



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

**DATE:** Thursday, September 11, 2014

**TIME:** Meeting to begin at 5 p.m.

**PLACE:** Council Chambers, 1777 Broadway

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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: (*Continuance From July 10, 2014 Meeting*) 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 6.5 feet where 9.81 feet is required and ½ a foot exists today. The resulting east side yard setback will be approximately 14 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.: BOZ2014-12**

Address: 110 South 31<sup>st</sup> Street

Applicant: Robert Story and Kelly Shanafelt

Variance to Parking Spaces in Front Yard Setbacks: As a proposal to construct a 495 sq. ft. addition to an existing 1,313 sq. ft. residence (including area associated with converted garage), the applicants are requesting to vary the requirements of Section 9-9-6, "Parking Standards", to allow for the required off-street parking space to be located within the front yard setback. Section of the Land Use Regulations to be varied: Section 9-9-6, B.R.C. 1981.

**Docket No.: BOZ2014-14**

Address: 2303 Mapleton Avenue

Applicant: Douglas Johnson & Theresa Hernandez

Setback Variance: As part of a proposal to construct a rear entry roof and columns over an existing landing to a single family residence, the applicant is requesting a variance to the rear yard setback requirements of the RMX-1 zoning. The resulting rear (north) yard setback will be approximately 11.5 feet where 25 feet is required and 16.83 feet exists today. Section of the Land Use Regulations to be modified: Section 9-7-1, BRC 1981.

**Docket No.: BOZ2014-15**

Address: 1612 Mapleton

Applicant: William Spencer and Michael Keaney

Setback Variance: As part of a proposal to modify an existing shed roof at the rear of the single family dwelling, the applicants are requesting a variance to both the interior side yard and combined side yard setback requirements of the RMX-1 zoning. The resulting east side yard setback will be approximately 1.8 feet where 5 feet is required and where 1.8 feet exists today. The resulting combined side yard setback will be approximately 9.6 feet where 15 feet is required and where 9.6 feet exists today. Section of the Land Use Regulations to be modified: Section 9-7-1, BRC 1981.

**3. GENERAL DISCUSSION**

**A. Approval of Minutes:** The [August 14, 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**

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

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

**CALL TO ORDER**

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

**AGENDA**

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

**ACTION ITEMS**

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

**1. Presentations**

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

**2. Public Hearing**

Each speaker will be allowed an oral presentation.\*

- Speakers should introduce themselves, giving name and address. If officially representing a group, homeowners' association, etc., please state that for the record as well.
- Speakers are requested not to repeat items addressed by previous speakers other than to express points of agreement or disagreement. Refrain from reading long documents, and summarize comments wherever possible. Long documents may be submitted and will become a part of the official record. When possible, these documents should be submitted in advance so staff and the board can review them before the meeting.
- Speakers should address the Land Use Regulation criteria and, if possible, reference the rules that the board uses to decide a case.
- Any exhibits introduced into the record at the hearing must be provided in quantities of seven to the Board Secretary for distribution to the board and admission into the record.
- Citizens can send a letter to Planning and Development Services staff at 1739 Broadway, Boulder, CO 80302, two weeks before the board meeting, to be included in the Board packet. Correspondence received after this time will be distributed at the board meeting.

**3. Board Action**

- Board motion. Motions may take any number of forms. With regard to a specific development proposal, the motion generally is to either approve the project (with or without conditions), to deny it, or to continue the matter to a date certain (generally in order to obtain additional information).
- Board discussion. This is undertaken entirely by members of the board. The applicant, members of the public or city staff participate only if called upon by the Chairperson.
- Board action (the vote). An affirmative vote of at least three members of the board is required to pass a motion approving any action. If the vote taken results in a tie, a vote of two to two, two to one, or one to two, the applicant shall be automatically allowed a rehearing. A tie vote on any subsequent motion to approve or deny shall result in defeat of the motion and denial of the application.

**MATTERS FROM THE BOARD, CITY STAFF, AND CITY ATTORNEY**

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

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



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

# BOZA VARIANCE APPLICATION

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

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

## GENERAL DATA

(To be completed by the applicant.)

- Street Address or General Location of Property: 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 IMPROVMENTS. PLEASE SEE THE ATTACHED LETTER AND IMAGERY WHICH PROVIDES MORE DETAIL ABOUT THE APPLICATION.

*Total floor area of existing building: 1252 SF	*Total floor area proposed: 1374 SF
*Building coverage existing: 1070 SF	*Building coverage proposed: 1090 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. 3072014-10 Date Filed \_\_\_\_\_ Zone \_\_\_\_\_ Hearing Date \_\_\_\_\_  
Application received by: \_\_\_\_\_ Date Fee Paid \_\_\_\_\_ Misc. Rect # \_\_\_\_\_

**APPLICATION TYPES**

- Setback Variance
- Sign Variance
- Mobile Home Spacing Variance

**APPLICATION REQUIREMENTS**

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

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

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

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

Applicant / Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

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, as our buildable envelope is only 7'-2" wide. If the lot size were the standard 50', the roof top deck (or any other permitted improvement) 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 14', and a side yard setback on the West side of the house of 6'-6". This would be 5' less setback encroachment than our original request at the prior zoning board meeting, as we were able to incorporate the comments of the board members and revisit the design to make adjustments. 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 which we do not encroach upon.

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,

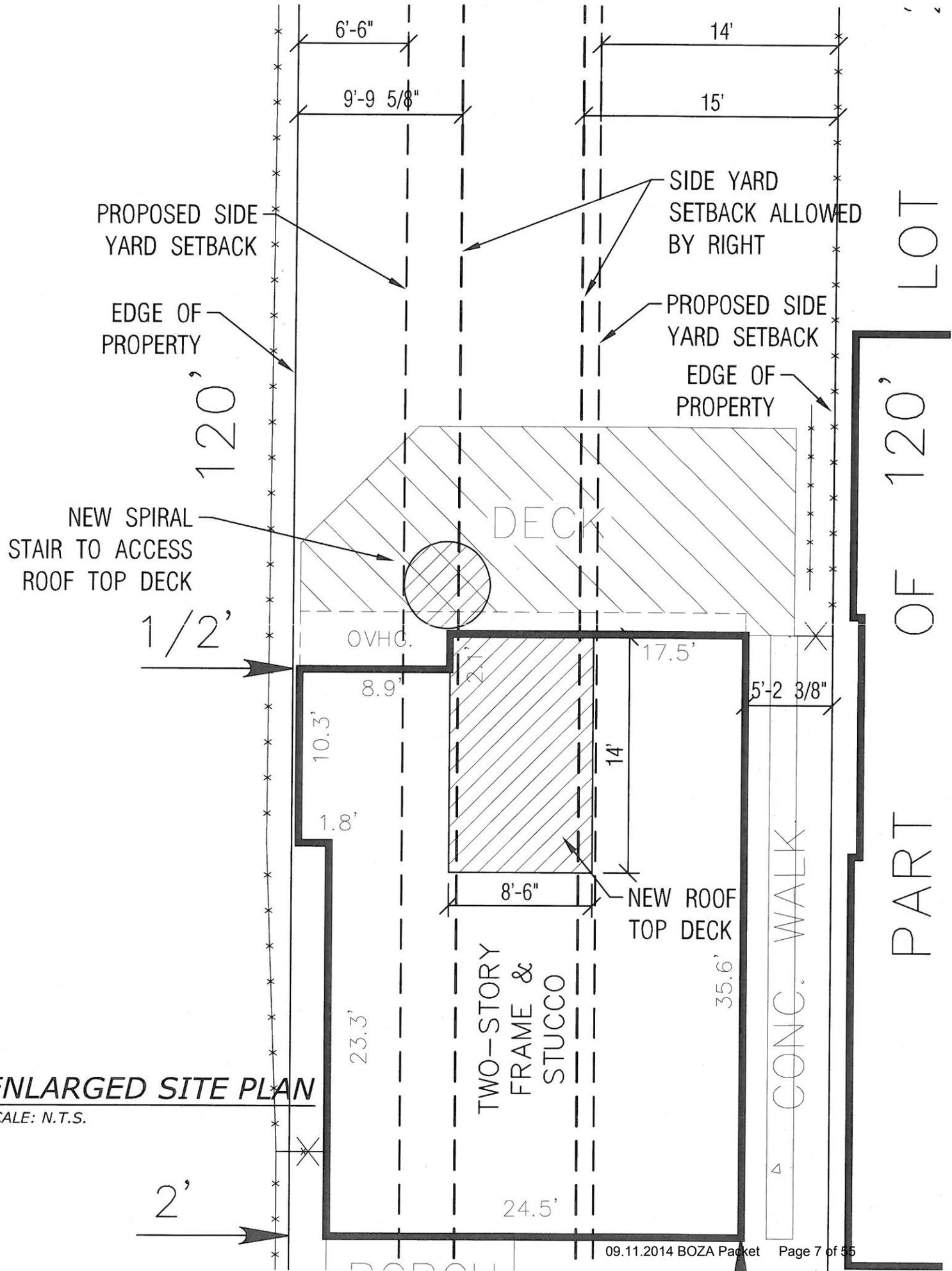
Richard Roosen (Owner) and Brendan Kennedy (Architect)

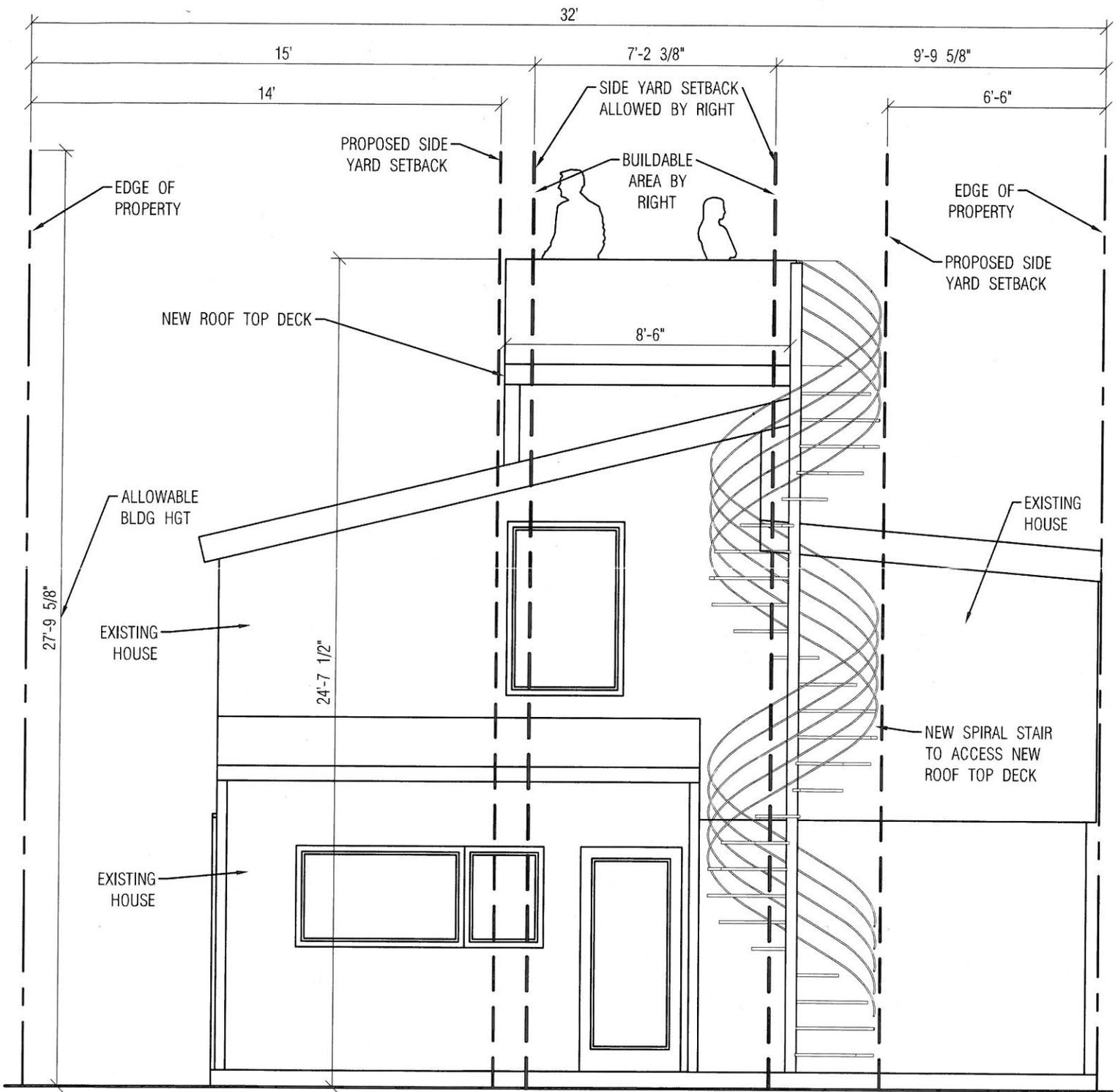
8/18/2014



**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  
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8032014-00012

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## GENERAL DATA

(To be completed by the applicant.)

- Street Address or General Location of Property: 110 S. 31<sup>ST</sup> ST.
- Legal Description: Lot 13 Block 13 Subdivision HIGHLANDS (Or attach description.)
- Existing Use of Property: RESIDENTIAL

Description of proposal:  
 OWNERS BOUGHT HOME, GARAGE SPACE W/ REQUIRED  
 PARKING SPACES HAD BEEN CONVERTED TO FINISHED  
 FLOOR SPACE. WE WOULD LIKE VARIANCE FOR  
 REQUIRED OFF STREET PARKING IN THE FRONT YARD SETBACK

*Total floor area of existing building: <u>1296 sqft</u>	*Total floor area proposed: <u>1791 sqft</u>
*Building coverage existing: <u>1296 sqft</u>	*Building coverage proposed: <u>1791 sqft</u>
*Building height existing: <u>14'6"</u>	*Building height proposed: <u>14'6"</u>

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

- ◆ Name of Owner: ROBERT STORY & KELLEY SHARAFELT
- Address: 110 S. 31<sup>ST</sup> ST. Telephone: \_\_\_\_\_
- City: BOULDER State: CO Zip Code: 80302 FAX: \_\_\_\_\_
- ◆ Name of Contact (if other than owner): ERIC YOUNGREN
- Address: 3550 FRONTIER AVE Telephone: 720 381 0945
- City: BOULDER State: CO Zip Code: 80301 FAX: \_\_\_\_\_

## STAFF USE ONLY

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

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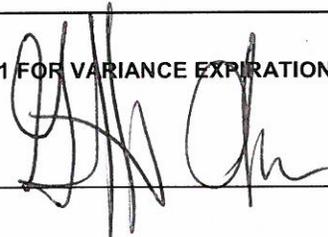
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NOTE: SEE SECTION 9-2-3(l), B.R.C. 1981 FOR VARIANCE EXPIRATION INFORMATION

Applicant / Owner Signature \_\_\_\_\_



Date \_\_\_\_\_

6/24/14

## 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

- (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).*

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

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

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

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

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

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

I, GARRETT AKOL (SOBO DESIGN), am filing a Land Use Review or Technical Document Review application [on behalf of the property owner(s) AND BUILD]  
(PRINT NAME OF APPLICANT OR CONTACT PERSON) AND BUILD  
application [on behalf of the property owner(s) KELLY SHANAFEL & ROBERT STORU for property located  
(PRINT NAME OF OWNER(S) IF OTHER THAN APPLICANT/CONTACT)  
at 116 S. 31<sup>ST</sup> ST.. 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.

GARRETT AKOL  
NAME OF APPLICANT OR CONTACT PERSON

6/24/14  
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.



Date: 9/11/2014

To the City of Boulder Planning and Development Services,

We are applying for a BOZA Variance for a parking space in the front yard setback for the property at 110 S. 31<sup>st</sup> St on behalf of the owners, Kelly Shanafelt and Bob Story.

Here is how this project will meet the 7 criteria for the variance to be granted (per BRC 9-2-3-j):

- 1) The dwelling unit is in the RL-1 Zoning district
- 2) The dwelling unit did have an attached garage that met the off-street parking requirements when first built.
- 3) The garage was converted before 2005. Please see enclosed appraisal document made prior to the home owners buying the house. The document notes that the garage had been finished prior to the house's sale in 1996.
- 4) The current property owner did not do the conversion. This is shown with the above mentioned appraisal documents upon the owners' purchase.
- 5) A parking space cannot reasonably be provided elsewhere on the site. Please refer to enclosed ILC. There is less than 9' on either sideyard setback. The front setback is 30', which isn't large enough to provide a space in front.
- 6) Restoring the converted garage back into an actual garage *does* result in economic hardship to the owners. Please see attached budgets A & B, and also designs A & B. In short, what the owners really need is a dedicated music room. They have limited funds to accomplish this. Design A shows a modest 495 sq.ft. rear bump addition that has a ½ bath, a music room foyer area, and a music room. This design is predicated on leaving the garage as is. Design B shows a larger rear bump addition that accomplishes the same goals as Design A but also replaces the lost square footage from unconverted the garage.

PROS of Design A:

- Less expensive
- Less impervious area (compared to Design B)
- Doesn't spend money undoing what already works
- Doesn't spend money providing an undesired garage
- Leaves the backyard and garden mostly in tact
- Leaves the existing rear pergola structure in tact

PROS of Design B:

- Doesn't require a variance

CONS of Design A:

- Requires a variance

CONS of Design B:

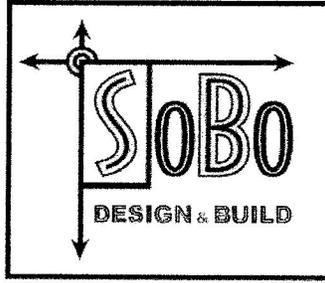
- Costs more money
- Eats up ½ of backyard garden
- Requires demolition of 33% of recently built rear pergola structure
- Requires relocating more PV solar panels
- Cuts of dining room from backyard
- Increases impervious area

7) The proposed parking space is the existing concrete driveway (see ILC and site plan).

Our hope is that our argument is salient and that you agree with our logic. Please don't hesitate to contact me with any questions or concerns.

Thank you for your consideration,

Mike D'Onofrio  
SoBo Homes, Inc.  
mike@sobohomes.com



A SoBo Homes Company

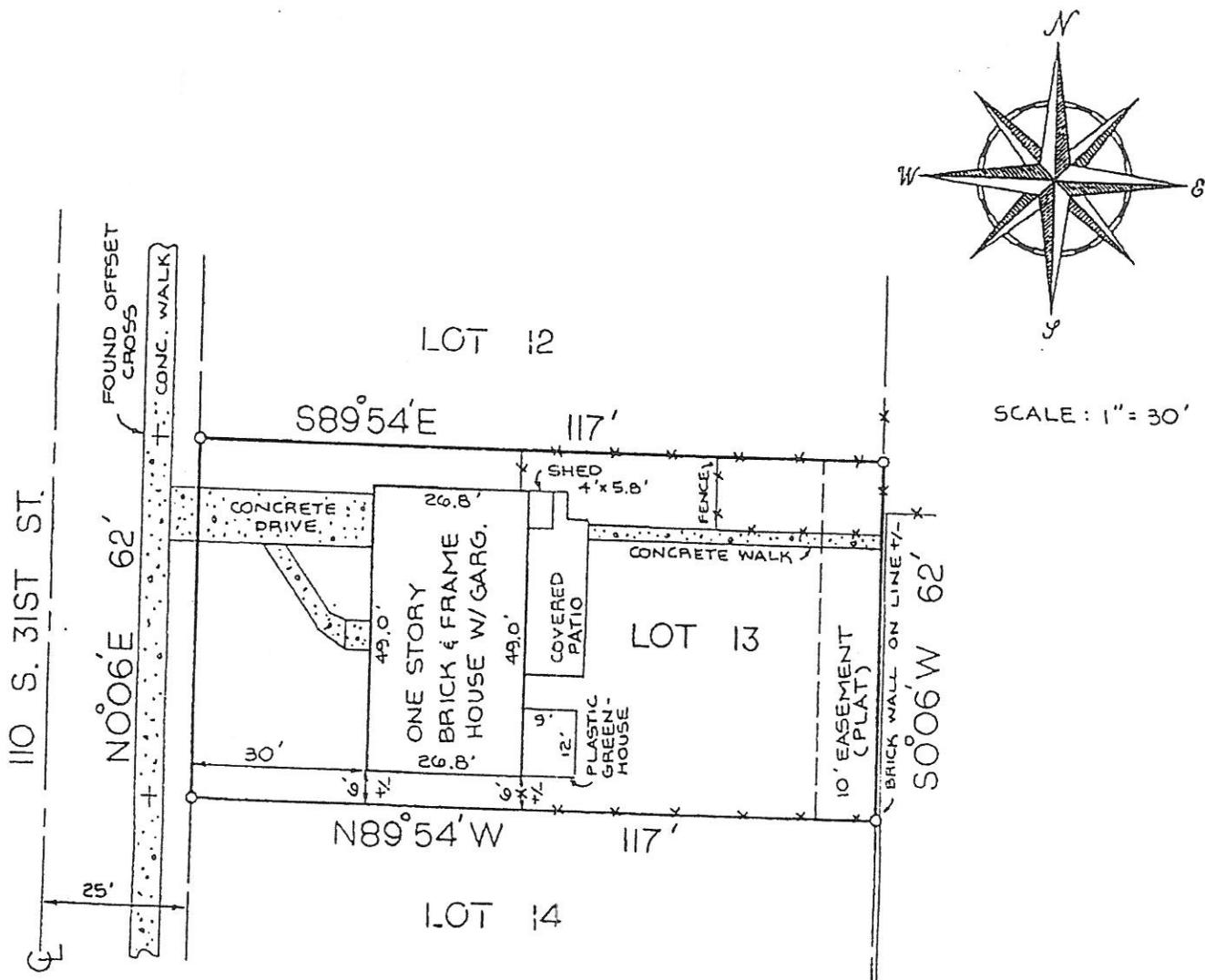
To the City of Boulder Planning and Development Services,

Having reviewed the case presented by Kelley Shanafelt and Robert Story, I support their application for a BOZA Variance for required off street parking. In lieu of converting their finished room back into a garage at significant cost, I find it appropriate that they use the existing driveway as their required off street parking. It is of no burden to me or the neighborhood, and we agree that our neighbors should continue to use their property as they have for the past 18 years.

Name	Address	Phone/Email	Signature
J. Douglas	125 S. 31st St. 80305	3-941-9381	[Signature]
Kelly Simmons	180 S. 31st St. 80305	3-417-1262	[Signature]
RAY TUOMEY	135 S. 31st 80305	720 771-1992	[Signature]
Elisabeth Bowman	135 S. 31st St. 80305	303-249-5375	[Signature]
Maretha Rostkowski	18 S. 31st 80305	303-499-1388	[Signature]
Margaret Riedel	150 S. 31st St	303-818-2315	[Signature]
Camille Hook	40 S. 31st St	centurylink.net	[Signature]
" "	camille.hook@me.com	303-947-8481	[Signature]
Jeffrey S. Fox	120 S 31st	303-499-6392	[Signature]
John Frawman	130 S 31st	303-859-3076	[Signature]
Steve Priem	140 S. 31st ST	303-499-0577	[Signature]
Edward Riedel	150 S. 31st St-	720-810-2655	[Signature]
Kessen Hook	40 S. 31st St	303-499-9020	[Signature]
Mark Amburst	70 S. 31st St	303-931-7679	[Signature]
Cindy Muir	115 S. 31st 80305	303-499-4623	[Signature]
Michael Luzius	105 S. 31st St. 80305	303 499 2014	[Signature]

**LEGAL DESCRIPTION**  
(provided by First Colorado Title Corp.)

Lot 13, Block 13,  
THIRD ADDITION TO HIGHLAND PARK,  
City of Boulder, County of Boulder, State of Colorado,  
according to the Plat of which is recorded in  
Plat Book 6 at Page 3.



**NOTES:**

- 1-The 2' wide concrete walk extends into the east 10' easement as shown.
- 2-First Colorado Title Corp. Case No. 33894-0792 (first amended) was entirely relied upon for easements of record not shown by the plat.

**FLOOD INFORMATION**

The subject property is located in Zone C, the area of minimal flooding according to the FEMA Flood Insurance Rate Map; Community-Panel No. 080024-0185-E, dated May 3, 1990.

**IMPROVEMENT LOCATION CERTIFICATE**

TO MELLON MORTGAGE CO. AND TO FIRST COLORADO TITLE CORP.

I hereby certify that the improvements on the above described parcel, except utility connections, are entirely within the boundaries of the parcel, except as shown, that there are no encroachments upon the described premises by improvements on any adjoining premises, except as indicated, and that there is no apparent evidence or sign of any easement crossing or burdening any part of said parcel, except as noted. I further certify that this improvement location certificate is not a land survey plat or improvement survey plat, and that it is not to be relied upon for the establishment of fence, building or other future improvement lines.

Title Co. No. 33894-0792 first amended  
Borrower Dowler  
Flagstaff No. 92-2950

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



30 August 1992  
Date of Certificate

Colorado L.S. # 26300  
Lee W. Stadel

**Millio and Associates Appraisal Services**  
 THIS IS A SUMMARY APPRAISAL REPORT - FHA # 051-9214755-703  
**UNIFORM RESIDENTIAL APPRAISAL REPORT** File No. S960112

Property Description

Property Address **110 S. 31ST STREET** City **BOULDER** State **COLO** Zip Code **80303**  
 Legal Description **LOT 13, BLOCK 13, HIGHLAND PARK 3** County **BOULDER**  
 Assessor's Parcel No. **137705316011** Tax Year **1995** R.E. Taxes \$ **1,133** Special Assessments \$ **NONE**  
 Borrower **KELLY SHANARELT** Current Owner **PAUL DOWLER** Occupant  Owner  Tenant  Visitor   
 Property rights conveyed  Fee simple  Leasehold  PUD  Condominium (RHDVA only)  HOA \$ **NONE** (Mo.)  
 Neighborhood or Project Name **MARTIN ACRES** Map Reference **18 L PG** Common Trust **125.07**  
 Sales Price \$ **152,500** Date of Sale **11-22-95** Description and amount of lien charges/concessions to be paid by seller **NONE**  
 Lender/Clerk **MELLON MORTGAGE COMPANY** Address **7555 E. HAMPDEN AVENUE, STE 400 DENVER, CO 80231-4835**  
 Appraiser **ELIZABETH MILLION** Address **MILLION & ASSOC 2336 CANYON BLVD #100, BLDR, CO 440-6068**

Location	<input checked="" type="checkbox"/> Urban	<input type="checkbox"/> Suburban	<input type="checkbox"/> Rural	Predominant occupancy	Single family housing	Present land use %	Land use change
Built up	<input checked="" type="checkbox"/> Over 75%	<input type="checkbox"/> 25-75%	<input type="checkbox"/> Under 25%	OWNER 80	PRICE \$ (000)	AGE (Yrs)	One family 80 <input checked="" type="checkbox"/> Not likely <input type="checkbox"/> Likely
Growth rate	<input type="checkbox"/> Rapid	<input checked="" type="checkbox"/> Stable	<input type="checkbox"/> Slow	Tenant 20	140	10	2-4 family 5 <input type="checkbox"/> In process <input type="checkbox"/>
Property values	<input type="checkbox"/> Increasing	<input checked="" type="checkbox"/> Stable	<input type="checkbox"/> Declining	VACANT (0-5%)	200	50	Multi-family 5
Demand/supply	<input type="checkbox"/> Shortage	<input checked="" type="checkbox"/> In balance	<input type="checkbox"/> Over supply	Vacant (over 5%)	175	30	Commercial 5
Marketing time	<input type="checkbox"/> Under 3 mos.	<input checked="" type="checkbox"/> 3-6 mos.	<input type="checkbox"/> Over 6 mos.	Vacant (over 5%)	175	30	VACANT 5

Note: Race and the racial composition of the neighborhood are not appraisal factors.  
 Neighborhood boundaries and characteristics: **BOUNDED BY HIGHWAY 36 TO THE NORTH AND EAST, TABLE MESA DRIVE TO THE SOUTH, AND BROADWAY TO THE WEST, ESTABLISHED RESIDENTIAL AREA.**

Factors that affect the marketability of the properties in the neighborhood (proximity to employment and amenities, employment stability, appor to market, etc.):  
**THERE ARE NO APPARENT FACTORS WHICH ADVERSELY AFFECT THE MARKETABILITY OF THE SUBJECT PROPERTY. MARKET DEMAND FOR THE NEIGHBORHOOD IS STEADY. LOCATION IS GOOD FOR BOULDER EMPLOYMENT AND DENVER COMMUTERS. MAJOR WORK CENTERS ARE LOCATED WITHIN 3-5 MILES OF THE SUBJECT PROPERTY. BOULDER COUNTY EMPLOYMENT IS STABLE, WITH THE LOWEST UNEMPLOYMENT RATE IN THE STATE OF COLORADO (3.1% OCTOBER 1995). CLOSE PROXIMITY TO ALL TYPICAL AMENITIES AND CONVENIENCE.**

Market conditions in the subject neighborhood (including support for the above conclusions related to the trend of property values, demand/supply, and marketing time... such as data on competitive properties for sale in the neighborhood, description of the prevalence of sales and financing concessions, etc.):  
**THE STEADY DEMAND AND ADEQUATE SUPPLY OF HOUSING, COMBINED WITH RISING INTEREST RATES, HAS FORCED HOUSING PRICES TO STABILIZE AFTER NEARLY 2 YEARS OF STEADY INCREASES IN BOULDER COUNTY. APPRECIATION IS ESTIMATED AT LESS THAN .5% PER MONTH. ACCORDING TO THE BOULDER MLS, THE AVERAGE DAYS ON THE MARKET FOR DETACHED SINGLE FAMILY HOMES IN BOULDER OVER THE PAST YEAR HAS BEEN 65 DAYS. MORTGAGES CAN BE OBTAINED WITH 7.5% TO 8.5% INTEREST RATES DEPENDING ON CONCESSIONS PAID.**

Project information for PUDs: If applicable—is the developer/builder in control of the Home Owners' Association (HOA)?  Yes  No  
 Approximate total number of units in the subject project **NONE** Approximate total number of units for sale in the subject project \_\_\_\_\_

Describe common elements and recreational facilities:  
 Dimensions **APPROXIMATELY RECTANGULAR**  
 Site Area **7,542 SQ FT** Corner Lot  Yes  No  
 Specific zoning classification and description **LR-E LOW DENSITY RESIDENTIAL**  
 Zoning compliance  Legal  Legal nonconforming (grandfathered use)  Illegal  No zoning  
 Highest & best use as improved  Present use  Other use (explain) \_\_\_\_\_

Utilities	Public	Other	Off-site Improvements	Type	Public	Private	Topography
Electricity	<input checked="" type="checkbox"/>		Street	<b>ASPHALT</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>LEVEL</b>
Gas	<input checked="" type="checkbox"/>		Curb/Gutter	<b>CONCRETE</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>TYPICAL FOR AREA</b>
Water	<input checked="" type="checkbox"/>		Sidewalk	<b>CONCRETE</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>RECTANGULAR</b>
Sanitary Sewer	<input checked="" type="checkbox"/>		Street lights	<b>YES</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>APPEARS ADEQUATE</b>
Storm Sewer	<input checked="" type="checkbox"/>		Alley	<b>NONE</b>	<input type="checkbox"/>	<input type="checkbox"/>	<b>STREET</b>
							<b>LANDSCAPING TYPICAL</b>
							<b>DRIVEWAY SURFACE CONCRETE</b>
							<b>APPARENT EASEMENTS PUBLIC UTIL ASSUMED</b>

Comments/apparent adverse easements, encroachments, special assessments, slide areas, illegal or legal nonconforming zoning, use, etc.:  
**NO ADVERSE EASEMENTS OR ENCROACHMENTS WERE OBSERVED. THE SUBJECT PROPERTY IS SUBJECT TO NORMAL UTILITY EASEMENTS.**

GENERAL DESCRIPTION	EXTERIOR DESCRIPTION	FOUNDATION	BASEMENT	INSULATION
No. of Units <b>ONE</b>	Foundation <b>CONCRETE</b>	Slab <b>CONCRETE</b>	Area Sq. Ft. <b>NONE</b>	Roof <input type="checkbox"/>
No. of Stories <b>ONE</b>	Exterior Walls <b>BRK/WDS</b>	Crawl Space <b>YES</b>	% Finished <b>NONE</b>	Ceiling <b>CNCLD</b> <input checked="" type="checkbox"/>
Type (Det./Att.) <b>DETACHED</b>	Roof Surface <b>COMP SHN</b>	Basement <b>NONE</b>	Ceiling <input type="checkbox"/>	Walls <b>CNCLD</b> <input checked="" type="checkbox"/>
Design (Style) <b>RANCH</b>	Gutters & Downspouts <b>NONE</b>	Sump Pump <b>NONE</b>	Walls <input type="checkbox"/>	Floor <input type="checkbox"/>
Dating/Proposed <b>EXISTING</b>	Window Type <b>DBLE HNG</b>	Dampness <b>NONE NTD</b>	Floor <input type="checkbox"/>	None <input type="checkbox"/>
Age (Yrs.) <b>1955-41</b>	Storm/Screens <b>MTL/YES</b>	Settlement <b>NONE NTD</b>	Outside Entry <input type="checkbox"/>	Unknown <b>UNKNOWN</b> <input checked="" type="checkbox"/>
Effective Age (Yrs.) <b>10 YRS</b>	Manufactured House <b>NO</b>	Infestation <b>NONE NTD</b>		

ROOMS	Foyer	Living	Dining	Kitchen	Den	Family Rm.	Rec. Rm.	Bedrooms	# Baths	Laundry	Other	Area Sq.Ft.
Basement												<b>NONE</b>
Level 1		<b>1</b>	<b>1</b>	<b>1</b>				<b>3</b>	<b>1</b>	<b>1</b>		<b>1,323</b>
Level 2												

Finished area above grade contains: **6 Rooms: 3 Bedroom(s): 1 Bath(s): 1,323 Square Feet of Gross Living Area**

INTERIOR Materials/Condition	HEATING	KITCHEN EQUIP.	ATTIC	AMENITIES	CAR STORAGE
Floors <b>GPT/VN/AVG</b>	Type <b>GFA</b>	Refrigerator <input type="checkbox"/>	None <input type="checkbox"/>	Firplace(s) # <input type="checkbox"/>	None <input type="checkbox"/>
Walls <b>DRYWALL/AVG</b>	Fuel <b>GAS</b>	Range/Oven <input checked="" type="checkbox"/>	Stairs <input type="checkbox"/>	Patio <b>CONCRETE</b> <input checked="" type="checkbox"/>	Garage # of Cars <input type="checkbox"/>
Trim/Finish <b>WOOD/AVG</b>	Condition <b>WORKING</b>	Disposal <input checked="" type="checkbox"/>	Drop Stair <input type="checkbox"/>	Deck <input type="checkbox"/>	Attached <input type="checkbox"/>
Bath Floor <b>CRPT/VN/AVG</b>	COOLING	Dishwasher <input checked="" type="checkbox"/>	Scuttle <input checked="" type="checkbox"/>	Porch <b>FRONT</b> <input checked="" type="checkbox"/>	Detached <input type="checkbox"/>
Bath Wainscot <b>CERAMIC/AVG</b>	Central <b>NONE</b>	Fan/Hood <input type="checkbox"/>	Floor <input type="checkbox"/>	Fence <b>4' WESH</b> <input checked="" type="checkbox"/>	Built-in <input type="checkbox"/>
Doors <b>INT-HOLLOC</b>	Other <input type="checkbox"/>	Microwave <input type="checkbox"/>	Heated <input type="checkbox"/>	Pool <input type="checkbox"/>	Carport <input type="checkbox"/>
<b>EXT-SLD/WD</b>	Condition	Washer/Dryer <input type="checkbox"/>	Finished <input type="checkbox"/>		Driveway <b>1</b>

Additional features (special energy efficient items, etc.): **STORM WINDOWS, LARGE CONCRETE PATIO, SKYLIGHT, BREAKFAST BAR**

Condition of the improvements, depreciation (physical, functional, and external), repairs needed, quality of construction, remodeling/additions, etc.: **USING THE AGE LIFE METHOD, THERE IS APPROXIMATELY 15% PHYSICAL DEPRECIATION. THERE WAS FUNCTIONAL OBSOLESCENCE WITH THE ROOM LAYOUT - IE. GARAGE CONVERSION. NO EXTERNAL OBSOLESCENCE OBSERVED. CONSTRUCTION QUALITY IS AVERAGE AND TYPICAL FOR THE AREA.**

Adverse environmental conditions (such as, but not limited to, hazardous wastes, toxic substances, etc.) present in the improvements, on the site, or in the immediate vicinity of the subject property: **THERE ARE NO KNOWN OR APPARENT ADVERSE ENVIRONMENTAL CONDITIONS WHICH NEGATIVELY AFFECT THE VALUE OF THE SUBJECT PROPERTY.**

**Million and Associates Appraisal Service**  
**UNIFORM RESIDENTIAL APPRAISAL REPORT**

File No. 8960112

ESTIMATED SITE VALUE	75,000
ESTIMATED REPRODUCTION COST-NEW OF IMPROVEMENTS:	
Dwelling 1,323 Sq. Ft. @ \$ 63.78	84,381
APPLIANCES/PATIO	4,500
Garage/Carport	-
Total Estimated Cost New	88,881
Less	
Physical 15%	
Functional 3000	
External	
Depreciation 13,332	16,332
Depreciated Value of Improvements	72,549
"As-is" Value of Site Improvements	8,000
INDICATED VALUE BY COST APPROACH	155,549

Comments on Cost Approach (such as source of cost estimate, site value, square foot calculation and for HUD, VA, and FmHA, the estimated remaining economic life of the property): **THE ESTIMATED REPRODUCTION COST NEW OF IMPROVEMENTS IS BASED ON THE MARSHALL & SWIFT COST SERVICE AND VERIFIED BY APPRAISER'S FILES AND LOCAL COST DATA. SITE VALUE IS BASED ON REVIEW OF RECENT LAND SALES AND SITE-TO-TOTAL VALUE RATIOS. PHYSICAL DEPRECIATION IS BASED ON AGE/LIFE METHOD.**

ITEM	SUBJECT	COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3
Address	110 S. 31ST STREET BOULDER	4365 MARTIN DRIVE BOULDER	4580 SQUIRES CIRCLE BOULDER	320 S. 31ST STREET BOULDER
Proximity to Subject		5 BLOCK NORTHEAST	8 BLOCKS NORTHEAST	SAME STREET
Sales Price	\$152,500	\$156,950	\$160,000	\$151,000
Price/Gross Liv. Area	\$115.27	\$136.24	\$116.11	\$121.19
Date and/or Verification Source	INT INSPECT BROKER	MLS/EXT INSPECTION LISTG AGENT/DOM 6	MLS/EXT INSPECTION LISTG AGENT/DOM 37	MLS/EXT INSPECTION LIST AGENT/DOM 22
VALUE ADJUSTMENTS				
	DESCRIPTION	DESCRIPTION +/- Adjustment	DESCRIPTION +/- Adjustment	DESCRIPTION +/- Adjustment
Sales or Financing Concessions		CONV MARKET RATE	CONV MARKET RATE	FHA MARKET RATE
Date of Sale/Time		07-14-95	11-27-95	09-28-95
Location	MARTIN ACRES	MARTIN ACRES	MARTIN ACRES	MARTIN ACRES
Leasehold/Fin Simile	FEE	FEE	FEE	FEE
Site	7,254 SOFT	7,350 SOFT	6,969 SOFT	7,590 SOFT
View	STREET/AVG	STREET/AVG	PARK/AVG (+) -3000	STREET/AVG
Design and Appeal	RANCH/AVG	RANCH/AVG	RANCH/AVG	RANCH/AVG
Quality of Construction	AVERAGE	AVERAGE	AVERAGE	AVERAGE
Age	1955-41 YRS	1957-39 YRS	1962-34 YRS	1955-41 YRS
Condition	AVERAGE	AVERAGE	AVERAGE	AVERAGE
Above Grade	Total Rfrms Baths	Total Rfrms Baths	Total Rfrms Baths	Total Rfrms Baths
Room Count	6 3 1	6 3 1	6 3 1	6 3 1
Gross Living Area	1,323 Sq. Ft.	1152 Sq. Ft. +5100	1378 Sq. Ft. -1700	1246 Sq. Ft. +2300
Basement & Finished Rooms Below Grade	NONE	NONE	NONE	NONE
Functional Utility	AVG (-)/GRGE C	AVERAGE -3000	AVERAGE -3000	AVERAGE -3000
Heating/Cooling	GFA/NONE	GFA/NONE	GFA/NONE	GFA/NONE
Energy Efficient Items	STORM WINDOWS	STORM WINDOWS	STORM WINDOWS	SINGLE PNE WIN +2000
Garage/Carport	NONE	1 CAR ATTACH -1500	1 CAR ATTACH -1500	NONE
Porch, Patio, Deck, Fireplaces, etc.	LRGE CVR PTIO	PATIO +500	PATIO +500	PATIO +500
Fence, Pool, etc.	KIT EQUIP	KIT EQUIP	KIT EQUIP	KIT EQUIP
Net Adj. (total)		+1,100	-8,700	+1,800
Adjusted Sales Price of Comparable		158,050	151,300	152,800

Comments on Sales Comparison (including the subject property's compatibility to the neighborhood, etc.): **ALL THREE COMPARABLES ARE WITHIN CLOSE PROXIMITY FROM THE SUBJECT PROPERTY AND WERE SOLD WITHIN THE PAST SIX MONTHS. ALL THREE SALES ARE SIMILAR IN DESIGN AND APPEAL, AGE, CONDITION, GROSS LIVING AREA, ROOM COUNT, BASEMENT AND OTHER TYPICAL AMENITIES. COMPARABLE SALE 3 HAS THE LEAST TOTAL AMOUNT OF ADJUSTMENTS AND THEREFORE WAS GIVEN THE MOST WEIGHT. COMPARABLE SALE 2 IS THE MOST RECENT SALE. ALL THREE COMPARABLES ARE SUPERIOR IN FUNCTIONAL UTILITY - IE., SUBJECT PROPERTY GARAGE CONVERSION.**

ITEM	SUBJECT	COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3
Date, Price and Data Source for prior sales within year of appraisal	NO PRIOR SALES	NO PRIOR SALES IN THE PAST YEAR	NO PRIOR SALES IN THE PAST YEAR	NO PRIOR SALE IN THE PAST YEAR
	BLDR ASSESSOR	BLDR CNTY ASSESSOR'S	BLDR ASSESSOR	BLDR CNTY ASSESSOR'S

Analysis of any current agreement of sale, option, or listing of the subject property and analysis of any prior sales of subject and comparables within one year of the date of approach: **THE COMPARABLES WERE FOUND TO HAVE NO PRIOR SALES WITHIN THE PAST YEAR. THE SUBJECT PROPERTY HAS NOT TRANSFERRED IN THE PAST YEAR AND IS CURRENTLY UNDER CONTRACT FOR \$152,500.**

INDICATED VALUE BY SALES COMPARISON APPROACH ..... \$ 153,000  
 INDICATED VALUE BY INCOME APPROACH (if Applicable) Estimated Market Rent \$1050 Mo. x Gross Rent Multiplier 145 = \$ 152,250

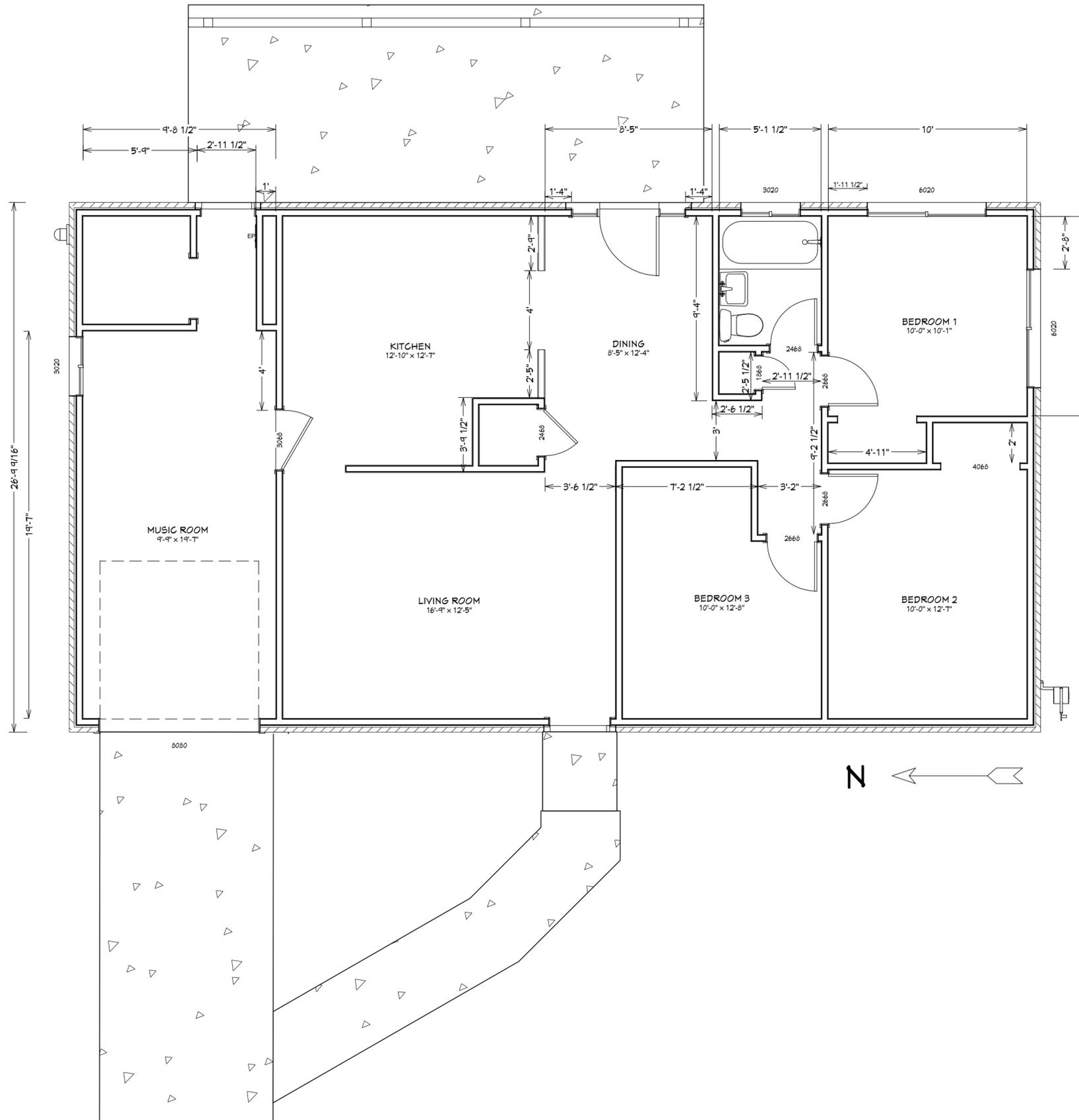
The appraisal is made  "as is"  subject to the repairs, alterations, inspections or conditions listed below  subject to completion per plans and specifications.  
 Conditions of Appraisal: **THE APPRAISAL IS MADE AS IS. ASSUMPTIONS AND LIMITING CONDITIONS IS ATTACHED.**

Final Reconciliation: **IN THIS ASSIGNMENT, THE SALES COMPARISON APPROACH WAS GIVEN THE MOST WEIGHT, AS IT BEST REFLECTS THE ATTITUDE OF THE MARKET. THE COST APPROACH AND INCOME APPROACH SUPPORT THIS VALUE.**

The purpose of this appraisal is to estimate the market value of the real property that is the subject of this report, based on the above conditions and the certification, contingent and limiting conditions, and market value definition that are stated in the attached Freddie Mac Form 430/Fannie Mae Form 1004B (Revised 06-93).

I (WE) ESTIMATE THE MARKET VALUE, AS DEFINED, OF THE REAL PROPERTY THAT IS THE SUBJECT OF THIS REPORT, AS OF **JANUARY 18, 1996** (WHICH IS THE DATE OF INSPECTION AND THE EFFECTIVE DATE OF THIS REPORT) TO BE \$ **153,000**.

APPRAISER:   
 Name: **ELIZABETH MILLION**  
 Date Report Signed: **JANUARY 24, 1996**  
 State Certification # **CRO1313760** State **COLORADO**  
 SUPERVISORY APPRAISER (ONLY IF REQUIRED)  
 Signature: \_\_\_\_\_ Name: \_\_\_\_\_  
 Date Report Signed: \_\_\_\_\_ State Certification #: \_\_\_\_\_ State: \_\_\_\_\_



**SoBo Homes Inc.**  
 DRAWINGS PROVIDED BY:  
 320 S. 39th Street  
 Boulder, CO 80505  
 720-381-0945 - www.sobohomes.com

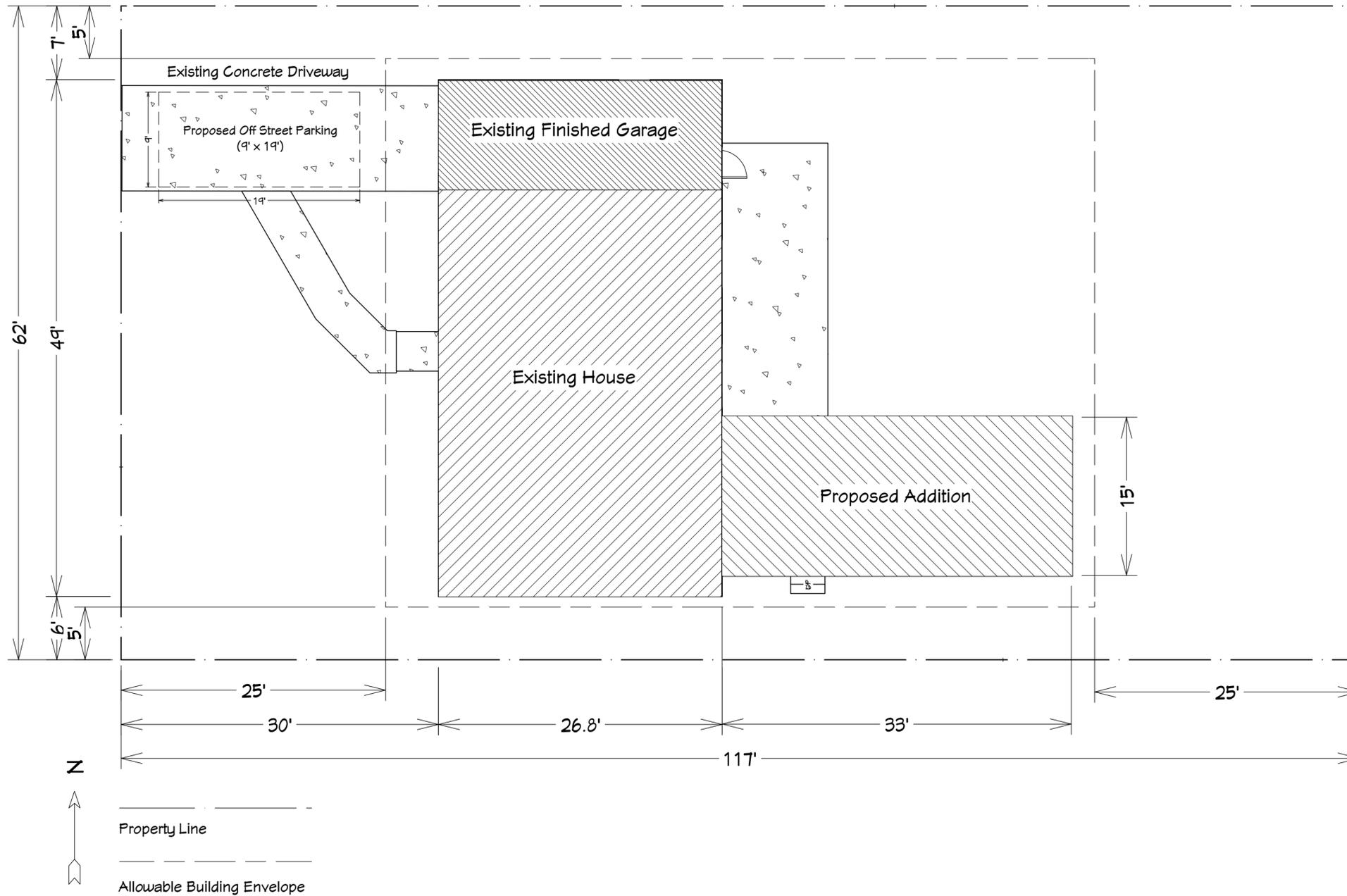
**As Builts**  
 SHEET TITLE:

**Shanafelt/ Story Addition  
 Rear Addition**  
 PROJECT DESCRIPTION:  
 110 S. 31st St.  
 Boulder, CO, 80302

**DATE:**  
 8/27/2014

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

**SHEET:**  
 AB



DRAWINGS PROVIDED BY:  
**SoBo Homes Inc.**  
 320 S. 39th Street  
 Boulder, CO 80305  
 720-381-0945 - www.sobohomes.com

SHEET TITLE:  
**Proposed Site Plan**

PROJECT DESCRIPTION:  
**Shanafelt/ Story Addition  
 Rear Addition**  
 110 S. 31st St.  
 Boulder, CO, 80302

DATE:  
 8/27/2014

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

SHEET:

**SP**



DRAWINGS PROVIDED BY:  
**SoBo Homes Inc.**  
 320 S. 39th Street  
 Boulder, CO 80305  
 720-381-0945 - www.sobohomes.com

SHEET TITLE:  
**Design A**

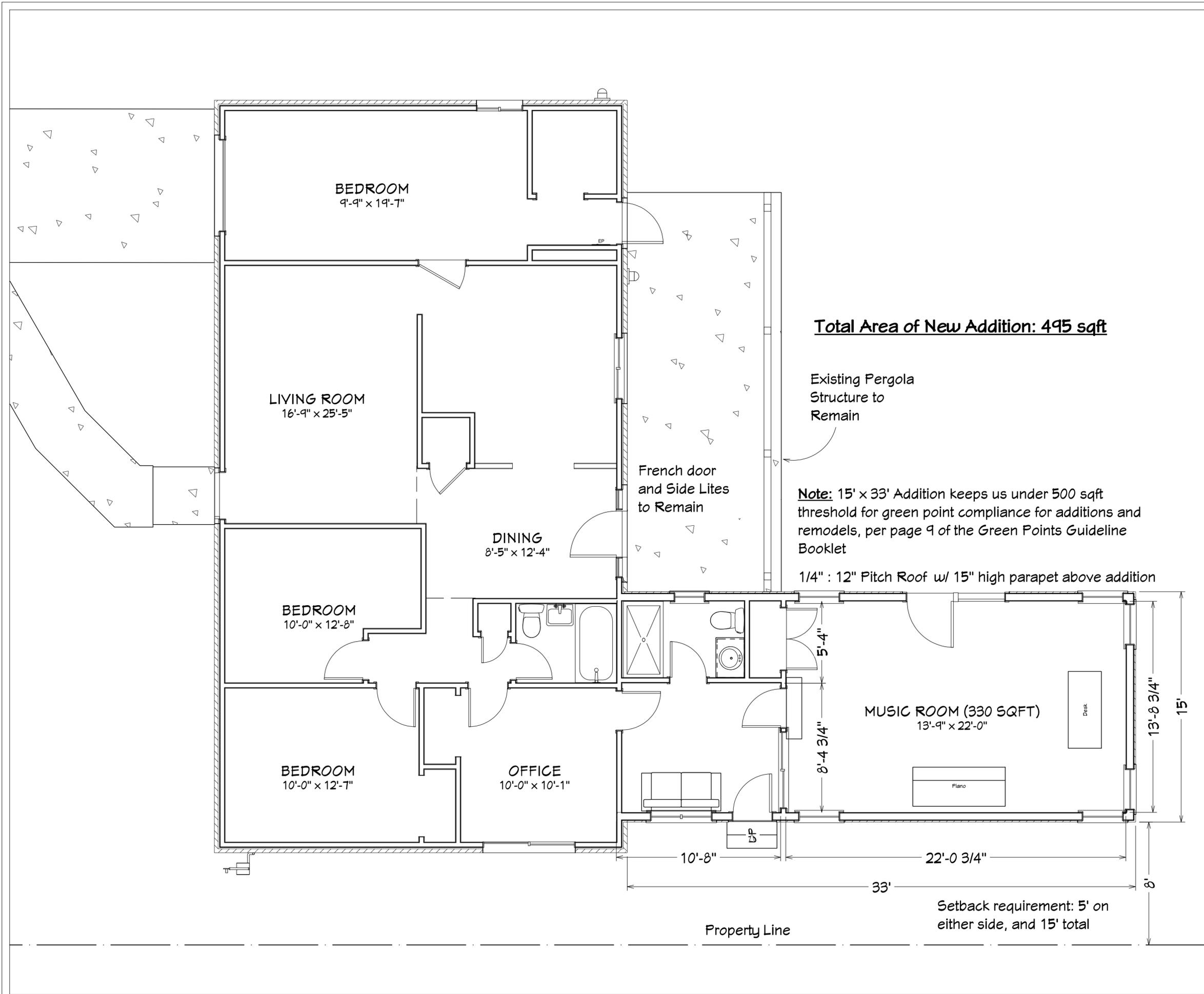
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 Rear Addition**  
 110 S. 31st St.  
 Boulder, CO, 80302

DATE:  
**8/27/2014**

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

SHEET:

**DA**





DRAWINGS PROVIDED BY:  
**SoBo Homes Inc.**  
 320 S. 39th Street  
 Boulder, CO 80505  
 720-381-0945 - www.sobohomes.com

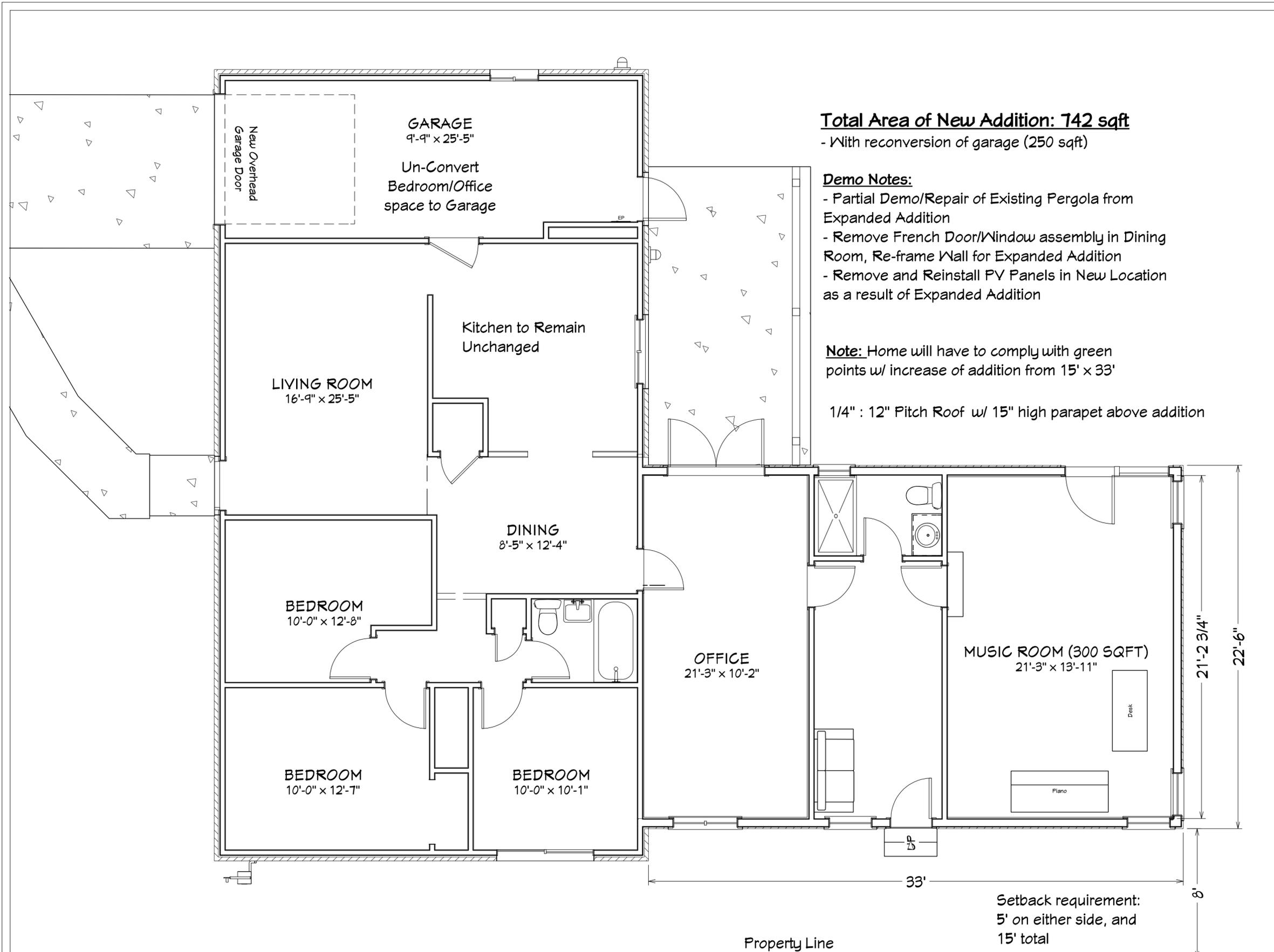
SHEET TITLE:  
**Design B**

PROJECT DESCRIPTION:  
**Shanafelt/ Story Addition  
 Rear Addition**  
 110 S. 31st St.  
 Boulder, CO, 80302

DATE:  
 8/27/2014

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

SHEET:



BOZ2014-0014



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

# BOZA VARIANCE APPLICATION

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

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

## GENERAL DATA

(To be completed by the applicant.)

- Street Address or General Location of Property: 2303 MAPLETON AVE, BOULDER
- Legal Description: Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision SEE ATTACHED (Or attach description.)
- Existing Use of Property: \_\_\_\_\_
- Description of proposal: REQUEST FOR A VARIANCE FOR AN 11'-0" REAR SETBACK WHERE 25'-0" IS REQUIRED TO ALLOW THE CONSTRUCTION OF A NEW REAR ENTRY ROOF.

*Total floor area of existing building: <u>1,796 SF.</u>	*Total floor area proposed: <u>1,796 S.F.</u>
*Building coverage existing: <u>1,229 SF.</u>	*Building coverage proposed: <u>1,201 S.F.</u>
*Building height existing: _____	*Building height proposed: <u>NEW ROOF @ 11'-0" ABOVE GRADE ON FACE OF A ±24'-0" WALL</u>

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

- ◆ Name of Owner: DOUGLAS JOHNSON & THERESA HERNANDEZ
- Address: 2303 MAPLETON AVE Telephone: 303-444-1402
- City: BOULDER State: CO Zip Code: 80304 FAX: \_\_\_\_\_
- ◆ Name of Contact (if other than owner): STEVE MONTGOMERY, ARCHITECT
- Address: 2207 MAPLETON AVE Telephone: 303-443-4414
- City: BOULDER State: CO Zip Code: 80304 FAX: \_\_\_\_\_

### STAFF USE ONLY

Doc. No. BOZ2014-14 Date Filed \_\_\_\_\_ Zone \_\_\_\_\_ Hearing Date \_\_\_\_\_  
 Application received by: S. DALEY Date Fee Paid \_\_\_\_\_ Misc. Rect # \_\_\_\_\_

**APPLICATION TYPES**

- Setback Variance
- Sign Variance
- Mobile Home Spacing Variance

**APPLICATION REQUIREMENTS**

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

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

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

---

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

Applicant ~~Owner~~ Signature

Date 7/29/14

OWNER Douglas Johnson DATE 29 July 14

*We consent to proceed w/ this variance application.*

BOZA 2014 0014

# SIGN POSTING REQUIREMENTS APPLICANT'S ACKNOWLEDGMENT FORM

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

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

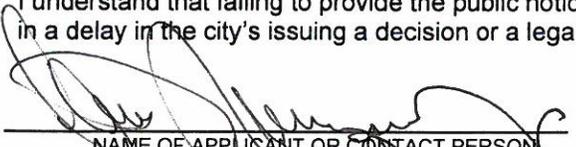
**Excerpt of Section 9-4-3(c), B.R.C. 1981:** Public Notice of Application: The city manager will provide the following public notice of a development review application:

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

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

I, STEVE MONTGOMERY, am filing a Land Use Review or Technical Document Review application [on behalf of the property owner(s) DOUGLAS JOHNSON & THERESA HERNANDEZ for property located at 2303 MAPLETON AVE. I have read the city's sign posting requirements above and acknowledge and agree to the following:

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

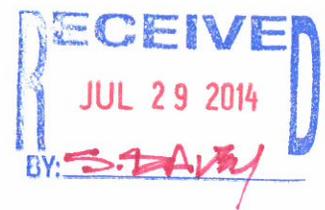
  
 NAME OF APPLICANT OR CONTACT PERSON  
STEVE MONTGOMERY

7/29/14  
 DATE

**RECEIVED**  
**JUL 29 2014**  
 BY: \_\_\_\_\_

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.

2 SIGNS GIVEN TO S. MONTGOMERY 09.11.2014 BOZA Packet Page 29 of 55 7/29/14 @ 11:26am



July 29, 2014

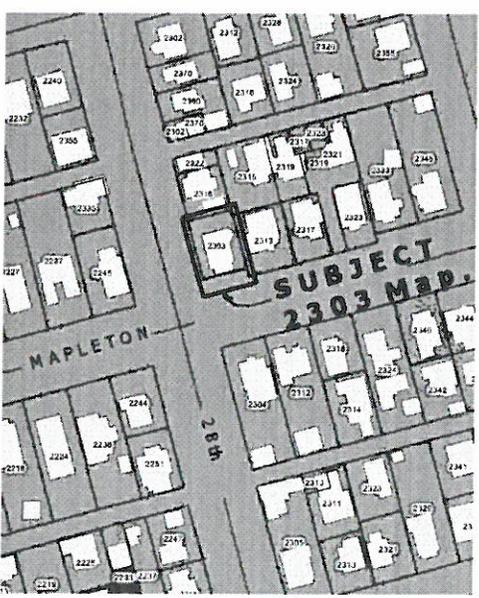
Board of Zoning Adjustment  
City of Boulder, Planning and Development Services  
1739 Broadway, Boulder, CO 80304

Re: 2303 Mapleton Avenue  
Boulder, CO  
Rear yard Setback Variance Request

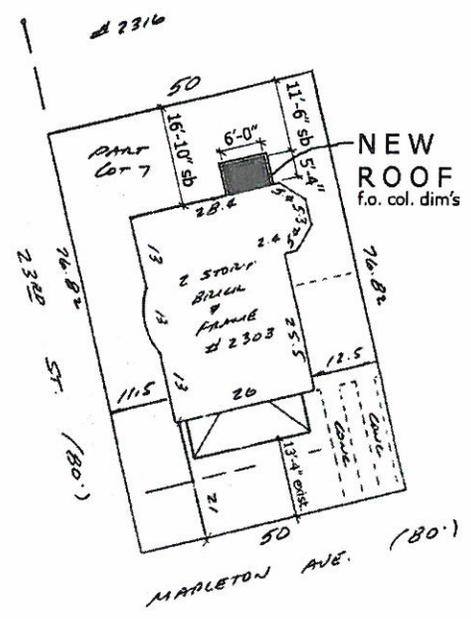
### SETBACK VARIANCE REQUEST

**REQUEST:**

1.) That the Board grant a variance to allow an 11'-0" minimum rear yard setback instead of the required 25'-0" rear setback.  
This would allow for the construction of a new Rear Entry Roof on two column supports sitting upon an existing 1'-8" high brick landing outside of the rear door of the residence.



VICINITY MAP



SITE PLAN

**PROJECT STATISTICS :**

Address: 2203 Mapleton Ave, Boulder, CO, 80304

Legal: S 66.82 FT LOT 7 & 10 FT STRP ADJ ON SOUTH BLK 184 BOULDER O T

Owners: Douglas Johnson & Theresa Hernandez

Zoning: RMX-1

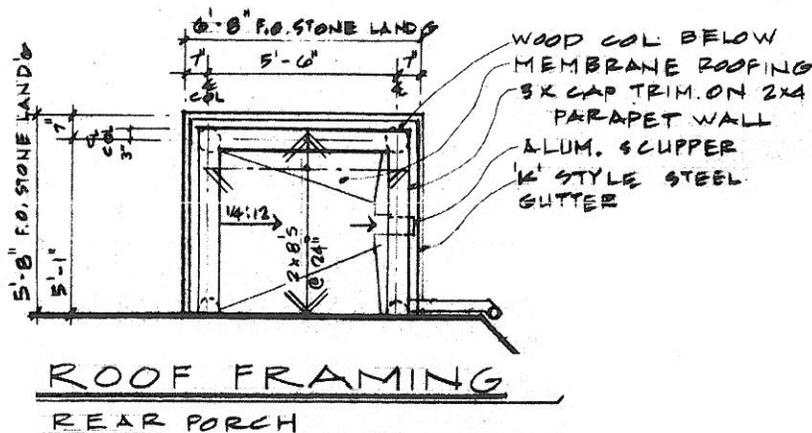
Lot Size: 3,841 s.f.

Rear Setback: Exist. 16'-10"; Proposed 11'-0"

Building Coverage: Exist. 1,229 s.f. ; Proposed 1,261

**PROJECT DESCRIPTION:**

As part of a larger remodeling project the Owner is proposing the addition of a Rear Entry Roof supported by columns. The roof will shelter the rear door and the landing outside the door from inclement weather. The face of the columns supporting the roof would be setback approximately 11'-6" from the rear property line. The columns will sit upon an existing brick landing. See the Roof Framing Plan below.



The subject property is a designated historic landmark known as "The Herkert House". It is in the Whittier Neighborhood.

The Landmarks Board has recently granted a Landmark Alteration Certificate (HIS 2013-0028) for the renovation of the house including the proposed Rear Entry Porch, pending BOZA setback approval. Other work includes restoration of the front porch roof, removal of the vinyl siding, and replacement of aluminum windows on the 2nd floor dormers.

A Building Permit (PMT2014-02706) has been issued for the entire project except for the Rear Entry Roof which will be permitted separately pending BOZA setback approval.

The requested 11'-0" setback is slightly smaller than the actual 11'-6" setback we believe will be needed. The 11'-0" setback allows some margin of error for concealed conditions that may be encountered during construction. The 11'-0" setback variance will apply only to the Rear Entry Roof.

The proposed Rear Entry Roof will add 32 s.f. of building coverage to the existing 1,229 s.f. of coverage. The total building coverage will be 1,261 s.f., well below the 1,818 s.f. that is allowed on a lot of this size. The proposed roof does not add to the floor area.

The proposed Rear Entry Roof is shown on the elevations below and on the building permit Drawings attached as an exhibit. See Sheet #7 of the attached Drawings for exact construction details.



NORTH  
proposed



WEST 22 nd S t.  
proposed

The Rear Entry Porch is in a zone on the lot where by-right accessory structure might typically occur at a height of up to 12'-0" on the property line. The proposed 11'-6" high Rear Entry Roof will be less prominent than a possible accessory structure.

If the proposed roof and the supporting columns were separated from the house by 6'-0" it would be permitted as a by-right accessory structure. The point being that there is only a marginal location difference between the proposed structure and a similar accessory structure which, if separated from the home, would be acceptable by the planning code without review.

### **DISCUSSION:**

**This request for a variance satisfies the qualifying criteria for variance consideration of BRC Section 9-2-3 (h) 1.**

***That: (A) There are unusual physical circumstances or conditions, including, without limitation, irregularity, narrowness, or shallowness of the lot, or exceptional topographical or other physical conditions peculiar to the affected property.***

The existing rear yard setback is unusually shallow at only 16'-10" where 25'-0" is required. This condition precludes the by-right construction of a roof canopy that would extend northward and shelter the full 5'-8" depth of the existing landing.

A shallower canopy would be allowed by code extending only a maximum of 2'-6" from the north wall into the non-standard setback and supported by brackets instead of columns. This is an undesirable solution however, as the use of brackets on the brick veneer is mechanically difficult, a 2'-6" overhang does not fully cover the landing, and the brackets required at either side of the door would interfere with passage up the stairs to the door.

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

Though non-standard setbacks are typical throughout the surrounding Whittier Neighborhood the subject property is uniquely constrained because of the unusually shallow 76'-10" depth of the lot and the 16'-10" rear yard setback.

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

The property has been adequately developed with residential floor area however the construction of a canopy at the rear door which is a beneficial amenity that will improve safety and comfort is only possible with the requested variance.

***That: (D) Such unnecessary hardship has not been created by the applicant.***

The existing-non standard setbacks on the subject property predate the current Owners who purchased the property in 1995. Since purchasing the historic home they have landmarked the property and made many improvements to the structure and to the streetscape. The current renovation will be a major advance in completing the restoration of the home's historic character.

**This request for a variance also satisfies the qualifying criteria for variance consideration of BRC Section 9-2-3 (h) 5.**

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

Narrow and non-standard setbacks are part of the character of the surrounding Whittier neighborhood. See the attached Vicinity Map illustrating the approximate setbacks in the immediate neighborhood.

These typically non-standard circumstances throughout the neighborhood argue for the appropriateness of allowing this request, which is compatible with the other local non-standard setbacks.

The neighborhood has many historic homes. The detailing of the proposed flat Rear Entry Roof recalls a vernacular rendering of Greek Revival details sympathetic to neighboring homes.

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

The proposed Rear Entry Roof will have little or no impact on the adjacent properties. The top of the proposed roof is 11'-6" above grade. The open area below the new flat roof is transparent and will minimally impede the view westward from the adjacent property on the east.

There will be no additional shadow cast on the adjacent lots, as the proposed new roof falls within the shadow profile of the existing house.

The north rear property line of the subject residence is the south side property line of the adjacent property to the north. The residence on this property to the north faces onto 22nd St. and is separated from the proposed roof structure by an accessory Garage with a zero setback along the adjacent properties' south side property line. The Garage is directly opposite the proposed roof of the subject property, concealing the proposed Rear Entry Roof from the view.

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

The proposed Rear Entry Roof is designed to fit onto the existing 1'-8" high brick landing outside of the rear entry door. The landing is required by the International Residential Code. Though a roof over the landing is not required, it will keep rain and ice off of the landing and prevent north wind-blown rain from entering the opened door, thus enhancing the safety, habitability, and longevity of the home.

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

The proposed new roof would not conflict with the solar access code. The shadow cast by the parapet of the new roof (at approximately 11'-6" above grade) will fall within the shadow cast by the existing house.

All site dimensions given are based on an Improvement Location Certificate. ILC dimensions are accurate to within a 6" margin of error. See the attached ILC.

A final ILC will be prepared and furnished to the City on completion of construction of the Rear Entry Roof, which is standard practice in permit compliance for additions.

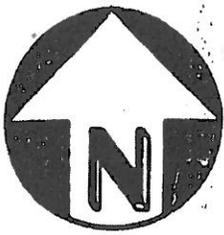
Thank you for your consideration of this proposal. Please call me if I can answer any questions or provide further details.

Yours Truly,

Steven C. Montgomery  
 Montgomery Partnership Architecture  
 303-443-4414  
 stevemontgomery@earthlink.net

**EXHIBITS:****A.) Site I.L.C.****B) Photographs of the existing structure.****C) Building Permit Working Drawings:****Selected Sheets:****#1 Site****#3 Elevations****#4 Elevations****#7 Porch Detail**

Note: The proposed roof is noted with a symbol  on the Permit Drawings



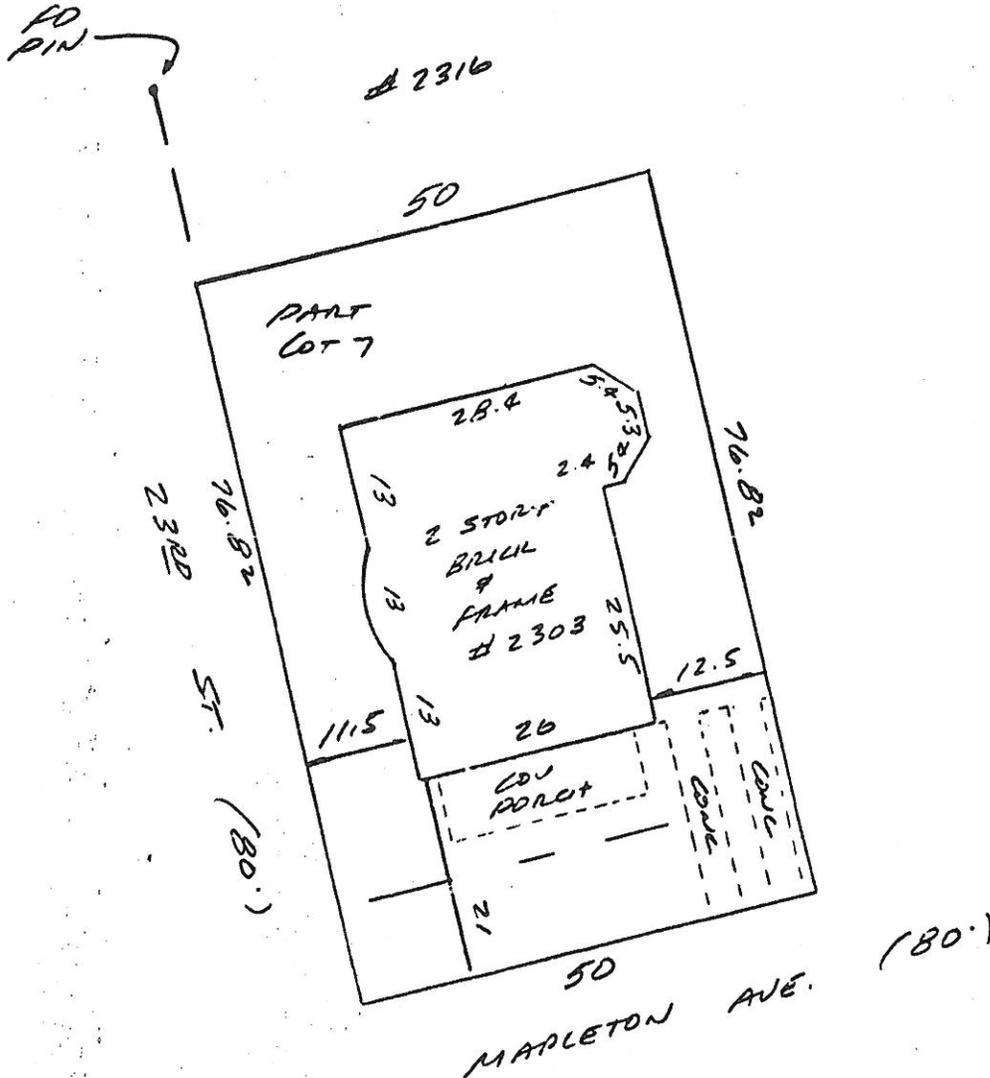
# COLORADO ENGINEERING & SURVEYING INC.

NO. 95-5469  
(HERNANDEZ)

3470 So. Sherman St., Suite 2 • Englewood, Colorado 80110 • 761-8055

Surveying Colorado Since 1972 • FAX: 761-0841

SCALE 1" = 20'

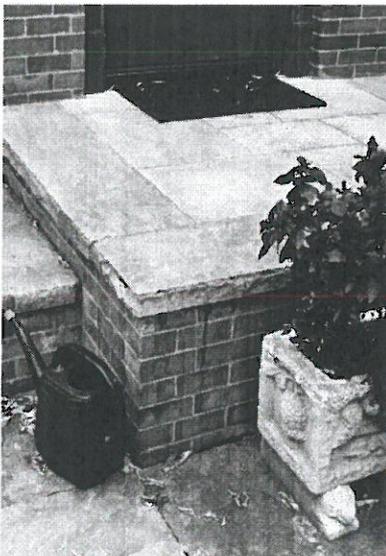


THE SOUTHERLY 66.82 FEET OF LOT 7, BLOCK 184, CORRECTED AND ENLARGED PLAT OF EAST BOULDER, IN THE CITY OF BOULDER, TOGETHER WITH THAT PORTION OF THE NORTH 10 FEET OF HILL STREET LYING BETWEEN THE EAST AND THE WEST LINES OF SAID LOT 7, EXTENDED SOUTHERLY, AS VACATED BY CITY OF BOULDER ORDINANCE RECORDED NOVEMBER 12, 1943 IN BOOK 738, PAGE 154, COUNTY OF BOULDER, STATE OF COLORADO.  
ALSO KNOWN AS 2303 MAPLETON AVE

CENSUS TRACT 121.02



Street View from west



Detail of brick landing.



Subject rear yard view from west. Landing where New Rear Porch is located on the right.

**2303 Mapleton Ave.**

**New Rear Porch**

**Rear yard setback variance request**



**SCOPE OF WORK SCHEDULE**  
**2303 Mapleton Ave. Remodel**

**SOUTH**  
**(front, Mapleton Ave. elevation)**

**2nd Flr.**

- S-1 Remove existing non-historic vinyl siding in the upper gable-end wall.
- S-2 Remove existing non-historic french doors.
- S-3 Remove existing non-historic arch window in the upper gable-end wall.
- S-4 Remove existing non-historic membrane roof and rail at the 2nd Flr. Preserve existing deck floor framing (which overhangs the 1st Flr. beam frieze).
- S-5 Remove (2) existing wall mount light fixtures.
- S-6 Install new wood shingle siding & horiz. frieze trim on the upper gable-end wall and install new louvered wood attic vent.
- S-7 Install (2) new wood windows & trim in the upper gable-end wall:  
**(2) 2'10"x5'9" d.h., both egress.**

**1st Flr.**

- S-8 Install new hip roof framing at 2nd Flr. over the existing deck floor framing, replicating the historic detail. See Sheet # 6.
- S-9 Install new wood fascia and 1x4 t&g beaded soffit on the new hip roof eaves.
- S-10 Install (2) hip skirt returns on the existing east and west eave ends, replicating the historic detail.
- S-11 Restore existing historic wood rake fascia and soffit finishes in place.
- S-12 Prime and finish paint all new wood trim, windows, fascia, soffit and siding.
- S-13 Remove the existing non-historic frieze trim on the existing beam above the columns.
- S-14 Install new wood frieze trim on the existing beam.
- S-15 Prime and finish paint beam frieze, existing historic doric style columns, and existing historic windows.

**WEST**  
**(side, 22nd St. elevation)**

**2nd Flr.**

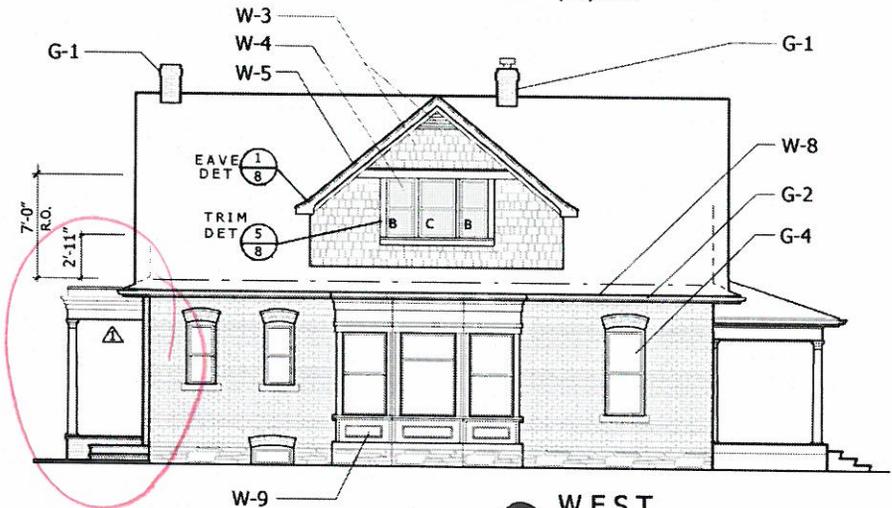
- W-1 Remove existing non-historic vinyl siding on the non-historic gable-end dormer.
- W-2 Remove existing non-historic windows in the non-historic gable-end dormer.
- W-3 Install new wood shingle siding on the dormer end wall and install new louvered wood attic vent.
- W-4 Install (3) new wood windows & trim in the dormer end wall:  
**(2) 1'10"x4'1" d.h. & (1) 2'8"x4'1" d.h., all non-egress.**
- W-5 Install new rake fascia and 1x4 t&g beaded soffit on the non-historic gable-end dormer.
- W-6 Pre-prime and finish paint all wood trim, siding, soffit & fascia.

**1st Flr.**

- W-7 Remove existing non-historic vinyl siding on the historic Bay Window.
- W-8 Restore existing historic fascia and soffit finishes on main roof eave in place.
- W-9 Install new wood panel siding on the historic Bay Window
- W-10 Prime and finish paint new panel siding on Bay Window. Finish paint existing historic wood windows & trim.



**1 SOUTH**  
 proposed 1/8"



**2 WEST**  
 proposed 1/8"



For Construction	06/06/14
⚠ Omit Rear Porch Roof Permit Application	06/09/14 06/10/14

**2303 Mapleton Ave.**  
 New Porch roofs, replacement windows, siding and trim

**PROPOSED ELEVATIONS & SCOPE OF WORK**

**3**

**SCOPE OF WORK SCHEDULE**  
**2303 Mapleton Ave. Remodel**

**NORTH**

(rear elevation)

**2nd Flr.**

- N-1 Remove existing non-historic vinyl siding in upper gable-end wall.
- N-2 Install new wood shingle siding and horiz. frieze trim on the upper gable-end wall and install louvered wood attic vent.
- N-3 Restore existing historic wood rake fascia and soffit finishes in place.
- N-4 Finish paint existing historic fascia and soffit. Prime and finish paint new shingle siding.

**1st Flr.**

- △ N-5 Install new Covered Porch canopy on (2) doric style columns (similar to the front porch columns). The columns sit on an existing, non-historic brick pedestal. See Sheet #7.
- N-6 Install hip skirt return at (1) location on the exist. n.w. rake fascia end, replicating the historic detail.
- N-7 Prime and finish paint new porch canopy and columns. Finish paint existing historic windows and trim.

**EAST**

(interior side elevation)

**2nd Flr.**

- E-1 Remove existing non-historic vinyl siding on the non-historic gable-end dormer.
- E-2 Remove existing non-historic windows in the non-historic gable-end dormer.
- E-3 Install new wood shingle siding on the gable-end dormer and install louvered wood attic vent.
- E-4 Install (3) new wood windows & trim in the gable-end dormer wall:  
 (2) 1'10"x3'9" d.h. & (1) 2'5"x3'9" csmt., egress.
- E-5 Install new fascia and 1x4 t&g beaded soffit on the gable-end dormer.
- E-6 Pre-prime and finish paint all wood fascia, soffit, trim and siding on gable-end dormer.
- E-7 On the existing non-historic 45 dormer: Remove the exist. vinyl siding, roofing and window. Install new wood siding and replace octagon window with (1) 2'0" x 2'0" awn. Install new fascia and soffit. Paint all wood trim, siding, soffit, fascia, and window.

**1st Flr.**

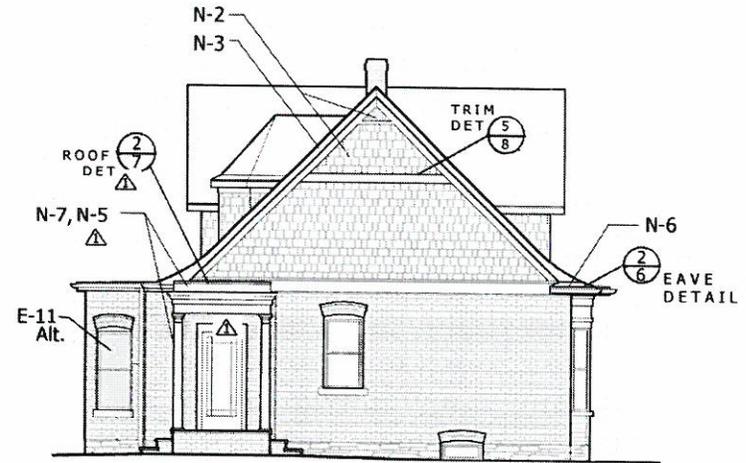
- E-8 Restore existing historic fascia and soffit finishes on main roof eave in place.
- E-9 Finish paint existing historic fascia, soffit, wood windows & trim.

**Alternate Add**

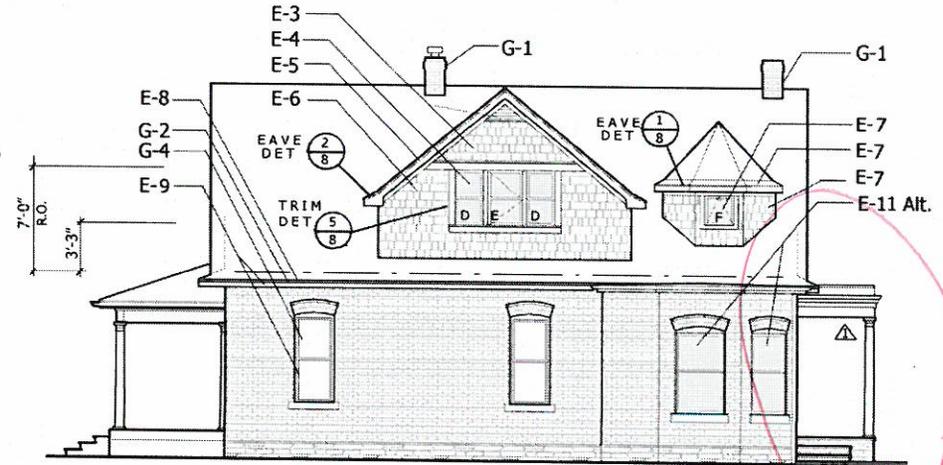
- E-10 Remove (2) existing non-historic windows in the non-historic brick bay.
- E-11 Install (2) new wood windows in the existing openings of the brick bay : (2) 3'6" x 5'4" dh. Install new 2x sub sill.

**GENERAL**

- G-1 Add height to the (2) existing historic brick chimneys using matching historic brick and replicating the historic height.
- G-2 Remove all 'k' style gutter and downspouts. Install new 5" diameter half-round gutter.
- G-3 Install new dimensional fiberglass shingles matching the existing shingles on the south hip roof, and as required on modified existing roof areas.
- G-4 Remove existing aluminum frame storm windows and install new wood frame storm windows on all existing single-glazed historic window locations



**1 NORTH**  
 proposed 1/8"



**2 EAST**  
 proposed 1/8"

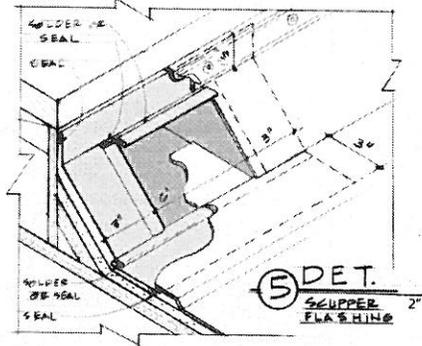
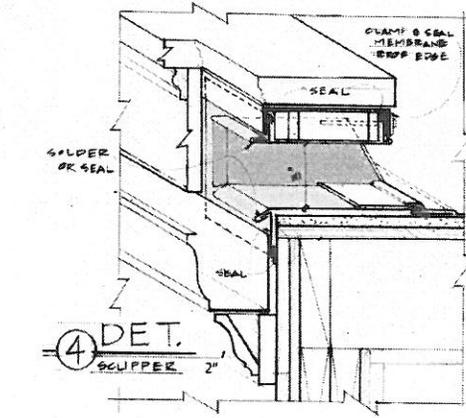


For Construction	06/06/14
△ Omit Rear Porch Roof Permit Application	06/09/14 06/10/14

**2303 Mapleton Ave.**  
 New Porch roofs, replacement windows, siding and trim

**PROPOSED ELEVATIONS & SCOPE OF WORK**

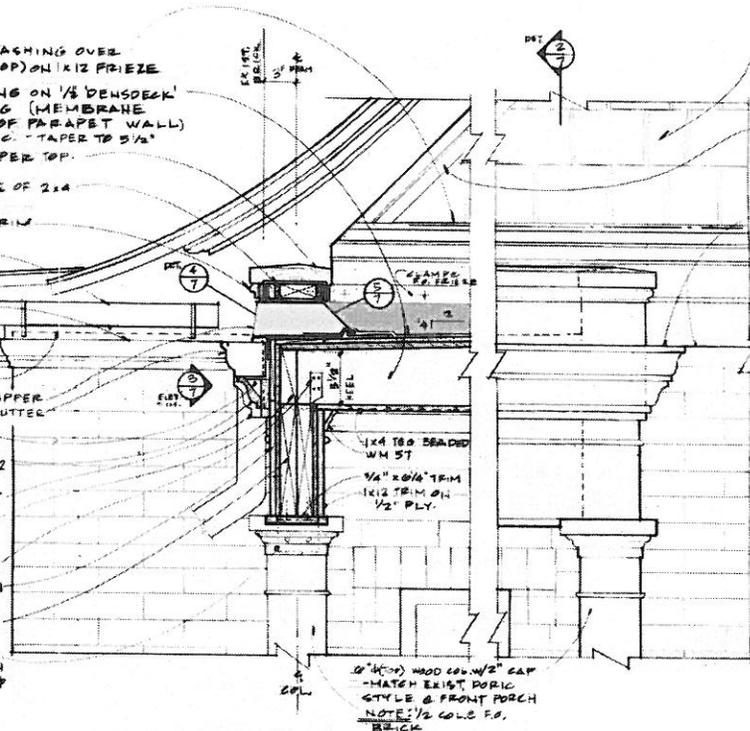
**4**



NEW ALUM. CAP FLASHING OVER  
2x8 GAP (TAPER TOP) ON 1x12 FRIeze  
W/ WMS2 DOWN  
MEMBRANE ROOFING ON 1/8" DENSDEK  
ON 3/4" SHEATHING (MEMBRANE  
CONT. OVER TOP OF PARAPET WALL)  
ON 2x8'S @ 24" O.C. - TAPER TO 5/16"  
5x8 CAP TRIM - TAPER TOP.

1/2" PLY. ON EA. SIDE OF 2x4  
PARAPET WALL  
WM 163 TRIM ON EX. TRIM  
ON 1x4 TRIM  
NEW HALF-ED  
OUTTER CEANT.  
LOCATION  
NOTES:  
ALIGN TOP OF  
OUTTER W/BOTT.  
OF EXIST. FASCIA

TOP OF EXIST. BRICK  
6"x3" 16 GA. ALUM. SCUPPER  
GAIN. STEEL 'K'-STYLE' GUTTER  
ALIAS GUM - CONT.  
1" FRONT CROWN #MLD 952  
ON 1x4 ALIAS TRIM  
1 1/2" BLACK G. DOWNSPOUT  
- TERMINATES CROWN  
@ 1x4 TRIM  
2x6 BLOCKING  
SIMP. HZ. 5x8 BAFTER  
1/2" φ HALF-ED TRIM ON  
1x12 TRIM ON 1/2" PLY.  
2) 2x12 BEAM ANCHOR  
BOTT. & TOP  
1/4" x 3/4" W/ 2) 1/2" φ  
LAGS INTO BLOCK ON  
INSIDE COL. (2) 1/2" φ  
LAGS TO BEAM &  
STONE (IN PORCH)

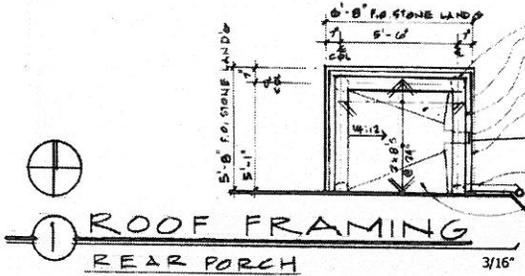


WOOD SHINGLE PANEL  
SIDING ON WEATHER-  
PROOF MEMBRANE  
ON EXIST. SHEATHING  
WMS2 DOWN ON  
1x4 1/2" TRIM @  
F.O. WALL

NOTE: ALIGN  
TO GUTTER W/  
BOTT. OF FASCIA  
TO PARAPET

2 DETAIL REAR PORCH ROOF 1"

3 ELEV. ROOF CORNER 1"



1 ROOF FRAMING REAR PORCH 3/16"

WOOD COL BELOW  
MEMBRANE ROOFING  
@ 2x8 GAP TRIM ON 2x4  
PARAPET WALL  
ALUM. SCUPPER  
'K'-STYLE STEEL GUTTER  
SCUPPER  
DET  
NEW DOWNSPOUT INTO EXIST.  
ROOF SHEATHING: #9 3/2" APA RATED  
2x11 @ EX POSITIVE 1, ATTACH TO SUP-  
PORTS W/ 8d NAILS @ 6" O.C. @ PANEL EDGES  
& 12" O.C. @ INTERMEDIATE SUPPORTS

1 ENTIRE SHEET

KEY: → FRAMING MEMBER - DIRECTION OF SPAN  
← EXTENT OF FRAMING MEMBER TYPE



For Construction	06/06/14
⚠ Omit Rear Porch Roof Permit Application	06/09/14 06/10/14

2303 Mapleton Ave.  
New Porch roofs, replacement windows, siding and trim

DETAILS  
REAR PORCH ROOF

7



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

# BOZA VARIANCE APPLICATION

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

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

## GENERAL DATA

(To be completed by the applicant.)

- Street Address or General Location of Property: 1612 MAPLETON AVE.
- Legal Description: Lot 2 Block 145 Subdivision BOULDER # BK 20 (Or attach description.)
- Existing Use of Property: SINGLE FAMILY RESIDENCE NORTH BOULDER
- Description of proposal:  
RISE LOW SHED ROOF TO A HIPPED ROOF THAT MATCHES MAIN ROOF. SOUTHEAST EXISTING WALL IS WITHIN 5' SIDE YARD SETBACK.

*Total floor area of existing building: <u>1866</u>	*Total floor area proposed: <u>1866</u>
*Building coverage existing: <u>1524</u>	*Building coverage proposed: <u>1524</u>
*Building height existing: <u>25'</u>	*Building height proposed: <u>25'</u>

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

- ◆ Name of Owner: WILLIAM SPENCER & MICHAEL KEANEY
- Address: 1612 MAPLETON AVE. Telephone: 303-881-0942
- City: BOULDER State: CO Zip Code: 80302 FAX: \_\_\_\_\_
- ◆ Name of Contact (if other than owner): DAVID WAUGH
- Address: P.O. Box 498 Telephone: 720-494-7602
- City: NINOT State: CO Zip Code: 80544 FAX: \_\_\_\_\_

### STAFF USE ONLY

Doc. No. Boz2014-00015 Date Filed 8/20/14 2PM Zone \_\_\_\_\_ Hearing Date 9/11/14  
 Application received by: JMG Date Fee Paid \_\_\_\_\_ Misc. Rect # \_\_\_\_\_

**APPLICATION TYPES**

- Setback Variance
- Sign Variance
- Mobile Home Spacing Variance

**APPLICATION REQUIREMENTS**

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

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

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

---

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

Applicant / Owner Signature  Date 8/19/14

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

I, DAVID WAUGH, 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) WILLIAM SPENCER & MICHAEL KEANEY for property located  
(PRINT NAME OF OWNER(S) IF OTHER THAN APPLICANT/CONTACT)  
at 1612 MAPLETON AVE.. 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.

DAVID WAUGH

NAME OF APPLICANT OR CONTACT PERSON

8-19-14

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.

1612 Mapleton Avenue  
Boulder, CO 80304  
August 20, 2014

BOZA Committee  
Boulder, CO

Dear Committee Members,

This letter is to inform you that we authorize David Waugh of Waugh and Associates to submit the attached variance application on our behalf for our single family residence located at 1612 Mapleton Avenue.

Sincerely,

William Spencer and Michael Keaney

A handwritten signature in black ink, appearing to be a cursive or stylized script, located below the typed names.

# waugh & associates

architecture ◦ planning ◦ solar design

August 28, 2014

Planning and Development Services  
City of Boulder  
P.O. Box 791  
Boulder, CO 80306-0791

RE: BOZA Variance Application  
1612 Mapleton  
William Spencer

This application is being made to request a setback variance for both side yards of the above named project located at 1612 Mapleton Ave. The owners would like to raise the roof level on an existing two story shed roof that would be 8 feet long and raise one end 1'-6" and the other end 3 feet above the existing sloped roof. The existing shed roof is very low, varying from 8 feet high down to 6 feet high inside, and enclosed a back porch at one time. Below the back porch is a walkout basement. The new raised roof would allow proper head room for the existing space inside, as well as allow for the removal of a door on the side of the house that opened onto a 2' wide stoop and 2' wide stairs down to the back yard, creating a very dangerous situation for both safety reasons and a potential fire hazard. The raising of the roof will align the fascia with the existing main roof, as well as permit the new back door to be on the south side of the house, away from the property line. There will be no additional encroachment of the wall into the setback, just a raising of the roof to match the rest of the house, which also has historically encroached on the side yard setback. The new roof would not have an overhang to avoid any further encroachment. Any new construction will be built with a one hour fire rating.

The combined setback variance is necessitated due to the existing setbacks that do not meet the required setbacks for the RMX-1 zoning district. Where the requirement is for a combined setback of 15 feet, this property varies from 1.8 feet to 2.1 feet on one side, and 7'-9" on the other side, for a combined setback of 9'-6". The raised roof area on the east side has a setback of 2.1 feet, and the west side has a setback of 11'-8".

The adjacent neighbor's house to the east has a 10.5 foot setback, so the combination of setbacks could potentially exceed two standard required 5 foot setbacks. The adjacent houses on the west each have a five foot setback, for a total combined setback of 12'-9".

The lot is a non-standard lot that is 3042 square feet, thus dictating a lower height limit of 25.14 feet, which will be met with the new raised roof.

### **CRITERIA FOR VARIANCES**

Our request for a variance is based on criteria paragraphs (1) and (5) ;

#### **(1) Physical Conditions or Disability**

**(A)** This lot has an unusual physical circumstance which is the narrowness of the existing lot. The lot is only thirty eight feet wide, with the existing side yard setback of 2 feet on one side, and the existing setback on the other side of 7'-9". With required setbacks of 15 feet, the only buildable area would be 23 feet wide. The current house is only 24 feet wide, with a small four foot bump out on the west side of the house. The total main floor area is 1024 square feet. The owners have recently dug out the existing root cellar to add 842 square feet in the basement, due to the severe site limitations. This remodel was permitted and is currently under construction.

**(B)** The unusual narrowness of the lot is not common throughout the neighborhood. This lot and the adjacent lot behind it have a shared walkway, which created the 38 foot wide lot, where the standard lot in this zoning district is a minimum of 50 feet. It is apparent that these two lots were originally platted as one and divided into two lots at some point in time, although the 2 foot setback always existed and was not created by the flag lot subdivision.

**(C)** Because of the narrowness of the lot, the property cannot reasonably be developed in conformity with the provisions of the zoning code. This request does not change either of the existing setbacks, just an alteration of the wall height. Although the legal buildable envelope would dictate a 15 foot combined setback, it seems far more compatible to maintain the existing walls, with a shallow 8 foot wide roof height extension, which necessitates the setback variance.

**(D)** The unnecessary hardship was not created by the applicant, as the narrow lot and constructed house with it's minimal setbacks, were established previous to the applicant's purchase of the property. The applicants are quite fond of the small size of both the lot and home, but feel that a small roof height addition would allow for a better use of the interior space, and would allow for the removal of the side access door, concrete stoop and stairs.

## **(5) Requirements for All Variance Approvals**

**(A)** This addition to the rear of the house would not alter the essential character of the neighborhood. This neighborhood consists of many small, quaint, cottages and bungalows, of which this house is a very good example of small house living. The applicants are adamant about retaining the small house charm.

**(B)** This addition would not substantially or permanently impair the reasonable use and enjoyment of adjacent property. This addition would enhance the adjacent lot to the east, as it would remove the low dropped roof of the old porch and replace it with an integrated fascia system, and remove the side door, allowing for better use and enjoyment for both the applicants and neighbors. This addition also would maintain the 12.5 foot building separation that currently exists and exceeds a minimal standard side yard setback between two homes. The raised roof on the west side meets the required setback.

**(C)** This would be the minimum variance that would afford relief and would be the least modification of the applicable provisions of this variance. This project meets all of the aspects of the new compatible development guidelines, since the building coverage footprint has not changed, and the proposed addition does not change the FAR ratio based on the lot/house size, and it meets the bulk plane standard.

**(D)** This addition would not conflict with the provisions of Section 9-9-17, "Solar Access". The proposed addition will not cast a shadow beyond what is allowed for a twenty five foot solar fence in the RMX-1 zoning.

In conclusion, the applicant is asking for a very minimal height addition, that is on an abnormally narrow lot. The size of the "raised roof" addition is very compatible with the existing residence, and will maintain the "small home" character of the Mapleton Avenue neighborhood. We respectfully ask for this variance approval.

**LEGAL**

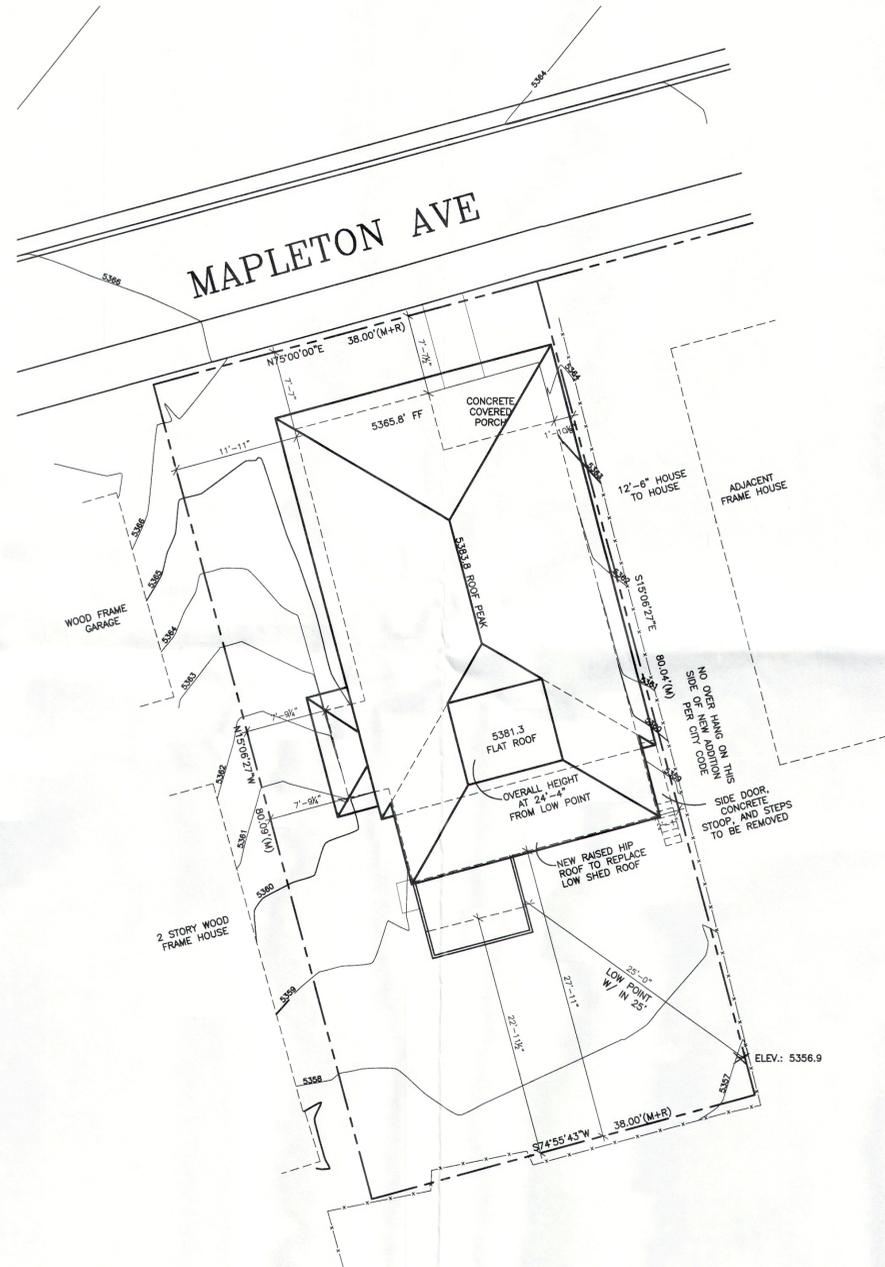
ADDRESS - 1612 MAPLETON AVE  
 BLK 145 BOULDER AND  
 BLK 20 NORTH BOULDER  
 CITY OF BOULDER  
 COUNTY OF BOULDER  
 STATE OF COLORADO

**SHEET INDEX**

AO	SITE PLAN
AI	FLOOR PLAN
A2	ELEVATIONS

REVISIONS:

DRAWN BY: T. WAUGH



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

ALLOWABLE HEIGHT CALCULATION  
 RMX-1 ZONE MINIMUM LOT SIZE = 6,000 SQ. FT.  
 EXISTING LOT SIZE = 3042.47  
 ALLOWABLE HEIGHT = LOT SIZE - 3,000 X .003333 + 25  
 3042.47 - 3,000 = 42.47 X .003333 = .1415  
 25 + .1415 = 25.1415' ALLOWABLE HEIGHT

HEIGHT CALCULATION  
 LOWEST POINT W/IN 25' 5356.9  
 FLAT ROOF HT. 5381.3  
 OVERALL HEIGHT 24.4'

**GENERAL NOTES:**

DEVELOPER, OWNER, AND/OR GENERAL CONTRACTOR ARE TO VERIFY ALL EXISTING CONDITIONS, DIMENSIONS, AND SPECIFICATIONS ON THESE DRAWINGS PRIOR TO, AND DURING CONSTRUCTION. ANY DISCREPANCIES, OMISSIONS, OR ERRORS EXISTING IN THE DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT FOR CORRECTION PRIOR TO COMMENCING WORK. THE FAILURE TO NOTIFY THE ARCHITECT WITHIN TEN (10) DAYS FROM THE DATE OF THE DRAWINGS SHALL CONSTITUTE THE FINAL ACCEPTANCE OF THE DRAWINGS. ANY CHANGES MADE AFTER THE ACCEPTANCE OF THE DRAWINGS SHALL RELEASE THE ARCHITECT FROM ANY FUTURE RESPONSIBILITY.

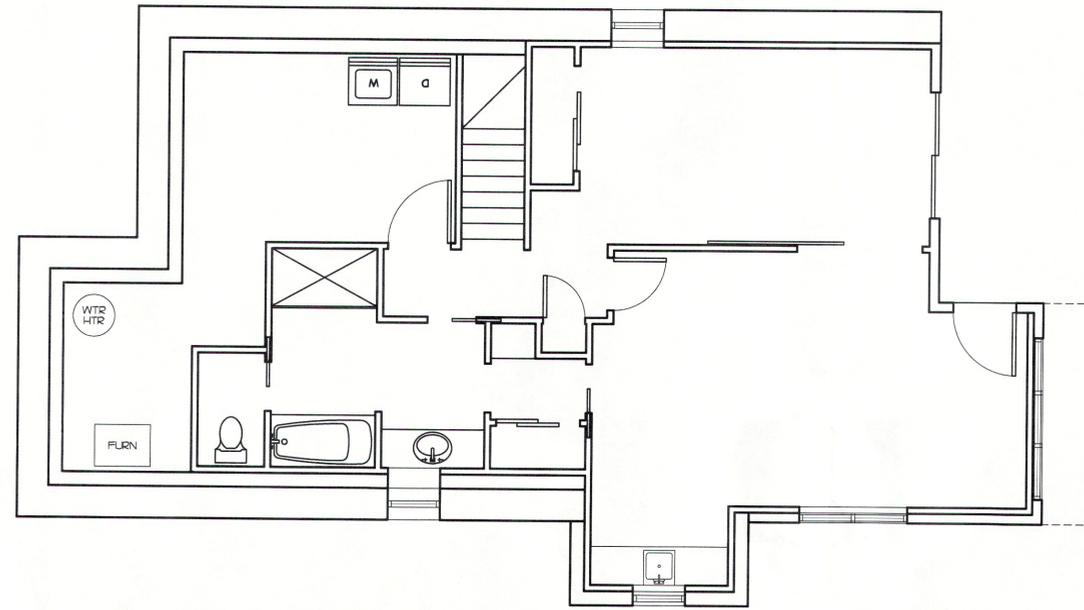
ALL WORK SHALL COMPLY WITH, AND BE IN ACCORDANCE WITH, MINIMUM CONSTRUCTION STANDARDS OF THE INTERNATIONAL BUILDING CODE, THE NATIONAL ELECTRIC AND PLUMBING CODES, AND ALL APPLICABLE STATE AND LOCAL CODES.

ALL WORKMANSHIP AND INSTALLATIONS SHALL BE AS ESTABLISHED BY GOOD AND NORMAL BUILDING PRACTICE AND MANUFACTURER'S INSTALLATION REQUIREMENTS.

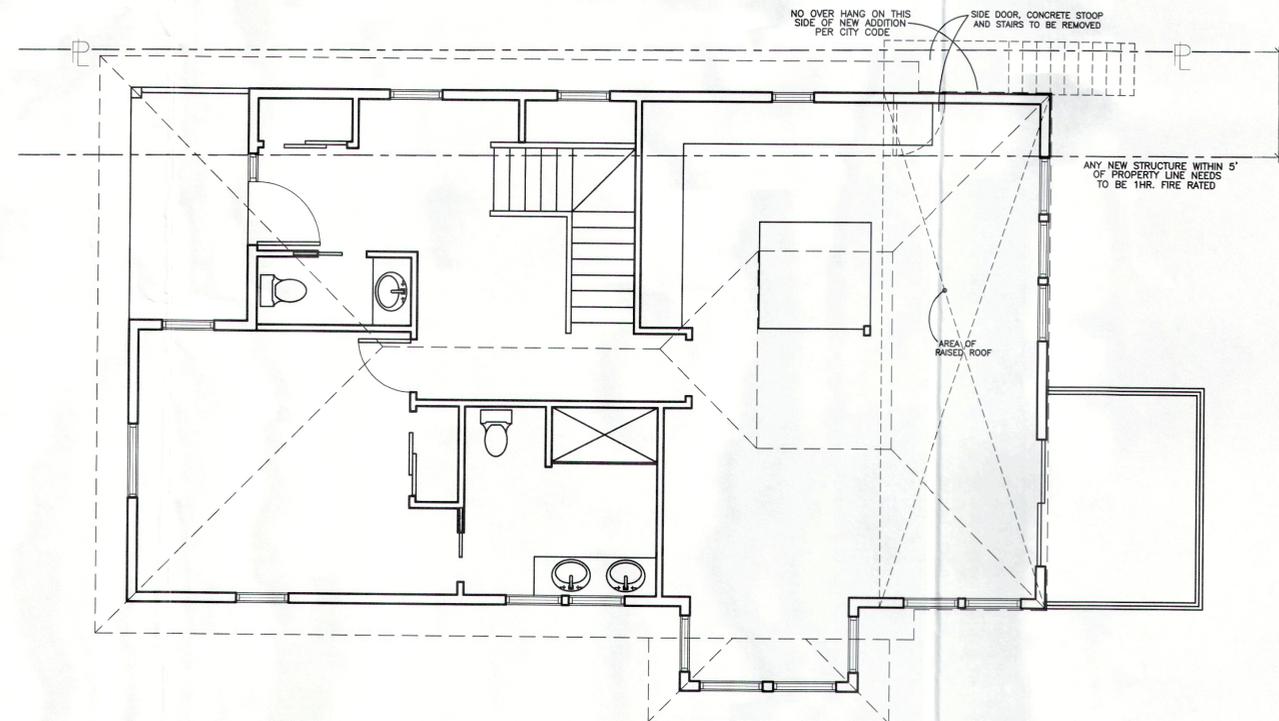
PRIVATE RESIDENCE  
 1612 MAPLETON AVE.  
 BOULDER, COLORADO  
 waugh & associates  
 architecture • planning • solar design  
 www.waughandassociates.net  
 po box 488 • timew, colorado • 80544 • 720-494-7602  
 e-mail info@waughworld.com

SHEET NO.: **A0** DATE: 28 AUG. 2014

**SITE PLAN**



**LOWER LEVEL FLOOR PLAN**  
SCALE : 1/4"=1'-0"



**MAIN LEVEL FLOOR PLAN**  
SCALE : 1/4"=1'-0"

REVISIONS:

DRAWN BY: T. WALSH

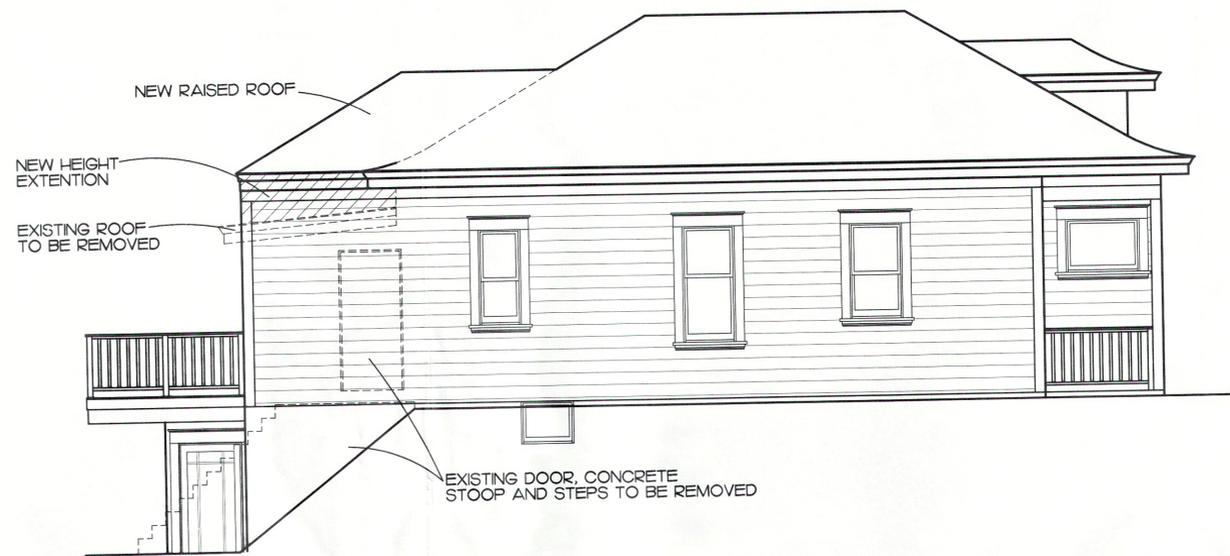
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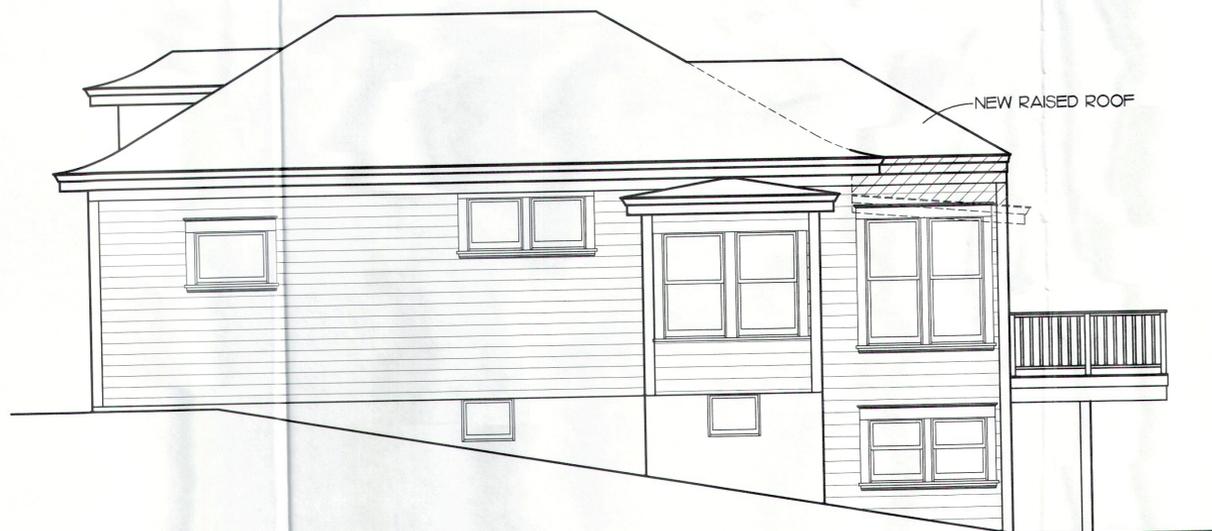
www.waughnassociates.net  
e-mail: info@waughnworld.com

SHEET NO.: **A1** DATE: 28 AUG. 2014

FLOOR PLAN



**EAST ELEVATION**  
SCALE : 1/4"=1'-0"



**WEST ELEVATION**  
SCALE : 1/4"=1'-0"



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

REVISIONS:

DRAWN BY: T. WALUGH

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www.waughandassociates.net  
e-mail info@waughworld.com

SHEET NO.: A2 DATE: 28 AUG. 2014

ELEVATIONS

**CITY OF BOULDER**  
**BOARD OF ZONING ADJUSTMENT**  
**ACTION MINUTES**  
**August 14, 2014, 5 p.m.**  
**1777 Broadway, Council Chambers**

**Board Members Present:** Ellen McCready, Michael Hirsch, Christopher Lane, Thom Ward  
**Board Members Absent:** David Schafer  
**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 5:07 p.m.

**2. BOARD HEARING:**

**Docket No.: BOZ2014-12**  
**Address: 110 South 31<sup>st</sup> Street**  
**Applicant: Robert Story and Kelly Shanafelt**

Variance to Parking Spaces in Front Yard Setbacks: As a proposal to construct a 495 sq. ft. addition to an existing 1,313 sq. ft. residence (including area associated with converted garage), the applicants are requesting to vary the requirements of Section 9-9-6, "Parking Standards", to allow for the required off-street parking space to be located within the front yard setback. Section of the Land Use Regulations to be varied: Section 9-9-6, B.R.C. 1981.

**Staff Presentation:**

**B. Holmes** presented an overview of the item to the board. The applicant did not post a sign on the property prior to the hearing.

**Motion:**

On a motion by E. McCready seconded by C. Lane, the board voted 4-0 (D. Schafer absent), to continue the application BOZ2014-00012 to a date no later than two months from August 14, 2014 due to lack of proper notice on site.

**Docket No.: BOZ2014-13**  
**Address: 855 Park Lane**  
**Applicant: Donald and Kristina Bergal**

Setback Variance: As part of a proposal to replace and relocate nonstandard stairs to an elevated patio on an existing single family residence, the applicant is requesting a variance to the front (east) yard setback requirements of the RE zoning district. The resulting front yard setback will be approximately 14.58 feet where 25 feet is required and 8.5 feet exists today. A small expansion to the existing patio roof as well as a new landing area are within the proposed scope of work. 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.

**Motion:**

On a motion by **T. Ward**, seconded by **E. McCready**, the Board of Zoning Adjustment voted 4-0 (**D. Schafer** absent) to approve the application (Docket 2014-00013) as submitted and presented.

**Docket No.: BOZ2014-09**

**Address: 101 Hickory Avenue**

**Applicant: Jerry Lynch**

Variance to Owners Accessory Unit (OAU) “floor area” and “building coverage” limitations: As a part of a proposal to allow an existing two-story accessory building to be considered eligible to apply for a detached OAU (through a separate administrative process); the applicant is requesting a variance to the detached OAU building coverage limit of 500 square feet to allow for the existing accessory structure of 575 square feet, and the applicant is also requesting a variance to the floor area limit of 450 square feet to allow for the existing two-story building’s floor area of approximately 695 square feet (which includes both levels). Section of the Land Use Regulations to be modified: Section 9-6-3, BRC 1981.

**E. McCready** explained that the required Hearing Notice lawn sign was not posted for two days prior to the public hearing. The board agreed that the omission was minor and that the case could be heard.

**Staff Presentation:**

**B. Holmes** presented the item to the board.

**Applicant Presentation:**

**Ed Byrne** presented to the board and clarified the signage issue.

**E. McCready** did not think that this would not have been approved in 1999 given the coverage and square footage regulations. It was a bigger picture about OAU, housing and potential options. Until policies are revised to allow for larger OAU structures, this should not be allowed.

The board did not intend to set a precedent to increase the allowable area for OAUs, but recognized that the owner inherited this structure upon purchase of the property.

The board will include this topic in its annual letter to City Council.

**Motion:**

On a motion by **C. Lane**, seconded by **M. Hirsch**, the Board of Zoning Adjustment voted 3-1 (**D. Schafer** absent, **E. McCready** opposed) to approve the application (Docket 2014-00009) as submitted and presented.

**3. GENERAL DISCUSSION:**

**A. Approval of Minutes:**

On a motion by **E. McCready**, seconded by **T. Ward**, the Board of Zoning Adjustment voted 3-0 (**C. Lane** abstained, **D. Schafer** absent) to approve the July 10, 2014 minutes.

**B. Matters from Staff**

**C. Matters from the Board**

The board discussed issues surrounding OAU's and ADUs. They would like to address this in their annual letter to Council.

**D. Matters from the City Attorney**

**E. Poe** will be present for the September meeting and out on maternity leave thereafter.

**4. ADJOURNMENT:**

There being no further business to come before the board at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED AT 6:47 P.M.

APPROVED BY

\_\_\_\_\_

DATE