CITY OF BOULDER
BOARD OF ZONING ADJUSTMENT
MEETING AGENDA

DATE: Thursday, May 14, 2015
TIME: Meeting to begin at 5 p.m.
PLACE: Council Chambers, 1777 Broadway, 2nd Floor

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE GIVEN BY THE CITY OF BOULDER, BOARD OF ZONING ADJUSTMENT, AT THE TIME AND PLACE SPECIFIED ABOVE. ALL PERSONS, IN FAVOR OF OR OPPOSED TO OR IN ANY MANNER INTERESTED IN ANY OF THE FOLLOWING VARIANCES FROM THE LAND USE REGULATIONS, TITLE 9, BOULDER REVISED CODE 1981; MAY ATTEND SUCH HEARING AND BE HEARD IF THEY SO DESIRE. (APPLICANT OR REPRESENTATIVE MUST APPEAR AT THE MEETING.)

1. **CALL TO ORDER**
   - **A.** Swearing in of the new board member.

2. **BOARD HEARINGS**

   Docket No.: BOZ2015-01
   Address: 2222 21st Street
   Applicant: Joanna Berman & Charles Ince

   Setback Variance: As part of a proposal for a second story addition to an existing non-standard single family residence, the applicant is requesting a variance to the front and rear yard setback requirements of the RMX-1 zoning district. The resulting front yard setback facing southwest will be approximately 22 feet where 25 feet is required and 20 feet exists today. The resulting rear yard setback facing northeast will be approximately 10.6 feet where 25 feet is required and 5 feet exists today. Section of the Land Use Code to be modified: Section 9-7-1, BRC 1981.

3. **GENERAL DISCUSSION**
   - **A. Approval of Minutes:** The February 12, 2015 BOZA minutes are scheduled for approval.
   - **B. Matters from the Board**
   - **C. Matters from the City Attorney**
   - **D. Matters from Planning and Development Services**

4. **ADJOURNMENT**

For more information call Brian Holmes or Susan Meissner at 303-441-1880 or via e-mail holmesb@ci.boulder.co.us. Board packets are available at the Boulder Public Main Library's Reference Desk, or at the Planning Department reception area.

*** * * SEE REVERSED SIDE FOR MEETING GUIDELINES * * ***

CITY OF BOULDER
BOARD OF ZONING ADJUSTMENT
MEETING GUIDELINES

CALL TO ORDER

The board must have a quorum (three members present) before the meeting can be called to order.

AGENDA

The board may rearrange the order of the agenda or delete items for good cause. The board may not add items requiring public notice.

ACTION ITEMS

An action item requires a motion and a vote. The general format for hearing of an action item is as follows:

1. **Presentations**
   - Staff presentation.*
   - Applicant presentation.*Any exhibits introduced into the record at this time must be provided in quantities of seven to the Board Secretary for distribution to the board and admission into the record.
   - Board questioning of staff or applicant for information only.
2. **Public Hearing**

   Each speaker will be allowed an oral presentation.*
   - Speakers should introduce themselves, giving name and address. If officially representing a group, homeowners' association, etc., please state that for the record as well.
   - Speakers are requested not to repeat items addressed by previous speakers other than to express points of agreement or disagreement. Refrain from reading long documents, and summarize comments wherever possible. Long documents may be submitted and will become a part of the official record. When possible, these documents should be submitted in advance so staff and the board can review them before the meeting.
   - Speakers should address the Land Use Regulation criteria and, if possible, reference the rules that the board uses to decide a case.
   - Any exhibits introduced into the record at the hearing must be provided in quantities of seven to the Board Secretary for distribution to the board and admission into the record.
   - Citizens can send a letter to Planning and Development Services staff at 1739 Broadway, Boulder, CO 80302, two weeks before the board meeting, to be included in the Board packet. Correspondence received after this time will be distributed at the board meeting.
3. **Board Action**
   - Board motion. Motions may take any number of forms. With regard to a specific development proposal, the motion generally is to either approve the project (with or without conditions), to deny it, or to continue the matter to a date certain (generally in order to obtain additional information).
   - Board discussion. This is undertaken entirely by members of the board. The applicant, members of the public or city staff participate only if called upon by the Chairperson.
   - Board action (the vote). An affirmative vote of at least three members of the board is required to pass a motion approving any action. If the vote taken results in a tie, a vote of two to two, two to one, or one to two, the applicant shall be automatically allowed a rehearing. A tie vote on any subsequent motion to approve or deny shall result in defeat of the motion and denial of the application.

MATTERS FROM THE BOARD, CITY STAFF, AND CITY ATTORNEY

Any board member, Planning and Development Services staff, or the City Attorney may introduce before the board matters, which are not included in the formal agenda.

*The Chairperson, subject to the board approval, may place a reasonable time limitation on presentations.

City of Boulder Planning and Development Services
1739 Broadway, third floor • PO Box 791 • Boulder, CO 80306
Phone: 303-441-1880 • Fax: 303-441-3241 • Web: boulderplandevelop.net

BOZA
VARIANCE APPLICATION

**APPLICATION DEADLINE IS 4:00 P.M. ON THE THIRD WEDNESDAY OF EACH MONTH.
MEETING DATE IS 5:00 P.M. ON THE SECOND THURSDAY OF THE FOLLOWING MONTH.**

Submittal of inaccurate or incomplete information will result in rejection of the application.

GENERAL DATA

(To be completed by the applicant.)

- Street Address or General Location of Property: 2222 21ST STREET
- Legal Description: Lot B Block _____ Subdivision JACOBS (Or attach description.)
- Existing Use of Property: SINGLE FAMILY
- Description of proposal:

ADDITION OF 2 BEDROOMS AND A BATHROOM TO THE SECOND FLOOR OF AN EXISTING 2 STORY SINGLE FAMILY HOME.

*Total floor area of existing building: 1,950 SF	*Total floor area proposed: 2,309 SF
*Building coverage existing: 1,265 SF	*Building coverage proposed: 1397 SF
*Building height existing: 27'-1	*Building height proposed: 27'-1

*See definitions in Section 9-16-1, B.R.C. 1981.

- **Name of Owner:** JOANNA BERMAN & CHARLES INCE
- Address: 2222 21ST STREET Telephone: _____
- City: BOULDER State: CO Zip Code: 80302 FAX: _____
- **Name of Contact (if other than owner):** PHIL McEVOY ARCHITECT
- Address: 5377 MANHATTAN CIRCLE Telephone: _____
- City: BOULDER State: CO Zip Code: 80303 FAX: _____

STAFF USE ONLY

Doc. No. _____ Date Filed _____ Zone _____ Hearing Date _____
Application received by: _____ Date Fee Paid _____ Misc. Rect # _____

APPLICATION TYPES

- ☐ Setback Variance
- ☐ Sign Variance
- ☐ Mobile Home Spacing Variance

APPLICATION REQUIREMENTS

As a minimum, the following items **MUST** be attached and hereby made a part of this application:

- If applicant is other than owner, the written consent of the owners of the property for which the variance is requested;
- An Improvement Location Certificate or Site Improvement Survey and legal description by a registered surveyor (**11 copies**);
- A site development plan including building heights, setbacks, and proposed floor area (**11 copies**);
- A demolition plan differentiating between proposed and remaining portions of the structure (**11 copies**);
- A written statement thoroughly addressing the criteria for approval - see following pages (**11 copies**);
- Any other information pertinent to the request (**11 copies**);
- An application fee (as prescribed in Section 4-20-43, B.R.C. 1981);
- Sign Posting Acknowledgement Form - see last page.

NOTE: The applicant is responsible for posting the property in compliance with city requirements. Signs will be provided to the applicant at the time of submission of the application. The applicant will submit a posting affidavit within 10 days of the date of application. Failure to submit the affidavit may result in the postponement of the hearing date.

NOTE: SEE SECTION 9-2-3(I), B.R.C. 1981 FOR VARIANCE EXPIRATION INFORMATION

Applicant / Owner Signature Joan Berman Date 4/14/15

4/14/15

Date: April 29, 2015

Project: 2222 21st Street, Boulder, CO

Regarding: Variance for Second Floor Addition

Subject: Written Description for Variance Review and Approval

To: Board of Zoning Adjustments
Brian Holmes, Zoning Director

Copy to: Joanna Berman and Charles Ince
Owners and Applicant

From: Phil McEvoy, Architect
Railton McEvoy Architects, Boulder, P.C.

Discussion:

Purpose

The purpose of this Written Description is to describe the need for a Variance to expand the existing home at 2222 21st Street.

Project History

The existing two story home at 2222 21st Street was originally constructed in 1993 with approximately 1,683 square feet (SF) plus a detached one-car garage and a 313 SF covered porch at grade. At that time it was approved under Land Use Rules for Medium Density Residential - Established (MR-E). Since construction, the Zoning has changed to Residential Mixed 1 (RMX-1) and the house is now defined as a Non-Standard Building.

In 1993 the original lot at 2104 Mapleton Avenue was subdivided and the subject house was built under Land Use Rules in place at that time, commonly described as the House Behind a House ordinance. The applicant contacted the City Planning Office and subsequently the City Attorney, to see how the home could be expanded under current zoning regulations. When the home was constructed, it was placed on the lot with a 20'-foot front yard setback and a 5'-0" rear yard setback. Both of these are required to be 25 feet under current Land Use regulations. Also, the north side yard setback is 4'-0" where 5 feet is the minimum today. The current owners purchased the home as is and did not construct the home in these required setbacks.

The following insert includes the complete response issued March 2, 2015, by Chris Toebe, Project Specialist Coordinator, as to the research of the project history. The answer by Chris Toebe is followed by the original question posed by the owner's attorney:

Hi Brad,

Thank-you again for your patience regarding the written interpretation which we should be getting to you in a few weeks.

Regarding your question on the setbacks. The written interpretation will mirror our previous discussions with the following general understanding regarding the property at 2222 21st Street. The residence on the property was originally permitted per the allowances of Boulder Revised Code Section 9-3-33 (contemporary code citation 9-7-12). Regarding 2222 21st Street, the property was zoned Medium Density Residential – Established (MR-E) at the time of permitting in 1993. Subsequently, the property has been re-zoned to the current designation of Residential - Mixed 1 (RMX-1). The property was also subdivided in 1997, per the allowances of Boulder Revised Code Section 9-3-33. The interpretation that current code section 9-7-12 does not apply to 2222 21st Street is due to the fact that the subdivision agreement did not recite the conditions of then section 9-3-33, and that the zoning has changed to RMX-1 which per 9-7-12, does not allow for development of this nature.

Since the structures on 2222 21st Street were developed per the allowances of 9-3-33 (contemporary code citation 9-7-12), and as noted above, this code section is no longer applicable to this property, the structures are now subject to the setback, height, building coverage requirements of Section 9-7-1, "Schedule of Form and Bulk Standards," and the floor area ratio requirements of Section 9-8-1, "Schedule of Intensity Standards," and Section 9-8-2, "Floor Area Ratio Requirements," B.R.C. 1981.

Since the residence on 2222 21st Street does not fully comply with the requirements noted above, most specifically regarding building setbacks, the structure is considered a "non-standard building or structure" (click here).
As a non-standard building or structure, the provisions of Title 9-10, Nonconformance Standards, most specifically 9-10-3 (click here), apply.

An addition to the existing residence would constitute a modification to a nonstandard building or structure. Per 9-10-3(a)(3), a modification to a nonstandard building or structure may be granted only if a variance is granted pursuant to Section 9-2-3, "Variances and Interpretations," B.R.C. 1981.

Let me know if you have any questions.

Sincerely,

Chris Toebe, AICP
Project Specialist Coordinator
City of Boulder
Planning and Development Services Center

From: Brad Curl [mailto:brcurl@j-rlaw.com] **Sent:** Wednesday, February 25, 2015 10:41 AM**To:** Toebe, Chris**Cc:** Charles Ince; Joanna Berman; Pannewig, Hella; Phil McEvoy**Subject:** RE: 2222 21st St

Chris,

Thanks for your call last week. Based upon our discussion, I understand that we are on the same page regarding the fact that (a) the "house behind a house" rules do not apply to this property; and (b) the property is subject to the underlying zoning requirements. I know that you are busy and that it may take a couple of weeks for you/Brian to circulate an official response to that effect.

In the interim, I would like to raise one additional issue. In particular, you indicated that the City believes that a BOZA-level variance approval would be required for any addition because the house currently violates the front and rear setback requirements for this particular zone (25' in each case). I took a look back at the file and do not believe that a variance is required. Specifically, the City has already approved the current location of the house at least twice and any addition proposed by the owner would not extend further into the setback.

As an initial matter, the City previously approved the building permit for the property, which established the residence in its current location. In addition, the City subsequently approved and executed the Subdivision Agreement (copy attached), the stated purpose of which was to "[insure] that all ordinances and regulations of the City are met," and which specifically required that construction comply with Section 9-5 of the Code regarding zoning requirements. At the time of the Subdivision Agreement, the residence was already constructed in its current location, so the City's execution of the Subdivision Agreement confirmed that the residence met the zoning requirements, including the setback requirements. Moreover, the City's approval of the subdivision confirmed the City's determination that the subdivision satisfied "the requirements of [the] code, the City of Boulder Design and Construction Standards and other ordinances of the City or requirements determined by the city manager to be necessary to protect the public health, safety or welfare. . ." Code, §9-12-10.

The owners do not intend to construct any portion of an addition any closer to the property lines than the existing improvements, the location of which the City has already approved on several occasions. As a result, I do not believe that a variance for that sort of addition would be required.

Please take a look and let me know your thoughts.

Thanks,
Brad

Brad R. CurlJohnson & Repucci LLP2521 Broadway, Suite ABoulder, CO 80304phone: 303-442-1900fax: 303-442-0191

As written in Chris Toebe's summary above, any modification to the home will constitute a change to a nonstandard building and must be processed as a Variance under Section 9-2-3, "Variances and Interpretations".

The Applicant

Current owners of the property are Joanna Berman and Charles Ince. They purchased the home in June of 2014 with plans to expand the house to accommodate a young and growing family. Joanna and Charles currently have 3 year old twins, both a boy and a girl that share the extra second floor bedroom. They acknowledge that this sleeping arraignment will only continue for so long, as the kids are growing up. The owners would like to add two bedrooms and a shared bathroom to the upper level so that each child can have a private bedroom and also have space for more children. Since the children are young, they would like to keep their bedrooms on the same level as the master bedroom. An additional bathroom is necessary as there is only a master bath currently available on the second floor with access restricted through the master bedroom.

Both Joanna and Charles work in the core area of Boulder, within walking distance of this house. They also selected this neighborhood for the nearby schools which are a safe walking distance away. Their goal upon purchase of the home was to be able to grow the family in place and not relocate to a more remote neighborhood or face the option of commuting with thousands of other commuters. They would prefer to invest in improvements to their existing home, even though other Boulder county cities may offer less expensive real estate.

The Proposal

Joanna and Charles would like to expand the second floor of the home to provide additional bedrooms and one associated bathroom on the same level adjacent to the existing master bedroom. This location works well from a design stand point, as it will preserve the first floor covered porch, an important outdoor living space on a small urban lot. This existing upper level has an uncovered deck of approximately 250 SF, most of this uncovered deck, which currently leaks after snow storms and heavy rains will be replaced by the proposed addition. About 60 SF of the uncovered deck will remain on the west side of the home and will be repaired as part of the work.

On the first floor, we are planning to expand the entry on the southwest corner. The home is lacking storage throughout so a proper Mud Room would be a valuable amenity. This 70 square foot space is completely in compliance with the Land Use Regulations identified by staff. While this addition is shown on the first floor plan, as a part of this Application, the Mud Room does not require a Variance.

As designed, the addition is compatible with the existing home. It incorporates steep gable roofs, such as the bedroom facing south, and has secondary shed roofs for smaller elements such as the new second floor bathroom on the southeast side. The southwest corner bedroom is also covered with a shed roof that is held back from the remainder of the upper level so it is secondary to the larger roof shapes. The addition will be built at the same ridge height as the original roof, keeping the west facing gable roof the dominate element in the street facade. Compatible windows have been proposed to offer a seamless addition to the original house using the same horizontal lap siding, window trim and corner boards as the existing house.

The proposed addition is modest in size. We have restricted the size such that the west wall will not extend farther to the west than the second floor of the existing house, thus maintaining the established front yard setback of 22'-0". On the south side, the addition will not extend further south than the existing kitchen,

thus maintaining the south side yard setback of 28'-0", which is compliant with current regulations. To the east side, the addition is held back as far as possible from the east property line while still adding a modest bathroom that is 5 feet wide. This bathroom has been added above a portion of the kitchen and will have a rear yard (east side) setback of 10'-7" where 25 feet is required.

Keeping the second floor restricted to the limits established by the first floor on the south and west sides leads to modest sized rooms. As proposed, Bedroom No. One will be 10'-1" X 10'-5", Bedroom No. Two will be 10'-1" X 10'-1" and the Bathroom will be 5'-0" X 8'-6" as measured inside the rooms. The hallway serving the rooms will be 3'-4" wide. The existing home has the following and proposed setbacks measured in feet:

SIDE	REQUIRED SETBACK	EXISTING SETBACK	PROPOSED SETBACK
FRONT (West Side)	25 FT	20.0 FT (Measured at Tower)	22.0FT* (At 2nd Floor Addition)
REAR (East Side)	25	5.0	10.6* (At addition only)
SIDE (North Side)	5	4.0 (Measured at Tower)	4.0 (Measured at Tower)
SIDE (South Side)	15	28.0	28.0

* Setback requires a Variance.

The Area Summary of the home below, itemizes existing and proposed square footage:

LEVEL	EXISTING SF	ADDITIONAL SF	PROPOSED SF
FIRST FLOOR	998	70	1,068
PORCH	313	<69>	244
SECOND FLOOR	685	288	973
UPPER DECK	251	<191>	60
	2,247	98	2,345

A Building Area and Maximum Building Coverage Worksheet has been attached with this application to show that the entire project as proposed, with the garage included, meets the Compatible Neighborhood requirements of the Land Use Regulations. A Bulk Plane Exhibit is also attached showing compliance.

For the RMX-1 Zone and a lot size of 4,023 SF (4,060 SF per County Assessor), we calculate an allowable total building area of 2,955 SF. The proposed home and garage added together will total 2,308 SF, leaving 647 SF left unused. For Site Coverage in this zone, with a 4,023 SF lot, we calculate a maximum allowable Site Coverage of 1,649 SF. The proposed home and garage combine for a total Site Coverage of 1,397 SF, leaving 252 SF of Site Coverage unused. The proposed addition also meets the requirements of

Solar Access Area II.

Compatibility

For compatibility, we compared our proposal to the lot size, home size and number of stories of the immediately adjacent neighbors that face onto this block face of 21st Street. Below is a table of the neighboring addresses, homes sizes and lot sizes compared to our proposal. We have included finished, living square footage and have omitted garages, decks and porches as reported on the Assessors Web site:

ADDRESS	NO. OF STORIES	LOT SIZE (SF)	ABOVE GRADE FINISHED SQUARE FOOTAGE (SF)
2056 Mapleton Ave.	2	4,631	2,246
2225 21st Street	2	2,759	1,120
2041 Pine Street	2	7,127	2,173
2104 Mapleton Ave.	2	4,433	2,011
2222 21st Street	**2**	**4,023**	**2,041**
2220 21st Street	2	3,241	1,453
2103 Pine Street	2	3,685	1,717

As designed and presented with this application, the building design will be compatible with the existing home and the established neighbors. The design follows the established architecture of the original house incorporating steep gable shaped roofs, shed roofs, horizontal siding, double hung windows and painted corner boards and window trim. These architectural elements are compatible with the existing neighbors. Below are views of the neighboring homes, on the same block face, as viewed from 21st Street.

2056 Mapleton Ave. Home Northwest of Site

2225 21st Street Home Due West of Site

2041 Pine Street Home Southwest of Site

2104 Mapleton Ave. Home Directly North of Site

2220 21st Street

Home Due South of Site

2103 Pine Street

Home 2 Doors South of Site

Criteria for Variance Review

(1) Physical Conditions or Disability

Unusual physical circumstances: The existing house was approved for a Building Permit in 1993. It was permitted with the existing setbacks as constructed. The lot size was established and approved as 4,023 SF. The lot was laid out with 60.05 feet of depth and 67.0 feet of frontage or lot width. Due to the small size of the lot, there is only a 10 foot wide strip of in the middle of the lot that can be modified without a variance for the building setbacks. See attachments.

The unusual circumstances or conditions do not exist throughout the neighborhood: A review of aerial mapping provided by the City of Boulder, with superimposed lot lines, indicates that the House Behind a House redevelopment of the Whittier Neighborhood has taken place on roughly one out of 7 lots. Usually the House Behind a House subdivisions took place at corner lots, such as the subject site. Most residential lots in the neighborhood have roughly 7,000 square feet, while this site has a 4,023 SF lot.

Because of such physical circumstances or conditions the property cannot reasonably be developed in conformity with the provisions of this chapter: The existing house was approved for a Building Permit in 1993. It would have been approved under Section 9-3-33 Boulder Revised Code at that time. The property was later subdivided in 1997. The conditions of the subdivision did not include the requirements of then Section 9-3-33 and the zoning subsequently changed to RMX-1. Staff has determined any addition to the existing home will require a variance under Section 9-2-3. As noted above in Chris Toebe's e-mail, the structures are now subject to the setback, height, building coverage requirements of Section 9-7-1, "Schedule of Form and Bulk standards", and the floor area ratio requirements of Section 9-7-1, "Schedule of Intensity Standards", and Section 9-8-2, "Floor Area Ratio Requirements", B.R.C. 1981. In order to add a modest addition as described above, while limited to established setbacks awarded the original house, two of the required setbacks (front and rear) cannot be met.

Any unnecessary hardship has not been created by the applicant: Since the applicant purchased the home as it is, they have not created this hardship. The home as constructed was approved for a Building Permit when constructed in 1993, when the existing setbacks were established.

(5) Requirements for All Variance Approvals

(A) The proposed design will not alter the character of the neighborhood and has been designed to be compatible and seamless with the original home and this has been shown to be harmonious with the established neighborhood.

(B) While the proposed second floor addition does expand the bulk of the existing home, the addition is located on the south side of the house, and is therefore adjacent to the rear yard of the adjacent neighbor (2106 Mapleton Ave.) to the east. Only a small portion of the additional bathroom will be visible from the adjacent home. The existing neighbor to the north is completely screed from view of the addition by the location of the original home. The immediate neighbor to the south (2220 21st Street) is separated from the site by an alley and the large south side setback of 28 feet. This neighboring house is a full 2 story design so it is similar in size, height and is compatible with our proposed design.

(C) The proposed design for the upper level of the home is based upon modest room sizes and hallway as noted in the written statement above. We have self-limited the addition to the established exterior walls of the home and we have set the bathroom as far from the east property line (rear yard) as possible while still fitting in a minimal 5 foot wide bathroom space. Since the addition mostly covers a second floor waterproof deck, the site coverage calculation is only changed slightly. The amount of open space on the lot is minimally changed by the addition of the Mud Room and this additional space on the first floor does not require a Variance.

(D) The proposed addition meets the requirements of Solar Access Area II. Since the gable shaped roof that faces south will be shifting slightly to the west, the shadows cast to the east will actually be slightly reduced.

Conclusion

The owners have been advised by staff that the only path to adding square footage to the existing home will require the requested Variance to Section 9-7-1, Schedule of Form and Bulk Standards as follows:

1. Front Yard Setback request of 22.0 feet where 25 feet is required.

2. Rear Yard Setback request of 10.6 feet where 25 feet is required.

Attachments

1. Site Plan showing Mud Room addition on the first floor in scale to the site.

2. Site Plan showing Second Floor addition in scale to the site.

3. Bulk Plane Exhibit.

4. Existing Floor Plans

5. Proposed Floor Plans

6. Existing Elevations

7. Proposed Elevations

8. Floor Area Worksheet

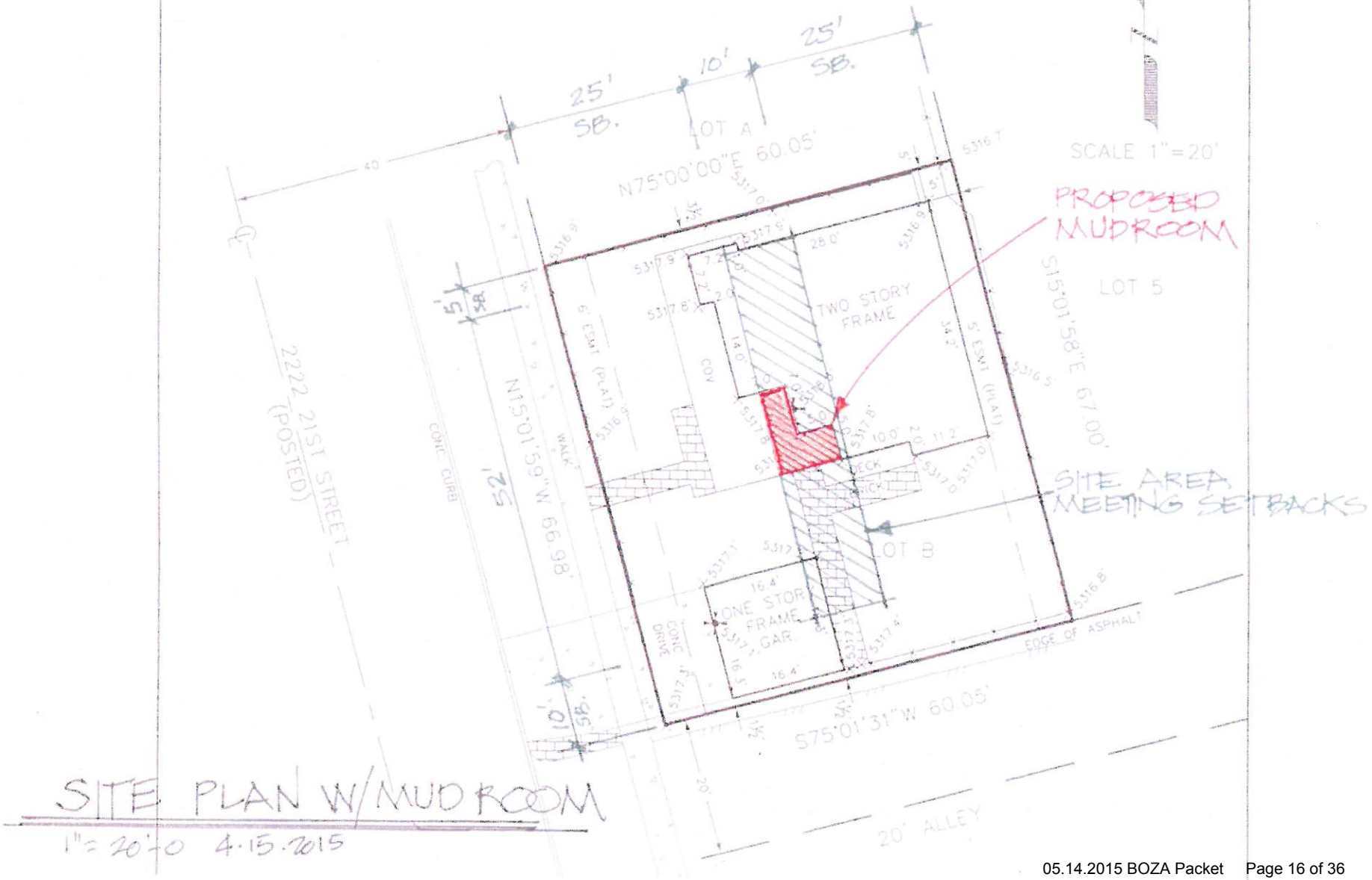
9. Existing Improvement Survey

LEGAL DESCRIPTION
(provided by FIDELITY NATIONAL TITLE)

PARCEL 1:

LOT B, JACOBS'S SUBDIVISION,
COUNTY OF BOULDER,
STATE OF COLORADO.

Flatirons, Inc.
Surveying, Engineering & Geomatics
3825 IRIS AVE, Ste 395
BOULDER, CO 80301
PH: (303) 443-7001
FAX: (303) 443-9830
www.Flatironsinc.com



SITE PLAN W/MUD ROOM

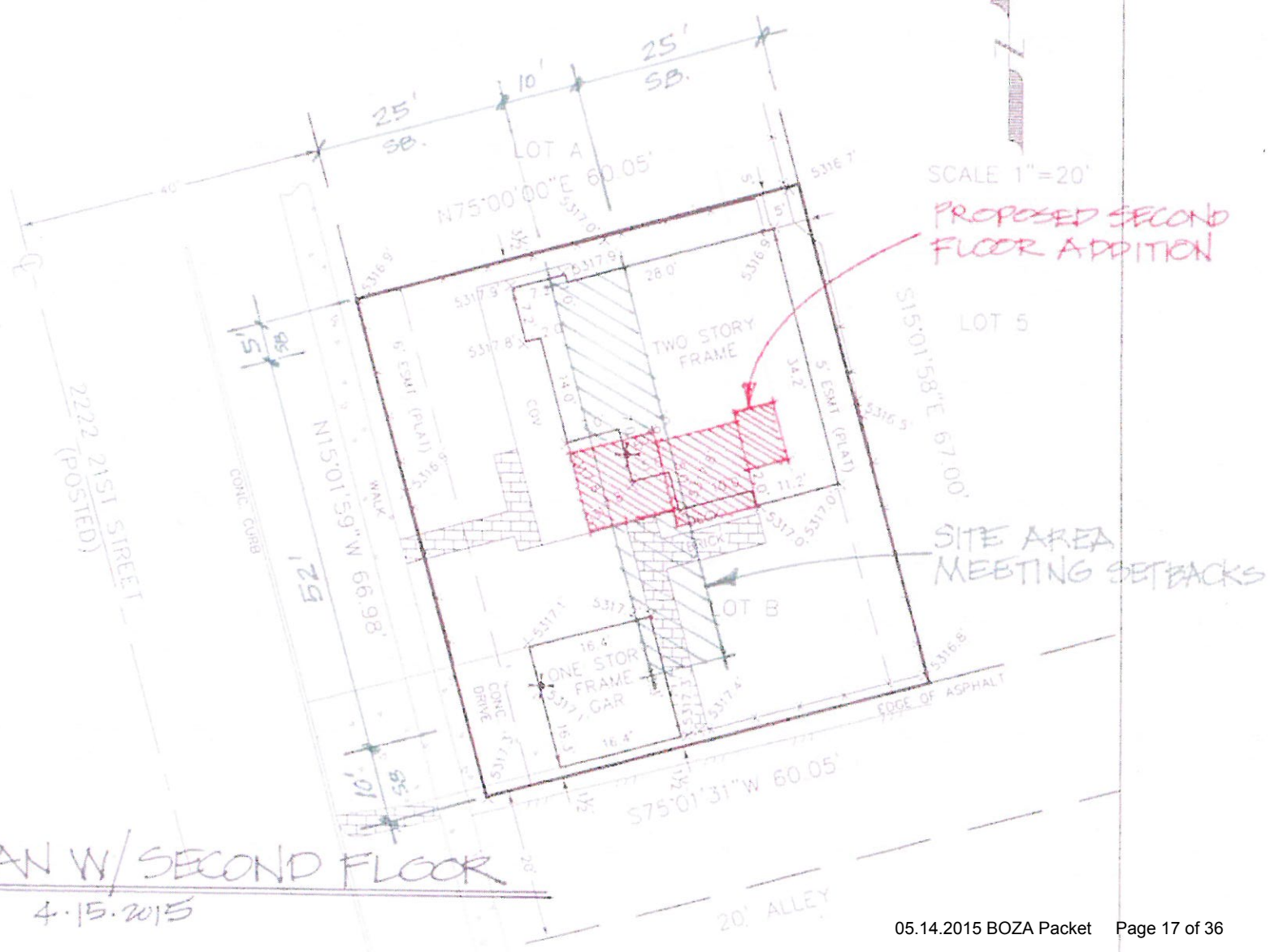
1"=20'-0 4.15.2015

LEGAL DESCRIPTION
(provided by FIDELITY NATIONAL TITLE)

PARCEL 1:

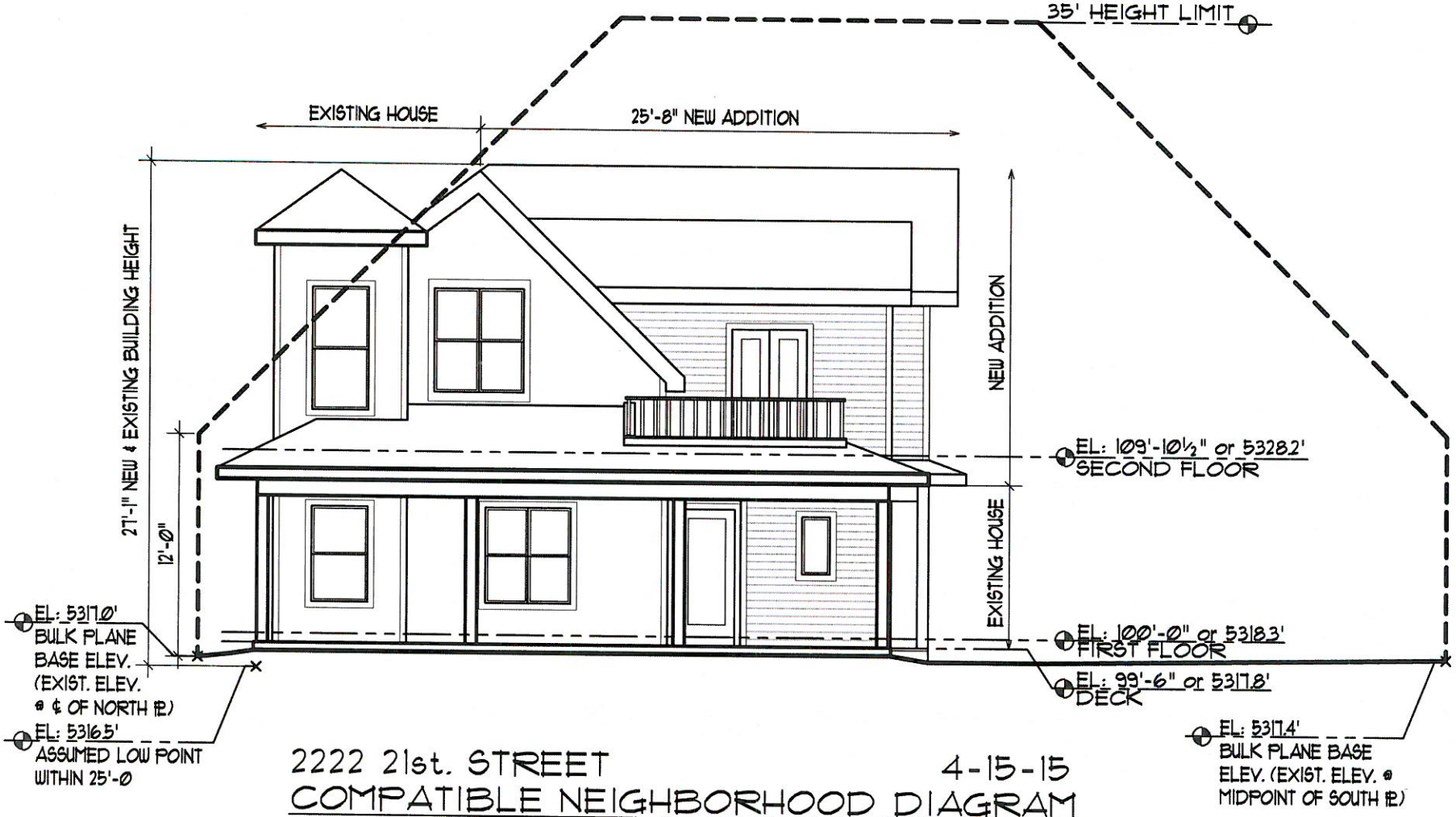
LOT B, JACOBS'S SUBDIVISION,
COUNTY OF BOULDER,
STATE OF COLORADO

Flatirons, Inc.
Surveying, Engineering & Geomatics
3825 IRIS AVE, Ste 395
BOULDER, CO 80301
PH: (303) 443-7001
FAX: (303) 443-9830
www.FlatironsInc.com



SITE PLAN W/ SECOND FLOOR

1" = 20' 4.15.2015

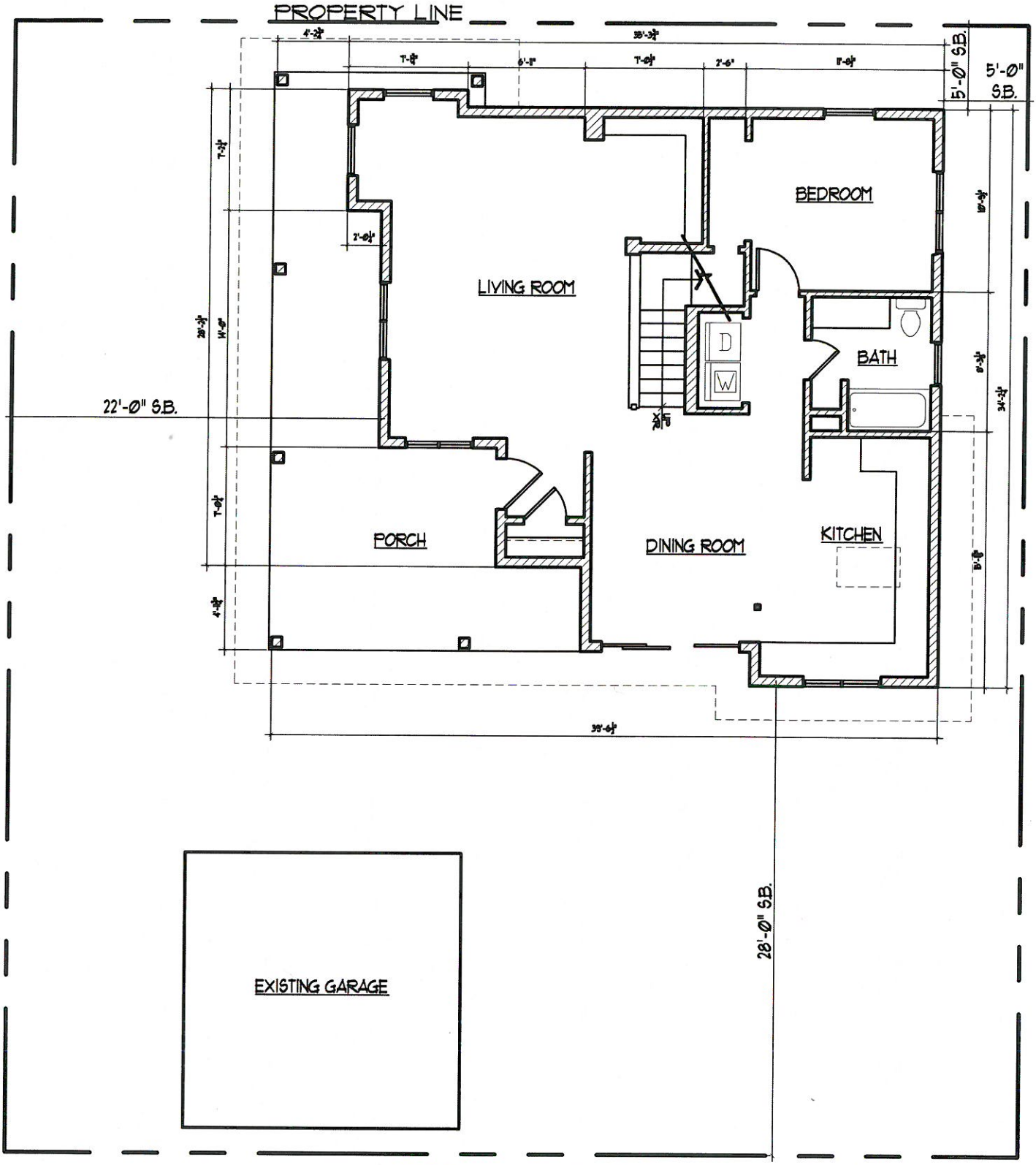


2222 21st. STREET 4-15-15

COMPATIBLE NEIGHBORHOOD DIAGRAM

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

REVISED 4-29-15



NORTH

2222 21st. STREET 4-15-15

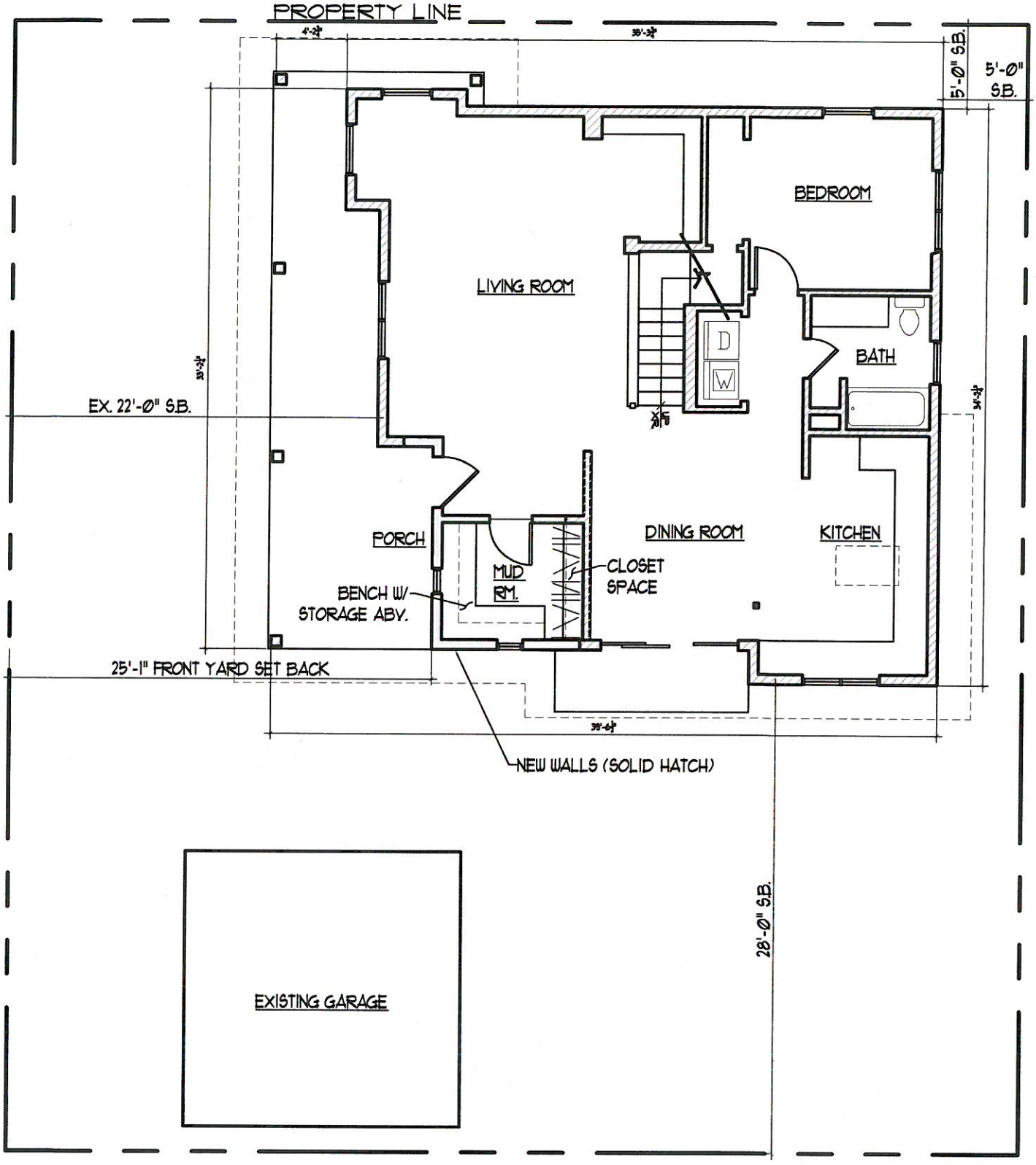
EXISTING MAIN LEVEL PLAN

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

GROSS OUTSIDE FACE OF SHEATHING =998 SF

GROSS OUTSIDE FACE OF SHEATHING W/ PORCH=1311 SF

REVISED 4-29-15



NORTH

2222 21st. STREET 4-29-15

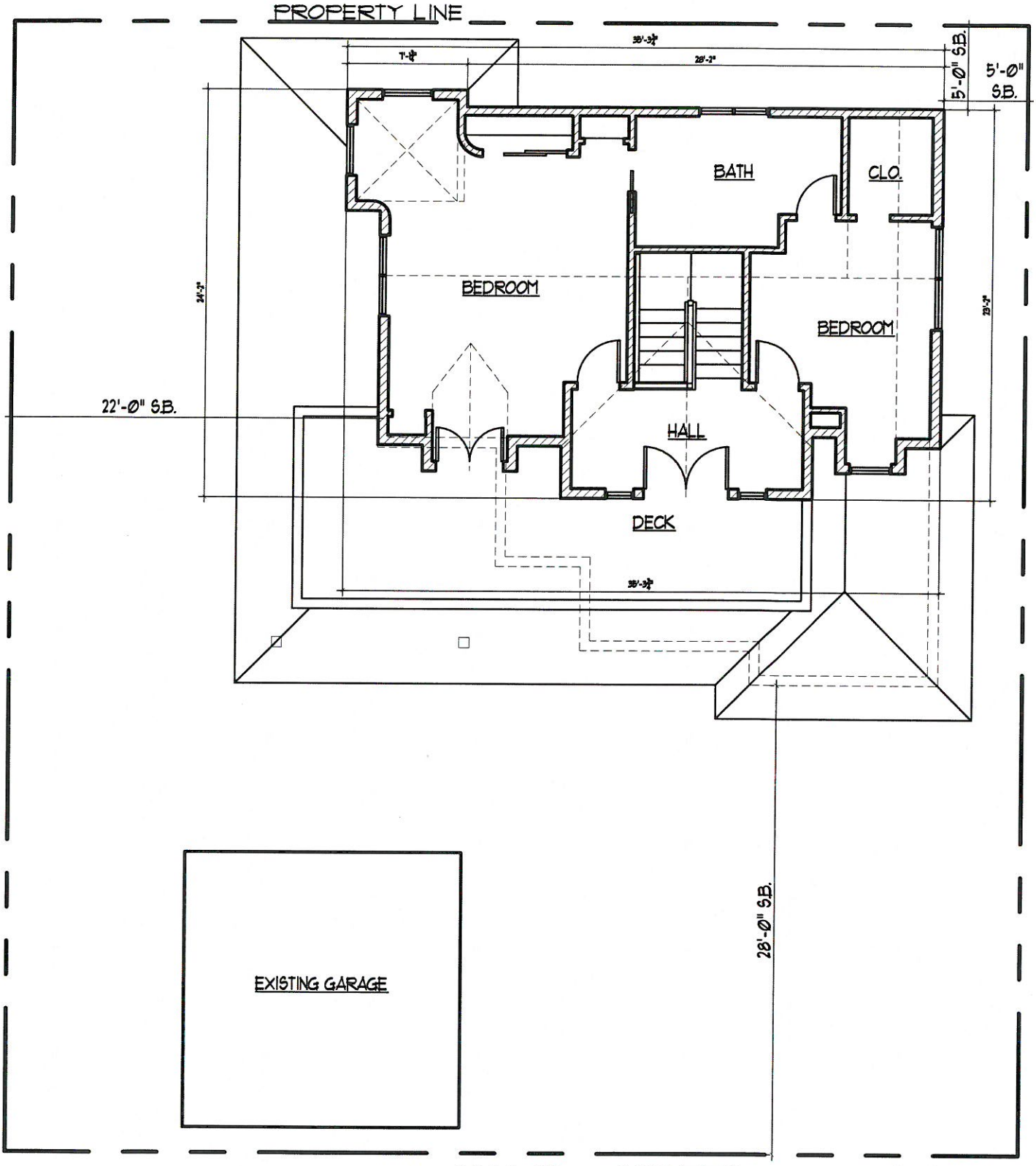
PROPOSED MAIN LEVEL PLAN

SCALE: 1/8"=1'-Ø"

GROSS OUTSIDE FACE OF SHEATHING= 1068 SF

GROSS OUTSIDE FACE OF SHEATHING W/ PORCH=1312 SF

REVISED 4-29-15



NORTH

2222 21st. STREET 4-15-15

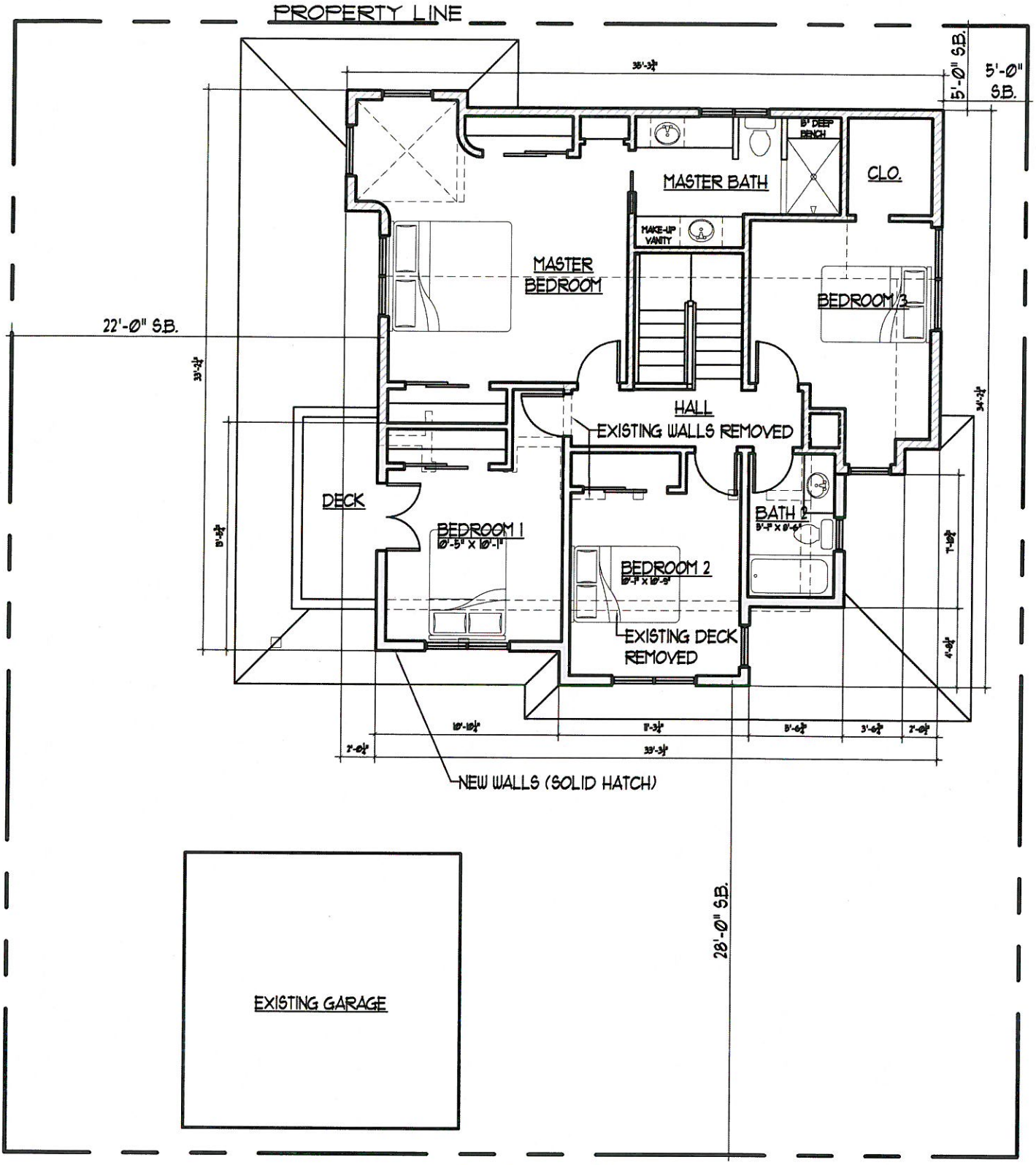
EXISTING SECOND LEVEL PLAN

SCALE: 1/8"=1'-Ø"

GROSS OUTSIDE FACE OF SHEATHING =685 SF

W/O STAIR AND INCLUDING DECK=936 SF

REVISED 4-29-15



NORTH

2222 21st. STREET 4-15-15

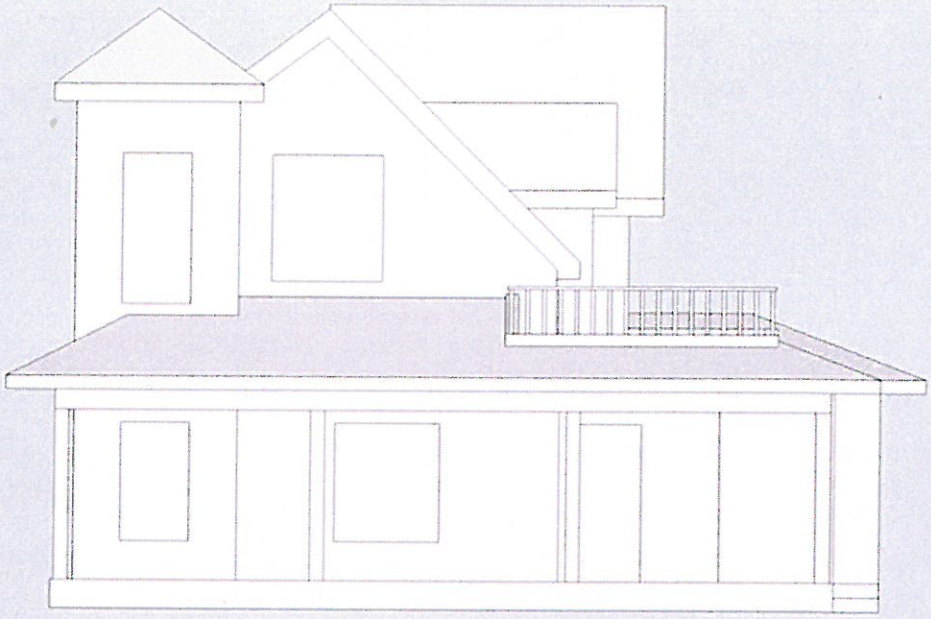
PROPOSED SECOND LEVEL PLAN

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

GROSS OUTSIDE FACE OF STUD = 973 SF

(STAIR HOLE 49 SF EXEMPT & 9 SF UNDER 6'-0")

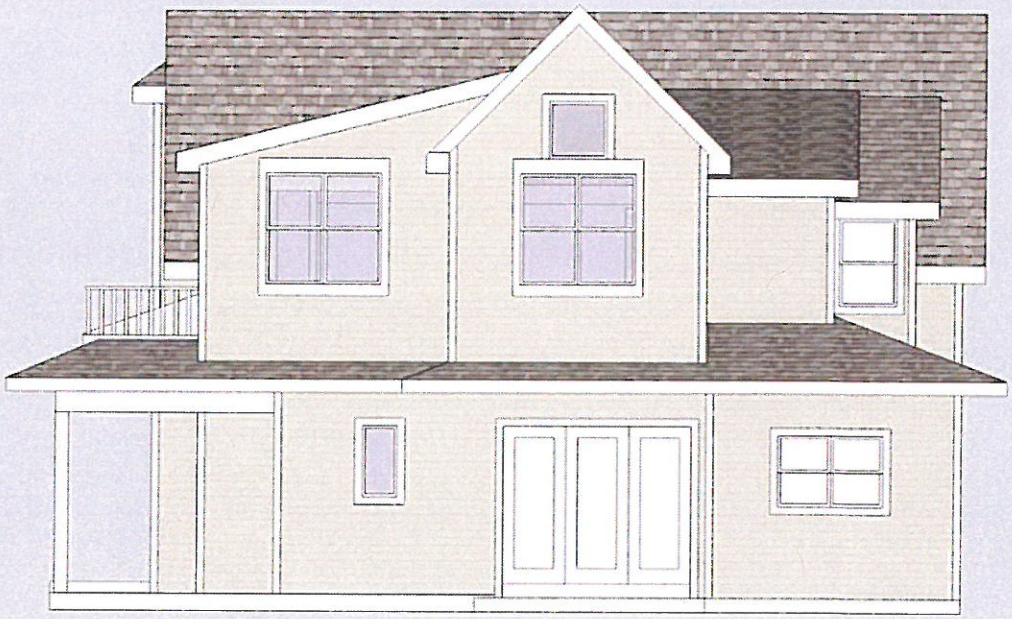
REVISED 4-29-15



EXISITNG WEST ELEVATION

PROPOSED WEST ELEVATION

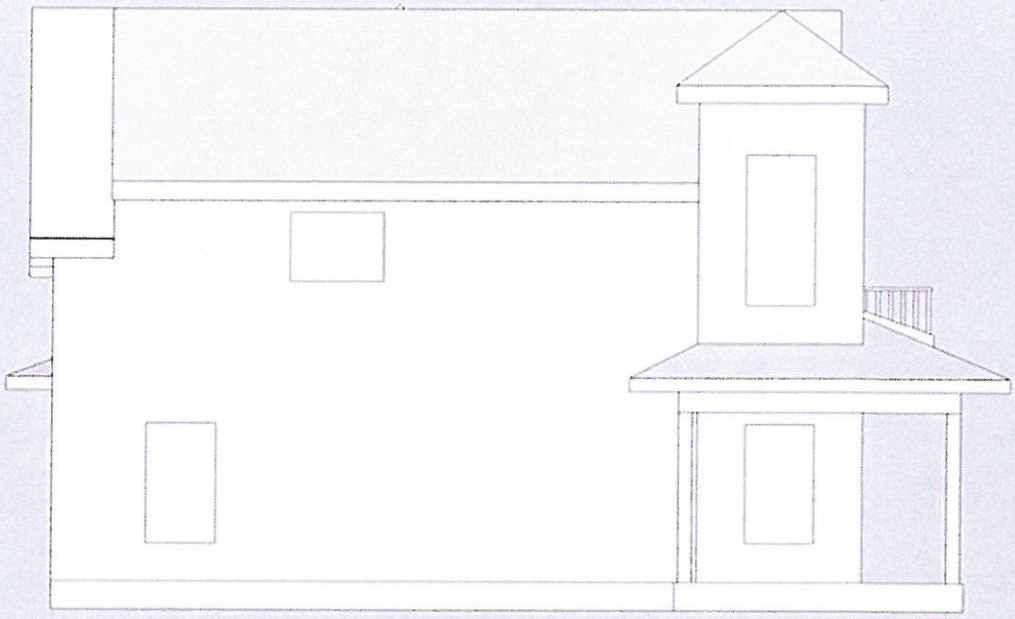
EXISITNG SOUTH ELEVATION



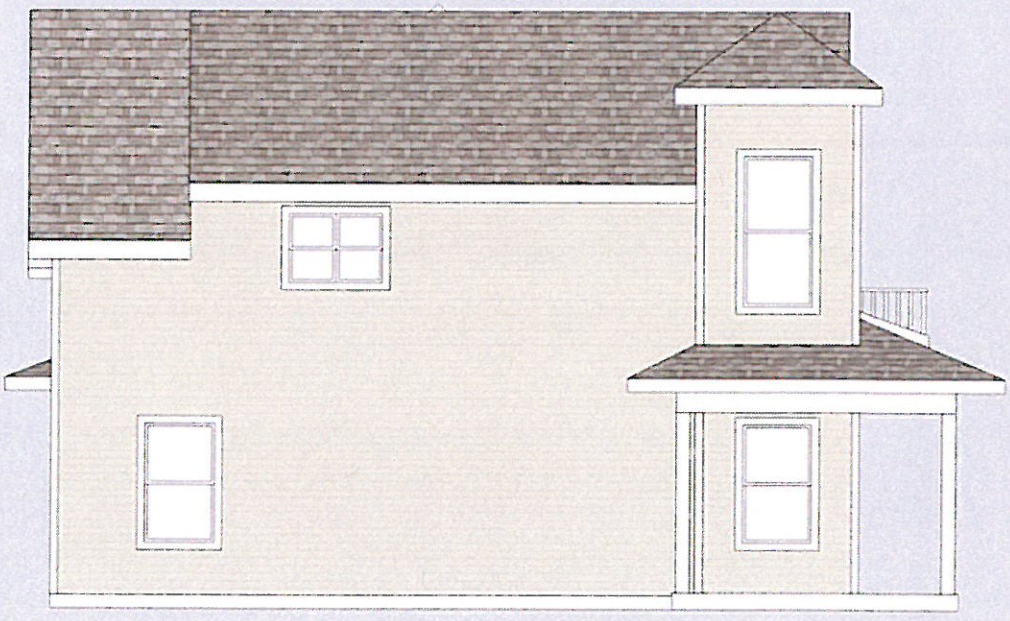
PROPOSED SOUTH ELEVATION

EXISITNG EAST ELEVATION

PROPOSED EAST ELEVATION



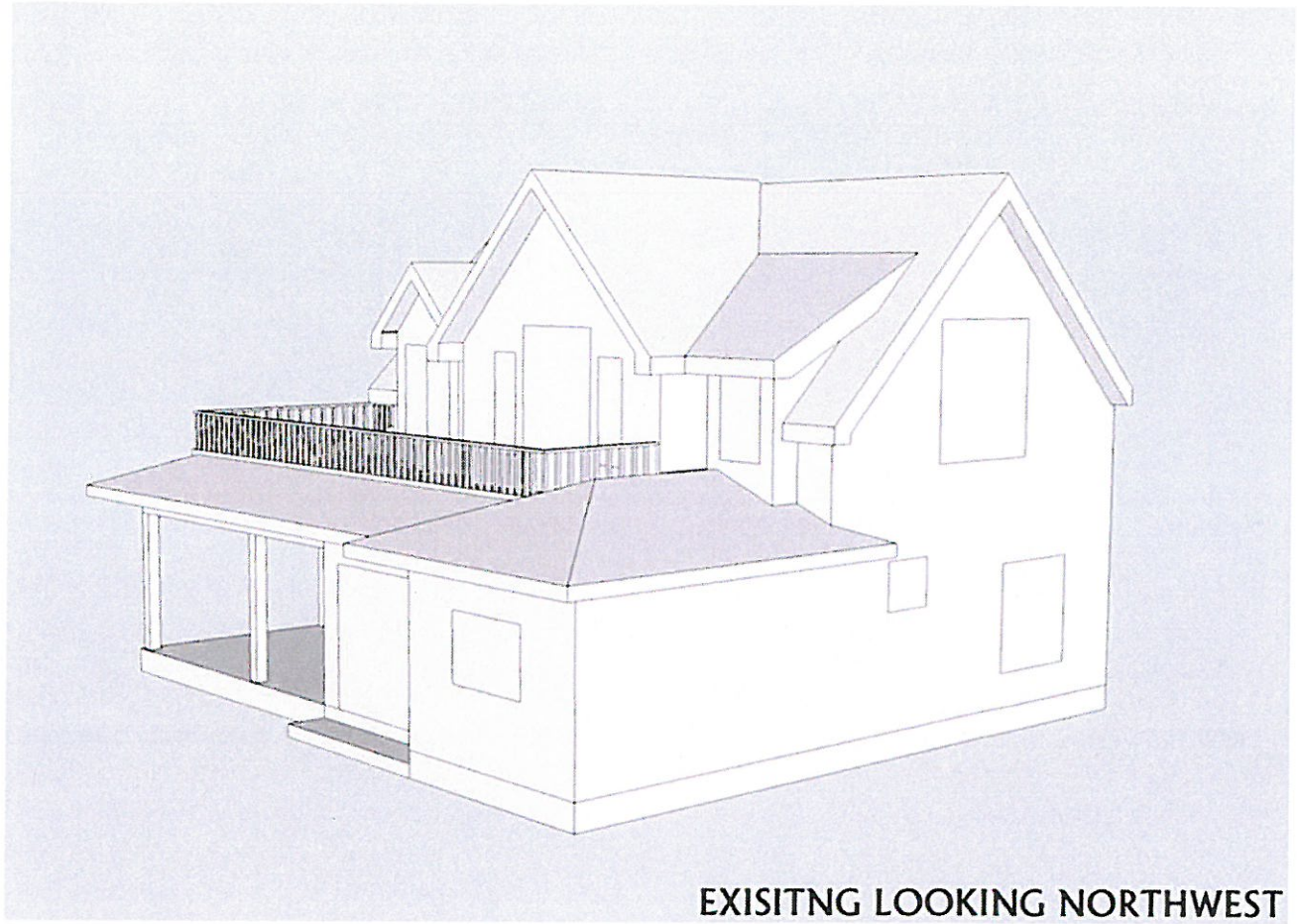
EXISITNG NORTH ELEVATION



PROPOSED NORTH ELEVATION

EXISITNG LOOKING NORTHEAST

PROPOSED LOOKING NORTHEAST



EXISITNG LOOKING NORTHWEST

PROPOSED LOOKING NORTHWEST

2222 21ST STREET

Maximum Floor Area Ratio (FAR) and Building Coverage Worksheet

*Applicants for new residential construction and additions in the **RR-1, RR-2, RE, and RL-1** zoning districts, and applicants for new residential construction and additions for single family dwellings in the **RL-2 and RMX-1** zoning districts, including both principal and accessory buildings, are required to complete and submit this worksheet with your building permit application.*

Calculate the Maximum Floor Area and Building Coverage for your lot:

Zoning District	Lot Area	Maximum Floor Area (sf)	Maximum Building Coverage (sf)
RMX-1	4023	2955	1649

Calculate the total Floor Area for your project:

Floor Area as Defined in 9-16-1, B.R.C. 1981			*Amount of Floor Area that contributes to max FAR*
	Existing (sf)	Proposed (sf)	Total (sf)
Level 1	993	1068	1068
Level 2	685	973	973
Level 3			
Level 4			
Accessory 1	267	267	267
Accessory 2			
Accessory 3			
TOTAL	1950	2308	2308

Perimeter above 36"	-
High Volume Space (sf)	-
High Volume Space (sf)	-
High Volume Space (sf)	-

FAR	.57 :1

Calculate the total Building Coverage for your project:

Building Coverage as Defined in 9-16-1, BRC 1981			
	Existing (sf)	Proposed (sf)	Total (sf)
Principal	998	1130	1130
Accessory 1	267	267	267
Accessory 2			
Accessory 3			
TOTAL	1265	1397	1397

Front porch total area	244
Additional porch total area	

In general, projects with contributing floor area or building coverage that is greater than 80% of the allowed maximum will require detailed and dimensioned building plans showing floor area and building coverage calculations for each building on the lot, including accessory buildings, and will be required to use an Improvement Survey Plat (I.S.P.) or Land Survey Plat (L.S.P.) to determine lot area. Projects that are permitted to use an Improvement Location Certificate (I.L.C.) will be required to submit a supplemental Lot Area Declaration Form, signed by a licensed surveyor, architect, or engineer.

Building Area Declaration:

I, the undersigned, take full responsibility for the accuracy and completeness of the above information. I understand that incomplete or inaccurate information may result in significant delays in the issuance of a building permit, or the possible revocation of a building permit.

Print Name: PHIL MCEVOY Signature:

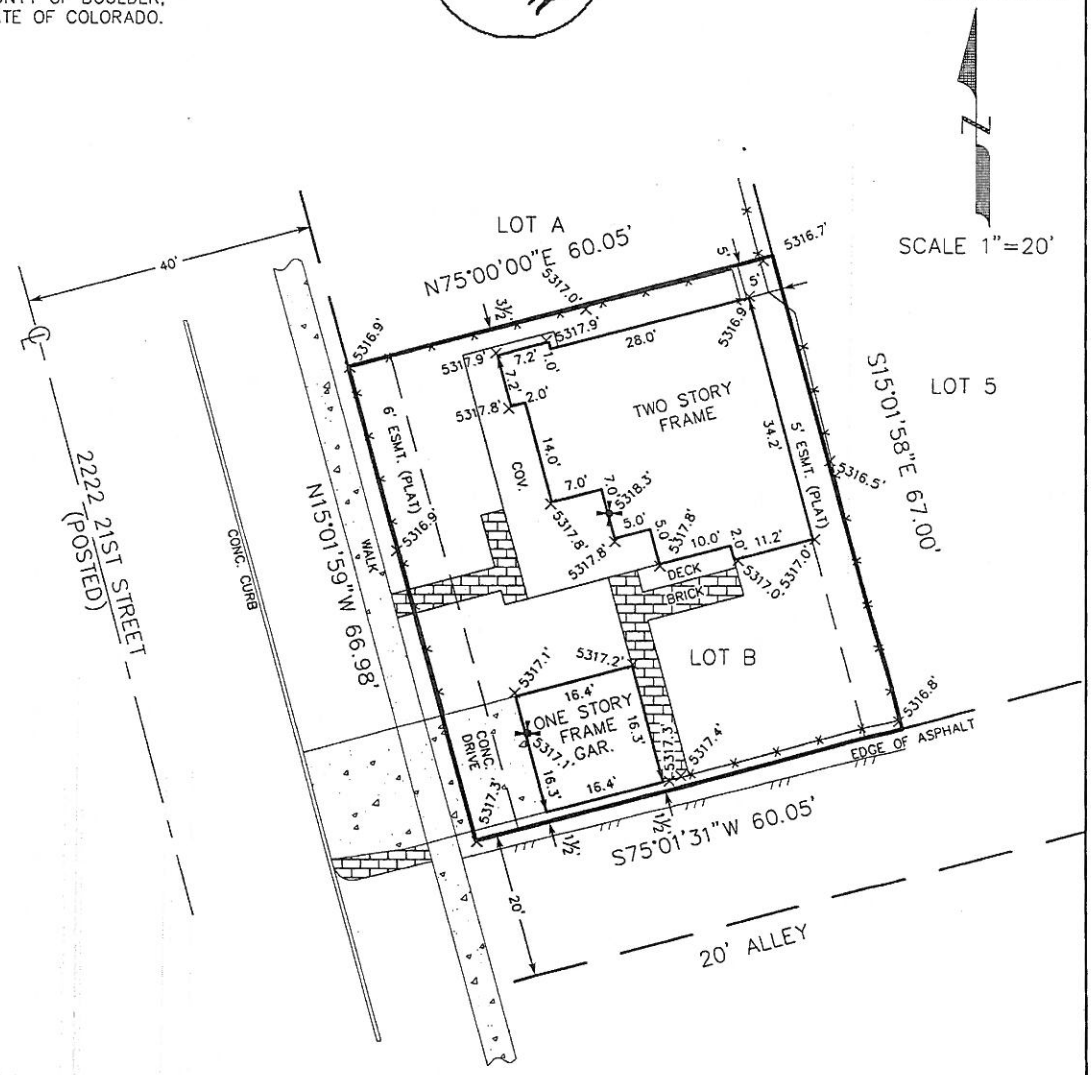
Title: (e.g. Owner, Architect, Contractor, etc.) Date: 4/29/2015

LEGAL DESCRIPTION
(provided by FIDELITY NATIONAL TITLE)

PARCEL 1:

LOT B, JACOBS'S SUBDIVISION,
COUNTY OF BOULDER,
STATE OF COLORADO.

Flatirons, Inc.
Surveying, Engineering & Geomatics
3825 IRIS AVE, Ste 395
BOULDER, CO 80301
PH: (303) 443-7001
FAX: (303) 443-9830
www.FlatironsInc.com



Notes:
1-FIDELITY NATIONAL TITLE COMMITMENT NO. CO-FSTG-IMP-27306-1-14-F048308 WAS USED TO HELP IDENTIFY EASEMENTS OF RECORD THAT MAY AFFECT THE SUBJECT PROPERTY. THERE MAY BE EASEMENTS OR RIGHTS OF WAY NOT SHOWN ON THIS CERTIFICATE THAT AFFECT THE SUBJECT PROPERTY.
2-AN IMPROVEMENT SURVEY PLAT IS RECOMMENDED TO DEPICT MORE PRECISELY THE LOCATIONS OF THE IMPROVEMENTS SHOWN HEREON. THIS CERTIFICATE IS BASED UPON MONUMENTS FOUND AT THE INTERSECTION OF 21ST STREET AND MAPLETON AVE AND PINE STREET.
3-THE FENCES ARE NOT COINCIDENT WITH THE LOT LINES AS SHOWN HEREON.
4-THE BUILDING EXTENDS INTO THE EASEMENT AS SHOWN HEREON.
5-ELEVATIONS BASED ON CITY OF BOULDER BENCHMARK DESIGNATED L8-4, WITH A PUBLISHED ELEVATION OF 5315.14 FEET (NAVD-88), BEING A CHISELED 'L', LOCATED AT INTERSECTION OF 21ST STREET AND SPRUCE STREET.
6-SPOT SHOT ELEVATIONS ARE SHOWN AT THE CLIENTS REQUEST.

1-13-15

John B. Guyton, Colorado L.S. #16406

IMPROVEMENT LOCATION CERTIFICATE

I hereby certify that this improvement location certificate was prepared for JOANNA BERMAN, that it is not a Land Survey Plat or Improvement Survey Plat, and that it is not to be relied upon for the establishment of fence, building or other future improvement lines. This certificate is valid only for use by JOANNA BERMAN and describes the parcel's appearance on JANUARY 13, 2015. I further certify that the improvements on the above described parcel on this date, JANUARY 13, 2015, except utility connections, are entirely within the boundaries of the parcel, except as shown, that there are no encroachments upon the described premises by improvements on any adjoining premises, except as indicated, and that there is no apparent evidence or sign of any easement crossing or burdening any part of said parcel, except as noted.

NOTICE: This Improvement Location Certificate is prepared for the sole purpose of use by the parties stated hereon. the use of this Improvement Location Certificate by any person or entity other than the person or entity certified to without the express permission of Flatirons, Inc. is prohibited. This certificate is only valid for 90 days from the signature date. It is not a Land Survey Plat as defined by C.R.S 38-51-102(12) or an Improvement Survey Plat as defined by C.R.S 38-51-102(9). It does not establish property corners. A more precise relationship of the improvements to the boundary lines can be determined by a Land Survey or Improvement Survey. The improvements are generally situated as shown and only apparent (visible at the time of fieldwork) improvements and encroachments are noted. Flatirons, Inc. and John B. Guyton will not be liable for more than the cost of this Improvement Location Certificate, and then only to the parties specifically shown hereon. Acceptance and/or use of this Improvement Location Certificate for any purpose constitutes acknowledgment and agreement to all terms stated hereon.

Flatirons No. 15-64,922 R-1 Title Co. No. CO-FSTG-IMP-27306-1-14-F048308 Borrower:
Drawn By: P.OH

COPYRIGHT 2015 FLATIRONS, INC.

Dakota Hills
2106 Mapleton Ave.
Boulder, CO 80302

Attn: City of Boulder Planning and Development Services
c/o Brian Holmes, Zoning Director

Subject: Expressing Support For The Proposed Development, Located At 2222 21st Street, Boulder, CO 80302

To Whom It May Concern,

I had a recent discussion with my immediate neighbors, Charles Ince and Joanna Berman, about their wishes to expand the livable space of their home. When we met, they gave me full access to their architectural drawings and walked us through the changes they wished to make. Charles and Joanna also took extra steps to point out what changes would be the most evident to me as adjacents property owner and explained how the construction process would unfold.

Although they explained that the proposed development does not meet certain development criteria and that a Variance was going to be required from the City of Boulder, it is my personal opinion that the proposed modifications would have no adverse impact to me and I fully support the effort the efforts they would like to take.

Sincerely,

4/30/15

Dakota Hills

Jefree Kaufman
2225 21st Street
Boulder, CO 80302

Attn: City of Boulder Planning and Development Services
c/o Brian Holmes, Zoning Director

Subject: Expressing Support For The Proposed Development, Located At 2222 21st Street, Boulder, CO 80302

To Whom It May Concern,

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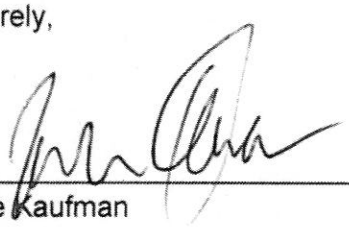
Although they explained that the proposed development does not meet certain development criteria and that a Variance was going to be required from the City of Boulder, it is my personal opinion that the proposed modifications would have no adverse impact to me and I fully support the efforts they would like to take.

Sincerely,



Jefree Kaufman

Roger and Karen Brooks
2056 Mapleton Avenue
Boulder, CO 80302

Attn: City of Boulder Planning and Development Services
c/o Brian Holmes, Zoning Director

Subject: Expressing Support For The Proposed Development, Located At 2222 21st Street, Boulder, CO 80302

To Whom It May Concern,

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Sincerely,

Roger and Karen Brooks

David Gorodetzky and Lynne Sanditen
2103 Pine Street
Boulder, CO 80302

Attn: City of Boulder Planning and Development Services
c/o Brian Holmes, Zoning Director

Subject: Expressing Support For The Proposed Development, Located At 2222 21st Street, Boulder, CO 80302

To Whom It May Concern,

I had a recent discussion with our immediate neighbors, Charles Ince and Joanna Berman, about their wishes to expand the livable space of their home. During our discussion, they gave me full access to their architectural drawings and walked us through the changes they wished to make. Charles and Joanna also took extra steps to point out what changes would be the most evident to us as adjacents property owners and explained how the construction process would unfold.

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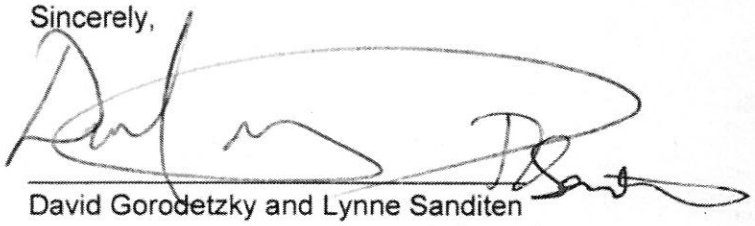

David Gorodetzky and Lynne Sanditen

CITY OF BOULDER
BOARD OF ZONING ADJUSTMENT
ACTION MINUTES
February 12, 2015, 5 p.m.
1777 Broadway, Council Chambers

Board Members Present:	Ellen McCready, Michael Hirsch, David Schafer, Thom Ward
Board Members Absent:	Christopher Lane
City Attorney Representing Board:	Erin Poe
Staff Members Present:	Robbie Wyler, Marcy Cameron, Susan Meissner

1. CALL TO ORDER:
E. McCready called the meeting to order at 5:07 p.m.

2. BOARD HEARING:

REMOVED FROM AGENDA
Docket No.: BOZ2014-00016
Address: 735 Mapleton Avenue
Applicant: Marybeth Emerson

Setback Variance: As part of a proposal for an rear addition to an existing single family residence, the applicant is requesting a variance to the combined side yard setback requirements of the RL-1 zoning district. The resulting east side yard setback will be approximately 5.79 feet where 12.5 is required and 2.4 feet exists today. The resulting west side yard setback will be approximately 12.55 feet where 12.6 feet is required and 2.5 feet exists today. Section of the Land Use Code to be modified: Section 9-7-1, BRC 1981.

Staff noted that there was a discrepancy between the dimensions that were presented in the agenda and the packet.

On a motion by **E. McCready**, seconded by **T. Ward**, BOZA voted 4-0 (C. Lane absent) that the error was immaterial and that the item should proceed as scheduled.

Staff Presentation:
R. Wyler presented the item.
M. Cameron provided a brief history of the Landmarks process.

Applicant Presentation:
David Waugh, the architect and **Marybeth Emerson**, the applicant, presented the item to the board.

Board Questions:
R. Wyler, David Waugh and **Marybeth Emerson** answered questions from the board.

Motion:
On a motion by **E. McCready**, seconded by **D. Schafer**, the Board of Zoning Adjustment voted 4-0 (**C. Lane** absent) to approve the application (Docket BOZ2014-00016) with the 5 foot East yard setback and

11 foot west year setback as submitted and presented conditioned on the plans being approved by the Landmarks Board if necessary and without significant material revisions.

3. GENERAL DISCUSSION:

A. Approval of Minutes:

On a motion by **D. Schafer**, seconded by **M. Hirsch**, the Board of Zoning Adjustments voted 4-0 (C. Lane absent) approved the December 11, 2014 minutes.

B. Matters from Staff

C. Matters from the Board

D. Matters from the City Attorney

There were no matters from the City Attorney.

4. ADJOURNMENT:

There being no further business to come before the board at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED AT 5:48 P.M.

APPROVED BY

_____

_____

DATE