



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
AUGUST 13, 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/95265992397>. Individuals participating in the Zoom session should also watch the meeting through that site.

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

In order to participate:

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

You need to have access to the internet.

Keep yourself on muted status.

If you have any technical difficulties during the hearing, please email kscheidenhelm@fcgov.com.

Public Participation (Phone): If you do not have access to the internet, you can call into the hearing via phone. The number to dial is 253 215 8782 or 669 900 9128, with webinar ID: 952 6599 2397.

(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 ZBA200009

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.

2. 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 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.

3. APPEAL ZBA200028

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.

4. APPEAL ZBA200029

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.

5. APPEAL ZBA200030

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.

- **OTHER BUSINESS**

- **ADJOURNMENT**

From: Ralph Shields <rshields@bellisimoinc.com>
Sent: Friday, July 24, 2020 9:58 AM
To: Noah Beals <nbeals@fcgov.com>
Subject: [EXTERNAL] Re: Zoning Board of Appeals (August Public Hearing)

I agree with your statement, thank you Noah.

Thanks

Ralph Shields
970.231.7665

From: Noah Beals <nbeals@fcgov.com>
Sent: Thursday, July 23, 2020 2:54 PM
To: Ralph Shields <rshields@bellisimoinc.com>
Cc: Jennifer Luther <jluther@fcgov.com>; Kacee Scheidenhelm <kscheidenhelm@fcgov.com>
Subject: Zoning Board of Appeals (August Public Hearing)

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 for the August 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

For all residents: <https://www.fcgov.com/eps/coronavirus>

For businesses: <https://www.fcgov.com/business/>

Want to help: <https://www.fcgov.com/volunteer/>



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	144 2nd Street	Petitioner’s Name, if not the Owner	
City	Fort Collins, CO	Petitioner’s Relationship to the Owner is	
Zip Code	80524	Petitioner’s Address	2109 Lambic Street, Fort Collins
Owner’s Name	Michael Rossman	Petitioner’s Phone #	970-231-9647
Code Section(s)	4.4.D.	Petitioner’s Email	michael.rossman@gmail.com
Zoning District	RL	Additional Representative’s Name	Melanee Rossman
Justification(s)	1. Hardship	Representative’s Address	2109 Lambic Street, Fort Collins
Justification(s)	3. Nominal and inconsequential	Representative’s Phone #	970-939-4366
Justification(s)	Additional Justification	Representative’s Email	melanee.rossman@gmail.com
Reasoning If not enough room, additional written information may be submitted	Included additional letter of explanation separately.		

Date 7/15/2020

Signature

Zoning Board Members,

First, we appreciate your time and consideration of our request. The last time I stood in front of the board back in March, there were some concerns with the house we wanted to build on the property. I appreciate those concerns and have went back to design in order to address them. We designed with the intention of keeping as much of the original structure as possible and to fit the neighborhood.

However, in an effort to keep the current structure we encounter a **hardship** due to being on a corner lot, having a narrow lot, and also less area to build in due to larger setbacks then an inline lot. In order to keep the original structure, and fit the smallest 2 car garage width recommended (20ft wide), we end up going into the south setback by 2ft. My wife and I both have cars, and we want to be able to protect them from the elements and keep them, and ourselves, safe.

On the lot currently, there is a garage (built by a previous owner) that was not permitted. It actually sits 2ft. into that side setback as it stands. Even to keep this garage, as is, I would need to get a variance for something we didn't even build. As the garage sits now there is about 40ft. that is 2ft. into the South setback. We are doing our best to minimize that by reducing that length E to W to about 28 ft.

Additionally, I am not sure if it impacts the variance so I will include it, we would be leaving the original structure that is currently there. We will be rearranging the internal layout, changing the roof, and moving the front door to the south, which will require the addition of a concrete pad for entry and overhang. The original structure is currently set back 4.9' off the North side setback and 4.1' off the West front setback. The current concrete pad with overhang for entry currently sits directly on the property line. We would be adding a small pad next to that.

The original building location does not meet the current setback requirements, but they are original and would be staying where they are. I don't believe the front setback is an issue due to the fact that it should be considered a contextual setback, since at least 2 to 3 houses in the immediate proximity sit up this far. However, in order for us to keep the original structure, which is ideal for keeping neighborhood context and save us on construction costs, these setbacks would not change. In other words, it would be a **hardship** for us to move the structure and foundation both for cost and neighborhood context.

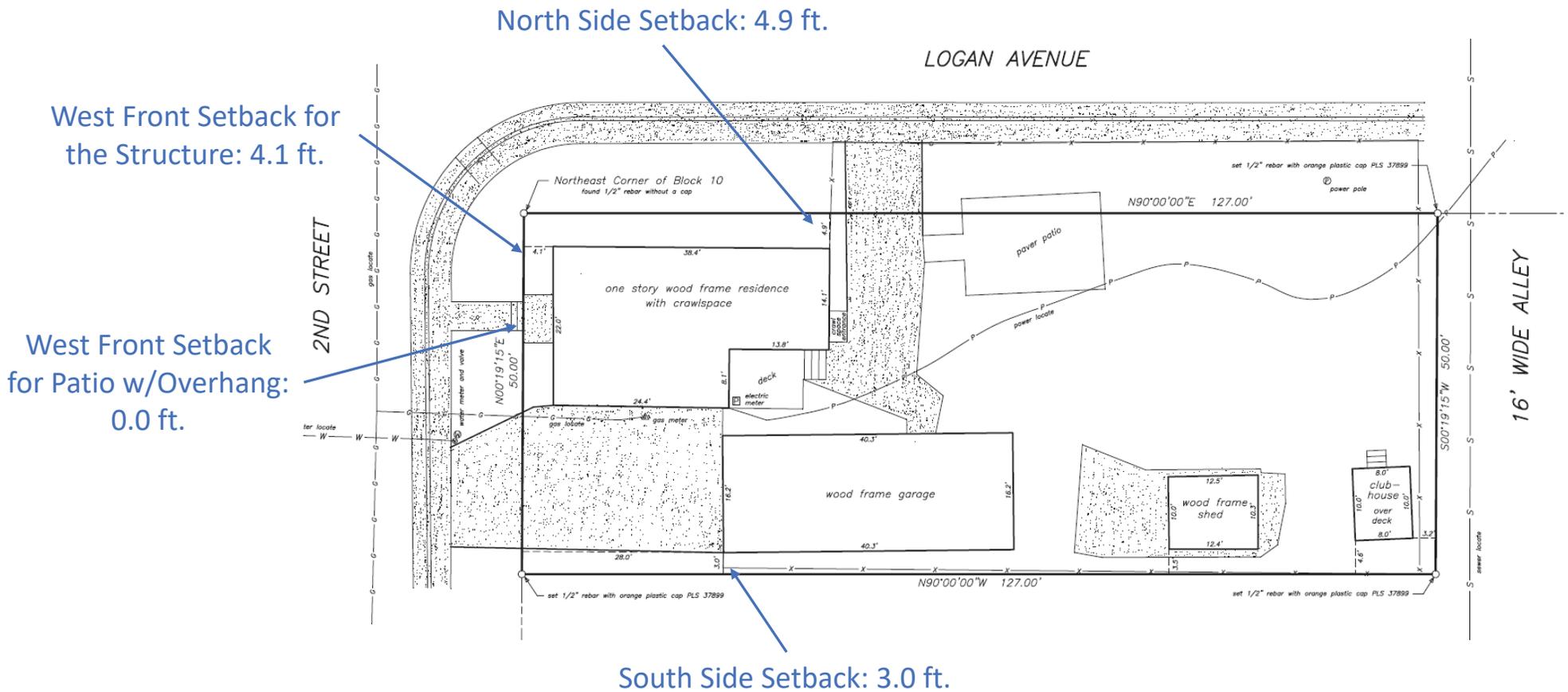
We also believe that our new design proposal meets the **nominal and inconsequential** requirement as it relates to the context of the neighborhood. The design is a 1.5 story with the master bedroom built into the trusses, to keep a low profile. The 2 houses directly to the North of our property have similar elevations. One of them was just constructed in the last year.

We have been very deliberate to try to keep the addition to the original structure within the setbacks, except for the 28ft section that would encroach the South setback by 2ft. I spoke with the neighbor on that side and he is in favor of my proposal and will provide written documentation or be on the meeting in August. In addition, his property, the next one in line, the one diagonal across Logan, and many others in the neighborhood are built almost right on the property line on the sides.

Lastly, the new construction that was just complete at 204 2nd street was granted a variance for their side setback to encroach by a little under a foot. This sets a precedent for allowance of a variance, in the same neighborhood and on the same street.

To conclude, we did our absolute best to take the feedback from the last meeting and design something that would keep the original context of the neighborhood but meet the needs of modern day living. We appreciate your consideration.

Current Site Survey & Setbacks



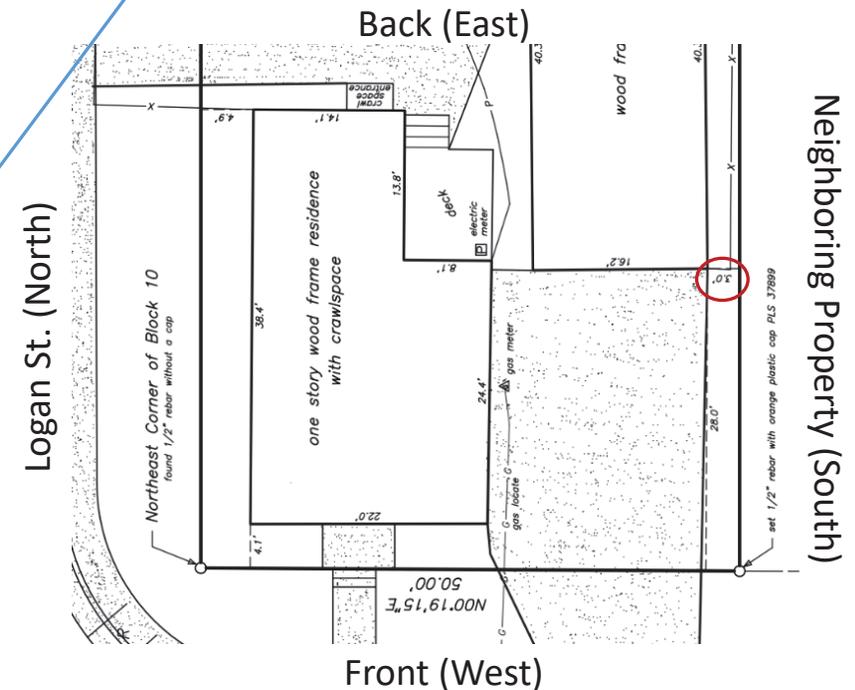
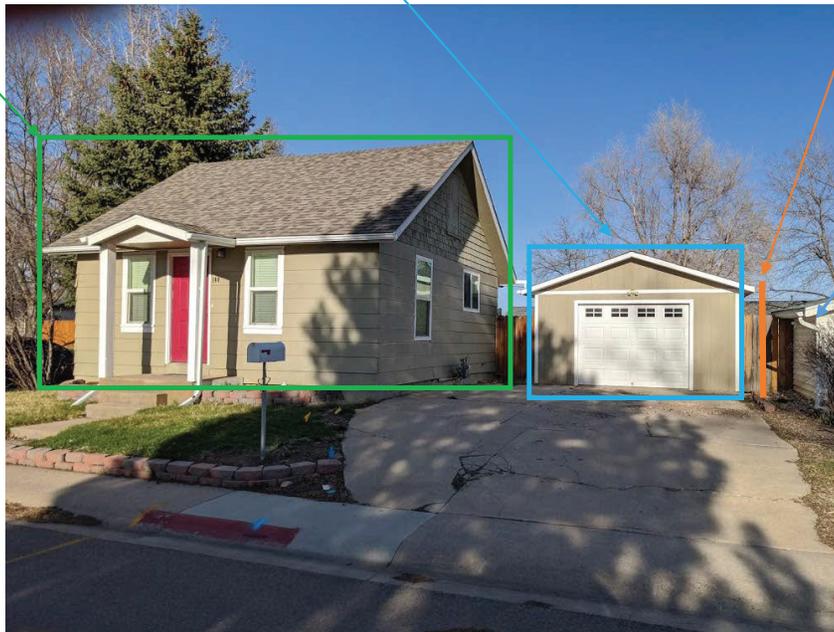
Current Structures

Original structure built in 1930

Garage built by a previous owner currently 3ft. off the property line.

Approximate property line

Neighboring property, only approximately 2ft. off property line



Newly constructed addition would end at approximately the same location as current garage that was constructed around 2012 by a previous owner (see appendix for Google street screenshot of garage being built). We didn't own until Oct. 2018.

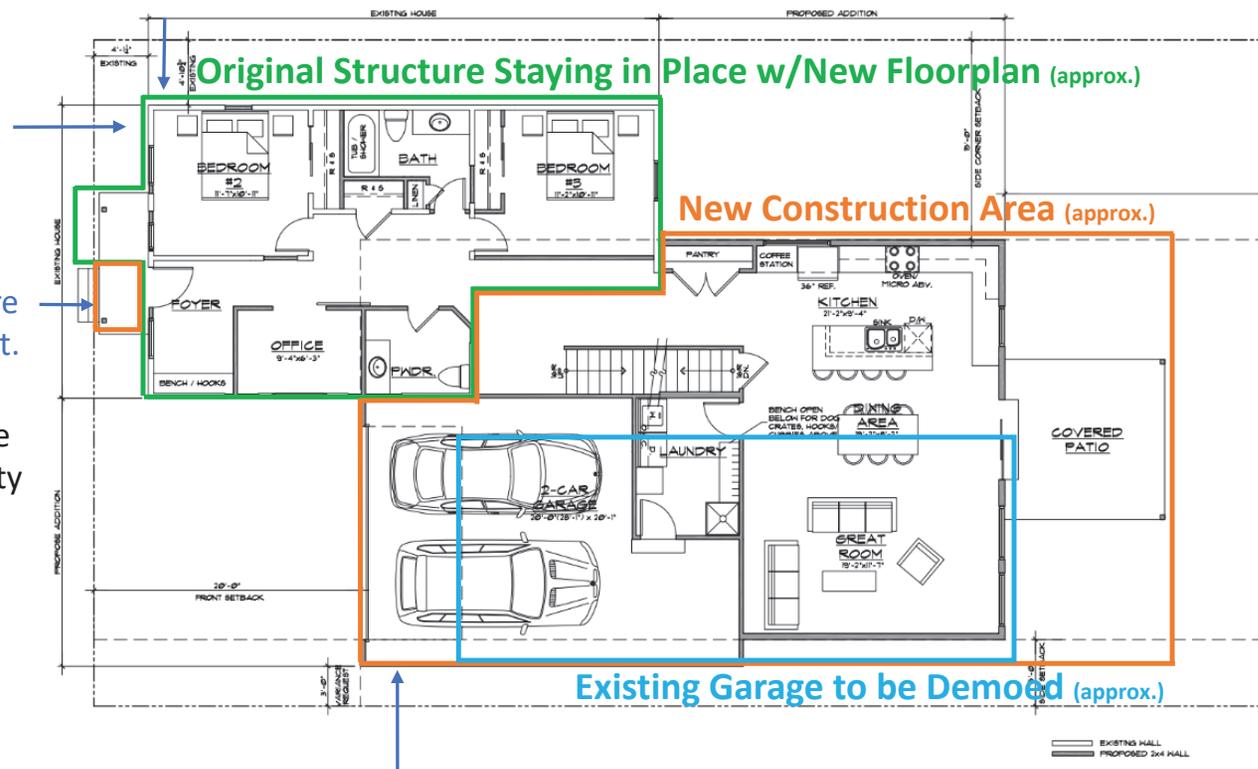
Proposed Setbacks

Same Because We are Using Original Structure
North Side Setback: 4.9 ft.

Same Because We are Using Original Structure
West Front Setback for the Structure: 4.1 ft.

Adding Concrete Pad and Overhang but
Wouldn't Encroach More than Original Structure
West Front Setback for Patio w/Overhang: 0.0 ft.

1. Proposed setbacks are essentially exactly the same as what currently exists on the property
2. Original structure setbacks would be maintained on North side and West front
3. New construction area would not encroach on current RL zoning setback rules for South and Front setbacks.
4. New construction area would encroach on South setback by 2 ft., but would not encroach further than existing garage.



New Construction would Encroach by Same as Existing Garage
South Side Setback: 3.0 ft.

Examples of Side Setback Encroachments on the Same Street



Examples of Houses that Take Up Most of Their Lot, N to S, in the Neighborhood



Due to narrow lot sizes, there are plenty of examples in the neighborhood of homes take up a majority of their lot North to South.

Recent New Construction Granted Variance

City of Fort Collins		<i>Community Development & Neighborhood Services</i> 281 N. College Ave Fort Collins, CO 80522 970.221.6760 970.224.6134 - fax	
Site Address: 204 2ND ST		Building Permit #: B1903587	
Job Valuation: [REDACTED]		Issued Full: 07/24/2019	
Owner: [REDACTED]		Permit Type: Residential Addition	
204 2ND ST FORT COLLINS, CO 80524		Phone: 970-222-2384	
Zoning: Front setback: 15' Rear setback: _____ Right setback: 7.16' Left setback: 4.25'		Minor Amend #: _____ Plat File #: _____ ZBA Case #: ZBA190004	
Zoning district: RL - LOW DENSITY RESIDENTIAL DISTRICT		Filing #: _____ Lot #: _____ Block #: _____	
Code: Res sq ft: 1153 Com sq ft: _____ Ind sq ft: _____ Basement sq ft: _____		# of stories: _____ Occ Group: _____ Const Type: V-B	
Fire Sprklr: _____ Stock plan #: _____ Stock plan options: _____		Contractor: CREATIVE ANGLE BUILDERS, LLC License #: D1-854 Supervisor cert #: 4564-D1	
PO Box 307 Laporte, CO 80535		Phone: 209-649-2000	

Both front and left setback are outside current zoning standards. Homeowner was granted variance and house is constructed 2 houses down from ours across Logan St.



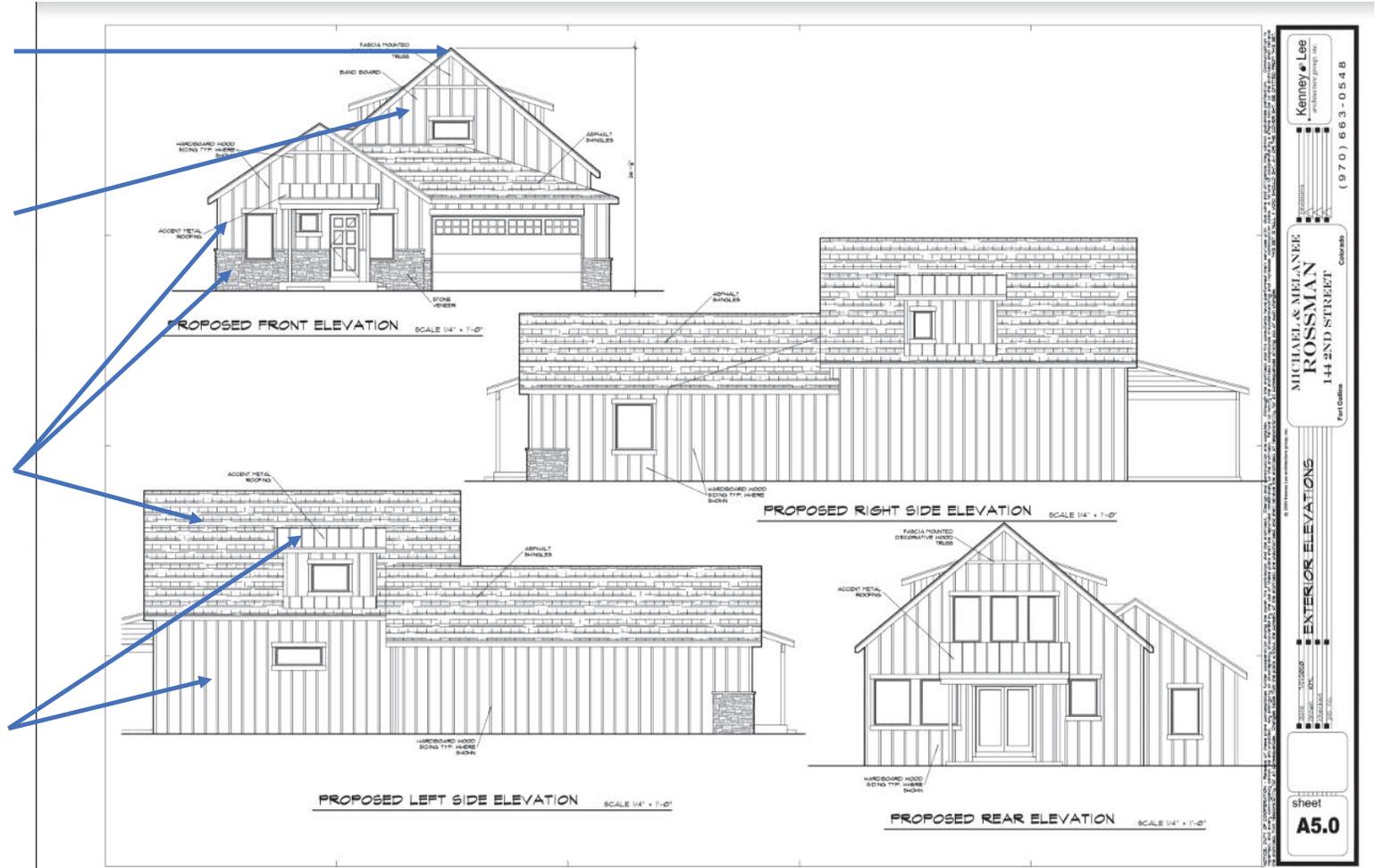
Proposed Elevations

Peak at 26 ft. Above Grade
2 ft. Less than Current Rule

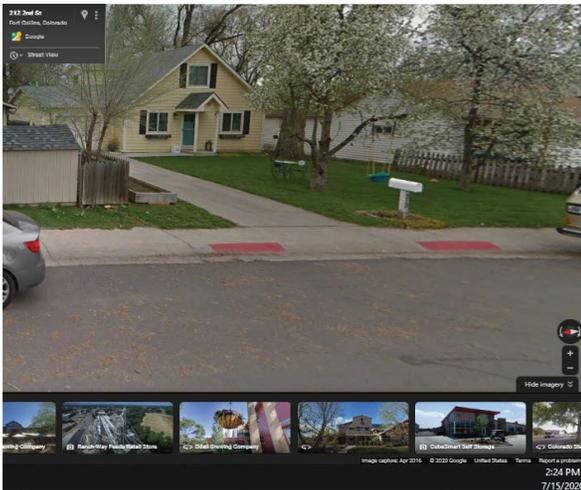
1.5 story construction,
consistent with many
homes in the neighborhood

Stone/brick, wood siding,
and standard shingle roof
construction consistent
with many houses in the
neighborhood including
house directly to the North.

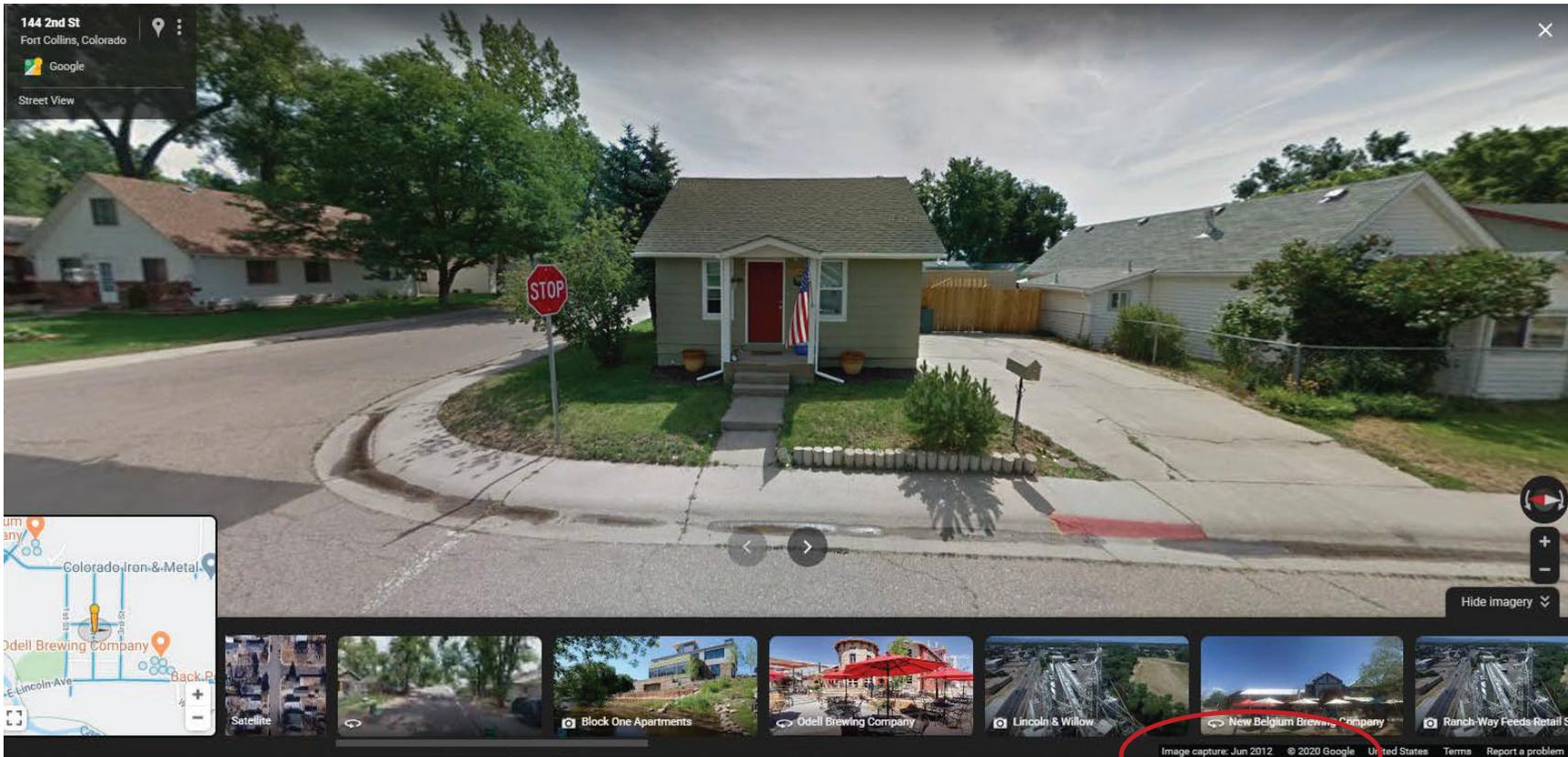
Metal roof accent & vertical
siding consistent with
newer construction that
was granted a variance.



Elevations Matching Proposed Style on Same Street



Appendix

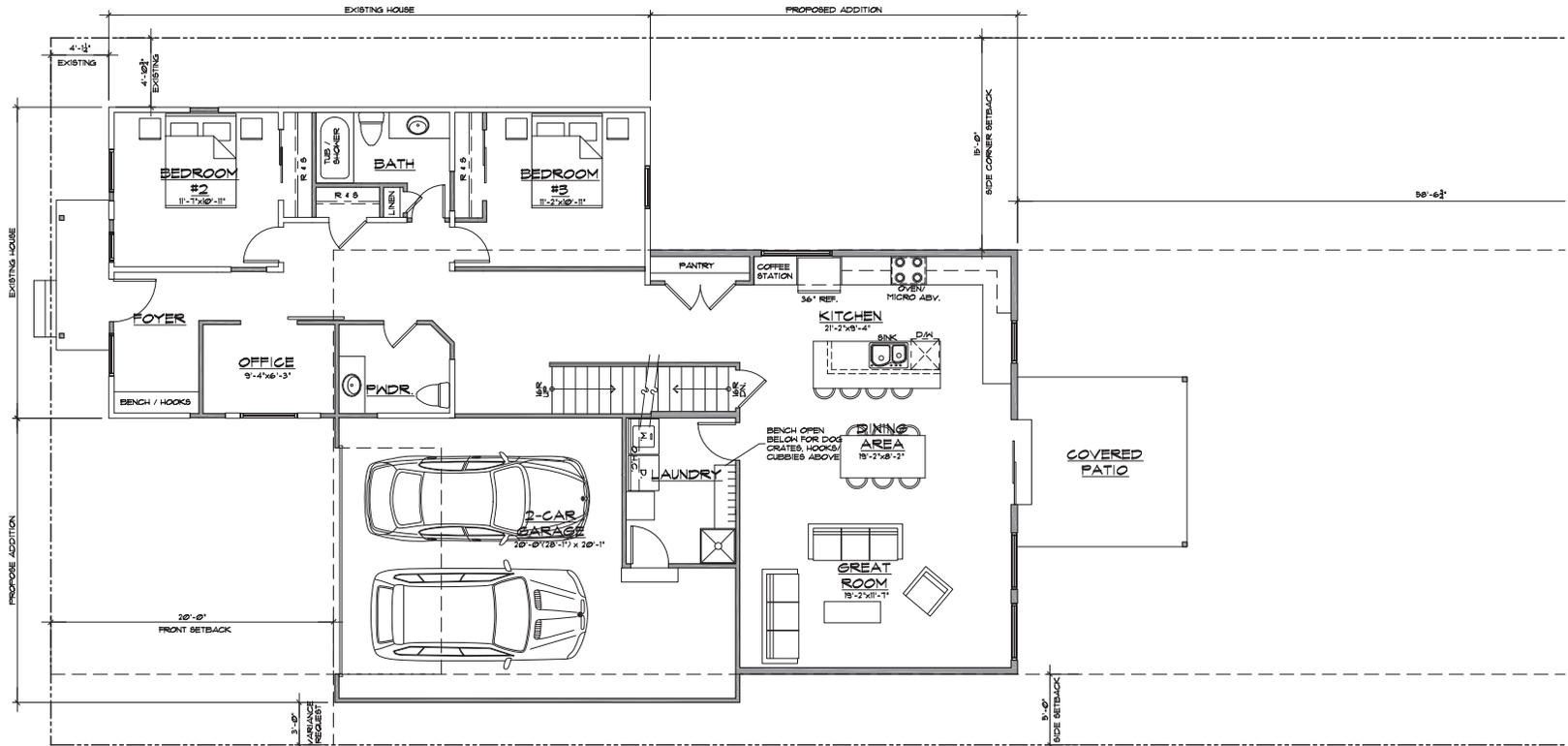


Neighboring property is in line with front of existing structure.



Additional examples of houses in the neighborhood pretty much on their front property line. Where are house sits is contextually in line with others in the neighborhood.





1 MAIN LEVEL FLOOR PLAN
1/4" = 1'-0"

MAIN LEVEL = 1599 SQ. FT.
GARAGE = 486 SQ. FT.

ALL ANGLES ARE 45° OR 90°
UNLESS NOTED OTHERWISE

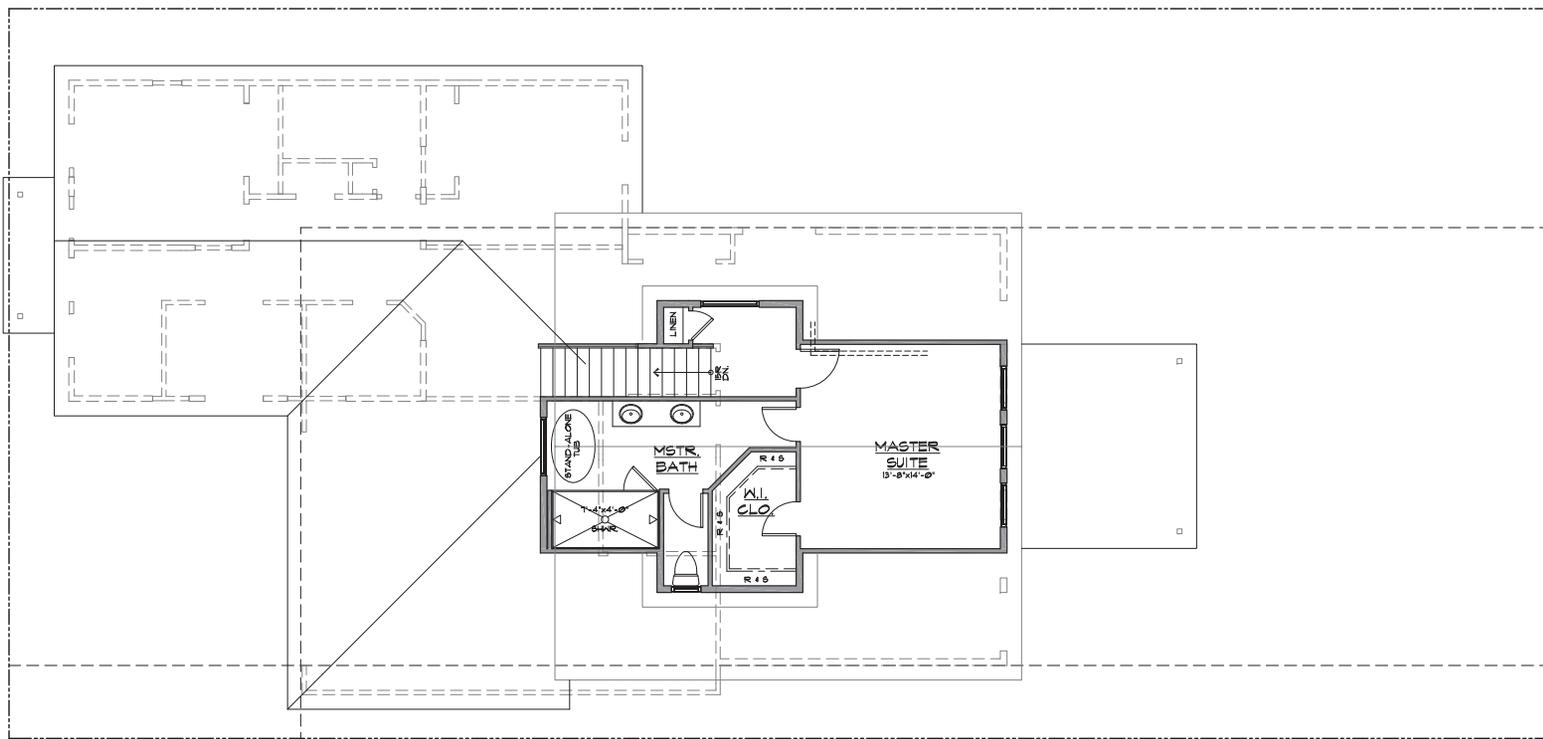


ARCHITECTURAL FLOOR PLAN. THIS PLAN IS THE PROPERTY OF KENNEDY & MELANEE ROSSMAN ARCHITECTURE GROUP, INC. AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. ANY REUSE OR MODIFICATION OF THIS PLAN WITHOUT THE WRITTEN CONSENT OF KENNEDY & MELANEE ROSSMAN ARCHITECTURE GROUP, INC. IS STRICTLY PROHIBITED. THE ARCHITECT ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE ARCHITECTURE AS SHOWN ON THESE PLANS. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE ARCHITECTURE AS SHOWN ON THESE PLANS.

17/12/2020
 DWG: 17122020
 ARCHITECT: MCH
 CHECKED: [Signature]
 JOB NO. [Number]

MICHAEL & MELANEE ROSSMAN
 ARCHITECTURE GROUP, INC.
 144 2ND STREET
 Fort Collins, Colorado
 (970) 663-0548

sheet
A3.1



1 UPPER LEVEL FLOOR PLAN
 1/4" = 1'-0"
 UPPER LEVEL = 410 SQFT

— DENOTES 2X4 WALL
 - - - DENOTES 2X6 WALL



NOTICE: THIS IS A PRELIMINARY DRAWING. IT IS THE PROPERTY OF KENNEY & LEE ARCHITECTURE GROUP, INC. AND IS NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF KENNEY & LEE ARCHITECTURE GROUP, INC. ANY REVISIONS TO THIS DRAWING SHALL BE MADE BY THE ARCHITECT. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED BY THE ARCHITECT. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED BY THE ARCHITECT. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS.

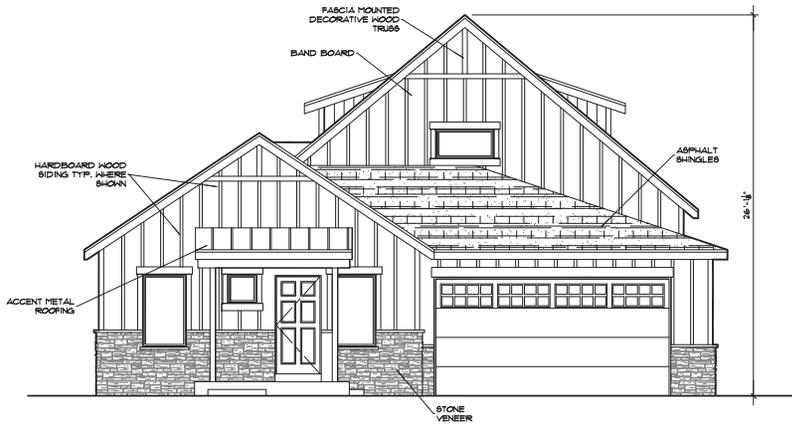
DATE: 11/17/2020
 DRAWN: PCH
 CHECKED:
 JOB NO.

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A3.2

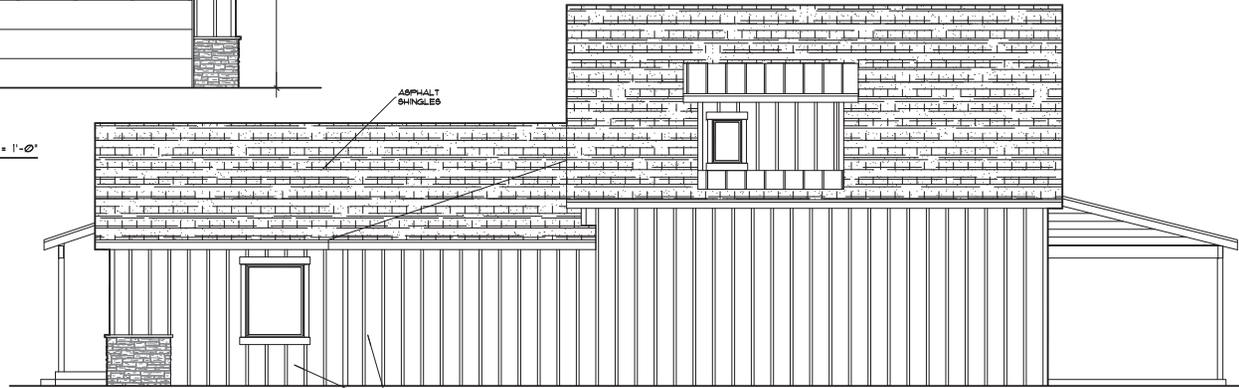
MICHAEL & MELANEE
ROSSMAN
 144 2ND STREET
 Fort Collins
 Colorado

Kenney & Lee
 architecture group, inc.

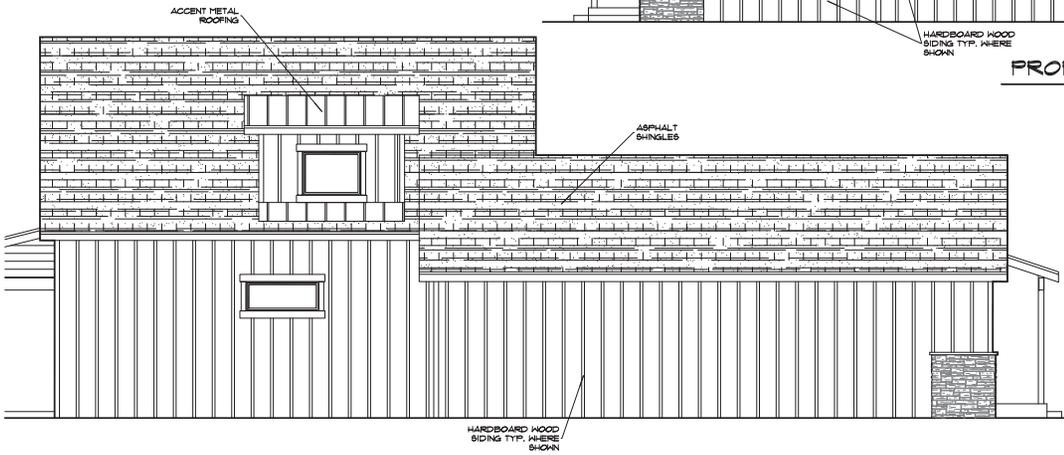
(970) 663-0548



PROPOSED FRONT ELEVATION SCALE 1/4" = 1'-0"



PROPOSED RIGHT SIDE ELEVATION SCALE 1/4" = 1'-0"



PROPOSED LEFT SIDE ELEVATION SCALE 1/4" = 1'-0"



PROPOSED REAR ELEVATION SCALE 1/4" = 1'-0"

SPECIAL NOTE OF COOPERATION: We warrant that the drawings were prepared by us or under our direct supervision and that we are a duly licensed professional architect in the State of Colorado. We warrant that the drawings were prepared by us or under our direct supervision and that we are a duly licensed professional architect in the State of Colorado. We warrant that the drawings were prepared by us or under our direct supervision and that we are a duly licensed professional architect in the State of Colorado.

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EXTERIOR ELEVATIONS
 Kenney & Lee
 Architecture Group, Inc.
 REGISTERED ARCHITECTS
MICHAEL & MELANEE ROSSMAN
 144 2ND STREET
 Fort Collins, Colorado
 (970) 663-0548
 sheet
A5.0



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

Date

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

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

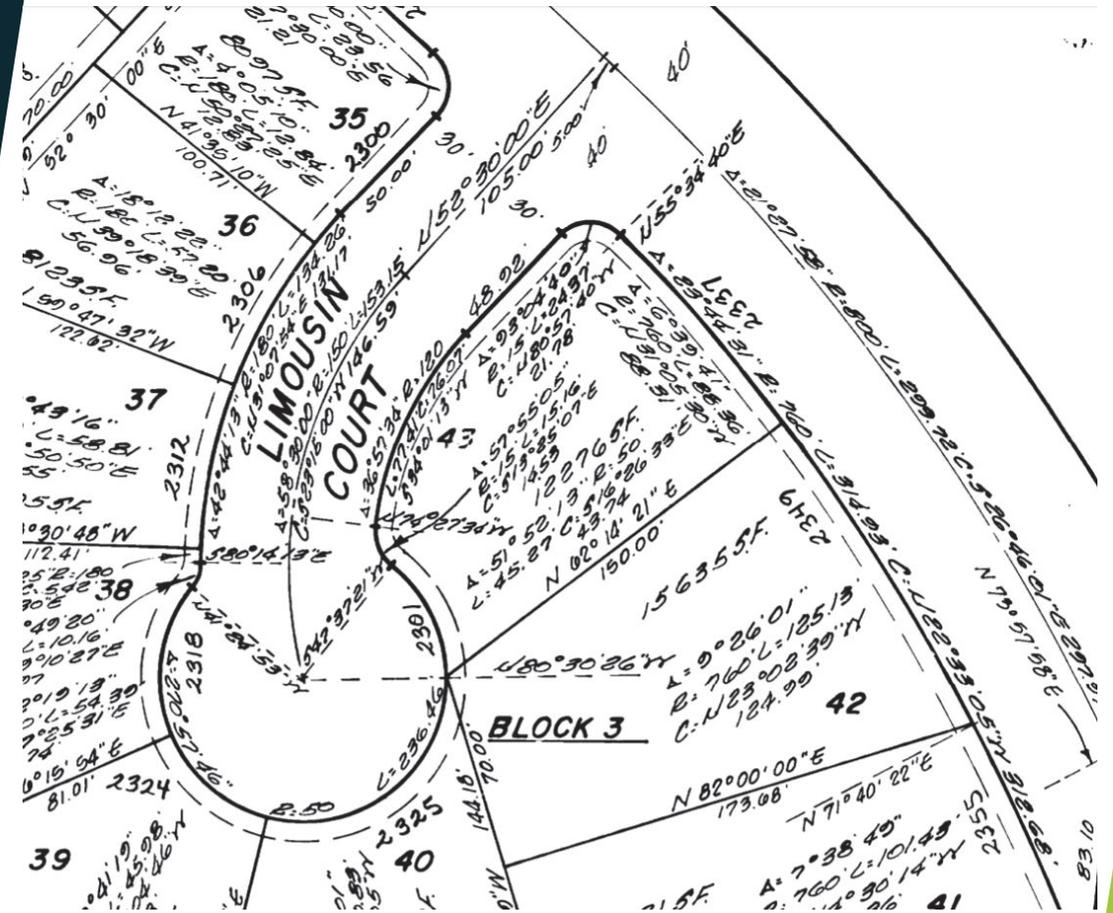
Name
NULL

Name1
NULL

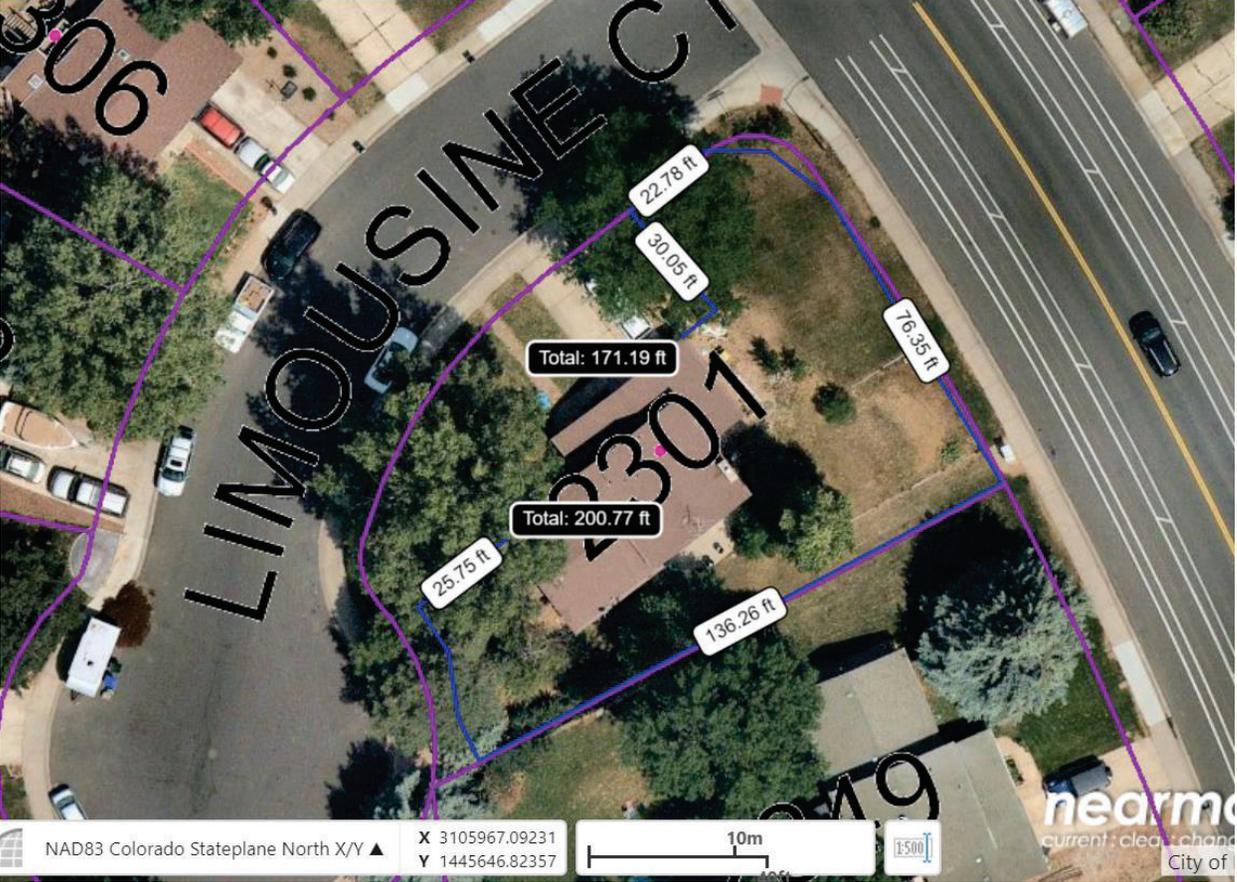
Site Address



Brown Farm Plat Map



Proposed area for backyard

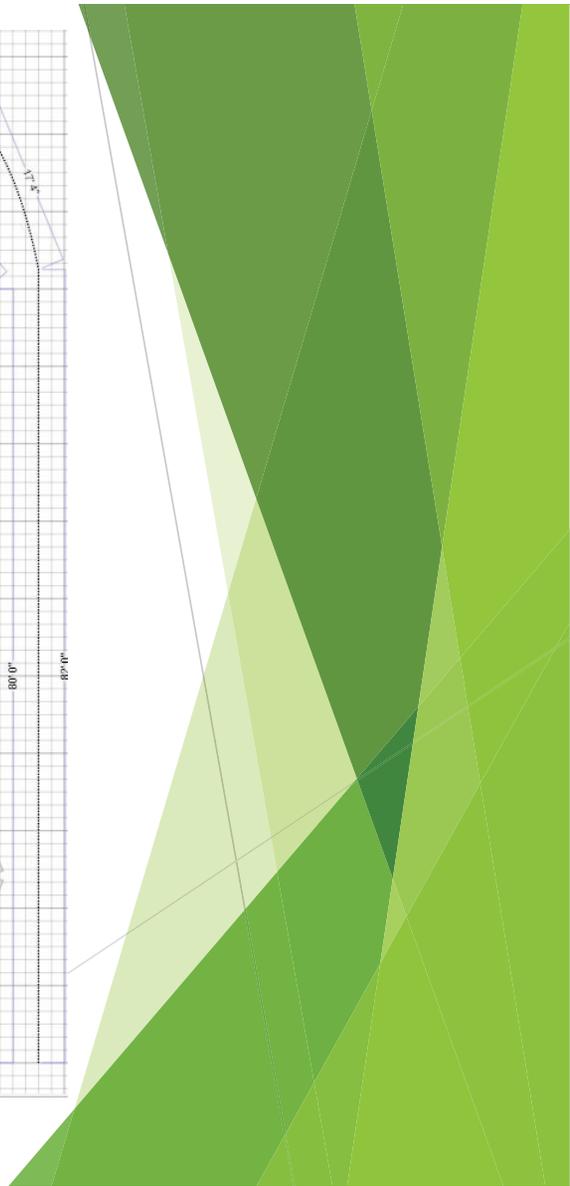
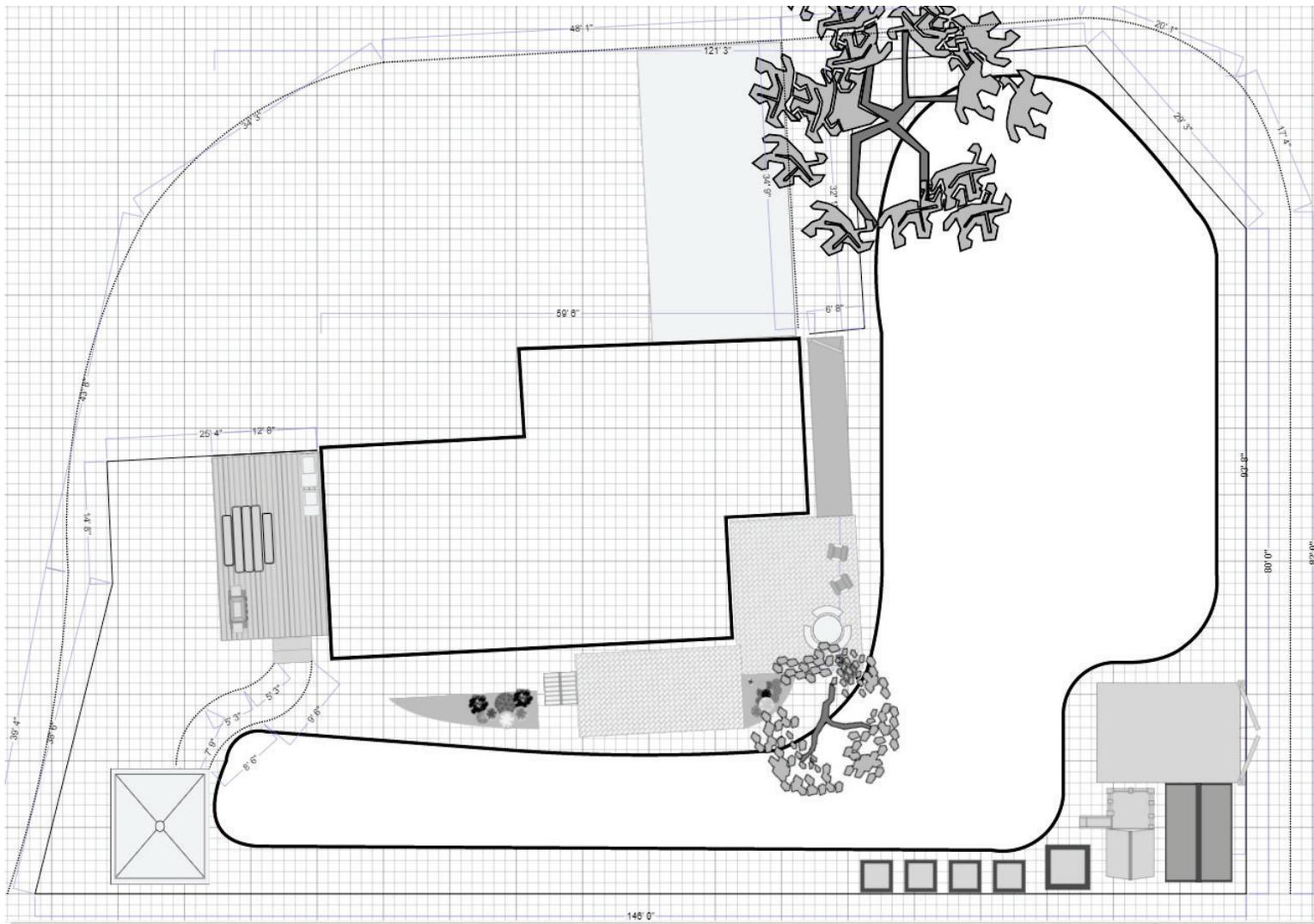


▶ Outlined in blue

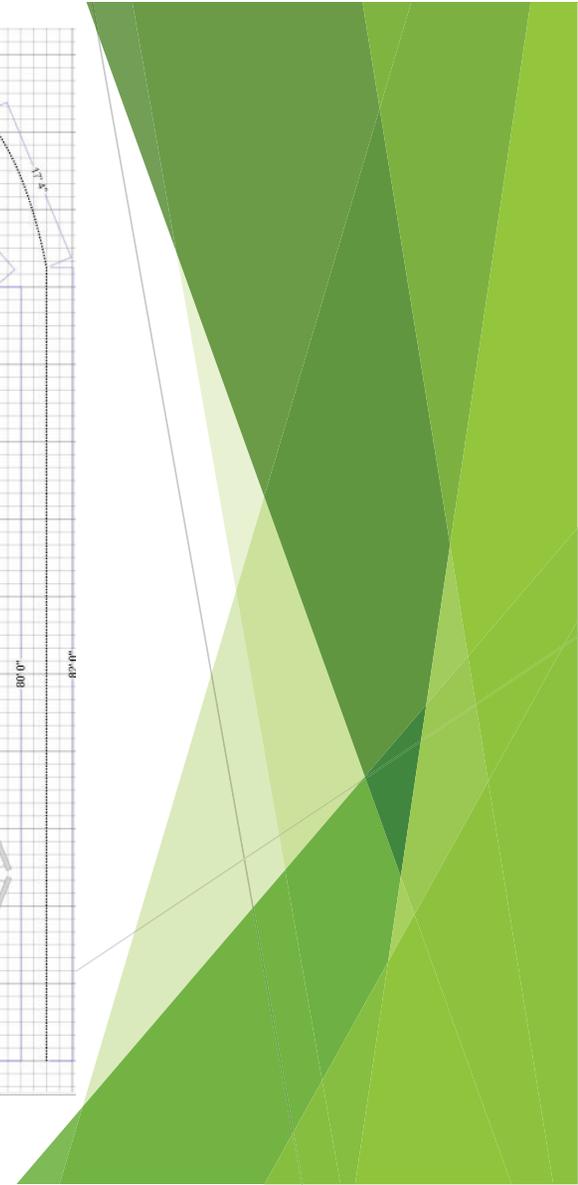
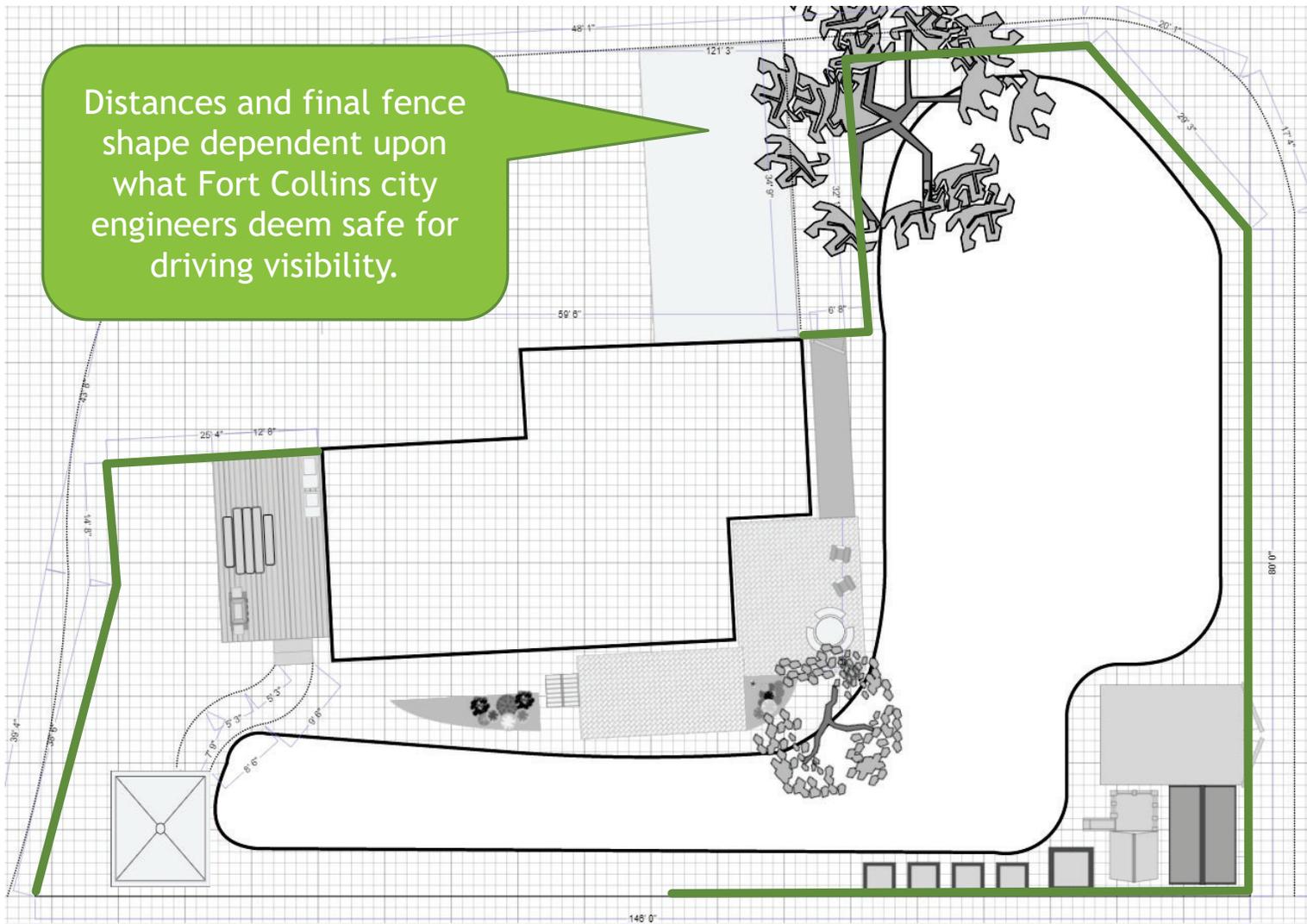
Proposed Fence line

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





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



Fence Design

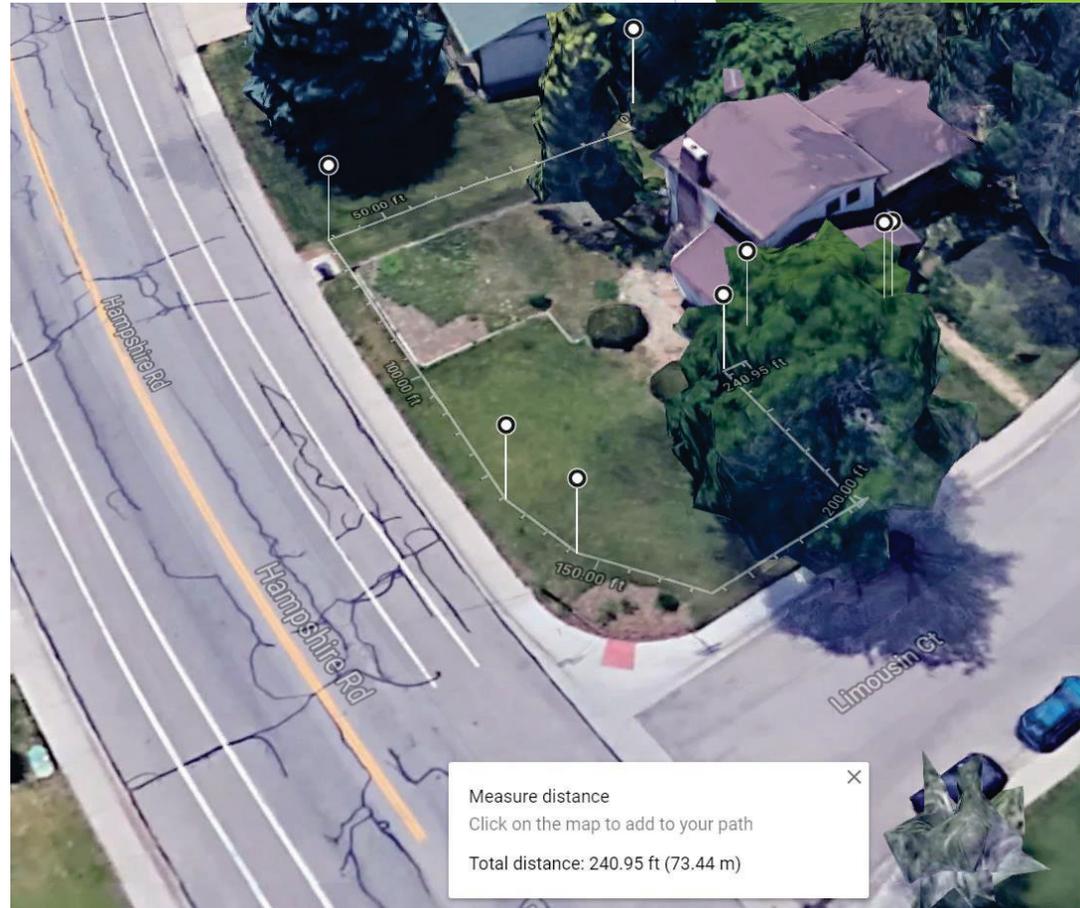
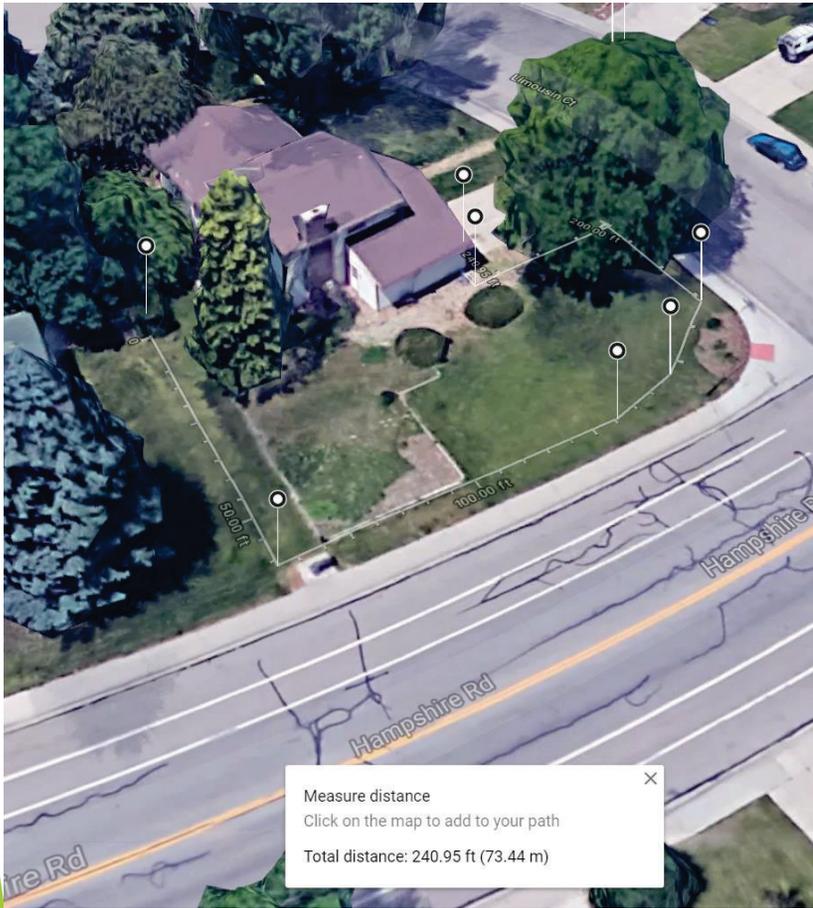


- ▶ 6' Privacy Fence - Cedar
- ▶ Fence will fit required setback of 2' from sidewalks
- ▶ Fence will maintain sight triangle for stop sign corner

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

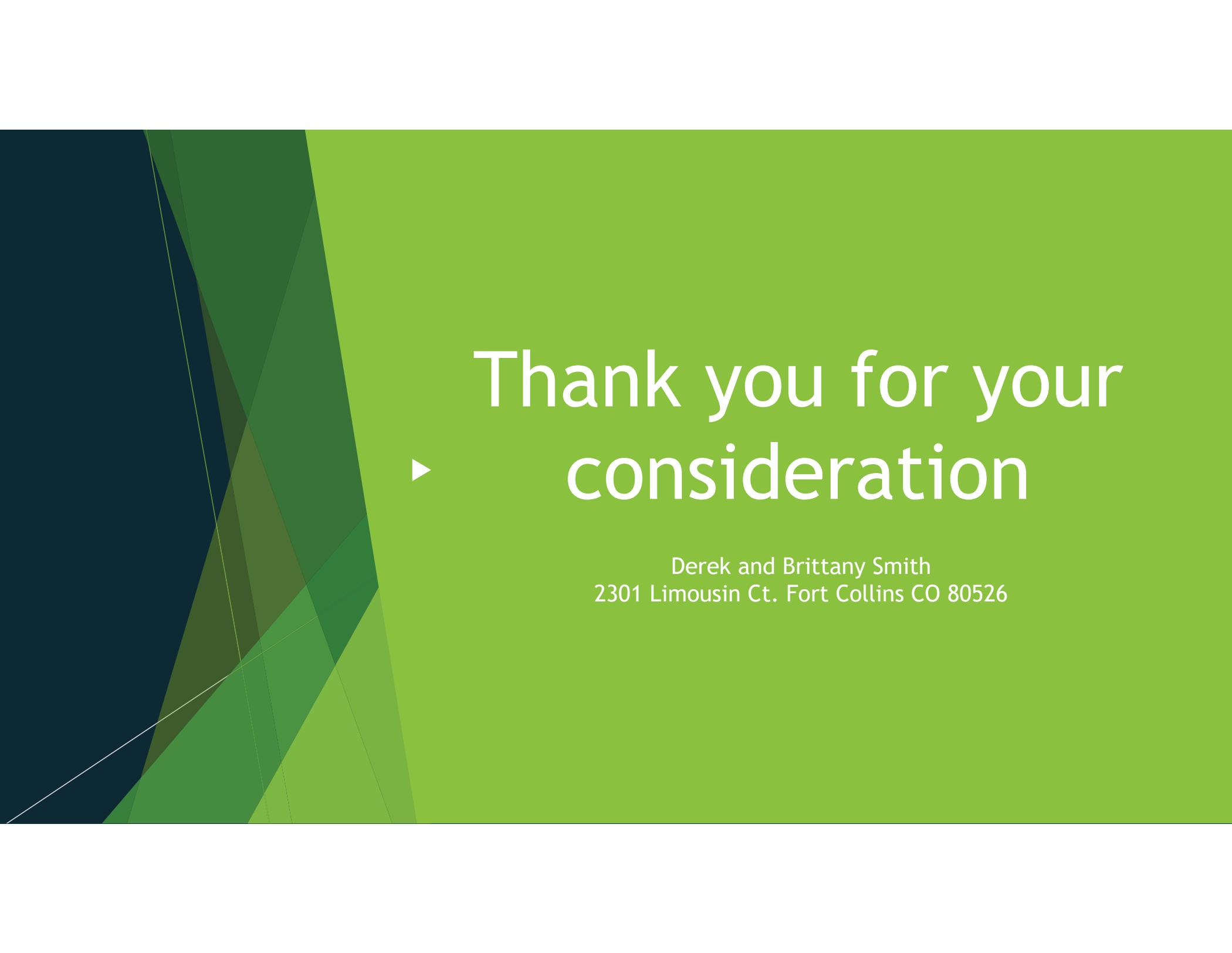
- Much more usable “back” yard
- Fence will still fit “Safety Triangle” requirements for the corner
- This view of the house contributes very little to the aesthetics of the sidewalk / street view





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

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

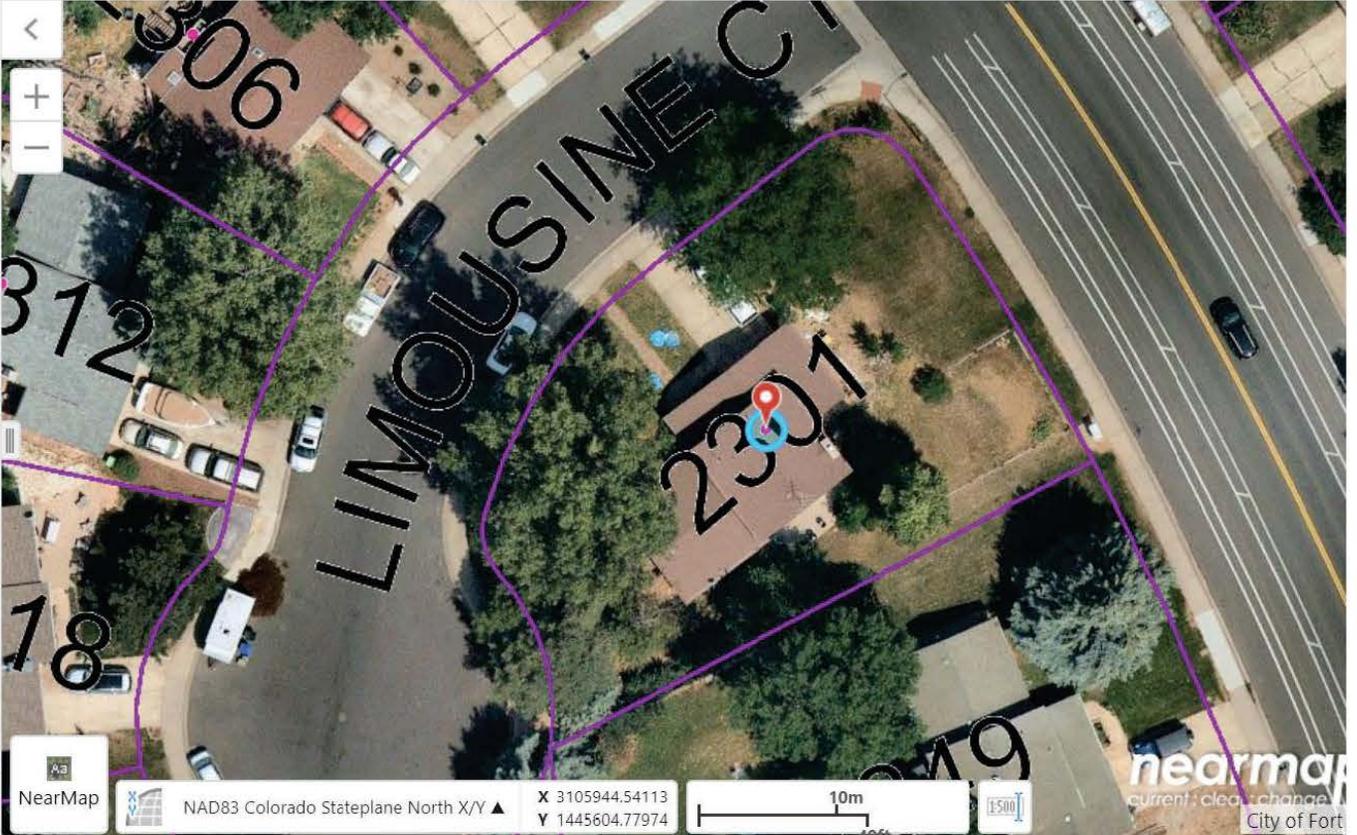
MSTRID
1432

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

ESRI

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

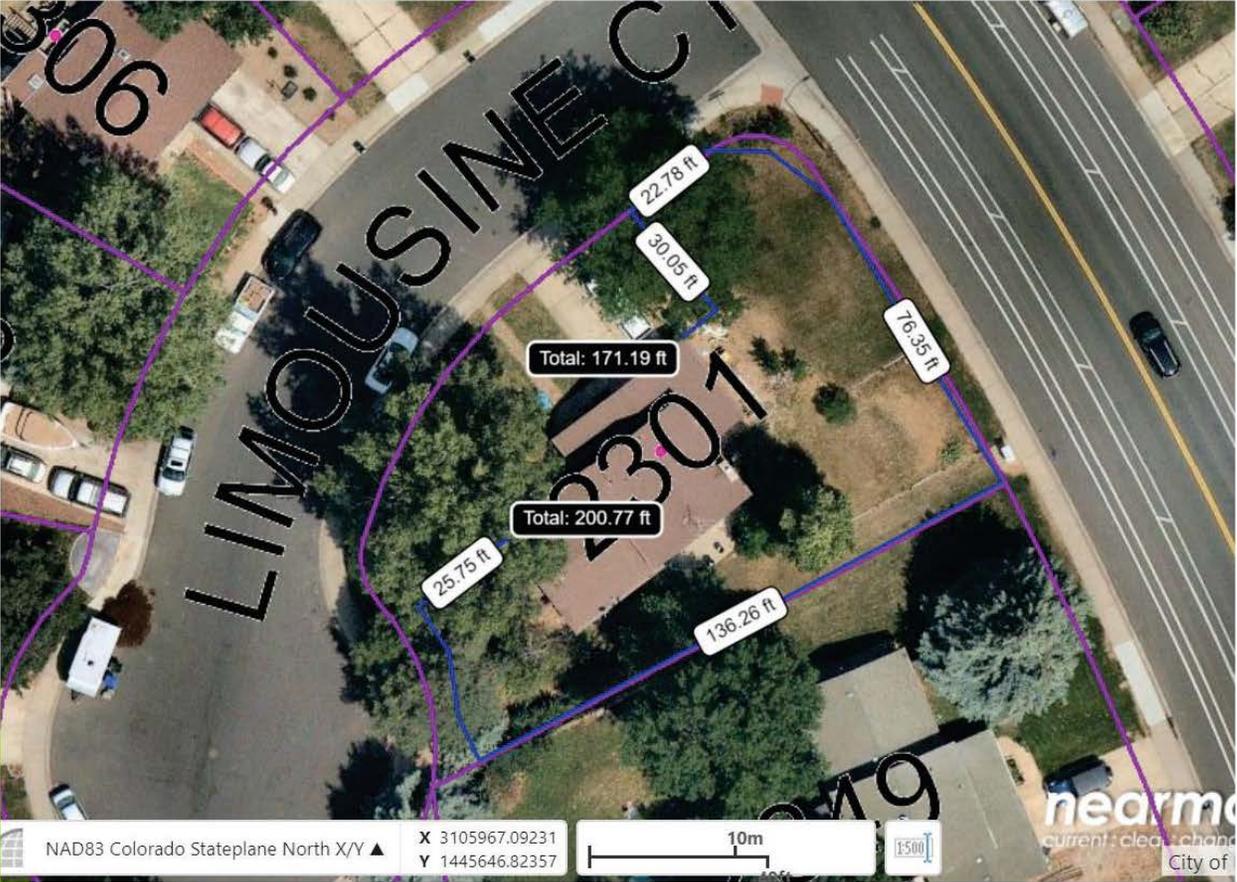
Name
NULL

Name1
NULL

Site Address



Proposed area for backyard



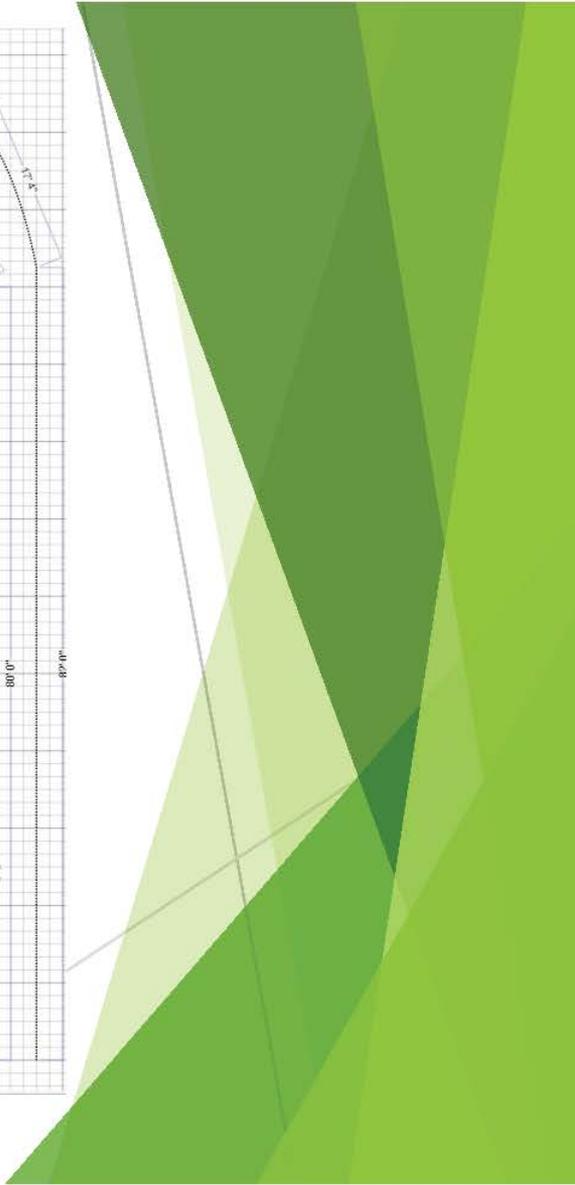
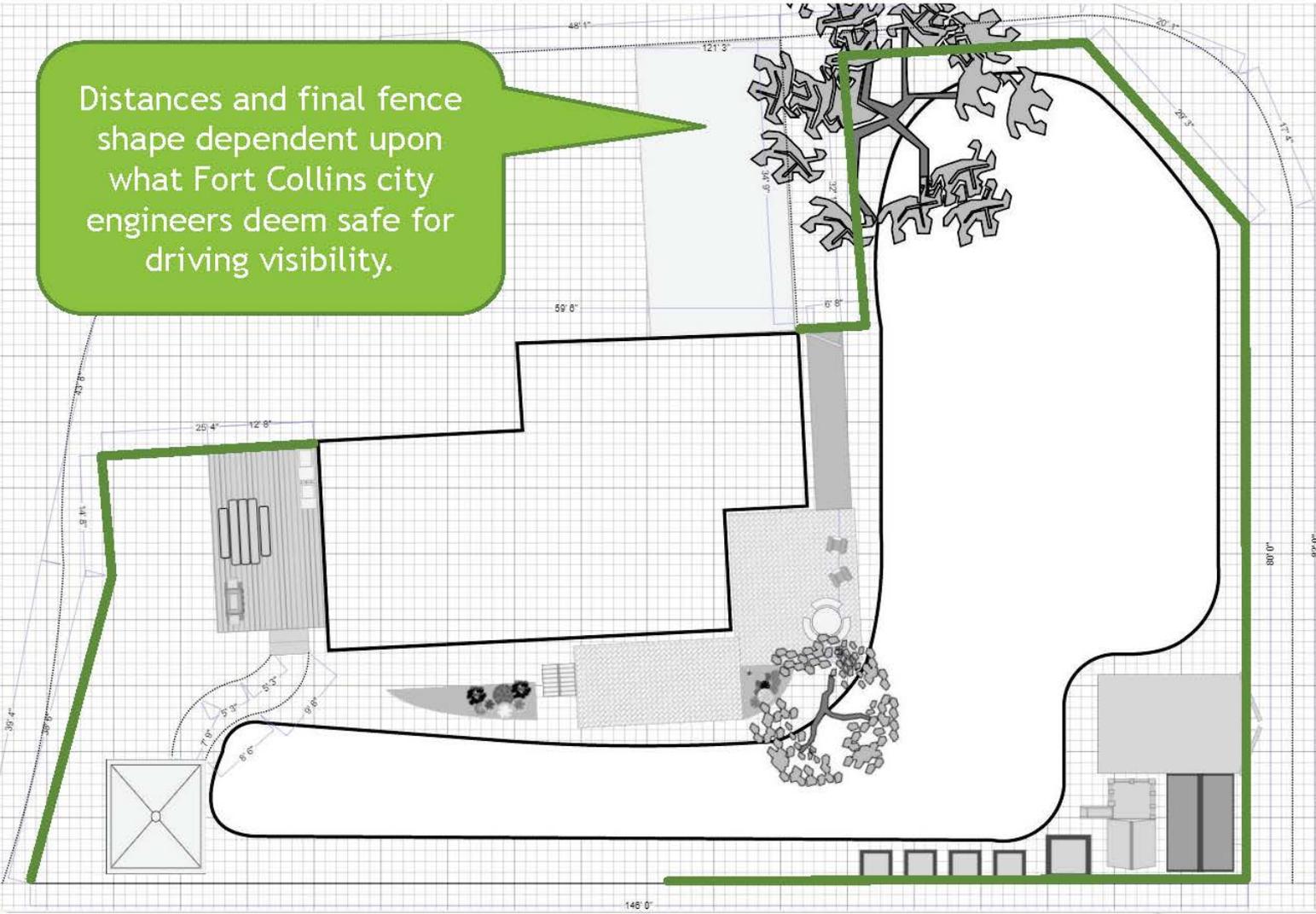
▶ Outlined in blue

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 - ▶ Forward of the Garage
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Distances and final fence shape dependent upon what Fort Collins city engineers deem safe for driving visibility.



Fence Design

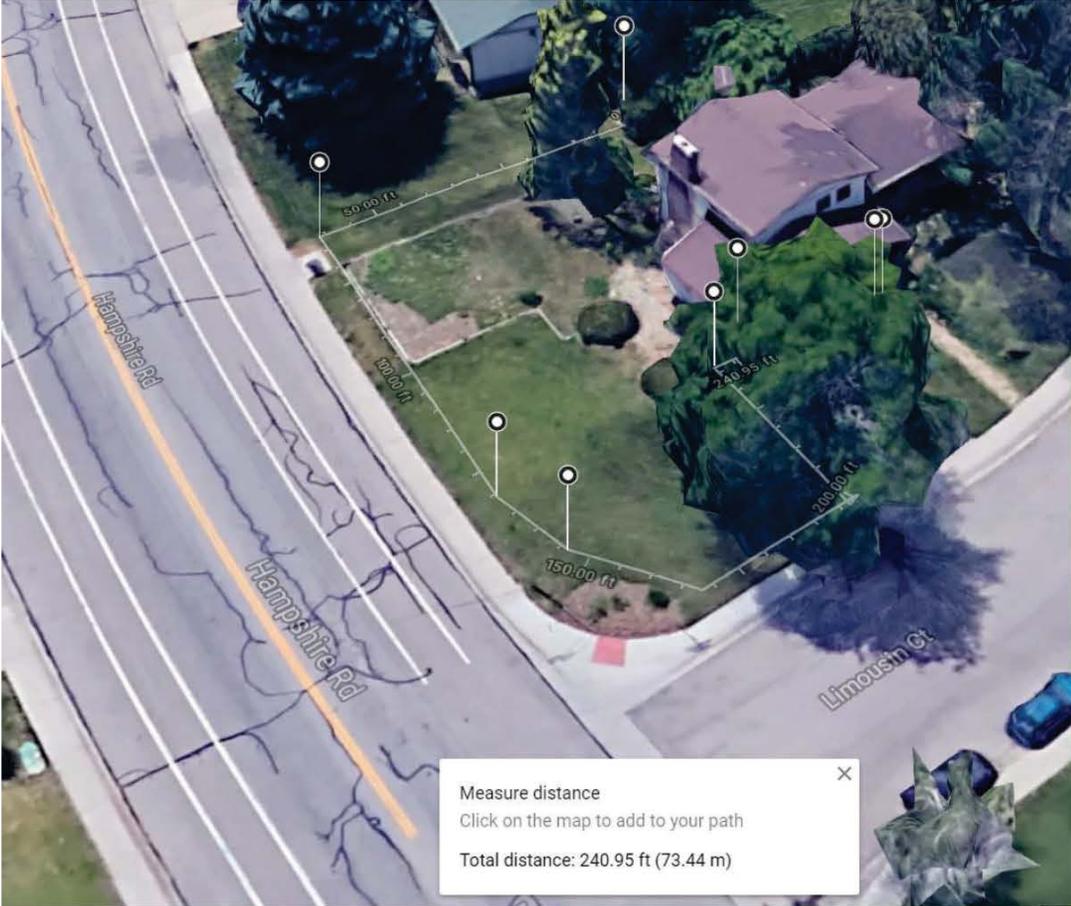
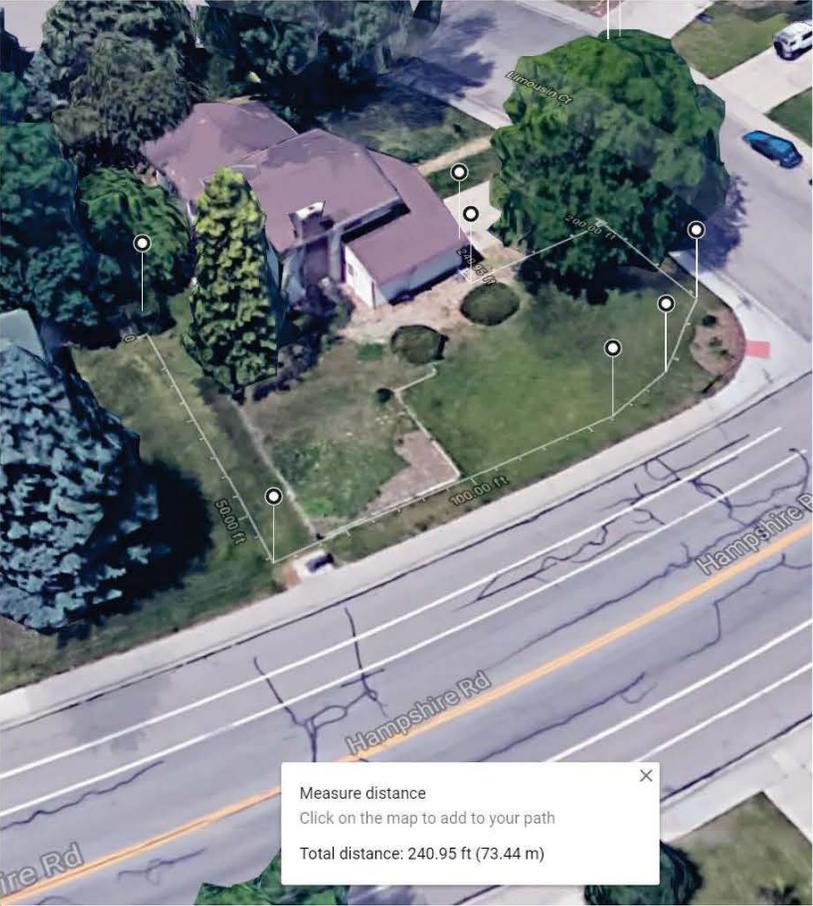


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Proposed Fence to Fit Safe Triangle



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House with fence in front of garage



House with fence in front of garage



House with fence in front of garage



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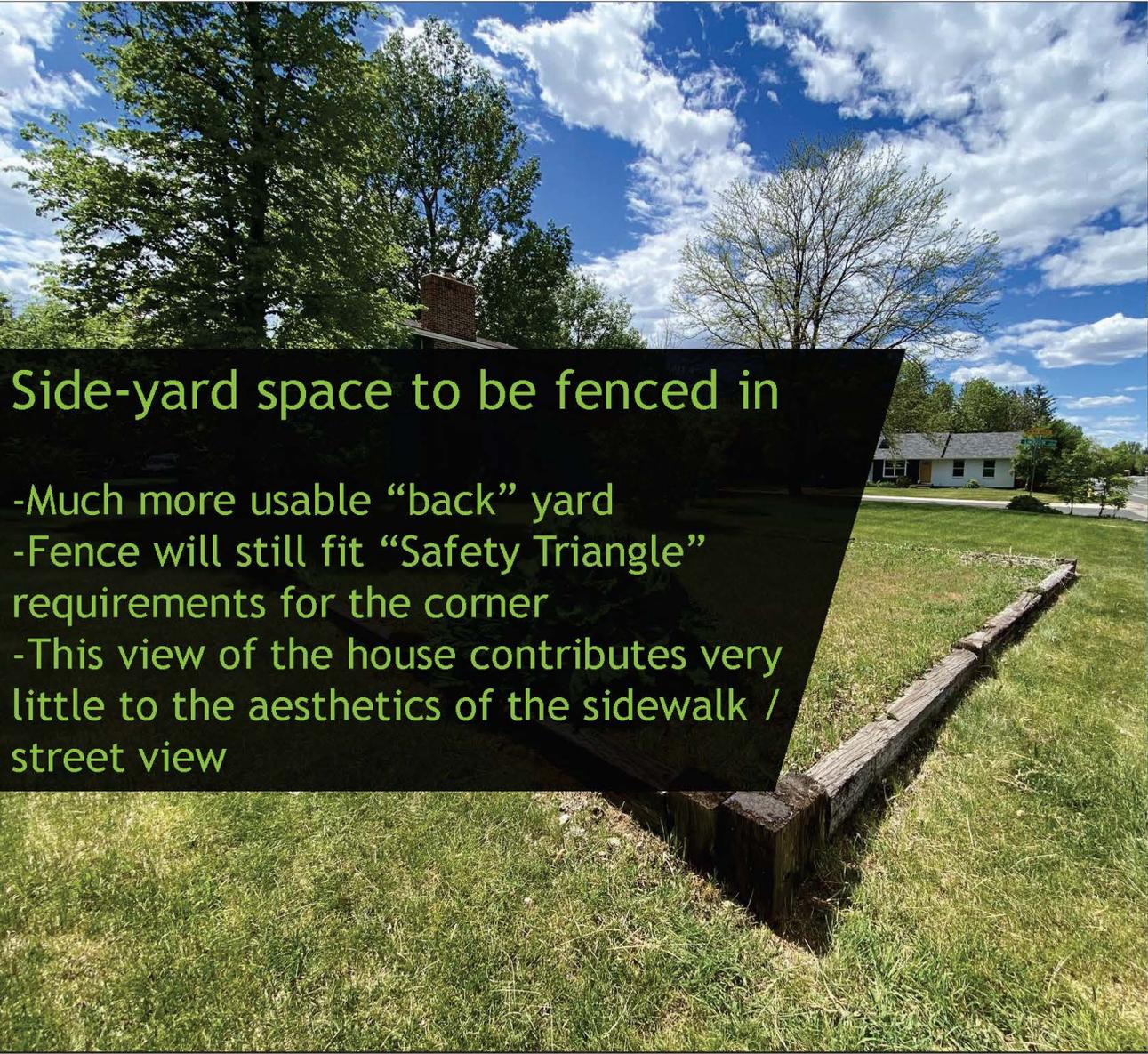


Similar corner to fit safety sight triangle





Back of House -
Minimal usable space



Side-yard space to be fenced in

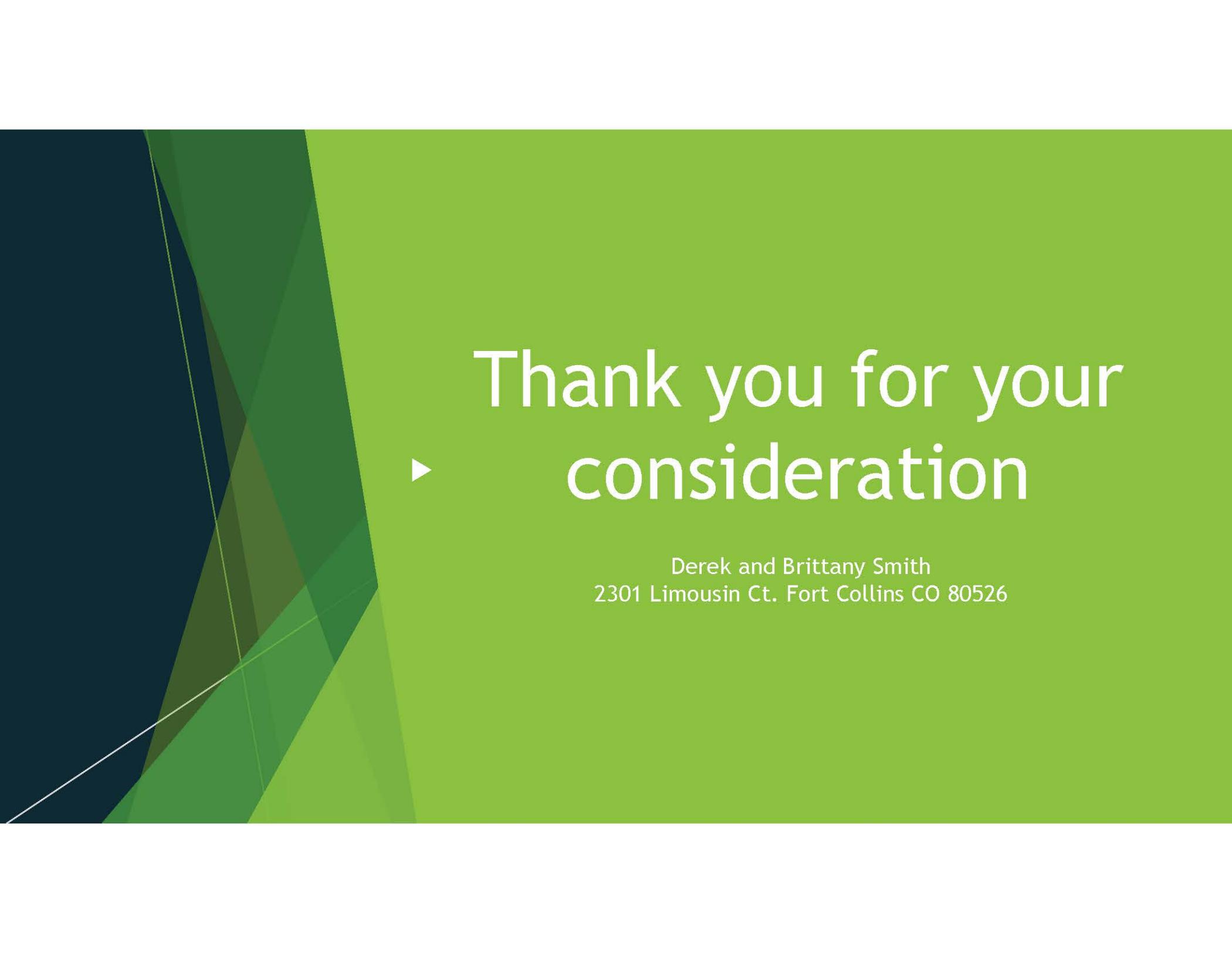
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Thank you for your
▶ consideration

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

From: [Noah Beals](#)
To: [Kacee Scheidenhelm](#); [Jennifer Luther](#)
Subject: FW: Public Hearing ZBA200027 2301 Limousin Ct.
Date: Tuesday, July 7, 2020 5:09:54 PM

From: RANDY JAN WICK <JANBRONCOFAN@msn.com>
Sent: Tuesday, July 7, 2020 3:47 PM
To: Noah Beals <nbeals@fcgov.com>
Subject: [EXTERNAL] Public Hearing ZBA200027 2301 Limousin Ct.

Hello,

I am contacting you in regards to the upcoming hearing on July 9, 2020 for the requested variance to the fencing regulations for 2301 Limousin Ct.

My husband and I are the property owners of 2336 Hampshire Rd which is located directly east of the location where they want to erect the unlawful fence. We are very much opposed to them running the fence all the way beyond the front of the house and garage. Our house, other homes, and people driving down Hampshire Rd. will have a very unsightly view if they are allowed to bypass the normal rules. We have a fairly small yard and I would imagine it would be alot bigger and more secure and private if we put a 6 foot privacy fence out to the street!

They contest that they have a hardship due to the fact that the area directly behind their house is fairly shallow. However, their back porch is on the southeast corner which easily gives them access to both their back and side yard to the east. If they build their fence to meet the standards they would still have a really good sized fenced yard and it would be larger than many if not most of the other yards in the neighborhood. Their request is not warranted.

The examples of other homes in the area that they provided is not the same situation at all.

They mentioned that they had reached out to neighbors who either liked the idea or didn't care. Well, they haven't reached out to us and we DO care. We definitely do not think it would be good for the neighborhood or that they should be entitled in any way to bypass the fencing standards that were made for a reason. This type of variance is detrimental to the area and it does not meet the requirements for your approval.

Thank you,
Jan and Randy Wick

HAMPSHIRE RD ← 2300

LINCOLN





5
2
4
4













2301



STOP

2301



HAMPSHIRE DR

STOP

2301



HAMPSHIRE RD
RD
2300

STOP



HAMPSHIRE RD
2300

STOP



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	4610 Player Drive	Petitioner’s Name, if not the Owner	Jeff
City	Fort Collins, CO	Petitioner’s Relationship to the Owner is	Architect
Zip Code	80525	Petitioner’s Address	419 Canyon Ave, Suite 200
Owner’s Name	Dan and Brianna Brown	Petitioner’s Phone #	(970) 224-1191
Code Section(s)	3.5.2(E)(5)	Petitioner’s Email	jeff@vfla.com
Zoning District	UE	Additional Representative’s Name	
Justification(s)	3. Nominal and inconsequential	Representative’s Address	
Justification(s)	Additional Justification	Representative’s Phone #	
Justification(s)	Additional Justification	Representative’s Email	
Reasoning If not enough room, additional written information may be submitted	(Please see attached letter)		

Date July 13, 2020

Signature



Strength in **design**. Strength in **partnership**. Strength in **community**.

07-13-2020

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

RE: Variance Request for 4610 Player Drive

To Whom it May Concern,

On behalf of my clients, Dan and Brianna Brown, I am requesting a variance to Land Use Code section 3.5.2(E)(5) regarding the maximum size of a detached accessory building.

My clients would like to build an 852 sq ft addition to an existing 768 sq ft detached garage located at 4610 Player Drive. The completed garage would be 1620 sq ft. The maximum allowable floor area for a detached accessory building is 1200 sq ft on lots that are between 20,000 sq ft and 1 acre.

The proposed addition will not be detrimental to the public good and will not diverge from the standards except in a nominal and inconsequential way when considered in the context of the neighborhood for the following reasons:

The lot at 4610 Player Drive is 0.985 of an acre which is just 1.5% less than 1 acre. The maximum allowable floor area for a detached accessory building on lots that are larger than 1 acre in size is 6% of the total lot area. 6% of the lot area at 4610 Player drive is 2496 sq ft and the proposed completed garage would only be 1620 sq ft which is 35% less than the maximum if this lot were allowed the 6% for detached accessory buildings.

Additionally, this property, was 1.11 acres until recently. An area 0.13 acres in size was conveyed to the Department of Highways which shifted the north property line and effectively reducing the lot to 0.98 of an acre.

For these reasons we feel the addition garage floor area is nominal and inconsequential. Please review the attached Site Plan on Sheet A1 and the Exterior Elevations on Sheet A2.

Thank you for your time in considering our variance request.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jeff Hansen', written over a white background.

Jeff Hansen – VFLA, Inc.
419 Canyon, Ave
Fort Collins, CO 80521
(970) 224-1191

VAUGHT FRYE LARSON ARONSON **architects**

419 Canyon Ave, Suite 200 ■ Fort Collins, CO ■ 970.224.1191
108 East Lincolnway ■ Cheyenne, WY ■ 307.635.5710
www.vfla.com



Application Request for Variance from the Land Use Code

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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	320 Willow Street	Petitioner’s Name, if not the Owner	
City	Fort Collins, CO	Petitioner’s Relationship to the Owner is	
Zip Code	80524	Petitioner’s Address	PO Box 352 LaPorte, CO 80533
Owner’s Name	Lance DeBar	Petitioner’s Phone #	303-746-1131
Code Section(s)	3.5.2.E (3)	Petitioner’s Email	lancedebar@gmail.com
Zoning District	R-D-R	Additional Representative’s Name	Derek Breier
Justification(s)	3. Nominal and inconsequential	Representative’s Address	141 Racquette Dr., Ft. Collins
Justification(s)	2. Equal to or better than	Representative’s Phone #	
Justification(s)	1. Hardship	Representative’s Email	d.breier@saundersheath.com
Reasoning If not enough room, additional written information may be submitted	See attached.		

Date 6/1/2020

Signature Lance DeBar

Reasoning for Request for Variance from the Land Use Code

NOTE: This application is a request for reinstatement of an expired approved variance issued on Oct. 18, 2018. The building of the structure was not able to be completed due to construction needs of Confluence. Construction of Confluence has been completed in April 2020 and no longer impedes upon the property of 320 Willow allowing for the construction of the detached structure to begin.

In order to build the new building, Confluence, at the corner of Willow and Linden (DCP 18-23) the detached structure located in the NE corner of the property at 320 Willow St., will need to be taken down. We request to rebuild the structure in the same location and size once the new building is complete.

We are requesting a variance to code 3.5.2.E (3) regarding setbacks. The structure will have minimal set back (<1') from the lot lines and will be approx. 15' wide by 20' long by 11' tall for a total of 300sf. This will be a variance to codes 3.5.2.E.(3) which requires at 5' setback to the side lot line and 12' setback from the rear lot line because the building is over 8' tall. The lot size is approx. 4950sf so the foot print of the garage (300sf) is within the code standards.

1. Considering the impact on the property at 320 Willow St., this variance will be nominal and inconsequential to the new building and any other neighbors. The new structure will not have any windows or openings that will be impacted. Two of the four sides will be up against a new building in areas where no doors or windows are located. The other two sides face the backyard and are not clearly visible from the street.
2. The new structure will meet building code including new concrete slab, new framing and new roof. All building code requirements will be met, the building currently does not meet code. The General Contractor has committed to the owner of 320 Willow to build this structure as compensation for the necessity to take it down for new construction.
3. The property at 320 Willow St. is truly being affected by this new building, which will have multi story CMU/Siding walls on two sides of the property. The owner is being asked to loose usable space that otherwise would not need to be removed. It is reasonable to provide the owner the same space in return. If the land use code was followed for setbacks and size, the owner would lose a large amount of the yard.

From: [Noah Beals](#)
To: [Marcha Hill](#); [Kacee Scheidenhelm](#)
Subject: FW: Zoning Appeal # ZBA180039
Date: Thursday, October 04, 2018 4:45:19 PM

From: Randy Shortridge <rshortridge@auworkshop.co>
Sent: Thursday, October 04, 2018 8:09 AM
To: Noah Beals <nbeals@fcgov.com>
Cc: Jason Kersley <jkersley@auworkshop.co>
Subject: Zoning Appeal # ZBA180039

To Members of the Zoning Board of Appeals,

Jason Kersley and myself are the sole owners of 401 and 405 Linden Street which adjoin 320 Willow Street on the southeast and northeast.

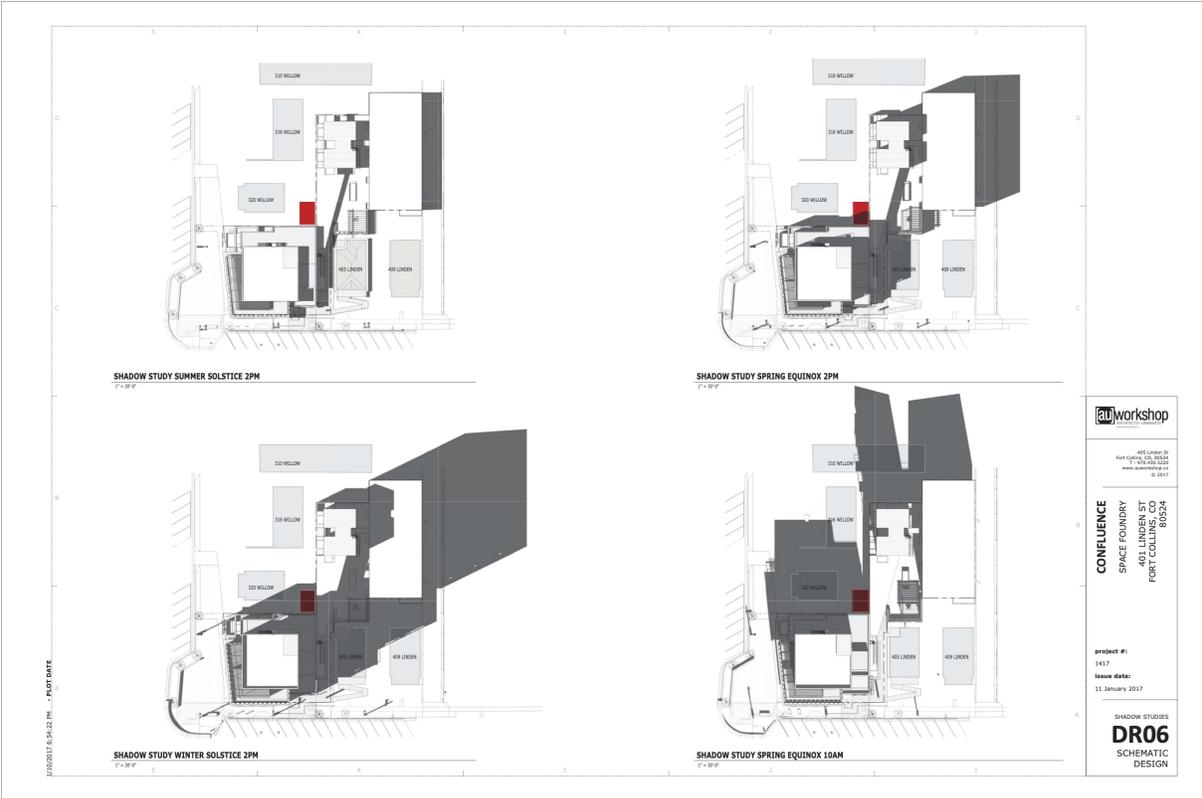
The existing shed has stood in its current location for many decades and rebuilding it in the same location will have no adverse effects of any kind on our adjacent properties now or in the future.

We support Mr. Debar's appeal and have no objections whatsoever to the requested variance/modification.

Best regards,

RANDY SHORTRIDGE, Member
[SPACE]FOUNDRY, LLC
405 Linden Street
Fort Collins, CO 80524
c: 970.818.1589





SHADOW STUDY SUMMER SOLSTICE 2PM

SHADOW STUDY SPRING EQUINOX 2PM

SHADOW STUDY WINTER SOLSTICE 2PM

SHADOW STUDY SPRING EQUINOX 10AM

VERTICAL SCALE: 1/8" = 1'-0" DATE:



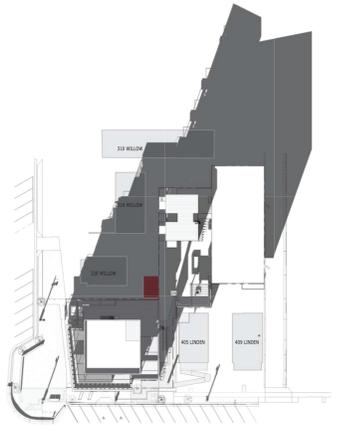
401 Linden St
Fort Collins, CO, 80525
www.audworkshop.com
© 2017

CONFLUENCE
SPACE FOUNDRY
401 LINDEN ST
FORT COLLINS, CO
80524

project #:
1417
issue date:
11 January 2017

SHADOW STUDIES
DR06
SCHEMATIC
DESIGN

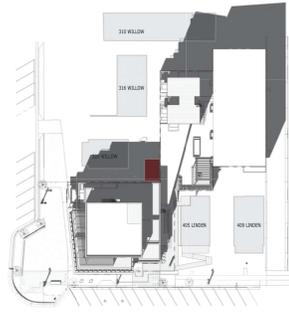
BRUNNEN & ASSOCIATES ARCHITECTS -- PHOTO DATE



SHADOW STUDY WINTER SOLSTICE 11AM
1" = 1/8" = 0'



SHADOW STUDY SUMMER SOLSTICE 11AM
1" = 1/8" = 0'



SHADOW STUDY SPRING EQUINOX 12PM
1" = 1/8" = 0'



401 Linden St.
Fort Collins, CO, 80525
www.brunnen.com
© 2017

CONFLUENCE
SPACE FOUNDRY
401 LINDEN ST
FORT COLLINS, CO
80524

project #: 1417
issue date: 11 January 2017

SHADOW STUDIES
DR07
SCHEMATIC
DESIGN



Application Request for Variance from the Land Use Code

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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.

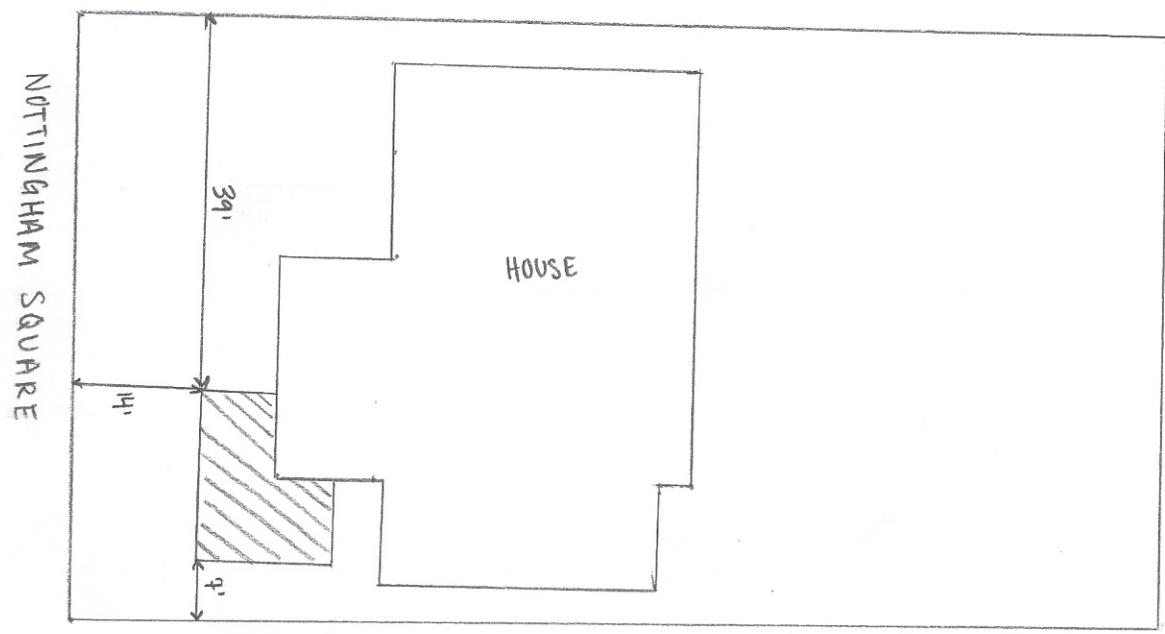
Variance Address	2720 Nottingham Square	Petitioner’s Name, if not the Owner	Sue Kenney
City	Fort Collins, CO	Petitioner’s Relationship to the Owner is	
Zip Code	80526	Petitioner’s Address	2720 Nottingham Square
Owner’s Name	Sue Kenney	Petitioner’s Phone #	970-443-0071
Code Section(s)		Petitioner’s Email	
Zoning District	Low Density Residential District	Additional Representative’s Name	Tad Bjorlie
Justification(s)	3. Nominal and inconsequential	Representative’s Address	1448 Antero Dr
Justification(s)	Additional Justification	Representative’s Phone #	970-663-2868
Justification(s)	Additional Justification	Representative’s Email	sales@tnthomeimprovements.com
Reasoning If not enough room, additional written information may be submitted	New front patio for better access to entrance of home		

Date 06/10/2020

Signature _____

Kenney
2720 Nottingham Sq
Fort Collins, CO 80526

1" = 20' ↑ N



▨ Proposed deck

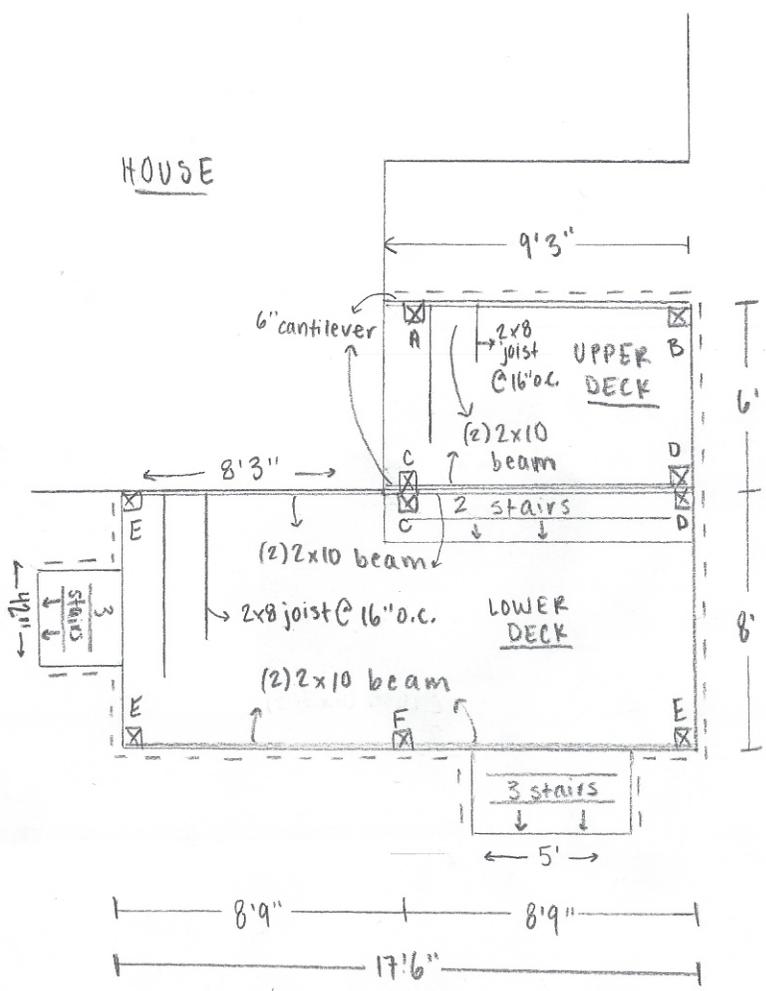
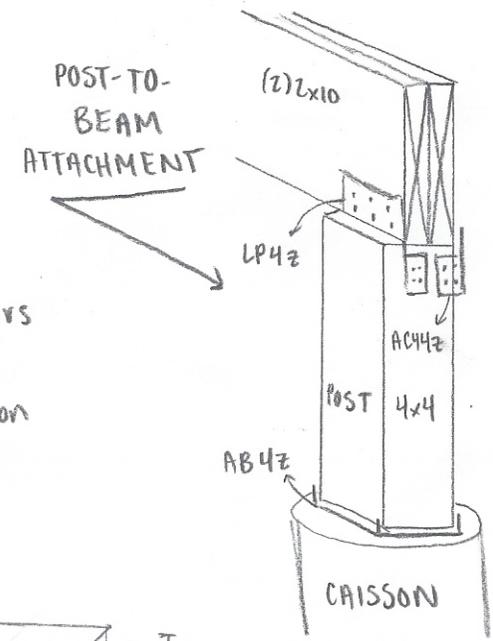
Kenney

2720 Nottingham Sq
Fort Collins, CO 80526

1/6" = 1'

DECKS

- ☑ 4x4 posts on (see trib area for caisson size)
- All framing treated SYP #1
- All hardware galvanized metal
- Stone Ash decking (composite)
- Extended 4x4 posts (composite wrap) connected w/ 2x4's (composite wrap) - all spacing to code
- Gripable handrail on (2) 3 sets of stairs
- 42" stairs lead to existing sidewalk, 5' stairs lead to newly poured sidewalk
- Install 12" sided wall underneath front portion



TRIB AREA

- A: $4.88' \times 3' = 14.64' \rightarrow 14'' \times 30''$
- B: $4.38' \times 3' = 13.14' \rightarrow 14'' \times 30''$
- C: $(8.75' \times 4') + (4.88' \times 3') = 49.64' \rightarrow 19'' \times 30''$
- D: $4.38' \times 7' = 30.66' \rightarrow 16'' \times 30''$
- E: $4.38' \times 4' = 17.52' \rightarrow 14'' \times 30''$
- F: $8.75' \times 4' = 35' \rightarrow 16'' \times 30''$

