CITY OF BOULDER
BOARD OF ZONING ADJUSTMENT
MEETING AGENDA

DATE: Thursday, June 9, 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.: BOZ2014-17
Address: 603 North Street
Applicant: Richard Roosen
Amended Setback Variance Description: In consideration of new survey information, the previously approved case BOZ2014-17 is being amended to reflect the following corrections: As part of a proposal to modify an existing single family residence, including raising portions of both the first and second floor roof as well as enclosing a small exposed area on the back side of the house, the applicant is requesting a variance to the front, side and combined side yard setback requirements of the RMX-1 zoning district. The resulting front (south) yard setback will be approximately 9'-6" where 25'-0" is required and where 9'-6" exists today. The resulting east side yard setback will be approximately 4'-7" where 14'-0" is required and 4'-7" exists today. The resulting west side yard setback will be approximately 1'-0" where 10'-5" is required and where 1'-0" exists today. Additionally, as a part of the overall project the front entry porch will be widened and roof changed from flat to pitched. The resulting front setback for the covered porch will be 5'-0" where 12'-6" is required and where 9'-6" exists today. Sections of the Land Use Code to be modified: Sections 9-7-1 & 9-7-4, BRC 1981.

Docket No.: BOZ2016-11
Address: 603 North Street
Applicant: Richard Roosen
Setback Variance: As a part of a new 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'-6" where 25 feet is required and where approximately 9'-6" exists today. The resulting west side yard setback for the new entry will be approximately 8'-2" where 10'-5" is required and where 1'-0" exists today. For the rooftop deck, the resulting west side yard setback will be approximately 6'-6" (taken from the spiral stairs which were previously approved by BOZA) where 10'-5" is required and 1'-0" 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.

B. Docket No.: BOZ2016-13
Address: 925 37th Street
Applicant: Miguel Arias & Melissa Eaton
Setback Variance: As a part of a proposal for a second story addition and remodel of an existing residence, including a proposal to construct a new attached garage, the applicants are requesting a variance to the front yard (east) setback. The resulting front yard setback will be approximately 19'-0" where 25'-0" is required and where approximately 25.8' exists today. Section of the Land Use Code to be modified: Section 9-7-1, BRC 1981.

C. Docket No.: BOZ2016-14
Address: 903 16th Street
Applicant: Chris Maurer
Setback Variance: As a part of a proposal to replace an existing non-standard stair, the applicants are requesting a variance to the side yard landscape from a street (south) setback. The resulting side yard landscape from a street will be approximately 6'-7" where 12'-6" is required and where approximately 3'-7 ¼" exists today. Section of the Land Use Code to be modified: Section 9-7-1, BRC 1981.

D. Docket No.: BOZ2016-15
Address: 2515 7th Street
Applicant: Jennifer Kilbury
Setback Variance/ Building Separation Variance/ Building Coverage Variance/Parking in Landscape Setback: As a part of a proposal to construct a single story addition to an existing non-standard building on a non-standard lot, the applicant is requesting a variance to the rear yard (west) setback, the minimum building separation requirement, the maximum building coverage limitation, and the minimum front yard (east) landscape setback for parking areas. The resulting rear yard setback will be of 5'-2" where 25' is required, and where 22'-0" exists today. The resulting building separation will be 5'-0 ½", where 6'-0" is required, and where approximately 16'-0" exists today. The resulting total building coverage will be 1,124 sq. ft. where 1,009 sq. ft. is the maximum allowed. Lastly, the resulting front yard (east) landscape setback for parking will be 0'-0" where 25'-0" is required. Sections of the Land Use Code to be modified: Section 9-7-1 & 9-7-11, BRC 1981.

3. GENERAL DISCUSSION

A. Approval of Minutes: The May 19, 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: boulderplandevelop.net

BOZA
VARIANCE APPLICATION

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

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

GENERAL DATA

(To be completed by the applicant.)

- Street Address or General Location of Property: 603 NORTH ST BOULDER CO 80304
- Legal Description: Lot 29 Block 2 Subdivision NEIKIRK-STEWART ADDITION (Or attach description.)
- Existing Use of Property: SINGLE FAMILY HOME
- Description of proposal:

APPLYING FOR A VARIANCE TO THE SETBACKS TO RE-APPROVE SOME PREVIOUSLY APPROVED BOZA ITEMS, EXTEND THE ROOF DECK TO THE WEST AND SOUTH, AND ADD AN ENTRY / MUDROOM ADDITION ON THE FRONT OF THE HOUSE. (SEE LETTER FOR DESCRIPTION)

*Total floor area of existing building: 1655 SF	*Total floor area proposed: 1756 SF
*Building coverage existing: 1070 SF	*Building coverage proposed: 1130 SF
*Building height existing: 21'	*Building height proposed: 24'-7"

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

- **Name of Owner:** RICHARD ROOSEN
- Address: 603 NORTH ST Telephone: (303) 579-5102
- City: BOULDER State: CO Zip Code: 80304 FAX: _____
- **Name of Contact (if other than owner):** BRENDAN KENNEDY (ARCHITECT)
- Address: 4742 W 102ND AVE Telephone: (720) 323-8376
- City: WESTMINSTER State: CO Zip Code: 80031 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 3 individual components to this Setback Variance Request.

1. Our original BOZA approvals were based on a survey that had some errors. The survey info has been updated and corrected, so we are seeking re-approval for these items. Nothing has changed on the house or the approved items, just the property lines have shifted some. This re-approval is for the: (see updated site plan)

- roof top deck (6'-6” west prop line setback)
- small enclosure of the house on the northwest corner (1'-0” west prop line setback)
- entry roof and columns (6'-7” west prop line and 5'-0” front prop line setbacks)
- second story addition (2'-2” west prop line, 12'-10” east prop line, and 9'-6” front prop line setbacks)

2. 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.

3. 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.

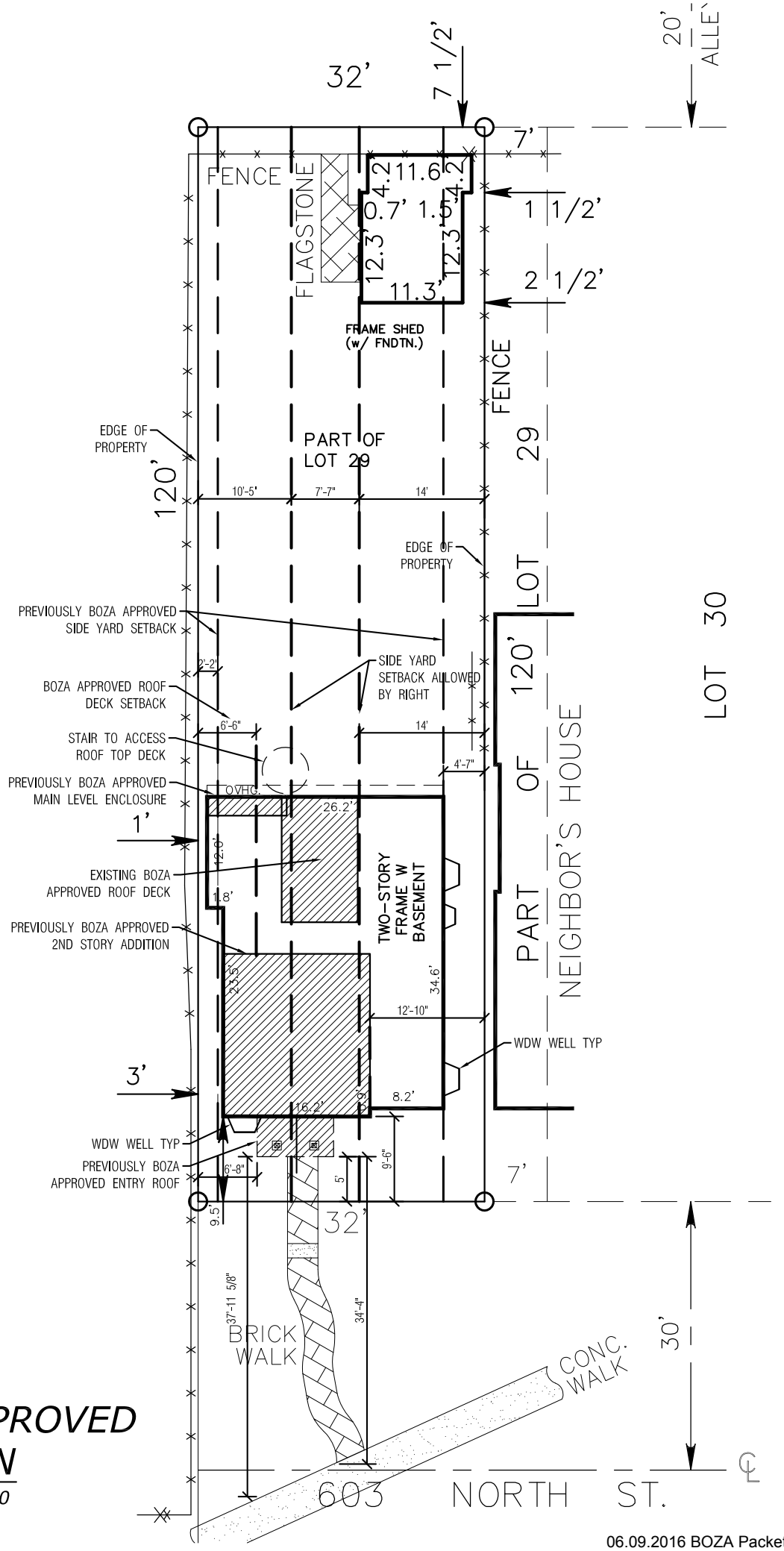
We are asking for a variance to the side yard setback for the new entry / mudroom, so that the setback on the West side of the house would be 8'-2”. We are asking for a variance to the front yard setback so that it would be 3'-6” from the property line. The required 25' landscaping setback is already 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.

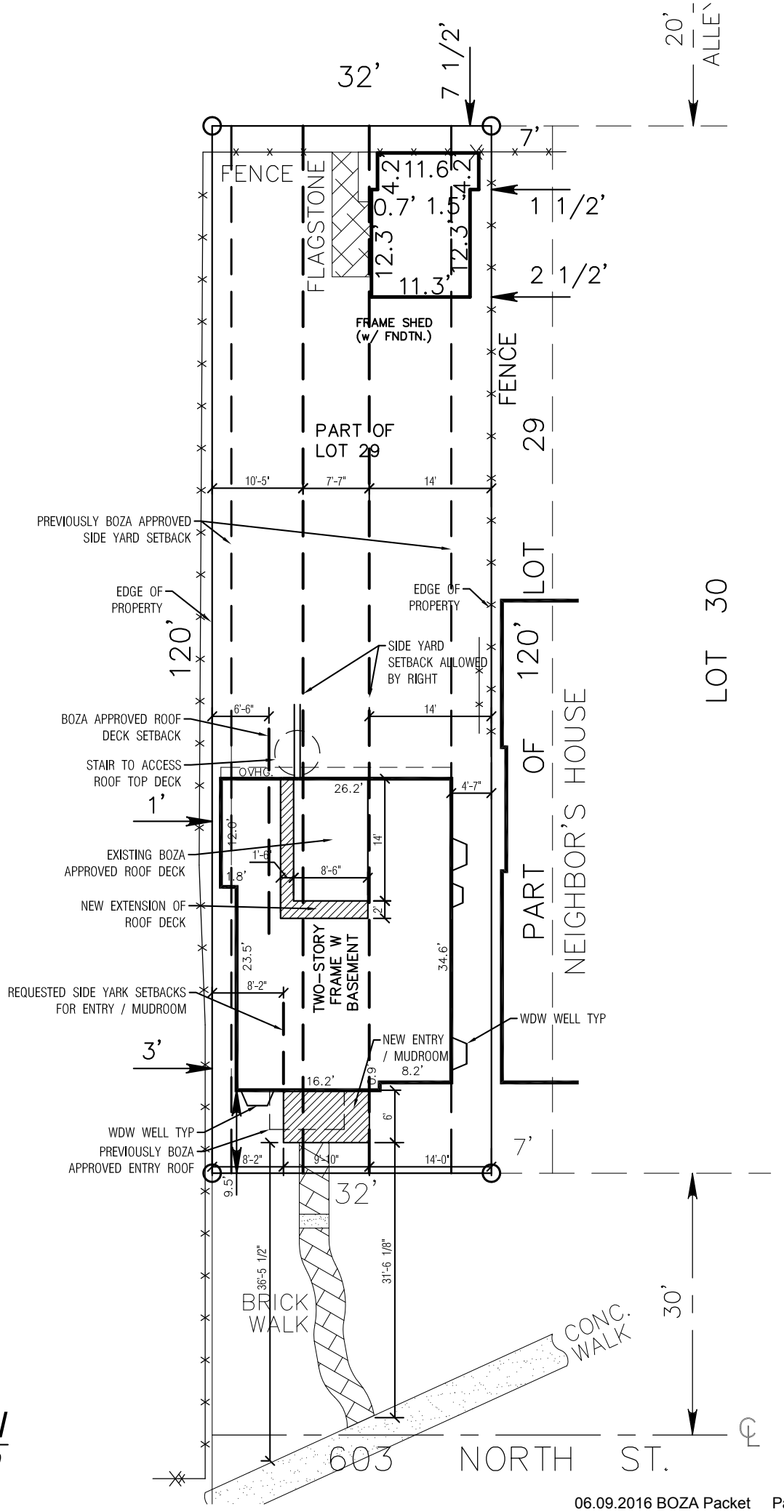
Thank you for your understanding and consideration of this matter,
Sincerely,

Richard Roosen (Owner) 6/1/2016
and Brendan Kennedy (Architect)



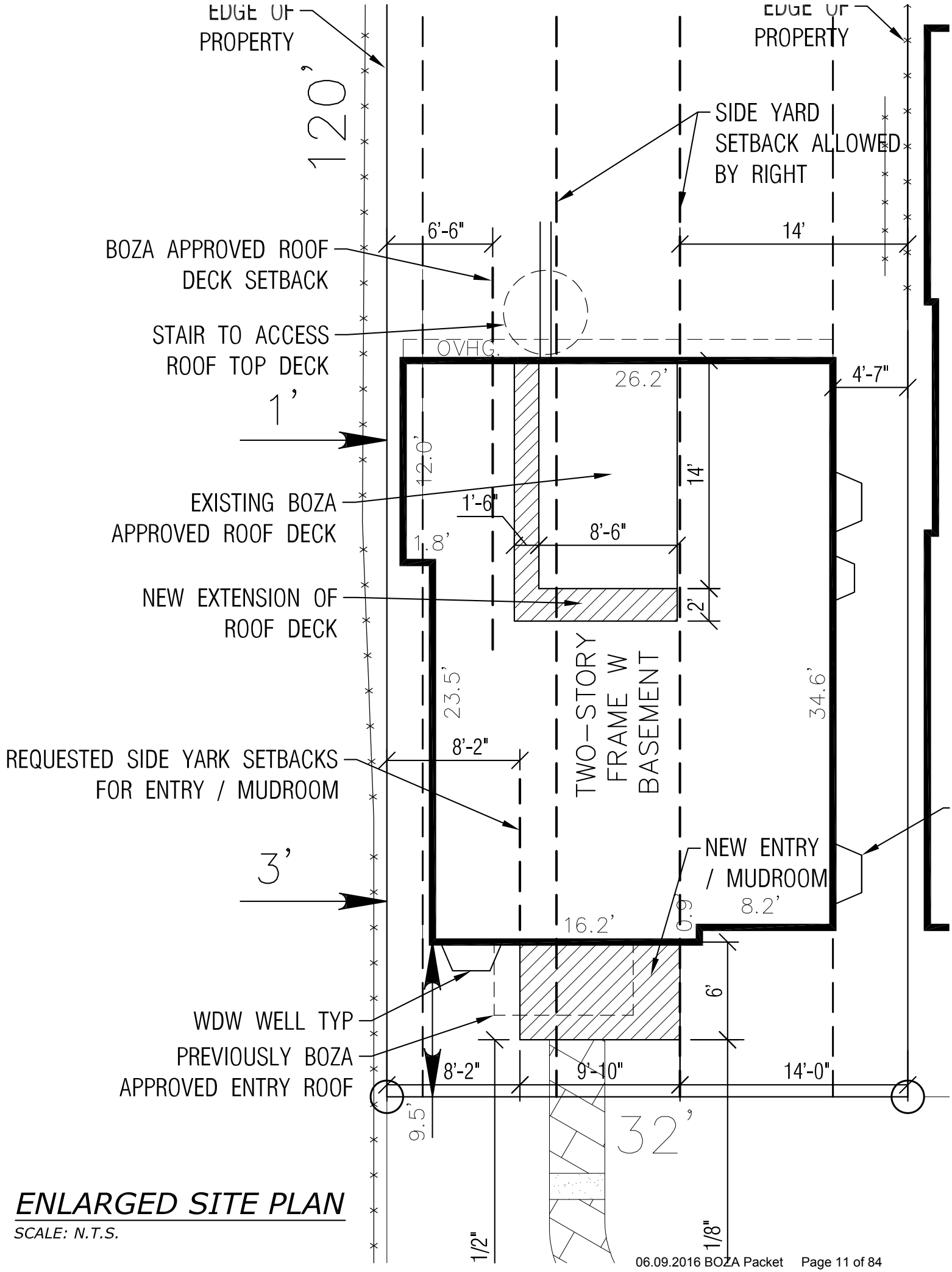
BOZA APPROVED SITE PLAN

SCALE: 1/16" = 1'-0



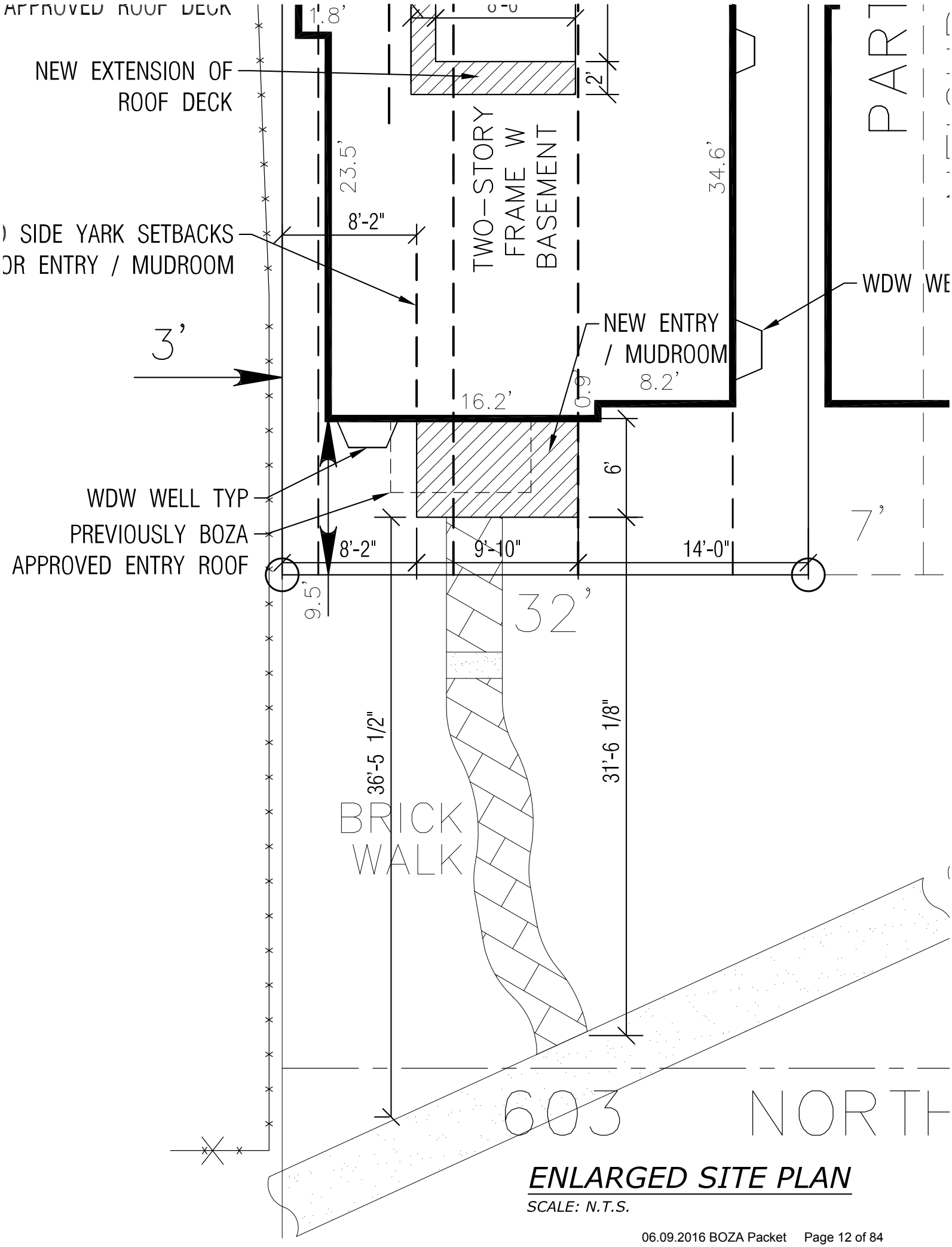
SITE PLAN

SCALE: 1/16" = 1'-0



ENLARGED SITE PLAN

SCALE: N.T.S.



ENLARGED SITE PLAN

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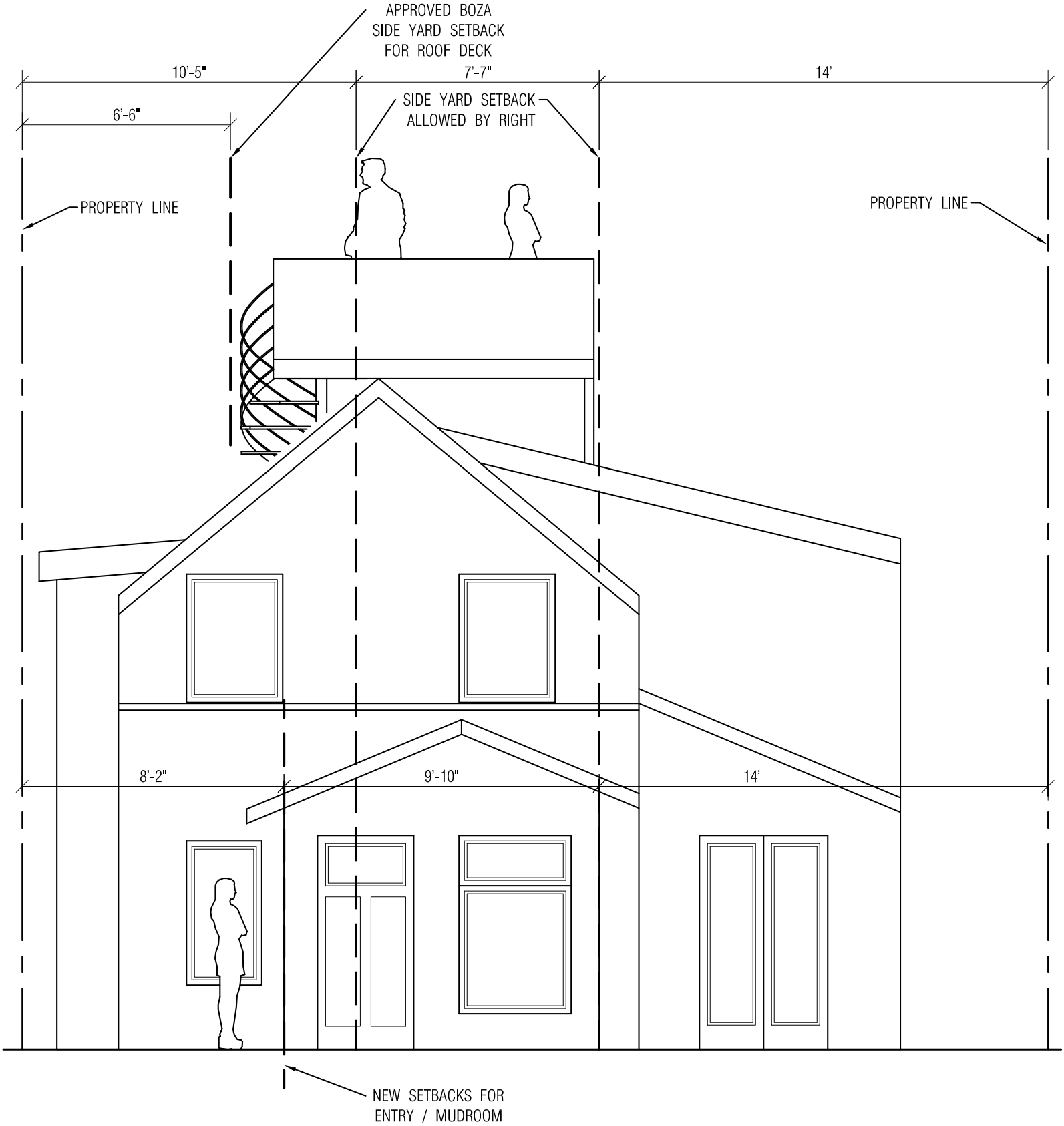
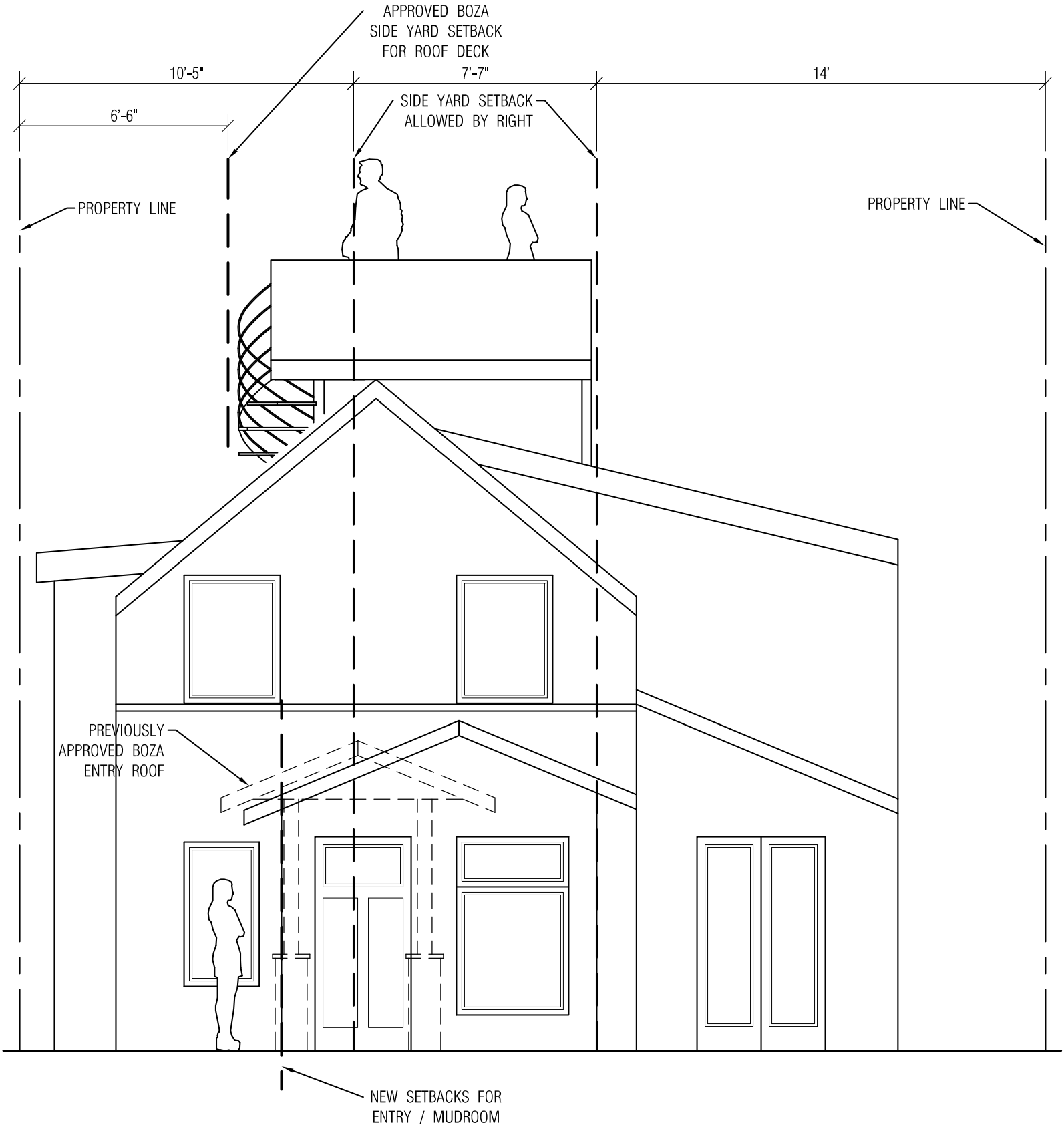


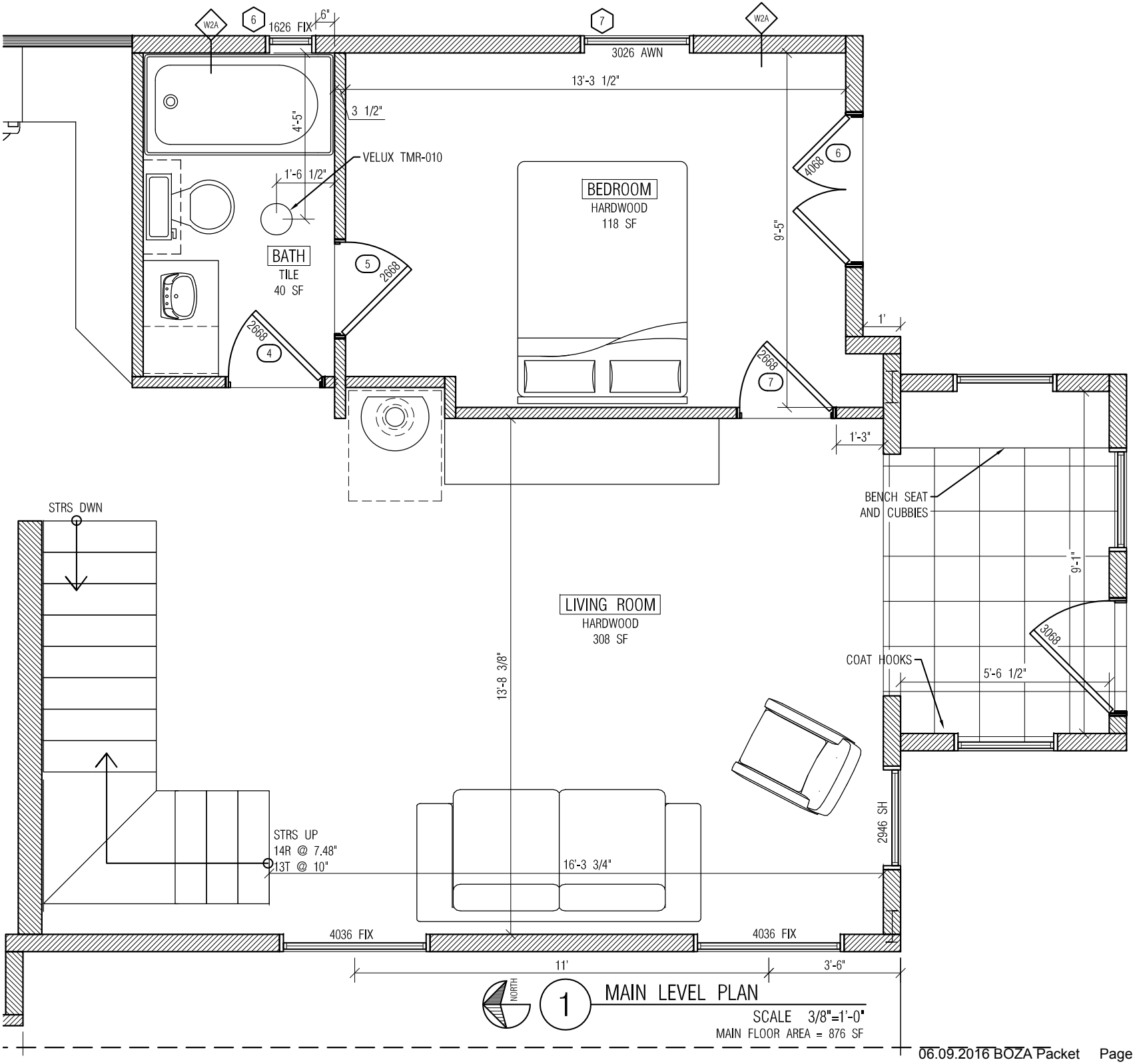
1 FRONT OF HOUSE ELEVATION (PROPOSED)

SCALE 1/4"=1'-0"



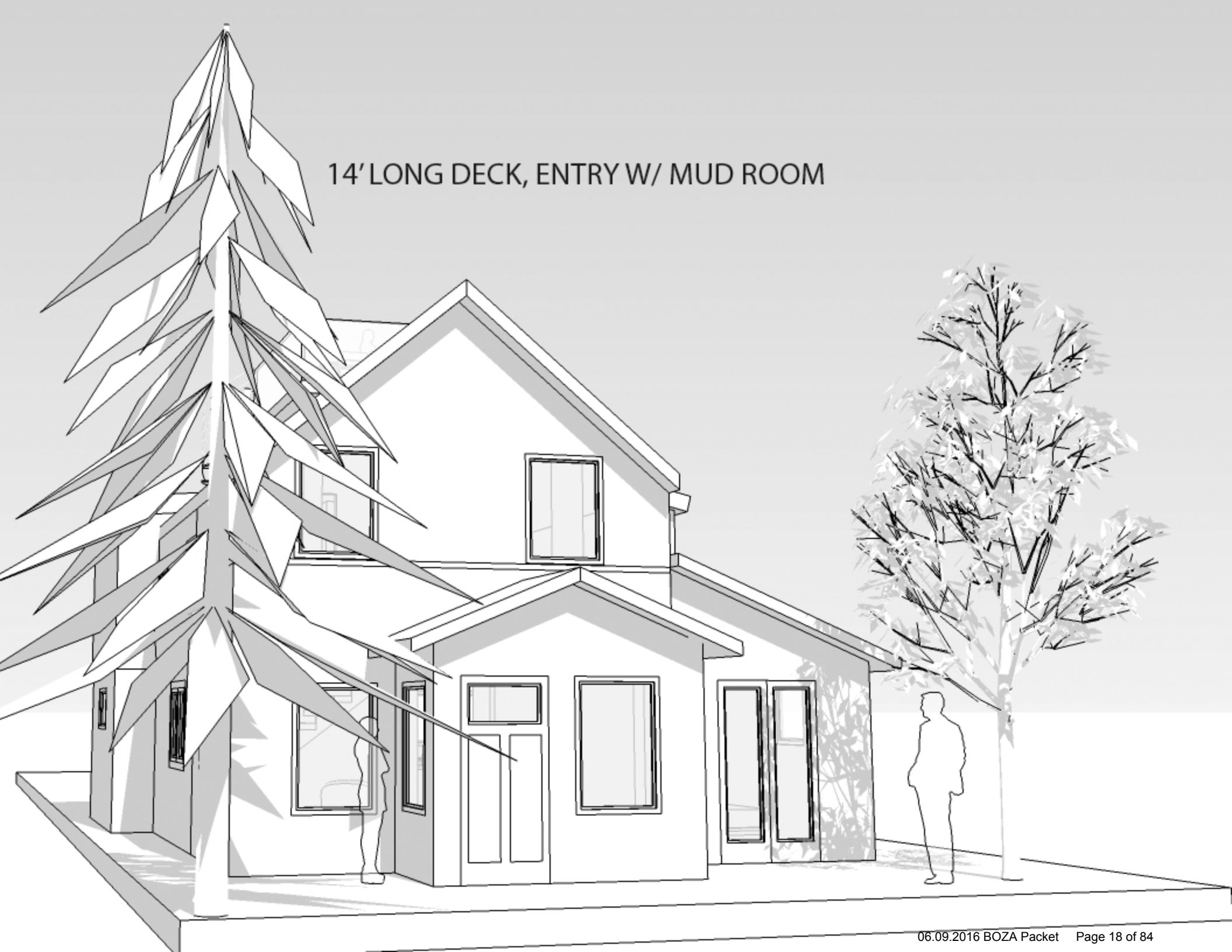
2 FRONT OF HOUSE ELEVATION (W APPROVED ENTRY ROOF)

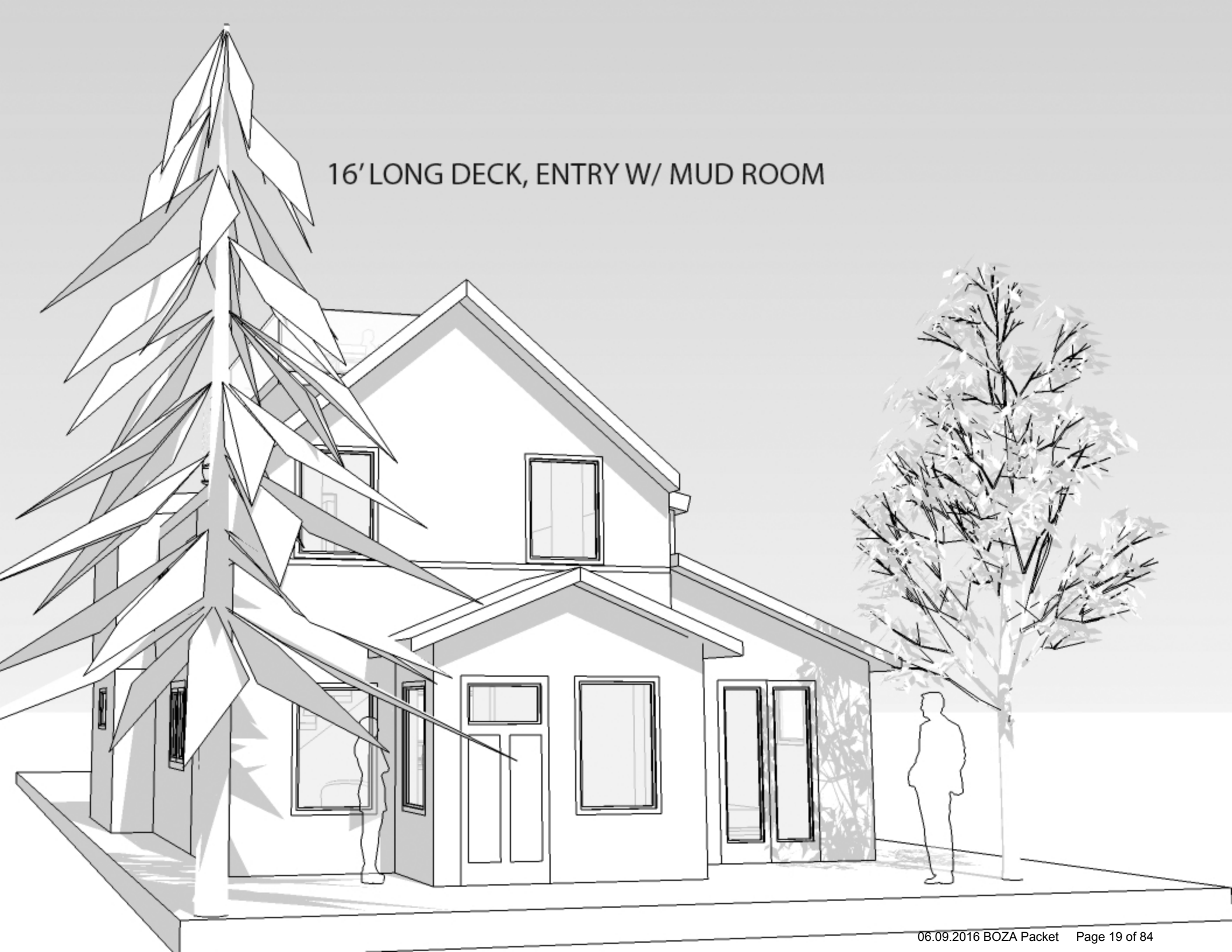
SCALE 1/4"=1'-0"


W2A
6
1626 FIX
6"
7
W2A
3026 AWN
13'-3 1/2"
3 1/2"
4'-5"
VELUX TMR-010
1'-6 1/2"
BATH
TILE
40 SF
5
2668
2668
4
BEDROOM
HARDWOOD
118 SF
4068
6
9'-5"
1'
2668
7
1'-3"
BENCH SEAT
AND CUBBIES
9'-1"
3068
COAT HOOKS
5'-6 1/2"
STRS DWN
LIVING ROOM
HARDWOOD
308 SF
13'-8 3/8"
STRS UP
14R @ 7.48"
13T @ 10"
16'-3 3/4"
2946 SH
4036 FIX
4036 FIX
11'
3'-6"
NORTH
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

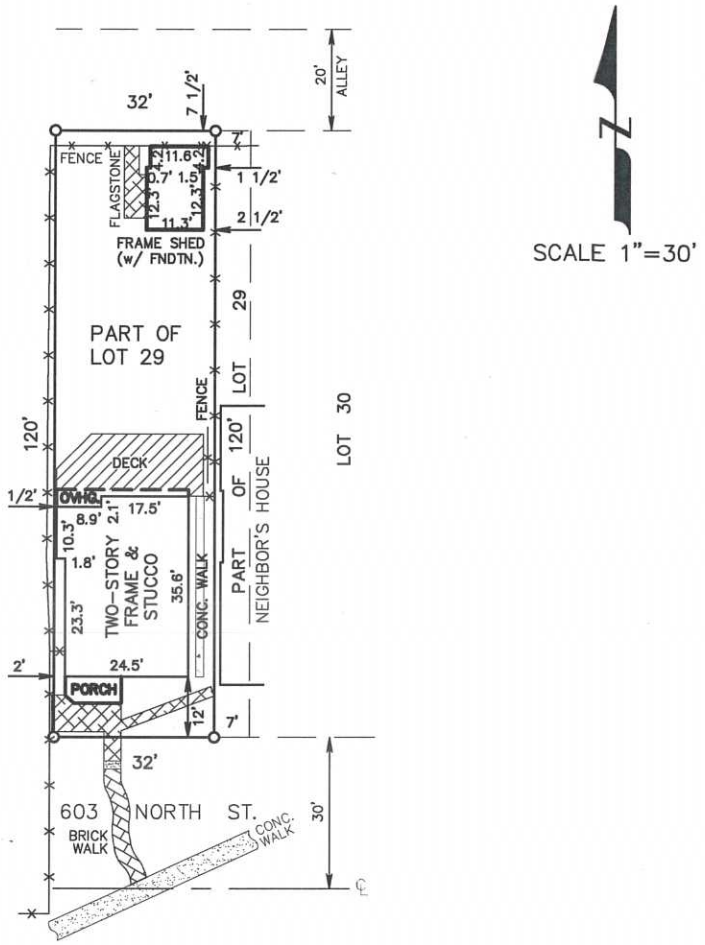
14' LONG DECK, ENTRY W/ COLUMNS

LEGAL DESCRIPTION
(provided by CLIENT)

THE WEST 32' OF LOT 29,
BLOCK 2,
NEIKIRK–STEWART ADDITION,
COUNTY OF BOULDER,
STATE OF COLORADO.

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

"OUTDATED SURVEY"



Notes:
1–THIS CERTIFICATE DOES NOT CONSTITUTE A TITLE SEARCH BY FLATIRONS SURVEYING, INC. TO DETERMINE OWNERSHIP, RIGHTS OF WAY, EASEMENTS OR ENCUMBRANCES THAT MAY AFFECT THIS TRACT OF LAND. THERE MAY BE EASEMENTS OR RIGHTS OF WAY OF THE PUBLIC RECORD THAT MAY AFFECT THIS TRACT OF LAND THAT ARE NOT SHOWN ON THIS CERTIFICATE.
2–AN IMPROVEMENT SURVEY PLAT IS RECOMMENDED TO DEPICT MORE PRECISELY THE LOCATION OF THE IMPROVEMENTS SHOWN HEREON.
3–THE FENCES ARE NOT COINCIDENT WITH THE SOUTHERLY AND WESTERLY LOT LINES AS SHOWN HEREON.
4–THIS CERTIFICATE IS BASED UPON PLATTED RIGHTS OF WAY AND OCCUPATION LINES IN THE AREA.

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

IMPROVEMENT LOCATION CERTIFICATE

I hereby certify that this Improvement location certificate was prepared for SKY HOOK DESIGN, that it is not a Land Survey Plat or Improvement Survey Plat, and that it is not to be relied upon for the establishment of fence, building or other future improvement lines. This certificate is valid only for use by SKY HOOK DESIGN and describes the parcel's appearance on MAY 13, 2014. I further certify that the improvements on the above described parcel on this date, MAY 22, 2014, except utility connections, are entirely within the boundaries of the parcel, except as shown, that there are no encroachments upon the described premises by improvements on any adjoining premises, except as indicated, and that there is no apparent evidence or sign of any easement crossing or burdening any part of said parcel, except as noted.

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

Flatirons No. 14–63,506 Title Co. No. Borrower:
Drawn By: GWR

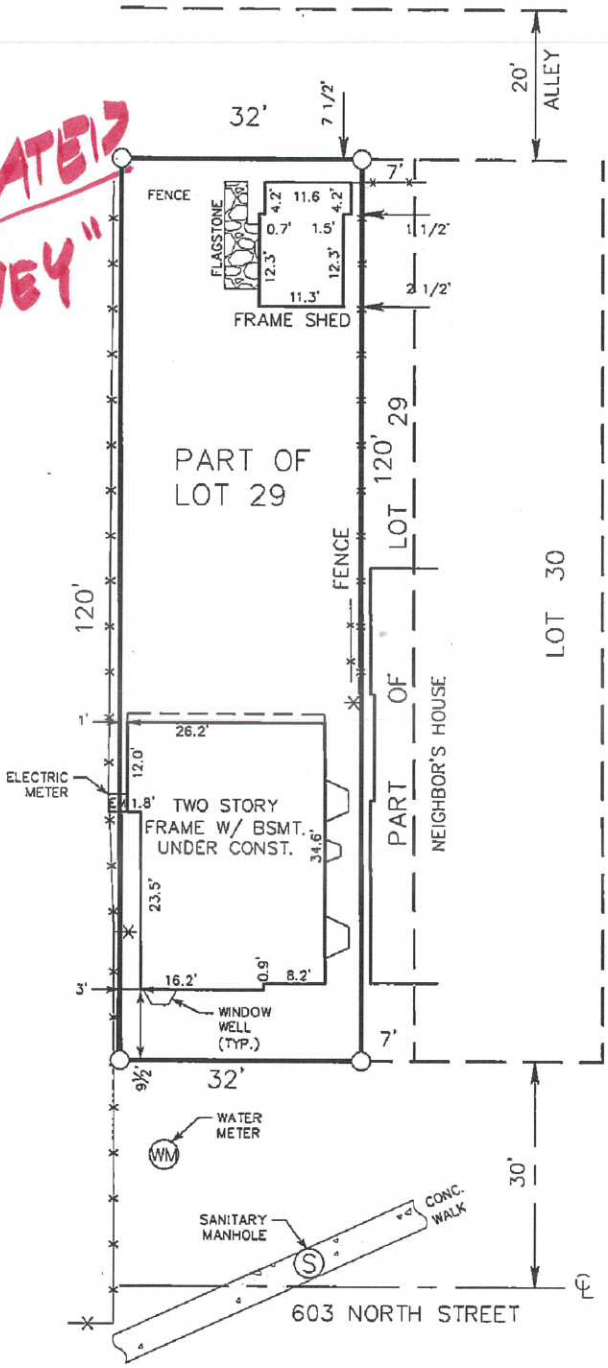
COPYRIGHT 2016 FLATIRONS, INC.

LEGAL DESCRIPTION
(PROVIDED BY THE CLIENT)
DEED RECORDED ON 12/17/2002
AT REC. NO. 2372904

THE WEST 32 FEET OF LOT 29, BLOCK 2,
NEIKIRK STEWART ADDITION,
COUNTY OF BOULDER,
STATE OF COLORADO.

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

"UPDATED SURVEY"



SCALE 1"=20'

COLORADO LICENSED PROFESSIONAL LAND SURVEYOR 16406 2/25/16

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

IMPROVEMENT LOCATION CERTIFICATE

I hereby certify that this improvement location certificate was prepared for SKY HOOK DESIGN, that it is not a Land Survey Plat or Improvement Survey Plat, and that it is not to be relied upon for the establishment of fence, building or other future improvement lines. This certificate is valid only for use by SKY HOOK DESIGN and describes the parcel's appearance on FEBRUARY 24, 2016. I further certify that the improvements on the above described parcel on this date, FEBRUARY 24, 2016, except utility connections, are entirely within the boundaries of the parcel, except as shown, that there are no encroachments upon the described premises by improvements on any adjoining premises, except as indicated, and that there is no apparent evidence or sign of any easement crossing or burdening any part of said parcel, except as noted.

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

Flatirons No. 14-63,506 Title Co. No. Borrower:
Drawn By: S. ACERRA

COPYRIGHT 2016 FLATIRONS, INC.

(303) 443-7001 FLATIRONS, INC. Boulder, Colorado

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

BOZA
VARIANCE APPLICATION

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

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

GENERAL DATA

(To be completed by the applicant.)

- Street Address or General Location of Property: 925 37th Street, Boulder, CO 80303
- Legal Description: Lot _____ Block _____ Subdivision _____ (Or attach description.)
- Existing Use of Property: Residential
- Description of proposal:

Build a garage into existing front house setback.

*Total floor area of existing building: 1300 square feet	*Total floor area proposed: 3000 sqft including garage (270 sqft)
*Building coverage existing: 1300 square feet	*Building coverage proposed: 1770 sqft including garage
*Building height existing: 22' 10 1/2" from lowest point on lot	*Building height proposed: 34' from lowest point on lot

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

- **Name of Owner:** Miguel Arias and Melissa Eaton
- Address: 925 37th Street Telephone: 720 352 7249
- City: Boulder State: CO Zip Code: 80303 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 # _____

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 4/20/16

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 place 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, Miguel Arias and Melissa Eaton, am filing a Land Use Review, Administrative Review, Technical
(PRINT NAME OF APPLICANT OR CONTACT PERSON)

Document Review, or BOZA application [on behalf of] _____ for the property
(PRINT NAME OF OWNER(S) IF OTHER THAN APPLICANT/CONTACT)

located at 925 37th Street Boulder 80303. 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.

_____ 4/20/2016
NAME OF APPLICANT OR CONTACT PERSON 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.

Criteria for Variance

(1) Physical Conditions or Disability

(A) My Mother, Sonia Paic has lived with us for the past three and a half years. She cannot mobilize herself without using a walker or wheelchair. She suffers from Dystonia and frozen joints. The proposed construction would allow for handicapped access to the house through the garage, where I would be able to take my mom to appointments in a wheelchair or have her use her walker to get to the car. Additionally she would have access to the sidewalk by walking down a driveway that would have a greatly reduced slope.

(B) The unusual circumstances do not exist throughout the neighborhood. This house was purchased with an addition already on the side (with a separate entrance), which is the location of my wife's acupuncture practice, as it was planned at the time of purchase. My mother having to move in with us was unplanned.

(C) The physical conditions of the lot do not allow for access to the rear of the lot through a driveway. I have considered placing the garage where the first floor living room is currently, but that would require that I cut into existing foundation and reframe approximately ¼ of the existing structure.

(D) We, the homeowners, did not create the unnecessary hardship, the structures existed on site when the home was purchased, and at no point in time was the addition to the house a garage. It was to be used as a work studio (built in the 1980's) and we purchased the home in 2009. We are willing to convert the laundry / storage area on the exiting structure to part of the garage.

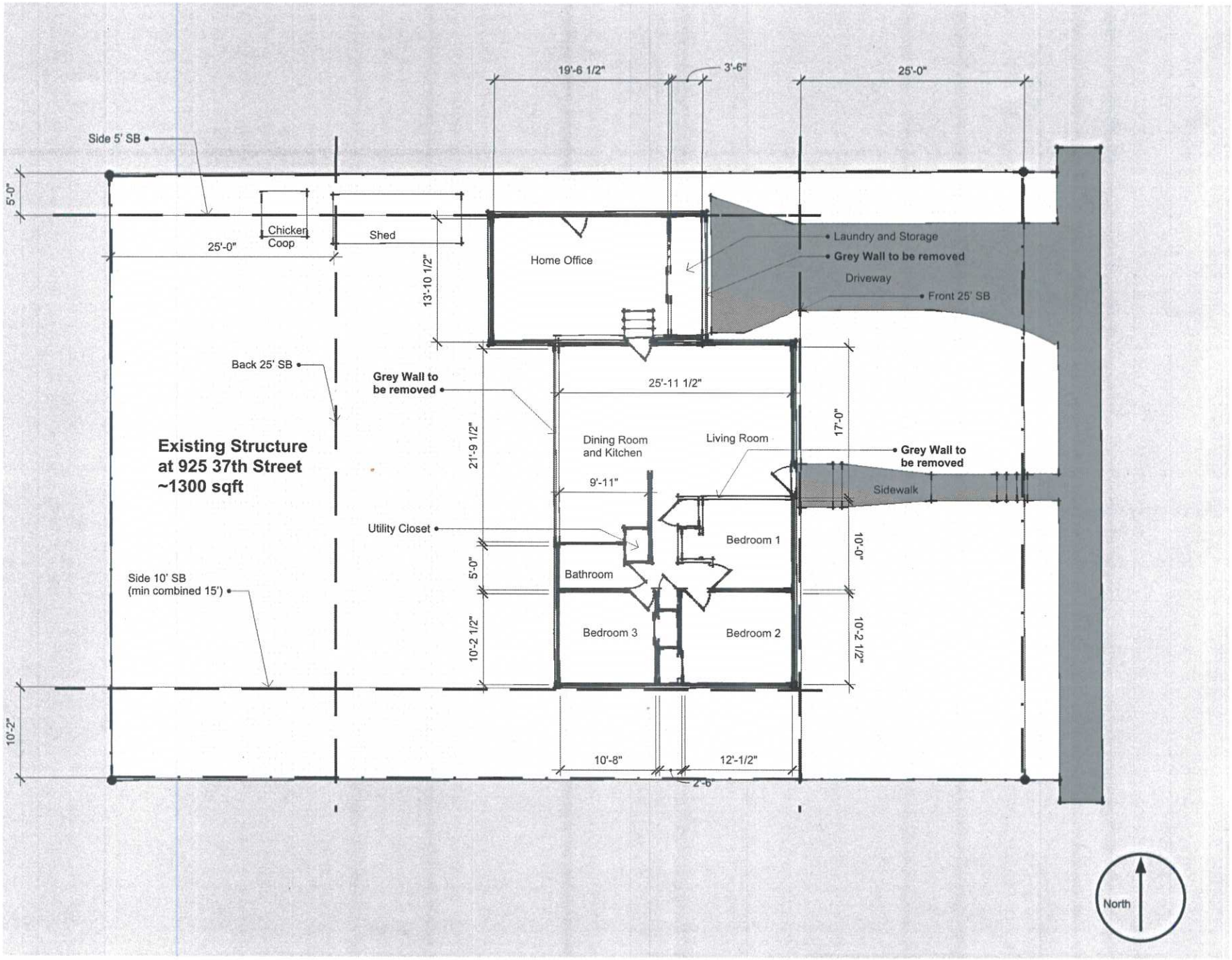
(5) Requirements for All Variances

(A) The variance would not alter the essential character of the neighborhood where the lot is located. The garage would be 1 car.

(B) The addition would not impair the adjacent lot, keeping the existing roof lines that are already there.

(C) The modification would be the least required to achieve the off-street parking requirements. The owners are willing to convert the storage and laundry room in the existing structure to be a garage to limit the encroachment into the front setback.

(D) The solar access of the adjacent property would not be impacted.



Miguel Arias and Melissa Eaton
925 37th Street
Boulder, CO 80303

5/17/2016

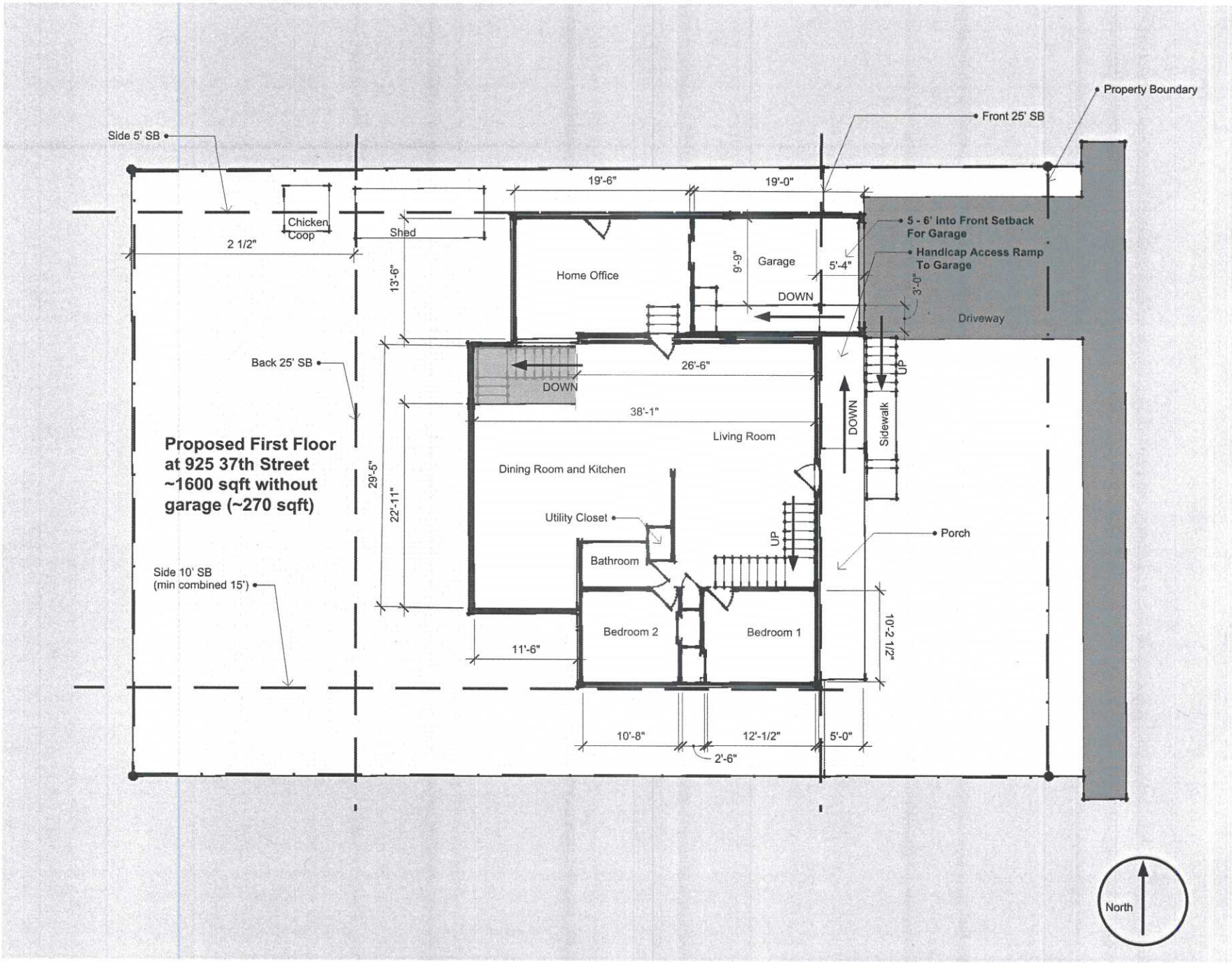
Project Name
925 37th Street

DRAWN BY
MSAP

DESCRIPTION
Existing Structure

a

01



Miguel Arias and Melissa Eaton
925 37th Street
Boulder, CO 80303

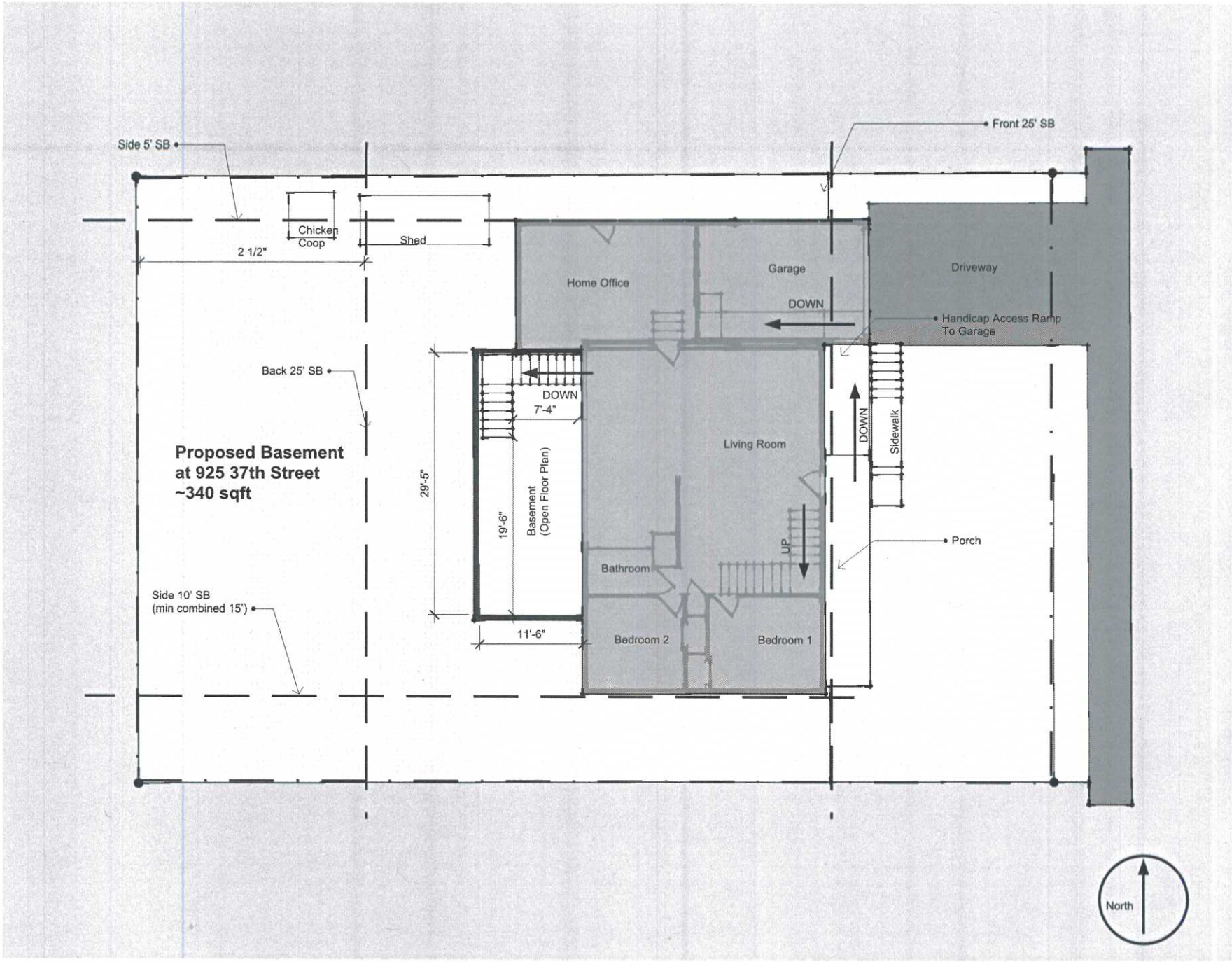
5/17/2016

Project Name
925 37th Street

DRAWN BY
MSAP
DESCRIPTION
Proposed First Floor

a

02



Miguel Arias and Melissa Eaton
925 37th Street
Boulder, CO 80303

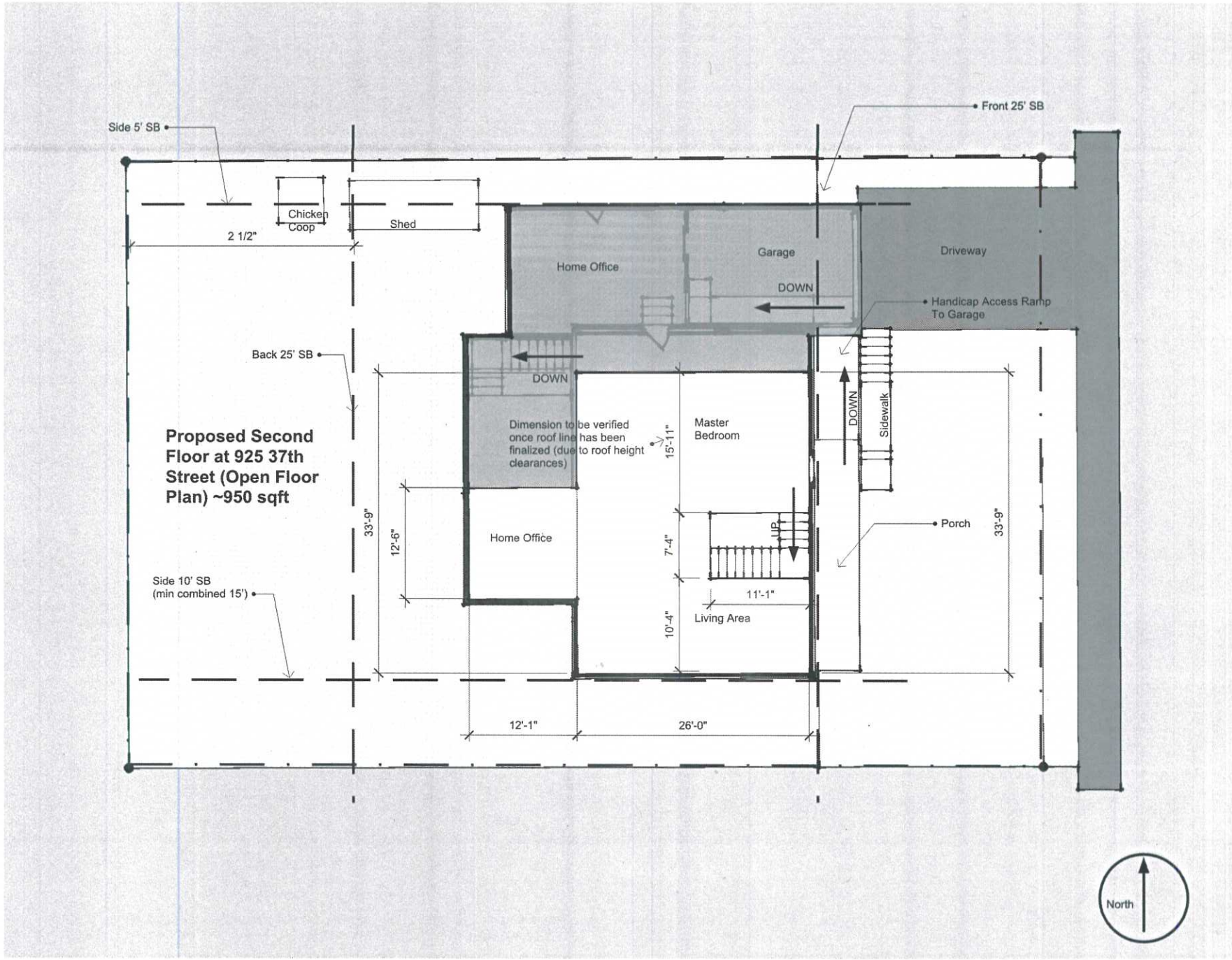
5/17/2016

Project Name
925 37th Street

DRAWN BY
MSAP
DESCRIPTION
Proposed Basement

a

03



Miguel Arias and Melissa Eaton
925 37th Street
Boulder, CO 80303

5/17/2016

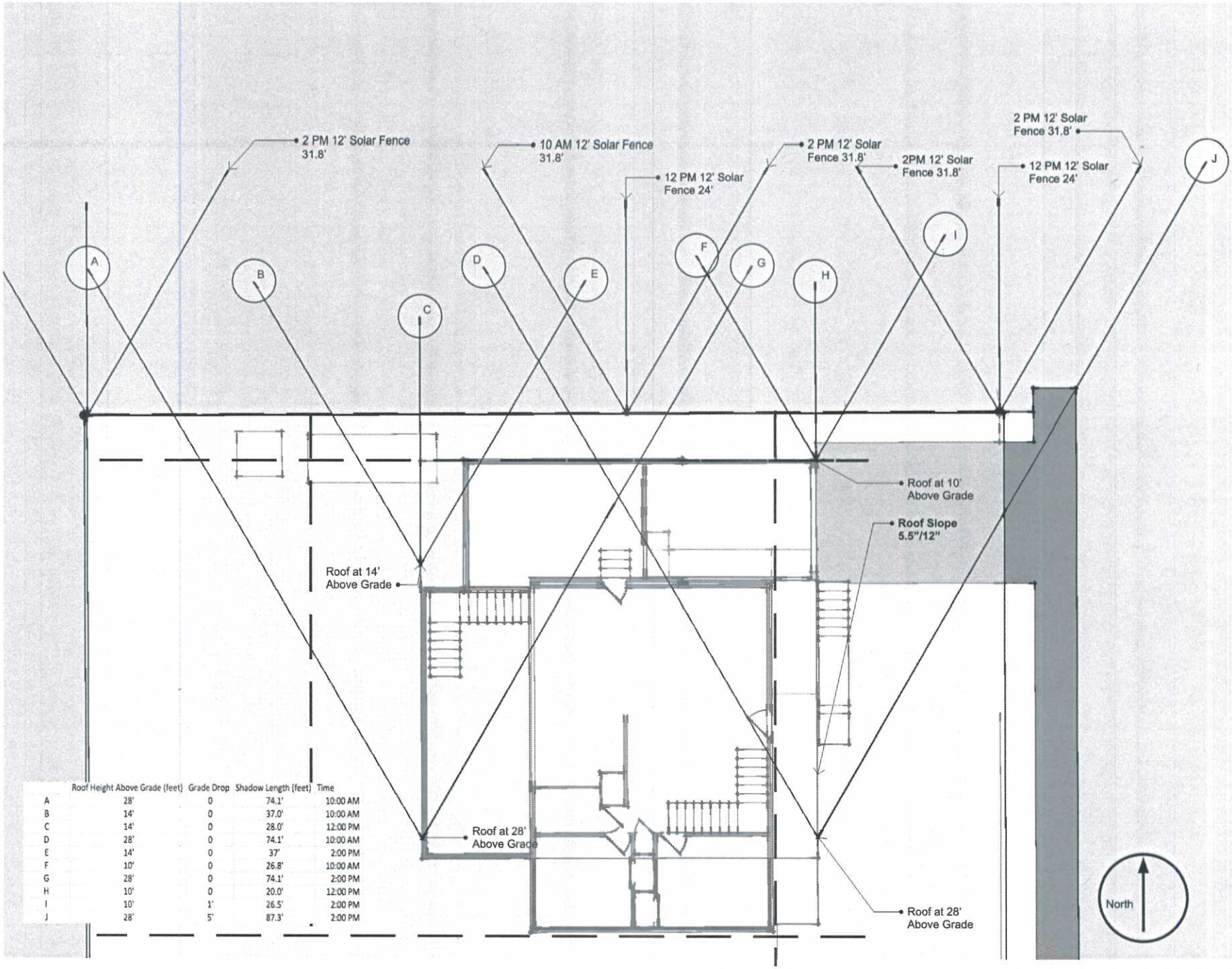
Project Name
925 37th Street

DRAWN BY
MSAP

DESCRIPTION
Proposed Second Floor

a

04



	Roof Height Above Grade (feet)	Grade Drop	Shadow Length (feet)	Time
A	28'	0	74.1'	10:00 AM
B	14'	0	37.0'	10:00 AM
C	14'	0	28.0'	12:00 PM
D	28'	0	74.1'	10:00 AM
E	14'	0	37'	2:00 PM
F	10'	0	26.8'	10:00 AM
G	28'	0	74.1'	2:00 PM
H	10'	0	20.0'	12:00 PM
I	10'	1'	26.5'	2:00 PM
J	28'	5'	87.3'	2:00 PM

Miguel Arias and Melissa Eaton
925 37th Street
Boulder, CO 80303

5/17/2016

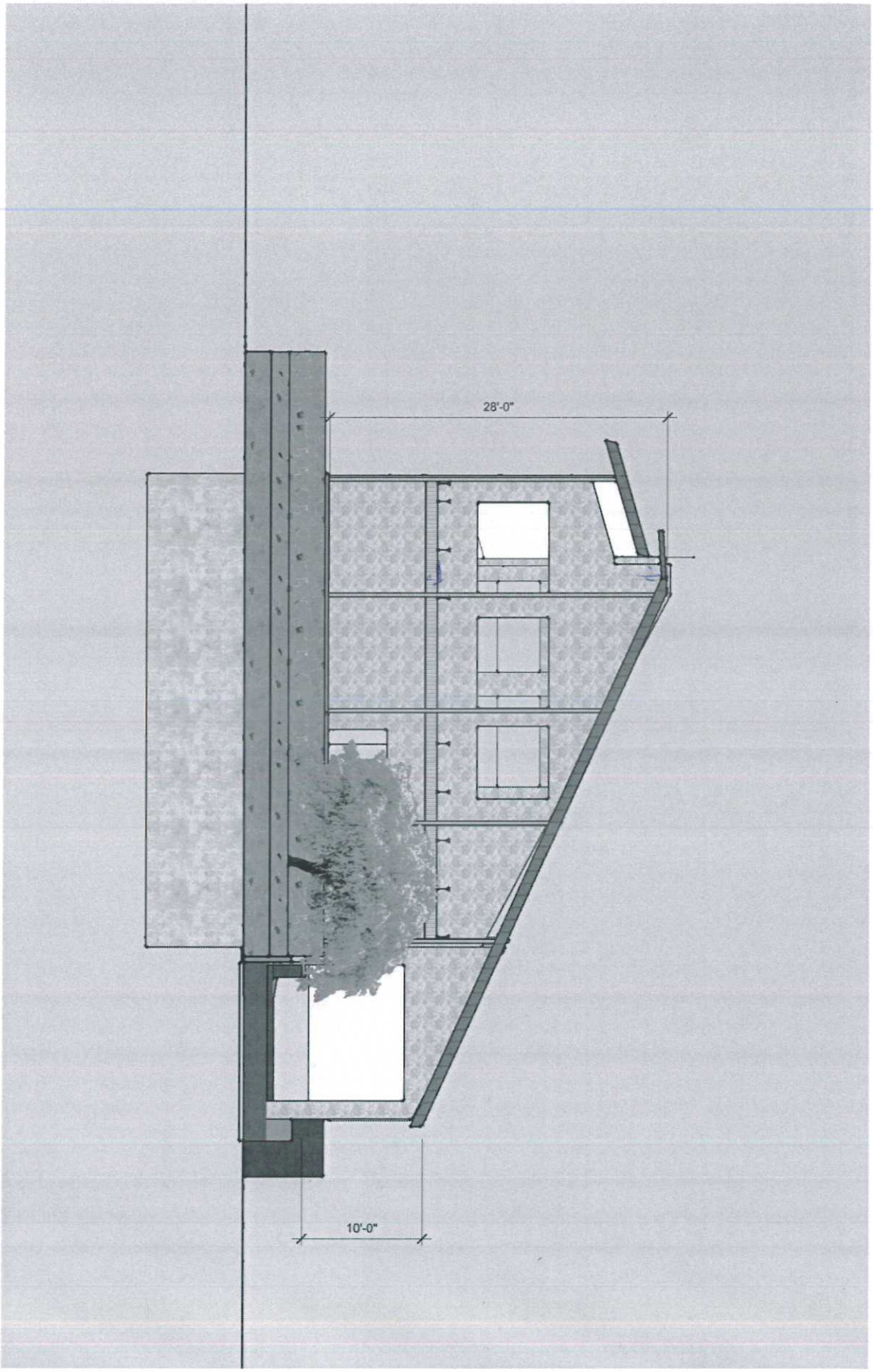
Project Name
925 37th Street

DRAWN BY
MSAP

DESCRIPTION
Solar Shadow

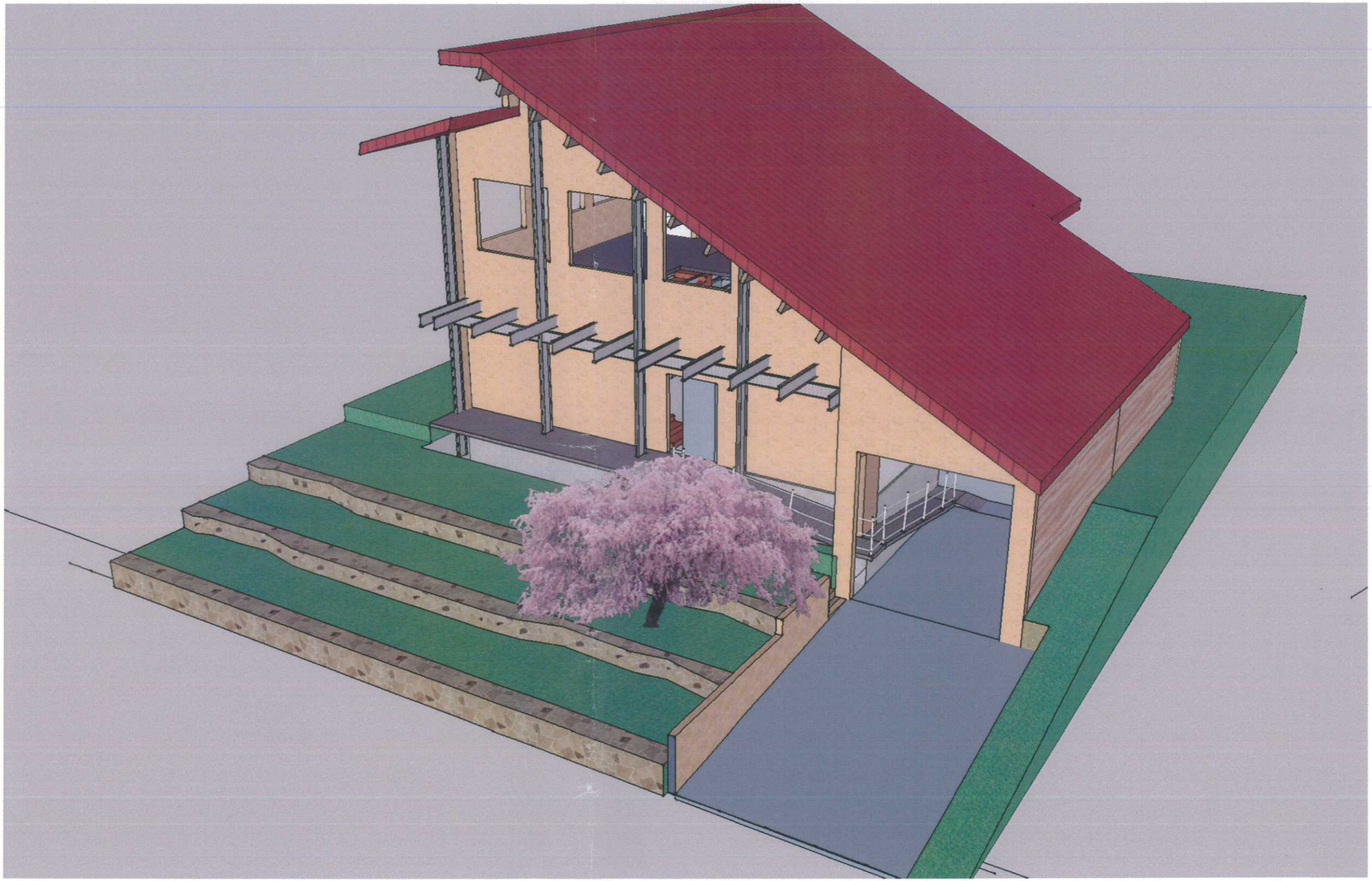
a

05



90	a	DRAWN BY MSAP	Project Name 925 37th Street	5/17/2016	Miguel Arias and Melissa Eaton 925 37th Street Boulder, CO 80303

DRAWN BY MSAP	PROJECT NO. MSAP 2016 PROJECT 925 37th Remodel	ISSUE 4/18/2016 RE-ISSUE	CLIENT Miguel Arias and Melissa Eaton 925 37th Street Boulder CO 80303	DESCRIPTION Existing House Isometric View r0



CLIENT	PROJECT	PROJECT NO.	ISSUE	DRAWN BY	DESCRIPTION
Miguel Arias and	925 37th Street	925 37th	4/18/2016	MSAP	Remodel Isometric View

DESCRIPTION
Handicapped Access Remodel r0

CLIENT
Miguel Arias and Melissa Eaton
925 37th Street
Boulder CO 80303

ISSUE
4/18/2016
RE-ISSUE

PROJECT NO.
MSAP 2016
PROJECT
925 37th
Remodel

DRAWN BY
MSAP

a

06

IMPROVEMENT SURVEY PLAT

LOT 12, BLOCK 13, BASELINE SUBDIVISION, FIFTH FILING, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH P.M., CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO

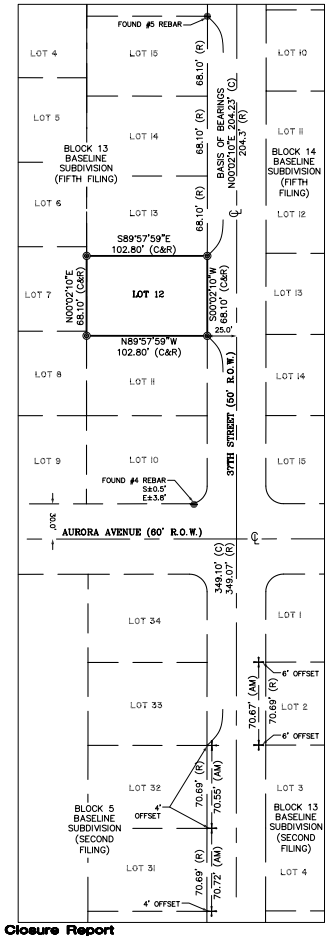
SHEET 1 OF 1

Parcel Description

(PROVIDED BY GUARDIAN TITLE AGENCY)
DEED RECORDED ON 11/25/2009 AT REC. NO. 3056610

LOT 12,
BLOCK 13,
BASELINE SUBDIVISION, FIFTH FILING,
CITY OF BOULDER,
STATE OF COLORADO.

CONRTOL DIAGRAM SCALE: 1"=50'



Boundary Closure Report

Course: N89°57'59"W	Length: 102.80'	
Course: N00°02'10"E	Length: 68.10'	
Course: S89°57'59"E	Length: 102.80'	
Course: S00°02'10"W	Length: 68.10'	

Error Closure: 0.00 Course: N00°00'00"E
Error North: 0.000 East: 0.000

Precision 1: 341800000.00

Depositing Certificate

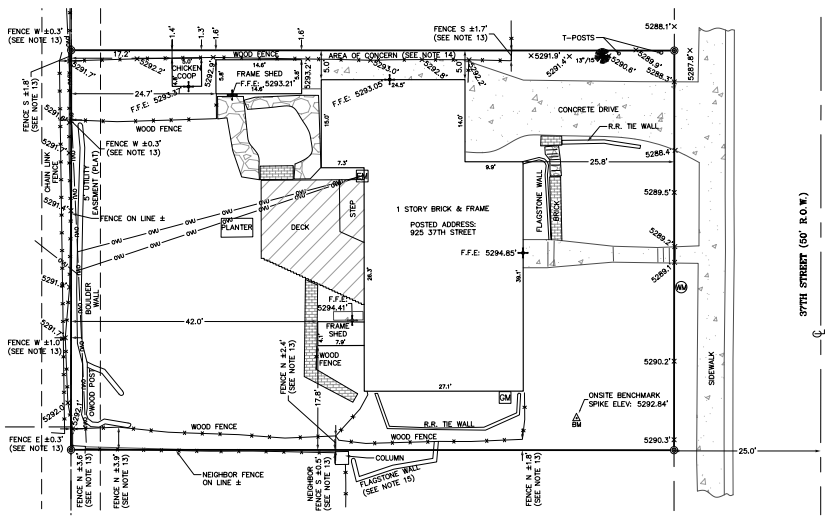
SUBMITTED TO BOULDER COUNTY LAND USE FOR RECORDING ON THIS _____
DAY OF _____, 20__.

GRAPHIC SCALE

10 0 5 10 20

(IN FEET)
1 inch = 10 ft.

IMPROVEMENT DETAIL SCALE: 1"=10'



Notes

1. GUARDIAN TITLE AGENCY POLICY NUMBER 6209-90133, DATED FEBRUARY 2, 2010 AT 8:00 A.M., WAS ENTIRELY RELIED UPON FOR RECORDED INFORMATION REGARDING RIGHTS-OF-WAY, EASEMENTS AND ENCUMBRANCES IN THE PREPARATION OF THIS SURVEY. THE PROPERTY SHOWN AND DESCRIBED HEREON IS ALL OF THE PROPERTY DESCRIBED IN SAID TITLE COMMITMENT.
2. 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.
3. THIS IMPROVEMENT SURVEY PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF MIGUEL ARIAS, NAMED IN THE STATEMENT HEREON. SAID STATEMENT DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS STATEMENT BY THE SURVEYOR NAMING SAID PERSON.
4. THIS SURVEY IS VALID ONLY IF PRINT HAS SEAL AND SIGNATURE OF SURVEYOR.
5. BASIS OF BEARINGS: A BEARING OF N00°02'10"E ALONG THE EASTERLY LINE OF BLOCK 13 AS SHOWN ON THE PLAT OF BASELINE SUBDIVISION (FIFTH FILING), AS RECORDED IN BOULDER COUNTY AT BOOK 7, PAGE 60, BETWEEN A FOUND #5 REBAR AT THE NORTHEAST CORNER OF LOT 15 OF SAID BLOCK 13, AND A SET #5 REBAR AT THE NORTHEAST CORNER OF LOT 12 OF SAID BLOCK 13 AS SHOWN HEREON. ALL BEARINGS SHOWN HEREON ARE RELATIVE THERETO.
6. ONLY SURFACE EVIDENCE OF UTILITIES VISIBLE AT THE TIME OF THE FIELD WORK IS SHOWN HEREON. ALL UNDERGROUND UTILITIES MUST BE FIELD LOCATED BY THE APPROPRIATE AGENCY OR UTILITY COMPANY PRIOR TO ANY EXCAVATION, PURSUANT TO C.R.S. SEC. 9-1.5-103.
7. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT AND/OR BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE C.R.S. SEC 18-4-508.
8. THE DISTANCE MEASUREMENTS SHOWN HEREON ARE U.S. SURVEY FOOT.
9. BENCHMARK INFORMATION: ELEVATIONS BASED ON CITY OF BOULDER POINT F-18, WITH A PUBLISHED ELEVATION OF 5291.08 FEET (NAVD88), BEING A CUT BOX ON THE NORTHEAST CORNER OF CONCRETE INLET LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF AURORA AND 35TH STREET. AN ONSITE BENCHMARK WAS ESTABLISHED AT A SPIKE IN THE SOUTHEAST QUARTER OF THE PROPERTY WITH AN ELEVATION OF 5292.84'.
10. SPOT ELEVATIONS SHOWN AT THE REQUEST OF THE CLIENT.
11. SUBSURFACE BUILDINGS, IMPROVEMENTS OR STRUCTURES ARE NOT NECESSARILY SHOWN. BUILDINGS AND OTHER IMPROVEMENTS OR STRUCTURES ON ADJACENT PROPERTIES THAT ARE MORE THAN FIVE (5) FEET FROM ANY OF THE PROPERTY LINES OF THE SUBJECT PROPERTY ARE NOT NECESSARILY SHOWN.
12. DATES OF FIELDWORK: NOVEMBER 6, 2015 AND NOVEMBER 12, 2015
13. THE FENCES ARE NOT COINCIDENT WITH THE LOT LINES AS SHOWN HEREON.
14. THE AREA NORTH OF THE NORTHERLY FENCE APPEARS TO BE OCCUPIED BY THE ADJOINER AND IS AN AREA OF CONCERN.
15. THE SOUTHERLY NEIGHBORS' FLAGSTONE WALL EXTENDS OVER THE SOUTHERLY PROPERTY LINE AS SHOWN HEREON.
16. THE FOLLOWING DOCUMENTS ARE MENTIONED IN THE ABOVE REFERENCED TITLE COMMITMENT AND APPEAR TO AFFECT THE SUBJECT PROPERTY BUT CANNOT BE SHOWN GRAPHICALLY. THE FOLLOWING LIST CONTAINS THE TITLE COMMITMENT EXCEPTION NUMBER, DATE RECORDED, RECEPTION NUMBER AND/OR BOOK AND PAGE.

#3	APR. 10, 1961	BOOK 1179, PAGE 2	DECLARATION
#4	NOV. 25, 2010	REC. NO. 3056611	WARRANTY DEED

Legend

- FOUND CHISELED CROSS
- FOUND MONUMENT AS DESCRIBED
- SET 18" #5 REBAR WITH 1 1/2" ALUMINUM CAP "FLATIRONS SURV 16406"
- (AM) AS MEASURED AT TIME OF SURVEY
- (C) CALCULATED FROM RECORD AND AS MEASURED INFORMATION
- (R) AS PER RECORD INFORMATION
- CONCRETE
- FLAGSTONE
- BRICK
- FENCE
- CONIFEROUS TREE (TRUNK DIAMETER/DRIP LINE RADIUS)
- WM WATER METER
- EM ELECTRIC METER
- OWL OVERHEAD UTILITY LINE
- GM GAS METER
- LOCATION OF FINISHED FLOOR
- ℄ CENTERLINE
- F.F.E. FINISHED FLOOR ELEVATION

Surveyor's Statement

I, JOHN B. GUYTON, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., TO MIGUEL ARIAS, THAT A SURVEY OF THE ABOVE DESCRIBED PREMISES WAS CONDUCTED BY ME OR UNDER MY RESPONSIBLE CHARGE ON NOVEMBER 6, 2015; THAT SAID SURVEY AND THE ATTACHED PRINT HEREON WERE MADE IN SUBSTANTIAL ACCORDANCE WITH C.R.S. 38-51-102 (9) "IMPROVEMENT SURVEY PLAT".

JOHN B. GUYTON COLORADO P.L.S. #16406
CHAIRMAN & CEO, FLATIRONS, INC.

REVISION	DATE
1	
2	
3	
4	
5	
6	
7	
8	
9	

IMPROVEMENT SURVEY PLAT
PREPARED FOR
MIGUEL ARIAS

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Flatirons, Inc.
Surveying, Engineering & Geomatics
www.flatironsinc.com
855 FOURTH AVE
LONGMONT, CO 80501
PH: (303) 776-1733
FAX: (303) 776-4355
3825 IRIS AVE, STE. 395
BOULDER, CO 80304
PH: (303) 443-7001
FAX: (303) 443-9830
3660 DOWNING ST
DENVER, CO 80205
PH: (303) 936-6997

COLORADO LICENSED PROFESSIONAL LAND SURVEYOR JOHN B. GUYTON 16406 11/17/15

JOB NUMBER:	15-66,647
DATE:	11-17-2015
DRAWN BY:	J. MCKIM
CHECKED BY:	JZG/ETB/WW/SB

SHEET 1 OF 1

BY:AURORA FILE:66647 IDP W SPOTS.DWG DATE:11/17/2015 3:51 PM

BOZ2016-14

Revised January 2014
400.pdf

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

BOZA
VARIANCE APPLICATION

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

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

GENERAL DATA

(To be completed by the applicant.)

- Street Address or General Location of Property: 903 16TH STREET
- Legal Description: Lot 23+24 Block 16 Subdivision UNIVERSITY PLACE (Or attach description.)
- Existing Use of Property: APARTMENTS
- Description of proposal:

APPLYING FOR A VARIANCE TO REPLACE AN EXISTING STAIR THAT ENCROACHES INTO THE SIDE YARD SETBACK.

*Total floor area of existing building: 2,480 S.F.	*Total floor area proposed: NO CHANGE
*Building coverage existing: 1,614 S.F.	*Building coverage proposed: 1,609 S.F.
*Building height existing: 26'-8"	*Building height proposed: NO CHANGE

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

- **Name of Owner:** CHRIS MAURER
- Address: 2018 HERMOSA DRIVE Telephone: 303 444-4939
- City: Boulder State: Colo Zip Code: 80304 FAX:
- **Name of Contact (if other than owner):** SOPHER SPARN ARCHITECTS (JAMIE CANNON)
- Address: 1731 15TH STREET Telephone: 303.442.4422
- City: BOULDER State: CO Zip Code: 80302 FAX:

BOZ2016-00014

STAFF USE ONLY

Doc. No. Date Filed 5/17/16 Zone Hearing Date
Application received by: KF Muller 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:

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

Applicant / Owner Signature [signature] Date May 15-2016

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 place 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, JAMIE CANNON (PRINT NAME OF APPLICANT OR CONTACT PERSON), am filing a Land Use Review, Administrative Review, Technical Document Review, or BOZA application [on behalf of] CHRIS MAURER (PRINT NAME OF OWNER(S) IF OTHER THAN APPLICANT/CONTACT) for the property located at 903 16TH STREET (PRINT PROPERTY ADDRESS OR LOCATION). 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.

Chris C. Maurer
NAME OF APPLICANT OR CONTACT PERSON

May 15 - 2016
DATE

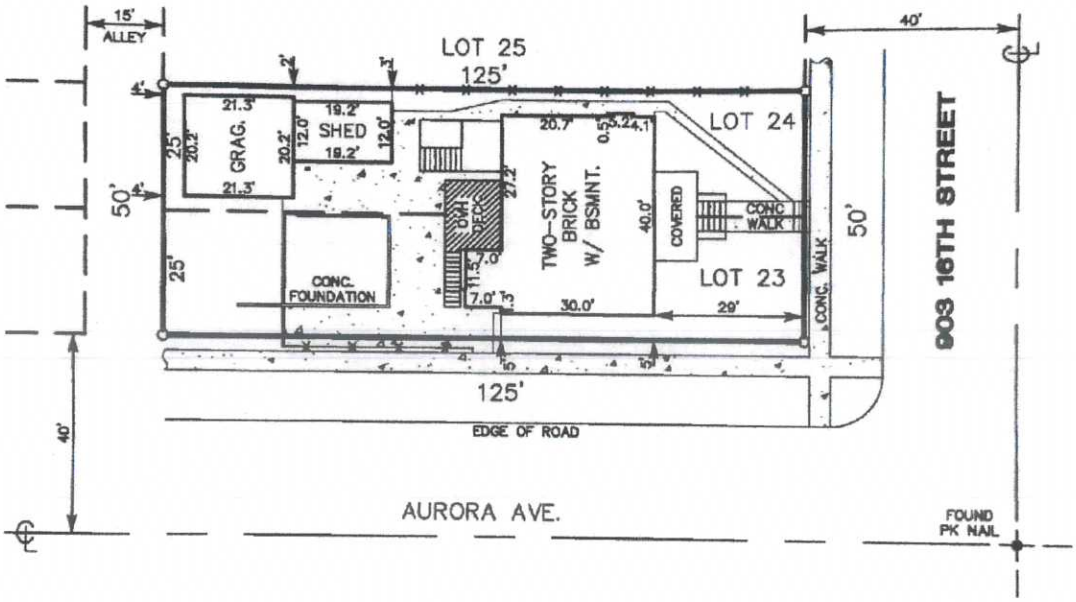
Please keep a copy of this signed form for your reference. If you have any questions about the sign posting requirements or to obtain a replacement sign, please call 303-441-1880.

LEGAL DESCRIPTION
(provided by CLIENT)

LOTS 23 AND 24, BLOCK 16,
UNIVERSITY PLACE,
COUNTY OF BOULDER,
STATE OF COLORADO.

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

SCALE: 1"=30'



Notes:
1—THIS CERTIFICATE DOES NOT CONSTITUTE A TITLE SEARCH BY FLATIRONS, INC. TO DETERMINE OWNERSHIP, RIGHTS OF WAY, EASEMENTS OR ENCUMBRANCES NOT SHOWN BY THE PLAT THAT MAY AFFECT THIS TRACT OF LAND. THERE MAY BE EASEMENTS OR RIGHTS OF WAY OF THE PUBLIC RECORD THAT MAY AFFECT THIS TRACT OF LAND THAT ARE NOT SHOWN ON THIS CERTIFICATE.
2—AN IMPROVEMENT SURVEY PLAT IS RECOMMENDED TO DEPICT MORE PRECISELY THE LOCATION OF THE IMPROVEMENTS SHOWN HEREON.

John B. Guyton, Colorado L.S. #18408

IMPROVEMENT LOCATION CERTIFICATE

I hereby certify that this Improvement location certificate was prepared for BOULDER LENDING GROUP, that it is not a Land Survey Plat or Improvement Survey Plat, and that it is not to be relied upon for the establishment of fence, building or other future improvement lines. I further certify that the improvements on the above described parcel on this date, June 20, 2012, except utility connections, are entirely within the boundaries of the parcel, except as shown, that there are no encroachments upon the described premises by improvements on any adjoining premises, except as indicated, and that there is no apparent evidence or sign of any easement crossing or burdening any part of said parcel, except as noted.

NOTICE: This Improvement Location Certificate is prepared for the sole purpose of use by the parties stated hereon. It is not a Land Survey Plat as defined by C.R.S 38-51-102(12) or an Improvement Survey Plat as defined by C.R.S 38-51-102(9). It does not establish property corners. A more precise relationship of the improvements to the boundary lines can be determined by a Land Survey or Improvement Survey. The improvements are generally situated as shown and only apparent (visible at the time of fieldwork) improvements and encroachments are noted. Flatirons, Inc. and John B. Guyton will not be liable for more than the cost of this Improvement Location Certificate, and then only to the parties specifically shown hereon. Acceptance and/or use of this Improvement Location Certificate for any purpose constitutes acknowledgment and agreement to all terms stated hereon.

Flatirons No. 12-60,180
Title Co. No.
Borrower: Chris mourer

SOPHERSPARN
ARCHITECTS LLC

May 24, 2016

BOZA - City of Boulder Planning and Development Services
1739 Broadway, third floor
PO Box 791
Boulder, CO 80306
RE: 903 16th Street - Setback Variance

Dear Board of Zoning Adjustment,

We are applying for a variance to replace a structurally inadequate stair that encroaches into the setback with a new steel stair. The existing wood stair which provides access to the upper level unit of this building is in poor condition and no longer meets the design requirements of the current code. This stair is non-conforming, encroaching 9' into the 12.5' side yard setback. To ensure safety for the building's occupants a new steel stair is being proposed in the same location. This stair will meet current code requirements and will be constructed to provide longevity in performance and use. The new stair will encroach into the side yard setback 6'.

The following narrative explains how we are meeting the criteria of sections 9-2-3 (h) (1) Criteria for Variances and section 9-2-3 (h) (5) Requirements for all Variance Approvals.

(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 Not applicable.

(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 Not applicable.

(C) Because of such physical circumstances or conditions the property cannot reasonably be developed in conformity with the provisions of this chapter; and To reach full conformity, a new stair design would have a greater impact on the existing site, resulting in reduced useable open space and a disruption to the current walkways for unit access.

(D) Any unnecessary hardship has not been created by the applicant. This stair is existing and not in conformance with setback requirements. The applicant is applying for a variance which will replace the existing stair while bringing the stair closer to conformance with setback requirements.

(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 new stair is a replacement of an existing stair and will not alter the essential character of the neighborhood or district.

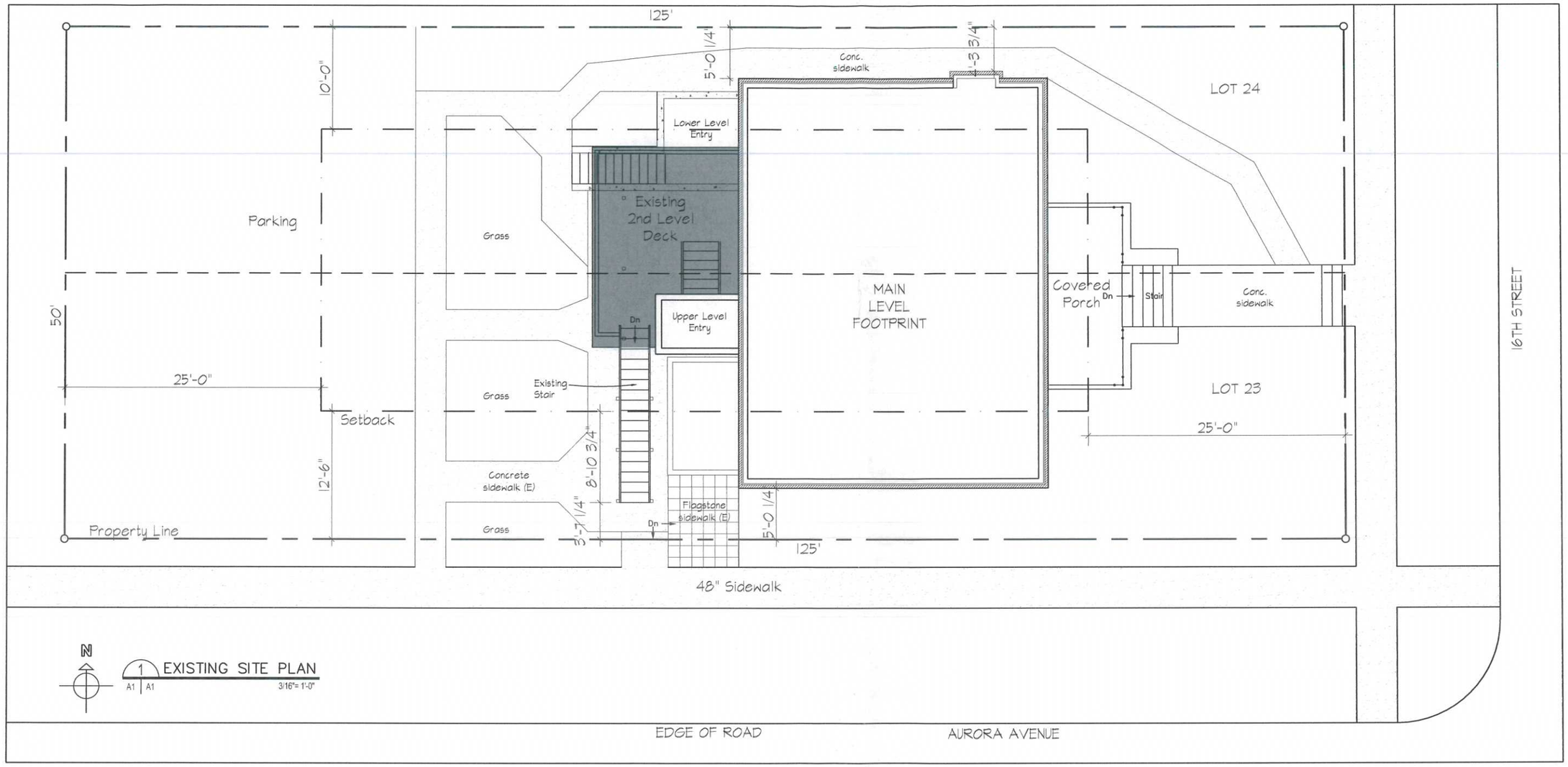
(B) Would not substantially or permanently impair the reasonable use and enjoyment or development of adjacent property; The location of the current stair and the new stair do not impact the use and enjoyment of adjacent properties. In fact, the new stair design reduces the encroachment into the side yard setback, providing better access and flow for residents and visitors via existing on-site walkways.

(C) Would be the minimum variance that would afford relief and would be the least modification of the applicable provisions of this title; and The new stair has been designed to reduce the overall length of the stair by 3', bring the stair closer to conformity. The current stair encroaches into the side yard setback approximately 71% while the new stair reduces the encroachment to 47%. The configuration of the new stair will mimic the existing stair, providing a design that does not compromise the useable open space of the property.

(D) Would not conflict with the provisions of Section 9-9-17, "Solar Access," B.R.C. 1981. The property has a 25' solar fence. The upper most portion of the stair is approximately 12'-8" from grade, falling well below the solar fence requirement. Both the existing stair and the new stair cast shadows within the property line of the site making them compliant with Solar Access.

Sincerely,

Jamie Cannon



Stair geometry

PROJECT DATA

ADDRESS:
903 16TH STREET
BOULDER, COLORADO 80302

Neighborhood: Univ. Hill Apts
Parcel Number: 146331318010
Sec-Town-Range: 31-1N-70
Subdivision: University Place - BO
Jurisdiction: Boulder
Legal Description: Lots 23 & 24
BLK 16 University Place
Built: 1925
Zoning District: RH-5

Square footage (per Boulder County)
1,265 -First Floor(above ground)finished
1,045 -2nd Floor finished
1,170 -Subterranean basement finished
3,480 -Total Finished

Existing Building Height - 26'-8"
Lot size - 6,250 SF

Existing Building Coverage - 1,614 SF

DATE: 16

COLORADO
LASER PRECIS
DESIGN
1138 Nor
Erie, Colo

Architect: Da
Phone: 303-8
Email: plans@

New Deck Stair Proposal

DATE	MARK	DESCR

DATE	MARK	DESCR

PROJECT NO: 13-3
CAD DWG FILE: 3
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SHEET TITLE
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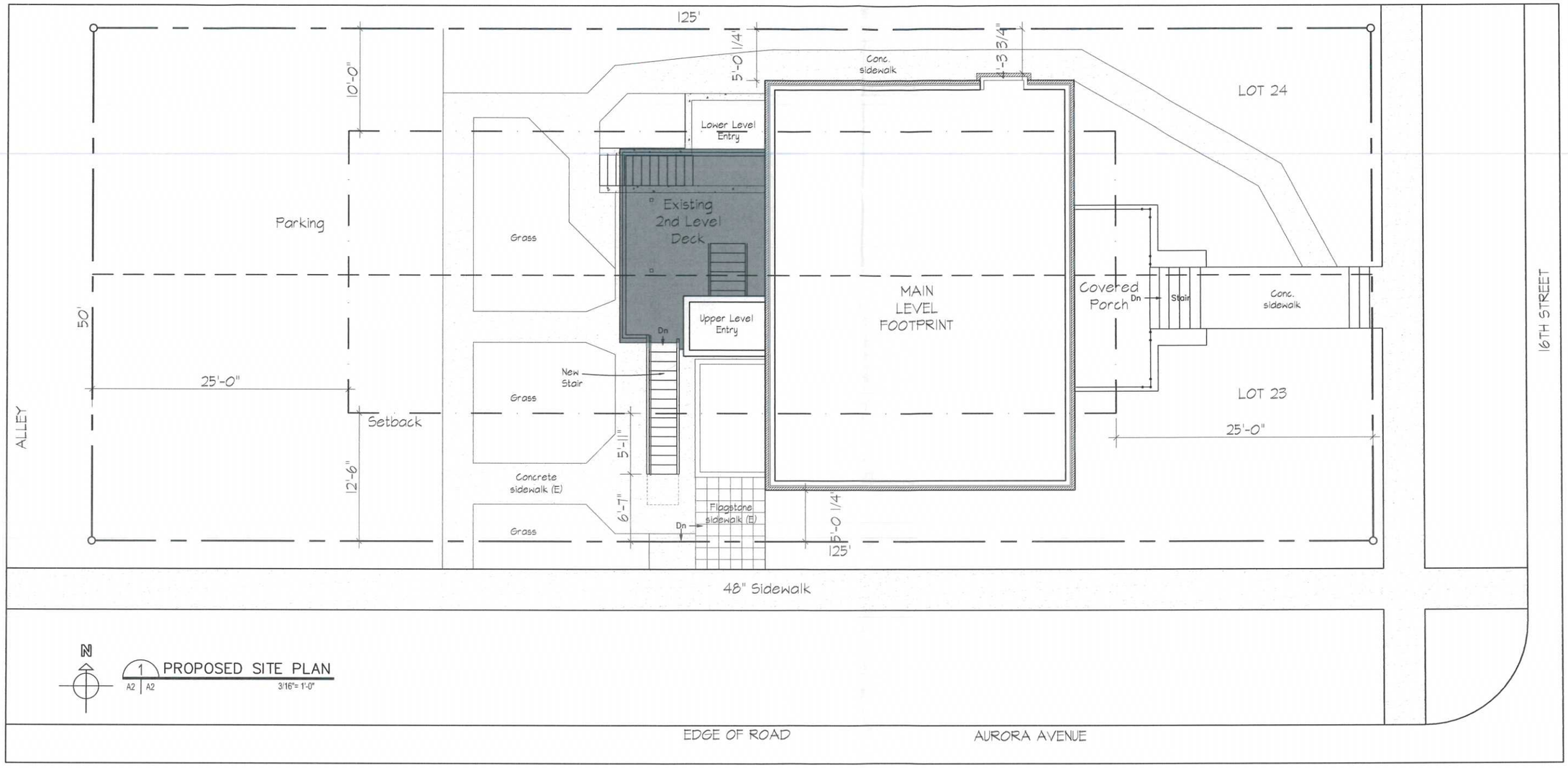
SHEET 1



PROJECT DATA

NO CHANGE IN SQUARE FOOTAGE
Square footage (per Boulder County)
1,265 -First Floor(above ground)finished
1,045 -2nd Floor finished
1,170 -Subterranean basement finished
3,480 SF -Total Finished - **Unchanged**

Proposed Building Height - No Change (26'-8")
Lot size - 6,250 SF

Proposed Building Coverage - (1,614) less 9 = **1,605 SF**

DATE: 16

COLORADO
LASER PRECIS
DESIGN
1138 Nor
Erie, Colo

Architect: Da
Phone: 303-8
Email: plans@

New Deck Stair Proposal

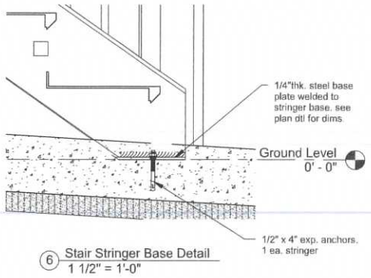
DATE	MARK	DESCR

DATE	MARK	DESCR

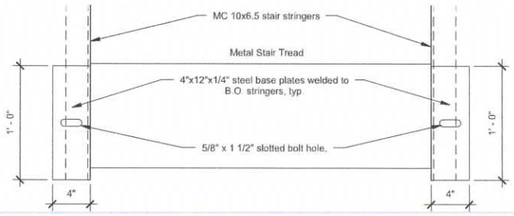
PROJECT NO: 13-
CAD DWG FILE: 3
DRAWN BY: DJW
CHK'D BY: –
COPYRIGHT:
Colorado Plan Ser

SHEET TITLE
PROPOSE
GENERAL

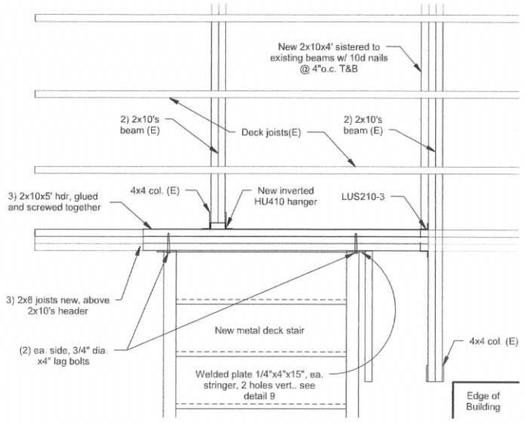
SHEET 2



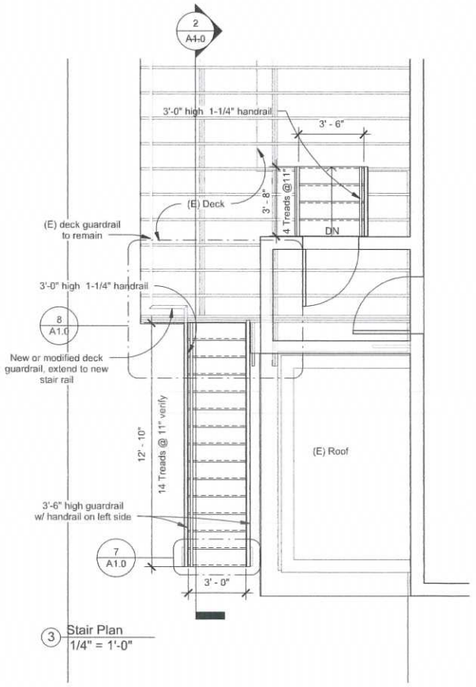
6 Stair Stringer Base Detail
1 1/2" = 1'-0"



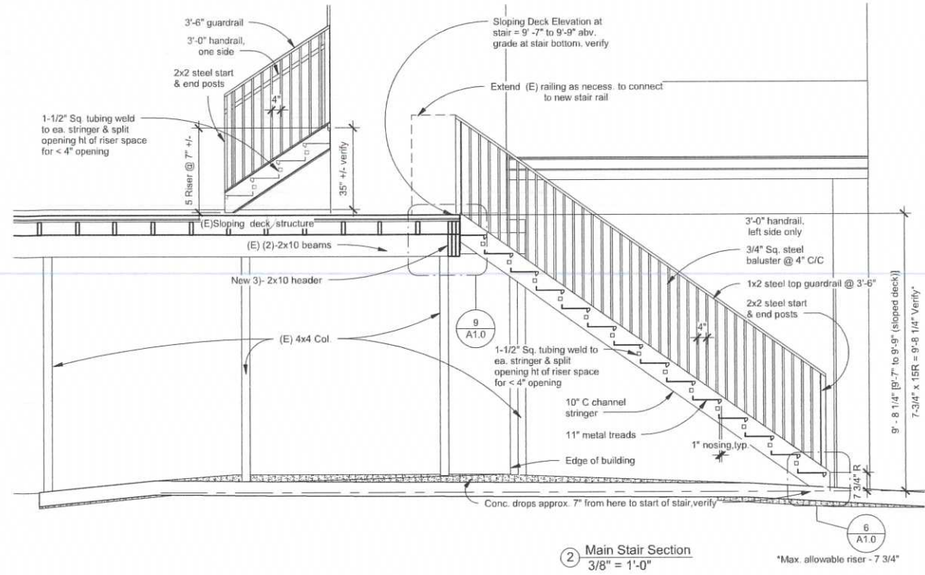
7 Stair Base Plate Detail
1 1/2" = 1'-0"



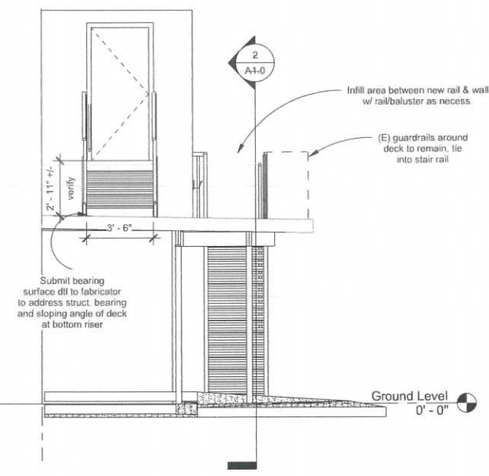
8 Stair/Deck Framing Plan
3/4" = 1'-0"



3 Stair Plan
1/4" = 1'-0"



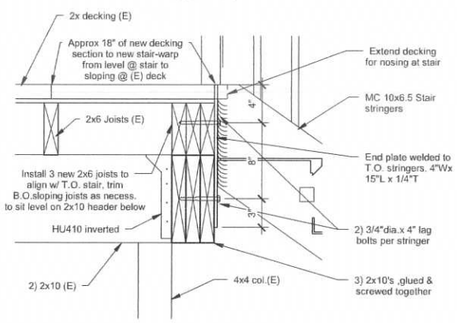
2 Main Stair Section
3/8" = 1'-0"



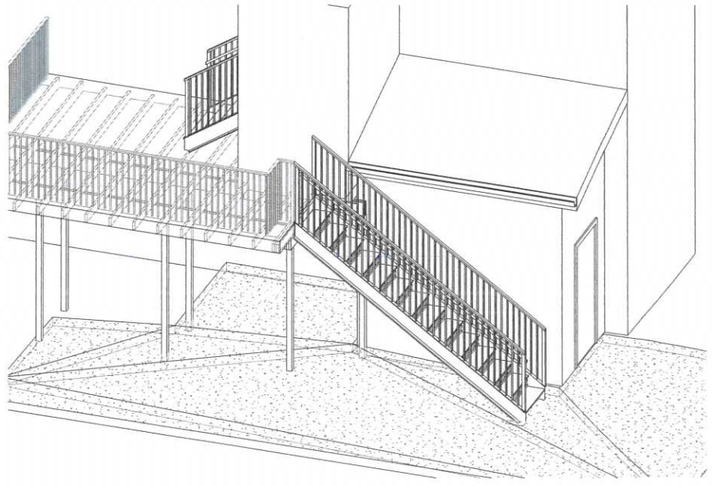
5 North Elevation
1/4" = 1'-0"

Notes

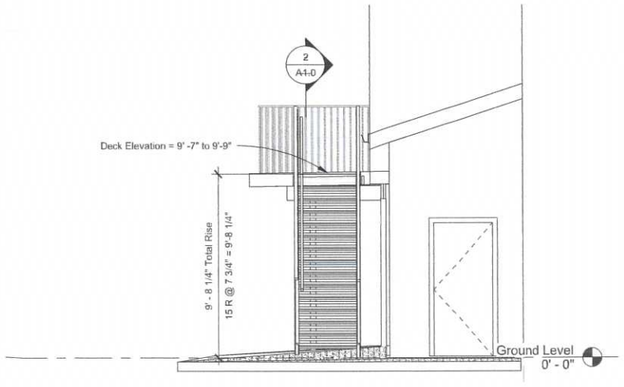
1. Stairs to comply with **Section 1009.7.2** of the 2012 IBC. Exceptions:
5. In Group R-3 occupancies; within dwelling units in Group R-2 occupancies; and in Group U occupancies that are accessory to a Group R-3 occupancy or accessory to individual dwelling units in Group R-2 occupancies; **the maximum riser height shall be 73/4 inches (197 mm); the minimum tread depth shall be 10 inches** (254 mm); the minimum winder tread depth at the walkline shall be 10 inches (254 mm); and the minimum winder tread depth shall be 6 inches (152 mm). A nosing projection not less than 3/4 inch (19.1 mm) but not more than 11/4 inches (32 mm) shall be provided on stairways with solid risers where the tread depth is less than 11 inches (279 mm).



9 Top of Stair Section
1 1/2" = 1'-0"



4 3D View



1 South Elevation
1/4" = 1'-0"

DATE: 5/

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LASER PR
1138 N
Erie, C

Architect
Phone: 3
Email: pl

Structural engin

Lope
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2400 C
Boul
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Enginee

New Stair Design 903 14th

DATE	MARK	DE

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BOZ2016-17

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

BOZA
VARIANCE APPLICATION

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

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

GENERAL DATA

(To be completed by the applicant.)

- Street Address or General Location of Property: 2515 7th ST. BOULDER 80304
- Legal Description: Lot NORTH 49.2' OF LOTS 33 & 34 Block 14 Subdivision MAXWELLS ADDITION TO BOULDER (Or attach description.)
- Existing Use of Property: SINGLE FAMILY RESIDENCE (DETATCHED)
- Description of proposal:
EXTERIOR RESTORATION & INTERIOR REMODEL OF EXISTING 603 SF RESIDENCE, ... NEW 485 SF ADDITION WITH FULL BASEMENT.

*Total floor area of existing building:	803 SF	*Total floor area proposed: NTE	1850 SF.
*Building coverage existing:	700 SF	*Building coverage proposed: NTE	1120 SF.
*Building height existing:	14'-6" ±	*Building height proposed:	14'-5"

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

- **Name of Owner:** JENNIFER KILBURY
- Address: 2515 7th ST. Telephone: 3/345 1350
- City: BOULDER State: CO Zip Code: 80304 FAX:
- **Name of Contact (if other than owner):** DESIGNER ..... MATHEW STACKPOLE (MELTON DESIGN BUI.
- Address: 3082 STERLING CIRCLE Telephone: 3/473 9542
- City: BOULDER State: CO Zip Code: 80301 FAX:

BOZ2016-00015

STAFF USE ONLY

Doc. No. _____ Date Filed 5/18/16 Zone _____ Hearing Date _____
Application received by: KE Muller Date Fee Paid _____ Misc. Rect # _____

NTE = NOT TO EXCEED.

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 Jennifer Illing Date 18 May 2016

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: plandevelop@bouldercolorado.gov • Web: www.boulderplandevelop.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 you 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).

INSERT BLANK PAGE
INSERT SIGN POSTING ACKNOWLEDGEMENT FORM
(SIGNACKN – IN LUR FOLDER)

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 place 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, JENNIFER KILBURY, am filing a Land Use Review, Administrative Review, Technical
(PRINT NAME OF APPLICANT OR CONTACT PERSON)

Document Review, or BOZA application [on behalf of] _____ for the property
(PRINT NAME OF OWNER(S) IF OTHER THAN APPLICANT/CONTACT)

located at 2515 7th STREET. 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.

Jennifer Kilbury
NAME OF APPLICANT OR CONTACT PERSON

5/17/2016
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.

MELTON
DESIGN BUILD

Re: 2515 7th St.
Boulder, Co 80304

To: Board of Zoning Adjustments

(h) Criteria for Variances

Note: This project has already received a BOZA Variance however has expired and minor alterations and concessions have been made

(I) Physical Conditions

The lot size at the subject property is 49.2 ft. by 50.0 ft.. The existing house has a floor area of 500 sq. ft. with an accessory building of 200 sq ft. The property is unique in various ways with the most significant element being that it is less than 2,600 sf. In a neighborhood of 7,000 sq. ft. lots. The majority of the homes in the Mapleton Historic district are over 2,000 sq. ft. The accessory structure on the site was historically built as a garage however located on the centerline of the current property line separating 665 Maxwell and 2515 7th street to the north. This structure was converted to a studio space by permit dated 9/20/1985. The studio space in the "shared" 20'x20' accessory building on the North side (2515 7th St.) encroaches on the required 55 ft. front yard set back by 31.1 ft. (see survey) and was originally located when built in 1944. The north side of the existing residence is encroaching on its side yard set back by 1.2 ft.

The proposed Principle residence addition is 20'-0" x 24'-0" with a full basement designed to provide one bedroom, a small sitting area, and access to the existing laundry and mechanical room. The proposed combined addition and existing residence will have a total of (2) small bedrooms each less than 120 sq. ft. per bedroom. There will be a combined total of (2) bathrooms; Bath-1 being a ¾ bath, and Bath-II being a full bath with a tub. The addition is also designed to provide access to a parking space directly located off the alley to minimize street congestion and provide the owner with direct access to the kitchen/utility portion of the home. The addition will be an open floor area combining kitchen, living, and dining areas to maximize the open floor area for a sense of a more expansive space. The total floor area for the combined existing residence and garage with the addition will be 1554 sq. ft. with 664 sq. ft. being basement floor area.

The total floor areas contributing to Floor Area Ratios, including the 200 sq ft. garage, is 1308 sq. ft. 85% of the allowable 1525 sq. ft. for the small 2,640 sq. ft. lot.

TEL 303.473.9542 3082 STERLING CIRCLE BOULDER, CO 80301 FAX 303.516.4008
WWW.MELTONDESIGNBUILD.COM

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DESIGN BUILD

This property is unique in Mapleton Hills, which is known for being one of Boulders most expensive and exclusive neighborhoods. Upon completion the project will be an extremely modest 2 bedroom, 2 bath home, of 1554 sq. ft. with only 890 sq. ft. above grade well within existing FAR limits and well within assumptive real estate values for the City of Boulder.

(B) The unusual physical conditions of this property being its size and location of the existing structures are virtually unique within Mapleton Hills and most certainly do not exist throughout the neighborhood or zoning district.

(C) The property cannot otherwise be reasonably developed as there is no way to locate a structure on this restricted site conforming to the required setbacks. If the required front and rear yard set backs were adhered to, there would literally be no use-by-right building area. Neither the Existing residence, the existing accessory structure nor the addition would be in conformity with the provisions of Section 9-7-1, "schedule of Form and Bulk Standards"

(D) The non-standard lot size and the non-standard siting of the principle structure and accessory building were purchased as is and is also deemed A Historically Contributing Structure by the City of Boulder Landmarks Board, both conditions not created by the owner/applicant.

5) Requirements for all Variance Approvals

(A) This project will not alter the essential and existing character of the neighborhood or the district where it is located. The original 1922 house will be restored and will continue to be the dominant and most visible part of the parcel and the proposed project. This project has already received a "Landmarks Alteration Certificate" however has since expired. Neither the footprint, or the height of the accessory structure will be modified with this proposal. ~~The proposed design~~ error

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(B) This project will not substantially or permanently impair the reasonable use, enjoyment, or ability to develop the adjacent neighboring properties. The addition conforms to the city of Boulder's Solar Access, Side Yard Bulk Plan requirements, and the Side Wall Articulation requirements.

(C) The proposed design converts an existing 500 sq. ft.one bedroom home to a livable 2 bedroom home with least apparent mass as possible, producing a home of 890 sq. ft. above grade, whose highest point is lower than the roof ridge lines of the existing residence. The proposed addition affords relief between the existing and the proposed addition to clearly help distinguish between the historic and the new portions of the home.

(D) The addition conforms to the provisions set forth in Section9.9.17, "Solar Access", B.R.C. 1981. Please Refer to the attached site plan illustrating the shadow line of the additions highest point where it is closest to the west property line.

Request for Increase in Allowable Lot Coverage:

- The owner requests that the allowable Lot Coverage of 1,009 sq. ft. based on .41 times the lot area of 2,460, be increased by 121 sq. ft. for a total of 1130 sq. ft.to accommodate the proposed addition.
- The Hardship being the non-standard lot size, roughly being 1/3 the size of typical lots in the district.

Request for Building Separation Reduction:

The applicant requests at this time to reduce the allowable building separation from the required 6'-0" from building material to building material between the residence and any accessory building in order to construct a chimney for a fireplace unit to extend beyond the footprint of the proposed addition. In addition this request will allow for the gutter at the garage roof to be maintained rather than removed. The resulting length of wall to be located at a distance of 5'-0" between structures will be 6'-0" long. The fireplace encroachment will be cladded in masonry so as to provide a 1 hour rated assembly. This would provide for a similar distance which is required for building elements to property line separation requiring a 1 hr. fire rated assembly.

TEL 303.473.9542 3082 STERLING CIRCLE BOULDER, CO 80301 FAX 303.516.4008
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Request for Parking within the Front Yard Landscaped Setback:

In addition to providing one off street parking space adjacent to the alley along the north side of the proposed addition, the applicant is requesting an alternate/additional parking space in front of the existing accessory building. This structure was known historically to be a garage with parking located to the east side where there is an existing curb cut. It would be within character of the original use of the property to resume using this portion of the property for off street parking..

Thank you for considering these requests…..

Sincerely,

Jennifer Kilbury 18 may 2016		5.18.16	
Jennifer Kilbury	Date	Mathew Stackpole	Date
Owner Applicant		Senior Architectural Associate	

TEL 303.473.9542 3082 STERLING CIRCLE BOULDER, CO 80301 FAX 303.516.4008
WWW.MELTONDESIGNBUILD.COM

Maximum Floor Area Ratio (FAR) and Building Coverage Worksheet

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

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

Zoning District	Lot Area	Maximum Floor Area (sf)	Maximum Building Coverage (sf)
RL-1	2460	1525	1009

Calculate the total Floor Area for your project:

Floor Area as Defined in 9-16-1, B.R.C. 1981

	Existing (sf)	Proposed (sf)	Total (sf)
Level 1 MAIN	407	483	890
* Level 2 BSMT	125	540	1065 x 18% = 120
Level 3			
Level 4			
Accessory 1	200	0	200
Accessory 2			
Accessory 3			
TOTAL			1210

Amount of Floor Area that contributes to max FAR

Perimeter above 36"	24 LF
High Volume Space (sf)	
High Volume Space (sf)	
High Volume Space (sf)	
FAR .49	:1

* TOTAL BSMT PERIMETER = 128 LF / ABOVE 36" (24' LF) OR 18 %

Calculate the total Building Coverage for your project:

Building Coverage as Defined in 9-16-1, BRC 1981

	Existing (sf)	Proposed (sf)	Total (sf)
Principal	407+37	480	924
Accessory 1	200	0	200
Accessory 2			
Accessory 3			
TOTAL			1124

Front porch total area	83
Additional porch total area	

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

Building Area Declaration:

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

Print Name: MATHEW STACKPOLE Signature: [signature]

Title: (e.g. Owner, Architect, Contractor, etc.) DESIGNER Date: 17 MAY 2016

IMPROVEMENT SURVEY PLAT

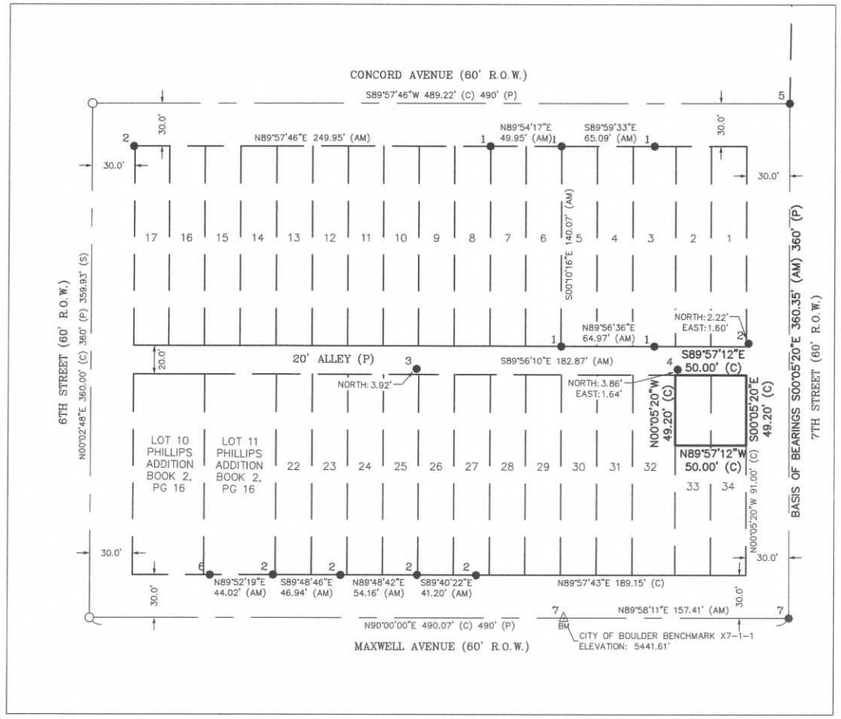
THE NORTH 49.2' OF LOTS 33 AND 34, BLOCK 14, MAXWELL'S ADDITION TO BOULDER, LOCATED IN THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 1 NORTH, RANGE 71 WEST OF THE 6TH P.M., CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO

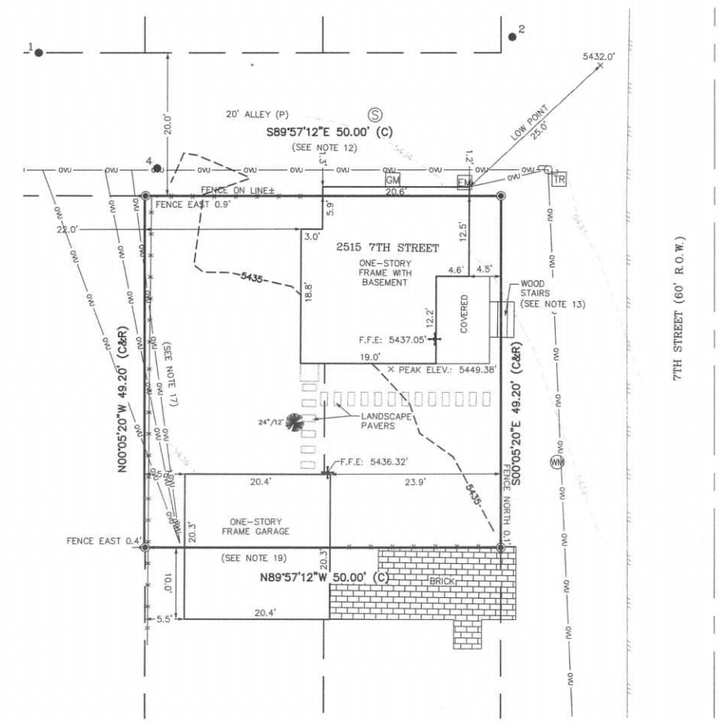
SHEET 1 OF 1

Parcel Description

(PROVIDED BY LAND TITLE GUARANTEE COMPANY)

THE NORTH 49.20 FEET OF LOTS 33 AND 34, BLOCK 14, MAXWELL'S ADDITION TO BOULDER, COUNTY OF BOULDER, STATE OF COLORADO.





Notes

1. LAND TITLE GUARANTEE COMPANY COMMITMENT NUMBER K70380263, DATED JULY 16, 2013 AT 5:00 P.M., WAS ENTIRELY RELIED UPON FOR RECORDED INFORMATION REGARDING RIGHTS-OF-WAY, EASEMENTS AND ENCUMBRANCES IN THE PREPARATION OF THIS SURVEY. THE PROPERTY SHOWN AND DESCRIBED HEREON IS ALL OF THE PROPERTY DESCRIBED IN SAID TITLE COMMITMENT.
2. 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.
3. THIS IMPROVEMENT SURVEY PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF JENNIFER KILBURY AND LAND TITLE GUARANTEE COMPANY, NAMED IN THE STATEMENT HEREON. SAID STATEMENT DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS STATEMENT BY THE SURVEYOR NAMING SAID PERSON.
4. THIS SURVEY IS VALID ONLY IF PRINT HAS SEAL AND SIGNATURE OF SURVEYOR.
5. BASIS OF BEARINGS: A BEARING OF S00°05'20"E ALONG THE CENTER LINE OF 7TH STREET AS SHOWN ON THE PLAT OF MAXWELL'S ADDITION TO BOULDER, AS RECORDED IN BOULDER COUNTY AT BOOK 2, PAGE 89, BETWEEN A FOUND 2" ALUMINUM CAP IN RANGE BOX AT THE INTERSECTION OF 7TH STREET AND CONCORD AVENUE AND A FOUND #3 REBAR IN RANGE BOX AT THE INTERSECTION OF MAXWELL AVENUE AND 7TH STREET AS SHOWN HEREON. ALL BEARINGS SHOWN HEREON ARE RELATIVE THERETO.
6. ONLY SURFACE EVIDENCE OF UTILITIES VISIBLE AT THE TIME OF THE FIELD WORK IS SHOWN HEREON. ALL UNDERGROUND UTILITIES MUST BE FIELD LOCATED BY THE APPROPRIATE AGENCY OR UTILITY COMPANY PRIOR TO ANY EXCAVATION, PURSUANT TO C.R.S. SEC. 9-1.5-103.
7. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT AND/OR BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE C.R.S. SEC 18-4-508.THE DISTANCE MEASUREMENTS SHOWN HEREON ARE U.S. SURVEY FOOT.
8. THE CONTOURS REPRESENTED HEREON WERE INTERPOLATED BY AUTOCAD CIVIL 3D (DIGITAL TERRAIN MODELING) SOFTWARE BETWEEN ACTUAL MEASURED SPOT ELEVATIONS. DEPENDING ON THE DISTANCE FROM A MEASURED SPOT ELEVATION AND LOCAL VARIATIONS IN TOPOGRAPHY, THE CONTOUR SHOWN MAY NOT BE AN EXACT REPRESENTATION OF THE SITE TOPOGRAPHY. THE PURPOSE OF THIS TOPOGRAPHIC MAP IS FOR SITE EVALUATION AND TO SHOW SURFACE DRAINAGE FEATURES. ADDITIONAL TOPOGRAPHIC OBSERVATIONS MAY BE NECESSARY IN SPECIFIC AREAS OF DESIGN. TOPOGRAPHY SHOWN HEREON COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS.
9. BENCHMARK INFORMATION: ELEVATIONS BASED ON CITY OF BOULDER POINT X7-1-1, WITH A PUBLISHED ELEVATION OF 5441.61 FEET (NAVD88), BEING A #3 REBAR IN RANGE BOX LOCATED IN THE INTERSECTION OF 7TH STREET AND MAXWELL AVENUE.
10. SUBSURFACE BUILDINGS, IMPROVEMENTS OR STRUCTURES ARE NOT NECESSARILY SHOWN. BUILDINGS AND OTHER IMPROVEMENTS OR STRUCTURES ON ADJACENT PROPERTIES THAT ARE MORE THAN FIVE (5) FEET FROM ANY OF THE PROPERTY LINES OF THE SUBJECT PROPERTY ARE NOT NECESSARILY SHOWN.
11. DATES OF FIELDWORK: FEBRUARY 25, 2014.
12. THE HOUSE EXTENDS ACROSS THE NORTH LOT LINE AS SHOWN HEREON.
13. THE WOOD STAIRS EXTEND INTO THE RIGHT OF WAY AS SHOWN HEREON.
14. TOPOGRAPHIC INFORMATION PROVIDED AT THE REQUEST OF THE CLIENT.
15. THE FENCES ARE NOT COINCIDENT WITH THE LOT LINES AS SHOWN HEREON.
16. SANBORN SURVEY NOTES WERE CONSIDERED IN THE PREPARATION OF THIS SURVEY.
17. THE OVERHEAD UTILITY LINES SERVING SUBJECT PARCEL CROSS THE ADJOINER AS SHOWN HEREON.
18. LACK OF COMPREHENSIVE BLOCK CONTROL AND VARIATION IN LOCAL CONTROL DID NOT ALLOW FOR A CONSISTENT OVERALL BLOCK PRORATION ANALYSIS. USING VARIOUS COMBINATIONS OF LOCAL CONTROL RESULTED IN CALCULATED E/W LOT DIMENSIONS WITHIN 0.2' OF RECORD. THE SUBJECT PARCEL WAS HELD AT RECORD DIMENSIONS BASED ON LOCAL CONTROL.
19. THE GARAGE EXTENDS ACROSS THE LOT LINE AS SHOWN HEREON.
20. MONUMENTS FROM FLATIRONS RECORDS FOR A SURVEY PREPARED PRIOR TO THE RECORDATION ACT.

Control Diagram

SCALE: 1" = 50'

GRAPHIC SCALE

50 0 25 50 100

(IN FEET)
1 inch = 50 ft.

Legend

1	FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP STAMPED "FLATIRONS SURV. 16406" (SEE NOTE 20)
2	FOUND #4 REBAR
3	FOUND SPIKE
4	FOUND 1" SOLID ROD
5	FOUND 2" ALUMINUM CAP IN RANGE BOX STAMPED "26300"
6	FOUND #5 REBAR WITH COLLAR (STAMPING ILLEGIBLE)
7	FOUND #3 REBAR IN RANGE BOX
BM	SET TEMPORARY BENCHMARK AS DESCRIBED
	SET #5 REBAR WITH 1 1/2" ALUMINUM CAP "FLATIRONS SURV 16406"
	CALCULATED POSITION (NOT FOUND OR SET)
(AM)	AS MEASURED AT TIME OF SURVEY
(C)	CALCULATED FROM RECORD AND AS MEASURED INFORMATION
(R)	AS PER RECORD INFORMATION
(P)	AS PER THE PLAT OF MAXWELL'S ADDITION TO BOULDER RECORDED IN BOOK 2, PAGE 89
(S)	AS PER SANBORN SURVEY NOTES PLAN LINK 29607, BOOK 240, PAGE 47 DATED 6/10/1938
	EDGE OF ASPHALT
	BRICK
	FENCE
x"/x'	CONIFEROUS TREE (TRUNK DIAMETER/DRIP LINE RADIUS)
S	SANITARY SEWER MANHOLE
WM	WATER METER
EM	ELECTRICAL METER
OWU	OVERHEAD UTILITY LINE
	UTILITY POLE
TR	TELEPHONE RISER
GM	GAS METER
+	LOCATION OF BUILDING FINISHED FLOOR
℄	CENTERLINE
F.F.E.	FINISHED FLOOR ELEVATION

Improvement Detail

SCALE: 1" = 10'

GRAPHIC SCALE

10 0 5 10 20

(IN FEET)
1 inch = 10 ft.

Boundary Closure Report

Course: S89°57'12"E	Length: 50.00'
Course: S00°05'20"E	Length: 49.20'
Course: N89°57'12"W	Length: 50.00'
Course: N00°05'20"W	Length: 49.20'

Perimeter: 198.40'
Error Closure: 0.00 Course: N00°00'00"E
Error North: 0.000 East: 0.000

Precision 1: 198400000.00

Depositing Certificate

SUBMITTED TO BOULDER COUNTY LAND USE FOR RECORDING ON THIS ____ DAY OF _____, 20__.

Surveyor's Statement

I, JOHN B. GUYTON, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., TO JENNIFER KILBURY AND LAND TITLE GUARANTEE COMPANY, THAT A SURVEY OF THE ABOVE DESCRIBED PREMISES WAS CONDUCTED BY ME OR UNDER MY RESPONSIBLE CHARGE ON FEBRUARY 25, 2014; THAT SAID SURVEY AND THE ATTACHED PRINT HEREON WERE MADE IN SUBSTANTIAL ACCORDANCE WITH C.R.S. 38-51-102 (9) "IMPROVEMENT SURVEY PLAT".

JOHN B. GUYTON COLORADO P.L.S. #16406
CHAIRMAN & CEO, FLATIRONS, INC.

REVISION	DATE
1	
2	
3	
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6	
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IMPROVEMENT SURVEY PLAT
PREPARED FOR
JENNIFER KILBURY
AND
LAND TITLE GUARANTEE COMPANY

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Flatirons, Inc.
Surveying, Engineering & Geomatics
www.FlatironsInc.com
655 FOURTH AVE. LONGMONT, CO 80501 PH: (303) 776-1733 FAX: (303) 776-4355
3825 IRIS AVE., STE. 395 BOULDER, CO 80301 PH: (303) 443-7001 FAX: (303) 443-9830
3660 DOWNING ST DENVER, CO 80205 PH: (303) 936-6997

JOB NUMBER:	14-63,077
DATE:	3-7-2014
DRAWN BY:	W. BECKETT
CHECKED BY:	JZG/ETB/WW

SHEET 1 OF 1

BY:(BECKETT FILE:63077-ISP.DWG DATE:3/7/2014 10:10 AM

ENERGY REQUIREMENTS

CRAWL SPACE FOUNDATION WALL:	R-19
WALL R-VALUE, CAVITY:	R-21
FOUNDATION WALL R-VALUE:	R-13
SLAB R-VALUE, EDGE:	R-10
SLAB R-VALUE, UNDER:	R-10
CEILING R-VALUE, FLAT:	R-50
CEILING R-VALUE, VAULTED:	R-38
WINDOW U-VALUE: (& DOOR)	0.32
WINDOW SHGC:	0.30

*BASED ON 2012 IECC

HEATING:	FUEL-FIRED HYDRONIC DISTRIBUTION, NATURAL GAS, 95.0 AFUE.
COOLING:	EVAPORATIVE COOLER, ELECTRIC, 22.0 SEER.
WATER HEATING:	INTEGRATED, NATURAL GAS
PROGRAMMABLE THERMOSTAT:	HEAT = YES, COOL = YES
PERCENT INTERIOR LIGHTING:	80
PERCENT GARAGE LIGHTING:	100

SOLAR ANALYSIS DATA:

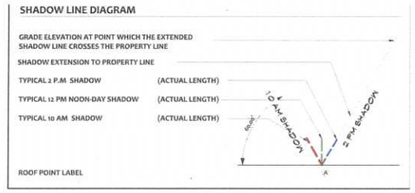
SOLAR ANALYSIS WORKSHEET

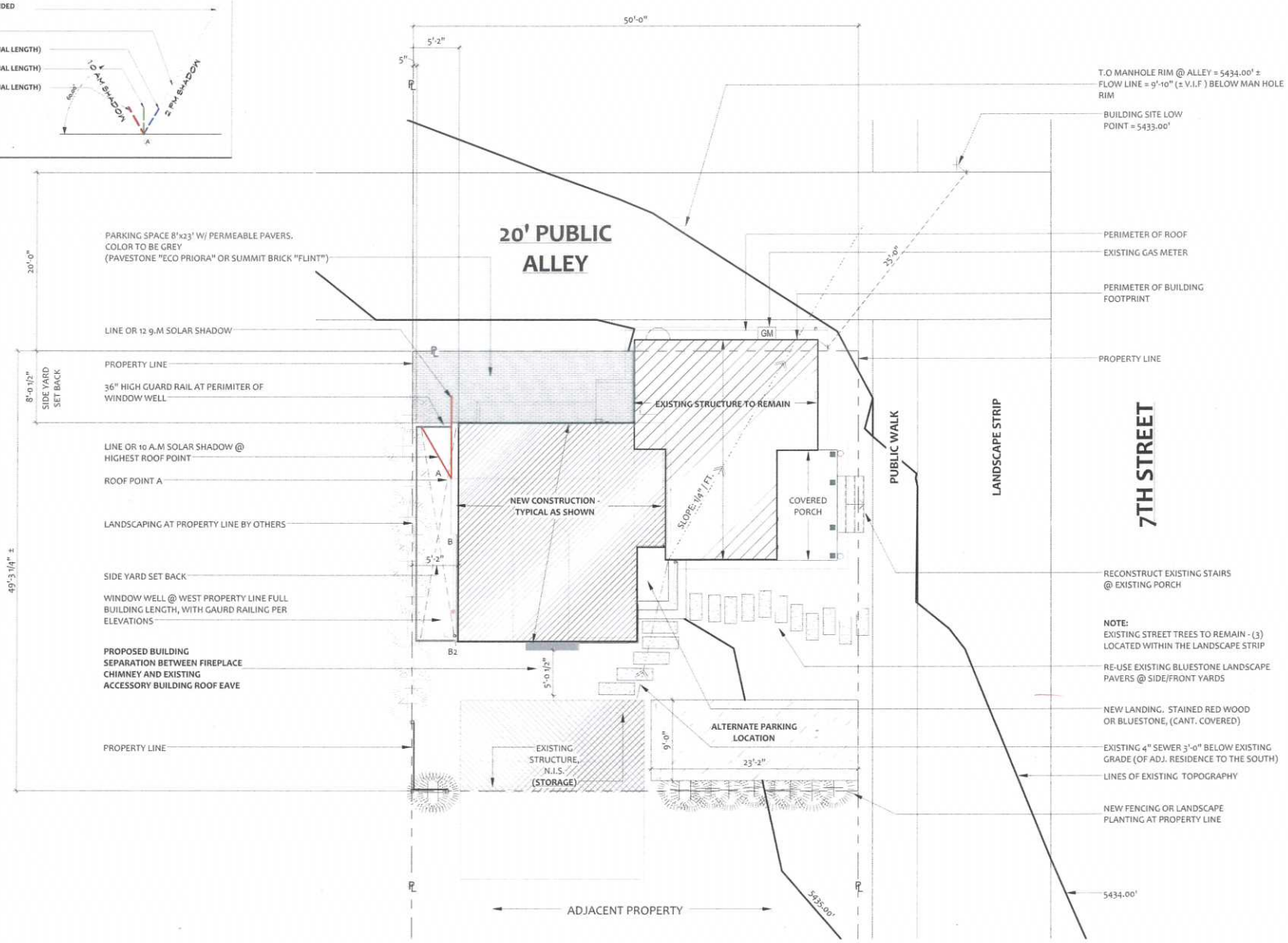
Property Zone District: RL-1 **Solar Fence Height** 12

Step 1		Step 2			Step 3			Step 4		
Roof Element	Elevation of Building Element (y) (relative to USGS or datum)	Elevation of Grade at Property Line (x)*			Relative Height of Building Element (h)**			Length of Shadow (L)***		
		10:00 AM	12:00 PM	2:00 PM	10:00 AM	12:00 PM	2:00 PM	10:00 AM	12:00 PM	2:00 PM
A	5450	5435.5	5436	5434.5	14.5	15	15.5	6.6	6	9.3
B	5447	5435.5	5436	5434.5	11.5	12	12.5		0	1.3
B2	5447	5435.5	5436	5434.5	11.5	12	12.5		0	1.3

* Elevation in USGS or relative to survey datum where the building element's shadow would cross the property line
** The relative height of the building element is the elevation of the building element (step 1), minus the elevation of grade at the property line (step 2)
*** The length of the shadow is determined by using the "Adjusted Solar Shadow Lengths" of Table 1, for Solar Access Area 1, of the Solar Access Guide

SHADOW LINE DIAGRAM





PROPOSED SITE PLAN 1 / A-1.0

1/8" = 1'-0"

CODES PER CITY OF BOULDER

2012 INTERNATIONAL BUILDING CODE (IBC)
2012 INTERNATIONAL RESIDENTIAL CODE (IRC)
2012 INTERNATIONAL FIRE CODE (IFC)
2012 INTERNATIONAL MECHANICAL CODE (IMC)
2012 INTERNATIONAL PLUMBING CODE (IPC)
2012 INTERNATIONAL FUEL GAS CODE (IFGC)
2012 INTERNATIONAL ENERGY CONSERVATION CODE (IECC)
2012 INTERNATIONAL PROPERTY MAINTENANCE CODE (IPMC)
2012 INTERNATIONAL WILDLAND URBAN INTERFACE CODE (IWUIC)
2011 NATIONAL ELECTRICAL CODE (NEC)
GREEN BUILDING AND GREEN POINTS PROGRAM

SYMBOL LEGEND

	SPOT ELEVATION
11	WINDOW TAG
101	DOOR TAG
A A	KEYNOTE TAG
SIM 1 A101	CALLOUT HEAD
1 Ref, Ref, Ref, 1 Ref, A101	ELEVATION HEAD
SIM 1 A101	SECTION HEAD
GM	GAS METER
EM	ELECTRIC METER
WM	WATER METER
EP	ELECTRIC PANEL
PL	PROPERTY LINE

PROJECT INFORMATION

ADDRESS: 2515 7TH STREET
BOULDER, CO 80304
YEAR BUILT: 1922

FULL LEGAL DESCRIPTION:
N 49.2 FT LOTS 33 & 34 BLK 14 MAXWELLS

LOT AREA: 2,460 SQ. FT. (0.06 ACRES)
ZONING: RL-1

BUILDING SITE LOW POINT = 5433.00'

EXISTING BUILDING HEIGHT = 5450.20'
PROPOSED BUILDING HEIGHT = 5450.00' (17 FT)

PROPOSED FLOOR AREAS (EXISTING & ADDITION)

EXISTING MAIN FLOOR AREA:	407 SF
EXISTING DETACHED ACCESSORY AREA:	200 SF
EXISTING PORCH AREA: (COVERED)	83 SF
AREA OF NEW MAIN FLOOR ADDITION:	446 SF
AREA OF MAIN FLOOR RE-BUILD:	37 SF
**AREA OF NEW BASEMENT ADDITION:*	540 SF
**AREA OF EXISTING BASEMENT:*	124 SF
BASEMENT FLOOR AREA APPLICABLE TO FAR GIVEN THE WEST SIDE FULL LENGTH WINDOW WELL (18%)	125 SF
AREA OF DECONSTRUCTION:	102 SF
AREA OF REMODEL:	113 SF
TOTAL PROPOSED FLOOR AREA:	**1308 SF (FAR)**
TOTAL PROPOSED LOT COVERAGE:	**1090 SF (COVERAGE)**

NO. OF BEDROOMS:	2
NO. OF FULL BATHROOMS:	1
NO. OF 3/4 BATHROOMS:	1
NO. OF STORYS:	1

FLOOR AREA RATIO:
SEE BOZA VARIANCE APLICATION
NOT TO EXCEED 1850 SF.
LOT COVERAGE:
PROPOSED BOZA VARIANCE APPLICATION
NOT TO EXCEED 1120 SF

SHEET INDEX

A-1.0	COVER/ SITE PLAN
A-1.1	DEMO PLANS
A-2.0	FOUNDATION PLAN
A-2.1	BASEMENT FLOOR PLAN
A-2.2	MAIN FLOOR PLAN
A-2.3	ROOF & GUTTER PLAN
A-3.0	PROPOSED BUILDING ELEVATIONS
A-3.1	EXISTING RESIDENCE ELEVATIONS
A-4.0	BUILDING SECTIONS
A-4.1	BUILDING SECTIONS
A-5.0	DETAILS
A-6.0	BATH 2 TILE LAYOUTS & ELEV.
A-6.1	KITCHEN, FIREPLACE, & BATH 1 TILE LAYOUTS & ELEV.
A-7.0	SCHEDULES
E-1.0	ELEC. PLAN

TYP. ABBREV.

A.F.F.	ABOVE FINISHED FLOOR
ADJ.	ADJUSTABLE
ANCH.	ANCHOR
APPROX.	APPROXIMATELY
ARCH.	ARCHITECT
BLDG.	BUILDING
BLKG.	BLOCKING
CAB.	CABINET
CANT.	CANTILEVER
CEM.	CEMENT
CMU	CONCRETE MASONRY UNIT
CLG.	CEILING
CLR.	CLEARANCE, CLEAR
COL.	COLUMN
CONC.	CONCRETE
CONN.	CONNECTION
CONST.	CONSTRUCTION
CONT.	CONTINUOUS
DBL.	DOUBLE
DET.	DETAIL
DIA.	DIAMETER
DIAG.	DIAGONAL
DIM.	DIMENSION
DN.	DOWN
DWG.	DRAWING
[E]	EXISTING
EA.	EACH
ELEV.	ELEVATION
ENG.	ENGINEER
ELECT.	ELECTRICAL
EQ	EQUAL
EQUIP.	EQUIPMENT
EXIST.	EXISTING
EXT.	EXTERIOR
FDN.	FOUNDATION
FIN.	FINISH
FLR.	FLOOR
FRMG.	FRAMING
FT.	FOOT
FTG.	FOOTING
GEN.	GENERAL
GL.	GLASS
GYP.	GYPSUM
GYP. BD.	GYPSUM BOARD
HDR.	HEADER
HDWD.	HARDWOOD
HORIZ.	HORIZONTAL
HT.	HEIGHT
IN.	INCH
INSUL.	INSULATION
INT.	INTERIOR
JST.	JOIST
LAM.	LAMINATED
LVL.	LAMINATED VENEER LUMBER
MACH.	MACHINE
MANUF.	MANUFACTURER
MAT'L.	MATERIAL
MAX.	MAXIMUM
MECH.	MECHANICAL
MTL.	METAL
MIN.	MINIMUM
[N]	NEW
N.I.C.	NOT IN CONTRACT
NOM.	NOMINAL
O.C.	ON CENTER
OPG.	OPENING
OSB	ORIENTED STRAND BOARD
PL.	PLATE
PLAS.	PLASTER
PLWD.	PLYWOOD
PKT.	POCKET
[R]	RELOCATE
R.	RISERS
RO.	ROUGH OPENING
RAD.	RADIUS
REF.	REFERENCE
REC.	RECESSED
REINF.	REINFORCED
REQ'D	REQUIRED
RET.	RETAINING
REV.	REVISION
RM.	ROOM
SCHED.	SCHEDULE
SECT.	SECTION
SQ.FT.	SQUARE FOOT
SHT.	SHEET
SIM.	SIMILAR
SPEC.	SPECIFICATION
SQ.	SQUARE
STD.	STANDARD
STL.	STEEL
STRUCT.	STRUCTURAL
SUSP.	SUSPENDED
T.	TREADS
TBD	TO BE DETERMINED
T.& B.	TOP AND BOTTOM
T.& G.	TONGUE AND GROOVE
T.O.	TOP OF
TEL.	TELEPHONE
THRU	THROUGH
TRTD.	TREATED
TYP.	TYPICAL
U.N.O.	UNLESS NOTED OTHERWISE
VERT.	VERTICAL
V.I.F.	VERIFY IN FIELD
VLT.	VAULTED
VOL.	VOLUME
W/	WITH
W/O	WITHOUT
W.C.	WATER CLOSET
W.F.	WIDE FLANGE
W.P.	WATERPROOF
WD.	WOOD

DESIGN DEVELOPMENT SET - NOT INTENDED FOR CONSTRUCTION

MELTON DESIGN - BUILD
3082 Sterling Circle
Boulder, CO 80301
TEL 303.473.9542
FAX 303.516.4008
www.meltondb.com

NO.	REVISION DESCRIPTION	DATE

KILBURY - HISTORIC HOME
2515 7TH ST.
BOULDER, CO 80304

PRE ESTIMATE TRADE WALK SET

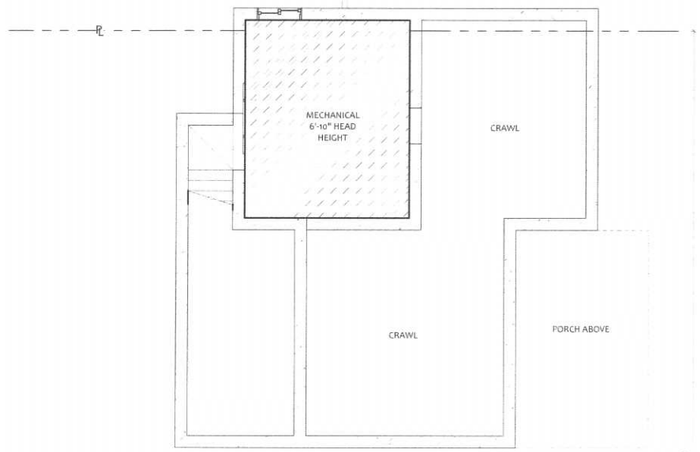
COVER/ SITE PLAN

SHEET SIZE: 24X36

JOB NO:	44720
DATE:	05/16/16
DRAWN:	MTS
CHECKED:	MTS

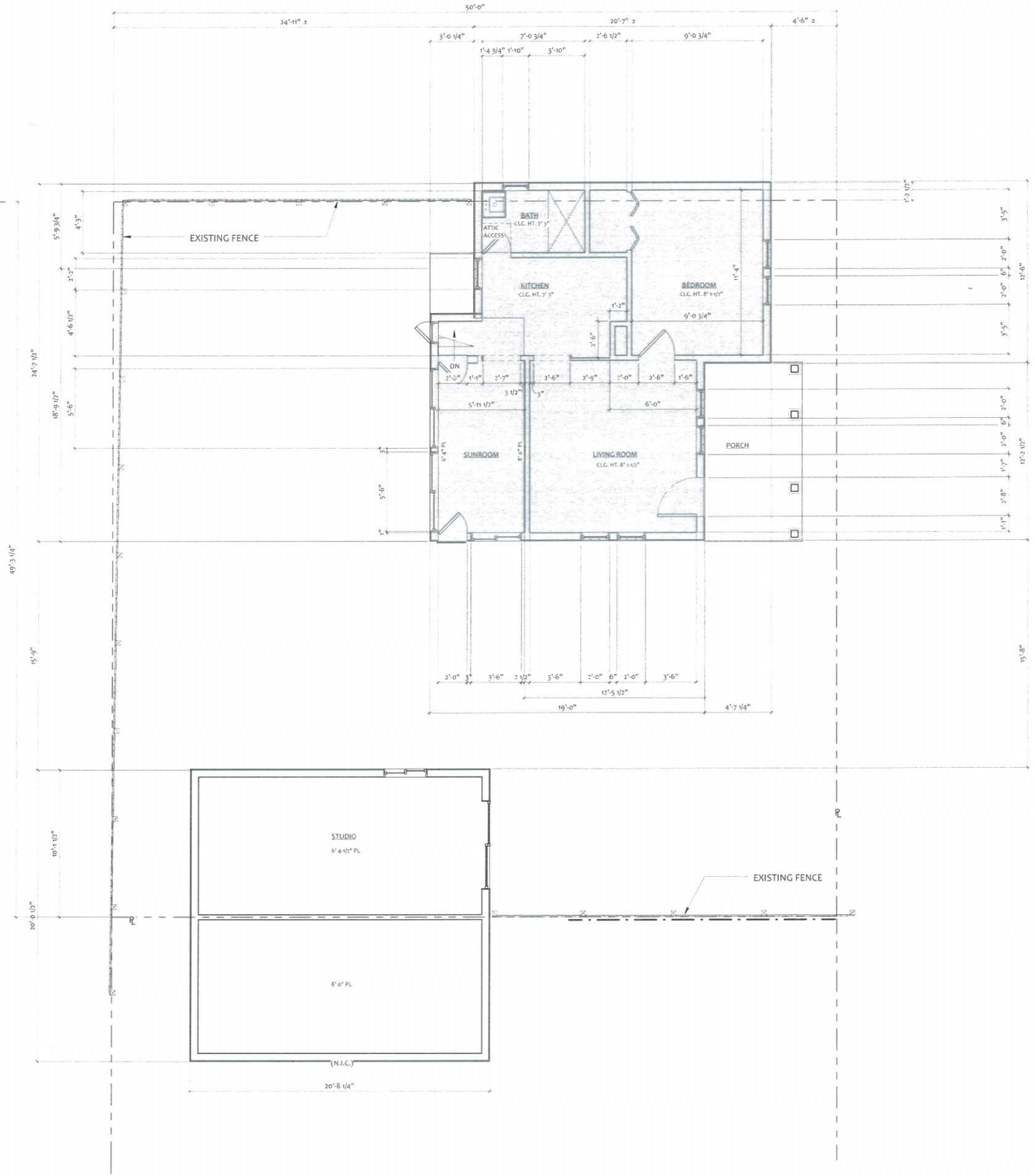
A-1.0

DESIGN DEVELOPMENT SET - NOT INTENDED FOR CONSTRUCTION



LOWER LEVEL - AS BUILT 1 / AB-1.0

1/4" = 1'-0"



MAIN LEVEL - AS BUILT 2 / AB-1.0

1/4" = 1'-0"

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NO.	REVISION DESCRIPTION	DATE

KILBURY - HISTORIC HOME

2515 7TH ST.
BOULDER, CO 80304

PRE ESTIMATE
TRADE WALK SET

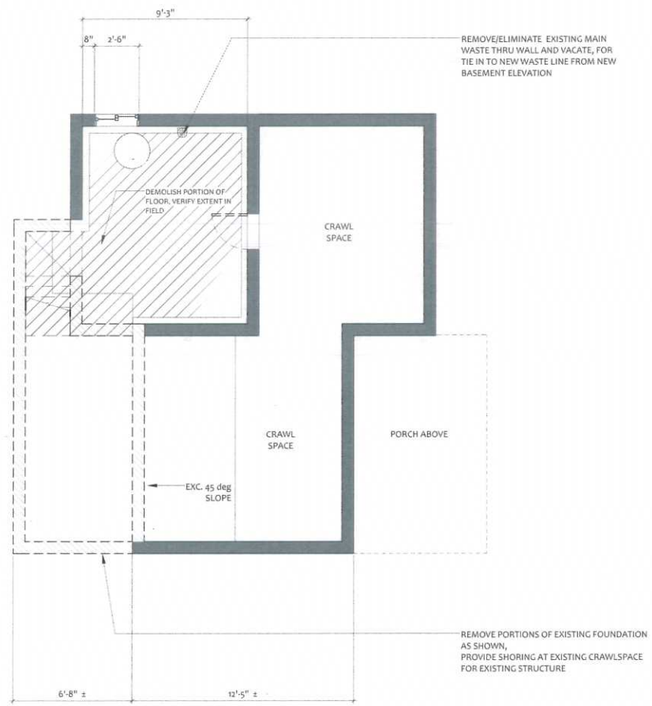
AS BUILT -
FLOOR PLANS

SHEET SIZE: 24X36

JOB NO:	44720
DATE:	05/16/16
DRAWN:	BMA
CHECKED:	MTS

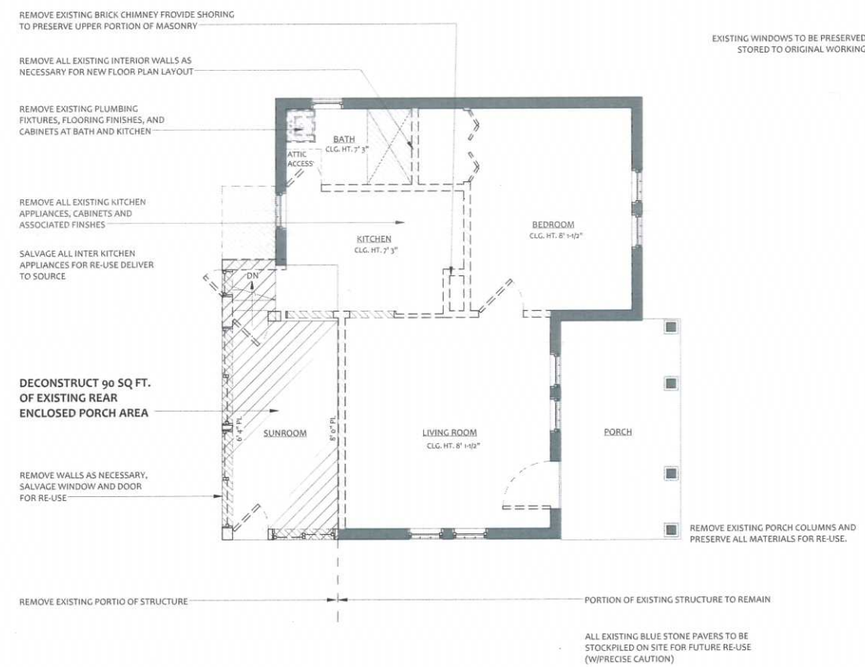
AB-1.0

DESIGN DEVELOPMENT SET - NOT INTENDED FOR CONSTRUCTION



LOWER LEVEL - DEMO 2 / A-1.1

1/4" = 1'-0"



EXISTING WINDOWS TO BE PRESERVED AND RE-STORED TO ORIGINAL WORKING ORDER.,

MAIN LEVEL - DEMO 1 / A-1.1

1/4" = 1'-0"

DEMO PLAN LEGEND

- TYPICAL EXISTING WALLS TO REMAIN
- DEMO EXISTING WALLS
- DEMO EXISTING CABINET, COUNTER, FIXTURE.
- DEMO AREA

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BOULDER, CO 80304

PRE ESTIMATE TRADE WALK SET

DEMO PLANS

SHEET SIZE: 24X36

JOB NO:	44720
DATE:	05/16/16
DRAWN:	Author
CHECKED:	Checker

A-1.1

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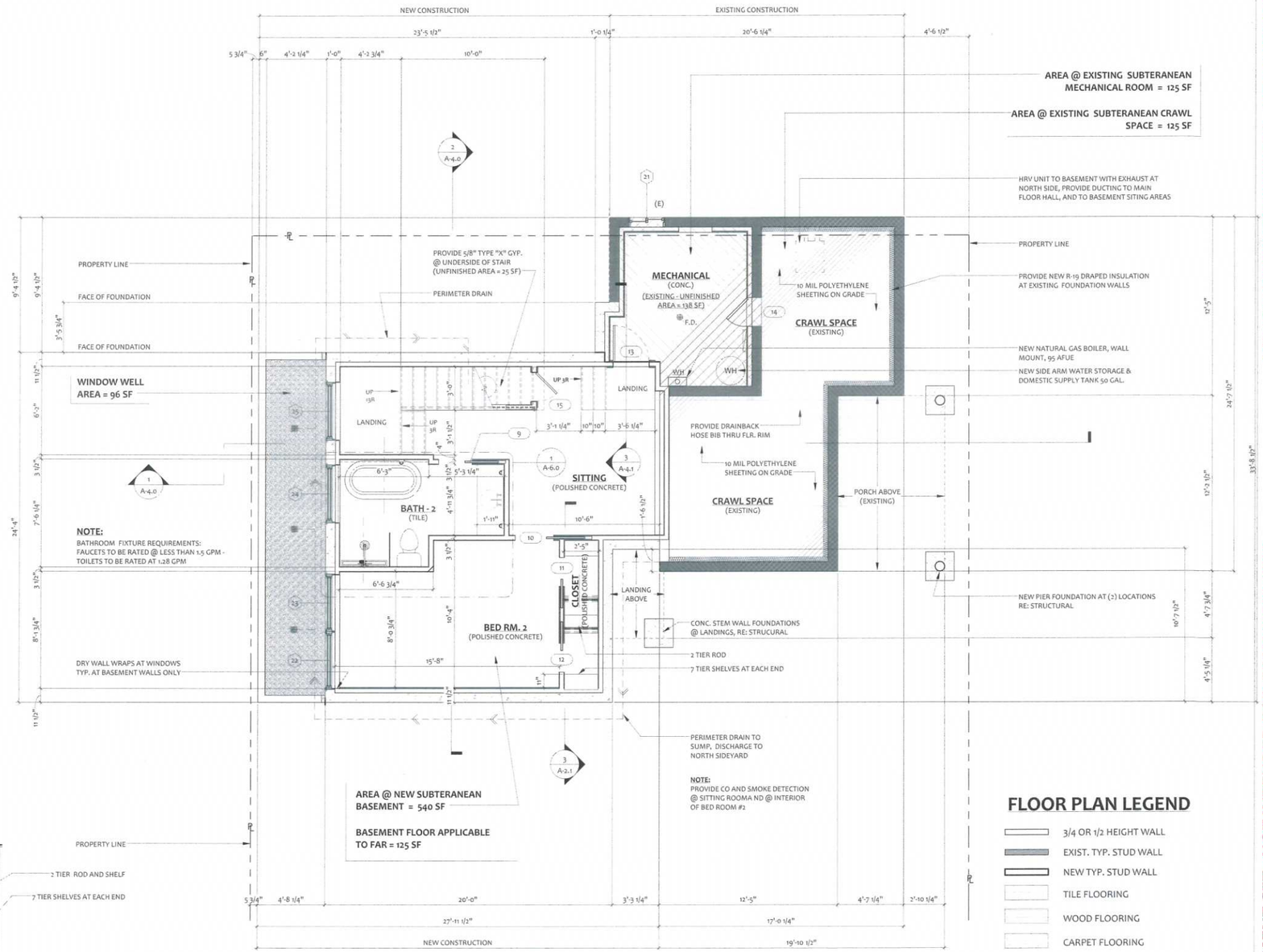

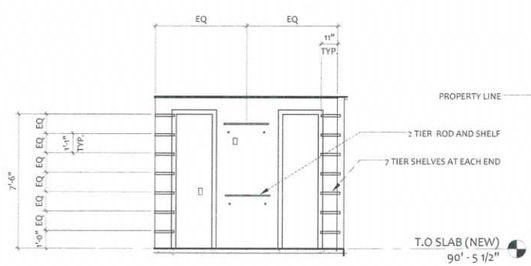

FLOOR PLAN LEGEND

- 3/4 OR 1/2 HEIGHT WALL
- EXIST. TYP. STUD WALL
- NEW TYP. STUD WALL
- TILE FLOORING
- WOOD FLOORING
- CARPET FLOORING
- LINE ABOVE
- SOFFIT/CEILING AREA ABOVE

BEDROOM 2 CLOSET SECTION 3 / A-2.1
1/4" = 1'-0"

BASEMENT FLOOR PLAN 1 / A-2.1
1/4" = 1'-0"

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BOULDER, CO 80304

PRE ESTIMATE TRADE WALK SET

BASEMENT FLOOR PLAN

SHEET SIZE: 24X36

JOB NO:	44720
DATE:	05/16/16
DRAWN:	MTS
CHECKED:	MTS

A-2.1

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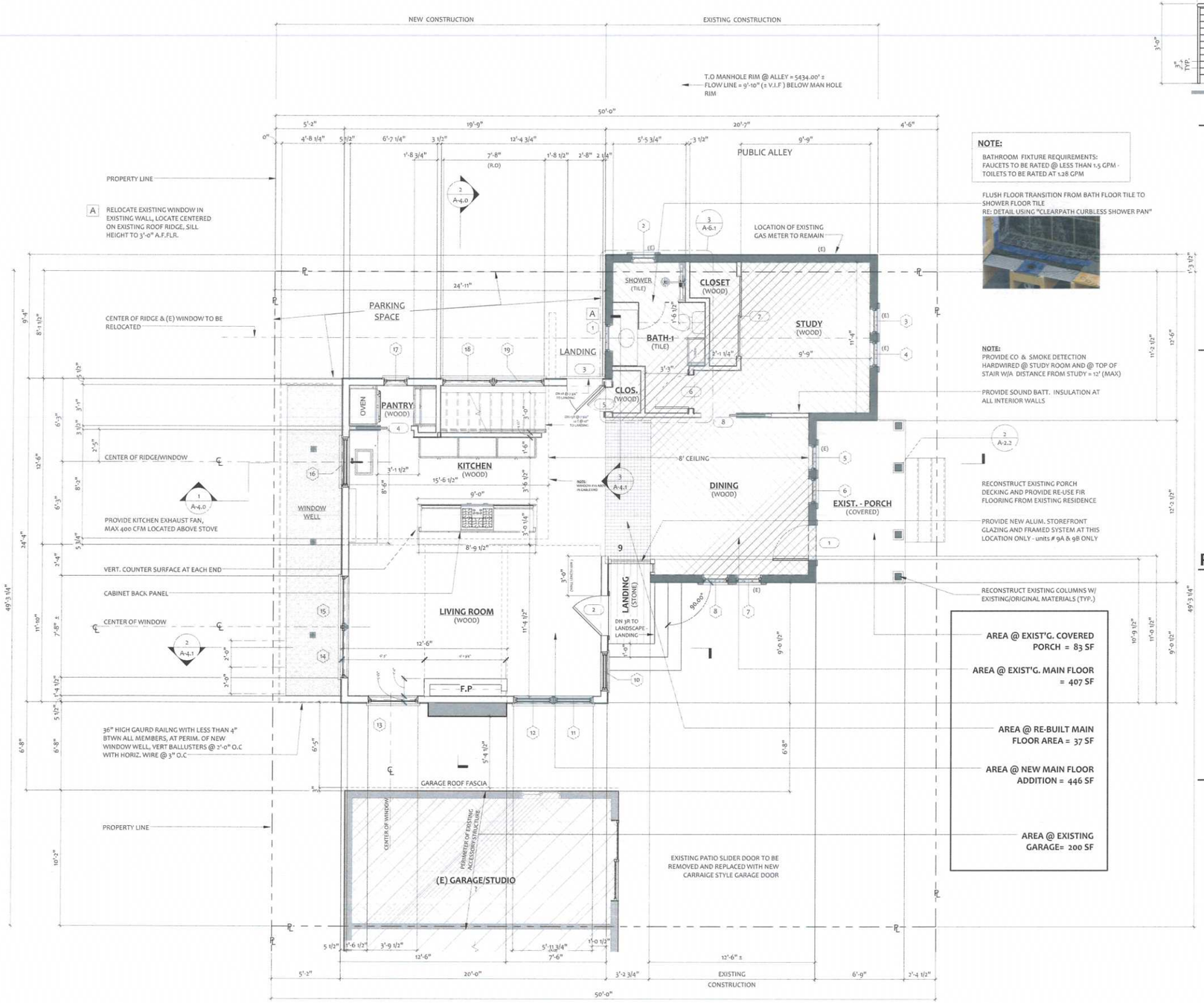


NOTE:
BATHROOM FIXTURE REQUIREMENTS:
FAUCETS TO BE RATED @ LESS THAN 1.5 GPM -
TOILETS TO BE RATED AT 1.28 GPM

FLUSH FLOOR TRANSITION FROM BATH FLOOR TILE TO SHOWER FLOOR TILE
RE: DETAIL USING "CLEARPATH CURBLESS SHOWER PAN"

NOTE:
PROVIDE CO & SMOKE DETECTION HARDWIRED @ STUDY ROOM AND @ TOP OF STAIR W/A DISTANCE FROM STUDY = 12' (MAX)

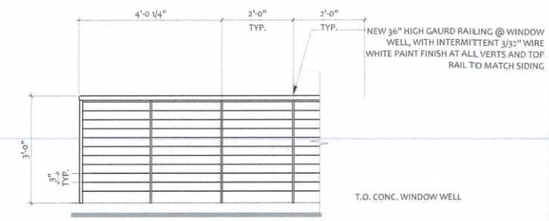
PROVIDE SOUND BATT. INSULATION AT ALL INTERIOR WALLS

RECONSTRUCT EXISTING PORCH DECKING AND PROVIDE RE-USE FIR FLOORING FROM EXISTING RESIDENCE

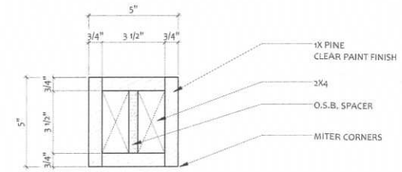
PROVIDE NEW ALUM. STOREFRONT GLAZING AND FRAMED SYSTEM AT THIS LOCATION ONLY - units # 9A & 9B ONLY

RECONSTRUCT EXISTING COLUMNS W/ EXISTING/ORIGINAL MATERIALS (TYP.)

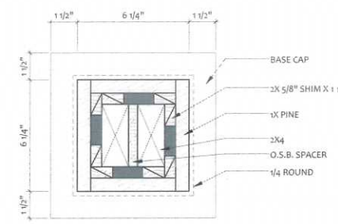
PROPOSED - MAIN LEVEL FLOOR PLAN 1 / A-2.2
1/4" = 1'-0"



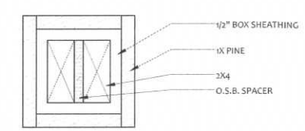
GUARD RAILING DETAIL 5 / A-2.2
1/2" = 1'-0"



PORCH DETAIL AT CAP 2 / A-2.2
3" = 1'-0"



PORCH DETAIL AT T.O. BASECAP 3 / A-2.2
3" = 1'-0"



PORCH DETAIL AT BASE 4 / A-2.2
3" = 1'-0"

FLOOR PLAN LEGEND

- 3/4 OR 1/2 HEIGHT WALL
- EXIST. TYP. STUD WALL
- NEW TYP. STUD WALL
- TILE FLOORING
- WOOD FLOORING
- CARPET FLOORING
- LINE ABOVE
- SOFFIT/CEILING AREA ABOVE

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NO.	REVISION DESCRIPTION	DATE

KILBURY - HISTORIC HOME
2515 7TH ST.
BOULDER, CO 80304

PRE ESTIMATE TRADE WALK SET

MAIN FLOOR PLAN

SHEET SIZE: 24X36

JOB NO:	44720
DATE:	05/16/16
DRAWN:	MTS
CHECKED:	MTS

A-2.2

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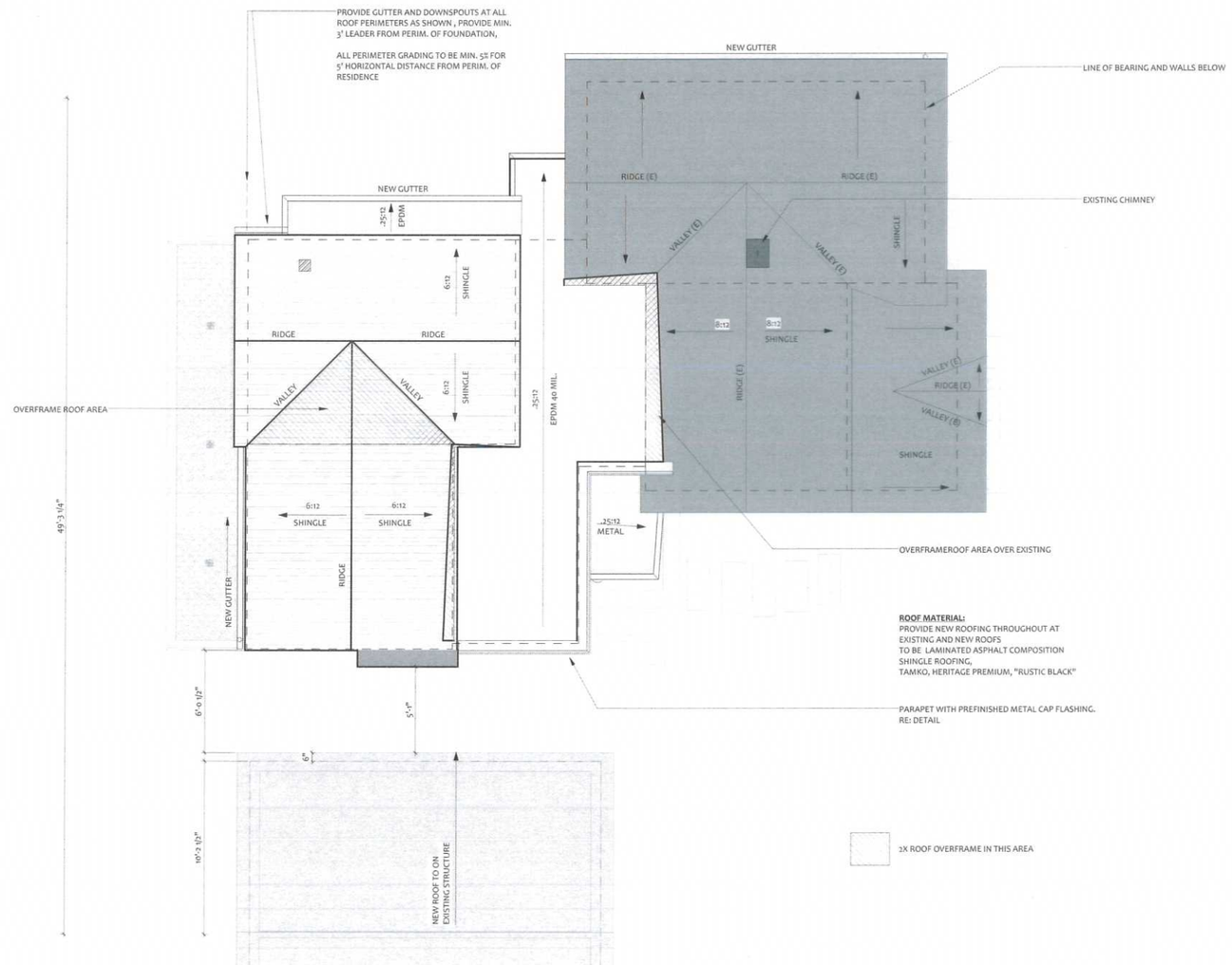

ROOF PLAN 1 / A-2.3

1/4" = 1'-0"

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PRE ESTIMATE TRADE WALK SET

ROOF & GUTTER PLAN

SHEET SIZE: 24X36

JOB NO:	44720
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A-2.3

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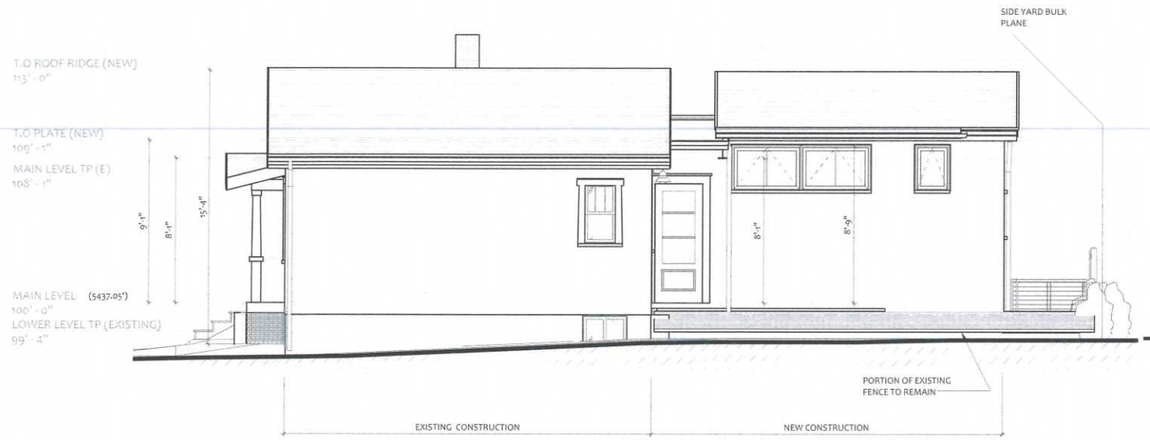

NORTH ELEVATION 1 / A-3.0

1/4" = 1'-0"

WEST ELEVATION 2 / A-3.0

1/4" = 1'-0"

GUARD RAILING

NEW 36" HIGH GAURD RAILING @ WINDOW WELL,
WITH INTERMITTENT 3/32" WIRE
WHITE PAINT FINISH AT ALL VERTS AND
TOP RAIL TO MATCH SIDING

TYPICAL EXT. DOOR

EXTERIOR GRADE PINE, PAINT FINISH
4 9/16" JAMB WITH BRICK MOULD

TYPICAL SIDING

ALL SIDING AT EXISTING STRUCTURE TO REMAIN HORIZONTAL BEVEL SIDING,
ALL NEW SIDING AT NEW ADDITION TO BE REDWOOD OR CEDAR BEVEL
SIDING WITH 5" FINSH EXPOSURE, MIN. 1" LAP
PAINT FINISH FIELD SIDING, CORNER BAORDS AND ALL BRICK MOULD
USING BENJAMIN MOORE, "MONTEREY WHITE" HC-27
PAINT FINISH ALL FASCIA USING BENJAMIN MOORE, "TROUT GRAY" 2124-20

TYPICAL WINDOW

ALL EXISTING WINDOWS TO REMAIN, PROVIDE RESTORATION TO FULL OPERATION
CONDITION WITH NEW PULLEY AND LINE OR CHAIN & NEW PAINT FINISH

NEW WINDOWS TO BE MARVIN WOOD ULTIMATE MAGNUM DOUBLE HUNG - WOOD DOUBLE HUNG
AND WOOD AWNING STYLE WINDOWS
- 4 9/16" JAMB WITH EXTERIOR BRICK MOULD TRIM
- 4 9/16"(116) from backside of BMC to interior wood face of frame
- 8 degree bevel on sill and subsill
- 5/8" SIMULATED DIVIDED LIGHTS WITH SPACER BAR

PAINT FINSH ALL EXTERIOR WINDOW SASHES USING
BENJAMIN MOORE, "WROUGHT IRON" 2124-10

TYPICAL ROOF

NEW ROOFING THROUGHOUT TO BE ARCHITECTURAL ASPHALT
COMPOSITION SHINGLE
TAMKO - HERITAGE VINTAGE "CHARCOAL"

SOUTH ELEVATION 3 / A-3.0

1/4" = 1'-0"

EAST ELEVATION 4 / A-3.0

1/4" = 1'-0"

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2515 7TH ST.
BOULDER, CO 80304

PRE ESTIMATE TRADE WALK SET

PROPOSED BUILDING ELEVATIONS

SHEET SIZE: 24X36

JOB NO:	44720
DATE:	05/16/16
DRAWN:	MTS
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A-3.0

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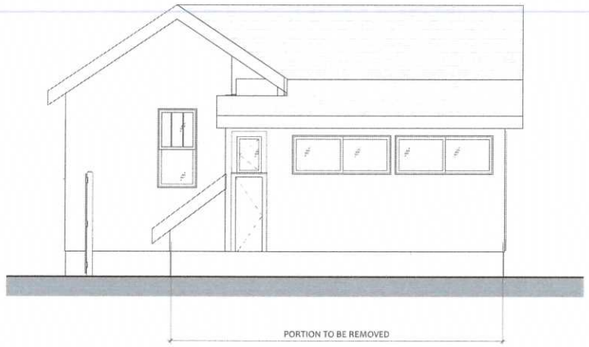
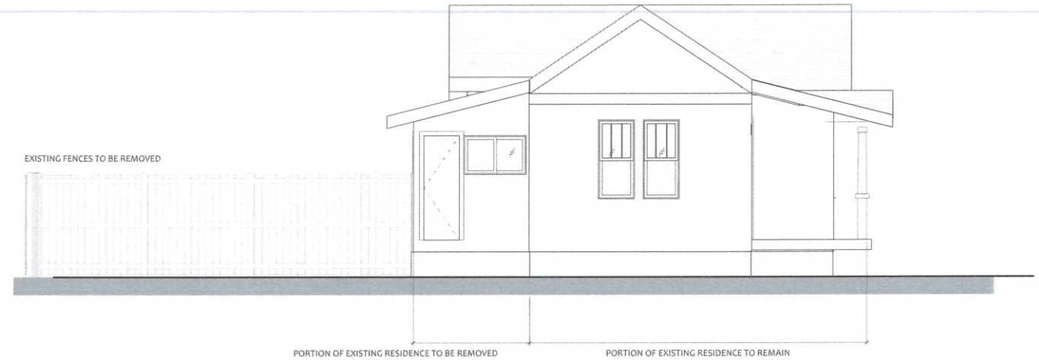


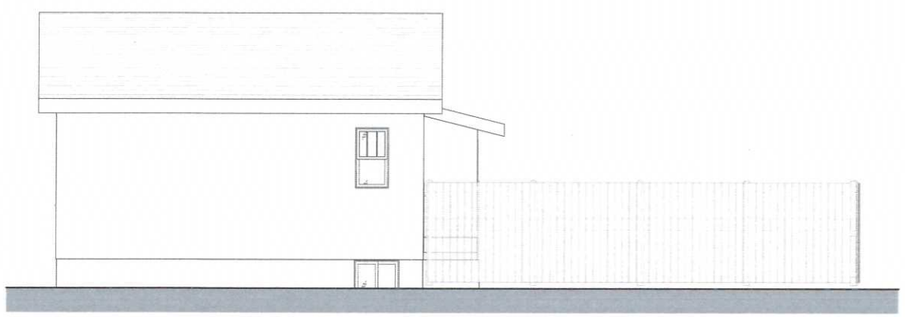
EXISTING RESIDENCE - WEST ELEVATION 2 / A-3.1

1/4" = 1'-0"



EXISTING RESIDENCE - SOUTH ELEVATION 1 / A-3.1

1/4" = 1'-0"



EXISTING RESIDENCE - NORTH ELEVATION 4 / A-3.1

1/4" = 1'-0"

EXISTING RESIDENCE - EAST ELEVATION 3 / A-3.1

1/4" = 1'-0"

DESIGN DEVELOPMENT SET - NOT INTENDED FOR CONSTRUCTION

MELTON DESIGN - BUILD
3082 Sterling Circle
Boulder, CO 80301
TEL 303.473.9542
FAX 303.516.4008
www.meltondb.com

NO.	REVISION DESCRIPTION	DATE

KILBURY - HISTORIC HOME

2515 7TH ST.
BOULDER, CO 80304

PRE ESTIMATE TRADE WALK SET

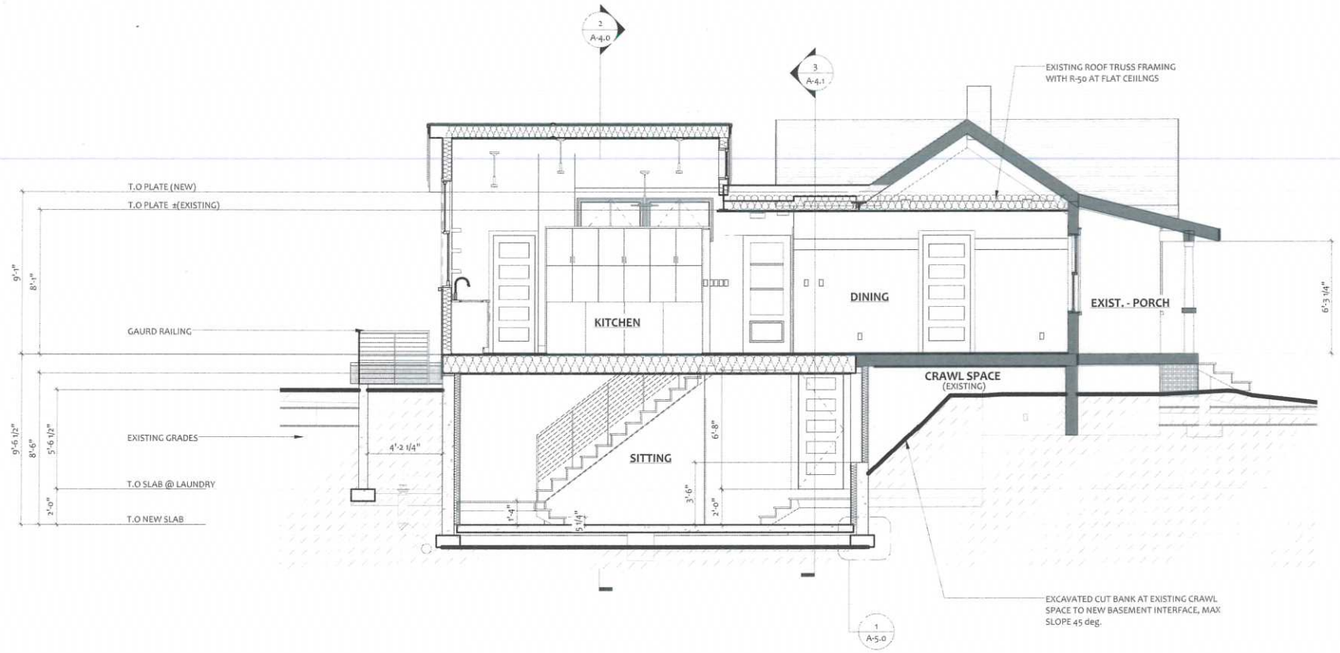
EXISTING RESIDENCE ELEVATIONS

SHEET SIZE: 24X36

JOB NO:	44720
DATE:	05/16/16
DRAWN:	MTS
CHECKED:	MTS

A-3.1

DESIGN DEVELOPMENT SET - NOT INTENDED FOR CONSTRUCTION



T.O ROOF RIDGE (NEW) 113' - 0"
T.O PLATE (NEW) 109' - 1"
MAIN LEVEL TP (E) 108' - 1"
MAIN LEVEL 100' - 0"
LOWER LEVEL TP (EXISTING) 99' - 4"
T.O SLAB (EXISTING UTILITY) 92' - 5 1/2"
T.O SLAB (NEW) 90' - 5 1/2"
T.O FOOTING (NEW) 89' - 10 1/2"

BUILDING SECTION 1 1 / A-4.0

1/4" = 1'-0"

T.O ROOF RIDGE (NEW) 113' - 0"
T.O PLATE (NEW) 109' - 1"
MAIN LEVEL TP (E) 108' - 1"
MAIN LEVEL 100' - 0"
LOWER LEVEL TP (EXISTING) 99' - 4"
T.O SLAB (EXISTING UTILITY) 92' - 5 1/2"
T.O SLAB (NEW) 90' - 5 1/2"
T.O FOOTING (NEW) 89' - 10 1/2"

TYPICAL SECTION

BUILDING SECTION 2 2 / A-4.0

1/4" = 1'-0"

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DESIGN DEVELOPMENT SET - NOT INTENDED FOR CONSTRUCTION

KILBURY - HISTORIC HOME

2515 7TH ST.
BOULDER, CO 80304

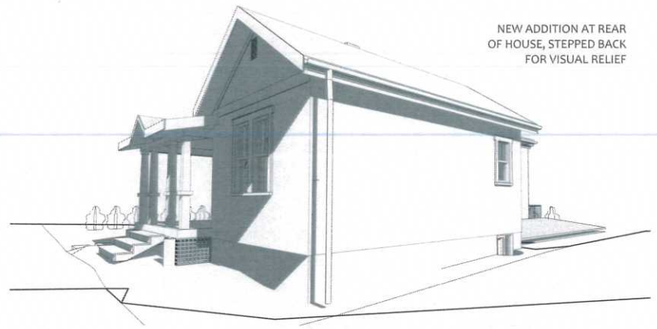
PRE ESTIMATE TRADE WALK SET

BUILDING SECTIONS

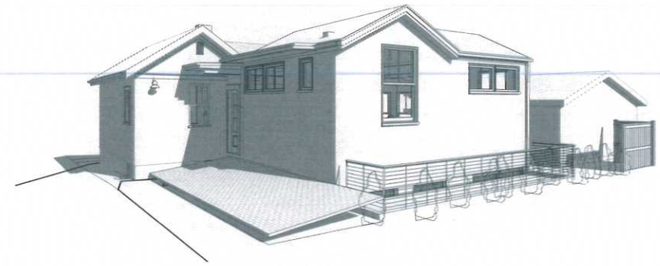
SHEET SIZE: 24X36

JOB NO:	44720
DATE:	05/16/16
DRAWN:	MTS
CHECKED:	MTS

A-4.0



North East Elevation Perspective 3 / A-8.0



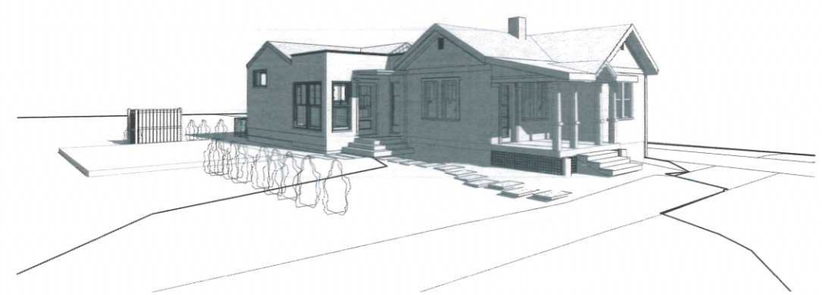
Northwest Elevation Perspective 4 / A-8.0

EXISTING STRUCTURE VIEW AT ALLEY LOOKING EAST

EXISTING PROMINENT SOUTH ERN EXPOSURE GABLE

EXISTING STREET VIEW FROM SOUTH EAST

South Elevation Perspective 1 / A-8.0



South East Elevation - Perspective 5 / A-8.0

DESIGN DEVELOPMENT SET - NOT INTENDED FOR CONSTRUCTION

MELTON
DESIGN - BUILD
3082 Sterling Circle
Boulder, CO 80301
TEL 303.473.9542
FAX 303.516.4008
www.meltondb.com

NO.	REVISION DESCRIPTION	DATE

KILBURY - HISTORIC HOME
2515 7TH ST.
BOULDER, CO 80304

PRE ESTIMATE
TRADE WALK SET

EXTERIOR
RESIDENCE
IMAGERY

SHEET SIZE: 24X36

JOB NO:	44720
DATE:	05/16/16
DRAWN:	MTS
CHECKED:	MTS

A-8.0

DESIGN DEVELOPMENT SET - NOT INTENDED FOR CONSTRUCTION

NEIGHBORING ALLEY STRUCTURES

NEIGHBORING RESIDENCE TO THE NE

NEIGHBORING RESIDENCE

SITE

NEIGHBORING RESIDENCE AT SOUTH SIDE OF SUBJECT PROPERTY

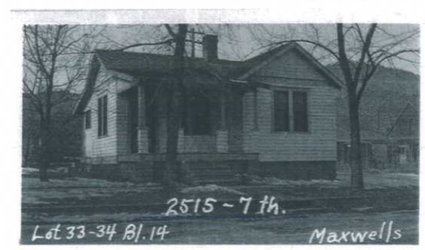
SITE STREET VIEW

SITE

VICINITY PLAN

SITE

SITE NEIGHBORHOOD CONTEXT - FIGURE GROUND



HISTORIC PHOTO - EXHIBIT B1.14

DESIGN DEVELOPMENT SET - NOT INTENDED FOR CONSTRUCTION

MELTON
DESIGN - BUILD
3082 Sterling Circle
Boulder, CO 80301
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FAX 303.516.4008
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NO.	REVISION DESCRIPTION	DATE

KILBURY - HISTORIC HOME

2515 7TH ST.
BOULDER, CO 80304

PRE ESTIMATE
TRADE WALK SET

EXTERIOR
NIEGHBORHOOD
CONTEXT
IMAGERY

SHEET SIZE: 24X36

JOB NO:	44720
DATE:	05/16/16
DRAWN:	MTS
CHECKED:	MTS

A-8.2

DESIGN DEVELOPMENT SET - NOT INTENDED FOR CONSTRUCTION

CITY OF BOULDER
BOARD OF ZONING ADJUSTMENT
ACTION MINUTES
May 19, 2016, 5 p.m.
1777 Broadway, Council Chambers

Board Members Present:	David Schafer (Chair), Ellen McCready (V. Chair), Jill Grano, Jill Lester, Michael Hirsch
Board Members Absent:	N/A
City Attorney Representing Board:	Erin Poe
Staff Members Present:	Brian Holmes, Robbie Wyler, Cindy Spence

1. CALL TO ORDER:
D. Schafer called the meeting to order at 5:08 p.m.

BOZA first discussed Public Hearing Item 2E (Docket No.: BOZ2016-11) to request a continuation. Followed by Public Hearing Item 2D (Docket No.: BOZ2016-10) regarding modifications to site plan, proper public notice and to ask BOZA if a continuance is recommended.

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.

***J. Grano** recused herself from this item.*

Staff Presentation:
B. Holmes presented the item to the board.

Board Questions:
B. Holmes answered questions from the Board.

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Applicant's Presentation:
Rachel Sours-Page and **Alan McCluney,** the applicant, presented the item to the board.

Board Questions:
Rachel Sours-Page and **Alan McCluney,** the applicant, answered questions from the Board.

Public Hearing:
Greg Ekrem, a current neighbor, spoke in support of the project.

Board Discussion:

- **E. McCready** stated that the proposal appears in mass and scale similar to the home next door. Any addition would be difficult with the restrictions with the current lots. The proposal is minimal and would be adding a bedroom space. Wanted to state that it is not necessarily a given that everyone is allowed to expand to the size they want but she supports this project.
- **J. Lester** agreed that it is important to have structures to accommodate new families. This expansion is modest and does not exceed FAR. She expressed some concern with the mass. This is a modest proposal and does not impact neighbors.
- **M. Hirsch** stated the proposal is keeping with the neighborhood. It does not breach the side yard.
- **D. Schafer** agreed and supports the project.

Motion:
On a motion by **M. Hirssh**, seconded by **E. McCready**, the Board of Zoning Adjustment approved (4-0, **J. Grano** recused) the application (**Docket 2016-07**) as submitted.

J. Grano *rejoined the meeting.*

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

Staff Presentation:
R. Wyler presented the item to the board.

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Board Questions:
R. Wyler answered questions from the Board.

Applicant's Presentation:
Kristen Lewis, the architect, presented the item to the board.

Board Questions:
Kristen Lewis, the architect, answered questions from the Board.

Public Hearing:
No one from the public addressed the board.

Board Discussion:

- **J. Grano**, in terms to Criteria 4, recommended deferring to Landmarks' opinion regarding the historic nature of the home and preservation.
- **M. Hirsch** noted that it is a large lot and the house has a large street presence. He agreed with the house returning to residential use. He commented that it seems like a lot of parking along the alley and a large structure.
- **E. McCready** asked if it would be in keeping with the historic nature of the lot if had the garage were split into two smaller buildings. However, she noted that directly across the alley, a five-bay structure currently exists. She supports the project and but hopes that the garage is used and appropriately sized.
- **J. Lester** concerned with the mass as well. Fortunate that the proposed garage will be in-line with the house to the north which will help minimize the mass.
- **D. Schafer** stated that the applicants could build by-right if the building were moved south. However, Landmarks wants to preserve the open space around the house and this becomes the driving force to push the building north toward the alley. The historic component and response to the open space allows for him to have support for the project. It is an urban environment and the proposal would fit within the neighborhood.

Motion:
On a motion by **J. Grano**, seconded by **J. Lester**, the Board of Zoning Adjustment approved (5-0) the application (**Docket 2016-08**) as submitted.

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.

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Staff Presentation:
R. Wyler presented the item to the board.

Board Questions:
R. Wyler answered questions from the Board.

Applicant's Presentation:
Richard and **Lydia Dissly**, the applicant, and **Juana Gomez**, the architect, presented the item to the board.

Public Hearing:
No one from the public addressed the board.

Board Discussion:

- **E. McCready** appreciated that the side yard setback will be pulled back to come under compliance. The five foot minimum is an important dimension to keep. With Criteria 5, in keeping with the neighborhood, almost all the homes have an enclosed garage. Therefore, she supports the proposal.
- **M. Hirsch** stated that an enclosed garage would be an improvement over the existing carport.

Motion:
On a motion by **J. Lester**, seconded by **M. Hirsch**, the Board of Zoning Adjustment approved (5-0) the application (**Docket 2016-09**) as submitted.

After this item, BOZA discussed Public Hearing Item 2F (Docket No.: BOZ2016-12).

D. Docket No.: BOZ2016-10
Address: 3079 10th Street
Applicant: Hugh Josephs
Building Coverage Variance: As part of a proposal to construct a 352 sq. ft. carport addition in the 25'-0" rear yard principal building setback (where an existing 374 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 726 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.

At the start of the meeting, BOZA discussed whether a continuance is recommended due to modifications in the description and the square footage proposed.

Staff Presentation:

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B. Holmes presented the item to the board stating that modifications in square footage within the description have been altered. Public notice was completed with the incorrect square footage amounts. **B. Holmes** asked the board if a continuance should be granted based on the fact that public notice was not given with the correct amounts. The plans remain unchanged.

Motion:
On a motion by **M. Hirsch**, seconded by **J. Grano**, the Board of Zoning Adjustment approved (5-0) the application (**Docket 2016-10**) to be heard tonight, May 19, 2016.

After this motion, BOZA reverted back to the standard agenda order and started with Public Hearing Item 2A (Docket No.: BOZ2016-07)

Staff Presentation:
B. Holmes presented the item to the board. Modifications in sq ft. in description. Public notice was different. Asked board if should give a continuance.

Board Questions:
B. Holmes answered questions from the Board.

Applicant's Presentation:
Hugh Josephs, the applicant, and **Matthew Schexnyder**, with Caddis Architects, presented the item to the board.

Board Questions:
Hugh Josephs, the applicant, and **Matthew Schexnyder**, with Caddis Architects, answered questions from the Board.

Public Hearing:
No one from the public addressed the board.

Board Discussion:
- **M. Hirsch** stated that the submitted letters in the packet speak for themselves and a hardship exists.

Motion:
On a motion by **J. Lester**, seconded by **M. Hirsch**, the Board of Zoning Adjustment approved (4-0, E. McCready absent) the application (**Docket 2016-10**) as submitted.

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

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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.

Staff Presentation:
R. Wyler presented the item to the board. Applicant is requesting a continuation due to new survey information and to bring the 2014 application up to date. The applicant will resubmit for the June 2016 BOZA meeting.

Applicant's Presentation:
Brendan Kennedy, the applicant, requested the continuance from the board in light of the new information and resubmit for the June 2016 BOZA meeting.

Motion:
On a motion by **J. Grano**, seconded by **J. Lester**, the Board of Zoning Adjustment approved (5-0) the application (**Docket 2016-11**) to be continued.

M. Hirsch *recused himself from this item.*

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

Staff Presentation:
R. Wyler presented the item to the board.

Board Questions:
R. Wyler and **B. Holmes** answered questions from the Board.

Applicant's Presentation
EJ Meade and **James Trewitt**, with Arch11, Inc., and **Andy** and **Wendy Cookler**, the applicant, presented the item to the board.

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Board Questions:
EJ Meade, **James Trewitt**, **Andy** and **Wendy Cookler** answered questions from the Board.

Public Hearing:
No one from the public addressed the board.

Board Discussion:

- **J. Lester** suggested that often roof top decks are not always practical. She suggested other options besides the roof top deck. Hardship needs to be considered.
- **J. Grano** stated the decision is subjective in nature. The proposal would be additional open space for a home which is a huge benefit.
- **D. Schafer** argued that the decision is not subjective. He stated that the Crisscross Rule is difficult to interpret. It often results in limited ability to use space on the site. The criterion regarding Minimal Relief asks to overlook the Crisscross Rule. He would lean more toward the unusual circumstance that created the problem and only waiving one obscure rule in the Code to allow the proposal.
- **E. McCready** suggested that due to the physical circumstances of the property, it could not be developed.
- **D. Schafer** noted that many residents in that area have rooftop decks and it is a consistent development pattern.

Motion:
On a motion by **D. Schafer**, seconded by **J. Grano**, the Board of Zoning Adjustment approved (4-0, **M. Hirsch** recused) the application (**Docket 2016-12**) as submitted.

M. Hirsch *rejoined the meeting.*

After this item, BOZA finished discussing Public Hearing Item 2D (Docket No.: BOZ2016-10).

E. McCready *dismissed herself from the meeting.*

3. GENERAL DISCUSSION:

A. Approval of Minutes
On a motion by **D. Schafer**, seconded by **J. Lester**, the Board of Zoning Adjustments voted 4-0 (**E. McCready** absent) to approve the April 14, 2016 minutes.

B. Matters from the Board

- **D. Schafer** informed the board that he would be absent from the June 9, 2016 BOZA meeting. All other board members stated they would be present.

C. Matters from the City Attorney
There were no matters from the City Attorney**.**

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D. Matters from Planning and Development Services

- Staff informed the board that are a potential for four agenda items on the June 9, 2016 BOZA meeting.
- **B. Holmes** will be absent at the June meeting.

4. ADJOURNMENT:

There being no further business to come before the board at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED AT 7:42 P.M

APPROVED BY

_____

Board Chair

_____

DATE

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