



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

Council Liaison: Ross Cunniff  
Staff Liaison: Noah Beals

**LOCATION:**  
Meeting will be held virtually

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

**REGULAR MEETING**  
**JULY 9, 2020**  
**8:30 AM**

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

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

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

In order to participate:

Use a laptop, computer, or internet-enabled smartphone. (Using earphones with a microphone will greatly improve your audio).

You need to have access to the internet.

Keep yourself on muted status.

If you have any technical difficulties during the hearing, please email [kscheidenhelm@fcgov.com](mailto:kscheidenhelm@fcgov.com).

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

(Continued on next page)

The meeting will be available beginning at 8:15 a.m. Please call in to the meeting prior to 8:30 a.m., if possible. For public comments, the Chair will ask participants to click the “Raise Hand” button to indicate you would like to speak at that time – phone participants will need to hit \*9 to do this. Staff will be moderating the Zoom session to ensure all participants have an opportunity to address the Committee. Once you join the meeting: **keep yourself on muted status.** If you have any technical difficulties during the hearing, please email [kscheidenhelm@fcgov.com](mailto: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](mailto:nbeals@fcgov.com). The Staff Liaison will ensure the Board or Commission receives your comments. If you have specific comments on any of the discussion items scheduled, please make that clear in the subject line of the email and send 24 hours prior to the meeting.

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

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

**1. APPEAL ZBA200022**

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

**Project Description:**

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

**2. APPEAL ZBA200023**

**Address:** 1131 LaPorte Ave.  
**Owner/Petitioner:** Gregg & Mary Perry  
**Zoning District:** L-M-N  
**Code Section:** 3.5.2(E)(2)

**Project Description:**

This request is for a variance to build a carport attached to an existing accessory building (garage) encroaching 10 feet into the 15 foot required street facing side setback.

**3. APPEAL ZBA200024**

**Address:** 305 W. Swallow Road  
**Owner:** Foothills Assembly of God  
**Petitioner:** Matt Everhart  
**Zoning District:** R-L  
**Code Section:** 3.8.7.2(B)Table B

**Project Description:**

This request is for a variance to install a 3 foot tall wall sign logo for Foothills Assembly of God, exceeding the maximum height of dimensional wall signs in the residential sign district by 1.5 feet.

**4. APPEAL ZBA200025**

**Address:** 419 E. Laurel Street  
**Owner/Petitioner:** Adam & Lauren Rubin  
**Zoning District:** N-C-M  
**Code Section:** 4.8(E)(4) & 3.8.19(A)(6)  
**Project Description:**

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

**5. APPEAL ZBA200027**

**Address:** 2301 Limousin Ct.  
**Owner/Petitioner:** Derek Smith  
**Zoning District:** R-L  
**Code Section:** 3.8.11(C)(1); 3.8.11(C)(2)  
**Project Description:**

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

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



## 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.

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

**Date** \_\_\_\_\_

**Signature** \_\_\_\_\_

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

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

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

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

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

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

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



Proposed location

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



Water line

Septic line

Proposed location

28

FORT COLLINS

94.9

NW 175.0

MOORE LN

Plant City end th

Future garage and driveway

Property lines

Future Driveway

Future garage

Large berm to be graded to match rest of ditch bank



Property line



Propane tank

We would surround the tank with a solid fence so it isn't immediately visible from the "street"







## Application Request for Variance from the Land Use Code

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- (1) by reason of exceptional physical conditions or other extraordinary and exceptional situations unique to the property, including, but not limited to physical conditions such as exceptional narrowness, shallowness, or topography, the strict application of the code requirements would result in unusual and exceptional practical difficulties or undue hardship upon the occupant/applicant of the property, provided that such difficulties or hardship are not caused by an act or omission of the occupant/applicant (i.e. not self-imposed);
- (2) the proposal will promote the general purpose of the standard for which the variance is requested equally well or better than would a proposal which complies with the standard for which the variance is requested;
- (3) the proposal will not diverge from the Land Use Code standards except in a nominal, inconsequential way when considered in the context of the neighborhood.

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

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

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

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

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

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

Date 6/4/2020

Signature

①

Written statement for requesting variance:

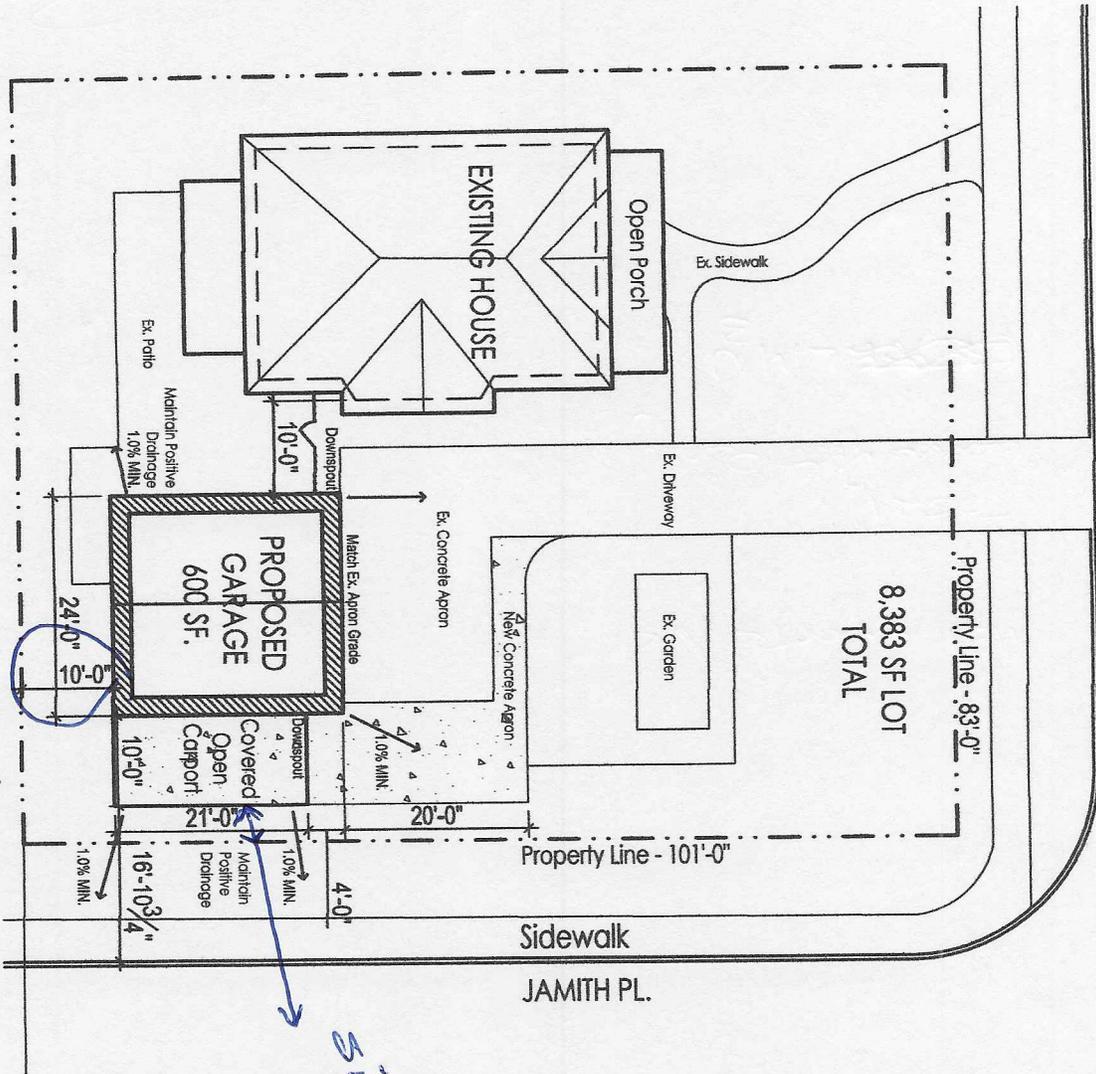
We are planning a new garage build on our 8383 sq. ft. property at 1131 Laporte Ave. Our property runs parallel to Jamith Place to the east.

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

We appreciate your consideration and look forward to your decision.

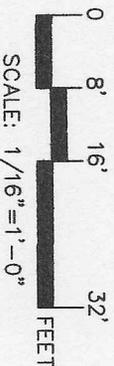
# Site Plan

2



*Rear S Shack  
10'*

*Side S Shack*



1131 LAPORTE AVE.  
FORT COLLINS, CO.  
PREPARED FOR:  
BLANDING SERVICES  
CITY OF FORT COLLINS  
CONTRACT / OWNER:  
1131 Laporte Avenue  
Fort Collins, CO 80524  
DATE:  
MARCH 17, 2020  
SCALE:  
1/16" = 1'-0"  
DRAWING TITLE:  
PROPOSED SITE & GRADING PLAN  
SHEET NO.:  
L110

3

# Landscape Plan

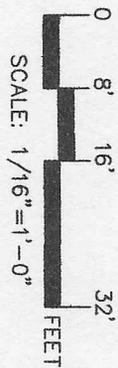
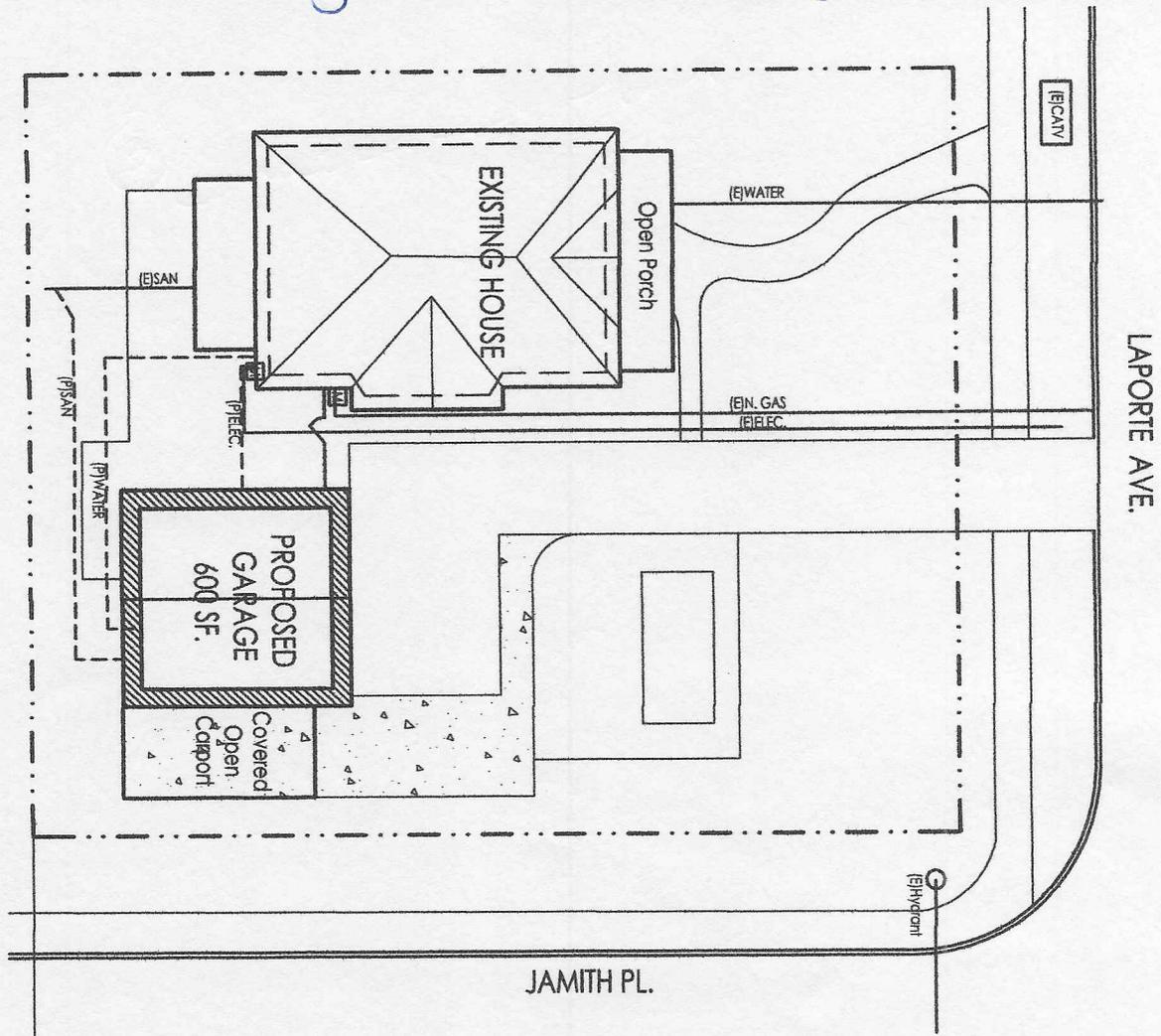
## Landscaping:

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



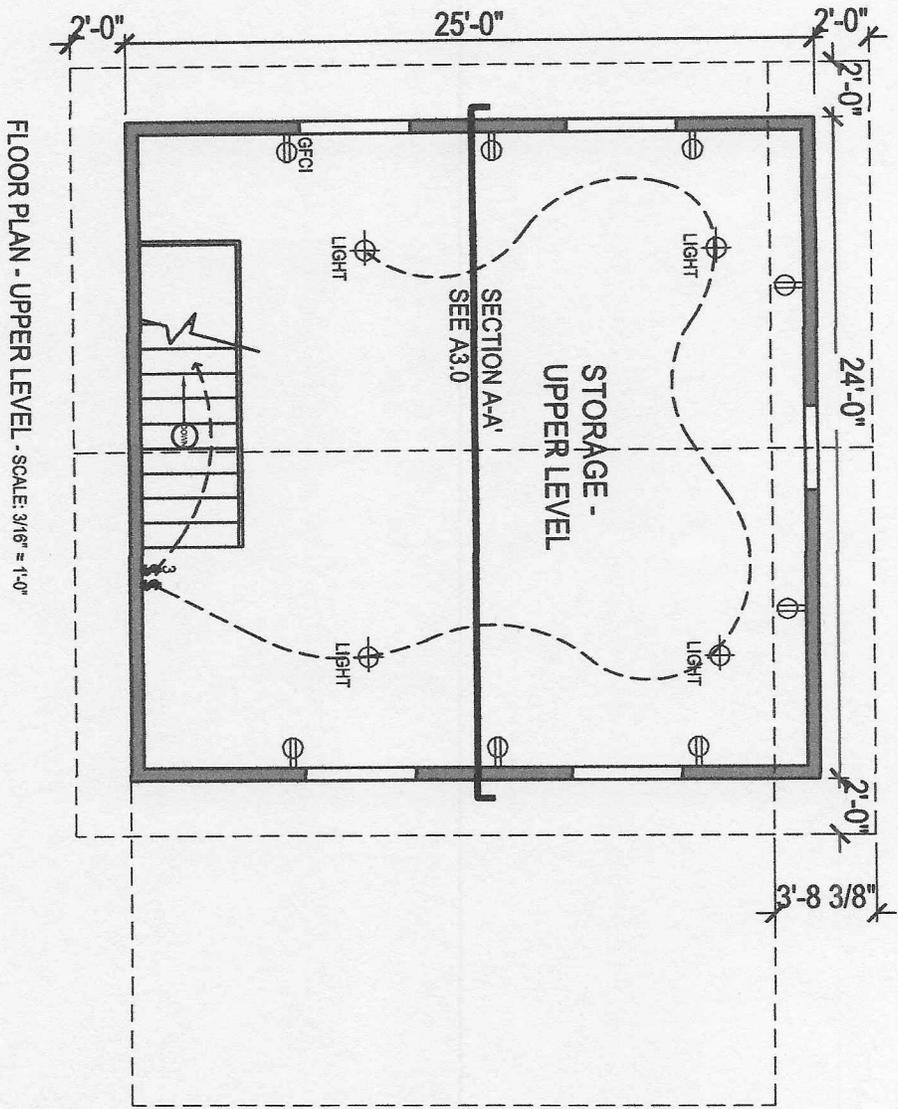
# Project Drawings

4



1131 LAPORTE AVE.  
 FORT COLLINS, CO.  
 PREPARED FOR:  
 BILLING SERVICE  
 CITY OF FORT COLLINS  
 CONTACT / OWNER:  
 Gregg and Kay Perry  
 Fort Collins, CO 80504  
 PH:  
 SCALE:  
 1/16" = 1'-0"  
 DATE:  
 MARCH 17, 2020  
 DRAWING TITLE:  
 UTILITY PLAN  
 SHEET NO.:  
 L2.0





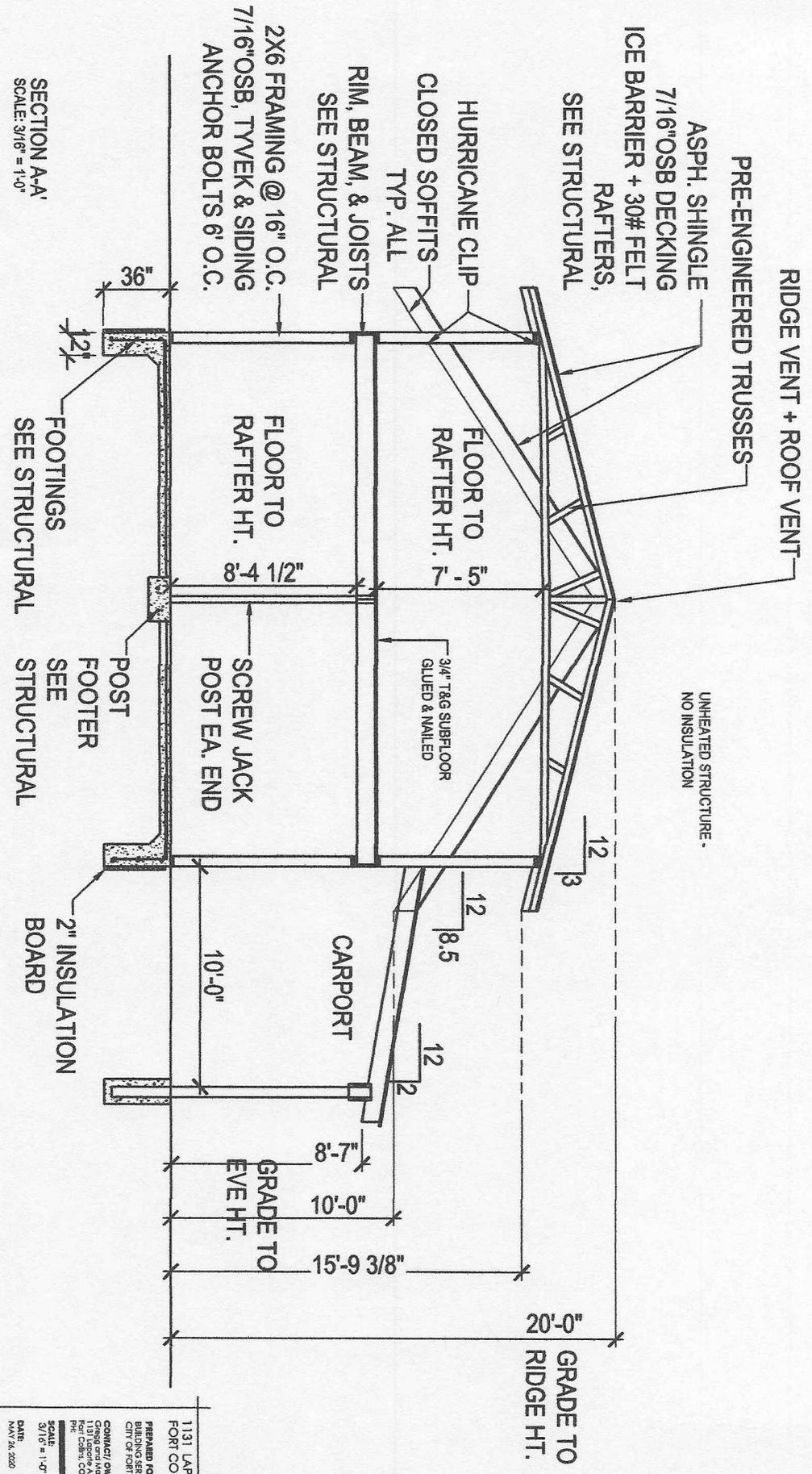
FLOOR PLAN - UPPER LEVEL - SCALE: 3/16" = 1'-0"



DATE: MAY 24, 2023  
 DRAWING TITLE: BUILDING FLOOR PLAN  
 SHEET NO: A20

PREPARED FOR: BUILDING SERVICES CITY OF FORT COLLINS  
 CONTACT/OWNER: GEORGE AND KARY RAY 1701 W. COLONY, CO 80524  
 PROJECT: 23-001  
 SCALE: 3/16" = 1'-0"

1131 LAPORTE AVE.  
 FORT COLLINS, CO.



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

1131 LAPORTE AVE.  
FORT COLLINS, CO.

PREPARED FOR:  
BUILDING SERVICES  
CITY OF FORT COLLINS

CONTACT/OWNER:  
1131 Laporte Avenue  
Fort Collins, CO 80524

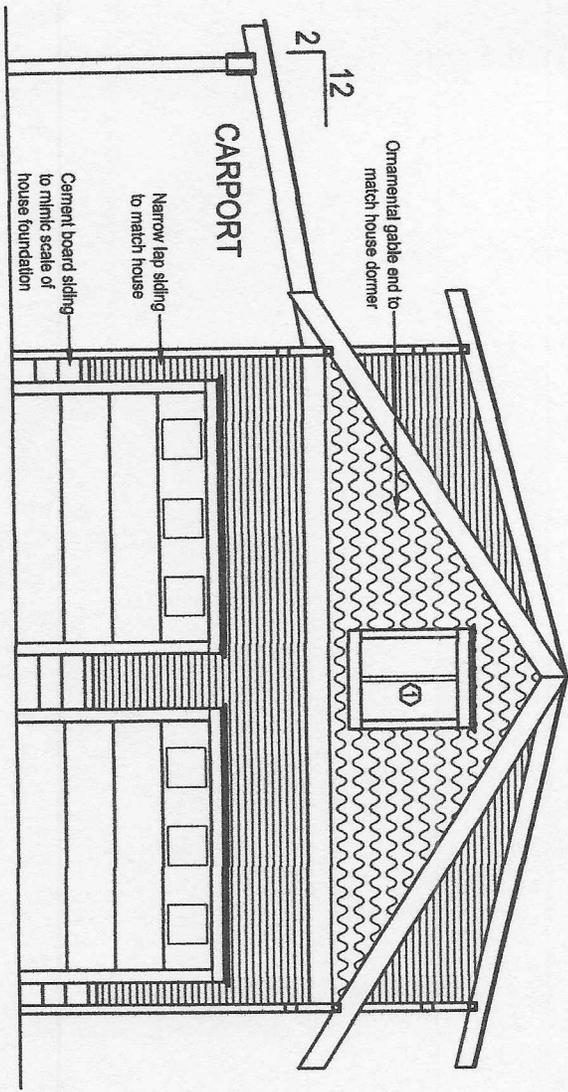
DATE:  
MAY 26, 2020

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

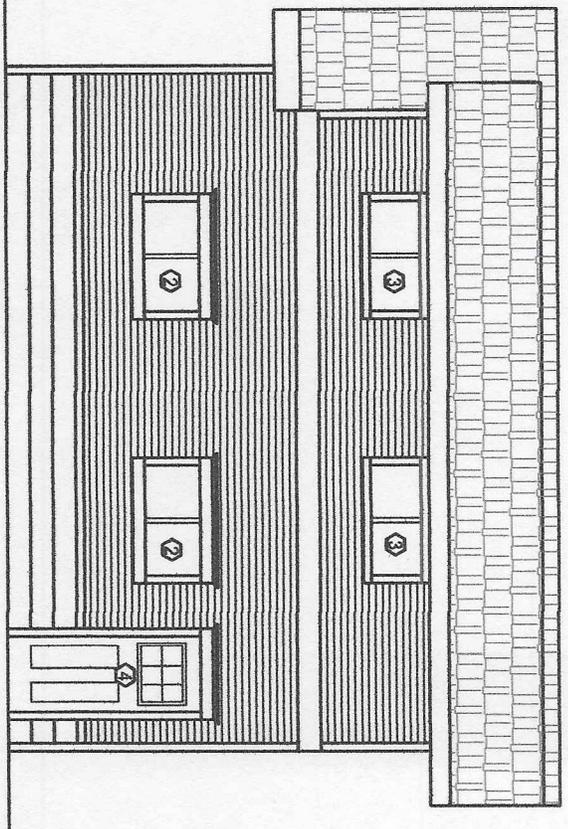
DRAWING TITLE:  
BUILDING SECTION

SHEET NO:  
A.3.0

# ⑤ Architectural Elevations



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



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

- WINDOW / DOOR SCHEDULE**
- ① 36x42 Casement Horiz. Slider
  - ② 48x24 Casement Avnting
  - ③ 48x21 Casement Horiz. Slider
  - ④ 32x80 Door

1131 L'ARPORTE AVE.  
FORT COLLINS, CO.

PREPARED FOR:  
BUILDING SERVICES  
CITY OF FORT COLLINS  
48x21 Casement Horiz. Slider

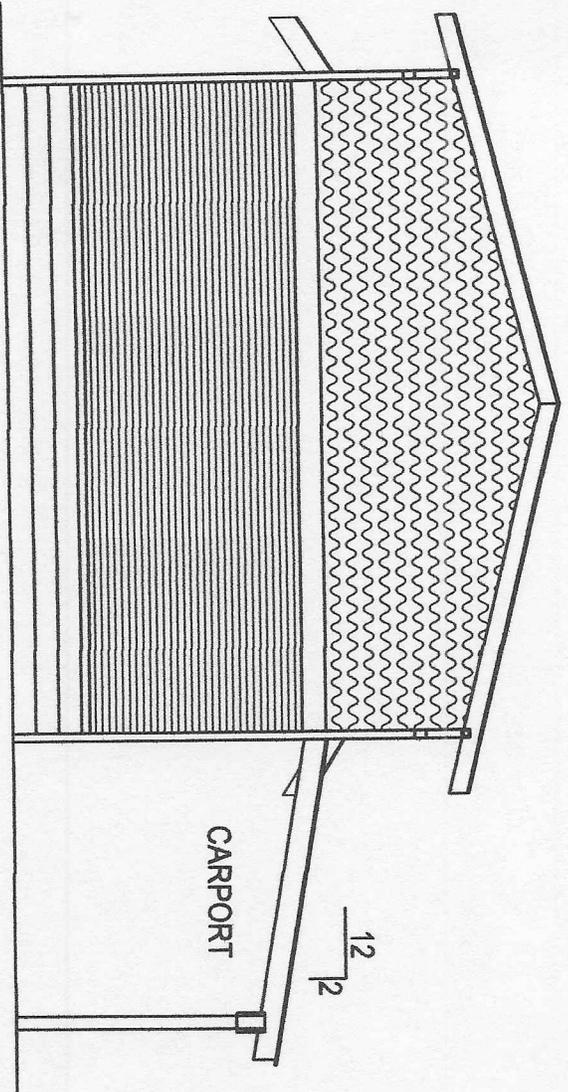
CONTACT / OWNER:  
1131 L'ARPORTE AVE.  
FORT COLLINS, CO 80524

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

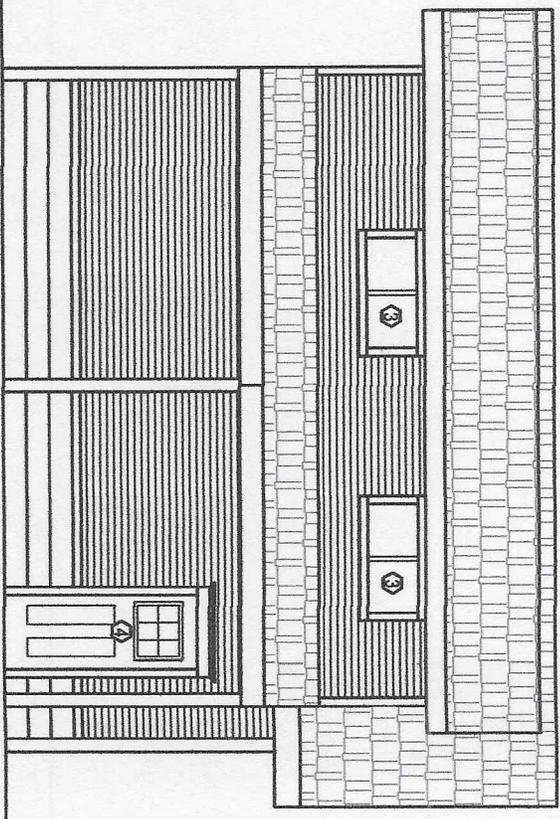
DATE:  
MAY 26, 2020

DRAWING TITLE:  
BUILDING ELEVATIONS

SHEET NO.:  
A4.0



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



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

- WINDOW / DOOR SCHEDULE**
- ① 36x42 Casement Hartz. Slider
  - ② 48x24 Casement Awning
  - ③ 48x21 Casement Hartz. Slider
  - ④ 32x80 Door

1131 LAPORTE AVE.  
FORT COLLINS, CO.  
PREPARED FOR:  
SHERMAN & SHERMAN  
CITY OF FORT COLLINS  
CONTACT / OWNER:  
11380 Grand Avenue  
Fort Collins, CO 80524  
PER:  
DATE:  
NOV 24, 2020  
DRAWING TITLE:  
BUILDING ELEVATIONS  
SHEET NO:  
A50





June 10, 2020

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

To whom it may concern:

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

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

Thank you for your consideration.

Sincerely,

Matt Everhart  
Concept Signs & Graphics

# CONCEPT SIGNS & GRAPHICS



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



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



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



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

**A** ENTRY WALL SIGN FCO LOGO AND LETTERS  
QUANTITY 1 SCALE 3/4"=1'



**Matt Everhart**  
 General Manager  
 matt@conceptsignco.com  
 www.conceptsignco.com

6410 S College Ave Suite A  
 Fort Collins, CO 80526  
 Phone: 970.221.2627  
 Fax: 970.224.9916



**FOOTHILLS**  
 ASSEMBLY

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

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

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

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

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PROOF APPROVAL: \_\_\_\_\_ DATE: \_\_\_\_\_



## 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.

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

**Date** 6/9/2020

**Signature**

June 9, 2020

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

RE: Variance Request for 419 E Laurel St

To whom it may concern:

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

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

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

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

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

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

2. Nominal and Inconsequential

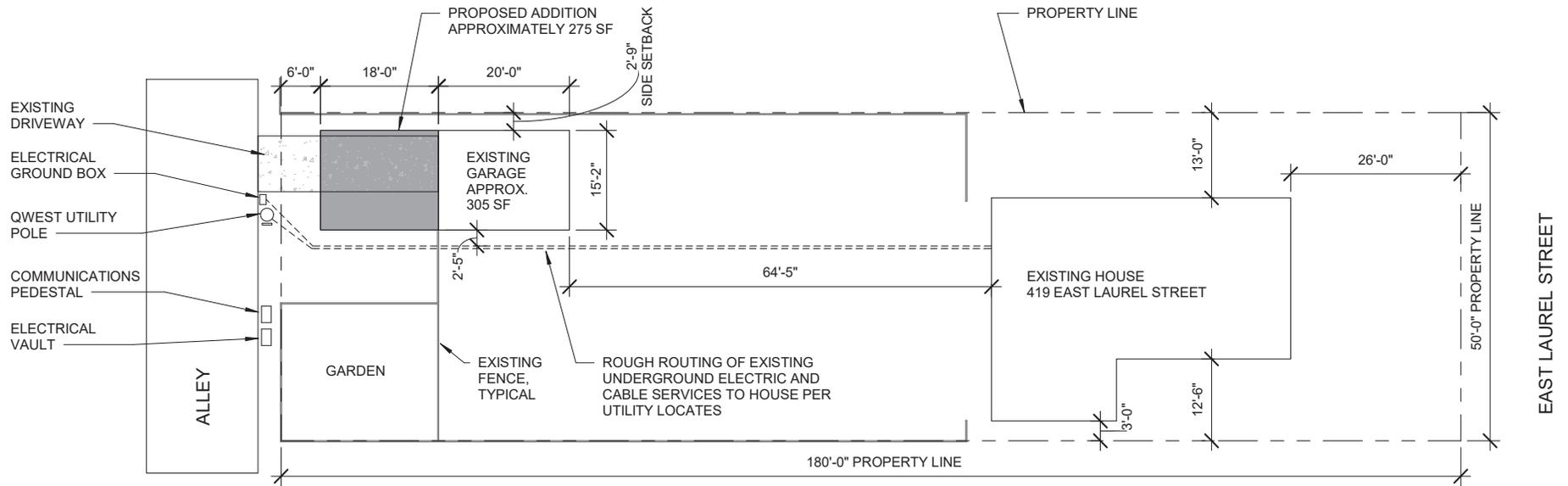
- a. Within the context of the neighborhood, this expansion would not be atypical. There are numerous large garages off the alley within our block that do not appear to meet typical setback requirements due to the age of the neighborhood. Our neighbor to the west has a two-car sized garage that is a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

Thank you for your consideration.

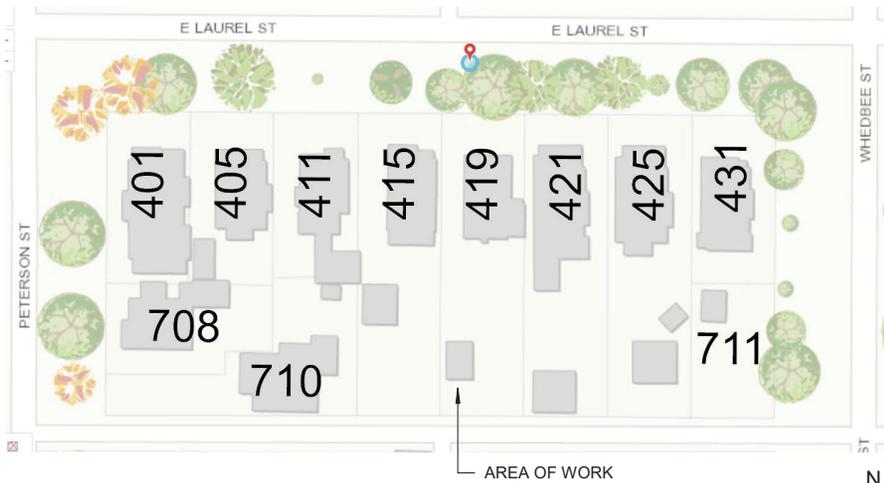
Sincerely,



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



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



2 Key Plan  
No Scale



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

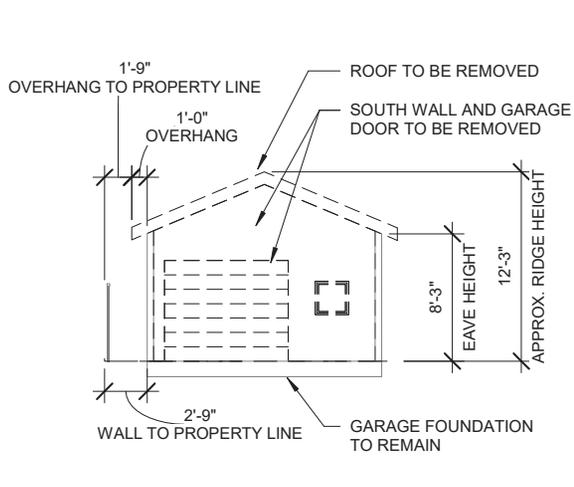
**ZONING DISTRICT:** NCM

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

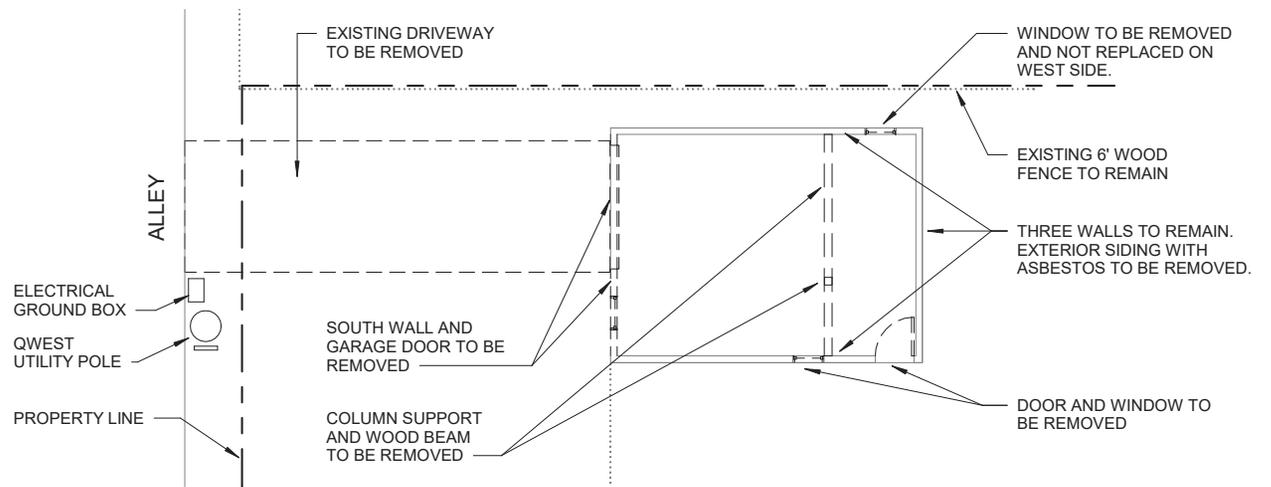
ALLOWABLE FLOOR AREA - 600 SF

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

<b>419 EAST LAUREL STREET, FORT COLLINS, CO GARAGE EXPANSION PROJECT</b>	
<b>SITE PLAN</b>	
Schematic Design	
Date	06/09/20
Drawn by	ACR
Sheet Number	A1



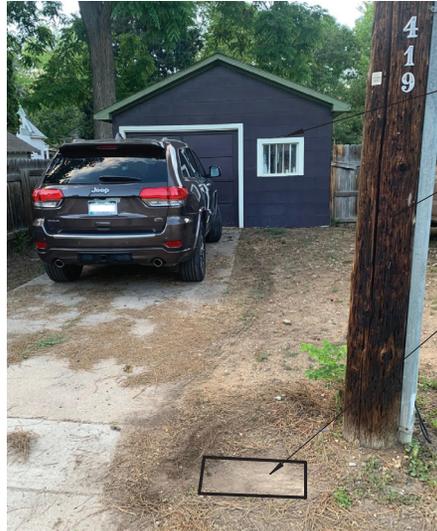
② Existing South Elevation  
1/8" = 1'-0"



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

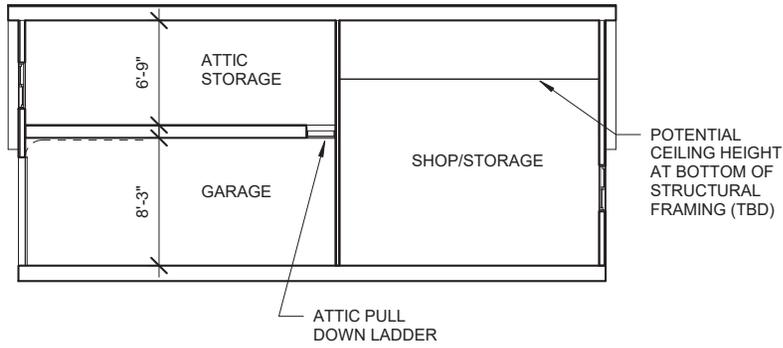


④ Picture Within Garage  
No Scale

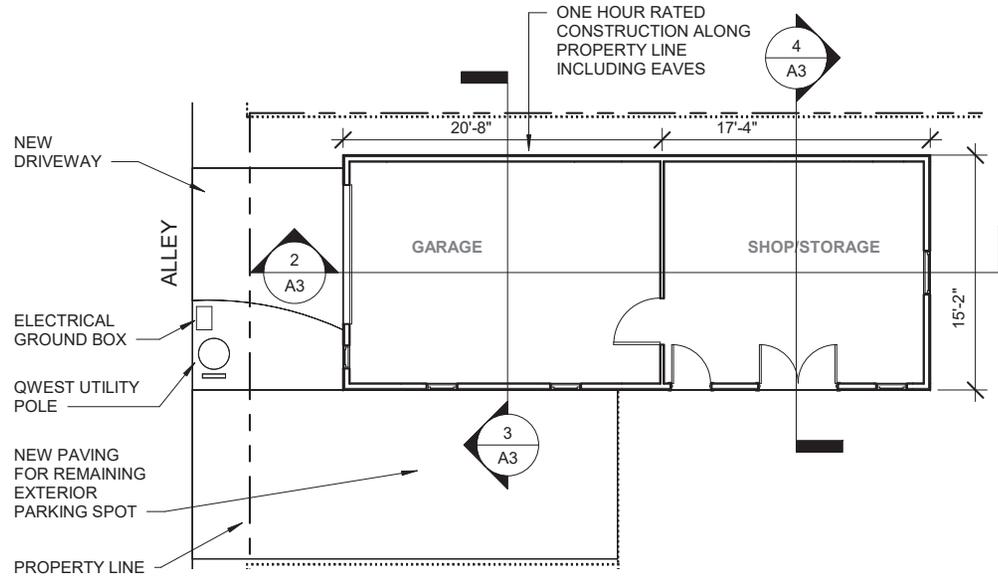


③ Picture from Alley  
No Scale

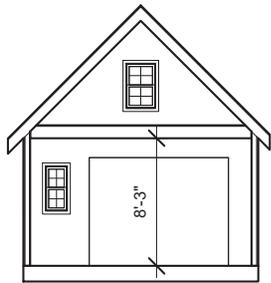
419 EAST LAUREL STREET, FORT COLLINS, CO	
GARAGE EXPANSION PROJECT	
DEMOLITION PLANS	
Schematic Design	
Date	06/09/2020
Drawn by	ACR
Sheet Number	A2



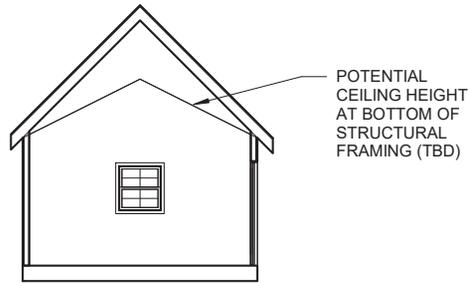
② Garage & Shop/Storage Section  
1/8" = 1'-0"



① New Floor Plan  
1/8" = 1'-0"



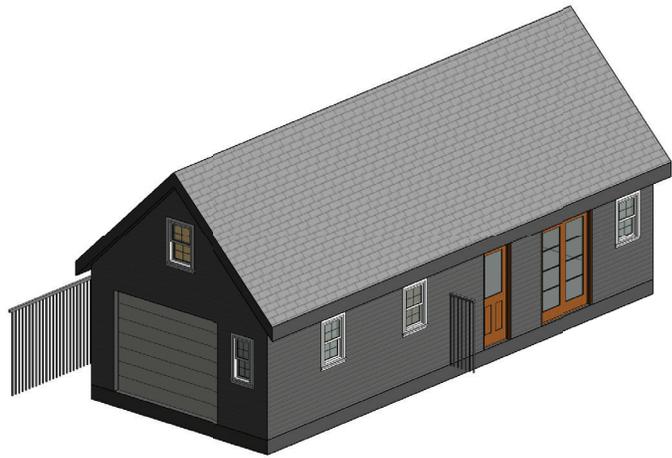
③ Garage Section  
1/8" = 1'-0"



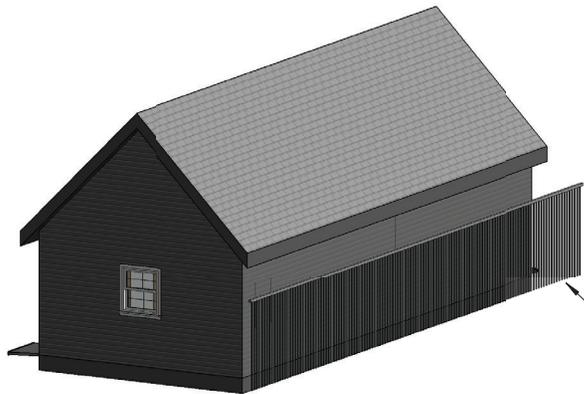
④ Shop/Storage Section  
1/8" = 1'-0"

419 EAST LAUREL STREET, FORT COLLINS, CO  
GARAGE EXPANSION PROJECT  
NEW FLOOR PLAN AND SECTIONS

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



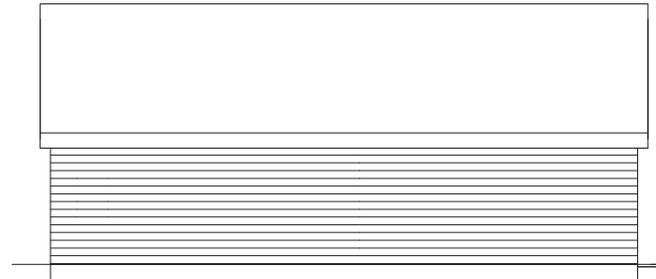
5 Southeast 3D View



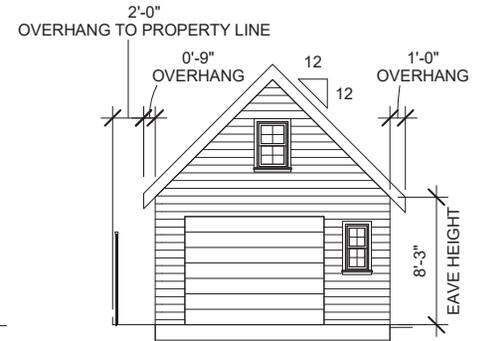
6 Northwest 3D View



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



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



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

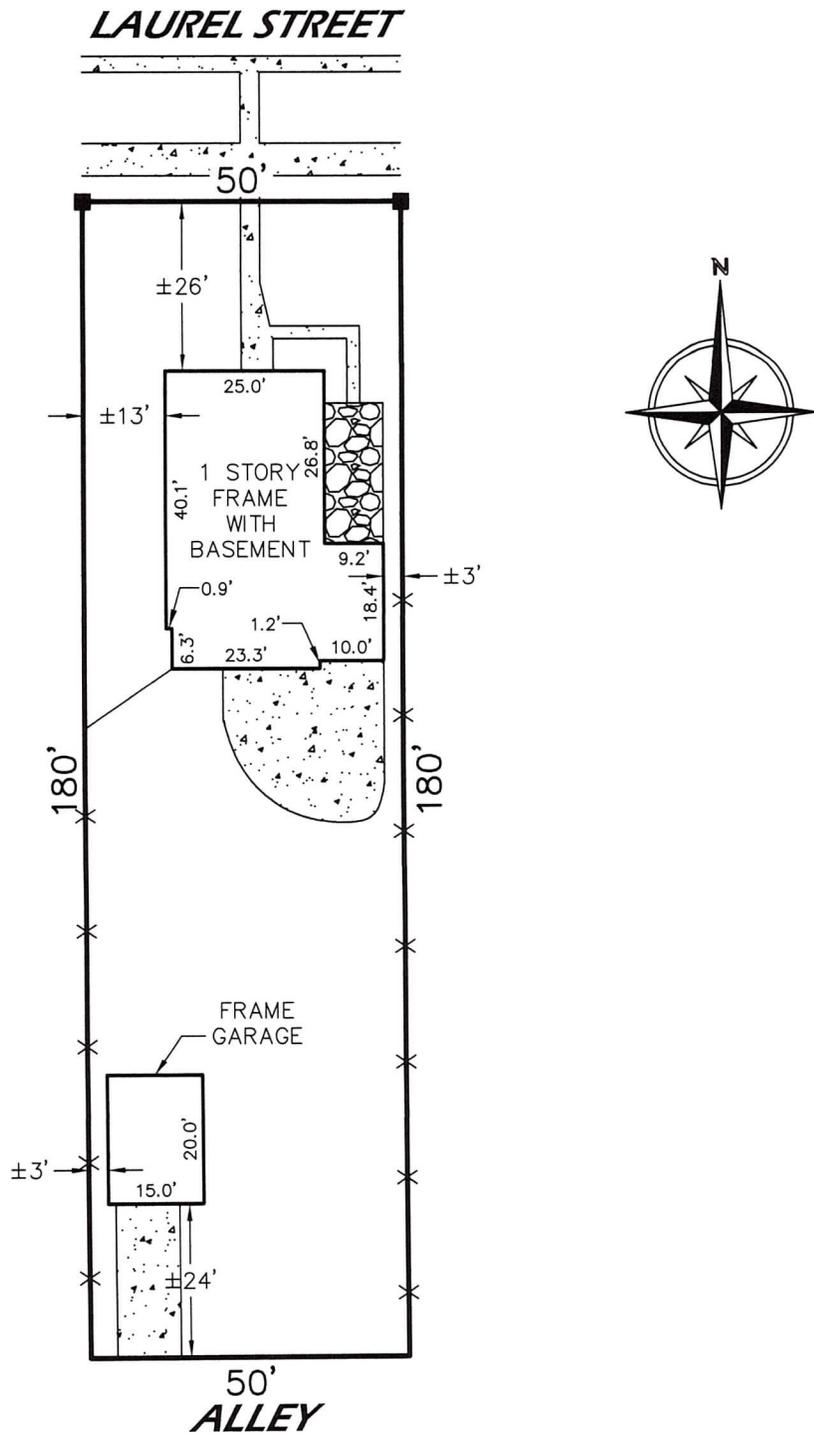


2 North Elevation  
1/8" = 1'-0"

419 EAST LAUREL STREET, FORT COLLINS, CO  
GARAGE EXPANSION PROJECT  
ELEVATIONS AND 3D VIEWS

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

# IMPROVEMENT LOCATION CERTIFICATE



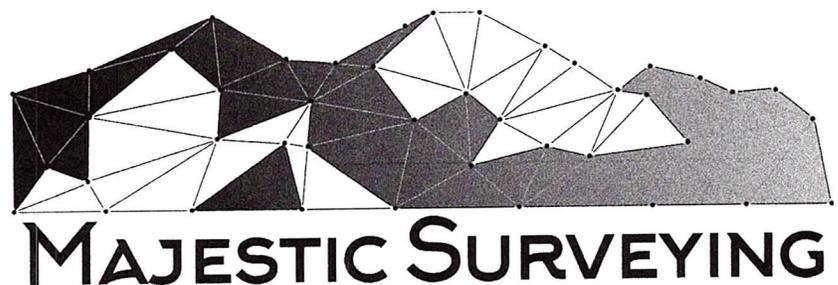
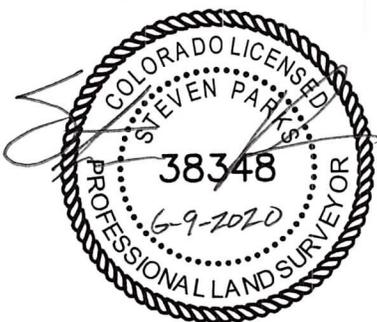
■ FOUND #4 REBAR

Address: 419 East Laurel Street, Fort Collins, Colorado

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

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

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



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

PROJECT NO: 2020168  
DATE: 6-9-2020

CLIENT: Rubin  
SCALE: 1"=30'



## 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.

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

**Date** \_\_\_\_\_

**Signature** \_\_\_\_\_

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

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

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

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

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

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

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

# City Code Variance for 2301 Limousin Ct.

05/26/20

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

Assigned Address

Description  
2301 LIMOUSIN CT

Details

OBJECTID  
25787987

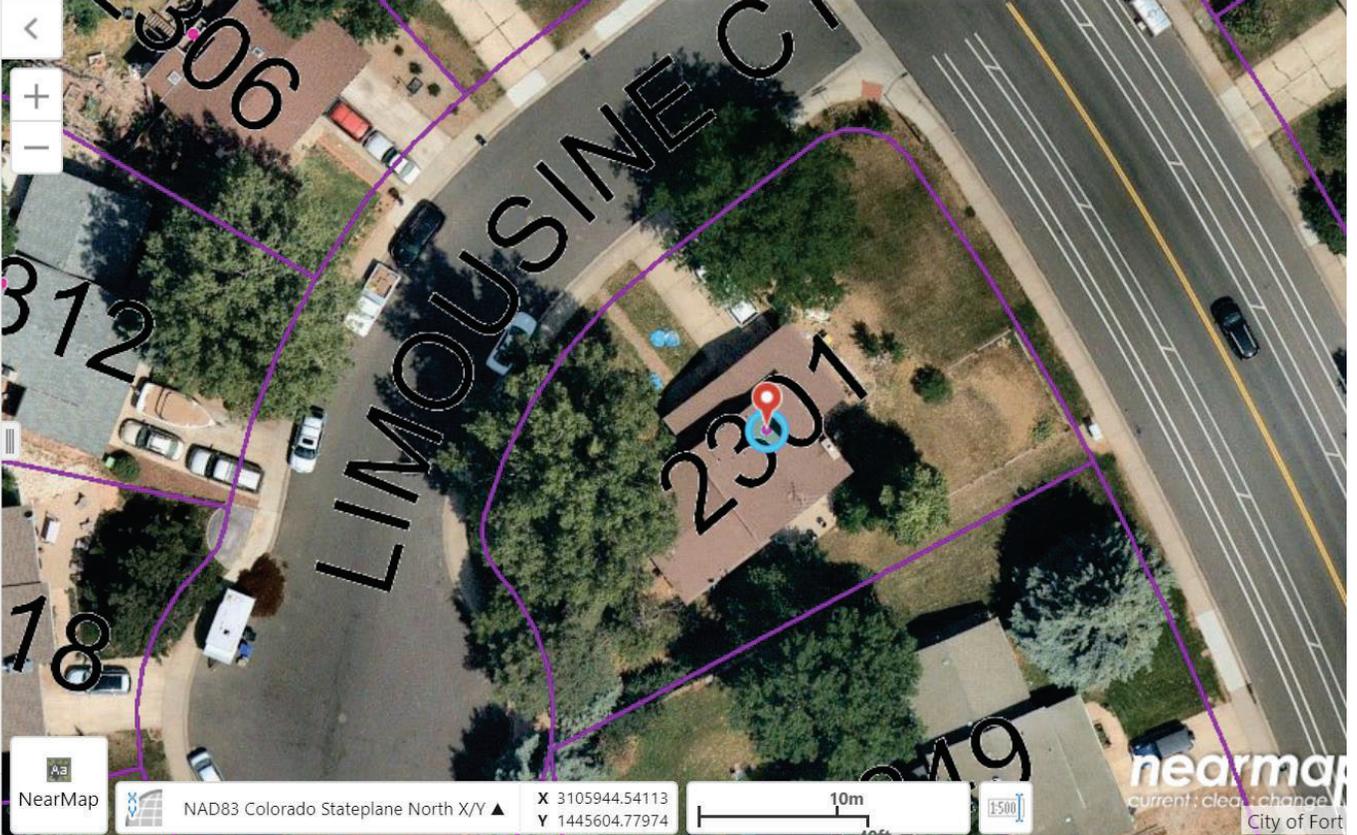
MSTRID  
1432

CATEGORY  
PRIMARY

ADDRESSID  
291450000

BASEID  
18267

REVDATE  
Dec 30, 1800 5:00 PM



NearMap

NAD83 Colorado Stateplane North X/Y ▲

X 3105944.54113  
Y 1445604.77974

10m

1500

nearmap  
current: clear: change  
City of Fort

# Property Zoning: Low Density Residential District

## Description

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



## Details

Parcel Number  
9721416043

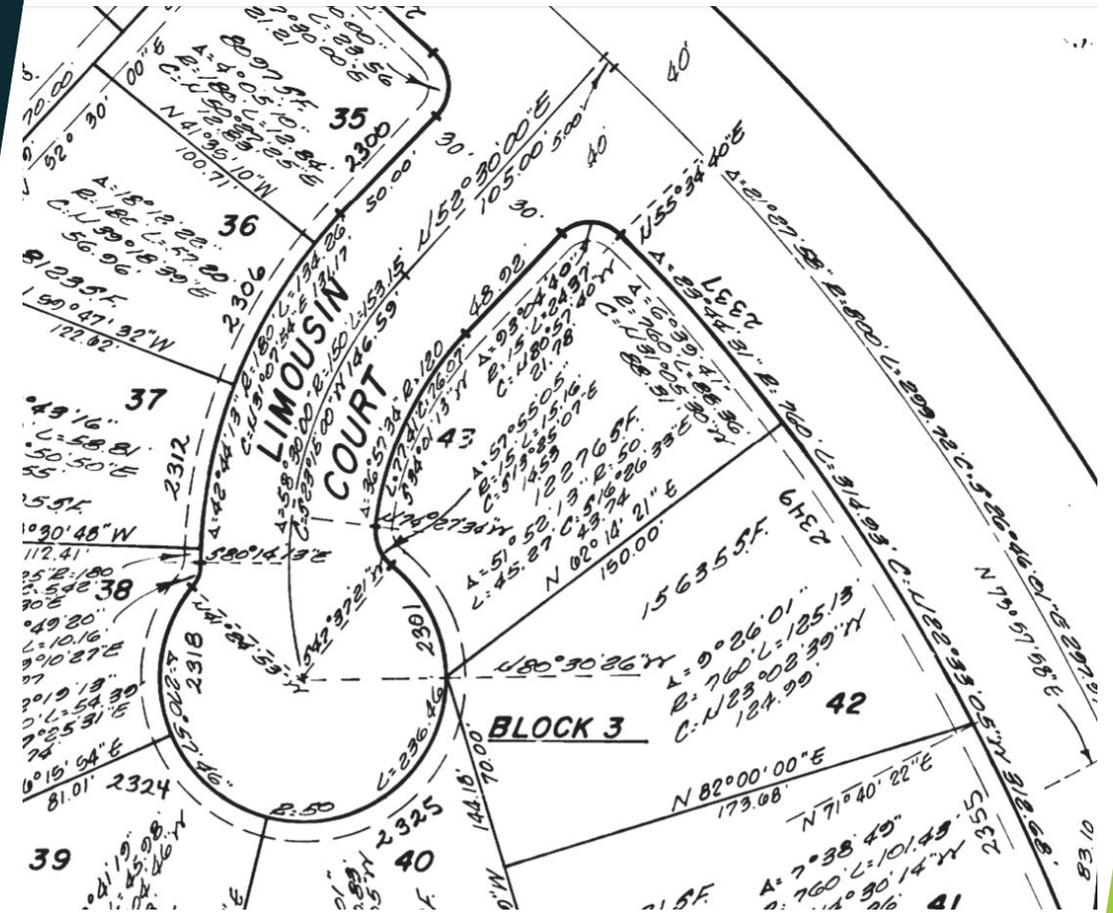
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Name1  
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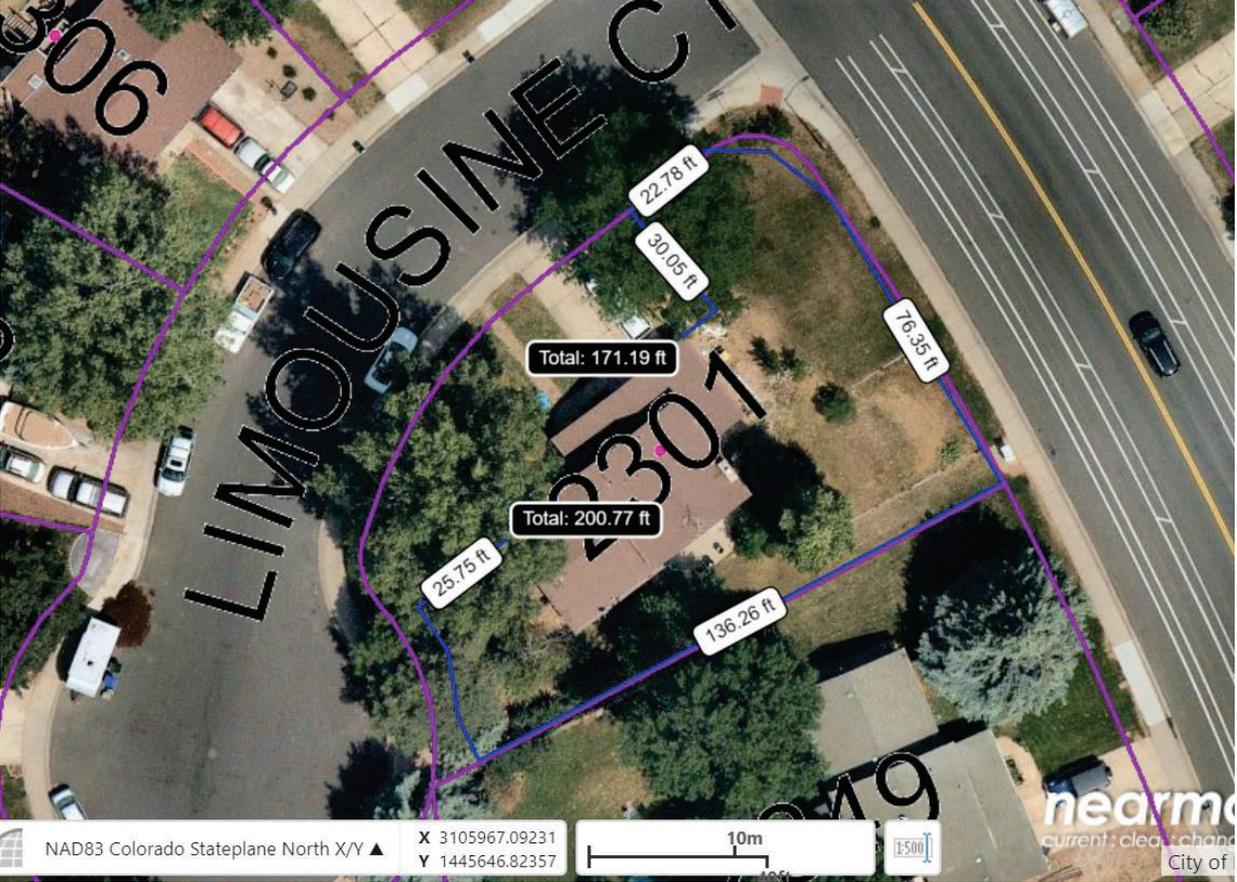
Site Address



# Brown Farm Plat Map



# Proposed area for backyard

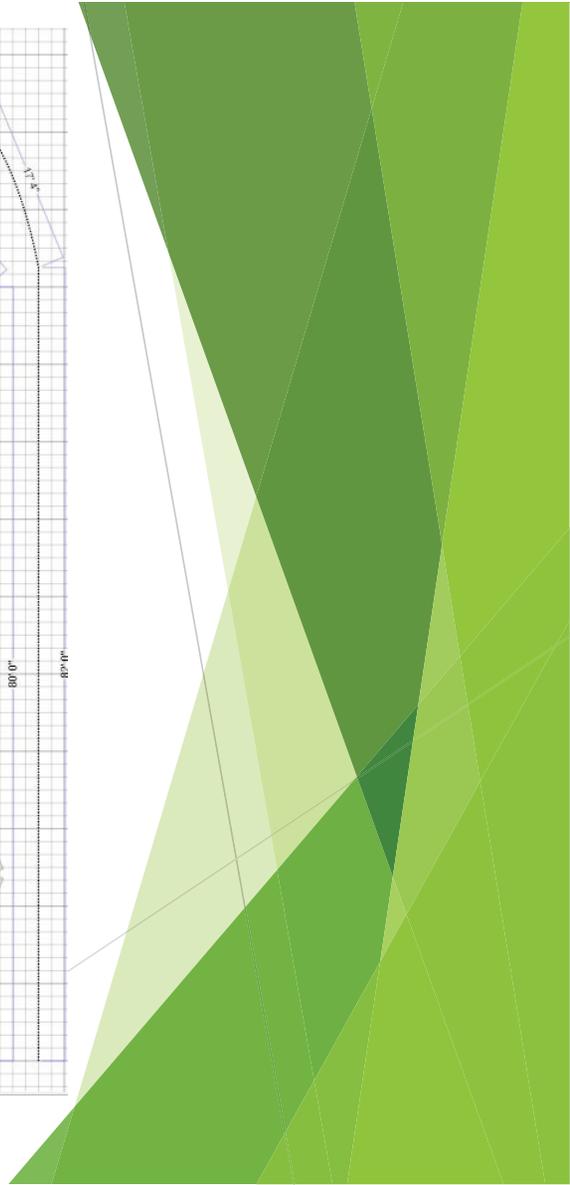
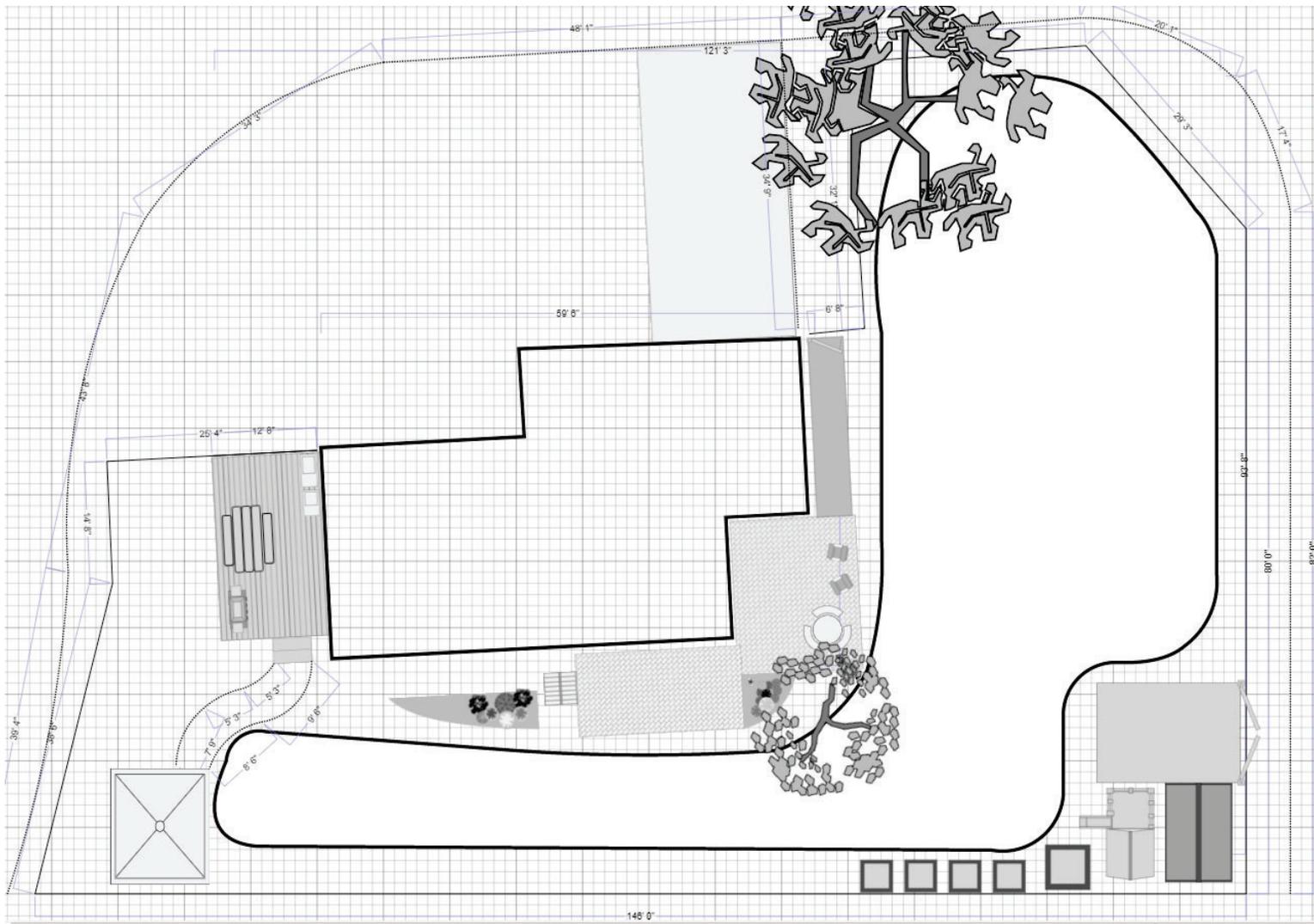


▶ Outlined in blue

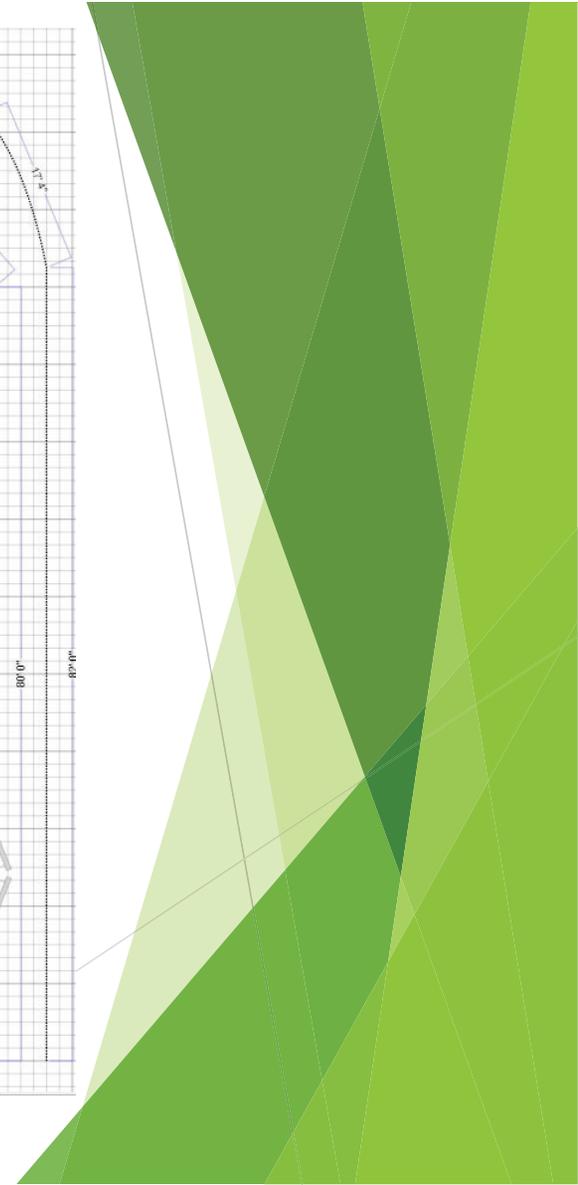
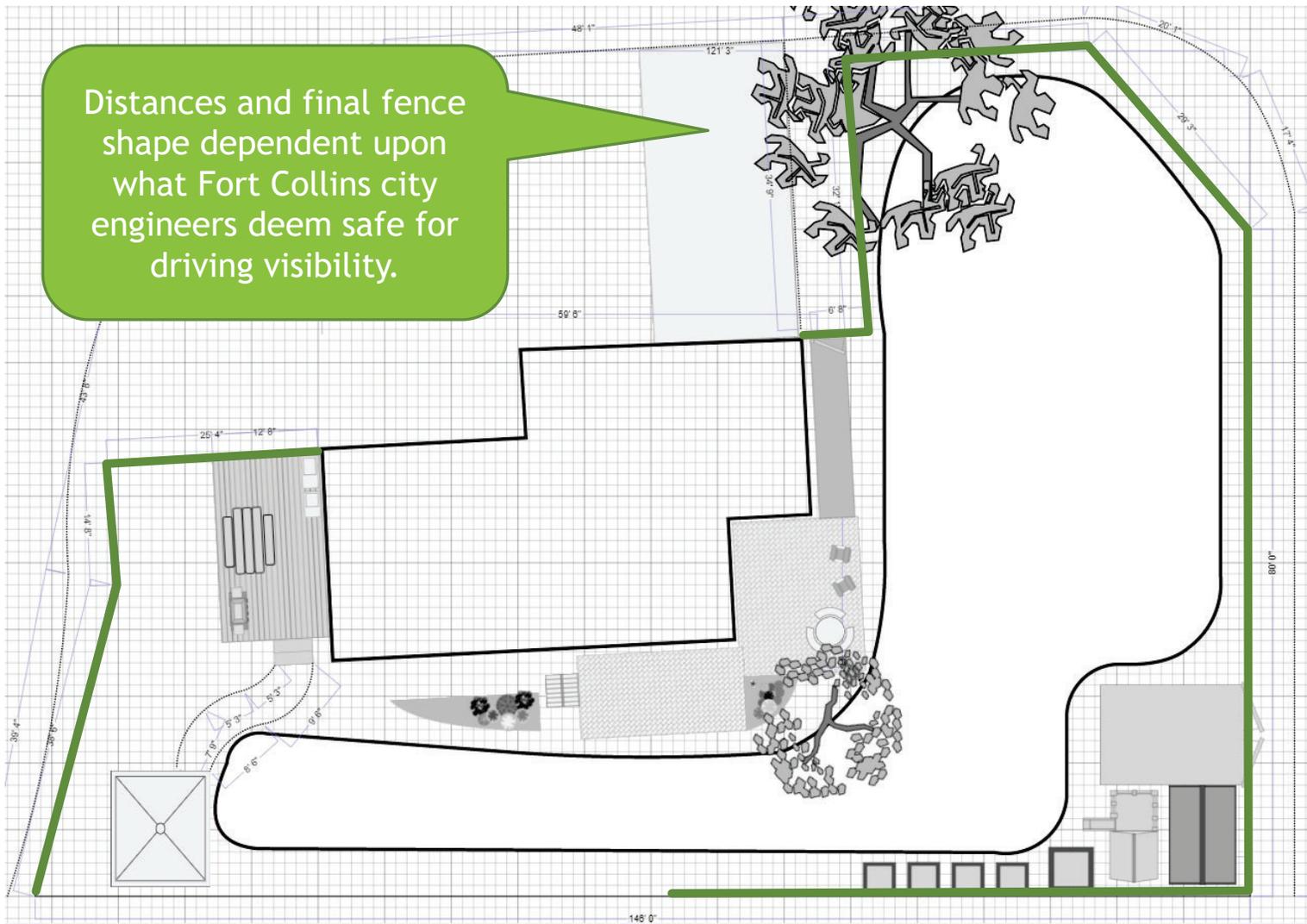
# Proposed Fence line

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

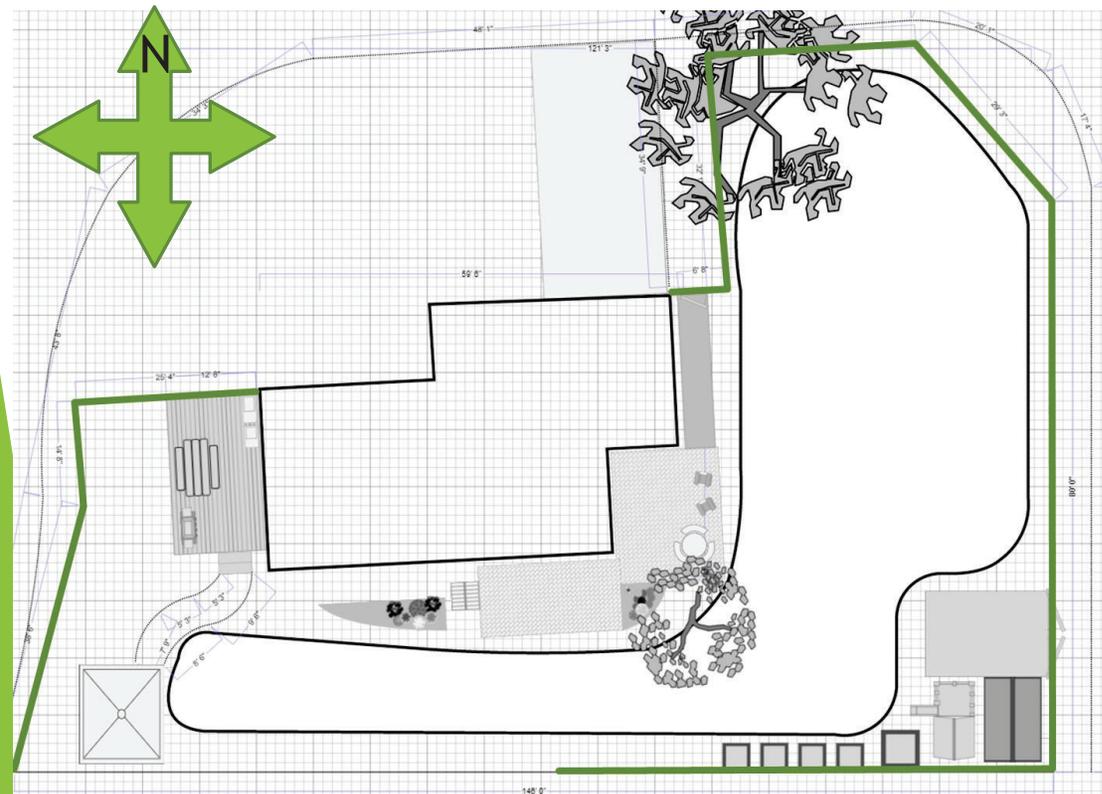




Distances and final fence shape dependent upon what Fort Collins city engineers deem safe for driving visibility.



# Fence Design

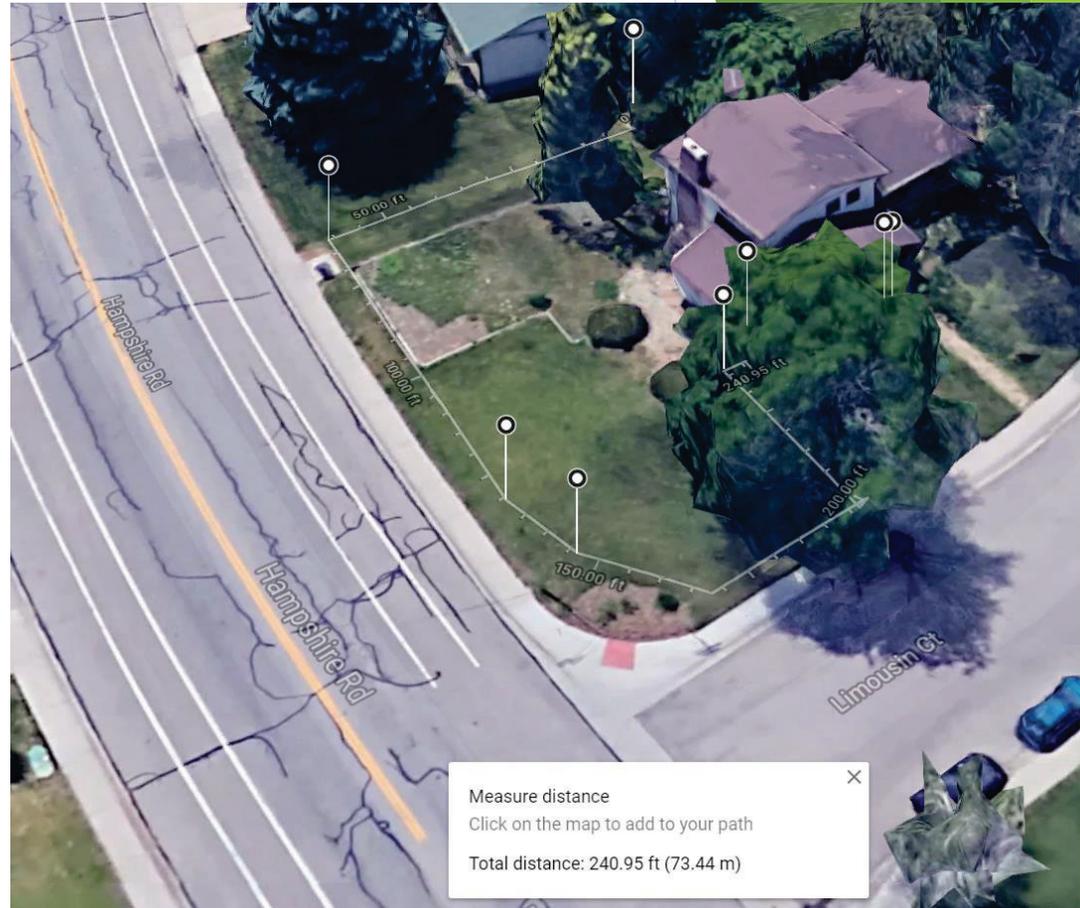
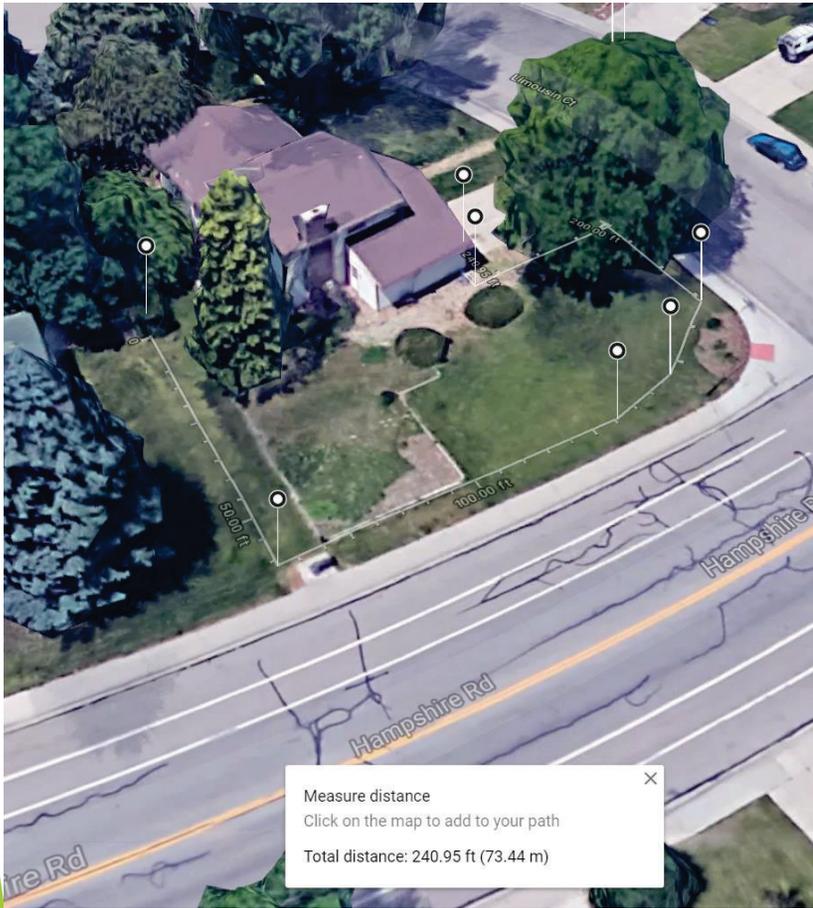


- ▶ 6' Privacy Fence - Cedar
- ▶ Fence will fit required setback of 2' from sidewalks
- ▶ Fence will maintain sight triangle for stop sign corner

# Est. Safe Sight Triangle



# Proposed Fence to Fit Safe Triangle



## Other Properties

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



# House with fence in front of garage face





House with fence in front of garage



House with fence in front of garage



House with fence in front of garage



House with wrap-around fence

# House with similar wrap-around fence on Hampshire/Cotswold



# Similar corner to fit safety sight triangle



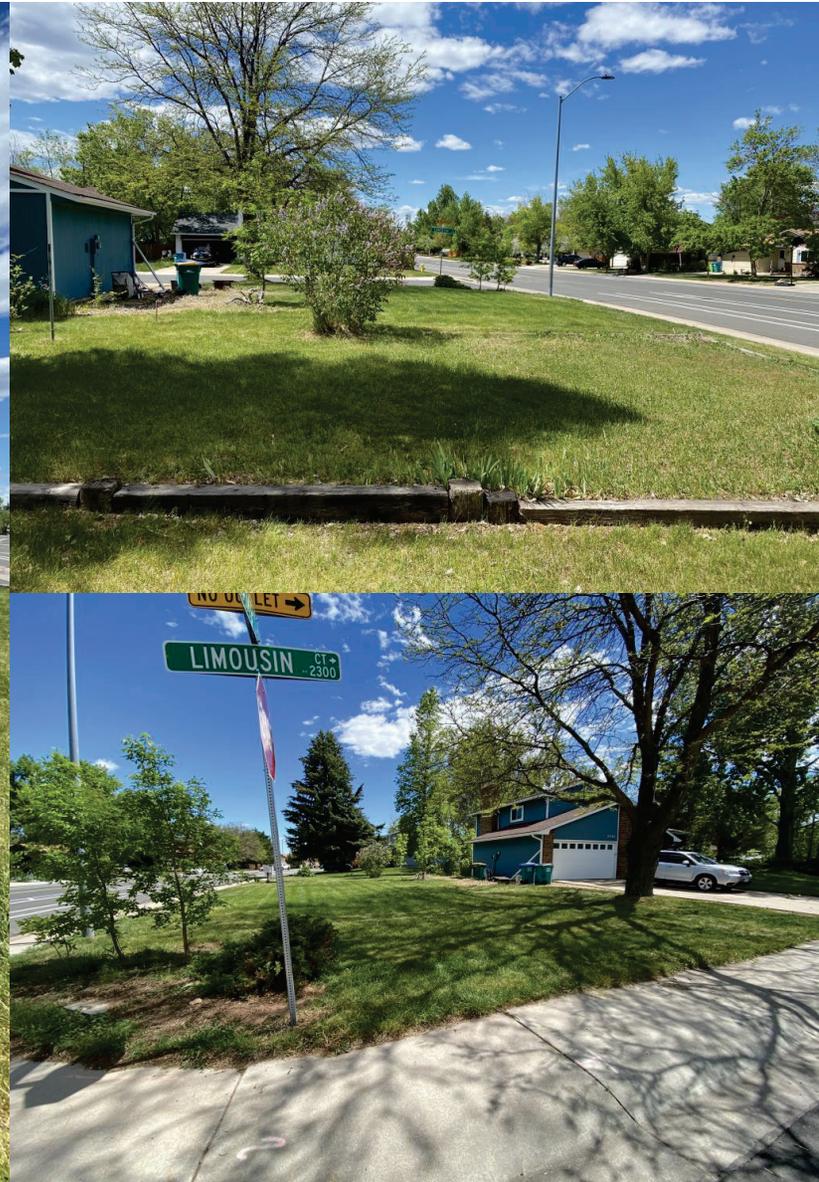


Back of House -  
Minimal usable space



## Side-yard space to be fenced in

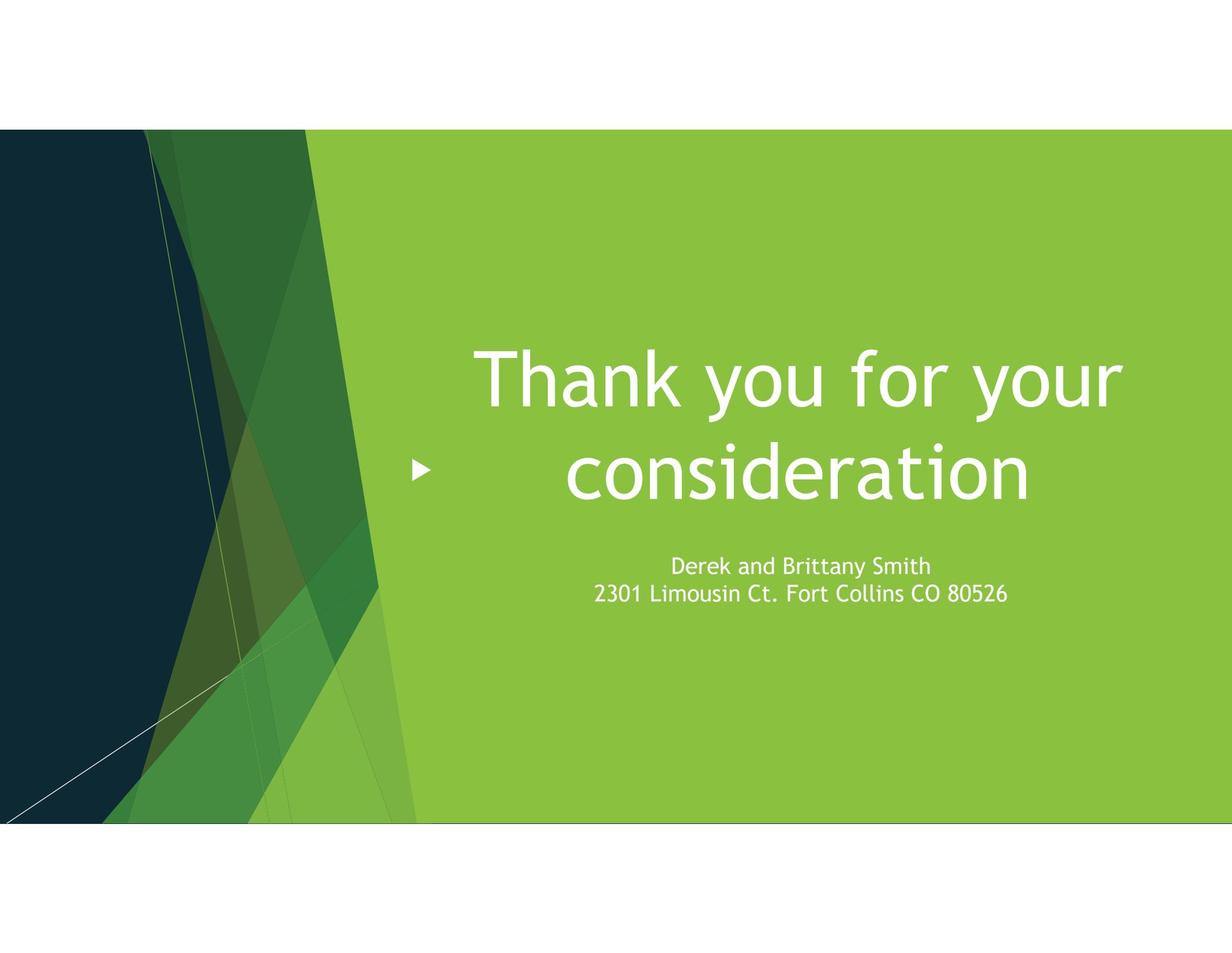
- Much more usable “back” yard
- Fence will still fit “Safety Triangle” requirements for the corner
- This view of the house contributes very little to the aesthetics of the sidewalk / street view





## Curbside Aesthetics NOT impacted

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



▶ Thank you for your  
consideration

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