



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

Council Liaison: Ross Cunniff
Staff Liaison: Noah Beals

LOCATION:
Meeting will be held virtually

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

**REGULAR MEETING
SEPTEMBER 10, 2020
8:30 AM**

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

Public Participation (Online): Individuals who wish to address the Zoning Board of Appeals via remote public participation can do so through Zoom at <https://zoom.us/j/92943021226>. Individuals participating in the Zoom session should also watch the meeting through that site.

The meeting will be available to join beginning at 8:15 a.m. on September 10, 2020. Participants should try to sign in prior to 8:30 a.m. if possible. For public comments, the Chair will ask participants to click the "Raise Hand" button to indicate you would like to speak at that time. Staff will moderate the Zoom session to ensure all participants have an opportunity to address the Board or Commission.

In order to participate:

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

You need to have access to the internet.

Keep yourself on muted status.

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

Public Participation (Phone): If you do not have access to the internet, you can call into the hearing via phone. The number to dial is +1 346 248 7799 or +1 669 900 9128, with webinar ID: 929 4302 1226

(Continued on next page)

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

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

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

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

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

1. APPEAL ZBA200031

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

Project Description:

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

2. APPEAL ZBA200034

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

Project Description:

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

3. APPEAL ZBA200036

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

Project Description:

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

4. APPEAL ZBA200037

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

Project Description:

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

5. APPEAL ZBA200038

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

Project Description:

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

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

Jennifer Luther

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

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

Regards,

Noah Beals
Senior City Planner-Zoning
970 416-2313



[Tell us about our service, we want to know!](#)

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COVID19 Resources

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

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

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

Recursos COVID-19

Para integrantes de la comunidad: <https://www.fcgov.com/eps/coronavirus>

Para empresas: <https://www.fcgov.com/business/>

¿Quieres ayudar o necesitas ayuda? <https://www.fcgov.com/neighborhoodservices/adopt>

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

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

I agree with the recommendation.

Thanks

Ralph Shields
970.231.7665

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

Hello Chair-person Shields,

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

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

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

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

Kind Regards,

Noah Beals
Senior City Planner-Zoning
970 416-2313



[Tell us about our service, we want to know!](#)

--

COVID19 Resources

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

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

Recursos COVID-19

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¿Quieres ayudar o necesitas ayuda? <https://www.fcgov.com/neighborhoodservices/adopt>

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



Application Request for Variance from the Land Use Code

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

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

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

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

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

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

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

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

Date

07-21-2020

Signature

Marie Hashaw



July 21, 2020

www.davincisign.com

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

To Whom It May Concern:

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

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

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

Thank you for your consideration of our application.

Sincerely,

Marie Hashaw

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

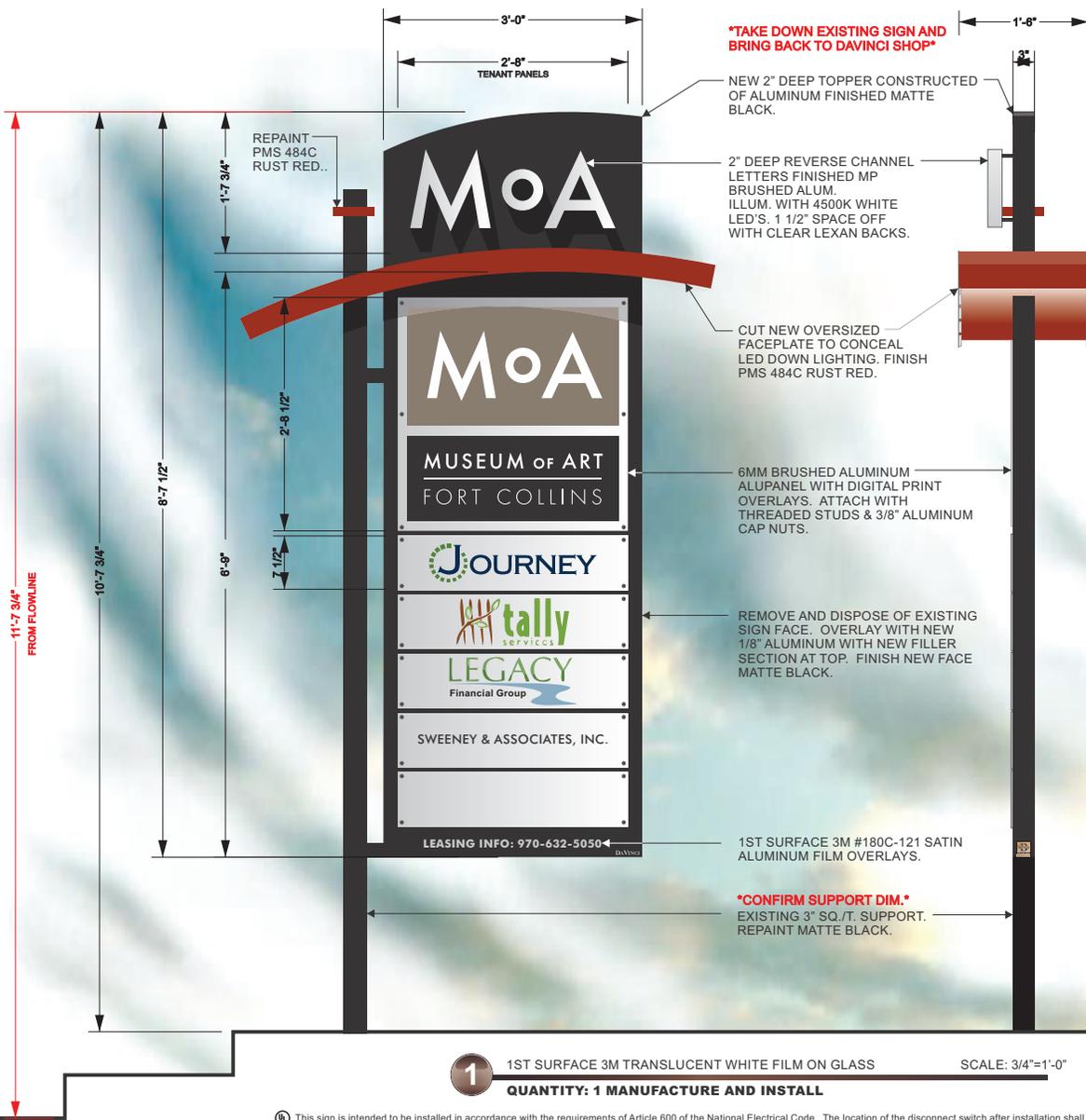
FT. COLLINS: (970) 203-9292
DENVER: (303) 573-7446
CHEYENNE: (307) 220-4316
TOLL FREE: 1-866-DaVinci (328-4624)



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

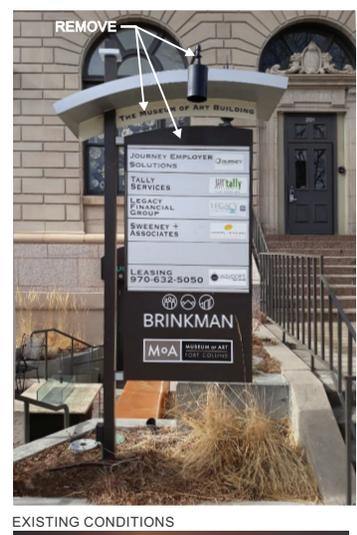


Extraordinary Belongs To Those Who Create It!



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

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



COLOR KEY

PAINT MATTE BLACK

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

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

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

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

UL BBB CHSMAA DENVER METRO CHAMBER INTERNATIONAL CHAMBER OF COMMERCE

Address: 201 S. COLLEGE FORT COLLINS, CO

Designer: CASEYEASTON

Sales: JOHN SHAW

Scale: Noted

Date: 2.17.20

Revisions:

X _____ Date: _____

X _____ Date: _____

Without Changes

With Changes As Shown

Electrical hookup by others.

Electrical requirements: 120V or as indicated.

All landscaping by others.

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

X _____ Date: _____

X _____ Date: _____

Design #

20-161R1Shop

Page: 1 of 1



Application Request for Variance from the Land Use Code

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

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

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

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

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

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

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

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

Date 08/05/2020

Signature

Written Statement: Zoning Variance Request

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

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

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



www.forgeandbow.com
116 N College Avenue, Suite 401, Fort Collins, CO
80524 ph: 970.797.2354

IN ASSOCIATION WITH:

ATTIC DRAWINGS/ELEVATIONS

Revised		
No.	Description	Date
1		
2		
3		
4		
5		
6		

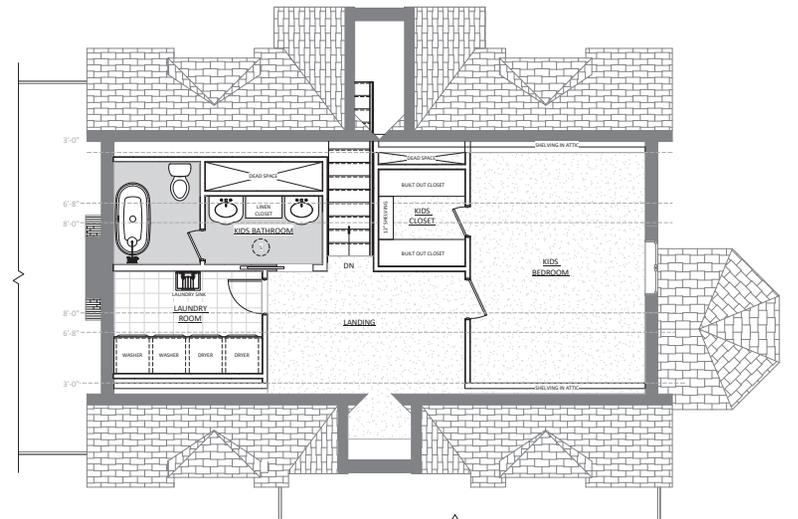
Revisions		
No.	Description	Date

**CONCEPTUAL
DRAWINGS - NOT FOR
CONSTRUCTION**

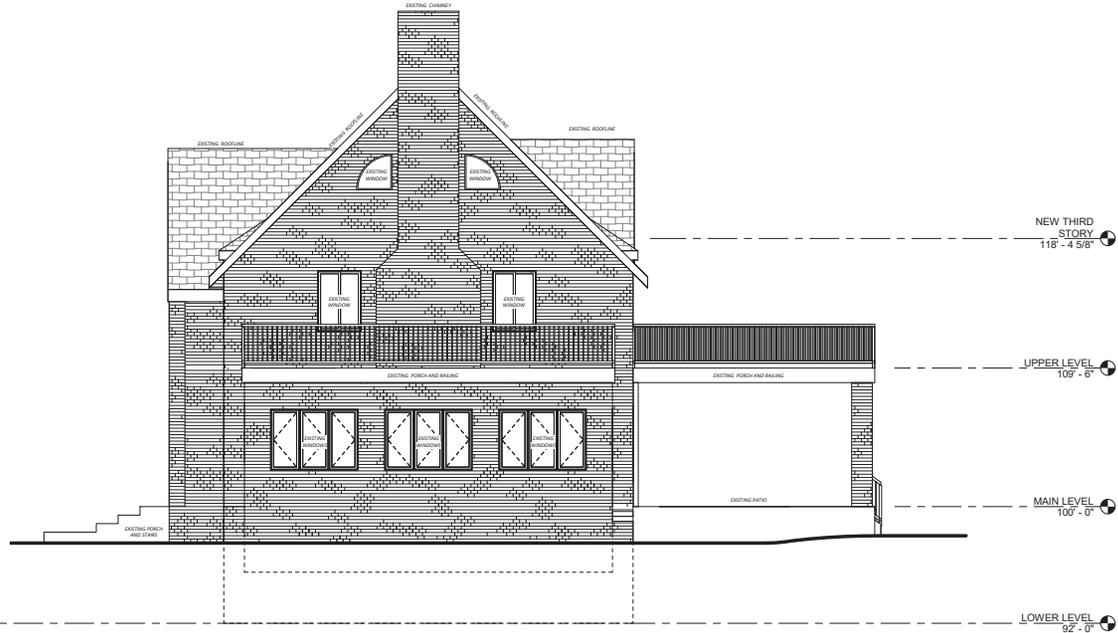
COPYRIGHT: ©2022 F&B DWELLINGS. YOU HEREBY AGREE AND WARRANT YOU WILL NOT IN ANYWAY UTILE, COPY, REPRODUCE OR IN ANY MANNER OF THE DRAWING OR ANY PART OF THESE DRAWING TO BE WRITTEN CONSIST BY F&B-DW. ALL RIGHTS RESERVED.

ATTIC FLOOR PLAN

DRAWING NUMBER:
A1.3



① PROPOSED ATTIC PLAN
1/4" = 1'-0"



② WEST ELEVATION
1/4" = 1'-0"



① SOUTH ELEVATION
1/4" = 1'-0"

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



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

IN ASSOCIATION WITH:

ATTIC DRAWINGS/ELEVATIONS

Sheet	No.	Description	Date
	1		
	2		
	3		
	4		
	5		
	6		

Revisions	No.	Description	Date

**CONCEPTUAL
DRAWINGS - NOT FOR
CONSTRUCTION**

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THESE DRAWINGS ARE THE PROPERTY OF FORGRANBOW DWELLINGS. YOU HEREBY AGREE AND WARRANT YOU WILL NOT IN ANYWAY UTILIZE, COPY, REPRODUCE OR IN ANY MANNER DISSEMINATE THE DRAWINGS OR ANY PART OF THESE DRAWINGS TO ANY OTHER PARTY WITHOUT WRITTEN CONSENT BY FORGRANBOW. ALL RIGHTS RESERVED.

EXTERIOR ELEVATIONS

DRAWING NUMBER:
A3.0



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



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

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



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

IN ASSOCIATION WITH:

ATTIC DRAWINGS/ELEVATIONS

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

**CONCEPTUAL
DRAWINGS - NOT FOR
CONSTRUCTION**

COMPILED: 8/15/2024 8:24 AM
THESE DRAWINGS ARE THE PROPERTY OF FORGI-BOW DWELLINGS. YOU HEREBY AGREE AND WARRANT THAT YOU WILL NOT IN ANY MANNER REPRODUCE, COPY, REPRODUCE OR IN ANY MANNER USE THE DRAWINGS OR ANY PART OF THESE DRAWINGS TO BE WRITTEN CONSISTENT BY FORGI-BOW. ALL RIGHTS RESERVED.

EXTERIOR ELEVATIONS

DRAWING NUMBER:
A3.1

To the City of Fort Collins Zoning Board of Appeals:

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

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

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

Marni Shreck

Name (Print)



Signature

408 E Pitkin St

Address

To the City of Fort Collins Zoning Board of Appeals:

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- *Additionally, the residence will continue to be used as a single family home. The finished attic space will not be used as a secondary dwelling unit and as such will not contain a kitchen or cooking appliance.*

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

M. WEAD

Name (Print)

[Handwritten Signature]

Signature

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

Address

To the City of Fort Collins Zoning Board of Appeals:

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

ERIK COX

Name (Print)

[Handwritten Signature]

Signature

1330 PETERSON, FORT COLLINS, CO 80524

Address

To the City of Fort Collins Zoning Board of Appeals:

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- *Additionally, the residence will continue to be used as a single family home. The finished attic space will not be used as a secondary dwelling unit and as such will not contain a kitchen or cooking appliance.*

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

Kristynn Jenkins

Name (Print)

K. Jenkins

Signature

411 E. Pitkin St. FTC CO 80524

Address



Application Request for Variance from the Land Use Code

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- (2) the proposal will promote the general purpose of the standard for which the variance is requested **equally well or better than** would a proposal which complies with the standard for which the variance is requested;
- (3) the proposal will not diverge from the Land Use Code standards except in a **nominal, inconsequential way** when considered in the context of the neighborhood.

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

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

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

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

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

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

Date 8/10/2020

Signature Ginny Sawyer

August 9, 2020

Dear ZBA,

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

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

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

Thank you for your consideration.

Sincerely,

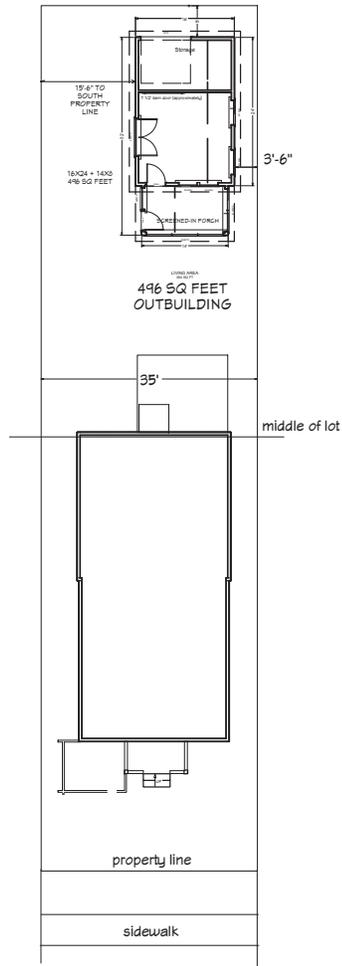


Ginny Sawyer

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

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

1" = 20'



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

Sheet: 1 of 4

1" = 20'



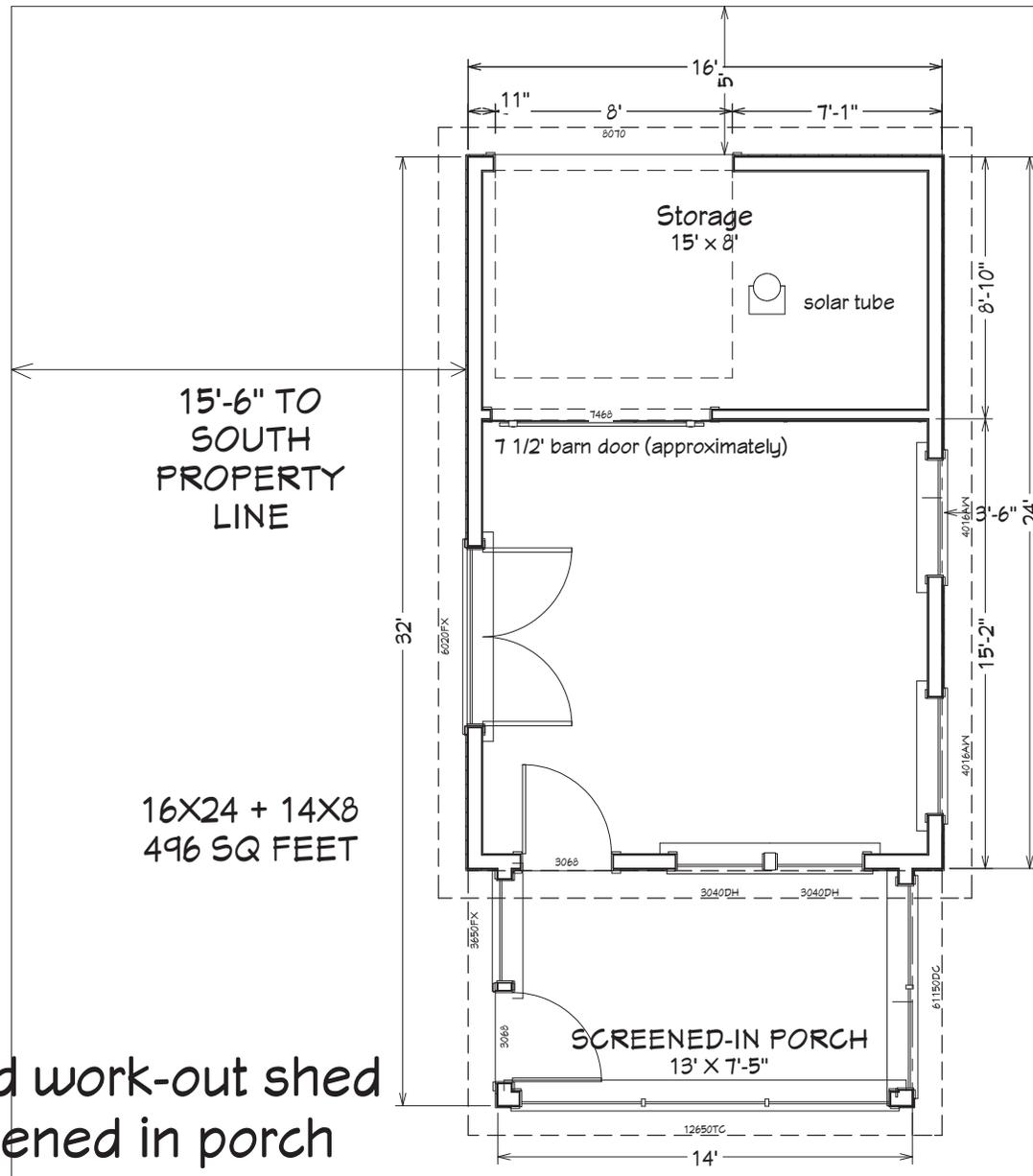
Ginny Sawyer
405 N Whitcomb
Fort Collins, CO 80521

6 Aug 2020

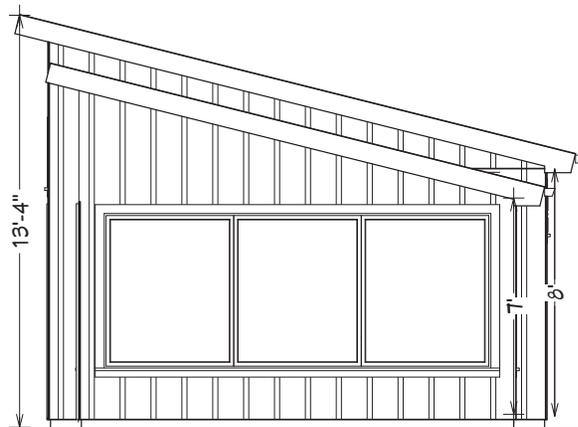


Ginny Sawyer
405 N Whitcomb
Fort Collins, CO 80521

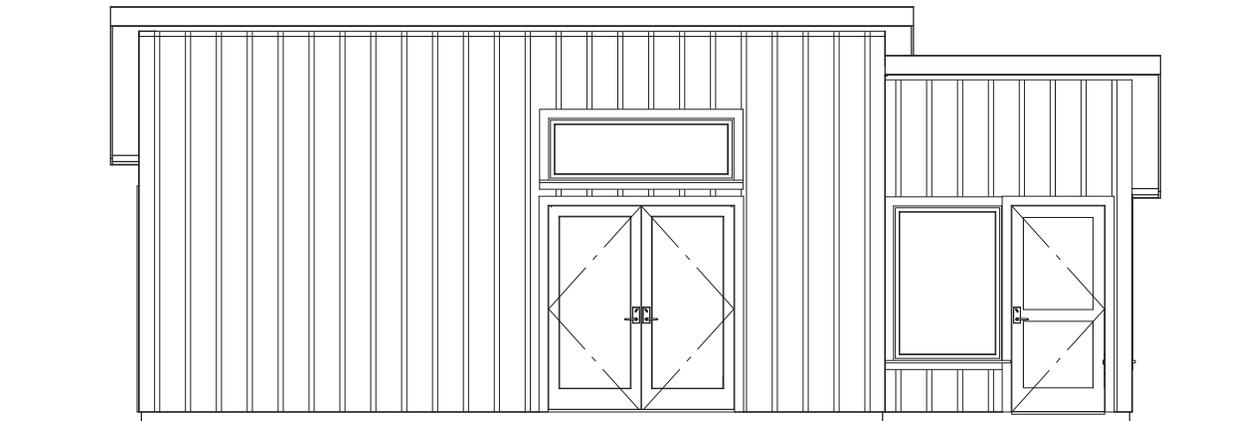
16x24 storage and work-out shed
+ east facing screened in porch



overall height
is 13'-4"



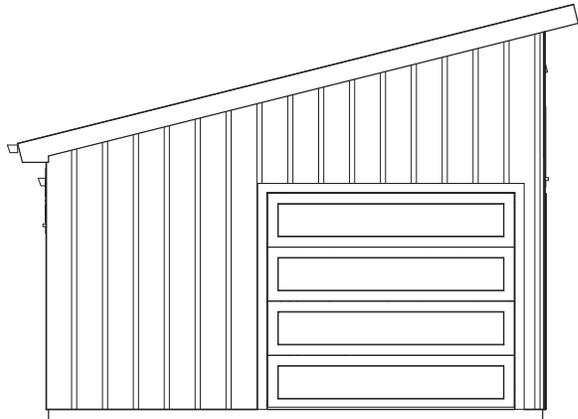
east elevation



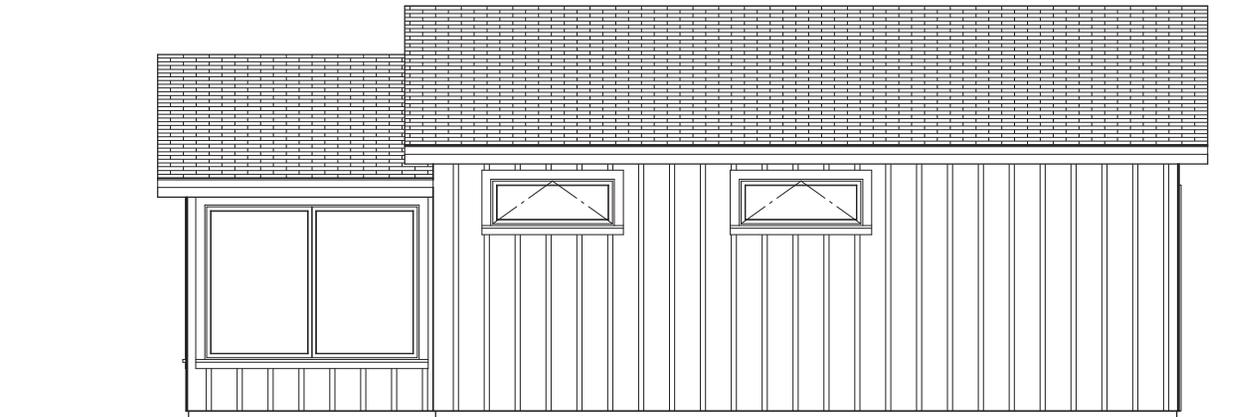
south elevation

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

Ginny Sawyer
405 N Whitcomb
Fort Collins, CO 80521



west elevation



north elevation

elevations

August 11, 2020

To Whom it May Concern,

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

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

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

Thank you for the consideration.

James Sanders



NO
PARKING











Ⓟ
NO PARKING



Application Request for Variance from the Land Use Code

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

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

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

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

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

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

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

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

Date _____

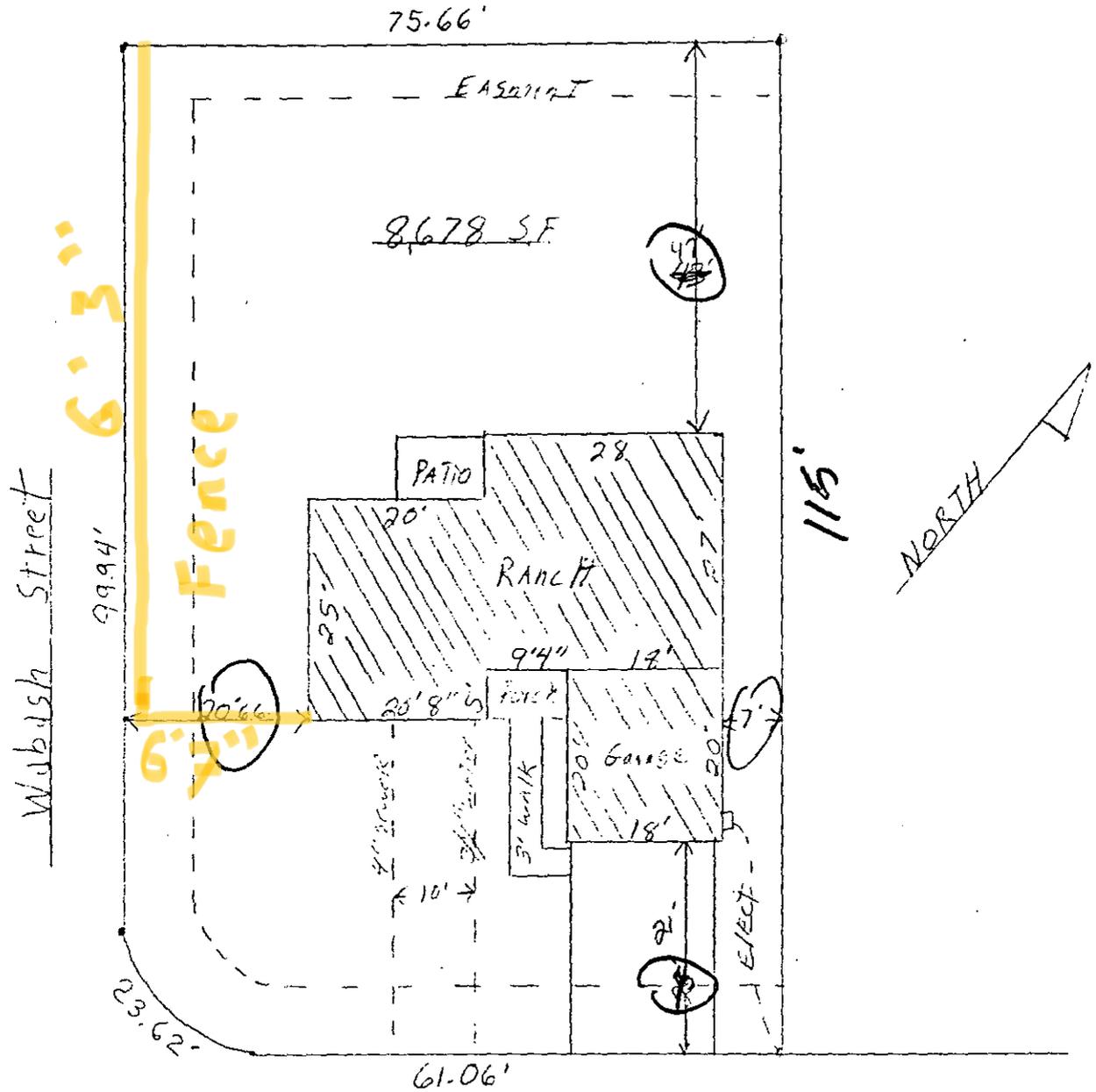
Signature _____

Written Explanation:

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

Thank you!

24723



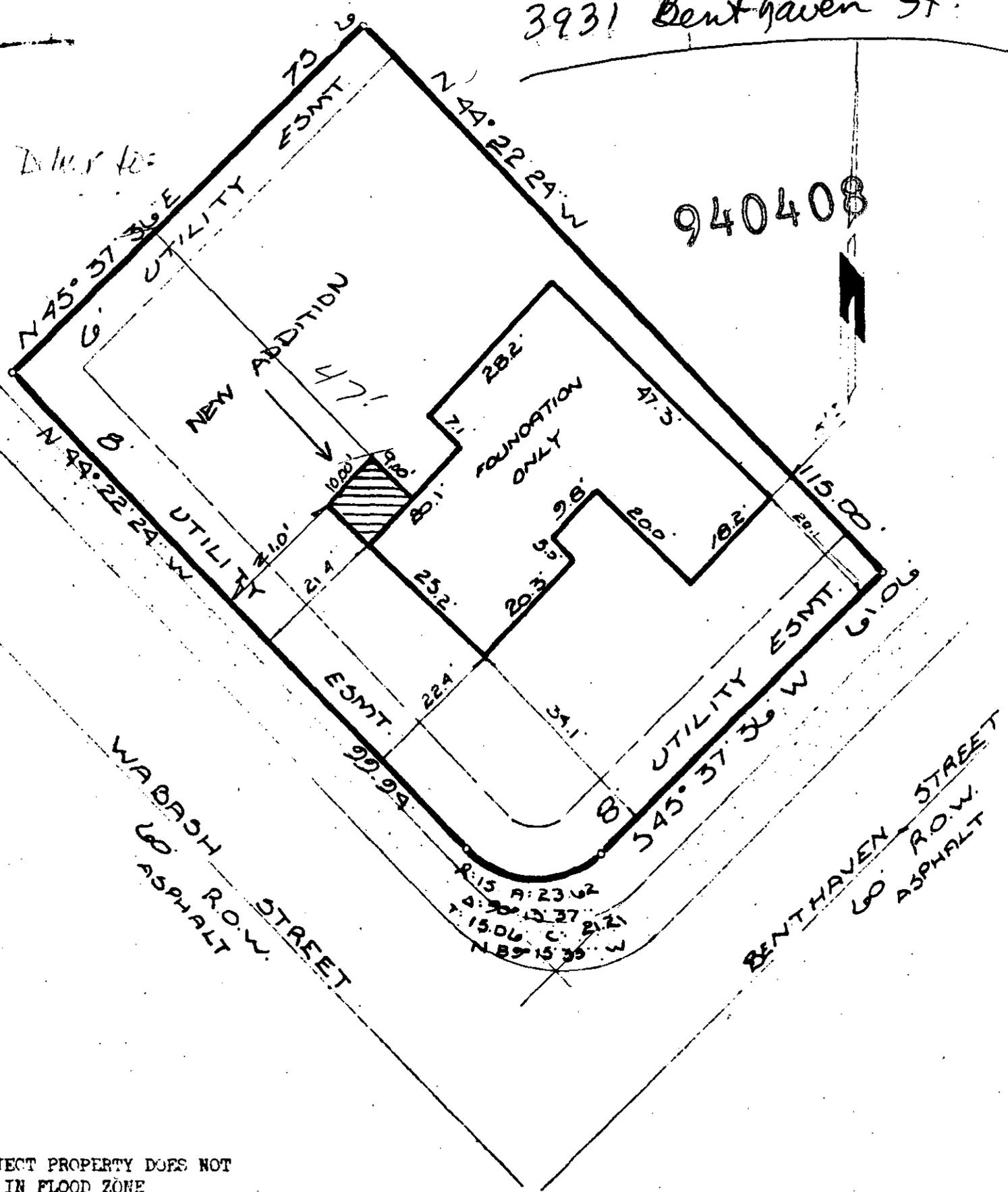
Benthaven Street
3931 Benthaven Lot 28 5th
Four Seasons

Plot Plan 1" = 20'0"

3931 Benthaven St.

940408

Water to:



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

LEGAL DESCRIPTION

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

MONUMENTS FOUND



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:

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- (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;
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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	1640 Remington Street	Petitioner’s Name, if not the Owner	Lacey Gaechter
City	Fort Collins, CO	Petitioner’s Relationship to the Owner is	Spouse
Zip Code	80525	Petitioner’s Address	1640 Remington Street
Owner’s Name	Nathaniel (Nat) Warning	Petitioner’s Phone #	(970) 817-0090
Code Section(s)	3.5.2.E	Petitioner’s Email	lacey.gaechter@gmail.com
Zoning District	(L-M-N)	Additional Representative’s Name	
Justification(s)	3. Nominal and inconsequential <input type="checkbox"/>	Representative’s Address	
Justification(s)	Additional Justification	Representative’s Phone #	
Justification(s)	Additional Justification	Representative’s Email	
Reasoning <small>If not enough room, additional written information may be submitted</small>	We would like to build a 10’ x 14’ shed, with maximum height of 12.5’ in our backyard with 3’ setbacks from the property lines of the rear and interior property lines. The proposed shed would be surrounded on all sides by other buildings (our house, our neighbor’s house, our other neighbors’ shed, and our garage),		

Date

Signature

August 11, 2020

Reasoning with Photos for variance request for 1640 Remington Street

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



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



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

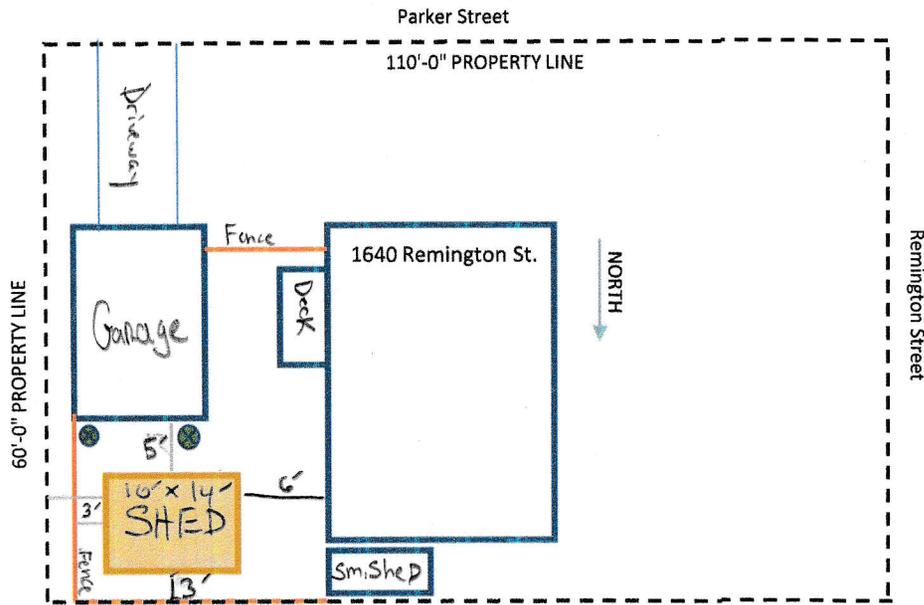


Figure 3 The proposed shed would face the back of our other neighbors' shed on its west side.



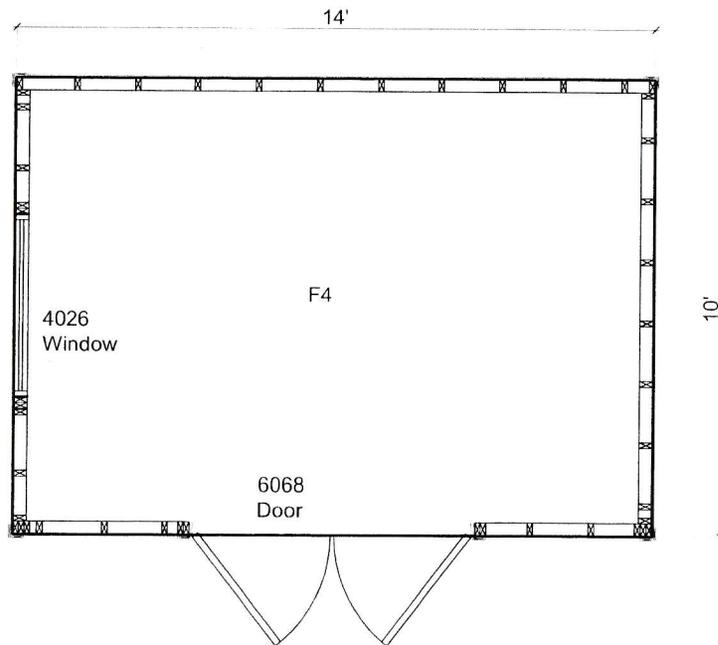
Figure 4 The proposed shed would face the back of our garage on its south side.

SITE PLAN SCALE 1"=20'



1

1640
Remington St.



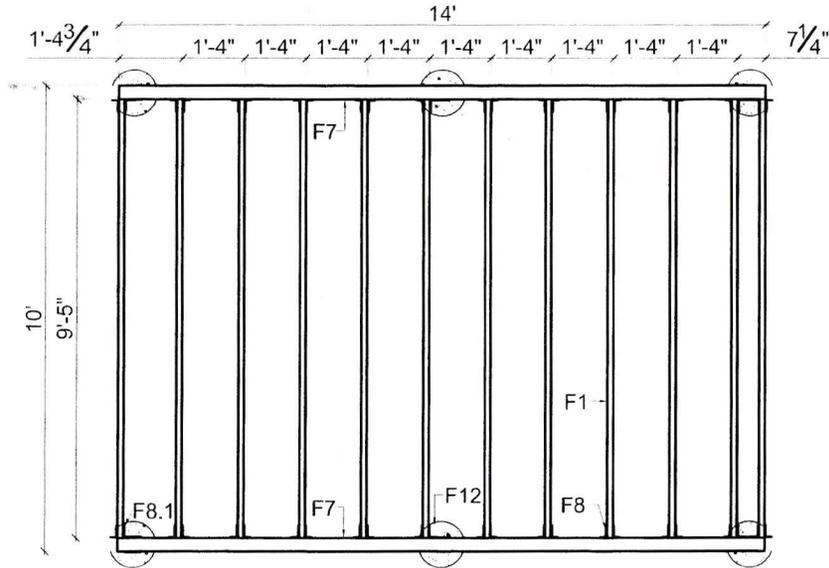
FLOOR PLAN

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

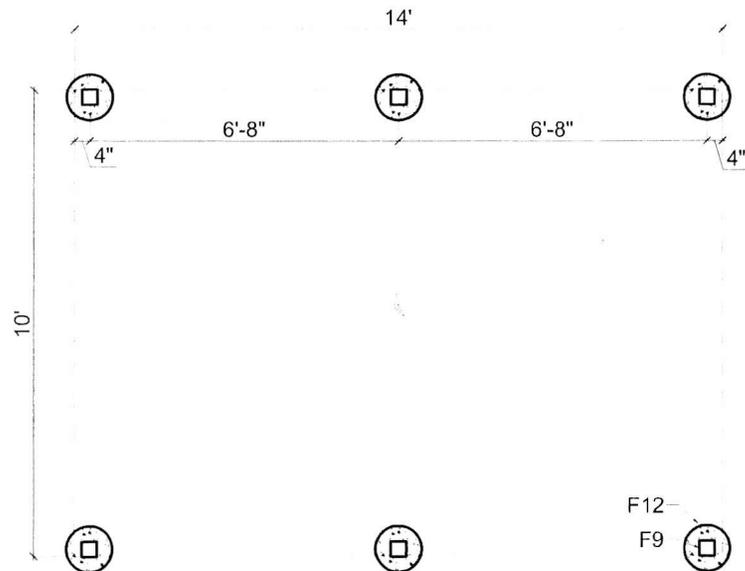
PG 2

Floor Plan **2**

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CONCRETE PIER FLOOR FRAMING PLAN



CONCRETE PIER FOUNDATION PLAN

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

BLOCK AND ROUND PIER FOUNDATION AND FLOOR FRAMING MATERIALS

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

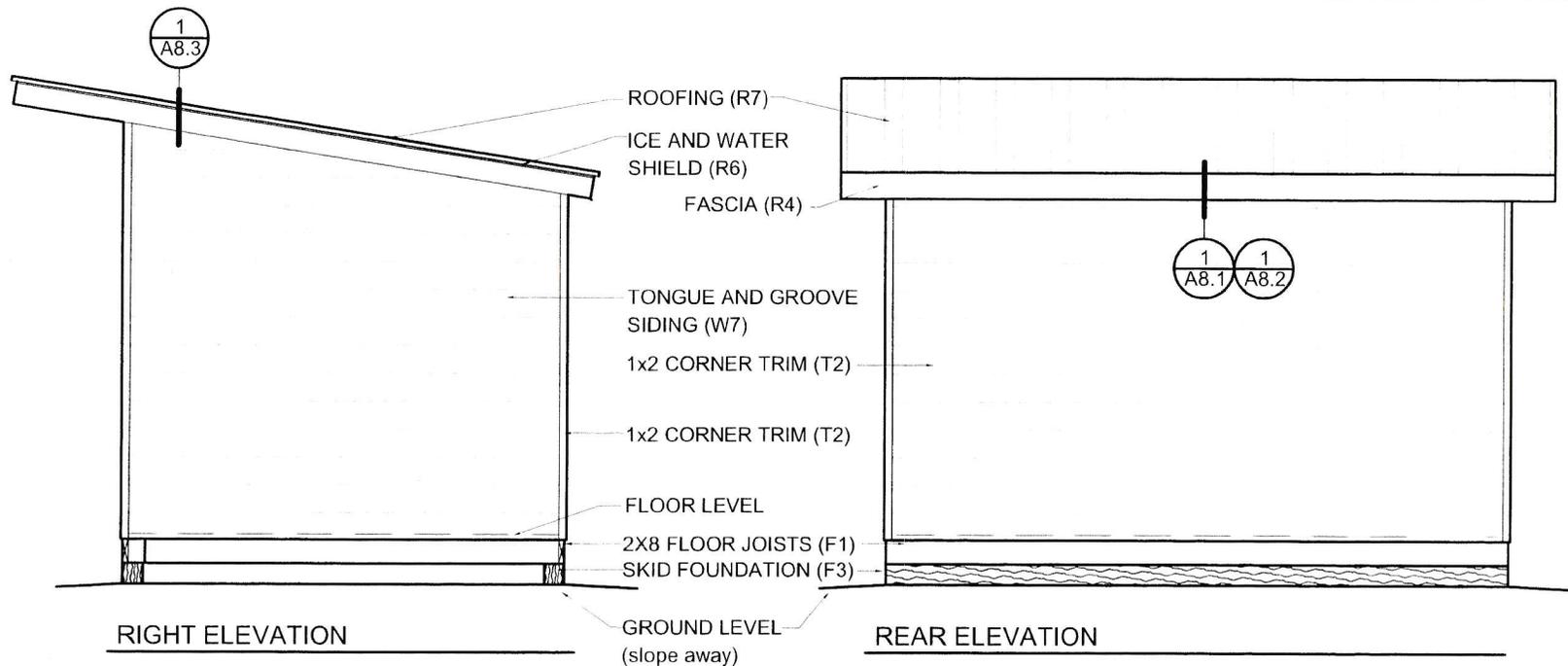
* (F8) SIMPSON HU28TF (OR EQUIVALENT) JOIST HANGER

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

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

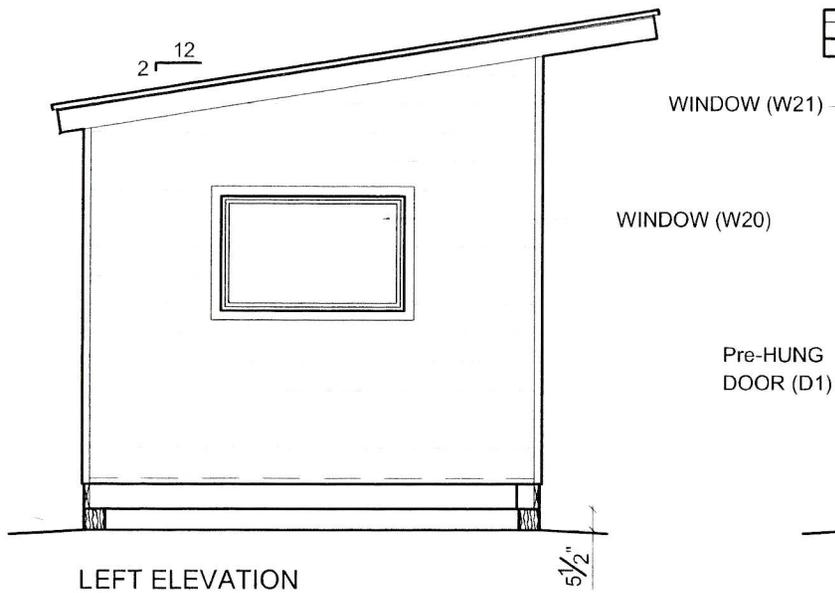
Page 5 of the AWC span tables for joists and rafters, 2012 edition says that a 2x8 floor joist at 16" on center can span 13' with a modulus of Elasticity of 1.7 at 40 lb live load and 10 lb dead load. This is the basic standard used for residential construction. Our span is only 10 feet which makes it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

POUR PIER FND. 1

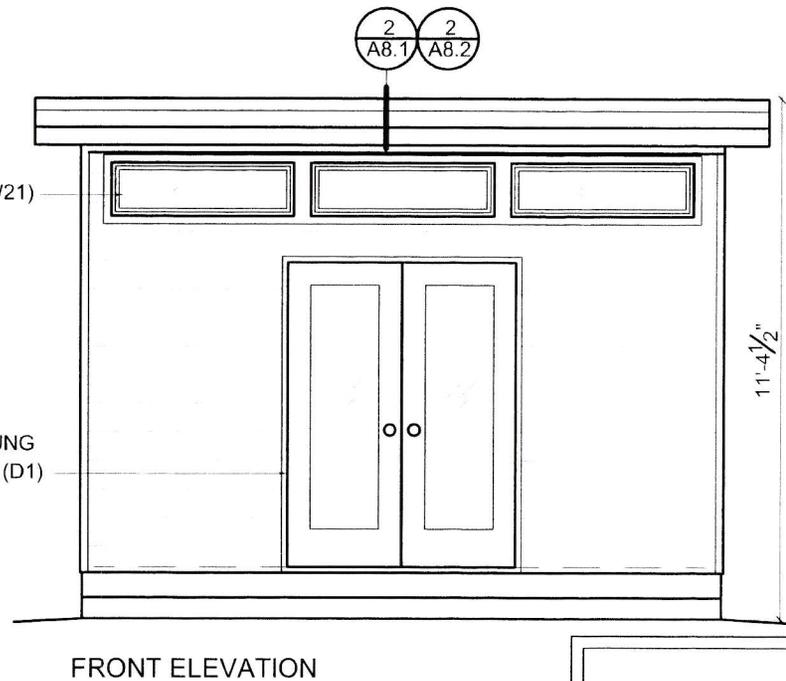


RIGHT ELEVATION

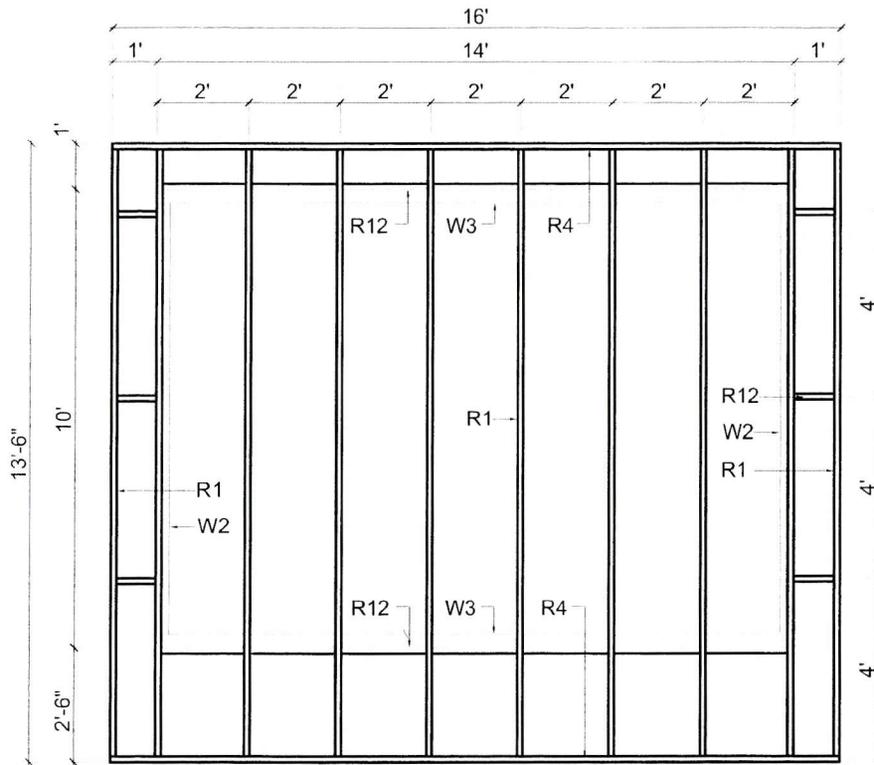
REAR ELEVATION



LEFT ELEVATION



FRONT ELEVATION



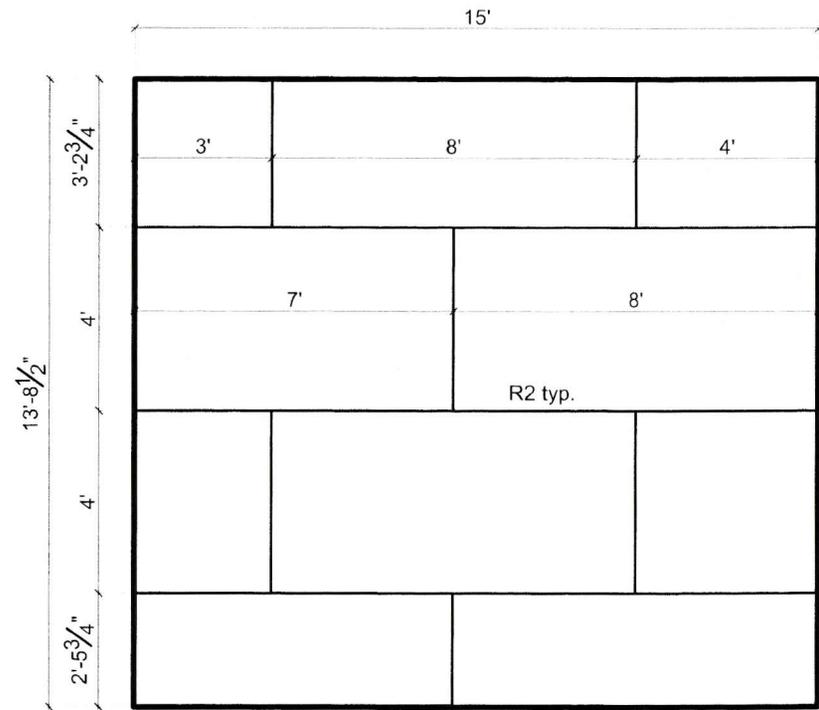
ROOF FRAMING PLAN

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

ROOF FRAMING MATERIALS

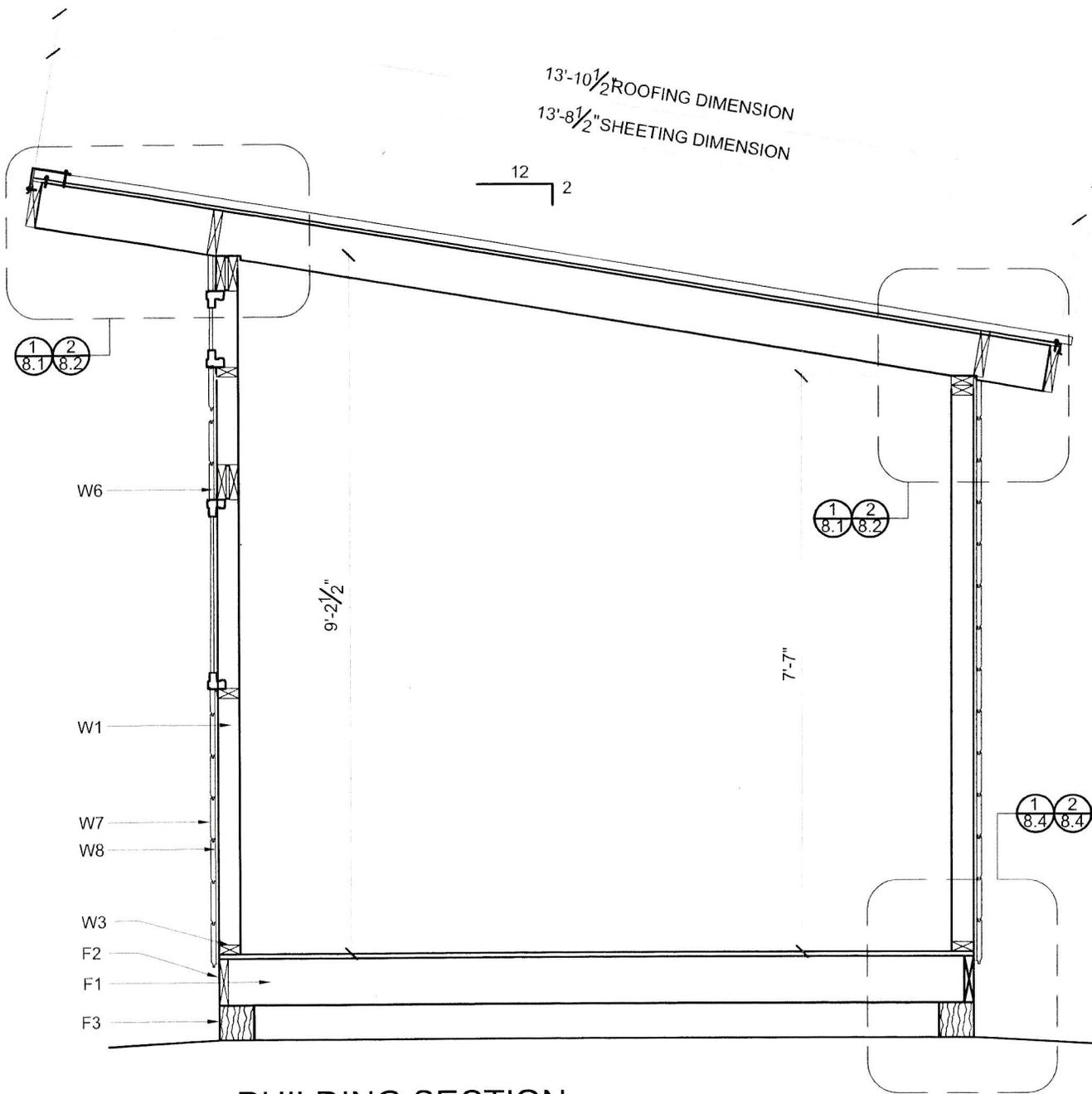
CODE	DESCRIPTION	LENGTH	QTY.
R1	2x8 Rafter	14'-0"	10
R2	Plywood Roof Sheeting	4'x8'x $\frac{7}{16}$ "	8
R4	2x8 Fascia	16'-0"	2
R12	2x6 Blocking	14'-0"	2
R15	Hurricane Tie	H2.5	12

*See exterior elevations for roofing materials.



ROOF SHEETING PLAN

PG 6



BUILDING SECTION

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

PG 7

Section **8**

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

O.S.B. SHEETING

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

DRIP EDGE

2X FASCIA

2x BLOCKING AT EACH CELL

DOUBLE TOP PLATES

T1-11 SIDING OR EQUIVALENT

2X4 WALL STUD



H1
 HURRICANE
 TIE

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

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

O.S.B. SHEETING

RAFTER (SEE ROOF FRAMING)

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

DRIP EDGE

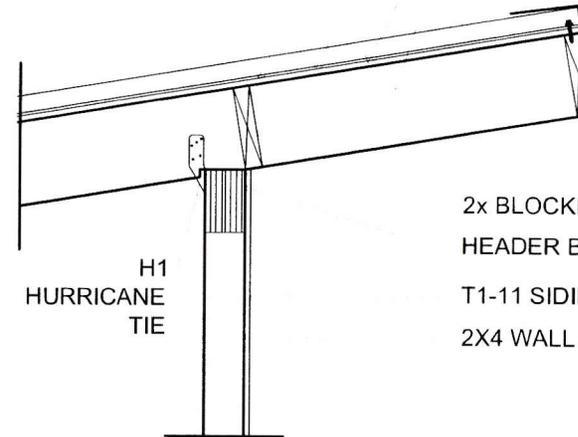
2X FASCIA

2x BLOCKING AT EACH CELL

HEADER BEAM

T1-11 SIDING OR EQUIVALENT

2X4 WALL STUD



H1
 HURRICANE
 TIE

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



BUILDING PERMIT APPLICATION

FOR OFFICE USE
APPLICATION NUMBER: APPLICATION DATE:

Job Site Address 1640 Remington Street Unit#

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

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

CONTRACTOR INFO: Company Name N/A

License Holder Name LIC # CERT #

LEGAL INFO:

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

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

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

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

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

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

ENERGY INFORMATION: (CHECK ONE)

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

Air Conditioning? YES NO

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

UTILITIES INFO: Gas Electric Electric Temp. Pedestal Yes No

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

ZONING INFO: (COMMERCIAL USE ONLY)

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

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

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

Existing Tenant New Tenant

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

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

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

If yes, please describe:

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

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

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

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

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

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

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

Applicant Signature  Type or Print Name Nat Warning
Phone # (970) 817-3971 Email natwarning@gmail.com

THIS APPLICATION EXPIRES 180 DAYS FROM APPLICATION DATE