



**CITY OF BOULDER
BOARD OF ZONING ADJUSTMENT
MEETING AGENDA**

DATE: Thursday, May 19, 2016

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

2. BOARD HEARINGS

A. Docket No.: BOZ2016-07

Address: 2335 Pine Street

Applicant: Rachel Sours-Page

Setback Variance: As part of a proposal for a second story addition and remodel of an existing non-standard residence on a non-standard lot, including a proposal to rebuild the existing first floor rear porch, the applicant is requesting a variance to the rear yard (north) setback. The resulting rear yard setback will be 10'-10 1/4" where 25 feet is required and where approximately 10'-10 1/4" exists today. Section of the Land Use Code to be modified: Section 9-7-1, BRC 1981.

B. Docket No.: BOZ2016-08

Address: 1507 Pine Street

Applicant: Susan Dawson

Building Coverage Variance: As part of a proposal to construct a new 4-car detached garage which will provide parking for a landmarked structure (to be converted to a residential duplex), the applicant is requesting a variance to the 500 sq. ft. total cumulative building coverage of accessory buildings between the principal building rear yard setback and the rear yard property line. The resulting building coverage for the detached garage within the primary structure's rear yard setback will be approximately 924 square feet where 500 square feet is allowed and no structure exists today. Section of the Land Use Code to be modified: Section 9-7-8, BRC 1981.

C. Docket No.: BOZ2016-09

Address: 3040 17th Street

Applicant: Lydia & Richard Dissly

Setback Variance: As part of a proposal for an addition/renovation to the entire house which includes enclosing an existing carport and converting it into a single-car attached garage, the applicant is requesting a variance to the side (south) yard setback in order to meet the combined side yard setback requirements of the zoning district. The resulting side yard setback will be approximately 5 feet where 9.5 feet is required and approximately 4.3 feet exists today. Section of the Land Use Code to be modified: Section 9-7-1, BRC 1981.

D. Docket No.: BOZ2016-10

Address: 3079 10th Street

Applicant: Hugh Josephs

Building Coverage Variance: As part of a proposal to construct a 333 sq. ft. carport addition in the 25'-0" rear yard principal building setback (where an existing 373 sq. ft. accessory building exists and will remain), the applicant is requesting a variance to the 500 sq. ft. total cumulative building coverage of accessory buildings between the principal building rear yard setback and the rear yard property line. The resulting cumulative building coverage of the existing building and proposed carport within the primary structure's rear yard setback will be 706 sq. ft. where 500 sq. ft. is the maximum permitted. Section of the Land Use Code to be modified: Section 9-7-8, BRC 1981.

E. Docket No.: BOZ2016-11

Address: 603 North Street

Applicant: Richard Roosen

Setback Variance: As part of a proposal to add an enclosed entry/mudroom to the front of the house as well as enlarge the area of an existing rooftop deck (previously approved by BOZA), the applicant is requesting a variance to the front (south) yard setback and the side (west) yard setbacks. The resulting front yard setback for the new entry will be approximately 3.5 feet where 25 feet is required and where approximately 9.5 feet exists today. The resulting west side yard setback for the new entry will be approximately 8.16 feet where 9.8 feet is required and where 1 foot exists today. For the rooftop deck, the resulting west side yard setback will be approximately 6.6 feet (taken from the spiral stairs which were previously approved by BOZA) where 9.8 feet is required and 1 foot exists today. A proposal to enlarge the size of the rooftop deck area within the BOZA approved setbacks is proposed at this time. Section of the Land Use Code to be modified: Section 9-7-1, BRC 1981.

F. Docket No.: BOZ2016-12

Address: 735 Walnut Street

Applicant: Andrew & Wendy Cookler

Setback Variance: As part of a conversion/renovation from a commercial space to residential duplex which includes replacing exterior walls and adding a rooftop deck/cover to the single-story structure, the applicant is requesting a variance to both the east and west side yard setbacks in order to meet the combined side yard setback requirements of the zoning district. The resulting east and west side yard setback will each be approximately 10 feet where 20 feet each is required and 0 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 [April 14, 2016 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

**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: boulderplandevlop.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: 2335 PINE ST, BOULDER 80302
- Legal Description: Lot A Block _____ Subdivision STONE'S THROW SPLIT (Or attach description.)
- Existing Use of Property: SINGLE FAMILY RESIDENCE ID 105717
- Description of proposal:

*Total floor area of existing building:	*Total floor area proposed:
*Building coverage existing:	*Building coverage proposed:
*Building height existing:	*Building height proposed:

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

Name of Owner: RACHEL SOURS-PAGE
 Address: 2335 PINE STREET Telephone: 720/375-3582
 City: BOULDER State: CO Zip Code: 80302 FAX: _____
 Name of Contact (if other than owner): KRISTIN REISINGER
 Address: 2328 PINE ST Telephone: 917/455-0940
 City: BOULDER State: CO Zip Code: 80302 FAX: _____

STAFF USE ONLY

Application No. 2016-00007 Date Filed 4.14.16 Zone RMX-1 Hearing Date _____
 Application received by: [Signature] Date Fee Paid 4.14.16 Misc. Rect # _____

APPLICATION TYPES

Setback, building separation, bulk plane, building coverage, porch setback and size, and side yard wall articulation

Sign Variance

Mobile Home Spacing Variance

Size and parking setback requirements for accessory units

Use of mobile homes for non-residential purposes

Parking in landscaped front yard setback

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 (**4 copies**);
- ✓ A site development plan including building heights, setbacks, and proposed floor area (**4 copies**);
- ✓ A demolition plan differentiating between proposed and remaining portions of the structure (**4 copies**);
- ✓ A written statement thoroughly addressing the criteria for approval - see following pages (**4 copies**);
- Any other information pertinent to the request (**4 copies**);
- An application fee (as prescribed in Section 4-20-43, B.R.C. 1981);
- Sign Posting Acknowledgement Form - see last page.

-Electronic files of all documents are greatly appreciated. If available, please submit them on a CD or thumb drive with your application.

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(l), B.R.C. 1981 FOR VARIANCE EXPIRATION INFORMATION

Applicant / Owner Signature Rachel Sam Payne Date 4-15-16

**SIGN POSTING REQUIREMENTS
APPLICANT'S ACKNOWLEDGMENT FORM**

Required for Certain Land Use Review, Administrative Review, Technical Document Review, and Board of Zoning Adjustment Applications

CITY CODE REQUIREMENT FOR SIGN POSTING OF LAND USE REVIEW APPLICATIONS -

Excerpt of Section 9-4-3(c), B.R.C. 1981: Public Notice of Application: The city manager will provide the following public notice of a development review application:

(1) Posting: After receiving such application, the manager will cause the property for which the application is filed to be posted with a notice indicating that a development review application has been made, the type of review requested, and that interested persons may obtain more detailed information from the planning department. The notice shall meet the following standards:

(A) The notice shall be placed on weatherproof signs that have been provided by the City and placed on the property that is the subject of the application.

(B) All such notice shall be posted no later than ten days after the date the application is filed to ensure that notice is posted early in the development review process.

(C) The signs shall be placed along each abutting street, perpendicular to the direction of travel, in a manner that makes them clearly visible to neighboring residents and passers-by. At least one sign shall be posted on each street frontage.

(D) The signs shall remain in place during the period leading up to a decision by the approving authority, but not less than ten days.

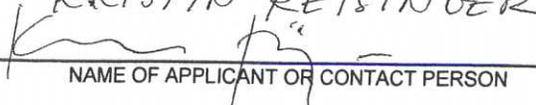
(E) On or before the date that the approving authority is scheduled to make a decision on the application the city manager will require the applicant to certify in writing that required notice was posted according to the requirements of this section.

I, KRISTIN REISINGER, am filing a Land Use Review, Administrative Review, Technical Document Review, or BOZA application [on behalf of] RACHEL SOURS-PAGE for the property located at 2335 PINE ST. I have read the city's sign posting requirements above and acknowledge

(PRINT NAME OF APPLICANT OR CONTACT PERSON) (PRINT NAME OF OWNER(S) IF OTHER THAN APPLICANT/CONTACT) (PRINT PROPERTY ADDRESS OR LOCATION)

and agree to the following:

1. I understand that I must use the sign(s) that the city will provide to me at the time that I file my application. The sign(s) will include information about my application and property location to provide required public notice.
2. I am responsible for ensuring that the sign(s) is posted on the property described above in such a way that meets the requirements of Section 9-4-3(c), B.R.C. 1981 (listed above), including visibility of the sign(s) and time and duration of the sign(s) posting, and including reposting any signs that are removed, damaged, or otherwise displaced from the site. As necessary, I shall obtain a replacement sign(s) from the city for reposting.
3. I understand that certain future changes to my application, including but not limited to, changes to the project description or adding a review type, may require that I post a new sign(s). The city will notify me if such a reposting is required and provide me with a necessary replacement sign(s).
4. I understand that failing to provide the public notice by sign posting required by the city's land use regulation may result in a delay in the city's issuing a decision or a legal challenge of any issued decision.

KRISTIN REISINGER

NAME OF APPLICANT OR CONTACT PERSON

4/18/16
DATE

Please keep a copy of this signed form for your reference. If you have any questions about the sign posting requirements or to obtain a replacement sign, please call 303-441-1880.

S P A C E c r a f t
Kristin Reisinger
2328 Pine Street B
Boulder, CO 80302
917/455-0940
highreis@hotmail.com

April 15, 2016

Written Statement

Re: Rear Yard Setback Variance Application for a partial second floor addition; and to rebuild an existing enclosed first floor porch at 2335 Pine Street, Boulder, CO 80302

The attached application and drawings outline the proposal requesting a Rear Yard Setback Variance for a partial second floor addition over an existing non-conforming first floor. This includes the request to rebuild the existing enclosed first floor rear porch at the northeast corner of the house. The resulting rear yard setback will be equal to the existing first floor rear yard setback of 10' - 10 1/4" where 25 feet is required. The proposed addition size is 28'-10" x 14' - 1 3/4" for a total of 408 SF, located at the rear of the house. The existing second floor west side yard setback minimum of 5' and the existing east yard setback of 16' will be adhered to. We are requesting Section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981 of the Land Use Code to be modified per Section 9-2-3-(d) B.R.C. 1981 (d) (1).

Please note that there are no other zoning variances required for this plan. Maximum allowable site coverage, maximum allowable square footage and maximum allowable height will not be exceeded. The Solar Access requirements will be met; and the Side Yard Articulation and Bulk Plane requirements do not apply to a lot of this size.

This proposed addition would infill the existing second floor above the first floor to match the existing first floor footprint at the east and north elevations. At the west elevation, the proposed second floor addition would match the existing second floor addition wall which meets the 5' minimum side yard setback. The addition would maintain the existing roof line and building height. In addition, we are proposing to rebuild the existing first floor enclosed rear porch (approximately 13' x 4'-6"), in its current location. The reason to rebuild this area is to create a structurally sound foundation and thermally insulated envelope to accommodate the proposed second floor addition and to create a more usable interior space at the first floor.

Criteria of Section 9-2-3(h) 1981, Boulder Revised Code for consideration of a Variance:

(1) *Physical Conditions or Disability*

(A) *There are:*

(i) *Unusual physical circumstances or conditions, including, without limitation, irregularity, narrowness or shallowness of the lot, or exception topographical or other physical conditions peculiar to the affected property;*

(B) The unusual circumstances or conditions do not exist throughout the neighborhood or the zoning district in which the property is located; and

(C) Because of such physical circumstances or conditions the property cannot reasonably be developed in conformity with the provisions of the chapter; and

(D) Any unnecessary hardship has not been created by the applicant.

Here is why we believe we meet these requirements:

The original house was built prior to 1905 on a full 7,009 SF lot, sited 18" (inches) from the west property line and 18' (feet) from the south property line. This house was added on to at least once (the back porch/shed roof structure) and then the site was split in 1987 to create Lots A and B. Lot A was assigned 3,604 SF, a roughly 50' wide x 72' deep parcel. Lot A also required a 15' wide Utility and Access Easement, running north to south at the east side of the lot. In 2001, the 642 SF 2nd floor addition was built, complying with all setback requirements, on top of the existing house, effectively filling in the last compliant building space on the site. There is no garage nor space for a garage on this site.

We believe that this property brings with it many physical hardships that were in place prior to the current owner's purchase of the property in 2007. The small lot size and lot shallowness, the existing easements, and the placement of the original house nearly on top of the west property line make this a non-compliant development. And although zoned RMX-1, with a building coverage maximum of 1,478 SF and an allowable maximum square footage (FAR) of 2,667 SF, there is no way to add on to this property and still comply with the setback requirements. A third floor is not an option either, because the maximum height for this lot size is 27', not the typical 35' for an RMX-1 site.

Though divided lots are not unusual in this neighborhood, about a third are divided in a roughly 3 block by 3 block area of RMX-1 zoning, many houses on such lots are non-compliant due to the original age of the structure and the age of subsequent additions. What makes this site unusual is the fact that RMX-1 zoning usually affords the property the ability to be more densely built-out – an intensity module of 18 based on the city code definition (whereas a the RL-1 and RL-2 zoning districts have intensity modules of 4 and 6 respectively). This fact is reflected in the building coverage, FAR and solar access for the site, where with the proposed addition, we are not over the maximums for any of these. Where it seems contradictory is in the setbacks and height restrictions which don't allow for further development on the site.

With regard to section (5) Requirements for All Variance Approvals; if granted the proposal:

(A) Would not alter the essential character of the neighborhood or district in which the lot is located:

(B) Would not substantially or permanently impair the reasonable use and enjoyment or development of adjacent property;

(C) Would be the minimum variance that would afford relief and would be the least modification of the applicable provisions of this title; and

(D) Would not conflict with the provisions of Section 9-9-17, "Solar Access," B.R.C. 1981.

We feel that this proposed second floor addition will have no negative effect on the character of the neighborhood because it is an addition at the rear of the site and will barely be visible from Pine Street. This neighborhood already has a diverse mix of architecture where the majority of properties have been added onto over the years. We proposed to maintain the existing first floor footprint, and to continue the existing west, north and east wall planes as well as continue the existing roof line at the second story, creating a continuity of the existing design.

As stated above, the proposed addition would fill in the rest of the second floor over the existing first floor footprint, filling in what currently looks like a truncated pop-top. Solar Access is not affected by this buildout, and all three adjacent property owners (to the west, north and east) have signed their approval of the project. In fact, this addition aims to enhance the overall look of the property by completing the second floor and adding interest to the east and west elevations, positively affecting the neighbors and their properties.

The owners are asking to build out the rest of the second floor directly above the first floor footprint (with the exception of the west side which would match the 5' minimum side yard setback that the second floor currently has). They do not propose to expand beyond the current first floor footprint. In the spirit of code section 9-7-2b No. 6, where the issue is non-compliant side yard setbacks and a second story is allowed to be built over the existing first floor if a minimum setback is met, we proposed this addition similarly. This build-out makes the most sense for ease and efficiency of construction, and aims to enhance the aesthetics of the house. We feel that the proposed 408 SF addition is the minimum amount of square footage to afford relief to this existing 1,840 SF house. The addition will accommodate this growing family, two home offices and provide for the visits of 7 aging parents, who may require more permanent accommodations as they grow older. By adding square footage to the second floor and reorganizing the existing space for maximum efficiency, this family can thrive in their home for many years to come.

There is no impact on the Solar Access Area with this addition because the proposed addition maintains the existing roof line which falls under the 25' Solar Fence.

Please see the attached existing and proposed floor plans and elevations; existing photographs of the property, letters sign-off on from the three adjacent neighbors in support of the project, and an ILC and Height Verification Certificate. We welcome any questions you might have and look forward to presenting at the BOZA meeting on Thursday, May 19th.

S P A C E c r a f t
Kristin Reisinger
2328 Pine Street B
Boulder, CO 80302
highreis@hotmail.com
917/455-0940

07 April 2016

Dear Neighbors,

I am writing to you on behalf of Rachel Sours-Page and Alan McCluney, who live at 2335 Pine Street, Boulder, CO 80302 and who are planning a 466 SF addition to their existing home. I am acting as their architect and also happen to be a neighbor.

The owners would like to add 30 SF at the first floor, at the north east corner of the house (within the required Side Yard Setback), and a second-story addition directly above the new first floor footprint, which would add 436 SF to the existing second floor. (Please see attached Variance Application drawings.) The addition would also potentially raise the building height by 2', within the allowable maximum height for the zoning and size of the site.

The owners are required to apply for a Variance with the City of Boulder because the proposed addition does not meet the 25' Rear Yard Setback requirement, largely because of the small lot size. This variance will be reviewed at the BOZA (Board of Zoning Adjustments) public meeting on Thursday, May 12th, 2016, after a full application is given to the Board this month for review.

Although neighbor sign-off is not a requirement of this Variance Application, we wanted to let you know in advance that you will be receiving a letter notifying you of this application and public meeting, from the city. We also want to show you the proposed addition so that you might see that this is a well thought out plan and will not create a negative impact on adjacent neighbors or the neighborhood as a whole. Quite the contrary, we aim to improve the look, function and value of the home.

Please note that there are no other zoning variances required for this plan. Maximum allowable site coverage, maximum allowable square footage and maximum allowable height will not be exceeded. The Solar Access requirements will be met; and the Side Yard Articulation and Bulk Plane requirements do not apply to this size of lot.

The city allows for Setback Variances when there are issues of hardship; those not created by the owners. In this case, the very small lot size is the hardship. The only area where square footage could be added to meet all zoning requirements, is shown on drawing V 00 in the hatched area along the east elevation, a mere 58 SF per floor. There is no other way to add to this modestly sized house, not even adding a third-floor is allowed. There is also a structural logic and economy in building over the existing first floor, which is where the majority of the addition is proposed. At the northeast corner where we would like to add 58 SF, the existing structure must be rebuilt in order to hold the second floor because of the poor quality of the initial construction.

The city also considers the situation of the owners, when reviewing these applications. In this case, the family is growing with a second child expected in the fall; both owners work from home; and between the two of them, they have 7 aging parents that currently come to visit, but may need more permanent accommodations as they age. This is a great deal to put into an 1,841 SF house. By adding 466 SF, mainly over the existing first floor footprint, and reorganizing the existing space for maximum efficiency, this family can thrive for many years to come.

By giving your blessing to these plans and elevations, you will help your neighbors in their application for the Setback Variance. If you are not opposed to these changes, please sign and date this letter and initial and date each drawing and return to Rachel Sours-Page and Alan McCluney. By initialing the drawings, the city and the owners have a record of what has been signed-off on.

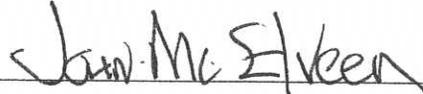
Thank you for your consideration in this matter and please do not hesitate to contact me with any questions, comments or concerns.

Kind regards,



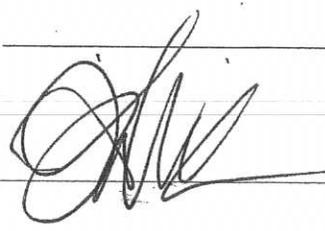
Kristin Reisinger,
Principal
SPACEcraft

Property Owner

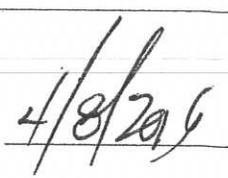


Property Owner

Signature



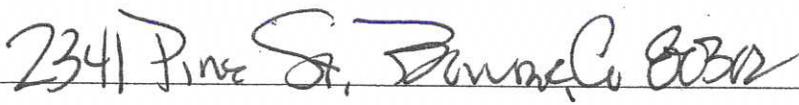
Date



Signature

Date

Address



S P A C E c r a f t
Kristin Reisinger
2328 Pine Street B
Boulder, CO 80302
highreis@hotmail.com
917/455-0940

07 April 2016

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The city also considers the situation of the owners, when reviewing these applications. In this case, the family is growing with a second child expected in the fall; both owners work from home; and between the two of them, they have 7 aging parents that currently come to visit, but may need more permanent accommodations as they age. This is a great deal to put into an 1,841 SF house. By adding 466 SF, mainly over the existing first floor footprint, and reorganizing the existing space for maximum efficiency, this family can thrive for many years to come.

By giving your blessing to these plans and elevations, you will help your neighbors in their application for the Setback Variance. If you are not opposed to these changes, please sign and date this letter and initial and date each drawing and return to Rachel Sours-Page and Alan McCluney. By initialing the drawings, the city and the owners have a record of what has been signed-off on.

Thank you for your consideration in this matter and please do not hesitate to contact me with any questions, comments or concerns.

Kind regards,

Looks like a great idea!

Kristin Reisinger,
Principal
SPACEcraft

Property Owner C J. Walker - 2345 Pine St

Property Owner _____

Signature *CJ* Date 4/10/10

Signature _____ Date _____

Address 2345 Pine St

S P A C E c r a f t
Kristin Reisinger
2328 Pine Street B
Boulder, CO 80302
highreis@hotmail.com
917/455-0940

07 April 2016

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I am writing to you on behalf of Rachel Sours-Page and Alan McCluney, who live at 2335 Pine Street, Boulder, CO 80302 and who are planning a 466 SF addition to their existing home. I am acting as their architect and also happen to be a neighbor.

The owners would like to add 30 SF at the first floor, at the north east corner of the house (within the required Side Yard Setback), and a second-story addition directly above the new first floor footprint, which would add 436 SF to the existing second floor. (Please see attached Variance Application drawings.) The addition would also potentially raise the building height by 2', within the allowable maximum height for the zoning and size of the site.

The owners are required to apply for a Variance with the City of Boulder because the proposed addition does not meet the 25' Rear Yard Setback requirement, largely because of the small lot size. This variance will be reviewed at the BOZA (Board of Zoning Adjustments) public meeting on Thursday, May 12th, 2016; after a full application is given to the Board this month for review.

Although neighbor sign-off is not a requirement of this Variance Application, we wanted to let you know in advance that you will be receiving a letter notifying you of this application and public meeting, from the city. We also want to show you the proposed addition so that you might see that this is a well thought out plan and will not create a negative impact on adjacent neighbors or the neighborhood as a whole. Quite the contrary, we aim to improve the look, function and value of the home.

Please note that there are no other zoning variances required for this plan. Maximum allowable site coverage, maximum allowable square footage and maximum allowable height will not be exceeded. The Solar Access requirements will be met; and the Side Yard Articulation and Bulk Plane requirements do not apply to this size of lot.

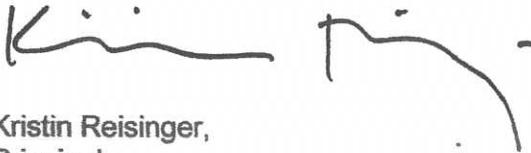
The city allows for Setback Variances when there are issues of hardship; those not created by the owners. In this case, the very small lot size is the hardship. The only area where square footage could be added to meet all zoning requirements, is shown on drawing V 00 in the hatched area along the east elevation, a mere 58 SF per floor. There is no other way to add to this modestly sized house, not even adding a third-floor is allowed. There is also a structural logic and economy in building over the existing first floor, which is where the majority of the addition is proposed. At the northeast corner where we would like to add 58 SF, the existing structure must be rebuilt in order to hold the second floor because of the poor quality of the initial construction.

The city also considers the situation of the owners, when reviewing these applications. In this case, the family is growing with a second child expected in the fall; both owners work from home; and between the two of them, they have 7 aging parents that currently come to visit, but may need more permanent accommodations as they age. This is a great deal to put into an 1,841 SF house. By adding 466 SF, mainly over the existing first floor footprint, and reorganizing the existing space for maximum efficiency, this family can thrive for many years to come.

By giving your blessing to these plans and elevations, you will help your neighbors in their application for the Setback Variance. If you are not opposed to these changes, please sign and date this letter and initial and date each drawing and return to Rachel Sours-Page and Alan McCluney. By initialing the drawings, the city and the owners have a record of what has been signed-off on.

Thank you for your consideration in this matter and please do not hesitate to contact me with any questions, comments or concerns.

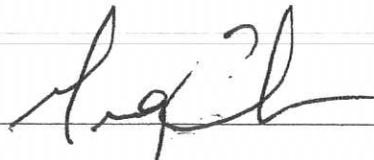
Kind regards,

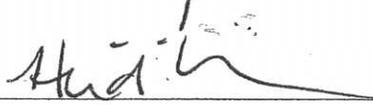


Kristin Reisinger,
Principal
SPACEcraft

Property Owner GREG EKREM

Property Owner Heidi Ekrem

Signature  Date 4/12/16

Signature  Date 4/12/16

Address 2329 Pine St. Boulder, CO 80302

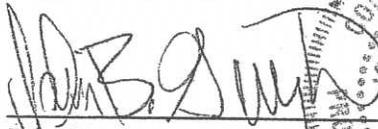


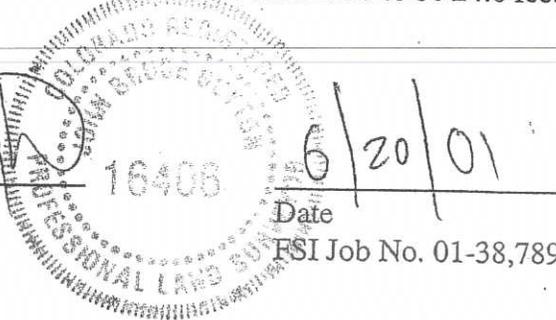
June 19, 2001

Christopher Contracting
Brian Ahern
825 East Dakota Avenue
Denver, CO 80209

RE: Height Verification 2335 Pine Street, Boulder, Colorado

On June 19, 2001 under my direct supervision, responsibility and checking the height of the house under construction at 2335 Pine Street was measured to be 24.6 feet above the lowest point within 25 feet of said house.


John B. Guyton
PLS 16406



RE: Drawings + Update Property Info

From: **Rachel Sours-Page** (rachelsourspage@gmail.com)

Sent: Fri 3/04/16 2:29 PM

To: 'Kristin Reisinger' (highreis@hotmail.com)

Cc: kerry@commaworkshop.com

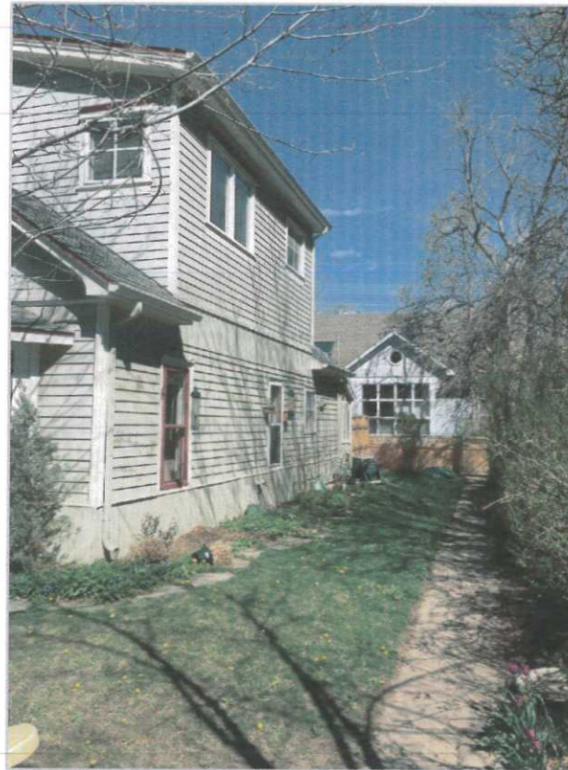
Hi Kristin,

I wanted to provide you with a bit more explanation of my limited connection to Jill Grano. Last fall, my mother (Nancy Sours) purchased a studio condo here in Boulder located at 3250 O'Neal Circle, Unit L-33, Boulder, CO 80301. The owner from whom she bought the condo was Jill Grano. Because my mother lives in California, she gave me power of attorney to attend the closing and sign all needed documents. Jill and I met twice. The first time was at the condo when Jill showed us the property. The second time was at the title company for the property closing. We don't have any other personal connection.

Thanks,
Rachel



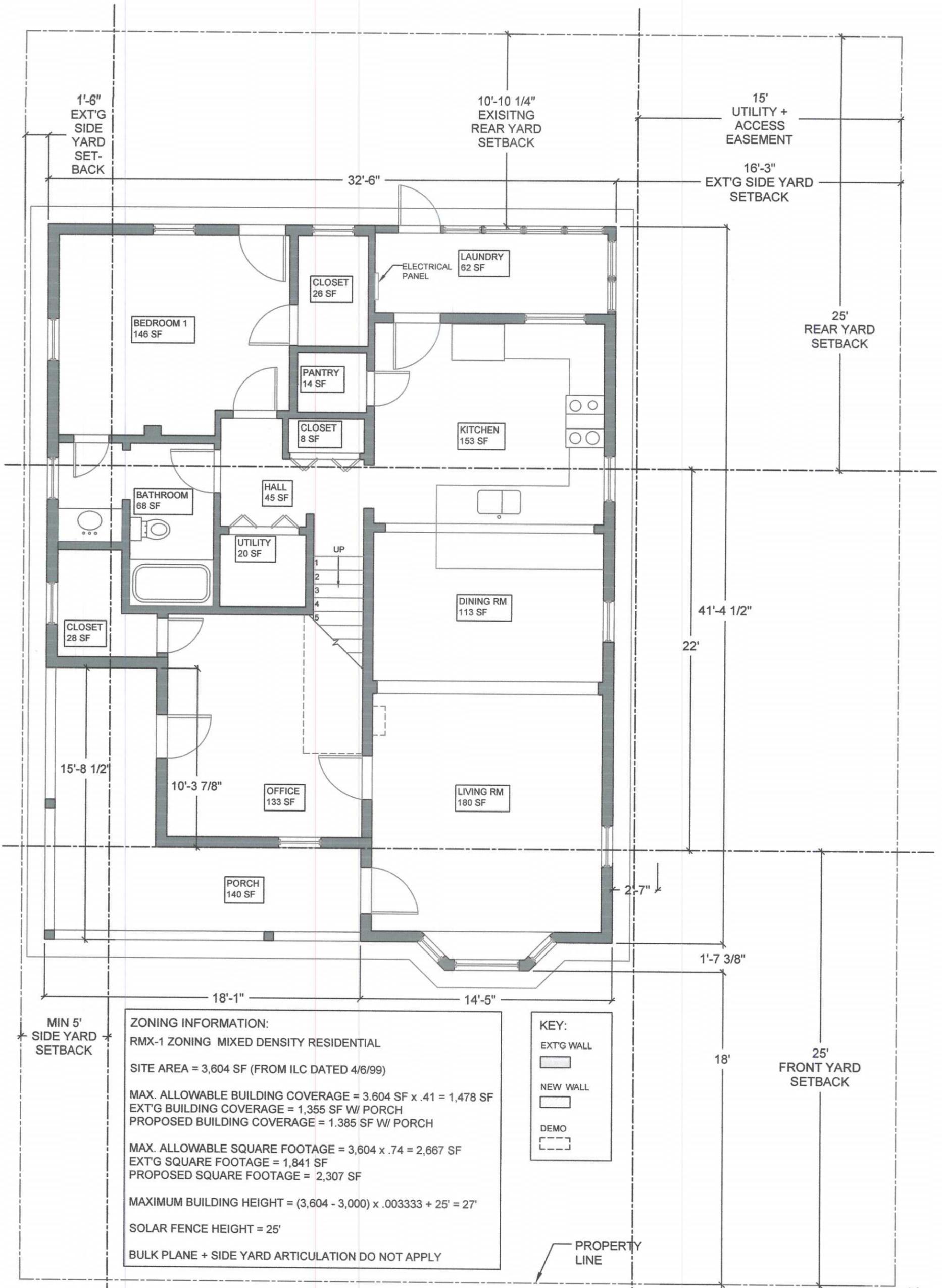
① EXISTING WEST + SOUTH ELEVATION
N.T.S.



② EXISTING EAST ELEVATION
N.T.S.



③ EXISTING NORTH ELEVATION
N.T.S.



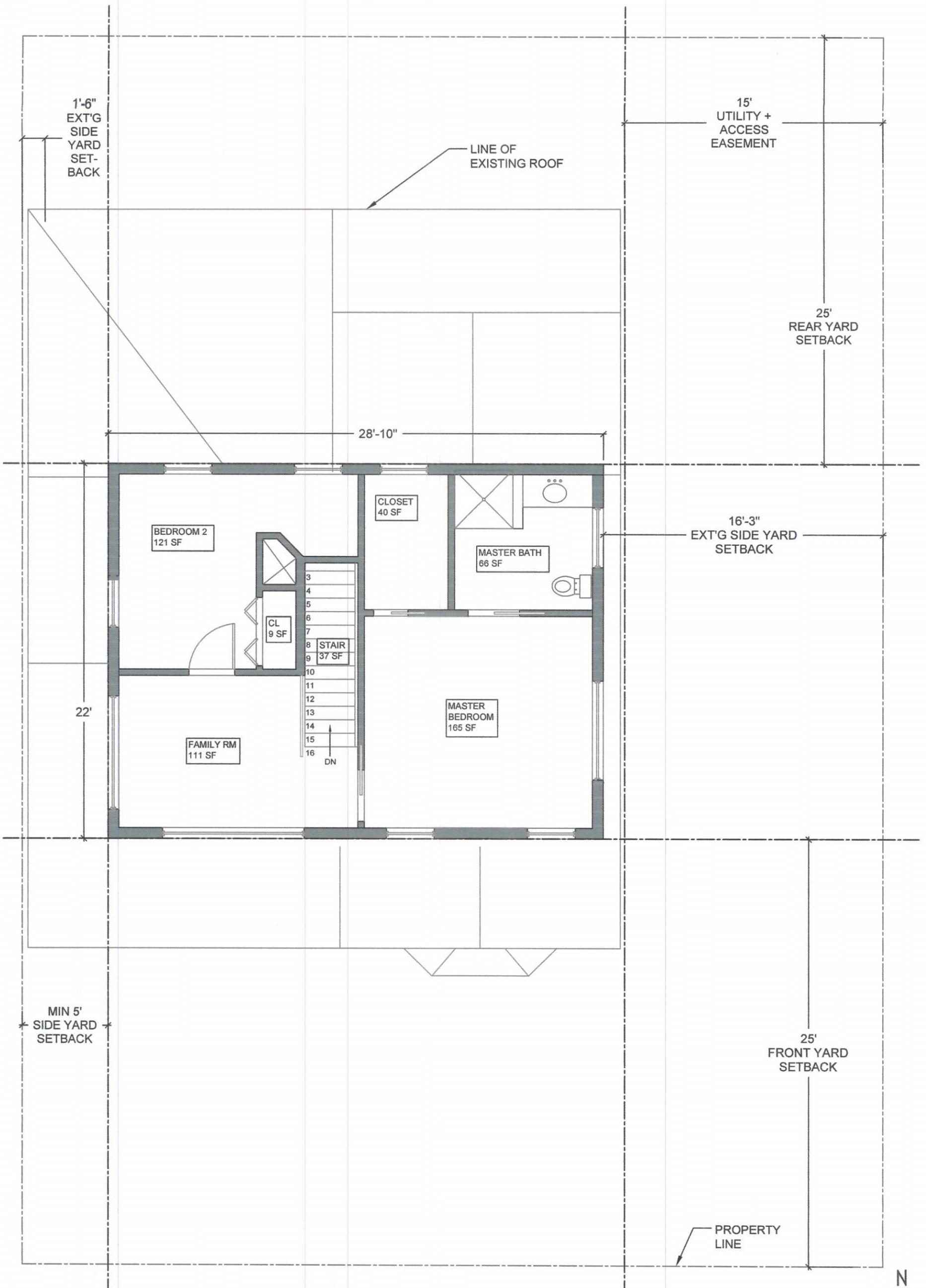
ZONING INFORMATION:
 RMX-1 ZONING MIXED DENSITY RESIDENTIAL
 SITE AREA = 3,604 SF (FROM ILC DATED 4/6/99)
 MAX. ALLOWABLE BUILDING COVERAGE = 3,604 SF x .41 = 1,478 SF
 EXT'G BUILDING COVERAGE = 1,355 SF W/ PORCH
 PROPOSED BUILDING COVERAGE = 1,385 SF W/ PORCH
 MAX. ALLOWABLE SQUARE FOOTAGE = 3,604 x .74 = 2,667 SF
 EXT'G SQUARE FOOTAGE = 1,841 SF
 PROPOSED SQUARE FOOTAGE = 2,307 SF
 MAXIMUM BUILDING HEIGHT = (3,604 - 3,000) x .003333 + 25' = 27'
 SOLAR FENCE HEIGHT = 25'
 BULK PLANE + SIDE YARD ARTICULATION DO NOT APPLY

KEY:
 EXT'G WALL
 NEW WALL
 DEMO

PROPERTY LINE

1 SITE PLAN W/ SETBACKS + ZONING INFORMATION + EXISTING FIRST FLOOR PLAN
 3/16"=1'-0"





① SITE PLAN W/ SETBACKS + EXISTING SECOND FLOOR PLAN
 3/16" = 1'-0"

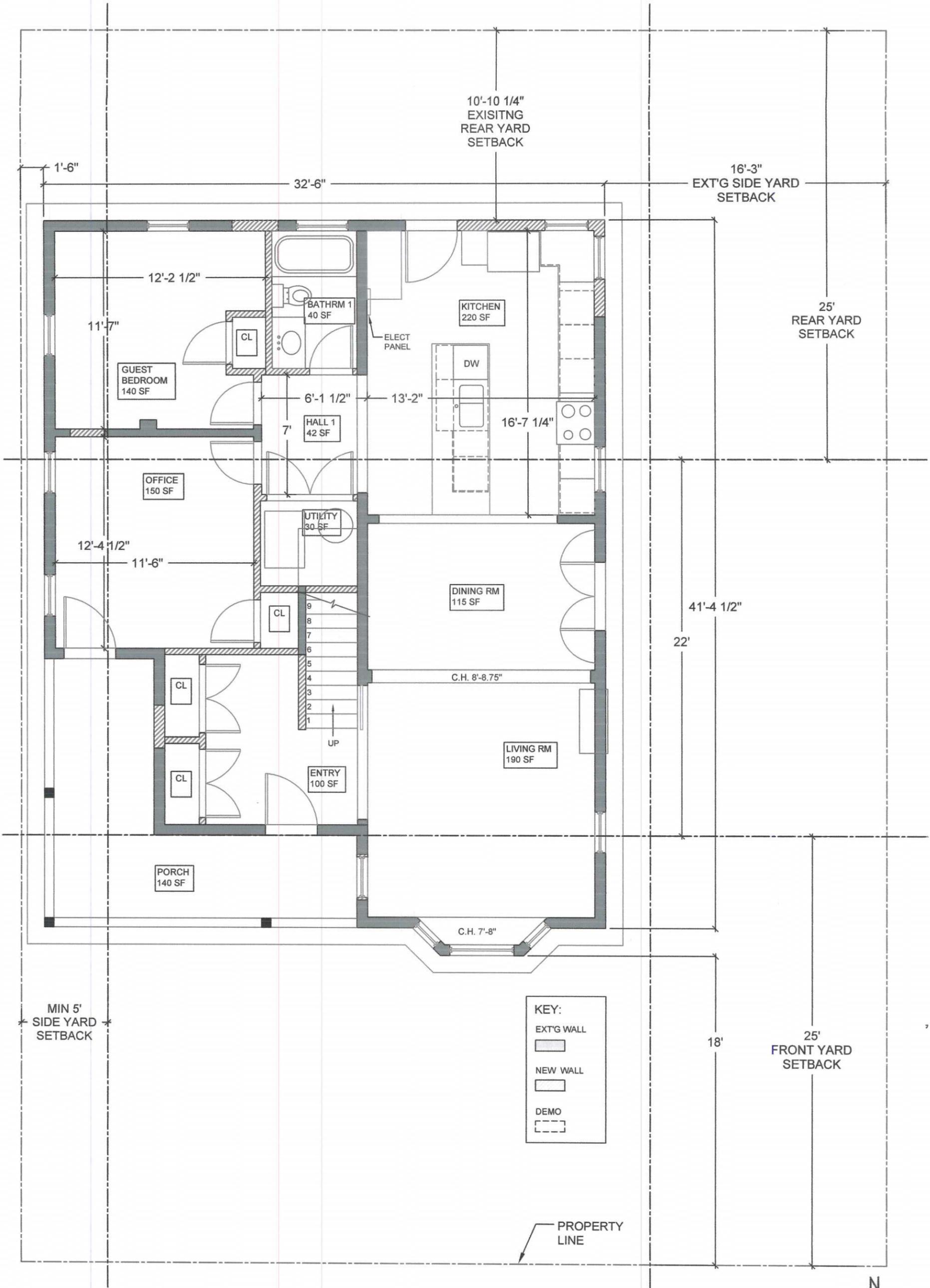


SPACEcraft

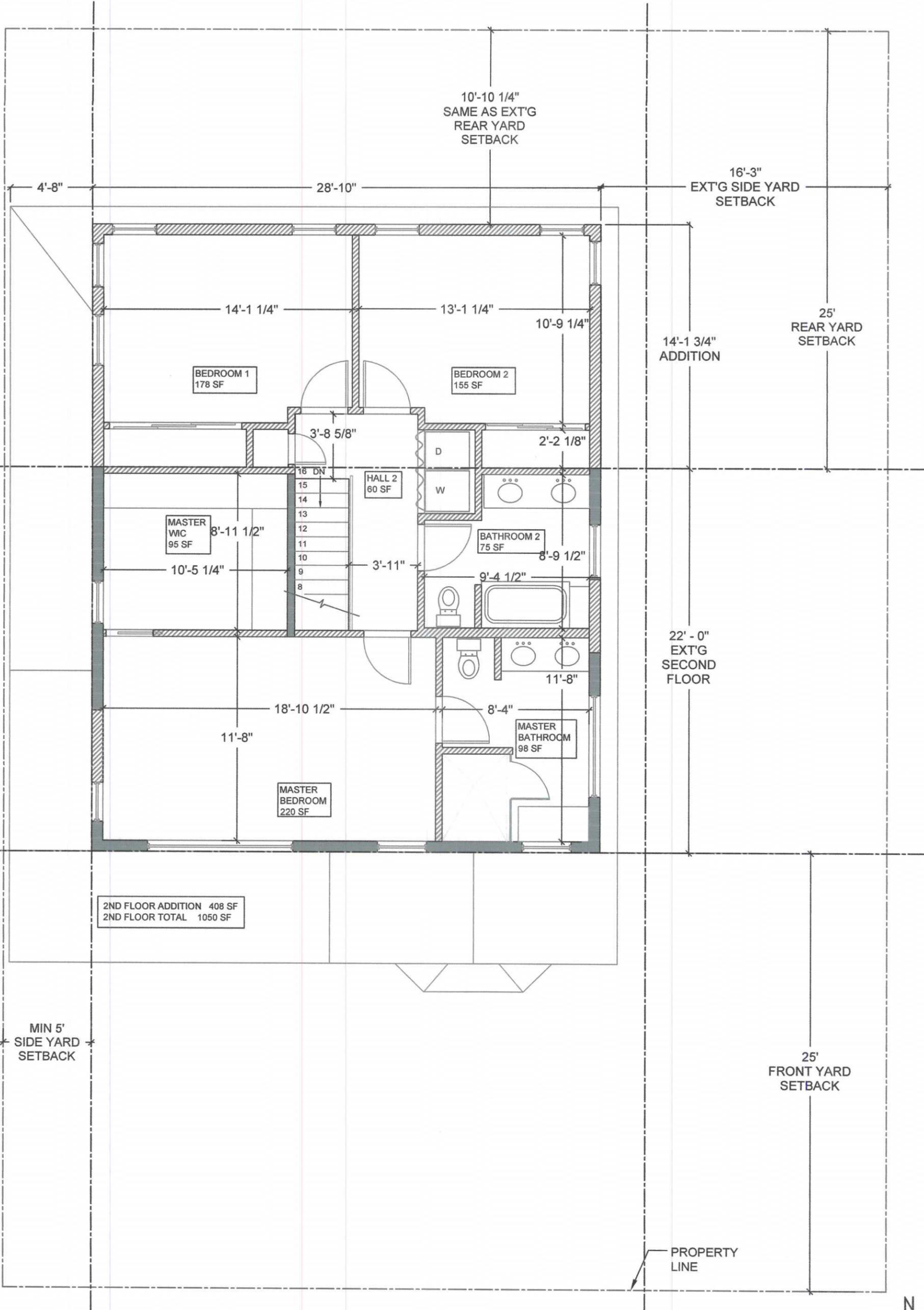
SOURS-PAGE/MCCLUNEY ADDITION
 2335 PINE ST, BOULDER, CO 80302
 LOT A STONE'S THROW SPLIT, SEE ID 105717

SETBACK VARIANCE APPLICATION
 SITE PLAN W/ EXT'G 2ND FLOOR
 SCALE 3/16" = 1'-0"
 15 APRIL 2016

V 01



1 PROPOSED FIRST FLOOR PLAN
3/16" = 1'-0"



1 PROPOSED SECOND FLOOR PLAN
3/16" = 1'-0"





① EXISTING SOUTH ELEVATION
3/16"=1'-0"

② EXISTING EAST ELEVATION
3/16"=1'-0"



① EXISTING NORTH ELEVATION
3/16"=1'-0"



② EXISTING WEST ELEVATION
3/16"=1'-0"



1 PROPOSED SOUTH ELEVATION
3/16"=1'-0"

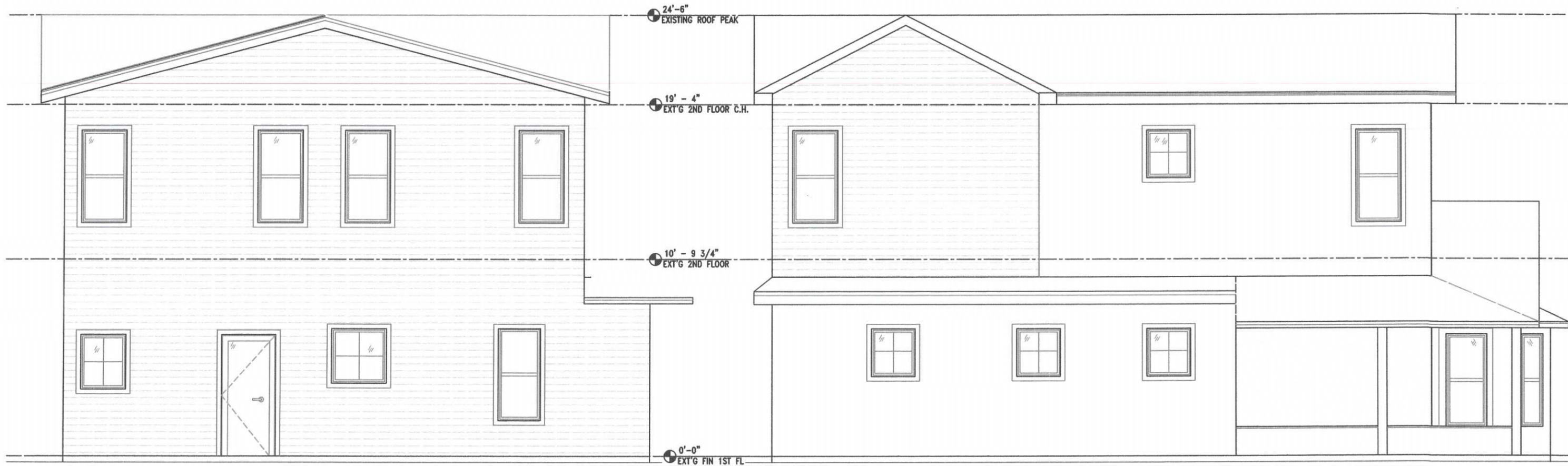
2 PROPOSED EAST ELEVATION
3/16"=1'-0"

SPACEcraft

SOURS-PAGE/MCCLUNEY RENOVATION
2335 PINE STREET, BOULDER, CO 80302
LOT A STONE'S THROW SPLIT, SEE ID 105717

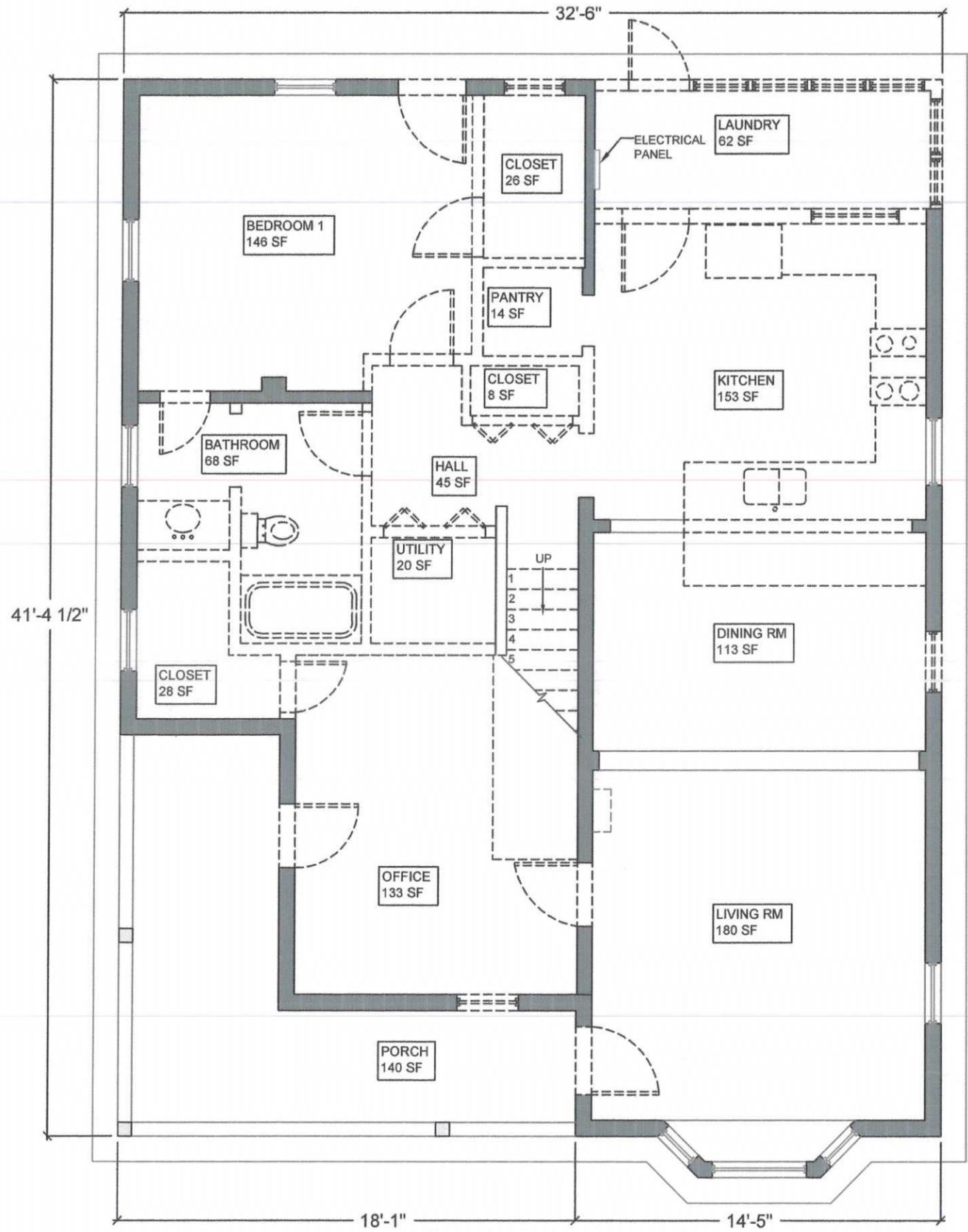
SETBACK VARIANCE APPLICATION
PROPOSED SOUTH + EAST ELEVATIONS
SCALE 3/16" = 1'-0"
15 APRIL 2016

V 06

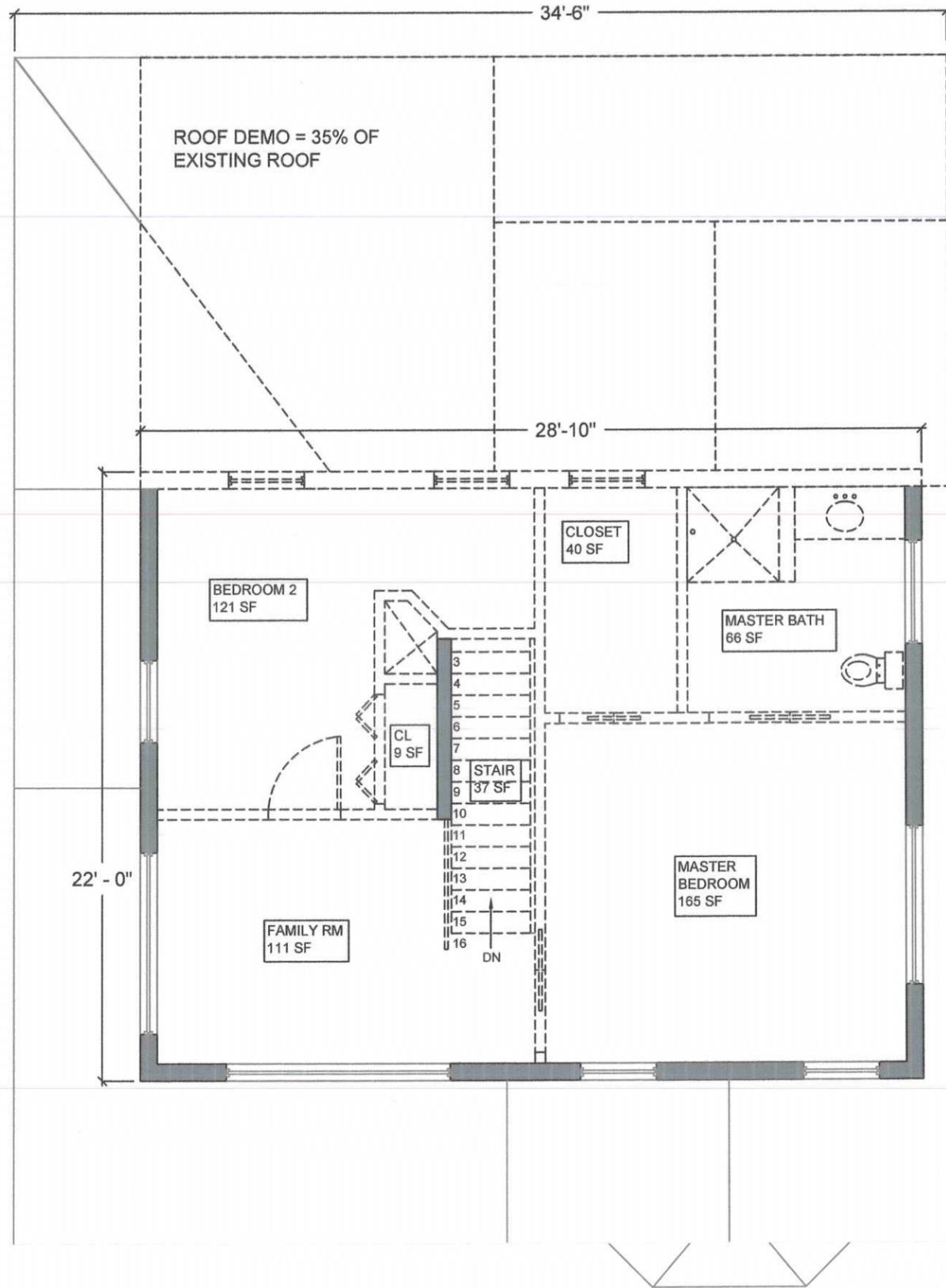


① PROPOSED NORTH ELEVATION
3/16"=1'-0"

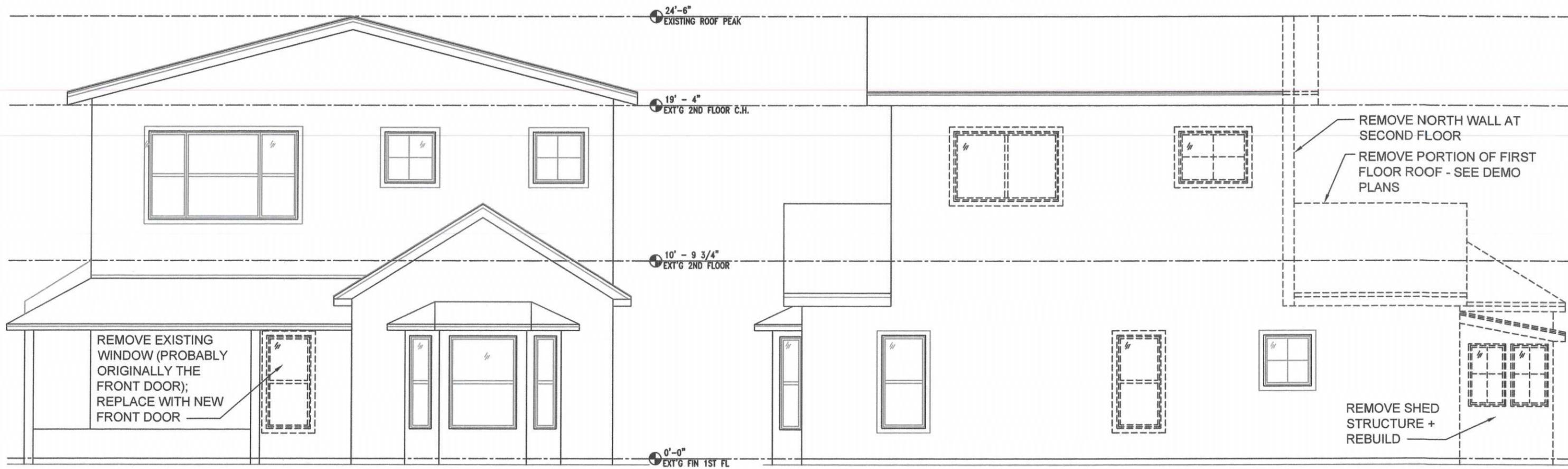
② PROPOSED WEST ELEVATION
3/16"=1'-0"



1 EXISTING FIRST FLOOR PLAN W/ PROPOSED DEMOLITION
3/16"=1'-0"



2 EXISTING SECOND FLOOR PLAN W/ PROPOSED DEMOLITION
3/16"=1'-0"



1 EXISTING SOUTH ELEVATION W/ PROPOSED DEMOLITION
3/16"=1'-0"

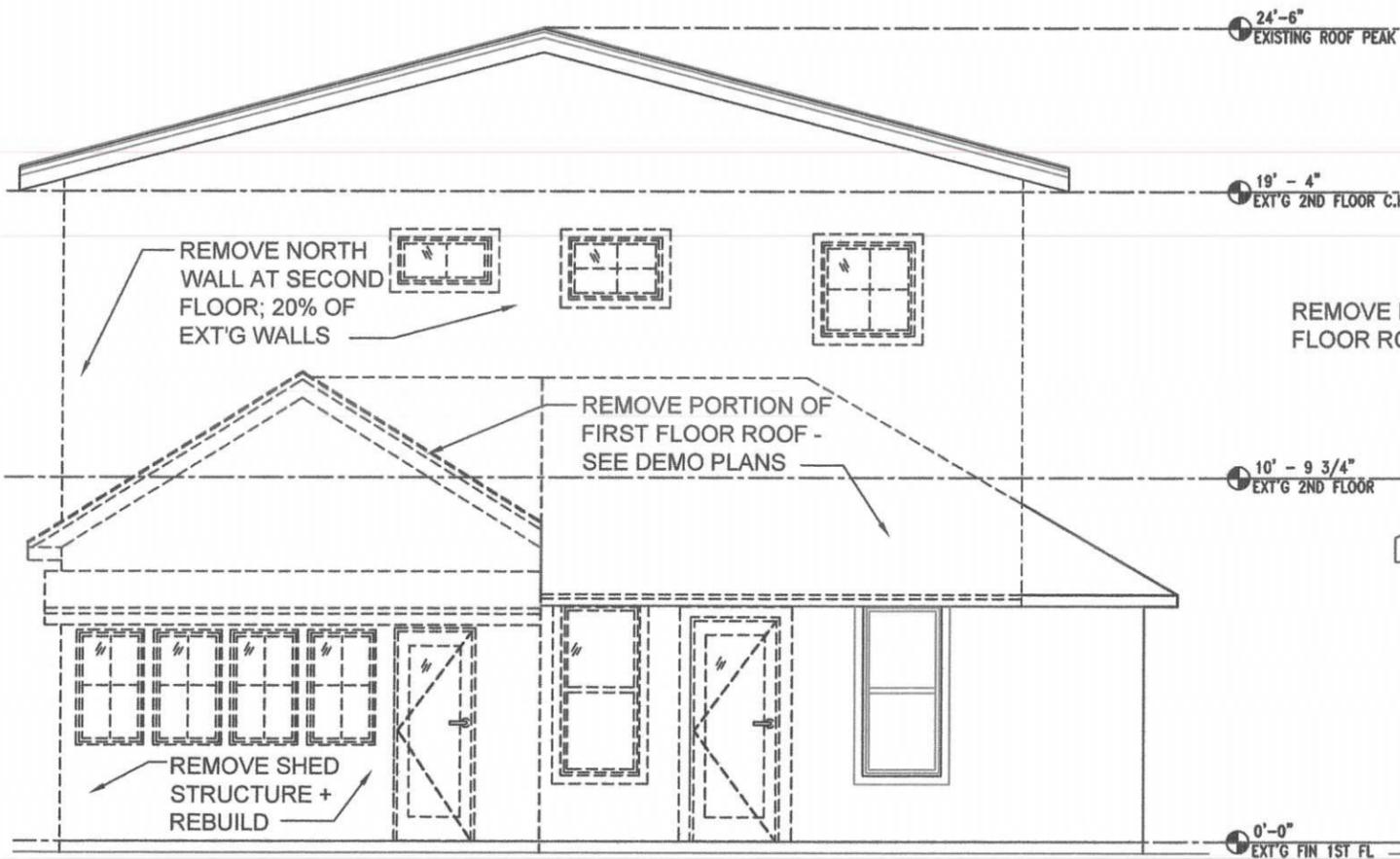
2 EXISTING EAST ELEVATION W/ PROPOSED DEMOLITION
3/16"=1'-0"

SPACEcraft

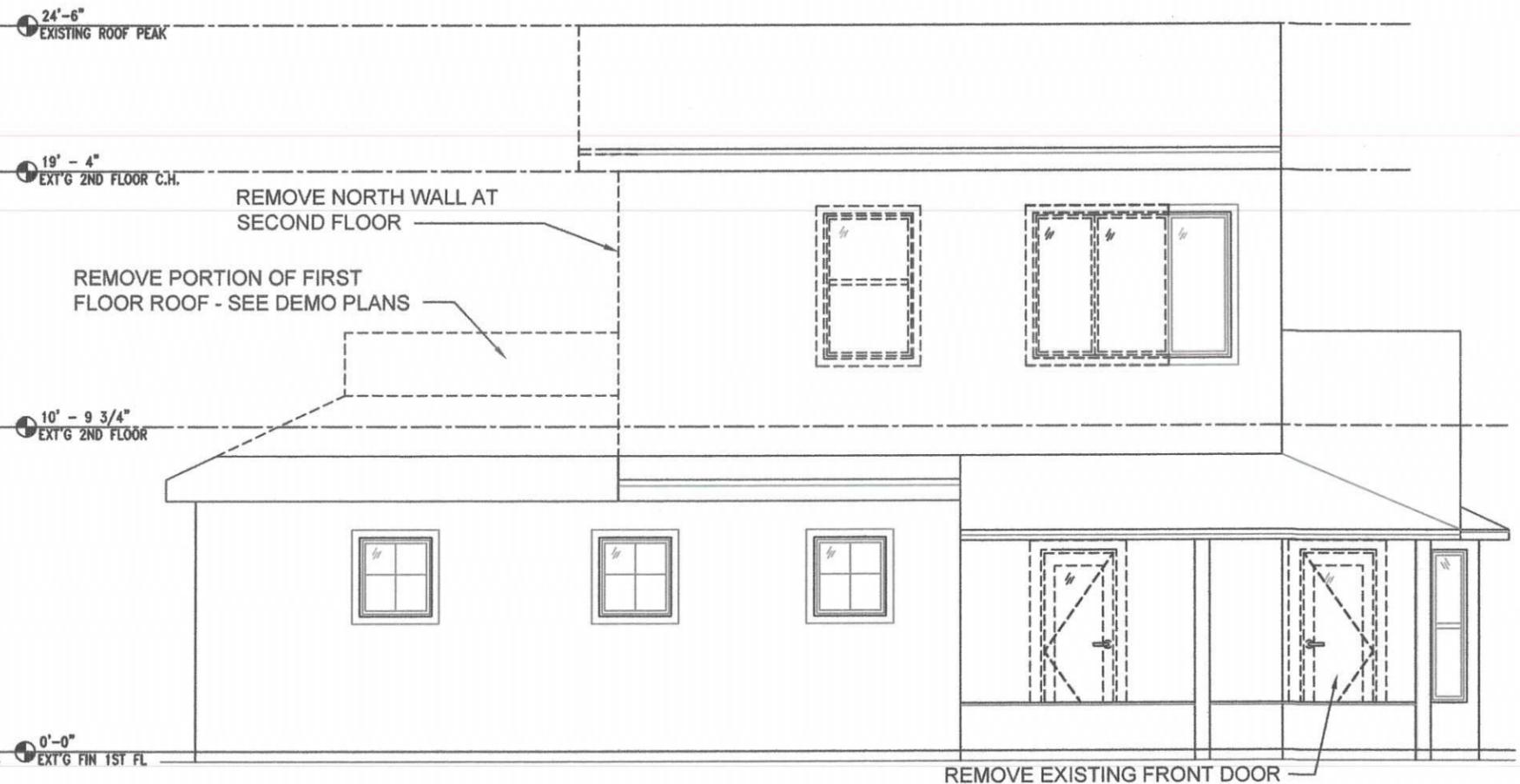
SOURS-PAGE/MCCLUNEY RENOVATION
2335 PINE STREET, BOULDER, CO 80302
LOT A STONE'S THROW SPLIT, SEE ID 105717

SETBACK VARIANCE APPLICATION
PROPOSED DEMO SOUTH + EAST ELEVATIONS
SCALE 3/16" = 1'-0"
15 APRIL 2016

V 09



1 EXISTING NORTH ELEVATION W/ PROPOSED DEMOLITION
3/16"=1'-0"



2 EXISTING WEST ELEVATION W/ PROPOSED DEMOLITION
3/16"=1'-0"



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: boulderplandevlop.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: 1507 Pine St, Boulder CO
- Legal Description: Lots 7 & 8 Block 146 Subdivision Boulder (Or attach description.)
- Existing Use of Property: OFFICE/Apartments - currently being changed to duplex
- Description of proposal:

Construct a new 4-car garage in the 25' rear yard setback. The proposed garage is 924 sq. ft. 500 sq. ft is allowed in the rear yard setback. The primary building is an individual landmark

*Total floor area of existing building: <u>4897 sq. ft.</u>	*Total floor area proposed: <u>5,821 sq. ft. (includes garage)</u>
*Building coverage existing: <u>1938 sq. ft.</u>	*Building coverage proposed: <u>2,362 (includes garage)</u>
*Building height existing: <u>43.36 ft.</u>	*Building height proposed: <u>garage only: 16.8 ft.</u>

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

- ◆ Name of Owner: Susan J. Dawson
- Address: 602 West Glen Way Telephone: _____
- City: Woodside State: CA. Zip Code: 94062 FAX: _____
- ◆ Name of Contact (if other than owner): Kristin Lewis
- Address: 1928 14th St, #200 Telephone: 303-449-5747
- City: Boulder State: CO Zip Code: 80302 FAX: 303-447-2843

BOZA 2016 - 00008 **STAFF USE ONLY**

Doc. No. _____ Date Filed 4.20.16 Zone RMX-1 Hearing Date _____

Application received by: M. Date Fee Paid _____ Misc. Rect # _____

* Square footage is based on current permit application under review

APPLICATION TYPES

- Setback, building separation, bulk plane, building coverage, porch setback and size, and side yard wall articulation
- Sign Variance
- Mobile Home Spacing Variance
- Size and parking setback requirements for accessory units
- Use of mobile homes for non-residential purposes
- Parking in landscaped front yard setback

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 (**4 copies**);
- A site development plan including building heights, setbacks, and proposed floor area (**4 copies**);
- A demolition plan differentiating between proposed and remaining portions of the structure (**4 copies**); *N.A.*
- A written statement thoroughly addressing the criteria for approval - see following pages (**4 copies**);
- Any other information pertinent to the request (**4 copies**);
- An application fee (as prescribed in Section 4-20-43, B.R.C. 1981);
- Sign Posting Acknowledgement Form - see last page.

-Electronic files of all documents are greatly appreciated. If available, please submit them on a CD or thumb drive with your application.

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 *Scott Lewis* Date *4/20/2016*

**SIGN POSTING REQUIREMENTS
APPLICANT'S ACKNOWLEDGMENT FORM**

Required for Certain Land Use Review, Administrative Review, and Technical Document Review Applications

CITY CODE REQUIREMENT FOR SIGN POSTING OF LAND USE REVIEW APPLICATIONS -

Excerpt of Section 9-4-3(c), B.R.C. 1981: Public Notice of Application: The city manager will provide the following public notice of a development review application:

(1) Posting: After receiving such application, the manager will cause the property for which the application is filed to be posted with a notice indicating that a development review application has been made, the type of review requested, and that interested persons may obtain more detailed information from the planning department. The notice shall meet the following standards:

(A) The notice shall be placed on weatherproof signs that have been provided by the City and placed on the property that is the subject of the application.

(B) All such notice shall be posted no later than ten days after the date the application is filed to ensure that notice is posted early in the development review process.

(C) The signs shall be placed along each abutting street, perpendicular to the direction of travel, in a manner that makes them clearly visible to neighboring residents and passers-by. At least one sign shall be posted on each street frontage.

(D) The signs shall remain in place during the period leading up to a decision by the approving authority, but not less than ten days.

(E) On or before the date that the approving authority is scheduled to make a decision on the application the city manager will require the applicant to certify in writing that required notice was posted according to the requirements of this section.

I, Kristin Lewis, am filing a Land Use Review or Technical Document Review application [on behalf of the property owner(s) Susan Dawson for property located at 1507 Pine St. I have read the city's sign posting requirements above and acknowledge and agree to the following:

1. I understand that I must use the sign(s) that the city will provide to me at the time that I file my application. The sign(s) will include information about my application and property location to provide required public notice.
2. I am responsible for ensuring that the sign(s) is posted on the property described above in such a way that meets the requirements of Section 9-4-3(c), B.R.C. 1981 (listed above), including visibility of the sign(s) and time and duration of the sign(s) posting, and including reposting any signs that are removed, damaged, or otherwise displaced from the site. As necessary, I shall obtain a replacement sign(s) from the city for reposting.
3. I understand that certain future changes to my application, including but not limited to, changes to the project description or adding a review type, may require that I post a new sign(s). The city will notify me if such a reposting is required and provide me with a necessary replacement sign(s).
4. I understand that failing to provide the public notice by sign posting required by the city's land use regulation may result in a delay in the city's issuing a decision or a legal challenge of any issued decision.

Kurt Lew
NAME OF APPLICANT OR CONTACT PERSON

4/20/2016
DATE

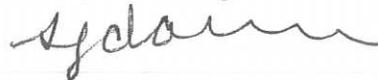
Please keep a copy of this signed form for your reference. If you have any questions about the sign posting requirements or to obtain a replacement sign, please call 303-441-1880.

SUSAN J DAWSON

COTTAGE 601
CHAUTAUQUA PARK

April 20, 2016

Please allow Kristen
Lewis, architect, to submit
the application for a
BOZA variance at 1507
Pine St on my behalf.

Sincerely,


Susan J. Dawson
Owner

susanjdawson@gmail.com

4.19.2016

Re: 1507 Pine Street, Boulder

BOZA Variance Criteria

The property at located at 1507 Pine Street was designated an individual landmark in 1981 as part of a Special Review. (SR-81-4) At that time a historic garage and curb cut off of 15th St. were removed. New surface parking spaces were provided with access off the existing alley and a 14% parking reduction was granted. The Special Review allowed for office usage on the first two levels. Existing residential (2 units) were maintained on the third level. The current owner has submitted a permit application for the renovation of the existing office usage to a single dwelling. The two third floor units are being converted to a second unit. An LAC has been issued for a new elevator addition and stair access to the third level. In addition, a historic porch is to be re-constructed, based on early photos, at the front of the house. The Landmark Board approved construction of a new 4 car garage at the rear of the lot. Subsequently, the DRC issued an LAC for the garage detailing and finishes. This BOZA application is to allow new construction of a garage that is 924 sq. ft.: Exceeding the 500 sq. ft. allowable in the rear yard setback by 424 sq. ft. No other existing structures are located in the rear yard setback.

1. Physical Conditions or Disability

- 1507 Pine Street is sited in the center of two lots for a combined lot size of 14,077 sq. ft. Each of the lots, if not combined, would have allowed a max. of 500 sq. ft of construction in the rear yard setback. Given the nature of the site and historic value of the existing landmark structure, the applicant proposes to construct a single 4 car garage structure. 4 parking spaces are required to meet zoning requirements. The owner's parents will be residing on the third level (hence the elevator). Covered, secure parking is important for all occupants of the duplex given the climate and downtown location.
- The unusual circumstances or conditions do not exist throughout the neighborhood. Except for the adjacent church, this is the largest lot in the neighborhood. The duplex is stacked in the center of the lot. The coverage in the rear yard setback is less than the maximum allowed if the lots were viewed independently.
- Given the landmark status of the site and downtown location, appropriately sized garage parking is preferable to on grade parking. A conforming location will place the new garage too close to the historic structure. See attached conforming plan.
- The owner purchased the property in the last couple of years and did not create any of the hardship.

2. Energy Conservation

- This criteria does not apply. Applicant is proposing to construction a non-habitable detached garage.

1507 Pine St BOZA application (cont.)

3. Solar Access

- The proposed detached garage does not interfere with basic solar access protection provided in Section 9-9-17, "Solar Access" BRC 1981. The applicant proposes an exception to the allowed building area in the rear yard setback.

4. Designated Historic Property

- The Landmarks Board approved the location and size of the proposed 4 car garage pending zoning approvals and material details. The details were approved by the DRC and an LAC has been issued. The original Historic house had a detached 4 car garage that was demolished in the 1980's. The new garage is accessed off the alley and conforms to city back up regulations for garages. The proposed garage is single story and located at the rear East side of the lot to provide for a neutral back drop for the historic landmark structure. Both the Pine and 15th St facades are important views of the Landmark Residence and serve as a community resource. The conforming location places the garage too close to the historic structure. The size of the garage includes a brick veneer finish to be more compatible with the Landmark building.

5. Requirements for All Variances:

- A. The detached 4 car garage will enhance the essential character of the neighborhood by removing surface parking. There is a lot of variety in the surrounding neighborhood. In general, the single family houses that can have garages do have them. There is a 4 car stone garage on the other side of the alley that would have been associated with a historic property. It has been converted to studios but reflects the character of the neighborhood as does the proposed garage.
- B. The adjacent property has a large addition with surface parking at the rear. It is a condominium development. The proposed garage will break up a 3.5 lot stretch of surface parking off the alley. It will enhance the alley view. New parking will comply with current back up regulations. The proposal will not adversely affect the adjacent properties and will enhance the alley experience and congestion.
- C. The garage is sized to accommodate four cars and is divided into 2 – 2 car spaces. The interior dimensions of each two car garage will be 20 ft x 20 ft. The minimum parking space requirement is 9 ft. x 18 ft. The additional 2 ft will allow the storage of a few bicycles and give better access to the elderly inhabitants. The garages are of minimal size.
- D. The proposed garage will not conflict with the provisions of Section 9-9-17 "Solar Access" B.R.C. 1981

MEMORANDUM

TO: Board of Zoning Adjustment
Brian Holmes, Zoning Administrator
Robbie Wyler, Asst. Zoning Administrator

FROM: Marcy Cameron, Historic Preservation Planner

DATE: May 3, 2016

RE: Requested variance at 1507 Pine St.– Construction of garage in rear setback (Individual Landmark)

Background:

The grand, 2 ½ story, Italianate house at 1507 Pine was constructed in 1883 for local businessman and early regent of the University of Colorado, Edwin J. Temple and his wife, Sarah. The Temples resided in the house from its construction in 1883 until Edwin's death in 1929. The property was then sold and converted into apartments. In 1941, the building housed six apartments and by 1948 the building housed nine apartments. In 1947, the house was significantly remodeled, including the addition of a third story. In 1971, the property was purchased by Robert and Prissy Bowron. The Bowrons undertook renovation efforts, including replacement of a small porch on the west elevation and reconstruction of the tower. In 1977, the property was designated as the city's 12th individual landmark. In 1981, the house went through special Use Review to allow offices on the first and second floors, with third story apartment use. The current owner intends to convert the property back to its historic residential use.

On July 2, 2014, the Landmarks Board conditionally approved a Landmark Alteration Certificate for the construction of a four-car garage at the north side of the property. In its review, the board found that the mass, scale, height, architectural style, arrangement, texture, color, arrangement of color, and materials used the proposed one-story addition to the house was consistent with the *General Design Guidelines for Boulder's Landmarks and Historic Districts*, and the Landmark Alteration Certificate standards for designated buildings. The applicant returned to the Landmarks Design Review Committee (Ldrc) on April 20, 2016 to request support for a BOZA variance.

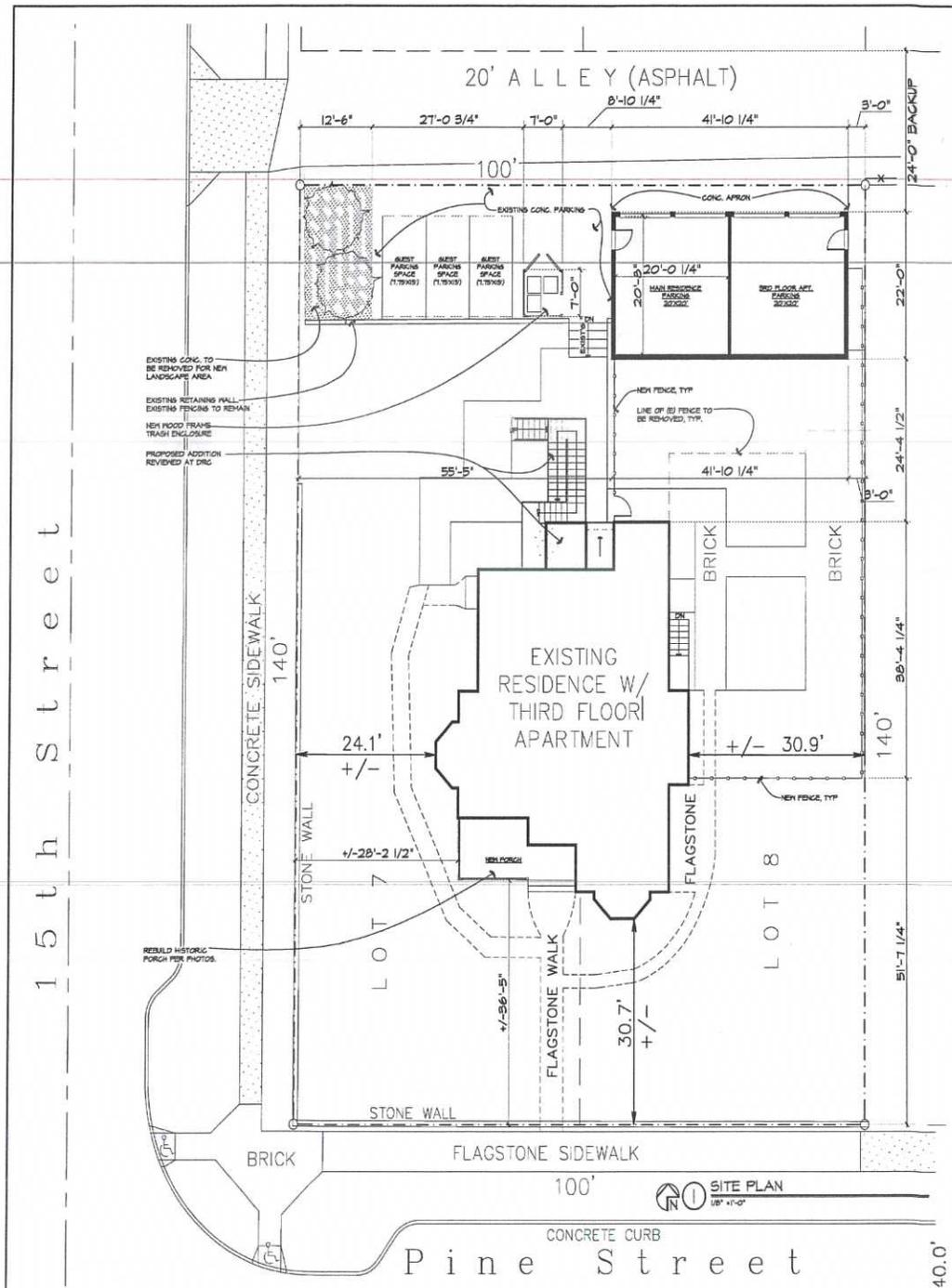
The Landmarks Design Review Committee's Support

The Landmarks Design Review Committee supports the requested variance for the building coverage in the rear yard setback, finding that construction of the garage in a by-right location would have an adverse effect on the historic character of the designated site. Specifically, the Ldrc noted that a garage located farther from the north property line (in the by-right location) would:

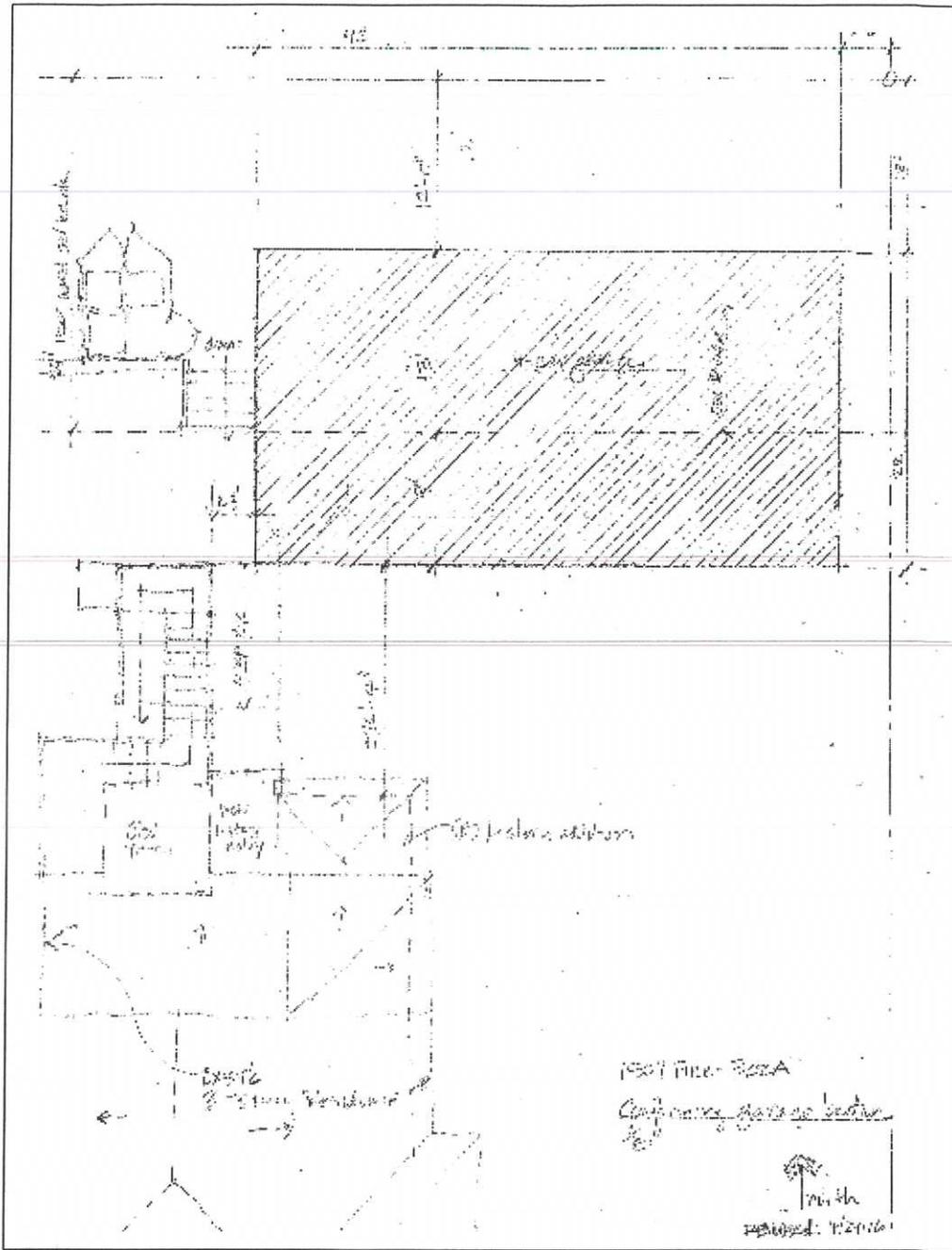
- Diminish the amount of open space between the house and garage, conflicting with the design guidelines for Site Design.

- Diverge from the historic relationship of accessory buildings and their location along an alley.
- Be farther from the location of the 4-car garage historically located at the northwest corner of the property. The precedent of this size, massing and location of a garage was a factor in approving the Landmark Alteration Certificate.

If you have questions regarding this matter, please contact Marcy Cameron at (303) 441-3209.



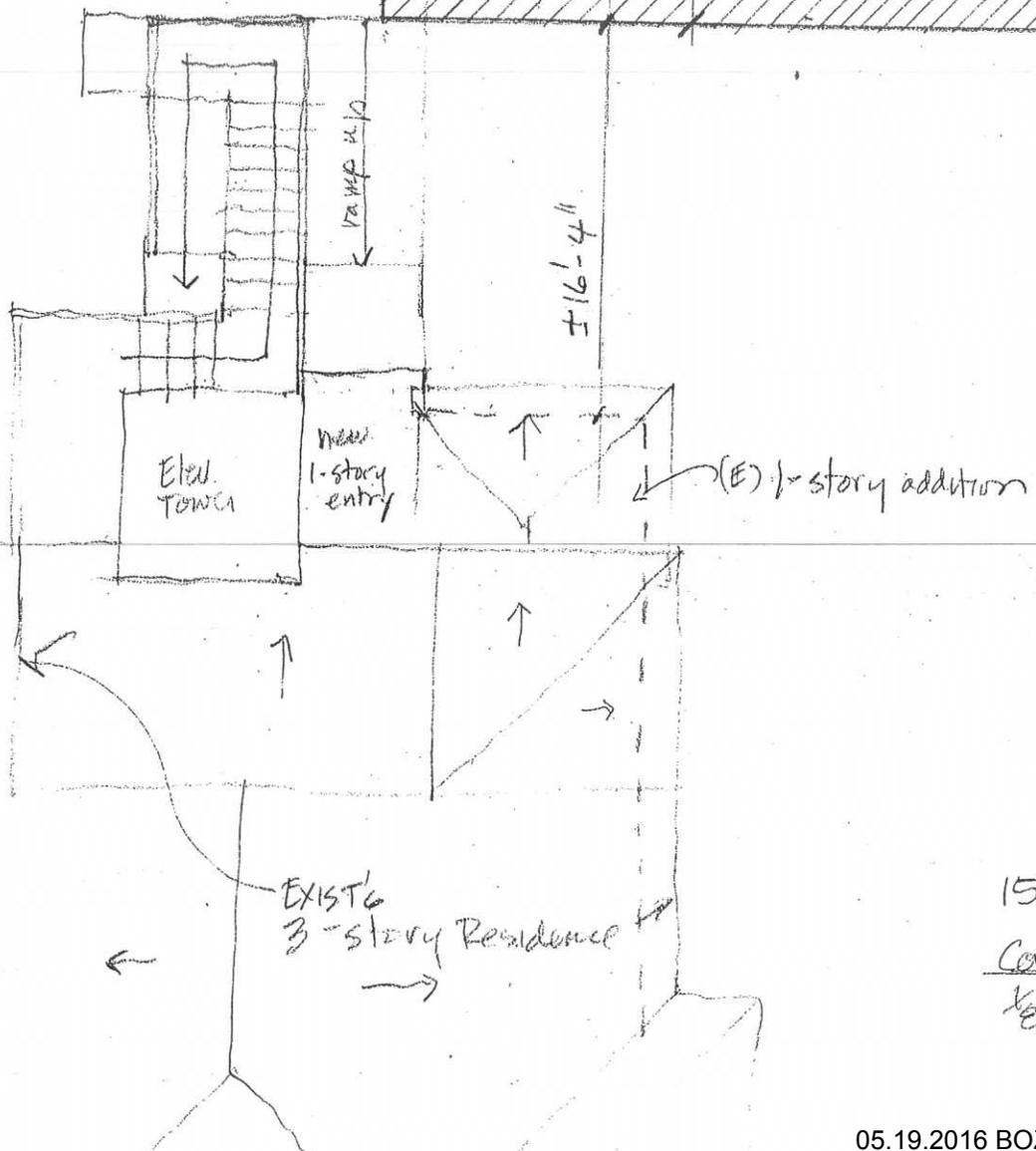
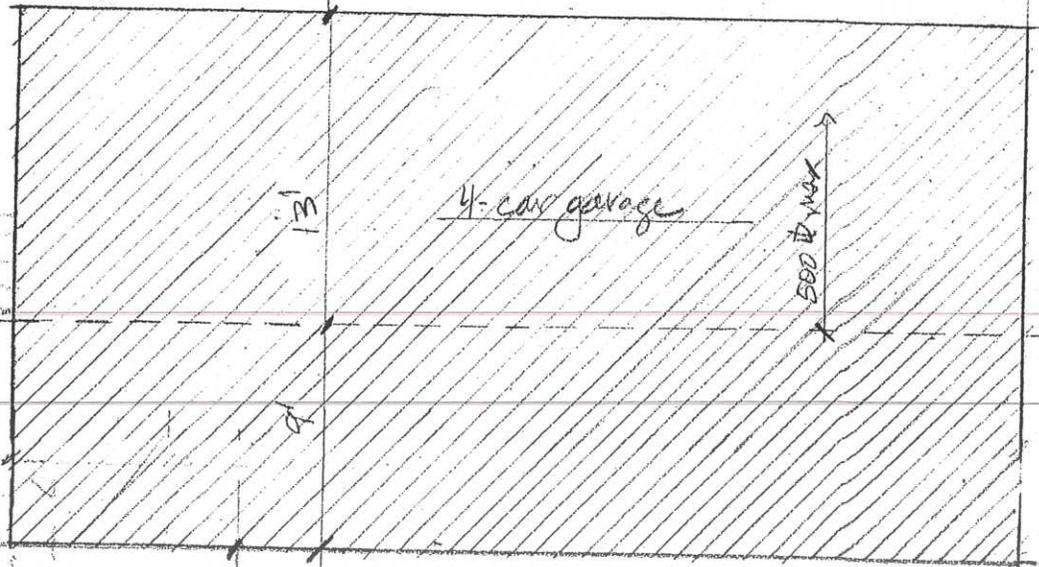
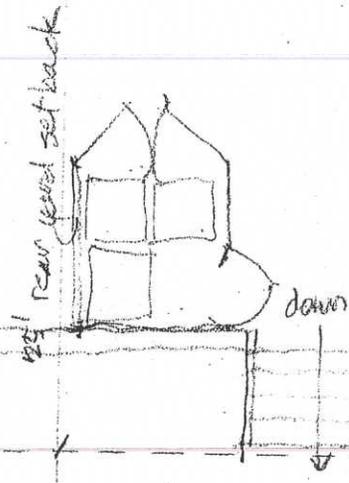
Site plan showing location approved by the Landmarks Board



Site plan showing garage in by-right location.

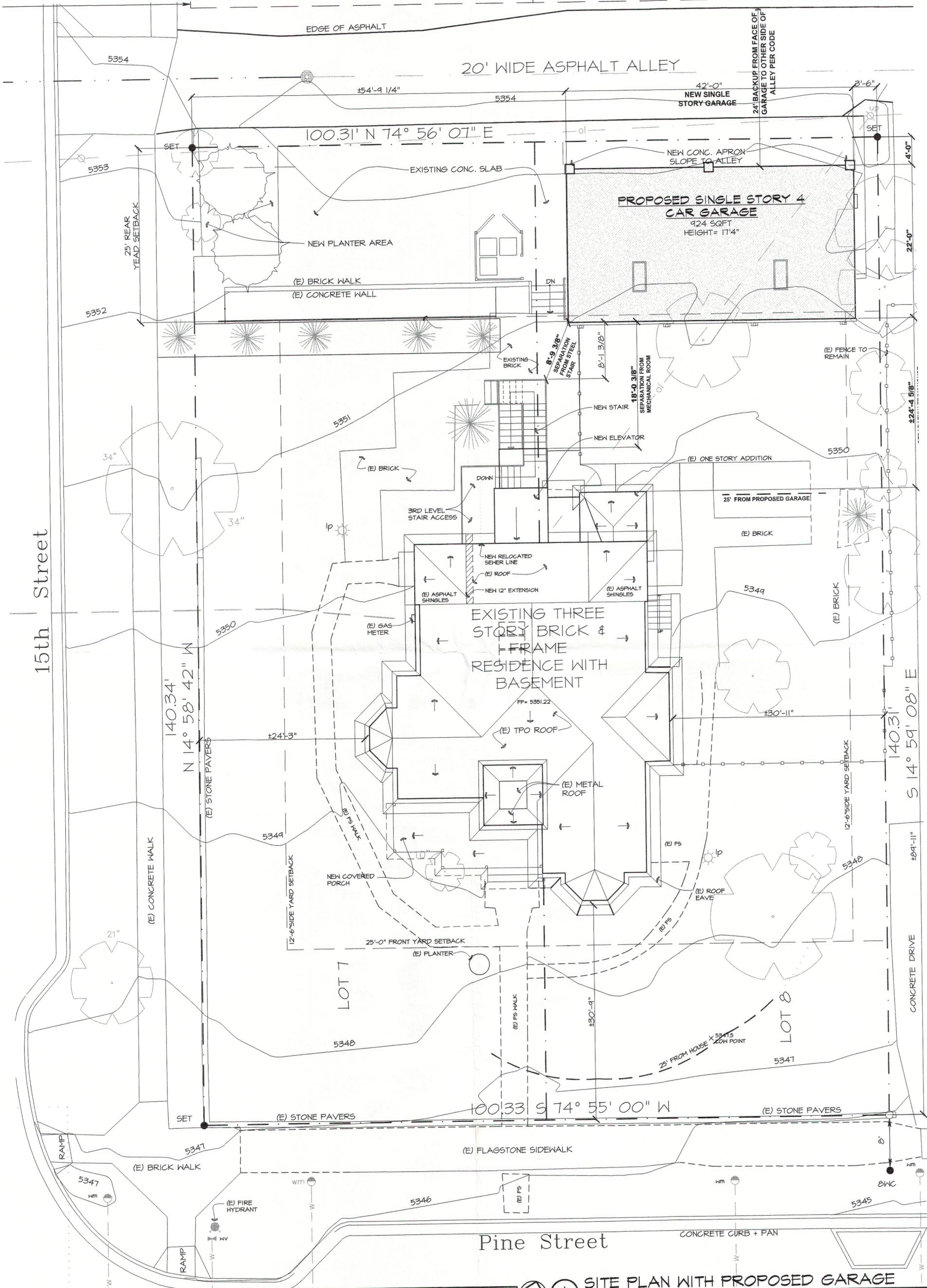
42 (E) ALLEY

5'10"



1507 Pine-Boza
 Confirming garage location
 1/8"





20' WIDE ASPHALT ALLEY

PROPOSED SINGLE STORY 4 CAR GARAGE
924 SQFT
HEIGHT = 17'4"

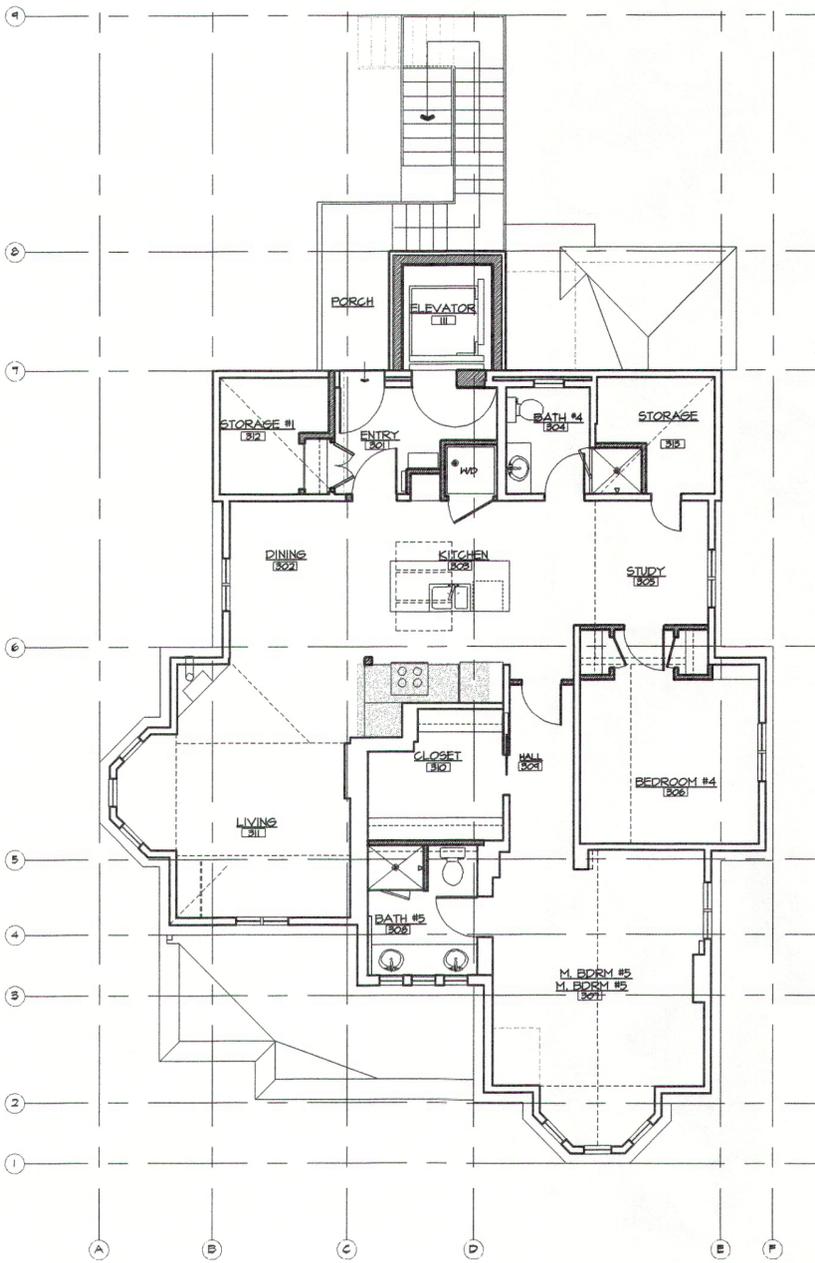
EXISTING THREE STORY BRICK & FRAME RESIDENCE WITH BASEMENT

15th Street

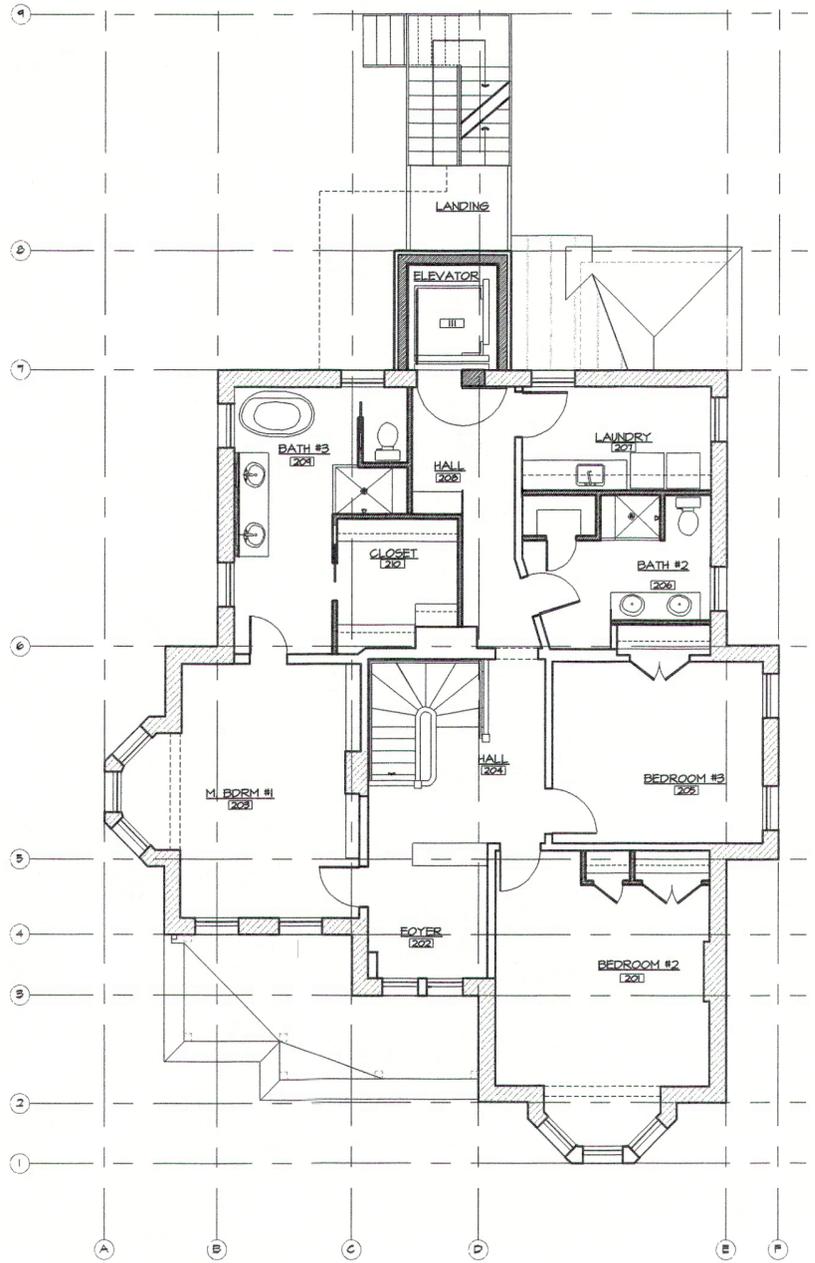
Pine Street

SITE PLAN WITH PROPOSED GARAGE

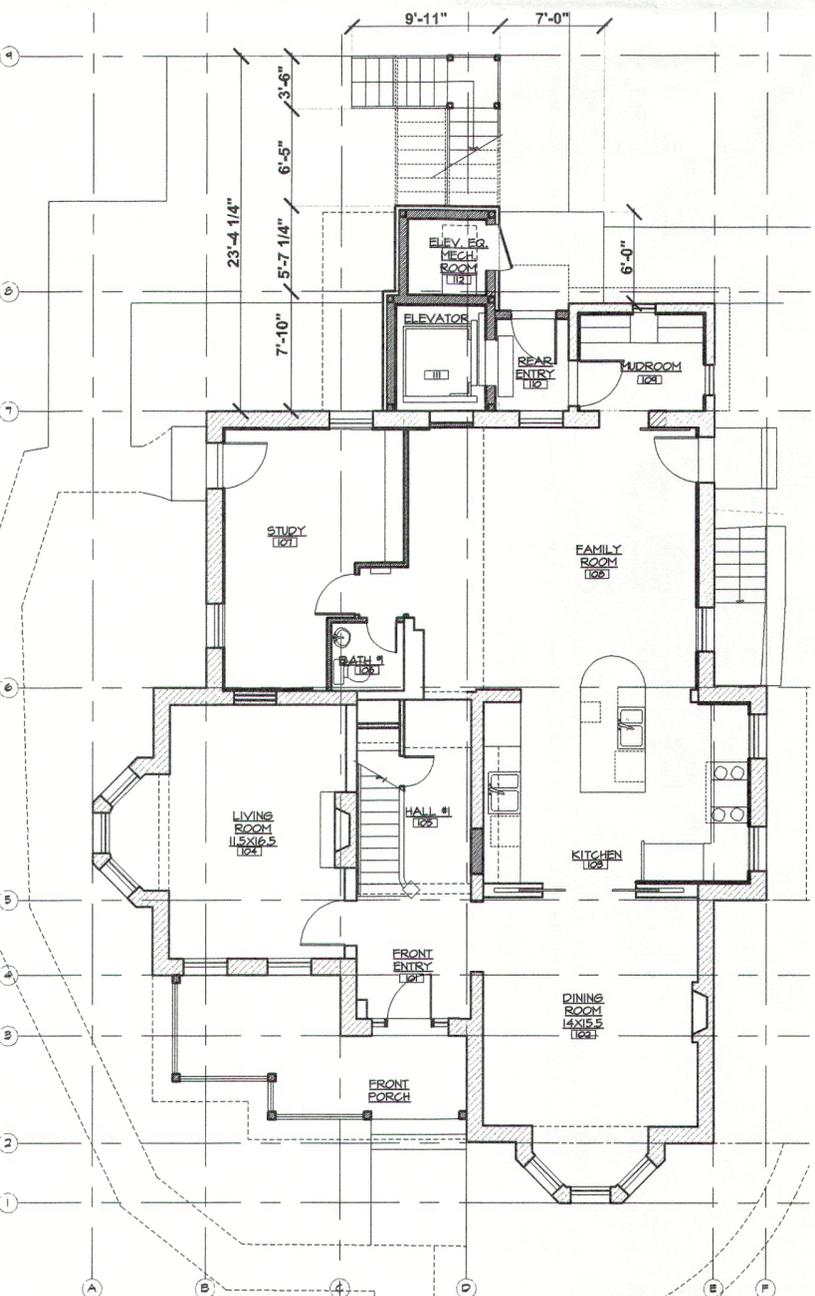




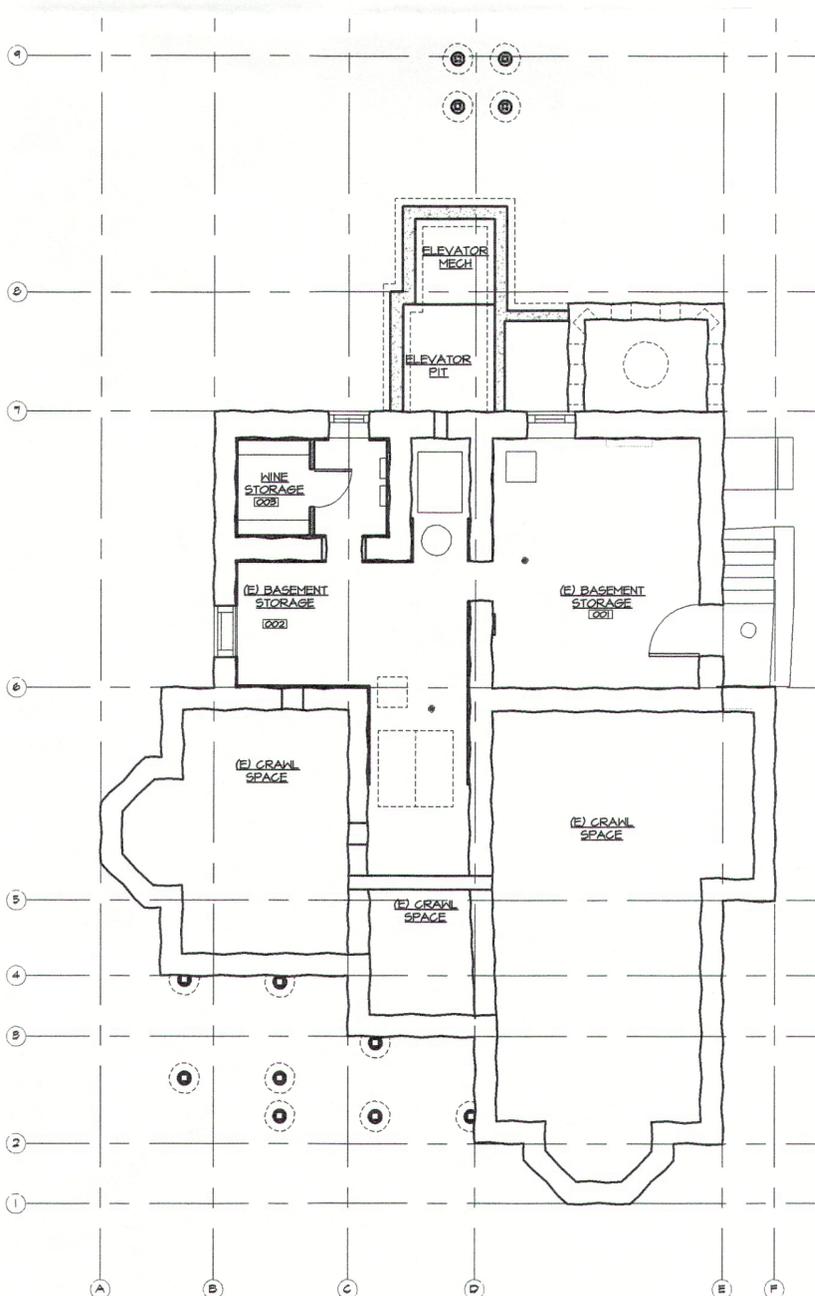
4 1507 PINE 3RD FLOOR PLAN
1/8" = 1'-0"



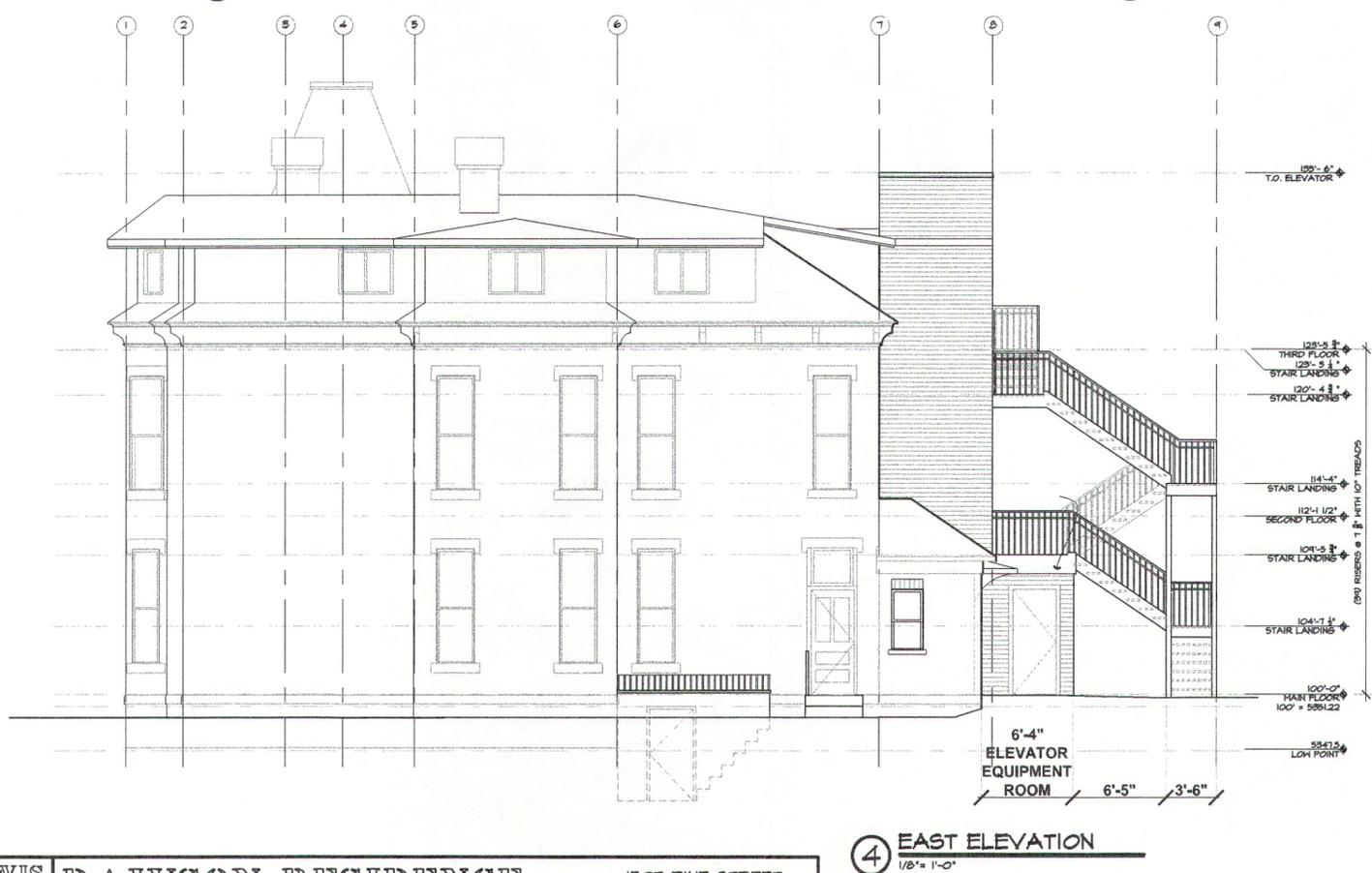
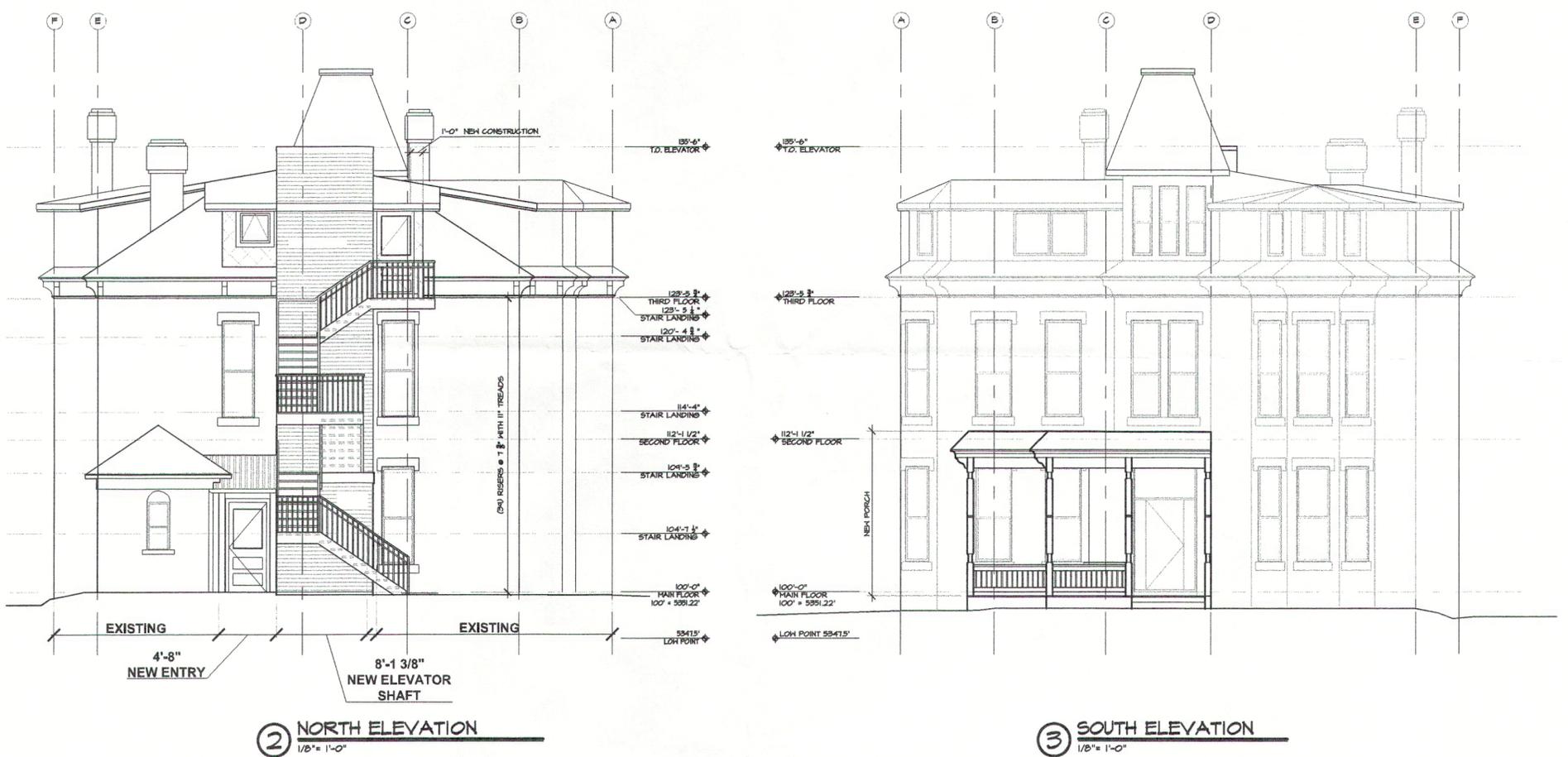
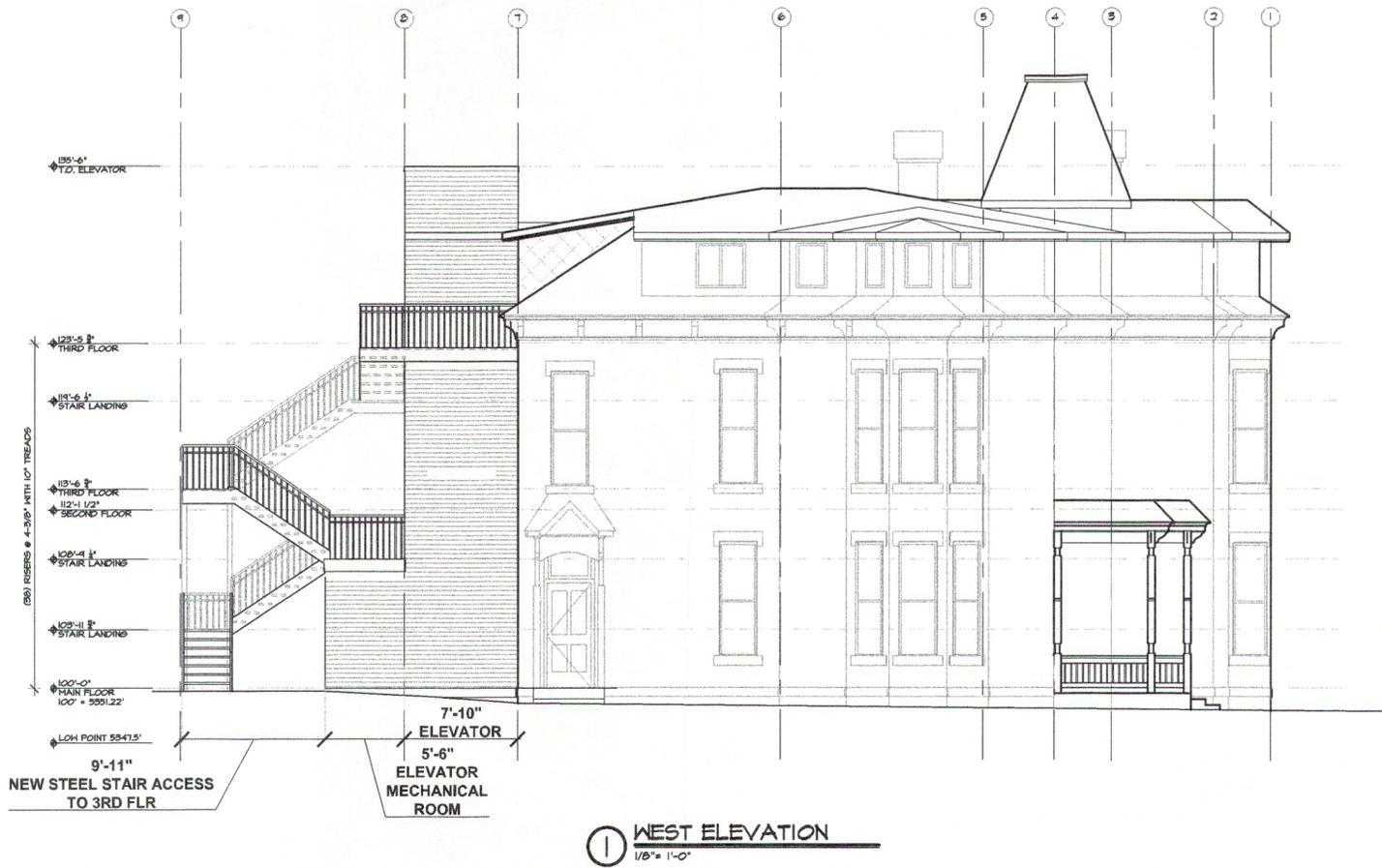
3 1507 PINE 2ND FLOOR PLAN
1/8" = 1'-0"

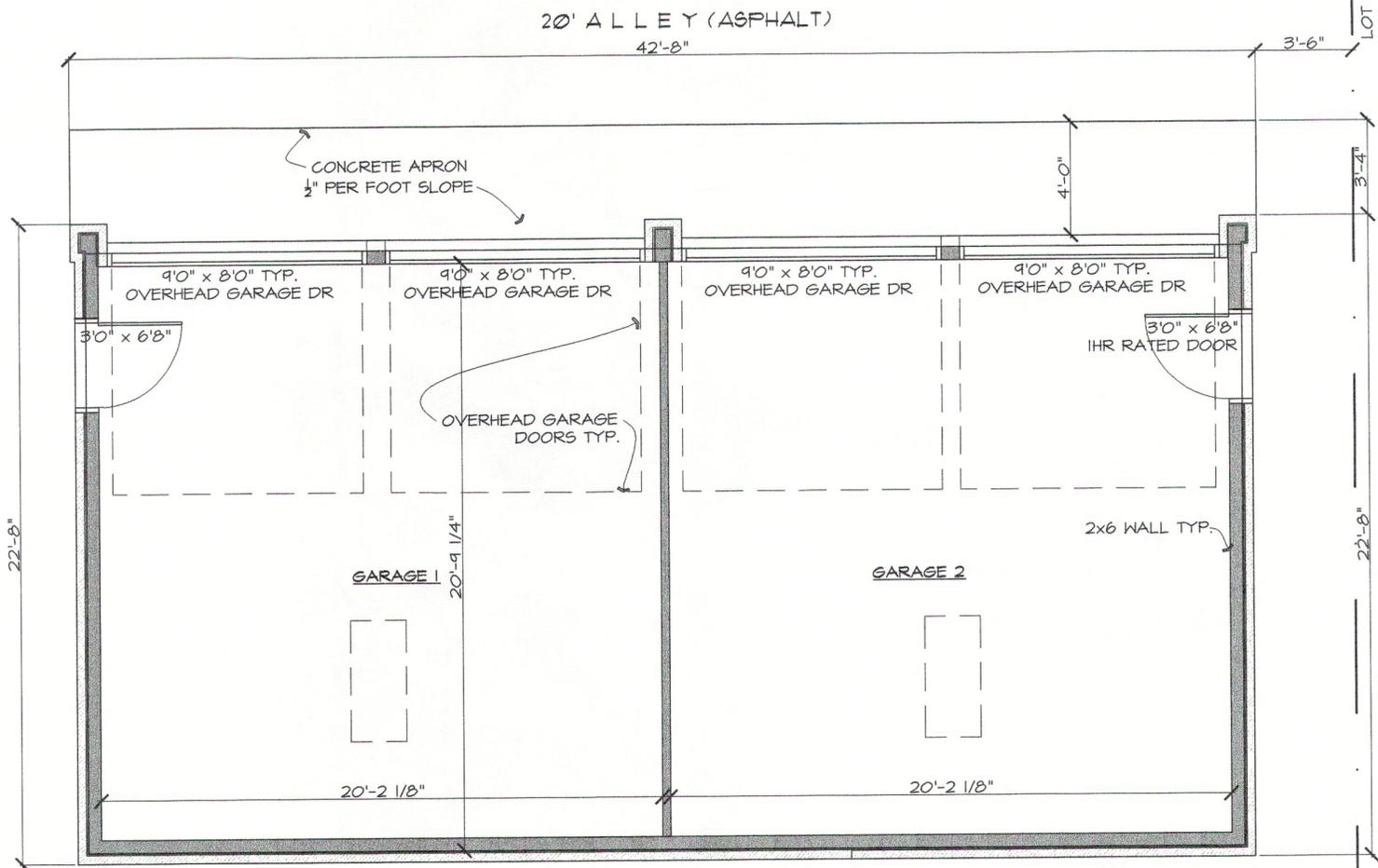


2 1507 PINE 3RD FLOOR PLAN
1/8" = 1'-0"

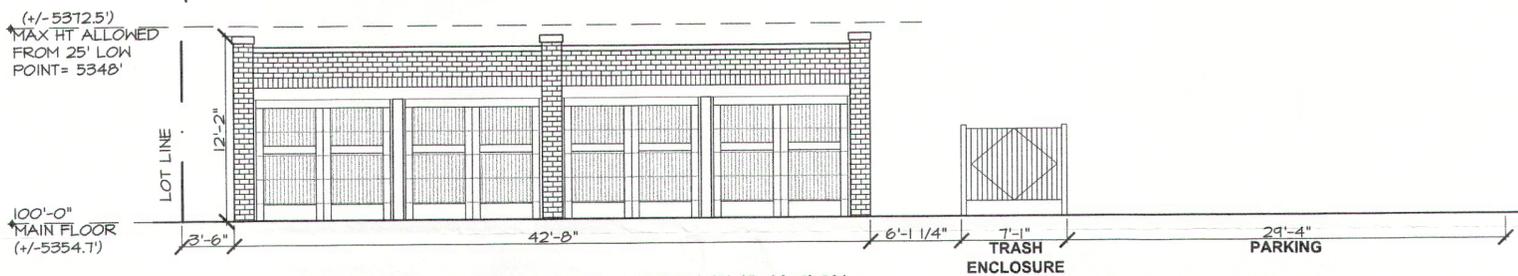


1 1507 PINE 2ND FLOOR PLAN
1/8" = 1'-0"

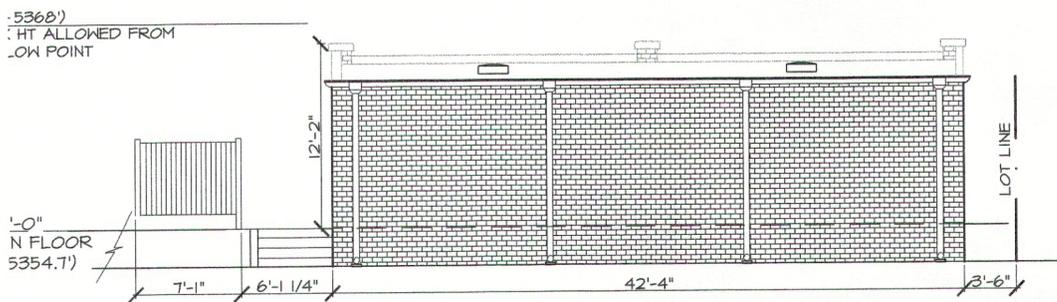




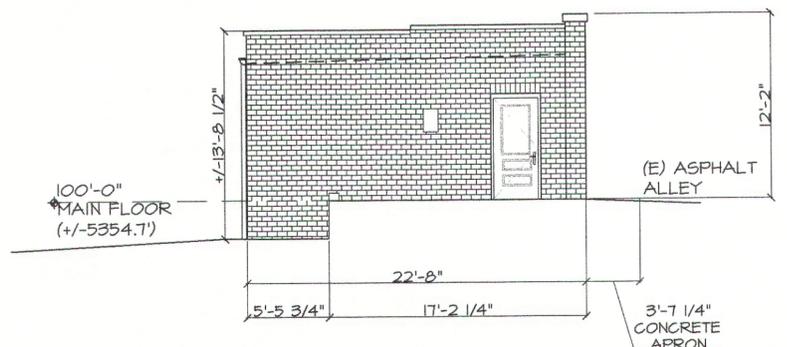
1 FLOOR PLAN
1/4" = 1'-0"



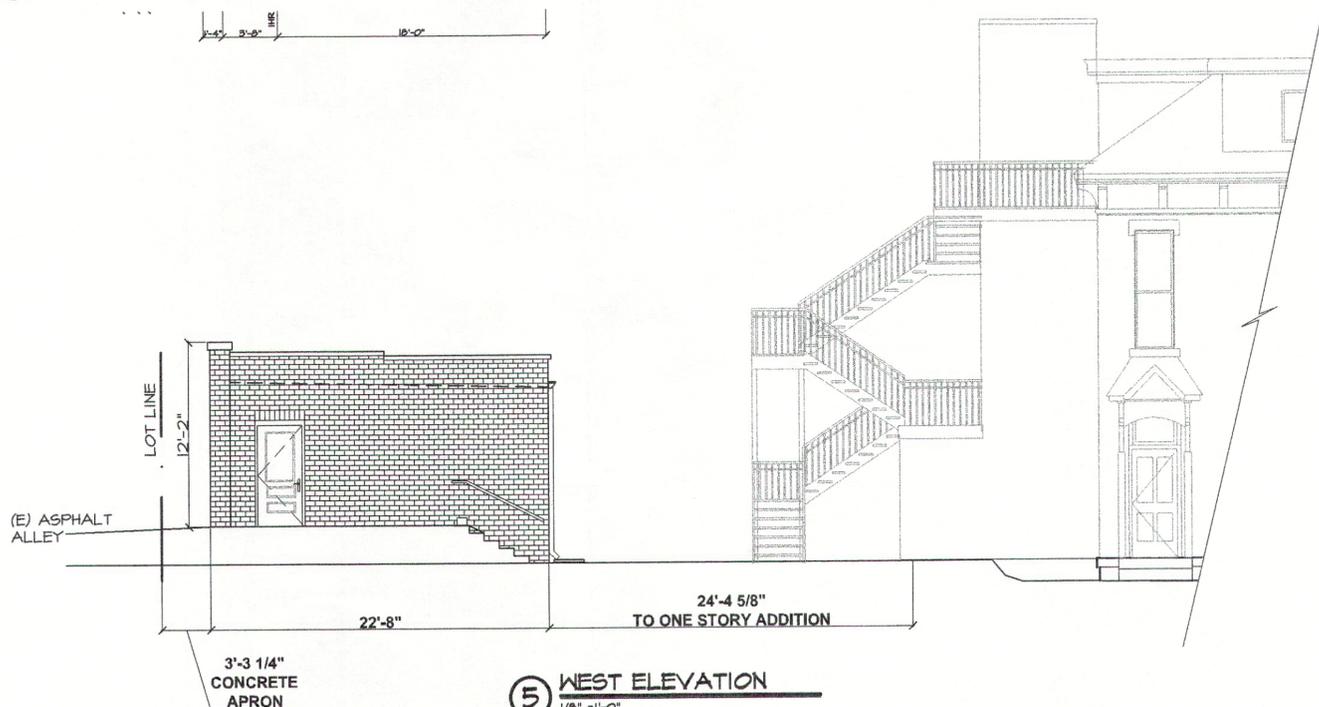
2 NORTH ELEVATION
1/8" = 1'-0"



3 SOUTH ELEVATION
1/8" = 1'-0"



4 EAST ELEVATION
1/8" = 1'-0"



5 WEST ELEVATION
1/8" = 1'-0"

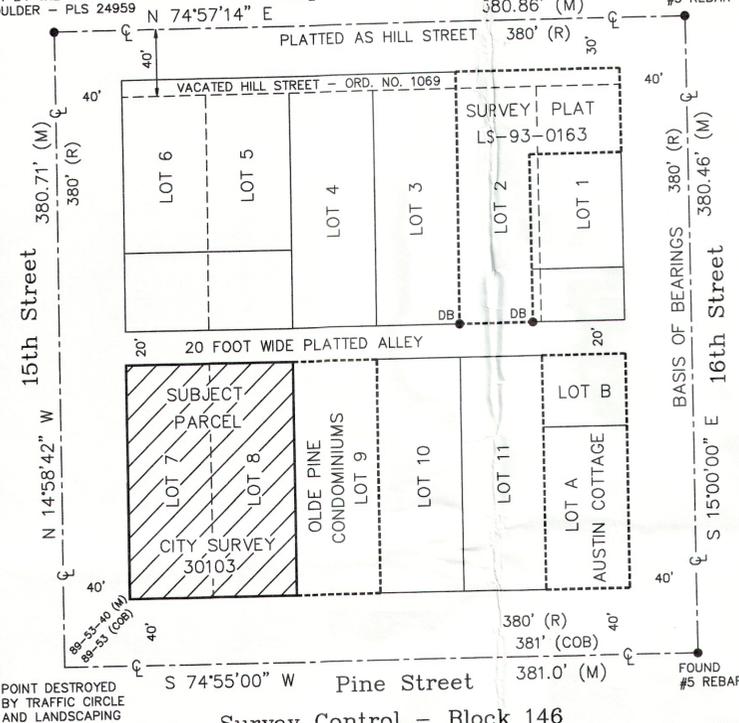
Improvement Survey Plat + Topographic Survey

1507 Pine Street . Boulder
in Block 146 . BOULDER
located in the southwest 1/4 of Section 30
Township 1 North . Range 70 West of the 6th P.M.
Boulder County . Colorado

SHEET 1 OF 1 - AREA = 14,077 SQUARE FEET

FOUND 2 INCH
DIAMETER ALUMINUM
CAP IN RANGE BOX
SET BY THE CITY OF
BOULDER - PLS 24959

Mapleton Avenue



Survey Control - Block 146
SCALE : 1 INCH = 50 FEET

Property Description -

1507 PINE STREET
DESCRIPTION FROM TITLE COMMITMENT
LOTS 7 AND 8, BLOCK 146, BOULDER,
COUNTY OF BOULDER, STATE OF COLORADO.

Notes -

- COMMONWEALTH LAND TITLE INSURANCE COMPANY COMMITMENT NO. 451-H0394160-043-ADL WAS ENTIRELY RELIED UPON EASEMENTS OF RECORD.
- ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- BASIS OF BEARINGS - ASSUMED SOUTH 15°00'00" EAST, ALONG THE CENTERLINE OF 16TH STREET BETWEEN THE SURVEY MONUMENTS DESCRIBED HEREON.
- VISIBLE UTILITIES ARE SHOWN. UNDERGROUND UTILITY LINES ARE SHOWN BASED UPON MAPS PROVIDED BY PUBLIC SERVICE COMPANY OF COLORADO AND THE CITY OF BOULDER.
- ALL UNDERGROUND UTILITIES SHOULD BE FIELD LOCATED BY THE APPROPRIATE AGENCY PRIOR TO ANY CONSTRUCTION OR DIGGING ON OR ADJACENT TO THE SUBJECT PROPERTY.
- THE SUBJECT PARCEL CONTAINS 14,077 SQUARE FEET, AS SURVEYED.
- BENCHMARK - CITY OF BOULDER DESIGNATION "C-1-1". A CUT "L" IN CATCH BASIN AT NORTHWEST CORNER OF 18TH STREET AND PINE STREET. ELEVATION = 5333.38 FEET NAVD 88 DATUM.
- THE FENCES ARE LOCATED OFF THE LOT LINES AS SHOWN. NO OTHER CONFLICTING BOUNDARY EVIDENCE WAS NOTED AT THIS TIME.

Legend -

- SET #5 REBAR WITH 1 1/2 INCH DIAMETER ALUMINUM CAP MARKED "STADELE / LS 26300" ● SET
- SET #5 REBAR WITH 1 1/2 INCH DIAMETER ALUMINUM CAP AS 8 FOOT WITNESS CORNER "STADELE / 2WC / LS 26300" ● 8WC
- FOUND #5 REBAR WITH ALUMINUM CAP SET BY DREXEL, BARRELL & COMPANY, SETTERGREN . PLS 17664 ● DB
- RECEPTION NUMBER . . RN
- MEASURED OR CALCULATED . . (M)
- BY THIS SURVEY
- RECORD OR PLATTED . . (R)
- MEASUREMENT
- MEASUREMENT IN CITY . . (COB)
- SURVEY RECORDS
- DECIDUOUS TREE WITH TRUNK DIAMETER SHOWN . . 3 BOLE / TRUNK . . 3b
- CONIFEROUS TREE WITH TRUNK DIAMETER SHOWN . .
- LIGHT POLE . . lp
- WATER VALVE . . wv
- FIRE HYDRANT . . fh
- WATER METER . . wm
- GAS METER . . gm
- ELECTRIC METER . . em
- OVERHEAD UTILITY LINES . . ol
- TELEVISION CONNECTION . . tv
- UTILITY POLE . . up
- FLAGSTONE . . fs
- SURVEY CONTROL POINT . . cp
- CENTERLINE . . cl
- SPRINKLER CONTROL VALVE . . irr
- SPOT SHOT ELEVATION . . x 47.7
- SPOT SHOT ELEVATION . . x 44.2ft
- AT FLOW LINE
- SPOT SHOT ELEVATION . . x 48.6tc
- ON TOP OF CURB
- SPOT SHOT ELEVATION . . x 45.8tw
- ON TOP OF WALL
- W - WATER PIPELINE
- G - GAS PIPELINE
- SS - SANITARY SEWER PIPELINE
- ST - STORM SEWER PIPELINE

Building Corner Tie Table -

BUILDING CORNER 1 (bc1)	30.7 FEET SOUTH TO PROPERTY LINE
BUILDING CORNER 2 (bc2)	24.3 FEET WEST TO PROPERTY LINE
BUILDING CORNER 3 (bc3)	50 FEET 4 INCHES NORTH TO PROPERTY LINE
BUILDING CORNER 4 (bc4)	30.9 FEET EAST TO PROPERTY LINE

ALL BUILDING TIES ARE PERPENDICULAR TO PROPERTY LINES - DECIMAL FEET OR FEET + INCHES

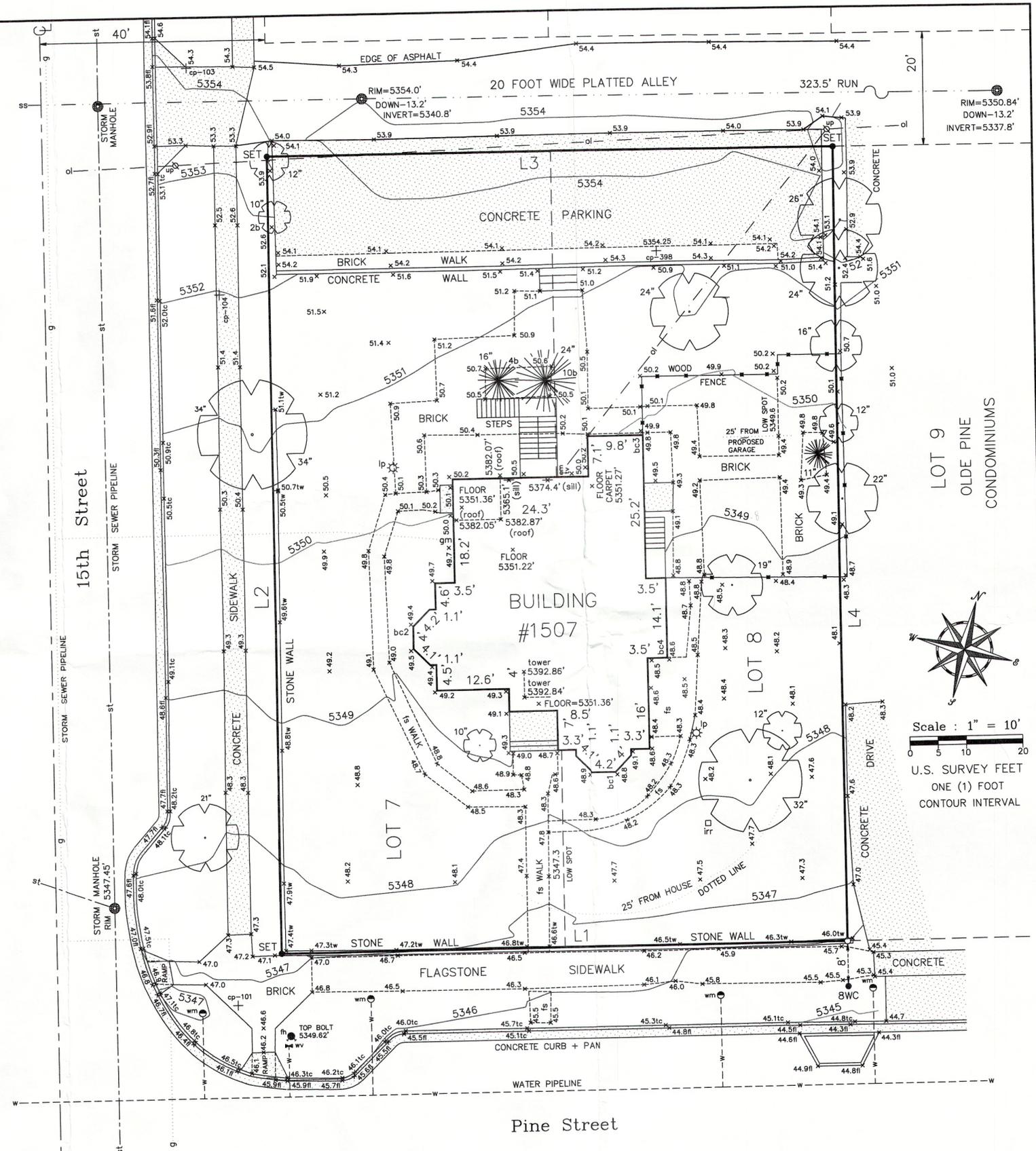
Recorded Plat Information -

BOULDER
PLAT BOOK 2 PAGE 31 - 20 JUNE 1868
SURVEYOR - HORACE W. HUBBARD

Line Table -

L1 - SOUTH 74-55-00 WEST / 100.33 FEET (M)	SOUTHWEST / 100 FEET (R)
L2 - NORTH 14-58-42 WEST / 140.34 FEET (M)	NORTHWEST / 140 FEET (R)
L3 - NORTH 74-56-07 EAST / 100.31 FEET (M)	NORTHEAST / 100 FEET (R)
L4 - SOUTH 14-59-08 EAST / 140.31 FEET (M)	SOUTHEAST / 140 FEET (R)

DEGREES-MINUTES-SECONDS / DECIMAL FEET



Surveyor's Statement

I, LEE STADELE, A DULY REGISTERED LAND SURVEYOR, LICENSED IN THE STATE OF COLORADO, HEREBY STATE FOR AND ON BEHALF OF FLAGSTAFF SURVEYING, INC., THAT A SURVEY OF THE ABOVE DESCRIBED PREMISES WAS CONDUCTED BY ME AND UNDER MY DIRECT SUPERVISION, RESPONSIBILITY AND CHECKING DURING DECEMBER 2015; THAT SAID SURVEY AND THE ATTACHED PRINT HEREON WERE MADE IN SUBSTANTIAL ACCORDANCE WITH CRS 38-51-102 (9) "IMPROVEMENT SURVEY PLAT". I FURTHER CERTIFY THAT THE CONTOURS AND SPOT SHOT ELEVATIONS SHOWN ARE ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

LEE STADELE
REGISTERED PROFESSIONAL LAND SURVEYOR
COLORADO LICENSE NUMBER 26300

Flagstaff Surveying Inc.
TABLE MESA SHOPPING CENTER
637 SOUTH BROADWAY . SUITE C
BOULDER . COLORADO . 80305
303.499.9737

17021a-2.dwg . 10 December 2015



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: boulderplandevop.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: 3040 17th Street, Boulder
- Legal Description: Lot 24 Block 5 Subdivision Silver Maple Village 2 (Or attach description.)
- Existing Use of Property: single family residential to remain

• Description of proposal:

New upper level master suite 600 sf to include bedroom, full bath, and closet; remodel of existing main level bath; remodel of existing kitchen with 51 sf addition; new front porch; VARIANCE REQUEST of combined side-yard setback to enclose existing carport to convert it into a 283 sf garage where 15' min is required and 10.5' total is requested, with each side yard proposed at 5' min.

*Total floor area of existing building: 1,299 sf house 295 sf carport	*Total floor area proposed: 1,950 sf house 295 sf garage
*Building coverage existing: 1,594 sf	*Building coverage proposed: 1,645 sf
*Building height existing: 18'-0"	*Building height proposed: 28'-6"

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

- ◆ **Name of Owner:** Lydia and Richard Dissly
- Address: 3040 17th Street Telephone: _____
- City: Boulder State: CO Zip Code: 80304 FAX: _____
- ◆ **Name of Contact (if other than owner):** Juana Gomez, Lawrence and Gomez Architects
- Address: 1127 Cranbrook Court Telephone: _____
- City: Boulder State: CO Zip Code: 80305 FAX: _____

STAFF USE ONLY

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

APPLICATION TYPES

- Setback, building separation, bulk plane, building coverage, porch setback and size, and side yard wall articulation
- Sign Variance
- Mobile Home Spacing Variance
- Size and parking setback requirements for accessory units
- Use of mobile homes for non-residential purposes
- Parking in landscaped front yard setback

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 (**4 copies**);
- A site development plan including building heights, setbacks, and proposed floor area (**4 copies**);
- A demolition plan differentiating between proposed and remaining portions of the structure (**4 copies**);
- A written statement thoroughly addressing the criteria for approval - see following pages (**4 copies**);
- Any other information pertinent to the request (**4 copies**);
- An application fee (as prescribed in Section 4-20-43, B.R.C. 1981);
- Sign Posting Acknowledgement Form - see last page.

-Electronic files of all documents are greatly appreciated. If available, please submit them on a CD or thumb drive with your application.

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 _____ Date _____



CITY OF BOULDER

Planning and Development Services

1739 Broadway, third floor • P.O. Box 791, Boulder, Colorado 80306

Phone: 303-441-1880 • Fax: 303-441-3241

E-mail: plandevlop@bouldercolorado.gov • Web: www.boulderplandevlop.net

NOTICE TO APPLICANTS

Dear Applicant,

As you begin to prepare your “Variance Application,” the Board of Zoning Adjustment would like to offer you some information and suggestions that we hope you will find helpful. (These comments are directed primarily to those seeking setback adjustments. If you are requesting another type of variance from the board, please contact Planning and Development Services.)

The Board of Zoning Adjustment is made up of five members who are appointed to five-year terms by the Boulder City Council. Our purpose is to grant or deny your application for a variance. Our rules and procedures require a positive vote of three members of the board in order for your application to be approved. If one member of the board is absent or removes himself or herself from the hearing, a vote of two in favor and two opposed has the same effect as denial. However, in this case, you are automatically entitled to present the application again at the next scheduled meeting.

Please also note that the board is not a policy-making board such as the City Council or Planning Board. The purpose of the Board of Zoning Adjustment is to implement policy. So, while we understand that there may be social/ economic/ political issues that you believe are relevant to your application, those issues are not part of the criteria by which your application will be judged.

Remember that you are asking the board to change the “standard” code requirements for you because of your unique situation. It is important for you to realize that the “burden of proof” lies with you, and that only if you are successful in convincing us that you have met the criteria, will you receive the variance that you are requesting. Please be as complete as you can in furnishing us the necessary information to properly consider your application. Depending on the complexity or scale of the project, you might consider providing information in addition to that required by the “Application Requirements.” This additional information could include renderings (artistic-type drawings that are often in color), models, and written information as to the existing and proposed square footage of the structure.

Lastly, the board tries to maintain a relaxed, somewhat informal atmosphere. However, we are a quasi-judicial board, and our decisions are for all intents and purposes final, and the only appeal of our decision is in District Court, provided that appeal is filed within 30 days from the date of our decision. Also, you should keep in mind that if your request is denied because you have, in our opinion, failed to meet one of more of our criteria, you may not resubmit the same request for a variance for one year, unless it contains “substantial” revisions.

While you can be assured that we will give you and any other parties a full hearing, we occasionally must end discussion either when the discussion is not providing any new information or when practical time constraints require us to move on.

Planning and Development Services can provide you with additional information and input for the application. We suggest that you schedule a review of your application with the staff and allow yourself enough time to take their comments into account. The staff will let you know their recommendation to the board if you contact them 48 hours prior to the hearing time. Please do not contact board members prior to the meeting to discuss your case. We can only answer the most general procedural questions and are not permitted to discuss the specifics of your case.

We hope these comments are helpful in the preparation of your application.

Sincerely,
Board of Zoning Adjustment

Section 9-2-3 (d) B.R.C. (1981)

(d) Board of Zoning Adjustment (BOZA): The BOZA may grant variances from the requirements of:

- (1) Setback and separation requirements listed in section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981;
- (2) The building coverage requirements of chapter 9-10, "Nonconformance Standards," B.R.C. 1981;
- (3) The spacing requirements for mobile homes of section 9-7-10, "Mobile Home Park Form and Bulk Standards," B.R.C. 1981;
- (4) The porch setback and size requirements of section 9-7-4, "Setback Encroachments for Front Porches," B.R.C. 1981;
- (5) The size and parking setback requirements for accessory units of subsection 9-6-3(a), B.R.C. 1981;
- (6) The total cumulative building coverage requirements for accessory buildings of section 9-7-8, "Accessory Buildings in Residential Zones," B.R.C. 1981;
- (7) The use of a mobile home for nonresidential purposes subject to the requirements of subsection 10-12-6(b), B.R.C. 1981;
- (8) The parking requirements of subsection 9-9-6(d), B.R.C. 1981, with regards to parking in landscaped front yard setbacks;
- (9) Sign code variances and appeals as permitted by subsection 9-9-21(s), B.R.C. 1981; and

In granting any variance, the board may attach such reasonable conditions and safeguards as it deems necessary to implement the purposes of this title.

BOZA VARIANCE CRITERIA

(h) CRITERIA FOR VARIANCES

The BOZA may grant a variance only if it finds that the application satisfies all of the applicable requirements of paragraph (1), (2), (3), or (4) of this Subsection and the requirements of paragraph (5) of this Subsection.

(1) Physical Conditions or Disability

- (A) There are:
 - (i) Unusual physical circumstances or conditions, including, without limitation, irregularity, narrowness or shallowness of the lot, or exceptional topographical or other physical conditions peculiar to the affected property; or
 - (ii) There is a physical disability affecting the owners of the property or any member of the family of an owner who resides on the property which impairs the ability of the disabled person to utilize or access the property; and
- (B) The unusual circumstances or conditions do not exist throughout the neighborhood or zoning district in which the property is located; and
- (C) Because of such physical circumstances or conditions the property cannot reasonably be developed in conformity with the provisions of this chapter; and
- (D) Any unnecessary hardship has not been created by the applicant.

(2) Energy Conservation

- (A) The variance will permit construction of an addition to a building that was constructed on or before January 1, 1983;
- (B) The proposed addition will be an integral part of the structure of the building;
- (C) The proposed addition will qualify as a "solar energy system" as defined in Section 9-16, "Definitions," B.R.C. 1981, or will enable the owner of the building to reduce the net use of energy for heating or cooling purposes by a minimum of 10% over the course of a year of average weather conditions for the entire building; and
- (D) The costs of constructing any comparable addition within existing setback lines so as to achieve comparable energy purposes would be substantially greater than the cost of constructing the addition which is proposed for the variance.

(3) Solar Access

- (A)** The volume of that part of the lot in which buildings may be built consistent with this code has been reduced substantially as a result of the provisions of Section 9-9-17, "Solar Access," B.R.C. 1981;
- (B)** The proposed building or object would not interfere with the basic solar access protection provided in Section 9-9-17, "Solar Access," B.R.C. 1981; and
- (C)** The volume of the proposed building to be built outside of the building setback lines for the lot will not exceed the amount by which the buildable volume has been reduced as a result of the provisions of Section 9-9-17, "Solar Access," B.R.C. 1981.

(4) Designated Historic Property

The property could be reasonably developed in conformity with the provisions of this chapter, but the building has been designated as an individual landmark or recognized as a contributing building to a designated historic district. As part of the review of an alteration certificate pursuant to Chapter 9-11, "Historic Preservation," B.R.C. 1981, the approving authority has found that development in conforming locations on the lot or parcel would have an adverse impact upon the historic character of the individual landmark or the contributing building and the historic district, if a historic district is involved.

(5) Requirements for All Variance Approvals

- (A)** Would not alter the essential character of the neighborhood or district in which the lot is located;
- (B)** Would not substantially or permanently impair the reasonable use and enjoyment or development of adjacent property;
- (C)** Would be the minimum variance that would afford relief and would be the least modification of the applicable provisions of this title; and
- (D)** Would not conflict with the provisions of Section 9-9-17, "Solar Access," B.R.C.1981.

(i) FLOOR AREA VARIANCES FOR ACCESSORY DWELLING UNITS

The BOZA may grant a variance to the maximum floor area allowed for an accessory dwelling unit under Subsection 9-6-3(a) "Accessory Units," B.R.C. 1981, only if it finds that the application satisfies all of the following applicable requirements:

- (1)** That the interior configuration of the house is arranged in such a manner that the space to be used as the accessory dwelling unit cannot feasibly be divided in conformance with the size requirements;
- (2)** That the variance, if granted, meets the essential intent of this title, and would be the minimum variance that would afford relief; and

- (3) That the strict application of the provisions at issue would impose an undue and unnecessary hardship on the individual and that such hardship has not been created by the applicant.

(j) **VARIANCES FOR PARKING SPACES IN FRONT YARD SETBACKS**

The BOZA may grant a variance to the requirements of Section 9-9-6, "Parking Standards," to allow a required parking space to be located within the front yard setback if it finds that the application satisfies all of the following requirements:

- (1) The dwelling unit was built in a RR-1, RR-2, RE, or RL-1 zoning district.
- (2) The dwelling unit originally had an attached carport or garage that met the off-street parking requirements at the time of initial development or, at the time of initial construction, an off-street parking space was not required and has not been provided;
- (3) The garage or carport was converted to living space prior to January 1, 2005;
- (4) The current property owner was not responsible for the conversion of the parking space to living area and can provide evidence as such;
- (5) A parking space in compliance with the parking regulations of Section 9-9-6 cannot reasonably be provided anywhere on the site due to the location of existing buildings, lack of alley access, or other unusual physical conditions;
- (6) Restoring the original garage or carport to a parking space would result in a significant economic hardship when comparing the cost of restoration to the cost of any other proposed improvements on the site; and
- (7) The proposed parking space to be located within the front yard setback space shall be paved, shall comply with Section 9-9-5, "Site Access Control," shall not be less than 9 feet in width or more than 16 feet in width, and shall not be less than 19 feet in length. No parking space shall encroach into a public right of way or obstruct a public sidewalk.

SIGN CODE VARIANCE CRITERIA

(Excerpt from Section 9-9-21(s), B.R.C. 1981)

(s) **APPEALS AND VARIANCES**

- (1) Any aggrieved person who contests an interpretation of this chapter which causes denial of a permit, or who believes a violation alleged in a notice of violation issued pursuant to paragraph 9-9-21(t)(2) or (3), B.R.C. 1981, to be factually or legally incorrect, may appeal the denial or notice of violation to the BOZA or Board of Building Appeals in a manner provided by either such board under the procedures prescribed by Chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981, or may, in the case of a denial, request that a variance be granted. An appeal from a denial and a request for a variance may be filed in the alternative.

- (A) An appeal from an interpretation which causes denial of a permit or from a notice alleging a violation of Subsections 9-9-21(l), "Structural Design Requirements," 9-9-21(m), "Construction Standards," 9-9-21(n), "Electric Signs," and 9-9-21(o), "Sign Maintenance," B.R.C. 1981, shall be filed with the BOZA.
 - (B) An appeal from any other interpretation alleging any other violation of this chapter shall be filed with the BOZA.
 - (C) An appellant shall file the appeal, request for variance, or both in the alternative with the BOZA within fifteen days from the date of notice of the denial or the date of service of the notice of violation. The appellant may request more time to file. If the appellant makes such request before the end of the time period and shows good cause therefore, the City Manager may extend for a reasonable period the time to file with either board.
- (2) No person may appeal to or request a variance from the BOZA if the person has displayed, constructed, erected, altered, or relocated a sign without a sign permit required by paragraph 9-9-21(b)(2), B.R.C. 1981. The boards have no jurisdiction to hear an appeal nor authority to grant any variance from the permit requirements of this chapter. But the BOZA has jurisdiction to hear an appeal of a notice of violation alleging violation of the permit requirements if the appeal is from the manager's interpretation that a permit is required, and the appellant's position is that the device is not a sign or that it is exempt from the permit requirements under Subsection 9-9-21(c), "Signs Exempt from Permits," B.R.C. 1981.
- (3) An applicant for an appeal or a variance under this Section shall pay the fee prescribed by Subsection 4-20-47(b), B.R.C. 1981.
- (4) Setbacks, spacing of freestanding and projecting signs, and sign noise limitations are the only requirements which the BOZA may vary. If an applicant requests that the BOZA grant such a variance, the board shall not grant a variance unless it finds that each of the following conditions exists:
- (A) There are special physical circumstances or physical conditions, including, without limitation, buildings, topography, vegetation, sign structures, or other physical features on adjacent properties or within the adjacent public right of way that would substantially restrict the effectiveness of the sign in question, and such special circumstances or conditions are peculiar to the particular business or enterprise to which the applicant desires to draw attention and do not apply generally to all businesses or enterprises in the area; or
 - (B) For variances from the noise limitations of subparagraph 9-9-21(b)(3)(L), "Sound," B.R.C. 1981, the proposed variance is temporary in duration (not to exceed 30 days) and consists of a temporary exhibition of auditory art; and
 - (C) The variance would be consistent with the purposes of this chapter and would not adversely affect the neighborhood in which the business or enterprise or exhibition to which the applicant desires to draw attention is located; and

- (D) The variance is the minimum one necessary to permit the applicant reasonably to draw attention to its business, enterprise, or exhibition.
- (5) If an applicant requests that the Board of Building Appeals approve alternate materials or methods of construction or modifications from the requirements of Subsections 9-9-21(l), "Structural Design Requirements," 9-9-21(m), "Construction Standards," 9-9-21(n), "Electric Signs," and 9-9-21(o), "Sign Maintenance," B.R.C. 1981, the board may approve the same under the standards and procedures provided in the city building code, Chapter 10-5, "Building Code," B.R.C. 1981.
- (6) Except as provided in Subsection (8) of this Section, the BOZA has no jurisdiction to hear a request for nor authority to grant a variance that would increase the maximum permitted sign area on a single property or building, or from the prohibitions of paragraph 9-9-21(b)(3), "Specific Signs Prohibited," B.R.C. 1981. But the BOZA has jurisdiction to hear an appeal of a permit denial or of a notice of violation alleging that a sign would exceed the maximum permitted sign area or is prohibited if the appellant's position is that the sign does not exceed such area or is not prohibited by such Subsection.
- (7) The BOZA or Board of Building Appeals may make any variance or alternate material or method approval or modification it grants subject to any reasonable conditions that it deems necessary or desirable to make the device that is permitted by the variance compatible with the purposes of this chapter.
- (8) The City Manager's denial or notice of violation becomes a final order of the BOZA or Board of Building Appeals if:
 - (A) The applicant fails to appeal the manager's denial or order to the board within the prescribed time limit;
 - (B) The applicant fails to appeal the order of the board to a court of competent jurisdiction within the prescribed time limit; or
 - (C) A court of competent jurisdiction enters a final order and judgment upon an appeal filed from a decision of the board under this chapter.

Ordinance No. 5377 (1991).

April 20, 2016

Board of Zoning Adjustments
City of Boulder Planning and Development Services
1739 Broadway, Third Floor
Boulder, Colorado 80302

RE: Side yard setback variance request
3040 17th Street, Boulder Colorado
House of Lydia and Richard Dissly

To the BOZA and the Planning and Development staff,

Thank you for your consideration of this proposal. We are requesting a setback variance for the combined side-yard total at the Dissly house on 3040 17th Street to enclose a garage within the perimeter of an existing carport.

This request falls under *Section 9-2-3 (d) B.R.C. (1981) (1) Setback and separation requirements listed in section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C.* The information that follows and the required documentation illustrate the existing conditions and the variance request in the context of other proposed modifications to the building. An addition and remodel of the structure will provide the family with a bright, updated, and energy efficient house.

DESCRIPTION OF SETBACK VARIANCE REQUEST

The front of the house faces 17th Street on the west, 25.3' from the property line in compliance with setback regulations (please refer to enclosed survey and Sheet A1). The side-yards are on the north and south. The house sits 5.5' from the north property line in conformance with the 5' minimum setback requirement. An existing attached carport was built with a permit in 1962 4.3' from the south property line.

As part other improvements to the building, we propose to construct an attached garage in the location of the existing carport thus (refer to Sheets A1- A4):

- Remove carport steel columns and corrugated metal roof.
- Construct garage 12'-1" x 23'-5 1/2", 283 sf within the perimeter of the carport.
- wood frame construction on new perimeter foundation in compliance with current building codes; 6" roof overhang on the south side
- 25.5' front yard setback for garage (25' minimum required)
- Increase the south side-yard setback to 5' (4.3' existing, 5' minimum required).
- results in building coverage reduction of 12 sf compared to existing carport

We are requesting this variance for the proposed combined north and south side yards that would total 10.5' (5.5' north + 5' south) where 15' minimum is required.

BACKGROUND AND INTENT

Lydia and Richard Dissly have lived at this home and raised their family there for the past 22 years. They love their street, community, and neighbors. They are looking forward to the next decades there in a slightly larger and modernized space that will include a partial interior remodel and a second story master bedroom.

Currently, their front door is accessed through the carport. As part of the modifications to the house the Disslys would like to orient their front door towards the street, add a front porch, and convert their carport into a garage. These improvements will enhance the street façade and contribute to the social interaction of the neighborhood. Property owners on the street, including the neighbors immediately adjacent to the variance request, have given their support in writing. Their letters are enclosed with this application.

The original house was built in 1953. When the current homeowners bought the house in 1994 it already had the attached single-car carport. The carport was permitted and built by a previous owner in 1962. It is the only legal and accessible parking spot on the site. The house is currently 1,299 sf and the carport 295 sf. A second story addition of 600 sf is being planned along with the proposed enclosure of the carport to convert it to a garage. Only the garage would require a combined side-yard setback variance. The proposed garage will not increase the existing building coverage. The proposed garage will be somewhat smaller than the existing carport. Other improvements described here will conform to setbacks, height, solar shadow, building coverage, parking, and other City standards.

PROPERTY INFORMATION

Zoning: RL-1
Subdivision: Lot 24 Block 5 Silver Maple Village 2
Legal description: SW quarter S19 T1N R70 west of the 6th PM
Year built: 1954, addition 1999
Lot size: 6,556 sf (per surveyor)

Existing Floor Area

Existing main 1,299 sf
Existing covered carport 295 sf

New Floor Area

Enclose existing covered carport to convert to garage 283 sf
Kitchen addition at main level 51 sf
New covered front porch 110 sf (< 30" above grade, unconditioned)
New upper level 600 sf

Total Proposed Areas

Total gross area 1,950 sf conditioned plus 283 sf unconditioned
Main level 1350 sf
Upper level 600 sf
Garage 283 sf, unconditioned

Building coverage

Proposed 1,533 sf
Allowed 2,361 sf

CRITERIA FOR VARIANCES

This variance request for reduction in combined side yard setback satisfies the requirements of Section 9-2-3-(h), B.R.C., Paragraph 1 and Paragraph 5.

Section 9-2-3-(h), B.R.C., (1) Physical Conditions or Disability

(A) There are:

(i) Unusual physical circumstances or conditions, including, without limitation, irregularity, narrowness or shallowness of the lot, or exceptional topographical or other physical conditions peculiar to the affected property;

The developer in the 1950's located the modest house on the property close to both the north and south setbacks. In order to have a covered parking spot protected from the elements, a previous owner built the single-car carport with a permit. The house sits 5.5' from the north property line in conformance with the 5' minimum setback requirement. An existing attached carport was built with a permit in 1962 4.3' from the south property line. The existing combined side yards setback is 9.5' (15' minimum required). This proposal would increase that combined total to 10'.

or

(ii) There is a physical disability affecting the owners of the property or any member of the family of an owner who resides on the property which impairs the ability of the disabled person to utilize or access the property;

The homeowners are physically active, healthy and their intention is to age in place. Some of the improvements in the interior of the house include an accessible shower on the main level. A garage would allow for future impairments that would require a protected parking area.

and

(B) The unusual circumstances or conditions do not exist throughout the neighborhood or zoning district in which the property is located;

Throughout Zone RL-1 in the City, houses have been built that conform to the required combined setbacks. This unusual condition does not exist throughout the zoning district.

and

(C) Because of such physical circumstances or conditions the property cannot reasonably be developed in conformity with the provisions of this chapter;

Because of the original location of the house, the carport location is the only place available for parking on the lot. Section 9-9-6, "Parking Standards," B.R.C. requires that in zone RL-1 each dwelling unit shall have one off-street parking spot not within the front setback. There is no other access or location where off-street parking can be reasonable located.

And (D) Any unnecessary hardship has not been created by the applicant.

The homeowners have not created this hardship since they bought the property with these conditions already in place. The carport was permitted and built by a previous owner in 1962 4.3' from the south property line. The existing combined side yard setback is 9.5' (15' minimum required). This proposal would increase that combined total to 10'.

OTHER REQUIREMENTS

Section 9-2-3-(h), B.R.C., (5) Requirements for All Variance Approvals

(A) Would not alter the essential character of the neighborhood or district in which the lot is located;

The proposed enclosed garage would enhance the streetscape and character of the neighborhood. In lieu of a carport where all of the owners' possessions are visible to the street and exposed to the elements, a garage affords a tidier street presentation.

(B) Would not substantially or permanently impair the reasonable use and enjoyment or development of adjacent property;

The adjacent neighbors have provided their support of this proposal. These neighbors have reviewed drawings of the proposed building improvements including the garage enclosure. The garage will not adversely affect any of their properties. We have enclosed letters from neighbors in support of this variance request. Please refer to the letters from the property owners.

*(C) Would be the minimum variance that would afford relief and would be the least modification of the applicable provisions of this title;
and*

This modest proposal is the minimum size for a single-car garage. It reduces the building coverage of the carport by 12 sf. It increases the south side-yard setback from the existing 4.3' to 5', the minimum allowed. The interior dimension of 11'-8" allows for a medium-sized car's doors to be open for passengers to enter and exit the vehicle. The height of the proposed garage eave at the encroachment would be 9'-3". The height of the highest point of the proposed second story addition would be 27'-0".

(D) Would not conflict with the provisions of Section 9-9-17, "Solar Access," B.R.C. 1981.

This proposal sits on the south side of the building and would not be in conflict with the provisions of *Section 9-9-17, Solar Access*. The entire shadow of the garage would fall within its property boundaries.

SITE PLAN SURVEY

The enclosed survey describes the existing building and its relation to the property lines. The site plan shows the proposed enclosure of the carport that fills in the wall plane delineated by its columns. The existing north side yard setback will remain at 5.5', more than the required minimum 5'. The south wall of the garage would remain at the carport's 4.3' as permitted and built in 1962. The front yard setback of the garage would be 25.5'.

DEMOLITION PLAN

The existing wall plane delineated by the carport columns would be moved away from the property line to the conforming 5' setback line. The existing house would remain except as required to accommodate a second-story addition and interior remodels. The existing metal roof of the carport would be replaced with a wood frame roof with Class A roofing. The south overhand of this new roof will be 6", a minimum to allow for proper drainage.

NEIGHBORHOOD SUPPORT

Many of the families on 17th Street have voiced their enthusiasm for the improvements, including the proposed garage enclosure. We have enclosed letters from neighbors in support of this variance request. Please refer to letters from the property owners:

- Justin and Nora Astley at 3030 17th Street, immediately adjacent to the south property line
- Pam Johnson and Scott Inlow at 3045 17th Street, across the street

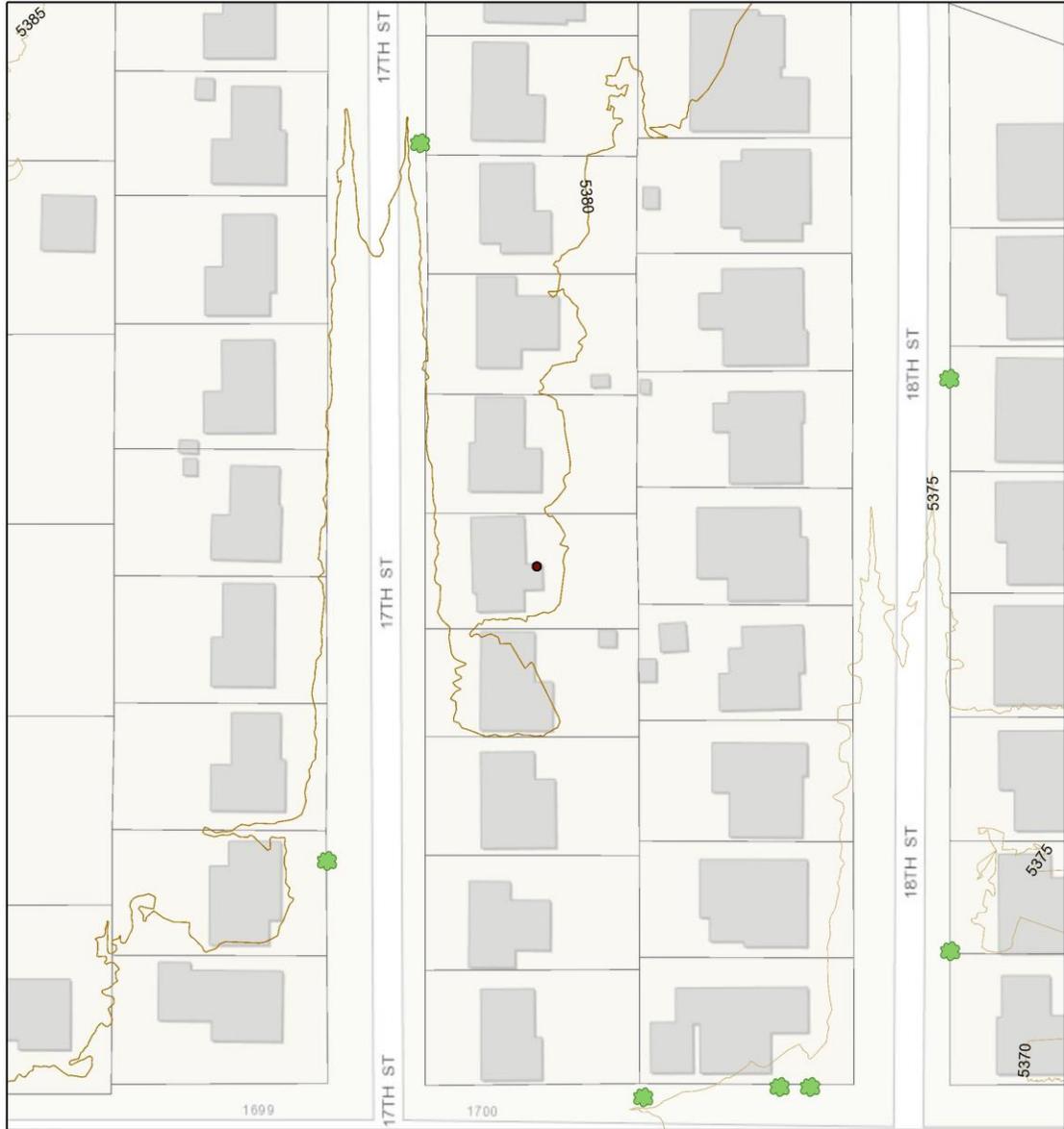
These neighbors have reviewed drawings of the proposed building improvements including the garage enclosure.

Thank you for your attention,

Juana Gomez

Juana Gómez, Architect
Lawrence and Gómez Architects
303-499-9505 o
720-971-6989 m

Boulder eMapLink



May 3, 2016

1:1,128

City Trees

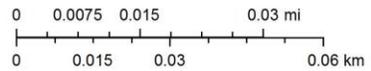
- Unknown
- Deciduous
- Evergreen

Creeks and Ditches

- Creek

- - - Creek Intermittent
- - - Ditch
- 5ft interval
- 10ft interval
- 20ft interval

- 50ft interval
- 100ft interval
- 500ft interval
- City Limits
- Parcels



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community Information Resources

COB
City of Boulder 2016

PHOTOS OF EXISTING CARPORT



West elevation from 17th Street



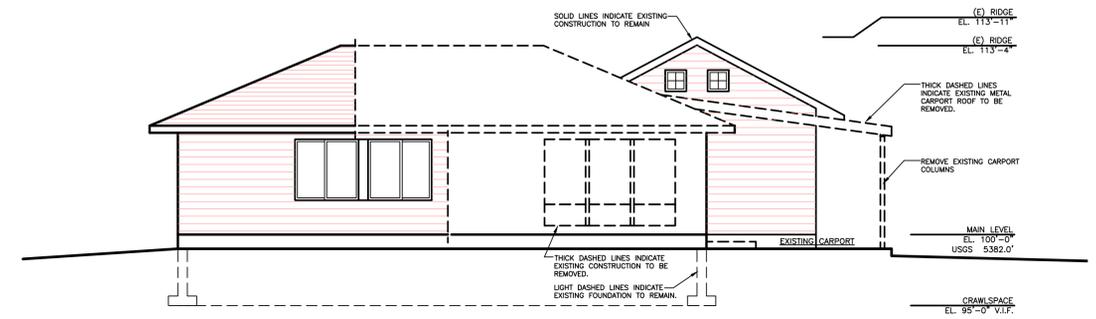
Southwest elevation from 17th Street



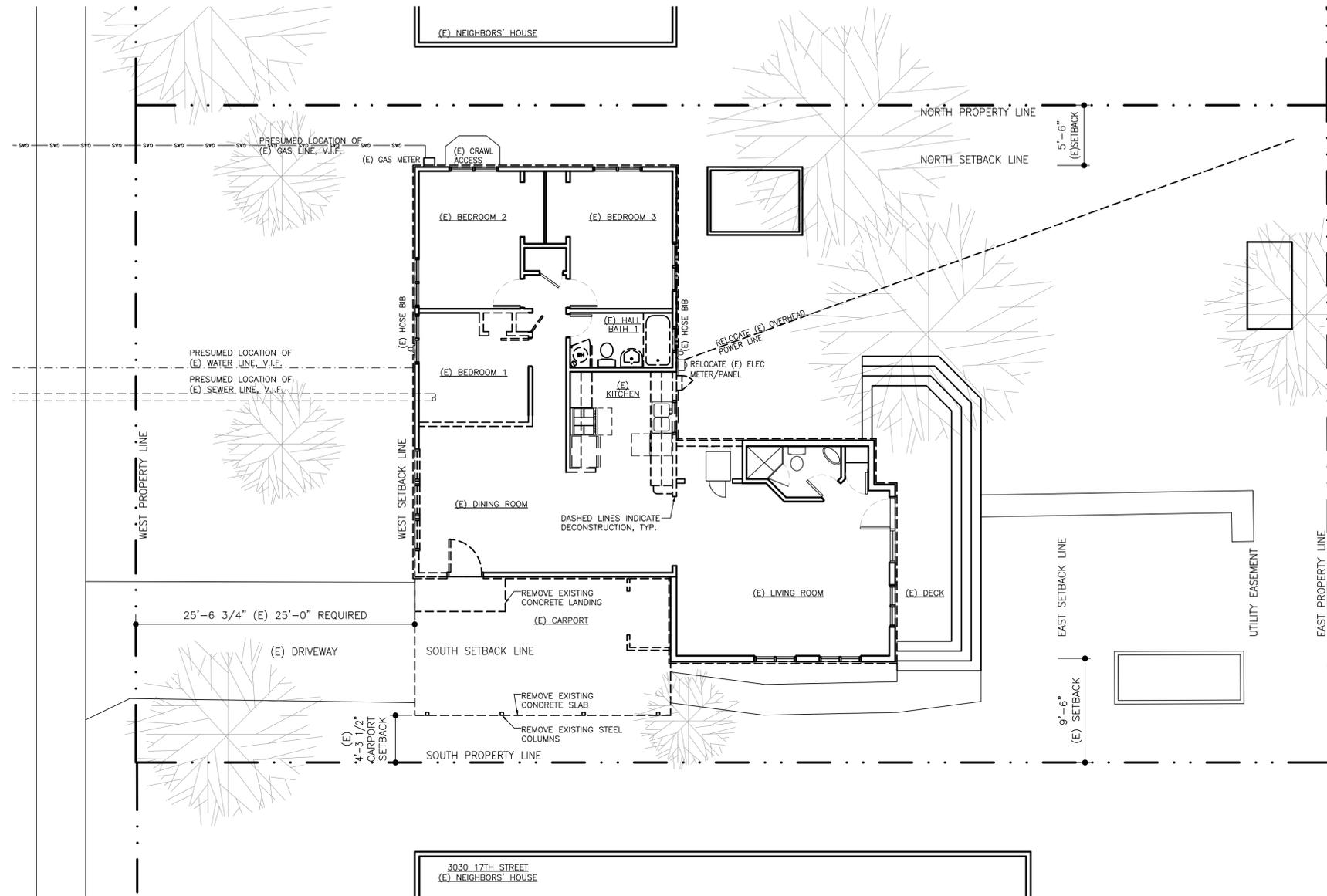
South side yard showing wall plane delineated by existing carport columns



Detail views of the carport from the west and east



1
A1 West Elevation existing conditions and Deconstruction
SCALE: 3/16" = 1'-0"



EXISTING CONDITIONS AND DECONSTRUCTION

THE PROPOSED DECONSTRUCTION CONSISTS OF

- PARTIAL REMOVAL OF INTERIOR FINISHES 625 sf
- REMOVAL OF 11% OF EXTERIOR WALLS (160/ 1424 sf)
- REMOVAL OF 54% OF ROOF (996/ 1874 sf)
- WHICH EQUALS REMOVAL OF A TOTAL OF 33% OF THE BUILDING ENVELOPE

1. CONTRACTOR SHALL VERIFY ALL FIELD CONDITIONS AND DIMENSIONS.
2. CONTRACTOR SHALL TAKE CARE TO PRESERVE EXISTING CONSTRUCTION AND LANDSCAPING DESIGNATED TO REMAIN.
3. CONTRACTOR SHALL PREPARE A DECONSTRUCTION ASSESSMENT WITH A PROFESSIONAL THROUGH RESOURCE.
4. CONTRACTOR SHALL PRESERVE AND PROTECT (E) RANGE, VENT HOOD, WASHER, AND DRYER FOR RE-INSTALLATION.
5. FOR THE OWNERS' FUTURE USE, CONTRACTOR SHALL STOCKPILE FIXTURES, CABINETS, DOORS, AND OTHER ITEMS DESIGNATED BY THE OWNERS PRIOR TO DECONSTRUCTION.
6. CONTRACTOR SHALL RECYCLE AND ADEQUATELY DISPOSE OF ALL MATERIALS FROM THE DECONSTRUCTION.
7. CONTRACTOR SHALL SUBMIT ALL REQUIRED COMPLETED WASTE AND DIVERSION FORMS TO THE CITY.

1
A1 Main level existing conditions and Deconstruction
SCALE: 3/16" = 1'-0"

3040 17th Street, Boulder

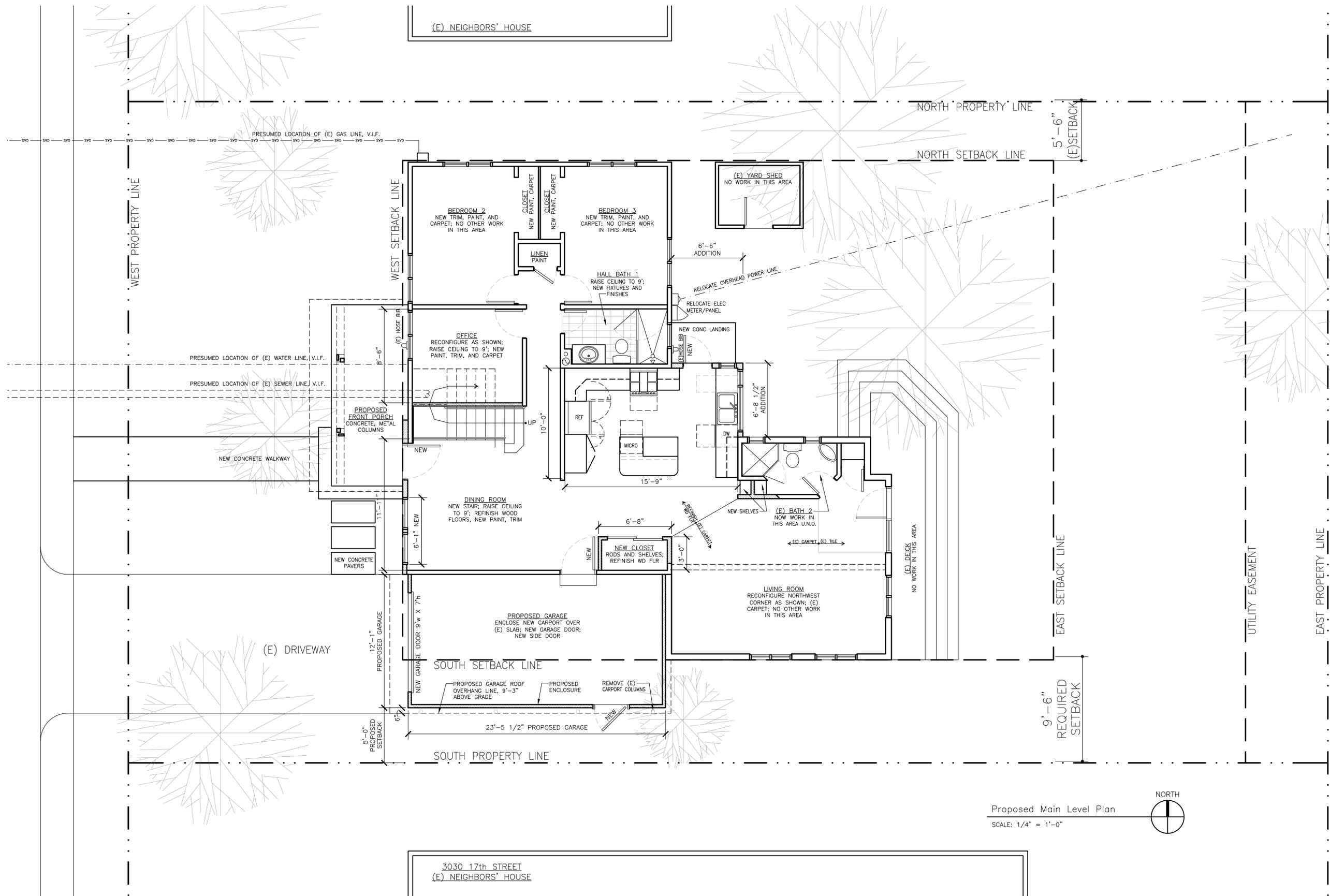
DISSLY HOUSE

LAWRENCE and GOMEZ ARCHITECTS www.lawrenceandgomez.com

BOZA - SETBACK VARIANCE REQUEST

April 20, 2016

A1



3040 17th Street, Boulder

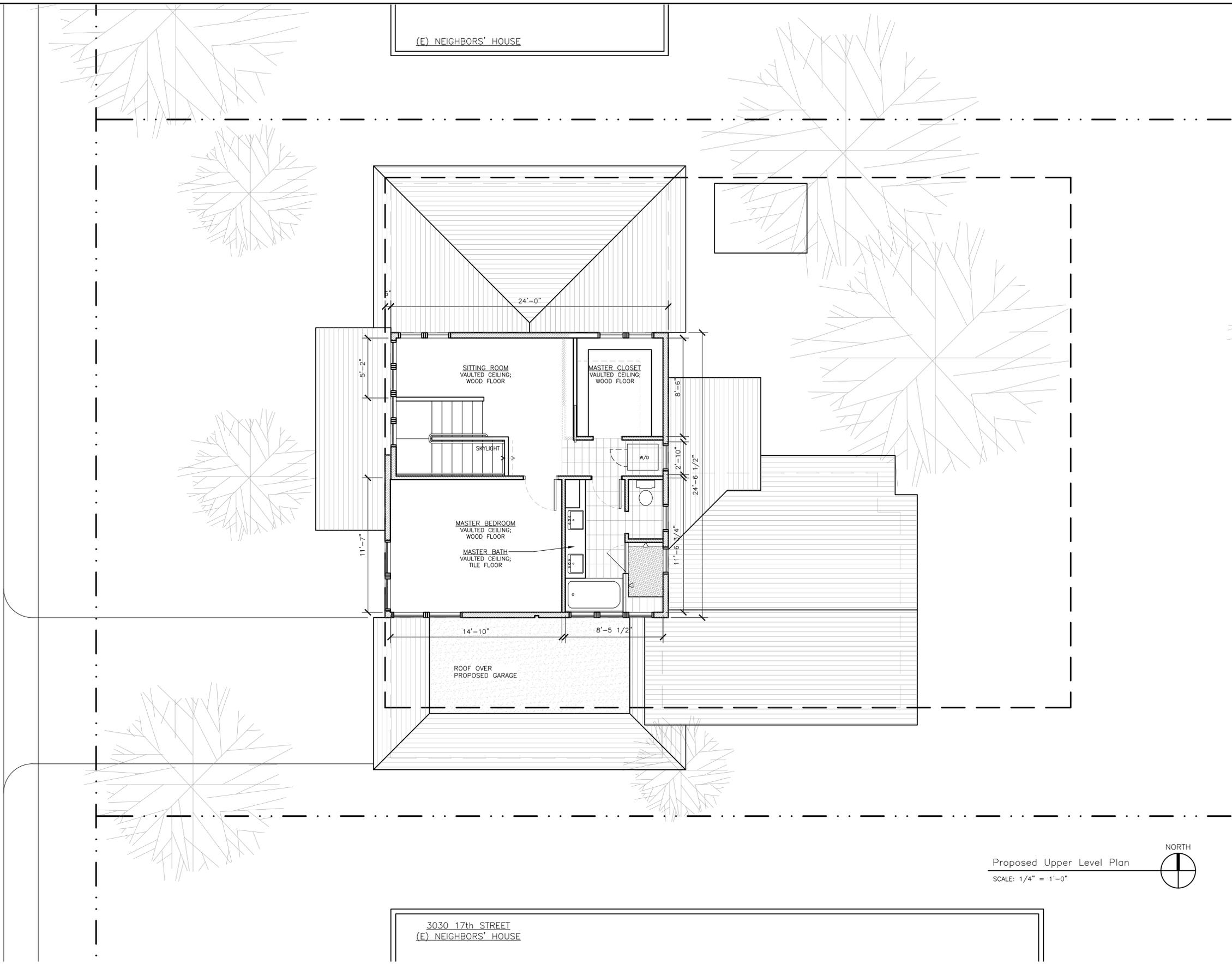
DISSLY HOUSE

LAWRENCE and GOMEZ ARCHITECTS www.lawrenceandgomez.com

BOZA - SETBACK VARIANCE REQUEST

April 20, 2016

A2



3040 17th Street, Boulder

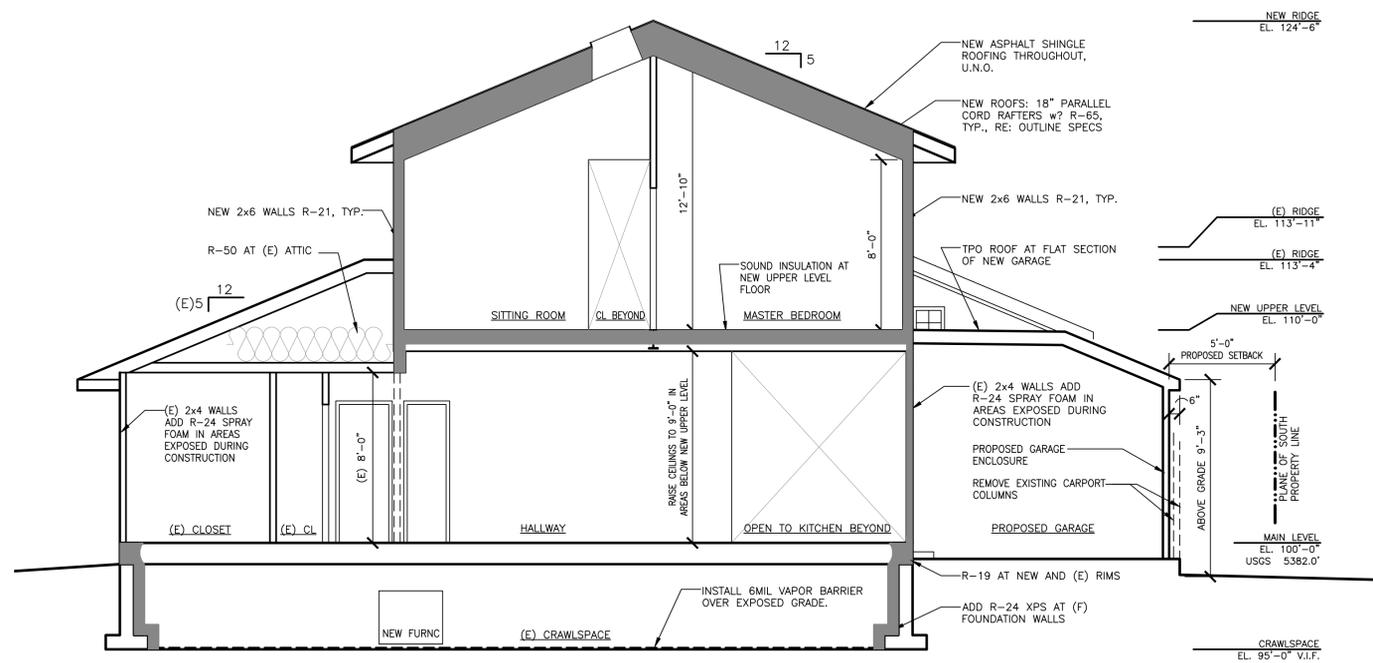
DISSLY HOUSE

LAWRENCE and GOMEZ ARCHITECTS www.lawrenceandgomez.com

BOZA - SETBACK VARIANCE REQUEST

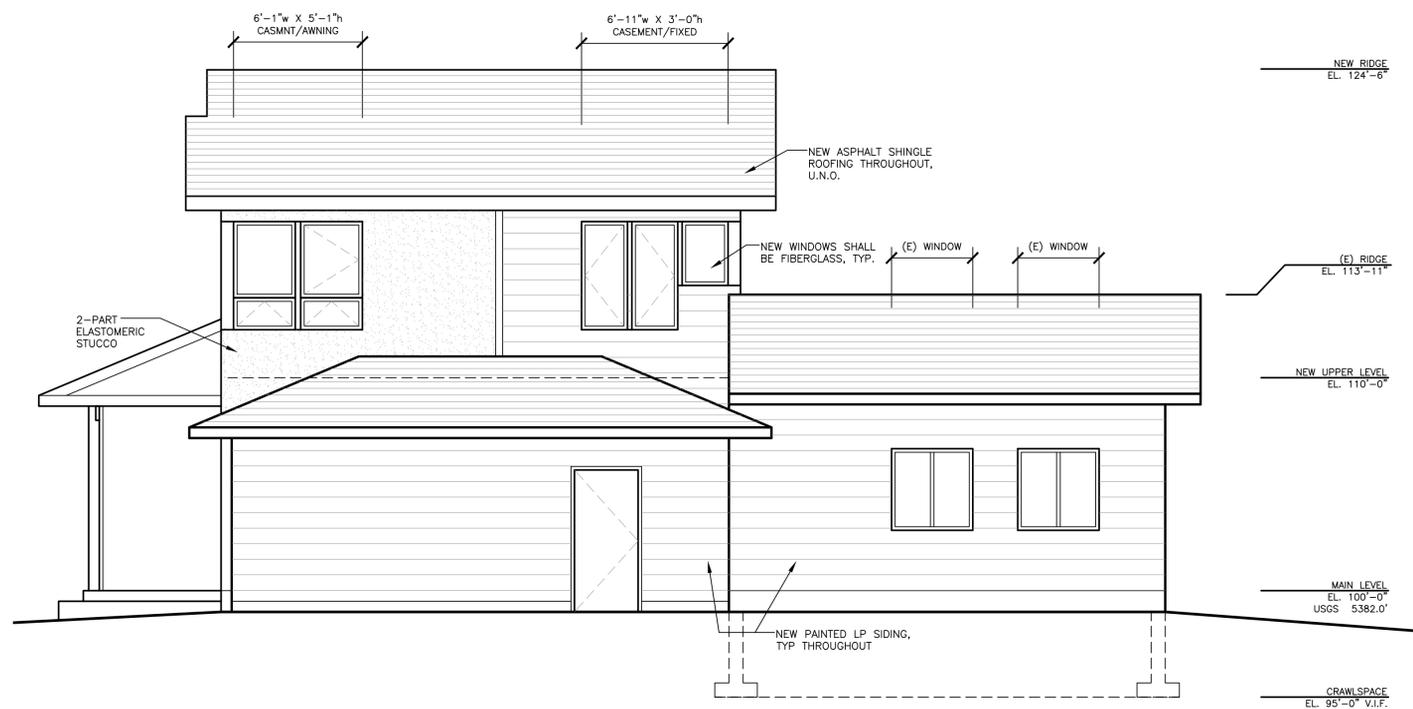
April 20, 2016

A3



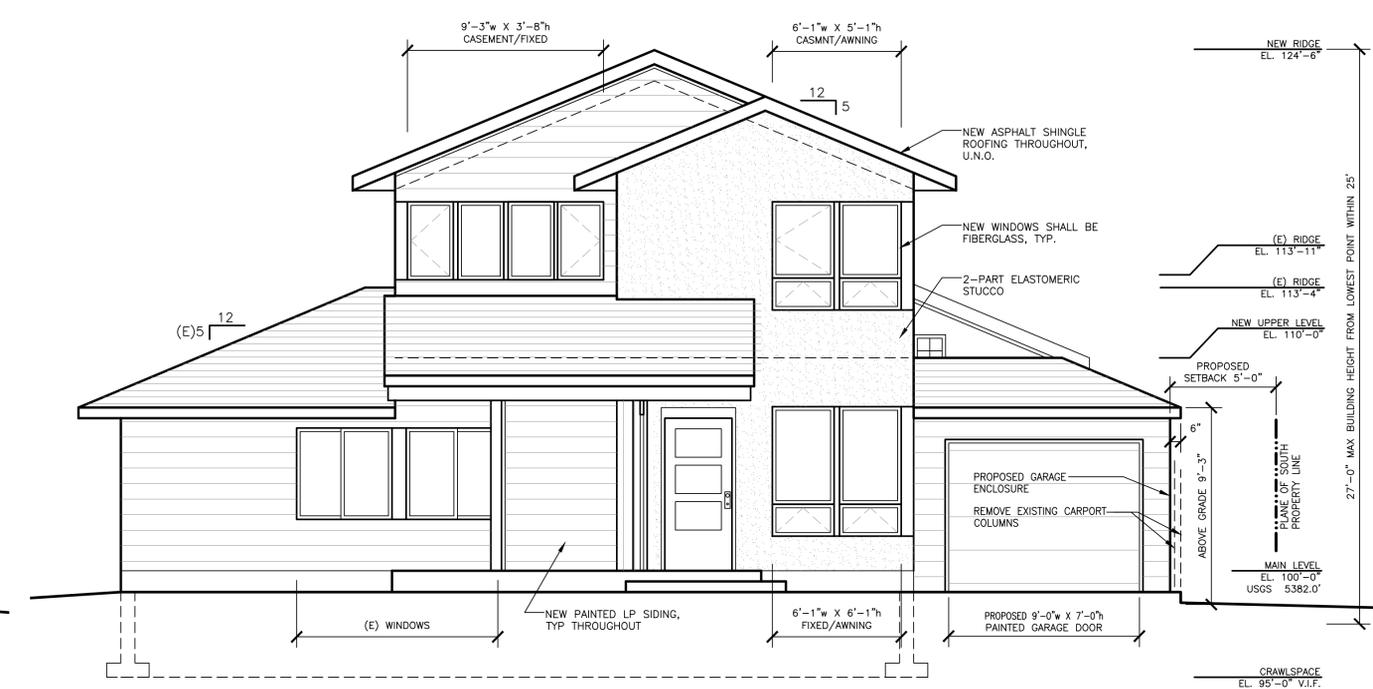
Proposed building section looking east

SCALE: 1/4" = 1'-0"



Proposed South Elevation

SCALE: 1/4" = 1'-0"



Proposed West Elevation

SCALE: 1/4" = 1'-0"

3040 17th Street, Boulder

DISSLY HOUSE

LAWRENCE and GOMEZ ARCHITECTS www.lawrenceandgomez.com

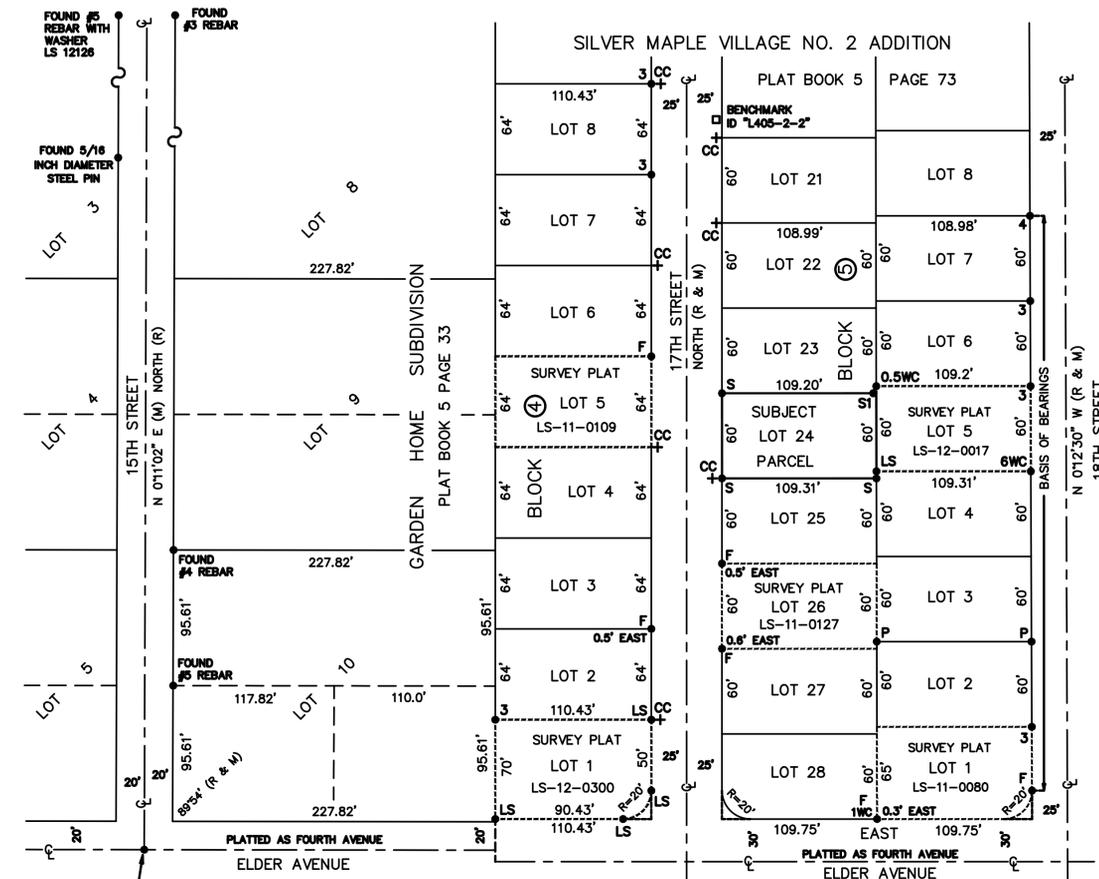
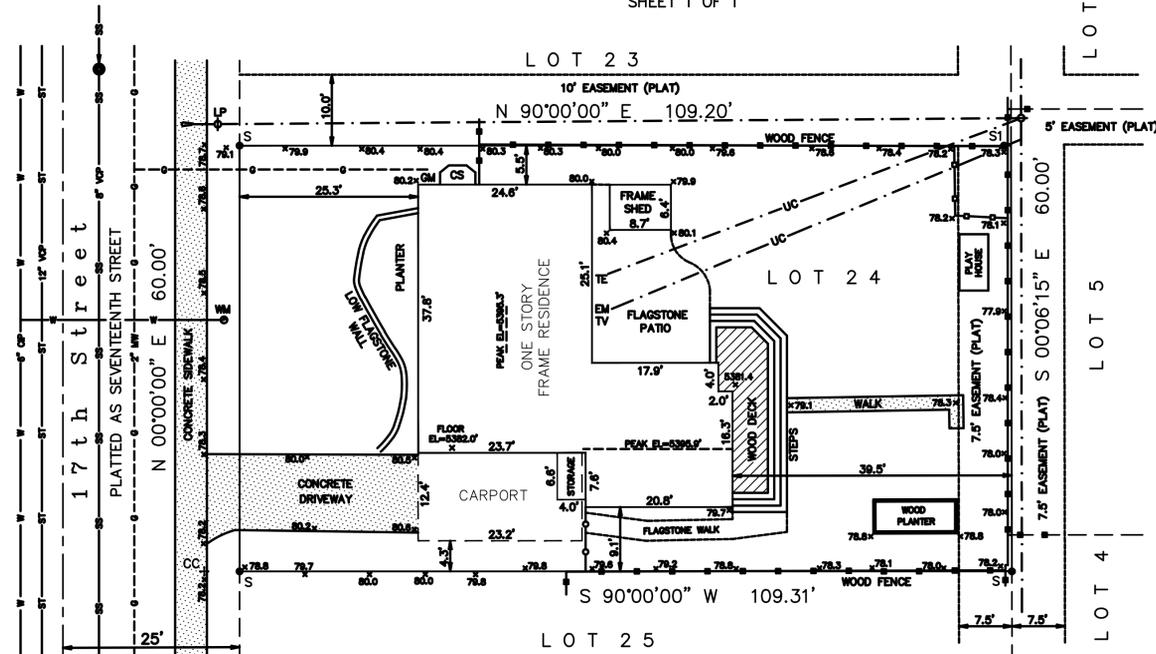
BOZA - SETBACK VARIANCE REQUEST

April 20, 2016

A4

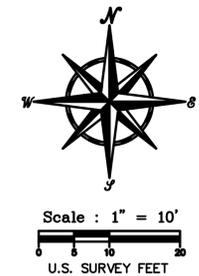
Improvement Survey Plat

3040 17th Street, Boulder
 located in the southwest quarter of Section 19,
 Township 1 North, Range 70 West of the 6th P.M.
 County of Boulder, State of Colorado
 SHEET 1 OF 1



- Legend**
- LP LIGHT POLE
 - WM WATER METER
 - TV CABLE TV BOX
 - GM GAS METER
 - Ø UTILITY POLE
 - CL CENTERLINE
 - UC UTILITY CONNECTION
 - G--- GAS LINE
 - SS--- SEWER LINE
 - OOL--- OVERHEAD UTILITY LINES
 - W--- WATER LINE
 - ST--- STORM LINE
 - CS CRAWL SPACE ENTRY
 - EM ELECTRIC METER
 - TE TELEPHONE BOX
 - o--- PLASTIC FENCE
 - o--- CHAIN LINK FENCE
 - MANHOLE
 - 80.0 x SPOT SHOT ELEVATION
 - RN RECEPTION NUMBER BOULDER COUNTY RECORDS
 - LS-12-0300 INDEX NUMBER OF SURVEY FILED AT BOULDER COUNTY LAND USE OFFICE

- Survey Marker Legend**
- S • SET #5 REBAR WITH 1 1/2" DIAMETER ALUMINUM CAP MARKED "SELLARS / LS 27815"
 - SI • SET #5 REBAR WITH 1 1/2" DIAMETER ALUMINUM CAP MARKED "SELLARS / LS 27815" ONE (1) FOOT WITNESS CORNER
 - LS • FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP MARKED "STADELE / LS 28300"
 - 0.5WC • FOUND PK NAIL AND 2 INCH WASHER ON TOP OF WOOD FENCE POST AS 0.5 FOOT WITNESS CORNER MARKED "LEE STADELE / 0.5" WC LS 28300"
 - 6WC • FOUND 1 1/2" ALUMINUM CAP IN SIDEWALK SET AS 6.0 FOOT OFFSET TO CORNER MARKED "STADELE/LS 28300/6WC"
 - 5 • FOUND #5 REBAR
 - 4 • FOUND #4 REBAR
 - 3 • FOUND #3 REBAR
 - P • FOUND 1" PIPE WITH 5/4 INCH CAP
 - + CC CHISELED CROSS
 - F • FOUND #5 REBAR WITH 1 1/2" DIAMETER ALUMINUM CAP MARKED "FLATRONS - LS 16406"
 - (M) MEASURED OR CALCULATED BY THIS SURVEY
 - (R) RECORD OR PLATTED MEASUREMENT
 - 1WC 1 FOOT WITNESS CORNER



- Notes**
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE POLICY. FLAGSTAFF SURVEYING, INC. HAS NOT PERFORMED ANY RESEARCH TO DETERMINE THE EXISTENCE OF OTHER RECORDED EASEMENTS (IF ANY). PLATTED EASEMENTS HAVE BEEN SHOWN HEREON.
 - ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
 - BASIS OF BEARINGS: PER THE ORIGINAL SUBDIVISION PLAT, I HELD THE BEARING, NORTH 00°12'30" WEST, ALONG THE WEST LINE OF 18TH STREET BETWEEN THE SURVEY MONUMENTS SHOWN HEREON.
 - THE SUBJECT PARCEL CONTAINS A GROSS AREA OF 6556 SQUARE FEET.

- UNDERGROUND WATER AND SANITARY SEWER LINES HAVE BEEN SHOWN HEREON BASED UPON VISIBLE SURFACE EVIDENCE AND MAPS PROVIDED BY THE CITY OF BOULDER.
- UNDERGROUND GAS AND ELECTRIC LINES HAVE BEEN SHOWN HEREON BASED UPON VISIBLE SURFACE EVIDENCE AND MAPS PROVIDED BY XCEL ENERGY.
- OTHER UNDERGROUND UTILITIES SUCH AS TELEPHONE AND COMMUNICATION LINES MAY EXIST, FOR WHICH THERE ARE NO PUBLIC RECORDS READILY AVAILABLE.
- LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY AND RELIABLY DEPICTED. WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT EXCAVATION MAY BE NECESSARY.
- ALL UNDERGROUND UTILITIES SHOULD BE FIELD LOCATED BY THE APPROPRIATE AGENCY PRIOR TO ANY CONSTRUCTION OR DIGGING ON OR ADJACENT TO THE SUBJECT PROPERTY.
- BENCHMARK - CITY OF BOULDER ID: "L405-2-2" - A CUT "BOX" ON THE SOUTHWEST CORNER OF THE INLET IN FRONT OF THE RESIDENCE AT 3070 17TH STREET. ELEVATION = 5379.51 FEET, NAVD'88 DATUM.
- BEARINGS AND DISTANCES SHOWN HEREON REPRESENT MEASURED AND RECORD VALUES, UNLESS OTHERWISE NOTED.

Block Overview
 1 INCH = 50 FEET
 SOUTHERN PORTION OF BLOCKS 4 & 5
 SILVER MAPLE VILLAGE NO. 2 ADDITION
 AND GARDEN HOME SUBDIVISION
 ALL SURVEY MONUMENTS SHOWN FIT THE RECORDED
 PLAT WITHIN 3 INCHES, UNLESS OTHERWISE SHOWN.

Property Description
 (PER RN 1501449 DATED MARCH 3, 1995)
 LOT 24,
 BLOCK 5,
 SILVER MAPLE VILLAGE FILING NO. 2 ADDITION,
 COUNTY OF BOULDER,
 STATE OF COLORADO.

Surveyor's Statement
 I, STEVEN J. SELLARS, A DULY REGISTERED LAND SURVEYOR, LICENSED IN THE STATE OF COLORADO, HEREBY STATE FOR AND ON BEHALF OF FLAGSTAFF SURVEYING, INC. THAT A SURVEY OF THE ABOVE DESCRIBED PREMISES WAS CONDUCTED BY ME AND UNDER MY DIRECT SUPERVISION, RESPONSIBILITY AND CHECKING DURING JANUARY 2015 AND FEBRUARY 2016; THAT SAID SURVEY AND THE ATTACHED PRINT HEREON WERE MADE IN SUBSTANTIAL ACCORDANCE WITH C.R.S. 38-51-102(9) "IMPROVEMENT SURVEY PLAT". I FURTHER STATE THAT THE ELEVATIONS SHOWN HEREON ARE ACCURATE TO THE BEST OF MY KNOWLEDGE.

STEVEN J. SELLARS
 REGISTERED PROFESSIONAL LAND SURVEYOR
 COLORADO LICENSE NUMBER 27615

Flagstaff Surveying Inc.
 TABLE MESA SHOPPING CENTER
 637 SOUTH BROADWAY, SUITE C
 BOULDER, COLORADO 80305
 PHONE: 303-499-9737
 StevenSellars@FlagstaffSurveying.com

17282A-LDWC FEBRUARY 4, 2016



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: boulderplandevop.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: 3079 10TH STREET BOULDER CO
- Legal Description: Lot 44-45 Block 12 Subdivision NEWLANDS (Or attach description.)
- Existing Use of Property: RESIDENTIAL (RL-1)
- Description of proposal:

Owner proposes to construct an open, covered carport in rear yard setback. An existing accessory structure in the rear setback amounts to 373 sf. Carport would add 333 sf of accessory area. Owner seeks zoning appeal based on disability to exceed 500sf accessory area limit in rear setback.

*Total floor area of existing building: 373 (acc.)	*Total floor area proposed: 706 (acc.)
*Building coverage existing: 1885 sf	*Building coverage proposed: 2237 sf
*Building height existing: Less than 35'/20'	*Building height proposed: No change

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

- ◆ Name of Owner: Hugh Josephs
- Address: 3079 10TH STREET Telephone: _____
- City: BOULDER State: CO Zip Code: 80304 FAX: NA
- ◆ Name of Contact (if other than owner): (Matthew Schexnyder)
- Address: 1510 Zania Ave #103 Telephone: 3034433629
- City: Boulder State: CO Zip Code: 80305 FAX: _____

STAFF USE ONLY

Doc. No. BOZ2016-00016 Date Filed 4-20-16 Zone RL-1 Hearing Date _____
 Application received by: C.T. Date Fee Paid 4-20 Misc. Rect # _____

MATH @ CARRISPC.COM

**SIGN POSTING REQUIREMENTS
APPLICANT'S ACKNOWLEDGMENT FORM**

Required for Certain Land Use Review, Administrative Review, Technical Document Review, and Board of Zoning Adjustment Applications

CITY CODE REQUIREMENT FOR SIGN POSTING OF LAND USE REVIEW APPLICATIONS -

Excerpt of Section 9-4-3(c), B.R.C. 1981: Public Notice of Application: The city manager will provide the following public notice of a development review application:

(1) Posting: After receiving such application, the manager will cause the property for which the application is filed to be posted with a notice indicating that a development review application has been made, the type of review requested, and that interested persons may obtain more detailed information from the planning department. The notice shall meet the following standards:

(A) The notice shall be placed on weatherproof signs that have been provided by the City and placed on the property that is the subject of the application.

(B) All such notice shall be posted no later than ten days after the date the application is filed to ensure that notice is posted early in the development review process.

(C) The signs shall be placed along each abutting street, perpendicular to the direction of travel, in a manner that makes them clearly visible to neighboring residents and passers-by. At least one sign shall be posted on each street frontage.

(D) The signs shall remain in place during the period leading up to a decision by the approving authority, but not less than ten days.

(E) On or before the date that the approving authority is scheduled to make a decision on the application the city manager will require the applicant to certify in writing that required notice was posted according to the requirements of this section.

I, HUGH JOSEPHS, am filing a Land Use Review, Administrative Review, Technical
(PRINT NAME OF APPLICANT OR CONTACT PERSON)
Document Review, or BOZA application [on behalf of] MYSELF for the property
(PRINT NAME OF OWNER(S) IF OTHER THAN APPLICANT/CONTACT)
located at 3079 10TH STREET BOULDER CO. I have read the city's sign posting requirements above and acknowledge
(PRINT PROPERTY ADDRESS OR LOCATION)

and agree to the following:

1. I understand that I must use the sign(s) that the city will provide to me at the time that I file my application. The sign(s) will include information about my application and property location to provide required public notice.
2. I am responsible for ensuring that the sign(s) is posted on the property described above in such a way that meets the requirements of Section 9-4-3(c), B.R.C. 1981 (listed above), including visibility of the sign(s) and time and duration of the sign(s) posting, and including reposting any signs that are removed, damaged, or otherwise displaced from the site. As necessary, I shall obtain a replacement sign(s) from the city for reposting.
3. I understand that certain future changes to my application, including but not limited to, changes to the project description or adding a review type, may require that I post a new sign(s). The city will notify me if such a reposting is required and provide me with a necessary replacement sign(s).
4. I understand that failing to provide the public notice by sign posting required by the city's land use regulation may result in a delay in the city's issuing a decision or a legal challenge of any issued decision.

Hugh Josephs
NAME OF APPLICANT OR CONTACT PERSON

4/20/2016

DATE

Please keep a copy of this signed form for your reference. If you have any questions about the sign posting requirements or to obtain a replacement sign, please call 303-441-1880.

Holmes, Brian

From: Matthew Schexnyder [matthew@caddispc.com]
Sent: Wednesday, May 11, 2016 2:31 PM
To: Holmes, Brian
Cc: hugh80304@yahoo.com
Subject: Re: BOZA Variance Application BOZ2016-10 (3079 10th St.)
Attachments: 20160511_3079_10TH_BOZA_PLAN.pdf

Brian, Sorry I sent the last out accidentally before completing my comments and attaching revised plan.

I wanted to also respond to the preliminary feedback from engineering. We have proposed an attached structure to avoid the required 6' accessory building separation and to pose less of an impact on the adjacent neighbors (side yard setback). Regardless of the eventual parking layout that gets approved, we would prefer not to propose a detached structure. We feel that a detached structure would have a greater visual and spatial impact as compared to an attached structure.

Thanks for your consideration. Let me know if I can provide anything more to clarify prior to close of business Thursday.

Best Regards,
Matthew

MATTHEW SCHEXNYDER PROJECT MANAGER LEED GA
caddis

1510 ZAMIA #103
BOULDER, CO 80304
303.443.3629

On Wed, May 11, 2016 at 2:19 PM, Matthew Schexnyder <matthew@caddispc.com> wrote:
Brian, Thanks for your comments and recommendations.

I am attaching a revised site plan with additional notes addressing specific variance criteria.

Please note, we have revised the parking diagram to better demonstrate Hugh's intent and need. I hope the diagram and attached narrative (on the plan drawing) better articulate how the owner plans to use the proposed structure and how that structure is the minimum adjustment to afford relief for his family's specific need.

I am attaching the revised text here for your convenience:

Requested criteria for variance:

(1) Physical conditions or disability:

(1)(a)(i) : There are no unusual physical circumstances or condition, particular to the affected property.

(1)(a)(ii) : Property owner does claim physical disability which among other impacts, does present a need on the property to provide for sheltered parking for: 1) parking and transfer from owner's vehicle and a contracted care vehicle at all times of the day and 2) simultaneous loading and transfer between vehicles at all times of the day. To accommodate this need, the owner is proposing a sheltered parking structure that allows for (2) standard accessible stalls that share a standard access aisle. Please reference letter from homeowner.

(5) Requirements for all variance approvals:

(5)(a) : Proposed structure does not alter the essential character of the neighborhood. It is located in an alley which contains multiple accessory buildings.

(5)(b) : Proposed structure will not substantially or permanently impair the use and/or development of adjacent property as it is contained completely within the property lines. Care has been taken in the layout of the proposed parking shelter to meet the needs described in (1)(a)(ii) while allowing for the greatest separation between the proposed structure and adjacent property line to the south.

(5)(c) : Proposed structure is the minimum variance that would afford relief with the least modifications:

Please consider the following as specific explanation regarding the owner's proposal as the minimum variance to "afford relief" based on the needs outlined in section (1)(a)(ii) above:

The homeowner has contract care for his wife and needs sufficient, sheltered parking, loading, and unloading space to accommodate multiple vehicle types at all times of the day.

The current physical disability needs require that the owner and contract care provider both have access to the property at all times of the day. To afford relief to the stated needs, a sheltered structure that accommodates (2) vehicles along with adequate loading/unloading area is required.

The owner's specific criteria to afford relief are: 1) sheltered parking and transfer from owner's vehicle and contracted care vehicle at all times of the day and 2) simultaneous loading and transfer between vehicles at all times of the day.

To accommodate this need, the owner is proposing a sheltered parking structure that allows for (2) standard accessible stalls that share a standard access aisle.

Please reference parking detail drawing. An overall width of 22' is based on the standard space requirements for (2) accessible 8' stalls that share a 5' access aisle (21' total dimension). An additional 1' is added to allow for structural columns.

Please note, the proposed structure is attached to an existing accessory structure. Considering the minimum 6' building separation requirements (zoning) for accessory structures and the parking dimension requirements proposed in this section, the owner can not propose a detached structure that meets the stated need and remains within the existing side yard setbacks. In other words, the owner can not comply with preliminary engineering recommendations to detach the proposed structure without encroaching on setbacks at the side yard.

(5)(d) : The proposed structure will not conflict or interfere with the basic solar access protection provided in section 9-9-17 solar access, B.R.C. 1981

MATTHEW SCHEXNYDER PROJECT MANAGER LEED GA
caddis

1510 ZAMIA #103
BOULDER, CO 80304
[303.443.3629](tel:303.443.3629)

On Tue, May 10, 2016 at 4:08 PM, Holmes, Brian <HolmesB@bouldercolorado.gov> wrote:

Mr. Josephs / Mr. Schexnyder-

The purpose of this email is to follow-up on my email from 5/4. Staff will be sending out materials for the BOZA this Thursday, if there are to be any additional items for staff or the BOZA to consider, it would preferable to have those materials by the end of the day Thursday (5/12).

I'd like to take this opportunity to reiterate the second bullet point from below about how the proposal

"would be the minimum variance that would afford relief and would be the least modification of the applicable provisions of this title...". I'm attaching a copy of the portion of the Design and Construction Standards (DCS) that speaks to accessible parking stalls (see attached PDF). You'll note that there are effectively two approaches- **Standard** (5' min Access Aisle + 8' Accessible Space = 13') or **Van** (8' min Access Aisle + 8' Accessible Space = 16'). You'll also, no doubt, note that either of these code standards are significantly less than the 22' width that is proposed as a part of your request. For example the coverage associated with these scenarios is 207 sq. ft. (15.9' x 13') and 255 sq. ft. (15.9 x 16') respectively. Or, put another way, a reduction of either 38% or 24% respectively from your current proposal. Please be advised that if there are obvious alternate design solutions that may provide the sort of relief that is sought through the variance process, and that require less of a variance to the standard that is being varied, it will be unlikely that the request will be supported by staff- and possibly also by the BOZA.

Additionally, I've been in contact with the city's engineering workgroup as a referral on your project and they have also made the suggestion that in order to improve the line of sight (in terms of visibility for drivers of cars visiting/leaving this property as they encounter other cars/peds/bicycles in the alley) an approach that moves the carport (and accessible space it shelters) toward the south property line (away from the exiting studio) would be an improvement. As a variance matter for zoning staff, such an approach may also further reduce the amount of coverage being proposed and may be a more supportable design approach in terms of satisfying the relevant review criteria.

As stated before- please feel free to contact me with any questions or, if helpful, let me know if you would like to arrange for a meeting in person prior to the BOZA hearing on the 19th. Staff's anticipated recommendation to the BOZA will be made available to you by the end of the day Tuesday.

Respectfully,

Brian

Brian Holmes
Senior Planner/Zoning Administrator
City of Boulder - Planning, Housing + Sustainability
holmesb@bouldercolorado.gov

[303.441.3212](tel:303.441.3212) - Direct



Please consider the environment before printing this email.

To whom it may concern;

We are writing this letter to lend our full support to Hugh Joseph's request to the city to convert his parking area into a covered carport. Our home is across the alley from the site and the design will fit in nicely with the existing structures. Also we know it will help to improve conditions for getting Patty in and out of the vehicles.

We are in favor of the variance and urge you to approve it.

Sincerely

Douglas Sweeney
Jocelyn Sweeney
902 Evergreen Ave 80304

May 11, 2016

To City of Boulder BOZA,

We are writing as next door neighbors to Patty and Hugh Josephs at 3079 10th St..

We have watched the challenge that Patty and her family/caregivers have in getting in and out of vehicles at the alley entrance. A wheel chair bound person is not an easy or quick in and out to a car. This alley access is the entrance used instead of from street due to steps at front porch. A protected roof will make a big difference to this process from ice, snow, rain and sun.

The design of open sided carport attached to the existing studio is minimalistic and attractive. It does not negatively impact any neighbors or alley space. Tying the roof of carport into roof of studio and creating covered parking for two cars is practical and will appear well planned.

As friends and next door neighbors to Patty and Hugh we urge you to grant this variance. We know it will make a big difference in their access in and out of home and thus their quality of life.

Feel free to contact us with any questions.

Donna Werner and Randy Bailey

3067 10th St., Boulder 80304

303-449-4672

To the City of Boulder;

I live at 3016 9th Street and share the alley with the Josephs. I appreciate the intent of the ordinance that limits the amount of building in rear yard setbacks. However, there are times when it is appropriate to grant variances and this is one of those instances where the Joseph's situation is one of hardship. Patty has had a series of illnesses that has severely compromised her mobility and quality of life. It is a small favor to grant them a covered area to negotiate getting into a car. I am in agreement with permitting the Josephs to build a carport.

Deborah Yin

May 8, 2016

Lauren and Steve Sundstrom
3082 10th Street
Boulder, CO 80304
laurensundstrom@yahoo.com
303 748 6500

Re: Hugh Josephs Request for Variance, Carport, 10th Street

To the City of Boulder:

We live directly across the street from Hugh and Patty Josephs and understand their request to the City of Boulder to convert their parking area into a covered carport. We have reviewed the plans, are in full support of this effort, and urge you to approve the variance. The design looks great and fits with the neighborhood. The reasons behind the design (to improve conditions for Patty Josephs) are compelling. Please feel free to contact us should you need anything further.

Sincerely,

Lauren and Steve Sundstrom



Zoning Summary

Date: 02.01.2016
Client: Hugh Josephs
Project Address: 3079 10th Street, Boulder, CO
Lot Size: Approx. 6,300 SF (CoB); 6,245 SF/0.14 acres (Boulder County)
Legal Description: LOTS 44-45 BLK 12 NEWLANDS
Parcel Number: 146124411019

Preliminary Zoning Analysis

A. Zoning Summary:

The .14 acre property at 3079 10th Street. includes (2) improvements: a 2-story framed single-family home and a detached accessory structure totaling approximately 2,236 square feet of building area. The property is zoned for RL-1 with applicable compatible development regulations. Floodplain designations do not apply. According to the owner's survey (ISP), a portion of the existing accessory structure sits within the rear yard setback.

Based on review of current land use and City of Boulder planning staff preliminary review, please consider the following development constraints:

- Land use code allows up to 500sf of building area within the primary rear setback (25'). The existing studio occupies 375sf of the rear yard setback leaving up to 125sf available for any accessory addition. The attached development plan illustrates a potential unenclosed parking structure occupying 125sf of the rear setback. A portion of the proposed structure sits to the interior of the rear setback and does not count against the 500sf accessory limitation.
- Floor area for unenclosed accessory structures is measured from the outside face of structure (post). In this case, floor area will be measured from the face of the existing studio to outside face of proposed structure.
- The minimum separation between any accessory structure and any other building is required to be 6' or greater. For this reason, it is recommended that the new covered parking structure be attached (overframed) to the existing studio. Care should be taken not to violate the integrity of the existing studio roof or exterior wall. Any modification to the exterior envelope of the existing studio will trigger additional review by planning and building officials.
- Several land use requirements must be applied to the proposed parking stall. A minimum 24' backing distance is required behind the parking stall. This dimension must be taken from the far side of the public right of way (alley). An additional 19' minimum is required for the depth of the parking stall. These dimensions are shown on the attached plan. Please note that the existing rear yard fence would have to be relocated to accommodate the required parking stall dimensions.
- The attached plan shows a "by-rights" unenclosed parking structure. A building permit for a structure complying with this proposed footprint could be approved without extraordinary review.
- If the owner wants to propose a parking structure that exceeds the 500sf accessory building area limitation, city planning staff recommends that the owner submit plans through the Board of Zoning Adjustment (BOZA) process. Although land use code allows administrative review/approval of some form and bulk standards in case of impairment or anticipated impairment, there is no administrative variance process for accessory building area encroachments. In accordance with Title 9 Land Use Code, Section 9-2-3. Variances and Interpretations, please note the following applications and conditions for BOZA review:

(e) Application Requirements: A person having an interest in the property for which the variance is requested or a person having an interest in an interpretation by the city manager of Section 9-6-1, "Schedule of Permitted Land Uses," or 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981, may file an application on a form provided by the city manager that



shall include, without limitation, the following, but the manager may waive particular application requirements if not required for review of the interpretation at issue:

- (1) The written consent of the owners of the property for which the variance is requested or, in case of a request for review of an interpretation, a statement of the person's interest in the interpretation at issue;
- (2) A list of property owners within three hundred feet;
- (3) An improvement survey;
- (4) A site plan including building height and setback;
- (5) A building floor plan and building elevation plan;
- (6) A demolition plan, if the applicant proposes to remove any part of the roof or remove any walls;
- (7) In case of a variance, a written statement addressing the applicable criteria for approval of Subsection (h), (i) or (j) of this section; and
- (8) Any other information pertinent to the request. In addition, in case of a variance, the submitted application shall include the fee prescribed by Section 4-20-43, "Development Application Fees," B.R.C. 1981.

(f) Public Notice: After receiving an application for a variance or an interpretation review, the city manager shall provide notice as specified in Section 9-4-3, "Public Notice Requirements," B.R.C. 1981.

(g) Public Hearing: Except as provided in Subsection (c) of this section, the BOZA shall hear a request for a variance or interpretation review at a public hearing, for which notice pursuant to Section 9-4-3, "Public Notice Requirements," B.R.C. 1981, shall be provided.

(h) Criteria for Variances: The BOZA may grant a variance only if it finds that the application satisfies all of the applicable requirements of Paragraph (h)(1), (h)(2), (h)(3) or (h)(4) of this section and the requirements of paragraph (h)(5) of this section.

(1) Physical Conditions or Disability:

(A) There are:

- (i) Unusual physical circumstances or conditions, including, without limitation, irregularity, narrowness or shallowness of the lot or exceptional topographical or other physical conditions peculiar to the affected property; or
- (ii) There is a physical disability affecting the owners of the property or any member of the family of an owner who resides on the property which impairs the ability of the disabled person to utilize or access the property; and

(B) The unusual circumstances or conditions do not exist throughout the neighborhood or zoning district in which the property is located; and

(C) Because of such physical circumstances or conditions the property cannot reasonably be developed in conformity with the provisions of this chapter; and

(D) Any unnecessary hardship has not been created by the applicant.

- Based on the physical conditions or disability criteria, there is a good chance that a BOZA review would result in a larger covered structure for one vehicle. However, it is unlikely that the city would approve a parking structure for multiple vehicles. The owner would have to demonstrate a need for multiple covered parking stalls. Also, it is unlikely that a BOZA review would result in any modification of the park stall dimensional requirements (9' x 19' min.) or the minimum backing distance (24'). However, a BOZA review may allow more flexibility in determining the structure's footprint within the rear yard setback. For instance, the owner could justify a larger, accessible parking space (13' x 19').

Existing Areas:

Improvement #1

First Floor (Above Ground) Finished Area:	1,406 sf
Second Floor Finished Area:	439 sf
Porch Area:	49 sf
Improvement Floor Area (for FAR):	1,845 sf

CADDIS, P.C.

1510 ZAMIA AVENUE #103 • BOULDER, CO 80304 • tel 303.443.3629 • fax 303.443.2039



Improvement #2

Studio Area: 391 sf
 Improvement Floor Area (for FAR): 1,920 sf
 Total Floor Area (for FAR): 2,236 sf
 Lot Coverage: ±1,879 sf

Existing Rooms:

Bedrooms: 3
 Full Bath: 2
 ¾ Bath: 1
 Half Bath: 1

B. Applicable Standards:

City of Boulder, Chapter 9-1 General Provisions
 Title 9: Land Use Regulation Chapter 9-3 Overlay Districts
 Chapter 9-5 Modular Zone System
 Chapter 9-6 Use Standards
 Chapter 9-7 Form and Bulk Standards
 Chapter 9-9 Development Standards
 Chapter 9-13 Inclusionary Housing
 Chapter 9-14 Residential Growth Management System
 Chapter 9-16 Definitions
 Chapter 10-5 Building Code

C. Existing Parcels: 146124411019

D. Zoning District: Residential – Low 1 / RL-1

<i>Classification</i>	<i>District</i>	<i>Use Module</i>	<i>Form Module</i>	<i>Intensity Module</i>
RL-1	Residential	R1	D	4

E. Planning Overlays:

City of Boulder: Compatible Development
 BVCP Land Use: Low Density Residential / LR
 Additional BVCP Land Use: Not Applicable
 BVCP Area: Area I
 Flood Plain/Zone: None

F. Use Standards: (Reference Chapter 9-6, Table 6-1)

<i>Use Type</i>	<i>Use Description</i>	<i>Allowances</i>
Residential	Detached dwelling units	Allowed



G. Form and Bulk Standards: (Reference Chapter 9-7, Table 7-1)

<i>Primary Setback and Separation Requirements:</i>		<i>Project Compliance</i>
Minimum front yard landscape setback	25'	Principal structure not included in proposed scope
Minimum front yard setback for all covered and uncovered parking areas	25'	Principal structure not included in proposed scope
Minimum side yard landscaped setback from an interior lot line	5' (Min total for both side yard setbacks:15')	Principal structure not included in proposed scope
Minimum rear yard setback	25'	Principal structure not included in proposed scope
<i>Accessory Building Setback and Separation Requirements:</i>		<i>Project Compliance</i>
Minimum front yard landscape setback	55'	Proposed structure complies
Minimum side yard setback from an interior lot line	3'	Proposed structure complies
Minimum rear yard setback	3'	Proposed structure complies
Min. separation between accessory building and any other building	6'	Proposed structure complies
<i>Building Size and Coverage Limitation</i>		<i>Project Compliance</i>
Maximum floor area of any principal building	See Section H.	
Maximum accessory building coverage within rear yard setback	500 sf	375sf existing coverage; up to 125sf additional allowed by-rights
Total maximum building coverage	See Section H.	
<i>Principal and Accessory Building Height</i>		<i>Project Compliance</i>
Maximum height for principal buildings and uses	35'	Principal building complies
Maximum number of stories	3	All buildings comply
Maximum height for all accessory buildings	20'	Existing and proposed buildings comply
<i>Fences, Hedges, and Walls</i>		<i>Project Compliance</i>
Maximum height of fences, hedges, or walls	7'	Comply
Minimum height of fence on top of retaining wall	42"	NA
Maximum combined height of fence/retaining wall in side yard within 3' of lot line	12'	NA



<i>Building Design Requirements</i>		<i>Project Compliance</i>
Minimum ground floor window area facing a public street	n/a	
Primary building entrance location facing street	n/a	
Minimum percent of lot frontage that must contain a building	n/a	
Side Yard Bulk Plane	Applies per Chapter 7, 9-7-9	tbd
Side Yard Wall Articulation	Applies per Chapter 7, 9-7-10	tbd

H. Intensity Standards: (Reference Chapter 9-8, Table 8-1)

<i>Intensity Standards</i>		<i>Project Compliance</i>
Intensity Module	4	-
Minimum lot area	7,000 sf	ok
Minimum lot area per dwelling unit	7,000 sf	ok
Number of dwelling units per acre	6.2	ok
Minimum open space per dwelling unit	0	ok
Minimum open space on lots (residential uses)	-	-
Minimum Private Open Space(residential uses)	0	ok
<i>Base Floor Area Ratio and Additions</i>		<i>Project Compliance</i>
Maximum FAR	(Lot Size x 0.2) + 2,100 sf	(6,245 x 0.2) + 2,100 sf = 3,349 sf max
Potential Additional Building Area	-	1,113 sf
Maximum Building Coverage	(Lot Size x 0.2) + 1,050 sf	(6,245 x 0.2) + 1,050 sf = 2,299 sf max
Potential Additional Building Coverage	-	420 sf max

I. Parking Standards: (Reference 9-9-6 Parking Standards)

<i>Residential Parking Requirements by Zoning District</i>		<i>Project Compliance</i>
Minimum number off-street parking spaces for detached dwelling unit (DU)	1	ok

J. Solar Access: (Reference 9-9-17 Solar Access)

Solar Area I – See Diagram
 Applies to RL-1 Lot protected by a 12' solar fence.

BOZA Carport Variance

My wife, Patricia Josephs, has suffer through a series of neurological issues over the years including brain tumors, seizures, falls that have lead to concussions and traumatic brain injury, and most recently, a stroke. The cumulative effect of these problems have impaired my wife's balance and made it increasingly difficult for her to walk, even with assistance.

I am requesting a physical disability setback variance so that I can have a covered parking area at my house. As my wife's condition has deteriorated we are finding it more difficult for her to transfer to/from her wheelchair to the car. Any sort of inclement weather exacerbates this situation. When it is snowy, icy, or just wet from rain it is much more difficult to help my wife in and out the car. Even the need to transfer in the sun on a hot summer day is becoming a problem.

I am not sure if anyone on the Board has a friend or loved one who has suffered from a stroke or other neurological issue, but if you do you will know that it can be difficult for these people to adjust to changes in their physical environment. In my wife's case if it is snowy or icy or raining when we get to the car she tenses up, and this physical tension makes it much harder to safely transfer her.

For these reasons I am asking for a setback variance so that we can have a safe, consistent environment for helping my wife in and out of the car. Working with our architects we have designed an area the gives us enough room to maneuver safely, and that will fit in with the aesthetics of our neighborhood.

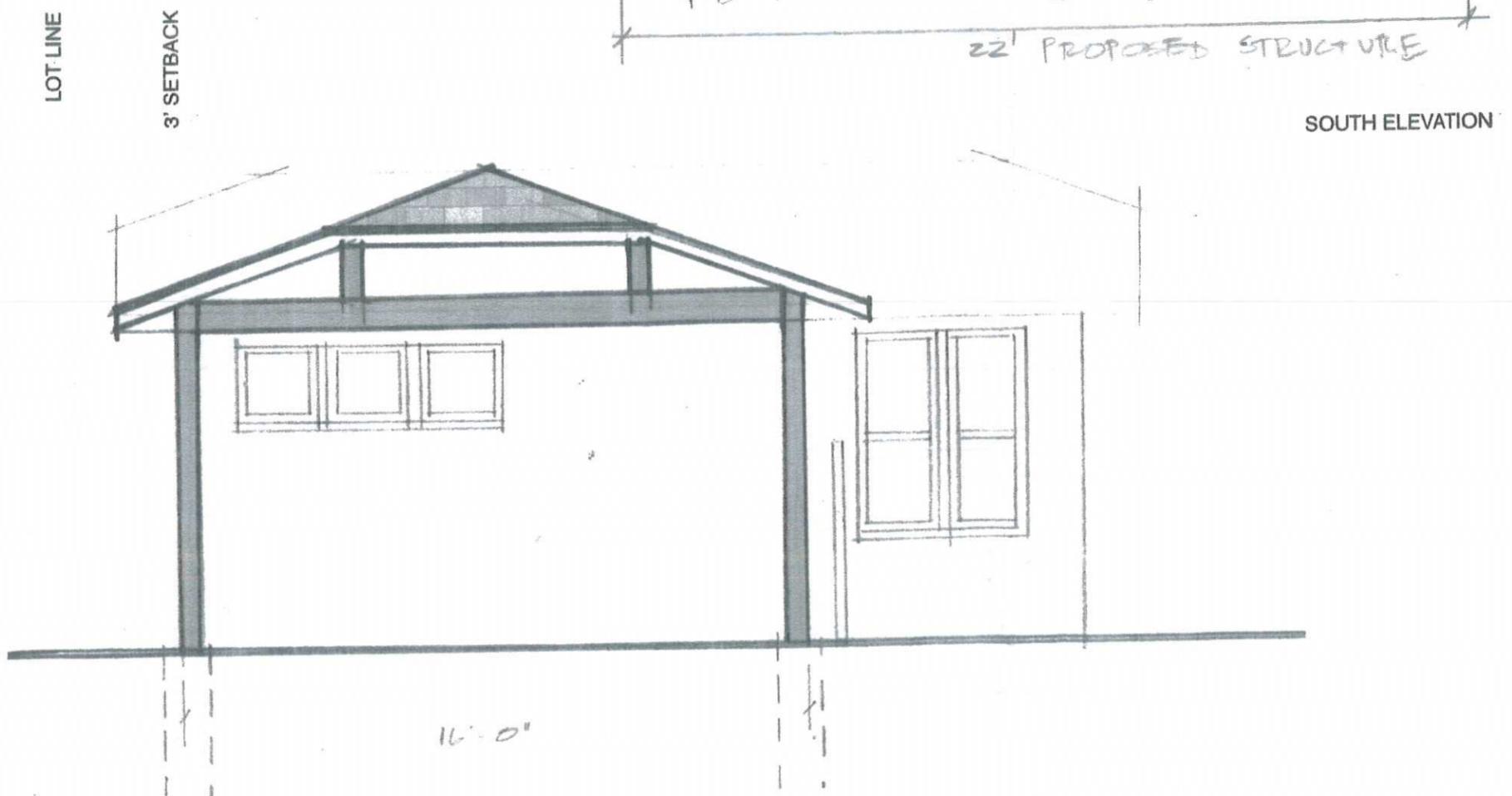
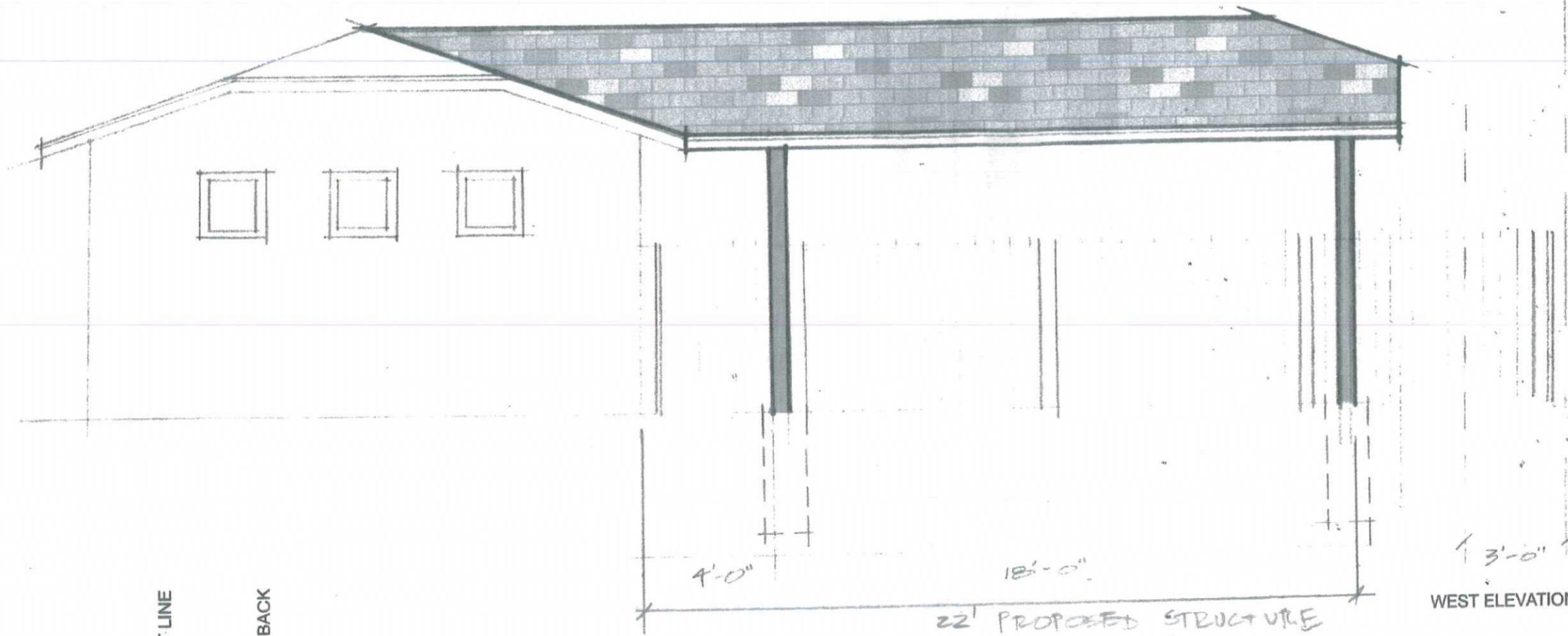
Thank you for your consideration, and please let me know if you have any questions.

Sincerely,

Hugh Josephs

A handwritten signature in black ink, appearing to read 'Hugh Josephs', written over the printed name.

**Hugh Josephs
Gargage BOZA
3079 10th Street, Boulder**



- OPTION 3:**
- 352 GSF (AREA)
 - 6' SEP. FROM OTHER ACC. STRUCTURES
 - 3' SIDEYARD/REAR SETBACK (ACCESSORY)

- JERKINHEAD GABLE ROOF, MATCH STUDIO PITCH (4:12)
- OVERFRAME ROOF AT STUDIO; CONSULT STRUCTURAL ENGR.

ATTACHED GARAGE - OPTION 3



03.22.2016

PROJECT # 1603

CADDIS PC

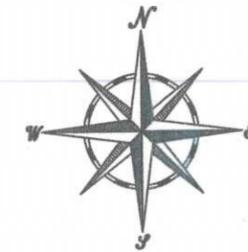
Property Description
(PER DEED RECORDED ON FILM 1550 REC. NO. 947250)

LOTS 44 AND 45,
BLOCK 12,
NEWLAND ADDITION,
COUNTY OF BOULDER,
STATE OF COLORADO

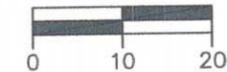
FOUND ALUMINUM CAP
IN ASPHALT SET BY
EMERY, LS 20134

Legend

- UC . . UTILITY CONNECTION
- EM . . ELECTRIC METER
- GM . . GAS METER
- TE . . TELEPHONE CONNECTION
- TV . . TELEVISION CONNECTION
- ∅ . . UTILITY POLE



SCALE: 1" = 20'



Notes

- 1) NO EASEMENTS ARE SHOWN ON THE PLAT THAT CROSS THE SUBJECT LOTS. THE CLIENT DID NOT REQUEST FURTHER RESEARCH.
- 2) ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT ON THIS CERTIFICATE WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT ON THIS CERTIFICATE BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- 3) THIS IMPROVEMENT LOCATION CERTIFICATE HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF HERBRUCK CONSTRUCTION & THE CITY OF BOULDER.
- 4) THIS IMPROVEMENT LOCATION CERTIFICATE AND THE INFORMATION HEREON SHOULD NOT BE USED FOR ANY ADDITIONAL OR EXTENDED PURPOSE BEYOND THAT FOR WHICH IT WAS INTENDED AND MAY NOT BE USED BY ANY PARTIES OTHER THAN THOSE TO WHICH IT IS CERTIFIED.
- 5) THIS CERTIFICATE IS BASED UPON THE POINTS SHOWN AND UPON A BLOCK BREAKDOWN PREPARED BY THIS OFFICE AND FILED WITH COUNTY LAND USE.

Improvement Location Certificate

for : Herbruck Construction & the City of Boulder

I HEREBY CERTIFY THAT THE IMPROVEMENTS ON THE ABOVE DESCRIBED PARCEL, 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. I FURTHER CERTIFY THAT THIS IMPROVEMENT LOCATION CERTIFICATE 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.

JOB NO. 05-15.646

Flagstaff Surveying Inc.

Table Mesa Shopping Center
637 South Broadway . Suite C
Boulder . Colorado . 80305
303.499.9737

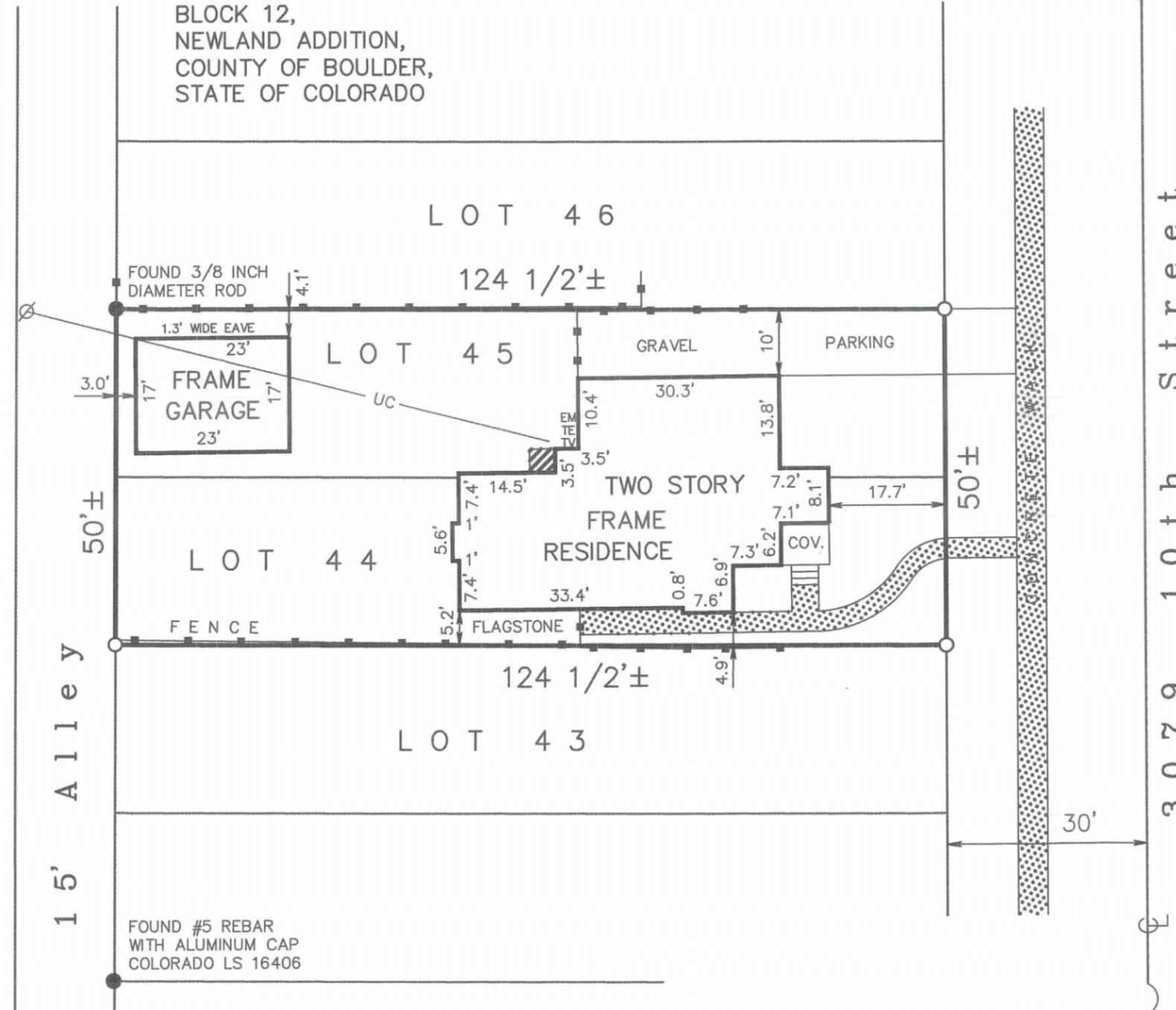
15646A-1.dwg . 12 January 2006

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FOUND #4 REBAR
IN CONCRETE IN
RANGE BOX

LEE W. STADELE
COLORADO PLS 26300

DATE



3079 10th Street

15' Alley

May 11, 2016

To whom it may concern:

I am writing this letter to lend my full support of Hugh Josephs' carport request. I live across the alley and one house down from him. I think this will be an excellent addition to their house and make access for Patty Josephs much easier.

I am in support of this variance and hope you will approve it!

Thanks,

Sara Anderson
3064 9th Street
Boulder CO 80304
saraanderson77@gmail.com

To Whom It May Concern:

My name is Mark Conley and I live (3048 9th Street) in the same block as the Josephs who are requesting a variance from the city so they may build a carport. My wife and I use the ally daily and we both strongly support their request: the carport is needed; it fits the character of the ally; it will not negatively impact those of us who live here and use the ally.

This carport is needed, it is supported by the neighbors and will fit in fine with the neighborhood. This variance should be approved.

Mark Conley

May 11th, 2016

To whom it may concern;

We are writing this letter to support Hugh Joseph's request to convert his parking area into a covered carport. We live on the same alley as the site and I believe the design will fit in nicely with the existing structures. Hugh's wife Patty has mobility issues and so a covered parking area will be a great help them.

We are in favor of the variance and urge you to approve it.

Sincerely

Denise Montzka
Stephen Montzka

3038 9th Street Boulder 80304

To whom it may concern;

I am writing this letter to give my full support to Hugh Joseph's request to the city to convert his parking area into a covered carport. I am directly west of the site and share an alley with Hugh. We know this will help Patty and Hugh out tremendously and the design looks wonderful.

I am 100% in favor of the design and project. I will be happy to see Patty's transportation difficulties become easier to manage as well!

Please do not hesitate to contact me with any questions,
Caroline Shafer
3076 9th Street
Boulder, CO 80304



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: boulderplandevop.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: _____
- Legal Description: Lot _____ Block _____ Subdivision _____ (Or attach description.)
- Existing Use of Property: _____
- Description of proposal: _____

*Total floor area of existing building: _____	*Total floor area proposed: _____
*Building coverage existing: _____	*Building coverage proposed: _____
*Building height existing: _____	*Building height proposed: _____

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

- ◆ **Name of Owner:** _____
- Address: _____ Telephone: _____
- City: _____ State: _____ Zip Code: _____ FAX: _____
- ◆ **Name of Contact (if other than owner):** _____
- Address: _____ Telephone: _____
- City: _____ State: _____ Zip Code: _____ FAX: _____

STAFF USE ONLY

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

BOZA VARIANCE CRITERIA

SETBACK AND MOBILE HOME SPACING VARIANCE CRITERIA

(Excerpt from Section 9-2-3(h), B.R.C. 1981)

(h) CRITERIA FOR VARIANCES

The BOZA may grant a variance only if it finds that the application satisfies all of the applicable requirements of paragraph (1), (2), (3), or (4) of this Subsection and the requirements of paragraph (5) of this Subsection.

(1) Physical Conditions or Disability

(A) There are:

- (i)** Unusual physical circumstances or conditions, including, without limitation, irregularity, narrowness or shallowness of the lot, or exceptional topographical or other physical conditions peculiar to the affected property; or
- (ii)** There is a physical disability affecting the owners of the property or any member of the family of an owner who resides on the property which impairs the ability of the disabled person to utilize or access the property; and

(B) The unusual circumstances or conditions do not exist throughout the neighborhood or zoning district in which the property is located; and

(C) Because of such physical circumstances or conditions the property cannot reasonably be developed in conformity with the provisions of this chapter; and

(D) Any unnecessary hardship has not been created by the applicant.

(2) Energy Conservation

(A) The variance will permit construction of an addition to a building that was constructed on or before January 1, 1983;

(B) The proposed addition will be an integral part of the structure of the building;

(C) The proposed addition will qualify as a "solar energy system" as defined in Section 9-16, "Definitions," B.R.C. 1981, or will enable the owner of the building to reduce the net use of energy for heating or cooling purposes by a minimum of 10% over the course of a year of average weather conditions for the entire building; and

(D) The costs of constructing any comparable addition within existing setback lines so as to achieve comparable energy purposes would be substantially greater than the cost of constructing the addition which is proposed for the variance.

(3) Solar Access

- (A)** The volume of that part of the lot in which buildings may be built consistent with this code has been reduced substantially as a result of the provisions of Section 9-9-17, "Solar Access," B.R.C. 1981;
- (B)** The proposed building or object would not interfere with the basic solar access protection provided in Section 9-9-17, "Solar Access," B.R.C. 1981; and
- (C)** The volume of the proposed building to be built outside of the building setback lines for the lot will not exceed the amount by which the buildable volume has been reduced as a result of the provisions of Section 9-9-17, "Solar Access," B.R.C. 1981.

(4) Designated Historic Property

The property could be reasonably developed in conformity with the provisions of this chapter, but the building has been designated as an individual landmark or recognized as a contributing building to a designated historic district. As part of the review of an alteration certificate pursuant to Chapter 9-11, "Historic Preservation," B.R.C. 1981, the approving authority has found that development in conforming locations on the lot or parcel would have an adverse impact upon the historic character of the individual landmark or the contributing building and the historic district, if a historic district is involved.

(5) Requirements for All Variance Approvals

- (A)** Would not alter the essential character of the neighborhood or district in which the lot is located;
- (B)** Would not substantially or permanently impair the reasonable use and enjoyment or development of adjacent property;
- (C)** Would be the minimum variance that would afford relief and would be the least modification of the applicable provisions of this title; and
- (D)** Would not conflict with the provisions of Section 9-9-17, "Solar Access," B.R.C.1981.

(i) FLOOR AREA VARIANCES FOR ACCESSORY DWELLING UNITS

The BOZA may grant a variance to the maximum floor area allowed for an accessory dwelling unit under Subsection 9-6-3(a) "Accessory Units," B.R.C. 1981, only if it finds that the application satisfies all of the following applicable requirements:

- (1)** That the interior configuration of the house is arranged in such a manner that the space to be used as the accessory dwelling unit cannot feasibly be divided in conformance with the size requirements;
- (2)** That the variance, if granted, meets the essential intent of this title, and would be the minimum variance that would afford relief; and

To whom it may concern,

We are applying for a setback variance for 603 North St. The proposed projects are listed below, and meet all of the City of Boulder building criteria, but are restrained by the side and front property line setbacks.

There are 2 individual components to this Setback Variance Request.

1. We would like to delete the entry roof canopy and columns already approved by BOZA, and build a slightly larger enclosed entry / mudroom which would be adding ~ 60 sf to the size of the house.

Due to the small size of the house and the fact that the current front door opens directly into the living room, the entry / mudroom is essential for removal and storage of coats, shoes, and other outdoor related items. It has been designed for the minimal amount of space to have some coat hooks and a bench seat. The entry / mudroom addition will actually encroach on the west property line setback less than the already approved entry roof and columns do, so we are reducing the impact on the setback encroachment.

2. We would like to slightly expand the size of the BOZA approved roof deck 1'-6" to the west, and 2' to the south. The resulting deck size would be 10' W x 16' L. We are technically still within the already approved BOZA side yard setbacks, but are increasing the size of the deck. We would be adding ~ 41 sf to the deck.

The owner would like space for a small table and chairs and a few Adirondack type seats for enjoying the view. The current approved roof top deck is already framed although not finished, and it's pretty clear that the current size limits putting any kind of furniture in place in a functional way. Since we would only be expanding into already approved setbacks by BOZA, and that the visual increase is almost negligible, we are hoping that the minimal increase will be acceptable.

The hardships that this site presents are as follows. The City of Boulder minimum lot size (area) required in the RMX-1 zone is 6,000 sf, and this lot only has 3,840 sf. As seen in the image of the neighborhood taken from the County Assessors website, there are a few non-conforming lots, but the majority of lots are a minimum of 50' wide (which typically provides the minimum 6,000 sf area), while this lot is only 32' wide. Due to the extreme narrowness of the lot, the required combined side yard setbacks of 15' (based on the existing loc of the house) do not allow for any reasonable improvements to be made, as our buildable envelope is only 7'-7" wide. If the lot size were the standard 50', any permitted improvement would be allowed by right as dictated by the City of Boulder land use code.

This application meets the City criteria for granting of a variance as follows:

- The site has unusual dimensions that are not common in the neighborhood resulting in an extremely narrow lot.
- The homeowner did not create the hardship as the house is existing, which determines what the side yard setbacks shall be for any additions or modifications.
- As such, reasonable projects cannot be developed due to the non-conforming nature of the lot.
- None of the requested modifications to the house affect the solar access of the neighbors.
- The requested modifications do not alter the character of the neighborhood, but in fact add to it.
- They do not impair the reasonable use and enjoyment of the adjacent properties.
- We are seeking the minimum setback relief in order to achieve the practical goals of the requested modifications.

We are asking for a variance to the side yard setbacks for the new entry / mudroom, so that the setback on the West side of the house would be 8'-2", and the side yard setback on the East side of the house would be 13'-10". We are asking for a variance to the front yard setback so that it would be 3'-6" from the property line. The required 25' landscaping setback is already being met as the street is between 26' and 36' away from the house. See the attached images / drawings showing a graphic description of this.

The side yard property line setbacks are really the only restriction. We do not exceed the max floor area or max building coverage, and are still well below the maximum building height of 27.8 ft, and the 25' solar fence and side yard bulk plane is not encroached upon.

We feel that these requests are very practical in nature, and do not greatly modify the footprint of the existing house. These improvements are not out of character with the existing house, nor are they out of proportion with other houses in the neighborhood.

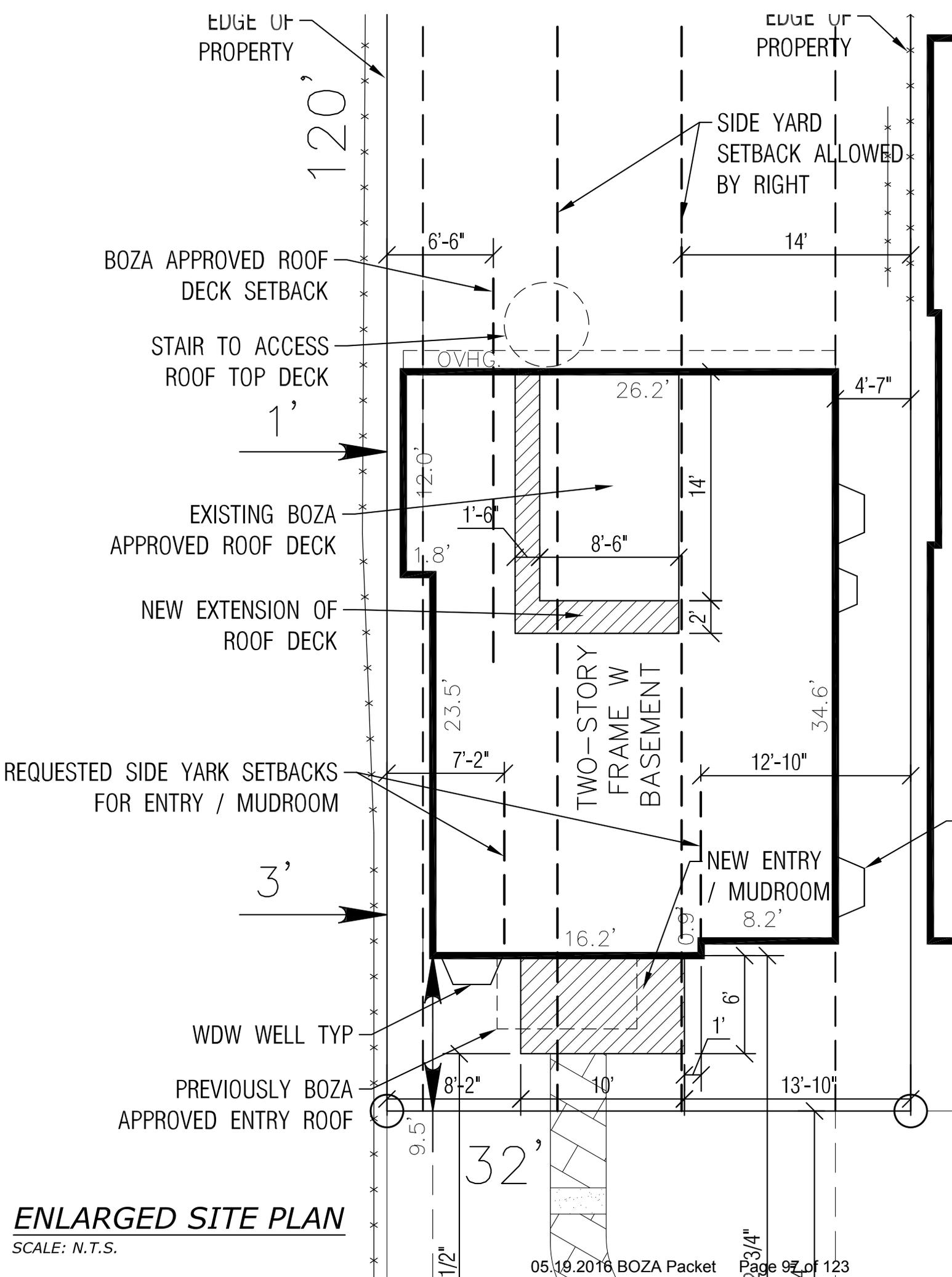
Thank you for your understanding and consideration of this matter,

Sincerely,

Richard Roosen (Owner)

4/19/2016

and Brendan Kennedy (Architect)



ENLARGED SITE PLAN

SCALE: N.T.S.

APPROVED ROOF DECK

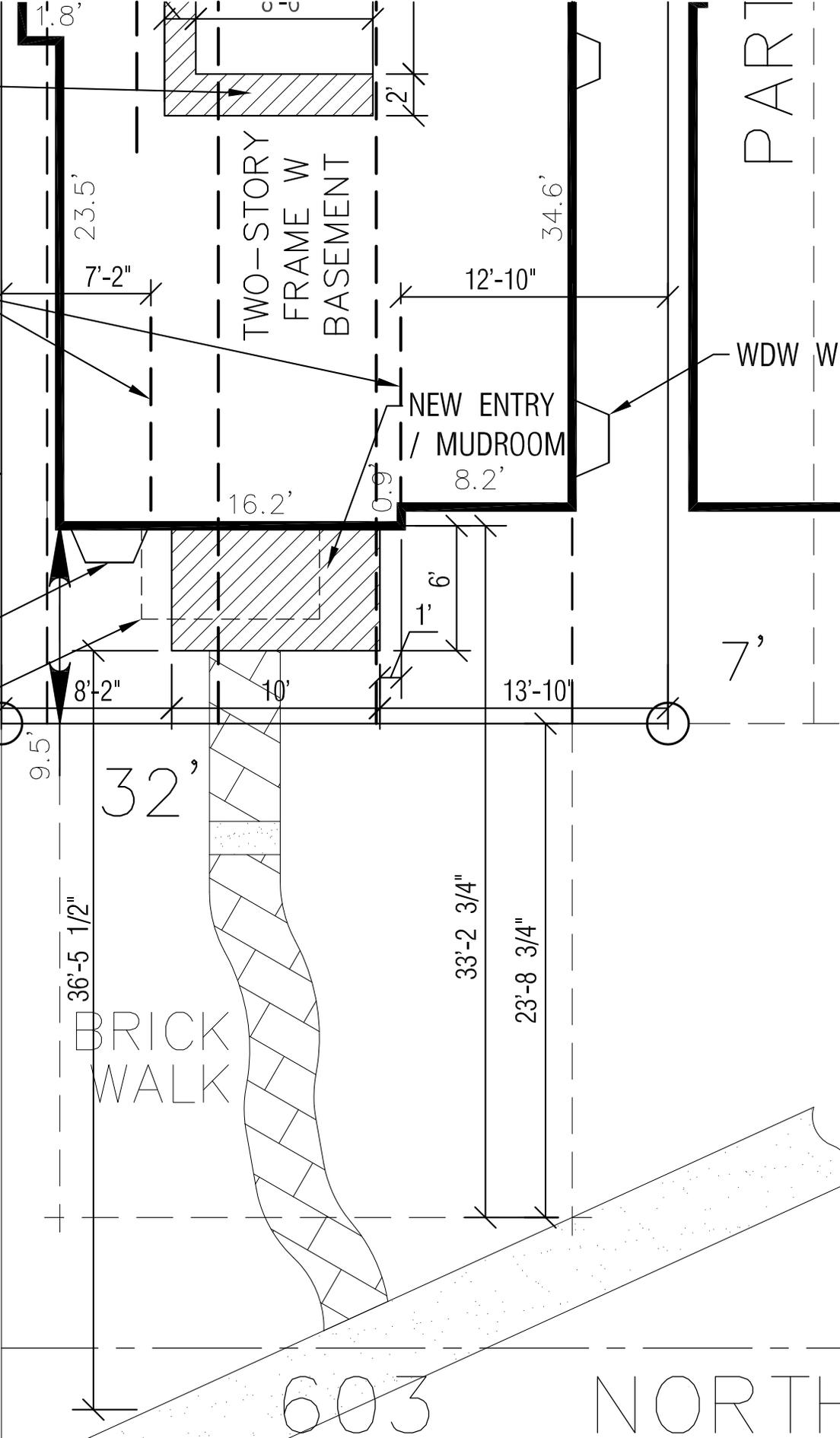
NEW EXTENSION OF ROOF DECK

SIDE YARK SETBACKS FOR ENTRY / MUDROOM

3'

WDW WELL TYP

PREVIOUSLY BOZA APPROVED ENTRY ROOF



PART

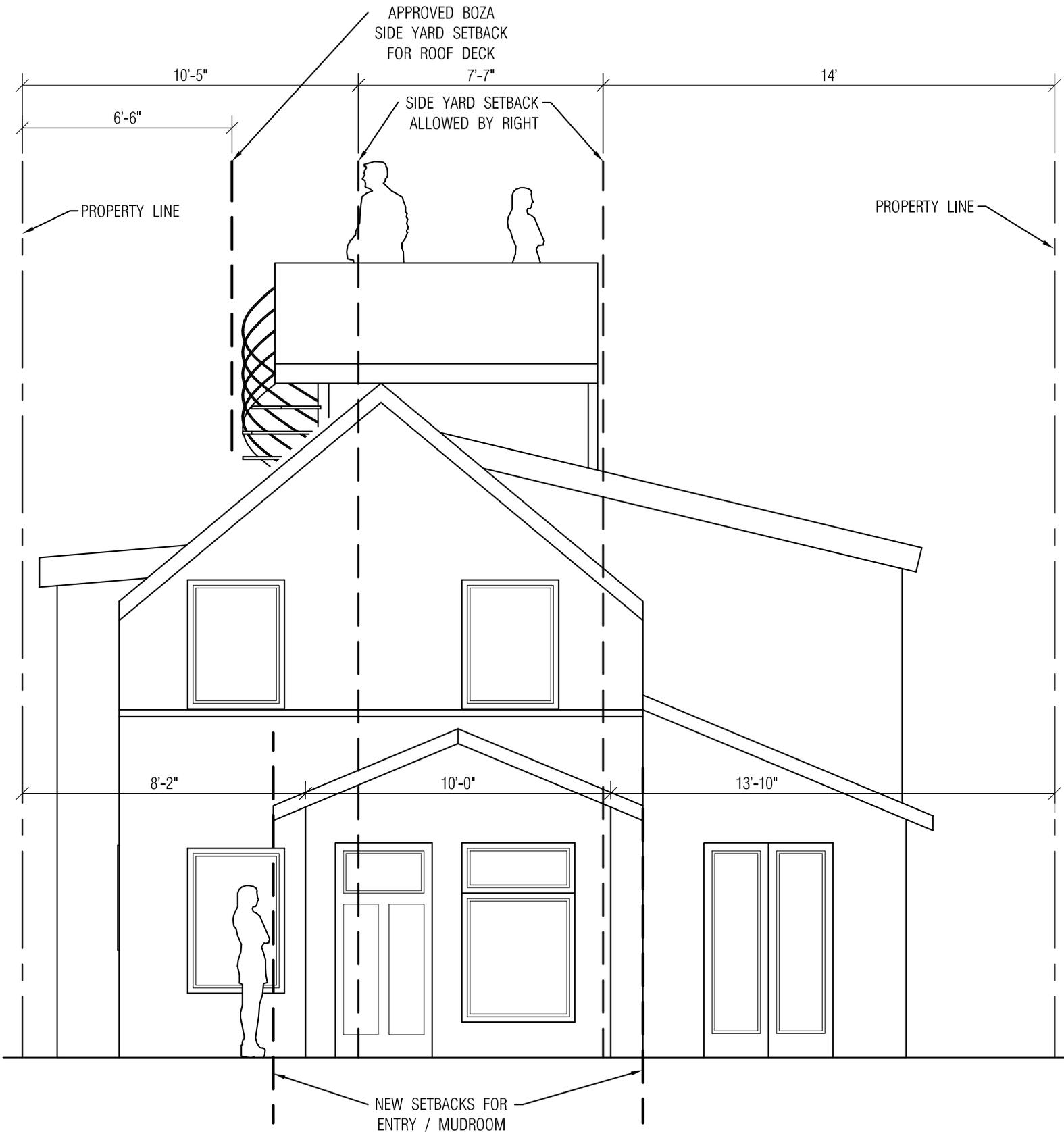
WDW WE

BRICK WALK

603 NORTH

ENLARGED SITE PLAN

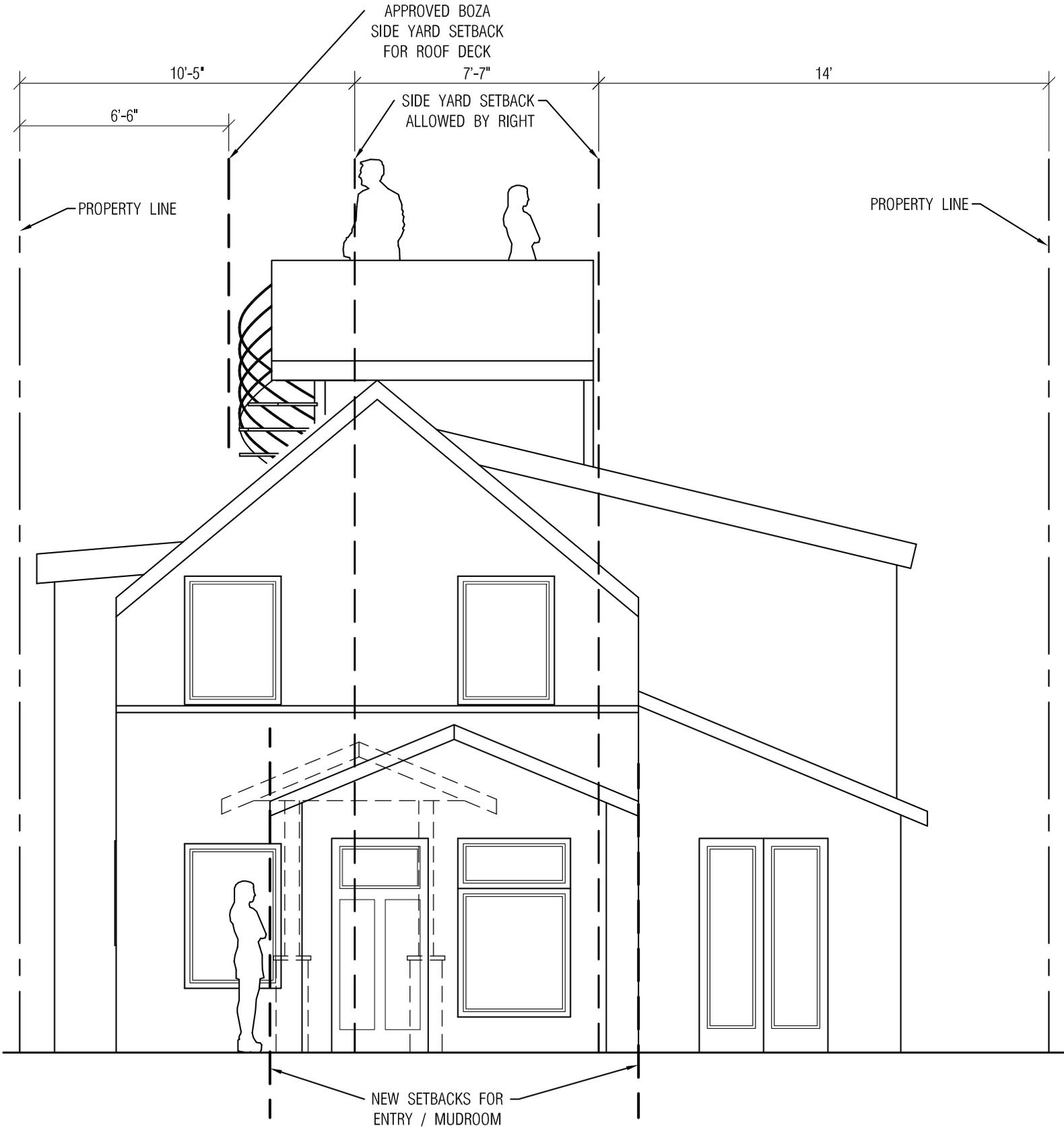
SCALE: N.T.S.



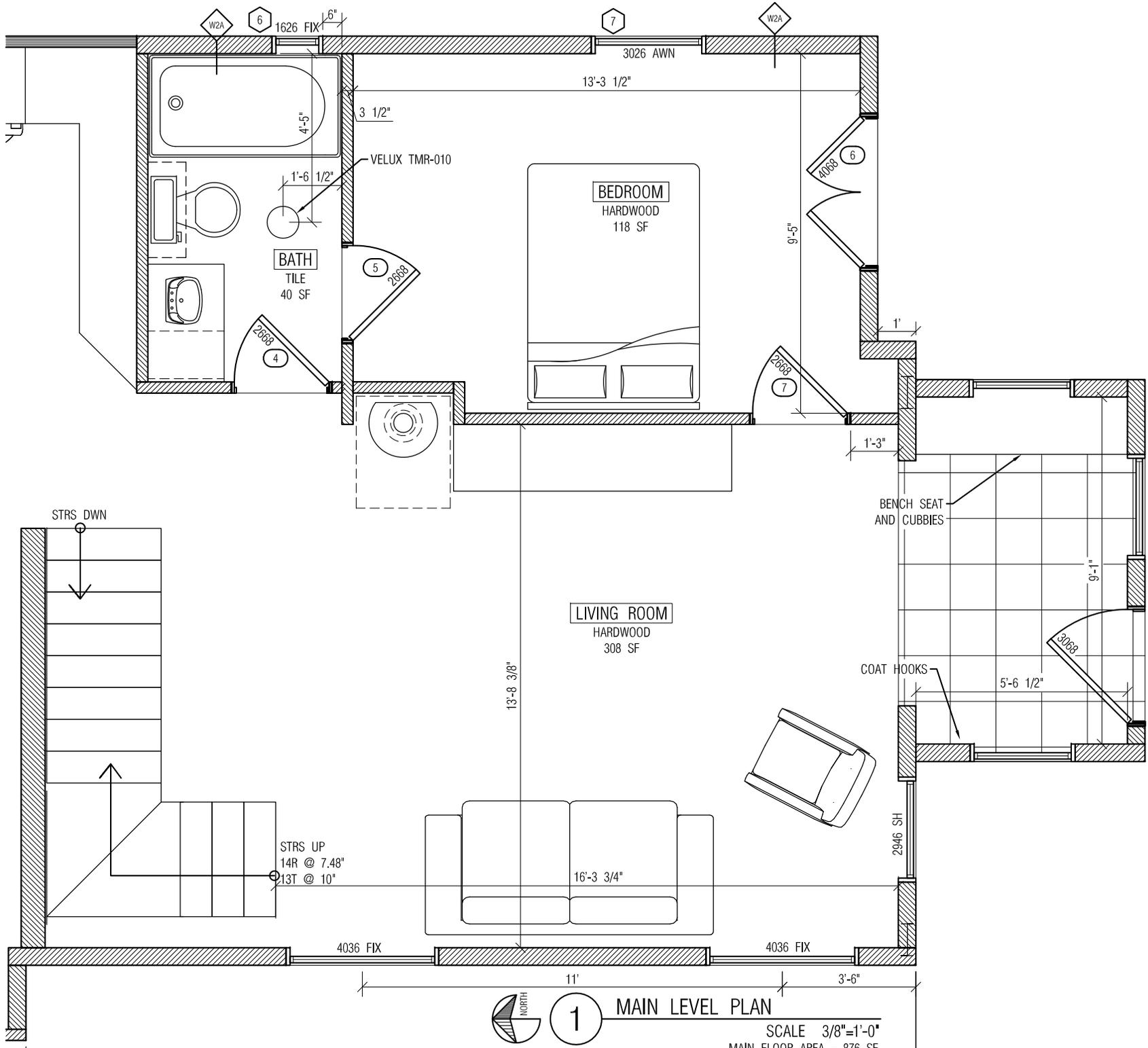
1

FRONT OF HOUSE ELEVATION (PROPOSED)

SCALE 1/4"=1'-0"



2 FRONT OF HOUSE ELEVATION (W APPROVED ENTRY ROOF)
SCALE 1/4"=1'-0"



1

MAIN LEVEL PLAN

SCALE 3/8"=1'-0"

MAIN FLOOR AREA = 876 SF

14' LONG DECK, ENTRY W/ MUD ROOM



16' LONG DECK, ENTRY W/ MUD ROOM



14' LONG DECK, ENTRY W/ MUD ROOM



16' LONG DECK, ENTRY W/ MUD ROOM



ENTRY W/ COLUMNS & MUD ROOM



14' LONG DECK, ENTRY W/ COLUMNS





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: boulderplandevop.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: 735 Walnut Street
- Legal Description: Lot 11 Block 62 Subdivision West Boulder (Or attach description.)
- Existing Use of Property: Commercial Office Building
- Description of proposal:

Proposed renovation and remodel of existing single-story commercial office building into a residential duplex. Conversion includes: alley accessed private garages, reduction of total floor area by creating courtyards, roof decks accessed via exterior circular stairs, and redevelopment of frontage into entry porches and landscaped front yards for each dwelling unit.

*Total floor area of existing building: 4829 SF	*Total floor area proposed: 4480 SF
*Building coverage existing: 4829 SF	*Building coverage proposed: 4480 SF
*Building height existing: 15'-0"	*Building height proposed: 24'-2"

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

- ◆ **Name of Owner:** Walnut Partners LLC (Andrew and Wendy Cookler)
- Address: 479 Hurricane Hill Drive Telephone: _____
- City: Nederland State: CO Zip Code: 80466 FAX: _____
- ◆ **Name of Contact (if other than owner):** James Trewitt (Arch11, Inc.)
- Address: 3100 Carbon Place, #100 Telephone: (303) 546-6868
- City: Boulder State: CO Zip Code: 80301 FAX: (303) 443-3910

STAFF USE ONLY

Doc. No. BOZ2016-0002 Date Filed 4/20/16 Zone _____ Hearing Date _____
 Application received by: STAFF Date Fee Paid _____ Misc. Rect # _____

**SIGN POSTING REQUIREMENTS
APPLICANT'S ACKNOWLEDGMENT FORM**

Required for Certain Land Use Review, Administrative Review, Technical Document Review, and Board of Zoning Adjustment Applications

CITY CODE REQUIREMENT FOR SIGN POSTING OF LAND USE REVIEW APPLICATIONS - Excerpt of Section 9-4-3(c), B.R.C. 1981: Public Notice of Application: The city manager will provide the following public notice of a development review application:

(1) Posting: After receiving such application, the manager will cause the property for which the application is filed to be posted with a notice indicating that a development review application has been made, the type of review requested, and that interested persons may obtain more detailed information from the planning department. The notice shall meet the following standards:

- (A) The notice shall be placed on weatherproof signs that have been provided by the City and placed on the property that is the subject of the application.
- (B) All such notice shall be posted no later than ten days after the date the application is filed to ensure that notice is posted early in the development review process.
- (C) The signs shall be placed along each abutting street, perpendicular to the direction of travel, in a manner that makes them clearly visible to neighboring residents and passers-by. At least one sign shall be posted on each street frontage.
- (D) The signs shall remain in place during the period leading up to a decision by the approving authority, but not less than ten days.
- (E) On or before the date that the approving authority is scheduled to make a decision on the application the city manager will require the applicant to certify in writing that required notice was posted according to the requirements of this section.

I, James Trewitt (Arch11, Inc.), am filing a Land Use Review, Administrative Review, Technical Document Review, or BOZA application [on behalf of] Andrew and Wendy Cookler (735 Walnut Partners) for the property located at 735 Walnut Street / Boulder, CO 80302. I have read the city's sign posting requirements above and acknowledge and agree to the following:

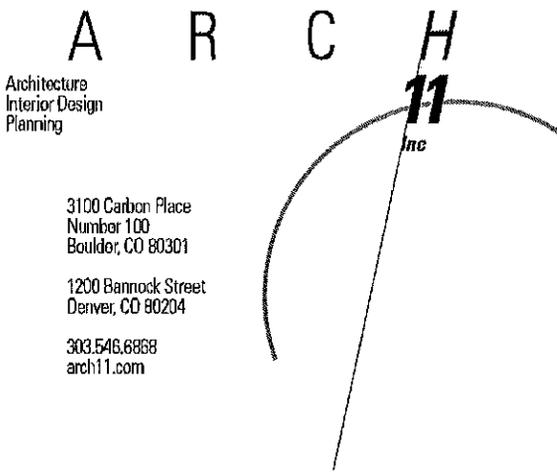
1. I understand that I must use the sign(s) that the city will provide to me at the time that I file my application. The sign(s) will include information about my application and property location to provide required public notice.
2. I am responsible for ensuring that the sign(s) is posted on the property described above in such a way that meets the requirements of Section 9-4-3(c), B.R.C. 1981 (listed above), including visibility of the sign(s) and time and duration of the sign(s) posting, and including reposting any signs that are removed, damaged, or otherwise displaced from the site. As necessary, I shall obtain a replacement sign(s) from the city for reposting.
3. I understand that certain future changes to my application, including but not limited to, changes to the project description or adding a review type, may require that I post a new sign(s). The city will notify me if such a reposting is required and provide me with a necessary replacement sign(s).
4. I understand that failing to provide the public notice by sign posting required by the city's land use regulation may result in a delay in the city's issuing a decision or a legal challenge of any issued decision.


NAME OF APPLICANT OR CONTACT PERSON

04.20.2016

DATE

Please keep a copy of this signed form for your reference. If you have any questions about the sign posting requirements or to obtain a replacement sign, please call 303-441-1880.



TO: City of Boulder
RE: BOZA Variance Criteria
735 Walnut Street
Date: 05.09.2016

Project Description:

On behalf of Andrew and Wendy Cookler, I am submitting the attached application and supporting materials for a side yard setback Variance for the property at 735 Walnut Street in Boulder, Colorado.

The scope of work for this project includes the following:

1. The site is located in the Business-Transition zone between the West Boulder neighborhood and downtown. It is a narrow site with a single story, zero lot-line commercial building on the property. The existing building is simple and utilitarian aesthetically and modest in scale.
2. The proposed project consists of converting the building into a residential duplex with the current owner occupying one of the dwelling units. To achieve this, we are proposing raising the finish floor level two feet above the flood zone, creating alley accessed private garages, carving out courtyards for private open space which would access covered roof decks, adding clerestory windows to provide natural light into the secondary bedrooms, and redeveloping the property frontage into individual entry porches with landscaped front yards for each residential unit.
3. The underlying zoning requires 10'-0" setbacks along each side property line, however, due to the existing non-conforming building any new 2nd story structures are required to have 20'-0" of setback on each side. This would leave us with a very narrow (5' on each side) allowable roof deck and an ineffective clerestory.

Thank you for your attention and consideration.

Sincerely,

James Trewitt

Principal, Arch11, Inc

Criteria for Variance:

1. Physical Conditions or Disability:

(A)(i) This site consists of the following unusual physical circumstances and conditions:

1. As mentioned above, the site is narrow and the current building (1973 construction) was built prior to the current zoning designation.

(B) Although there is one other zero lot-line building (built to lot line on both sides) on this block it has the advantage of already having a 2nd story and therefore not in need of relief from this punitive requirement.

(C) The unique combination of narrow lot, existing zero lot line building and punitive side-yard setback requirements, renders useless the allowable size of the proposed clerestory structure. The same circumstances reduce the proposed modest roof decks (280 SF each) to be too small for reasonable occupation (only 5'-0" wide per side). We have proposed the roof decks as an integral part of our strategy to provide usable, open space to the occupants of the proposed dwelling units. The front yards provide very nice outdoor space with southern exposure, however, their front yard locations leave them inappropriate for private gatherings. The courtyard spaces are private but the space is small and solar access limited. The proposed roof decks are intended to be a private, backyard-type-of-space-large-enough-to-have-an-outdoor-dinner-party, etc. The roof structure is necessary to provide adequate shading and privacy.

(D) The hardship created by the unusual physical circumstances, namely a zero lot line building on a lot in which current zoning requires 20'-0" of total side-yard setback, existed in total prior to Andrew and Wendy Cookler taking ownership of this property.

5. Requirements for All Variance Approvals:

(A) The proposed addition, if allowed by virtue of granting the reduced side-yard setback, would not in any way alter the essential character of the neighborhood or district. By design, the proposed addition is modest, presents a modest presence viewable from off the site, and honors the underlying 10'-0" side-yard setback.

(B) Since the proposed addition honors the underlying 10'-0" side-yard setback it can in not be construed as substantially or permanently impairing the reasonable use and enjoyment or development of the adjacent properties.

(C) The proposed addition is modest in scale and scope, sympathetically sited in relationship to the existing building, and only slightly visible from the street. The clerestory structure is sized to correspond with the floor plan of the secondary bedrooms below and honor the underlying 10'-0" side-yard setback requirement. The roof decks are sized to allow for reasonable private outdoor occupation and honor the underlying 10'-0" side-yard setback requirement. The resulting roof decks would have 14'-0" of clear width which is enough for a large outdoor table, serving buffet and appropriate circulation. For these reasons, we believe the proposed reduced side-yard setback is the minimum variance that would afford adequate relief and would be the least modification of the applicable provisions of the zoning code.

(D) The proposed addition does not in any way conflict with the provisions of Section 9-9-17, "Solar Access," B.R.C. 1981.

Thank you for your attention and consideration.
Sincerely,

James Trewitt
Principal, Arch11, Inc

GENERAL NOTES

- ALL WORK PERFORMED, INCLUDING MATERIALS FURNISHED, WORKMANSHIP, MEANS AND METHODS OF CONSTRUCTION SHALL CONFORM WITH APPLICABLE AND LATEST REQUIREMENTS OF THE NATIONAL, STATE AND LOCAL BUILDING CODES. ALL LOCAL AND STATE HANDICAP ACCESS AND USE REGULATIONS, ANY FIRE DEPARTMENT REGULATIONS, UTILITY COMPANY REQUIREMENTS, LANDLORD'S RULES AND REGULATIONS, AND GENERAL CONDITIONS OF APPLICABLE OWNER/CONTRACTOR AGREEMENT.
- BEFORE COMMENCING WORK, THE CONTRACTOR SHALL FILE ALL REQUIRED CERTIFICATES OF INSURANCE WITH THE OWNER, LANDLORD AND THE BUILDING DEPARTMENT, OBTAIN ALL REQUIRED PERMITS, AND PAY ALL FEES REQUIRED BY THE GOVERNING AGENCIES.
- THE CONTRACTOR SHALL VISIT THE SITE AND VERIFY THAT ALL EXISTING CONDITIONS AGREE WITH INFORMATION SHOWN ON THE DRAWINGS. ANY CONFLICTS, OMISSIONS OR DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT FOR RESOLUTION PRIOR TO COMMENCEMENT OF ANY WORK. NO ALLOWANCES WILL SUBSEQUENTLY BE MADE ON HIS BEHALF FOR ANY ADDITIONAL EXPENSES WHICH ARE INCURRED DUE TO INSPECTION OF EXISTING CONDITIONS.
- PRIOR TO COMMENCING WORK, ORDERING OF MATERIALS AND SHOP FABRICATION OF ANY MATERIALS, THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AS INDICATED ON THE DRAWING AND SHALL REPORT ANY DISCREPANCIES TO THE ARCHITECT FOR RESOLUTION.
- DRAWINGS INDICATE LOCATION, DIMENSIONS, REFERENCES, AND TYPICAL DETAIL FOR CONSTRUCTION. MINOR DETAILS NOT USUALLY SHOWN OR SPECIFIED, BUT NECESSARY FOR PROPER CONSTRUCTION OF ANY PART OF THE WORK SHALL BE INCLUDED AS IF THEY WERE INDICATED IN THE DRAWINGS. FOR CONDITIONS NOT ILLUSTRATED, NOTIFY ARCHITECT FOR CLARIFICATION AND OF SIMILAR DETAIL.
- THE SCOPE OF WORK INCLUDES ALTERATION TO EXISTING FACILITIES. WORK WHICH IS REQUIRED TO COMPLY WITH THE INTENT OF THE DESIGN SHALL BE PERFORMED TO PROVIDE A COMPLETE AND FINISHED PRODUCT, INCLUDING WORK WHICH MAY NOT BE SPECIFICALLY INCLUDED ON THE CONTRACT DOCUMENTS, AND SHALL BE INCLUDED IN ALL BIDS. CONTRACTOR TO INSPECT AT TIME OF DELIVERY ALL FIXTURES PROVIDED BY OWNER TO INSURE PROPER QUANTITY. THAT ITEMS ARE DEFECT FREE, AND MATCH INVOICE. CONTRACTOR TO BE RESPONSIBLE FOR INSTALLATION, WHICH MAY INCLUDE BLOCKING, SHIMMING, ETC. IT IS THE GENERAL CONTRACTOR'S RESPONSIBILITY TO COORDINATE ALL ITEMS SUPPLIED BY OWNER'S VENDORS AND TO VERIFY THAT ALL MATERIALS RECEIVED ARE IN ACCORDANCE WITH THE SPECIFICATION HEREIN. ANY DAMAGES ITEMS OR DISCREPANCIES BETWEEN MATERIALS SPECIFIED AND MATERIALS SHIPPED SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PROMPTLY.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL INSTALLATIONS, CONDITIONS, MATERIALS AND FINISHES WITHIN THE PROPOSED CONSTRUCTION AREA AND ALL ADJOINING PROPERTY AFFECTED BY CONTRACTOR'S OPERATIONS. THE CONTRACTOR SHALL PROVIDE ADEQUATE SHOPPING AND BRACING FOR ALL STRUCTURAL REMOVAL TASKS. THE CONTRACTOR SHALL HAVE SOLE RESPONSIBILITY FOR REMOVAL TASKS. THE CONTRACTOR SHALL HAVE SOLE RESPONSIBILITY FOR ANY DAMAGE OR INJURIES CAUSED BY OR DURING THE EXECUTION OF THE WORK. ANY EXISTING MATERIALS AND FINISHES WHICH ARE DAMAGED, SHALL BE REPLACED AS NECESSARY WITH NEW MATCHING MATERIAL AT THE CONTRACTOR'S OWN COST AND EXPENSE.
- THE CONTRACTOR SHALL DO ALL CUTTING, CHASING, CORE DRILLING, PATCHING AND REPAIRING AS REQUIRED TO PERFORM ALL OF THE WORK THAT MAY BE INDICATED ON THE DRAWING, AND ALL OTHER WORK THAT MAY BE REQUIRED TO COMPLETE THE JOB. PATCHING SHALL MATCH ADJACENT SYSTEMS, MATERIALS AND FINISHES UNLESS OTHERWISE NOTED.
- CONTRACTOR SHALL EMPLOY ADEQUATE NUMBER OF SKILLED WORKMEN WHO ARE THOROUGHLY TRAINED AND EXPERIENCED IN THE NECESSARY CRAFTS AND WHO ARE COMPLETELY FAMILIAR WITH THE SPECIFIED REQUIREMENTS AND THE METHODS NEEDED FOR PROPER PERFORMANCE OF THE WORK. ALL WORK SHALL BE PERFORMED BY DULY LICENSED TRADESMEN AND AS REQUIRED BY STATE AND LOCAL GOVERNMENTS FOR EACH APPLICABLE TRADE. (PLUMBING, ELECTRICAL, ETC.) WHO SHALL ARRANGE FOR AND OBTAIN REQUIRED INSPECTIONS AND SIGNS OFFS.
- THESE DRAWINGS ARE DIVIDED INTO SECTIONS FOR CONVENIENCE ONLY. CONTRACTOR, SUBCONTRACTORS, VENDORS AND MATERIAL SUPPLIERS SHALL REFER TO ALL RELEVANT SECTIONS IN BIDDING AND PERFORMING THEIR WORK AND SHALL BE RESPONSIBLE FOR ALL ASPECTS OF THEIR WORK REGARDLESS OF WHERE THE INFORMATION OCCURS ON THE DRAWINGS.
- CONTRACTOR SHALL BE RESPONSIBLE TO COORDINATE WORK OF ALL TRADES AND SHALL PROVIDE ALL DIMENSIONS REQUIRED FOR OTHER TRADES. SUBCONTRACTORS SHALL BE RESPONSIBLE FOR COORDINATION OF THEIR WORK WITH THE WORK OF OTHERS, AND SHALL VERIFY THAT ANY WORK RELATING TO THEM WHICH MUST BE PROVIDED BY OTHERS, HAS BEEN COMPLETED AND IS ADEQUATE PRIOR TO COMMENCING THEIR WORK.
- CONTRACTOR SHALL PROVIDE STRUCTURAL BACKING/BLOCKING FOR ALL WALL AND CEILING MOUNTED FIXTURES, FINISHES, EQUIPMENT, BATH ACCESSORIES, ETC.
- CONTRACTOR SHALL INSTALL ALL MATERIALS AND EQUIPMENT AS PER MANUFACTURER'S WRITTEN INSTRUCTION AND/OR RECOMMENDATIONS.
- CONTRACTOR SHALL AT ALL TIMES DURING THE COURSE OF THE CONTRACT KEEP THE ADJOINING PREMISES, INCLUDING STREET AND OTHER AREAS ASSIGNED TO OR USED BY THE CONTRACTOR, FREE FROM ACCUMULATIONS OF WASTE MATERIALS AND RUBBISH CAUSED BY CONTRACTORS AND SUBCONTRACTORS' EMPLOYEES.
- CONTRACTOR SHALL ASSIST WITH DELIVERY AND STORAGE OF OWNER SUPPLIED ITEMS, AND DISPOSE OF ANY RESULTING TRASH.
- CONTRACTOR SHALL VERIFY WITH OWNER AND IMPLEMENT ALL LANDLORD CONSTRUCTION AND DESIGN CRITERIA, SHOWN ON THIS SET OF DRAWINGS OR ACKNOWLEDGED IN WRITING.
- CONTRACTOR SHALL PROVIDE SHOP DRAWINGS FOR ALL TRADES PRIOR TO INSTALLATION, AND SAMPLES OF ALL MATERIAL AND COLOR FINISHES FOR ARCHITECTS APPROVAL. CONTRACTOR SHALL PROVIDE TIMELY AND COMPLETE DATA ON ANY DEVIATION/SUBSTITUTION FROM CONTRACT DOCUMENTS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR A THOROUGH, PROFESSIONAL CLEANING OF THE ENTIRE FACILITY PRIOR TO OWNER TAKEOVER DATE. ALL EXPOSED HORIZONTAL AND VERTICAL SURFACES INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING MUST BE WIPED CLEAN AND FREE OF DUST, WALLS, EXPOSED STRUCTURAL MEMBERS, STAIRS AND RAILINGS, CABINETS, LIGHTING FIXTURES/LAMPS, DUCT WORK, SPRINKLER PIPES, STOREFRONT SYSTEMS, INTERIOR EXTERIOR GLAZING, ETC. ALL FLOORS MUST BE MOPPED CLEAN.
- CONTRACTOR TO PROVIDE THREE (3) COPIES OF AS BUILT INFORMATION, OPERATION AND MAINTENANCE MANUALS, INCLUDING ALL PRODUCT GUARANTEES AND WARRANTIES.
- CONTRACTOR IS RESPONSIBLE FOR A CERTIFICATE OF OCCUPANCY PRIOR TO FINAL RETAINAGE INVOICE, ANY AND ALL TRADE TESTING AND SIGNOFFS, AND SHALL VERIFY THAT THEY HAVE BEEN SECURED AS ISSUED BY REQUIRED LOCAL AUTHORITIES PRIOR TO OWNER OCCUPANCY.
- CONTRACTOR TO PROVIDE ARCHITECT WITH SAMPLES OF ALL FINISHES, TEXTURES, AND COLORS (10) BUSINESS DAYS PRIOR TO INSTALLATION.

SYMBOL LEGEND

	EARTH / COMPACT FILL		CENTER LINE
	CONCRETE		DOOR NUMBER
	GYPSUM BOARD		WINDOW NUMBER
	PLASTER / SAND		CONTROL POINT
	CMU BLOCK		BUILDING SECTION REFERENCE DRAWING NUMBER
	PLYWOOD		WALL SECTION REFERENCE DRAWING NUMBER
	WOOD		DETAIL SECTION REFERENCE DRAWING NUMBER
	BATT INSULATION		DETAIL OR ENLARGED DRAWING REFERENCE DRAWING NUMBER
	RIGID INSULATION		EXTERIOR ELEVATION REFERENCE DRAWING NUMBER
	STEEL		DETAIL DRAWING REFERENCE DRAWING NUMBER
	ROUGH WOOD		ROOM NAME ROOM NUMBER AREA
	WOOD BLOCKING		INTERIOR ELEVATION REFERENCE DRAWING NUMBER
			EQUIPMENT TAG LETTER = GROUP FUNCTION NUMBER = ITEM NUMBER
			PLUMBING TAG LETTER = PLUMBING TAG NUMBER = ITEM NUMBER
			REVISION MARKER: TRIANGLE CONTAINS REVISION DOCUMENT NUMBER. REVISION DOCUMENT IS NUMBERED IN TITLEBLOCK AT RIGHT. CLOUD INDICATES AREA OF REVISION.

ABBREVIATIONS

&	AND	IN	INCHES
@	AT	INSTAL	INSTALLATION
#	NUMBER	INSUL.	INSULATION
C	COPYRIGHT	JANTR	JANITOR
A/C	AIR CONDITIONING	LAM.	LAMINATE
ADD.	ADDENDUM	LAV.	LAVATORY
ADJ.	ADJUSTABLE	MAX.	MAXIMUM
ALT.	ALTERNATE	MECH.	MECHANICAL
A.F.F.	ABOVE FINISHED FLOOR	MIN.	MINIMUM
ALUM.	ALUMINUM	MTL.	METAL
APPROX.	APPROXIMATE	(N)	NEW
BLDG.	BUILDING	NAT.	NATURAL
B.O.	BOTTOM OF	N.I.C.	NOT IN CONTRACT
BTWN.	BETWEEN	N.T.S.	NOT TO SCALE
B.U.R.	BUILT UP ROOF	O.C.	ON CENTER
CAB.	CABINET	PART	PARTITION
CEM.	CEMENT	P-LAM	PLASTIC LAMINATE
CER.	CERAMIC	PLYWD.	PLYWOOD
C.I.P.	CAST IN PLACE	PTD.	PAINTED
CLG.	CEILING	REF.	REFERENCED
CLR.	CLEARANCE	REIN.	REINFORCING
C.J.	CONTROL JOINT	REQ'D	REQUIRED
CLOS.	CLOSET	RM.	ROOM
COLUMN	COLUMN	R.O.	ROUGH OPENING
CONC.	CONCRETE	SCHED.	SCHEDULE
CONT.	CONTINUOUS OR CONTINUE	S.F.	SQUARE FEET
D	DEPTH	SHT.	SHEET
DTL.	DETAIL	SPEC.	SPECIFICATION(S)
D.F.	DRINKING FOUNTAIN	SQ.	SQUARE
DR	DOOR	STN. STL.	STAINLESS STEEL
D.S.	DOWN SPOUT	STL.	STEEL
DWR.	DRAWER	STRUCT.	STRUCTURAL
(E)	EXISTING	T&G	TONGUE AND GROOVE
E.J.	EXPANSION JOINT	T.B.D.	TO BE DETERMINED
ELEV.	ELEVATION	T.B.S.	TO BE SELECTED
ELEC.	ELECTRIC(AL)	TEL.	TELEPHONE
EQ.	EQUAL	T.O.	TO OF
EXT.	EXTERIOR	TYP.	TYPICAL
FIN	FINISH	VERT.	VERTICAL
F.F.	FINISH FLOOR	VENR.	VENER
FT.	FOOT/FEET	V.I.F.	VERIFY IN FIELD
GA.	GAUGE	WT.	WIDTH
G.C.	GENERAL CONTRACTOR	W.	WITH
GL.	GLASS	W.C.	WATER CLOSET
GWB.	GYPSUM WALL BOARD	W.I.C.	WALK IN CLOSET
HDR.	HEADER	WD.	WOOD
HOR.	HORIZONTAL	W.H.	WATER HEATER
H.P.	HIGH POINT	WIN.	WINDOW
HT.	HEIGHT	VCT	VINYL COMPOSITE TILE
HVAC	HEATING/VENTILATION/AIR CONDITIONING		

PROJECT DESCRIPTION

PROJECT NAME & ADDRESS: COOKLER DUPLEX
735 WALNUT ST.
BOULDER, CO 80302

LEGAL DESCRIPTION: LOT 11, BLOCK 62
WEST BOULDER
COUNTY OF BOULDER, STATE OF COLORADO

PROJECT DESCRIPTION: CONVERSION AND RENOVATION OF EXISTING
COMMERCIAL BUILDING TO
A RESIDENTIAL DUPLEX

LOT AREA: 7000 SF (ILC, DATED DEC 26TH, 1995)

EXISTING BUILDING SQUARE FOOTAGE: 629 SF

PROPOSED BUILDING SQUARE FOOTAGE: MAIN LEVEL: WESTUNIT: 1955 SF
EASTUNIT: 1670 SF
GARAGE: WESTUNIT: 310 SF
EASTUNIT: 310 SF
SHARED EGRESS: 235 SF
TOTAL: WESTUNIT: 2,265 SF
EASTUNIT: 1,980 SF
TOTAL SQUARE FOOTAGE: 4,245 SF

SPRINKLER SYSTEM: NOT REQUIRED

PERMITTING AUTHORITY: CITY OF BOULDER, PLANNING DEPT.

CONSTRUCTION TYPE: VB

OCCUPATION TYPE: R-3

ZONING: BT-2 (FORMERLY DESIGNATED TB-E)

PROJECT DIRECTORY

OWNER: WALNUT PARTNERS LLC
735 WALNUT ST
BOULDER, CO 80302

ARCHITECT: ARCH 11, INC
3100 CARBON PL, #100
BOULDER, CO 80301
(P) 303 546 6868
(F) 303 433 3910
www.arch11.com

E.J. MEADE, ARCHITECT
X106
(C) 303 579 3038
ejmeade@arch11.com

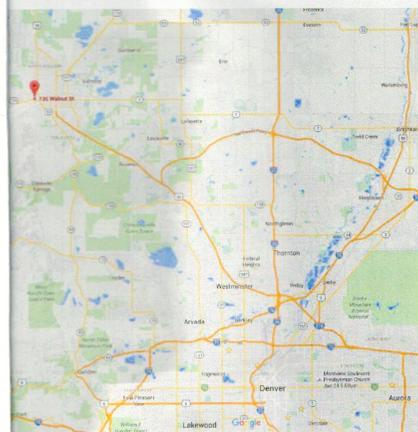
JAMES TREWITT, PROJECT MANAGER
X101
jtrewitt@arch11.com

GENERAL CONTRACTOR: SYMMETRY BUILDERS, INC.
4775 WALNUT ST. UNIT B-1
BOULDER, CO 80301
(P) 303 444 1044
(F) 303 444 0424

STRUCTURAL ENGINEER: GERAU, INC.
1121 BROADWAY, SUITE 201
BOULDER, CO 80302
(P) 303 444 8545

INDEX OF DRAWINGS

DRAWING #	TITLE	ISSUE DATES
ARCHITECTURE		
TO.01	TITLE / GEN. INFORMATION	04/19/2016
T1.00	PERSPECTIVES	04/19/2016
T1.01	PERSPECTIVES	04/19/2016
D1.01	DEMO PLANS	04/19/2016
D2.01	DEMO ELEVATIONS	04/19/2016
A1.00	PLANS	04/19/2016
A2.01	EXTERIOR ELEVATIONS	04/19/2016
A2.02	EXTERIOR ELEVATIONS	04/19/2016



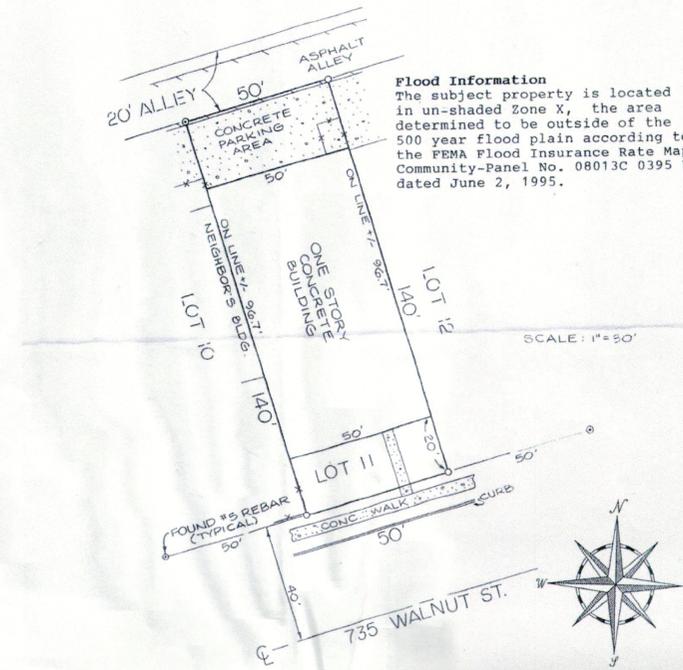
VICINITY MAP

Property Description

(provided by First Colorado Title Corp.)

Lot 11, Block 62,
WEST BOULDER,
County of Boulder, State of Colorado,
according to the Plat recorded in Plat Book 2 at Page 48.

Note : First Colorado Title Corp. Case No. 47023 was entirely
relied upon for easements of record.



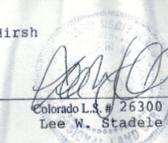
IMPROVEMENT LOCATION CERTIFICATE

TO BANK ONE, COLORADO, N.A. AND TO FIRST COLORADO TITLE CORP.

I hereby certify that the improvements on the above described parcel, 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. I further certify that this improvement location certificate 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.

Title Co. No. 47023
Borrower Ronick & Hirsh
Flagstaff No. 95-10, 641

26 Dec. 1995
Date of Certificate
Sheet 1 of 1



Flagstaff Surveying, Inc.
637 South Broadway, Suite C
Boulder, Colorado 80303
(303) 499-9737
FAX 499-9770

Cost: \$95.00

COOKLER DUPLEX

735 WALNUT | BOULDER, CO 80302

PROJECT NUMBER:	15_735 WALNUT
ISSUE DATE:	APRIL 20, 2016
PHASE:	BOZA APPLICATION
DRAWN BY:	MB
CHECKED BY:	JT

No.	Description	Date

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TITLE / GEN. INFORMATION
SCALE: As Indicated

T0.01



VIEW FROM WALNUT



VIEW FROM ALLY



VIEW FROM WALNUT W/ ADDITION



VIEW FROM ALLY W/ ADDITION

COOKLER DUPLEX

735 WALNUT | BOULDER, CO 80302

PROJECT NUMBER:	15_735 WALNUT
ISSUE DATE:	APRIL 20, 2016
PHASE:	BOZA APPLICATION
DRAWN BY:	MB
CHECKED BY:	JT

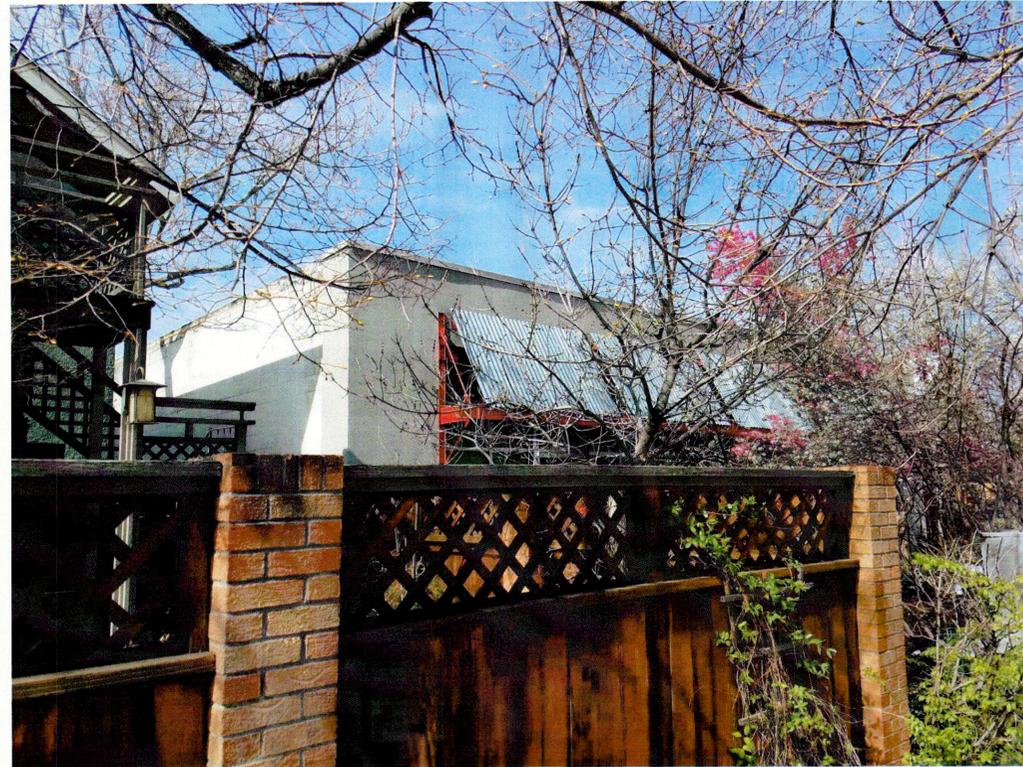
No.	Description	Date

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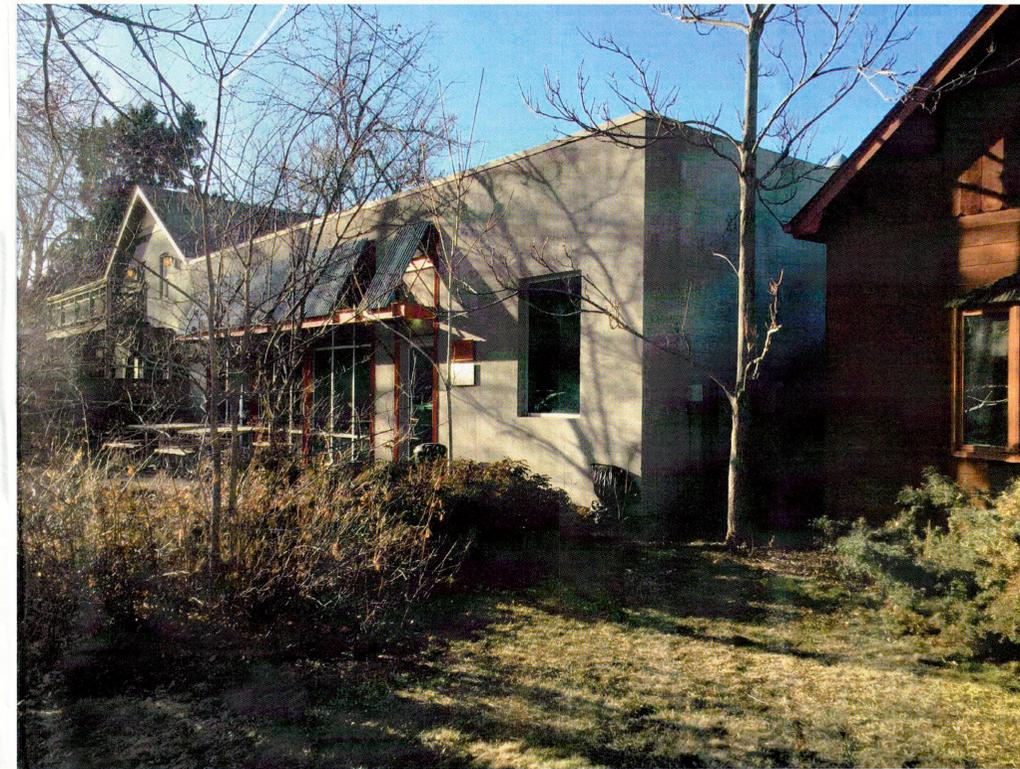
PERSPECTIVES

SCALE:

T1.00



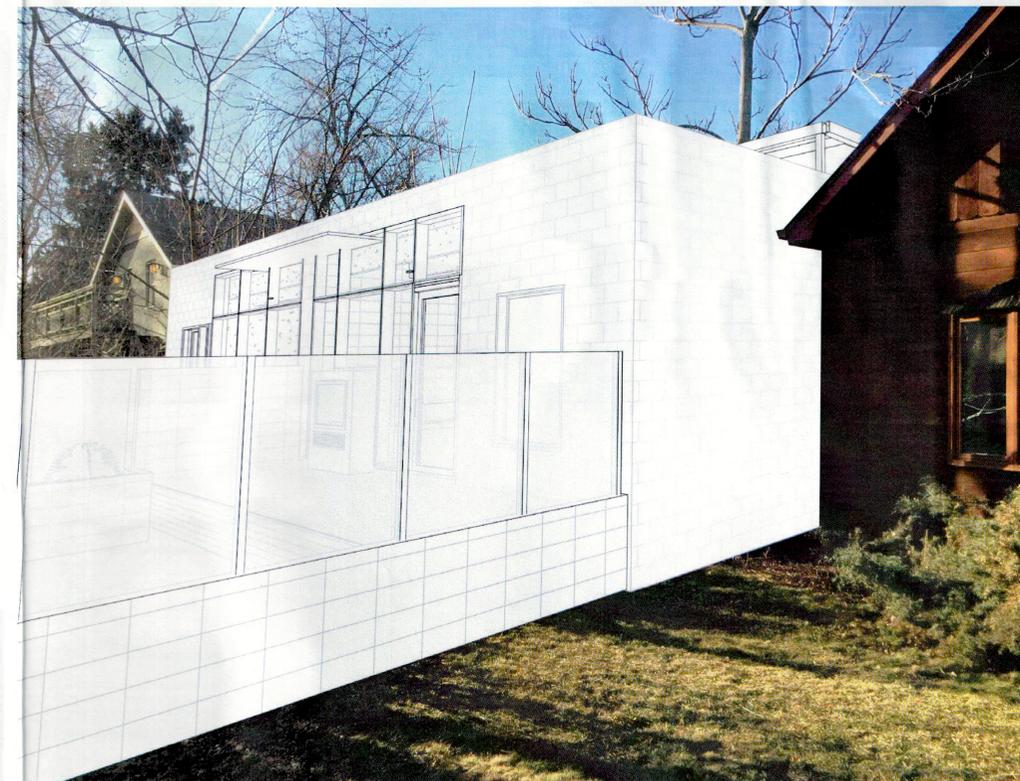
VIEW FROM SOUTHWEST



VIEW FROM SOUTHEAST



VIEW FROM SOUTHWEST W/ ADDITION



VIEW FROM SOUTHEAST W/ ADDITION

COOKLER DUPLEX

735 WALNUT | BOULDER, CO 80302

PROJECT NUMBER: 15_735 WALNUT
ISSUE DATE: APRIL 20, 2018
PHASE: BOZA APPLICATION
DRAWN BY: Author
CHECKED BY: Checker

No.	Description	Date

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PERSPECTIVES

SCALE:

T1.01



2 GROUND FLOOR RCP DEMO
SCALE: 1/8" = 1'-0"

1 GROUND FLOOR DEMO
SCALE: 1/8" = 1'-0"

COOKLER DUPLEX
735 WALNUT | BOULDER, CO 80302

PROJECT NUMBER: 15_735 WALNUT
ISSUE DATE: APRIL 20, 2016
PHASE: BOZA APPLICATION
DRAWN BY: SP,JE
CHECKED BY: JT

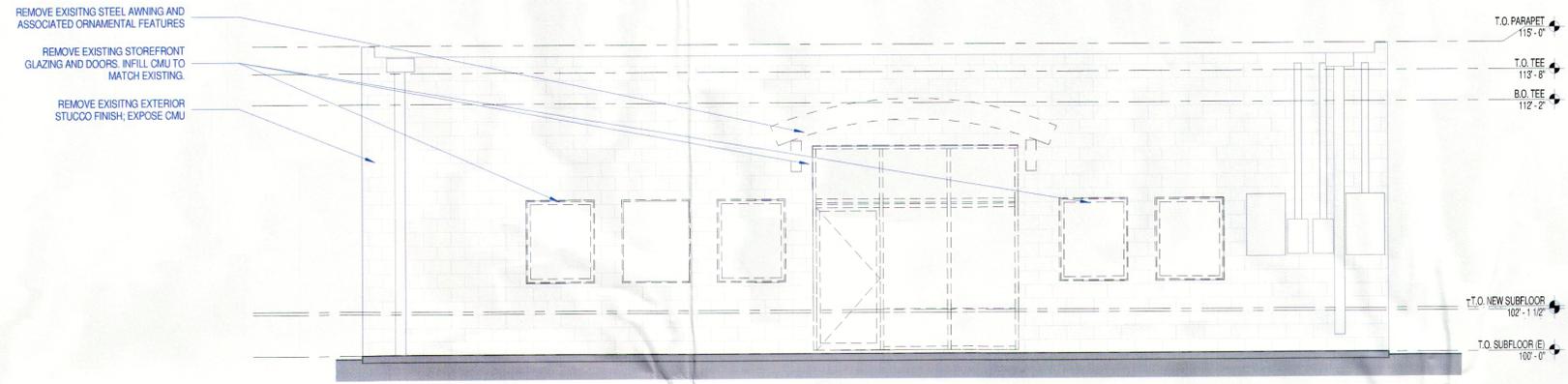
No.	Description	Date

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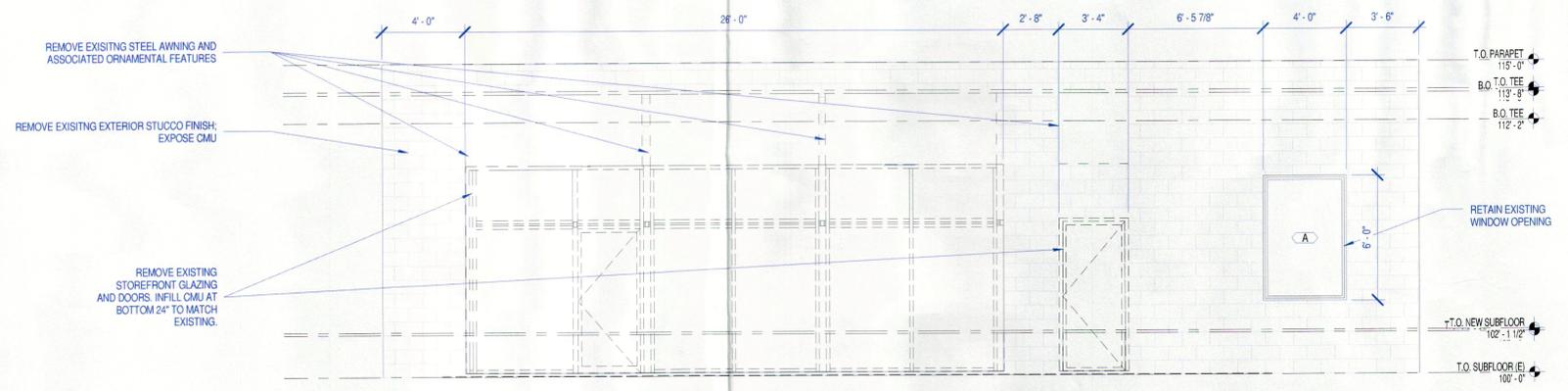
DEMO PLANS
SCALE: 1/8" = 1'-0"

D1.01

P:\Projects\2015\15_735 Walnut\01 Drawings\Rev\BOZA Model\735 Walnut_BOZA SUBMITTAL.rvt
4/20/2016 9:58:42 AM



2 DEMO ELEVATION NORTH
SCALE: 1/4" = 1'-0"



1 DEMO ELEVATION SOUTH
SCALE: 1/4" = 1'-0"

COOKLER DUPLEX

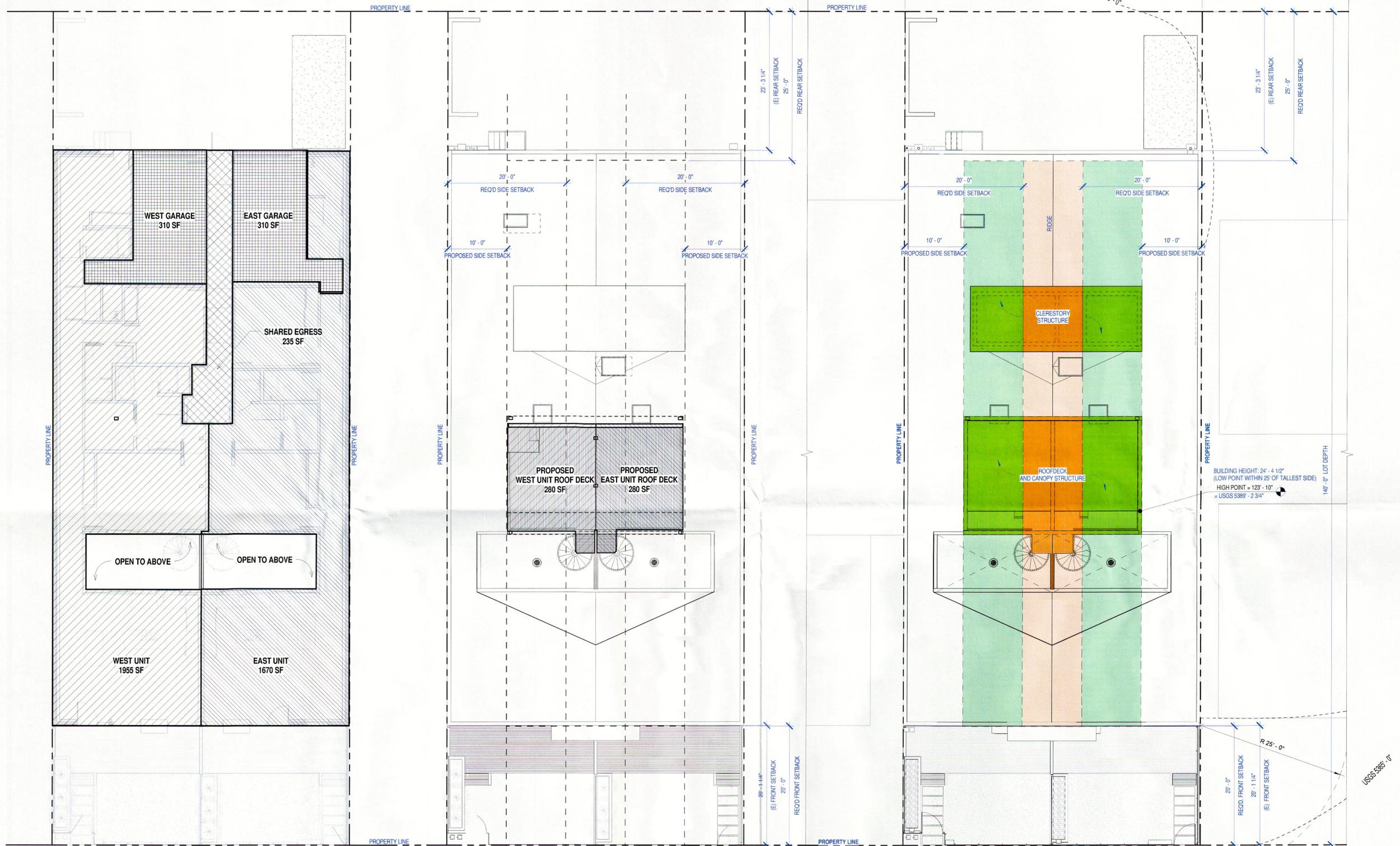
735 WALNUT | BOULDER, CO 80302

PROJECT NUMBER:	15_735 WALNUT
ISSUE DATE:	APRIL 20, 2016
PHASE:	BOZA APPLICATION
DRAWN BY:	MB
CHECKED BY:	JT

No.	Description	Date

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DEMO ELEVATIONS
SCALE: 1/4" = 1'-0"



3 FLOOR AREA DIAGRAM
SCALE: 1/8" = 1'-0"

2 ROOF DECK AREA DIAGRAM
SCALE: 1/8" = 1'-0"

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

AREA OF ROOF DECK WITH EXISTING SIDE SETBACKS
UNIT A: 102 S.F.
UNIT B: 102 S.F.

AREA OF ROOF DECK WITH PROPOSED SIDE SETBACKS
UNIT A: 280 S.F.
UNIT B: 280 S.F.

PROPOSED SETBACK & ADDITION KEY

- ALLOWABLE (BY CODE) SECOND STORY BUILDING AREA
- 20' SIDE SETBACK
- 25' REAR SETBACK
- 20' FRONT SETBACK
- NEW BUILDING ELEMENTS WITHIN ALLOWABLE (BY CODE) SETBACKS
- PROPOSED SECOND STORY BUILDING AREA
- 10' SIDE SETBACK (ALTERED)
- 25' REAR SETBACK
- 20' FRONT SETBACK
- NEW BUILDING ELEMENTS WITHIN PROPOSED SETBACKS

NOTE: PROJECT ELEVATION 100' - 0"
= USGS ELEV. 5365' - 4 3/4"



COOKLER DUPLEX

735 WALNUT | BOULDER, CO 80302

PROJECT NUMBER: 15_735 WALNUT
ISSUE DATE: APRIL 20, 2016
PHASE: BOZA APPLICATION
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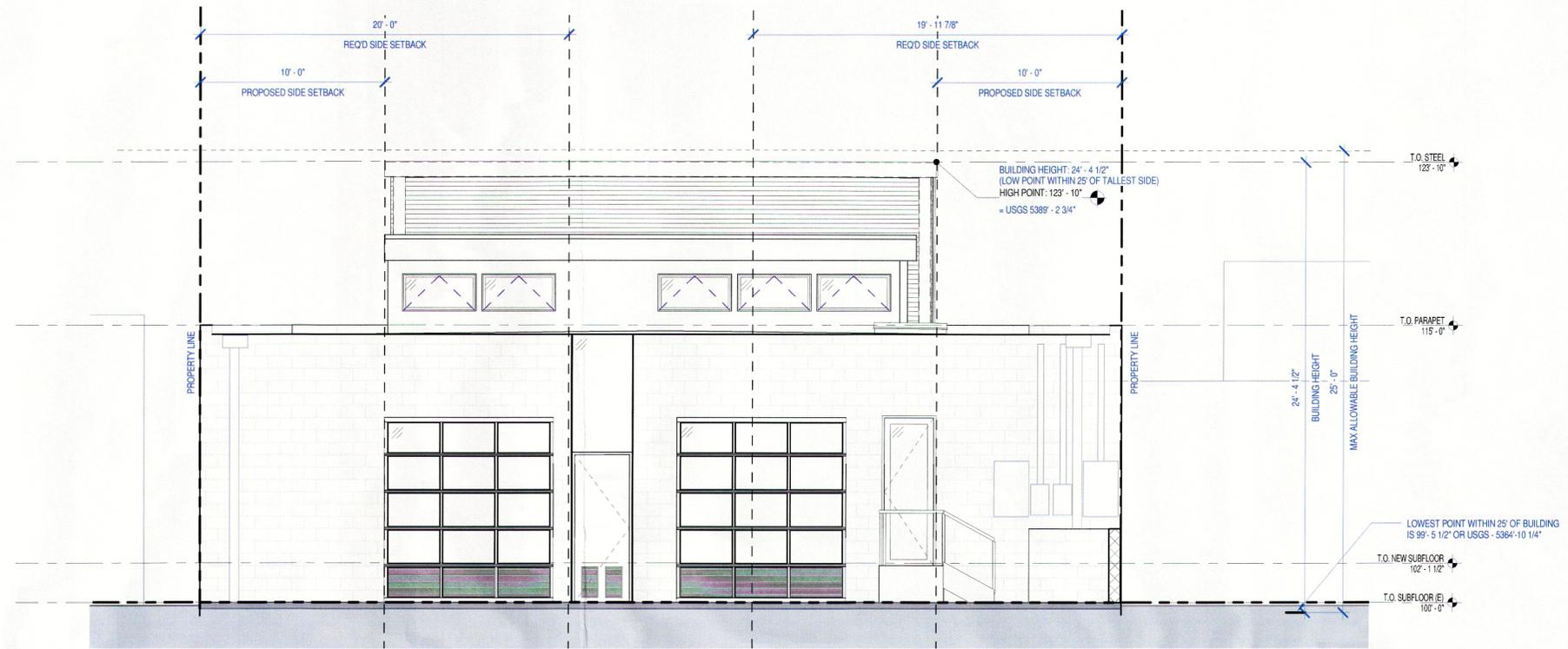
No.	Description	Date

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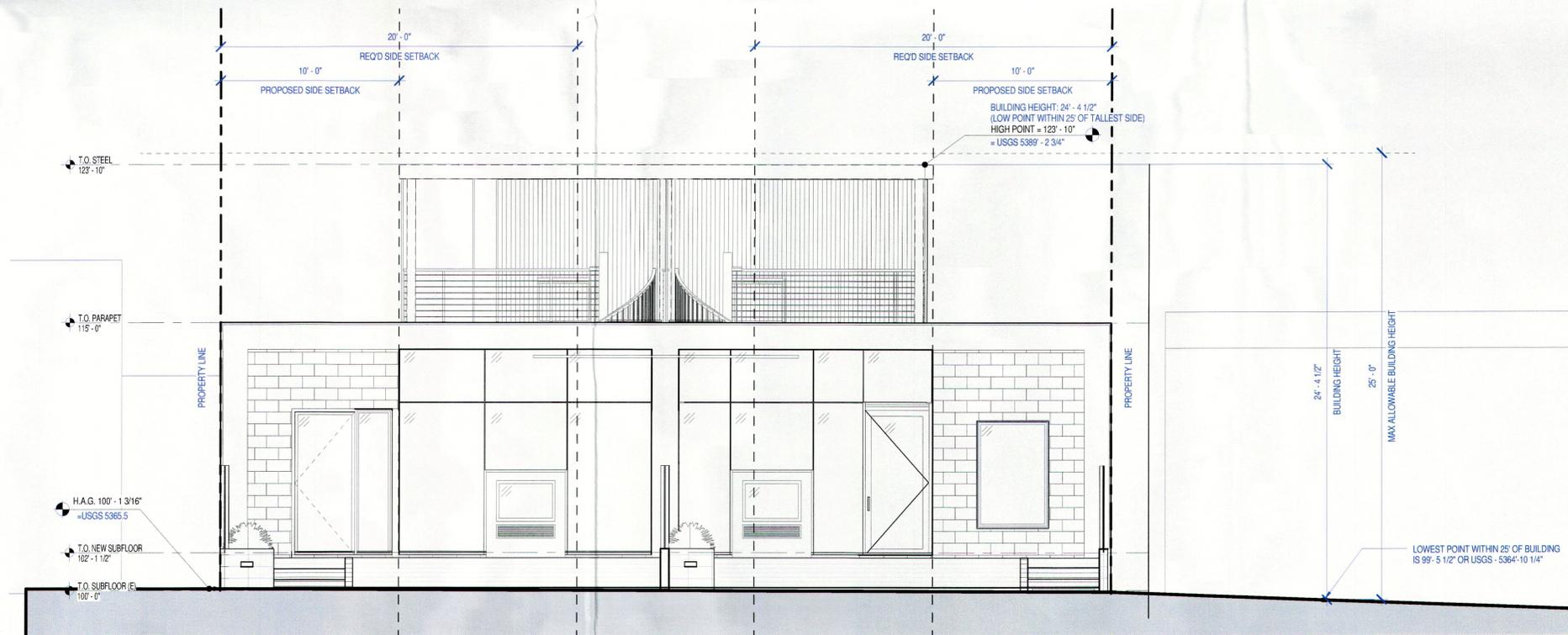
PLANS

SCALE: As indicated

A1.00



2 NORTH ELEVATION
SCALE: 1/4" = 1'-0"



1 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

COOKLER DUPLEX

735 WALNUT | BOULDER, CO 80302

PROJECT NUMBER: 15_735 WALNUT
ISSUE DATE: APRIL 20, 2016
PHASE: BOZA APPLICATION
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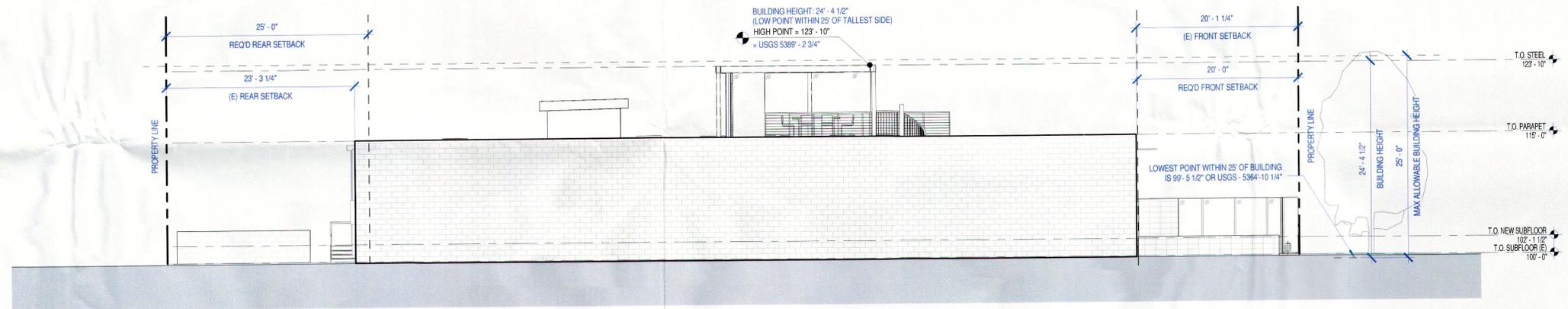
No.	Description	Date

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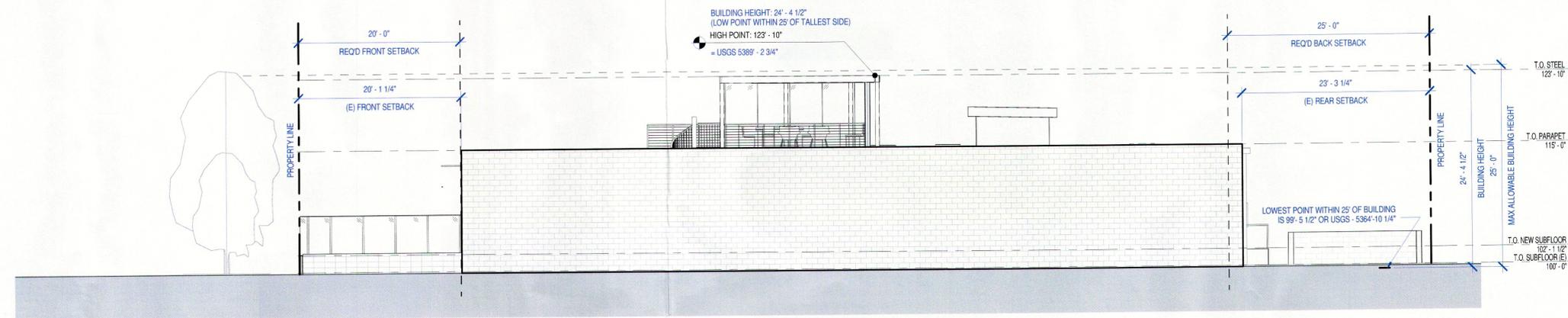
EXTERIOR ELEVATIONS

SCALE: 1/4" = 1'-0"

A2.01



2 WEST ELEVATION
SCALE: 1/8" = 1'-0"



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

COOKLER DUPLEX

735 WALNUT | BOULDER, CO 80302

PROJECT NUMBER:	15_735 WALNUT
ISSUE DATE:	APRIL 20, 2016
PHASE:	BOZA APPLICATION
DRAWN BY:	MB
CHECKED BY:	JT

No.	Description	Date

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

A2.02

CITY OF BOULDER
BOARD OF ZONING ADJUSTMENT
ACTION MINUTES
April 14, 2016, 5 p.m.
1777 Broadway, 1777 West Conference Room

Board Members Present: David Schafer (Chair), Jill Grano (V. Chair),
Jill Lester, Michael Hirsch, Ellen McCready,

Board Members Absent:

City Attorney Representing Board: Erin Poe

Staff Members Present: Brian Holmes, Robbie Wyler, Sandy Briggs, Marcy
Cameron

1. CALL TO ORDER:

M. Hirsch called the meeting to order at 5:07 p.m.

On a motion by **M. Hirsch**, seconded by **E. McCready**, the Board of Zoning Adjustment voted 5-0 to elect **D. Schafer** as the new Chair.

On a motion by **D. Schafer**, seconded by **J. Lester**, the Board of Zoning Adjustment voted 5-0 to elect **J. Grano** as the new Vice Chair.

2. BOARD HEARINGS:

A. Docket No.: BOZ2016-03

Address: 2303 Bluff Street

Applicant: Madeline Vogenthaler & Pete Hoglund

Setback Variance: As part of a proposal to construct a new portico on the north side of the existing non-standard landmarked house as well as modify an existing non-standard wall on the west side of the house as part of a garage conversion to living space, the applicant is requesting a variance to both the rear (north) yard setback and side adjacent to street (west) yard setback. The resulting rear yard setback will be approximately 18.83 feet where 25 feet is required and where approximately 20 feet exists today. The resulting side adjacent to street setback will be approximately 9 feet where 25 feet is required and where 9 feet exists today. Section of the Land Use Code to be modified: Section 9-7-1, BRC 1981.

J. Grano recused herself

Staff Presentation

R. Wyler presented the item to the board.

Applicant's Presentation

Steve Montgomery, the applicant's architect, presented the item to the board.

Board Questions:

Steve Montgomery answered questions from the board.

Public Hearing

No one from the public addressed the board.

Board Discussion

- The board was in support of the proposed changes and agreed to unanimously approve the application.

Motion

On a motion by **E. McCready**, seconded by **M. Hirsch**, the Board of Zoning Adjustment approved (4-0, **J. Grano** recused) the application (**Docket 2016-03**) as submitted.

B. Docket No.: BOZ2016-05

Address: 2453 7th Street

Applicant: Nellie & Niels Damrauer

Setback/Floor Area Variance & Solar Exception: As part of a proposal to construct a 2nd story addition above an existing single story section of a non-standard house that is located on a non-standard lot, the applicant is requesting a variance to the rear (west) yard setback as well as both side yard setbacks (north & south) for compliance with the combined side yard setback regulations. The resulting rear yard setback will be approximately 2.5 feet where 25 feet is required and where approximately 1.3 feet exists today. The resulting north side yard setback will be approximately 9.4 feet where 11.8 feet is required and approximately 6 feet exists today. The resulting south side yard setback will be approximately 7 feet where 9 feet is required and approximately 3.2 feet exists today. Additionally, the applicant is requesting a variance to the floor area ratio requirements of a property within the RL-1 zoning district. The resulting floor area will be approximately 1,625 square feet where this property is limited to 1,484 square feet and where approximately 1,250 square feet exists today. Finally, the applicant is requesting a solar access exception to the Solar Access Area 1 regulations. The properties to the north and west (2455 7th & 628 Maxwell respectively) will be the only properties affected by this request. Sections of the Land Use Code to be modified: Sections 9-7-1, 9-8-2 & 9-9-17, BRC 1981.

Staff Presentation

R. Wyler presented the item to the board.

Applicant's Presentation

Joel Smiley, the applicant's representative, presented the item to the board.

Laura Schaeffer, the applicant's designer, provided further information per board request.

Board Questions:

R. Wyler, B. Holmes, Joel Smiley and Laura Schaeffer answered questions from the board.

Public Hearing

No one from the public addressed the board.

Board Discussion

- **J. Lester** requested clarification regarding the definitions of solar access versus solar shadowing.
- The board discussed future potential impacts to solar access.
- The board expressed concern that this exception could set a precedent for smaller homes to expand into other areas.
- The board agreed that the proposal would be in keeping with the neighborhood and that the existing constraints create difficulties for the growing family.

Motion

On a motion by **J. Grano**, seconded by **J. Lester**, the Board of Zoning Adjustment approved (5-0) that the solar exception portion of the application does not conflict with the provisions of 9-9-17, BRC 1981 (**Docket 2016-05**).

On a motion by **M. Hirsh**, seconded by **D. Schafer**, the Board of Zoning Adjustment approved (5-0) the application (**Docket 2016-05**) as submitted.

C. Docket No.: BOZ2016-06

Address: 2770 Iliff Street

Applicant: Robert & Sue Siegrist

Setback Variance: As part of a proposal to enclose an existing covered deck (approved by previous variance), the applicant is requesting a variance to the rear (south) yard setback. The resulting rear yard setback will be approximately 16 feet where 25 feet is required and where approximately 16 feet exists today. Section of the Land Use Code to be modified: Section 9-7-1, BRC 1981.

Staff Presentation

R. Wyler presented the item to the board.

Applicant's Presentation

Robert Siegrist, the applicant, presented the item to the board.

Board Questions:

R. Wyler answered questions from the Board.

Public Hearing

No one from the public addressed the board.

Board Discussion

- The board received information regarding the history of original variances and discussed alternatives for increasing conditioned space for the applicants.
- The board discussed the “creep” that could occur with enclosing covered porches and the right of the board to attach a conditional approval in the future.
- **J. Lester** proposed a conditional approval and the board discussed their purview in limiting future expansion.

Motion

On a motion by **M. Hirsh**, seconded by **J. Grano**, the Board of Zoning Adjustment approved (5-0) the application (**Docket 2016-06**) as submitted.

3. GENERAL DISCUSSION:

A. Approval of Minutes:

On a motion by **D. Schafer**, seconded by **J. Grano**, the Board of Zoning Adjustment voted 3-0 (**E. McCready** and **J. Lester** abstained) to approve the March 10, 2016 minutes.

B. Matters from the Board

There were no matters from the Board.

C. Matters from the City Attorney

There were no matters from the City Attorney.

D. Matters from Planning and Development Services

The next meeting will be held at 5:00 p.m. on May 19, 2016 in Council Chambers. The agenda will following the April 20, 2016 final submittal deadline.

4. ADJOURNMENT:

There being no further business to come before the board at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED AT 6:50 P.M

APPROVED BY

Board Chair

DATE