CITY OF BOULDER
BOARD OF ZONING ADJUSTMENT
MEETING AGENDA

DATE: Thursday, July 10, 2014
TIME: Meeting to begin at 5 p.m.
PLACE: Council Chambers, 1777 Broadway

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**

Docket No.: BOZ2014-10
Address: 603 North Street
Applicant: Richard Roosen

Setback Variance: As part of a proposal to construct a rooftop deck and adjoining spiral staircase to an existing single family residence, the applicant is requesting a variance to the combined side yard setback requirements of the RMX-1 zoning. The resulting west side yard setback will be approximately 5.5 feet where 9.81 feet is required and one half (1/2) a foot exists today. The resulting east side yard setback will be approximately 10 feet where 14.5 feet is required and 5.19 feet exists today. Section of the Land Use Regulations to be modified: Section 9-7-1, BRC 1981.

Docket No.: BOZ2014-11
Address: 430 Gregory Lane
Applicant: Randell & Linda Cain

Setback Variance: As part of a proposal to construct an attached two-car garage to an existing single family residence, the applicant is requesting a variance to the front and side yard setback requirements of the RE zoning district. The resulting front yard setback will be approximately 16.83 feet where 25 feet is required and 22.5 feet exists today. The resulting side yard setback will be approximately 7.37 feet where 13.16 feet is required and 39 feet exists today. Additionally, the applicant is requesting a solar access exception to the Solar Access Area 1 regulations. The property to the northeast (440 Gregory Lane) will be the only property affected by this request. Sections of the Land Use Regulations to be modified: Sections 9-7-1 & 9-9-17, BRC 1981.

3. **GENERAL DISCUSSION**
   - **A. Approval of Minutes:** The June 12, 2013 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:

WE ARE APPLYING FOR A SETBACK VARIANCE TO BUILD A ROOF TOP DECK. THE NON-CONFORMING SITE IS EXTREMELY LIMITING AND PRESENTS A HARDSHIP TO ANY IMPROVEMENTS. PLEASE SEE THE ATTACHED LETTER WHICH PROVIDES MORE DETAIL ABOUT THE APPLICATION. THE PROPOSED FLOOR AREA INCLUDES THE NEW ROOF TOP DECK AREA. PROPOSED BLDG COVERAGE INCLUDES FOOTPRINT OF NEW SPIRAL STAIR.

*Total floor area of existing building: 1252 SF	*Total floor area proposed: 1372 SF
*Building coverage existing: 1070 SF	*Building coverage proposed: 1098 SF
*Building height existing: 21'	*Building height proposed: 24'

*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: 5803 W 75TH AVE Telephone: (720) 323-8376
- City: ARVADA State: CO Zip Code: 80003 FAX:

STAFF USE ONLY

Doc. No. B022014-00010 Date Filed 06/18/2014 1030AM Zone RMX-1 Hearing Date
Application received by: JMG Date Fee Paid Misc. Rect #

$550

APPLICATION TYPES

- [x] Setback Variance
- [ ] Sign Variance
- [ ] Mobile Home Spacing Variance

APPLICATION REQUIREMENTS

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

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

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

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

Applicant / Owner Signature Richard Boorn Date 6/12/14

SIGN POSTING REQUIREMENTS
APPLICANT'S ACKNOWLEDGMENT FORM

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

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

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

(A) The notice shall be 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, BRENDAN KENNEDY (ARCHITECT), am filing a Land Use Review or Technical Document Review
(PRINT NAME OF APPLICANT OR CONTACT PERSON)

application [on behalf of the property owner(s) RICHARD ROOSEN for property located
(PRINT NAME OF OWNER(S) IF OTHER THAN APPLICANT/CONTACT)

at 603 NORTH ST BOULDER CO. I have read the city's sign posting requirements above and acknowledge and
(PRINT PROPERTY ADDRESS OR LOCATION)

agree to the following:

1. I understand that I must use the sign(s) that the city will provide to me at the time that I file my application. The sign(s) will include information about my application and property location to provide required public notice.

2. I am responsible for ensuring that the sign(s) is posted on the property described above in such a way that meets the requirements of Section 9-4-3(c), B.R.C. 1981 (listed above), including visibility of the sign(s) and time and duration of the sign(s) posting, and including reposting any signs that are removed, damaged, or otherwise displaced from the site. As necessary, I shall obtain a replacement sign(s) from the city for reposting.

3. I understand that certain future changes to my application, including but not limited to, changes to the project description or adding a review type, may require that I post a new sign(s). The city will notify me if such a reposting is required and provide me with a necessary replacement sign(s).

4. I understand that failing to provide the public notice by sign posting required by the city's land use regulation may result in a delay in the city's issuing a decision or a legal challenge of any issued decision.

NAME OF APPLICANT OR CONTACT PERSON
BRENDAN KENNEDY, ARCHITECT

6/18/2014
DATE

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

To whom it may concern,

We are applying for a setback variance due to the restrictive nature of the non -conforming lot size and dimension of 603 North St. The proposed project is a roof top deck, which meets all of the City of Boulder building criteria, but is restrained by the side yard setbacks.

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 satellite 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' do not allow for any reasonable improvements to be made. If the lot size were the standard 50', the roof top deck would be allowed by right as dictated by the City of Boulder land use code.

We are asking for a variance to the side yard setbacks, so that the setback on the East side of the house would be 10', and a side yard setback on the West side of the house of 5'-6". See the attached images / drawings showing a graphic description of this.

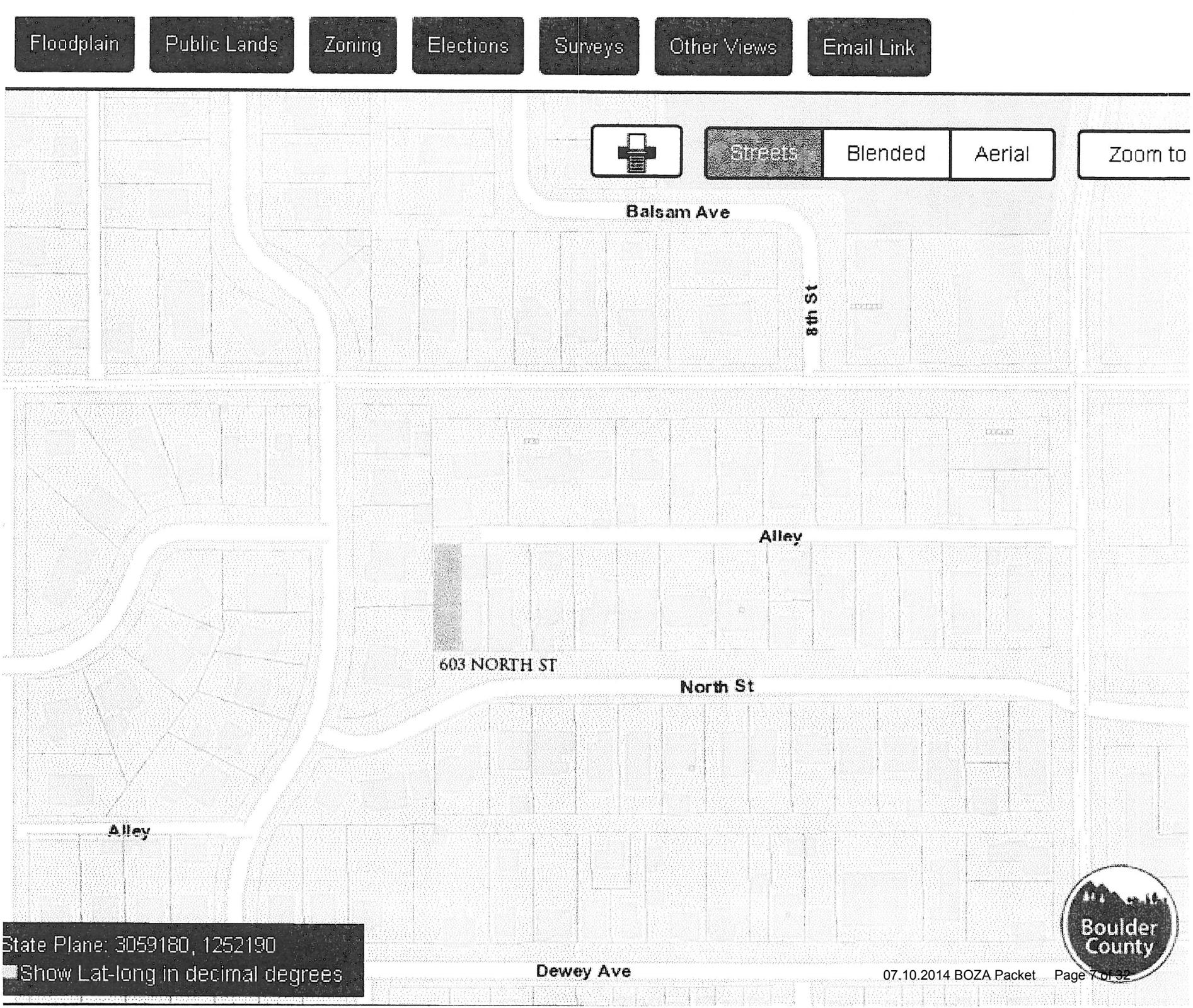
The side yard setbacks are really the only restriction. The lot has 504 sf of allowable site coverage available, 1,590 sf of available floor area, a maximum building height of 27.8 ft which is plenty, and a 25' solar fence.

We feel that the roof top deck would not present a problem to adjacent property owners or to the feel of the neighborhood in general, especially since it would be located and accessed from the back of the house. It is also not large in size, nor are the proposed setbacks out of proportion with other houses in the neighborhood.

Thank you for your understanding and consideration of this matter,

Sincerely,

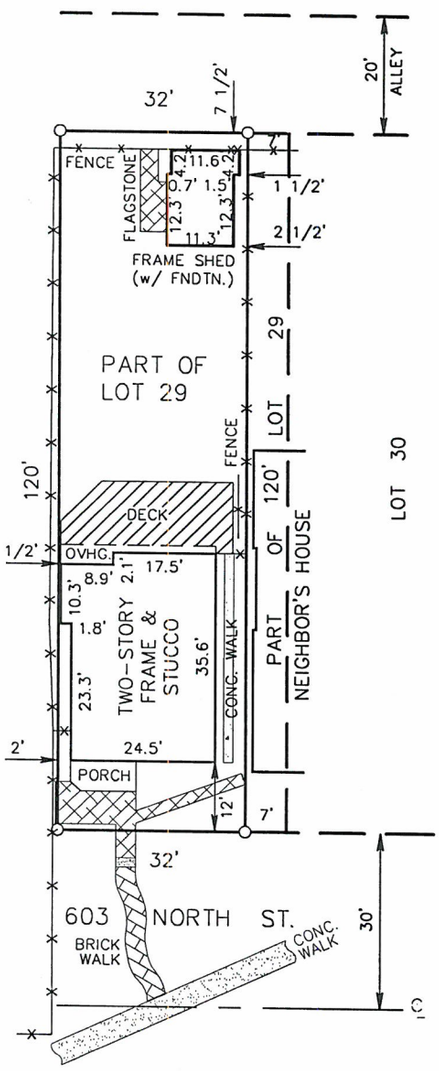
Richard Roosen (Owner)
and
Brendan Kennedy (Architect) 6/18/2014


Floodplain
Public Lands
Zoning
Elections
Surveys
Other Views
Email Link
Streets
Blended
Aerial
Zoom to
Balsam Ave
8th St
Alley
603 NORTH ST
North St
Alley
Dewey Ave
State Plane: 3059180, 1252190
Show Lat-long in decimal degrees
Boulder County

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

LEGAL DESCRIPTION
(provided by CLIENT)

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



SCALE 1"=30'

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.

COLORADO REGISTERED JOHN BRUCE GUYTON 16406 PROFESSIONAL LAND SURVEYOR

5/22/14

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

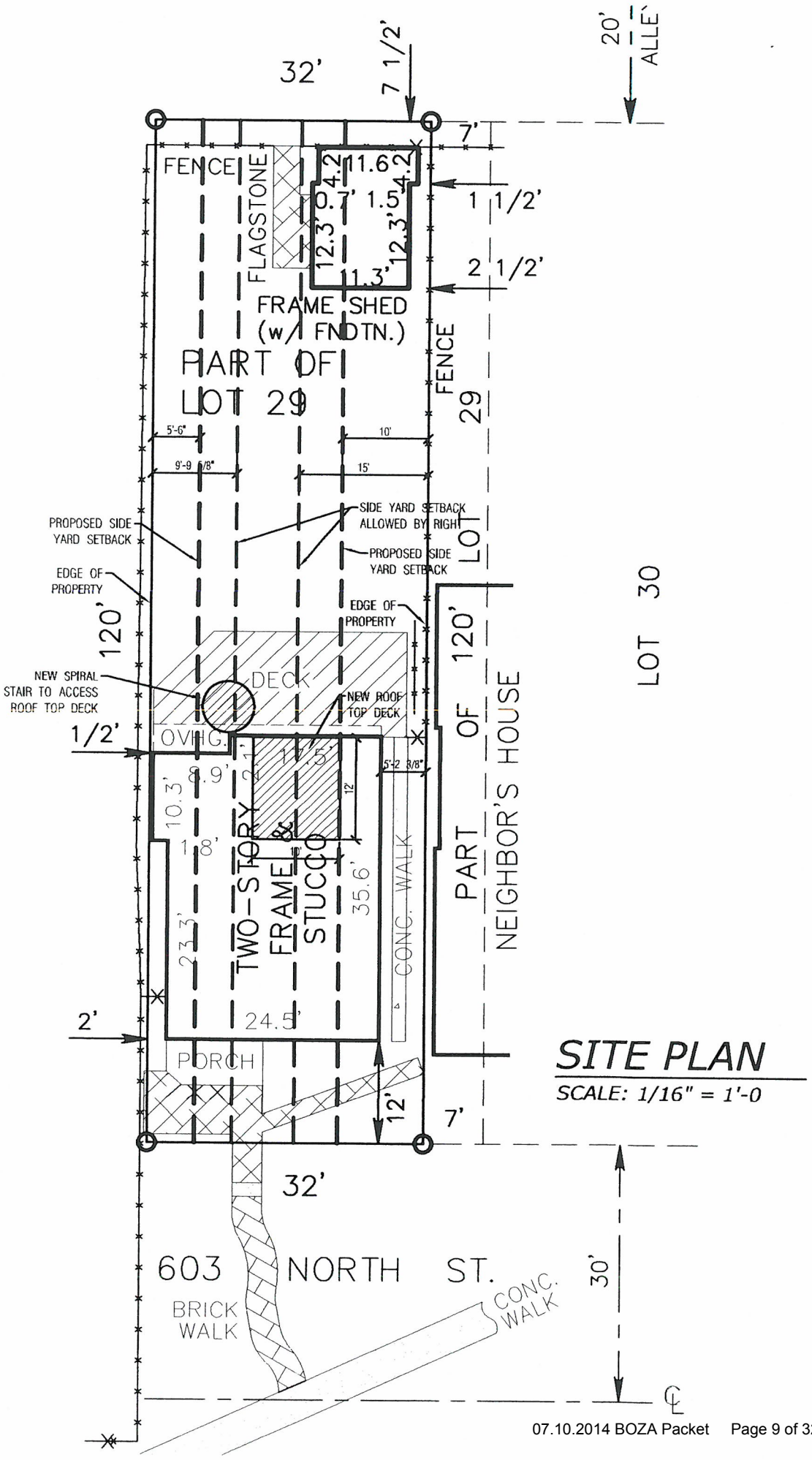
IMPROVEMENT LOCATION CERTIFICATE

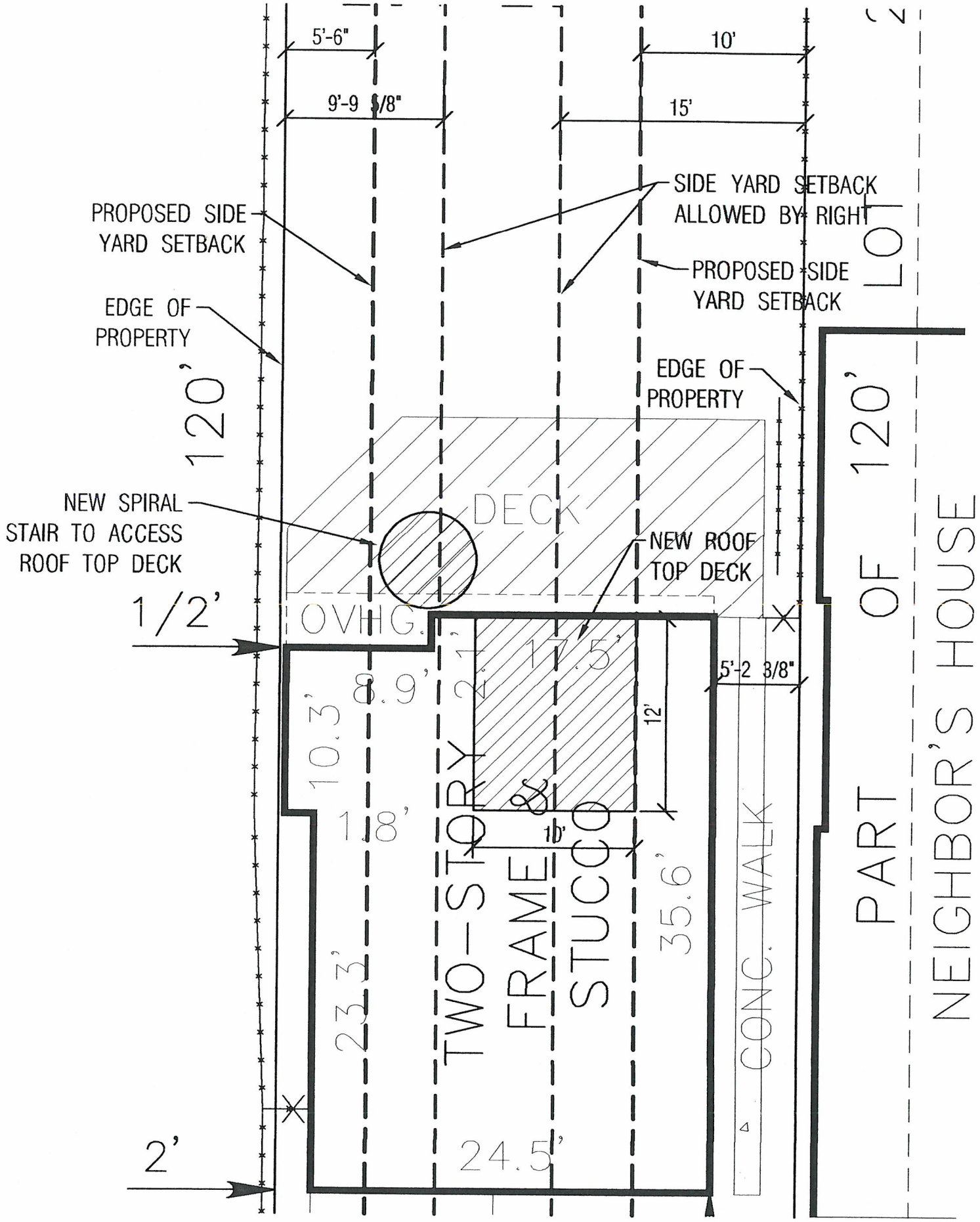
I hereby certify that this improvement location certificate was prepared for SKY HOOK DESIGN, that it is not a Land Survey Plat or Improvement Survey Plat, and that it is not to be relied upon for the establishment of fence, building or other future improvement lines. This certificate is valid only for 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
Drawn By: GWR
Title Co. No.
Borrower:

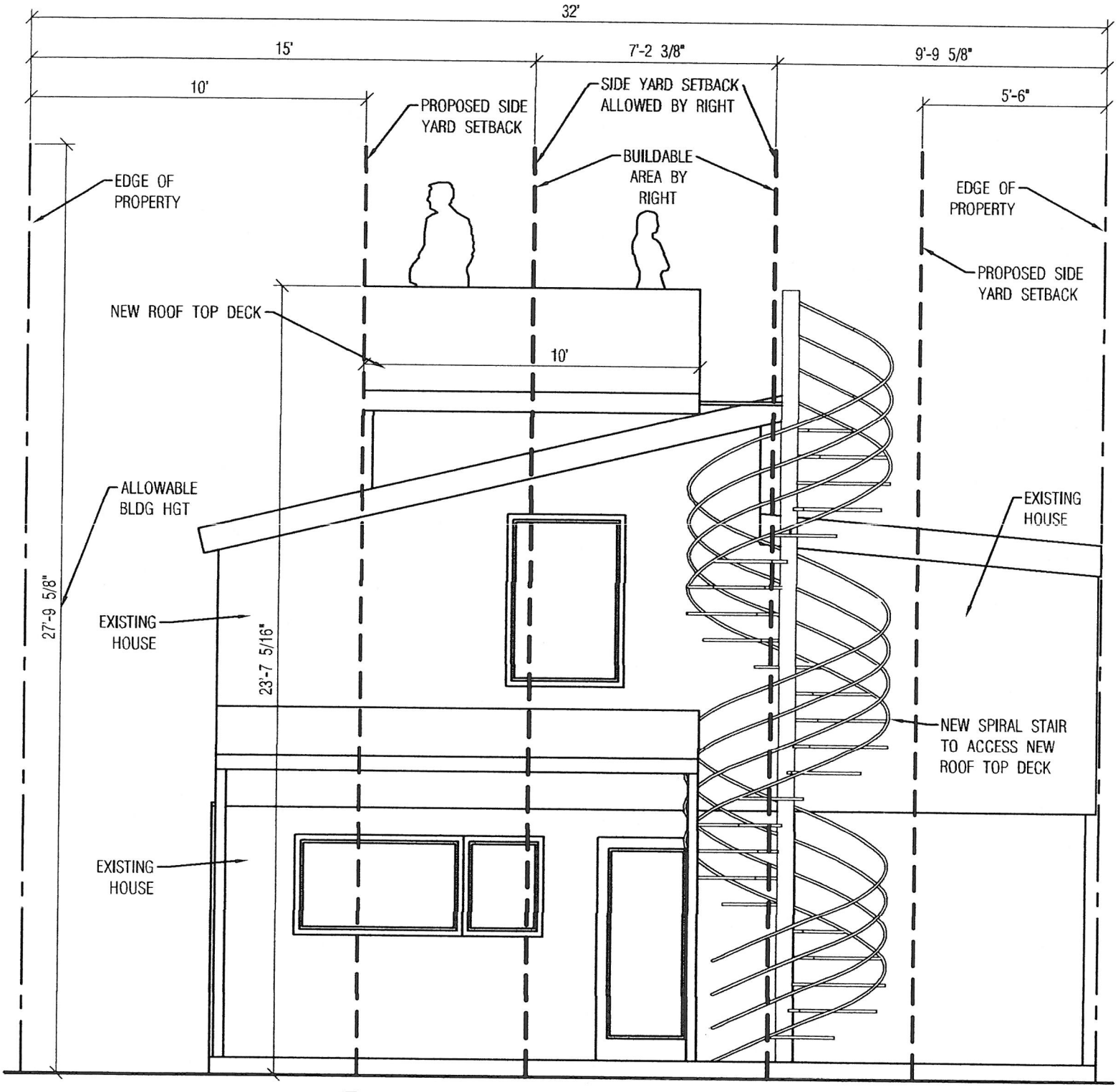
COPYRIGHT 2014 FLATIRONS, INC.


32'
7 1/2'
20'
ALLEY
7'
FENCE
FLAGSTONE
11.6
4.2
4.2
0.7'
1.5'
12.3'
12.3'
1.3'
1 1/2'
2 1/2'
FRAME SHED
(w/ FNDTN.)
PART OF
LOT 29
FENCE
29
5'-6"
10'
9'-9 6/8"
15'
PROPOSED SIDE
YARD SETBACK
SIDE YARD SETBACK
ALLOWED BY RIGHT
PROPOSED SIDE
YARD SETBACK
EDGE OF
PROPERTY
EDGE OF
PROPERTY
120'
LOT
LOT 30
NEW SPIRAL
STAIR TO ACCESS
ROOF TOP DECK
DECK
NEW ROOF
TOP DECK
1/2'
OVHG.
17.5'
5'-2 3/8"
8.9'
10.3'
1'
2'
12'
1'
18'
TWO-STORY
FRAME &
STUCCO
35.6'
CONC. WALK
PART OF 120'
NEIGHBOR'S HOUSE
23.3'
2'
24.5'
PORCH
12'
7'
SITE PLAN
SCALE: 1/16" = 1'-0
32'
603 NORTH ST.
30'
BRICK
WALK
CONC.
WALK



ENLARGED SITE PLAN

SCALE = N.T.S.



1 BACK OF HOUSE (NORTH) ELEVATION

SCALE 1/4"=1'-0"

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

BOZA
VARIANCE APPLICATION

APPLICATION DEADLINE IS 4:00 P.M. ON THE THIRD WEDNESDAY OF EACH MONTH. (3/19)
MEETING DATE IS 5:00 P.M. ON THE SECOND THURSDAY OF THE FOLLOWING MONTH. (5/12)

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: 430 Gregory Ln
- Legal Description: Lot 11 Block _____ Subdivision Willowbrook Ln (Or attach description.)
- Existing Use of Property: Single Family Residence
- Description of proposal:

An attached two-car garage inside the front and side yard setbacks. A proposed 16'-10" Front Yard setback where 25' is required. A proposed 7'-4½" side-yard setback where 13'-2" is required

*Total floor area of existing building: 3,951 sf	*Total floor area proposed: 4,583 sf
*Building coverage existing: 2,696 sf	*Building coverage proposed: 3328 sf
*Building height existing:	*Building height proposed:

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

- **Name of Owner:** Randell & Linda Cain
- Address: 430 Gregory Ln Telephone: _____
- City: Boulder State: CO Zip Code: 80302 FAX: _____
- **Name of Contact (if other than owner):** Jim McCutheon
- Address: 1900 9th St. Telephone: (303) 995-9290
- City: Boulder State: CO Zip Code: 80302 FAX: _____

STAFF USE ONLY

Doc. No. BOZ2014-00011 Date Filed 6-18-14 Zone RE Hearing Date _____
Application received by: C. Tabe Date Fee Paid 6-18-14 Misc. Rect # _____

APPLICATION TYPES

- [x] Setback Variance
- [ ] Sign Variance
- [ ] Mobile Home Spacing Variance

APPLICATION REQUIREMENTS

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

- If applicant is other than owner, the written consent of the owners of the property for which the variance is requested; (Attachment # 1)
- An Improvement Location Certificate or Site Improvement Survey and legal description by a registered surveyor (**11 copies**); (Attachment # 2)
- A site development plan including building heights, setbacks, and proposed floor area (**11 copies**); (Attachment # 3)
- A demolition plan differentiating between proposed and remaining portions of the structure (**11 copies**); N/A
- A written statement thoroughly addressing the criteria for approval - see following pages (**11 copies**); (Attachment # 4)
- Any other information pertinent to the request (**11 copies**); (Attachments # 5, 6, 7) & 8)
- An application fee (as prescribed in Section 4-20-43, B.R.C. 1981);
- Sign Posting Acknowledgement Form - see last page.

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

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

Applicant / Owner Signature _____ Date 6/13/14

SIGN POSTING REQUIREMENTS
APPLICANT'S ACKNOWLEDGMENT FORM

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

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

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(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, Adam J. Osterhoff (PRINT NAME OF APPLICANT OR CONTACT PERSON), am filing a Land Use Review or Technical Document Review application [on behalf of the property owner(s) Randell & Linda Cain (PRINT NAME OF OWNER(S) IF OTHER THAN APPLICANT/CONTACT)] for property located at 430 Gregory Ln (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.

Adam J. Osterhoff
NAME OF APPLICANT OR CONTACT PERSON

6/18/14
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.

Randall A. Cain
430 Gregory Lane
Boulder, CO 80302
Phone: 720-299-8842 Fax: (303)-444-8579
E-Mail: rams6372@comcast.net

June 11, 2014

We, Randall and Linda Cain, as the current and legal property owners of 430 Gregory Lane in the City of Boulder, CO provide consent for Jim McCutcheon, AIA to apply for the variances requested in this application.

Randall A. Cain

Linda D. Cain

Attachment #1

Attachment #4

DESIGN NETWORK * Architecture * Environmental & New Urbanist Design
1517 Easy Rider Ln. - Studio 202 - Boulder, Colorado 80304 Tel (303) 995-9290 Fax (303) 449-9289 e-mail: jmcc1@ comcast.net

City of Boulder Planning & Development
1739 Broadway, third floor • P.O. Box 791, Boulder, Colorado 80306

June 16 2014

RE: BOZA Application for 430 Gregory Lane

Board of Zoning Adjustment,

On the behalf of the property owners, Randall and Linda Cain (see attachment #1), we are requesting variances to the standard front and side yard setbacks, as well as an exception to the standard solar access requirements in order to build an attached two-car garage.

We are proposing a front-yard setback of 16'-10" where 25' is required, and a side-yard setback of 7'-4 1/2" where 13'-2" is required to meet the standard 25' combined side-yard setback requirement.

We have outlined below how the proposed garage meets all criteria and requirements for approval. We hope that after review the Board agrees.

Criteria for Variances:

1. Physical conditions or disability:

A. There are:

(i) Unusual physical circumstances or conditions, including exceptional topography or other physical conditions peculiar to the property.

The property is characterized by an exceptional topography that drops nearly 40 ft. from Gregory Ln towards Gregory Creek to the southeast. It is unreasonable to develop a detached garage within the standard front-yard setback requirements for an accessory structure (55' front-yard setback) due to the severely sloping grade. In order to construct an attached garage within the standard setbacks for a primary structure, the garage would be significantly more intrusive into the view corridors of the neighboring lot, and the garage slab would be nearly 12' above grade, making much more difficult and expensive to build. The only reasonable location for an attached garage is within the front and side-yard setbacks.

In addition to the severely sloping grade of the property, the Cain's home is in a neighborhood with a peculiar off-street parking condition. Gregory Ln is a narrow, dead

end street with a hammerhead turnaround for emergency vehicles. On-street parking is prohibited beyond the Cain's lot, forcing the two households that live past the Cain's on Gregory Ln to park in front of the Cain's house. All three of these households have children of driving age with cars. More recently, flood damage has closed the Gregory Canyon Trailhead and Flagstaff Road. Many hikers and road cyclists have begun parking along Gregory Ln to access the Open Space trails. This exacerbates an already congested parking situation. By providing two additional parking spaces in front of the proposed two-car garage, the Cain's will be alleviating a problem that affects every property on Gregory Ln, as well as snow plows and emergency vehicles.

The Cains have 5 children and a 5-bedroom home. Although the existing home fits the large family comfortably, there is inadequate storage space. Currently, the only covered exterior storage for items such as bikes, landscaping tools, snow tires, and similar large items requiring storage is inconveniently located down a long exterior stairway and underneath a drip-through deck. The Cain's existing house does not provide adequate covered and protected storage area. Additionally, the Cains have a need to store trash and recycling containers out of reach of bears and wildlife. Living so close to Chautauqua, Gregory Canyon, and Flagstaff Mountain means the Cains have more frequent visits from bears than most in Boulder. Although the Cains have lag bolted their containers closed long before the City's new requirements to do so, their containers are usually found in the middle of the street of pushed down to Gregory Creek. Being able to store trash and recycling containers inside a garage would provide a significant relief.

B. The unusual circumstances to not exist throughout the neighborhood or zoning district in which the property is located.

Although this exceptional topography is characteristic of the neighborhood, it does not exist throughout the entire RE zoning district.

C. Because of such physical circumstances or conditions the property cannot be reasonable developed in conformity.

As described above, because the lot naturally slopes so steeply from the front of the property to the rear, it would be unreasonable to construct and nearly impossible to access any garage within the City's standard setback requirements.

D. Any unnecessary hardship was not created by the owners.

The Cains did not create the unusually steep grade that characterizes their lot and makes development within the standard form and bulk requirements unreasonable. Nor did they create the street parking problem that plagues the neighborhood.

5. Requirements for all Variances:

A. Would not alter the essential character of the neighborhood.

The proposed attached garage addition would not alter the essential character of the neighborhood. Several adjacent properties along Gregory Ln have non-standard front-yard setbacks due to the exceptionally steep topography of the neighborhood. Additionally, owners of 430 Gregory Ln have applied and been approved for several setback variances in the past (see attachment #5). The proposed attached garage addition is simple in form and ties into the existing house naturally. The proposed attached garage as shown on sheets A1-A5 does not create a new low point within 25 ft. of the principle building and conforms to the City's height requirements. Although previous remodels and additions to the Cain's home have created non-conforming height conditions, we have gone to lengths to locate the proposed garage, and designed its plate heights and roof pitches in order to fall underneath the City's 35' height limit. The proposed attached garage would not cause the principle building to exceed its floor area ration or maximum lot coverage (see attachment #6).

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

The proposed garage addition, although located within the front and side-yard setbacks, is mostly out of the view corridors of the adjacent lots and preserves the neighbor's views to the flatirons and Chautauqua park. Many adjacent property owners are aware of the Cain's intentions to build an attached garage, have seen the architectural drawings, and expressed their support for the project (see attachment #7). Additionally, the proposed garage would alleviate the tight and congested parking situation on Gregory Ln by providing two additional off-street parking spaces. For reasons described above, this would benefit the neighbors along Gregory Ln, as well as snow plows and emergency vehicles.

C. Would be the minimum variance that would afford relief and would be the least modification of the applicable provisions.

'Relief' to the homeowners means a covered, protected area to park two cars, as well as adequate protected storage space. We have explored several different options to provide this relief for the Cains, and the attached garage presented here illustrates the compromises we have reached between the relief desired and the setback restrictions, grade restrictions, and considerations to the neighboring lots.

The desired relief of storing cars inside a garage protected from the hail and snow storms is not unique to the Cains. However, the problem of providing this relief by developing a garage within the standard setback requirements is a problem caused by the unique conditions of their property. By providing the Cains a two-car garage located as shown, we allow them to protect two cars from the elements and provide ample space to park two additional cars in front of the garage and off the street. This provides the Cains a relief from the street parking problem on their narrow lane, as well as alleviate some of that congestion for their neighbors.

The relief of storage items in a protected area is something that the existing house does

not provide. With such a large family, the Cains have inadequate storage space for large items such as snow tires, tools, equipment, and large items that need protection from the elements. The garage proposed in these plans includes an area of low-volume storage with a head height below 6', not tall enough to even be considered living area (see sheet A5). This additional storage area provides a place for the Cains to store their trash and recycling containers, keeping them off the street, and providing a relief the entire neighborhood. It also provides ample space to store large items that currently can't be stored away in the existing house.

To further minimize the variances to the front and side-yard setbacks would push the garage both further into the neighbor's view corridor, further above grade, and more out of character with the surrounding neighborhood. Although there is a construction and engineering solution to locate a garage within the standard setbacks, this solution has proven too complicated and cost prohibitive.

We feel that the size and location of the attached garage proposed, is the minimum variance that provides the relief that the homeowners seek.

D. Would not conflict with the provisions of Solar Access

The solar shadow analysis we have preformed is preliminary. There is an existing retaining wall encroaching into the property from the neighboring lot that alters the grade significantly at the property line. At this point, we are requesting an Administrative Solar Exception and feel that the proposed garage meets the following relevant criteria to be granted such exception:

> *(1) Because basic solar access protection requirements and land use regulations, reasonable use cannot otherwise be made of the lot for which the exception is requested, the part of the adjoining lot or lots that the proposed structure would shade is inherently unsuitable as a site for solar energy system, or any shading would not significantly reduce the solar potential of the protected lot, and such situations have not been created by the applicant;*

The shadows cast by the proposed garage would not significantly reduce the solar potential of the protected lot. The proposed garage would cast shadows into a heavily treed area, which is protected by right-of-way, utility, access and sanitary sewer easements. Additionally, the protected lot is restricted by covenants that limit solar collectors and equipment on its roof (see attachment #8). An existing retaining wall alters the natural grade along the property line and further topographic information is required to complete the analysis.

> *(2) Except for actions under paragraphs (D), (E), and (F), the exception would be the minimal action that would afford relief in and economically feasible manner;*

As described in the sections above, the proposed location of the garage is based on several factors and compromises including impact on neighboring lots. Minimizing the

impact of the shadows cast into the neighboring lot would greatly increase the complexity and cost of building a garage to provide the relief the homeowners seek. The foundation system and engineering required to suspend a garage slab in the air have been explored in the past and have proven far to expensive.

(3) The exception would cause the least interference possible with basic solar access protection for other lots;

The opposed location of the garage causes least interference in an area of the neighboring lot that does not significantly reduce their solar potential.

Thank you so much for taking the time to review our variance requests. We are happy to provide any additional information to further clarify why we feel the proposed attached garage meets all the relevant criteria for approval.

Sincerely,

Adam J. Osterhoff
Senior Designer

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)
RE	15,500	4,771	3,688

Calculate the total Floor Area for your project:

Floor Area as Defined in 9-16-1, B.R.C. 1981			*Amount of Floor Area that contributes to max FAR*
	Existing (sf)	Proposed (sf)	**Total (sf)**
Level 1	2,086	632	2,718
Level 2	1,865		
Level 3			
Level 4			
Accessory 1			
Accessory 2			
Accessory 3			
TOTAL	3,951	632	4,583

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

FAR	:1

Calculate the total Building Coverage for your project:

Building Coverage as Defined in 9-16-1, BRC 1981			
	Existing (sf)	Proposed (sf)	**Total (sf)**
Principal	2,696	632	3,328
Accessory 1			
Accessory 2			
Accessory 3			
TOTAL			

Front porch total area	
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.

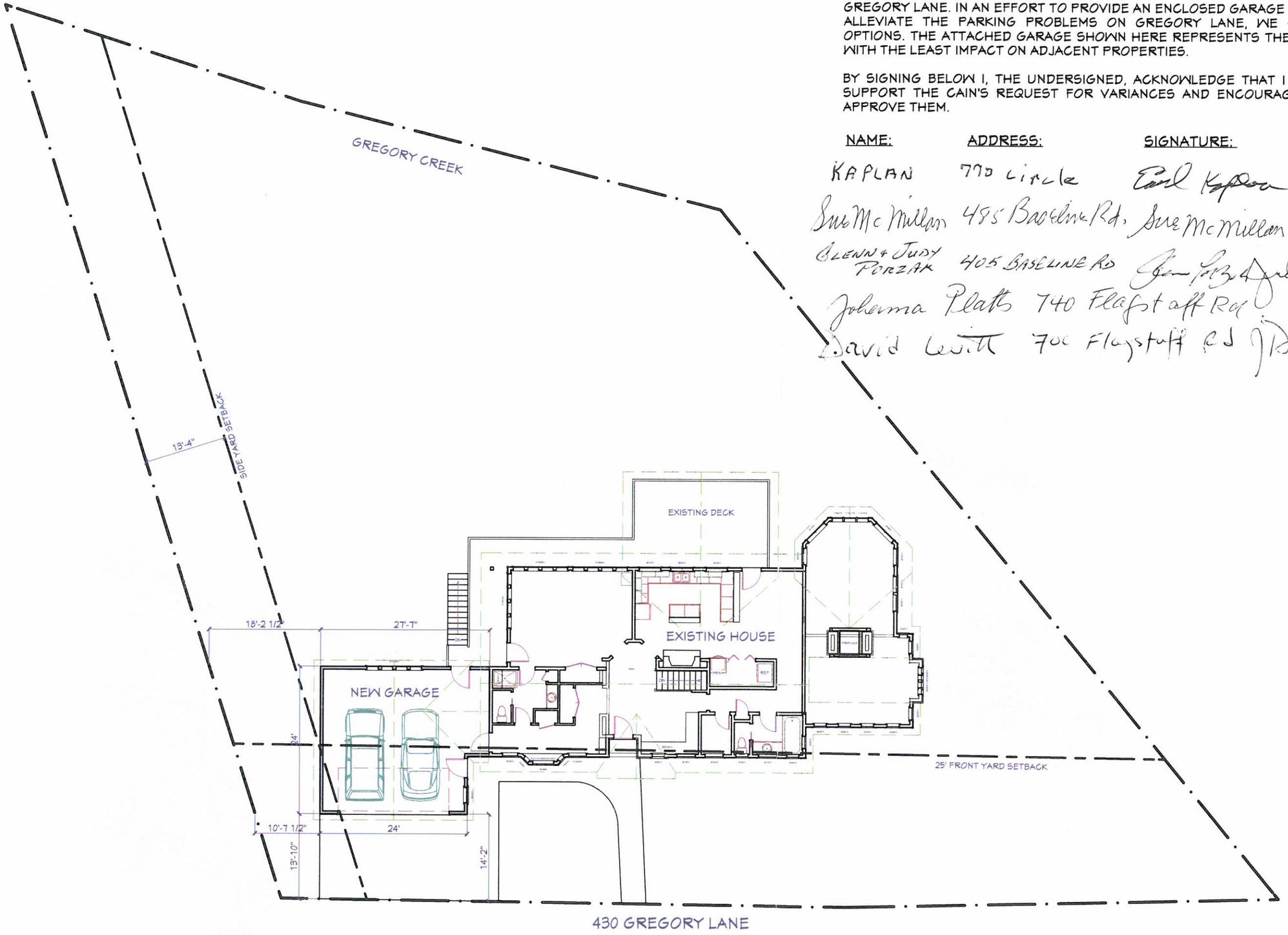
Building Area Declaration:

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: Adam J. Osterhoff Signature:

Title: (e.g. Owner, Architect, Contractor, etc.) Senior Designer Date: 6/18/14

Attachment #6



THESE DRAWINGS REPRESENT A PROPOSED GARAGE ADDITION FOR THE CAIN FAMILY AT 430 GREGORY LANE. IN AN EFFORT TO PROVIDE AN ENCLOSED GARAGE WITH STORAGE SPACE, AND ALLEVIATE THE PARKING PROBLEMS ON GREGORY LANE, WE HAVE EXPLORED SEVERAL OPTIONS. THE ATTACHED GARAGE SHOWN HERE REPRESENTS THE MOST FEASIBLE SOLUTION WITH THE LEAST IMPACT ON ADJACENT PROPERTIES.

BY SIGNING BELOW I, THE UNDERSIGNED, ACKNOWLEDGE THAT I HAVE BEEN NOTIFIED AND SUPPORT THE CAIN'S REQUEST FOR VARIANCES AND ENCOURAGE THE REVIEW BOARD TO APPROVE THEM.

NAME:	ADDRESS:	SIGNATURE:	DATE:
KAPLAN	770 Circle	Earl Kaplan	4-13-14
Sue McMillan	485 Baseline Rd.	Sue McMillan	4/13/14
GLENN & JUDY PORZAK	405 BASELINE RD	Glenn & Judy Porzak	4/13/14
Johanna Platts	740 Flagstaff Rd		4/13/14
David Leith	700 Flagstaff Rd		4/15/14

SITE PLAN
SCALE: 1/16" = 1' - 0"

DN DESIGN NETWORK

Design Network Assoc.
Sustainable Architecture & Environmental Design
James McCutcheon - Architect - A.I.A.
1400 9TH St. Suite 310 - Boulder, CO
Tele: 303-415-1280 jmcc1@comcast.net

RESIDENTIAL REMODEL
THE CAIN RESIDENCE
430 GREGORY LANE BOULDER, CO 80302

CONCEPTUAL DESIGN DRAWINGS

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4/8/14

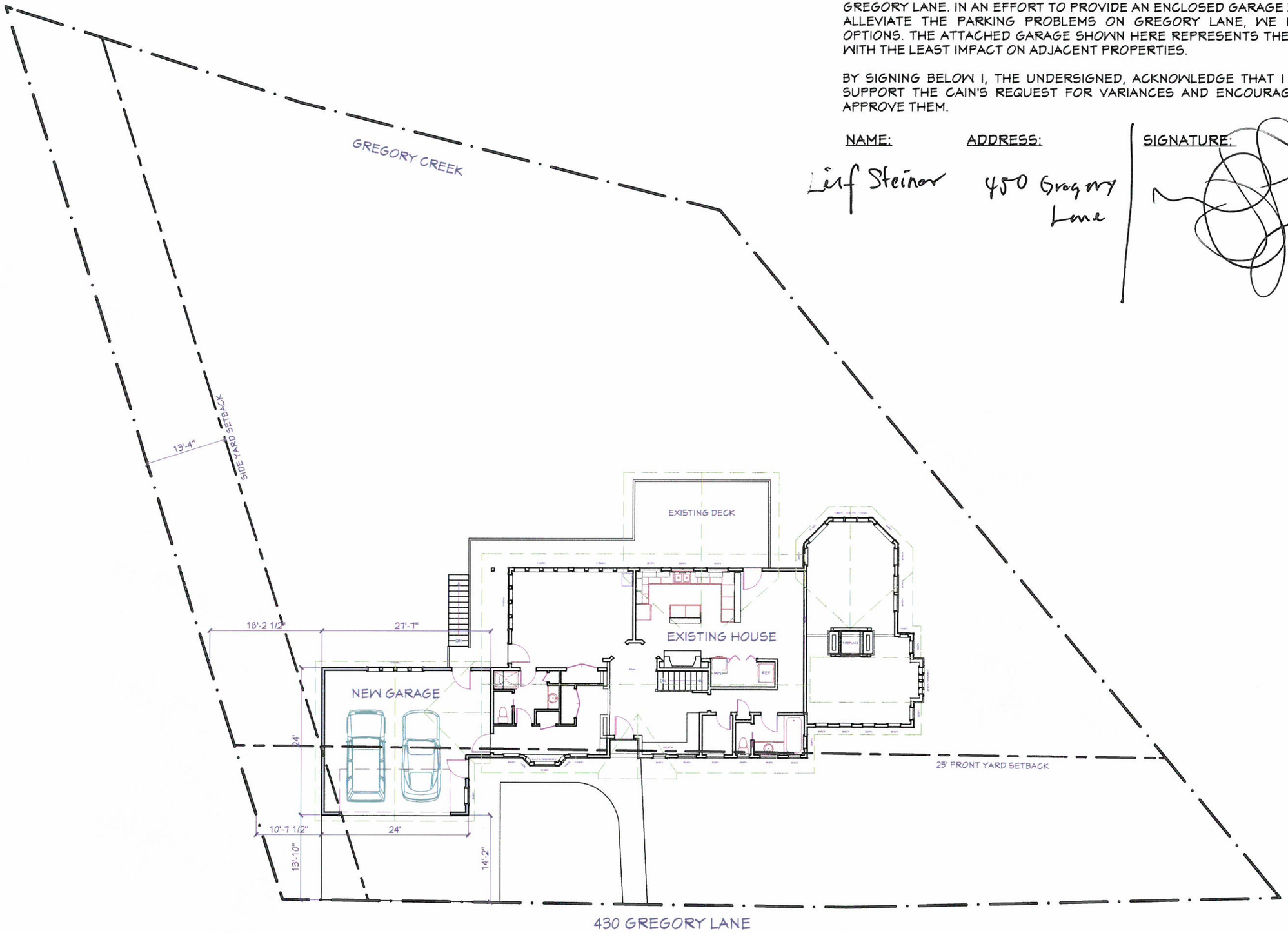
A1

Attachment #7

THESE DRAWINGS REPRESENT A PROPOSED GARAGE ADDITION FOR THE CAIN FAMILY AT 430 GREGORY LANE. IN AN EFFORT TO PROVIDE AN ENCLOSED GARAGE WITH STORAGE SPACE, AND ALLEVIATE THE PARKING PROBLEMS ON GREGORY LANE, WE HAVE EXPLORED SEVERAL OPTIONS. THE ATTACHED GARAGE SHOWN HERE REPRESENTS THE MOST FEASIBLE SOLUTION WITH THE LEAST IMPACT ON ADJACENT PROPERTIES.

BY SIGNING BELOW I, THE UNDERSIGNED, ACKNOWLEDGE THAT I HAVE BEEN NOTIFIED AND SUPPORT THE CAIN'S REQUEST FOR VARIANCES AND ENCOURAGE THE REVIEW BOARD TO APPROVE THEM.

NAME:	ADDRESS:	SIGNATURE:	DATE:
Leif Steiner	450 Gregory Lane		4/15/14



SITE PLAN
SCALE: 1/16" = 1' - 0"

DNA DESIGN NETWORK
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Sustainable Architecture & Environmental Design
James McEachron - Architect - A.I.A.
1900 9TH St. Suite 310 - Boulder, CO
Tele: 303-415-1240 jmcc1@comcast.net

RESIDENTIAL REMODEL
THE CAIN RESIDENCE
430 GREGORY LANE BOULDER, CO 80302

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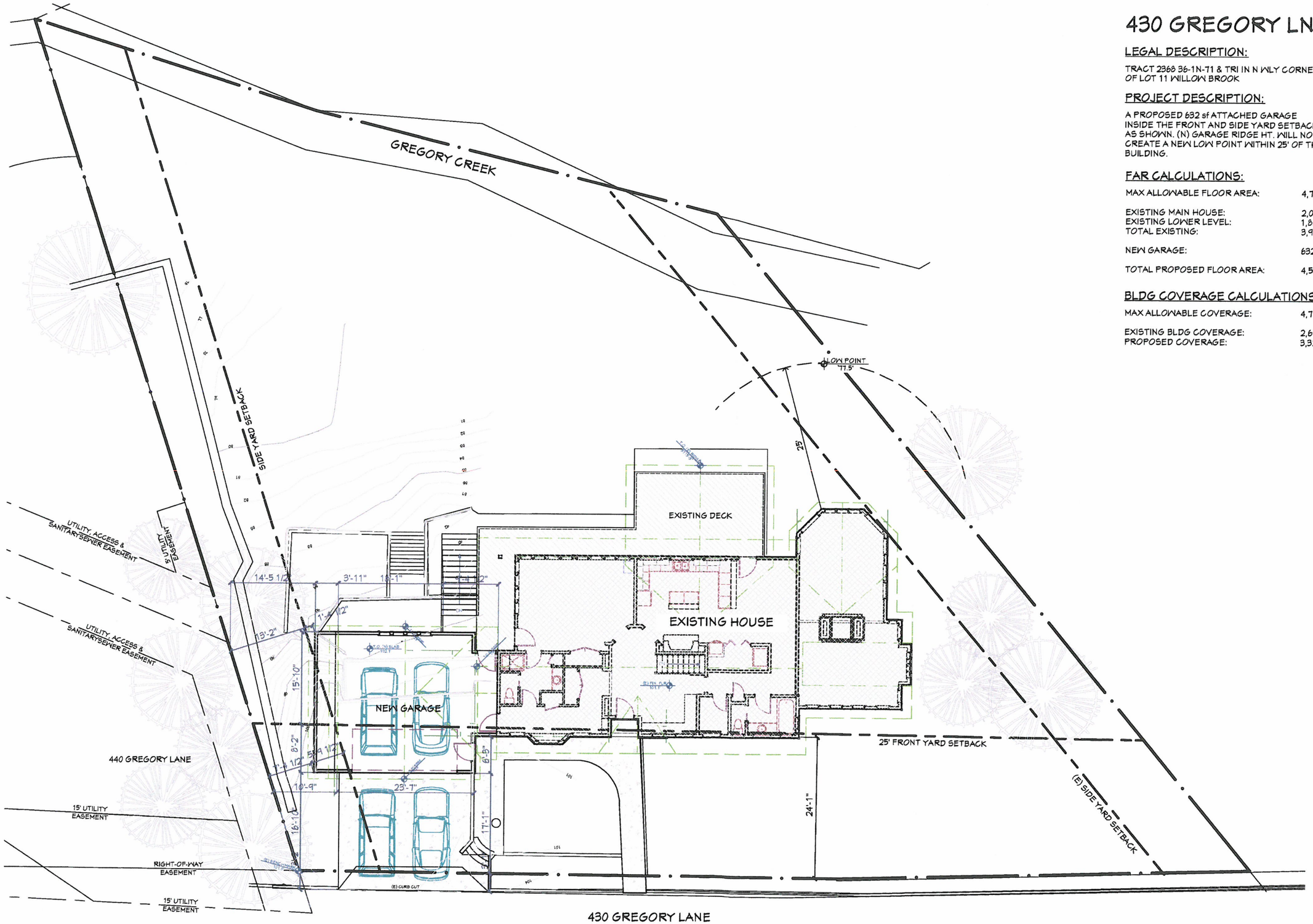

PROPOSED SITE PLAN

SCALE: 1/16" = 1' - 0"

430 GREGORY LN

LEGAL DESCRIPTION:

TRACT 2368 36-1N-71 & TRI IN N WLY CORNER OF LOT 11 WILLOW BROOK

PROJECT DESCRIPTION:

A PROPOSED 632 sf ATTACHED GARAGE INSIDE THE FRONT AND SIDE YARD SETBACKS AS SHOWN. (N) GARAGE RIDGE HT. WILL NOT CREATE A NEW LOW POINT WITHIN 25' OF THE BUILDING.

FAR CALCULATIONS:

MAX ALLOWABLE FLOOR AREA:	4,771 sf
EXISTING MAIN HOUSE:	2,086 sf
EXISTING LOWER LEVEL:	1,865 sf
TOTAL EXISTING:	3,951 sf
NEW GARAGE:	632 sf
TOTAL PROPOSED FLOOR AREA:	4,583 sf

BLDG COVERAGE CALCULATIONS:

MAX ALLOWABLE COVERAGE:	4,771 sf
EXISTING BLDG COVERAGE:	2,696 sf
PROPOSED COVERAGE:	3,328 sf

DNA DESIGN NETWORK

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1400 4TH St. Suite 310 - Boulder, CO
Tele: 303-448-9240 jmcc1@comcast.net

AN ATTACHED GARAGE ADDITION
THE CAIN RESIDENCE
430 GREGORY LANE BOULDER, CO 80302

BOZA APPLICATION DRAWINGS

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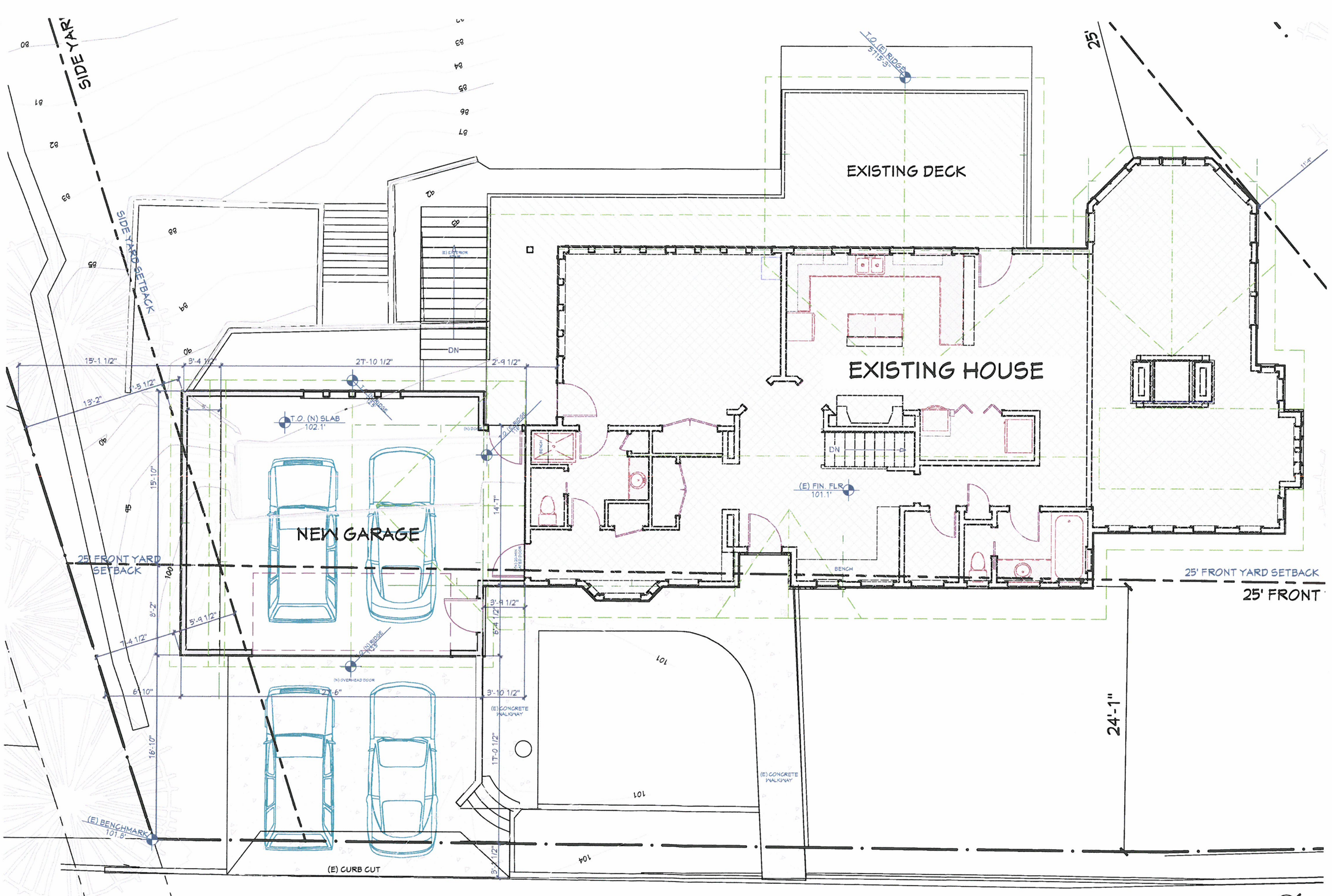
Attachment # 3



PROPOSED FLOOR PLAN

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

Design Network Assoc.
Sustainable Architecture & Environmental Design
James McCutcheon - Architect - A.I.A.
1400 47TH St. Suite 310 - Boulder, CO
Tele: 303-415-1240 jmc1@comcast.net

AN ATTACHED GARAGE ADDITION
THE CAIN RESIDENCE
430 GREGORY LANE BOULDER, CO 80302

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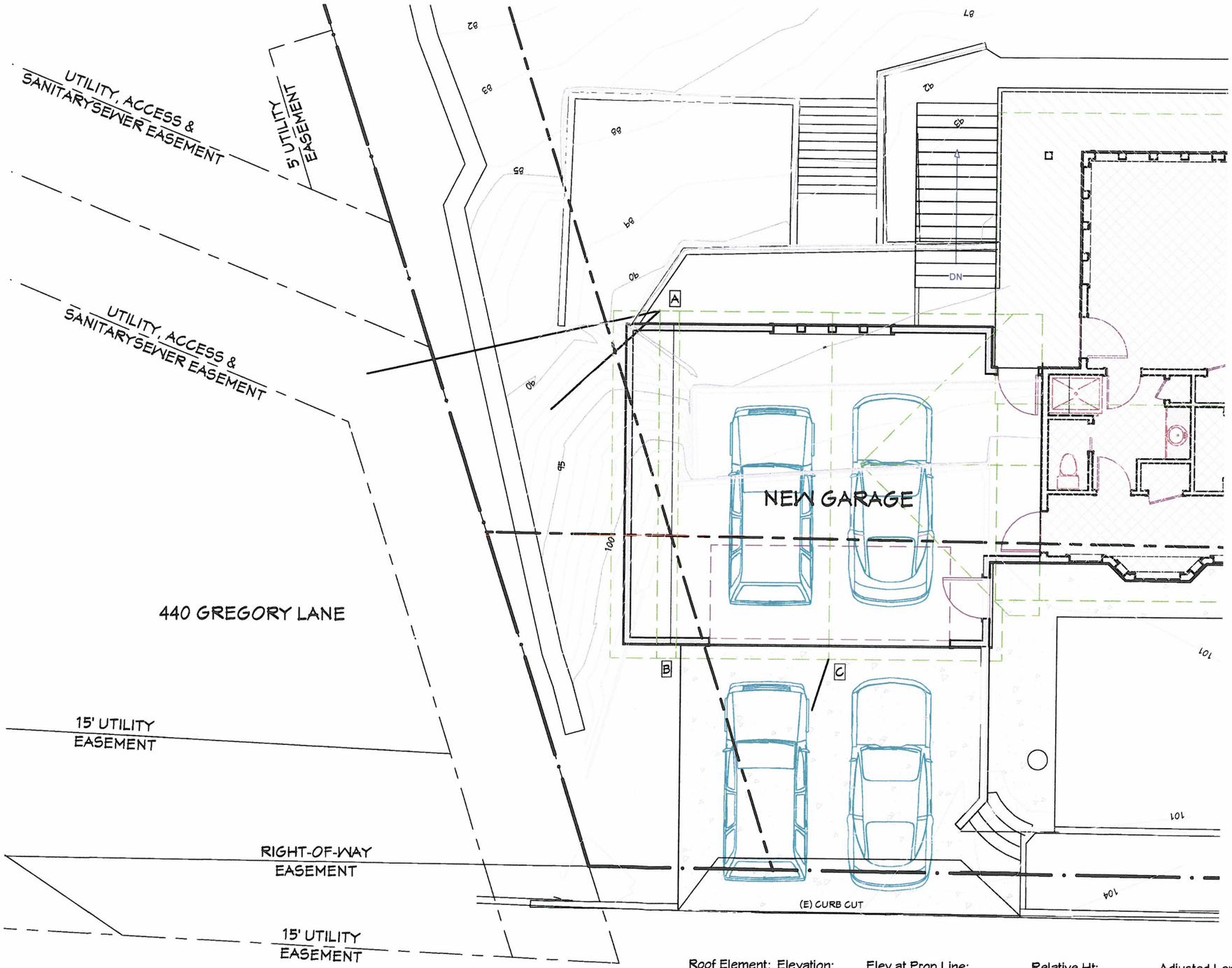

Roof Element:	Elevation:	Elev at Prop Line: 10 am	Noon	2 pm	Relative Ht: 10 am	Noon	2 pm	Adjusted Length: 10 am	Noon	2 pm
A	109.6'	98'	92'	89'	11.6'	17.6'	20.6'	-	11'	22.5'
B	109.6'	98'	99'	103'	11.6'	10.6'	6.6'	-	-	-
C	112.5'	99'	103'	104'	13.5'	9.5'	8.5'	4'	-	-

PROPOSED SLOAR ACCESS PLAN

SCALE: 1/16" = 1' - 0"

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Tele: 303-495-0240
jmcg1@comcast.net

AN ATTACHED GARAGE ADDITION
THE CAIN RESIDENCE
430 GREGORY LANE BOULDER, CO 80302

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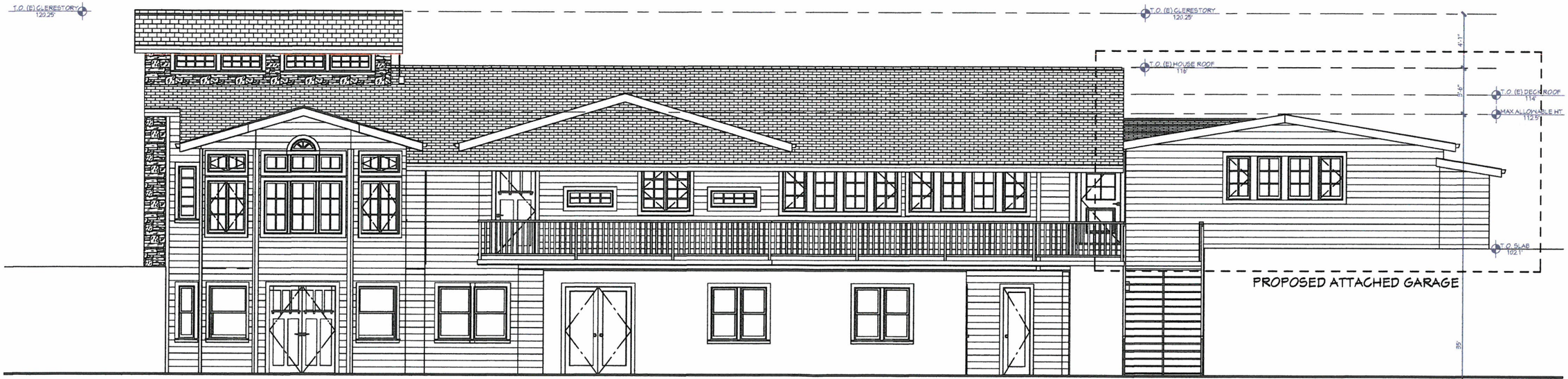
A3

SOUTH ELEVATION

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



NORTH ELEVATION

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

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Sustainable Architecture & Environmental Design
James McCutcheon - Architect - A.I.A.
1400 9TH St. Suite 310 - Boulder, CO
Tele: 303-415-1240 jmcc1@comcast.net

AN ATTACHED GARAGE ADDITION
THE CAIN RESIDENCE
430 GREGORY LANE BOULDER, CO 80302

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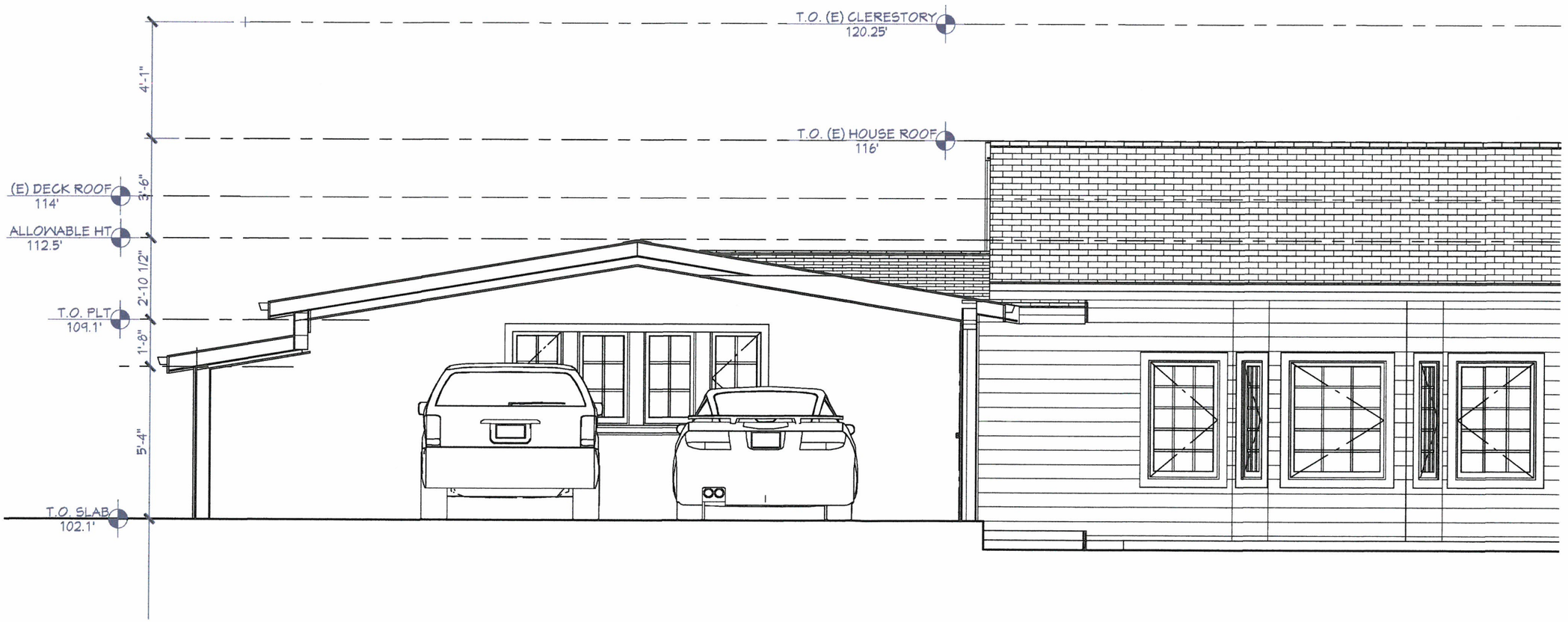

SECTION THRU PROPOSED ATTACHED GARAGE

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

DNA DESIGN NETWORK

Design Network Assoc.
Sustainable Architecture & Environmental Design
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1400 9TH St. Suite 310 - Boulder, CO
Tele: 303-415-1240 jmcc1@comcast.net

AN ATTACHED GARAGE ADDITION
THE CAIN RESIDENCE
430 GREGORY LANE BOULDER, CO 80302

BOZA APPLICATION DRAWINGS

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ISSUE:

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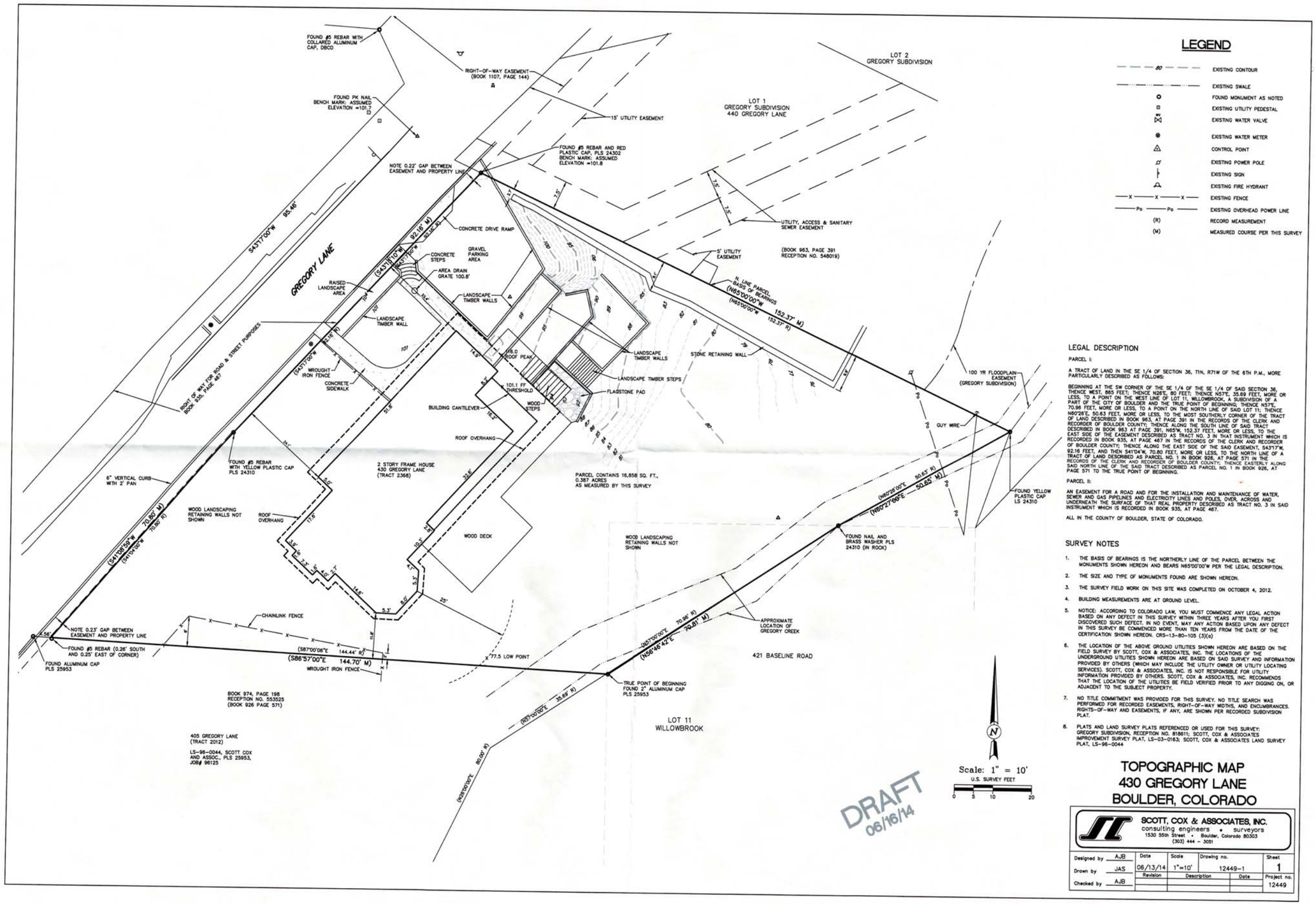
A5



LEGEND

- EXISTING CONTOUR
- EXISTING SWALE
- FOUND MONUMENT AS NOTED
- EXISTING UTILITY PEDESTAL
- EXISTING WATER VALVE
- EXISTING WATER METER
- CONTROL POINT
- EXISTING POWER POLE
- EXISTING SIGN
- EXISTING FIRE HYDRANT
- EXISTING FENCE
- EXISTING OVERHEAD POWER LINE
- (R) RECORD MEASUREMENT
- (M) MEASURED COURSE PER THIS SURVEY

LEGAL DESCRIPTION

PARCEL I:

A TRACT OF LAND IN THE SE 1/4 OF SECTION 36, T1N, R71W OF THE 6TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SW CORNER OF THE SE 1/4 OF THE SE 1/4 OF SAID SECTION 36, THENCE WEST, 865 FEET; THENCE N28°E, 80 FEET; THENCE N57°E, 35.69 FEET, MORE OR LESS, TO A POINT ON THE WEST LINE OF LOT 11, WILLOWBROOK, A SUBDIVISION OF A PART OF THE CITY OF BOULDER AND THE TRUE POINT OF BEGINNING; THENCE N57°E, 70.96 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF SAID LOT 11; THENCE N80°28'E, 50.63 FEET, MORE OR LESS, TO THE MOST SOUTHERLY CORNER OF THE TRACT OF LAND DESCRIBED IN BOOK 963, AT PAGE 391 IN THE RECORDS OF THE CLERK AND RECORDER OF BOULDER COUNTY; THENCE ALONG THE SOUTH LINE OF SAID TRACT DESCRIBED IN BOOK 963 AT PAGE 391, N85°W, 152.37 FEET, MORE OR LESS, TO THE EAST SIDE OF THE EASEMENT DESCRIBED AS TRACT NO. 3 IN THAT INSTRUMENT WHICH IS RECORDED IN BOOK 935, AT PAGE 467 IN THE RECORDS OF THE CLERK AND RECORDER OF BOULDER COUNTY; THENCE ALONG THE EAST SIDE OF THE SAID EASEMENT, S43°17'W, 92.16 FEET, AND THEN S41°04'W, 70.80 FEET, MORE OR LESS, TO THE NORTH LINE OF A TRACT OF LAND DESCRIBED AS PARCEL NO. 1 IN BOOK 926, AT PAGE 571 OF THE RECORDS OF THE CLERK AND RECORDER OF BOULDER COUNTY; THENCE EASTERLY ALONG SAID NORTH LINE OF THE SAID TRACT DESCRIBED AS PARCEL NO. 1 IN BOOK 926, AT PAGE 571 TO THE TRUE POINT OF BEGINNING.

PARCEL II:

AN EASEMENT FOR A ROAD AND FOR THE INSTALLATION AND MAINTENANCE OF WATER, SEWER AND GAS PIPELINES AND ELECTRICITY LINES AND POLES, OVER, ACROSS AND UNDERNEATH THE SURFACE OF THAT REAL PROPERTY DESCRIBED AS TRACT NO. 3 IN SAID INSTRUMENT WHICH IS RECORDED IN BOOK 935, AT PAGE 467.

ALL IN THE COUNTY OF BOULDER, STATE OF COLORADO.

SURVEY NOTES

1. THE BASIS OF BEARINGS IS THE NORTHERLY LINE OF THE PARCEL BETWEEN THE MONUMENTS SHOWN HEREON AND BEARS N85°00'00"W PER THE LEGAL DESCRIPTION.
2. THE SIZE AND TYPE OF MONUMENTS FOUND ARE SHOWN HEREON.
3. THE SURVEY FIELD WORK ON THIS SITE WAS COMPLETED ON OCTOBER 4, 2012.
4. BUILDING MEASUREMENTS ARE AT GROUND LEVEL.
5. NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED ON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED 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. CRS-13-80-105 (3)(a)
6. THE LOCATION OF THE ABOVE GROUND UTILITIES SHOWN HEREON ARE BASED ON THE FIELD SURVEY BY SCOTT, COX & ASSOCIATES, INC. THE LOCATIONS OF THE UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON SAID SURVEY AND INFORMATION PROVIDED BY OTHERS (WHICH MAY INCLUDE THE UTILITY OWNER OR UTILITY LOCATING SERVICES). SCOTT, COX & ASSOCIATES, INC. IS NOT RESPONSIBLE FOR UTILITY INFORMATION PROVIDED BY OTHERS. SCOTT, COX & ASSOCIATES, INC. RECOMMENDS THAT THE LOCATION OF THE UTILITIES BE FIELD VERIFIED PRIOR TO ANY DIGGING ON, OR ADJACENT TO THE SUBJECT PROPERTY.
7. NO TITLE COMMITMENT WAS PROVIDED FOR THIS SURVEY. NO TITLE SEARCH WAS PERFORMED FOR RECORDED EASEMENTS, RIGHT-OF-WAY WIDTHS, AND ENCUMBRANCES. RIGHTS-OF-WAY AND EASEMENTS, IF ANY, ARE SHOWN PER RECORDED SUBDIVISION PLAT.
8. PLATS AND LAND SURVEY PLATS REFERENCED OR USED FOR THIS SURVEY: GREGORY SUBDIVISION, RECEPTION NO. 818611; SCOTT, COX & ASSOCIATES IMPROVEMENT SURVEY PLAT, LS-03-0163; SCOTT, COX & ASSOCIATES LAND SURVEY PLAT, LS-96-0044

TOPOGRAPHIC MAP
430 GREGORY LANE
BOULDER, COLORADO

SCOTT, COX & ASSOCIATES, INC.
consulting engineers • surveyors
1530 55th Street • Boulder, Colorado 80303
(303) 444 - 3051

Designed by AJB	Date	Scale	Drawing no.	Sheet
Drawn by JAS	06/13/14	1"=10'	12449-1	1
Checked by AJB	Revision	Description	Date	Project no.
				12449

Attachment #2

CITY OF BOULDER
BOARD OF ZONING ADJUSTMENT
ACTION MINUTES
June 12, 2014, 5 p.m.
1777 Broadway, Council Chambers

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

1. CALL TO ORDER:
E. McCready called the meeting to order at 5:03 p.m.

2. BOARD HEARING:

Docket No.: BOZ2014-06
Address: 855 Park Lane
Applicant: Donald & Kristina Bergal

Setback Variance: As part of a proposal to expand an existing carport to a single family residence, the applicant is requesting a variance to the rear yard setback requirements of the RL-1 zoning district. The resulting rear (west) yard setback will be approximately 12.6' where 25' is required and 14.9' exists today. Section of the Land Use Regulations to be modified: Section 9-7-1, BRC 1981.

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

Applicant Presentation:
Donald Bergal presented the item to the board.

Motion:
On a motion by **C. Lane**, seconded by **D. Schafer**, the Board of Zoning Adjustment voted 4-0 (**M. Hirsch** absent) to approve the application (**Docket BOZ2014-00006**) as presented.

Docket No.: BOZ2014-07
Address: 2515 7th Street
Applicant: Jennifer Kilbury

Setback & Building Coverage Variance: As part of a proposal to construct an addition to an existing single family residence as well as modify an existing detached studio, the applicant is requesting a variance to the rear & front yard setback requirements as well as a variance to the building coverage requirements of the RL-1 zoning district. For the house, the resulting rear (west) yard setback will be approximately 5' where 25' is required and 25' exists today. For the detached studio, the resulting front (east) yard setback will be approximately 23.9' where 55' is required and 23.9' exists today. Additionally, the resulting building coverage for the property will be approximately 1,121 square feet where 1,009 square feet is the maximum allowance and 693 square feet exists today. Sections of the Land Use Regulations to be modified: Sections 9-7-1 & 9-7-11, BRC 1981.

DRAFT

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

Applicant Presentation:
Christopher Melton, the architect, presented to the board.

Motion:
On a motion by **D. Schafer**, seconded by **T. Ward**, the Board of Zoning Adjustment voted 4-0 (**M. Hirsch** absent) to approve the application (**Docket 2014-00007**) as submitted and presented.

Docket No.: BOZ2014-08
Address: 2352 9th Street
Applicants: William Jellick and Janice Jeffryes

Setback Variance: As a part of a proposal to enclose an existing covered rear porch, the applicants are requesting a variance to the interior side yard setback and also to the total side yard setback requirements of the RMX-1 zoning district. The enclosure is proposed with the following: a north side yard setback of approximately 3.5' where 5' is required and where approximately 3.5' exists; and a total side yard setback for both the north and south side yards of approximately 10.5' where 15' is required and where approximately 10.5' exists. Section of the Land Use Regulations to be modified: Section 9-7-1, BRC 1981.

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

Motion:
On a motion by **E. McCready**, seconded by **C. Lane**, the Board of Zoning Adjustment voted 4-0 (**M. Hirsch** absent) to approve the application (**Docket 2014-00008**) as presented.

3. GENERAL DISCUSSION:

A. Approval of Minutes:
On a motion by **T. Ward**, seconded by **D. Schafer**, the Board of Zoning Adjustment voted 4-0 (**M. Hirsch** absent) to approve the May 8, 2014 minutes.

B. Matters from Staff
B. Holmes discussed possible dates for the board retreat.

C. Matters from the Board
C. Lane will be absent for the July meeting.

D. Matters from the City Attorney
E. Poe will be out on maternity leave beginning in October.

4. ADJOURNMENT:

There being no further business to come before the board at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED AT 6:13 P.M.

APPROVED BY

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DATE