthaven Street. My address is 3906 Granite Court.

I believe the 2' sidewalk setback should be waived in this case. The original fence line was allowed By the city when we (all the homeowners at that time :1987) built the original fence. I'd be ok if the city " grandfathered" the fence line to butt up to the sidewalk as it's built now.

On fence height, I do believe the city should enforce the 6' ordinance to comply with other fences in the area and the city.

Regards,

Larry Leinhart
3906 Granite Court
Fort Collins, CO 80526

To who it may concern Regarding the fence of David Kruger.

The height of the fence has been brought to attention as being to tall. The actual fence and privacy screening is only 5' tall. The fence features a decorative lattice topper for alling for vine growth. There is not a height requirement on such lattice attachments to the fences for gardening and vine growth. There are fences, arbors and trellises all over fort collins that are in excess of 6' tall. The fence is also serving as a retaining board at the bottom of the fence panels to hold in the raised yard height. from the inside of the yard the fence is below 6' as well and does not exceed 6' at the top of the lattice add on. I do not believe there fence should be forced to be changed for any violations as the height is not in excess from the high side as well as the lattice add on being a common occurrence around fort collins with no issue to height . Thank you for your time a consideration on this matter.

Chris Isaacs
Front Range Fence
970.599.3143

From: [Noah Beals](#)
To: [Kacee Scheidenhelm](#)
Subject: FW: [EXTERNAL] Fwd: Variance for fence at 3931 Benthaven Street
Date: Thursday, September 10, 2020 7:57:16 AM

From: Bill <bpadilla@aol.com>
Sent: Wednesday, September 9, 2020 7:39 PM
To: Noah Beals <nbeals@fcgov.com>
Subject: [EXTERNAL] Fwd: Variance for fence at 3931 Benthaven Street

My name is Abdon W (Bill) Padilla and I live at 3925 Benthaven Street.

From: bpadilla@aol.com
To: nbeals@fcgov.com
Sent: 9/9/2020 7:34:29 PM Mountain Standard Time
Subject: Variance for fence at 3931 Benthaven Street

Hi,

I cannot make to the meeting because of work. I am giving my input on the fence variance.

On the current location of the fence it is in the same location that it has been for the last 34 years. I never new there was such a requirement for it being 2 feet from the sidewalk. I lived here when the fence was installed and helped with building it along with several neighbors. Its present placement does not bother me. I think the contractor that rebuilt the fence should have known and told David before they proceeded.

On the height of the fence, it does not bother me. I also did not know about this rule. It is higher than the original fence. The contractor should have known about this and told David. If the lattice on the top of the fence is removed, would it make the fence in compliance?

Bill

STAFF REPORT **September 10, 2020**

STAFF

Noah Beals, Senior City Planner/Zoning

PROJECT

ZBA200038

PROJECT DESCRIPTION

Address: 1640 Remington St.
Owner: Nathaniel Warning
Petitioner: Lacey Gaechter
Zoning District: L-M-N
Code Section: 3.5.2(E)(3)
Variance Request:

This is a request to build an accessory building (shed) encroaching 2 feet into the required 5-foot side-yard setback and encroaching 5 feet into the required 8-foot rear-yard setback.

COMMENTS:

1. **Background:**

The property was platted in the I C Bradley’s subdivision. The original platted lot was divided into two parcels. The subject property is the west parcel at the corner of Remington and Parker street. This parcel is smaller than most of the other parcels in this subdivision.

Within the L-M-N zone district the rear setback is 8ft and the side setback is 5ft. The shared property line for the abutting neighbors are both side setbacks.

Also, within the L-M-N zone district there is maximum accessory building size of 800ft. There is not a maximum floor area for the entire lot.

The existing location of the primary house and the garage limit the location a new shed can be placed.

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 good.
- The existing parcel is smaller in size than the other parcels in the subdivision.
- The location of the house and garage limit the location of a new accessory structure.

Therefore, 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 ZBA200038.

Zoning Variance Guidelines

The Zoning Board of Appeals and Planning, Development & Transportation (PDT) Director have been granted the authority to approve variances from the requirements of the Land Use Code Articles 3 and 4. 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 or 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.

EACH VARIANCE REQUEST WILL BE ADDRESSED IN ONE OF TWO WAYS:

1. The **PDT Director** may review variance requests that meet the following criteria:
 - a. A setback encroachment of up to 10%
 - b. A fence height increase of up to 1 foot.
 - c. In the N-C-L, N-C-M, and N-C-B zone districts, the allowable floor area in the rear half of the lot increase of up to 10%, provided the increase does not exceed the allowable floor area for the entire lot.
 - d. A building height increase of up to 1 foot.
2. The **Zoning Board of Appeals** will hear all other variances that do not fall within the above criteria.
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- **Roll Call**
- **Approval of Minutes from previous meeting**
- **Staff Presentation**
- **Applicant Presentation**
- **Audience Participation:** Any interested parties may speak in favor or in opposition of petitioner's variance request.
- **Board Discussion:** The Board will discuss the variance request, ask additional questions, and reach a decision or table the item.
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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	1640 Remington Street	Petitioner’s Name, if not the Owner	Lacey Gaechter
City	Fort Collins, CO	Petitioner’s Relationship to the Owner is	Spouse
Zip Code	80525	Petitioner’s Address	1640 Remington Street
Owner’s Name	Nathaniel (Nat) Warning	Petitioner’s Phone #	(970) 817-0090
Code Section(s)	3.5.2.E	Petitioner’s Email	lacey.gaechter@gmail.com
Zoning District	(L-M-N)	Additional Representative’s Name	
Justification(s)	3. Nominal and inconsequential <input type="checkbox"/>	Representative’s Address	
Justification(s)	Additional Justification	Representative’s Phone #	
Justification(s)	Additional Justification	Representative’s Email	
Reasoning <small>If not enough room, additional written information may be submitted</small>	We would like to build a 10’ x 14’ shed, with maximum height of 12.5’ in our backyard with 3’ setbacks from the property lines of the rear and interior property lines. The proposed shed would be surrounded on all sides by other buildings (our house, our neighbor’s house, our other neighbors’ shed, and our garage),		

Date August 11, 2020

Signature Lacey Gaechter

August 11, 2020

Reasoning with Photos for variance request for 1640 Remington Street

We would like to build a 10' x 14' shed, with maximum height of 12.5' in our backyard with 3' setbacks from the property lines of the rear and interior property lines. The proposed shed would be surrounded on all sides by other buildings (our house, our neighbor's house, our other neighbors' shed, and our garage), which we think reduces the impact this shed would have on our neighbors if a variance is granted. Please see attached photos of surroundings. The shed would not be visible from any street, and we propose to build it on footers to allow water to reach permeable soil below the shed.



Figure 1 Proposed shed would face our house and lean-to shed on its west side.



Figure 2 The proposed shed would face our neighbor's house on its north side.

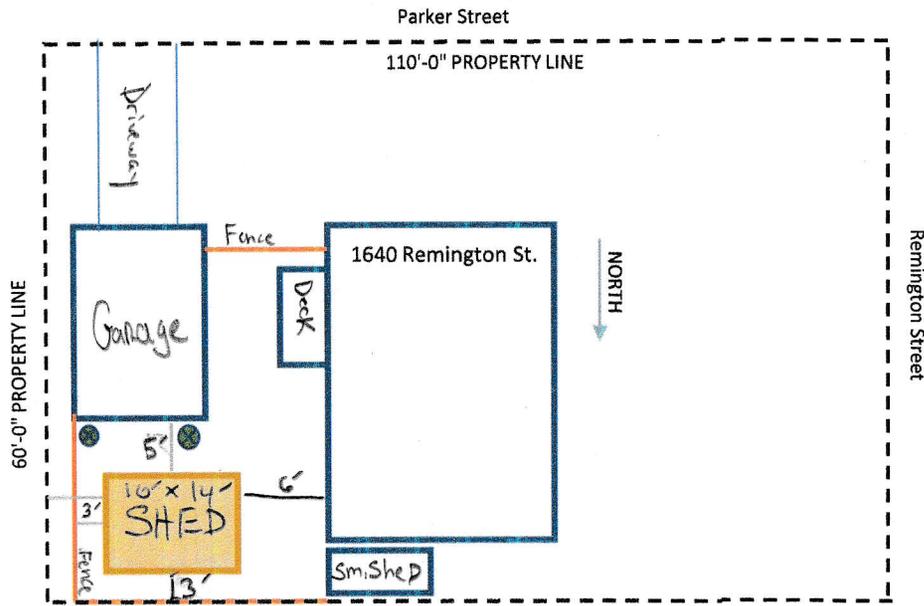


Figure 3 The proposed shed would face the back of our other neighbors' shed on its west side.



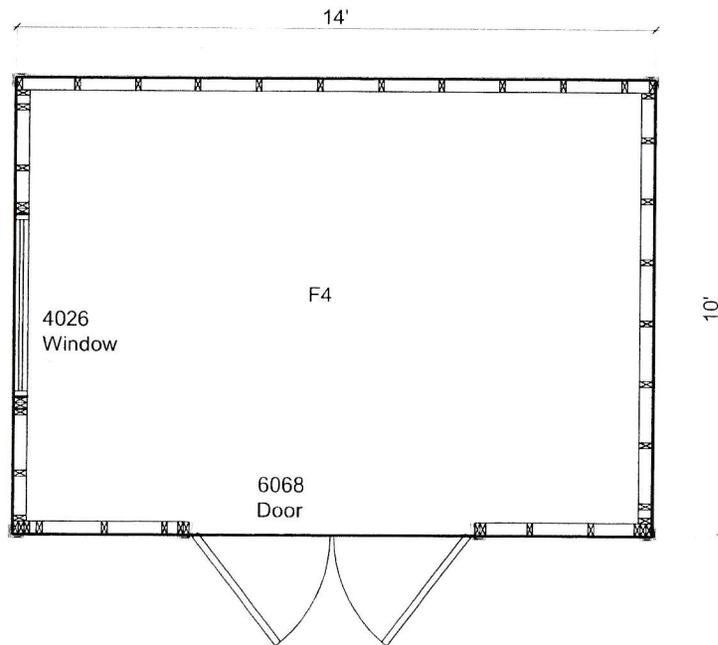
Figure 4 The proposed shed would face the back of our garage on its south side.

SITE PLAN SCALE 1"=20'



1

1640
Remington St.



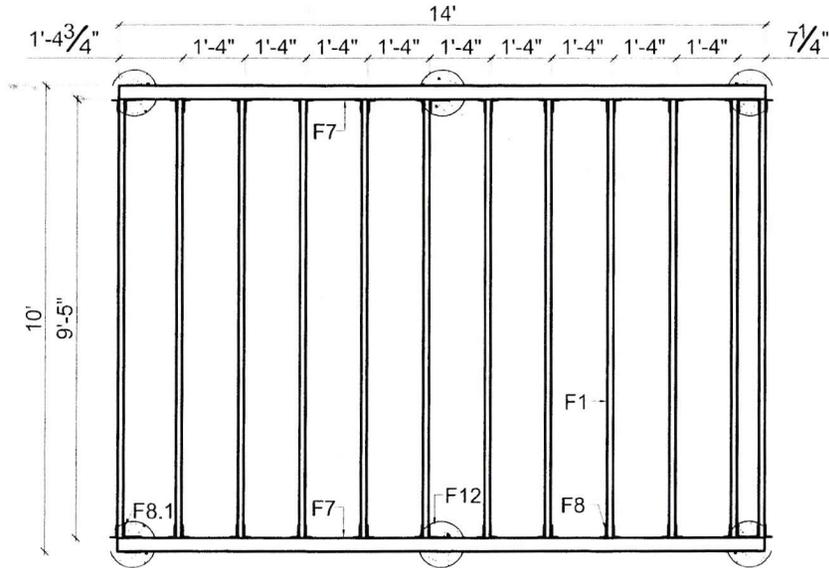
FLOOR PLAN

$\frac{1}{4}'' = 1'-0''$ See wall framing plans for stud layout and material take off and upper window locations.

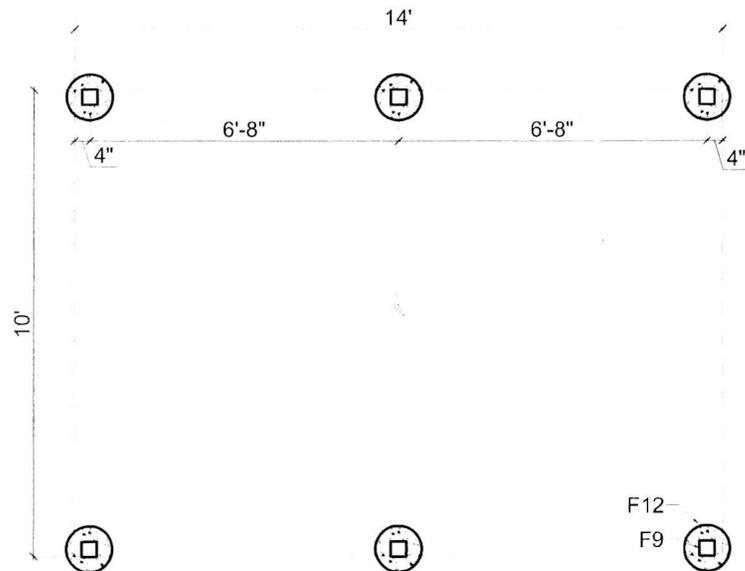
PG 2

Floor Plan **2**

Copyright 2015 Big Idea Designs. www.icreatables.com



CONCRETE PIER FLOOR FRAMING PLAN



CONCRETE PIER FOUNDATION PLAN

1/4" = 1'-0" Footings should be under the bearing walls of the shed. This means that the beam resting on the piers should be under the walls that the roof rests on.

BLOCK AND ROUND PIER FOUNDATION AND FLOOR FRAMING MATERIALS

CODE	DESCRIPTION	LENGTH	QTY.
F1	2x8 Floor Joist	10'-0"	12
F4	4'x8'x3/4" O.S.B. T.&G.	4'x8'	5 Not shown
F7	7 1/4" x 1 3/4" Microlam beam*	14'	4
F8	Joist Hanger, see below *	24	
F9	Beam Holder, see below *		4
F12	10" Round Conc. Pier		6

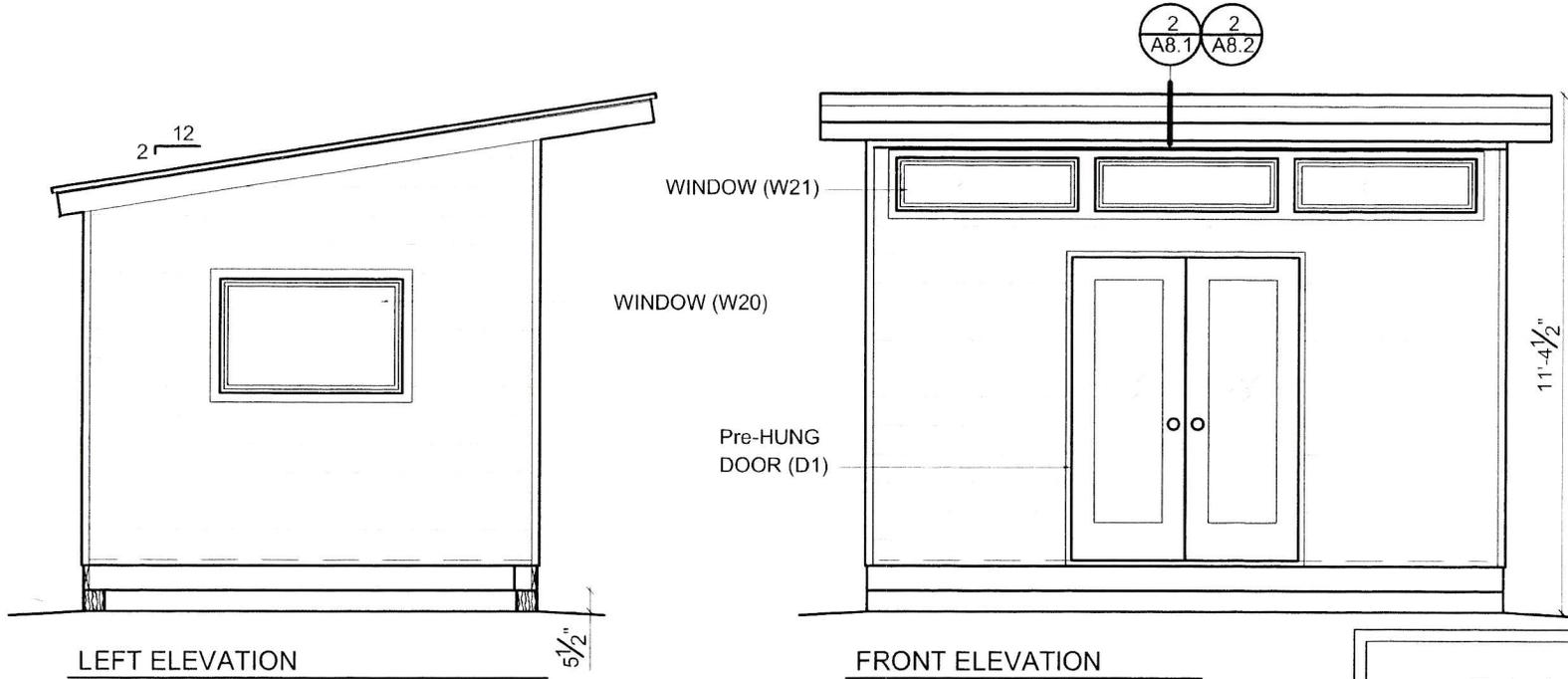
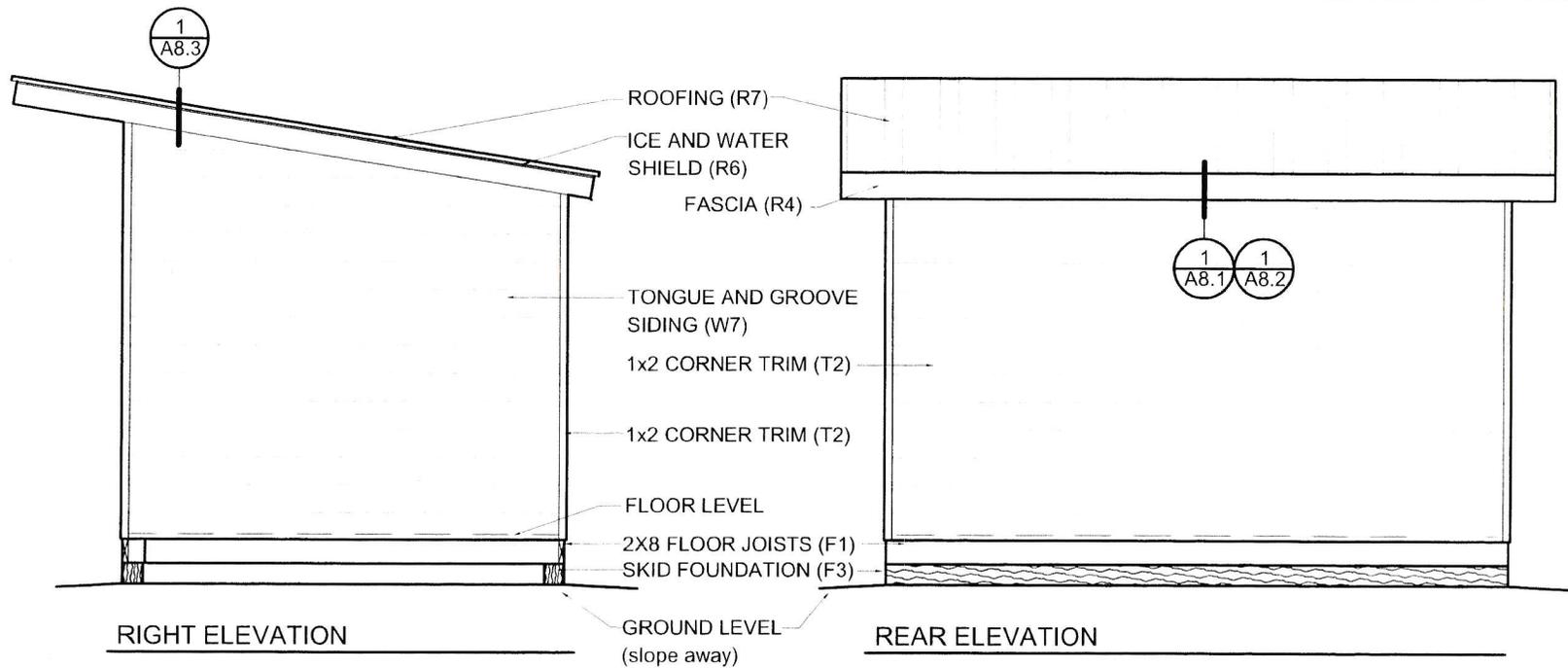
* (F8) SIMPSON HU28TF (OR EQUIVALENT) JOIST HANGER

* (F9) BEAM HOLDER / POST BASE, SIMPSON ABU44 AT EACH PIER

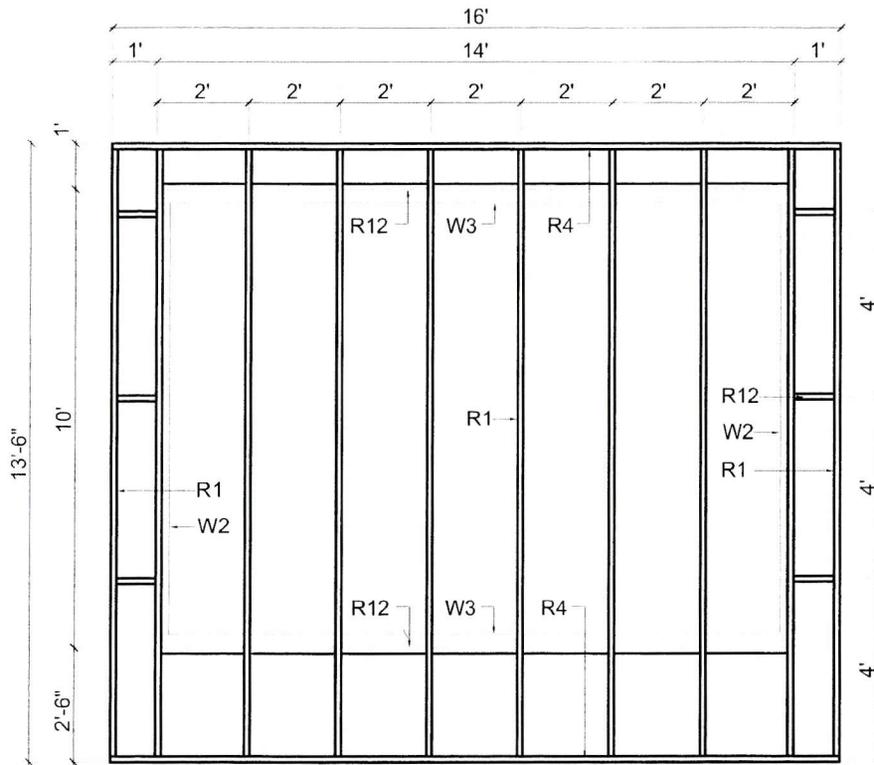
* (F7) Nail 2 microlam beams together to for a single beam. Use 2 rows of 12d nails(1.148" x 3.25") Common Wire at 12" o.c. Nails should be 2" from the top and bottom of the beam edges.

Page 5 of the AWC span tables for joists and rafters, 2012 edition says that a 2x8 floor joist at 16" on center can span 13' with a modulus of Elasticity of 1.7 at 40 lb live load and 10 lb dead load. This is the basic standard used for residential construction. Our span is only 10 feet which makes it much stronger.

POUR PIER FND. 1



PG 4



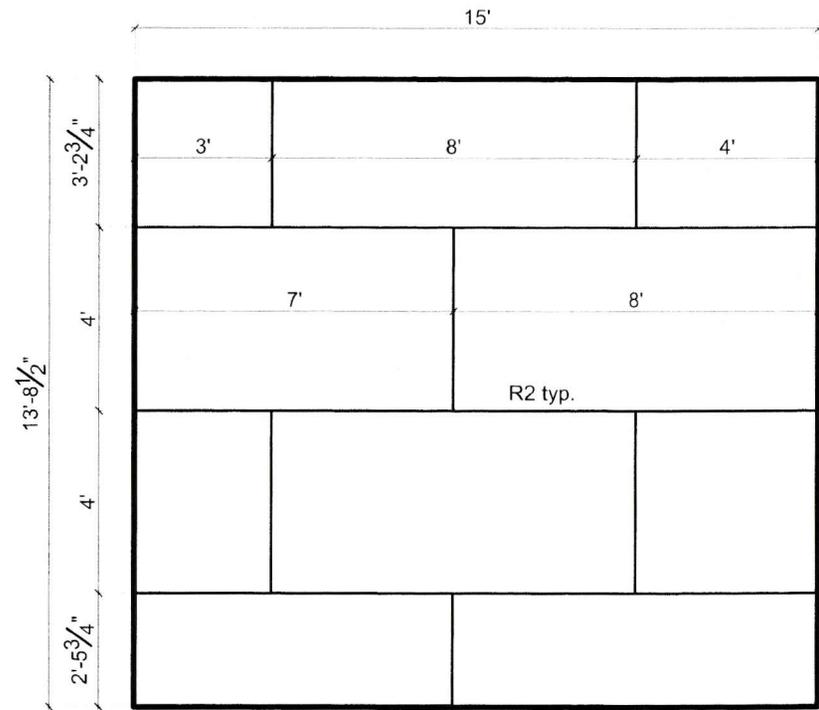
ROOF FRAMING PLAN

Note: The roof sub fascia is measured 6" off the face of the wall sheathing or 6 1/2" off the wall studs.

ROOF FRAMING MATERIALS

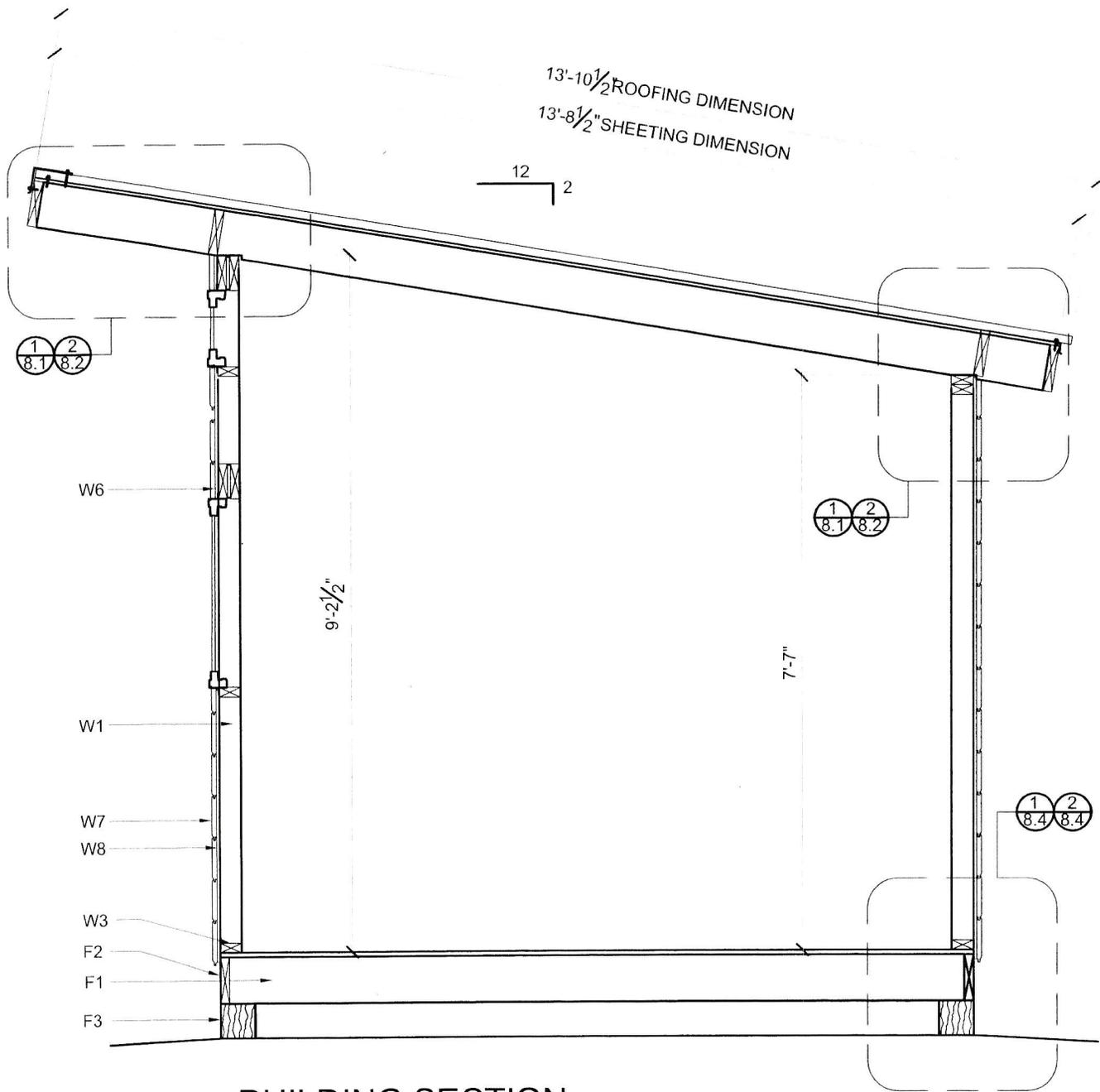
CODE	DESCRIPTION	LENGTH	QTY.
R1	2x8 Rafter	14'-0"	10
R2	Plywood Roof Sheeting	4'x8'x $\frac{7}{16}$ "	8
R4	2x8 Fascia	16'-0"	2
R12	2x6 Blocking	14'-0"	2
R15	Hurricane Tie	H2.5	12

*See exterior elevations for roofing materials.



ROOF SHEETING PLAN

PG 6



BUILDING SECTION

1/4" = 1'-0" See floor and wall plans for material call out definitions.

PG 7

Section 8
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RAFTER (SEE ROOF FRAMING)
 LOW SLOPE METAL ROOFING "PBR".
 PREPARE LEAN TO ROOF FOR LOW
 SLOPE ROOFING APPLICATION

O.S.B. SHEETING

$\frac{1}{4}$ " HEX WASHER HEAD FITTED WITH
 NEOPRENE BONDED WASHERS

DRIP EDGE

2X FASCIA

2x BLOCKING AT EACH CELL

DOUBLE TOP PLATES

T1-11 SIDING OR EQUIVALENT

2X4 WALL STUD



H1
 HURRICANE
 TIE

1 METAL ROOF RAFTER EVE DETAIL - OPEN SOFFIT
 $\frac{3}{4}$ " = 1'-0"

LOW SLOPE METAL ROOFING "PBR".
 PREPARE LEAN TO ROOF FOR LOW
 SLOPE ROOFING APPLICATION
 UNDERLAYMENT APPROVED FOR
 LOW SLOPE ROOFING (VERIFY WITH
 SHINGLE MANUFACTURER)

O.S.B. SHEETING

RAFTER (SEE ROOF FRAMING)

$\frac{1}{4}$ " HEX WASHER
 HEAD FITTED WITH
 NEOPRENE BONDED
 WASHERS

DRIP EDGE

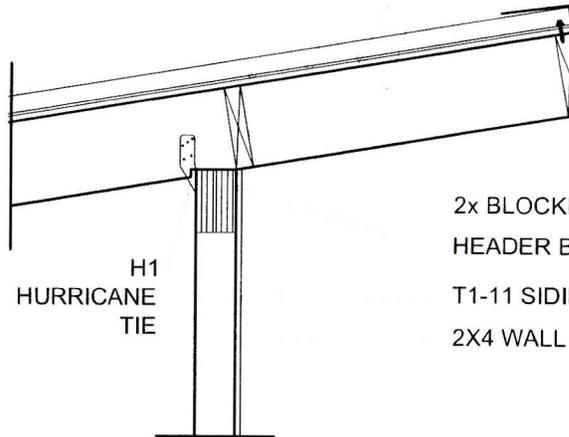
2X FASCIA

2x BLOCKING AT EACH CELL

HEADER BEAM

T1-11 SIDING OR EQUIVALENT

2X4 WALL STUD



H1
 HURRICANE
 TIE

2 METAL ROOF RAFTER EVE DETAIL - OPEN SOFFIT
 $\frac{3}{4}$ " = 1'-0"



BUILDING PERMIT APPLICATION

APPLICATION NUMBER: _____ APPLICATION DATE: _____
FOR OFFICE USE

Job Site Address 1640 Remington Street Unit# _____

PROPERTY OWNER INFO: (All owner information is required – NOT optional)

Last Name Warning First Name Nathaniel Middle B
Street Address 1640 Remington St City Fort Collins State CO Zip 80525
Phone # (970) 817-3971 Email natwarning@gmail.com
Name of Business (COMMERCIAL USE ONLY) _____

CONTRACTOR INFO: Company Name N/A

License Holder Name _____ LIC # _____ CERT # _____

LEGAL INFO:

Subdivision/PUD _____ Filing # _____ Lot # 12 Block # 2 Lot Sq Ft 6,600

CONSTRUCTON INFO: Total Building Sq Ft (NOT including basement) 140 Total Garage Sq. Ft. 0

Residential Sq Ft 140 Commercial Sq Ft 0 # of Stories 1 Bldg Ht 11'4.5" # of Dwelling Units 0

1st Floor Sq Ft 140 2nd Floor Sq Ft 0 3rd Floor Sq Ft 0 Unfinished Basement Sq Ft 0

Finished Basement Sq Ft 0 # of Bedrooms 0 # of Full Baths 0

3/4 Baths 0 1/2 Baths 0 # Fireplaces 0

ENERGY INFORMATION: (CHECK ONE)

ComCheck [] UA (ResCheck) [] SPA (Simulated Performance Alternative) [] Prescriptive [] ERI(Energy Rating Index) []

Air Conditioning? YES [] NO [x]

City of Fort Collins Approved Stock Plan # SPO List Option #s _____

UTILITIES INFO: Gas [] Electric [x] Electric Temp. Pedestal Yes [] No [x]

Electric Main Breaker Size (Residential Only): 150 amp or less [x] 200 Amp [] Other []

ZONING INFO: (COMMERCIAL USE ONLY)

Proposed Use: (i.e. medical, office, bank, retail, etc.) _____

For Commercial remodels and tenant finishes, please answer the following questions:

Is the remodel/tenant finishes for an existing or new tenant? (Please check one)

Existing Tenant [] New Tenant []

If for a new tenant, is this the first tenant to occupy this space?

Yes [] No [] If not for the initial tenant for this unit, what was the previous use of this tenant space?

Are there any exterior building changes (including mechanical) associated with the work? Yes [] No []

If yes, please describe: _____

Value of Construction (materials and labor): \$ \$10,000

Description of Work: I (the home owner and property resident) am building a 10' x 14' shed in my backyard as per the plans included with this application.

JOBSITE SUPERVISOR CONTACT INFO: Name Nat Warning Phone (970) 817-3971

SUBCONTRACTOR INFO: Electrical _____ Mechanical _____
Plumbing _____ Framing _____ Roofing _____
Fireplace _____ Solar _____ Other _____

ASBESTOS STATEMENT DISCLOSURE: *In accordance with the State of Colorado Senate Bill 13-152, property owners, applying for a remodel permit, shall indicate their awareness about their property having been inspected for Asbestos Containing Materials (ACM's).*

- I do not know if an asbestos inspection has been conducted on this property.
- An asbestos inspection has been conducted on this property on or about (enter date) 2017
- An asbestos inspection has not been conducted on this property.

Applicant: I hereby acknowledge that I have read this application and state that the above information is correct and agree to comply with all requirements contained herein and City of Fort Collins ordinances and state laws regulating building construction.

Applicant Signature  Type or Print Name Nat Warning

Phone # (970) 817-3971 Email natwarning@gmail.com

THIS APPLICATION EXPIRES 180 DAYS FROM APPLICATION DATE

From: [Noah Beals](#)
To: [Kacee Scheidenhelm](#)
Subject: FW: 1640 Remington St
Date: Thursday, September 3, 2020 9:05:44 AM

From: O'Brien,Elizabeth <Elizabeth.O'Brien@colostate.edu>
Sent: Thursday, September 3, 2020 9:02 AM
To: Noah Beals <nbeals@fcgov.com>
Subject: [EXTERNAL] 1640 Remington St

I'm writing to let you know that I've been notified by our neighbors Nat and Lacey that they're building a shed and I would like to let you know that we completely support this structure.

My husband Ned Smith and I live at 208 Parker St so this shed will be next to our fence line and we think its just fine

Let me know if you have any further questions. Thank you.
Sincerely, Elizabeth

Elizabeth O'Brien Smith

CSU Bookstore

Course Materials Specialist

970.491.0587

Elizabeth.obrien@colostate.edu

If you think you are too small to make a difference, try sleeping with a mosquito. Dalai Lama.